



Lee County Board of County Commissioners
 Department of Community Development
 Division of Planning
 Post Office Box 398
 Fort Myers, FL 33902-0398
 Telephone: (239) 479-8585
 FAX: (239) 479-8519

APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT

(To be completed at time of intake)

DATE REC'D 9-29-06

REC'D BY: am k u

APPLICATION FEE \$2000.00

TIDEMARK NO: CPA2006-00015

THE FOLLOWING VERIFIED:

Zoning

AG-2

Commissioner District

1

Designation on FLUM ☐

(To be completed by Planning Staff)

Plan Amendment Cycle: ☒ Normal ☐ Small Scale ☐ DRI ☐ Emergency

Request No: _____

APPLICANT PLEASE NOTE:

Answer all questions completely and accurately. Please print or type responses. If additional space is needed, number and attach additional sheets. The total number of sheets in your application is: _____

Submit **6** copies of the complete application and amendment support documentation, including maps, to the Lee County Division of Planning. Additional copies may be required for Local Planning Agency, Board of County Commissioners hearings and the Department of Community Affairs' packages.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.

9/29/06
DATE

Mike Roeder
SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE

I. APPLICANT/AGENT/OWNER INFORMATION

John Cauthen

APPLICANT

4353 Michigan Link

ADDRESS

Fort Myers

FL

33916

CITY

STATE

ZIP

239-851-3830

239-334-2952

TELEPHONE NUMBER

FAX NUMBER

Michael E. Roeder, AICP

AGENT*

1625 Hendry Street, Suite 301

ADDRESS

Fort Myers

FL

33901

CITY

STATE

ZIP

239-334-2722

239-334-1446

TELEPHONE NUMBER

FAX NUMBER

3150 SW Pine Island Rd, LLC

OWNER(S) OF RECORD

4353 Michigan Link

ADDRESS

Fort Myers

FL

33916

CITY

STATE

ZIP

239-851-3830

239-334-2952

TELEPHONE NUMBER

FAX NUMBER

Name, address and qualification of additional planners, architects, engineers, environmental consultants, and other professionals providing information contained in this application.

* This will be the person contacted for all business relative to the application.

II. REQUESTED CHANGE (Please see Item 1 for Fee Schedule)

A. TYPE: (Check appropriate type)

☐ Text Amendment

☒ Future Land Use Map Series Amendment
(Maps 1 thru 21)

List Number(s) of Map(s) to be amended

B. SUMMARY OF REQUEST (Brief explanation):

Map amendment from Rural to Intensive Development

III. PROPERTY SIZE AND LOCATION OF AFFECTED PROPERTY (for amendments affecting development potential of property)

A. Property Location:

1. Site Address: 3150 SW Pine Island Road, Cape Coral, FL 33991

2. STRAP(s): 20-44-23-00-00002.0000

B. Property Information

Total Acreage of Property: 13.5 ± acres

Total Acreage included in Request: 13.5 ± acres

Area of each Existing Future Land Use Category: Rural

Total Uplands: 0.68 acres

Total Wetlands: 12.83 acres

Current Zoning: AG-2

Current Future Land Use Designation: Rural

Existing Land Use: Vacant

- C. State if the subject property is located in one of the following areas and if so how does the proposed change effect the area:

Lehigh Acres Commercial Overlay: _____ NA _____

Airport Noise Zone 2 or 3: _____ NA _____

Acquisition Area: _____ NA _____

Joint Planning Agreement Area (adjoining other jurisdictional lands): _____ NA _____

Community Redevelopment Area: _____ NA _____

- D. Proposed change for the Subject Property: Intensive Development

- E. Potential development of the subject property:

1. Calculation of maximum allowable development under existing FLUM:

Residential Units/Density 1 unit per acre

Commercial intensity _____

Industrial intensity _____

2. Calculation of maximum allowable development under proposed FLUM:

Residential Units/Density 14 units per acre (181 total residential units)

Commercial intensity 400,000 square feet

Industrial intensity _____

IV. AMENDMENT SUPPORT DOCUMENTATION

At a minimum, the application shall include the following support data and analysis. These items are based on comprehensive plan amendment submittal requirements of the State of Florida, Department of Community Affairs, and policies contained in the Lee County Comprehensive Plan. Support documentation provided by the applicant will be used by staff as a basis for evaluating this request. To assist in the preparation of amendment packets, the applicant is encouraged to provide all data and analysis electronically. (Please contact the Division of Planning for currently accepted formats)

A. General Information and Maps

NOTE: For each map submitted, the applicant will be required to provide a reduced map (8.5" x 11") for inclusion in public hearing packets.

The following pertains to all proposed amendments that will affect the development potential of properties (unless otherwise specified).

1. Provide any proposed text changes.
2. Provide a Future Land Use Map showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.
3. Map and describe existing land *uses* (not designations) of the subject property and surrounding properties. Description should discuss consistency of current uses with the proposed changes.
4. Map and describe existing zoning of the subject property and surrounding properties.
5. The legal description(s) for the property subject to the requested change.
6. A copy of the deed(s) for the property subject to the requested change.
7. An aerial map showing the subject property and surrounding properties.
8. If applicant is not the owner, a letter from the owner of the property authorizing the applicant to represent the owner.

B. Public Facilities Impacts

NOTE: The applicant must calculate public facilities impacts based on a maximum development scenario (see Part II.H.).

1. Traffic Circulation Analysis

The analysis is intended to determine the effect of the land use change on the Financially Feasible Transportation Plan/Map 3A (20-year horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit the following information:

Long Range – 20-year Horizon:

- a. Working with Planning Division staff, identify the traffic analysis zone (TAZ) or zones that the subject property is in and the socio-economic data forecasts for that zone or zones;
- b. Determine whether the requested change requires a modification to the socio-economic data forecasts for the host zone or zones. The land uses for the proposed change should be expressed in the same format as the socio-economic forecasts (number of units by type/number of employees by type/etc.);

- c. If no modification of the forecasts is required, then no further analysis for the long range horizon is necessary. If modification is required, make the change and provide to Planning Division staff, for forwarding to DOT staff. DOT staff will rerun the FSUTMS model on the current adopted Financially Feasible Plan network and determine whether network modifications are necessary, based on a review of projected roadway conditions within a 3-mile radius of the site;
- d. If no modifications to the network are required, then no further analysis for the long range horizon is necessary. If modifications are necessary, DOT staff will determine the scope and cost of those modifications and the effect on the financial feasibility of the plan;
- e. An inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change;
- f. If the proposal is based on a specific development plan, then the site plan should indicate how facilities from the current adopted Financially Feasible Plan and/or the Official Trafficways Map will be accommodated.

Short Range – 5-year CIP horizon:

- a. Besides the 20-year analysis, for those plan amendment proposals that include a specific and immediated development plan, identify the existing roadways serving the site and within a 3-mile radius (indicate laneage, functional classification, current LOS, and LOS standard);
- b. Identify the major road improvements within the 3-mile study area funded through the construction phase in adopted CIP's (County or Cities) and the State's adopted Five-Year Work Program;

Projected 2020 LOS under proposed designation (calculate anticipated number of trips and distribution on roadway network, and identify resulting changes to the projected LOS);

- c. For the five-year horizon, identify the projected roadway conditions (volumes and levels of service) on the roads within the 3-mile study area with the programmed improvements in place, with and without the proposed development project. A methodology meeting with DOT staff prior to submittal is required to reach agreement on the projection methodology;
- d. Identify the additional improvements needed on the network beyond those programmed in the five-year horizon due to the development proposal.

2. Provide an existing and future conditions analysis for:

- a. Sanitary Sewer
- b. Potable Water
- c. Surface Water/Drainage Basins
- d. Parks, Recreation, and Open Space.

Analysis should include (but is not limited to) the following:

- Franchise Area, Basin, or District in which the property is located;

- Current LOS, and LOS standard of facilities serving the site;
 - Projected 2020 LOS under existing designation;
 - Projected 2020 LOS under proposed designation;
 - Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long range improvements; and
 - Anticipated revisions to the Community Facilities and Services Element and/or Capital Improvements Element (state if these revisions are included in this amendment).
3. Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including:
 - a. Fire protection with adequate response times;
 - b. Emergency medical service (EMS) provisions;
 - c. Law enforcement;
 - c. Solid Waste;
 - d. Mass Transit; and
 - e. Schools.

In reference to above, the applicant should supply the responding agency with the information from Section's II and III for their evaluation. This application should include the applicant's correspondence to the responding agency.

C. Environmental Impacts

Provide an overall analysis of the character of the subject property and surrounding properties, and assess the site's suitability for the proposed use upon the following:

1. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCCS).
2. A map and description of the soils found on the property (identify the source of the information).
3. A topographic map with property boundaries and 100-year flood prone areas indicated (as identified by FEMA).
4. A map delineating wetlands, aquifer recharge areas, and rare & unique uplands.
5. A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern. The table must include the listed species by FLUCCS and the species status (same as FLUCCS map).

D. Impacts on Historic Resources

List all historic resources (including structure, districts, and/or archeologically sensitive areas) and provide an analysis of the proposed change's impact on these resources. The following should be included with the analysis:

1. A map of any historic districts and/or sites, listed on the Florida Master Site File, which are located on the subject property or adjacent properties.
2. A map showing the subject property location on the archeological sensitivity map for Lee County.

E. Internal Consistency with the Lee Plan

1. Discuss how the proposal affects established Lee County population projections, Table 1(b) (Planning Community Year 2020 Allocations), and the total population capacity of the Lee Plan Future Land Use Map.
2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.
3. Describe how the proposal affects adjacent local governments and their comprehensive plans.
4. List State Policy Plan and Regional Policy Plan goals and policies which are relevant to this plan amendment.

F. Additional Requirements for Specific Future Land Use Amendments

1. Requests involving Industrial and/or categories targeted by the Lee Plan as employment centers (to or from)
 - a. State whether the site is accessible to arterial roadways, rail lines, and cargo airport terminals,
 - b. Provide data and analysis required by Policy 2.4.4,
 - c. The affect of the proposed change on county's industrial employment goal specifically policy 7.1.4.
2. Requests moving lands from a Non-Urban Area to a Future Urban Area
 - a. Demonstrate why the proposed change does not constitute Urban Sprawl. Indicators of sprawl may include, but are not limited to: low-intensity, low-density, or single-use development; 'leap-frog' type development; radial, strip, isolated or ribbon pattern type development; a failure to protect or conserve natural resources or agricultural land; limited accessibility; the loss of large amounts of functional open space; and the installation of costly and duplicative infrastructure when opportunities for infill and redevelopment exist.

1. Requests involving lands in critical areas for future water supply must be evaluated based on policy 2.4.2.
 2. Requests moving lands from Density Reduction/Groundwater Resource must fully address Policy 2.4.3 of the Lee Plan Future Land Use Element.
- G. Justify the proposed amendment based upon sound planning principles. Be sure to support all conclusions made in this justification with adequate data and analysis.

Item 1: Fee Schedule

Map Amendment Flat Fee	\$2,000.00 each
Map Amendment > 20 Acres	\$2,000.00 and \$20.00 per 10 acres
Small Scale Amendment (10 acres or less)	\$1,500.00 each
Text Amendment Flat Fee	\$2,500.00 each

Spatial District Query Report

STRAP Number: 20-44-23-00-00002.0000

District Name	District Value	Pct of Parcel in District (if fractional)	Notes
Airport Noise Zone		NOT FOUND	
Airspace Notification		NOT FOUND	
Census Tract	Tract ID	104.01	100.01%
Coastal Building Zone		NOT FOUND	
Coastal High Hazard Area	Coastal High Hazard Zone	High hazard	69.28%
Fire District	Fire District	Pine Island- Matlacha	99.9%
	Taxing Authority	059	
	Fire District	Cape Coral	0.1% <u>1</u>
	Taxing Authority		
Flood Insurance Zone	Flood Zone	A8-EL8	
FIRM Floodway		NOT FOUND	
Flood Insurance Panel	Community	125124	99.78%
	Panel	0170	
	Version	B	
	Date	091984	
	Community	125095	0.22% <u>1</u>
	Panel	0020	
	Version	C	
	Date	091885	
DNR Flood Zones		NOT FOUND	
Flood Insurance Coastal Barrier		NOT FOUND	
Lighting District		NOT FOUND	
Planning Community	ID	16	99.74%
	Plan Community	Pine Island	
	ID	6	0.26% <u>1</u>
	Plan Community	Cape Coral	
Planning Land Use 2010	Landuse	Rural	99.78%
	Landuse	Intensive Development	0.22% <u>1</u>
Sanibel/County Agreement		NOT FOUND	
School Board District	District	1	
	School Board Member	Robert Chilmonik	
School Choice Zone	Choice Zones	West Zone 3	
	Choice Zones	West Zone	
Solid Waste District	District Area	Area 5	98.5%
Storm Surge	Category	T S	74.56%
	Category	2	25.44%
Subdivisions	Subdivision No.	20442301	0.07% <u>1</u>
	Subdivision Name	ROYAL TEE SUBDIVISION	
	Book Page 1		
	Book Page 2		
	Book Page 3		
Traffic Analysis Zone			

Archaeological Sensitivity	NOT FOUND		
Sea Turtle Lighting Zone	NOT FOUND		
Watersheds	Shed ID	Southwest Cape Coral	98.92%
	Shed ID	Northcentral Cape Coral	1.05% <u>1</u>
	Shed ID	Northwest Cape Coral	0.03% <u>1</u>
FLUCCS1995	Code	4119	94.65%
	Landuse	Pine flatwoods - melaleuca infested	
	Code	147	4.21% <u>1</u>
	Landuse	Mixed commercial and services	
	Code	192	1.14% <u>1</u>
	Landuse	Inactive land with street pattern	
Vegetation Permit Required	NOT FOUND		
Soil	Map Symbol	13	86.32%
	Soil Name	BOCA FINE SAND	
	Map Symbol	35	13.68%
	Soil Name	WABASSO SAND	
Panther Habitat	NOT FOUND		
Eagle Nesting Site Buffer	Buffer Distance	1500	70.77%
	Buffer Distance	750	29.23%
Commissioner District	District	1	
	Commissioner	Robert Janes	
Unincorporated Lee County Zoning	Zoning	AG-2	99.43%
	Designation		<u>Zoning Notes</u>
	Zoning	RS-2	0.27% <u>1</u>
	Designation		
Development Orders	Development Order	86-04-017-00D	8.45%
	Status		
	Wet Season Water Table		
	Development Order	83-12-015-00D	0.31% <u>1</u>
	Status		
	Wet Season Water Table		
Road Impact Fee Districts	District	52	
	Tidemark ID	52	
	Name	NORTH	
Water Franchise	Franchise Name	Greater Pine Island Water Assoc.	99.9%
	Franchise Name	City of Cape Coral Utilities	1.5% <u>1</u>
Wastewater Franchise	NOT FOUND		
Res. Garbage Collection Day	Hauling Day	Friday	98.5%
Res. Recycling Collection Day	Hauling Day	Friday	98.5%
Res. Horticulture Collection Day	Hauling Day	Thursday	98.5%

[Modify Report Settings]

Note**Details**

1

Small percentages can result from slight variations in the way lines are drawn or imported into our system. Such values may not accurately reflect an overlap with the subject parcel.

Our goal is to provide the most accurate data available, however no warranties, expressed or implied, are provided with this data, its use, or interpretation.
All information subject to change without notice.

AFFIDAVIT

I, Johnson W. Cauthen as Managing Member of 3150 SW Pine Island Road, LLC, a Florida Limited Liability Company, certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data, or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.



Signature of owner or owner-authorized agent

9/27/06

Date

JOHNSON W. CAUTHEN

Typed or printed name

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this 27
day of SEPT 2006, by Johnson W. Cauthen as Managing Member of 3150
SW Pine Island Road, LLC, a Florida Limited Liability Company, who is
personally known to me or who has produced _____ as
identification.

(SEAL)



CANDICE L. FREESE
MY COMMISSION # DD 502750
EXPIRES: January 28, 2010
Bonded Thru Budget Notary Services



Signature of notary public

Printed name of notary public

EXHIBIT A.5

A portion of the E $\frac{1}{4}$ of the E $\frac{1}{2}$ of the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 19, Township 44 South, Range 23 East, Lee County, Florida, LESS and EXCEPT right of way for Pine Island Road (SR No. 78) AND a portion of the W $\frac{3}{4}$ of the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 20, Township 44 South, Range 23 East, Lee County, Florida, LESS and EXCEPT right of way for said Pine Island Road (SR No. 78), said portions being more particularly described as follows: Commence at a railroad spike marking the NW corner of said Section 20; thence S 0 degrees 11'50" W along the West line of said NW $\frac{1}{4}$ of Section 20, 33.00 feet to an intersection with the South right of way line of said Pine Island Road (SR No. 78); thence due East along said right of way line, 134.84 feet to a steel pin with a plastic cap bearing the stamp LB 697 and the Point of Beginning; thence continue due East along the said right of way line, 370.96 feet to a steel pin and cap; thence S 00 degrees 03'41" W, 1,299.58 feet to a steel pin and cap; thence N 89 degrees 53'31" W, 508.88 feet to a 2 $\frac{1}{2}$ " round concrete monument marking the SW corner of said West $\frac{3}{4}$ of the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said section 20; thence N 89 degrees 27'38" W, 164.71 feet to a steel pin and cap; thence N 00 degrees 10'39" E, 861.77 feet to a steel pin and cap; thence S 89 degrees 49'21" E, 300.00 feet to a steel pin and cap; thence N 00 degrees 10'39" E, 436.24 feet to a steel pin and cap and the Point of Beginning. LESS and EXCEPT Burnt Store Extension road right of way described in Order of Taking recorded September 30, 1999 in O.R. Book 3173, Page 1317, Public Records of Lee County, Florida.



EXHIBIT A.6

This instrument prepared by:
Burnt Store Title Services, Inc.
15500 Burnt Store Rd., Suite 106
Punta Gorda, FL 33950
941-833-1067
Debbie Bollinger



Property Appraiser's
Parcel Identification No: 20-44-23-00-00002.0000

INSTR # 6359326
OR BK 04367 Pgs 0202 - 213; (12pgs)
RECORDED 07/13/2004 04:21:46 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
DEED DOC 25,666.90
DEPUTY CLERK G Sherwood

Warranty Deed by Trustee (Section 689.071, Florida Statutes)

12 pages
25666.90

THIS INDENTURE, made July 15, 2004, between **Ronald A. York, Trustee and James L. Bevallard, Trustee Under Trust Dated 11/14/1989**, pursuant to Florida Statute 689.071 under the provisions of the unrecorded Trust with full power and authority in them jointly, or if one dies, then in the survivor to protect, conserve, and to sell, or to lease, or to encumber or otherwise to manage and dispose of the real property described hereafter under the authority of 689.071, Florida Statute (1981), whose post office address is 4524, SE 16th Place Suite 3, Cape Coral, Florida 33904 Grantor*, and 3150 SW Pine Island Road LLC, a Florida limited liability company, Grantee*, and whose post office address is

4353 Michigan Link Ft Myers Fla 33916
copy of corporation documents attached
*"Grantor" and "Grantee" are used for singular or plural, as context requires.

Witnesseth:

That the Grantor, for and in consideration of the sum of TEN and 00/100 DOLLARS (\$10.00) and other good and valuable consideration, to Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying in Lee County, Florida, to wit:

See Exhibit "A" attached hereto and expressly made a part hereof.

This deed is executed subject to restrictions, reservations and easements of record and taxes for the current year.

TO HAVE AND TO HOLD, this real estate in fee simple to the grantee and the grantee's heirs, successors, and assigns, forever, with the appurtenances

AND, the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2002, and easements and restrictions of record, if any, but this reference to said restrictions shall not serve to reimpose the same.

It is expressly understood and agreed by and between the parties hereto, anything herein to the contrary notwithstanding, that each and all of the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee while in form purporting to be the warranties, indemnities, representations, covenants, undertakings and agreements of said Trustee are nevertheless each and every one of them, made, and intended not as personal warranties, indemnities, representations, covenants, undertakings and agreements by the Trustee or for the purpose or with the intention of binding said Trustee personally but are made and intended for the purpose of being only that portion of the trust property specifically described herein, and this instrument is executed and delivered by said Trustee not in his own right, but solely in the exercise of powers conferred upon him as Trustee and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against the Trustee or any of the beneficiaries under said Trust Agreement on account of this instrument.

FURTHER, GRANTOR herein, being first duly sworn by the undersigned and by execution hereof, deposes and says: that the named Declaration of Trust set forth above, remains in full force and effect, never having been terminated and/or revoked. That said Declaration of Trust provides that the Trustee shall have the


express power to sell, assign, exchange, convey and otherwise transfer any part or all of the property held under the terms of the trust at such times and upon such terms and conditions as the trustee may determine prudent and for the best interest of the trust estate and to receive and receipt for the proceeds of the sale. Further, that the property is not considered homestead property of the grantor or its beneficiaries under the meaning of the laws of the State of Florida.

IN WITNESS WHEREOF, the said grantor has hereunto set grantor's hand and seal the day and year first above written:

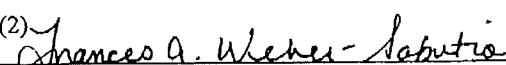
Signed, sealed and delivered
in our presence:


(1)

Signature of First Witness
Printed Name: **Paul Sabutis**


RONALD A. YORK, TRUSTEE

(2)


Signature of Second Witness
Printed name: **Frances A. Weber-Sabutis**


JAMES L. BEVILLARD, TRUSTEE

STATE OF FLORIDA
COUNTY OF

I HEREBY CERTIFY that on this date, before me, an officer duly qualified in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared Ronald A. York, Trustee and James L. Bevillard, Trustee Under Trust Dated 11/14/1989, who executed the foregoing instrument in his/her/their personal or authorized representative capacity(ies) indicated above, and

☒ who is personally known to me by ongoing acquaintance of 20 years/months, or

☐ who has produced their _____ as identification,

WITNESS my hand and official seal in the County and State last aforesaid this 15th day of July, 20 04



Karen Gemma Mayes
My Commission DD171930
Expires February 13, 2007

(NOTARY SEAL)


Notary Public **Karen Gemma Mayes**

Printed Notary Signature

My commission expires: **02/13/2007**
My Commission Number **DD171930**



FLORIDA DEPARTMENT OF STATE
Glenda E. Hood
Secretary of State

July 13, 2004

SARA LEA
CSC
TALLAHASSEE, FL

The Articles of Organization for 3150 S.W. PINE ISLAND ROAD, L.L.C. were filed on July 13, 2004, and assigned document number L04000051703. Please refer to this number whenever corresponding with this office.

In accordance with section 608.406(2), F.S., the name of this limited liability company is filed with the Department of State for public notice only and is granted without regard to any other name recorded with the Division of Corporations.

The certification you requested is enclosed.

A limited liability annual report/uniform business report will be due this office between January 1 and May 1 of the year following the calendar year of the file date. A Federal Employer Identification (FEI) number may be required before this report can be filed. Please apply NOW with the Internal Revenue Service by calling 1-800-829-3676 and requesting form SS-4.

Please be aware if the limited liability company address changes, it is the responsibility of the limited liability to notify this office.

Should you have any questions regarding this matter, please contact this office at the address given below.

Buck Kohr
Document Specialist
Registration/Foreign Qualification
Division of Corporations


Letter Number: 604A00044569

Account number: 072100000032

Amount charged: 155.00

Division of Corporations - P.O. BOX 6327 -Tallahassee, Florida 32314

State of Florida



Department of State

I certify the attached is a true and correct copy of the Articles of Organization of 3150 S.W. PINE ISLAND ROAD, L.L.C., a limited liability company organized under the laws of the state of Florida, filed on July 13, 2004, as shown by the records of this office.

The document number of this limited liability company is L04000051703.

Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capitol, this the
Thirteenth day of July, 2004



CR2EO22 (2-03)

Glenda E. Hood
Glenda E. Hood
Secretary of State

ARTICLES OF ORGANIZATION FOR FLORIDA
LIMITED LIABILITY COMPANY
OF

3150 S.W. PINE ISLAND ROAD, L.L.C.

FILED
04 JUL 13 PM 12:19
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

ARTICLE I

Name

The name of this Limited Liability Company is 3150 S.W. PINE ISLAND ROAD, L.L.C.

ARTICLE II

Address

The mailing address and street address of the principal office of the Limited Liability Company is:
4353 Michigan Link Fort Myers, FL 33916.

ARTICLE III

Duration

The period of duration of the Limited Liability Company is in perpetuity except as may be terminated pursuant to the Limited Liability Operating Agreement.

ARTICLE IV

Registered Office and Agent

The initial registered office of this Company shall 4353 Michigan Link Fort Myers, FL 33916, Telephone: (239) 334-7343, and its initial registered agent at such office shall be Johnson W. Cauthen.

ARTICLE V

Management

The Limited Liability Company shall be managed by a Manager in accordance with regulations adopted by the members for the management of the business and affairs of the Company. These regulations may contain additional provisions for the regulation and management of the affairs of the Company consistent with law or these articles of organization. The names and addresses of the members of the Company are:

Albert O'Donnell

4291 Williams Road
Estero, FL 33928

Patricia O'Donnell

4291 Williams Road
Estero, FL 33928

ARTICLE VI
Admission of Additional Members

Additional members will be admitted only with the unanimous consent of all Members upon such terms as are unanimously agreed to by all Members.

ARTICLE VII
Members Rights to Continue Business

The remaining members of the Limited Liability Company shall have the right to continue the business on the death, retirement, resignation, expulsion, bankruptcy, or dissolution of a member or the occurrence of any other event which terminates the continued membership of a member in the Limited Liability Company.

Dated this 12 day of July, 2004.

By: 
JOHNSON W. CAUGHEN

**CERTIFICATE OF DESIGNATION OF
REGISTERED AGENT/REGISTERED OFFICE**

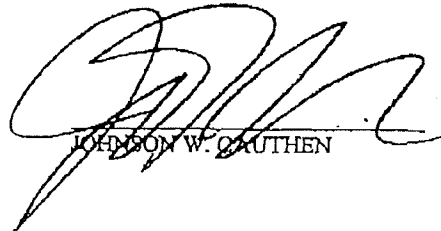
PURSUANT TO THE PROVISIONS OF SECTION 608.415 OR 608.507, FLORIDA STATUTES, THE UNDERSIGNED LIMITED LIABILITY COMPANY SUBMITS THE FOLLOWING STATEMENT IN DESIGNATING THE REGISTERED OFFICE/REGISTERED AGENT, IN THE STATE OF FLORIDA:

1. The name of the Limited Liability Company is 3150 S.W. Pine Island Road, L.L.C.
2. The name and address of the registered agent and office is:

JOHNSON W. CAUTHEN
4353 Michigan Link
Fort Myers, FL 33916
Telephone: (239) 334-7343

Having been named as registered agent and to accept service of process for the above-stated Limited Liability Company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Dated: July 12, 2004



JOHNSON W. CAUTHEN

MEMBER'S AFFIDAVIT

The undersigned, being all of the Members of **3150 S.W. PINE ISLAND ROAD, L.L.C.**, a Florida limited liability company (the "Company"), who being by me first duly sworn, state as follows:

1. That the Company owns the real property described as follows:

See attached Exhibit "A"

2. That the undersigned, Johnson W. Cauthen, Albert O'Donnell and Patricia O'Donnell (the "Members") represent all of the members of the Company.

3. That Johnson W. Cauthen (the "Manager") is the Manager of the Company.

3. That the Manager, on behalf of the Company, is authorized to obtain a loan or loans from COLONIAL BANK, N.A., its successors and/or assigns (the "Bank") to the Company, without limit as to amount, including any amendments, modifications, or renewals thereof, on such terms and conditions required by Bank, and to encumber any and all property of the Company, including, but not limited to, the Real Property, as security for said loan or loans, on such terms and conditions as required by the Bank. The Manager, on behalf of the Company, is authorized to execute and deliver to the Bank any and all documents requested by the Bank to evidence or secure said loan or loans, including, but not limited to, promissory notes, mortgages, security agreements, assignments, financing statements and any other instruments requested by Bank, and any amendment, modification or renewal of the same.

4. That the Articles of Organization and Operating Agreement delivered to the Bank are a true and correct copy of the Articles of Organization and Operating Agreement of the Company, and said Articles and Operating Agreement have not been amended, modified, or terminated, and the Company is in full force and effect and has not been dissolved.



Johnson W. Cauthen

Albert O'Donnell

Patricia O'Donnell

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 15 day of July, 2004, by JOHNSON W. CAUTHEN, who ☒ is personally known to me or who ☐ has produced _____ as identification.

NOTARY RUBBER STAMP SEAL
OR EMBOSSED SEAL

DEBORAH LEA BOLLINGER
MY COMMISSION #CC 98478
EXPIRES: NOV 29, 2004
FL. NOTARY SERVICE & BONDING, INC.

Notary Public
DEBBIE BOLLINGER

Expiration Date

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 15 day of July, 2004, by ALBERT O'DONNELL, who ☐ is personally known to me or who ☐ has produced _____ as identification.

NOTARY RUBBER STAMP SEAL
OR EMBOSSED SEAL

DEBORAH LEA BOLLINGER
MY COMMISSION #CC 98478
EXPIRES: NOV 29, 2004
FL. NOTARY SERVICE & BONDING, INC.

Notary Public
DEBBIE BOLLINGER

Expiration Date

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 15 day of July, 2004, by PATRICIA O'DONNELL, who ☐ is personally known to me or who ☐ has produced _____ as identification.

NOTARY RUBBER STAMP SEAL
OR EMBOSSED SEAL

Notary Public
DEBBIE BOLLINGER

Printed Name

Commission No.

Expiration Date

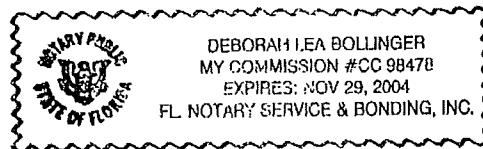


Exhibit "A"

A portion of the E $\frac{1}{2}$ of the E $\frac{1}{2}$ of the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 19, Township 44 South, Range 23 East, Lee County, Florida, LESS and EXCEPT right of way for Pine Island Road (SR No. 78) AND a portion of the W $\frac{1}{4}$ of the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 20, Township 44 South, Range 23 East, Lee County, Florida, LESS and EXCEPT right of way for said Pine Island Road (SR No. 78), said portions being more particularly described as follows: Commence at a railroad spike marking the NW corner of said Section 20; thence S 0 degrees 11'50" W along the West line of said NW $\frac{1}{4}$ of Section 20, 33.00 feet to an intersection with the South right of way line of said Pine Island Road (SR No. 78); thence due East along said right of way line, 134.84 feet to a steel pin with a plastic cap bearing the stamp LB 697 and the Point of Beginning; thence continue due East along the said right of way line, 370.96 feet to a steel pin and cap; thence S 00 degrees 03'41" W, 1,299.58 feet to a steel pin and cap; thence N 89 degrees 53'31" W, 508.88 feet to a 2 $\frac{1}{2}$ " round concrete monument marking the SW corner of said West $\frac{1}{4}$ of the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said section 20; thence N 89 degrees 27'38" W, 164.71 feet to a steel pin and cap; thence N 00 degrees 10'39" E, 861.77 feet to a steel pin and cap; thence S 89 degrees 49'21" E, 300.00 feet to a steel pin and cap; thence N 00 degrees 10'39" E, 436.24 feet to a steel pin and cap and the Point of Beginning. LESS and EXCEPT Burnt Store Extension road right of way described in Order of Taking recorded September 30, 1999 in O.R. Book 3173, Page 1317, Public Records of Lee County, Florida.



Items to be submitted at a later date:

1. FLUM
2. Existing Land Uses Map and Description
3. Existing Zoning Map and Description
4. Additional letters from the following service agencies:
 - Fire Protection
 - EMS
 - Law Enforcement
 - Solid Waste
 - Schools



TRAFFIC CIRCULATION ANALYSIS

PREPARED FOR A

COMPREHENSIVE PLAN AMENDMENT

FOR

CAUTHEN SITE

3150 SW PINE ISLAND ROAD

PROJECT NO. 0609.27

PREPARED BY:
TR Transportation Consultants, Inc.
13881 Plantation Road, Suite 11
Fort Myers, Florida 33912-4339
239-278-3090

September 28, 2006

- I. INTRODUCTION
- II. EXISTING CONDITIONS
- III. PROPOSED PLAN AMENDMENT
- IV. IMPACTS OF PROPOSED PLAN AMENDMENT
- V. CONCLUSION

I. INTRODUCTION

TR Transportation Consultants, Inc. has conducted a traffic circulation analysis pursuant to the requirements outlined in the application document for Comprehensive Plan Amendment requests. The analysis will examine the impact of the requested land use change from Rural to Intensive Development. The approximately 12.95 acre property is located at the southeast corner of Pine Island Road and Veterans Parkway in Lee County, Florida. The existing land use designation on the property is Rural.

The following report will examine the impacts of changing the future land use category from the existing land use to Intensive Development.

II. EXISTING CONDITIONS

The subject site is currently vacant. The site is bordered to the north by Pine Island Road (S.R. 78), to the east by commercial and vacant land, to the south by the Royal Tee residential community (now referred to as Cape Royal) and to the west by Veterans Parkway.

Pine Island Road (S.R. 78) is a two-lane arterial roadway that extends from Pine Island to east of I-75. Pine Island Road has a posted speed limit of 55 mph adjacent to the subject site and is under the jurisdiction of the Florida Department of Transportation (FDOT). Pine Island Road has been designated by FDOT as a Federal Intrastate Highway System (FIHS) route. Due to this designation, the adopted Level of Service for this roadway is higher pursuant to Florida Administrative Code. This is also adopted in the Lee County Comprehensive Plan (Lee Plan). Currently, the adopted Level of Service on Pine Island Road east of Burnt Store Road to U.S. 41 is LOS "C".

Other roads in the area of influence, including Pine Island Road west of Burnt Store Road, have an adopted Level of Service Standard of LOS "E" pursuant to the Lee County Comprehensive Plan. Chiquita Boulevard, which is under the jurisdiction of the City of

Cape Coral, has an adopted Level of Service of LOS "D". The Level of Service thresholds utilized in this analysis are outlined in the Appendix of this report in **Table 1A**.

III. PROPOSED PLAN AMENDMENT

The proposed Comprehensive Plan Amendment would change the future land use designation on the subject site from Rural to Intensive Development. Based on the permitted uses within the Lee Plan for these land use designations, the change would result in the subject site being permitted to be developed with both residential and commercial uses.

With the proposed land use change, the map amendment would include a text to limit the development to the following uses: 181 single family residential units, 80,000 square feet of office uses, 80,000 square feet of retail uses, 20,000 square feet of medical office uses and 20,000 square feet of restaurant uses. **Table 1** highlights the intensity of uses that are proposed with the proposed land use designation.

**Table 1
3150 SW Pine Island Road
Land Uses**

Land Use Category	Intensity
Single Family Homes	181 Units
Retail	80,000 square feet
Office	80,000 square feet
Medical Office	20,000 square feet
Restaurants	20,000 square feet

IV. IMPACTS OF PROPOSED PLAN AMENDMENT

The transportation related impacts of the proposed comprehensive plan amendment were evaluated pursuant to the criteria in the application document. This included an evaluation of the long range impact (20-year horizon) and short range (5-year horizon)

impact the proposed amendment would have on the existing and future roadway infrastructure.

Long Range Impacts (20-year horizon)

The Lee County Metropolitan Planning Organization's (MPO) recently updated 2030 long range transportation travel model was reviewed to determine the impacts the amendment would have on the surrounding area. The subject site lies within Traffic Analysis Zone (TAZ) 1032. For this analysis, a new TAZ was created (TAZ 1757) to analyze the impacts the proposed change would have on the 2030 Financially Feasible plan as adopted by the Lee County Metropolitan Planning Organization. **Table 3** identifies the land uses that were computed and utilized for TAZ 1757 and for the Long Range Transportation Analysis. The employment per 1,000 square feet for retail and restaurant uses as well as service uses (office/medical office) was taken from the factors provided in the "Typical Employment Conversion Factors" table, utilized by the MPO and Lee County. The residential population was based on the residents per dwelling unit ratio that is contained in TAZ 1032.

**Table 3
TAZ 1757
Land Uses for Analysis**

Land Use Category	Intensity
Single Family Homes	396 Population
Retail/Restaurant	250 Employees
Service (Office/Medical Office)	384 Employees

The modifications made to the TAZ data, including ZDATA1 and ZDATA2 files, are attached to the Appendix for reference.

With this amendment, it was assumed that there would be site access provided to both Pine Island Road and Veterans Parkway. The subject site has approximately 1,250 feet of frontage along Veterans Parkway.

The 2030 Long Range Transportation model (FSUTMS) was run with the data shown in Table 3 to indicate what additional improvements above and beyond those identified in the 2030 Financially Feasible Highway Plan would be required to support the map amendment. The financially feasible highway plan, as approved by the MPO, was included in the FSUTMS runs. Based on the MPO plan, the financially feasible road network in this area includes widening of several roads. State Route 78 is recommended to be widened between Burnt Store Road and Chiquita Boulevard. This project is in fact in the final stages of design. No funding for construction has yet been identified by FDOT at this time. Burnt Store Road north of Pine Island Road is also shown to be widened to four lanes in the 2030 Financially Feasible Plan. Lee County has commenced design of this improvement and it is scheduled for construction within the next six to ten years. Other improvements in the area include the widening of Veterans Parkway from Chiquita Boulevard east as a limited access expressway with grade separations at all of the major cross streets. Based on this analysis, no roadway segments are shown to operate below the adopted Level of Service standard in the year 2030.

Table 1B included in the Appendix of this report identifies the projected 2030 peak hour, peak direction volumes anticipated based on no changes to the 2030 Financially Feasible travel model as currently adopted by the MPO. The table identifies the projected peak hour, peak direction volume and the Level of Service on that link that is projected in 2030 with the improvements that are identified on the Financially Feasible Highway Plan.

Table 1C includes the peak hour, peak direction volumes with the model output based on the inclusion of TAZ 1757 as previously discussed. The Florida Standard Urban Transportation Model Structure (FSUTMS) was ran with the modified TAZ data as shown in Table 3. As can be seen from the results, there are no changes to the Level of Service on any of the area roadways as a result of the proposed change to the land use as identified in this analysis.

Short Range Impacts (5-year horizon)

The Lee County Capital Improvement Program for Fiscal Year 2006/2007 to 2010/2011 was reviewed, as well as the FDOT Work Program for Fiscal Year 2005/2006 to 2009/2010 to determine the short term impacts the proposed land use change would have on the surrounding roadways.

There are no roadway improvements in the FDOT Work program or the Lee County work program that provide additional capacity in the next five years in the area of the subject site. FDOT is currently in the process of finalizing design plans for the widening of S.R. 78 from Burnt Store Road to Chiquita Boulevard. There has been no construction funding established at this time for this improvement.

Recommendations to the Long Range Transportation Plan

Based on the analysis with the 2030 Financially Feasible Highway Plan, the roadway segments in the study area will operate within acceptable conditions in 2030 with the additional units requested with this plan amendment. The only exception is the segment of Pine Island Road west of Burnt Store Road. This segment of Pine Island Road has been deemed constrained due to the Matlacha Pass Bridge and Lee Plan Policies in effect. The impact this amendment has on that segment is negligible, based on the analysis. As can be seen in Table 1B and 1C, the projected 2030 peak hour, peak direction volume on this link is only projected to increase by less than 1% as a result of the change in land use.

V. CONCLUSION

The proposed comprehensive plan amendment is to modify the future land use from Rural to Intensive Development on approximately 12.95 acres located at the southeast corner of Pine Island Road and Veterans Parkway will not cause any changes to be made to the Long Range Transportation Plan. An analysis of the 2030 Recommended Long Range Transportation Plan indicate that the roadway segments will operate within the acceptable Level of Service standards in 2030 without modification to the Long Range Transportation Plan.

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APPENDIX

TABLES 1A, 2A & 3A

TABLE 1A
PEAK DIRECTION LEVEL OF SERVICE THRESHOLDS

<u>ROADWAY</u>	<u>SEGMENT</u>	<u>ROADWAY</u> <u>CLASS</u>	<u>LOS A</u> <u>VOLUME</u>	<u>LOS B</u> <u>VOLUME</u>	<u>LOS C</u> <u>VOLUME</u>	<u>LOS D</u> <u>VOLUME</u>	<u>LOS E</u> <u>VOLUME</u>
Pine Island Road	W. of Veterans/Burnt Store	2LN	100	360	710	1000	1270
	E. of Veterans/Burnt Store	4LN	450	1630	1900	1950	1950
	E. of Centroid Connection	4LN	450	1630	1900	1950	1950
	E. of Surfside Blvd.	4LN	450	1630	1900	1950	1950
	E. of Chiquita Blvd.	4LN	450	1630	1900	1950	1950
	W. of Santa Barbara	4LN	450	1630	1900	1950	1950
Veterans Pkwy	S. of Pine Island Rd.	4LN	270	1620	1970	2030	2030
	W. of Surfside Blvd.	4LN	270	1620	1970	2030	2030
	E. of Surfside Blvd.	4LN	270	1620	1970	2030	2030
	E. of Chiquita Blvd.	6LN	1590	2580	3720	4820	5480
	W. of Santa Barbara	6LN	1590	2580	3720	4820	5480
Burnt Store Road	N. of Pine Island Rd.	4LN	450	1630	1900	1950	1950
Chiquita Blvd.	S. of Pine Island Rd.	6LN	0	0	1740	2450	2580
	N. of Veterans Pkwy.	6LN	0	0	1740	2450	2580

LEVEL OF SERVICE THRESHOLDS TAKEN FROM LEE COUNTY GENERALIZED LOS TABLES
FOR PINE ISLAND ROAD, VETERANS PARKWAY AND BURNT STORE ROAD
FOR CHIQUITA BOULEVARD (CITY OF CAPE CORAL ROAD), FDOT GENERALIZED LOS TABLE 4-7 FROM Q/LOS MANUAL USED
FOR VETERANS PARKWAY EAST OF CHIQUITA BLVD., UNINTERRUPTED FLOW HIGHWAY UTILIZED

Table 1B
2030 Traffic Conditions
2030 Financially Feasible Road Network

<u>ROADWAY</u>	<u>SEGMENT</u>	# Of Lanes	LOS Std.	Raw FSUTMS PSWDT	PCS #	PSWDT/AADT Factor	2030 AADT	K-100 Factor	D Factor	Total Traffic Pk Direction	LOS Serv. Std.	LOS
Pine Island Road	W. of Veterans/Burnt Store	2LN	E	39,938	3	1.22	32,736	0.097	0.55	1,746	1,270	F
	E. of Veterans/Burnt Store	4LN	C	19,608	3	1.22	16,072	0.097	0.55	857	1,900	B
	E. of Centroid Connection	4LN	C	18,129	3	1.22	14,860	0.097	0.55	793	1,900	B
	E. of Surfside Blvd.	4LN	C	21,212	3	1.22	17,387	0.097	0.55	928	1,900	B
	E. of Chiquita Blvd.	4LN	C	24,504	3	1.22	20,085	0.097	0.55	1,072	1,900	B
	W. of Santa Barbara	4LN	C	30,151	3	1.22	24,714	0.097	0.55	1,318	1,900	B
Veterans Pkwy	S. of Pine Island Rd.	4LN	E	25,550	50	1.03	24,806	0.091	0.63	1,422	2030	B
	W. of Surfside Blvd.	4LN	E	23,381	50	1.03	22,700	0.091	0.63	1,301	2030	B
	E. of Surfside Blvd.	4LN	E	35,791	50	1.03	34,749	0.091	0.63	1,992	2030	D
	E. of Chiquita Blvd.	6LN	E	58,192	50	1.03	56,497	0.091	0.63	3,239	5480	C
	W. of Santa Barbara	6LN	E	64,772	50	1.03	62,885	0.091	0.63	3,605	5480	C
Burnt Store Road	N. of Pine Island Rd.	4LN	E	24,283	12	1.08	22,484	0.091	0.64	1,309	1950	B
Chiquita Blvd.	S. of Pine Island Rd.	6LN	D	31,077	50	1.03	30,172	0.091	0.63	1,730	2450	C
	N. of Veterans Pkwy.	6LN	D	29,496	50	1.03	28,637	0.091	0.63	1,642	2450	C

Table 1C
2030 Traffic Conditions with Proposed Density at River Hall
2030 Financially Feasible Road Network

<u>ROADWAY</u>	<u>SEGMENT</u>	# Of Lanes	LOS Std.	Raw FSUTMS PSWDT	PCS #	PSWDT/AADT Factor	2030 AADT	K-100 Factor	D Factor	Total Traffic Pk Direction	LOS Serv. Volume	LOS
Pine Island Road	W. of Veterans/Burnt Store	2LN	E	39,995	11	1.22	32,783	0.097	0.55	1,749	1,270	F
	E. of Veterans/Burnt Store	4LN	C	21,805	11	1.22	17,873	0.097	0.55	954	1,900	B
	E. of Centroid Connection	4LN	C	21,983	11	1.22	18,019	0.097	0.55	961	1,900	B
	E. of Surfside Blvd.	4LN	C	20,932	5	1.22	17,157	0.097	0.55	915	1,900	B
	E. of Chiquita Blvd.	4LN	C	26,171	5	1.22	21,452	0.097	0.55	1,144	1,900	B
	W. of Santa Barbara	4LN	C	30,536	5	1.22	25,030	0.097	0.55	1,335	1,900	B
Veterans Pkwy	S. of Pine Island Rd.	4LN	E	24,751	5	1.03	24,030	0.091	0.63	1,378	2030	B
	W. of Surfside Blvd.	4LN	E	24,062	5	1.03	23,361	0.091	0.63	1,339	2030	B
	E. of Surfside Blvd.	4LN	E	36,234	5	1.03	35,179	0.091	0.63	2,017	2030	D
	E. of Chiquita Blvd.	6LN	E	58,200	5	1.03	56,505	0.091	0.63	3,239	5480	C
	W. of Santa Barbara	6LN	E	64,563	5	1.03	62,683	0.091	0.63	3,594	5480	C
Burnt Store Road	N. of Pine Island Rd.	4LN	E	25,377	5	1.08	23,497	0.091	0.64	1,368	1950	B
Chiquita Blvd.	S. of Pine Island Rd.	6LN	D	28,188	5	1.03	27,367	0.091	0.63	1,569	2450	C
	N. of Veterans Pkwy.	6LN	D	28,965	5	1.03	28,121	0.091	0.63	1,612	2450	C

EXISTING TAZ 1032

1 1032 365 10 9 779 0 30 70 6 20 20 20 22 78 0 0 99 0

2	21032	13	17	64	94	0	0	0
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NEW TAZ 1757

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1      1757    181 10   9  386   0 30 70       0  0  0       0  0  0  0       0 99     0
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2	21757	0	250	384	634	0	0	0
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**2030 FINANCIALLY FEASIBLE
HIGHWAY PLAN**

Adopted Year 2030 HIGHWAY ELEMENT

Adopted December 7th, 2005 with Amendments on January 20th, & March 17th, 2006

ROAD SEGMENT: Name of new road or road to be improved FROM: Start of segment to be added or improved TO: End of segment to be added or improved		E = C: EXISTING roadway network plus COMPLETED roadway projects to be built by FY 04/05 IMPROVEMENT: Description of facility following proposed improvement		FINANCIAL FEASIBILITY STATUS						
FDOT										
2190	Alico Rd	U.S. 41	Duchy Rd	2.48	0.48	Last two years of SIB payoff	\$2,442,699	\$2,442,699	Feasible	
255	Arterial roads & expressways	Lee & Collier Counties					Half of capital cost of expanding the bi-county system to monitor travel speed in real time by using vehicles equipped with toll transponders as probes	\$3,450,000	-	Contingent
255	Caloosahatchee bridges	Cape Coral, Mid Point, U.S. 41, & Edison Bridges & their approaches					Stage II implementation	\$5,800,000	\$5,800,000	Feasible
255	Computerized traffic signal system	Countywide						\$27,600,000	\$27,600,000	Feasible
255	Drawbridges	On S.R. 31 (Andadia Rd) & Broadway (C.R. 78A) @ Caloosahatchee River, Pine Island Rd @ Matlacha Pass, & C.R. 86S @ Big Carlos Pass					Motion & object sensors, video & audio surveillance to monitor for potential threats from terrorist attacks, acts of God, or other incidents	\$500,000	-	Contingent
255	Intermodal freight terminal	State Farmers Market, S.R. 78, or Alico Rd					TOFC/OFC terminal and team track	\$6,506,333	-	Contingent
255	I-75 approach roads	Collier County line					SIS	\$3,280,000	-	Contingent
255	I-75 detour routes	Collier County line					SIS; dynamic and/or static trailblazer signs	\$5,810,000	-	Contingent
255	I-75	Collier County line				1.05	SIS	\$13,322,400	-	Contingent
255	I-75	@ Bonita Beach Rd				0.50	SIS	\$68,028,000	-	Contingent
255	I-75	@ Coconut Rd					Allocation is from \$10,000,000 federal earmark. See NOTE #1 b	-	-	Contingent
255	I-75	Bonita Beach Rd				11.65	12 lanes; SIS and/or toll; 4 lanes may be toll express lanes	\$221,722,800	-	Contingent
255	I-75	@ Corkscrew Rd				0.50	SIS; construction only	\$23,461,000	-	Contingent
255	I-75	Bonita Beach Rd					Interchange modification	\$2,630,000	-	Contingent
255	I-75	Alico Rd				9.90	10 lanes; SIS and/or toll; 4 lanes may be toll express lanes	\$204,019,200	-	Contingent
255	I-75 collector-distributor roads	Alico Rd				3.16	SIS Connector; construction only	\$101,000,000	-	Contingent
255	I-75 collector-distributor roads	Alico Rd				0.34	Second stage, if / when Alico Expwy is built: SIS connector	\$2,157,137	-	Contingent
255	I-75	@ Colonial Blvd				0.50	SIS; construction only	\$42,324,000	-	Contingent
255	I-75	@ S.R. 82 (Dr Martin Luther King Jr Blvd)				0.50	SIS	\$57,396,000	-	Contingent
255	I-75	@ Luckett Rd				0.50	SIS	\$3,770,000	-	Contingent
255	I-75	S.R. 82 (Dr Martin Luther King Jr Blvd)				3.47	SIS	\$19,885,000	-	Contingent
255	I-75	S.R. 80 (Palm Beach Blvd)				2.69	SIS; construction only	\$80,342,000	-	Contingent
255	I-75	S.R. 80 (Palm Beach Blvd)				0.50	SIS	\$16,531,000	-	Contingent
255	I-75	@ S.R. 78 (Bayshore Rd)				0.50	SIS; 6L	\$4,235,000	-	Contingent
255	I-75	S.R. 78 (Bayshore Rd)				5.77	SIS	\$33,089,000	-	Contingent
255	I-75	@ Del Prado Blvd Ext				5.77	SIS	\$64,026,920	-	Contingent
255	Kennesaw connector	Fowler St				0.22	SIS	\$9,000,000	-	Contingent
255	Lee/Tran route 140	Evans Ave					\$1,500,000 each in FYs 2010/11 & 2011/12 \$2,000,000 in FY 2012/13	\$3,511,960	\$3,511,960	Feasible
255	Regional traveler information system	Lee, Collier & Charlotte Counties					One third of the capital cost to disseminate real time traveler & traffic information for various modes from the 511 system, probe vehicle monitoring, and the SunGuide traffic management system to incident responders, other traveler information services, and the public	\$1,000,000	\$1,000,000	Feasible
255	S.R. 739 (Metro Pkwy)	U.S. 41	Six Mile Cypress Pkwy	1.26	1.26	CST only; Includes interchange with Alico Road & railroad overpass. Dropped from FDOT's draft tentative work program	\$48,000,000	\$48,000,000	Feasible	
255	S.R. 739 (Metro Pkwy)	@ Six Mile Cypress Pkwy				0.50	Includes \$1,700,000 for open road tolling of 4L overpass	-	-	Contingent
255	S.R. 739 (Metro Pkwy)	Daniels Pkwy				1.26	CST only. Dropped from FDOT's draft tentative work program	\$10,336,637	\$10,336,637	Feasible
255	S.R. 739 (Metro Pkwy)	1800' North of Winkler Ave				4.96	Includes overpass over railroad	\$45,952,463	\$45,952,463	Feasible
255	S.R. 739 (Metro-Fowler connector)	Metro-Fowler Connector				1.09	Includes overpass over railroad	\$18,056,663	\$18,056,663	Feasible
255	S.R. 739 (Fowler St)	Burnt Store Rd				1.39	Remainder of right of way & construction	\$22,357,038	\$22,357,038	Feasible
255	S.R. 78 (Pine Island Rd)	Skyline Blvd				2.05		\$23,156,645	\$23,156,645	Feasible
255	S.R. 78 (Pine Island Rd)	300' West of Santa Barbara Blvd				1.40		\$6,790,132	-	Contingent
255	S.R. 78 (Pine Island Rd)	Cultural Park Blvd				2.40		\$5,092,599	-	Contingent
255	S.R. 78 (Pine Island Rd)	Cultural Park Blvd				1.35		\$6,547,628	-	Contingent
255	S.R. 78 (Pine Island Rd)	@ Del Prado Blvd				0.31	Includes \$1,700,000 for open road tolling on 4L overpass	\$1,503,529	-	Contingent
255	S.R. 78 (Pine Island Rd)	Pondella Rd				0.31		\$1,503,529	-	Contingent
255	S.R. 82 (Dr Martin Luther King Jr Blvd)	Park 82 Dr				2.49	SIS	\$18,056,122	-	Contingent
255	S.R. 82 (Dr Martin Luther King Jr Blvd)	Park 82 Dr				1.11	Emerging SIS connector	\$347,102	-	Contingent
255	S.R. 82 (Dr Martin Luther King Jr Blvd)	Teter Rd				0.60	Included in I-75 interchange modification project	-	-	Contingent
255	S.R. 82 (Dr Martin Luther King Jr Blvd)	Wallace Ave				2.99	Emerging SIS	\$25,628,100	-	Contingent
255	S.R. 82 (Immoalee Rd)	Wallace Ave				13.91	Emerging SIS	\$87,175,286	-	Contingent
255	S.R. 86S (San Carlos Blvd)	Summerlin Rd				1.50		\$7,590,880	-	Contingent
255	S.R. 867 (McGregor Blvd)	A & W Bulb Rd				0.67		\$9,912,593	-	Contingent
255	S.R. 867 (McGregor Blvd)	300' South of Davis Dr					Add 1 NB Lane	\$900,000	\$900,000	Feasible

Adopted Year 2030 HIGHWAY ELEMENT
 Adopted December 7th, 2005 with Amendments on January 20th, & March 17th, 2006

ROAD ELEMENT: Name of road or road to be improved FROM: Start of segment to be added or improved TO: End of segment to be added or improved			E - EXISTING roadway network plus COMMITTED roadway projects to be built by FY 04/05 IMPROVEMENT: Description of facility including proposed improvement			FINANCIAL FEASIBILITY STATUS		
LEE COUNTY								
22419	19th St W	Tena Ave N	Ann Ave @ 9th St W	21.75	Connect across canals	\$23,769,743	\$23,769,743	Feasible
22420	40th St SW Ext	Current terminus	Alabama Rd	0.10		\$1,878,049	\$1,878,049	Feasible
22421	61st St W	Cemetery Rd at Stratton Rd	Sunshine Blvd	2.11	Connect across canals	\$18,385,011	-	Contingent
22422	9th St W	Ann Ave at 15th St W	Richmond Ave	2.34		\$30,761,430	\$30,761,430	Feasible
22423	9th St E	@ Thompson Ave and Dayton Ave		0.20	Realize doglegs	\$2,058,818	\$2,058,818	Feasible
22424	Alabama Rd	40th St SW Ext	Sunrise Blvd Ext	1.05		\$12,174,215	\$12,174,215	Feasible
22425	Alcoa Expwy	Summerlin Rd	S.R. 82 (Immokalee Rd)	18.35	Potential Sanibel Causeway surplus toll project; includes 4 toll collection gantries & 2 equipment buildings	-	-	Contingent
22426	Andrea Ln	Hammockway Dr	Metro Pkwy	0.26		\$7,983,693	\$7,983,693	Feasible
22427	Arbonwood Pkwy Ext	Fort Myers city limits	Gateway Blvd	1.32		\$19,884,209	\$19,884,209	Feasible
22428	Bass Rd Ext	Gladiolus Dr	A & W Bulb Rd	0.98		\$10,862,780	-	Contingent
22429	Ben Hill Griffin Pkwy	FGCU Blvd	1 mile South of Alcoa Rd	3.16	Not needed by 2030 if CR 951 Ext is included	\$15,408,879	-	Contingent
22430	Bath Stacey Blvd Ext	SW 23rd St	Milwaukee Blvd	1.09	County share (53%) only. Developer has agreed to absorb the other 47%.	\$5,948,896	\$5,948,896	Feasible
22431	Bonita Beach Rd	Vanderbilt Dr	Old U.S. 41 Rd (C.R. 887)	2.36		\$25,783,783	\$25,783,783	Feasible
22432	Bonita Beach Rd	Old U.S. 41 Rd (C.R. 887)	Imperial St	1.03		\$11,097,000	\$11,097,000	Feasible
22433	Boy Scout Dr	Summerlin Rd	U.S. 41 (Cleveland Ave)	0.50		\$8,881,215	-	Contingent
22434	Buckingham Rd Ext	S.R. 82 (MLK Blvd) @ Hanson St Ext	800' North of current S.R. 82 intersection	0.56		\$8,536,558	\$8,536,558	Feasible
22435	Buckingham Rd	Orange River Blvd	S.R. 80 (Palm Beach Blvd)	2.55		\$28,760,000	-	Contingent
22436	Buckingham Rd	Gunnery Rd	Orange River Blvd	2.95		\$28,595,847	-	Contingent
22437	Burnt Store Rd / Veterans Expwy	@ S.R. 78 (Pine Island Rd)		0.50	Surplus toll revenue project, county share	-	-	Contingent
22438	Burnt Store Rd	S.R. 78 (Pine Island Rd)	Van Buren Pkwy	3.10	Surplus toll revenue project, county share	-	-	Feasible
22439	Burnt Store Rd	Kismet Pkwy	Charlotte County line	6.00	Surplus toll revenue project, county share	-	-	Contingent
22440	Cape Coral Bridge	@ Toll Plaza			Convert existing toll facilities to open road tolling	-	-	Feasible
22441	C.R. 951 Ext	Collier County line	Bonita Beach Rd	1.00	Limited access expressway	-	-	Contingent
22442	C.R. 951 Ext	Bonita Beach Rd	Alcoa Expwy	14.24	Limited access expressway; includes 3 toll collection gantries & 2 equipment buildings	-	-	Contingent
22443	C.R. 951 Ext	@ Alcoa Expwy			Cost estimate assumes a trumpet interchange	-	-	Contingent
22444	Cedarree Ave & Ext	Buckingham Rd	Centennial Blvd	0.35		\$5,072,309	\$5,072,309	Feasible
22445	Centennial Blvd	Cedarree Ave	Gunnery Road	0.42		\$7,184,482	\$7,184,482	Feasible
22446	Centennial Blvd Ext	Gunnery Rd	Sunset Rd	0.18		\$3,144,438	\$3,144,438	Feasible
22447	Coastal area IMS expansion	On Bonita Beach Rd, Estero Blvd, S.R. 855 & Pine Island Rd			Incident management	\$4,820,000	\$4,820,000	Feasible
22448	Coconut Rd Ext	Old Lighthouse Rd	I-75	0.50		\$11,800,000	-	Contingent
22449	Coconut Rd Ext	I-75	C.R. 951 Ext	1.07		\$25,200,000	-	Contingent
22450	Coconut Rd Ext	@ C.R. 951 Ext			Not needed if C.R. 951 Ext is not included	-	-	Contingent
22451	Colonial Blvd (S.R. 884)	Midpoint Bridge	East of Summerlin Rd	0.45		-	-	Contingent
22452	Colonial Blvd (S.R. 884)	East of Summerlin Rd	U.S. 41 (Cleveland Ave)	0.50		-	-	Contingent
22453	Colonial Blvd (S.R. 884)	U.S. 41 (Cleveland Ave)	East of U.S. 41 (Cleveland Ave)	0.18		-	-	Contingent
22454	Colonial Blvd express lanes	Midpoint Bridge	East of U.S. 41 (Cleveland Ave)		Includes 2 toll collection gantries & 1 equipment building	-	-	Contingent
22455	Colonial Blvd (S.R. 884)	East of U.S. 41 (Cleveland Ave)	East of Fowler St	0.54		-	-	Contingent
22456	Colonial Blvd (S.R. 884)	East of Fowler St	S.R. 739 (Metro Pkwy)	0.61		-	-	Contingent
22457	Colonial Blvd (S.R. 884)	@ S.R. 739 (Metro Pkwy)			Toll funding, but contingent upon supplemental discretionary funding; cost includes open road tolling	-	-	Contingent
22458	Colonial Blvd (S.R. 884)	S.R. 739 (Metro Pkwy)	East of S.R. 739 (Metro Pkwy)	0.27		-	-	Contingent
22459	Colonial Blvd (S.R. 884)	East of S.R. 739 (Metro Pkwy)	West of Winkler Ave	1.56	Includes 2 toll collection gantries & 1 equipment building	-	-	Contingent
22460	Colonial Blvd (S.R. 884)	West of Winkler Ave	I-75 West side ramps	1.38		-	-	Contingent
22461	Colonial Blvd (S.R. 884)	I-75 West side ramps	East of Forum Blvd	0.69		-	-	Contingent
22462	Colonial Blvd (S.R. 884)	East of S.R. 739 (Metro Pkwy)	East of Forum Blvd		Includes 3 toll collection gantries & 1 equipment building	-	-	Contingent
22463	Colonial Blvd (S.R. 884)	East of Forum Blvd	West of S.R. 82 (MLK Blvd-Immokalee Rd)	1.47		-	-	Contingent
22464	Colonial Blvd (S.R. 884)	West of S.R. 82 (MLK Blvd-Immokalee Rd)	East of S.R. 82 (MLK Blvd-Immokalee Rd)	0.40	Powerline must be raised	-	-	Contingent
22465	Colonial Blvd (S.R. 884)	East of Forum Blvd	East of S.R. 82 (MLK Blvd-Immokalee Rd)		Includes 2 toll collection gantries & 1 equipment building	-	-	Contingent
22466	Corkscrew Rd	Three Oaks Pkwy	Ben Hill Griffin Pkwy	0.53	Not needed once Estero Parkway Ext is completed	\$5,184,267	-	Contingent

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Countywide						\$7,725,000/year, adjusted for inflation		\$154,500,000	
								\$154,500,000	
1492	Crystal Dr	U.S. 41 (South Tamiami Trl)	Plantation Rd	2.1	4.1	1.53		\$15,948,728	Feasible
1507	Crystal Dr Ext	Plantation Rd	Six Mile Cypress Pkwy	None	2.1	1.00		\$11,911,635	Feasible
1515	Daniels Pkwy	West of Metro Pkwy	East of Chamberlin Pkwy	2.1	2.1	5.60	Includes 11 overpasses, counting I-75 & the SGR, 5 toll collection gantries & 2 equipment buildings		Feasible
1515	Daniels Pkwy	East of Chamberlin Pkwy	Gateway Blvd	4.1	6.1	1.70		\$11,530,000	Feasible
1559	Del Prado Blvd	Cape Coral Pkwy	S.R. 78 (Pine Island Rd)	4.1	6.1	0.28	For left turn from southbound Del Prado Blvd toward bridge		Feasible
1559	Del Prado Blvd	U.S. 41 (North Tamiami Trl)	Mellow Dr	2.1	4.1	2.52	Unspecified needed improvements	\$319,066	Feasible
1559	Del Prado Blvd	Mellow Dr	Nalle Grade Rd	2.1	4.1	2.23	Not needed if extension to I-75 is not included	\$40,839,938	Feasible
1559	Del Prado Blvd	Mellow Dr	Nalle Grade Rd	2.1	4.1	2.23	Interchange with I-75 not included; includes 2 toll collection gantries & 1 equipment building		Feasible
1559	Durden Pkwy Ext	Garden Blvd	U.S. 41	2.1	4.1	0.50		\$6,109,375	Feasible
1559	Forum Blvd-Country Lakes Dr connector	S.R. 32 (MLK Blvd)	Luckett Rd	2.1	4.1	1.97		\$29,903,836	Feasible
1559	Gateway Blvd	Arborwood Pkwy Ext	S.R. 82 (Immoakalee Rd)	2.1	4.1	0.75		\$3,414,190	Feasible
1559	Grant Blvd Ext	Homestead Rd	Caywood Ave	2.1	4.1	0.26		\$2,876,464	Feasible
1559	Gunnery Rd	Lee Blvd	Centennial Blvd	2.1	4.1	1.20		\$12,233,652	Feasible
1559	Gunnery Rd	Centennial Blvd	Buckingham Rd	2.1	4.1	0.55		\$5,613,825	Feasible
1559	Hancock Bridge Pkwy Ext	U.S. 41 (North Cleveland Ave)	Business U.S. 41 (North Tamiami Trl)	2.1	4.1	0.61		\$4,007,568	Feasible
1559	Homestead Rd	Sunrise Blvd	Alabama Rd	2.1	4.1	1.47		\$13,900,000	Feasible
1559	Imperial Pkwy	Sonita Beach Rd	Collier County line	4.1	6.1	0.98		\$3,241,056	Feasible
1559	Joel Blvd	East 17th St	S.R. 80 (Palm Beach Blvd)	2.1	4.1	0.24		\$28,940,000	Feasible
1559	Ker Rd Ext - 5th St connection	Hines Ave	Henley County line	2.1	4.1	0.53	Across canal	\$4,161,973	Feasible
1559	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867		2.1	4.1	1.50	Upgrade & expand Lee County traffic management center	\$530,000	Feasible
1559	Littleton Rd	NE 24th Ave @ Kismet Pkwy	U.S. 41 (North Cleveland Ave)	2.1	4.1	0.68	Deploy video cameras & motorist information field devices		Feasible
1559	Littleton Rd	U.S. 41 (North Cleveland Ave)	Business U.S. 41 (North Tamiami Trl)	2.1	4.1	2.35	Realign with Kismet Pkwy	\$15,684,791	Feasible
1559	Littleton Rd Ext	Business U.S. 41 (North Tamiami Trl)	Slater Rd	2.1	4.1	2.35		\$6,988,104	Feasible
1559	Luckett Rd	Ortiz Ave	Enterprise Pkwy	2.1	4.1	0.50		\$24,394,237	Feasible
1559	Luckett Rd	Enterprise Pkwy	I-75 Northbound ramps	4.1	6.1	0.55		\$7,870,000	Feasible
1559	Luckett Rd	I-75 Northbound ramps	Holstein Rd	2.1	4.1	0.59		\$2,429,563	Feasible
1559	Luckett Rd Ext	Holstein Rd	Slater Rd	2.1	4.1	0.87		\$8,771,849	Feasible
1559	Luckett Rd	Greenbriar Farms Rd	Pangola Dr	2.1	4.1	0.25		\$7,858,694	Feasible
1559	Luckett Rd Ext	Pangola Dr	Buckingham Rd	2.1	4.1	2.40		\$1,312,923	Feasible
1559	Mento Ct Ext	Sunshine Blvd @ 61st W	Cul de sac	2.1	4.1	0.10	Across canal	\$32,745,817	Feasible
1559	Mid Point Bridge	@ Toll Plaza		2.1	4.1	0.86	Convert existing toll facilities to open road tolling	\$1,087,220	Feasible
1559	Mid Point Bridge & approaches	SE 17th Pl	East of McGregor Blvd	4.1	6.1	3.33	Surplus toll revenue project, county share		Feasible
1559	Nalle Grade Rd Ext	Nalle Rd	S.R. 31 (Arcadia Rd)	2.1	4.1	2.50		\$17,567,837	Feasible
1559	NE 24th Ave Ext	Garden Blvd	Cape Coral city limits	2.1	4.1	0.25		\$2,913,088	Feasible
1559	NOW beach bridge	Estero Blvd	Main St	2.1	4.1	0.86	Completion assumed in 2015; includes toll collection gantries on both new & existing S.R. 865 bridges & 1 equipment building		Feasible
1559	North Airport Rd Ext	Current terminus	Plantation Rd	2.1	4.1	0.62		\$24,882,436	Feasible
1559	Orange River Blvd	Noal Rd	Buckingham Rd	2.1	4.1	1.35		\$13,227,602	Feasible
1559	Orlando Rd Ext	Alco Rd	Three Oaks Pkwy Ext	2.1	4.1	1.06		\$14,372,911	Feasible
1559	Ortiz Ave	Colonial Blvd	S.R. 82 (Dr Martin Luther King Jr Blvd)	2.1	4.1	1.73		\$13,900,000	Feasible
1559	Palmview Ln	Daniels Pkwy	Pennance Blvd	2.1	4.1	1.46		\$17,876,367	Feasible
1559	Pine Island Rd	Mellicha Blvd	Bunt Store Rd-Veterans Pkwy	2.1	4.1	0.53		\$4,024,462	Feasible
1559	Plantation Rd	Six Mile Cypress Pkwy	Daniels Pkwy	2.1	4.1	1.17	Needed for concurrency	\$11,270,000	Feasible
1559	Plantation Rd	Daniels Pkwy	Idemile St	2.1	4.1	2.53		\$26,652,021	Feasible
1559	Sanibel Causeway	@ Toll Plaza		2.1	4.1	2.25	Convert to open road tolling. Assumed toll surplus funding		Feasible
1559	Sandy Lane Ext (North)	Corkscrew Rd	Melanzas Rd at Oriole Rd	2.1	4.1	1.14		\$18,420,000	Feasible
1559	Six Mile Cypress Pkwy	U.S. 41 (South Tamiami Trl)	Metro Pkwy	4.1	6.1	2.54		\$7,547,696	Feasible
1559	S.R. 739 (Business U.S. 41)	Littleton Rd	U.S. 41	2.1	4.1	1.63		\$21,480,000	Feasible
1559	Stringfellow Rd	Jamerson Pkwy	Genossee Blvd	2.1	4.1	1.83		\$21,840,789	Feasible
1559	Summerlin Rd	Gladys Dr	Cypress Lake Dr	2.1	4.1	1.83	Sanibel Causeway toll surplus project		Feasible
1559	Sunrise Blvd Ext	Alabama Rd	Homestead Rd	2.1	4.1	1.19		\$13,070,379	Feasible

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ROAD SEGMENT: Name of new road or road to be improved		E - C EXISTING roadway network plus COMMITTED roadway projects to be built by FY 04/05		FINANCIAL FEASIBILITY STATUS			
FROM: Start of segment to be added or improved		IMPROVEMENT: Description of facility following proposed improvement					
TO: End of segment to be added or improved							
1520	Sunrise Blvd Ext	Richmond Ave	Victoria Ave S	0.31			
1524	Sunset Rd Ext	Sunniland Blvd	Tena Ave N	0.15	Across canal	\$3,836,491	\$2,949,372
1525	Sunset Rd	Centennial Blvd Ext	Sunniland Blvd	1.28		\$11,675,187	\$11,675,187
1543	Sunshine Blvd Ext	75th St W	S.R. 80 (Palm Beach Blvd)	1.95		\$11,511,911	\$11,511,911
1548	Three Oaks Pkwy	Coconut Rd	Estero Pkwy	3.84	Not needed, at least so long as C.R. 951 Ext is included	\$31,801,630	-
1549	Todd Ave Ext	S.R. 82 (Immokalee Rd)	Westgate Blvd	0.66		\$8,633,618	\$8,633,618
1559	Vanderbilt Drive	Woods Edge Pkwy	Bonita Beach Rd	1.00	Lee County share of cost (half)	\$1,723,098	-
1563	Veterans Pkwy	Chiquita Blvd	Skyline Blvd	1.00	Surplus toll revenue project, county share		
1572	Veterans Pkwy	@ Skyline Blvd		0.45	Surplus toll revenue project, county share		
1573	Veterans Pkwy	@ Santa Barbara Blvd		0.45	Surplus toll revenue project, county share		
1574	Veterans Pkwy	@ County Club Blvd		0.45	Surplus toll revenue project, county share		
1575	Veterans Pkwy-Mid Point Bridge-Colonial Blvd	West of Skyline Blvd	East of S.R. 82 (Dr Martin Luther King Jr Blvd-Immokalee Rd)	15.20	Surplus toll revenue project, county share		
This table does not imply a commitment on the part of this jurisdiction to complete the projects listed for it.				Other projects:			
				PROJECT COSTS Subtotal:			
				6 Cent LOGT Plus 5 Cent LOGT 50%:			
				9th Cent Motor Fuel Tax:			
				Transportation Impact Fees:			
				FINANCIAL RESOURCES (2011-2030) Total:			
				Cape Coral & Mid Point toll surplus balance / (deficit):			
				Sanibel Causeway toll surplus balance / (deficit):			
				Other projects balance / (deficit):			
				BALANCE / (DEFICIT):			

LEE COUNTY GENERALIZED
LEVEL OF SERVICE THRESHOLDS

Lee County
Generalized Peak Hour Directional Service Volumes
Urbanized Areas

Sept., 2005

c:\Input2

Uninterrupted Flow Highway						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	100	360	710	1,000	1,270
2	Divided	1,060	1,720	2,480	3,210	3,650
3	Divided	1,590	2,580	3,720	4,820	5,480

Arterials						
Class I (>0.00 to 1.99 signalized intersections per mile)						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	*	290	760	900	920
2	Divided	450	1,630	1,900	1,950	1,950
3	Divided	670	2,490	2,850	2,920	2,920
4	Divided	890	3,220	3,610	3,700	3,700

Class II (>2.00 to 4.50 signalized intersections per mile)						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	*	210	660	850	900
2	Divided	*	490	1,460	1,790	1,890
3	Divided	*	760	2,240	2,700	2,830
4	Divided	*	1,000	2,970	3,500	3,670

Class III (more than 4.50 signalized intersections per mile)						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	*	*	370	720	850
2	Divided	*	*	870	1,640	1,790
3	Divided	*	*	1,340	2,510	2,690
4	Divided	*	*	1,770	3,270	3,480

Controlled Access Facilities						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	120	740	930	960	960
2	Divided	270	1,620	1,970	2,030	2,030
3	Divided	410	2,490	2,960	3,040	3,040

Collectors						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	*	*	530	800	850
1	Divided	*	*	560	840	900
2	Undivided	*	*	1,180	1,620	1,720
2	Divided	*	*	1,240	1,710	1,800

Note: the service volumes for I-75 (freeway) should be from FDOT's most current version of LOS Handbook.

JOHN CAUTHEN COMP PLAN AMENDMENT

Utility and Drainage Analysis

Potable Water Supply

The project is located within the Greater Pine Island Water Association (GPIWA) franchise area. The GPIWA has just recently installed a storage tank and high service pumping station on Scallop Drive, about 1/3 mile to the west of the project site. This storage facility should prove to provide ample volume and pressure for this and the other area commercial and residential projects.

The connection points to this system could either be from Cape Royal entrance road via easements or along the Pine Island Road R/W for a 10" connection. If a larger than 10" is required a connection could be obtained by jack and boring north under Pine Island Road (SR 78), approximately 111 feet to a 12" main. The water demand based on the desired uses and prescribed square footages is approximately 120,000 gallons per day.

It is safe to make the assumption that GPIWA, a subsidiary of Lee County Utilities, will maintain a level of service that requires 250 gallons per day per equivalent residential connection (ERC), as stipulated in the Lee County Comprehensive Development Master Plan, section IV, Policy 53.1.2. Systems are also required to deliver the water at a residual minimum pressure of 20-40 PSI, to meet residential and commercial fire flow requirements.

Sewage Disposal

The sewage generation from the site based on the uses and their sizes, is approximately 100,000 Gallons per day. There are three possibilities for sewage disposal from the site, each requiring a lift station and force main.

The first choice would be to go into a Lee County Utilities system by running west down Pine Island Road to a connection point at Matlacha Isles entrance, a distance of approximately 1 mile.

The second choice would be to directional bore under Pine Island Road up Burnt Store Road a distance of 0.4 mile to a City lift station, which is carrying the new shopping center sewage via force main east to a terminus at Chiquita Boulevard. This option would only serve the project's initial flows, pumping at off-peak times.

The third option would send a force main east along the Pine Island Road R/W to the Sandoval Commercial Tract site. This is a distance of approximately 1 mile. This option would not be available until approximately 2009 or 2010.

Sewage Disposal Continued

All of the options mentioned will require the utility companies approval. The first option would meet with the least objection in that the project is within Lee County and is under Lee County control. The second option again has the capacity issue until the area receives utilities, scheduled in the year 2017. The third option would be the second best possibility, with a time tract and capacity commensurate with your project schedule.

The best option being the Lee County Utilities at the entrance to Matlacha Isles, is required by the Lee County Comprehensive Development Master Plan, section IV, Policy 56.1.2. to provide a level of services equal to accepting 200 gallons per day per equivalent residential connection (ERC) for the peak month.

Storm Water Management

Storm water may be limited by the discharge rate of 0.1 CFS/acre, which would require a significant amount of on-site storage in the form of lakes and ponds. However the amount of on-site storage would be significantly reduced if the storm water were handled on a pre-development vs. post-development discharge rate of discharge, after on-site pre-treatment.

The out-fall would be located at the southern border of the site via an existing drainage swale. This swale is collecting water from many projects and is sized such that it should handle our storm water discharge. The swale is piped under Veteran's Parkway and outfalls into the mangrove forest bordering Matlacha Pass. Improvements to the swale in the form of maintenance may be required along the southern border of the site and beyond in order to achieve smooth open channel flow without overflowing it's banks. A second outfall location would be the northern border, into the Pine Island Road corridor. This outfall would be more difficult to permit and would be subject to change when the R/W of Pine Island Road is widened to four lanes.

A level of services as prescribed by the Lee County Comprehensive Development Master Plan, section IV, policy 60.3.1 requiring drainage systems to prevent flooding caused by a 25-year, 3-day storm event for 24 hours, must be met using on and off site measures.

The project will require a general Environmental Resource Permit (ERP) submitted to the South Florida Water Management District. There may be wetlands on the site for which both the Army Corps of Engineers and SFWMD will be involved. The wetlands are more than likely "Isolated wetlands" and can be mitigated either on-site or through a mitigation bank.

Storm Water Management Continued

The Flood elevation presently for finished floor is 8.0 feet above sea level. The existing grades are in the range of 4.0 to 5.0 feet above sea level. A three (3) to four (4) foot fill prism minimum will be required on the site. Lakes and ponds dug on-site will be required as the least cost method of raising the site. In today's dollars off-site fill compacted in place is running in excess of \$15.00 per yard in place. FEMA has announced that they are revising the flood maps in the near future, which could modify the above floor elevation, which intern will most likely increase the size of the fill prism.

Parks, Recreation, and Open Space
EXHIBIT B.2.d

The current County regulatory standard for regional parks is 7 acres per 1,000 total residents and the “desired level of service” standard is 8 acres per 1,000 County residents. The addition of approximately 250 residents to this site would require an additional 1.7 acres of regional park land for the regulatory standard or 2 acres for the “desired level of service” standard. Currently the County has 7,063 acres of regional parks land and plans to develop a 10 acre Idalia site by the Franklin Lock, Fisherman’s Co-Op Boat Ramp on Pine Island, and an expansion of Bunch Beach Park will take place in fiscal year 2006-2007. In addition, the City of Cape Coral has proposed a 460 acre park and the City of Fort Myers proposed a 100 acre soccer park. These improvements will likely mean that the desired LOS will be met in the year 2020.

The regulatory LOS for community parks is 0.8 acre per 1,000 permanent residents and the desired LOS standard is 2 acres per 1,000 permanent residents. This property is located in newly defined Pine Island / Burnt Store / Unincorporated Lee County district. The County concurrency report says that both the regulatory standard and the desired standard will be met through the year 2009. The approval of this Comp. Plan Amendment could result in a maximum increase in the regulatory standard of 0.2 acres and the desired LOS standard of 0.5 acres. It is unlikely that this amendment would cause the County to fail to meet the adopted LOS standard for community parks.

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

September 26, 2006

Mr. Mike Roeder, AICP
Knott, Consoer, Ebelini, Hart & Swett, P.A.
P.O. Box 2449
Fort Myers, FL 33902-2449

Re: Lee Plan Amendment for 3150 SW Pine Island Road

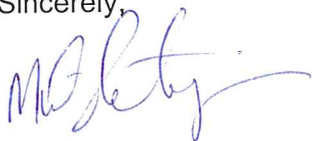
Mr. Roeder:

Lee County Transit received your letter dated September 25, 2006 in reference to the Comprehensive Plan Amendment Application for the subject property at the intersection of Pine Island Road and Veteran's Parkway in Cape Coral Florida. Lee County currently provides very minimal public transportation services to the subject property with service on Thursdays only to Pine Island and Southeast Cape Coral. Currently the closest daily fixed route bus service accessible from the property is approximately 4 miles away at the intersection of Pine Island Road and Santa Barbara Boulevard.

The Lee County Transit Development Plan identifies the need to expand the Thursday only service to regular fixed-route bus service with two hour headways, Monday through Friday, beginning in 2010. The 2030 Lee County Long Range Transportation Plan identifies the need to increase the service level to every 60 minutes in 2018. Any future development of this site should allow for access to the transit system on Pine Island Road.

If you have any questions please contact me at the telephone number listed above or send an e-mail to mhorsting@leegov.com.

Sincerely,



Michael Horsting, AICP
Planner, Lee County Transit

Preliminary Environmental Assessment

Prepared For:

Knott, Consoer, Ebelini, Hart & Swett, P.A.
1625 Hendry Street
Fort Myers, FL 33901

Site Location:

13.5 Acre Parcel
3150 S.W. Pine Island Road
Section 20, Twp. 44 S., Rng. 23 E.
Lee County, Florida

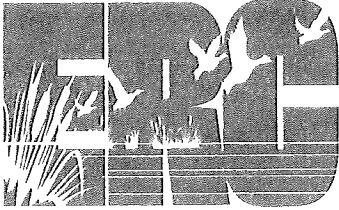
Prepared By:

Mr. Jeffrey Adair
Environmental Restoration Consultants, Inc.
24571 Redfish Street
Bonita Springs, FL 34134
Phone: (239) 287-2706

September 27, 2006



Environmental Restoration Consultants, Inc.



Environmental Restoration Consultants, Inc.

September 27, 2006

Mr. Mike Roeder
Knott, Consoer, Ebelini, Hart & Swett, P.A.
1625 Hendry Street
Ft. Myers, FL 33901

Fax: 334-8458

Re: Proposal for Environmental Services
13.5-Acre Parcel; 3150 S.W. Pine Island Rd., Cape Coral
Strap No. 20-44-23-00-00002.0000, Lee County, Florida

Dear Mr. Roeder:

On your behalf, Environmental Restoration Consultants, Inc. (ERC) performed a site inspection of the above referenced property on September 21, 2006. The purpose of the field investigation and this report is to address the environmental items listed in the Lee County "Application for a Comprehensive Plan Amendment". As such, this report is a compilation of information from field observations and existing sources. The report includes a characterization of existing plant communities (FLUCCS categories) and potentially associated protected species, available soil information, topographic quadrangle information, approximate location of state jurisdictional wetlands, and other relevant information. Please note that the site visit was performed subsequent to unusually heavy rainfall. Year-to-date rainfall is 4.74" above normal. September rainfall is 2.55" above average, equating to 44.2% above normal (The News-Press, September 21, 2006).

Site Location

The 13.50-acre project area is located in the southeast quadrant of the intersection of Veterans Parkway and S.W. Pine Island Road, Section 20, Twp. 44 S., Rng. 23 E., un-incorporated Lee County, Florida (ref. Site Location Map). Adjacent land uses include roadways along the entire west and north perimeter, commercial along the northeast, single-family immediately to the south, and vacant forested lands (degraded pine flatwood) to the southeast. The parcel is completely fenced, with gated access at the north from S.W. Pine Island Rd. The parcel appears to be periodically mowed, and access and visual inspection relatively easy and unimpeded.

Vegetation

In accordance with the Florida Land Use, Cover and Forms Classification System (FLUCCS; FDOT, 1999), we have characterized the parcel as five (5) community types and land use categories. The location, extent, and acreage of each category was determined by field observation and visual interpretation of aerial photography (Lee County, 2005), and is depicted on the attached FLUCCS Map. A general description and representative vegetation for each category is provided in the table below.

Vegetation Communities

FLUCCS Community (Code)	Percent Coverage	Location/Comments
Herbaceous - Dry Prairie (310); 0.22 acre	1.6%	Common vegetation included smutgrass (<i>Sporobolus indicus</i>), broomgrass (<i>Andropogon glomeratus</i>), and flat sedge (<i>Cyperus odoratus</i>). Other noted flora included Caesar weed (<i>Urena lobata</i>), chocolate weed (<i>Melochia corchorifolia</i>), and whitehead broom (<i>Spermacoce verticillata</i>). Dead saw palmetto (<i>Serenoa repens</i>) trunks were noted. Soil was moist (no inundation).
Mixed Hardwoods – Exotics (438(E)); 0.45 acre; Photo 5	3.3%	Canopy and midstory dominated by earleaf acacia (<i>Acacia auriculiformis</i>) and Java plum (<i>Syzygium cumini</i>). Ground cover dominated by Caesar weed. Other common species included dogfennel (<i>Eupatorium capillifolium</i>), broomgrass, melaleuca (<i>Melaleuca quinquenervia</i>) seedlings, and muscadine grape (<i>Vitis rotundifolia</i>). Debris piles noted.
Freshwater Marshes (641); 3.01 acres; Photos 1 and 2	22.3%	<p>Natural flora has been historically cleared. Re-vegetation includes herbaceous species indicative of hydric conditions.</p> <p>Northern marsh: dominant species composed of primrose willow (<i>Ludwigia</i> sp.), maidencane (<i>Panicum hemitomom</i>), and joint-vetch (<i>Aeschynomene indica</i>). Other common species are torpedograss (<i>Panicum repens</i>), yellow-nut sedge (<i>Cyperus esculentus</i>), water-hyssops (<i>Bacopa monnieri</i>), smartweed (<i>Polygonum</i> sp.), spike rush (<i>Eleocharis</i> sp.). Noted flora included climbing hempweed (<i>Mikania</i> sp.), fleabane (<i>Pluchea rosea</i>), pennywort (<i>Hydrocotyle</i> sp), and cattail (<i>Typha</i> sp.). 4" – 5" of standing water observed.</p> <p>Southern marsh: dominant species is jointed flat sedge (<i>Cyperus haspan</i>). Other flora include pennywort, primrose willow, climbing hempweed, and yellow-eyed grass (<i>Xyris</i> sp.). 9" - 11" of standing water present during inspection.</p>
Wet Prairies (643); 9.82 acres; Photos 3 and 4	72.7%	Natural flora has been historically cleared. Re-vegetation includes herbaceous species indicative of hydric conditions. Common flora are beakrush (<i>Rynchospora</i> spp.), coinwort (<i>Centella asiatica</i>), blue maidencane (<i>Amphicarpum muhlenbergianum</i>), spike rush, yellow-eyed grass, foxtail (<i>Setaria geniculata</i>), rush-fuirena (<i>Fuirena scirpoidea</i>), and various sedges (<i>Cyperus</i> spp.). Noted species include broomgrass, primrose willow, fleabane, climbing hempweed, flat sedge, melaleuca seedlings, redroot (<i>Lanchnanthes caroliana</i>), and maidencane. Soils varied from saturated to 2" of standing water.
Borrow Areas (742); 0.01 acre	0.1%	Small surface water. Appears to be a recently excavated test pit to investigate soil conditions. Embankments remain as barren soil.

Soil Types

Review of the Soil Survey of Lee County, Florida (USDA-SCS, 1984; ref. Soil Map) indicates the majority of the project area is underlain by Boca fine sand (13), with only the southwest portion underlain by Wabasso sand (35). Both soil types are designated as “non-hydric” by the Natural Resource Conservation Service (NRCS; a.k.a. SCS).

Relevant environmental and hydrologic exerts for each soil type selected from the Soil Survey are provided below:

Boca fine sand (13)

- “This is a nearly level, poorly drained soil on flatwoods.”
- “In most years, under natural condition, the water table is within 10 inches of the surface for 2 to 4 months. It recedes below the limestone for about 6 months.
- Natural vegetation consists of sawpalmetto, pineland threecawn, South Florida slash pine, and waxmyrtle.”

Wabasso sand (35)

- “This is a nearly level, poorly drained soil on flatwoods.”
- “In most years, under natural condition, the water table is less than 10 inches below the surface for 2 to 4 months. It is 10 to 40 inches below the surface for more than 6 months. It recedes to a depth of more than 40 inches during extended dry periods”.
- Natural vegetation consists of sawpalmetto, South Florida slash pine, pineland threecawn, cabbage palm, and bluestem.”

Topography and Flood Zoning

General topography information is provided on the U.S.G.S. Quadrangle Map exhibit. Review of elevation contours on the map appear to indicate the parcel is at approximately 4 ft. - 5 ft. NGVD. To date, ERC is unaware of any topographical survey for this parcel.

Review of the FIRM Map indicates the project is located in Zone A8, which is determined by FEMA to be within the 100-year flood-plain (ref. FIRM Map exhibit attached; also ref. FEMA web site).

Historical Resources

A review for “archeological sensitivity” was requested from Lee County on September 21, 2006. Discussion with Ms. Gloria Sago, Historic and Archaeological Resources, on September 27, 2006 indicated that “there are no known historic or archaeological resources associated with this parcel”. Written confirmation should be forthcoming in the near future.

Wetland Assessment

The preliminary assessment is based on state wetland jurisdiction determination guidelines, Chapter 62-340, F.A.C. The investigation involved spot ground truthing and evaluation of vegetation, available soil information, and hydrology relative to site conditions and regulations. Historical and/or recent site conditions and activities, such as disturbance, may effect the final determination. Depending on the particular type of project proposed in Lee County (i.e. residential, multi-family, etc.), the state may be represented by either the South Florida Water Management District (SFWMD) or the Florida Department of Environmental Protection (DEP). The precise location of any jurisdictional wetlands and/or surface waters can not be determined until the limits are field verified by the state.

Review of the Soil Survey of Lee County, Florida (USDA – SCS, 1984) indicates the parcel is underlain by Boca fine sand (13) and Wabasso sand (35), both of which has been determined by the USDA to be non-hydric soil types (ref. Soil Map). Under natural conditions both soil types support pine flatwood with saw palmetto, a community type considered upland. However, the historic clearing of the site may have lowered natural grade and incidentally led to wetland hydrologic and vegetative characteristics throughout the majority of the parcel. Further, these conditions have been enhanced by recent, heavy rainfall that has saturated and/or inundated the site. Should the project proceed for regulatory review, a wetland determination will be required by the SFWMD, as well as the U.S. Army Corps of Engineers. Despite the upland soil designation, state and federal agencies will likely claim jurisdiction over the majority of the parcel, with the exception being the herbaceous (dry prairie) and mixed hardwoods (exotics) communities.

Subject to a wetland jurisdictional determination and review of “avoidance and minimization” criteria and design alternatives by regulatory agencies, proposed wetland impacts will likely be permissible provided appropriate mitigation measures are proposed.

Wildlife

Preliminary field investigations were performed to identify potential critical habitat and/or note any direct observations or signs of protected wildlife species as required by the Lee County Comprehensive Plan Amendment application, and designated by the Lee County Land Development Code (LDC), Appendix H – Protected Species List. Designation of a particular habitat type on-site relative to the associated species listed in the LDC indicates the potential for such species to reside and/or forage on-site and is used as a review “tool” by Lee County environmental staff, but by no means indicates that such species utilize the site. The table below lists habitat types existing on-site and potential species affiliated with the respective community. In addition, species not associated with a generalized FLUCCS category, but frequently affiliated with particular site conditions (i.e. gopher tortoises with berms), are also listed based on existing landscape features observed during the inspection. Based on the information provided herein, or otherwise known or deemed necessary, the County may require species specific surveys during review of any proposed project.

Potential Protected Species

FLUCCS	Fauna/Flora	Status			Observe		Comments
		Lee	FWC	FWS	Yes	No	
Herbaceous - Dry Prairie (310)	Burrowing owl	L	SSC	-		x	Potential low; tall grasses and mesic conditions; remains of saw palmetto trunks in areas

Mixed Hardwoods – Exotics (438(E))							FLUCCS category 438 (E) is not recognized as critical habitat for protected species because it is dominated by exotic hardwoods, and other weedy species.
Freshwater Marshes (641)	American alligator	L	SSC	T		x	Potential low; existing water shallow and seasonal; no large prey observed
	Limpkin	L	SSC	-		x	Foraging habitat present
	Little blue heron	L	SSC	-		x	Foraging habitat present
	Reddish egret	L	SSC	-		x	Foraging habitat present
	Snowy egret	L	SSC	-	x		Foraging habitat present
	Tricolor heron	L	SSC	-		x	Foraging habitat present
	White ibis	-	SSC	-		x	Foraging habitat present
	Wood stork	L	E	E		x	Limited foraging habitat; vegetation dense
	Snail kite	L	E	-		x	Not known in this area
	Everglades mink	L	T	-		x	Not known in this area
							Snowy egret flushed during field investigation.
Wet Prairies (643)	Limpkin	L	SSC	-		x	Seasonal foraging habitat
	Little blue heron	L	SSC	-		x	Seasonal foraging habitat
	Reddish egret	L	SSC	-		x	Seasonal foraging habitat
	Snowy egret	L	SSC	-		x	Seasonal foraging habitat
	Tricolor heron	L	SSC	-		x	Seasonal foraging habitat
	White ibis	-	SSC	-		x	Foraging habitat present
	Wood stork	L	E	E		x	Seasonal foraging habitat
	Snail kite	L	E	-		x	Not known in this area
	Everglades mink	L	T	-		x	Not known in this area

Borrow Areas (742)							FLUCCS category 742 is not recognized as critical habitat for protected species. This particular area appears to be a recent soil test pit excavated for geotechnical investigation.
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L = Listed in the Lee County, Protected Species List (Appendix H)
E = Endangered (as designated by the FFWCC and/or USFWS)
T = Threatened (as designated by the FFWCC and/or USFWS)
SSC = Species of Special Concern (as designated by the FFWCC)

A snowy egret was flushed while traversing the site by pedestrian means, although the site likely provides seasonal foraging habitat for a variety of wading birds. The small borrow area appears recently excavated and the embankments and spoil areas were not vegetated. Although the burrow area may retain shallow water year round, and is therefore a probable limited food source for several species of wading birds, there was no evidence of American alligator. No other observations or signs of protected species were revealed during the preliminary site visit.

Review of the FFWCC web site pertaining to bald eagle (*Haliaeetus leucocephalus*) nest locations appears to indicate that the project area is outside of USFWS's primary and secondary management zones (1,500' and 750' radii, respectively). However, according to the web site, which is current through April 2004, two active nests (LE046C and LE062) and one abandoned nest (LE052) are located in proximity to the project, but beyond the management zones that would otherwise pertain to the property. Discussion with Lori Blydenburgh, City of Cape Coral, confirmed the abandoned status of LE052, historically located approximately 1,200 ft. west-southwest of the subject parcel. Therefore, although known active eagle nest(s) are in the vicinity of the project, we are not aware of any nests within Federal management zones for this site.

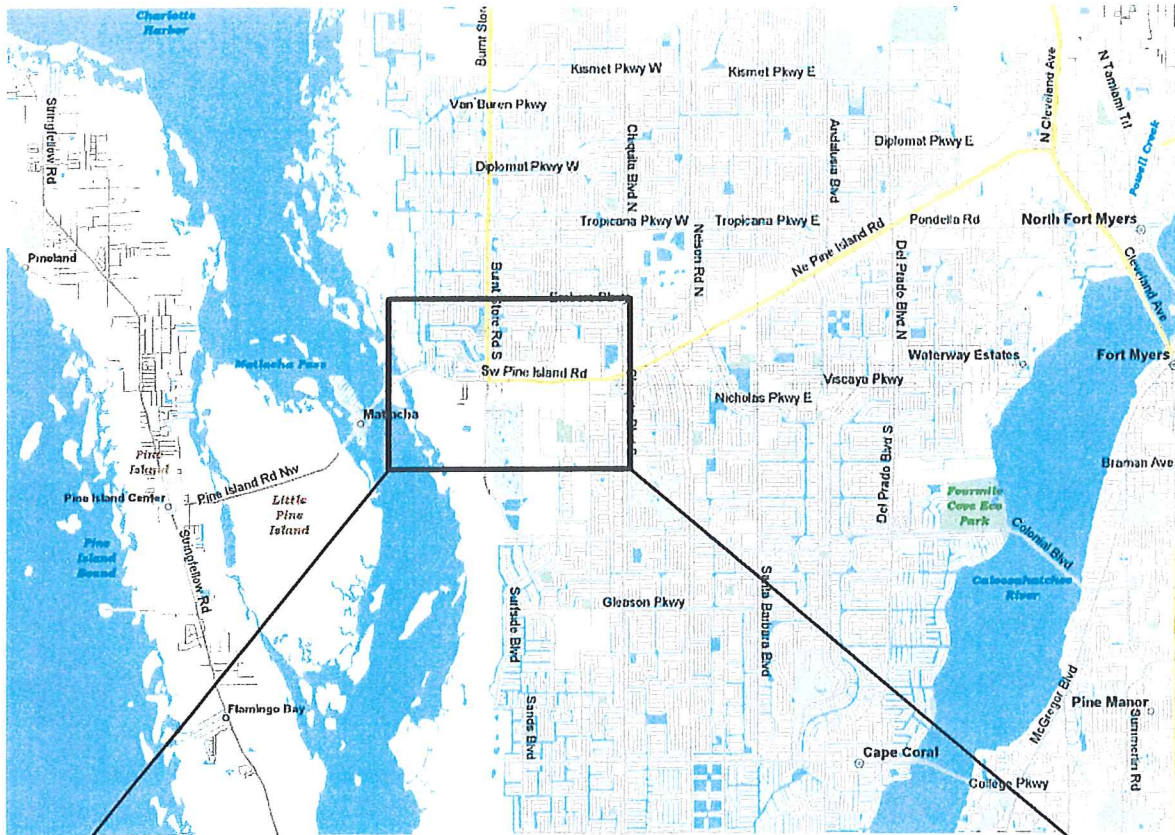
Should you have any questions regarding the site inspections or this report, please do not hesitate to contact me at 287-2706.

Sincerely,

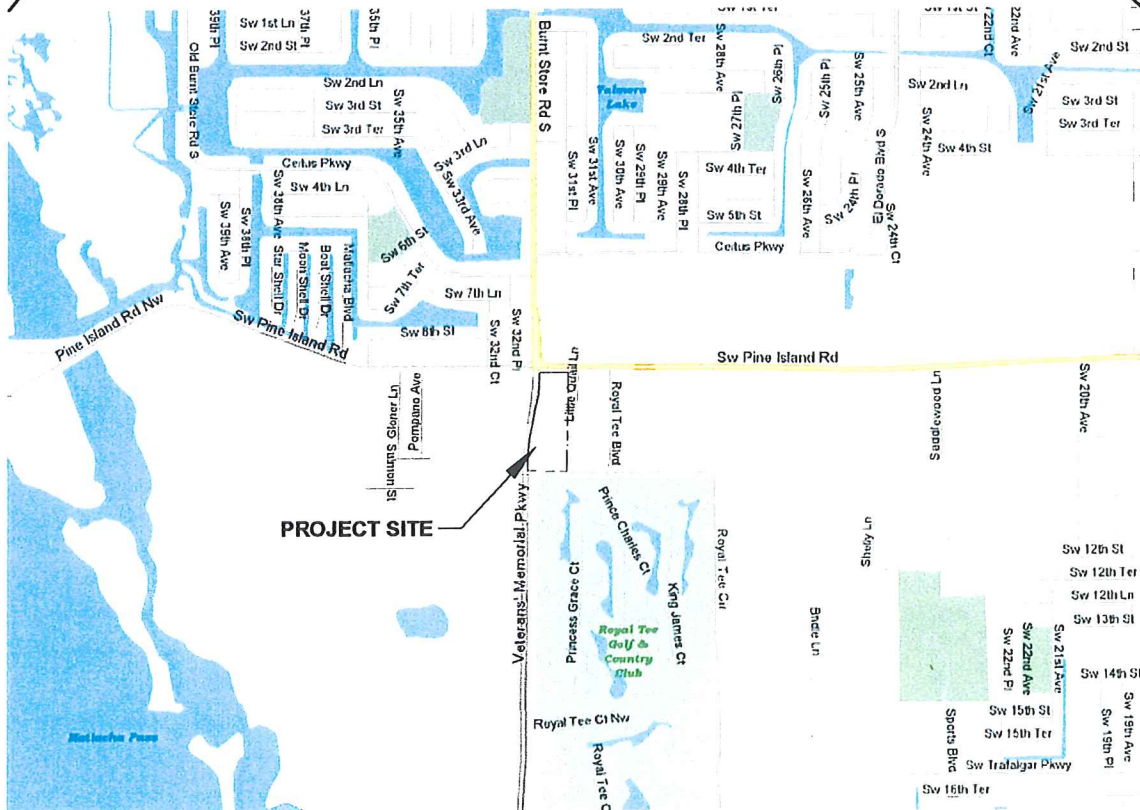



Jeffrey A. Adair
President

LOCATION MAP:



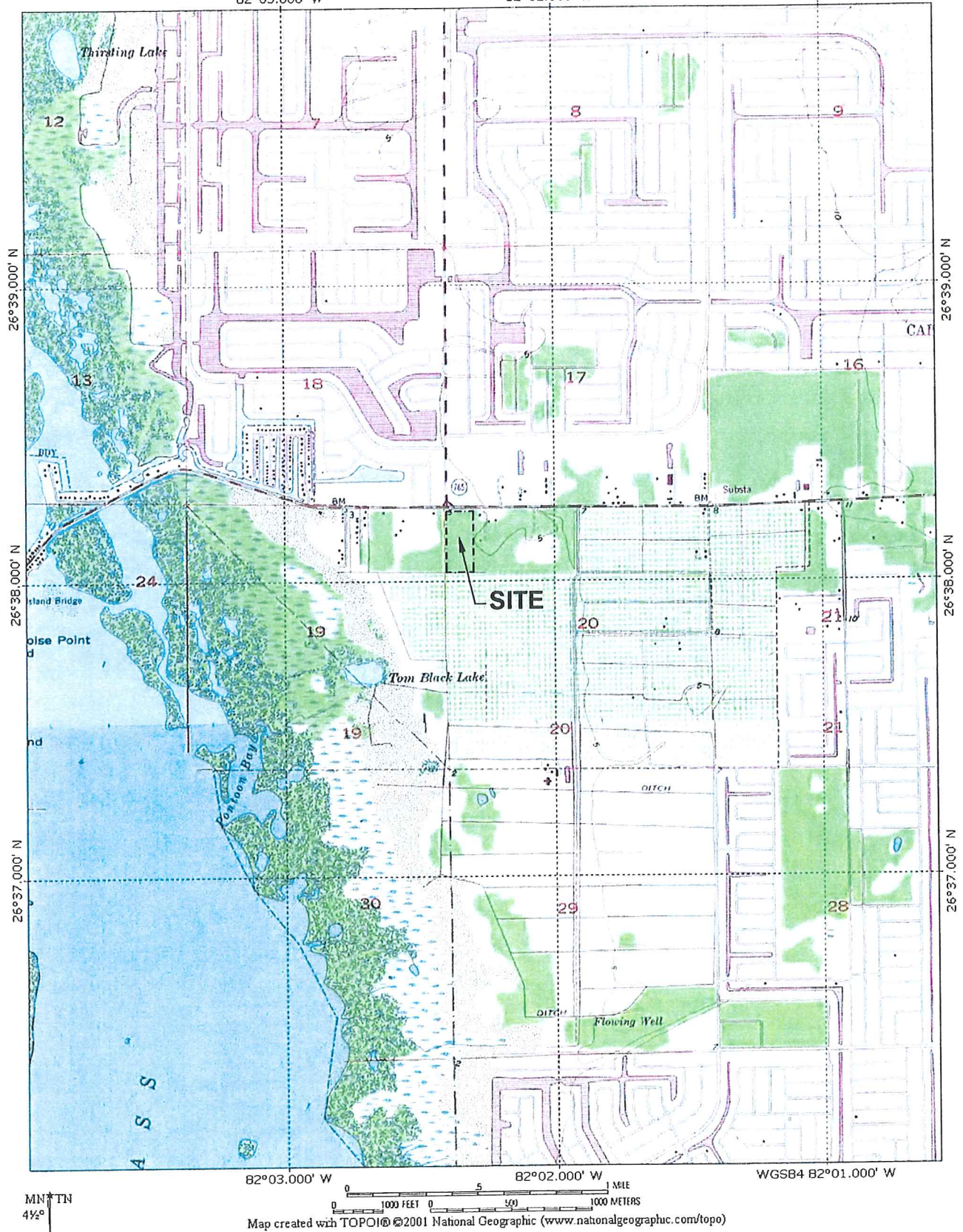
VICINITY MAP:



SCALE	N.T.S.	DESIGN BY: JAA	 <p>P.O. BOX 110894 NAPLES, FL 34108 Telephone: 239.002.0088 Cell: 239.287.2708 EMAIL: ERCINC@COMCAST.NET</p>	CLIENT: Knott, Consoer, Ebelini, Hart & Swett, P.A. 1625 Hendry Street Fort Myers, Florida 33901	Pine Island Road - 13.5 Ac.	DATE	REVISIONS
CADFILE	Pine Island 13.5	DRAWN BY: DFB					
DWG NO.	MAPS	CHECKED BY: JAA					
SHEET	1 of 10	DATE: 9/21/06					
		Jeffrey A. Adair	SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA				
			LOCATION MAP				

TOPO! map printed on 09/25/06 from "Florida.tpo" and "Untitled.tpg"
 82°03.000' W 82°02.000' W

WGS84 82°01.000' W



MN TN
 4 1/2"

82°03.000' W 82°02.000' W WGS84 82°01.000' W
 0 1000 FEET 0 500 1000 METERS
 Map created with TOPO! © 2001 National Geographic (www.nationalgeographic.com/topo)

SCALE N.T.S.	DESIGN BY: JAA DRAWN BY: DPB CHECKED BY: JAA DATE: 9/21/06	ERC P.O. BOX 110994, NAPLES, FL 34108 Telephone: 239.992.0088 Cell: 239.227.2700 EMAIL: ERCHNC@COMCAST.NET	CLIENT: Knott, Consoer, Ebelini, Hart & Swett, P.A. 1625 Hendry Street Fort Myers, Florida 33901	Pine Island Road - 13.5 Ac. SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA USGS MAP	DATE REVISIONS
CAD FILE Pine Island 135					
DWG NO MAPS					
SHEET 2 of 10	Jeffrey A. Adair				



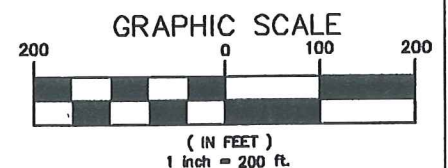
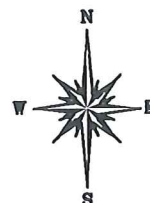
SOILS LEGEND:

13 - Boca fine sand (upland)
35 - Wabasso sand (upland)


----- **PROJECT BOUNDARY**

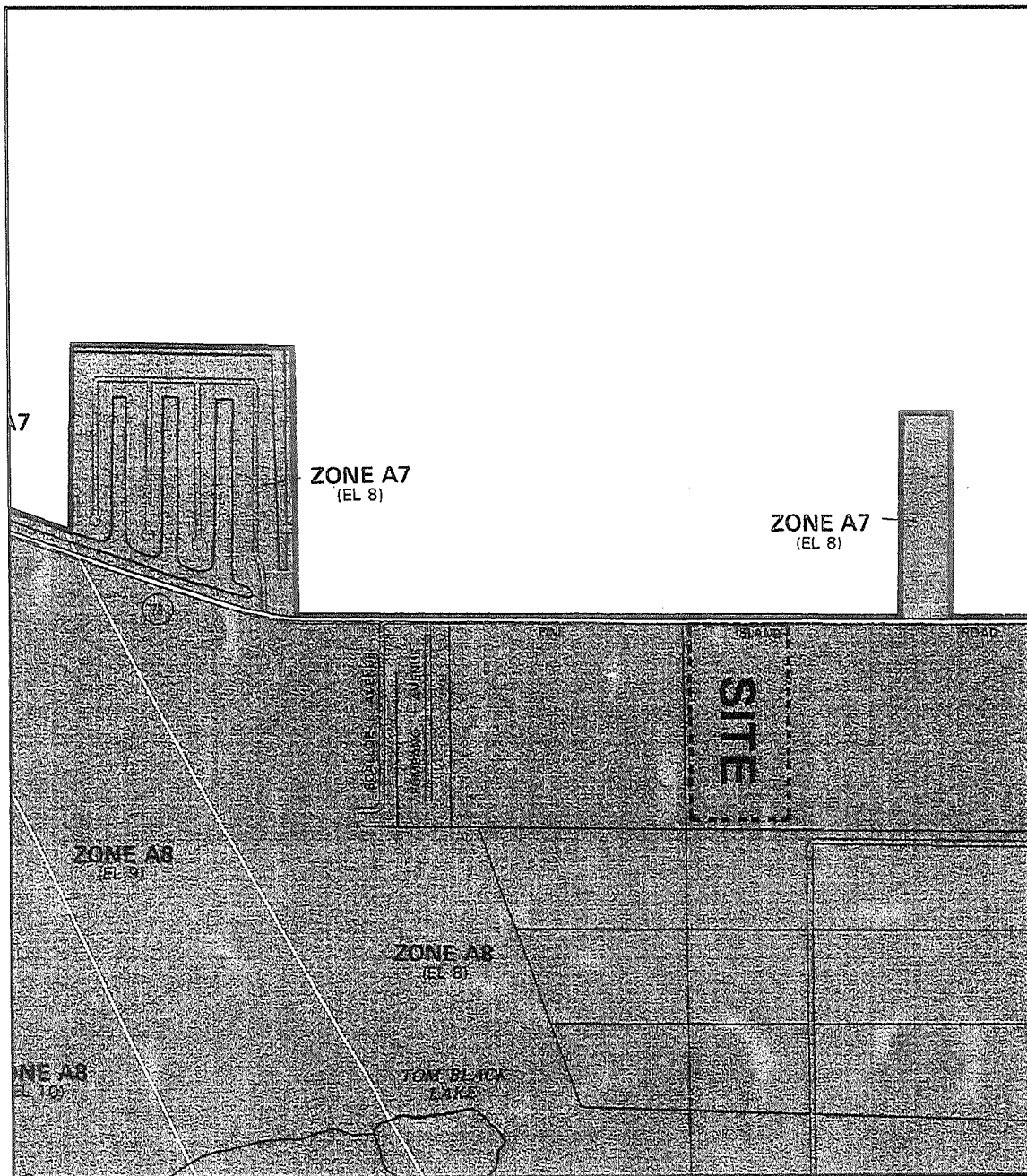
SOURCE OF INFORMATION:

This map is based on the "Soil Survey of Lee County, Florida"; prepared jointly by the U.S.Department of Agriculture & the Soil Conservation Service (issued on December 1984)



SCALE: 1"=200'	DESIGN BY: JAA DRAWN BY: DPB CHECKED BY: JAA DATE: 9/21/06	 ENVIRONMENTAL RESTORATION CONSULTANTS, INC. P.O. BOX 110094, NAPLES, FL 34108 Telephone: 239.592.0058 Cell: 239.237.2705 EMAIL: ERCINC@COMCAST.NET	CLIENT: Knott, Consoer, Ebelini, Hart & Swett, P.A. 1625 Hendry Street Fort Myers, Florida 33901	Pine Island Road - 13.5 Ac. SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA SOILS MAP	DATE: REVISIONS: Δ _____ Δ _____ Δ _____ Δ _____ Δ _____
DWG NO: MAPS					
SHEET: 3 of 10	Jeffrey A. Adair				

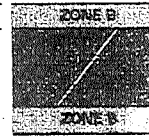
SCALE N.T.S.		DESIGNED BY JAA	
DRAWN BY JAA		CHECKED BY JAA	
DATE 9/27/06			
PROJECT NO. Pine Island 135			
MAPS			
SHEET 4 of 10		Jeffrey A. Adair	
		P.O. BOX 110984, NAPLES, FL 34108 (813) 239-2700 FAX (813) 239-2700 EMAIL: ERCONS@COMCAST.NET ERCONS.COM	
CLIENT: Knott, Consoer, Ebelini, Hart & Swett, P.A. 1625 Hendry Street Fort Myers, Florida 33901		Pine Island Road - 13.5 Ac. SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA	
FIRM PANEL # 125124 0170 B		DATE REVISIONS	
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APPROXIMATE SCALE

1000 0 1000 FEET

KEY TO MAP

500-Year Flood Boundary	_____
100-Year Flood Boundary	_____
Zone Designations*	
100-Year Flood Boundary	_____
500-Year Flood Boundary	_____
Base Flood Elevation Line With Elevation in Feet**	~~~~~513~~~~~
Base Flood Elevation in Feet Where Uniform Within Zone**	(EL 987)
Elevation Reference Mark	RM7x
Zone D Boundary	_____
River Mile	•M1.5

**Referenced to the National Geodetic Vertical Datum of 1929

*EXPLANATION OF ZONE DESIGNATIONS

ZONE	EXPLANATION
A	Areas of 100-year flood; base flood elevations and flood hazard factors not determined.
A0	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; average depths of inundation are shown, but no flood hazard factors are determined.
AH	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; base flood elevations are shown, but no flood hazard factors are determined.
A1-A30	Areas of 100-year flood; base flood elevations and flood hazard factors determined.
A99	Areas of 100-year flood to be protected by flood protection system under construction; base flood elevations and flood hazard factors not determined.
B	Areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood. (Medium shading)
C	Areas of minimal flooding. (No shading)
D	Areas of undetermined, but possible, flood hazards.
V	Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors not determined.
V1-V30	Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors determined.

NOTES TO USER

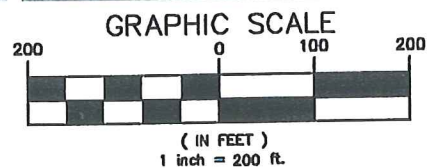
This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



LEGEND

- 310 - Herbaceous (Dry Prairie) - 0.22 Ac.
- 438 (E) - Mixed Hardwoods (Exotics) - 0.45 Ac.
- 641 - Freshwater Marshes - 3.01 Ac.
- 643 - Wet Prairies - 9.82 Ac.
- 742 - Borrow Areas - 0.01 Ac.

TOTAL SITE = 13.51 Ac.



② PHOTO LOCATION - - - - - SITE BOUNDARY


SCALE: 1"=200'	DESIGN BY: JAA DRAWN BY: GVB CHECKED BY: JAA DATE: 9/21/06	 ENVIRONMENTAL RESTORATION CONSULTANTS, INC. <small>ALL are copyrighted and trademarks of Environmental Restoration Consultants, Inc. and are the property of Environmental Restoration Consultants, Inc. and are not to be reproduced in any form or by any means without the prior written permission of Environmental Restoration Consultants, Inc.</small>	P.O. BOX 110994 NAPLES, FL 34108 Telephone: 239.992.0088 Cell: 239.287.2700 EMAIL: ERCONS@COMCAST.NET	CLIENT: Knott, Consoer, Ebelini, Hart & Swett, P.A. 1625 Hendry Street Fort Myers, Florida 33901	Pine Island Road - 13.5 Ac. SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA EXISTING FLUCCS MAP	DATE REVISIONS
CAD FILE: Pine Island 135						△
DWGNO: MAPS						△
SHEET: 5 of 10	Jeffrey A. Adair					△



PHOTO #1: North portion of parcel characterized by a low depression and fresh water marsh. Predominant vegetation includes primrose willow, maidencane, and joint-vetch.



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NAPLES, FL 34108
Telephone: 239.992.0086
Cell: 239.287.2706
EMAIL:
ERCINC@COMCAST.NET

DATE REVISIONS:

△	_____
△	_____
△	_____
△	_____

Pine Island Road - 13.5 Ac.

SECTION 20, TOWNSHIP 44 S., RANGE 23 E.
LEE COUNTY, FLORIDA

SITE PHOTO 1

CLIENT:

Knott, Consoer, Ebellni, Hart & Swett, P.A.
1625 Hendry Street
Fort Myers, Florida 33901

SCALE: N.T.S.

PROJECT FILE:
Pine Island 13.5

DWG NO:
MAPS

SHEET:
6 of 10

DESIGN BY: DPB
DRAWN BY: DPB
CHECKED BY: JA
DATE: 09/21/06

Jeffrey A. Adair

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PHOTO #2: The southwestern portion of the parcel is essentially a monoculture of haspan flatsedge. The species include pennywort, primrose willow, and climbing hempweed.

ERC
ENVIRONMENTAL RESTORATION
CONSULTANTS, INC.

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 ERCINC@COMCAST.NET

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△	_____
△	_____
△	_____

Pine Island Road - 13.5 Ac.
 SECTION 20, TOWNSHIP 44 S., RANGE 23 E.
 LEE COUNTY, FLORIDA

SITE PHOTO 2

CLIENT:
 Knott, Consoer, Ebelini, Hart & Swett, P.A.
 1625 Hendry Street
 Fort Myers, Florida 33901

SCALE: N.T.S.
 PROJECT FILE:
 Pine Island 13.5
 DWG NO:
 MAPS
 SHEET:
 7 of 10

DESIGN BY: DPB
 DRAWN BY: DPB
 CHECKED BY: JA
 DATE: 09/21/06

Jeffrey A. Adair

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PHOTO #3: Historical clearing and subsequent re-vegetation has created wet prairie throughout the majority of the parcel. Vegetation includes sedges, rushes, and grasses tolerant of hydric conditons.



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DATE	REVISIONS:
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△	_____
△	_____

Pine Island Road - 13.5 Ac.
SECTION 20, TOWNSHIP 44 S., RANGE 23 E.
LEE COUNTY, FLORIDA

SITE PHOTO 3

CLIENT:
Knott, Consoer, Ebellini, Hart & Swett, P.A.
1625 Hendry Street
Fort Myers, Florida 33901

SCALE: N.T.S.
PROJECT FILE: Pine Island 13.5
DWG NO: MAPS
SHEET: 8 of 10

DESIGN BY: DPB
DRAWN BY: DPB
CHECKED BY: JA
DATE: 09/21/08

Jeffrey A. Adair

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PHOTO #4: View depicts the southeastern portion of the property characterized by wet prairie. The southern perimeter (background) is defined by a fringe of exotic hardwoods.



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Cell: 239.287.2706
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ERCINC@COMCAST.NET

DATE	REVISIONS:
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△	_____

Pine Island Road - 13.5 Ac.

SECTION 20, TOWNSHIP 44 S., RANGE 23 E.
LEE COUNTY, FLORIDA

SITE PHOTO 4

CLIENT:
Knott, Consoer, Ebellini, Hart & Swett, P.A.
1625 Hendry Street
Fort Myers, Florida 33901

SCALE: N.T.S.

PROJECT FILE:
Pine Island 13.5
DWG NO:
MAPS
SHEET:
9 of 10

DESIGN BY: DPB
DRAWN BY: DPB
CHECKED BY: JA
DATE: 09/21/06

Jeffrey A. Adair

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PHOTO #5: View depicts the southeastern corner of the property. Disturbance and debris have promoted species such as earleaf acacia, Java plum, Caesar weed, and dogfennel.



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Cell: 239.287.2706
EMAIL:
ERCINC@COMCAST.NET

DATE	REVISIONS:
△	_____
△	_____
△	_____
△	_____

Pine Island Road - 13.5 Ac.
SECTION 20, TOWNSHIP 44 S., RANGE 23 E.
LEE COUNTY, FLORIDA

SITE PHOTO 5

CLIENT:
Knott, Consoer, Ebellini, Hart & Swett, P.A.
1625 Hendry Street
Fort Myers, Florida 33901

SCALE: N.T.S.

PROJECT FILE:
Pine Island 13.5

DWG NO:
MAPS

SHEET:
10 of 10

DESIGN BY: DPB
DRAWN BY: DPB
CHECKED BY: JA
DATE: 09/21/06

Jeffrey A. Adair

NOTE: The undersigned and ENVIRONMENTAL RESTORATION CONSULTANTS, INC. make no representations or guarantees as to the completeness of the information reflected hereon pertaining to easements, right of way, setback lines, reservations, agreements or other matters of record. This instrument is intended to reflect or set forth only those items shown in the references above. ENVIRONMENTAL RESTORATION CONSULTANTS, INC. did not research the public records for matters affecting the lands shown. This instrument is the property of ENVIRONMENTAL RESTORATION CONSULTANTS, INC. and shall not be reproduced in whole or in part without written permission of ENVIRONMENTAL RESTORATION CONSULTANTS, INC.



FLORIDA DEPARTMENT OF STATE
Sue M. Cobb
Secretary of State
DIVISION OF HISTORICAL RESOURCES

September 27, 2006

Alison M. Stowe
Knott, Conner, Ebelini, Hart & Swett, P.A.
1625 Hendry Street
Fort Myers, FL 33901
Telecopier: 239-334-1446

Dear Ms. Stowe:

In response to your inquiry of September 27, 2006, the Florida Master Site File lists no previously recorded cultural resources in the following parcel:

T448, R23E, Section 20

In interpreting the results of our search, please remember the following points:

- Areas which have not been completely surveyed, such as yours, may contain unrecorded archaeological sites, unrecorded historically important structures, or both.
- As you may know, state and federal laws require formal environmental review for some projects. Record searches by the staff of the Florida Master Site File do not constitute such a review of cultural resources. If your project falls under these laws, you should contact the Compliance Review Section of the Bureau of Historic Preservation at 850-245-6333 or at this address.

If you have any further questions concerning the Florida Master Site File, please contact us as below.

Sincerely,

Celeste Ivory

Celeste Ivory
Archaeological Data Analyst, Florida Master Site File
Division of Historical Resources
R. A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399-0250

Phone: 850-245-6440, Fax: 850-245-6439
State SunCom: 205-6440
Email: fmsfile@dos.state.fl.us
Web: <http://www.dos.state.fl.us/dhr/fmsf/>

500 S. Bronough Street • Tallahassee, FL 32399-0250 • <http://www.flheritage.com>

☐ Director's Office
(904) 245-6300 • FAX: 245-6435

☐ Archaeological Research
(850) 245-6448 • FAX: 245-6436

☐ Historic Preservation
(850) 245-6333 • FAX: 245-6437

☐ Historical Museums
(850) 245-6400 • FAX: 245-6433

☐ Palm Beach Regional Office
(561) 279-1475 • FAX: 279-1476

☐ St. Augustine Regional Office
(904) 825-8045 • FAX: 825-5044

☐ Tampa Regional Office
(813) 273-8843 • FAX: 777-2540

**Internal Consistency with the Lee Plan
EXHIBITS E.1-E.4**

1. Discuss how the proposal affects established Lee County population projections, Table 1(b) (Planning Community Year 2020 Allocations), and the total population capacity of the Lee Plan Future Land Use Map.

The intention for the development of this property would be an intense mixed-use development that combined retail, office and dwelling units in multi-story buildings. It is not clear at this time if the property would qualify for the proposed mixed-use development overlay that would provide a more generous formula for calculating density. For the purposes of this analysis, we are using a potential land use scenario of 200,000 square feet of office, of which 20,000 would be medical office, 80,000 square feet of retail, 20,000 square feet of restaurant and 181 residential units, which would be 14 units per acre over the entire site. Although this mix of uses is fairly intense, even for the Intensive Development category, this site would seem to be the ideal location for such a mixed-use intense development, and the Comp Plan Amendment Analyst needs to consider the maximum development potential. The property would appear to be located in the Pine Island portion of the Planning Community Map and Table 1(b), and that only has an allocation of 5 acres in the Intensive Development land use category. Table 1(b) would have to be amended to add additional acreage to the Intensive Development land use category if this amendment were approved, possibly as much as an additional 13 acres. The addition of approximately 200 dwelling units to the Future Land Use Map would not materially affect any of the County's Planning considerations, since it would only add approximately 450 people under the current persons per household formula. In addition, the County Commission's recent decision to not allow for the calculation of abutting road right-of-way in density calculations has probably lowered the potential residential capacity of the Lee Plan County-wide.

2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.

Goal 1: Future Land Use Map. To maintain and enforce a Future Land Use Map showing the proposed distribution, location, and extent of future land uses by type, density, and intensity in order to protect natural and man-made resources, provide essential services in a cost-effective manner, and discourage urban sprawl.

This parcel is located at the corner of two major arterial roads in a fast-developing part of the County. Although it is surrounded by the City of Cape Coral, the City is unable to provide utilities in a timely fashion and it is more logical for it to develop under its unincorporated enclave status. It is a classic infill parcel, and the County should encourage the parcel to be developed with an intense mixed-use concept.

Objective 1.1: Future Urban Areas. Designate on the Future Land Use Map (Map 1) categories of varying intensities to provide for a full range of urban activities. These designations are based upon soil conditions, historic and developing growth patterns, and existing or future availability of public facilities and services.

This parcel is appropriate for a more intense designation based on its location and potential availability of services.

Policy 1.1.1: The Future Land Use Map contained in this element is hereby adopted as the pattern for future development and substantial redevelopment within the unincorporated portion of Lee County. Map 16 and Table 1(b) are an integral part of the Future Land Use Map series. They depict the extent of development through the year 2020. No development orders or extensions to development orders will be issued or approved by Lee County which would allow the Planning Community's acreage totals for residential, commercial or industrial uses established in Table 1(b) to be exceeded.

As indicated, Table 1(b) would need to be amended if this map amendment is approved to provide for more acreage in the Intensive Development land use category.

Policy 1.1.2: The Intensive Development areas are located along major arterial roads in Fort Myers, North Fort Myers, and Cape Coral. By virtue of their location, the county's current development patterns, and the available and potential levels of public services, they are well suited to accommodate high densities and intensities. Planned mixed-use centers of high-density residential, commercial, and limited light industrial, and office uses are appropriate in these locations. As Lee County moves towards becoming a metropolitan complex of a half-million people, these centrally located urban nodes can offer a diversity of lifestyles, cosmopolitan shopping opportunities, and specialized professional services that befit such a region. The standard density range is from seven dwelling units per acre to fourteen dwelling units per acre. Maximum density is twenty-two dwelling units per acre.

This site is ideally suited for an intense mixed-use development and this land use category is the most appropriate category for the property. Water can be provided by the greater Pine Island Water Authority and utilities and sewer service can be provided by an extension of the County owned central sewer serving Matlacha. The applicant will be required to arrange for an appropriate affluent disposal site for the additional sewage treatment.

Objective 1.4: Non-Urban Area. Designate on the Future Land Use Map categories for those areas not anticipated for urban development at this time.

Policy 1.4.1: The Rural areas are to remain predominantly rural—that is, low density residential, agricultural uses, and minimal non-residential land uses that are needed to serve the rural community. These areas are not to be programmed to receive urban-type capital improvements, and they can anticipate a continues level of public services below that of the urban areas. Maximum density in the Rural area is one dwelling unit per acre.

Clearly this land is not appropriate for the Rural designation, either by virtue of its location or the lack of public services. It is in the middle of one of the fastest growing areas of Lee County and deserves a land use designation that will allow for its most logical development potential.

Policy 1.7.6: The Planning Communities Map and Acreage Allocation Table (see Map 16 and Table 1(b) and Policies 1.1.1 and 2.2.2) depicts the proposed distribution, extent, and location of generalized land uses for the year 2020. Acreage totals are provided for land in each Planning Community in unincorporated Lee County. No final development orders or extensions to final development orders will be issued or approved by Lee County which would allow the acreage totals for residential, commercial or industrial uses contained in Table 1(b) to be exceeded.

As indicated above, Table 1(b) would need to be amended to reflect this additional allocation of Intensive Development acres in the Pine Island Planning Community.

Goal 2: Growth Management. To provide for an economically feasible plan which coordinates the location and timing of new development with the provision of infrastructure by government agencies, private utilities, and other sources.

This type of mixed-use development in this location will be important to provide shopping and employment opportunities for Cape Coral and surrounding areas and thus reduce the need for long distance automobile travel and other negative impacts of a sprawling development pattern. The County recently completed the extension of Veteran's Parkway at great expense, and it would not make sense to not develop the land that is now serviced by this road.

Objective 2.2: Development Timing. Direct new growth to those portions of the Future Urban Areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created.

This is a very important infill parcel that should not be bypassed, since the alternative will be a sprawling development pattern.

Objective 2.3: Public Provision of Infrastructure. The Capital Improvements Program will give the highest priority to the planning, programming, and construction of urban services and facilities in the existing developed areas where facilities are inadequate. Next priority will be given to service expansions in existing developed areas, followed by further expansion into other portions of the Future Urban Areas.

Providing for adequate infrastructure to this site should be an important part of the County's land use plan, and the cost of any utility extensions would be borne by the landowner. If this amendment is approved, the County should also amend Map 7 to include this property in its sewage franchise area.

Objective 2.4: Future Land Use Map Amendments. Regularly examine the Future Land Use Map in light of new information and changed conditions, and make necessary modifications.

Policy 2.4.1: The county will accept applications from private landowners or non-profit community organizations to modify the boundaries as shown on the Future Land Use Map. Procedures, fees, and timetables for this procedure will be adopted by administrative code.

Goal 5: Residential Land Uses. To provide sufficient land in appropriate locations on the Future Land Use Map to accommodate the projected population of Lee County in the year 2020 in attractive and safe neighborhoods with a variety of price ranges and housing types.

The type of mixed-use development contemplated by this Plan Amendment would be an important addition to the inventory of housing or for County residents.

Policy 5.1.2: Prohibit residential development where physical constraints or hazards exist, or require the density and design to be adjusted accordingly. Such constraints or hazards include but are not limited to flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental limitations; aircraft noise; or other characteristics that may endanger the residential community.

There are no physical constraints or hazards which would limit the development of this site. The soils map indicates soils, but due to past clearing of the site and impounded water, much of the site is now supporting wetland vegetation. The development of the site will need to be approved by all the relevant environmental agencies.

Policy 5.1.5: Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment.

This property is on the northwestern boundary of the Sandoval Community in Cape Coral. The design of the development will have to ensure that appropriate buffers and protections are afforded to that residential area. On the east there is an existing service station and the property is bounded on the north and the west by major arterial highways.

Goal 6: Commercial Land Uses. To permit orderly and well-planned commercial development at appropriate locations within the county.

This site is very critical to providing for necessary shopping and employment opportunities to this part of the County.

Policy 6.1.2: All commercial development must be consistent with the location criteria in this policy, except where specifically excepted by this policy or by Policy 6.1.7, or in Lehigh Acres by Policies 1.8.1 through 1.8.3.

This site is eligible under subparagraph 3 for Community Commercial activity since it is located at the intersection of two arterial streets. The site area for this type of Community Commercial is from 10-35 acres and from 100,000 to 400,000 square feet of commercial activity.

Goal 11: Water, Sewer, Traffic, and Environmental Review Standards. To insure that appropriate water, sewer, traffic, and environmental review standards are considered in reviewing rezoning applications and are met prior to issuance of a county development order.

Development on this site could not be approved unless central water service is provided by the greater Pine Island Water Authority and sewer service by Lee County Utilities.

3. Describe how the proposal affects adjacent local governments and their comprehensive plans.

This unincorporated enclave is surrounded by the City of Cape Coral which is designated as Pine Island Road District on its Future Land Use Map. This designation would encourage intense commercial and high-density residential development.

4. List State Policy Plan and Regional Policy Plan goals and policies which are relevant to this plan amendment.

STATE POLICY PLAN:

FL Statute 187.201

(15) LAND USE. -

(a) Goal. – In recognition of the importance of preserving the natural resources and enhancing the quality of life of the state, development shall be directed to those areas which have in place, or have agreements to provide, the land and water resources, fiscal abilities, and service capacity to accommodate growth in an environmentally acceptable manner.

(b) Policies.–

- 1. Promote state programs, investments, and development and redevelopment activities which encourage efficient development and encourage efficient development and occur in areas which will have the capacity to service new population and commerce.*
- 3. Enhance the livability and character of urban areas through the encouragement of an attractive and functional mix of living, working, shopping, and recreational activities.*

(17) PUBLIC FACILITIES.–

(a) Goal. – Florida shall protect the substantial investments in public facilities that already exist and shall plan for and finance new facilities to serve residents in a timely, orderly, and efficient manner.

(b) Policies. –

1. *Provide incentives for developing land in a way that maximizes the uses of existing public facilities.*

REGIONAL POLICY PLAN:

Affordable Housing:

Goal 1. *Supply a variety of housing types in various price ranges to ensure that all residents have access to decent and affordable housing.*

Strategy:

Increase the supply of affordable housing through public and private efforts.

Actions:

4. *Work with local governments to promote structures and developments that combine commercial and residential uses as a means of providing housing that is affordable and near employment opportunities.*

Goal 2. *Southwest Florida will develop (or redevelop) communities that are liveable and offer residents a wide range of housing and employment opportunities.*

Strategy: *Develop liveable, integrated communities that offer residents a high quality of life.*

Actions:

1. *Encourage programs that promote infill development in urban areas to maximize the efficient use of existing infrastructure.*
2. *Work with local governments to build structures and developments that combine commercial and residential uses as a means of providing housing that is affordable and near employment opportunities.*
5. *Promote the mix of affordable and non-affordable housing for integrated communities.*

Economic Development:

Strategy: *Ensure the adequacy of lands for commercial and industrial centers, with suitable services provided.*

Actions:

3. *Include in planning efforts the recognition of lands with natural capacity, accessibility, previous preparation for urban purposes, and adequate public facilities.*

Emergency Preparedness:

Goal 6. *New private and public developments are built further from flood-prone areas than in the past and structures and roadways are protected from rain-induced flooding.*

Strategy: *New developments and redevelopment of existing areas should provide for increased land elevations for public infrastructure and community infrastructure, including potential sheltering or refuge sites.*

Natural Resources:

Goal 4. *Liveable communities designed to improve quality of life and provide for the sustainability of our natural resources.*

Regional Transportation:

Goal 2. *Liveable communities designed to affect behavior, improve quality of life and responsive to community needs.*

Actions:

4. Review comprehensive plans and land development regulations for incentives to develop and redevelop using mixed uses, higher densities, shared parking; and improve vehicular, mass transit, pedestrian and bicycle access and travel, as well as provide a variety of affordable residential densities and types.

Non-Urban Area to a Future Urban Area
EXHIBIT F.2

In this particular case, the designation of the land as Rural is an historical anomaly and is really not supported by any sound planning principles. It was originally expected that this land would be annexed into the City of Cape Coral on the theory that they would be better able to provide needed public services and utilities. However, due to the extraordinary demands on their utility system, they will not be able to provide utilities to this site for at least another ten years, and, therefore, the need to go forward with this amendment under the County's jurisdiction. The property is located at the intersection of two major arterial roads and is in the heart of some of the most rapidly developing portions of northwestern Cape Coral. It is clearly an urban area which has become even more so with the recent completion of Veteran's Parkway connecting to Burnt Store Road. There is no planning or other justification for retaining this Rural designation on this important parcel located at a critical intersection.

Justification For Request
EXHIBIT G

With the completion of Veteran's Parkway approximately three years ago, this intersection became one of the primary nodes in the Cape Coral / North Fort Myers vicinity. Pine Island Road is the main east / west arterial serving northern Cape Coral and Pine Island and Veteran's Parkway / Burnt Store Road is a major connection from Charlotte County across the Mid-Point Bridge into the heart of Fort Myers and then on to Lehigh Acres. The northeast quadrant of this intersection was recently developed as a major Publix shopping center, and the other three quadrants are logical candidates for intense urban and preferably mixed-use development. The current Rural land use designation for this property is totally inappropriate, and the one category that would allow it to be developed to its full potential is the Intensive Development category which encourages intense mixed-use projects. There are no environmental or other constraints on this site, and it has approved access points to Veteran's Parkway at the current time. All relevant planning consideration would support a very intense mixed-use development at this location.

Interoffice Memo

Date: January 29, 2007

To: Wayne Gaither
Lee County Community Development Planning Department

From: Gerald Campbell
Chief of Planning
Lee County Division of Public Safety
Emergency Management Program

RE: CPA2006-00015 – Cauthen (Map Amendment)
STRAP 20-44-23-00-00002.0000

Emergency Management reviewed the documents for the above-referenced amendment. This appears to allow an increase in maximum density from 1 dwelling unit per acre to 14 dwelling units per acre on 12.8 acres. Over two-thirds of this property is located in the Coastal High Hazard Zone per the application.

Lee County Public Safety and Emergency Management remain fundamentally opposed to increasing density in the Coastal High Hazard Area. Increased density in the Coastal High Hazard Area places more people at risk and increases demand on already strained shelters and evacuation routes.

Specific Objectives and Policies are addressed below.

POLICY 5.1.2: Prohibits residential development where physical constraints or hazards exist, or requires the density and design to be adjusted accordingly.

This request to increase density in the Coastal High Hazard Area is inconsistent with Policy 5.1.2.

POLICY 105.1.4: Through the Lee Plan amendment process, land use designations of undeveloped areas within coastal high hazard areas will be considered for reduced density categories (or assignment of minimum allowable densities where density ranges are permitted) in order to limit the future population exposed to coastal flooding.

This request to increase density in the Coastal High Hazard Area is inconsistent with Policy 105.1.4.

These comments do not address requirements for shelter and evacuation mitigation under the Land Development Code or Emergency Preparedness Plan requirements under Administrative Code 7-7, which will apply to any development in this location.

A. Gerald Campbell

cc: J. D. Wilson, Lee county Public Safety
D. J. Saniter, Lee County Emergency Management
T. M. Kelley, Lee County Emergency Management

Gaither, Wayne

From: Daltry, Wayne E.
Sent: Monday, January 29, 2007 1:23 PM
To: Gaither, Wayne
Subject: RE: CPA2006-00015 / Cauthen Map Amendment

Good Morning

This proposal is at the site of the singularly most critical intersection in this part of the County (and City). The general concept is not inappropriate, but the site should be coordinated with the adjacent parcel (which may undergo some request for land use conversion as SR 78 enters its phase of widening). Further, the "mixed use" concept may be appropriate with the site either with or without the adjacent eastern parcel.

The mixed use designation would enable many site related opportunities to be pursued, that otherwise would remain burdens for any site development plan that would come out of this land use designation.

Wayne Daltry, FAICP
Director, Smart Growth
239-335-2840
fx -335-2262

From: Gaither, Wayne
Sent: Friday, January 26, 2007 2:59 PM
To: chief@pineislandfire.org; Bergquist, W.; Campbell, George G.; Collins, Donna Marie ; Daltry, Wayne E.; Eckenrode, Peter J.; Hansen, Hans C.; Houck, Pamela E.; Lavender, James H.; Liddblad, Ellen; Loveland, David M.; Horsting, Michael S.; Newman, William T.; Nygaard, James; Ottolini, Roland E.; Pavese, Michael P.; Roberts, Rickey G.; Sampson, Lindsey J.; Smith, Regina Y.; Trebatoski, Kim; Velez, Sergio I.; William Horner; Wilson, John; Wu, Lili ; Yarbrough, John H.; Zettel, Mary S.
Cc: Noble, Matthew A.
Subject: CPA2006-00015 / Cauthen Map Amendment

Distribution List:

*John Wilson, Lee County Public Safety
Chris Hansen, Lee County Public Safety, EMS
Richard Cranford, Lee County Public Safety
Gerald Campbell, Lee County Public Safety, Emergency Management
W. Bergquist, Lee County Sheriff's Office
James Nygaard, Lee County Sheriff's Office
Roland E. Ottolini, Lee County Natural Resources Management
Kim Trebatoski, Lee County Environmental
Sciences
Michael Horsting, Lee Tran
Dave Loveland, Lee County Division of Transportation
Lili Wu, Lee County, Division of Transportation
John Yarbrough, Lee County Parks & Recreation
Lindsey Sampson, Lee County Solid Waste
William Newman, Lee County, Solid Waste
Regina Smith, Lee County Economic Development
Jim Lavender, Lee County Public Works
Ivan Velez, Lee County Utilities*

Gaither, Wayne

From: Newman, William T.
Sent: Monday, January 29, 2007 2:45 PM
To: Gaither, Wayne
Subject: RE: CPA2006-00015 / Cauthen Map Amendment

Wayne:
The amendment requester indicates that Solid Waste letter will be submitted at a later date.

Bill Newman
Operations Manager
Solid Waste Division
(239)338-3302
newmanwt@leegov.com

From: Gaither, Wayne
Sent: Friday, January 26, 2007 2:59 PM
To: chief@pineislandfire.org; Bergquist, W.; Campbell, George G.; Collins, Donna Marie ; Daltry, Wayne E.; Eckenrode, Peter J.; Hansen, Hans C.; Houck, Pamela E.; Lavender, James H.; Liddblad, Ellen; Loveland, David M.; Horsting, Michael S.; Newman, William T.; Nygaard, James; Ottolini, Roland E.; Pavese, Michael P.; Roberts, Rickey G.; Sampson, Lindsey J.; Smith, Regina Y.; Trebatoski, Kim; Velez, Sergio I.; William Horner; Wilson, John; Wu, Lili ; Yarbrough, John H.; Zettel, Mary S.
Cc: Noble, Matthew A.
Subject: CPA2006-00015 / Cauthen Map Amendment

Distribution List:

*John Wilson, Lee County Public Safety
Chris Hansen, Lee County Public Safety, EMS
Richard Cranford, Lee County Public Safety
Gerald Campbell, Lee County Public Safety, Emergency Management
W. Bergquist, Lee County Sheriff's Office
James Nygaard, Lee County Sheriff's Office
Roland E. Ottolini, Lee County Natural Resources Management
Kim Trebatoski, Lee County Environmental
Sciences
Michael Horsting, Lee Tran
Dave Loveland, Lee County Division of Transportation
Lili Wu, Lee County, Division of Transportation
John Yarbrough, Lee County Parks & Recreation
Lindsey Sampson, Lee County Solid Waste
William Newman, Lee County, Solid Waste
Regina Smith, Lee County Economic Development
Jim Lavender, Lee County Public Works
Ivan Velez, Lee County Utilities
Pam Houck, Lee County Zoning
Pete Eckenrode, Lee County Development Services
Michael Pavese, Lee County Public Works
Wayne Daltry, Lee County Smart Growth
Mary Zettel, DCD/Code Enforcement*

Gaither, Wayne

From: Horsting, Michael S.
Sent: Monday, January 29, 2007 10:21 AM
To: Gaither, Wayne
Cc: Noble, Matthew A.
Subject: RE: CPA2006-00015 / Cauthen Map Amendment

Wayne,

We have no additional comments at this time.

Thanks,
Mike

Mike Horsting, AICP
Principal Planner - Lee County Transit
239-533-0333 tel

From: Gaither, Wayne
Sent: Friday, January 26, 2007 2:59 PM
To: chief@pineislandfire.org; Bergquist, W.; Campbell, George G.; Collins, Donna Marie ; Daltry, Wayne E.; Eckenrode, Peter J.; Hansen, Hans C.; Houck, Pamela E.; Lavender, James H.; Liddblad, Ellen; Loveland, David M.; Horsting, Michael S.; Newman, William T.; Nygaard, James; Ottolini, Roland E.; Pavese, Michael P.; Roberts, Rickey G.; Sampson, Lindsey J.; Smith, Regina Y.; Trebatoski, Kim; Velez, Sergio I.; William Horner; Wilson, John; Wu, Lili ; Yarbrough, John H.; Zettel, Mary S.
Cc: Noble, Matthew A.
Subject: CPA2006-00015 / Cauthen Map Amendment

Distribution List:

*John Wilson, Lee County Public Safety
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Michael Pavese, Lee County Public Works
Wayne Daltry, Lee County Smart Growth
Mary Zettel, DCD/Code Enforcement*

*Rick Roberts, DCD/Code Enforcement
Donna Marie Collins, County Attorney's Office
Ellen Linblad, Lee County School Board
William Horner, Airport Authority*

David Bradley, Matlacha-Pine Island Fire Control District

January 26, 2007

Public Service/Review Agencies

RE: CPA2006-00015 – Cauthen (Map Amendment)
STRAP 20-44-23-00-00002.0000

Planning staff requests your agencies help in reviewing the above referenced Lee Plan Amendment. The proposed map amendment would change the Land Use designation from Rural to Intensive Development. The site is generally 12.83 acres in size. The properties site address is: 3150 SW Pine Island Road, Cape Coral, FL 33991

The applicant is proposing to amend the Future Land Use Map (FLUM), Map 1.

The existing Rural Land Use designation allows a density range of one (1) dwelling unit per acre (1 du / acre). Under the existing land use designation it is estimated that 95 dwelling units could be generated on this site. The Rural Land Use designation is anticipated to remain predominately rural, with low density residential development and agricultural uses. These are areas not intended to receive urban type capital improvements.

The proposed land use designation of Intensive Development is located along major arterials roads in Fort Myers, North Fort Myers, and Cape Coral. These areas are well suited to accommodate high densities and intensities. Planned mixed-use centers of high-density residential, commercial, limited light industrial, and office uses are appropriate in this land use designation. The standard density range is from 7 du / acres to 14 du / acre. The maximum bonus density is 22 du / acre (see Policy 1.1.2 of the Lee Plan)

Planning staff requests that your agency help determine the sufficiency of the proposed plan amendment application for review. If you can identify any deficiencies in the information provided, need clarification on the subject matter, or if you find the application sufficient for review, please provide these comments to us by February 12, 2007 (Approximately 2 weeks). A letter is being drafted to submit any additional data requests to the applicant and your input concerning the potential impacts to your agency is important.

A link to the application is attached to this e-mail. If you have problems opening the attachment or if you have any questions, please contact:

Matt Noble
479-8548
noblema@leegov.com

<http://www.lee-county.com/dcd/PlanAmendments/PA2006-2007/CPA200615A1.pdf>

**Knott, Consoer, Ebelini
Hart & Swett, P.A.**
ATTORNEYS - AT - LAW

George H. Knott *+
George L. Consoer, Jr. **
Mark A. Ebelini
Thomas B. Hart
H. Andrew Swett

* Board Certified Civil Trial Lawyer
** Board Certified Real Estate Lawyer
+ Board Certified Business Litigation Lawyer

1625 Hendry Street • Third Floor (33901)
P.O. Box 2449
Fort Myers, Florida 33902-2449

Telephone (239) 334-2722
Telecopier (239) 334-1446

MRoeder@knott-law.com

Matthew D. Uhle
Aaron A. Haak
Derrick S. Eihausen
Natly Torres-Alvarado
David A. Burt

Director of
Zoning and Land
Use Planning
Michael E. Roeder, AICP

MEMORANDUM

TO: Matt Noble
FROM: Mike Roeder
DATE: April 27, 2007
RE: Cauthen Comp. Plan Amendment / CPA2006-00015

Attached please find revised environmental survey for the Cauthen Comp. Plan Amendment. We are also providing you copies of the Existing Land Use Designations in the vicinity and letters from the Sheriff, Fire Department and School District.

MER/ams
Attachments

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2006-00015

Protected Species Survey

Prepared For:

Island Rd., LLC.
4353 Michigan Link
Fort Myers, FL 33916

Site Location:

13.5 Acre Parcel
3150 S.W. Pine Island Road
Section 20, Twp. 44 S., Rng. 23 E.
Lee County, Florida

Prepared By:

Mr. Jeffrey Adair
Environmental Restoration Consultants, Inc.
24571 Redfish Street
Bonita Springs, FL 34134
Phone: (239) 287-2706

April 26, 2007

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Environmental Restoration Consultants, Inc.

2006-00015



Environmental Restoration Consultants, Inc.

April 26, 2007

Mr. John Cauthen
Island Rd., LLC.
4353 Michigan Link
Ft. Myers, FL 33916

Fax: 334-2952

Re: Protected Species Survey
13.5-Acre Parcel; 3150 S.W. Pine Island Rd., Cape Coral
Strap No. 20-44-23-00-00002.0000, Lee County, Florida

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Dear Mr. Cauthen:

COMMUNITY DEVELOPMENT

On your behalf, Environmental Restoration Consultants, Inc. (ERC) performed a site inspection of the above referenced property on April 19, 2007. The purpose of the field investigation and this report is to address the environmental items listed in the Lee County "Application for a Comprehensive Plan Amendment". As such, this report is a compilation of information from field observations and existing sources. The report includes a characterization of existing plant communities (FLUCCS categories) and potentially associated protected species, available soil information, topographic quadrangle information, approximate location of state jurisdictional wetlands, and other relevant information.

Site Location

The 13.50-acre project area is located in the southeast quadrant of the intersection of Veterans Parkway and S.W. Pine Island Road, Section 20, Twp. 44 S., Rng. 23 E., un-incorporated Lee County, Florida (ref. Site Location Map). Adjacent land uses include roadways along the entire west and north perimeter, commercial along the northeast, single-family immediately to the south, and vacant forested lands (degraded pine flatwood) to the southeast. The parcel is completely fenced, with gated access at the north from S.W. Pine Island Rd. The parcel is completely cleared and appears to have been recently graded for agriculture use. As such, access and visual inspection were easy and unimpeded.

Vegetation

In accordance with the Florida Land Use, Cover and Forms Classification System (FLUCCS; FDOT, 1999), we have characterized the parcel as two (2) community types and land use categories. The location, extent, and acreage of each category is determined by field observation and visual interpretation of aerial photography (Lee County, 2005), and is depicted on the attached FLUCCS Map. A general description and representative vegetation for the site is provided in the table below.

2006-00015

Vegetation Communities

FLUCCS Community (Code)	Percent Coverage	Location/Comments
Herbaceous - Dry Prairie (310); 13.35 acres; Photos 1 - 4	98.9%	<p>Site has recently been graded for agricultural use and apparently seeded with browntop millet (<i>Urochloa ramosa</i>) to stabilize sediment. Although the millet and other herbaceous species have begun to establish as ground cover, much of the substrate remains barren and mixed with vegetative debris from saw palmetto (<i>Serenoa repens</i>) trunks and roots. The dominant ground cover is millet. Other common species include ragweed (<i>Ambrosia artemisiifolia</i>), flat sedge (<i>Cyperus odoratus</i>), redroot (<i>Lachnanthes caroliana</i>) and other grasses. Noted species include Spanish needles (<i>Bidens</i> sp.), Caesar weed (<i>Urena lobata</i>), tasselflower (<i>Emilia fosbergii</i>), penny wort (<i>Hydrocotyle</i> sp), spurge (<i>Chamaesyce</i> sp.), and sesbania (<i>Sesbania</i> sp.). Ragweed was most abundant at the north end of the site; flat sedge more abundant at the northeast corner of the parcel; redroot more abundant along the west side of the property.</p> <p>North - south oriented drainage swales are approximately 14" – 24" in depth and appear to be intended to convey water to the south to a east – west oriented swale. No standing water was observed on-site, including the swales. Several limerock boulders were noted.</p>
Mixed Hardwoods – Exotics (438(E)); 0.15 acre	1.1%	<p>Canopy and midstory dominated by earleaf acacia (<i>Acacia auriculiformis</i>) and Java plum (<i>Syzygium cumini</i>). Ground cover dominated by Caesar weed. Other common species included dogfennel (<i>Eupatorium capillifolium</i>), broomgrass, melaleuca (<i>Melaleuca quinquenervia</i>) seedlings, and muscadine grape (<i>Vitis rotundifolia</i>). Debris piles noted.</p>

Due to historic clearing, grading, and the more recent site preparation for agricultural use, the property does not encompass any "unique" upland or wetland communities, nor are any heritage trees or cabbage palm having a minimum 8' of clear trunk (c.t.) present.

Soil Types

Review of the Soil Survey of Lee County, Florida (USDA-SCS, 1984; ref. Soil Map) indicates the majority of the project area is underlain by Boca fine sand (13), with only the southwest portion underlain by Wabasso sand (35). Both soil types are designated as "non-hydric" by the Natural Resource Conservation Service (NRCS; a.k.a. SCS).

Relevant environmental and hydrologic exerts for each soil type selected from the Soil Survey are provided below:

Boca fine sand (13)

- "This is a nearly level, poorly drained soil on flatwoods."

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2006-00015

- "In most years, under natural condition, the water table is within 10 inches of the surface for 2 to 4 months. It recedes below the limestone for about 6 months.
- Natural vegetation consists of sawpalmetto, pineland threeawn, South Florida slash pine, and waxmyrtle."

Wabasso sand (35)

- "This is a nearly level, poorly drained soil on flatwoods."
- "In most years, under natural condition, the water table is less than 10 inches below the surface for 2 to 4 months. It is 10 to 40 inches below the surface for more than 6 months. It recedes to a depth of more than 40 inches during extended dry periods".
- Natural vegetation consists of sawpalmetto, South Florida slash pine, pineland threeawn, cabbage palm, and bluestem."

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Topography and Flood Zoning

General topography information is provided on the U.S.G.S. Quadrangle Map exhibit. Review of elevation contours on the map appear to indicate the parcel is at approximately 4 ft. - 5 ft. NGVD. To date, ERC is unaware of any topographical survey for this parcel.

Review of the FIRM Map indicates the project is located in Zone A8, which is determined by FEMA to be within the 100-year flood-plain (ref. FIRM Map exhibit attached; also ref. FEMA web site).

Historical Resources

A review for "archeological sensitivity" was requested from Lee County on September 21, 2006. Discussion with Ms. Gloria Sago, Historic and Archaeological Resources, on September 27, 2006 indicated that "there are no known historic or archaeological resources associated with this parcel". Written confirmation should be forthcoming in the near future.

Wetland Assessment

The preliminary assessment is based on state wetland jurisdiction determination guidelines, Chapter 62-340, F.A.C. The investigation involved spot ground truthing and evaluation of vegetation, available soil information, and hydrology relative to site conditions and regulations. Historical and/or recent site conditions and activities, such as disturbance, may effect the final determination. Depending on the particular type of project proposed in Lee County (i.e. residential, multi-family, etc.), the state may be represented by either the South Florida Water Management District (SFWMD) or the Florida Department of Environmental Protection (DEP). The precise location of any jurisdictional wetlands and/or surface waters can not be determined until the limits are field verified by the state.

Review of the Soil Survey of Lee County, Florida (USDA – SCS, 1984) indicates the parcel is underlain by Boca fine sand (13) and Wabasso sand (35), both of which has been determined by the USDA to be non-hydric soil types (ref. Soil Map). Under natural conditions both soil types support pine flatwood with saw palmetto, a community type considered upland. In addition, given the current site conditions and apparent agricultural use, wetland regulatory agencies would not likely consider the site to encompass any wetlands and/or other surface waters. However, please note that man-made ditches and swales may be

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considered surface waters by the state should hydric conditions prevail during the wet season. Such features do not generally require wetland mitigation when excavated from upland soil types.

Wildlife

The field investigation was performed to identify potential critical habitat and/or note any direct observations or signs of protected wildlife species as required by the Lee County Comprehensive Plan Amendment application, and designated by the Lee County Land Development Code (LDC), Appendix H – Protected Species List. Designation of a particular habitat type on-site relative to the associated species listed in the LDC indicates the potential for such species to reside and/or forage on-site and is used as a review “tool” by Lee County environmental staff, but by no means indicates that such species utilize the site. The table below lists habitat types existing on-site and potential species affiliated with the respective community. In addition, species not associated with a generalized FLUCCS category, but frequently affiliated with particular site conditions (i.e. gopher tortoises with berms), are also listed based on existing landscape features observed during the inspection. Based on the information provided herein, or otherwise known or deemed necessary, the County may require species specific surveys during review of any proposed project.

Potential Protected Species

FLUCCS	Fauna/Flora	Status			Observe		Comments
		Lee	FWC	FWS	Yes	No	
Herbaceous - Dry Prairie (310)	burrowing owl	L	SSC	-		x	Potential low; parcel generally devoid of ground cover
	gopher tortoise	L	SSC	-		x	Potential low; little to no forage cover
	Florida sandhill crane	L	T	-		x	Potential low; no associated wetland community
Mixed Hardwoods – Exotics (438(E))							FLUCCS category 438 (E) is not recognized as critical habitat for protected species because it is dominated by exotic hardwoods, and other weedy species.

L = Listed in the Lee County, Protected Species List (Appendix H)

E = Endangered (as designated by the FFWCC and/or USFWS)

T = Threatened (as designated by the FFWCC and/or USFWS)

SSC = Species of Special Concern (as designated by the FFWCC)

In compliance with the Lee County Land Development Code and the Lee Listed Survey Method, the dry prairie community was traversed by pedestrian means along north-south and east-west line transects at 50' intervals to inspect for burrowing owls and gopher tortoise (ref. Transect Location exhibit). Particular attention was given to the property perimeter relative to gopher tortoise. Given that vegetation coverage was generally sparse and low, visibility was excellent and 100% of the parcel was surveyed. Direct observation or signs of protected species were not revealed during our site visit.

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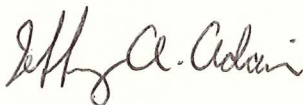
2006-00015

A nesting killdeer (*Charadrius vociferus*) pair were observed toward the southeast corner of the site, and several morning dove (*Zenaida macroura*) were flushed and/or noted in-flight. Given the site's location, and disturbed and degraded nature, wildlife use is likely limited to small transient species.

Review of the FFWCC web site pertaining to bald eagle (*Haliaeetus leucocephalus*) nest locations appears to indicate that the project area is outside of USFWS's primary and secondary management zones (330' and 660' radii, respectively). Although known active eagle nest(s) are in the vicinity of the project, we are not aware of any nests within Federal management zones for this site.

Should you have any questions regarding the site inspections or this report, please do not hesitate to contact me at 287-2706.

Sincerely,



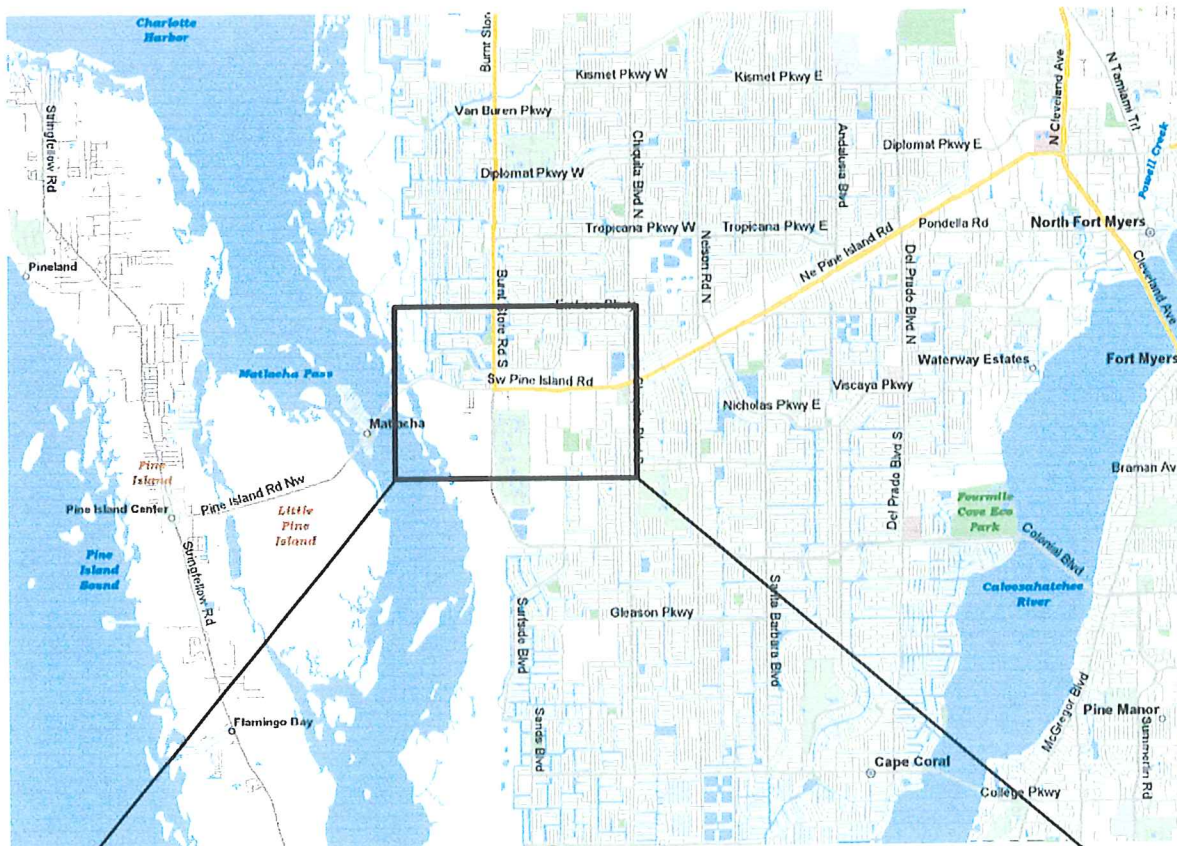
Jeffrey A. Adair
President

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The map shows a section of Fort Worth, Texas, with a focus on the area around the intersection of Veterans' Memorial Pkwy and Burnt Store Rd S. The 'PROJECT SITE' is marked with a black arrow pointing to a small green rectangular area at this intersection. Major roads include I-75 running vertically on the left, I-40 running horizontally across the top, and I-35 running vertically on the right. Local streets shown include Pine Island Rd, Celius Pkwy, Burnt Store Rd S, and Veterans' Memorial Pkwy. A large green area on the left is labeled 'Metzger Pass'. A red 'RECEIVED' stamp is visible on the right side of the map.

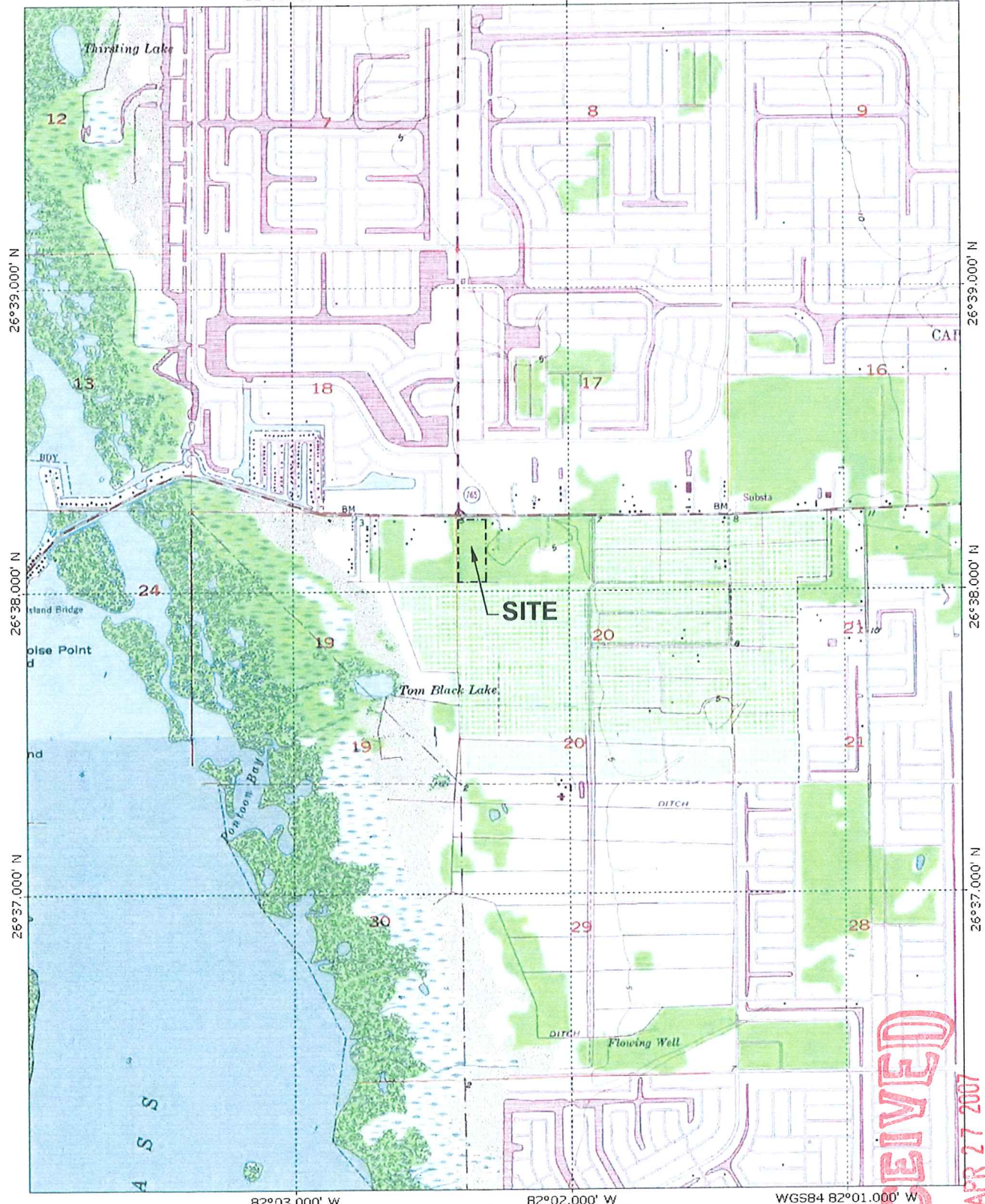
3rd St
SW 20th Ave

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SCALE:	N.T.S.	DESIGN BY: JAA	 <p>ENVIRONMENTAL RESTORATION CONSULTANTS, INC.</p> <p><small>Island Road and Island Development are not responsible for the accuracy of the information shown on this map. The user of this map is advised that the information shown on this map is for informational purposes only and should not be used for any other purpose. The user of this map is advised that the information shown on this map is for informational purposes only and should not be used for any other purpose. The user of this map is advised that the information shown on this map is for informational purposes only and should not be used for any other purpose.</small></p>	<p><u>CLIENT:</u> Island Road, LLC 4353 Michigan Link Fort Myers, Florida 33916</p>	Pine Island Road - 13.5 Ac.	DATE	REVISIONS
CAD FILE	Pine Island 13.5	DRAWN BY: DFB			SECTION 20, TOWNSHIP 44 S., RANGE 23 E.	△	
CHECKED BY: JAA	4/25/07	CHECKED BY: JAA			LEE COUNTY, FLORIDA	△	
DWGING	MAPS					△	
SHEET	1 of 10	Jeffrey A. Adair			LOCATION MAP	△	

2006-00015



MN+TN
 4 1/2"

82°03.000' W 82°02.000' W WGS84 82°01.000' W
 0 1000 FEET 0 500 1000 METERS
 Map created with TOPOI® ©2001 National Geographic (www.nationalgeographic.com/topoi)

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SCALE: N.T.S.	DESIGN BY: JAA DRAWN BY: DPB CHECKED BY: JAA DATE: 4/25/07	ERC ENVIRONMENTAL RESTORATION CONSULTANTS, INC.	P.O. BOX 110984, NAPLES, FL 34108 Telephone: 239.582.0088 Cell: 239.257.2700 EMAIL: ERINC@COMCAST.NET	CLIENT: Island Road, LLC 4353 Michigan Link Fort Myers, Florida 33916	Pine Island Road - 13.5 Ac. SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA USGS MAP	DATE REVISIONS
CAD FILE: Pine Island 13.5						△
DWG NO: MAPS						△
SHEET: 2 of 10	Jeffrey A. Adair					△
						△
						△
						△
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2006-00015



SOILS LEGEND:

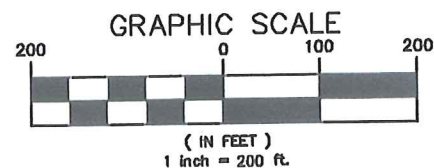
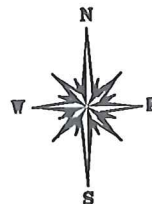
- 13 - Boca fine sand (upland)
- 35 - Wabasso sand (upland)


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----- PROJECT BOUNDARY

SOURCE OF INFORMATION:

This map is based on the "Soil Survey of Lee County, Florida"; prepared jointly by the U.S. Department of Agriculture & the Soil Conservation Service (issued on December 1984)



SCALE: 1"=200'	DESIGN BY: JAA DRAWN BY: DPB CHECKED BY: JAA DATE: 4/25/07	 ENVIRONMENTAL RESTORATION CONSULTANTS, INC. P.O. BOX 110994 NAPLES, FL 34108 Telephone: 239.992.0088 Cell: 239.287.2708 EMAIL: ERINC@COMCAST.NET	CLIENT: Island Road, LLC 4353 Michigan Link Fort Myers, Florida 33916	Pine Island Road - 13.5 Ac. SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA SOILS MAP	DATE REVISIONS △ △ △ △ △ △
DWGNO: MAPS					
SHEET: 3 of 10	Jeffrey A. Adair	<small>WITH THE APPROVAL AND ENDORSEMENT OF THE UNITED STATES DEPARTMENT OF AGRICULTURE, AND IN ACCORDANCE WITH THE SOIL CONSERVATION SERVICE, THIS MAP IS A REPRODUCTION OF THE SOIL SURVEY OF LEE COUNTY, FLORIDA, PREPARED BY THE U.S. DEPARTMENT OF AGRICULTURE AND THE SOIL CONSERVATION SERVICE, ISSUED ON DECEMBER 1984. THIS MAP IS NOT A SUBSTITUTE FOR THE ORIGINAL SOIL SURVEY MAPS, AND IT IS NOT TO BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS PREPARED. THE SOIL SURVEY MAPS ARE THE PROPERTY OF THE U.S. DEPARTMENT OF AGRICULTURE, AND ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT PERMISSION IN WRITING FROM THE U.S. DEPARTMENT OF AGRICULTURE, SOIL CONSERVATION SERVICE, 1400 N. MEADOWS BLVD., SUITE 200, FORT WORTH, TEXAS 76102-5090.</small>			


2006-00015



APPROXIMATE SCALE

1000 0 1000 FEET

KEY TO MAP

500-Year Flood Boundary	_____
100-Year Flood Boundary	_____
Zone Designations*	
100-Year Flood Boundary	_____
500-Year Flood Boundary	_____
Base Flood Elevation Line With Elevation In Feet**	~~~~~513~~~~~
Base Flood Elevation In Feet Where Uniform Within Zone**	(EL 987)
Elevation Reference Mark	RM7x
Zone D Boundary	_____
River Mile	*M1.5

**Referenced to the National Geodetic Vertical Datum of 1929

*EXPLANATION OF ZONE DESIGNATIONS

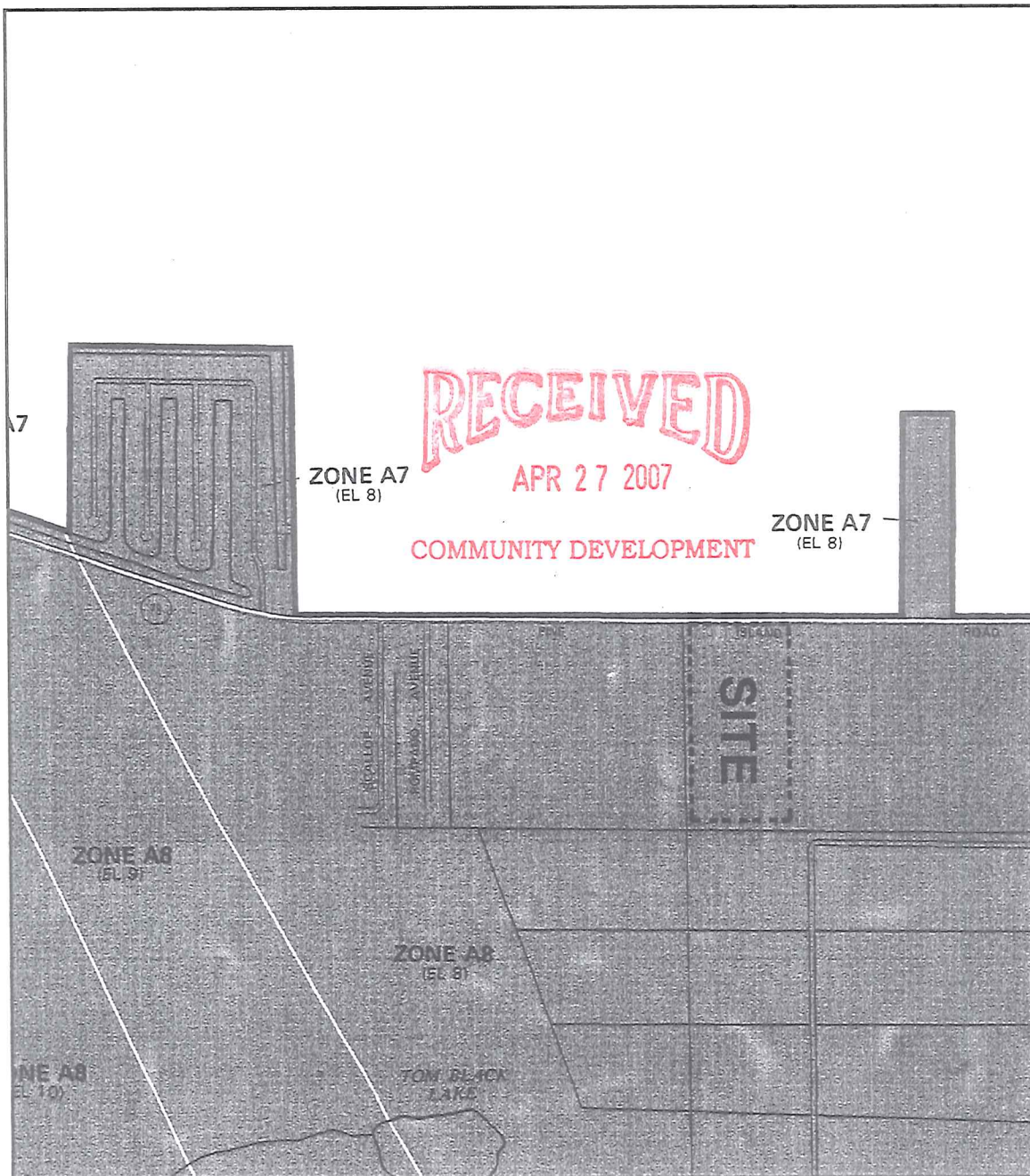
ZONE	EXPLANATION
A	Areas of 100-year flood; base flood elevations and flood hazard factors not determined.
A0	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; average depths of inundation are shown, but no flood hazard factors are determined.
AH	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; base flood elevations are shown, but no flood hazard factors are determined.
A1-A30	Areas of 100-year flood; base flood elevations and flood hazard factors determined.
A99	Areas of 100-year flood to be protected by flood protection system under construction; base flood elevations and flood hazard factors not determined.
B	Areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood. (Medium shading)
C	Areas of minimal flooding. (No shading)
D	Areas of undetermined, but possible, flood hazards.
V	Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors not determined.
V1-V30	Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors determined.

NOTES TO USER

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

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SCALE
N.T.S.

CHECKED BY JAA

DATE 4/25/07

MAPS

4 of 10

DESIGNED BY JAA

CHECKED BY JAA

DATE 4/25/07

JEFFREY A. ADAIR



P.O. BOX 110994
NAPLES, FL 34108
Telephone 239.992.0008
FAX 239.992.2700
E-MAIL: ERCINFO@COMCAST.NET
CONSULTANTS, INC.

CLIENT:

Island Road, LLC
4353 Michigan Link
Fort Myers, Florida 33916

Pine Island Road - 13.5 Ac.
SECTION 20, TOWNSHIP 44 S., RANGE 23 E.
LEE COUNTY, FLORIDA

DATE

REVISIONS

DATE

REVISIONS

DATE

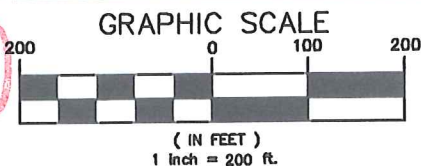
REVISIONS



LEGEND

310 - Herbaceous (Dry Prairie) - 13.35 Ac.
 438 (E) - Mixed Hardwoods (Exotics) 0.15 Ac.

TOTAL SITE = 13.50 Ac.



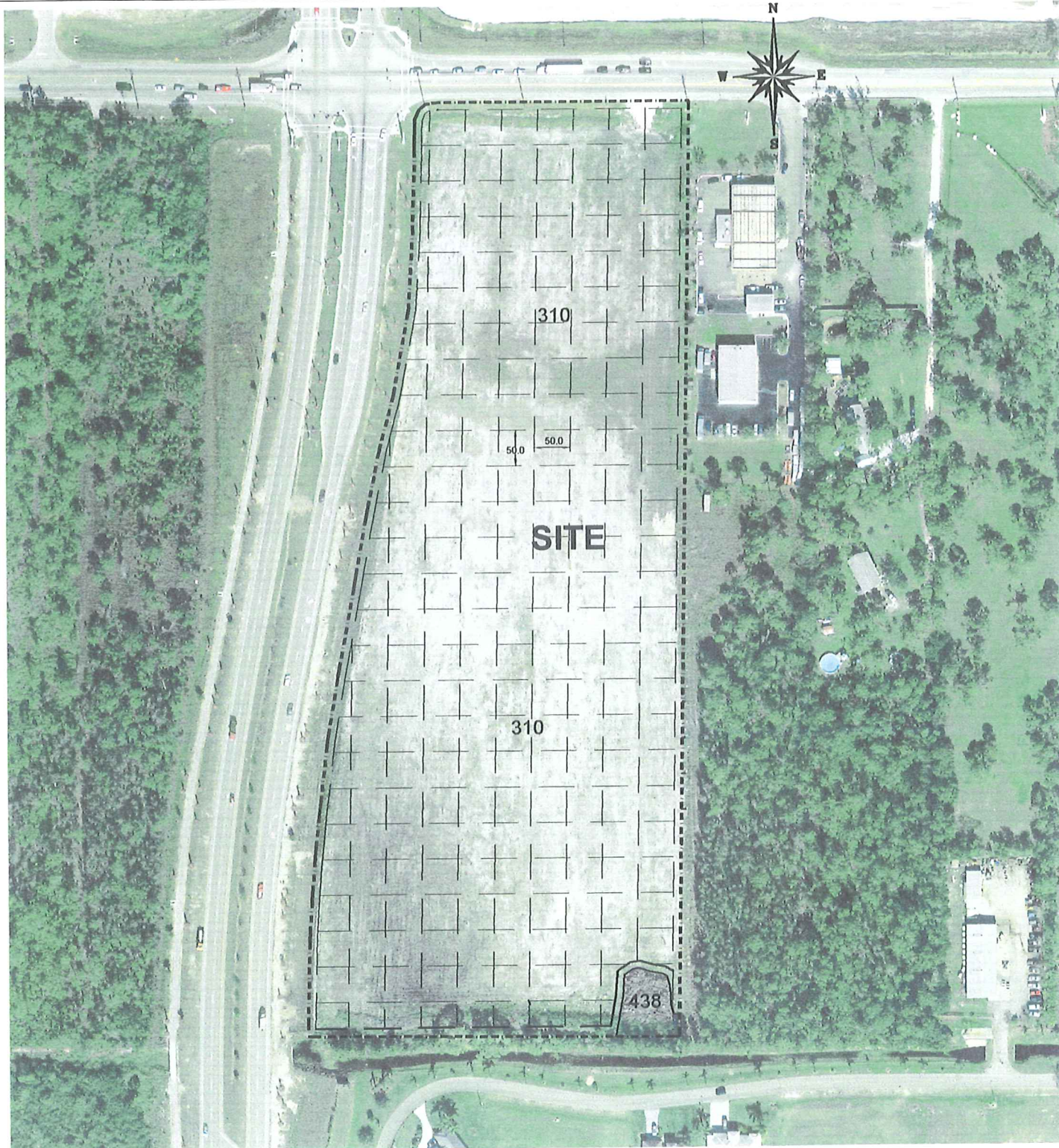
② PHOTO LOCATION

----- SITE BOUNDARY

SCALE: 1"=200'	DESIGN BY: JAA DRAWN BY: DPS CHECKED BY: JAA DATE: 4/25/07	ENVIRONMENTAL RESTORATION CONSULTANTS, INC.	P.O. BOX 110084, NAPLES, FL 34100 Telephone: 239.992.0088 Cell: 239.287.2708 EMAIL: ERCINC@COMCAST.NET	CLIENT: Island Road, LLC 4353 Michigan Link Fort Myers, Florida 33916	Pine Island Road - 13.5 Ac. SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA EXISTING FLUCCS MAP	DATE REVISIONS
DWG NO: MAPS						Δ
SHEET: 5 of 10	Jeffrey A. Adair					Δ
						Δ
						Δ
						Δ
						Δ



2006-00015



LEGEND

310 - Herbaceous (Dry Prairie) - 13.35 Ac.
 438 (E) - Mixed Hardwoods (Exotics) 0.15 Ac.

TOTAL SITE = 13.50 Ac.

— — Survey Transects (Protected Species)
 - - - - - SITE BOUNDARY

② PHOTO LOCATION

Methodology

Lee Listed Species Survey Method:
 Pedestrian line transects for listed species
 presence within appropriate FLUCCS category.



SCALE: 1"=200'	DESIGN BY: JAA DRAWN BY: DFB CHECKED BY: JAA DATE: 4/25/07	ENVIRONMENTAL RESTORATION CONSULTANTS, INC.	P.O. BOX 110094, NAPLES, FL 34100 Telephone: 239.992.0058 Cell: 239.297.2708 EMAIL: ERCONS@COMCAST.NET	CLIENT: Island Road, LLC 4353 Michigan Link Fort Myers, Florida 33916	Pine Island Road - 13.5 Ac. SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA EXISTING FLUCCS MAP	DATE REVISIONS
DWG NO: MAPS						△ △ △ △ △ △
SHEET: 6 of 10	Jeffrey A. Adair					



2006-00015



PHOTO #1: View depicts the northeast portion of the site. Predominant vegetation includes browntop millet, ragweed, and flat sedge.

ERC
ENVIRONMENTAL RESTORATION
CONSULTANTS, INC.

P.O. BOX 110994,
 NAPLES, FL 34108
 Telephone: 239.992.0086
 Cell: 239.287.2706
 EMAIL:
 ERCINC@COMCAST.NET

DATE	REVISIONS:
△	_____
△	_____
△	_____
△	_____

Pine Island Road - 13.5 Ac.
 SECTION 20, TOWNSHIP 44 S., RANGE 23 E.
 LEE COUNTY, FLORIDA

SITE PHOTO 1

CLIENT:
 Island Road, LLC
 4353 Michigan Link
 Fort Myers, Florida 33916

SCALE: N.T.S.

PROJECT FILE:
 Pine Island 13.5

DWG NO:
 MAPS

SHEET:
 7 of 10

DESIGN BY: DPB
 DRAWN BY: DPB
 CHECKED BY: JA
 DATE: 4/25/07

Jeffrey A. Adair

NOTE: The undersigned and ENVIRONMENTAL RESTORATION CONSULTANTS, INC. make no representations or guarantees as to the completeness of the information reflected hereon pertaining to easements, right of way, setback lines, reservations, agreements or other matters of record. This instrument is intended to reflect or set forth only those items shown in the references above. ENVIRONMENTAL RESTORATION CONSULTANTS, INC. did not research the public records for matters affecting the lands shown. This instrument is the property of ENVIRONMENTAL RESTORATION CONSULTANTS, INC. and shall not be reproduced in whole or in part without written permission of ENVIRONMENTAL RESTORATION CONSULTANTS, INC.

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PHOTO #2: Central portion of the parcel is relatively barren, although seeded millet and other herbaceous are becoming established. Debris from saw palmetto trunks and roots are scattered throughout the site.



**ENVIRONMENTAL RESTORATION
CONSULTANTS, INC.**

P.O. BOX 110894,
NAPLES, FL 34108
Telephone: 239.992.0086
Cell: 239.287.2706
EMAIL:
ERCINC@COMCAST.NET

DATE REVISIONS:

△
△
△
△

Pine Island Road - 13.5 Ac.

SECTION 20, TOWNSHIP 44 S., RANGE 23 E.
LEE COUNTY, FLORIDA

SITE PHOTO 2

CLIENT:
Island Road, LLC
4353 Michigan Link
Fort Myers, Florida 33916

SCALE: N.T.S.

PROJECT FILE:
Pine Island 13.5

DWG NO:
MAPS

SHEET:
8 of 10

DESIGN BY: DPB
DRAWN BY: DPB
CHECKED BY: JA
DATE: 4/25/07

Jeffrey A. Adair

NOTE: The undersigned and ENVIRONMENTAL RESTORATION CONSULTANTS, INC. make no representations or guarantees as to the completeness of the information reflected hereon pertaining to easements, right of way, setback lines, reservations, agreements or other matters of record. This instrument is intended to reflect or set forth only those items shown in the references above. ENVIRONMENTAL RESTORATION CONSULTANTS, INC. did not research the public records for matters affecting the lands shown. This instrument is the property of ENVIRONMENTAL RESTORATION CONSULTANTS, INC. and shall not be reproduced in whole or in part without written permission of ENVIRONMENTAL RESTORATION CONSULTANTS, INC.


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PHOTO #3: Collector swale has been excavated at the south end of the site. Seeded millet is becoming established.

 ENVIRONMENTAL RESTORATION CONSULTANTS, INC. P.O. BOX 110994, NAPLES, FL 34108 Telephone: 239.992.0086 Cell: 239.287.2706 EMAIL: ERCINC@COMCAST.NET	DATE REVISIONS: △ _____ △ _____ △ _____ △ _____	Pine Island Road - 13.5 Ac. SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA	SITE PHOTO 3 <u>CLIENT:</u> Island Road, LLC 4353 Michigan Link Fort Myers, Florida 33916	SCALE: N.T.S. PROJECT FILE: Pine Island 13.5 DWG NO: MAPS SHEET: 9 of 10	DESIGN BY: DPB DRAWN BY: DPB CHECKED BY: JA DATE: 4/25/07 Jeffrey A. Adair
	NOTE: The undersigned and ENVIRONMENTAL RESTORATION CONSULTANTS, INC. make no representations or guarantees as to the completeness of the information reflected hereon pertaining to easements, right of way, setback lines, reservations, agreements or other matters of record. This instrument is intended to reflect or set forth only those items shown in the references above. ENVIRONMENTAL RESTORATION CONSULTANTS, INC. did not research the public records for matters affecting the lands shown. This instrument is the property of ENVIRONMENTAL RESTORATION CONSULTANTS, INC. and shall not be reproduced in whole or in part without written permission of ENVIRONMENTAL RESTORATION CONSULTANTS, INC.				

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APR 27 2007

2006-00015



PHOTO #4: View characterizes the recent preparation and grading for agricultural use. North - south oriented swales have been excavated to apparently drain the property to the south. Ground cover is sparse at the southwest portion of the site, but includes browntop millet, redroot, and other grasses.

ERC
ENVIRONMENTAL RESTORATION
CONSULTANTS, INC.

P.O. BOX 110994,
NAPLES, FL 34108
Telephone: 239.992.0088
Cell: 239.287.2708
EMAIL:
ERCINC@COMCAST.NET

DATE REVISIONS:

△ _____
△ _____
△ _____
△ _____

Pine Island Road - 13.5 Ac.

SECTION 20, TOWNSHIP 44 S., RANGE 23 E.
LEE COUNTY, FLORIDA

SITE PHOTO 4

CLIENT:
Island Road, LLC
4353 Michigan Link
Fort Myers, Florida 33916

SCALE: N.T.S.

PROJECT FILE:
Pine Island 13.5

DWG NO:
MAPS

SHEET:
10 of 10

DESIGN BY: DPB
DRAWN BY: DPB
CHECKED BY: JA
DATE: 4/25/07

Jeffrey A. Adair

NOTE: The undersigned and ENVIRONMENTAL RESTORATION CONSULTANTS, INC. make no representations or guarantees as to the completeness of the information reflected hereon pertaining to easements, right of way, setback lines, reservations, agreements or other matters of record. This instrument is intended to reflect or set forth only those items shown in the references above. ENVIRONMENTAL RESTORATION CONSULTANTS, INC. did not research the public records for matters affecting the lands shown. This instrument is the property of ENVIRONMENTAL RESTORATION CONSULTANTS, INC. and shall not be reproduced in whole or in part without written permission of ENVIRONMENTAL RESTORATION CONSULTANTS, INC.

Existing Land Use & Zoning

Legend

EXISTING LAND USE

- Single Family Residential
- Multi-family Residential
- Cooperatives
- Mobile Homes
- Commercial
- Industrial
- Institutional/Government
- Agricultural
- Vacant

ZONING

- Unincorporated County
- City of Cape Coral

Map Details:

- Parcel 184423
- Parcel 174423
- Parcel 204423
- Parcel 194423
- Parcel 2006-00015
- Parcel 2044-23-00-00002.0000

Annotations:

- RECEIVED APR 27 2007 COMMUNITY DEVELOPMENT 194423
- 2006-00015
- Prepared by G.I.S. Department, Lee County Property Appraiser's Office, Kenneth M. Wilkinson, C.F.A., Property Appraiser, October 2, 2006


COMMUNITY DEVELOPMENT
194423

A horizontal number line with tick marks at 0, 250, 500, and 1,000. The word "Feet" is written below the line.

Prepared by G.I.S. Department
Lee County Property Appraiser's Office

Kenneth M. Wilkinson, C.F.A.
Property Appraiser

October 2, 2006

The seal is circular with a blue border. Inside the border, the words "PROPERTY APPRAISER" are written in a semi-circle at the top and "LEE COUNTY" at the bottom. The center of the seal features a stylized landscape with a palm tree on the left, a body of water in the middle, and a sun or moon on the right. The year "1820" is written in the center of the water.

Mike Scott
Office of the Sheriff



State of Florida
County of Lee

January 30, 2007

Johnson W. Cauthen
4353 Michigan Link
Fort Myers, FL 33916

Dear Mr. Cauthen,

My staff has reviewed your letter describing your proposed development called *3150 S. W. Pine Island Road, LLC* described as 12.95 +/- acres located near at the southeast corner of Pine Island Road and Veterans Parkway within Lee County. In an effort to determine the additional law enforcement services your development will require, the Lee County Sheriff's Office needs to conduct a Crime Prevention through Environmental Design (CPTED) study. Please contact Stacey Payne our Crime Prevention Coordinator (239-477-1481) to have the study conducted. This study will be used to project what additional resources will need to be added so the Lee County Sheriff's Office can provide "core" services to your development.

Sincerely,

Mike Scott
Sheriff, Lee County Florida.

A handwritten signature in cursive script, appearing to read "J. C. Nygaard".

Captain James C. Nygaard, MBA
Administration Bureau
239-477-1000 ext 1424
PlanningAndResearch@sheriffleefl.org

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APR 27 2007

COMMUNITY DEVELOPMENT

2006-00015



14750 Six Mile Cypress Parkway • Fort Myers, Florida 33912-4406 • (239) 477-1000



City of Cape Coral

January 8, 2007

Mr. Michael E. Roeder, AICP
Director of Zoning & Land Use Planning
Knott, Consoer, Ebelini,
Hart & Swett, P.A.
Attorneys At Law
P.O. Box 2449
1625 Hendry Street
Fort Myers, FL 33902-2449

Re: Letter dated December 15, 2006
Comprehensive Plan Amendment for 3150 SW Pine Island Road

Dear Mr. Roeder:

Based on your request for the evaluation of the comprehensive plan (extremely preliminary) of 3150 Southwest Pine Island Road, we feel we can support this amendment. This is considered a very preliminary acceptance based on the limited information provided by your firm.

If you have any further questions, please feel free to contact us at (239) 242-3393.

Sincerely,

Jeff Mikell
Division Chief

JNM/nis: (3150 SW Pine Island Road)

2006-00015

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COMMUNITY DEVELOPMENT



Department of Fire, Rescue & Emergency Services
DIVISION OF FIRE PREVENTION
P.O. Box 150027 • Cape Coral, Florida 33915-0027
(239) 242-3264 • Fax (239) 242-3398 • ccfire@capecoral.net

Co-County Seat - Lee County, Florida





THE SCHOOL DISTRICT OF LEE COUNTY

2055 CENTRAL AVENUE • FORT MYERS, FLORIDA 33901 • (239) 334-1102 • TTD/TTY (239) 335-1512

STEVEN K. TEUBER, J.D.
CHAIRMAN • DISTRICT 4

ELINOR C. SCRICCA, PH.D.
VICE CHAIRMAN • DISTRICT 5

ROBERT D. CHILMONIK
DISTRICT 1

JEANNE S. DOZIER
DISTRICT 2

JANE E. KUCKEL, PH.D.
DISTRICT 3

JAMES W. BROWDER, Ed.D.
SUPERINTENDENT

KEITH B. MARTIN
BOARD ATTORNEY

October 6, 2006

Mr. Michael Roeder
Knott, Consoer, Ebelini, Hart & Swett, P.A.
1625 Hendry Street, Third Floor
Fort Myers, FL 33902

Re: Comprehensive Plan Amendment for 3150 SW Pine Island Road

Dear Mr. Roeder:

Thank you for the opportunity to review the proposed Comprehensive Plan Amendment for 3150 SW Pine Island Road for comments with regard to educational impacts. This proposed development is in the West Choice Zone of the District on South Tamiami Trail in the South Fort Myers Planning Area. This letter is in response to your request dated September 25, 2006.

Your letter stated a proposed maximum total of 200 dwelling units but did not state whether these are single or multi-family units. Based on a maximum total of 200 **single family** units, we estimate that the proposal could generate up to 63 additional school aged children. This uses a generation rate of 0.316 per dwelling unit. Based on a proposed maximum total of 200 **multi-family** residential units we estimate the proposal could generate up to 25 additional school aged children (this uses a generation rate of 0.125). This would create the need for anywhere from one to three new classrooms in the system, as well additional staff and core facilities.

The Lee County Board of County Commissioners adopted a School Impact Fee Ordinance on November 27, 2001, which was revised in November, 2005. This letter uses the revised generation rates.

Thank you for your attention to this issue. If I may be of further assistance, please give me a call at (239) 337-8678.

Sincerely,

Ellen Lindblad, Long Range Planner
Planning, Growth, & School Capacity Department

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APR 27 2007

COMMUNITY DEVELOPMENT

2006-00015

Blackwell, Peter C.

From: Griffith, Douglas
Sent: Tuesday, August 07, 2007 9:58 AM
To: Blackwell, Peter C.
Subject: CPA 2006-00015

Pete,

This site is heavily disturbed, and was used as pasture. The only issue would be the 12.8 acres of wetland. SFWMD would have to make a determination on whether these wetlands are jurisdictional. Although hydric vegetation is present, according to applicant the wetlands could be the result of the clearing of the site. The soil survey results show a non-hydric soil type.

A Snowy Egret was observed foraging onsite, but no nests were observed, and no other species were reported.

Storm water retention may be a concern because of the condition of the site with regards to the wetlands.

This application is insufficient awaiting determination by SFWMD on jurisdictional wetlands.

Doug Griffith
Environmental Planner
Lee County Division of
Environmental Sciences
239-479-8439
dgriffith@leegov.com

8/7/2007

Memo

To: Paul O'Connor, Planning Director

From: David Loveland, Manager, Transportation Planning *DL*

Date: October 4, 2007

Subject: **CPA 2006-15 (Cauthen)**

The Department of Transportation has reviewed the above-referenced privately-initiated future land use map plan amendment, to change the land use designation of approximately 13.5 acres at the southeast corner of SR 78 (Pine Island Road) and Veterans Parkway from "Rural" to "Intensive Development". The applicant indicates that the proposed change would allow approximately 181 dwelling units, 80,000 square feet of general office, 20,000 square feet of medical office, 80,000 square feet of commercial retail, and 20,000 square feet of restaurant use on the site. The property is within Traffic Analysis Zone (TAZ) 1032, but for purposes of this analysis, a new TAZ 1757 was created and the above uses converted to the model input variables for that new zone (181 single family dwelling units/250 commercial employees/384 service employees) and the 2030 Financially Feasible Plan FSUTMS travel demand model rerun.

Examining the three-mile radius around the project, the only identified level of service problem is on the section of Pine Island Road west of Veterans Parkway/Burnt Store Road. This road segment is identified as failing in 2030 with and without the proposed land use change. This segment is also identified as constrained in the Lee Plan, meaning the Board has determined as a policy matter that it will not be widened and a higher level of congestion is allowed.

There is one other issue in relation to the analysis for this project. The applicant has assumed in the modeling that the property will have a connection to Veterans Parkway. Veterans Parkway from SR 78 to the Midpoint Bridge is designated as a "limited access" facility, with access points limited to those specified by Board resolution. That resolution limits this property to a right-in/right-out connection about a quarter mile south of SR 78, with the potential for an additional left-in connection at the south property line assuming joint access can be worked out with Royal Tee Country Club. That specific access limitation isn't fully reflected in the modeling work done for this comprehensive plan amendment, but will be an issue in the more detailed site impact analyses required at the zoning and development order stages.

Please let me know if you need any additional information.

cc: Donna Marie Collins
Pete Blackwell



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

(239) 479-8312

Bob Janes
District One

October 4, 2007

A. Brian Bigelow
District Two

Ray Judah
District Three

Tammy Hall
District Four

Frank Mann
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

Mr. Michael E. Roeder
c/o Knott, Consoer, Ebelini, Hart & Swett PA
1625 Hendry Street Suite 301
Fort Myers, Florida 33901

RE: CPA2006-15 Cauthen, Lee Plan Future Land Use Amendment

Dear Mr. Roeder:

Planning staff finds the above mentioned submittal is insufficient and further information is needed.

Section III

B. The upland and wetland acreage listed in this section is different than the acreage listed in the submitted wetland determination. Please resubmit this section with the proper acreage.

Section IV

A2. The applicant has not submitted a map showing the existing future land use categories of the subject property. Nor has the applicant submitted a map depicting the proposed future land use categories.

A3. The applicant has not submitted land use descriptions of the subject parcel and the surrounding property.

A5. The legal description submitted by the applicant does not have a state plane coordinate for the Point of Beginning or any place along the sketch. The legal describes the entire parcel prior to the Right of Way taking for Veterans parkway but the sketch shows the Right of Way removed. The applicant must submit a legal description to include the actual boundary of the requested plan amendment consistent with the requirements of the Land Development Code Section 34-202 A1-5.

B2. The applicant has not submitted data and analysis regarding the availability of potable water service. The applicant has not submitted a letter of availability of service from the potable water services provider. The applicant incorrectly identifies GPIWA as a subsidiary of Lee County Utilities. There is insufficient data and analysis regarding the level of service for potable water required by, or available to, the subject property. The data should include current and projected future potable water plant capacity.

The applicant has not submitted data and analysis regarding the availability of sanitary sewer service. The applicant has not submitted a letter of availability of service from the sanitary sewer services provider. There is insufficient data and analysis regarding

the level of service for sanitary sewer required by, or available to, the subject property. The data should include current and projected future sanitary sewer plant capacity

B3. The applicant has not submitted letters from the emergency medical service and the solid waste service provider for the subject property. In addition, the letter provided by the Lee County Sheriffs Office does not state if there will be a sufficient level of service available to the proposed amendment. Has the CPTED study mentioned in the sheriffs letter been performed? Please provide a revised letter from the Office of the Sheriff.

C4. The applicant has not submitted a map of the final jurisdictional determination of wetlands on the subject property. If there are no wetlands present, the applicant will submit a statement to that effect and correct the wetland figures in the application.

D2. The applicant has not submitted a map showing the subject property location on the archeological sensitivity map.

E1. The applicant has not supplied data and analysis to show how the proposed amendment will affect Table 1(b) of the Lee Plan or the total population capacity of the Future Land Use Map.

E3. The applicant has not supplied data or analysis of the effect of the proposed amendment on adjacent local governments (i.e. Cape Coral) and their comprehensive plans.

F1. The applicant has not submitted a statement addressing the sites accessibility from arterial roadways, rail lines or cargo airport terminals. The applicant has not submitted data and analysis required by Lee Plan Policies 2.4.4 and 7.1.4.

F2. The applicant has not addressed the issue of urban sprawl. The applicant will submit a statement demonstrating that the proposed future land use change does not constitute urban sprawl.

In addition, planning staff has concerns that the subject property may be annexed by the city of Cape Coral. Please submit a description of why the subject property has not been annexed by the City of Cape Coral.

If I can be of any assistance or if you have any questions, please do not hesitate to call me at 479-8312.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT, DIVISION OF PLANNING



Peter Blackwell
Planner

cc: Planning file: CPA2006-15

**Knott, Consoer, Ebelini
Hart & Swett, P.A.**
ATTORNEYS - AT - LAW

George H. Knott *+
George L. Consoer, Jr. **
Mark A. Ebelini
Thomas B. Hart
H. Andrew Swett

* Board Certified Civil Trial Lawyer
** Board Certified Real Estate Lawyer
+ Board Certified Business Litigation Lawyer

1625 Hendry Street • Third Floor (33901)
P.O. Box 2449
Fort Myers, Florida 33902-2449

Telephone (239) 334-2722
Telecopier (239) 334-1446

MRoeder@knott-law.com

Matthew D. Uhle
Aaron A. Haak
Derrick S. Eihausen
Naty Torres-Alvarado
David A. Burt

Director of
Zoning and Land
Use Planning
Michael E. Roeder, AICP

December 4, 2007

Mr. Peter Blackwell, Planner
Department of Community Development
P.O. Box 398
Fort Myers, FL 33902



Re: Cauthen Comp Plan Amendment / CPA2006-00015

Dear Mr. Blackwell:

Section III

- B. The upland and wetland acreage listed in this section is different than the acreage listed in the submitted wetland determination. Please resubmit this section with the proper acreage.

RESPONSE: You are correct, an updated FLUCCS Map has been submitted and the original application will be corrected to reflect that.

Section IV

- A2. The applicant has not submitted a map showing the existing future land use categories of the subject property. Nor has the applicant submitted a map depicting the proposed future land use categories.

RESPONSE: Please see attached map.

- A3. The applicant has not submitted land use descriptions of the subject parcel and the surrounding property.

RESPONSE: Please see the attached description.

CPA

2006-00015

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December 4, 2007
Cauthen / CPA2006-00015

PERMIT COUNTER

- A5.** The legal description submitted by the applicant does not have a state plane coordinate for the Point of Beginning or any place along the sketch. The legal describes the entire parcel prior to the Right of Way taking for Veterans Parkway but the sketch shows the Right of Way removed. The applicant must submit a legal description to include the actual boundary of the requested plan amendment consistent with the requirements of the Land Development Code Section 34-202 A1-5.

RESPONSE: The boundary survey and legal description have been revised and are included in this resubmittal package.

- B2.** The applicant has not submitted data and analysis regarding the availability of potable water service. The applicant has not submitted a letter of availability of service from the potable water service provider. The applicant incorrectly identifies GPIWA as a subsidiary of Lee County Utilities. There is insufficient data and analysis regarding the level of service for potable water required by, or available to, the subject property. The data should include current and projected future potable water plant capacity.

The applicant has not submitted data and analysis regarding the availability of sanitary sewer service. The applicant has not submitted a letter of availability of service from the sanitary sewer services provider. There is insufficient data and analysis regarding the level of service for sanitary sewer required for, or available to, the subject property. The data should include current and projected future sanitary sewer plant capacity.

RESPONSE: Please see the attached letter from Pine Island Water Association regarding the availability of water service. At this time, there are two alternatives for sewer service, one would be to extend a line from Pine Island to connect to the Lee County system on Pine Island. That alternative would be subject to identifying an acceptable disposal site for the affluent on Pine Island. The second alternative would be to provide an onsite package system. Unless and until the Comp Plan Amendment is approved, it is not economical to pursue either of these options to any greater detail.

- B3.** The applicant has not submitted letters from the emergency medical service and the solid waste service provider for the subject property. In addition, the letter provided by the Lee County Sheriff's Office does not state if there will be a sufficient level of service available to the proposed amendment. Has the CPTED study mentioned in the sheriff's letter been performed? Please provide a revised letter from the Office of the Sheriff.

RESPONSE: Please see the revised letter from Captain James C. Nygaard, MBA in regard to the Plan Amendment and the CPTED study. Follow-up letters have been sent to emergency medical services and solid waste and will be submitted under separate cover.

PA

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DEC 05 2007

PERMIT COUNTER

- C4. The applicant has not submitted a map of the final jurisdictional determination of wetlands on the subject property. If there are no wetlands present, the applicant will submit a statement to that effect and correct the wetland figures in the application.

RESPONSE: We have submitted a revised survey from ERC, the environmental consultant. We have not requested a jurisdiction determination for the property, and that is normally not done until specific development plans have been developed and submitted for review. Since the Comp Plan Amendment has not been reviewed much less approved, submitting such plans for the water management district is premature at this time.

- D2. The applicant has not submitted a map showing the subject property location on the archaeological sensitivity map.

RESPONSE: Please see attached archaeological sensitivity map in regard to the subject property location.

- E1. The applicant has not supplied data and analysis to show how the proposed amendment will affect Table 1(b) of the Lee Plan or the total population capacity of the Future Land Use Map.

RESPONSE: If this amendment were approved and developed to its maximum potential, it could potentially add 250 residents to Lee County. In the context of the population Table 1(b) of the Lee Plan, the number is not significant and is barely noticeable.

- E3. The applicant has not supplied data or analysis of the effect of the proposed amendment on adjacent local governments (i.e. Cape Coral) and their comprehensive plans.

RESPONSE: The City of Cape Coral has designated the Pine Island Corridor as a special Mixed Use district. Since that land use designation can be found on three sides of the unincorporated onclave, this proposed amendment to intensive development is very consistent with the Pine Island Road Corridor Master Plan. That plan has designated the intersection of Veterans Pkwy. and Pine Island Road as a minor Mixed Use village which is precisely what is being accommodated with this requested amendment.

- F1. The applicant has not submitted a statement addressing the sites accessibility from arterial roadways, rail lines or cargo airport terminals. The applicant has not submitted data and analysis required by Lee Plan Policies 2.4.4 and 7.1.4.

CPA

2006-00015

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PERMIT COUNTER

RESPONSE: The site will have access from Veterans Pkwy. and Pine Island Road, but there are no rail lines or cargo airport terminals in the vicinity. It is our understanding, that the concern that originally prompted Policy 2.4.4 has been somewhat turned around, and that the County is not worried about a shortage of commercial and industrial land. This amendment will help address that potential future shortage. It is not clear what relevance Policy 7.1.4 has to the subject application.

- F2.** The applicant has not addressed the issue of urban sprawl. The applicant will submit a statement demonstrating that the proposed future land use change does not constitute urban sprawl.

In addition, planning staff has concerns that the subject property may be annexed by the City of Cape Coral. Please submit a description of why the subject property has not been annexed by the City of Cape Coral.

RESPONSE: Please see attached exhibit.

Please do not hesitate to contact me if you have any further questions.

Very truly yours,

KNOTT, CONSOER, EBELINI,
HART & SWETT, P.A.



Michael E. Roeder, AICP
Director of Zoning and Land Use Planning

MER/ams
Attachments

Lee County Board of County Commissioners
Department of Community Development
Division of Planning
Post Office Box 398
Fort Myers, FL 33902-0398
Telephone: (239) 479-8585
FAX: (239) 479-8519

APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT

(To be completed at time of intake)

RECEIVED
DEC 05 2007

DATE REC'D _____

REC'D BY: _____

PERMIT COUNTER

APPLICATION FEE _____

TIDEMARK NO: _____

THE FOLLOWING VERIFIED:

Zoning

☐

Commissioner District

☐

Designation on FLUM

☐

(To be completed by Planning Staff)

Plan Amendment Cycle: ☐ Normal ☐ Small Scale ☐ DRI ☐ Emergency

Request No: _____

APPLICANT PLEASE NOTE:

Answer all questions completely and accurately. Please print or type responses. If additional space is needed, number and attach additional sheets. The total number of sheets in your application is: _____

Submit **6** copies of the complete application and amendment support documentation, including maps, to the Lee County Division of Planning. Additional copies may be required for Local Planning Agency, Board of County Commissioners hearings and the Department of Community Affairs' packages.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.

9/29/06
DATE

Mike Roeder
SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE

CPA 2006-00015



I. APPLICANT/AGENT/OWNER INFORMATION

John Cauthen

PERMIT COUNTER

APPLICANT

4353 Michigan Link

ADDRESS

Fort Myers

FL

33916

CITY

STATE

ZIP

239-851-3830

239-334-2952

TELEPHONE NUMBER

FAX NUMBER

Michael E. Roeder, AICP

AGENT*

1625 Hendry Street, Suite 301

ADDRESS

Fort Myers

FL

33901

CITY

STATE

ZIP

239-334-2722

239-334-1446

TELEPHONE NUMBER

FAX NUMBER

3150 SW Pine Island Rd, LLC

OWNER(S) OF RECORD

4353 Michigan Link

ADDRESS

Fort Myers

FL

33916

CITY

STATE

ZIP

239-851-3830

239-334-2952

TELEPHONE NUMBER

FAX NUMBER

Name, address and qualification of additional planners, architects, engineers, environmental consultants, and other professionals providing information contained in this application.

* This will be the person contacted for all business relative to the application.

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II. REQUESTED CHANGE (Please see Item 1 for Fee Schedule)

A. TYPE: (Check appropriate type)

☐ Text Amendment

☒ Future Land Use Map Series Amendment
(Maps 1 thru 21)

List Number(s) of Map(s) to be amended

B. SUMMARY OF REQUEST (Brief explanation):

Map amendment from Rural to Intensive Development

III. PROPERTY SIZE AND LOCATION OF AFFECTED PROPERTY
(for amendments affecting development potential of property)

A. Property Location:

1. Site Address: 3150 SW Pine Island Road, Cape Coral, FL 33991

2. STRAP(s): 20-44-23-00-00002.0000

B. Property Information

Total Acreage of Property: 13.5 ± acres

Total Acreage included in Request: 13.5 ± acres

Area of each Existing Future Land Use Category: Rural

Total Uplands: 13.5 acres

Total Wetlands: NA

Current Zoning: AG-2

Current Future Land Use Designation: Rural

Existing Land Use: Vacant

CPA 2006-00015

- C. State if the subject property is located in one of the following areas and if so how does the proposed change effect the area:

Lehigh Acres Commercial Overlay: NA

Airport Noise Zone 2 or 3: NA

Acquisition Area: NA

Joint Planning Agreement Area (adjoining other jurisdictional lands): NA

Community Redevelopment Area: NA

- D. Proposed change for the Subject Property: Intensive Development

- E. Potential development of the subject property:

1. Calculation of maximum allowable development under existing FLUM:

Residential Units/Density 1 unit per acre

Commercial intensity

Industrial intensity

2. Calculation of maximum allowable development under proposed FLUM:

Residential Units/Density 14 units per acre (181 total residential units)

Commercial intensity 400,000 square feet

Industrial intensity

IV. AMENDMENT SUPPORT DOCUMENTATION

At a minimum, the application shall include the following support data and analysis. These items are based on comprehensive plan amendment submittal requirements of the State of Florida, Department of Community Affairs, and policies contained in the Lee County Comprehensive Plan. Support documentation provided by the applicant will be used by staff as a basis for evaluating this request. To assist in the preparation of amendment packets, the applicant is encouraged to provide all data and analysis electronically. (Please contact the Division of Planning for currently accepted formats)

A. General Information and Maps

NOTE: For each map submitted, the applicant will be required to provide a reduced map (8.5" x 11") for inclusion in public hearing packets.

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The following pertains to all proposed amendments that will affect the development potential of properties (unless otherwise specified).

1. Provide any proposed text changes.
2. Provide a Future Land Use Map showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.
3. Map and describe existing land *uses* (not designations) of the subject property and surrounding properties. Description should discuss consistency of current uses with the proposed changes.
4. Map and describe existing zoning of the subject property and surrounding properties.
5. The legal description(s) for the property subject to the requested change.
6. A copy of the deed(s) for the property subject to the requested change.
7. An aerial map showing the subject property and surrounding properties.
8. If applicant is not the owner, a letter from the owner of the property authorizing the applicant to represent the owner.

B. Public Facilities Impacts

NOTE: The applicant must calculate public facilities impacts based on a maximum development scenario (see Part II.H.).

1. Traffic Circulation Analysis

The analysis is intended to determine the effect of the land use change on the Financially Feasible Transportation Plan/Map 3A (20-year horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit the following information:

Long Range – 20-year Horizon:

- a. Working with Planning Division staff, identify the traffic analysis zone (TAZ) or zones that the subject property is in and the socio-economic data forecasts for that zone or zones;
- b. Determine whether the requested change requires a modification to the socio-economic data forecasts for the host zone or zones. The land uses for the proposed change should be expressed in the same format as the socio-economic forecasts (number of units by type/number of employees by type/etc.);

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- c. If no modification of the forecasts is required, then no further analysis for the long range horizon is necessary. If modification is required, make the change and provide to Planning Division staff, for forwarding to DOT staff. DOT staff will rerun the FSUTMS model on the current adopted Financially Feasible Plan network and determine whether network modifications are necessary, based on a review of projected roadway conditions within a 3-mile radius of the site;
- d. If no modifications to the network are required, then no further analysis for the long range horizon is necessary. If modifications are necessary, DOT staff will determine the scope and cost of those modifications and the effect on the financial feasibility of the plan;
- e. An inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change;
- f. If the proposal is based on a specific development plan, then the site plan should indicate how facilities from the current adopted Financially Feasible Plan and/or the Official Trafficways Map will be accommodated.

Short Range – 5-year CIP horizon:

- a. Besides the 20-year analysis, for those plan amendment proposals that include a specific and immediated development plan, identify the existing roadways serving the site and within a 3-mile radius (indicate laneage, functional classification, current LOS, and LOS standard);
- b. Identify the major road improvements within the 3-mile study area funded through the construction phase in adopted CIP's (County or Cities) and the State's adopted Five-Year Work Program;

Projected 2020 LOS under proposed designation (calculate anticipated number of trips and distribution on roadway network, and identify resulting changes to the projected LOS);

- c. For the five-year horizon, identify the projected roadway conditions (volumes and levels of service) on the roads within the 3-mile study area with the programmed improvements in place, with and without the proposed development project. A methodology meeting with DOT staff prior to submittal is required to reach agreement on the projection methodology;
- d. Identify the additional improvements needed on the network beyond those programmed in the five-year horizon due to the development proposal.

2. Provide an existing and future conditions analysis for:

- a. Sanitary Sewer
- b. Potable Water
- c. Surface Water/Drainage Basins
- d. Parks, Recreation, and Open Space.



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Analysis should include (but is not limited to) the following:

- Franchise Area, Basin, or District in which the property is located;

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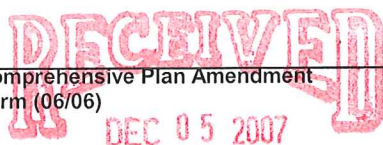
- Current LOS, and LOS standard of facilities serving the site;
 - Projected 2020 LOS under existing designation;
 - Projected 2020 LOS under proposed designation;
 - Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long range improvements; and
 - Anticipated revisions to the Community Facilities and Services Element and/or Capital Improvements Element (state if these revisions are included in this amendment).
3. Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including:
- a. Fire protection with adequate response times;
 - b. Emergency medical service (EMS) provisions;
 - c. Law enforcement;
 - c. Solid Waste;
 - d. Mass Transit; and
 - e. Schools.

In reference to above, the applicant should supply the responding agency with the information from Section's II and III for their evaluation. This application should include the applicant's correspondence to the responding agency.

C. Environmental Impacts

Provide an overall analysis of the character of the subject property and surrounding properties, and assess the site's suitability for the proposed use upon the following:

1. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCCS).
2. A map and description of the soils found on the property (identify the source of the information).
3. A topographic map with property boundaries and 100-year flood prone areas indicated (as identified by FEMA).
4. A map delineating wetlands, aquifer recharge areas, and rare & unique uplands.
5. A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern. The table must include the listed species by FLUCCS and the species status (same as FLUCCS map).



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D. Impacts on Historic Resources

List all historic resources (including structure, districts, and/or archeologically sensitive areas) and provide an analysis of the proposed change's impact on these resources. The following should be included with the analysis:

1. A map of any historic districts and/or sites, listed on the Florida Master Site File, which are located on the subject property or adjacent properties.
2. A map showing the subject property location on the archeological sensitivity map for Lee County.

E. Internal Consistency with the Lee Plan

1. Discuss how the proposal affects established Lee County population projections, Table 1(b) (Planning Community Year 2020 Allocations), and the total population capacity of the Lee Plan Future Land Use Map.
2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.
3. Describe how the proposal affects adjacent local governments and their comprehensive plans.
4. List State Policy Plan and Regional Policy Plan goals and policies which are relevant to this plan amendment.

F. Additional Requirements for Specific Future Land Use Amendments

1. Requests involving Industrial and/or categories targeted by the Lee Plan as employment centers (to or from)
 - a. State whether the site is accessible to arterial roadways, rail lines, and cargo airport terminals,
 - b. Provide data and analysis required by Policy 2.4.4,
 - c. The affect of the proposed change on county's industrial employment goal specifically policy 7.1.4.
2. Requests moving lands from a Non-Urban Area to a Future Urban Area
 - a. Demonstrate why the proposed change does not constitute Urban Sprawl. Indicators of sprawl may include, but are not limited to: low-intensity, low-density, or single-use development; 'leap-frog' type development; radial, strip, isolated or ribbon pattern type development; a failure to protect or conserve natural resources or agricultural land; limited accessibility; the loss of large amounts of functional open space; and the installation of costly and duplicative infrastructure when opportunities for infill and redevelopment exist.

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1. Requests involving lands in critical areas for future water supply must be evaluated based on policy 2.4.2.
 2. Requests moving lands from Density Reduction/Groundwater Resource must fully address Policy 2.4.3 of the Lee Plan Future Land Use Element.
- G. Justify the proposed amendment based upon sound planning principles. Be sure to support all conclusions made in this justification with adequate data and analysis.

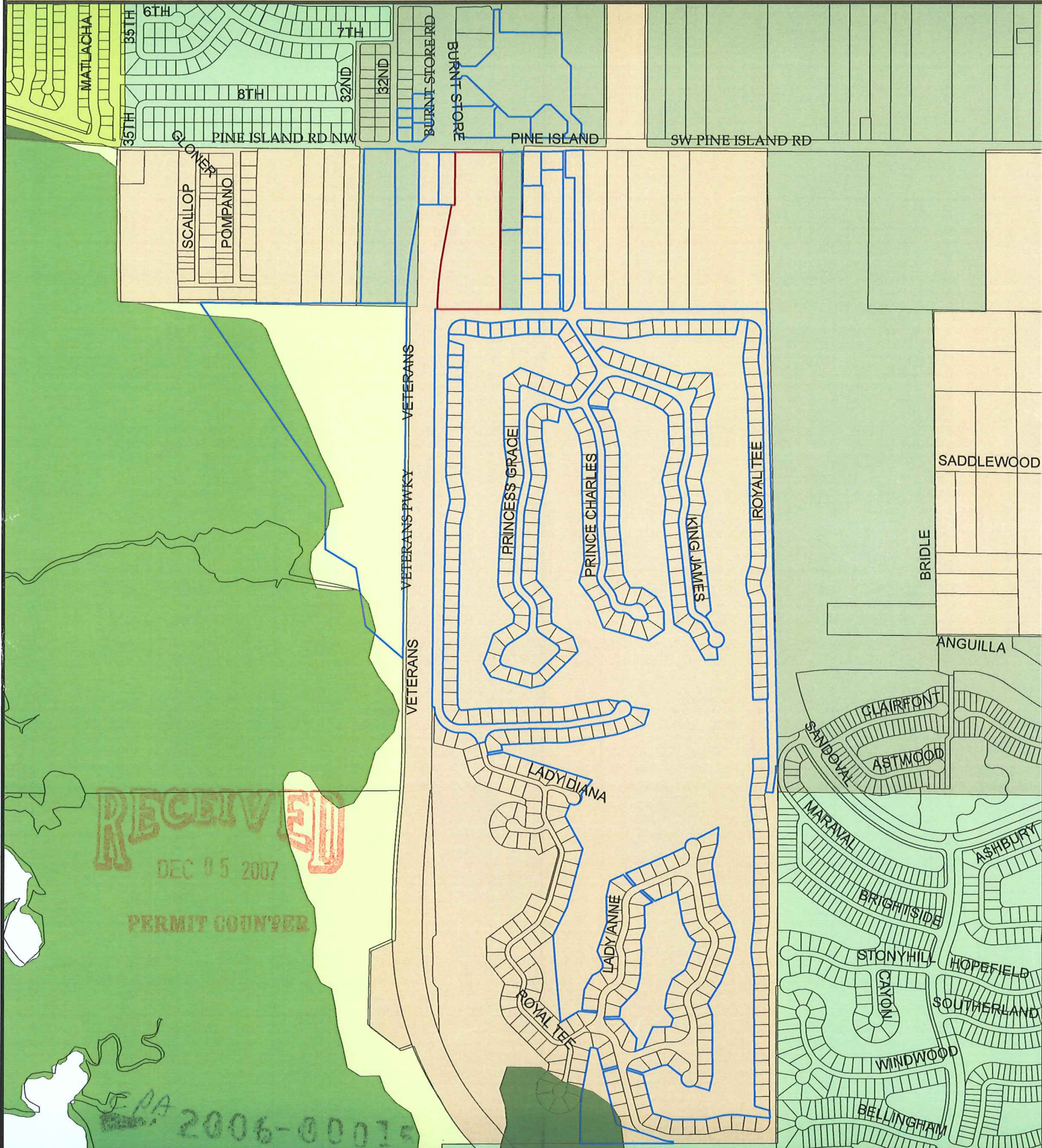
Item 1: Fee Schedule

Map Amendment Flat Fee	\$2,000.00 each
Map Amendment > 20 Acres	\$2,000.00 and \$20.00 per 10 acres
Small Scale Amendment (10 acres or less)	\$1,500.00 each
Text Amendment Flat Fee	\$2,500.00 each

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Future Land Use



MAP DISCLAIMER:

Maps and documents made available to the public by the Lee County Property Appraiser's Office are not legally recorded maps or surveys and therefore are not intended to be used as such. The maps and documents are created as part of a Geographic Information System (GIS) that compiles records, information, and data from various departments, cities, county, state and federal sources. The source data may contain errors. Users are encouraged to examine the documentation or metadata associated with the data on which this map is based for information related to its accuracy, currentness, and limitations.

FUTURE LAND USE	Subject Parcel
Conservation Lands Upland	Parcel Within 500 Foot Buffer
Conservation Lands Wetland	Parcel Line
Intensive Development	
Outlying Suburban	
Rural	
Urban Community	
Wetlands	

Source: Lee County Property Appraiser
Lee County BOCC

Map Date: December 4, 2007

Prepared By: Carol King

File Location: S:\GIS\ArcMap\Map\Knot\Conser_LandUse_Buffer_20-44-23-00-00002.0000



Map Scale: 1 inch equals 0.20 miles for Plot Size: 8.5" x 11"

Existing Land Uses
EXHIBIT A.3

The subject property is vacant and designated Rural on the County's land use map. To the north of the subject property is Pine Island Road and then a large shopping center anchored by Publix. This property is located in the Pine Island Corridor District in the City of Cape Coral. To the west of the subject property is Veterans Pkwy. and beyond that is a vacant parcel that is also a part of the Pine Island Corridor District. To the south is the Sandoval Residential Development in the City of Cape Coral and to the east is a Shell Gas Station in the Pine Island District Corridor and also Royalty Country Club which is in Unincorporated Lee County and is designated Rural.

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Legal Description
EXHIBIT A.5

DESCRIPTION: (ACCORDING TO OR BOOK 2114, PAGE 808, PUBLIC RECORDS)

A PORTION OF THE EAST HALF (E ½) OF THE EAST HALF (E ½) OF THE EAST HALF (E ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 19, TOWNSHIP 44 SOUTH, RANGE 23 EAST, LESS AND EXCEPT RIGHT-OF-WAY FOR PINE ISLAND ROAD (SR NO. 78);

TOGETHER WITH PORTION OF THE WEST THREE QUARTERS (W ¾) OF THE WEST HALF (W ½) OF THE NORTHWEST QUARTER (NW ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 23 EAST LESS AND EXCEPT RIGHT-OF-WAY FOR SAID PINE ISLAND ROAD (SR NO. 78) SAID PORTIONS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT A RAILROAD SPIKE MAKING THE NORTHWEST (NW) CORNER OF SAID SECTION 20; THENCE S 0 DEGREES 11' 50" W., ALONG THE WEST LINE OF SAID NORTHWEST QUARTER (NW ¼) OF SECTION 20, 33.00 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID PINE ISLAND ROAD (SR NO. 78); THENCE DUE EAST ALONG SAID RIGHT-OF-WAY LINE, 134.84 FEET TO A STEEL PIN WITH A PLASTIC CAP BEARING THE STAMP (LB 697) AND THE POINT OF BEGINNING; THENCE CONTINUE DUE EAST ALONG THE SAID RIGHT-OF-WAY LINE, 370.95 FEET TO A STEEL PIN AND CAP; THENCE S 00 DEGREES 03' 41" W., 1299.58 FEET TO A STEEL PIN AND CAP; THENCE N 89 DEGREES 53' 31" W., 508.88 FEET TO A 2 ½" ROUND CONCRETE MONUMENT MARKING THE SOUTHWEST CORNER OF SAID WEST THREE QUARTERS (W ¾) OF THE WEST HALF (W ½) OF THE NORTHWEST QUARTER (NW ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 20; THENCE N 89 DEGREES 27' 38" W., 164.71 FEET TO A STEEL PIN AND CAP; THENCE N 00 DEGREES 10' 39" E., 861.77 FEET TO A STEEL PIN AND CAP; THENCE S 89 DEGREES 49' 21" E., 300.00 FEET TO A STEEL PIN AND CAP; THENCE N 00 DEGREES 10' 39" E., 436.24 FEET TO A STEEL PIN AND CAP AND THE POINT OF BEGINNING.

ALL LESS RIGHT-OF-WAY FOR VETERANS PARKWAY.
(VETERANS PARKWAY WAS FORMALLY KNOWN AS BURNT STORE ROAD EXTENSION PER THE ORDER OF TAKING DESCRIBED AND RECORDED IN OR BOOK 3173, PAGE 1317, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.)

CONTAINING 12.95 ACRES MORE OR LESS, ALL BEING IN THE COUNTY OF LEE, STATE OF FLORIDA.

SUBJECT TO A LEE COUNTY ELECTRIC COOPERATIVE EASEMENT AS RECORDED IN OR BOOK 1815, PAGE 1043, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

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JOHN CAUTHEN COMP PLAN AMENDMENT

Utility and Drainage Analysis

Potable Water Supply

The project is located within the Greater Pine Island Water Association (GPIWA) franchise area. The GPIWA has just recently installed a storage tank and high service pumping station on Scallop Drive, about 1/3 mile to the west of the project site. This storage facility should prove to provide ample volume and pressure for this and the other area commercial and residential projects.

The connection points to this system could either be from Cape Royal entrance road via easements or along the Pine Island Road R/W for a 10" connection. If a larger than 10" is required a connection could be obtained by jack and boring north under Pine Island Road (SR 78), approximately 111 feet to a 12" main. The water demand based on the desired uses and prescribed square footages is approximately 120,000 gallons per day.

It is safe to make the assumption that GPIWA, a subsidiary of Lee County Utilities, will maintain a level of service that requires 250 gallons per day per equivalent residential connection (ERC), as stipulated in the Lee County Comprehensive Development Master Plan, section IV, Policy 53.1.2. Systems are also required to deliver the water at a residual minimum pressure of 20-40 PSI, to meet residential and commercial fire flow requirements.

Sewage Disposal

The sewage generation from the site based on the uses and their sizes, is approximately 100,000 Gallons per day. There are three possibilities for sewage disposal from the site, each requiring a lift station and force main.

The first choice would be to go into a Lee County Utilities system by running west down Pine Island Road to a connection point at Matlacha Isles entrance, a distance of approximately 1 mile.

The second choice would be to directional bore under Pine Island Road up Burnt Store Road a distance of 0.4 mile to a City lift station, which is carrying the new shopping center sewage via force main east to a terminus at Chiquita Boulevard. This option would only serve the project's initial flows, pumping at off-peak times.

The third option would send a force main east along the Pine Island Road R/W to the Sandoval Commercial Tract site. This is a distance of approximately 1 mile. This option would not be available until approximately 2009 or 2010.

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Sewage Disposal Continued

All of the options mentioned will require the utility companies approval. The first option would meet with the least objection in that the project is within Lee County and is under Lee County control. The second option again has the capacity issue until the area receives utilities, scheduled in the year 2017. The third option would be the second best possibility, with a time tract and capacity commensurate with your project schedule.

The best option being the Lee County Utilities at the entrance to Matlacha Isles, is required by the Lee County Comprehensive Development Master Plan, section IV, Policy 56.1.2. to provide a level of services equal to accepting 200 gallons per day per equivalent residential connection (ERC) for the peak month.

Storm Water Management

Storm water may be limited by the discharge rate of 0.1 CFS/acre, which would require a significant amount of on-site storage in the form of lakes and ponds. However the amount of on-site storage would be significantly reduced if the storm water were handled on a pre-development vs. post-development discharge rate of discharge, after on-site pre-treatment.

The out-fall would be located at the southern border of the site via an existing drainage swale. This swale is collecting water from many projects and is sized such that it should handle our storm water discharge. The swale is piped under Veteran's Parkway and outfalls into the mangrove forest bordering Matlacha Pass. Improvements to the swale in the form of maintenance may be required along the southern border of the site and beyond in order to achieve smooth open channel flow without overflowing it's banks. A second outfall location would be the northern border, into the Pine Island Road corridor. This outfall would be more difficult to permit and would be subject to change when the R/W of Pine Island Road is widened to four lanes.

A level of services as prescribed by the Lee County Comprehensive Development Master Plan, section IV, policy 60.3.1 requiring drainage systems to prevent flooding caused by a 25-year, 3-day storm event for 24 hours, must be met using on and off site measures.

The project will require a general Environmental Resource Permit (ERP) submitted to the South Florida Water Management District. There may be wetlands on the site for which both the Army Corps of Engineers and SFWMD will be involved. The wetlands are more than likely "Isolated wetlands" and can be mitigated either on-site or through a mitigation bank.

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Storm Water Management Continued

The Flood elevation presently for finished floor is 8.0 feet above sea level. The existing grades are in the range of 4.0 to 5.0 feet above sea level. A three (3) to four (4) foot fill prism minimum will be required on the site. Lakes and ponds dug on-site will be required as the least cost method of raising the site. In today's dollars off-site fill compacted in place is running in excess of \$15.00 per yard in place. FEMA has announced that they are revising the flood maps in the near future, which could modify the above floor elevation, which intern will most likely increase the size of the fill prism.

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CPA 2006-00015

Mike Scott
Office of the Sheriff



State of Florida
County of Lee

November 14, 2007

Michael Roeder
Johnson W. Cauthen
4353 Michigan Link

Ft Myers, FL 33916
Reference to Project: Cauthen

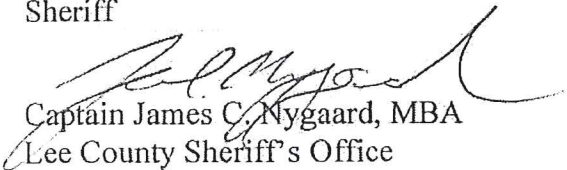
Dear Mr. Roeder

The Lee Plan amendment identified as Cauthen, located at 3150 SW Pine Island Rd. would not affect the ability of the Lee County Sheriff's Office to provide core services at this time.

When you make application for a Development Order for this property, please provide the Lee County Sheriff's Office with a set of plans and uses for each building in this project. A Crime Prevention Through Environmental Design (CPTED) study will be done at that time with recommendations to you and the county staff.

Please contact Kevin Farrell, Coordinator of the Crime Prevention Unit at 477-2821 when you have made application with the county.

Mike Scott
Sheriff


Captain James C. Nygaard, MBA
Lee County Sheriff's Office
Administration Bureau
14750 Six Mile Cypress Pkwy
Fort Myers, FL 33912
239-477-1424 (Office)

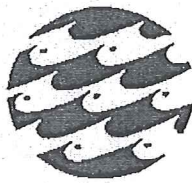
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14750 Six Mile Cypress Parkway □ Fort Myers, Florida 33912-4406 □ (239) 477-1000



Greater
Pine Island
Water Association, Inc.

July 6, 2006

Lee County Division of Concurrency Management
P. O. Box 398
Ft. Myers, FL 33902

Re: 3150 SW Pine Island Road, 20-44-23-00-00002.0000
Corner Veteran's Parkway (east side) & Pine Island Road

To Whom It May Concern:

Please be advised that 3150 SW Pine Island Road LLC, has requested potable water service for a proposed commercial/residential area as referenced above. Water mains are available adjacent to this project site or will be extended or upgraded by the developer under the terms of the Association's Rules and Regulations and Developer Specifications.

The Greater Pine Island Water Association, Inc. has the capacity to provide an average daily flow of 110,083 gallons per day of potable water from its water treatment plant to this site. Under normal operating conditions, static water pressure at the point where the development's water system is connected to the Association's existing main is estimated to be at 60 PSI.

This letter should not be construed as a commitment to serve, but only as to the availability of service.

Sincerely,


William J. Thacher

William J. Thacher
General Manager

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PERMIT COORDINATOR

C PA 2006-00015

	 FLORIDA DEPARTMENT of STATE	
CHARLIE CRIST Governor		KURT S. BROWNING Secretary of State

November 1, 2007

Alison Stowe
 Knott, Consoer, Ebelini, Hart, & Swett
 1625 Hendry St
 Fort Myers, FL 33902
 FAX#: 239-334-1446

Dear Ms. Stowe:

In response to your inquiry of November 1, 2007, the Florida Master Site File lists no previously recorded cultural resources in the following parcels:

T44S, R23E, Section 20

In interpreting the results of our search, please remember the following points:

- Areas which have not been completely surveyed, such as yours, may contain unrecorded archaeological sites, unrecorded historically important structures, or both.
- As you may know, state and federal laws require formal environmental review for some projects. Record searches by the staff of the Florida Master Site File do not constitute such a review of cultural resources. If your project falls under these laws, you should contact the Compliance Review Section of the Bureau of Historic Preservation at 850-245-6333 or at this address.

Sincerely,



Michelle Caldwell Cremer, 850-245-6440
 Data Analyst, Florida Master Site File
 Division of Historical Resources
 R. A. Gray Building
 500 South Bronough Street
 Tallahassee, Florida 32399-0250

State SunCom: 205-6440
 Fax line: 850-245-6439
 Email: fmsfile@dos.state.fl.us
 Web: <http://www.dos.state.fl.us/dhr/msf/>

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500 S. Bronough Street • Tallahassee, FL 32399-0250 • <http://www.flheritage.com>

☐ Director's Office
 (850) 245-6300 • FAX: 245-6435

☐ Archaeological Research
 (850) 245-6444 • FAX: 245-6436

☐ Historic Preservation
 (850) 245-6333 • FAX: 245-6437

☐ Historical Museums
 (850) 245-6400 • FAX: 245-6433

☐ Palm Beach Regional Office

☐ St. Augustine Regional Office

**Urban Sprawl
EXHIBIT F.2**

The subject property is located at one of the most significant intersection in all of Lee County. Pine Island Road is the main east-west corridor in Pine Island and stretches from Pine Island to I-75, while Burnt Store Road extends from south Punta Gorda all the way down to the Mid-Point Bridge via Veterans Pkwy. and from thence to I-75 via Colonial Blvd. To maintain this property as Rural would actually promote urban sprawl in that it needs to be developed at a fairly intense level. The requested amendment will allow for a true Mixed Use development at a level of intensity that is appropriate at this location.

In regard to annexation, the City Utility Plan is not able to provide water or sewer to this site until the year 2018 at the earliest, and the provision of utilities would be the only reason that the property owner would want to be annexed into the City. The property owner has more development opportunities within the Unincorporated County given the utility situation.

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LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

(239) 533-8312

Bob Janes
District One

March 3, 2008

A. Brian Bigelow
District Two

Ray Judah
District Three

Tammy Hall
District Four

Frank Mann
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing
Examiner

Mr. Michael E. Roeder
c/o Knott, Consoer, Ebelini, Hart & Swett PA
1625 Hendry Street Suite 301
Fort Myers, Florida 33901

RE: CPA2006-15 Cauthen, Lee Plan Future Land Use Amendment

Dear Mr. Roeder:

Planning staff finds the above mentioned submittal is insufficient and further information is needed.

Section II

B. The applicant will amend the application to list the proposed future land use category as Commercial.

Section IV

A2. The applicant has not submitted a map showing the proposed future land use categories of the subject property. The map specifically needs to show the new Commercial Future Land Use Category.

A5. The legal description submitted by the applicant does not have a state plane coordinate for the Point of Beginning or any place along the sketch. The legal describes the parcel as a polygon "...less the right of way for Veterans Parkway..." This does not conform to LDC Section 34-202(a)(1) which requires that "*The legal description must specifically describe the entire perimeter boundary of the property subject to the zoning action.*" The applicant must submit a legal description to include the actual boundary of the requested plan amendment consistent with the requirements of the Land Development Code Section 34-202 A1-5.

B3. The applicant has not submitted letters from the emergency medical service and the solid waste service provider for the subject property.

C4. In the last submittal, the applicant states that an updated FLUCCS map has been submitted but none has been found. The applicant has not submitted a map of the final jurisdictional determination of wetlands on the subject property. If there are no wetlands present, the applicant will submit a statement to that effect.

D2. Although the applicant has submitted a letter from the Department of State Division of historical Resources, the applicant has not submitted a map showing the subject property location on the archeological sensitivity map.

If I can be of any assistance or if you have any questions, please do not hesitate to call me at 479-8312.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT, DIVISION OF PLANNING

A handwritten signature in black ink, reading "Peter Blackwell". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

Peter Blackwell
Planner

cc: Planning file: CPA2006-15

INSTRUCTIONS

(Section A.2.b., Lee County Administrative Code AC 13.7)

A Planning Division notification sign must be posted on a parcel(s) subject to any comprehensive plan map amendment application for a minimum of fifteen (15) calendar days in advance of the Local Planning Agency's Hearing and maintained through the Board of County Commissioners Hearing, if any. This sign will be provided by the Planning Division in the following manner:

- a. Sign for case **#CPA2006-15 must be posted by March 10, 2008.**
- b. The sign must be erected in full view of the public, not more than five (5) feet from the nearest street right-of-way or easement.
- c. The sign must be securely affixed by nails, staples or other means to a wood frame or to a wood panel and then fastened securely to a post, or other structure. The sign may not be affixed to a tree or other foliage.
- d. The applicant must make a good faith effort to maintain the sign in place, and in a readable condition until the requested action has been heard and a final decision rendered.
- e. If the sign is destroyed, lost, or rendered unreadable, the applicant must report the condition to the Planning Division, and obtain duplicate copies of the sign from the Planning Division.

The Division may require the applicant to erect additional signs where large parcels are involved with street frontages extending over considerable distances. If required, such additional signs must be placed not more than three hundred (300) feet apart.

When a parcel abuts more than one (1) street, the applicant must post signs along each street.

When a subject parcel does not front a public road, the applicant must post the sign at a point on a public road which leads to the property, and the sign must include a notation which generally indicates the distance and direction to the parcel boundaries and the dimensions of the parcel.

NOTE: AFTER THE SIGN HAS BEEN POSTED, THE AFFIDAVIT OF POSTING NOTICE, BELOW, SHOULD BE RETURNED NO LATER THAN THREE (3) WORKING DAYS BEFORE THE HEARING DATE TO LEE COUNTY PLANNING DIVISION, 1500 Monroe Street, Fort Myers, FL 33901

(Return the completed Affidavit below to the Planning Division as indicated in previous paragraph.)

AFFIDAVIT OF POSTING NOTICE

STATE OF FLORIDA
COUNTY OF LEE

BEFORE THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED Mike Nation
WHO ON OATH SAYS THAT HE/SHE HAS POSTED PROPER NOTICE AS REQUIRED BY SECTION 34-236(b) OF THE
LEE COUNTY LAND DEVELOPMENT CODE ON THE PARCEL COVERED IN THE ZONING APPLICATION
REFERENCED BELOW:

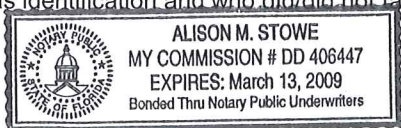
RECEIVED
MAR 13 2008
Permit Counter

Mike Nation 3/10/08
SIGNATURE OF APPLICANT OR AGENT
Mike Nation / Signs in one day
NAME (TYPED OR PRINTED)
4408 Del Prado Blvd.
ST. OR PO BOX
Cape Coral, FL 33904
CITY, STATE & ZIP
CPA2005-00007 Hawks Haven Caution

date 03/10/08 initials MM

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to and subscribed before me this 10th day of March,
2008, by Mike Nation, personally known to me or who produced
as identification and who did/did not take an oath.



Signature of Notary Public
Alison M. Stowe
Printed Name of Notary Public

My Commission Expires:
(Stamp with serial number)

Knott, Consoer, Ebelini

Hart & Swett, P.A.

A T T O R N E Y S - A T - L A W

mroeder@knott-law.com

1625 HENDRY STREET (33901)
POST OFFICE BOX 2449
FORT MYERS, FL 33902-2449

TELEPHONE (239) 334-2722
TELECOPIER (239) 334-1446
WWW.KNOTT-LAW.COM

FAX TRANSMITTAL COVER SHEET

TOTAL PAGES INCLUDING COVER PAGE: 2

DATE: ~~November 27, 2007~~ March 5, 2008
TO: Ms. Kim Dickerson
FAX #: 242-3309
FROM: Michael E. Roeder
COMMENTS: Re: Comprehensive Plan Amendment for 3150 SW Pine Island Road

*This letter should read "the southEAST corner of Pine Island Road and Veterans Parkway."
Please respond to the letter based on this change. Thank you.*

*****PLEASE RESPOND ASAP; YOUR LETTER IS THE FINAL EXHIBIT NEEDED TO
SCHEDULE THIS PROJECT IN FRONT OF THE LPA.*****

RECEIVED
MAR 14 2008

 2006-00015

COMMUNITY DEVELOPMENT

#: 1553.015

INITIALS: MER

ORIGINAL: Mailed- ☒ Federal Expressed- ☐ Held in File- ☐

SHOULD YOU HAVE PROBLEMS RECEIVING THIS TRANSMISSION, PLEASE CALL SENDER AT (239) 334-2722.

THIS FAX SENT FROM FAX # (239) 334-1446 ☒ / (239) 334-2801 ☐ / (239) 334-8458 ☐ by: AMS

CONFIDENTIALITY NOTE: The information contained in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any use, dissemination, distribution or copy of this telecopy is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone and return the original message to us at the address above via the united states postal service. Thank you.

G:\AMS\Cauthen\Resubmittal(3)\DickersonEMSFA3.wpd

Knott, Consoer, Ebelini
Hart & Swett, P.A.
ATTORNEYS - AT - LAW

George H. Knott *+
George L. Consoer, Jr. **
Mark A. Ebelini
Thomas B. Hart
H. Andrew Swett

* Board Certified Civil Trial Lawyer
** Board Certified Real Estate Lawyer
+ Board Certified Business Litigation Lawyer

1625 Hendry Street • Third Floor (33901)
P.O. Box 2449
Fort Myers, Florida 33902-2449

Telephone (239) 334-2722
Telecopier (239) 334-1446

MRoeder@knott-law.com

Matthew D. Uhle
Aaron A. Haak
Derrick S. Eihausen
Naty Torres-Alvarado
David A. Burt
Madeline Ebelini

Director of Zoning
and Land Use Planning
Michael E. Roeder, AICP

~~November 27, 2007~~

March 5, 2008

Ms. Kim Dickerson, EMS Operations Manager
Lee County Emergency Medical Services
P.O. Box 398
Fort Myers, FL 33902-0398

Re: Comprehensive Plan Amendment for 3150 SW Pine Island Road

Dear Ms. Dickerson:

We represent the owners of 3150 SW Pine Island Road who are applying for a Comprehensive Plan Amendment from Lee County to change the designation of their property at the SW corner of Pine Island Road and Veterans Parkway from Rural to Intensive Development. The parcel is approximately 13 acres, and if this change is approved it would potentially allow for an intense Mixed Use Development of 200,000 square feet of office, 200,000 square feet of retail and restaurant and approximately 200 residential units at the maximum zoning approval. We would appreciate a letter from your agency indicating its ability to provide service to this level of new development in this location. Please do not hesitate to contact me if you have any questions regarding this matter, and thank you for your cooperation.

Very truly yours,

KNOTT, CONSOER, EBELINI,
HART & SWETT, P.A.

Mike Roeder

Michael E. Roeder, AICP
Director of Zoning and Land Use Planning

MER/ams ✓

RECEIVED
MAR 14 2008

COMMUNITY DEVELOPMENT

CPA
2006-00015

KNOTT CONSOER EBEL ' Fax:239-334-1446
HART SWEET

**** Transmit Confirmation Report ****

P.1

Mar 5 2008 09:08am

Name/Fax No.	Mode	Start	Time	Page	Result	Note
2423309	Normal	05,09:07am	0'23"	2	# 0 K	

Knott, Consoer, Ebelini

Hart & Swett, P.A.

ATTORNEYS - AT - LAW

mroeder@knott-law.com

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MAR 14 2008

COMMUNITY DEVELOPMENT

1625 HENDRY STREET (33901)
POST OFFICE BOX 2449
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TELEPHONE (239) 334-2722
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G:\AMS\Cauthen\Resubmittal(3)\Dickerson\EMS\FAX3.wpd

Knott, Consoer, Ebelini

Hart & Swett, P.A.

ATTORNEYS - AT - LAW

astowe@knott-law.com

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POST OFFICE BOX 2449
FORT MYERS, FL 33902-2449

TELEPHONE (239) 334-2722
TELECOPIER (239) 334-1446
WWW.KNOTT-LAW.COM

FAX TRANSMITTAL COVER SHEET

TOTAL PAGES INCLUDING COVER PAGE: 6

DATE: March 5, 2008

TO: James Wilkison

FAX #: 277-7179

FROM: Alison M. Stowe

COMMENTS: Re: Survey and Legal Revisions/Project No 040506; Drawing No 040506BS1

Site Address:

STRAP :

3150 SW Pine Island Road
Cape Coral, FL 33991

20-44-23-00-00002.0000

CPS
2006-00015

RECEIVED
MAR 14 2008

COMMUNITY DEVELOPMENT

#: 1553.015

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G:\AMS\Cauthen\Resubmittal(3)\WilkisonSurveyRevisionsFAX.wpd

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Hart & Swett, P.A.
ATTORNEYS - AT - LAW

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Derrick S. Eihausen
Natly Torres-Alvarado
David A. Burt
Madeline Ebelini

Director of Zoning
and Land Use Planning
Michael E. Roeder, AICP

M E M O R A N D U M

TO: James Wilkison

FROM: Alison M. Stowe

DATE: March 5, 2008

RE: Project Number 040506 / Drawing Number 040506BS1

Attached please find the letter from the County that requests revisions to be made to the above referenced survey and legal description. I have also attached a copy of the legal description and the LDC sections that the letter references. Please make the appropriate changes and send 7 signed and sealed copies to our office as soon as possible. If you have any questions, please feel free to contact me anytime. Thank you.

ams
Attachments

RECEIVED
MAR 14 2008

COMMUNITY DEVELOPMENT

CPA
2006-00015



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

(239) 533-8312

Bob Janes
District One

March 3, 2008

A. Brian Bigelow
District Two

Ray Judah
District Three

Tammy Hall
District Four

Frank Mann
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing
Examiner

Mr. Michael E. Roeder
c/o Knott, Consoer, Ebelini, Hart & Swett PA
1625 Hendry Street Suite 301
Fort Myers, Florida 33901

RECEIVED
MAR 14 2008

RE: CPA2006-15 Cauthen, Lee Plan Future Land Use Amendment

COMMUNITY DEVELOPMENT

Dear Mr. Roeder:

Planning staff finds the above mentioned submittal is insufficient and further information is needed.

Section II

B. The applicant will amend the application to list the proposed future land use category as Commercial.

Section IV

A2. The applicant has not submitted a map showing the proposed future land use categories of the subject property. The map specifically needs to show the new Commercial Future Land Use Category.



A5. The legal description submitted by the applicant does not have a state plane coordinate for the Point of Beginning or any place along the sketch. The legal describes the parcel as a polygon "...less the right of way for Veterans Parkway..." This does not conform to LDC Section 34-202(a)(1) which requires that "*The legal description must specifically describe the entire perimeter boundary of the property subject to the zoning action.*" The applicant must submit a legal description to include the actual boundary of the requested plan amendment consistent with the requirements of the Land Development Code Section 34-202 A1-5.

B3. The applicant has not submitted letters from the emergency medical service and the solid waste service provider for the subject property.

C4. In the last submittal, the applicant states that an updated FLUCCS map has been submitted but none has been found. The applicant has not submitted a map of the final jurisdictional determination of wetlands on the subject property. If there are no wetlands present, the applicant will submit a statement to that effect.

CPA
2006-00015

by the department, or on county approved computer-generated forms containing the same information.

- a. Forms must include but not be limited to disclosure forms for corporations, trusts and partnerships, and disclosure of information regarding contract purchases and their percentages of interest.
- b. Disclosure will not be required of any entity whose interests are solely equity interests which are regularly traded on an established securities market in the United States or another country.
- c. Disclosure forms, established by administrative code, must be included in the materials distributed to the hearing examiner and the Board of County Commissioners for all cases in which the Board of County Commissioners has the final decision.
- d. Subsections (b)(2)a. through c. of this section do not apply to county-initiated rezonings.


(3) Before an application may be accepted, it must fully comply with all information requirements enumerated in section 34-202, unless specifically stated otherwise in this chapter.

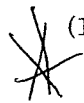
(4) The applicant must ensure that an application is accurate and complete. Any additional expenses necessitated because of inaccurate or incomplete information will be borne by the applicant.

(5) Upon receipt of the completed application form, all required documents and the filing fee, the department will begin reviewing the application for completeness or, in the case of planned development applications, begin reviewing the application for sufficiency pursuant to section 34-373(d).

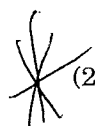
(Zoning Ord. 1993, § 800; Ord. No. 95-07, § 15, 5-17-95; Ord. No. 96-06, § 5, 3-20-96; Ord. No. 98-11, § 5, 6-23-98; Ord. No. 01-18, § 5, 11-13-01)

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, 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, Chapter 177. The legal description must specifically describe the entire perimeter boundary of the property subject to the zoning action, with accurate bearings and distances for every line, but need not describe each individual parcel. The director has the right to reject any legal description that is not sufficiently detailed so as to locate the property on county maps. In accordance with Rule 61G-17, F.A.C., the legal description must be accompanied by a sealed sketch of the legal description.

A list of all STRAP numbers subject to the zoning request must accompany the legal description.

 (2) *Boundary survey or certified sketch of description.* 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 Florida Statutes, Chapter 177. The boundary survey must identify and depict all easements effecting 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 61G 17-6, F.A.C. The survey must be tied to the state plane coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment) 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.

- (3) *Confirmation of ownership.* If at any time during the review process the director concludes there is a question regarding ownership of the property, the director may require submittal of a title insurance policy, attorney's opinion of title, or ownership and encumbrance report.
- (4) *Area location map.* A map, at a suitable scale, drawn on an 8½ inch by 11 inch size sheet of paper, that depicts the property described in the legal description in relation to the surrounding neighborhood. The map must be sufficiently referenced to known major streets or other physical boundaries in the surrounding area so as to be clearly identifiable to the general public.
- (5) *Property owners list.* A complete list of all owners of the property subject to this request, and their mailing addresses. If multiple parcels are involved, a map showing the owners interest must be provided. The applicant is responsible for the accuracy of the list and map. For county-initiated actions only, names and ad-

resses of property owners will be deemed to be those appearing on the latest tax rolls of the county.

- (6) *Surrounding property owners list.* A complete list, and two sets of mailing labels, of all property owners, and their mailing addresses, for all property within 500* feet of the perimeter of the subject parcel or the portion thereof that is the subject of the request. For the purpose of this subsection, names and addresses of property owners will be deemed to be those appearing on the latest tax rolls of the county at the time of application. The applicant is responsible for the accuracy of such list. In the event that more than six months lapses between the time of application and the date of mailing courtesy notices for the scheduled public hearing, the director may require the applicant to submit a new list and mailing labels.
 - (7) *Surrounding property owners map.* A map displaying all parcels of property within 500* feet of the perimeter of the subject parcel or the portion thereof that is the subject of the request. This map must reference by number or other symbol the names on the surrounding property owners list. The applicant is responsible for the accuracy of the map.
- *NOTE: In those instances where fewer than ten owners of property would be notified, the distance must be expanded to include all owners of property within 750 feet.
- (8) *Additional material.* Additional material, depending on the specific type of action requested, may be required as set forth in section 34-202(b) and 34-203.
 - (9) *Filing fee.* All fees, in accordance with the duly adopted fee schedule (see section 34-53), must be paid at the time the application is submitted.
 - (10) *Compliance with specific planning community requirements.* If the subject property is located in one of the following planning communities, the owner/applicant will be required to demonstrate com-

Legal Description
EXHIBIT A.5

DESCRIPTION: (ACCORDING TO OR BOOK 2114, PAGE 808, PUBLIC RECORDS)

A PORTION OF THE EAST HALF (E ½) OF THE EAST HALF (E ½) OF THE EAST HALF (E ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 19, TOWNSHIP 44 SOUTH, RANGE 23 EAST, LESS AND EXCEPT RIGHT-OF-WAY FOR PINE ISLAND ROAD (SR NO. 78);

TOGETHER WITH PORTION OF THE WEST THREE QUARTERS (W ¾) OF THE WEST HALF (W ½) OF THE NORTHWEST QUARTER (NW ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 23 EAST LESS AND EXCEPT RIGHT-OF-WAY FOR SAID PINE ISLAND ROAD (SR NO. 78) SAID PORTIONS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT A RAILROAD SPIKE MAKING THE NORTHWEST (NW) CORNER OF SAID SECTION 20; THENCE S 0 DEGREES 11' 50" W., ALONG THE WEST LINE OF SAID NORTHWEST QUARTER (NW ¼) OF SECTION 20, 33.00 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID PINE ISLAND ROAD (SR NO. 78); THENCE DUE EAST ALONG SAID RIGHT-OF-WAY LINE, 134.84 FEET TO A STEEL PIN WITH A PLASTIC CAP BEARING THE STAMP (LB 697) AND THE POINT OF BEGINNING; THENCE CONTINUE DUE EAST ALONG THE SAID RIGHT-OF-WAY LINE, 370.95 FEET TO A STEEL PIN AND CAP; THENCE S 00 DEGREES 03' 41" W., 1299.58 FEET TO A STEEL PIN AND CAP; THENCE N 89 DEGREES 53' 31" W., 508.88 FEET TO A 2 ½" ROUND CONCRETE MONUMENT MARKING THE SOUTHWEST CORNER OF SAID WEST THREE QUARTERS (W ¾) OF THE WEST HALF (W ½) OF THE NORTHWEST QUARTER (NW ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 20; THENCE N 89 DEGREES 27' 38" W., 164.71 FEET TO A STEEL PIN AND CAP; THENCE N 00 DEGREES 10' 39" E., 861.77 FEET TO A STEEL PIN AND CAP; THENCE S 89 DEGREES 49' 21" E., 300.00 FEET TO A STEEL PIN AND CAP; THENCE N 00 DEGREES 10' 39" E., 436.24 FEET TO A STEEL PIN AND CAP AND THE POINT OF BEGINNING.

ALL LESS RIGHT-OF-WAY FOR VETERANS PARKWAY.

(VETERANS PARKWAY WAS FORMALLY KNOWN AS BURNT STORE ROAD EXTENSION PER THE ORDER OF TAKING DESCRIBED AND RECORDED IN OR BOOK 3173, PAGE 1317, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.)

CONTAINING 12.95 ACRES MORE OR LESS, ALL BEING IN THE COUNTY OF LEE, STATE OF FLORIDA.

SUBJECT TO A LEE COUNTY ELECTRIC COOPERATIVE EASEMENT AS RECORDED IN OR BOOK 1815, PAGE 1043, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

KNOTT CONSOER EBELINI Fax:239-334-1446
HART SWEET

**** Transmit Confirmation Report ****

P.1

Mar 5 2008 11:08am

Name/Fax No.	Mode	Start	Time	Page	Result	Note
2777179	Normal	05,11:07am	1'04"	6	# 0 K	

Knott, Consoer, Ebelini

Hart & Swett, P.A.

ATTORNEYS - AT - LAW

astowe@knott-law.com

1625 HENDRY STREET (33901)
POST OFFICE BOX 2449
FORT MYERS, FL 33902-2449

TELEPHONE (239) 334-2722
TELECOPIER (239) 334-1446
WWW.KNOTT-LAW.COM

FAX TRANSMITTAL COVER SHEET

TOTAL PAGES INCLUDING COVER PAGE: 6

DATE: March 5, 2008

TO: James Wilkison

FAX #: 277-7179

FROM: Alison M. Stowe

COMMENTS: Re: Survey and Legal Revisions/Project No 040506; Drawing No 040506BS1

Site Address:

STRAP :

3150 SW Pine Island Road
Cape Coral, FL 33991

20-44-23-00-00002.0000

RECEIVED
MAR 14 2008

COMMUNITY DEVELOPMENT

#: 1553.015

ORIGINAL: Mailed- _____ Federal Expressed- _____ Held in File- XX

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G:\AMS\Cauthen\Resubmittal(3)\WilkisonSurveyRevisionsFAX.wpd

Lee County Board of County Commissioners
Department of Community Development
Division of Planning
Post Office Box 398
Fort Myers, FL 33902-0398
Telephone: (239) 479-8585
FAX: (239) 479-8519

**APPLICATION FOR A
COMPREHENSIVE PLAN AMENDMENT**

RECEIVED
MAR 14 2008

(To be completed at time of intake)

DATE REC'D _____

REC'D BY: _____ **COMMUNITY DEVELOPMENT**

APPLICATION FEE _____

TIDEMARK NO: _____

THE FOLLOWING VERIFIED:

Zoning ☐ _____ Commissioner District ☐

Designation on FLUM ☐

(To be completed by Planning Staff)

Plan Amendment Cycle: ☐ Normal ☐ Small Scale ☐ DRI ☐ Emergency

Request No: _____

APPLICANT PLEASE NOTE:

Answer all questions completely and accurately. Please print or type responses. If additional space is needed, number and attach additional sheets. The total number of sheets in your application is: _____

Submit **6** copies of the complete application and amendment support documentation, including maps, to the Lee County Division of Planning. Additional copies may be required for Local Planning Agency, Board of County Commissioners hearings and the Department of Community Affairs' packages.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.

DATE _____

SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE _____

CPA
2006-00015

I. APPLICANT/AGENT/OWNER INFORMATION

John Cauthen

APPLICANT

4353 Michigan Link

ADDRESS

Fort Myers

FL

33916

CITY

STATE

ZIP

239-851-3830

239-334-2952

TELEPHONE NUMBER

FAX NUMBER

Michael E. Roeder, AICP

AGENT*

1625 Hendry Street, Suite 301

ADDRESS

Fort Myers

FL

33901

CITY

STATE

ZIP

239-334-2722

239-334-1446

TELEPHONE NUMBER

FAX NUMBER

3150 SW Pine Island Rd, LLC

OWNER(s) OF RECORD

4353 Michigan Link

ADDRESS

Fort Myers

FL

33916

CITY

STATE

ZIP

239-851-3830

239-334-2952

TELEPHONE NUMBER

FAX NUMBER

Name, address and qualification of additional planners, architects, engineers, environmental consultants, and other professionals providing information contained in this application.

* This will be the person contacted for all business relative to the application.

II. REQUESTED CHANGE (Please see Item 1 for Fee Schedule)

A. TYPE: (Check appropriate type)

☐ Text Amendment

☒ Future Land Use Map Series Amendment
(Maps 1 thru 21)
List Number(s) of Map(s) to be amended

B. SUMMARY OF REQUEST (Brief explanation):

Map amendment from Rural to Commercial.

III. PROPERTY SIZE AND LOCATION OF AFFECTED PROPERTY (for amendments affecting development potential of property)

A. Property Location:

1. Site Address: 3150 SW Pine Island Road, Cape Coral, FL 33991
2. STRAP(s): ~~20-44-23-00-00002.0000~~ _____

B. Property Information

Total Acreage of Property: 13.5 ± acres

Total Acreage included in Request: 13.5 ± acres

Area of each Existing Future Land Use Category: Rural

Total Uplands: 13.5 acres

Total Wetlands: NA

Current Zoning: AG-2

Current Future Land Use Designation: Rural

Existing Land Use: Vacant

C. State if the subject property is located in one of the following areas and if so how does the proposed change effect the area:

Lehigh Acres Commercial Overlay: NA

Airport Noise Zone 2 or 3: NA

Acquisition Area: NA

Joint Planning Agreement Area (adjoining other jurisdictional lands): NA

Community Redevelopment Area: NA

D. Proposed change for the Subject Property: Intensive Development

E. Potential development of the subject property:

1. Calculation of maximum allowable development under existing FLUM:

Residential Units/Density 1 unit per acre

Commercial intensity

Industrial intensity

2. Calculation of maximum allowable development under proposed FLUM:

Residential Units/Density 14 units per acre (181 total residential units)

Commercial intensity 400,000 square feet

Industrial intensity

IV. AMENDMENT SUPPORT DOCUMENTATION

At a minimum, the application shall include the following support data and analysis. These items are based on comprehensive plan amendment submittal requirements of the State of Florida, Department of Community Affairs, and policies contained in the Lee County Comprehensive Plan. Support documentation provided by the applicant will be used by staff as a basis for evaluating this request. To assist in the preparation of amendment packets, the applicant is encouraged to provide all data and analysis electronically. (Please contact the Division of Planning for currently accepted formats)

A. General Information and Maps

NOTE: For each map submitted, the applicant will be required to provide a reduced map (8.5" x 11") for inclusion in public hearing packets.

The following pertains to all proposed amendments that will affect the development potential of properties (unless otherwise specified).

1. Provide any proposed text changes.
2. Provide a Future Land Use Map showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.
3. Map and describe existing land *uses* (not designations) of the subject property and surrounding properties. Description should discuss consistency of current uses with the proposed changes.
4. Map and describe existing zoning of the subject property and surrounding properties.
5. The legal description(s) for the property subject to the requested change.
6. A copy of the deed(s) for the property subject to the requested change.
7. An aerial map showing the subject property and surrounding properties.
8. If applicant is not the owner, a letter from the owner of the property authorizing the applicant to represent the owner.

B. Public Facilities Impacts

NOTE: The applicant must calculate public facilities impacts based on a maximum development scenario (see Part II.H.).

1. Traffic Circulation Analysis

The analysis is intended to determine the effect of the land use change on the Financially Feasible Transportation Plan/Map 3A (20-year horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit the following information:

Long Range – 20-year Horizon:

- a. Working with Planning Division staff, identify the traffic analysis zone (TAZ) or zones that the subject property is in and the socio-economic data forecasts for that zone or zones;
- b. Determine whether the requested change requires a modification to the socio-economic data forecasts for the host zone or zones. The land uses for the proposed change should be expressed in the same format as the socio-economic forecasts (number of units by type/number of employees by type/etc.);

- c. If no modification of the forecasts is required, then no further analysis for the long range horizon is necessary. If modification is required, make the change and provide to Planning Division staff, for forwarding to DOT staff. DOT staff will rerun the FSUTMS model on the current adopted Financially Feasible Plan network and determine whether network modifications are necessary, based on a review of projected roadway conditions within a 3-mile radius of the site;
- d. If no modifications to the network are required, then no further analysis for the long range horizon is necessary. If modifications are necessary, DOT staff will determine the scope and cost of those modifications and the effect on the financial feasibility of the plan;
- e. An inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change;
- f. If the proposal is based on a specific development plan, then the site plan should indicate how facilities from the current adopted Financially Feasible Plan and/or the Official Trafficways Map will be accommodated.

Short Range – 5-year CIP horizon:

- a. Besides the 20-year analysis, for those plan amendment proposals that include a specific and immediated development plan, identify the existing roadways serving the site and within a 3-mile radius (indicate laneage, functional classification, current LOS, and LOS standard);
 - b. Identify the major road improvements within the 3-mile study area funded through the construction phase in adopted CIP's (County or Cities) and the State's adopted Five-Year Work Program;
- Projected 2020 LOS under proposed designation (calculate anticipated number of trips and distribution on roadway network, and identify resulting changes to the projected LOS);
- c. For the five-year horizon, identify the projected roadway conditions (volumes and levels of service) on the roads within the 3-mile study area with the programmed improvements in place, with and without the proposed development project. A methodology meeting with DOT staff prior to submittal is required to reach agreement on the projection methodology;
 - d. Identify the additional improvements needed on the network beyond those programmed in the five-year horizon due to the development proposal.
2. Provide an existing and future conditions analysis for:
 - a. Sanitary Sewer
 - b. Potable Water
 - c. Surface Water/Drainage Basins
 - d. Parks, Recreation, and Open Space.

Analysis should include (but is not limited to) the following:

- Franchise Area, Basin, or District in which the property is located;

- Current LOS, and LOS standard of facilities serving the site;
 - Projected 2020 LOS under existing designation;
 - Projected 2020 LOS under proposed designation;
 - Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long range improvements; and
 - Anticipated revisions to the Community Facilities and Services Element and/or Capital Improvements Element (state if these revisions are included in this amendment).
3. Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including:
- a. Fire protection with adequate response times;
 - b. Emergency medical service (EMS) provisions;
 - c. Law enforcement;
 - c. Solid Waste;
 - d. Mass Transit; and
 - e. Schools.

In reference to above, the applicant should supply the responding agency with the information from Section's II and III for their evaluation. This application should include the applicant's correspondence to the responding agency.

C. Environmental Impacts

Provide an overall analysis of the character of the subject property and surrounding properties, and assess the site's suitability for the proposed use upon the following:

1. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCCS).
2. A map and description of the soils found on the property (identify the source of the information).
3. A topographic map with property boundaries and 100-year flood prone areas indicated (as identified by FEMA).
4. A map delineating wetlands, aquifer recharge areas, and rare & unique uplands.
5. A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern. The table must include the listed species by FLUCCS and the species status (same as FLUCCS map).

D. Impacts on Historic Resources

List all historic resources (including structure, districts, and/or archeologically sensitive areas) and provide an analysis of the proposed change's impact on these resources. The following should be included with the analysis:

1. A map of any historic districts and/or sites, listed on the Florida Master Site File, which are located on the subject property or adjacent properties.
2. A map showing the subject property location on the archeological sensitivity map for Lee County.

E. Internal Consistency with the Lee Plan

1. Discuss how the proposal affects established Lee County population projections, Table 1(b) (Planning Community Year 2020 Allocations), and the total population capacity of the Lee Plan Future Land Use Map.
2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.
3. Describe how the proposal affects adjacent local governments and their comprehensive plans.
4. List State Policy Plan and Regional Policy Plan goals and policies which are relevant to this plan amendment.

F. Additional Requirements for Specific Future Land Use Amendments

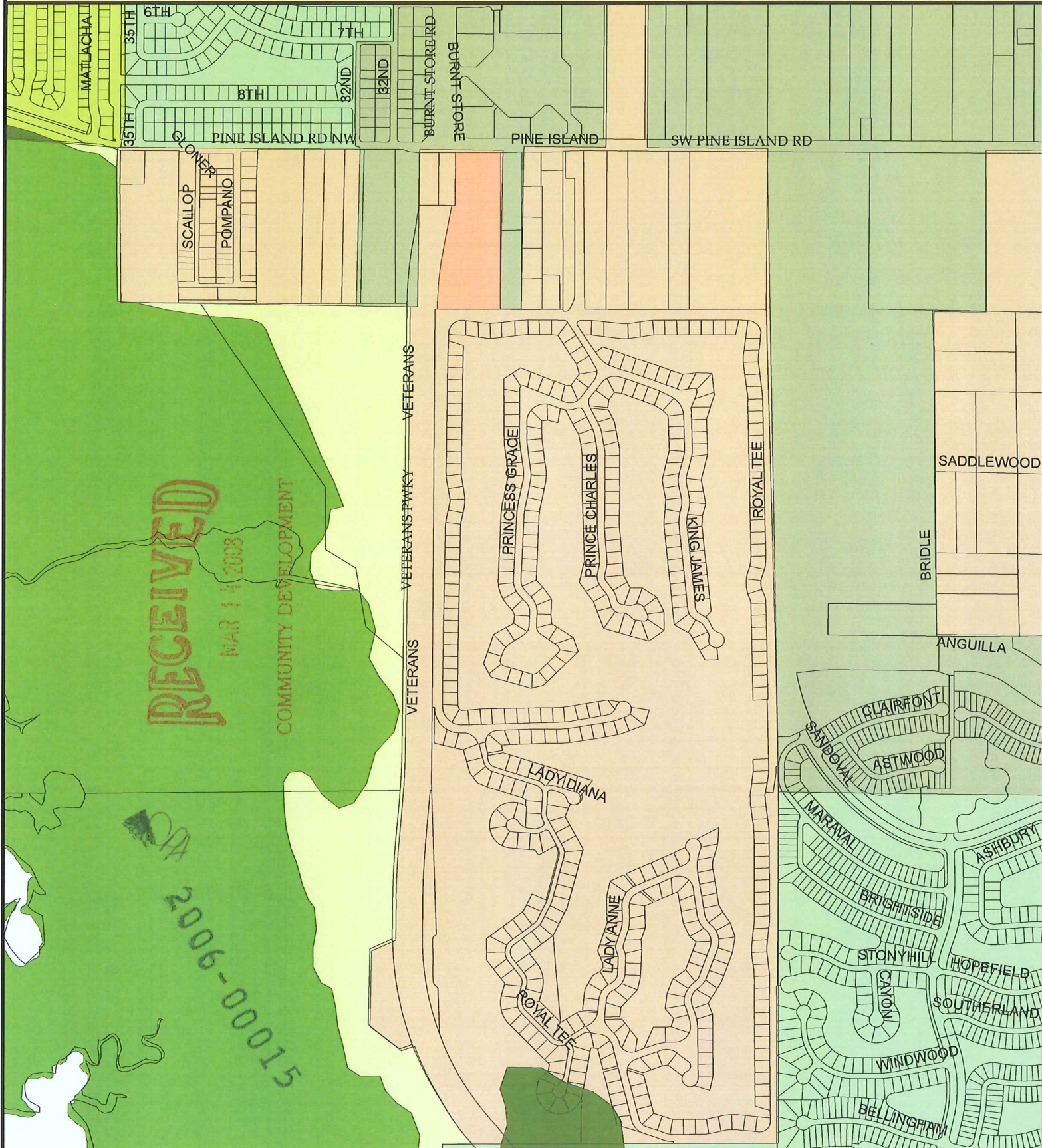
1. Requests involving Industrial and/or categories targeted by the Lee Plan as employment centers (to or from)
 - a. State whether the site is accessible to arterial roadways, rail lines, and cargo airport terminals,
 - b. Provide data and analysis required by Policy 2.4.4,
 - c. The affect of the proposed change on county's industrial employment goal specifically policy 7.1.4.
2. Requests moving lands from a Non-Urban Area to a Future Urban Area
 - a. Demonstrate why the proposed change does not constitute Urban Sprawl. Indicators of sprawl may include, but are not limited to: low-intensity, low-density, or single-use development; 'leap-frog' type development; radial, strip, isolated or ribbon pattern type development; a failure to protect or conserve natural resources or agricultural land; limited accessibility; the loss of large amounts of functional open space; and the installation of costly and duplicative infrastructure when opportunities for infill and redevelopment exist.

1. Requests involving lands in critical areas for future water supply must be evaluated based on policy 2.4.2.
 2. Requests moving lands from Density Reduction/Groundwater Resource must fully address Policy 2.4.3 of the Lee Plan Future Land Use Element.
- G. Justify the proposed amendment based upon sound planning principles. Be sure to support all conclusions made in this justification with adequate data and analysis.

Item 1: Fee Schedule

Map Amendment Flat Fee	\$2,000.00 each
Map Amendment > 20 Acres	\$2,000.00 and \$20.00 per 10 acres
Small Scale Amendment (10 acres or less)	\$1,500.00 each
Text Amendment Flat Fee	\$2,500.00 each

Future Land Use



MAP DISCLAIMER:
Maps and documents made available to the public by the Lee County Property Appraiser's Office are not legally recorded maps or surveys and therefore are not intended to be used as such. The maps and documents are created as part of a Geographic Information System (GIS) that compiles records, information, and data from various departments, cities, county, state and federal sources. The source data may contain errors. Users are encouraged to examine the documentation or metadata associated with the data on which this map is based for information related to its accuracy, currentness, and limitations.

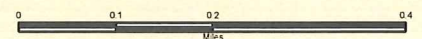
	Conservation Lands Upland		Subject Parcel
	Conservation Lands Wetland		Parcels Within 500 Foot Buffer
	Intensive Development		Parcel Lines
	Outlying Suburban		
	Rural		
	Urban Community		
	Wetlands		
	Commercial		

Source: Lee County Property Appraiser
Lee County BOCC

Map Date: March 6, 2008

Prepared By: Carol King

File Location: S:\GIS\ArcMapMXD\KnotConsoer_FLU_20-44-23-00-00002.000



Map Scale: 1 inch equals 0.20 miles for Plot Size: 8.5" x 11"



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Bob Janes
District One

Brian Bigelow
District Two

Ray Judah
District Three

Tammy Hall
District Four

Frank Mann
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing
Examiner

March 6, 2008

Mr. Michael Roeder
Knott, Consoer, Ebelini
Hart & Swett, P.A.
PO Box 2449
Fort Myers, FL 33902-2449

SUBJECT: Comprehensive Plan Amendment for 3150 SW Pine Island Road

Dear Mr. Roeder:

The Lee County Solid Waste Division is capable of providing solid waste collection service for the 13 acre property located at the south east corner of Pine island Road and Veterans Parkway through our franchised hauling contractors. Disposal of the solid waste from this development will be accomplished at the Lee County Resource Recovery Facility and the Lee-Hendry Regional Landfill. Plans have been made, allowing for growth, to maintain long-term disposal capacity at these facilities.

The Solid Waste Ordinance (05-13, Section 21) and the Lee County Land Development Code, Chapter 10, Section 10-261 have requirements for providing on-site space for placement and servicing of certain multi-family and commercial solid waste containers. Please review these requirements when planning the project. Additionally, please review the Solid Waste Ordinance (05-13, Section 2) which defines those residential dwelling units that are eligible to receive curbside residential collection service. If you have any questions, please call me at (239) 338-3302.

Sincerely,

William T. Newman
Operations Manager
Solid Waste Division

RECEIVED

MAR 14 2008

COMMUNITY DEVELOPMENT

CPA

2006-00015

Protected Species Survey

Prepared For:

**Island Rd., LLC.
4353 Michigan Link
Fort Myers, FL 33916**

Site Location:

**13.5 Acre Parcel
3150 S.W. Pine Island Road
Section 20, Twp. 44 S., Rng. 23 E.
Lee County, Florida**

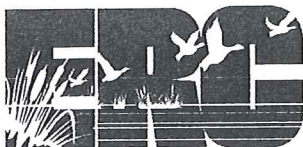
Prepared By:

**Mr. Jeffrey Adair
Environmental Restoration Consultants, Inc.
24571 Redfish Street
Bonita Springs, FL 34134
Phone: (239) 287-2706**

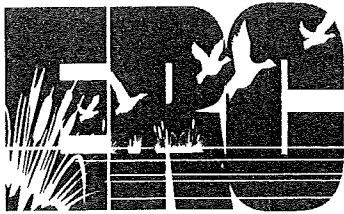
CPA

2006-00015

April 26, 2007



Environmental Restoration Consultants, Inc.



Environmental Restoration Consultants, Inc.

April 26, 2007

Mr. John Cauthen
Island Rd., LLC.
4353 Michigan Link
Ft. Myers, FL 33916

Fax: 334-2952

Re: Protected Species Survey
13.5-Acre Parcel; 3150 S.W. Pine Island Rd., Cape Coral
Strap No. 20-44-23-00-00002.0000, Lee County, Florida

Dear Mr. Cauthen:

On your behalf, Environmental Restoration Consultants, Inc. (ERC) performed a site inspection of the above referenced property on April 19, 2007. The purpose of the field investigation and this report is to address the environmental items listed in the Lee County "Application for a Comprehensive Plan Amendment". As such, this report is a compilation of information from field observations and existing sources. The report includes a characterization of existing plant communities (FLUCCS categories) and potentially associated protected species, available soil information, topographic quadrangle information, approximate location of state jurisdictional wetlands, and other relevant information.

Site Location

The 13.50-acre project area is located in the southeast quadrant of the intersection of Veterans Parkway and S.W. Pine Island Road, Section 20, Twp. 44 S., Rng. 23 E., un-incorporated Lee County, Florida (ref. Site Location Map). Adjacent land uses include roadways along the entire west and north perimeter, commercial along the northeast, single-family immediately to the south, and vacant forested lands (degraded pine flatwood) to the southeast. The parcel is completely fenced, with gated access at the north from S.W. Pine Island Rd. The parcel is completely cleared and appears to have been recently graded for agriculture use. As such, access and visual inspection were easy and unimpeded.

Vegetation

In accordance with the Florida Land Use, Cover and Forms Classification System (FLUCCS; FDOT, 1999), we have characterized the parcel as two (2) community types and land use categories. The location, extent, and acreage of each category is determined by field observation and visual interpretation of aerial photography (Lee County, 2005), and is depicted on the attached FLUCCS Map. A general description and representative vegetation for the site is provided in the table below.

Vegetation Communities

FLUCCS Community (Code)	Percent Coverage	Location/Comments
Herbaceous - Dry Prairie (310); 13.35 acres; Photos 1 - 4	98.9%	<p>Site has recently been graded for agricultural use and apparently seeded with browntop millet (<i>Urochloa ramosa</i>) to stabilize sediment. Although the millet and other herbaceous species have begun to establish as ground cover, much of the substrate remains barren and mixed with vegetative debris from saw palmetto (<i>Serenoa repens</i>) trunks and roots. The dominant ground cover is millet. Other common species include ragweed (<i>Ambrosia artemisiifolia</i>), flat sedge (<i>Cyperus odoratus</i>), redroot (<i>Lachnanthes carolina</i>) and other grasses. Noted species include Spanish needles (<i>Bidens</i> sp.), Caesar weed (<i>Urena lobata</i>), tasselflower (<i>Emilia fosbergii</i>), penny wort (<i>Hydrocotyle</i> sp), spurge (<i>Chamaesyce</i> sp.), and sesbania (<i>Sesbania</i> sp.). Ragweed was most abundant at the north end of the site; flat sedge more abundant at the northeast corner of the parcel; redroot more abundant along the west side of the property.</p> <p>North - south oriented drainage swales are approximately 14" – 24" in depth and appear to be intended to convey water to the south to a east – west oriented swale. No standing water was observed on-site, including the swales. Several limerock boulders were noted.</p>
Mixed Hardwoods – Exotics (438(E)); 0.15 acre	1.1%	<p>Canopy and midstory dominated by earleaf acacia (<i>Acacia auriculiformis</i>) and Java plum (<i>Syzygium cumini</i>). Ground cover dominated by Caesar weed. Other common species included dogfennel (<i>Eupatorium capillifolium</i>), broomgrass, melaleuca (<i>Melaleuca quinquenervia</i>) seedlings, and muscadine grape (<i>Vitis rotundifolia</i>). Debris piles noted.</p>

Due to historic clearing, grading, and the more recent site preparation for agricultural use, the property does not encompass any "unique" upland or wetland communities, nor are any heritage trees or cabbage palm having a minimum 8' of clear trunk (c.t.) present.

Soil Types

Review of the Soil Survey of Lee County, Florida (USDA-SCS, 1984; ref. Soil Map) indicates the majority of the project area is underlain by Boca fine sand (13), with only the southwest portion underlain by Wabasso sand (35). Both soil types are designated as "non-hydric" by the Natural Resource Conservation Service (NRCS; a.k.a. SCS).

Relevant environmental and hydrologic exerts for each soil type selected from the Soil Survey are provided below:

Boca fine sand (13)

- "This is a nearly level, poorly drained soil on flatwoods."

- “In most years, under natural condition, the water table is within 10 inches of the surface for 2 to 4 months. It recedes below the limestone for about 6 months.
- Natural vegetation consists of sawpalmetto, pineland threeawn, South Florida slash pine, and waxmyrtle.”

Wabasso sand (35)

- “This is a nearly level, poorly drained soil on flatwoods.”
- “In most years, under natural condition, the water table is less than 10 inches below the surface for 2 to 4 months. It is 10 to 40 inches below the surface for more than 6 months. It recedes to a depth of more than 40 inches during extended dry periods”.
- Natural vegetation consists of sawpalmetto, South Florida slash pine, pineland threeawn, cabbage palm, and bluestem.”

Topography and Flood Zoning

General topography information is provided on the U.S.G.S. Quadrangle Map exhibit. Review of elevation contours on the map appear to indicate the parcel is at approximately 4 ft. - 5 ft. NGVD. To date, ERC is unaware of any topographical survey for this parcel.

Review of the FIRM Map indicates the project is located in Zone A8, which is determined by FEMA to be within the 100-year flood-plain (ref. FIRM Map exhibit attached; also ref. FEMA web site).

Historical Resources

A review for “archeological sensitivity” was requested from Lee County on September 21, 2006. Discussion with Ms. Gloria Sago, Historic and Archaeological Resources, on September 27, 2006 indicated that “there are no known historic or archaeological resources associated with this parcel”. Written confirmation should be forthcoming in the near future.

Wetland Assessment

The preliminary assessment is based on state wetland jurisdiction determination guidelines, Chapter 62-340, F.A.C. The investigation involved spot ground truthing and evaluation of vegetation, available soil information, and hydrology relative to site conditions and regulations. Historical and/or recent site conditions and activities, such as disturbance, may effect the final determination. Depending on the particular type of project proposed in Lee County (i.e. residential, multi-family, etc.), the state may be represented by either the South Florida Water Management District (SFWMD) or the Florida Department of Environmental Protection (DEP). The precise location of any jurisdictional wetlands and/or surface waters can not be determined until the limits are field verified by the state.

Review of the Soil Survey of Lee County, Florida (USDA – SCS, 1984) indicates the parcel is underlain by Boca fine sand (13) and Wabasso sand (35), both of which has been determined by the USDA to be non-hydric soil types (ref. Soil Map). Under natural conditions both soil types support pine flatwood with saw palmetto, a community type considered upland. In addition, given the current site conditions and apparent agricultural use, wetland regulatory agencies would not likely consider the site to encompass any wetlands and/or other surface waters. However, please note that man-made ditches and swales may be

considered surface waters by the state should hydric conditions prevail during the wet season. Such features do not generally require wetland mitigation when excavated from upland soil types.

Wildlife

The field investigation was performed to identify potential critical habitat and/or note any direct observations or signs of protected wildlife species as required by the Lee County Comprehensive Plan Amendment application, and designated by the Lee County Land Development Code (LDC), Appendix H – Protected Species List. Designation of a particular habitat type on-site relative to the associated species listed in the LDC indicates the potential for such species to reside and/or forage on-site and is used as a review “tool” by Lee County environmental staff, but by no means indicates that such species utilize the site. The table below lists habitat types existing on-site and potential species affiliated with the respective community. In addition, species not associated with a generalized FLUCCS category, but frequently affiliated with particular site conditions (i.e. gopher tortoises with berms), are also listed based on existing landscape features observed during the inspection. Based on the information provided herein, or otherwise known or deemed necessary, the County may require species specific surveys during review of any proposed project.

Potential Protected Species

FLUCCS	Fauna/Flora	Status			Observe		Comments
		Lee	FWC	FWS	Yes	No	
Herbaceous - Dry Prairie (310)	burrowing owl	L	SSC	-		x	Potential low; parcel generally devoid of ground cover
	gopher tortoise	L	SSC	-		x	Potential low; little to no forage cover
	Florida sandhill crane	L	T	-		x	Potential low; no associated wetland community
Mixed Hardwoods – Exotics (438(E))							FLUCCS category 438 (E) is not recognized as critical habitat for protected species because it is dominated by exotic hardwoods, and other weedy species.

L = Listed in the Lee County, Protected Species List (Appendix H)

E = Endangered (as designated by the FFWCC and/or USFWS)

T = Threatened (as designated by the FFWCC and/or USFWS)

SSC = Species of Special Concern (as designated by the FFWCC)

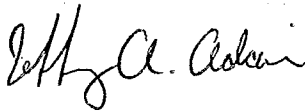
In compliance with the Lee County Land Development Code and the Lee Listed Survey Method, the dry prairie community was traversed by pedestrian means along north-south and east-west line transects at 50' intervals to inspect for burrowing owls and gopher tortoise (ref. Transect Location exhibit). Particular attention was given to the property perimeter relative to gopher tortoise. Given that vegetation coverage was generally sparse and low, visibility was excellent and 100% of the parcel was surveyed. Direct observation or signs of protected species were not revealed during our site visit.

A nesting killdeer (*Charadrius vociferus*) pair were observed toward the southeast corner of the site, and several morning dove (*Zenaida macroura*) were flushed and/or noted in-flight. Given the site's location, and disturbed and degraded nature, wildlife use is likely limited to small transient species.

Review of the FFWCC web site pertaining to bald eagle (*Haliaeetus leucocephalus*) nest locations appears to indicate that the project area is outside of USFWS's primary and secondary management zones (330' and 660' radii, respectively). Although known active eagle nest(s) are in the vicinity of the project, we are not aware of any nests within Federal management zones for this site.

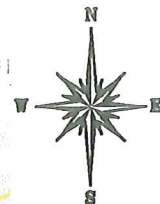
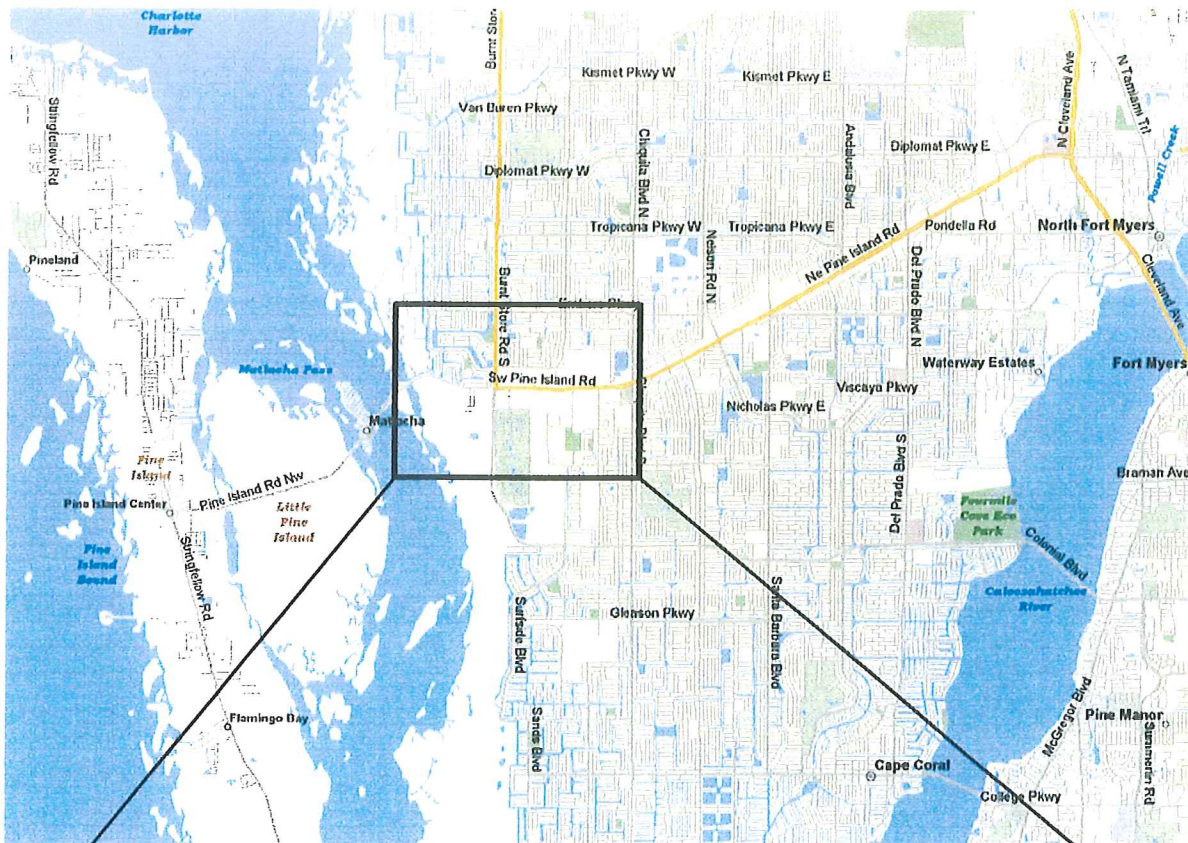
Should you have any questions regarding the site inspections or this report, please do not hesitate to contact me at 287-2706.

Sincerely,

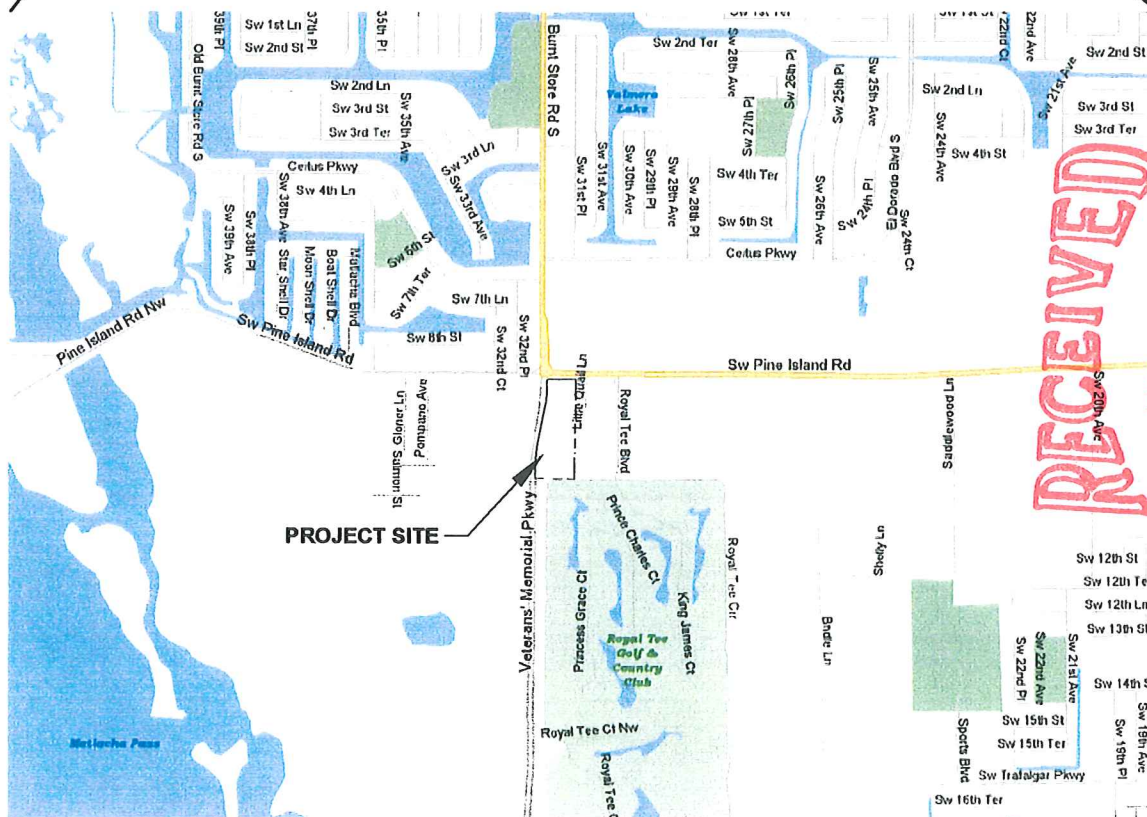
A handwritten signature in black ink, appearing to read "Jeffrey A. Adair". The signature is fluid and cursive, with the first name "Jeffrey" and last name "Adair" clearly distinguishable.

Jeffrey A. Adair
President

LOCATION MAP:



VICINITY MAP:




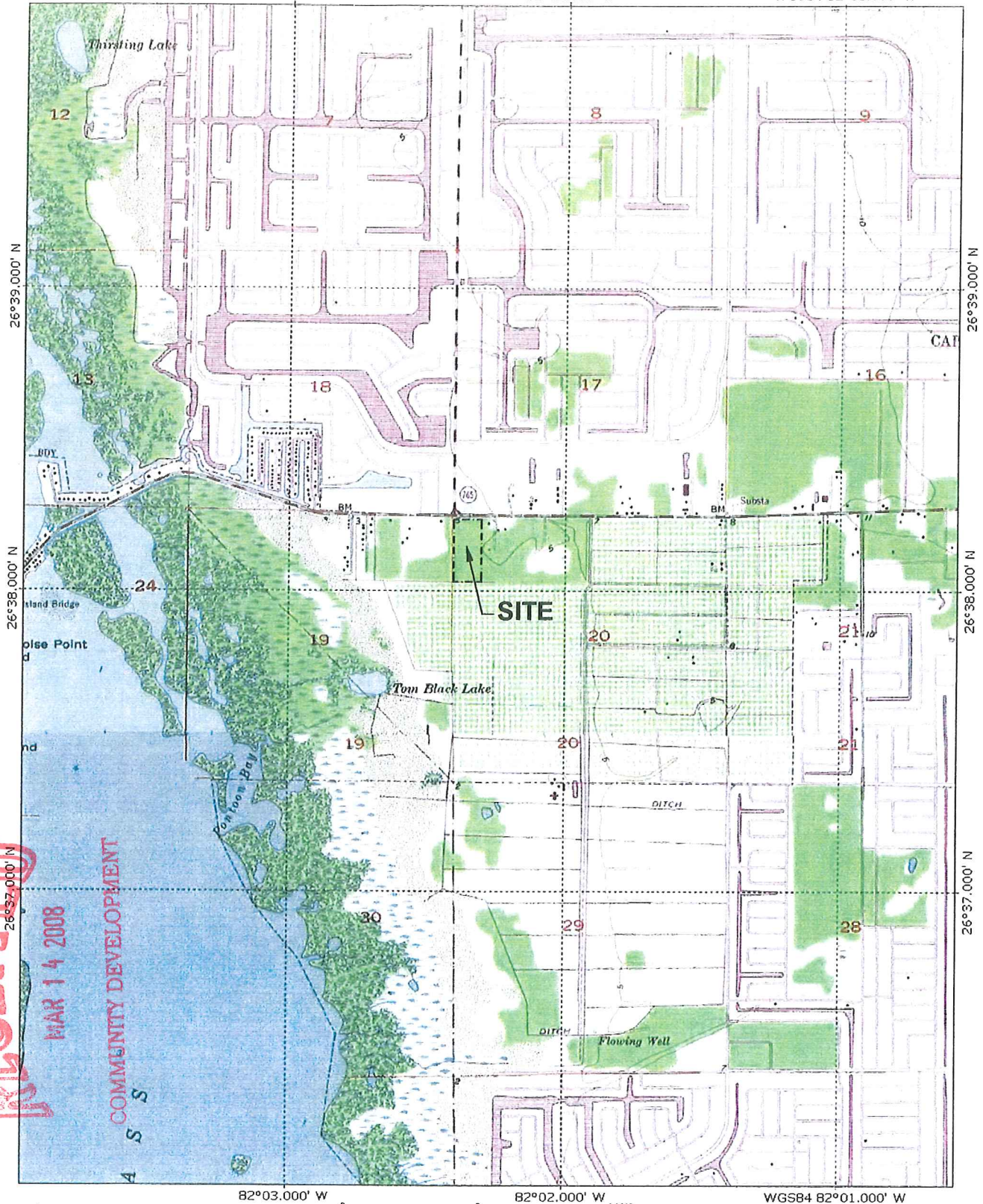
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MAR 14 2008

COMMUNITY DEVELOPMENT

PROJECT SITE

SCALE: N.T.S.	DESIGN BY: JAA DRAWN BY: DPB CHECKED BY: JAA DATE: 4/25/07	 <p>ENVIRONMENTAL RESTORATION CONSULTANTS, INC.</p> <p>2525: This map is not a warranty, representation, or statement of fact. It is for informational purposes only. The user assumes all liability for the use of this map. The user agrees to indemnify and hold the provider harmless from all claims, damages, and expenses, including reasonable attorneys' fees, arising from the use of this map. The provider makes no representation or warranty of any kind, expressed or implied, for this map. The provider is not responsible for any errors or omissions in this map. The provider is not responsible for any consequences arising from the use of this map. The provider is not responsible for any damages or losses arising from the use of this map. The provider is not responsible for any claims, damages, or expenses arising from the use of this map. 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 MAR 14 2008
 A S S COMMUNITY DEVELOPMENT

MN TN
4 1/2°

82°03.000' W 82°02.000' W WGS84 82°01.000' W

0 1000 FEET 0 500 1000 METERS

Map created with TOPO!® ©2001 National Geographic (www.nationalgeographic.com/topo)

SCALE: N.T.S.		DESIGN BY: JAA DRAWN BY: DPB CHECKED BY: JAA DATE: 4/25/07	 ENVIRONMENTAL RESTORATION CONSULTANTS, INC. <small>ERC is an unaffiliated and independent member firm of the Environmental Resources Group, Inc. (ERGI), a national environmental consulting firm. ERGI is a subsidiary of the Environmental Resources Group, Inc. (ERGI), a national environmental consulting firm. ERGI is a subsidiary of the Environmental Resources Group, Inc. (ERGI), a national environmental consulting firm. ERGI is a subsidiary of the Environmental Resources Group, Inc. (ERGI), a national environmental consulting firm. ERGI is a subsidiary of the Environmental Resources Group, Inc. (ERGI), a national environmental consulting firm. ERGI is a subsidiary of the Environmental Resources Group, Inc. (ERGI), a national environmental consulting firm. ERGI is a subsidiary of the Environmental Resources Group, Inc. (ERGI), a national environmental consulting firm. 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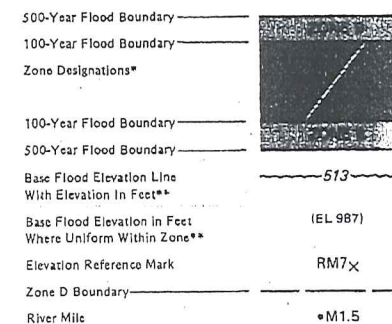
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MAR 14 2008
COMMUNITY DEVELOPMENT



APPROXIMATE SCALE

1000 0 1000 FEET

KEY TO MAP



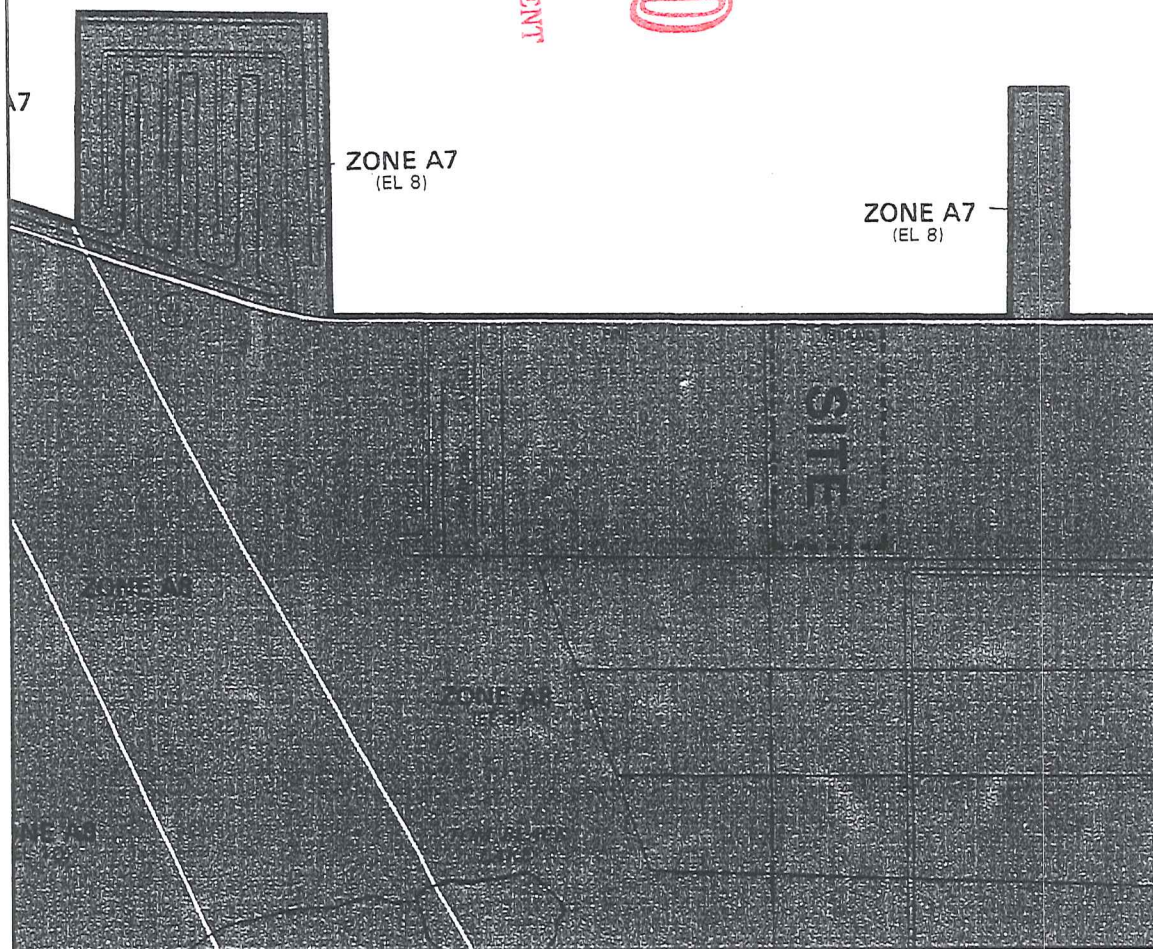
**Referenced to the National Geodetic Vertical Datum of 1929

*EXPLANATION OF ZONE DESIGNATIONS

ZONE	EXPLANATION
A	Areas of 100-year flood; base flood elevations and flood hazard factors not determined.
A0	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; average depths of inundation are shown, but no flood hazard factors are determined.
AH	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; base flood elevations are shown, but no flood hazard factors are determined.
A1-A30	Areas of 100-year flood; base flood elevations and flood hazard factors determined.
A99	Areas of 100-year flood to be protected by flood protection system under construction; base flood elevations and flood hazard factors not determined.
B	Areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood. (Medium shading)
C	Areas of minimal flooding. (No shading)
D	Areas of undetermined, but possible, flood hazards.
V	Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors not determined.
V1-V30	Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors determined.

NOTES TO USER

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



SCALE	NTS	DESIGNER	JAA	DATE	4/2/08
2-D FILE	Pine Island 135	CHECKED BY	JAA	DATE	4/2/08
3-D FILE	MAPS	DESIGNED BY	JAA	DATE	4/2/08
SHEET	4 of 10	DESIGNED BY	Jeffrey A. Adair	DATE	4/2/08

ENVIRONMENTAL RESTORATION CONSULTANTS, INC.

P.O. BOX 110904
NAPLES, FL 34108
CALL 239.267.2700
EMAIL: ERCON@COMCAST.NET

CLIENT:
Island Road, LLC
4353 Michigan Link
Fort Myers, Florida 33916

SECTION 20, TOWNSHIP 44 S., RANGE 23 E.
LEE COUNTY, FLORIDA

FIRM PANEL # 125124 0170 B

DATE	REVISIONS
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LEGEND

310 - Herbaceous (Dry Prairie) - 13.35 Ac.
 438 (E) - Mixed Hardwoods (Exotics) 0.15 Ac.

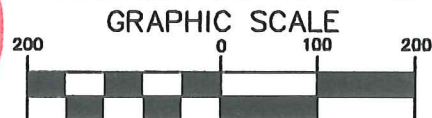
TOTAL SITE = 13.50 Ac.

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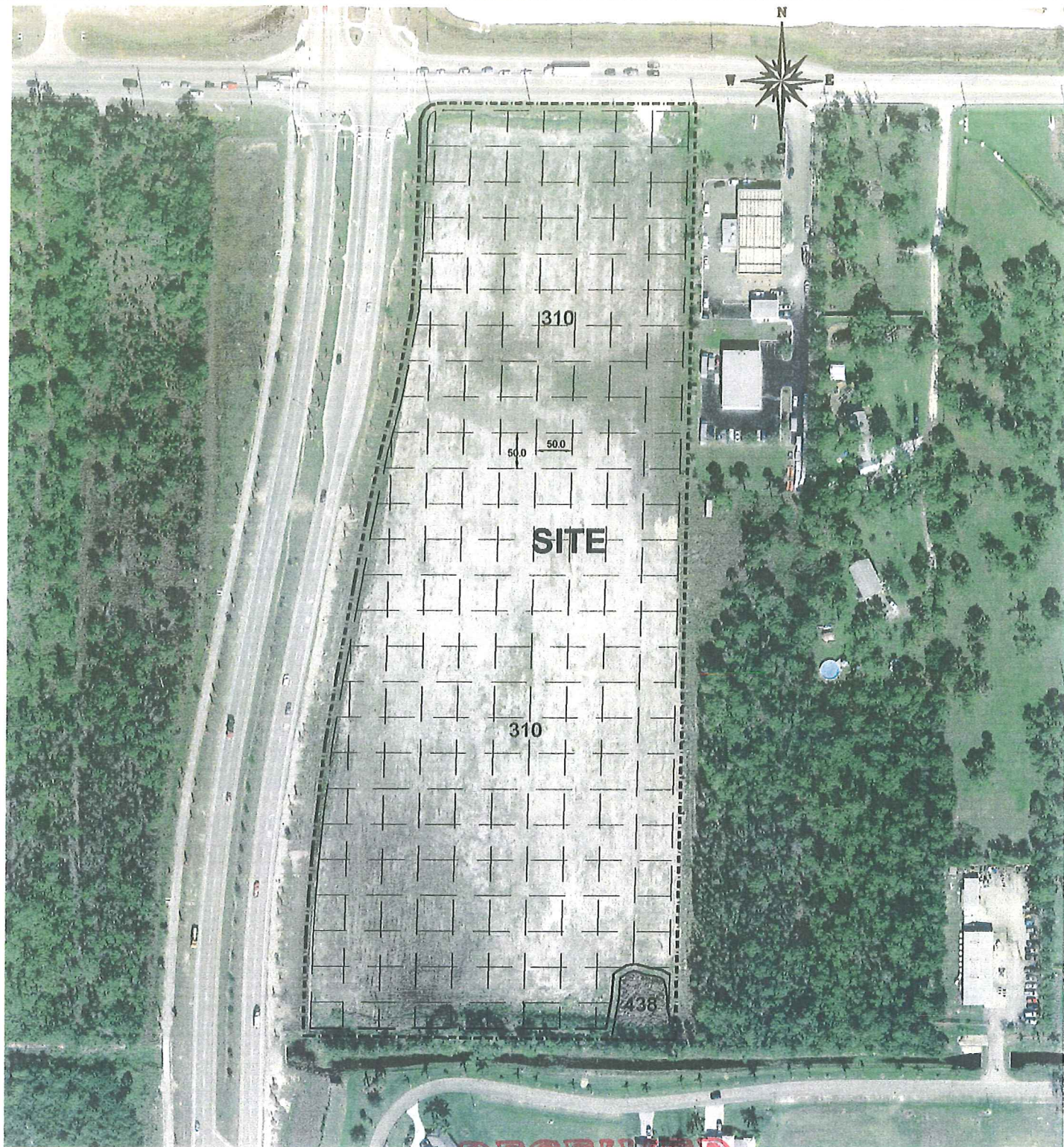
COMMUNITY DEVELOPMENT



(IN FEET)
 1 inch = 200 ft.

② PHOTO LOCATION ----- SITE BOUNDARY

SCALE: 1"=200'	DESIGN BY: JAA DRAWN BY: DPB CHECKED BY: JAA DATE: 4/25/07	ERC ENVIRONMENTAL RESTORATION CONSULTANTS, INC.	P.O. BOX 110964, NAPLES, FL 34108 Telephone: 239.892.0088 Cell: 239.287.2706 EMAIL: ERCINC@COMCAST.NET	CLIENT: Island Road, LLC 4353 Michigan Link Fort Myers, Florida 33916	Pine Island Road - 13.5 Ac. SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA EXISTING FLUCCS MAP	DATE REVISIONS
CAD FILE: Pine Island 13.5						Δ
DWG NO: MAPS						Δ
SHEET: 5 of 10	Jeffrey A. Adair					Δ
						Δ
						Δ
						Δ
						Δ



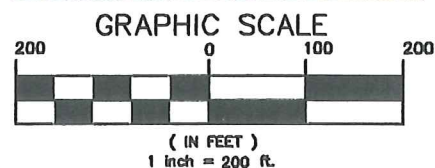
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 2 PHOTO LOCATION
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LEGEND

310 - Herbaceous (Dry Prairie) - 13.35 Ac.
 438 (E) - Mixed Hardwoods (Exotics) 0.15 Ac.

TOTAL SITE = 13.50 Ac.

— — Survey Transects (Protected Species)
 - - - - - SITE BOUNDARY



Methodology
 Lee Listed Species Survey Method:
 Pedestrian line transects for listed species
 presence within appropriate FLUCCS category.

SCALE: 1"=200'	DESIGN BY: JAA DRAWN BY: DPB CHECKED BY: JAA DATE: 4/25/07		P.O. BOX 110994, NAPLES, FL 34108 Telephone: 239.992.0088 Cell: 239.267.2705 EMAIL: ERCONC@COMCAST.NET	CLIENT: Island Road, LLC 4353 Michigan Link Fort Myers, Florida 33916	Pine Island Road - 13.5 Ac. SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA EXISTING FLUCCS MAP	DATE REVISIONS
CAD FILE: Pine Island 13.5						
DWG NO: MAPS						
SHEET: 6 of 10	Jeffrey A. Adair					

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CONSULTANTS, INC.

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NAPLES, FL 34108
Telephone: 239.992.0086
Cell: 239.287.2706
EMAIL:
ERCINC@COMCAST.NET

DATE	REVISIONS:
1	
2	
3	
4	

Pine Island Road - 13.5 Ac.
SECTION 20, TOWNSHIP 44 S., RANGE 23 E.
LEE COUNTY, FLORIDA

SITE PHOTO 1

CLIENT:
Island Road, LLC
4353 Michigan Link
Fort Myers, Florida 33916

SCALE: N.T.S.

PROJECT FILE:	Pine Island 13.5
---------------	------------------

DWG NO: MAPS

SHEET: 7 of 10

DESIGN BY:	DPB
DRAWN BY:	DPB
CHECKED BY:	JA
DATE:	4/25/07

Jeffrey A. Adair

NOTE: The undersigned and ENVIRONMENTAL RESTORATION CONSULTANTS, INC. make no representations or guarantees as to the completeness of the information reflected hereon pertaining to easements, right of way, setback lines, reservations agreements or other matters of record. This instrument is intended to reflect or set forth only those items shown in the references above. ENVIRONMENTAL RESTORATION CONSULTANTS, INC. did not research the public records for matters affecting the lands shown. This instrument is the property of ENVIRONMENTAL RESTORATION CONSULTANTS, INC. and shall not be reproduced in whole or in part without written permission of ENVIRONMENTAL RESTORATION CONSULTANTS, INC.

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COMMUNITY DEVELOPMENT

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PHOTO #2: Central portion of the parcel is relatively barren, although seeded millet and other herbaceous are becoming established. Debris from saw palmetto trunks and roots are scattered throughout the site.

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CONSULTANTS, INC.

P.O. BOX 110994,
NAPLES, FL 34108
Telephone: 239.992.0086
Cell: 239.267.2706
EMAIL:
ERCINC@COMCAST.NET

DATE	REVISIONS:
△	_____
△	_____
△	_____
△	_____

Pine Island Road - 13.5 Ac.
SECTION 20, TOWNSHIP 44 S., RANGE 23 E.
LEE COUNTY, FLORIDA

SITE PHOTO 2

CLIENT:
Island Road, LLC
4353 Michigan Link
Fort Myers, Florida 33916

SCALE: N.T.S.

PROJECT FILE:
Pine Island 13.5

DWG NO:
MAPS

SHEET:
8 of 10

DESIGN BY: DPB
DRAWN BY: DPB
CHECKED BY: JA
DATE: 4/25/07

Jeffrey A. Adair

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PHOTO #3: Collector swale has been excavated at the south end of the site. Seeded millet is becoming established.

ERC
ENVIRONMENTAL RESTORATION
CONSULTANTS, INC.

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 Cell: 239.287.2706
 EMAIL:
 ERCINC@COMCAST.NET

DATE REVISIONS:

△	_____
△	_____
△	_____
△	_____

Pine Island Road - 13.5 Ac.

SECTION 20, TOWNSHIP 44 S., RANGE 23 E.
 LEE COUNTY, FLORIDA

SITE PHOTO 3

CLIENT:
 Island Road, LLC
 4353 Michigan Link
 Fort Myers, Florida 33916

SCALE: N.T.S.

PROJECT FILE:
 Pine Island 13.5

DWG NO:
 MAPS

SHEET:
 9 of 10

DESIGN BY: DPB
 DRAWN BY: DPB
 CHECKED BY: JA
 DATE: 4/25/07

Jeffrey A. Adair

NOTE: The undersigned and ENVIRONMENTAL RESTORATION CONSULTANTS, INC. make no representations or guarantees as to the completeness of the information reflected herein pertaining to easements, right of way, setback lines, reservations, agreements or other matters of record. This instrument is intended to reflect or set forth only those items shown in the references above. ENVIRONMENTAL RESTORATION CONSULTANTS, INC. did not research the public records for matters affecting the lands shown. This instrument is the property of ENVIRONMENTAL RESTORATION CONSULTANTS, INC. and shall not be reproduced in whole or in part without written permission of ENVIRONMENTAL RESTORATION CONSULTANTS, INC.

COMMUNITY DEVELOPMENT

MAR 14 2008

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COMMUNITY DEVELOPMENT

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MAR 14 2008



PHOTO #4: View characterizes the recent preparation and grading for agricultural use. North - south oriented swales have been excavated to apparently drain the property to the south. Ground cover is sparse at the southwest portion of the site, but includes browntop millet, redroot, and other grasses.

ERC
ENVIRONMENTAL RESTORATION
CONSULTANTS, INC.

P.O. BOX 110994,
NAPLES, FL 34108
Telephone: 239.992.0086
Cell: 239.287.2708
EMAIL:
ERCINC@COMCAST.NET

DATE	REVISIONS:
△	
△	
△	
△	

Pine Island Road - 13.5 Ac.
SECTION 20, TOWNSHIP 44 S., RANGE 23 E.
LEE COUNTY, FLORIDA

SITE PHOTO 4

CLIENT:
Island Road, LLC
4353 Michigan Link
Fort Myers, Florida 33916

SCALE: N.T.S.

PROJECT FILE:
Pine Island 13.5

DWG NO:
MAPS

SHEET:
10 of 10

DESIGN BY: DPB
DRAWN BY: DPB
CHECKED BY: JA
DATE: 4/25/07

Jeffrey A. Adair

NOTE: The undersigned and ENVIRONMENTAL RESTORATION CONSULTANTS, INC. make no representations or guarantees as to the completeness of the information reflected hereon pertaining to easements, right of way, setback lines, reservations, agreements or other matters of record. This instrument is intended to reflect or set forth only those items shown in the references above. ENVIRONMENTAL RESTORATION CONSULTANTS, INC. did not research the public records for matters affecting the lands shown. This instrument is the property of ENVIRONMENTAL RESTORATION CONSULTANTS, INC. and shall not be reproduced in whole or in part without written permission of ENVIRONMENTAL RESTORATION CONSULTANTS, INC.

**Knott, Consoer, Ebelini
Hart & Swett, P.A.**
ATTORNEYS - AT - LAW

George H. Knott *+
George L. Consoer, Jr. **
Mark A. Ebelini
Thomas B. Hart
H. Andrew Swett

* Board Certified Civil Trial Lawyer
** Board Certified Real Estate Lawyer
+ Board Certified Business Litigation Lawyer

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P.O. Box 2449
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Matthew D. Uhle
Aaron A. Haak
Derrick S. Eihausen
Naty Torres-Alvarado
David A. Burt
Madeline Ebelini

Director of Zoning
and Land Use Planning
Michael E. Roeder, AICP

March 14, 2008

Mr. Peter Blackwell, Planner
Division of Planning
P.O. Box 398
Fort Myers, FL 33902

Re: Cauthen / CPA2006-00015

Dear Peter:

We are in receipt of your letter dated March 3, 2008 and would offer the following additional information:

Section II

B. The applicant will amend the application to list the proposed future land use category as Commercial.

RESPONSE: The application documents have been revised and are included in this resubmittal package.

Section IV

A2. The applicant has not submitted a map showing the proposed future land use categories of the subject property. The map specifically needs to show the new Commercial Future Land Use category.

RESPONSE: The map has been prepared to reflect your comment and is included in this resubmittal package.

A5. The legal description submitted by the applicant does not have a state plane coordinate for the Point of Beginning or any place along the sketch. The legal describes the parcel as a polygon "...less the right of way for Veterans Parkway..." This does not conform to LDC



CPA

2006-00015

Section 34-202(a)(1) which requires that *"the legal description must specifically describe the entire perimeter boundary of the property subject to the zoning action"*. The applicant must submit a legal description to include the actual boundary of the requested plan amendment consistent with the requirements of the Land Development Code Section 34-202 A1-5.

RESPONSE: The survey and legal description revisions have been requested from the surveyor; they will be submitted under separate cover.

B3. The applicant has not submitted letters from the Emergency Medical Services and the Solid Waste service provider for the subject property.

RESPONSE: The letter from Solid Waste has been obtained and is included in this resubmittal package. The letter from EMS has been requested and will be submitted under separate cover.

C4. In the last submittal, the applicant states that an updated FLUCCS map has been submitted but none has been found. The applicant has not submitted a map of the final jurisdictional determination of wetlands on the subject property. If there are no wetlands present, the applicant will submit a statement to that effect.

RESPONSE: Although the FLUCCS map and environmental documents were submitted with the second resubmittal package, we have made additional copies of these documents; they are included in this resubmittal package for your convenience.

D2. Although the applicant has submitted a letter from the Department of State Division of Historical Resources, the applicant has not submitted a map showing the subject property on the archaeological sensitivity map.

RESPONSE: The archaeological sensitivity map is included in this resubmittal package.

Very truly yours,

KNOTT, CONSOER, EBELINI,
HART & SWETT, P.A.



Michael E. Roeder, AICP
Director of Zoning and Land Use Planning

MER/ams
Attachments

RECEIVED
MAR 14 2008

Lee County Board of County Commissioners
Department of Community Development
Division of Planning
Post Office Box 398
Fort Myers, FL 33902-0398
Telephone: (239) 479-8585
FAX: (239) 479-8519

COMMUNITY DEVELOPMENT

**APPLICATION FOR A
COMPREHENSIVE PLAN AMENDMENT**

(To be completed at time of intake)

DATE REC'D _____

REC'D BY: _____

APPLICATION FEE _____

TIDEMARK NO: _____

THE FOLLOWING VERIFIED:

Zoning ☐ Commissioner District ☐

Designation on FLUM ☐

(To be completed by Planning Staff)

Plan Amendment Cycle: ☐ Normal ☐ Small Scale ☐ DRI ☐ Emergency

Request No: _____

APPLICANT PLEASE NOTE:

Answer all questions completely and accurately. Please print or type responses. If additional space is needed, number and attach additional sheets. The total number of sheets in your application is: _____

Submit **6** copies of the complete application and amendment support documentation, including maps, to the Lee County Division of Planning. Additional copies may be required for Local Planning Agency, Board of County Commissioners hearings and the Department of Community Affairs' packages.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.

DATE

SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE

CPA 2006-00015

I. APPLICANT/AGENT/OWNER INFORMATION

John Cauthen

APPLICANT

4353 Michigan Link

ADDRESS

Fort Myers

FL

33916

CITY

STATE

ZIP

239-851-3830

239-334-2952

TELEPHONE NUMBER

FAX NUMBER

Michael E. Roeder, AICP

AGENT*

1625 Hendry Street, Suite 301

ADDRESS

Fort Myers

FL

33901

CITY

STATE

ZIP

239-334-2722

239-334-1446

TELEPHONE NUMBER

FAX NUMBER

3150 SW Pine Island Rd, LLC

OWNER(s) OF RECORD

4353 Michigan Link

ADDRESS

Fort Myers

FL

33916

CITY

STATE

ZIP

239-851-3830

239-334-2952

TELEPHONE NUMBER

FAX NUMBER

Name, address and qualification of additional planners, architects, engineers, environmental consultants, and other professionals providing information contained in this application.

* This will be the person contacted for all business relative to the application.

II. REQUESTED CHANGE (Please see Item 1 for Fee Schedule)

A. TYPE: (Check appropriate type)

☐ Text Amendment

☒ Future Land Use Map Series Amendment
(Maps 1 thru 21)
List Number(s) of Map(s) to be amended

B. SUMMARY OF REQUEST (Brief explanation):

Map amendment from Rural to Commercial.

III. PROPERTY SIZE AND LOCATION OF AFFECTED PROPERTY (for amendments affecting development potential of property)

A. Property Location:

1. Site Address: 3150 SW Pine Island Road, Cape Coral, FL 33991

2. STRAP(s): ~~20-44-23-00-00002.0000~~ _____

B. Property Information

Total Acreage of Property: 13.5 ± acres

Total Acreage included in Request: 13.5 ± acres

Area of each Existing Future Land Use Category: Rural _____

Total Uplands: 13.5 acres _____

Total Wetlands: NA _____

Current Zoning: AG-2 _____

Current Future Land Use Designation: Rural _____

Existing Land Use: _____ Vacant _____

- C. State if the subject property is located in one of the following areas and if so how does the proposed change effect the area:

Lehigh Acres Commercial Overlay: _____ NA _____

Airport Noise Zone 2 or 3: _____ NA _____

Acquisition Area: _____ NA _____

Joint Planning Agreement Area (adjoining other jurisdictional lands): _____ NA _____

Community Redevelopment Area: _____ NA _____

- D. Proposed change for the Subject Property: Intensive Development

- E. Potential development of the subject property:

1. Calculation of maximum allowable development under existing FLUM:

Residential Units/Density 1 unit per acre

Commercial intensity _____

Industrial intensity _____

2. Calculation of maximum allowable development under proposed FLUM:

Residential Units/Density 14 units per acre (181 total residential units)

Commercial intensity 400,000 square feet

Industrial intensity _____

IV. AMENDMENT SUPPORT DOCUMENTATION

At a minimum, the application shall include the following support data and analysis. These items are based on comprehensive plan amendment submittal requirements of the State of Florida, Department of Community Affairs, and policies contained in the Lee County Comprehensive Plan. Support documentation provided by the applicant will be used by staff as a basis for evaluating this request. To assist in the preparation of amendment packets, the applicant is encouraged to provide all data and analysis electronically. (Please contact the Division of Planning for currently accepted formats)

A. General Information and Maps

NOTE: For each map submitted, the applicant will be required to provide a reduced map (8.5" x 11") for inclusion in public hearing packets.

The following pertains to all proposed amendments that will affect the development potential of properties (unless otherwise specified).

1. Provide any proposed text changes.
2. Provide a Future Land Use Map showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.
3. Map and describe existing land *uses* (not designations) of the subject property and surrounding properties. Description should discuss consistency of current uses with the proposed changes.
4. Map and describe existing zoning of the subject property and surrounding properties.
5. The legal description(s) for the property subject to the requested change.
6. A copy of the deed(s) for the property subject to the requested change.
7. An aerial map showing the subject property and surrounding properties.
8. If applicant is not the owner, a letter from the owner of the property authorizing the applicant to represent the owner.

B. Public Facilities Impacts

NOTE: The applicant must calculate public facilities impacts based on a maximum development scenario (see Part II.H.).

1. Traffic Circulation Analysis

The analysis is intended to determine the effect of the land use change on the Financially Feasible Transportation Plan/Map 3A (20-year horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit the following information:

Long Range – 20-year Horizon:

- a. Working with Planning Division staff, identify the traffic analysis zone (TAZ) or zones that the subject property is in and the socio-economic data forecasts for that zone or zones;
- b. Determine whether the requested change requires a modification to the socio-economic data forecasts for the host zone or zones. The land uses for the proposed change should be expressed in the same format as the socio-economic forecasts (number of units by type/number of employees by type/etc.);

- c. If no modification of the forecasts is required, then no further analysis for the long range horizon is necessary. If modification is required, make the change and provide to Planning Division staff, for forwarding to DOT staff. DOT staff will rerun the FSUTMS model on the current adopted Financially Feasible Plan network and determine whether network modifications are necessary, based on a review of projected roadway conditions within a 3-mile radius of the site;
- d. If no modifications to the network are required, then no further analysis for the long range horizon is necessary. If modifications are necessary, DOT staff will determine the scope and cost of those modifications and the effect on the financial feasibility of the plan;
- e. An inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change;
- f. If the proposal is based on a specific development plan, then the site plan should indicate how facilities from the current adopted Financially Feasible Plan and/or the Official Trafficways Map will be accommodated.

Short Range – 5-year CIP horizon:

- a. Besides the 20-year analysis, for those plan amendment proposals that include a specific and immediated development plan, identify the existing roadways serving the site and within a 3-mile radius (indicate laneage, functional classification, current LOS, and LOS standard);
- b. Identify the major road improvements within the 3-mile study area funded through the construction phase in adopted CIP's (County or Cities) and the State's adopted Five-Year Work Program;

Projected 2020 LOS under proposed designation (calculate anticipated number of trips and distribution on roadway network, and identify resulting changes to the projected LOS);

- c. For the five-year horizon, identify the projected roadway conditions (volumes and levels of service) on the roads within the 3-mile study area with the programmed improvements in place, with and without the proposed development project. A methodology meeting with DOT staff prior to submittal is required to reach agreement on the projection methodology;
- d. Identify the additional improvements needed on the network beyond those programmed in the five-year horizon due to the development proposal.

2. Provide an existing and future conditions analysis for:

- a. Sanitary Sewer
- b. Potable Water
- c. Surface Water/Drainage Basins
- d. Parks, Recreation, and Open Space.

Analysis should include (but is not limited to) the following:

- Franchise Area, Basin, or District in which the property is located;

- Current LOS, and LOS standard of facilities serving the site;
 - Projected 2020 LOS under existing designation;
 - Projected 2020 LOS under proposed designation;
 - Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long range improvements; and
 - Anticipated revisions to the Community Facilities and Services Element and/or Capital Improvements Element (state if these revisions are included in this amendment).
3. Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including:
- a. Fire protection with adequate response times;
 - b. Emergency medical service (EMS) provisions;
 - c. Law enforcement;
 - c. Solid Waste;
 - d. Mass Transit; and
 - e. Schools.

In reference to above, the applicant should supply the responding agency with the information from Section's II and III for their evaluation. This application should include the applicant's correspondence to the responding agency.

C. Environmental Impacts

Provide an overall analysis of the character of the subject property and surrounding properties, and assess the site's suitability for the proposed use upon the following:

1. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCCS).
2. A map and description of the soils found on the property (identify the source of the information).
3. A topographic map with property boundaries and 100-year flood prone areas indicated (as identified by FEMA).
4. A map delineating wetlands, aquifer recharge areas, and rare & unique uplands.
5. A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern. The table must include the listed species by FLUCCS and the species status (same as FLUCCS map).

D. Impacts on Historic Resources

List all historic resources (including structure, districts, and/or archeologically sensitive areas) and provide an analysis of the proposed change's impact on these resources. The following should be included with the analysis:

1. A map of any historic districts and/or sites, listed on the Florida Master Site File, which are located on the subject property or adjacent properties.
2. A map showing the subject property location on the archeological sensitivity map for Lee County.

E. Internal Consistency with the Lee Plan

1. Discuss how the proposal affects established Lee County population projections, Table 1(b) (Planning Community Year 2020 Allocations), and the total population capacity of the Lee Plan Future Land Use Map.
2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.
3. Describe how the proposal affects adjacent local governments and their comprehensive plans.
4. List State Policy Plan and Regional Policy Plan goals and policies which are relevant to this plan amendment.

F. Additional Requirements for Specific Future Land Use Amendments

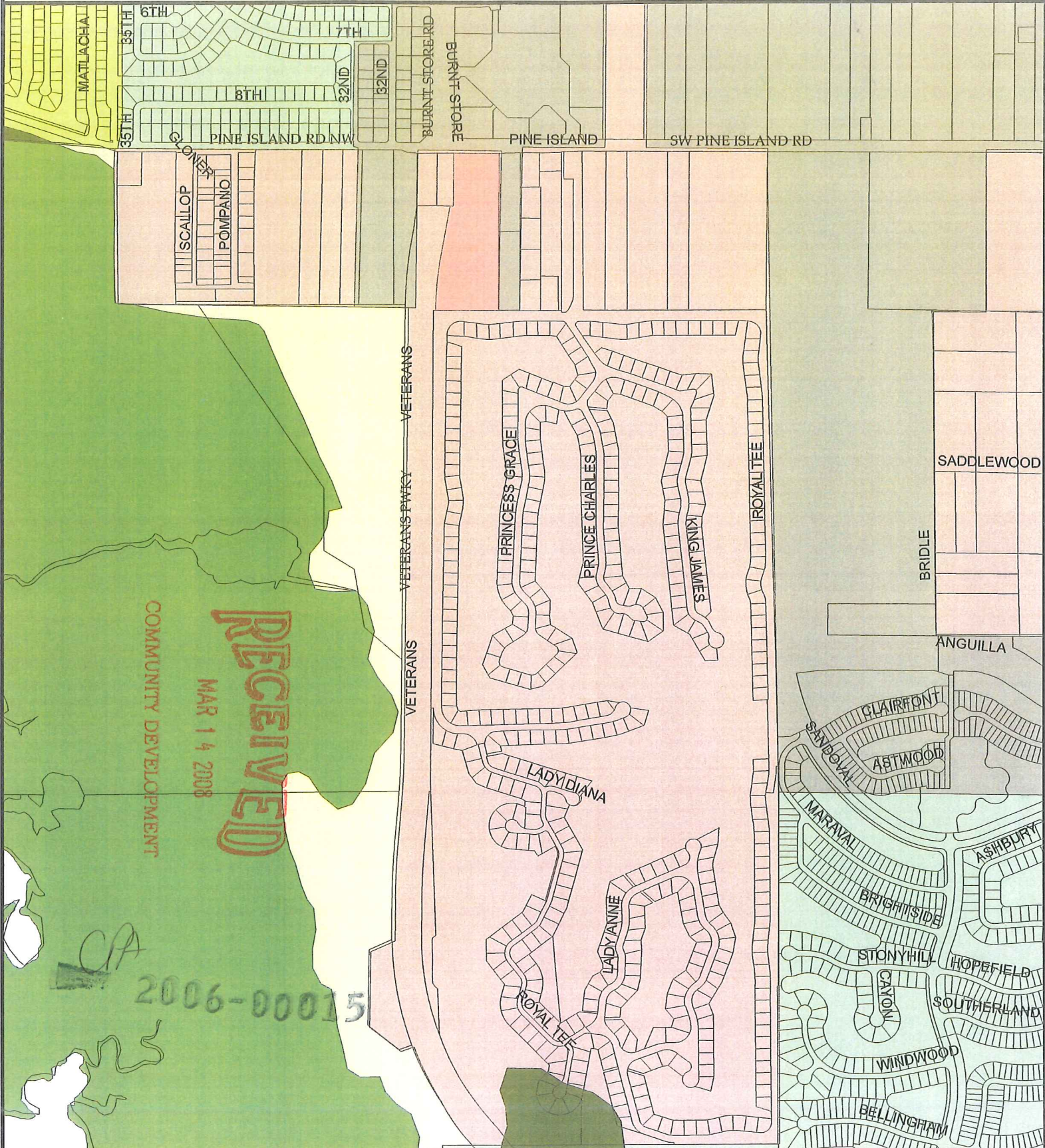
1. Requests involving Industrial and/or categories targeted by the Lee Plan as employment centers (to or from)
 - a. State whether the site is accessible to arterial roadways, rail lines, and cargo airport terminals,
 - b. Provide data and analysis required by Policy 2.4.4,
 - c. The affect of the proposed change on county's industrial employment goal specifically policy 7.1.4.
2. Requests moving lands from a Non-Urban Area to a Future Urban Area
 - a. Demonstrate why the proposed change does not constitute Urban Sprawl. Indicators of sprawl may include, but are not limited to: low-intensity, low-density, or single-use development; 'leap-frog' type development; radial, strip, isolated or ribbon pattern type development; a failure to protect or conserve natural resources or agricultural land; limited accessibility; the loss of large amounts of functional open space; and the installation of costly and duplicative infrastructure when opportunities for infill and redevelopment exist.

1. Requests involving lands in critical areas for future water supply must be evaluated based on policy 2.4.2.
 2. Requests moving lands from Density Reduction/Groundwater Resource must fully address Policy 2.4.3 of the Lee Plan Future Land Use Element.
- G. Justify the proposed amendment based upon sound planning principles. Be sure to support all conclusions made in this justification with adequate data and analysis.

Item 1: Fee Schedule

Map Amendment Flat Fee	\$2,000.00 each
Map Amendment > 20 Acres	\$2,000.00 and \$20.00 per 10 acres
Small Scale Amendment (10 acres or less)	\$1,500.00 each
Text Amendment Flat Fee	\$2,500.00 each

Future Land Use



MAP DISCLAIMER:

Maps and documents made available to the public by the Lee County Property Appraiser's Office are not legally recorded maps or surveys and therefore are not intended to be used as such. The maps and documents are created as part of a Geographic Information System (GIS) that compiles records, information, and data from various departments, cities, county, state and federal sources. The source data may contain errors. Users are encouraged to examine the documentation or metadata associated with the data on which this map is based for information related to its accuracy, currentness, and limitations.

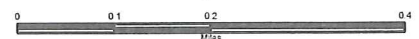
FUTURE LAND USE	
	Conservation Lands Upland
	Conservation Lands Wetland
	Intensive Development
	Outlying Suburban
	Rural
	Urban Community
	Wetlands
	Commercial
	Subject Parcel
	Parcels Within 500 Feet Buffer
	Parcel Lines

Source: Lee County Property Appraiser
Lee County BOCC

Map Date: March 6, 2008

Prepared By: Carol King

File Location: S:\GIS\ArcMap\MXD\Knot\Consoer_FLU_20-44-23-00-00002.0000



Map Scale: 1 inch equals 0.20 miles for Plot Size: 8.5" x 11"



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Bob Janes
District One

Brian Bigelow
District Two

Ray Judah
District Three

Tammy Hall
District Four

Frank Mann
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing
Examiner

March 6, 2008

Mr. Michael Roeder
Knott, Consoer, Ebelini
Hart & Swett, P.A.
PO Box 2449
Fort Myers, FL 33902-2449

SUBJECT: Comprehensive Plan Amendment for 3150 SW Pine Island Road

Dear Mr. Roeder:

The Lee County Solid Waste Division is capable of providing solid waste collection service for the 13 acre property located at the south east corner of Pine island Road and Veterans Parkway through our franchised hauling contractors. Disposal of the solid waste from this development will be accomplished at the Lee County Resource Recovery Facility and the Lee-Hendry Regional Landfill. Plans have been made, allowing for growth, to maintain long-term disposal capacity at these facilities.

The Solid Waste Ordinance (05-13, Section 21) and the Lee County Land Development Code, Chapter 10, Section 10-261 have requirements for providing on-site space for placement and servicing of certain multi-family and commercial solid waste containers. Please review these requirements when planning the project. Additionally, please review the Solid Waste Ordinance (05-13, Section 2) which defines those residential dwelling units that are eligible to receive curbside residential collection service. If you have any questions, please call me at (239) 338-3302.

Sincerely,

William T. Newman
Operations Manager
Solid Waste Division

RECEIVED
MAR 14 2008

CRS 2006-00015

COMMUNITY DEVELOPMENT

P.O. Box 398, Fort Myers, Florida 33902-0398 (239) 533-2111
Internet address <http://www.lee-county.com>
AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

Protected Species Survey

Prepared For:

Island Rd., LLC.
4353 Michigan Link
Fort Myers, FL 33916

Site Location:

13.5 Acre Parcel
3150 S.W. Pine Island Road
Section 20, Twp. 44 S., Rng. 23 E.
Lee County, Florida

CPA
2006-00015

Prepared By:

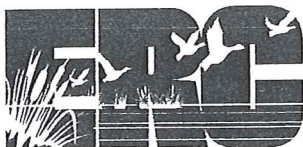
Mr. Jeffrey Adair
Environmental Restoration Consultants, Inc.
24571 Redfish Street
Bonita Springs, FL 34134
Phone: (239) 287-2706

RECEIVED

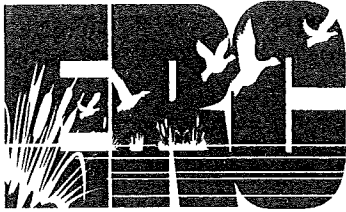
MAR 14 2008

COMMUNITY DEVELOPMENT

April 26, 2007



Environmental Restoration Consultants, Inc.



Environmental Restoration Consultants, Inc.

April 26, 2007

Mr. John Cauthen
Island Rd., LLC.
4353 Michigan Link
Ft. Myers, FL 33916

Fax: 334-2952

Re: Protected Species Survey
13.5-Acre Parcel; 3150 S.W. Pine Island Rd., Cape Coral
Strap No. 20-44-23-00-00002.0000, Lee County, Florida

Dear Mr. Cauthen:

On your behalf, Environmental Restoration Consultants, Inc. (ERC) performed a site inspection of the above referenced property on April 19, 2007. The purpose of the field investigation and this report is to address the environmental items listed in the Lee County "Application for a Comprehensive Plan Amendment". As such, this report is a compilation of information from field observations and existing sources. The report includes a characterization of existing plant communities (FLUCCS categories) and potentially associated protected species, available soil information, topographic quadrangle information, approximate location of state jurisdictional wetlands, and other relevant information.

Site Location

The 13.50-acre project area is located in the southeast quadrant of the intersection of Veterans Parkway and S.W. Pine Island Road, Section 20, Twp. 44 S., Rng. 23 E., un-incorporated Lee County, Florida (ref. Site Location Map). Adjacent land uses include roadways along the entire west and north perimeter, commercial along the northeast, single-family immediately to the south, and vacant forested lands (degraded pine flatwood) to the southeast. The parcel is completely fenced, with gated access at the north from S.W. Pine Island Rd. The parcel is completely cleared and appears to have been recently graded for agriculture use. As such, access and visual inspection were easy and unimpeded.

Vegetation

In accordance with the Florida Land Use, Cover and Forms Classification System (FLUCCS; FDOT, 1999), we have characterized the parcel as two (2) community types and land use categories. The location, extent, and acreage of each category is determined by field observation and visual interpretation of aerial photography (Lee County, 2005), and is depicted on the attached FLUCCS Map. A general description and representative vegetation for the site is provided in the table below.

Vegetation Communities

FLUCCS Community (Code)	Percent Coverage	Location/Comments
Herbaceous - Dry Prairie (310); 13.35 acres; Photos 1 - 4	98.9%	<p>Site has recently been graded for agricultural use and apparently seeded with browntop millet (<i>Urochloa ramosa</i>) to stabilize sediment. Although the millet and other herbaceous species have begun to establish as ground cover, much of the substrate remains barren and mixed with vegetative debris from saw palmetto (<i>Serenoa repens</i>) trunks and roots. The dominant ground cover is millet. Other common species include ragweed (<i>Ambrosia artemisiifolia</i>), flat sedge (<i>Cyperus odoratus</i>), redroot (<i>Lachnanthes caroliana</i>) and other grasses. Noted species include Spanish needles (<i>Bidens</i> sp.), Caesar weed (<i>Urena lobata</i>), tasselflower (<i>Emilia fosbergii</i>), penny wort (<i>Hydrocotyle</i> sp), spurge (<i>Chamaesyce</i> sp.), and sesbania (<i>Sesbania</i> sp.). Ragweed was most abundant at the north end of the site; flat sedge more abundant at the northeast corner of the parcel; redroot more abundant along the west side of the property.</p> <p>North - south oriented drainage swales are approximately 14" – 24" in depth and appear to be intended to convey water to the south to a east – west oriented swale. No standing water was observed on-site, including the swales. Several limerock boulders were noted.</p>
Mixed Hardwoods – Exotics (438(E)); 0.15 acre	1.1%	<p>Canopy and midstory dominated by earleaf acacia (<i>Acacia auriculiformis</i>) and Java plum (<i>Syzygium cumini</i>). Ground cover dominated by Caesar weed. Other common species included dogfennel (<i>Eupatorium capillifolium</i>), broomgrass, melaleuca (<i>Melaleuca quinquenervia</i>) seedlings, and muscadine grape (<i>Vitis rotundifolia</i>). Debris piles noted.</p>

Due to historic clearing, grading, and the more recent site preparation for agricultural use, the property does not encompass any "unique" upland or wetland communities, nor are any heritage trees or cabbage palm having a minimum 8' of clear trunk (c.t.) present.

Soil Types

Review of the Soil Survey of Lee County, Florida (USDA-SCS, 1984; ref. Soil Map) indicates the majority of the project area is underlain by Boca fine sand (13), with only the southwest portion underlain by Wabasso sand (35). Both soil types are designated as "non-hydric" by the Natural Resource Conservation Service (NRCS; a.k.a. SCS).

Relevant environmental and hydrologic exerts for each soil type selected from the Soil Survey are provided below:

Boca fine sand (13)

- "This is a nearly level, poorly drained soil on flatwoods."

- “In most years, under natural condition, the water table is within 10 inches of the surface for 2 to 4 months. It recedes below the limestone for about 6 months.
- Natural vegetation consists of sawpalmetto, pineland threeawn, South Florida slash pine, and waxmyrtle.”

Wabasso sand (35)

- “This is a nearly level, poorly drained soil on flatwoods.”
- “In most years, under natural condition, the water table is less than 10 inches below the surface for 2 to 4 months. It is 10 to 40 inches below the surface for more than 6 months. It recedes to a depth of more than 40 inches during extended dry periods”.
- Natural vegetation consists of sawpalmetto, South Florida slash pine, pineland threeawn, cabbage palm, and bluestem.”

Topography and Flood Zoning

General topography information is provided on the U.S.G.S. Quadrangle Map exhibit. Review of elevation contours on the map appear to indicate the parcel is at approximately 4 ft. - 5 ft. NGVD. To date, ERC is unaware of any topographical survey for this parcel.

Review of the FIRM Map indicates the project is located in Zone A8, which is determined by FEMA to be within the 100-year flood-plain (ref. FIRM Map exhibit attached; also ref. FEMA web site).

Historical Resources

A review for “archeological sensitivity” was requested from Lee County on September 21, 2006. Discussion with Ms. Gloria Sago, Historic and Archaeological Resources, on September 27, 2006 indicated that “there are no known historic or archaeological resources associated with this parcel”. Written confirmation should be forthcoming in the near future.

Wetland Assessment

The preliminary assessment is based on state wetland jurisdiction determination guidelines, Chapter 62-340, F.A.C. The investigation involved spot ground truthing and evaluation of vegetation, available soil information, and hydrology relative to site conditions and regulations. Historical and/or recent site conditions and activities, such as disturbance, may effect the final determination. Depending on the particular type of project proposed in Lee County (i.e. residential, multi-family, etc.), the state may be represented by either the South Florida Water Management District (SFWMD) or the Florida Department of Environmental Protection (DEP). The precise location of any jurisdictional wetlands and/or surface waters can not be determined until the limits are field verified by the state.

Review of the Soil Survey of Lee County, Florida (USDA – SCS, 1984) indicates the parcel is underlain by Boca fine sand (13) and Wabasso sand (35), both of which has been determined by the USDA to be non-hydric soil types (ref. Soil Map). Under natural conditions both soil types support pine flatwood with saw palmetto, a community type considered upland. In addition, given the current site conditions and apparent agricultural use, wetland regulatory agencies would not likely consider the site to encompass any wetlands and/or other surface waters. However, please note that man-made ditches and swales may be

considered surface waters by the state should hydric conditions prevail during the wet season. Such features do not generally require wetland mitigation when excavated from upland soil types.

Wildlife

The field investigation was performed to identify potential critical habitat and/or note any direct observations or signs of protected wildlife species as required by the Lee County Comprehensive Plan Amendment application, and designated by the Lee County Land Development Code (LDC), Appendix H – Protected Species List. Designation of a particular habitat type on-site relative to the associated species listed in the LDC indicates the potential for such species to reside and/or forage on-site and is used as a review “tool” by Lee County environmental staff, but by no means indicates that such species utilize the site. The table below lists habitat types existing on-site and potential species affiliated with the respective community. In addition, species not associated with a generalized FLUCCS category, but frequently affiliated with particular site conditions (i.e. gopher tortoises with berms), are also listed based on existing landscape features observed during the inspection. Based on the information provided herein, or otherwise known or deemed necessary, the County may require species specific surveys during review of any proposed project.

Potential Protected Species

FLUCCS	Fauna/Flora	Status			Observe		Comments
		Lee	FWC	FWS	Yes	No	
Herbaceous - Dry Prairie (310)	burrowing owl	L	SSC	-		x	Potential low; parcel generally devoid of ground cover
	gopher tortoise	L	SSC	-		x	Potential low; little to no forage cover
	Florida sandhill crane	L	T	-		x	Potential low; no associated wetland community
Mixed Hardwoods - Exotics (438(E))							FLUCCS category 438 (E) is not recognized as critical habitat for protected species because it is dominated by exotic hardwoods, and other weedy species.

L = Listed in the Lee County, Protected Species List (Appendix H)

E = Endangered (as designated by the FFWCC and/or USFWS)

T = Threatened (as designated by the FFWCC and/or USFWS)

SSC = Species of Special Concern (as designated by the FFWCC)

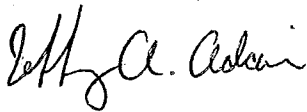
In compliance with the Lee County Land Development Code and the Lee Listed Survey Method, the dry prairie community was traversed by pedestrian means along north-south and east-west line transects at 50' intervals to inspect for burrowing owls and gopher tortoise (ref. Transect Location exhibit). Particular attention was given to the property perimeter relative to gopher tortoise. Given that vegetation coverage was generally sparse and low, visibility was excellent and 100% of the parcel was surveyed. Direct observation or signs of protected species were not revealed during our site visit.

A nesting killdeer (*Charadrius vociferus*) pair were observed toward the southeast corner of the site, and several morning dove (*Zenaida macroura*) were flushed and/or noted in-flight. Given the site's location, and disturbed and degraded nature, wildlife use is likely limited to small transient species.

Review of the FFWCC web site pertaining to bald eagle (*Haliaeetus leucocephalus*) nest locations appears to indicate that the project area is outside of USFWS's primary and secondary management zones (330' and 660' radii, respectively). Although known active eagle nest(s) are in the vicinity of the project, we are not aware of any nests within Federal management zones for this site.

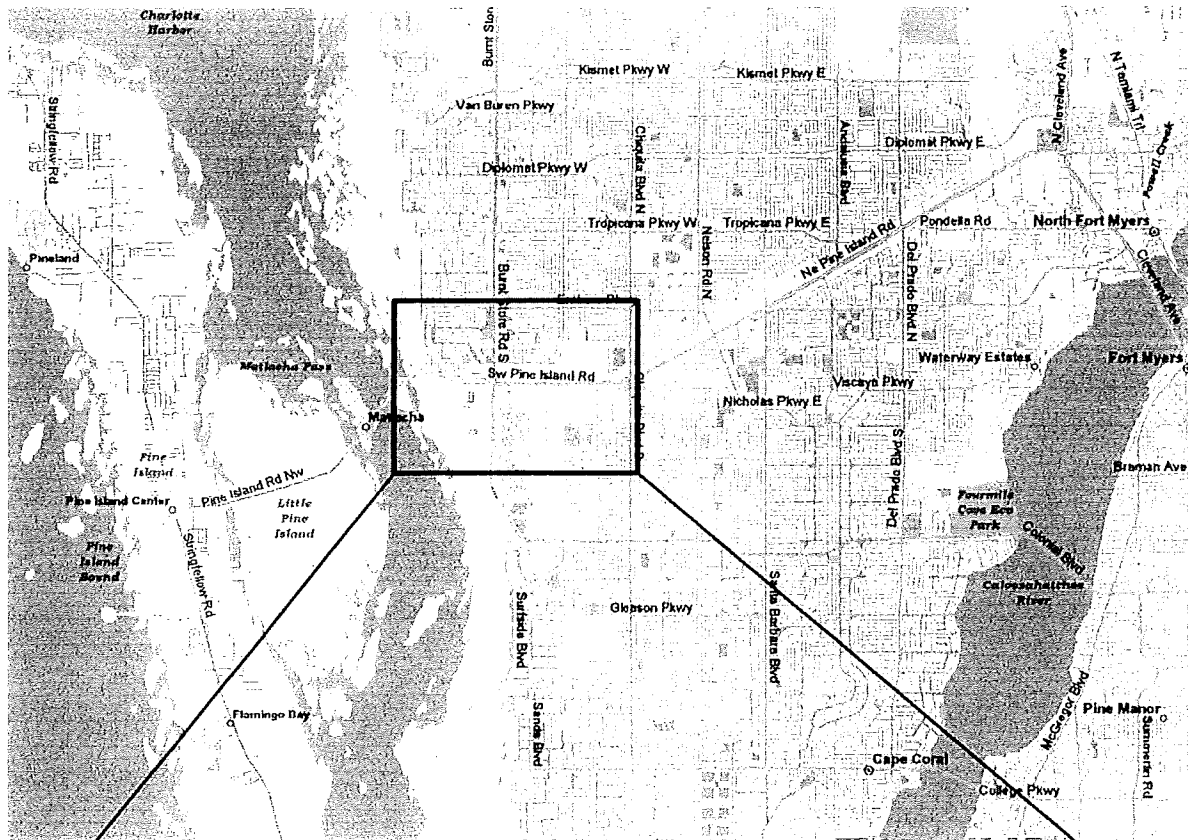
Should you have any questions regarding the site inspections or this report, please do not hesitate to contact me at 287-2706.

Sincerely,

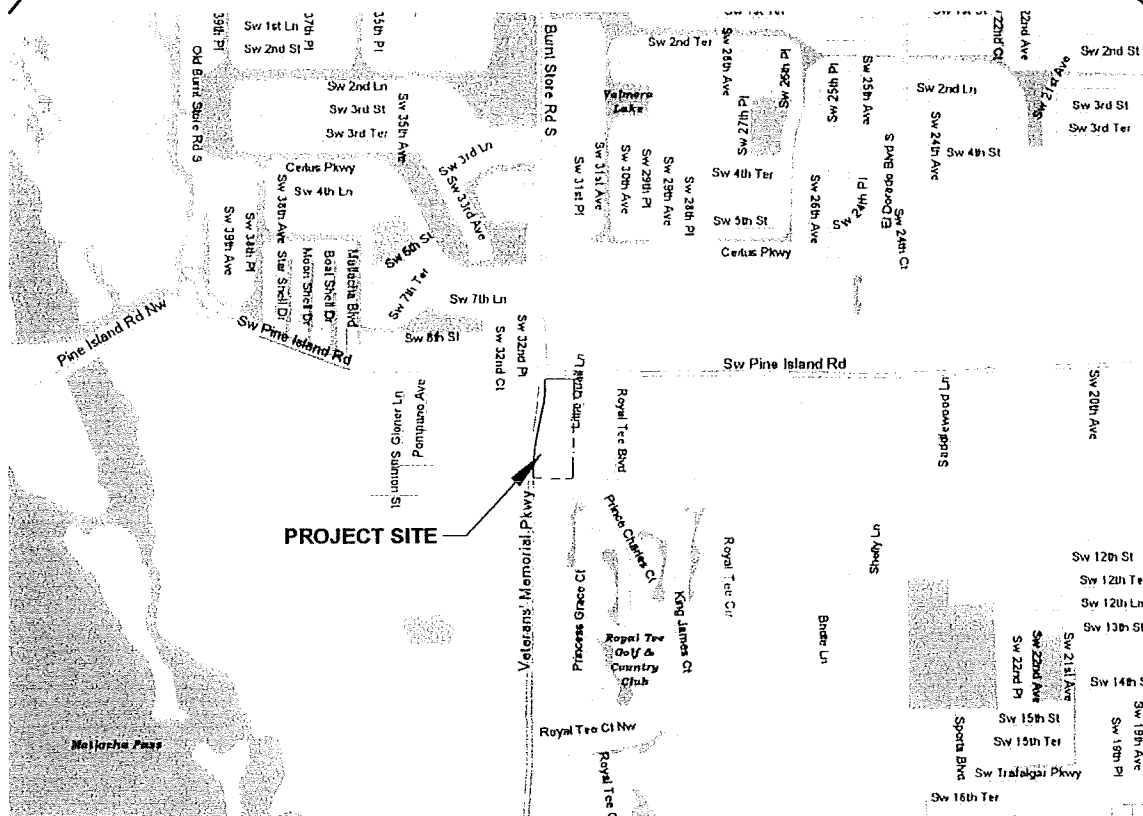
A handwritten signature in black ink, appearing to read "Jeffrey A. Adair". The signature is fluid and cursive, with the first name "Jeffrey" being more prominent.


Jeffrey A. Adair
President

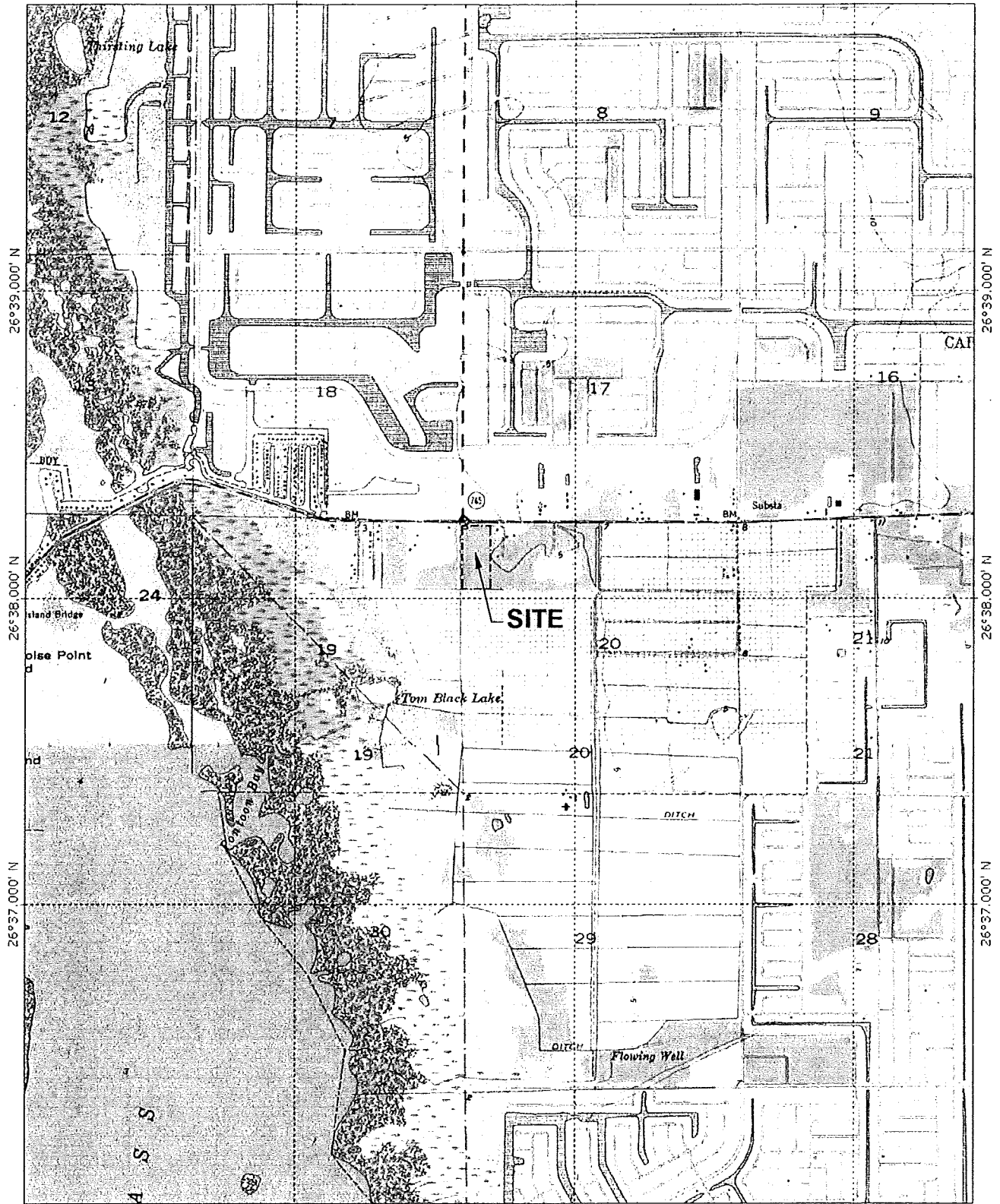
LOCATION MAP:



VICINITY MAP:



SCALE: N.T.S.	DESIGN BY: JAA DRAWN BY: DFB CHECKED BY: JAA DATE: 4/25/07	 ENVIRONMENTAL RESTORATION CONSULTANTS, INC. <small>INCORPORATED IN THE STATE OF FLORIDA P.O. BOX 110884 NAPLES, FL 34108 Telephone: 239.992.0050 Cell: 239.287.2706 EMAIL: ERCONS@COMCAST.NET</small>	CLIENT: Island Road, LLC 4353 Michigan Link Fort Myers, Florida 33916	Pine Island Road - 13.5 Ac.		DATE	REVISIONS
CAD FILE Pine Island 13.5				SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA			
DWG NO. MAPS				LOCATION MAP			
SHEET 1 of 10	Jeffrey A. Adair						





MIN
4 1/2°

82°03.000' W 82°02.000' W
0 1000 FEET 0 500 1000 METERS

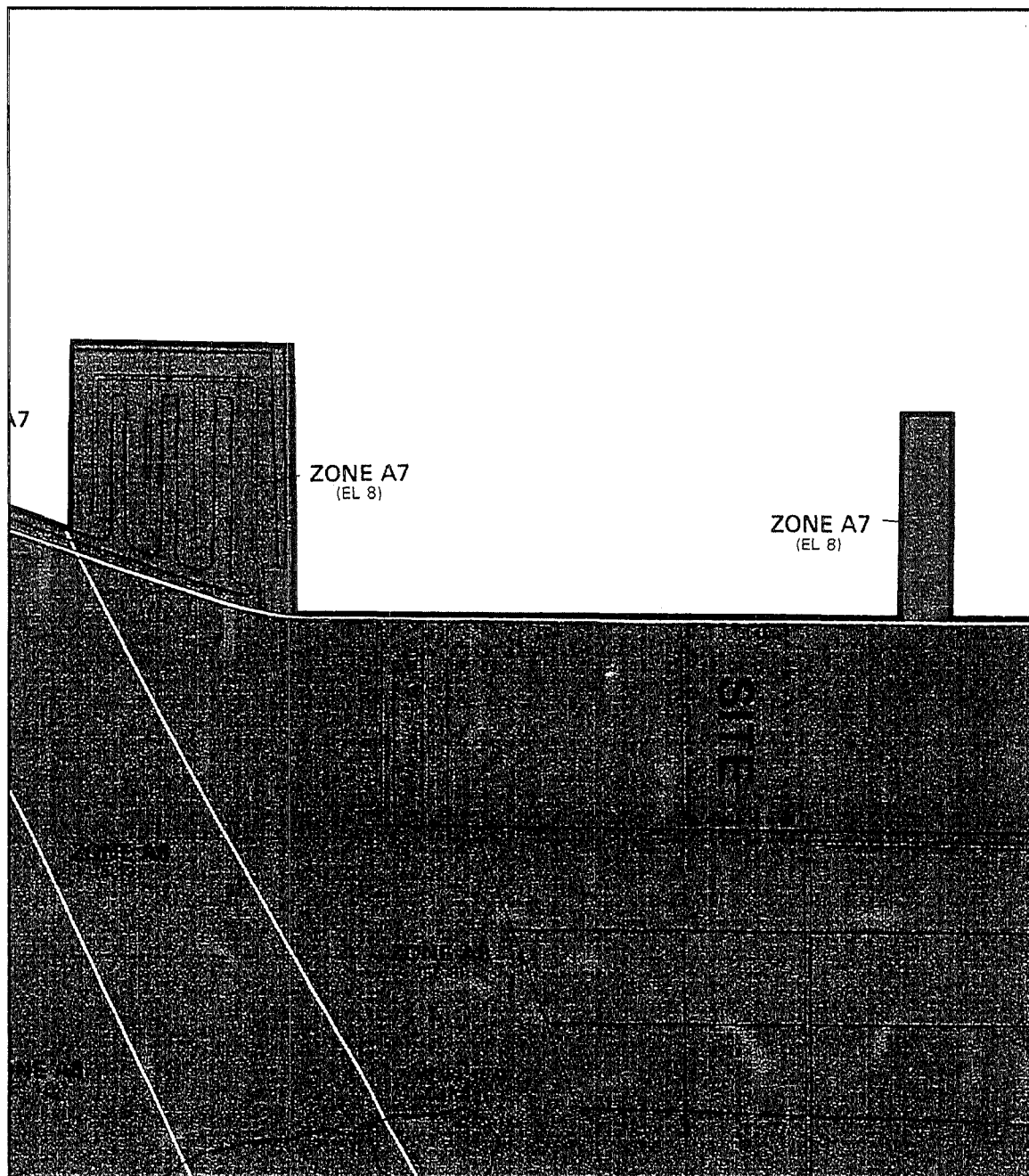
WGS84 82°01.000' W

Map created with TOPOI © 2001 National Geographic (www.nationalgeographic.com/topo)

SCALE N.T.S.	DESIGN BY: JAA DRAWN BY: DFB CHECKED BY: JAA DATE: 4/25/07	 P.O. BOX 110994 NAPLES, FL 34108 Telephone: 239.992.0055 Cell: 239.287.2705 EMAIL: ERCONS@COMCAST.NET	CLIENT: Island Road, LLC 4353 Michigan Link Fort Myers, Florida 33916	Pine Island Road - 13.5 Ac. SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA USGS MAP	DATE REVISIONS
CAD FILE Pine Island 13.5					
DWG NO. MAPS					
SHEET 2 of 10	Jeffrey A. Adair				

SCALE N.T.S.	DESIGN BY JAA	 P.O. BOX 110004 N. MIAMI Telephone 305.892.0066 Fax 305.892.0066 E-MAIL: FEMA@FEDERAL-EMERGENCY-MGMT-AGENCY.GOV	CLIENT: Island Road, LLC 4353 Michigan Link Fort Myers, Florida 33916	Pine Island Road - 13.5 A.C. SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA	DATE	REVISIONS
PROJECT Pine Island 13.5	DRAWN BY DJB					
MAPS	DATE 4/26/07					






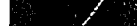





4 of 10	Jeffrey A. Adair
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APPROXIMATE SCALE

1000 0 1000 FEET

KEY TO MAP

500-Year Flood Boundary		
100-Year Flood Boundary		
Zone Designations*		
100-Year Flood Boundary		
500-Year Flood Boundary		
Base Flood Elevation Line With Elevation In Feet**		513
Base Flood Elevation in Feet Where Uniform Within Zone**		(EL 987)
Elevation Reference Mark		RM7x
Zone D Boundary		
River Mile		• M1.5

**Referenced to the National Geodetic Vertical Datum of 1929

*EXPLANATION OF ZONE DESIGNATIONS

ZONE	EXPLANATION
A	Areas of 100-year flood; base flood elevations and flood hazard factors not determined.
A0	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; average depths of inundation are shown, but no flood hazard factors are determined.
AH	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; base flood elevations are shown, but no flood hazard factors are determined.
A1-A30	Areas of 100-year flood; base flood elevations and flood hazard factors determined.
A99	Areas of 100-year flood to be protected by flood protection system under construction; base flood elevations and flood hazard factors not determined.
B	Areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood. (Medium shading)
C	Areas of minimal flooding. (No shading)
D	Areas of undetermined, but possible, flood hazards.
V	Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors not determined.
V1-V30	Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors determined.

NOTES TO USER

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



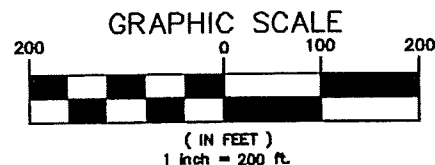
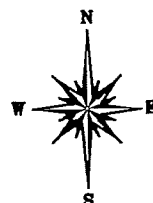
SOILS LEGEND:

13 - Boca fine sand (upland)
35 - Wabasso sand (upland)

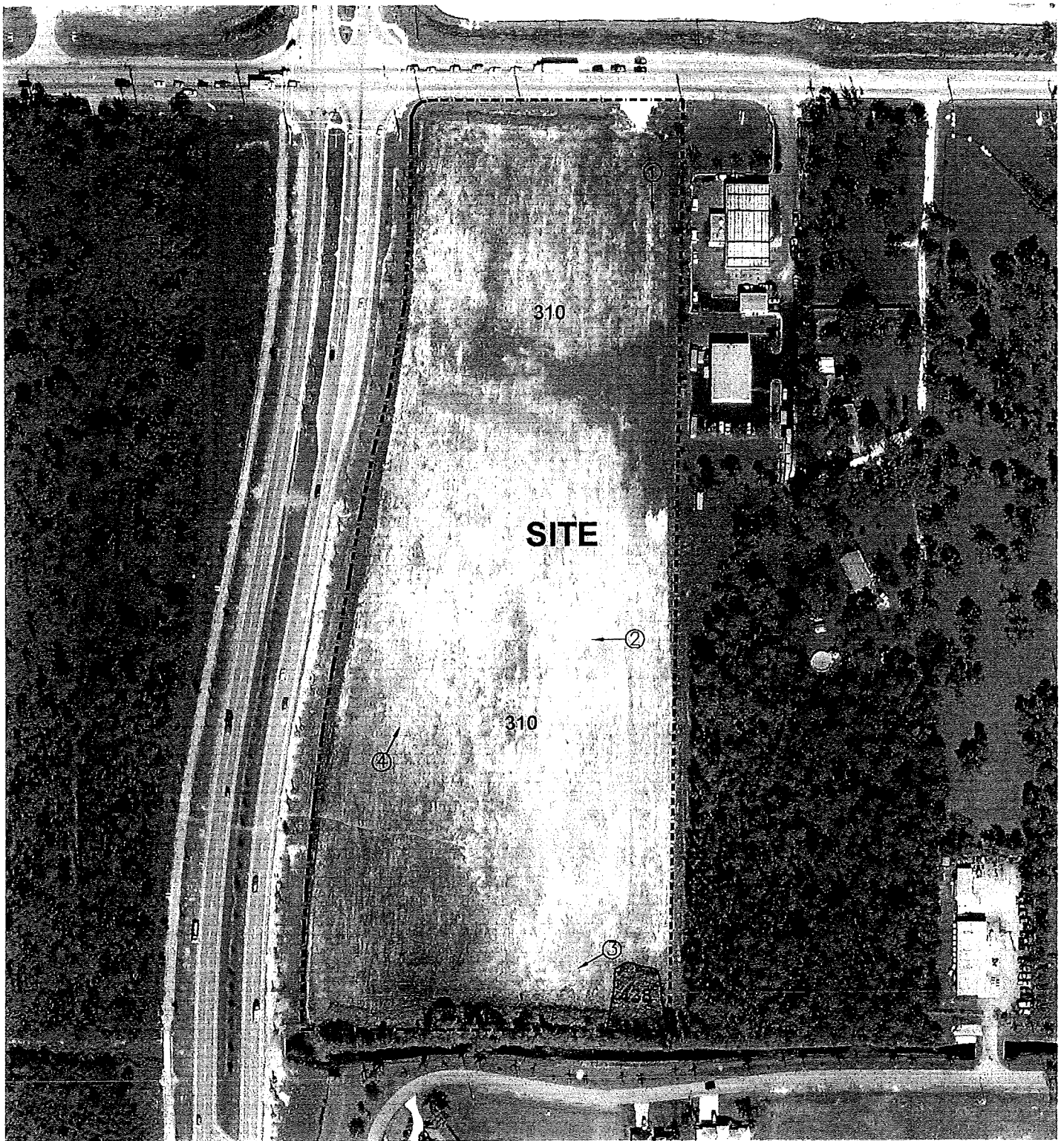
----- PROJECT BOUNDARY

SOURCE OF INFORMATION:

This map is based on the "Soil Survey of Lee County, Florida"; prepared jointly by the U.S. Department of Agriculture & the Soil Conservation Service (issued on December 1984)



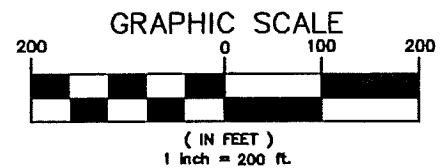
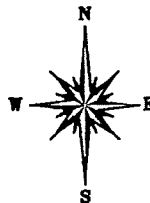
SCALE 1"=200'	DESIGN BY: JAA DRAWN BY: DFB CHECKED BY: JAA DATE: 4/25/07	ERC ENVIRONMENTAL RESTORATION CONSULTANTS, INC. <small>10000 W. US Highway 1, Suite 100, Fort Myers, FL 33907 P.O. BOX 110094, NAPLES, FL 34108 Telephone: 239.562.0088 Cell: 239.267.2705 EMAIL: ERCINC@COMCAST.NET</small>	CLIENT: Island Road, LLC 4353 Michigan Link Fort Myers, Florida 33916	Pine Island Road - 13.5 Ac. SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA SOILS MAP	DATE REVISIONS Δ Δ Δ Δ Δ
CAD FILE Pine Island 13.5					
DWG NO MAPS					
SHEET 3 of 10	Jeffrey A. Adair				



LEGEND

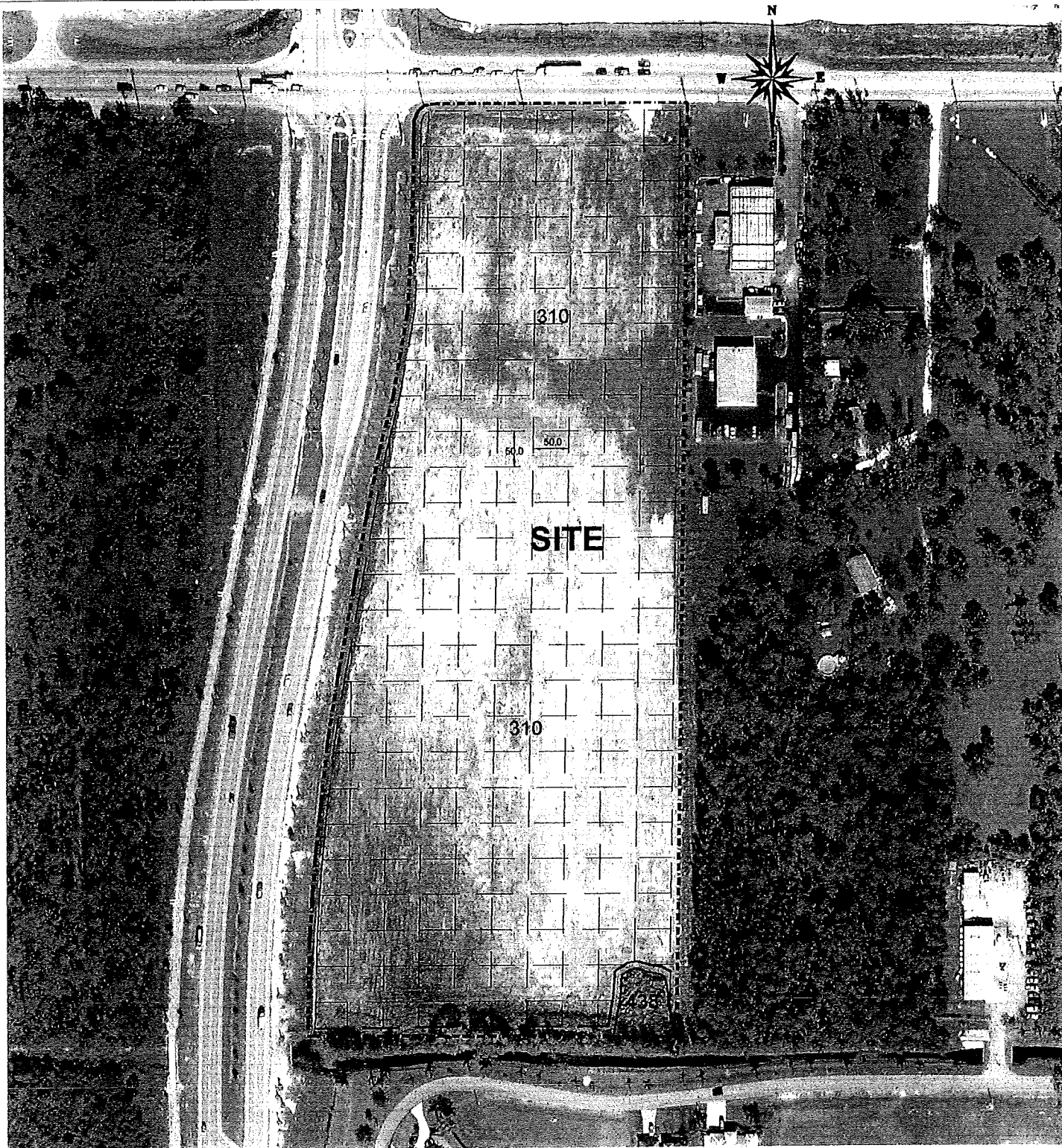
310 - Herbaceous (Dry Prairie) - 13.35 Ac.
 438 (E) - Mixed Hardwoods (Exotics) 0.15 Ac.

TOTAL SITE = 13.50 Ac.



② PHOTO LOCATION - - - - - SITE BOUNDARY

SCALE 1"=200'	DESIGN BY: JAA DRAWN BY: DPB CHECKED BY: JAA DATE: 4/25/07	ERC ENVIRONMENTAL RESTORATION CONSULTANTS, INC. P.O. BOX 110904, NAPLES, FL 34108 Telephone: 239.992.0088 Cell: 239.287.2700 EMAIL: ERCINC@COMCAST.NET	CLIENT: Island Road, LLC 4353 Michigan Link Fort Myers, Florida 33916	Pine Island Road - 13.5 Ac. SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA EXISTING FLUCCS MAP	DATE REVISIONS △ △ △ △ △
CAD FILE Pine Island 13.5					
DWG NO MAPS					
SHEET 5 of 10	Jeffrey A. Adair				



LEGEND

310 - Herbaceous (Dry Prairie) - 13.35 Ac.
 438 (E) - Mixed Hardwoods (Exotics) 0.15 Ac.

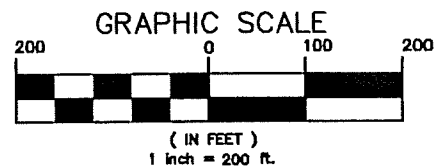
TOTAL SITE = 13.50 Ac.

— — Survey Transects (Protected Species)
 - - - - - SITE BOUNDARY

② PHOTO LOCATION

Methodology

Lee Listed Species Survey Method:
 Pedestrian line transects for listed species
 presence within appropriate FLUCCS category.



SCALE 1"=200'	DESIGN BY: JAA DRAWN BY: DFB CHECKED BY: JAA DATE: 4/25/07	ERC ENVIRONMENTAL RESTORATION CONSULTANTS, INC. <small>2010 The Environmental and Restoration Consultants, Inc. is a registered professional corporation in the State of Florida. The company is not responsible for the actions of its employees or subcontractors. The company is not responsible for the actions of its employees or subcontractors. The company is not responsible for the actions of its employees or subcontractors.</small>	P.O. BOX 110094, NAPLES, FL 34108 Telephone: 239.962.0088 Cell: 239.287.2706 EMAIL: ERCINC@COMCAST.NET	CLIENT: Island Road, LLC 4353 Michigan Link Fort Myers, Florida 33916	Pine Island Road - 13.5 Ac. SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA EXISTING FLUCCS MAP	DATE REVISIONS △ △ △ △ △ △ △
DWG NO MAPS						
SHEET 6 of 10	Jeffrey A. Adair					



PHOTO #1: View depicts the northeast portion of the site. Predominant vegetation includes browntop millet, ragweed, and flat sedge.



**ENVIRONMENTAL RESTORATION
CONSULTANTS, INC.**

P.O. BOX 110994
NAPLES, FL 34108
Telephone: 239.992.0086
Cell: 239.287.2706
EMAIL:
ERCINC@COMCAST.NET

DATE	REVISIONS:
Δ	
Δ	
Δ	
Δ	

Pine Island Road - 13.5 Ac.
SECTION 20, TOWNSHIP 44 S., RANGE 23 E.
LEE COUNTY, FLORIDA

SITE PHOTO 1

CLIENT:
Island Road, LLC
4353 Michigan Link
Fort Myers, Florida 33916

SCALE: N.T.S.

PROJECT FILE:
Pine Island 13.5

DWG NO:
MAPS

SHEET:
7 of 10

DESIGN BY: DPB
DRAWN BY: DPB
CHECKED BY: JA
DATE: 4/25/07

Jeffrey A. Adair

NOTE: The undersigned and ENVIRONMENTAL RESTORATION CONSULTANTS, INC. make no representations or guarantees as to the completeness of the information reflected herein pertaining to easements, right of way, setback lines, reservations, agreements or other matters of record. This instrument is intended to reflect or set forth only those items shown in the references above. ENVIRONMENTAL RESTORATION CONSULTANTS, INC. did not research the public records for matters affecting the lands shown. This instrument is the property of ENVIRONMENTAL RESTORATION CONSULTANTS, INC. and shall not be reproduced in whole or in part without written permission of ENVIRONMENTAL RESTORATION CONSULTANTS, INC.

Documents and Settings\Administrator\My Documents\John Carthery\Pine Isld & Veterans Dr\pinisld13.5\MAPS.dwg 4/25/2007 9:54:45 AM



PHOTO #2: Central portion of the parcel is relatively barren, although seeded millet and other herbaceous are becoming established. Debris from saw palmetto trunks and roots are scattered throughout the site.

ERC
ENVIRONMENTAL RESTORATION
CONSULTANTS, INC.

P.O. BOX 110994,
 NAPLES, FL 34108
 Telephone: 239.982.0086
 Cell: 239.287.2706
 EMAIL:
 ERCINC@COMCAST.NET

DATE	REVISIONS:
△	_____
△	_____
△	_____
△	_____

Pine Island Road - 13.5 Ac.
 SECTION 20, TOWNSHIP 44 S., RANGE 23 E.
 LEE COUNTY, FLORIDA

SITE PHOTO 2

CLIENT:
 Island Road, LLC
 4353 Michigan Link
 Fort Myers, Florida 33916

SCALE: N.T.S.
 PROJECT FILE: Pine Island 13.5
 DWG NO: MAPS
 SHEET: 8 of 10


DESIGN BY: DPB
 DRAWN BY: DPB
 CHECKED BY: JA
 DATE: 4/25/07

Jeffrey A. Adair

NOTE: The undersigned and ENVIRONMENTAL RESTORATION CONSULTANTS, INC. make no representations or guarantees as to the completeness of the information reflected hereon pertaining to easements, right of way, setback lines, reservations, agreements or other matters of record. This instrument is intended to reflect or set forth only those items shown in the references above. ENVIRONMENTAL RESTORATION CONSULTANTS, INC. did not research the public records for matters affecting the lands shown. This instrument is the property of ENVIRONMENTAL RESTORATION CONSULTANTS, INC. and shall not be reproduced in whole or in part without written permission of ENVIRONMENTAL RESTORATION CONSULTANTS, INC.



PHOTO #3: Collector swale has been excavated at the south end of the site. Seeded millet is becoming established.

 ENVIRONMENTAL RESTORATION CONSULTANTS, INC. P.O. BOX 110994 NAPLES, FL 34108 Telephone: 239.992.0088 Cell: 239.287.2706 EMAIL: ERCINC@COMCAST.NET	DATE REVISIONS: △ _____ △ _____ △ _____ △ _____	Pine Island Road - 13.5 Ac. SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA	SITE PHOTO 3 CLIENT: Island Road, LLC 4353 Michigan Link Fort Myers, Florida 33916	SCALE: N.T.S. PROJECT FILE: Pine Island 13.5 DWG NO: MAPS SHEET: 9 of 10	DESIGN BY: DPB DRAWN BY: DPB CHECKED BY: JA DATE: 4/25/07 Jeffrey A. Adair

NOTE: The undersigned and ENVIRONMENTAL RESTORATION CONSULTANTS, INC. make no representations or guarantees as to the completeness of the information reflected herein pertaining to easements, right of way, setback lines, reservations, agreements or other matters of record. This instrument is intended to reflect or set forth only those items shown in the references above. ENVIRONMENTAL RESTORATION CONSULTANTS, INC. did not research the public records for matters affecting the lands shown. This instrument is the property of ENVIRONMENTAL RESTORATION CONSULTANTS, INC. and shall not be reproduced in whole or in part without written permission of ENVIRONMENTAL RESTORATION CONSULTANTS, INC.



PHOTO #4: View characterizes the recent preparation and grading for agricultural use. North - south oriented swales have been excavated to apparently drain the property to the south. Ground cover is sparse at the southwest portion of the site, but includes browntop millet, redroot, and other grasses.

ERC
ENVIRONMENTAL RESTORATION
CONSULTANTS, INC.
 P.O. BOX 110994
 NAPLES, FL 34108
 Telephone: 239.692.0086
 Cell: 239.287.2708
 EMAIL:
 ERCINC@COMCAST.NET

DATE	REVISIONS:
△	_____
△	_____
△	_____
△	_____

Pine Island Road - 13.5 Ac.
 SECTION 20, TOWNSHIP 44 S., RANGE 23 E.
 LEE COUNTY, FLORIDA

SITE PHOTO 4

CLIENT:
 Island Road, LLC
 4353 Michigan Link
 Fort Myers, Florida 33916

SCALE:	N.T.S.
PROJECT FILE:	Pine Island 13.5
DWG NO:	MAPS
SHEET:	10 of 10


DESIGN BY: DPB
 DRAWN BY: DPB
 CHECKED BY: JA
 DATE: 4/25/07

Jeffrey A. Adair

NOTE: The undersigned and ENVIRONMENTAL RESTORATION CONSULTANTS, INC. make no representations or guarantees as to the completeness of the information reflected hereon pertaining to easements, right of way, setback lines, reservations, agreements or other matters of record. This instrument is intended to reflect or set forth only those items shown in the references above. ENVIRONMENTAL RESTORATION CONSULTANTS, INC. did not research the public records for matters affecting the lands shown. This instrument is the property of ENVIRONMENTAL RESTORATION CONSULTANTS, INC. and shall not be reproduced in whole or in part without written permission of ENVIRONMENTAL RESTORATION CONSULTANTS, INC.

Memo

To: Paul O'Connor, Planning Director

From: David Loveland, Public Works Operations Manager, Planning 

Date: March 18, 2008

Subject: **CPA 2006-15 (Cauthen)**

The Department of Transportation had previously reviewed the above-referenced privately-initiated future land use map plan amendment, and provided comments to you in October, 2007. The proposal at the time was to change the land use designation of approximately 13.5 acres at the southeast corner of SR 78 (Pine Island Road) and Veterans Parkway from "Rural" to "Intensive Development". It is our understanding that the future land use request has now changed to "Commercial", which would allow a potential 588,060 square feet of commercial use on the site. As previously indicated, the property is within Traffic Analysis Zone (TAZ) 1032, but for purposes of this analysis, a new TAZ 1757 was created; the revised land use mix noted above was converted to the model input variables for that new zone (1,470 commercial employees) and the 2030 Financially Feasible Plan FSUTMS travel demand model rerun.

The revised land use mix does not change the future impact of the project. Examining the three-mile radius around the project, the only identified level of service problem is on the section of Pine Island Road west of Veterans Parkway/Burnt Store Road, the same as previously identified. This road segment is identified as failing in 2030 with and without the proposed land use change. This segment is also identified as constrained in the Lee Plan, meaning the Board has determined as a policy matter that it will not be widened and a higher level of congestion is allowed.

In October, we also raised one other issue, noting that the previous modeling work for the comprehensive plan amendment didn't reflect the access limitations on Veterans Parkway dictated by it's "limited access" designation; that designation specifies allowable connections by Board resolution, and essentially limited this property to a right-in/right-out connection about a quarter mile south of SR 78, with the potential for an additional left-in connection at the south property line assuming joint access can be worked out with Royal Tee Country Club. In the DOT's reanalysis of this proposal with the new land use mix, we reflected the access limitation in the new model coding, which did not change the results. As the property moves forward with development, it will be required to be consistent with the Veterans Parkway access resolution.

Please let me know if you need any additional information.

cc: Donna Marie Collins
Pete Blackwell

Blackwell, Peter C.

From: Noble, Matthew A.
Sent: Tuesday, March 18, 2008 2:41 PM
To: Blackwell, Peter C.
Subject: RE: Cauthen Plan Amendment (CPA2006-15)

Good job Peter!

From: Blackwell, Peter C.
Sent: Tuesday, March 18, 2008 2:40 PM
To: Campbell, George G.
Cc: Noble, Matthew A.
Subject: Cauthen Plan Amendment (CPA2006-15)

Mr. Campbell,

This is in regards to our phone conversation about the 13.5 acre parcel of land at the SW corner of the intersection of Pine Island Road and Veterans Parkway. Your memo from 1/29/07 stated opposition to any increase in residential density in the CHHA. Now that the applicant has requested that the parcel be put into the new Commercial future land use category, there will be no residential permitted on the site. So as you told me on the phone, this would alleviate your opposition to a redesignation of the site to the Commercial future land use category.

Here is a link to our latest comp plan codification if you want to see the definition of the Commercial category. It is Policy 1.1.10.

<http://www.lee-county.com/dcd1/Leeplan/Leeplan.pdf>

Thanks very much for your input.

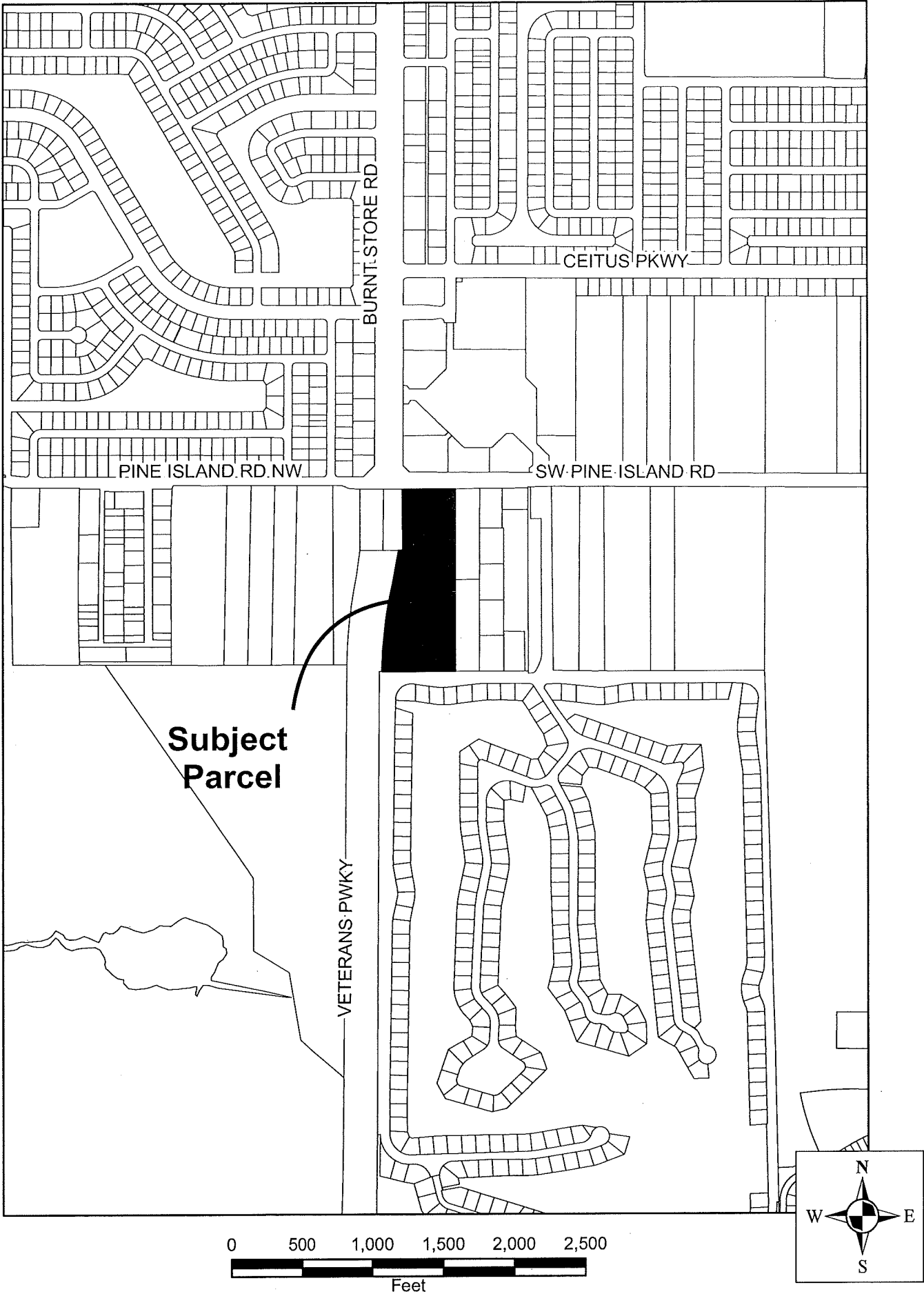
Sincerely,

Peter Blackwell, AICP

Planner, Planning Division,
Lee County DCD
(239) 533-8312

3/18/2008

CPA2006-15 Cauthen Amendment
Location Map





LEE COUNTY

SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

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 M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

Hearing Date: March 21, 2008

Case Number: CPA2006-00015

Case Name: Cauthen Comprehensive Plan Amendment

Request: Amend the Future Land Use Map Series, Map 1 to change 13.5 acres of land designated Rural to Commercial.

Location: The property is located in Section 20 of Township 44 South Range 23 East. The property is located at the intersection of Pine Island Road and Veterans Parkway. It is in the southeast corner of the intersection.

PROPERTY OWNER'S REPRESENTATIVE:

Michael Roeder
1625 Hendry Street, Suite 301
Fort Myers, FL 33901

Lee County Planner: Peter Blackwell
(239) 533-8312

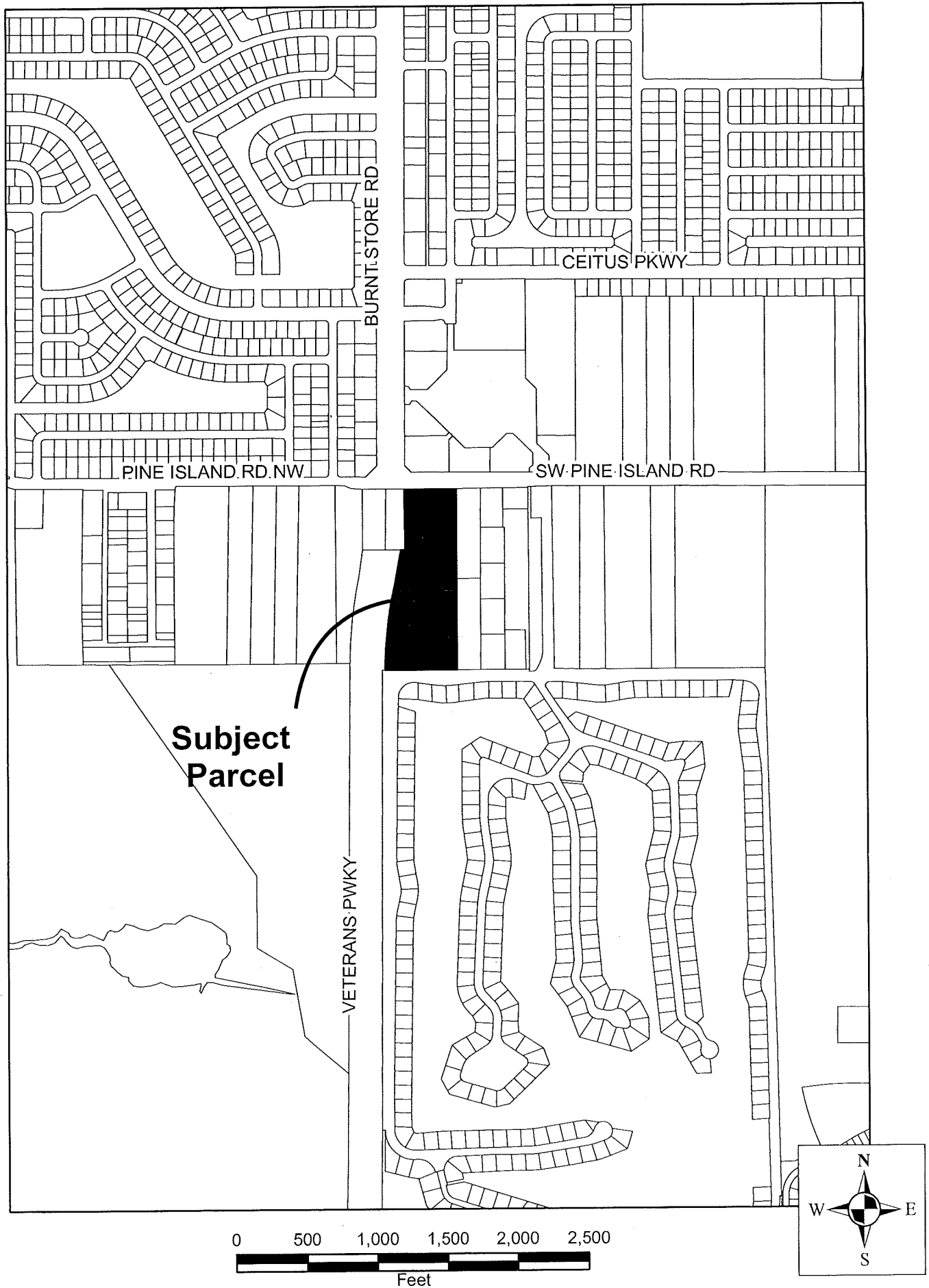
The file may be reviewed Monday through Friday between the hours of 8:00 am and 4:30 pm at the Lee County, Planning Division, 1500 Monroe St., Fort Myers, FL 33901. Call (239) 533-8585 for additional information.

This is a courtesy notice. Please review the New-Press for Local Planning Agency meeting notices.

This case is anticipated to be reviewed by the Local Planning Agency on: March 21, 2008

CPA2006-15 Cauthen Amendment

Location Map



**Knott, Consoer, Ebelini
Hart & Swett, P.A.**
ATTORNEYS - AT - LAW

George H. Knott *+
George L. Consoer, Jr. **
Mark A. Ebelini
Thomas B. Hart
H. Andrew Swett

* Board Certified Civil Trial Lawyer
** Board Certified Real Estate Lawyer
+ Board Certified Business Litigation Lawyer

1625 Hendry Street • Third Floor (33901)
P.O. Box 2449
Fort Myers, Florida 33902-2449

Telephone (239) 334-2722
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AStowe@knott-law.com

Matthew D. Uhle
Aaron A. Haak
Derrick S. Eihausen
Natty Torres-Alvarado
David A. Burt
Madeline Ebelini

Director of Zoning
and Land Use Planning
Michael E. Roeder, AICP

MEMORANDUM

TO: Pete Blackwell

FROM: Alison M. Stowe

DATE: March 10, 2008

RE: Cauthen / CPA2006-00015

Attached please find the updated variance report from the Property Appraiser's Office, including two sets of mailing labels, for the above referenced project.

ams

Attachments

RECEIVED
MAR 10 2008
CIT COUNTER



Lee County Property Appraiser

Kenneth M. Wilkinson, C.F.A.

GIS Department / Map Room

Phone: (239) 533-6159 • Fax: (239) 533-6139 • eMail: MapRoom@LeePA.org

VARIANCE REPORT

Date of Report: March 07, 2008
Buffer Distance: 500 ft
Parcels Affected: 40
Subject Parcel: 20-44-23-00-00002.0000

RECEIVED
MAR 10 2008

<u>OWNER NAME AND ADDRESS</u>	<u>STRAP AND LOCATION</u>	<u>LEGAL DESCRIPTION</u>	<u>Map Index</u>
CAPE INVESTMENTS OVERSEAS INC DIETHELM BAUMANN FREIGUTSTR 24 PO BOX 220 8027 ZURICH SWITZERLAND	17-44-23-C4-00100.0020 2995 SW PINE ISLAND RD CAPE CORAL FL 33991	CORAL SHORES DESC IN PB 80 PGS 77-78 LOT 2	1
CAPE INVESTMENTS OVERSEAS INC DIETHELM BAUMANN FREIGUTSTR 24 PO BOX 220 8027 ZURICH SWITZERLAND	17-44-23-C4-00100.0030 3005 SW PINE ISLAND RD CAPE CORAL FL 33991	CORAL SHORES DESC IN PB 80 PGS 77-78 LOT 3	2
CAPE INVESTMENTS OVERSEAS INC DIETHELM BAUMANN FREIGUTSTR 24 PO BOX 220 8027 ZURICH SWITZERLAND	17-44-23-C4-00100.0040 3101 SW PINE ISLAND RD CAPE CORAL FL 33991	CORAL SHORES DESC IN PB 80 PGS 77-78 LOT 4	3
CAPE INVESTMENTS OVERSEAS INC DIETHELM BAUMANN FREIGUTSTR 24 PO BOX 220 8027 ZURICH SWITZERLAND	17-44-23-C4-00100.0050 3111 SW PINE ISLAND RD CAPE CORAL FL 33991	CORAL SHORES DESC IN PB 80 PGS 77-78 LOT 5	4
CORAL SHORES E+A LLC 1901 MAIN ST STE 900 COLUMBIA SC 29201	17-44-23-C4-0010D.0000 3015 SW PINE ISLAND RD CAPE CORAL FL 33991	CORAL SHORES DESC IN PB 80 PGS 77-78 TRACT D	5
JESSE A VERR LLC 108 W ORMOND AVE CHERRY HILL NJ 08002	18-44-23-C3-05337.0010 811 SW 32ND PL CAPE CORAL FL 33991	CAPE CORAL UNIT 58 BLK 5337 PB 23 PG 130 LOTS 1 + 2	6
JESSE A VERR LLC 108 W ORMOND AVE CHERRY HILL NJ 08002	18-44-23-C3-05337.0030 807 SW 32ND PL CAPE CORAL FL 33991	CAPE CORAL UNIT 58 BLK 5337 PB 23 PG 130 LOTS 3 + 4	7
JESSE A VERR LLC 108 W ORMOND AVE CHERRY HILL NJ 08002	18-44-23-C3-05337.0050 803 SW 32ND PL CAPE CORAL FL 33991	CAPE CORAL UNIT 58 BLK 5337 PB 23 PG 130 LOTS 5 + 6	8
KIESEL THOMAS F TR PO DRAWER 1000 FORT MYERS FL 33902	18-44-23-C3-05337.0460 726 BURNT STORE RD S CAPE CORAL FL 33991	CAPE CORAL UNIT 58 BLK 5337 PB 23 PG 130 LOTS 46 THRU 48	9
JESSE A VERR LLC 108 W ORMOND AVE CHERRY HILL NJ 08002	18-44-23-C3-05337.0490 806 BURNT STORE RD S CAPE CORAL FL 33991	CAPE CORAL UNIT 58 BLK 5337 PB 23 PG 130 LOTS 49 THRU 51	10
JESSE A VERR LLC 108 W ORMOND AVE CHERRY HILL NJ 08002	18-44-23-C3-05337.0520 812 BURNT STORE RD S CAPE CORAL FL 33991	CAPE CORAL UNIT 58 BLK 5337 PB 23 PG 130 LOTS 52 THRU 54	11
LEE COUNTY PO BOX 398 FORT MYERS FL 33902	19-44-23-00-00001.1000 ACCESS UNDETERMINED CAPE CORAL FL 33991	PARL IN E 1/2 AS DESC OR 2029/1340 LESS ROW DESC OR 2923/4046	12

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
LEE COUNTY PO BOX 398 FORT MYERS FL 33902	19-44-23-00-00002.0000 3200 SW PINE ISLAND RD CAPE CORAL FL 33991	PART OF 17-N 436 FT OF E 1/2 OF E 1/2 OF E 1/2 OF NE 1/4 OF NE 1/4	13
3214 SW PINE ISLAND ROAD LLC 4353 MICHIGAN LINK FORT MYERS FL 33916	19-44-23-C2-00003.0000 3214 SW PINE ISLAND RD CAPE CORAL FL 33991	LOT PT 18 W 1/2 OF E 1/2 OF E 1/2 OF NE1/4 OF NE1/4 LESS ROW OR 3173 PG 1324	14
3214 SW PINE ISLAND RD LLC 4353 MICHIGAN LINK FORT MYERS FL 33916	19-44-23-C2-00008.0000 SW PINE ISLAND RD CAPE CORAL FL 33991	W 1/2 OF E 1/2 OF NE 1/4 OF NE 1/4	15
CITY OF CAPE CORAL REAL ESTATE DIVISION PO BOX 150027 CAPE CORAL FL 33915	20-44-23-00-00002.0010 3156 SW PINE ISLAND RD CAPE CORAL FL 33991	N 436 FT OF E 135 FT OF NW 1/4 OF NW 1/4 OF SECT 20	16
REALMARK CAPE ROYAL LLC 5789 CAPE HARBOUR DR STE 201 CAPE CORAL FL 33914	20-44-23-00-00003.0000 11900 LITTLE QUAIL LN CAPE CORAL FL 33991	E 1/2 OF W 1/2 OF E 1/2 OF NW 1/4 OF NW 1/4 LESS OR 2848/0241	17
ALBRECHT HENRY L PA 2430 EVEREST PKWY CAPE CORAL FL 33904	20-44-23-00-00003.0010 11971 LITTLE QUAIL LN CAPE CORAL FL 33991	W 1/2 OF W 1/2 OF E 1/2 OF NW 1/4 OF NW 1/4 LESS PAR 3.001A THRU 3.001D	18
HAUCK JAMES + DAMITAJO 11911 LITTLE QUAIL LN CAPE CORAL FL 33991	20-44-23-00-00003.001A 11911 LITTLE QUAIL LN CAPE CORAL FL 33991	FM NW COR E674 S316TOPOB THEN S 257 E 170 N 257 W 169 TO POB	19
EVA RICHARD JR + 11881 LITTLE QUAIL LN CAPE CORAL FL 33991	20-44-23-00-00003.001B 11881 LITTLE QUAIL LN CAPE CORAL FL 33991	FM NW COR E 674 S 572 TO POB THEN S 256 E 171 N 256 W 170 TO POB	20
HERNANDEZ JOSE A 1219 NW 38TH AVE CAPE CORAL FL 33993	20-44-23-00-00003.001C 11821 LITTLE QUAIL LN CAPE CORAL FL 33991	PARL IN W 1/2 OF W 1/2 OF E 1/2 OF NW 1/4 OF NW 1/4 DESC IN OR 1660 PG 4493	21
EVA RICHARD JR + KATHY 11881 LITTLE QUAIL LANE CAPE CORAL FL 33991	20-44-23-00-00003.001D 11851 LITTLE QUAIL LN CAPE CORAL FL 33991	FM NW COR E674, S828 TOPOB THEN S 254, E 172, N 254, W 171 TO POB	22
REALMARK CAPE ROYAL LLC 5789 CAPE HARBOUR DR STE 201 CAPE CORAL FL 33914	20-44-23-00-00003.0020 3060 SW PINE ISLAND RD CAPE CORAL FL 33991	PARL IN N W 1/4 OF N W 1/4 AS DESC IN OR 1285 PG 0560	23
ROYAL TEE GOLF CLUB INC 11460 ROYAL TEE CIR CAPE CORAL FL 33991	20-44-23-00-00003.0030 11900 LITTLE QUAIL LN CAPE CORAL FL 33991	S 286.57 FT OF THE E 1/2 OF W1/2 OF E 1/2 OF NW 1/4 OF NW 1/4 DESC OR 2840/0001	24
ROYAL TEE GOLF CLUB INC 11460 ROYAL TEE CIR CAPE CORAL FL 33991	20-44-23-01-00000.00A0 3050 SW PINE ISLAND RD CAPE CORAL FL 33991	ROYAL-TEE COUNTRY CLUB EST PB 37 PGS 5-12 SEC 20/29 TRS A B C GOLF COURSE + PAR A DESC OR 2840/0001 LESS OR 4090/1755 + OR 4124/3924	25
ROYAL TEE HOMEOWNERS ASSN UNIT 6 PMB 126 211 HANCOCK BRIDGE PKWY CAPE CORAL FL 33990	20-44-23-01-00000.00CE RIGHT OF WAY FL	ROYAL TEE COUNTRY CLUB EST PB 37 PG 3 TRACTS E THRU I + N THRU P + PRIVATE RW COMMON ELEMENTS	26
MARS DALE W TR 1/2 INT + 801 ROMANO KEY CIR PUNTA GORDA FL 33955	20-44-23-01-0000A.2100 11998 ROYAL TEE CIR CAPE CORAL FL 33991	ROYAL-TEE COUNTRY CLUB EST BLK A PB 37 PG 4 LOT 210	27
SCHAFSTEIN FRANK 123 BAYSHORE DR CAPE CORAL FL 33904	20-44-23-01-0000A.2110 11994 ROYAL TEE CIR CAPE CORAL FL 33991	ROYAL-TEE COUNTRY CLUB EST BLK A PB 37 PG 4 LOT 211	28
SWAN LAKE ENTRPRISES INC 207 SWAN LAKE DR N FT MYERS FL 33917	20-44-23-01-0000A.2120 11990 ROYAL TEE CIR CAPE CORAL FL 33991	ROYAL-TEE COUNTRY CLUB EST BLK A PB 37 PG 4 LOT 212	29
HADI MOHAMMED FINES GALLERY 11400 S CLEVELAND AVE FORT MYERS FL 33907	20-44-23-01-0000A.2130 11986 ROYAL TEE CIR CAPE CORAL FL 33991	ROYAL-TEE COUNTRY CLUB EST BLK A PB 37 PG 4 LOT 213	30

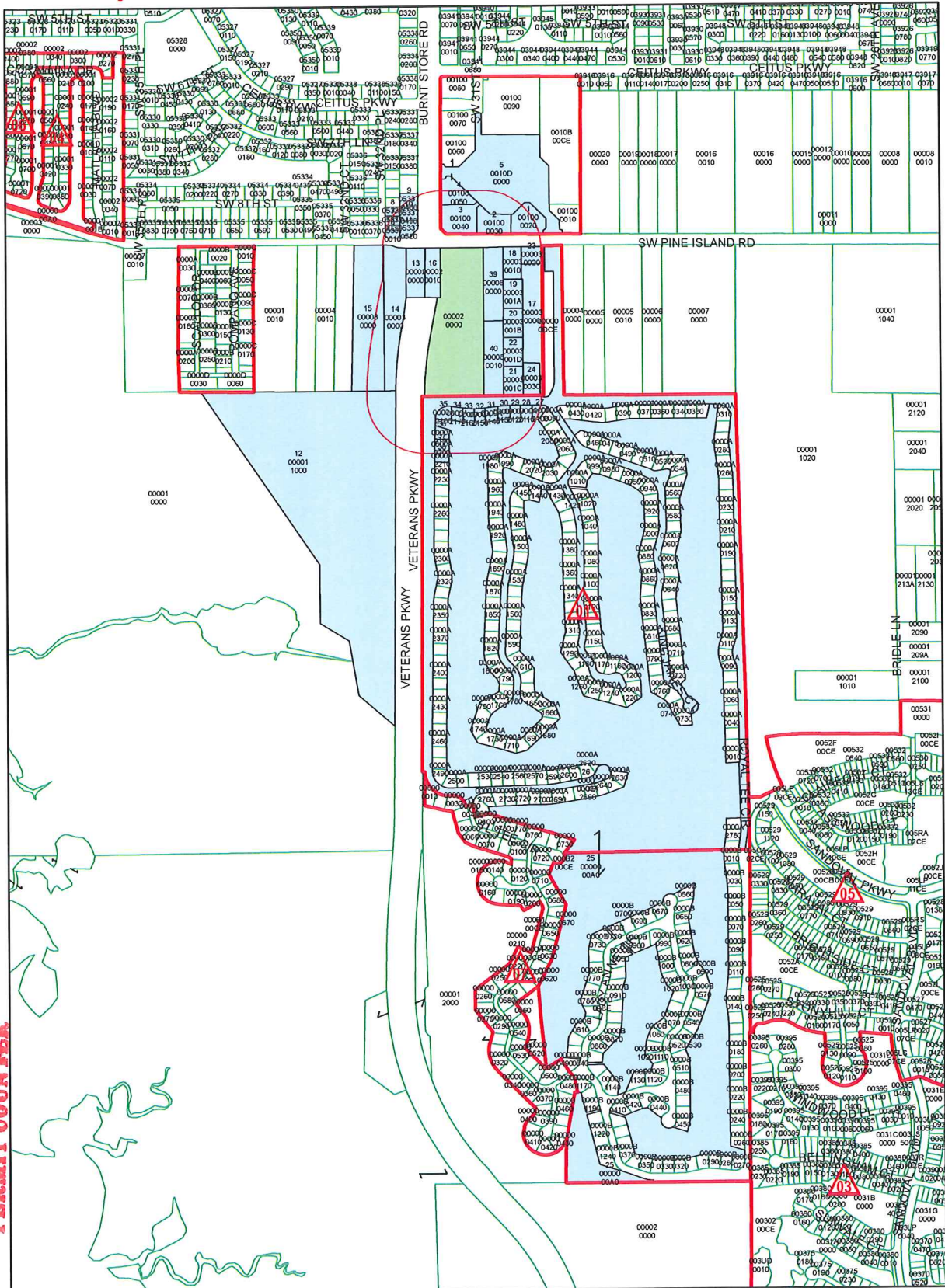
OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
MEANS RICK A + STACY JO 11982 ROYAL TEE CIR CAPE CORAL FL 33991	20-44-23-01-0000A.2140 11982 ROYAL TEE CIR CAPE CORAL FL 33991	ROYAL-TEE COUNTRY CLUB EST BLK A PB 37 PG 4 LOT 214	31
WELLS HAROLD P + BETTYE M 937 BOWMAN RD APT 360 MOUNT PLEASANT SC 29464	20-44-23-01-0000A.2150 11978 ROYAL TEE CIR CAPE CORAL FL 33991	ROYAL-TEE COUNTRY CLUB EST BLK A PB 37 PG 4 LOT 215	32
LYNCH RICHARD M + 1925 CLIFFORD ST APT 702 FORT MYERS FL 33991	20-44-23-01-0000A.2160 11974 ROYAL TEE CIR CAPE CORAL FL 33991	ROYAL-TEE COUNTRY CLUB EST BLK A PB 37 PG 4 LOT 216	33
ROUX JEAN P + PATRICIA D 2020 SW 8TH CT CAPE CORAL FL 33991	20-44-23-01-0000A.2170 11970 ROYAL TEE CIR CAPE CORAL FL 33991	ROYAL-TEE COUNTRY CLUB EST BLK A PB 37 PG 4 LOT 217	34
SMITH WILLIAM R + MAGDALENA R 11966 ROYAL TEE CIR CAPE CORAL FL 33991	20-44-23-01-0000A.2180 11966 ROYAL TEE CIR CAPE CORAL FL 33991	ROYAL-TEE COUNTRY CLUB EST BLK A PB 37 PG 4 LOT 218	35
NARDI RONALD L + OLGA K 11962 ROYAL TEE CIR CAPE CORAL FL 33991	20-44-23-01-0000A.2190 11962 ROYAL TEE CIR CAPE CORAL FL 33991	ROYAL-TEE COUNTRY CLUB EST BLK A PB 37 PG 4 LOT 219	36
GRIFFITH JEFFERY A + DONNA C 11958 ROYAL TEE CIR CAPE CORAL FL 33991	20-44-23-01-0000A.2200 11958 ROYAL TEE CIR CAPE CORAL FL 33991	ROYAL-TEE COUNTRY CLUB EST BLK A PB 37 PG 4 LOT 220	37
BUDNY JAMES J 11954 ROYAL TEE CIR CAPE CORAL FL 33991	20-44-23-01-0000A.2210 11954 ROYAL TEE CIR CAPE CORAL FL 33991	ROYAL-TEE COUNTRY CLUB EST BLK A PB 37 PG 4 LOT 221	38
AJS OIL + FOOD CO INC 2920 E COMMERCIAL BLVD FORT LAUDERDALE FL 33308	20-44-23-C1-00008.0000 3130-3138 SW PINE ISLAND RD CAPE CORAL FL 33991	N 1/2 OF E 1/2 OF E 1/2 OF W 1/2 OF NW 1/4 OF NW 1/4	39
BCD HOLDINGS OF S FLORIDA INC 2920 E COMMERCIAL BLVD FORT LAUDERDALE FL 33308	20-44-23-C1-00008.0010 ACCESS UNDETERMINED CAPE CORAL FL 33991	S 1/2 OF E 1/2 OF E 1/2 OF W 1/2 OF NW 1/4 OF NW 1/4	40

40 RECORDS PRINTED

VARIANCE REPORT

3/7/2008

Subject Parcels : 1 Affected Parcels : 40 Buffer Distance : 500 ft



RECEIVED
MAR 10 2008

PERMIT COUNTER



20-44-23-00-00002.0000

1,400 700 0 1,400 Feet

17-44-23-C4-00100.0020

CAPE INVESTMENTS OVERSEAS INC
DIETHELM BAUMANN
FREIGUTSTR 24
PO BOX 220
8027 ZURICH,
SWITZERLAND

17-44-23-C4-00100.0040

CAPE INVESTMENTS OVERSEAS INC
DIETHELM BAUMANN
FREIGUTSTR 24
PO BOX 220
8027 ZURICH,
SWITZERLAND

17-44-23-C4-0010D.0000

CORAL SHORES E+A LLC
1901 MAIN ST STE 900
COLUMBIA, SC 29201

18-44-23-C3-05337.0030

JESSE A VERR LLC
108 W ORMOND AVE
CHERRY HILL, NJ 08002

18-44-23-C3-05337.0460

KIESEL THOMAS F TR
PO DRAWER 1000
FORT MYERS, FL 33902

18-44-23-C3-05337.0520

JESSE A VERR LLC
108 W ORMOND AVE
CHERRY HILL, NJ 08002

19-44-23-00-00002.0000

LEE COUNTY
PO BOX 398
FORT MYERS, FL 33902

19-44-23-C2-00008.0000

3214 SW PINE ISLAND RD LLC
4353 MICHIGAN LINK
FORT MYERS, FL 33916

20-44-23-00-00003.0000

REALMARK CAPE ROYAL LLC
5789 CAPE HARBOUR DR STE 201
CAPE CORAL, FL 33914

20-44-23-00-00003.001A

HAUCK JAMES + DAMITAJO
11911 LITTLE QUAIL LN
CAPE CORAL, FL 33991

17-44-23-C4-00100.0030

CAPE INVESTMENTS OVERSEAS INC
DIETHELM BAUMANN
FREIGUTSTR 24
PO BOX 220
8027 ZURICH,
SWITZERLAND

17-44-23-C4-00100.0050

CAPE INVESTMENTS OVERSEAS INC
DIETHELM BAUMANN
FREIGUTSTR 24
PO BOX 220
8027 ZURICH,
SWITZERLAND

18-44-23-C3-05337.0010

JESSE A VERR LLC
108 W ORMOND AVE
CHERRY HILL, NJ 08002

18-44-23-C3-05337.0050

JESSE A VERR LLC
108 W ORMOND AVE
CHERRY HILL, NJ 08002

18-44-23-C3-05337.0490

JESSE A VERR LLC
108 W ORMOND AVE
CHERRY HILL, NJ 08002

19-44-23-00-00001.1000

LEE COUNTY
PO BOX 398
FORT MYERS, FL 33902

19-44-23-C2-00003.0000

3214 SW PINE ISLAND ROAD LLC
4353 MICHIGAN LINK
FORT MYERS, FL 33916

20-44-23-00-00002.0010

CITY OF CAPE CORAL
REAL ESTATE DIVISION
PO BOX 150027
CAPE CORAL, FL 33915

20-44-23-00-00003.0010

ALBRECHT HENRY L PA
2430 EVEREST PKWY
CAPE CORAL, FL 33904

20-44-23-00-00003.001B

EVA RICHARD JR +
11881 LITTLE QUAIL LN
CAPE CORAL, FL 33991

20-44-23-00-00003.001C
HERNANDEZ JOSE A
1219 NW 38TH AVE
CAPE CORAL, FL 33993

20-44-23-00-00003.001D
EVA RICHARD JR + KATHY
11881 LITTLE QUAIL LANE
CAPE CORAL, FL 33991

20-44-23-00-00003.0020
REALMARK CAPE ROYAL LLC
5789 CAPE HARBOUR DR STE 201
CAPE CORAL, FL 33914

20-44-23-00-00003.0030
ROYAL TEE GOLF CLUB INC
11460 ROYAL TEE CIR
CAPE CORAL, FL 33991

20-44-23-01-00000.00A0
ROYAL TEE GOLF CLUB INC
11460 ROYAL TEE CIR
CAPE CORAL, FL 33991

20-44-23-01-00000.00CE
ROYAL TEE HOMEOWNERS ASSN
UNIT 6 PMB 126
211 HANCOCK BRIDGE PKWY
CAPE CORAL, FL 33990

20-44-23-01-0000A.2100
MARS DALE W TR 1/2 INT +
801 ROMANO KEY CIR
PUNTA GORDA, FL 33955

20-44-23-01-0000A.2110
SCHAFSTEIN FRANK
123 BAYSHORE DR
CAPE CORAL, FL 33904

20-44-23-01-0000A.2120
SWAN LAKE ENTRPRISES INC
207 SWAN LAKE DR
N FT MYERS, FL 33917

20-44-23-01-0000A.2130
HADI MOHAMMED
FINES GALLERY
11400 S CLEVELAND AVE
FORT MYERS, FL 33907

20-44-23-01-0000A.2140
MEANS RICK A + STACY JO
11982 ROYAL TEE CIR
CAPE CORAL, FL 33991

20-44-23-01-0000A.2150
WELLS HAROLD P + BETTYE M
937 BOWMAN RD APT 360
MOUNT PLEASANT, SC 29464

20-44-23-01-0000A.2160
LYNCH RICHARD M +
1925 CLIFFORD ST APT 702
FORT MYERS, FL 33901

20-44-23-01-0000A.2170
ROUX JEAN P + PATRICIA D
2020 SW 8TH CT
CAPE CORAL, FL 33991

20-44-23-01-0000A.2180
SMITH WILLIAM R + MAGDALENA R
11966 ROYAL TEE CIR
CAPE CORAL, FL 33991

20-44-23-01-0000A.2190
NARDI RONALD L + OLGA K
11962 ROYAL TEE CIR
CAPE CORAL, FL 33991

20-44-23-01-0000A.2200
GRIFFITH JEFFERY A + DONNA C
11958 ROYAL TEE CIR
CAPE CORAL, FL 33991

20-44-23-01-0000A.2210
BUDNY JAMES J
11954 ROYAL TEE CIR
CAPE CORAL, FL 33991

20-44-23-C1-00008.0000
AJS OIL + FOOD CO INC
2920 E COMMERCIAL BLVD
FORT LAUDERDALE, FL 33308

20-44-23-C1-00008.0010
BCD HOLDINGS OF S FLORIDA INC
2920 E COMMERCIAL BLVD
FORT LAUDERDALE, FL 33308

Post by March 10, 2008

PLANNING SIGN PICKUP SHEET

LEE COUNTY LOCAL PLANNING AGENCY MEETING

March 24th 2008

DATE	SIGNATURE	PLANNER	CASE NUMBER	CASE NAME
03-07-08	Alison M. Stone	Peter Blackwell	CPA2006-15	Cauthen Amendment

Please return to Internal Services Secretary: Janet Miller

**Knott, Consoer, Ebelini
Hart & Swett, P.A.**

A T T O R N E Y S - A T - L A W

George H. Knott *+
George L. Consoer, Jr. **
Mark A. Ebelini
Thomas B. Hart
H. Andrew Swett

* Board Certified Civil Trial Lawyer
** Board Certified Real Estate Lawyer
+ Board Certified Business Litigation Lawyer

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Fort Myers, Florida 33902-2449

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Matthew D. Uhle
Aaron A. Haak
Derrick S. Eihausen
Naty Torres-Alvarado
David A. Burt
Madeline Ebelini

Director of Zoning
and Land Use Planning
Michael E. Roeder, AICP

MEMORANDUM

TO: Pete Blackwell

FROM: Alison M. Stowe

DATE: April 7, 2008

RE: Cauthen / CPA2006-00015



Attached please find 6 signed and sealed copies of the revised boundary survey for the above referenced project.

ams
Attachments

IV (c)

Environmental Impacts

- 1) A map of the plant communities as defined by the FLUCCS.

Sufficient

- 2) A map and description of the soils found on the property

Sufficient

- 3) A topographic map with property boundaries and 100-year flood areas.

Topo map was separate from FEMA map. #3 is **sufficient** for ES

- 4) A map delineating wetlands, aquifer recharge areas, and rare and unique uplands.

Insufficient: please provide a map delineating wetlands, aquifer recharge areas, and rare and unique uplands.

- 5) A table of plant communities by FLUCCS with the potential to contain species listed by federal, state or local agencies as endangered, threatened, or species of special concern. The table must include the listed species by FLUCCS and the species status.

Sufficient

Note: Environmental Sciences does not review for *FEMA flood zones* or *Aquifer Recharge Areas*. See Natural Resources for these issues.

This site is heavily disturbed, and was used as pasture. The only issue would be the 12.8 acres of wetland. SFWMD would have to make a determination on whether these wetlands are jurisdictional. Although hydric vegetation is present, according to applicant the wetlands could be the result of the clearing of the site. The soil survey results show a non-hydric soil type.

Storm water retention may be a concern because of the condition of the site with regards to the wetlands.

This application is insufficient awaiting determination by SFWMD on jurisdictional wetlands.

Doug Griffith
Environmental Planner
Lee County DCD
Environmental Sciences Division

**CPA 2006-15
PRIVATELY SPONSORED
CAUTHEN AMENDMENT
TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

**Privately Sponsored Application
and Staff Analysis**

LPA Public Hearing Document
for the
March 24th, 2008 Public Hearing

*Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(239) 533-8585*

March 19, 2008

**LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2006-15**

☐

Text Amendment

☒

Map Amendment

	This Document Contains the Following Reviews:
✓	Staff Review
	Local Planning Agency Review and Recommendation
	Board of County Commissioners Hearing for Transmittal
	Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report
	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: March 19, 2008

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT/REPRESENTATIVE:

John Cauthen

Represented by Michael Roeder of Knott, Consoer, Ebelini, Hart & Swett PA
1625 Hendry St. Suite 301
Ft. Myers, FL, 33901

2. REQUEST:

Amend the Lee Plan Map 1, Future Land Use Map for a 13.5 acre parcel from the Rural to the Commercial Future Land Use Category.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION: .

Planning staff recommends that Map 1, the Future Land Use Map, be amended to change the future land use designation of the subject area from the "Rural" land use category to the "Commercial" land use category for the 13.5 acres subject property.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The subject parcel is an enclave of County land.
- The subject parcel is in the Tropical Storm and Category 1 Hurricane Storm Surge zones and the Coastal High Hazard Area (CHHA).
- All of the necessary infrastructure is in place or can be provided to the subject parcel. The proposed land use change will not cause future road network plan changes. The requested land use change will have a minimal impact on public safety service providers.
- The proposed amendment will cause the population accommodation capacity of the Future Land Use Map to decrease in the Rural designated portions of the Pine Island planning community
- The Commercial Future Land Use category does not permit residential uses.
- Any commercial development would be required to follow the Planned Development process.
- The subject property is abutted by two arterial roadways: Veterans Parkway and Pine Island Road (SR78)
- Veterans Parkway is a "Limited Access" facility.
- There is a Publix shopping center to the north across Pine Island Road. To the south is the Royal Tee Country Club subdivision and to the east is a gas station. To the west across Veterans Parkway is a large vacant parcel.
- The proposed development is consistent with the site locations standards listed in Goal 6 of the Lee Plan.
- The proposed development is consistent with Policy 1.1.10, the Commercial future land use descriptor policy of the Lee Plan.

C. BACKGROUND INFORMATION

1. INTRODUCTION

The subject property is a 13.5 acre parcel at the southeast corner of Veterans Parkway and Pine Island Road in Cape Coral. The parcel is currently zoned AG-2 and is in the Rural future land use category on Lee Plan Map 1, the Future Land Use Map. The applicant is proposing to change the future land use category from Rural to Commercial. The subject parcel is part of an enclave of County land within the boundary limits of the City of Cape Coral. The land to the abutting to the east, and across public rights of way on the west and north all lay within the City of Cape Coral and are in the Pine Island Road District future land use category. Parcels on the east and north have urban land uses. The property is abutted on the south by the Royal Tee Country Club. It is a residential development which is zoned RS-2 and is in the Rural future land use category. Abutting on the east is a gas station and vacant commercial land. North of the property across Pine Island Road is a community shopping

center. Across Veterans Parkway on the west is a vacant parcel. The applicant originally proposed to change the subject property from Rural to Intensive Development. Planning staff met with the applicant and requested that he consider changing the requested future land use category to Commercial in order to mitigate some of staffs concerns with the proposed amendment.

2. **COMPREHENSIVE PLAN BACKGROUND**

The subject property has been designated Rural on the Future Land Use Map since 1984, the year that the Lee Plan was adopted. Several Lee Plan policies are relevant to the proposed plan amendment:

***Policy 1.1.10:** The Commercial areas are located in close proximity to existing commercial areas or corridors accommodating employment centers, tourist oriented areas, and where commercial services are necessary to meet the projected needs of the residential areas of the County. These areas are specifically designated for commercial uses. Residential uses, other than bona fide caretaker residences, are not permitted in this future land use category except to the extent provided in Chapter XIII of the Plan. The Commercial areas are areas where residential uses are not expected or compatible due to the nature of the surrounding land uses and their location along major travel corridors. The commercial designation is intended for use where residential development would increase densities in areas such as the Coastal High Hazard Areas of the County or areas such as Lehigh Acres where residential uses are abundant and existing commercial areas serving the residential needs are extremely limited.*

The requisite infrastructure needed for commercial development is generally planned or in place. New developments in this category must connect to a potable water and sanitary sewer system. Commercial and retail developments, hotels and motels, banks, all types of office development, research and development, public, and other similar development will predominate in the Commercial areas. Limited light industrial uses are also permitted, excluding outdoor storage type uses. Any redesignation of land to the Commercial land use category should occur along major travel corridors and at road intersections. The planned Development rezoning process must be used to prevent adverse impacts to the surrounding areas and to ensure that appropriate site development regulations are incorporated into the development plans of each site. A maximum Floor Area Ratio (FAR) of 1 will be used as an index of intensity of development in the Commercial category. Development in this future land use category is not required to comply with the site location criteria provided in Goal 6 when appropriate site development regulations are incorporated into the planned development.

***POLICY 1.4.1:** The Rural areas are to remain predominantly rural—that is, low density residential, agricultural uses, and minimal non-residential land uses that are needed to serve the rural community. These areas are not to be programmed to receive urban-type capital improvements, and they can anticipate a continued level of public services below that of the urban areas. Maximum density in the Rural area is one dwelling unit per acre (1 du/acre).*

***POLICY 1.7.3:** The Urban Reserve overlay indicates areas that are suitable for annexation into adjoining municipality. Urban Reserve areas are initially established by interlocal agreements pursuant to section 163.3171(1), F.S.*

POLICY 6.1.2: All commercial development must be consistent with the location criteria in this policy, except where specifically excepted by this policy or by Policy 6.1.7, or in Lehigh Acres by Policies 1.8.1 through 1.8.3.

POLICY 6.1.7: Prohibit commercial developments from locating in such a way as to open new areas to premature, scattered, or strip development; but permit commercial development to infill on small parcels in areas where existing commercial development would make a residential use clearly unreasonable.

POLICY 105.1.4: Through the Lee Plan amendment process, future land use designations of undeveloped areas within coastal high hazard areas will be considered for reduced density categories in order to limit the future population exposed to coastal flooding.

POLICY 105.1.5: Zoning requests located in the coastal high hazard area will be considered for reduced or minimum density assignments, in accordance with their future land use category density range. This evaluation should be done in concert with an evaluation of other individual characteristics such as compatibility with existing uses, desired urban form, and availability of urban services.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

Introduction

The proposed amendment is intended for an important location in the County. It is situated at the intersection of a north-south inter-county road facility and an east-west State Road. Because of this, development on this site will have greater impact than other properties of comparable size. The originally proposed amendment was to redesignate the property to the Intensive Development future land use category. Due to the large potential impact of residential development at this location, staff requested that the applicant amend the request to the Commercial future land use category. In doing so, many of the potential impacts of development on the subject property have been mitigated. This section reviews the potential impact of the proposed amendment on residential and commercial development, environmental issues and other criteria.

Population Accommodation

The subject property is located in the Pine Island planning community. The current future land use category on the subject property is Rural, which allow a maximum of 1 dwelling unit per acre. The subject property would allow a total of 13 units which equals 27 residents ($13 \times 2.14 = 27.82$). The Commercial Future Land Use category does not permit residential development apart from caretaker residences and the provisions of Chapter XIII of the Lee Plan. The relevant section of Chapter XIII addresses Minimum Use Determinations and would only allow residential uses that would already be permitted under the current future land use category. Therefore, redesignating the property to the Commercial category would cause a reduction of 27 residents. Since the property is currently vacant, placing the property in the Commercial future land use category will not increase residential density and decreases potential future residential density. The Pine Island planning community is allocated 190 acres for the Rural Future Land Use category. There are 710 acres of land designated Rural in the planning community, creating a deficit of 520 acres. The proposed amendment would decrease this deficit by 13.5 acres. The Pine Island planning community is allocated 226 acres for commercial use. Of that, 154 acres are existing. This leaves a remainder of 72 acres which is enough to accommodate the 13.5 acres of commercial uses that would be possible under the Commercial future land use category.

School Impacts

The proposed amendment will reduce potential future residential density by 13 dwelling units. At a rate of .316 students for every single family residence, eliminating the residential uses from this property will result in a reduction of 4.108 students in the Lee County School District. This is an insignificant impact on the School District.

Coastal High Hazard Area

The subject property is in the Tropical Storm and Category 1 Hurricane storm surge zones as depicted on Plate 4 of the 1991 Hurricane Storm Tide Atlas for Lee County. The Coastal High Hazard Area (CHHA) includes those areas within the Tropical Storm and Category 1 storm surge zones. Therefore the subject property is within the CHHA. Lee Plan Policy 105.1.4 requires that undeveloped areas within the CHHA be considered for reduced density to limit future populations exposed to storm surge flooding. Redesignating the property to the Commercial future land use category will decrease the amount of potential residential development within the CHHA. Lee Plan policy 105.1.5 states that zoning requests in the CHHA will be considered for reduced density in accordance with their future land use category. This consideration will include other factors such as compatibility with existing uses and desired urban forms. Any development in the Commercial Future Land Use category requires that the planned development process be followed. This would conform to the special considerations listed in Lee Plan Policy 1.5.1.5 in future development review on the subject property.

Environmental Issues

County Environmental staff have inspected the subject property. The site is heavily disturbed, and has been used as a pasture. Storm water retention may be a concern because of the condition of the site with regards to wetlands. The applicant has not submitted a wetland determination by SFWMD on jurisdictional wetlands.

Environmental staff report that the site appears to not historically have been a wetland. The water observed on the site was possibly due to development on surrounding parcels. This conclusion is supported by the presence of Boca Fine Sand and Wabassa Sand soils on the site. Both of these soil types are non-hydric, indicative of non-wetland conditions. These facts are in accord with the species survey submitted by the applicant. The species survey reports no protected species or signs of protected species were observed on the subject property.

Sheriffs Office

A letter dated November 14, 2007 from the Office of the Sheriff states that the proposed amendment would not affect the ability of the Lee County Sheriffs Office to provide core services.

Fire

The subject property is served by the Matlacha-Pine Island Fire Control District. The chief of the district has stated that the district is currently not able to maintain a sufficient level of service to the subject property. The district is currently in the process of acquiring land for an additional fire station near the subject property that would provide a sufficient level of fire service. The district is also acquiring land approximately one quarter mile to the west of the subject property for an ambulance facility.

EMS

In a letter dated January 29, 2007, the Chief of Planning for the Lee County Division of Public Safety stated opposition to any increase in residential density on the subject property. The applicant has subsequently agreed to amend the proposal to the Commercial future land use category. This category does not permit residential uses

and therefore precludes any increase in residential density. Public Safety staff have agreed with this conclusion.

Solid Waste

The applicant submitted a letter from Operations Manager of Lee County Solid Waste Division. The letter states that the division is capable of providing service to the subject property and that plans have been made to allow for growth to maintain long-term disposal capacity.

Parks, Recreation and Open Space

Parks and Recreation is one of the areas that are covered by minimum required levels of service. The Lee Plan standard for minimum level of service for regional parks is 6 acres per 1,000 residents. The mandatory level of service for community parks is .8 acres per 1,000 residents. Redesignating the property to the Commercial category would cause a reduction of 27 residents. This would cause a reduction in mandatory regional park acreage by .162 acres. The required community park acreage would be reduced by .0216 acres.

Historic Resources

The applicant submitted an archeological inquiry about the subject property to the Division of Historical Resources of the Florida Department of State. The Master Site file lists no previously recorded cultural resources on the subject property.

Transportation Issues

The subject property fronts on Veterans Parkway on the west and Pine Island Road on the North. Both of these roads are classified as arterial roadways. Veterans Parkway is designated as a "Limited Access" facility. Access points are limited to those specified by Board resolution. That resolution currently limits access from Veterans Parkway to a right in/right out connection approximately one-quarter mile south of the intersection with Pine Island Road. There is a potential for an additional left-in connection at the south property line assuming a joint access can be worked out with the Royal Tee Country Club subdivision.

Commercial Compatibility

Lee Plan Goal 6 outlines the Site Location Standards for commercial uses in Lee County. The subject property is at the intersection of two arterial roadways. Under Lee Plan Policy 6.1.2 part 3, such an intersection conforms to the location standards for "Community Commercial." The Community Commercial category lists that the site area be between 10 and 35 acres. At 13.5 acres, the subject property conforms to this requirement.

The Commercial future land use category permits a Floor Area Ratio of 1. The subject parcel is 13.5 acres which equals 588,060 square feet of commercial. This exceeds the 400,000 square foot maximum listed for the Community Commercial site location category. However, the Commercial future land use category does not require that commercial development strictly comply with the site location standards listed under Lee Plan Goal 6.

Lee Plan Policy 6.1.7 prohibits commercial development that is premature, scattered or strip development. The intersection of two major arterial roadways provides a commercial node to prevent the creation of strip development on Pine Island Road. Veterans Parkway is a limited access facility, which will prevent the proliferation of driveways characteristic of strip development. A community shopping center is located at the northeastern corner of the intersection. Therefore, the creation of commercial uses on the subject property is not premature.

Surrounding Zoning and Future Land Uses

The subject property is in close proximity to land that lays within the boundary of the City of Cape Coral. The properties abutting on the east as well as the land directly across Pine Island Road and Veterans Parkway are all within Cape Coral. All of these lands are designated as part of the Pine Island Road District in the Future Land Use Element of the Cape Coral Comprehensive Plan:

"Pine Island Road District, illustrated in purple, is located along Pine Island Road from east of Del Prado Boulevard, and west to Burnt Store Road. Under this land use designation, at least two distinctive zoning categories will be allowed: Village and Corridor zoning. The Village zone is intended to promote maximum pedestrian friendliness and minimal automobile traffic between residential areas, shopping destinations, a variety of entertainment establishments, and employment opportunities. The Corridor zoning designation will be placed on the land located between the Villages and will include larger scale, less pedestrian-oriented uses. In general terms, Pine Island Road District will encourage mixed-use development at key intersections with major North-South streets along Pine Island Road."

The parcels to the east and west of the subject property are zoned Corridor while the shopping center to the north is zoned Village. Both of these categories support commercial land uses. These commercial uses would be compatible with proposed commercial development on the subject property. The Pine Island Road District is compatible with commercial development. Therefore, the proposed amendment conforms to the Future Land Use Element of the Cape Coral Comprehensive Plan.

The only county land abutting the subject property is the Royal Tee Country Club subdivision to the south. This golf course subdivision is zoned RS-2 and is largely, though not fully, built out. The subject property abuts four or five residential lots in this community. Any commercial development on the subject property would need to be buffered along this boundary. This would not be difficult for staff to require in the future as any development in the Commercial future land use category is required to follow the Planned Development process.

Annexation Issues

The subject parcel is adjacent to the Cape Coral City Boundary. The subject property is also identified on Map 1, page 4 of 5, as part of an Urban Reserve Overlay. Lee Plan Policy 1.7.3 states that the Urban Reserve Overlay indicates areas that are suitable for annexation into an adjacent municipality.

Planning staff has asked the applicant to provide discussion as to whether or not the applicant has considered this issue, as it has always been the County's policy to encourage annexation for the enclave parcels along Pine Island Road. The applicant has provided that the possibility of annexing has been discussed, yet annexation is difficult as long as the property remains within the Greater Pine Island Water Association franchise area. The applicant met with Cape Coral staff in 2005 and was told that utility service would not be available until "probably 2020." At that time, the applicant chose not to apply for annexation, but to apply for a Lee Plan amendment.

It is Planning staff's understanding that the impediment to annexations in this area is the fact that the subject parcel is located in the Greater Pine Island Water Association franchise area and involves the release of water rights to the City of Cape Coral. In addition, the City Utility Plan does not show the area receiving water/sewer services until sometime between the year 2010 and 2012.

B. CONCLUSIONS

The proposed amendment will reduce the population impact of development on the subject property. Commercial uses are appropriate to the site and conform to the site location standards of the Lee Plan. Commercial development on this site is also compatible with the future land use goals of the City of Cape Coral. The

Commercial future land use category will have a minimal impact on the School District. Future commercial development on the subject property will require buffering against the residential lots abutting the south boundary. [traffic analysis]

C. STAFF RECOMMENDATION

Planning staff recommend that the Board of Commissioners transmit the amendment to redesignate the future land use on the subject property from Rural to Commercial.

**PART III - LOCAL PLANNING AGENCY
REVIEW AND RECOMMENDATION**

DATE OF PUBLIC HEARING: March 24, 2008

A. LOCAL PLANNING AGENCY REVIEW

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

NOEL ANDRESS

LES COCHRAN

RONALD INGE

JACQUE RIPPE

CARLETON RYFFEL

LELAND M. TAYLOR

RAE ANN WESSEL

**PART IV - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: _____

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

A. BRIAN BIGELOW

TAMMARA HALL

ROBERT P. JANES

RAY JUDAH

FRANKLIN B. MANN

**PART V - DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS, RECOMMENDATIONS,
AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT: _____

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS

B. STAFF RESPONSE

**PART VI - BOARD OF COUNTY COMMISSIONERS
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING: _____

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

A. BRIAN BIGELOW

TAMMARA HALL

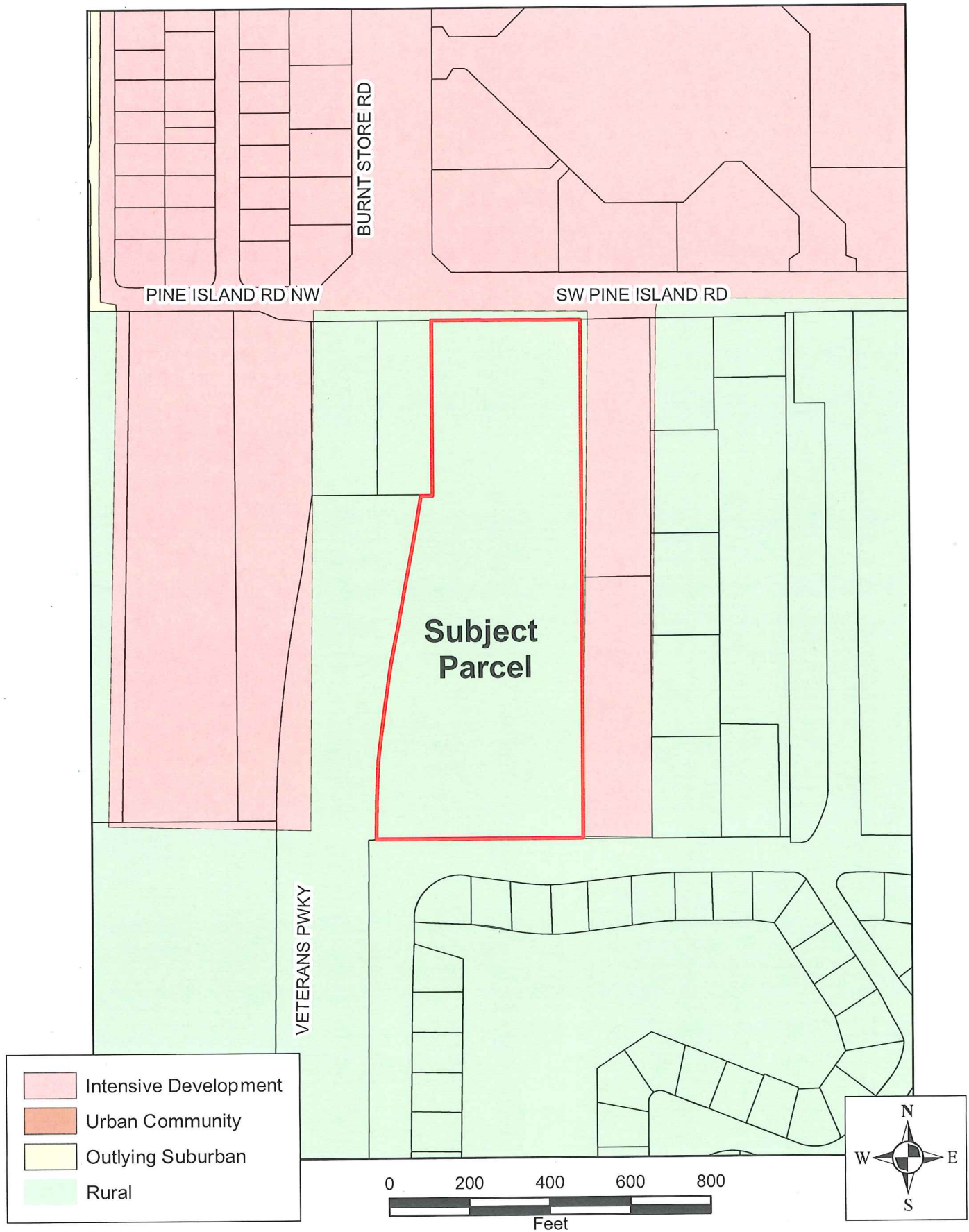
ROBERT P. JANES

RAY JUDAH

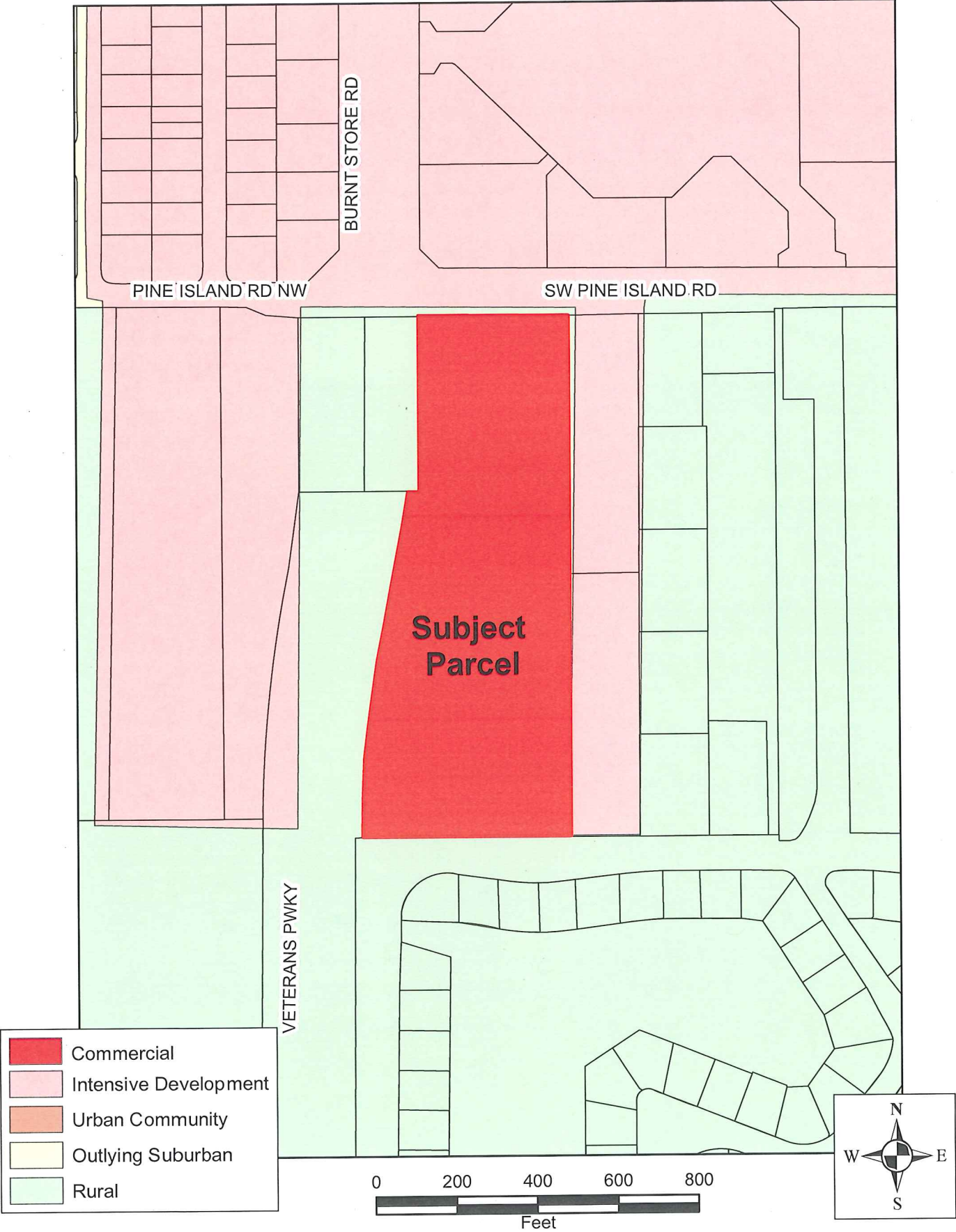
FRANKLIN B. MANN

CPA2006-15 Cauthen Amendment

Existing Future Land Use Map



CPA2006-15 Cauthen Amendment
Proposed Future Land Use Map



APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT

(To be completed at time of intake)

DATE REC'D _____

REC'D BY: _____

APPLICATION FEE _____

TIDEMARK NO: CPA 2006-00015

THE FOLLOWING VERIFIED:

Zoning ☐ Commissioner District ☐

Designation on FLUM ☐

(To be completed by Planning Staff)

Plan Amendment Cycle: ☐ Normal ☐ Small Scale ☐ DRI ☐ Emergency

Request No: _____

APPLICANT PLEASE NOTE:

Answer all questions completely and accurately. Please print or type responses. If additional space is needed, number and attach additional sheets. The total number of sheets in your application is: _____

Submit **6** copies of the complete application and amendment support documentation, including maps, to the Lee County Division of Planning. Additional copies may be required for Local Planning Agency, Board of County Commissioners hearings and the Department of Community Affairs' packages.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.

9/29/06
DATE SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE

I. APPLICANT/AGENT/OWNER INFORMATION

John Cauthen

APPLICANT

4353 Michigan Link

ADDRESS

Fort Myers

FL

33916

CITY

STATE

ZIP

239-851-3830

239-334-2952

TELEPHONE NUMBER

FAX NUMBER

Michael E. Roeder, AICP

AGENT*

1625 Hendry Street, Suite 301

ADDRESS

Fort Myers

FL

33901

CITY

STATE

ZIP

239-334-2722

239-334-1446

TELEPHONE NUMBER

FAX NUMBER

3150 SW Pine Island Rd, LLC

OWNER(s) OF RECORD

4353 Michigan Link

ADDRESS

Fort Myers

FL

33916

CITY

STATE

ZIP

239-851-3830

239-334-2952

TELEPHONE NUMBER

FAX NUMBER

Name, address and qualification of additional planners, architects, engineers, environmental consultants, and other professionals providing information contained in this application.

* This will be the person contacted for all business relative to the application.

II. REQUESTED CHANGE (Please see Item 1 for Fee Schedule)

A. TYPE: (Check appropriate type)

☐ Text Amendment

☒ Future Land Use Map Series Amendment
(Maps 1 thru 21)
List Number(s) of Map(s) to be amended

B. SUMMARY OF REQUEST (Brief explanation):

Map amendment from Rural to Intensive Development

**III. PROPERTY SIZE AND LOCATION OF AFFECTED PROPERTY
(for amendments affecting development potential of property)**

A. Property Location:

1. Site Address: 3150 SW Pine Island Road, Cape Coral, FL 33991

2. STRAP(s): ~~20-44-23-00-00002.0000~~

B. Property Information

Total Acreage of Property: 13.5 ± acres

Total Acreage included in Request: 13.5 ± acres

Area of each Existing Future Land Use Category: Rural

Total Uplands: 0.68 acres

Total Wetlands: 12.83 acres

Current Zoning: AG-2

Current Future Land Use Designation: Rural

Existing Land Use: _____ Vacant

- C. State if the subject property is located in one of the following areas and if so how does the proposed change effect the area:

Lehigh Acres Commercial Overlay: NA

Airport Noise Zone 2 or 3: NA

Acquisition Area: NA

Joint Planning Agreement Area (adjoining other jurisdictional lands): NA

Community Redevelopment Area: NA

- D. Proposed change for the Subject Property: Intensive Development

- E. Potential development of the subject property:

1. Calculation of maximum allowable development under existing FLUM:

Residential Units/Density 1 unit per acre

Commercial intensity

Industrial intensity

2. Calculation of maximum allowable development under proposed FLUM:

Residential Units/Density 14 units per acre (181 total residential units)

Commercial intensity 400,000 square feet

Industrial intensity

IV. AMENDMENT SUPPORT DOCUMENTATION

At a minimum, the application shall include the following support data and analysis. These items are based on comprehensive plan amendment submittal requirements of the State of Florida, Department of Community Affairs, and policies contained in the Lee County Comprehensive Plan. Support documentation provided by the applicant will be used by staff as a basis for evaluating this request. To assist in the preparation of amendment packets, the applicant is encouraged to provide all data and analysis electronically. (Please contact the Division of Planning for currently accepted formats)

A. General Information and Maps

NOTE: For each map submitted, the applicant will be required to provide a reduced map (8.5" x 11") for inclusion in public hearing packets.

The following pertains to all proposed amendments that will affect the development potential of properties (unless otherwise specified).

1. Provide any proposed text changes.
2. Provide a Future Land Use Map showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.
3. Map and describe existing land *uses* (not designations) of the subject property and surrounding properties. Description should discuss consistency of current uses with the proposed changes.
4. Map and describe existing zoning of the subject property and surrounding properties.
5. The legal description(s) for the property subject to the requested change.
6. A copy of the deed(s) for the property subject to the requested change.
7. An aerial map showing the subject property and surrounding properties.
8. If applicant is not the owner, a letter from the owner of the property authorizing the applicant to represent the owner.

B. Public Facilities Impacts

NOTE: The applicant must calculate public facilities impacts based on a maximum development scenario (see Part II.H.).

1. Traffic Circulation Analysis

The analysis is intended to determine the effect of the land use change on the Financially Feasible Transportation Plan/Map 3A (20-year horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit the following information:

Long Range – 20-year Horizon:

- a. Working with Planning Division staff, identify the traffic analysis zone (TAZ) or zones that the subject property is in and the socio-economic data forecasts for that zone or zones;
- b. Determine whether the requested change requires a modification to the socio-economic data forecasts for the host zone or zones. The land uses for the proposed change should be expressed in the same format as the socio-economic forecasts (number of units by type/number of employees by type/etc.);

- c. If no modification of the forecasts is required, then no further analysis for the long range horizon is necessary. If modification is required, make the change and provide to Planning Division staff, for forwarding to DOT staff. DOT staff will rerun the FSUTMS model on the current adopted Financially Feasible Plan network and determine whether network modifications are necessary, based on a review of projected roadway conditions within a 3-mile radius of the site;
- d. If no modifications to the network are required, then no further analysis for the long range horizon is necessary. If modifications are necessary, DOT staff will determine the scope and cost of those modifications and the effect on the financial feasibility of the plan;
- e. An inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change;
- f. If the proposal is based on a specific development plan, then the site plan should indicate how facilities from the current adopted Financially Feasible Plan and/or the Official Trafficways Map will be accommodated.

Short Range – 5-year CIP horizon:

- a. Besides the 20-year analysis, for those plan amendment proposals that include a specific and immediated development plan, identify the existing roadways serving the site and within a 3-mile radius (indicate laneage, functional classification, current LOS, and LOS standard);
- b. Identify the major road improvements within the 3-mile study area funded through the construction phase in adopted CIP's (County or Cities) and the State's adopted Five-Year Work Program;

Projected 2020 LOS under proposed designation (calculate anticipated number of trips and distribution on roadway network, and identify resulting changes to the projected LOS);

- c. For the five-year horizon, identify the projected roadway conditions (volumes and levels of service) on the roads within the 3-mile study area with the programmed improvements in place, with and without the proposed development project. A methodology meeting with DOT staff prior to submittal is required to reach agreement on the projection methodology;
- d. Identify the additional improvements needed on the network beyond those programmed in the five-year horizon due to the development proposal.

2. Provide an existing and future conditions analysis for:

- a. Sanitary Sewer
- b. Potable Water
- c. Surface Water/Drainage Basins
- d. Parks, Recreation, and Open Space.

Analysis should include (but is not limited to) the following:

- Franchise Area, Basin, or District in which the property is located;

- Current LOS, and LOS standard of facilities serving the site;
 - Projected 2020 LOS under existing designation;
 - Projected 2020 LOS under proposed designation;
 - Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long range improvements; and
 - Anticipated revisions to the Community Facilities and Services Element and/or Capital Improvements Element (state if these revisions are included in this amendment).
3. Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including:
- a. Fire protection with adequate response times;
 - b. Emergency medical service (EMS) provisions;
 - c. Law enforcement;
 - c. Solid Waste;
 - d. Mass Transit; and
 - e. Schools.

In reference to above, the applicant should supply the responding agency with the information from Section's II and III for their evaluation. This application should include the applicant's correspondence to the responding agency.

C. Environmental Impacts

Provide an overall analysis of the character of the subject property and surrounding properties, and assess the site's suitability for the proposed use upon the following:

1. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCCS).
2. A map and description of the soils found on the property (identify the source of the information).
3. A topographic map with property boundaries and 100-year flood prone areas indicated (as identified by FEMA).
4. A map delineating wetlands, aquifer recharge areas, and rare & unique uplands.
5. A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern. The table must include the listed species by FLUCCS and the species status (same as FLUCCS map).

D. Impacts on Historic Resources

List all historic resources (including structure, districts, and/or archeologically sensitive areas) and provide an analysis of the proposed change's impact on these resources. The following should be included with the analysis:

1. A map of any historic districts and/or sites, listed on the Florida Master Site File, which are located on the subject property or adjacent properties.
2. A map showing the subject property location on the archeological sensitivity map for Lee County.

E. Internal Consistency with the Lee Plan

1. Discuss how the proposal affects established Lee County population projections, Table 1(b) (Planning Community Year 2020 Allocations), and the total population capacity of the Lee Plan Future Land Use Map.
2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.
3. Describe how the proposal affects adjacent local governments and their comprehensive plans.
4. List State Policy Plan and Regional Policy Plan goals and policies which are relevant to this plan amendment.

F. Additional Requirements for Specific Future Land Use Amendments

1. Requests involving Industrial and/or categories targeted by the Lee Plan as employment centers (to or from)
 - a. State whether the site is accessible to arterial roadways, rail lines, and cargo airport terminals,
 - b. Provide data and analysis required by Policy 2.4.4,
 - c. The affect of the proposed change on county's industrial employment goal specifically policy 7.1.4.
2. Requests moving lands from a Non-Urban Area to a Future Urban Area
 - a. Demonstrate why the proposed change does not constitute Urban Sprawl. Indicators of sprawl may include, but are not limited to: low-intensity, low-density, or single-use development; 'leap-frog' type development; radial, strip, isolated or ribbon pattern type development; a failure to protect or conserve natural resources or agricultural land; limited accessibility; the loss of large amounts of functional open space; and the installation of costly and duplicative infrastructure when opportunities for infill and redevelopment exist.

1. Requests involving lands in critical areas for future water supply must be evaluated based on policy 2.4.2.
2. Requests moving lands from Density Reduction/Groundwater Resource must fully address Policy 2.4.3 of the Lee Plan Future Land Use Element.

G. Justify the proposed amendment based upon sound planning principles. Be sure to support all conclusions made in this justification with adequate data and analysis.

Item 1: Fee Schedule

Map Amendment Flat Fee	\$2,000.00 each
Map Amendment > 20 Acres	\$2,000.00 and \$20.00 per 10 acres
Small Scale Amendment (10 acres or less)	\$1,500.00 each
Text Amendment Flat Fee	\$2,500.00 each

AFFIDAVIT

I, Johnson W. Cauthen as Managing Member of 3150 SW Pine Island Road, LLC, a Florida Limited Liability Company, certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data, or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.



Signature of owner or owner-authorized agent

9/27/06

Date

JOHNSON W. CAUTHEN

Typed or printed name

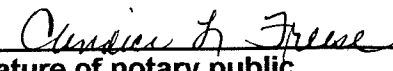
STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this 27 day of SEPT 2006, by Johnson W. Cauthen as Managing Member of 3150 SW Pine Island Road, LLC, a Florida Limited Liability Company, who is personally known to me or who has produced _____ as identification.

(SEAL)



CANDICE L. FREESE
MY COMMISSION # DD 502750
EXPIRES: January 28, 2010
Bonded Thru Budget Notary Services



Signature of notary public

Printed name of notary public

EXHIBIT A.5

A portion of the E $\frac{1}{2}$ of the E $\frac{1}{2}$ of the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 19, Township 44 South, Range 23 East, Lee County, Florida, LESS and EXCEPT right of way for Pine Island Road (SR No. 78) AND a portion of the W $\frac{1}{4}$ of the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 20, Township 44 South, Range 23 East, Lee County, Florida, LESS and EXCEPT right of way for said Pine Island Road (SR No. 78), said portions being more particularly described as follows: Commence at a railroad spike marking the NW corner of said Section 20; thence S 0 degrees 11'50" W along the West line of said NW $\frac{1}{4}$ of Section 20, 33.00 feet to an intersection with the South right of way line of said Pine Island Road (SR No. 78); thence due East along said right of way line, 134.84 feet to a steel pin with a plastic cap bearing the stamp LB 697 and the Point of Beginning; thence continue due East along the said right of way line, 370.96 feet to a steel pin and cap; thence S 00 degrees 03'41" W, 1,299.58 feet to a steel pin and cap; thence N 89 degrees 53'31" W, 508.88 feet to a 2 $\frac{1}{2}$ " round concrete monument marking the SW corner of said West $\frac{1}{4}$ of the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said section 20; thence N 89 degrees 27'38" W, 164.71 feet to a steel pin and cap; thence N 00 degrees 10'39" E, 861.77 feet to a steel pin and cap; thence S 89 degrees 49'21" E, 300.00 feet to a steel pin and cap; thence N 00 degrees 10'39" E, 436.24 feet to a steel pin and cap and the Point of Beginning. LESS and EXCEPT Burnt Store Extension road right of way described in Order of Taking recorded September 30, 1999 in O.R. Book 3173, Page 1317, Public Records of Lee County, Florida.



EXHIBIT A.6

This instrument prepared by:
Burnt Store Title Services, Inc.
15500 Burnt Store Rd., Suite 106
Punta Gorda, FL 33950
941-833-1067
Debbie Bollinger



Property Appraiser's
Parcel Identification No: 20-44-23-00-00002.0000

INSTR # 6359326
OK BK 04367 Pgs 0202 - 213; (12pgs)
RECORDED 07/15/2004 04:21:46 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
DEED DOC 25,666.98
DEPUTY CLERK G Sherwood

Warranty Deed by Trustee (Section 689.071, Florida Statutes)

*12 pages
25666.90*

THIS INDENTURE, made July 15, 2004, between **Ronald A. York, Trustee and James L. Bevillard, Trustee Under Trust Dated 11/14/1989**, pursuant to Florida Statute 689.071 under the provisions of the unrecorded Trust with full power and authority in them jointly, or if one dies, then in the survivor to protect, conserve, and to sell, or to lease, or to encumber or otherwise to manage and dispose of the real property described hereafter under the authority of 689.071, Florida Statute (1981), whose post office address is 4524, SE 16th Place Suite 3, Cape Coral, Florida 33904 Grantor*, and 3150 SW Pine Island Road LLC, a Florida limited liability company, Grantee*, and whose post office address is *4353 Michigan Link Ft Myers Fla 33916*

copy of corporation documents attached
*"Grantor" and "Grantee" are used for singular or plural, as context requires.

Witnesseth:

That the Grantor, for and in consideration of the sum of TEN and 00/100 DOLLARS (\$10.00) and other good and valuable consideration, to Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying in Lee County, Florida, to wit:

See Exhibit "A" attached hereto and expressly made a part hereof.

This deed is executed subject to restrictions, reservations and easements of record and taxes for the current year.

TO HAVE AND TO HOLD, this real estate in fee simple to the grantee and the grantee's heirs, successors, and assigns, forever, with the appurtenances

AND, the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2002, and easements and restrictions of record, if any, but this reference to said restrictions shall not serve to reimpose the same.

It is expressly understood and agreed by and between the parties hereto, anything herein to the contrary notwithstanding, that each and all of the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee while in form purporting to be the warranties, indemnities, representations, covenants, undertakings and agreements of said Trustee are nevertheless each and every one of them, made, and intended not as personal warranties, indemnities, representations, covenants, undertakings and agreements by the Trustee or for the purpose or with the intention of binding said Trustee personally but are made and intended for the purpose of being only that portion of the trust property specifically described herein, and this instrument is executed and delivered by said Trustee not in his own right, but solely in the exercise of powers conferred upon him as Trustee and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against the Trustee or any of the beneficiaries under said Trust Agreement on account of this instrument.

FURTHER, GRANTOR herein, being first duly sworn by the undersigned and by execution hereof, deposes and says: that the named Declaration of Trust set forth above, remains in full force and effect, never having been terminated and/or revoked. That said Declaration of Trust provides that the Trustee shall have the

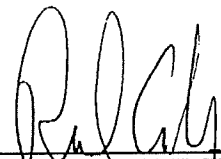
express power to sell, assign, exchange, convey and otherwise transfer any part or all of the property held under the terms of the trust at such times and upon such terms and conditions as the trustee may determine prudent and for the best interest of the trust estate and to receive and receipt for the proceeds of the sale. Further, that the property is not considered homestead property of the grantor or its beneficiaries under the meaning of the laws of the State of Florida.

IN WITNESS WHEREOF, the said grantor has hereunto set grantor's hand and seal the day and year first above written:

Signed, sealed and delivered
in our presence:


(1)

Signature of First Witness
Printed Name: **Paul Sabutis**


RONALD A. YORK, TRUSTEE

(2)

Signature of Second Witness
Printed name: **Frances A. Weber-Sabutis**


JAMES L. BEVILLARD, TRUSTEE

STATE OF FLORIDA
COUNTY OF

I HEREBY CERTIFY that on this date, before me, an officer duly qualified in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared Ronald A. York, Trustee and James L. Bevallard, Trustee Under Trust Dated 11/14/1989, who executed the foregoing instrument in his/her/their personal or authorized representative capacity(ies) indicated above, and

☒ who is personally known to me by ongoing acquaintance of 20 years/months, or

☐ who has produced their _____ as identification,

WITNESS my hand and official seal in the County and State last aforesaid this 15th day of July, 20 04



Karen Gemma Mayes
My Commission DD171930
Expires February 13, 2007

(NOTARY SEAL)


Notary Public **Karen Gemma Mayes**

Printed Notary Signature

My commission expires: **02/13/2007**
My Commission Number **DD171930**

Exhibit "A"

A portion of the E $\frac{1}{2}$ of the E $\frac{1}{2}$ of the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 19, Township 44 South, Range 23 East, Lee County, Florida, LESS and EXCEPT right of way for Pine Island Road (SR No. 78) AND a portion of the W $\frac{1}{4}$ of the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 20, Township 44 South, Range 23 East, Lee County, Florida, LESS and EXCEPT right of way for said Pine Island Road (SR No. 78), said portions being more particularly described as follows: Commence at a railroad spike marking the NW corner of said Section 20; thence S 0 degrees 11'50" W along the West line of said NW $\frac{1}{4}$ of Section 20, 33.00 feet to an intersection with the South right of way line of said Pine Island Road (SR No. 78); thence due East along said right of way line, 134.84 feet to a steel pin with a plastic cap bearing the stamp LB 697 and the Point of Beginning; thence continue due East along the said right of way line, 370.96 feet to a steel pin and cap; thence S 00 degrees 03'41" W, 1,299.58 feet to a steel pin and cap; thence N 89 degrees 53'31" W, 508.88 feet to a 2 $\frac{1}{2}$ " round concrete monument marking the SW corner of said West $\frac{1}{4}$ of the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said section 20; thence N 89 degrees 27'38" W, 164.71 feet to a steel pin and cap; thence N 00 degrees 10'39" E, 861.77 feet to a steel pin and cap; thence S 89 degrees 49'21" E, 300.00 feet to a steel pin and cap; thence N 00 degrees 10'39" E, 436.24 feet to a steel pin and cap and the Point of Beginning. LESS and EXCEPT Burnt Store Extension road right of way described in Order of Taking recorded September 30, 1999 in O.R. Book 3173, Page 1317, Public Records of Lee County, Florida.



OF A PARCEL LYING IN THE NW ¼ OF THE NW ¼ OF SECTION 20,
TOWNSHIP 44 SOUTH, RANGE 23 EAST,
LEE COUNTY, FLORIDA

- DISPOSITION: (ACCORDING OJR 2114, PAGE 208, PUBLIC RECORDS)

A PORTION OF THE EAST HALF (THE 1/2) OF THE EAST HALF (THE 1/2) OF THE EAST HALF (THE 1/2) OF THE NORTHEAST QUARTER (THE 1/4) OF THE NORTHEAST QUARTER (THE 1/4) OF SECTION 19, TOWNSHIP 44 SOUTH, RANGE 23 EAST, LESS AND EXCEPT RIGHT-OF-WAY FOR PUBLIC ROAD (SEE PG. 28);

[illegible]

ALL LESS RIGHT-OF-WAY FOR VETERANS PARKWAY.
(VETERANS PARKWAY WAS FORMALLY KNOWN AS BLUNT STONE ROAD EXTENSION FOR THE
PURPOSE OF TAKING DESCRIBED AND RECORDED IN G.R. BOOK 3173, PAGE 1377, PUBLIC
RECORDS OF LEE COUNTY, FLORIDA.)

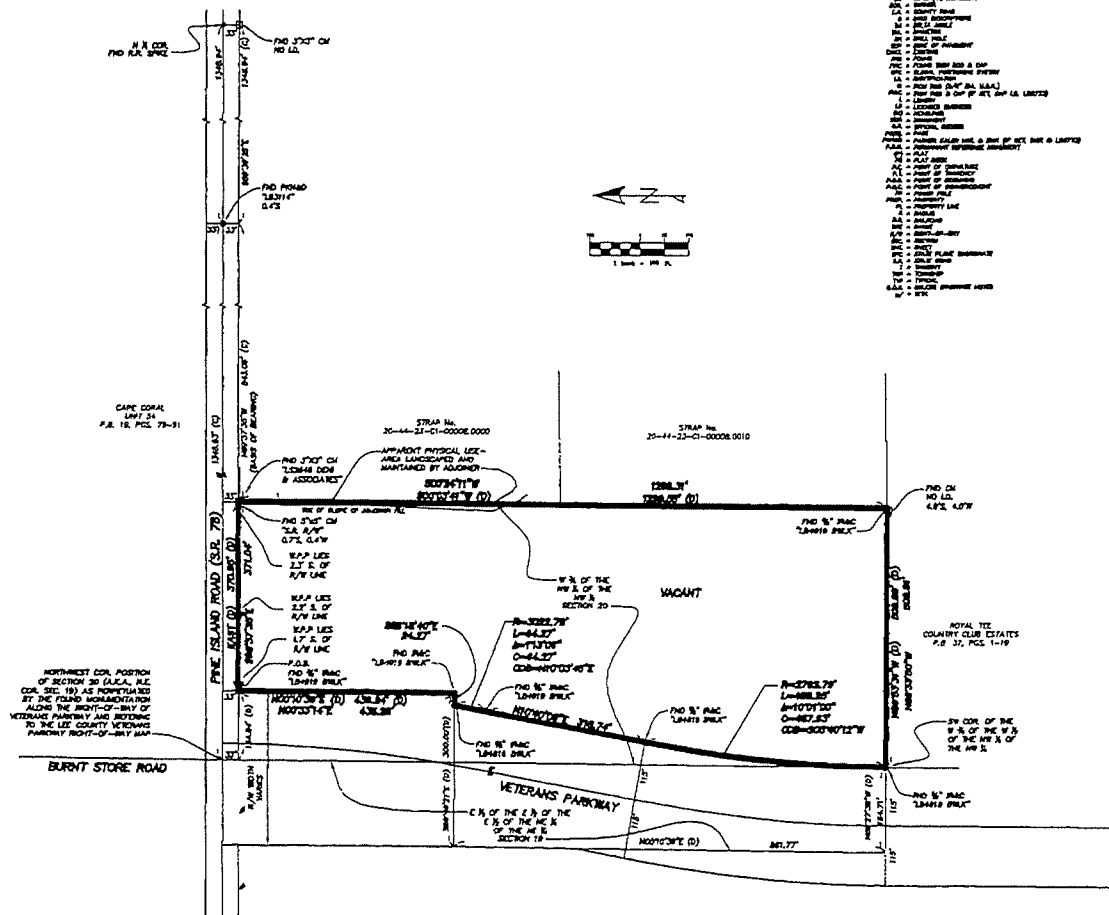
CONTAINING 12.88 ACRES MORE OR LESS, ALL BEING IN THE COUNTY OF LEE, STATE OF FLORIDA.

SUBJECT TO A LEE COUNTY ELECTRIC COOPERATIVE EASEMENT AS RECORDED IN OUR BOOK 1815, PAGE 1043, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

CERTIFY TO:

3150 S.W. Pine Island Road, LLC
Blount Stone Title, Escrow, Inc.
Attorneys Title Insurance Fund
Colonial Bank, N.A.
Kortzel and Anderson, P.A.

JAMES M. WILSON (FOR THE FIRM LINTZ)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA LICENSE NO. 194678
THIS 12 DAY OF July 2004

[illegible]

JEFFREY C. COOMER AND ASSOCIATES, INC.
SURVEYING AND MAPPING
3900 COLONIAL BOULEVARD, SUITE 4, FORT MYERS, FLORIDA, 33912
PHONE: (938) 277-0722 FAX: (938) 277-7178 EMAIL: SURVEYING@COOMER.COM

[illegible]



FLORIDA DEPARTMENT OF STATE
Glenda E. Hood
Secretary of State

July 13, 2004

SARA LEA
CSC
TALLAHASSEE, FL

The Articles of Organization for 3150 S.W. PINE ISLAND ROAD, L.L.C. were filed on July 13, 2004, and assigned document number L04000051703. Please refer to this number whenever corresponding with this office.

In accordance with section 608.406(2), F.S., the name of this limited liability company is filed with the Department of State for public notice only and is granted without regard to any other name recorded with the Division of Corporations.

The certification you requested is enclosed.

A limited liability annual report/uniform business report will be due this office between January 1 and May 1 of the year following the calendar year of the file date. A Federal Employer Identification (FEI) number may be required before this report can be filed. Please apply NOW with the Internal Revenue Service by calling 1-800-829-3676 and requesting form SS-4.

Please be aware if the limited liability company address changes, it is the responsibility of the limited liability to notify this office.

Should you have any questions regarding this matter, please contact this office at the address given below.

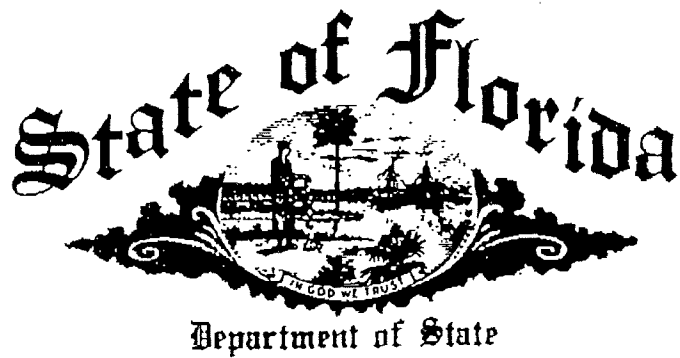
Buck Kohr
Document Specialist
Registration/Foreign Qualification
Division of Corporations

Letter Number: 604A00044569

Account number: 072100000032

Amount charged: 155.00

Division of Corporations - P.O. BOX 6327 -Tallahassee, Florida 32314



I certify the attached is a true and correct copy of the Articles of Organization of 3150 S.W. PINE ISLAND ROAD, L.L.C., a limited liability company organized under the laws of the state of Florida, filed on July 13, 2004, as shown by the records of this office.

The document number of this limited liability company is L04000051703.

Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capitol, this the
Thirteenth day of July, 2004



CR2EO22 (2-03)

Glenda E. Hood
Glenda E. Hood
Secretary of State

ARTICLES OF ORGANIZATION FOR FLORIDA
LIMITED LIABILITY COMPANY
OF

3150 S.W. PINE ISLAND ROAD, L.L.C.

FILED
04 JUL 13 PM 12:19
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

ARTICLE I

Name

The name of this Limited Liability Company is 3150 S.W. PINE ISLAND ROAD, L.L.C.

ARTICLE II

Address

The mailing address and street address of the principal office of the Limited Liability Company is:
4353 Michigan Link Fort Myers, FL 33916.

ARTICLE III

Duration

The period of duration of the Limited Liability Company is in perpetuity except as may be terminated pursuant to the Limited Liability Operating Agreement.

ARTICLE IV

Registered Office and Agent

The initial registered office of this Company shall 4353 Michigan Link Fort Myers, FL 33916, Telephone: (239) 334-7343, and its initial registered agent at such office shall be Johnson W. Cauthen.

ARTICLE V

Management

The Limited Liability Company shall be managed by a Manager in accordance with regulations adopted by the members for the management of the business and affairs of the Company. These regulations may contain additional provisions for the regulation and management of the affairs of the Company consistent with law or these articles of organization. The names and addresses of the members of the Company are:

Albert O'Donnell

4291 Williams Road
Estero, FL 33928

Patricia O'Donnell

4291 Williams Road
Estero, FL 33928

ARTICLE VI
Admission of Additional Members

Additional members will be admitted only with the unanimous consent of all Members upon such terms as are unanimously agreed to by all Members.

ARTICLE VII
Members Rights to Continue Business

The remaining members of the Limited Liability Company shall have the right to continue the business on the death, retirement, resignation, expulsion, bankruptcy, or dissolution of a member or the occurrence of any other event which terminates the continued membership of a member in the Limited Liability Company.

Dated this 12 day of July, 2004.

By: 
JOHNSON W. CAUGHEN

**CERTIFICATE OF DESIGNATION OF
REGISTERED AGENT/REGISTERED OFFICE**

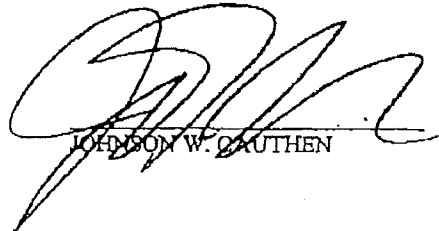
PURSUANT TO THE PROVISIONS OF SECTION 608.415 OR 608.507, FLORIDA STATUTES, THE UNDERSIGNED LIMITED LIABILITY COMPANY SUBMITS THE FOLLOWING STATEMENT IN DESIGNATING THE REGISTERED OFFICE/REGISTERED AGENT, IN THE STATE OF FLORIDA:

1. The name of the Limited Liability Company is 3150 S.W. Pine Island Road, L.L.C.
2. The name and address of the registered agent and office is:

JOHNSON W. CAUTHEN
4353 Michigan Link
Fort Myers, FL 33916
Telephone: (239) 334-7343

Having been named as registered agent and to accept service of process for the above-stated Limited Liability Company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Dated: July 12, 2004



JOHNSON W. CAUTHEN

MEMBER'S AFFIDAVIT

The undersigned, being all of the Members of **3150 S.W. PINE ISLAND ROAD, L.L.C.**, a Florida limited liability company (the "Company"), who being by me first duly sworn, state as follows:

1. That the Company owns the real property described as follows:

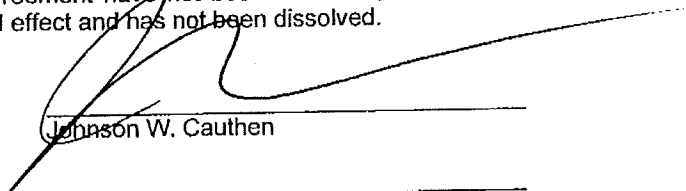
See attached Exhibit "A"

2. That the undersigned, Johnson W. Cauthen, Albert O'Donnell and Patricia O'Donnell (the "Members") represent all of the members of the Company.

3. That Johnson W. Cauthen (the "Manager") is the Manager of the Company.

3. That the Manager, on behalf of the Company, is authorized to obtain a loan or loans from COLONIAL BANK, N.A., its successors and/or assigns (the "Bank") to the Company, without limit as to amount, including any amendments, modifications, or renewals thereof, on such terms and conditions required by Bank, and to encumber any and all property of the Company, including, but not limited to, the Real Property, as security for said loan or loans, on such terms and conditions as required by the Bank. The Manager, on behalf of the Company, is authorized to execute and deliver to the Bank any and all documents requested by the Bank to evidence or secure said loan or loans, including, but not limited to, promissory notes, mortgages, security agreements, assignments, financing statements and any other instruments requested by Bank, and any amendment, modification or renewal of the same.

4. That the Articles of Organization and Operating Agreement delivered to the Bank are a true and correct copy of the Articles of Organization and Operating Agreement of the Company, and said Articles and Operating Agreement have not been amended, modified, or terminated, and the Company is in full force and effect and has not been dissolved.



Johnson W. Cauthen

Albert O'Donnell

Patricia O'Donnell

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 15 day of July, 2004, by JOHNSON W. CAUTHEN, who ☒ is personally known to me or who ☐ has produced _____ as identification.

NOTARY RUBBER STAMP SEAL
OR EMBOSSED SEAL

DEBORAH LEA BOLLINGER
MY COMMISSION #CC 98478
EXPIRES: NOV 29, 2004
FL. NOTARY SERVICE & BONDING, INC.

Notary Public

DEBBIE BOLLINGER

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 15 day of July, 2004, by ALBERT O'DONNELL, who ☐ is personally known to me or who ☐ has produced _____ as identification.

NOTARY RUBBER STAMP SEAL
OR EMBOSSED SEAL



DEBORAH LEA BOLLINGER
MY COMMISSION #CC 98478
EXPIRES: NOV 29, 2004
FL. NOTARY SERVICE & BONDING, INC.

Notary Public

DEBBIE BOLLINGER

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 15 day of July, 2004, by PATRICIA O'DONNELL, who ☐ is personally known to me or who ☐ has produced _____ as identification.

NOTARY RUBBER STAMP SEAL
OR EMBOSSED SEAL

Notary Public

DEBBIE BOLLINGER

Printed Name

Commission No.

Expiration Date



Exhibit "A"

A portion of the E ½ of the E ½ of the E ½ of the NE ¼ of the NE ¼ of Section 19, Township 44 South, Range 23 East, Lee County, Florida, LESS and EXCEPT right of way for Pine Island Road (SR No. 78) AND a portion of the W ¼ of the W ½ of the NW ¼ of the NW ¼ of Section 20, Township 44 South, Range 23 East, Lee County, Florida, LESS and EXCEPT right of way for said Pine Island Road (SR No. 78), said portions being more particularly described as follows: Commence at a railroad spike marking the NW corner of said Section 20; thence S 0 degrees 11'50" W along the West line of said NW ¼ of Section 20, 33.00 feet to an intersection with the South right of way line of said Pine Island Road (SR No. 78); thence due East along said right of way line, 134.84 feet to a steel pin with a plastic cap bearing the stamp LB 697 and the Point of Beginning; thence continue due East along the said right of way line, 370.96 feet to a steel pin and cap; thence S 00 degrees 03'41" W, 1,299.58 feet to a steel pin and cap; thence N 89 degrees 53'31" W, 508.88 feet to a 2 ½ "round concrete monument marking the SW corner of said West ¼ of the W ½ of the NW ¼ of the NW ¼ of said section 20; thence N 89 degrees 27'38" W, 164.71 feet to a steel pin and cap; thence N 00 degrees 10'39" E, 861.77 feet to a steel pin and cap; thence S 89 degrees 49'21" E, 300.00 feet to a steel pin and cap; thence N 00 degrees 10'39" E, 436.24 feet to a steel pin and cap and the Point of Beginning. LESS and EXCEPT Burnt Store Extension road right of way described in Order of Taking recorded September 30, 1999 in O.R. Book 3173, Page 1317, Public Records of Lee County, Florida.

A handwritten signature in black ink, consisting of a large, stylized 'a' followed by a long horizontal stroke.



TRAFFIC CIRCULATION ANALYSIS
PREPARED FOR A
COMPREHENSIVE PLAN AMENDMENT
FOR

CAUTHEN SITE
3150 SW PINE ISLAND ROAD

PROJECT NO. 0609.27

PREPARED BY:
TR Transportation Consultants, Inc.
13881 Plantation Road, Suite 11
Fort Myers, Florida 33912-4339
239-278-3090

September 28, 2006

- I. INTRODUCTION
- II. EXISTING CONDITIONS
- III. PROPOSED PLAN AMENDMENT
- IV. IMPACTS OF PROPOSED PLAN AMENDMENT
- V. CONCLUSION

I. INTRODUCTION

TR Transportation Consultants, Inc. has conducted a traffic circulation analysis pursuant to the requirements outlined in the application document for Comprehensive Plan Amendment requests. The analysis will examine the impact of the requested land use change from Rural to Intensive Development. The approximately 12.95 acre property is located at the southeast corner of Pine Island Road and Veterans Parkway in Lee County, Florida. The existing land use designation on the property is Rural.

The following report will examine the impacts of changing the future land use category from the existing land use to Intensive Development.

II. EXISTING CONDITIONS

The subject site is currently vacant. The site is bordered to the north by Pine Island Road (S.R. 78), to the east by commercial and vacant land, to the south by the Royal Tee residential community (now referred to as Cape Royal) and to the west by Veterans Parkway.

Pine Island Road (S.R. 78) is a two-lane arterial roadway that extends from Pine Island to east of I-75. Pine Island Road has a posted speed limit of 55 mph adjacent to the subject site and is under the jurisdiction of the Florida Department of Transportation (FDOT). Pine Island Road has been designated by FDOT as a Federal Intrastate Highway System (FIHS) route. Due to this designation, the adopted Level of Service for this roadway is higher pursuant to Florida Administrative Code. This is also adopted in the Lee County Comprehensive Plan (Lee Plan). Currently, the adopted Level of Service on Pine Island Road east of Burnt Store Road to U.S. 41 is LOS "C".

Other roads in the area of influence, including Pine Island Road west of Burnt Store Road, have an adopted Level of Service Standard of LOS "E" pursuant to the Lee County Comprehensive Plan. Chiquita Boulevard, which is under the jurisdiction of the City of

Cape Coral, has an adopted Level of Service of LOS "D". The Level of Service thresholds utilized in this analysis are outlined in the Appendix of this report in **Table 1A**.

III. PROPOSED PLAN AMENDMENT

The proposed Comprehensive Plan Amendment would change the future land use designation on the subject site from Rural to Intensive Development. Based on the permitted uses within the Lee Plan for these land use designations, the change would result in the subject site being permitted to be developed with both residential and commercial uses.

With the proposed land use change, the map amendment would include a text to limit the development to the following uses: 181 single family residential units, 80,000 square feet of office uses, 80,000 square feet of retail uses, 20,000 square feet of medical office uses and 20,000 square feet of restaurant uses. **Table 1** highlights the intensity of uses that are proposed with the proposed land use designation.

Table 1
3150 SW Pine Island Road
Land Uses

Land Use Category	Intensity
Single Family Homes	181 Units
Retail	80,000 square feet
Office	80,000 square feet
Medical Office	20,000 square feet
Restaurants	20,000 square feet

IV. IMPACTS OF PROPOSED PLAN AMENDMENT

The transportation related impacts of the proposed comprehensive plan amendment were evaluated pursuant to the criteria in the application document. This included an evaluation of the long range impact (20-year horizon) and short range (5-year horizon)

impact the proposed amendment would have on the existing and future roadway infrastructure.

Long Range Impacts (20-year horizon)

The Lee County Metropolitan Planning Organization's (MPO) recently updated 2030 long range transportation travel model was reviewed to determine the impacts the amendment would have on the surrounding area. The subject site lies within Traffic Analysis Zone (TAZ) 1032. For this analysis, a new TAZ was created (TAZ 1757) to analyze the impacts the proposed change would have on the 2030 Financially Feasible plan as adopted by the Lee County Metropolitan Planning Organization. **Table 3** identifies the land uses that were computed and utilized for TAZ 1757 and for the Long Range Transportation Analysis. The employment per 1,000 square feet for retail and restaurant uses as well as service uses (office/medical office) was taken from the factors provided in the "Typical Employment Conversion Factors" table, utilized by the MPO and Lee County. The residential population was based on the residents per dwelling unit ratio that is contained in TAZ 1032.

**Table 3
TAZ 1757
Land Uses for Analysis**

Land Use Category	Intensity
Single Family Homes	396 Population
Retail/Restaurant	250 Employees
Service (Office/Medical Office)	384 Employees

The modifications made to the TAZ data, including ZDATA1 and ZDATA2 files, are attached to the Appendix for reference.

With this amendment, it was assumed that there would be site access provided to both Pine Island Road and Veterans Parkway. The subject site has approximately 1,250 feet of frontage along Veterans Parkway.

The 2030 Long Range Transportation model (FSUTMS) was run with the data shown in Table 3 to indicate what additional improvements above and beyond those identified in the 2030 Financially Feasible Highway Plan would be required to support the map amendment. The financially feasible highway plan, as approved by the MPO, was included in the FSUTMS runs. Based on the MPO plan, the financially feasible road network in this area includes widening of several roads. State Route 78 is recommended to be widened between Burnt Store Road and Chiquita Boulevard. This project is in fact in the final stages of design. No funding for construction has yet been identified by FDOT at this time. Burnt Store Road north of Pine Island Road is also shown to be widened to four lanes in the 2030 Financially Feasible Plan. Lee County has commenced design of this improvement and it is scheduled for construction within the next six to ten years. Other improvements in the area include the widening of Veterans Parkway from Chiquita Boulevard east as a limited access expressway with grade separations at all of the major cross streets. Based on this analysis, no roadway segments are shown to operate below the adopted Level of Service standard in the year 2030.

Table 1B included in the Appendix of this report identifies the projected 2030 peak hour, peak direction volumes anticipated based on no changes to the 2030 Financially Feasible travel model as currently adopted by the MPO. The table identifies the projected peak hour, peak direction volume and the Level of Service on that link that is projected in 2030 with the improvements that are identified on the Financially Feasible Highway Plan.

Table 1C includes the peak hour, peak direction volumes with the model output based on the inclusion of TAZ 1757 as previously discussed. The Florida Standard Urban Transportation Model Structure (FSUTMS) was ran with the modified TAZ data as shown in Table 3. As can be seen from the results, there are no changes to the Level of Service on any of the area roadways as a result of the proposed change to the land use as identified in this analysis.

Short Range Impacts (5-year horizon)

The Lee County Capital Improvement Program for Fiscal Year 2006/2007 to 2010/2011 was reviewed, as well as the FDOT Work Program for Fiscal Year 2005/2006 to 2009/2010 to determine the short term impacts the proposed land use change would have on the surrounding roadways.

There are no roadway improvements in the FDOT Work program or the Lee County work program that provide additional capacity in the next five years in the area of the subject site. FDOT is currently in the process of finalizing design plans for the widening of S.R. 78 from Burnt Store Road to Chiquita Boulevard. There has been no construction funding established at this time for this improvement.

Recommendations to the Long Range Transportation Plan

Based on the analysis with the 2030 Financially Feasible Highway Plan, the roadway segments in the study area will operate within acceptable conditions in 2030 with the additional units requested with this plan amendment. The only exception is the segment of Pine Island Road west of Burnt Store Road. This segment of Pine Island Road has been deemed constrained due to the Matlacha Pass Bridge and Lee Plan Policies in effect. The impact this amendment has on that segment is negligible, based on the analysis. As can be seen in Table 1B and 1C, the projected 2030 peak hour, peak direction volume on this link is only projected to increase by less than 1% as a result of the change in land use.

V. CONCLUSION

The proposed comprehensive plan amendment is to modify the future land use from Rural to Intensive Development on approximately 12.95 acres located at the southeast corner of Pine Island Road and Veterans Parkway will not cause any changes to be made to the Long Range Transportation Plan. An analysis of the 2030 Recommended Long Range Transportation Plan indicate that the roadway segments will operate within the acceptable Level of Service standards in 2030 without modification to the Long Range Transportation Plan.

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APPENDIX

TABLES 1A, 2A & 3A

TABLE 1A
PEAK DIRECTION LEVEL OF SERVICE THRESHOLDS

<u>ROADWAY</u>	<u>SEGMENT</u>	<u>ROADWAY</u> <u>CLASS</u>	<u>LOS A</u> <u>VOLUME</u>	<u>LOS B</u> <u>VOLUME</u>	<u>LOS C</u> <u>VOLUME</u>	<u>LOS D</u> <u>VOLUME</u>	<u>LOS E</u> <u>VOLUME</u>
Pine Island Road	W. of Veterans/Burnt Store	2LN	100	360	710	1000	1270
	E. of Veterans/Burnt Store	4LN	450	1630	1900	1950	1950
	E. of Centroid Connection	4LN	450	1630	1900	1950	1950
	E. of Surfside Blvd.	4LN	450	1630	1900	1950	1950
	E. of Chiquita Blvd.	4LN	450	1630	1900	1950	1950
	W. of Santa Barbara	4LN	450	1630	1900	1950	1950
Veterans Pkwy	S. of Pine Island Rd.	4LN	270	1620	1970	2030	2030
	W. of Surfside Blvd.	4LN	270	1620	1970	2030	2030
	E. of Surfside Blvd.	4LN	270	1620	1970	2030	2030
	E. of Chiquita Blvd.	6LN	1590	2580	3720	4820	5480
	W. of Santa Barbara	6LN	1590	2580	3720	4820	5480
Burnt Store Road	N. of Pine Island Rd.	4LN	450	1630	1900	1950	1950
Chiquita Blvd.	S. of Pine Island Rd.	6LN	0	0	1740	2450	2580
	N. of Veterans Pkwy.	6LN	0	0	1740	2450	2580

LEVEL OF SERVICE THRESHOLDS TAKEN FROM LEE COUNTY GENERALIZED LOS TABLES
FOR PINE ISLAND ROAD, VETERANS PARKWAY AND BURNT STORE ROAD
FOR CHIQUITA BOULEVARD (CITY OF CAPE CORAL ROAD), FDOT GENERALIZED LOS TABLE 4-7 FROM Q/LOS MANUAL USED
FOR VETERANS PARKWAY EAST OF CHIQUITA BLVD., UNINTERRUPTED FLOW HIGHWAY UTILIZED

Table 1B
2030 Traffic Conditions
2030 Financially Feasible Road Network

ROADWAY	SEGMENT	# Of	LOS Std.	Raw FSUTMS	PCS	PSWDT/AADT	2030	K-100	D	Total Traffic	LOS Serv.	LOS
		Lanes		PSWDT	#	Factor	AADT	Factor	Factor	Pk Direction	Std.	
Pine Island Road	W. of Veterans/Burnt Store	2LN	E	39,938	3	1.22	32,736	0.097	0.55	1,746	1,270	F
	E. of Veterans/Burnt Store	4LN	C	19,608	3	1.22	16,072	0.097	0.55	857	1,900	B
	E. of Centroid Connection	4LN	C	18,129	3	1.22	14,860	0.097	0.55	793	1,900	B
	E. of Surfside Blvd.	4LN	C	21,212	3	1.22	17,387	0.097	0.55	928	1,900	B
	E. of Chiquita Blvd.	4LN	C	24,504	3	1.22	20,085	0.097	0.55	1,072	1,900	B
	W. of Santa Barbara	4LN	C	30,151	3	1.22	24,714	0.097	0.55	1,318	1,900	B
Veterans Pkwy	S. of Pine Island Rd.	4LN	E	25,550	50	1.03	24,806	0.091	0.63	1,422	2030	B
	W. of Surfside Blvd.	4LN	E	23,381	50	1.03	22,700	0.091	0.63	1,301	2030	B
	E. of Surfside Blvd.	4LN	E	35,791	50	1.03	34,749	0.091	0.63	1,992	2030	D
	E. of Chiquita Blvd.	6LN	E	58,192	50	1.03	56,497	0.091	0.63	3,239	5480	C
	W. of Santa Barbara	6LN	E	64,772	50	1.03	62,885	0.091	0.63	3,605	5480	C
Burnt Store Road	N. of Pine Island Rd.	4LN	E	24,283	12	1.08	22,484	0.091	0.64	1,309	1950	B
Chiquita Blvd.	S. of Pine Island Rd.	6LN	D	31,077	50	1.03	30,172	0.091	0.63	1,730	2450	C
	N. of Veterans Pkwy.	6LN	D	29,496	50	1.03	28,637	0.091	0.63	1,642	2450	C

Table 1C
2030 Traffic Conditions with Proposed Density at River Hall
2030 Financially Feasible Road Network

<u>ROADWAY</u>	<u>SEGMENT</u>	# Of Lanes	LOS Std.	Raw FSUTMS PSWDT	PCS #	PSWDT/AADT Factor	2030 AADT	K-100 Factor	D Factor	Total Traffic Pk Direction	LOS Serv. Volume	LOS
Pine Island Road	W. of Veterans/Burnt Store	2LN	E	39,995	11	1.22	32,783	0.097	0.55	1,749	1,270	F
	E. of Veterans/Burnt Store	4LN	C	21,805	11	1.22	17,873	0.097	0.55	954	1,900	B
	E. of Centroid Connection	4LN	C	21,983	11	1.22	18,019	0.097	0.55	961	1,900	B
	E. of Surfside Blvd.	4LN	C	20,932	5	1.22	17,157	0.097	0.55	915	1,900	B
	E. of Chiquita Blvd.	4LN	C	26,171	5	1.22	21,452	0.097	0.55	1,144	1,900	B
	W. of Santa Barbara	4LN	C	30,536	5	1.22	25,030	0.097	0.55	1,335	1,900	B
Veterans Pkwy	S. of Pine Island Rd.	4LN	E	24,751	5	1.03	24,030	0.091	0.63	1,378	2030	B
	W. of Surfside Blvd.	4LN	E	24,062	5	1.03	23,361	0.091	0.63	1,339	2030	B
	E. of Surfside Blvd.	4LN	E	36,234	5	1.03	35,179	0.091	0.63	2,017	2030	D
	E. of Chiquita Blvd.	6LN	E	58,200	5	1.03	56,505	0.091	0.63	3,239	5480	C
	W. of Santa Barbara	6LN	E	64,563	5	1.03	62,683	0.091	0.63	3,594	5480	C
Burnt Store Road	N. of Pine Island Rd.	4LN	E	25,377	5	1.08	23,497	0.091	0.64	1,368	1950	B
Chiquita Blvd.	S. of Pine Island Rd.	6LN	D	28,188	5	1.03	27,367	0.091	0.63	1,569	2450	C
	N. of Veterans Pkwy.	6LN	D	28,965	5	1.03	28,121	0.091	0.63	1,612	2450	C

EXISTING TAZ 1032

1	1032	365	10	9	779	0	30	70	6	20	20	20	22	78	0	0	99	0
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2	21032	13	17	64	94	0	0	0
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NEW TAZ 1757

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1  1757  181 10  9  386  0 30 70    0  0  0    0  0  0  0    0 99    0
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2	21757	0	250	384	634	0	0	0
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**2030 FINANCIALLY FEASIBLE
HIGHWAY PLAN**

Adopted Year 2030 HIGHWAY ELEMENT
 Adopted December 7th, 2005 with Amendments on January 20th, & March 17th, 2006

ROAD SEGMENT: Name of new road or road to be improved			S = C EXISTING roadway network plus COMMITTED roadway projects to be built by FY 04/05			FINANCIAL FEASIBILITY STATUS				
FROM: Start of segment to be added or improved			IMPROVEMENT: Description of facility following proposed improvement			Corrected project and financial information for FY 04/05				
TO: End of segment to be added or improved						Feasibility: Projects that public agencies have determined to be cost-effective based on their project's criteria				
FDOT										
2490	Alco Rd	U.S. 41	Duety Rd	25	6U	0.48	Last two years of SIS payout	\$2,442,699	\$2,442,699	Feasible
Arterial roads & expressways		Lee & Collier Counties					Half of capital cost of expanding the bicounty system to monitor travel speed in real time by using vehicles equipped with toll transponders as probes	\$3,450,000	-	Contingent
Caloosahatchee bridges		Cape Coral, Mid Point, U.S. 41, & Edison Bridges & their approaches					Stage II implementation	\$5,800,000	\$5,800,000	Feasible
Computerized traffic signal system		Countywide					Interchange to ATMS	\$27,600,000	\$27,600,000	Feasible
Drawbridges		On S.R. 31 (Arcadia Rd) & Broadway (C.R. 78A) @ Caloosahatchee River, Pine Island Rd @ Matlacha Pass, & C.R. 865 @ Big Carlos Pass					Motion & object sensors, video & audio surveillance to monitor for potential threats from terrorist attacks, acts of God, or other incidents	\$500,000	-	Contingent
Intermodal freight terminal		State Farmers Market, S.R. 78, or Alco Rd					TOFC/OFC terminal and team track	\$6,505,333	-	Contingent
2522	L-75 approach roads	Collier County line	Charlotte County line				SIS	\$3,290,000	-	Contingent
2523	L-75 detour routes	Collier County line	Charlotte County line				SIS: dynamic and/or static trailblazer signs	\$5,810,000	-	Contingent
2524	L-75	Collier County line	Bonita Beach Rd			1.05	SIS	\$13,322,400	-	Contingent
2525	L-75		@ Bonita Beach Rd			0.50	SIS	\$68,029,000	-	Contingent
2526	L-75		@ Coconut Rd				Allocation is from \$10,000,000 federal earmark. See NOTE #1	-	-	Feasible
2527	L-75	Bonita Beach Rd	Alco Rd			11.65	12 lanes; SIS and/or toll; 4 lanes may be toll express lanes	\$221,722,800	-	Contingent
2528	L-75		@ Corkscrew Rd			0.50	SIS; construction only	\$23,461,000	-	Feasible
2529	L-75	Bonita Beach Rd	Daniels Pkwy				Interchange modification	\$2,630,000	-	Contingent
2530	L-75	Alco Rd	S.R. 82 (Dr Martin Luther King Jr Blvd)			9.90	10 lanes; SIS and/or toll; 4 lanes may be toll express lanes	\$204,019,200	-	Contingent
2531	L-75 collector-distributor roads	Alco Rd	North of airport interchange			3.16	SIS Connector, construction only	\$101,000,000	-	Feasible
2532	L-75 collector-distributor roads	Alco Rd	Alco Easwy			0.34	Second stage, if when Alco Easwy is built; SIS connector	\$2,157,137	-	Contingent
2533	L-75		@ Colonial Blvd			0.50	SIS; construction only	\$42,324,000	-	Feasible
2534	L-75		@ S.R. 82 (Dr Martin Luther King Jr Blvd)			0.50	SIS	\$57,396,000	-	Feasible
2535	L-75		@ Luckett Rd			0.50	SIS	\$3,770,000	-	Contingent
2536	L-75	S.R. 82 (Dr Martin Luther King Jr Blvd)	S.R. 80 (Palm Beach Blvd)			3.47	SIS	\$19,885,000	-	Contingent
2537	L-75	S.R. 80 (Palm Beach Blvd)	S.R. 78 (Bayshore Rd)			2.69	SIS; construction only	\$80,342,000	-	Feasible
2538	L-75		@ S.R. 78 (Bayshore Rd)			0.50	SIS	\$16,531,000	-	Feasible
2539	L-75		@ S.R. 78 (Bayshore Rd)			0.50	SIS; 8L	\$4,235,000	-	Contingent
2540	L-75	S.R. 78 (Bayshore Rd)	Charlotte County line			5.77	SIS	\$33,089,000	-	Feasible
2541	L-75		@ Del Prado Blvd Ext			5.77	SIS	\$64,026,920	-	Contingent
2542	Kennesaw connector	Fowler St	Evans Ave				SIS	\$9,000,000	-	Contingent
2543	Lee/Tan route 140					0.22	SIS; construction only	\$3,511,960	\$3,511,960	Feasible
Regional traveler information system		Lee, Collier & Charlotte Counties					One third of the capital cost to disseminate real time traveler & traffic information for various modes from the SIS system, probe vehicle monitoring, and the SunGuide traffic management system to incident responders, other traveler information services, and the public	\$1,000,000	\$1,000,000	Feasible
2544	S.R. 739 (Metro Pkwy)	U.S. 41	Six Mile Cypress Pkwy			1.25	CST only; includes interchange with Alco Road & railroad overpass. Dropped from FDOT's draft tentative work program	\$48,000,000	\$48,000,000	Feasible
2545	S.R. 739 (Metro Pkwy)		@ Six Mile Cypress Pkwy			0.50	Includes \$1,700,000 for open road tolling at 4L overpass	-	-	Contingent
2546	S.R. 739 (Metro Pkwy)	Six Mile Cypress Pkwy	Daniels Pkwy			1.25	CST only. Dropped from FDOT's draft tentative work program	\$10,336,637	\$10,336,637	Feasible
2547	S.R. 739 (Metro Pkwy)	Oneida Pkwy	1800' North of Winkler Ave			4.56	Includes overpass over railroad	\$45,952,463	\$45,952,463	Feasible
2548	S.R. 739 (Metro-Fowler connector)	Metro Pkwy, 1800' North of Winkler Ave	Fowler St & Evans Ave			1.06	Includes overpass over railroad	\$18,058,663	\$18,058,663	Feasible
2549	S.R. 739 (Fowler St)	Metro-Fowler Connector	S.R. 82 (Dr Martin Luther King Jr Blvd)			1.59	Remainder of right of way & construction	\$22,357,038	\$22,357,038	Feasible
2550	S.R. 78 (Pine Island Rd)	Burnt Store Rd	West of Chiquita Blvd			2.05		\$23,156,645	\$23,156,645	Feasible
2551	S.R. 78 (Pine Island Rd)	Skyline Blvd	300' West of Santa Barbara Blvd			1.40		\$6,780,132	-	Contingent
2552	S.R. 78 (Pine Island Rd)	300' West of Santa Barbara Blvd	Cultural Park Blvd			2.40		\$5,082,599	-	Contingent
2553	S.R. 78 (Pine Island Rd)	Cultural Park Blvd	Del Prado Blvd			1.35		\$6,547,628	-	Contingent
2554	S.R. 78 (Pine Island Rd)		@ Del Prado Blvd				Includes \$1,700,000 for open road tolling on 4L overpass	-	-	Contingent
2555	S.R. 78 (Pine Island Rd)	Del Prado Blvd	Pandella Rd			0.31		\$1,503,520	-	Contingent
2556	S.R. 80 (Palm Beach Blvd)	S.R. 31 (Arcadia Rd)	Buckingham Rd			2.49	SIS	\$18,056,122	-	Contingent
2557	S.R. 82 (Dr Martin Luther King Jr Blvd)	Michigan Link	Park 82 Dr			1.11	Emerging SIS connector	\$347,102	-	Contingent
2558	S.R. 82 (Dr Martin Luther King Jr Blvd)	Teter Rd	Wallace Ave			0.60	Included in L-75 interchange modification project	-	-	Contingent
2559	S.R. 82 (Dr Martin Luther King Jr Blvd)	Teter Rd	Wallace Ave			2.99	Emerging SIS	\$25,628,100	-	Contingent
2560	S.R. 82 (Immolace Rd)	Wallace Ave	Hendry County line			13.91	Emerging SIS	\$87,175,286	-	Contingent
2561	S.R. 865 (San Carlos Blvd)	Summerlin Rd	Gladious Dr			1.50		\$7,590,880	-	Contingent
2562	S.R. 867 (McGregor Blvd)	A & W Bulb Rd	Cypress Lake Dr			0.67		\$9,912,593	-	Contingent
2563	S.R. 867 (McGregor Blvd)	500' South of Davis Dr	750' North of Colonial Blvd				Add 1 NB Lane	\$900,000	\$900,000	Feasible

Adopted Year 2030 HIGHWAY ELEMENT
 Adopted December 7th, 2005 with Amendments on January 20th, & March 17th, 2006

ROAD SEGMENT: Name of new road or road to be improved FROM: Start of segment to be added or improved TO: End of segment to be added or improved			E = EXISTING roadway network plan COMMITTED roadway projects to be built by FY 04/05 IMPROVEMENT: Description of facility following proposed improvement		FINANCIAL FEASIBILITY STATUS			
LEE COUNTY								
19th St W	Tena Ave N	Ann Ave @ 9th St W	2L	1.75	Connect across canals	\$23,769,743	\$23,769,743	Feasible
40th St SW Ext	Current terminus	Alabama Rd	None	0.10		\$1,878,049	\$1,878,049	Feasible
61st St W	Cemetery Rd at Stratton Rd	Sunshine Blvd	2L	2.11	Connect across canals	\$18,385,011	-	Contingent
9th St W	Ann Ave at 19th St W	Richmond Ave	2L	2.34		\$30,761,430	\$30,761,430	Feasible
9th St E	@ Thompson Ave and Dayton Ave		2L	0.20	Realize doglegs	\$2,058,818	\$2,058,818	Feasible
Alabama Rd	40th St SW Ext	Sunrise Blvd Ext	2L	1.05		\$12,174,215	\$12,174,215	Feasible
Alico Expwy	Summerlin Rd	S.R. 82 (Immokalee Rd)	None	18.35	Potential Sanibel Causeway surplus toll project; includes 4 toll collection gantries & 2 equipment buildings			Contingent
Andrea Ln	Hemingway Dr	Metro Pkwy	None	0.26		\$7,983,693	\$7,983,693	Feasible
Arborwood Pkwy Ext	Gatewood Blvd	Metrolink Blvd	None	1.32		\$19,884,209	\$19,884,209	Feasible
Bass Rd Ext	Gladiolus Dr	A & W Bulb Rd	None	0.98		\$10,962,780	-	Contingent
Ben Hill Griffin Pkwy	FGCU Blvd	1 mile South of Alico Rd	None	3.16	Not needed by 2030 if CR 951 Ext is included	\$15,408,879	-	Contingent
Beth Stacey Blvd Ext	SW 23rd St	Milwaukee Blvd	None	1.09	County share (53%) only. Developer has agreed to absorb the other 47%.	\$5,946,896	\$5,946,896	Feasible
Bonita Beach Rd	Vanderbilt Dr	Old U.S. 41 Rd (C.R. 887)	4L	2.36		\$25,783,783	\$25,783,783	Feasible
Bonita Beach Rd	Old U.S. 41 Rd (C.R. 887)	Imperial St	4L	1.03		\$11,097,000	\$11,097,000	Feasible
Boy Scout Dr	Summerlin Rd	U.S. 41 (Cleveland Ave)	6L	0.50		\$5,881,215	-	Contingent
Buckingham Rd Ext	S.R. 82 (MLK Blvd) @ Hansen St Ext	800' North of current S.R. 82 intersection	None	0.56		\$8,536,558	\$8,536,558	Feasible
Buckingham Rd	Orange River Blvd	S.R. 80 (Palm Beach Blvd)	2L	2.55		\$28,760,000	-	Contingent
Buckingham Rd	Gunnery Rd	Orange River Blvd	2L	2.95		\$29,595,847	-	Contingent
Burnt Store Rd / Veterans Expwy	@ S.R. 78 (Pine Island Rd)		4L	0.50	Surplus toll revenue project, county share			Contingent
Burnt Store Rd	S.R. 78 (Pine Island Rd)	Van Buren Pkwy	2L	3.10	Surplus toll revenue project, county share			Feasible
Burnt Store Rd	Kismet Pkwy	Charlotte County line	2L	6.00	Surplus toll revenue project, county share			Contingent
Cape Coral Bridge	@ Toll Plaza		Toll plaza		Surplus toll revenue project, county share			Feasible
C.R. 951 Ext	Collier County line	Bonita Beach Rd	None	1.00	Convert existing toll facilities to open road tolling			Contingent
C.R. 951 Ext	Bonita Beach Rd	Alico Expwy	None	14.24	Limited access expressway			Contingent
C.R. 951 Ext	@ Alico Expwy		None		Limited access expressway; includes 3 toll collection gantries & 2 equipment buildings			Contingent
Cedar tree Ave & Ext	Buckingham Rd	Centennial Blvd	4L	0.35	Cost estimate assumes a trumpet interchange	\$5,072,309	\$5,072,309	Contingent
Centennial Blvd	Cedar tree Ave	Gunnery Road	2L	0.42		\$7,184,482	\$7,184,482	Feasible
Centennial Blvd Ext	Gunnery Rd	Sunset Rd	None	0.18		\$3,144,438	\$3,144,438	Feasible
Coastal area IMS expansion	On Bonita Beach Rd, Estero Blvd, S.R. 885 & Pine Island Rd		None	0.50		\$4,820,000	\$4,820,000	Feasible
Coconut Rd Ext	Old Lighthouse Rd	I-75	None	1.07		\$11,800,000	-	Contingent
Coconut Rd Ext	I-75	C.R. 951 Ext	None		Not needed if C.R. 951 Ext is not included	\$25,200,000	-	Contingent
Coconut Rd Ext	@ C.R. 951 Ext		None					Contingent
Colonial Blvd (S.R. 884)	Midpoint Bridge	East of Summerlin Rd	6L	0.45				Contingent
Colonial Blvd (S.R. 884)	East of Summerlin Rd	U.S. 41 (Cleveland Ave)	6L	0.50				Contingent
Colonial Blvd (S.R. 884)	U.S. 41 (Cleveland Ave)	East of U.S. 41 (Cleveland Ave)	6L	0.18				Contingent
Colonial Blvd express lanes	Midpoint Bridge	East of U.S. 41 (Cleveland Ave)	6L		Includes 2 toll collection gantries & 1 equipment building			Contingent
Colonial Blvd (S.R. 884)	East of U.S. 41 (Cleveland Ave)	East of Fowler St	6L	0.54				Contingent
Colonial Blvd (S.R. 884)	East of Fowler St	S.R. 739 (Metro Pkwy)	6L	0.61				Contingent
Colonial Blvd (S.R. 884)	@ S.R. 739 (Metro Pkwy)		None		Toll funding, but contingent upon supplemental discretionary funding; cost includes open road tolling			Contingent
Colonial Blvd (S.R. 884)	S.R. 739 (Metro Pkwy)	East of S.R. 739 (Metro Pkwy)	6L	0.27				Contingent
Colonial Blvd (S.R. 884)	East of U.S. 41 (Cleveland Ave)	East of S.R. 739 (Metro Pkwy)	6L		Includes 2 toll collection gantries & 1 equipment building			Contingent
Colonial Blvd (S.R. 884)	East of S.R. 739 (Metro Pkwy)	West of Winkler Ave	6L	1.56				Contingent
Colonial Blvd (S.R. 884)	West of Winkler Ave	I-75 West side ramps	6L	1.38				Contingent
Colonial Blvd (S.R. 884)	I-75 West side ramps	East of Forum Blvd	6L	0.69				Contingent
Colonial Blvd (S.R. 884)	East of S.R. 739 (Metro Pkwy)	East of Forum Blvd	6L		Includes 3 toll collection gantries & 1 equipment building			Contingent
Colonial Blvd (S.R. 884)	East of Forum Blvd	West of S.R. 82 (MLK Blvd-Immokalee Rd)	6L	1.47				Contingent
Colonial Blvd (S.R. 884)	West of S.R. 82 (MLK Blvd-Immokalee Rd)	East of S.R. 82 (MLK Blvd-Immokalee Rd)	6L	0.40	Powerline must be raised			Contingent
Colonial Blvd (S.R. 884)	East of Forum Blvd	East of S.R. 82 (MLK Blvd-Immokalee Rd)	6L		Includes 2 toll collection gantries & 1 equipment building			Contingent
Corkscrew Rd	Three Oaks Pkwy	Ben Hill Griffin Pkwy	4L	0.63	Not needed once Estero Parkway Ext is completed	\$5,184,267	-	Contingent

Adopted Year 2030 HIGHWAY ELEMENT
 Adopted December 7th, 2005 with Amendments on January 20th, & March 17th, 2006

ROAD SEGMENT: Name of road or road to be improved <small>PROR: Start of segment to be added or improved TO: End of segment to be added or improved</small>			E = EXISTING roadway network plus COMMITTED roadway projects to be built by FY 0405 <small>IMPROVEMENTS: Description of facility following proposed improvement</small>			FINANCIAL FEASIBILITY STATUS			
						Estimated Annual Revenue	Estimated Annual Costs	Estimated Annual Surplus	Feasibility
Countywide						\$7,725,000/year, adjusted for inflation	\$154,500,000	\$154,500,000	Feasible
4492 Crystal Dr	U.S. 41 (South Tamiami Trl)	Plantation Rd	2L	4L	1.53		\$15,948,726	\$15,948,726	Feasible
4507 Crystal Dr Ext	Plantation Rd	Six Mile Cypress Pkwy	None	2L	1.00		\$11,911,635	\$11,911,635	Feasible
Daniels Pkwy	West of Metro Pkwy	East of Chamberlin Pkwy	2L	4L	5.60	Includes 11 overpasses, counting I-75 & the SGRR, 5 toll collection gantries & 2 equipment buildings			Feasible
4515 Daniels Pkwy	East of Chamberlin Pkwy	Gateway Blvd	4L	6L	1.70		\$11,530,000	\$11,530,000	Feasible
4523 Del Prado Blvd	@ Cape Coral Pkwy		4L	6L	0.28	For left turn from southbound Del Prado Blvd toward bridge			Feasible
4523 Del Prado Blvd	Cape Coral Pkwy	S.R. 78 (Pine Island Rd)	4L	6L	0.28	Unspecified needed improvements	\$319,066	\$319,066	Feasible
4523 Del Prado Blvd	U.S. 41 (North Tamiami Trl)	Mellow Dr	2L	4L	2.52	Not needed if extension to I-75 is not included	\$40,839,938		Feasible
4523 Del Prado Blvd	Mellow Dr	Nalle Grade Rd	2L	4L	2.23	Interchange with I-75 not included; includes 2 toll collection gantries & 1 equipment building			Feasible
4523 Durden Pkwy Ext	Garden Blvd	U.S. 41	None	4L	0.50		\$6,109,375	\$6,109,375	Feasible
4523 Forum Blvd-Country Lakes Dr connector	S.R. 82 (MLK Blvd)	Luckett Rd	None	2L	1.97		\$29,903,636		Feasible
4523 Gateway Blvd	Homestead Pkwy Ext	S.R. 82 (Immelkalee Rd)	2L	4L	0.75		\$3,414,190	\$3,414,190	Feasible
4523 Grant Blvd Ext	Homestead Rd	Carwood Ave	None	4L	0.26		\$2,676,464	\$2,676,464	Feasible
4523 Gunner Rd	Lee Blvd	Centennial Blvd	2L	4L	1.20		\$12,233,652	\$12,233,652	Feasible
4523 Gunner Rd	Centennial Blvd	Buckingham Rd	2L	4L	0.55		\$5,513,925		Feasible
4523 Hancock Bridge Pkwy Ext	U.S. 41 (North Cleveland Ave)	Business U.S. 41 (North Tamiami Trl)	None	4L	0.61		\$4,007,568		Feasible
4523 Homestead Rd	Sunrise Blvd	Alabama Rd	2L	4L	1.47		\$13,900,000	\$13,900,000	Feasible
4523 Imperial Pkwy	Bonita Beach Rd	Collier County line	4L	6L	0.98		\$3,241,056	\$3,241,056	Feasible
4523 Joel Blvd	East 17th St	S.R. 80 (Palm Beach Blvd)	2L	4L	3.24		\$28,840,000		Feasible
4523 Keri Rd Ext - 9th St connection	Hines Ave	Henry County line	None	2L	0.53	Across canal	\$4,161,973	\$4,161,973	Feasible
Lee County roads			Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867						
4523 Littleton Rd	NE 24th Ave @ Kismet Pkwy	U.S. 41 (North Cleveland Ave)	2L	4L	1.50	Upgrade & expand Lee County traffic management center	\$530,000	\$530,000	Feasible
4523 Littleton Rd	U.S. 41 (North Cleveland Ave)	Business U.S. 41 (North Tamiami Trl)	2L	4L	0.68	Deploy video cameras & motorist information field devices			Feasible
4523 Littleton Rd Ext	Business U.S. 41 (North Tamiami Trl)	Slater Rd	None	2L	2.35	Realign with Kismet Pkwy	\$15,684,791	\$15,684,791	Feasible
4523 Luckett Rd	Ortiz Ave	Enterprise Pkwy	2L	4L	0.50		\$6,988,104	\$6,988,104	Feasible
4523 Luckett Rd	Enterprise Pkwy	I-75 Northbound ramps	4L	6L	0.55		\$24,394,237	\$24,394,237	Feasible
4523 Luckett Rd Ext	I-75 Northbound ramps	Holstein Dr	2L	4L	0.59		\$7,870,000	\$7,870,000	Feasible
4523 Luckett Rd	Holstein Dr	Staley Rd	2L	4L	0.87		\$2,429,563	\$2,429,563	Feasible
4523 Luckett Rd	Greenbriar Farms Rd	Pangola Dr	2L	4L	0.25		\$8,771,849	\$8,771,849	Feasible
4523 Luckett Rd Ext	Pangola Dr	Buckingham Rd	2L	4L	0.25		\$7,868,694	\$7,868,694	Feasible
4523 Mento Ct Ext	Sunshine Blvd @ 61st W	Cul de sac	None	2L	2.40		\$1,312,923	\$1,312,923	Feasible
4523 Mid Point Bridge	@ Toll Plaza		2L	4L	0.10	Across canal	\$32,745,817	\$32,745,817	Feasible
4523 Mid Point Bridge & approaches	SE 17th Pl	East of McGregor Blvd	4L	6L	3.33	Convert existing toll facilities to open road tolling	\$1,087,220		Feasible
4523 Nalle Grade Rd Ext	Nalle Rd	S.R. 31 (Arcadia Rd)	None	2L	2.50	Surplus toll revenue project, county share			Feasible
4523 NE 24th Ave Ext	Garden Blvd	Cape Coral city limits	None	4L	0.25		\$17,567,837		Feasible
4523 New beach bridge	Esler Blvd	Main St	None	2L	0.86		\$2,913,088		Feasible
4523 North Airport Rd Ext	Current terminus	Plantation Rd	None	2L	0.62	Completion assumed in 2015; includes toll collection gantries on both new & existing S.R. 865 bridges & 1 equipment building			Feasible
4523 Orange River Blvd	Neal Rd	Buckingham Rd	2L	4L	1.35		\$24,892,436		Feasible
4523 Oriole Rd Ext	Alico Rd	Three Oaks Pkwy Ext	None	2L	1.05		\$13,227,602		Feasible
4523 Ortiz Ave	Colonial Blvd	S.R. 82 (Dr Martin Luther King Jr Blvd)	2L	4L	1.73		\$14,372,911		Feasible
4523 Palomino Ln	Daniels Pkwy	Poncazone Blvd	2L	4L	1.46		\$13,900,000	\$13,900,000	Feasible
4523 Pine Island Rd	Mallacha Blvd	Burnt Store Rd-Veterans Pkwy	2L	4L	0.53		\$17,676,367	\$17,676,367	Feasible
4523 Plantation Rd	Six Mile Cypress Pkwy	Daniels Pkwy	2L	4L	1.17	Needed for concurrency	\$4,024,462		Feasible
4523 Plantation Rd	Daniels Pkwy	Idelwild St	2L	4L	2.53		\$11,270,000	\$11,270,000	Feasible
4523 Sanibel Causeway	@ Toll Plaza		2L	4L	0.10	Convert to open road tolling Assumed toll surplus funding	\$26,652,021	\$26,652,021	Feasible
4523 Sandy Lane Ext (North)	Corkscrew Rd	Matanzas Rd at Oriole Rd	None	2L	2.25		\$18,420,000	\$18,420,000	Feasible
4523 Six Mile Cypress Pkwy	U.S. 41 (South Tamiami Trl)	Metro Pkwy	4L	6L	1.14		\$7,547,596		Feasible
4523 S.R. 739 (Business U.S. 41)	Littleton Rd	U.S. 41	2L	4L	2.54		\$21,480,000		Feasible
4523 Stringfellow Rd	Jamerson Pkwy	Genossee Blvd	2L	4L	1.63		\$21,840,789		Feasible
4523 Summerlin Rd	Gladious Dr	Cypress Lake Dr	4L	6L	1.83	Sanibel Causeway toll surplus project			Feasible
4523 Sunrise Blvd Ext	Alabama Rd	Homestead Rd	None	2L	1.19		\$13,070,379	\$13,070,379	Feasible

Adopted Year 2030 HIGHWAY ELEMENT
 Adopted December 7th, 2005 with Amendments on January 20th, & March 17th, 2006

ROAD SEGMENT: Name of road and/or road to be improved FROM: Start of segment to be added or improved TO: End of segment to be added or improved		E = C EXISTING roadway network plus COMMITTED roadway projects to be built by FY 0405 IMPROVEMENT: Description of facility including proposed improvement		FINANCIAL FEASIBILITY STATUS		
1550 Sunrise Blvd Ext	Richmond Ave	Victoria Ave S	None	0.31		Contingent
1550 Sunset Rd Ext	Sunniland Blvd	Tena Ave N	None	0.15	Across canal	Feasible
1550 Sunset Rd	Centennial Blvd Ext	Sunniland Blvd	None	1.28		Feasible
1550 Sunshine Blvd Ext	75th St W	S.R. 80 (Palm Beach Blvd)	None	1.95		Feasible
1550 Three Oaks Pkwy	Coconut Rd	Estero Pkwy	None	3.84	Not needed, at least so long as C.R. 951 Ext is included	Feasible
1550 Todd Ave Ext	S.R. 82 (Immokalee Rd)	Westgate Blvd	None	0.96		Feasible
1550 Vanderbilt Drive	Woods Edge Pkwy	Bonita Beach Rd	None	1.00	Lee County share of cost (half)	Feasible
1550 Veterans Pkwy	Chiquita Blvd	Skyline Blvd	None	1.00	Surplus toll revenue project, county share	Feasible
1550 Veterans Pkwy		@ Skyline Blvd	None	0.45	Surplus toll revenue project, county share	Feasible
1550 Veterans Pkwy		@ Santa Barbara Blvd	None	0.45	Surplus toll revenue project, county share	Feasible
1550 Veterans Pkwy		@ County Club Blvd	None	0.45	Surplus toll revenue project, county share	Feasible
1550 Veterans Pkwy-Mid Point Bridge-Colonial Blvd	West of Skyline Blvd	East of S.R. 82 (Dr Martin Luther King Jr Blvd-Immokalee Rd)	None	15.20	Surplus toll revenue project, county share	Contingent
This table does not imply a commitment on the part of this jurisdiction to complete the projects listed for it.				Other projects:		
				PROJECT COSTS Subtotal:		
				6 Cent LOGT Plus 5 Cent LOGT 50%:		
				9th Cent Motor Fuel Tax:		
				Transportation Impact Fees:		
				FINANCIAL RESOURCES (2011-2030) Total:		
				Cape Coral & Mid Point toll surplus balance / (deficit):		
				Sanibel Causeway toll surplus balance / (deficit):		
				Other projects balance / (deficit):		
				BALANCE / (DEFICIT):		

LEE COUNTY GENERALIZED
LEVEL OF SERVICE THRESHOLDS

JOHN CAUTHEN COMP PLAN AMENDMENT

Utility and Drainage Analysis

Potable Water Supply

The project is located within the Greater Pine Island Water Association (GPIWA) franchise area. The GPIWA has just recently installed a storage tank and high service pumping station on Scallop Drive, about 1/3 mile to the west of the project site. This storage facility should prove to provide ample volume and pressure for this and the other area commercial and residential projects.

The connection points to this system could either be from Cape Royal entrance road via easements or along the Pine Island Road R/W for a 10" connection. If a larger than 10" is required a connection could be obtained by jack and boring north under Pine Island Road (SR 78), approximately 111 feet to a 12" main. The water demand based on the desired uses and prescribed square footages is approximately 120,000 gallons per day.

It is safe to make the assumption that GPIWA, a subsidiary of Lee County Utilities, will maintain a level of service that requires 250 gallons per day per equivalent residential connection (ERC), as stipulated in the Lee County Comprehensive Development Master Plan, section IV, Policy 53.1.2. Systems are also required to deliver the water at a residual minimum pressure of 20-40 PSI, to meet residential and commercial fire flow requirements.

Sewage Disposal

The sewage generation from the site based on the uses and their sizes, is approximately 100,000 Gallons per day. There are three possibilities for sewage disposal from the site, each requiring a lift station and force main.

The first choice would be to go into a Lee County Utilities system by running west down Pine Island Road to a connection point at Matlacha Isles entrance, a distance of approximately 1 mile.

The second choice would be to directional bore under Pine Island Road up Burnt Store Road a distance of 0.4 mile to a City lift station, which is carrying the new shopping center sewage via force main east to a terminus at Chiquita Boulevard. This option would only serve the project's initial flows, pumping at off-peak times.

The third option would send a force main east along the Pine Island Road R/W to the Sandoval Commercial Tract site. This is a distance of approximately 1 mile. This option would not be available until approximately 2009 or 2010.

Sewage Disposal Continued

All of the options mentioned will require the utility companies approval. The first option would meet with the least objection in that the project is within Lee County and is under Lee County control. The second option again has the capacity issue until the area receives utilities, scheduled in the year 2017. The third option would be the second best possibility, with a time tract and capacity commensurate with your project schedule.

The best option being the Lee County Utilities at the entrance to Matlacha Isles, is required by the Lee County Comprehensive Development Master Plan, section IV, Policy 56.1.2. to provide a level of services equal to accepting 200 gallons per day per equivalent residential connection (ERC) for the peak month.

Storm Water Management

Storm water may be limited by the discharge rate of 0.1 CFS/acre, which would require a significant amount of on-site storage in the form of lakes and ponds. However the amount of on-site storage would be significantly reduced if the storm water were handled on a pre-development vs. post-development discharge rate of discharge, after on-site pre-treatment.

The out-fall would be located at the southern border of the site via an existing drainage swale. This swale is collecting water from many projects and is sized such that it should handle our storm water discharge. The swale is piped under Veteran's Parkway and outfalls into the mangrove forest bordering Matlacha Pass. Improvements to the swale in the form of maintenance may be required along the southern border of the site and beyond in order to achieve smooth open channel flow without overflowing it's banks. A second outfall location would be the northern border, into the Pine Island Road corridor. This outfall would be more difficult to permit and would be subject to change when the R/W of Pine Island Road is widened to four lanes.

A level of services as prescribed by the Lee County Comprehensive Development Master Plan, section IV, policy 60.3.1 requiring drainage systems to prevent flooding caused by a 25-year, 3-day storm event for 24 hours, must be met using on and off site measures.

The project will require a general Environmental Resource Permit (ERP) submitted to the South Florida Water Management District. There may be wetlands on the site for which both the Army Corps of Engineers and SFWMD will be involved. The wetlands are more than likely "Isolated wetlands" and can be mitigated either on-site or through a mitigation bank.

Storm Water Management Continued

The Flood elevation presently for finished floor is 8.0 feet above sea level. The existing grades are in the range of 4.0 to 5.0 feet above sea level. A three (3) to four (4) foot fill prism minimum will be required on the site. Lakes and ponds dug on-site will be required as the least cost method of raising the site. In today's dollars off-site fill compacted in place is running in excess of \$15.00 per yard in place. FEMA has announced that they are revising the flood maps in the near future, which could modify the above floor elevation, which intern will most likely increase the size of the fill prism.

Parks, Recreation, and Open Space
EXHIBIT B.2.d

The current County regulatory standard for regional parks is 7 acres per 1,000 total residents and the “desired level of service” standard is 8 acres per 1,000 County residents. The addition of approximately 250 residents to this site would require an additional 1.7 acres of regional park land for the regulatory standard or 2 acres for the “desired level of service” standard. Currently the County has 7,063 acres of regional parks land and plans to develop a 10 acre Idalia site by the Franklin Lock, Fisherman’s Co-Op Boat Ramp on Pine Island, and an expansion of Bunch Beach Park will take place in fiscal year 2006-2007. In addition, the City of Cape Coral has proposed a 460 acre park and the City of Fort Myers proposed a 100 acre soccer park. These improvements will likely mean that the desired LOS will be met in the year 2020.

The regulatory LOS for community parks is 0.8 acre per 1,000 permanent residents and the desired LOS standard is 2 acres per 1,000 permanent residents. This property is located in newly defined Pine Island / Burnt Store / Unincorporated Lee County district. The County concurrency report says that both the regulatory standard and the desired standard will be met through the year 2009. The approval of this Comp. Plan Amendment could result in a maximum increase in the regulatory standard of 0.2 acres and the desired LOS standard of 0.5 acres. It is unlikely that this amendment would cause the County to fail to meet the adopted LOS standard for community parks.

EXHIBIT B.3.d



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (239) 533-0333

Bob Jones
District OneDouglas R. St. Cerny
District TwoRay Judah
District ThreeTammy Hall
District FourJohn E. Albion
District FiveDonald D. Stillwell
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County AttorneyDiana M. Parker
County Hearing
Examiner

September 26, 2006

Mr. Mike Roeder, AICP
Knott, Consoer, Ebelini, Hart & Swett, P.A.
P.O. Box 2449
Fort Myers, FL 33902-2449

Re: Lee Plan Amendment for 3150 SW Pine Island Road

Mr. Roeder:

Lee County Transit received your letter dated September 25, 2006 in reference to the Comprehensive Plan Amendment Application for the subject property at the intersection of Pine Island Road and Veteran's Parkway in Cape Coral Florida. Lee County currently provides very minimal public transportation services to the subject property with service on Thursdays only to Pine Island and Southeast Cape Coral. Currently the closest daily fixed route bus service accessible from the property is approximately 4 miles away at the intersection of Pine Island Road and Santa Barbara Boulevard.

The Lee County Transit Development Plan identifies the need to expand the Thursday only service to regular fixed-route bus service with two hour headways, Monday through Friday, beginning in 2010. The 2030 Lee County Long Range Transportation Plan identifies the need to increase the service level to every 60 minutes in 2018. Any future development of this site should allow for access to the transit system on Pine Island Road.

If you have any questions please contact me at the telephone number listed above or send an e-mail to mhorsting@leegov.com.

Sincerely,

Michael Horsting, AICP
Planner, Lee County Transit

Preliminary Environmental Assessment

Prepared For:

Knott, Consoer, Ebelini, Hart & Swett, P.A.
1625 Hendry Street
Fort Myers, FL 33901

Site Location:

13.5 Acre Parcel
3150 S.W. Pine Island Road
Section 20, Twp. 44 S., Rng. 23 E.
Lee County, Florida

Prepared By:

Mr. Jeffrey Adair
Environmental Restoration Consultants, Inc.
24571 Redfish Street
Bonita Springs, FL 34134
Phone: (239) 287-2706

September 27, 2006



Environmental Restoration Consultants, Inc.



Environmental Restoration Consultants, Inc.

September 27, 2006

Mr. Mike Roeder
Knott, Consoer, Ebelini, Hart & Swett, P.A.
1625 Hendry Street
Ft. Myers, FL 33901

Fax: 334-8458

Re: Proposal for Environmental Services
13.5-Acre Parcel; 3150 S.W. Pine Island Rd., Cape Coral
Strap No. 20-44-23-00-00002.0000, Lee County, Florida

Dear Mr. Roeder:

On your behalf, Environmental Restoration Consultants, Inc. (ERC) performed a site inspection of the above referenced property on September 21, 2006. The purpose of the field investigation and this report is to address the environmental items listed in the Lee County "Application for a Comprehensive Plan Amendment". As such, this report is a compilation of information from field observations and existing sources. The report includes a characterization of existing plant communities (FLUCCS categories) and potentially associated protected species, available soil information, topographic quadrangle information, approximate location of state jurisdictional wetlands, and other relevant information. Please note that the site visit was performed subsequent to unusually heavy rainfall. Year-to-date rainfall is 4.74" above normal. September rainfall is 2.55" above average, equating to 44.2% above normal (The News-Press, September 21, 2006).

Site Location

The 13.50-acre project area is located in the southeast quadrant of the intersection of Veterans Parkway and S.W. Pine Island Road, Section 20, Twp. 44 S., Rng. 23 E., un-incorporated Lee County, Florida (ref. Site Location Map). Adjacent land uses include roadways along the entire west and north perimeter, commercial along the northeast, single-family immediately to the south, and vacant forested lands (degraded pine flatwood) to the southeast. The parcel is completely fenced, with gated access at the north from S.W. Pine Island Rd. The parcel appears to be periodically mowed, and access and visual inspection relatively easy and unimpeded.

Vegetation

In accordance with the Florida Land Use, Cover and Forms Classification System (FLUCCS; FDOT, 1999), we have characterized the parcel as five (5) community types and land use categories. The location, extent, and acreage of each category was determined by field observation and visual interpretation of aerial photography (Lee County, 2005), and is depicted on the attached FLUCCS Map. A general description and representative vegetation for each category is provided in the table below.