

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%	Natural flora has been historically cleared. Re-vegetation includes herbaceous species indicative of hydric conditions. Northern marsh: dominant species composed of primrose willow (<i>Ludwigia</i> sp.), maidencane (<i>Panicum hemitomon</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. 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.
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 caroliniana</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 threawn, 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 threawn, 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.

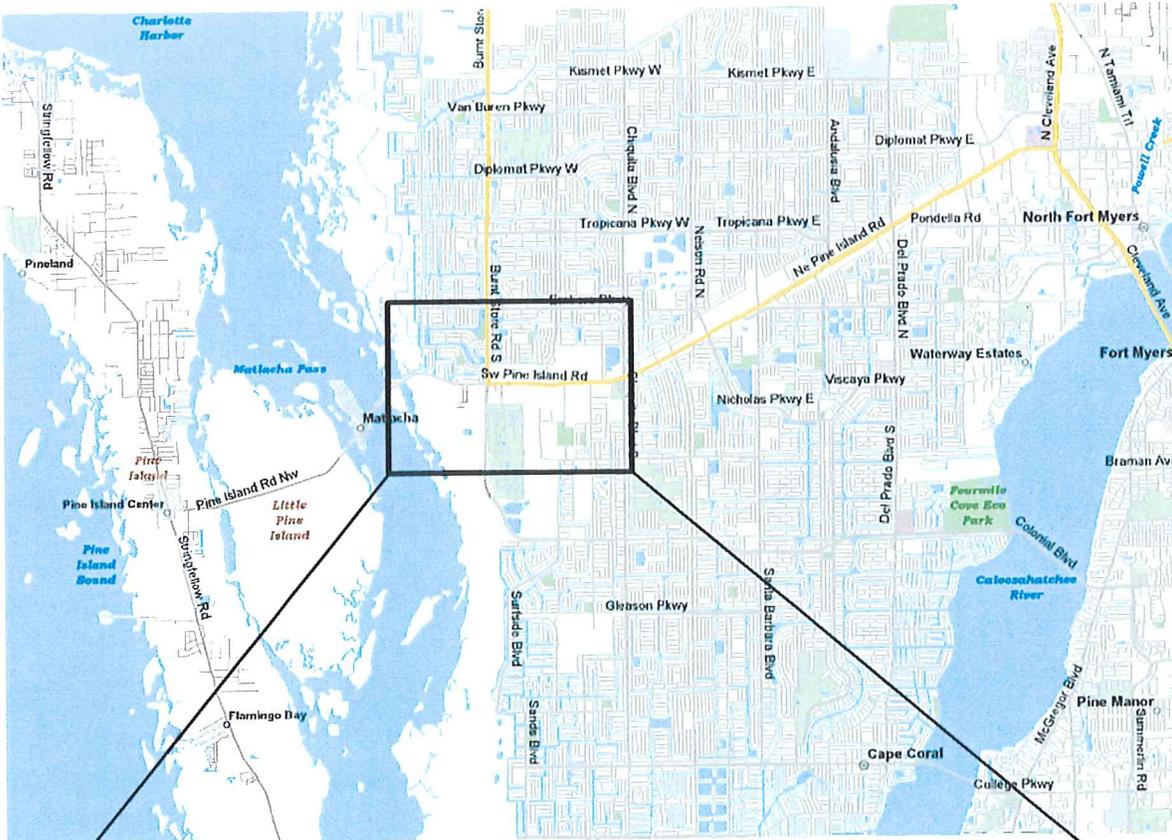
Should you have any questions regarding the site inspections or this report, please do not hesitate to contact me at 287-2706.

Sincerely,

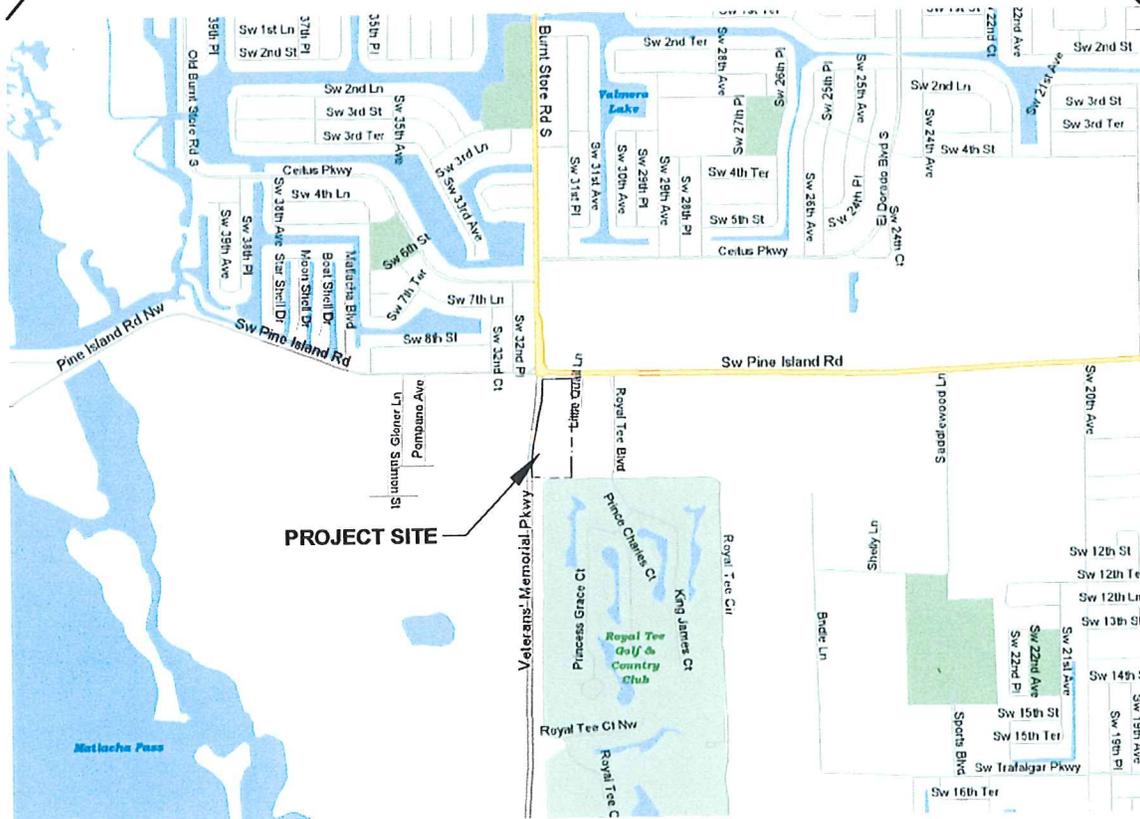


Jeffrey A. Adair
President

LOCATION MAP:



VICINITY MAP:



PROJECT SITE

SCALE	N.T.S.
CAD FILE	Pine Island 13.5
DWGNG	MAPS
SHEET	1 of 10

DESIGN BY:	JAA
DRAWN BY:	DPB
CHECKED BY:	JAA
DATE:	5/21/06
Jeffrey A. Adair	

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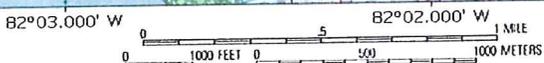
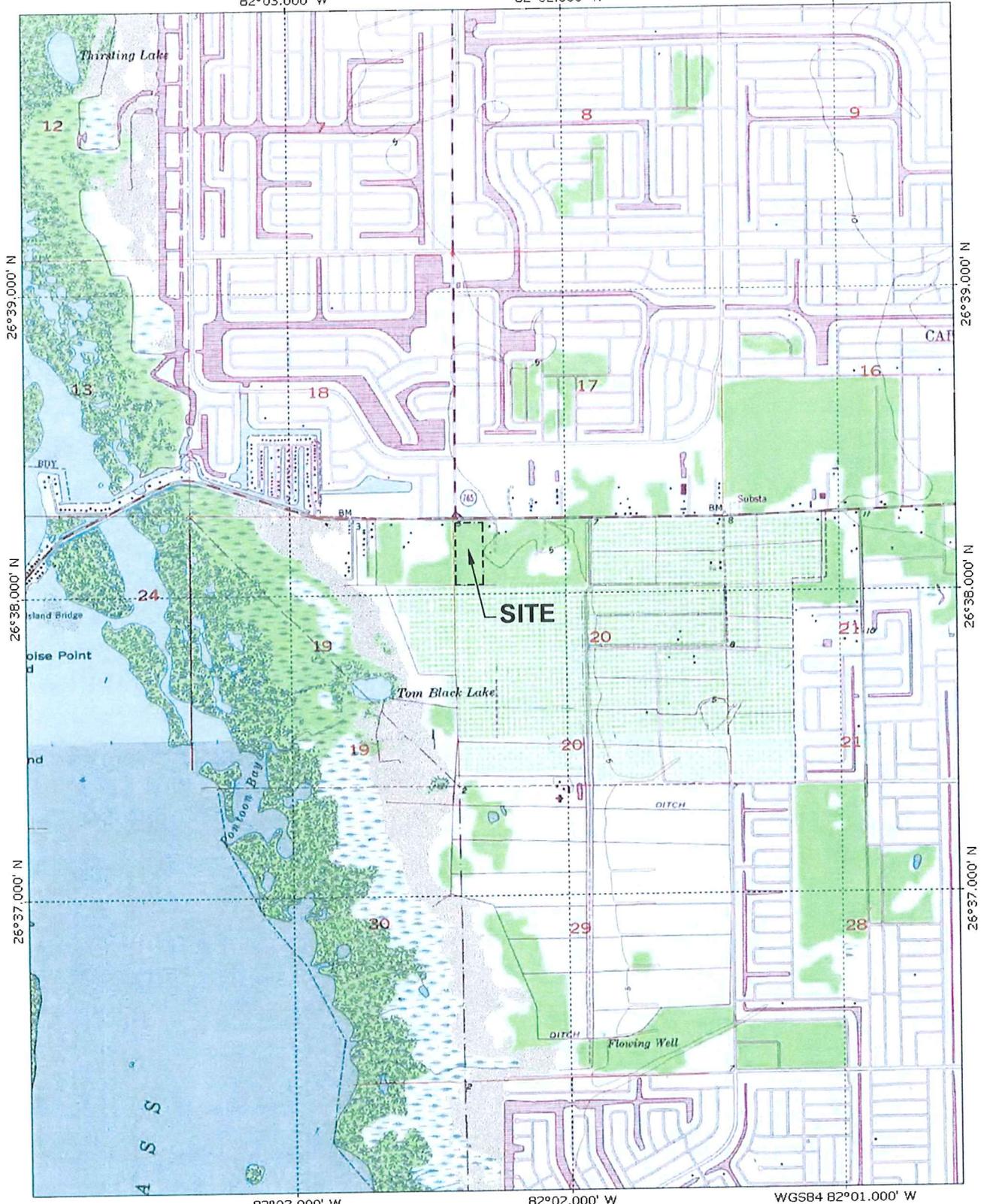
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CLIENT:
 Knott, Consoer, Ebelini, Hart & Swett, P.A.
 1625 Hendry Street
 Fort Myers, Florida 33901

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

DATE	REVISIONS



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

MN TN
 4 1/2°

SCALE	N.T.S.
CAD FILE	Pine Island 13.5
DWG NO	MAPS
SHEET	2 of 10
DESIGN BY	JAA
DRAWN BY	DPB
CHECKED BY	JAA
DATE	9/21/06
DESIGNED BY	Jeffrey A. Adair

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

DATE	REVISIONS
▲	
▲	
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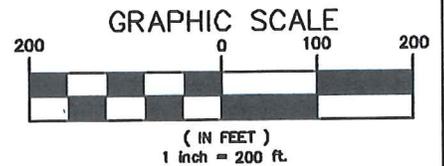
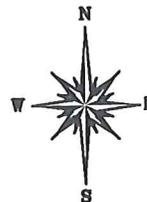
SOILS LEGEND:

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

----- PROJECT BOUNDARY

SOURCE OF INFORMATION:

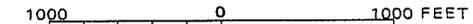
This map is based on the "Soil Survey of Lee County, Florida"; prepared jointly by the U.S. Department of Agriculture & the Soil Conservation Service (issued on December 1984)



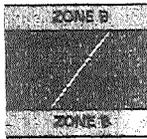
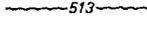
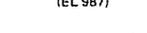
SCALE: 1"=200'	DESIGN BY: JAA DRAWN BY: DPB CHECKED BY: JAA DATE: 9/21/06	 <p>ENVIRONMENTAL RESTORATION CONSULTANTS, INC. P.O. BOX 110684, NAPLES, FL 34108 Telephone: 239.992.0066 Cell: 239.267.2706 EMAIL: ERCINC@COMCAST.NET</p>	<p>CLIENT: Knott, Consoer, Ebelini, Hart & Swett, P.A. 1625 Hendry Street Fort Myers, Florida 33901</p>	Pine Island Road - 13.5 Ac.	DATE REVISIONS
CAD FILE: Pine Island 135	DWG NO: MAPS			SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA	△ △ △ △ △
SHEET: 3 of 10	Jeffrey A. Adair			SOILS MAP	



APPROXIMATE SCALE



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** 
- Base Flood Elevation in Feet Where Uniform Within Zone** (EL 987)
- Elevation Reference Mark RM7x 
- Zone D Boundary ———
- River Mile •M1.5

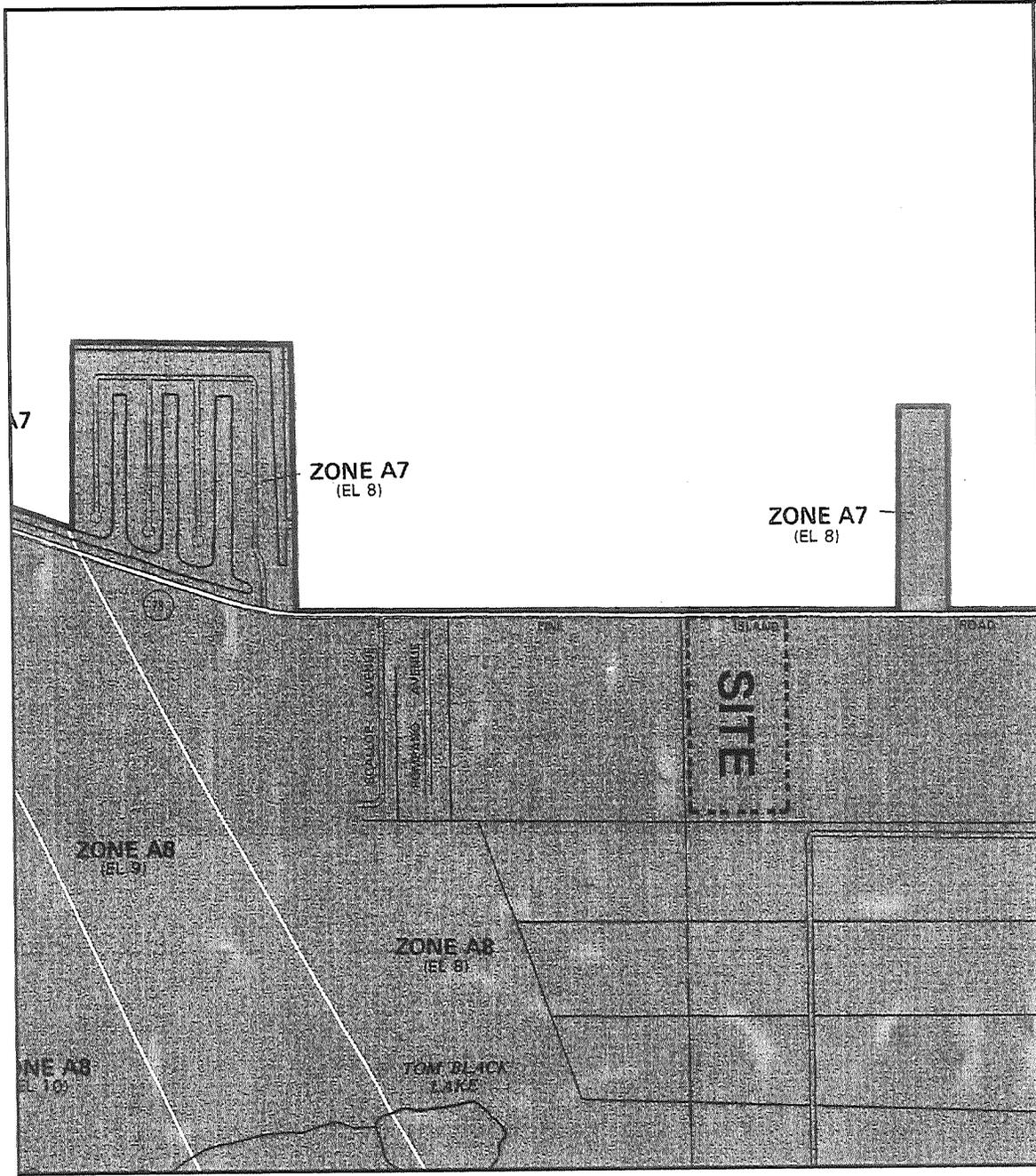
**Referenced to the National Geodetic Vertical Datum of 1929

*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



SCALE N.T.S.

DESIGN BY: JAA
DRAWN BY: CEB
CHECKED BY: JAA
DATE: 5/11/06

PROJECT: Pine Island 13.5
MAPS

DESIGNER: Jeffrey A. Adair

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

FIRM PANEL # 125124 0170 B

DATE	REVISIONS



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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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 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.

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		△	_____			PROJECT FILE:	Pine Island 13.5	DRAWN BY:	DPB
		△	_____			DWG NO:	MAPS	CHECKED BY:	JA
		△	_____			SHEET:	7 of 10	DATE:	09/21/06
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								Jeffrey A. Adair	



PHOTO #3: Historical clearing and subsequent re-vegetation has created wet prairie throughtout 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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▲	_____
▲	_____
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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, 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:	8 of 10

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

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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		CLIENT: Knott, Consoer, Ebellini, Hart & Swett, P.A. 1625 Hendry Street Fort Myers, Florida 33901	PROJECT FILE: Pine Island 13.5	DWG NO: MAPS		
		SHEET: 9 of 10				

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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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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, 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:
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, Ibelini, Hart & Swett, P.A.
 1625 Henry Street
 Fort Myers, FL 33901
 Telecopier: 239-334-1446

Dear Ms. Stowc:

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, R23B, 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
 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/msff>

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

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

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

Historic Preservation
 (850) 245-6393 • 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) 825-0045 • FAX: 825-5044

Tampa Regional Office
 (813) 273 8843 • FAX: 777-2140

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 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.

**CPA 2006-15
PRIVATELY SPONSORED
CAUTHEN AMENDMENT
TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

**Privately Sponsored Application
and Staff Analysis**

**BoCC Public Hearing Document
for the
October 22nd, 2008 Public Hearing**

*Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(239) 533-8585*

October 8, 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

Planning staff and the applicant gave brief presentations.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

The LPA voted to transmit the proposed plan amendment. The LPA also voted to amend Lee Plan Map 7, the Future Sewer Service Areas Map to include the subject property. One LPA member asked the applicant about the planned uses for the subject property. The applicant stated that the property would include a mix of general retail uses with the possibility of hotel/motel space as well. Another member asked about the access to the property from both Pine Island Road and Veteran's Parkway. The applicant stated that they would seek a shared access with the gas station to the east on Pine Island Road. He then stated that there is a right-in/right-out access on Veteran's Parkway as previously designated by the Board of County Commissioners. The applicant may seek a shared access with the Royal Tee subdivision abutting the south side of the property.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

The LPA accepted the findings of fact as advanced by staff.

C. VOTE:

NOEL ANDRESS	AYE <hr/>
LES COCHRAN	AYE <hr/>
RONALD INGE	ABSENT <hr/>
JACQUE RIPPE	ABSENT <hr/>
CARLETON RYFFEL	AYE <hr/>
LELAND M. TAYLOR	ABSENT <hr/>
RAE ANN WESSEL	AYE <hr/>

**PART IV - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: October 22, 2008

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

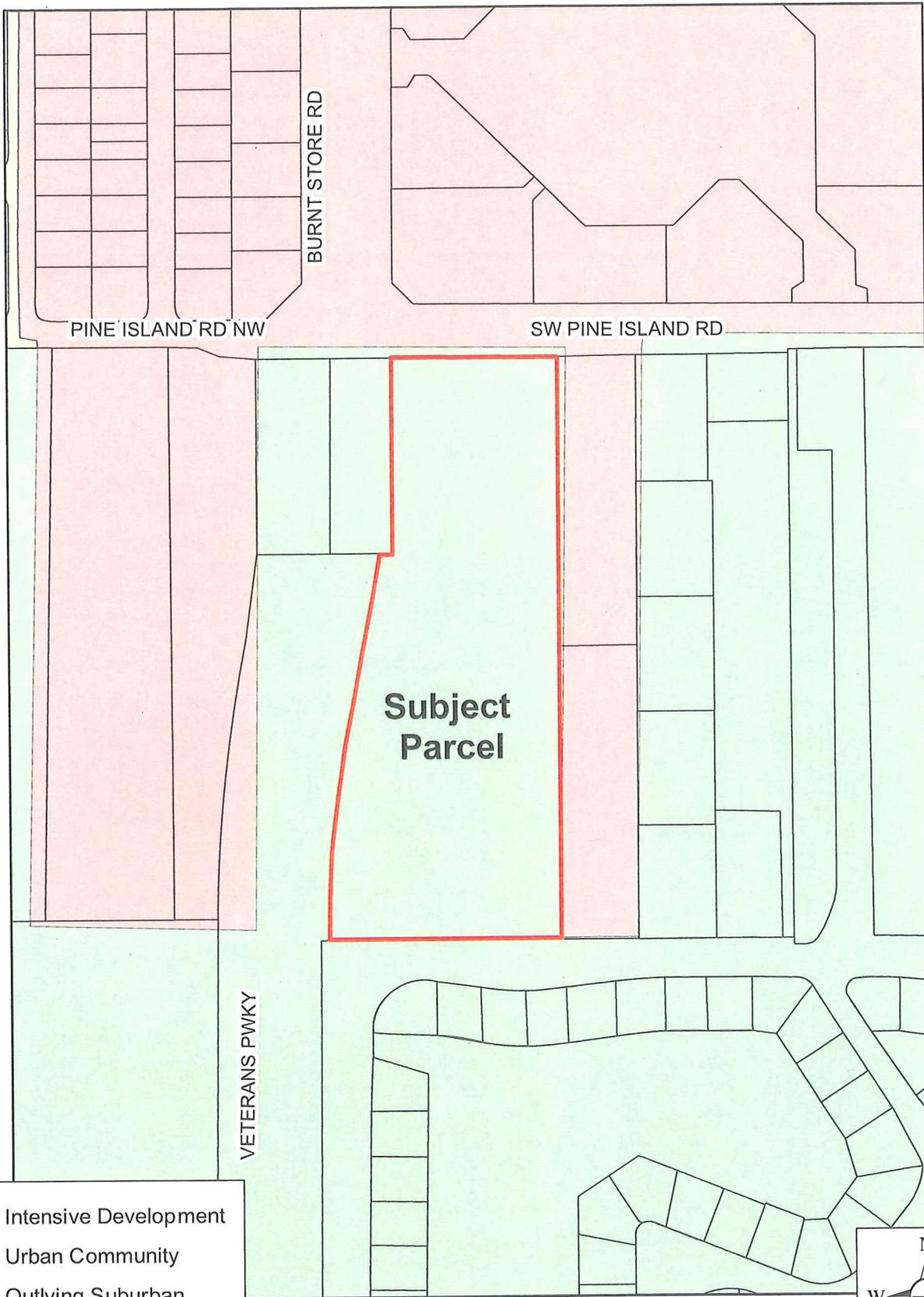
TAMMARA HALL

ROBERT P. JANES

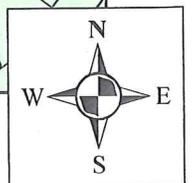
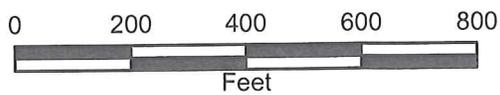
RAY JUDAH

FRANKLIN B. MANN

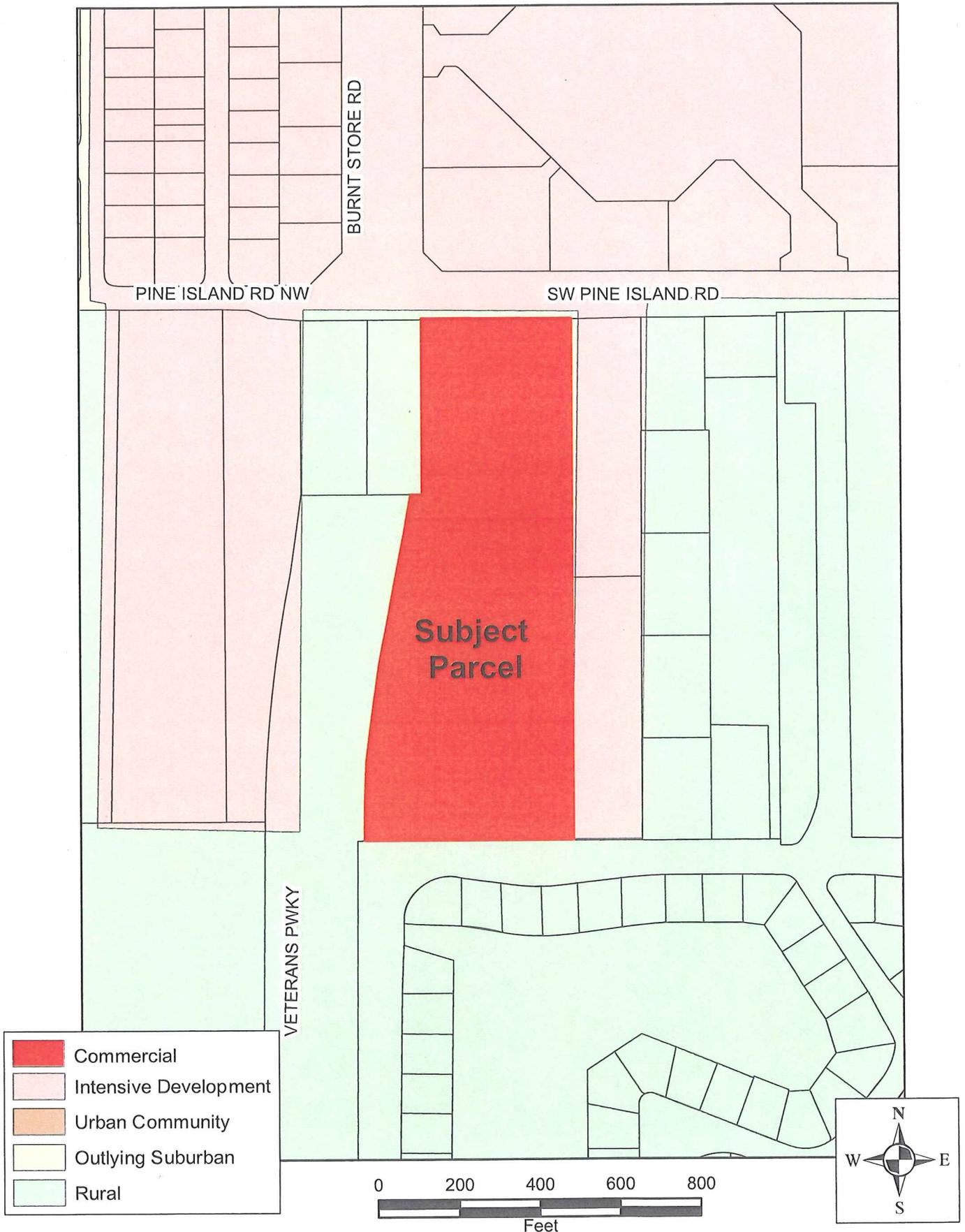
CPA2006-15 Cauthen Amendment Existing Future Land Use Map



	Intensive Development
	Urban Community
	Outlying Suburban
	Rural



CPA2006-15 Cauthen Amendment Proposed Future Land Use Map



2006-00015

RECEIVED
OCT 07 2008

COMMUNITY DEVELOPMENT

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: _____ 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.

03/14/08
DATE

Mike Ruedler
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 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

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.

[Handwritten Signature]
Signature of owner or owner-authorized agent
JOHNSON W. CAUTHEN
Typed or printed name

9/27/06
Date

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)

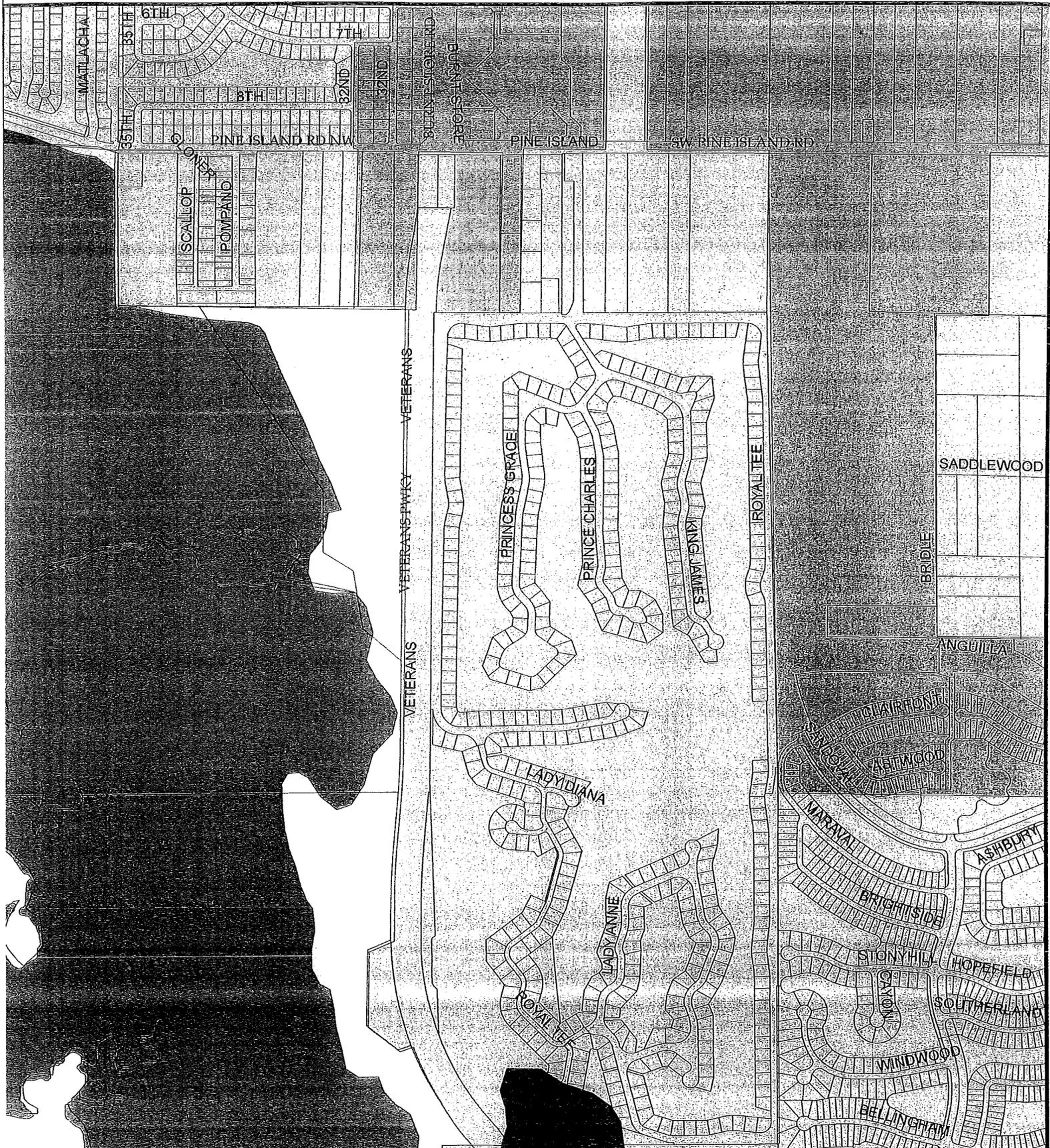


CANDICE L. FREESE
MY COMMISSION # DD 502750
EXPIRES: January 28, 2010
Bonded Thru Budget Notary Services

Candice L. Freese
Signature of notary public

Printed name of notary public

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.

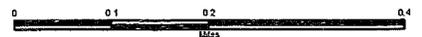
FUTURE LAND USE		Subject Parcel	
	Conservation Lands Upland		Subject Parcel
	Conservation Lands Wetland		Parcel Within 500 Feet Buffer
	Intensive Development		Parcel Lines
	Challenging Situation		
	Rural		
	Urban Community		
	Wetlands		
	Commercial		

Source: Lee County Property Appraiser
Lee County BOCC

Map Date: March 6, 2008

Prepared By: Carol King

File Location: S:\GIS\ArcMapMXD\Knot\Conser_FLU_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.

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



INSTR # 6359326
OR BK 04367 Pgs 0202 - 213; (12pgs)
RECORDED 07/15/2004 04:21:46 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
DEED DOC 25,666.90
DEPUTY CLERK & Sherwood

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

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]
Signature of First Witness
Printed Name: Paul Sabutis

[Signature]
RONALD A. YORK, TRUSTEE

(2) [Signature]
Signature of Second Witness
Printed name: Frances A. Weber-Sabutis

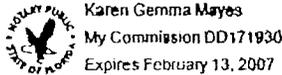
[Signature]
JAMES L. BEVILLARD, TRUSTEE

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, 2004



(NOTARY SEAL)

[Signature]
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 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 ¾ 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 ¾ 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.

#169849- 07/14/2004

Page 2





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

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

ARTICLES OF ORGANIZATION FOR FLORIDA
LIMITED LIABILITY COMPANY
OF
3150 S.W. PINE ISLAND ROAD, L.L.C.

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. E. AUTHEN

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

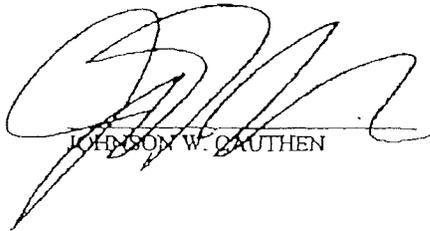
PURSUANT TO THE PROVISIONS OF SECTION 608.415 OR 608.507, FLORIDA STATUTES, THE UNDERSIGNED LIMITED LIABILITY COMPANY SUBMITS THE FOLLOWING STATEMENT IN DESIGNATING THE REGISTERED OFFICE/REGISTERED AGENT, IN THE STATE OF FLORIDA:

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:

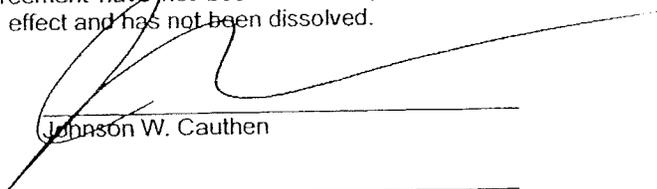
See attached Exhibit "A"

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.

Deborah Lea Bollinger

Notary Public

NOTARY RUBBER STAMP SEAL
OR EMBOSSED SEAL

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

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.

Deborah Lea Bollinger

Notary Public

NOTARY RUBBER STAMP SEAL
OR EMBOSSED SEAL

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

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.

Deborah Lea Bollinger

Notary Public

NOTARY RUBBER STAMP SEAL
OR EMBOSSED SEAL

DEBBIE BOLLINGER

Printed Name

Commission No.

Expiration Date

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

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 ¾ 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 ¾ 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.



EXHIBIT B.1



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.

\\K:\06\09\27\report.doc

APPENDIX

TABLES 1A, 2A & 3A

TABLE 1A
PEAK DIRECTION LEVEL OF SERVICE THRESHOLDS

<u>ROADWAY</u>	<u>SEGMENT</u>	<u>ROADWAY CLASS</u>	<u>LOS A VOLUME</u>	<u>LOS B VOLUME</u>	<u>LOS C VOLUME</u>	<u>LOS D VOLUME</u>	<u>LOS E 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	Raw FSUTMS	PCS	PSWDT/AADT	2030	K-100	D	Total Traffic	LOS Serv.	LOS	
		Lanes										LOS 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

ROADWAY	SEGMENT	# Of		Raw FSUTMS	PCS	PSWDT/AADT	2030	K-100	D	Total Traffic	LOS Serv.	LOS
		Lanes	LOS Std.	PSWDT	#	Factor	AADT	Factor	Factor	PK Direction	Volume	
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	23,351	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

NEW TAZ 1757

1 1757 181 10 9 386 0 30 70 0 0 0 0 0 0 0 0 99 0

2 21757 0 250 384 634 0 0 0

**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 PROJECT: Start of segment to be added or improved TO: End of segment to be added or improved	FY 05-06 ESTIMATED ROADWAY NETWORK PLAN COMPLETED ROADWAY PROJECTS TO BE BUILT BY FY 06-07 IMPROVEMENT: Description of facility following proposed parameters	FINANCIAL FEASIBILITY STATUS							
FDOT									
21903 Alico Rd	U.S. 41	Dusty Rd	2.0	6.0	0.48	Last two years of SIB payoff	\$2,442,699	\$2,442,699	Feasible
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
Caloosahatchee bridges		Cape Coral, Mid Point, U.S. 41, & Edison Bridges & their approaches				Incident management system	\$5,800,000	\$5,800,000	Contingent
Computerized traffic signal system		Countywide				Upgrade to ATIS	\$27,600,000	\$27,600,000	Feasible
Drawbridges		On S.R. 31 (Aradia Rd) & Broadway (C.R. 78A) @ Caloosahatchee River, Pine Island Rd @ Mallico 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 Alico Rd				TOP/C/OFC terminal and team track	\$6,505,333	-	Contingent
22521 I-75 approach roads	Collier County line	Charlotte County line				Dynamic line speed signs	\$3,280,000	-	Contingent
22522 I-75 detour routes	Collier County line	Charlotte County line				SIS; dynamic and/or static traffic blazer signs	\$5,810,000	-	Contingent
22531 I-75	Collier County line	Bonita Beach Rd	6.0	4.0	1.05	SIS	\$13,322,400	-	Contingent
22532 I-75		@ Bonita Beach Rd			0.50	SIS	\$68,029,000	-	Contingent
22533 I-75		@ Coconut Rd				Allocation of from \$10,000,000 federal earmark, See NOTE #1	-	-	Contingent
22534 I-75		Bonita Beach Rd	6.0	4.0	11.65	12 lanes; SIS and/or toll; 4 lanes may be toll express lanes	\$21,722,800	-	Contingent
22535 I-75		@ Corkscrew Rd			0.50	SIS; construction only	\$23,461,000	-	Contingent
22536 I-75		Bonita Beach Rd	6.0	4.0		Interchange modification	\$2,630,000	-	Contingent
22537 I-75		Alico Rd	6.0	4.0	9.90	10 lanes; SIS and/or toll; 4 lanes may be toll express lanes	\$204,019,200	-	Contingent
22538 I-75 collector-distributor roads	Alico Rd	North of airport interchange	6.0	4.0	3.16	SIS Connector; construction only	\$101,000,000	-	Contingent
22539 I-75 collector-distributor roads	Alico Rd	Alico Expwy	6.0	4.0	0.34	Second stage, if / when Alico Expwy is built; SIS connector	\$2,157,107	-	Contingent
22540 I-75		@ Colonial Blvd			0.50	SIS; construction only	\$42,324,000	-	Contingent
22541 I-75		@ S.R. 82 (Dr Martin Luther King Jr Blvd)			0.50	SIS	\$57,396,000	-	Contingent
22542 I-75		@ Luskett Rd			0.50	SIS	\$3,770,000	-	Contingent
22543 I-75	S.R. 82 (Dr Martin Luther King Jr Blvd)	S.R. 80 (Palm Beach Blvd)	6.0	4.0	3.47	SIS	\$18,885,000	-	Contingent
22544 I-75	S.R. 80 (Palm Beach Blvd)	S.R. 78 (Bayshore Rd)	6.0	4.0	2.69	SIS; construction only	\$80,342,000	-	Contingent
22545 I-75		@ S.R. 78 (Bayshore Rd)			0.50	SIS	\$16,531,000	-	Contingent
22546 I-75		S.R. 78 (Bayshore Rd)	6.0	4.0	0.50	SIS; 8L	\$4,235,000	-	Contingent
22547 I-75		@ Del Prado Blvd Ext			5.77	SIS	\$33,089,000	-	Contingent
22548 I-75		S.R. 78 (Bayshore Rd)	6.0	4.0	5.77	SIS	\$64,026,920	-	Contingent
22549 I-75		@ Del Prado Blvd Ext				SIS	\$8,900,000	-	Contingent
22550 Kennesaw connector	Fowler St	Evans Ave	6.0	4.0	0.22	SIS	\$3,511,960	\$3,511,960	Feasible
LeoTran route 140						\$1,500,000 each in FYs 2010/11 & 2011/12 \$2,000,000 in FY 2012/13	\$4,826,338	\$4,826,338	Feasible
Regional traveler information system		Lee, Collier & Charlotte Counties				Traveler information broadcast capability	\$1,000,000	\$1,000,000	Feasible
22551 S.R. 739 (Metro Pkwy)	U.S. 41	Six Mile Cypress Pkwy	2.0	6.0	1.25	CST only; includes interchange with Alico Road & railroad overpass. Dropped from FDOT's draft tentative work program	\$48,000,000	\$48,000,000	Feasible
22552 S.R. 739 (Metro Pkwy)		@ Six Mile Cypress Pkwy			0.50	Includes \$1,700,000 for open road tolling of 4L overpass	-	-	Contingent
22553 S.R. 739 (Metro Pkwy)	Six Mile Cypress Pkwy	Daniels Pkwy	2.0	6.0	4.56	CST only. Dropped from FDOT's draft tentative work program	\$10,336,637	\$10,336,637	Feasible
22554 S.R. 739 (Metro Pkwy)	Daniels Pkwy	1800' North of Winder Ave	4.0	6.0	1.25	Includes overpass over railroad	\$45,952,463	\$45,952,463	Feasible
22555 S.R. 739 (Metro-Fowler connector)	Metro Pkwy 1800' North of Winder Ave	Fowler St & Evans Ave	4.0	6.0	1.06	Includes overpass over railroad	\$18,056,663	\$18,056,663	Feasible
22556 S.R. 739 (Fowler St)	Metro-Fowler Connector	S.R. 82 (Dr Martin Luther King Jr Blvd)	4.0	6.0	1.39		\$22,357,038	\$22,357,038	Feasible
22557 S.R. 78 (Pine Island Rd)	Burnt Store Rd	West of Chebuts Blvd	2.0	6.0	2.05	Remainder of right of way & construction	\$23,156,645	\$23,156,645	Feasible
22558 S.R. 78 (Pine Island Rd)	Skyline Blvd	300' West of Santa Barbara Blvd	4.0	6.0	1.40		\$6,790,132	-	Contingent
22559 S.R. 78 (Pine Island Rd)	Cultural Park Blvd	Cultural Park Blvd	4.0	6.0	2.40		\$15,092,559	-	Contingent
22560 S.R. 78 (Pine Island Rd)	300' West of Santa Barbara Blvd	Cultural Park Blvd	4.0	6.0	1.36		\$6,547,628	-	Contingent
22561 S.R. 78 (Pine Island Rd)	Cultural Park Blvd	Del Prado Blvd	4.0	6.0		Includes \$1,700,000 for open road tolling on 4L overpass	-	-	Contingent
22562 S.R. 78 (Pine Island Rd)	Del Prado Blvd	Pandora Rd	4.0	6.0	0.31		\$1,503,529	-	Contingent
22563 S.R. 78 (Pine Island Rd)	S.R. 31 (Arcadia Rd)	Buckingham Rd	4.0	6.0	2.49	SIS	\$18,056,122	-	Contingent
22564 S.R. 82 (Dr Martin Luther King Jr Blvd)	Michigan Link	Park 82 Dr	5.0	6.0	1.11	Emerging SIS connector	\$347,102	-	Contingent
22565 S.R. 82 (Dr Martin Luther King Jr Blvd)	Park 82 Dr	Teter Rd	5.0	6.0	0.60	Included in I-75 interchange modification project	-	-	Contingent
22566 S.R. 82 (Dr Martin Luther King Jr Blvd)	Teter Rd	Wallace Ave	5.0	6.0	2.99	Emerging SIS	\$26,628,100	-	Contingent
22567 S.R. 82 (Immoalee Rd)	Wallace Ave	Hendry County line	5.0	6.0	13.91	Emerging SIS	\$87,175,286	-	Contingent
22568 S.R. 865 (San Carlos Blvd)	Summerlin Rd	Gladstone Dr	4.0	6.0	1.50	Emerging SIS	\$7,590,860	-	Contingent
22569 S.R. 867 (McGregor Blvd)	A & W Blvd Rd	Cypress Lake Dr	4.0	6.0	0.67		\$9,312,593	-	Contingent
22570 S.R. 867 (McGregor Blvd)	500' South of Davis Dr	750' North of Colonial Blvd	2.0	6.0		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 new road or road to be improved	E + C: EXISTING roadway network plus COMMITTED roadway projects to be built by FY 04/05	IMPROVEMENT: Description of facility including proposed improvement	FINANCIAL FEASIBILITY STATUS					
PRINC: Start of segment to be added or improved			Cost	Revenue	Net	Feasibility		
TO: End of segment to be added or improved								
LEE COUNTY								
234101	19th St W	Tena Ave N	Ann Ave @ 9th St W	2.75	Connect across canals	\$23,769,743	\$23,769,743	Feasible
234224	40th St SW Ext	Current terminus	Alabama Rd	0.10	None	\$1,878,049	\$1,878,049	Feasible
234245	61st St W	Cemetary Rd at Stratton Rd	Sunshine Blvd	2.11	Connect across canals	\$18,385,011	-	Conditional
234257	9th St W	Ann Ave at 19th St W	Richmond Ave	2.34	None	\$30,761,430	\$30,761,430	Feasible
234258	9th St E	@ Thompson Ave and Dayton Ave		0.20	Realize design	\$2,058,818	\$2,058,818	Feasible
234259	Alabama Rd	40th St SW Ext	Sunrise Blvd Ext	1.05	None	\$12,174,215	\$12,174,215	Feasible
234260	Alico Expwy	Summerlin Rd	S.R. 82 (Immokalee Rd)	18.35	Potential Simbal Causeway surplus toll project; includes 4 toll collection gantries & 2 equipment buildings	-	-	Conditional
234261	Andrea Ln	Hammoway Dr	Metro Pkwy	0.26	None	\$7,983,693	\$7,983,693	Feasible
234262	Arborwood Pkwy Ext	Fort Myers city limits	Gateway Blvd	1.32	None	\$19,884,209	\$19,884,209	Feasible
234263	Base Rd Ext	Gladiolus Dr	A & W Bulb Rd	0.88	None	\$10,862,780	-	Conditional
234264	Ben Hill Griffin Pkwy	FGCU Blvd	1 mile South of Alico Rd	3.16	Not needed by 2030 if CR 951 Ext is included	\$15,408,878	-	Conditional
234265	Beth 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
234266	Bonita Beach Rd	Vanderbilt Dr	Old U.S. 41 Rd (C.R. 887)	2.36	None	\$25,783,783	\$25,783,783	Feasible
234267	Bonita Beach Rd	Old U.S. 41 Rd (C.R. 887)	Imperial St	1.03	None	\$11,097,000	-	Feasible
234268	Boy Scout Dr	Summerlin Rd	U.S. 41 (Cleveland Ave)	0.50	None	\$5,881,215	-	Conditional
234269	Buckingham Rd Ext	S.R. 82 (MLK Blvd) @ Hanson St Ext	800' North of current S.R. 82 intersection	0.56	None	\$8,536,558	\$8,536,558	Feasible
234270	Buckingham Rd	Orange River Blvd	S.R. 80 (Palm Beach Blvd)	2.55	None	\$29,760,000	-	Conditional
234271	Buckingham Rd	Gunnery Rd	Orange River Blvd	2.95	None	\$29,595,847	-	Conditional
234272	Burnt Store Rd / Veterans Expwy	@ S.R. 78 (Pine Island Rd)		0.50	Surplus toll revenue project, county share	-	-	Conditional
234273	Burnt Store Rd	S.R. 78 (Pine Island Rd)	Van Buren Pkwy	3.10	Surplus toll revenue project, county share	-	-	Conditional
234274	Burnt Store Rd	Kismet Pkwy	Charlotte County line	6.00	Surplus toll revenue project, county share	-	-	Conditional
234275	Cape Coral Bridge	@ Toll Plaza			Convert existing toll facilities to open road tolling	-	-	Conditional
234276	C.R. 951 Ext	Collier County line	Bonita Beach Rd	1.00	Limited access expressway	-	-	Conditional
234277	C.R. 951 Ext	Bonita Beach Rd	Alico Expwy	14.24	Limited access expressway; includes 3 toll collection gantries & 2 equipment buildings	-	-	Conditional
234278	C.R. 951 Ext	@ Alico Expwy			Cost estimate assumes a trumpet interchange	-	-	Conditional
234279	Cedarree Ave & Ext	Buckingham Rd	Centennial Blvd	0.35	None	\$5,072,309	\$5,072,309	Feasible
234280	Centennial Blvd	Codartree Ave	Gunnery Road	0.42	None	\$7,184,482	\$7,184,482	Feasible
234281	Centennial Blvd Ext	Gunnery Rd.	Sunset Rd	0.18	None	\$3,144,438	\$3,144,438	Feasible
234282	Coastal area IMS expansion	On Bonita Beach Rd, Estero Blvd, S.R. 885 & Pine Island Rd			Include IMS expansion	\$4,820,000	\$4,820,000	Feasible
234283	Coconut Rd Ext	Old Lighthouse Rd	I-75	0.50	None	\$11,800,000	-	Conditional
234284	Coconut Rd Ext	I-75	C.R. 951 Ext	1.07	None	\$25,200,000	-	Conditional
234285	Coconut Rd Ext	@ C.R. 951 Ext			Not needed if C.R. 951 Ext is not included	-	-	Conditional
234286	Colonial Blvd (S.R. 884)	Midpoint Bridge	East of Summerlin Rd	0.45	None	-	-	Conditional
234287	Colonial Blvd (S.R. 884)	East of Summerlin Rd	U.S. 41 (Cleveland Ave)	0.50	None	-	-	Conditional
234288	Colonial Blvd (S.R. 884)	U.S. 41 (Cleveland Ave)	East of U.S. 41 (Cleveland Ave)	0.18	None	-	-	Conditional
234289	Colonial Blvd express lanes	Midpoint Bridge	East of U.S. 41 (Cleveland Ave)		Includes 2 toll collection gantries & 1 equipment building	-	-	Conditional
234290	Colonial Blvd (S.R. 884)	East of U.S. 41 (Cleveland Ave)	East of Fowler St	0.54	None	-	-	Conditional
234291	Colonial Blvd (S.R. 884)	East of Fowler St	S.R. 739 (Metro Pkwy)	0.81	None	-	-	Conditional
234292	Colonial Blvd (S.R. 884)	@ S.R. 739 (Metro Pkwy)			Toll funding, but contingent upon supplemental discretionary funding; cost includes open road tolling	-	-	Conditional
234293	Colonial Blvd (S.R. 884)	S.R. 739 (Metro Pkwy)	East of S.R. 739 (Metro Pkwy)	0.27	None	-	-	Conditional
234294	Colonial Blvd (S.R. 884)	East of U.S. 41 (Cleveland Ave)	East of S.R. 739 (Metro Pkwy)		Open road tolling	-	-	Conditional
234295	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	-	-	Conditional
234296	Colonial Blvd (S.R. 884)	West of Winkler Ave	I-75 West side ramps	1.38	None	-	-	Conditional
234297	Colonial Blvd (S.R. 884)	I-75 West side ramps	East of Forum Blvd	0.69	None	-	-	Conditional
234298	Colonial Blvd (S.R. 884)	East of S.R. 739 (Metro Pkwy)	East of Forum Blvd		Includes 3 toll collection gantries & 1 equipment building	-	-	Conditional
234299	Colonial Blvd (S.R. 884)	East of Forum Blvd	West of S.R. 82 (MLK Blvd-Immokalee Rd)	1.47	None	-	-	Conditional
234300	Colonial Blvd (S.R. 884)	West of S.R. 82 (MLK Blvd-Immokalee Rd)	West of S.R. 82 (MLK Blvd-Immokalee Rd)	0.40	Powerline must be raised	-	-	Conditional
234301	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	-	-	Conditional
234302	Corkscrew Rd	Three Oaks Pkwy	Ben Hill Griffin Pkwy	0.63	Not needed once Estero Parkway Ext is completed	\$5,184,267	-	Conditional

Adopted Year 2030 HIGHWAY ELEMENT

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

ROAD SEGMENT: Name of road to be improved			E + C: EXISTING roadway network (Not COMMITTED roadway projects to be built by FY 2005)			FINANCIAL FEASIBILITY STATUS				
PROJ: Start of segment to be added or improved			IMPROVEMENT: Description of facility including proposed improvement			PROJECT: Project that provides a service to the roadway to be improved (to be supplied by the project sponsor)				
TD: End of segment to be added or improved										
Countywide						\$7,725,000/year, adjusted for inflation	\$154,500,000	\$154,500,000	Feasible	
14422	Crystal Dr	U.S. 41 (South Tamiami Trl)	Plantation Rd	2L	4L	1.53		\$15,948,726	\$15,948,726	Feasible
14507	Crystal Dr Ext	Plantation Rd	Six Mile Cypress Pkwy	None	2U	1.00		\$11,911,635	\$11,911,635	Feasible
14511	Danlele Pkwy	West of Metro Pkwy	East of Chamberlin Pkwy	None	2U	0.60	Includes 11 overpasses, counting I-75 & the SGRR, 5 toll collection gantries & 2 equipment buildings			Feasible
14511	Danlele Pkwy	East of Chamberlin Pkwy	Gateway Blvd	None	6L	1.70		\$11,530,000	\$11,530,000	Feasible
14529	Del Prado Blvd	Cape Coral Pkwy @ Cape Coral Pkwy	S.R. 78 (Pine Island Rd)	None	4L	0.28	Far left turn from southbound Del Prado Blvd toward bridge			Feasible
14529	Del Prado Blvd	U.S. 41 (North Tamiami Trl)	Melow Dr	2U	4L	2.52	Unspecified needed improvements	\$319,066	\$319,066	Feasible
14529	Del Prado Blvd	Mellow Dr	Nelle Grade Rd	None	4L	2.23	Not needed if extension for I-75 is not included	\$40,839,938		Contingency
14529	Del Prado Blvd	Mellow Dr	U.S. 41	None	4L	0.50	Interchange with I-75 not included; includes 2 toll collection gantries & 1 equipment building			Feasible
14634	Durden Pkwy Ext	Garden Blvd	U.S. 41	None	4L	0.50		\$6,109,375	\$6,109,375	Feasible
14634	Forum Blvd-County Lakes Dr connector	S.R. 82 (MLK Blvd)	Luckett Rd	None	2U	1.97		\$29,903,836		Feasible
14634	Gateway Blvd	Arbonwood Pkwy Ext	S.R. 82 (Immokalee Rd)	2L	4L	0.75		\$3,414,190	\$3,414,190	Feasible
14703	Grant Blvd Ext	Homeslead Rd	Caywood Ave	None	2L	0.26		\$2,876,464	\$2,876,464	Feasible
14742	Gunnery Rd	Lee Blvd	Centennial Blvd	2U	4L	1.20		\$12,233,652	\$12,233,652	Feasible
14742	Gunnery Rd	Centennial Blvd	Buckingham Rd	2U	4L	0.55		\$5,610,825	\$5,610,825	Feasible
14742	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
14822	Homeslead Rd	Sunrise Blvd	Alabama Rd	2U	4L	1.47		\$13,900,000	\$13,900,000	Feasible
14830	Imperial Pkwy	Bonita Beach Rd	Codler County line	4L	6L	0.98		\$3,241,056	\$3,241,056	Feasible
14922	Joel Blvd	East 17th St	S.R. 80 (Palm Beach Blvd)	2U	6L	3.24		\$28,840,000		Contingency
14922	Karl Rd Ext - 9th St connection	Hines Ave	Hendry County line	None	2L	0.53	Across canal	\$4,161,973	\$4,161,973	Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867					Upgrade & expand Lee County traffic management center	\$530,000	\$530,000	Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867					Deploy video cameras & motorist information field devices	\$530,000	\$530,000	Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867					Realign with Kismet Pkwy	\$15,684,791	\$15,684,791	Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867						\$6,988,104	\$6,988,104	Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867						\$24,394,237	\$24,394,237	Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867						\$7,870,000	\$7,870,000	Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867						\$2,428,563	\$2,428,563	Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867						\$8,771,849	\$8,771,849	Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867						\$7,868,654	\$7,868,654	Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867						\$1,312,923	\$1,312,923	Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867						\$32,745,617	\$32,745,617	Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867					Across canal	\$1,087,220		Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867					Convert existing toll facilities to open road tolling			Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867					Surplus toll revenue project, county share			Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867						\$17,567,837		Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867						\$2,913,088		Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867					Completion assumed in 2015; includes toll collection gantries on both new & existing S.R. 865 bridges & 1 equipment building			Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867						\$24,892,436		Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867						\$13,227,602		Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867						\$14,372,911		Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867						\$13,900,000	\$13,900,000	Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867						\$17,876,367	\$17,876,367	Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867						\$4,024,462		Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867					Needed for concurrency	\$11,270,000	\$11,270,000	Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867						\$26,652,021	\$26,652,021	Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867					Convert to open road tolling. Assumed toll surplus funding			Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867						\$18,420,000	\$18,420,000	Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867						\$7,547,896		Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867						\$21,430,000		Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867						\$21,840,789		Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867					Sanibel Causeway toll surplus project			Feasible
14922	Lee County roads	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867						\$13,070,378	\$13,070,378	Feasible

Adopted Year 2030 HIGHWAY ELEMENT

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

ROAD SEGMENT: Name of road or need to be improved FROM: Start of segment to be added or improved TO: End of segment to be added or improved	EXISTING roadway network plus COMMITTED roadway projects to be built by FY 04/05 IMPROVEMENT: Description of facility including proposed improvement	MILEAGE	COST PER MILE	TOTAL PROJECT COST	FINANCIAL FEASIBILITY STATUS	
B1520 Sunrise Blvd Ext	Richmond Ave	Victoria Ave S	None	0.31		Feasible
B1524 Sunset Rd Ext	Sunniland Blvd	Tena Ave N	None	0.15	Across canal	Feasible
B1525 Sunshine Blvd Ext	Centennial Blvd Ext	Sunniland Blvd	211	1.28		Feasible
B1588 Three Oaks Pkwy	75th St W	S.R. 80 (Palm Beach Blvd)	None	1.35		Feasible
B1593 Todd Ave Ext	Coconut Rd	Estero Pkwy	211	3.84	Not needed, at least so long as C.R. 951 Ext is included	Feasible
B1594 Vanderbilt Drive	S.R. 82 (Immokalee Rd)	Westgate Blvd	None	0.66		Feasible
B2834 Veterans Pkwy	Woods Edge Pkwy	Bonita Beach Rd	211	1.00	Lee County share of cost (half)	Feasible
B2835 Veterans Pkwy	Chiquita Blvd	Skyline Blvd	411	1.00	Surplus toll revenue project, county share	Feasible
B2836 Veterans Pkwy		@ Skyline Blvd	411	0.45	Surplus toll revenue project, county share	Feasible
B2837 Veterans Pkwy		@ Santa Barbara Blvd	611	0.45	Surplus toll revenue project, county share	Feasible
B2838 Veterans Pkwy		@ County Club Blvd	611	0.45	Surplus toll revenue project, county share	Feasible
B2839 Veterans Pkwy-Mid Point Bridge-Colonial Blvd	West of Skyline Blvd	East of S.R. 82 (Dr Martin Luther King Jr Blvd-Immokalee Rd)	211	15.20	Surplus toll revenue project, county share	Feasible
Other projects:					\$2,164,508,023	\$706,562,350
PROJECT COSTS Subtotal:					\$3,605,874,780	\$870,836,159
6 Cent LOGT Plus 5 Cent LOGT 50%:					\$226,762,734	\$226,762,734
3th Cent Motor Fuel Tax:					\$45,713,426	\$45,713,426
Transportation Impact Fees:					\$373,756,615	\$373,756,615
FINANCIAL RESOURCES (2011-2030) Total:					\$872,677,871	\$872,677,871
Cape Coral & Mid Point toll surplus balance / (deficit):					(\$698,660,147)	(\$32,326,121)
Sanibel Causeway toll surplus balance / (deficit):					(\$601,251,096)	\$8,497,836
Other projects balance / (deficit):					(\$1,433,285,676)	\$24,669,997
BALANCE (DEFICIT):					(\$2,733,186,319)	\$1,841,712

This table does not imply a commitment on the part of this jurisdiction to complete the projects listed for it.

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 in turn 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



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

(239) 533-0333

Writer's Direct Dial Number: _____

Bob Jones
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Tammy Hall
District Four

John E. Alblon
District Five

Donald D. Stillwell
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



LEE COUNTY
S O U T H W E S T F L O R I D A

BOARD OF COUNTY COMMISSIONERS

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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

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

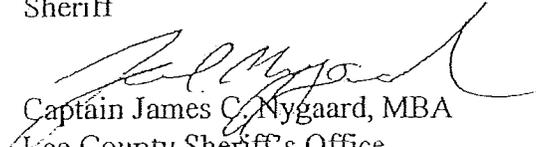
Dear Mr. Roeder

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)





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



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)



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. SCRIPCA, 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

September 29, 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.

The proposed maximum total of 200 dwelling units which was specified in the letter, did not state whether these are single family or multi-family units. At this time I will use the generation rate for single family units because it is the higher of the two rates. The Lee County School District is estimating that the proposal could generate up to 63 additional school-aged children. This uses the single family generation rate of 0.316 students per dwelling unit (if you need the multi-family generation rate it is 0.125).

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 rate.

Thank you for your attention to this issue. If I may be of further assistance, please give me a call at (239) 335-1415.

Sincerely,

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

**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 benefit 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 continued 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 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 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.

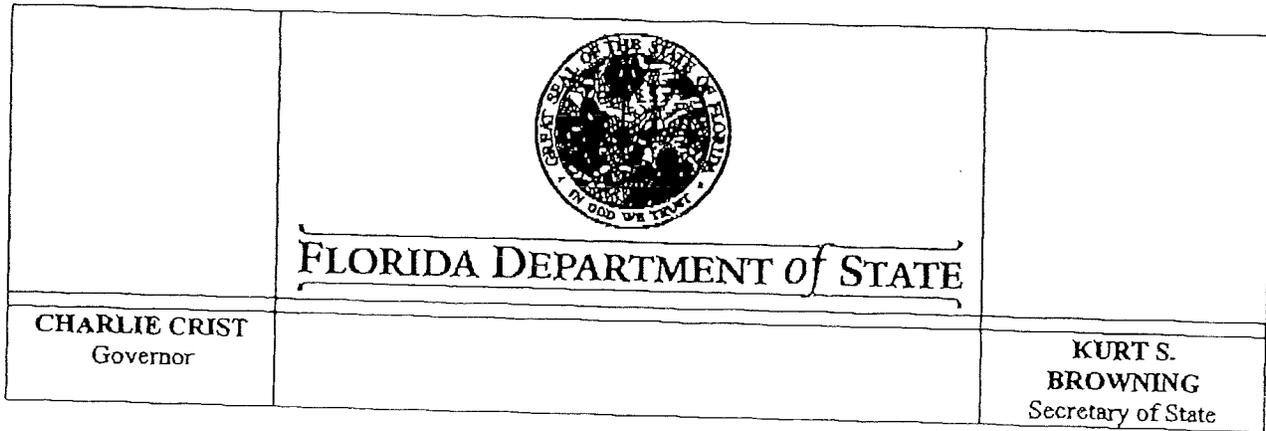
Urban Sprawl
EXHIBIT F.2

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.

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.



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/fmsf/>

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

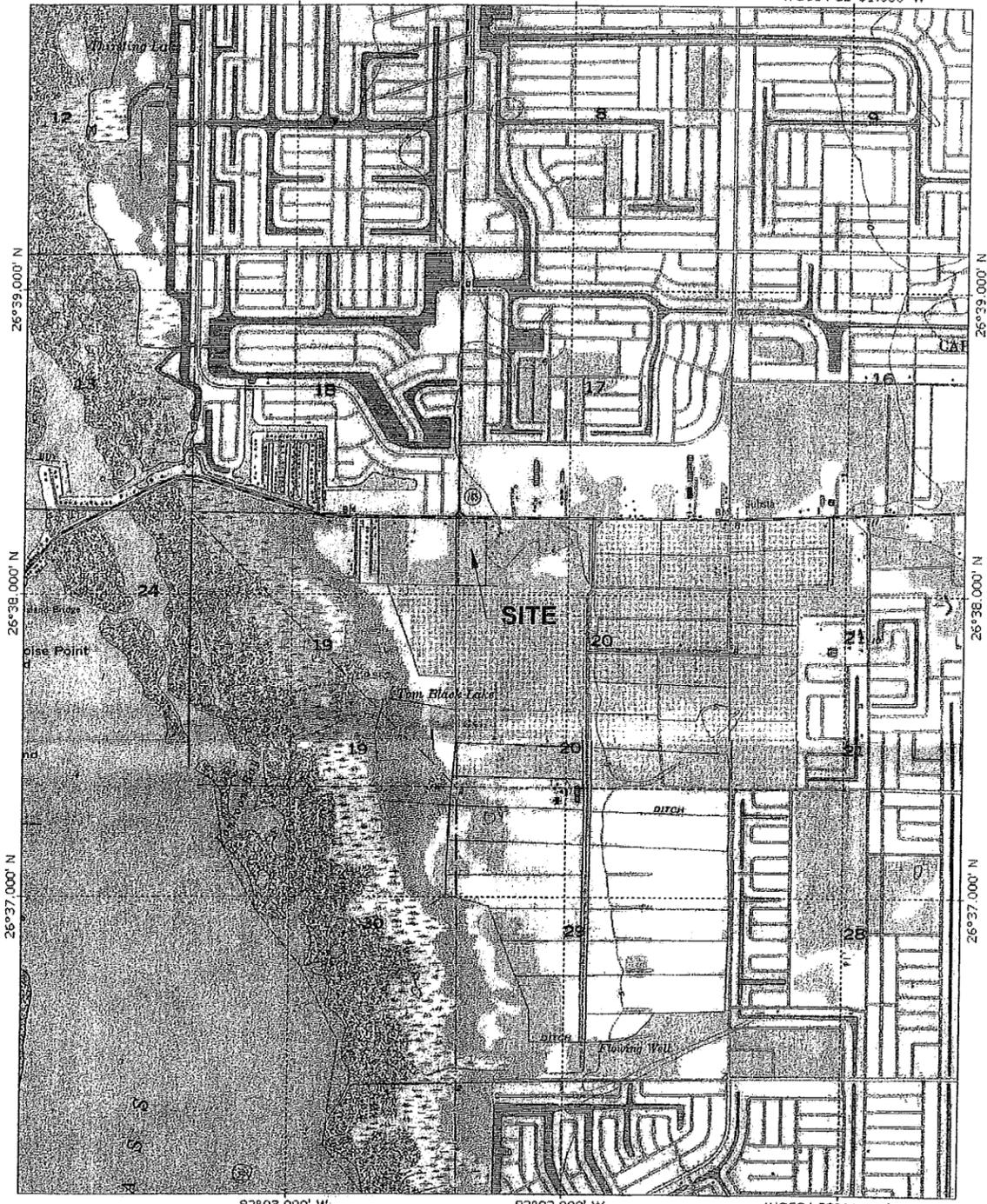
Palm Beach Regional Office

St. Augustine Regional Office

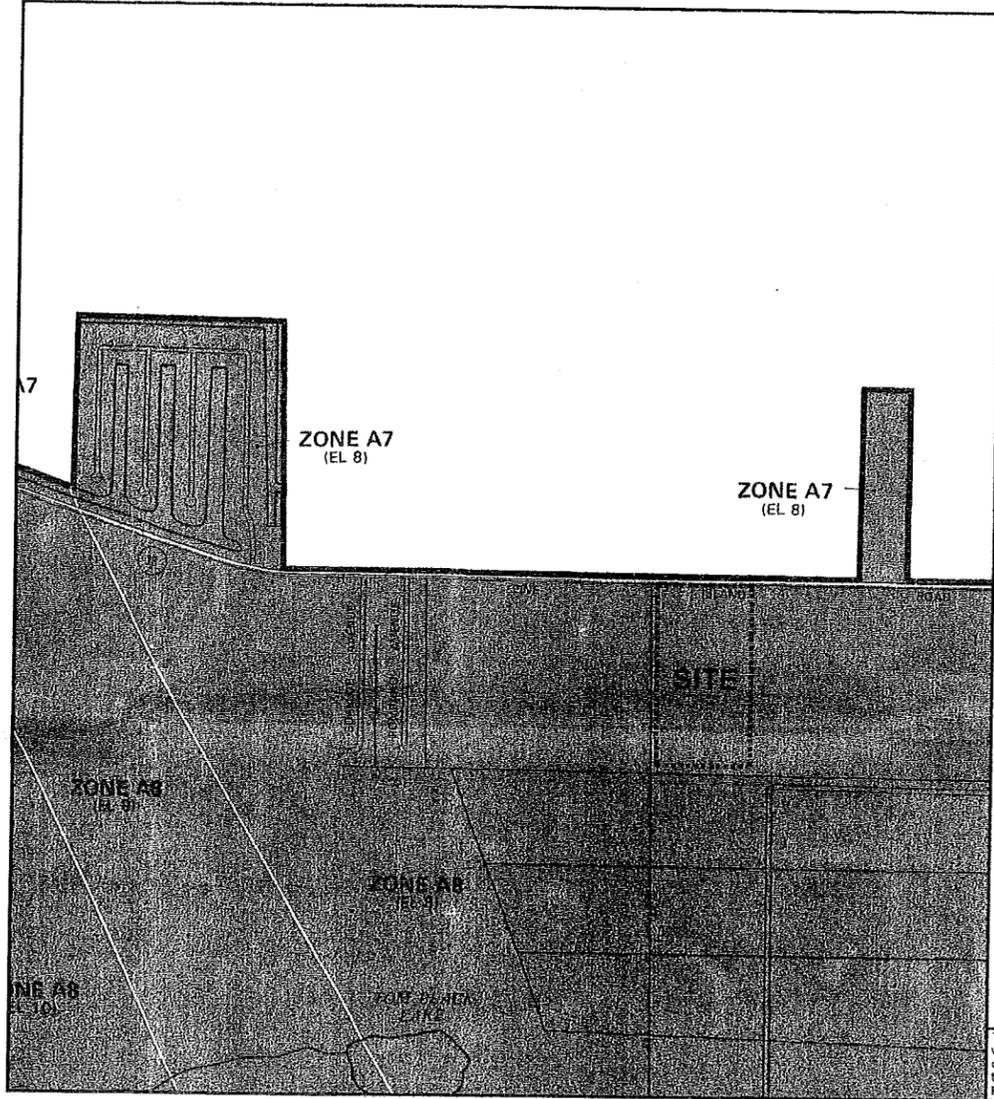
Justification For Request
EXHIBIT G

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 one category that would allow it to be developed to its full potential is the Commercial 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.

TOPOI 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



Map created with TOPOI © 2001 National Geographic (www.nationalgeographic.com/topo)



N

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.mec.fema.gov

FIRM PANEL # 125124 0170 B

SCALE:	N.T.S.
CAD FILE:	Pine Island - Veterans
DWG NO.:	Pine Island Rd - MAPS
SHEET	2 of 2

DESIGN BY: JAA
 DRAWN BY: DPB
 CHECKED BY: JAA
 DATE: APRIL 25, 2007

Jeffrey A. Adair
 Jeffrey A. Adair

ERC
 ENVIRONMENTAL RESTORATION CONSULTANTS, INC.

P.O. BOX 110994
 NAPLES, FL 34108
 Telephone: 239.992.0088
 Cell: 239.287.2706
 EMAIL: ERCINC@comcast.net

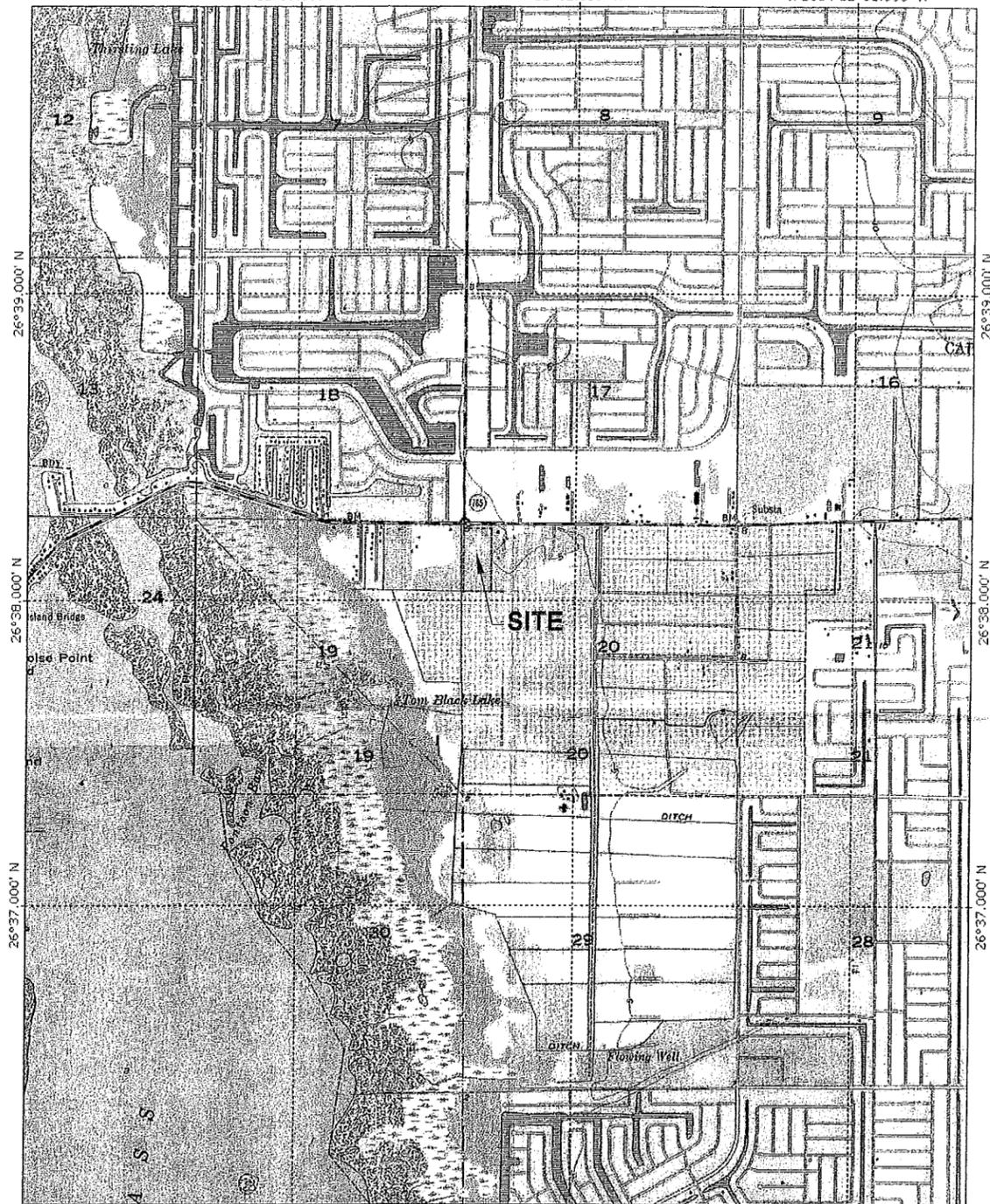
NOTE: The undersigned and ENVIRONMENTAL RESTORATION CONSULTANTS, INC. make no representations or warranties as to the completeness of the information reflected herein pertaining to easements, right of way, setback lines, reservations, agreements or other matters of record. This information is intended to reflect as set forth only those items shown in the reference above. ENVIRONMENTAL RESTORATION CONSULTANTS, INC. does not research the public records for encumbrances 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. ©

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

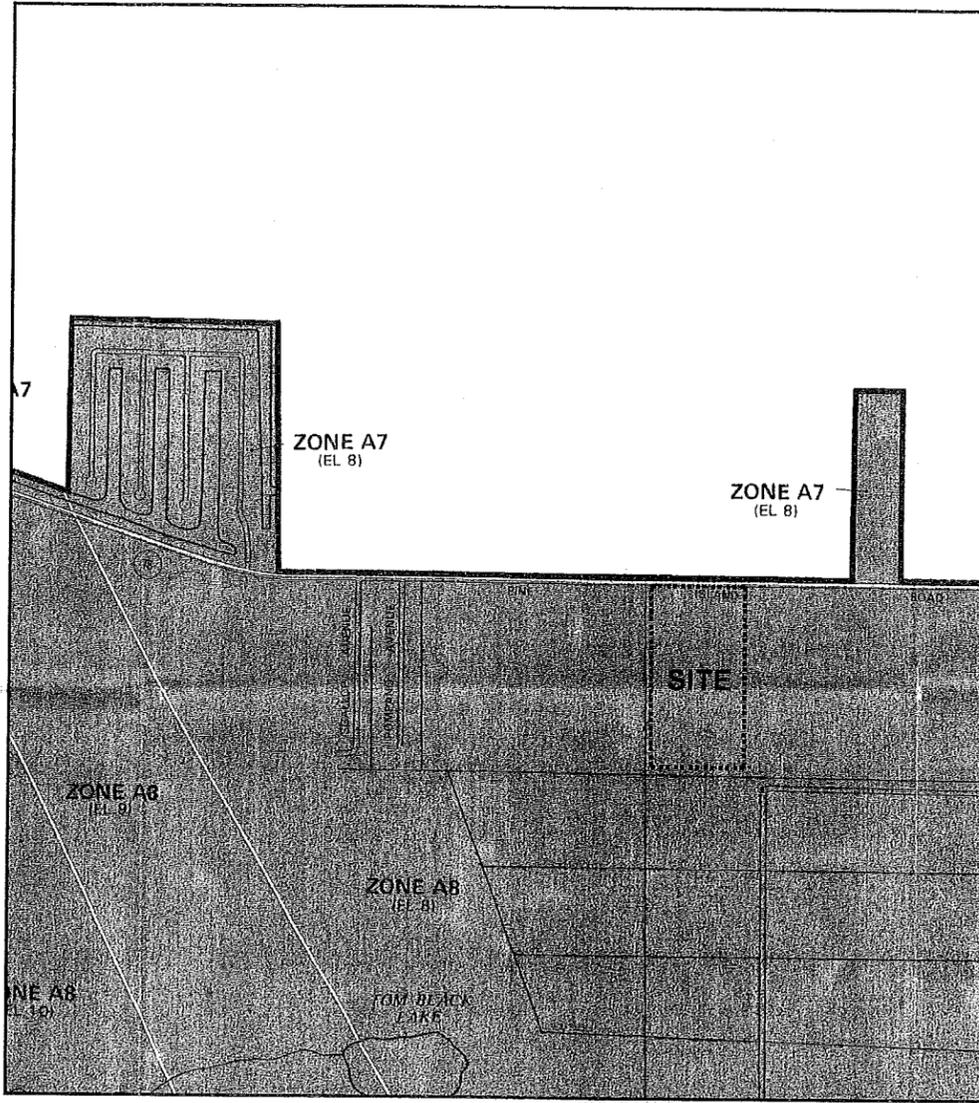
Pine Island Road - 13.5 Ac.
 LEE COUNTY, FLORIDA
 SECTION 20 TOWNSHIP 44 S., RANGE 23 E.
 QUAD & FEMA MAPS

DATE	REVISIONS

TOPOL 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



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



N

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 Lines With Elevation In Feet**

Base Flood Elevation In Feet Where Uniform Within Zone** (EL 987)

Elevation Reference Mark RM7x

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.
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FIRM PANEL # 125124 0170 B

SCALE: N.T.S.	DESIGN BY: JAA
CAD FILE: Pine Island - Veterans	DRAWN BY: DPB
DWG NO: Pine Island Rd - MAPS	CHECKED BY: JAA
SHEET 1 of 1	DATE: AUGUST 26, 2006
 Jeffrey A. Adair	

ERC
 ENVIRONMENTAL RESTORATION CONSULTANTS, INC.

P.O. BOX 110894
 NAPLES, FL 34108
 Telephone: 239.892.0088
 Cell: 239.287.2708
 EMAIL: ERCINC@comcast.net

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CLIENT:
 Knott, Consoer, Ebelini, Hart & Swett, P.A.

1625 Hendry Street
 Fort Myers, Florida 33901

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

QUAD & FEMA MAPS

DATE	REVISIONS:

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

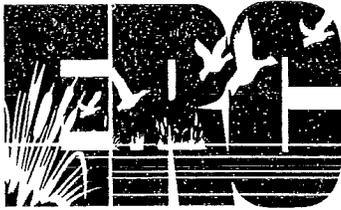
Prepared By:

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

April 26, 2007



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.

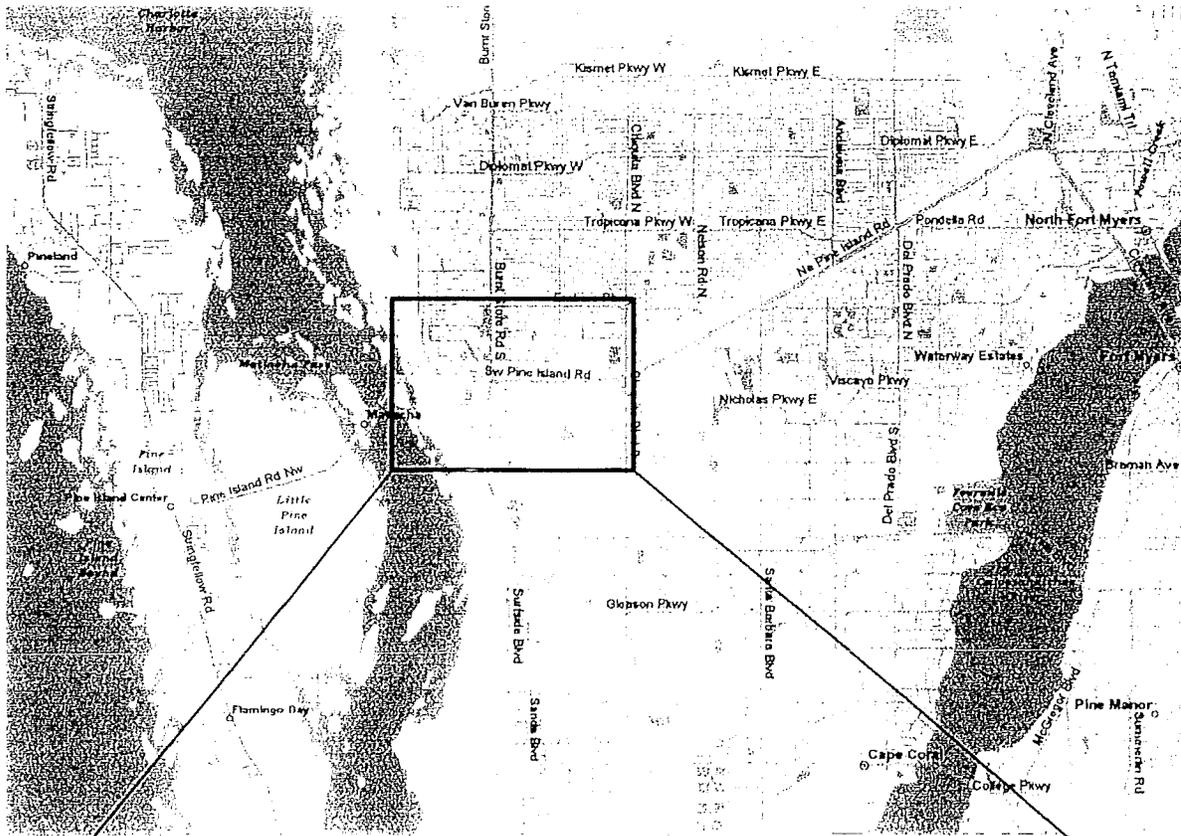
Should you have any questions regarding the site inspections or this report, please do not hesitate to contact me at 287-2706.

Sincerely,

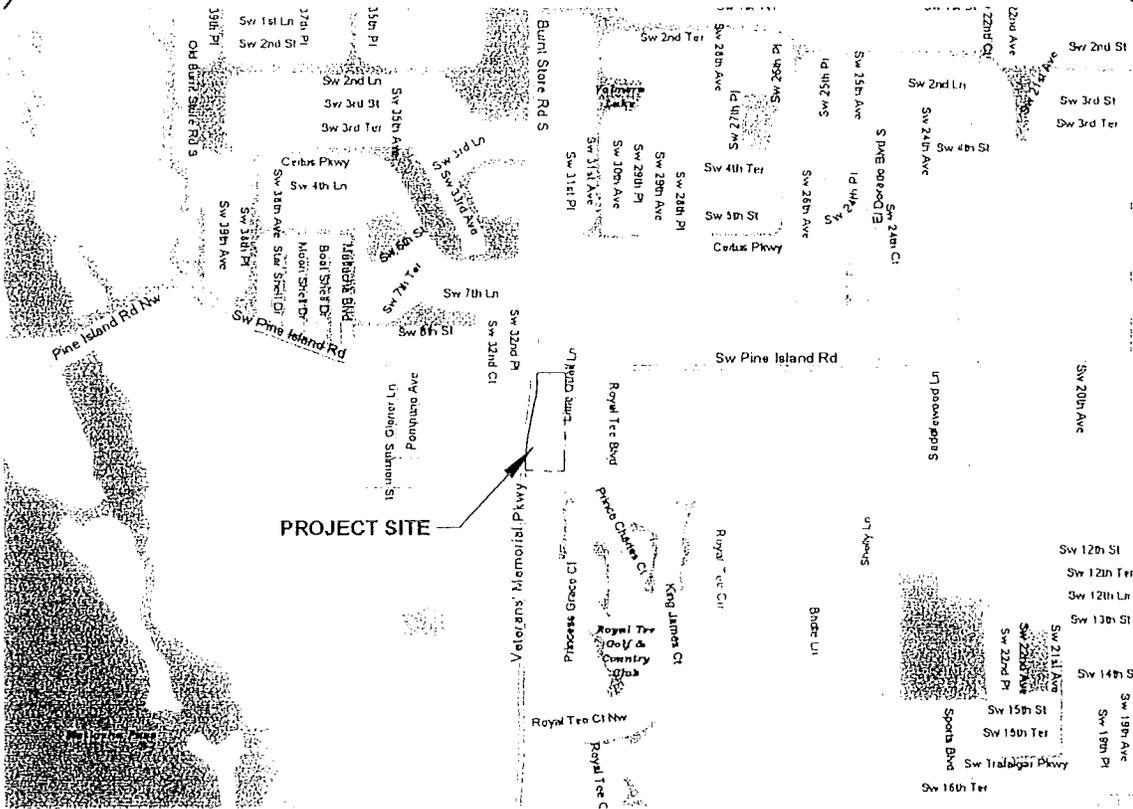
A handwritten signature in cursive script, appearing to read "Jeffrey A. Adair".

Jeffrey A. Adair
President

LOCATION MAP:



VICINITY MAP:



PROJECT SITE

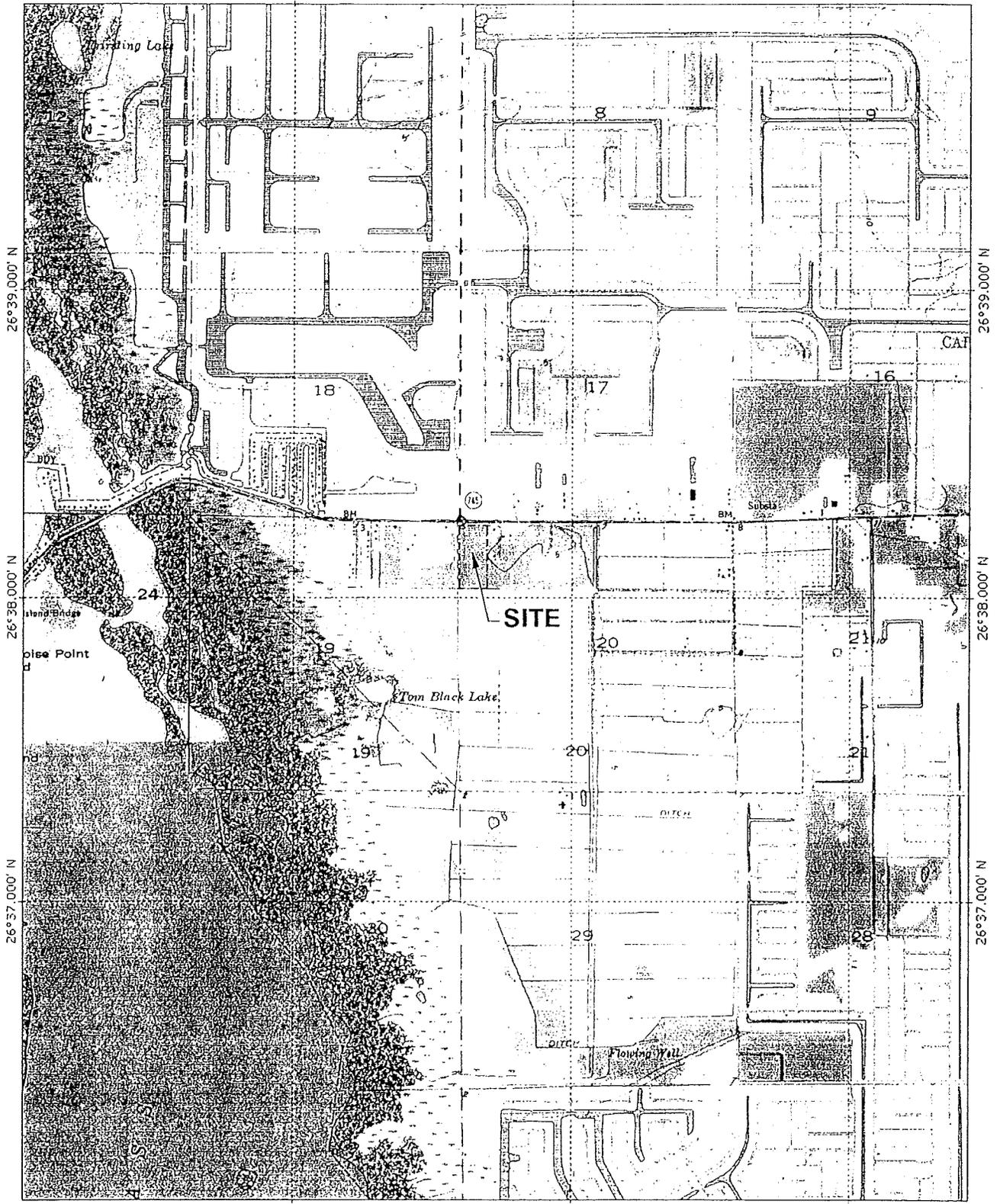
SCALE	N.T.S.
DESIGN BY:	JAA
DRAWN BY:	DFB
CHECKED BY:	JAA
DATE:	4/25/07
DWGNO	MAPS
SHEET	1 of 10
Jeffrey A. Adair	

ERC
ENVIRONMENTAL RESTORATION CONSULTANTS, INC.
 P.O. BOX 110664, NAPLES, FL 34108
 Telephone: 239.262.0088
 Cell: 239.297.2700
 EMAIL: ERCNCO@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
LOCATION MAP

DATE	REVISIONS



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

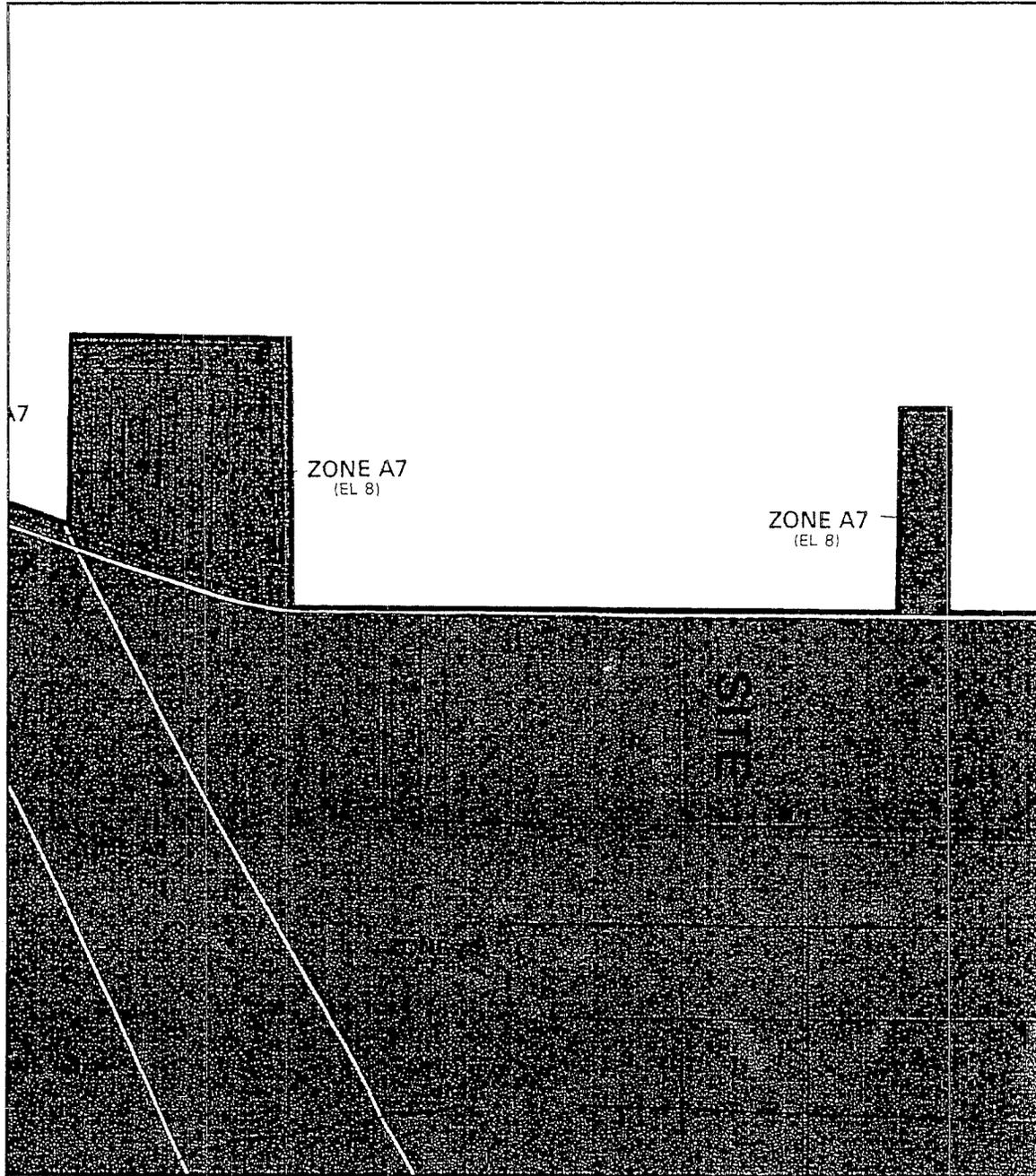


Map created with TOPO10 ©2001 National Geographic (www.nationalgeographic.com/topo)

MN TN
4 1/2°

SCALE N.T.S.	DESIGN BY: JAA DRAWN BY: DPB CHECKED BY: JAA DATE: 4/25/07	 ENVIRONMENTAL RESTORATION CONSULTANTS, INC. P.O. BOX 110664, NAPLES, FL 34106 Telephone: 239.592.0066 Cell: 239.287.2706 EMAIL: ERCONS@COMCAST.NET	CLIENT: Island Road, LLC 4353 Michigan Link Fort Myers, Florida 33916	Pine Island Road - 13.5 Ac. SECTION 20, TOWNSHIP 41 S., RANGE 23 E. LEE COUNTY, FLORIDA	DATE REVISIONS
CAD FILE Pine Island 13.5	DWG NO. MAPS		Map created with TOPO10 ©2001 National Geographic (www.nationalgeographic.com/topo) Environmental Restoration Consultants, Inc. is an Equal Opportunity Employer.	USGS MAP	Δ Δ Δ Δ Δ
SHEET 2 of 10	Jeffrey A. Adair				

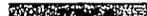
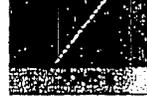
SCALE N.T.S.	DESIGNER J.M.	 P.O. BOX 11094 N.W. 155, Ft. 34 008 Clear Lake, CA 94505 Phone: 925-277-2700 Fax: 925-277-2700 Email: info@erc-consultants.net
DATE 4/25/07	CHECKED BY J.M.	
PROJECT 4 OF 10	DESIGNED BY Jeffrey A. Adair	CLIENT: Island Road, LLC 4353 Michigan Link Fort Myers, Florida 33916
CO-FILE Pine Island 13.5 DRAWING MAPS	ENVIRONMENTAL RESTORATION CONSULTANTS, INC.	Pine Island Road - 13.5 Ac. SECTION 20, TOWNSHIP 44 S., RANGE 23 E, LEE COUNTY, FLORIDA FIRM PANEL # 125124 0170 B
DATE	REVISIONS	



APPROXIMATE SCALE



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

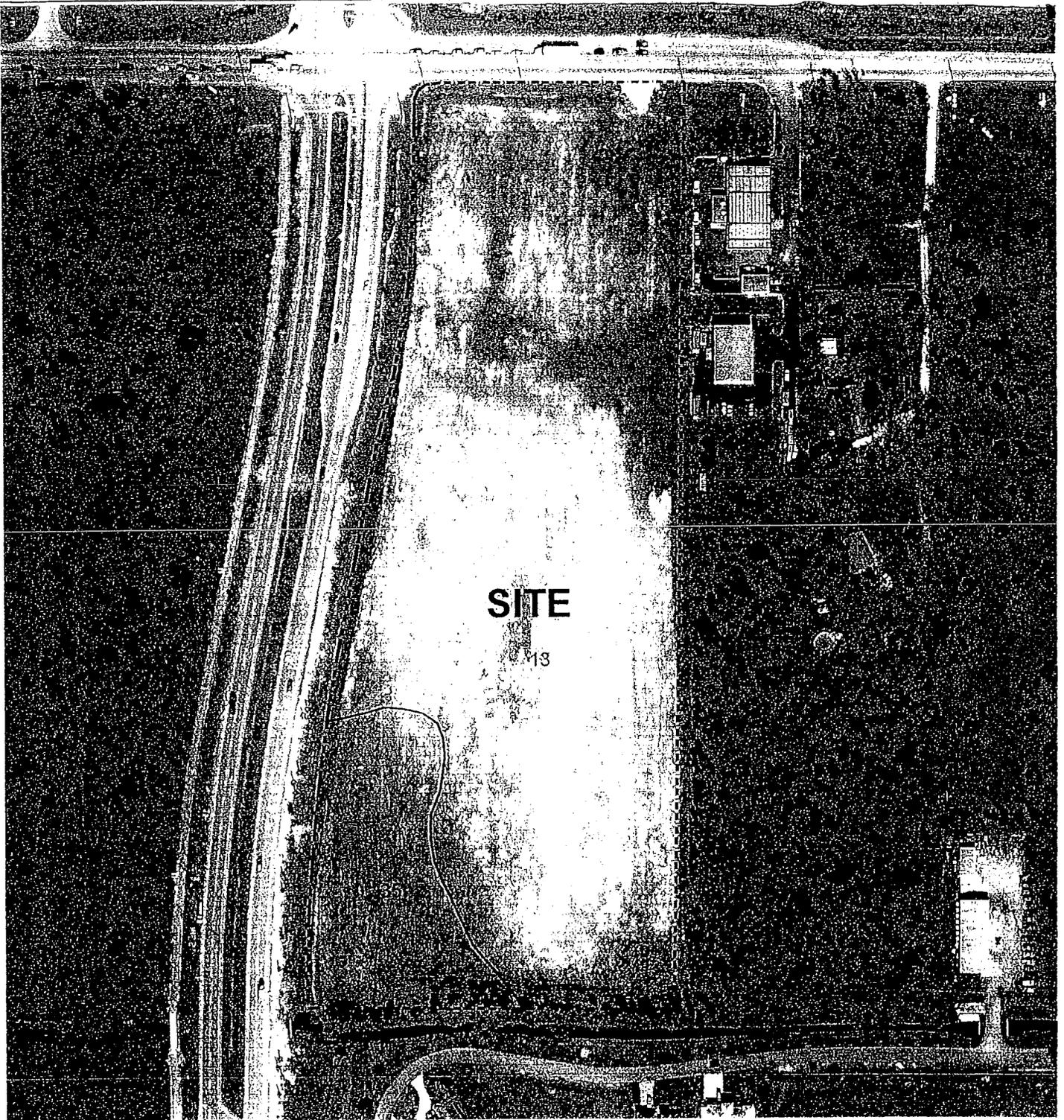
** Referenced to the National Geodetic Vertical Datum of 1929

*EXPLANATION OF ZONE DESIGNATIONS

ZONE	EXPLANATION
A	Areas of 100-year flood; base flood elevations and flood hazard factors not determined.
AD	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



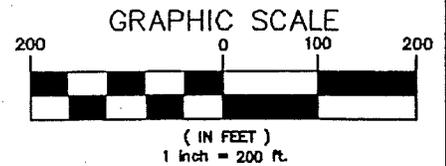
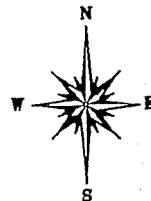
SOILS LEGEND:

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

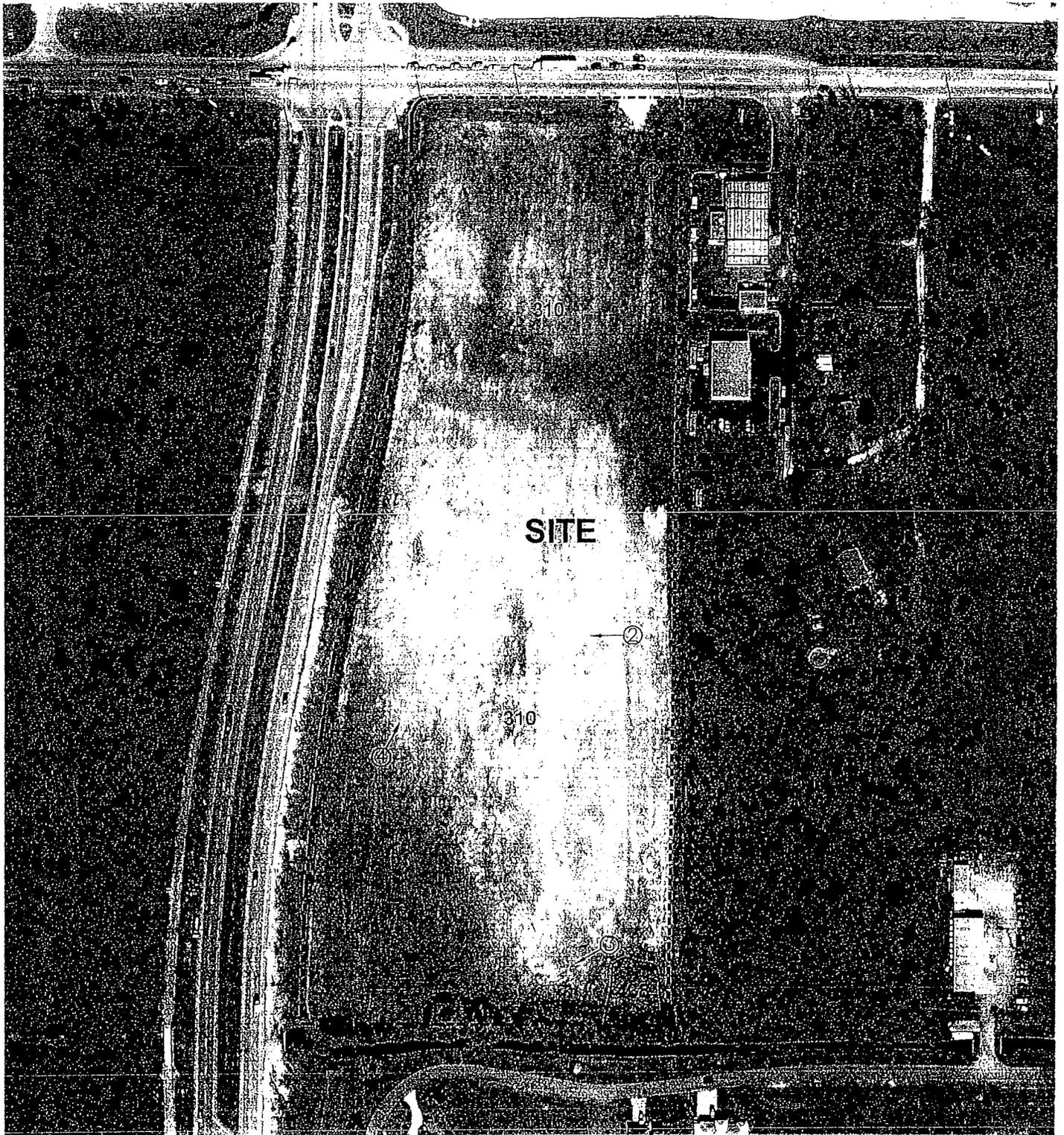
----- PROJECT BOUNDARY

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)



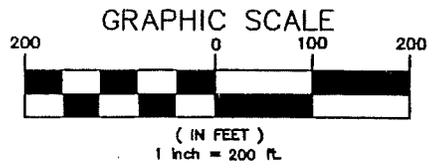
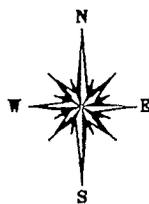
SCALE 1"=200'	DESIGN BY: JAA DRAWN BY: DPB CHECKED BY: JAA DATE: 4/25/07	 ENVIRONMENTAL RESTORATION CONSULTANTS, INC. <small>ERC is an Equal Opportunity and Affirmative Action Employer. All persons shall have the same opportunity for advancement and will be given the same consideration for promotion. No person shall be discriminated against on the basis of race, sex, religion, national origin, or age. This policy applies to all employees and applicants for employment. The company is an Equal Opportunity Employer. M/F/V. All persons shall have the same opportunity for advancement and will be given the same consideration for promotion. No person shall be discriminated against on the basis of race, sex, religion, national origin, or age. This policy applies to all employees and applicants for employment. The company is an Equal Opportunity Employer. M/F/V.</small>	P.O. BOX 110994 NAPLES, FL 34108 Telephone: 239.962.0050 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.	DATE	REASONS
CAD FILE Pine Island 13.5	DWG NO MAPS		SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA			Δ	
SHEET 3 of 10	Jeffrey A. Adair	SOILS MAP			Δ		



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	<p>ENVIRONMENTAL RESTORATION CONSULTANTS, INC. P.O. BOX 110994 NAPLES, FL 34108 Telephone: 239.992.0058 Cell: 239.287.3706 EMAIL: ERCONS@COMCAST.NET</p>	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	DWG NO: MAPS		SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA	EXISTING FLUCCS MAP	Δ _____ Δ _____ Δ _____ Δ _____ Δ _____
SHEET: 5 of 10	Jeffrey A. Adair	<small> This drawing is the property of Environmental Restoration Consultants, Inc. and is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Environmental Restoration Consultants, Inc. </small>			



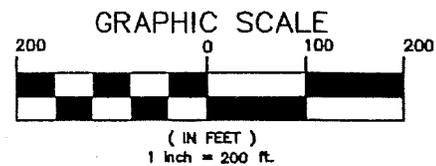
LEGEND

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: 4/23/07	 ENVIRONMENTAL RESTORATION CONSULTANTS, INC. <small>INCORPORATED IN FLORIDA</small> P.O. BOX 110984 NAPLES, FL 34108 Telephone: 239.562.0088 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	DATE REVISIONS
MAPS	Jeffrey A. Adair		EXISTING FLUCCS MAP	△ △ △ △ △ △	
SHEET 6 of 10					



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 110694, 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 1	SCALE: N.T.S.	DESIGN BY: DPB DRAWN BY: DPB CHECKED BY: JA DATE: 4/25/07	
			CLIENT: Island Road, LLC 4353 Michigan Link Fort Myers, Florida 33916	PROJECT FILE: Pine Island 13.5		
				DWG NO: MAPS		
				SHEET: 7 of 10		Jeffrey A. Adair

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, PERMITS 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 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 #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 110994,
NAPLES, FL 34108
Telephone: 239.892.0088
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 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



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



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NAPLES, FL 34108
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Cell: 239.287.2706
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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



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.



**ENVIRONMENTAL RESTORATION
CONSULTANTS, INC.**

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NAPLES, FL 34108
Telephone: 239.992.0088
Cell: 239.287.2706
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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



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

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
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-C4-00100.0000 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

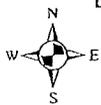
OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
LEE COUNTY PO BOX 398 FORT MYERS FL 33902	19-44-23-00-00002.0000 3200 SW PINE ISLAND RD CAPE CORAL FL 33991	PART OF 17-N 436 FT OF E 1/2 OF E 1/2 OF E 1/2 OF NE 1/4 OF NE 1/4	13
3214 SW PINE ISLAND ROAD LLC 4353 MICHIGAN LINK FORT 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 S316 TO POB 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 TO POB 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 W 1/2 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 R/W 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 33901	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

VARIANCE REPORT

3/7/2008

Subject Parcels : 1 Affected Parcels : 40 Buffer Distance : 500 ft



20-44-23-00-00002.0000

1,400 700 0

1,400 Feet



**CPA 2006-15
PRIVATELY SPONSORED
CAUTHEN AMENDMENT
TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

**Privately Sponsored Application
and Staff Analysis**

DCA Transmittal Document

*Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(239) 533-8585*

October 22, 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 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.

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

Planning staff and the applicant gave brief presentations.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

The LPA voted to transmit the proposed plan amendment. The LPA also voted to amend Lee Plan Map 7, the Future Sewer Service Areas Map to include the subject property. One LPA member asked the applicant about the planned uses for the subject property. The applicant stated that the property would include a mix of general retail uses with the possibility of hotel/motel space as well. Another member asked about the access to the property from both Pine Island Road and Veteran's Parkway. The applicant stated that they would seek a shared access with the gas station to the east on Pine Island Road. He then stated that there is a right-in/right-out access on Veteran's Parkway as previously designated by the Board of County Commissioners. The applicant may seek a shared access with the Royal Tee subdivision abutting the south side of the property.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

The LPA accepted the findings of fact as advanced by staff.

C. VOTE:

NOEL ANDRESS	AYE
LES COCHRAN	AYE
RONALD INGE	ABSENT
JACQUE RIPPE	ABSENT
CARLETON RYFFEL	AYE
LELAND M. TAYLOR	ABSENT
RAE ANN WESSEL	AYE

**PART IV - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: October 22, 2008

A. BOARD REVIEW:

The Board of County Commissioners provided no discussion concerning the proposed plan amendment. No public input was provided concerning the proposed plan amendment. This item was approved on the consent agenda.

BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

The Board of County Commissioners voted to transmit the proposed plan amendment.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

The Board accepted the finding of facts as advanced by staff and the LPA.

C. VOTE:

A. BRIAN BIGELOW

AYE

TAMMARA HALL

AYE

ROBERT P. JANES

AYE

RAY JUDAH

AYE

FRANKLIN B. MANN

AYE

**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

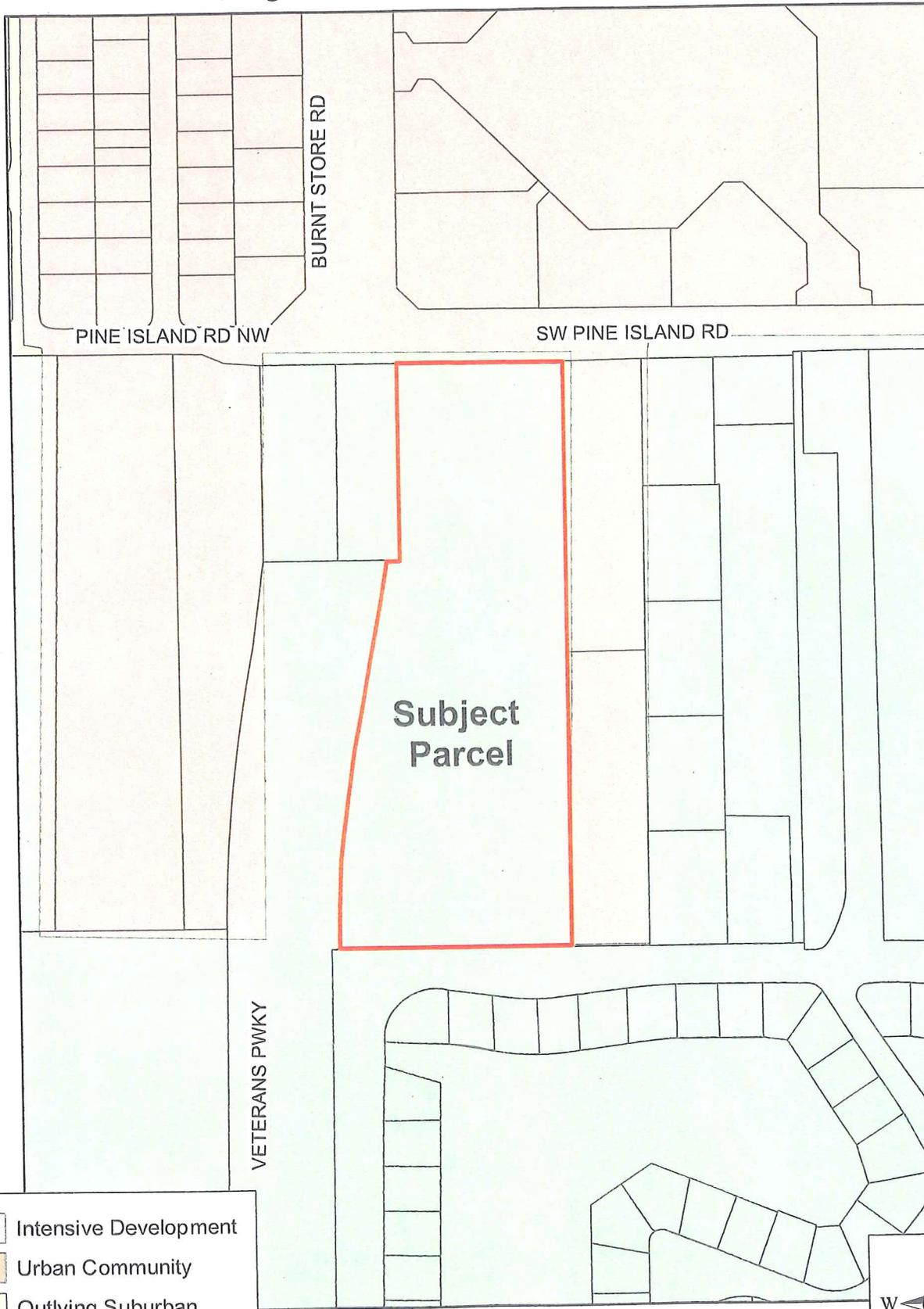
TAMMARA HALL

ROBERT P. JANES

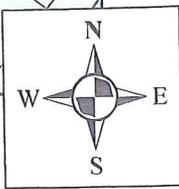
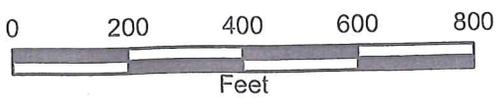
RAY JUDAH

FRANKLIN B. MANN

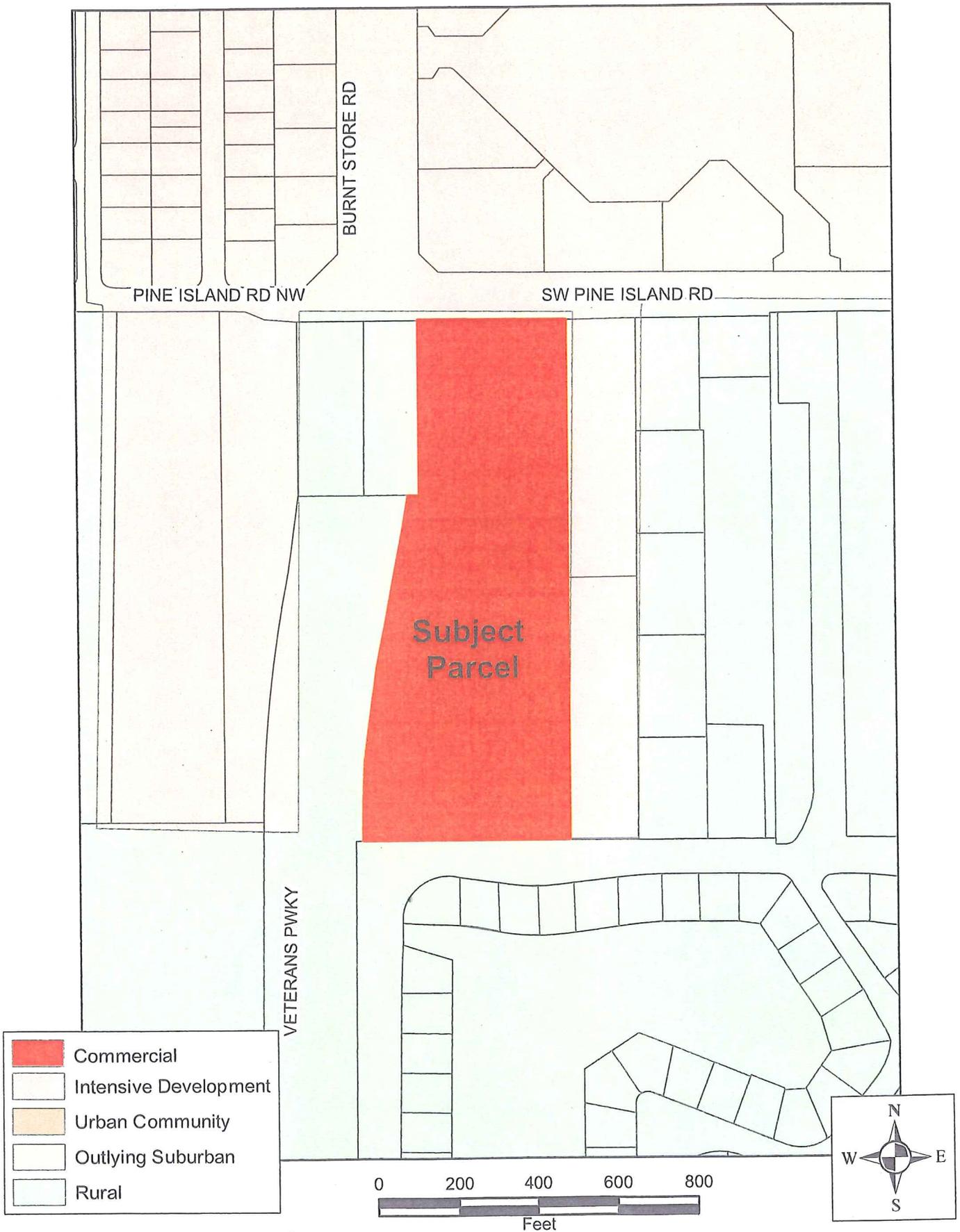
CPA2006-15 Cauthen Amendment Existing Future Land Use Map



	Intensive Development
	Urban Community
	Outlying Suburban
	Rural



CPA2006-15 Cauthen Amendment Proposed Future Land Use Map



RECEIVED
OCT 28 2008

COMMUNITY DEVELOPMENT

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

2006-00015

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.

03/14/08
DATE

Mike Wheeler
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 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.

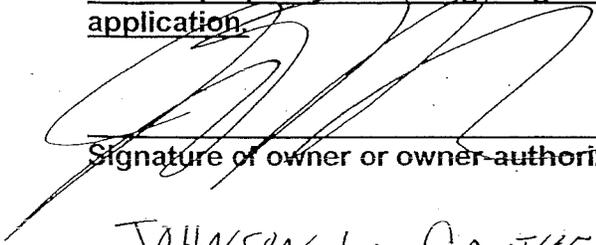
1. Requests involving lands in critical areas for future water supply must be evaluated based on policy 2.4.2.
 2. Requests moving lands from Density Reduction/Groundwater Resource must fully address Policy 2.4.3 of the Lee Plan Future Land Use Element.
- G. Justify the proposed amendment based upon 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

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)



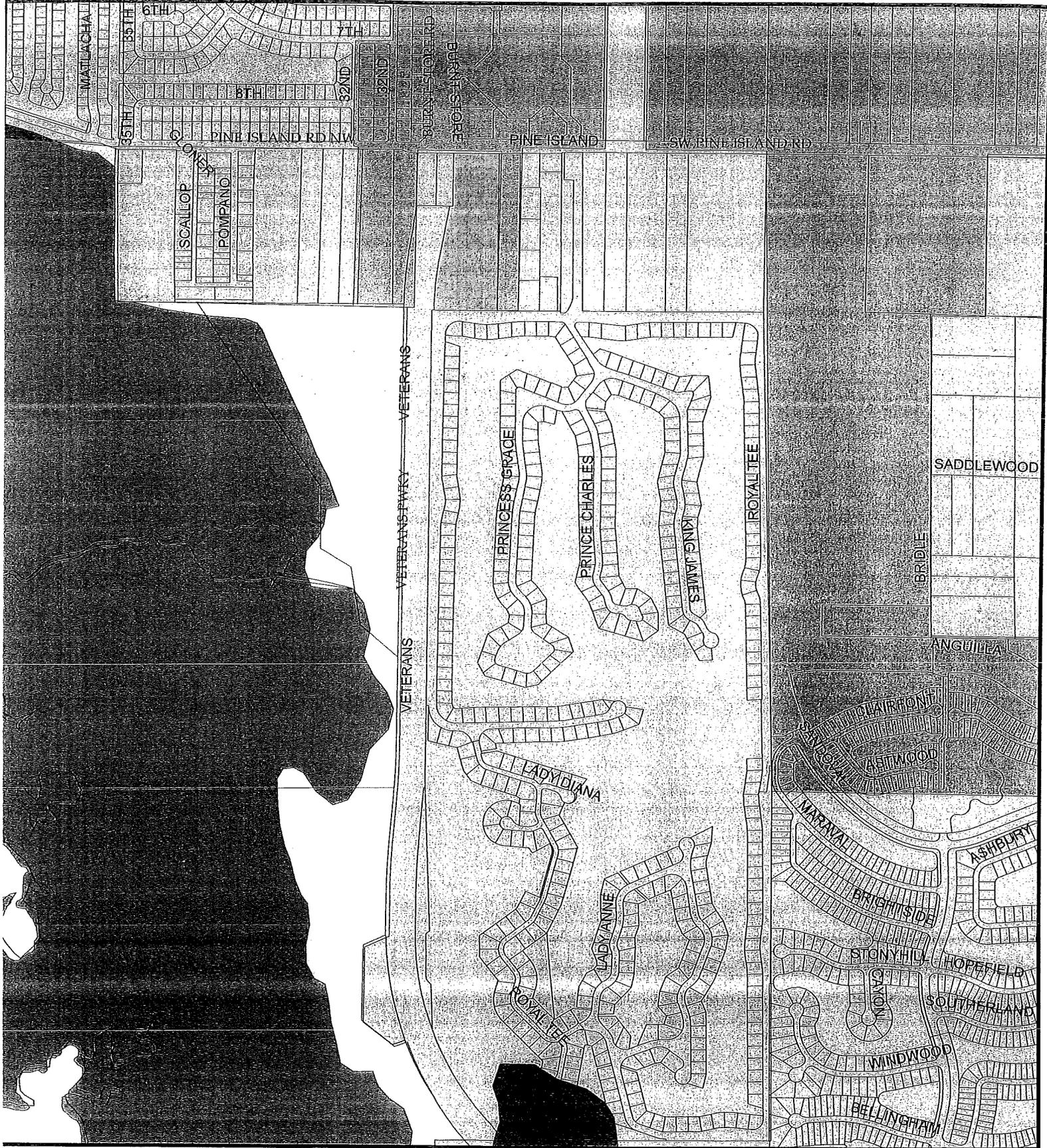
CANDICE L. FREESE
MY COMMISSION # DD 502750
EXPIRES: January 28, 2010
Bonded Thru Budget Notary Services



Signature of notary public

Printed name of notary public

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.

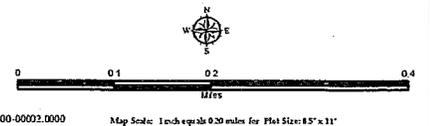
FUTURE LAND USE	
	Subsist Parcel
	Parcel Within 500 Foot Buffer
	Parcel Lines

Source: Lee County Property Appraiser
Lee County BOCC

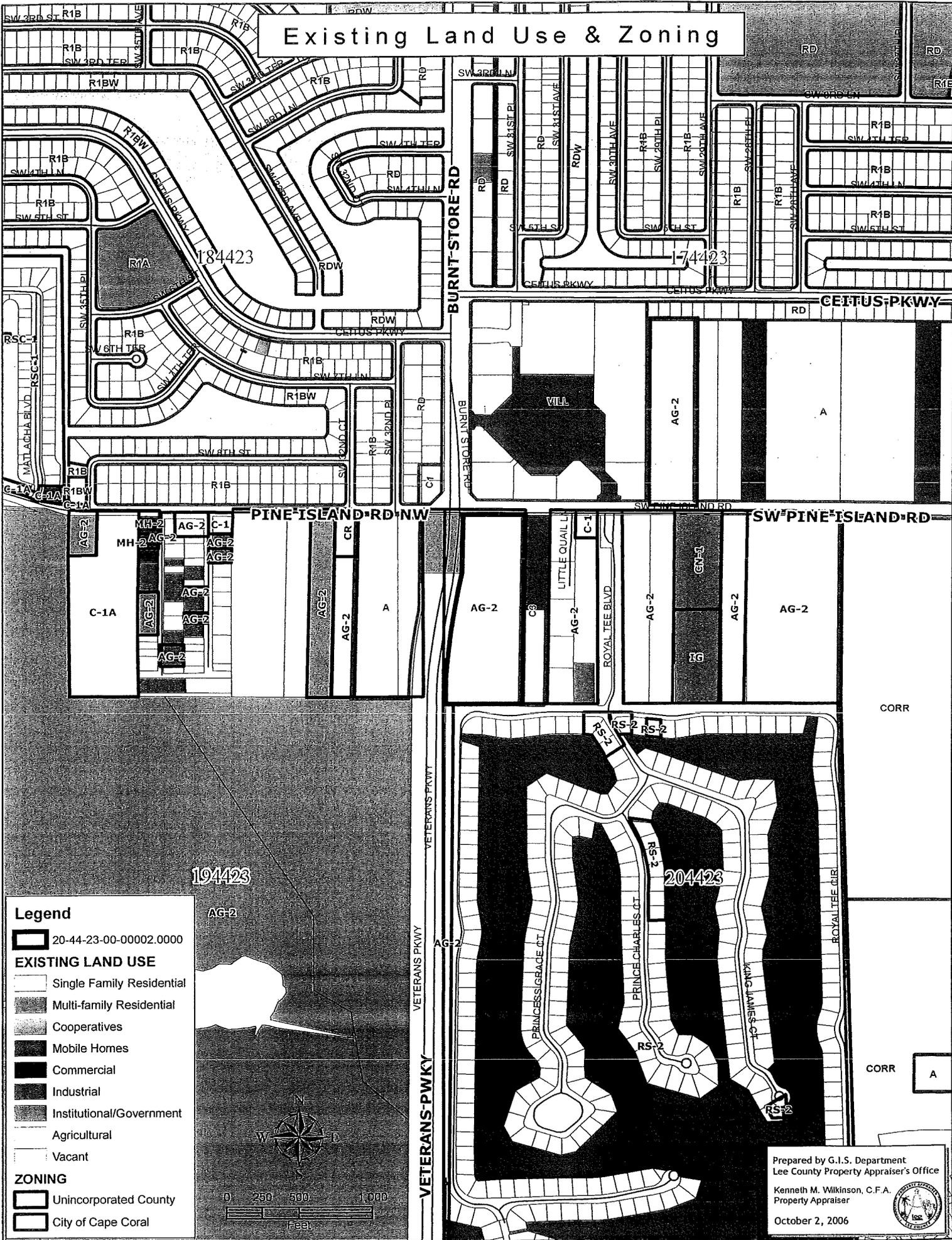
Map Date: March 6, 2008

Prepared By: Carol King

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



Existing Land Use & Zoning



Legend

20-44-23-00-00002.0000

- 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

194423
AG-2

204423



Prepared by G.I.S. Department
Lee County Property Appraiser's Office
Kenneth M. Wilkinson, C.F.A.
Property Appraiser
October 2, 2006



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.

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



INSTR # 6359326
OR BK 04367 Pgs 0202 - 213; (12pgs)
RECORDED 07/15/2004 04:21:46 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
DEED DOC 25,666.90
DEPUTY CLERK G Sherwood

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

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:

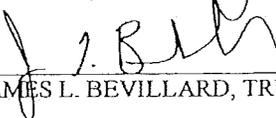
(1)

Signature of First Witness
Printed Name: Paul Sabutis

(2)

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


RONALD A. YORK, TRUSTEE


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

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 ¾ 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 ¾ 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.

#169849- 07/14/2004

Page 2





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

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

ARTICLES OF ORGANIZATION FOR FLORIDA
LIMITED LIABILITY COMPANY
OF

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

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
Esteru, FL 33928

Patricia O'Donnell

4291 Williams Road
Esteru, 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. FAUTHEN

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.

Deborah Lea Bollinger

NOTARY RUBBER STAMP SEAL
OR EMBOSSED SEAL



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

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.

Deborah Lea Bollinger

NOTARY RUBBER STAMP SEAL
OR EMBOSSED SEAL



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

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.

Deborah Lea Bollinger

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 initial 'A' followed by a long, sweeping horizontal line that tapers to the right.

EXHIBIT B.1



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 CLASS</u>	<u>LOS A VOLUME</u>	<u>LOS B VOLUME</u>	<u>LOS C VOLUME</u>	<u>LOS D VOLUME</u>	<u>LOS E 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	Raw FSUTMS	PCS	PSWDT/AADT	2030	K-100	D	Total Traffic	LOS Serv.	LOS	
		Lanes	LOS Std.	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

ROADWAY	SEGMENT	# Of	Raw FSUTMS	PCS	PSWDT/AADT	2030	K-100	D	Total Traffic	LOS Serv.	LOS	
		Lanes										LOS Std.
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

NEW TAZ 1757

1 1757 181 10 9 386 0 30 70 0 0 0 0 0 0 0 0 99 0

2 21757 0 250 384 634 0 0 0

**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 to be improved	EXISTING roadway network plus COMMITTED roadway projects to be built by FY 2005		IMPROVEMENTS: Description of built/committed improvements		FINANCIAL FEASIBILITY STATUS				
FROM: Start of segment to be added or improved					Estimated Construction Cost	Estimated Annual Operating Cost	Feasibility		
TO: End of segment to be added or improved									
FDOT									
29902	Alco Rd	U.S. 41	Dusty Rd	20	0.48	Last two years of SIB payoff	\$2,442,699	\$2,442,699	Feasible
Arterial roads & expressways									
Lee & Collier Counties									
Caloosahatchee bridges									
Cape Coral, MK Point, U.S. 41, & Edison Bridges & their approaches							\$3,450,000	-	Contingent
Computerized traffic signal system									
Countywide									
Drawbridges									
On S.R. 31 (Aradale Rd) & Broadway (C.R. 78A) @ Caloosahatchee River, Pine Island Rd @ Malacha Pass, & C.R. 855 @ Big Carlos Pass							\$500,000	-	Contingent
Intermodal freight terminal									
State Farmers Market, S.R. 78, or Alco Rd							\$6,505,333	-	Contingent
I-75 approach roads									
Collier County line							\$3,290,000	-	Contingent
Charlotte County line							\$5,810,000	-	Contingent
I-75 detour routes									
Collier County line							\$13,322,400	-	Contingent
Bonita Beach Rd							\$68,029,000	-	Contingent
Bonita Beach Rd									
@ Coconut Rd									
Alco Rd									
Bonita Beach Rd									
@ Colkerew Rd							\$221,722,800	-	Contingent
Bonita Beach Rd							\$43,461,000	-	Contingent
S.R. 82 (Dr Martin Luther King Jr Blvd)							\$2,630,000	-	Contingent
Alco Rd							\$204,019,200	-	Contingent
I-75 collector-distributor roads									
Alco Rd							\$101,000,000	-	Contingent
I-75 collector-distributor roads									
Alco Rd							\$2,157,137	-	Contingent
@ Colonial Blvd							\$42,324,000	-	Contingent
@ S.R. 82 (Dr Martin Luther King Jr Blvd)							\$57,396,000	-	Contingent
@ Lucken Rd							\$3,771,000	-	Contingent
S.R. 82 (Dr Martin Luther King Jr Blvd)							\$19,885,000	-	Contingent
S.R. 80 (Palm Beach Blvd)							\$80,342,000	-	Contingent
S.R. 80 (Palm Beach Blvd)							\$16,531,000	-	Contingent
S.R. 78 (Bayshore Rd)							\$4,235,000	-	Contingent
I-75							\$33,069,000	-	Contingent
S.R. 78 (Bayshore Rd)							\$64,026,920	-	Contingent
I-75							\$9,000,000	-	Contingent
Del Prado Blvd Ext							\$3,511,960	-	Contingent
Kennessaw connector							\$4,826,339	\$4,826,339	Feasible
Fowler St									
Evans Ave									
Lee Tran route 140							\$1,500,000 each in Fy's 2010/11 & 2011/12		
							\$2,000,000 in FY 2012/13		
Regional traveler information system									
Lee, Collier & Charlotte Counties							\$1,000,000	\$1,000,000	Feasible
S.R. 739 (Metro Pkwy)									
U.S. 41							\$48,000,000	\$48,000,000	Feasible
Six Mile Cypress Pkwy									
S.R. 739 (Metro Pkwy)									
Six Mile Cypress Pkwy									
S.R. 739 (Metro Pkwy)							\$10,336,637	\$10,336,637	Feasible
S.R. 739 (Metro Pkwy)							\$45,952,463	\$45,952,463	Feasible
S.R. 739 (Metro Pkwy)							\$18,058,663	\$18,058,663	Feasible
S.R. 739 (Metro-Power connector)							\$22,357,038	\$22,357,038	Feasible
Metro-Power Connector							\$23,156,645	\$23,156,645	Feasible
S.R. 78 (Pine Island Rd)							\$6,780,132	-	Contingent
S.R. 78 (Pine Island Rd)							\$5,062,599	-	Contingent
S.R. 78 (Pine Island Rd)							\$6,547,628	-	Contingent
S.R. 78 (Pine Island Rd)									
@ Del Prado Blvd									
S.R. 78 (Pine Island Rd)							\$1,503,529	-	Contingent
S.R. 80 (Palm Beach Blvd)							\$18,056,122	-	Contingent
S.R. 82 (Dr Martin Luther King Jr Blvd)							\$347,102	-	Contingent
S.R. 82 (Dr Martin Luther King Jr Blvd)									
S.R. 82 (Dr Martin Luther King Jr Blvd)							\$25,628,100	-	Contingent
S.R. 82 (Immolalee Rd)							\$87,175,286	-	Contingent
S.R. 855 (San Carlos Blvd)							\$7,590,880	-	Contingent
S.R. 867 (McGregor Blvd)							\$9,812,593	-	Contingent
S.R. 887 (McGregor Blvd)							\$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 new road or road to be improved		E * G. EXISTING roadway network plus COMMITTED roadway projects to be built by FY 0405		FINANCIAL FEASIBILITY STATUS						
FROM: Start of segment to be added or improved		IMPROVEMENT: Description of facility including proposed improvement								
TO: End of segment to be added or improved										
LEE COUNTY										
224101	19th St W	Tena Ave N	Ann Ave @ 9th St W	2L	4L	1.75	Connect across canals	\$23,769,743	\$23,769,743	Feasible
224301	40th St SW Ext	Current terminus	Alabama Rd	None	2L	0.10		\$1,878,049	\$1,878,049	Feasible
224401	61st St W	Camelary Rd at Stratton Rd	Sunshine Blvd	2L	2L	2.11	Connect across canals	\$18,385,011	-	Contingent
224501	9th St W	Ann Ave at 19th St W	Richmond Ave	2L	4L	2.34		\$30,761,430	\$30,761,430	Feasible
224601	9th St E	@ Thompson Ave and Dayton Ave		2L	2L	0.20	Realize dotings	\$2,058,818	\$2,058,818	Feasible
224901	Alabama Rd	40th St SW Ext	Sunnso Blvd Ext	2L	4L	1.05		\$12,174,215	\$12,174,215	Feasible
225001	Alico Expwy	Summerlin Rd	S.R. 82 (Immokalee Rd)	2L	4L	18.35	Potential Sunbel Causeway surplus toll project; includes 4 toll collection gantries & 2 equipment buildings	-	-	Contingent
225101	Andrea Ln	Herringway Dr	Metco Pkwy	None	2L	0.26		\$7,983,693	\$7,983,693	Feasible
224701	Arborwood Pkwy Ext	Fort Myers city limit	Gateway Blvd	None	4L	1.32		\$19,884,208	\$19,884,208	Feasible
225301	Boss Rd Ext	Gladiolus Dr	A & W Bulb Rd	None	2L	0.88		\$10,862,780	-	Contingent
225401	Ben Hill Griffin Pkwy	FGCU Blvd	1 mile South of Alico Rd	2L	4L	3.16	Not needed by 2030 if CR 951 Ext is included	\$19,408,879	-	Contingent
225501	Beth Stacey Blvd Ext	SW 23rd St	Milwaukee Blvd	None	2L	1.09	County share (53%) only. Developer has agreed to absorb the other 47%.	\$5,946,896	\$5,946,896	Feasible
220401	Bonita Beach Rd	Vanderbilt Dr	Old U.S. 41 Rd (C.R. 887)	4L	6L	2.36		\$25,783,783	\$25,783,783	Feasible
220601	Bonita Beach Rd	Old U.S. 41 Rd (C.R. 887)	Imperial St	4L	6L	1.03		\$11,097,000	\$11,097,000	Feasible
224201	Boy Scout Dr	Summerlin Rd	U.S. 41 (Cleveland Ave)	None	4L	0.50		\$5,881,216	-	Contingent
222501	Buckingham Rd Ext	S.R. 82 (MLK Blvd) @ Hanson St Ext	100' North of current S.R. 82 intersection	None	2L	0.56		\$8,536,558	\$8,536,558	Feasible
222501	Buckingham Rd	Orange River Blvd	S.R. 80 (Palm Beach Blvd)	2L	4L	2.55		\$28,760,000	-	Contingent
222501	Buckingham Rd	Gunnery Rd	Orange River Blvd	2L	4L	2.95		\$29,595,847	-	Contingent
222201	Burnt Store Rd / Veterans Expwy	@ S.R. 78	Pine Island Rd	4L	6L	0.50	Surplus toll revenue project, county share	-	-	Contingent
222201	Burnt Store Rd	S.R. 78 (Pine Island Rd)	Van Buren Pkwy	2L	4L	3.10	Surplus toll revenue project, county share	-	-	Contingent
222801	Burnt Store Rd	Kismet Pkwy	Charlotte County line	6L	4L	6.00	Surplus toll revenue project, county share	-	-	Contingent
222801	Burnt Store Rd	@ Toll Plaza		4L	6L	1.00	Surplus toll revenue project, county share	-	-	Contingent
222801	Cape Coral Bridge	@ Toll Plaza		4L	6L	1.00	Convert existing toll facilities to open road tolling	-	-	Contingent
228001	C.R. 951 Ext	Collier County line	Bonita Beach Rd	None	4L	1.00	Limited access expressway	-	-	Contingent
228001	C.R. 951 Ext	Bonita Beach Rd	Alico Expwy	None	4L	14.24	Limited access expressway; includes 3 toll collection gantries & 2 equipment buildings	-	-	Contingent
228001	C.R. 951 Ext	@ Alico Expwy		None	4L		Cost estimate assumes a trumpet interchange	-	-	Contingent
220201	Cedartree Ave & Ext	Buckingham Rd	Centennial Blvd	Half 2L	4L	0.35		\$5,072,309	\$5,072,309	Feasible
220201	Centennial Blvd	Gunnery Road	Gunnery Road	2L	4L	0.42		\$7,184,882	\$7,184,882	Feasible
220201	Centennial Blvd Ext	Gunnery Rd.	Sunsel Rd	None	4L	0.18		\$3,144,438	\$3,144,438	Feasible
223201	Coastal area IMS expansion	On Bonita Beach Rd, Estero Blvd, S.R. 885 & Pine Island Rd		None	4L	0.50		\$4,820,000	\$4,820,000	Feasible
223201	Coconut Rd Ext	Old Lighthouse Rd	1-75	None	2L	1.75		\$11,800,000	-	Contingent
223201	Coconut Rd Ext	@ C.R. 951 Ext		None	2L	1.07		\$25,200,000	-	Contingent
223201	Coconut Rd Ext	@ C.R. 951 Ext		None	2L		Not needed if C.R. 951 Ext is not included	-	-	Contingent
223301	Colonial Blvd (S.R. 884)	Midpoint Bridge	East of Summerlin Rd	6L	4L	0.45		-	-	Contingent
223301	Colonial Blvd (S.R. 884)	East of Summerlin Rd	East of U.S. 41 (Cleveland Ave)	6L	4L	0.50		-	-	Contingent
223301	Colonial Blvd (S.R. 884)	U.S. 41 (Cleveland Ave)	East of U.S. 41 (Cleveland Ave)	6L	4L	0.18		-	-	Contingent
223301	Colonial Blvd express lanes	Midpoint Bridge	East of U.S. 41 (Cleveland Ave)	6L	4L		includes 2 toll collection gantries & 1 equipment building	-	-	Contingent
223301	Colonial Blvd (S.R. 884)	East of U.S. 41 (Cleveland Ave)	East of Fowler St	6L	4L	0.54		-	-	Contingent
223301	Colonial Blvd (S.R. 884)	East of Fowler St	S.R. 739 (Metro Pkwy)	6L	4L	0.61		-	-	Contingent
223301	Colonial Blvd (S.R. 884)	@ S.R. 739 (Metro Pkwy)		6L	4L		Toll funding, but contingent upon supplemental discretionary funding; cost includes open road tolling	-	-	Contingent
223301	Colonial Blvd (S.R. 884)	S.R. 739 (Metro Pkwy)	East of S.R. 739 (Metro Pkwy)	6L	4L	0.27		-	-	Contingent
223301	Colonial Blvd (S.R. 884)	East of U.S. 41 (Cleveland Ave)	East of S.R. 739 (Metro Pkwy)	6L	4L		Includes 2 toll collection gantries & 1 equipment building	-	-	Contingent
223301	Colonial Blvd (S.R. 884)	East of S.R. 739 (Metro Pkwy)	West of Winkler Ave	6L	4L	1.56		-	-	Contingent
223301	Colonial Blvd (S.R. 884)	West of Winkler Ave	I-75 West side ramps	6L	4L	1.38		-	-	Contingent
223301	Colonial Blvd (S.R. 884)	I-75 West side ramps	East of Forum Blvd	6L	4L	0.69		-	-	Contingent
223301	Colonial Blvd (S.R. 884)	East of S.R. 739 (Metro Pkwy)	East of Forum Blvd	6L	4L		Includes 3 toll collection gantries & 1 equipment building	-	-	Contingent
223301	Colonial Blvd (S.R. 884)	East of Forum Blvd	West of S.R. 82 (MLK Blvd-Immokalee Rd)	4L	6L	1.47		-	-	Contingent
223301	Colonial Blvd (S.R. 884)	West of S.R. 82 (MLK Blvd-Immokalee Rd)	East of S.R. 82 (MLK Blvd-Immokalee Rd)	4L	6L	0.40	Powerline must be raised	-	-	Contingent
223301	Colonial Blvd (S.R. 884)	East of Forum Blvd	East of S.R. 82 (MLK Blvd-Immokalee Rd)	4L	6L		Includes 2 toll collection gantries & 1 equipment building	-	-	Contingent
224801	Corkscrew Rd	Three Oaks Pkwy	Bon Hill Griffin Pkwy	4L	6L	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/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 plan COMMITTED roadway projects to be built by FY 04/05 IMPROVEMENTS: Description of facility following proposed improvement	Mileage	Cost/Year	FINANCIAL FEASIBILITY STATUS		
				Yearly Revenue	Yearly Expenditure	Net Surplus/Deficit
Countywide			\$7,725,000/year, adjusted for inflation	\$154,500,000	\$154,500,000	Feasible
14402 Crystal Dr	U.S. 41 (South Tamiami Trl)	Plantation Rd	2.00	\$15,948,726	\$15,848,726	Feasible
14507 Crystal Dr Ext	Plantation Rd	Six Mile Cypress Pkwy	1.00	\$11,911,635	\$11,911,635	Feasible
14511 Daniels Pkwy	West of Metro Pkwy	East of Chamberlin Pkwy	5.80			Feasible
14511 Daniels Pkwy	East of Chamberlin Pkwy	Gateway Blvd	4.80			Feasible
14522 Del Prado Blvd	@ Cape Coral Pkwy		1.70	\$11,530,000	\$11,530,000	Feasible
14522 Del Prado Blvd	Cape Coral Pkwy	S.R. 78 (Pine Island Rd)	0.28			Feasible
14522 Del Prado Blvd	U.S. 41 (North Tamiami Trl)	Melow Dr	2.52	\$319,066	\$319,066	Feasible
14522 Del Prado Blvd	Melow Dr	Nefe Grade Rd	2.23	\$40,839,938		Feasible
14534 Durden Pkwy Ext	Garden Blvd	U.S. 41	0.50	\$6,109,375	\$6,109,375	Feasible
14576 Forum Blvd-Country Lakes Dr connector	S.R. 82 (MLK Blvd)	Luckett Rd	1.97	\$29,903,836		Feasible
14577 Gateway Blvd	Arborwood Pkwy Ext	S.R. 82 (Immokalees Rd)	0.75	\$3,414,190	\$3,414,190	Feasible
14578 Gurney Rd	Gurney Rd	Homestead Rd	0.26	\$2,876,484	\$2,876,484	Feasible
14578 Gurney Rd	Lee Blvd	Centennial Blvd	1.20	\$12,233,652	\$12,233,652	Feasible
14578 Hancock Bldg Pkwy Ext	Centennial Blvd	Buckingham Rd	0.55	\$5,613,925		Feasible
14578 Homestead Rd	U.S. 41 (North Cleveland Ave)	Business U.S. 41 (North Tamiami Trl)	0.81	\$54,007,568		Feasible
14578 Imperial Pkwy	Sumner Blvd	Collier County line	1.47	\$13,900,000	\$13,900,000	Feasible
14578 Jee Rd	Bonita Beach Rd	S.R. 80 (Palm Beach Blvd)	0.98	\$3,241,056	\$3,241,056	Feasible
14578 Keel Rd Ext - 9th St connection	East 17th St	Henry County line	3.24	\$28,840,000		Feasible
14578 Lee County roads	Hines Ave	Lee County TMC, U.S. 41, S.R. 78, S.R. 82 & S.R. 867	0.53	\$4,161,873	\$4,161,873	Feasible
14578 Littleton Rd	NE 24th Ave @ Kismet Pkwy	U.S. 41 (North Cleveland Ave)	1.50	\$15,684,791	\$15,684,791	Feasible
14578 Littleton Rd	U.S. 41 (North Cleveland Ave)	Business U.S. 41 (North Tamiami Trl)	0.98	\$8,983,104	\$8,983,104	Feasible
14578 Littleton Rd Ext	Business U.S. 41 (North Tamiami Trl)	Slater Rd	2.35	\$24,394,237	\$24,394,237	Feasible
14578 Luckett Rd	Ortiz Ave	Enterprise Pkwy	0.50	\$7,870,000	\$7,870,000	Feasible
14578 Luckett Rd	Enterprise Pkwy	I-75 Northbound ramps	0.55	\$2,429,563	\$2,429,563	Feasible
14578 Luckett Rd Ext	I-75 Northbound ramps	Holstein Dr	0.59	\$6,771,849	\$6,771,849	Feasible
14578 Luckett Rd	Holstein Dr	Staley Rd	0.87	\$7,868,894	\$7,868,894	Feasible
14578 Luckett Rd Ext	Greenbriar Farms Rd	Pangola Dr	0.25	\$1,312,923	\$1,312,923	Feasible
14578 Mento Ct Ext	Buckingham Rd	Sunshine Blvd @ 81st W	2.40	\$32,745,817	\$32,745,817	Feasible
14578 Mid Point Bridge	Sunshine Blvd @ 81st W	@ Toll Plaza	0.10	\$1,087,220		Feasible
14578 Mid Point Bridge & approaches	SE 17th Pl	East of McGregor Blvd	3.33			Feasible
14578 Nalle Grade Rd Ext	Nalle Rd	S.R. 31 (Arcadia Rd)	2.50			Feasible
14578 NE 24th Ave Ext	Garden Blvd	Cape Coral city limits	0.25	\$17,567,837		Feasible
14578 Now beach bridge	Estero Blvd	Main St	0.86	\$2,913,088		Feasible
14578 North Airport Rd Ext	Current terminus	Plantation Rd	0.62			Feasible
14578 Orange River Blvd	Noal Rd	Buckingham Rd	1.35	\$24,882,436		Feasible
14578 Oriole Rd Ext	Alice Rd	Three Oaks Pkwy Ext	1.05	\$13,227,602		Feasible
14578 Ortiz Ave	Colonial Blvd	S.R. 82 (Dr Martin Luther King Jr Blvd)	1.73	\$14,372,911		Feasible
14578 Palomino Ln	Daniels Pkwy	Panthera Blvd	1.46	\$13,900,000	\$13,900,000	Feasible
14578 Pine Island Rd	Mallacha Blvd	Bumf Store Rd-Veterans Pkwy	0.52	\$17,876,367	\$17,876,367	Feasible
14578 Plantation Rd	Six Mile Cypress Pkwy	Daniels Pkwy	1.17	\$4,024,462		Feasible
14578 Plantation Rd	Daniels Pkwy	Idlewild St	2.53	\$11,270,000	\$11,270,000	Feasible
14578 Sanibel Causeway	@ Toll Plaza			\$26,652,021	\$26,652,021	Feasible
14578 Sandy Lane Ext (North)	Corkscrew Rd	Malanzas Rd at Oriole Rd	2.25			Feasible
14578 Six Mile Cypress Pkwy	U.S. 41 (South Tamiami Trl)	Metro Pkwy	1.14	\$18,420,000	\$18,420,000	Feasible
14578 S.R. 739 (Business U.S. 41)	Littleton Rd	U.S. 41	2.54	\$7,547,696		Feasible
14578 Simeon Rd	Jamerson Pkwy	Genesee Blvd	1.63	\$21,480,000		Feasible
14578 Summerlin Rd	Gladius Dr	Cypress Lake Dr	1.83	\$21,480,000		Feasible
14578 Sunrise Blvd Ext	Alabama Rd	Homestead Rd	1.19	\$21,480,789		Feasible
				\$13,070,378	\$13,070,378	Feasible

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

ROAD SEGMENT: Name of road or need to be improved FROM: Start of segment to be added or improved TO: End of segment to be added or improved	E - EXISTING roadway element plus COMMITTED roadway projects to be built by FY 06/07 IMPROVEMENT: Description of facility including proposed improvement	FINANCIAL FEASIBILITY STATUS
125217 Sunrise Blvd Ext	Richmond Ave	
125218 Sunset Rd Ext	Sunland Blvd	0.31
125219 Sunset Rd	Centennial Blvd Ext	0.15
125248 Sunshine Blvd Ext	75th St W	1.28
125249 Three Oaks Pkwy	Coconut Rd	1.95
125250 Todd Ave Ext	S.R. 80 (Palm Beach Blvd)	1.95
125251 Vanderbilt Drive	Eslera Pkwy	3.84
125252 Veterans Pkwy	Westgate Blvd	0.86
125253 Veterans Pkwy	Woods Edge Pkwy	1.00
125254 Veterans Pkwy	Chiquita Blvd	1.00
125255 Veterans Pkwy	Chiquita Blvd @ Skyline Blvd	1.00
125256 Veterans Pkwy	Chiquita Blvd @ Santa Barbara Blvd	0.45
125257 Veterans Pkwy	Chiquita Blvd @ County Club Blvd	0.45
125258 Veterans Pkwy-Mid Point Bridge-Colonial Blvd	West of Skyline Blvd	0.45
	East of S.R. 82 (Dr Martin Luther King Jr Blvd-Immokalee Rd)	15.20
		0.15
	Across canal	\$3,836,481
		\$2,949,372
		\$11,675,187
		\$11,511,911
	Not needed, at least so long as C.R. 951 Ext is included	\$31,801,630
		\$8,633,618
	Lee County share of cost (half)	\$1,723,098
	Surplus toll revenue project, county share	
	Surplus toll revenue project, county share	
	Surplus toll revenue project, county share	
	Surplus toll revenue project, county share	
	Surplus toll revenue project, county share	
	Surplus toll revenue project, county share	
	Other projects:	\$3,164,508,023
	PROJECT COSTS Subtotal:	\$706,652,350
		\$3,605,874,790
		\$870,836,159
	6 Cent LOGT Plus 5 Cent LOGT 50%:	\$226,762,734
	3th Cent Motor Fuel Tax:	\$45,713,426
	Transportation Impact Fees:	\$373,766,615
	FINANCIAL RESOURCES (2011-2030) Total:	\$872,677,871
	Cape Coral & Mid Point toll surplus balance / (deficit):	(\$698,660,147)
	Sanibel Causeway toll surplus balance / (deficit):	(\$601,251,096)
	Other projects balance / (deficit):	(\$1,433,285,676)
	BALANCE / (DEFICIT):	\$24,669,997
		-\$1,841,712

This table does not imply a commitment on the part of this jurisdiction to complete the projects listed for it.

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.

EXHIBITS B.2.a-c

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



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (239) 533-0333

Bob Jones
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Tarmy Hall
District Four

John E. Albion
District Five

Donald D. Stillwell
County Manager

David M. Owen
County Attorney

Digna 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



LEE COUNTY
S O U T H W E S T F L O R I D A

BOARD OF COUNTY COMMISSIONERS

Bob Janes
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Frank Mann
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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

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

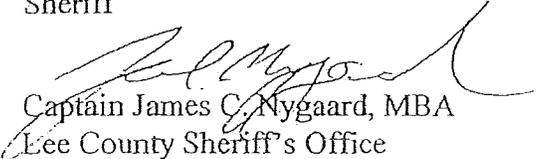
Dear Mr. Roeder

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.

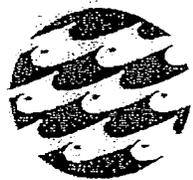
Please contact Kevin Farrell, Coordinator of the Crime Prevention Unit at 477-2821 when you have made application with the county.

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)





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



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)



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

September 29, 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.

The proposed maximum total of 200 dwelling units which was specified in the letter, did not state whether these are single family or multi-family units. At this time I will use the generation rate for single family units because it is the higher of the two rates. The Lee County School District is estimating that the proposal could generate up to 63 additional school-aged children. This uses the single family generation rate of 0.316 students per dwelling unit (if you need the multi-family generation rate it is 0.125).

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 rate.

Thank you for your attention to this issue. If I may be of further assistance, please give me a call at (239) 335-1415.

Sincerely,

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

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 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.

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.

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.

	 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/msff>

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

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 one category that would allow it to be developed to its full potential is the Commercial 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.

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

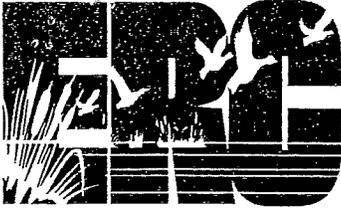
Prepared By:

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

April 26, 2007



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,

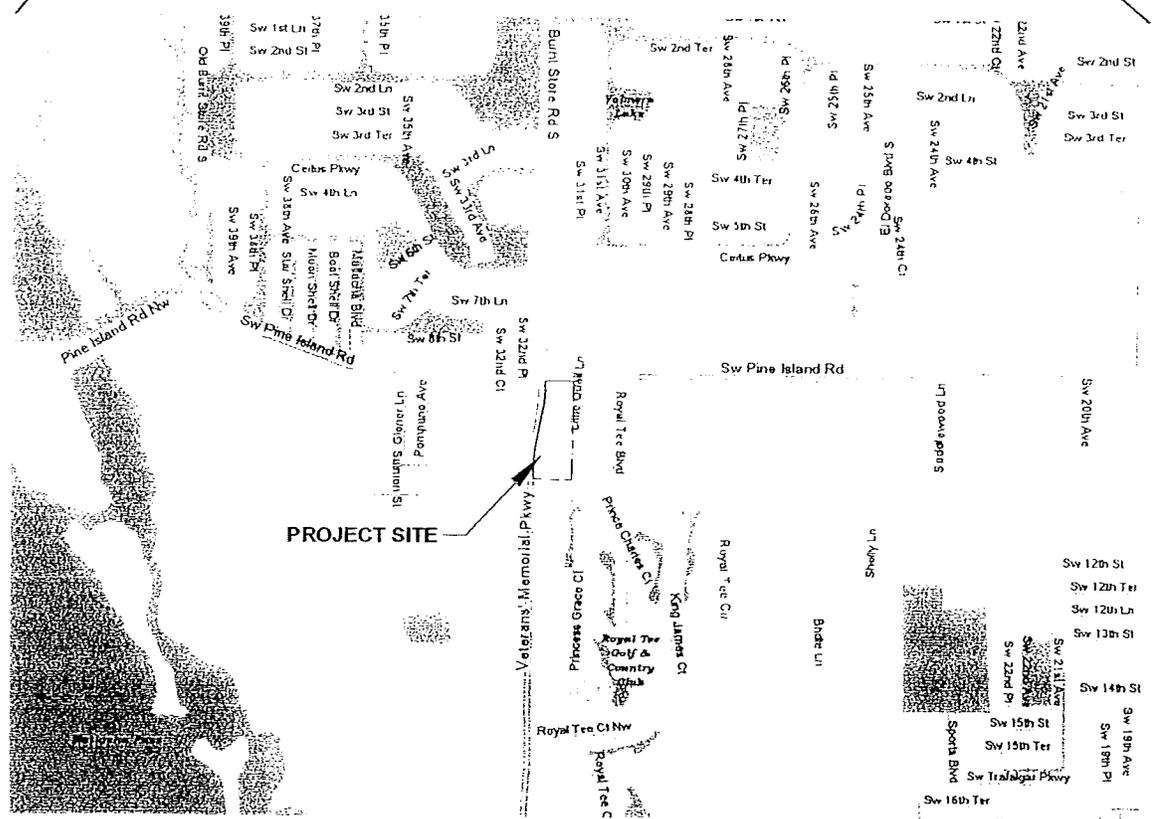
A handwritten signature in black ink, appearing to read "Jeffrey A. Adair". The signature is written in a cursive style with a large initial "J".

Jeffrey A. Adair
President

LOCATION MAP:



VICINITY MAP:



SCALE	N.T.S.
CAD FILE	Pine Island 13.5
DWG NO	MAPS
SHEET	1 of 10

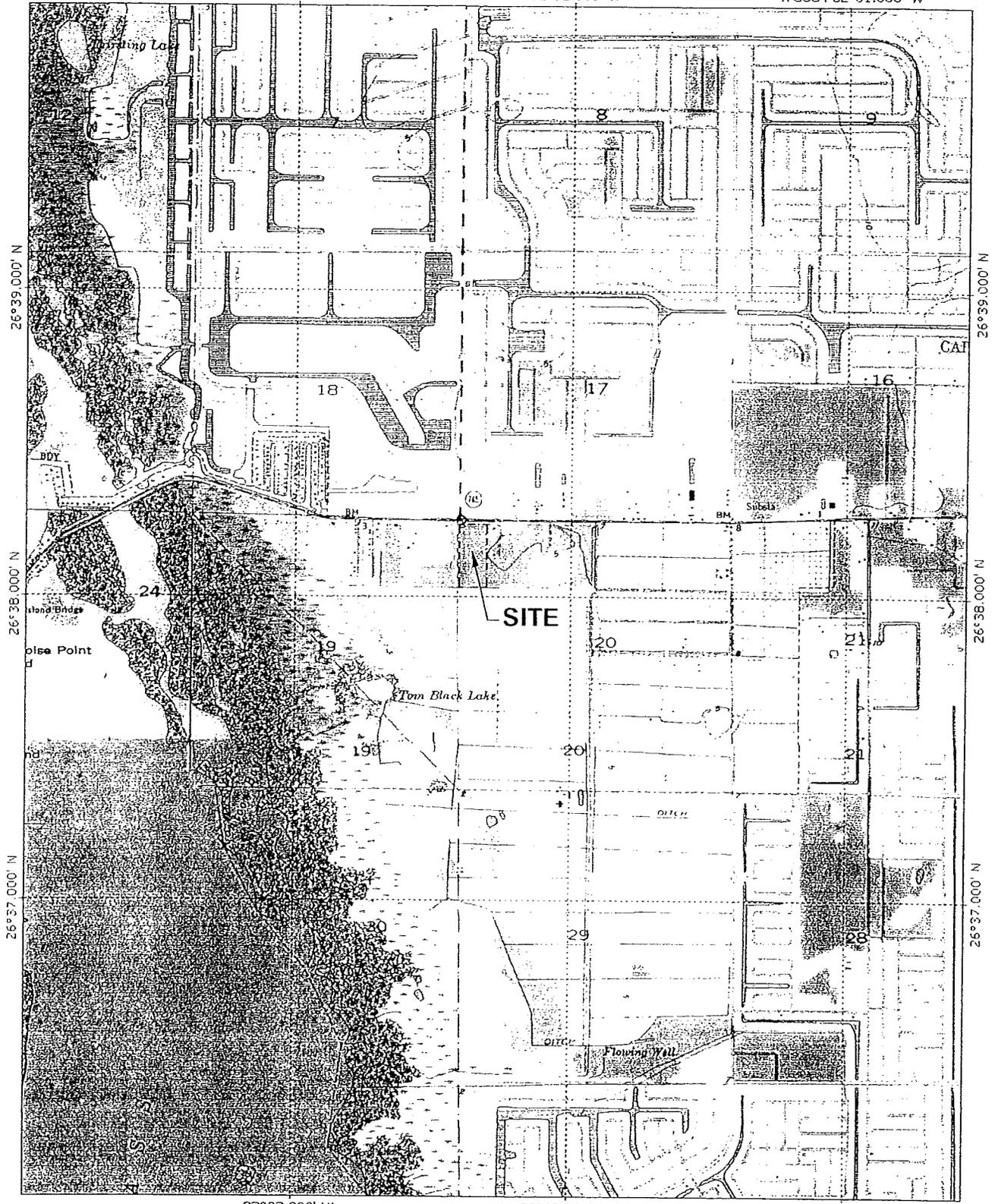
DESIGN BY:	JAA
DRAWN BY:	EPB
CHECKED BY:	JAA
DATE:	4/25/07
Jeffrey A. Adair	

ERC
ENVIRONMENTAL RESTORATION CONSULTANTS, INC.
 P.O. BOX 110064
 NAPLES, FL 34108
 Telephone: 239.992.0085
 Cell: 239.287.2706
 EMAIL: ERCC@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
LOCATION MAP

DATE	REVISIONS
Δ	
Δ	
Δ	
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82°03.000' W 82°02.000' W WGS84 82°01.000' W

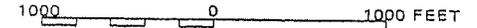


Map created with TOPO!® ©2001 National Geographic (www.nationalgeographic.com/topo)

SCALE N.T.S.	DESIGN BY: JAA DRAWN BY: DPB CHECKED BY: JAA DATE: 4/25/07	<p>ENVIRONMENTAL RESTORATION CONSULTANTS, INC. P.O. BOX 110094 NAPLES, FL 34108 Telephone: 239.062.0088 Cell: 239.287.3706 EMAIL: ERCINC@COMCAST.NET</p>	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	Jeffrey A. Adair		SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA	USGS MAP	▲	
DWG NO MAPS					▲	
SHEET 2 of 10					▲	



APPROXIMATE SCALE



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

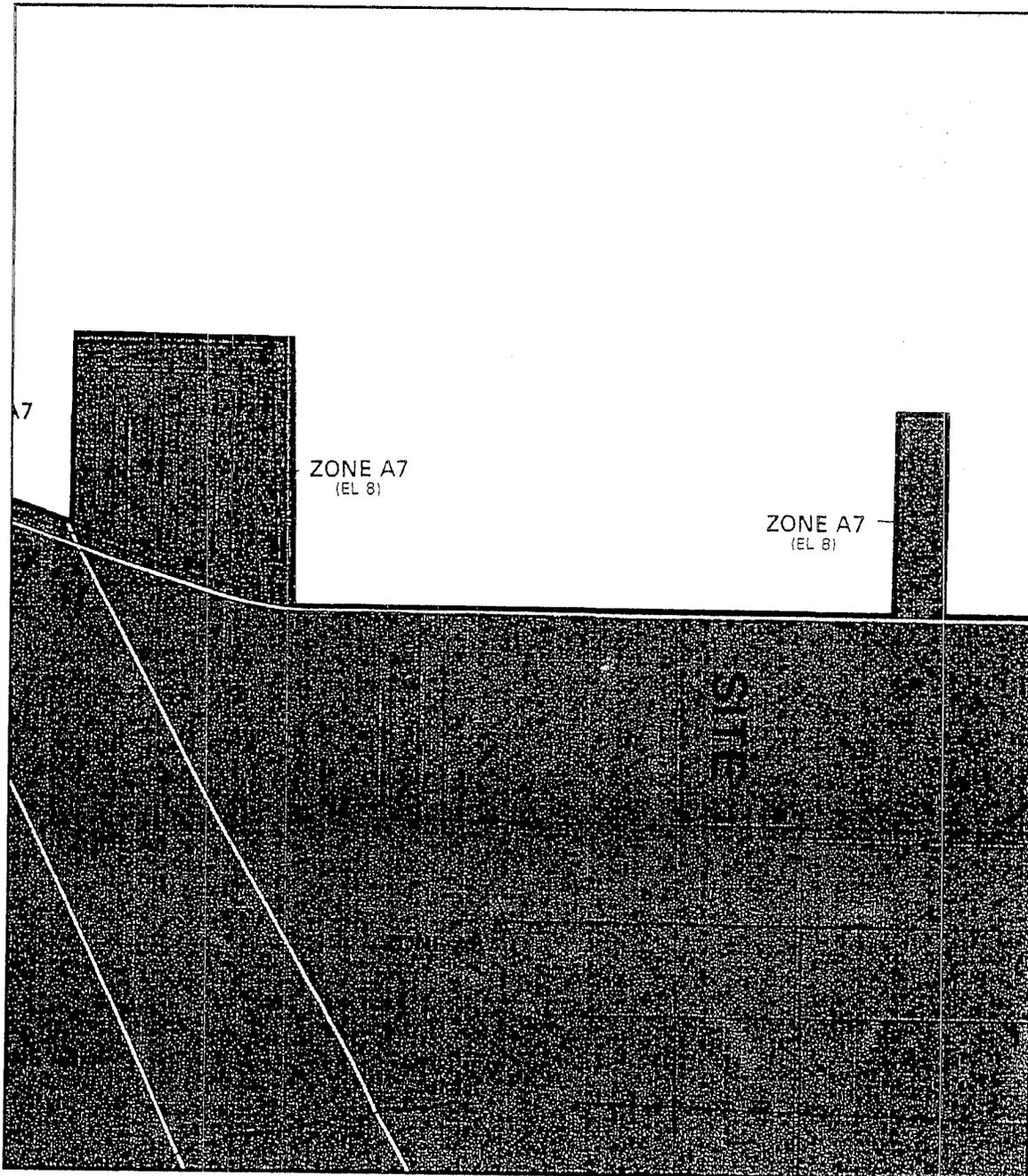
**Referenced to the National Geodetic Vertical Datum of 1929

*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



SCALE N.T.S.
 DATE 4/25/07
 CHECKED BY JJA
 DRAWN BY 099
 DESIGNER JJA
 SHEET 4 of 10
 JEFFREY A. ADAR

ENVIRONMENTAL RESTORATION CONSULTANTS, INC.
 P.O. BOX 110984
 NAPLES, FL 34108
 Telephone: 239.262.0088
 Fax: 239.297.2708
 E-MAIL: ERCONS@COCOACAST.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
 FRM PANEL # 125124 0170 B

DATE	REVISIONS



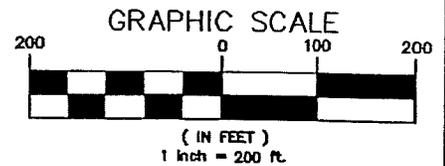
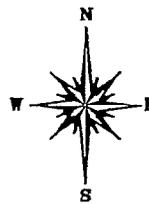
SOILS LEGEND:

- 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)



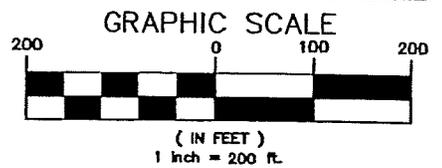
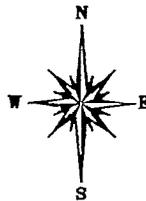
SCALE: 1"=200'	DESIGN BY: JAA DRAWN BY: DPB CHECKED BY: JAA DATE: 4/25/07	<p>ENVIRONMENTAL RESTORATION CONSULTANTS, INC.</p> <p><small>Environmental Restoration Consultants, Inc. is a professional corporation, organized under the laws of the State of Florida. It is not a government agency. It is not a public utility. It is not a financial institution. It is not a depository institution. It is not a trust company. It is not a bank. It is not a broker-dealer. It is not a registered investment advisor. It is not a securities broker. It is not a securities dealer. It is not a securities issuer. It is not a securities underwriter. It is not a securities issuer. It is not a securities underwriter. It is not a securities issuer. It is not a securities underwriter.</small></p>	<p>CLIENT: Island Road, LLC 4353 Michigan Link Fort Myers, Florida 33916</p>	<p>Pine Island Road - 13.5 Ac. SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA</p>	<table border="1"> <thead> <tr> <th>DATE</th> <th>REASONS</th> </tr> </thead> <tbody> <tr> <td>Δ</td> <td>_____</td> </tr> </tbody> </table>	DATE	REASONS	Δ	_____								
DATE	REASONS																
Δ	_____																
Δ	_____																
Δ	_____																
Δ	_____																
Δ	_____																
DWG NO: MAPS	Jeffrey A. Adair		<p>SOILS MAP</p>														



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: JJA DRAWN BY: DPB CHECKED BY: JJA DATE: 4/25/07	 ENVIRONMENTAL RESTORATION CONSULTANTS, INC. <small>P.O. BOX 110604, NAPLES, FL 34108 Telephone: 239.562.0088 Cell: 239.257.2700 EMAIL: ERCONC@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	MAPS			SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA	△	_____
DWG NO	MAPS			△	_____	
SHEET	5 of 10	Jeffrey A. Adair	EXISTING FLUCCS MAP	△	_____	

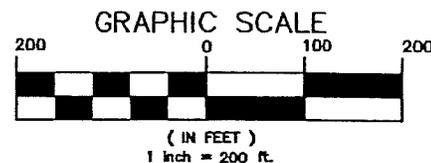


LEGEND

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

TOTAL SITE = 13.50 Ac.

② PHOTO LOCATION



— 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	 ENVIRONMENTAL RESTORATION CONSULTANTS, INC. <small>P.O. BOX 110694, NAPLES, FL 34108 Telephone: 239.262.0068 Cell: 239.297.2706 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	DATE _____ REVISIONS _____
CAD FILE Pine Island 13.5	MAPS		 Jeffrey A. Adair	EXISTING FLUCCS MAP	Δ _____ Δ _____ Δ _____ Δ _____ Δ _____



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

 ENVIRONMENTAL RESTORATION CONSULTANTS, INC. <small>P.O. BOX 110994, NAPLES, FL 34108 Telephone: 239.992.0088 Cell: 239.267.2706 EMAIL: ERCINC@COMCAST.NET</small>	DATE	REVISIONS:	Pine Island Road - 13.5 Ac. SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA	SITE PHOTO 1	SCALE:	N.T.S.	DESIGN BY: DPB	
	△	_____			CLIENT: Island Road, LLC 4353 Michigan Link Fort Myers, Florida 33916	PROJECT FILE:	Pine Island 13.5	DRAWN BY: DPB
	△	_____				DWG NO:	MAPS	CHECKED BY: JA
	△	_____				SHEET:	7 of 10	DATE: 4/25/07
△	_____			Jeffrey A. Adair				

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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 110994, NAPLES, FL 34108 Telephone: 239.892.0086 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	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	
			CLIENT: Island Road, LLC 4353 Michigan Lnk Fort Myers, Florida 33916		
					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.

Documents and Settings\Administrator\My Documents\John Cauthen\Pine Isl & Veterans\Drawings\Pine Island Rd\MAPS.dwg, 4/20/2007 9:59:31 AM



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

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	PROJECT FILE: Pine Island 13.5	CLIENT: Island Road, LLC 4353 Michigan Link Fort Myers, Florida 33916	DWG NO: MAPS	SHEET: 9 of 10	Jeffrey A. Adair	



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.

 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	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
	CLIENT: Island Road, LLC 4353 Michigan Link Fort Myers, Florida 33916		_____ _____ _____ _____	_____ _____ _____ _____
	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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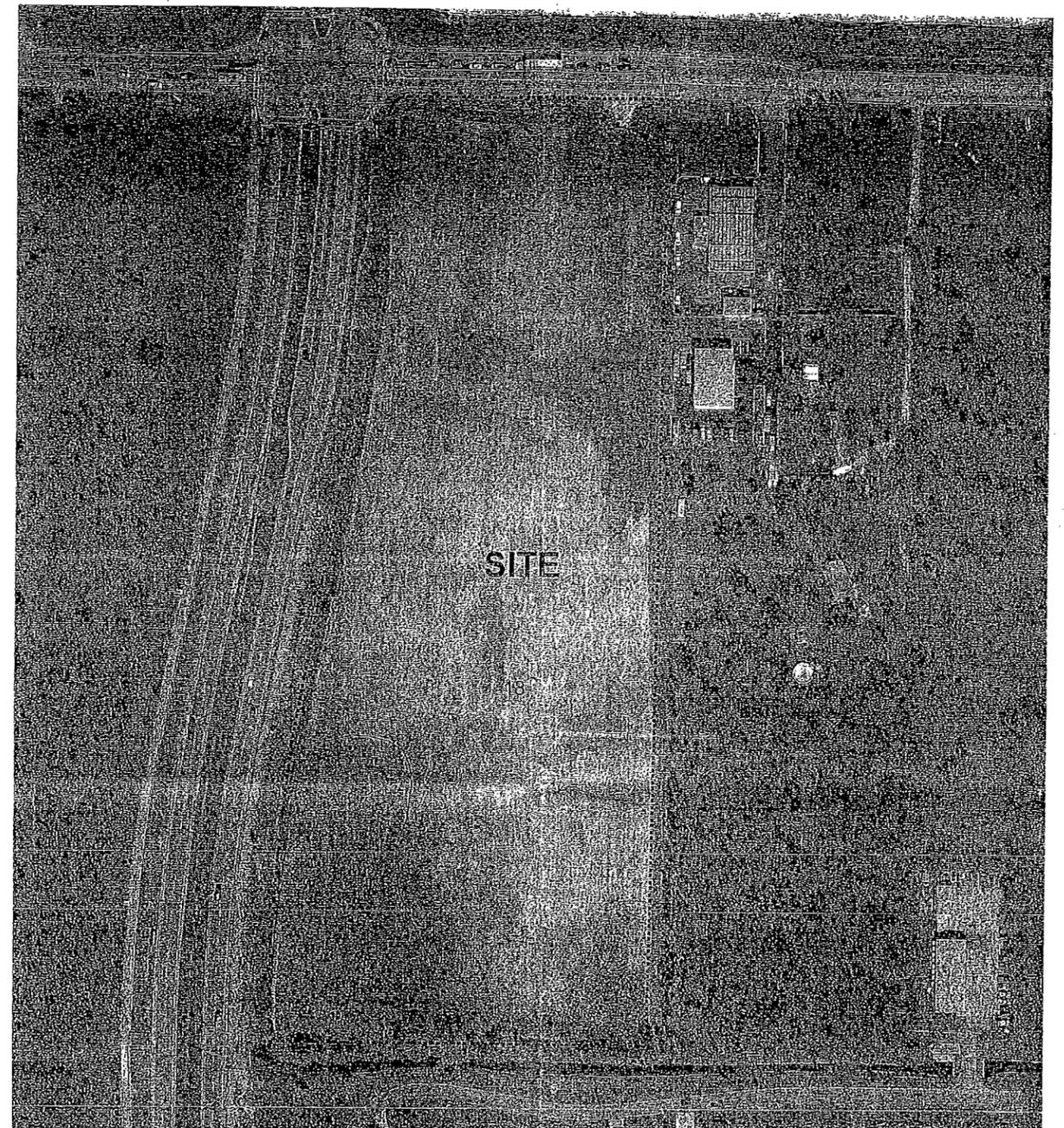
Jeffrey A. Adair



EXISTING FLUCCS MAP

310 - HERBACEOUS (DRY PRAIRE) 13.35 Ac.
 438 (E) - Mixed Hardwoods (Exotics) 0.15 Ac.
 TOTAL SITE = 13.50 Ac.

----- SITE BOUNDARY



SOILS MAP

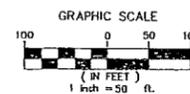
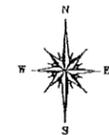
SOILS LEGEND:

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" = 100'
CAD FILE	Pine Island - Veterans
DNV NO	Pine Island Rd - MAPS
SHEET	1 of 2

DESIGN BY: JAA
 DRAWN BY: DPB
 CHECKED BY: JAA
 DATE: APRIL 25, 2007

Jeffrey A. Adair
 Jeffrey A. Adair

ENVIRONMENTAL RESTORATION CONSULTANTS, INC.

P.O. BOX 110994,
 NAPLES, FL 34108
 Telephone: 239.992.0088
 Cell: 239.267.2706
 EMAIL: ERCONS@comcast.net

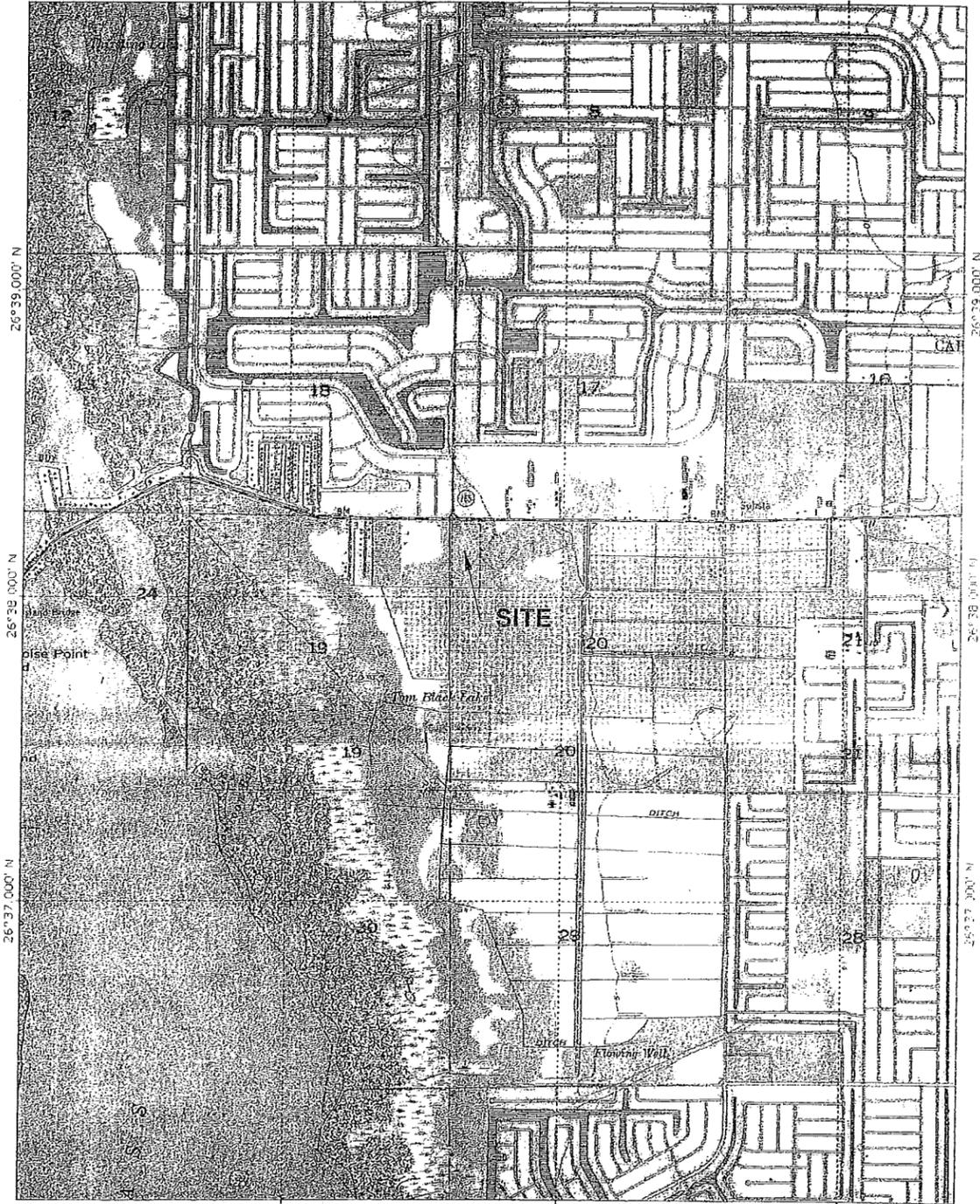
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CLIENT:
 Island Road, LLC
 4353 Michigan Link
 Fort Myers, Florida 33916

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

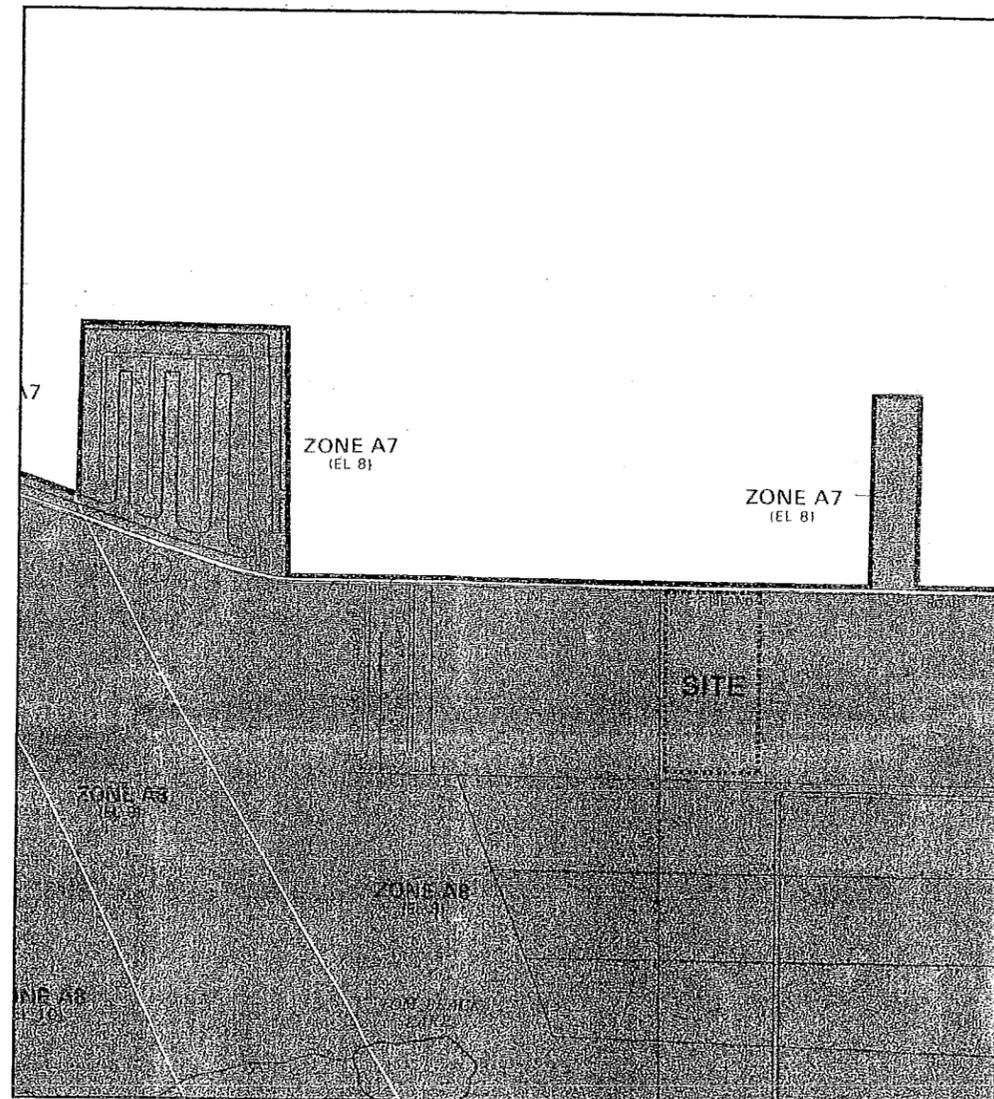
DATE	REVISIONS
△	_____
△	_____
△	_____
△	_____
△	_____

TOPOI 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 45°

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



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**
- Base Flood Elevation in Feet Were Uniform Within Zone**
- Elevation Reference Mark
- Zone D Boundaries
- Water Table

*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.
ABB	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

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FIRM PANEL # 125124 0170 B

SCALE	N.T.S.
DESIGN BY	JAA
DRAWN BY	DPB
CHECKED BY	JAA
DATE	APRIL 25, 2007
PROJECT	Pine Island Rd - MAPS
SHEET	2 of 2
 Jeffrey A. Adair	

ERC
ENVIRONMENTAL RESTORATION CONSULTANTS, INC.

P.O. BOX 110994
 NAPLES, FL 34108
 Telephone: 239.992.0066
 Cell: 239.287.2708
 EMAIL: ERCINC@comcast.net

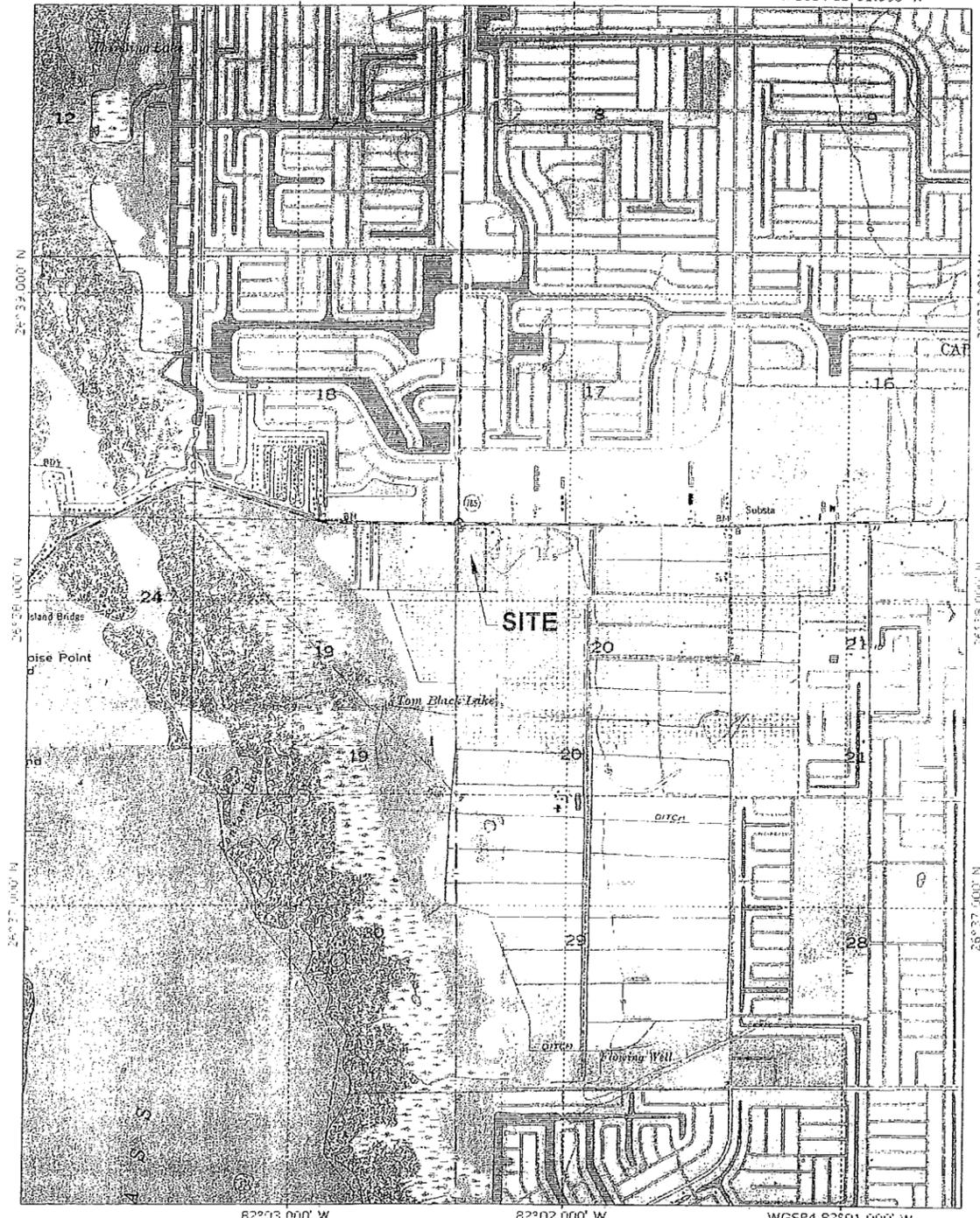
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CLIENT:
 Island Road, LLC
 4353 Michigan Link
 Fort Myers, Florida 33916

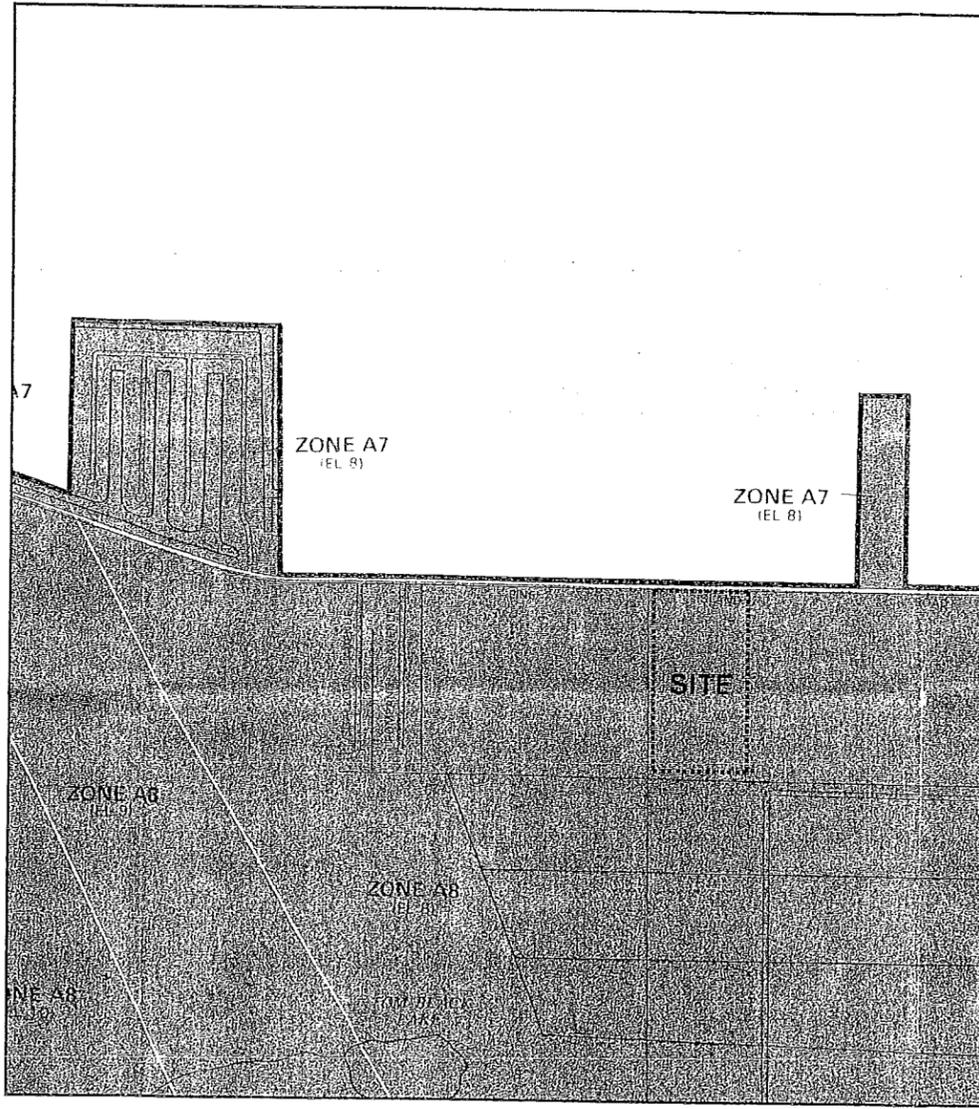
Pine Island Road - 13.5 Ac.
 LEE COUNTY, FLORIDA
 SECTION 20 TOWNSHIP 44 S., RANGE 23 E.
QUAD & FEMA MAPS

DATE	REVISIONS

TOPOI 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



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



N

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**	----- 5.73 -----
Base Flood Elevation in Feet Where Limited Within Zone**	(EL. 9.87)
Elevation Reference Mark	RM74
Zone D Boundaries	-----
Scale: Mile	1:62,500

**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.
AO	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.
AB9	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).
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NOTES TO USER

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FIRM PANEL # 125124 0170 B

SCALE	N.T.S.
CAD FILE	Pine Island - Veterans
DWG NO.	Pine Island Rd - MAPS
SHEET	1 of 1
DESIGN BY:	JAA
DRAWN BY:	DPB
CHECKED BY:	JAA
DATE:	AUGUST 26, 2006
 Jeffrey A. Adair	

ENVIRONMENTAL RESTORATION CONSULTANTS, INC.

P.O. BOX 110994
 NAPLES, FL 34108
 Telephone: 239.992.0088
 Cell: 239.287.2705
 EMAIL: ERCINC@comcast.net

NOTE: The undersigned and ENVIRONMENTAL RESTORATION CONSULTANTS, INC. make no representations or guarantees as to the completeness of the information reflected herein pertaining to assessments, right of way, setback lines, reservations, agreements or other matters of record. This instrument is intended to reflect only those items shown in the references above. ENVIRONMENTAL RESTORATION CONSULTANTS, INC. will 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. ©

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

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

DATE	REVISIONS



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

<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

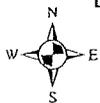
OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
MEANS RICK A + STACY JO 11982 ROYAL TEE CIR CAPE CORAL FL 33991	20-44-23-01-0000A.2140 11982 ROYAL TEE CIR CAPE CORAL FL 33991	ROYAL-TEE COUNTRY CLUB EST BLK A PB 37 PG 4 LOT 214	31
WELLS HAROLD P + BETTYE M 937 BOWMAN RD APT 360 MOUNT 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 33901	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



20-44-23-00-00002.0000

1,400 700 0

1,400 Feet

**CPA2006-15
PRIVATELY SPONSORED
CAUTHEN AMENDMENT
TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

**Privately Sponsored Application
and Staff Analysis**

**BOCC Public Hearing Document
For The
February 25, 2009 Adoption Hearing**

*Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(239) 533-8585*

January 16, 2009

**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 X 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 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.

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

Planning staff and the applicant gave brief presentations.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

The LPA voted to transmit the proposed plan amendment. The LPA also voted to amend Lee Plan Map 7, the Future Sewer Service Areas Map to include the subject property. One LPA member asked the applicant about the planned uses for the subject property. The applicant stated that the property would include a mix of general retail uses with the possibility of hotel/motel space as well. Another member asked about the access to the property from both Pine Island Road and Veteran's Parkway. The applicant stated that they would seek a shared access with the gas station to the east on Pine Island Road. He then stated that there is a right-in/right-out access on Veteran's Parkway as previously designated by the Board of County Commissioners. The applicant may seek a shared access with the Royal Tee subdivision abutting the south side of the property.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

The LPA accepted the findings of fact as advanced by staff.

C. VOTE:

NOEL ANDRESS	<u>AYE</u>
LES COCHRAN	<u>AYE</u>
RONALD INGE	<u>ABSENT</u>
JACQUE RIPPE	<u>ABSENT</u>
CARLETON RYFFEL	<u>AYE</u>
LELAND M. TAYLOR	<u>ABSENT</u>
RAE ANN WESSEL	<u>AYE</u>

**PART IV - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: October 22, 2008

A. BOARD REVIEW:

The Board of County Commissioners provided no discussion concerning the proposed plan amendment. No public input was provided concerning the proposed plan amendment. This item was approved on the consent agenda.

BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

The Board of County Commissioners voted to transmit the proposed plan amendment.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

The Board accepted the finding of facts as advanced by staff and the LPA.

C. VOTE:

A. BRIAN BIGELOW

AYE

TAMMARA HALL

AYE

ROBERT P. JANES

AYE

RAY JUDAH

AYE

FRANKLIN B. MANN

AYE

**PART V - DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS,
RECOMMENDATIONS, AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT: January 16, 2009

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS

The Department of Community Affairs provided no Objections, Recommendations, or Comments on the proposed amendment.

B. STAFF RESPONSE

Planning staff recommend that the Board of County Commissioners adopt the proposed amendment as transmitted.

**PART VI - BOARD OF COUNTY COMMISSIONERS
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING: February 26, 2009

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

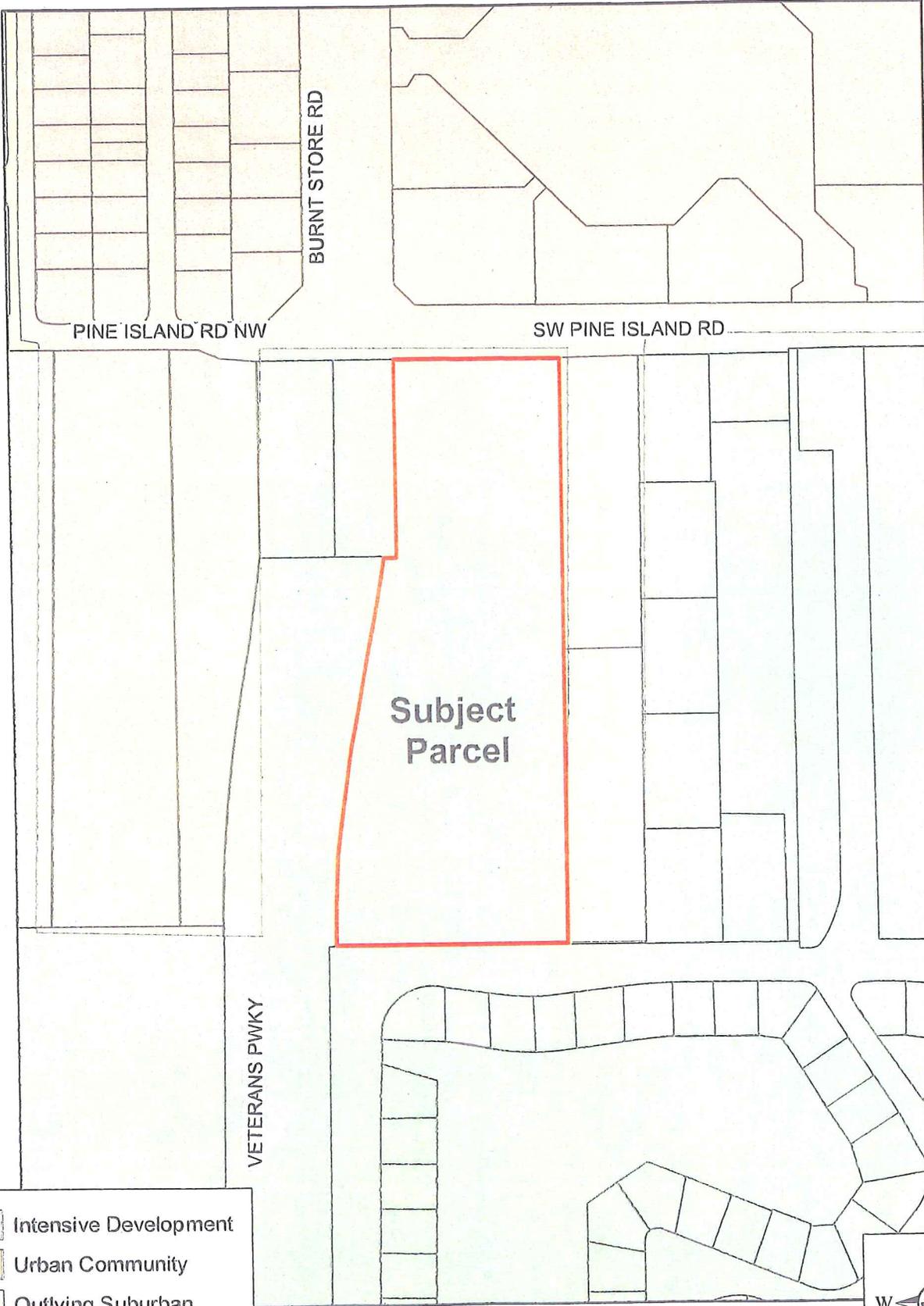
TAMMARA HALL

ROBERT P. JANES

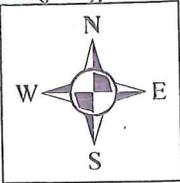
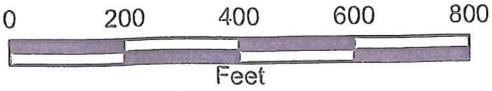
RAY JUDAH

FRANKLIN B. MANN

CPA2006-15 Cauthen Amendment Existing Future Land Use Map



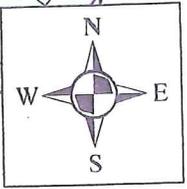
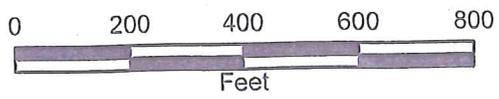
	Intensive Development
	Urban Community
	Outlying Suburban
	Rural



CPA2006-15 Cauthen Amendment Proposed Future Land Use Map



-  Commercial
-  Intensive Development
-  Urban Community
-  Outlying Suburban
-  Rural



**CPA2006-15
PRIVATELY SPONSORED
CAUTHEN AMENDMENT
TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

**Privately Sponsored Application
and Staff Analysis**

BOCC Adoption Document

*Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(239) 533-8585*

February 25, 2009

**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 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.

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

Planning staff and the applicant gave brief presentations.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

The LPA voted to transmit the proposed plan amendment. The LPA also voted to amend Lee Plan Map 7, the Future Sewer Service Areas Map to include the subject property. One LPA member asked the applicant about the planned uses for the subject property. The applicant stated that the property would include a mix of general retail uses with the possibility of hotel/motel space as well. Another member asked about the access to the property from both Pine Island Road and Veteran's Parkway. The applicant stated that they would seek a shared access with the gas station to the east on Pine Island Road. He then stated that there is a right-in/right-out access on Veteran's Parkway as previously designated by the Board of County Commissioners. The applicant may seek a shared access with the Royal Tee subdivision abutting the south side of the property.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

The LPA accepted the findings of fact as advanced by staff.

C. VOTE:

NOEL ANDRESS	AYE
LES COCHRAN	AYE
RONALD INGE	ABSENT
JACQUE RIPPE	ABSENT
CARLETON RYFFEL	AYE
LELAND M. TAYLOR	ABSENT
RAE ANN WESSEL	AYE

**PART IV - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: October 22, 2008

A. BOARD REVIEW:

The Board of County Commissioners provided no discussion concerning the proposed plan amendment. No public input was provided concerning the proposed plan amendment. This item was approved on the consent agenda.

BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

The Board of County Commissioners voted to transmit the proposed plan amendment.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

The Board accepted the finding of facts as advanced by staff and the LPA.

C. VOTE:

A. BRIAN BIGELOW

AYE

TAMMARA HALL

AYE

ROBERT P. JANES

AYE

RAY JUDAH

AYE

FRANKLIN B. MANN

AYE

**PART V - DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS,
RECOMMENDATIONS, AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT: January 16, 2009

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS

The Department of Community Affairs provided no Objections, Recommendations, or Comments on the proposed amendment.

B. STAFF RESPONSE

Planning staff recommend that the Board of County Commissioners adopt the proposed amendment as transmitted.

**PART VI - BOARD OF COUNTY COMMISSIONERS
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING: February 25, 2009

A. BOARD REVIEW:

This plan amendment was approved as part of the consent agenda. The Board provided no discussion concerning the proposed plan amendment. No Members of the public appeared.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

The Board of County Commissioners adopted the proposed plan amendment.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

The Board of County Commissioners accepted the finding of facts as advanced by Staff and the LPA.

C. VOTE:

A. BRIAN BIGELOW

AYE

TAMMARA HALL

AYE

ROBERT P. JANES

AYE

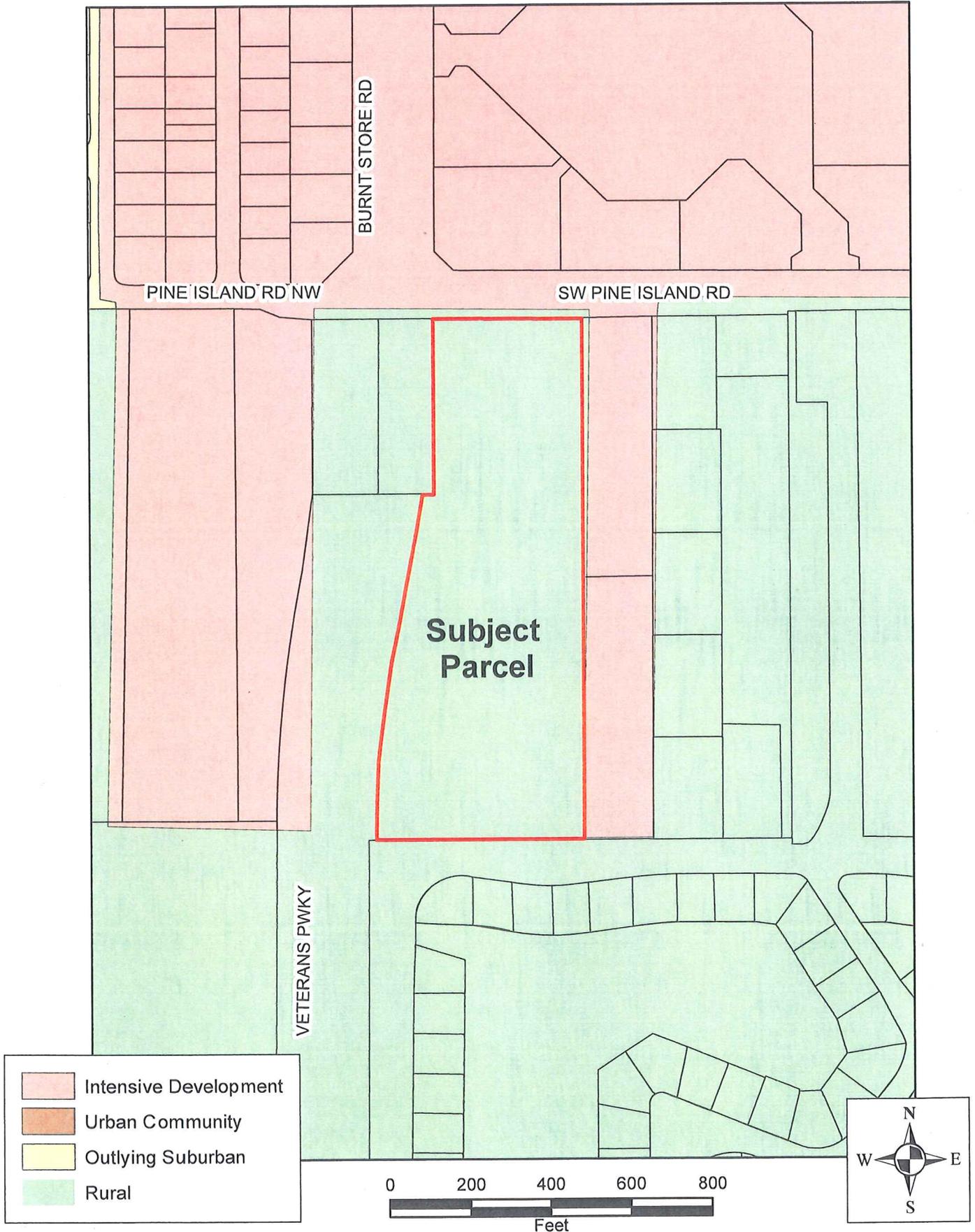
RAY JUDAH

AYE

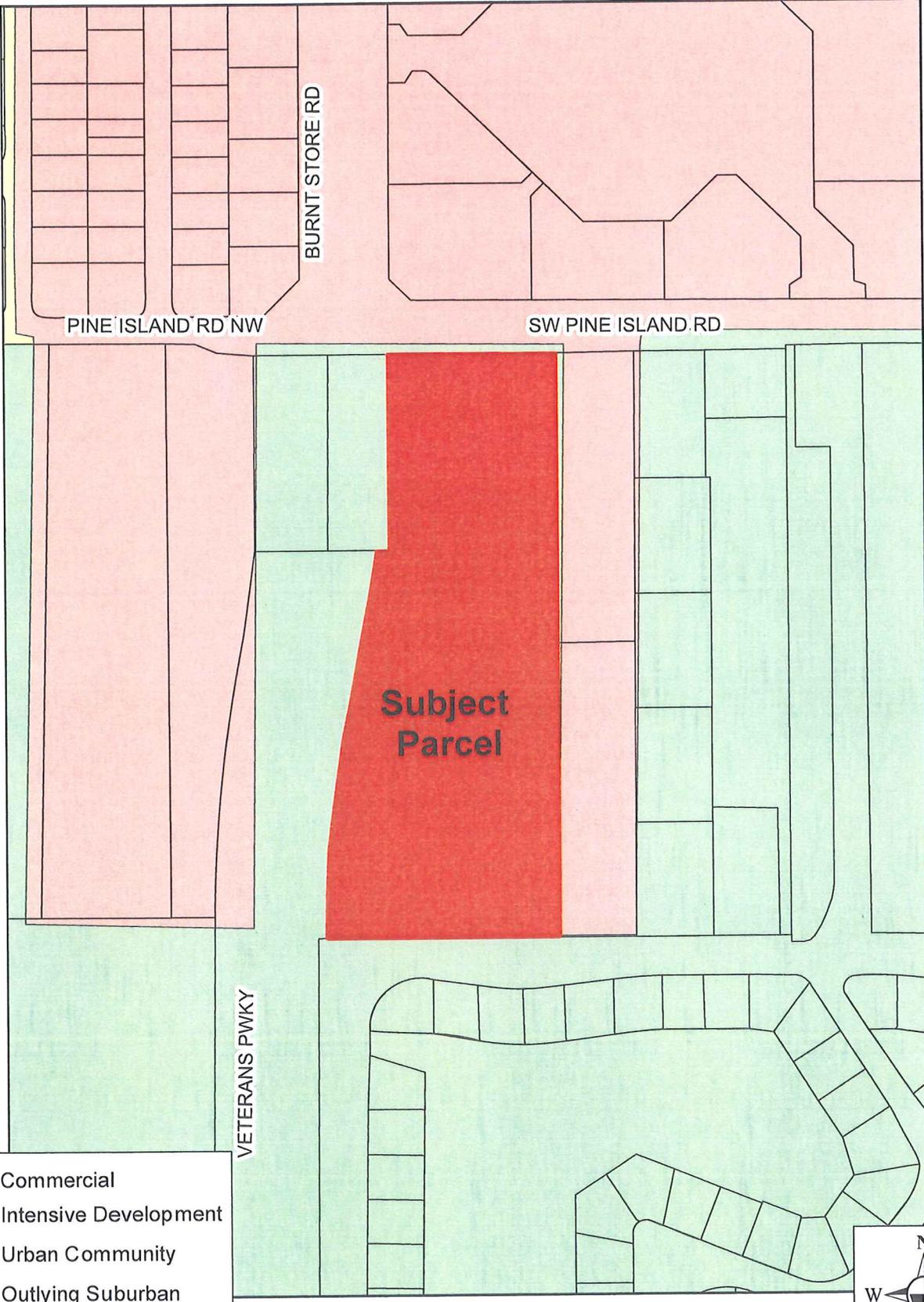
FRANKLIN B. MANN

AYE

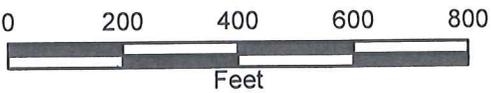
CPA2006-15 Cauthen Amendment Existing Future Land Use Map



CPA2006-15 Cauthen Amendment Proposed Future Land Use Map



	Commercial
	Intensive Development
	Urban Community
	Outlying Suburban
	Rural



RECEIVED

OCT 28 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

2006-00015

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.

03/14/08
DATE

Mike Ruedler
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 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

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.

[Handwritten Signature]
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

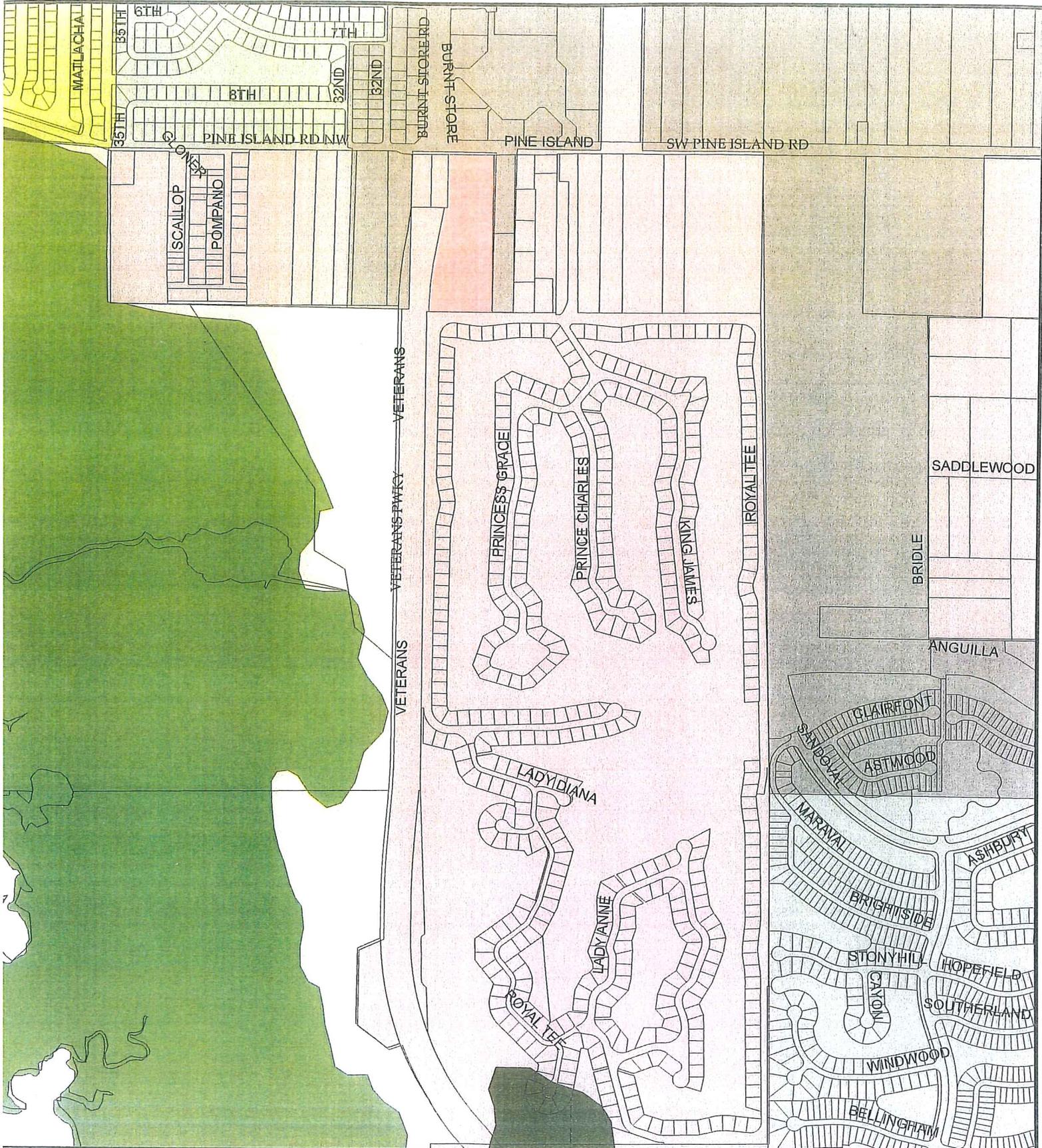
Candice L. Freese
Signature of notary public

Printed name of notary public

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.

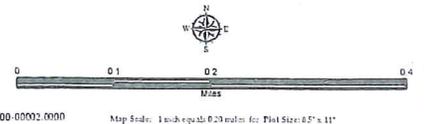
Future Land Use



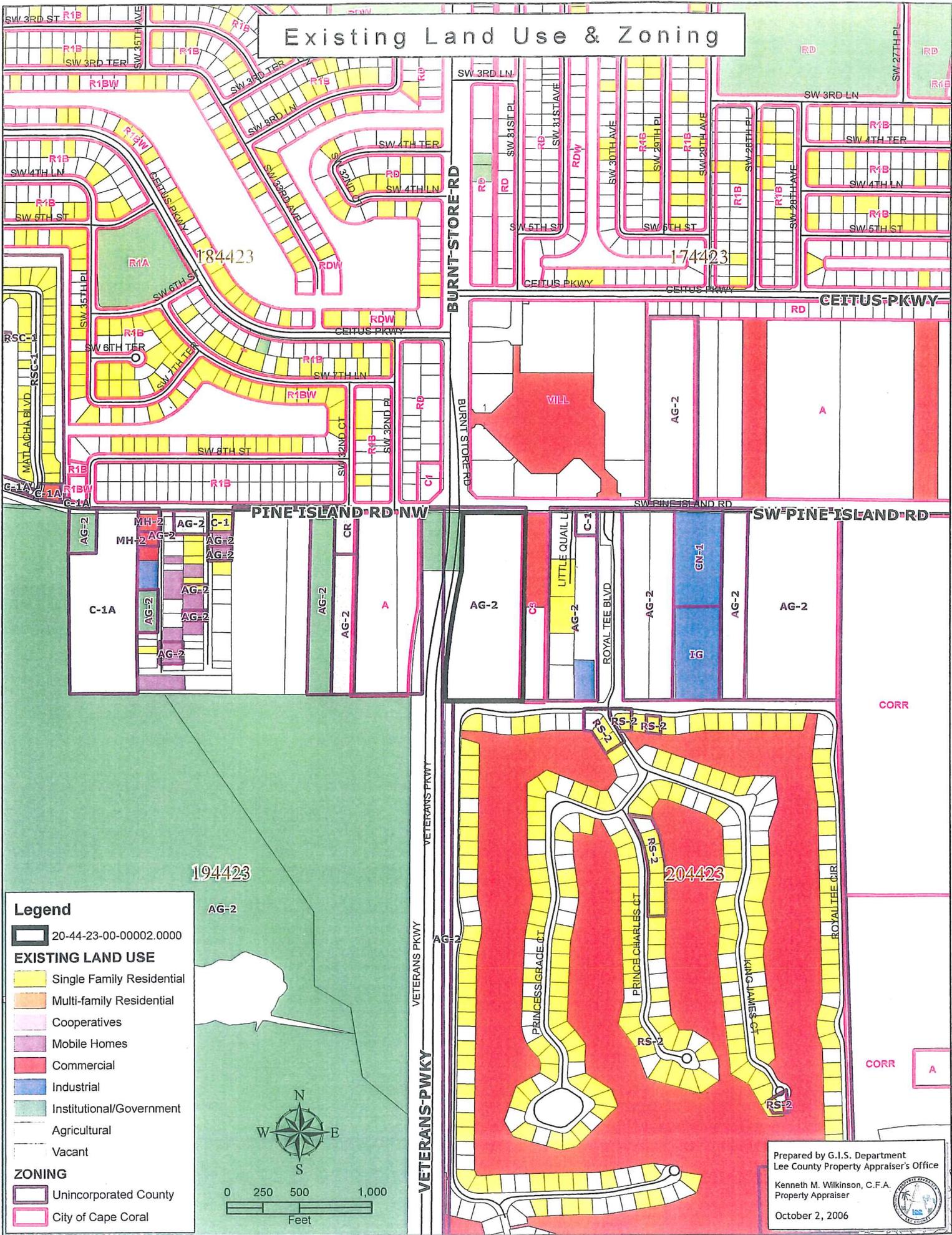
MAP DISCLAIMER:
Maps and documents made available to the public by the Lee County Property Appraiser's Office are not legally recorded maps or surveys and therefore are not intended to be used as such. The maps and documents are created as part of a Geographic Information System (GIS) that compiles records, 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 or information related to its accuracy, currentness, and limitations.

FUTURE LAND USE		Subject Parcel	
[Green Box]	Conservation Lands Upland	[Blue Box]	Parcel Within 500 Feet Buffer
[Light Green Box]	Conservation Lands Wetland	[White Box]	Parcel Lines
[Yellow Box]	Wildlife Development		
[Orange Box]	Outlying Suburban		
[Light Orange Box]	Rural		
[Pink Box]	Urban Community		
[Light Blue Box]	Wetlands		
[Grey Box]	Commercial		

Source: Lee County Property Appraiser
Lee County BOCC
Map Date: March 6, 2005S
Prepared By: Carol King
File Location: S:\GIS\ArcMapMXD\Knot\Consor_FLU_20-11-23-00-00002.000

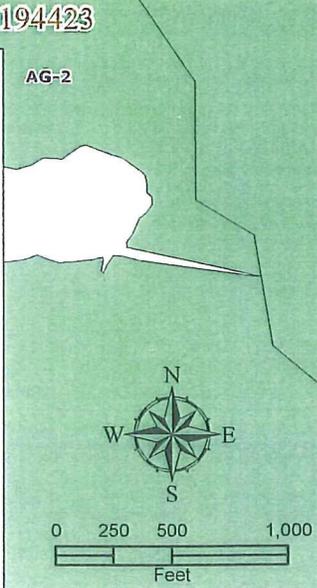


Existing Land Use & Zoning



Legend

- 20-44-23-00-00002.0000
- 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



Prepared by G.I.S. Department
Lee County Property Appraiser's Office
Kenneth M. Wilkinson, C.F.A.
Property Appraiser
October 2, 2006



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



INSTR # 6359326
OR BK 04367 Pgs 0202 - 213; (12pgs)
RECORDED 07/15/2004 04:21:46 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
DEED DOC 25,666.90
DEPUTY CLERK: S Sherwood

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

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.

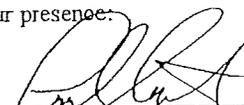
FURTHER, GRANTOR herein, being first duly sworn by the undersigned and by execution hereof, deposes and says: that the named Declaration of Trust set forth above, remains in full force and effect, never having been terminated and/or revoked. That said Declaration of Trust provides that the Trustee shall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

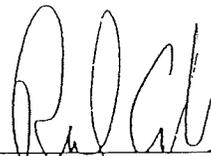
IN WITNESS WHEREOF, the said grantor has hereunto set grantor's hand and seal the day and year first above written:

Signed, sealed and delivered
in our presence:

(1)

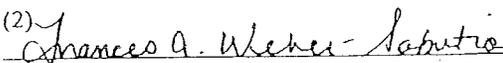


Signature of First Witness
Printed Name: Paul Sabutis



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. 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

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 ¾ 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 ¾ 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.





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

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

ARTICLES OF ORGANIZATION FOR FLORIDA
LIMITED LIABILITY COMPANY
OF

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

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

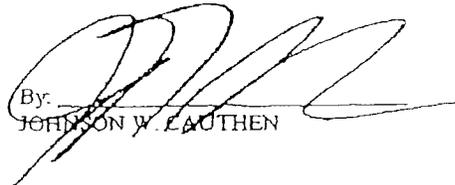
ARTICLE VI
Admission of Additional Members

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. EAUTHEN

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.

Deborah Lea Bollinger

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
Printed Name
Commission No. _____
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.

Deborah Lea Bollinger

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
Printed Name
Commission No. _____
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.

Deborah Lea Bollinger

NOTARY RUBBER STAMP SEAL
OR EMBOSSED SEAL

Notary Public
DEBBIE BOLLINGER
Printed Name
Commission No. _____
Expiration Date _____

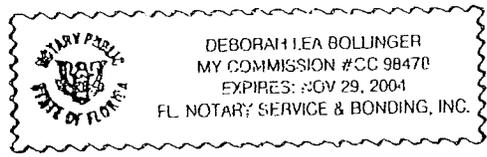


Exhibit "A"

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.

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#169834 - 07/14/2004

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EXHIBIT B.1



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 IB 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 IC 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.

APPENDIX

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TABLES 1A, 2A & 3A

TABLE 1A
PEAK DIRECTION LEVEL OF SERVICE THRESHOLDS

<u>ROADWAY</u>	<u>SEGMENT</u>	<u>ROADWAY CLASS</u>	<u>LOS A VOLUME</u>	<u>LOS B VOLUME</u>	<u>LOS C VOLUME</u>	<u>LOS D VOLUME</u>	<u>LOS E 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		Raw FSUTMS	PCS	PSWDT/AADT	2030	K-100	D	Total Traffic	LOS Serv.	LOS
		Lanes	LOS Std.	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

ROADWAY	SEGMENT	# Of		Raw FSUTMS	PCS	PSWDT/AADT	2030	K-100	D	Total Traffic	LOS Serv.	LOS
		Lanes	LOS Std.	PSWDT	#	Factor	AADT	Factor	Factor	Pk Direction	Volume	
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

NEW TAZ 1757

1 1757 181 10 9 386 0 30 70 0 0 0 0 0 0 0 0 99 0

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 road or road to be improved		F.C. EXISTING ROADWAY NETWORK AND COMPLETED ROADWAY PROJECTS TO BE BUILT BY FY 2030		IMPROVEMENT: Description of work following proposed treatment plan		FINANCIAL FEASIBILITY STATUS		
PROJ: Start of segment to be added or improved								
TO: End of segment to be added or improved								
FDOT								
2900	Alico Rd	U.S. 41	Dusty Rd		0.48	Last two years of SIS payoff	\$2,442,699	\$2,442,699
	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	-
	Caloosahatchee bridges		Cape Coral, Mid Point, U.S. 41, & Edison Bridges & their approaches			Stage II implementation	\$5,800,000	\$5,800,000
	Computerized traffic signal system		Countywide			Upgrade to ATMS	\$27,600,000	\$27,600,000
	Drawbridges		On S.R. 31 (Arcadia Rd) & Broadway (C.R. 78A) @ Caloosahatchee River, Pine Island Rd @ Mallecha 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	-
	Intermodal freight terminal		Slate Farmers Market, S.R. 78, at Alico Rd			TOPCIC/OPC terminal and team track	\$6,505,333	-
	L75 approach roads		Collier County line			SIS	\$3,250,000	-
	L75 detour routes		Collier County line			SIS, dynamic and/or static traffic blazer signs	\$3,810,000	-
	L75		Collier County line		1.05	SIS	\$13,322,000	-
	L75		@ Bonita Beach Rd		0.50	SIS	\$68,029,000	-
	L75		@ Coconut Rd			Allocation from \$10,000,000 federal earmark. See NOTE #1	-	-
	L75		Bonita Beach Rd		11.65	12 lanes; SIS and/or toll; 4 lanes may be toll express lanes	\$221,722,800	-
	L75		@ Colkerow Rd		0.50	SIS; construction only	\$23,461,000	-
	L75		Bonita Beach Rd			Interchange modification	\$2,630,000	-
	L75		Bonita Beach Rd			Interchange modification	\$204,019,200	-
	L75 collector-distributor roads		Alico Rd		3.16	SIS Connector, construction only	\$101,000,000	-
	L75 collector-distributor roads		Alico Rd		0.34	Second stage, if when Alico Erway is built; SIS connector	\$2,157,137	-
	L75		@ Colonia Blvd		0.50	Interchange modification	\$42,324,000	-
	L75		@ S.R. 82 (Dr Martin Luther King Jr Blvd)		0.50	Interchange modification	\$57,396,000	-
	L75		@ Luckett Rd		0.50	Interchange modification	\$3,770,000	-
	L75		S.R. 82 (Dr Martin Luther King Jr Blvd)		3.47	SIS	\$19,885,000	-
	L75		S.R. 80 (Palm Beach Blvd)		2.69	SIS, construction only	\$16,531,000	-
	L75		S.R. 80 (Palm Beach Blvd)		0.50	Interchange modification	\$4,235,000	-
	L75		@ S.R. 78 (Bayshore Rd)		5.77	SIS	\$33,089,000	-
	L75		S.R. 78 (Bayshore Rd)		5.77	SIS	\$64,026,920	-
	L75		@ Del Prado Blvd Ext			New Interchange	\$9,000,000	-
	Kennesaw connector		Fowler St		0.22	SIS	\$3,511,950	-
	Lee/Trans route 140					\$1,500,000 each in FY 2010/11 & 2011/12	\$4,826,360	\$4,826,360
	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
	S.R. 739 (Metro Pkwy)	U.S. 41	Six Mile Cypress Pkwy		1.25	CST only; Includes interchange with Alico Road & railroad overpass; Drapped from FDOT's draft tentative work program	\$48,000,000	\$48,000,000
	S.R. 739 (Metro Pkwy)		@ Six Mile Cypress Pkwy		0.50	Includes \$1,700,000 for open road tolling of 4L overpass	\$10,336,637	\$10,336,637
	S.R. 739 (Metro Pkwy)		Daniels Pkwy		1.25	CST only; Drapped from FDOT's draft tentative work program	\$45,952,463	\$45,952,463
	S.R. 739 (Metro Pkwy)		1800 North of Winkler Ave		4.58	Includes overpass over railroad	\$18,058,663	\$18,058,663
	S.R. 739 (Metro-Fowler connector)		Fowler St & Evans Ave		1.05	SIS	\$22,357,038	\$22,357,038
	S.R. 739 (Fowler St)		Metro-Fowler Connector		1.05	SIS	\$23,156,645	\$23,156,645
	S.R. 78 (Pine Island Rd)		Burnt Store Rd		2.05	Remainder of right of way & construction	\$6,750,132	\$6,750,132
	S.R. 78 (Pine Island Rd)		Skyline Blvd		1.40	SIS	\$5,082,598	\$5,082,598
	S.R. 78 (Pine Island Rd)		300 West of Santa Barbara Blvd		3.40	SIS	\$6,547,628	\$6,547,628
	S.R. 78 (Pine Island Rd)		Cultural Park Blvd		1.35	SIS	\$5,500,000	\$5,500,000
	S.R. 78 (Pine Island Rd)		@ Del Prado Blvd			Includes \$1,700,000 for open road tolling on 4L overpass	\$6,547,628	\$6,547,628
	S.R. 78 (Pine Island Rd)		Del Prado Blvd		0.31	SIS	\$1,503,529	\$1,503,529
	S.R. 80 (Palm Beach Blvd)		Buckingham Rd		2.49	SIS	\$18,056,122	\$18,056,122
	S.R. 82 (Dr Martin Luther King Jr Blvd)		Park St Dr		1.11	Emerging SIS connector	\$347,102	\$347,102
	S.R. 82 (Dr Martin Luther King Jr Blvd)		Tiler Rd		0.60	Included in L75 interchange modification project	-	-
	S.R. 82 (Dr Martin Luther King Jr Blvd)		Yeter Rd		2.93	Emerging SIS	\$25,628,100	\$25,628,100
	S.R. 82 (Dr Martin Luther King Jr Blvd)		Wallace Ave		13.51	Emerging SIS	\$87,175,286	\$87,175,286
	S.R. 82 (Immokalee Rd)		Wallace Ave			Emerging SIS	\$7,590,880	\$7,590,880
	S.R. 865 (San Carlos Blvd)		Summerlin Rd		1.50	SIS	\$9,812,593	\$9,812,593
	S.R. 867 (McGregor Blvd)		A & W Bulb Rd		0.67	SIS	\$900,000	\$900,000
	S.R. 887 (McGregor Blvd)		500 South of Davis Dr			Add 1 NB Lane	\$900,000	\$900,000

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

ROAD ELEMENT: Where all or part of road to be improved		EXISTING roadway network plus COMMITTED roadway projects to be built by FY 2005		FINANCIAL FEASIBILITY STATUS					
PROJECT: Start of segment to be added or improved		IMPROVEMENT: Description of facility including proposed investment							
TOL: End of segment to be added or improved									
LEE COUNTY									
22104	19th St W	Tens Ave N	Ann Ave @ 9th St W	2.75	Connect across canals	\$23,769,743	\$23,769,743	Feasible	
22106	40th St SW Ext	Current terminus	Alabama Rd	0.10		\$1,878,049	\$1,878,049	Feasible	
22108	61st St W	Cometary Rd at Stratton Rd	Sunshine Blvd	2.11	Connect across canals	\$16,385,011		Continued	
22157	9th St W	Ann Ave at 19th St W	Richmond Ave	2.34		\$30,761,430	\$30,761,430	Feasible	
22164	9th St E		@ Thompson Ave and Dayton Ave	0.20	Realize benefits	\$2,058,818	\$2,058,818	Feasible	
22183	Alabama Rd	40th St SW Ext	Sunrise Blvd Ext	1.06		\$12,174,215	\$12,174,215	Feasible	
22184	Alico Expwy	Summerlin Rd	S.R. 82 (Immokalee Rd)	18.35	Potential Sunbelt Causeway surplus toll project; Includes 4 toll collection gantries & 2 equipment buildings			Continued	
22185	Andree Ln	Ham Highway Dr	Metro Pkwy	None		\$7,983,631	\$7,983,631	Feasible	
22187	Arbonwood Pkwy Ext	Fort Myers city limits	Gateway Blvd	None		\$19,884,209	\$19,884,209	Feasible	
22188	Base Rd Ext	Gladious Dr	A & W Bulb Rd	None		\$10,852,788		Continued	
22189	Ben Hill Griffin Pkwy	FGCU Blvd	1 mile South of Alico Rd	3.16	Not needed by 2030 if CR 951 Ext is included	\$15,408,878		Continued	
22190	Both Stacey Blvd Ext	SW 23rd St	Milwaukee Blvd	None		\$5,946,896	\$5,946,896	Feasible	
22034	Bonita Beach Rd	Vanderbilt Dr	Old U.S. 41 Rd (C.R. 887)	2.36		\$25,783,783	\$25,783,783	Feasible	
22081	Bonita Beach Rd	Old U.S. 41 Rd (C.R. 887)	Impenal St	4.12		\$11,097,000	\$11,097,000	Feasible	
22249	Boy Scout Dr	Summerlin Rd	U.S. 41 (Cleveland Ave)	6.00		\$5,881,215		Continued	
22251	Buckingham Rd Ext	S.R. 82 (MLK Blvd) @ Manson St Ext	800' North of current S.R. 82 intersection	None		\$8,536,558	\$8,536,558	Feasible	
22252	Buckingham Rd	Orange River Blvd	S.R. 80 (Palm Beach Blvd)	2.55		\$28,760,000		Continued	
22253	Buckingham Rd	Gunnery Rd	Orange River Blvd	2.95		\$29,595,847		Continued	
22270	Burnt Store Rd / Veterans Expwy		@ S.R. 78 (Pine Island Rd)	0.50	Surplus toll revenue project, county share			Continued	
22271	Burnt Store Rd	S.R. 78 (Pine Island Rd)	Van Buren Pkwy	3.10	Surplus toll revenue project, county share			Continued	
22281	Burnt Store Rd	Kismet Pkwy	Charlotte County line	6.00	Surplus toll revenue project, county share			Continued	
22282	Burnt Store Rd		@ Toll Plaza		Convert existing toll facilities to open road tolling			Continued	
22287	Cape Coral Bridge				Convert existing toll facilities to open road tolling			Continued	
22302	C.R. 951 Ext	Collier County line	Bonita Beach Rd	1.00	Limited access expressway			Continued	
22303	C.R. 951 Ext	Bonita Beach Rd	Alico Expwy	14.24	Limited access expressway, includes 3 toll collection gantries & 2 equipment buildings			Continued	
22304	C.R. 951 Ext		@ Alico Expwy		Cost estimate assumes a trumpet interchange			Continued	
22321	Cedartree Ave & Ext	Buckingham Rd	Centennial Blvd	0.35		\$5,072,309	\$5,072,309	Feasible	
22322	Centennial Blvd	Cedartree Ave	Gunnery Road	0.42		\$7,184,482	\$7,184,482	Feasible	
22323	Centennial Blvd Ext	Gunnery Rd	Sunset Rd	None		\$3,144,438	\$3,144,438	Feasible	
22324	Coastal area IMS expansion		On Bonita Beach Rd, Estero Blvd, S.R. 865 & Pine Island Rd		In addition to implementation		\$4,820,000	\$4,820,000	Feasible
22325	Coconut Rd Ext		Old Lighthouse Rd	1.75		\$11,800,000		Continued	
22326	Coconut Rd Ext		1-75	None		\$25,200,000		Continued	
22327	Coconut Rd Ext		C.R. 951 Ext	1.07				Continued	
22328	Coconut Rd Ext		@ C.R. 951 Ext		Not needed if C.R. 951 Ext is not included			Continued	
22329	Colonial Blvd (S.R. 884)	Midpoint Bridge	East of Summerlin Rd	0.45				Continued	
22330	Colonial Blvd (S.R. 884)	East of Summerlin Rd	U.S. 41 (Cleveland Ave)	0.50				Continued	
22331	Colonial Blvd (S.R. 884)	U.S. 41 (Cleveland Ave)	East of U.S. 41 (Cleveland Ave)	0.18				Continued	
22332	Colonial Blvd express lanes	Midpoint Bridge	East of U.S. 41 (Cleveland Ave)		Includes 2 toll collection gantries & 1 equipment building			Continued	
22333	Colonial Blvd (S.R. 884)	East of U.S. 41 (Cleveland Ave)	East of Fowler St	0.54				Continued	
22334	Colonial Blvd (S.R. 884)	East of Fowler St	S.R. 739 (Metro Pkwy)	0.81				Continued	
22335	Colonial Blvd (S.R. 884)		@ S.R. 739 (Metro Pkwy)		Toll funding, but contingent upon supplemental discretionary funding; cost includes open road tolling			Continued	
22336	Colonial Blvd (S.R. 884)	S.R. 739 (Metro Pkwy)	East of S.R. 739 (Metro Pkwy)	0.27				Continued	
22337	Colonial Blvd (S.R. 884)	East of U.S. 41 (Cleveland Ave)	East of S.R. 739 (Metro Pkwy)		Includes 2 toll collection gantries & 1 equipment building			Continued	
22338	Colonial Blvd (S.R. 884)	East of S.R. 739 (Metro Pkwy)	West of Winkler Ave	1.56				Continued	
22339	Colonial Blvd (S.R. 884)	West of Winkler Ave	1-75 West side ramps	1.28				Continued	
22340	Colonial Blvd (S.R. 884)	1-75 West side ramps	East of Forum Blvd	0.69				Continued	
22341	Colonial Blvd (S.R. 884)	East of S.R. 739 (Metro Pkwy)	East of Forum Blvd		Includes 3 toll collection gantries & 1 equipment building			Continued	
22342	Colonial Blvd (S.R. 884)	East of Forum Blvd	West of S.R. 82 (MLK Blvd-Immokalee Rd)	1.47				Continued	
22343	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	Powering must be raised			Continued	
22344	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			Continued	
22345	Colonial Blvd (S.R. 884)	East of Forum Blvd	Ben Hill Griffin Pkwy	0.63	Not needed once Estero Parkway Ext is completed	\$5,184,267		Continued	

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 in turn 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

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District Two

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

Donald D. Stillwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

September 26, 2006

Mr. Mike Roeder, AICP
Knott, Consoer, Ebelini, Hart & Swell, 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



LEE COUNTY
SOUTH WEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

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County Manager

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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

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

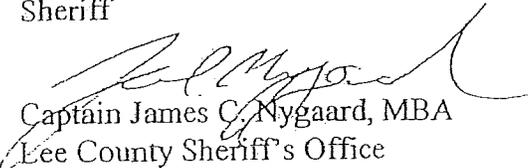
Dear Mr. Roeder

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)





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



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,

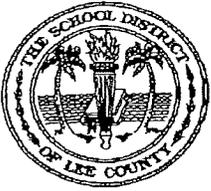
Jeff Mikell
Division Chief

JNM/nis: (3150 SW Pine Island Road)



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





THE SCHOOL DISTRICT OF LEE COUNTY

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

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DISTRICT 3

JAMES W. BROWDER, ED.D.
SUPERINTENDENT

KEITH B. MARTIN
BOARD ATTORNEY

September 29, 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.

The proposed maximum total of 200 dwelling units which was specified in the letter, did not state whether these are single family or multi-family units. At this time I will use the generation rate for single family units because it is the higher of the two rates. The Lee County School District is estimating that the proposal could generate up to 63 additional school-aged children. This uses the single family generation rate of 0.316 students per dwelling unit (if you need the multi-family generation rate it is 0.125).

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 rate.

Thank you for your attention to this issue. If I may be of further assistance, please give me a call at (239) 335-1415.

Sincerely,

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

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 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.

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.

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.

	 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/fmsff>

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 one category that would allow it to be developed to its full potential is the Commercial 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.

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



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.

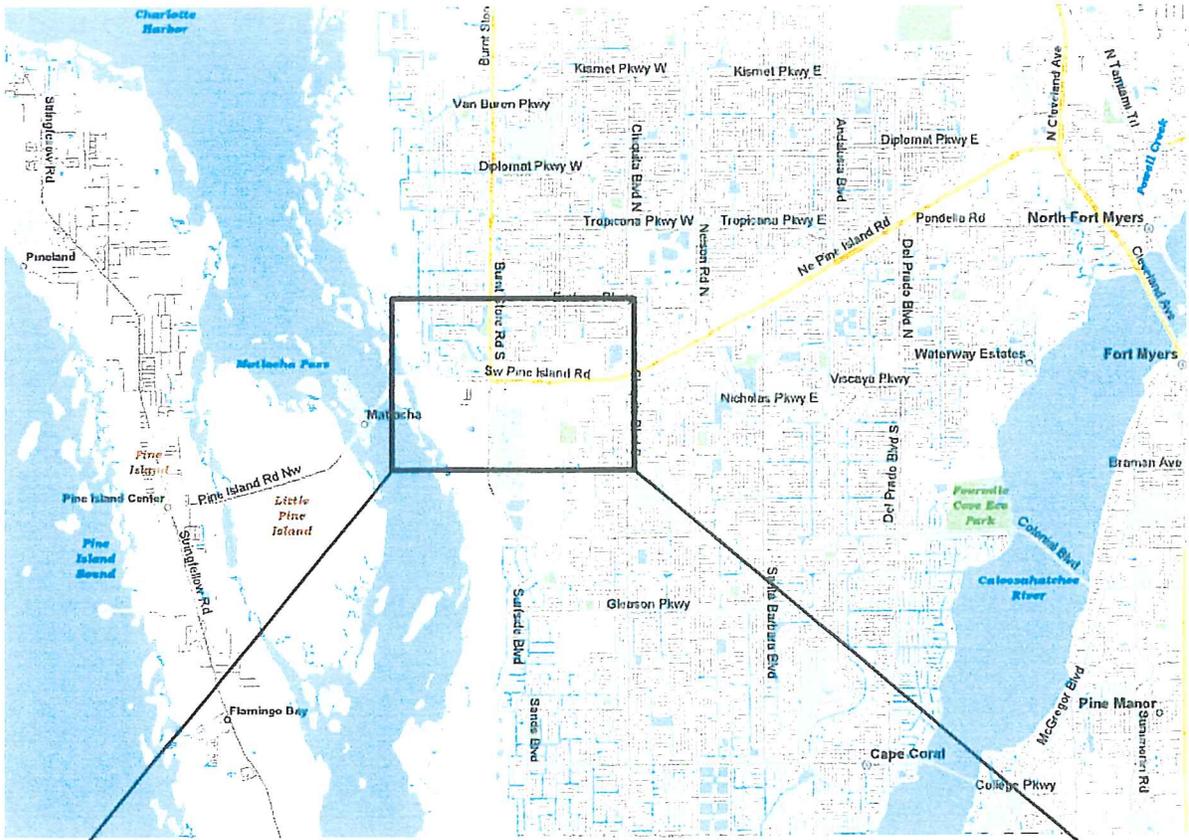
Should you have any questions regarding the site inspections or this report, please do not hesitate to contact me at 287-2706.

Sincerely,

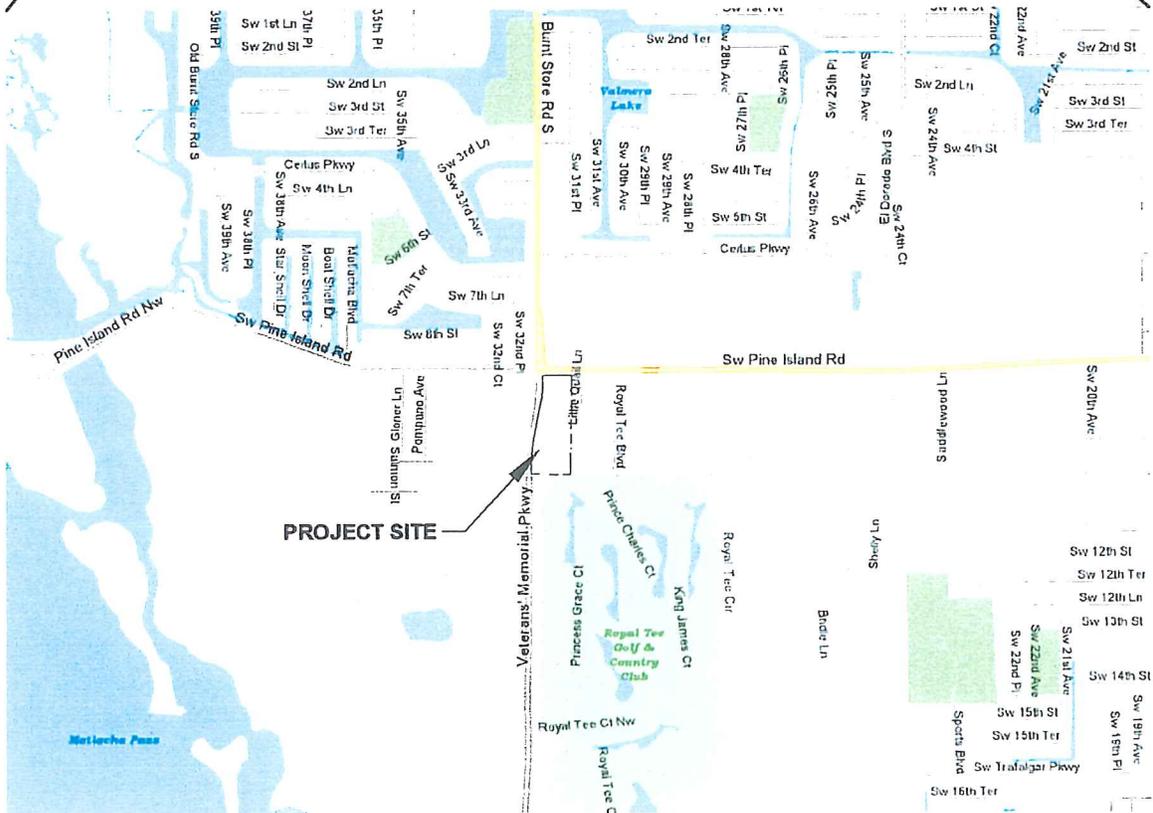
A handwritten signature in black ink, appearing to read "Jeffrey A. Adair". The signature is written in a cursive style with a large initial "J".

Jeffrey A. Adair
President

LOCATION MAP:



VICINITY MAP:



PROJECT SITE

SCALE	N.T.S.
CAD FILE	Pine Island 13.5
DWG NO	MAPS
SHEET	1 of 10

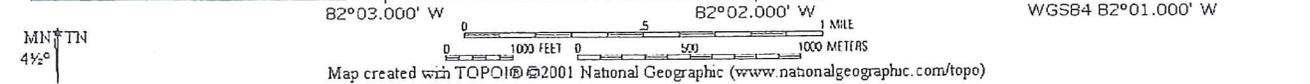
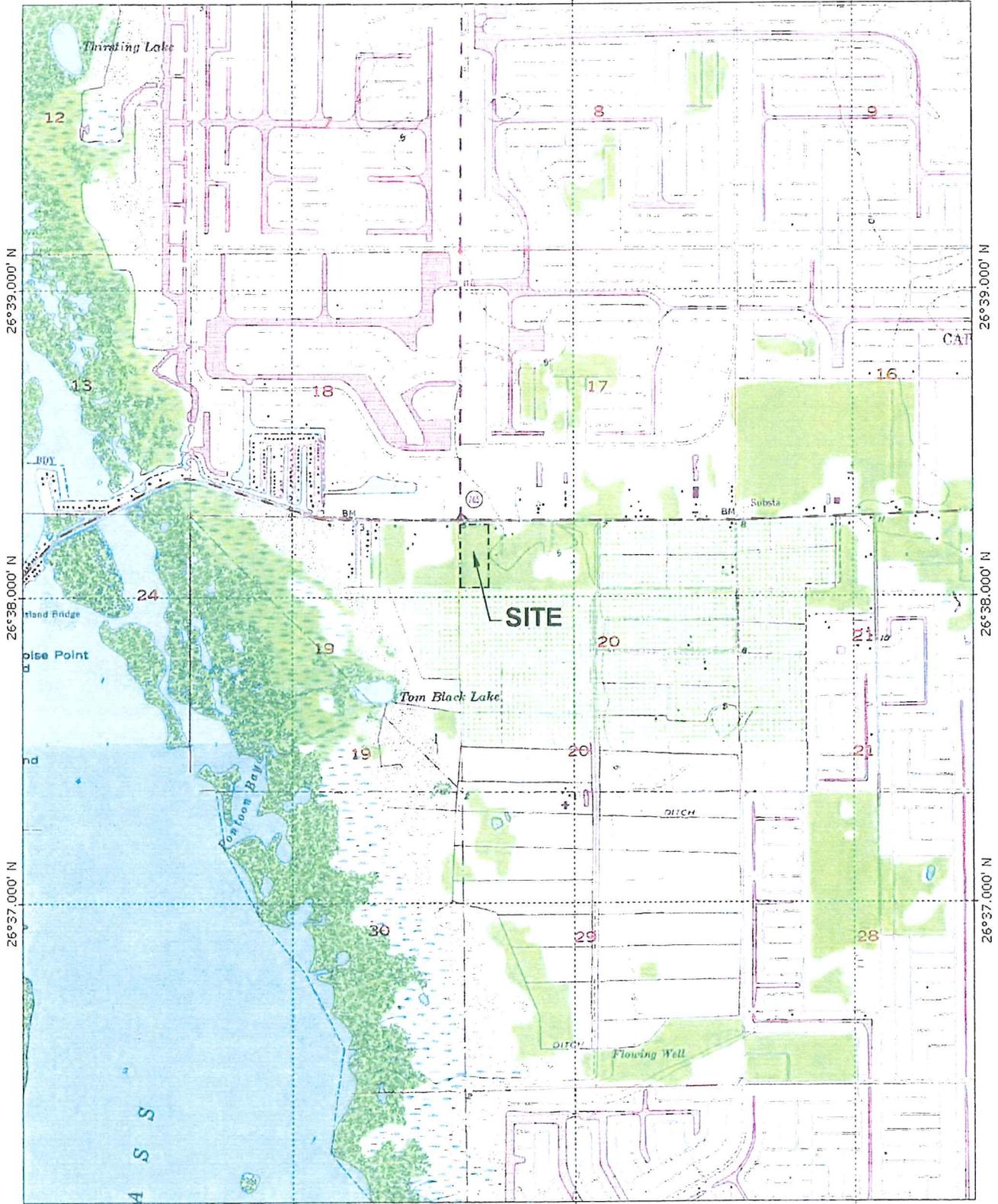
DESIGN BY:	JAA
DRAWN BY:	DFB
CHECKED BY:	JAA
DATE:	4/25/07
Jeffrey A. Adair	

ERC
ENVIRONMENTAL RESTORATION CONSULTANTS, INC.
 P.O. BOX 110394, NAPLES, FL 34108
 Telephone: 239.692.0088
 Cell: 239.267.2708
 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
LOCATION MAP

DATE	REVISIONS



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

SCALE	N.T.S.
CAD FILE	Pine Island 13.5
DWGGR	MAPS
SHEET	2 of 10

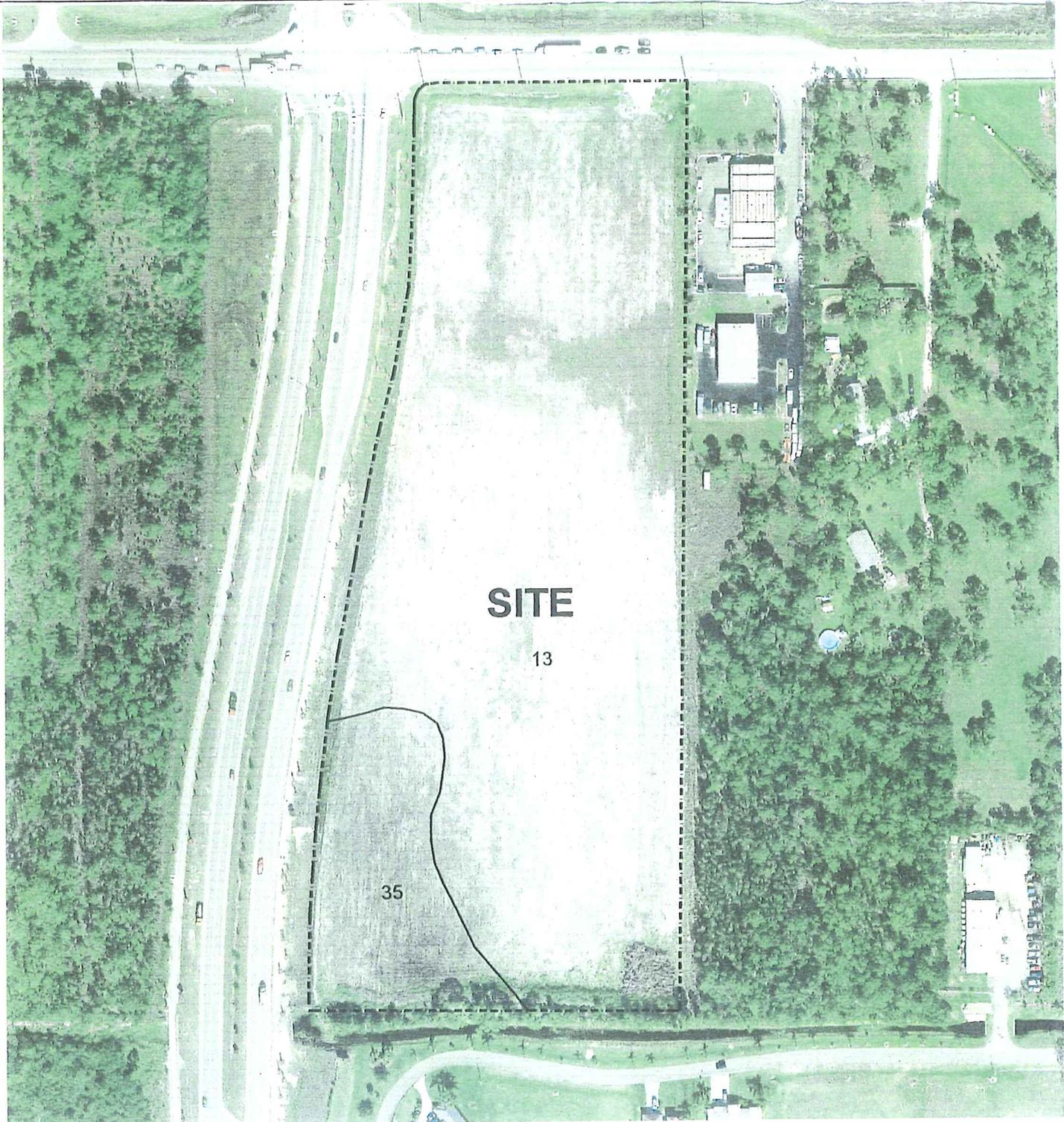
DESIGN BY: JAA
 DRAIN BY: DFB
 CHECKED BY: JAA
 DATE: 4/25/07

ENVIRONMENTAL RESTORATION CONSULTANTS, INC.
 P.O. BOX 110894, NAPLES, FL 34108
 Telephone: 239.592.0058
 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
 USGS MAP

DATE	REVISIONS
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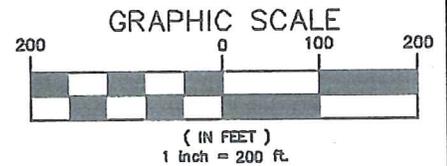
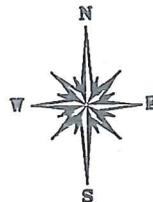
SOILS LEGEND:

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

----- PROJECT BOUNDARY

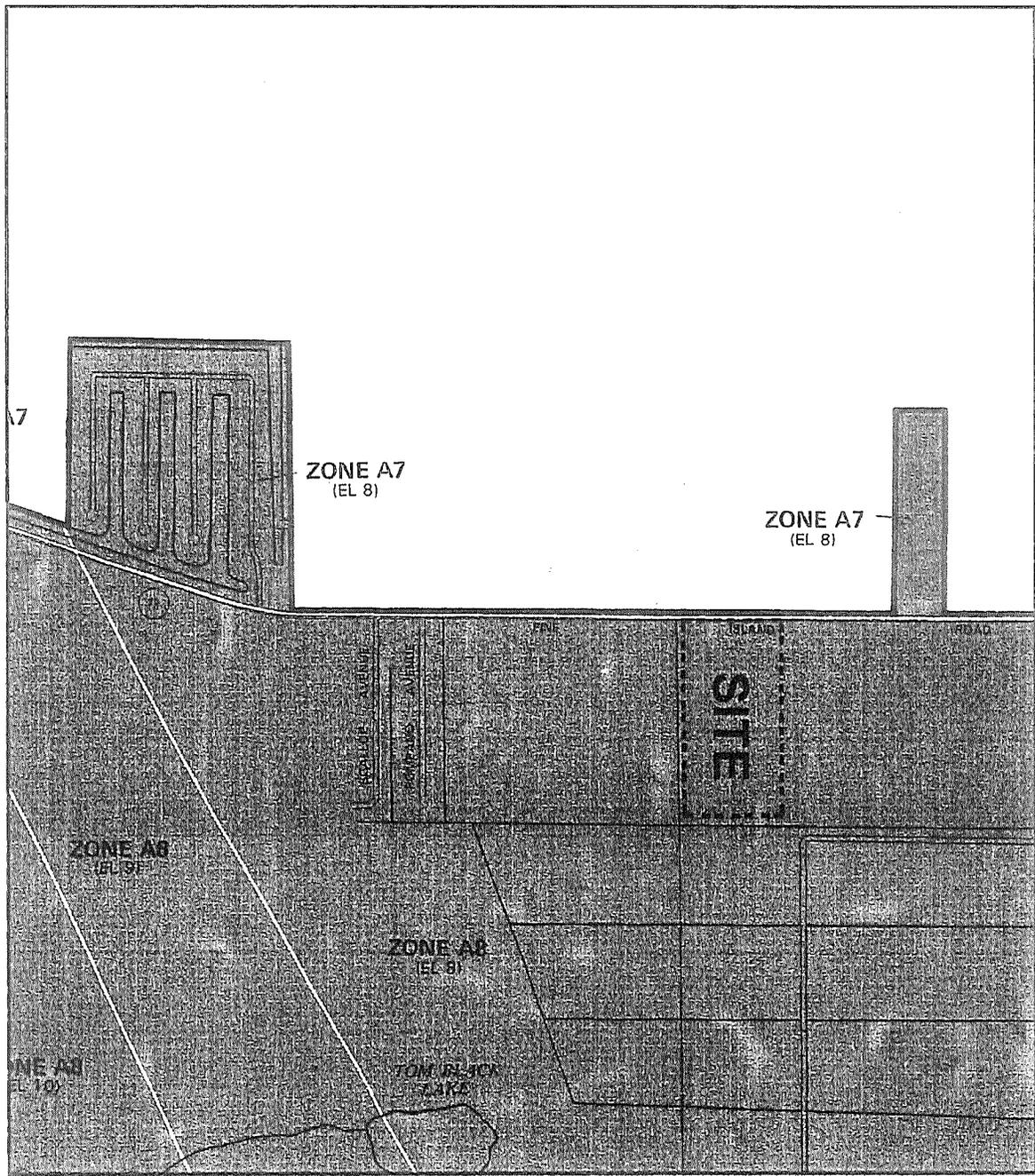
SOURCE OF INFORMATION:

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: 4/25/07	<p>ENVIRONMENTAL RESTORATION CONSULTANTS, INC.</p> <p><small>ERC is the registered and trademarked service mark of Environmental Restoration Consultants, Inc. and is not to be used by any other party without the express written consent of Environmental Restoration Consultants, Inc. All other marks in this document are the property of Environmental Restoration Consultants, Inc. and may not be reproduced in whole or in part without the permission of Environmental Restoration Consultants, Inc. © 2007</small></p>	<p>CLIENT: Island Road, LLC 4353 Michigan Link Fort Myers, Florida 33916</p>	<p>Pine Island Road - 13.5 Ac. SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA</p>	<table border="1"> <thead> <tr> <th>DATE</th> <th>REVISIONS</th> </tr> </thead> <tbody> <tr><td> </td><td> </td></tr> </tbody> </table>	DATE	REVISIONS												
DATE	REVISIONS																		
<p>CAD FILE: Pine Island 13.5</p> <p>DWG NO: MAPS</p> <p>SHEET: 3 of 10</p> <p>Jeffrey A. Adair</p>	<p>SOILS MAP</p>																		

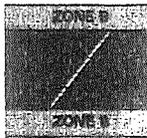
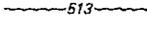
SCALE N.T.S.	DESIGNER JAA	 <p>ENVIRONMENTAL RESTORATION CONSULTANTS, INC. P.O. BOX 110994 N.W. 45th St., Ft. Lauderdale, FL 33410 Tel: (954) 571-2700 Fax: (954) 571-2700 Email: ERCONS@COMCAST.NET</p>										
CAD FILE Pine Island IS	CHECKED BY JAA											
DWG NO MAPS	DATE JCSW	CLIENT: Island Road, LLC 4353 Michigan Link Fort Myers, Florida 33916										
SHEET 4 of 10	DESIGNED BY Jeffrey A. Adair	Pine Island Road - 13.5 AC. SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA FIRM PANEL # 125124 0170 B										
		<table border="1"> <tr> <th>DATE</th> <th>REVISIONS</th> </tr> <tr> <td> </td> <td> </td> </tr> </table>	DATE	REVISIONS								
DATE	REVISIONS											



APPROXIMATE SCALE



KEY TO MAP

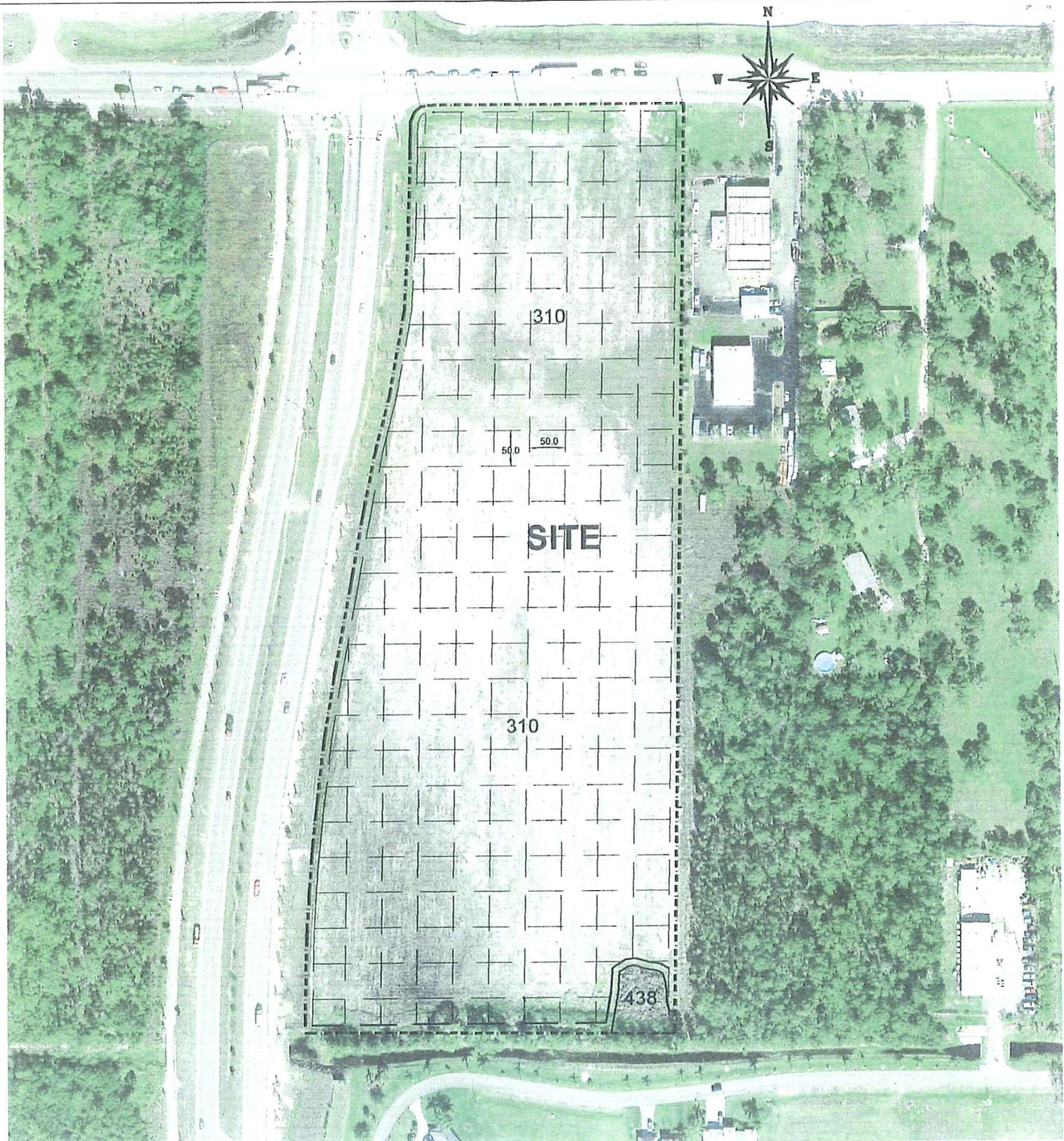
- 500-Year Flood Boundary ————
 - 100-Year Flood Boundary ————
 - Zone Designations* 
 - 100-Year Flood Boundary ————
 - 500-Year Flood Boundary ————
 - Base Flood Elevation Line With Elevation In Feet**  513
 - Base Flood Elevation In Feet Where Uniform Within Zone** (EL 987)
 - Elevation Reference Mark RM7_X
 - 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

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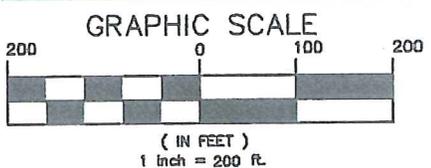
LEGEND

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

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. <small>INCORPORATED IN FLORIDA</small> P.O. BOX 110694, NAPLES, FL 34109 Telephone: 239.592.0088 Cell: 239.207.2708 EMAIL: ERCONC@COMCAST.NET	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	DWGNG MAPS		SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA	EXISTING FLUCCS MAP	△	
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:	Pine Island Road - 13.5 Ac. SECTION 20, TOWNSHIP 44 S., RANGE 23 E. LEE COUNTY, FLORIDA	SITE PHOTO 1	SCALE: N.T.S.	DESIGN BY: DPB	
		△	_____			CLIENT: Island Road, LLC 4353 Michigan Link Fort Myers, Florida 33916	PROJECT FILE: Pine Island 13.5	DRAWN BY: DPB
		△	_____				DWG NO: MAPS	CHECKED BY: JA
		△	_____				SHEET: 7 of 10	DATE: 4/25/07
△	_____		Jeffrey A. Adair					

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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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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

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



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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

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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.



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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

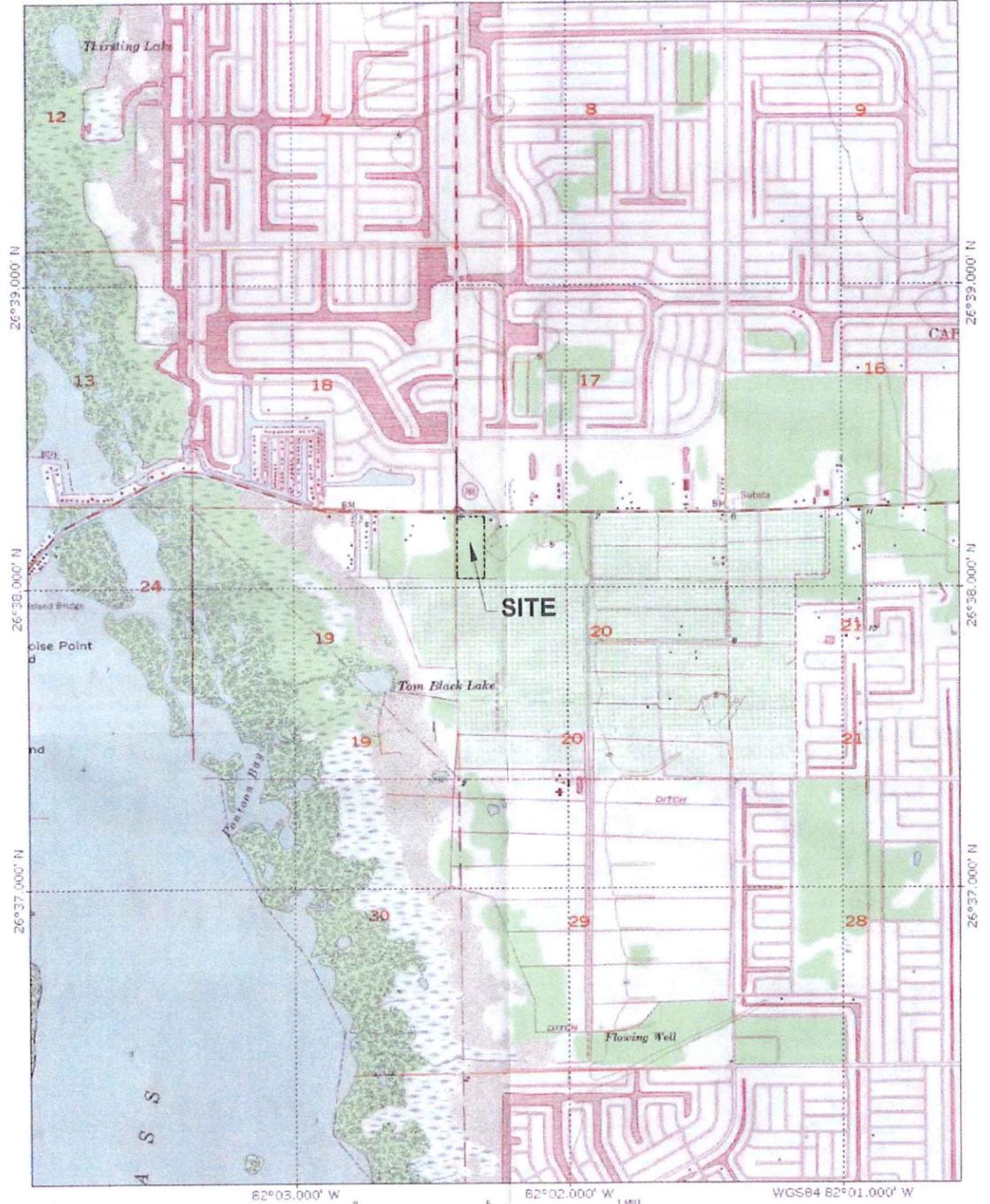
SHEET:
10 of 10

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

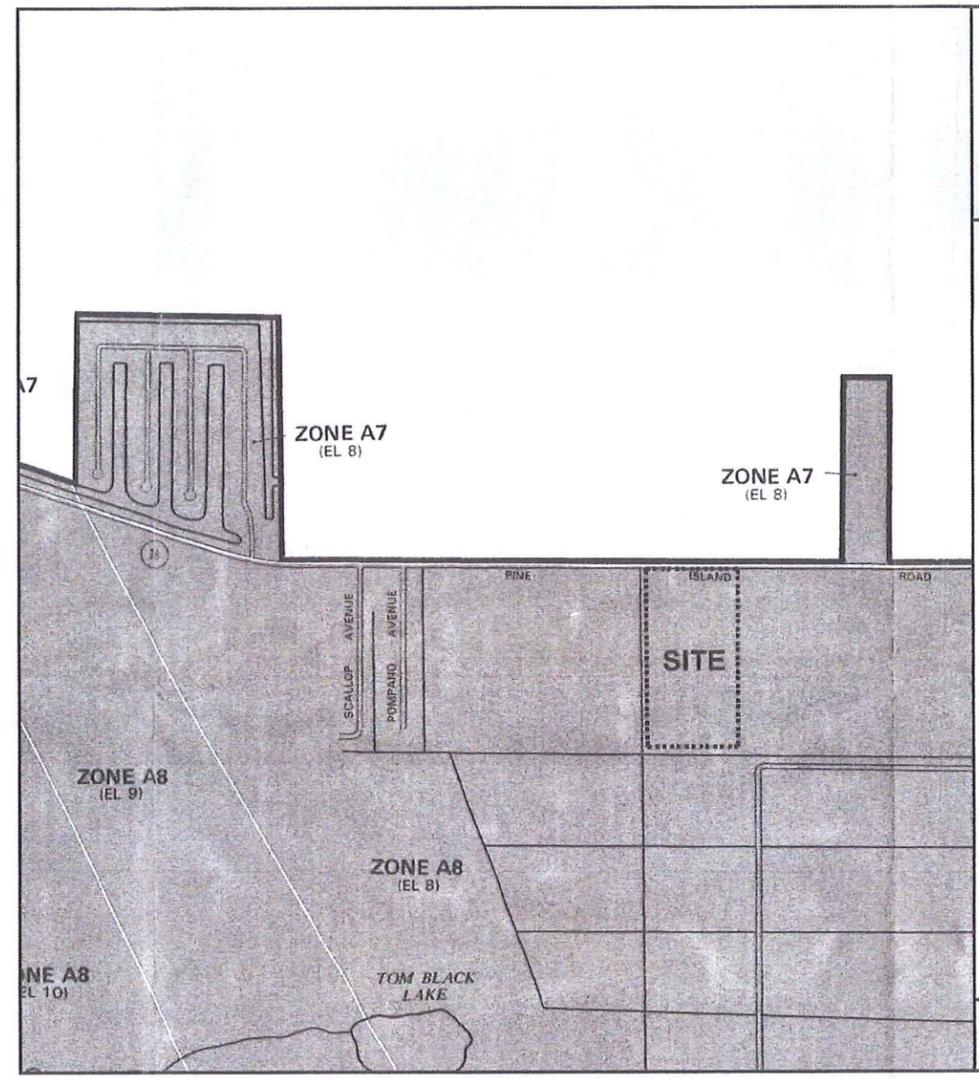
Jeffrey A. Adair

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 Scale: 1 inch = 1000 feet / 1:125,000
 WGS84 82°01.000' W





APPROXIMATE SCALE



KEY TO MAP

500-Year Flood Boundary		ZONE B
100-Year Flood Boundary		
Zone Designations*		
100-Year Flood Boundary		ZONE B
500-Year Flood Boundary		
Base Flood Elevation Line With Elevation In Feet**		
Base Flood Elevation In Feet Where Uniform Within Zone**		(EL 987)
Elevation Reference Mark		
Zone D Boundary		
River Mile		

**Referenced to the National Geodetic Vertical Datum of 1929

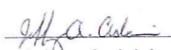
***EXPLANATION OF ZONE DESIGNATIONS**

ZONE	EXPLANATION
A	Areas of 100-year flood; base flood elevations and flood hazard factors not determined.
AD	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.
A59	Areas of 100-year flood to be protected by flood protection system under construction; base flood elevations and flood hazard factors not determined.
B	Area 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.

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FIRM PANEL # 125124 0170 B

SCALE:	N.T.S.
CAD FILE:	Pine Island - Veterans
DWG NO.:	Pine Island Rd - MAPS
SHEET:	1 OF 1
DESIGN BY:	JAA
DRAWN BY:	DPB
CHECKED BY:	JAA
DATE:	AUGUST 26, 2006
 Jeffrey A. Adair	



ENVIRONMENTAL RESTORATION CONSULTANTS, INC.

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

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

DATE	REVISIONS



EXISTING FLUCCS MAP

310 - HERBACEOUS (DRY PRAIRE) 13.35 Ac.
 438 (E) - Mixed Hardwoods (Exotics) 0.15 Ac.
 TOTAL SITE = 13.50 Ac.

----- SITE BOUNDARY



SOILS MAP

SOILS LEGEND:

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

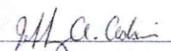
----- PROJECT BOUNDARY

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" = 100'
CAD FILE	Pine Island - Veterans
DWG NO.	Pine Island Rd - MAPS
SHEET	1 OF 2

DESIGN BY:	JAA
DRAWN BY:	DPB
CHECKED BY:	JAA
DATE:	APRIL 25, 2007
 Jeffrey A. Adair	


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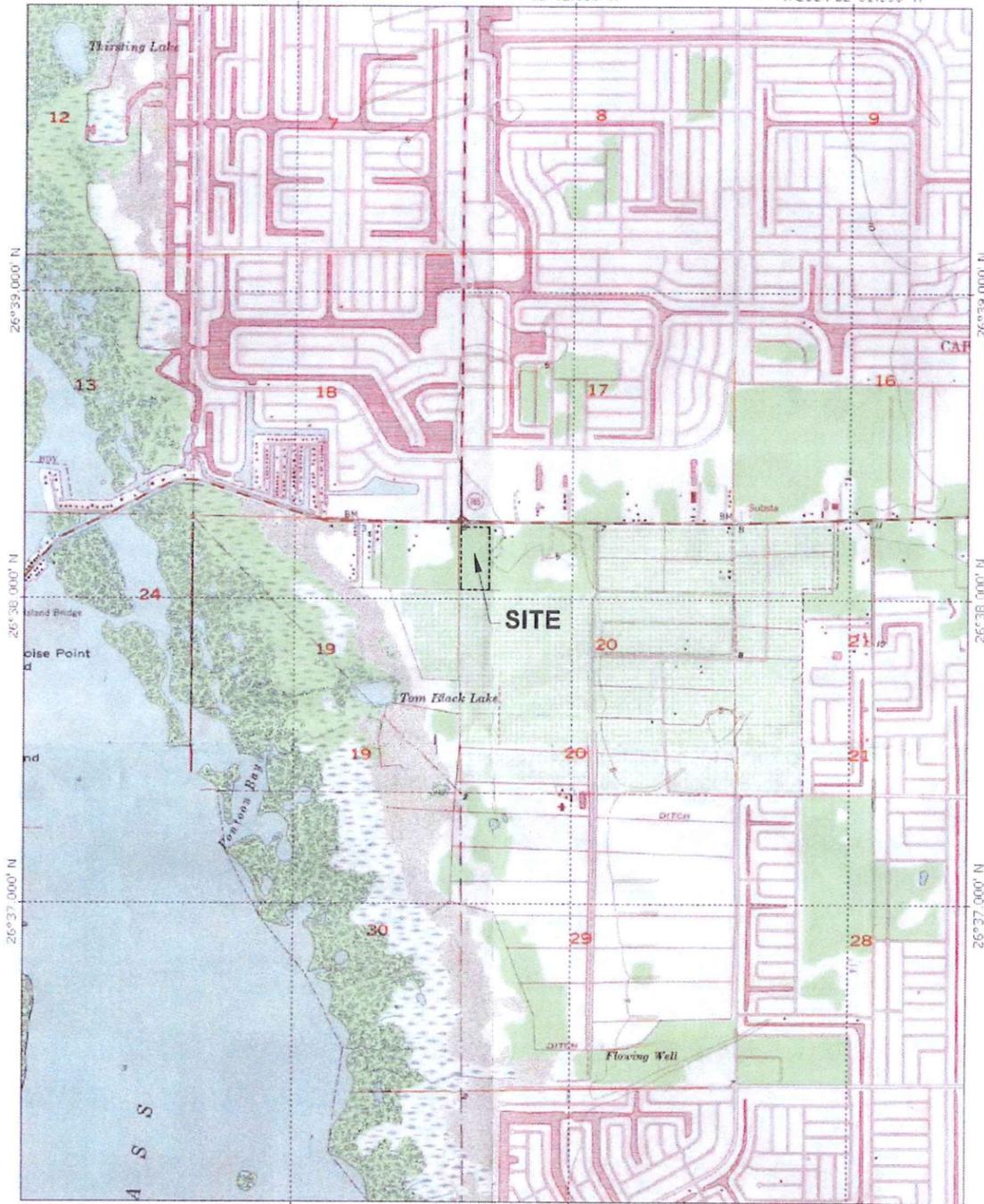
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 Telephone: 239.992.0686
 Cell: 239.287.2705
 EMAIL: ERCINC@comcast.net

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

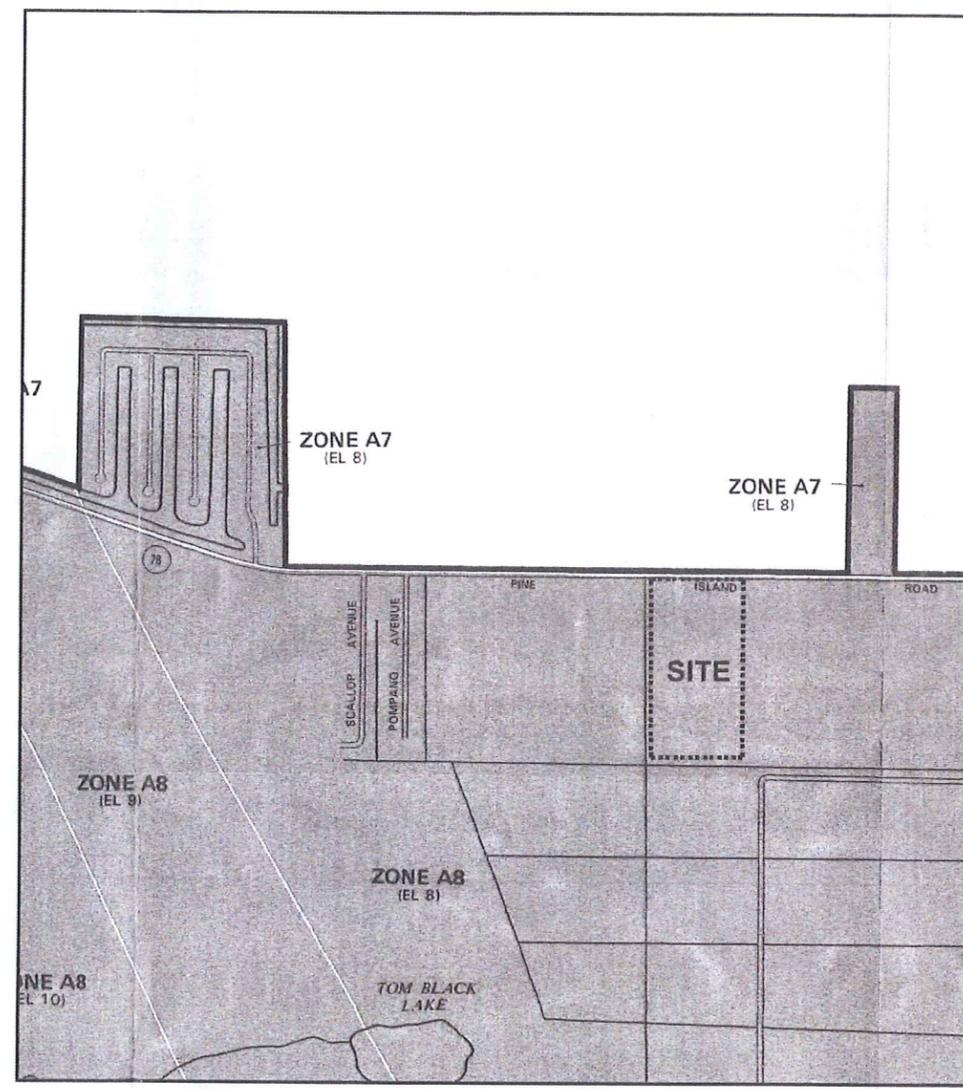
Pine Island Road - 13.5 Ac.
 LEE COUNTY, FLORIDA
 SECTION 20 TOWNSHIP 44 S., RANGE 23 E.
 FLUCCS AND SOILS MAPS

DATE	REVISIONS

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



82°03.000' W 82°02.000' W WGS84 82°01.000' W
 26°39.000' N 26°38.000' N 26°37.000' N
 Map created with TOPOI © 2001 National Geographic (www.nationalgeographic.com/topo)



N
 APPROXIMATE SCALE
 1000 0 1000 FEET

KEY TO MAP

500-Year Flood Boundary	—	ZONE B
100-Year Flood Boundary	—	ZONE B
Zone Designations*		
100-Year Flood Boundary	—	ZONE B
500-Year Flood Boundary	—	ZONE B
Base Flood Elevation Line With Elevation In Feet**	— 5.73 —	
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
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AB9	Areas of 100-year flood to be protected by flood protection system under construction; base flood elevations and flood hazard factors not determined.
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FIRM PANEL # 125124 0170 B

SCALE: N.T.S.	DESIGN BY: JAA
CAD FILE: Pine Island - Veterans	DRAWN BY: DPB
DWG NO: Pine Island Rd - MAPS	CHECKED BY: JAA
SHEET: 2 OF 2	DATE: APRIL 25, 2007
 Jeffrey A. Adair	

ERC
ENVIRONMENTAL RESTORATION CONSULTANTS, INC.

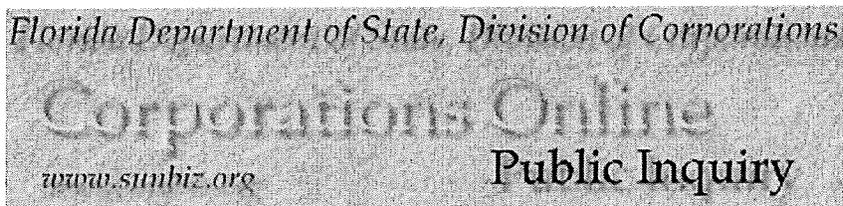
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 NAPLES, FL 34108
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 4353 Michigan Link
 Fort Myers, Florida 33916

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

DATE	REVISIONS



Florida Limited Liability

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

PRINCIPAL ADDRESS

4353 MICHIGAN LINK
FORT MYERS FL 33916

MAILING ADDRESS

4353 MICHIGAN LINK
FORT MYERS FL 33916

Document Number
L04000051703

FEI Number
020726992

Date Filed
07/13/2004

State
FL

Status
ACTIVE

Effective Date
NONE

Total Contribution
0.00

Registered Agent

Name & Address
CAUTHEN, JOHNSON W 4353 MICHIGAN LINK FORT MYERS FL 33916

Manager/Member Detail

Name & Address	Title
CAUTHEN, JOHNSON W 4353 MICHIGAN LINK FORT MYERS FL 33916	MGR
O'DONNELL, ALBERT 4291 WILLIAMS RD ESTERO FL 33928-2939	MGRM
O'DONNELL, PATRICIA 4291 WILLIAMS RD ESTERO FL 33928-2939	MGRM

Annual Reports

Report Year	Filed Date
2005	04/20/2005
2006	05/01/2006

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No Events
No Name History Information

Document Images

Listed below are the images available for this filing.

05/01/2006 -- ANNUAL REPORT
04/20/2005 -- ANN REP/UNIFORM BUS REP
07/13/2004 -- Florida Limited Liabilites

THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT

[Corporations Inquiry](#)[Corporations Help](#)

20-44-23-00-00003.001C
 HERNANDEZ JOSE A
 1219 NW 38TH AVE
 CAPE CORAL, FL 33993

20-44-23-00-00003.0020
 REALMARK CAPE ROYAL LLC
 5789 CAPE HARBOUR DR STE 201
 CAPE CORAL, FL 33914

20-44-23-01-00000.00A0
 ROYAL TEE GOLF CLUB INC
 11460 ROYAL TEE CIR
 CAPE CORAL, FL 33991

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.2120
 SWAN LAKE ENTRPRISES INC
 207 SWAN LAKE DR
 N FT MYERS, FL 33917

20-44-23-01-0000A.2140
 MEANS RICK A + STACY JO
 11982 ROYAL TEE CIR
 CAPE CORAL, FL 33991

20-44-23-01-0000A.2160
 LYNCH RICHARD M +
 1925 CLIFFORD ST APT 702
 FORT MYERS, FL 33901

20-44-23-01-0000A.2180
 SMITH WILLIAM R + MAGDALENA R
 11966 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-C1-00008.0000
 AJS OIL + FOOD CO INC
 2920 E COMMERCIAL BLVD
 FORT LAUDERDALE, FL 33308

20-44-23-00-00003.001D
 EVA RICHARD JR + KATHY
 11881 LITTLE QUAIL LANE
 CAPE CORAL, FL 33991

20-44-23-00-00003.0030
 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.2110
 SCHAFSTEIN FRANK
 123 BAYSHORE DR
 CAPE CORAL, FL 33904

20-44-23-01-0000A.2130
 HADI MOHAMMED
 FINES GALLERY
 11400 S CLEVELAND AVE
 FORT MYERS, FL 33907

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.2170
 ROUX JEAN P + PATRICIA D
 2020 SW 8TH CT
 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.2210
 BUDNY JAMES J
 11954 ROYAL TEE CIR
 CAPE CORAL, FL 33991

20-44-23-C1-00008.0010
 BCD HOLDINGS OF S FLORIDA INC
 2920 E COMMERCIAL BLVD
 FORT LAUDERDALE, FL 33308

17-44-23-C4-00100.0020

CAPE INVESTMENTS OVERSEAS INC
DIETHELM BAUMANN
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PO BOX 220
8027 ZURICH,
SWITZERLAND

17-44-23-C4-00100.0040

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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
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18-44-23-C3-05337.0010

JESSE A VERR LLC
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CHERRY HILL, NJ 08002

18-44-23-C3-05337.0050

JESSE A VERR LLC
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18-44-23-C3-05337.0490

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19-44-23-00-00001.1000

LEE COUNTY
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FORT MYERS, FL 33902

19-44-23-C2-00003.0000

3214 SW PINE ISLAND ROAD LLC
4353 MICHIGAN LINK
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20-44-23-00-00002.0010

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20-44-23-00-00003.0010

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