



LETTER OF TRANSMITTAL

Via: Regular Mail
 Overnight Delivery
 Hand Delivery

To: **Lee County Department of Transportation**
1500 Monroe Street
Fort Myers, FL 33901

Date: **10-19-07**
Project No. **20066201-010**
Project Name **The Babcock Ranch Community**

We are sending you the following: Attached Under Separate Cover

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Copies	Drawing No.	Description
1		RAI for The Babcock Ranch Community CFA 2006-00008 COMMUNITY DEVELOPMENT
1		Letter to Paul O'Connor, AICP
1		Brod List 11e

These are transmitted as checked below:

- | | | |
|---|---|--|
| <input type="checkbox"/> For approval | <input type="checkbox"/> Approved as submitted | <input checked="" type="checkbox"/> As requested |
| <input type="checkbox"/> For your information | <input type="checkbox"/> Approved as noted | <input type="checkbox"/> See remarks |
| <input type="checkbox"/> For review and comment | <input type="checkbox"/> Returned for corrections | |

Remarks:

Copy: Mr. David Loveland Signed: JoAnne Bertuch
Name: JoAnne Bertuch
Title: Executive Administrative Assistant

CFA 2006-00008



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COMMUNITY DEVELOPMENT

Lee County Department of Transportation
Mr. David Loveland, P.E.
1500 Monroe Street
Fort Myers, Florida 33901

Re: The Babcock Ranch Community CPA 2006-00008

Dear Mr. Loveland:

It has come to our attention that you have requested additional information for review of the Babcock Ranch Community CPA 2006-00008. Please find attached a copy of the letter to Paul O'Connor dated March 20, 2007, together with a copy of the BROD List 11e which includes recommended roadway improvements to be added to Map 3A (Lee County 2030 Financially Feasible Highway Plan) of the Lee Plan. We anticipate that these improvements will be funded through the Babcock Ranch Community Independent Special District (Charlotte County) as determined by the DRI mitigation.

As we have received no other request from you, we are assuming that you now have sufficient information to finalize the review of this application during the 2006 comprehensive plan amendment cycle. If you have any questions or require additional information, please call me at 461-2452.

Very truly yours,

JOHNSON ENGINEERING, INC.

Patricia Newton

PHN:jrb: Job. No. 20066201-010

Cc: Mr. Charles DeSanti
Terry Holihen, Esquire
Steve Webb, P.E.
Matt Noble, Lee County Planning

Enclosure

2006-00008

Our File Number: 00029553.00002
Writer's Direct No. (561) 650-0511
Writer's E-Mail Address: jbrindell@gunster.com

March 20, 2007

Mr. Paul O'Connor, AICP
Planning Division Director
Lee County
P.O. Box 398
Ft. Myers, FL 33902-0398

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COMMUNITY DEVELOPMENT

Re: ORC Report (DCA No. 07-1 ER)

Dear Paul:

Our client, Babcock Property Holdings, LLC ("Babcock LLC") and its consultants have reviewed the Objections, Recommendations, and Comments ("ORC") report of March 2, 2007 from the Florida Department of Community Affairs ("DCA") on Lee County's comprehensive plan amendments transmitted to DCA on December 28, 2006. In particular, we have evaluated DCA's objections under items B.1. and 3. in the ORC report that the County has provided inadequate data and analysis regarding the anticipated or projected level of service deficiencies and the improvements needed to correct such deficiencies for the short-term of five years and the long-term (2030), and has not demonstrated that the County is using the comprehensive planning process to plan for the anticipated impact of growth during the next planning horizon; at p.4 of the ORC report.

As you know, Charlotte County adopted the Babcock Ranch overlay District ("BROD") comprehensive plan amendment and implementing land development regulations for our client's proposed Babcock Ranch Community ("Babcock Community") in 2006. In addition, an application for a master development of regional impact approval ("AMDA") for the Babcock Community was filed with Charlotte County on February 23, 2007 to enable development of the Babcock Community to proceed pursuant to the BROD. The data and analysis which supported the BROD shows that development of the Babcock Community in Charlotte County will have impacts on certain roads in Lee County. A list of road improvements beyond those contemplated by Lee County at the time was provided as part of the data and analysis supporting the BROD ("Lee Road Improvements").

CPA 2006-00008

The impacts on Lee County roads from development in Charlotte County pursuant to the BROD were contemplated by Lee County when it entered into the Babcock Ranch Community Road Planning Agreement Regarding the Charlotte County Babcock Ranch Overlay District Amendments with our client, Babcock LLC, on May 23, 2006 ("Lee Road Agreement"). Pursuant to the Lee Road Agreement, Babcock LLC agreed to fund or cause to be funded the Lee Road Improvements, and Lee County agreed to facilitate and authorize the construction of the Lee Road Improvements, as finally revised by mutual consent of Lee County and Babcock LLC in the DRI process; see provisions Article II, C.2 and 4(a) of the Lee Road Agreement. Similar commitments regarding the Lee Road Improvements were made by Babcock LLC in the Development Agreement it entered into with Charlotte County on April 20, 2005. In furtherance of its commitments under the Lee Road Agreement, Babcock LLC would like to assist Lee County in responding to the ORC report items B.1 and 3.

The following Lee County comprehensive plan maps should be revised as needed to reflect the road impacts of the BROD in Lee County ("Lee Map Revisions"):

1. Map 3A (2020 Financially Feasible Highway Plan) – to become the 2030 plan
2. Map 3B (Future Functional Classification)
3. Map 3C (2020 Financially Feasible Transit Network)
4. Map 3D (Unincorporated Bikeways/Walkways Facility Plan)
5. Map 3H (Future Maintenance Responsibility)
6. Map 3I (Public Transit Trip Generators)
7. Map 3J (Evacuation routes)

Attached is the BROD Map 11e based upon Lee's proposed 2030 planning horizon to illustrate the needed Lee Road Improvements. Clearly, the Lee Road Improvements are improvements which are needed to address anticipated or projected level of service deficiencies contemplated in items B.1 and 3. of the ORC report. Since Babcock LLC has prepared the data and analysis regarding the Lee Road Improvements as part of the BROD, they would like to facilitate Lee County's response to those items of the ORC report with respect to the Lee Road Improvements. Consequently, you will find enclosed the following:

1. Lee Road Agreement
2. Charlotte Development Agreement

3. A list of the Lee Road Improvements shown on BROD Map 11e for the year 2030 and supporting data and analyses as set forth in the BROD.

We believe that this information will assist Lee County in responding to the ORC report objections, and will help demonstrate to DCA that the County is using the comprehensive planning process to plan for the anticipated impact of growth. If you have any questions or need additional information, we will be pleased to respond promptly.

Sincerely,

James R. Brindell

JRB/gvt
enclosures

cc: David Owen, Esq. (w/o enclosures)
Donna Marie Collins, Esq. (w/o enclosures)
Michael McDaniel
Charles DeSanti (w/o enclosures)
Terry Holihen, Esq.
Patricia Newton (w/o enclosures)
Ernie Cox (w/o enclosures)

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BROD LIST 11e
 LEE COUNTY ORC
 RECOMMENDED ROADWAY IMPROVEMENTS TO BE ADDED TO MAP 3A

LEE COUNTY

(1) (2) (3) (5)
 E+C F- F Needs (4) Recommended
 # of # of # of LOS F-F Plan Additions
 Lanes Lanes Lanes Std Needed Improvement

ROADWAY FROM TO

BAYSHORE RD.	Slater Rd	I-75	4LD	4LD	4LD	E	6	Add 2	L
	I-75	Nalle Rd.	2LU	2LU	2LU	E	6	Add 4	L
	Nalle Rd.	SR 31	2LU	2LU	2LU	E	6	Add 4	L
BUCKINGHAM RD.	Orange River Blvd.	SR 80	2LU	2LU	4LD	D	4	Add 2	L
DEL PRADO BLVD.	Slater Rd.	Hart Rd.	2LU	2LU	2LU	E	4	Add 2	L
	Hart Rd.	US 41	2LU	2LU	2LU	E	4	Add 2	L
NALLE GRADE RD.	SR 31	Nalle Rd.	0LU	0LU	2LU	E	4	Add 4	L
	Nalle Rd.	Slater Rd.	2LU	2LU	2LU	E	4	Add 2	L
NORTH RIVER RD.	SR 31	Alva Bridge	2LU	2LU	2LU	E	4	Add 2	L
SR 31	SR 80	Bayshore Rd.	2LU	2LU	2LU	E	6	Add 2	L
	Bayshore Rd.	North River Rd.	2LU	2LU	2LU	E	6	Add 2	L
	North River Rd.	County Line	2LU	2LU	2LU	E	6	Add 2	L
SR 80	SR 31	Tropic Ave.	4LD	4LD	6LD	D	6	Add 2	L
	Tropic Ave.	Buckingham Rd.	4LD	4LD	6LD	D	6	Add 2	L
	Buckingham Rd.	South Olga Drive	4LD	4LD	4LD	D	6	Add 2	L
	South Olga Drive	Hickey Creek	4LD	4LD	4LD	D	6	Add 2	L
	Hickey Creek	Joel Blvd.	4LD	4LD	4LD	D	6	Add 2	L

FOOTNOTES:

- (1) Existing plus committed number of lanes.
- (2) Adopted Lee County MPO 2030 Financially Feasible Plan - December, 2005.
- (3) Adopted Lee County MPO 2030 Needs Plan - December, 2005.
- (4) Lee County roadway LOS standard. I-75 based on FDOT FHHS LOS standard.
- (5) County-wide roadway needs added to Lee County 2030 Financially-Feasible Plan.

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