



April 29, 2009

Mr. Chahram Badamtchian
Senior Planner
Department of Community Development
P.O. Box 398
Fort Myers, FL 33902-0398

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APR 29 2009

COMMUNITY DEVELOPMENT

CPA2008-00003

RE: CPA2008-03 Kreinbrink Amendment, Alva

Dear Mr. Badamchian:

The purpose of this letter is to respond to the Comprehensive Plan Amendment checklist dated March 30, 2009.

Comment:

Please provide a current Future Land Use Map of the area to an appropriate scale.

Response:

Please see revised current Future Land Use Map, attached.

Comment:

Please provide a proposed Future Land Use Map of the area to an appropriate scale.

Response:

Please see revised proposed Future Land Use Map, attached.

Comment:

Please provide a certified legal description and certified sketch of the description for the subject property.

Response:

Please see revised certified sketch and description from Starnes Surveying Inc.

Comment:

Please provide a copy of the deed for the subject property.



Response:

Please see attached deed.

Comment:

Please provide the required Traffic Circulation Analysis for the commercial Land Use category that is being sought.

Response:

Please see traffic analysis prepared by TR Transportation.

Comment:

Please provide a map of the plant communities as defined by the Florida Land Use Cover and Classification System (FLUCCS).

Response:

Per discussion with Staff, a FLUCCS map meeting the listed criteria was previously submitted with application materials; additional copies are not required.

Comment:

Please provide a map and description of the soils found on the property and identify the source.

Response:

Per discussion with Staff, a soils map meeting the listed criteria was previously submitted with application materials; additional copies are not required.

Comment:

Please provide a topographic map depicting the property boundaries and 100 year flood prone areas indicated.

Response:

Per discussion with Staff, a topographic map meeting the listed criteria was previously submitted with application materials; additional copies are not required.

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Comment:

Please provide a map delineating wetlands located onsite.

Response:

Per discussion with Staff, a map delineating wetlands located onsite was previously submitted with application materials; additional copies are not required.

Comment:

Please provide a table of plant communities by FLUCCS with the potential to contain species (both 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.

Response:

Per discussion with Staff, this was previously submitted with application materials; additional copies are not required.

Comment:

Your application did not address all aspects of the urban sprawl analysis required under Florida Administrative Code 91-5.006(5) Review of Plans and Plan Amendments for Discouraging the Proliferation of Urban Sprawl.

Specifically, the Florida Administrative Code (FAC) Chapter 91 requires that plan amendments be evaluated to ensure consistency with the State Comprehensive Plan, Regional Policy Plans, and Chapter 163.

FAC 91-5.006(5) outlines several provisions pertaining to urban sprawl that must be addressed as part of the plan amendment process. The Krienbrink application addresses most of the provisions listed, but not the items in subsections 915.006(5)(h) Evaluation of land uses, 91-5.006(5)(i) Local conditions and 915.006(5)(j) Development controls. Please amend the analysis to address these items.

Response:

Please see revised Supplemental Data and Analysis dated April 29, 2009.

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APR 29 2009

CPA 2008-00003



Comment:

Staff has not received all review agencies comment yet. Additional comments may be forthcoming.

Response:

To date, additional comments have not been received; therefore it is assumed that there were no further comments.

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

Sincerely,

MORRIS-DEPEW ASSOCIATES, INC.

A handwritten signature in black ink that reads "David W. Depew/smh".

David W. Depew, PhD, AICP, LEED AP

President

DWD/smh

Attachments

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CPA 2008-00003

From: Badamtchian, Chahram [CBADAMTCHIAN@leegov.com]
Sent: Tuesday, April 07, 2009 11:47 AM
To: Sheila Holland
Cc: David W. Depew
Subject: RE: Kreinbrink Comp Plan Amendment CPA2006-00006

Good morning Sheila,

For existing and proposed Comp Plan (A-2 and A-3), we don't have a preferred scale. We just want to be able to see the road network in the vicinity, so the location of the property in the County is easily identifiable. Whatever scale that can show some major roads and keep the subject property to an easily identifiable size on 8.5X11 size paper is fine.

Regarding your legal and sketch of legal; what we have received is 14 years old and the sketch does not match the Property Appraiser's site's land configuration. It appears that some land was sold to Florida Gas Transmission Company in year 2000. The sketch does not even show an easement for that. An updated and revised legal description and sketch is needed.

Regarding C-1 through C-5, you are absolutely correct. It was previously submitted and there is no need to resubmit.

Thank you very much,

Chahram Badamtchian, AICP

Senior Planner

Lee County DCD/Zoning

Phone: 239. 533. 8372

Fax: 239. 485. 8344

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CPA 2008-00003

Cbadamtchian@leegov.com

From: Sheila Holland [mailto:sholland@M-DA.com]
Sent: Tuesday, April 07, 2009 10:28 AM
To: Badamtchian, Chahram
Cc: David W. Depew
Subject: FW: Kreinbrink Comp Plan Amendment CPA2006-00006

Good morning Chahram,

I am sending this e-mail in response to your letter dated March 30, 2009 requesting additional information. I have attached your letter for reference as well as our last two submittals but would just like some clarification.

A-2 and A-3 – What scale would you like us to use for the drawing?

A-6 and A7 – Exhibits turned in with original app.

C - 1, 2, 3 4 and 5 – Exhibits have already been turned in for this with the original submittal.

I just wanted to check with you to make sure you had reviewed the first application submitted. It was my impression from Matt Noble's e-mail below that we only needed to resubmit items that the revision to commercial would affect.

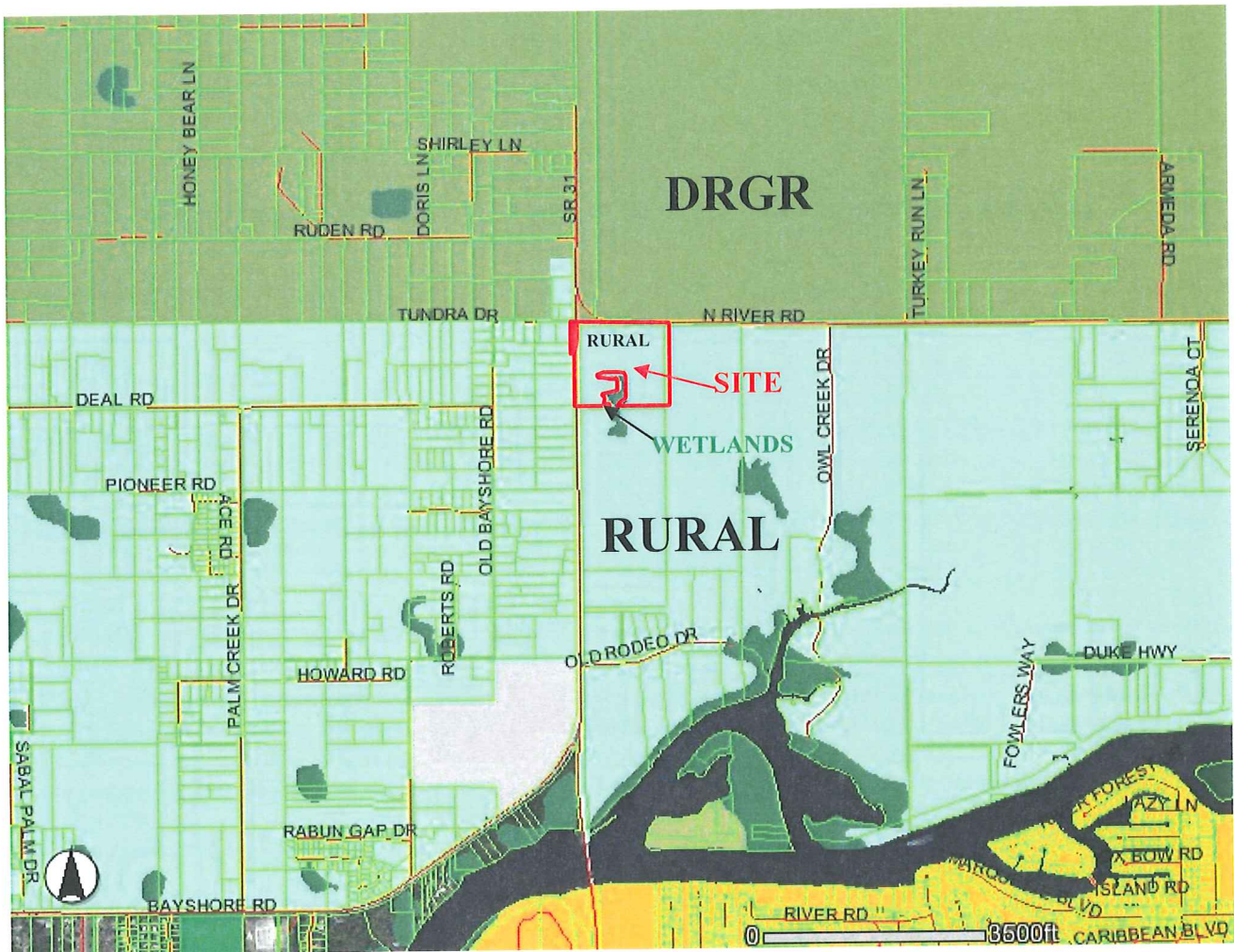
Anyway we will work on the other items and get them in to you as soon as possible.

Thank you,

Sheila M. Holland

Planning Technician

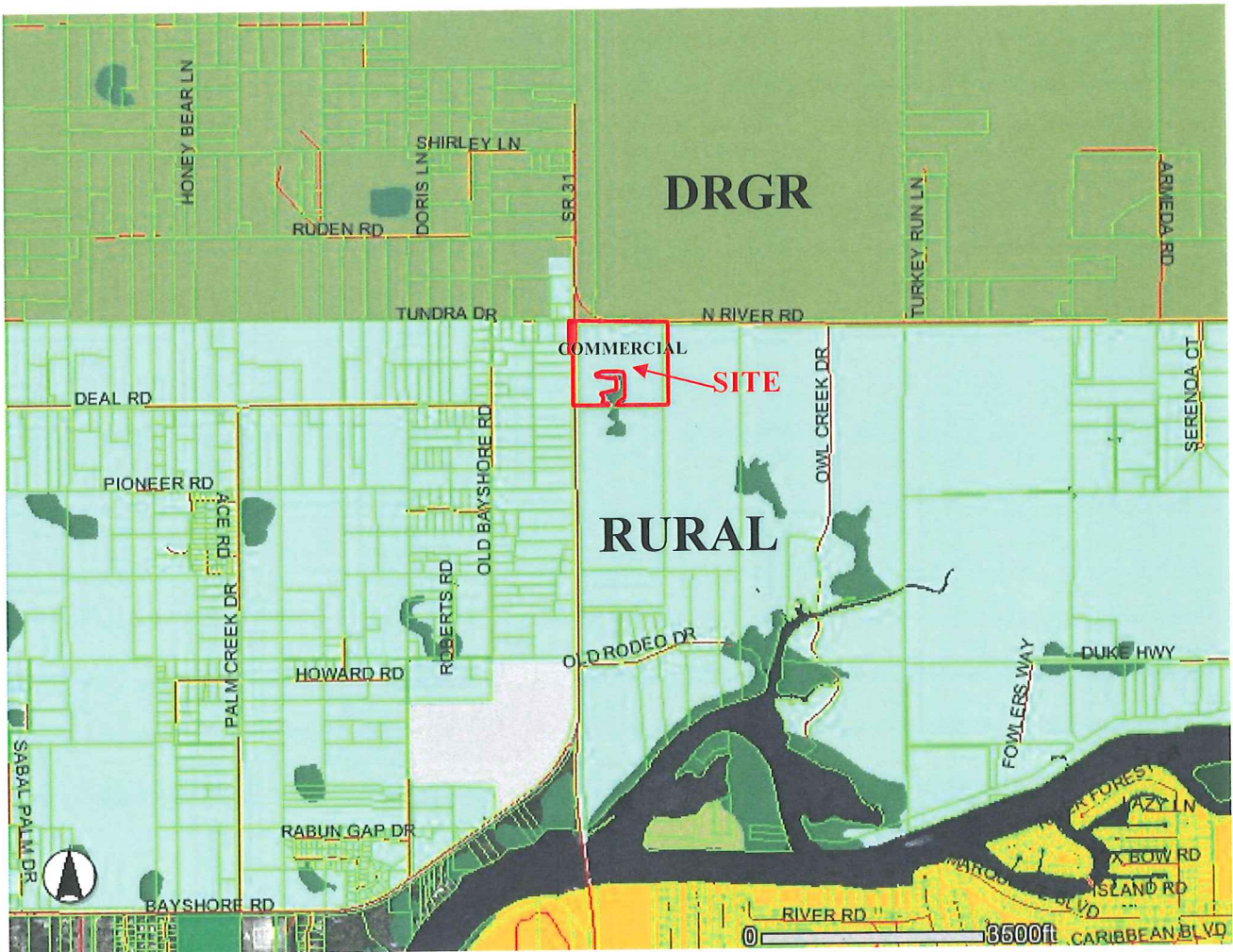
Current FLU Map
 Strap # 18-43-26-00-00001.0040



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CPA 2008-00003

Proposed FLU Map
 Strap # 18-43-26-00-00001.0040



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Lee Plan FLUM Amendment Supplemental Data and Analysis

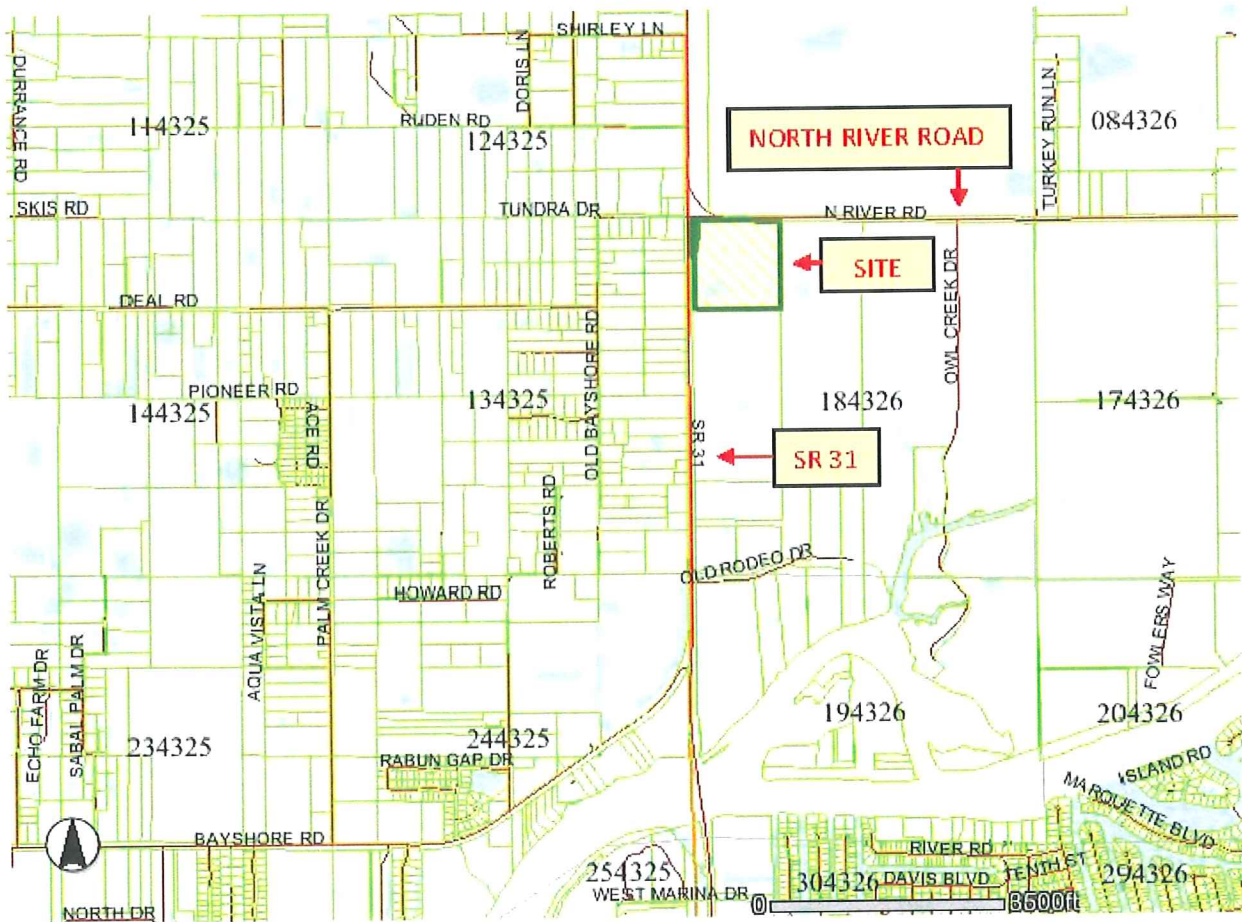
Property: 18-43-26-00-00001.0040
 Owner of Record: Kreinbrink Katherine TR
 12100 N. River Road
 Alva, FL 33920

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OPA 2008-00003

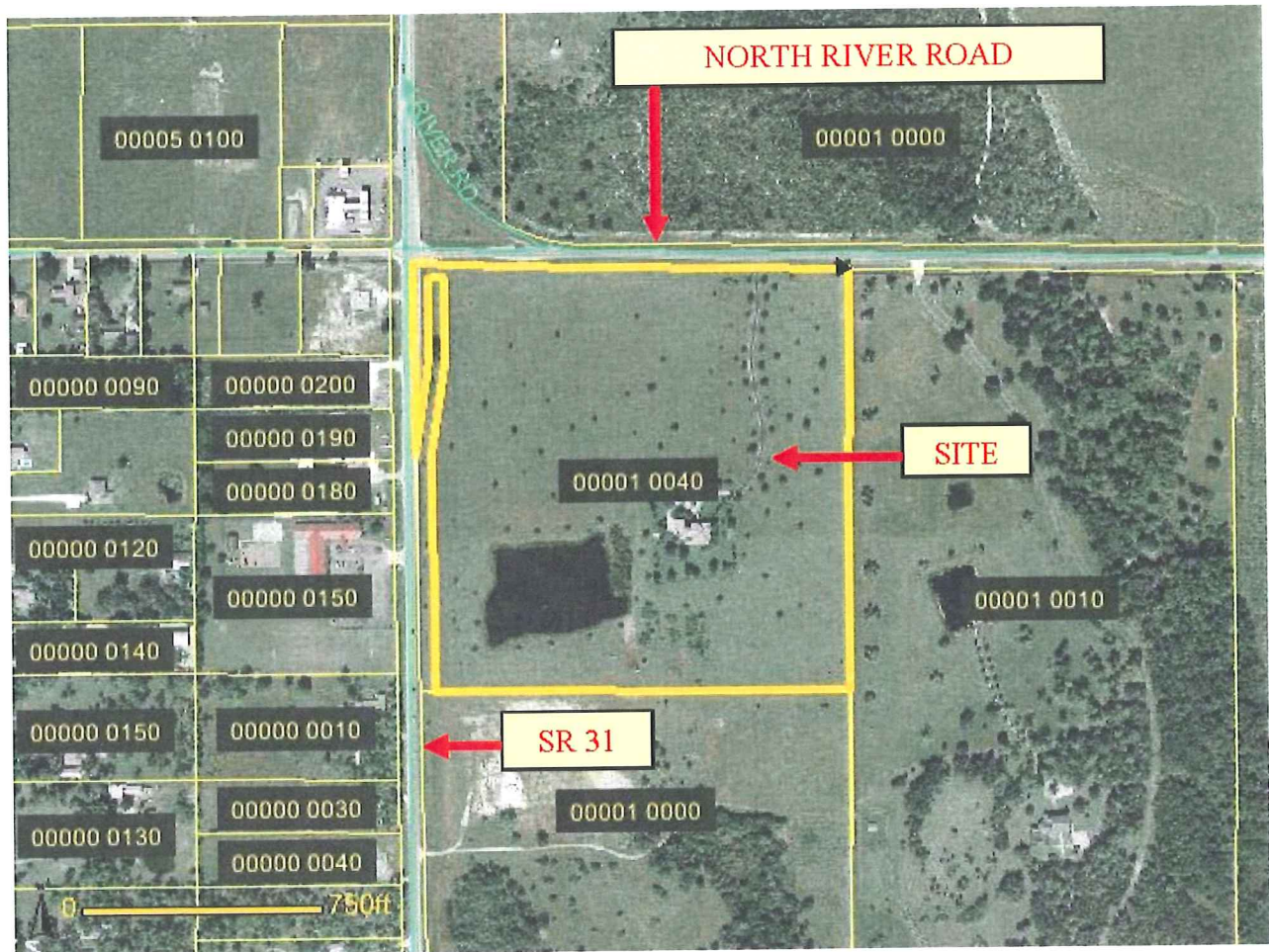
Background

The proposed Lee Plan FLUM amendment is to change a property of +/- 40 acres from Rural to Commercial. The subject property is located southeast of the intersection of SR 31 and North River Road in Alva, Florida



Property Location Map

2914 Cleveland Avenue, Fort Myers, Florida 33901 Telephone: (239) 337-3993 Fax: (239) 337-3994
 327 Office Plaza, Suite 202, Tallahassee, Florida 32301 Telephone: (850) 224-6688 Fax: (850) 224-6689
 408 West University Avenue, Suite PH, Gainesville, Florida 32601 Telephone: (352) 378-3450 Fax: (352) 379-0385
 Toll Free: (866) 337-7341



Aerial Photograph of Subject Property

Currently, the subject property contains an estimated 40 acres of Rural designated property. At maximum development options, this translates into the following development potentials:

A. Rural Option (Current)

Residential Development:

1. 29.75 acres (Rural) X 1 dwelling units/acre = 30 dwelling units
2. 0.25 acres (Wetlands) X 1 dwelling units/20 acre = 0 dwelling units
3. 10.0 acres commercial development
4. Total residential units = 30 dwelling units
5. Total rural commercial SF = 100,000 SF

B. Commercial Option: (Proposed)

Commercial Development

- 1.) 40 +/- acres (Commercial) = 1,742,400 SF
- 2.) Total potential commercial development = 350,000 SF (proposed maximum)

Impact Analysis

According to the Florida Administrative Code (64E-6.008, FAC), wastewater treatment demand for residential use ranges between 100 and 400 gallons per day (GPD), depending upon the number of bedrooms in a dwelling unit. Assuming that the residential units which could be constructed on the subject property will average 3 bedrooms per dwelling unit, wastewater treatment demand will be 300 GPD per unit. In the pre-amendment situation, with an estimated development capacity of 30 dwelling units, there is an estimated demand of 9,000 GPD of wastewater treatment capacity associated with full development of the subject property under the current land use designation. Central wastewater treatment service is located at the SR78/SR31 intersection, south of the Lee County Arena. Absent an extension of that force main, it is likely that on-site wastewater treatment systems, septic tanks, would be used.

Wastewater demand is approximately 90% of potable water demand in residential land uses. For the current analysis, it is anticipated that potable water demand will average 325 GPD per dwelling unit or a total of 9,750 GPD for the entire development. Central water service is located on Old Bayshore Road, north of the Lee County Arena. Without an extension of the public facilities, it is likely that on-site potable water wells would be used for provision of potable water under a Rural development scenario.

According to a study performed by Stearns and Wheler, LLC, for the Mashpee Sewer Commission (Mashpee, MA, April, 2007), potable water use for commercial activities is estimated at 81.5 GPD per 1,000 SF of floor area. Based upon this estimate, potable water demand for 350,000 SF of commercial floor area will be 28,525 GPD. While this is significantly higher than the 9,000 GPD estimated for a residential option, the establishment of commercial use on the subject property would require the extension of the force main to the site and connection to a central wastewater treatment facility. This is deemed to be an improvement over the placement of 300 septic systems on the subject property.

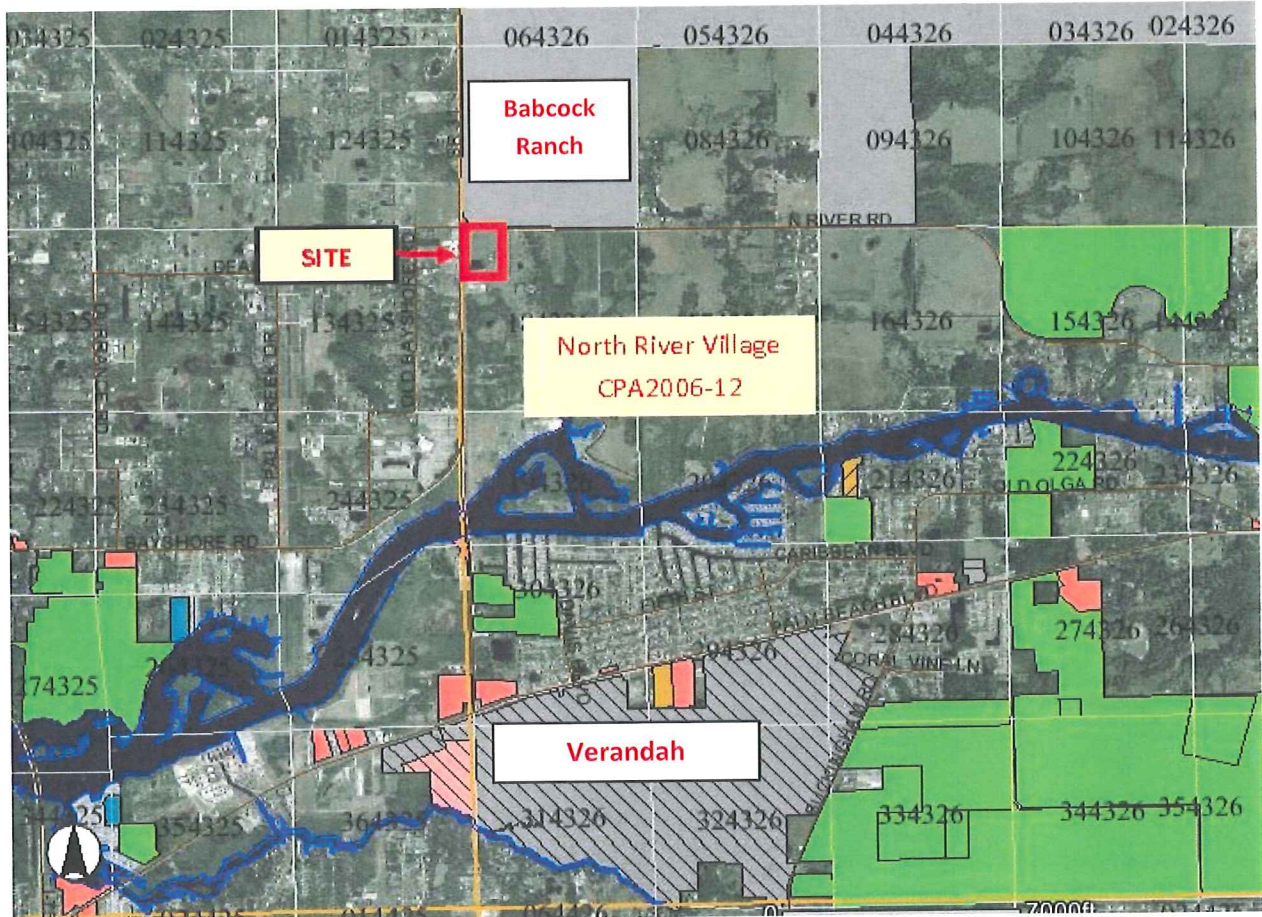
Although commercial uses are generally calculated on a more specific basis, no users have yet been identified for the subject property that would allow such calculations. Again using an estimate that wastewater treatment demand is 90% of potable water demand, it is possible to estimate a potable water demand for 350,000 SF of commercial uses at 31,694 GPD. Again, while this is a substantial increase over the estimated 9,750 GPD for the residential demand, the establishment of a commercial designation on the subject property allows for the extension of the water main from its location on Old Bayshore Road, north of the Arena, to the subject property.

The open space requirements for the development (post-amendment) were calculated as follows: 40 +/- Acres Commercial x 30% open space requirement = 12 Acres or 522,720 square feet as required by Lee County. For the residential development, Lee County would not require any open space to be set aside other than that provided on each individual lot.

Lee Plan Consistency

As a commercial development, it is estimated that the FLUM build-out, should the amendment be approved, would reduce the acreage devoted to residential uses by 30 acres and thus lessen the overall population projections for the Alva Planning Community. In the Alva planning community, there are 33,463 total acres with 1,948 acres of rural designated property. At the

present time there are 57 acres designated for commercial uses. Those figures would change if the proposed amendment were to be adopted, providing 1,918 acres of rural designated property and 87 acres of commercial uses.



Subject Property with Surrounding Development Map

As described in the Vision Statement of the Lee County Plan, the Alva Planning Community “is located in the northeast corner of the county and is focused around the rural community of Alva. This community roughly includes lands in Township 43 South/Range 27 East, lands north of the Caloosahatchee River in Township 43 South/Range 26 East and lands north of the Caloosahatchee River in Sections 1, 2, 11-14, and 23-27 of Township 43 South/Range 26 East. The majority of this area is designated as Rural, Open Lands, or Density Reduction/Groundwater Resource. The lands surrounding the Alva “Center”, which lie north and south of the Caloosahatchee Rive at the intersections of Broadway (bridge at Alva) and SR 78 and SR 80, are designated as Urban Community. There are some lands designated as Outlying Suburban within the Bayshore Planning Community, most of which are located south of Bayshore Road west of SR 31. The Bayshore area has characteristics of both the Alva and the North Fort Myers Community.

While the Alva community does offer some commercial opportunities, residents satisfy most of their commercial needs outside of this community in the more urbanized communities to the west and south. For the most part, these conditions are expected to remain through the life of this plan. The population of Alva is expected to grow through the life of this plan. Commercial activity is expected to continue to increase to the year 2030. The Alva community will remain largely rural/agricultural in nature with over half of its total acreage being used for this purpose. The Alva Community will also strive to protect its historic resources.

There are no distinct sub-communities within the Alva Community, although the area in which the subject property is located is more properly known as North Olga. The subject property is at the intersection of SR 31 and CR 78 (North River Road), and is in an area where rural, non-residential uses are extant.

As noted in the vision statement, the Alva Planning Community is expected to grow through 2030, therefore, the change in the subject property's current designation of Rural to the proposed designation of Commercial would be consistent with the Plan's vision for this area, especially with the location of the proposed Babcock Ranch property adjacent to the northern boundary of the subject parcel and the North River Village Comprehensive Plan Amendment Development CPA2006-12 located to its east and south. Per Policy 1.1.10, 'Commercial' areas are to be 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. Policy 1.1.10 states, "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.

An analysis has been undertaken (see above) related to the Acreage Allocation Table found in the Lee Plan. Policy 1.7.6 states, "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 2030. 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 noted above the modifications to the land use designation of the subject property along with the North River Village Comprehensive Plan Amendment CPA2006-12, if approved, make this area in Olga an excellent location for a commercial development. The subject parcel is located at the intersection of two arterial roads and has a close proximity/accessibility to I-75. A revision to the Allocation Table for the Alva Planning Community will be required.

Objective 2.1 suggests that, "Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities." Utilization of the +/- 39.75 acres of developable uplands on the site will serve to

promote the establishment of an urban boundary, and assist in preventing sprawl patterns from developing in the North Olga community.

Objective 2.2 indicates that Lee County will, “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. Development orders and permits (as defined in F.S.163.3164(7)) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, Florida Statutes and the county's Concurrency Management Ordinance.” Urban services are, or will be, available to the subject property when required for development. The property is located at the intersection of two arterial roadways and will serve to protect both the existing and/or emerging residential neighborhoods and will assist in the promotion of compact development patterns and containment of urban sprawl. The subject parcel will provide much needed commercial services to the existing residential developments on the west with the proposed new residential developments of the New River Village Comprehensive Plan Amendment CPA2006-12 located to the south and east and the proposed Babcock Ranch Property located to the north.

Objective 2.4 indicates that Lee County will, on a regular basis, examine the Future Land Use Map in light of new information and changed conditions. When changed or changing conditions suggest adjustments are needed, necessary modifications are made. As residential demand for housing and commercial services increases this will ultimately force an adjustment to the FLUM. The subject property as described is an excellent solution to provide commercial services and has an ideal location with respect to the adjacent properties probable future development and the proximity to I-75 which would accommodate the traffic needs generated by such a development as well as hurricane evacuation needs for residents and/or future labor needs.

Goal 11 of the Lee Plan was adopted 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. Urban services are or will be available to the subject property at the time of development, and the environmental values will not be developed or disturbed in respect to the wetlands designation on the southern portion of the property. This will serve to protect and preserve the environmental values associated with that portion of the site.

The subject property is within the Bayshore Fire Rescue District located on 17350 Nalle Road, North Fort Myers, FL 33917. The Lee County Sheriff Department will provide police protection. LeeTran does not currently provide service to this site due to the current rural designation of the property and the surrounding properties. Lee County Solid Waste Division can provide solid waste collection service for the proposed residential units and neighborhood center and has long term disposal capacity at the Lee County Resource Recovery Facility and the Lee-Hendry Regional Landfill. The proposed development will be located in the East Choice Zone of the Lee County School District. Emergency Medical Service would be provided by the Lee County Emergency Medical Services Department.

Sprawl Analysis

A comprehensive plan that promotes urban sprawl will promote, allow, or designate for development, substantial areas to develop as low-intensity, low-density, or single-use development or uses in excess of demonstrated need. Development of the subject property, must be considered in conjunction with the recognition that significant residential and commercial development is anticipated in close proximity to the subject property.

The second criteria of urban sprawl in a plan is that it promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while leaping over undeveloped lands which are available and suitable for development. A review of the larger aerial photograph above is sufficient to demonstrate that urban development has occurred in the vicinity of the subject property most notably east of the subject property. Further, it is clear that there are major efforts for additional residential and commercial development with the proposed Babcock Ranch and North River Village Communities. The proposed land use designation is clearly compatible with the land uses surrounding it and will bridge the North River Village Development and proposed Babcock Ranch areas helping to alleviate urban sprawl by eliminating the leap-frog scenario between these two properties.

Sprawl also is characterized by policies that promote, allow, or designate urban development in radial, strip, isolated or ribbon patterns generally emanating from existing urban developments. Development of the subject property would establish a commercial node, protect existing or emerging residential neighborhoods, protect open space and natural resources, and concentrate development in areas most suitable for its location. Radial, strip, isolated, or ribbon development patterns would not be consistent with the application of Lee Plan provisions to the subject property or to the adopted community-based Goals, Objectives, and Policies. The subject property is located at the intersection of two arterial roadways, at an emerging commercial node. This indicator is not applicable to the proposed amendment.

Sprawl also, is a result of premature or poorly planned conversion of rural land to other uses, fails adequately to protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems. The applicable Lee Plan provisions, as applied to the subject property, include mandates for the protection of natural systems, including setbacks, buffers, use restrictions, open space requirements, preservation and conservation provisions, and design regulations. Thus, this sprawl indicator is inapplicable to the proposed amendment.

Policies promoting urban sprawl fail to adequately protect adjacent agricultural areas and activities, including silviculture, and including active agricultural and silvicultural activities as well as passive agricultural activities and dormant, unique and prime farmlands and soils. As noted above, setbacks, buffers, and performance criteria have been incorporated into the Lee Plan development parameters in order to provide protection to adjoining uses. The proposed amendment will assist with the prevention of urban sprawl by conforming to the current and proposed uses surrounding the subject parcel.

The proposed amendment will maximize use of existing public facilities and services and will

maximize use of future public facilities and services. As noted above, all urban services are, or will be, available to the subject property at the time of development. The establishment of the neighborhood center will service the surrounding residential development, providing the necessary diversity for the North Olga community.

Related to the question of infrastructure extension is the sprawl indicator that states urban sprawl policies allow for land use patterns or timing which disproportionately increase the cost in time, money and energy, of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government. The Bayshore Fire District will provide fire protection to the site but would require the installation of hydrants. Police protection is currently available as well as Emergency Medical Services although at this time the site is approximately one minute outside the core response time of 10 minutes. The development would be in the East Choice Zone for the Lee County School District and the Lee County Solid Waste Division has the capability to provide collection services. All major services are available on some level currently except for Lee County Transit which currently does not provide a route due to the current rural nature of the area. Common sense dictates this may change at some point in time as future development continues, and Lee County has considered location of a transit support facility south of the subject property along SR 31.

According to the Rule, the future land use map and policies will promote sprawl if they fail to provide a clear separation between rural and urban uses. The subject property clearly delineates the buffers, setbacks, and use limitations required for maintaining a boundary between adjoining parcels with different uses. The subject property is uniquely positioned to deal with the separation between rural and urban uses. With the approval of Babcock Ranch and the proposed North River Village Development, the subject property will be consistent with those developments and part of the development node that is emerging at this intersection. If those developments are not approved our subject parcel will help to provide a clear separation between the emergent commercial node and the rural uses and current development to the east.

Sprawl also tends to discourage or inhibit infill development or the redevelopment of existing neighborhoods and communities. This particular subject property would be an infill parcel if the between Babcock Ranch and the proposed North River Village, providing a means of joining these three properties together. This would provide a consistent land use in this area assisting with the discouragement of urban sprawl.

The Rule also states that sprawl policies fail to encourage an attractive and functional mix of uses. The applicant is proposing a commercial center not greater than 350,000 square feet located on a 40 acre site. There are also existing commercial land uses adjacent to the subject property at the intersection of SR 31 and North River Road.

Finally, sprawl policies are those that result in poor accessibility among linked or related land uses and result in the loss of significant amounts of functional open space. Development of the subject property will provide provisions for preservation of functional open space, preservation of buffers and setbacks, and comply with open space requirements to demonstrate that these sprawl indicators do not apply to the current proposed amendment.

It is also noted that 9J-5.006(h) states, “The comprehensive plan must be reviewed in its entirety to make the determinations in (5)(g) above. Plan amendments must be reviewed individually and for their impact on the remainder of the plan. However, in either case, a land use analysis will be the focus of the review and constitute the primary factor for making the determinations. Land use types cumulatively (within the entire jurisdiction and areas less than the entire jurisdiction, and in proximate areas outside the jurisdiction) will be evaluated based on density, intensity, distribution and functional relationship, including an analysis of the distribution of urban and rural land uses.” When such an analysis is undertaken (as it has herein) it is clear that the proposed designation is not sprawl, but rather part of a continuing effort on the part of Lee County to accommodate the demand for community based residential and accompanying support development. The subject property designation for the subject properties serves to further advance the adopted Goals, Objectives, and Policies of the County’s Comprehensive Plan.

The subject property is located at the intersection of 2 arterial highways, with existing commercial uses proximate to its boundaries, and at a focal point for the local neighborhood. There is little in the way of supporting commercial use in the vicinity that would provide for the evolving commercial demand in the immediate area. The Alva Planning Community currently has 25 acres of commercial land uses undeveloped (out of a total of 57 acres), so it would appear that there is sufficient acreage left for the proposed development. Its location at the intersection of 2 arterials provides good accessibility, and will serve to intercept traffic that would otherwise need to travel outside of the existing neighborhoods to access commercial goods and services. The proposed intensity (350,000 SF) represents a 0.2 FAR, a ratio in keeping with the overall intensity of development anticipated in an area such as this. Given its location between the proposed North River Village, Babcock Ranch, and the residential, commercial, and public uses to the west and southwest, it would appear that the proposed change is compatible with adjoining properties. The lands comprising the subject property is upland pasture along with an existing residence. It has been graded and filled in the past, and has no significant environmentally sensitive areas, making it suitable for the proposed use. Overall the amendment provides a functional land use that will support the uses within the planning community along with the activities that are located to the west and southwest of the site. It is consistent with the demand for such uses as evidenced in the County’s projections for the Alva Planning Community, and thus meets the criteria found in 9J-5.006(5)(h).

9J5.006(i) goes on to state that, “Each of the land use factors in (5)(h) above will be evaluated within the context of features and characteristics unique to each locality. These include:

1. Size of developable area. *[The subject property is a +/- 40 acre parcel located at the intersection of 2 arterial highways. It is located between Babcock Ranch and the proposed North River Village, proximate to the County Civic Center and a variety of small commercial uses. It is an appropriate size and location for placing support commercial uses, and is consistent with planning community projections.]*
2. Projected growth rate (including population, commerce, industry, and agriculture). *[The request is consistent with planning community projections for the Alva Planning Community.]*
3. Projected growth amounts (acres per land use category). *[The request is*

consistent with planning community projections for the Alva Planning Community.]

4. Facility availability (existing and committed). *[Urban services are either available or anticipated by the time development will take place. Extension of central utilities is anticipated as part of adjoining development efforts.]*
5. Existing pattern of development (built and vested), including an analysis of the extent to which the existing pattern of development reflects urban sprawl. *[This parcel represents a small piece located between 2 large developments, Babcock Ranch and North River Village, and existing development to the west and southwest.]*
6. Projected growth trends over the planning period, including the change in the overall density or intensity of urban development throughout the jurisdiction. *[The request is consistent with planning community projections for the Alva Planning Community.]*
7. Costs of facilities and services, such as per capita cost over the planning period in terms of resources and energy. *[No increase in per capita costs associated with service provision is anticipated as a result of this development.]*
8. Extra-jurisdictional and regional growth characteristics. *[No extra-jurisdictional or regional impacts are anticipated.]*
9. Transportation networks and use characteristics (existing and committed). *[It is anticipated that this development would serve the surrounding community, serving to intercept trips that would otherwise travel further in search of goods and services.]*
10. Geography, topography and various natural features of the jurisdiction. *[The subject property contains no environmentally sensitive areas and is not anticipated to have a negative impact upon any significant ecological features.]”*

As demonstrated in this analysis, when each of these factors are considered, in the context of the full range of applicable Lee Plan Goals, Objectives, and Policies, the subject property is not sprawl, but rather the logical extension of the ongoing development efforts undertaken within Lee County’s localized communities.

Further, 9J5.006(j) states, “Development controls in the comprehensive plan may affect the determinations in (5)(g) above. The following development controls, to the extent they are included in the comprehensive plan, will be evaluated to determine how they discourage urban sprawl:

1. Open space requirements. *[In the pre-amendment situation, a residential subdivision would not be required to provide any additional open space other than that which would normally exist on individual lots. As a result of the amendment, not less than 12 acres of the subject property will need to be set aside for open space. This will serve to mandate provision of additional open space with the approval of the requested amendment.]*
2. Development clustering requirements. *[Development parameters for the proposed amendment will establish minimum open space requirements that will have the effect of clustering development and increasing open space. There are no environmentally significant areas on the subject property.]*
3. Other planning strategies, including the establishment of minimum

development density and intensity, affecting the pattern and character of development. *[Minimum intensity and density standards are already a part of the requested category, encouraging a cost effective use of infrastructure.]*

4. Phasing of urban land use types, densities, intensities, extent, locations, and distribution over time, as measured through the permitted changes in land use within each urban land use category in the plan, and the timing and location of those changes. *[The subject property is located between Babcock Ranch and the proposed North River Village developments. Approval of the requested amendment is consistent with the evolving development patterns. Located at the intersection of the 2 primary arterial highways in the area, the subject property is part of a logical development pattern, consistent with anticipated growth within the Alva Planning Community.]*

5. Land use locational criteria related to the existing development pattern, natural resources and facilities and services. *[The location of the subject property is consistent with the adopted standards for the type of commercial intensity proposed. The proposed development is consistent with providing a transition between the uses at the intersection and other uses proximate to the site.]*

6. Infrastructure extension controls, and infrastructure maximization requirements and incentives. *[Infrastructure is available and capacity exists to service any future development on this site.]*

7. Allocation of the costs of future development based on the benefits received. *[Development of the subject property under the proposed amendment will result in payment of all impact fees, permitting fees, and any other applicable infrastructure extension fees, property taxes, and sales taxes as applicable.]*

8. The extent to which new development pays for itself. *[The proposed development is anticipated to generate enough fees, tax revenues, and other monies to fully offset any costs associated with provision of services.]*

9. Transfer of development rights. *[There are no TDR elements associated with the proposed amendment.]*

10. Purchase of development rights. *[There are no development rights purchase elements associated with the proposed amendment.]*

11. Planned unit development requirements. *[It is anticipated that any development of the subject property will be undertaken under the provisions of the Lee County land development regulations that would require commercial development greater than 10 acres to be done as a planned development.]*

12. Traditional neighborhood developments. *[TND is an option that will be available to the applicant at the time development permits are requested.]*

13. Land use functional relationship linkages and mixed land uses. *[The proposed amendment establishes a location for supporting retail and service activities for the westerly extents of the Alva Planning Community.]*

14. Jobs-to-housing balance requirements. *[According to a 1995 survey by the US Dept. of Energy, there is 1 retail or service worker for each 945 square feet of floor area. This translates into an estimated 370 full-time employment equivalencies that would be created through the adoption of this amendment once the project is completed.]*

15. Policies specifying the circumstances under which future amendments could

designate new lands for the urbanizing area. *[The requested amendment is consistent with the evolving growth patterns for the Alva Planning Community.]*

16. Provision for new towns, rural villages or rural activity centers. *[The subject property is located at the intersection of 2 arterial roadways, and is situated between the proposed North River Village and Babcock Ranch.]*

17. Effective functional buffering requirements. *[Setbacks and buffers are required during the permitting process, consistent with the planned development requirements.]*

18. Restriction on expansion of urban areas. *[The requested amendment is consistent with the evolving growth patterns for the Alva Planning Community.]*

19. Planning strategies and incentives which promote the continuation of productive agricultural areas and the protection of environmentally sensitive lands. *[The subject property, although zoned for agriculture and consisting of pasture, is not a significant agricultural asset.]*

20. Urban service areas. *[The requested amendment is consistent with the evolving growth patterns for the Alva Planning Community.]*

21. Urban growth boundaries. *[The requested amendment is consistent with the evolving growth patterns for the Alva Planning Community.]*

22. Access management controls. *[Access will be consistent with all County and State access management requirements.]*”

A review of the provisions of the subject property, in conjunction with the Plan as a whole, demonstrates that all of the applicable 22 factors referenced are addressed. And, as 9J-5.006(k) indicates that these 22 land use types and land use combinations will be evaluated within the context of the features and characteristics of the locality, it is clear that the proposed designation is not urban sprawl. Additionally, the Rule notes that if a local government has in place a comprehensive plan already found to be in compliance, as is the case with the County, the Department shall not find a plan amendment to be not in compliance on the issue of discouraging urban sprawl solely because of pre-existing indicators if the amendment does not exacerbate existing indicators of urban sprawl within the jurisdiction.

Effect Upon Adjoining Local Governments

There should be no appreciable impacts upon any adjoining local government as a result of the proposed change.

Consistency with State and Regional Policy Plans

As proposed, the amendment will serve to implement State Policy Plan provisions, as applicable, including Sections 187.201(9)(b)1, 187.201(9)(b)3, 187.201(9)(b) 7, 187.201(15)(a), 187.201(15)(b)3, 187.201(15)(b)6, 187.201(17)(b)(1), 187.201(19)(b)2, & 15. These policies relate to preservation of environmental values, efficient provision of infrastructure, protection of highway capacity, and implementation of adopted policies related to land use and growth management. For a more detailed discussion, please see the applicable sections above.

Goal 4 of the Regional Policy Plan, Natural Resources section indicates that local governments will support, “Livable communities designed to improve quality of life and provide for the sustainability of our natural resources.” The provision of a commercial development surrounded by the proposed residential development, located at the intersection of two arterial highways and

between two emerging residential mixed-use developments will create an opportunity for retail, service, and employment activities for the residents but will more importantly provide convenient essential services that will help to diminish automobile trips otherwise made to the nearest appropriate commercial node.

Conclusion

The proposed amendment is consistent with all applicable Lee Plan Goals, Objectives and Policies. Additionally, the basis for adopting this amendment is supported by the State Comprehensive Plan and the Regional Policy Plan. The conversion of the property from a Rural, single family residential use to a commercial, planned development use will enable the applicant to establish a development with more options for supporting neighborhood retail, service, and employment activities. The subject parcel will also provide valuable commercial services to the proposed Babcock Ranch and North River Village (Large Scale Comprehensive Plan Amendment CPA2006-12).

TRAFFIC CIRCULATION ANALYSIS
PREPARED FOR A
COMPREHENSIVE PLAN AMENDMENT
FOR THE
KREINBRINK PROPERTY

PROJECT NO. F0904.05

RECEIVED

APR 29 2009

CPA 2008-00003

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

April 28, 2009

CONTENTS

- 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 Commercial. The approximately 40 acre property is located on the east side of State Route 31 just south of its intersection with North River Road in Lee County, Florida.

The following report will examine the impacts of changing the future land use category from the existing land use, Rural, to Commercial.

II. EXISTING CONDITIONS

The subject site currently contains a single-family dwelling unit. The subject site is bordered by North River Road to the north and S.R. 31 to the west. To the east of the subject site are existing residential uses and vacant land. To the south of the subject site is vacant land.

State Route 31 is a north/south two-lane undivided arterial roadway that extends from Palm Beach Boulevard (S.R. 80) north into Charlotte County. S.R. 31 has a posted speed limit of 60 mph adjacent to the subject site and is under the jurisdiction of the Florida Department of Transportation (FDOT). Pursuant to the Lee County Comprehensive Plan, the adopted Level of Service on S.R. 31 is LOS "E".

North River Road is an east/west two-lane undivided arterial roadway that extends from State Route 31 west into Hendry County. North River Road has a posted speed limit of 55 mph adjacent to the subject site and is under the jurisdiction of the Lee County Department of Transportation. Currently, the adopted Level of Service on North River Road is LOS "E".

Palm Beach Boulevard (S.R. 80) is an arterial roadway that extends through central Lee County on the south side of the Caloosahatchee River. East of the intersection of S.R. 31, Palm Beach Boulevard is a five-lane roadway, two travel lanes in each direction with a center paved median. West of S.R. 31, Palm Beach Boulevard is a seven lane roadway, three through lanes in each direction with a paved center median. Palm Beach Boulevard has a posted speed limit of 55 mph and is under the jurisdiction of the Florida Department of Transportation (FDOT). Palm Beach Boulevard has been designated by FDOT as a Federal Intrastate Highway System (FIHS) route. FDOT is currently reclassifying all FIHS routes to be called Strategic Intermodal System routes, or SIS routes. 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 Palm Beach Boulevard east of Werner Road to the Lee County/Hendry County line is LOS "C". West of Werner Road, the LOS standard is LOS "C". Werner Road is approximately two (2) miles east of the Buckingham Road intersection.

III. PROPOSED PLAN AMENDMENT

The proposed Comprehensive Plan Amendment would change the future land use designation on the subject site from Rural to Commercial. 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 commercial land uses as opposed to residential land uses.

The current zoning on the Kreinbrink Property would permit the construction of up to one (1) residential dwelling unit per acre on the approximately 40 acre property. With the proposed Comprehensive Plan change request, the property could be developed with commercial uses, including retail and office uses. Since there are no adopted floor area ratios (FAR's) for commercial uses in the Lee County Comprehensive Plan, a development intensity was assumed that would be a realistic build-out on the subject site

based on other development parameters that are enforced in Lee County, such as parking requirements, open space requirements, etc.

Table 1 highlights the intensity of uses that could be constructed under the existing land use designation and the intensity of uses under the proposed land use designation.

**Table 1
Kreinbrink Property
Land Uses**

Existing/ Proposed	Land Use Category	Intensity
Existing	Rural	40 residential units
Proposed	Commercial	350,000 sq. ft.

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) 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) 1289. The model has both productions and attractions included in this zone. The productions include both single-family and multi-family residential uses. The attractions include some but very little industrial and service employment. **Table 3** identifies the land uses currently contained in the long range travel model utilized by the MPO and Lee County for the Long Range Transportation Analysis.

**Table 3
TAZ 1289**

Land Uses in Existing Travel Model (2030)

Land Use Category	Intensity
Single Family Homes	21 Units
Multi-Family Homes	1 Unit
Industrial Employees	1 Employees
Service Employees	8 Employees

The proposed amendment would add additional attractions to the subject site in the form of employment, etc. **Table 4** indicates the revised TAZ data for zone 1289 with the proposed density requested with this Map Amendment. The population data for TAZ 1289 is included in the Appendix for reference.

Table 4

**Based on Proposed Map Amendment within TAZ 1289
Land Uses in Modified Travel Model (2030)**

Land Use Category	Intensity
Single Family Homes	21 Units
Multi-Family Homes	1 Unit
Industrial Employees	1 Employees
Commercial Employees	875 Employees
Service Employees	8 Employees

The modifications made to the TAZ data, including ZDATA1 and ZDATA2 files, are attached to the Appendix for reference. The Long Range Transportation model (FSUTMS) was run with the data shown in Table 3 then compared to runs with the data from Table 4 to indicate what additional improvements, if any, that would be needed in order to support the change in the existing land use designation. Based on this analysis, the segment of SR 80 between SR 31 and Buckingham Road is the only segment shown to operate below the adopted Level of Service standard in the year 2030. This condition will exist with or without the proposed comprehensive plan amendment. The analysis based on the 2030 traffic conditions without the proposed development indicated that this segment of SR 80 will need to be widened to six lanes in order to support the growth

anticipated from projects already approved. The proposed comprehensive plan amendment for the Kreinbrink Property will only increase the daily trips on this link by approximately 280 trips, or less than one-half (½) of a percent (**0.5%**) of the total projected 2030 traffic volume.

The future roadway network included evaluation of the Financially Feasible Plan. Based on the current 2030 Financially Feasible Plan, there are no roadway improvements planned within the study area for the proposed Kreinbrink Property Comprehensive Plan Amendment.

Short Range Impacts (5-year horizon)

The Lee County Capital Improvement Program for Fiscal Year 2008 to 2012 was reviewed, as well as the FDOT Adopted Work Program for Fiscal Year 2008/2009 to 2012/2013 to determine the short term impacts the proposed land use change would have on the surrounding roadways.

There are no roadway capacity 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.

Based on the current traffic volumes and Concurrency levels on the surrounding roadways, a short term Level of Service analysis was completed for those roadways within the study area. Table 1A and 2A, attached in the Appendix for reference, indicate the short term Level of Service analysis with the proposed project. Table 2A indicates that all roadways within the study are projected to operate within the adopted Level of Service standards in the five year window.

Recommendations to the Long Range Transportation Plan

Based on the analysis, the segment of SR 80 between SR 31 and Buckingham Road will need to be six lanes to support the development that has previously been approved. However, Palm Beach Boulevard (S.R. 80) between S.R. 31 and Buckingham Road is currently included in the 2030 Long Range Transportation Plan and is designated as “contingent upon funding”. It is recommended that this improvement be placed on the 2030 Financially Feasible Plan due to the fact that the improvement is shown to be needed in 2030 both with and without the proposed development.

V. CONCLUSION

The proposed Kreinbrink Property Comprehensive Plan Amendment is to modify the future land use from Rural to Commercial on the approximately 40 acre site located on the east side of S.R. 31 just south of its intersection with North River Road in Lee County, Florida. An analysis of the Long Range Transportation Plan indicated that the segment of S.R. 80 between S.R. 31 and Buckingham Road will operate below the adopted Level of Service standard in 2030. However, Palm Beach Boulevard (S.R. 80) between S.R. 31 and Buckingham Road is currently included in the 2030 Long Range Transportation Plan and is designated as contingent upon funding. It is recommended that this improvement be placed on the 2030 Financially Feasible Plan due to the fact that the improvement is shown to be needed in 2030 both with and without the proposed development. Based on an analysis of the short-term Capital Improvement Plan for both Lee County and FDOT, no changes to either plan will be required.

APPENDIX

2030 TRAFFIC CONDITIONS
WITH/WITHOUT THE PROPOSED
LAND USE CHANGE

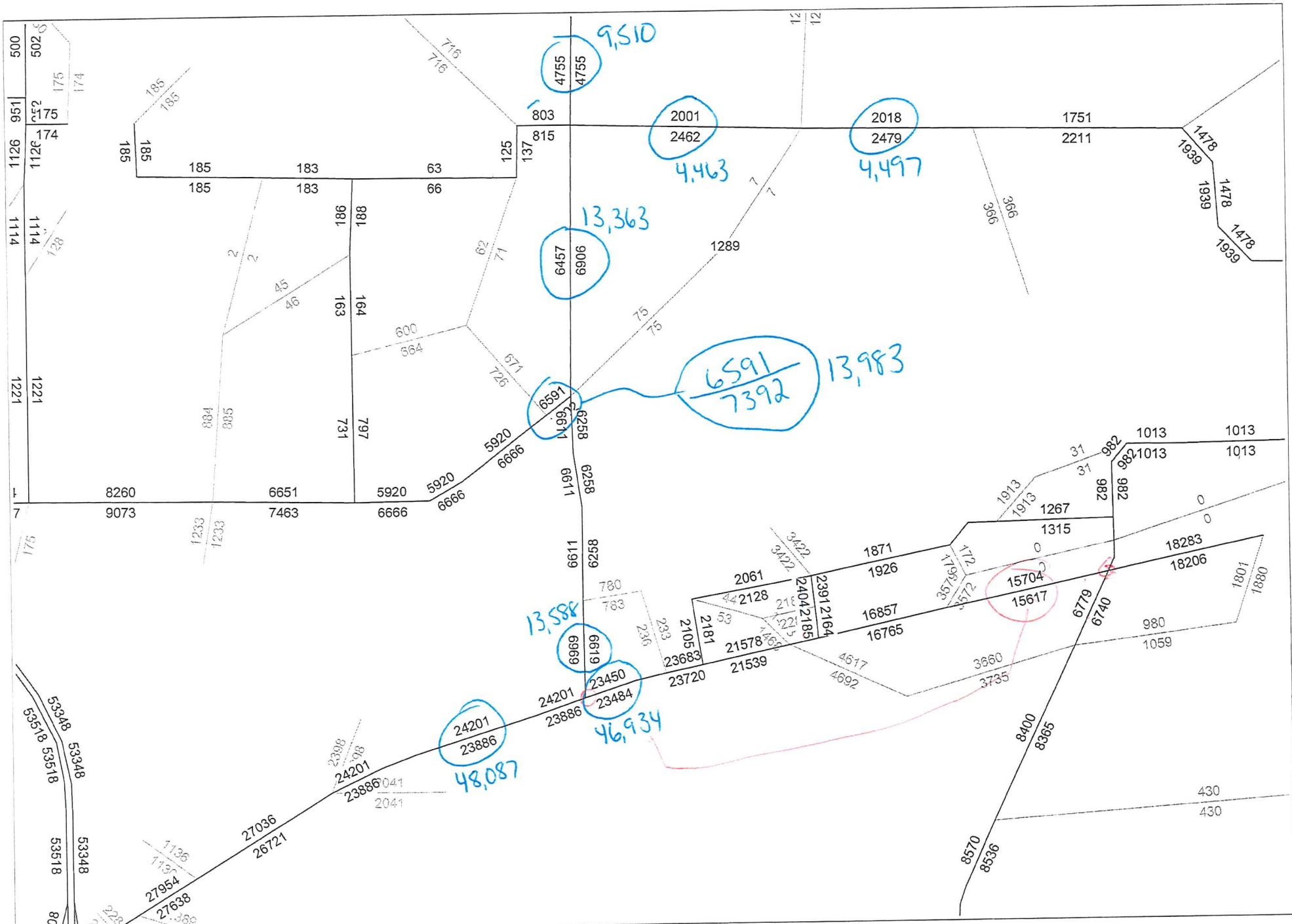
**2030 Traffic Conditions with Existing Density at Kreinbrink Property
Existing Plus Programmed Road Network**

ROADWAY	SEGMENT	# OF	LOS	RAW FSUTMS	PSWDT/AADT		2030	K-100	D	TOTAL TRAFFIC	LOS SERVICE	LOS
		LANES	STANDARD	PSWDT	P.C.S. #	FACTOR	AADT	FACTOR	FACTOR	PK DIRECTION	VOLUME	
State Route 31	N. of Palm Beach Blvd.	2LN	E	13,588	11	1.11	12,241	0.104	0.52	662	920	C
	N. of Bayshore Rd.	2LN	E	13,363	11	1.11	12,039	0.104	0.52	651	920	C
	N. of North River Rd.	2LN	E	9,510	34	1.10	8,672	0.095	0.63	519	920	C
North River Rd. (S.R. 80)	E. of State Route 31	2LN	E	4,463	11	1.11	4,021	0.104	0.52	217	920	B
	E. of Site	2LN	E	4,497	11	1.11	4,051	0.104	0.52	219	920	B
Bayshore Rd. (S.R. 78)	W. of State Route 31	2LN	E	13,983	34	1.10	12,750	0.095	0.63	763	920	D
Palm Beach Blvd (S.R. 80)	W. of State Route 31	6LN	C	48,087	5	1.13	42,555	0.091	0.57	2,207	2,850	B
	E. of State Route 31	4LN	C	46,934	11	1.11	42,283	0.104	0.52	2,287	1,950	F

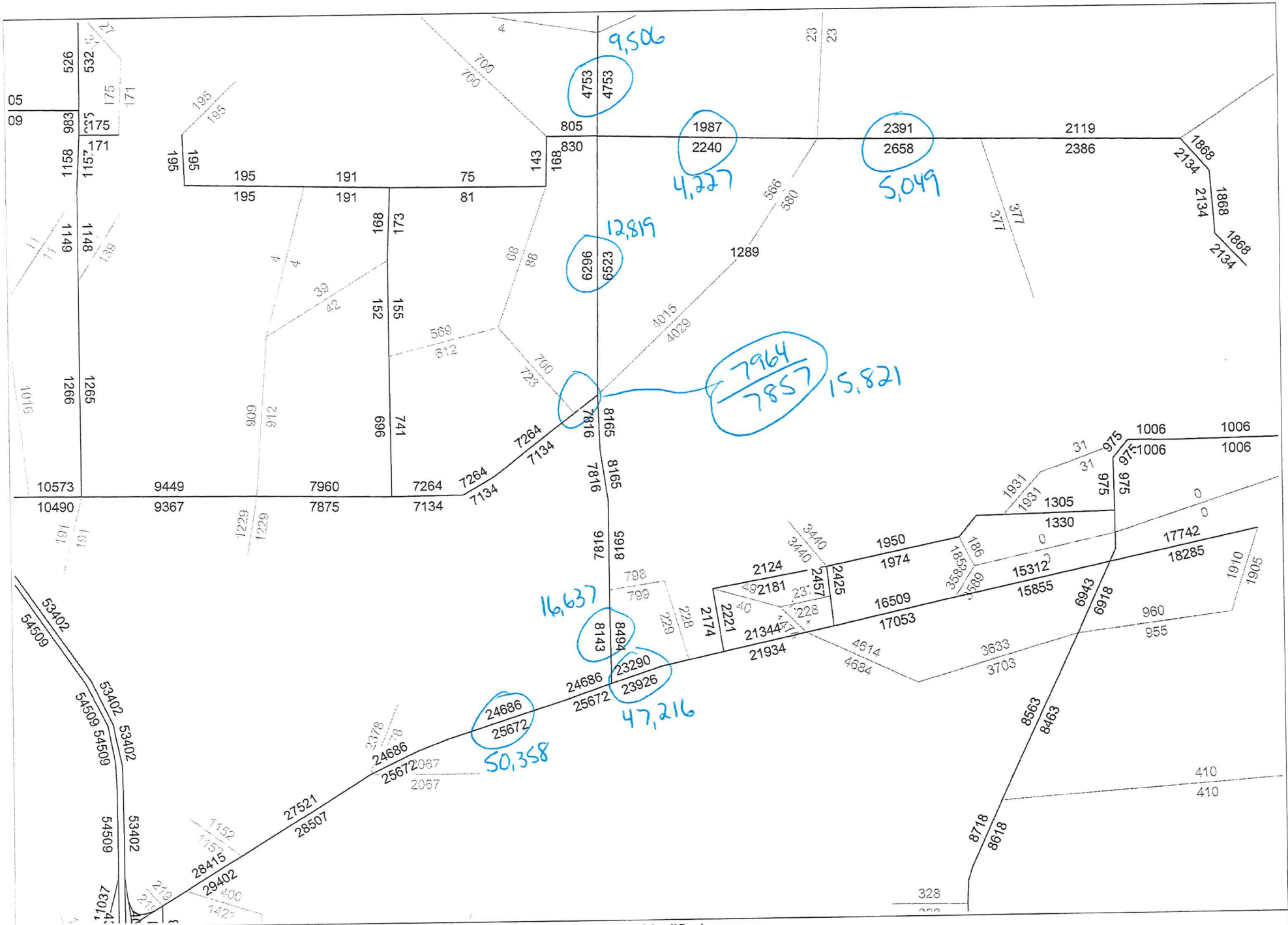
**2030 Traffic Conditions with Proposed Density at Kreinbrink Property
Existing Plus Programmed Road Network**

<u>ROADWAY</u>	<u>SEGMENT</u>	# OF	LOS	RAW FSUTMS	PSWDT/AADT		2030	K-100	D	TOTAL TRAFFIC	LOS SERVICE	LOS
		LANES	STANDARD	PSWDT	P.C.S. #	FACTOR	AADT	FACTOR	FACTOR	PK DIRECTION	VOLUME	
State Route 31	N. of Palm Beach Blvd.	2LN	E	16,637	11	1.11	14,988	0.104	0.52	811	920	D
	N. of Bayshore Rd.	2LN	E	12,819	11	1.11	11,549	0.104	0.52	625	920	C
	N. of North River Rd.	2LN	E	9,506	34	1.10	8,668	0.095	0.63	519	920	C
North River Rd. (S.R. 80)	E. of State Route 31	2LN	E	4,227	11	1.11	3,808	0.104	0.52	206	920	B
	E. of Site	2LN	E	5,049	11	1.11	4,549	0.104	0.52	246	920	B
Bayahore Rd. (S.R. 78)	W. of State Route 31	2LN	E	15,821	34	1.10	14,426	0.095	0.63	863	920	D
Palm Beach Blvd (S.R. 80)	W. of State Route 31	6LN	C	50,358	5	1.13	44,565	0.091	0.57	2,312	2,850	B
	E. of State Route 31	4LN	C	47,216	11	1.11	42,537	0.104	0.52	2,300	1,950	F

FSUTMS DATA PLOTS BOTH
WITH/WITHOUT THE PROPOSED
LAND USE CHANGE



2030 Unmodified
 Kreinbrink - TAZ 1289



2030 Modified
Kreinbrink - TAZ 1289

ZDATA FILE INFORMATION

EXISTING 2030 FINANCIALLY FEASIBLE PLAN

Z-DATA 1 File

TAZ	Single Family Data								Multi-Family Data								Hotel	
1 0	1289	21	6	4	52	0	14	86	1	13	13	2	0	42	58	0	99	0

Population:

TAZ 1289
 Single Family: 2.5 persons/unit
 Multi Family: 2.0 persons/unit

Z_DATA 2 file

TAZ	Indust. Emp.	Comm. Emp.	Serv. Emp.	Tot Emp	School Enr.
2 1289	1	0	8	9	0

MODIFIED 2030 FINANCIALLY FEASIBLE PLAN
WITH PROPOSED COMP PLAN CHANGE

Z-DATA 1 File

TAZ		Single Family Data						Multi-Family Data						Hotel					
1	0	1289	21	6	4	52	0	14	86	1	13	13	2	0	42	58	0	99	0

Population:

TAZ 1289

Single Family: 2.5 persons/unit

Multi Family: 2.0 persons/unit

Z DATA 2 file

TAZ		Indust.	Comm.	Serv.	Tot	School
		Emp.	Emp.	Emp.	Emp	Enr.
2	1289	1	875	8	884	0

2030 FDOT ADOPTED 2030
HIGHWAY ELEMENT

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		E - EXISTING roadway network plus COMMITTED roadway projects to be built by FY 0405		FINANCIAL FEASIBILITY STATUS						
IMPROVEMENT: Description of facility following proposed improvement				Contingent: Projects whose feasibility is contingent upon additional funding		Feasible: Projects that public agencies have determined to be cost feasible based upon their projected revenues				
TO: End of segment to be added or improved										
FDOT										
190	Alico Rd	U.S. 41	Dusty Rd	2L	6L	0.48	Last two years of SIB payoff	\$2,442,699	\$2,442,699	Feasible
Lee & Collier Counties				Travel speed surveillance capability			Half of capital cost of expanding the bicounty system to monitor travel speed in real time by using vehicles equipped with toll transponders as probes	\$3,450,000	-	Contingent
Cape Coral, Mid Point, U.S. 41, & Edison Bridges & their approaches				Incident management system			Stage II implementation	\$5,800,000	\$5,800,000	Feasible
Countywide				Upgrade to ATMS				\$27,600,000	\$27,600,000	Feasible
On S.R. 31 (Ardadia Rd) & Broadway (C.R. 78A) @ Caloosahatchee River, Pine Island Rd @ Matlacha Pass, & C.R. 865 @ Big Carlos Pass				Security system			Motion & object sensors, video & audio surveillance to monitor for potential threats from terrorist attacks, acts of God, or other incidents	\$600,000	-	Contingent
State Farmers Market, S.R. 76, or Alico Rd				Rail/truck terminal			TOFC/COFC terminal and team track	\$6,505,333	-	Contingent
Collier County line				Dynamic message signs			SIS	\$3,290,000	-	Contingent
Charlotte County line				Trailblazer signing			SIS, dynamic and/or static trailblazer signs	\$5,810,000	-	Contingent
Bonita Beach Rd				Interchange modification	6L	1.05	SIS	\$13,322,400	-	Contingent
@ Coconut Rd				New interchange	6L	0.50	SIS	\$68,029,000	-	Contingent
@ Bonita Beach Rd				Interchange modification	6L	0.50	Allocation is from \$10,000,000 federal earmark. See NOTE #1 below	\$221,722,800	-	Contingent
@ Coconut Rd				Interchange modification	6L	11.65	12 lanes; SIS and/or toll; 4 lanes may be toll express lanes	\$23,461,000	-	Feasible
@ Corkscrew Rd				Interchange modification	6L	0.50	SIS; construction only	\$2,630,000	-	Contingent
@ Daniels Pkwy				Ramp metering	6L	9.90	10 lanes; SIS and/or toll; 4 lanes may be toll express lanes	\$204,019,200	-	Contingent
@ S.R. 82 (Dr Martin Luther King Jr Blvd)				Interchange	6L	3.16	SIS Connector; construction only	\$101,000,000	-	Feasible
@ North of airport interchange				Interchange	2L each side, 4 new airport	0.34	Second stage, if / when Alico Expy is built; SIS connector	\$2,157,137	-	Contingent
@ Alico Expy				Interchange modification	2L each side	0.50	SIS; construction only	\$42,324,000	-	Feasible
@ Colonial Blvd				Interchange modification	2L each side	0.50	SIS	\$57,396,000	-	Feasible
@ S.R. 82 (Dr Martin Luther King Jr Blvd)				Interchange modification	2L each side	0.50	SIS	\$3,770,000	-	Contingent
@ Luckett Rd				Interchange modification	2L each side	0.50	SIS	\$19,885,000	-	Contingent
@ S.R. 80 (Palm Beach Blvd)				Interchange modification	6L	3.47	SIS	\$80,342,000	-	Feasible
@ S.R. 78 (Bayshore Rd)				Interchange modification	6L	2.59	SIS; construction only	\$16,531,000	-	Feasible
@ S.R. 78 (Bayshore Rd)				Interchange modification	6L	0.50	SIS	\$4,235,000	-	Contingent
@ S.R. 78 (Bayshore Rd)				Interchange modification	6L	0.50	SIS; 8L	\$33,089,000	-	Feasible
@ Del Prado Blvd Ext				Interchange modification	6L	5.77	SIS	\$64,026,920	-	Contingent
@ Evans Ave				New interchange	6L	5.77	SIS	\$9,000,000	-	Contingent
@ Evans Ave				Interchange modification	6L	0.22	SIS	\$3,511,960	-	Feasible
@ Fowler St				Bus replacements	3L	0.22	\$1,500,000 each in FYs 2010/11 & 2011/12 \$2,000,000 in FY 2012/13	\$4,826,339	\$4,826,339	Feasible
Lee Tran route 140				Traveler information broadcast capability			One third of the capital cost to disseminate real time traveller & traffic information for various modes from the 511 system, probe vehicle monitoring, and the SunGuide traffic management system to incident responders, other traveler information services, and the public	\$1,000,000	\$1,000,000	Feasible
Six Mile Cypress Pkwy				Grade separation	2L	1.26	CST only; includes interchange with Alico Road & railroad overpass. Dropped from FDOT's draft tentative work program	\$48,000,000	\$48,000,000	Feasible
@ Six Mile Cypress Pkwy				Grade separation	2L	0.50	Includes \$1,700,000 for open road tolling of 4L overpass	\$10,336,637	\$10,336,637	Contingent
@ Daniels Pkwy				Grade separation	2L	1.26	CST only. Dropped from FDOT's draft tentative work program	\$45,952,463	\$45,952,463	Feasible
@ 1800' North of Winkler Ave				Grade separation	4L	4.95	Includes overpass over railroad	\$18,058,663	\$18,058,663	Feasible
@ Fowler St & Evans Ave				Grade separation	None	1.39	Includes overpass over railroad	\$22,357,038	\$22,357,038	Feasible
@ S.R. 82 (Dr Martin Luther King Jr Blvd)				3C 1 way	4L	2.05	Remainder of right of way & construction	\$23,156,645	\$23,156,645	Feasible
@ West of Chiquita Blvd				Grade separation	2L	1.40		\$6,799,132	-	Contingent
@ 300' West of Santa Barbara Blvd				Grade separation	4L	2.40		\$5,092,598	-	Contingent
@ Cultural Park Blvd				Grade separation	4L	1.35		\$6,547,628	-	Contingent
@ Del Prado Blvd				Urban interchange	4L	3.94	Includes \$1,700,000 for open road tolling on 4L overpass	\$4,409,699	-	Contingent
@ Del Prado Blvd				Urban interchange	4L	2.45	SIS	\$18,058,122	-	Contingent
@ S.R. 31 (Arcadia Rd)				Urban interchange	4L	1.44	Emerging SIS connector	\$347,102	-	Contingent
@ Park 82 Dr				Urban interchange	4L	0.60	Included in I-75 interchange modification project	-	-	Contingent
@ Teter Rd				Urban interchange	4L	2.59	Emerging SIS	\$25,628,100	-	Contingent
@ Wallace Ave				Urban interchange	4L	13.91	Emerging SIS	\$87,175,268	-	Contingent
@ Hendry County line				Urban interchange	4L	1.50		\$7,590,880	-	Contingent
@ Gladiolus Dr				Urban interchange	4L	0.57		\$9,912,593	-	Contingent
@ Cypress Lake Dr				Urban interchange	4L	0.57		\$900,000	\$900,000	Feasible
@ 750' North of Colonial Blvd				Urban interchange	2L	3L	Add 1 NB Lane	\$900,000	\$900,000	Feasible

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.

TABLE 1A & 2A
SHORT TERM LEVEL OF SERVICE
ANALYSIS

TABLE 1A
PEAK DIRECTION PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 225 VPH IN= 140 OUT= 85
 TOTAL PM PEAK HOUR PROJECT TRAFFIC = 1030 VPH IN= 505 OUT= 525

<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>	<u>PERCENT</u>		
								<u>PROJECT TRAFFIC</u>	<u>PROJECT TRAFFIC</u>	<u>PROJ/ LOS C</u>
N. River Rd.	E. of S.R. 31	2LN	0	290	760	900	920	15%	79	10.4%
S.R. 31	N. of N. River Rd.	2LN	100	360	710	1,000	1,270	15%	79	11.1%
	S. of N. River Rd.	2LN	100	360	710	1,000	1,270	70%	368	51.8%
	S. of S.R. 78	2LN	100	360	710	1,000	1,270	50%	263	37.0%
S.R. 80	W. of S.R. 31	6LN	670	2,490	2,850	2,920	2,920	25%	131	4.6%
	E. of S.R. 31	4LN	450	1,630	1,900	1,950	1,950	15%	79	4.1%
	E. of Buckingham Rd.	4LN	450	1,630	1,900	1,950	1,950	10%	53	2.8%
S.R. 78 (Bayshore)	W. of S.R. 31	2LN	0	290	760	900	920	20%	105	13.8%

* Level of Service Thresholds were obtained from the Lee County Generalized Service Volumes on Arterials

**TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
5-year CIP ANALYSIS**

TOTAL PROJECT TRAFFIC AM = 225 VPH IN = 140 OUT = 85
 TOTAL PROJECT TRAFFIC PM = 1030 VPH IN = 505 OUT = 525

<u>ROADWAY</u>	<u>SEGMENT</u>	<u>PCS</u>	<u>BASE YR</u>	<u>ADT</u>	<u>ADT</u>	<u>GROWTH</u>	<u>RATE</u>	2008	2013	<u>PERCENT</u>	<u>AM PROJ</u>	<u>PM PROJ</u>	2013	2013
								<u>PK HR</u>	<u>PK HR</u>				<u>BCKGRND</u>	<u>BCKGRND</u>
								<u>PK SEASON</u>	<u>PK SEASON</u>	<u>PROJECT</u>	<u>AM PROJ</u>	<u>PM PROJ</u>	<u>+ AM PROJ</u>	<u>+ PM PROJ</u>
								<u>PEAK DIR.</u>	<u>PEAK DIR.²</u>	<u>TRAFFIC</u>	<u>TRAFFIC</u>	<u>TRAFFIC</u>	<u>TRAFFIC</u>	<u>TRAFFIC</u>
N. River Rd.	E. of S.R. 31	5	1800	2100	8	1.95%		135	149	15%	21	79	170	227
S.R. 31	N. of N. River Rd.	11	7200	7500	9	0.45%		309	316	15%	21	79	337	395
	S. of N. River Rd.	11	7200	7500	9	0.45%		309	316	70%	98	368	414	684
	S. of S.R. 78	11	7200	7500	9	0.45%		478	489	50%	70	263	559	751
S.R. 80	W. of S.R. 31	5	24500	27100	9	1.13%		1453	1537	25%	35	131	1572	1668
	E. of S.R. 31	11	35200	34200	3	2.00%		1661	1834	15%	21	79	1855	1913
	E. of Buckingham Rd.	11	15400	16400	9	0.70%		1106	1145	10%	14	53	1159	1198
S.R. 78 (Bayshore)	W. of S.R. 31	34	8900	8700	9	2.00%		560	618	20%	28	105	646	723

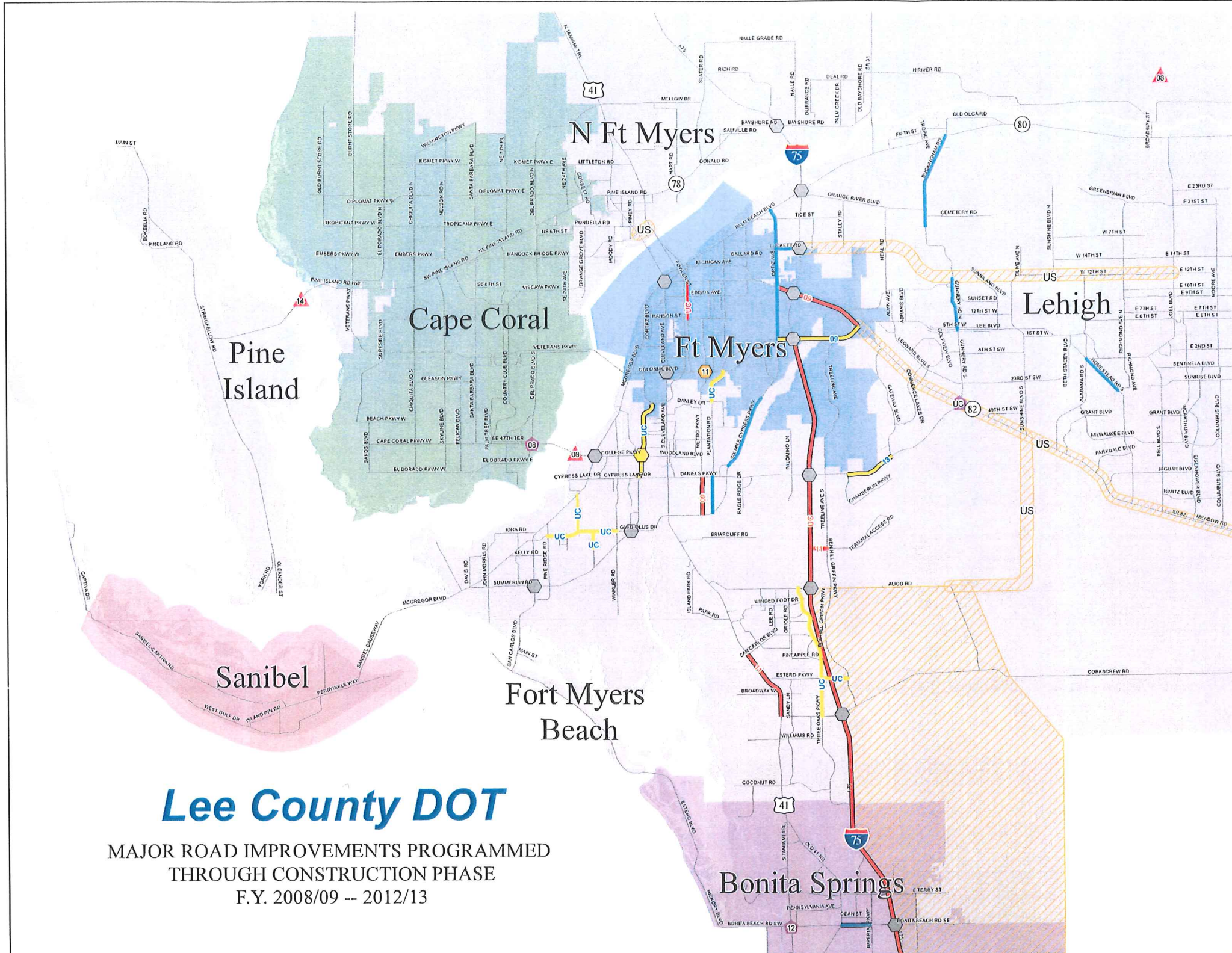
² The 2008 peak hour peak season peak direction volumes were obtained from the 2007/2008-2008/2009 Lee County Concurrency Management Report, dated October 2008

A minimum of 2% annual growth rate was used where a negative growth rate was shown

100th Highest Hour LOS Analysis

		2013	2013	2013
		<u>BCKGRND</u>	<u>BCKGRND</u>	<u>BCKGRND</u>
		<u>PK HOUR</u>	<u>+ AM PROJ</u>	<u>+ PM PROJ</u>
		<u>LOS</u>	<u>LOS</u>	<u>LOS</u>
N. River Rd.	E. of S.R. 31	B	B	B
S.R. 31	N. of N. River Rd.	B	B	C
	S. of N. River Rd.	B	C	C
	S. of S.R. 78	C	C	D
S.R. 80	W. of S.R. 31	B	B	B
	E. of S.R. 31	C	C	D
	E. of Buckingham Rd.	B	B	B
S.R. 78	W. of S.R. 31	C	C	C

LEE COUNTY/FDOT 5-YEAR
PLANNED IMPROVEMENTS



Legend

COUNTY ROAD PROJECTS

LANES

- 2
- 4
- 6
- Previously Programmed, 4
- Previously Programmed, 6

STATE ROAD PROJECTS

LANES

- 3
- 4
- 6

- COUNTY
- EXISTING
- STATE
- UNDER STUDY
- BRIDGE IMPROVEMENTS
- INTERSECTION IMPROVEMENTS
- ROAD CORRIDOR STUDIES

NOTE: All Projects are Subject to Change

US - Under Study
 UC - Under Construction
 08-12 - Year Construction Budgeted

DOT

LEE COUNTY

Department of Transportation

Lee County DOT

MAJOR ROAD IMPROVEMENTS PROGRAMMED
 THROUGH CONSTRUCTION PHASE
 F.Y. 2008/09 -- 2012/13

**PERMANENT COUNT STATION 34
PONDELLA RD E OF BETMAR**

2008 AADT = 19800
K100 Factor - 0.0952

Monthly ADT as a % of Annual ADT

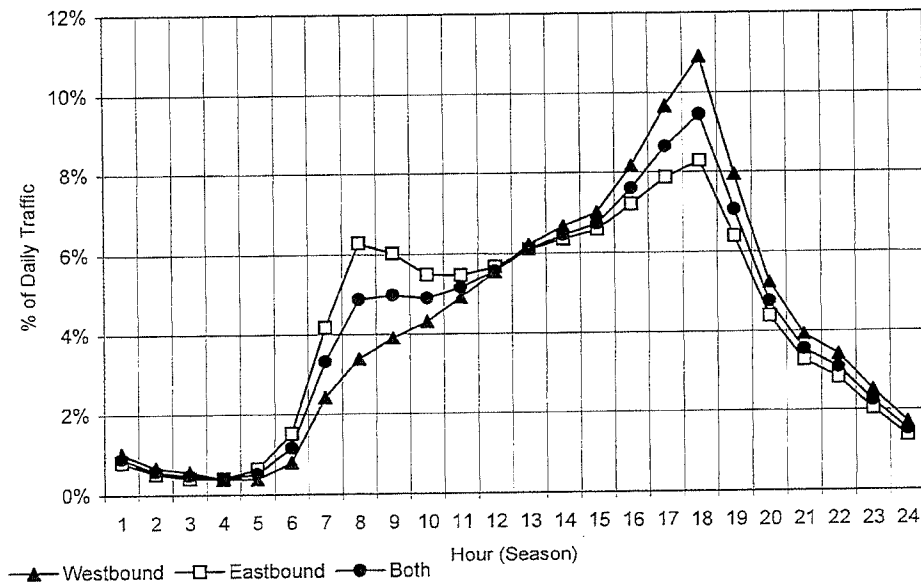
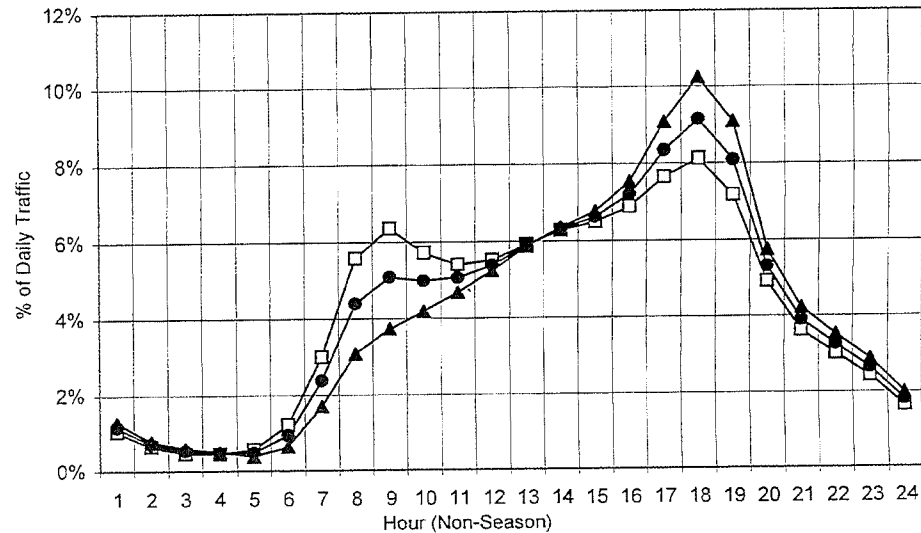
January	105%
February	113%
March	108%
April	108%
May	101%
June	96%
July	92%
August	92%
September	93%
October	99%
November	95%
December	99%

Day of Week as a % of Annual ADT

Monday	106%
Tuesday	107%
Wednesday	112%
Thursday	111%
Friday	116%
Saturday	83%
Sunday	64%

Weekday Peak Flow Characteristics	Non-Season	Season
Peak Flow between 7 a.m. and 9 a.m.		
1) as a % of weekday traffic	4.7%	4.9%
2) directional Split (peak direction)	64%	63%
	Eastbound	Eastbound
Peak Flow between 4 p.m. and 6 p.m.		
1) as a % of weekday traffic	8.7%	9.1%
2) directional Split (peak direction)	55%	56%
	Westbound	Westbound

**PERMANENT COUNT STATION 34
PONDELLA RD E OF BETMAR**



2008 LCTCR

P.C.S DATA

**PERMANENT COUNT STATION 5
PALM BEACH BLVD (SR 80) W OF SR 31**

2008 AADT = 27100
K100 Factor - 0.0908

Monthly ADT as a % of Annual ADT

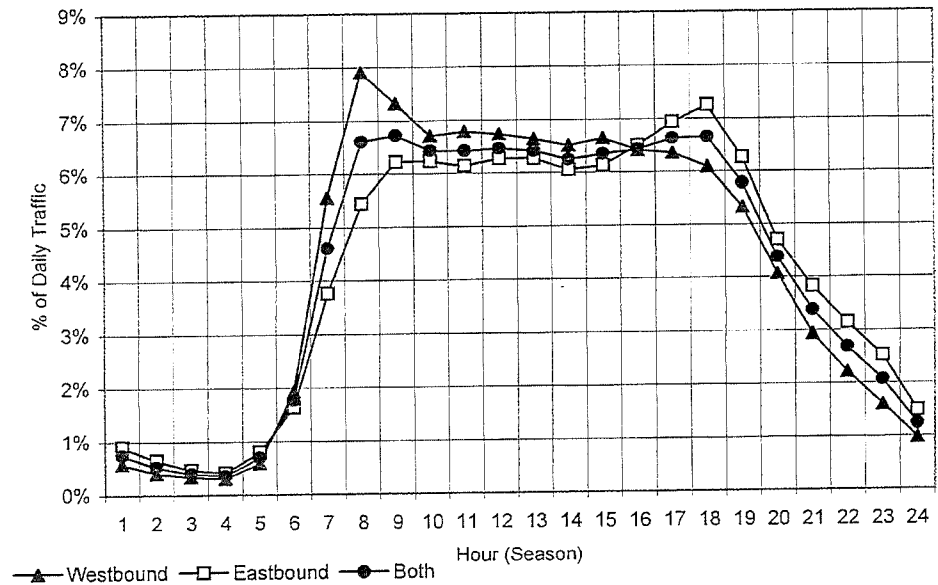
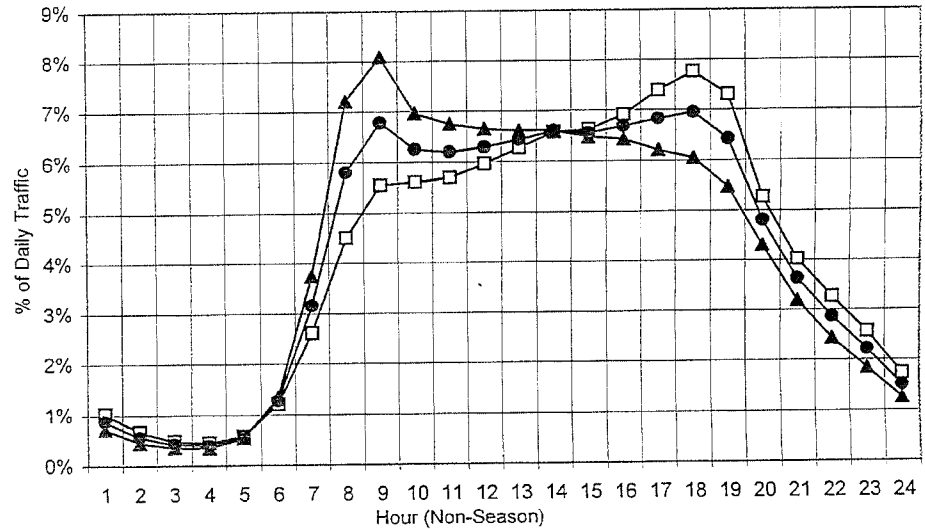
January	
February	119%
March	113%
April	107%
May	99%
June	92%
July	88%
August	88%
September	91%
October	97%
November	103%
December	105%

Day of Week as a % of Annual ADT

Monday	102%
Tuesday	102%
Wednesday	106%
Thursday	107%
Friday	115%
Saturday	91%
Sunday	78%

Weekday Peak Flow Characteristics	Non-Season	Season
Peak Flow between 7 a.m. and 9 a.m.		
1) as a % of weekday traffic	6.3%	6.7%
2) directional Split (peak direction)	60%	57%
	Westbound	Westbound
Peak Flow between 4 p.m. and 6 p.m.		
1) as a % of weekday traffic	6.9%	6.6%
2) directional Split (peak direction)	55%	53%
	Eastbound	Eastbound

**PERMANENT COUNT STATION 5
PALM BEACH BLVD (SR 80) W OF SR 31**



2008 LCPCR

**PERMANENT COUNT STATION 11
BUCKINGHAM RD S OF PALM BEACH BLVD**

2008 AADT = 8000
K100 Factor - 0.0996

Monthly ADT as a % of Annual ADT

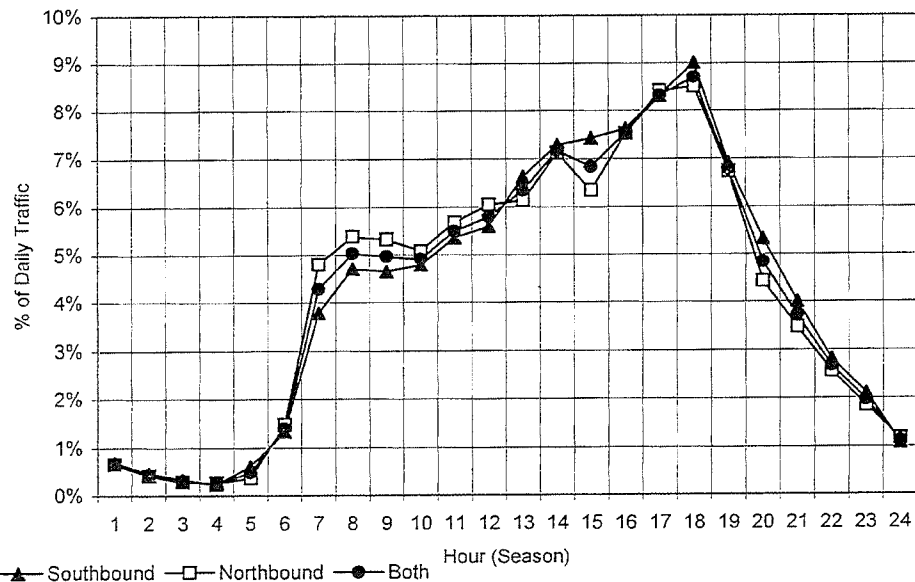
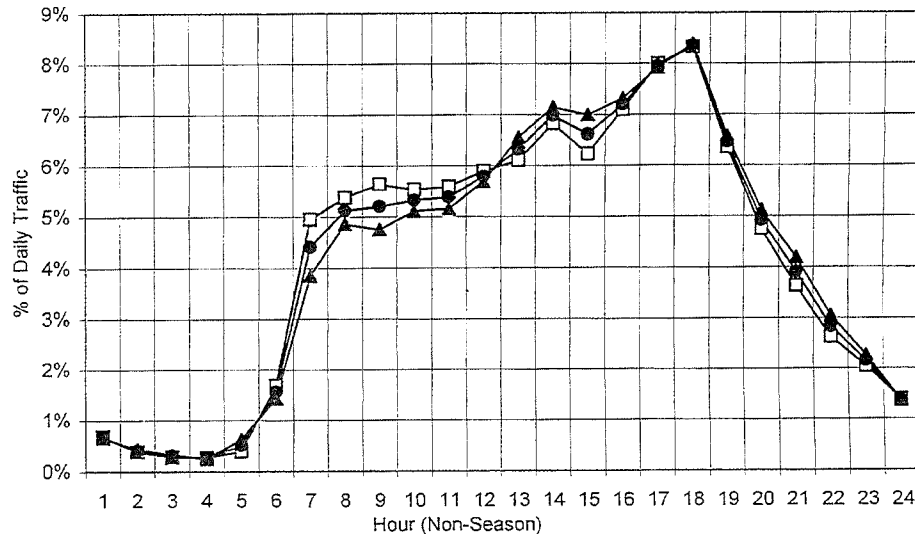
January	104%
February	
March	
April	103%
May	102%
June	100%
July	89%
August	102%
September	103%
October	107%
November	95%
December	99%

Day of Week as a % of Annual ADT

Monday	105%
Tuesday	98%
Wednesday	104%
Thursday	107%
Friday	114%
Saturday	93%
Sunday	76%

Weekday Peak Flow Characteristics	Non-Season	Season
Peak Flow between 7 a.m. and 9 a.m.		
1) as a % of weekday traffic	5.2%	5.0%
2) directional Split (peak direction)	53%	53%
	Northbound	Northbound
Peak Flow between 4 p.m. and 6 p.m.		
1) as a % of weekday traffic	8.2%	8.5%
2) directional Split (peak direction)	50%	51%
	Northbound	Southbound

**PERMANENT COUNT STATION 11
BUCKINGHAM RD S OF PALM BEACH BLVD**



2008 LCPCR

**PERMANENT COUNT STATION 11
BUCKINGHAM RD S OF PALM BEACH BLVD**

2007 AADT = 9600
K100 Factor - 0.104

Monthly ADT as a % of Annual ADT

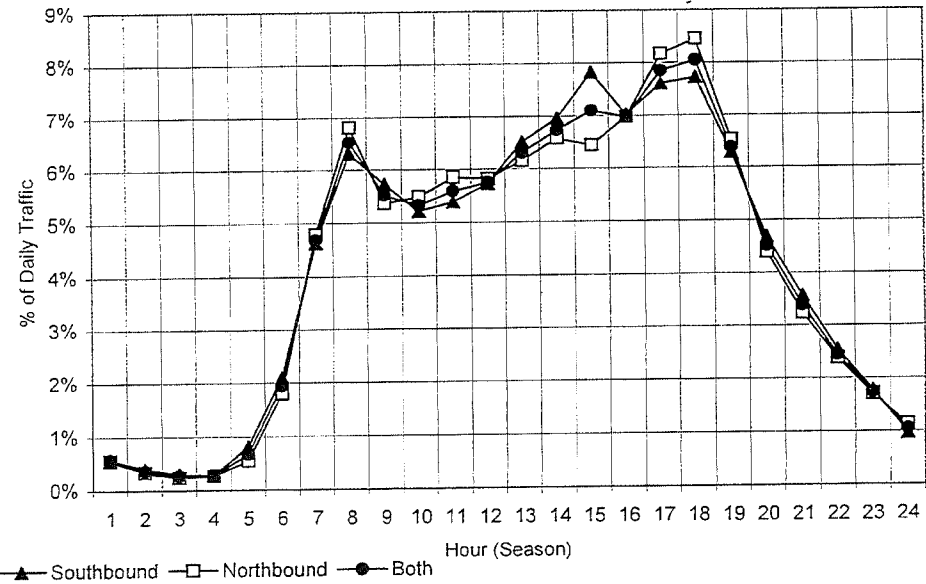
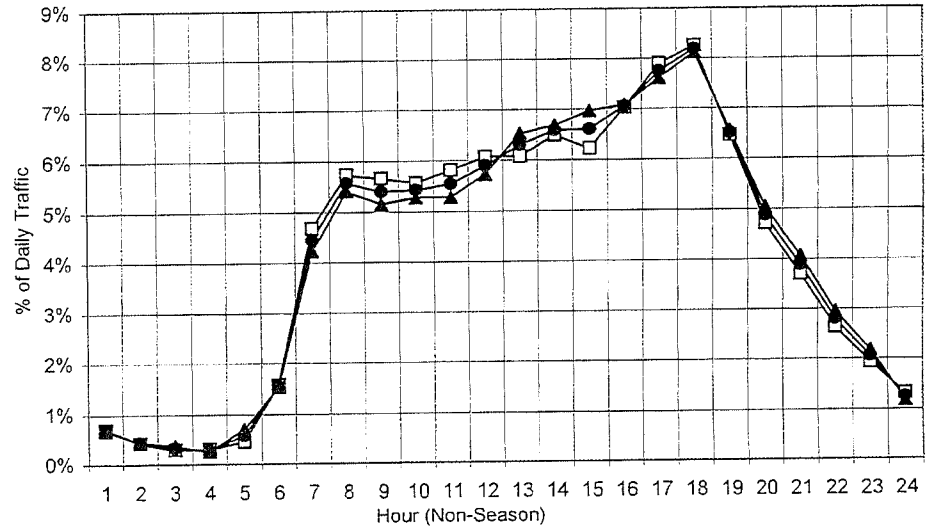
January	106%
February	113%
March	114%
April	106%
May	105%
June	91%
July	84%
August	96%
September	96%
October	100%
November	97%
December	93%

Day of Week as a % of Annual ADT

Monday	101%
Tuesday	107%
Wednesday	108%
Thursday	110%
Friday	114%
Saturday	87%
Sunday	73%

Weekday Peak Flow Characteristics	Non-Season	Season
Peak Flow between 7 a.m. and 9 a.m.		
1) as a % of weekday traffic	5.5%	6.0%
2) directional Split (peak direction)	52%	50%
	Northbound	Northbound
Peak Flow between 4 p.m. and 6 p.m.		
1) as a % of weekday traffic	8.0%	8.0%
2) directional Split (peak direction)	51%	52%
	Northbound	Northbound

**PERMANENT COUNT STATION 11
BUCKINGHAM RD S OF PALM BEACH BLVD**



2007 LCTR

15.00 Recording
.70 Documentary Stamps

4651703

0R3 | 29 P&2 | 90

Prepared by:
Stephen W. Buckley, Esquire
GOLDSTEIN, BUCKLEY, CECHMAN,
RICE & PURTZ, P.A.
Post Office Box 2366
Fort Myers, Florida 33502-2366
98-1099

Property Appraiser's
Parcel Identification No. 18-43-26-00-00001.0040

RECORDED BY
KAREN CARTWRIGHT, D.C.

Documentary Tax Pd. \$ 1.70
Intangible Tax Pd

CHARLIE GREEN, CLERK, LEE COUNTY
By Karen Cartwright Deputy Clerk

[Space above this line for recording data.]

WARRANTY DEED TO TRUSTEE UNDER LIVING TRUST

THIS WARRANTY DEED made this 8TH day of June, 1999, by DANIEL W. KREINBRINK and KATHERINE G. KREINBRINK, husband and wife, as GRANTOR*, whose address is 12100 River Road, Alva, Florida 33920, and KATHERINE G. KREINBRINK, Trustee of the KATHERINE G. KREINBRINK TRUST dated October 27, 1998, (hereinafter referred to as "Trustee") with full power and authority to protect, conserve and to sell, or to lease or to encumber, or to otherwise manage and dispose of the property hereinafter described, and whose address is 12100 River Road, Alva, Florida 33920;

and with DANIEL W. KREINBRINK to be successor trustee of the KATHERINE G. KREINBRINK TRUST upon death, disability or resignation of KATHERINE G. KREINBRINK. The written acceptance by DANIEL W. KREINBRINK recorded among the public records in the county where the real property described below is located, together with evidence of KATHERINE G. KREINBRINK'S death, disability or resignation, shall be deemed conclusive proof that the successor trustee provisions of the aforesaid Living Trusts have been complied with. Evidence of KATHERINE G. KREINBRINK'S death shall consist of a certified copy of her death certificate. Evidence of her disability shall consist of a licensed physician's affidavit establishing that KATHERINE G. KREINBRINK is incapable of performing her duties as Trustee of the aforesaid Living Trust. Evidence of KATHERINE G. KREINBRINK'S resignation shall consist of a resignation, duly executed and acknowledged by her. The successor trustee shall have the same powers granted to the original Trustee as set forth above.

WITNESSETH:

That Grantor, for and in consideration of the sum of TEN AND NO/100'S DOLLARS (\$10.00), and other good and valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto Trustee, all that certain land situate in Lee County, Florida, to-wit:

See Exhibit A attached hereto and by reference incorporated herein.

PREPARED WITHOUT EXAMINATION OF TITLE

TO HAVE AND TO HOLD the above-described real estate in fee simple with the appurtenances upon the trust and for the purposes set forth in this Deed and in the Katherine G. Kreinbrink Trust dated October 27, 1998.

GRANTEE, as TRUSTEE, is hereby granted full power and authority, pursuant to the provisions of Florida Statute 689.071, to protect, conserve, sell, convey, lease, encumber and to otherwise manage and deal with the property herein conveyed. No person dealing with such Trustee(s) shall be privileged or required to inquire of the proceeds from any sale of the property. The interest of the beneficiaries under such Trust(s) is hereby declared to be personal property.


RECEIVED

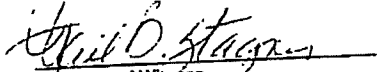
APR 29 2009

CPA 2008-00003

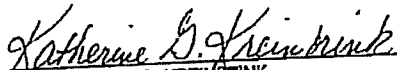
IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:


Signature of Witness
Print Name LINDA R. MINTZ


Signature of Witness
Print Name CAROL P. STAGNER


DANIEL W. KREINBRINK


KATHERINE G. KREINBRINK


0R3129 PG2191

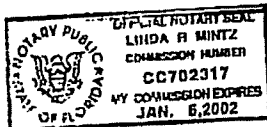
STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 08 day of June, 1999, by DANIEL W. KREINBRINK and KATHERINE G. KREINBRINK,

- who are personally known to me, or
 who produced _____ as identification.

My Commission Expires:


NOTARY PUBLIC (Seal)



I HEREBY CERTIFY THAT THIS SKETCH AS SHOWN IS A TRUE REPRESENTATION OF THE PARCEL HEREON DESCRIBED AS TO THE BEST OF MY KNOWLEDGE AND BELIEF.

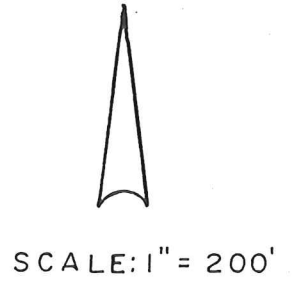
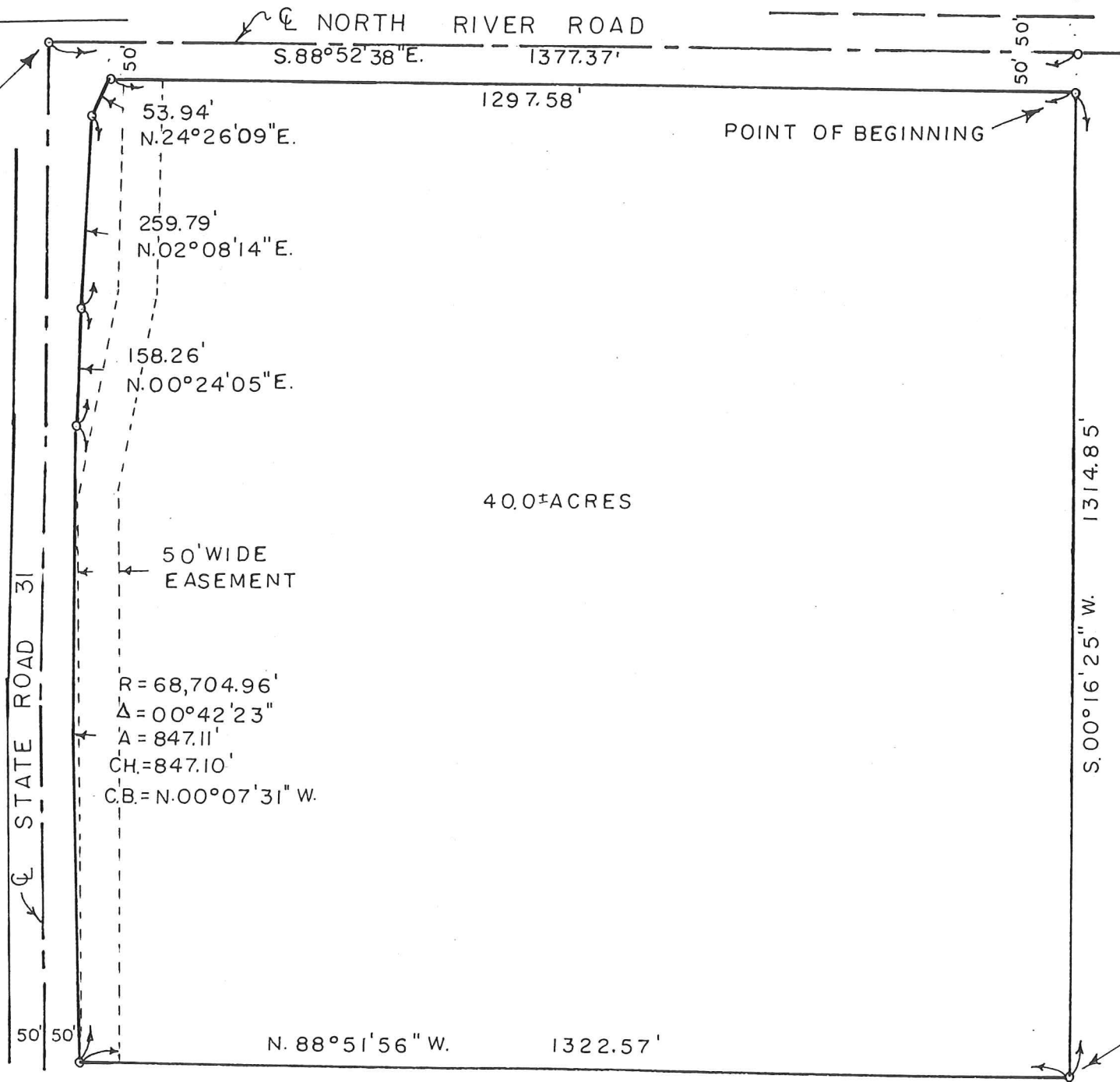
J. R. Starnes
 JAMES R. STARNES P.L.S. 4869
 PROFESSIONAL LAND SURVEYOR
 STATE OF FLORIDA.

POINT OF COMMENCEMENT
 THE N.W. CORNER SECTION 18
 874,843.72
 734,163.86

THE BEARINGS AS SHOWN
 HEREON ARE BASED ON THE
 CENTERLINE OF NORTH RIVER RD.
 AS BEING S.88°52'38"E.

THE COORDINATES AS SHOWN
 HEREON ARE BASED ON THE
 STATE PLANE COORDINATE
 SYSTEM FOR THE FLORIDA WEST
 ZONE NORTH AMERICAN DATUM
 1983/1999 ADJUSTMENT.

NOTE: (1). THIS SKETCH IS NOT A SURVEY.
 (2). THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND
 THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED
 SURVEYOR AND MAPPER.



RECEIVED
 APR 29 2009
 2008-00003

873,451.90
 735,534.44

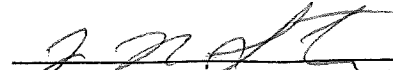
FOR: KREINBRINK
 DATE: 4-24-09
 PHONE: (239) 543-3335

Starnes Surveying, Inc. L.B. 6766
 SURVEYING • ENGINEERING • LAND PLANNING
 18571 DURRANGER RD. N. FT. MYERS, FL. 33917

CERTIFIED SKETCH
 FIELD BOOK _____ W.O. NUMBER
 PAGE _____ 4306

SHEET 1 OF 2

I HEREBY CERTIFY THAT THIS SKETCH AS SHOWN IS A TRUE REPRESENTATION OF THE PARCEL HEREON DESCRIBED AS TO THE BEST OF MY KNOWLEDGE AND BELIEF.


JAMES R. STARNES P.L.S. 4869
PROFESSIONAL LAND SURVEYOR
STATE OF FLORIDA.

NOTE: (1). THIS SKETCH IS NOT A SURVEY.
(2). THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

FOR: KREINBRINK
DATE: 4-24-09
PHONE: (239) 543-3335

SHEET 2 OF 2

Starnes Surveying, Inc. L.B. 6766
SURVEYING, ENGINEERING, LAND PLANNING
18571 DURRANGER RD., N. FT. MYERS, FL. 33917

CERTIFIED SKETCH
FIELD BOOK _____ W.O. NUMBER
PAGE _____ 4306

LEGAL DESCRIPTION AS PER O.R. 3129 P. 2192

A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 18, RUN S.88°52'38"E. ALONG THE NORTH LINE OF SAID SECTION 18 FOR 1377.37 FEET; THENCE RUN S.00°16'25"W. FOR 50.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF STATE ROAD 78 (100 FEET WIDE) AND THE POINT OF BEGINNING OF SAID PARCEL OF LAND; FROM SAID POINT OF BEGINNING RUN S.00°16'25"W. FOR 1314.85 FEET; THENCE RUN N.88°51'56"W. FOR 1322.57 FEET TO THE EASTERLY RIGHT-OF-WAY OF STATE ROAD 31 (100 FEET WIDE); A NON-TANGENT POINT ON A CURVE CONCAVE TO THE EAST WITH A RADIUS OF 68,704.96 FEET, A CENTRAL ANGLE OF 00°42'23", AND A CHORD OF 847.10 FEET THAT BEARS N.00°07'31"W.; THENCE RUN NORTHERLY ALONG SAID CURVE AND ALONG SAID EASTERLY RIGHT-OF-WAY OF STATE ROAD 31 FOR 847.11 FEET TO A POINT OF TANGENCY; THENCE CONTINUE ALONG SAID EASTERLY RIGHT-OF-WAY OF STATE ROAD 31 N.00°24'05"E. FOR 158.26 FEET; THENCE N.02°08'14"E. ALONG SAID EASTERLY RIGHT-OF-WAY OF STATE ROAD 31 FOR 259.79 FEET; THENCE RUN N.24°26'09"E. ALONG SAID EASTERLY RIGHT-OF-WAY OF STATE ROAD 31 FOR 53.94 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF STATE ROAD 78; THENCE RUN S.88°52'38"E. ALONG SAID SOUTHERLY RIGHT-OF-WAY OF STATE ROAD 78 FOR 1297.58 FEET TO THE POINT OF BEGINNING.