



**UNIVERSITY HIGHLAND LIMITED  
PARTNERSHIP**

**APPLICATION FOR COMPREHENSIVE  
PLAN AMENDMENT**

PREPARED FOR:

**NM Development Group**  
9130 Galleria Court, Suite 316  
Naples, Florida 34109

PREPARED BY:

**WilsonMiller, Inc.**  
3200 Bailey Lane, Suite 200  
Naples, Florida 34105

and

**Pavese Law Firm**  
1833 Hendry Street  
Fort Myers, Florida 33901

**RECEIVED**  
MAR 12 2010

**COMMUNITY DEVELOPMENT**

March, 2010

**CPA 2010-00002**



Lee County Board of County Commissioners  
Department of Community Development  
Division of Planning  
Post Office Box 398  
Fort Myers, FL 33902-0398  
Telephone: (239) 533-8585  
FAX: (239) 485-8319

## 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: 105

Submit **6** copies of the complete application and amendment support documentation, including maps, to the Lee County Division of Planning. Up to 90 additional copies will be required for Local Planning Agency, Board of County Commissioners hearings and the Department of Community Affairs' packages. Staff will notify the applicant prior to each hearing or mail out.

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.

3-15-10

DATE

Margaret Perry

SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE



## I. APPLICANT/AGENT/OWNER INFORMATION

University Highland Limited Partnership

APPLICANT

9130 Galleria Court, Suite 316

ADDRESS

Naples

FL

34109

CITY

STATE

ZIP

781-431-1030

781-431-1422

TELEPHONE NUMBER

FAX NUMBER

WilsonMiller, Inc. (Margaret Perry) / Pavese Law Firm (Neale Montgomery)

AGENT\*

3200 Bailey Lane, Suite 200 / 1833 Hendry Street

ADDRESS

Naples / Fort Myers

FL

34105 / 33901

CITY

STATE

ZIP

239-649-4040 / 239-336-6235

239-643-5716 / 239-332-2243

TELEPHONE NUMBER

FAX NUMBER

University Highland Limited Partnership

OWNER(s) OF RECORD

9130 Galleria Court, Suite 316

ADDRESS

Naples

FL

34109

CITY

STATE

ZIP

781-431-1030

781-431-1422

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.

Mr. Albert F. Moscato, Jr.  
NM Development Group  
9130 Galleria Court, Suite 316  
Naples, FL 34103

Mr. Ron Talone  
David Plummer and Associates  
2271 McGregor Blvd., Suite 200  
Fort Myers, FL 33901

Mr. John English  
WilsonMiller, Inc.  
3200 Bailey Lane, Suite 200  
Naples, FL 34105

Mr. Stuart Miller  
WilsonMiller, Inc.  
3200 Bailey Lane, Suite 200  
Naples, FL 34105

## 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 22)  
List Number(s) of Map(s) to be amended:  
Map 1

1. Future Land Use Map amendments require the submittal of a complete list, map, and two sets of mailing labels of all property owners and their mailing addresses, for all property within 500 feet of the perimeter of the subject parcel. The list and mailing labels may be obtained from the Property Appraisers office. The map must reference by number or other symbol the names of the surrounding property owners list. The applicant is responsible for the accuracy of the list and map.

At least 15 days before the Local Planning Agency (LPA) hearing, the applicant will be responsible for posting signs on the subject property, supplied by the Division of Planning, indicating the action requested, the date of the LPA hearing, and the case number. An affidavit of compliance with the posting requirements must be submitted to the Division of Planning prior to the LPA hearing. The signs must be maintained until after the final Board adoption hearing when a final decision is rendered.

### B. SUMMARY OF REQUEST (Brief explanation):

The applicant is requesting a Future Land Use Map amendment to redesignate 208.4 acres of property currently designated as Suburban to Urban Community.

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

### A. Property Location:

1. Site Address: Ben Hill Griffin Parkway, Estero, FL 33928

2. STRAP(s): 26-46-25-00-00001.1020

B. Property Information

Total Acreage of Property: 208.4 acres

Total Acreage included in Request: 208.4 acres

Total Uplands: 208.1 acres

Total Wetlands: 0.3 acres

Current Zoning: Mixed Use Planned Development

Current Future Land Use Designation: Suburban

Area of each Existing Future Land Use Category: 100%

Existing Land Use: Parcel is vacant and includes an existing stormwater lake.

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:* N/A

*Airport Noise Zone 2 or 3:* N/A

*Acquisition Area:* N/A

*Joint Planning Agreement Area (adjoining other jurisdictional lands):* N/A

*Community Redevelopment Area:* N/A

D. Proposed change for the subject property:

Change land use designation from Suburban to Urban Community

E. Potential development of the subject property:

1. Calculation of maximum allowable development under existing FLUM:

Residential Units/Density 6 units per acre

Commercial intensity N/A

Industrial intensity N/A

2. Calculation of maximum allowable development under proposed FLUM:

Residential Units/Density 6 units per acre

Commercial intensity N/A

Industrial intensity N/A

**Please see attached Preliminary Density and Intensity Calculations. Applicant is not requesting bonus density which is allowed in the Urban Community; maximum density requested is 6 units per acre.**

#### **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.

**N/A; no text changes are proposed.**

2. Provide a current Future Land Use Map at an appropriate scale showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.
3. Provide a proposed Future Land Use Map at an appropriate scale showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.
4. 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.
5. Map and describe existing zoning of the subject property and surrounding properties.
6. The certified legal description(s) and certified sketch of the description for the property subject to the requested change. A metes and bounds legal description must be submitted specifically describing the entire perimeter boundary of the property with accurate bearings and distances for every line. The sketch must be tied to the state plane coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment) with two coordinates, one coordinate being the point of beginning and the other an opposing corner. If the subject property contains wetlands or the proposed



amendment includes more than one land use category a metes and bounds legal description, as described above, must be submitted in addition to the perimeter boundary of the property for each wetland or future land use category.

7. A copy of the deed(s) for the property subject to the requested change.
8. An aerial map showing the subject property and surrounding properties.
9. If applicant is not the owner, a letter from the owner of the property authorizing the applicant to represent the owner.

**N/A**

**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 – Please see information contained in the Traffic Analysis Tab**

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 2030 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 (see Policy 95.1.3):  
**Please see information contained in the Public Facilities Analysis tab**
- a. Sanitary Sewer
  - b. Potable Water
  - c. Surface Water/Drainage Basins
  - d. Parks, Recreation, and Open Space
  - e. Public Schools.

Analysis should include (but is not limited to) the following (see the Lee County Concurrency Management Report):

- Franchise Area, Basin, or District in which the property is located;
- Current LOS, and LOS standard of facilities serving the site;
- Projected 2030 LOS under existing designation;
- Projected 2030 LOS under proposed designation;
- Existing infrastructure, if any, in the immediate area with the potential to serve the subject property.
- 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).
- Provide a letter of service availability from the appropriate utility for sanitary sewer and potable water.

In addition to the above analysis for Potable Water:

- Determine the availability of water supply within the franchise area using the current water use allocation (Consumptive Use Permit) based on the annual average daily withdrawal rate.
  - Include the current demand and the projected demand under the existing designation, and the projected demand under the proposed designation.
  - Include the availability of treatment facilities and transmission lines for reclaimed water for irrigation.
  - Include any other water conservation measures that will be applied to the site (see Goal 54).
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;
  - d. Solid Waste;
  - e. Mass Transit; and
  - f. 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 – **Please see information contained in the Environmental/Historic Impacts tab**

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 depicting the property boundaries and 100-year flood prone areas indicated (as identified by FEMA).
4. A map delineating the property boundaries on the Flood Insurance Rate Map effective August 2008.
5. A map delineating wetlands, aquifer recharge areas, and rare & unique uplands.
6. 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 – Please see information contained in the Environmental/Historic Impacts tab**

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 2030 Allocations), and the total population capacity of the Lee Plan Future Land Use Map.

**The proposal does not affect the Lee County population projections, Table 1(b)(Planning Community Year 2030 Allocations. The property is located in the Suburban land use category which permits a maximum of 6 units per acre. The property will be changed from the Suburban land use category to the Urban Community category which permits a maximum of 6 units an acre in the standard density range, with the potential for bonus density up to 10 units per acre. The applicant has agreed to include a notation in the plan amendment that indicates that the subject property is not entitled to the bonus density. Thus the potential population accommodation remains the same. Furthermore, Policy 1.7.2. identifies a “Development of Regional Impact overlay”, and indicates that it is an informational tool showing all of the county property subject to Development Orders issued pursuant to Chapter 380, F.S. If one refers to Lee Plan Map 1, page 3 of 6, one will see all of the DRIs identified on the map and the Timberland and Tiburon DRI is identified as development number 63 on the Map. While Policy 1.7.2. submits that the information is purely informational, the county does consider approved developments, particularly Developments of Regional Impact when it develops and modifies Table 1(b). Table 1(b) took the approved density in the Timberland and Tiburon DRI in consideration when the Table 1(b), Planning Community Year 2030 Allocations was created. Lastly, the Timberland and Tiburon DRI was approved prior to the adoption of any planning community maps and allocation tables. Section 163.3167(8), F.S. provides, “Nothing in this act shall limit or modify the rights of any person to complete any development that has been authorized as a development of regional impact pursuant to Chapter 380 or who has been issued a final local development order and development has commenced and is continuing**



in good faith.” A Notice of Proposed Change application has been submitted to all of the agencies, but the application is not seeking an increase in residential density. Therefore, there is no impact on Table 1(b).

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.

**N/A; none of the goals and objectives of the Lee Plan are affected by this proposed Future Land Use Map change.**

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

**N/A; the proposed Future Land Use Map change does not affect adjacent local governments or their comprehensive plans.**

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

**N/A; none of the State Policy Plan and Regional Policy Plan goals and policies are relevant to this proposed Future Land Use Map change.**

**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.

**N/A**

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.

**N/A**

3. Requests involving lands in critical areas for future water supply must be evaluated based on policy 2.4.2.

**N/A**

4. Requests moving lands from Density Reduction/Groundwater Resource must fully address Policy 2.4.3 of the Lee Plan Future Land Use Element.

**N/A**

- 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.

The entire Timberland and Tiburon DRI is currently located in three land use categories, General Interchange, Suburban and Wetlands. The Miromar Outlets to the south are located in General Interchange, the Publix shopping center and Grandezza are located in the Suburban and Wetland future land use categories. The subject 208.4 acres are located in the Suburban future land use category. At this juncture, the subject property is clearly infill development, as all properties north of Corkscrew Road, south of Daniels Road, west of Ben Hill Griffin Parkway, and east of I-75 are in a more intensive land use category. The area has become decidedly less residential, and the subject property finds itself surrounded on three sides by major arterial roadways, one of which is an elevated roadway. Florida Gulf Coast University was not contemplated at the time the Timberland and Tiburon DRI was originally approved. The Suburban designation is described as being on the fringe of either Central Urban or Urban Community areas, as is the case with the subject property. The parcel is surrounded on three sides by three different land use designations, isolating this property from similarly situated Suburban lands. To the north are Estero Parkway and the University Community Future Land Use designation, to the west is I-75 and the Urban Community Future Land Use designation and to the south is the Miromar Outlets and the General Interchange Future Land Use designation. Directly across Ben Hill Griffin Parkway to the east is the balance of the subject DRI which is developed with the Grandezza community, is located in the Suburban Future Land Use designation, and is separated from the balance of the DRI areas by a substantial landscape berm. Based upon sound planning principles, it makes sense to designate the subject property Urban Community.

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, David W. Nassif, Manager of University Highland Limited Partnership, 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.

*David W. Nassif*  
Signature of owner or owner-authorized agent

3-11-10

Date

David W. Nassif  
Typed or printed name

STATE OF FLORIDA )  
COUNTY OF COLLIER )

The foregoing instrument was certified and subscribed before me this 11<sup>th</sup> day of March 2010,  
by David W. Nassif, who is personally known to me or who has produced  
FL Office as identification.

(SEAL)



*Darlene A. Krawec*  
Signature of notary public

Darlene A. Krawec  
Printed name of notary public

## **Density and Intensity Calculations**

The project was originally approved via Resolution **Z-97-010** for the Timberland and Tiburon MPD and is subject to DRI Development Order # 07-8384-46. Approved:

2,895 dwelling units  
90,000 sq. ft. of commercial square footage (790,000 sq. ft. DRI total)  
200 hotel rooms

The commercial may be increased by 30,000 sq. ft. and office by 50,000 sq. ft. provided a corresponding reduction of residential is proposed as stated Resolution Z-97-010, Condition 2 (page 7 of 15).

The project was amended by the following resolutions;

**Z-97-072**, Approved:

7,950 seat sports arena and a 5,000 sq. ft. Group II, Restaurant  
A reduction of 375 dwelling units for a total of 2,520 dwelling units allowed  
A reduction of 2,000 sq. ft. to 88,000 (MPD only, 788,000 sq. ft. DRI total)

**Z-98-020**, Approved:

An amendment to the MCP and to allow for a realignment of the project's internal street system.

**ADD200-0109**, Approved:

An amendment to allow for an additional 22,000 sq. ft. of commercial area  
A reduction of 150 dwelling units (approved administratively per Resolution Z-97-010, Condition 2 (page 7 of 15)).

**Z-02-034**, Approved:

The addition of a 127-acre parcel and 400 dwelling units.  
Delete the Adult Congregate Living Facility use.  
Relocation of the hotel use.

### **Project Totals**

**Z-97-010 as subsequently amended (above)**

2,335 dwelling units  
118,000 square feet of commercial  
7,950 seat sports arena with a 5,000 sq. ft. Group II Restaurant.  
200 Hotel units



### **Undeveloped for Timberland and Tiburon MPD**

Dwelling Units remaining = 1,356  
Commercial Square footage = 12,384 sq. ft. (7,384 sq.ft. + 5,000 sq. ft. Group II Restaurant)  
200 Hotel Units

### **Proposed Development Parameters for Timberland and Tiburon 9<sup>th</sup> MPD Amendment**

Dwelling Units = 2,279 (A decrease of 56 units)  
General office = 150,000 sq. ft. of which 50,000 sq. ft. can be medical office (an increase of 150,000 sq. ft.)  
Commercial Use = 210,000 sq. ft. (an increase of 87,000 sq. ft.)  
7,950 seat sports arena (No change)  
Hotel Units = 200 (No change)

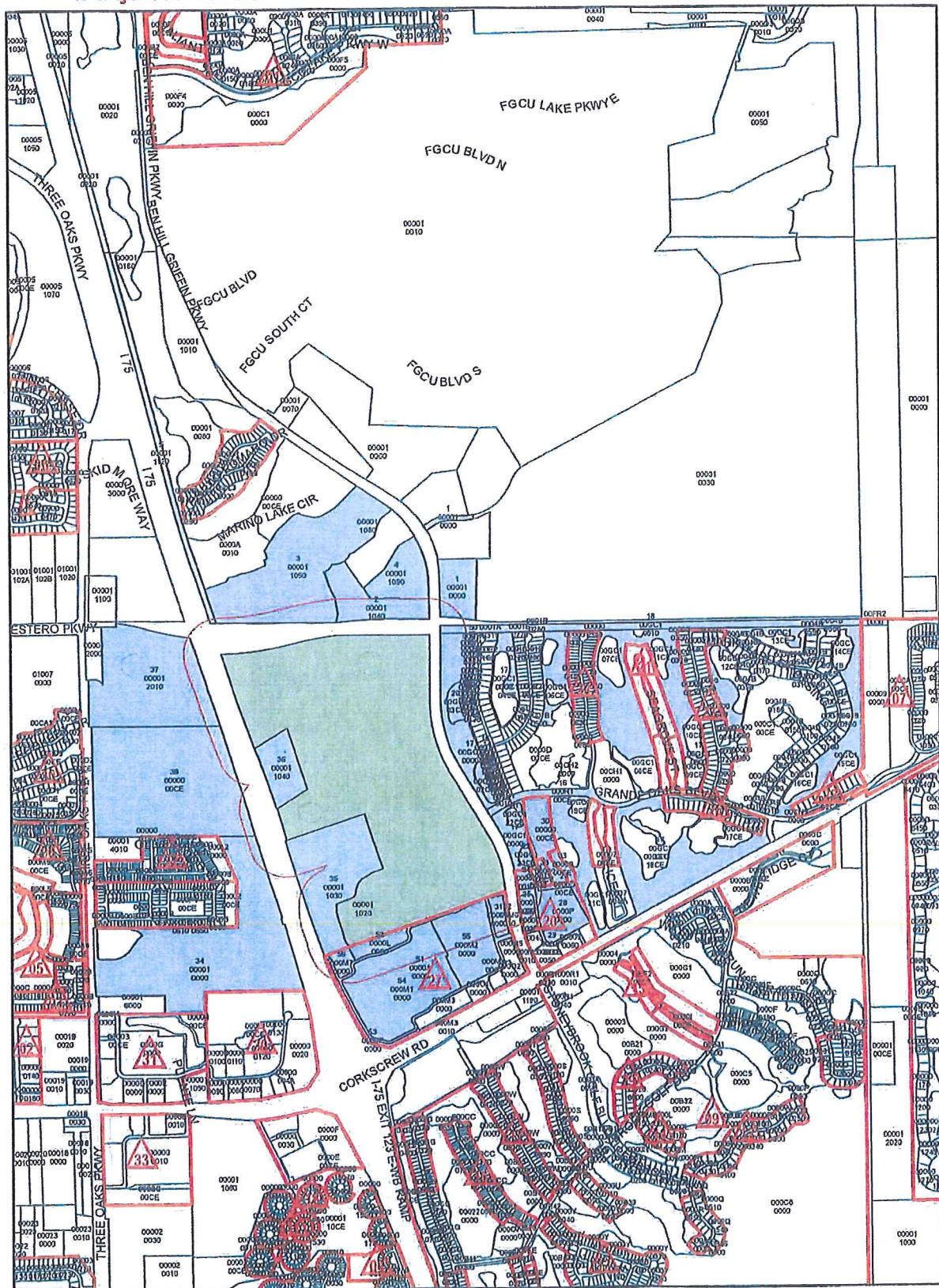
### **Proposed Development Parameters for UHLP Site**

Dwelling Units = 1,300  
General office = 150,000 sq. ft. of which 50,000 sq. ft. can be medical office  
Commercial (Retail) Use = 99,384 sq. ft.  
Hotel Units = 200

# VARIANCE REPORT

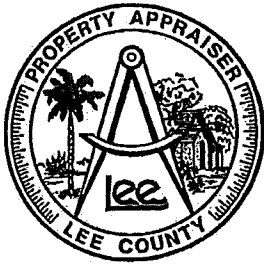
2/16/2010

Subject Parcels : 1 Affected Parcels : 56 Buffer Distance : 500 ft



26-46-25-00-00001.1020

2,100 1,050 0 2,100 Feet



# 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:** February 16, 2010  
**Buffer Distance:** 500 ft  
**Parcels Affected:** 56  
**Subject Parcel:** 26-46-25-00-00001.1020

<b>OWNER NAME AND ADDRESS</b>	<b>STRAP AND LOCATION</b>	<b>LEGAL DESCRIPTION</b>	<b>Map Index</b>
MIROMAR LAKES LLC 10801 CORKSCREW RD STE 305 ESTERO FL 33928	<b>23-46-25-00-00001.0000</b> BEN HILL GRIFFIN PKWY MIROMAR LAKES FL 33913	PARCEL LYING IN SW 1/4 OF SECT SOUTH OF TREELINE RD LESS RD R/W DESC IN INST #2008000315421	1
MIROMAR LAKES LLC 10801 CORKSCREW RD STE 305 ESTERO FL 33928	<b>23-46-25-00-00001.1040</b> RESERVED MIROMAR LAKES FL 33913	PARCEL LYING IN THE SW 1/4 OF SECT DESC IN OR 3380 PG 797 AKA AREA D LESS OR 4161/3976 + OR 4236/1965 LESS ROW DESC IN INST#2006-227387	2
MIROMAR LAKES CDD WRATHELL HART HUNT ASSOCIATES 6131 LYONS RD STE 100 COCONUT CREEK FL 33073	<b>23-46-25-00-00001.1050</b> RESERVED MIROMAR LAKES FL 33913	PARCEL LYING IN THE SW 1/4 OF SECT DESC IN OR 3165 PG 1800 C2 CONSERVATION AREA INST 2005-167714 LESS ROW DESC IN INST#2006-227387	3
SOUTH WEST DISTRICT FLORIDA 2049-B N HONORE AVE SARASOTA FL 34235	<b>23-46-25-00-00001.1090</b> ACCESS UNDETERMINED FORT MYERS FL 33913	PARL LYING IN SW 1/4 OF SECT DESC IN OR 4236/1965	4
MIROMAR LAKES CDD WRATHELL HART HUNT ASSOCIATES 6131 LYONS RD STE 100 COCONUT CREEK FL 33073	<b>23-46-25-00-00001.1120</b> ACCESS UNDETERMINED MIROMAR LAKES FL 33913	PARCEL LYING IN THE SW 1/4 OF SECT DESC INST#2006-301183	5
NOTESTINE PATRICK A + CAROL R 20194 BUTTERMERE CT ESTERO FL 33928	<b>25-46-25-16-0001A.0010</b> 20194 BUTTERMERE CT ESTERO FL 33928	GRANDE OAK S/D PB 67 PGS 15 THRU 36 TR 1A LOT 1	6
SCHUCHMAN MYRON L + ROBYNE B 20188 BUTTERMERE CT ESTERO FL 33928	<b>25-46-25-16-0001A.0020</b> 20188 BUTTERMERE CT ESTERO FL 33928	GRANDE OAK S/D PB 67 PGS 15 THRU 36 TR 1A LT 2	7
LUCAS LEONARD J + YVONNE M 20182 BUTTERMERE CT ESTERO FL 33928	<b>25-46-25-16-0001A.0030</b> 20182 BUTTERMERE CT ESTERO FL 33928	GRANDE OAK S/D PB 67 PGS 15 THRU 36 TR 1A LT 3	8
LANG JOHNNY D + JOANN C TR 20176 BUTTERMERE CT ESTERO FL 33928	<b>25-46-25-16-0001A.0040</b> 20176 BUTTERMERE CT ESTERO FL 33928	GRANDE OAK S/D PB 67 PGS 15 THRU 36 TR 1A LOT 4	9
LIPSCHULTZ DAVID H + BETTY SUE 5225 GRANDVIEW SQUARE #306 EDINA MN 55436	<b>25-46-25-16-0001A.0050</b> 20170 BUTTERMERE CT ESTERO FL 33928	GRANDE OAK S/D PB 67 PGS 15 THRU 36 TR 1A LT 5	10
CRAIGHAN PETER + JOYCE 1 BROSELEY AVE CULCHETH WARRINGTON WA34AH UNITED KINGDOM	<b>25-46-25-16-0001A.0060</b> 20164 BUTTERMERE CT ESTERO FL 33928	GRANDE OAK S/D PB 67 PGS 15 THRU 36 TR 1A LT 6	11
MOORE FREDA A + 20160 BUTTERMERE CT ESTERO FL 33928	<b>25-46-25-16-0001A.0070</b> 20160 BUTTERMERE CT ESTERO FL 33928	GRANDE OAK S/D PB 67 PGS 15 THRU 36 TR 1A LT 7	12

<b><u>OWNER NAME AND ADDRESS</u></b>	<b><u>STRAP AND LOCATION</u></b>	<b><u>LEGAL DESCRIPTION</u></b>	<b><u>Map Index</u></b>
SKOV MICHAEL C TR 20154 BUTTERMERE CT ESTERO FL 33928	<b>25-46-25-16-0001A.0080</b> 20154 BUTTERMERE CT ESTERO FL 33928	GRANDE OAK S/D PB 67 PGS 15 THRU 36 TR 1A LT 8	13
MURPHY JEANNE R TR 20148 BUTTERMERE CT ESTERO FL 33928	<b>25-46-25-16-0001A.0090</b> 20148 BUTTERMERE CT ESTERO FL 33928	GRANDE OAK S/D PB 67 PGS 15 THRU 36 TR 1A LOT 9	14
WERTHMANN CAROL J + THOMAS S 2433 WEMBLY LN TROY MI 48084	<b>25-46-25-16-0001A.0100</b> 20142 BUTTERMERE CT ESTERO FL 33928	GRANDE OAK S/D PB 67 PGS 15 THRU 36 TR 1A LT 10	15
FLORIDA DEVELOPMENT PARTNERS 11481 GRANDE OAK BLVD ESTERO FL 33928	<b>25-46-25-16-000R1.00CE</b> RIGHT OF WAY ESTERO FL 33928	GRANDE OAK S/D PB 67 PGS 15 THRU 36 TRACT R-1	16
FLORIDA DEVELOPMENT PARTNERS 11481 GRANDE OAK BLVD ESTERO FL 33928	<b>25-46-25-16-00GC1.0000</b> GOLF COURSE FL	GRANDE OAK S/D PB 67 PGS 15-36 TRACTS GC-1 THRU GC-4 + TRACT GC GRANDE OAK TR 6 PB 71 PGS 71-73 LESS OR 3356/4028 + INST#2006-178885 LESS LAKES DESC IN INST #2009000246714	17
LEE COUNTY PO BOX 398 FORT MYERS FL 33902	<b>25-46-25-16-00GC1.0010</b> ACCESS UNDETERMINED ESTERO FL 33928	GRANDE OAK S/D PB 67 PGS 15-36 N 75FT OF TRACT GC-1 + C-4 AS DESC IN INST#2006-178885	18
GRANDEZZA MASTER PROPERTY 20301 GRAND OAKS SHOPPES #118 PMB #61 ESTERO FL 33928	<b>25-46-25-16-00GC1.02CE</b> SUBMERGED ESTERO FL 33928	GRANDE OAK S/D PB 67 PGS 15-36 PT OF TRACT GC-1 DESC AS LAKE 1-2 IN INST #2009000246714	19
GRANDEZZA MASTER PROPERTY 20301 GRAND OAKS SHOPPES #118 PMB #61 ESTERO FL 33928	<b>25-46-25-16-00GC1.03CE</b> SUBMERGED ESTERO FL 33928	GRANDE OAK S/D PB 67 PGS 15-36 PT OF TRACT GC-1 DESC AS LAKE 1-3 IN INST #2009000246714	20
GRANDEZZA MASTER PROPERTY 20301 GRAND OAKS SHOPPES #118 PMB #61 ESTERO FL 33928	<b>25-46-25-16-00GC1.22CE</b> SUBMERGED ESTERO FL 33928	GRANDE OAK S/D PB 67 PGS 15-36 PT OF TRACT GC-1 DESC AS LAKE 1-22 IN INST #2009000246714	21
GRANDEZZA MASTER PROPERTY 20301 GRAND OAKS SHOPPES #118 PMB #61 ESTERO FL 33928	<b>25-46-25-16-00GC1.23CE</b> SUBMERGED ESTERO FL 33928	GRANDE OAK S/D PB 67 PGS 15-36 PT OF TRACT GC-1 DESC AS LAKE 1-23 IN INST #2009000246714	22
FLORIDA DEVELOPMENT PARTNERS 11481 GRANDE OAK BLVD ESTERO FL 33928	<b>25-46-25-19-000GC.0000</b> GRANDE OAK SHOPPES BLVD ESTERO FL 33928	GRANDE OAK TRACT 8 PB 68 PG 85 TRACT GC GOLF COURSE + WATER MNAAGEMENT	23
BB&T PROPERTY TAX DEPARTMENT PO BOX 167 WINSTON SALEM NC 27102	<b>25-46-25-20-00000.0010</b> 20280 GRANDE OAK SHOPPES BLVD FL	SHOPPES AT GRANDE OAK PB 69 PGS 31-34 LOT 1	24
PLANET OF THE PETS LLC 5455 JAEGER RD NAPLES FL 34109	<b>25-46-25-20-00000.0020</b> 20290 GRANDE OAK SHOPPES BLVD FL	SHOPPES AT GRANDE OAK PB 69 PGS 31-34 LOT 2	25
CORKSCREW EAST ENERGY LLC 9000 SHERIDAN ST STE 136 PEMBROKE PINES FL 33024	<b>25-46-25-20-00000.0030</b> 20300 GRANDE OAK SHOPPES BLVD FL	SHOPPES AT GRANDE OAK PB 69 PGS 31-34 LOT 3	26
REGENCY REALTY GROUP INC PROPERTY TAX DEPARTMENT PO BOX 790830 SAN ANTONIO TX 78279	<b>25-46-25-20-0000D.00CE</b> COMMON ELEMENT ESTERO FL 33928	SHOPPES AT GRANDE OAK PB 69 PGS 31-34 TRACT D	27
REGENCY REALTY GROUP INC PROPERTY TAX DEPARTMENT PO BOX 790830 SAN ANTONIO TX 78279	<b>25-46-25-20-0000P.0000</b> 20301-321 GRANDE OAK SHOPPES BLVD ESTERO FL	SHOPPES AT GRANDE OAK PB 69 PGS 31-34 TRACT P	28



<b>OWNER NAME AND ADDRESS</b>	<b>STRAP AND LOCATION</b>	<b>LEGAL DESCRIPTION</b>	<b>Map Index</b>
REGENCY REALTY GROUP INC PROPERTY TAX DEPARTMENT PO BOX 790830 SAN ANTONIO TX 78279	<b>25-46-25-20-0000R.00CE</b> RIGHT OF WAY FL	SHOPPES AT GRANDE OAK PB 69 PGS 31-34 TRACT R	29
AVALON AT GRANDEZZA COMMONS STERLING PROPERTY SERVICES 27180 BAY LANDING DR STE 4 BONITA SPRINGS FL 34135	<b>25-46-25-25-00000.00CE</b> 20300 BURNSIDE PL ESTERO FL 33928	AVALON III AT GRANDEZZA DESC IN OR 3684/4400+4408/708 + OR 4541/716 + OR 4565 PG 1928 COMMON ELEMENTS	30
MIROMAR OUTLET PARKING EAST LC 10801 CORKSCREW RD #305 ESTERO FL 33928	<b>25-46-25-27-000M6.0000</b> ACCESS UNDETERMINED ESTERO FL 33928	MIROMAR FACTORY OUTLET DESC IN PB 77 PG 41 PORT OF LOT M-6 LESS INST#2008000097344	31
UNIVERSITY SQUARE CDD GOODLETTE COLEMAN JOHNSON YOVA 4001 TAMiami TRL N STE 300 NAPLES FL 34103	<b>25-46-25-27-000M6.0010</b> COMMON ELEMENT ESTERO FL 33928	MIROMAR FACTORY OUTLET DESC IN PB 77 PG 41 PORT OF LOT M-6 AS DESC IN INST#2008000097344	32
AVALON AT GRANDEZZA COMMONS 27180 BAY LANDING DR STE 4 BONITA SPRINGS FL 34135	<b>25-46-25-29-00000.00CE</b> AVALON III @ GRANDEZZA ESTERO FL 33928	REPLAT OF GRANDE OAK TRACT 8 S/D PB 67 PGS 15-36 REPLAT OF GRANDE OAK PB 68 PG 83 TRACT 8 AS DESC IN OR 4725 PG 843 COMMON ELEMENTS	33
LEE COUNTY DIST SCHOOL BOARD 2855 COLONIAL BLVD FORT MYERS FL 33966	<b>26-46-25-00-00001.0000</b> ACCESS UNDETERMINED ESTERO FL 33928	PARL IN SW 1/4 W OF I-75 LESS R/RW + 1.100 TO 1.600 + LESS RD R/W DESC IN INST 2005-60436 + LESS PARCEL DESC IN INST # 2007000335061 LESS R/W DESC IN INST #2008000194952	34
KTB FLORIDA SPORTS 11000 EVERBLADES PKWY ESTERO FL 33928	<b>26-46-25-00-00001.1030</b> 11000 EVERBLADES PKWY ESTERO FL 33928	PARL LYING WLY OF TREELINE DR + ELY OF I-75 DESC OR 2901 PG 859 LESS RD R/W DESC IN INST#20090000301415	35
STATE OF FL DOT PO BOX 1249 BARTOW FL 33831	<b>26-46-25-00-00001.1040</b> ACCESS UNDETERMINED ESTERO FL 33928	PAR IN N 1/2 OF SEC 26 T 46 R 25 E OF I-75 LESS R/W AS DESC IN INST #2009000063112	36
LEE COUNTY PO BOX 398 FORT MYERS FL 33902	<b>26-46-25-00-00001.2010</b> ACCESS UNDETERMINED FL	PARL LYING IN NW 1/4 OF SECT DESC OR 3865/2798 LESS OR 4432 PG 2670	37
VILLAGIO 20101 ESTERO GARDENS CIR #101 ESTERO FL 33928	<b>26-46-25-01-00000.00CE</b> 20251 ESTERO GARDENS CIR ESTERO FL 33928	VILLAGIO CONDO DESC IN OR 4253 PG 4271+ 4253/4397 +4286/2654+4322/2684+4330/379 4+ 4342/4404+4372/1454 +4419/2736 +4448/2979+4490/1592 +4539/1748LESS ROW OR 4591/4071+ ROW OR 4591/4066 COMMON ELEMENT SEE NOTE	38
MCBRIDE RONALD E + SHARON W 20100 BUTTERMERE CT ESTERO FL 33928	<b>26-46-25-16-0001A.0170</b> 20100 BUTTERMERE CT ESTERO FL 33928	GRANDE OAK S/D PB 67 PGS 15 THRU 36 TR 1A LOT 17	39
DOWNES LUIS N + CHRISTINE M 4539 ELEANOR DR LONG GROVE IL 60047	<b>26-46-25-16-0001A.0180</b> 20094 BUTTERMERE CT ESTERO FL 33928	GRANDE OAK S/D PB 67 PGS 15 THRU 36 TR 1A LOT 18	40
FARIS NABEEL W + ILENE 32910 PLYMOUTH RD LIVONIA MI 48150	<b>26-46-25-16-0001A.0190</b> 20088 BUTTERMERE CT ESTERO FL 33928	GRANDE OAK S/D PB 67 PGS 15 THRU 36 TR 1A LOT 19	41
LACY GEORGINA C TR + PO BOX 5316 VAKEFIELD-RI 02880	<b>26-46-25-16-0001A.0200</b> 20082 BUTTERMERE CT ESTERO FL 33928	GRANDE OAK S/D PB 67 PGS 15 THRU 36 TR 1A LT 20	42
ZITO MARY B 1655 PERSIMMON DR ST CHARLES IL 60174	<b>26-46-25-16-0001A.0210</b> 20076 BUTTERMERE CT ESTERO FL 33928	GRANDE OAK S/D PB 67 PGS 15 THRU 36 TR 1A LT 21	43

<b>OWNER NAME AND ADDRESS</b>	<b>STRAP AND LOCATION</b>	<b>LEGAL DESCRIPTION</b>	<b>Map Index</b>
GILLIS ROBERT B + CHRISTIANE 43551 CHARDONNAY STERLING HEIGHTS MI 48314	<b>26-46-25-16-0001A.0220</b> 20070 BUTTERMERE CT ESTERO FL 33928	GRANDE OAK S/D PB 67 PGS 15 THRU 36 TR 1A LT 22	44
NAISH DAVID + PENNY EAGLE HOUSE THE ST CHILCOMPTON BATH BA34HB UNITED KINGDOM	<b>26-46-25-16-0001A.0230</b> 20064 BUTTERMERE CT ESTERO FL 33928	GRANDE OAK S/D PB 67 PGS 15 THRU 36 TR 1A LT 23	45
GORMAN THOMAS J + MARLE 20060 BUTTERMERE CT ESTERO FL 33928	<b>26-46-25-16-0001A.0240</b> 20060 BUTTERMERE CT ESTERO FL 33928	GRANDE OAK S/D PB 67 PGS 15 THRU 36 TR 1A LT 24	46
GRESS JOAN M 19783 MARKWARD CROSSING ESTERO FL 33928	<b>26-46-25-16-0001A.0270</b> 20042 BUTTERMERE CT ESTERO FL 33928	GRANDE OAK S/D PB 67 PGS 15 THRU 36 TR 1A LT 27	47
DAGOSTINO THOMAS C + JACKLYN M 17 COURT ST STE 600 BUFFALO NY 14202	<b>26-46-25-16-0001A.0280</b> 20036 BUTTERMERE CT ESTERO FL 33928	GRANDE OAK S/D PB 67 PGS 15 THRU 36 TR 1A LT 28	48
HARVEY JAMES R + JUDY K 20030 BUTTERMERE CT ESTERO FL 33928	<b>26-46-25-16-0001A.0290</b> 20030 BUTTERMERE CT ESTERO FL 33928	GRANDE OAK S/D PB 67 PGS 15 THRU 36 TR 1A LT 29	49
IRWIN MARTIN KEITH + ANNE 14 PORTLAND SQUARE APT N POTLAND LOFTS BRISTOL BS28SJ UNITED KINGDOM	<b>26-46-25-16-0001A.0300</b> 20024 BUTTERMERE CT ESTERO FL 33928	GRANDE OAK S/D PB 67 PGS 15 THRU 36 TR 1A LT 30	50
UNIVERSITY SQUARE CDD WRATHELL HART HUNT ASSOCIATES 6131 LYONS RD STE 100 COCONUT CREEK FL 33073	<b>26-46-25-27-0000A.0000</b> ACCESS UNDETERMINED ESTERO FL 33928	MIROMAR FACTORY OUTLET DESC IN PB 77 PG 41 TRACT A	51
UNIVERSITY SQUARE CDD WRATHELL HART HUNT ASSOCIATES 6131 LYONS RD STE 100 COCONUT CREEK FL 33073	<b>26-46-25-27-0000L.0000</b> ACCESS UNDETERMINED ESTERO FL 33928	MIROMAR FACTORY OUTLET DESC IN PB 77 PG 41 TRACT L	52
UNIVERSITY SQUARE CDD WRATHELL HART HUNT ASSOCIATES 6131 LYONS RD STE 100 COCONUT CREEK FL 33073	<b>26-46-25-27-0000P.0000</b> MIROMAR FACTORY OUTLET TRACT P ESTERO FL 33928	MIROMAR FACTORY OUTLET DESC IN PB 77 PG 41 TRACT P	53
MIROMAR OUTLET WEST LLC 10801 CORKSCREW RD #305 ESTERO FL 33928	<b>26-46-25-27-000M1.0000</b> 10801 CORKSCREW RD ESTERO FL 33928	MIROMAR FACTORY OUTLET DESC IN PB 77 PG 41 LOT M-1	54
MIROMAR OUTLET EAST LLC MIROMAR DEVELOPMENT CORP 10801 CORKSCREW ROAD #305 ESTERO FL 33928	<b>26-46-25-27-000M2.0000</b> 10801 CORKSCREW RD ESTERO FL 33928	MIROMAR FACTORY OUTLET DESC IN PB 77 PG 41 LOT M-2	55
MIROMAR OUTLET PARKING WEST LC 10801 CORKSCREW RD #305 ESTERO FL 33928	<b>26-46-25-27-000M7.0000</b> ACCESS UNDETERMINED ESTERO FL 33928	MIROMAR FACTORY OUTLET DESC IN PB 77 PG 41 LOT M-7	56

**56 RECORDS PRINTED**

23-46-25-00-00001.0000  
MIROMAR LAKES LLC  
10801 CORKSCREW RD STE 305  
ESTERO, FL 33928

23-46-25-00-00001.1040  
MIROMAR LAKES LLC  
10801 CORKSCREW RD STE 305  
ESTERO, FL 33928

23-46-25-00-00001.1050  
MIROMAR LAKES CDD  
WRATHELL HART HUNT ASSOCIATES  
6131 LYONS RD STE 100  
COCONUT CREEK, FL 33073

23-46-25-00-00001.1090  
SOUTH WEST DISTRICT FLORIDA  
2049-B N HONORE AVE  
SARASOTA, FL 34235

23-46-25-00-00001.1120  
MIROMAR LAKES CDD  
WRATHELL HART HUNT ASSOCIATES  
6131 LYONS RD STE 100  
COCONUT CREEK, FL 33073

25-46-25-16-0001A.0010  
NOTESTINE PATRICK A + CAROL R  
20194 BUTTERMERE CT  
ESTERO, FL 33928

25-46-25-16-0001A.0020  
SCHUCHMAN MYRON L + ROBYNE B  
20188 BUTTERMERE CT  
ESTERO, FL 33928

25-46-25-16-0001A.0030  
LUCAS LEONARD J + YVONNE M  
20182 BUTTERMERE CT  
ESTERO, FL 33928

25-46-25-16-0001A.0040  
LANG JOHNNY D + JOANN C TR  
20176 BUTTERMERE CT  
ESTERO, FL 33928

25-46-25-16-0001A.0050  
LIPSCHULTZ DAVID H + BETTY SUE  
5225 GRANDVIEW SQUARE #306  
EDINA, MN 55436

25-46-25-16-0001A.0060  
CRAIGHAN PETER + JOYCE  
1 BROSELEY AVE  
CULCHETH  
WARRINGTON WA34AH,  
UNITED KINGDOM

25-46-25-16-0001A.0070  
MOORE FRED A +  
20160 BUTTERMERE CT  
ESTERO, FL 33928

25-46-25-16-0001A.0080  
SKOV MICHAEL C TR  
20154 BUTTERMERE CT  
ESTERO, FL 33928

25-46-25-16-0001A.0090  
MURPHY JEANNE R TR  
20148 BUTTERMERE CT  
ESTERO, FL 33928

25-46-25-16-0001A.0100  
WERTHMANN CAROL J + THOMAS S  
2433 WEMBLY LN  
TROY, MI 48084

25-46-25-16-000R1.00CE  
FLORIDA DEVELOPMENT PARTNERS  
11481 GRANDE OAK BLVD  
ESTERO, FL 33928

25-46-25-16-00GC1.0000  
FLORIDA DEVELOPMENT PARTNERS  
11481 GRANDE OAK BLVD  
ESTERO, FL 33928

25-46-25-16-00GC1.0010  
LEE COUNTY  
PO BOX 398  
FORT MYERS, FL 33902

25-46-25-16-00GC1.02CE  
GRANDEZZA MASTER PROPERTY  
20301 GRAND OAKS SHOPPES #118  
PMB #61  
ESTERO, FL 33928

25-46-25-16-00GC1.03CE  
GRANDEZZA MASTER PROPERTY  
20301 GRAND OAKS SHOPPES #118  
PMB #61  
ESTERO, FL 33928

25-46-25-16-00GC1.22CE  
GRANDEZZA MASTER PROPERTY  
20301 GRAND OAKS SHOPPES #118  
PMB #61  
ESTERO, FL 33928

25-46-25-19-000GC.0000  
FLORIDA DEVELOPMENT PARTNERS  
11481 GRANDE OAK BLVD  
ESTERO, FL 33928

25-46-25-20-00000.0020  
PLANET OF THE PETS LLC  
5455 JAEGER RD  
NAPLES, FL 34109

25-46-25-20-0000D.00CE  
REGENCY REALTY GROUP INC  
PROPERTY TAX DEPARTMENT  
PO BOX 790830  
SAN ANTONIO, TX 78279

25-46-25-20-0000R.00CE  
REGENCY REALTY GROUP INC  
PROPERTY TAX DEPARTMENT  
PO BOX 790830  
SAN ANTONIO, TX 78279

25-46-25-27-000M6.0000  
MIROMAR OUTLET PARKING EAST LC  
10801 CORKSCREW RD #305  
ESTERO, FL 33928

25-46-25-29-00000.00CE  
AVALON AT GRANDEZZA COMMONS  
27180 BAY LANDING DR STE 4  
BONITA SPRINGS, FL 34135

26-46-25-00-00001.1030  
KTB FLORIDA SPORTS  
11000 EVERBLADES PKWY  
ESTERO, FL 33928

26-46-25-00-00001.2010  
LEE COUNTY  
PO BOX 398  
FORT MYERS, FL 33902

26-46-25-16-0001A.0170  
MCBRIDE RONALD E + SHARON W  
20100 BUTTERMERE CT  
ESTERO, FL 33928

25-46-25-16-00GC1.23CE  
GRANDEZZA MASTER PROPERTY  
20301 GRAND OAKS SHOPPES #118  
PMB #61  
ESTERO, FL 33928

25-46-25-20-00000.0010  
BB&T  
PROPERTY TAX DEPARTMENT  
PO BOX 167  
WINSTON SALEM, NC 27102

25-46-25-20-00000.0030  
CORKSCREW EAST ENERGY LLC  
9000 SHERIDAN ST STE 136  
PEMBROKE PINES, FL 33024

25-46-25-20-0000P.0000  
REGENCY REALTY GROUP INC  
PROPERTY TAX DEPARTMENT  
PO BOX 790830  
SAN ANTONIO, TX 78279

25-46-25-25-00000.00CE  
AVALON AT GRANDEZZA COMMONS  
STERLING PROPERTY SERVICES  
27180 BAY LANDING DR STE 4  
BONITA SPRINGS, FL 34135

25-46-25-27-000M6.0010  
UNIVERSITY SQUARE CDD  
GOODLETTE COLEMAN JOHNSON YOVA  
4001 TAMiami TRL N STE 300  
NAPLES, FL 34103

26-46-25-00-00001.0000  
LEE COUNTY DIST SCHOOL BOARD  
2855 COLONIAL BLVD  
FORT MYERS, FL 33966

26-46-25-00-00001.1040  
STATE OF FL DOT  
PO BOX 1249  
BARTOW, FL 33831

26-46-25-01-00000.00CE  
VILLAGIO  
20101 ESTERO GARDENS CIR #101  
ESTERO, FL 33928

26-46-25-16-0001A.0180  
DOWNES LUIS N + CHRISTINE M  
4539 ELEANOR DR  
LONG GROVE, IL 60047

26-46-25-16-0001A.0190  
FARIS NABEEL W + ILENE  
32910 PLYMOUTH RD  
LIVONIA, MI 48150

26-46-25-16-0001A.0200  
LACY GEORGINA C TR +  
PO BOX 5316  
WAKEFIELD, RI 02880

26-46-25-16-0001A.0210  
ZITO MARY B  
1655 PERSIMMON DR  
ST CHARLES, IL 60174

26-46-25-16-0001A.0220  
GILLIS ROBERT B + CHRISTIANE  
43551 CHARDONNAY  
STERLING HEIGHTS, MI 48314

26-46-25-16-0001A.0230  
NAISH DAVID + PENNY  
EAGLE HOUSE  
THE ST  
CHILCOMPTON  
BATH BA34HB  
UNITED KINGDOM

26-46-25-16-0001A.0240  
GORMAN THOMAS J + MARLE  
20060 BUTTERMERE CT  
ESTERO, FL 33928

26-46-25-16-0001A.0270  
GRESS JOAN M  
19783 MARKWARD CROSSING  
ESTERO, FL 33928

26-46-25-16-0001A.0280  
DAGOSTINO THOMAS C + JACKLYN M  
17 COURT ST STE 600  
BUFFALO, NY 14202

26-46-25-16-0001A.0290  
HARVEY JAMES R + JUDY K  
20030 BUTTERMERE CT  
ESTERO, FL 33928

26-46-25-16-0001A.0300  
IRWIN MARTIN KEITH + ANNE  
14 PORTLAND SQUARE APT N  
POTLAND LOFTS  
BRISTOL BS28SJ,  
UNITED KINGDOM

26-46-25-27-0000A.0000  
UNIVERSITY SQUARE CDD  
WRATHELL HART HUNT ASSOCIATES  
6131 LYONS RD STE 100  
COCONUT CREEK, FL 33073

26-46-25-27-0000L.0000  
UNIVERSITY SQUARE CDD  
WRATHELL HART HUNT ASSOCIATES  
6131 LYONS RD STE 100  
COCONUT CREEK, FL 33073

26-46-25-27-0000P.0000  
UNIVERSITY SQUARE CDD  
WRATHELL HART HUNT ASSOCIATES  
6131 LYONS RD STE 100  
COCONUT CREEK, FL 33073

26-46-25-27-000M1.0000  
MIROMAR OUTLET WEST LLC  
10801 CORKSCREW RD #305  
ESTERO, FL 33928

26-46-25-27-000M2.0000  
MIROMAR OUTLET EAST LLC  
MIROMAR DEVELOPMENT CORP  
10801 CORKSCREW ROAD #305  
ESTERO, FL 33928

26-46-25-27-000M7.0000  
MIROMAR OUTLET PARKING WEST LC  
10801 CORKSCREW RD #305  
ESTERO, FL 33928

23-46-25-00-00001.0000  
MIROMAR LAKES LLC  
10801 CORKSCREW RD STE 305  
ESTERO, FL 33928

23-46-25-00-00001.1040  
MIROMAR LAKES LLC  
10801 CORKSCREW RD STE 305  
ESTERO, FL 33928

23-46-25-00-00001.1050  
MIROMAR LAKES CDD  
WRATHELL HART HUNT ASSOCIATES  
6131 LYONS RD STE 100  
COCONUT CREEK, FL 33073

23-46-25-00-00001.1090  
SOUTH WEST DISTRICT FLORIDA  
2049-B N HONORE AVE  
SARASOTA, FL 34235

23-46-25-00-00001.1120  
MIROMAR LAKES CDD  
WRATHELL HART HUNT ASSOCIATES  
6131 LYONS RD STE 100  
COCONUT CREEK, FL 33073

25-46-25-16-0001A.0010  
NOTESTINE PATRICK A + CAROL R  
20194 BUTTERMERE CT  
ESTERO, FL 33928

25-46-25-16-0001A.0020  
SCHUCHMAN MYRON L + ROBYNE B  
20188 BUTTERMERE CT  
ESTERO, FL 33928

25-46-25-16-0001A.0030  
LUCAS LEONARD J + YVONNE M  
20182 BUTTERMERE CT  
ESTERO, FL 33928

25-46-25-16-0001A.0040  
LANG JOHNNY D + JOANN C TR  
20176 BUTTERMERE CT  
ESTERO, FL 33928

25-46-25-16-0001A.0050  
LIPSCHULTZ DAVID H + BETTY SUE  
5225 GRANDVIEW SQUARE #306  
EDINA, MN 55436

25-46-25-16-0001A.0060  
CRAIGHAN PETER + JOYCE  
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CULCHETH  
WARRINGTON WA34AH,  
UNITED KINGDOM

25-46-25-16-0001A.0070  
MOORE FRED A +  
20160 BUTTERMERE CT  
ESTERO, FL 33928

25-46-25-16-0001A.0080  
SKOV MICHAEL C TR  
20154 BUTTERMERE CT  
ESTERO, FL 33928

25-46-25-16-0001A.0090  
MURPHY JEANNE R TR  
20148 BUTTERMERE CT  
ESTERO, FL 33928

25-46-25-16-0001A.0100  
WERTHMANN CAROL J + THOMAS S  
2433 WEMBLY LN  
TROY, MI 48084

25-46-25-16-000R1.00CE  
FLORIDA DEVELOPMENT PARTNERS  
11481 GRANDE OAK BLVD  
ESTERO, FL 33928

25-46-25-16-00GC1.0000  
FLORIDA DEVELOPMENT PARTNERS  
11481 GRANDE OAK BLVD  
ESTERO, FL 33928

25-46-25-16-00GC1.0010  
LEE COUNTY  
PO BOX 398  
FORT MYERS, FL 33902

25-46-25-16-00GC1.02CE  
GRANDEZZA MASTER PROPERTY  
20301 GRAND OAKS SHOPPES #118  
PMB #61  
ESTERO, FL 33928

25-46-25-16-00GC1.03CE  
GRANDEZZA MASTER PROPERTY  
20301 GRAND OAKS SHOPPES #118  
PMB #61  
ESTERO, FL 33928

25-46-25-16-00GC1.22CE  
GRANDEZZA MASTER PROPERTY  
20301 GRAND OAKS SHOPPES #118  
PMB #61  
ESTERO, FL 33928

25-46-25-19-000GC.0000  
FLORIDA DEVELOPMENT PARTNERS  
11481 GRANDE OAK BLVD  
ESTERO, FL 33928

25-46-25-20-00000.0020  
PLANET OF THE PETS LLC  
5455 JAEGER RD  
NAPLES, FL 34109

25-46-25-20-0000D.00CE  
REGENCY REALTY GROUP INC  
PROPERTY TAX DEPARTMENT  
PO BOX 790830  
SAN ANTONIO, TX 78279

25-46-25-20-0000R.00CE  
REGENCY REALTY GROUP INC  
PROPERTY TAX DEPARTMENT  
PO BOX 790830  
SAN ANTONIO, TX 78279

25-46-25-27-000M6.0000  
MIROMAR OUTLET PARKING EAST LC  
10801 CORKSCREW RD #305  
ESTERO, FL 33928

25-46-25-29-00000.00CE  
AVALON AT GRANDEZZA COMMONS  
27180 BAY LANDING DR STE 4  
BONITA SPRINGS, FL 34135

26-46-25-00-00001.1030  
KTB FLORIDA SPORTS  
11000 EVERBLADES PKWY  
ESTERO, FL 33928

26-46-25-00-00001.2010  
LEE COUNTY  
PO BOX 398  
FORT MYERS, FL 33902

26-46-25-16-0001A.0170  
MCBRIDE RONALD E + SHARON W  
20100 BUTTERMERE CT  
ESTERO, FL 33928

25-46-25-16-00GC1.23CE  
GRANDEZZA MASTER PROPERTY  
20301 GRAND OAKS SHOPPES #118  
PMB #61  
ESTERO, FL 33928

25-46-25-20-00000.0010  
BB&T  
PROPERTY TAX DEPARTMENT  
PO BOX 167  
WINSTON SALEM, NC 27102

25-46-25-20-00000.0030  
CORKSCREW EAST ENERGY LLC  
9000 SHERIDAN ST STE 136  
PEMBROKE PINES, FL 33024

25-46-25-20-0000P.0000  
REGENCY REALTY GROUP INC  
PROPERTY TAX DEPARTMENT  
PO BOX 790830  
SAN ANTONIO, TX 78279

25-46-25-25-00000.00CE  
AVALON AT GRANDEZZA COMMONS  
STERLING PROPERTY SERVICES  
27180 BAY LANDING DR STE 4  
BONITA SPRINGS, FL 34135

25-46-25-27-000M6.0010  
UNIVERSITY SQUARE CDD  
GOODLETTE COLEMAN JOHNSON YOVA  
4001 TAMiami TRL N STE 300  
NAPLES, FL 34103

26-46-25-00-00001.0000  
LEE COUNTY DIST SCHOOL BOARD  
2855 COLONIAL BLVD  
FORT MYERS, FL 33966

26-46-25-00-00001.1040  
STATE OF FL DOT  
PO BOX 1249  
BARTOW, FL 33831

26-46-25-01-00000.00CE  
VILLAGIO  
20101 ESTERO GARDENS CIR #101  
ESTERO, FL 33928

26-46-25-16-0001A.0180  
DOWNES LUIS N + CHRISTINE M  
4539 ELEANOR DR  
LONG GROVE, IL 60047

26-46-25-16-0001A.0190  
FARIS NABEEL W + ILENE  
32910 PLYMOUTH RD  
LIVONIA, MI 48150

26-46-25-16-0001A.0200  
LACY GEORGINA C TR +  
PO BOX 5316  
WAKEFIELD, RI 02880

26-46-25-16-0001A.0210  
ZITO MARY B  
1655 PERSIMMON DR  
ST CHARLES, IL 60174

26-46-25-16-0001A.0220  
GILLIS ROBERT B + CHRISTIANE  
43551 CHARDONNAY  
STERLING HEIGHTS, MI 48314

26-46-25-16-0001A.0230  
NAISH DAVID + PENNY  
EAGLE HOUSE  
THE ST  
CHILCOMPTON  
BATH BA34HB  
UNITED KINGDOM

26-46-25-16-0001A.0240  
GORMAN THOMAS J + MARLE  
20060 BUTTERMERE CT  
ESTERO, FL 33928

26-46-25-16-0001A.0270  
GRESS JOAN M  
19783 MARKWARD CROSSING  
ESTERO, FL 33928

26-46-25-16-0001A.0280  
DAGOSTINO THOMAS C + JACKLYN M  
17 COURT ST STE 600  
BUFFALO, NY 14202

26-46-25-16-0001A.0290  
HARVEY JAMES R + JUDY K  
20030 BUTTERMERE CT  
ESTERO, FL 33928

26-46-25-16-0001A.0300  
IRWIN MARTIN KEITH + ANNE  
14 PORTLAND SQUARE APT N  
POTLAND LOFTS  
BRISTOL BS28SJ,  
UNITED KINGDOM

26-46-25-27-0000A.0000  
UNIVERSITY SQUARE CDD  
WRATHELL HART HUNT ASSOCIATES  
6131 LYONS RD STE 100  
COCONUT CREEK, FL 33073

26-46-25-27-0000L.0000  
UNIVERSITY SQUARE CDD  
WRATHELL HART HUNT ASSOCIATES  
6131 LYONS RD STE 100  
COCONUT CREEK, FL 33073

26-46-25-27-0000P.0000  
UNIVERSITY SQUARE CDD  
WRATHELL HART HUNT ASSOCIATES  
6131 LYONS RD STE 100  
COCONUT CREEK, FL 33073

26-46-25-27-000M1.0000  
MIROMAR OUTLET WEST LLC  
10801 CORKSCREW RD #305  
ESTERO, FL 33928

26-46-25-27-000M2.0000  
MIROMAR OUTLET EAST LLC  
MIROMAR DEVELOPMENT CORP  
10801 CORKSCREW ROAD #305  
ESTERO, FL 33928

26-46-25-27-000M7.0000  
MIROMAR OUTLET PARKING WEST LC  
10801 CORKSCREW RD #305  
ESTERO, FL 33928





















A parcel of land located in Sections 25 and 26, Township 46 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Commence at the Northeast corner of Section 26, Township 46 South, Range 25 East, Lee County, Florida; Thence run North  $89^{\circ} 44'39''$  West, along the North line of the Northeast quarter of said Section 26 for a distance of 651.54 feet to a point on the Westerly right of way line of Treeline Drive, a 150.00 foot right of way as the same is recorded in O.R. Book 2745, page 1550 through 1554 of the Public Records of Lee County, Florida, and the Point of Beginning of the parcel of land herein described; thence continue North  $89^{\circ}$  degrees  $44'39''$  West, along the North line of the Northeast quarter of said Section 26, for a distance of 2034.90 feet to the North quarter corner of said Section 26; thence run North  $89^{\circ} 45'24''$  West along the North line of the Northwest quarter of said Section 26, for a distance of 886.04 feet to a point on the Easterly right of way line of I-75 (State Road No. 93) as the same is shown on the Florida Department of Transportation right of way for State Road No. 93 (I-75), Lee County, Section 12075-2402, last revised 1/16/81; thence run South  $18^{\circ}17'53.4''$  East, along said right of way line for a distance of 3093.31 feet; thence run North  $71^{\circ}42'07''$  East for a distance of 1141.51 feet; thence run South  $18^{\circ}17'53.4''$  East for a distance of 787.91 feet; thence run South  $70^{\circ}28'40''$  West for a distance of 30.06 feet; thence run South  $69^{\circ}15'14''$  West for a distance of 112.24 feet; thence run South  $58^{\circ}27'44''$  West for a distance of 124.90 feet; thence run South  $58^{\circ}07'13''$  West for a distance of 50.38 feet; thence run South  $41^{\circ}14'47''$  West for a distance of 75.68 feet; thence run South  $16^{\circ}01'19''$  West for a distance of 116.07 feet to a point on a circular curve concave Northerly whose radius point bears North  $81^{\circ}51'54''$  West a distance of 80.00 feet therefrom; thence run Southwesterly along the arc of said curve to the right having a radius of 80.00 feet through a central angle of  $77^{\circ}23'20''$  subtended by a chord of 100.03 feet at a bearing of South  $30^{\circ}33'34''$  West for a distance of 108.06 feet to the end of said curve; thence run South  $69^{\circ}15'14''$  West for a distance of 221.19 feet; thence run south  $31^{\circ}30'22''$  West for a distance of 4.37 feet; thence run South  $00^{\circ}34'45''$  East for a distance of 113.28 feet; thence run South  $10^{\circ}45'16''$  East for a distance of 65.81 feet; thence run South  $18^{\circ}09'29''$  East for a distance of 106.45 feet; thence run South  $20^{\circ}09'25''$  East for a distance of 97.07 feet; thence run south  $13^{\circ}20'01''$  East for a distance of 110.09 feet; thence run South  $24^{\circ}07'56''$  East for a distance of 85.91 feet; thence run South  $62^{\circ}14'40''$  East for a distance of 47.93 feet; thence run North  $70^{\circ}33'22''$  East for a distance of 2206.62 feet to a point on the Westerly right of way line of said Treeline Drive; thence run North  $06^{\circ}44'39''$  West along said Westerly right of way line for a distance of 109.71 feet to the beginning of a tangential circular curve concave Westerly; thence run Northerly along said Westerly right of way line and along the arc of said curve to the left having a radius of 1835.00 feet, through a central angle of  $24^{\circ}00'00''$  subtended by a chord of 763.03 feet at a bearing of North  $18^{\circ}44'39''$  West for a distance of 768.64 feet to the end of said curve; thence run North  $30^{\circ}44'39''$  West along said Westerly right of way line, for a distance of 954.33 feet to the beginning of a tangential circular curve concave Northeasterly; thence run Northerly along said Westerly right of way line and along the arc of said curve to the right having a radius of 1985.00 feet through a central angle of  $30^{\circ}59'37''$  subtended by a chord of 1060.72 feet at a bearing of North  $15^{\circ}14'50''$  West for a distance of 1073.77 feet to the end of said curve; thence run North  $00^{\circ}14'58''$  East, along said Westerly right of way line for a distance of 960.53 feet to the Point of Beginning.



Containing 220.095 acres, more or less.

Subject to easements and restrictions of record.

Bearings are based on the North line of the Northeast  $\frac{1}{4}$  of Section 26, Township 46 South, Range 25 East, Lee County, Florida, being North  $89^{\circ}44'39''$  West.

Certificate of authorization #LB-43.

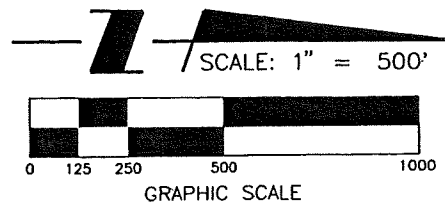
WilsonMiller, Inc.

Registered Engineers and Land Surveyors

By: Michael H. Maxwell Date 12/5/08  
Michael H. Maxwell, Professional Surveyor and Mapper #LS4650

Ref: 4K-467

Not valid unless embossed with the Professional's seal.



SOUTHWEST 1/4 OF SECTION 26,  
TOWNSHIP 46 SOUTH, RANGE 25 EAST

INTERSTATE I-75 (STATE ROAD 93)  
PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP  
FOR STATE ROAD 93(I-75), LEE COUNTY, SECTION 12075-2402

NORTHWEST 1/4 OF SECTION 26,  
TOWNSHIP 46 SOUTH, RANGE 25 EAST

CURVE TABLE						
CURVE	RADIUS	DELTA	LENGTH	TANGENT	CHORD	CHORD BRG.
C1	80.00	77°23'20"	108.06	64.08	100.03	S30°33'34"W
C2	1835.00	24°00'00"	768.64	390.04	763.03	N18°44'39"W
C3	1985.00	30°59'37"	1073.77	550.37	1060.72	N15°14'50"W
C4	5375.00	5°27'56"	512.74	256.56	512.54	S80°06'10"W
C5	3506.50	12°30'36"	765.62	384.48	764.10	S83°37'34"W

LINE TABLE		
LINE	LENGTH	BEARING
L1	30.06	S70°28'40"W
L2	112.24	S69°15'14"W
L3	124.90	S58°27'44"W
L4	50.38	S58°07'13"W
L5	75.68	S41°14'47"W
L6	116.07	S16°01'19"W
L7	221.19	S69°15'14"W
L8	4.37	S31°30'22"W
L9	113.28	S00°34'45"E
L10	65.81	S10°45'16"E
L11	106.45	S18°09'29"E
L12	97.07	S20°09'25"E
L13	110.09	S13°20'01"E
L14	85.91	S24°07'56"E
L15	47.93	S62°14'40"E
L16	109.71	N06°44'39"W
L17	321.73	S77°22'16"W
L18	343.03	N18°18'02"W
L19	885.92	S89°45'10"E
L20	2034.77	S89°44'35"E

NORTHEAST 1/4 OF SECTION 26,  
TOWNSHIP 46 SOUTH, RANGE 25 EAST

SOUTHEAST 1/4 OF SECTION 26,  
TOWNSHIP 46 SOUTH, RANGE 25 EAST

NORTHWEST 1/4 OF SECTION 25,  
TOWNSHIP 46 SOUTH,  
RANGE 25 EAST

SECTION 26  
SECTION 25

P.O.C.  
NORTHEAST CORNER OF  
SECTION 26, TOWNSHIP 46  
SOUTH, RANGE 25 EAST

P.O.B.  
PARCEL 106  
S00°15'02"W  
75.00'

P.O.B.

## SURVEYOR'S REPORT/NOTES

- BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 26, TOWNSHIP 46 SOUTH, RANGE 25 EAST, BEING NORTH 89°44'39" WEST PER STATE PLANE COORDINATE SYSTEM FLORIDA WEST ZONE.
- THIS PROPERTY IS SUBJECT TO ANY FACTS THAT MAY BE REVEALED WITH A FULL AND ACCURATE TITLE SEARCH.
- ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF, UNLESS OTHERWISE NOTED.
- SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.
- THIS SKETCH MAY HAVE BEEN REDUCED.
- NOT VALID WITHOUT ACCOMPANYING DESCRIPTION, REFERENCE WILSONMILLER DOCUMENT #208079.
- DESCREPCENCIES WITH THE PARENT PARCEL LEGAL AND THE PARCEL 106 LEGAL:

N89°44'35"W 651.52' TO PARCEL 106 POINT OF BEGINNING.  
N89°44'39"W 651.54' TO PARENT PARCEL POINT OF BEGINNING.  
BOTH LEGAL DESCRIPTIONS CALL FOR THE SAME LINE AND THE SAME RIGHT-OF-WAY.

L18 N18°18'02"W 343.03' PER PARCEL 106 DEED  
N18°17'53"W PER PARENT PARCEL DEED  
BOTH LEGAL DESCRIPTIONS CALL FOR THE SAME LINE AND THE SAME RIGHT-OF-WAY.

L19 S89°45'10"E 885.92' PER PARCEL 106 DEED  
N89°45'24"W 886.04' PER PARENT PARCEL DEED  
BOTH LEGAL DESCRIPTIONS CALL FOR THE SAME NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 26.

L20 S89°44'35"E 2034.77' PER PARCEL 106 DEED  
N89°44'39"W 2034.90' PER PARENT PARCEL DEED  
BOTH LEGAL DESCRIPTIONS CALL FOR THE SAME NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 26.

## LEGEND

- POB = POINT OF BEGINNING  
POC = POINT OF COMMENCEMENT  
INDICATES PARCEL 106

PREPARED FOR: UNIVERSITY HIGHLAND LIMITED PARTNERSHIP  
FOR THE BENEFIT OF: UNIVERSITY HIGHLAND LIMITED PARTNERSHIP  
CERTIFICATE OF AUTHORIZATION #LB-43

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A  
FLORIDA LICENSED SURVEYOR AND MAPPER.

WILSONMILLER, INC.  
REGISTERED ENGINEERS AND LAND SURVEYORS  
3200 BAILEY LANE, SUITE 200, (239) 263-6408  
NAPLES, FLORIDA 34105

BY: Michael H. Maxwell  
MICHAEL H. MAXWELL, PROFESSIONAL SURVEYOR AND MAPPER LS#4650

12-05-08  
DATE

\*\* NOT A SURVEY \*\*

CLIENT: UNIVERSITY HIGHLAND LIMITED PARTNERS

**WilsonMiller**

Planners • Engineers • Ecologists • Surveyors • Landscape Architects • Transportation Consultants

WilsonMiller, Inc.

3200 Bailey Lane, Suite 200 • Naples, Florida 34105-8507 • Phone 239-649-4040 • Fax 239-263-6494 • Web-Site www.wilsonmiller.com

ACTIVITY	INITIALS	EMP. NO.	DATE
DRAWN BY:	WAG	831	02/02/10
CHECKED BY:	MHM	204	02/02/10
COMPUTED BY:			

DATE:	HORIZONTAL SCALE:	VERTICAL SCALE:	SEC:	TWP:	RGE:	FIELD BOOK:	FIELD BOOK PAGE:
FEB. 2010	1" = 500'		26	46	25		

TITLE:

SKETCH AND DESCRIPTION  
A PORTION OF SECTIONS 25 & 26,  
TOWNSHIP 46 SOUTH, RANGE 25 EAST,  
LEE COUNTY, FLORIDA

TASK:	PROJECT NO.:	SHEET NUMBER:	DRAWING NUMBER:
22400	03247-003-001	1 OF 1	2K-315

This Instrument was Prepared by:  
DAVID P. HOPSTETTER, ESQ.  
Young, van Assenderp & Varnadoe, P.A.  
301 Laurel Oak Dr., Suite 300  
Naples, FL 34109

4629054

Documentary Tax Pd. \$ .70  
Intangible Tax Pd.  
CHARLIE GREEN, CLERK, LEE COUNTY  
By Betty Cruz Deputy Clerk

OR3115 P60790

QUITCLAIM DEED

19.50  
70  
THIS QUITCLAIM DEED made and executed this 29th day of March, 1999, by TIBURON LIMITED, a Florida limited partnership, and TIMBERLAND LIMITED, a Florida limited partnership, herein collectively called the "Quitclaimor", to UNIVERSITY HIGHLAND LIMITED PARTNERSHIP, a Florida limited partnership, whose address is 365 Fifth Avenue South, Suite 201, Naples, FL 34102, herein called the "Quitclaimee":

(Wherever used herein the terms "Quitclaimor" and "Quitclaimee" include all the parties to this instrument and their heirs, legal representatives and assigns)

WITNESSETH: That Quitclaimor, for and in consideration of the sum of \$10.00, in hand paid by the Quitclaimee, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto Quitclaimee forever, all the right, title, interest, claim and demand which Quitclaimor has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Collier, State of Florida, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of Quitclaimor either in law or equity, to the only proper use, benefit and behoof of Quitclaimee forever.

IN WITNESS WHEREOF the Quitclaimor has executed these presents the day and year first above written.

Signed, sealed and delivered  
in the presence of:

WITNESSES:

TIMBERLAND, LTD, a Florida  
limited partnership

By: Gulf Coast Realty  
Management Corporation, a  
Florida Corporation

By: [Signature]  
Fereydoon Rabii, as Executive  
Vice President

As Managing General Partner of the  
Partnership with full authority on its behalf

Signature

Printed Name

Signature

Printed Name



0R3115 P60791

WITNESSES:

TIBURON, LTD, a Florida  
limited partnership

By: Gulf Coast Realty  
Management Corporation, a  
Florida Corporation

Signature

Richard C. Grant

Printed Name

By:

Fereydoon Rabi, as Executive  
Vice President

As Managing General Partner of the  
Partnership with full authority on its behalf

Signature

John Elard

Printed Name

STATE OF FLORIDA  
COUNTY OF COLLIER

§  
§

The foregoing instrument was acknowledged before me this  
2<sup>nd</sup> day of March, 1998, by Fereydoon Rabi, as Executive Vice  
President of Gulf Coast Realty Management Corporation, a Florida  
corporation, as general partner of TIMBERLAND, LTD, a Florida  
limited partnership, and as general partner of TIBURON, LTD, a  
Florida limited partnership, on behalf of such partnerships. He  
is ☒ personally known to me or ☐ has produced \_\_\_\_\_  
as identification.

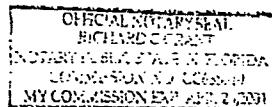
Print Name:

Richard C. Grant

NOTARY PUBLIC

Commission Number:

G:\users\DPH\ANT\TIBURON\QUITCLDEED.wpd



SEE DEEDS RECORDED IN O.R. BOOK 3081 AT PAGES 0048 & 0053, WHERE DOCUMENTARY  
STAMPS WERE PREVIOUSLY PAID ON THIS TRANSFER.

PROPERTY DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTIONS 25 AND 26, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 26, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE RUN N.89°44'39"W., ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 26, FOR A DISTANCE OF 651.54 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF TREELINE DRIVE, A 150.00 FOOT RIGHT-OF-WAY AS THE SAME IS RECORDED IN O.R. BOOK 2745 AT PAGES 1550 THROUGH 1554 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE N.89°44'39"W., ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 26, FOR A DISTANCE OF 2034.90 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 26; THENCE RUN N.89°45'24"W., ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 26, FOR A DISTANCE OF 886.04 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF I-75 (STATE ROAD NO. 93) AS THE SAME IS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR STATE ROAD NO. 93 (I-75), LEE COUNTY, SECTION 12075-2402, LAST REVISED 1/16/81; THENCE RUN S.18°17'53.4"E., ALONG SAID RIGHT-OF-WAY LINE, FOR A DISTANCE OF 3093.31 FEET; THENCE RUN N.71°42'07"E. FOR A DISTANCE OF 1141.51 FEET; THENCE RUN S.18°17'53.4"E. FOR A DISTANCE OF 787.91 FEET; THENCE RUN S.70°28'40"W., FOR A DISTANCE OF 30.06 FEET; THENCE RUN S.69°15'14"W. FOR A DISTANCE OF 112.24 FEET; THENCE RUN S.58°27'44"W. FOR A DISTANCE OF 124.90 FEET; THENCE RUN S.58°07'13"W. FOR A DISTANCE OF 50.38 FEET; THENCE RUN S.41°14'47"W. FOR A DISTANCE OF 75.68 FEET; THENCE RUN S.16°01'19"W. FOR A DISTANCE OF 116.07 FEET TO A POINT ON A CIRCULAR CURVE, CONCAVE NORTHERLY, WHOSE RADIUS POINT BEARS S.81°51'54"W. A DISTANCE OF 80.00 FEET THEREFROM; THENCE RUN SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 80.00 FEET THROUGH A CENTRAL ANGLE OF 77°23'20", SUBTENDED BY A CHORD OF 100.03 FEET AT A BEARING OF S.30°33'34"W., FOR A DISTANCE OF 108.06 FEET TO THE END OF SAID CURVE; THENCE RUN S.69°15'14"W. FOR A DISTANCE OF 221.19 FEET; THENCE RUN S.31°30'22"W. FOR A DISTANCE OF 4.37 FEET; THENCE RUN S.00°34'45"E. FOR A DISTANCE OF 113.28 FEET; THENCE RUN S.10°45'16"E. FOR A DISTANCE OF 65.81 FEET; THENCE RUN S.18°09'29"E. FOR A DISTANCE OF 106.45 FEET; THENCE RUN S.20°09'25"E. FOR A DISTANCE OF 97.07 FEET; THENCE RUN S.13°20'01"E. FOR A DISTANCE OF 110.09 FEET; THENCE RUN S.24°07'56"E. FOR A DISTANCE OF 85.91 FEET; THENCE RUN S.62°14'40"E. FOR A DISTANCE OF 47.93 FEET; THENCE RUN N.70°33'22"E., FOR A DISTANCE OF 2206.62 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID TREELINE DRIVE; THENCE RUN N.06°44'39"W., ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 109.71 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE WESTERLY; THENCE RUN NORTHERLY, ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1835.00 FEET, THROUGH A CENTRAL ANGLE OF 24°00'00", SUBTENDED BY A CHORD OF 763.03 FEET AT A BEARING OF N.18°44'39"W., FOR A DISTANCE OF 768.64 FEET TO THE END OF SAID CURVE; THENCE RUN N.30°44'39"W., ALONG SAID WESTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 954.33 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHEASTERLY; THENCE RUN NORTHERLY, ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 1985.00 FEET, THROUGH A CENTRAL ANGLE OF 30°59'37", SUBTENDED BY A CHORD OF 1060.72 FEET AT A BEARING OF N.15°14'50"W., FOR A DISTANCE OF 1073.77 FEET TO THE END OF SAID CURVE; THENCE RUN N.00°14'58"E., ALONG SAID WESTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 960.53 FEET TO THE POINT OF BEGINNING, CONTAINING 220.095 ACRES, MORE OR LESS.

OR3115 P60792

PROPERTY DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTIONS 25 AND 26, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF SECTION 25, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE RUN S.89°28'17"W., ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 25, FOR A DISTANCE OF 2625.10 FEET TO THE NORTH 1/4 CORNER OF SAID SECTION 25; THENCE RUN S.89°28'07"W., ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 25, FOR A DISTANCE OF 2624.90 FEET TO THE NORTHWEST CORNER OF SAID SECTION 25; THENCE RUN N.89°44'39"W., ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 26, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, FOR A DISTANCE OF 501.54 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF TREELINE DRIVE, A 150.00 FOOT RIGHT-OF-WAY, AS THE SAME IS RECORDED IN O.R. BOOK 2745 AT PAGES 1550 THROUGH 1554 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN S.00°14'58"W., ALONG SAID EASTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 960.51 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHEASTERLY; THENCE RUN SOUTHERLY, ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1835.00 FEET, THROUGH A CENTRAL ANGLE OF 30°59'37", SUBTENDED BY A CHORD OF 980.57 FEET AT A BEARING OF S.15°14'50"E., FOR A DISTANCE OF 992.63 FEET TO THE END OF SAID CURVE; THENCE RUN S.30°44'39"E., ALONG SAID EASTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 954.33 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHWESTERLY; THENCE RUN SOUTHERLY, ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 1985.00 FEET, THROUGH A CENTRAL ANGLE OF 24°00'00", SUBTENDED BY A CHORD OF 825.41 FEET AT A BEARING OF S.18°44'39"E., FOR A DISTANCE OF 831.47 FEET TO THE END OF SAID CURVE; THENCE RUN S.06°44'39"E., ALONG SAID EASTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 390.46 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHEASTERLY; THENCE RUN SOUTHERLY, ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1835.00 FEET, THROUGH A CENTRAL ANGLE OF 21°28'45", SUBTENDED BY A CHORD OF 683.89 FEET AT A BEARING OF S.17°29'02"E., FOR A DISTANCE OF 687.91 FEET TO THE END OF SAID CURVE; THENCE RUN S.28°13'24"E., ALONG SAID EASTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 155.93 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD, A 150.00 FOOT RIGHT-OF-WAY, AS THE SAME IS RECORDED IN O.R. BOOK 2768 AT PAGES 76 THROUGH 81 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN N.61°46'36"E., ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD, FOR A DISTANCE OF 2551.34 FEET; THENCE RUN S.28°13'24"E., ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD, FOR A DISTANCE OF 50.00 FEET; THENCE RUN N.61°46'36"E., ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD, FOR A DISTANCE OF 2475.99 FEET TO A POINT ON THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 25; THENCE RUN N.00°48'28"W., ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 25, FOR A DISTANCE OF 2398.97 FEET TO THE POINT OF BEGINNING, CONTAINING 447.271 ACRES, MORE OR LESS.

DR3115 P60793

CHARLIE GREEN, CLERK  
LEE COUNTY, FL  
99 MAY 10 AM 8:50







**T&T DRI/UNIVERSITY HIGHLAND**  
**NOTICE OF PROPOSED CHANGE**  
**TRAFFIC STUDY**

**Project #09613**

**February 15, 2010**

**Prepared by:**  
**DAVID PLUMMER & ASSOCIATES, INC.**  
**2271 McGregor Boulevard, Suite 200**  
**Fort Myers, Florida 33901**



**T&T DRI/UNIVERSITY HIGHLAND**  
**NOTICE OF PROPOSED CHANGE**  
**TRAFFIC STUDY**

**Introduction**

Timberland & Tiburon (T&T) DRI, is located in Lee County in the northeast quadrant of the I-75/Corkscrew Road interchange, on both sides of Ben Hill Griffin Parkway, Exhibit 1. The DRI was originally approved by Lee County in 1985. The currently approved DRI uses include approximately 818,000 square feet of commercial, 2,335 residential dwelling units, a 200-room hotel, an 18-hole golf course and a 7,950-seat sports complex.

The overall T&T DRI consists of several development components, including Grandezza, Shops at Grandezza, Miromar Outlets, Germain Arena and University Highland. A majority of these developments exist today and are close to being built out to the approved levels. The current buildout year of the DRI is 2013.

University Highland is the remaining undeveloped parcels of the original T&T DRI, located adjacent to Germain Arena on the west side of Ben Hill Griffin Parkway, Exhibit 2. Based on the changing market conditions, University Highland is proposing to revise the approved DRI development parameters to reflect a simultaneous increase and decrease in the approved land uses. The proposed changes in the DRI land uses include a 56-unit reduction in the multifamily dwelling units and the addition of 87,000 square feet of retail/commercial uses, 100,000 square feet of general office, and 50,000 square feet of medical office uses. These proposed land use changes are limited to the University Highland portion of the overall T&T DRI. In addition, due to the current economic conditions, it is proposed that the buildout year of the DRI be extended to year 2018.

The purpose of this traffic study, therefore, is to provide a traffic analysis in support of the proposed changes to the approved T&T DRI. This notice of proposed change traffic analysis determines the effect the proposed changes in the development parameters and the buildout extension will have on the surrounding area roadway network, coincident with the proposed buildout year.

As part of this traffic study, the DRI trip generation estimates were updated to reflect the proposed DRI development parameters and compared to the approved DRI trip generation. In addition, the Lee County FSUTMS travel model was run for the 2018 horizon year, with the proposed DRI trip generation under the current existing plus committed (E+C) network, to identify the impacts to the surrounding roadway network as a result of the proposed changes.

Based on the comprehensive trip generation analysis and roadway segment evaluation of significant and adverse impacts presented in this report, the traffic analysis finds that:

- (1) The proposed simultaneous increase and decrease in the development parameters result in less than a 15% increase in the approved DRI trip generation estimates.
- (2) The DRI is anticipated to have no significantly and adversely impacted roadway segments under the proposed land uses and 2018 buildout.
- (3) There are no new regional traffic impacts due to the proposed changes.
- (4) The proposed changes do not constitute a substantial deviation, from a traffic stand point, to the approved DRI.

A greatly expanded roadway network due to several completed and committed roadway improvements in the vicinity of the DRI, and lower existing traffic volumes due to the current economic conditions are the primary reasons why there are no significant and adverse DRI impacts under the proposed land uses and 2018 buildout year.

### **Methodology Meetings**

A meeting was held with the Southwest Florida Regional Planning Council on November 17, 2009, followed by another meeting with Lee County on November 18, 2009. During those meetings, general agreement on the methodology for the transportation study was reached.

A summary of the results of the meetings and the transportation methodology is presented in Appendix A. This methodology outline was mailed to Lee County, the Southwest Florida Regional Planning Council, FDOT and FDCA on December 4, 2009. No further comments or suggestions were received from the review agencies.

### **Development Parameters**

#### **Approved Development Parameters**

The currently approved DRI development parameters are presented in Exhibit 3 and summarized below.

#### **Approved Development Parameters – Overall DRI <sup>(1)</sup>**

<u>Land Use</u>	<u>Size</u>
Single Family Detached	490 d.u.
Multifamily	<u>1,845</u> d.u.
Total Residential	2,335 d.u.
Retail/Commercial <sup>(2)</sup>	823,000 sq.ft.

Hotel	200 rooms
Golf	18 holes
Sports Complex/Arena	7,950 seats

Footnotes:

- (1) Per the Codified Development Order for Timberland and Tiburon, A Development of Regional Impact, (Seventh Amendment to DRI DO) #7-8384-46, Exhibit A.
- (2) Includes 700,000 square feet of Factory Outlets, 110,616 square feet of Shops at Grandezza, 5,000 square feet of restaurant, and 7,384 square feet of undeveloped University Highland retail/commercial uses.

The DRI development parameters, by component, are presented in Exhibit 3. The current buildout year of the DRI is 2013.

Proposed Development Parameters

As explained in the earlier section, the proposed changes to the DRI development parameters are limited to the University Highland, while the other development components of the DRI remain as approved in the DRI Development Order. The proposed DRI development parameters are presented in Exhibit 4 and summarized below.

Proposed Development Parameters – Overall DRI

<u>Land Use</u>	<u>Approved DRI</u> <sup>(1)</sup>	<u>Proposed DRI</u> <sup>(2)</sup>	<u>Change</u> <sup>(3)</sup>
Single Family Detached	490 d.u.	490 d.u.	No Change
Multifamily	<u>1,845 d.u.</u>	<u>1,789 d.u.</u>	<u>- 56 d.u.</u>
Total Residential	2,335 d.u.	2,279 d.u.	- 56 d.u.
Retail/Commercial	823,000 <sup>(4)</sup> sq.ft.	910,000 <sup>(5)</sup> sq.ft.	+ 87,000 sq.ft.
General Office	0 sq.ft.	100,000 sq.ft.	+ 100,000 sq.ft.
Medical Office	<u>0 sq.ft.</u>	<u>50,000 sq.ft.</u>	<u>+ 50,000 sq.ft.</u>
Total Office	0 sq.ft.	150,000 sq.ft.	+ 150,000 sq.ft.
Hotel	200 rooms	200 rooms	No Change
Golf	18 holes	18 holes	No Change
Sports Complex/Arena	7,950 seats	7,950 seats	No Change

Footnotes:

- (1) Please see Exhibit 3 for detailed development parameters.
- (2) Please see Exhibit 4 for detailed development parameters.
- (3) Proposed changes are limited to University Highland portion of the overall DRI.
- (4) Includes 700,000 square feet of Factory Outlets, 110,616 square feet of Shops at Grandezza, 5,000 square feet of restaurant, and 7,384 square feet of undeveloped University Highland retail/commercial uses.
- (5) Includes 700,000 square feet of Factory Outlets, 110,616 square feet of Shops at Grandezza, and 99,384 square feet of proposed University Highland retail/commercial uses.



As shown above, the proposed changes in the DRI land uses include a 56-unit reduction in the multifamily dwelling units and the addition of 87,000 square feet of retail/commercial uses, 100,000 square feet of general office, and 50,000 square feet of medical office uses.

The proposed buildout year of the DRI is year 2018.

## **Trip Generation**

### **Approved DRI Trip Generation**

The approved DRI trip generation is included in Appendix B and summarized below.

#### **Approved DRI Trip Generation** <sup>(1)</sup> **PM Peak Hour**

Total	3,863
Internal	689
External	3,174
Pass-by	550
Net New External	2,624

**Footnotes:**

(1) From the Corkscrew Road Substantial Deviation Analysis, Sufficiency Response Number One, August 29, 1996, Appendix S1-C.

The key figure affecting the Project's off-site traffic impacts is the 2,624 net new external trips.

### **Proposed DRI Trip Generation**

The proposed DRI trip generation estimates were derived based on current trip generation rates and internal/pass-by trip capture methodologies, consistent with the ITE Trip Generation, Eighth Edition, and the ITE Trip Generation Handbook, Second Edition. The proposed DRI trip generation estimates are presented in Exhibit 5 and summarized below.

#### **Proposed DRI Trip Generation** <sup>(1)</sup> **PM Peak Hour**

Total	3,889
Internal	666
External	3,223
Pass-by	274
Net New External	2,949

**Footnotes:**

(1) Based on ITE Trip Generation, Eighth Edition.

Detailed ITE trip generation worksheets are included in Appendix C.

### Trip Generation Comparison – Approved DRI vs. Proposed DRI

A comparison of the approved DRI and proposed DRI trip generation estimates is presented below.

#### DRI Trip Generation Comparison – Approved vs. Proposed PM Peak Hour - Net New External Trips

Approved DRI Trip Generation <sup>(1)</sup>	2,624
Proposed DRI Trip Generation <sup>(2)</sup>	2,949
Change	+ 12.39%

Footnotes:

- (1) Based on the approved DRI trip generation, please refer to Appendix B.  
(2) Based on the proposed DRI trip generation, please refer to Exhibit 5.

As shown above, the proposed DRI trip generation based on the ITE Trip Generation, Eight Edition, results in approximately 12.4% higher trip generation when compared to the approved DRI trip generation. This increase is less than 15%, which is the threshold to constitute a substantial deviation per the Section 380.06(19)(b)(13), Florida Statutes. Therefore, it is concluded that the proposed change in the DRI development parameters will not constitute a substantial deviation, from a trip generation standpoint.

### Future (2018) Traffic Conditions

There are a number of committed roadway improvements in the general study area that are anticipated to alter travel patterns by increasing the existing capacity and/or providing alternate route choices. Therefore, existing and historic traffic counts and the corresponding historic growth rates may not be able to reflect the effect of the committed roadway improvements. For this reason, the Lee County MPO FSUTMS travel model was run for the year 2018 (under the E+C roadway network) to identify differences, if any, in the DRI's trip distribution/assignment, area of significant impact, and area of significant and adverse impact with the proposed changes.

In the past, it was found that the Lee County MPO LRTP horizon year (2030) zonal data projections do not adequately reflect some of the existing and approved developments in the study area. Those zonal data deficiencies have been presented to and acknowledged by the LCDOT in prior discussions. Therefore, the socio-economic data for some of the TAZ's in the general vicinity of and within the study area were adjusted to more adequately reflect the existing and approved development parameters. The adjustments made to the socio-economic data are summarized and included as part of Appendix D.

The future (2018) traffic conditions were derived using the FSUTMS travel model in the following steps.

1. The Lee County MPO FSUTMS travel model was run for the year 2018, with the current existing plus committed (E+C) roadway network, to derive the future (2018) traffic conditions. Some of the more important completed and committed roadway improvements which were included in the E+C network, in the immediate vicinity of the Project, include the following.
  - New four-lane Estero Parkway Extension, from Three Oaks Parkway to Ben Hill Griffin Parkway – Recently Completed.
  - Four-lane widening of Three Oaks Parkway, from Alico Road to Corkscrew Road – Under Construction; Near Completion.
  - Six-lane widening of I-75, from Golden Gate Parkway to Colonial Boulevard – Recently Completed.
  - Six-lane widening of I-75, from Colonial Boulevard to SR 82 – Under Construction.
  - Six-lane widening of Metro Parkway, from Six Mile Cypress Parkway to Daniels Parkway – Under Construction.
  - New six-lane Metro Parkway Extension from Six Mile Cypress Parkway to Alico Road – Under Construction.
2. The future (2018) zonal data projections were interpolated from the base year and MPO LRTP horizon year (2030). The resultant socio-economic data was adjusted to reflect the changes identified in Appendix D.
3. Proposed DRI trip generation was based on the ITE Trip Generation, Eighth Edition, as shown in Exhibit 5.
4. The proposed DRI trips were assigned to the roadway network based on the FSUTMS travel model select zone analysis.
5. The background PSWDT volumes derived from the FSUTMS model were converted to peak hour, peak directional volumes based on appropriate peak season,  $K_{100}$  and  $D_{100}$  adjustment factors from the current Lee County 2008 Traffic Count Report or the Florida DOT 2008 Traffic Information database.
6. Roadway capacities were derived from the Lee County Generalized Peak Hour Directional Service Volumes table and the Florida DOT generalized service volumes tables.

In addition to the completed and committed road improvements listed above, there are several committed traffic operational improvements to Corkscrew Road, east of I-75. These operational improvements include: (a) a third westbound through lane on Corkscrew Road between I-75 and Ben Hill Griffin Parkway, (b) dual eastbound left-turn lanes and dual southbound right-turn lanes under signal control at the Miromar Outlets directional median opening, and (c) dual southbound right-turn lanes at the Corkscrew Road/Ben Hill Griffin Parkway intersection. The operational improvements on Corkscrew Road east of Ben Hill Griffin Parkway include lane widening and

turn lanes. While these operational improvements are anticipated to improve traffic operations on this section of Corkscrew Road, they were not reflected in the travel model assignment or level of service analysis.

The resultant future (2018) traffic conditions, coincident with the proposed buildout of the DRI, are presented in Exhibit 6.

As shown in Exhibit 6, the DRI is anticipated to have no significantly and adversely impacted roadway segments, coincident with the proposed buildout year. A greatly expanded roadway network due to several completed and committed roadway improvements in the vicinity of the DRI and lower existing traffic volumes due to the current economic conditions are the primary reasons why there are no significant and adverse impacts under the proposed land uses and 2018 buildout year.

### **Significant and Adverse Impacts – Approved DRI vs. Proposed DRI**

Per the Southwest Florida Regional Planning Council (SWFRPC) report titled Development of Regional Impact Assessment for Timberland & Tiburon Substantial Deviation 07-9697-134, and dated November 1996, the approved DRI list of significantly and adversely impacted roadway segments is provided in Appendix E and summarized below.

#### **DRI Significant and Adverse Impacts – Approved DRI**

<u>Roadway</u>	<u>From</u>	<u>To</u>
Alico Road	US 41 Three Oaks Parkway	Three Oaks Parkway I-75
Bonita Beach Road	Imperial Street	I-75
Corkscrew Road	US 41 Sandy Lane Three Oaks Parkway I-75 T&T Shopping Center Treeline Avenue (Ben Hill Griffin Parkway) East T&T Entrance	Sandy Lane Three Oaks Parkway I-75 T&T Shopping Center Treeline Avenue (Ben Hill Griffin Parkway) East T&T Entrance Wildcat Run
I-75	Bonita Beach Road Corkscrew Road Alico Road Daniels Parkway	Corkscrew Road Alico Road Daniels Parkway Colonial Boulevard

US 41

Coconut Road  
Williams Road  
Alico Road  
Island Park Road  
Jamaica Bay West

Williams Road  
Corkscrew Road  
Island Park Road  
Jamaica Bay West  
Six Mile Cypress Pkwy.

As shown above, a total of 19 roadway segments were identified as significantly and adversely impacted by the approved DRI.

Since the proposed DRI is not anticipated to have any significantly and adversely impacted roadway segments coincident with the proposed buildout of the DRI (Exhibit 6), it is concluded that there are no new regional traffic impacts due to the proposed changes to the approved DRI.

Based on the comparison of trip generation and significantly and adversely impacted roadway segments, it is concluded that the proposed changes to the approved DRI do not constitute a substantial deviation, from a traffic standpoint.

#### Vehicle-Miles of Travel (VMT)

The Transportation Methodology (Appendix A) stated that the DRI vehicle-miles-of-travel (VMT) on significantly and adversely impacted roadway segments with the NOPC will be compared with the approved DRI. However, since the NOPC results in no significantly and adversely impacted roadway segments, this calculation and comparison is not being provided.

#### Traffic Mitigation

Condition C in the approved DRI Development Order identifies the following forms of traffic mitigation for the DRI's off-site traffic impacts.

1. Right-of-way dedication made by the Developer (at the time the original DO was approved) along the south property line to provide 100 feet of right-of-way towards widening Corkscrew Road up to six lanes.
2. The payment of Roads Impact Fees in effect at the time building permits are issued to mitigate the DRI's adverse impacts on the regional roadways.
3. CRSA assessments to fund improvements to Corkscrew Road.
4. Contributions already made by the Developer (at the time the original DO was approved) toward the construction of Ben Hill Griffin Parkway, including design, right-of-way donation and \$630,000 cash for construction.

As mentioned in the earlier section of this report, there are several committed traffic operational improvements on Corkscrew Road, east of I-75. The Developer of the Miromar Outlets, which

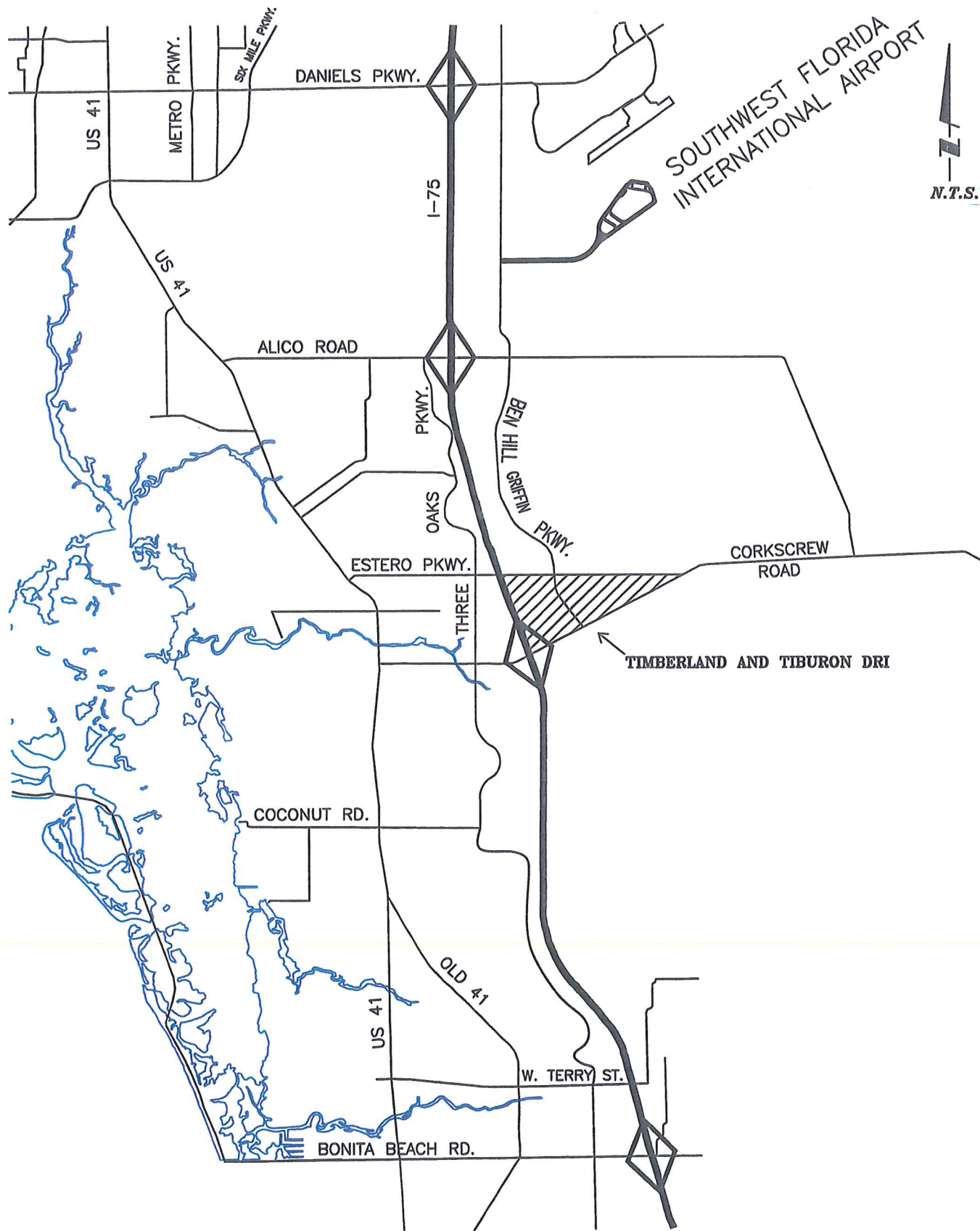
is a component of the overall T&T DRI, is funding the majority of these traffic operational improvements along Corkscrew Road including: (a) a third westbound through lane on Corkscrew Road between I-75 and Ben Hill Griffin Parkway, (b) dual eastbound left-turn lanes and dual southbound right-turn lanes under signal control at the Miromar Outlets directional median opening, and (c) dual southbound right-turn lanes at the Corkscrew Road/Ben Hill Griffin Parkway intersection.

Based on the comprehensive traffic analysis presented in this report, it is not necessary to modify the traffic mitigation of the overall DRI, as outlined in the current DO, as a result of this NOPC. The DRI will continue to mitigate its traffic impacts through the payment of applicable roads impacts fees and CRSA assessments.

### **Conclusions**

The conclusions, based on the above analysis, are summarized below.

- The proposed changes to the approved T&T DRI will include simultaneous increase and decrease in the approved DRI land uses and extension of the buildout year.
- The proposed changes in the DRI land uses include a 56-unit reduction in the multifamily dwelling units and the addition of 87,000 square feet of retail/commercial uses, 100,000 square feet of general office, and 50,000 square feet of medical office uses.
- The approved DRI buildout year is 2013. The proposed extension is to 2018.
- The proposed DRI trip generation results in approximately 12.4% higher trip generation when compared to the approved DRI trip generation. This increase is less than the 15% threshold to create a substantial deviation.
- Due to a greatly expanded roadway network, including several completed and committed roadway improvements in the vicinity of the DRI, and lower existing traffic volumes, the proposed DRI is anticipated to have no significantly and adversely impacted roadway segments, coincident with the proposed buildout year.
- There are no new regional traffic impacts due to the proposed changes.
- Based on the comparison of trip generation and significantly and adversely impacted roadway segments, it is concluded that the proposed changes to the approved DRI do not constitute a substantial deviation, from a traffic standpoint.
- The DRI will continue to mitigate its traffic impacts through the payment of applicable roads impacts fees and CRSA assessments.

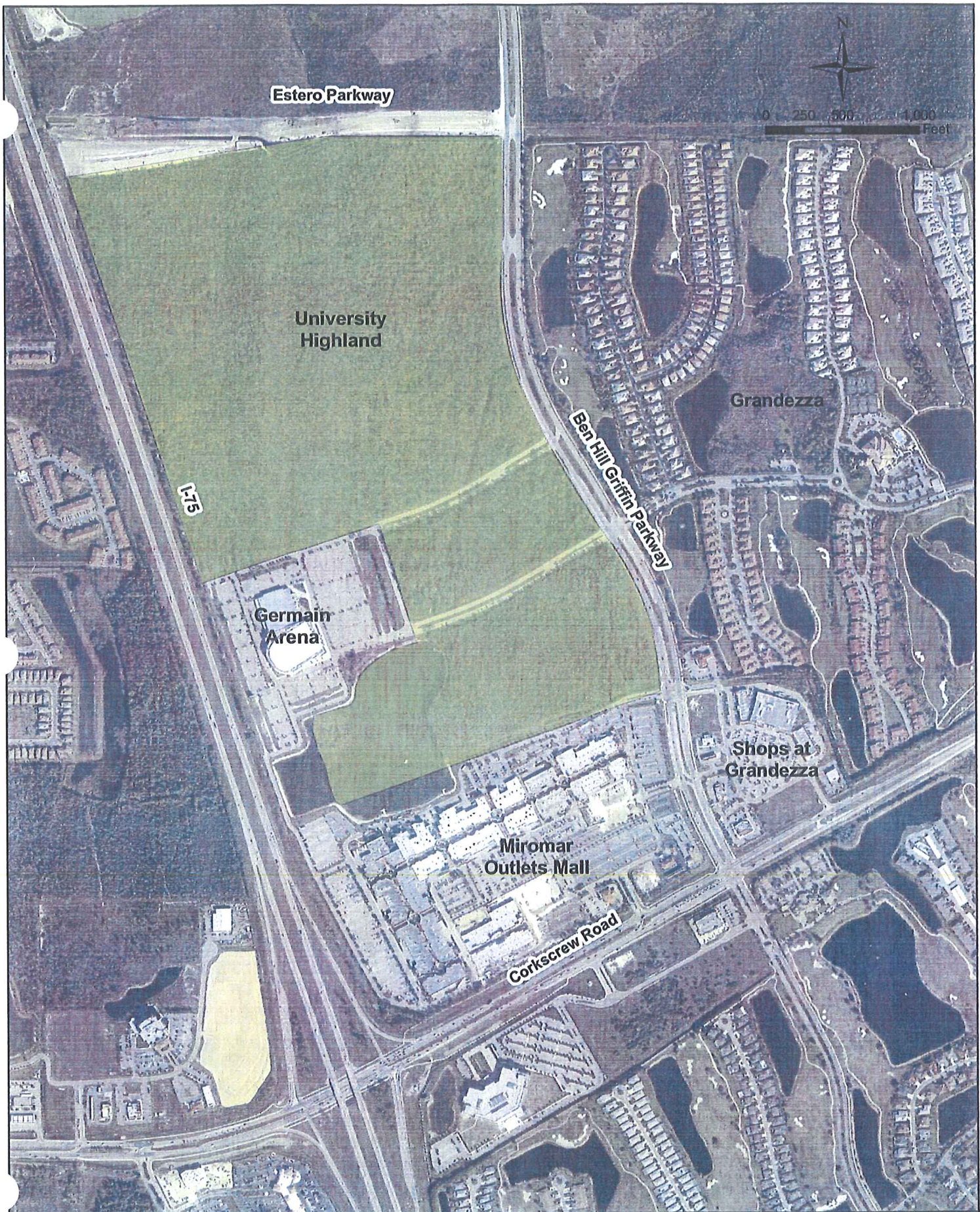


**T&T DRI/UNIVERSITY HIGHLAND  
NOTICE OF PROPOSED CHANGE  
TRAFFIC STUDY**

**DRI LOCATION MAP**

09613/01A/0210







**EXHIBIT 3**  
**TIMBERLAND & TIBURON DRI/UNIVERSITY HIGHLAND**  
**NOTICE OF PROPOSED CHANGE TRAFFIC STUDY**  
**APPROVED DRI DEVELOPMENT PARAMETERS**

<b>Land Use</b>	<b>Units</b>	<b>Grandeza</b>	<b>Shops at Grandeza</b>	<b>Miromar Outlets Mall</b>	<b>Germain Arena</b>	<b>University Highland</b>	<b>Total</b>
Single Family	d.u.	490					490
Multifamily	d.u.	489				1,356	1,845
Total	d.u.	979				1,356	2,335
Retail	sq.ft.		110,616		5,000 <sup>(1)</sup>	7,384	123,000
Factory Outlets	sq.ft.			700,000			700,000
Hotel	rooms					200	200
Golf	holes	18					18
Sports Complex/Arena	seats				7,950		7,950

Footnotes:

(1) Represents the 5,000 square feet of restaurant.

**EXHIBIT 4**  
**TIMBERLAND & TIBURON DRI/UNIVERSITY HIGHLAND**  
**NOTICE OF PROPOSED CHANGE TRAFFIC STUDY**  
**PROPOSED DRI DEVELOPMENT PARAMETERS**

<b>Land Use</b>	<b>Units</b>	<b>Grandeza</b>	<b>Shops at Grandeza</b>	<b>Miromar Outlets Mall</b>	<b>Germain Arena</b>	<b>University Highland</b>	<b>Total</b>
Single Family	d.u.	490					490
Multifamily	d.u.	489				1,300	1,789
Total	d.u.	979				1,300	2,279
Retail	sq.ft.		110,616			99,384 <sup>(1)</sup>	210,000
General Office	sq.ft.					150,000	150,000
Factory Outlets	sq.ft.			700,000			700,000
Hotel	rooms					200	200
Golf	holes	18					18
Sports Complex/Arena	seats				7,950		7,950

Footnotes:

(1) Includes approved/undeveloped 7,384 square feet., 5,000 square feet of restaurant and the proposed addition of 87,000 square feet.

**EXHIBIT 5**  
**TIBERLAND & TIBURON DRI/UNIVERSITY HIGHLAND**  
**NOTICE OF PROPOSED CHANGE TRAFFIC STUDY**  
**PROPOSED DEVELOPMENT PARAMETERS**  
**ITE TRIP GENERATION (8TH EDITION)**

LAND USE	ITE (LUC)	SIZE UNIT	TRIP TYPE	ADJ. FACTOR	(1) PM PEAK			DAILY
					IN	OUT	TOTAL	
Single Family	210	490 d.u.	Sub Total		277	163	440	4,487
Multifamily	230	1,789 d.u.	Sub Total		429	211	640	7,909
Hotel	310	200 rooms	Sub Total		62	56	118	1,634
Total Residential			Total		768	430	1,198	14,030
			Internal	23%	156	115	271 (2)	2,923 (2)
			External		612	315	927	11,107
			Pass-by	0%	0	0	0	0
			Net new		612	315	927	11,107
Golf	430	18 holes	Total		23	28	51	643
			Internal	85%	20	24	44 (3)	547 (3)
			External		3	4	7	96
			Pass-by	0%	0	0	0	0
			Net new		3	4	7	96
Retail	820	210,000 sq.ft.	Total		512	533	1,045	11,000
			Internal	13%	56	76	132 (2)	1,375 (2)
			External		456	457	913	9,625
			Pass-by	30%	137	137	274 (4)	2,016 (5)
			Net new		319	320	639	7,609
General Office	710	100,000 sq.ft.	Sub-total		32	158	190	1,334
Medical Office	720	50,000 sq.ft.	Sub-total		41	112	153	1,830
Total Office		150,000 sq.ft.	Total		73	270	343	3,164
			Internal	14%	23	26	49 (2)	617 (2)
			External		50	244	294	2,547
			Pass-by	0%	0	0	0 (4)	0 (5)
			Net new		50	244	294	2,547
Factory Outlets	823	700,000 sq.ft.	Total		546	525	1,071	12,436 (6)
			Internal	13%	60	74	134	1,554
			External		486	451	937	10,882
			Pass-by	0%	0	0	0	0
			Net new		486	451	937	10,882
Arena/Skating Facility	N/A	7,950 seats	Total		110	31	141 (7)	4,153 (7)
			Internal	13%	5	13	18 (7)	174 (7)
			External		105	18	123	3,979
			Pass-by	0%	0	0	0	0
			Net new		105	18	123	3,979
Restaurant	931	5,000 sq.ft.	Total		28	12	40 (7)	498 (7)
			Internal	45%	13	5	18 (7)	174 (7)
			External		15	7	22	324
			Pass-by	0%	0	0	0	0
			Net new		15	7	22	324
GRAND TOTAL			Total		2,060	1,829	3,889	45,924
			Internal	17%	332	332	666	7,364
			External		1,728	1,497	3,223	38,560
			Pass-by		137	137	274	2,016
			Net new		1,591	1,359	2,949	36,544
Peak Hour Directional Split & Peak Hour to Daily Ratio					53.94%	46.06%	8.07%	

**Footnotes:**

- (1) Based on ITE Trip Generation, Eighth Edition.
- (2) Internal Capture Rates based on Chapter 7: Multi-Use Development of the ITE Trip Generation Handbook June 2004 for Residential and Retail interaction, plus residential interaction with Golf, where applicable.
- (3) 85% of the golf trips are assumed to be internal to the Grandezza residents.
- (4) Based on ITE Trip Generation, Eighth Edition. Retail pass-by trips limited to 30% maximum.
- (5) Daily pass-by rate reflects a 10% reduction of the PM peak hour rate for off-peak hours.
- (6) Daily trips not available from ITE. PM Peak/Daily ratio of Th.Sq.Ft. GFA of LUC 823 was used to derive the daily trip rate.
- (7) Per the Codified Development Order for Timberland and Tiburon A Development of Regional Impact (Seventh Amendment to DRI DO) #7-8384-46



2/15/2010







**APPENDIX A**  
**TRANSPORTATION METHODOLOGY OUTLINE**

# DAVID PLUMMER & ASSOCIATES, INC.

TRANSPORTATION • CIVIL • STRUCTURAL • ENVIRONMENTAL

## Memorandum

**To:** David Hutchinson; Andy Getch  
**From:** Ron Talone  
**Date:** December 4, 2009  
**RE:** T&T DRI/University Highlands NOPC #09598  
Pre-Application Meetings on November 17 and 18, 2009  
Overview of Transportation Methodology  
**cc:** Lawrence Massey; Mike McDaniel; Dan Trescott; Al Moscato; Neale Montgomery;  
Mark Gillis

---

Thank you for participating in the Pre-Application Meetings for the Notice of Proposed Change (NOPC) for the Timberland & Tiburon (T&T) DRI related to University Highlands. University Highlands is the remaining undeveloped parcels in the T&T DRI west of Ben Hill Griffin Parkway and north of Miromar Outlets.

The Pre-Application Meetings were held on Tuesday, November 17, with the RPC staff and on Wednesday, November 18, with the Lee County staff. During the Pre-Application meetings, DPA presented an overview of the methodology to be used for the NOPC traffic study. Both the RPC and Lee County staff were in general agreement with DPA's proposed methodology.

A summary of the methodology to be used by DPA for the NOPC traffic study, as discussed during the Pre-Application Meetings, is provided below. The NOPC traffic study will, of course, be subject to review and approval by the DRI review agencies.

1. DPA will compare the proposed land uses under the NOPC with the approved land uses in approved DRI Development Order (Codified Development Order for Timberland and Tiburon, A Development of Regional Impact, Seventh Amendment to DRI DO #7-8384-46).
  - Objective will be a simultaneous increase and decrease, with a reduction in approved residential units.
  - Less than 15% increase in trip generation anticipated.
  - Extension of build-out year from 2013 to 2018.
2. DPA will estimate the trip generation of the proposed uses under the NOPC using current ITE trip



generation rates and methodologies and will compare the NOPC trip generation to the approved trip generation in the approved DRI Development Order.

- ITE Trip Generation, 8<sup>th</sup> Edition
  - Internal capture consistent with ITE Trip Generation Handbook, Chapter 7.
  - Pass-by capture consistent with ITE Trip Generation Handbook.
  - Pass-by capture not to exceed 10% of adjacent street traffic, as per FDOT Site Impact Handbook.
3. DPA will perform a 2018 travel model assignment with the proposed NOPC land uses, using the adopted Lee County MPO travel model and with the Project trip generation controlled to ITE trip generation estimates.
- Current E+C network provided by Lee County.
  - Facility Type 23 (instead of FT 22) used on Treeline Avenue/Ben Hill Griffin Pkwy south of Daniels Parkway.
  - Interpolated MPO zonal data with adjustments to reflect recently-approved developments.
4. DPA will estimate 2018 levels of service on road segments and identify significantly and adversely impacted road segments with the proposed NOPC uses.
- Road segment analysis only.
  - Current FDOT and Lee County K and D factors.
  - Current FDOT and Lee County service volumes.
  - Current FDOT and Lee County LOS standards.
5. DPA will compare significantly and adversely impacted road segments with the NOPC uses in 2018 to those reported in the approved DRI Development Order.
6. DPA will compare the vehicle miles of travel (VMT) on significantly and adversely impacted road segments with the NOPC to the VMT on significantly and adversely impacted road segments under the approved land uses and trip generation.

09598:Methodology Memo\_120409

**APPENDIX B**  
**APPROVED DRI TRIP GENERATION**

APPENDIX S1-C  
 CORKSCREW ROAD SUBSTANTIAL DEVIATION STUDY #91545  
 ITE TRIP GENERATION: 2010 PM PEAK HOUR TRIP ENDS

27-Aug-96

## TIMBERLAND AND TIBURON DRI

TIMBERLAND AND TIBURON DRI			PM Peak Hour (Two-Way) Trip Generation					
Land Use	ITE L.U. Code	Units	(1) Total	Internal	(2) %	Pass-By	(1) %	Net New External
Commercial:								
Shopping Center	820	790,000 s.f.	2,500	290	12%	550	22%	1,660
Residential:								
Single-Family - Detached	210	285 d.u.'s	278	70	25%	0	0%	209
Single-Family - Attached/Multifamily	230	2,610 d.u.'s	901	225	25%	0	0%	676
Subtotal		2,895 d.u.'s	1,179	295	25%	0	0%	884
Hotel/Motel:								
Hotel:	312	200 rms.	124	50	40%	0	0%	74
Recreational:								
Golf Course	430	18 holes	60	54	90%	0	0%	6
TOTAL			3,863	689	18%	550	14%	2,624

## Footnotes:

(1) Source: ITE Trip Generation, 5th Edition.

(2) Internal capture rate of 25% assumed for single-family and multifamily units, 40% for hotel units and 90% for golf course. Shopping center and office internal capture rates calculated in proportion to total internal trips for single-family, multifamily and hotel units (minus internal trips to golf course).

**APPENDIX C**  
**ITE TRIP GENERATION, EIGHTH EDITION**

Summary of Trip Generation Calculation  
For 490 Dwelling Units of Single Family Detached Housing  
February 15, 2010

	Average Rate	Standard Deviation	Adjustment Factor	Driveway Volume
Avg. Weekday 2-Way Volume	9.16	0.00	1.00	4487
7-9 AM Peak Hour Enter	0.18	0.00	1.00	88
7-9 AM Peak Hour Exit	0.54	0.00	1.00	265
7-9 AM Peak Hour Total	0.72	0.00	1.00	353
4-6 PM Peak Hour Enter	0.56	0.00	1.00	277
4-6 PM Peak Hour Exit	0.33	0.00	1.00	163
4-6 PM Peak Hour Total	0.90	0.00	1.00	439
Saturday 2-Way Volume	9.78	0.00	1.00	4792
Saturday Peak Hour Enter	0.48	0.00	1.00	236
Saturday Peak Hour Exit	0.43	0.00	1.00	209
Saturday Peak Hour Total	0.91	0.00	1.00	446

Note: A zero indicates no data available.

The above rates were calculated from these equations:

24-Hr. 2-Way Volume:  $LN(T) = .92LN(X) + 2.71, R^2 = 0.96$   
7-9 AM Peak Hr. Total:  $T = .7(X) + 9.74$   
 $R^2 = 0.89, 0.25$  Enter, 0.75 Exit  
4-6 PM Peak Hr. Total:  $LN(T) = .9LN(X) + .51$   
 $R^2 = 0.91, 0.63$  Enter, 0.37 Exit  
AM Gen Pk Hr. Total:  $T = .7(X) + 12.37$   
 $R^2 = 0.89, 0.26$  Enter, 0.74 Exit  
PM Gen Pk Hr. Total:  $LN(T) = .88LN(X) + .62$   
 $R^2 = 0.91, 0.64$  Enter, 0.36 Exit  
Sat. 2-Way Volume:  $LN(T) = .95LN(X) + 2.59, R^2 = 0.92$   
Sat. Pk Hr. Total:  $T = .89(X) + 9.56$   
 $R^2 = 0.91, 0.53$  Enter, 0.47 Exit  
Sun. 2-Way Volume:  $T = 8.84(X) + -13.31, R^2 = 0.94$   
Sun. Pk Hr. Total:  $LN(T) = .91LN(X) + .35$   
 $R^2 = 0.87, 0.53$  Enter, 0.47 Exit

Source: Institute of Transportation Engineers  
Trip Generation, 8th Edition, 2008.

TRIP GENERATION BY MICROTRANS



Summary of Trip Generation Calculation  
For 1789 Dwelling Units of Residential Condominium / Townhouse  
February 15, 2010

	Average Rate	Standard Deviation	Adjustment Factor	Driveway Volume
Avg. Weekday 2-Way Volume	4.42	0.00	1.00	7909
7-9 AM Peak Hour Enter	0.05	0.00	1.00	88
7-9 AM Peak Hour Exit	0.24	0.00	1.00	431
7-9 AM Peak Hour Total	0.29	0.00	1.00	519
4-6 PM Peak Hour Enter	0.24	0.00	1.00	429
4-6 PM Peak Hour Exit	0.12	0.00	1.00	211
4-6 PM Peak Hour Total	0.36	0.00	1.00	640
Saturday 2-Way Volume	3.86	0.00	1.00	6904
Saturday Peak Hour Enter	0.17	0.00	1.00	303
Saturday Peak Hour Exit	0.14	0.00	1.00	258
Saturday Peak Hour Total	0.31	0.00	1.00	561

Note: A zero indicates no data available.

The above rates were calculated from these equations:

24-Hr. 2-Way Volume:  $LN(T) = .87LN(X) + 2.46$ ,  $R^2 = 0.8$   
7-9 AM Peak Hr. Total:  $LN(T) = .8LN(X) + .26$   
 $R^2 = 0.76$ , 0.17 Enter, 0.83 Exit  
4-6 PM Peak Hr. Total:  $LN(T) = .82LN(X) + .32$   
 $R^2 = 0.8$ , 0.67 Enter, 0.33 Exit  
AM Gen Pk Hr. Total:  $LN(T) = .82LN(X) + .15$   
 $R^2 = 0.8$ , 0.19 Enter, 0.81 Exit  
PM Gen Pk Hr. Total:  $T = .34(X) + 35.87$   
 $R^2 = 0.82$ , 0.64 Enter, 0.36 Exit  
Sat. 2-Way Volume:  $T = 3.62(X) + 427.93$ ,  $R^2 = 0.84$   
Sat. Pk Hr. Total:  $T = .29(X) + 42.63$   
 $R^2 = 0.84$ , 0.54 Enter, 0.46 Exit  
Sun. 2-Way Volume:  $T = 3.13(X) + 357.26$ ,  $R^2 = 0.88$   
Sun. Pk Hr. Total:  $T = .23(X) + 50.01$   
 $R^2 = 0.78$ , 0.49 Enter, 0.51 Exit

Source: Institute of Transportation Engineers  
Trip Generation, 8th Edition, 2008.

TRIP GENERATION BY MICROTRANS

Summary of Trip Generation Calculation  
 For 200 Rooms of Hotel  
 February 15, 2010

	Average Rate	Standard Deviation	Adjustment Factor	Driveway Volume
Avg. Weekday 2-Way Volume	8.17	3.38	1.00	1634
7-9 AM Peak Hour Enter	0.34	0.00	1.00	68
7-9 AM Peak Hour Exit	0.22	0.00	1.00	44
7-9 AM Peak Hour Total	0.56	0.78	1.00	112
4-6 PM Peak Hour Enter	0.31	0.00	1.00	62
4-6 PM Peak Hour Exit	0.28	0.00	1.00	56
4-6 PM Peak Hour Total	0.59	0.80	1.00	118
Saturday 2-Way Volume	8.19	3.13	1.00	1638
Saturday Peak Hour Enter	0.40	0.00	1.00	80
Saturday Peak Hour Exit	0.32	0.00	1.00	64
Saturday Peak Hour Total	0.72	0.87	1.00	144

Note: A zero indicates no data available.

Source: Institute of Transportation Engineers  
 Trip Generation, 8th Edition, 2008.

TRIP GENERATION BY MICROTRANS

Summary of Trip Generation Calculation  
 For 18 Holes of Golf Course  
 February 15, 2010

	Average Rate	Standard Deviation	Adjustment Factor	Driveway Volume
Avg. Weekday 2-Way Volume	35.74	12.12	1.00	643
7-9 AM Peak Hour Enter	1.76	0.00	1.00	32
7-9 AM Peak Hour Exit	0.47	0.00	1.00	8
7-9 AM Peak Hour Total	2.23	1.79	1.00	40
4-6 PM Peak Hour Enter	1.25	0.00	1.00	23
4-6 PM Peak Hour Exit	1.53	0.00	1.00	28
4-6 PM Peak Hour Total	2.78	1.79	1.00	50
Saturday 2-Way Volume	40.63	17.12	1.00	731
Saturday Peak Hour Enter	2.25	0.00	1.00	41
Saturday Peak Hour Exit	2.34	0.00	1.00	42
Saturday Peak Hour Total	4.59	2.73	1.00	83

Note: A zero indicates no data available.  
 Source: Institute of Transportation Engineers  
 Trip Generation, 8th Edition, 2008.

TRIP GENERATION BY MICROTRANS

Summary of Trip Generation Calculation  
 For 210 Th.Sq.Ft. GLA of Shopping Center  
 February 15, 2010

	Average Rate	Standard Deviation	Adjustment Factor	Driveway Volume
Avg. Weekday 2-Way Volume	52.38	0.00	1.00	11000
7-9 AM Peak Hour Enter	0.69	0.00	1.00	146
7-9 AM Peak Hour Exit	0.44	0.00	1.00	93
7-9 AM Peak Hour Total	1.14	0.00	1.00	239
4-6 PM Peak Hour Enter	2.44	0.00	1.00	512
4-6 PM Peak Hour Exit	2.54	0.00	1.00	533
4-6 PM Peak Hour Total	4.98	0.00	1.00	1046
Saturday 2-Way Volume	70.22	0.00	1.00	14745
Saturday Peak Hour Enter	3.44	0.00	1.00	722
Saturday Peak Hour Exit	3.17	0.00	1.00	666
Saturday Peak Hour Total	6.61	0.00	1.00	1388

Note: A zero indicates no data available.  
 The above rates were calculated from these equations:

24-Hr. 2-Way Volume:  $LN(T) = .65LN(X) + 5.83, R^2 = 0.78$   
 7-9 AM Peak Hr. Total:  $LN(T) = .59LN(X) + 2.32$   
 $R^2 = 0.52, 0.61$  Enter,  $0.39$  Exit  
 4-6 PM Peak Hr. Total:  $LN(T) = .67LN(X) + 3.37$   
 $R^2 = 0.81, 0.49$  Enter,  $0.51$  Exit  
 AM Gen Pk Hr. Total: 0  
 $R^2 = 0, 0$  Enter,  $0$  Exit  
 PM Gen Pk Hr. Total: 0  
 $R^2 = 0, 0$  Enter,  $0$  Exit  
 Sat. 2-Way Volume:  $LN(T) = .63LN(X) + 6.23, R^2 = 0.82$   
 Sat. Pk Hr. Total:  $LN(T) = .65LN(X) + 3.76$   
 $R^2 = 0.83, 0.52$  Enter,  $0.48$  Exit  
 Sun. 2-Way Volume:  $T = 15.63(X) + 4214.46, R^2 = 0.52$   
 Sun. Pk Hr. Total: 0  
 $R^2 = 0, 0$  Enter,  $0$  Exit

Source: Institute of Transportation Engineers  
 Trip Generation, 8th Edition, 2008.

TRIP GENERATION BY MICROTRANS

Summary of Trip Generation Calculation  
 For 100 Th.Sq.Ft. GFA of General Office Building  
 February 15, 2010

	Average Rate	Standard Deviation	Adjustment Factor	Driveway Volume
Avg. Weekday 2-Way Volume	13.34	0.00	1.00	1334
7-9 AM Peak Hour Enter	1.65	0.00	1.00	165
7-9 AM Peak Hour Exit	0.23	0.00	1.00	23
7-9 AM Peak Hour Total	1.88	0.00	1.00	188
4-6 PM Peak Hour Enter	0.32	0.00	1.00	32
4-6 PM Peak Hour Exit	1.58	0.00	1.00	158
4-6 PM Peak Hour Total	1.91	0.00	1.00	191
Saturday 2-Way Volume	2.32	0.00	1.00	232
Saturday Peak Hour Enter	0.20	0.00	1.00	20
Saturday Peak Hour Exit	0.17	0.00	1.00	17
Saturday Peak Hour Total	0.37	0.00	1.00	37

Note: A zero indicates no data available.

The above rates were calculated from these equations:

24-Hr. 2-Way Volume:  $LN(T) = .77LN(X) + 3.65, R^2 = 0.8$   
 7-9 AM Peak Hr. Total:  $LN(T) = .8LN(X) + 1.55$   
 $R^2 = 0.83, 0.88$  Enter,  $0.12$  Exit  
 4-6 PM Peak Hr. Total:  $T = 1.12(X) + 78.81$   
 $R^2 = 0.82, 0.17$  Enter,  $0.83$  Exit  
 AM Gen Pk Hr. Total:  $LN(T) = .8LN(X) + 1.55$   
 $R^2 = 0.83, 0.88$  Enter,  $0.12$  Exit  
 PM Gen Pk Hr. Total:  $T = 1.12(X) + 78.81$   
 $R^2 = 0.82, 0.17$  Enter,  $0.83$  Exit  
 Sat. 2-Way Volume:  $T = 2.14(X) + 18.47, R^2 = 0.66$   
 Sat. Pk Hr. Total:  $LN(T) = .81LN(X) + -.12$   
 $R^2 = 0.59, 0.54$  Enter,  $0.46$  Exit  
 Sun. 2-Way Volume:  $LN(T) = .86LN(X) + .31, R^2 = 0.5$   
 Sun. Pk Hr. Total:  $LN(T) = .61LN(X) + -.23$   
 $R^2 = 0.56, 0.58$  Enter,  $0.42$  Exit

Source: Institute of Transportation Engineers  
 Trip Generation, 8th Edition, 2008.

TRIP GENERATION BY MICROTRANS



Summary of Trip Generation Calculation  
 For 50 Th.Sq.Ft. GFA of Medical-Dental Office Building  
 February 15, 2010

	Average Rate	Standard Deviation	Adjustment Factor	Driveway Volume
Avg. Weekday 2-Way Volume	36.59	0.00	1.00	1830
7-9 AM Peak Hour Enter	0.00	0.00	1.00	0
7-9 AM Peak Hour Exit	0.00	0.00	1.00	0
7-9 AM Peak Hour Total	0.00	0.00	1.00	0
4-6 PM Peak Hour Enter	0.83	0.00	1.00	41
4-6 PM Peak Hour Exit	2.24	0.00	1.00	112
4-6 PM Peak Hour Total	3.07	0.00	1.00	153
Saturday 2-Way Volume	0.00	0.00	1.00	0
Saturday Peak Hour Enter	0.00	0.00	1.00	0
Saturday Peak Hour Exit	0.00	0.00	1.00	0
Saturday Peak Hour Total	0.00	0.00	1.00	0

Note: A zero indicates no data available.

The above rates were calculated from these equations:

24-Hr. 2-Way Volume:  $T = 40.89(X) + -214.97$ ,  $R^2 = 0.9$   
 7-9 AM Peak Hr. Total: 0  
 $R^2 = 0$ , 0 Enter, 0 Exit  
 4-6 PM Peak Hr. Total:  $LN(T) = .88LN(X) + 1.59$   
 $R^2 = 0.75$ , 0.27 Enter, 0.73 Exit  
 AM Gen Pk Hr. Total:  $T = 3.49(X) + 5.25$   
 $R^2 = 0.85$ , 0.66 Enter, 0.34 Exit  
 PM Gen Pk Hr. Total:  $T = 4.43(X) + .48$   
 $R^2 = 0.92$ , 0.4 Enter, 0.6 Exit  
 Sat. 2-Way Volume: 0,  $R^2 = 0$   
 Sat. Pk Hr. Total: 0  
 $R^2 = 0$ , 0 Enter, 0 Exit  
 Sun. 2-Way Volume: 0,  $R^2 = 0$   
 Sun. Pk Hr. Total: 0  
 $R^2 = 0$ , 0 Enter, 0 Exit

Source: Institute of Transportation Engineers  
 Trip Generation, 8th Edition, 2008.

TRIP GENERATION BY MICROTRANS

Summary of Trip Generation Calculation  
 For 700 Occupied Th.Gr.Sq.Ft. of Factory Outlet Center  
 February 15, 2010

	Average Rate	Standard Deviation	Adjustment Factor	Driveway Volume
Avg. Weekday 2-Way Volume	0.00	0.00	1.00	0
7-9 AM Peak Hour Enter	0.00	0.00	1.00	0
7-9 AM Peak Hour Exit	0.00	0.00	1.00	0
7-9 AM Peak Hour Total	0.00	0.00	1.00	0
4-6 PM Peak Hour Enter	0.78	0.00	1.00	546
4-6 PM Peak Hour Exit	0.75	0.00	1.00	525
4-6 PM Peak Hour Total	1.53	0.00	1.00	1071
Saturday 2-Way Volume	0.00	0.00	1.00	0
Saturday Peak Hour Enter	0.00	0.00	1.00	0
Saturday Peak Hour Exit	0.00	0.00	1.00	0
Saturday Peak Hour Total	0.00	0.00	1.00	0

Note: A zero indicates no data available.  
 Source: Institute of Transportation Engineers  
 Trip Generation, 8th Edition, 2008.

TRIP GENERATION BY MICROTRANS

# TRIP GENERATION HANDBOOK - An ITE Proposed Recommended Practice

Analyst DPA  
Date 2/1/2010

Figures 7.3-7.5 Steps 4-9 for Multi-Use Trip  
Generation Calculation Worksheet  
(Source: ITE Trip Generation Handbook Chapter 7.5 to 7.6, Page 89-100)

Project Name UNIVERSITY HIGHLAND NOPC  
Time Period PM PEAK HOUR

## LAND USE A Retail

3%	32	A	A	2%	21
Demand				Demand	
	23	v	^		21
Balanced		v	^	Balanced	
31%	23	B	B	23%	62
Demand				Demand	

ITE L U	CODE	820 & 823	
	SIZE	910,000	
	Total	Internal	External
Enter	1,058	116	942
Exit	1,058	150	908
Total	2116	266	1850
%	100%	13%	87%

Exit to  
External  
**908**

Enter From  
External  
**942**

12%	127	A	A	9%	95
Demand				Demand	
	127	v	^		95
Balanced		v	^	Balanced	
31%	238	C	C	53%	228
Demand				Demand	

## LAND USE B Office

ITE L U	CODE	710 & 720	
	SIZE	150,000	
	Total	Internal	External
Enter	73	23	50
Exit	270	26	244
Total	343	49	294
%	100%	14%	86%

Exit to  
External  
**244**

Enter From  
External  
**50**

B <<< C

0%	0	Balanced	0%	0
Demand			Demand	
2%	5	Balanced	2%	15
Demand			Demand	
	5			

B >>> C

## LAND USE C Residential

ITE L U	CODE SIZE	<u>210, 230 &amp; 310</u> <u>n/a</u>	
	Total	Internal	External
Enter	768	132	636
Exit	430	95	335
Total	1198	227	971
%	100%	19%	81%

Enter From  
External  
**636**

Exit to  
External  
**335**

## Net External Trips for Multi-Use Development

	LU - A	LU - B	LU - C	TOTAL	
Enter	942	50	636	1628	
Exit	908	244	335	1487	
Total	1850	294	971	3115	INTERNAL CAPTURE
Single Use	2116	343	1198	3657	15%

# TRIP GENERATION HANDBOOK - An ITE Proposed Recommended Practice

Analyst DPA  
Date 2/1/2010

Figures 7.3-7.5 Steps 4-9 for Multi-Use Trip  
Generation Calculation Worksheet  
(Source: ITE Trip Generation Handbook Chapter 7.5 to 7.6, Page 89-100)

Project Name UNIVERSITY HIGHLAND NOPC  
Time Period DAILY

## LAND USE A Retail

3%	352	A	A	4%	469
Demand				Demand	
	237	v	^		348
Balanced				Balanced	
15%	237	B	B	22%	348
Demand				Demand	

ITE L U	CODE	820 & 823	
	SIZE	910,000	
	Total	Internal	External
Enter	11718	1403	10315
Exit	11718	1526	10192
Total	23436	2929	20507
%	100%	12%	88%

Exit to External  
**10192**

Enter From External  
**10315**

11%	1289	A	A	9%	1055
Demand				Demand	
	1289	v	^		1055
Balanced				Balanced	
33%	2315	C	C	38%	2666
Demand				Demand	

## LAND USE B Office

ITE L U	CODE	710 & 720	
	SIZE	150,000	
	Total	Internal	External
Enter	1582	237	1345
Exit	1582	380	1202
Total	3164	617	2547
%	100%	20%	80%

Exit to External  
**1202**

Enter From External  
**1345**

B <<< C

	0	Balanced		
0%	0		0%	0
Demand			Demand	
2%	32	Balanced	3%	210
Demand			Demand	
	32			

B >>> C

## LAND USE C Residential

ITE L U	CODE	210, 230 & 310	
	SIZE	n/a	
	Total	Internal	External
Enter	7015	1321	5694
Exit	7015	1055	5960
Total	14030	2376	11654
%	100%	17%	83%

Enter From External  
**5694**

Exit to External  
**5960**

## Net External Trips for Multi-Use Development

	LU - A	LU - B	LU - C	TOTAL	
Enter	10315	1345	5694	17354	INTERNAL CAPTURE
Exit	10192	1202	5960	17354	
Total	20507	2547	11654	34708	
Single Use	23436	3164	14030	40630	
					15%

## **APPENDIX D**

### **FSUTMS DEVELOPMENT PARAMETERS ADJUSTMENTS**

APPENDIX D  
UNIVERSITY HIGHLAND NOFC TRAFFIC STUDY  
DEVELOPMENT PARAMETERS / FSUTMS PARAMETERS

TAZ			1378		
Units			Pop./Emp. Factors	Arborwood	
Buildout Year			40%	2013	
Single-Family	d.u.	(1)	0.30	1,620	(1)
	Perm. Pop.	(2)	2.50	2,840	(2)
Multifamily					
	MF	d.u.	0.30	980	(1)
	ALF	d.u.	0.00	0	(1)
	Total			980	
	Perm. Pop.	(2)	2.00	1,370	(2)
	Perm. Pop.	(2)	1.00	0	(2)
	Total			1,370	
Hotel	room		100%	0	
	Occupants	(3)	2.00	0	(3)
Industrial	sq.ft.		100%	0	
	Employment	(4)	1.00	0	(4)
Commercial					
	Retail	sq.ft.	65%	110,500	
	Other	sq.ft.	100%	0	
	Golf/Club House	holes	100%	36	
	Employment	(4)	2.50	280	(4)
	Employment	(4)	2.50	0	(4)
	Employment	(4)	1.74	60	(4)
	Total			340	
Service					
	Office - General	sq.ft.	100%	0	
	Office - Medical	sq.ft.	100%	0	
	Hotel	units		0	
	ALF	units		0	
	Employment	(4)	4.50	0	(4)
	Employment	(4)	4.10	0	(4)
	Employment	(5)	0.90	0	(5)
Office	Employment	(5)	0.65	0	(5)
	Total			0	
Total	Employment			340	
School	Enrollment			0	

Footnotes:

- (1) Percent Seasonal Residents.  
(2) Population per household.  
(3) Occupants per hotel room.

- (4) Employees per 1,000 square feet.  
(5) Employees per unit.  
(6) Percentage of residential/hotel buildout.

- (7) Percentage of buildout.  
(8) SR 82 Corridor Master Traffic Study, 09/2005  
(9) General estimate of development level.



APPENDIX D  
UNIVERSITY HIGHLAND NOFC TRAFFIC STUDY  
DEVELOPMENT PARAMETERS / FSUTMS PARAMETERS

TAZ	Units	1370			1385			1381/1391			1653		1232		1650	
		Pop./Emp. Factors	Gulf Coast Town Center		Pop./Emp. Factors	Miromar Lakes		Pop./Emp. Factors	Timberland & Tiburon		Pop./Emp. Factors	Stoneybrook & Robert Bruce & Wildcat Run	Pop./Emp. Factors	Alico Inter-Change Park	Pop./Emp. Factors	Bella Terra & Cypress Shadow & Monte Cristo
Buildout Year		100%	2007		80%	2012		75%	2010		70%	2010	70%	2010	70%	2010
Single-Family	d.u.	(1) 0.30	0		(1) 0.30	560		(1) 0.30	370	(1)	0.30	800	(1) 0.30	560	(1) 0.30	910
	Perm. Pop.	(2) 2.00	0		(2) 2.00	780		(2) 2.00	520	(2)	2.00	1,120	(2) 2.00	780	(2) 2.00	1,270
Multifamily	d.u.	(1) 0.40	600		(1) 0.40	1,520		(1) 0.40	1,380	(1)	0.40	600	(1) 0.40	0	(1) 0.40	1,140
	MF	(1) 0.00	0		(1) 0.00	0		(1) 0.00	0	(1)	0.00	0	(1) 0.00	0	(1) 0.00	0
ALF	Total		600			1,520			1,380		600		0			1,140
	Perm. Pop.	(2) 1.50	540		(2) 1.50	1,370		(2) 1.50	1,240	(2)	2.00	720	(2) 2.00	0	(2) 2.00	1,370
	Perm. Pop.	(2) 1.00	0		(2) 1.00	0		(2) 1.00	0	(2)	1.00	0	(2) 1.00	0	(2) 1.00	0
	Total		540			1,370			1,240		720		0			1,370
Hotel	room	100%	250		75%	340		75%	150		80%	100	40%	160	50%	0
	Occupants	(3) 2.00	500		(3) 2.00	680		(3) 2.00	300	(3)	2.00	200	(3) 2.00	320	(3) 2.00	0
Industrial	sq.ft.	100%	0		100%	40,000		100%	0		100%	400,000	100%	0	100%	0
	Employment	(4) 1.00	0		(4) 1.00	40		(4) 1.00	0	(4)	1.00	400	(4) 1.00	0	(4) 1.00	0
Commercial	sq.ft.	75%	1,238,820		75%	187,500		85%	695,300		90%	45,320	40%	448,000	70%	70,000
	Retail	100%	0		100%	0		100%	0		100%	0	100%	0	100%	0
Other	sq.ft.	100%	0		100%	0		100%	0		100%	0	100%	0	100%	0
Golf/Club House	holes	100%	0		50%	18		100%	18		100%	0	100%	0	100%	18
	Employment	(4) 2.50	3,100		(4) 2.50	470		(4) 2.50	1,740	(4)	2.50	110	(4) 2.50	1,120	(4) 2.50	180
	Employment	(4) 2.50	0		(4) 2.50	0		(4) 2.50	0	(4)	2.50	0	(4) 2.50	0	(4) 2.50	0
	Employment	(4) 1.74	0		(4) 1.74	20		(4) 1.74	20	(4)	1.74	0	(4) 1.74	0	(4) 1.74	20
	Total		3100			500			1770		110		1120			210
Service	sq.ft.	0%	0		75%	255,000		100%	0		85%	76,500	40%	130,400	70%	14,000
	Office - General	0%	0		100%	0		100%	0		100%	0	100%	0	100%	0
Office - Medical	sq.ft.		0			0			0			0		0		0
Hotel	units		250			340			150			100		160		0
ALF	units		0			0			0			0		0		0
	Employment	(4) 4.50	0		(4) 4.50	1,150		(4) 4.50	0	(4)	4.50	340	(4) 4.50	590	(4) 4.50	60
	Employment	(4) 4.10	0		(4) 4.10	0		(4) 4.10	0	(4)	4.10	0	(4) 4.10	0	(4) 4.10	0
	Employment	(5) 0.90	230		(5) 0.90	310		(5) 0.90	140	(5)	0.90	90	(5) 0.90	140	(5) 0.90	0
	Employment	(5) 0.65	0		(5) 0.65	0		(5) 0.65	0	(5)	0.65	0	(5) 0.65	0	(5) 0.65	0
Office	Total		230			1,460			140		430		730			60
Total	Employment		3,330			2,000			1,910		940		1,850			270
School	Enrollment		0			0			0		0		0			0

Footnotes:

- (1) Percent Seasonal Residents.  
(2) Population per household.  
(3) Occupants per hotel room.

- (4) Employees per 1,000 square feet.  
(5) Employees per unit.  
(6) Percentage of residential/hotel buildout.

- (7) Percentage of buildout.  
(8) SR 82 Corridor Master Traffic Study, 09/2005  
(9) General estimate of development level.

APPENDIX D  
UNIVERSITY HIGHLAND NOPC TRAFFIC STUDY  
DEVELOPMENT PARAMETERS / FSUTMS PARAMETERS

TAZ	Units	1372			1233			1400		
		Pop./Emp. Factors	Jetway	Tradeport	Pop./Emp. Factors	Airport Technology Center		Pop./Emp. Factors	Premier Airport Park	
Buildout Year		100%	2008		100%	2010		100%	2013	
Single-Family	d.u.	(1) 0.30	0		(1) 0.30	0	(1)	0.30	0	(1)
	Perm. Pop.	(2) 2.00	0		(2) 2.00	0	(2)	2.00	0	(2)
Multifamily	MF	d.u.	(1) 0.40	0	(1) 0.40	0	(1)	0.40	0	(1)
		d.u.	(1) 0.00	0	(1) 0.00	0	(1)	0.00	0	(1)
	ALF	Total		0		0			0	
		Perm. Pop.	(2) 1.50	0	(2) 1.50	0	(2)	1.50	0	(2)
	Total	Perm. Pop.	(2) 1.00	0	(2) 1.00	0	(2)	1.00	0	(2)
		Total		0		0			0	
Hotel	room	100%	300		100%	120		100%	0	
	Occupants	(3) 2.00	600		(3) 2.00	240	(3)	2.00	0	(3)
Industrial	sq.ft.	100%	29,000		25%	75,000		60%	1,008,000	
	Employment	(4) 1.00	30		(4) 1.00	80	(4)	1.00	1,010	(4)
Commercial	Retail	sq.ft.	70%	84,000	80%	55,200		100%	0	
	Other	sq.ft.	100%	0	100%	0		100%	0	
	Gold/Club House	holes	100%	0	100%	0		100%	0	
	Employment	(4) 2.50	210		(4) 2.50	140	(4)	2.50	0	(4)
	Employment	(4) 2.50	0		(4) 2.50	0	(4)	2.50	0	(4)
	Employment	(4) 1.74	0		(4) 1.74	0	(4)	1.74	0	(4)
	Total		210			140			0	
Service	Office - General	sq.ft.	70%	52,500	50%	100,000		60%	0	
	Office - Medical	sq.ft.	100%	0	100%	0		100%	0	
	Hotel	units		300		120			0	
	ALF	units		0		0			0	
	Employment	(4) 4.50	240		(4) 4.50	450	(4)	4.50	0	(4)
	Employment	(4) 4.10	0		(4) 4.10	0	(4)	4.10	0	(4)
	Employment	(5) 0.90	270		(5) 0.90	110	(5)	0.90	0	(5)
	Employment	(5) 0.65	0		(5) 0.65	0	(5)	0.65	0	(5)
Office	Total		510			560			0	
Total	Employment		750			780			1,010	
School	Enrollment		0			0			0	

Footnotes:

- (1) Percent Seasonal Residents.  
(2) Population per household.  
(3) Occupants per hotel room.

- (4) Employees per 1,000 square feet.  
(5) Employees per unit.  
(6) Percentage of residential/hotel buildout.

- (7) Percentage of buildout.  
(8) SR 82 Corridor Master Traffic Study, 09/2005  
(9) General estimate of development level.

**APPENDIX E**

**EXCERPTS FROM THE SWRPC T&T DRI ASSESSMENT  
REPORT, NOVEMBER 1996**

# SWFRPC'S OFFICIAL RECOMMENDATIONS

## DEVELOPMENT OF REGIONAL IMPACT ASSESSMENT FOR TIMBERLAND & TIBURON SUBSTANTIAL DEVIATION 07-9697-134

The 794 acres Timberland and Tiburon Substantial Deviation Development of Regional Impact (DRI) is located in unincorporated Lee County at the northeast corner of I-75 and Corkscrew Road. The Timberland and Tiburon DRI was originally approved by Lee County on November 15, 1985. Three amendments have been approved to first address a Department of Community Affairs (DCA) appeal, second to extend the buildout and third to approve an additional 320,000 sq. ft. of commercial that was proposed in the original Application for Development Approval (ADA) but not approved by Lee County in the original development order. The 320,000 square feet received a preliminary development agreement from DCA on May 13, 1996. The Substantial Deviation ADA was required by DCA to receive final approval for a total of 790,000 sq. ft. of commercial and up to additional 50,000 sq. ft. of office and up to 30,000 sq. ft. of additional commercial. The additional 80,000 sq. ft. of office and commercial will be converted from residential units so long as the total number of peak hour vehicle trips generate by the development is not increased. The remaining uses of 2,896 units (975 single family and 1,920 multi-family), 200 hotel rooms and a 18-hole golf course are the same as originally approved except for the single family units increasing and the multi-family units decreasing. The project will also incorporate into the project's land plan a total of 46.1 acres of designated preserve and/or restoration area as well as indigenous vegetation communities (approximately 112.7 acres) will be preserved per Lee County's open space requirements. Furthermore, jurisdictional wetland mitigation permits have required the DRI to pay for offsite land purchases totaling \$1,200,000.

The Substantial Deviation ADA is also necessary to rebut the presumption of a substantial deviation due to an eight-year extension requested. Timberland and Tiburon is within the Corkscrew Road Service Area (CRSA) which has been designated as a Privately-funded Infrastructure Overlay in The Lee Plan (1989). The CRSA implements capital improvement needs for road, potable water sanitary sewer, law enforcement, fire protection, emergency medical service, library, park, and solid waste facilities. Wastewater treatment and water supply will be provided by Gulf Utilities. Construction on infrastructure within the project will begin in 1997 with project buildout anticipated in 2010.

### RECOMMENDED ACTION:

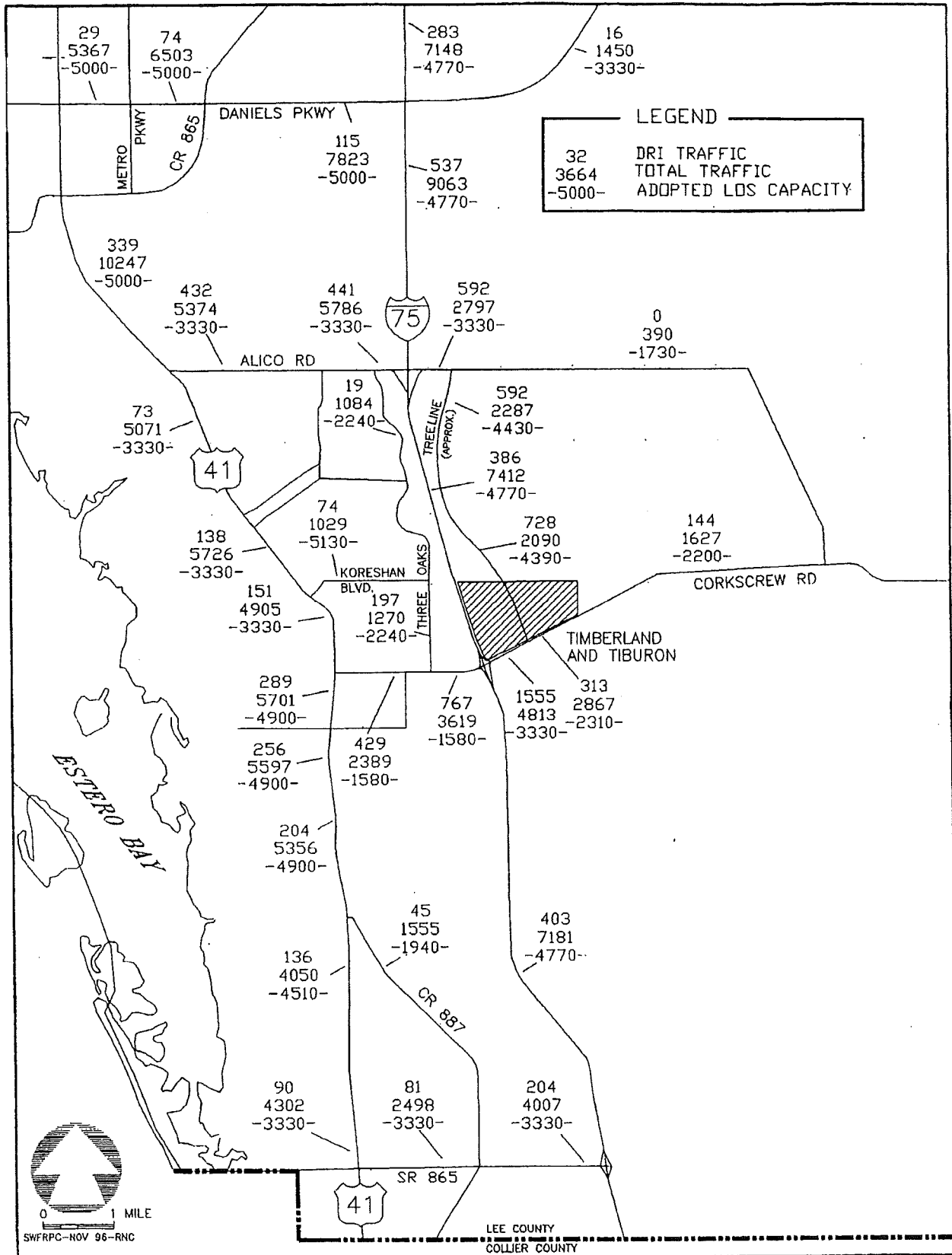
The staff of the Southwest Florida Regional Planning Council recommend Conditional Approval for the Timberland and Tiburon Substantial Deviation DRI to be further conditioned on a finding of Consistency with the Local Government Comprehensive Plan by the Lee County Board of County Commissioners.

**NOVEMBER 1996**

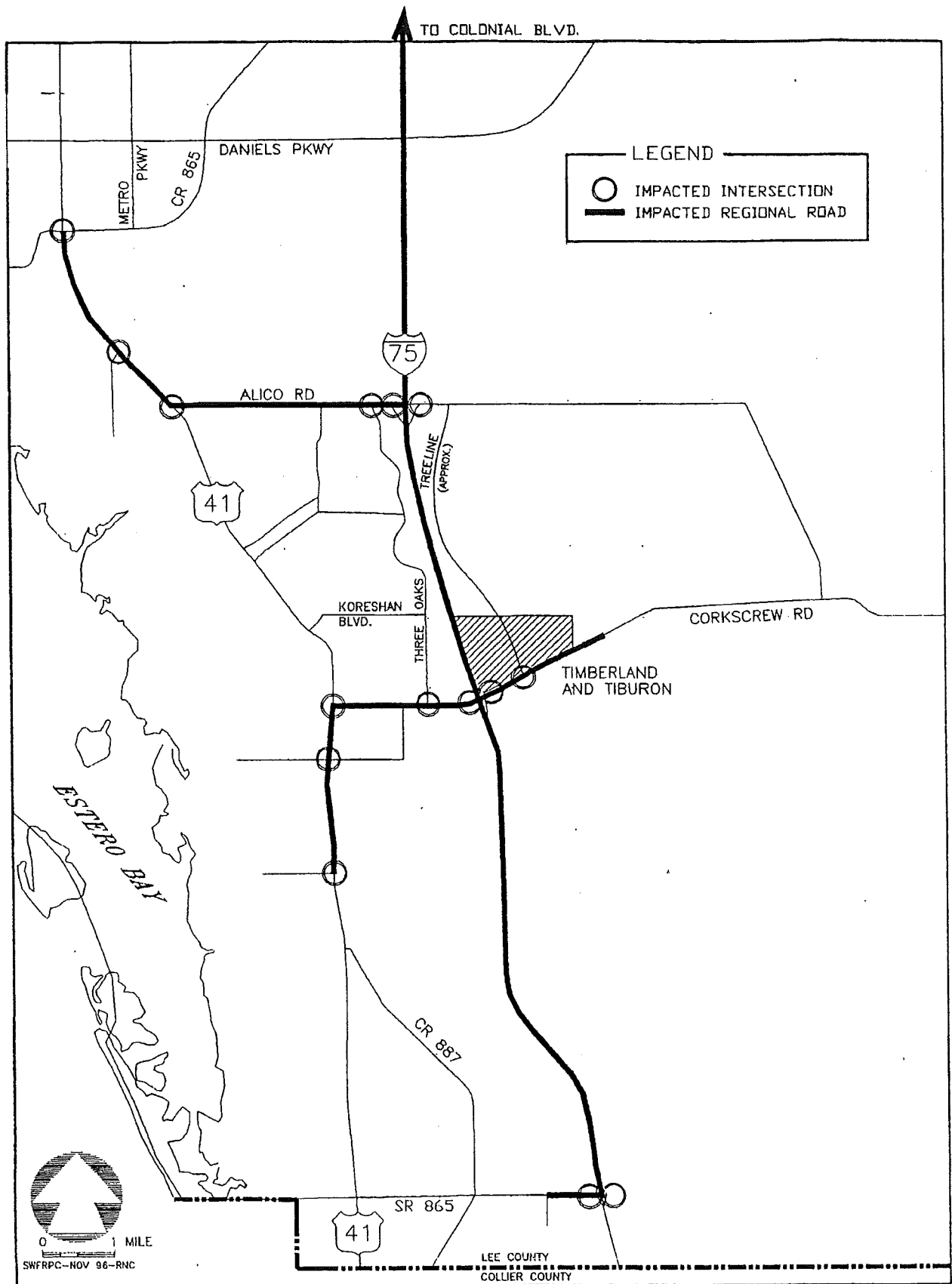


**Southwest Florida Regional Planning Council  
4980 Bayline Drive, N. Fort Myers, Florida**





MAP C-5  
TIMBERLAND & TIBURON  
PROJECTED DRI AND TOTAL TRAFFIC  
BUILDOUT - YEAR 2010



MAP C-6  
 TIMBERLAND & TIBURON  
 IMPACTED ROADS AND INTERSECTIONS  
 BUILDOUT - YEAR 2010

**TABLE C-5**  
**ROADWAYS SIGNIFICANTLY IMPACTED AND EXPECTED TO OPERATE IN 2010**  
**AT A DEFICIENT LEVEL OF SERVICE ON A PEAK SEASON PEAK HOUR BASIS**

Roadway	From	To	Background Traffic	Project Traffic	Total Traffic	Service Volume @ Adopted LOS	Level Of Service	Project Traffic As A % Of Adopted LOS
Alico	US 41	Three Oaks Pkwy	4942	432	5374	3330	F	12.97%
	Three Oaks Pkwy	I-75	5345	441	5786	3330	F	13.24%
Bonita Beach Rd.	Imperial St	I-75	3803	204	4007	3330	F	6.13%
Corkscrew	US 41	Sandy Ln	1956	429	2385	1580	F	27.15%
	Sandy Ln	Three Oaks Pkwy	2272	491	2763	1580	F	31.08%
	Three Oaks Pkwy	I-75	2852	767	3619	1580	F	48.54%
	I-75	T&T Shp Ctr Ent	3258	1555	4813	3330	F	46.70%
	T&T Shp Ctr Ent	Treeline Ave	3258	572	3830	3330	F	17.18%
	Treeline Ave	E T&T/E CP Ent	2554	313	2867	2310	F	13.55%
	E T&T/E CP Ent	Wildcat Run	2108	208	2316	2310	F	9.00%
I-75	Bonita Beach Rd	Corkscrew	6778	403	7181	4770	F	8.45%
	Corkscrew	Alico Rd	7026	386	7412	4770	F	8.09%
	Alico Rd	Daniels Pkwy	8526	537	9063	4770	F	11.26%
	Daniels Pkwy	Colonial	6865	283	7148	4470	F	6.33%
US 41	Coconut Rd	Williams Rd	5341	256	5597	4900	F	5.22%
	Williams Rd	Corkscrew Rd	5412	289	5701	4900	F	5.90%
	Alico Rd	Island Park Rd	9592	352	9944	5000	F	7.04%
	Island Park Rd	Jamaica Bay West	9908	339	10247	5000	F	6.78%
	Jamaica Bay West	Six Mile Cypress Pkwy	10400	308	10708	5000	F	6.16%

## **University Highland Limited Partnership Public Facilities Impact Analysis**

### **Sanitary Sewer – Lee County Utilities – Three Oaks Wastewater Treatment Plant**

Current LOS Standard (per the LEE Plan)

200 gallons per day / ERC

Current Facility Capacity (per the 2009 Lee County Concurrency Report)

6,000,000 gallons per day (Three Oaks WWTP)

#### Potential Impacts

The proposed Comprehensive Plan Amendment and Land Use change from Suburban to Urban Community will not have an impact on Lee County Utilities' Sanitary Sewer system. The property is located in the Suburban Land Use category which permits a maximum of 6 units per acre. The property will be changed from the Suburban Land Use category to the Urban Community category which permits a maximum of 6 units an acre in the standard density range, with the potential for bonus density up to 10 units per acre. The applicant has agreed to include a notation in the plan amendment that indicates that the subject property is not entitled to the bonus density. The proposed Land Use change will therefore not increase the maximum allowed density of the site (and therefore not increase population) and as a result will not result in an increase in the potential wastewater generation of the site.

#### Summary

The site is located in the Lee County Utilities Franchise area and will be served by the Three Oaks Regional Wastewater Treatment Plant (WWTP). The WWTP was recently expanded from 3,000,000 gpd to 6,000,000 gpd. According to the 2009 Lee County Concurrency Report, the estimated projected 2010 daily flows are 2,900,000 gpd. The Three Oaks WWTP therefore has sufficient capacity for the estimated sanitary sewer generation of 404,750 GPD for the project. Existing sanitary sewer lines are located adjacent to the site within the Ben Hill Griffin Parkway right-of-way and the existing access roads to Germain Arena. The existing force main adjacent to the site within the Ben Hill Griffin Parkway



right-of-way conveys wastewater north to an east-west line that conveys wastewater west under the I-75 right-of-way to Three Oaks Regional Wastewater Treatment Plant. Per conversations with Lee County Utilities, improvements to the existing lines will be required prior to the commencement of development of the site. The improvements to the existing lines have been recognized in the Lee County Utilities Capital Improvement Plan (CIP); the construction of a parallel line to resolve the capacity issue was included in the 5-year CIP, however a lack of funding has placed the project on hold.

With the recent plant upgrades, sufficient treatment capacity exists to accommodate the development. Capacity within the transmission lines is not adequate and a parallel line must be constructed from Ben Hill Griffin Parkway to the plant.

### **Potable Water – Lee County Utilities – Pinewoods Water Treatment Plant**

Current LOS Standard (per the LEE Plan)

250 gallons per day / ERC

Current Facility Capacity (per the 2009 Lee County Concurrency Report)

5,300,000 gallons per day (Pinewoods WTP)

#### Potential Impacts

The proposed Comprehensive Plan Future Land Use Map Amendment from Suburban to Urban Community will not have an impact on Lee County Utilities' Sanitary Sewer system. The property is located in the Suburban Land Use category which permits a maximum of 6 units per acre. The property will be changed from the Suburban Land Use category to the Urban Community category which permits a maximum of 6 units an acre in the standard density range, with the potential for bonus density up to 10 units per acre. The applicant has agreed to include a notation in the plan amendment that indicates that the subject property is not entitled to the bonus density. The proposed Land Use change will therefore not increase the maximum allowed density of the site (and therefore not increase population) and will not result in an increase in the potential potable water demand of the site.

SFWMD Water Use Permit No. 36-00122-W was originally issued in March 1979 to San Carlos Utilities. The permit was subsequently renewed, modified, and re-

issued to successor utilities including Lee County Utilities. The water use permit was last modified in September 2004 to allocate the withdrawals to the Pinewoods WTP. The permit allows for a maximum monthly allocation of 216,900,000 gallons (approximately 7,230,000 GPD).

The proposed project will employ the water conservation measures identified in the approved Timberland and Tiburon DRI. The water conservation measures will include water closets with a maximum flush of 1.6 gallons and shower heads with a maximum flow rate of 2.5 gallons per minute (at a pressure of 60 psi). Per previous conversations with Lee County Utilities, there is not a sufficient supply of reclaimed water available to be used for irrigation at the site. Prior to development of the site, the property owner will submit an application for a Water Use Permit to SFWMD to request withdrawals of groundwater for irrigation use at the site. To minimize the amount of water required for irrigation, the landscaping installed at the site will include native plants and trees that reduce the requirements for water, fertilizer, maintenance, and other needs compared to other non-native plant material.

### Summary

The site is located in the Lee County Utilities Franchise area and would be served by the Pinewoods Water Treatment Plant (WTP). The WTP has a design capacity of 5,300,000 GPD. According to the 2009 Lee County Concurrency Report, the estimated projected 2010 daily flows to the Pinewoods WTP are 4,500,000 GPD. The Pinewoods WTP therefore has sufficient capacity for the estimated potable water demand of 404,750 GPD generated by the project. Per conversations with the plant operator, the Pinewoods WTP is manifolded to the Green Meadows and Corkscrew WTPs; Green Meadows WTP has an excess capacity of 2,200,000 GPD and the Corkscrew WTP has an excess capacity of 2,800,000 GPD above the estimated projected 2010 potable water demands. Existing potable water lines are located adjacent to the site within the Ben Hill Griffin Parkway right-of-way and the existing access roads to Germain Arena. At the time of Lee County Development Order permitting, hydraulic calculations will be performed to size the potable water distribution mains within the project site and to evaluate the effect on the LCU system.

## **Surface Water Management – South Florida Water Management District**

### Current LOS Standard (per the LEE Plan)

25 Year, 3 Day Storm Event (Inundation for Less than 24 Hours)

#### Current Facility Capacity (per the 2009 Lee County Concurrency Report)

Per the 2009 Concurrency Report, all of the 48 watersheds within Lee County satisfy the Level of Service requirements for evacuation routes.

#### Summary

The project has a conceptual Environmental Resource Permit (ERP) approval from the South Florida Water Management District (SFWMD); the project was approved as part of the Timberland and Tiburon ERP (ERP No. 36-01871-S). An application for Construction and Operation approval for the proposed development of the site has been submitted to SFWMD. Per the 2009 Concurrency Report, all new developments which receive approval from the South Florida Water Management District and that comply with standards in Chapters 17-3, 17-40, and 17-302 of the Florida Statutes and Rule 40E-4 of the Florida Administrative Code, will be deemed concurrent with the surface water management level of service standards set forth in the Lee Plan. The project will therefore be concurrent with the surface water management level of service standards of the Lee Plan.

### **Parks, Recreation and Open Space**

#### Current Regional Parks LOS Standard (per THE LEE PLAN)

6 acres per 1000 seasonal population.

#### Current Community Parks LOS Standard (per the 2009 Lee County Concurrency Report)

0.8 acres per 1000 permanent population.

#### Potential Impacts

The proposed Future Land Use (FLU) Map change does not impact Lee County Parks. The property is located in the Suburban land use category which permits a maximum of 6 units per acre. The property will be changed from the Suburban land use category to the Urban Community category which permits a maximum of 6 units per acre in the standard density range, with the potential for bonus density up to 10 units per acre. The applicant has agreed to include a notation in the plan amendment that indicates that the subject property is not entitled to the

bonus density. Thus the potential population accommodation remains the same. Furthermore, Policy 1.7.2. identifies a "Development of Regional Impact overlay", and indicates that it is an informational tool showing all of the county property subject to Development Orders issued pursuant to Chapter 380, F.S. If one refers to Lee Plan Map 1, page 3 of 6, one will see all of the DRIs identified on the map and the Timberland and Tiburon DRI is identified as development number 63 on the Map. While Policy 1.7.2. submits that the information is purely informational, the County does consider approved developments, particularly Developments of Regional Impact when it develops and modifies Lee County population projections, Table 1(b). Table 1(b) took the approved density in the Timberland and Tiburon DRI in consideration when the Table 1(b), Planning Community Year 2030 Allocations was created. Lastly, the Timberland and Tiburon DRI was approved prior to the adoption of any planning community maps and allocation tables. Section 163.3167(8), F.S. provides, "Nothing in this act shall limit or modify the rights of any person to complete any development that has been authorized as a development of regional impact pursuant to Chapter 380 or who has been issued a final local development order and development has commenced and is continuing in good faith." A Notice of Proposed Change application has been submitted to all of the agencies, but the application is not seeking an increase in residential density. The Timberland and Tiburon DRI was adopted prior to the concurrency provisions regarding parks, and the project should be vested and not subject to the concurrency requirements. The development will be paying impact fees for parks. Therefore, there is no impact on Lee County Parks.

### Summary

This amendment will not result in any additional demand on Lee County Community Parks. This site is located in Community Park Benefit District 48 – Estero/San Carlos/Three Oaks. According to the 2009 Lee County Concurrency Report, there are 131 acres of Community parks within the District, and that "the 'Regulatory' standard (44.5 acres in 2008) and the 'Desired' standard (111.3 acres in 2008) were met in 2008 and will continue to be met through the year 2014." No additional Community Parks are required.

This amendment will not result in any additional demand on Lee County Regional Parks. There are currently 7,112 acres of existing Regional Parks within Lee County. According to the 2009 Lee County Concurrency Report "The 7,112 acres of existing Regional Parks currently operated by the County, City, State, and Federal governments is sufficient to meet the 'Regulatory Level of Service Standard' of six (6) acres per 1,000 total seasonal population in the county for

the year 2008 and will continue to do so at least through the year 2014 as currently projected. In addition, the Regional Park acreage met the 'Desired Level of Service Standard' of eight (8) acres per 1,000 total seasonal County population in 2008 and will continue to do so at least through the year 2014 as currently projected."

#### Exhibit

Reference the enclosed exhibit depicting Parks and Recreation opportunities in proximity to the UHLP property.

### **Public Schools – South Zone, Subzone S2**

#### Current LOS Standard (per THE LEE PLAN)

100% of the Permanent Inventory of Public Schools (FISH) capacity.

#### South Zone, Subzone S2 Schools Capacity (per the 2009 Lee County Concurrency Report)

Elementary Schools (Rayma Page, San Carlos Park, Three Oaks)

Projected 2009-2010 FISH Capacity = 2,646

Available Capacity = 361

Middle Schools (Lexington, Three Oaks)

Projected 2009-2010 FISH Capacity = 2,017

Available Capacity = 349

High Schools (South Ft. Myers)

Projected 2009-2010 FISH Capacity = 1,924

Available Capacity = 520



### Potential Impacts

The proposed Future Land Use (FLU) Map change does not impact Lee County Public Schools. The property is located in the Suburban land use category which permits a maximum of 6 units per acre. The property will be changed from the Suburban land use category to the Urban Community category which permits a maximum of 6 units per acre in the standard density range, with the potential for bonus density up to 10 units per acre. The applicant has agreed to include a notation in the plan amendment that indicates that the subject property is not entitled to the bonus density. Thus the potential population accommodation remains the same. Furthermore, Policy 1.7.2. identifies a "Development of Regional Impact overlay", and indicates that it is an informational tool showing all of the county property subject to Development Orders issued pursuant to Chapter 380, F.S. If one refers to Lee Plan Map 1, page 3 of 6, one will see all of the DRIs identified on the map and the Timberland and Tiburon DRI is identified as development number 63 on the Map. While Policy 1.7.2. submits that the information is purely informational, the County does consider approved developments, particularly Developments of Regional Impact when it develops and modifies Lee County population projections, Table 1(b). Table 1(b) took the approved density in the Timberland and Tiburon DRI in consideration when the Table 1(b), Planning Community Year 2030 Allocations was created. Lastly, the Timberland and Tiburon DRI was approved prior to the adoption of any planning community maps and allocation tables. Section 163.3167(8), F.S. provides, "Nothing in this act shall limit or modify the rights of any person to complete any development that has been authorized as a development of regional impact pursuant to Chapter 380 or who has been issued a final local development order and development has commenced and is continuing in good faith." A Notice of Proposed Change application has been submitted to all of the agencies, but the application is not seeking an increase in residential density. The development currently has impact fee credits for advance payments made for public schools. Therefore, there is no impact on Lee County Public Schools.

### Summary

The existing Lee County Public Schools facilities are meeting adopted LOS Standards, and currently have sufficient capacity. This property is part of an approved and vested DRI, for which public schools impact fees have been paid. As mentioned above the proposed change will not increase residential density on the subject property. Therefore, there is no impact on Lee County Public Schools as a result of this Amendment.

### Exhibit

Reference the enclosed exhibit from the Lee County Concurrency Report depicting Student Assignment Zones for 2008-2009.

## **Solid Waste – Lee County Waste to Energy Facility**

### Current LOS Standard (per THE LEE PLAN)

7 lbs/day/capita

### Current Facility Capacity (per the 2009 Lee County Concurrency Report)

1,836 tons/day (670,140 tons/year)

### Potential Impacts

The proposed Future Land Use (FLU) Map change does not impact Lee County Solid Waste Facilities. The property is located in the Suburban land use category which permits a maximum of 6 units per acre. The property will be changed from the Suburban land use category to the Urban Community category which permits a maximum of 6 units per acre in the standard density range, with the potential for bonus density up to 10 units per acre. The applicant has agreed to include a notation in the plan amendment that indicates that the subject property is not entitled to the bonus density. Thus the potential population accommodation remains the same. Furthermore, Policy 1.7.2. identifies a "Development of Regional Impact overlay", and indicates that it is an informational tool showing all of the county property subject to Development Orders issued pursuant to Chapter 380, F.S. If one refers to Lee Plan Map 1, page 3 of 6, one will see all of the DRIs identified on the map and the Timberland and Tiburon DRI is identified as development number 63 on the Map. While Policy 1.7.2. submits that the information is purely informational, the County does consider approved developments, particularly Developments of Regional Impact when it develops and modifies Lee County population projections, Table 1(b). Table 1(b) took the approved density in the Timberland and Tiburon DRI in consideration when the Table 1(b), Planning Community Year 2030 Allocations was created. Lastly, the Timberland and Tiburon DRI was approved prior to the adoption of any planning community maps and allocation tables. Section 163.3167(8), F.S. provides, "Nothing in this act shall limit or modify the rights of any person to complete any development that has been authorized as a development of regional impact pursuant to Chapter 380 or who has been issued

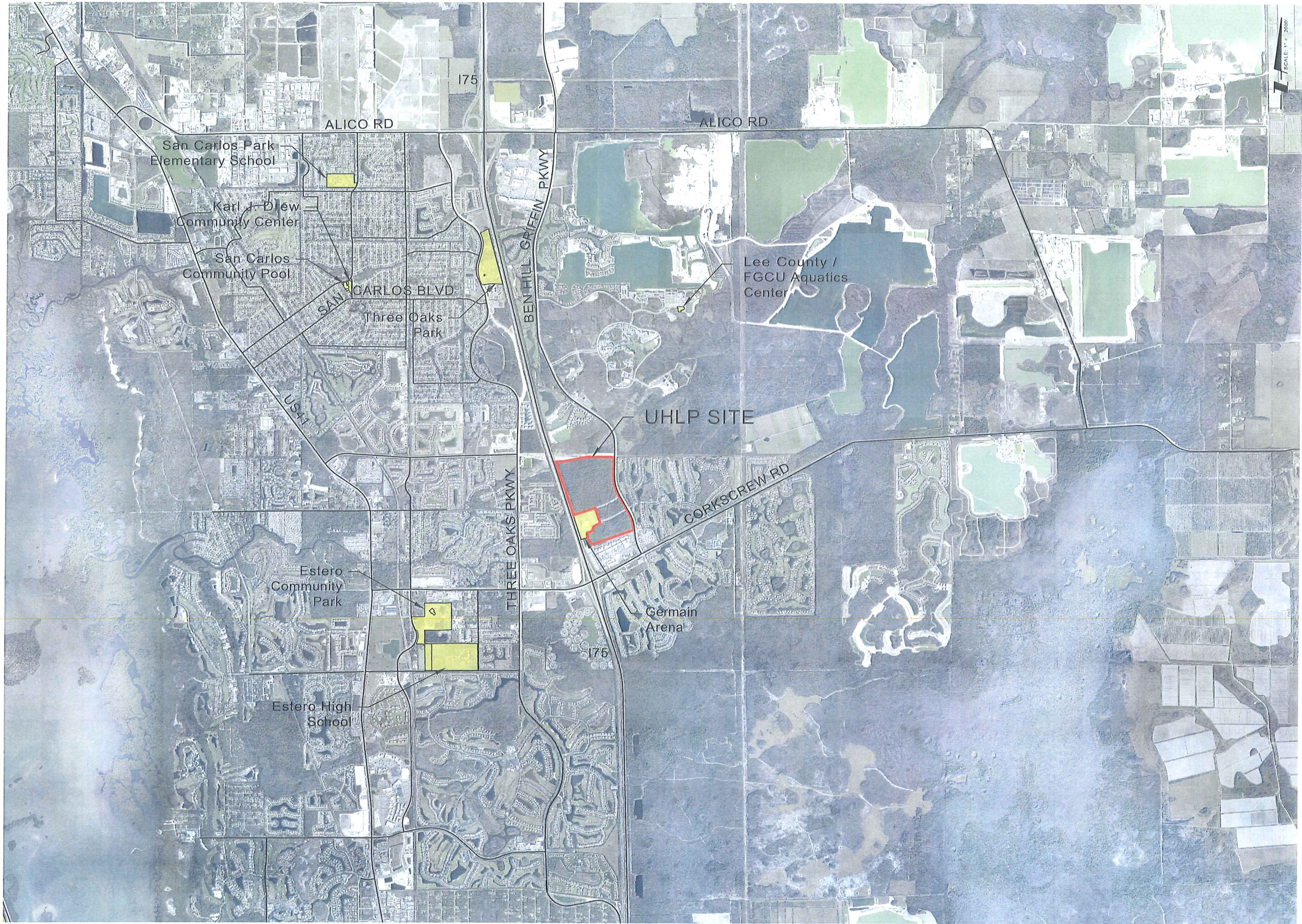
a final local development order and development has commenced and is continuing in good faith.” A Notice of Proposed Change application has been submitted to all of the agencies, but the application is not seeking an increase in residential density.

### Summary

Per the 2009 Lee County Concurrency Report “All unincorporated areas of Lee County are Concurrent with the Level of Service standard set forth in THE LEE PLAN for Solid Waste. As mentioned above the proposed change will not increase residential density on the subject property. Therefore, there is no impact on Lee County Solid Waste facilities as a result of this Amendment.



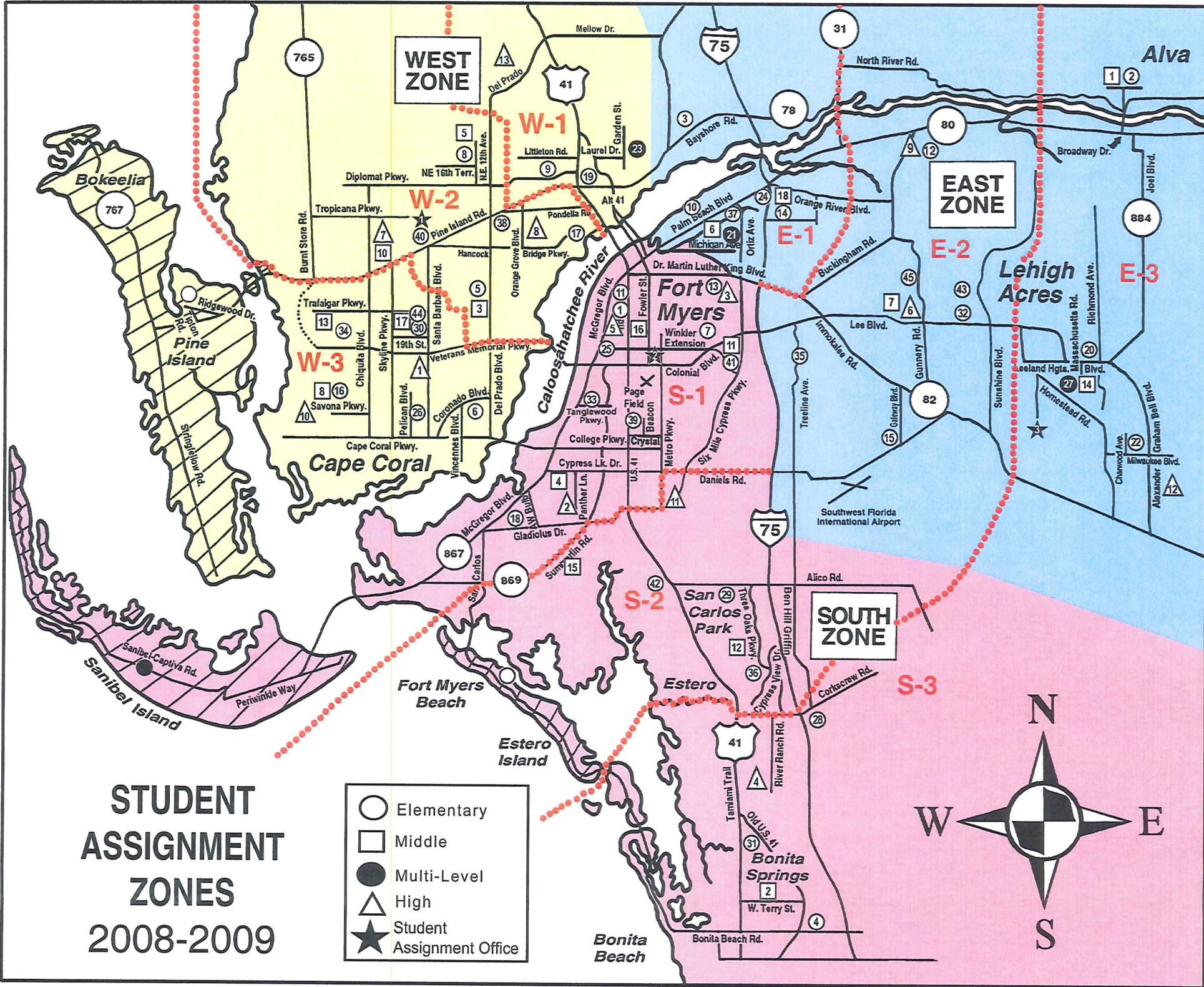
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WILSONMILLER PROJECT NUMBER 03247-003-001		SHEET NUMBER 001 of 001	
PROPOSED DATE MARCH 2010		SHEET NUMBER EP-03247-002X06	
PROJECT DESCRIPTION UNIVERSITY HIGHLAND LIMITED PARTNERSHIP UHLP SITE		PROJECT DESCRIPTION UNIVERSITY HIGHLAND LIMITED PARTNERSHIP UHLP SITE	
LEAD DESIGNER J.C.E./1025		LEAD DESIGNER J.C.E./1025	
LEAD TECHNICIAN J.M.L./1322		LEAD TECHNICIAN J.M.L./1322	
SECTION 26-46-25		SECTION 26-46-25	
REVISION DESCRIPTION		REVISION DESCRIPTION	
REV. DATE		REV. DATE	
DRAWN BY		DRAWN BY	
CHECKED BY		CHECKED BY	
APPROVED BY		APPROVED BY	



# THE SCHOOL DISTRICT OF LEE COUNTY



Free school bus transportation is provided for students who live beyond two miles from their assigned school. Students residing in barrier island boundary areas of Fort Myers Beach, and Pine Island will attend their barrier island elementary school. Students residing in barrier island boundary area of Sanibel Island will attend their barrier island elementary and middle school.

WEST ZONE	
Student Assignment Office	
Cape Coral	1
Elementary Schools	
Caloosa (U)	5
Cape	6
Diplomat (U)	8
Gulf	16
Hancock Creek	17
Hector A. Cafferata, Jr. (U)	40
J. Colin English (U)	19
Littleton (U)	9
NFM Academy for the Arts (K-8) (A) (U)	23
Patriot	44
Pelican	26
Skyline	30
Trafalgar (U)	34
Tropic Isles	38
Middle Schools	
Caloosa	3
Challenger	17
Diplomat	5
Gulf	8
Mariner	10
NFM Academy for the Arts (K-8) (A) (U)	23
Trafalgar	13
High Schools	
Cape Coral (IB)	1
Ida S. Baker (C)	10
Island Coast	13
Mariner	7
North Fort Myers (A)	8

SOUTH ZONE	
Student Assignment Office	
Fort Myers	2
Elementary Schools	
Allen Park	1
Bonita Springs (U) (A)	4
Colonial (U)	7
Edison Park (A)	11
Franklin Park (T)(U)	13
Heights (IB)	18
Orangewood	25
Pinewoods	28
Ray V. Pottorf	41
Rayma C. Page (U)	42
San Carlos Park (U) (A)	29
Spring Creek (U)	31
Tanglewood Riverside	33
Three Oaks	36
Villas	39
Middle Schools	
Bonita Springs	2
Cypress Lake (A)	4
Fort Myers Middle Academy (U) (T)	16
Lexington (IB)	15
Paul Laurence Dunbar	11
Three Oaks (U)	12
High Schools	
Cypress Lake (A)	2
Dunbar (T)	3
Estero	4
Fort Myers (IB)	5
South Fort Myers (C)	11

EAST ZONE	
Student Assignment Office	
Lehigh Acres	3
Elementary Schools	
Alva	2
Bayshore (U)	3
Edgewood Academy (U)	10
G. Weaver Hipps	45
Gateway	15
Harns Marsh	43
Lehigh	20
Manatee	14
Michigan International (K-8) (IB)	21
Mirror Lakes (U)	22
Orange River	24
Riverhall (U)	12
Sunshine	32
Tice	37
Treeline	35
Veterans Park (K-8) (A) (U)	27
Middle Schools	
Alva	1
Lee (IB)	6
Lehigh Acres (U)	14
Michigan International (K-8)	21
Oak Hammock	18
Varsity Lakes	7
Veterans Park (K-8) (A) (U)	27
High Schools	
Dunbar Zone Magnet (T)	3
East Lee County (C)	12
Lehigh Senior (A)	6
Riverdale (IB)	9

(A) Arts Program; (C) Comprehensive Program; (IB) International Baccalaureate; (T) Technology Program; (U) this school has a uniform clothing policy





March 12, 2010

Ms. Kim Dickerson  
Deputy Chief  
Lee County Public Safety / EMS  
P.O. Box 398  
Fort Myers, FL 33902-0398

**Subject: University Highland Limited Partnership  
Comprehensive Plan Amendment  
Service Availability Letter Request**

Dear Deputy Chief Dickerson:

Please accept this letter as written request for an Availability of Emergency Medical Services Letter for the University Highland Limited Partnership (UHLP) Site in Estero. The 208.4 acre site is adjacent to Germain Arena and Miromar Outlets, south of Estero Parkway, between Ben Hill Griffin Parkway and I-75 (referenced the attached location map). The site is located in Sections 25 and 26, Township 46 South, Range 25 East in unincorporated Lee County.

The undeveloped site is part of the Timberland and Tiburon DRI and is currently authorized for 1,300 multi-family residential units, commercial, and retail uses. The developer is requesting a Comprehensive Plan Future Land Use Map Amendment to change from the current designation of Suburban to Urban Community. The proposed Future Land Use Map Amendment will not result in an increase in the maximum density above the currently approved levels. Please forward an Availability of Service Letter from your office to accompany the property owner's submittal to Lee County requesting a Comprehensive Plan Future Land Use Map Amendment for the UHLP Site. Please return the Availability of Service Letter to my attention via email ([DanielWaters@WilsonMiller.com](mailto:DanielWaters@WilsonMiller.com)), fax (239-643-5716), or mail to our office.

If you have any questions or wish to discuss this further, feel free to contract me at our office at (239) 649-4040.

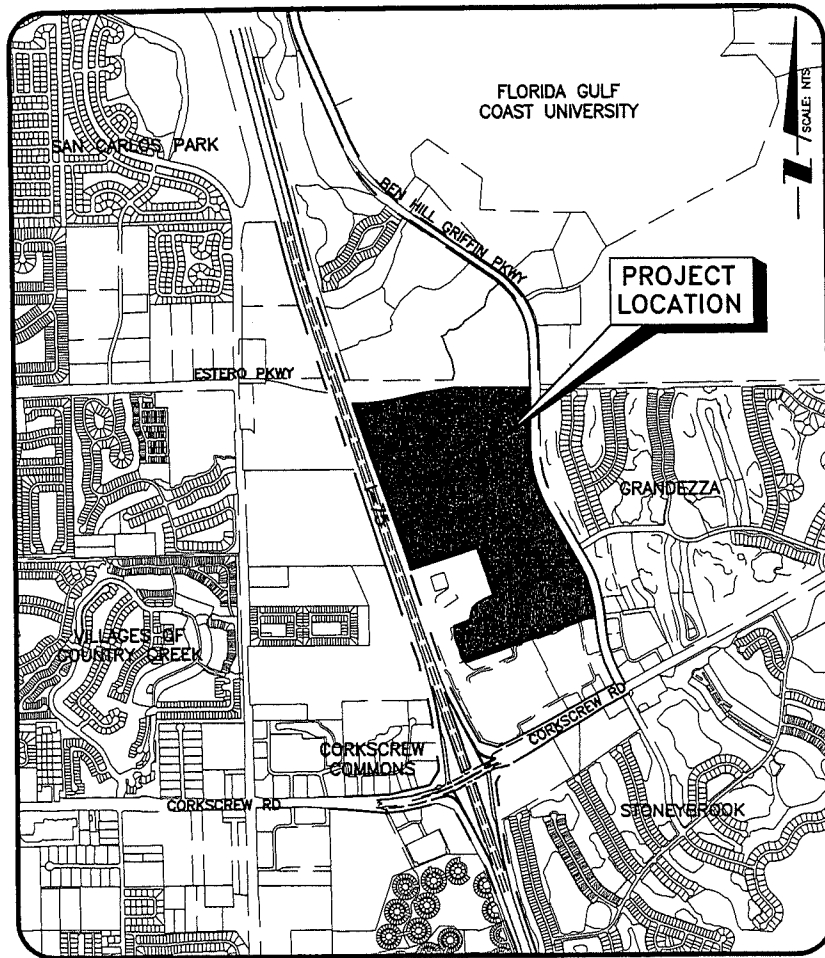
Sincerely,

*WilsonMiller, Inc.*

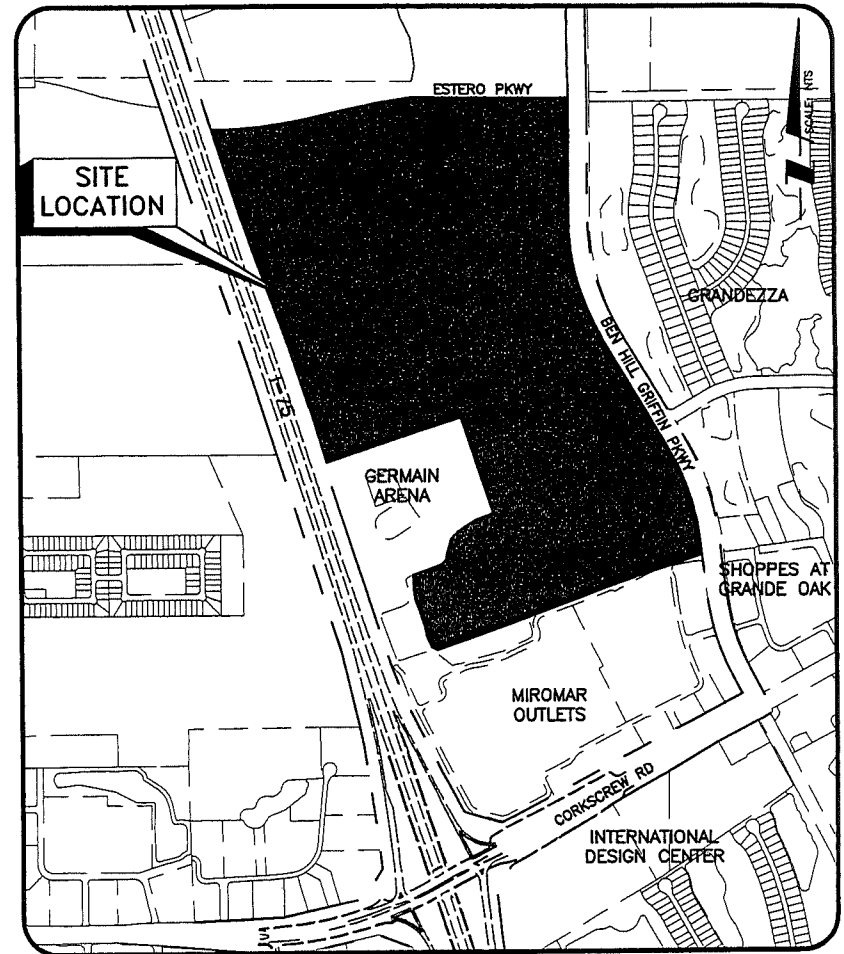
A handwritten signature in black ink, appearing to be 'Dan Waters', written over a circular stamp or seal.

Dan Waters, PE  
Senior Project Manager





LOCATION MAP



SITE MAP



March 12, 2010

Sgt. Stan Howard  
Lee County Sheriff's Office  
District 4 Sub-Station  
8951 Bonita Beach Road  
Bonita Springs, FL 34135

**Subject: University Highland Limited Partnership  
Comprehensive Plan Amendment  
Service Availability Letter Request**

Dear Sergeant Howard:

Please accept this letter as written request for an Availability of Law Enforcement Services Letter for the University Highland Limited Partnership (UHLP) Site in Estero. The 208.4 acre site is adjacent to Germain Arena and Miromar Outlets, south of Estero Parkway, between Ben Hill Griffin Parkway and I-75 (referenced the attached location map). The site is located in Sections 25 and 26, Township 46 South, Range 25 East in unincorporated Lee County.

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If you have any questions or wish to discuss this further, feel free to contract me at our office at (239) 649-4040.

Sincerely,

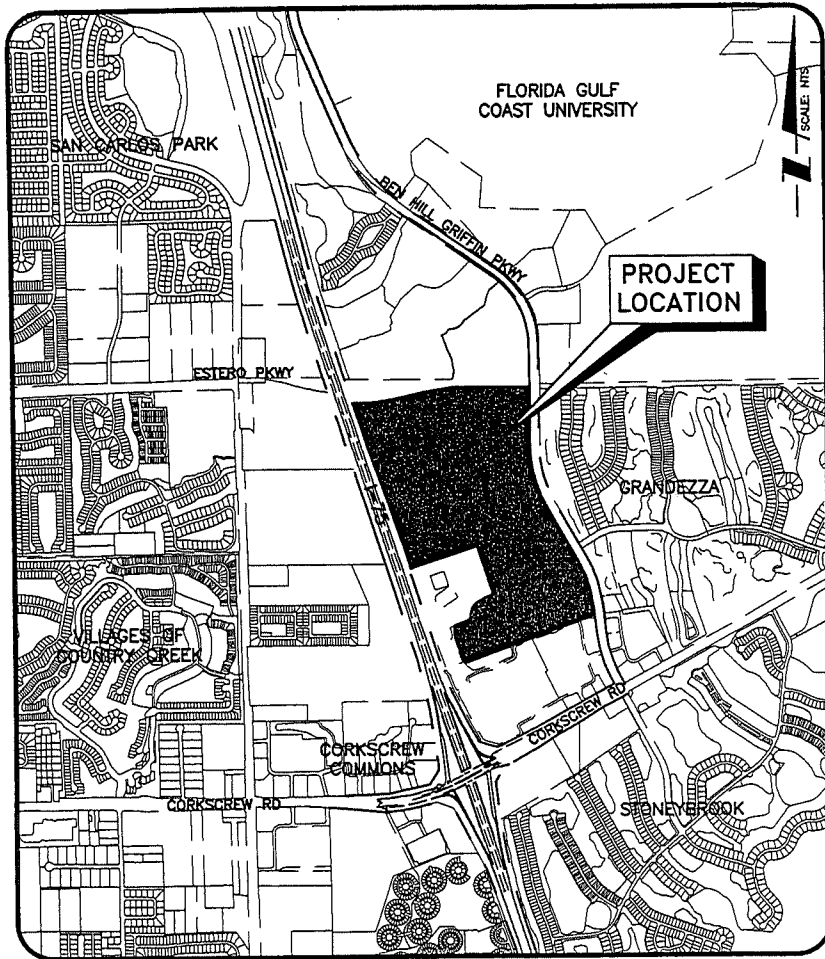
*WilsonMiller, Inc.*

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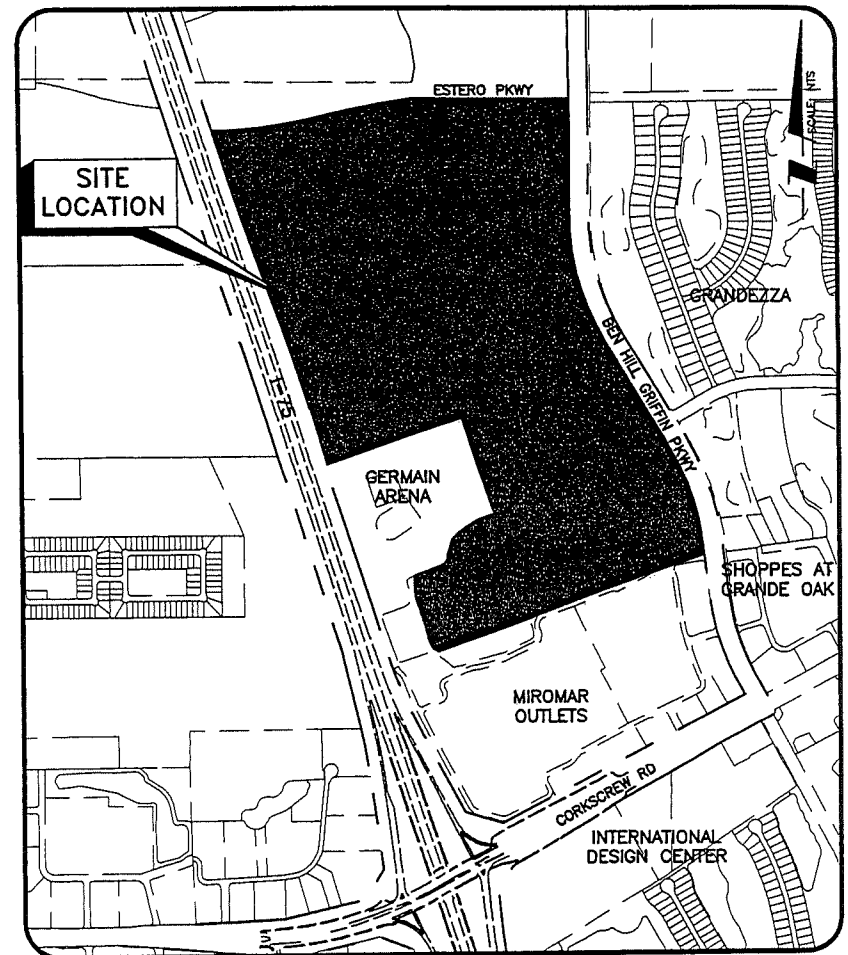
Dan Waters, PE  
Senior Project Manager

Enc.





LOCATION MAP



SITE MAP





March 12, 2010

Mr. Philip Green  
Fire Marshall  
Estero Fire Control and Rescue District  
21500 Three Oaks Parkway  
Estero, FL 33928

**Subject: University Highland Limited Partnership  
Comprehensive Plan Amendment  
Service Availability Letter Request**

Dear Fire Marshall Green:

Please accept this letter as written request for an Availability of Fire Protection Services Letter for the University Highland Limited Partnership (UHLP) Site in Estero. The 208.4 acre site is adjacent to Germain Arena and Miromar Outlets, south of Estero Parkway, between Ben Hill Griffin Parkway and I-75 (referenced the attached location map). The site is located in Sections 25 and 26, Township 46 South, Range 25 East in unincorporated Lee County.

The undeveloped site is part of the Timberland and Tiburon DRI and is currently authorized for 1,300 multi-family residential units, commercial, and retail uses. The developer is requesting a Comprehensive Plan Future Land Use Map Amendment to change from the current designation of Suburban to Urban Community. The proposed Future Land Use Map Amendment will not result in an increase in the maximum density above the currently approved levels. Please forward an Availability of Service Letter from your office to accompany the property owner's submittal to Lee County requesting a Comprehensive Plan Future Land Use Map Amendment for the UHLP Site. Please return the Availability of Service Letter to my attention via email ([DanielWaters@WilsonMiller.com](mailto:DanielWaters@WilsonMiller.com)), fax (239-643-5716), or mail to our office.

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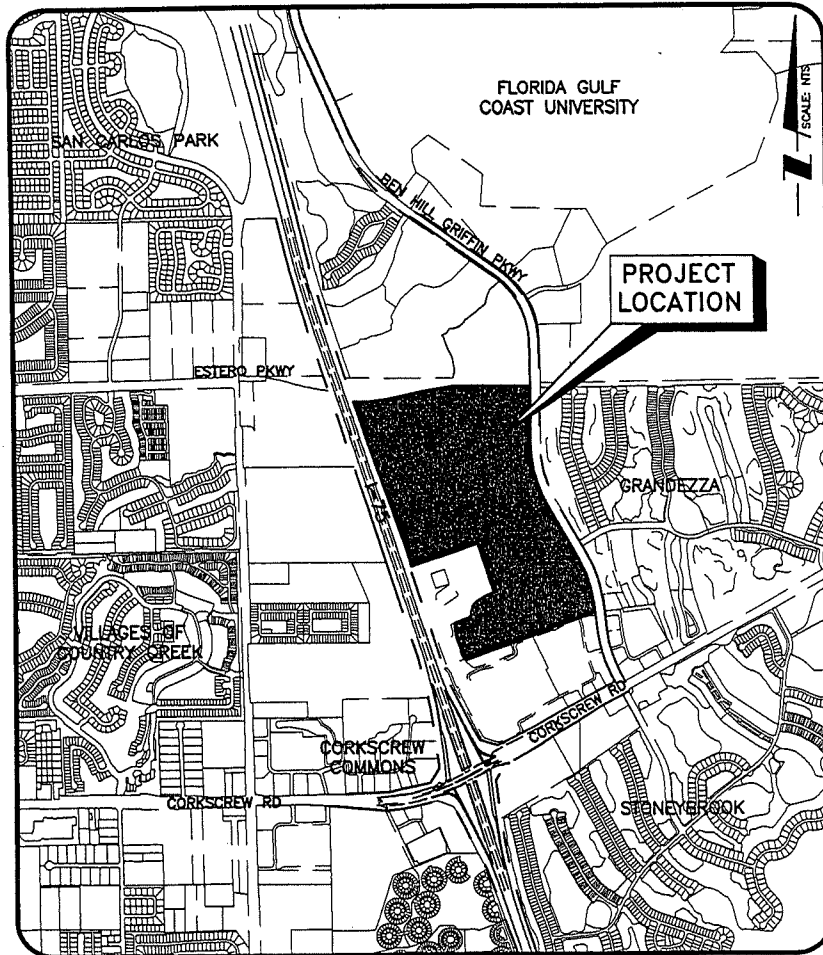
Sincerely,

*WilsonMiller, Inc.*

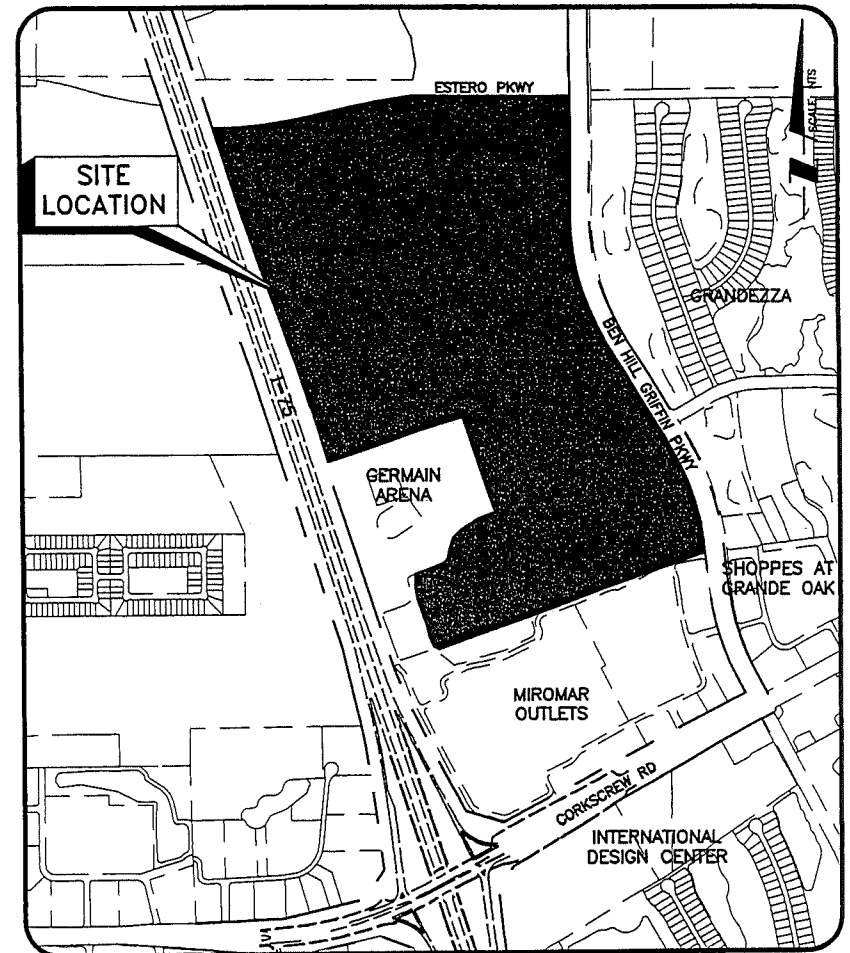
A handwritten signature in black ink, appearing to be "Dan Waters", written over a horizontal line.

Dan Waters, PE  
Senior Project Manager

Enc.



LOCATION MAP



SITE MAP



March 12, 2010

Ms. Akia Kittles  
WastePro USA  
13110 Rickenbacker Parkway  
Fort Myers, FL 33913

**Subject: University Highland Limited Partnership  
Comprehensive Plan Amendment  
Service Availability Letter Request**

Dear Ms. Kittles:

Please accept this letter as written request for an Availability of Solid Waste Disposal Services Letter for the University Highland Limited Partnership (UHLP) Site in Estero. The 208.4 acre site is adjacent to Germain Arena and Miromar Outlets, south of Estero Parkway, between Ben Hill Griffin Parkway and I-75 (referenced the attached location map). The site is located in Sections 25 and 26, Township 46 South, Range 25 East in unincorporated Lee County.

The undeveloped site is part of the Timberland and Tiburon DRI and is currently authorized for 1,300 multi-family residential units, commercial, and retail uses. The developer is requesting a Comprehensive Plan Future Land Use Map Amendment to change from the current designation of Suburban to Urban Community. The proposed Future Land Use Map Amendment will not result in an increase in the maximum density above the currently approved levels. Please forward an Availability of Service Letter from your office to accompany the property owner's submittal to Lee County requesting a Comprehensive Plan Future Land Use Map Amendment for the UHLP Site. Please return the Availability of Service Letter to my attention via email ([DanielWaters@WilsonMiller.com](mailto:DanielWaters@WilsonMiller.com)), fax (239-643-5716), or mail to our office.

If you have any questions or wish to discuss this further, feel free to contract me at our office at (239) 649-4040.

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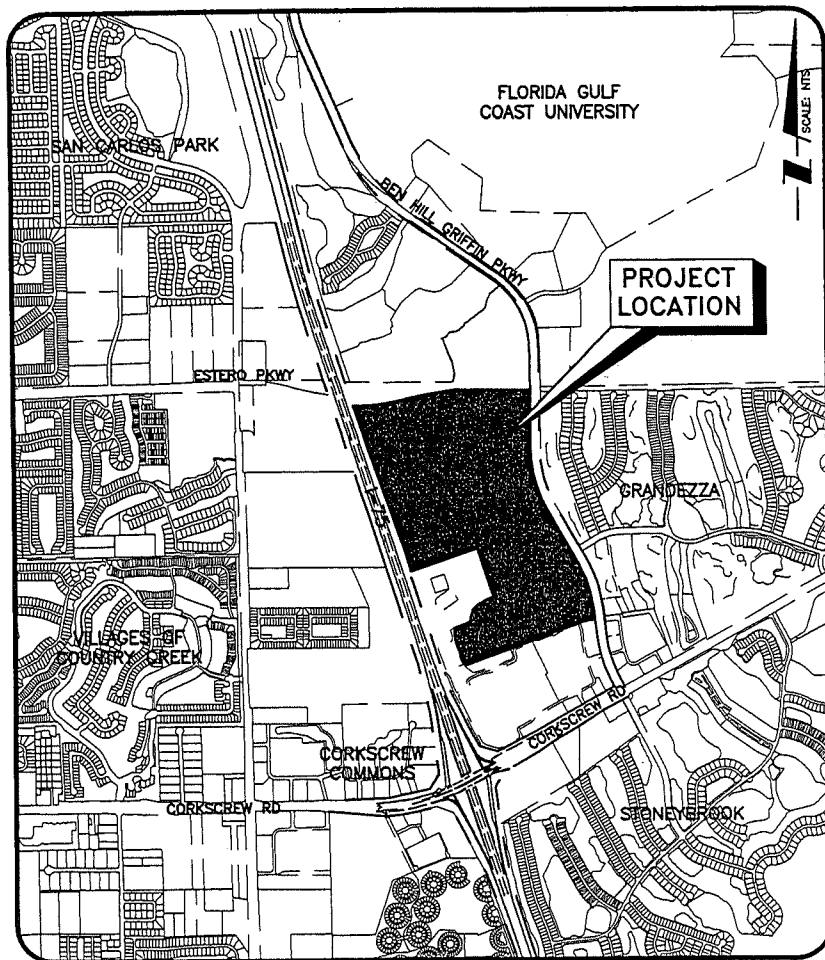
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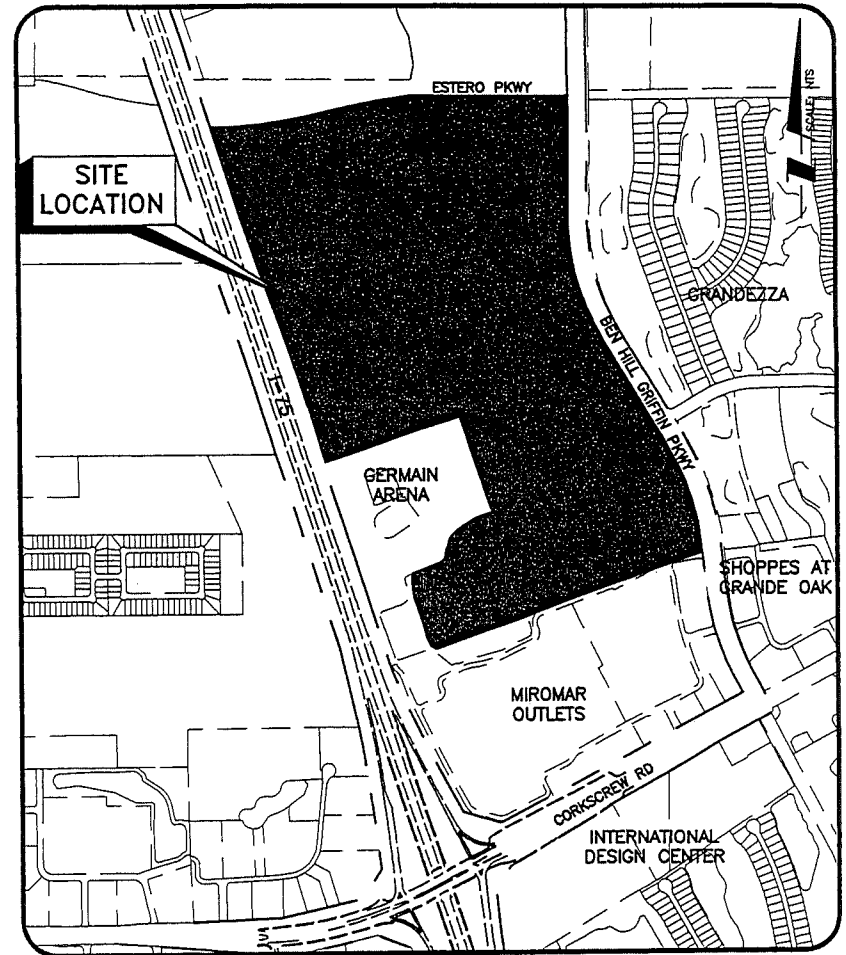
Dan Waters, PE  
Senior Project Manager

Enc.





LOCATION MAP



SITE MAP





March 12, 2010

Ms. Dawn Gordon  
Community Planner  
Planning, Growth, and School Capacity  
Lee County Public Schools  
2855 Colonial Boulevard  
Fort Myers, FL 33966

**Subject: University Highland Limited Partnership  
Comprehensive Plan Amendment  
Service Availability Letter Request**

Dear Ms. Gordon:

Please accept this letter as written request for an Availability of School System Capacity Letter for the University Highland Limited Partnership (UHLP) Site in Estero. The 208.4 acre site is adjacent to Germain Arena and Miromar Outlets, south of Estero Parkway, between Ben Hill Griffin Parkway and I-75 (referenced the attached location map). The site is located in Sections 25 and 26, Township 46 South, Range 25 East in unincorporated Lee County.

The undeveloped site is part of the Timberland and Tiburon DRI and is currently authorized for 1,300 multi-family residential units, commercial, and retail uses. The developer is requesting a Comprehensive Plan Future Land Use Map Amendment to change from the current designation of Suburban to Urban Community. The proposed Future Land Use Map Amendment will not result in an increase in the maximum density above the currently approved levels. Please forward an Availability of Service Letter from your office to accompany the property owner's submittal to Lee County requesting a Comprehensive Plan Future Land Use Map Amendment for the UHLP Site. Please return the Availability of Service Letter to my attention via email ([DanielWaters@WilsonMiller.com](mailto:DanielWaters@WilsonMiller.com)), fax (239-643-5716), or mail to our office.

If you have any questions or wish to discuss this further, feel free to contract me at our office at (239) 649-4040.

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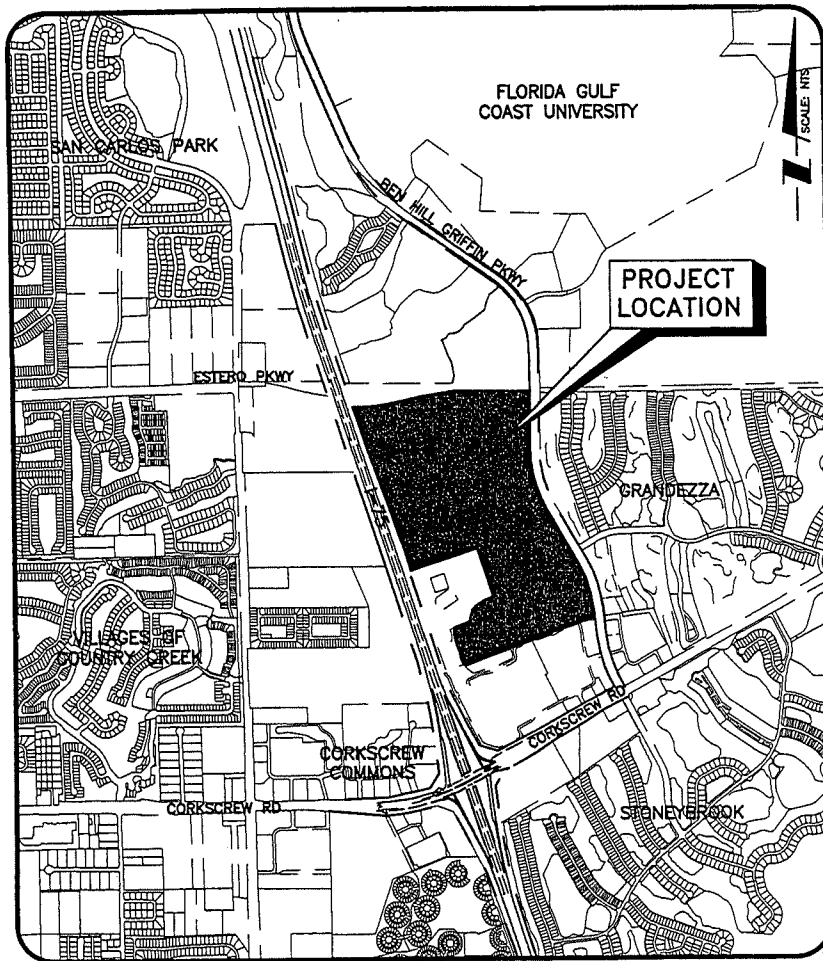
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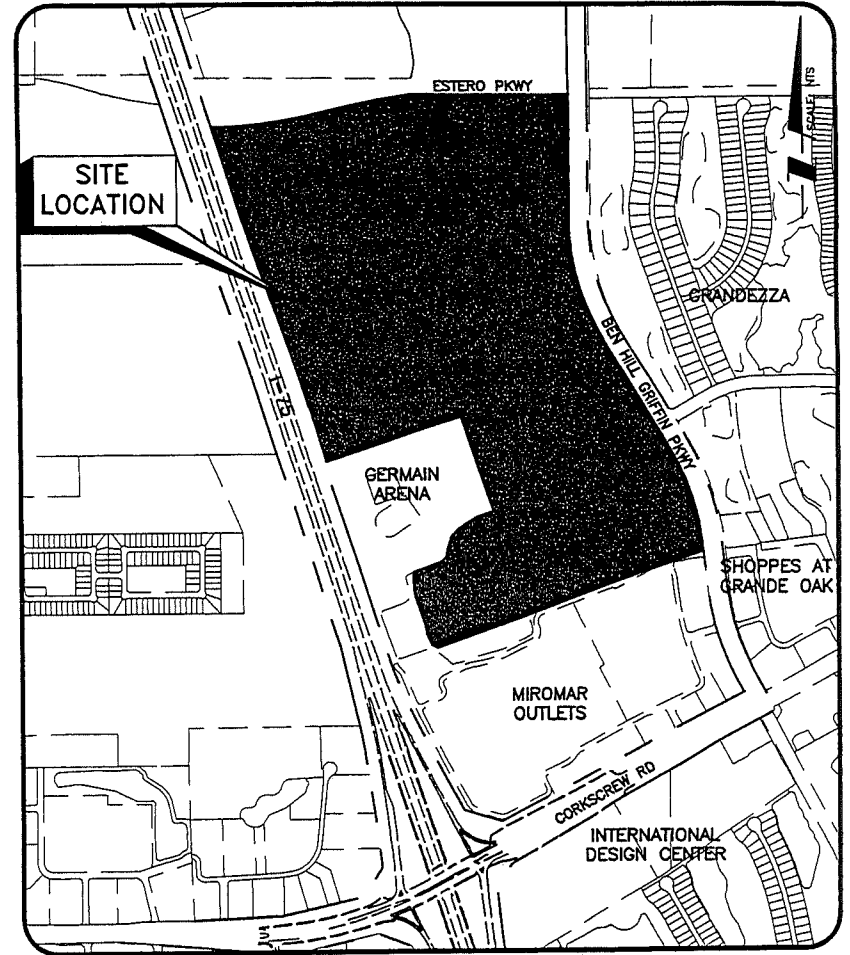
Dan Waters, PE  
Senior Project Manager

Enc.





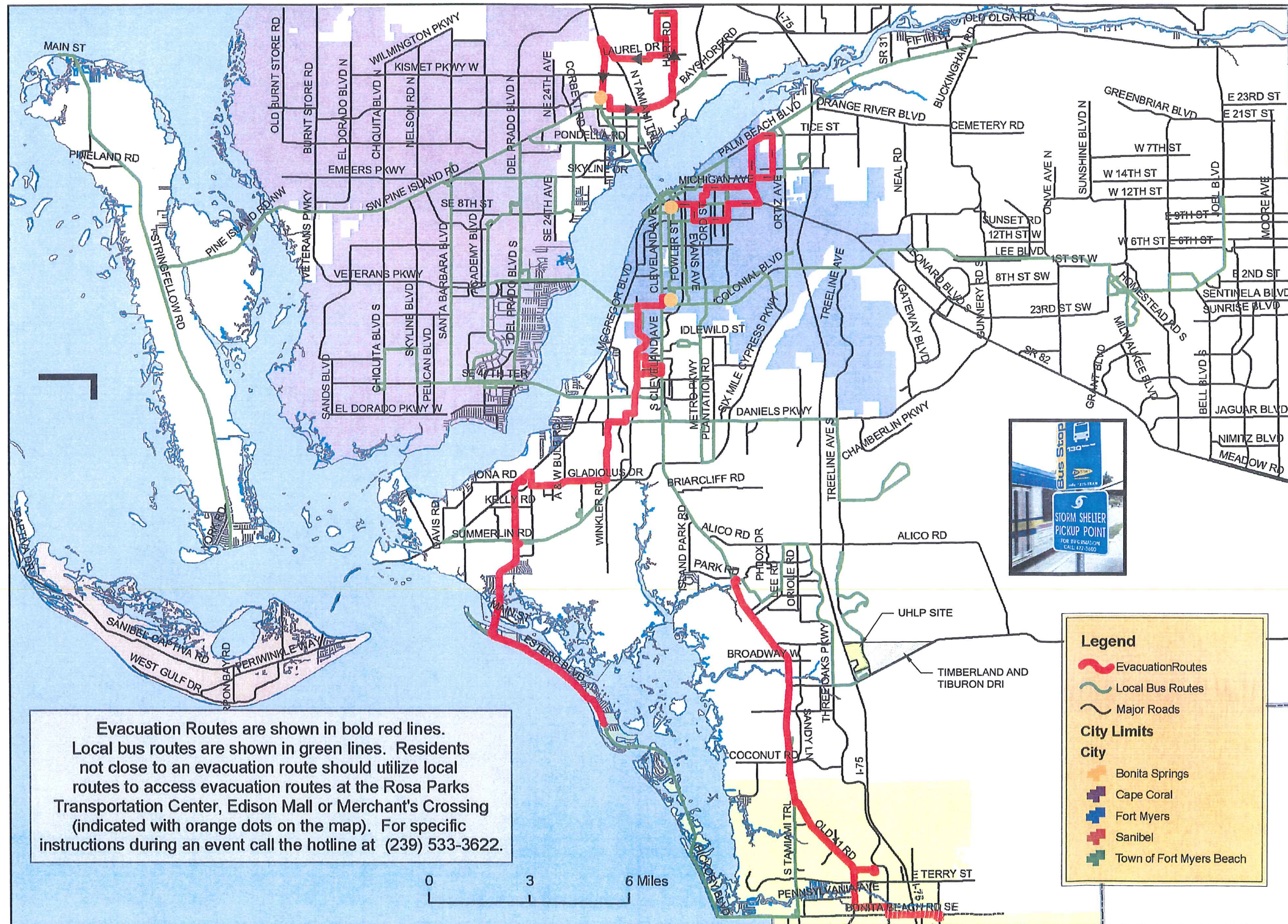
LOCATION MAP



SITE MAP



# Lee County Transit Emergency Evacuation Routes





# **COMPREHENSIVE PLAN AMENDMENT**

## **ENVIRONMENTAL SUPPLEMENT**

*Prepared For:*  
**UNIVERSITY HIGHLAND LIMITED PARTNERSHIP**

*PREPARED BY:*  
**WILSONMILLER, INC.**  
3200 BAILEY LANE, SUITE 200  
NAPLES, FLORIDA 34105

*Submitted To:*  
**Lee County**

**MARCH 2010**



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## TABLES

Table 1 - Soil Types

Table 2 - Existing Vegetative Associations and Land Use Descriptions

Table 3 - Listed Wildlife Species Observed on UHLP

Table 4 - Non Listed Wildlife Species Observed

Table 5 - Estimated Probability of Occurrence of Non-Observed Listed Wildlife

Table 6 - Listed Plant Species Observed

Table 7 - Protected Plant Species Potentially Present Based on the Habitats Present On-Site

## EXHIBITS

Exhibit 1 – Flowway Exhibit (with Existing Topography)

Exhibit 2 – NRCS Soils Map

Exhibit 3 – FLUCCS Map

Exhibit 4 – Lee County Archaeological Sensitivity Map

Exhibit 5 – Listed Species Survey Transect Map

Exhibit 6 – SFWMD Wetlands Map

## ATTACHMENTS

Attachment 1 –Big Cypress Fox Squirrel Management Plan

Attachment 2 – Eastern Indigo Snake Management Plan

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### 1. Introduction

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University Highland Limited Partnership (UHLP) owns 208.42 acres which is a component of the Timberland and Tiburon Development of Regional Impact (DRI). The Timberland and Tiburon DRI (T and T) approved a mix of uses which include a regional shopping mall, a golf course community, a sports arena, a grocery store anchored center and a residential, hotel, and commercial development. The T and T DRI is located in Section 26, Township 46 South, Range 25 East, Lee County, Florida. The site is bordered by existing development within the DRI. The subject property is flanked on the south by Miromar Outlets, and Germain Arena and on the east, north and west by multi-lane transportation facilities including Ben Hill Griffin Parkway, Estero Parkway, Interstate I – 75 and surrounding development.

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### 2. Property History

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Development of the entire DRI, including the subject property was reviewed and conceptually approved by SFWMD as part of ERP Permit No. 36-018171-S. The SFWMD ERP Permit No. 36-018171-S was extended on July 9, 2009 until May 22, 2011. The subject property is the last remaining parcel located within the approved Timberland and Tiburon, Ltd., Development of Regional Impact (DRI) State DRI # 7-8384-46 and Lee County MPD Resolution Z-98-020 which was most recently amended on January 19, 2007.

Development of this in-fill site was previously reviewed and approved by the U.S. Army Corps of Engineers (Corps) as a part of Section 404 Individual Permit No. 1993-2371-IP). The Corps permit expired in May of 2006 and the applicant is under review for re-issuance.

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### 3. Existing Conditions

---

#### 3.1. Topography and Drainage

Existing elevations within the site typically average between 15.0 and 16.0 ft-NAVD (16.2 to 17.2 NGVD, see attached Flowway Exhibit with existing topography map (Exhibit 1). As mentioned above, the fill placement associated with the construction of the adjacent roadways (Ben Hill Griffin Parkway, Estero Parkway and I-75) and the adjacent development (Miromar Outlets and Germain Arena) has resulted in the UHLP site being bermed off. The development of the adjacent roadways and associated berms has significantly altered the natural, historic sheet flow. The undeveloped portions of the site are now part of the overall Timberland and Tiburon water management system (including Grandezza, Miromar Outlets, the Shoppes at Grande Oak, and Germain Arena). The site



drains to a temporary ditch and then to an existing lake located between Miromar Outlets and Germain Arena that ultimately outfalls to Interstate 75 ROW.

The site is located outside of the Density Reduction Groundwater Resource Area.

### 3.2. Soils

According to the Natural Resources Conservation Service (NRCS) Soil Survey of Lee County, Florida, the property contains the following soils units. The NRCS soils data overlain with a recent aerial photograph is included as Exhibit 2.

**Table 1 – Soil Types**

According to the Natural Resources Conservation Service (NRCS) Soil Survey of Lee County, Florida, seven (7) soil units are present within the property. These units, all of which are common to Lee County and southwest Florida include the following:

Map Symbol	Soil Unit Name	Hydric Status
6	Hallandale fine sand	Non-hydric
13	Boca fine sand	Non-hydric
26	Pineda fine sand	Hydric
39	Isles fine sand, depressional	Hydric
44	Malabar fine sand, depressional	Hydric
73	Pineda fine sand, depressional	Hydric
99	Water	

No unique geologic features (e.g., sand dunes, bluffs, sinkholes, springs, etc.), or areas susceptible to subsidence, are known to occur on the property.

### 3.3. Vegetation Associations/Land Uses

The habitat and vegetation survey included the preparation of a Florida Land Use, Cover and Forms Classification System (FLUCCS) map delineating the major vegetation communities, landforms, and land uses present on the project site. The methods and class descriptions found in the FLUCCS manual (FDOT 1999) were generally followed when delineating and assigning areas to an appropriate FLUCCS category (class) or "code". A FLUCCS map unit is a unique area (or polygon) mapped using a major FLUCCS category code. Plant communities were mapped using direct field observations and aerial photo interpretation. Vegetative and land use mapping was conducted in December 2009 and January 2010. No trees classified as Heritage trees by Lee County are known to occur, nor were observed on-site.

A significant factor when mapping vegetative associations and local habitats is the invasion by the exotic plant species *Melaleuca* (*Melaleuca quinquenervia*) and to a lesser degree Brazilian pepper (*Schinus terebinthifolius*). Four levels of exotic density were mapped by WilsonMiller using photo interpretation and field observations. Code modifiers are appended to the FLUCCS code to indicate the approximate density of *Melaleuca* and/or Brazilian pepper in the canopy or understory, as follows:

E1 = Exotics 10-24%

E2 = Exotics 25-49%

E3 = Exotics 50-75%

E4 = Exotics 75-84%

### Existing FLUCCS Habitats

The following paragraphs provide a general description of the vegetative associations of University Highland Site. A detailed description of FLUCCS codes is provided below, and associated acreages are itemized in Table 1.

The Existing Conditions sheets in the permit drawing set depict present conditions on University Highland Site. There are no rare or unique uplands, such as xeric scrub, located at the University Highland site. The vegetation associations are common in the region.

Pine Flatwoods, Saw Palmetto Understory (FLUCCS 411) - These habitats are composed predominately of a slash pine (*Pinus elliotti*) canopy with a ground cover dominated by saw palmetto (*Serenoa repens*). Scattered cabbage palm (*Sabal palmetto*), myrsine (*Rapanea punctata*), wax myrtle (*Myrica cerifera*), saltbush (*Baccharis* sp.), rusty lyonia (*Lyonia ferruginea*), and tough buckthorn (*Bumelia tenax*), are present in the sub canopy.

Pennyroyal (*Satureja rigida*), spiny-leaved sow thistle (*Sonchus asper*), bracken fern (*Pteridium aquilinum*), common tickseed (*Coreopsis leavenworthii*), dog fennel (*Eupatorium capillifolium*), Caesar-weed (*Urena lobata*), wiregrass (*Aristida* spp.), shiny blueberry (*Vaccinium myrsinites*), horrible thistle (*Cirsium horridulum*), camphor weed (*Pluchea* spp.), and lantana (*Lantana camara*) occur in the ground cover stratum. Chocolate weed (*Melochia corchorifolia*), fox tail (*Setaria* spp.), pawpaw (*Deeringothamnus pulchellus*), chalky bluestem (*Andropogon capillipes*) also occur in scattered amounts in the ground cover stratum. Vines include love vine (*Cassytha filiformis*), Virginia creeper (*Parthenocissus quinquefolia*), muscadine grape (*Vitis rotundifolia*), ear-leaf brier (*Smilax auriculata*), catbrier (*Smilax bona-nox*) and poison ivy (*Toxicodendron radicans*). In lower elevations, transitional zones may be found where the saw palmetto clusters form a more reticulated pattern, leaving openings for ground cover species.

Exotics plant species such as melaleuca and Brazilian pepper and to a lesser extent, Java plum are found in varying densities throughout this type of habitat.

Drainage Ditches (FLUCCS 513) – This category includes previously constructed ditches that were constructed primarily for drainage associated with the previous activities on the property.

Stormwater Management Lake (FLUCCS 527) - This category represents a man-made stormwater management lake constructed along Interstate I-75, that provides water quality treatment adjacent development.

Exotic Wetland Hardwoods (FLUCCS 619) - Areas mapped as FLUCCS 619 are wetland melaleuca (*Melaleuca quinquenervia*) monocultures. Dense stands of melaleuca dominate both the canopy and mid-story layers with few other species present. The FLUCCS 619 classification is used to map such areas only where melaleuca exceeds roughly 85 percent of the canopy/midstory cover. The ground cover is commonly very sparse and species diversity is limited, due to the density of melaleuca. Occasional slash pine, cypress, cabbage palms are found within the dense monocultures of melaleuca, but they comprise no significant component of the canopy vegetation in these areas.



In certain areas, melaleuca is not as pervasive and other species may be found in the canopy and/or midstory layers.

Hydric Pine Flatwoods (FLUCCS 625) - These areas typically contain a dominant slash pine canopy with scattered cabbage palm, cypress, and laurel oak (*Quercus laurifolia*). The sub-canopy contains scattered wax myrtle, myrsine, cabbage palm, and dahoon holly (*Ilex cassine*).

Ground cover species include wiregrass, gulf paspalum (*Paspalum monostachyum*), yellow-eyed grass (*Xyris* spp.), love grasses (*Eragrostis* spp.), panic grasses (*Panicum* spp.), muhly grass (*Muhlenbergia* spp.), camphor weed, goobergrass (*Amphicarpum muhlenbergianum*), and Caesar-weed. Saw palmetto, when present, is widely scattered. Vines include muscadine grape, poison ivy, and catbrier. Exotic invaders, such as melaleuca and Brazilian pepper, occur in high levels throughout this habitat and have limited native groundcover and sub canopy species.

Spoil Areas (FLUCCS 743) - These areas consist of earthen berms created from past ditch construction. The berms are typically vegetated with weedy herbaceous pioneer species and Brazilian pepper.

Roads (FLUCCS 814) - This category represents paved asphalt roads and grassed right of ways that were previously constructed.

Primitive Trails (FLUCCS 8146) - This category represents a 4 X 4 trail that runs through the property.

Exhibit 3 provides a FLUCCS map of the property. Table 2 summarizes the acreage of habitats found within the UHLP property.

**Table 2 – Existing Vegetative Associations and Land Use Descriptions**

FLUCCS CODE	FLUCCS DESCRIPTION	ACRES
411E1	Pine Flatwoods, Saw Palmetto Understory, 10-24% Exotic Cover	1.2
411E2	Pine Flatwoods, Saw Palmetto Understory, 25-49% Exotic Cover	2.92
411E3	Pine Flatwoods, Saw Palmetto Understory, 50- 75% Exotic Cover	40.11
411E4	Pine Flatwoods, Saw Palmetto Understory, >75% Exotic Cover	7.12
513	Ditches	2.91
527	Stormwater Management Lake	13.98
619	Exotic Wetland Hardwoods	20.87
625E3	Hydric Pine Flatwoods, 50-75% Exotic Cover	75.39
625E4	Hydric Pine Flatwoods,>75% Exotic Cover	32.56
743	Spoil Areas	0.44
743E3	Spoil Areas, 50-75 % Exotic Cover	0.35
814	Roads and Right of Ways	9.36
8146	Primitive Trails	1.21
	TOTAL	208.42

- 3.4 **Historical and Archaeological Conditions:** [The approved Timberland and Tiburon, Ltd. Development of Regional Impact (DRI) State DRI # 7-8384-46, and Lee County MPD Resolution Z-98-020, which was most recently amended on January 19, 2007 previously addressed the historical and archaeological component. Attached (Exhibit 4) is a copy of the Lee County Archaeological Sensitivity Map.]

## Listed Species

### 3.4. Listed Wildlife Species Observed On Site

Following is a summary of the listed species observed on site during the listed species survey conducted on December 29 and 30, 2009 and January 4, 5 and 6, 2010. Due to the extremely disturbed conditions on the site resulting from high exotic levels there is very limited habitat remaining on the property that is not significantly infested by melaleuca. Due to the in-fill nature of the site and the absence of corridors to adjacent native habitat there is limited potential habitat present for use by listed wildlife species, other than primarily wading birds and alligator associated with the created stormwater pond and the 1 - 2 gopher tortoises. The site will provide for wading bird and alligator habitat upon completion of the Surface Water Management system for the site.

Despite the poor quality of habitat, Lee County requires listed species pedestrian transects to provide 80% aerial cover of the subject property, except in habitats that are monocultures of exotics. WilsonMiller senior ecologists Tom Trettis and Bruce Layman conducted the listed species survey of the subject property on December 29 and 30, 2009 and January 4, 5, 6 and 26, 2010. Mr. Trettis is an FWC Authorized Gopher Tortoise Agent (Permit No.GTA-09-00076a) supervised the gopher tortoise surveys. An aerial photograph showing the approximate location of the pedestrian listed species transects and listed species location is attached as Exhibit 5.

In addition to the field survey, GIS inquiries regarding listed wildlife species were performed by WilsonMiller using the latest publicly available data sets from the Florida Fish and Wildlife Conservation Commission (FWC) and the Florida Natural Areas Inventory (FNAI). The results of the FNAI inquiry revealed that there were no listed species observations on this property in that database.

According to the FWC database, there are no bald eagle nests located within two (2) miles of the subject property. No other listed species sightings are reported on or adjacent to this property.

The Florida Atlas of Breeding Sites for Herons and Their Allies, dated September 1991, shows the closest known breeding colony occurring within 9 miles to the south of this property. All other known colony sites included in this atlas are located farther than 9 miles from the subject property. Although there is little if any nesting or roosting habitat remaining on the subject property, there is forage and roost habitat present in and adjacent to the stormwater pond that remains on site.

Listed wildlife species observed on-site during these listed species surveys are detailed in Table 3 below.

**Table 3 – Listed Wildlife Species Observed on UHLP**

Common Name	Scientific Name	Site Habitat by FLUCCS	FWC Status	FWS Status	FDA Status
<b>REPTILES</b>					
American alligator	<i>Alligator mississippiensis</i>	527	SSC	T (S/A)	N/A
Gopher tortoise	<i>Gopherus polyphemus</i>	411	T	NL	
<b>BIRDS</b>					
Tricolored heron	<i>Egretta tricolor</i>	527	SSC	NL	N/A
Little blue heron	<i>Egretta caerulea</i>	527	SSC	NL	N/A



Common Name	Scientific Name	Site Habitat by FLUCCS	FWC Status	FWS Status	FDA Status
Snowy egret	<i>Egretta thula</i>	527	SSC	NL	N/A
White ibis	<i>Eudocimus albus</i>	527	SSC	NL	N/A
Wood stork	<i>Mycteria americana</i>	527	E	E	N/A

FDA = Florida Department of Agriculture and Consumer Services  
 FWC = Florida Fish and Wildlife Conservation Commission  
 FWS = United States Fish & Wildlife Service  
 E = Endangered  
 T = Threatened  
 C = Commercially Exploited  
 NL = Not listed  
 NA = Not Applicable

The following listed species were observed during the on site pedestrian transects.

### Gopher Tortoise

The gopher tortoise (*Gopherus polyphemus*) is listed as Threatened by FWC and is not listed by FWS. Some suitable habitat (FLUCCS 411) exists on the subject property. Four gopher tortoise burrows were observed on the site adjacent to a man-made trail. It is anticipated that there are one and potentially two tortoises on the site. The tortoises could have been "dumped" on the project site, as it is questionable why they are located in marginal habitat adjacent to an existing trail. An appropriate relocation permit will be obtained from the Florida Fish and Wildlife Conservation Commission prior to development. An updated tortoise survey will also be provided at that time. It is anticipated that the tortoises will be relocated to an offsite regional tortoise bank, where they will be much higher quality and the long term viability will be significantly higher than if they remained on the project site.

### Tricolored Heron

A single tricolored heron (*Egretta tricolor*) was observed foraging in the littoral vegetation on the southern shoreline of the stormwater management lake on site. This species is listed by the FWC as a species of special concern, but is a commonly encountered species in this region. No nests of this species were observed during the listed species survey. There is very limited nesting or roosting habitat for tricolored heron on the subject property.

### Little Blue Heron

A single little blue heron (*Egretta caerulea*) were observed foraging along the northern littoral shelf of the stormwater management lake. This species is listed as a species of special concern by FWC and is not listed by FWS, but is also regionally abundant. No nests of this species were observed on the site during the listed species survey. There is very limited potential nesting or roosting habitat for little blue heron on the subject property.

### Snowy Egret

Several snowy egrets (*Egretta thula*) were observed foraging along the banks of the stormwater management lake. These birds have been classified as a species of special concern by the FWC and are not listed by FWS, but are also a species that are relatively plentiful in southwest Florida. No nests of this species were observed on the site during the listed species survey. There is very limited potential nesting or roosting habitat for snowy egret on the subject property.

### White Ibis

Several white ibis (*Eudocimus albus*) were observed foraging within the stormwater management lake. These birds are listed as species of special concern by the FWC and not listed by FWS, but are also a species that are relatively plentiful in southwest Florida. No nests of this species were observed on the site during the listed species survey. There is very limited potential nesting or roosting habitat for white ibis on the subject property.

### Wood Stork

A single wood stork (*Mycteria americana*) was observed foraging in the stormwater management lake. Wood storks are known to utilize stormwater management lakes for seasonal foraging. The wood stork is classified as endangered by both the FWC and FWS. No nests of this species were observed on the site during the listed species survey. There is very limited potential nesting or roosting habitat for wood stork on the subject property.

### American Alligator

An alligator (*Alligator mississippiensis*) was observed within the stormwater management lake. This species is classified as a species of special concern by the FWC and is classified as threatened by similarity of appearance by the FWS.

Table 4 includes a list of all non-listed wildlife species observed during the species surveys on site.

**Table 4 - Non-listed Wildlife Species Observed**

Common name	Scientific name
Cuban Anole	<i>Anolis sagrei</i>
Green Anole	<i>Anolis carolinensis</i>
Green Tree Frog	<i>Hyla cinerea</i>
Cuban Tree Frog	<i>Osteopilus septentrionalis</i>
Black Racer	<i>Coluber constrictor</i>
Florida Cooter	<i>Pseudemys floridana</i>
Florida Cottontail Rabbit	<i>Sylvilagus floridanus</i>
Armadillo	<i>Dasypus novemcinctus</i>
Gray Squirrel	<i>Sciurus carolinensis</i>
Raccoon	<i>Procyon lotor</i>
Boat Tailed Grackle	<i>Quiscalus major</i>
Common Grackle	<i>Quiscalus quiscula</i>
Anhinga	<i>Anhinga anhinga</i>
Blue Jay	<i>Cyanocitta cristata</i>
Cardinal	<i>Cardinalis cardinalis</i>
Mosquitofish	<i>Gambusia affinis</i>
Sailfin Mollies	<i>Poecilia latipinna</i>
Largemouth Bass	<i>Micropterus salmoides</i>
Bluegill	<i>Lepomis macrochirus</i>
Crayfish	<i>Procambarus acutus</i>

### 3.5. Listed Wildlife Species Potentially Present But Not Observed On Site

Following is a discussion of listed wildlife species that have not been confirmed as occurring on the subject property by direct observation, but are considered to be potentially present due to the presence of suitable habitat, confirmed sightings on adjacent sites, etc. These listed wildlife species are considered to have some probability of occurring, based on Lee County Appendix H, and are listed in Table 5 below.



**Florida Panther** - The FWS will likely initiate a Section 7 Consultation or technical assistance for the Florida panther. Approximately 132.9 acres of the site are located within an area designated as panther Primary Zone. That effort will be coordinated with the Corps and FWS separately from the Environmental Supplement.

**Big Cypress Fox Squirrel** - The Big Cypress fox squirrel (*Sciurus niger avicennia*) (BCFS) is listed as threatened by FWC and is not listed by FWS. Its distribution is believed to be limited to an area south of the Caloosahatchee River and west to the Everglades. BCFSs are usually associated with FLUCCS codes 411, 621, 624, and 625, some of which are located on the project site. Although no BCFSs were observed on the project site, there is a possibility that this species occurs on-site. Several potential BCFS or gray squirrel daybeds/nests were observed on the site during the listed species survey. It could not be determined whether the daybeds/nests were constructed by gray squirrels or BCFS. A gray squirrel was observed on-site. Although the Big Cypress fox squirrel was not observed on the property a Big Cypress fox squirrel management plan is provided and is designed to protect Big Cypress fox squirrel during land clearing activities.

**Wading Bird Species** - Several species of listed wading birds have been observed foraging in and adjacent to the man-made stormwater management lake on the subject property. There are other listed wading bird species such as limpkin (*Aramus guarauna*) and roseate spoonbill (*Ajaia ajaja*), that could also potentially use this lake as forage habitat. No nests were observed on the site of any listed wading bird species. There is minimal potential roosting or nesting habitat on the subject property, but there is ample forage habitat on site.

**Gopher Frog (*Rana capito*)** - The gopher frog is a common burrow commensal species typically found with gopher tortoises. Since there are a small number of gopher tortoise burrows on site, and this property is at the southern end of the gopher frogs' possible home range, there is a potential for the gopher frog to be present. If found, the gopher frog will be relocated concurrently with the gopher tortoise. The gopher frog is listed as a Species of Special Concern by FWC, and is not listed by USFWS.

**Eastern Indigo Snake** - Although no Eastern Indigo Snake was observed during previous listed species survey nor the current listed species survey nor numerous site inspections an Eastern Indigo Snake (*Drymarchon corais couperi*) Management Plan will be implemented during the construction phase of the project. This will involve distribution of educational pamphlets to the earthwork contractors and periodic site visits during clearing activities by a qualified environmental professional to insure protection of any indigo snakes discovered during construction related activities.

**Florida Black Bear** - The Florida Black Bear (*Ursus americanus floridanus*) is the largest endemic mammal in Florida and is listed as threatened by FWC, but is not listed by FWS. Florida black bear habitat in Florida has been characterized as consisting of large tracts of undeveloped forests containing diverse vegetation types. Evidence of Florida black bear (i.e., tracks, scat, claw marks) was not observed on the property during field surveys. However, the Florida black bear has a large home range and although unlikely due to the in-fill nature of the site, it could visit the project site. Significant impacts to the bear as a result of the proposed project are not anticipated considering that any use of the project site by bears would represent a very small portion of a much larger home range and that areas adjacent to the project site have already been disturbed and fragmented by I-75, major arterial roadways and regional commercial complexes such as the Miromar Outlet,

thereby reducing the functionality and accessibility of site habitat. No FWC bear telemetry data points have been documented within two (2) mile of the property.

**Everglades mink** – The everglades mink is listed as threatened by FWC, but is not listed by FWS. The everglades mink is found in ponds and canals. No signs of the Everglades mink was observed and based on the in-fill nature of the site it is not anticipated to utilize the existing storm water management pond.

**Red-cockaded Woodpecker** - The red-cockaded woodpecker (*Picoides borealis*) (RCW) is listed as Endangered by the FWS and Threatened by the FWC. No RCWs or signs of RCW use were observed during the field surveys. It was determined the limited pine flatwoods habitats on the site are largely of unsuitable quality to support RCWs due to the lack of old growth pine and the high degree of infestation by melaleuca. The absence of large acreages of sapling to seedling dominated pine flatwoods as available forage habitat further reduces the probability of this property being effectively utilized by the red-cockaded woodpecker. No FWC RCW data points are documented occurring within two (2) miles of the property.

**Bald Eagle** - The bald eagle (*Haliaeetus leucocephalus*) has been delisted from the Endangered Species Act but is still protected by the Migratory Bird Treaty Act and the Golden and Bald Eagle Protection Act. No bald eagles or nests of this species were observed on-site during the listed species survey. No FWC data points for bald eagle nests are located within two (2) miles of the subject property.

**Snail Kite** – The snail kite (*Rostrhamus sociabilis*) is listed as endangered by FWC and FWS and has the potential to utilize the stormwater management lake for foraging. No nests of this species were observed on the site and very limited potential nesting or roosting habitat exists on the property.

The list of potentially present, but not observed listed species is included in Table 5.

**Table 5 - Estimated Probability of Occurrence of Non-Observed Listed Wildlife**

Common Name	Scientific Name	Site Habitat By FLUCCS	Status (FWC/FWS)	Estimated Occurrence		
				Probable	Possible	Unlikely
Gopher frog	<i>Gopherus polyphemus</i>	411	SSC/ NL		x	
Roseate Spoonbill	<i>Ajaja ajaja</i>	527	SSC/NL		X	
Limpkin	<i>Aramus guarauna</i>	527	SSC/NL		X	
Southeastern American kestrel	<i>Falco sparverius paulus</i>	411, 625, 743	T/ NL			x
Reddish egret	<i>Egretta rufescens</i>	527	SSC/NL		x	
Bald Eagle	<i>Haliaeetus leucocephalus</i>	411, 625	T/T		X	



Red-cockaded Woodpecker	<i>Picoides borealis</i>	411, 625	SSC/E			X
Snail Kite	<i>Rostrhamus sociabilis</i>	527	E/E			X
Big Cypress Fox Squirrel	<i>Sciurus niger avicennia</i>	411, 625	SSC/NL		X	
Everglades mink	<i>Mustela vison evergladensis</i>	527	T/ NL			X
Florida panther	<i>Felis concolor coryi</i>	411 ,625, 619, 743	E/E			X
Florida black bear	<i>Ursus americanus floridanus</i>	411, 619, 625, 743	T / NL			X
Eastern Indigo Snake	<i>Drymarchon corais couperi</i>		T/T		X	

Note: Although each "E" (Exotic) level was not provided in the above table it is assumed that the listed species could be observed in any exotic level designation (E1-E4).

FDA = Florida Department of Agriculture and Consumer Services  
 FWC = Florida Fish and Wildlife Conservation Commission  
 FWS = United States Fish & Wildlife Service  
 E = Endangered  
 T = Threatened  
 C = Commercially Exploited  
 NL = Not listed  
 NA = Not Applicable

### 3.6. Listed Plant Survey

During the course of conducting surveys for listed wildlife species and field mapping vegetative associations, WilsonMiller ecologists searched for plants listed by the Florida Department of Agriculture (FDA) and/or the U.S. Fish and Wildlife Service (FWS). These agencies have categorized the various plant species based upon their relative abundance in natural communities. Those categorizations include "Endangered", "Threatened" and "Commercially Exploited".

There were four (4) species of listed plants (per the FDA list) that were observed on the project site during the field survey including stiff-leaved wild pine (*Tillandsia fasciculata*), reflexed wild pine (*Tillandsia balbisiana*), giant airplant (*Tillandsia urtriculata*), and butterfly orchid (*Encyclia tampensis*). These plants species listed by FDA and commonly found in southwest Florida plants.

These plants are listed pursuant to the Preservation of Native Flora of Florida Act. This act prohibits the willful destruction or harvesting of listed plant species, however, parties exempted from the prohibitions include landowners and their agents clearing plants from canals, ditches, survey lines, building sites, or road or other rights-of-way on their own land. The listed plant species observed and their state and federal listed status are provided in Table 6 below.

**Table 6 - Listed Plant Species Observed**

Common Name	Scientific Name	Status (FDA/FWS)	Habitat by FLUCCS
Reflexed Wild Pine	<i>Tillandsia balbisiana</i>	T/ NL	416
Common Wild Pine	<i>Tillandsia fasciculata</i>	E/ NL	411, 416, 625
Giant Air Plant	<i>Tillandsia utriculata</i>	E/ NL	411, 416
Butterfly Orchid	<i>Encyclia tampensis</i>	C/ NL	625

Note: Although each "E" (Exotic) level was not provided in the above table it is assumed that the listed species could be observed in any exotic level designation (E1-E4).

FWS = United States Fish and Wildlife Service

FDA = Food and Drug Administration

E = Endangered

T = Threatened

C = Commercially Exploited

NL = Not Listed

List of potential species was derived from Appendix H in the Lee County Land Development Code.

**Table 7 Protected plant species potentially present based on the habitats present on-site.**

Common/Scientific Name	FLUCCS	FDA	USFWS	Observed (Y/N)
Fakahatchee burmannia <i>Burmannia flava</i>	411	E	-	N
Satin leaf <i>Chrysophyllum olivae forme</i>	411	E	-	N
Beautiful paw-paw <i>Deeringothamnus pulchellus</i>	411	E	E	N
Florida coontie <i>Zamia floridana</i>	411	CE	-	N
Reflexed wild pine <i>Tillandsia balbisiana</i>	625	T	T	Y
Common wild pine <i>Tillandsia fasciculata</i>	411, 625	E	E	Y
Giant air plant <i>Tillandsia utriculata</i>	411, 625	E	E	Y
Butterfly orchid <i>Encyclia tampensis</i>	625	C	C	Y

Note: Although each "E" (Exotic) level was not provided in the above table it is assumed that the listed species could be observed in any exotic level designation (E1-E4).

C = Commercially Exploited

E = Endangered

T = Threatened



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## 4. Proposed Conditions

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### 4.1. Project Description

The property is currently approved as a mixed use community including commercial , residential and hotel. These uses are consistent with the current DRI DO, zoning and ERP Permit. The proposed development will include basic infrastructure for stormwater management, utilities, roadways, and parking to support the intended uses. The backbone surface water management system will consist of both wet and dry detention areas and control structures to provide the required water quality and quantity storage volumes. Storm sewer culverts, swales, and overland flow will convey run-off to the storage areas.

### 4.2. Impact Assessment

Under the approved DRI master plan and SFWMD ERP Permit there are approximately 0.3 acres of wetlands (See SFWMD wetland Map Exhibit 6) remaining as part of the preserved wetland within the portion of the Timberland and Tiburon DRI west of Ben Hill Griffin Parkway. The original DRI, prior to the permitting and construction of Estero Parkway, proposed a 1 acre preserve. The remaining portion of this low quality wetland was reviewed and the secondary impacts appears to be mitigated as part of the permitting related to the Estero Parkway improvements to the north of University Highland. The development of the subject property is in-fill development that has no connection to adjacent wildlife habitat. The severe melaleuca infestation results in a site that provides limited wildlife value. The higher quality wetlands within the T and T DRI are located east of Ben Hill Griffin Parkway and have been preserved and protected under a conservation easement. The mitigation for the entire DRI was evaluated and located per the DRI DO east of Ben Hill Griffin Parkway. According to the existing SFWMD ERP permit and DRI a total of 33.59 acres (2.35 acres of uplands, 30.51 acres of enhanced wetlands and 0.73 acres of restored/created wetlands) of preserve were required. According to the Lee County Property Appraiser there is a total of 41.3 acres of wetlands and associated uplands protected via a conservation easement within the Timberland and Tiburon DRI. This exceeds the required 33.59 acres of SFWMD wetland and upland preserve required for the DRI.

Wildlife usage on the project site is low, with the exception of the use of the stormwater management lake by the alligator, and the wading birds. This use is directly related to foraging opportunities provided by the stormwater management lake and associated littoral areas. Four gopher tortoise burrows were located along an existing trail. As noted, the surrounding highways on three sides, along with Germain Arena and the Miromar mall inhibit the use of the site by the Florida panther and Florida black bear. The higher quality habitat within the DRI is located east of Ben Hill Griffin Parkway and is protected under a conservation easement.

**Exhibit 1 – Flowway Exhibit (with Existing Topography)**







**Exhibit 2 – NRCS Soils Map**







**Exhibit 3 – FLUCCS Map**

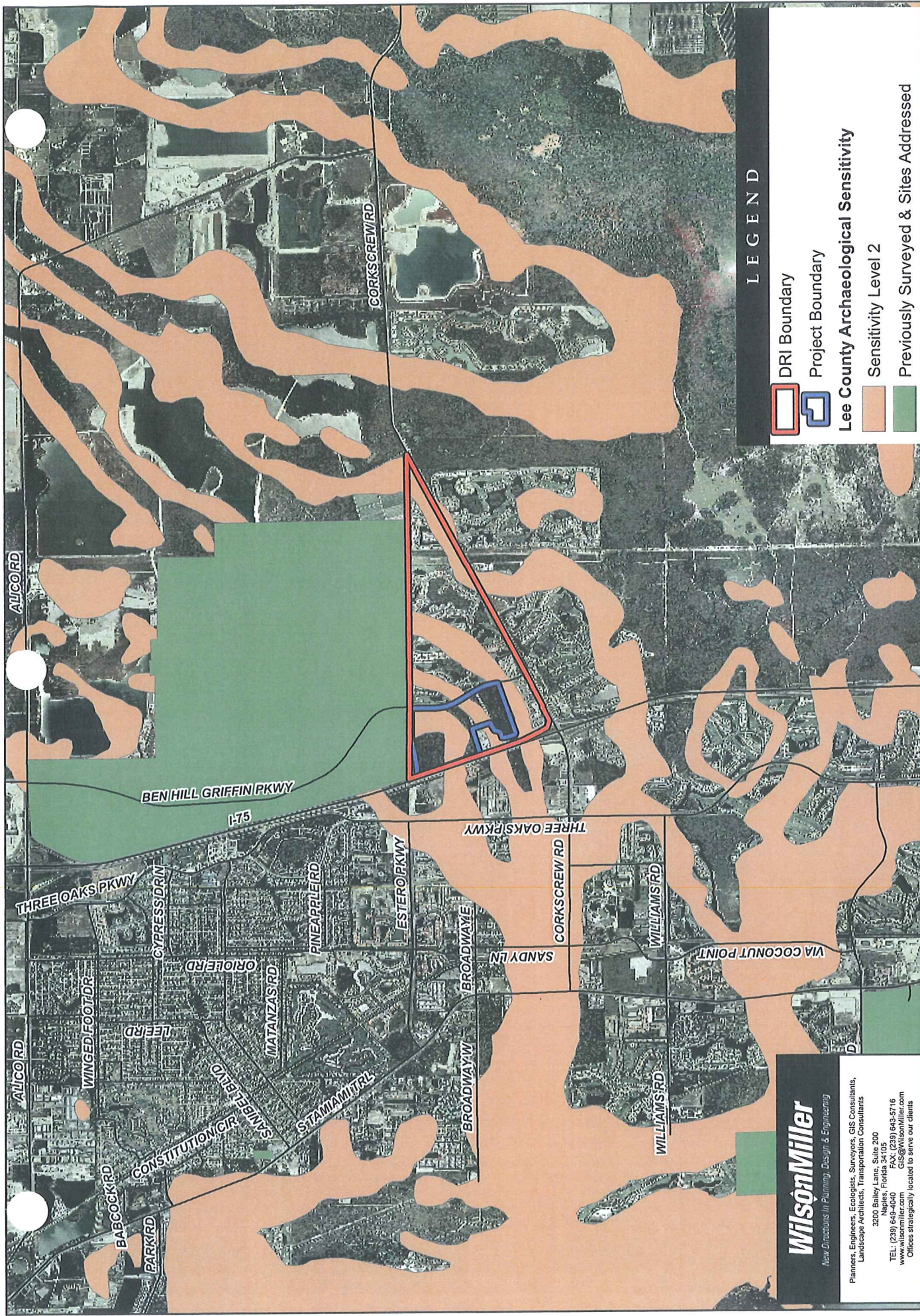






**Exhibit 4 – Lee County Archaeological Sensitivity Map**







**Exhibit 5 – Listed Species Survey Transect Map**







**Exhibit 6 – SFWMD Wetlands Map**







# Contacts

If a dead Eastern indigo snake is found during construction, please contact the following:

## **Ecological & Water Resources**

**WilsonMiller**

(239) 649-4040

Thomas Trettis or Bruce Layman

A WilsonMiller representative will then contact the following agencies as appropriate.

## **U.S. Fish and Wildlife Service**

(239) 353-2873

## **Florida Fish and Wildlife Conservation Commission**

3941 Tamiami Trail, Suite 3111

Punta Gorda, Florida 33950



**Identification  
and  
Protection of the**

***EASTERN INDIGO*  
SNAKE**

Prepared by:

WilsonMiller, Inc.

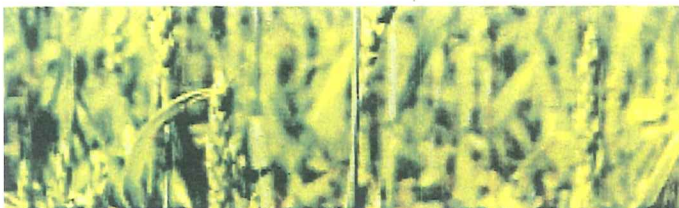
3200 Bailey Lane, Suite 200

Naples, FL 34105

800.649.4336 [wilsonmiller.com](http://wilsonmiller.com)

**WilsonMiller**

**WilsonMiller**





# Introduction and Laws of Protection

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The Eastern indigo snake (*Drymarchon corais couperi*) was formerly collected heavily for the pet trade. This activity coupled with the fact that its habitat has been largely fragmented by development has led the Florida Fish and Wildlife Conservation Commission (FWC) and the U.S. Fish and Wildlife Service (FWS) to categorize the species as threatened. It is also protected under the Endangered Species Act of 1973.

There is a slight potential for this snake to be found on-site.

The following information gives a description of the Eastern indigo snake and its habits and also explains what to do if a snake is encountered during construction.

## Characteristics

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**Physical Description:** The Eastern indigo snake is the largest of the North American snakes. It is heavy-bodied and uniformly shiny blue-black.

**Habitat:** In the Southeast, it is found in pine flatwoods, turkey oak and palmetto strands near water. They also reside in gopher tortoises' burrows for protection and warmth.

**Mating Habits:** This species mates from November to February with hatchlings appearing in late July to October.

**Feeding Habits:** The Eastern indigo snake is not a constrictor; it immobilizes food with its jaw. It will feed on frogs, small mammals, birds, other snakes, lizards and young turtles.

**Defense Mechanisms:** When disturbed, the Eastern indigo snake hisses, vibrates its tail and flattens its neck.

## Protection Measures

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Because the Eastern indigo snake is protected under the Endangered Species Act of 1973, there are civil and criminal penalties for injuring, harming, harassing or killing this species. If an Eastern indigo snake is sighted during construction, the following measures shall be taken:

- Cease construction activity in the area of the sighting immediately;
- Notify a WilsonMiller biologist named on the back of this brochure;
- Allow the Eastern indigo snake sufficient time to move away from the site on its own before resuming construction.



## Notice to Contractors and Employees

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On the project, all contractors and employees associated with land clearing, grading and construction are required to know that **Eastern Indigo Snakes** may exist in this area and precautions by all employees shall be taken to avoid harm to this protected species.

If an **Eastern Indigo Snake** is found during clearing, grading or construction, **all construction activities in the immediate vicinity of the snake shall cease**. It is required that any snake found be allowed to freely move away from the construction area. Qualified biologists from the U.S. Fish and Wildlife Service, the Florida Fish and Wildlife Conservation Commission, or personnel authorized by a state or federal permit are the only persons permitted to physically handle living or dead Eastern indigo snakes. Any contractor or employee identifying a living Eastern indigo snake is requested to immediately contact:

**Ecological & Water Resources, WilsonMiller, Inc.**  
(239) 649-4040

Tom Trettis or Bruce Layman





*The Big Cypress fox squirrel is  
protected under the  
Florida Endangered and Threatened  
Species Act of 1977.*



**Identification  
and  
Protection of the**

# ***BIG CYPRESS* FOX SQUIRREL**

Prepared by:

WilsonMiller, Inc.  
3200 Bailey Lane, Suite 200  
Naples, FL 34105  
800.649.4336 [wilsonmiller.com](http://wilsonmiller.com)

***WilsonMiller***



# Introduction and Laws of Protection

The Big Cypress fox squirrel (*Sciurus niger avicennia*) generally occurs south of the Caloosahatchee River and west of the Everglades. This small range, coupled habitat fragmentation, led the Florida Fish and Wildlife Conservation Commission (FWC) to list the species as threatened.

The property contains Big Cypress fox squirrel habitat, so there is potential for this species to occur on site. Gray squirrels may also occur on site, and the nests of these two species cannot be distinguished.

This pamphlet describes the Big Cypress fox squirrel and its habits, and also explains what to do if one is encountered.

## Characteristics

**Physical Description:** The Big Cypress fox squirrel averages 21 inches in total length (head + body + tail). It is typically rust or orange-buff in color with a dark back. The head has a black crown and cheeks, and a white muzzle and white ears/ear tips.

**Habitat:** This squirrel typically occurs in slash pine flatwoods and cypress forest, with or without cabbage palms and oaks present. This squirrel constructs nest platforms that are composed of leaves, Spanish moss, twigs, pine needles, and strips of cypress bark.

**Mating Habits:** This species has two distinct breeding seasons: one from early May through August, and a second from late November through January. Females produce one litter per year. Young squirrels have been observed emerging from nests in September and March.

**Feeding Habits:** Big Cypress fox squirrels consume slash pine seeds, cypress seeds, cabbage and queen palm fruits, bromeliad seeds, acorns, fungi, and other fruits.

## Protection Measures

The Big Cypress fox squirrel is protected under the Florida Endangered and Threatened Species Act of 1977 (FL Statute 372.072), there are civil and criminal penalties for injuring, harming, harassing or killing this species.



Fox squirrels can coexist with low-impact types of development projects, including residential and golf course improvements. In order to accommodate this protected species, covenants require that dogs and cats be on leashes when not inside buildings. This squirrel spends a significant portion of the time on or near the ground and is not afraid of people. As a result, free roaming pets can negatively impact the fox squirrel population. Additional, bird feeder enthusiasts are encouraged to use squirrel restrictors on their feeders if they do not desire to feed the squirrels. As noted previously, it is illegal to harm, harass or kill this species, so extermination is not an acceptable means of keeping the feeders squirrel-free.

Questions regarding fox squirrel management or the dos and don'ts of interaction with fox squirrels should be directed to:

**Florida Fish and Wildlife Conservation Commission**  
3941 Tamiami Trail, Suite 3111  
Punta Gorda, Florida 33950