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GIS Tracking Sheet

Case No.: DCI 2001-00038

Intake Date: 5/31/01

Project Name: US Home Corp in ref to Heritage Creek

STRAP Number(s): 15-43-25-00-00001.0000 + 18 more

Planner Name: ? Ext.

LEGAL DESCRIPTION VERIFICATION and **INITIAL GIS MAPPING**

Date: **INTAKE:**

LEGAL SUFFICIENT ☐ YES ☐ NO Initials:

If not, give brief explanation:

6/12/01 See email attachment

11/5/01 "

MAP UPDATE following **FINAL ACTION**

Date: 22JUL/05

☐ Hearing Examiner Decision ☒ Board of County Commissioner's Resolution

☐ Administrative Approval ☐ Blue Sheet

Zoning Notes: Z-02-070, DCI2001-00038, 16FEB04, REZONE 741.22+- ACRES FROM AG-2, CPD + RVPD TO RPD; CONDS IN REF TO HERITAGE CREEK, aka STONEYBROOK NORTH

MAP UPDATED ☐YES ☐NO Initials: ffffy

If not, give brief explanation:

CREATED MANY RPD Polygons
Merged some, but not all
ffffy

S:\WRITERS\Murphyge\gistracking.wpd

From: Jerry Murphy
To: Deselem, Kay ,
Date: 6/12/01 8:36AM
Subject: Re: Heritage Creek, DCI2001-00038

Kay, John, I'm digging through it right now. I notice off the bat that there are four separate covenants of unified control all referencing lots of different STRAP numbers. The Exhibit A (legal descriptions) referenced as "attached hereto" are not attached and the papers appear to have been stapled to something to which they are no longer stapled. I thought we had determined that to unify control all owners were to be listed on the same document referencing the overall boundary description of the subject property.

But, wait, what's this? There is no overall boundary description. And most of the 8+ various legal descriptions copies provided are not legible. There are two creeks that traverse the property, Bayshore Creek and Popash Creek, neither of which are located on the drawing with any detail. Hard to tell what else is lurking out there in what the applicant represents to be 740.08 acres.

My review suggests this:

Boundary Survey, confirmation of ownership, legal description of perimeter boundary, and one covenant of unified control referencing the entire project boundary and including all owners. Let me know if you need more.

Gerald Murphy
Community Development
murphyge@leegov.com
(941) 479-8585
(941) 479-8313 FAX

>>> Kay Deselem 06/11/01 04:58PM >>>
When you review this legal, would you check to see whether the "Existing WWTP" that is shown on the MCP is within the legal?

Would you let me know? The applicant does not own it, Lee County does

Kay Deselem, Sr. Planner
Development Services Division
Dept. of Community Development
Lee County Government, Ft. Myers, FL
e-mail address: deselekl@leegov.com
Phone: 941-479-8336; Fax 941-479-8341

CC: Fredyma, John

From: Jerry Murphy
To: Deselem, Kay
Date: 11/6/01 2:06PM
Subject: Re: Heritage Creek, DCI2001-00038

Kay,
I have reviewed the survey submitted 10/19/01, and raise the following questions/comments with regard to finding this application sufficient:

1. Has the director exercised her 34-201(b)(1) discretion to allow this application to cover the three non-abutting properties included in this application (Parcels A, B, and C)? What are the respective acreages for these parcels and how were they calculated, particularly with regard to the centerlines of the creeks and less and except parcel?

2. The applicant should provide 10- 8.5 x 11 sealed copies of the legal description prepared by Banks Engineering to accompany the survey, suitable for recording, including individual parcel acreages and overall aggregate acreage.

3. All individual owners of portions of the project should be joined in the covenant of unified control (1 document), which should include as an exhibit (A) the legal description provided by Banks on the survey dated 10-03-01 (received 10/19/01). This is also the better way to do the letter of authorization, though not mandatory. The disclosure of interest forms are probably okay, though there are no legals for the various properties attached to the various disclosures as "Exhibit A"; merely STRAP numbers on the face. Same for letters of authorization.

4. The applicant has included a sketch and description "regarding the access to Hunter's Glen." Should this land be within the boundary of the proposed PD?

5. PAGIS shows a number of easements encumbering the property, e.g. Rich Road. The survey notes that the parcel is "subject to easements, rights-of-way, restrictions and reservations of record." If a separate certified easement document has been provided, I haven't seen it. If not, the applicant should have the survey revised accordingly to show the **all** existing "easements, rights-of-way, restrictions and reservations" encumbering the property. The Surveyor's note may then be removed. No opinion of title or other confirmation of ownership has been provided for county review either, and the possibility of these easements without disclosure in the application raises the question of ownership suggesting that such document(s) be provided.

6. There appears to be an approved development order over a portion of the property, which development order also appears to include the Hunter's Glen S/D (DOS950507800D). Is this development order active? Given that a single development order covenant of unified control encumbers property within and outside of the proposed zoning district, is it necessary for the developer to agree to revoke and cancel this development order?

Gerald Murphy
Community Development
murphyge@leegov.com
(941) 479-8585
(941) 479-8313 FAX

>>> Kay Deselem 11/05/01 05:08PM >>>
Comments were due last Friday. Please let me know whether or not this project is sufficient.

Thanks!

Kay Deselem, Sr. Planner
Development Services Division

Dept. of Community Development
Lee County Government, Ft. Myers, FL
e-mail address: deselekl@leegov.com
Phone: 941-479-8336; Fax 941-479-8341

CC: FREDYMJJ@leegov.com

From: Jerry Murphy
To: Pavese, Michael
Date: 3/10/02 3:05PM
Subject: Fwd: Re: Heritage Creek, DCI2001-00038

Mike, FYI, I've attached a copy of my last email on this project. Since that time, the following issues have been resolved or raised. Not sure what the status of this project is from Tidemark, but probably time for an update from me.

1. Project is bisected by Pritchett Parkway, a 100' ROW. Don't know if Director has exercised discretion to allow these two physically separated parcels to be treated as one PD, but believe that a request was made. Matt and I have previously discussed with you--as I recall--the pedestrian problems this may pose for this project, depending on how self-contained amenities are in each parcel.

2. 8.5x11 copies of the description have been received.

3. Defer covenant issues to John F.

4, My understanding is that the access to Hunter's Glen sketch and description are informational and not a part of this project

5. The Fund commitment provided raises an issue about Vacation of a Collector Road (Schedule A, #11; also Schedule B, #20). Has this been resolved to the satifaction of the commitment provider and what was the result? PAGIS still shows easements not reflected on the boundary survey, and the survey still notes that it is subject ot easements, rights-of-way, restrictions, and reservations of record. The survey should show all of these record encumbrances and that note should be unnecessary and removed. The most problematic of the easements is the apparent occupation of Rich Road on the Northwestern boundaries of the property. The commitment also excepts state sovereignty lands (Sch B #4), Riparian and littoral rights (Sch B #18), and lands lying waterward of the ordinary high water mark of Popash Creek. The property description follows the centerline of the creek.

6. The status of DOS950507800D, the covenant of unified control for that DO, and the covenant of unified control for the RVPD portion of the property also raise issues of the need to terminate these development approval prior to conflicting approvals.

Keep me posted. THanks.

CC: Deselem, Kay; FREDYMJJ@leegov.com

LEE COUNTY

Parcels For

Case #: DCI2001-00038

Parcel No	Subdivision	Lot	Block	Quarter	Section	Township	Rang
15432500000010000							
15432500000010010							
16432500000010060							
1643250000001006A							
1643250000001006B							
1643250000001006C							
16432500000010100							
16432500000020000							
16432500000030000							
16432500000030010							
16432500000030020							
16432500000030030							
16432500000030040							
16432500000030050							
16432500000030070							
16432500000030080							
21432500000011000							
21432500000020000							
21432500000060020							

* Z-94-67, 94-12-6-Z-1, AG3, 1/30/95
APRV REZONE FROM AG-2 TO AG-3,

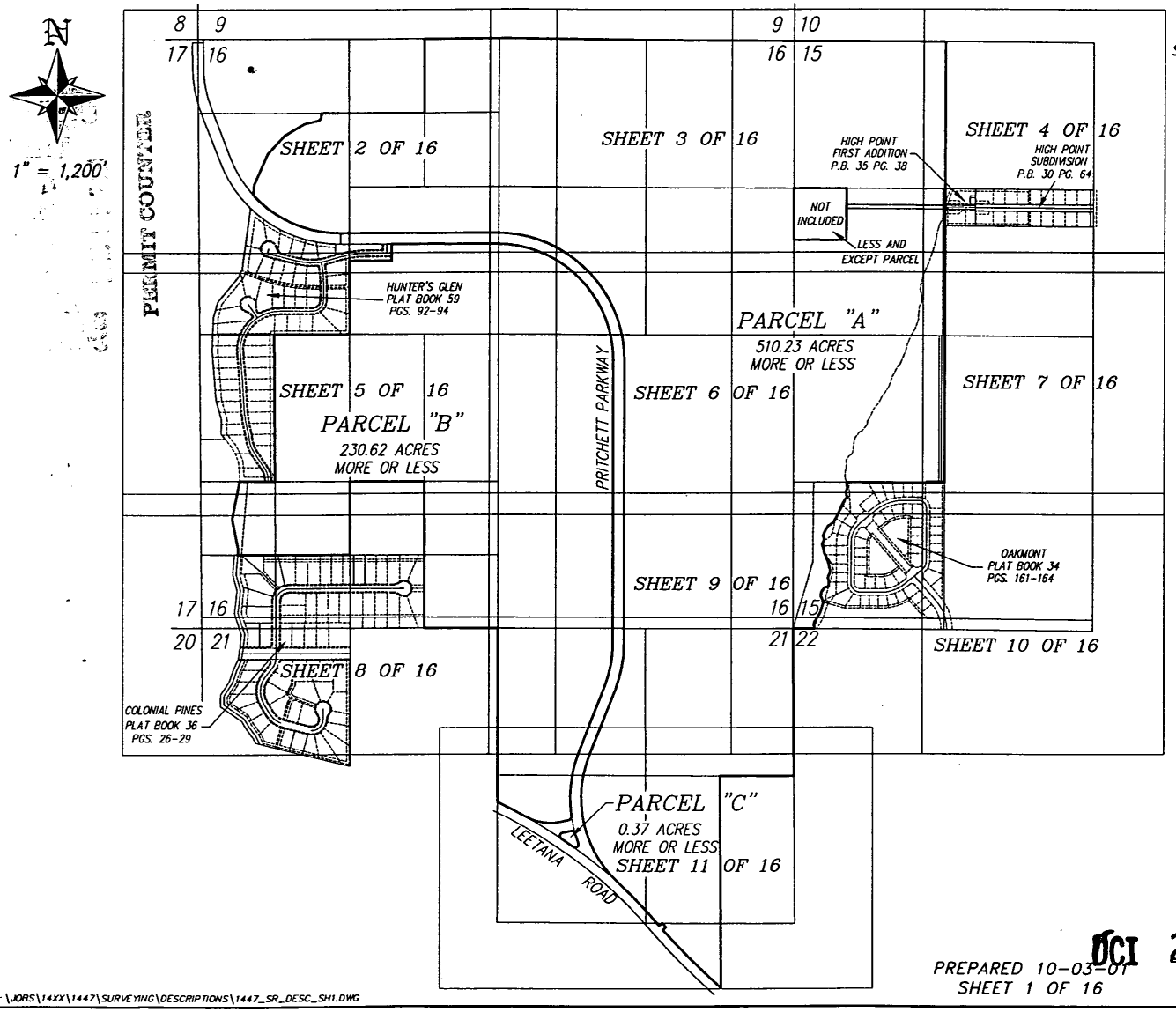
DCI 2001-00038

SKETCH OF DESCRIPTIONS

OF

PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

(STONEYBROOK NORTH)



LEGEND:

O.R.	INDICATES OFFICIAL RECORDS BOOK
PG.	INDICATES PAGE.
P.O.B	INDICATES POINT OF BEGINNING
P.O.C.	INDICATES POINT OF COMMENCEMENT
R/W	INDICATES RIGHT-OF-WAY
(1)	INDICATES CURVE NUMBER 1 FROM THE CURVE TABLE
L1	INDICATES LINE NUMBER 1 FROM THE LINE TABLE
SUBDIV.	INDICATES SUBDIVISION

NOTES:

1.) PARCEL SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND RESERVATIONS OF RECORD.

2.) BEARINGS ARE BASID ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

3.) PARCELS CONTAIN 741.22 ACRES MORE OR LESS.

SEE SHEETS 13 THROUGH 16 FOR DESCRIPTIONS.

THIS SKETCH OF DESCRIPTIONS IS NOT A BOUNDARY SURVEY

Richard M. Ritz

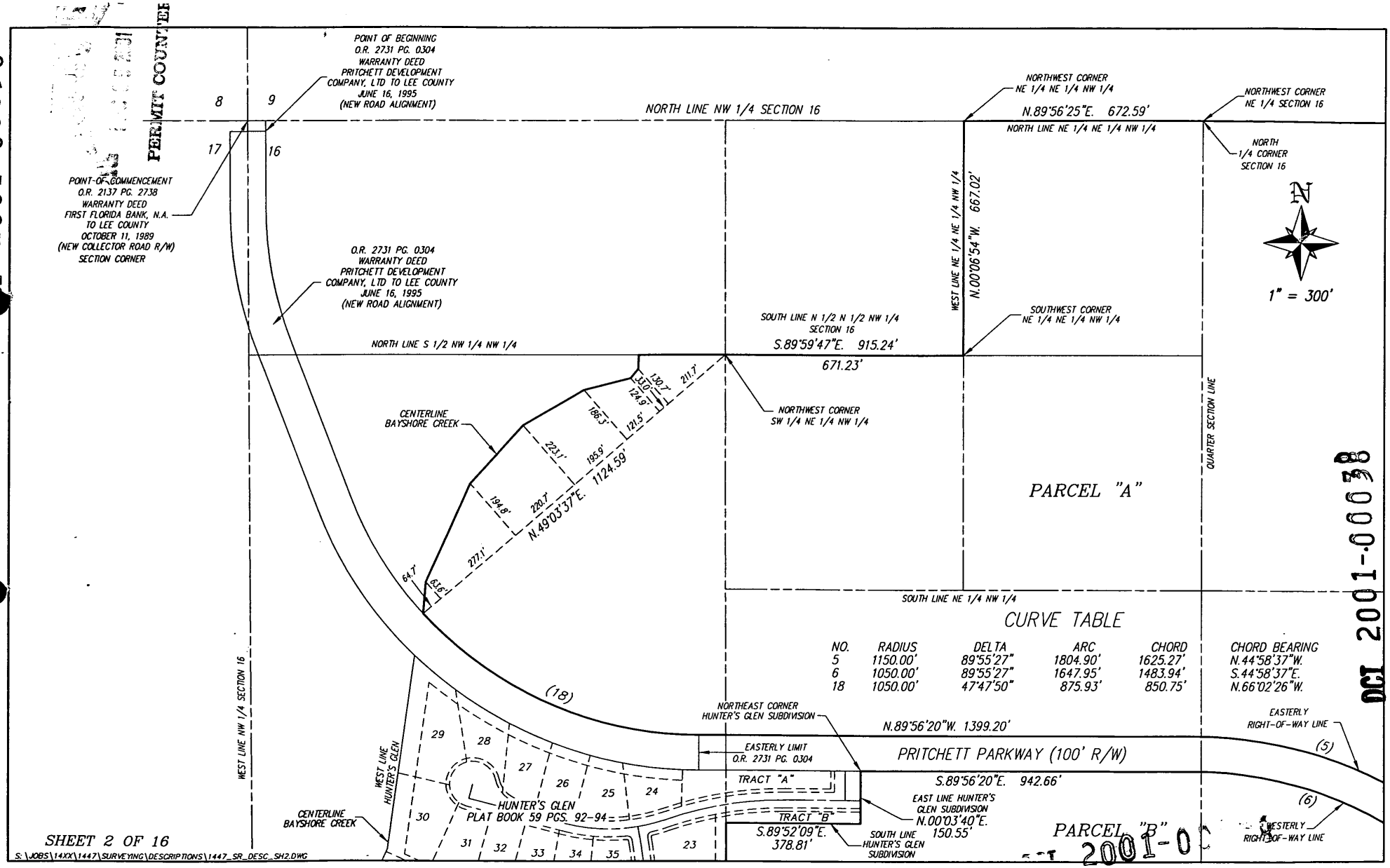
RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009

- THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

DCI 2001-00038

PREPARED 10-03-01
SHEET 1 OF 16

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PERMIT COUNTER

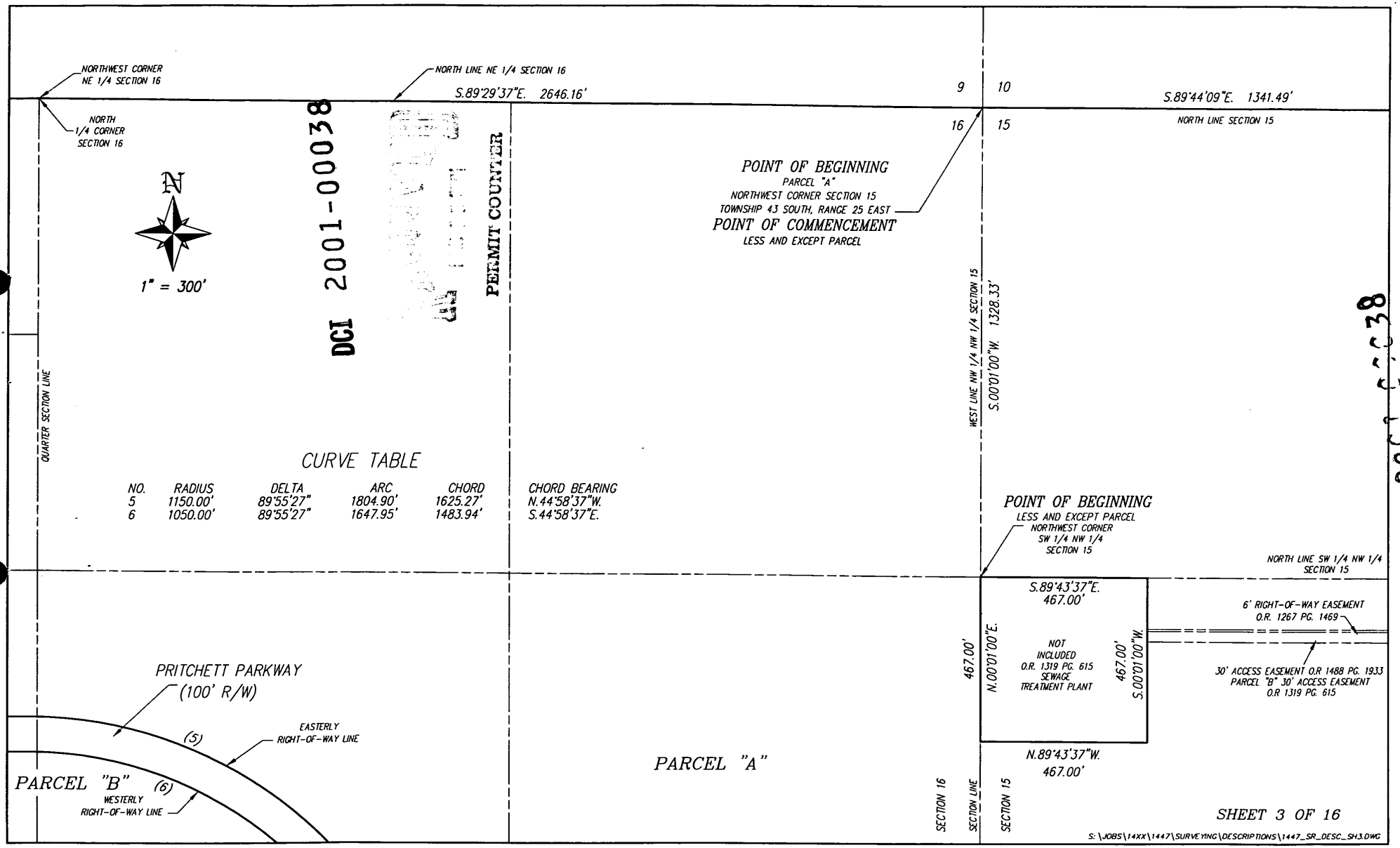
DCI 2001-00038

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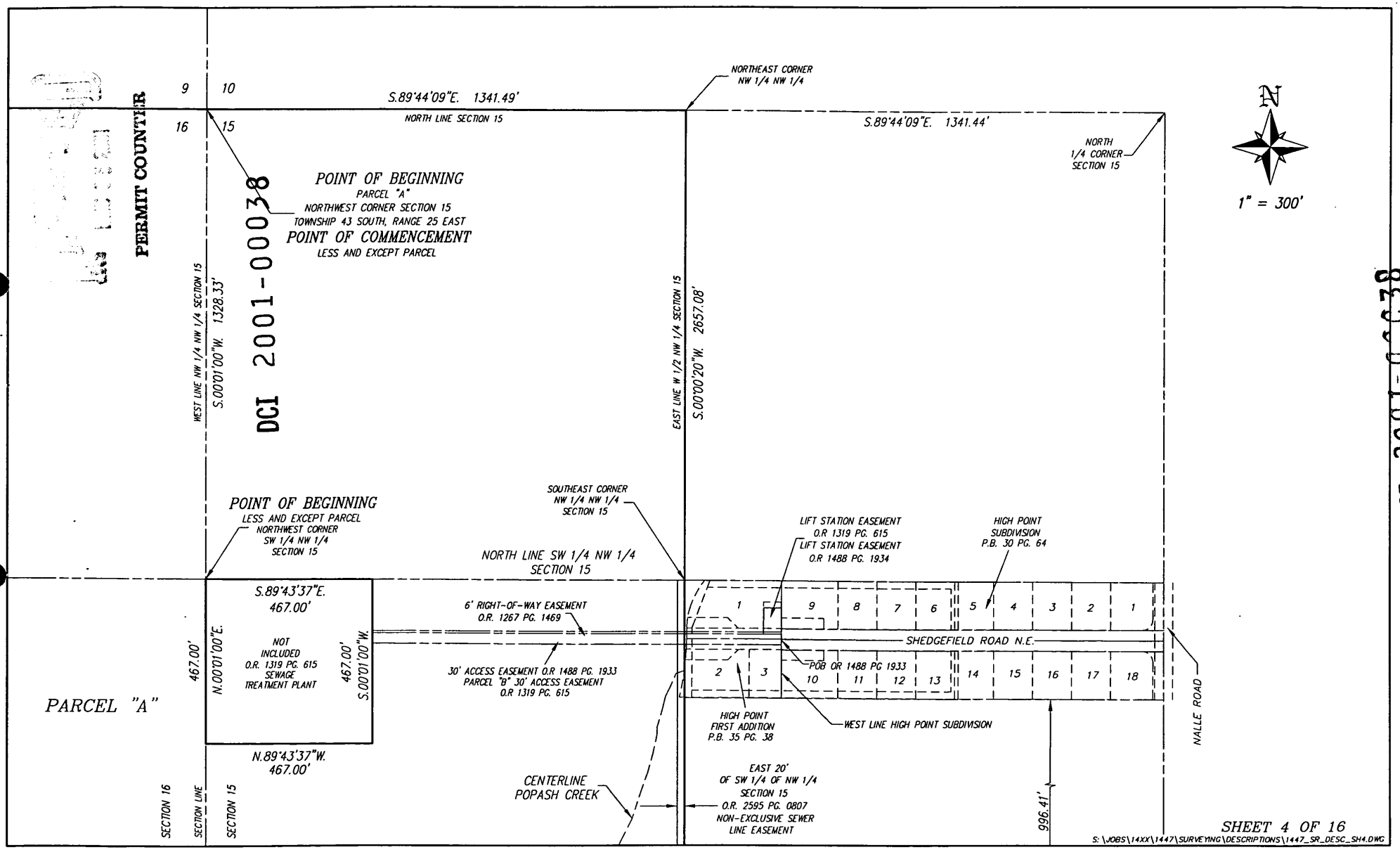
SHEET 2 OF 16

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DCI 2001-0

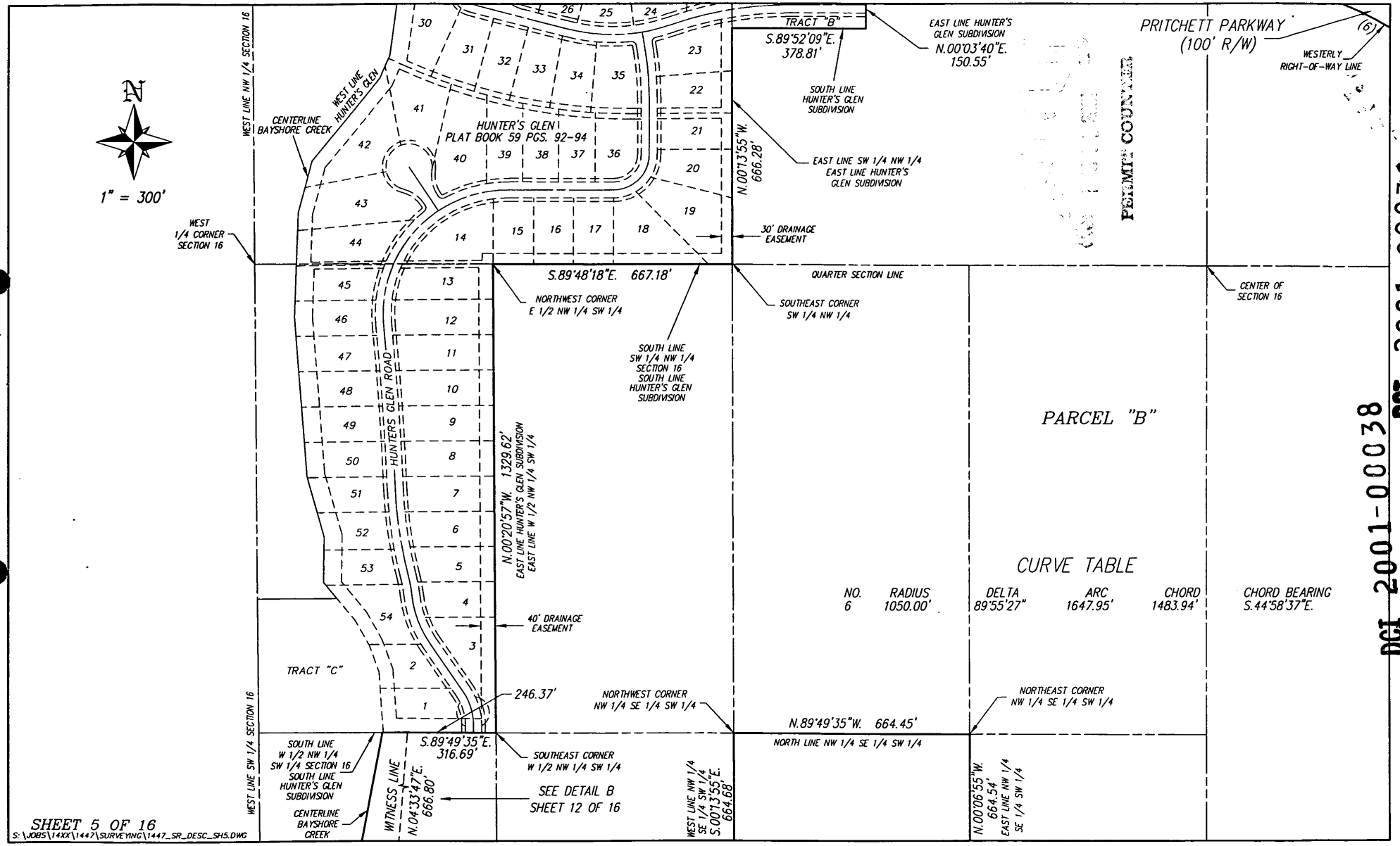


DCI 2001-00038



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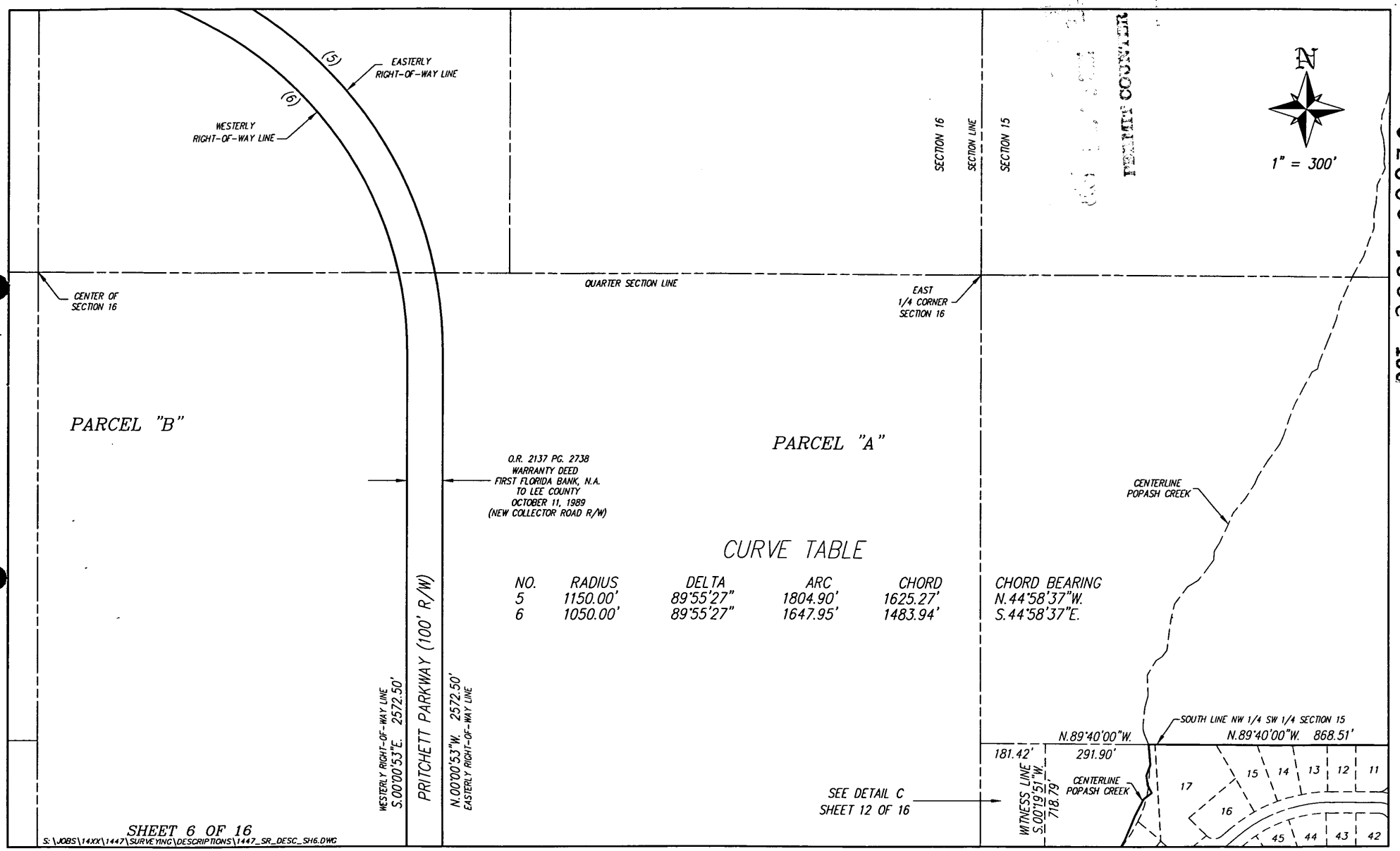


SHEET 5 OF 16

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DCI 2001-00038

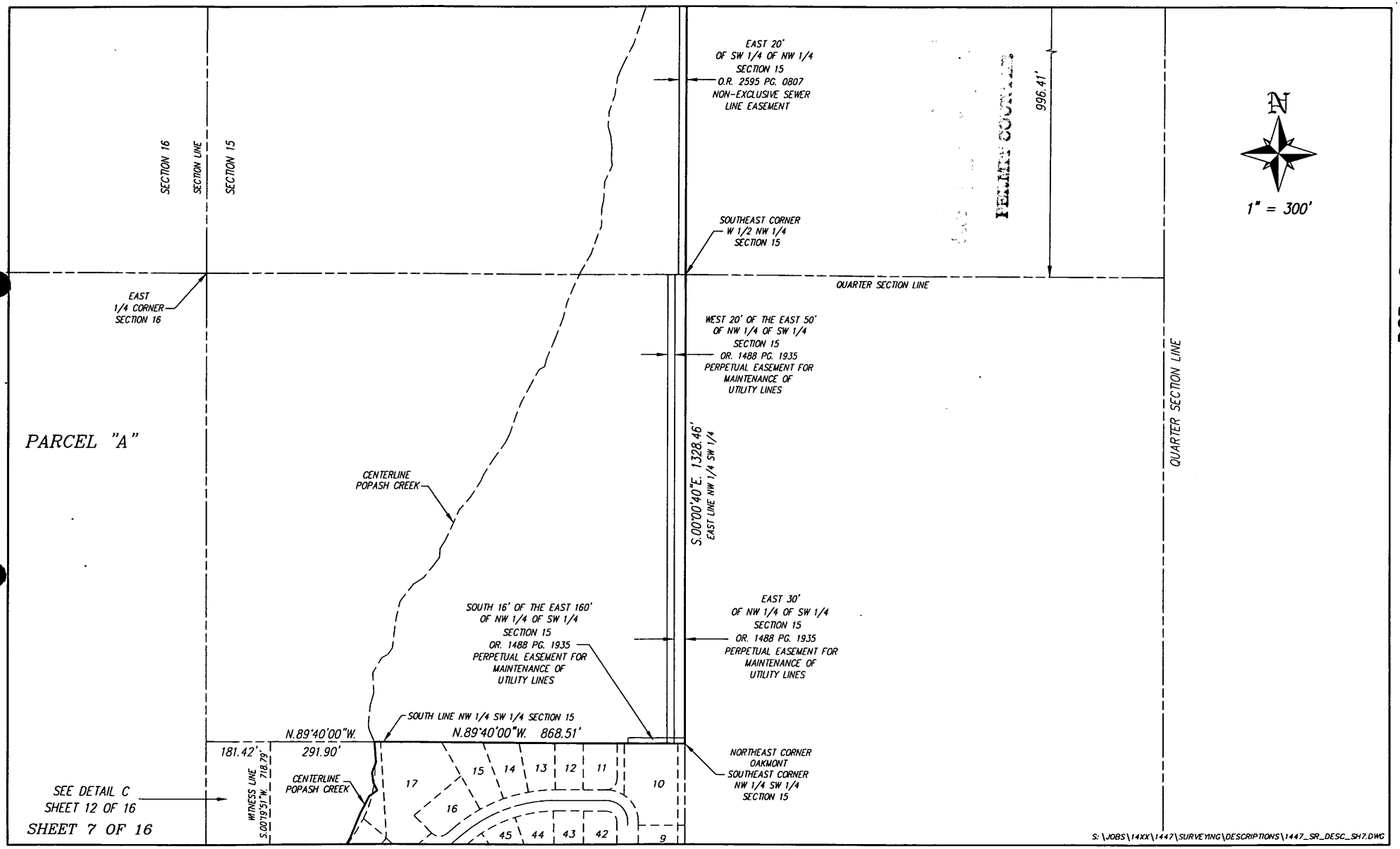
DCI 2001-00038



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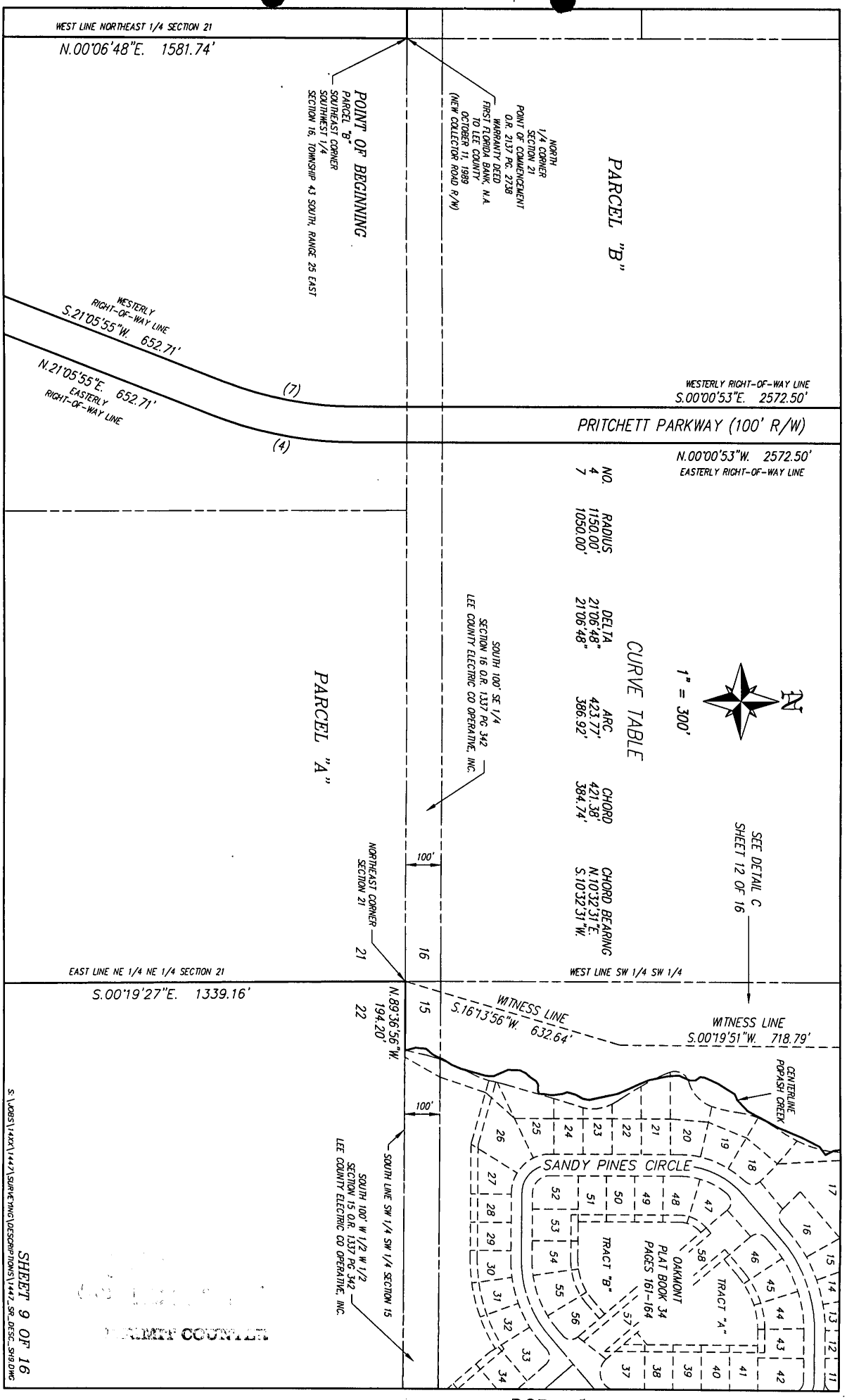
OCT 2001-00038

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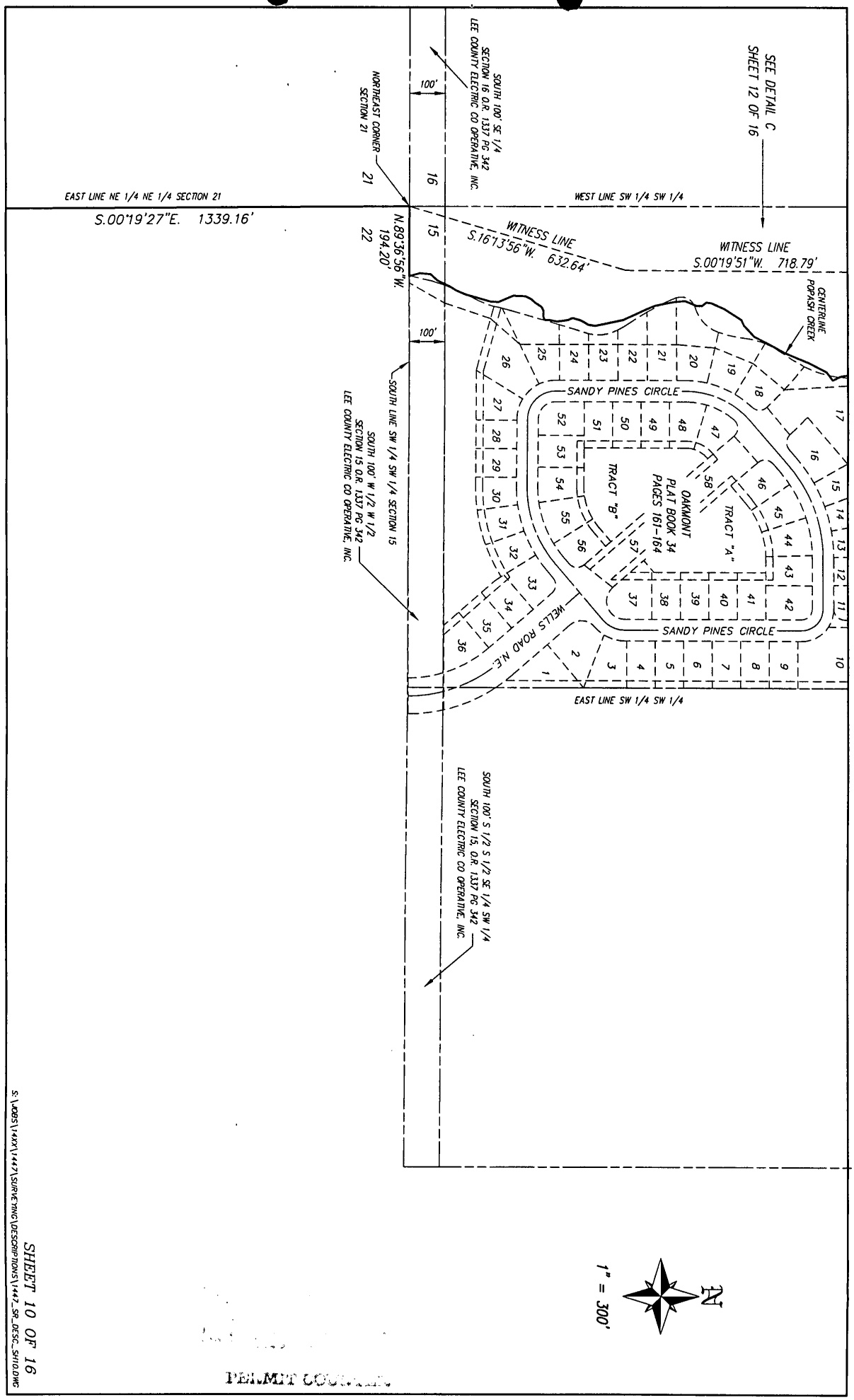
DCI 2001-00038



SHEET 9 OF 16

COUNTY COUNTER

DCI 2001-00038

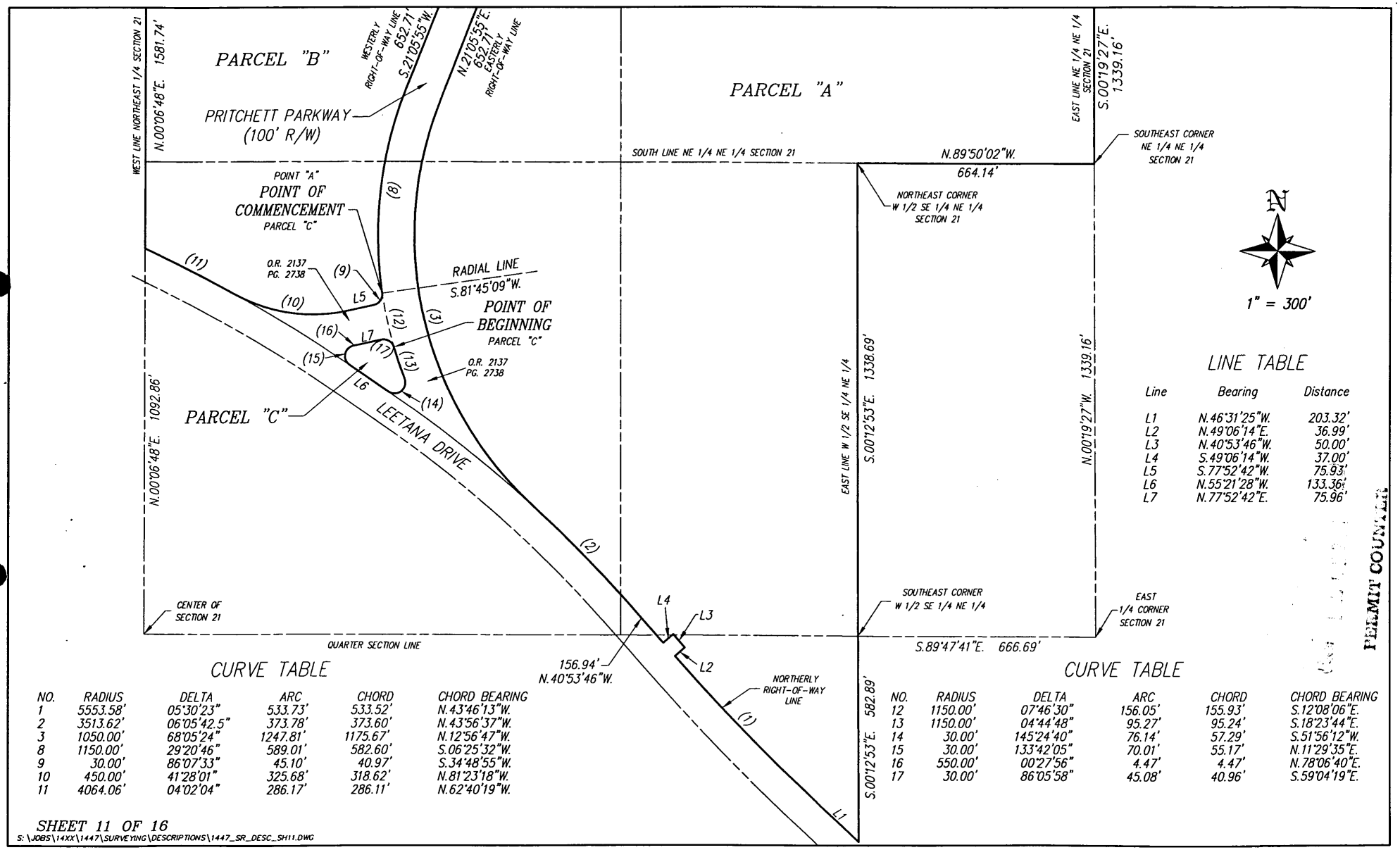


SHEET 10 OF 16

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PERMIT COUNTER

DCI 2001-00038



LINE TABLE

Line	Bearing	Distance
L1	N.46°31'25"W.	203.32'
L2	N.49°06'14"E.	36.99'
L3	N.40°53'46"W.	50.00'
L4	S.49°06'14"W.	37.00'
L5	S.77°52'42"W.	75.93'
L6	N.55°21'28"W.	133.36'
L7	N.77°52'42"E.	75.96'

CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	5553.58'	05°30'23"	533.73'	533.52'	N.43°46'13"W.
2	3513.62'	06°05'42.5"	373.78'	373.60'	N.43°56'37"W.
3	1050.00'	68°05'24"	1247.81'	1175.67'	N.12°56'47"W.
8	1150.00'	29°20'46"	589.01'	582.60'	S.06°25'32"W.
9	30.00'	86°07'33"	45.10'	40.97'	S.34°48'55"W.
10	450.00'	41°28'01"	325.68'	318.62'	N.81°23'18"W.
11	4064.06'	04°02'04"	286.17'	286.11'	N.62°40'19"W.

CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
12	1150.00'	07°46'30"	156.05'	155.93'	S.12°08'06"E.
13	1150.00'	04°44'48"	95.27'	95.24'	S.18°23'44"E.
14	30.00'	145°24'40"	76.14'	57.29'	S.51°56'12"W.
15	30.00'	133°42'05"	70.01'	55.17'	N.11°29'35"E.
16	550.00'	00°27'56"	4.47'	4.47'	N.78°06'40"E.
17	30.00'	86°05'58"	45.08'	40.96'	S.59°04'19"E.

SHEET 11 OF 16

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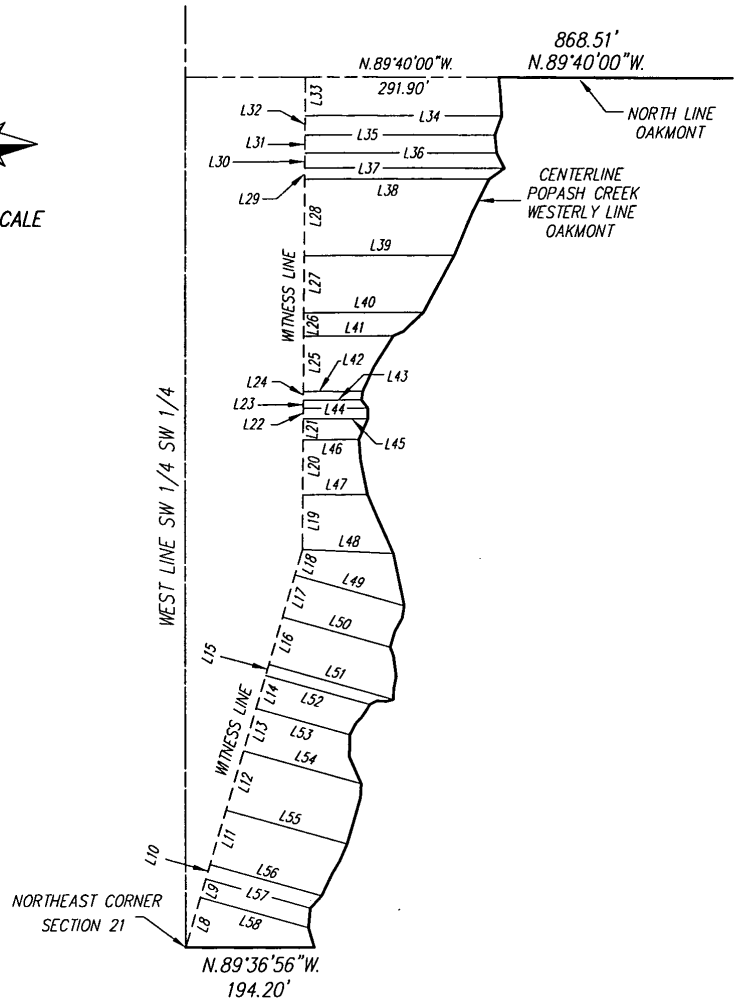
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DETAIL SHEET



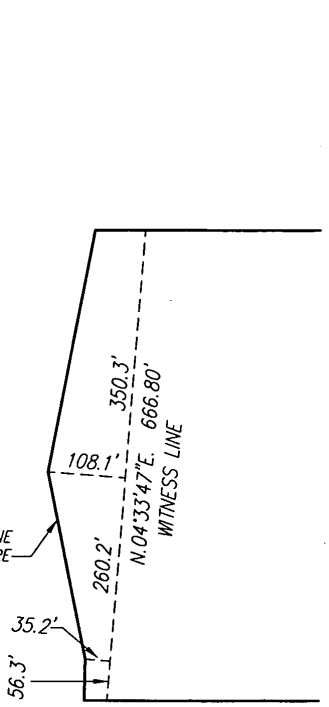
NOT TO SCALE



DETAIL C
NOT TO SCALE

LINE TABLE

Line	Bearing	Distance
L8	N.16°13'56"E.	79.4'
L9	N.16°13'56"E.	29.6'
L10	N.16°13'56"E.	23.1'
L11	N.16°13'56"E.	86.7'
L12	N.16°13'56"E.	94.4'
L13	N.16°13'56"E.	67.3'
L14	N.16°13'56"E.	52.6'
L15	N.16°13'56"E.	17.2'
L16	N.16°13'56"E.	75.4'
L17	N.16°13'56"E.	66.6'
L18	N.16°13'56"E.	40.3'
L19	N.00°19'51"E.	83.1'
L20	N.00°19'51"E.	83.7'
L21	N.00°19'51"E.	31.8'
L22	N.00°19'51"E.	16.0'
L23	N.00°19'51"E.	12.6'
L24	N.00°19'51"E.	13.2'
L25	N.00°19'51"E.	84.6'
L26	N.00°19'51"E.	35.8'
L27	N.00°19'51"E.	87.0'
L28	N.00°19'51"E.	116.4'
L29	N.00°19'51"E.	16.7'
L30	N.00°19'51"E.	22.7'
L31	N.00°19'51"E.	27.4'
L32	N.00°19'51"E.	29.4'
L33	N.00°19'51"E.	58.4'
L34	S.89°40'09"E.	297.3'
L35	S.89°40'09"E.	286.4'
L36	S.89°40'09"E.	289.9'
L37	S.89°40'09"E.	301.4'
L38	S.89°40'09"E.	279.0'
L39	S.89°40'09"E.	227.1'
L40	S.89°40'09"E.	181.1'
L41	S.89°40'09"E.	135.2'
L42	S.89°40'09"E.	89.7'
L43	S.89°40'09"E.	88.0'
L44	S.89°40'09"E.	97.6'
L45	S.89°40'09"E.	97.8'
L46	S.89°40'09"E.	84.3'
L47	S.89°40'09"E.	97.7'
L48	S.87°00'59"E.	137.8'
L49	S.73°46'04"E.	172.6'
L50	S.73°46'04"E.	169.4'
L51	S.73°46'04"E.	196.7'
L52	S.73°46'04"E.	164.5'
L53	S.73°46'04"E.	148.4'
L54	S.73°46'04"E.	185.7'
L55	S.73°46'04"E.	191.1'
L56	S.73°46'04"E.	176.0'
L57	S.73°46'04"E.	164.7'
L58	S.73°46'04"E.	170.2'



DETAIL B
NOT TO SCALE

PERMIT COPY

DCI 2001-00038

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Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
· FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION
OF
PARCELS OF LAND
LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

TRACTS OR PARCELS OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 15, 16 AND 21 TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER DESCRIBED AS FOLLOWS:

PARCEL "A"

BEGINNING AT THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°44'09"E. ALONG THE NORTH LINE OF SAID SECTION 15 FOR 1341.49 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.00°00'20"W. ALONG THE EAST LINE OF SAID FRACTION FOR 2657.08 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S.00°00'40"E. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 FOR 1328.46 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION THE SAME BEING THE NORTHEAST CORNER OF OAKMONT, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34 AT PAGES 161 THROUGH 164 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.89°40'00"W. ALONG THE SOUTH LINE OF SAID FRACTION AND THE NORTH LINE OF SAID OAKMONT FOR 868.51 FEET TO AN INTERSECTION WITH THE CENTERLINE OF POPASH CREEK AND THE WESTERLY LINE OF SAID OAKMONT; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE AND SAID WESTERLY LINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 THE SAME BEING THE SOUTHWEST CORNER OF SAID OAKMONT; THENCE N.89°36'56"W. ALONG SAID SOUTH LINE FOR 194.20 FEET TO THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°19'27"E. ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21 FOR 1339.16 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE N.89°50'02"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 664.14 FEET TO THE NORTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE S.00°12'53"E. ALONG THE EAST LINE OF SAID FRACTION FOR 1338.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE CONTINUE S.00°12'53"E. 582.89 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.46°31'25"W. ALONG SAID NORTHERLY LINE FOR 203.32 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5553.58 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 05°30'23.2" FOR 533.73 FEET; THENCE N.49°06'14"E. ALONG SAID NORTHERLY LINE FOR 36.99 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 50.00 FEET; THENCE S.49°06'14"W. ALONG SAID NORTHERLY LINE FOR 37.00 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 156.94 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 3513.62 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 06°05'42.5" FOR 373.78 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 1050.00 FEET; THENCE

DCI 2001-00038

10511 Six Mile Cypress Pkwy, Suite 101, Ft Myers, Florida 333912 • (941) 939-5490 • Fax (941) 939-2923

NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 68°05'24" FOR 1247.81 FEET; THENCE N.21°05'55"E. ALONG SAID EASTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 423.77 FEET; THENCE N.00°00'53"W. ALONG SAID EASTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1804.90 FEET; THENCE N.89°56'20"W. ALONG SAID EASTERLY LINE FOR 1399.20 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 47°47'50" FOR 875.93 FEET; TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE CREEK; THENCE NORTHEASTERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°59'47"E. ALONG SAID SOUTH LINE FOR 915.24 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE N.00°06'54"W. ALONG THE WEST LINE OF SAID FRACTION FOR 667.02 FEET TO AN INTERSECTION WITH THE NORTH LINE OF SAID FRACTION; THENCE N.89°56'25"E. ALONG SAID NORTH LINE FOR 672.59 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE S.89°29'37"E. ALONG THE NORTH LINE OF SAID SECTION FOR 2646.16 FEET TO THE **POINT OF BEGINNING.**

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL

COMMENCING AT NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°01'00"W. ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15 FOR 1328.33 FEET TO THE POINT OF BEGINNING THE SAME BEING THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.89°43'37"E. ALONG THE NORTH LINE OF SAID FRACTION FOR 467.00 FEET; THENCE S.00°01'00"W. FOR 467.00 FEET; THENCE N.89°43'37"W. FOR 467.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID FRACTION; THENCE N.00°01'00"E. ALONG THE WEST LINE OF SAID FRACTION FOR 467.00 FEET TO THE POINT OF BEGINNING.

PARCEL "A" CONTAINS 510.23 ACRES MORE OR LESS.

AND: PARCEL "B"

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.89°50'53"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 661.74 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 THE SAME BEING A POINT ON THE EAST LINE OF COLONIAL PINES, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 36 AT PAGES 26 THROUGH 29 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.00°06'55"W. ALONG SAID EAST LINE FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION AND SAID COLONIAL PINES; THENCE N.00°06'55"W. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE N.89°49'35"W. ALONG THE NORTH LINE OF SAID FRACTION FOR 664.45 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE S.00°13'55"E. ALONG THE EAST LINE OF SAID FRACTION FOR 664.68 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION THE SAME BEING AN INTERSECTION WITH THE NORTH LINE OF SAID COLONIAL PINES; THENCE N.89°50'14"W. ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 AND THE NORTH LINE OF SAID COLONIAL PINES FOR 998.54 FEET TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE

CREEK; THENCE NORTHERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16, THE SAME BEING THE SOUTH LINE OF HUNTER'S GLEN, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 59 AT PAGES 92 THROUGH 94 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA; THENCE S.89°49'35"E. ALONG SAID SOUTH LINE FOR 316.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND SAID HUNTER'S GLEN; THENCE N.00°20'57"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 1329.62 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16 AND SAID HUNTER'S GLEN; THENCE S.89°48'18"E. ALONG SAID SOUTH LINE FOR 667.18 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°13'55"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 666.28 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID HUNTER'S GLEN; THENCE S.89°52'09"E. ALONG SAID SOUTH LINE FOR 378.81 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°03'40"E. ALONG SAID EAST LINE FOR 150.55 FEET TO THE NORTHEAST CORNER OF SAID HUNTER'S GLEN, THE SAME BEING AN INTERSECTION WITH THE WESTERLY LINE OF PRITCHETT PARKWAY (100 FEET WIDE); THENCE S.89°56'20"E. ALONG SAID WESTERLY LINE FOR 942.66 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1647.95 FEET; THENCE S.00°00'53"E. ALONG SAID WESTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 386.92 FEET; THENCE S.21°05'55"W. ALONG SAID WESTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 29°20'46" FOR 589.01 FEET TO **POINT "A"** THE SAME BEING AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PRITCHETT PARKWAY AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°07'33" FOR 45.10 FEET; THENCE S.77°52'42"W. ALONG SAID NORTHERLY LINE FOR 75.93 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 450.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 41°28'01" FOR 325.68 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF LEETANA DRIVE (86 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 4064.06 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 04°02'04" FOR 286.17 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.00°06'48"E. ALONG SAID WEST LINE FOR 1581.74 FEET TO THE **POINT OF BEGINNING.**

PARCEL "B" CONTAINS 230.62 ACRES MORE OR LESS.

AND: PARCEL "C"

COMMENCING AT THE AFOREMENTIONED **POINT "A"** THE SAME BEING A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.81°45'09"W.; THENCE; SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°46'30" FOR 156.05 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE SOUTHERLY ALONG SAID CURVE AND THE WESTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) THROUGH A CENTRAL ANGLE OF 04°44'48" FOR 95.27 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 145°24'40" FOR 76.14 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.55°21'28"W. ALONG SAID NORTHERLY LINE FOR 133.36 FEET TO AN INTERSECTION WITH THE

SOUTHERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 133°42'05" FOR 70.01 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 550.00 FEET; THENCE EASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 00°27'56" FOR 4.47 FEET; THENCE N.77°52'42"E. ALONG SAID SOUTHERLY LINE FOR 75.96 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°05'58" FOR 45.08 FEET TO THE **POINT OF BEGINNING**.

PARCEL "C" CONTAINS 0.37 ACRES MORE OR LESS.

PARCELS CONTAIN 741.22 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

DESCRIPTION PREPARED 10-03-01

Applicant's Legal Checked
by gm 11/26/02

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RESOLUTION NUMBER Z-02-070

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

WHEREAS, US Home Corporation filed an application on behalf of the property owners, Pritchett Development Company Ltd.; Kathy Lynne R. Pritchett, Trustee; Peter Kainz; Bank of America, N.A., R. E. Services - Pritchett; and Ernest A. Hansen, Trustee (½ Interest) and Frances Hansen, Trustee (½ Interest), to rezone 741.22± acres from Agricultural (AG-2), Commercial Planned Development (CPD), & Recreational Vehicle Planned Development (RVPD) to Residential Planned Development (RPD), in reference to Heritage Creek, a/k/a Stoneybrook North; and,

WHEREAS, public hearings were advertised and held on December 11, 2002; and continued and held on February 12 and 13, 2003; April 23 and 24, 2003; June 18 and 19, 2003; July 31, 2003; and August 1 and 8, 2003; with the record held open for written submissions until August 25, 2003; before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2001-00038; and

WHEREAS, a second public hearing was advertised and held on February 16, 2004, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant filed a request to rezone 741.22± acres from from AG-2, CPD, and RVPD to RPD, to permit the development of a maximum of 1,525 residential units including a mixture of single-family, duplex, townhouse, two-family attached and multi-family units all not to exceed 35 feet in height. The property is located in the Outlying Suburban, Wetlands and General Interchange Land Use Categories and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. The development of this project must be consistent with the one-page Master Concept Plan (MCP) entitled "Stoneybrook North Master Concept Plan," prepared by Wilson Miller, dated March 10, 2004, printed March 17, 2004, and stamped "Received Mar 17 2004 Permit Counter," except as modified by the conditions below. This development must comply with all requirements of the Lee County LDC at time of local development order approval, except as may be granted by deviation

COPY

as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

2. The following limits apply to the project and uses:

a. Schedule of Uses

Administrative Offices
Agriculture - SUBJECT TO Condition 24
Accessory uses and structures
Club, Private (Limited to Tract K)
    Food and beverage service, limited
    Health Club and Spa
    Parking lot, accessory
    Rental or leasing establishment, Group I - limited to
        bicycles, tennis rackets and other small
        equipment for use by members of the private club
Specialty Retail Shop, Group I
Communication Tower - limited to one on the north
    side of Tract K and limited to a maximum of 35 feet in height
Dwelling Unit - limited to a maximum of 1,275 units consisting of:
    Conventional Single-family Residence
        (May be constructed on all R-1 and R-1A residential tracts)
        See Note 1.
    Two-family attached (Limited to Tracts I-1, I-2 & J)
        See Note 1.
    Conventional Single-family Detached Residential lots located on
        the northern boundary of the project in Tracts F-1 and F-3,
        must be no less than 7,500 square feet in area within 500 feet
        of the northern boundary.
Entrance Gate and Gatehouse, in compliance with §34-1748
Essential Services
Essential Service Facilities, Group I
Excavation, water retention
Fences, walls
Home occupation
Model Home, Model Unit and Model Display Group
Real Estate Sales Office (Temporary sales office limited
    to Tract K and limited to the sale of lots
    or units within the development only)
Recreation Facilities, Personal
Recreation Facilities, Private on-site
    Parking lot, accessory
Residential Accessory Uses
Signs, including one existing billboard located on the southwest side
    of Lake L1, all in compliance with LDC Chapter 30 except
    as approved by deviation
Temporary uses (§34-3041)

Note 1: Single-family dwelling units may be constructed on all R-1 and R-1A residential tracts. Two-family attached dwelling units may be constructed only on R-1A residential tracts (Tracts I-1, I-2 and J).

b. Site Development Regulations

LAND USES	Minimum Lot			Minimum Setback (ft.)							Max. Bldg. Height (ft.)	Min. Bld. Separation (ft.)	Max Lot Coverage (%)
					Rear (ft.)			Front (ft.)					
	Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Side Including Corner Lots (ft.) *	Lots	Wetland	Acc.	Front Entry Garage	Bldg. or Side Entry Garage	Water Body (ft.)			
Single-family Detached	4,000†	40	100	5	20	20	5	20	12	25	35 or 2 stories	10	45
Two-family Attached	3,500 per unit	35 per unit	100	0 or 10	20	20	5	20	12	25	35 or 2 stories	10	45
Clubhouse	20,000	80	100	10	20	20	5	n/a	20	25	35 or 2 Stories	20	45
Accessory Recreation Buildings	n/a	n/a	n/a	n/a	20	20	n/a	n/a	n/a	n/a	35 or 1 story	20	n/a

* Applies to lots of all widths and to corner lots. Each lot, including corner lots, will have only one front yard.
† Lots located within 500 feet of the northern boundary of the project on Tracts F-1 and F-3, must be no less than 7,500 square feet in area.

3. DELETED

4. The Tract M recreational area must include at a minimum, one multi-purpose field, a playground and picnic area. Facilities for the safe passage of pedestrians cyclists from one side of Pritchett Parkway to the other as determined by the Director of Development Services at the time of local development order submittal must be provided

5. No residential lots may be located within 250 feet of the existing High Point sewage treatment plant property lines until the sewage treatment plant is no longer in operation. If the High Point sewage treatment plant is still in operation when the plat is approved for any lots located in Tracts F-2 and Tract G, the Applicant must include a 30-foot- wide Type F buffer around the perimeter of the High Point sewage treatment plant property lines, excluding the easement that provides access to the plant.

6. Common area open space must be designed to incorporate as many of the native heritage trees and Sabal palms as possible. Any healthy Sabal palms with a minimum eight foot clear trunk must be salvaged if conditions (e.g., no rock) and sequence of construction allows. If the sequence of construction does not allow the

on-site relocation of Sabal palms, effort must be made to identify an off-site recipient site. Sabal palms that are located in wet areas typically do not respond well to transplanting and will not be subject to this condition. The salvage efforts must be coordinated with the Lee County Division of Environmental Sciences staff whether used on-site or otherwise. Any Sabal palms being relocated must be moved in a horticulturally correct manner per Lee County Extension Services brochure Lee 8/2000A and attached as **Exhibit D**. Prior to local development order approval, the preserved trees and any relocated palms must be delineated on the plans. Preserved trees and relocated Sabal palms will receive protected tree credits per §10-420(h).

7. Gopher Tortoises:

   A detailed protected species management plan for gopher tortoises, Big Cypress fox squirrels, and wading birds must be submitted with the initial development order for any portion of this project. The gopher tortoise management plan must include either a permanent fence or a continuous hedge of native shrubs where the gopher tortoise preserve abuts the road and park to protect the tortoises from the vehicular traffic and active recreation area.

   A pedestrian/bicycle trail, with a maximum four-foot width, is permissible within the gopher tortoise preserve. The trail must be designed to avoid impacting existing gopher tortoise burrows and large native trees. Two (2) access points to the trail may be incorporated into the fence, provided the openings are designed to minimize the potential for tortoises to disperse from the preserve. Details of the trail and fence must be included in the development order plans.

8. Prior to any local development order approval, an open space table must be included that details the residential unit type with lot size per tract, required open space, provided open space, required indigenous preservation and provided indigenous preservation. The project must preserve at a minimum the approximately 100.1 acres of conservation area including the wetland creation area. If more than 500 acres of the project is developed with residential tracts (including roads and lakes) requiring open space, then the development order must delineate the additional required indigenous preservation for the Lee County Division of Environmental Sciences staff review and approval.

9. The use of cypress mulch is prohibited in preserve areas.

10. The maximum width of all boardwalks within the preserve areas may not exceed the minimum width requirements set forth by the Americans with Disabilities Act.

11. All boardwalks within the preserve areas must be designed to avoid mature native trees and protected species burrows, nests, or dens. The final layout of the boardwalks must be field verified by the Lee County Division of Environmental Sciences staff prior to construction. Minor adjustments to minimize impacts to native vegetation may be required.

12. The construction of gazebos or viewing platforms within conservation areas is limited to no more than two (2) structures, each having a footprint no larger than 200 square feet.

13. Prior to site work for any recreational use that requires the removal of vegetation within a conservation area, a development order showing impacts to the conservation area must be submitted for review and approval by Environmental Sciences and other applicable County Staff.

14. Prior to local development order approval, the development order plans must include littoral planting areas in substantial compliance with the "Stoneybrook North Littoral Planting Exhibit," stamped "Received Apr 07 2003 Community Development," and attached as **Exhibit E**.

    All lake littoral zones must be constructed as depicted in Cross-Section B-B. Littoral planting quantities must be consistent with the "Littoral Planting Exhibit, Stoneybrook North" and accompanying table stamped "Received May 29 2003 Community Development," and attached as **Exhibit F**. The planting area along the northern ditch expansion must also provide native wetland plants installed three-feet on center.

15. The Communication Tower as denoted on the Master Concept Plan must be of a monopole design and limited to 35 feet in height. The tower and its associated maintenance buildings must be designed to minimize impacts to birds.

16. Lake littoral plantings within Tract K must be calculated at one littoral plant per linear foot of lake shoreline. One 10-foot-tall tree or two (2) three-gallon shrubs may be substituted for 10 herbaceous plants. Trees and shrubs may used to count toward up to 50 percent of the required lake littoral planting requirements. A minimum of two (2) native wetland tree species and four (4) native herbaceous plant species must be installed in the Lake L1 (contained within Tract K).

17. The placement of any required vegetation within a utility, power, or drainage easement must be clearly delineated on an Alternate Landscape Betterment Plan as per §10-419 and submitted with the local development order. The placement of vegetation within any easement must be approved by Lee County Environmental Sciences staff and any other affected Division (Utilities, Zoning, etc.). If the easement is to an entity other than Lee County, then written approval of the location of vegetation from any affected easement holder must be submitted to Lee County Environmental Sciences staff as part of the development order. Approval from all affected parties must be obtained prior to approval of the local development order.

18. Lake bulkheads are limited to roads and the clubhouse area. Bulkheads are not permitted along residential boundaries.

    Prior to local development order approval, the plans must show the location of the bulkheads to confirm that no more than 20 percent of each lake shoreline consists of bulkhead or rip-rap. Lakes where bulkheads are proposed must be designed to

provide one linear foot of compensatory littoral zone with an 8:1 slope for each linear foot of bulkhead. For lakes that utilize bulkheads, littoral plants must be calculated at two (2) plants per linear foot of shoreline clustered within the 8:1 slope portion of the lake.

The development order must include a typical cross-section detail of bulkhead and rip-rap areas on the paving, grading and landscape plan.

19. Transportation Concurrency for this project will be measured pursuant to the Lee Plan and LDC standards in place at the time of the development order. This must include evaluating Bayshore Road from Nalle Road to I-75 for transportation concurrency. Prior to development order approval, the developer must demonstrate that the Level of Service (LOS) will not fall below the adopted level of service on the identified links. In determining that level of service, only road improvements with committed funding, as provided in FAC 9J-2.045, may be considered.

20. The developer must provide intersection improvements to the intersection of Bayshore Road and Pritchett Parkway. At a minimum, the developer will construct a southbound right turn lane as a site-related improvement, and not eligible for road impact fee credits. In cooperation with the Florida Department of Transportation and the County, the developer may realign Pritchett Parkway to address future operational problems caused by project traffic.

21. The developer must construct an eight-foot-wide bicycle path or two (2) five-foot-wide sidewalks along Pritchett Parkway from Bayshore Road to Rich Road. Whether the portions of the bicycle/pedestrian improvements constructed 1) between Bayshore Road and the southernmost site entrance, and 2) between Rich Road and the northernmost site entrance, will be eligible for road impact fee credits will be determined through negotiations between the Staff and the Applicant when there is sufficient information to make such a determination.

22. Blasting is prohibited on this project site.

23. The excavation of material from the lake areas does not constitute construction materials mining as defined under Section 552.30, Florida Statutes.

24. AGRICULTURAL USES:

Agriculture is not approved as a permanent use in the Schedule of Uses for this property. All agricultural uses must cease upon approval of the requested rezoning, EXCEPT as follows:

a) Existing bona fide agricultural uses, as shown in attached **Exhibit H**, may continue until approval of a local development order for the area of the project containing those uses.

b) Additional clearing of trees or other vegetation in agricultural areas is prohibited. Existing areas of bona fide agricultural use may be

maintained, i.e., mowed, but not cleared or expanded. This prohibition is not intended to preclude County approved requests for the removal of invasive exotic vegetation.

c) The property owner must terminate the agricultural tax exemption for any portion of the property that receives a local development order. The agricultural use must cease by December 31st of the calendar year in which the local development order is issued. The exemption termination must be filed with the Property Appraiser's Office by December 31st of the calendar year in which the local development order is issued. A copy of the exemption termination must be provided to the Office of the County Attorney.

25. Deleted.

26. Development along Popash and Bayshore Creeks:

General Conditions:

a. Prior to issuance of the first Development Order (or any early work, clearing, filling permits), the applicant must submit the following information for review and approval by the Lee County Natural Resources Division:

1) If the development parameters change from those modeled and approved during the rezoning, then developer must provide an HEC-RAS model pursuant to the same modeling parameters established during the rezoning process for the Popash and Bayshore Creeks demonstrating that the revised development will not induce any rise to the existing flood elevations, nor any increases in velocities, nor any transfer in overbank flows for the 10-, 25-, and 100-year storms.

2) Show the location and extent of the existing and proposed cross sections from the HEC-RAS model on the Development Order plans, as well as, defining the existing top of bank station/elevation, overbank elevations, roadway elevations, and bridge dimensions and elevations. Sufficient details or sections showing continuity and capacity of flows in the overbank must be clearly demonstrated.

3) All plans and documents related to the above must include the statement: "This is to certify that I am a duly qualified engineer licensed to practice in the State of Florida. It is to further certify that these design plans, drawings, and associated technical calculations and/or data demonstrate that no adverse effects to the existing flood elevations will occur as a result of this development."

4) The above information must be submitted to the South Florida Water Management District (SFWMD) for review, consideration, and inclusion in their permit files.

5) The developer or its assigns must dedicate a drainage/maintenance easement to Lee County for Popash and Bayshore Creeks for all portion(s) of the channel and its overbanks included in the HEC-RAS modeling and that lie within its property limits. The easement may be part of any conservation easement dedicated to Lee County and the South Florida Water Management District (SFWMD), but must be consistent with the maintenance activities anticipated and outlined in these conditions. The easement must also give the county the right, but not the obligation for maintenance and provide for maintenance access along the creeks. As a part of the easement, the developer agrees to a monthly maintenance schedule to include initial and ongoing maintenance for these creeks that is to include removal of all exotics including, but not limited to, grape vines (above three feet in height above ground) and rosary pea, any deposited debris, fencing, fallen trees, or eroded vegetation. The basic ground cover within the easement area is to remain in its current grassed condition. The relocation of onsite Sabal palms from other parts of the property to the easement area is permissible, but must not be collocated closer than a ten (10) foot spacing. No saw palmetto or shrubbery of any type is to be planted within the easement area. The easement must be reviewed and approved by the County Attorney and Natural Resources during the platting process. This same drainage/maintenance easement language must be contained within the Community Development District (CDD) or Home Owners Association (HOA) documents.

6) All modifications and exotic vegetation removal outlined herein for Popash and Bayshore Creeks must be completed before the issuance of the first Certification of Completion for the first Development Order.

7) The east-west ditch proposed along the northerly boundary of the development must have no interconnection between Popash and Bayshore Creeks.

Popash Creek:

b. Prior to issuance of the first Development Order (or any early work, clearing, filling permits) containing the bridge crossing, the developer must provide complete construction plans for the bridge for review and approval by the Lee County Natural Resources Division and be in accordance with the following:

1) The bridge crossing of Popash Creek must be a pile-supported structure.

2) No more than two (2) rows of pilings (or supports) are permitted in the overbank and none may be closer than 10 feet to the existing top of bank. Each row must be perpendicular to the direction of flood flows and each must have a maximum dimension of twenty-four (24) inches.

3) The low chord of the bridge must be at or above the 100-year floodwater surface elevation and the abutments for the bridge may not be closer than 50 feet to the existing top of bank. Additionally, the low chord must be at least two (2) feet above the highest overbank elevation within the 50-foot offset areas (total of 100 feet ±).

4) No berming, filling, planting, or other above ground construction/amenities are permitted within 50 feet of the existing top of banks for Popash Creek, unless permitted elsewhere in these conditions by Lee County Natural Resources.

Bayshore Creek:

c. All modifications and exotic vegetation removal outlined below for Bayshore Creek must be completed before the issuance of the first Certification of Completion for the first Development Order.

1) The spoil is to be removed down to an elevation of 18.0 feet NGVD and then sloped in conjunction with the perimeter berm along Bayshore Creek for that portion upstream of Prichett Parkway and within the 50-foot offset from the existing top of bank.

2) No berming, filling, planting, or other above ground construction/amenities are permitted within 50 feet of the existing top of bank for Bayshore Creek, unless permitted elsewhere in these conditions by Lee County Natural Resources.

27. In light of the potential for the existing High Point Wastewater Treatment Plant (WWTP) to continue operation, the developer must disclose the existence, location and operation of the sewage treatment plant to any purchasers of property immediately adjacent to a line 250 feet from the perimeter boundary of the WWTP site (excluding that portion of the site containing the access road into the WWTP site).

    Any and all agreements for the sale of property immediately adjacent to the 250-foot dimension must include this disclosure statement. The following disclosure statement must appear in bold face and conspicuous type that is larger than the type in the remaining text of the contract:

    > *"Lot owners immediately adjacent to the line, 250 feet from the perimeter boundary of the WWTP site within the Stoneybrook North (f/k/a Heritage Creek) Planned Development, must acknowledge the presence of the High Point Wastewater Treatment Plant."*

28. The maintenance of Popash and Bayshore Creeks within the property limits, which is required in Condition 26, will be assured by the provision of a surety for the annual cost of maintenance. Evidence of the surety must be provided to the County prior to certificate of completion of the first development order for the drainage infrastructure for the project.

29. In an effort to cooperate in achieving the reduction of the regional flooding problem, the applicant must provide a drainage easement to Lee County for the drainage ditch along the north boundary of the property. This easement is for the purpose of allowing the existing ditch to accept the quantity of stormwater that is approved pursuant to a South Florida Water Management District permit addressing the regional flooding problem.

30. Except as otherwise noted on the MCP, perimeter buffers around the outside perimeter of the property will require 10 trees per 100 linear feet and a double staggered hedge. The hedge will be installed at 36 inches high and maintained at 60 inches high. Seventy-five (75) percent of the shrubs and 50 percent of the trees will be native species.

31. Lighting

    a. This project must comply with the recently adopted "Outdoor Lighting Standards" adopted in §34-625.

    b. Outdoor ballfield lights for the baseball field located on Tract K are prohibited.

c. Outdoor recreational lighting for any multi-purpose courts or fields located on Tract K (with the exception of ballfields where lighting is prohibited) and Tract M must be on timers and must meet the requirements of §34-625 and must be done in a fashion to minimize light pollution, glare and light trespass. Lighting impacts will be measured at the boundary of Tracts K and M, and not at the boundary of any adjacent lakes or preserve areas.

32. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocations Table, Map 16 and Table 1(b).

SECTION C. DEVIATIONS:

1. Deviation (1) - Withdrawn

2. Deviation (2) - Withdrawn

3. Deviation (3) seeks relief from §10-418(2)b which requires the installation of one (1) native wetland herbaceous plant per linear foot of lake shoreline and where trees and shrubs can be substituted for up to 25 percent of the total number of herbaceous plants required; to allow the required plantings to include up to 50 percent trees in the Tract K lake (Lake L1). This deviation is APPROVED, SUBJECT TO Condition 16.

4. Deviation (4) - Withdrawn

5. Deviation (5) - Withdrawn

6. Deviation (6) - Withdrawn

7. Deviation (7) seeks relief from §10-329(e)(4) which requires excavations to be sloped at a ratio of four (4) horizontal to one (1) vertical to a water depth of four feet below the dry season water table and a ratio of two (2) horizontal to one (1) vertical thereafter; to allow 40 percent of the lake bank slopes within the development to utilize vertical bulkheads and/or rip rap. This deviation is APPROVED, SUBJECT TO Condition 18.

8. Deviation (8) - Withdrawn

9. Deviation (9) - Withdrawn

10. Deviation (10) - Withdrawn

11. Deviation (11) - Withdrawn

12. Deviation (12) seeks relief from §34-1954(a)(1) which requires administrative approval of locations for model homes in new developments; to allow model homes by right in the locations within the development as shown on the MCP. This deviation is APPROVED.

13. Deviation (13) seeks relief from §34-1954(f) which requires parking for model homes or model units to be located on the same premises and in compliance with the type of dwelling unit being displayed; to permit the development of accessory parking for model homes as low turnover and therefore permit development of these lots with alternative surfaces. This deviation is APPROVED, SUBJECT TO the following conditions:

    1. The entrance apron into each parking lot would be paved.

    2. The handicapped parking space(s) in each lot would be paved.

    3. The Applicant will keep the portion of the street in front of each model free from gravel or shell that may be tracked out the model home parking area(s) by departing vehicles.

14. Deviation (14) seeks relief from §30-153(2)(a)(iv) which limits the text of additional subdivision or residential development identification signs to the subdivision or project name; to allow the additional signs for this project to include the notation "A US Home Community," in addition to the name of the development. This deviation is APPROVED, SUBJECT TO the following condition:

    The proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15, which was stamped "Received Apr 07 2003 Community Development" and attached as **Exhibit G**.

15. Deviation (15) seeks relief from §30-152(2)(d) which limits the size of project entrance signs and which limits the size and number of additional project signs to allow all of the permitted square footage for the number of permitted signs to be combined into the main project entrance sign and a deviation from §30-94(h) which restricts double faced signs with opposing faces to an interior angle of less than 30 degrees; to allow the Heritage Creek project sign to have two sign faces of approximately 130 square feet in size and be located on a curvilinear wall. This deviation is APPROVED, SUBJECT TO the following condition:

    The proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15 which was stamped "Received Apr 07 2003 Community Development" and attached as **Exhibit G**.

16. Deviation (16) - Withdrawn

SECTION D. EXHIBITS AND STRAP NUMBER:

The following exhibits are attached to this resolution and incorporated by reference:

Exhibit A: The legal description of the property
Exhibit B: Zoning Map (with the subject parcel indicated)
Exhibit C: The Master Concept Plan
Exhibit D: Lee County Extension Services brochure Lee 8/2000A
Exhibit E: Stoneybrook North Littoral Planting Exhibit
Exhibit F: Littoral Planting Exhibit Stonebrook North (with accompanying table)
Exhibit G: Deviations
Exhibit H: Agricultural Uses Exhibit

The applicant has indicated that the STRAP numbers for the subject property are: 15-43-25-00-00001.0000; 15-43-25-00-00001.0010; 16-43-25-00-00001.0060; 16-43-25-00-00001.006A; 16-43-25-00-00001.006B; 16-43-25-00-00001.006C; 16-43-25-00-00001.0100; 16-43-25-00-00002.0000; 16-43-25-00-00003.0000; 16-43-25-00-00003.0010; 16-43-25-00-00003.0020; 16-43-25-00-00003.0030; 16-43-25-00-00003.0040; 16-43-25-00-00003.0050; 16-43-25-00-00003.0070; 16-43-25-00-00003.0080; 21-43-25-00-00001.1000; 21-43-25-00-00002.0000; 21-43-25-00-00006.0020

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.

2. The rezoning, as approved:

   a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request; and

   b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and

   c. is compatible with existing or planned uses in the surrounding area; and

   d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and

   e. will not adversely affect environmentally critical areas or natural resources.

3. The rezoning satisfies the following criteria:

   a. the proposed use or mix of uses is appropriate at the subject location; and

b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and

c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.

4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.

The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner Andrew W. Coy, seconded by Commissioner Robert P. Janes, and, upon being put to a vote, the result was as follows:

Robert P. Janes	Aye
Douglas R. St. Cerny	Absent
Ray Judah	Nay
Andrew W. Coy	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 16th day of February, 2004.

ATTEST:
CHARLIE GREEN, CLERK

BY: Cindy Morrison
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: John E. Albion
Chairman

SEAL
BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

Approved as to form by:

John J. Fredyma
County Attorney's Office

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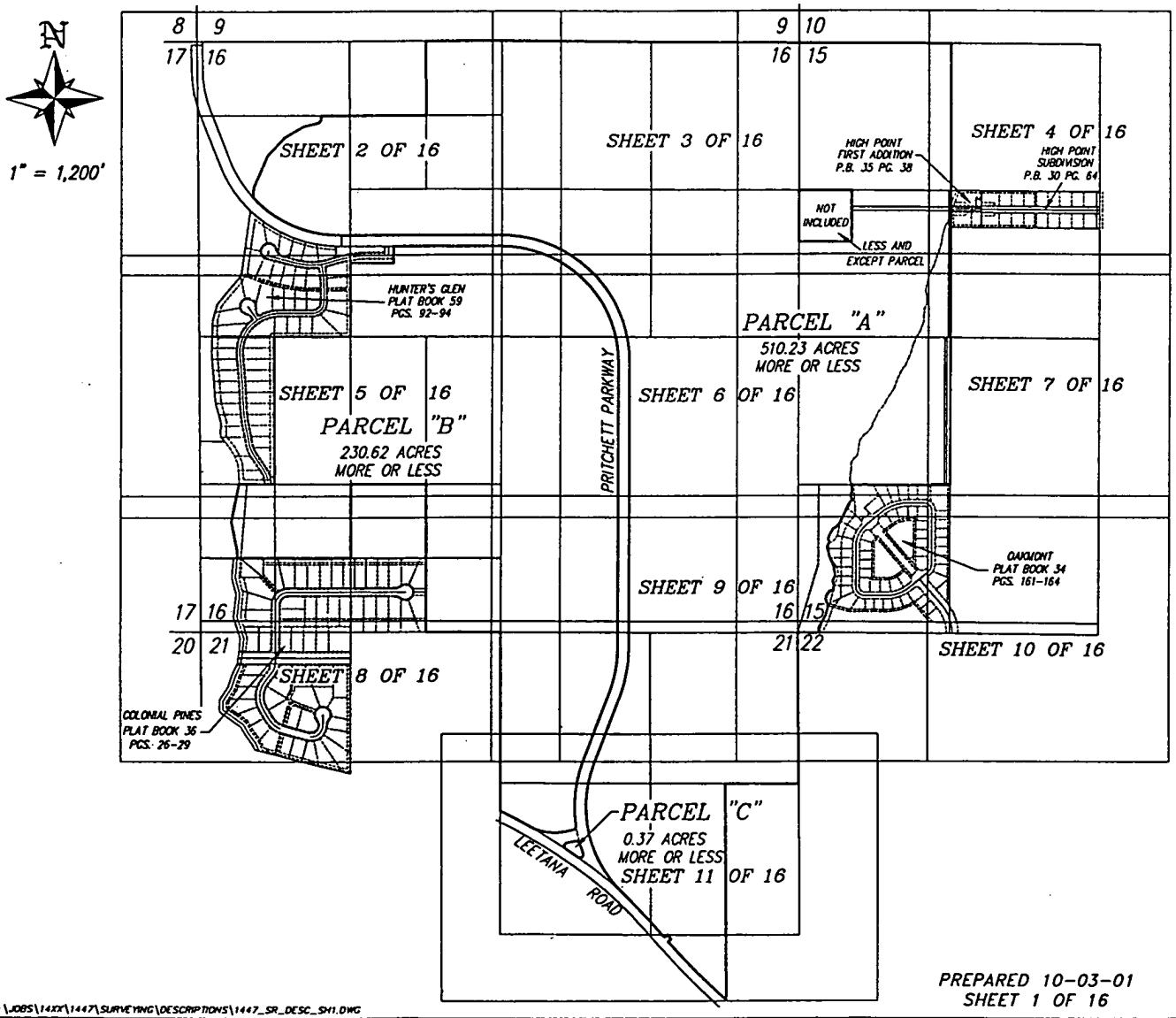
EXHIBIT A

SKETCH OF DESCRIPTIONS

OF

PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

(STONEYBROOK NORTH)



LEGEND:

O.R.	INDICATES OFFICIAL RECORDS BOOK
PG.	INDICATES PAGE.
P.O.B	INDICATES POINT OF BEGINNING
P.O.C.	INDICATES POINT OF COMMENCEMENT
R/W	INDICATES RIGHT-OF-WAY
(1)	INDICATES CURVE NUMBER 1 FROM THE CURVE TABLE
L1	INDICATES LINE NUMBER 1 FROM THE LINE TABLE
SUBDIV.	INDICATES SUBDIVISION

NOTES:

1.) PARCEL SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND RESERVATIONS OF RECORD.

2.) BEARINGS ARE BASID ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

3.) PARCELS CONTAIN 741.22 ACRES MORE OR LESS.

SEE SHEETS 13 THROUGH 16 FOR DESCRIPTIONS.

THIS SKETCH OF DESCRIPTIONS IS NOT A BOUNDARY SURVEY

STATE OF FLORIDA
NO. 4009

Richard M. Ritz

RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009

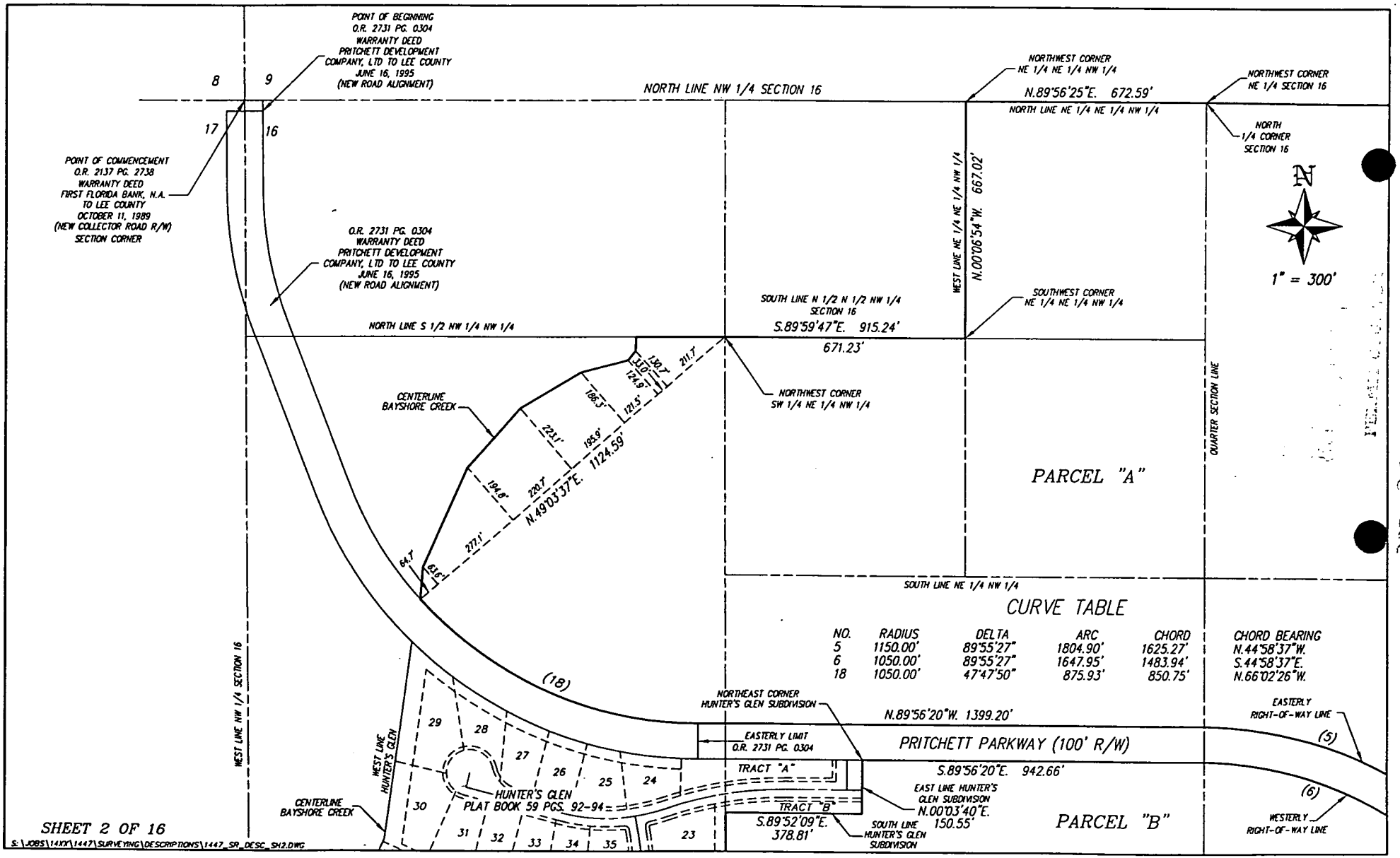
- THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

PREPARED 10-03-01
SHEET 1 OF 16

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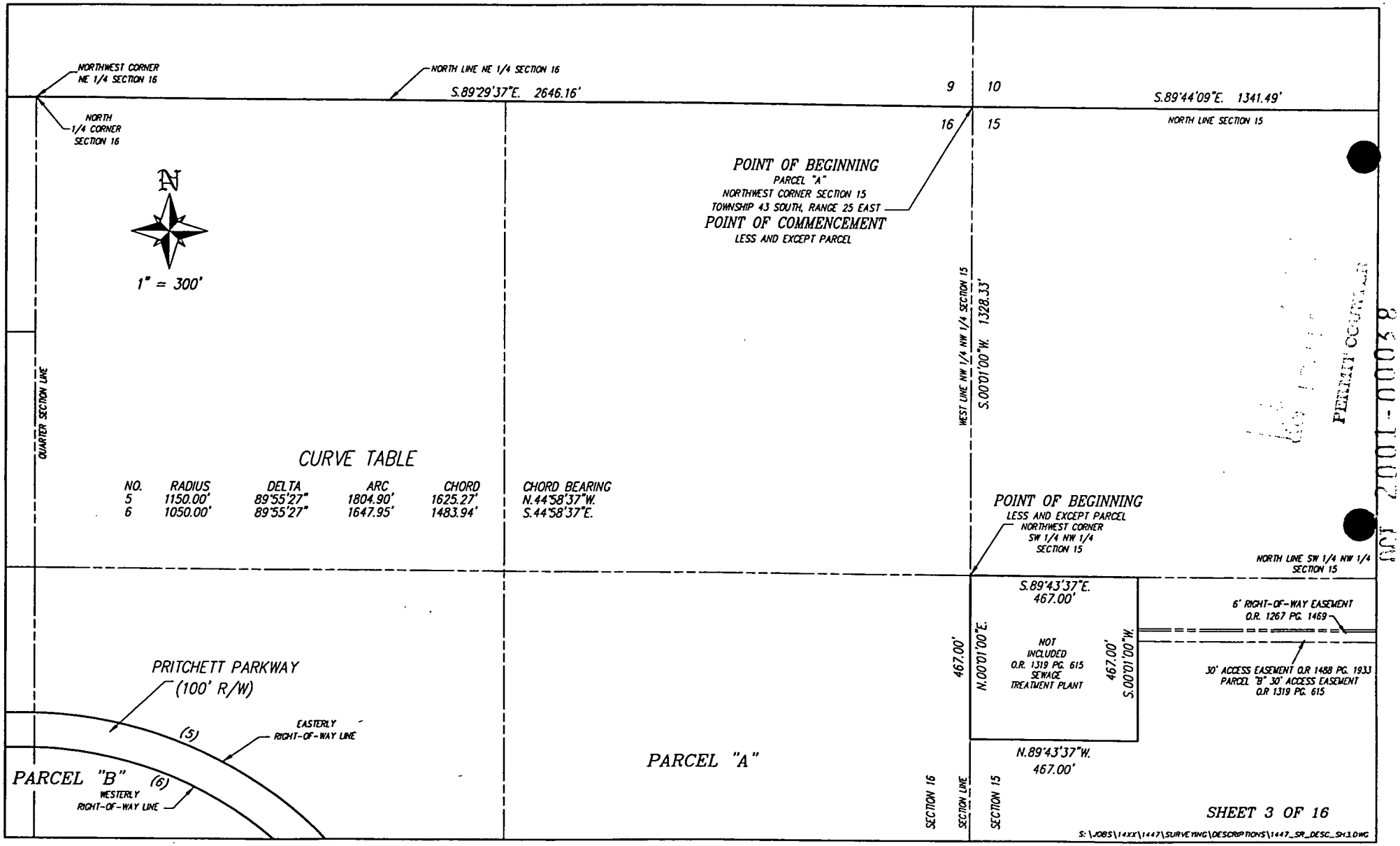
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2001-111

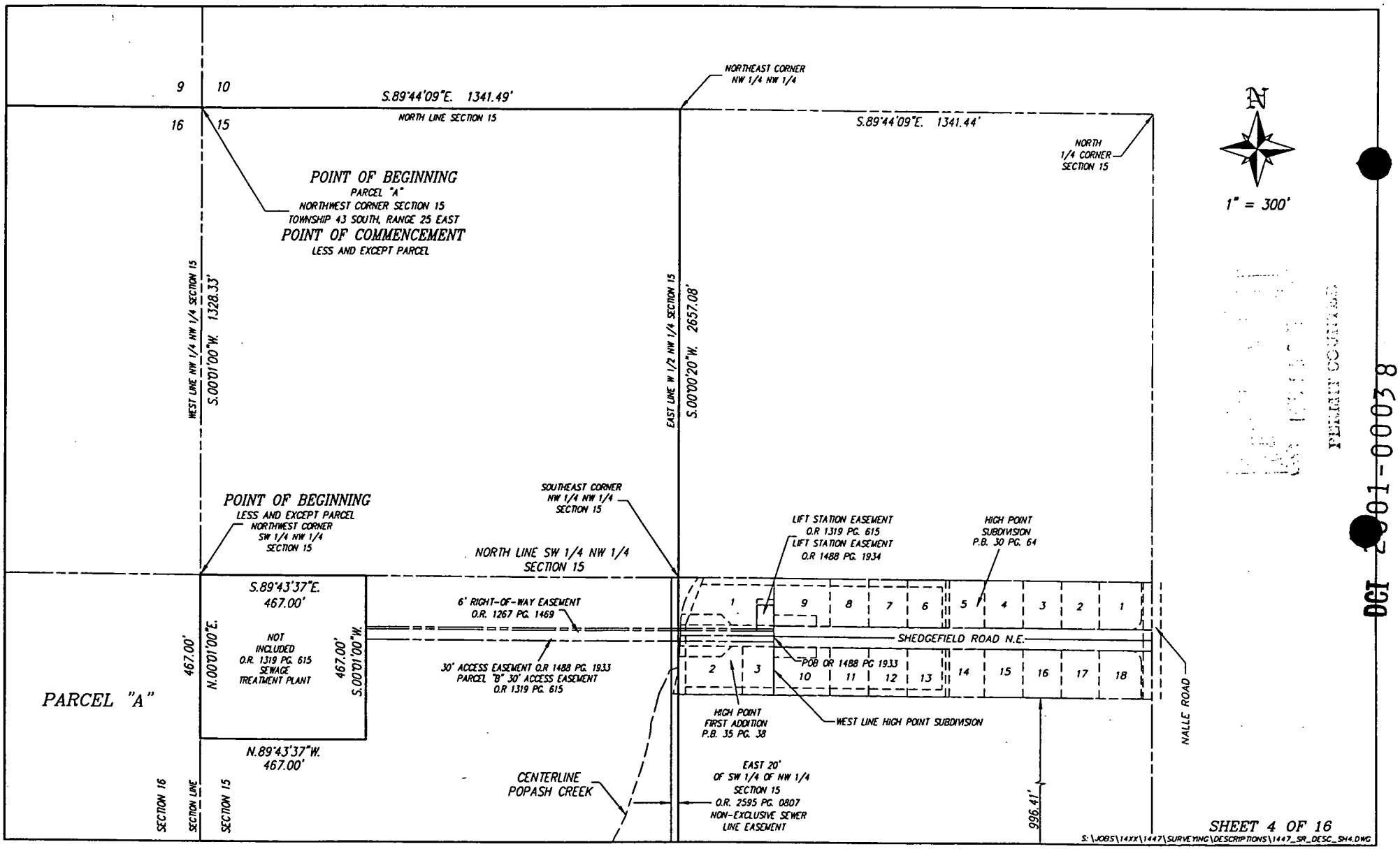


SHEET 2 OF 16

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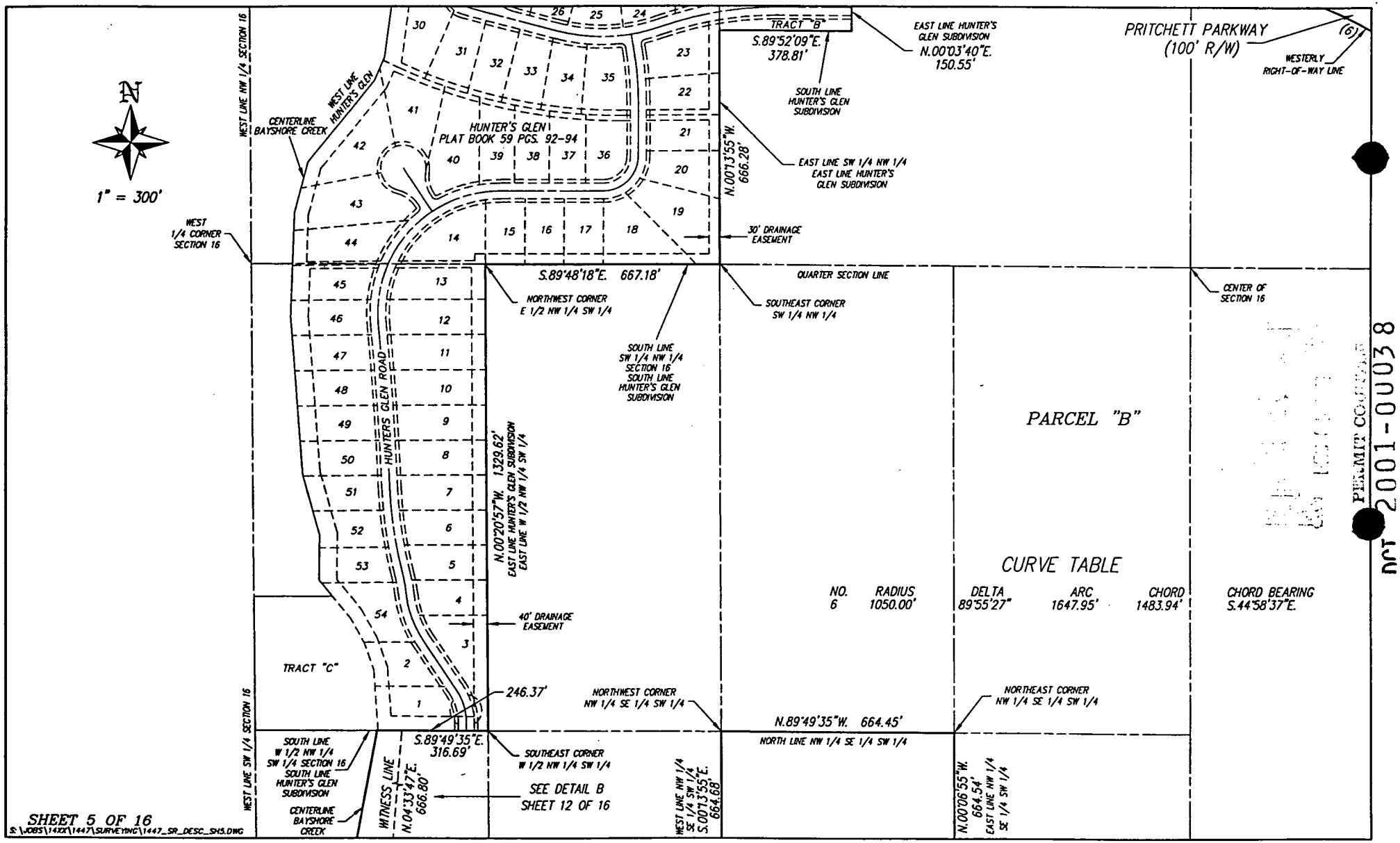


PENNY COUNTY

OCT 2001-000378

SHEET 4 OF 16

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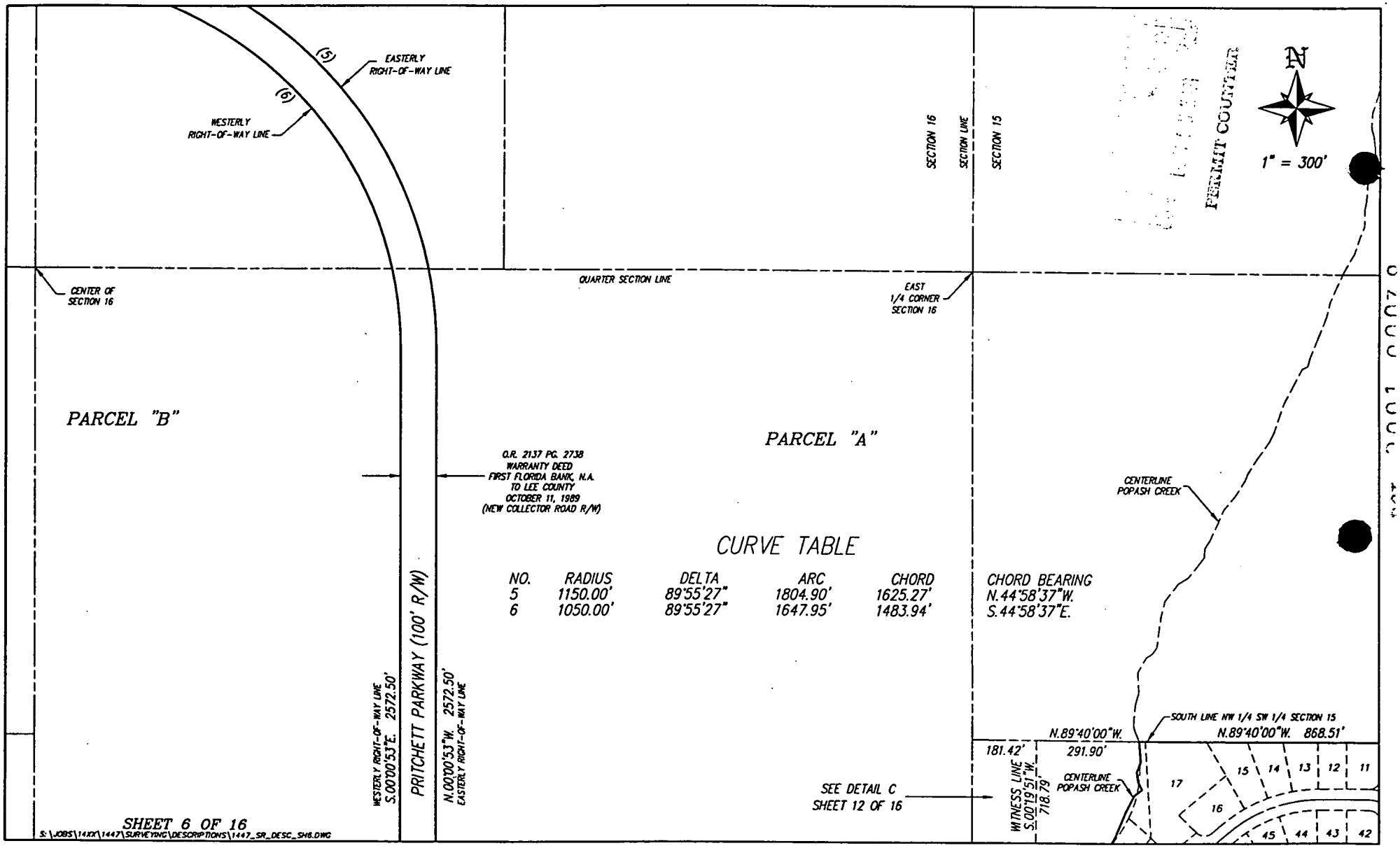


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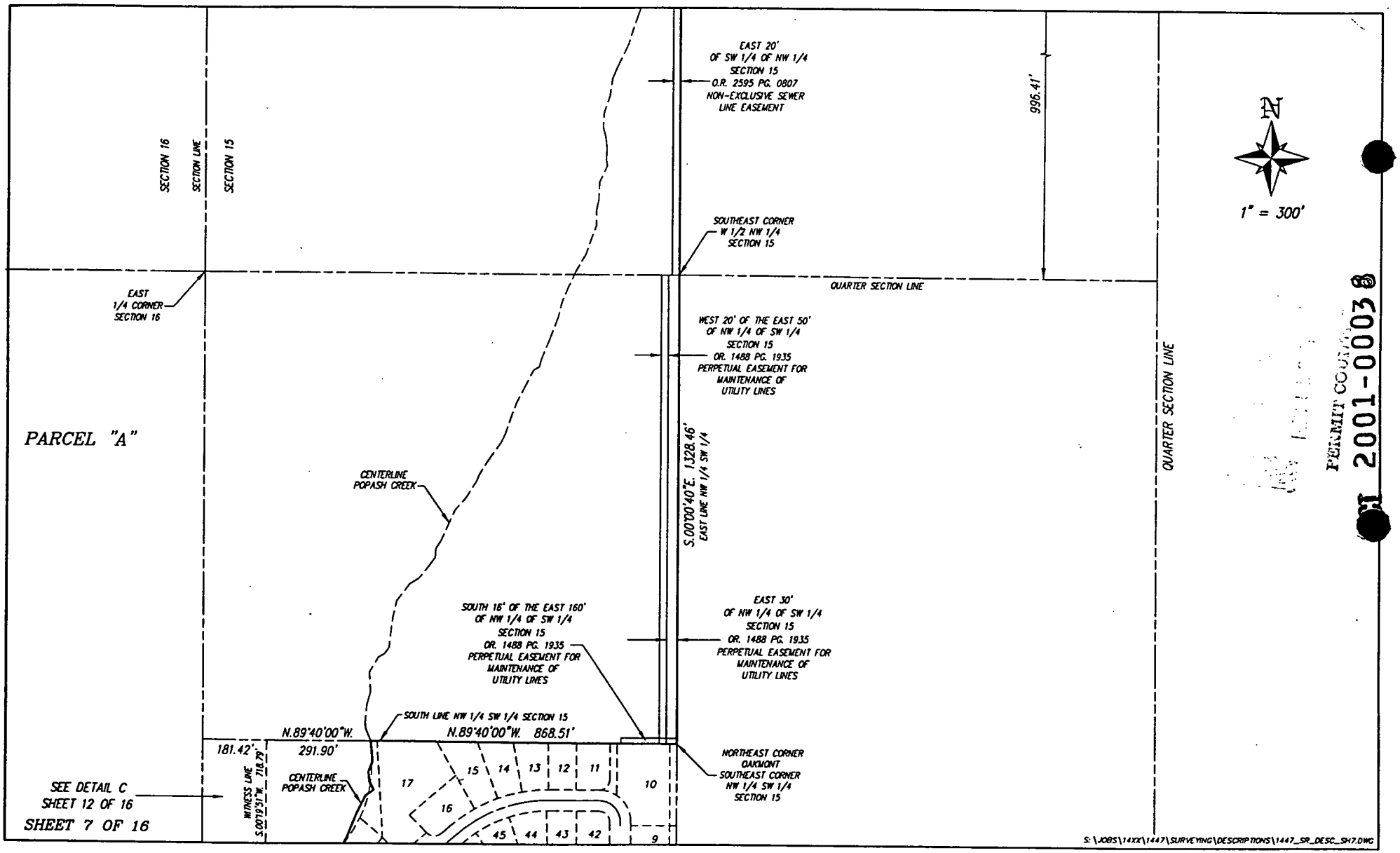
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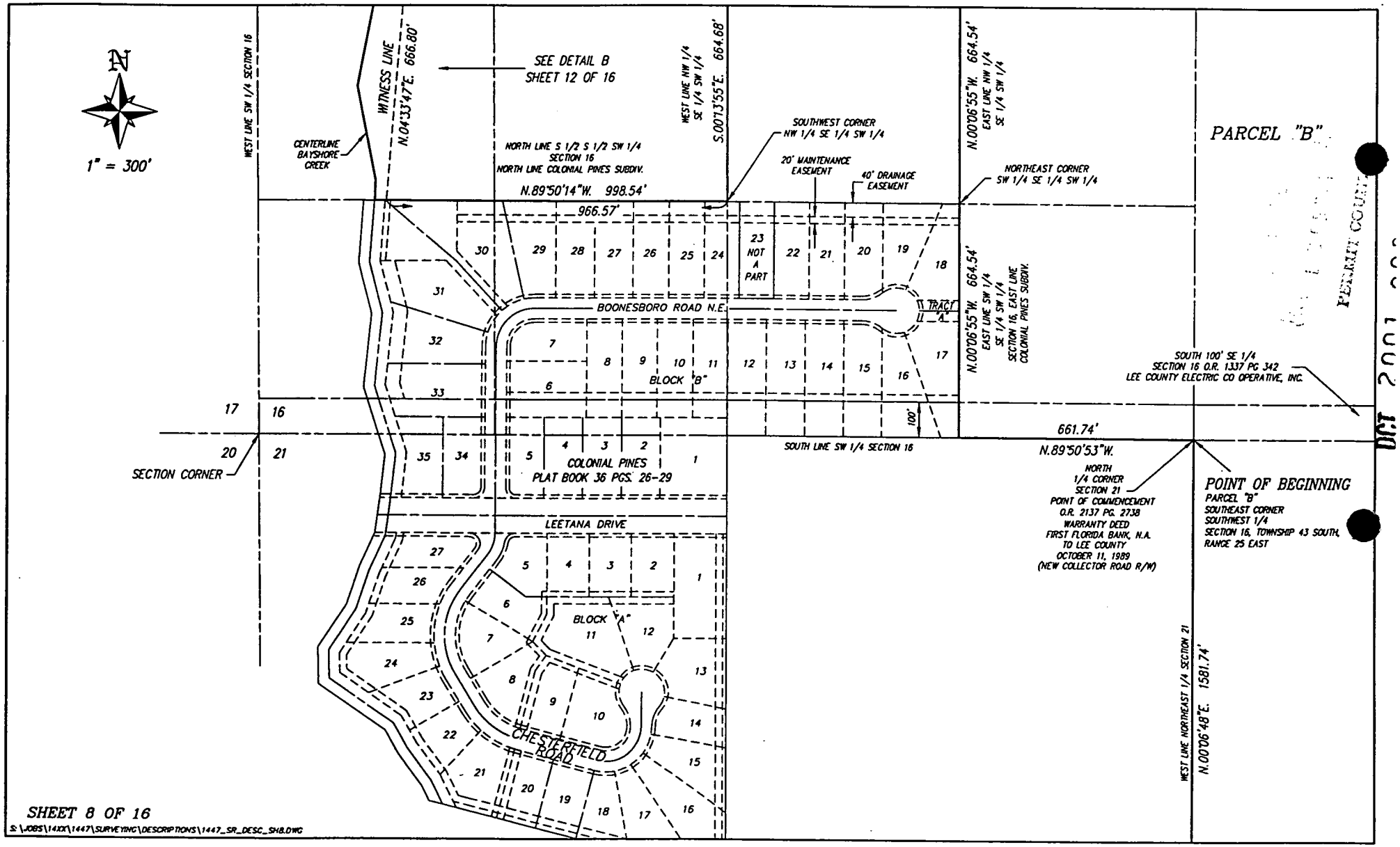
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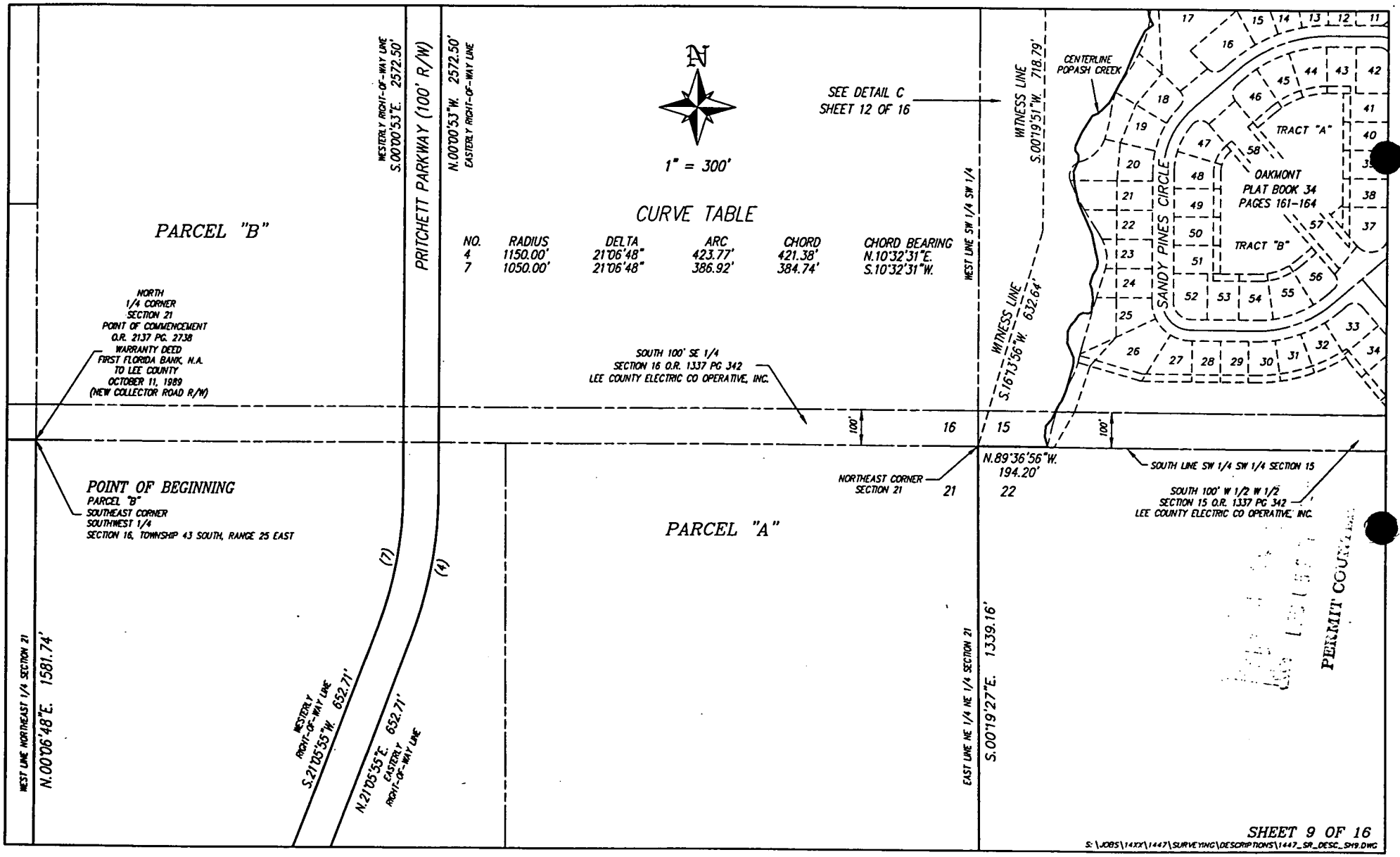


PERMIT 2001-0003



SHEET 8 OF 16

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PARCEL "B"
PARCEL "A"
PRITCHETT PARKWAY (100' R/W)
WESTERLY RIGHT-OF-WAY LINE
S.00°00'53"E. 2572.50'
N.00°00'53"W. 2572.50'
EASTERLY RIGHT-OF-WAY LINE
1" = 300'
SEE DETAIL C
SHEET 12 OF 16
WITNESS LINE
S.00°19'51"W. 718.79'
CENTERLINE
POPASH CREEK
SANDY PINES CIRCLE
TRACT "A"
TRACT "B"
OAKMONT
PLAT BOOK 34
PAGES 161-164
WITNESS LINE
S.16°13'56"W. 632.64'
WEST LINE SW 1/4 SW 1/4
CURVE TABLE
NO. RADIUS DELTA ARC CHORD CHORD BEARING
4 1150.00' 21°06'48" 423.77' 421.38' N.10°32'31"E.
7 1050.00' 21°06'48" 386.92' 384.74' S.10°32'31"W.
NORTH
1/4 CORNER
SECTION 21
POINT OF COMMENCEMENT
O.R. 2137 PG. 2738
WARRANTY DEED
FIRST FLORIDA BANK, N.A.
TO LEE COUNTY
OCTOBER 11, 1989
(NEW COLLECTOR ROAD R/W)
SOUTH 100' SE 1/4
SECTION 16 O.R. 1337 PG 342
LEE COUNTY ELECTRIC CO OPERATIVE, INC.
100'
16
15
100'
POINT OF BEGINNING
PARCEL "B"
SOUTHEAST CORNER
SOUTHWEST 1/4
SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST
NORTHEAST CORNER
SECTION 21
21
22
N.89°36'56"W.
194.20'
SOUTH LINE SW 1/4 SW 1/4 SECTION 15
SOUTH 100' W 1/2 W 1/2
SECTION 15 O.R. 1337 PG 342
LEE COUNTY ELECTRIC CO OPERATIVE, INC.
WEST LINE NORTHEAST 1/4 SECTION 21
N.00°06'48"E. 1581.74'
(7)
(4)
WESTERLY
RIGHT-OF-WAY LINE
S.21°05'55"W. 652.71'
N.21°05'55"E. 652.71'
EASTERLY
RIGHT-OF-WAY LINE
EAST LINE NE 1/4 NE 1/4 SECTION 21
S.00°19'27"E. 1339.16'
PERMIT COPY
SHEET 9 OF 16
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PELLAT CO CLERK
2001-00027 0

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N

1" = 300'

SOUTH 100' S 1/2 S 1/2 SE 1/4 SW 1/4
SECTION 15, O.R. 1337 PG 342
LEE COUNTY ELECTRIC CO OPERATIVE, INC.

EAST LINE SW 1/4 SW 1/4

WELLS ROAD N.E.

SANDY PINES CIRCLE

TRACT "A"

OAKMONT
PLAT BOOK 34
PAGES 161-164

TRACT "B"

SANDY PINES CIRCLE

SOUTH LINE SW 1/4 SW 1/4 SECTION 15

SOUTH 100' W 1/2 W 1/2
SECTION 15 O.R. 1337 PG 342
LEE COUNTY ELECTRIC CO OPERATIVE, INC.

100'

CENTERLINE
POPASH CREEK

WITNESS LINE
S.00°19'51"W. 718.79'

WITNESS LINE
S.16°13'56"W. 632.64'

N.89°36'56"W.
194.20'

S.00°19'27"E. 1339.16'

EAST LINE NE 1/4 NE 1/4 SECTION 21

WEST LINE SW 1/4 SW 1/4

SEE DETAIL C
SHEET 12 OF 16

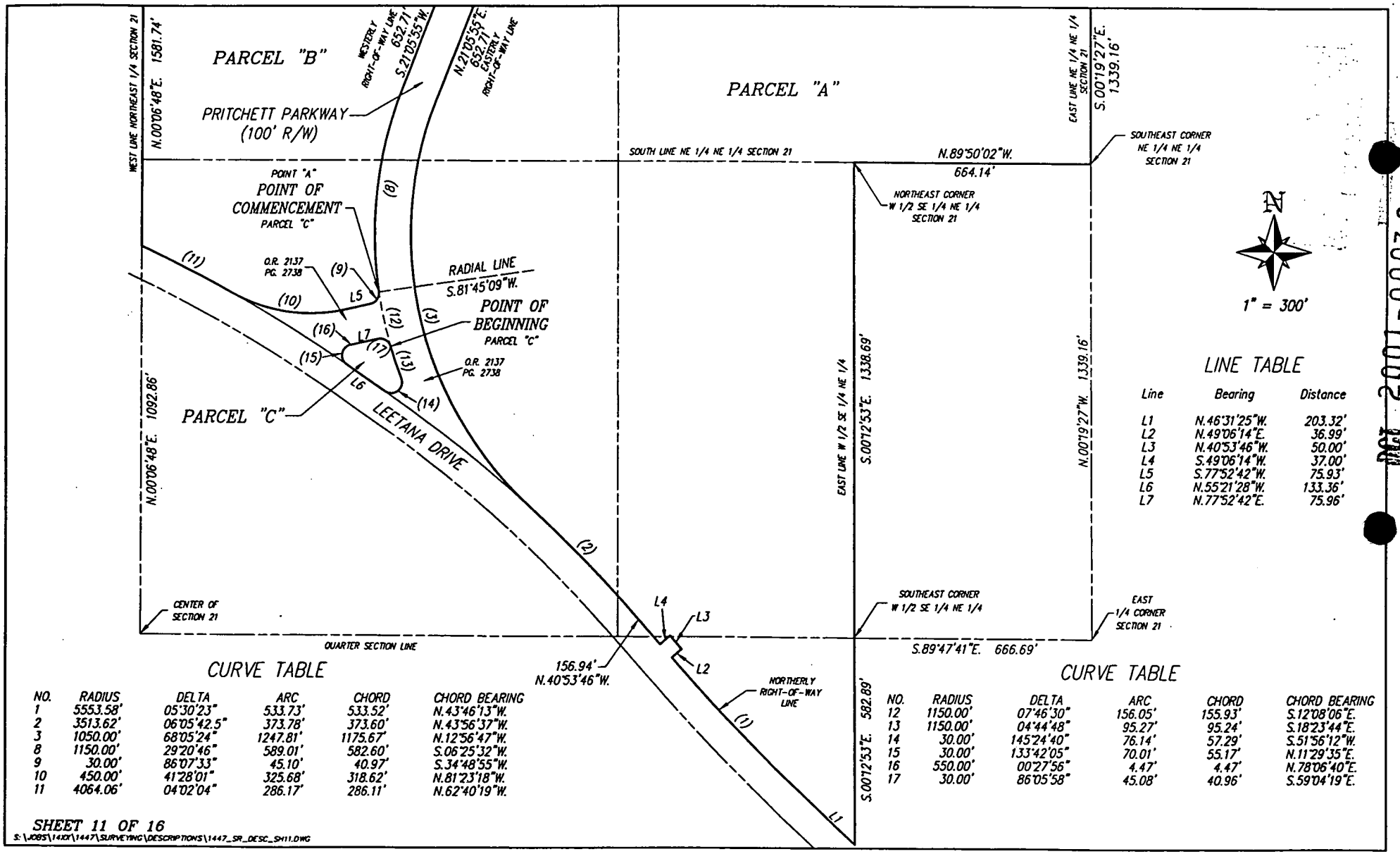
SOUTH 100' SE 1/4
SECTION 16 O.R. 1337 PG 342
LEE COUNTY ELECTRIC CO OPERATIVE, INC.

100'

NORTHEAST CORNER
SECTION 21

15 22

16 21



LINE TABLE

Line	Bearing	Distance
L1	N.46°31'25"W.	203.32'
L2	N.49°06'14"E.	36.99'
L3	N.40°53'46"W.	50.00'
L4	S.49°06'14"W.	37.00'
L5	S.77°52'42"W.	75.93'
L6	N.55°21'28"W.	133.36'
L7	N.77°52'42"E.	75.96'

CURVE TABLE

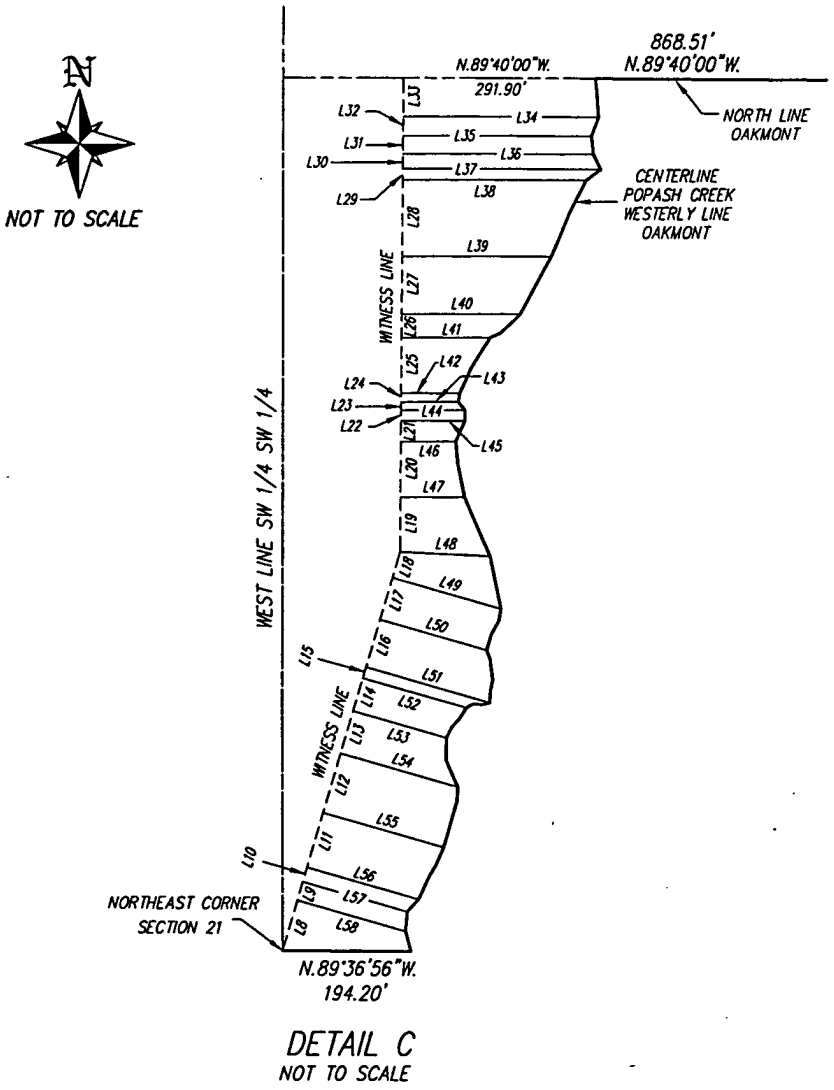
NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	5553.58'	05°30'23"	533.73'	533.52'	N.43°46'13"W.
2	3513.62'	06°05'42.5"	373.78'	373.60'	N.43°56'37"W.
3	1050.00'	68°05'24"	1247.81'	1175.67'	N.12°56'47"W.
8	1150.00'	29°20'46"	589.01'	582.60'	S.06°25'32"W.
9	30.00'	86°07'33"	45.10'	40.97'	S.34°48'55"W.
10	450.00'	41°28'01"	325.68'	318.62'	N.81°23'18"W.
11	4064.06'	04°02'04"	286.17'	286.11'	N.62°40'19"W.

CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
12	1150.00'	07°46'30"	156.05'	155.93'	S.12°08'06"E.
13	1150.00'	04°44'48"	95.27'	95.24'	S.18°23'44"E.
14	30.00'	145°24'40"	76.14'	57.29'	S.51°56'12"W.
15	30.00'	133°42'05"	70.01'	55.17'	N.11°29'35"E.
16	550.00'	00°27'56"	4.47'	4.47'	N.78°06'40"E.
17	30.00'	86°05'58"	45.08'	40.96'	S.59°04'19"E.

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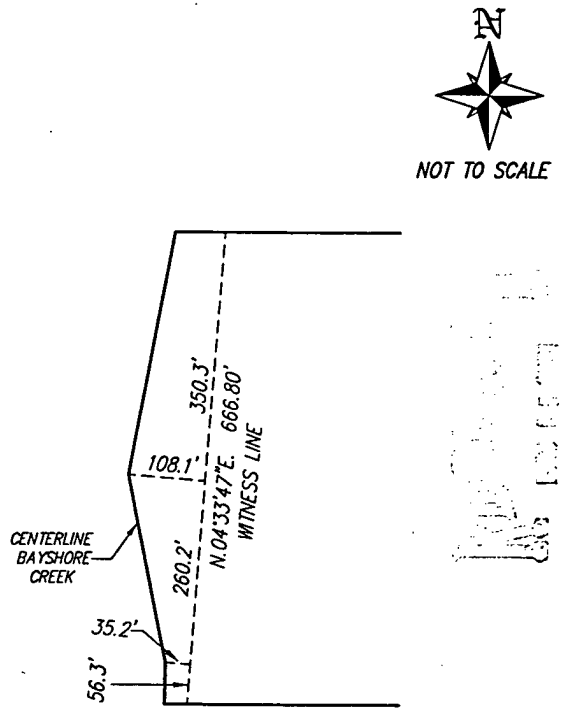


DETAIL C
NOT TO SCALE

LINE TABLE

Line	Bearing	Distance
L8	N.16°13'56"E.	79.4'
L9	N.16°13'56"E.	29.6'
L10	N.16°13'56"E.	23.1'
L11	N.16°13'56"E.	86.7'
L12	N.16°13'56"E.	94.4'
L13	N.16°13'56"E.	67.3'
L14	N.16°13'56"E.	52.6'
L15	N.16°13'56"E.	17.2'
L16	N.16°13'56"E.	75.4'
L17	N.16°13'56"E.	66.6'
L18	N.16°13'56"E.	40.3'
L19	N.00°19'51"E.	83.1'
L20	N.00°19'51"E.	83.7'
L21	N.00°19'51"E.	31.8'
L22	N.00°19'51"E.	16.0'
L23	N.00°19'51"E.	12.6'
L24	N.00°19'51"E.	13.2'
L25	N.00°19'51"E.	84.6'
L26	N.00°19'51"E.	35.8'
L27	N.00°19'51"E.	87.0'
L28	N.00°19'51"E.	116.4'
L29	N.00°19'51"E.	16.7'
L30	N.00°19'51"E.	22.7'
L31	N.00°19'51"E.	27.4'
L32	N.00°19'51"E.	29.4'
L33	N.00°19'51"E.	58.4'
L34	S.89°40'09"E.	297.3'
L35	S.89°40'09"E.	286.4'
L36	S.89°40'09"E.	289.9'
L37	S.89°40'09"E.	301.4'
L38	S.89°40'09"E.	279.0'
L39	S.89°40'09"E.	227.1'
L40	S.89°40'09"E.	181.1'
L41	S.89°40'09"E.	135.2'
L42	S.89°40'09"E.	89.7'
L43	S.89°40'09"E.	88.0'
L44	S.89°40'09"E.	97.6'
L45	S.89°40'09"E.	97.8'
L46	S.89°40'09"E.	84.3'
L47	S.89°40'09"E.	97.7'
L48	S.87°00'59"E.	137.8'
L49	S.73°46'04"E.	172.6'
L50	S.73°46'04"E.	169.4'
L51	S.73°46'04"E.	196.7'
L52	S.73°46'04"E.	164.5'
L53	S.73°46'04"E.	148.4'
L54	S.73°46'04"E.	185.7'
L55	S.73°46'04"E.	191.1'
L56	S.73°46'04"E.	176.0'
L57	S.73°46'04"E.	164.7'
L58	S.73°46'04"E.	170.2'

DETAIL SHEET



DETAIL B
NOT TO SCALE

PERMIT COPY

SHEET 12 OF 16

S:\JOBS\14XX\1447\SURVEYING\DESCRIPTIONS\1447_SR_DESC_SH12.DWG

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION
OF
PARCELS OF LAND
LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

TRACTS OR PARCELS OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 15, 16 AND 21 TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER DESCRIBED AS FOLLOWS:

PARCEL "A"

BEGINNING AT THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°44'09"E. ALONG THE NORTH LINE OF SAID SECTION 15 FOR 1341.49 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.00°00'20"W. ALONG THE EAST LINE OF SAID FRACTION FOR 2657.08 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S.00°00'40"E. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 FOR 1328.46 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION THE SAME BEING THE NORTHEAST CORNER OF OAKMONT, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34 AT PAGES 161 THROUGH 164 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.89°40'00"W. ALONG THE SOUTH LINE OF SAID FRACTION AND THE NORTH LINE OF SAID OAKMONT FOR 868.51 FEET TO AN INTERSECTION WITH THE CENTERLINE OF POPASH CREEK AND THE WESTERLY LINE OF SAID OAKMONT; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE AND SAID WESTERLY LINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 THE SAME BEING THE SOUTHWEST CORNER OF SAID OAKMONT; THENCE N.89°36'56"W. ALONG SAID SOUTH LINE FOR 194.20 FEET TO THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°19'27"E. ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21 FOR 1339.16 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE N.89°50'02"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 664.14 FEET TO THE NORTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE S.00°12'53"E. ALONG THE EAST LINE OF SAID FRACTION FOR 1338.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE CONTINUE S.00°12'53"E. 582.89 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.46°31'25"W. ALONG SAID NORTHERLY LINE FOR 203.32 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5553.58 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 05°30'23.2" FOR 533.73 FEET; THENCE N.49°06'14"E. ALONG SAID NORTHERLY LINE FOR 36.99 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 50.00 FEET; THENCE S.49°06'14"W. ALONG SAID NORTHERLY LINE FOR 37.00 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 156.94 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 3513.62 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 06°05'42.5" FOR 373.78 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 1050.00 FEET; THENCE

10511 Six Mile Cypress Pkwy, Suite 101, Ft Myers, Florida 333912 • (941) 939-5490 • Fax (941) 939-2923

PERMIT COUNTER
DCI 2001-00038

NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 68°05'24" FOR 1247.81 FEET; THENCE N.21°05'55"E. ALONG SAID EASTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 423.77 FEET; THENCE N.00°00'53"W. ALONG SAID EASTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1804.90 FEET; THENCE N.89°56'20"W. ALONG SAID EASTERLY LINE FOR 1399.20 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 47°47'50" FOR 875.93 FEET; TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE CREEK; THENCE NORTHEASTERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°59'47"E. ALONG SAID SOUTH LINE FOR 915.24 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE N.00°06'54"W. ALONG THE WEST LINE OF SAID FRACTION FOR 667.02 FEET TO AN INTERSECTION WITH THE NORTH LINE OF SAID FRACTION; THENCE N.89°56'25"E. ALONG SAID NORTH LINE FOR 672.59 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE S.89°29'37"E. ALONG THE NORTH LINE OF SAID SECTION FOR 2646.16 FEET TO THE **POINT OF BEGINNING.**

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL

COMMENCING AT NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°01'00"W. ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15 FOR 1328.33 FEET TO THE POINT OF BEGINNING THE SAME BEING THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.89°43'37"E. ALONG THE NORTH LINE OF SAID FRACTION FOR 467.00 FEET; THENCE S.00°01'00"W. FOR 467.00 FEET; THENCE N.89°43'37"W. FOR 467.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID FRACTION; THENCE N.00°01'00"E. ALONG THE WEST LINE OF SAID FRACTION FOR 467.00 FEET TO THE POINT OF BEGINNING.

PARCEL "A" CONTAINS 510.23 ACRES MORE OR LESS.

AND: PARCEL "B"

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.89°50'53"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 661.74 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 THE SAME BEING A POINT ON THE EAST LINE OF COLONIAL PINES, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 36 AT PAGES 26 THROUGH 29 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.00°06'55"W. ALONG SAID EAST LINE FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION AND SAID COLONIAL PINES; THENCE N.00°06'55"W. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE N.89°49'35"W. ALONG THE NORTH LINE OF SAID FRACTION FOR 664.45 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE S.00°13'55"E. ALONG THE EAST LINE OF SAID FRACTION FOR 664.68 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION THE SAME BEING AN INTERSECTION WITH THE NORTH LINE OF SAID COLONIAL PINES; THENCE N.89°50'14"W. ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 AND THE NORTH LINE OF SAID COLONIAL PINES FOR 998.54 FEET TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE

CREEK; THENCE NORTHERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16, THE SAME BEING THE SOUTH LINE OF HUNTER'S GLEN, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 59 AT PAGES 92 THROUGH 94 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA; THENCE S.89°49'35"E. ALONG SAID SOUTH LINE FOR 316.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND SAID HUNTER'S GLEN; THENCE N.00°20'57"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 1329.62 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16 AND SAID HUNTER'S GLEN; THENCE S.89°48'18"E. ALONG SAID SOUTH LINE FOR 667.18 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°13'55"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 666.28 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID HUNTER'S GLEN; THENCE S.89°52'09"E. ALONG SAID SOUTH LINE FOR 378.81 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°03'40"E. ALONG SAID EAST LINE FOR 150.55 FEET TO THE NORTHEAST CORNER OF SAID HUNTER'S GLEN, THE SAME BEING AN INTERSECTION WITH THE WESTERLY LINE OF PRITCHETT PARKWAY (100 FEET WIDE); THENCE S.89°56'20"E. ALONG SAID WESTERLY LINE FOR 942.66 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1647.95 FEET; THENCE S.00°00'53"E. ALONG SAID WESTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 386.92 FEET; THENCE S.21°05'55"W. ALONG SAID WESTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 29°20'46" FOR 589.01 FEET TO **POINT "A"** THE SAME BEING AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PRITCHETT PARKWAY AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°07'33" FOR 45.10 FEET; THENCE S.77°52'42"W. ALONG SAID NORTHERLY LINE FOR 75.93 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 450.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 41°28'01" FOR 325.68 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF LEETANA DRIVE (86 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 4064.06 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 04°02'04" FOR 286.17 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.00°06'48"E. ALONG SAID WEST LINE FOR 1581.74 FEET TO THE **POINT OF BEGINNING.**

PARCEL "B" CONTAINS 230.62 ACRES MORE OR LESS.

AND: PARCEL "C"

COMMENCING AT THE AFOREMENTIONED **POINT "A"** THE SAME BEING A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.81°45'09"W.; THENCE; SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°46'30" FOR 156.05 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE SOUTHERLY ALONG SAID CURVE AND THE WESTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) THROUGH A CENTRAL ANGLE OF 04°44'48" FOR 95.27 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 145°24'40" FOR 76.14 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.55°21'28"W. ALONG SAID NORTHERLY LINE FOR 133.36 FEET TO AN INTERSECTION WITH THE

SOUTHERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 133°42'05" FOR 70.01 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 550.00 FEET; THENCE EASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 00°27'56" FOR 4.47 FEET; THENCE N.77°52'42"E. ALONG SAID SOUTHERLY LINE FOR 75.96 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°05'58" FOR 45.08 FEET TO THE **POINT OF BEGINNING.**

PARCEL "C" CONTAINS 0.37 ACRES MORE OR LESS.

PARCELS CONTAIN 741.22 ACRES MORE OR LESS.

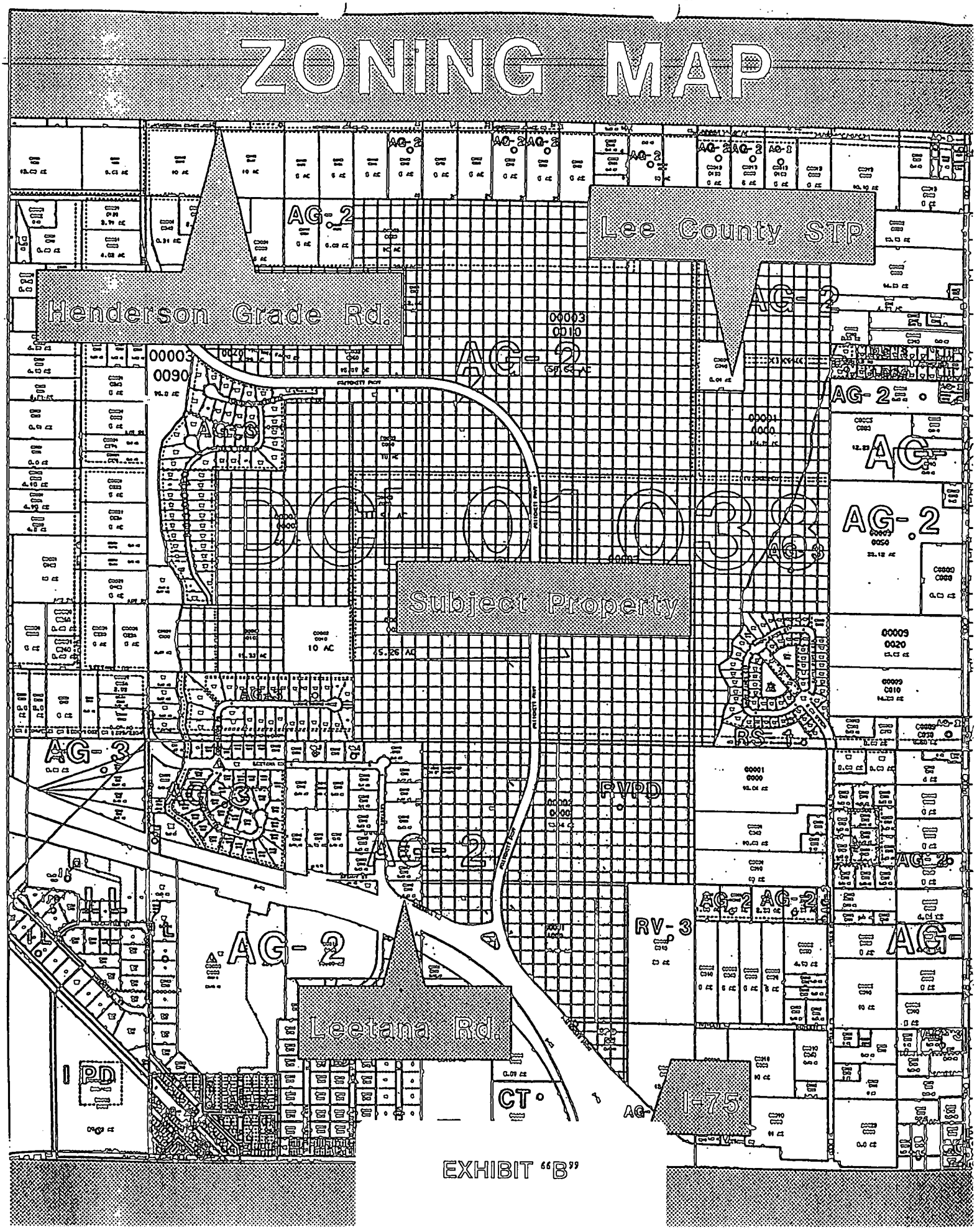
SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

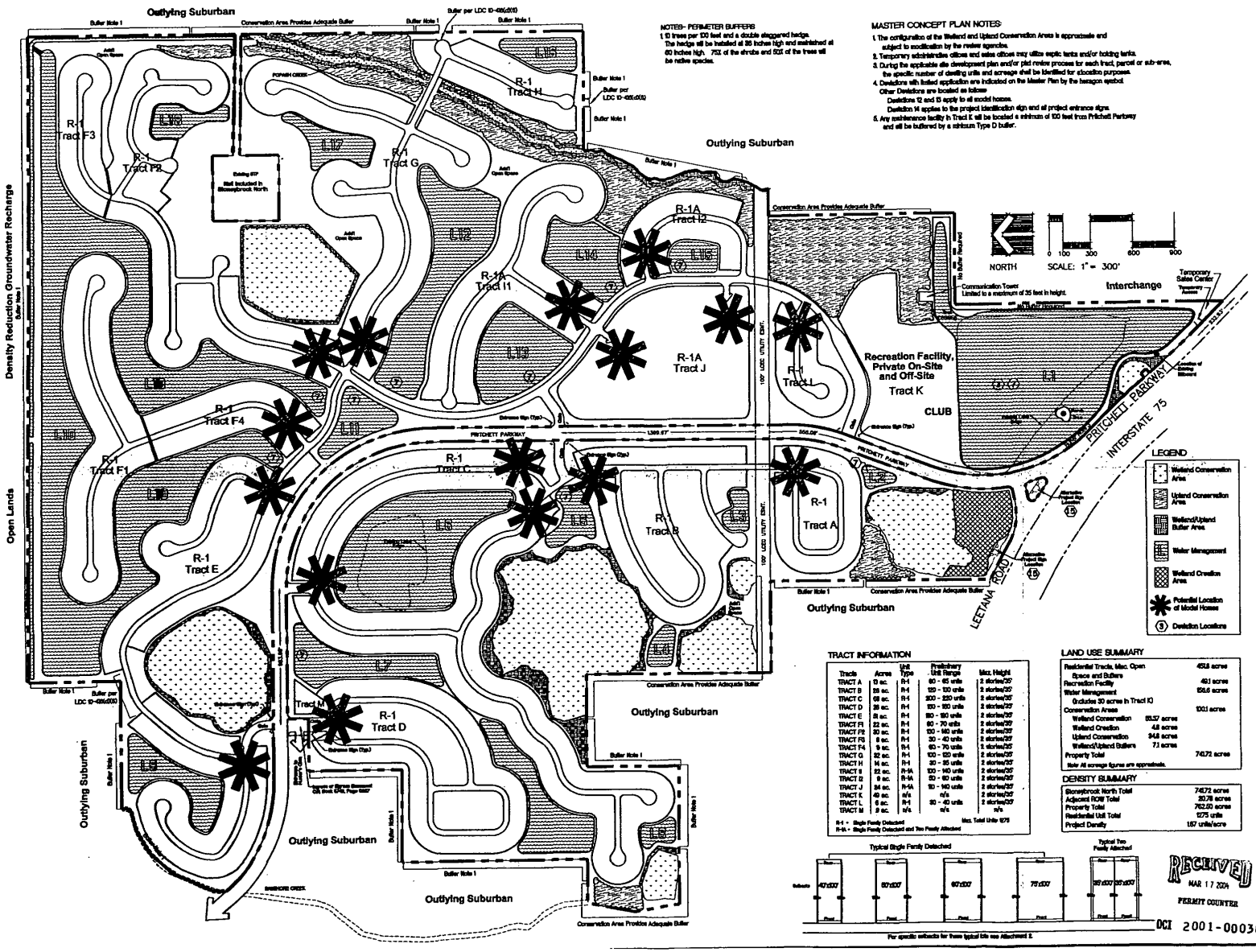
BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

DESCRIPTION PREPARED 10-03-01

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Applicant's Legal Checked
by 11/26/01


ZONING MAP
Henderson Grade Rd.
Lee County STP
Subject Property
Leetana Rd.
I-75
AG-2
AG-3
RPD
RV-3
PD
CT
RS
EXHIBIT "B"



WilsonMiller

STONEYBROOK NORTH

MASTER CONCEPT PLAN

PREPARED FOR : US HOME CORPORATION

EXHIBIT "C"

APPROVED
Master Concept Plan
SDP Plan # Z-02-070 Page 1 of 1
Subject to conditions in Resolution Z-02-070
Case # DCI2001-00038

PRINTED
MAR 17 2004

SEC 19/18 TWP 43S RGE 25E
Designed by:
Drawn by: S.W.P./1078
Checked by:
Approved by:
Date: March 10, 2004
Scale: 1" = 300'
PID: 03642-000-000 PZPSR
File #: D-3642-02
Sheet 1 of 1

UNIVERSITY OF FLORIDA
LEE COUNTY EXTENSION SERVICE
Horticulture

TRANSPLANTING SABAL PALMS
Step-by-Step Instructions

Lee 8/2000A

Stephen H. Brown
Lee County Horticulture Agent

Rick Joyce
Deputy Director, Lee County Planning Division

Introduction

The native cabbage or sabal palm (*Sabal palmetto)* is the official state tree of Florida and is a prominent feature in Florida's landscape. The palm is highly adaptive, tough, tolerant of a wide range of soils, and is hurricane resistant. When planted six to ten feet on center, sabal palms provide desirable shade. Sabal palms, including large-sized palms, can be transplanted with high success if a few simple precautions are taken. This fact sheet provides specific proven techniques to increase the success of sabal palm transplanting.

Step-by-Step Transplant Instructions

1. Use gasoline powered tree spade or heavy steel shanked digging spade with a clean well-honed cutting edge to dig the largest possible root ball. Usually to 18 inches from the edge of the trunk.
2. Remove the palm from ground. Take care not to damage the hidden bud located within the center of the canopy.
3. Using clean sharp hand spades, trim the root ball into circular shape 13 to 16 inches from the outer edge of the trunk.
4. Two methods of pruning fronds for landscape transplant (select one):
   a. Remove oldest (brown) fronds. Tie the remaining fronds tightly together with a biodegradable twine. Do not disturb the bud.
   b. Remove all fronds otherwise known as "hurricane" or "cigar cut." This recommended pruning technique gives the highest rate of establishment but must be carefully done.
5. Secure the palm on a flat bed truck and transport it to the planting site. Make sure the center of the bud is well protected.
6. Keep the root ball moist between removal and installation.
7. Prepare planting hole 1-2 times the diameter of the trunk but at the same depth as the root ball.
8. Back-fill the planting hole with the same soil that had been removed. There is no need to amend the planting hole, but if it is amended, use a fill similar to that of the planting hole. The amendment should not exceed 25 percent by volume of the soil removed from the hole.
9. Carefully set the palm into the planting hole. Make sure it is planted the same depth as it was in the field. Planting too deeply will cause root suffocation and lead to nutritional deficiencies, root rot, and frequently the death of the palm.
10. Secure and stake the palm as illustrated in the diagram. DO NOT DRIVE NAILS DIRECTLY INTO THE PALM.

(Continued on the back.)

The Extension Service is part of a publicly funded statewide educational network that provides information and scientific knowledge to area residents, businesses and government leaders. The University of Florida, Extension Service offers the latest research and technology in more than 200 subjects related to horticulture, energy/conservation, agriculture, youth development and family and consumer sciences. Last year, the Lee County Extension Service provided assistance to more than 70,000 people and provided 463 classes and workshops on everything from family financial planning to pesticide training.

The Lee County Extension Service is an Equal Employment Opportunity - Affirmative Action Employer that provides research, educational information and other services without regard to race, color, sex, age, handicap or national origin.

11. Establish a water-retaining ring around the palm three feet from the trunk. The ring should slope gently toward the trunk.

12. Fill the ring with mulch to a depth of three inches. Keep the mulch at least three inches away from the trunk.

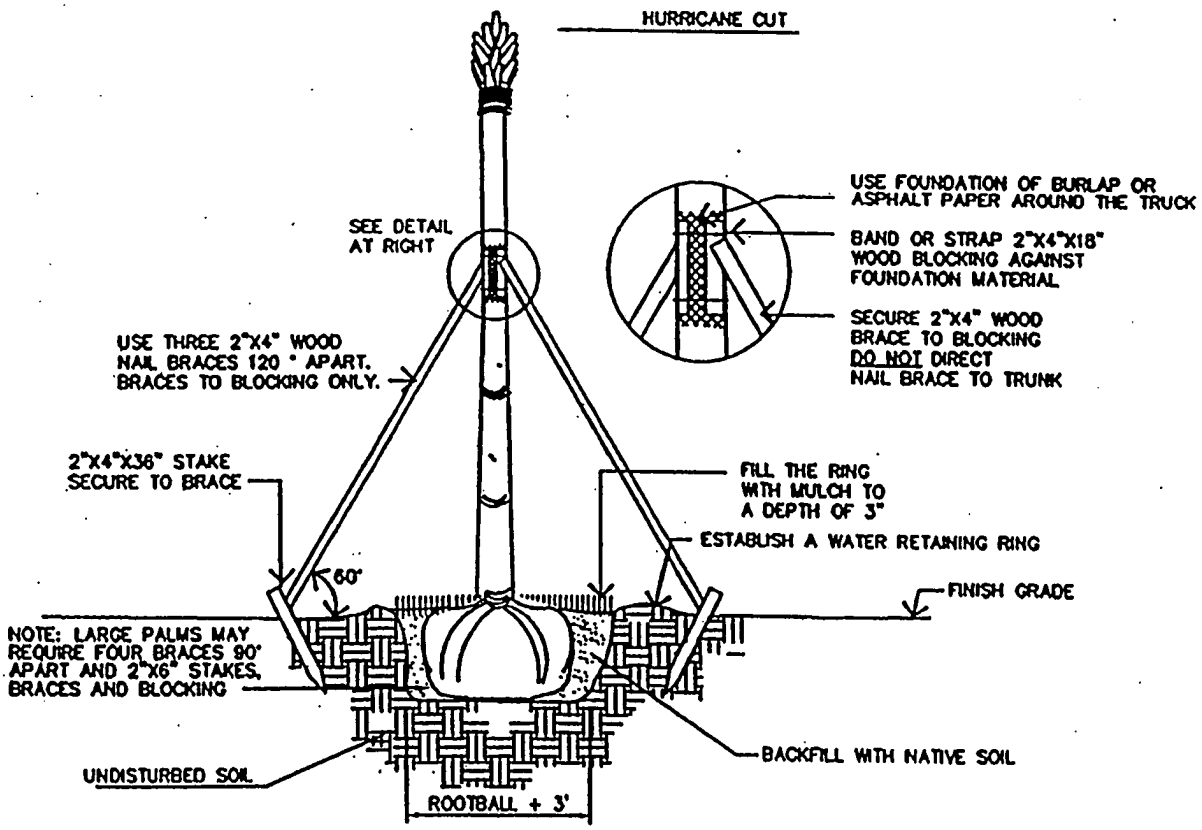
13. Irrigation:
    a. Palms with fronds remaining: Fill the ring with 50 gallons of water three times weekly.
    b. Palms with hurricane cut: Fill the ring with 20 to 25 gallons of water three times weekly.

14. In both cases, after four weeks, reduce irrigation to twice weekly. Water twice weekly for four weeks, and then reduce irrigation to once weekly for an additional four weeks. Twelve weeks after planting, cease irrigation if the palm appears healthy. Thereafter, during drought, water once a week for up to two years. For each inch of rain, skip one scheduled irrigation treatment.

15. As soon as new growth begins to appear, loosen tied fronds. This will happen between 3-6 months after transplanting, depending on the time of year and the health of the palm.

16. Begin fertilization after new growth begins. Fertilize three to four times per year with a 2-1-3-ratio fertilizer at a rate of one to two pounds per 100 square feet. For best results use a slow release formulation.

17. Remove staking and burlap or asphalt paper rap after successful palm establishment. Removal usually occurs approximately one year after palm installation.



PLANTING AND STAKING SABAL PALM

NOT TO SCALE

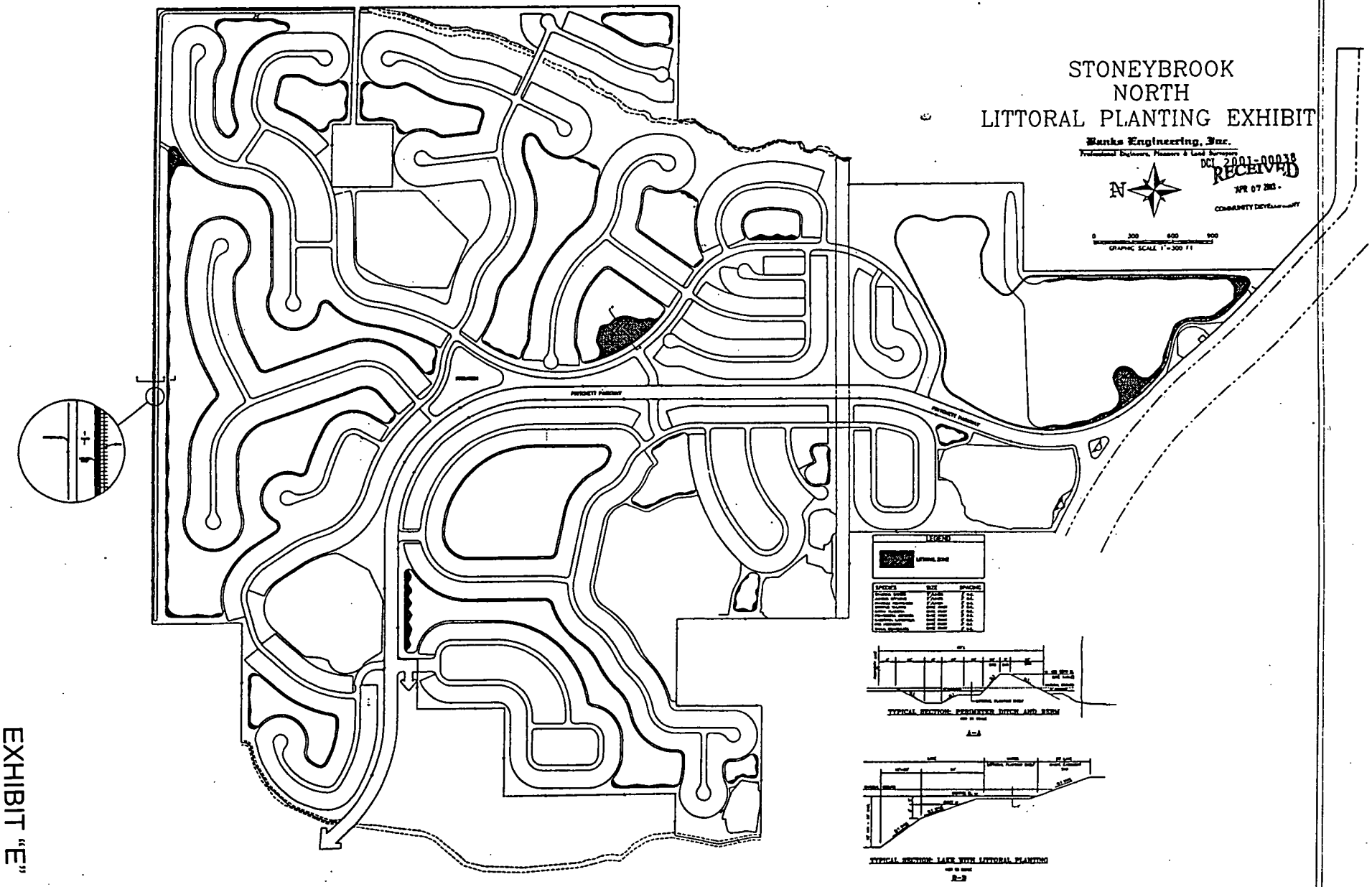
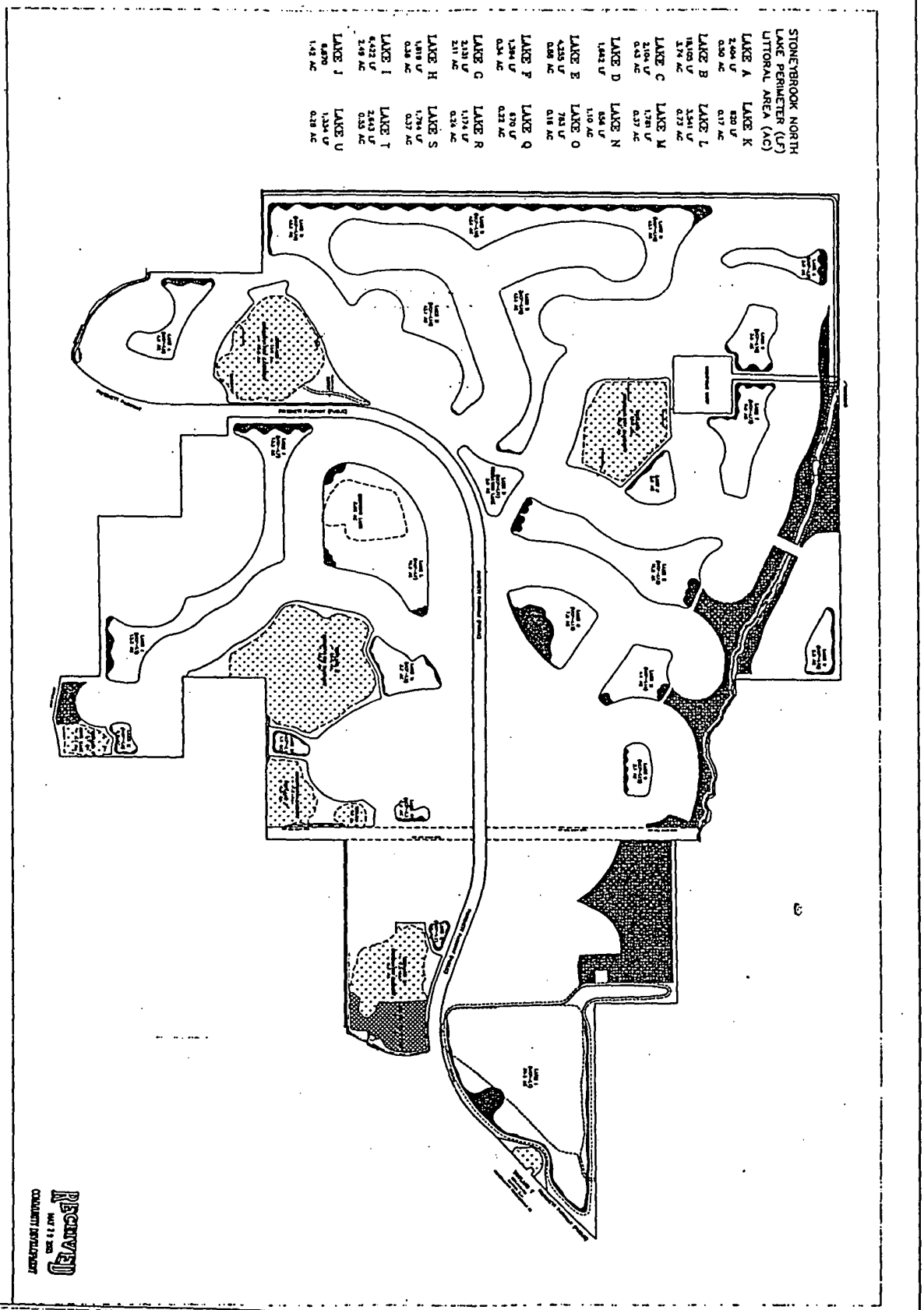

STONEYBROOK
NORTH
LITTORAL PLANTING EXHIBIT
Banks Engineering, Inc.
DCL 2001-00038
RECEIVED
APR 07 2003
COMMUNITY DEVELOPMENT
N
0 300 600 900
GRAPHIC SCALE 1"=300 FT
LEGEND
TYPICAL SECTION: EXISTING DITCH AND BERM
A-A
TYPICAL SECTION: LAKE WITH LITTORAL PLANTING
B-B

EXHIBIT "E"



LITTORAL PLANTING EXHIBIT
STONEYBROOK NORTH
LEE COUNTY, FLORIDA

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors

U.S HOME CORPORATION

LAKE ID	LINEAR FEET	PLANTS REQUIRED	LIT ZONE AC.	PLANTS PROPOSED at 3' O.C.
A	2,404	2,404	0.50	2,420
B	18,105	18,105	3.74	18,105
C	2,104	2,104	0.43	2,104
D	1,662	0*	0.00	0
E	4,255	4,255	0.88	4,259
F	1,394	1,394	0.34	1,646
G	2,131	2,131	2.11	10,212
H	1,819	1,819	0.38	1,839
I	6,422	6,422	2.49	12,052
J	6,870	6,870	1.42	6,873
K	820	820	0.17	823
L	3,541	3,541	0.73	3,541
M	1,781	1,781	0.37	1,791
N	856	856	1.10	5,324
O	783	783	0.16	783
Q	670	670	0.22	1,065
R	1,174	1,174	0.24	1,174
S	1,794	1,794	0.37	1,794
T	2,643	2,643	0.55	2,662
U	1,334	1,334	0.28	1,355
TOTALS	**62,562**	**60,900**	**16.48**	**79,821**

* Lake D is an irrigation lake that is not included in the stormwater management system. No littoral plantings are proposed for lake D.

RECEIVED
MAY 29 2003
COMMUNITY DEVELOPMENT

RECEIVED
APR 07 2003
COMMUNITY DEVELOPMENT

Stoneybrook North
(fka Heritage Creek)
April 2, 2003

DEVIATION LOCATIONS

The locations for the Deviations for Stoneybrook North with limited application are indicated on the Master Plan. Other Deviations are located as follows:

Deviations 8, 12 and 13 apply to residential tracts.
Deviation 14 applies to the project identification sign and the entrance signs.
Deviation 7 applies to the internal lakes.

DEVIATION 1

This Deviation is WITHDRAWN by the applicant. Last year's LDC changes addressed the issue.

DEVIATION 2

This Deviation is WITHDRAWN by the applicant. Last year's LDC changes addressed the issue.

DEVIATION 3

Deviation from LDC Section 10-418 (a)(2)(b) which requires a minimum number of native wetland herbaceous plants of one (1) plant per linear foot of lake shoreline and that native wetland trees or shrubs may be substituted for up to 25 percent of the total number of herbaceous plants required to allow the required number of plantings to be 50% trees in the Tract K lake only.

Justification

The twenty acre borrow pit near the project entrance is proposed to include a golf aqua driving range as a recreational amenity for the subject property. This lake's use as an aqua driving range is incompatible with the usual lake perimeter wetland plantings. With the physical constraints of the subject property an aqua range was the only possible solution for a driving range. In an aqua range the balls float and are retrieved by scooping them out with nets from the lake edge. The usual low-level wetland vegetation along the aqua range's shoreline would interfere with this retrieval would result in unavoidable damage and possibly destruction of the plants. The applicant is requesting this deviation to allow the option of locating wetland trees in lieu of some of the smaller plant varieties. There is no impact to the public from this change.

DEVIATION 4

Deviation 4 seeks relief from the LDC Section 10-291(3) which requires, where practical, any residential development of at least 5± acres to provide two (2) or more means of ingress and egress, to allow only one means of ingress and egress for those development parcels which are surrounded by golf course, water body or conservation area or any combination of these. These tracts are Tract A, Tract D, Tract F1 and F2, Tract G, Tract H, Tract I-1, and Tract L. During the Development Order review process emergency access will be provided as deemed necessary.

Justification

On a project-wide basis, the Heritage Creek development meets the requirements of LDC Section 10-281 as it provides many access points onto Pritchett Parkway. Both the east and west side of the project also meet this requirement. The applicant has heard clearly from the surrounding property owners that connections to their roadways are not desirable and we have

DEVIATION 14

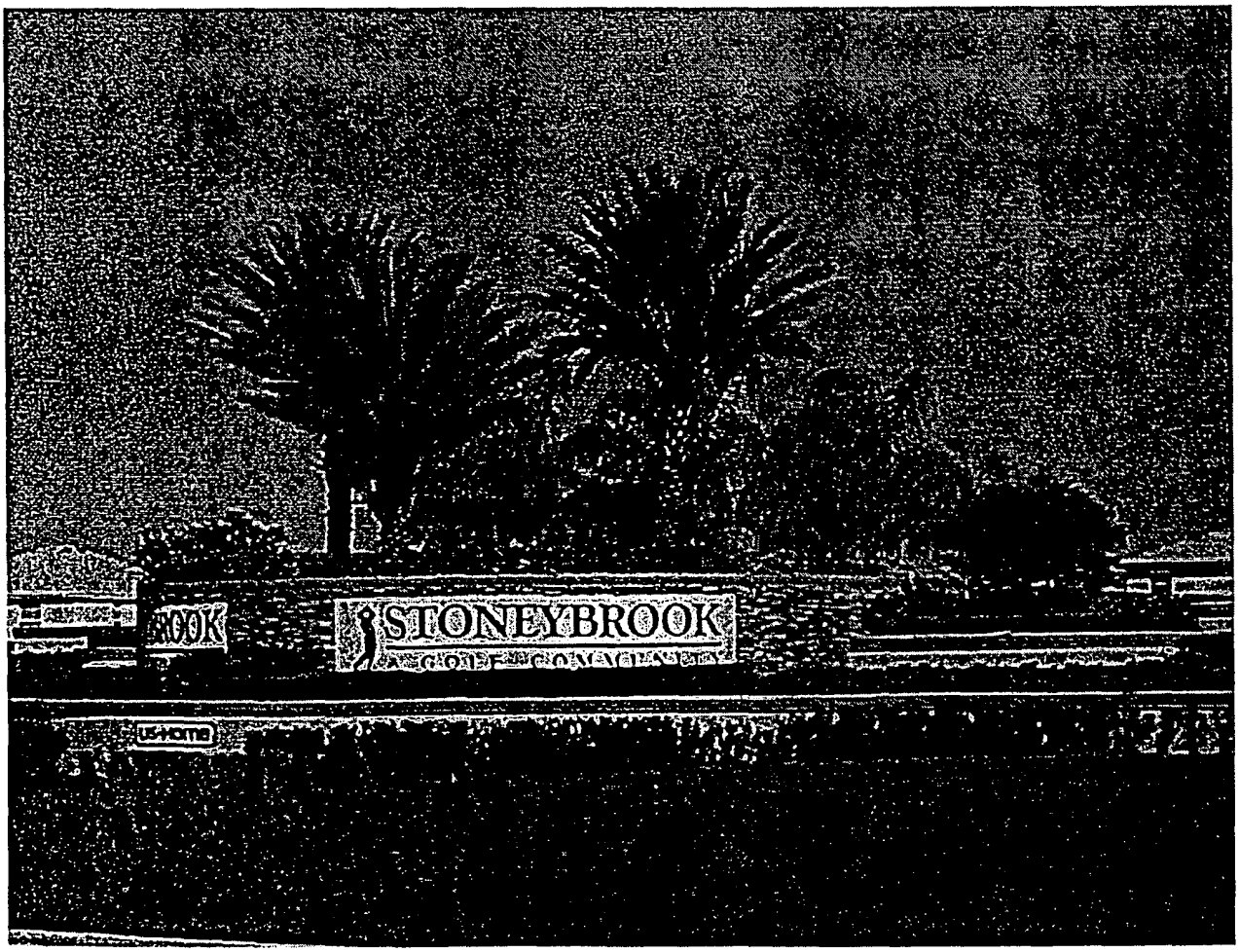
Deviation requesting relief from the LDC Section 30-153(2)(a)(iv) requirement that limits the text of additional identification signs to the name of the subdivision or residential development, to allow sign text for both the entrance signs and the project sign to include the notation "A US Home Community" or "US Home" in addition to the name of the residential development. Specific Information on the entrance signs and the project sign are attached as Attachment 5.

Justification

A critical component of project identification for a new residential development is identifying the developer. This deviation was approved recently for US Home's Stoneybrook community. The part of the signage identifying the developer is small, low key and attractive. The developer proposes the same kind of signage for Heritage Creek.

DEVIATION 15

Deviation requesting relief from the LDC Section 30-152 d.2 requirement that limits the face of each permitted main entrance identification sign in developments of more than 25 units to 105 square feet in area and a deviation requesting relief from the LDC Section 30-94(h) which requires that double-faced signs with opposing faces having an interior angle less than 30 degrees to allow the Heritage Creek project sign to have two sign faces of approximately 130 square feet in size and be located on a curvilinear wall as illustrated in a comparable sign approved by Lee County for US Home's Stoneybrook development.



Justification
Regarding the proposed sign size:
Lee County allows a 105 square foot project sign to be located at the development's main entrance. In addition, one additional permanent wall or ground-mounted sign of 105 square feet is permitted along each boundary line of the development, which exceeds 2,000 feet in length. The Heritage Creek development has a total of 4244 linear feet of frontage on the east side of Pritchett Parkway and a total of 5035 linear feet on the west side of Pritchett Parkway. With this considerable frontage the development would be allowed two additional 105 square foot double-faced signs. The applicant's request is to combine the two additional identification signs and the sign that would be allowed at the project's main entrance into the sign illustrated above. This sign would have two sides with each side totaling approximately 150 square feet.

	Allowable Main Project Sign	**Heritage Creek Main Project Sign**
Main Project Sign	105 sq ft x 2 sides	
Additional Signs (with a development with frontage which exceeds 2,000 feet in length)	105 sq ft x 2 sides (east side of Pritchett Pkwy) +105 sq ft x 2 sides (west side of Pritchett Pkwy)	
Total	**315 sq ft x 2 sides**	**150 sq ft x 2 sides**

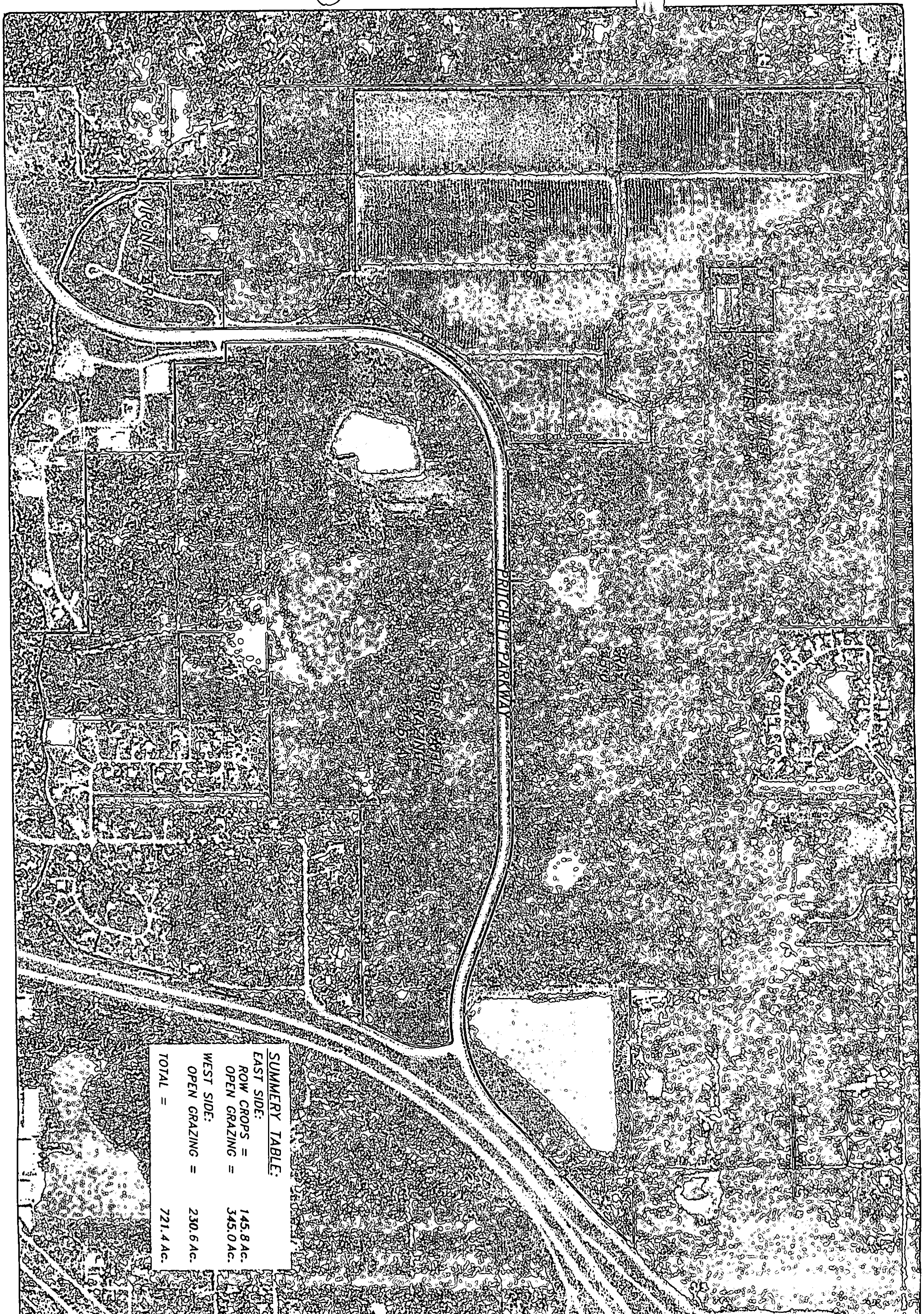
The total square footage of sign face requested for Heritage Creek's main project sign is about half the square footage allowed by Lee County.

Regarding the interior angle of the proposed sign
This request is to allow a more visually attractive sign in an unusual location. From I-75 it would be difficult to see the text on the usual back to back sign. Locating the sign on a curvilinear wall open us the opportunity for better visibility

This sign would be located on Pritchett Parkway which in this location runs parallel to I-75. Visibility to the traveling public is from I-75. Because of the distance between this sign and the travel lanes on I-75 (approximately 200 feet), it would be difficult to see much less read a Project Sign that was either parallel or perpendicular to I-75. A similar sign for the Stoneybrook development works very well further south on I-75 where the sign is closer to I-75. This deviation enhances the project by decreasing the total number of signs allowed for the development while at the same time notifying the traveling public better of the Heritage Creek development. This is a very attractive sign and its construction will cause no negative impact on the public.

DEVIATION 16
Deviation requesting relief from the LDC Section 10-416(d)(6) requirement that if roads, drives, or parking areas are located less than 125 feet from an existing residential subdivision or residential lots, a solid wall or combination berm and solid wall not less than eight feet in height must be constructed not less than 25 feet from the abutting property and landscaped (between the wall and the abutting property) with a minimum of five trees and 18 shrubs per 100 linear feet to allow the two cul-de sacs in Tract H and the short roadway segment in Tract E to be located as illustrated on the Master Concept Plan together with the buffers proposed on the Master Concept Plan.

Justification
There are three components of this request:
a. The two cul-de sacs in Tract H.
Tract H is a very small tract with limited design flexibility. Each of these cul-de sac's ROW is located a minimum of 50 feet from the property line. With between 20 and 30



Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ○ NAPLES ○ SARASOTA
10511 SIX MILE CYPRESS PARKWAY - SUITE 101
FORT MYERS, FLORIDA 33912
PHONE: (239) 939-5490 FAX: (239) 939-2523
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690

AGRICULTURAL EXHIBIT
STONEYBROOK NORTH
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
00-14-2003	1447Ag	EXHIBIT	CMD	CMD		1"=300'	1	1	43-25 15,10,21

APPLICANT'S EXHIBIT #4

Exhibit "H" - Sheet One of One

SUMMARY OF HEARING EXAMINER RECOMMENDATION

DCI2001-00038
US HOME CORPORATION, in reference to HERITAGE CREEK

I. APPLICATION

This matter came before the Lee County Hearing Examiner as an Application for a Rezoning including a Development of County Impact (DCI) from **AG-2, CPD and RVPD** to the **Residential Planned Development (RPD),** pursuant to the Lee County Land Development Code (LDC), for property located on **Pritchett Parkway, in North Fort Myers, Florida (in the northeast quadrant of the intersection of Interstate 75 and Bayshore Road).**

II. HEARING EXAMINER RECOMMENDATION (SYNOPSIS)

This case encompassed five (5) days of hearings over a two (2) month time frame and was under review by the County for two (2) years before it reached the public hearing stage of examination. In that time it went through numerous changes that significantly altered the projects configuration. Originally, it was to consist of 1,525 mixed styles of dwelling units. At the conclusion of the public hearing the number of dwelling units was reduced to 1,275, and the styles of units was limited to single-family, and two-family attached.

The site is located in the Outlying Suburban land use category, and it is bounded on three sides by other Outlying Suburban sites. The area to the north being the exception in that it is found in the Open Lands and Density Reduction/Groundwater Recharge land use categories.

The Outlying Suburban land use category limits the number of dwelling units in this area of Lee County to no greater than two (2) units per acre. Even though this area of the County is known for it rural and pastoral setting, the Board of County Commissioners recognized that some parts of this community would develop as a low density urban area since the Outlying Suburban land use category is defined as urban.

The project has been recommended for approval by the Staff with an extensive set of conditions that are designed to make it compatible with the surrounding area and consistent with the Lee Plan and the Land Development Code. The conditions that have been included achieve this objective.

The three major areas of controversy that have been raised by the public have been successfully addressed by the conditions that are being included in the recommendation to the Board of County Commissioners.

The first area of concern was with the density of the project; it will be 1.67 dwelling units to the acre. This is within the 2.0 dwelling units to the acre allowed by the Lee Plan. Even though the lot sizes proposed on this project are often smaller (and in some cases considerably smaller) than those of the surrounding area, the setbacks, buffering and locations of the smaller lots eliminate this feature of the off-site impacts of the project. It must be kept in mind that this is an area of the Bayshore Community that the Board of County Commissioners has designated for low density urban uses. This project comports with that designation.

The second major area of concern was with the extensive flooding that has been occurring in this area of Lee County. The evidence for this phenomenon is too extensive to address in this brief summary. The import fact however, is that the proposed project did not cause this problem. Furthermore, safeguards have been included in this Recommendation to make sure that the situation will improve if this project goes forward. Many of the flooding problems exist because this is an area of the County that has been a traditional flowway for decades. As more people moved into the area over the years, more people became victims of the existing flooding. It will require an area-wide solution to address the problem because it is beyond the ability of any single developer to solve.

The last major issue had to do with the traffic that this project will generate at its completion. A traffic analysis was completed when the project consisted of 1,525 mixed dwelling units and it was found that the roads in the area would continue to operate at acceptable levels of service after build-out. Since the study was completed there has been an approximately 16 percent reduction in the number of dwelling units, and all but the single-family and two-family attached styles have been eliminated. As such, the traffic counts have been reduced thus improving the level of service projections.

Having addressed the public's concerns (even if not to the satisfaction of all who spoke) the rezoning is being recommended to the Board of County Commissioners for **APPROVAL with conditions**.

This Recommendation was made the 3rd day of December, 2003, and a complete copy forwarded to the offices of the Lee County Board of County Commissioners.

III. LOCATION OF COMPLETE RECOMMENDATION AND ATTACHMENTS

Copies of the Hearing Examiner's Recommendation, Official Transcripts or summaries, List of Exhibits, Public Participation, Staff Report, and Legal Description are available for review at the: **www.lee-county.com/docimg/hex**, the Development Services Division, and the Office of the Hearing Examiner. Copies may be obtained for the actual cost of duplication. The exhibits submitted during the hearing are available for review at the Office of the Hearing Examiner, and will be transmitted to the Board of County Commissioners prior to their hearing on this matter.

IV. HEARING BEFORE BOARD OF COUNTY COMMISSIONERS

The Board of County Commissioners (BOCC) will hold a hearing at which they will consider the record made before the Hearing Examiner. Only participants who provided testimony or evidence on the record at the Hearing Examiner proceedings, or their representative, will be allowed to address the BOCC. The content of all statements by persons addressing the BOCC shall be strictly limited to the correctness of Findings of Fact or Conclusions of Law contained in the Recommendation, or to allege the discovery of relevant new evidence which was not known by the speaker at the time of the earlier hearing before the Hearing Examiner and not otherwise disclosed in the record.

It is anticipated that this matter will be heard by the BOCC on **Monday, January 5, 2004**; however, the Department of Community Development/Development Services Division will send written notice to all participants of the actual date and time of this hearing before the BOCC.

V. UNAUTHORIZED COMMUNICATIONS

Unauthorized communications shall include any direct or indirect communication in any form, whether written, verbal or graphic, with the Hearing Examiner, or the Hearing Examiner's staff, any individual County Commissioner or their executive assistant, by any person outside of a public hearing and not on the record concerning substantive issues in any proposed or pending matter relating to appeals, variances, rezonings, special exceptions, or any other matter assigned by statute, ordinance or administrative code to the Hearing Examiner for decision or recommendation. . . . [Administrative Code AC-2-5]

No person shall knowingly have or attempt to initiate an unauthorized communication with the hearing examiner or any county commissioner [or their staff]. . . . [LDC Section 34-52(a)(1), emphasis added]

Any person who knowingly makes or attempts to initiate an unauthorized communication . . . [may] be subject to civil or criminal penalties which may include: [Section 34-52(b)(1), emphasis added]

OFFICE OF THE HEARING EXAMINER, LEE COUNTY, FLORIDA

HEARING EXAMINER RECOMMENDATION

REZONING:	**DCI2001-00038**
APPLICANT:	**US HOME CORPORATION, in reference to HERITAGE CREEK (AKA STONEYBROOK)**
HEARING DATE:	**DECEMBER 11, 2002 [no hearing]**
CONTINUED HEARINGS:	**FEBRUARY 12 and 13, 2003 [no hearing]**
	APRIL 23 and 24, 2003 [no hearing]
	JUNE 18 and 19, 2003
	JULY 31, 2003
	AUGUST 1, 2003
	AUGUST 8, 2003
WRITTEN SUBMISSION:	**AUGUST 25, 2003**

I. APPLICATION:

This matter came before the Lee County Hearing Examiner as an Application for a Rezoning to a Residential Planned Development (RPD) pursuant to the Lee County Land Development Code (LDC).

Filed by US HOME CORPORATION, 10481 Six Mile Cypress Parkway, Ft. Myers, Florida 33912 (Applicant); PRITCHETT DEVELOPMENT COMPANY LTD., 6601 Bayshore Road, Ft. Myers, Florida 339017; KATHY LYNNE R. PRITCHETT, TRUSTEE, 14350 Duke Highway, N. Ft. Myers, Florida 33920; PETER KAINZ, 5016 RT 173, Richmond, Illinois 60071; BANK OF AMERICA, N.A., R. E. SERVICES - PRITCHETT, P. O. Box 927, Ft. Myers, Florida 33902; and ERNEST A. HANSEN TRUSTEE, ½ INTEREST / FRANCES HANSEN TRUSTEE, ½ INTEREST, P. O. Box 50903, Ft. Myers, Florida 33994 (owners); CARRON DAY, AICP, % WILSON MILLER, 4571 Colonial Boulevard, Suite 100, Ft. Myers Florida 33912; and STEVE HARTSELL, ESQUIRE, % PAVESE LAW FIRM, 1833 Hendry Street, Ft. Myers, Florida 33902 (Agents).

Request was to rezone the property from AG-2, CPD, & RVPD to Residential Planned Development (RPD) to permit the development of a maximum of 1,475 residential units including a mixture of single-family, duplex, townhouse, two-family attached and multi-family units all not to exceed 35 feet in height.

The subject property is located on Pritchett Parkway (in the northeast quadrant of the intersection of Interstate 75 and Bayshore Road), in Section 15, 16 and 21, Township 43 South, Range 25 East, Lee County, Florida (District #4).

II. STAFF REPORT AND RECOMMENDATION: APPROVE WITH CONDITIONS

The Department of Community Development Staff Report was prepared by Chip Block. The Staff Report is incorporated herein by this reference.

III. RECOMMENDATION OF HEARING EXAMINER:

The undersigned Lee County Hearing Examiner recommends that the Lee County Board of County Commissioners **APPROVE** the Applicant's request for a rezoning from AG-2, CPD and RVPD to RPD for the real estate described in Section IX. Legal Description WITH THE FOLLOWING CONDITIONS AND DEVIATIONS:

A. CONDITIONS

1. The development of this project must be consistent with the one page Master Concept Plan entitled "Stoneybrook North," prepared by Wilson Miller, dated October 01, 2001, last revised August 16, 2003 and stamped "Received August 25, 2003 Community Development," except as modified by the conditions below. This development must comply with all requirements of the Lee County Land Development Code (LDC) at time of local Development Order approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

2. The following limits apply to the project and uses:

a. Schedule of Uses

Administrative Offices
Agriculture - Subject to Condition 24
Accessory uses and structures
Club, Private (Limited to Tract K)
- Food and beverage service, limited
- Health Club and Spa
- Parking lot, accessory
- Rental or leasing establishment, Group I, limited to bicycles, tennis rackets and other small equipment for use by members of the private club

Specialty Retail Shop, Group I
Communication Tower (limited to one on the north side of Tract K and limited to a maximum of 35 feet in height)
Dwelling Unit , limited to a maximum of 1,275 units consisting of:
- Conventional Single Family Residence (May be constructed on all R-1 and R-1A residential tracts) See Note 1.
- Two family attached (Limited to Tracts I-1, I-2 & J) See Note 1.
- Conventional Single Family Detached Residential lots located on the northern boundary of the project in Tracts F-1 and F-3, must be no less than 7,500 square feet in area within 500 feet of the northern boundary.

Entrance Gate and Gatehouse, in compliance with LDC Section 34-1748
Essential Services
Essential Service Facilities, Group I
Excavation, water retention
Fences, walls

Home occupation
Model Home, Model Unit and Model Display Group
Real Estate Sales Office (Temporary sales office limited to Tract K and limited to the sale of lots or units within the development only)
Recreation Facilities, Personal
Recreation Facilities, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs, including one existing billboard located on the southwest side of Lake L1, all in compliance with LDC Chapter 30 except as approved by deviation
Temporary uses (LDC Section 34-3041)

Note 1: Single-family and two-family attached dwelling units may be constructed on all R-1 and R-1A residential tracts. Two-family attached dwelling units may be constructed only on Tracts I-1, I-2 and J.

b. Site Development Regulations

	Minimum Lot			Minimum Setback (ft.)									
					Rear (ft.)			Front (ft.)					
LAND USES	Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Side Including Corner Lots (ft.) *	Lots	Wetland	Acc.	Front Entry Garage	Bldg. or Side Entry Garage	Water Body (ft.)	Max. Bldg. Height (ft.)	Min. Bld. Separation (ft.)	Max Lot Coverage (%)
Single-family Detached	4,000†	40	100	5	20	20	5	20	12	25	35 or 2 stories	10	45
Two-family Attached	3,500 per unit	35 per unit	100	0 or 10	20	20	5	20	12	25	35 or 2 stories	10	45
Clubhouse	20,000	80	100	10	20	20	5	n/a	20	25	35 or 2 Stories	20	45
Accessory Recreation Buildings	n/a	n/a	n/a	n/a	20	20	n/a	n/a	n/a	n/a	35 or 1 story	20	n/a

* Applies to lots of all widths and to corner lots. Each lot, including corner lots, will have only one front yard.
† Lots located within 500 feet of the northern boundary of the project on Tracts F-1 and F-3, must be no less than 7,500 square feet in area.

3. DELETED

4. The Tract M recreational area must include at a minimum, one multi-purpose field, a playground and picnic area. Facilities for the safe passage of pedestrians cyclists from one side of Pritchett Parkway to the other as determined by the Director of Development Services at the time of local development order submittal must be provided

5. No residential lots may be located within 250 feet of the existing High Point sewage treatment plant property lines until the sewage treatment plant is no longer in operation. If the High Point sewage treatment plant is still in operation when the plat is approved for any lots located in Tracts F-2 and Tract G, the Applicant must include a 30-foot-wide Type F buffer around the perimeter of the High Point sewage treatment plant property lines, excluding the easement that provides access to the plant.

6. Common area open space must be designed to incorporate as many of the native heritage trees and Sabal palms as possible. Any healthy Sabal palms with a minimum eight foot clear trunk must be salvaged if conditions (e.g., no rock) and sequence of construction allows. If sequence of construction does not allow the on-site relocation of Sabal palms, effort must be made to identify an off-site recipient site. Sabal palms that are located in wet areas typically do not respond well to transplanting and will not be subject to this condition. The salvage efforts must be coordinated with the Division of Environmental Sciences staff whether used on-site or otherwise. Any Sabal palms being relocated must be moved in a horticulturally correct manner per Lee County Extension Services brochure Lee 8/2000A and attached as **Exhibit B**. Prior to local development order approval, the preserved trees and any relocated palms must be delineated on the plans. Preserved trees and relocated Sabal palms will receive protected tree credits per LDC §10-420(h).

7. A detailed protected species management plan for gopher tortoises, Big Cypress fox squirrels, and wading birds must be submitted with the initial development order for any portion of this project. The gopher tortoise management plan must include either a permanent fence or a continuous hedge of native shrubs where the gopher tortoise preserve abuts the road and park to protect the tortoises from the vehicular traffic and active recreation area.

A pedestrian/bicycle trail, with a maximum four-foot width, is permissible within the gopher tortoise preserve. The trail must be designed to avoid impacting existing gopher tortoise burrows and large native trees. Two (2) access points to the trail may be incorporated into the fence, provided the openings are designed to minimize the potential for tortoises to disperse from the preserve. Details of the trail and fence must be included in the development order plans.

8. Prior to any local Development Order approval, an open space table must be included that details the residential unit type with lot size per tract, required open space, provided open space, required indigenous preservation and provided indigenous preservation. The project must preserve at a minimum the approximately 100.1 acres of conservation area including the wetland creation area. If more than 500 acres of the project is developed with residential tracts (including roads and lakes) requiring open space, then the development order must delineate the additional required indigenous preservation for the Division of Environmental Sciences staff review and approval.

9. The use of cypress mulch is prohibited in preserve areas.

10. The maximum width of all boardwalks within the preserve areas may not exceed the minimum width requirements set forth by the Americans with Disabilities Act.

11. All boardwalks within the preserve areas must be designed to avoid mature native trees and protected species burrows, nests, or dens. The final layout of the

boardwalks must be field verified by Division of Environmental Sciences staff prior to construction. Minor adjustments to minimize impacts to native vegetation may be required.

12. The construction of gazebos or viewing platforms within conservation areas is limited to no more than two (2) structures, each having a footprint no larger than 200 square feet.

13. Prior to site work for any recreational use that requires the removal of vegetation within a conservation area, a development order showing impacts to the conservation area must be submitted for review and approval by Environmental Sciences and other applicable County Staff.

14. Prior to local Development Order approval, the development order plans must include littoral planting areas in substantial compliance with the "Stoneybrook North Littoral Planting Exhibit," stamped received April 7, 2003, and attached as **Exhibit C**. All lake littoral zones must be constructed as depicted in Cross-Section B-B. Littoral planting quantities must be consistent with the "Littoral Planting Plan Exhibit Stoneybrook North" and accompanying table stamped received May 29, 2003, and attached as **Exhibit D**. The planting area along the northern ditch expansion must also provide native wetland plants installed three-foot on center.

15. The Communication Tower as denoted on the Master Concept Plan must be of a monopole design and limited to 35 feet in height. The tower and its associated maintenance buildings must be designed to minimize impacts to birds.

16. Lake littoral plantings within Tract K must be calculated at one littoral plant per linear foot of lake shoreline. One 10-foot-tall tree or two (2) three-gallon shrubs may be substituted for 10 herbaceous plants. Trees and shrubs may used to count toward up to 50 percent of the required lake littoral planting requirements. A minimum of two (2) native wetland tree species and four (4) native herbaceous plant species must be installed in the Lake L1 (contained within Tract K).

17. The placement of any required vegetation within a utility, power, or drainage easement must be clearly delineated on an Alternate Landscape Betterment Plan as per LDC §10-419 and submitted with the local development order. The placement of vegetation within any easement must be approved by Lee County Environmental Sciences staff and any other effected Division (Utilities, Zoning, etc.). If the easement is to an entity other than Lee County, then written approval of the location of vegetation from any affected easement holder must be submitted to Lee County Environmental Sciences staff as part of the development order. Approval from all affected parties must be obtained prior to approval of the local development order.

18. Lake bulkheads are limited to roads and the clubhouse area. Bulkheads are not permitted along residential boundaries.

Prior to local development order approval, the plans must show the location of the bulkheads to confirm that no more than 20 percent of each lake shoreline consists of bulkhead or rip-rap. Lakes where bulkheads are proposed must be designed to provide one linear foot of compensatory littoral zone with an 8:1 slope for each linear foot of bulkhead. For lakes that utilize bulkheads, littoral plants must be calculated at two (2) plants per linear foot of shoreline clustered within the 8:1 slope portion of the lake.

The development order must include a typical cross-section detail of bulkhead and rip-rap areas on the paving, grading and landscape plan.

19. Transportation Concurrency for this project will be measured pursuant to the Lee Plan and LDC standards in place at the time of the development order. This must include evaluating Bayshore Road from Nalle Road to I-75 for transportation concurrency. Prior to development order approval, the developer must demonstrate that the Level of Service (LOS) will not fall below the adopted level of service on the identified links. In determining that level of service, only road improvements with committed funding, as provided in FAC 9J-2.045, may be considered.

20. The developer must provide intersection improvements to the intersection of Bayshore Road and Pritchett Parkway. At a minimum, the developer will construct a southbound right turn lane as a site-related improvement, and not eligible for road impact fee credits. In cooperation with the Florida Department of Transportation and the County, the developer may realign Pritchett Parkway to address future operational problems caused by project traffic.

21. The developer must construct an eight-foot-wide bicycle path or two (2) five-foot-wide sidewalks along Pritchett Parkway from Bayshore Road to Rich Road. Whether the portions of the bicycle/pedestrian improvements constructed 1) between Bayshore Road and the southernmost site entrance, and 2) between Rich Road and the northernmost site entrance, will be eligible for road impact fee credits will be determined through negotiations between the Staff and the Applicant when there is sufficient information to make such a determination.

22. Blasting is prohibited on this project site.

23. The excavation of material from the lake areas does not constitute construction materials mining as defined under Section 552.30, Florida Statutes.

24. AGRICULTURAL USES: Agriculture is not approved as a permanent use in the Schedule of Uses for this property. All agricultural uses must cease upon approval of the requested rezoning, EXCEPT as follows:

a) Existing bona fide agricultural uses as shown in Applicant's Exhibit 4 may continue until approval of a local development order for the area of the project containing those uses.

b) Additional clearing of trees or other vegetation in agricultural areas is prohibited. Existing areas of bona fide agricultural use may be maintained, i.e., mowed, but not cleared or expanded. This prohibition is not intended to preclude County approved requests for the removal of invasive exotic vegetation.

c) The property owner must terminate the agricultural tax exemption for any portion of the property that receives a local development order. The agricultural use must cease by December 31st of the calendar year in which the local development order is issued. The exemption termination must be filed with the Property Appraiser's Office by December 31st of the calendar year in which the local development order is issued. A copy of the exemption termination must be provided to the Office of the County Attorney.

25. Deleted.

26. Development along Popash and Bayshore Creeks:

General Conditions:

a. Prior to issuance of the first Development Order (or any early work, clearing, filling permits), the applicant must submit the following information for review and approval by the Lee County Natural Resources Division:

1) If the development parameters change from those modeled and approved during the rezoning, then developer must provide an HEC-RAS model pursuant to the same modeling parameters established during the rezoning process for the Popash and Bayshore Creeks demonstrating that the revised development will not induce any rise to the existing flood elevations, nor any increases in velocities, nor any transfer in overbank flows for the 10-, 25-, and 100-year storms.

2) Show the location and extent of the existing and proposed cross sections from the HEC-RAS model on the Development Order plans, as well as, defining the existing top of bank station/elevation, overbank elevations, roadway elevations, and bridge dimensions and elevations. Sufficient details or sections showing continuity and capacity of flows in the overbank must be clearly demonstrated.

3) All plans and documents related to the above must include the statement: "This is to certify that I am a duly qualified engineer licensed to practice in the State of Florida. It is to further certify that these design plans, drawings, and associated technical calculations and/or data demonstrate that no adverse effects to the existing flood elevations will occur as a result of this development."

4) The above information must be submitted to the South Florida Water Management District (SFWMD) for review, consideration, and inclusion in their permit files.

5) The developer or its assigns must dedicate a drainage/maintenance easement to Lee County for Popash and Bayshore Creeks for all portion(s) of the channel and its overbanks included in the HEC-RAS modeling and that lie within its property limits. The easement may be part of any conservation easement dedicated to Lee County and the South Florida Water Management District (SFWMD), but must be consistent with the maintenance activities anticipated and outlined in these conditions. The easement must also give the county the right, but not the obligation for maintenance and provide for maintenance access along the creeks. As a part of the easement, the developer agrees to a monthly maintenance schedule to include initial and ongoing maintenance for these creeks that is to include removal of all exotics including, but not limited to, grape vines (above three feet in height above ground) and rosary pea, any deposited debris, fencing, fallen trees, or eroded vegetation. The basic ground cover within the easement area is to remain in its current grassed condition. The relocation of onsite Sabal palms from other parts of the property to the easement area is permissible, but must not be collocated closer than a ten (10) foot spacing. No saw palmetto or shrubbery of any type is to be planted within the easement area. The easement must be reviewed and approved by the County Attorney and Natural Resources during the platting process. This

same drainage/maintenance easement language must be contained within the Community Development District (CDD) or Home Owners Association (HOA) documents.

6) All modifications and exotic vegetation removal outlined herein for Popash and Bayshore Creeks must be completed before the issuance of the first Certification of Completion for the first Development Order.

7) The east-west ditch proposed along the northerly boundary of the development must have no interconnection between Popash and Bayshore Creeks.

Popash Creek:

b. Prior to issuance of the first Development Order (or any early work, clearing, filling permits) containing the bridge crossing, the developer must provide complete construction plans for the bridge for review and approval by the Lee County Natural Resources Division and be in accordance with the following:

1) The bridge crossing of Popash Creek must be a pile-supported structure.

2) No more than two (2) rows of pilings (or supports) are permitted in the overbank and none may be closer than 10 feet to the existing top of bank. Each row must be perpendicular to the direction of flood flows and each must have a maximum dimension of twenty-four (24) inches.

3) The low chord of the bridge must be at or above the 100-year floodwater surface elevation and the abutments for the bridge may not be closer than 50 feet to the existing top of bank. Additionally, the low chord must be at least two (2) feet above the highest overbank elevation within the 50-foot offset areas (total of 100 feet ±).

4) No berming, filling, planting, or other above ground construction/amenities are permitted within 50 feet of the existing top of banks for Popash Creek, unless permitted elsewhere in these conditions by Lee County Natural Resources.

Bayshore Creek:

c. All modifications and exotic vegetation removal outlined below for Bayshore Creek must be completed before the issuance of the first Certification of Completion for the first Development Order.

1) The spoil is to be removed down to an elevation of 18.0 feet NGVD and then sloped in conjunction with the perimeter berm along Bayshore Creek for that portion upstream of Prichett Parkway and within the 50-foot offset from the existing top of bank.

2) No berming, filling, planting, or other above ground construction/amenities are permitted within 50 feet of the existing top of bank for Bayshore Creek, unless permitted elsewhere in these conditions by Lee County Natural Resources.

27. In light of the potential for the existing High Point Wastewater Treatment Plant (WWTP) to continue operation, the developer must disclose the existence, location and

operation of the sewage treatment plant to any purchasers of property immediately adjacent to a line 250 feet from the perimeter boundary of the WWTP site (excluding that portion of the site containing the access road into the WWTP site).

Any and all agreements for the sale of property immediately adjacent to the 250-foot dimension must include this disclosure statement. The following disclosure statement must appear in bold face and conspicuous type that is larger than the type in the remaining text of the contract:

Lot owners immediately adjacent to the line, 250 feet from the perimeter boundary of the WWTP site within the Stoneybrook North (f/k/a Heritage Creek) Planned Development, must acknowledge the presence of the High Point Wastewater Treatment Plant.

28. The maintenance of Popash and Bayshore Creeks within the property limits, which is required in Condition 26, will be assured by the provision of a surety for the annual cost of maintenance. Evidence of the surety must be provided to the County prior to certificate of completion of the first development order for the drainage infrastructure for the project.

29. In an effort to cooperate in achieving the reduction of the regional flooding problem, the applicant must provide a drainage easement to Lee County for the drainage ditch along the north boundary of the property. This easement is for the purpose of allowing the existing ditch to accept the quantity of stormwater that is approved pursuant to a South Florida Water Management District permit addressing the regional flooding problem.

30. Except as otherwise noted on the MCP, perimeter buffers around the outside perimeter of the property will require 10 trees per 100 linear feet and a double staggered hedge. The hedge will be installed at 36 inches high and maintained at 60 inches high. Seventy-five (75) percent of the shrubs and 50 percent of the trees will be native species.

31. Lighting

a. This project must comply with the recently adopted "Outdoor Lighting Standards" adopted in LDC §34-625.

b. Outdoor ballfield lights for the baseball field located on Tract K are prohibited.

c. Outdoor recreational lighting for any multi-purpose courts or fields located on Tract K (with the exception of ballfields where lighting is prohibited) and Tract M must be on timers and must meet the requirements of LDC §34-625 and must be done in a fashion to minimize light pollution, glare and light trespass. Lighting impacts will be measured at the boundary of Tracts K and M, and not at the boundary of any adjacent lakes or preserve areas.

DEVIATIONS:

Deviation 1 - Withdrawn

Deviation 2 - Withdrawn

Deviation 3 - seeks relief from LDC §10-418(2)b which requires the installation of one (1) native wetland herbaceous plant per linear foot of lake shoreline and where trees and shrubs can be substituted for up to 25 percent of the total number of herbaceous plants required; to allow the required plantings to include up to 50 percent trees in the Tract K lake (Lake L1). The Hearing Examiner recommends this deviation be **APPROVED** subject to Condition 16.

Deviation 4 - Withdrawn

Deviation 5 - Withdrawn

Deviation 6 - Withdrawn

Deviation 7 - seeks relief from LDC §10-329(e)(4) which requires excavations to be sloped at a ratio of four (4) horizontal to one (1) vertical to a water depth of four feet below the dry season water table and a ratio of two (2) horizontal to one (1) vertical thereafter; to allow 40 percent of the lake bank slopes within the development to utilize vertical bulkheads and/or rip rap. The Hearing Examiner recommends this deviation be **APPROVED** subject to Condition 18.

Deviation 8 - Withdrawn

Deviation 9 - Withdrawn

Deviation 10 - Withdrawn

Deviation 11 - Withdrawn

Deviation 12 - seeks relief from LDC §34-1954(a)(1) which requires administrative approval of locations for model homes in new developments; to allow model homes by right in the locations within the development as shown on the MCP. The Hearing Examiner recommends this deviation be **APPROVED**.

Deviation 13 - seeks relief from LDC §34-1954(f) which requires parking for model homes or model units to be located on the same premises and in compliance with the type of dwelling unit being displayed; to permit the development of accessory parking for model homes as low turnover and therefore permit development of these lots with alternative surfaces. The Hearing Examiner recommends this deviation be **APPROVED** subject to the following conditions:

1. The entrance apron into each parking lot would be paved.

2. The handicapped parking space(s) in each lot would be paved.

3. The Applicant will keep the portion of the street in front of each model free from gravel or shell that may be tracked out the model home parking area(s) by departing vehicles.

Deviation 14 - seeks relief from LDC §30-153(2)(a)(iv) which limits the text of additional subdivision or residential development identification signs to the subdivision or project name; to allow the additional signs for this project to include the notation "A US Home Community," in addition to the name of the development. The Hearing Examiner recommends this deviation be **APPROVED** subject to the following condition:

> The proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15, which was stamped received at Community Development on April 7, 2003 and is attached as **Exhibit E**.

Deviation 15 - seeks relief from LDC §30-152(2)(d) which limits the size of project entrance signs and which limits the size and number of additional project signs to allow all of the permitted square footage for the number of permitted signs to be combined into the main project entrance sign and a deviation from LDC §30-94(h) which restricts double faced signs with opposing faces to an interior angle of less than 30 degrees; to allow the Heritage Creek project sign to have two sign faces of approximately 130 square feet in size and be located on a curvilinear wall. The Hearing Examiner recommends this deviation be **APPROVED**, subject to the following condition:

> The proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15 which was stamped received at Community Development on April 7, 2003, and is attached as **Exhibit E**.

Deviation 16 - Withdrawn

IV. HEARING EXAMINER DISCUSSION:

The Applicant, U. S. Home Corporation, in reference to Heritage Creek, (AKA Stoneybrook), is requesting a rezoning from the Agricultural (AG-2), Commercial Planned Development (CPD), and Recreational Vehicle Planned Development (RVPD) zoning district, to the Residential Planned Development (RPD) zoning district. If approved it will be allowed to develop up to 1,275 single-family, and two-family attached dwelling units on a 741-acre parcel located on Pritchett Parkway (in the northeast quadrant of the intersection of Interstate 75 and Bayshore Road), Lee County, Florida.

The site is in the Outlying Suburban, Wetlands, and Interchange land use categories. The parcels to the east, south and west are in the Outlying Suburban land use category, and the site to the north is in the Open Lands and Density Reduction/Ground Water Resource (DRGR) land use categories. To the north are some undeveloped parcels as well as single-family parcels. To the east are AG-2 and RS-1 vacant land and single-family residential uses. To the south is Leetana Drive, Pritchett Parkway and a mixture of vacant parcels and single-family residential uses. To the west are AG-2 and AG-3 zoned single-family residential parcels.

This project took about two (2) years to reach the point where it was ready to be formally considered by the County. The public hearing portion of the project took an additional five days that were stretched out over a nearly two-month time frame. During the two-year preliminary design and review process and throughout the hearing process, the Applicant continued to discuss the design of the project with the County Staff and with many of the residents in the area who would be touched by the project. This point is being stressed because the project as originally submitted to the County, and as it evolved over time, reflects compromises that were made by the Applicant to accommodate concerns that were raised by the County and by the nearby residents. With few exceptions, the County and the Applicant have agreed to the final design that is being submitted to the Board of County Commissioners (BOCC) for its review. The nearby residents however, still have concerns about the density of the project, the impact that it will have on traffic in the area, and most significantly with the long standing and ongoing flooding problem that exists on and around this project. It is with these issues that the bulk of the discussion and recommendation will be addressing.

Unfortunately, there is a vast amount of testimony that took place during the majority of the hearing that will prove to be less relevant than at first appeared because of changes to the project that were made in response to issues that were raised throughout the hearing. The last day of testimony (August 8, 2003) details the project as it evolved and how (with a few minor changes) it is being recommended to the BOCC. The earlier portions of the transcripts are illustrative however, of how the project evolved and responded to the public's concerns.

Additionally, a sizable segment of the public hearing was taken up with testimony that while interesting, proved to be beyond the scope of the hearing. Several members of the public along with there legal representative wanted to discuss previous drafts of the Staff Report that were never released, and which did not comport with the final draft that was submitted to the public and the hearing examiner. The dialog that took place over this issue took several hours to resolve because of the many times that it arose throughout the public hearing. Since these documents were not the Staff Report upon which the Hearing Examiner would rely to make his recommendation to the BOCC, they were not used for composing this Recommendation. The draft Staff Reports were proffered[1] along with other materials (e.g., e-mails to and from various staff members), and they have been included in the materials that are being forwarded to the BOCC along with this Recommendation. However, since they were ruled to be irrelevant by the Hearing Examiner, they were not used in reaching his conclusions in this recommendation.

Furthermore, there were attempts by members of the public and their representatives to get into details of the project that are customarily discussed at later stages of the development process. As a result of these efforts issues were raised that were not fully explored because they were not yet ripe for review at this juncture in the process. For example, one of the public's representatives asked questions about the surface characteristics of potential road improvements that the project may require. These are questions that come much later in the development of the project. The fact that they are not part of the zoning process does not minimize the importance of the issue because it is something that will be reviewed by County Staff before the project may go forward. It is simply not a zoning issue and it should not be

[1] A proffer (also known as "an offer of proof") consists of written, pictorial, or verbal evidence that has been ruled inadmissible but which has been preserved in the record to allow it to be reviewed by an appellate authority should it be deemed relevant by that appellate authority. It is not used by the original decision maker in making his or her decision or recommendation.

used to obfuscate what the zoning hearing process is attempting to accomplish. It is understandable that the lay public is often unaware that the zoning process is the beginning and not the end of the development process and that questions are raised that are more appropriately addressed at a later stage. One has to wonder however, what are the motives of expert witnesses who raise these questions during a zoning hearing when they know better? They simply prolong the process and confuse the record with no illumination as to the merits or shortcomings of the project.

Having said this, it may prove to be of some help to summarize the final design of the project as it is being submitted to the BOCC before going into a detailed discussion of the project and the concerns that were raised by the Staff and the public.

As already noted, the project is located in the Outlying Suburban land use category. This land use category generally allows up to three dwelling units per acre. However, in the Bayshore area of the County, the allowable number of dwelling units per acre has been reduced to a maximum of two dwelling units per acre. This was done by the BOCC when the area was recategorized from Rural to Outlying Suburban. It apparently was done to allow greater (though reduced) densities in a portion of the Bayshore area while at the same time maintaining other parcels in the geographic area as primarily rural in nature.

The Applicant is proposing to develop up to 1,275 dwelling units on 741 acres for a gross density of 1.67 dwelling units to the acre. This is consistent with the allowable two-dwelling units to the acre allowed in the Outlying Suburban land use category as specifically configured for this area of the County. These units will be confined to conventional single family residences (allowed anywhere on the site), and two-family attached (confined to three of the interior tracts). As noted the site is located in North Ft. Myers east of I-75 and north of Bayshore Road. It is bisected by Pritchett Parkway and it is adjacent to Bayshore Creek and Popash Creek on portions of its western and eastern boundaries respectively. There is also a power line easement that runs from east to west through the middle of the site.

There is a 39-acre recreational tract on the southern portion of the parcel located just north of a large lake. There are other lakes scattered throughout the parcel. The Applicant has designed the site to transition from lower net density on the northern portion of the parcel to higher net density on the southern portion while maintaining the overall gross density of 1.67 dwelling units to the acre. This was done to accommodate the larger acreage home sites to the north located in the Open Lands and DRGR land use categories. Thus, for example the lots for the single family residential uses may be as small as 4,000 square feet (40' X 100') throughout the portion of the project that is adjacent to other Outlying Suburban land use categories, but may be no smaller than 7,500 square feet (75' X 100') in the northern portion of the site that is closest to land that is in the Open Lands and DRGR land use categories (i.e., Tracts F-1 and F-3). Furthermore, there is a an enhanced vegetative buffer along the norther portion of the project.

Access to the site will consist of four access points on Pritchett Parkway . The Applicant will also construct an eight-foot-wide bike path, or two (2) five-foot-wide sidewalks along Pritchett Parkway from Bayshore Road to Rich Road.

When completed, the site will consist of approximately 645 acres of uplands, 66 acres of wetlands, and 27 acres of lakes. One hundred and fifty-nine (159) Gopher tortoise burrows were found on the site, 105 of which will be avoided, with the remaining gophers relocated elsewhere on site. One fox squirrels was observed running around on the site. If it is

determined that there are fox squirrels on the site, the Applicant's environmental expert testified that they will need 16 hectares[2] of habitat to maintain a viable community. There are 66 acres of habit for them (fully 40 acres of which is indigenous). There are two small wetlands that will be impacted by the project. However, materials from one will be used to enrich one of the larger wetland areas on the site, and there will be approximately twelve more acres of wetland preserve on the site after the project is developed than exists currently. Most of the better oak hammocks and cabbage palms on the site will also be preserved. The onsite Sabal palms will be preserved in place if possible, or relocated on site if not possible.

The Applicant put on testimony that the flowways on site will be protected. This will be accomplished by making improvements to Popash and Bayshore Creeks, and by dealing with two ditches located near wetlands J and A.

The Staff has recommended approval of the project with a very detailed set of conditions that are designed to ensure the project's compatibility with the surrounding area and its consistency with the Lee Plan and the Land Development Code.

The project as it has been finally configured will be limited to 1,275 conventional single family or two-family attached residential units. The single-family units may be placed anywhere on the site, and the lots may vary from 4,000 to 7,500 square feet in size. As already discussed, the size of the lots is restricted further by requiring those lots that are located in Tracts F-1 and F-3 (i.e., near the DRGR and Open Lands land use category) to be no less than 7,500 square feet in size. The two-family attached units may be placed in Tracts I-1, I-2, or J only. These are interior lots that are heavily buffered and separated from off-site residential lots.

The number and types of residential lots went through a sizable metamorphosis from its original inception. As initially proposed, the Applicant requested 1,525 residential units that would have included single-family, duplex, townhouse, two-family attached, and multi-family units. The multi-family units would have been allowed to rise to 45 feet in height. After a series of meetings with residents of the area, and after considering the comments that were made during the public hearing before the hearing examiner, the Applicant reduced the number of units by about 16 percent (to 1,275), and the duplex, townhouse and multi-family uses were eliminated. Furthermore, as noted above, the two-family attached units were restricted to three interior tracts. With the elimination of the multi-family units, all of the structures on the site are restricted to no more than 35 feet in height (this includes a proposed clubhouse, and a communications tower that will be located on the north side of Tract K, the Recreation area in the southern portion of the project).

The number and size of the remaining units represent issues that were among the most contentious of the entire public hearing. They arose because many of the residents of the surrounding area pointed out that many, if not all of the surrounding residential lots are on multi-acre parcels. It was this large acre character that drew many of the residents to the area and which they were trying to preserve. One after another members of the public rose to speak about the rural character of the area and its low density farm-like quality. There was also a considerable amount of testimony about the Bayshore Community Plan Background Report (Applicant's Exhibit 27) and how it was designed to preserve this quality of life that would now be violated if this project is allowed to go forward as it is currently configured.

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[2] A hectare is approximately 2.47 acres. Therefore, 16 hectares is approximately 39.5 acres.

Often, the language that is found on Page 12 of this Background Report was quoted by those opposed to this project to support their position. It states in part: "...residents of Bayshore need to recognize and accept that rural activities and agriculture receive priority in this plan." Yet, despite this admonition they argued, the project will inject an urban ambiance into what has been until now, a rural setting.

What most of these comments fail to consider according to the Applicant, is that the Outlying Suburban land use category is an Urban category under the Lee Plan, and that even the Bayshore Community Plan Background Report recognizes this fact. What the opponents failed to include in the quote above, the Applicant asserted, is the lead-in phrase "Except for the areas designate Outlying Suburban". In effect they contend, the Bayshore Plan that was adopted by the BOCC recognized that rural and agriculture would receive priority in this area of the County except for the area designated as the Outlying Suburban category; it will develop as non-rural and non-agricultural (i.e., low density urban).

If the nearby residents' position is adopted by the County in this rezoning request, it could be argued, the rezoning would be elevated to a land use amendment for this portion of the Bayshore Area from Outlying Suburban back to Rural because it would be treating this low density urban area as if it were rural in character. This is something that was rejected by the BOCC when this area was redesignated from Rural to Outlying Suburban during lengthy public hearings.

Furthermore, it was asserted this project serves as a transition from less densely designated areas of the Bayshore area to denser areas. With the enhanced buffering and the extended setbacks designed into this project, it was argued that the Applicant has gone beyond what is required in the Lee Plan for any low density single-family development that is placed next to other single-family parcels. The off-site impacts of the project's design and density will be virtually non-existent because of the buffering, setbacks and other protective conditions that are required for this project it was argued. For example, lighting will be reduced or eliminated, and building heights will be consistent with the building heights of the surrounding area (i.e., 35 feet, and two-stories).

Finally, clustering the residential uses on the project is encouraged by the Lee Plan and the Land Development Code because it minimizes the impact on the natural features of the site. The design that is being proposed by the Applicant in this rezoning request has as one of its major goals the preservation of as many of the of the natural features of the site as can be accomplished, and yet produce a residential community that is consistent with the Lee Plan and is compatible (as conditioned) with the surrounding setting; a mixture of rural and urban densities.

However, the issue that elicited the most discussion at the public hearing was unquestionably the ongoing serious flooding problem that exists in this part of the County. Extensive testimony, numerous photographs and video tapes that were introduced by members of the public produced stark evidence that the residents of this area of the County have been, and continue to be profoundly affected by sheet flow emanating from north of this area. Startling examples of flooding demonstrated the extent of the problem. Some of the video tape evidence could easily be mistaken for rampaging natural streams and rivers when in fact they were the aftermath of heavy rains. The reasons for this disturbing phenomenon according to lay and expert testimony, appear to be both numerous in its causes and difficult to resolve.

Undoubtedly, water flow from Charlotte County is a major cause of the problem, however it cannot be ignored, that many residents have chosen to live in an area of the County that can only be described as flowways. This area of the County according to long time residents has always flooded, and the influx of new residents has added to the number of people that now experience this phenomenon. Furthermore, there have been some changes to the topology of the area that have not helped the situation. Some flowways have been altered, creeks and ditches have become overgrown, and attempts to alleviate some of the problem have proven less than successful. However, to attribute this long term on going problem to actions that are to be taken by the Applicant, and to expect it to resolve all of the flooding issues that are present in this part of the County are unrealistic. This is a region-wide problem that demands region-wide solutions. What is required of this Applicant in this zoning action is that it demonstrate that its project it not going to exacerbate the flooding problem, and that it is capable of handling its own water quantity and quality. Furthermore, a willingness to participate in a long term region-wide solution, should one become available, should be viewed positively.

The Applicant ran models to determine the impact that the project will have on the two major creeks that run through the project. These HEC-RAS[3] Models were verified by the County, and are standard models that are used throughout the United States. The Applicant and the County agree that the improvements that will be made to Popash Creek and Bayshore Creek, and other onsite features, such as lakes and connections to out-falls, will not only have no off-site impacts, but they will improve the flooding situation to some extent. The Applicant has also agreed to make some modifications that will help to alleviate some of the flooding problems that are not attributable to the subject site or its improvements.

The opponents of the project introduced expert testimony that raised some questions about the accuracy of the HEC-RAS model. These questions arose because of some "error messages" that were generated by the model. Apparently however, the errors represent items that need more data or that require some clarification; they do not demonstrate that the model is wrong or that it is inaccurate. It simply means that more information may be needed to make refinements to the model. Furthermore, the water management plan for the project is still at a preliminary stage of design that will have to be refined as the project progresses through the development process. The Water Management District may require alterations to the water management system as the project nears its final design.

The discussion of this issue represents another example of bringing up details of an issue that are normally examined after the zoning process of the project has been reviewed. It is an important issue, and it will be thoroughly vetted by the County and the Water Management District before the project will be allowed to move forward. The issue has been brought up at this juncture as a good will gesture by the Applicant in an attempt to address concerns raised by the public about the extensive flooding that has been occurring in this area of the County. A full discussion of the problem is premature in the zoning process and it should not be allowed to be used to demonstrate a failure on the part of the Applicant to address the flooding problem in the area. Simply put, the project will not be allowed to go forward until all of the regulatory authorities are convinced that it can proceed without harm to the surrounding area. The evidence that has been presented thus far is a good faith attempt on the part of the Applicant to demonstrate that it is aware of the problem and that it will do what it has to do to contribute to a solution of this region-wide flooding problem.

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[3]HEC-RAS stands for: Hydrologic Engineering Center-River Analysis System.

In support of this conclusion, there are very detailed conditions[4] that address the impact of this project on the area and some attempts to assist with the regional flooding problem. First, if the design of the project changes, the Applicant will have to run the HEC-RAS model again and demonstrate that the new design will be as benign as the old model. Second, the Applicant must dedicate a drainage/maintenance easement to Lee County for the portions of Popash and Bayshore Creeks that fall within its borders, and to maintain the creeks in working order in perpetuity. This will be assured by providing a surety for the annual cost of maintaining the two creeks .

With respect to Popash Creek, the Applicant must provide the County with detailed plans for a proposed bridge crossing of Popash Creek, and the bridge crossing must be designed to maintain the free flow of water through the Creek. Furthermore, there may be no berming, filling, planting or other above ground construction/amenities within 50 feet of the existing top of banks. This will help to ensure the continued ability of the Creek to carry water through the site.

With respect to Bayshore Creek, spoil will be removed along with exotic vegetation to restore the historic flow through this Creek. As with Popash Creek, there may be no berming, filling, planting or other above ground construction/amenities within 50 feet of the existing top of banks.

The Applicant will also provide a drainage easement to Lee County for the drainage ditch that runs along the northen boundary of the project. This will allow this ditch to accept stormwater (approved by the Water Management District) that is contributing to the regional flooding problem. This is beyond whatever drainage issues that may be attributable to this project.

With these conditions attached to this zoning request (if it is approved), the evidence supports the conclusion that this project will alleviate some of the flooding problem in the area even though it will not fully address the region-wide flooding problem; that can be done only with a concerted public/ private undertaking.

Traffic is the last major issue that was raised before the hearing examiner. As noted there will be four access points from Pritchett Parkway and the Applicant will construct either an eight-foot-wide bike-paths, or two five-foot-wide sidewalks along Pritchett Parkway from Bayshore to Rich Road. The Level's of Service along Pritchett Parkway, Bayshore Road and all other roads in the vicinity of the project were calculated, and all of them will have the capacity to handle the expected trips generated by the project. The model was run when the project was still expected to have 1,525 dwelling units that would have also included mult-family uses. With the reduction to 1,275 dwelling units, and the elimination of the multi-family uses, the calculations project less of an impact to the road capacity than originally thought. Not leaving anything to chance, however, Condition # 19 gives the County a second opportunity to review these calculation at the time the Applicant applies for a development order.

The Applicant will also be required to provide intersection improvements to the intersection of Bayshore Road and Pritchett Parkway. At a minimum it will construct a southbound right turn lane. Furthermore, if the Florida Department of Transportation and the County agree,

[4] Conditions #26, 28-29, set out in considerable detail what the Applicant will be required to do if this project is allowed to go forward.

the Applicant may realign Pritchett Parkway to address future operational problems that may be caused by the project's traffic.

The project has been recommended for approval by the Staff, and they have suggested a very detailed set of conditions to be included in any recommendation that is submitted to the Board of County Commissioners. These conditions address the issues that were discussed above as well as other features of the project that have not yet been discussed.

In addition to the dwelling units, the private club house and the communications tower already discussed, the project will have retail uses that are associated with the on-site uses. For example there may be a pro-shop that will be allowed to sell, rent, or lease such items as bicycles, tennis rackets or other small equipment for use by members of the private club. There will also be model homes, model units, or model display groups on designated portions of the site that are identified on the Master Concept Plan. A real estate sales office may also be located on the site for the temporary sales of units located in the project. It will be limited to Tract K on the southern portion of the site that includes the private recreational facility).

At the request of the Staff the Applicant has added a small (0.9 acre) recreational area designated as Tract M on the Master Concept Plan that will include at least one multi-purpose field, a playground and picnic area. Tract M is located just north of Residential Tract D. This was included because the Staff had a concern with the distance that the northern residents of the project would have to travel to the main recreational area that is located on the southern portion of the site.

Also modified at the behest of the Staff was the distance that will have to be maintained between residential units within the site and the existing High Point sewage treatment plant located on the northern portion of the site between Tracts F-2 and G. This plant is not owned by the Applicant, and it was not included in this rezoning request. If the plant is not purchased by the Applicant (something it wishes to do) and removed to make room for residential uses, no residence may be located closer than 250 feet from the plant. Additionally, if the plant is still in operation when homes begin to be developed the Applicant will be required to install a 30-foot-wide Type F buffer around the perimeter of the plant.

No blasting is allowed in the project. If it is determined that blasting is necessary, the Applicant will have to go through a public hearing to request such an activity.

No new agricultural activities may occur on the site if this rezoning is approved, and any existing activities must cease upon approval of a local development order for the area involved. Furthermore, the agricultural tax exemption for any portion of the property that is subject to the development order must terminate upon receipt of the development order.

To further separate this project from the surrounding uses, the buffers that run along the outside perimeter of the project will contain 10 trees per 100 linear feet, and a double staggered hedge that will be installed at 36 inches and maintained at 60 inches. In addition to having to meet the County's Outdoor Lighting Standards (LDC §34-625), there may be no lights for the baseball field that is to be located on Tract K, and all other outdoor light for multi-purpose courts or fields located on Tract K and M must be on timers. Furthermore, off-site glare or light trespass will be measured at the boundary of Tracts K and M and not at the boundary of any adjacent lakes or preserve areas.

Of the 16 deviations that were originally requested, only six remain. Two of the remaining deviations (numbers 3 and 7), are concerned with proposed on site lakes. They address plantings and the slopes that will be required in the lakes. They have been recommended for approval with conditions. Another deviation is concerned with the location of the model homes that are proposed for the project. Generally, administrative approval is required for their locations. However, since the locations have already been identified on the Master Concept Plan, and since the locations are suitable and appropriate for this use, this deviation has been recommended for approval.

Deviation 13 is a request to allow alternative surfaces for the parking areas of the model homes. The Staff has recommended denial of the request, but the Applicant has proposed conditions for approval that are aimed at alleviating the Staff's concerns. This represents one of only two areas of disagreement between the Staff and the Applicant that were not resolved through negotiation.

The Staff's concerned is with the dust and dirt that unpaved surfaces generate as well as the added noise that is made by vehicles driving over gravel or dirt rather than a paved surface. The Applicant noted that its proposal addresses these concerns. First the apron into each "parking lot" will be paved as will the handicapped parking area. Second, the Applicant will keep the portion of each street in front of the model free of any gravel or shell that may be tracked out of the model home parking area.

In deciding which option is preferred, one has to balance the minor existence of dust or noise against the additional impervious surface that will be needed to pave the additional parking areas. At some point, these models will be converted to dwelling units with the paved parking areas required for such uses already in place. Therefore, when the conversion takes place, the new home owner will have the unpleasant option of leaving the excess impervious surface in place or having it removed. Neither of these options is preferable to keeping the additional parking that is required for the models in an unpaved condition, and requiring the Applicant to ensure that it does not pose a nuisance to the neighbors.

Therefore, the deviation to allow alternative surfaces for model parking areas has been recommended for approval with conditions.

The last two deviations deal with the design and text of the signs that will be associated with this project. Thus, the Applicant would be allowed to identify the project as "A US Home Community" on its signs along with the community's formal name, and they would be allowed to use all of the projects allowable sign square footage on one large sign located at the projects entrance on a curvilinear wall. These have been recommended for approval as long as they comply with the design that has been submitted in Exhibit E.

The last issue with which there was some divergence between the Staff and the Applicant was whether the Applicant would receive some road impact fee credit for a portion of the bicycle path or sidewalk that it will construct along Pritchett Parkway from Bayshore Road to Rich Road. Regardless of the final decision, the bicycle path or sidewalk will be constructed, the only issue is how much if any road impact fee credit the Applicant will receive for the construction.

The Staff's position is that all of the improvements are site related and therefore, none of the improvements warrant road impact fee credit. The Applicant has opined that the improvements that are located between Bayshore Road and the southernmost site entrance

and between Rich Road and the northernmost site entrance are not site related and therefore are eligible for road impact fee credit.

This is a matter that will have to be determined by County staff at the time the Applicant applies for the road impact fee credit; it is not something that can be decided during the zoning process because all of the facts necessary to make such a decision are not yet available. Therefore, Condition 21 has been drafted to leave this determination to a later stage where it is subject to negotiation by the Applicant and the Staff when all of the information is available to render a decision.

With all of the Staff's issues, and many of the public's issues resolved, there are still several areas that have been raised by some members of the public that warrant some discussion. These are issues that have not yet been discussed because the features of the project with which many of the members of the public who spoke at the public hearing still find troublesome have already been discussed.

Several members of the public stressed the fact that this area of the County, and specifically Pritchett Parkway and Rich Road, are frequently used for horseback riding. They want the Applicant to provide bridle paths for the public on its site so that this activity may continue. Others wanted fencing that is found at other residential developments (e.g., Hunters Glen). There was also some opposition to the entrance to Tract D of the project (located in the northwestern portion of the site) because it would be "shared" with the property to the west. At least one member of the public questioned the existence of the clubhouse on the site. A major concern for many of the people who spoke at the public hearing was whether they would be forced to hook-up to the existing wastewater treatment plant if it continues to operate. Finally, there was some concern with the lack of schools in the area.

The bridle path issue is one that will have to be resolved through private negotiations. The County is not in a position to require a private land owner to open its property for the benefit of the public without compensation of some kind.

With respect to the request for a specific type of fencing, this type of issue is one that often occurs in public meetings. More often than not, those who are opposed to a project suggest ways to redesign the project rather than raising opposition to a particular feature. In this instance, the issue was treated as if the speaker was objecting to the buffering required for this project. In that light, it was found that the Applicant's proposal, and the conditions that were suggested by the Staff more than meet County standards to make the project consistent with the Lee Plan and the Land Development Code, and compatible with the surrounding area.

The question about access to Tract D and whether it will share this access with the property to the west is once again a private matter that must be addressed through negotiations between the private property owners involved.

The purpose of the clubhouse question is not fully clear. The Applicant has asked for a clubhouse on the site as do almost all other residential subdivision that come before the County with a rezoning request. There is nothing unusual with the design, location, and impacts that this clubhouse represents that would warrant its elimination. Therefore, as conditioned it has been recommended for inclusion in the project.

The question of requiring nearby residents to hook-up to the wastewater treatment plant seems to have originated in a misunderstanding of what the Applicant has proposed. The Applicant noted that the treatment plant would be made available to anyone who wanted to use it, and that those who chose to use it would be charged a fee. There is no requirement (nor can there be) by the Applicant that these nearby residents hook-up; it may only be done at the residents' option.

Finally, the availability of schools is something that will be addressed by the Applicant and the School Board. The Applicant will be required to pay School Impact Fees for the number of students that the development generates. The fact that the Applicant's earlier rather low student projection is no longer accurate was fully explained by the fact that the housing types for the project have been significantly modified since those numbers were originally calculated. Now that the emphasis is on single-family homes the number of projected students has increased. This has no bearing on the fact that the Applicant will pay School Impact Fees based on the new calculations.

Over the course of this rather lengthy zoning process the project has been significantly modified. This has occurred because off negotiations that have taken place with the Staff and nearby residents of the Bayshore area, and because of comments made by the public throughout the public hearing process.

This project started out compatible with the surrounding area and consistent with the Lee Plan and the Land Development Code. The many changes that have been made by the Applicant to address the concerns of the Staff and the Public make it more so.

Therefore, based upon all of the foregoing, it is found that the requested rezoning, as conditioned, is consistent with the Lee Plan and the Land Development Code, and is compatible with the surrounding uses. It is recommended that the Lee County Board of County Commissioners approve the rezoning as conditioned.

V. FINDINGS AND CONCLUSIONS:

Based upon the Staff Report, the testimony and exhibits presented in connection with this matter, the undersigned Hearing Examiner makes the following findings and conclusions:

A. That the Applicant has proved entitlement to the rezoning by demonstrating compliance with the Lee Plan, the Land Development Code, and any other applicable code or regulation.

B. That the request will meet or exceed all performance and locational standards set forth for the potential uses allowed by the request.

C. That the request is consistent with the densities, intensities and general uses set forth in the Lee Plan.

D. That the request is compatible with existing or planned uses in the surrounding area.

E. That approval of the request will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development.

F. That the request will not adversely affect environmentally critical areas and natural resources.

G. That the proposed use or mix of uses is appropriate at the subject location.

H. That the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest.

I. That the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.

J. That the requested deviations enhance the achievement of the objectives of the planned development.

K. That the requested deviations preserve and promote the general intent of Chapter 34, Land Development Code, to protect the public health, safety and welfare.

L. That, where the change proposed is within a future urban area category, urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

VI. LIST OF EXHIBITS:

Stoneybrook North Master Concept Plan, prepared by WilsonMiller, dated 10/01/2001, printed June 16, 2003, stamped received by "Lee County Hearing Examiner on June 16, 2003

Stoneybrook North Concept Plan, dated 10/01/2001, prepared by WilsonMiller, printed May 31, 2002, date stamped "Received May 31, 2002 Community Development"

Stoneybrook North Master Concept Plan, dated 10/01/2001, prepared by WilsonMiller, printed April 7, 2003, date stamped "Received April 07, 2003 Community Development"

Heritage Creek RPD, MSP, FLUCCS and Protected Species with 1998 Aerial / Attachment "F" prepared by Lee County Southwest Florida Division of Planning.

STAFF'S EXHIBITS

1 Copy of Staff's Findings and Conclusions

2 Littoral Planning Exhibit for Stoneybrook North, prepared by Banks Engineering, Inc., dated May 29, 2003

3 Conditions and deviations as of August 1, 2003 [14 pages]

4 Memorandum from Chip Block to Hearing Examiner, dated August 25, 2003, with revised Conditions and Deviation list [post hearing submittal]

5 Email transmission from John Fredyma, Assistant County Attorney, dated August 27, 2003, re: agreement with revised Conditions and Deviations [post hearing submittal]

Résumés of Lee County Staff are on file with the Hearing Examiner's Office and are incorporated herein.

APPLICANT'S EXHIBITS

1 Aerial Photograph [board]

2 Master Concept Plan (color)[single-sided board]

3 Density Exhibit / Surrounding Developments [single-sided board]

4 Agricultural Aerial Photograph [double-sided board]

5 Resume for Ian M. Vincent

6 Protected Species Survey [double-sided board]

7 Vegetation Map / Protected Species Assessment and Preserve Map [double-sided board]

8 Existing Flow Exhibit, Aerial Photograph and Agricultural Exhibit [double-sided board]

9 Resume for Samuel W. Marshall, P. E.

10 Engineer's Preliminary Estimate of Excavation for Stoneybrook North

11 Stoneybrook North; Popash Creek & Bayshore Creek /HEC-RAS Stream Routings

12 Littoral Exhibit, Stoneybrook North [double-sided board]

13 Typical Section: Permiter Ditch and Berm and North Fort Myers Utility Franchise Map [double-sided board]

14 Open Space and Littoral Exhibit [double-sided board]

15 1988 FLUCC's Aerial Photograph and Protected Species

16 Excerpt from Tarpon Lodge CPD, page 10

17 Color map of Bayshore Community

18 Applicant's Rezoning Analysis of the Buckingham 320 RPD (Case#DCI964568)

19 Letter to Chip Block from Steve Hartsell, dated August 8, 2003

20 Stoneybrook North Master Concept Plan, prepared by WilsonMiller, dated 10/01/2001, printed August 6, 2003

21 Aerial photograph, (mylar) [33.5 inches by 11 feet, 7.5 inches]

22 Color Scheme, letter sized

23 Stoneybrook North Density Exhibit, prepared by Wilson Miller, for US Home Corporation, dated 08/07/03

24 Stoneybrook North Buffer Plan - Type 1 Buffer, prepared by Wilson Miller, for US Home Corporation, dated 08/07/03

25 Letter to Jim Curry from Steve Hartsell, dated May 21, 2002

26 Lee County Landfalling Storm Surge and Evacuation Zones [colored]

27 Bayshore Community Plan Background Report

28 Land Development Code Article VI, District Regulations, Section 34-622, 34-624 and 34-625, pages 51 to 57 of 82

29 Lee Plan Future Land Use Goal 9: Agricultural Land Uses, pages 11-33 and 11-34

30 Revised MCP [board & paper copy], prepared by WilsonMiller, printed August 21, 2003, with letter from Steve Hartsell to Hearing Examiner, dated August 22, 2003, in response to Residents' concerns [post hearing submittal]

Résumés of Applicant's consultants are on file with the Hearing Examiner's Office and are incorporated herein.

OTHER EXHIBITS

Abrams

1 Video Tape, dated July 27, 2003

2 News-paper clipping from "The River," dated July 18, 2003, regarding Shenandoah Country Estates

Baublis

1 Video Tape, labeled 17351 Wells Road Drainage

Brookes

1 Nodal Diagram of Stoneybrook North, dated 10/10/02 [8½ " x 14"]

2 Copy of Public Hearing Notice, dated April 2, 2002

3 Copy of Staff Report for Heritage Creek, dated June 5, 2001, dated stamped "Lee County Hearing Examiner November 27, 2002"

4 Amended Notice of Appearance

5 Copy of email transmission from Don Blackburn, Development Services, to S. Marshall, Banks Engineering, dated December 26, 2001

6 Copies of aerial photograph maps (three small)

7 Aerial photograph [color]

8 Memorandum to Kay Deselem, Senior Planner from Gary Nychyk, Evironmental Planner, dated July 27, 2001, re: Heritage Creek

9 Email transmission to Roland Ottolini, Michael Pavese, Kim Trebatoski and Brad Vance, from Matt Noble, Lee County Planning, dated March 25, 2003, re: Heritage Creek MCP

10 Email transmission from Mike Pavese to Kim Trebatoski, dated May 29, 2003, re: Heritage Creek

11 Email transmission from Matt Noble, Lee County Planning, to Roland Ottolini, Mike Pavese and Kim Trebatoski, dated April 9, 2003, re: Heritage Creek (Stoneybrook North)

12 Email transmission from Mike Pavese to Mary Gibbs and Pam Houck, Community Development, dated March 10, 2003, re: Heritage Creek (aka Stoneybrook North)

13 Email transmission from Roland Ottolini to Kim Trebatoski and Brad Vance, dated June 18, 2003, re: Heritage Creek Conditions

14 Email transmission from Roland Ottolini to Matt Noble, Planning, and Kim Trebatoski, Environmental Sciences, dated December 12, 2002, re: Heritage Creek

15 Resume for Richard Hampton Thompson, P. E.

16 Excerpt from User Manual (composite exhibit)

17 Sufficiency checklist dated 11/701

18 Revised Staff Report for DCI2001-00038, 25 pages, dated June 5, 2001 (draft in process)

19 Staff Report for DCI2001-00038, 16 pages, dated June 5, 2001

20 Copy of Supreme Court of Florida decision regarding Petitioner, v. JACK R. SNYDER, et ux., Respondents

Coast

1 Color photographs [four - 8" x 10"]

Coolick

1 Document entitled "Western Bayshore Community Overlayed with Proposed Heritage Creek" [8½" x 11"]

2 Revised document entitled "Western Bayshore Community Overlayed with Proposed Heritage Creek" [8½" x 11"]

Cornele

1 Composite Exhibit, includes Horse Industry Statistics and article regarding Equestrian Interests.

2 Section map entitled "Lee County Horses" and Lee County Zoning Intergraph Map

Davidson

1 Composite exhibit labeled "Lori Davidson Exhibits"

2 Poster with 17 color photographs [board]

Demers

1 Letter dated July 31, 2003, requesting denial of proposed Heritage Creek project

Depew

1 Resume for David W. Depew, MA, AICP

2 List of Proposed Conditions, dated July 31, 2003

3 Testimony Summary for Heritage Creek RPD, dated July 31, 2003

Fainer

1 Composite Exhibit

Fenice

1 Letter of Opposition

Jackman

1 Poster with 14 color photographs [double-sided board]

Jackow

1 Letter of Opposition with 411 signatures [28 pages]

2 Video Tape, labeled Bayshore 92/95 Floods

3 Color photograph [8" x 10"]

4 News-Press clipping titled "Dirt removal plan riles residents," dated July 17, 2003

5 Notice from Lee County Operations Center, dated June 23, 2003, regarding Flooded Roads/Areas throughout Lee County

6 Online article from the Holland Sentinel, dated 8/4/2003 entitled "New brochure really stinks"

Keyes

1 Letter to Chip Block, Development Services, dated August 1, 2003, re: Expected School Impact Fees to be paid by Developer

Magner

1 Brochure from Hunter's Glen, four pages [colored]

2 Composite Exhibit, Declaration of Covenants and Restrictions of Hunter's Glen

Paight

1 One sheet of four colored photographs entitled "Keola high water –15-2001"

Musho

1 One-page document labeled "Approved Products - Impacts of a Thousand New Residents," dated June 27, 2002

Penfield

1 Bayshore Planning Community Generalized Existing Land Use map, prepared by Lee County Southwest Florida Division of Planning, generated April 19, 2002, data current as of December 2001, [colored]

2 Copy of article from North Fort Myers Neighbor newspaper, dated June 20, 2001, entitled "Bayshore Steering Committee refines proposal"

3 Bayshore Final Adoption Language, 2 pages and memo to Mark Penfield from Brandy Gonzalez, Planner, dated August 5, 2003

Prince

1 Bound Booklet labeled "Hunter's Glen"

2 Meeting notes dated June 20, 2002, re: Stoneybrook North/Heritage Creek

3 Reduced Heritage Creek site plan, not dated [color][8½ "x 11"]

Smith

1 Newspaper article from the News-Press, dated August 4, 2003 entitled "Lee leads nation in "hotness" of housing market"

Traurig

1 Composite Exhibit and Letter requesting Continuance from June 18 and June 19, 2003 hearing date

2 Posters with 22 color photographs [board]

3 Affidavit of Sign Posting / Composite Exhibit

Weinlouf

1 Five (5) photographs [color]

VII. PRESENTATION SUMMARY:

SEE OFFICIAL COURT REPORTER TRANSCRIPTS

VIII. OTHER PARTICIPANTS AND SUBMITTALS:

ADDITIONAL APPLICANT'S REPRESENTATIVES

1. Sam Marshall, % Banks Engineering, Inc., 10511-101 Six Mile Cypress Parkway, Ft. Myers, FL 33912

2. Ted Treesh, % Metro Transportation Group, 12651 McGregor Boulevard, Suite 4-403, Ft. Myers, FL 33919-4489

3. Ian Vincent, % Dex Bender & Associates, 2052 Virginia Avenue, Ft. Myers, FL 33901

4. Deno Benetis, US Home Corporation, 10481 Six Mile Cypress Pkwy., Ft. Myers FL 33912

ADDITIONAL COUNTY STAFF:

1. John J. Fredyma, Assistant County Attorney, P. O. Box 398, Ft. Myers, FL 33902-0398

2. Andy Getch, Lee County DOT, P.O. Box 398, Ft. Myers, FL 33902-0398

3. Kim Trebatoski, Environmental Sciences, P.O. Box 398, Ft. Myers, FL 33902-0398

4. Brad Vance, Department of Natural Resources, P. O. Box 398, Ft. Myers, FL 33902-0398

PUBLIC PARTICIPATION:

A. THE FOLLOWING PERSONS TESTIFIED OR SUBMITTED EVIDENCE FOR THE RECORD AT THE HEARING (SEE SECTION VII.):

For: NONE

Against:

1. Christine Abrams, 8200 Henderson Grade Road, N. Ft. Myers, FL 33917

2. Laura Alvarez, 18900 Glen Road, N. Ft. Myers, FL 33917

3. Joseph Baublis, 17351 Wells Road, N. Ft. Myers, FL 33917

4. Loretta Berwick, 17831 Leetana Rd., N. Ft. Myers, FL 33917

5. Steven Brodkin, 17720 Durrance Rd., N. Ft. Myers, FL 33917

6. Ralf Brookes, Attorney, 1217 E. Cape Coral Parkway, Suite 107, Cape Coral, FL 33904 representing Traurig, Davidson and Coolick

7. Bonnie Cameron, 8400 Henderson Grade Road, N. Ft. Myers, FL 33917

8. Robert Cathell, 19230 Poor Lane, N. Ft. Myers, FL 33917

9. Doug Caton, 18251 Caton Lane, N. Ft. Myers, FL 33917

10. Karen Cochran, 19560 Woodbridge Lane, N. Ft. Myers, FL 33917

11. Richard T. Coolick, P. O. Box 3797, N. Ft. Myers, FL 33918

12. Carroll Copping, 17925 Chesterfield Rd., N. Ft. Myers, FL 33917

13. Jeanne Cornele, 20151 Welborn Rd., N. Ft. Myers, FL 33917

14. Shari Shifrin Crouch, 9150 Nalle Grade Rd., N. Ft. Myers, FL 33917

15. Dennis Coughlin, 8151 Henderson Grade Rd., N. Ft. Myers, FL 33917-4860

16. Lori Davidson, 8501 Henderson Grade Road, N. Ft. Myers, FL 33917

17. Becky Decker, 9251 Sedgefield Rd., N. Ft. Myers, FL 33917

18. Nora Demers and representing RGMC, 17493 Laurel Valley Rd., Ft. Myers, FL 33912 and P. O. Box 1826, Ft. Myers, FL 33902

19. David W. Depew, AICP / President, Morris-Depew Associates Inc., 2216 Altamont Ave., Ft. Myers, Fl 33901 (representing the concerned citizens of Bayshore Community and Doug Traurig, 8300 Henderson Grade, N. Ft. Myers, FL 33917)

20. Phil & Trudy Evans, 8250 Dosonte Lane, N. Ft. Myers, FL 33917

21. Amy Fainer, 20650 Bradley Rd., N. Ft. Myers, FL 33917

22. Dorothy Farrington, 17520 Durrance Road, N. Ft. Myers, FL 33917

23. Mark Fenicle, 18401 Hunter's Glen Road, N. Ft. Myers, FL 33917

24. Bill Hannong, 8200 Boonesboro Rd., N. Ft. Myers, FL 33917

25. Kevin Hart, 1607 Winkler Ave., Ft. Myers, FL 33901

26. Terry Haymond, 18371 Hunter's Glen Rd., N. Ft. Myers, FL 33917

27. Steven Hunton, 18381 Hunter's Glen Rd., N. Ft. Myers, FL 33917

28. Debbie Jackow, 19450 Meredith Rd., N. Ft. Myers, FL 33917

29. Velma Jackman, 17750 Leetana Rd., N. Ft. Myers, FL 33917
30. James Kroeker, 80891 Nalle Grade Rd., N. Ft. Myers, FL 33917

31. D.J. Lansaw, 20050 Pearce St., N. Ft. Myers, FL 33917

32. Richard M. Levine, 8550 Henderson Grade Road, N. Ft. Myers, FL 33917

33. Steven Magner, 841 S.E. 8th Terr., Cape Coral, FL 33990

34. Curtis Martin, 19221 Four Wheel Drive, N. Ft. Myers, FL 33917

35. Lisa & Michael Musho, 17350 Wells Rd., N. Ft. Myers, FL 33917

36. John Ortini, 18420 Panther Trail Lane, N. Ft. Myers, FL 33917

37. Nina & Don Paight, 20150 Keola Lane, N. Ft. Myers, FL 33917

38. Mark Penfield, 18141 Nalle Rd., N. Ft. Myers, FL 33917

39. Russ Jacob Post, 16970 Tarpon Way, N. Ft. Myers, FL 33917

40. Andrew Prince, 18270 Hunters Glen Road, N. Ft. Myers, FL 33917

41. Glenn Purdy, 9340 Sedgefield Rd., N. Ft. Myers, FL 33917

42. Richard A. Ramos, 17750 Wells Rd., N. Ft. Myers, FL 33917

43. Russ Reed, 8600 Henderson Grade, N. Ft. Myers, FL 33917

44. F. Marshall Rogers, 8240 Boonesboro Rd., N. Ft. Myers, FL 33917

45. Sharon Rollins, 18341 Hunter's Glen Rd., N. Ft. Myers, FL 33917

46. Tami Rucker, 18320 Lynn Rd., N. Ft. Myers, FL 33917

47. Cecilia Sheene, 17901 Nalle Rd., N. Ft. Myers, FL 33917

48. Trinda & David Shepard, 7730 Rich Rd., N. Ft. Myers, FL 33917

49. Sandra Sloan, 8235 Boonesboro Rd., N. Ft. Myers, FL 33917

50. Theresa Slomski, 18320 Hunter's Glen, N. Ft. Myers, FL 33917

51. Charles & Kathie Smith, 17885 Chesterfield Rd., N. Ft. Myers, FL 33917

52. Matt Smith, P. O. Box 51033, Ft. Myers, FL 33994

53. Stephanie Smith - 18700 Leetana Road, N. Ft. Myers, FL 33917

54. Natalie Stratta, 18220 Old Bayshore Rd., N. Ft. Myers, FL 33917

55. Terry Taitano, 19220 Four Wheel Drive, N. Ft. Myers, FL 33917

56. Douglas R. Tatton, 18251 Tatton Lane, N. Ft. Myers, FL 33917

57. Richard H. Thompson, P.E., 319 Inman St., Lehigh Acres, FL 33972

58. Doug Traurig, 8300 Henderson Grade Road, N. Ft. Myers, FL 33917

59. Shelley Traurig, 8300 Henderson Grade Road, N. Ft. Myers, FL 33917 (spoke for herself, Tammie Hillman, 17670 Sabal Palm Drive, N. Ft. Myers, FL 33917, and Trudy Evans, 8250 Dosonte Lane, N. Ft. Myers, FL 33917)

60. Sheri Weinlauf, 18194 Sandy Pines Circle, N. Ft. Myers, FL 33917

61. Patti & James E. Westberry, 18700 Lynn Rd., N. Ft. Myers, FL 33917

62. Ronald J. Wierengo, 8251 Rich Road, N. Ft. Myers, FL 33917

63. Mary Yaufman, 16780 Tarpon Way, N. Ft. Myers, FL 33917

General:

1. Jack Jorgensen, 18850 Nalle Road, N. Ft. Myers, FL 33917

2. Stephanie Keyes, Lee County School District, Facilities Planner, Department of Construction and Planning, 3308 Canal Street, Ft. Myers, FL 33916

B. THE FOLLOWING PERSONS SUBMITTED A LETTER/COMMENT CARD, OR OTHERWISE REQUESTED A COPY OF THE HEARING EXAMINER RECOMMENDATION:

For:

1. Tracy Hansen, 17870 Leetana Road, N. Ft. Myers, FL 33917

Against:

1. Bunny and Jeff Adams, 6880 Rich Rd., N. Ft. Myers, FL 33917

2. Sandra Anderson, 20050 Pearce St., N. Ft. Myers, FL 33917

3. Michael E. Auer, 16940 Tarpon Way, N. Ft. Myers, FL 33917

4. Linda & Matt Baer, 18651 Leetana Rd., N. Ft. Myers, FL 33917

5. Michael Barnhart, 19300 Skipper Rd., N. Ft. Myers, FL 33917

6. Cecil Berlien, 8501 Dosonte Lane, N. Ft. Myers, FL 33917

7. Joseph Burke, 17825 Chesterfield Rd., N. Ft. Myers, FL 33917

8. Rebecca Carlton, P. O. Box 4034, N. Ft. Myers, FL 33918

9. Bernice Cathell, 19230 Poor Lane, N. Ft. Myers, FL 33917

10. Carlee & Rebecca Chastain, 17901 Wells Rd., N. Ft. Myers, FL 33917

11. Ken Chilson, 17170 Williamsburg Drive, Ft. Myers, FL 33917

12. Brittain Conner, 9260 Sedgefield Rd., N. Ft. Myers, FL 33917

13. Barbara Copping, 17925 Chesterfield Road, N. Ft. Myers, FL 33917

14. Dorotha Crosby, 17730 Leetana Rd., N. Ft. Myers, FL 33917

15. Ray Crouch, 9150 Nalle Grade Rd., N. Ft. Myers, FL 33917

16. Gene and Mary Darlin, 17710 Leetana Rd., N. Ft. Myers, FL 33917

17. Gary Davis Environmental Policy Director, The Conservancy of Southwest Florida, 3450 Ortiz Avenue, Ft. Myers, Fl 33905

18. Joseph W. Daly, 17920 Leetana Rd., N. Ft. Myers, FL 33917

19. James & Darlene Garringer, 20420 Welborn Road, N. Ft. Myers, FL 33917

20. Larry Gill, 17940 Chesterfield Rd., N. Ft. Myers, FL 33917

21. Claudia Graham, 8450 Dosonte Lane, N. Ft. Myers, FL 33917

22. Rachel & Andy Griffin, 18451 Lynn Rd., N. Ft. Myers, FL 33917

23. Amy & Scott Harrington, 18250 Hunter's Glen Rd., N. Ft. Myers, FL 33917

24. William & Sandra Hicks, 18350 Lynn Rd., N. Ft. Myers, FL 33917

25. Suzanne & Gary Hummel, 18751 Leetana Rd., N. Ft. Myers, FL 33917

26. Edmund J. & Kathy A. Ivy, 18401 Lynn Rd., N. Ft. Myers, FL 33917

27. Patricia Hurst and Ken Kirk, 18720 Lynn Rd., N. Ft. Myers, FL 33917

28. Dr. & Mrs. Mark Jeter, 615 Cape Coral Pkwy W., Suite 105, Cape Coral, FL 33914

29. Linda Kroeker, 80891 Nalle Grade Rd., N. Ft. Myers, FL 33917

30. Misty Flynn Lenz, only e-mail address given

31. John Martinie, 18420 Panther Trail Lane, N. Ft. Myers, FL 33917

32. Charles Matson, 17180 E. Lake Dr., N. Ft. Myers, FL 33917

33. Stephanie & Nicholas G. Mellis, 20750 Huffmaster Rd., N. Ft. Myers, FL 33917

34. Denise & Donald Metrione, 8280 Boonesboro Rd., N. Ft. Myers, FL 33917

35. Cheryl Middleton, 17600 Durrance Rd., N. Ft. Myers, FL 33917

36. Diane & Fred Miller, 18301 Hunter's Glen Rd., N. Ft. Myers, FL 33903

37. Doug & Carla Miller, 17861 Wells Rd., N. Ft. Myers, FL 33917

38. Charley Munro, P. O. Box 62157, Ft. Myers, FL 33906

39. Christine M. Olsen, 20080 Keola Lane, N. Ft. Myers, FL 33917

40. John & Patricia Pierson, 1685 North Hermitage Rd., Ft. Myers, FL 33919

41. Carl S. Poole III, 8601 Henderson Grade, Ft. Myers, FL 33917

42. Jack & Cathie Potts, 9360 Sedgefield Rd., N. Ft. Myers, FL 33917

43. Patti Purdy, 9340 Sedgefield Rd., N. Ft. Myers, FL 33917

44. Butch Ritter, 18051 Nalle Rd., N. Ft. Myers, FL 33917

45. Connie Rogers, 8240 Boonesboro Rd., N. Ft. Myers, FL 33917

46. Bryan Rucker, 18320 Lynn Rd., N. Ft. Myers, FL 33917

47. Leon Saba, 8130 Dosonte Lane, N. Ft. Myers, FL 33917

48. Mr. & Mrs. Matt Schneider, 15453 Yale Dr., Ft. Myers, FL 33917

49. Susie Singletary, 7291 Rich Rd., N. Ft. Myers, FL 33917

50. Donna Skinner, 9801 Quail Hollow Rd., N. Ft. Myers, FL 33917

51. Mitchell Spainhower, 17931 Leetana Rd., N. Ft. Myers, FL 33917

52. Cheryl Stamper, 17926 Leetana Rd., N. Ft. Myers, FL 33917

53. Linda Stanford, 9471 Sedgefield Rd., N. Ft. Myers, FL 33917

54. David & Betsy Strasbaugh, 18390 Hunter's Glen Rd., N. Ft. Myers, FL 33917

55. Barb & Jim Swindler, 9330 Sedgefield Rd., N. Ft. Myers, FL 33917

56. John Taitano, 19220 Four Wheel Drive, N. Ft. Myers, FL 33917

57. Linda & Bill Taylor, 17160 E. Lake Drive, N. Ft. Myers, FL 33917

58. William & Mary Jane Tenwick, 8071 Dosonte Lane, N. Ft. Myers, FL 33917

General:

1. Karin & Steve Gatewood, 18430 Hunter's Glen Road, N. Ft. Myers, FL 33917

2. Matthew & Mary Gatof, 8271 Boonesboro Road, N. Ft. Myers, FL 33917

3. Richard B. Queen, Sr., 18178 Sandy Pines Circle, N. Ft. Myers, FL 33917

4. William Rollins, 18341 Hunter's Glen Rd., N. Ft. Myers, FL 33917

5. Frances Traurig, 287 Coral Drive, Ft. Myers, FL 33905

6. Harry & Jane Volker, 303 Crystal Lane, N. Ft. Myers, FL 33903

IX. LEGAL DESCRIPTION:

See **Exhibit A** (scanned legal description).

X. UNAUTHORIZED COMMUNICATIONS:

Unauthorized communications shall include any direct or indirect communication in any form, whether written, verbal or graphic, with the Hearing Examiner, or the Hearing Examiner's staff, any individual County Commissioner or their executive assistant, by any person outside of a public hearing and not on the record concerning substantive issues in any proposed or pending matter relating to appeals, variances, rezonings, special exceptions, or any other matter assigned by statute, ordinance or administrative code to the Hearing Examiner for decision or recommendation. . . . [Administrative Code AC-2-5]

No person shall knowingly have or attempt to initiate an unauthorized communication with the Hearing Examiner or any county commissioner [or their staff]. . . . [LDC Section 34-52(a)(1), emphasis added]

Any person who knowingly makes or attempts to initiate an unauthorized communication . . . [may] be subject to civil or criminal penalties which may include: [Section 34-52(b)(1), emphasis added]

Revocation, suspension or amendment of any permit variance, special exception or rezoning granted as a result of the Hearing Examiner action which is the subject of the unauthorized communication. [LDC Section 34-52(b)(1)b.2.]; OR

A fine not exceeding $500.00 per offense, by imprisonment in the county jail for a term not exceeding 60 days, or by both such fine and imprisonment. [LDC Section 1-5(c)]

XI. HEARING BEFORE LEE COUNTY BOARD OF COUNTY COMMISSIONERS:

A. This recommendation is made this 3rd day of December, 2003. Notice or copies will be forwarded to the offices of the Lee County Board of County Commissioners.

B. The original file and documents used at the hearing will remain in the care and custody of the Department of Community Development. The documents are available for examination and copying by all interested parties during normal business hours.

C. The Board of County Commissioners will hold a hearing at which they will consider the record made before the Hearing Examiner. The Department of Community Development will send written notice to all hearing participants of the date of this hearing before the Board of County Commissioners. Only participants, or their representatives, will be allowed to address the Board. The content of all statements by persons addressing the Board shall be strictly limited to the correctness of Findings of Fact or Conclusions of Law contained in the recommendation, or to allege the discovery of relevant new evidence which was not known by the speaker at the time of the earlier hearing before the Hearing Examiner and not otherwise disclosed in the record.

D. The original file containing the original documents used in the hearing before the Hearing Examiner will be brought by the Staff to the hearing before the Board of County Commissioners. Any or all of the documents in the file are available on request at any time to any County Commissioner.

XII. COPIES OF TESTIMONY AND TRANSCRIPTS:

A verbatim transcript of the testimony presented at the hearing can be purchased from the court reporting service under contract to the Hearing Examiner's Office. The original documents and file in connection with this matter are located at the Lee County Department of Community Development, 1500 Monroe Street, Fort Myers, Florida.

SALVATORE TERRITO
LEE COUNTY HEARING EXAMINER
1500 Monroe Street, Suite 218
Post Office Box 398
Fort Myers, FL 33902-0398
Telephone: 239/479-8100
Facsimile: 239/479-8106

DCI 2001-00038

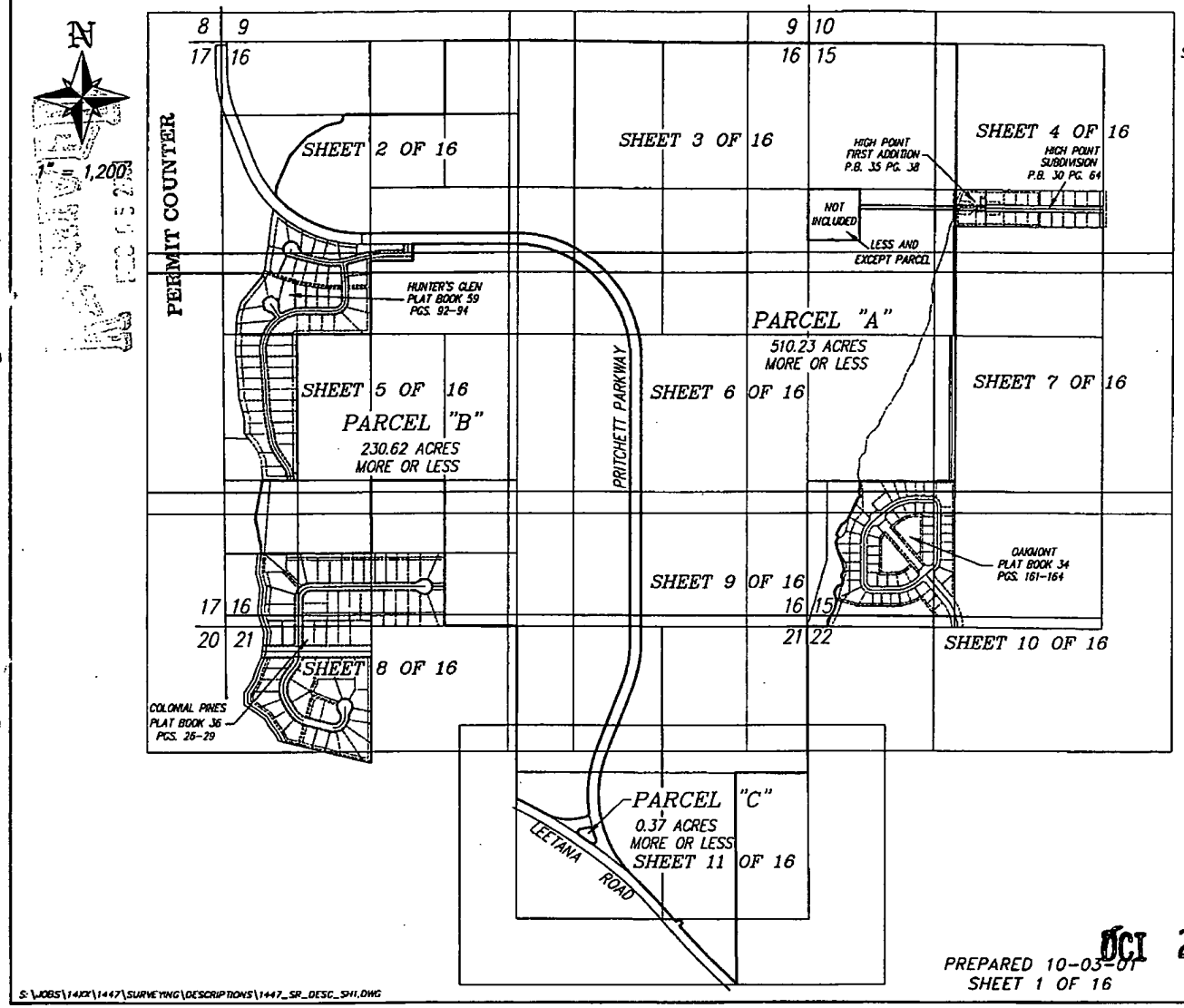
SKETCH OF DESCRIPTIONS

OF

PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

(STONEYBROOK NORTH)

EXHIBIT A



LEGEND:

O.R.	INDICATES OFFICIAL RECORDS BOOK
PG.	INDICATES PAGE.
P.O.B	INDICATES POINT OF BEGINNING
P.O.C.	INDICATES POINT OF COMMENCEMENT
R/W	INDICATES RIGHT-OF-WAY
(1)	INDICATES CURVE NUMBER 1 FROM THE CURVE TABLE
L1	INDICATES LINE NUMBER 1 FROM THE LINE TABLE
SUBDIV.	INDICATES SUBDIVISION

NOTES:

1.) PARCEL SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND RESERVATIONS OF RECORD.

2.) BEARINGS ARE BASID ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

3.) PARCELS CONTAIN 741.22 ACRES MORE OR LESS.

SEE SHEETS 13 THROUGH 16 FOR DESCRIPTIONS.

THIS SKETCH OF DESCRIPTIONS IS NOT A BOUNDARY SURVEY

Richard M. Ritz

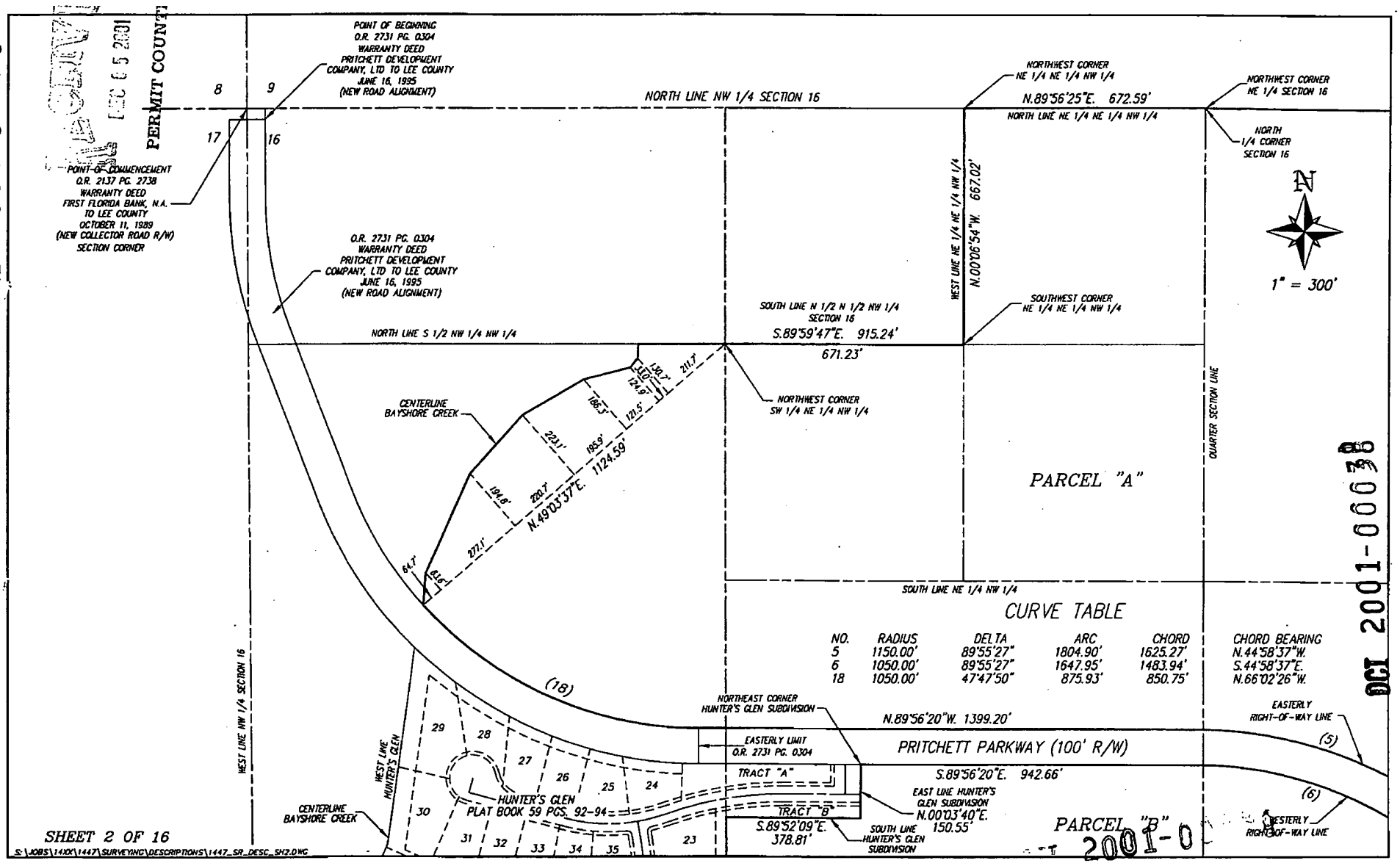
RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009

- THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

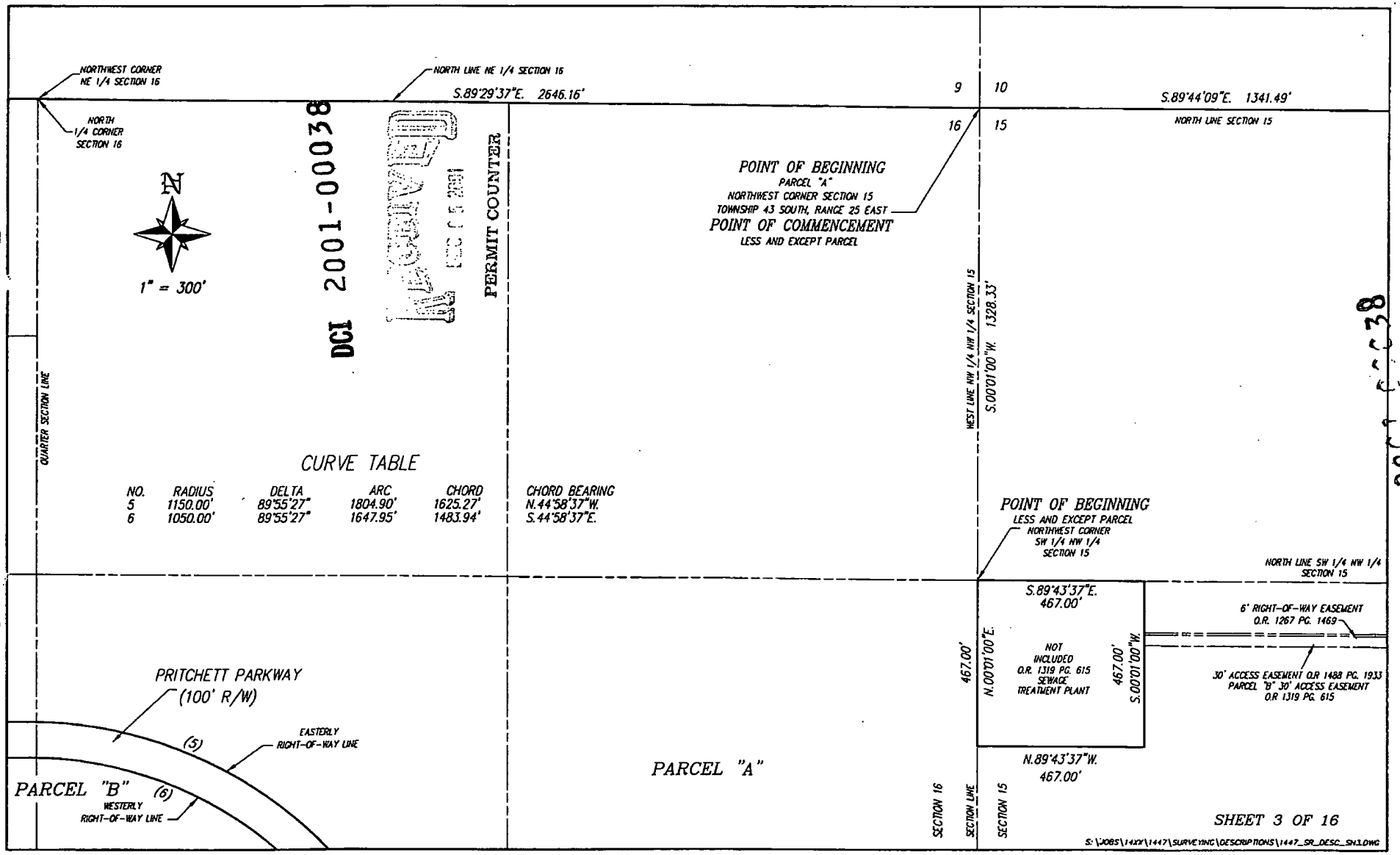
PREPARED 10-03-01
SHEET 1 OF 16

DCI 2001-00038

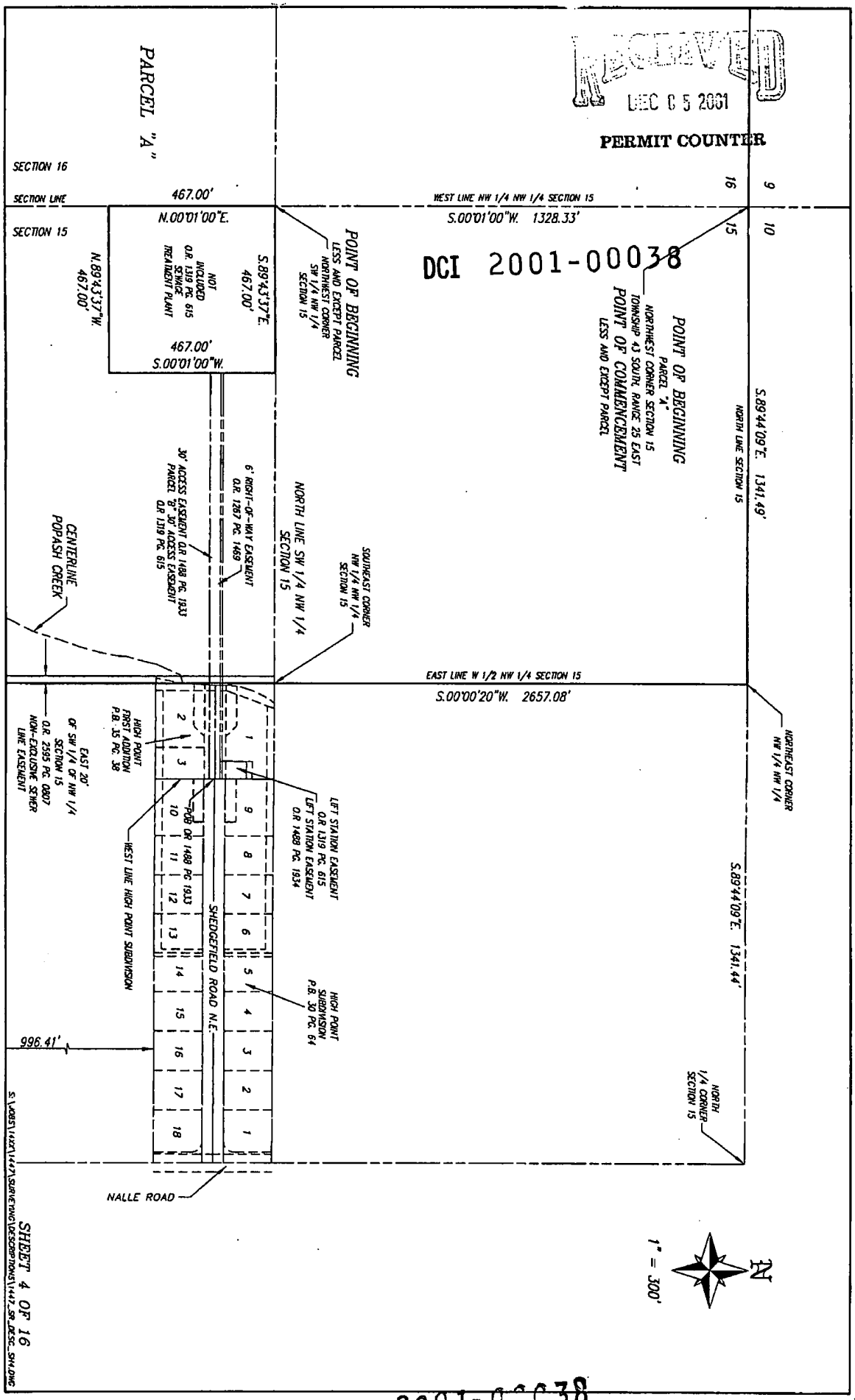
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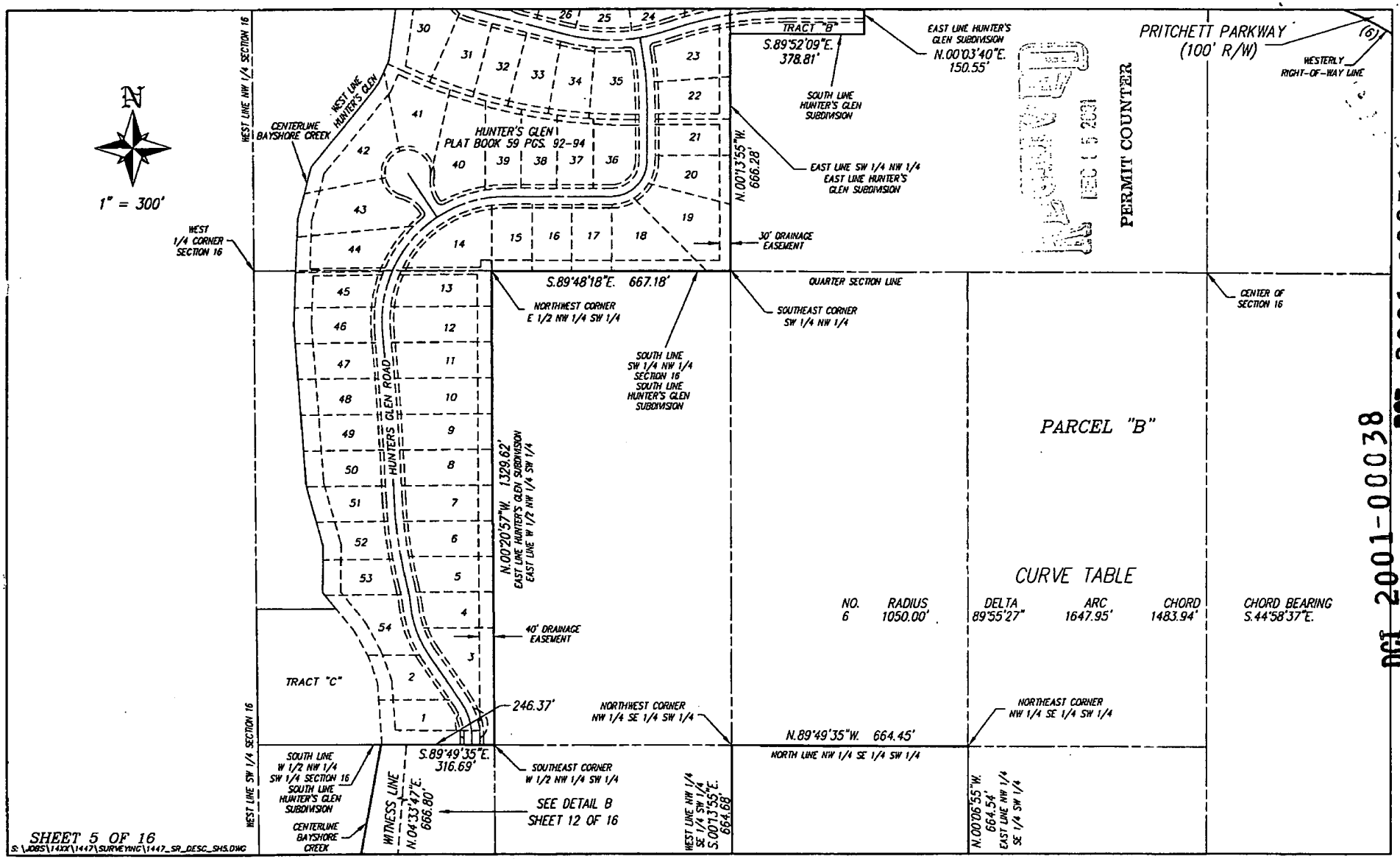


PERMIT COUNTY
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OCT 2001-00038



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RECEIVED
DEC 0 5 2001
PERMIT COUNTER
DCI 2001-00038
PARCEL "A"
SECTION 16
SECTION LINE
467.00'
N.00°01'00"E.
SECTION 15
N.89°43'37"W.
467.00'
S.89°43'37"E.
467.00'
NOT INCLUDED O.R. 1319 PG. 615 SEWAGE TREATMENT PLANT
467.00'
S.00°01'00"W.
POINT OF BEGINNING
LESS AND EXCEPT PARCEL
NORTHWEST CORNER SW 1/4 NW 1/4 SECTION 15
WEST LINE NW 1/4 NW 1/4 SECTION 15
S.00°01'00"W. 1328.33'
POINT OF BEGINNING
PARCEL "A"
NORTHWEST CORNER SECTION 15
TOWNSHIP 43 SOUTH, RANGE 25 EAST
POINT OF COMMENCEMENT
LESS AND EXCEPT PARCEL
NORTH LINE SECTION 15
S.89°44'09"E. 1341.49'
30' ACCESS EASEMENT O.R. 1488 PG. 1933
PARCEL "B" 30' ACCESS EASEMENT
O.R. 1319 PG. 615
6' RIGHT-OF-WAY EASEMENT
O.R. 1287 PG. 1469
NORTH LINE SW 1/4 NW 1/4
SECTION 15
SOUTHEAST CORNER
NW 1/4 NW 1/4
SECTION 15
CENTERLINE
POPASH CREEK
EAST LINE W 1/2 NW 1/4 SECTION 15
S.00°00'20"W. 2657.08'
NORTHEAST CORNER
NW 1/4 NW 1/4
HIGH POINT
FIRST ADDITION
P.B. 15 PG. 38
EAST 20'
OF SW 1/4 OF NW 1/4
SECTION 15
O.R. 2595 PG. 0807
NON-EXCLUSIVE SEWER
LINE EASEMENT
WEST LINE HIGH POINT SUBDIVISION
POB OR 1488 PG. 1933
LIFT STATION EASEMENT
O.R. 1319 PG. 615
LIFT STATION EASEMENT
O.R. 1488 PG. 1934
HIGH POINT
SUBDIVISION
P.B. 30 PG. 64
SHEDGEFIELD ROAD N.E.
S.89°44'09"E. 1341.44'
996.41'
NORTH
1/4 CORNER
SECTION 15
NALLE ROAD
1" = 300'
N
S:\JOBS\1422\1427\SURVEYING\DESCRIPTIONS\1427_SR_DESC_SW.DWG
SHEET 4 OF 16
DCI 2001-00038

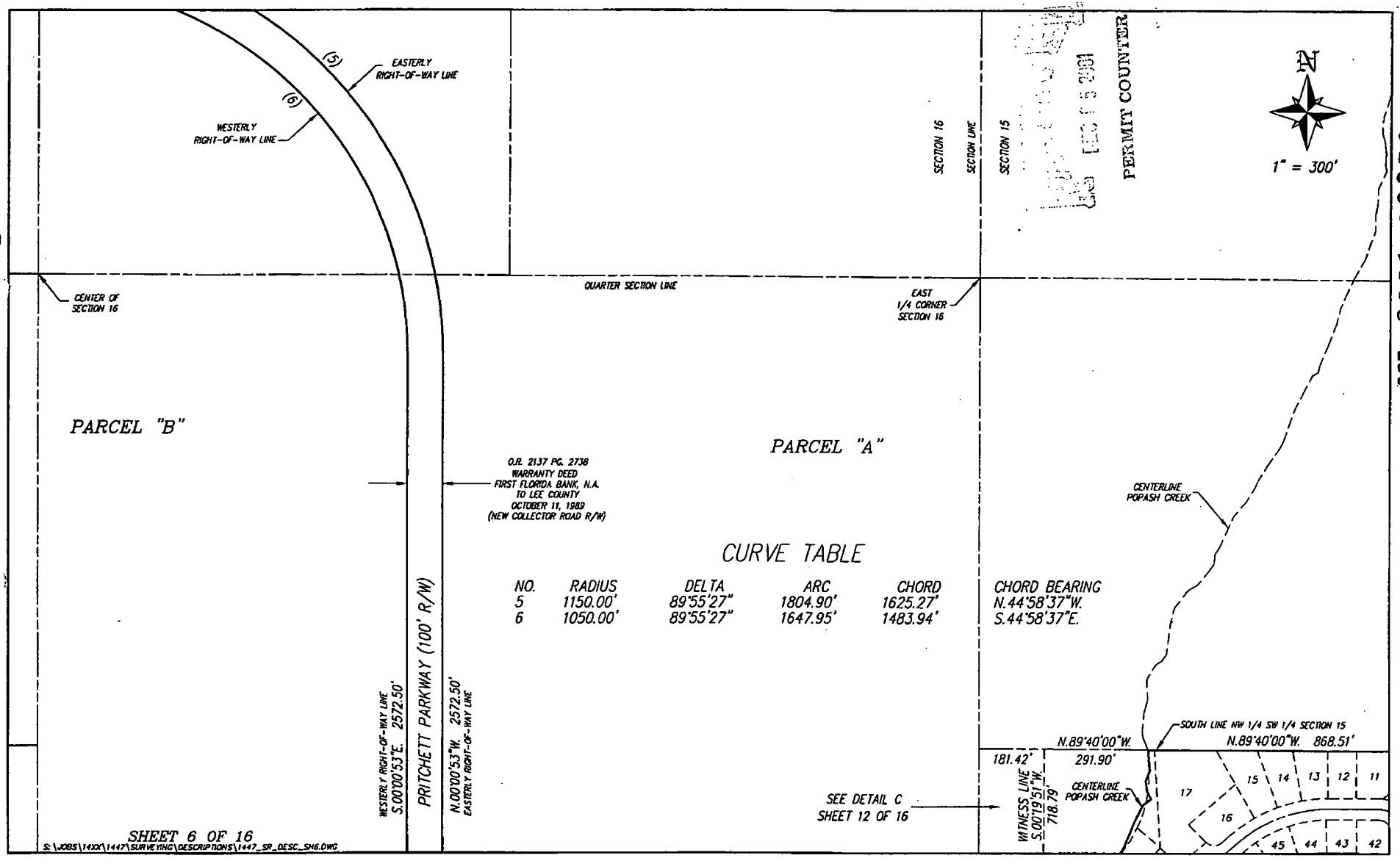


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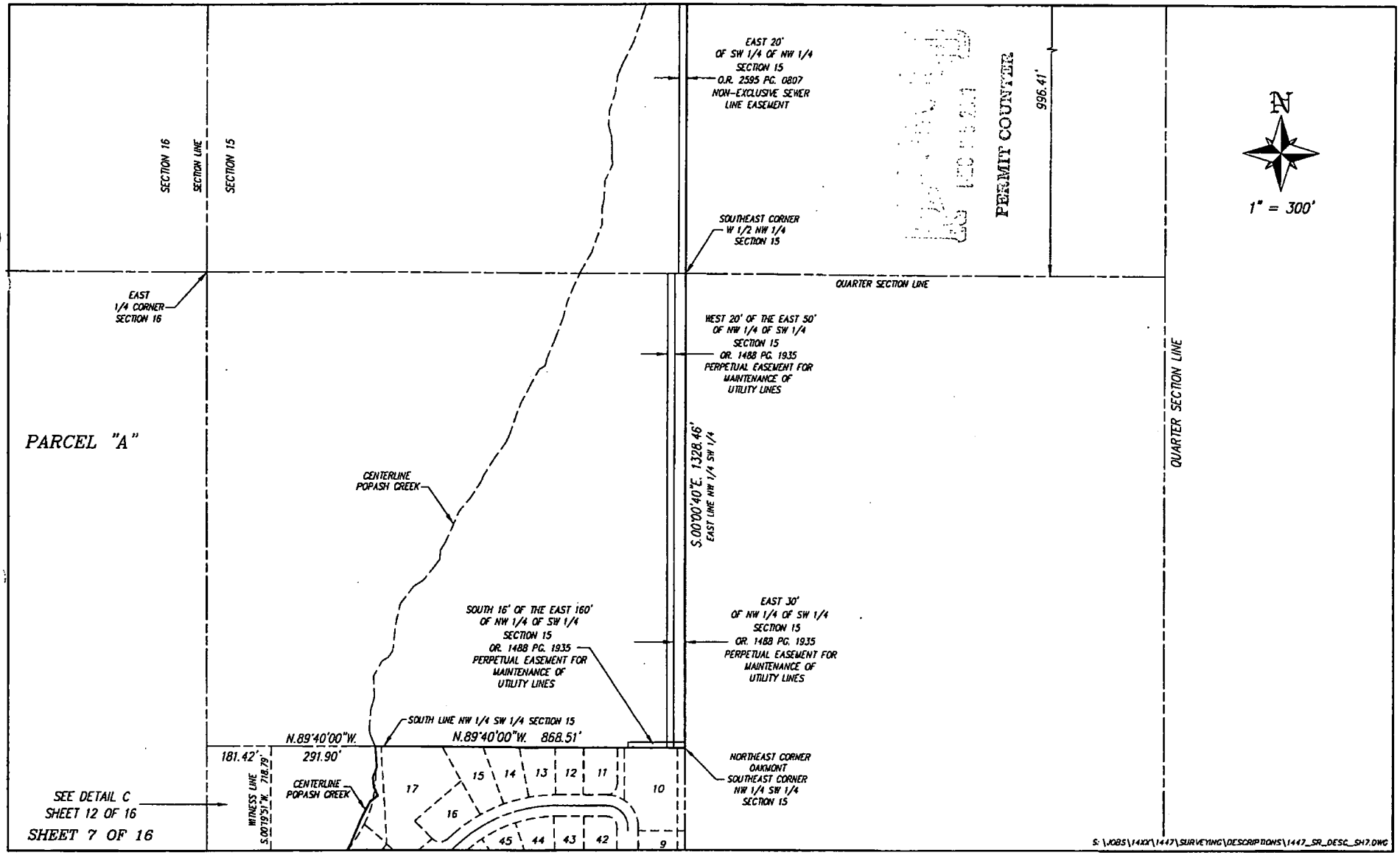
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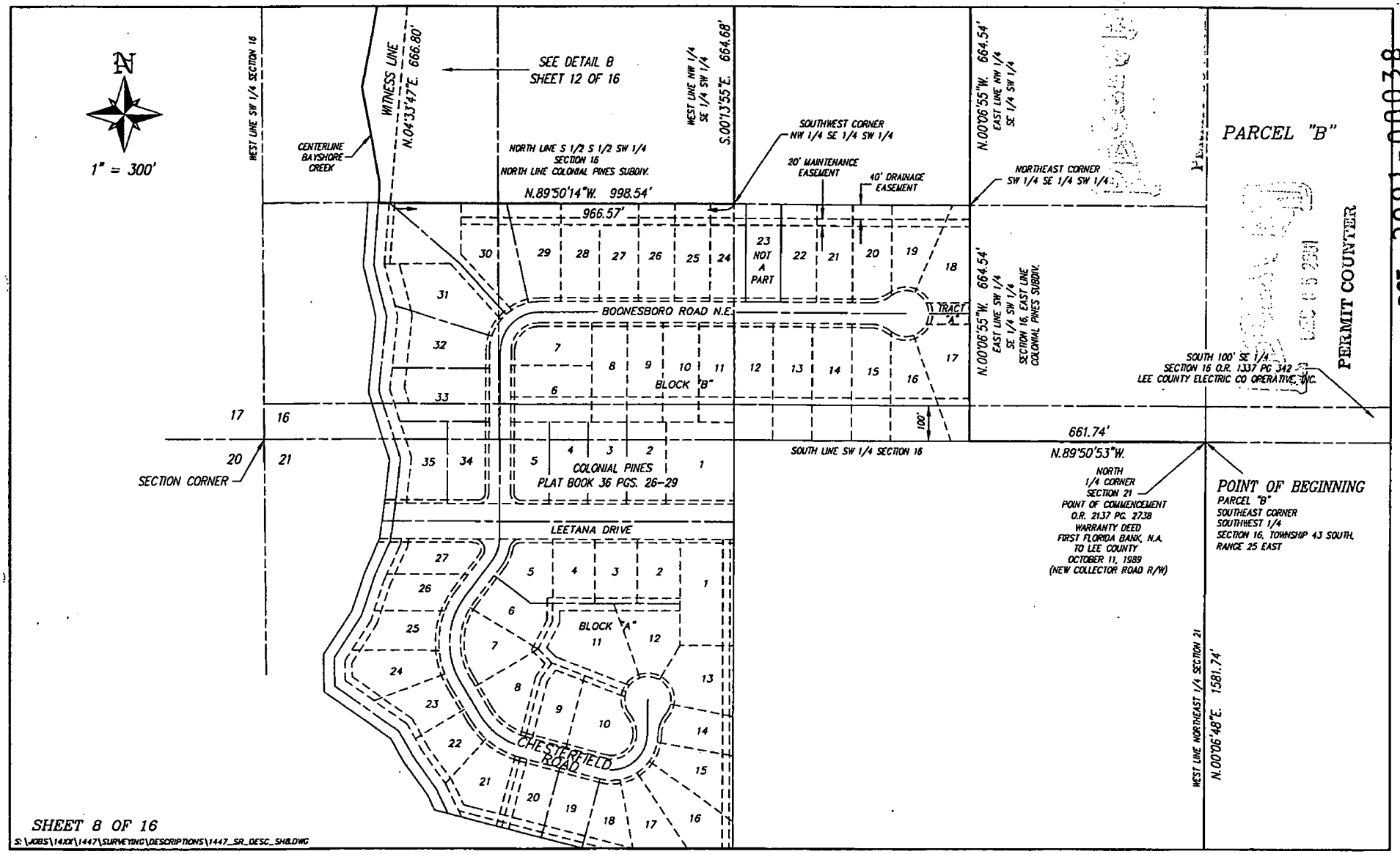
SHEET 6 OF 16

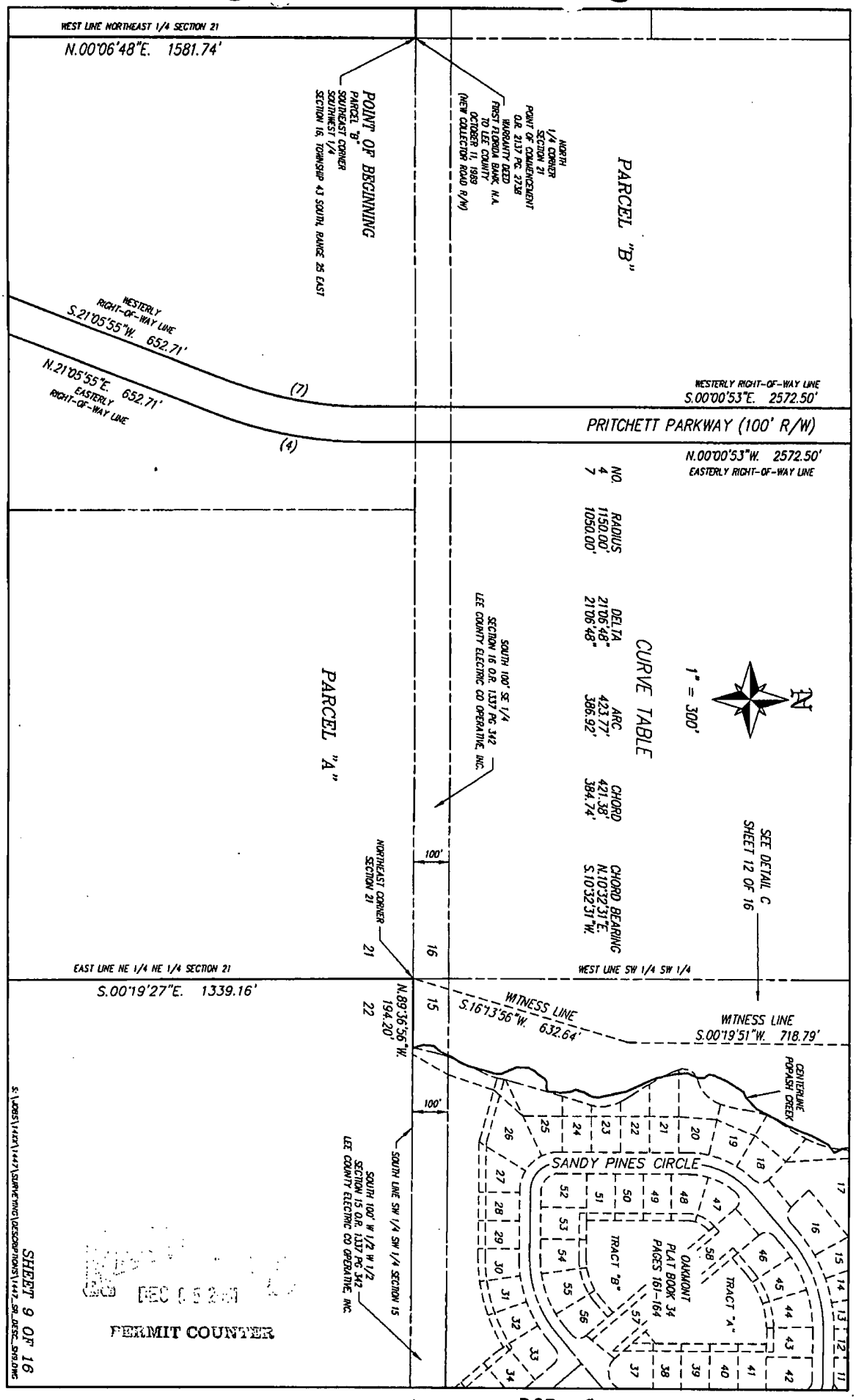
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DCI 2001-00038


N
1" = 300'
WEST LINE SW 1/4 SECTION 16
CENTERLINE BAYSHORE CREEK
WITNESS LINE
N.04°33'47"E. 666.80'
SEE DETAIL B
SHEET 12 OF 16
WEST LINE NW 1/4 SE 1/4 SW 1/4
S.00°13'55"E. 664.68'
NORTH LINE S 1/2 S 1/2 SW 1/4 SECTION 16
NORTH LINE COLONIAL PINES SUBDIV.
N.89°50'14"W. 998.54'
966.57'
SOUTHWEST CORNER NW 1/4 SE 1/4 SW 1/4
20' MAINTENANCE EASEMENT
40' DRAINAGE EASEMENT
N.00°06'55"W. 664.54'
EAST LINE NW 1/4 SE 1/4 SW 1/4
NORTHEAST CORNER SW 1/4 SE 1/4 SW 1/4
N.00°06'55"W. 664.54'
EAST LINE SW 1/4 SE 1/4 SW 1/4
SECTION 16, EAST LINE COLONIAL PINES SUBDIV.
23 NOT A PART
BOONESBORO ROAD N.E.
TRACT "A"
BLOCK "B"
100'
SOUTH LINE SW 1/4 SECTION 16
661.74'
N.89°50'53"W.
17
16
20
21
SECTION CORNER
COLONIAL PINES
PLAT BOOK 36 PGS. 26-29
LEETANA DRIVE
BLOCK "A"
CHESTERFIELD ROAD
NORTH 1/4 CORNER SECTION 21
POINT OF COMMENCEMENT
O.R. 2137 PG. 2738
WARRANTY DEED
FIRST FLORIDA BANK, N.A.
TO LEE COUNTY
OCTOBER 11, 1989
(NEW COLLECTOR ROAD R/W)
WEST LINE NORTHEAST 1/4 SECTION 21
N.00°06'48"E. 1581.74'
PARCEL "B"
SOUTH 100' SE 1/4
SECTION 16 O.R. 1337 PG 342
LEE COUNTY ELECTRIC CO OPERATIVE, INC.
POINT OF BEGINNING
PARCEL "B"
SOUTHEAST CORNER
SOUTHWEST 1/4
SECTION 16, TOWNSHIP 43 SOUTH,
RANGE 25 EAST
PERMIT COUNTER
DCI 2001-00038
SHEET 8 OF 16
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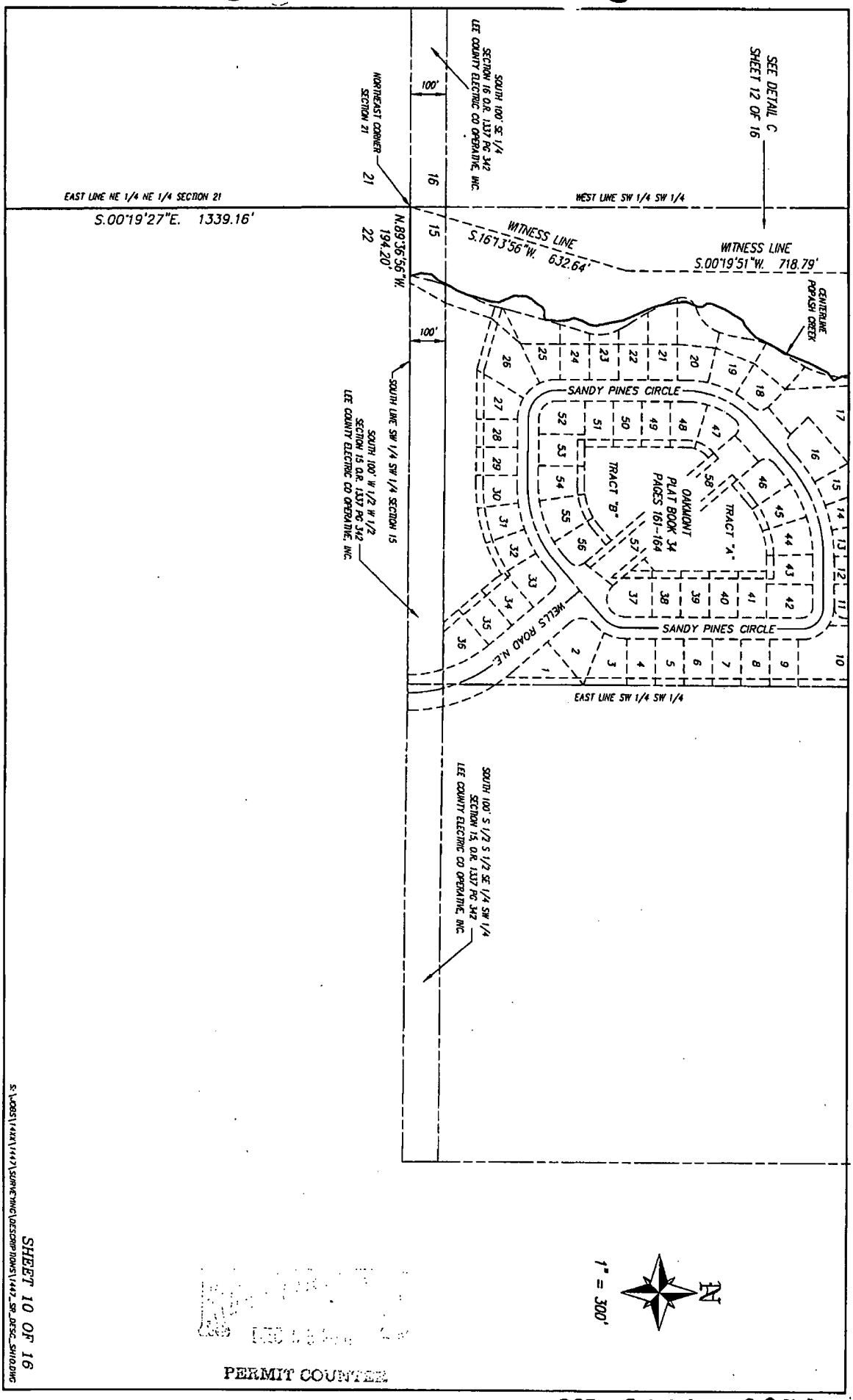
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SHEET 9 OF 16

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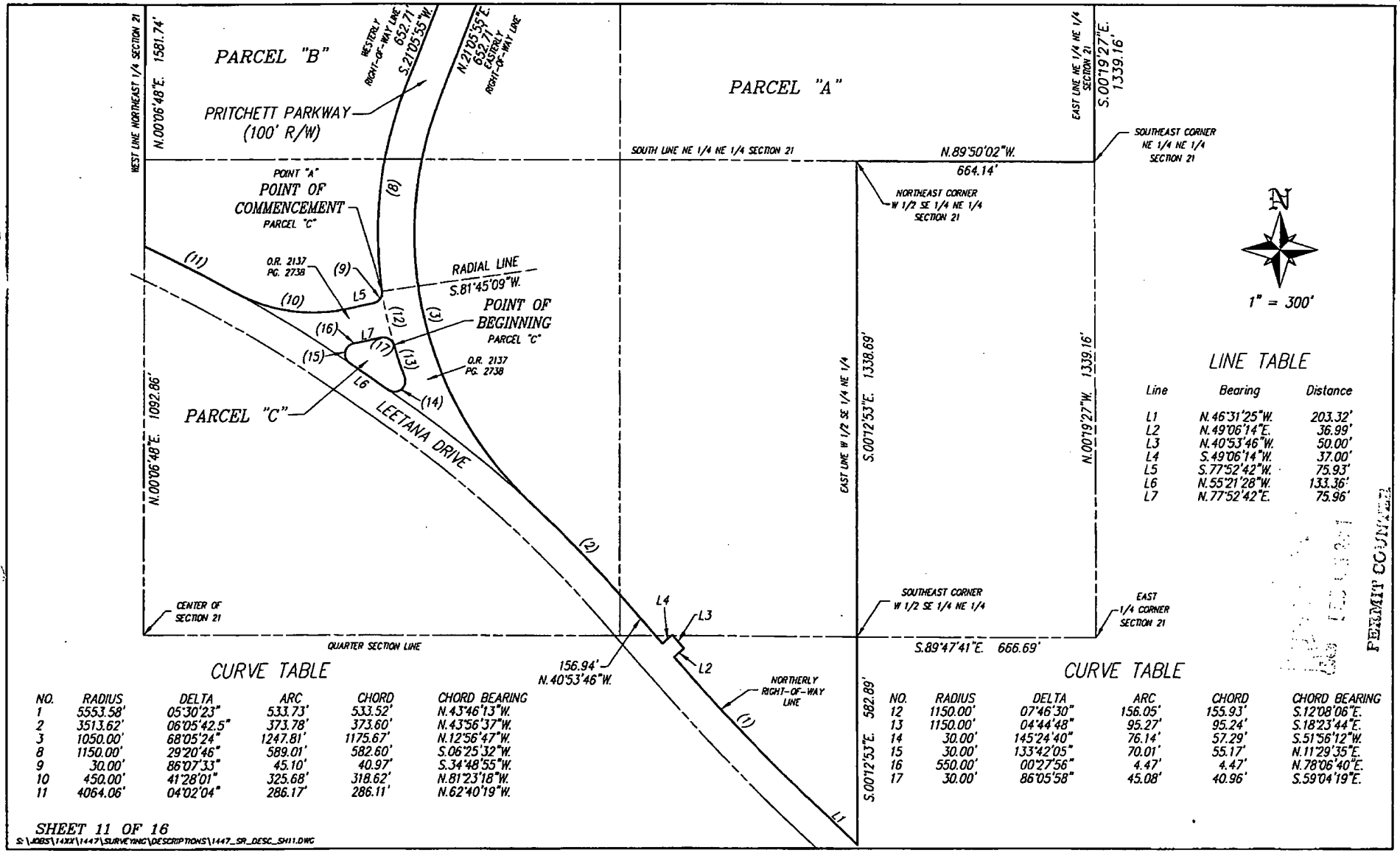


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SHEET 10 OF 16

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LINE TABLE

Line	Bearing	Distance
L1	N.46°31'25"W.	203.32'
L2	N.49°06'14"E.	36.99'
L3	N.40°53'46"W.	50.00'
L4	S.49°06'14"W.	37.00'
L5	S.77°52'42"W.	75.93'
L6	N.55°21'28"W.	133.36'
L7	N.77°52'42"E.	75.96'

CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	5553.58'	05°30'23"	533.73'	533.52'	N.43°46'13"W.
2	3513.62'	06°05'42.5"	373.78'	373.60'	N.43°56'37"W.
3	1050.00'	68°05'24"	1247.81'	1175.67'	N.12°56'47"W.
8	1150.00'	29°20'46"	589.01'	582.60'	S.06°25'32"W.
9	30.00'	86°07'33"	45.10'	40.97'	S.34°48'55"W.
10	450.00'	41°28'01"	325.68'	318.62'	N.81°23'18"W.
11	4064.06'	04°02'04"	286.17'	286.11'	N.62°40'19"W.

CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
12	1150.00'	07°46'30"	156.05'	155.93'	S.12°08'06"E.
13	1150.00'	04°44'48"	95.27'	95.24'	S.18°23'44"E.
14	30.00'	145°24'40"	76.14'	57.29'	S.51°56'12"W.
15	30.00'	133°42'05"	70.01'	55.17'	N.11°29'35"E.
16	550.00'	00°27'56"	4.47'	4.47'	N.78°06'40"E.
17	30.00'	86°05'58"	45.08'	40.96'	S.59°04'19"E.

SHEET 11 OF 16

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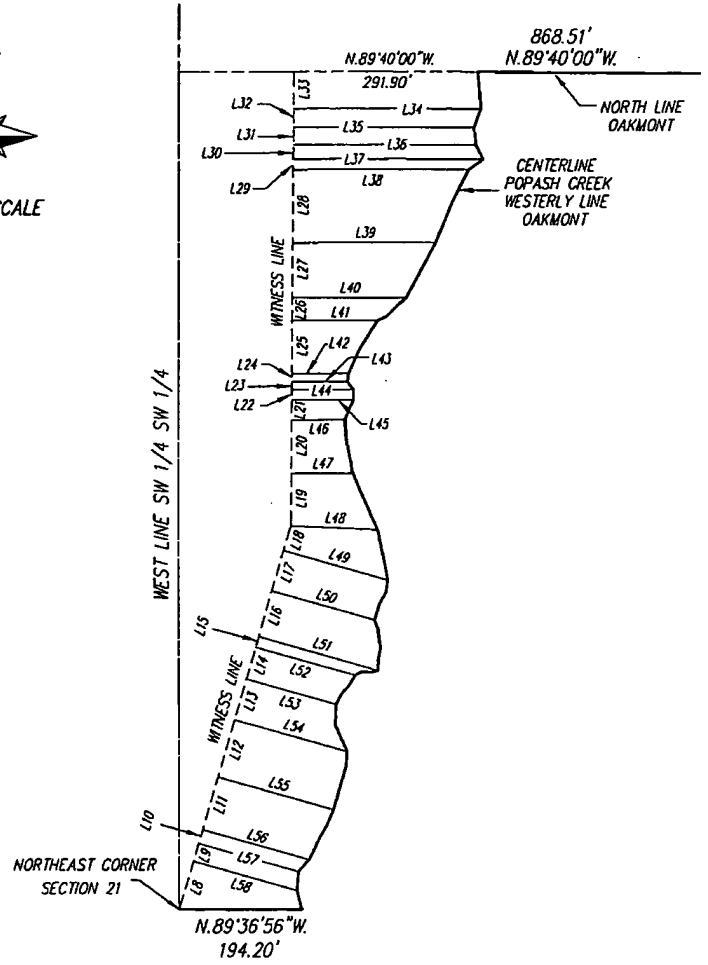
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PERMIT COPY

DETAIL SHEET



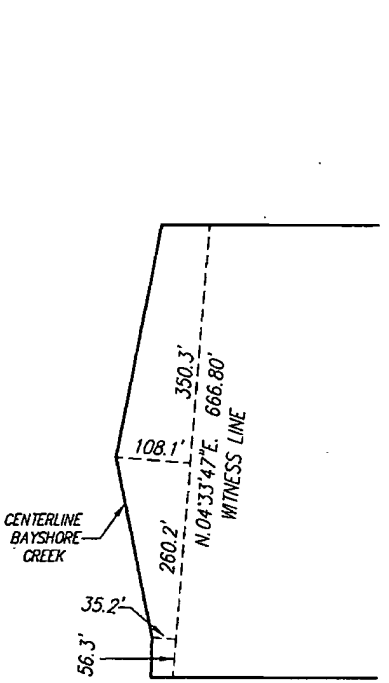
NOT TO SCALE



DETAIL C
NOT TO SCALE

LINE TABLE

Line	Bearing	Distance
L8	N.16°13'56"E.	79.4'
L9	N.16°13'56"E.	29.6'
L10	N.16°13'56"E.	23.1'
L11	N.16°13'56"E.	86.7'
L12	N.16°13'56"E.	94.4'
L13	N.16°13'56"E.	67.3'
L14	N.16°13'56"E.	52.6'
L15	N.16°13'56"E.	17.2'
L16	N.16°13'56"E.	75.4'
L17	N.16°13'56"E.	66.6'
L18	N.16°13'56"E.	40.3'
L19	N.00°19'51"E.	83.1'
L20	N.00°19'51"E.	83.7'
L21	N.00°19'51"E.	31.8'
L22	N.00°19'51"E.	16.0'
L23	N.00°19'51"E.	12.6'
L24	N.00°19'51"E.	13.2'
L25	N.00°19'51"E.	84.6'
L26	N.00°19'51"E.	35.8'
L27	N.00°19'51"E.	87.0'
L28	N.00°19'51"E.	116.4'
L29	N.00°19'51"E.	16.7'
L30	N.00°19'51"E.	22.7'
L31	N.00°19'51"E.	27.4'
L32	N.00°19'51"E.	29.4'
L33	N.00°19'51"E.	58.4'
L34	S.89°40'09"E.	297.3'
L35	S.89°40'09"E.	286.4'
L36	S.89°40'09"E.	289.9'
L37	S.89°40'09"E.	301.4'
L38	S.89°40'09"E.	279.0'
L39	S.89°40'09"E.	227.1'
L40	S.89°40'09"E.	181.1'
L41	S.89°40'09"E.	135.2'
L42	S.89°40'09"E.	89.7'
L43	S.89°40'09"E.	88.0'
L44	S.89°40'09"E.	97.6'
L45	S.89°40'09"E.	97.8'
L46	S.89°40'09"E.	84.3'
L47	S.89°40'09"E.	97.7'
L48	S.87°00'59"E.	137.8'
L49	S.73°46'04"E.	172.6'
L50	S.73°46'04"E.	169.4'
L51	S.73°46'04"E.	196.7'
L52	S.73°46'04"E.	164.5'
L53	S.73°46'04"E.	148.4'
L54	S.73°46'04"E.	185.7'
L55	S.73°46'04"E.	191.1'
L56	S.73°46'04"E.	176.0'
L57	S.73°46'04"E.	164.7'
L58	S.73°46'04"E.	170.2'



DETAIL B
NOT TO SCALE

DEC 05 2001
PERMIT COUNTER

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Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION
OF
PARCELS OF LAND
LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

TRACTS OR PARCELS OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 15, 16 AND 21 TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER DESCRIBED AS FOLLOWS:

PARCEL "A"

BEGINNING AT THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°44'09"E. ALONG THE NORTH LINE OF SAID SECTION 15 FOR 1341.49 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.00°00'20"W. ALONG THE EAST LINE OF SAID FRACTION FOR 2657.08 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S.00°00'40"E. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 FOR 1328.46 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION THE SAME BEING THE NORTHEAST CORNER OF OAKMONT, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34 AT PAGES 161 THROUGH 164 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.89°40'00"W. ALONG THE SOUTH LINE OF SAID FRACTION AND THE NORTH LINE OF SAID OAKMONT FOR 868.51 FEET TO AN INTERSECTION WITH THE CENTERLINE OF POPASH CREEK AND THE WESTERLY LINE OF SAID OAKMONT; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE AND SAID WESTERLY LINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 THE SAME BEING THE SOUTHWEST CORNER OF SAID OAKMONT; THENCE N.89°36'56"W. ALONG SAID SOUTH LINE FOR 194.20 FEET TO THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°19'27"E. ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21 FOR 1339.16 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE N.89°50'02"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 664.14 FEET TO THE NORTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE S.00°12'53"E. ALONG THE EAST LINE OF SAID FRACTION FOR 1338.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE CONTINUE S.00°12'53"E. 582.89 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.46°31'25"W. ALONG SAID NORTHERLY LINE FOR 203.32 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5553.58 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 05°30'23.2" FOR 533.73 FEET; THENCE N.49°06'14"E. ALONG SAID NORTHERLY LINE FOR 36.99 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 50.00 FEET; THENCE S.49°06'14"W. ALONG SAID NORTHERLY LINE FOR 37.00 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 156.94 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 3513.62 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 06°05'42.5" FOR 373.78 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 1050.00 FEET; THENCE

DCI 2001-00038

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NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 68°05'24" FOR 1247.81 FEET; THENCE N.21°05'55"E. ALONG SAID EASTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 423.77 FEET; THENCE N.00°00'53"W. ALONG SAID EASTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1804.90 FEET; THENCE N.89°56'20"W. ALONG SAID EASTERLY LINE FOR 1399.20 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 47°47'50" FOR 875.93 FEET; TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE CREEK; THENCE NORTHEASTERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°59'47"E. ALONG SAID SOUTH LINE FOR 915.24 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE N.00°06'54"W. ALONG THE WEST LINE OF SAID FRACTION FOR 667.02 FEET TO AN INTERSECTION WITH THE NORTH LINE OF SAID FRACTION; THENCE N.89°56'25"E. ALONG SAID NORTH LINE FOR 672.59 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE S.89°29'37"E. ALONG THE NORTH LINE OF SAID SECTION FOR 2646.16 FEET TO THE **POINT OF BEGINNING.**

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL

COMMENCING AT NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°01'00"W. ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15 FOR 1328.33 FEET TO THE POINT OF BEGINNING THE SAME BEING THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.89°43'37"E. ALONG THE NORTH LINE OF SAID FRACTION FOR 467.00 FEET; THENCE S.00°01'00"W. FOR 467.00 FEET; THENCE N.89°43'37"W. FOR 467.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID FRACTION; THENCE N.00°01'00"E. ALONG THE WEST LINE OF SAID FRACTION FOR 467.00 FEET TO THE POINT OF BEGINNING.

PARCEL "A" CONTAINS 510.23 ACRES MORE OR LESS.

AND: PARCEL "B"

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.89°50'53"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 661.74 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 THE SAME BEING A POINT ON THE EAST LINE OF COLONIAL PINES, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 36 AT PAGES 26 THROUGH 29 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.00°06'55"W. ALONG SAID EAST LINE FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION AND SAID COLONIAL PINES; THENCE N.00°06'55"W. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE N.89°49'35"W. ALONG THE NORTH LINE OF SAID FRACTION FOR 664.45 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE S.00°13'55"E. ALONG THE EAST LINE OF SAID FRACTION FOR 664.68 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION THE SAME BEING AN INTERSECTION WITH THE NORTH LINE OF SAID COLONIAL PINES; THENCE N.89°50'14"W. ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 AND THE NORTH LINE OF SAID COLONIAL PINES FOR 998.54 FEET TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE

CREEK; THENCE NORTHERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16, THE SAME BEING THE SOUTH LINE OF HUNTER'S GLEN, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 59 AT PAGES 92 THROUGH 94 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA; THENCE S.89°49'35"E. ALONG SAID SOUTH LINE FOR 316.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND SAID HUNTER'S GLEN; THENCE N.00°20'57"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 1329.62 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16 AND SAID HUNTER'S GLEN; THENCE S.89°48'18"E. ALONG SAID SOUTH LINE FOR 667.18 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°13'55"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 666.28 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID HUNTER'S GLEN; THENCE S.89°52'09"E. ALONG SAID SOUTH LINE FOR 378.81 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°03'40"E. ALONG SAID EAST LINE FOR 150.55 FEET TO THE NORTHEAST CORNER OF SAID HUNTER'S GLEN, THE SAME BEING AN INTERSECTION WITH THE WESTERLY LINE OF PRITCHETT PARKWAY (100 FEET WIDE); THENCE S.89°56'20"E. ALONG SAID WESTERLY LINE FOR 942.66 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1647.95 FEET; THENCE S.00°00'53"E. ALONG SAID WESTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 386.92 FEET; THENCE S.21°05'55"W. ALONG SAID WESTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 29°20'46" FOR 589.01 FEET TO **POINT "A"** THE SAME BEING AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PRITCHETT PARKWAY AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°07'33" FOR 45.10 FEET; THENCE S.77°52'42"W. ALONG SAID NORTHERLY LINE FOR 75.93 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 450.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 41°28'01" FOR 325.68 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF LEETANA DRIVE (86 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 4064.06 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 04°02'04" FOR 286.17 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.00°06'48"E. ALONG SAID WEST LINE FOR 1581.74 FEET TO THE **POINT OF BEGINNING.**

PARCEL "B" CONTAINS 230.62 ACRES MORE OR LESS.

AND: PARCEL "C"

COMMENCING AT THE AFOREMENTIONED **POINT "A"** THE SAME BEING A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.81°45'09"W.; THENCE; SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°46'30" FOR 156.05 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE SOUTHERLY ALONG SAID CURVE AND THE WESTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) THROUGH A CENTRAL ANGLE OF 04°44'48" FOR 95.27 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 145°24'40" FOR 76.14 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.55°21'28"W. ALONG SAID NORTHERLY LINE FOR 133.36 FEET TO AN INTERSECTION WITH THE

SOUTHERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 133°42'05" FOR 70.01 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 550.00 FEET; THENCE EASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 00°27'56" FOR 4.47 FEET; THENCE N.77°52'42"E. ALONG SAID SOUTHERLY LINE FOR 75.96 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°05'58" FOR 45.08 FEET TO THE **POINT OF BEGINNING.**

PARCEL "C" CONTAINS 0.37 ACRES MORE OR LESS.

PARCELS CONTAIN 741.22 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

DESCRIPTION PREPARED 10-03-01

Applicant's Legal Checked
by 11/26/02

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UNIVERSITY OF FLORIDA

Horticulture

LEE COUNTY EXTENSION SERVICE

TRANSPLANTING SABAL PALMS
Step-by-Step Instructions

Lee 8/2000A

Stephen H. Brown
Lee County Horticulture Agent

Rick Joyce
Deputy Director, Lee County Planning Division

Introduction

The native cabbage or sabal palm (*Sabal palmetto)* is the official state tree of Florida and is a prominent feature in Florida's landscape. The palm is highly adaptive, tough, tolerant of a wide range of soils, and is hurricane resistant. When planted six to ten feet on center, sabal palms provide desirable shade. Sabal palms, including large-sized palms, can be transplanted with high success if a few simple precautions are taken. This fact sheet provides specific proven techniques to increase the success of sabal palm transplanting.

Step-by-Step Transplant Instructions

1. Use gasoline powered tree spade or heavy steel shanked digging spade with a clean well-honed cutting edge to dig the largest possible root ball. Usually to 18 inches from the edge of the trunk.
2. Remove the palm from ground. Take care not to damage the hidden bud located within the center of the canopy.
3. Using clean sharp hand spades, trim the root ball into circular shape 13 to 16 inches from the outer edge of the trunk.
4. Two methods of pruning fronds for landscape transplant (select one):
   a. Remove oldest (brown) fronds. Tie the remaining fronds tightly together with a biodegradable twine. Do not disturb the bud.
   b. Remove all fronds otherwise known as "hurricane" or "cigar cut." This recommended pruning technique gives the highest rate of establishment but must be carefully done.
5. Secure the palm on a flat bed truck and transport it to the planting site. Make sure the center of the bud is well protected.
6. Keep the root ball moist between removal and installation.
7. Prepare planting hole 1-2 times the diameter of the trunk but at the same depth as the root ball.
8. Back-fill the planting hole with the same soil that had been removed. There is no need to amend the planting hole, but if it is amended, use a fill similar to that of the planting hole. The amendment should not exceed 25 percent by volume of the soil removed from the hole.
9. Carefully set the palm into the planting hole. Make sure it is planted the same depth as it was in the field. Planting too deeply will cause root suffocation and lead to nutritional deficiencies, root rot, and frequently the death of the palm.
10. Secure and stake the palm as illustrated in the diagram. DO NOT DRIVE NAILS DIRECTLY INTO THE PALM.

(Continued on the back.)

The Extension Service is part of a publicly funded statewide educational network that provides information and scientific knowledge to area residents, businesses and government leaders. The University of Florida, Extension Service offers the latest research and technology in more than 200 subjects related to horticulture, energy/conservation, agriculture, youth development and family and consumer sciences. Last year, the Lee County Extension Service provided assistance to more than 70,000 people and provided 463 classes and workshops on everything from family financial planning to pesticide training.

The Lee County Extension Service is an Equal Employment Opportunity - Affirmative Action Employer that provides research, educational information and other services without regard to race, color, sex, age, handicap or national origin.

EXHIBIT B

11. Establish a water-retaining [redacted] around the palm three feet from the trunk. The ring should slope gently toward the trunk.

12. Fill the ring with mulch to a depth of three inches. Keep the mulch at least three inches away from the trunk.

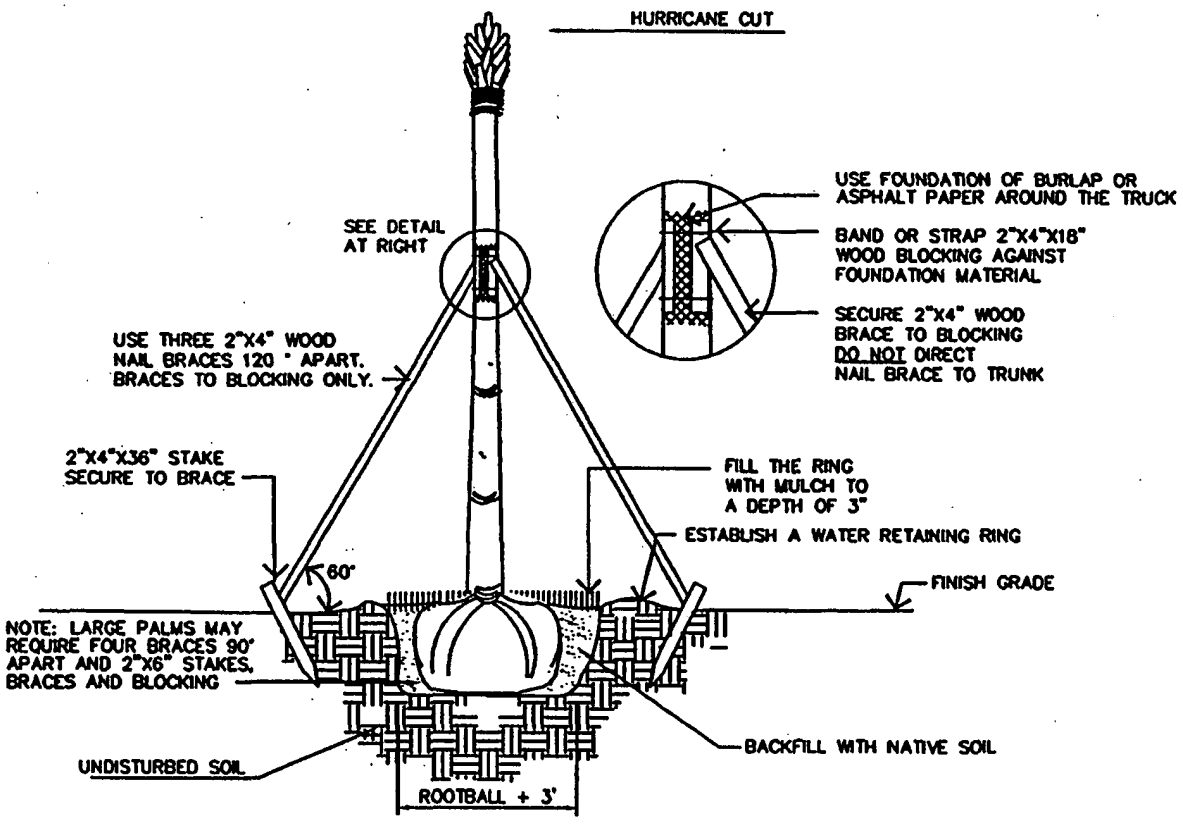
13. Irrigation:
    a. Palms with fronds remaining: Fill the ring with 50 gallons of water three times weekly.
    b. Palms with hurricane cut: Fill the ring with 20 to 25 gallons of water three times weekly.

14. In both cases, after four weeks, reduce irrigation to twice weekly. Water twice weekly for four weeks, and then reduce irrigation to once weekly for an additional four weeks. Twelve weeks after planting, cease irrigation if the palm appears healthy. H[redacted]ver, during drought, water once a week for up to two years. For each inch of rain, skip one scheduled irrigation treatment.

15. As soon as new growth begins to appear, loosen tied fronds. This will happen between 3-6 months after transplanting, depending on the time of year and the health of the palm.

16. Begin fertilization after new growth begins. Fertilize three to four times per year with a 2-1-3-ratio fertilizer at a rate of one to two pounds per 100 square feet. For best results use a slow release formulation.

17. Remove staking and burlap or asphalt paper rap after successful palm establishment. Removal usually occurs approximately one year after palm installation.



PLANTING AND STAKING SABAL PALM

NOT TO SCALE

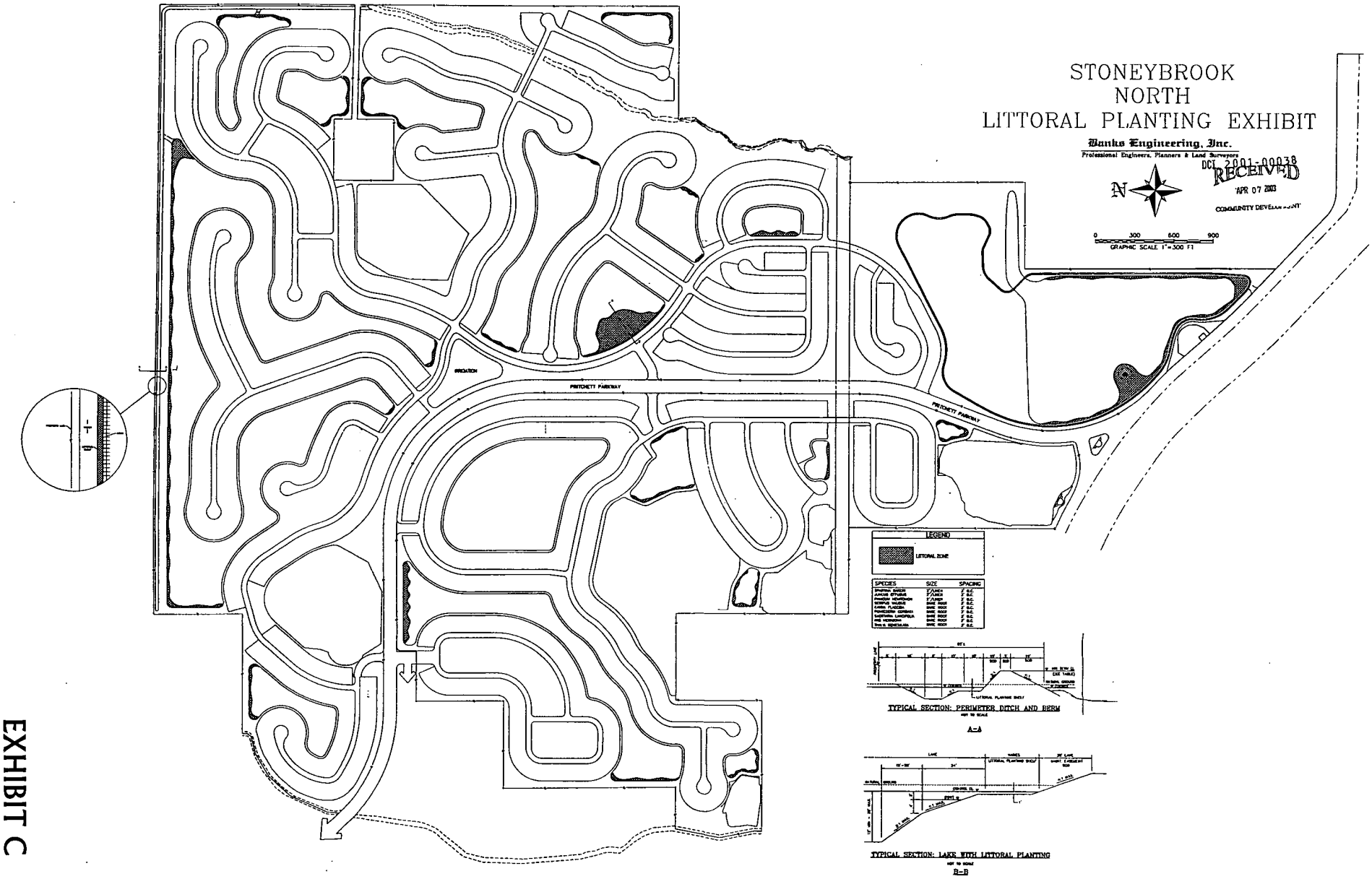
STONEYBROOK NORTH
LITTORAL PLANTING EXHIBIT

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors

DCI 2001-00038
RECEIVED
APR 07 2003
COMMUNITY DEVELOPMENT

N

0 300 600 900
GRAPHIC SCALE 1"=300 FT



TYPICAL SECTION: PERIMETER DITCH AND BERM
NOT TO SCALE
A-A

TYPICAL SECTION: LAKE WITH LITTORAL PLANTING
NOT TO SCALE
B-B

EXHIBIT C

LITTORAL PLANTING EXHIBIT
STONEYBROOK NORTH
LEE COUNTY, FLORIDA

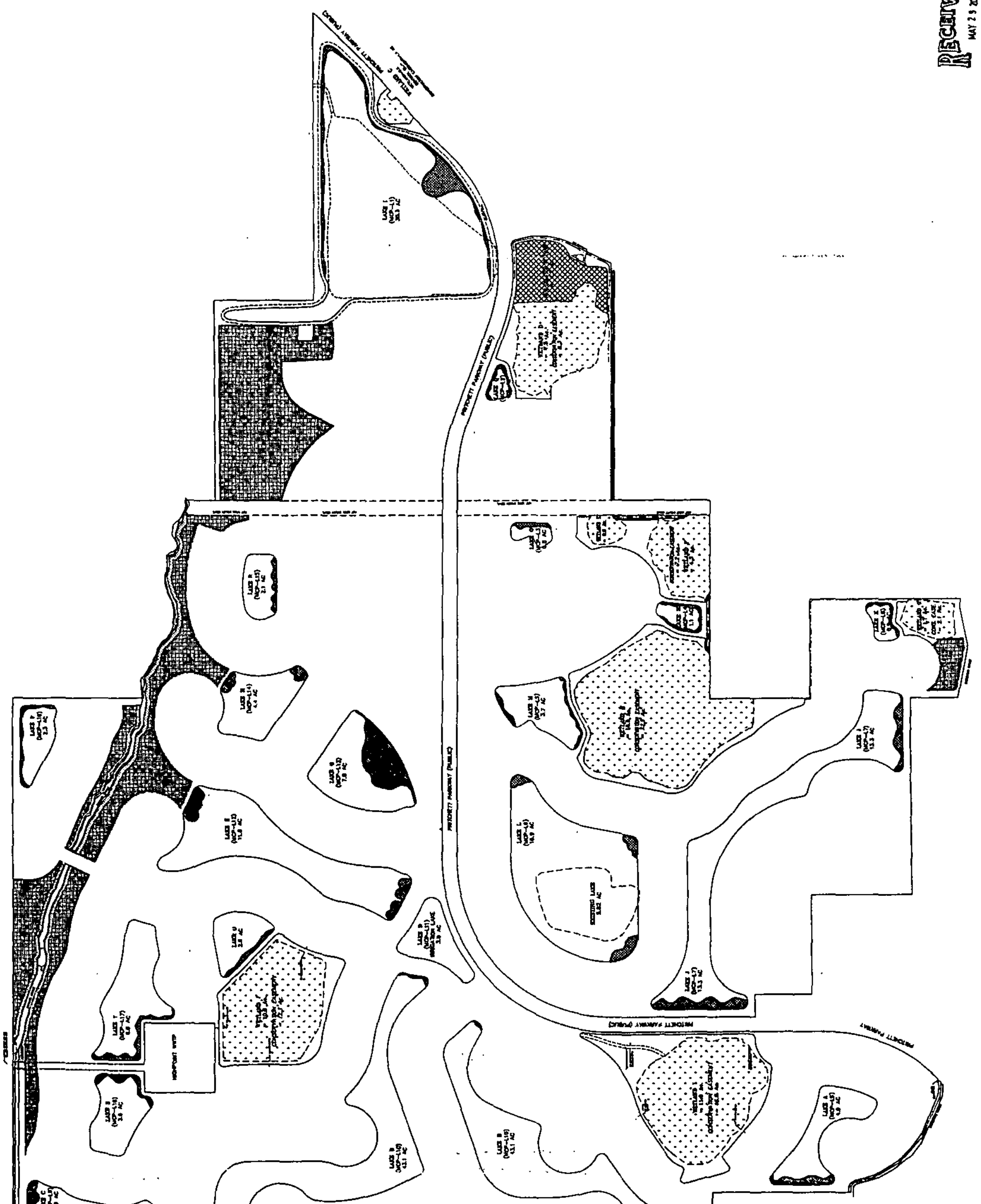
DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
29 MAY 2003	1447	LITTORAL	JCU	JCU	SWS	1"=400'	1	1	13,18&21-45-25

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS • NAPLES • SARASOTA
10511 SIX MILE CYPRESS PARKWAY - SUITE 101
FORT MYERS, FLORIDA 33912
PHONE (239) 939-5490 FAX (239) 939-2523
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690

PREPARED FOR:
U.S HOME CORPORATION
10481 SIX MILE CYPRESS PARKWAY
FORT MYERS, FLORIDA
PHONE: (239) 278-1177
FAX: (239) 278-0883

NO.	DATE	REVISION DESCRIPTION	BY

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MAY 2 5 2003
COMMUNITY DEVELOPMENT



STONEYBROOK NORTH
LAKE PERIMETER (LF)
LITTORAL AREA (AC)

LAKE A	2,404 LF 0.50 AC	LAKE K	820 LF 0.17 AC
LAKE B	18,105 LF 3.74 AC	LAKE L	3,541 LF 0.73 AC
LAKE C	2,104 LF 0.43 AC	LAKE M	1,781 LF 0.37 AC
LAKE D	1,662 LF	LAKE N	856 LF 1.10 AC
LAKE E	4,255 LF 0.88 AC	LAKE O	783 LF 0.16 AC
LAKE F	1,394 LF 0.34 AC	LAKE Q	670 LF 0.22 AC
LAKE G	2,131 LF 2.11 AC	LAKE R	1,174 LF 0.24 AC
LAKE H	1,819 LF 0.38 AC	LAKE S	1,794 LF 0.37 AC
LAKE I	6,422 LF 2.49 AC	LAKE T	2,643 LF 0.55 AC
LAKE J	6,870 1.42 AC	LAKE U	1,334 LF 0.28 AC

EXHIBIT D

LAKE ID	LINEAR FEET	PLANTS REQUIRED	LIT ZONE AC.	PLANTS PROPOSED at 3' O.C.
A	2,404	2,404	0.50	2,420
B	18,105	18,105	3.74	18,105
C	2,104	2,104	0.43	2,104
D	1,662	0*	0.00	0
E	4,255	4,255	0.88	4,259
F	1,394	1,394	0.34	1,646
G	2,131	2,131	2.11	10,212
H	1,819	1,819	0.38	1,839
I	6,422	6,422	2.49	12,052
J	6,870	6,870	1.42	6,873
K	820	820	0.17	823
L	3,541	3,541	0.73	3,541
M	1,781	1,781	0.37	1,791
N	856	856	1.10	5,324
O	783	783	0.16	783
Q	670	670	0.22	1,065
R	1,174	1,174	0.24	1,174
S	1,794	1,794	0.37	1,794
T	2,643	2,643	0.55	2,662
U	1,334	1,334	0.28	1,355
TOTALS	**62,562**	**60,900**	**16.48**	**79,821**

* Lake D is an irrigation lake that is not included in the stormwater management system. No littoral plantings are proposed for lake D.

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COMMUNITY DEVELOPMENT

Stoneybrook North
(fka Heritage Creek)
April 2, 2003

DEVIATION LOCATIONS

The locations for the Deviations for Stoneybrook North with limited application are indicated on the Master Plan. Other Deviations are located as follows:

Deviations 8, 12 and 13 apply to residential tracts.
Deviation 14 applies to the project identification sign and the entrance signs.
Deviation 7 applies to the internal lakes.

DEVIATION 1

This Deviation is WITHDRAWN by the applicant. Last year's LDC changes addressed the issue.

DEVIATION 2

This Deviation is WITHDRAWN by the applicant. Last year's LDC changes addressed the issue.

DEVIATION 3

Deviation from LDC Section 10-418 (a)(2)(b) which requires a minimum number of native wetland herbaceous plants of one (1) plant per linear foot of lake shoreline and that native wetland trees or shrubs may be substituted for up to 25 percent of the total number of herbaceous plants required to allow the required number of plantings to be 50% trees in the Tract K lake only.

Justification

The twenty acre borrow pit near the project entrance is proposed to include a golf aqua driving range as a recreational amenity for the subject property. This lake's use as an aqua driving range is incompatible with the usual lake perimeter wetland plantings. With the physical constraints of the subject property an aqua range was the only possible solution for a driving range. In an aqua range the balls float and are retrieved by scooping them out with nets from the lake edge. The usual low-level wetland vegetation along the aqua range's shoreline would interfere with this retrieval would result in unavoidable damage and possibly destruction of the plants. The applicant is requesting this deviation to allow the option of locating wetland trees in lieu of some of the smaller plant varieties. There is no impact to the public from this change.

DEVIATION 4

Deviation 4 seeks relief from the LDC Section 10-291(3) which requires, where practical, any residential development of at least 5± acres to provide two (2) or more means of ingress and egress, to allow only one means of ingress and egress for those development parcels which are surrounded by golf course, water body or conservation area or any combination of these. These tracts are Tract A, Tract D, Tract F1 and F2, Tract G, Tract H, Tract I-1, and Tract L. During the Development Order review process emergency access will be provided as deemed necessary.

Justification

On a project-wide basis, the Heritage Creek development meets the requirements of LDC Section 10-281 as it provides many access points onto Pritchett Parkway. Both the east and west side of the project also meet this requirement. The applicant has heard clearly from the surrounding property owners that connections to their roadways are not desirable and we have

proposed none. This deviation is intended to apply to the parcels listed above. Generally these parcel is either surrounded by water or preserve area. Provisions for emergency access will be provided as feasible. There is no impact to the public from this change.

Tract A is a 18 acre tract located west of Pritchett Parkway. Emergency access could be provided to Pritchett Parkway if needed.

Tract D is a 28 acre tract located west of Pritchett Parkway. It is bordered on one side by a large lake and on the other side by the property line. As the County has requested, the project design has focused here on separation from the adjacent properties and significant buffers are in place.

Tract F1, a 31 acre tract located north of Pritchett Parkway, is completely surrounded by lake. This tract does have two ways to approach Pritchett Parkway on the project's internal roads.

Tract F2 is a 44 acre tract located north of Pritchett Parkway. Most of this tract is bordered by lake and the remainder is bordered either by a large preserve area, the existing Wastewater treatment plant or the property line. The project design has focused here on separation from the adjacent properties and significant buffers are in place. This tract does have two ways to approach Pritchett Parkway on the project's internal roads.

Tract G is a 32 acre tract located east of Pritchett Parkway. This tract is bordered either by lake, Popash Creek or the Wastewater treatment plant. This tract does have two ways to approach Pritchett Parkway on the project's internal roads.

Tract H is a 14 acre tract located east of Pritchett Parkway and east of Tract H. The project design has focused here on separation from the adjacent properties and significant buffers are in place. Its access is through Tract G.

Tract I-1 is a 22 acre tract located east of Pritchett Parkway. Emergency access could be provided to the internal spine roadway if needed.

Tract L is a six acre tract located east of Pritchett Parkway. It is bordered on the north by the powerline and by the recreation facility tract on the south. This tract does have two ways to approach Pritchett Parkway on the project's internal roads.

DEVIATION 5
This Deviation is WITHDRAWN by the applicant as the staff has indicated that it can be handled administratively through the Development Order process.

DEVIATION 6
This Deviation is WITHDRAWN by the applicant. Last year's LDC changes addressed the issue.

DEVIATION 7
Deviation from LDC Section 10-329(e)(4) which requires excavation banks to be sloped; to allow up to 40 percent of the banks to utilize either:

a. A vertical slope with the condition that lake bottom slopes at the toe of any bulkhead may be no greater than 4:1 or
b. A 2:1 (horizontal:vertical) slope to a depth of 6 feet below [illegible] with the condition that the 2:1 section(s) be stabilized with rip-rap.

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If either bulkhead or rip-rap is used, the number of littoral plants required for the excavation would be based on the entire shoreline including the bulkhead or rip-rap portions. Adequate elements for the protection of wayward vehicles will be provided when adjacent to any roadway, parking lot or driveway aisle.

Justification
This deviation improves the development by allowing a more aesthetic, creative design of the development and by improving the project's open space. Bulkhead or rip-rap may be used to eliminate or move the lake slope further away from a structure (patio, pool deck, walking path) and allow a level "landing" area adjacent to these structures instead of an immediate 4:1 slope. As mentioned above, safety is addressed with the condition regarding wayward vehicles. Environmental considerations are also addressed in the condition that the number of littoral plants required for the excavation must be based on the entire shoreline including the bulkhead portions. There is no impact to the public from this change.

DEVIATION 8
Deviation from LDC Section 10-259 which requires that no buildings or structures shall be placed in easements where placing a building or structure in an easement is contrary to the terms of the easement or interferes with the use of the easement, to permit building overhangs only to a maximum 1.5 feet into either a 15-foot or 20-foot closed drainage system easement throughout and only in those circumstances where corrugated plastic pipe is used and adequate engineering analysis is provided by the Applicant at the time of development order and approval by Development Services Division which demonstrates that adequate maintenance of utilities, storm drain facilities, etc. can be achieved.

Justification
The applicant's request is not to place any building or structure in an easement but simply to allow minor building overhangs. The deviation will improve the project by reducing unnecessary cost to the development while at the same time meeting all of the objectives of the LDC provision. The application of this deviation is very limited. Safety concerns are addressed with the condition that High Density Polyethylene pipe is required. With this type of pipe no machinery is needed to move the pipe into location. Maintaining this minimum deviation to allow only to a maximum 1.5 feet into either a 15-foot or 20-foot easement and to require a review at the time of development order approval further contribute to alleviate any safety concerns.

The requested sample drawing is attached.

DEVIATION 9
Deviation 9 seeks relief from the LDC Section 34-2020(1)c. requirement that multiple family buildings have 1.5 parking spaces for 1-bedroom units, 1.75 spaces for 2-bedroom units and 2.0 spaces for 3-bedroom units, to allow 1.25 parking spaces for all bedroom unit types, with an additional 10 percent of parking for multiple family buildings to accommodate guest parking in Tracts B, I and J.

Justification
Heritage Creek is modeled after other US Home Communities. US Home previously completed a study on the parking requirements for their multi-family building concept and has submitted it previously to support this requested deviation. As these US Home multi-family buildings attracts the same clients wherever they are built, the number of occupied parking places at these other US Home projects is a predictor of what will occur at Heritage Creek.

Typically the US Home multi-family buildings have a maximum of 30 units. For each of these buildings there would be a reduction of approximately 12 parking spaces based on the real life

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experience of this same developer with this same building product within Lee County, these parking spaces are not needed. The development is enhanced because unneeded parking spaces are not going to be constructed. There is no impact to the public from this change. See attached study.

DEVIATION 10
Withdrawn by Applicant

DEVIATION 11
Withdrawn by Applicant

DEVIATION 12
Deviation from LDC Section 34-1954(a)(1) to allow model homes and model units to be permitted by right.

Justification
This deviation allows the county to determine that model homes and model units are appropriate for the subject development now rather than waiting to make piecemeal decisions in the future. This alternative process enhances the planned development by allowing the use to exist within the project while under unified control and meeting the provisions of the LDC with respect to model homes and model units.

Any and all model units will be located in Tracts B, I and J. The general location of all potential model homes has been shown on the Master Concept Plan. With this change to the Master Concept Plan, any one purchasing a home within Heritage Creek will know whether there would ever be a model home near their home.

As the applicant has included model homes and model units in the list of permitted uses it is possible that this deviation is not necessary. The applicant's agents have been previously required to include this request by some reviewers. Consequently, it has been included here.

DEVIATION 13
Deviation from LDC Section 34-1954(f) that allows the Director discretion to allow high turnover parking surfaces to meet the surfacing standards for low turnover parking lots to allow the parking spaces for the ancillary sales office use within a model home to be surfaced with gravel.

Justification
No deviation is requested regarding the surfacing standards for the actual single family home. That required parking as well as the handicapped parking space(s) for the model home will be paved. This request applies only to the additional parking for the use of the model home as a model. Parking requirements for model homes and model units change over time. When the models are active, the parking requirements are higher than they will be for the same unit after it becomes a home. Gravel parking lots are customary for model homes and model units. The project will be enhanced by granting this deviation to allow for less impervious paving surfaces because additional paving is unattractive, heat producing, environmentally insensitive and an unnecessary expense to the developer.

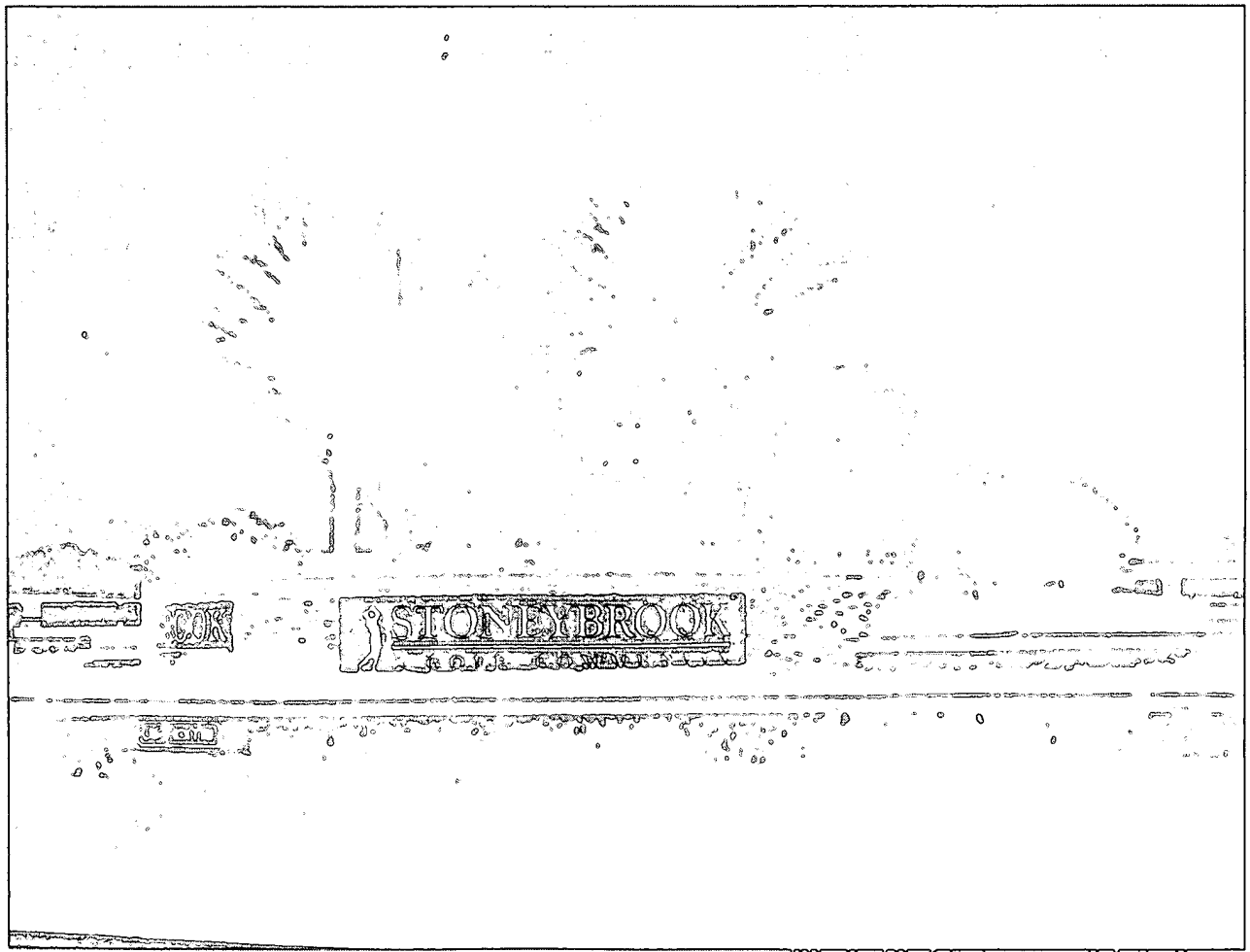
As a condition of this request, the applicant will construct the required handicapped parking for the type of dwelling unit being displayed with asphalt or concrete to provide a smooth surface without gaps or holes while additional parking for the models will be surfaced with gravel. This deviation will not affect public safety.

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DEVIATION 14
Deviation requesting relief from the LDC Section 30-153(2)(a)(iv) requirement that limits the text of additional identification signs to the name of the subdivision or residential development, to allow sign text for both the entrance signs and the project sign to include the notation "A US Home Community" or "US Home" in addition to the name of the residential development. Specific Information on the entrance signs and the project sign are attached as Attachment 5.

Justification
A critical component of project identification for a new residential development is identifying the developer. This deviation was approved recently for US Home's Stoneybrook community. The part of the signage identifying the developer is small, low key and attractive. The developer proposes the same kind of signage for Heritage Creek.

DEVIATION 15
Deviation requesting relief from the LDC Section 30-152 d.2 requirement that limits the face of each permitted main entrance identification sign in developments of more than 25 units to 105 square feet in area and a deviation requesting relief from the LDC Section 30-94(h) which requires that double-faced signs with opposing faces having an interior angle less than 30 degrees to allow the Heritage Creek project sign to have two sign faces of approximately 130 square feet in size and be located on a curvilinear wall as illustrated in a comparable sign approved by Lee County for US Home's Stoneybrook development.



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Justification
Regarding the proposed sign size:
Lee County allows a 105 square foot project sign to be located at the development's main entrance. In addition, one additional permanent wall or ground-mounted sign of 105 square feet is permitted along each boundary line of the development, which exceeds 2,000 feet in length. The Heritage Creek development has a total of 4244 linear feet of frontage on the east side of Pritchett Parkway and a total of 5035 linear feet on the west side of Pritchett Parkway. With this considerable frontage the development would be allowed two additional 105 square foot double-faced signs. The applicant's request is to combine the two additional identification signs and the sign that would be allowed at the project's main entrance into the sign illustrated above. This sign would have two sides with each side totaling approximately 150 square feet.

	Allowable Main Project Sign	**Heritage Creek Main Project Sign**
Main Project Sign	105 sq ft x 2 sides	
Additional Signs (with a development with frontage which exceeds 2,000 feet in length)	105 sq ft x 2 sides (east side of Pritchett Pkwy) +105 sq ft x 2 sides (west side of Pritchett Pkwy)	
Total	**315 sq ft x 2 sides**	**150 sq ft x 2 sides**

The total square footage of sign face requested for Heritage Creek's main project sign is about half the square footage allowed by Lee County.

Regarding the interior angle of the proposed sign
This request is to allow a more visually attractive sign in an unusual location. From I-75 it would be difficult to see the text on the usual back to back sign. Locating the sign on a curvilinear wall open us the opportunity for better visibility

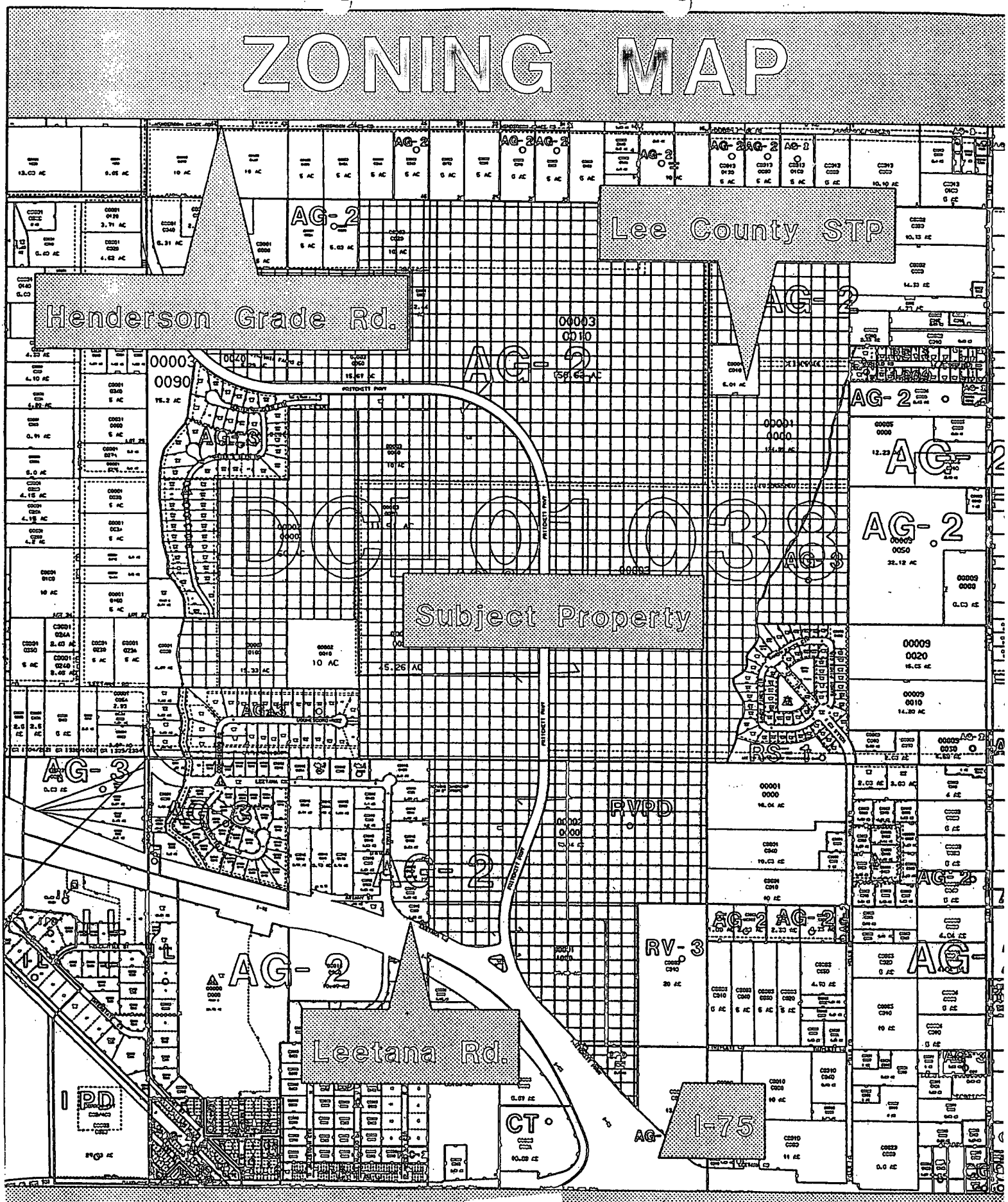
This sign would be located on Pritchett Parkway which in this location runs parallel to I-75. Visibility to the traveling public is from I-75. Because of the distance between this sign and the travel lanes on I-75 (approximately 200 feet), it would be difficult to see much less read a Project Sign that was either parallel or perpendicular to I-75. A similar sign for the Stoneybrook development works very well further south on I-75 where the sign is closer to I-75. This deviation enhances the project by decreasing the total number of signs allowed for the development while at the same time notifying the traveling public better of the Heritage Creek development. This is a very attractive sign and its construction will cause no negative impact on the public.

DEVIATION 16
Deviation requesting relief from the LDC Section 10-416(d)(6) requirement that if roads, drives, or parking areas are located less than 125 feet from an existing residential subdivision or residential lots, a solid wall or combination berm and solid wall not less than eight feet in height must be constructed not less than 25 feet from the abutting property and landscaped (between the wall and the abutting property) with a minimum of five trees and 18 shrubs per 100 linear feet to allow the two cul-de sacs in Tract H and the short roadway segment in Tract E to be located as illustrated on the Master Concept Plan together with the buffers proposed on the Master Concept Plan.

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Justification
There are three components of this request:
a. The two cul-de sacs in Tract H.
Tract H is a very small tract with limited design flexibility. Each of these cul-de sac's ROW is located a minimum of 50 feet from the property line. With between 20 and 30

ZONING MAP


Lee County STP
Henderson Grade Rd.
Subject Property
Leetana Rd.
I-75
AG-2
AG-3
RS-1
RVPD
RV-3
CT
IPD

LEE COUNTY, FLORIDA

DEVELOPMENT SERVICES DIVISION

REVISED STAFF REPORT

TYPE OF CASE: PLANNED DEVELOPMENT/DCI

CASE NUMBER: DCI 2001-00038

HEARING EXAMINER DATE:	**original HEX date:**	**December 11, 2002**
	Continued HEX date #1:	**Feb. 12 and 13, 2003**
	Continued HEX date #2	**April 23 and 24, 2003**
	Continued HEX date #3:	**June 18 and 19, 2003**

I. APPLICATION SUMMARY:

A. Applicant: U. S. Home Corporation in ref to Heritage Creek (aka Stoneybrook)

B. Request: Rezone from AG-2, CPD, & RVPD to RPD to permit the development of 1,525 residential units including a mixture of single-family, duplex, townhouse, two-family attached and multi-family units all not to exceed 35 feet in height.

C. Location: The subject property is located on Pritchett Parkway (in the northeast quadrant of the intersection of I-75 and Bayshore Blvd.), in S15, 16 & 21-T43S-R25E, Lee County, FL. (District #4)

D. Land Use Plan Designation: Outlying Suburban and Wetlands

E. Surrounding Land Use:

Existing Zoning & Land Use	Future Land Use Map
North: AG-2 developed with single family uses.	Open Lands and Density Reduction/Groundwater Resource
East: AG-2 and RS-1 vacant land and developed single family residential uses	Outlying Suburban
South: Leetana Drive, Pritchett Parkway AG-2, RV-3, RS-1 vacant land and developed single family residential uses	Outlying Suburban
West: AG-2, AG-3 developed with single family residential	Outlying Suburban

F. Size of Property: 741.22± acres

II. RECOMMENDATION:

Staff recommends **approval** of the Applicant's request for rezoning from AG-2 to RPD.

A. Conditions

1. The development of this project must be consistent with the one page Master Concept Plan entitled "Stoneybrook North," prepared by WilsonMiller, dated October 10, 2001, and stamped received at the zoning counter on April 7, 2003, except as modified by the conditions below. This development must comply with all requirements of the Lee County LDC at time of local Development Order Approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

2. The following limits apply to the project and uses:

a. Schedule of Uses

Administrative Offices
Accessory uses and structures
Club, Private (Limited to Tract K)
- Food and beverage service, limited
- Health Club and Spa
- Parking lot, accessory
- Rental or leasing establishment, Group I, limited to bicycles, tennis rackets and other small equipment for use by members of the private club

Specialty Retail Shop, Group I
Dwelling Unit:
- Conventional Single Family Residence
- Townhouse
- Two family attached
- Multiple Family Building (limited to Tract R-2)

Entrance Gate and Gatehouse, in compliance with LDC Section 34-1749
Essential Services
Essential Service Facilities, Group I
Excavation, water retention
Fences, walls
Golf Driving Range - Aqua Range (Limited to Tract K)
Home occupation
Model Home, Model Unit
Real Estate Sales Office (limited to Tract K and limited to the sale of lots or units within the development only)
Recreation Facilities, Personal
Recreation Facilities, Private on-site

Parking lot, accessory
Residential Accessory Uses
Signs, in compliance with LDC Chapter 30 except as approved by deviation
Temporary uses (LDC Section 34-3041)

b. Site Development Regulations

See Attachment E

3. Any and all existing easements must be reflected on the proposed Master Concept Plan and incorporated into the design of the proposed development unless the existing easements are vacated in accordance with adopted county procedures.

4. The Master Concept Plan must be revised to incorporate a recreational area within the northern portion of the project. The recreational area must include at a minimum, one (1) tennis court, a playground, swimming pool and picnic area. Facilities for the safe passage of pedestrians cyclists from one side of Pritchett Parkway to the other as determined by the Director of Development Services at the time of local development order submittal must be provided

5. No residential lot lines may be located within 250 feet of the existing High Point sewage treatment plant property lines. In addition, a thirty-six foot wide buffer including a six - eight foot high berm must be placed along the perimeter of the High Point sewage treatment plant property lines excluding the easement which provides access to the plant. Plantings on the berm must include ten trees per hundred linear feet, five of which must be located on top of the berm and five of which must be located on the berm slope facing the residential development. Additional plantings must include 48 inch high shrubs planted 48 inches on center on top of the berm, and 3 gallon shrubs planted 3 foot on center over 50% of the berm slope on the residential side

6. Open space areas must be designed to incorporate as many of the native heritage trees and sabal palms as possible. Any sabal palms with a minimum eight foot clear trunk must be salvaged. The salvage efforts must be coordinated with the Division of Environmental Sciences staff whether used on-site or other wise. Any sabal palms being relocated must be moved in a horticulturally correct manner per Lee County Extension Services brochure Lee 8/2000A(attached). Prior to local development order approval, the preserved trees and any relocated palms must be delineated on the plans. Preserved trees and relocated sabal palms will receive protected tree credits per LDC Section 10-420(h).

7. A detailed protected species management plan for gopher tortoises, Big Cypress fox squirrels, and wading birds must be submitted with the development order. The gopher tortoise management plan must include either a permanent fence or a continuous hedge of native shrubs where the gopher tortoise preserve abuts the road and park to protect the tortoises from the vehicular traffic and active recreation area.

8. Prior to local development order approval, an open space table must be included which details the residential unit type with lot size per tract, required open space, provided open space, required indigenous preservation and provided indigenous preservation. The project must preserve at a minimum the approximately 100.1 acres of conservation area including the wetland creation area. If more than 500 acres of the project is developed with residential tracts (including roads and lakes) requiring open space, then the development order must delineate the additional required indigenous preservation for the Division of Environmental Sciences staff review and approval.

9. The use of cypress mulch is prohibited in preserve areas.

10. The maximum width of all boardwalks within the preserve areas must not exceed the minimum width requirements set forth by the Americans with Disabilities Act.

11. All boardwalks within the preserve areas must be designed to avoid mature native trees and protected species burrows, nests, or dens. The final layout of the boardwalks must be field verified by Division of Environmental Sciences staff. Minor adjustments to minimize impacts to native vegetation may be required.

12. The construction of gazebos or viewing platforms within conservation areas is limited to no more than 2 structures each having a footprint no larger than 200 square feet.

13. Prior to site work for any recreational use that requires the removal of vegetation within a conservation area, a development order showing impacts to the conservation area must be submitted for review and approval by Environmental Sciences and other applicable County Staff.

14. Prior to local development order approval, the development order plans must include a littoral planting areas in substantial compliance with the "Stoneybrook North Littoral Planting Exhibit" stamped received April 7, 2003. All lake littoral zones must be constructed as depicted in Cross-Section B-B. Littoral planting quantities must be consistent with the "Littoral Planting Plan Exhibit Stoneybrook North" and accompanying table stamped received May 29, 2003. The planting area along the northern ditch expansion must also provide native wetland plants installed 3-foot on-center.

15. The Communication Tower as denoted on the Master Concept Plan must be of a monopole design. The tower and its associated maintenance buildings must be designed to minimize impacts to birds.

16. Lake littoral plantings within Tract K must be calculated at one littoral plant per linear foot of lake shoreline. One 10-foot tall tree or two 3-gallon shrubs may be substituted for 10 herbaceous plants. Trees and shrubs may used to count toward up to 50 % of the required lake littoral planting requirements. A minimum of two native wetland tree species and four native herbaceous plant species must be installed in the Tract K lake.

17. The placement of any required vegetation within a utility, power, or drainage easement must be clearly delineated on an Alternate Landscape Betterment Plan as per LDC Section 10-419 and submitted with the local development order. The placement of vegetation within any easement must be approved by Lee County Environmental Sciences staff AND any other affected Division (Utilities, Zoning, etc.). If the easement is to an entity other than Lee County, then written approval of the location of vegetation from any affected easement holder must be submitted to ES staff as part of the development order. Approval from all affected parties must be obtained prior to approval of the local development order.

18. Bulkheads are limited to roads and the clubhouse area. Bulkheads are not permitted along residential boundaries.

    Prior to local development order approval, the plans must show the location of the bulkheads to confirm that no more than 20% of each lake shoreline consists of bulkhead or rip-rap. Lakes where bulkheads are proposed must be designed to provide one linear foot of compensatory littoral zone with an 8:1 slope for each linear foot of bulkhead. For lakes which utilize bulkheads, littoral plants must be calculated at two plants per linear foot of shoreline clustered within the 8:1 slope portion of the lake.

    The development order must include a typical cross section detail of bulkhead and rip-rap areas on the paving and grading AND landscape plan.

19. No development order for this project will be issued if the development contemplated thereunder will precipitate a drop in the level of service on the links numbers 16 and 17 of Bayshore Road, below the adopted level of service. Prior to development order approval, the developer must demonstrate that the LOS will not fall below the adopted level of service on the identified links. In determining that level of service, only road improvements with committed funding, as provided in FAC 9J-2.045, may be considered.

20. The developer will provide intersection improvements to the intersection of Bayshore Road and Pritchett Parkway. At a minimum, the developer will construct a southbound right turn lane as a site-related improvement. In cooperation with the Florida Department of Transportation and the County, the developer may realign Pritchett Parkway to address future operational problems caused by project traffic.

21. The developer will construct an eight-foot wide bicycle path or two five-foot sidewalks along Pritchett Parkway from Bayshore Road to Rich Road. The bicycle/pedestrian facilities improvement will be considered a site-related improvement.

Findings and Conclusions:

Based upon an analysis of the application and the standards for approval of planned development rezonings, staff makes the following findings and conclusions:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the Land Development Code, and other applicable codes and regulations.

2. The requested zoning as conditioned:

   a) meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request;

   b) is consistent with the densities, intensities and general uses set forth in the Lee Plan;

   c) is compatible with existing or planned uses in the surrounding area; and

   d) will not adversely affect environmentally critical areas or natural resources.

3. Approval of the request will not place an undue burden upon existing transportation or planned infrastructure facilities and the site may be served by streets with the capacity to carry traffic generated by the development.

4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

5. The proposed use or mix of uses is appropriate at the subject location.

Deviations

Deviation # 1 is withdrawn.

Deviation # 2 is withdrawn.

Deviation 3, from LDC Section 10-418 10-418(2)b which requires the installation of one native wetland herbaceous plant per linear foot of lake shoreline and where trees and shrubs can be substituted for up to twenty five percent of the total number of herbaceous plants required; to allow the required plantings to include up to fifty percent trees in the Tract K lake is approved subject to Condition # 16.

Deviation # 4 is withdrawn.

Deviation # 5 is withdrawn.

Deviation # 6 is withdrawn.

Deviation # 7 is a request to deviate from LDC Section 10-329)e)(4) which requires excavations to be sloped at four horizontal to one vertical to a water depth of four feet below the dry season water table and two horizontal to one vertical thereafter, to allow 40% of the lake bank slopes within the development to utilize vertical bulkheads and/or rip rap is approved subject to Condition # 18.

Deviation # 8, from LDC Section 10-259 which prohibits the placement of buildings or structures within easements where the placing of buildings or structures within the easement is contrary to the terms of the easement or interferes with the use of the easement; to allow the placement of buildings or structures within easements limited to roof overhangs is denied.

Deviation # 9, from LDC Section 34-2020(1)c which requires minimum parking for multiple family buildings based on the number of bedrooms within each unit; to allow 1.25 spaces for all bedroom types with an additional 10 percent for guest parking is denied.

Deviation # 10 is withdrawn.

Deviation # 11 is withdrawn.

Deviation # 12, from LDC Section 34-1954(a)(1) which requires administrative approval of locations for model homes in new developments; to allow model homes by right in any location within the development is denied.

Deviation # 13, from LDC Section 34-1954(f) which requires parking for model homes or model units to be located on the same premises and in compliance with the type of dwelling unit being displayed; to permit the development of accessory parking for model homes as low turnover and therefore permit development of these lots with alternative surfaces is denied.

Deviation # 14, from LDC Section 30-153(2)(a)(iv) which limits the text of additional subdivision or residential development identification signs to the subdivision or project name; to allow the additional signs for this project to include the notation "A US Home Community" in addition to the name of the development is approved. The proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15 which was stamped received at Community Development on April 7, 2003.

Deviation # 15 seeks relief from LDC Section 30-152d2 which limits the size of project entrance signs and which limits the size and number of additional project signs to allow all of the permitted square footage for the number of permitted signs to be combined into the main project entrance sign and a deviation from LDC Section 30-94(h) which restricts double faced signs with opposing faces to an interior angle of less than 30 degrees; to allow the Heritage Creek project sign to have two sign faces of approximately 130 square feet in size and be located on a curvilinear wall is approved. The proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15 which was stamped received at Community Development on April 7, 2003.

Deviation # 16, from LDC Section 10-416(d)(6) which provides that if roads, drives, or parking areas are located less than 125 feet from an existing residential subdivision or residential lots, a solid wall or combination berm and solid wall not less than eight feet in height must be constructed not less than 25 feet from the abutting property and landscaped (between the wall and the abutting property) with a minimum of five trees and 18 shrubs per 100 lineal feet; to allow the two cul-de-sacs in Tract H and the short roadway segment in Tract E to be located and buffered as illustrated on the Master Concept Plan is denied.

III. BACKGROUND INFORMATION AND ANALYSIS:

Introduction/Synopsis

This is a revised request to rezone approximately 741.22± acres from AG-2, CPD, & RVPD to RPD to permit the development of 1,475 dwelling units (a reduction of 50 units from previous report) consisting of single-family, duplex, townhouse, two-family attached and multi-family units. The subject property is located in North Fort Myers east of Interstate 75 and north of Bayshore Road. The parcel is bisected by Pritchett Parkway and is contiguous to Bayshore and Popash Creeks at certain locations on its western and easterly boundaries respectively.

After submitting the application for public hearing in this case, the developer held a public meeting and invited residents living in the area to receive information regarding the project. Concerns that were voiced by the residents included the proposed density, the potential for flooding, height of buildings and location of proposed multiple family units. The developer made some revisions to the plan which resulted in a reduction in height from 65 feet to 35 feet and a relocation of the proposed multiple family product internal to the project. This was a positive step by the developer in response to the concerns of affected residents.

Subsequent to the release of the original staff report on November 2002, the applicant requested a continuance in this case. The applicant has met with ES staff and addressed the issues raised in the December 11, 2002 staff report. ES staff approved of the revised design of the project as address in Attachment B.

The applicant has met with Lee County Utilities staff and members of the County Attorneys regarding the High Point STP. It now appears as though the applicant has committed to purchase the existing plant. Regardless, Lee County Utilities has agreed to a minimum setback of 250 feet from the property lines of the existing plant to the property lines of any proposed residential lots within the development .Utilities staff has also indicated that this setback does not preclude the location of the proposed lakes as referenced on the Master Concept Plan.

Recommendation from Lee County Division of Natural Resources is pending as of date of this report.

Revised Master Concept Plan

The revised Master Concept Plan included changes to the roadway adjacent to Tract K which was relocated to avoid some existing gopher tortoise burrows. The total number of dwelling units was reduced to 1,475 and multiple family units was limited to a maximum of 250 and are located internally. Tracts L1 and L2 were reconfigured in an effort to incorporate more vegetation in the upland conservation area adjacent to Popash Creek as requested by Lee County Environmental Staff. Incorporated a 50 foot wide between Tracts D, E, and H and the property boundary.

Lee Plan Consistency:

Goal 1: Future Land Use Map and Residential Density

Staff notes that Goal 1 of the Future Land Use Element establishes the Future Land Use Map in part to protect natural resources. The subject parcel is located in the Outlying Suburban category according to the future land use map. As referenced in Policy 1.1.6 of the Lee Plan:

> *The Outlying Suburban areas are characterized by their peripheral location in relation to established urban areas. In general, these areas are rural in nature or contain existing low-density development. Some, but not all, of the requisite infrastructure needed for higher density development is generally planned or in place. It is intended that these areas will develop at lower residential densities than other Future Urban Areas. As in the Suburban areas, higher densities, commercial development greater than neighborhood centers, and industrial land uses are not permitted. The standard density range is from one dwelling unit per acre (1 du/acre) to three dwelling units per acre (3 du/acre). Bonus densities are not allowed. In the Outlying Suburban area in North Fort Myers east of I-75 and in the Buckingham area (see Goal 17), the maximum density permitted is two dwelling units per acre (2 du/acre). (Amended by Ordinance 91-19)*

The proposed residential development and density is generally consistent with the intent of the Outlying Suburban land use category.

Portions of the subject parcel are also located in the Wetlands land use category. As referenced in Policy 1.5.1 of the Lee Plan:

> *Permitted land uses in Wetlands consist of very low density residential uses and recreational uses that will not adversely affect the ecological functions of wetlands. All development in Wetlands must be consistent with Goal 84 of this plan. The maximum density is one dwelling unit per twenty acres (1 du/20 acre) except as otherwise provided in Table 1(a) and Chapter XIII of this plan.*

The project is also consistent with the Lee Plan:

- Goal 2
- Goal 4
  - Policy 4.1.1
- Goal 5
- Goal 40
  - Policy 40.1.3
  - Objective 40.5
    - Policy 40.5.1
    - Policy 40.5.2
    - Policy 40.5.3
- Goal 41
  - Objective 41.2
    - Policy 41.2.4
    - Policy 41.3.7
    - Policy 41.3.10
    - Policy 41.3.11
- Goal 77
  - Policy 77.2.3
  - Policy 77.2.4
  - Policy 77.2.6
  - Policy 77.8.1

Environmental Issues

The Lee County Division of Environmental Sciences (ES) has reviewed the requested rezoning and has performed a site inspection of the subject parcel. A complete analysis of the ES staff revised findings is included in Attachment B.

Deviation Discussion

Deviation # 1 has been withdrawn by the applicant.

Deviation # 2 has been withdrawn by the applicant.

Deviation 3 requests relief from LDC Section 10-418(2)b which requires the installation of one native wetland herbaceous plant per linear foot of lake shoreline and where trees and shrubs can be substituted for up to twenty five percent of the total number of herbaceous

plants required; to allow the required plantings to include up to fifty percent trees in the Tract K lake . Justification for this request states that the usual low level wetland vegetation along the aqua-range's shoreline would interfere with the retrieval of range balls. Additionally, the littoral vegetation would inevitably be damaged due to the aqua-range activities. The unique nature of the aqua-range design lends support to the applicant's request. Staff recommends APPROVAL of Deviation 3 subject to Condition # 16.

Deviation # 4 seeks relief from LDC Section 10-291(3)(b) which requires, where practical, any residential development of least 10± acres to provide two (2) or more means of ingress and egress, to allow only one means of ingress and egress. The applicant was previously advised by Development Services staff that this deviation was not necessary. Therefore, staff recommends that the requested deviation be withdrawn.

Deviation # 5 has been withdrawn by the applicant.

Deviation # 6 has been withdrawn by the applicant.

Deviation # 7 is a request to deviate from LDC Section 10-329)e)(4) which requires excavations to be sloped at four horizontal to one vertical to a water depth of four feet below the dry season water table and two horizontal to one vertical thereafter, to allow 40% of the lake bank slopes within the development to utilize vertical bulkheads and/or rip rap. The applicant has requested this deviation to improve the projects open space by allowing more flexibility regarding the design of the proposed lakes and the location of residential accessory structures. Bulkheads have been used planned developments to increase design flexibility especially around golf courses and where roads approach water management areas. The South Florida Water Management District allows the use of bulkheads on surface water management lakes provided that one linear foot of compensatory littoral zone with an 8:1 slope is provided for each linear foot of bulkhead. The 8:1 littoral area provides a good wading bird foraging area, and insures no decrease in littoral zone. Staff has conditioned approval of the deviation to insure that the intent of the regulations to preserve the health, safety and welfare of the general public will be maintained. Staff recommends approval of the requested deviation subject to Condition # 18.

Deviation # 8 seeks relief from LDC Section 10-259 which prohibits the placement of buildings or structures within easements where the placing of buildings or structures within the easement is contrary to the terms of the easement or interferes with the use of the easement; to allow the placement of buildings or structures within easements limited to roof overhangs. The applicant maintains that this deviation improves the project by reducing unnecessary cost to the development. This deviation in no way enhances the planned development and creates the potential for adverse impacts in the future. Staff recommends denial of the requested deviation.

Deviation # 9 is a request to deviate from LDC Section 34-2020(1)c which requires minimum parking for multiple family buildings based on the number of bedrooms within

each unit to allow 1.25 spaces for all bedroom types with an additional 10 percent for guest parking. The parking regulations contained in this section have been in effect for quite some time and were developed generally to accommodate a multiple family type product where individual units all share a common parking lot with additional consideration for guest parking. However, the latest development trends typically include a much different type of multiple family product wherein each unit in the building has its own individual garage. Historically, parking problems with regard to guest parking have been commonplace for this type of development. The applicant has not provided any specificity as to the types of multiple family product that will be developed. Should the applicant propose a traditional type of development where the units do not have individual garages and all utilize a common parking area, it may then be appropriate to review the deviation request at that time when a specific plan could be analyzed. However, staff would not be inclined to support a parking deviation for multiple family units with garages appurtenant to them. Staff recommends denial of the requested deviation.

Deviation # 10 has been withdrawn by the applicant.

Deviation # 11 has been withdrawn by the applicant.

Deviation # 12 seeks relief from LDC Section 34-1954(a)(1) which requires administrative approval of locations for model homes in new developments; to allow model homes by right in any location within the development. As justification for this deviation, the applicant maintains that this deviation allows the county to determine that model homes are appropriate for the development now. However, this is not the case. Generally, model homes are appropriate within residential developments. This LDC regulation is to regulate the location of these uses so as not to jeopardize the health, safety and welfare of the general public as it relates to pedestrian and vehicular traffic, noise, etc. The LDC anticipates the development and utilization of model homes throughout the life of the development which is why approval of the locations for model homes is permitted through the Administrative Approval process. The applicant maintains that the planned development is enhanced because the use is allowed to exist within the project while it is under unified control. However, as referenced in Section 34-1954(a)(1), the project must be under unified control for the director to approve the location of a model home administratively. Moreover, the master concept plan in not specific enough to condition the use of model homes by right as is being requested. Therefore, staff recommends denial of the requested deviation.

Deviation # 13 is a request to deviate from LDC Section 34-1954(f) which requires parking for model homes or model units to be located on the same premises and in compliance with the type of dwelling unit being displayed. This deviation is being requested to permit the development of accessory parking for model homes as low turnover and therefore permit development of these lots with alternative surfaces. Staff recommends denial of this request as these parking lots will be utilized on a daily basis for relatively short periods of time and are therefore appropriately classified as high turnover. In addition, these lots will be located in residential areas and, when developed as low turnover, are unsightly, have off site

impacts and it is difficult for Lee County to enforce maintenance of these lots. Further, the applicant is requesting another deviation (Deviation # 12) to allow model homes by right which if approved, would then allow placement of model homes and accessory parking at the discretion of the developer. Staff recommends denial of the deviation request. Staff has recommended denial of Deviation # 12 which would allow the model homes for up to ten years creating an impact on adjacent properties.

Deviation # 14 seeks relief from LDC Section 30-153(2)(a)(iv) which limits the text of additional subdivision or residential development identification signs to the subdivision or project name; to allow the additional signs for this project to include the notation "A US Home Community" in addition to the name of the development. The applicant has maintained that it is critical for the developers name to be included and the signage will be low key and attractive. This deviation was previously approved for another US Home development (Stoneybrook). Staff recommends approval of the deviation request.

Deviation # 15 seeks relief from LDC Section 30-152d2 which limits the size of project entrance signs and which limits the size and number of additional project signs to allow all of the permitted square footage for the number of permitted signs to be combined into the main project entrance sign and a deviation from LDC Section 30-94(h) which restricts double faced signs with opposing faces to an interior angle of less than 30 degrees; to allow the Heritage Creek project sign to have two sign faces of approximately 130 square feet in size and be located on a curvilinear wall. The applicant justifies this request by maintaining that the increased square footage is necessary in order to provide exposure to the traveling public along Interstate 75. Typically, staff does not look favorably upon deviations to increase the size of project signage. However, based on the applicants previous developments within Lee County which included similar requests and sign products, staff is able to condition the request in order to maintain the and intent of the regulations. It is important to note that the proposed Master Concept Plan indicates one of the potential locations for this sign in a triangular shaped parcel formed by the intersection of the Leetana Road and the Pritchett Parkway right-of-ways. However this would not be permitted under current regulations and the deviation is not approved for that location. Staff recommends approval of the requested deviation.

Deviation # 16 seeks relief from LDC Section 10-416(d)(6) which provides that if roads, drives, or parking areas are located less than 125 feet from an existing residential subdivision or residential lots, a solid wall or combination berm and solid wall not less than eight feet in height must be constructed not less than 25 feet from the abutting property and landscaped (between the wall and the abutting property) with a minimum of five trees and 18 shrubs per 100 lineal feet, to allow the two cul-de-sacs in Tract H and the short roadway segment in Tract E to be located and buffered as illustrated on the Master Concept Plan. As justification, the applicant has represented that Tract H is a small development tract with limited design flexibility and that traffic on the road will be minimal. The applicant has also stated that roadway segment in Tract E qualifies for this deviation because of its location between the property line and a proposed wetland preservation area. This particular

regulation was drafted with minimal residential traffic in mind. It applies to any residential traffic within a residential development of any size, without exception. This requirement was specifically added to the land development code to reduce the impact of residential drives and roads within 125 feet of adjacent residential areas. The subject property is currently undeveloped and has substantial design flexibility especially where individual residential lots are concerned. As an example, the proposed development pods could be designed to provide lots at the end of each cul-de-sac instead of the terminus of the roadway itself. The deviation would not be necessary except for the design of the pods which is under the control of the applicant. Staff is unable to support this deviation as there is no justification as to how the planned development is enhanced by this deviation and the health, safety, and welfare of the general public is not jeopardized. For these reasons, it is not appropriate to approve this deviation for either location. Staff recommends denial of the deviation request.

IV. ATTACHMENTS:

A. Map of surrounding zoning

B. Memorandum from the Lee County Division of Environmental Sciences June 2, 2003

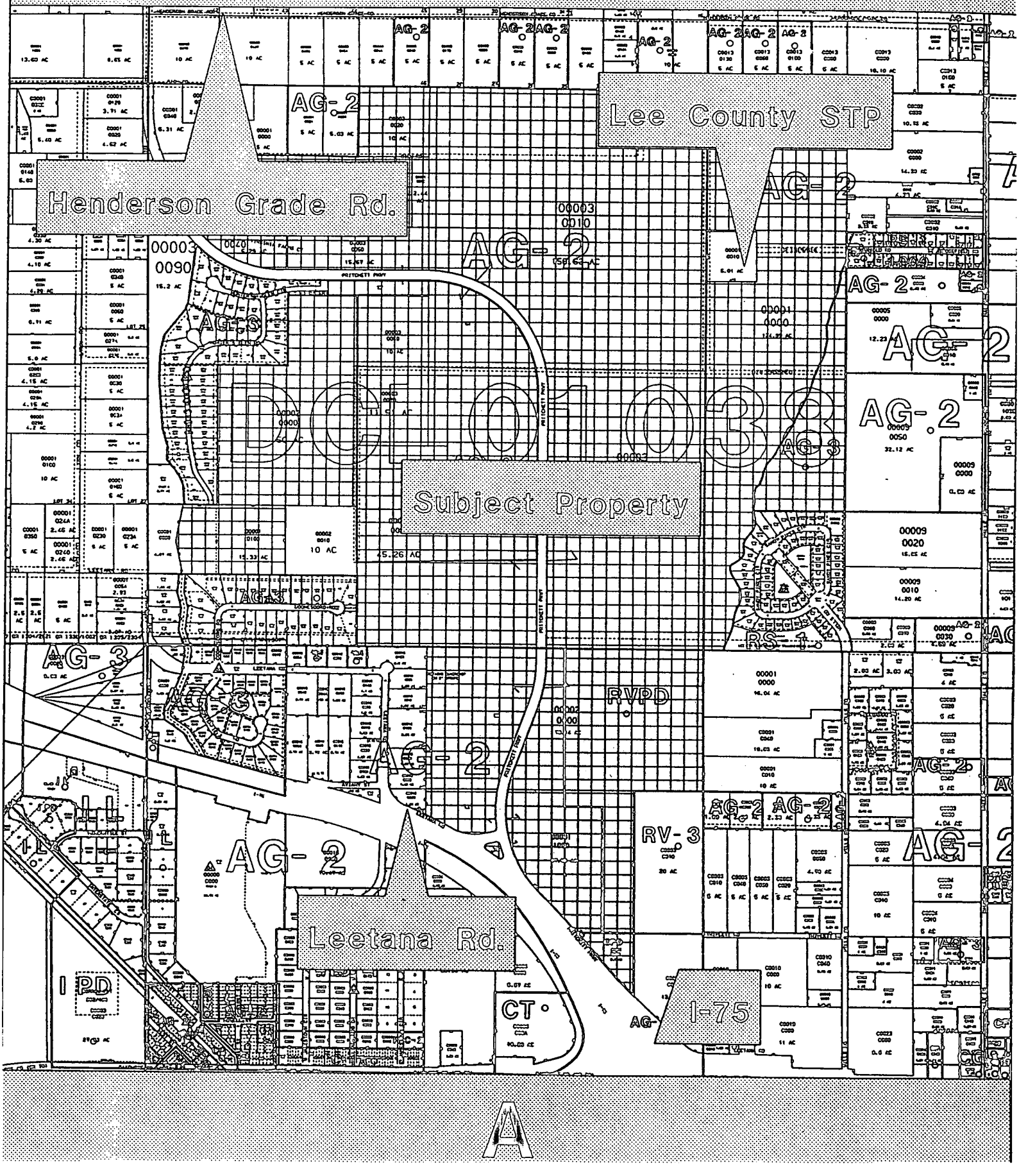
C. Pending - Memorandum from the Lee County Division of Natural Resources

D. Memorandum from the Lee County Department of Transportation dated January 28, 2002

E. Site Development Regulations

cc: Applicant
County Attorney
Zoning/DCI File

ZONING MAP


Lee County STP
Henderson Grade Rd.
Subject Property
Leetana Rd.
I-75
AG-2
AG-3
RS-4
RVPD
RV-3
CT
I PD

Revised Staff Report
Department of Community Development
Division of Environmental Sciences

Date: **June 2, 2003**

To: **Mike Pavese, Principal Planner**

From: **Kim Trebatoski, Principal Environmental Planner**
Phone: (239)479-8183
Gary Nychyk, Environmental Planner
Phone: (239) 473-8323

RE: **Heritage Creek RPD**
DCI 2001-00038
STRAP 15-43-25-00-00001.0000 et al.

Vegetation:
W. Dexter Bender and Associates, Inc. staff compiled a vegetation classification map for the proposed Heritage Creek RPD property utilizing the Florida Land Use Cover Forms and Classification System (FLUCCS). Native plant communities on this site include 22.6 ac of palmetto prairie (FLUCCS 321), 275.7 ac of pine flatwoods (FLUCCS 411), 11.7 ac of pine – mesic oak/cabbage palm (FLUCCS 414/428), 9.2 ac of scrubby pine flatwoods (FLUCCS 415), 1 ac of live oak hammock (FLUCCS 417), 1.9 ac of temperate hardwood (FLUCCS 425), 13.1 ac of hydric willow (FLUCCS 429), 2.8 ac of sand live oak (FLUCCS 432), 0.7 ac of mixed wetland hardwood (FLUCCS 617), 7.3 ac of cypress (FLUCCS 621), and 42.8 ac of freshwater marsh (FLUCCS 641). A total of approximately 388.8 acres of the Heritage Creek development meet criteria for indigenous vegetation. The Master Concept Plan depicts the preservation of approximately 93.8 acres of indigenous vegetation communities.

The Heritage Creek site contains many native heritage trees (20-inch diameter at breast height or greater) and sabal palms lying outside of the preserve areas. The preservation and incorporation of such large native trees into the overall site design would be a valuable amenity for the Heritage Creek project, while the protection of Florida's state tree, the cabbage palm, would provide habitat for local fauna and a link to Florida's past. The sabal palm, when relocated in a horticulturally correct manner, has a high survival rate, and can be used to meet and enhance Lee County landscape requirements. ES staff recommend the following condition to ensure the protection of the heritage trees and sabal palms:

Open space areas must be designed to incorporate as many of the native heritage trees and sabal

palms as possible. Any sabal palms with a minimum eight foot clear trunk must be salvaged. The salvage efforts must be coordinated with the Division of Environmental Sciences staff whether used on-site or other wise. Any sabal palms being relocated must be moved in a horticulturally correct manner per Lee County Extension Services brochure Lee 8/2000A(attached). Prior to local development order approval, the preserved trees and any relocated palms must be delineated on the plans. Preserved trees and relocated sabal palms will receive protected tree credits per LDC Section 10-420(h).

Protected Species:
W. Dexter Bender and Associates, Inc. staff performed a survey for Lee County listed species meeting criteria set forth in Chapter 10, Division 8 of the Lee County Land Development Code (LDC). The survey identified 159 gopher tortoise burrows on the property and estimated 54 tortoises residing on the Heritage Creek site. A bald eagle was observed perched in a dead pine tree near the edge of the property. The Master Concept Plan denotes that the perch tree will be retained in its current condition. Additionally, a Big Cypress fox squirrel was observed near the Florida Power and Light easement. Several species of wading birds including great blue heron, tricolor heron, great egret, snowy egret, glossy ibis, wood stork, and little blue heron were also observed in the borrow areas on the site.

ES staff confirmed the species survey during the July 26, 2001 field verification. No management plan has been submitted at this point. ES staff recommend the following condition to ensure adequate protection of listed species:

A detailed protected species management plan for gopher tortoises, Big Cypress fox squirrels, and wading birds must be submitted with the development order. The gopher tortoise management plan must include either a permanent fence or a continuous hedge of native shrubs where the gopher tortoise preserve abuts the road and park to protect the tortoises from the vehicular traffic and active recreation area.

Open Space:
LDC Section 10-415(a) requires a minimum of 40% open space for residential projects where lot sizes are less than 6500 square feet. LDC Section 34-935 (g)(1) further states that residential planned developments must provide 40 percent of the total area of the project as common open space. Additionally, LDC Section 10-415 (b) requires a minimum of 50% of the required open space to be provided as indigenous open space. The recreation area, typical townhouse, and typical multi-family lot designs require open space. The applicant has agreed to revise the property development regulations to limit lot coverage for single family detached and two family attached to a maximum 45% lot coverage. Therefore, single family lots with a minimum 6,500 square foot dimension and two family attached lots with a minimum 3,750 square foot dimension are not required to provide open space.

The Heritage Creek RPD proposes a total of 100.1 acres of indigenous open space consisting of wetland conservation, wetland creation, upland conservation, and upland buffers. This equates to approximately 13.5% of the site. If more than 500 acres of the project is developed with residential

tracts requiring open space, then additional indigenous preservation would be required. ES staff recommend the following condition to ensure that adequate indigenous open space will be provided:

Prior to local development order approval, an open space table must be included which details the residential unit type with lot size per tract, required open space, provided open space, required indigenous preservation and provided indigenous preservation. The project must preserve at a minimum the approximately 100.1 acres of conservation area including the wetland creation area. If more than 500 acres of the project is developed with residential tracts (including roads and lakes) requiring open space, then the development order must delineate the additional required indigenous preservation for the Division of Environmental Sciences staff review and approval.

Conservation Area Uses:
Attachment 1 titled "Heritage Creek Permitted Land Uses" lists several uses within the wetland and upland conservation areas that could provide an ideal setting for educational and passive recreational uses beneficial to the natural habitat, wildlife, and residents of the development. Although the utilization of recreational structures such as gazebos, foot trails, and boardwalks are attributes for the residents and plant communities, implementation of such uses must be carefully planned and executed to induce minimum disturbance to preserve areas. ES staff recommend the following conditions to ensure the protection of the preserve areas:

The use of cypress mulch is prohibited in preserve areas.

The maximum width of all boardwalks within the preserve areas must not exceed the minimum width requirements set forth by the Americans with Disabilities Act.

All boardwalks within the preserve areas must be designed to avoid mature native trees and protected species burrows, nests, or dens. The final layout of the boardwalks must be field verified by Division of Environmental Sciences staff. Minor adjustments to minimize impacts to native vegetation may be required.

The construction of gazebos or viewing platforms within conservation areas is limited to no more than 2 structures each having a footprint no larger than 200 square feet.

Prior to site work for any recreational use that requires the removal of vegetation within a conservation area, a development order showing impacts to the conservation area must be submitted for review and approval by Environmental Sciences and other applicable County Staff.

Design Standards:
The site design includes preservation and open space areas adjacent to Popash Creek and Bayshore Creek which traverse and abut the proposed project. The applicant has been working with Lee County Natural Resources to demonstrate that the floodplains of these creeks will not be adversely impacted by the proposed development. ES staff defer the technical analysis to Natural Resources staff.

ES staff met with the applicant to discuss the two flow-ways within the northeast portion of the project. The flow-way connecting a bermed wetland through pasture to Popash Creek historically was part of a larger system extending further north. This area has been developed as row-crops, ditched, developed as homesites, and a road has been constructed to the north which results in severing the historic flow-way. Additionally, the presence of the road eliminates the possibility of restoring the historic flow-way. Therefore ES staff has agreed to integrating the wetland into the surface water management system while allowing the portion of the flow-way which is within the pasture land to be impacted.

The other flow-way runs west to east from Pritchett Parkway to Popash Creek. This system is a mixture of manmade structures and natural systems. The stormwater from Pritchett Parkway is directed into this flow-way via roadway swales and a ditch. The existing marsh will be excavated to serve as donor soil for the wetland restoration in the southwest corner of the project. ES staff determined that it would be beneficial to provide retention for water quality improvement within this flow-way due to the stormwater being received from Pritchett Parkway. Therefore, the plan has been revised to include two lakes with the outfall to Popash Creek being directed as sheetflow through the existing sabal palm hammock which is the natural outfall of both flow-ways into Popash Creek. Additionally, the lake closest to Pritchett Parkway will have an extensive littoral zone which will result in a created marsh area, and the littoral plants in the other lake will be concentrated along the sabal palm hammock area. The alterations to this flow-way should improve the water quality of the stormwater entering Popash Creek, preserve the sabal palm hammock, and create wildlife habitat.

The applicant has submitted a littoral planting plan. This plan sheet delineates the littoral zones to be located away from the residential lots. Experience has shown that lake plantings are easier to establish and maintain away from residential lots. Only the lake within Tract C will have plantings adjacent to residential lots as there is not any common area around this particular lake. Additionally, the ditch along the north property line will be improved including the planting of native wetland vegetation along the south edge of the ditch. The project will provide 16.48 acres of littoral zone with native wetland plants installed 3-foot on-center totaling nearly 80,000 herbaceous plants or the equivalent with up to 25% of the plantings being provided as native wetland shrubs or trees. ES staff note that Lake 11 on the MCP [Lake D on the littoral plan] is an irrigation lake which is not connected to the stormwater management system. Therefore, Lake 11 is not required to provide any littoral vegetation. ES staff does encourage the developer to install trees and shrubs around the lakes perimeter.

ES staff recommend the following condition to confirm the littoral planting requirements:

Prior to local development order approval, the development order plans must include a littoral planting areas in substantial compliance with the "Stoneybrook North Littoral Planting Exhibit" stamped received April 7, 2003. All lake littoral zones must be constructed as depicted in Cross-Section B-B. Littoral planting quantities must be consistent with the "Littoral Planting Plan Exhibit Stoneybrook North" and accompanying table stamped received May 29, 2003. The

planting area along the northern ditch expansion must also provide native wetland plants installed 3-foot on-center.

Additional site revisions include alterations to the gopher tortoise preserve and preservation of a temperate hardwood hammock. The reduction of the roadway along the gopher tortoise preserve increases the size of the preserve. This expansion also allows for more tortoise burrows to be preserved in place. The 1.9 acre hammock to be preserved is located between residential Tract A and the wetland preserve in lieu of the previously proposed lake. The project will provide approximately 100.1 acres of wetland and upland conservation including 4.8 acres of wetland restoration.

The revisions to the MCP provides protection of natural resources including listed species, and addresses the historic flow-ways through site design. Therefore, ES staff find the proposed project consistent with the following county regulations:

- Lee Plan
  - Goal 4
    - Policy 4.1.1
  - Goal 40
    - Policy 40.1.3
    - Objective 40.5
      - Policy 40.5.1
      - Policy 40.5.2
      - Policy 40.5.3
  - Goal 41
    - Objective 41.2
      - Policy 41.2.4
      - Policy 41.3.7
      - Policy 41.3.10
      - Policy 41.3.11
  - Goal 77
    - Policy 77.2.3
    - Policy 77.2.4
    - Policy 77.2.6
    - Policy 77.8.1
- Land Development Code Section 34-411(g)

Tower:
The Master Concept Plan includes a tower surrounded by the Gopher Tortoise/Upland Preserve. This area is currently utilized by several species of native and migratory birds. The design and location of this tower could impact the utilization of the palmetto prairie and scrubby pine flatwood plant communities by resident birds. ES staff recommend the following condition to minimize impacts to surrounding habitat from the proposed tower:

The Communication Tower as denoted on the Master Concept Plan must be of a monopole design. The tower and its associated maintenance buildings must be designed to minimize impacts to birds.

Deviations:
Deviation 3 requests relief from LDC Section 10-418 (a)(2)(b) which requires the installation of one native wetland herbaceous plant per linear foot of lake shoreline to be installed, where trees and shrubs can be substituted for up to twenty five percent of the total number of herbaceous plants required, to allow the required plantings to include up to fifty percent trees in the Tract K lake.

Justification for this request states that the usual low level wetland vegetation along the aqua-range's shoreline would interfere with the retrieval of range balls. Additionally, the littoral vegetation would inevitably be damaged due to the aqua-range activities.

The unique nature of the aqua-range design lends support to the applicant's request. ES staff recommend APPROVAL of Deviation 3 with the following condition:

Lake littoral plantings within Tract K must be calculated at one littoral plant per linear foot of lake shoreline. One 10-foot tall tree or two 3-gallon shrubs may be substituted for 10 herbaceous plants. Trees and shrubs may used to count toward up to 50 % of the required lake littoral planting requirements. A minimum of two native wetland tree species and four native herbaceous plant species must be installed in the Tract K lake.

WITHDRAWN 4/7/2003 Deviation 6 requests relief from LDC Section 10-421 (a)(5) which requires that no portion of a buffer area consisting of trees and shrubs be located in an easement to allow planted buffers consisting of shrubs and non-required trees in easements provided that if any required landscaping within the easement is removed or damaged, then it will be replaced at no cost to the County.

Justification for this request states that it will enhance the development by improving its appearance with landscaping while providing access to any easements.

As per LDC Section 10-421 (a)(5) no trees or shrubs may be may be located in any utility, drainage or street easement or right-of-way. To avoid conflicts with overhead utility lines, only trees less than 20 feet in height at maturity may be used directly adjacent to an overhead line. Variances or deviations from the requirements of this subsection are prohibited except when included in an approved Alternate Landscape Betterment Plan. Therefore, ES staff cannot recommend approval

of deviation 6. However, to ensure that the applicant is aware of requirements pertaining to an Alternate Landscape Betterment Plan with regard to planting vegetation within easements, ES staff recommend the following condition:

The placement of any required vegetation within a utility, power, or drainage easement must be clearly delineated on an Alternate Landscape Betterment Plan as per LDC Section 10-419 and submitted with the local development order. The placement of vegetation within any easement must be approved by Lee County Environmental Sciences staff AND any other affected Division (Utilities, Zoning, etc.). If the easement is to an entity other than Lee County, then written approval of the location of vegetation from any affected easement holder must be submitted to ES staff as part of the development order. Approval from all affected parties must be obtained prior to approval of the local development order.

Deviation 7 requests relief form LDC Section 10-329 (e)(4), which requires excavation banks to be constructed with a 4:1 slope, to allow up to forty percent of the banks to utilize either:

- A vertical slope with the lake bottom slopes at the toe of any bulkhead to be no greater than 4:1, or
2. A 2:1 slope protected by rip-rap to a depth of six feet below control elevation.

Justification for this request states that the deviation will allow a more creative design of the lakes.

Bulkheads have been used planned developments to increase design flexibility especially around golf courses and where roads approach water management areas. The South Florida Water Management District allows the use of bulkheads on surface water management lakes provided that one linear foot of compensatory littoral zone with an 8:1 slope is provided for each linear foot of bulkhead. The 8:1 littoral area provides a good wading bird foraging area, and insures no decrease in littoral zone.

ES staff recommend APPROVAL of Deviation 7 with the following condition:

Bulkheads are limited to roads and the clubhouse area. Bulkheads are not permitted along residential boundaries.

Prior to local development order approval, the plans must show the location of the bulkheads to confirm that no more than 20% of each lake shoreline consists of bulkhead or rip-rap. Lakes where bulkheads are proposed must be designed to provide one linear foot of compensatory littoral zone with an 8:1 slope for each linear foot of bulkhead. For lakes which utilize bulkheads, littoral plants must be calculated at two plants per linear foot of shoreline clustered within the 8:1 slope portion of the lake.

The development order must include a typical cross section detail of bulkhead and rip-rap areas on the paving and grading AND landscape plan.

Deviation 16 requests relief from LDC Section 10-416(d)(6) which requires that if roads, drives, or parking areas are located less than 125 feet from an existing residential subdivision or residential lots, a solid wall must be constructed not less than 25 feet from the abutting property and landscaped with a minimum of five trees and 18 shrubs per 100 linear feet to allow two cul-de-sacs in Tract H and part of Tract E to be located as illustrated on the MCP.

Justification for this request states that the design of Tracts E and H limits the flexibility of the buffer area. The applicant indicated that the incorporation of a Type "D" buffer would adequately buffer the road. Furthermore, the short nature of the affected areas would lead to small, interrupted segments of wall and landscape material.

ES staff defer compatibility issues to the Division of Development Services.

UNIVERSITY OF FLORIDA

Horticulture

LEE COUNTY EXTENSION SERVICE

TRANSPLANTING SABAL PALMS
Step-by-Step Instructions

Lee 8/2000A

Stephen H. Brown
Lee County Horticulture Agent

Rick Joyce
Deputy Director, Lee County Planning Division

Introduction

The native cabbage or sabal palm (*Sabal palmetto)* is the official state tree of Florida and is a prominent feature in Florida's landscape. The palm is highly adaptive, tough, tolerant of a wide range of soils, and is hurricane resistant. When planted six to ten feet on center, sabal palms provide desirable shade. Sabal palms, including large-sized palms, can be transplanted with high success if a few simple precautions are taken. This fact sheet provides specific proven techniques to increase the success of sabal palm transplanting.

Step-by-Step Transplant Instructions

1. Use gasoline powered tree spade or heavy steel shanked digging spade with a clean well-honed cutting edge to dig the largest possible root ball. Usually to 18 inches from the edge of the trunk.

2. Remove the palm from ground. Take care not to damage the hidden bud located within the center of the canopy.

3. Using clean sharp hand spades, trim the root ball into circular shape 13 to 16 inches from the outer edge of the trunk.

4. Two methods of pruning fronds for landscape transplant (select one):
   a. Remove oldest (brown) fronds. Tie the remaining fronds tightly together with a biodegradable twine. Do not disturb the bud.
   b. Remove all fronds otherwise known as "hurricane" or "cigar cut." This recommended pruning technique gives the highest rate of establishment but must be carefully done.

5. Secure the palm on a flat bed truck and transport it to the planting site. Make sure the center of the bud is well protected.

6. Keep the root ball moist between removal and installation.

7. Prepare planting hole 1-2 times the diameter of the trunk but at the same depth as the root ball.

8. Back-fill the planting hole with the same soil that had been removed. There is no need to amend the planting hole, but if it is amended, use a fill similar to that of the planting hole. The amendment should not exceed 25 percent by volume of the soil removed from the hole.

9. Carefully set the palm into the planting hole. Make sure it is planted the same depth as it was in the field. Planting too deeply will cause root suffocation and lead to nutritional deficiencies, root rot, and frequently the death of the palm.

10. Secure and stake the palm as illustrated in the diagram. DO NOT DRIVE NAILS DIRECTLY INTO THE PALM.

(Continued on the back.)

The Extension Service is part of a publicly funded statewide educational network that provides information and scientific knowledge to area residents, businesses and government leaders. The University of Florida, Extension Service offers the latest research and technology in more than 200 subjects related to horticulture, energy/conservation, agriculture, youth development and family and consumer sciences. Last year, the Lee County Extension Service provided assistance to more than 70,000 people and provided 463 classes and workshops on everything from family financial planning to pesticide training.

The Lee County Extension Service is an Equal Employment Opportunity - Affirmative Action Employer that provides research, educational information and other services without regard to race, color, sex, age, handicap or national origin.

11. Establish a water-retaining ring around the palm three feet from the trunk. The ring should slope gently toward the trunk.

12. Fill the ring with mulch to a depth of three inches. Keep the mulch at least three inches away from the trunk.

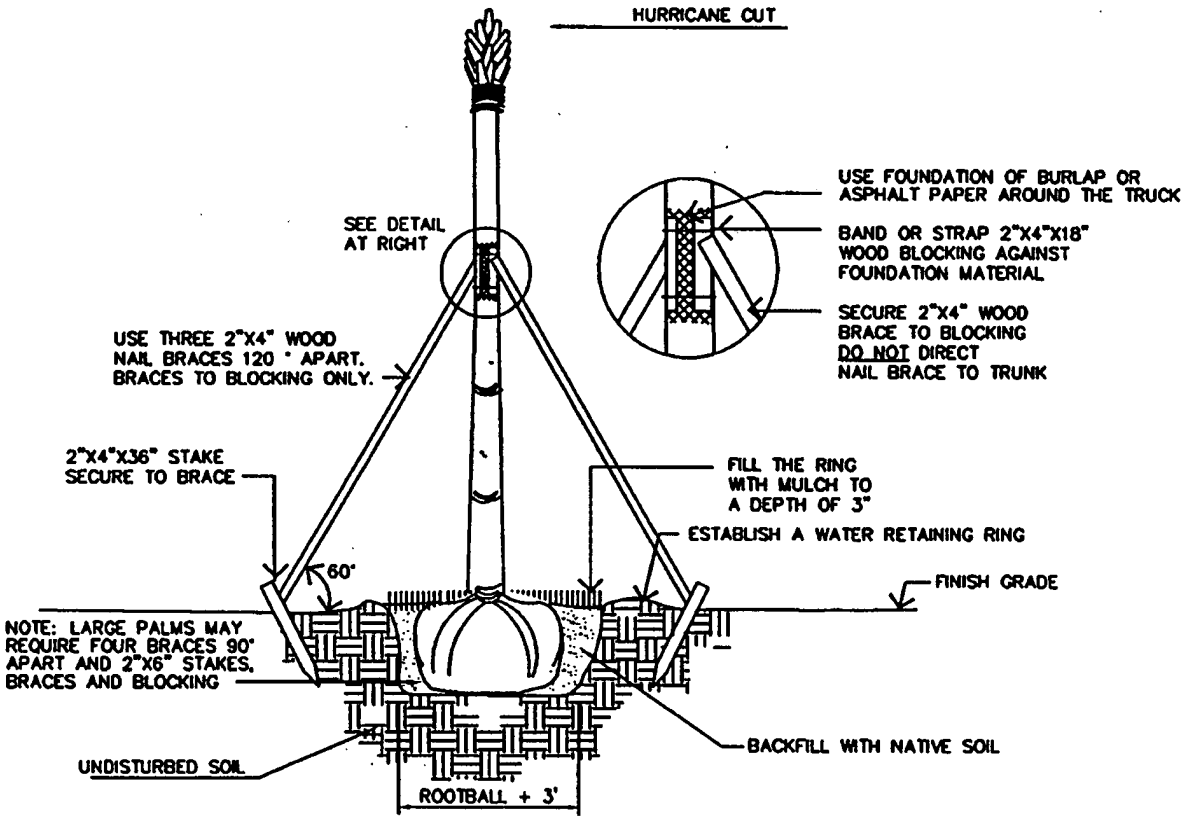
13. Irrigation:
    a. Palms with fronds remaining: Fill the ring with 50 gallons of water three times weekly.
    b. Palms with hurricane cut: Fill the ring with 20 to 25 gallons of water three times weekly.

14. In both cases, after four weeks, reduce irrigation to twice weekly. Water twice weekly for four weeks, and then reduce irrigation to once weekly for an additional four weeks. Twelve weeks after planting, cease irrigation if the palm appears healthy. However, during drought, water once a week for up to two years. For each inch of rain, skip one scheduled irrigation treatment.

15. As soon as new growth begins to appear, loosen tied fronds. This will happen between 3-6 months after transplanting, depending on the time of year and the health of the palm.

16. Begin fertilization after new growth begins. Fertilize three to four times per year with a 2-1-3-ratio fertilizer at a rate of one to two pounds per 100 square feet. For best results use a slow release formulation.

17. Remove staking and burlap or asphalt paper rap after successful palm establishment. Removal usually occurs approximately one year after palm installation.



PLANTING AND STAKING SABAL PALM

NOT TO SCALE

PENDING

Memorandum from the Lee County Division of Natural Resources

LEE COUNTY
SOUTHWEST FLORIDA

DEPARTMENT OF TRANSPORTATION

Memo

To: Mike Pavese
Development Services Principal Planner

From: Andrew J. Getch
LCDOT Senior Engineer

Date: January 28, 2002

Re: U.S. Home Corp. in ref. to Heritage Creek RPD
DCI2001-00038

We have reviewed the proposed Residential Planned Development (RPD) Application and have the following substantive comments:

Based on the Master Concept Plan, the project has nearly two miles of frontage along Pritchett Parkway. Pritchett Parkway is a county maintained roadway with a current functional classification as a major collector. The 2001 Lee County Traffic Report shows a low AADT of 1,200 on Pritchett Parkway. In the application the roadway identified as Pritchett Parkway east of the project is actually Leetana Road. Leetana Road (a/k/a Pritchett Parkway) intersects with Bayshore Road, State Road 78, less than ¼ mile east of the project. The Bayshore Road intersection with Leetana Road/Pritchett Parkway would appear to be problematic in the future with this project. The TIS by Metro Transportation Group without the project shows the southbound left and through operates at Level of Service "B" and the eastbound left operates at Level of Service "A" in the year 2001. The TIS shows the southbound left and through operates at Level of Service "C" and the eastbound left operates at Level of Service "B" in the year 2008.

The TIS with the project shows that the southbound approach to the intersection will operate at Level of Service "F" with a significant queue of vehicles. The TIS estimates 95 left and 365 right turns in the P.M. peak hour. The queue appears to be the result of the left turns waiting and blocking the right turns. The TIS also shows 90 percent of the future volume on Pritchett Parkway being generated by the Heritage Creek project. The addition of a southbound right turn lane will address this problem.

D

The TIS with the project shows 645 vehicles making an eastbound left from State Road 78 to Pritchett Parkway. Again, 90 percent of the eastbound left turns are generated by this project. The eastbound left turn movement is projected by the TIS to operate at a Level of Service "C". This appears to operate at an acceptable level of service because of a relatively low opposing through volume. The geometry of the interchange includes an overlap of the off-ramp with the left turn lane, and only 150 feet separation between the end of the northbound to eastbound off-ramp and the median opening. A possible solution the Florida Department of Transportation may evaluate is the signalization of the northbound to eastbound off-ramp. Staff has a concern that the projected turning volumes and the geometry of the interchange may cause operational problems at the interchange primarily resulting from the project eastbound left-in volumes. The likely solutions to such a problem would be signalization, modification or closure of the median opening by the Florida Department of Transportation. Because the median opening is less than ¼ mile from the I-75 northbound ramps signal, signalization of the median opening is not likely.

In discussions with the applicant's representatives, they have suggested a realignment of Leetana Road/Pritchett Parkway to connect to Wells Road instead of directly connecting to State Road 78, Bayshore Road, in exchange for Road Impact Fee Credits. Wells Road is a County maintained local street approximately 400 feet east of the intersection of Pritchett Parkway and State Road 78. The suggested realignment would require acquisition of right-of-way across an adjacent property outside of the project boundaries.

Pritchett Parkway was originally constructed in exchange for Road Impact Fee Credits. While realignment of Pritchett Parkway would be an operational intersection improvement for the interchange area, it does not appear to meet the criteria for Roads Impact Fee Credits. Instead, the operational improvements needed in the future appear to be caused by the addition of the project traffic.

Construction funds to 4-lane Bayshore Road between Slater Road and I-75 are currently programmed in fiscal year 2004 by FDOT. Based on the TIS, that segment of Bayshore Road will operate at level of service "F" by 2003 until the 4-laning is completed. A condition may be needed to address the potential interim level of service problem.

The existing Unincorporated Bikeways/Walkways facility plan identifies the existing paved shoulders along Pritchett Parkway. The needed facilities are identified based on the current land use character of the area and low traffic volume. This community, with 1,532 single-family units, will likely generate significant bicycle and pedestrian demand along Pritchett Parkway from Bayshore Road to Rich Road, ¼ mile north of the project. We recommend that the applicant include construction of off-road bicycle and pedestrian facilities along Pritchett Parkway to Bayshore Road as part of the project.

Recommended Conditions

1) No development order for this project will be issued if the development contemplated thereunder will precipitate a drop in the level of service on links number 16 and 17 of Bayshore Road, below the adopted level of service. Prior to development order approval, the developer must demonstrate that the LOS will not fall below the adopted level of service on

the identified links. In determining the level of service, only road improvements with committed funding, as provided in FAC 9J-2.045, may be considered.

2) The developer will provide intersection improvements to the intersection of Bayshore Road and Pritchett Parkway. At a minimum, the developer will construct a southbound right turn lane as a site-related improvement. In cooperation with the Florida Department of Transportation and the County, the developer may realign Pritchett Parkway to address future operational problems caused by project traffic.

3) The developer will construct an eight foot wide bicycle path or two five foot sidewalks along Pritchett Parkway from Bayshore Road to Rich Road. The bicycle/pedestrian facilities improvement will be considered a site-related improvement.

AJG/mlb

cc: Sarah Clarke – Florida Department of Transportation
Administrative File

Attachment 2

Stoneybrook North
PROPERTY DEVELOPMENT REGULATIONS
March 10, 2003

LAND USES	Minimum Lot			Minimum Setback (ft)							Max Building Height (ft)	Min Bldg Separation (ft)	Max Lot Coverage (%)
					Rear (ft)			Front (ft)					
	Area (sq ft)	Min Width (ft)	Min Depth (ft)	Side Including Corner Lots (ft)*	Lots	Wetland	Acc	Front Entry Garage	Bldg or Side Entry Garage	Water Body (ft)			
Single Family Detached	4,000	40	100	5	20	20	5	20	12	25	35 or 2 stories	10	45
Two Family Attached	3,500	35	100	0 or 10	20	20	5	20	12	25	35 or 2 stories	10	45
Townhouse	2,000	22	80	0 or 10	20	20	5	20	15	25	35 or 2 stories	20	n/a
Multi-Family	10,000	100	100	10	20	20	5	20	20	25	60 or 4 stories	20	45
Clubhouse	20,000	80	100	10	20	20	5	n/a	20	25	45 or 2 stories	20	45
Maintenance	8,000	80	100	n/a	100	20	5	n/a	n/a	25	1story	20	45
Accessory Recreation Buildings	n/a	n/a	n/a	n/a	20	20	n/a	n/a	n/a	n/a	1story	20	n/a

* Applies to lots of all widths and to corner lots. Each lot, including corner lots, will have only one front yard.

3/10/2003- 19279 Var: 031- CDAY
CAD3
03642-000-000- PCOR- 5968

6- 4-03; 1:26PM; WM DESIGN STUDIO ;239 649 4909 # 5/ 20

INSTRUCTIONS

(Section C.1.c., Lee County Administrative Code AC 2-8)

A zoning sign must be posted on the parcel subject to any zoning application for a minimum of ten (10) days in advance of the Hearing Examiner's Public Hearing and maintained through the Board of County Commissioners Hearing, if any. This sign will be provided by the Development Services Division in the following manner:

a. Signs for case **#DCI2001-00038** must be posted by **November 26, 2002.**
b. The sign must be erected in full view of the public, not more than five (5) feet from the nearest street right-of-way or easement.
c. The sign must be securely affixed by nails, staples or other means to a wood frame or to a wood panel and then fastened securely to a post, or other structure. The sign may not be affixed to a tree or other foliage.
d. The applicant must make a good faith effort to maintain the sign in place, and readable condition until the requested action has been heard and a final decision rendered.
e. If the sign is destroyed, lost, or rendered unreadable, the applicant must report the condition to the Development Services Division, and obtain duplicate copies of the sign from the Development Services Division.

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

When a parcel abuts more than one (1) street, the applicant must post signs along each street. When a subject parcel does not front a public road, the applicant must post the sign at a point on a public road which leads to the property, and the sign must include a notation which generally indicates the distance and direction to the parcel boundaries and the dimensions of the parcel.

NOTE: AFTER THE SIGN HAS BEEN POSTED, THE AFFIDAVIT OF POSTING NOTICE, BELOW, SHOULD BE RETURNED NO LATER THAN THREE (3) WORKING DAYS BEFORE THE INITIAL HEARING DATE TO LEE COUNTY DEVELOPMENT SERVICES DIVISION, 1500 MONROE ST., FT. MYERS, FL 33901.

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

AFFIDAVIT OF POSTING NOTICE

STATE OF FLORIDA
COUNTY OF LEE

BEFORE THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED Douglas J. Widmer

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

Douglas J. Widmer
SIGNATURE OF APPLICANT OR AGENT

DOUGLAS J. WIDMER
NAME (TYPED OR PRINTED)

4571 COLONIAL BLVD,
ST. OR PO BOX

FT. MYERS, FL 33912
CITY, STATE & ZIP

#DCI2001-00038/Heritage Creek / 12/11/02 **(rt)**

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to and subscribed before me this 25th day of November, 2002, by Douglas J. Widmer, personally known to me or who produced _____ as identification and who did/did not take an oath.

Bernadette Rashford
Signature of Notary Public

Bernadette Rashford
Printed Name of Notary Public

BERNADETTE RASHFORD
MY COMMISSION # DD 039122
EXPIRES: May 16, 2005
Bonded Thru Notary Public Underwriters

My Commission Expires:
(Stamp with serial number)

RECEIVED

MAY 31 2001

COMMUNITY DEVELOPMENT

LEE COUNTY

APPLICATION FOR PUBLIC HEARING FOR PLANNED DEVELOPMENT UNINCORPORATED AREAS ONLY

Applicant's Name: US Home Corporation

Project Name: Heritage Creek

STRAP Number(s): 15-43-25-00-00001.0000, 15-43-25-00-00001.0010, 16-43-25-00-00001.0060 16-43-25-00-00001.006A 16-43-25-00-00001.006B, 16-43-25-00-00001.006C, 16-43-25-00-00001.0100, 16-43-25-00-00002.0000,16-43-25-00-00003.0000 16-43-25-00-00003.0010, 16-43-25-00-00003.0020, 16-43-25-00-00003.0030, 16-43-25-00-00003.0040, 16-43-25-00-00003.0050 16-43-25-00-00003.0070, 16-43-25-00-00003.0080, 21-43-25-00-00001.1000, 21-43-25-00-00002.0000, 21-43-25-00-00006.0020

****

STAFF USE ONLY

Commissioner District:	AG-2 RVPD, CPD	*Case Number:*	DCI 2001-00038
Planning Community		*Date of Application:*	
Current Zoning:		*Date found sufficient:*	
Land Use Classification(s):	Outlying Suburban General	*Date HEX Public Hearing:*	
Lee Plan Density Range:		*Fee:*	20,820.00
		Planner in charge:	

TYPE OF APPLICATION

____	*DRI*	✓	*DCI - Major*	____	*DCI - Minor*
____	*PD - Existing Development*	____	*PD - Amendment*		

****

LEE COUNTY
COMMUNITY DEVELOPMENT
P.O. BOX 398 (1500 MONROE STREET)
FORT MYERS, FLORIDA 33902
PHONE (941) 479-8585

PART I
APPLICANT\PROPERTY OWNERSHIP INFORMATION

A. **Application Initiated By:**

A.1. *N/A* Application is owner-initiated or applicant is authorized by a Covenant of Unified Control. A copy of the Covenant of Unified control is attached as **Exhibit I-A-1.** *[34-202(b)(1)b.]*

A.2. *N/A* Applicant has been authorized by the owner(s) to represent them for this action. A copy of the Notarized Authorization form is attached as **Exhibit I-A-2.** *[34-202(b)(1)c.]*

A.3. *X* Applicant is a contract purchaser/vendee. A copy of the Notarized Authorization form is attached as **Exhibit I-A-3.** *[34-202(b)(1)d.]*

B. **Name of applicant:** US Home Corporation

Mailing Address: Street 10481 Six Mile Cypress Pkwy

City: Fort Myers State: Florida Zip: 33912

Phone Area Code: 941 Number: 278-1199 Ext:

Fax Area Code: 941 Number 278-1914

E-mail: please direct inquiries to agents listed

C. **Property Ownership**

C.1. Name of property owner(s) See Exhibit I-C-2 Subject Property Owners List enclosed.

Mailing Address: Street:

City: State: Zip:

Phone Area Code: Number: Ext:

Fax Area Code: Number

E-mail:

C.2. *X* **Property owners list:** A list of all owners of the subject property and their mailing addresses, is attached as **Exhibit I-C-2.** *[34-202(a)(5)]*

D. **Date property was acquired by present owner(s):** See Exhibit I-C-2 enclosed.

D.1. X The owner(s) is/are required to file a disclosure form. The completed disclosure form is attached as **Exhibit I- D-1.** *[34-202(b)(1)a]*

D.2. N/A The property is subject to a sales contract or sales option and the contract purchaser(s) is/are required to file a disclosure form. The completed disclosure form is attached as **Exhibit I-D-2.** *[34-202(b)(1)a]*

E. **Deed Restrictions:**

E.1. N/A Existing deed restrictions or other covenants on this property may affect this request. A copy of the deed restrictions or other covenants is attached as **Exhibit I-E-1.** *[34-202(b)2]*

DCI 2001-00038

E.2. N/A A narrative statement explaining how the restrictions may affect the requested action is attached as **Exhibit I-E-2.** *[34-202(b)2]*

F.1. **Authorized Agent: This is the person who will receive all county-initiated correspondence regarding this application.** *[34-202(b)(1)c.]*

Company Name: WilsonMiller — New Directions In Planning, Design & Engineering

Address: 4571 Colonial Boulevard, Suite 100, Fort Myers, Florida 33912-1062 — www.wilsonmiller.com — FL Lic.# LC-C000170

Contact Person: ***Carron Day,*** *AICP* — *Senior Project Manager* — *Community & Regional Planning* — *carronday@wilsonmiller.com*

Phone Number: *941-939-1020* — *941-939-7479*

E-mail:

3907

Senior Planner

(941) 278-4466

F.2. **Additional Agent(s): List the names of other authorized agents the county may contact concerning this application.** *[34-202(b)(1)c.]*

F.2.a. Company Name: **Pavese Law Firm**

Address: **1833 Hendry Street, Fort Myers, Florida 33902**

Contact Person: **Steven Hartsell, Esquire**

Phone Number: **(941) 336-6244** Fax Number: **(941) 332-2243**

E-mail: **SteveHartsell@paveselaw.com**

PART II
GENERAL INFORMATION

A. **Action Requested**

X **Rezoning** from: AG-2, CPD, RVPD TO: RPD

____ **Other** - Provide specific details: _____

B. **Legal Description and Certified sketch of description:**

B.1. X Attached is a legible copy of the legal description labeled **Exhibit II-B-1.A.** *[34-202(a)(1)]*

_____ Attached is an electronic copy of the legal description labeled **Exhibit II-B-1.B.**

B.2. X Attached is a Certified sketch of description as set out in chapter 61G 17-6.006 FAC. labeled **Exhibit II-B-2.** *[34-202(a)(2)]*

B.3. _____ The property consists only of one or more undivided lots within a platted subdivision recorded in the Official Plat Books of Lee County. Attached is a copy of the Plat Book Page labeled **Exhibit II-B-3**, with the subject property clearly marked. *[34-202(a)(2)]*

DCI 2001-00038

B.4. **Subdivision Name:** _____

Plat Book: _____ Page _____ Unit _____ Block _____ Lot(s) _____

Section: _____ Township _____ Range _____

B.5. **STRAP Number** See answer provided on page 1.

C. **Property Location** Within an unincorporated area of Lee County commonly known as "North Fort Myers".

C.1. **Project Street Address:** Pritchett Parkway

C.2. **General Location Of Property:** _____

In the northeast quadrant of the intersection of I-75 and Bayshore Blvd.

D. **Notice Information**

D.1. X Planning Community(ies) in which located: *North Fort Myers*

D.2. X Area Location Map: An area location map, 8 by 11 inches in size, is attached as **Exhibit II-D-2**: *[34-202(a)(4)]*

D.3. X A list of surrounding property owners is attached as **Exhibit II-D-3.** *[34-202(a)(6)]*

D.4. X A map displaying all surrounding parcels attached as **Exhibit II-D-4.** *[34-202(a)(7)]*

D.5. X Two copies of mailing labels attached as **Exhibit II-D-5**.

E. **The Lee Plan & Other Narrative Statements**

E.1. X The Land Use Classification(s) is/are: Outlying Suburban and General Interchange

E.2 X Attached as **Exhibit II-E-2**, is a narrative explanation as to how the proposed development complies with the Lee Plan. *[34-373(a)(5)*

E.3. N/A The attached proposed amendment to the Lee Plan may affect this property. The proposed amendments and a statement as to how the proposed amendment will affect the property is attached as **Exhibit II-E-3.**

E.4 X Attached as **Exhibit II-E-4**, is a narrative explanation as to how the proposed development complies with the Design Standards set forth in Section 34-411. *[34-373(a)(5)]*

E.5 N/A Attached as **Exhibit II-E-5**, is a narrative explanation as to how the proposed development complies with the guidelines for decision-making embodied in sections 34-145(c)(2)a and e., and 34-145(d)(3). *[34-373(a)(5)]*

F. **Waivers from Application Submission Requirements**

N/A The following waivers have been approved by the Director of Development Services. Copies of the approved waiver(s) are attached as **Exhibit II-F-1.**

Section Number	Name of item

PART III
EXISTING CONDITIONS

A. **Location, Zoning and Surrounding land uses.**

A.1. X Attached as **Exhibit III-A-1** is a map showing the location of the property to be developed in relation to arterial and collector streets as well as the location of existing easements and rights-of-way on or abutting the property. *[34-373(a)(4)a.]*

A.2. X Attached as **Exhibit III-A-2** is a map or other depiction of the existing zoning and current land uses surrounding the tract or parcel to a distance of 500 feet. *[34-373(a)(4)b.]*

A.3. X Attached as **Exhibit III-A-3** is an aerial photograph with the site clearly delineated. *[34-373(a)(4)c.]*

B. **Archaeological/Historical** Enclosed is memo to Gloria Sajgo which was submitted to the Planning Department simultaneously with the filing of this application.

B.1 ___ Attached as **Exhibit III-B-1** is a map indicating the nature and location of known or recorded historical or archaeological sites and the location of any part of the property that is located within level 1 or level 2 zones of archaeological sensitivity pursuant to chapter 22. The plan shows the outline of historic buildings and approximate extent of archaeological sites. *[34-373(a)(4)f.]*

B.2. ___ Attached as **Exhibit III-B-2** is a description of proposed improvements that may impact archaeological or historical resources. *[34-373(a)(4)f.]*

C. **Drainage, Water Control and Environmental Issues**

C.1. X The property is within an Area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRM)s. A, AE & X

per 8/20/01 memo from Carson Daly

C.2 X The minimum elevation required for the first habitable floor is *varies* NGVD (MSL)

C.3. X Attached is **Exhibit III-C-3,** the Environmental Assessment Report required by Section 34-1573.

C.4. X Environmentally sensitive lands on the subject property are delineated on the following maps.

C.5. X **Exhibit III-C-5:** Soils, classified in accordance with the USDA/SCS System;

C.6. X **Exhibit III-C-6:** Vegetation and ground cover in accordance with the FLUCCS.

C.7. X **Exhibit III-C-7:** Topography or a USGS quadrangle map showing the subject property.

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C.8. X **Exhibit III-C-8:** Protected Species Survey (if applicable) as required by Section 10-473.

D. **Public Transit**

D.1. X Property is within the Lee Tran public transit service area.

D.2. X **Exhibit III-D-1** shows the property in relation to existing and proposed public transit routes, including bus stops.

E. **Property Dimensions** *[34-202(a)(8)]*

E.1	Width (average if irregular parcel)	*70 +/-*	Feet		
E.2	Depth (average if irregular parcel):	*140 +/-*	Feet		
E.3	Frontage on road or street:	*7700*	Feet	Street Name:	*Pritchett Parkway*
E.4.	Total land area:	*740.08 ac*	Acres or Square Feet		

F. **Land Area Calculations** ***(Based on total property)***

F.1 Undevelopable Areas:

a.	Existing natural and manmade waterbodies.	*23.6 acres*
b.	Freshwater wetland areas*:*	*N/A*
c.	Other wetland areas*:*	*55.6 acres*
d.	Submerged land subject to tidal influence	*N/A*
e.	Total (a + b + c + d):	*79.2 acres*

F.2 Remaining developable land (E.4 less F.1.e): *660.88 acres*

G. **Present Use of Property**

G.1. X The property is not vacant. The owner or applicant's signature on this application indicates that the Owner agrees to either remove all existing buildings and structures, OR that the proposed use of the building or structure(s)will be in compliance with all applicable requirements of the Land Development Code. *[34-202(b)(3)]*

G.2. X Briefly describe current use of the property:

Agricultural uses which include farming and cattle grazing.

PART IV
PROPOSED DEVELOPMENT

A. **Copies of Master Concept Plan**

A.1. X Attached are copies of **Exhibit IV-A-1** entitled "Proposed Master Concept Plan" drawn to scale on 24 inch by 36 inch medium. *[34-373(a)(6)]*

A.2. X Attached are copies of **Exhibit IV-A-2**. entitled "Proposed Master Concept Plan" drawn to scale on 11 inch by 17 inch medium. *[34-373(a)(6)]*

DCI 2001-00038

B. **Vehicular Ingress & Egress, Public Transit**

B.1. X The master concept plan indicates the exact location of all points of vehicular ingress and egress from existing easements or rights-of-way into the development. *[34-373(a)(6)a]*

B.2. X The proposed development includes plans for subdividing. The master concept plan shows the . general location of all proposed internal street rights-of-way or easements *[34-373(a)(6)a]*

B.3. X The master concept plan indicates the general location from the proposed internal rights-of-way or easements into multiple-family, commercial and industrial lots. *[34-373(a)(6)a]*

B.4. X Proposed access and public transit facilities have been indicated on the master concept plan as required by Sections 34-411(e) and 10-442. *[34-373(a)(4)e]*

C. **Parks, Open Space and Indigenous areas.**

C.1. X The general location of proposed parks and recreation areas and facilities, has been shown and identified on the master concept plan. *[34-373(a)(6)e]*

C.2. X The general location of indigenous areas to be preserved has been shown and identified on the master concept plan. *[34-373(a)(6)e]*

C.3. N/A The development is a subdivision consisting solely of conventional single-family units on lots of no less than 6,500 square feet. *[34-373(a)(6)f]*

C.4. X Approximately forty percent of the property will be open space. *[34-373(a)(6)f]*

C.5. N/A The minimum open space required by Section 10-329(f)(7) for commercial and industrial lots and outlots has been indicated on the master concept plan. *[34-373(a)(6)f]*

D. **Buffers**

D.1. X The master concept plan indicates the types and minimum widths of buffers proposed along the perimeter of the property as well as between the individual development areas where required. *[34-373(a)(6)g]*

D.2. X All buffer types shown refer to buffers described in Chapter 10 of the Land Development Code unless clearly noted otherwise. *[34-373(a)(6)g]*

E. **Surface Water Management**

E.1. X The property is located within a flood plain or flow way and compensation for impacts to flood storage capacity or flow ways due to filling of the site will be made at the time of local development order or district permitting . *[34-373(b)(1)]*

E.2. X A written description of the proposed surface water master plan is submitted as **Exhibit E.2.**

F. **Excavations**

F.1. X The general location of excavations for on-site fill and wet retention have been indicated on the master concept plan. *[34-373(a)(6)i]*

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F.2. X Preliminary calculations for cuts and fills have been made and:

F.3. No excavated materials will be removed from the site.

F.4. X Excavated materials to be removed from the site will comply with the definition of . "surplus material" or will not exceed ten percent of the total material excavated.

F.5. _____ Excavated materials to be removed from the premises exceed the definition of "surplus materials" or will exceed ten percent of the total material excavated. Calculations have been submitted as **Exhibit IV-F-5**. *[34-373(a)(6)i]*

F.6. N/A This application includes "mining" as a requested use and a "general mining permit" has been requested in accordance with section 10-329(f)(7). *[34-373(a)(6)i]*

G. **Subdivisions**

G.1. X The proposed development will be divided into lots or parcels. *[34-373(a)(6)b]*

G.2. X The uses proposed for each lot or parcel have been indicated and keyed to the proposed list of uses submitted with the application. *[34-373(a)(6)b]*

G.3. X The master concept plan indicates the general location, configuration, and approximate dimensions of the lots or parcels (including outparcels), lot coverage, and the minimum proposed setbacks for principal buildings. *[34-373(a)(6)b]*

X Special property development regulations are proposed for this development and are setforth in Exhibit IV-G-4. To the extent a property development is not indicated in the exhibit, the regulations of the Land Development Code will be used.

_____ The property development regulations for the _____ zoning district will be used. *[34-373(a)(6)b]*

H. **Individual Development Areas** *[34-373(a)(6)c]*

H.1. X The boundary of each individual development area within which buildings, parking or other uses will be located has been delineated on the master concept plan indicating:

H.2. X Residential uses by type for each development area have been indicated (if applicable) including the maximum number of living units by type.

H.3. N/A Development areas proposed for hotel or motel use have been indicated as well as the number of hotels/motels and the maximum number of rooms by size.

H.4. N/A Development areas proposed to contain health care facilities have been indicated as well as the maximum number of beds.

H.5. N/A Commercial uses by type for each development area have been indicated (if applicable) including the maximum floor area proposed. Where the use includes outdoor areas for display or storage, the outdoor area has been indicated separately from the floor area.

H.6. N/A Industrial uses by type for each development area have been indicated (if applicable) including the maximum floor area proposed. Where the use includes outdoor areas for display or storage, the outdoor area has been indicated separately from the floor area.

H.7. N/A Parking under the building(s) is proposed and the number of parking stories has been indicated.

H.8. X The total number of living stories has been indicated.

H.9. X The maximum height of the buildings, including parking stories, has been indicated.

H.10 X The general location of service areas for delivery of goods or services has been delineated on the master concept plan.

I. **Summary list of uses.**

I.1. X A list of all uses, including types and number of units for residential, hotel/motel and assisted living facilities as well as square footage of each type of commercial and industrial use, proposed for the entire development is attached as **Exhibit IV-I-1.** *[34-373(a)(8)]*

J. **Master list of deviations. [34-373(a)(6)j]**

J.1. X A list of all deviations requested as well as a written justification for the deviation, has been submitted as **Exhibit IV-J-1.**

J.2. X The proposed location for each requested deviation, keyed to the schedule of requested deviations (Exhibit IV-J-1), has been indicated on the master concept plan.

J.3. N/A Drawings demonstrating the effect of the requested deviations are submitted as **Exhibit IV-J-3.**

J.4. _____ No deviations are requested.

K. **Traffic Impact Statement** *[34-373(a)(7)]*

K.1. X The Traffic Impact statement has been submitted as **Exhibit IV-K-1.**

K.2. _____ The director has waived the requirement for this minor planned development. The signed waiver is attached hereto as **Exhibit I-F-1.**

L **Phasing Plan**

L.1. N/A The project will be developed in phases OR the Traffic Impact Statement utilized phasing . A description of the phasing plan has been submitted as **Exhibit IV-L-1.** *[34-376(b)(3)]*

M. **Special Concerns** N/A

M.1. _____ This project includes a private port facility. Attached is a Hazardous Materials Emergency Plan labeled **Exhibit IV-M-1.** *[34-202(b)(4)]*

M-2 _____ This project includes rezoning of a mobile home park. Attached as **Exhibit IV-M-2** is the information required by section 34-203(d). *[34-203(d)].*

M-3 _____ This project includes a request to use Bonus Density units. Attached as **Exhibit IV-M-3** is information on the type of bonus density units to be used, the source of the bonus density units, and the effect on the overall project. *[34-202(b)(5)]*

M-4 _____ The project is a Residential Planned Development located in either a Rural or Outer Island land use classification. Attached as **Exhibit IV-M-4** is the impact analysis. *[34-442]*

M-5 _____ This project is subject to the airport hazard regulations. Attached is **Exhibit IV-M-5.** *[34-1001]*

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PART V

AFFIDAVIT

I, **James E. Curry** 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 thru this application.

Signature of Owner or Owner-authorized Agent

5/1/01
Date

James E. Curry, President Land Division;
US HOME Corporation
Typed or printed name and title

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this 1 day of May 2001, by James E. Curry, who is personally known to me or who has produced _____ as identification.

(SEAL)

Constantine B Benetis
My Commission CC959905
Expires September 09, 2004

Signature of notary public

CONSTANTINE BENETIS
Printed name of notary public

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PART VI
SUBMITTAL REQUIREMENTS

COPIES REQUIRED including 1 original					Exhibit #	Item
SUB	NR	DRI	DCI	MINOR		
✓		12	11	11		Completed application [34-201(b) & 34-373(a)(1)]
✓		3	3	3	I-A-1	Covenant Of Unified Control [34-202(b)(1)b & 34-373(a)(3)]
✓		3	3	3	I-A-2, I-A-3	Authorization Form [34-201(a)(1)] & [34-202(b)(1)c]
✓		2	2	2	I-C-2	Subject property owners list [34-202(a)(5)]
✓		3	3	3	I-D-1, I-D-2	Disclosure Form [34-201(b)(1)a]
✓		3	3	3	I-E-1	Deed Restrictions [34-202(b)(2)]
✓		3	3	3	I-E-2	Deed Restrictions Narrative [34-202(b)(2)]
✓		3	3	3	II-B-1-A	Legal Description [34-202(a)(1)]
N/A		1	1	1	II-B-1-B	Electronic version of legal description
✓		3	3	3	II-B-2	Certified sketch of description [34-202(a)(2)]
N/A		3	3	3	II-B-3	Plat Book Page [34-202(a)(1)]
✓		2	2	2	II-D-2	Area Location Map on 8 ½ by 11 paper [34-202(a)(4)]
✓		2	2	2	II-D-3	Surrounding Property Owners List [34-202(a)(6)]
✓		2	2	2	II-D-4	Surrounding parcels Map [34-202(a)(7)]
✓		2	2	2	II-D-5	Mailing labels (sets)
✓		12	11	11	II-E-2	Compliance with Lee Plan. [34-373(a)(5) & 34-491]
N/A		12	11	11	II-E-3	Lee Plan Amendment [34-373(a)(5) & 34-491]
✓		3	3	3	II-E-4	Compliance with design standards of 34-411. [34-373(a)(5)]
✓		3	3	3	II-E-5	Compliance with decision-making guidelines. [34-373(a)(5)]
✓		12	11	11	III-A-1	Existing easements and r-o-w map. [34-373(a)(4)a.] – legal
✓		12	11	11	III-A-2	Exist. zoning & current land use map/photo [34-373(a)(4)b]
✓		3	3	3	III-A-3	Aerial photograph [34-373(a)(4)c]
		3	3	3	III-B-1	Map of Historical & Archaeological sites [34-373(a)(4)f] Submitted to Gloria
		3	3	3	III-B-2	Possible impacts on Hist. & Arch. sites [34-373(a)(4)f] " "
✓		12	11	4	III-C-3	Environmental Assessment Report
✓		12	11	4	III-C-5	Soils [34-373(a)(4)d.i]
✓		12	11	4	III-C-6	Vegetation\ground cover [34-373(a)(4)d]
✓		12	11	4	III-C-7	Topography. [34-373(a)(4)d.iv]
✓		4	4	-	III-C-8	Protected Species Survey (if applicable) [34-373(b)(2)]
✓		12	11	4	III-D-1	Public transit routes map (if applicable) [34-373(a)(4)e.]
✓		12	11	11	IV-A-1	Master Concept Plan 24 X 36 inches [34-373(a)(6)a.]
✓		3	3	3	IV-A-2	Master Concept Plan 11 X 17 inches [34-373(a)(6)a.]
✓		4	4	-	IV-E-2	Surface Water Management Plan [34-373(b)(1)]
N/A		4	4	4	IV-F-5	Excavation calculations [34-373(a)(6)i]
✓		12	11	11	IV-I-1	Master List of uses for entire development [34-373(a)(8)]
✓		12	11	11	IV-J-1	List of deviations & justification [34-373(a)(9)]
N/A		12	11	11	IV-J-3	Drawings demonstrating deviations [34-373(a)(6)j]
✓		4	4	4*	IV-K-1	Traffic Imp. Statement [34-373(a)(7)]
N/A		12	11	11	IV-L-1	Program for phased development [34-373(b)(3)]
✓		12	11	11	IV-M	Facilities for the development
N/A		4	4	4	IV-M-1	Haz. Mat Emer Plan [34-202(b)(4)]
N/A		4	4	4	IV-M-2	Mobile Home Park Information [34-203(d)]
N/A		4	4	4	IV-M-3	Bonus Density units 34-202(b)(5)
N/A		4	4	4	IV-M-4	Sanitary Sewer Facilities

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COMMUNITY DEVELOPMENT

Heritage Creek RPD

Prepared for:
US HOME Corporation
10481 Six Mile Cypress Pkwy.
Fort Myers, Florida 33912

Prepared by:
Florida Land Planning
Midtown Professional Center
1560 Matthew Drive
Suite E
Fort Myers, Florida 33907
phone: (941) 278-5222
fax: (941) 278-4466

With Input From:
Banks Engineering
Dex Bender & Associates
Metro Transportation
Pavese Law Firm

May 31, 2001

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- Application form NEWZDS02
- Exhibits I-A-2 & I-A-3; Authorization Form
- Exhibit I-C-2; Subject Property Owners List
- Exhibits I-D-1 & I-D-2; Disclosure Forms
- Exhibits II-D-2 & III-A-2; Area Location, Existing Zoning & Current Land Use Map
- Exhibit II-E-2; Compliance with Lee Plan
- Exhibit II-E-4; Compliance with Design Standards of LDC Section 34-411
- Exhibits III-B-1 & III-B-2; Map of Historical & Archeological Sites & Possible Impacts on Historical & Archeological Sites (memo to G. Sajgo)
- Exhibit III-C-3; Protected Species Assessment
- Exhibit III-C-4; Environmental Issues
- Exhibit III-C-7; USGS QUAD Map
- Exhibit III-D-1; Public Transit Routes Map
- Exhibit IV-E-2; Surface Water Management Plan
- Exhibit IV-I-1; Master List of Uses for Entire Development
- Exhibit IV-J-1 (Attachment 4); List of Deviations & Justifications
- Exhibit IV-M; Facilities for the Development
- Attachment 1; Permitted Land Uses
- Attachment 2; Property Development Regulations
- Attachment 3; Open Space & Indigenous Vegetation

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Exhibit I-C-2
Subject Property Owners List
for US HOME Heritage Creek RPD

1. **Pritchett Development Company LTD.**
   6601 Bayshore Road
   Fort Myers, Florida 33917

STRAP #'s:	Purchase Date:
15-43-25-00-00001.0000 (125 ac adj Trtmnt Plant)	09/01/1995
16-43-25-00-00001.0100 (15 ac sth of Hansen 50 ac)	02/19/1997
16-43-25-00-00003.0000 (139 ac east of Pkwy)	09/01/1995
16-43-25-00-00003.0010 (157 ac incl. farm land)	12/01/1991
16-43-25-00-00003.0020 (10 ac north of Pkwy @ nthly bndry)	09/01/1995
16-43-25-00-00003.0030 (16.4 ac Virginia Farms North)	09/01/1995
16-43-25-00-00003.0040 (5.29 ac Virginia Farms South)	09/01/1995
16-43-25-00-00003.0050 (16 ac nth & sth of Pkwy)	09/01/1995
16-43-25-00-00003.0060 (10ac south of Pkwy)	09/01/1995
16-43-25-00-00003.0070 (12 ac west of Pkwy)	09/01/1995
21-43-25-00-00001.1000 (37 ac incl. triangular lake @ I-75)	09/01/1995
21-43-25-00-00002.0000 (78 ac RVPD district)	09/01/1995
21-43-25-00-00006.0020 (4ac CPD district)	09/01/1995

2. **Kathy Lynne R. Pritchett Trustee**
   14350 Duke Highway
   N. Fort Myers, Florida 33920

STRAP #'s:	Purchase Date:
16-43-25-00-00001.006A (3 ac nth of Pkwy)	07/01/1994
16-43-25-00-00001.006B (2 ac nth of Pkwy)	07/01/1994
16-43-25-00-00001.006C (2 ac ntoh of Pkwy)	07/01/1994

3. **Peter Kainz**
   5016 RT 173
   Richmond, Illinois 60071

STRAP #'s:	Purchase Date:
16-43-25-00-00001.0060 (12 ac noth of Pkwy)	11/01/1973

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4. **Bank of America, N.A.**
R E services- Pritchett
P.O. Box 927
Fort Myers, Florida 33902

STRAP #'s:
16-43-25-00-00003.0080 (45 ac wst of Pkwy)

Purchase Date:
12/26/1996

5. **Ernest A. Hansen Trustee ½ Interest &**
Frances Hansen Trustee ½ Interest
P.O. Box 50903
Fort Myers, Florida 33994

STRAP #'s:
16-43-25-00-00002.0000 (50 ac sth of Pkwy)

Purchase Date:
10/01/1986

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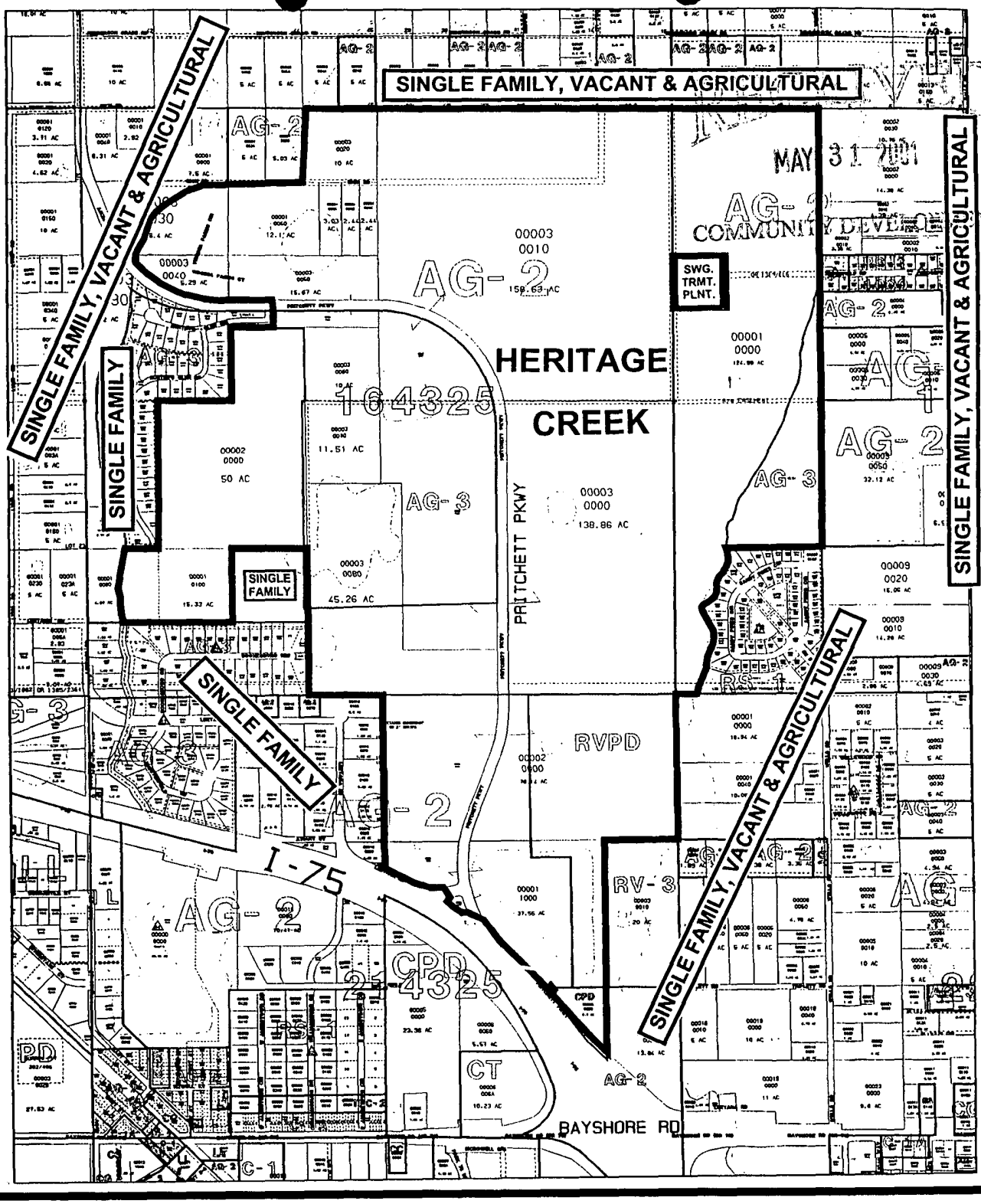


Exhibit II-D-2 & III-A-2

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Area Location, Existing Zoning & Current Land Use Map

Heritage Creek RPD
US HOME Corporation

FLORIDA LAND PLANNING, INC.

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EXHIBIT II-E-2
Heritage Creek
COMPLIANCE WITH THE LEE PLAN
May 11, 2001

Heritage Creek is located in Section 15, 16 and 21, Township 43 South, Range 25 East. The subject parcel is within the Lee Plan's Outlying Suburban, General Interchange and Wetland future land use designations. As proposed, Heritage Creek is consistent with those categories. Specifically, Heritage Creek is consistent with the following Goals, Objectives and Policies of the Lee County Comprehensive Plan:

Objective 1.1
Heritage Creek is consistent with Objective 1.1. Available community facilities and services permit residential development of this size.

Policy 1.1.6
Heritage Creek is consistent with Policy 1.1.6 The proposed uses, density and intensity of development of this project are appropriate within the Outlying Suburban land use category. A base density of two units per gross acre is permitted. Heritage Creek is consistent with that density limitation.

Policy 1.3.2
Less than four acres of Heritage Creek is within the General Interchange land use category. Heritage Creek is consistent with Policy 1.3.2. The Lee Plan describes that category as *"intended primarily for land uses that serve the traveling public . . .these interchange uses permit a broad range of uses that include tourist commercial, general commercial and light industrial/commercial."* No residential uses are proposed for this part of the development. Golf course uses will be included in this part of the Heritage Creek development. This policy does not exclude the proposed uses.

Policy 2.1 The Heritage Creek project is consistent with Policy 2.1. The subject property provides for more effective employment of existing infrastructure by being located in an area where the requisite infrastructure exists and has capacity. Most of the subject development is located within the Future Urban Area on the Future Land Use Map and the uses in that part of the property are consistent with the Outlying Suburban land use category.

Objective 2.1
According to Objective 2.1 of the Lee Plan, *"Contiguous and compact growth patterns shall be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, prevent development patterns where large tracts of land are bypassed in favor of development more distant from services and existing communities."* The current request is for a property surrounded by existing or approved development and I-75. The property has all required urban services and infrastructure in place or committed. It is clearly the case that the request

for this urban development consistent with the most cost-effective utilization of existing services consistent with this objective. This area of the County is experiencing the growth expected and planned within the area.

Policy 2.1.1
The Heritage Creek project is consistent with Policy 2.1.1. The subject property is already located within an urban designation on the Lee Plan's Future Land Use Map.

Objective 2.2
Objective 2.2 discusses the need to target development timeframes in order to take advantage of concurrency availability. Objective 2.2 states that Lee County will, *"Direct new growth to those portions of the Future Urban Areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in ES. 163.3164(7)) shall be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, Florida Statutes and the county's Concurrency Management Ordinance."* Heritage Creek is located within an area of Lee County where adequate public facilities exist and are planned. Given that the current request has access to all the necessary urban services, is surrounded by existing development, and will not place a burden upon any existing services or facilities, it is clear that it complies with this Objective.

Policy 2.2.1
Policy 2.2.1 which states, *"Rezonings and Development of Regional Impact proposals shall be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare."* The Heritage Creek site is located at the intersection of Pritchett Parkway, Bayshore and I-75, has access to central water and sewer services, and is in close proximity to the market it is intended to serve. The proposed project is consistent with Policy 2.2.1. Central potable water and sanitary sewer services will be provided to the development by Lee County Utilities which has capacity to serve this project. We have designed the Heritage Creek development to be compatible with existing and expected adjacent development. Heritage Creek has been designed to be compatible with existing and expected adjacent development. Heritage Creek has carefully reviewed the adjacent land uses, both existing and approved in an effort to ensure the compatibility required under Policy 2.2.1

Policy 4.1.1
Policy 4.1.1 of the Lee Plan states, *"Development designs shall be evaluated to ensure that land uses and structures are well integrated, properly oriented, and functionally related to the topographic and natural features of the site, and that the placement of uses or structures within the development minimizes the expansion and construction of street and utility improvements."* Through environmental, planning and engineering studies, the applicant has determined that the proposed development plan can best integrate the natural features of the site with the demands of the development process. Heritage Creek situates its land uses,

buildings, and intensities within the project such that it is well integrated and compatible with the surrounding land uses. The site plan respects the site's existing landforms and vegetation. Heritage Creek also minimizes the expansion and construction of street and utility improvements by integrating the existing Pritchett Parkway.

Policy 5.1.1 Heritage Creek is consistent with Policy 5.1.1. The property for this project is currently zoned AG-2, CPD and RVPD. This application proposes to rezone the entire property an RPD.

Policy 5.1.5
Lee Plan Policy 5.1.5 states that the County will, *"Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. If such uses are proposed in the form of a planned development and generally applicable development regulations are deemed to be inadequate, conditions shall be attached to minimize or eliminate the potential impacts or, where no adequate conditions can be devised, the application shall be denied altogether. Requests for conventional rezonings shall be denied in the event that the buffers provided in Chapter 10 of the Land Development Code are not adequate to address potentially incompatible uses in a satisfactory manner. The Land Development Code shall continue to require appropriate buffers for new developments."* Again, this development has been carefully designed to protect existing and approved development in the area. More intense development features, including the golf course maintenance facility, are focused on the center of the project. The project's water management system has been adjusted to the existing conditions. Adequate buffering is planned to ensure that impacts are minimized or eliminated.

Goal 11
Heritage Creek is consistent with this Goal and the related standards of the Lee Plan. Lee County Utilities can adequately supply the project with water and sewer facilities while traffic can be handled on Pritchett Parkway and Bayshore. The project is designed to incorporate natural systems for water management in accordance with their natural functions and capabilities and to protect both wetlands and scrub oak habitat on-site.

Policy 100.9.5
Heritage Creek has fully considered the surrounding land uses and is compatible with them. Improvements are planned to be in compliance with applicable land development regulations as outlined in the Lee Plan, the Land Development Code and other applicable codes or regulations. Deviations requested enhance the development objectives while preserving and promoting the health, safety and welfare of the general public.

EXHIBIT II-E-4
Heritage Creek RPD
COMPLIANCE WITH LAND DEVELOPMENT CODE
(Chapter 34 Division 3. Design Standards)
May 11, 2001

Section 34-411 General standards.

(a) All planned developments shall be consistent with the provisions of the Lee Plan.
See "Exhibit II-E-2 Compliance with Lee Plan" enclosed.

(b) All planned developments, unless otherwise excepted, shall be designed and constructed in accordance with the provisions of all applicable county development regulations in force at that time.
With the exception of any deviations approved by Lee County, Heritage Creek will comply with applicable county development regulations.

(c) The tract or parcel proposed for development under this article must be located so as to minimize the negative effects of the resulting land uses on surrounding properties and the public interest generally, and must be of such size, configuration and dimension as to adequately accommodate the proposed structures, all required open space, including private recreational facilities and parkland, bikeways, pedestrian ways, buffers, parking, access, on-site utilities, including wet or dry runoff retention, and reservations of environmentally sensitive land or water.
The applicant has worked diligently to ensure that the property had sufficient acreage to accommodate all elements of the project. A number of separate parcels have been aggregated to form this development.

(1) In large residential or commercial planned developments, the site planner is encouraged to create subunits, neighborhoods or internal communities which promote pedestrian and cyclist activity and community interaction.
Heritage Creek has been designed with multiple development pods to encourage interaction of its residents.

(d) The tract or parcel shall have access to existing or proposed roads:

(1) In accordance with chapter 10 and as specified in the Lee Plan traffic circulation element or the official trafficways map of the county;

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Access to all parcels is provided either directly or indirectly to Pritchett Parkway, a collector road.

(2) That have either sufficient existing capacity or the potential for expanded capacity to accommodate both the traffic generated by the proposed land use and that traffic expected from the background (through traffic plus that generated by surrounding land uses) at a lveer of service D or better on an annual average basis and lever of service E or better during the peak season, except where higher levels of service on specific roads have been established in the Lee Plan; and
See the enclosed TIS by Metro Transportation.

(3) That provide ingress and egress without requiring site-related industrial traffic to move through predominantly residential areas.
Heritage Creek does not propose industrial uses.

(e) If within the Lee Tran public transit service area, the development shall be designed to facilitate the use of the transit system.
Currently Lee Tran does not extend its service to the area proposed for Heritage Creek.

(f) Development and subsequent use of the planned development shall not create or increase hazards to persons or property, whether on or off the site, by increasing the probability or degree of flood, erosion or other danger, nor shall it impose a nuisance on surrounding land uses or the public's interest generally through emissions of noise, glare, dust, odor, air or water pollutants.
Heritage Creek is designed to improve the water management of the area. As a residential community no nuisance on surrounding areas are expected. The project's golf maintenance facility has been located, consistent with the county's recent direction, to further minimize impacts on adjacent uses.

(g) Every effort shall be made in the planning, design and execution of a planned development to protect, preserve or to not unnecessarily destroy or alter natural, historic or archaeological features of the site, particularly mature native trees and other threatened or endangered native vegetation. Alteration of the vegetation or topography that unnecessarily disrupt the surface water or groundwater hydrology, increases erosion of the land, or destroys significant wildlife habitat is prohibited. That habitat is significant that is critical for the survival of rare, threatened or endangered species of flora or fauna.

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To our knowledge there are no historic or archeological features on site. As mentioned above, Heritage Creek is designed to improve the water management of the area. The site preserves approximately 63.9 acres of wetlands and creates additional wetland acreage in areas where they can be linked to the existing wetlands. The 11.8 acres of upland preserve includes scrub habitat.

(h) A fundamental principle of planned development design is the creative use of the open space requirement to produce an architecturally integrated human environment. This shall be coordinated with the achievement of other goals, e.g., the preservation or conservation of environmentally sensitive land and waters or archaeological sites.
Heritage Creek is a golf course community with a residential density of 2 du/ac and more than 150 acres of lakes. The open space is integrated into the development and serves to separate uses, provide scenic vistas and a counterpoint to the developed parts of the site.

(i) Site planning and design shall minimize any negative impacts of the planned development on surrounding land and land uses.
Heritage Creek is designed to respect the lands within its perimeter as well as surrounding lands by eliminating its impacts on these properties by internalizing any uses which might have any negative impacts, whether visual or otherwise. The required buffers are provided and the more intense elements of the development are located in the center of the project.

(j) Where a proposed planned development is surrounded by existing development or land use with which it is compatible and of an equivalent intensity of use, the design emphasis shall be on the integration of this development with the existing development, in a manner consistent with current regulation.
Heritage Creek has been designed to be compatible but separate from adjacent existing development, most of which have densities less than two units per acre. Unlike the surrounding existing development Heritage Creek is a master planned residential community with an 18 hole golf course and other recreational amenities.

(k) Where the proposed planned development is surrounded by existing development or land use with which it is not compatible or which is of a significant higher or lower intensity of use (plus or minus ten percent of the gross floor area per acre if a commercial or industrial land use, or plus or minus 20 percent of the

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residential density), or is surrounded by undeveloped land or water, the design emphasis will be to separate and mutually protect the planned development and its environs.
As discussed in (j) above, Heritage Creek is designed to be separate and apart from its neighboring properties.

(l) In large residential or commercial planned developments, the site planner is encouraged to create subunits, neighborhoods or internal communities which promote pedestrian activity and community interaction.
As the Master Concept Plan enclosed demonstrates, Heritage Creek is designed with multiple neighborhoods, some with a golf course emphasis and some with a community park emphasis.

(m) In order to enhance the viability and value of the resulting development, the designer shall ensure the internal buffering and separation of potentially conflicting uses within the planned development.
Potential conflicting uses have been addressed within Heritage Creek through creative site design. These three uses are the existing powerline, the existing waste water treatment plant and the golf course maintenance facility. As much as practicable, the powerline has been buffered by golf holes. The golf course maintenance facility is also surrounded by golf holes. The site plan currently shows a separation between the existing waste water treatment facility and proposed residential uses. The applicant is in discussion with Lee County facilities regarding the potential to provide an alternative site for waste waster treatment . Should that occur, this five acre site would be converted to golf course community uses.

(n) Density or type of use, height and bulk of buildings and other parameters of intensity should vary systematically throughout the planned development. This is intended to permit the location of intense or obnoxious uses away from incompatible land uses at the planned development's perimeter, or, conversely, to permit the concentration of intensity where it is desirable, e.g., on a major road frontage or at an intersection.
The Heritage Creek master concept provides for a variety of housing types and lot sizes and has located the more intense uses, the multifamily tract and the golf course clubhouse tract closer to Pritchett Parkway.

(o) Unless otherwise provided for in this article, minimum parking and loading requirements shall be as set forth in article VII, divisions 25 and 26, of this chapter.

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Where it can be reasonably anticipated that specified land uses are generators of occasional peak demand for parking space, a portion of the required parking may be pervious or semi-pervious surfaces subject to the condition that it be constructed and maintained so as to prevent erosion of soil. In all cases, however, sufficient parking shall be provided to prevent the spilling over of parking demand onto adjacent properties or rights-of-way at times of peak demand.
This applicant has a long history of providing quality projects for the residents of Lee County. While providing adequate parking is a critical element in the success of a development, providing unnecessary parking is also a consideration. This application includes a deviation for parking in the multifamily tract based on the applicant's experience with other comparable projects.

(p) Joint use of parking by various land uses within the planned development may be permitted by special condition where it can be demonstrated or required that the demand for parking by the various uses will not conflict. Joint parking agreements between uses within and uses without the planned development shall be governed by agreement per general regulation (see section 34-2018), without exception.
Joint parking use agreements are not anticipated for this project.

(q) Internal consistency through sign control, architectural controls, architectural controls, uniform planting schedules and other similar controls is encouraged. (Zoning Ord. 1993, & 804.02(A); Ord. No. 95-12, & 8, 7-12-95)
The applicant has a long history of developing attractive projects. A planned development with this much acreage under unified control offers an opportunity to achieve these design standards on a large scale.

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FLORIDA LAND PLANNING, INC.

MEMORANDUM

31 May 2001

To: Gloria Sajgo
Lee County Planning Department

From: A. Brian Bigelow, Senior Planner

Subject: Heritage Creek RPD

via: Hand delivered on this date.

cc: US HOME Corporation
Carron Day, President

Please find enclosed three aerial maps and a location map which is meant to assist you in a review of the lands referenced by the following STRAP #'s to determine the archeological and historical significance of properties within this project:

21-43-25-00-00006.0020
21-43-25-00-00002.0000
16-43-25-00-00003.0000
16-43-25-00-00003.0080
16-43-25-00-00003.0050
16-43-25-00-00003.0010
16-43-25-00-00003.0020
16-43-25-00-00001.0060
16-43-25-00-00001.0100
16-43-25-00-00003.0040
16-43-25-00-00001.006A
16-43-25-00-00001.006B
16-43-25-00-00001.006C
16-43-25-00-00003.0070
15-43-25-00-00001.0000
15-43-25-00-00001.0010
21-43-25-00-00001.1000
16-43-25-00-00002.0000
16-43-25-00-00003.0030

Please review these exhibits and reply with your comments to this office.

DCI 2001-00038

• Midtown Professional Center • 1560 Matthew Drive, Suite E • Fort Myers, Florida 33907-1702 •
• PHONE (941) 278-5222 • FAX (941) 278-4466 • e-mail: FLP1@Earthlink.net •

PROTECTED SPECIES ASSESSMENT

For

US HOME CORPORATION

HERITAGE CREEK

Sections 16 & 21, Township 43 South, Range 25 East
Lee County, Florida

April 2001

Prepared By:

W. Dexter Bender & Associates, Inc.
2052 Virginia Avenue
Fort Myers, Florida 33901
(941) 334-3680

DCI 2001-00038

INTRODUCTION

A 750± acre parcel known as Heritage Creek is located in Sections 16 & 21, Township 43S, and Range 25E in northern Lee County. The property is bounded on the southwest by Interstate 75, on the east by Popash Creek and is divided by Pritchett Parkway running north to south through the property. The property location is shown on the attached map. This report documents the observations made during protected species surveys conducted on February 8 & 9, March 6, 26, 27, 28, and April 2, 3, 4, 6 and 9, 2001.

VEGETATION

Field observations, in conjunction with the Lee County Soil Survey and infrared aerial photographs, were used to develop a map of vegetative communities on site. The table below displays the twenty-seven (27) distinct vegetation associations found on the subject parcel. These vegetative communities were identified and classified utilizing the Florida Land Use Cover and Forms Classification System (FLUCCS) and are shown in table 1 below. A description of each FLUCCS association is also included. The attached vegetation map provides the location of the vegetative communities on site.

FLUCCS CODE	DESCRIPTION	ACREAGE	PERCENT SURVEYED
119/411	Low Density Residential Under Construction/ Pine Flatwoods	19.2	>90
211	Improved Pasture	41.7	>90
211P	Improved Pasture with Pines	24.2	>90
214	Row Crops	158.0	50
321	Palmetto Prairie	22.6	>90
321P	Palmetto Prairie with Pines	12.9	>90
411	Pine Flatwoods	275.7	>90
411P	Pine Flatwoods with Brazilian Pepper	23.7	>90
414/428	Pine - Mesic Oak/ Cabbage Palm	11.7	>90
411/740	Pine Flatwoods/ Disturbed Land	10.4	>90
415	Scrubby Pine Flatwoods	9.2	>90
417	Live Oak	1.0	>90
425	Temperate Hardwood	1.9	>90
428P	Cabbage Palm with Brazilian Pepper	0.5	>90
429H	Willow- Hydric	13.1	50

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432	Sand Live Oak	2.8	>90
510	Streams and Waterways	2.0	50
617	Mixed Wetland Hardwoods	0.7	50
621	Cypress	7.3	50
641	Freshwater Marsh	42.8	50
740	Disturbed Land	1.1	>90
740/211	Disturbed Land/ Improved Pasture	19.4	>90
742	Borrow Areas	26.7	50
743	Spoil Areas	8.8	>90
8145	Graded and Drained	2.2	>90
832/211	Electrical Transmission Lines/ Improved Pasture	4.5	>90
8331	Treatment Plant	6.0	50
TOTAL		750.1	

VEGETATIVE DESCRIPTIONS

The following is a brief description of the twenty-seven (27) vegetative communities found on site. All of the habitats described below are currently being utilized as active cattle pasture and have been altered to varying degrees (via burning, clearing, planting of pasture grasses, etc.) to create more suitable conditions for livestock grazing.

119/411 – Low Density Residential Under Construction/ Pine Flatwoods (19.2 acres)
This area contains roads and a stormwater management system without structures. The dominant species within this vegetative community are saw palmetto (*Serenoa repens*) and slash pine (*Pinus elliottii*).

211 – Improved Pasture (41.7 acres)
This vegetative community is dominated by Bahia grass (*Paspalum notatum*) and other pasture grass species with scattered saw palmetto (*Serenoa repens*), Brazilian pepper (*Schinus terebinthifolius*), wax myrtle (*Myrica cerifera*), and prickly pear cactus (*Opuntia humifusa*) also present.

211P – Improved Pasture with Pines (24.2 acres)
This vegetative community is similar in composition to FLUCCS 211 above with slash pine scattered throughout.

214 – Row Crops (158.0 acres)

This area is actively farmed and currently contains tomatoes.

321 – Palmetto Prairie (22.6 acres)
This habitat contains dense thickets saw palmetto with Bahia grass dominating the open areas. Other species present include wiregrass (*Aristida stricta*), runner oak (*Quercus pumila*), staggerbush (*Lyonia fruticosa*), gallberry (*Ilex glabra*), grapevine (*Vitis rotundifolia*), slash pine, Brazilian pepper and prickly pear cactus.

321P – Palmetto Prairie with Pines (12.9 acres)
This habitat is similar in vegetative species composition to FLUCCS 321 above with significant coverage by slash pines.

411 - Pine Flatwoods (275.7 acres)
Slash pine dominates the canopy of this habitat with saw palmetto, Bahia grass, wiregrass, gallberry, Brazilian pepper and grapevine comprising the groundcover.

411P - Pine Flatwoods with Brazilian Pepper (23.7 acres)
This habitat is similar in composition to FLUCCS 411 above with significant coverage by Brazilian pepper.

414/428 – Pine – Mesic Oak/ Cabbage Palm (11.7 acres)
Cabbage palms (*Sabal palmetto*) and live oaks (*Quercus virginiana*) are the dominant canopy species in this mesic hammock. Subdominant species include American beautyberry (*Callicarpa americana*), buckthorn (*Bumelia sp.*), Bahia grass and grapevine.

415 – Scrubby Pine Flatwoods (9.2 acres)
Slash pine is the dominant canopy species and Bahia grass is the dominant groundcover within this habitat. Scattered myrtle oak (*Quercus myrtifolia*), sand live oak (*Quercus geminata*), dwarf live oak (*Quercus minima*), saw palmetto, live oak, cabbage palm, American beautyberry and grapevine are also present.

417 – Live Oak (1.0 acres)
Live oaks dominate the canopy while broom sedge (*Andropogon virginicus*), Bahia grass and other pasture grasses are dominant groundcover species. Cabbage palm, Brazilian pepper and grapevine are also present.

425 – Temperate Hardwood (1.9 acres)
This hammock area contains laurel oak (*Quercus laurifolia*), live oak, cabbage palm, red maple (*Acer rubrum*), Brazilian pepper, grapevine, poison ivy (*Toxicodendron radicans*) and swamp fern (*Blechnum serrulatum*).

428P – Cabbage Palm with Brazilian Pepper (0.5 acres)

Cabbage palm is the dominant canopy species in this mesic hammock area. Subdominant species include poison ivy, greenbrier (*Smilax sp.*), wiregrass, American beautyberry, buckthorn, Bahia grass and grapevine.

429H – Willow - Hydric (13.1 acres)
This wetland community is dominated by Carolina willow (*Salix caroliniana*) with swamp fern, wax myrtle, slash pine and Brazilian pepper also present.

432 – Sand Live Oak (2.8 acres)
Sand live oak, myrtle oak and dwarf live oak are the dominant species within this habitat. Common paw-paw (*Asimina reticulata*), Bahia grass, saw palmetto, grapevine, buckthorn and prickly pear cactus are also present.

510 – Streams and Waterways (2.0 acres)
This habitat is a creek known as Popash Creek, running approximately north-south through the site, containing sparse vegetation including torpedo grass (*Panicum repens*), water-hyssop (*Bacopa sp.*) and pickerelweed.

617 – Mixed Wetland Hardwoods (0.7 acres)
Laurel oak, bald cypress (*Taxodium distichum*), cabbage palm, red maple, swamp fern and Brazilian pepper are the primary species in this wetland habitat.

621 – Cypress (7.3 acres)
Bald cypress is the dominant canopy species in this forested wetland habitat. Swamp fern, chainfern (*Woodwardia virginica*) and Brazilian pepper are also present.

641 – Freshwater Marsh (42.8 acres)
This wetland habitat contains St. John's wort (*Hypericum fasciculatum*), sand cordgrass (*Spartina bakeri*), pickerelweed (*Pontederia cordata*), maidencane (*Panicum hemitomon*), duck potato (*Sagittaria lancifolia*), common frog-fruit (*Phyla nodiflora*), water pennywort (*Hydrocotyle umbellata*), Asiatic coinwort (*Centella asiatica*), wax myrtle and broom sedge.

740 – Disturbed Land (1.1 acres)
Bahia grass and various other pasture grasses are the dominant species within this disturbed area. Weedy vegetation including ragweed (*Ambrosia artemisiifolia*) and dog fennel (*Eupatorium capillifolium*) is also present.

740/211 – Disturbed Land/ Improved Pasture (16.8 acres)
Bahia grass and other pasture grass species dominate this disturbed habitat. Brazilian pepper, wax myrtle and scattered live oaks are also present.

742 – Borrow Areas (26.7 acres)
These open water habitats consists of a borrow pits that were apparently created during the construction of Interstate 75 and Pritchett Parkway. Shoreline vegetation includes

cattail (*Typha sp.*), wax myrtle, water pennywort, water-hyssop, Brazilian pepper and pickerelweed.

743 – Spoil Areas (8.8 acres)
This depositional spoil area contains pasture grasses and weedy vegetation.

8145 – Graded and Drained (2.2 acres)
This area is a dirt road with little or no vegetation present.

832/211 – Electrical Transmission Lines/ Improved Pasture (4.5 acres)
Bahia grass is the dominant species within this habitat. Saw palmetto and broom sedge are also present.

8331 – Treatment Plant (6.0 acres)
This area is an active water treatment facility with various grass species present.

SURVEY METHODOLOGY

There are several protected plant and wildlife species that could potentially inhabit the vegetative associations found on the subject parcel. In order to provide at least 80% coverage of the various FLUCCS communities, meandering transects with biologists spaced adequately to ensure visual overlap were walked across the entire parcel. The distance between biologists varied between 30 and 100 feet based on the visibility within each habitat. Any sighting of a protected species or evidence of protected species utilization was noted on an aerial or, in the case of gopher tortoise burrows, marked with a hand-held GPS unit. The attached protected species assessment map provides the locations of all protected species sightings during the survey.

In addition to the overall site survey, two species-specific surveys (Florida scrub jay and gopher tortoise) were conducted due to the relatively high quality of certain vegetative communities on site with regard to the habitat requirements of these species. A formal Florida scrub jay survey in accordance with Florida Fish and Wildlife Conservation Commission (FWC) guidelines was conducted on March 26, 27, 28 and April 2 and 3, 2001. No Florida scrub jays or evidence of utilization by this species was observed. The results of the gopher tortoise survey are provided in the discussion below.

RESULTS

Gopher Tortoise:
A total of 159 active and inactive gopher tortoise burrows were identified during the course of the survey. Because a single tortoise can have several burrows, a conversion factor for the number of tortoises per burrow is used to calculate the density of tortoises per acre. This factor can vary depending on the quality of a given habitat.

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Although some habitats are found in several locations throughout the site, gopher tortoise burrows were not identified in each individual location. For instance, FLUCCS 211 is found in four separate locations on the subject property. However, because of varying degrees of habitat quality, gopher tortoise burrows were only identified in one of these areas. Subsequently, only the FLUCCS 211 polygon containing gopher tortoise burrows is included in the density calculations. The following list represents the gopher tortoise density (based on FWC methodology) for each of the habitats that contained active or inactive burrows:

FLUCCS	Acreage	Number of Burrows	Conversion Factor	Number of Tortoises	Density (Tortoises/acre)
211	8.1	13	0.3	3.9	0.48
321	5.2	21	0.3	6.3	1.21
321P	3.4	4	0.3	1.2	0.35
411	215.3	43	0.3	13	0.06
414/428	2.3	7	0.3	2.1	0.91
415	9.2	57	0.4	22.8	2.48
417	2.5	1	0.3	0.3	0.12
432	2.8	13	0.4	5.2	1.86
TOTALS	**196.7**	**156**		**53.8**	

The percentage of a habitat that must be preserved is based on the number of tortoises per acre. This percentage is calculated by multiplying the number of tortoises per acre by 0.375%. The maximum amount of preservation required is 25%. By the calculation described above, the preservation acreages required for this project are as follows:

FLUCCS	Percent Preserved (Tortoises/acre * 0.375%)	* Total Acreage =	Preserved acreage
211	18%	8.1 ac.	1.5 ac.
321	25%	5.2 ac.	1.3 ac.
321P	13.1%	3.4 ac.	0.4 ac.
411	2.3%	215.3 ac.	4.9 ac.
414/428	25%	2.3 ac.	0.6 ac.
415	25%	9.2 ac.	2.3 ac.
417	4.5%	2.5 ac.	0.1 ac.
432	25%	2.8 ac.	0.7 ac.
TOTAL		248.8 ac.	11.8 ac.

In addition to the FWC, Lee County requires a density calculation based on a separate formula. This formula is as follows:

$Dsq' = N/[L\ (lv+rv)]$ and $Dac = Dsq' * 43{,}560$

Where Dac = Density/acre, Dsq'= Density/ sq. ft., N=number of tortoises, L=length of transect (ft.), lv=left visibility (ft.), rv=right visibility (ft.)

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FLUCCS 211	Dsq'=3.9/[8800(20+20)]=3.9/352,000=0.000011; Dac=0.000011*43,560= 0.48
FLUCCS 321	Dsq'=6.3/[5700(20+20)]=6.3/228,000=0.000028; Dac=0.000028*43,560= 1.21
FLUCCS 321P	Dsq'=1.2/[2960(25+25)]=1.2/148,000=0.000081; Dac=0.0000081*43,560= 0.35
FLUCCS 411	Dsq'=13/[187,000(25+25)]=13/9,350,000=0.0000014; Dac=0.0000014*43,560= 0.07
FLUCCS 414/428	Dsq'=2.1/[2,500(20+20)]=2.1/100,000=0.00021; Dac=0.000021*43,560= 0.91
FLUCCS 415	Dsq'=22.8/[10,000(20+20)]=22.8/400,000=0.00057; Dac=0.000057*43,560= 2.48
FLUCCS 417	Dsq'=0.3/[2,100(25+25)]=0.3/105,000=0.000029; Dac=0.0000029*43,560= 0.12
FLUCCS 432	Dsq'=5.2/[3,000(20+20)]=5.2/120,000=0.000043; Dac=0.000043*43,560= 1.87

Bird Species

Several species of wading birds were observed in the borrow areas (FLUCCS 742) during the survey. These species include great blue heron, tricolor heron, great egret, snowy egret, glossy ibis, white ibis, wood stork and little blue heron. Two sandhill cranes were observed in the improved pasture (FLUCCS 211) area south of the tomato field.

Big Cypress Fox Squirrel

A big cypress fox squirrel was observed along the power line easement on the eastern side of Pritchett Parkway.

Bald Eagle

A bald eagle was observed in a dead pine tree located on the southwestern edge of the borrow area on the southern end of the property. The eagle was also observed flying south toward the Caloosahatchee River. No bald eagle nests were observed on site during this protected species survey.

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EXHIBIT III-C-4
ENVIRONMENTAL ISSUES

A. **Topography: Describe the range of surface elevations of the property:**

Existing surface elevations in the northern portion of the property are 22.0 ft. NGVD. Elevations decrease to the south, reaching approximately 15.0 ft. NGVD at the southern property boundary.

B. **Sensitive Lands:** Identify any environmentally sensitive lands, including, but not limited to, wetlands (as defined in the Lee Plan), flowways, creek beds, sand dunes, other unique land forms [see Lee Plan Policy 77.1.1 (2)] or listed species occupied habitat (see Sec. 10-4730 of the Land Development Code.

Refer to attached environment exhibits by Dex Bender and Associates (Exhibits III-C-3, III-C-5, III-C-6, III-C-7& III-C-8).

Continued

C. **Preservation/Conservation of Natural Features**: Describe how the lands listed in B. above will be protected by the completed project:

The development plan for the project includes conservation components (combination of wetland and upland preservation/enhancement/creation) that serves to retain wetland habitat such that the habitat and its associated functions will continue to be provided within the proposed development. The plan includes approximately 87.9 acres of preserve with a significant area of scrub habitat included as well as a diversity of other wetland and upland habitats in the conservation areas.

Protection of the lands may include the following measures:

- Structural Buffers; ie berms and fences
- Establish conservation easements
- Establishment of a maintenance entity (eg HOA & CDD) for on-going maintenance and exotic vegetation removal
- Enhancement with additional native vegetation
- Maintain historic flows

D. **Shoreline Stabilization:** If the project is located adjacent to navigable natural waters, describe the method of shoreline stabilization, if any, being proposed: N/A

Shoreline stabilization is not an issue with the project site since the site is not located adjacent to any navigable natural waterways.

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SECTION: 16 & 21
TOWNSHIP: 43S
RANGE: 25E

Exhibit III-C-7



PERMIT USE ONLY,
NOT FOR CONSTRUCTION

DCI 2001-00038

May 22, 2001 11:50:30 a.m.
Drawing: HOME:52QUADMAP.DWG (DCS)

W. DEXTER BENDER AND ASSOCIATES
ENVIRONMENTAL & MARINE CONSULTING
FORT MYERS, FL (941) 334-3680

REVISED:

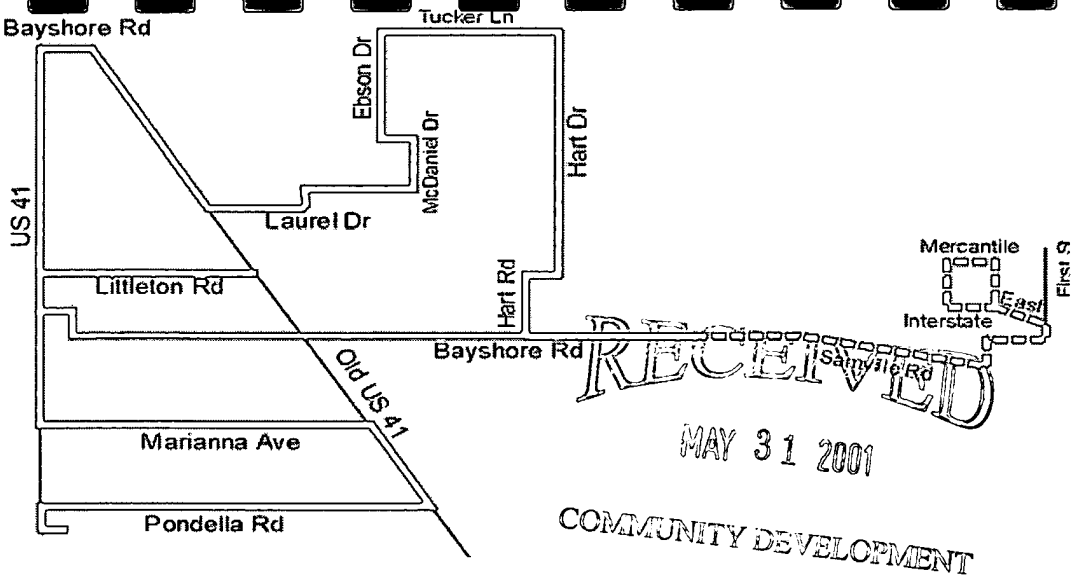
Heritage Creek
USGS QUAD Map

SHEET

lee tran

Your Ride Is Here.

oute 90 is hourly service in North Fort Myers leaving the orth Shore Shopping Center traveling north to Pondella d, serving Old 41, the VIP Center, Merchants Crossing, eaver's Corner, Bayshore to Slater Road, and then ontinuing into Suncoast Estates with the route erminating at Horizon Mobile Home Park.



RECEIVED
MAY 31 2001
COMMUNITY DEVELOPMENT

Nothbound *Only times stops east of Slater are served

North Shore Shop Ctr	VIP Center	Merchants Crossing	Slater Rd	East & Mercantile	Tucker & Ebson	Merchants Crossing
See AM Commuter Schedule						
6:15	6:20	--	--	--	6:30	6:50
7:15	7:20	7:25	7:37	--	7:45	8:00
8:10	8:15	8:20	8:32	--	8:40	9:00
9:10	9:15	9:20	9:32	--	9:40	10:00
10:10	10:15	10:20	10:32	--	10:40	11:00
11:10	11:15	11:20	11:32	--	11:40	12:00
12:10	12:15	12:20	12:32	--	12:40	1:00
1:10	1:15	1:20	1:32	--	1:40	2:00
2:10	2:15	2:20	2:32	--	2:40	3:00
3:10	3:15	3:20	3:32	--	3:40	4:00
4:05	4:10	4:15	4:27	4:34*	4:45	5:00

Southbound - *Only times stops east of Slater are served

Merchants Crossing	Tucker & Ebson	Slater Rd	East & Mercantile	Merchants Crossing	VIP Center	North Shore Shop Ctr
See AM Commuter Schedule						
6:05	6:20	6:30	--	6:45	6:50	7:00
7:00	7:10	7:20	7:28*	7:45	7:50	8:00
8:00	8:10	8:20	8:28*	8:45	8:50	9:00
9:05	9:20	9:30	--	9:45	9:50	10:00
10:05	10:20	10:30	--	10:45	10:50	11:00
11:05	11:20	11:30	--	11:45	11:50	12:00
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5:05	5:20	5:30	--	5:45	5:50	6:00
6:05	6:20	6:30	--	6:45	6:50	7:00
7:05	7:20	7:30	--	7:45	7:50	8:00
8:05	8:20	8:30	--	8:45	8:50	9:00
9:15	9:25	--	--	9:45	--	--

AM Commuter Schedule

North Shore Shop Ctr	Weavers Corner	Island Vista Estates	Tucker & Epson	Weavers Corner	North Shore Shop Ctr
5:15	5:20	5:25	5:35	5:45	6:00

Exhibit III-D-1

Public Transit Route Map

Heritage Creek RPD
US HOME Corporation

FLORIDA LAND PLANNING, INC.

DCI 2001-00038

Exhibit IV-E-2

SURFACE WATER MANAGEMENT PLAN

Heritage Creek RPD
US HOME Corporation

Banks Engineering, Inc.

DCI 2001-00038

EXHIBIT IV-1:

SURFACE WATER MANAGEMENT PLAN

The existing surface runoff for the Heritage Creek site discharges to Bayshore Creek and Popash Creek via overland sheet flow, wetlands conveyance, drainage swales, lake conveyance and existing storm sewer pipe. This project area has been permitted under South Florida Water Management District permit number 36-02162-S. From the topographic elevations and land features one can see that general flow of storm water is from the North to the South. In addition to this controlled runoff, both an easterly and westerly sheet flow can be determined from the existing topographic elevations. The site breaks into four major drainage areas. A site plan with the approximate size and location of the drainage areas is attached. The description of the drainage area is as follows:

1. The Farm Fields basin is approximately 197 acres and consists primarily of active agricultural uses. This part of the project has been permitted through South Florida Water Management Permit modification number 36-02162-S. A series of irrigation canals runs throughout this area directing flow to the farm fields' perimeter ditch located along the East, South and West perimeter. As the existing drainage exhibit depicts, the runoff is directed into Wetland "A" and then to drainage area #3.
2. Drainage Area #1 is approximately 65 acres and has a variety of uses, including 15 acres of wetlands, 20 acres of subdivision, and 30 acres of wooded pasture. The Virginia Farms subdivision discharges to Bayshore Creek under SFWMD permit modification 36-02162-S. Located in the center of the drainage area is the Wetland "B", which receives runoff from a wooded pasture area via sheet flow. This wetland discharges to both Wetland "C" located within Drainage Area #2 and the Pritchett Parkway roadside swale.
3. Drainage Area #2 is approximately 230 acres and the uses consists of wooded pasture, wetland area and lake area. Inflow is received from the North and directed

to wetland "C" via a swale system. The runoff from this basin is directed to both Bayshore Creek via the swale system shown on the existing drainage exhibit, and directed to drainage area #3 via Wetland "D" and existing culverts beneath Pritchett Parkway.

4. Drainage Area #3 is 260 acres and receives concentrated inflow from drainage area #2 and discharge from the farm fields. The inflow from the farm fields basin and runoff generated by area #3 are directed to Pritchett Parkway via swales, and to Popash Creek via sheet flow. As seen on the attached exhibit, runoff generated by this basin is directed to Popash Creek via sheet flow. The existing, triangular shaped lake discharges to Popash Creek via existing culverts.

The proposed storm water management system includes a number of detention basins. Each basin system will have a control structure. This will allow the entire site drainage system to maintain the hydro period of the onsite wetlands, allow the gradual stepping of the Wet Season Water Elevation, and control the quantity of storm water discharge. In addition to multiple control structures within the project, multiple control structures will be used to control the discharge into Popash and Bayshore Creek. To maintain the storm water conveyance of the parcels north of the Heritage Creek site, the existing ditch along the north property boundary will be preserved to maintain a positive outfall to both Popash Creek and Bayshore Creek.

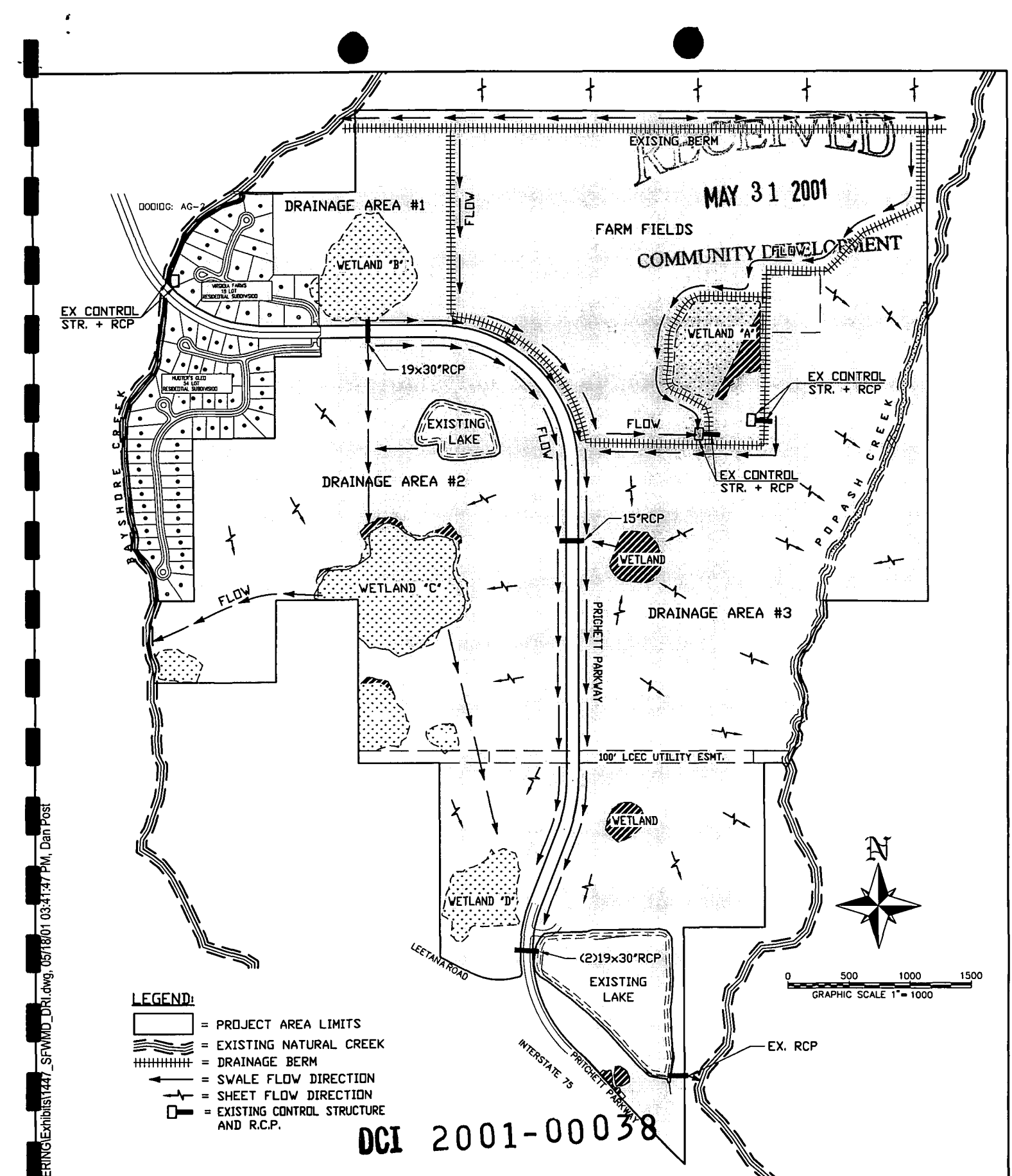
Both wet detention and dry detention may be incorporated into the drainage system to allow the conveyance of storm runoff to Popash Creek and Bayshore Creek. Multiple control structures will allow the Wet Season Water Elevation to be maintained.

Upon completion of the storm water system it will be the responsibility of the Home Owners Association and/or the Community Development District to maintain the storm water system.

It is the intention of the developer to preserve and enhance many of the existing site features. The proposed storm water system incorporates 48± acres of existing wetlands and maintains the two existing lakes. Although land filling and clearing activities are proposed, it is the intention of the developer to maintain as much of the natural vegetation as possible. The existing water table elevations will be maintained through multiple control structures.

Bayshore Creek is located along the west boundary of the Heritage Creek site , and Popash Creek is located along its eastern boundary. To deter onsite inundation, roads and structures will be constructed at or above the required SFWMD and FEMA elevations. Upland preservation buffers have been established along both creeks in an effort to maintain existing flow capacities should the creeks overtop their banks. Routine maintenance of the creeks is also proposed to assure their existing flow capacities are not diminished by overgrown vegetation.

S:\JOBS\14xx\1447\Documents\1447-Drainage System.doc



DCI 2001-00038

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors

FORT MYERS ◆ NAPLES ◆ SARASOTA

10511 SIX MILE CYPRESS PARKWAY - SUITE 101
FORT MYERS, FLORIDA 33912
PHONE: (941)939-5490 FAX: (941)939-2523
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690

EXISTING DRAINAGE CONDITION EXHIBIT

HERITAGE CREEK

LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET OF	FILE NO. (S-T-R)
5-08-01	1447	SFWMD-DR	CAB	DGP		1"=1000'		

S:\JOBS\14xx\1447\ENGINEERING\Exhibits\1447_SFWMD_DRI.dwg, 05/18/01 03:41:47 PM, Dan Post

EXHIBIT IV-I-1

MASTER LIST OF USES FOR ENTIRE DEVELOPMENT

A. **Residential Uses**

	Type	Habitable stories	Height	Total Number of Units
A..1.	Single Family	2 stories	35	0 to 1142
A. 2.	Zero lot line			
A..3.	Mobile Homes			
A..4.	Recreational Vehicles			
A..5.	Duplex/Two Family	2 stories	35	0 to 1142
A..6.	Townhouses	2 stories	35	0 to 330
A .7.	Multiple Family	1 - 3 stories	55	0 to 330
A .8.	Multiple Family	4 - 6 stories	55	0 to 330
A. 9.	Multiple Family	7 or more		
A .10	**TOTAL UNITS**			1472

B. **Assisted Living Facilities**

	Type	Habitable Stories	Height	Total Number of Beds
B.1.	Dependent Living Units			
B.2.	Independent Living Units			
B.3.	**TOTAL UNITS**			

C. **Hotels/Motels**

	Room Size	Habitable Stories	Height	Number of Rental Units
C.1.	< 425 sq. ft.			
C.2.	426-725 sq. ft.			
C.3.	725 < sq. ft.			
C.4.	**TOTAL UNITS**			

D. **Commercial**

		Habitable Stories	Height	Total Floor area
D.1.	Medical			Sq. Ft.
D.2.	General Office			Sq. Ft.
D.3.	Retail			Sq. Ft.
D.4.	Other			Sq. Ft.
D.5.	**TOTAL FLOOR AREA**			Sq. Ft.

E. **Industrial**

		Habitable Stories	Height	Total Floor area
E.1.	Under Roof			
E.2.	Not under Roof	NA		
E.3.	**TOTAL FLOOR AREA**			

F. **Mining**

			Depth	
F.1.	Area to be excavated	NA		Acres

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INTRODUCTION

A parcel known as Heritage Creek is located in Sections 16 & 21, Township 43S, and Range 25E in northern Lee County. The property is bounded on the southwest by Interstate 75, on the east by Popash Creek and is divided by Pritchett Parkway running north to south through the property. The property location is shown on the attached map. This report documents the observations made during protected species surveys conducted on February 8 & 9, March 6, 26, 27, 28, and April 2, 3, 4, 6 and 9, 2001.

VEGETATION

Field observations, in conjunction with the Lee County Soil Survey and infrared aerial photographs, were used to develop a map of vegetative communities on site. The table below displays the twenty-seven (27) distinct vegetation associations found on the subject parcel. These vegetative communities were identified and classified utilizing the Florida Land Use Cover and Forms Classification System (FLUCCS) and are shown in table 1 below. A description of each FLUCCS association is also included. The attached vegetation map provides the location of the vegetative communities on site.

FLUCCS CODE	DESCRIPTION	ACREAGE	PERCENT SURVEYED
119/411	Low Density Residential Under Construction/ Pine Flatwoods	19.2	>90
211	Improved Pasture	41.7	>90
211P	Improved Pasture with Pines	24.2	>90
214	Row Crops	158.0	50
321	Palmetto Prairie	22.6	>90
321P	Palmetto Prairie with Pines	12.9	>90
411	Pine Flatwoods	275.7	>90
411P	Pine Flatwoods with Brazilian Pepper	23.7	>90
414/428	Pine - Mesic Oak/ Cabbage Palm	11.7	>90
411/740	Pine Flatwoods/ Disturbed Land	10.4	>90
415	Scrubby Pine Flatwoods	9.2	>90
417	Live Oak	1.0	>90
425	Temperate Hardwood	1.9	>90
428P	Cabbage Palm with Brazilian Pepper	0.5	>90
429H	Willow- Hydric	13.1	50

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432	Sand Live Oak	2.8	>90
510	Streams and Waterways	2.0	50
617	Mixed Wetland Hardwoods	0.7	50
621	Cypress	7.3	50
641	Freshwater Marsh	42.8	50
740	Disturbed Land	1.1	>90
740/211	Disturbed Land/ Improved Pasture	19.4	>90
742	Borrow Areas	26.7	50
743	Spoil Areas	8.8	>90
8145	Graded and Drained	2.2	>90
832/211	Electrical Transmission Lines/ Improved Pasture	4.5	>90
8331	Treatment Plant	6.0	50
TOTAL		750.1	

VEGETATIVE DESCRIPTIONS

The following is a brief description of the twenty-seven (27) vegetative communities found on site. All of the habitats described below are currently being utilized as active cattle pasture and have been altered to varying degrees (via burning, clearing, planting of pasture grasses, etc.) to create more suitable conditions for livestock grazing.

119/411 – Low Density Residential Under Construction/ Pine Flatwoods (19.2 acres)
This area contains roads and a stormwater management system without structures. The dominant species within this vegetative community are saw palmetto (*Serenoa repens*) and slash pine (*Pinus elliottii*).

211 – Improved Pasture (41.7 acres)
This vegetative community is dominated by Bahia grass (*Paspalum notatum*) and other pasture grass species with scattered saw palmetto (*Serenoa repens*), Brazilian pepper (*Schinus terebinthifolius*), wax myrtle (*Myrica cerifera*), and prickly pear cactus (*Opuntia humifusa*) also present.

211P – Improved Pasture with Pines (24.2 acres)
This vegetative community is similar in composition to FLUCCS 211 above with slash pine scattered throughout.

214 – Row Crops (158.0 acres)
This area is actively farmed and currently contains tomatoes.

321 – Palmetto Prairie (22.6 acres)
This habitat contains dense thickets saw palmetto with Bahia grass dominating the open areas. Other species present include wiregrass (*Aristida stricta*), runner oak (*Quercus pumila*), staggerbush (*Lyonia fruticosa*), gallberry (*Ilex glabra*), grapevine (*Vitis rotundifolia*), slash pine, Brazilian pepper and prickly pear cactus.

321P – Palmetto Prairie with Pines (12.9 acres)
This habitat is similar in vegetative species composition to FLUCCS 321 above with significant coverage by slash pines.

411 - Pine Flatwoods (275.7 acres)
Slash pine dominates the canopy of this habitat with saw palmetto, Bahia grass, wiregrass, gallberry, Brazilian pepper and grapevine comprising the groundcover.

411P - Pine Flatwoods with Brazilian Pepper (23.7 acres)
This habitat is similar in composition to FLUCCS 411 above with significant coverage by Brazilian pepper.

414/428 – Pine – Mesic Oak/ Cabbage Palm (11.7 acres)
Cabbage palms (*Sabal palmetto*) and live oaks (*Quercus virginiana*) are the dominant canopy species in this mesic hammock. Subdominant species include American beautyberry (*Callicarpa americana*), buckthorn (*Bumelia sp.*), Bahia grass and grapevine.

415 – Scrubby Pine Flatwoods (9.2 acres)
Slash pine is the dominant canopy species and Bahia grass is the dominant groundcover within this habitat. Scattered myrtle oak (*Quercus myrtifolia*), sand live oak (*Quercus geminata*), dwarf live oak (*Quercus minima*), saw palmetto, live oak, cabbage palm, American beautyberry and grapevine are also present.

417 – Live Oak (1.0 acres)
Live oaks dominate the canopy while broom sedge (*Andropogon virginicus*), Bahia grass and other pasture grasses are dominant groundcover species. Cabbage palm, Brazilian pepper and grapevine are also present.

425 – Temperate Hardwood (1.9 acres)
This hammock area contains laurel oak (*Quercus laurifolia*), live oak, cabbage palm, red maple (*Acer rubrum*), Brazilian pepper, grapevine, poison ivy (*Toxicodendron radicans*) and swamp fern (*Blechnum serrulatum*).

428P – Cabbage Palm with Brazilian Pepper (0.5 acres)
Cabbage palm is the dominant canopy species in this mesic hammock area. Subdominant species include poison ivy, greenbrier (*Smilax sp.*), wiregrass, American beautyberry, buckthorn, Bahia grass and grapevine.

429H – Willow - Hydric (13.1 acres)
This wetland community is dominated by Carolina willow (*Salix caroliniana*) with swamp fern, wax myrtle, slash pine and Brazilian pepper also present.

432 – Sand Live Oak (2.8 acres)
Sand live oak, myrtle oak and dwarf live oak are the dominant species within this habitat. Common paw-paw (*Asimina reticulata*), Bahia grass, saw palmetto, grapevine, buckthorn and prickly pear cactus are also present.

510 – Streams and Waterways (2.0 acres)
This habitat is a creek known as Popash Creek, running approximately north-south through the site, containing sparse vegetation including torpedo grass (*Panicum repens*), water-hyssop (*Bacopa sp.*) and pickerelweed.

617 – Mixed Wetland Hardwoods (0.7 acres)
Laurel oak, bald cypress (*Taxodium distichum*), cabbage palm, red maple, swamp fern and Brazilian pepper are the primary species in this wetland habitat.

621 – Cypress (7.3 acres)
Bald cypress is the dominant canopy species in this forested wetland habitat. Swamp fern, chainfern (*Woodwardia virginica*) and Brazilian pepper are also present.

641 – Freshwater Marsh (42.8 acres)
This wetland habitat contains St. John's wort (*Hypericum fasciculatum*), sand cordgrass (*Spartina bakeri*), pickerelweed (*Pontederia cordata*), maidencane (*Panicum hemitomon*), duck potato (*Sagittaria lancifolia*), common frog-fruit (*Phyla nodiflora*), water pennywort (*Hydrocotyle umbellata*), Asiatic coinwort (*Centella asiatica*), wax myrtle and broom sedge.

740 – Disturbed Land (1.1 acres)
Bahia grass and various other pasture grasses are the dominant species within this disturbed area. Weedy vegetation including ragweed (*Ambrosia artemisiifolia*) and dog fennel (*Eupatorium capillifolium*) is also present.

740/211 – Disturbed Land/ Improved Pasture (16.8 acres)
Bahia grass and other pasture grass species dominate this disturbed habitat. Brazilian pepper, wax myrtle and scattered live oaks are also present.

742 – Borrow Areas (26.7 acres)

These open water habitats consists of a borrow pits that were apparently created during the construction of Interstate 75 and Pritchett Parkway. Shoreline vegetation includes cattail (*Typha sp.*), wax myrtle, water pennywort, water-hyssop, Brazilian pepper and pickerelweed.

743 – Spoil Areas (8.8 acres)
This depositional spoil area contains pasture grasses and weedy vegetation.

8145 – Graded and Drained (2.2 acres)
This area is a dirt road with little or no vegetation present.

832/211 – Electrical Transmission Lines/ Improved Pasture (4.5 acres)
Bahia grass is the dominant species within this habitat. Saw palmetto and broom sedge are also present.

8331 – Treatment Plant (6.0 acres)
This area is an active water treatment facility with various grass species present.

The following table shows which protected species could occur in each habitat:

FLUCCS CODE	DESCRIPTION	Species Name
119/411	Low Density Residential Under Construction/ Pine Flatwoods	Eastern Indigo Snake (*Drymarchon corais couperi*) Gopher Tortoise (*Gopherus polyphemus*) Gopher Frog (*Rana areolata*) Southeastern American Kestrel (*Falco sparverius paulus*) Red-cockaded Woodpecker (*Picoides borealis*) Big Cypress Fox Squirrel (*Sciurus niger avicennia*) Fakahatchee Burmannia (*Burmannia flava*) Satinleaf (*Chrysophyllum olivaeforme*) Beautiful Pawpaw (*Deeringothamnus pulchellus*) Florida Coontie (*Zamia floridana*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*)
211	Improved Pasture	Florida Sandhill Crane (*Grus canadensis pratensis*) Florida Panther (*Felis concolor coryi*)
211P	Improved Pasture with Pines	Florida Sandhill Crane (*Grus canadensis pratensis*) Florida Panther (*Felis concolor coryi*)

214	Row Crops	
321	Palmetto Prairie	Eastern Indigo Snake (*Drymarchon corais couperi*) Burrowing Owl (*Athene cunicularia floridana*) Florida Sandhill Crane (*Grus canadensis pratensis*) Audubon's Crested Caracara (*Polyborus plancus audubonii*) Gopher Tortoise (*Gopherus polyphemus*) Gopher Frog (*Rana areolata*) Southeastern American Kestrel (*Falco sparverius paulus*) Fakahatchee Burmannia (*Burmannia flava*) Beautiful Pawpaw (*Deeringothamnus pulchellus*) Curtis Milkweed (*Asclepias curtisii*) Florida Coontie (*Zamia floridana*) Florida Black Bear (*Ursus americanus floridanus*)
321P	Palmetto Prairie with Pines	Eastern Indigo Snake (*Drymarchon corais couperi*) Burrowing Owl (*Athene cunicularia floridana*) Florida Sandhill Crane (*Grus canadensis pratensis*) Audubon's Crested Caracara (*Polyborus plancus audubonii*) Gopher Tortoise (*Gopherus polyphemus*) Gopher Frog (*Rana areolata*) Southeastern American Kestrel (*Falco sparverius paulus*) Fakahatchee Burmannia (*Burmannia flava*) Beautiful Pawpaw (*Deeringothamnus pulchellus*) Curtis Milkweed (*Asclepias curtisii*) Florida Coontie (*Zamia floridana*) Florida Black Bear (*Ursus americanus floridanus*)

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411	Pine Flatwoods	Eastern Indigo Snake (*Drymarchon corais couperi*) Gopher Tortoise (*Gopherus polyphemus*) Gopher Frog (*Rana areolata*) Southeastern American Kestrel (*Falco sparverius paulus*) Red-cockaded Woodpecker (*Picoides borealis*) Big Cypress Fox Squirrel (*Sciurus niger avicennia*) Fakahatchee Burmannia (*Burmannia flava*) Satinleaf (*Chrysophyllum olivaeforme*) Beautiful Pawpaw (*Deeringothamnus pulchellus*) Florida Coontie (*Zamia floridana*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*)
411P	Pine Flatwoods with Brazilian Pepper	Eastern Indigo Snake (*Drymarchon corais couperi*) Gopher Tortoise (*Gopherus polyphemus*) Gopher Frog (*Rana areolata*) Southeastern American Kestrel (*Falco sparverius paulus*) Red-cockaded Woodpecker (*Picoides borealis*) Big Cypress Fox Squirrel (*Sciurus niger avicennia*) Fakahatchee Burmannia (*Burmannia flava*) Satinleaf (*Chrysophyllum olivaeforme*) Beautiful Pawpaw (*Deeringothamnus pulchellus*) Florida Coontie (*Zamia floridana*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*)
414/428	Pine - Mesic Oak/ Cabbage Palm	Eastern Indigo Snake (*Drymarchon corais couperi*) Gopher Frog (*Rana areolata*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*) Audubon's Crested Caracara (*Polyborus plancus audubonii*) Simpson's Stopper (*Myrcianthes frangrans* var. *simpsonii*)

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411/740	Pine Flatwoods/ Disturbed Land	Eastern Indigo Snake (*Drymarchon corais couperi*) Gopher Tortoise (*Gopherus polyphemus*) Gopher Frog (*Rana areolata*) Southeastern American Kestrel (*Falco sparverius paulus*) Red-cockaded Woodpecker (*Picoides borealis*) Big Cypress Fox Squirrel (*Sciurus niger avicennia*) Fakahatchee Burmannia (*Burmannia flava*) Satinleaf (*Chrysophyllum olivaeforme*) Beautiful Pawpaw (*Deeringothamnus pulchellus*) Florida Coontie (*Zamia floridana*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*)
415	Scrubby Pine Flatwoods	Eastern Indigo Snake (*Drymarchon corais couperi*) Gopher Tortoise (*Gopherus polyphemus*) Gopher Frog (*Rana areolata*) Southeastern American Kestrel (*Falco sparverius paulus*) Red-cockaded Woodpecker (*Picoides borealis*) Big Cypress Fox Squirrel (*Sciurus niger avicennia*) Fakahatchee Burmannia (*Burmannia flava*) Satinleaf (*Chrysophyllum olivaeforme*) Beautiful Pawpaw (*Deeringothamnus pulchellus*) Florida Coontie (*Zamia floridana*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*) Florida Scrub Jay (*Aphelocoma coerulescens*)
417	Live Oak	
425	Temperate Hardwood	Eastern Indigo Snake (*Drymarchon corais couperi*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*)
428P	Cabbage Palm with Brazilian Pepper	Eastern Indigo Snake (*Drymarchon corais couperi*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*) Audubon's Crested Caracara (*Polyborus plancus audubonii*) Simpson's Stopper (*Myrcianthes frangrans* var. *simpsonii*)

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429H	Willow- Hydric	
432	Sand Live Oak	Florida Scrub Jay (*Aphelocoma coerulescens*) Gopher Tortoise (*Gopherus polyphemus*)
510	Streams and Waterways	American Alligator (*Alligator mississippiensis*) Roseate Spoonbill (*Ajaia ajaja*) Limpkin (*Aramus guarauna*) Little Blue Heron (*Egretta caerulea*) Reddish Egret (*Egretta rufescens*) Snowy Egret (*Egretta thula*) Tricolored Heron (*Egretta tricolor*) Everglades Mink (*Mustela vison evergladensis*)
617	Mixed Wetland Hardwoods	American Alligator (*Alligator mississippiensis*) Limpkin (*Aramus guarauna*) Little Blue Heron (*Egretta caerulea*) Reddish Egret (*Egretta rufescens*) Snowy Egret (*Egretta thula*) Tricolored Heron (*Egretta tricolor*) Wood Stork (*Mycteria americana*) Big Cypress Fox Squirrel (*Sciurus niger avicennia*) Twisted Air Plant (*Tillandsia flexuosa*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*)
621	Cypress	Gopher Frog (*Rana areolata*) Arctic Peregrine Falcon (*Falco peregrinus tundrius*) Everglades Mink (*Mustela vison evergladensis*) Big Cypress Fox Squirrel (*Sciurus niger avicennia*) Little Blue Heron (*Egretta caerulea*) Snowy Egret (*Egretta thula*) Tricolored Heron (*Egretta tricolor*) American Alligator (*Alligator mississippiensis*) Limpkin (*Aramus guarauna*) Wood Stork (*Mycteria americana*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*)

641	Freshwater Marsh	Everglades Mink (*Mustela vison evergladensis*) Little Blue Heron (*Egretta caerulea*) Snowy Egret (*Egretta thula*) Tricolored Heron (*Egretta tricolor*) American Alligator (*Alligator mississippiensis*) Limpkin (*Aramus guarauna*) Wood Stork (*Mycteria americana*) Reddish Egret (*Egretta rufescens*) Florida Sandhill Crane (*Grus canadensis pratensis*) Snail Kite (*Rostrhamus sociabilis*)
740	Disturbed Land	
740/211	Disturbed Land/ Improved Pasture	Florida Sandhill Crane (*Grus canadensis pratensis*) Florida Panther (*Felis concolor coryi*)
742	Borrow Areas	
743	Spoil Areas	Gopher Tortoise (*Gopherus polyphemus*)
8145	Graded and Drained	
832/211	Electrical Transmission Lines/ Improved Pasture	
8331	Treatment Plant	

SURVEY METHODOLOGY

There are several protected plant and wildlife species that could potentially inhabit the vegetative associations found on the subject parcel. In order to provide at least 80% coverage of the various FLUCCS communities, meandering transects with biologists spaced adequately to ensure visual overlap were walked across the entire parcel. The distance between biologists varied between 30 and 100 feet based on the visibility within each habitat. Any sighting of a protected species or evidence of protected species utilization was noted on an aerial or, in the case of gopher tortoise burrows, marked with a hand-held GPS unit. The attached protected species assessment map provides the locations of all protected species sightings during the survey.

RESULTS

Gopher Tortoise:
A total of 159 active and inactive gopher tortoise burrows were identified during the course of the survey. Because a single tortoise can have several burrows, a conversion factor for

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the number of tortoises per burrow is used to calculate the density of tortoises per acre. This factor can vary depending on the quality of a given habitat.

Although some habitats are found in several locations throughout the site, gopher tortoise burrows were not identified in each individual location. For instance, FLUCCS 211 is found in four separate locations on the subject property. However, because of varying degrees of habitat quality, gopher tortoise burrows were only identified in one of these areas. Subsequently, only the FLUCCS 211 polygon containing gopher tortoise burrows is included in the density calculations. The following list represents the gopher tortoise density (based on FWC methodology) for each of the habitats that contained active or inactive burrows:

FLUCCS	Acreage	Number of Burrows	Conversion Factor	Number of Tortoises	Density (Tortoises/acre)
211	8.1	13	0.3	3.9	0.48
321	5.2	21	0.3	6.3	1.21
321P	3.4	4	0.3	1.2	0.35
411	215.3	43	0.3	13	0.06
414/428	2.3	7	0.3	2.1	0.91
415	9.2	57	0.4	22.8	2.48
417	2.5	1	0.3	0.3	0.12
432	2.8	13	0.4	5.2	1.86
TOTALS	**196.7**	**156**		**53.8**	

The percentage of a habitat that must be preserved is based on the number of tortoises per acre. This percentage is calculated by multiplying the number of tortoises per acre by 0.375%. The maximum amount of preservation required is 25%. By the calculation described above, the preservation acreages required for this project are as follows:

FLUCCS	Percent Preserved (Tortoises/acre * 0.375%)	* Total Acreage =	Preserved acreage
211	18%	8.1 ac.	1.5 ac.
321	25%	5.2 ac.	1.3 ac.
321P	13.1%	3.4 ac.	0.4 ac.
411	2.3%	215.3 ac.	4.9 ac.
414/428	25%	2.3 ac.	0.6 ac.
415	25%	9.2 ac.	2.3 ac.
417	4.5%	2.5 ac.	0.1 ac.
432	25%	2.8 ac.	0.7 ac.
TOTAL		248.8 ac.	11.8 ac.

In addition to the FWC, Lee County requires a density calculation based on a separate formula. This formula is as follows:

Dsq' = N/[L (lv+rv)] and Dac = Dsq' * 43,560

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Where Dac = Density/acre, Dsq'= Density/ sq. ft., N=number of tortoises, L=length of transect (ft.), lv=left visibility (ft.), rv=right visibility (ft.)

FLUCCS 211	Dsq'=3.9/[8800(20+20)]=3.9/352,000=0.000011; Dac=0.000011*43,560= 0.48
FLUCCS 321	Dsq'=6.3/[5700(20+20)]=6.3/228,000=0.000028; Dac=0.000028*43,560= 1.21
FLUCCS 321P	Dsq'=1.2/[2960(25+25)]=1.2/148,000=0.000081; Dac=0.0000081*43,560= 0.35
FLUCCS 411	Dsq'=13/[187,000(25+25)]=13/9,350,000=0.0000014; Dac=0.0000014*43,560= 0.07
FLUCCS 414/428	Dsq'=2.1/[2,500(20+20)]=2.1/100,000=0.00021; Dac=0.000021*43,560= 0.91
FLUCCS 415	Dsq'=22.8/[10,000(20+20)]=22.8/400,000=0.00057; Dac=0.000057*43,560= 2.48
FLUCCS 417	Dsq'=0.3/[2,100(25+25)]=0.3/105,000=0.000029; Dac=0.0000029*43,560= 0.12
FLUCCS 432	Dsq'=5.2/[3,000(20+20)]=5.2/120,000=0.000043; Dac=0.000043*43,560= 1.87

Big Cypress Fox Squirrel

A big cypress fox squirrel was observed along the power line easement on the eastern side of Pritchett Parkway.

Florida Scrub Jay

A formal Florida scrub jay survey in accordance with FWC guidelines was conducted on the property. No Florida scrub jays or evidence of Florida scrub jay utilization was observed. The Florida scrub jay report is attached as Appendix A.

Bald Eagle

A bald eagle was observed in a dead pine tree located on the southwestern edge of the borrow area on the southern end of the property. The eagle was also observed flying south toward the Caloosahatchee River. No bald eagle nests were observed on site during this protected species survey.

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Southeastern American Kestrel

At the request of the FWC, a survey was conducted to establish the presence or absence of the Southeastern American Kestrel on the subject property. This survey consisted of inspection of the dead trees (snags) to determine if cavities within these trees are being utilized as nesting cavities by the kestrel. The survey was conducted by driving transects and individually inspecting each snag on site in accordance with FWC methodology outlined in nongame technical report No. 13, Ecology and Habitat Protection Needs of the Southeastern American Kestrel on Large Scale Development Sites in Florida. No evidence of Southeastern American Kestrel utilization was observed during this survey and it has been determined that the majority of the cavities are being utilized by red headed and pileated woodpeckers.

Other Bird Species

Several species of wading birds were observed in the borrow areas (FLUCCS 742) during the survey. These species include great blue heron, tricolor heron, great egret, snowy egret, glossy ibis, white ibis, wood stork and little blue heron. Two sandhill cranes were observed in the improved pasture (FLUCCS 211) area south of the tomato field.

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FLORIDA LAND PLANNING, INC.

13 August 2001

DCI 2001-00038

MEMORANDUM

To: Kay Deselem, AICP, Senior Planner
Lee County Development Services Division

From: Carron Day

Subject: US HOME Heritage Creek RPD
Lee County file #DCI2001-00038

via: Hand delivered

cc: US Home and project team

RECEIVED
AUG 20 2001
COMMUNITY DEVELOPMENT

In reply to your letter of June 20, 2001 regarding Staff's sufficiency comments for the above referenced application, please consider the attached list of replies.

The revised Master Concept Plan does not include a golf course due to the expanded upland preserves required. Staff's concerns regarding certain issues and/or requests for information regarding the golf course are no longer applicable and are simply answered with "N/A".

You may be aware that the applicant is working to address the existing wastewater treatment plant on site. We expect that an alternative to this site will be found and we are hopeful that this will occurs before this zoning process is completed. We can not add this property now but we wanted to let you know that it is a possibility in the future..

Attached are a revised Attachment 1, 3 and 4 as well as the updated Exhibit III-A-2, the requested graphics and the revised authorization, power of attorney and unified control forms.

Should you have any questions on any of this material, please call.

DCI 2001-00038

· Midtown Professional Center · 1560 Matthew Drive, Suite E · Fort Myers, Florida 33907-1702 ·
· PHONE (941) 278-5222 · FAX (941) 278-4466 · E-MAIL Carron@floridalandplanning.com

Checklist from Development Services - Zoning Review, dated 6/15/01:

PART I

1. Amend disclosure forms for USH.
   Enclosed.

2. Amend and re-sign ownership authorizations.
   Enclosed.

3. Hansen authorization.
   Enclosed.

4. Amend convenants of unified control and re-sign by owners.
   Enclosed.

5. Provide power of attorney for Mr. Hansen.
   Amended disclosure and covenant have been authorized and are enclosed.

6. Deed restrictions for Virginia Farms.
   There are no deed restrictions for Virginia Farms.

PART II

1. Amend legal description/sketches.
   A boundary survey for the site is being prepared and will be forwarded when complete.

2. Amend section E.1 of the Planned Development application form.
   Enclosed.

3. Project Density.
   Overall Heritage Creek is proposing a density of two units per acre. By any definition this is a low-density project for Lee County. Heritage Creek functions as a transition between I-75, the Interchange land use category, a more dense development on Bayshore and other less dense developments to the north.

4. Answer question #7 of Exhibit IV-M.
   To determine the source of sanitary sewer service, a meeting was held on July 19, 2001 with U.S. Home, Banks Engineering, Inc., and Lee County Utilities. Follow up meetings are required to determine the utility provider. Once the utility provider is determined, Exhibit IV-M, question 7 will be provided.

5. Explain consistency with surrounding neighborhood.
   The applicant has been very careful in designing this project to be compatible with adjacent properties. Being a good neighbor is very important to US Home. Overall Heritage Creek is proposing a density of

two units per acre. Most of the tracts are designeated as Residential-1, which limits development to low intensity uses within the tracts. Even so, these tracts are separated from adjacent uses as indicated on the Master Concept Plan. Only three tracts allow multi family buildings (Tracts B, I and J). Each of these tracts is designed to provide more separation from adjacent uses. Height is limited in Tract I as indicated on the Master Concept Plan to two stories and a maximum height of 35 feet within 250 feet of the property's easterly boundary. It should be noted that between this tract and the property boundary is Popash Creek. A total of approximately 80 to 150 feet of upland and wetland preserve borders the east side of Tract I.

6. Project buffering.
The Master Concept Plan indicates the buffers that are required by the LDC. There is no requirement that single family uses be buffered from other single family uses or agricultural uses. Along the eastern property line a significant upland preserve has been incorporated into the site plan. In addition to its environmental significance, this vegetation will buffer uses to the east. Along the property" northern boundary an 80- wide strip with a berm is provided in addition to a lake with a minimum width of 120 feet. The applicant has provided sufficient space, as shown on the Master Concept Plan to accomplish any needed buffer.

7. Cul-de-sacs within 125' of residential lots.
The Master Concept Plan includes two locations where there are cul de sacs within 125 of the property boundary and one location where a small roadway segment is within that distance. We have added a deviation, Deviation 15, to address these locations and a Type D buffer has been added.

8. Provide more information to address Goal 11 of Lee Plan.:
Please see response to comment 4 above.

PART III

1. Submit Exhibit III-A-2.
This was submitted with the application originally. A copy is attached.

2. Address "A" flood zone issues.
The Flood Insurance Rate map panel 125124 0225c shows that the site is within the A, AE, and X zones.

PART IV

1. Show vehicular access for golf maintenance facility.
A golf maintenance facility is no longer included in the plan but an access to a smaller project maintenance facilitity within the Park has been shown.

2. Show buffer for Tract L.
See the amended MCP. The tract designations have been changed but the requested buffer information has been provided.

3. Provide detailed information for tracts and list of uses.
See the MCP and list of permitted uses (Attachment 1).

4. MCP notes #3 & #4.
Note 3 has been deleted, as requested, and the remaining notes on the Master Concept Plan renumbered accordingly. Note 4 reflects the reality of large-scale projects.

5. Address "Park" use on MCP.
As requested the label on Tract K has been changed from "Park" to Recreational Facilities, Private On-site or Off-site.

6. Clarify single-family and multi-family uses.
The list of uses (Attachment 1).has been corrected.

7. Clarify building heights.
The "Master List" is not correct. The maximum height proposed for any tract is four stories. See the amended MCP for the details of the heights proposed for each tract.

8. Comments from Richard T. Coolick
We appreciate Mr. Coolick taking the time to review Heritage Creek.

9. Comments from Brad Vance
The existing surface water management system for the site is currently being studied and the proposed system is being designed. Appropriate calculations and support documentation will be provided during the Development Order process.

10. Show service areas on MCP
N/A

11. Provide density calculations for this project.
As requested, see the attached Density Calculation Sheet.

12. Lake shorelines.
At 300 scale sinuosity may be difficult to observe, but the applicant intends to comply with LDC requirements regarding lake shorelines.

14. Explain the perimeter areas with "No Buffer Required".
As stated earlier, the Master Concept Plan indicates the buffers that are required by the LDC. There is no requirement that single family uses be

buffered from other single family uses or agricultural uses and there is no requirement that single family lots be buffered from streets.

We have accommodated the potential of providing vegetative buffers should they become necessary. As described in more detail later, there are some locations, notable to the north of our property boundary with Popash Creek and Bayshore Creek where the engineer has planned for berms and water management facilities to be located in these spaces. Along Pritchett Parkway we have provided space for berms and plantings in places where they are not required.

15. Explain Tract E (Virginia Farms.
See the revised Master Concept Plan. Virginia Farms is a single family development with an approved Lee County Development Order, (DOS95-05-078.000). It has not yet been subdivided and will be incorporated into Heritage Creek.

16. Provide cross-sections and more information for Popash Creek.
Access to Tract L (now Tract H) is across Popash Creek. It is proposed to utilize a culvert or multiple culverts to maintain the flow capacity of the creek, and construct a roadway over the culverts. Numerous similar crossings exist in the vicinity of the site, at the Seminole Campground, Sedgefield Road, Henderson Grade, and Nalle Grade Road. The golf course and golf course crossings have been eliminated.

17. Golf Course Comments
As noted previously the golf course has been removed from the Master Concept Plan.

16 B. Hunter's Glen Drive
An access easement from the Hunter's Glen Homeowner's Association is being pursued.

17B. Provide detail of gate designs per LDC Section 34-1748(1)
Entrance gates will be designed in compliance with the Lee County Land Development Code. Specific details will be submitted with Development Order submittals.

DEVIATIONS:

18 A. Don Blackburn memo.
See below.

18B. Consider Estero Golf Resort project as reason to withdraw certain deviations.
This is a different project with a different applicant and a different development team from the Estero Golf Resort. The planners are the same on both cases and it is their experience that each zoning case should be treated individually and that the county is not always consistent in how

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these requests are treated. For those reasons we have requested these four deviations in good faith. To specifically address Deviations 1,2,12 and 13:

For Deviations 1 and 2 the staff said, in the Estero Golf Resort case, that it was more appropriate to request these at the time of local Development Order. We try very hard to avoid reaching the Development Order stage to have a reviewer then tell us that we should have asked for something at the zoning stage. It should be noted that this same applicant has requested these deviations previously and has had then approved through the zoning process. A written comment from staff to the effect that the request can be approved through the Development Order review process may result in this applicant withdrawing those two deviations.

Deviation 12 is very important to US Home and Lee County has approved this deviation for other US Home projects. Because of their extensive experience with model homes in Lee County, this developer is aware of the unnecessary inconvenience that it causes a developer to have to come back through the system to get these approved later.

Again, this same applicant has had Deviation 13 approved in other cases. There has been no change to the regulations since then.

18C. Deviation 4
See revised Exhibit IV-J-1 (Attachment 4)
The Master Concept Plan has been revised to eliminate this request in all but four tracts: Tract A, Tract D, Tract G and Tract H.

18D. Provide missing words from Deviation 8 request.
See revised Exhibit IV-J-1 (Attachment 4)

18E. Deviation 9.
We have indicated on the Master Concept Plan which Tracts will utilize this Deviation Tracts B, I and J). The requested details will be provided through the Development Order review process. We provided a survey of other US Home projects that are comparable and demonstrated that the parking requirements are excessive for this type of a development. Since we are not requesting a parking lot design deviation what graphic is possible.

18F. Deviation 10.
This Deviation is withdrawn.

18G. Deviation 11.
The Master Concept Plan has been amended to limit the application of this Deviation to two tracts. These "community" pools are located in tracts that will either have multi-family buildings or will be developed with small lots.

18H. Deviation 14.

This Deviation is simply to add a phrase to a sign. No change in the sign's size or location is requested. The requested information is not warranted.

Checklist from Development Services - plan review, dated 6/18/01:

8. Deviations and their locations on MCP
The Deviations are located on the Master Concept Plan. In other cases, the County has requested that the Deviations be submitted on 8 ½ x 11 sheets and we did that here. The rationale has been that the 8 ½ x 11 format was easier for the County reviewers, the text is easier to read when the Master Concept Plans are reduced and that information has been attached to the Resolutions. We will comply with either scenario, please let us know what the County's.

2. Re-visit each deviation request to comply with LDC 34-412.
See revised Exhibit IV-J-1 (Attachment 4)

3. Withdraw Deviation 5.
Withdrawn, as suggested. See revised Exhibit IV-J-1 (Attachment 4)

4. Provide cross-section of proposed bulkhead.
A cross section of the proposed bulkhead is provided.

5. Provide drawing for Deviation 10.
With the revised Master Concept Plan this deviation can be withdrawn. See revised Exhibit IV-J-1 (Attachment 4)

6. Deviation 11.
This Deviation has been located and a detail is provided for 26' deep parking spaces at community pool locations. If after this review the County is still comfortable that the issue can be approved during the Development Order review we will withdraw it. Please let us know.

7. Deviations 12
As mentioned above, this Deviation is very important to this applicant.

Deviations 13.
This applicant had previously been advised to request a deviation from this LDC Section. Please advise which section the County now feels is appropriate to accomplish this request.

Memo from Environmental Sciences, dated 6/18/01

2. Revise Protected Species Survey.
See Memo from W. Dexter Bender & Associates dated August 10, 2001.

3. Provide Protected Species Management Plan
See Memo from W. Dexter Bender & Associates dated August 10, 2001.

4. Provide SFWMD wetland jurisdictional.
See Memo from W. Dexter Bender & Associates dated August 10, 2001.

5. Provide open space and indigenous calculations.
See attached revised Open space and indigenous calculations (Attachment 3).

6. A. Answer questions regarding created wetland areas.
See Memo from W. Dexter Bender & Associates dated August 10, 2001.

6. B. How will preserves be protected.
See Memo from W. Dexter Bender & Associates dated August 10, 2001.

6. C. Can northern lake have more sinuous shoreline?
The applicant will comply with Lee County regulations regarding shorelines.

6. D. Provide information regarding current agricultural uses.
The site is an active grazing area with an agricultural exemption.

7. Delineate the natural waterway buffers on the MCP.
This information was provided on the MCP.

9. Provide more detail with regard to Deviation 6.
This deviation has been approved innumerable times by Lee County for large scale residential projects comparable to this one. In the past the county has expressed concern about the county's liability if plant material is removed because of work in the easements. We have provided language addressing that concern.

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Memo from Planning Department, dated 6/20/01

Provide number of acres within each future land use category.

Outlying Suburban	681.79 acres
Interchange	2.92 acres
Wetland	55.37 acres

Submit Comp. Plan amendment application to include residential accessory uses (golf course) in the General Interchange future land use category.

The attached amended MCP has removed the golf course from within this area.

Submit density calculations.

See the attached Density Calculation Sheet.

Submit SFWMD jurisdictional wetland verification.

See Memo from W. Dexter Bender & Associates dated August 10, 2001. The requested information is attached.

Address the availability of EMS, fire and police protection.

The sheriff sub station is currently located on Hancock Bridge Parkway in Cape Coral but will be moving soon to 121 Pondella Road in North Fort Myers. The Bayshore Fire District will provide both fire protection and EMS service. Their station is located on Nalle Road in North Fort Myers.

Address Popash Creek bridge and golf course crossings

See Memo from W. Dexter Bender & Associates dated August 10, 2001. The golf course and associated golf hole bridge has been removed.

Address LCEC easement conservation areas.

Conservation areas have been removed from the LCEC easement

Describe uses within 80 ft. wide strip running along north, east and west of project,

The 80- wide strip of land running along the north, east, and west property lines represent a water management berm and bypass ditch. The berm will be constructed to a minimum 25 year 3-day storm elevation, and the bypass ditch will allow neighboring properties' flow to reach Popash or Bayshore Creek. A cross section is attached.

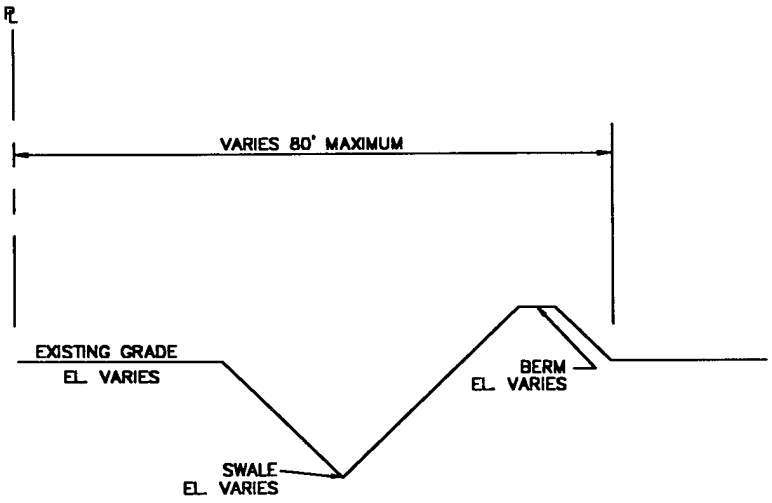
Provide more detail regarding Wetland Creation Areas.

See Memo from W. Dexter Bender & Associates dated August 10, 2001.

Provide buffering around sewage treatment plant on MCP.

Lee County LDC Section 10-416 does not require a residential use to buffer itself from this facility.

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BERM/SWALE CROSS SECTION

N.T.S.

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ◆ NAPLES ◆ SARASOTA
10511 SIX MILE CYPRESS PARKWAY – SUITE 101
FORT MYERS, FLORIDA 33912
PHONE: (941)939-5490 FAX: (941)939-2523
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690

BERM/SWALE EXHIBIT
HERITAGE CREEK
LEE COUNTY, FLORIDA

7-27-01	1447	BERM-SW	DGP	DGP		N.T.S.	1 1

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EXHIBIT III-A-2
PRELIMINARY DENSITY CALCULATIONS*
(Complete only if living units are proposed).

A. Gross Residential Acres

1. Total land area: +/- 740.08 acres

2. Area to be used for non-residential uses: *(Line A.2.a. plus A.2.b.):* 0 acres

a. R-O-W providing access to non-residential uses: 0 acres

b. Non-residential use areas: 0 acres

3. Gross residential acres (Line A.1 less A.2): +/- 740.08 acres

a. Uplands areas +/- 684.71 *acres*
Outlying Suburban +/- 681.79 *acres*
General Interchange +/- 2.92 *acres*

b. Freshwater Wetlands areas +/- 55.37 *acres*

c. Other Wetland areas 0 *acres*

B. Lee Plan *Land Use Classification: Outlying Suburban, Wetlands and General Interchange* *(If more than one classification, calculations for each classification must be submitted)*

Density Standards (from Lee Plan Table 1)

1. *Maximum standard density for Land Use Classification:* 2 *du\gross res. Acre for Outlying Suburban*
1du/20 acres for Wetlands
2. *Maximum total density for Land Use Classification:* N/A *units\gross res. acre*

MAXIMUM PERMITTED DWELLING UNITS

C. Intensive Development, Central Urban, and Urban Community Areas:

1. *Standard density uplands units (A.3.a. times B.1)* _____ *units*

2. Standard density wetlands units (A.3.b. & A.3.c. times B.1) _____ units

3. *Total standard density units (sum of C.1 & C.2)* _____ *units*

4. Max. total density units [A.3.a. times ((B.1 plus 1/2 of (B.2 less B.1))] _____ units

5. Sub-total permitted standard density units: _____ ***Units*** *(line C.3 or C.4 - whichever is less)*

** *6. BONUS UNITS*

a. *Low-moderate housing density:* _____ *units*

b. *TDR units:* _____ *units*

c. **Sub-total (C.6.a plus C.6.b)** _____ units

7. **Total Permitted Units (C.5. plus C.6.c):** _____ **units** ((may not exceed (A.3.a. times B.2) plus (A.3.b. and A.3.c. times .05)).

* *Subject to staff review and correction.*

** *If Low-moderate housing density credits or Transfer of Development Rights (TDRs) credits are included, attach the calculations and approvals hereto.*

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Continued

D. Suburban land use areas

1. *Standard density uplands units (A.3.a. times B.1)* _____ *units*
2. *Standard density freshwater wetlands units (A.3.b. times B.1)* _____ *units*
3. *Total standard density units (sum of D.1 & D.2)* _____ *units*
4. *Maximum upland density (A.3.a. times 8)* _____ *units*
5. ***Total permitted units:*** _____ ***Units*** *(line D.3 or D.4 - whichever is less)*

E. Outlying Suburban Land Use Areas

1. *Standard density uplands units (A.3.a. times B.1)* 1363 *units*
   (+/- 681.79 acres x 2)
2. *Standard density freshwater wetlands units (A.3.b. times B.1)* 110 *units*
3. *Total standard density units (sum of E.1 & E.2)* 1473 *units*
4. *Maximum upland density (A.3.a. times 4***)* 2045 *units*
   (+/- 681.79 acres x 3)
5. ***Total permitted units:*** 1473 ***units*** *(line E.3 or E.4 - whichever is less)*

F. Open Lands

1. *Total acres of "Open Land"* _____ *acres*
2. *Maximum open land density (F.1 times 0.2****)* _____ *units*
3. ***Total permitted units:*** _____ ***units***

** *If Low-moderate housing density credits or Transfer of Development Rights (TDRs) credits are included, attach the calculations and approvals hereto.*

*** *Outlying suburban land located north of the Caloosahatchee River and east of Interstate-75, north of Pondella Road and south of Pine Island Road (SR 78), and in the Buckingham area (see Goal 19 of the Lee Plan), the maximum upland density is two (2) units per acre plus one (1) for a total of three (3) units per acre.*

**** *One unit per five acres if the PD process is being used to prevent adverse impacts on environmentally sensitive lands (as defined in Policy 77,1,1,4*

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COMMUNITY DEVELOPMENT

Attachment 4
Heritage Creek
May 18, 2001
Revised August 8, 2001

DEVIATION LOCATIONS

The locations for the Deviations for Heritage Creek Oaks with limited application are indicated on the Master Plan. Other Deviations are located as follows:

Deviations 1 and 5 apply to all internal roadways and accessways.
Deviation 2 applies to all internal sidewalks.
Deviation 7 applies to the internal lakes; Deviation 3 applies to the large lake in the park.
Deviation 14 applies to the project identification signs.

DEVIATION 1

Deviation from LDC Section 10-296(d), Table 4(7)(c) which requires the wearing surface on local and access streets to be one-and-one-half-inch (1.5") asphaltic FDOT type S-III to allow for cement concrete and/or pavers on the private streets.

Justification

This developer is requesting this deviation for entrance features, crosswalks, the clubhouse and other focal points within Heritage Creek. They expect the pavers would be used to enhance these areas. Cement concrete and/or pavers have been used extensively through out the county in most large-scale projects. These building systems are structurally equivalent to the "standard" cross-section of asphaltic and concrete paving materials and consequently their use only enhances and adds to the quality of this development and does not create any negative impact to the public.

DEVIATION 2

Deviation from LDC Section 10-256(d)(3) which requires all sidewalks to be either (1) four-inch (4") thick Portland cement concrete, or (2) a minimum of one-and-one-half-inch (1.5") thick asphaltic concrete of FDOT type S-III to allow sidewalks to be constructed of decorative pavers throughout the development.

Justification

This developer is requesting that this alternate cross-section which is structurally equivalent to the "standard" cross-section of concrete sidewalks be granted to allow the developer the option of upgrading the appearance of some of the development's sidewalks. Several examples of this alternate surface can be found in the county, particularly in large-scale, quality projects. This deviation will enhance the development by increasing the visual appeal of the development. There is no impact to the public from this change.

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DEVIATION 3

Deviation from LDC Section 10-418 (a)(2)(b) which requires a minimum Number of native wetland herbaceous plants of one (1) plant per linear foot of lake shoreline and that native wetland trees or shrubs may be substituted for up to 25 percent of the total number of herbaceous plants required to provide the option of substituting up to 50% trees in the large lake only.

Justification

Even though the golf course has been deleted from this development, the borrow pit near the project entrance is proposed to include a golf aqua driving range for the recreation area. This lake's use as an aqua driving range is incompatible with the usual lake perimeter wetland plantings. With the physical constraints of the subject property an aqua range was the only possible solution for a driving range. In an aqua range the balls float and are retrieved by scooping them out with nets from the lake edge. The usual low level wetland vegetation along the aqua range's shore line would interfere with this retrieval would result in unavoidable damage and possibly destruction of the plants. The applicant is requesting this deviation to allow the option of locating wetland trees in lieu of some of the smaller plant varieties. The deviation will enhance the development by allowing maintenance of the lake with less negative impact on the planted vegetation. There is no impact to the public from this change.

DEVIATION 4

Deviation 4 seeks relief from the LDC Section 10-291(3) which requires, where practical, any residential development of at least 5± acres to provide two (2) or more means of ingress and egress, to allow only one means of ingress and egress for Tract A, Tract D, Tract G and Tract H. A full size cul-de-sac will be provided in any parcels subject to this deviation. Prior to each local Development Order, the local Fire and Emergency Service will provide a letter of no objection to the single ingress and egress of these parcels.

Justification

On a project-wide basis, the Heritage Creek development meets the requirements of LDC Section 10-281 as it provides more than one access point onto Pritchett Parkway. This deviation is intended to apply to the parcels listed above. Since the original application, the application of this deviation has been reduced significantly. The request now only applies to four tracts:

Tract A is a small parcel with access through Tract B. Access was limited to one location to reduce access points onto Pritchett Parkway and to reduce crossings of the powerline easement.

Tract D is another small tract with access directly onto Pritchett Parkway. This parcel is separated from other parcels by a lake.

Tract G is a parcel with many fingers off a spine road. Multiple turn around locations are provided. This parcel is separated from others by a lake, wetland and open space.

Tract H is small parcel. Access is limited due the crossing of Popash Creek.

In each case the deviation will enhance the development by providing the space for expanded lakes, a separation in building products and the elimination of unnecessary

pavement. There is no impact to the public from any of these changes.

DEVIATION 5
Withdrawn

DEVIATION 6
Deviation seeking relief from LDC Sections 10-421(a)(5) which requires that no portion of a buffer area consisting of trees and shrubs be located in an easement, to allow planted buffers consisting of shrubs and non-required trees in easements provided that if any required buffer or landscape strip plantings installed within easements must be removed, then the Developer or property-owners' association must replace these plantings with like size and species at no expense to the county. This requirement must be clearly stated in the property-owners' documents.

Justification
This deviation is requested to enhance the development by improving its appearance with landscaping while still providing access to any easements. This deviation is routinely approved with the conditions "if any required buffer or landscape strip plantings installed within easements must be removed, the Developer or property owner's or homeowner's association must replace these plantings with like size and aged species at no expense to the county and assume the cost to repair any utilities damaged by the removal of these plantings. The requirement must be clearly stated in the property owner's or homeowner's documents." It is also understood that plantings in these easement areas are not credited against any project landscape requirements. There is no impact to the public from this change. See Master Concept Plan.

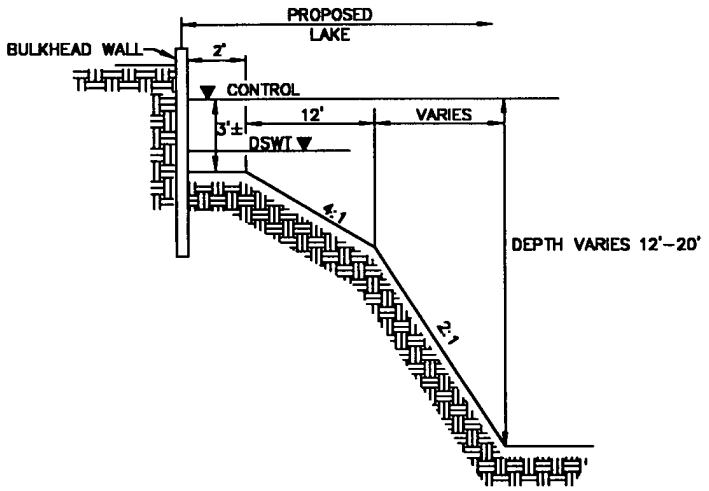
DEVIATION 7
Deviation from LDC Section 10-329(e)(4) which requires excavation banks to be sloped; to allow up to 40 percent of the banks to utilize a vertical slope with the condition that the number of littoral plants required for the excavation must be based on the entire shoreline including the bulkhead portions. Lake bottom slopes at the toe of any bulkhead may be no greater than 4:1 and adequate elements for the protection of wayward vehicles must be provided when adjacent to any roadway, parking lot or driveway aisle.

Discussion
Safety and environmental considerations are addressed in the conditions. This deviation improves and enhances the development by allowing a more aesthetic, creative design of the development. As mentioned above, safety is addressed with the condition regarding wayward vehicles and the requirement that slopes at the toe of the bulkhead be maintained at 4:1. Environmental considerations are also addressed in the conditions. There is no impact to the public from this change. See attached graphic.

DEVIATION 8
Deviation from LDC Section 10-259 which requires that no buildings or structures shall be placed in easements where placing a building or structure in an easement is contrary to the terms of the easement or interferes with the use of the easement, to

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COMMUNITY DEVELOPMENT

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BULKHEAD CROSS SECTION
N.T.S.

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Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ◆ NAPLES ◆ SARASOTA
10511 SIX MILE CYPRESS PARKWAY – SUITE 101
FORT MYERS, FLORIDA 33912
PHONE: (941)939-5490 FAX: (941)939-2523
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690

LAKE/BULKHEAD WALL CROSS SECTION
HERITAGE CREEK
LEE COUNTY, FLORIDA

7-27-01	1447	LK-BKD	DGP	DGP		N.T.S.	1	1

permit building overhangs only to the extent a maximum 1.5 feet into either a 15-foot or 20-foot closed drainage system easement throughout the only in those circumstances where corrugated plastic pipe is used and adequate engineering analysis is provided by the Applicant at the time of development order and approval by Development Services Division which demonstrates that adequate maintenance of utilities, storm drain facilities, etc. can be achieved.

Discussion

The applicant's request is not to place any building or structure in an easement but simply to allow minor building overhangs. The deviation will improve the project by reducing unnecessary cost to the development while at the same time meeting all of the objectives of the LDC provision. The application of this deviation is very limited. Safety concerns are addressed with the condition that High Density Polyethylene pipe is required. With this type of pipe, no machinery is needed to move the pipe into location. Maintaining this minimum deviation to allow only to a maximum 1.5 feet into either a 15-foot or 20-foot easement and to require a review at the time of development order approval further contribute to alleviate any safety concerns. Staff recently recommended approval of this same deviation in the Livingston Oaks case. There is no impact to the public from this change.

DEVIATION 9

Deviation 9 seeks relief from the LDC Section 34-2020(1)c. requirement that multiple family buildings have 1.5 parking spaces for 1-bedroom units, 1.75 spaces for 2-bedroom units and 2.0 spaces for 3-bedroom units, to allow 1.25 parking spaces for all bedroom unit types, with an additional 10 percent of parking for multiple family buildings to accommodate guest parking.

Justification

Heritage Creek is modeled after other US Home Communities. The deviation will enhance the development by tailoring the parking to the specifics of this development. US Home previously completed a study, which is attached, on the parking requirements for this same multi-family building concept. As this multi-family building attracts the same clients wherever it is built, the number of occupied parking places at these other US Home projects is a predictor of what will occur at Heritage Creek. . Tracts B, J and I are the only tracts with Multi-Family product proposed. There is no impact to the public from this change.

DEVIATION 10

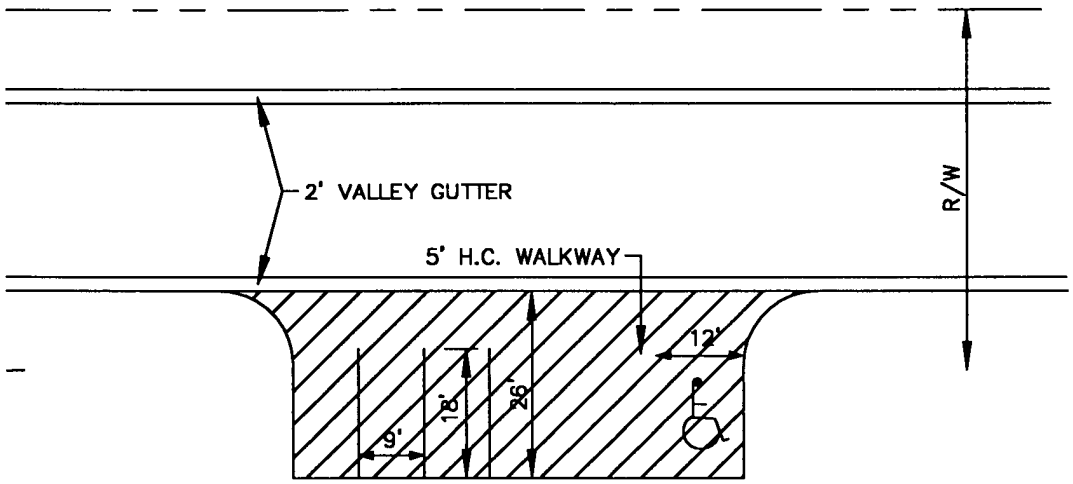
Withdrawn

DEVIATION 11

Deviation seeking relief from LDC Section 10-8(2) (Traffic Pattern), 10-296(m)(4) and 4-2013(a) (Access) which require all parking lots to be designed to permit vehicles exiting the parking lot to enter the street right-of-way or easement in a forward motion to allow backing out for pool parking, provided that the parking spaces are a minimum of 26 feet deep, that intersection separation is met and that the visual clear zone will be in accordance with the visibility triangle criteria set forth in LDC Section 34-31.

DCI 2001-00038

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COMMUNITY DEVELOPMENT



POOL PARKING

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ◆ NAPLES ◆ SARASOTA
10511 SIX MILE CYPRESS PARKWAY – SUITE 101
FORT MYERS, FLORIDA 33912
PHONE: (941)939-5490 FAX: (941)939-2523
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690

POOL PARKING EXHIBIT
HERITAGE CREEK
LEE COUNTY, FLORIDA

7-30-01	1447	Pool-Pkg	DGP	DGP		N.T.S.	1 1	

DCI 2001-00038

Justification
This request is to allow the parking places for residential accessory pools to be located on the internal project roads. The specific designs for these parking spaces would be reviewed at the time of development order. A small number of parking spaces is at issue, as illustrated on the attached. The development is enhances by limiting pavement. With the safeguards and the review proposed above, this deviation would have no effect on the public.

DEVIATION 12
Deviation from LDC Section 34-1954(a)(1) to allow model homes and model home units to be permitted by right.

Justification
This deviation allows the county to determine that model homes and model units are appropriate for the subject development now rather than waiting to make piecemeal decisions in the future. This alternative process enhances the planned development by allowing the use to exist within the project while under unified control and meeting the provisions of the LDC with respect to model homes and model units.

As the applicant has included model homes and model units in the list of permitted uses it is possible that this deviation is not necessary. The applicant's agents have been previously required to include this request by some reviewers. Consequently, it has been included here. This deviation would have no effect on the public.

DEVIATION 13
Deviation from LDC Section 34-1954(f) which allows Director discretion to allow high turnover parking surfaces to meet the surfacing standards for low turnover parking lots to allow the parking spaces for the ancillary sales office use within a model home to be surfaced with gravel.

Justification
No deviation is requested regarding the surfacing standards for the actual single family home. That required parking as well as the handicapped parking space(s) for the model home will be paved. This request applies only to the additional parking for the use of the model home as a model. Parking requirements for model homes and model units change over time. When the models are active, the parking requirements are higher than they will be for the same unit after it becomes a home. Gravel parking lots are customary for model homes and model units. The project will be enhanced by granting this deviation to allow for less impervious paving surfaces because additional paving is unattractive, heat producing, environmentally insensitive and an unnecessary expense to the developer. The development is enhances by limiting pavement. With the safeguards and the review proposed above, this deviation would have no effect on the public.

As a condition of this request, the applicant will construct the required handicapped parking for the type of dwelling unit being displayed with asphalt or concrete to provide

a smooth surface without gaps or holes while additional parking for the models will be surfaced with gravel. This deviation will not affect public safety.

DEVIATION 14
Deviation requesting relief from the LDC Section 30-153(2)(a)(iv). requirement that limits the text of additional identification signs to the name of the subdivision or residential development, to allow sign text for both the entry signs and the corner monuments to include the notation "A US Home Community" or "US Home" in addition to the name of the residential development.

Justification
A critical component of project identification for a new residential development is identifying the developer. This deviation was approved for US Home's Stoneybrook community on Corkscrew Road. The part of the signage identifying the developer is small, low key and attractive. The developer proposes the same kind of signage for Heritage Creek. No additional size is being requested for the signage in this request. The development is enhances by communicating to the public that this is a US Home development. With the limitations proposed, this deviation would have no effect on the public.

DEVIATION 15
Deviation requesting relief from the LDC Section 10-416(d)(6). requirement that I roads, drives or parking areas are located less than 125 feet from an existing residential subdivision or residential lots, a solid wall or combination berm and solid wall not less than eight feet must be constructed to allow a Type D buffer in these locations.

Justification
The Master Concept Plan includes two locations in Tract H where there are cul de sacs within 125 of the property boundary and one location in Tract E where a small roadway segment is within that distance. We have added a deviation to address these locations and a Type D buffer has been added. This buffer provides a comparable level of protection for adjacent uses particularly considering the very low level of traffic expected in these locations.

The physical limitations of Tract H make this deviation necessary. For Tract E, preserving the wetland and providing a wetland buffer does not allow more space. This deviation is necessary in each of these locations to allow development. As conditioned there is no negative impact on the public from this deviation.

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Attachment 3
OPEN SPACE AND INDIGENOUS VEGETATION
Heritage Creek
May 13, 2001
Revised August 13, 2001

		Open Space			Indigenous Vegetation		
		Required		Provided	Required		Provided
	Acres	% open space	Acres	Acres	% Indig.	Acres	Acres
Residential Tracts with lots greater than 6,500 sq ft	283.46	n/a	n/a	0	0	0	0
Balance of Development	456.62	40%	182.65	182.65	50%	91.33	91.33
TOTAL	740.08		182.65	182.65	50%	91.33	91.33

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Attachment 1
Heritage Creek
May 13, 2001
Revised August 8, 2001

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PERMITTED LAND USES

Residential 1 (R-1)

- Accessory Uses
- Administrative Offices
- Agricultural Uses, continuation of bona fide use only
- Dwelling Units
  - Single Family, detached
  - Duplex
  - Townhouse
  - Zero lot line
  - Two family attached
- Entrance Gates and Gatehouses
- Essential Services
- Essential Service Facilities, Group I
- Excavation, Water Retention—Not to include the removal of excavated material from the site
- Fences and Walls
- Home Occupation, as limited by the LDC
- Model Homes, Model Units and Model Display Center, including accessory parking lot
- Real Estate Sales and Rental Office—limited to sales of lots, homes or units within the development
- Recreation Facilities, Personal and Private On-Site located throughout the development to include the following or other comparable uses:

Tennis Courts	Bike paths	Boardwalks
Nature Trails	Swimming pools	Picnic areas
Playgrounds	Shuffleboard courts	Horseshoe pits
Vita course	Jogging paths	Bocce courts

- Residential accessory uses, including but not limited to:
  Private garages, carports and parking areas,
  Private swimming pools and enclosures and Private tennis courts
- Signs
- Temporary uses—limited to a sales center and a construction office

Residential 2 (R-2)
(Tracts B, I and J)
All uses permitted in the R-1 District plus Multi-family Building .

- **Recreational Facilities, Private On-site or Off-site** (Tract K)
  Recreational Facilities, Private On-site or Off-site but located in the "Park" shown on the Master Concept Plan for Heritage Creek for use by the residents of Heritage Creek and their guests to include the following or comparable uses:

Tennis Courts	Bike paths	Fishing Piers
Nature Trails	Swimming pools	Picnic areas
Playgrounds	Shuffleboard courts	Horseshoe pits

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Vita course	Jogging paths	Bocce courts
Soccer Fields	Baseball Fields	In-line skating
Recreational Hall	Multi-purpose courts	Multi-purpose fields
Driving range	Putting Practice Green	Boat docks

Project Maintenance Facility, including accessory satellite dish and antenna

- Club, Private located in the "Park" shown on the Master Concept Plan for Heritage Creek including but not limited to the following ancillary uses:
  - Food and Beverage Service
  - Pro Shop
  - Locker Rooms
  - Health Club and Spa
  - Rental or leasing establishment, Group I (limited to bicycles, tennis rackets and other small sports equipment for use in Heritage Creek.

Conservation Areas

Interpretive centers and Signage, rain shelters, gazebos
Nature and foot trails including boardwalks and jogging paths
Paths, boardwalks and bridges to provide access from the uplands to the wetlands
Water Management Facilities
Wildlife Management
Mitigation and Restoration Activities

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DRAFT
Subject to Governing Board Approval

LAST DATE FOR GOVERNING BOARD ACTION:
AUGUST 12, 1993

SURFACE WATER MANAGEMENT STAFF REVIEW SUMMARY

RECEIVED
AUG 20 2001
COMMUNITY DEVELOPMENT

I. ADMINISTRATIVE

APPLICATION NUMBER: 930427-8

PERMIT MODIFICATION NUMBER: 36-02162-S

PROJECT NAME: PRITCHETT PARKWAY

LOCATION: LEE COUNTY
S15,16,21/T43S/R25E

APPLICANT'S NAME: PRITCHETT RICHARD H

OWNERS NAME AND ADDRESS: PRITCHETT RICHARD H
P O BOX 2148
FORT MYERS, FL 33902

DEVELOPER: PRITCHETT RICHARD H

ENGINEER: BANKS ENGINEERING INC

II. PROJECT DESCRIPTION

PROJECT AREA: 740 acres DRAINAGE AREA: 740 acres

DISTRICT DRAINAGE BASIN: C-43

RECEIVING BODY: C-43 VIA POPASH CREEK

CLASSIFICATION: CLASS III

PURPOSE:

This application is a request for modification of Surface Water Management Permit No. 36-02162-S issued February 13, 1992 for a 24.0 acre highway project known as Pritchett Parkway. Staff recommends approval with conditions.

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BACKGROUND:

The project is located in North Fort Myers north of Bayshore Road and east of I-75. On February 13, 1992 the Governing Board of the District approved a 24.0 acre highway project located within a 740.0 acre parcel known as Pritchett Parkway. There are presently no surface water management facilities on the site. Popash Creek is located at the easterly side of the property and is the receiving body for much of the runoff from the project area. Bayshore Creek (also known as Millers Branch) is on the westerly side of the property and will receive runoff from the northwesterly portion of the project. There is approximately four feet of elevation rise from the southern end of the roadway to the northern end.

EXISTING FACILITIES:

There are no existing surface water management facilities on this site.

PROPOSED FACILITIES:

A surface water management system to serve a 24.0 acre highway project is proposed. The highway will be located within a contiguously owned 740.0 acre parcel. The roadway will be approximately two miles long within a 100' wide right-of-way. There will be 14 separate basins along the roadway which will detain and discharge the stormwater runoff. Existing runoff patterns will be maintained and existing drainage into Popash Creek will be continued.

This modification to the original Permit No. 36-02162-S is to narrow the original pavement width and widen the roadside swales. As approved previously, stormwater collected in the detention swales will be discharged through control structures and into various culverts crossing the roadway. A 6'X 7' twin box culvert will be constructed across Bayshore Creek (Millers Branch) and has been approved by the Lee County Division of Water Resources. Pritchett Parkway is in the process of being deeded to Lee County and will eventually be maintained by Lee County Division of Transportation and Engineering. The proposed roadway construction will include cross drain culverts to allow historical stormwater flows to pass beneath the project. Prior to any development outside of the road right-of-way a permit modification will be obtained from the District.

BASIN INFORMATION:

Basin	Area Acres	WSWT Elev (ft, NGVD)	Normal/Dry Ctrl Elev (ft, NGVD)	Method of Determination
1	1.35	14.30	14.3/14.3	PERMIT NO.36-02162-S
2	.91	14.30	14.3/14.3	PERMIT NO.36-02162-S
3	2.27	14.30	14.3/14.3	PERMIT NO.36-02162-S
4	2.19	14.30	14.3/14.3	PERMIT NO.36-02162-S

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Basin	Area Acres	WSWT Elev (ft, NGVD)	Normal/Dry Ctrl Elev (ft, NGVD)	Method of Determination
5	1.49	16.00	16/16	PERMIT NO.36-02162-S
6	1.49	16.00	16/16	PERMIT NO.36-02162-S
7	2.46	16.00	16/16	PERMIT NO.36-02162-S
8	1.67	16.00	16/16	PERMIT NO.36-02162-S
9	1.69	18.50	18.5/18.5	PERMIT NO.36-02162-S
10	1.18	18.50	18.5/18.5	PERMIT NO.36-02162-S
11	1.65	18.50	18.5/18.5	PERMIT NO.36-02162-S
12	2.28	18.50	18.5/18.5	PERMIT NO.36-02162-S
13	1.36	18.80	18.8/18.8	PERMIT NO.36-02162-S
14	2.09	18.80	18.8/18.8	PERMIT NO.36-02162-S

DISCHARGE STRUCTURE INFORMATION:

Water Quality Structures:

Basin	Str. #	Bleeder Type	Dimensions	Invert Elev. (ft, NGVD)
1	1	CIRCULAR ORIFICE	.25' dia.	14.30
2	1	CIRCULAR ORIFICE	.25' dia.	14.30
3	1	CIRCULAR ORIFICE	.25' dia.	14.30
4	1	CIRCULAR ORIFICE	.25' dia.	14.30
5	1	CIRCULAR ORIFICE	.25' dia.	16.00
6	1	CIRCULAR ORIFICE	.25' dia.	16.00
7	1	CIRCULAR ORIFICE	.25' dia.	16.00
8	1	CIRCULAR ORIFICE	.25' dia.	16.00
9	1	CIRCULAR ORIFICE	.25' dia.	18.50
10	1	CIRCULAR ORIFICE	.25' dia.	18.50
11	1	CIRCULAR ORIFICE	.25' dia.	18.50
12	1	CIRCULAR ORIFICE	.25' dia.	18.50
13	1	CIRCULAR ORIFICE	.25' dia.	18.80
14	1	CIRCULAR ORIFICE	.25' dia.	18.80

Major Discharge Structures:

Basin	Str. #	Description		Crest Elev. (ft, NGVD)
1	1	3.3' wide X 4.42' long	drop inlet	16.60
2	1	3.3' wide X 4.42' long	drop inlet	16.60
3	1	3.3' wide X 4.42' long	drop inlet	16.60
4	1	3.3' wide X 4.42' long	drop inlet	16.60
5	1	3.3' wide X 4.42' long	drop inlet	18.50
6	1	3.3' wide X 4.42' long	drop inlet	18.50
7	1	3.3' wide X 4.42' long	drop inlet	18.50
8	1	3.3' wide X 4.42' long	drop inlet	18.50
9	1	3.3' wide X 4.42' long	drop inlet	20.90

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Basin	Str. #	Description		Crest Elev. (ft. NGVD)
10	1	3.3' wide X 4.42' long	drop inlet	20.90
11	1	3.3' wide X 4.42' long	drop inlet	20.90
12	1	3.3' wide X 4.42' long	drop inlet	20.90
13	1	3.3' wide X 4.42' long	drop inlet	21.10
14	1	3.3' wide X 4.42' long	drop inlet	21.10

Discharge Culverts:

Basin	Str. #	Description	
1	1	16' long, 1.25' dia.	RCP
2	1	16' long, 1.25' dia.	RCP
3	1	16' long, 1.25' dia.	RCP
4	1	16' long, 1.25' dia.	RCP
5	1	16' long, 1.25' dia.	RCP
6	1	16' long, 1.25' dia.	RCP
7	1	16' long, 1.25' dia.	RCP
8	1	16' long, 1.25' dia.	RCP
9	1	16' long, 1.25' dia.	RCP
10	1	16' long, 1.25' dia.	RCP
11	1	16' long, 1.25' dia.	RCP
12	1	16' long, 1.25' dia.	RCP
13	1	16' long, 1.25' dia.	RCP
14	1	16' long, 1.25' dia.	RCP

Receiving Body:

Basin	Str. #	Receiving Body
1	1	C-43 VIA EXISTING LAKE
2	1	C-43 VIA EXISTING LAKE
3	1	C-43 VIA EXISTING LAKE
4	1	C-43 VIA EXISTING LAKE
5	1	C-43 VIA SPREADER SWALE
6	1	C-43 VIA SPREADER SWALE
7	1	C-43 VIA SPREADER SWALE
8	1	C-43 VIA SPREADER SWALE
9	1	C-43 VIA EXISTING SWALE
10	1	C-43 VIA EXISTING SWALE
11	1	C-43 VIA EXISTING SWALE
12	1	C-43 VIA EXISTING SWALE
13	1	C-43 VIA BAYSHORE CREEK
14	1	C-43 VIA BAYSHORE CREEK

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III. PROJECT EVALUATION

Discharge Rate:

As shown in the table below, the proposed project discharge is within the allowable limit for the area.

Design Storm Frequency: 25 YR-3 DAY Design Rainfall: 9.61 inches

Basin	Allow Disch (cfs)	Method of Determination	Design Disch (cfs)	Design Stage (ft, MSVD)
1	.3	PRE VS. POST	.3	16.5
2	.3	PRE VS. POST	.3	16.2
3	.3	PRE VS. POST	.3	16.4
4	.3	PRE VS. POST	.3	16.3
5	.3	PRE VS. POST	.3	17.9
6	.3	PRE VS. POST	.3	17.9
7	.3	PRE VS. POST	.3	18
8	.3	PRE VS. POST	.3	17.8
9	.3	PRE VS. POST	.3	20.4
10	.3	PRE VS. POST	.3	20.3
11	.3	PRE VS. POST	.3	n/a
12	.3	PRE VS. POST	.3	n/a
13	.3	PRE VS. POST	.3	n/a
14	.3	PRE VS. POST	.3	n/a

WATER QUALITY:

Basin	Treatment Method	Vol Req'd. (ac-ft)	Vol Prov'd (ac-ft)
1	.57 acres DRY DETENTION	0.12	0.20
2	.54 acres DRY DETENTION	0.06	0.10
3	.72 acres DRY DETENTION	0.14	0.20
4	1.56 acres DRY DETENTION	0.14	0.20
5	1.04 acres DRY DETENTION	0.09	0.10
6	1.04 acres DRY DETENTION	0.09	0.10
7	1.44 acres DRY DETENTION	0.16	0.20
8	1.45 acres DRY DETENTION	0.11	0.20
9	1.17 acres DRY DETENTION	0.11	0.20
10	1.01 acres DRY DETENTION	0.08	0.10
11	1.4 acres DRY DETENTION	0.11	0.20
12	1.35 acres DRY DETENTION	0.15	0.20
13	1.22 acres DRY DETENTION	0.08	0.20
14	1.19 acres DRY DETENTION	0.14	0.20

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ROAD DESIGN:

As shown in the following table, minimum road center lines have been set at or above the calculated design storm flood elevation. The elevation of the existing topography varies by approximately four feet through the length of the road right-of-way.

Design Storm Freq: 25 YR-3 DAY Design Rainfall: 9.61 inches

Basin	Flood Elevation (ft., NGVD)	Minimum Centerline Elevation (ft. NGVD)
12	20.9	21.2
14	21	22.3
1	16.5	18
10	20.3	21.2
3	16.4	18
5	17.9	19.1
7	18	19.1
9	20.4	21.2
8	17.8	19.1
6	17.9	19.1
4	16.3	18
2	16.2	18
13	20.6	22.3
11	20.7	21.2

ENVIRONMENTAL ASSESSMENT:

PROJECT SITE DESCRIPTION:

The proposed project is for modification of existing permit # 36-02162-S to reduce the previously permitted pavement width and widen the previously approved roadside swales. The adjacent lands contain an isolated 12 acre freshwater marsh.

ENDANGERED, THREATENED & SPECIES OF SPECIAL CONCERN SUMMARY:

The project site does not contain preferred habitat for endangered, threatened, or species of special concern. No endangered/threatened or species of special concern were observed on site, and submitted information indicates that endangered/threatened or species of special concern use of the site is not an issue. This permit does not relieve the applicant from complying with all applicable rules and any other agencies' requirements if in the future, endangered/threatened or species of special concern are discovered on the site.

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WETLAND PRESERVATION AND IMPACT SUMMARY:

The original permit made roadway adjustments to minimize wetland impacts. The permitted road alignment, the culvert for the 12 acre marsh, and Bayshore Creek (also known as Millers Branch) culvert will remain unchanged by the proposed permit modification. The historic surface water flow patterns for Millers Branch and the 12 acre marsh will be maintained.

MITIGATION/MONITORING

No wetland impacts are proposed in this modification, no mitigation will be performed.

WETLAND INVENTORY -

MOD PHASE - PRICHETT PARKWAY **ONSITE**

	Cypress	Marsh	Trans.	Mix Forest	Totals
Total Wet. AC	0	12	0	0	12
Wet. Preserved		12			12
Wet. Impacted					0
Wet. Disturbed					0
Wet. Improved					0
Wet. Created					0

	Uplands
Other Compensation	N/A

SYSTEM OPERATION:

Pritchett Richard H

PROPOSED LAND USE(S):

Highway

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PROPOSED LAND USE(S):

Highway

WATER USE PERMIT STATUS:

A Water Use permit is not required for this project.

DRI STATUS:

This project falls below all DRI minimum thresholds.

SAVE OUR RIVERS:

The project is not within or adjacent to lands under consideration by the Save Our Rivers program.

SWIM BASIN:

The project is not within nor does it discharge directly to a designated SWIM basin.

RIGHT-OF-WAY PERMIT STATUS:

A Right-of-Way Permit is not required for this project.

ENFORCEMENT ACTIVITY:

There has been no enforcement activity associated with this application.

THIRD PARTY INTEREST:

No third party has contacted the District with concerns about this application.

WELL FIELD ZONE OF INFLUENCE:

The project is not located within the zone of influence of a wellfield.

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PRIMARY ISSUES RESOLVED:

Wetlands protection

IV. APPLICABLE LAND AREA

24 acres of this project will be used for road right-of-way. The remaining 716 acres will be left undeveloped.

PROJECT

	TOTAL PROJECT	PREVIOUSLY PERMITTED	THIS PHASE	
TOTAL ACRES	740.00		740.00	acres
PAVEMENT	24.00		24.00	acres
PRESERVED	12.00		12.00	acres
PERVIOUS	716.00		716.00	acres

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V. STAFF RECOMMENDATION

The Staff recommends that the following be issued:

AUTHORIZATION FOR MODIFICATION OF A SURFACE WATER MANAGEMENT SYSTEM TO SERVE A 24.0 ACRE ROADWAY PROJECT WITHIN A 740.0 ACRE PARCEL DISCHARGING TO C-43 VIA POPASH CREEK.

Based on the information provided, District rules have been adhered to.

Staff recommendation is for approval subject to the attached Special Conditions.

VI. STAFF REVIEW

AREA MANAGER

Benjamin C. Pratt, P.E. P.L.S.

NATURAL RESOURCE MANAGEMENT DIVISION APPROVAL

APPLICATION REVIEWER

Marco Espinar

SUPERVISING PROFESSIONAL

Karen M. Johnson

DIVISION DIRECTOR:

Terrie A. Bates

DATE: 7-9-93

SURFACE WATER MANAGEMENT DIVISION APPROVAL

APPLICATION REVIEWER

Phillip J. Kochan, E.I.

SUPERVISING PROFESSIONAL

Kenneth S. Todd, Jr., P.E.

DIVISION DIRECTOR

Richard A. Rogers, P.E.

DATE: 7/10/93

DRAFT
Subject to Governing Board Approval

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SPECIAL CONDITIONS

1 . DISCHARGE FACILITIES:

BASIN: 1:

1-.25' DIA. CIRCUL ORIFICE WITH INVERT AT ELEV. 14.3' NGVD.
16 LF OF 1.25' DIA. RCP CULVERT.
1-3.3' W X 4.42' L DROP INLET WITH CREST AT ELEV. 16.6' NGVD.

RECEIVING BODY : C-43 VIA EXISTING LAKE

CONTROL ELEV : 14.3 FEET NGVD. /14.3 FEET NGVD DRY SEASON.

BASIN: 2:

1-.25' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 14.3' NGVD.
16 LF OF 1.25' DIA. RCP CULVERT.
1-3.3' W X 4.42' L DROP INLET WITH CREST AT ELEV. 16.6' NGVD.

RECEIVING BODY : C-43 VIA EXISTING LAKE

CONTROL ELEV : 14.3 FEET NGVD. /14.3 FEET NGVD DRY SEASON.

BASIN: 3:

1-.25' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 14.3' NGVD.
16 LF OF 1.25' DIA. RCP CULVERT.
1-3.3' W X 4.42' L DROP INLET WITH CREST AT ELEV. 16.6' NGVD.

RECEIVING BODY : C-43 VIA EXISTING LAKE

CONTPOL ELEV : 14.3 FEET NGVD. /14.3 FEET NGVD DRY SEASON.

BASIN: 4:

1-.25' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 14.3' NGVD.
16 LF OF 1.25' DIA. RCP CULVERT.
1-3.3' W X 4.42' L DROP INLET WITH CREST AT ELEV. 16.6' NGVD.

RECEIVING BODY : C-43 VIA EXISTING LAKE

CONTROL ELEV : 14.3 FEET NGVD. /14.3 FEET NGVD DRY SEASON.

BASIN: 5:

1-.25' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 16' NGVD.
16 LF OF 1.25' DIA. RCP CULVERT.
1-3.3' W X 4.42' L DROP INLET WITH CREST AT ELEV. 18.5' NGVD.

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RECEIVING BODY : C-43 VIA SPREADER SWALE

CONTROL ELEV : 16 FEET NGVD. /16 FEET NGVD DRY SEASON.

BASIN: 6:

1-.25' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 16' NGVD.
16 LF OF 1.25' DIA. RCP CULVERT.
1-3.3' W X 4.42' L DROP INLET WITH CREST AT ELEV. 18.5' NGVD.

RECEIVING BODY : C-43 VIA SPREADER SWALE

CONTROL ELEV : 16 FEET NGVD. /16 FEET NGVD DRY SEASON.

BASIN: 7:

1-.25' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 16' NGVD.
16 LF OF 1.25' DIA. RCP CULVERT.
1-3.3' W X 4.42' L DROP INLET WITH CREST AT ELEV. 18.5' NGVD.

RECEIVING BODY : C-43 VIA SPREADER SWALE

CONTROL ELEV : 16 FEET NGVD. /16 FEET NGVD DRY SEASON.

BASIN: 8:

1-.25' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 16' NGVD.
16 LF OF 1.25' DIA. RCP CULVERT.
1-3.3' W X 4.42' L DROP INLET WITH CREST AT ELEV. 18.5' NGVD.

RECEIVING BODY : C-43 VIA SPREADER SWALE

CONTROL ELEV : 16 FEET NGVD. /16 FEET NGVD DRY SEASON.

BASIN: 9:

1-.25' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 18.5' NGVD.
16 LF OF 1.25' DIA. RCP CULVERT.
1-3.3' W X 4.42' L DROP INLET WITH CREST AT ELEV. 20.9' NGVD.

RECEIVING BODY : C-43 VIA EXISTING SWALE

CONTROL ELEV : 18.5 FEET NGVD. /18.5 FEET NGVD DRY SEASON.

BASIN: 10:

1-.25' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 18.5' NGVD.
16 LF OF 1.25' DIA. RCP CULVERT.
1-3.3' W X 4.42' L DROP INLET WITH CREST AT ELEV. 20.9' NGVD.

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RECEIVING BODY : C-43 VIA EXISTING SWALE

CONTROL ELEV : 18.5 FEET NGVD. /18.5 FEET NGVD DRY SEASON.

BASIN: 11:

1-.25' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 18.5' NGVD.
16 LF OF 1.25' DIA. RCP CULVERT.
1-3.3' W X 4.42' L DROP INLET WITH CREST AT ELEV. 20.9' NGVD.

RECEIVING BODY : C-43 VIA EXISTING SWALE

CONTROL ELEV : 18.5 FEET NGVD. /18.5 FEET NGVD DRY SEASON.

BASIN: 12:

1-.25' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 18.5' NGVD.
16 LF OF 1.25' DIA. RCP CULVERT.
1-3.3' W X 4.42' L DROP INLET WITH CREST AT ELEV. 20.9' NGVD.

RECEIVING BODY : C-43 VIA EXISTING SWALE

CONTROL ELEV : 18.5 FEET NGVD. /18.5 FEET NGVD DRY SEASON.

BASIN: 13:

1-.25' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 18.8' NGVD.
16 LF OF 1.25' DIA. RCP CULVERT.
1-3.3' W X 4.42' L DROP INLET WITH CREST AT ELEV. 21.1' NGVD.

RECEIVING BODY : C-43 VIA BAYSHORE CREEK

CONTROL ELEV : 18.8 FEET NGVD. /18.8 FEET NGVD DRY SEASON.

BASIN: 14:

1-.25' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 18.8' NGVD.
16 LF OF 1.25' DIA. RCP CULVERT.
1-3.3' W X 4.42' L DROP INLET WITH CREST AT ELEV. 21.1' NGVD.

RECEIVING BODY : C-43 VIA BAYSHORE CREEK

CONTROL ELEV : 18.8 FEET NGVD. /18.8 FEET NGVD DRY SEASON.

2 . THE PERMITTEE SHALL BE RESPONSIBLE FOR THE CORRECTION OF ANY EROSION, SHOALING OR WATER QUALITY PROBLEMS THAT RESULT FROM THE CONSTRUCTION OR OPERATION OF THE SURFACE WATER MANAGEMENT SYSTEM.

3 . MEASURES SHALL BE TAKEN DURING CONSTRUCTION TO INSURE THAT SEDIMENTATION AND/OR TURBIDITY PROBLEMS ARE NOT CREATED IN THE RECEIVING WATER.

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4 . THE DISTRICT RESERVES THE RIGHT TO REQUIRE THAT ADDITIONAL WATER QUALITY TREATMENT METHODS BE INCORPORATED INTO THE DRAINAGE SYSTEM IF SUCH MEASURES ARE SHOWN TO BE NECESSARY.

5 . FACILITIES OTHER THAN THOSE STATED HEREIN SHALL NOT BE CONSTRUCTED WITHOUT AN APPROVED MODIFICATION OF THIS PERMIT.

6 . A BENCHMARK SHALL BE PROVIDED IN THE VICINITY OF THE CONTROL STRUCTURE AND A DESCRIPTION PROVIDED TO THE DISTRICT WHEN CERTIFYING CONSTRUCTION COMPLETION OF THE DRAINAGE FACILITIES.

7 . PRIOR TO AUGUST 14, 1993, THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT SHALL BE NOTIFIED BY THE PERMITTEE OR AUTHORIZED AGENT (VIA THE SUPPLIED CONSTRUCTION COMMENCEMENT NOTICE OR EQUIVALENT) OF THE ACTUAL OR ANTICIPATED CONSTRUCTION START DATE AND THE EXPECTED COMPLETION DATE/ DURATION.

8 . WHEN THE DURATION OF CONSTRUCTION EXCEEDS ONE YEAR, CONSTRUCTION STATUS REPORTS SHALL BE SUBMITTED TO THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT ON AN ANNUAL BASIS (VIA THE SUPPLIED ANNUAL STATUS REPORT OR EQUIVALENT) BEGINNING ONE YEAR AFTER THE INITIAL COMMENCEMENT OF CONSTRUCTION DATE.

9 . WITHIN 30 DAYS AFTER COMPLETION OF CONSTRUCTION OF THE SURFACE WATER MANAGEMENT SYSTEM, THE PERMITTEE OR AUTHORIZED AGENT SHALL NOTIFY THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT OF THAT COMPLETION DATE AND SUBMIT CERTIFICATION BY A FLORIDA REGISTERED PROFESSIONAL ENGINEER THAT ALL FACILITIES HAVE BEEN CONSTRUCTED IN ACCORDANCE WITH THE DESIGN APPROVED BY THE DISTRICT (VIA THE SUPPLIED CONSTRUCTION COMPLETION/CONSTRUCTION CERTIFICATION OR EQUIVALENT). SUCH CERTIFICATION MAY CONSIST OF WORDING IN PARAGRAPH 3.1.7 "CONSTRUCTION COMPLETION CERTIFICATION" OF THE CURRENT BASIS OF REVIEW FOR SURFACE WATER MANAGEMENT PERMIT APPLICATIONS WITHIN THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT. IF THE CERTIFICATION LANGUAGE USED IS DIFFERENT FROM THE SUGGESTED LANGUAGE, A SET OF RECORD DRAWINGS CONSISTING OF ELEVATIONS, LOCATIONS AND DIMENSIONS OF COMPONENTS OF THE SURFACE WATER MANAGEMENT SYSTEM SHALL ALSO BE SUBMITTED.

10. THE PERMITTEE SHALL PROSECUTE THE WORK AUTHORIZED IN A MANNER SO AS TO MINIMIZE ANY ADVERSE IMPACT OF THE WORKS ON FISH, WILDLIFE, NATURAL ENVIRONMENTAL VALUES, AND WATER QUALITY. THE PERMITTEE SHALL INSTITUTE NECESSARY MEASURES DURING THE CONSTRUCTION PERIOD, INCLUDING FULL COMPACTION OF ANY FILL MATERIAL PLACED AROUND NEWLY INSTALLED STRUCTURES, TO REDUCE EROSION, TURBIDITY, NUTRIENT LOADING AND SEDIMENTATION IN THE RECEIVING WATERS.

11. OFF-SITE DISCHARGES DURING CONSTRUCTION AND DEVELOPMENT SHALL BE MADE ONLY THROUGH THE FACILITIES AUTHORIZED BY THIS PERMIT. NO ROADWAY OR BUILDING CONSTRUCTION SHALL COMMENCE ON-SITE UNTIL COMPLETION OF PERMITTED DISCHARGE STRUCTURE AND DETENTION AREAS. WATER DISCHARGED FROM THE PROJECT SHALL BE THROUGH STRUCTURES HAVING A MECHANISM SUITABLE FOR REGULATING UPSTREAM WATER STAGES. STAGES MAY BE SUBJECT TO OPERATING SCHEDULES SATISFACTORY TO THE DISTRICT.

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12. THE PERMITTEE SHALL HOLD AND SAVE THE DISTRICT HARMLESS FROM ANY AND ALL DAMAGES, CLAIMS, OR LIABILITIES WHICH MAY ARISE BY REASON OF THE CONSTRUCTION, OPERATION, MAINTENANCE OR USE OF ANY FACILITY AUTHORIZED BY THE PERMIT.

13. THIS PERMIT IS ISSUED BASED ON THE APPLICANT'S SUBMITTED INFORMATION WHICH REASONABLY DEMONSTRATES THAT ADVERSE OFF-SITE WATER RESOURCE RELATED IMPACTS WILL NOT BE CAUSED BY THE COMPLETED PERMIT ACTIVITY. IT IS ALSO THE RESPONSIBILITY OF THE PERMITTEE TO INSURE THAT ADVERSE OFF-SITE WATER RESOURCE RELATED IMPACTS DO NOT OCCUR DURING CONSTRUCTION.

14. PRIOR TO DEWATERING, PLANS SHALL BE SUBMITTED TO THE DISTRICT FOR APPROVAL. INFORMATION SHALL INCLUDE AS A MINIMUM: PUMP SIZES, LOCATIONS AND HOURS OF OPERATION FOR EACH PUMP. IF OFF-SITE DISCHARGE IS PROPOSED, OR OFF-SITE ADVERSE IMPACTS ARE EVIDENT, AN INDIVIDUAL WATER USE PERMIT MAY BE REQUIRED. THE PERMITTEE IS CAUTIONED THAT SEVERAL MONTHS MAY BE REQUIRED FOR CONSIDERATION OF THE WATER USE PERMIT APPLICATION.

15. LIMITING CONDITIONS OF RULE 40E-4.381 F.A.C. (SURFACE WATER MANAGEMENT) ARE WAIVED UNLESS OTHERWISE PROVIDED HEREIN.

16. THE PERMIT DOES NOT CONVEY TO THE PERMITTEE ANY PROPERTY RIGHT OR ANY RIGHTS OR PRIVILEGES OTHER THAN THOSE SPECIFIED IN THE PERMIT AND CHAPTER 40E-4, FAC.

17. WATER QUALITY DATA FOR THE WATER DISCHARGED FROM THE PERMITTEE'S PROPERTY OR INTO SURFACE WATERS OF THE STATE SHALL BE SUBMITTED TO THE DISTRICT AS REQUIRED. PARAMETERS TO BE MONITORED MAY INCLUDE THOSE LISTED IN CHAPTER 17-302. IF WATER QUALITY DATA IS REQUIRED, THE PERMITTEE SHALL PROVIDE DATA AS REQUIRED, ON VOLUMES OF WATER DISCHARGED INCLUDING TOTAL VOLUME DISCHARGED DURING THE DAYS OF SAMPLING AND TOTAL MONTHLY DISCHARGES FROM THE PROPERTY OR INTO SURFACE WATERS OF THE STATE.

18. OPERATION OF THE SURFACE WATER MANAGEMENT SYSTEM SHALL BE THE RESPONSIBILITY OF THE PERMITTEE. PRIOR TO TRANSFER OF TITLE FOR ANY PORTION OF THE PROJECT TO A THIRD PARTY MODIFICATION OF THE PERMIT WILL BE REQUIRED.

19. SILT SCREENS, HAY BALES OR OTHER SUCH SEDIMENT CONTROL MEASURES SHALL BE UTILIZED DURING CONSTRUCTION. THE SELECTED SEDIMENT CONTROL MEASURES SHALL BE INSTALLED LANDWARD OF THE UPLAND BUFFER ZONES AROUND ALL PROTECTED WETLANDS. ALL AREAS SHALL BE STABILIZED AND VEGETATED IMMEDIATELY AFTER CONSTRUCTION TO PREVENT EROSION INTO THE WETLANDS AND UPLAND BUFFER ZONES.

20. ANY FUTURE CHANGES IN LAND USE OR TREATMENT OF WETLANDS AND/OR UPLAND BUFFER/COMPENSATION AREAS MAY REQUIRE A SURFACE WATER MANAGEMENT PERMIT MODIFICATION AND ADDITIONAL ENVIRONMENTAL REVIEW BY DISTRICT STAFF. PRIOR TO THE PERMITTEE INSTITUTING ANY FUTURE CHANGES NOT AUTHORIZED BY THIS PERMIT, THE PERMITTEE SHALL NOTIFY THE SFWMD OF SUCH INTENTIONS FOR A

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DETERMINATION OF ANY NECESSARY PERMIT MODIFICATIONS.

21. FUTURE DEVELOPMENT WITHIN ANY PARCELS ADJOINING THIS ROADWAY, INCLUDING THE PARCEL CONTAINING THE 12 ACRE MARSH, SHALL REQUIRE ADDITIONAL ENVIRONMENTAL AND SURFACE WATER MANAGEMENT SYSTEM REVIEW AND APPROVAL.

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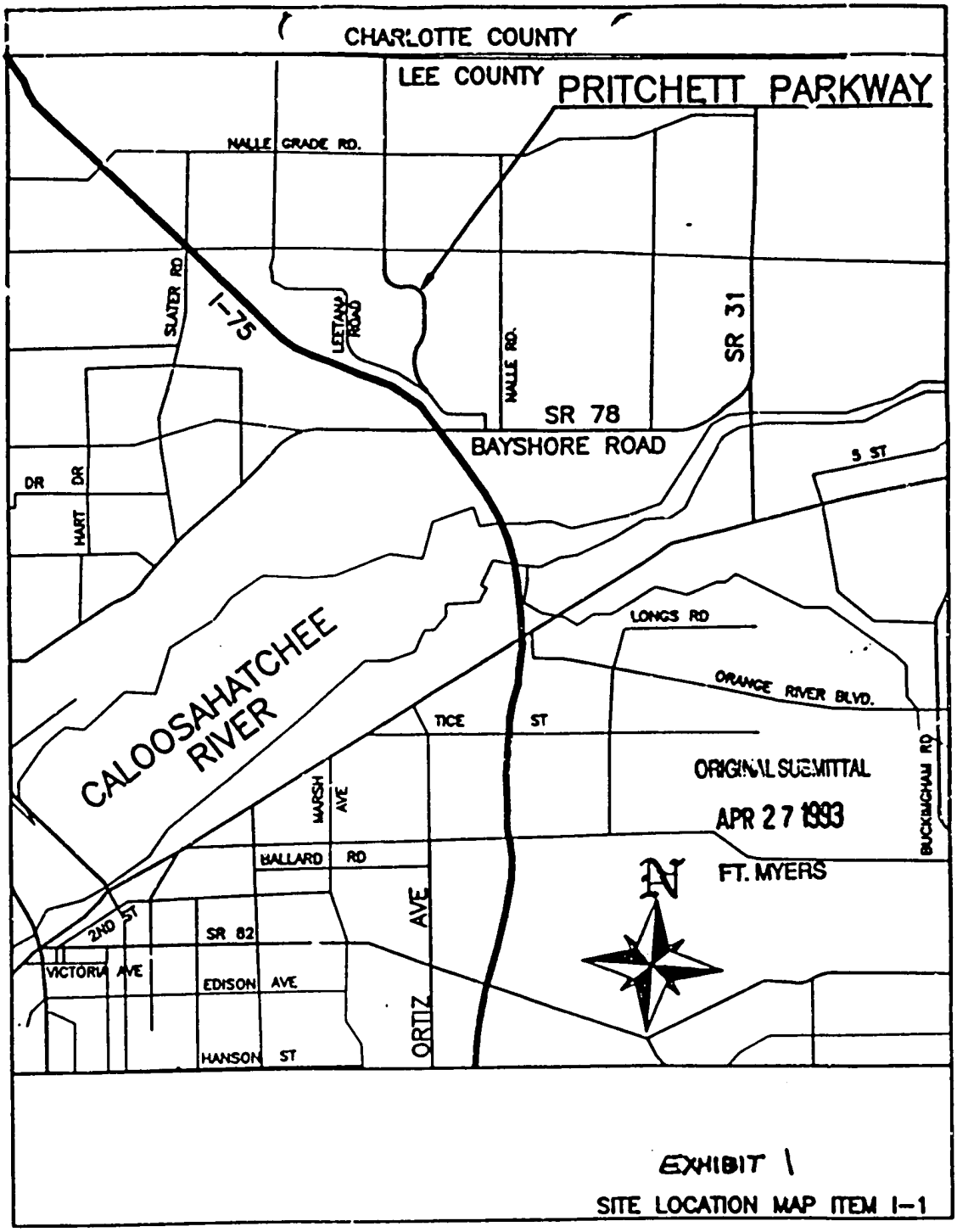
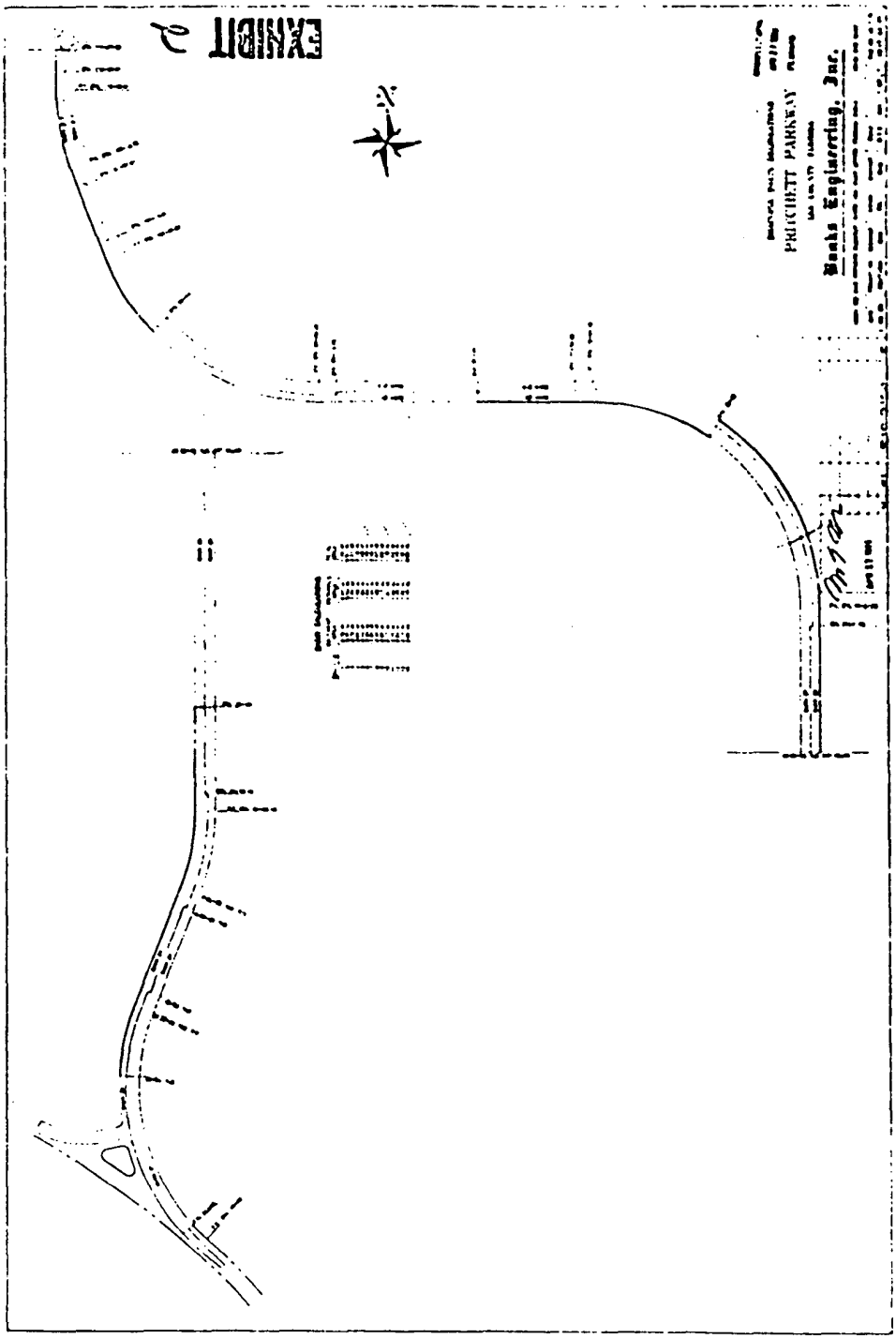


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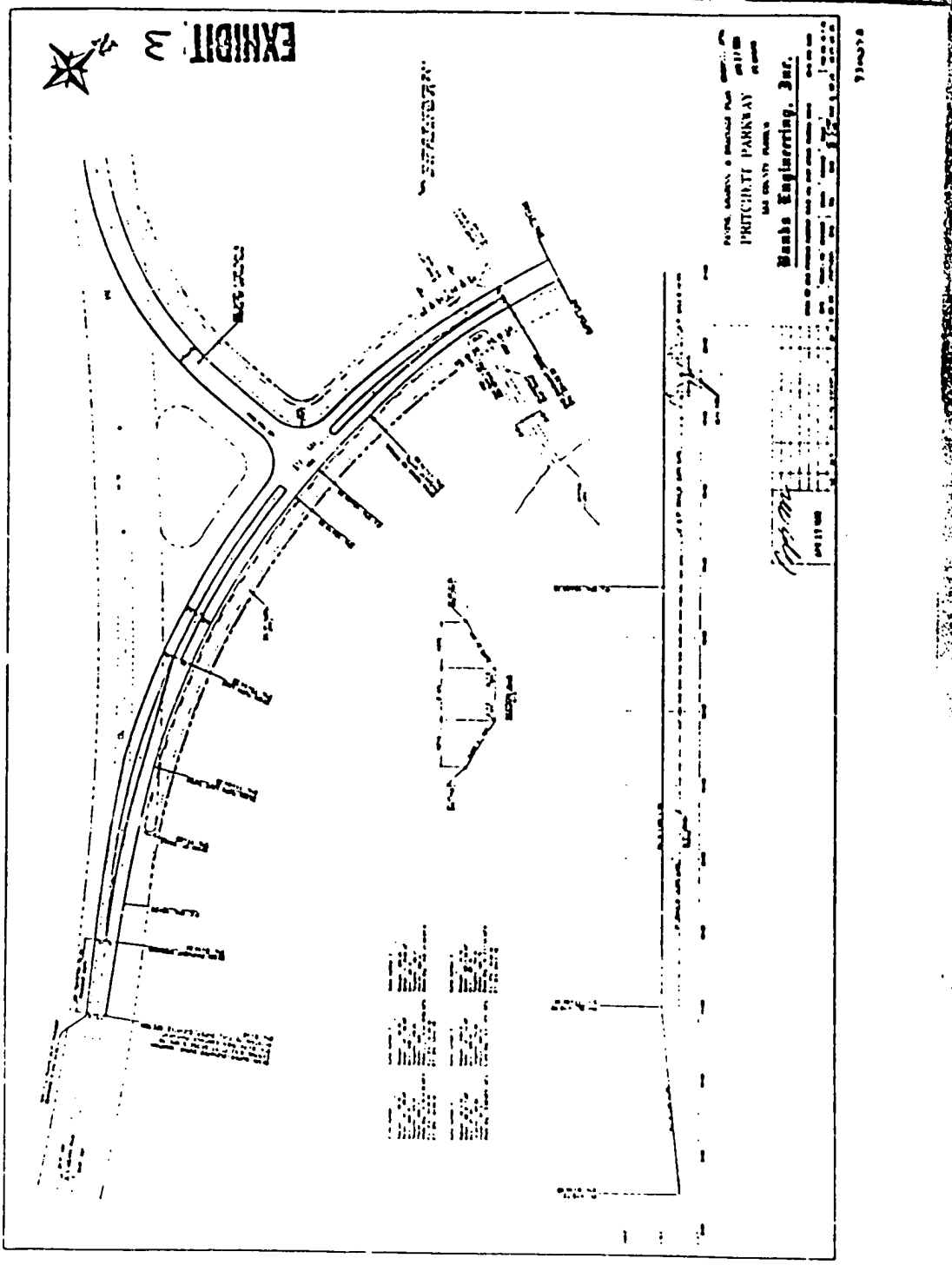
SITE LOCATION MAP ITEM 1-1

930427-8

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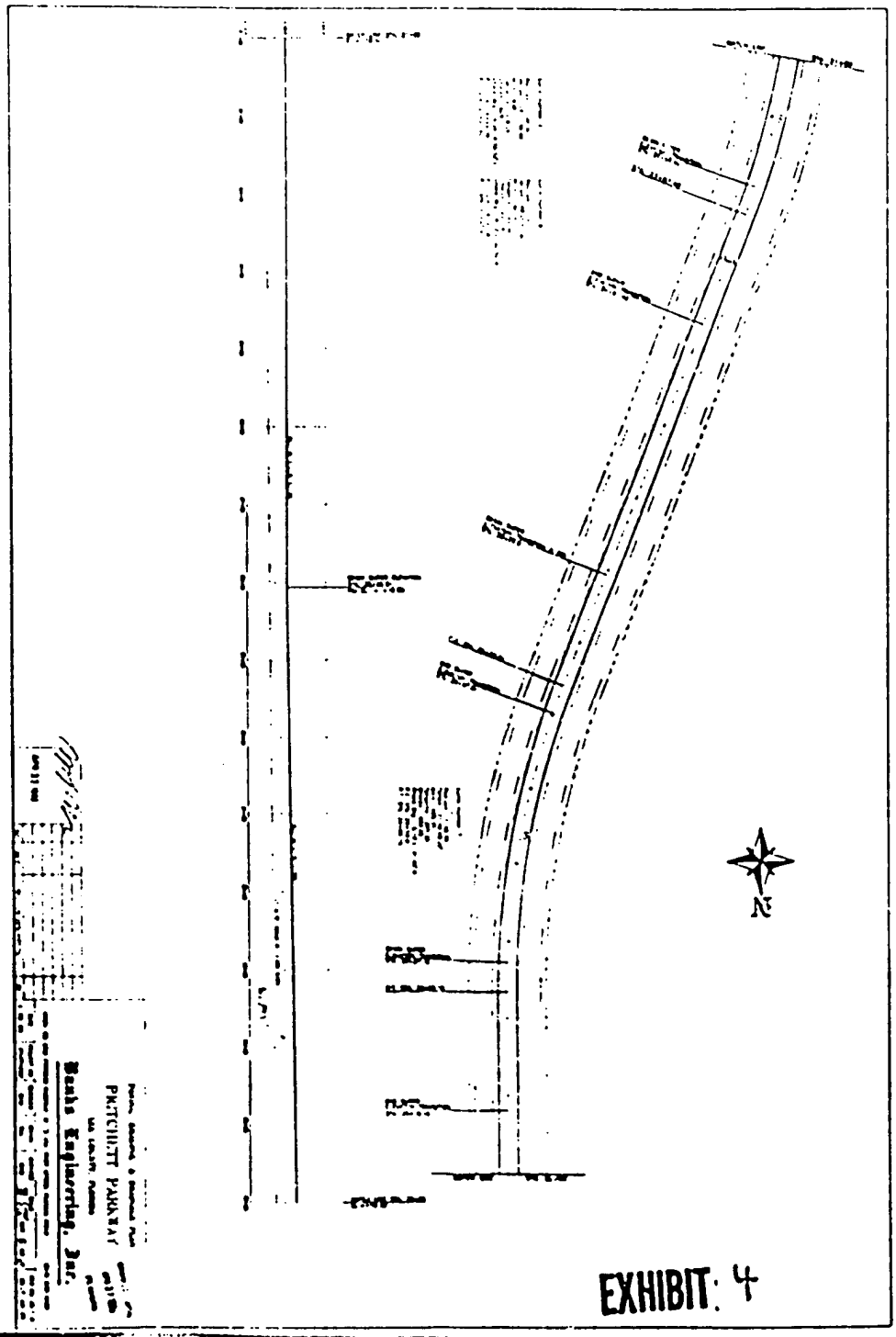
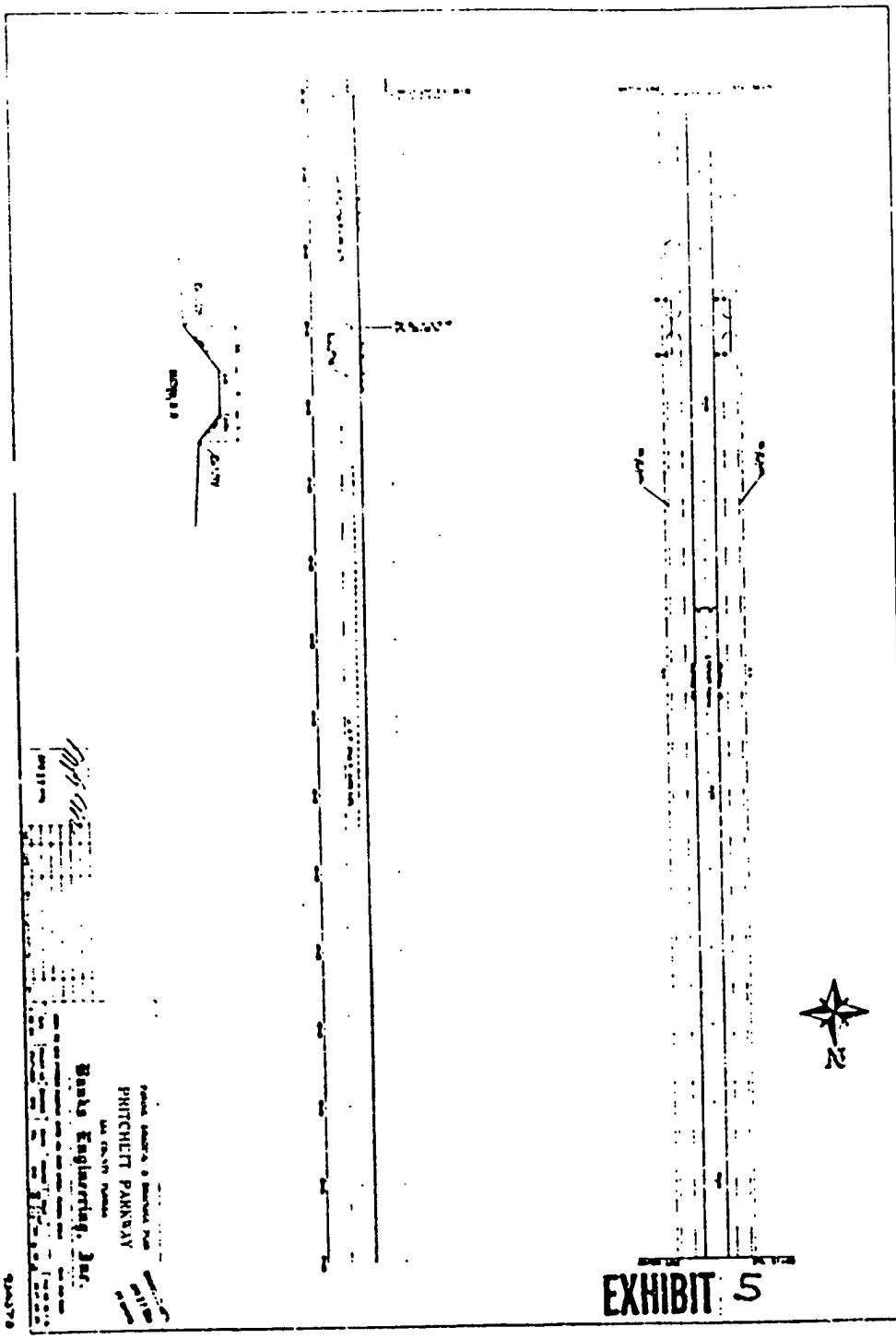


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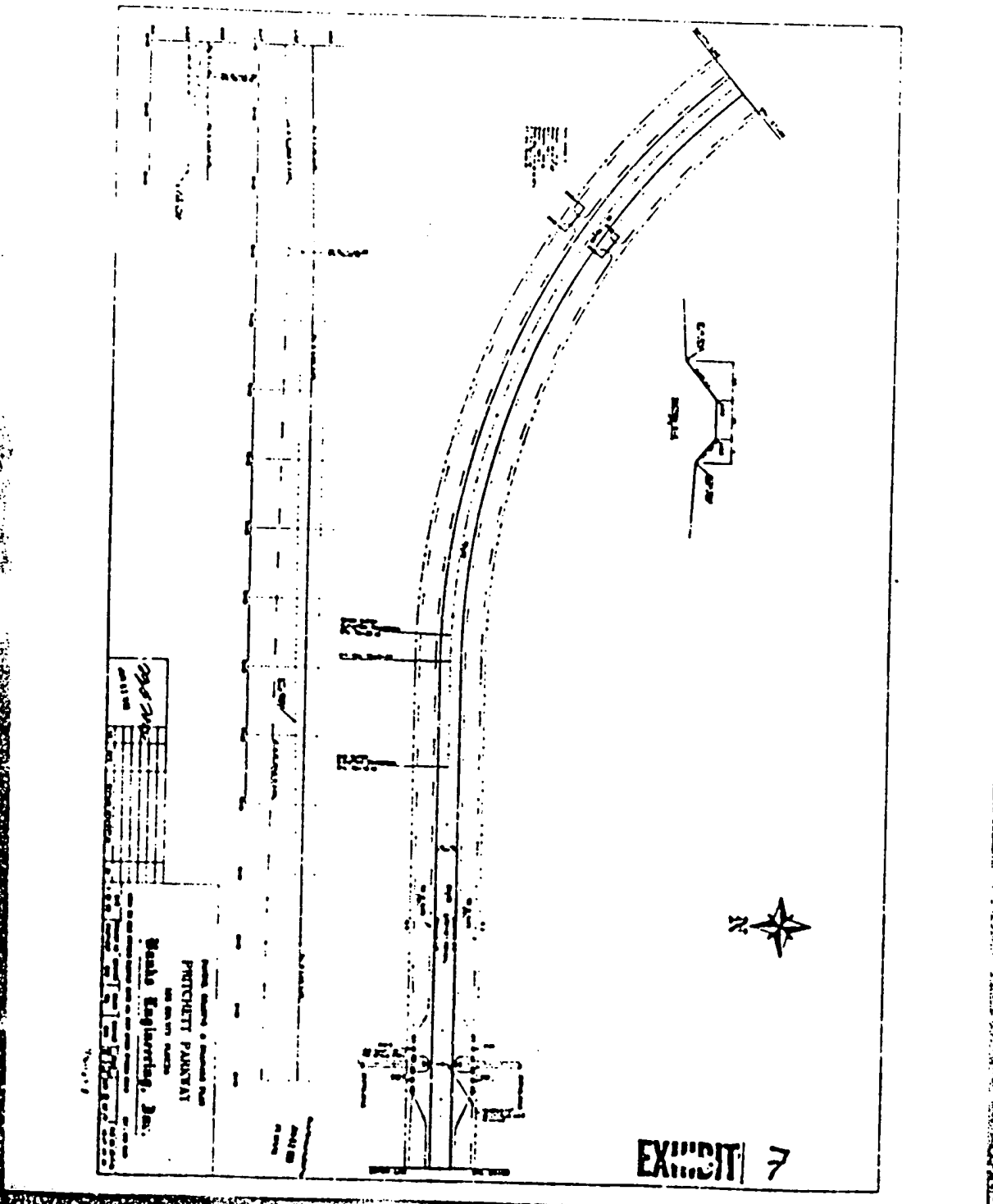
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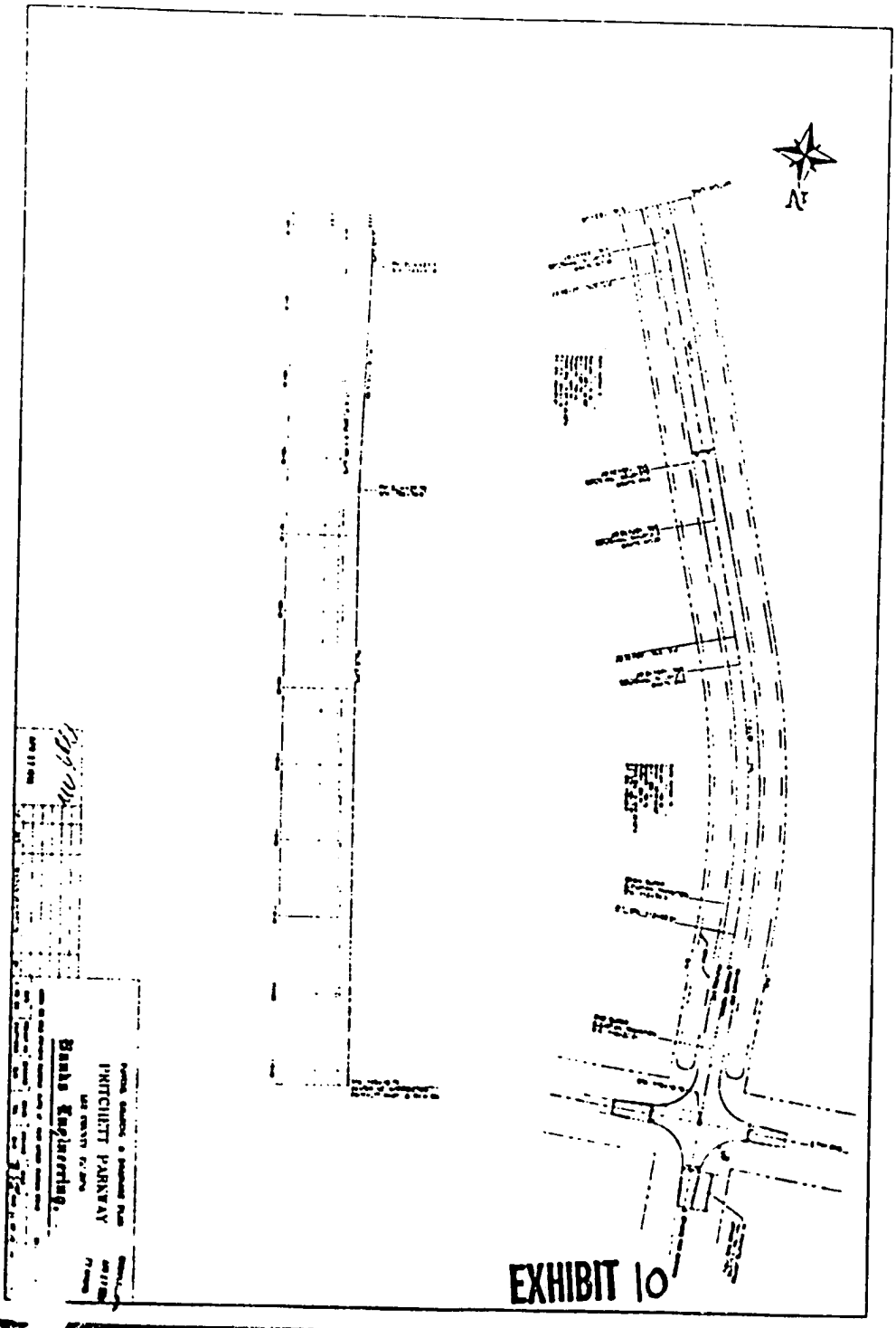
EXHIBIT 8

DCI 2011-00038.1

EXHIBIT 9

PRITCHETT PARKWAY

Banks Engineering, Inc.



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DCT 2001-00038

EXHIBIT 1

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APPLICATION NUMBER: 930427-8
PERMIT MODIFICATION NUMBER: 36-02162-S

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X Lee -Development & Review
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STAFF REPORT ROUTE SHEET

APPLICATION NO. 930427-8

PROJECT NAME: PRITCHETT PARKWAY

SCHEDULED FOR 12-AUG-93 GOVERNING BOARD

	Name		Date
REVIEWER	Philip J. Kochan, E.I.	to Supv. Prof.	6 25-93
SUPV. PROF.	Kenneth S. Todd, Jr., P.E.	to Area Mgr.	7/1/93
AREA MGR.	Benjamin C. Pratt, P.E., P.L.S.	to Reg. Tech, SWM	6/28
REG TECH., SWM	Laurie Donovan	to Reviewer, NRM	
REVIEWER, NRM	Marco Espinar	to Supv. Prof., NRM	6/29
SUPV. PROF., NRM	Karen M. Johnson	to Div. Dir., NRM	7/02
DIV. DIR., NRM	Terrie Bates	to Reg. Tech., SWM	7/7/93
REG. TECH., SWM	Laurie Donovan	to Div. Dir., SWM	7/12/93
Div. DIR., SWM	Richard A. Rogers, P.E.	to Reg. Tech, SWM	7/15
REG. TECH., SWM	Laurie Donovan	to Admin.	7/15/93

1 USER DEFINED SPECIAL CONDITIONS: SEE ATTACHED PAGE(S)

RESOURCE CODES

WETLAND PROTECTED OUTSIDE CONSTRUCTION
WETLAND PROTECTION

TRAFFIC IMPACT STATEMENT

FOR

HERITAGE CREEK

A US HOME COMMUNITY

ON PRITCHETT PARKWAY TO THE NORTH OF BAYSHORE ROAD

PROJECT NO. 010412

PREPARED BY:
Metro Transportation Group, Inc.
12651 McGregor Boulevard, Suite 4-403
Fort Myers, Florida 33919
941-278-3090

Revised July 30, 2001

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II. EXISTING CONDITIONS

III. PROPOSED DEVELOPMENT

IV. TRIP GENERATION

V. TRIP DISTRIBUTION

VI. ANALYSIS

VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS

VIII. CONCLUSION

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I. INTRODUCTION

Metro Transportation Group, Inc. (Metro) has conducted a traffic impact statement to fulfill requirements set forth by the Lee County Department of Community Development for projects seeking approval for zoning. This report has been completed in compliance with guidelines established in the Lee County Traffic Impact Statement Guidelines. The development site is located on Pritchett Parkway, to the north of its intersection with Bayshore Road (State Route 78), in Lee County, Florida. The site location is illustrated on **Figure 1.**

The Developer is proposing to develop a residential community on the approximately 745-acre site. Access to the development will be provided via several access drives along Pritchett Parkway. The site access will be further defined at the Development Order stage.

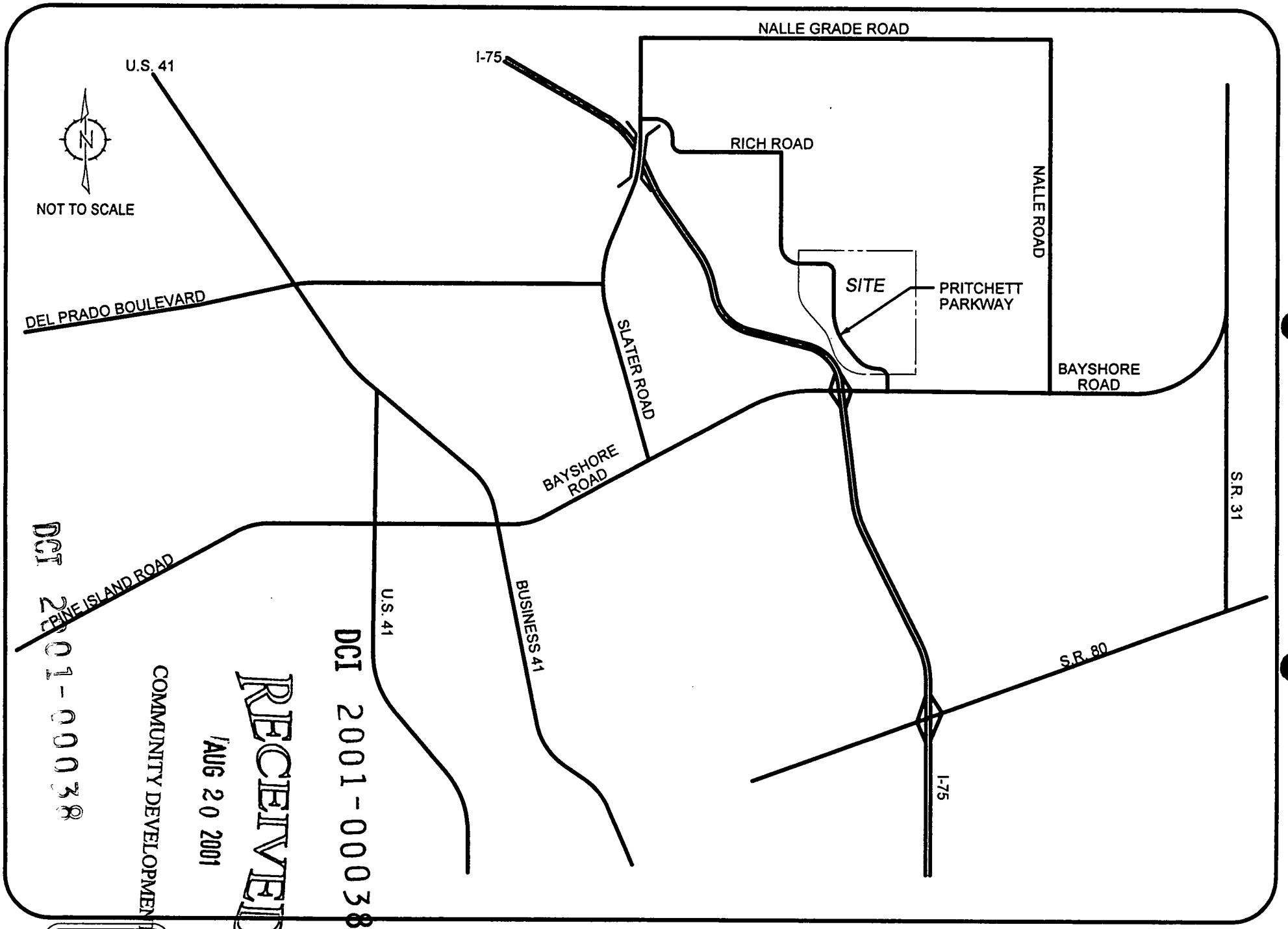
This report examines the impact of the development on the surrounding roadways and intersections. Trip generation and assignments to the various surrounding intersections will be completed and analysis conducted to determine the impacts of the development on the surrounding streets and intersections.

II. EXISTING CONDITIONS

The subject site is currently vacant. The site is bordered on the north by vacant land. To the northwest is Hunter's Glen, another residential development, to the south the site is bordered by more vacant land and to the east by single family homes as well as vacant land.

Pritchett Parkway is a north/south two-lane collector roadway that extends north from Bayshore Road to Rich Road in the vicinity of the subject site. At its intersection with Bayshore Road, Pritchett Parkway has a single lane approach under STOP sign control. At the intersection with Rich Road to the north, Pritchett Parkway has a single lane

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SITE LOCATION

FIGURE: 1

approach under STOP sign control as well. Pritchett Parkway has a posted speed limit of 45 mph and is under the jurisdiction of the Lee County Department of Transportation.

Bayshore Road (State Route 78) is a two-lane arterial roadway that widens to a four-lane divided roadway in the vicinity of the I-75 interchange. At the unsignalized intersection of Pritchett Parkway, Bayshore Road has an eastbound left turn lane and two through lanes in each direction. To the east of its intersection with Pritchett Parkway, Bayshore Road narrows to a two-lane roadway. Bayshore Road, between Slater Road and I-75, is programmed to be widened to a four-lane divided roadway by the time the Heritage Creek development is completed. Construction is scheduled to begin in the year 2004. This roadway improvement was taken into account in this analysis. Bayshore Road has a posted speed limit of 50 mph and is under the jurisdiction of the Florida Department of Transportation.

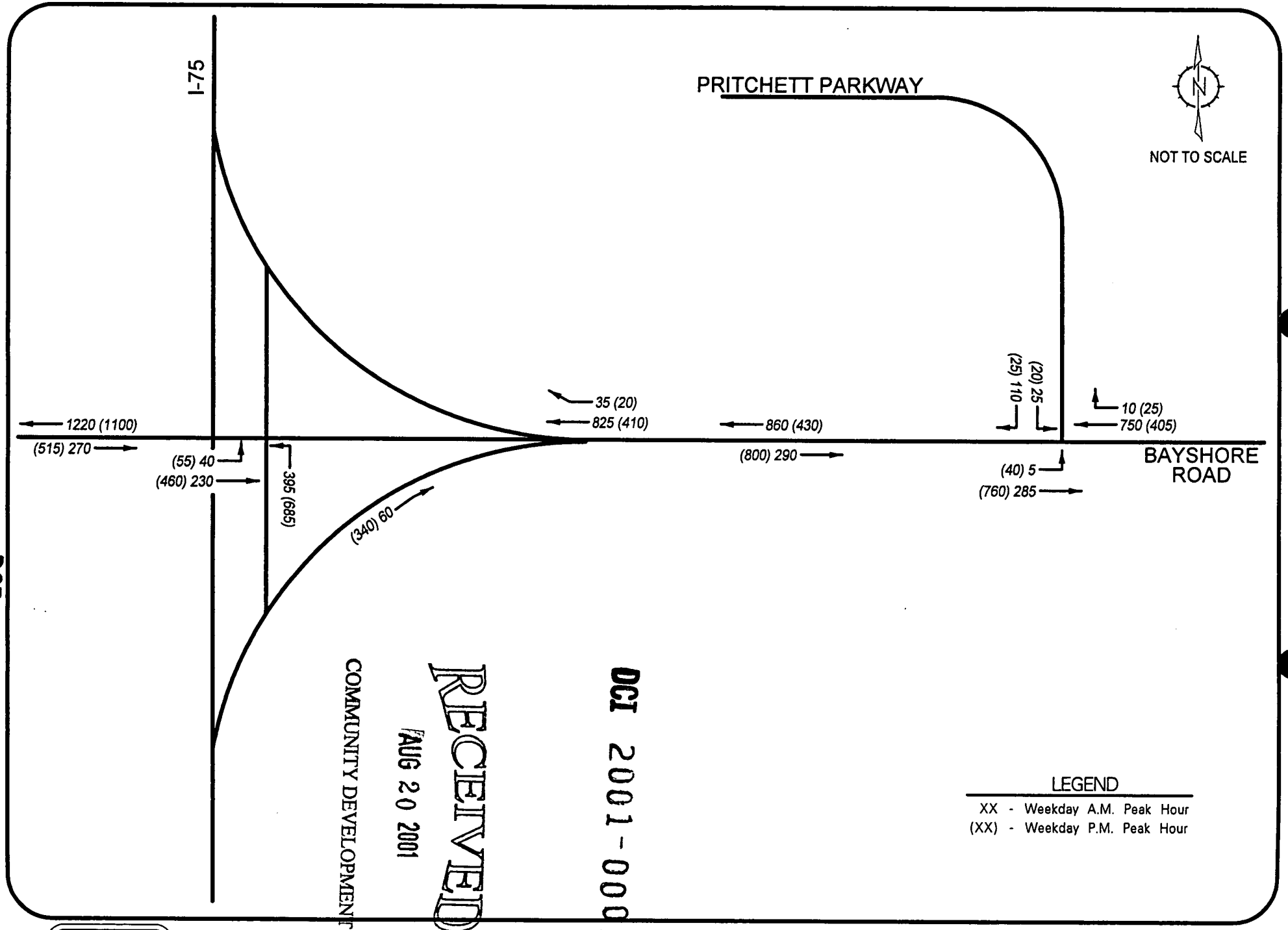
In order to gain a better understanding of the existing traffic conditions in the vicinity of the site, Metro conducted weekday A.M. and P.M. peak hour traffic counts at the intersections of Pritchett Parkway @ Bayshore Road and Bayshore Road @ I-75 East Ramp. **Figure 2** indicates the weekday A.M. and P.M. peak hour turning movement volumes for these intersections.

III. PROPOSED DEVELOPMENT

Heritage Creek is an approximately 745-acre proposed residential community within Lee County. The proposed development intensity was taken from the Master Concept plan prepared by Florida Land Planning. The Master Concept Plan indicates that some multi-family units could also be provided on the property, but the total unit count would not exceed 1,472 units. Since the single-family homes generate more vehicle trips than the multi-family homes, all of the units were assumed to be single-family homes for this analysis. In addition, the golf course use has been eliminated from the project.

Table 1 summarizes the land uses utilized for trip generation purposes for the subject development.

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2001 PEAK HOUR TURNING MOVEMENTS

FIGURE: 2

Table 1
Heritage Creek
Land Uses

Land Use	Size
Single Family	1472 Dwelling Units

IV. TRIP GENERATION

The trip generation for the proposed development was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled ***Trip Generation***, 6th Edition. For the residential use, Land Use Code 210 (Single-Family Detached Housing) was utilized for trip generation purposes. The equations for this land use are contained in the Appendix of this report for reference. **Table 2** outlines the anticipated weekday A.M. and P.M. peak hour trip generation of Heritage Creek as currently proposed. The daily trip generation is also indicated in the table.

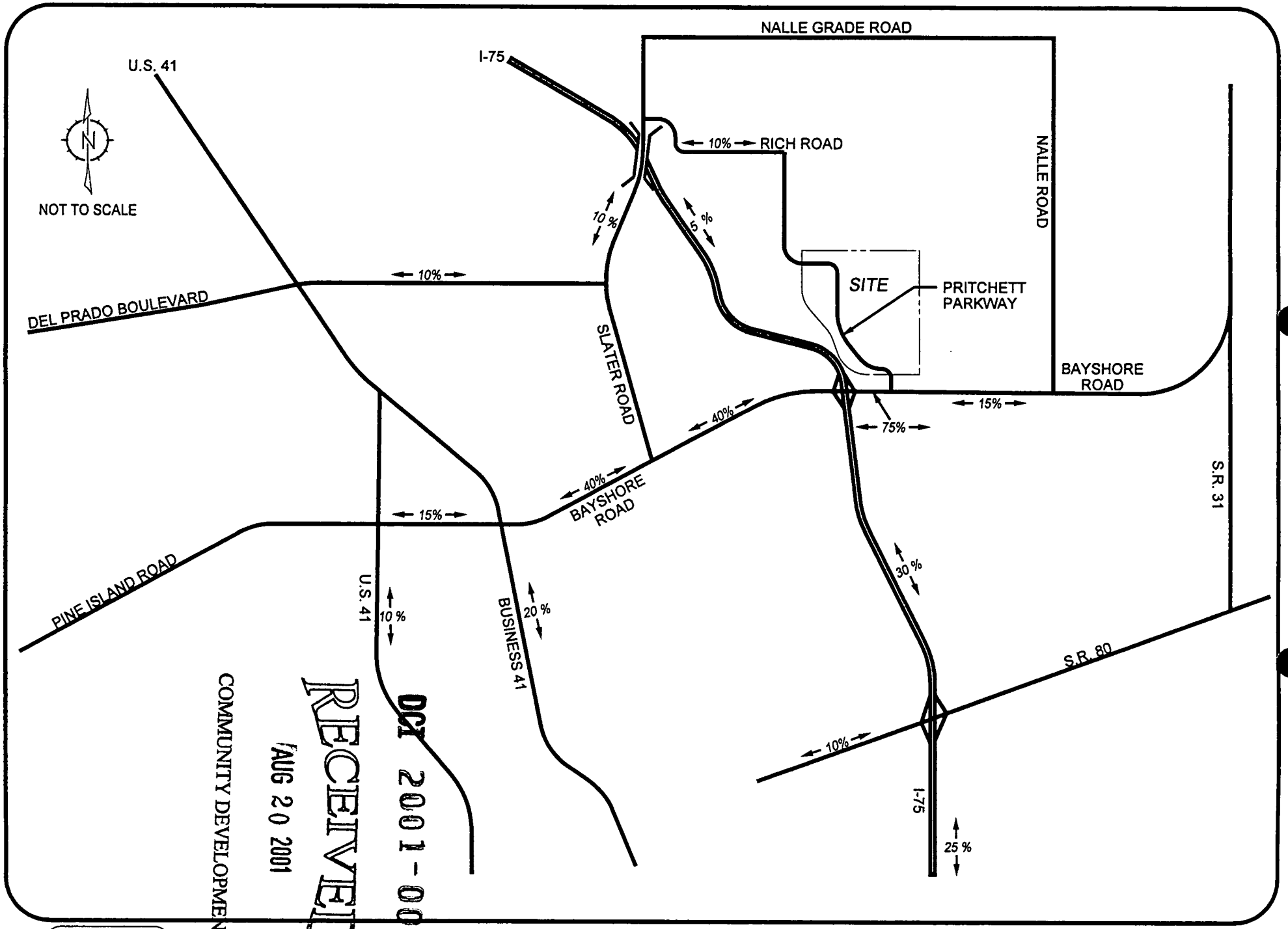
Table 2
Trip Generation
Heritage Creek

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily
	In	Out	Total	In	Out	Total	2-way
Single Family (1472 units)	260	780	1,040	775	435	1,210	12,305

V. TRIP DISTRIBUTION

The trips shown in Table 2 were then assigned to the surrounding roadway system based on the anticipated routes the drivers will utilize to approach the site. Based on current and projected population in the area and other existing or planned competing/complementary uses in the area, a distribution of the site traffic was formulated. The anticipated trip distribution of the development traffic is shown on **Figure 3**. In order to determine which roadway segments surrounding the site will be significantly impacted as outlined in the Lee County Traffic Impact Statement Guidelines, **Table 1A**, contained in the Appendix, was created. This table indicates which roadway links will accommodate greater than 10% of the Peak Hour – Peak

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TRIP DISTRIBUTION

FIGURE: 3

Direction Level of Service "C" volumes, as defined by the Lee County Generalized Peak Hour Directional Service Volume Tables. A copy of the Generalized Service Volume Tables is located in the Appendix of this report for reference.

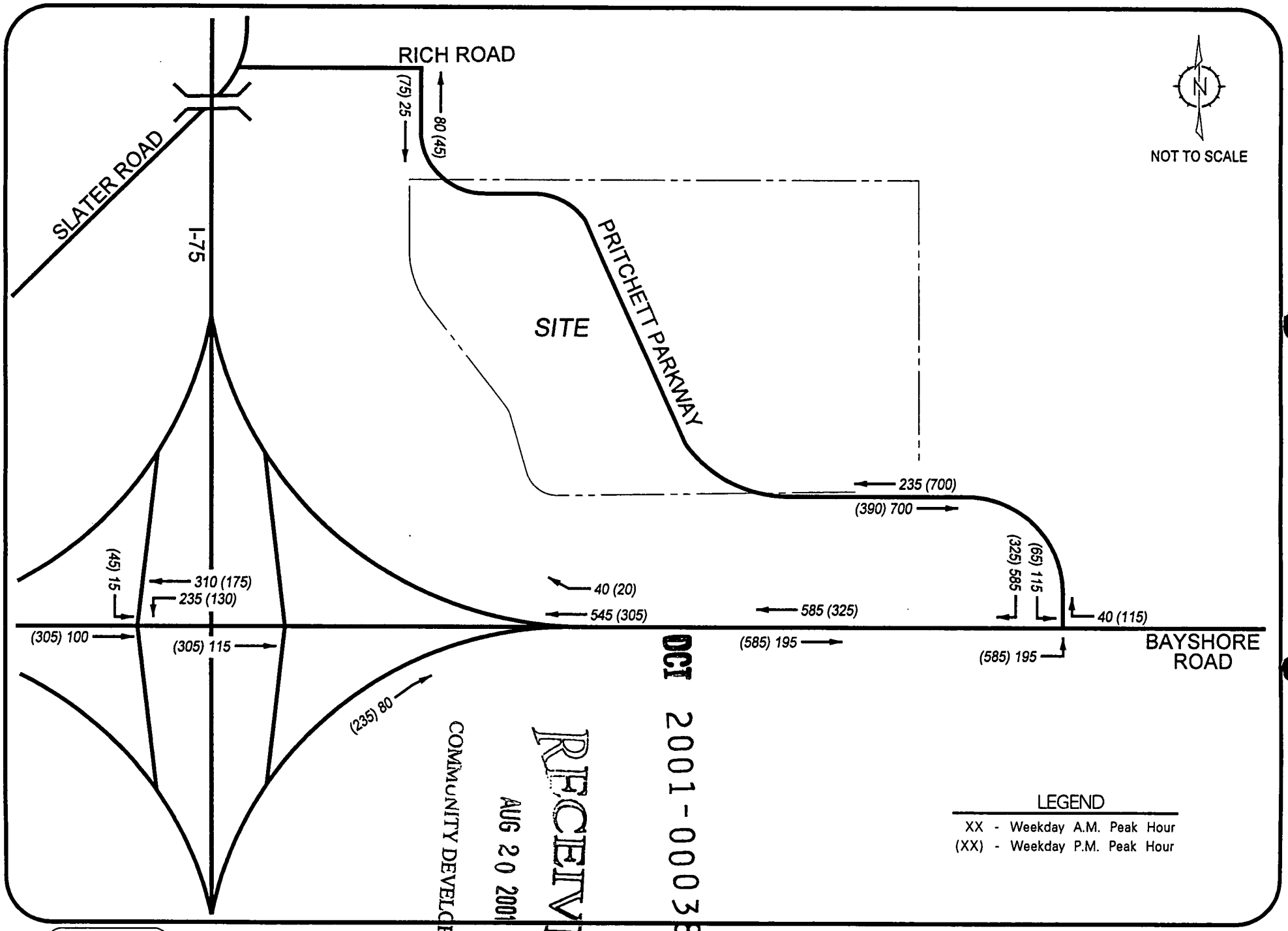
VI. FUTURE TRAFFIC CONDITIONS

It was assumed that the project would be completed by the year 2008. Based on this projected build-out, a growth rate was applied to the existing traffic conditions for all roadway links and intersections that could be significantly impacted by this development. The existing roadway link traffic data was obtained from the 2000 Lee County Traffic Count Report. Based on the project distribution shown in Figure 3, the link data was analyzed for the existing conditions, year 2008 without the development and year 2008 with the development. **Figure 4** indicates the site traffic assignment to the intersections of Bayshore Road @ I-75 East Ramp and Bayshore Road @ Pritchett Parkway.

Figure 5 indicates the year 2001 peak hour – peak direction traffic volumes and Levels of Service for the various roadway links within the study area. The 2001 traffic volumes were calculated based on the historic growth rate as determined by the 2000 Lee County Traffic Count report. **Table 2A** in the Appendix of the report indicates the methodology utilized to obtain the year 2001 base year traffic volumes as well as the growth rate utilized for each roadway segment. Also noted in Figure 5 is the Level of Service for each link for the year 2001, as defined by the Lee County Generalized Peak Hour Directional Service Volume Tables.

Figure 6 indicates the year 2008 peak hour – peak direction traffic volumes and Level of Service for the various roadway links within the study area. Noted on Figure 6 is the peak hour – peak direction volume and Level of Service of each link should no development occur on the subject site and the peak hour – peak direction volume and Level of Service for the weekday A.M. and P.M. peak hours with the development traffic added to the roadways. These figures are also derived from **Table 2A** contained in the Appendix. Since the proposed build-out of the development is beyond 2003, the Lee

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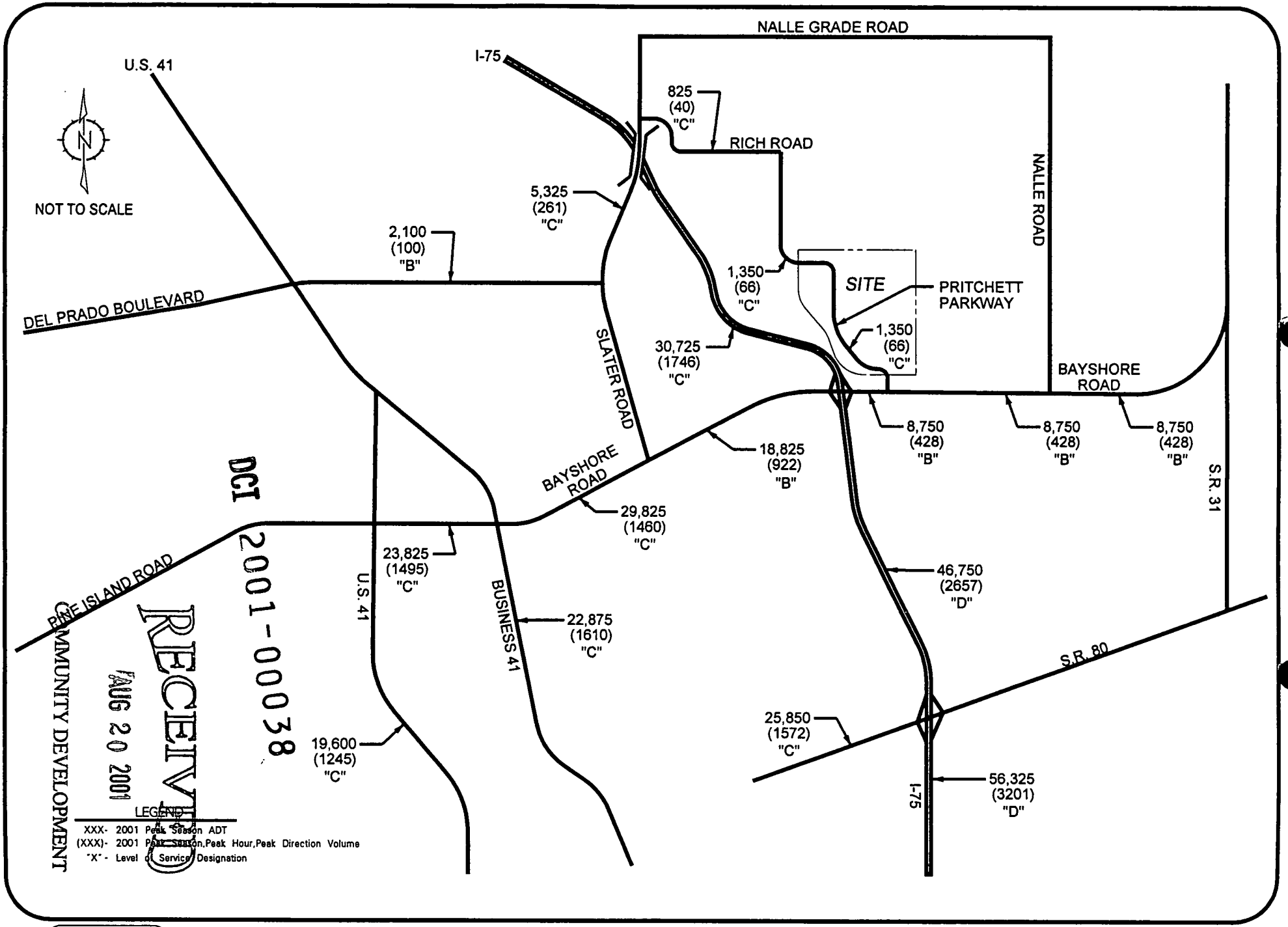


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2008 PROJECT GENERATED TRAFFIC

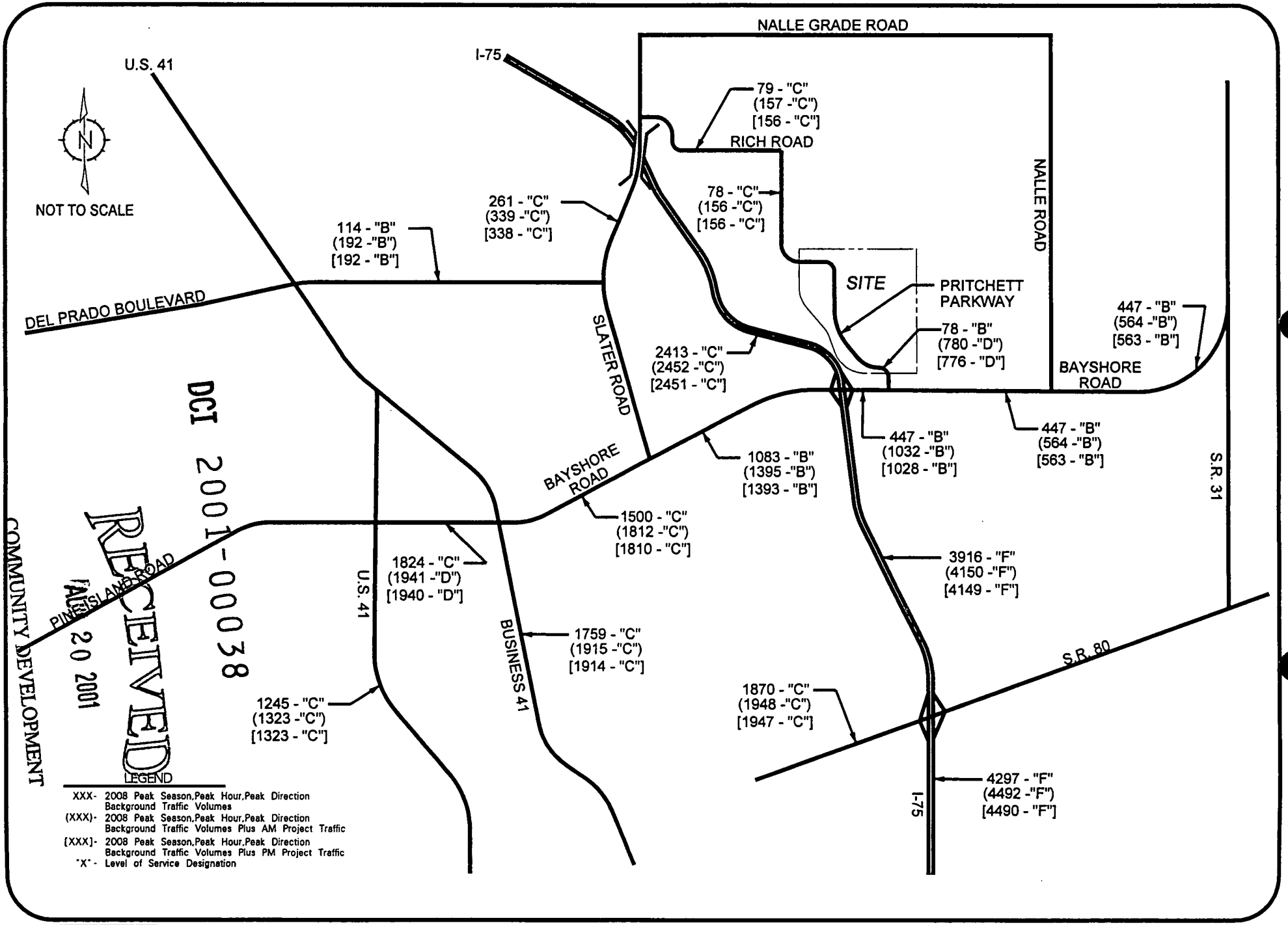
FIGURE: 4



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2001 TRAFFIC CONDITIONS

FIGURE: 5



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2008 TRAFFIC CONDITIONS

FIGURE: 6

County Generalized Service Volumes were utilized and are included in the Appendix for Reference.

VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS

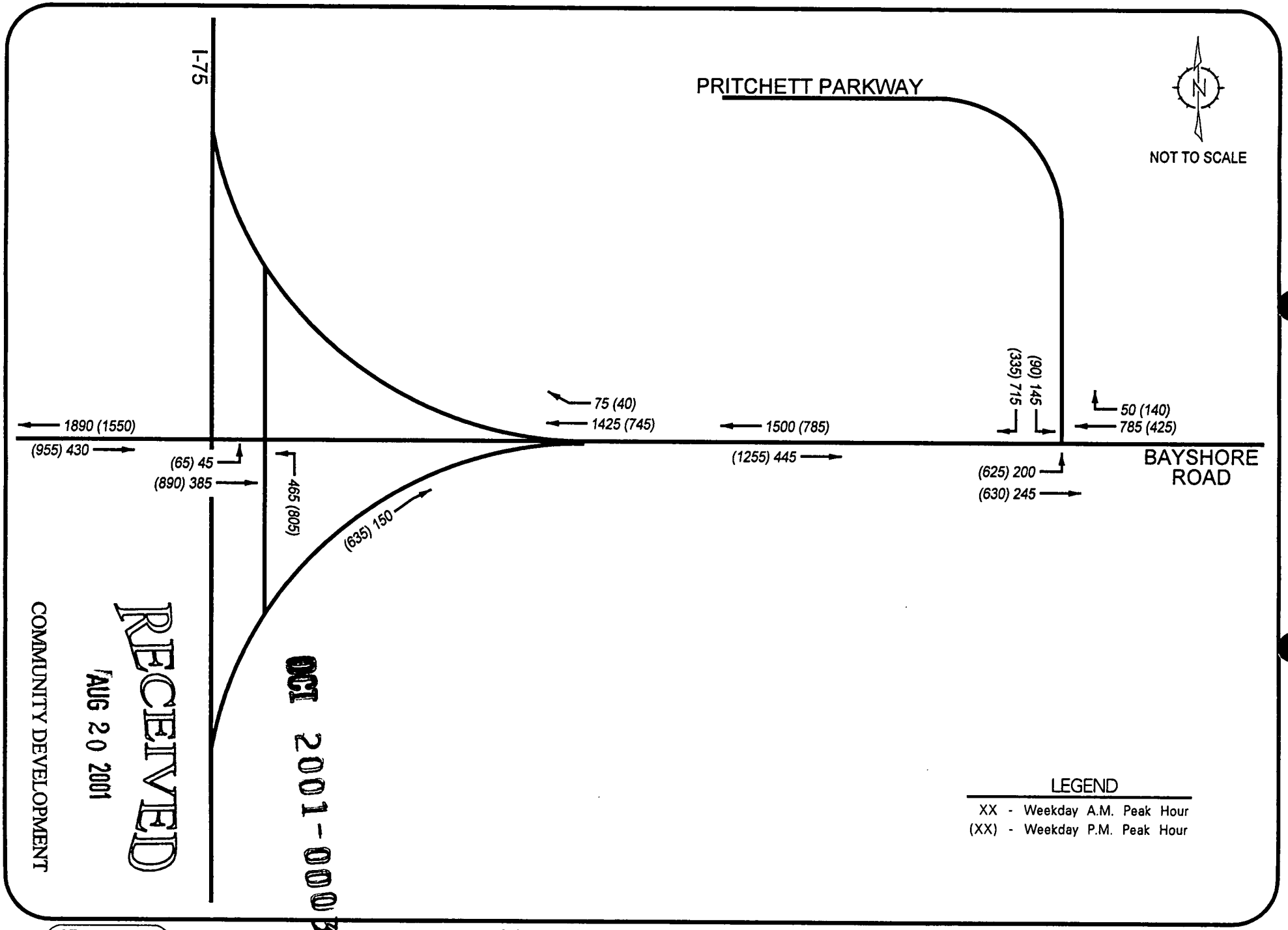
Figure 7 indicates the site traffic assignment combined with the existing traffic volumes, increased by the growth factors shown in Table 2A. This graphic depicts the estimated traffic conditions near the site for build-out conditions, or the year 2008, based on each roadway's historical growth rate trends and the trip generation of the proposed development. The analysis and improvements were evaluated on these traffic conditions.

As can be seen from Figure 6, many of the roadway links analyzed as part of this report will be significantly impacted as a result of the proposed residential development because the project traffic added to the links is more than 10% of the Level of Service "C" volume for that particular roadway link. However, none of the roadway links analyzed as a part of this report will be adversely impacted as a result of Heritage Creek because none of the roadways analyzed as a part of this report will operate at a lower level of service due to the development traffic. All roadways except for I-75, between Bayshore Road and Luckett Road, will at least maintain the adopted Level of Service for a roadway in Lee County. This particular link of I-75 will not be significantly impacted by the Heritage Creek development based on the 10% LOS "C" criteria.

The majority of roadway segments analyzed as a part of this report, once the development is completed, will maintain the Level of Service as projected without the development. The only exceptions are Pritchett Parkway north of Bayshore Road and Pine Island Road to the west of Business 41. These roadway links are shown to operate at a lower Level of Service once the project traffic has been added to the roadways. Regardless, these roadway links will continue to maintain an acceptable level of service according to the parameters established by the County.

Intersection analysis was performed at the intersections of Bayshore Road and Pritchett Parkway as well as Bayshore Road at the I-75 East Ramp. **Table 3** illustrates the results

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METRO

2008 TRAFFIC CONDITIONS
(BACKGROUND + PROJECT)

FIGURE: 7

of the capacity analysis. Included in Table 3 is the approach level of service for the aforementioned intersections, as well as the level of service for the entire intersection.

Table 3
Heritage Creek
Intersection Analysis Results

Intersection	Approach	A.M. Peak Hour			P.M. Peak Hour		
		2001 (Exist.)	2008 (Background)	2008 (w/ Devel.)	2001 (Exist.)	2008 (Background)	2008 (w/ Devel)
I-75 (East Ramp) @ Bayshore	Overall Intersection	C	C	C	C	C	C
Pritchett @ Bayshore (Unsignalized)	Eastbound Left	A	A	B	A	B	B
	Southbound Left + Right	B	B	F	B	C	F

According to the capacity analysis results, minor improvements to the intersection of Pritchett Parkway @ Bayshore Road may be necessary, but these intersections will be further analyzed at the Development Order stage. The Developer is currently seeking an additional access to Bayshore Road in order to alleviate some of the level of service issues. Turn lanes will be warranted at the site access drives and possibly at some nearby intersections, but turn lane improvements will be further defined at the Development Order stage.

X. CONCLUSION

The development of approximately 745 acres of property to the north of Bayshore Road on Pritchett Parkway in Lee County, Florida will not have a detrimental impact on the surrounding roadway system. The existing roadway network as well as improvements to the network programmed by Lee County within the next three years can accommodate the additional new vehicle trips the development is anticipated to generate. Site specific turn lane improvements will be warranted based on the Lee County Turn Lane Policy and will be further defined in the Development Order process. Turn lanes will be required at

DCI 2004-00038

some of the site access drives and possibly some surrounding intersections, but turn lane improvements will be further defined at the Development Order stage.

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DCI 2001-00038

APPENDIX

DCI 2001-00038

TABLE 1A & TABLE 2A

DCI 2001-00038

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

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 1040 VPH IN= 260 OUT= 780

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 1210 VPH IN= 775 OUT= 435

ROADWAY	SEGMENT	ROADWAY CLASS	LOS A VOLUME	LOS B VOLUME	LOS C VOLUME	LOS D VOLUME	LOS E VOLUME	PERCENT PROJECT TRAFFIC	PROJECT TRAFFIC	PROJ/ LOS C
Bayshore Road	E. of Business 41	4LD	0	1410	1920	2030	2030	40.00%	312	16.3%
	E. of Slater Rd	4LD	0	1410	1920	2030	2030	40.00%	312	16.3%
	E. of I-75	4LD	0	1410	1920	2030	2030	75.00%	585	30.5%
	E. of Pritchett Pkwy	2LN	0	650	900	960	960	15.00%	117	13.0%
	E. of Nalle Rd	2LN	0	650	900	960	960	15.00%	117	13.0%
Business U.S. 41	S. of Bayshore Rd	6LD	0	0	2270	2840	3000	20.00%	156	6.9%
Del Prado Blvd	W. of Slater Rd	2LN	0	650	900	960	960	10.00%	78	8.7%
I-75	S. of Palm Beach Blvd	4LF	1090	1710	2570	3270	3900	25.0%	195	7.6%
	N. of Palm Beach Blvd	4LF	1090	1710	2570	3270	3900	30.0%	234	9.1%
	N. of Bayshore Road	4LF	1090	1710	2570	3270	3900	5.0%	39	1.5%
Pine Island Road	W. of Business 41	4LD	0	1410	1920	2030	2030	15.00%	117	6.1%
Pritchette Pkwy	N. of Bayshore Rd	2LN	0	0	500	800	870	90.00%	702	140.4%
	S. of Rich Rd	2LN	0	0	500	800	870	10.00%	78	15.6%
Rich Road	E. of Slater Road	2LN	0	0	500	800	870	10.00%	78	15.6%
Slater Road	N. of Del Prado Blvd	2LN	0	0	500	800	870	10.00%	78	15.6%
State Road 80	W. of I-75	6LD	0	0	2270	2840	3000	10.00%	78	3.4%
U.S. 41	S. of Pine Island Rd	4LD	0	0	1460	1890	2000	10.00%	78	5.3%

DCI 2001-0038

TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS

7% Truck Adjustment = 0.934

P. C. S.	K	D	P. C. S.	K	D	P. C. S.	K	D
PCS NO. 1	0.092	0.69	PCS NO. 24	0.095	0.50	I-75	0.099	0.574
PCS NO. 4	0.096	0.51	PCS NO. 34	0.098	0.64			
PCS NO. 5	0.095	0.64	PCS NO. 41	0.105	0.67			

TOTAL PROJECT TRAFFIC AM =	1040	VPH	IN =	260	OUT=	780
TOTAL PROJECT TRAFFIC PM =	1210	VPH	IN=	775	OUT=	435

ROADWAY	SEGMENT	PCS	BASE YR ADT	2000 ADT	YRS OF GROWTH	ANNUAL RATE	2001 PK HR PK SEASON PEAK DIR.	2008 PK HR PK SEASON PEAK DIR.	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2008 BCKGRND + AM PROJ TRAFFIC	2008 BCKGRND + PM PROJ TRAFFIC
Bayshore Road	E. of Business 41	4	30700	31800	9	0.39%	1460	1500	40.00%	312	310	1812	1810
	E. of Slater Rd	4	15300	18400	8	2.33%	922	1083	40.00%	312	310	1395	1393
	E. of I-75	4	8800	9300	9	0.62%	428	447	75.00%	585	581	1032	1028
	E. of Pritchett Pkwy	4	8800	9300	9	0.62%	428	447	15.00%	117	116	564	563
	E. of Nalle Rd	4	8800	9300	9	0.62%	428	447	15.00%	117	116	564	563
Business U.S. 41	S. of Bayshore Rd	41	21600	24200	9	1.27%	1610	1759	20.00%	156	155	1915	1914
Del Prado Blvd	E. of U.S. 41	24	No Data	2200	0	2.00% [1]	100	114	10.00%	78	78	192	192
I-75	S. of Palm Beach Blvd	I-75	47000	58000	5	4.30%	3201	4297	25.00%	195	194	4492	4490
	N. of Palm Beach Blvd	I-75	36000	47500	5	5.70%	2657	3916	30.00%	234	233	4150	4149
	N. of Bayshore Road	I-75	25000	31500	5	4.73%	1746	2413	5.00%	39	39	2452	2451
Pine Island Road	W. of Business 41	34	19200	24800	9	2.88%	1495	1824	15.00%	117	116	1941	1940
Pritchette Pkwy	N. of Bayshore Rd	4	1300	1400	3	2.50%	66	78	90.00%	702	698	780	776
	S. of Rich Rd	4	1300	1400	3	2.50%	66	78	10.00%	78	78	156	156
Rich Road	E. of Slater Road	4	600	800	3	10.06%	40	79	10.00%	78	78	157	156
Slater Road	N. of Del Prado Blvd	4	5900	5700	9	0.00%	261	261	10.00%	78	78	339	338
State Road 80	W. of I-75	5	21600	27000	9	2.51%	1572	1870	10.00%	78	78	1948	1947
U.S. 41	S. of Pine Island Rd	1	24100	21000	9	0.00%	1245	1245	10.00%	78	78	1323	1323

[1] The growth rate for Del Prado Blvd, E. of U.S. 41, was assumed to be 2.0% based on the surrounding roadway traffic growth rates

TRAFFIC COUNTS

DR1 2001 00038

PRITCHETTE PARKWAY @

BAYSHORE ROAD

DCI 2001-00038

PROJECT:
DATE: 4/12/01
DAY: WEDNESDAY
WEATHER: SUNNY
COUNT TIME: 7:00 AM - 9:00 AM

15 MINUTE SUMMARY OF ALL VEHICLE MOVEMENTS

PRITCHETT PARKWAY & BAYSHORE ROAD

15 MIN BEGIN	PRITCHETT PARKWAY								BAYSHORE ROAD								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
7:00 AM	0	0	0	0	4	0	23	27	1	55	0	56	0	169	2	171	254
7:15 AM	0	0	0	0	5	0	28	33	1	67	0	68	0	190	3	193	294
7:30 AM	0	0	0	0	9	0	35	44	3	73	0	76	0	221	1	222	342
7:45 AM	0	0	0	0	8	0	26	34	1	89	0	90	0	168	4	172	296
8:00 AM	0	0	0	0	2	0	13	15	3	79	0	82	0	114	4	118	215
8:15 AM	0	0	0	0	5	0	14	19	2	72	0	74	0	141	5	146	239
8:30 AM	0	0	0	0	1	0	21	22	2	61	0	63	0	134	3	137	222
8:45 AM	0	0	0	0	4	0	9	13	1	69	0	70	0	100	2	102	185
TOTAL:	0	0	0	0	38	0	169	207	14	565	0	579	0	1237	24	1261	2047

HOURLY SUMMARY OF ALL VEHICLE MOVEMENTS

PRITCHETT PARKWAY & BAYSHORE ROAD

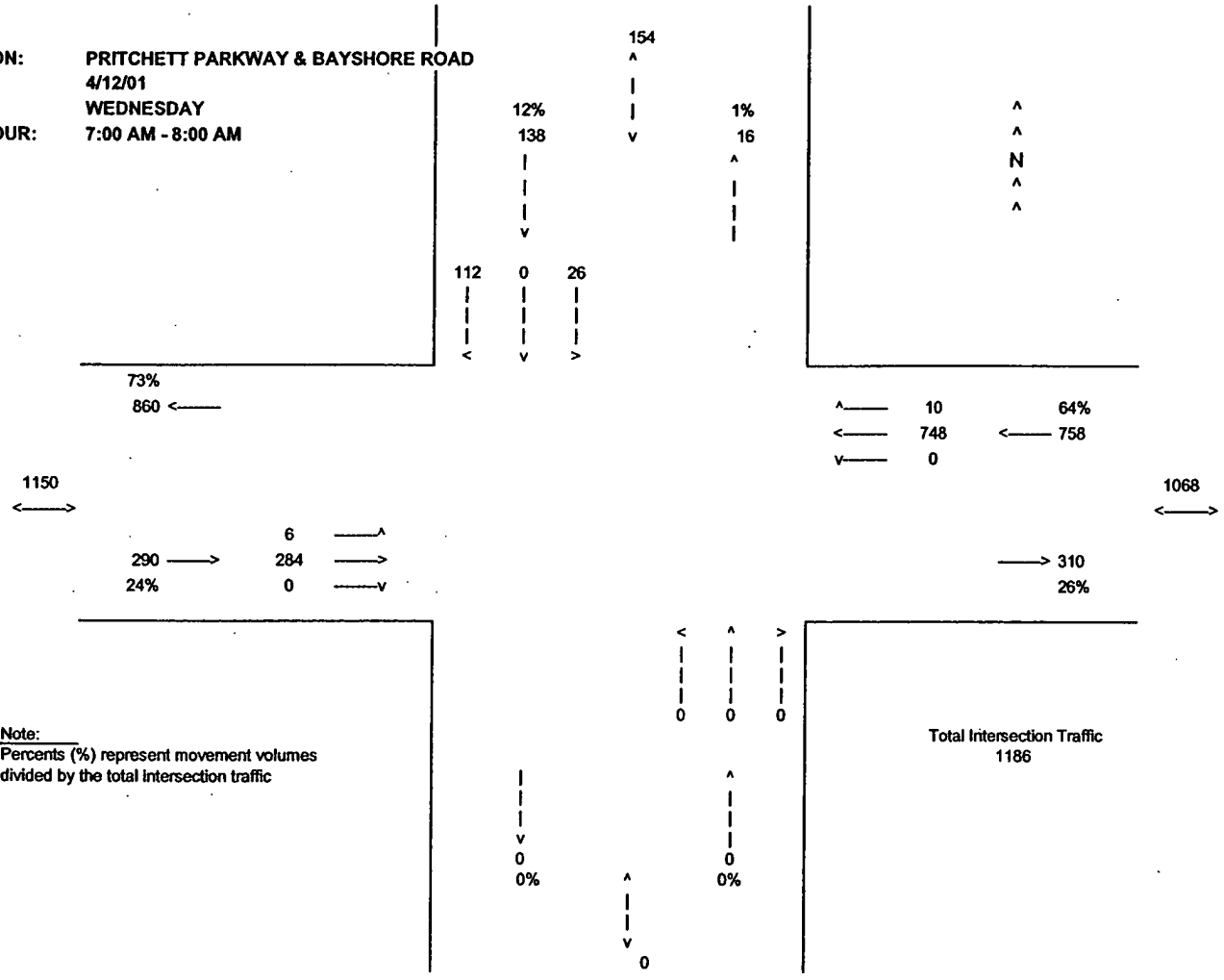
HOUR BEGIN	PRITCHETT PARKWAY								BAYSHORE ROAD								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
7:00 AM	0	0	0	0	26	0	112	138	6	284	0	290	0	748	10	758	1186
7:15 AM	0	0	0	0	24	0	102	126	8	308	0	316	0	693	12	705	1147
7:30 AM	0	0	0	0	24	0	88	112	9	313	0	322	0	644	14	658	1092
7:45 AM	0	0	0	0	16	0	74	90	8	301	0	309	0	557	16	573	972
8:00 AM	0	0	0	0	12	0	57	69	8	281	0	289	0	489	14	503	861

PEAK HOUR SUMMARY

HOUR BEGIN	PRITCHETT PARKWAY								BAYSHORE ROAD								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
7:00 AM	0	0	0	0	26	0	112	138	6	284	0	290	0	748	10	758	1186
																PHF =	0.87

DCI 2001 00038

LOCATION: PRITCHETT PARKWAY & BAYSHORE ROAD
DATE: 4/12/01
DAY: WEDNESDAY
PEAK HOUR: 7:00 AM - 8:00 AM



Note:
Percents (%) represent movement volumes divided by the total intersection traffic

Total Intersection Traffic
1186

DCI 2001 00038.

PROJECT:
DATE: 4/12/01
DAY: WEDNESDAY
WEATHER: SUNNY
COUNT TIME: 4:00 PM - 6:00 PM

15 MINUTE SUMMARY OF ALL VEHICLE MOVEMENTS

PRITCHETT PARKWAY & BAYSHORE ROAD

15 MIN BEGIN	PRITCHETT PARKWAY								BAYSHORE ROAD								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
4:00 PM	0	0	0	0	4	0	6	10	8	158	0	166	0	103	8	111	287
4:15 PM	0	0	0	0	3	0	14	17	4	152	0	156	0	91	3	94	267
4:30 PM	0	0	0	0	7	0	11	18	13	152	0	165	0	73	2	75	258
4:45 PM	0	0	0	0	4	0	5	9	14	158	0	172	0	86	10	96	277
5:00 PM	0	0	0	0	4	0	4	8	5	189	0	194	0	114	11	125	327
5:15 PM	0	0	0	0	4	0	9	13	7	211	0	218	0	99	3	102	333
5:30 PM	0	0	0	0	7	0	9	16	13	201	0	214	0	106	2	108	338
5:45 PM	0	0	0	0	3	0	9	12	19	160	0	179	0	92	3	95	286
TOTAL:	0	0	0	0	36	0	67	103	83	1381	0	1464	0	764	42	806	2373

HOURLY SUMMARY OF ALL VEHICLE MOVEMENTS

PRITCHETT PARKWAY & BAYSHORE ROAD

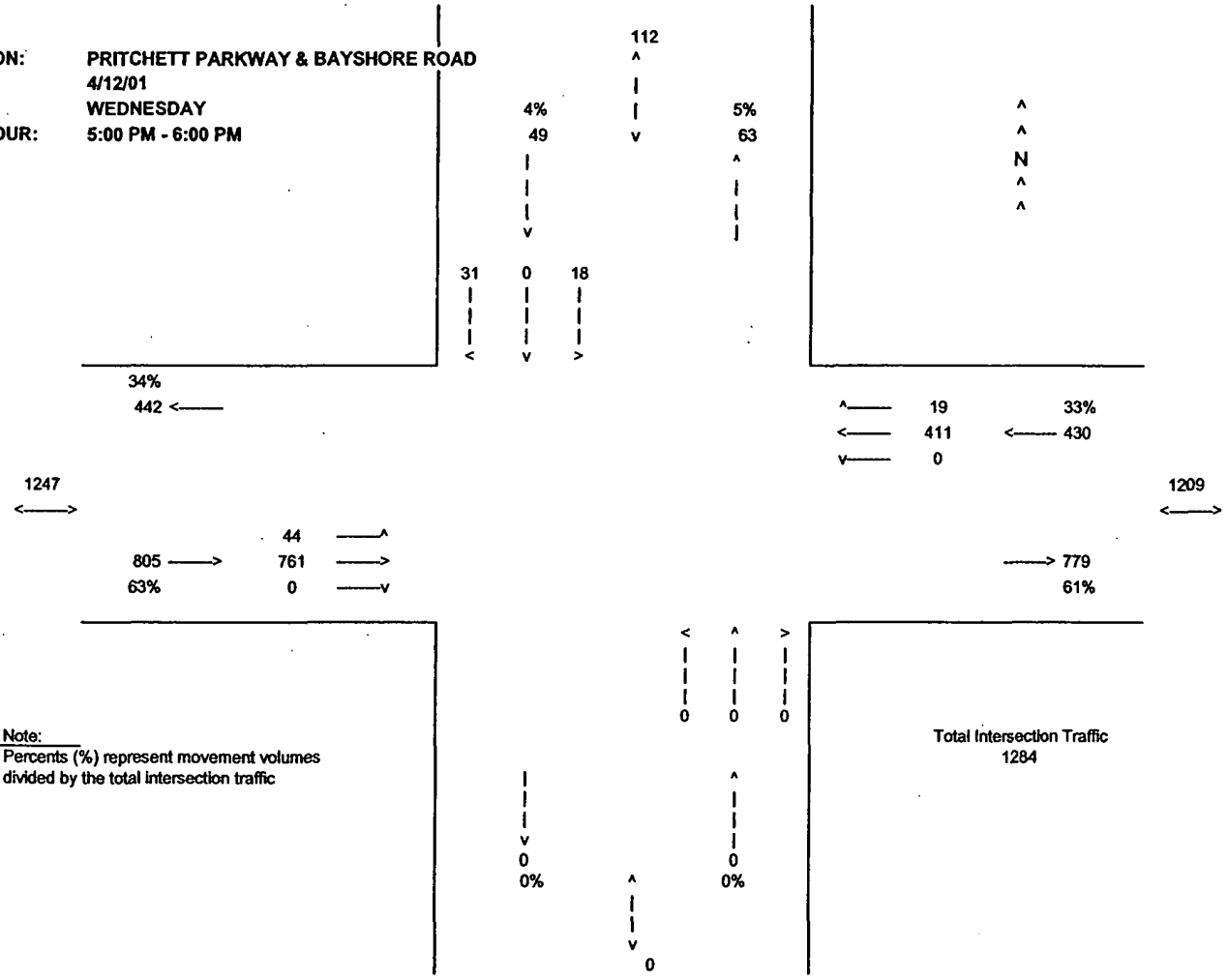
HOUR BEGIN	PRITCHETT PARKWAY								BAYSHORE ROAD								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
4:00 PM	0	0	0	0	18	0	36	54	39	620	0	659	0	353	23	376	1089
4:15 PM	0	0	0	0	18	0	34	52	36	651	0	687	0	364	26	390	1129
4:30 PM	0	0	0	0	19	0	29	48	39	710	0	749	0	372	26	398	1195
4:45 PM	0	0	0	0	19	0	27	46	39	759	0	798	0	405	26	431	1275
5:00 PM	0	0	0	0	18	0	31	49	44	761	0	805	0	411	19	430	1284

PEAK HOUR SUMMARY

HOUR BEGIN	PRITCHETT PARKWAY								BAYSHORE ROAD								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
5:00 PM	0	0	0	0	18	0	31	49	44	761	0	805	0	411	19	430	1284
																PHF =	0.95

DCI 2001-00038

LOCATION: PRITCHETT PARKWAY & BAYSHORE ROAD
DATE: 4/12/01
DAY: WEDNESDAY
PEAK HOUR: 5:00 PM - 6:00 PM



Note:
Percents (%) represent movement volumes divided by the total intersection traffic

Total Intersection Traffic
1284

DCI 2001-00038

BAYSHORE ROAD @ I-75 NB

DCI 2001-00038

PROJECT:
DATE: 4/12/01
DAY: WEDNESDAY
WEATHER: SUNNY
COUNT TIME: 7:00 AM - 9:00 AM

15 MINUTE SUMMARY OF ALL VEHICLE MOVEMENTS

I-75 NORTHBOUND RAMPS & BAYSHORE ROAD

15 MIN BEGIN	I-75 NORTHBOUND RAMPS								BAYSHORE ROAD								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
7:00 AM	86	0	13	99	0	0	0	0	10	40	0	50	0	183	9	192	341
7:15 AM	92	0	8	100	0	0	0	0	13	54	0	67	0	200	6	206	373
7:30 AM	101	0	18	119	0	0	0	0	9	59	0	68	0	245	10	255	442
7:45 AM	114	0	23	137	0	0	0	0	8	68	0	76	0	170	10	180	393
8:00 AM	86	0	17	103	0	0	0	0	11	62	0	73	0	120	4	124	300
8:15 AM	73	0	24	97	0	0	0	0	13	49	0	62	0	136	10	146	305
8:30 AM	67	0	22	89	0	0	0	0	13	42	0	55	0	140	10	150	294
8:45 AM	82	0	28	110	0	0	0	0	16	46	0	62	0	109	2	111	283
TOTAL:	701	0	153	854	0	0	0	0	93	420	0	513	0	1303	61	1364	2731

HOURLY SUMMARY OF ALL VEHICLE MOVEMENTS

I-75 NORTHBOUND RAMPS & BAYSHORE ROAD

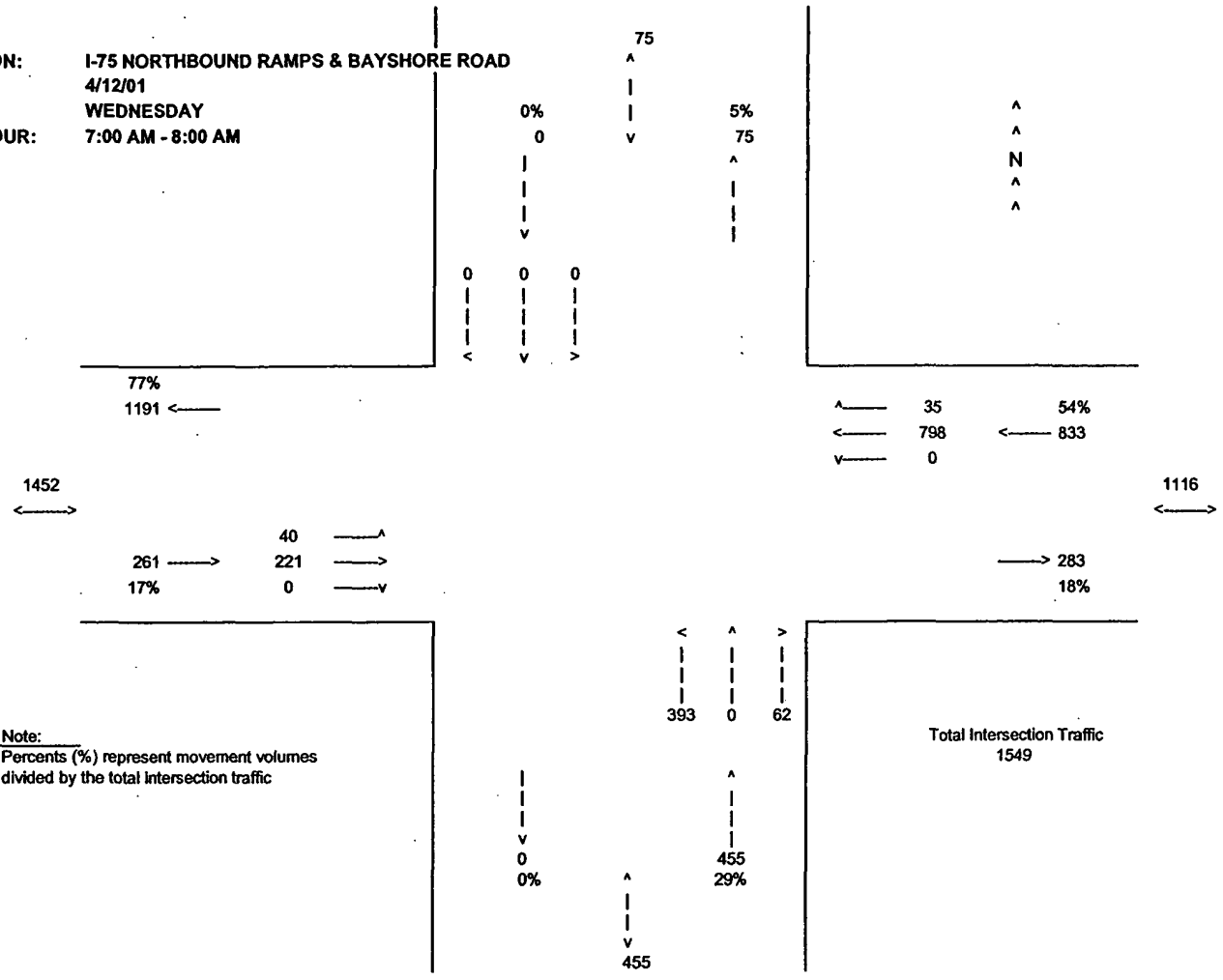
HOUR BEGIN	I-75 NORTHBOUND RAMPS								BAYSHORE ROAD								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
7:00 AM	393	0	62	455	0	0	0	0	40	221	0	261	0	798	35	833	1549
7:15 AM	393	0	66	459	0	0	0	0	41	243	0	284	0	735	30	765	1508
7:30 AM	374	0	82	456	0	0	0	0	41	238	0	279	0	671	34	705	1440
7:45 AM	340	0	86	426	0	0	0	0	45	221	0	266	0	566	34	600	1292
8:00 AM	308	0	91	399	0	0	0	0	53	199	0	252	0	505	26	531	1182

PEAK HOUR SUMMARY

HOUR BEGIN	I-75 NORTHBOUND RAMPS								BAYSHORE ROAD								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
7:00 AM	393	0	62	455	0	0	0	0	40	221	0	261	0	798	35	833	1549
																PHF =	0.88

DN1 2001 00038

LOCATION: I-75 NORTHBOUND RAMPS & BAYSHORE ROAD
DATE: 4/12/01
DAY: WEDNESDAY
PEAK HOUR: 7:00 AM - 8:00 AM



Note:
Percents (%) represent movement volumes divided by the total intersection traffic

Total Intersection Traffic
1549

DC1 2001 00038

PROJECT:
DATE: 4/12/01
DAY: WEDNESDAY
WEATHER: SUNNY
COUNT TIME: 4:00 PM - 6:00 PM

15 MINUTE SUMMARY OF ALL VEHICLE MOVEMENTS

I-75 NORTHBOUND RAMPS & BAYSHORE ROAD

15 MIN BEGIN	I-75 NORTHBOUND RAMPS								BAYSHORE ROAD								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
4:00 PM	133	0	74	207	0	0	0	0	14	0	0	14	0	0	5	5	226
4:15 PM	156	0	80	236	0	0	0	0	19	0	0	19	0	0	7	7	262
4:30 PM	161	0	71	232	0	0	0	0	17	0	0	17	0	0	8	8	257
4:45 PM	150	0	87	237	0	0	0	0	14	0	0	14	0	0	3	3	254
5:00 PM	182	0	85	267	0	0	0	0	15	0	0	15	0	0	5	5	287
5:15 PM	180	0	121	301	0	0	0	0	11	0	0	11	0	0	8	8	320
5:30 PM	175	0	106	281	0	0	0	0	16	0	0	16	0	0	4	4	301
5:45 PM	145	0	84	229	0	0	0	0	12	0	0	12	0	0	8	8	249
TOTAL:	1282	0	708	1990	0	0	0	0	118	0	0	118	0	0	48	48	2156

HOURLY SUMMARY OF ALL VEHICLE MOVEMENTS

I-75 NORTHBOUND RAMPS & BAYSHORE ROAD

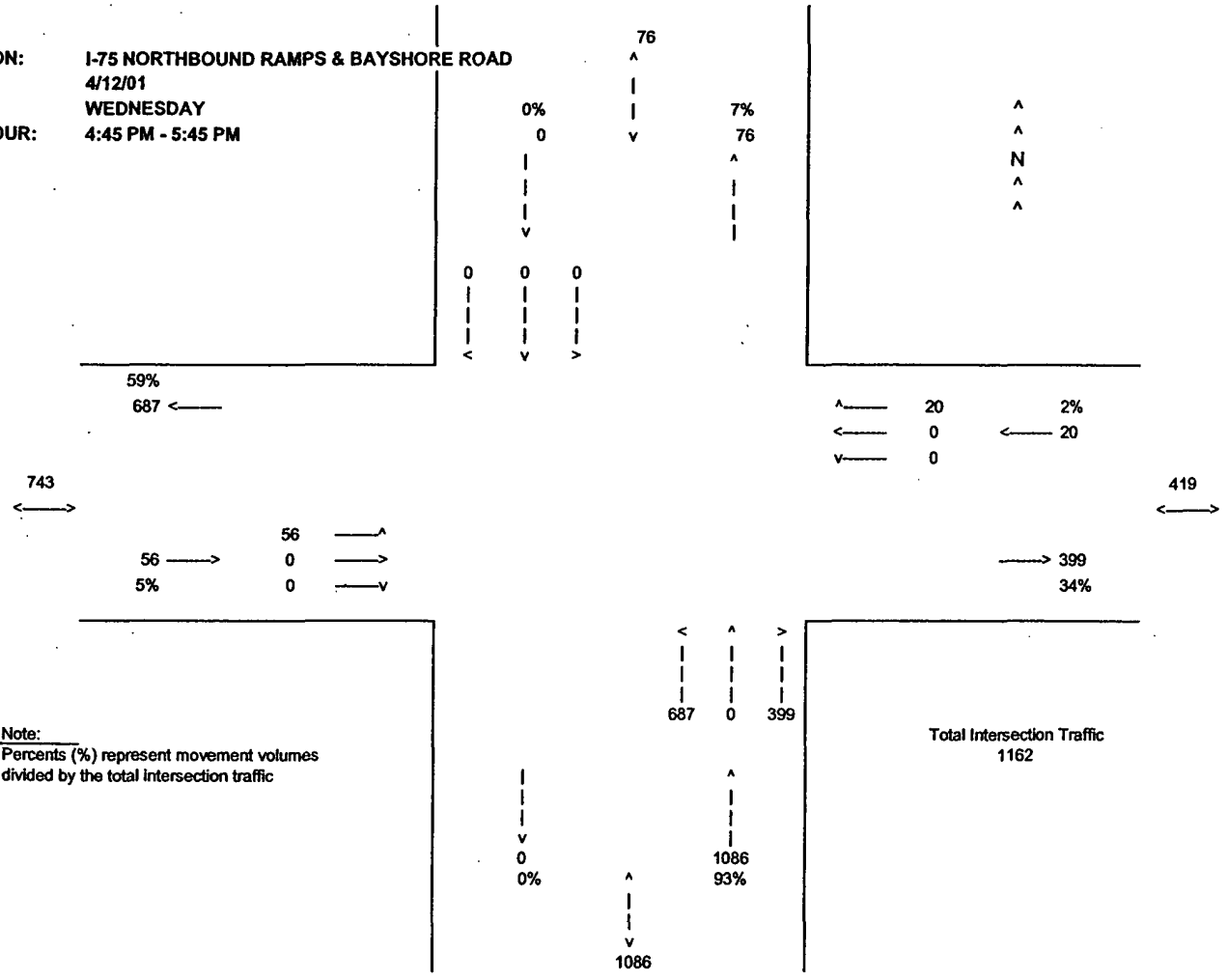
HOUR BEGIN	I-75 NORTHBOUND RAMPS								BAYSHORE ROAD								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
4:00 PM	600	0	312	912	0	0	0	0	64	0	0	64	0	0	23	23	999
4:15 PM	649	0	323	972	0	0	0	0	65	0	0	65	0	0	23	23	1060
4:30 PM	673	0	364	1037	0	0	0	0	57	0	0	57	0	0	24	24	1118
4:45 PM	687	0	399	1086	0	0	0	0	56	0	0	56	0	0	20	20	1162
5:00 PM	682	0	396	1078	0	0	0	0	54	0	0	54	0	0	25	25	1157

PEAK HOUR SUMMARY

HOUR BEGIN	I-75 NORTHBOUND RAMPS								BAYSHORE ROAD								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
4:45 PM	687	0	399	1086	0	0	0	0	56	0	0	56	0	0	20	20	1162
																PHF =	0.91

DCI 20001 000038

LOCATION: I-75 NORTHBOUND RAMPS & BAYSHORE ROAD
DATE: 4/12/01
DAY: WEDNESDAY
PEAK HOUR: 4:45 PM - 5:45 PM



Note:
Percents (%) represent movement volumes divided by the total intersection traffic

Total Intersection Traffic
1162

DCI 2001-00038

HCS SUMMARY SHEETS

DOI 2001 00038

PRITCHETTE PARKWAY @

BAYSHORE ROAD

DCI 2001-00038

A.M. PEAK HOUR

DCI 2001-00038

TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*RLP*	Intersection	*Bayshore Rd @ Pritchett Pkwy*
Agency/Co.	*Metro Transportation Group*	Jurisdiction	*Lee County DOT*
Date Performed	*4/23/2001*	Analysis Year	*2001*
Analysis Time Period	*AM Peak*	Project ID	*Heritage Creek*

East/West Street: *Bayshore Road*	North/South Street: *Pritchett Parkway*
Intersection Orientation: *East-West*	Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume	*5*	*285*	*0*	*0*	*750*	*10*
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Hourly Flow Rate, HFR	*5*	*285*	*0*	*0*	*750*	*10*
Percent Heavy Vehicles	*0*	--	--	*0*	--	--
Median Type	*Raised curb*					
RT Channelized			*0*			*0*
Lanes	*1*	*2*	*0*	*0*	*2*	*0*
Configuration	*L*	*T*			*T*	*TR*
Upstream Signal		*0*			*0*	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume	*0*	*0*	*0*	*25*	*0*	*110*
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Hourly Flow Rate, HFR	*0*	*0*	*0*	*25*	*0*	*110*
Percent Heavy Vehicles	*0*	*0*	*0*	*0*	*0*	*0*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*0*	*0*	*0*	*0*	*0*
Configuration					*LR*	

Delay, Queue Length, and Level of Service

Approach	EB	WB	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*L*						*LR*	
v (vph)	*5*						*135*	
C (m) (vph)	*861*						*551*	
v/c	*0.01*						*0.25*	
95% queue length	*0.02*						*0.96*	
Control Delay	*9.2*						*13.6*	
LOS	*A*						*B*	
Approach Delay	--	--					*13.6*	
Approach LOS	--	--					*B*	

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DCI 2001-00038

TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*RLP*	Intersection	*Bayshore Rd @ Pritchett Pkwy*
Agency/Co.	*Metro Transportation Group*	Jurisdiction	*Lee County DOT*
Date Performed	*4/23/2001*	Analysis Year	*2008 Background*
Analysis Time Period	*AM Peak*	Project ID	*Heritage Creek*

East/West Street: *Bayshore Road*	North/South Street: *Pritchett Parkway*
Intersection Orientation: *East-West*	Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume	*5*	*245*	*0*	*0*	*785*	*10*
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Hourly Flow Rate, HFR	*5*	*245*	*0*	*0*	*785*	*10*
Percent Heavy Vehicles	*0*	--	--	*0*	--	--
Median Type	*Raised curb*					
RT Channelized			*0*			*0*
Lanes	*1*	*2*	*0*	*0*	*2*	*0*
Configuration	*L*	*T*			*T*	*TR*
Upstream Signal		*0*			*0*	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume	*0*	*0*	*0*	*30*	*0*	*130*
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Hourly Flow Rate, HFR	*0*	*0*	*0*	*30*	*0*	*130*
Percent Heavy Vehicles	*0*	*0*	*0*	*0*	*0*	*0*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*0*	*0*	*0*	*0*	*0*
Configuration					*LR*	

Delay, Queue Length, and Level of Service

Approach	EB	WB	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*L*						*LR*	
v (vph)	*5*						*160*	
C (m) (vph)	*835*						*535*	
v/c	*0.01*						*0.30*	
95% queue length	*0.02*						*1.25*	
Control Delay	*9.3*						*14.6*	
LOS	*A*						*B*	
Approach Delay	--	--				*14.6*		
Approach LOS	--	--				*B*		

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TWO-WAY STOP CONTROL SUMMARY

General Information

Analyst	*RLP*
Agency/Co.	*Metro Transportation Group*
Date Performed	*4/23/2001*
Analysis Time Period	*AM Peak*

Site Information

Intersection	*Bayshore Rd @ Pritchett Pkwy*
Jurisdiction	*Lee County DOT*
Analysis Year	*2008 w/ Project*
Project ID	*Heritage Creek*

East/West Street: *Bayshore Road* | North/South Street: *Pritchett Parkway*

Intersection Orientation: *East-West* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume	*200*	*245*	*0*	*0*	*785*	*50*
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Hourly Flow Rate, HFR	*200*	*245*	*0*	*0*	*785*	*50*
Percent Heavy Vehicles	*0*	--	--	*0*	--	--
Median Type	*Raised curb*					
RT Channelized			*0*			*0*
Lanes	*1*	*2*	*0*	*0*	*2*	*0*
Configuration	*L*	*T*			*T*	*TR*
Upstream Signal		*0*			*0*	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume	*0*	*0*	*0*	*145*	*0*	*715*
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Hourly Flow Rate, HFR	*0*	*0*	*0*	*145*	*0*	*715*
Percent Heavy Vehicles	*0*	*0*	*0*	*0*	*0*	*0*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*0*	*0*	*0*	*0*	*0*
Configuration					*LR*	

Delay, Queue Length, and Level of Service

Approach	EB	WB	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*L*						*LR*	
v (vph)	*200*						*860*	
C (m) (vph)	*807*						*473*	
v/c	*0.25*						*1.82*	
95% queue length	*0.98*						*54.31*	
Control Delay	*10.9*						*397.0*	
LOS	*B*						*F*	
Approach Delay	--	--				*397.0*		
Approach LOS	--	--				*F*		

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DCI 2001-00038

P.M. PEAK HOUR

DCI 2001-00038

TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	RLP	Intersection	Bayshore Rd @ Pritchett Pkwy
Agency/Co.	Metro Transportation Group	Jurisdiction	Lee County DOT
Date Performed	4/23/2001	Analysis Year	2001
Analysis Time Period	PM Peak	Project ID	Heritage Creek

East/West Street: Bayshore Road	North/South Street: Pritchett Parkway
Intersection Orientation: East-West	Study Period (hrs): 0.25

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume	40	760	0	0	405	25
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR	40	760	0	0	405	25
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Raised curb					
RT Channelized			0			0
Lanes	1	2	0	0	2	0
Configuration	L	T			T	TR
Upstream Signal		0			0	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume	0	0	0	20	0	25
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR	0	0	0	20	0	25
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	0	0	0	0
Configuration					LR	

Delay, Queue Length, and Level of Service

Approach	EB	WB	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	L						LR	
v (vph)	40						45	
C (m) (vph)	1140						559	
v/c	0.04						0.08	
95% queue length	0.11						0.26	
Control Delay	8.3						12.0	
LOS	A						B	
Approach Delay	--	--				12.0		
Approach LOS	--	--				B		

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DCI 2001-00038

TWO-WAY STOP CONTROL SUMMARY

General Information

Analyst	*RLP*
Agency/Co.	*Metro Transportation Group*
Date Performed	*4/23/2001*
Analysis Time Period	*PM Peak*

Site Information

Intersection	*Bayshore Rd @ Pritchett Pkwy*
Jurisdiction	*Lee County DOT*
Analysis Year	*2008 Background*
Project ID	*Heritage Creek*

East/West Street: *Bayshore Road* | North/South Street: *Pritchett Parkway*

Intersection Orientation: *East-West* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume	*430*	*630*	*0*	*0*	*425*	*25*
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Hourly Flow Rate, HFR	*430*	*630*	*0*	*0*	*425*	*25*
Percent Heavy Vehicles	*0*	--	--	*0*	--	--
Median Type	*Raised curb*					
RT Channelized			*0*			*0*
Lanes	*1*	*2*	*0*	*0*	*2*	*0*
Configuration	*L*	*T*			*T*	*TR*
Upstream Signal		*0*			*0*	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume	*0*	*0*	*0*	*25*	*0*	*30*
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Hourly Flow Rate, HFR	*0*	*0*	*0*	*25*	*0*	*30*
Percent Heavy Vehicles	*0*	*0*	*0*	*0*	*0*	*0*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*0*	*0*	*0*	*0*	*0*
Configuration					*LR*	

Delay, Queue Length, and Level of Service

Approach	EB	WB	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*L*						*LR*	
v (vph)	*430*						*55*	
C (m) (vph)	*1121*						*242*	
v/c	*0.38*						*0.23*	
95% queue length	*1.83*						*0.85*	
Control Delay	*10.2*						*24.2*	
LOS	*B*						*C*	
Approach Delay	--	--				*24.2*		
Approach LOS	--	--				*C*		

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DCI 2001-00038

TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*RLP*	Intersection	*Bayshore Rd @ Pritchett Pkwy*
Agency/Co.	*Metro Transportation Group*	Jurisdiction	*Lee County DOT*
Date Performed	*4/23/2001*	Analysis Year	*2008 w/ Project*
Analysis Time Period	*PM Peak*	Project ID	*Heritage Creek*

East/West Street: *Bayshore Road*	North/South Street: *Pritchett Parkway*
Intersection Orientation: *East-West*	Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume	*625*	*630*	*0*	*0*	*425*	*140*
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Hourly Flow Rate, HFR	*625*	*630*	*0*	*0*	*425*	*140*
Percent Heavy Vehicles	*0*	--	--	*0*	--	--
Median Type	*Raised curb*					
RT Channelized			*0*			*0*
Lanes	*1*	*2*	*0*	*0*	*2*	*0*
Configuration	*L*	*T*			*T*	*TR*
Upstream Signal		*0*			*0*	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume	*0*	*0*	*0*	*90*	*0*	*355*
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Hourly Flow Rate, HFR	*0*	*0*	*0*	*90*	*0*	*355*
Percent Heavy Vehicles	*0*	*0*	*0*	*0*	*0*	*0*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*0*	*0*	*0*	*0*	*0*
Configuration					*LR*	

Delay, Queue Length, and Level of Service

Approach	EB	WB	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*L*						*LR*	
v (vph)	*625*						*445*	
C (m) (vph)	*1017*						*206*	
v/c	*0.61*						*2.16*	
95% queue length	*4.39*						*34.69*	
Control Delay	*14.0*						*575.3*	
LOS	*B*						*F*	
Approach Delay	--	--				*575.3*		
Approach LOS	--	--				*F*		

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DCI 2001-00038

BAYSHORE ROAD @ I-75 NB

DCI 2001-00038

A.M. PEAK

DCI 2001-00038

HCS2000: Signalized Intersections Release 4.1

Analyst: RLP
Agency: Metro Transportation Group
Date: 4/23/2001
Period: A.M. Peak
Project ID: Heritage Creek
E/W St: Bayshore Road

Inter.: Bayshore Rd @ I-75
Area Type: All other areas
Jurisd: Lee County DOT
Year : 2001

N/S St: I-75

SIGNALIZED INTERSECTION SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	1	2	0	0	2	0	1	0	0	0	0	0
LGConfig	L	T			T		L					
Volume	40	230			825		395					
Lane Width	12.0	12.0			12.0		12.0					
RTOR Vol												

Duration 0.25 Area Type: All other areas

Signal Operations

Phase Combination		1	2	3	4	5	6	7	8
EB	Left	A				NB Left	A		
	Thru	A	A			Thru			
	Right					Right			
	Peds					Peds			
WB	Left					SB Left			
	Thru		A			Thru			
	Right					Right			
	Peds					Peds			
NB	Right					EB Right			
SB	Right					WB Right			
Green		10.0	25.0			40.0			
Yellow		4.0	4.0			4.0			
All Red		1.0	1.0			1.0			

Cycle Length: 90.0 secs

DCI 2001-00038

Intersection Performance Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios v/c	Ratios g/C	Lane Group Delay	Lane Group LOS	Approach Delay	Approach LOS
Eastbound								
L	201	1805	0.21	0.11	36.9	D		
T	1604	3610	0.15	0.44	14.9	B	18.2	B
Westbound								
T	1003	3610	0.87	0.28	38.9	D	38.9	D
Northbound								
L	802	1805	0.52	0.44	18.7	B		
							18.7	B
Southbound								

Intersection Delay = 29.8 (sec/veh) Intersection LOS = C

HCS2000: Signalized Intersections Release 4.1

Robert L. Price
Metro Transportation Group, Inc.
12651 McGregor Boulevard, Suite 4-403
Fort Myers, FL 33919

Phone: 941-278-3090 Fax: 941-278-1906
E-Mail: rlp@metrotransportation.com

OPERATIONAL ANALYSIS

Analyst:	RLP
Agency/Co.:	Metro Transportation Group
Date Performed:	4/23/2001
Analysis Time Period:	A.M. Peak
Intersection:	Bayshore Rd @ I-75
Area Type:	All other areas
Jurisdiction:	Lee County DOT
Analysis Year:	2001
Project ID:	Heritage Creek
	East/West Street: Bayshore Road
	North/South Street: I-75

DCI 2001-00038

HCS2000: Signalized Intersections Release 4.1

Analyst: RLP
Agency: Metro Transportation Group
Date: 4/23/2001
Period: A.M. Peak
Project ID: Heritage Creek
E/W St: Bayshore Road

Inter.: Bayshore Rd @ I-75
Area Type: All other areas
Jurisd: Lee County DOT
Year : 2008 Background

N/S St: I-75

SIGNALIZED INTERSECTION SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	1	2	0	0	2	0	2	0	0	0	0	0
LGConfig	L	T			T		L					
Volume	45	270			880		465					
Lane Width	12.0	12.0			12.0		12.0					
RTOR Vol												

Duration 0.25 Area Type: All other areas

Signal Operations

Phase Combination		1	2	3	4		5	6	7	8
EB	Left	A				NB	Left	A		
	Thru	A	A				Thru			
	Right						Right			
	Peds						Peds			
WB	Left					SB	Left			
	Thru		A				Thru			
	Right						Right			
	Peds						Peds			
NB	Right					EB	Right			
SB	Right					WB	Right			
Green		10.0	40.0				25.0			
Yellow		4.0	4.0				4.0			
All Red		1.0	1.0				1.0			

Cycle Length: 90.0 secs

DCI 2001-00038

Intersection Performance Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios v/c	Ratios g/C	Lane Group Delay	Lane Group LOS	Approach Delay	Approach LOS
Eastbound								
L	201	1805	0.23	0.11	37.1	D		
T	2206	3610	0.13	0.61	7.4	A	11.6	B
Westbound								
T	1604	3610	0.58	0.44	19.2	B	19.2	B
Northbound								
L	973	3502	0.50	0.28	27.7	C		
							27.7	C
Southbound								

Intersection Delay = 20.1 (sec/veh) Intersection LOS = C

HCS2000: Signalized Intersections Release 4.1

Robert L. Price
Metro Transportation Group, Inc.
12651 McGregor Boulevard, Suite 4-403
Fort Myers, FL 33919

Phone: 941-278-3090 Fax: 941-278-1906
E-Mail: rlp@metrotransportation.com

OPERATIONAL ANALYSIS

Analyst: RLP
Agency/Co.: Metro Transportation Group
Date Performed: 4/23/2001
Analysis Time Period: A.M. Peak
Intersection: Bayshore Rd @ I-75
Area Type: All other areas
Jurisdiction: Lee County DOT
Analysis Year: 2008 Background
Project ID: Heritage Creek
East/West Street: Bayshore Road North/South Street: I-75

DCT 2001-00078

HCS2000: Signalized Intersections Release 4.1

Analyst: RLP
Agency: Metro Transportation Group
Date: 4/23/2001
Period: A.M. Peak
Project ID: Heritage Creek
E/W St: Bayshore Road

Inter.: Bayshore Rd @ I-75
Area Type: All other areas
Jurisd: Lee County DOT
Year : 2008 w/ Project

N/S St: I-75

SIGNALIZED INTERSECTION SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	1	2	0	0	2	0	2	0	0	0	0	0
LGConfig	L	T			T		L					
Volume	45	385			1425		465					
Lane Width	12.0	12.0			12.0		12.0					
RTOR Vol												

Duration 0.25 Area Type: All other areas

Signal Operations

Phase Combination		1	2	3	4	5	6	7	8
EB	Left	A				NB Left	A		
	Thru	A	A			Thru			
	Right					Right			
	Peds					Peds			
WB	Left					SB Left			
	Thru		A			Thru			
	Right					Right			
	Peds					Peds			
NB	Right					EB Right			
SB	Right					WB Right			
Green		10.0	40.0			25.0			
Yellow		4.0	4.0			4.0			
All Red		1.0	1.0			1.0			

Cycle Length: 90.0 secs

DCT 2001-00038

Intersection Performance Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios v/c	Ratios g/C	Lane Group Delay	Lane Group LOS	Approach Delay	Approach LOS
Eastbound								
L	201	1805	0.23	0.11	37.1	D		
T	2206	3610	0.18	0.61	7.7	A	10.8	B
Westbound								
T	1604	3610	0.94	0.44	34.4	C	34.4	C
Northbound								
L	973	3502	0.50	0.28	27.7	C		
							27.7	C
Southbound								

Intersection Delay = 28.7 (sec/veh) Intersection LOS = C

HCS2000: Signalized Intersections Release 4.1

Robert L. Price
Metro Transportation Group, Inc.
12651 McGregor Boulevard, Suite 4-403
Fort Myers, FL 33919

Phone: 941-278-3090 Fax: 941-278-1906
E-Mail: rlp@metrotransportation.com

OPERATIONAL ANALYSIS

Analyst:	RLP
Agency/Co.:	Metro Transportation Group
Date Performed:	4/23/2001
Analysis Time Period:	A.M. Peak
Intersection:	Bayshore Rd @ I-75
Area Type:	All other areas
Jurisdiction:	Lee County DOT
Analysis Year:	2008 w/ Project
Project ID:	Heritage Creek
	East/West Street: Bayshore Road
	North/South Street: I-75

DCI 2001-00038

P.M. PEAK

DCI 2001-00038

HCS2000: Signalized Intersections Release 4.1

Analyst: RLP
Agency: Metro Transportation Group
Date: 4/23/2001
Period: P.M. Peak
Project ID: Heritage Creek
E/W St: Bayshore Road

Inter.: Bayshore Rd @ I-75
Area Type: All other areas
Jurisd: Lee County DOT
Year : 2001

N/S St: I-75

SIGNALIZED INTERSECTION SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	1	2	0	0	2	0	2	0	0	0	0	0
LGConfig	L	T			T		L					
Volume	55	460			410		685					
Lane Width	12.0	12.0			12.0		12.0					
RTOR Vol												

Duration 0.25 Area Type: All other areas

Signal Operations

Phase Combination		1	2	3	4	5	6	7	8
EB	Left	A				NB Left	A		
	Thru	A	A			Thru			
	Right					Right			
	Peds					Peds			
WB	Left					SB Left			
	Thru		A			Thru			
	Right					Right			
	Peds					Peds			
NB	Right					EB Right			
SB	Right					WB Right			
Green		10.0	25.0				40.0		
Yellow		4.0	4.0				4.0		
All Red		1.0	1.0				1.0		

Cycle Length: 90.0 secs

DCI 2001-00038

Intersection Performance Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios v/c	Ratios g/C	Lane Group Delay	Lane Group LOS	Approach Delay	Approach LOS
Eastbound								
L	201	1805	0.29	0.11	37.5	D		
T	1604	3610	0.30	0.44	16.1	B	18.4	B
Westbound								
T	1003	3610	0.43	0.28	27.0	C	27.0	C
Northbound								
L	1556	3502	0.46	0.44	17.7	B		
							17.7	B
Southbound								

Intersection Delay = 20.3 (sec/veh) Intersection LOS = C

HCS2000: Signalized Intersections Release 4.1

Robert L. Price
Metro Transportation Group, Inc.
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Fort Myers, FL 33919

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E-Mail: rlp@metrotransportation.com

OPERATIONAL ANALYSIS

Analyst:	RLP
Agency/Co.:	Metro Transportation Group
Date Performed:	4/23/2001
Analysis Time Period:	P.M. Peak
Intersection:	Bayshore Rd @ I-75
Area Type:	All other areas
Jurisdiction:	Lee County DOT
Analysis Year:	2001
Project ID:	Heritage Creek
	East/West Street: Bayshore Road
	North/South Street: I-75

DCI 2001-00038

HCS2000: Signalized Intersections Release 4.1

Analyst: RLP
Agency: Metro Transportation Group
Date: 4/23/2001
Period: P.M. Peak
Project ID: Heritage Creek
E/W St: Bayshore Road

Inter.: Bayshore Rd @ I-75
Area Type: All other areas
Jurisd: Lee County DOT
Year : 2008 Background

N/S St: I-75

SIGNALIZED INTERSECTION SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	1	2	0	0	2	0	2	0	0	0	0	0
LGConfig	L	T			T		L					
Volume	60	540			435		805					
Lane Width	12.0	12.0			12.0		12.0					
RTOR Vol												

Duration 0.25 Area Type: All other areas

Signal Operations

Phase Combination		1	2	3	4			5	6	7	8
EB	Left	A				NB	Left	A			
	Thru	A	A				Thru				
	Right						Right				
	Peds						Peds				
WB	Left					SB	Left				
	Thru		A				Thru				
	Right						Right				
	Peds						Peds				
NB	Right					EB	Right				
SB	Right					WB	Right				
Green		10.0	38.0					27.0			
Yellow		4.0	4.0					4.0			
All Red		1.0	1.0					1.0			

Cycle Length: 90.0 secs

DCI 2001-00038

Intersection Performance Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios v/c	Ratios g/C	Lane Group Delay	Lane Group LOS	Approach Delay	Approach LOS
Eastbound								
L	201	1805	0.31	0.11	37.7	D		
T	2126	3610	0.27	0.59	9.1	A	12.0	B
Westbound								
T	1524	3610	0.30	0.42	17.3	B	17.3	B
Northbound								
L	1051	3502	0.81	0.30	33.8	C		
							33.8	C
Southbound								

Intersection Delay = 22.8 (sec/veh) Intersection LOS = C

HCS2000: Signalized Intersections Release 4.1

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E-Mail: rlp@metrotransportation.com

OPERATIONAL ANALYSIS

Analyst:	RLP
Agency/Co.:	Metro Transportation Group
Date Performed:	4/23/2001
Analysis Time Period:	P.M. Peak
Intersection:	Bayshore Rd @ I-75
Area Type:	All other areas
Jurisdiction:	Lee County DOT
Analysis Year:	2008 Background
Project ID:	Heritage Creek
	East/West Street: Bayshore Road
	North/South Street: I-75

DCT 2001-00038

HCS2000: Signalized Intersections Release 4.1

Analyst: RLP
Agency: Metro Transportation Group
Date: 4/23/2001
Period: P.M. Peak
Project ID: Heritage Creek
E/W St: Bayshore Road

Inter.: Bayshore Rd @ I-75
Area Type: All other areas
Jurisd: Lee County DOT
Year : 2008 w/ Project

N/S St: I-75

SIGNALIZED INTERSECTION SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	1	2	0	0	2	0	2	0	0	0	0	0
LGConfig	L	T			T		L					
Volume	65	890			745		805					
Lane Width	12.0	12.0			12.0		12.0					
RTOR Vol												

Duration 0.25 Area Type: All other areas

Signal Operations

Phase Combination		1	2	3	4		5	6	7	8
EB	Left	A				NB	Left	A		
	Thru	A	A				Thru			
	Right						Right			
	Peds						Peds			
WB	Left					SB	Left			
	Thru		A				Thru			
	Right						Right			
	Peds						Peds			
NB	Right					EB	Right			
SB	Right					WB	Right			
Green		10.0	38.0				27.0			
Yellow		4.0	4.0				4.0			
All Red		1.0	1.0				1.0			

Cycle Length: 90.0 secs

DCI 2001-00038

Intersection Performance Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios v/c	Ratios g/C	Lane Group Delay	Lane Group LOS	Approach Delay	Approach LOS
Eastbound								
L	201	1805	0.34	0.11	37.9	D		
T	2126	3610	0.44	0.59	10.4	B	12.3	B
Westbound								
T	1524	3610	0.51	0.42	19.5	B	19.5	B
Northbound								
L	1051	3502	0.81	0.30	33.8	C		
							33.8	C
Southbound								

Intersection Delay = 21.3 (sec/veh) Intersection LOS = C

HCS2000: Signalized Intersections Release 4.1

Robert L. Price
Metro Transportation Group, Inc.
12651 McGregor Boulevard, Suite 4-403
Fort Myers, FL 33919

Phone: 941-278-3090 Fax: 941-278-1906
E-Mail: rlp@metrotransportation.com

OPERATIONAL ANALYSIS

Analyst:	RLP
Agency/Co.:	Metro Transportation Group
Date Performed:	4/23/2001
Analysis Time Period:	P.M. Peak
Intersection:	Bayshore Rd @ I-75
Area Type:	All other areas
Jurisdiction:	Lee County DOT
Analysis Year:	2008 w/ Project
Project ID:	Heritage Creek
	East/West Street: Bayshore Road
	North/South Street: I-75

DCI 2001 00038

LEE COUNTY GENERALIZED LEVEL OF SERVICE VOLUME TABLE

DCI 2001-00038

7/18/00

LEE COUNTY
GENERALIZED PEAK HOUR DIRECTIONAL SERVICE VOLUMES

URBANIZED AREAS

ARTERIALS

GROUP I (>0.00 TO 1.99 SIGNALIZED INTERSECTIONS PER MILE)

LANES	A*	B	C	D**	E**
2 UNDIV.	–	650	900	960	960
4 DIV.	–	1,410	1,920	2,030	2,030
6 DIV.	–	2,150	2,900	3,040	3,040
8 DIV.	–	2,730	3,560	3,720	3,720

GROUP II (2.00 TO 4.50 SIGNALIZED INTERSECTIONS PER MILE)

LANES	A*	B*	C	D	E
2 UNDIV.	–	–	640	880	940
4 DIV.	–	–	1,460	1,890	2,000
6 DIV.	–	–	2,270	2,840	3,000
8 DIV.	–	–	2,850	3,490	3,690

GROUP III (MORE THAN 4.50 SIGNALIZED INTERSECTIONS PER MILE)

LANES	A*	B*	C*	D	E
2 UNDIV.	–	–	290	750	910
4 DIV.	–	–	680	1,700	1,930
6 DIV.	–	–	1,060	2,570	2,910
8 DIV.	–	–	1,340	3,180	3,570

FREEWAYS (GROUP 2)

LANES	A	B	C	D	E
4	1,090	1,710	2,570	3,270	3,900
6	1,680	2,630	3,950	5,030	5,990
8	2,290	3,590	5,390	6,860	8,170

COLLECTORS

LANES	A*	B*	C	D	E
2 UNDIV.	–	–	500	800	870
2 DIV.	–	–	520	840	910
4 UNDIV.	–	–	1,080	1,640	1,750
4 DIV.	–	–	1,140	1,720	1,840

CONTROLLED ACCESS FACILITIES ***

LANES	A*	B	C	D**	E**
2 UNDIV.	0	690	930	980	980
4 DIV.	0	1,530	1,980	2,070	2,070
6 DIV.	0	2,340	2,980	3,110	3,110
8 DIV.	0	3,030	3,780	3,930	3,930

* CANNOT BE ACHIEVED.
**VOLUMES ARE COMPARABLE BECAUSE INTERSECTION CAPACITIES ARE REACHED.
*** THE APPLICATION OF THESE SERVICE VOLUMES SHOULD BE APPROVED BY LEE COUNTY DOT.

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DCI 2001-00038

FDOT DRAFT TENTATIVE WORK PROGRAM FY 2001/02-2005/06 FOR S.R. 78 (BAYSHORE ROAD)

DCI 2001-00038

HIGHWAYS: STATE HIGHWAYS

DESCRIPTION TYPE OF WORK	ITEM (NEW/OLD) PROJECT LENGTH	2002	2003	2004	2005	2006
SR 739 (METRO PKWY) FROM SR 884 TO WAREHOUSE SKID HAZARD OVERLAY	4092321 / .935 MI			749 CST		
SR 739 (METRO PKWY) AT SOUTH OF COLONIAL & AT NORTH OF WINKLER AVE TRAFFIC OPS IMPROVEMENT	4106421 / .520 MI		68 PE	510 CST		
SR 739 (EVAN/PARK AV) FROM SR 82 TO SR 80 RESURFACING	4067481 / .543 MI			50 PE		570 CST
SR 78 FROM W OF DEL PRADO TO E OF PONDELLA LIGHTING	4092251 / .498 MI			94 CST		
SR 78 (BAYSHORE) FROM E OF SLATER ROAD TO W OF I-75 ADD LANES & RECONSTRUCT	1957051 / 1114675 2.246 MI	7,432 ROW 500 RRU	500 RRU	750 RRU 9,957 CST		
SR 78 (PINE ISLAND RD AT BURNT STORE ROAD TRAFFIC SIGNALS	1957411 / 1114711 .500 MI		25 PE		110 CST	
SR 78 (PINE ISLAND RD FROM E OF CHIQUITA BLVD TO W OF SANTA BARBARA ADD LANES & RECONSTRUCT	1957562 / 1.868 MI	5,318 ROW 47 RRU		470 RRU	500 RRU 7,680 CST	
SR 78 (PINE ISLAND RD AT HANCOCK BRIDGE PKWY TRAFFIC SIGNALS	4054761 / .100 MI	150 LAR				
SR 80 (PALM BCH BLV) FROM IVERSON STREET TO HENDRY CO/L ADD LANES & RECONSTRUCT	1956101 / 1114579 3.391 MI	1,200 PE		300 RRU 7,912 CST		
SR 80 EB (1ST ST) FROM US 41 TO SR 80 RESURFACING	4067491 / .446 MI			50 PE		515 CST
SR 80 WB (MONROE ST) FROM BAY ST TO SR 80 (1ST ST) RESURFACING	4067501 / .047 MI			30 PE		222 CST
SR 80 (PALM BCH BLVD) FROM E OF HICKEY CREEK BR TO IVERSON STREET ADD LANES & RECONSTRUCT	1956091 / 1114578 3.073 MI	1,100 PE		1,750 RRU 6,815 CST		

DCI 2001-00038

TRIP GENERATION EQUATIONS

DCT 2001-00038

TRIP GENERATION EQUATIONS
HERITAGE CREEK
ITE TRIP GENERATION REPORT, 6th EDITION

Land Use	Weekday AM Peak Hour	Weekday PM Peak Hour	Weekday
Residential Single Family Detached Homes (LUC 210)	T = 0.700 (X) + 9.477	Ln (T) = 0.901 Ln (X) + 0.527	Ln (T) = 0.920 Ln (X) + 2.707
T = Trips, X = Units			

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Table 1
Heritage Creek
Revised Land Uses

Status	Land Use	Size
Previously Submitted	Single Family	1472 Dwelling Units
New Total	Single Family	1532 Dwelling Units

Table 2
Revised Trip Generation
Heritage Creek

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily
	In	Out	Total	In	Out	Total	2-way
Previous Single Family (1472 units)	260	780	1,040	775	435	1,210	12,305
New Single Family (1532 units)	270	810	1,080	805	450	1,255	12,765
New Trips	10	30	40	30	15	45	460

DCI 2001-00038

EXHIBIT IV-I-1

MASTER LIST OF USES FOR ENTIRE DEVELOPMENT
Revised October 16, 2001

A. **Residential Uses**

	Type	Habitable stories	Height	Total Number of Units
A..1.	Single Family	2 stories	35	0-1525
A. 2.	Zero lot line			
A..3.	Mobile Homes			
A..4.	Recreational Vehicles			
A..5.	Duplex/Two Family	2 stories	35	0-1525
A..6.	Townhouses	2 stories	35	0 to 330
A .7.	Multiple Family	1 - 3 stories	60	0 to 330
A .8.	Multiple Family	4 - 6 stories	60	0 to 330
A. 9.	Multiple Family	7 or more		
A .10	**TOTAL UNITS**			1525

B. **Assisted Living Facilities**

	Type	Habitable Stories	Height	Total Number of Beds
B.1.	Dependent Living Units			
B.2.	Independent Living Units			
B.3.	**TOTAL UNITS**			

C. **Hotels/Motels**

	Room Size	Habitable Stories	Height	Number of Rental Units
C.1.	< 425 sq. ft.			
C.2.	426-725 sq. ft.			
C.3.	725 < sq. ft.			
C.4.	**TOTAL UNITS**			

D. **Commercial**

		Habitable Stories	Height	Total Floor area
D.1.	Medical			Sq. Ft.
D.2.	General Office			Sq. Ft.
D.3.	Retail			Sq. Ft.
D.4.	Other			Sq. Ft.
D.5.	**TOTAL FLOOR AREA**			Sq. Ft.

E. **Industrial**

		Habitable Stories	Height	Total Floor area
E.1.	Under Roof			
E.2.	Not under Roof	NA		
E.3.	**TOTAL FLOOR AREA**			

F. **Mining**

			Depth	
F.1.	Area to be excavated	NA		Acres

DCI 2001-00038

EXHIBIT IV-M
FACILITIES FOR THE DEVELOPMENT
(Instructions on back side of page)

1. Fire District: Bayshore Fire

2. Estimated daily consumption of potable water:

2.a.	1525	Residential units:	364,500	gpd
2.b.		Mobile Home units:		gpd
2.c.		Rec. Vehicle units:		gpd
2.d.		Commercial/Other:	37,900	gpd
2.e.		Industrial:		gpd

3. Source of Potable Water: Lee County Utilities

3.a. Agreement with the utility company is attached as **Exhibit IV-M-3.**

4. Source of Non-Potable Water Utility Company effluent

5. Estimated daily production of wastewater:

5.a.	1525	Residential units:	364,500	gpd
5.b.		Mobile Home units:		gpd
5.c.		Rec. Vehicle units:		gpd
5.d.		Commercial/Other:	37,900	gpd
5.e.		Industrial:		gpd

6. Special effluent is anticipated. See **Exhibit IV-M-4.**

7. Source of sanitary sewer service: Utility Company

7.a. Agreement with the utility company is attached as **Exhibit IV-M-7.**

7.b. A private on-site disposal facility will be used. See **Exhibit IV-M-4.**

7.c. Individual sewage disposal systems will be used.

7.d.. Spray irrigation will be used. See **Exhibit IV-M-4.**

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Attachment 1
Heritage Creek
PERMITTED LAND USES
October 16, 2001

Residential 1 (R-1)

- Accessory Uses
- Administrative Offices
- Agricultural Uses, continuation of bona fide use only
- Dwelling Units

Single Family, detached	Two family attached
Townhouse	Multi-family

- Entrance Gates and Gatehouses
- Essential Services
- Essential Service Facilities, Group I
- Excavation, Water Retention—Not to include the removal of excavated material from the site
- Fences and Walls
- Home Occupation, as limited by the LDC
- Model Homes, Model Units and Model Display Center, including accessory parking lots
- Real Estate Sales and Rental Office—limited to sales of lots, homes or units within the development
- Recreation Facilities, Personal and Private On-Site located throughout the development to include the following or other comparable uses:

Tennis Courts	Bike paths	Boardwalks
Nature Trails	Swimming pools	Picnic areas
Playgrounds	Shuffleboard courts	Horseshoe pits
Vita course	Jogging paths	Bocce courts

- Residential accessory uses, including but not limited to:
  Private garages, carports and parking areas,
  Private swimming pools and enclosures and Private tennis courts
- Signs
- Temporary uses—limited to a sales center and a construction office

Residential 2 (R-2)
All uses permitted in the R-1 District plus Multi-family Building .

Park (Tract K)

- Recreational Facilities, Private On-site or Off-site for Heritage Creek for use by the residents of Heritage Creek and their guests to include the following or comparable uses:

Tennis Courts	Bike paths	Fishing Piers	Multi-purpose fields
Nature Trails	Swimming pools	Picnic areas	Putting Practice Green
Playgrounds	Boat docks	Horseshoe pits	Multi-purpose courts
Vita course	Jogging paths	Bocce courts	Driving (aqua) range
Soccer Fields	Baseball Fields	In-line skating	Shuffleboard courts

DCI 2001-00038

Recreational
Hall

- Project Maintenance Facility
- Club, Private located in the "Park" shown on the Master Concept Plan for Heritage Creek including but not limited to the following ancillary uses:
  Food and Beverage Service
  Pro Shop
  Locker Rooms
  Health Club and Spa
  Rental or leasing establishment, Group I (limited to bicycles, tennis rackets and other small sports equipment for use in Heritage Creek.)
  Specialty Retail, Group I

Conservation Areas
Interpretive centers and Signage, rain shelters, gazebos
Nature and foot trails including boardwalks and jogging paths
Paths, boardwalks and bridges to provide access from the uplands to the wetlands
Water Management Facilities
Wildlife Management
Mitigation and Restoration Activities

DCI 2001-00038

DCI 2001-00038

Attachment 2

Heritage Creek
PROPERTY DEVELOPMENT REGULATIONS
October 16, 2001

LAND USES	Minimum Lot			Minimum Setback (ft)							Max Height (ft)	Min Bldg Separation (ft)	Max Lot Coverage (%)
					Rear (ft)			Front (ft)					
	Area (sq ft)	Min Width (ft)	Min Depth (ft)	Side[1] Incl. Corner Lots (ft)	Lots	Wetland	Acc	Front Entry Garage	Bldg or Side Entry Garage	Water Body (ft)			
Single Family Detached	4,000	40	100	5	20	20	5	20	12	25	35 or 2 stories	10	65
Two Family Attached	3,750	37½	100	0 or 10	20	20	5	20	12	25	35 or 2 stories	10	65
Townhouse	2,000	22	80	0 or 10	20	20	5	20	15	25	35 or 2 stories	20	n/a
Multi-Family	10,000	100	100	10	20	20	5	20	20	25	55 or 4 stories	20	70
Clubhouse	20,000	80	100	10	20	20	5	n/a	20	25	45 or 2 stories	20	55

[1] Applies to lots of all widths and to corner lots. Each lot will have only one front yard.

Attachment 3
OPEN SPACE AND INDIGENOUS VEGETATION
Heritage Creek
October 16, 2001

		Open Space			Indigenous Vegetation		
		Required		Provided	Required		Provided
	Acres	% open space	Acres	Acres	% Indig.	Acres	Acres
Residential Tracts with lots greater than 6,500 sq ft	260.0	n/a	n/a	0	0	0	0
Balance of Development	481.7	40%	200.9	200.9	50%	100.4	100.4
TOTAL	741.7						

Note: This table is very preliminary. The total required open space and indigenous vegetation will change if more acreage is provided with tracts with lots greater than 6,500 sq ft.

DCI 2001-00038

Attachment 4
Heritage Creek
October 16, 2001

DEVIATION LOCATIONS
The locations for the Deviations for Heritage Creek Oaks with limited application are indicated on the Master Plan. Other Deviations are located as follows:

Deviations 6, 8, 11, 12 and 13 apply to residential and golf course tracts as applicable.
Deviations 1 and 5 apply to all internal roadways and accessways.
Deviation 2 applies to all internal sidewalks.
Deviation 14 applies to the project identification signs.
Deviation 7 applies to the internal lakes.

DEVIATION 1
Deviation from LDC Section 10-296(d), Table 4(7)(c) which requires the wearing surface on local and access streets to be one-and-one-half-inch (1.5") asphaltic FDOT type S-III to allow for cement concrete and/or pavers on the private streets.

Justification
This developer is requesting this deviation for entrance features and other focal points within Heritage Creek. They expect the pavers would be used to enhance the development entrance, golf cart crossings and the clubhouse entrance. Cement concrete and/or pavers have been used extensively through out the county in most large-scale projects. These building systems are structurally equivalent to the "standard" cross-section of asphaltic and concrete paving materials and consequently their use only adds to the quality of this development and does not create any negative impact to the public.

DEVIATION 2
Deviation from LDC Section 10-256(d)(3) which requires all sidewalks to be either (1) four-inch (4") thick Portland cement concrete, or (2) a minimum of one-and-one-half-inch (1.5") thick asphaltic concrete of FDOT type S-III to allow sidewalks to be constructed of decorative pavers throughout the development.

Justification
This developer is requesting that this alternate cross-section which is structurally equivalent to the "standard" cross-section of concrete sidewalks be granted to allow the developer the option of upgrading the appearance of some of the development's sidewalks. Several examples of this alternate surface can be found in the county, particularly in large-scale, quality projects. There is no impact to the public from this change.

DEVIATION 3
Deviation from LDC Section 10-418 (a)(2)(b) which requires a minimum number of native wetland herbaceous plants of one (1) plant per linear foot of lake shoreline and that native wetland trees or shrubs may be substituted for up to 25 percent of the total number of herbaceous plants required to allow the required number of plantings to be 50% trees in the aqua driving range lake only.

Justification
The twenty acre borrow pit near the project entrance is proposed to include a golf aqua driving range for the subject property. This lake's use as an aqua driving range is incompatible with the usual lake perimeter wetland plantings. With the physical constraints of the subject property an aqua range was the only possible solution for a driving range. In an aqua range the balls float

and are retrieved by scooping them out with nets from the lake edge. The usual low level wetland vegetation along the aqua range's shore line would interfere with this retrieval would result in unavoidable damage and possibly destruction of the plants. The applicant is requesting this deviation to allow the option of locating wetland trees in lieu of some of the smaller plant varieties. There is no impact to the public from this change.

DEVIATION 4
Deviation 4 seeks relief from the LDC Section 10-291(3) which requires, where practical, any residential development of at least 5± acres to provide two (2) or more means of ingress and egress, to allow only one means of ingress and egress for those development parcels which are surrounded by golf course, water body or conservation area or any combination of these. These tracts are Tract D, Tract G and Tract H. A full size cul-de-sac will be provided in any parcels subject to this deviation. Prior to each local Development Order, the local Fire and Emergency Service will provide a letter of no objection to the single ingress and egress of these parcels.

Justification
On a project-wide basis, the Heritage Creek development meets the requirements of LDC Section 10-281 as it provides many access points onto Pritchett Parkway. This deviation is intended to apply to the parcels listed above. Except for Tract K, the recreation facility tract, each of these parcel is either surrounded by water or preserve area. Final design for this tract is not complete but it may be necessary for security reasons to limit access to one access point. There is no impact to the public from this change.

DEVIATION 5
Deviation requesting relief from LDC Section 10-355(a)(1) which requires a 10-foot public utility easement on both sides of a roadway parcel to allow the public utility easement on one side only provided that all applicable utility companies have no objection.

Justification
This section provides that water and sewer line utility easement's "actual width shall be determined on a case-by-case basis so as to be accommodated within the utility easements". Providing adequate utility easements that ensure future access to these facilities will be a primary concern. Allowing one side of the project's local roads and accessways to be free of utility easements will enhance the development in those cases where it is more appropriate to eliminate an easement on one side based on sound efficient engineering reasons. Examples of this possibility would be in cases where proper looping of utility lines within the development is constructed on one side of a road only or in cases where it is more feasible to route utility lines elsewhere rather than along road right of ways. Roadway segments that include development only on one side of the road have been indicated. The reason for this deviation is to allow the project engineer, in full consultation with the reviewers and the utility companies flexibility to design the best possible project.

This deviation will improve the development by allowing water and sewer line utility easements to be located based on sound efficient engineering reasons for the specific project. Generally the approvals have been conditioned to require the approval of the utility company, and this applicant agrees to that condition. There is no impact to the public from this change.

DEVIATION 6
Deviation seeking relief from LDC Sections 10-421(a)(5) which requires that no portion of a buffer area consisting of trees and shrubs be located in an easement, to allow planted buffers consisting of shrubs and non-required trees in easements provided that if any required buffer or landscape strip plantings installed within easements must be removed, then the Developer or property-owners' association must replace these plantings with like size and species at no

expense to the county. This requirement must be clearly stated in the property-owners' documents.

Justification
This deviation is requested to enhance the development by improving its appearance with landscaping while still providing access to any easements. This deviation is routinely approved with the conditions "if any required buffer or landscape strip plantings installed within easements must be removed, the Developer or property owner's or homeowner's association must replace these plantings with like size and aged species at no expense to the county and assume the cost to repair any utilities damaged by the removal of these plantings. The requirement must be clearly stated in the property owner's or homeowner's documents." It is also understood that plantings in these easement areas are not credited against any project landscape requirements. There is no impact to the public from this change. See Master Concept Plan.

DEVIATION 7
Deviation from LDC Section 10-329(e)(4) which requires excavation banks to be sloped; to allow up to 40 percent of the banks to utilize a vertical slope with the condition that the number of littoral plants required for the excavation must be based on the entire shoreline including the bulkhead portions. Lake bottom slopes at the toe of any bulkhead may be no greater than 4:1 and adequate elements for the protection of wayward vehicles must be provided when adjacent to any roadway, parking lot or driveway aisle.

Justification
Safety and environmental considerations are addressed in the conditions. This deviation improves the development by allowing a more aesthetic, creative design of the development and by improving the golf course. As mentioned above, safety is addressed with the condition regarding wayward vehicles and the requirement that slopes at the toe of the bulkhead be maintained at 4:1. Environmental considerations are also addressed in the conditions. There is no impact to the public from this change.

DEVIATION 8
Deviation from LDC Section 10-259 which requires that no buildings or structures shall be placed in easements where placing a building or structure in an easement is contrary to the terms of the easement or interferes with the use of the easement, to permit building overhangs only to a maximum 1.5 feet into either a 15-foot or 20-foot closed drainage system easement throughout and only in those circumstances where corrugated plastic pipe is used and adequate engineering analysis is provided by the Applicant at the time of development order and approval by Development Services Division which demonstrates that adequate maintenance of utilities, storm drain facilities, etc. can be achieved.

Justification
The applicant's request is not to place any building or structure in an easement but simply to allow minor building overhangs. The deviation will improve the project by reducing unnecessary cost to the development while at the same time meeting all of the objectives of the LDC provision. The application of this deviation is very limited. Safety concerns are addressed with the condition that High Density Polyethylene pipe is required. With this type of pipe no machinery is needed to move the pipe into location. Maintaining this minimum deviation to allow only to a maximum 1.5 feet into either a 15-foot or 20-foot easement and to require a review at the time of development order approval further contribute to alleviate any safety concerns. There is no impact to the public from this change.

DEVIATION 9
Deviation 9 seeks relief from the LDC Section 34-2020(1)c. requirement that multiple family

buildings have 1.5 parking spaces for 1-bedroom units, 1.75 spaces for 2-bedroom units and 2.0 spaces for 3-bedroom units, to allow 1.25 parking spaces for all bedroom unit types, with an additional 10 percent of parking for multiple family buildings to accommodate guest parking.

Justification
Heritage Creek is modeled after other US Home Communities. Tract M is the only tract with Multi-Family product proposed. US Home previously completed a study on the parking requirements for this same building concept. As this building attracts the same clients wherever it is built, the number of occupied parking places at these other US Home projects is a predictor of what will occur at Heritage Creek.

DEVIATION 10
Withdrawn by Applicant

DEVIATION 11
Withdrawn by Applicant

DEVIATION 12
Deviation from LDC Section 34-1954(a)(1) to allow model homes and model home units to be permitted by right.

Justification
This deviation allows the county to determine that model homes and model units are appropriate for the subject development now rather than waiting to make piecemeal decisions in the future. This alternative process enhances the planned development by allowing the use to exist within the project while under unified control and meeting the provisions of the LDC with respect to model homes and model units.

There is only one multi-family tract within the entire Heritage Creek project. Any and all model units will be located in that tract. The general location of all model homes have been shown on the Master Concept Plan.

As the applicant has included model homes and model units in the list of permitted uses it is possible that this deviation is not necessary. The applicant's agents have been previously required to include this request by some reviewers. Consequently, it has been included here.

DEVIATION 13
Deviation from LDC Section 34-1954(f) which allows Director discretion to allow high turnover parking surfaces to meet the surfacing standards for low turnover parking lots to allow the parking spaces for the ancillary sales office use within a model home to be surfaced with gravel.

Justification
No deviation is requested regarding the surfacing standards for the actual single family home. That required parking as well as the handicapped parking space(s) for the model home will be paved. This request applies only to the additional parking for the use of the model home as a model. Parking requirements for model homes and model units change over time. When the models are active, the parking requirements are higher than they will be for the same unit after it becomes a home. Gravel parking lots are customary for model homes and model units. The project will be enhanced by granting this deviation to allow for less impervious paving surfaces because additional paving is unattractive, heat producing, environmentally insensitive and an unnecessary expense to the developer.

As a condition of this request, the applicant will construct the required handicapped parking for

the type of dwelling unit being displayed with asphalt or concrete to provide a smooth surface without gaps or holes while additional parking for the models will be surfaced with gravel. This deviation will not affect public safety.

DEVIATION 14
Deviation requesting relief from the LDC Section 30-153(2)(a)(iv). requirement that limits the text of additional identification signs to the name of the subdivision or residential development, to allow sign text for both the entry signs and the corner
monuments to include the notation "A US Home Community" or "US Home" in addition to the name of the residential development.

Justification
A critical component of project identification for a new residential development is identifying the developer. This deviation was approved recently for US Home's Stoneybrook community. The part of the signage identifying the developer is small, low key and attractive. The developer proposes the same kind of signage for Heritage Creek. No additional size is being requested for the signage due to this request.

Appendix A

Florida Scrub Jay Survey

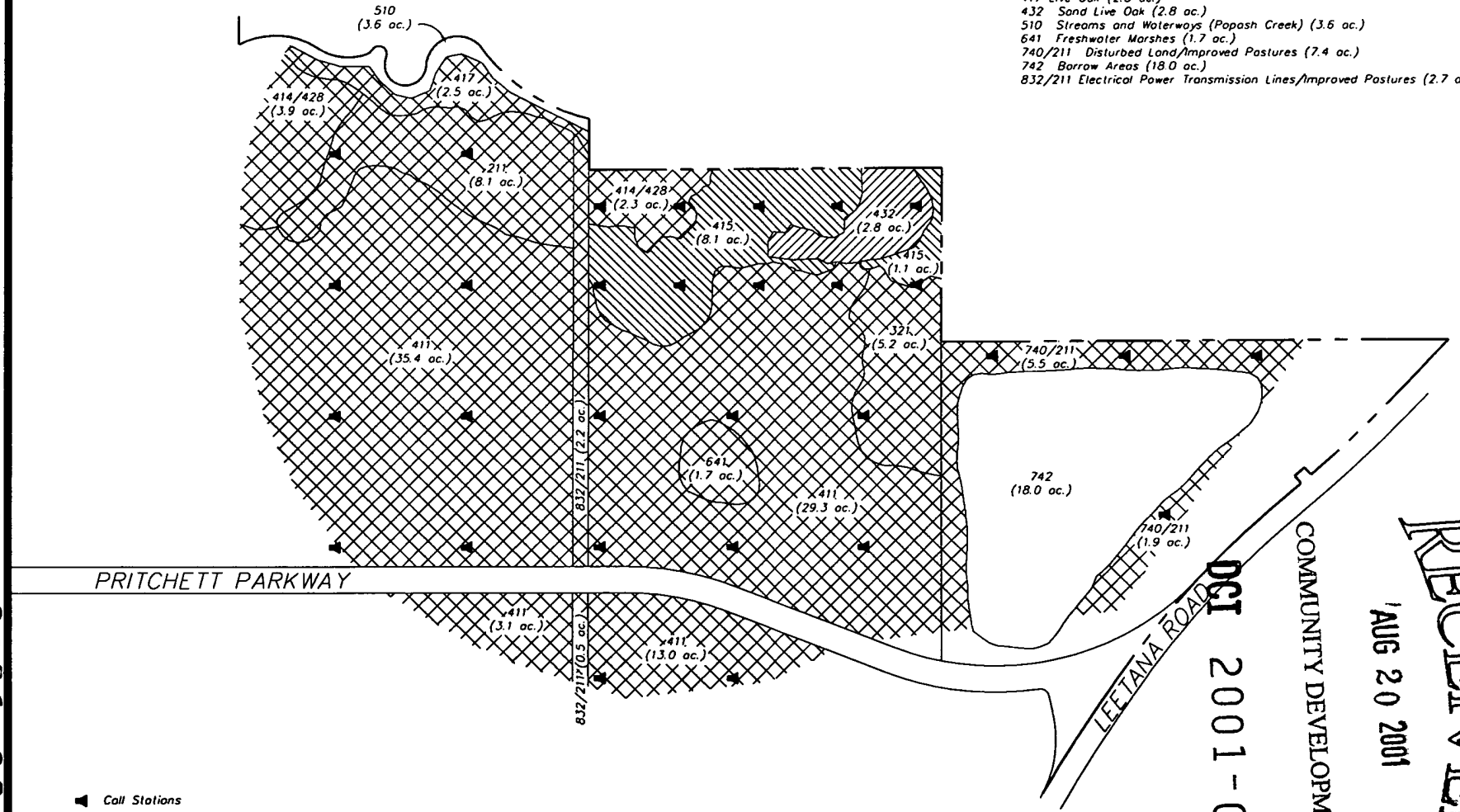
DCI 2001-00038

SECTION: 16 & 21
TOWNSHIP: 43 S
RANGE: 25 E

SCRUB JAY HABITAT MAP

0 300 600
SCALE FEET

FLUCCS Legend
211 Improved Pastures (8.1 ac.)
321 Palmetto Prairies (5.2 ac.)
411 Pine Flatwoods (80.8 ac.)
414/428 Pine - Mesic Oak/Cabbage Palm (6.2 ac.)
415 Scrubby pine flatwoods (9.2 ac.)
417 Live Oak (2.5 ac.)
432 Sand Live Oak (2.8 ac.)
510 Streams and Waterways (Popash Creek) (3.6 ac.)
641 Freshwater Marshes (1.7 ac.)
740/211 Disturbed Land/Improved Pastures (7.4 ac.)
742 Borrow Areas (18.0 ac.)
832/211 Electrical Power Transmission Lines/Improved Pastures (2.7 ac.)



Call Stations
Type I Habitat (2.8 ac.)
Type II Habitat (9.2 ac.)
Type III Habitat (114.6 ac.)

DCI 2001-00038

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COMMUNITY DEVELOPMENT

DCI 2001-00038

PERMIT USE ONLY,
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April 10, 2001 2:35:46 p.m.
Drawing: HOME52SCRUBJAY.DWG

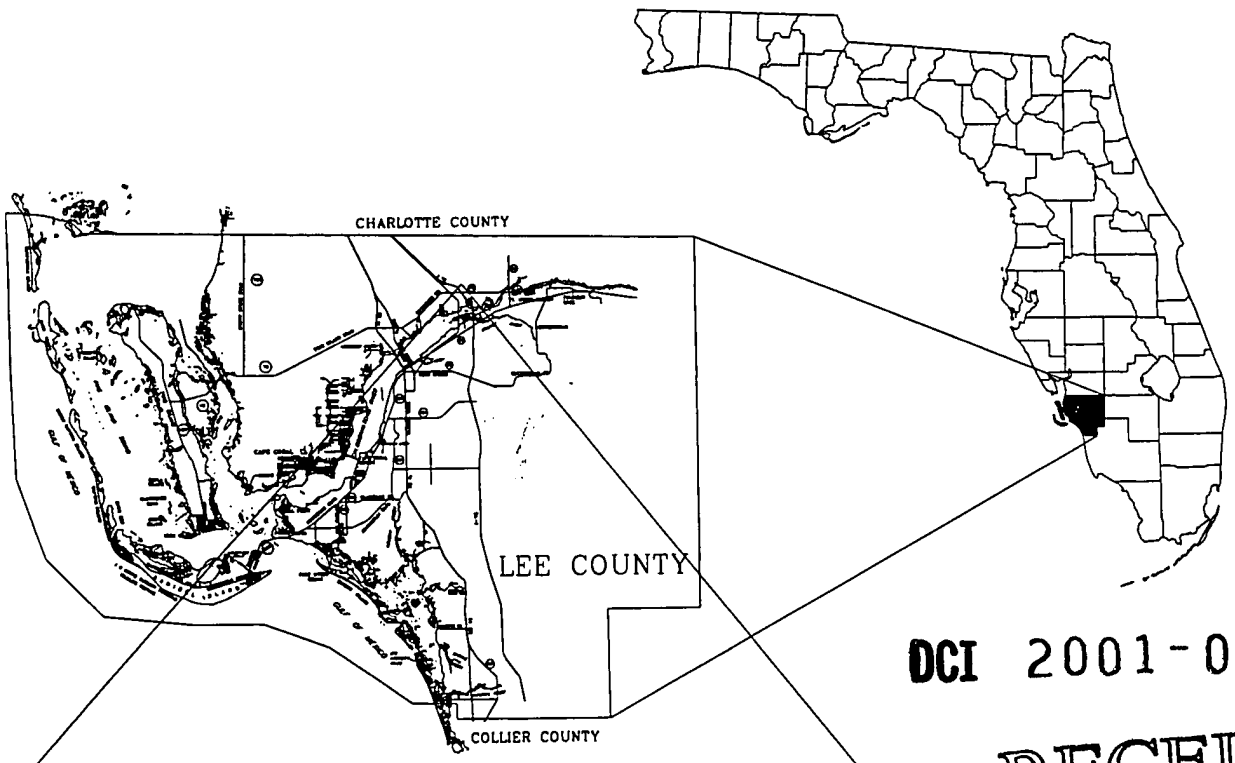
W. DEXTER BENDER AND ASSOCIATES
ENVIRONMENTAL & MARINE CONSULTING
FORT MYERS, FL (941) 334-3680

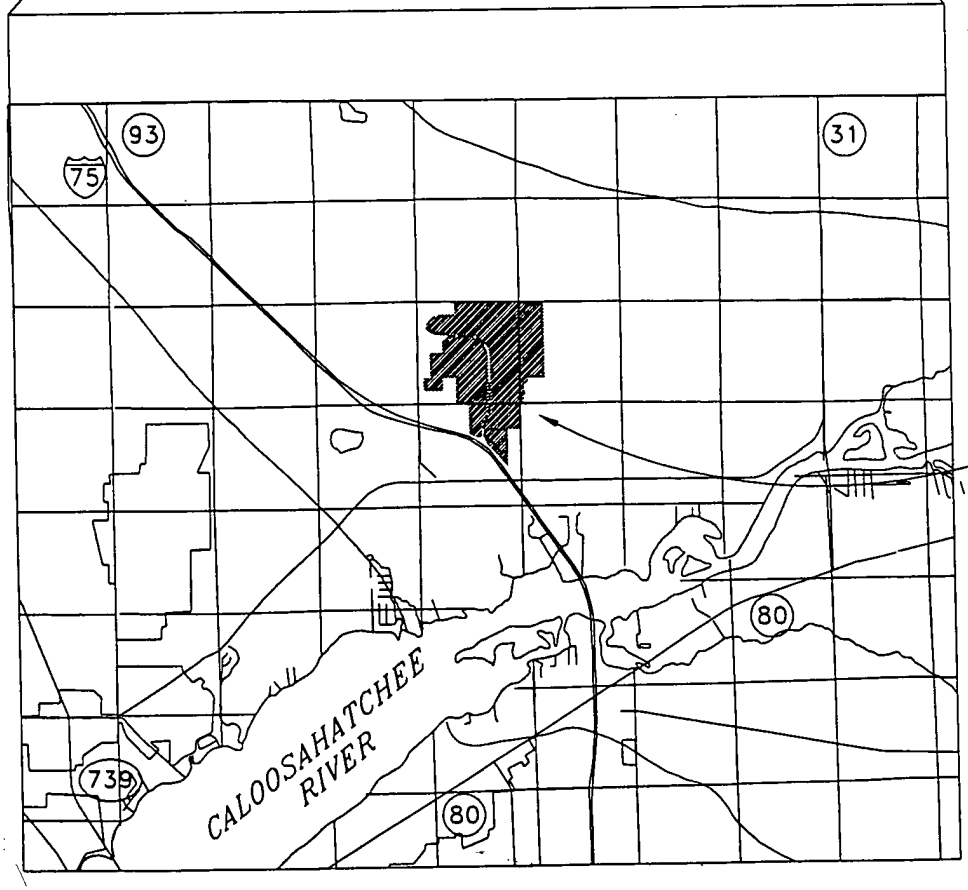
REVISED:

HERITAGE CREEK

SHEET

Project Location Map





Project Location

DCI 2001-00038

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COMMUNITY DEVELOPMENT

PERMIT USE ONLY, NOT FOR CONSTRUCTION

July 25, 2001 9:01:54 a.m.
Drawing: HOME52PROJECT_LOCATION.DWG (DCS)

W. DEXTER BENDER AND ASSOCIATES
ENVIRONMENTAL & MARINE CONSULTING
FORT MYERS, FL (941) 334-3680

REVISED:

Heritage Creek

DCI 2001-00038

SHEET

Attachment 4
Heritage Creek
November 28, 2001

DEVIATION LOCATIONS

The locations for the Deviations for Heritage Creek Oaks with limited application are indicated on the Master Plan. Other Deviations are located as follows:

Deviations 6, 8, 11, 12 and 13 apply to residential and golf course tracts as applicable.
Deviations 1 and 5 apply to all internal roadways and accessways.
Deviation 2 applies to all internal sidewalks.
Deviation 14 applies to the project identification sign and the entrance signs.
Deviation 7 applies to the internal lakes.

DEVIATION 1

Deviation from LDC Section 10-296(d), Table 4(7)(c) which requires the wearing surface on local and access streets to be one-and-one-half-inch (1.5") asphaltic FDOT type S-III to allow for cement concrete and/or pavers on the private streets.

Justification

This developer is requesting this deviation for entrance features and other focal points within Heritage Creek. They expect the pavers would be used to enhance the development entrance, golf cart crossings and the clubhouse entrance. Cement concrete and/or pavers have been used extensively through out the county in most large-scale projects. These building systems are structurally equivalent to the "standard" cross-section of asphaltic and concrete paving materials and consequently their use only adds to the quality of this development and does not create any negative impact to the public.

DEVIATION 2

Deviation from LDC Section 10-256(d)(3) which requires all sidewalks to be either (1) four-inch (4") thick Portland cement concrete, or (2) a minimum of one-and-one-half-inch (1.5") thick asphaltic concrete of FDOT type S-III to allow sidewalks to be constructed of decorative pavers throughout the development.

Justification

This developer is requesting that this alternate cross-section which is structurally equivalent to the "standard" cross-section of concrete sidewalks be granted to allow the developer the option of upgrading the appearance of some of the development's sidewalks. Several examples of this alternate surface can be found in the county, particularly in large-scale, quality projects. There is no impact to the public from this change.

DEVIATION 3

Deviation from LDC Section 10-418 (a)(2)(b) which requires a minimum number of native wetland herbaceous plants of one (1) plant per linear foot of lake shoreline and that native wetland trees or shrubs may be substituted for up to 25 percent of the total number of herbaceous plants required to allow the required number of plantings to be 50% trees in the Tract K lake only.

Justification

The twenty acre borrow pit near the project entrance is proposed to include a golf aqua driving range as a recreational amenity for the subject property. This lake's use as an aqua driving range is incompatible with the usual lake perimeter wetland plantings. With the physical

constraints of the subject property an aqua range was the only possible solution for a driving range. In an aqua range the balls float and are retrieved by scooping them out with nets from the lake edge. The usual low level wetland vegetation along the aqua range's shore line would interfere with this retrieval would result in unavoidable damage and possibly destruction of the plants. The applicant is requesting this deviation to allow the option of locating wetland trees in lieu of some of the smaller plant varieties. There is no impact to the public from this change.

DEVIATION 4
Deviation 4 seeks relief from the LDC Section 10-291(3) which requires, where practical, any residential development of at least 5± acres to provide two (2) or more means of ingress and egress, to allow only one means of ingress and egress for those development parcels which are surrounded by golf course, water body or conservation area or any combination of these. These tracts are Tract D, Tract G and Tract H. A full size cul-de-sac will be provided in any parcels subject to this deviation. Prior to each local Development Order, the local Fire and Emergency Service will provide a letter of no objection to the single ingress and egress of these parcels.

Justification
On a project-wide basis, the Heritage Creek development meets the requirements of LDC Section 10-281 as it provides many access points onto Pritchett Parkway. This deviation is intended to apply to the parcels listed above. Except for Tract K, the recreation facility tract, each of these parcel is either surrounded by water or preserve area. Final design for this tract is not complete but it may be necessary for security reasons to limit access to one access point. There is no impact to the public from this change.

DEVIATION 5
This Deviation is WITHDRAWN by the applicant as the staff has indicated in a memo dated that it can be handled administratively through the Development Order process.

DEVIATION 6
Deviation seeking relief from LDC Sections 10-421(a)(5) which requires that no portion of a buffer area consisting of trees and shrubs be located in an easement, to allow planted buffers consisting of shrubs and non-required trees in easements provided that if any required buffer or landscape strip plantings installed within easements must be removed, then the Developer or property-owners' association must replace these plantings with like size and species at no expense to the county. This requirement must be clearly stated in the property-owners' documents.

Justification
This deviation is requested to enhance the development by improving its appearance with landscaping while still providing access to any easements. This deviation is routinely approved with the conditions "if any required buffer or landscape strip plantings installed within easements must be removed, the Developer or property owner's or homeowner's association must replace these plantings with like size and aged species at no expense to the county and assume the cost to repair any utilities damaged by the removal of these plantings. The requirement must be clearly stated in the property owner's or homeowner's documents." It is also understood that plantings in these easement areas are not credited against any project landscape requirements. There is no impact to the public from this change. See Master Concept Plan.

DEVIATION 7
Deviation from LDC Section 10-329(e)(4) which requires excavation banks to be sloped; to allow up to 40 percent of the banks to utilize either:

a. A vertical slope with the condition that lake bottom slopes at the toe of any bulkhead may be no greater than 4:1 or

b. A 2:1 (horizontal:vertical) slope to a depth of 6 feet below control with the condition that the 2:1 section(s) be stabilized with rip-rap.

If either bulkhead or rip-rap is used, the number of littoral plants required for the excavation would be based on the entire shoreline including the bulkhead or rip-rap portions. Adequate elements for the protection of wayward vehicles will be provided when adjacent to any roadway, parking lot or driveway aisle.

Justification

This deviation improves the development by allowing a more aesthetic, creative design of the development and by improving the project's open space. Bulkhead or rip-rap may be used to eliminate or move the lake slope further away from a structure (patio, pool deck, walking path) and allow a level "landing" area adjacent to these structures instead of an immediate 4:1 slope. As mentioned above, safety is addressed with the condition regarding wayward vehicles. Environmental considerations are also addressed in the condition that the number of littoral plants required for the excavation must be based on the entire shoreline including the bulkhead portions. There is no impact to the public from this change.

DEVIATION 8

Deviation from LDC Section 10-259 which requires that no buildings or structures shall be placed in easements where placing a building or structure in an easement is contrary to the terms of the easement or interferes with the use of the easement, to permit building overhangs only to a maximum 1.5 feet into either a 15-foot or 20-foot closed drainage system easement throughout and only in those circumstances where corrugated plastic pipe is used and adequate engineering analysis is provided by the Applicant at the time of development order and approval by Development Services Division which demonstrates that adequate maintenance of utilities, storm drain facilities, etc. can be achieved.

Justification

The applicant's request is not to place any building or structure in an easement but simply to allow minor building overhangs. The deviation will improve the project by reducing unnecessary cost to the development while at the same time meeting all of the objectives of the LDC provision. The application of this deviation is very limited. Safety concerns are addressed with the condition that High Density Polyethylene pipe is required. With this type of pipe no machinery is needed to move the pipe into location. Maintaining this minimum deviation to allow only to a maximum 1.5 feet into either a 15-foot or 20-foot easement and to require a review at the time of development order approval further contribute to alleviate any safety concerns.

The requested sample drawing is attached.

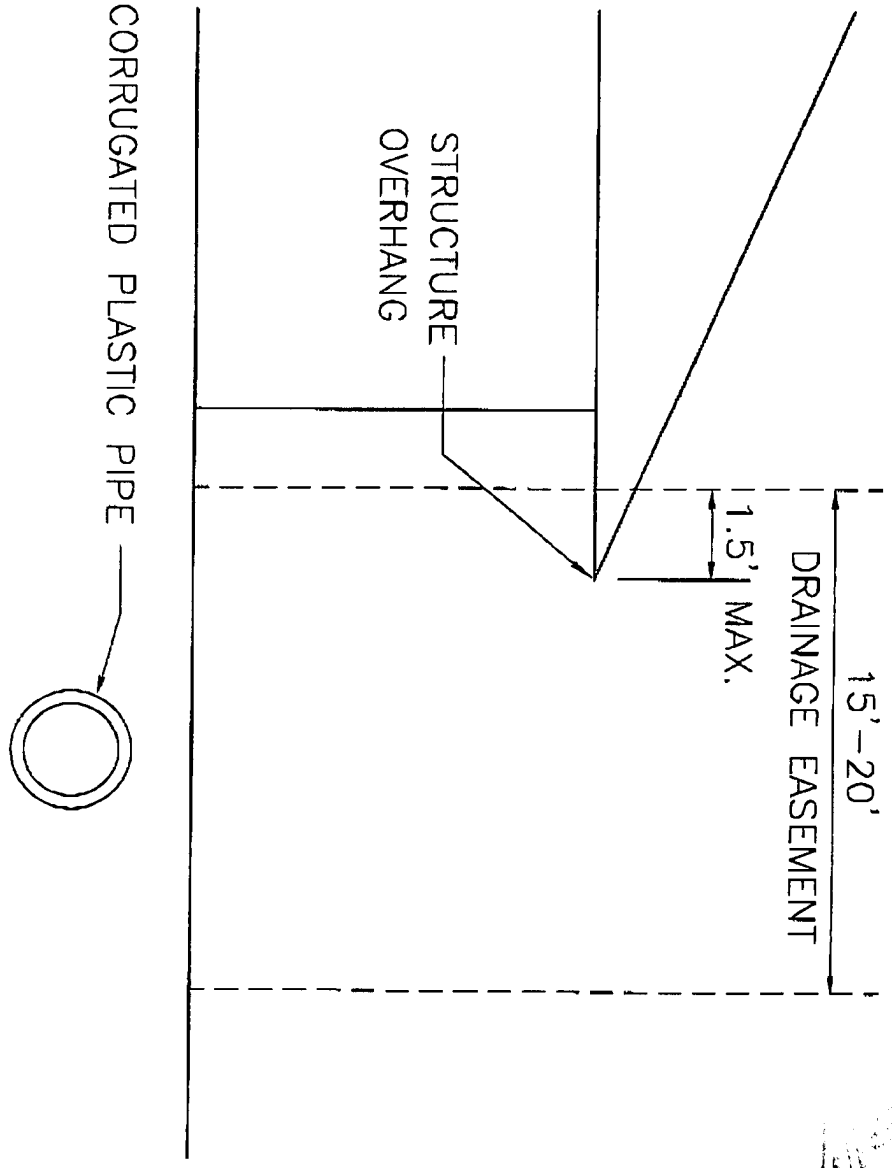
DEVIATION 9

Deviation 9 seeks relief from the LDC Section 34-2020(1)c. requirement that multiple family buildings have 1.5 parking spaces for 1-bedroom units, 1.75 spaces for 2-bedroom units and 2.0 spaces for 3-bedroom units, to allow 1.25 parking spaces for all bedroom unit types, with an additional 10 percent of parking for multiple family buildings to accommodate guest parking in Tracts B, I and J.

Justification

Heritage Creek is modeled after other US Home Communities. US Home previously completed a study on the parking requirements for their multi-family building concept and has submitted it previously to support this requested deviation. As these US Home multi-family buildings attracts the same clients wherever they are built, the number of occupied parking places at these other US Home projects is a predictor of what will occur at Heritage Creek.

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Typically the US Home multi-family buildings have a maximum of 30 units. For each of these buildings there would be a reduction of approximately 12 parking spaces. Based on the real life experience of this same developer with this same building product within Lee County, these parking spaces are not needed. The development is enhanced because unneeded parking spaces are not going to be constructed. There is no impact to the public from this change.

DEVIATION 10
Withdrawn by Applicant

DEVIATION 11
Withdrawn by Applicant

DEVIATION 12
Deviation from LDC Section 34-1954(a)(1) to allow model homes and model home units to be permitted by right.

Justification
This deviation allows the county to determine that model homes and model units are appropriate for the subject development now rather than waiting to make piecemeal decisions in the future. This alternative process enhances the planned development by allowing the use to exist within the project while under unified control and meeting the provisions of the LDC with respect to model homes and model units.

Any and all model units will be located in Tracts B, I and J. The general location of all potential model homes has been shown on the Master Concept Plan. With this change to the Master Concept Plan, any one purchasing a home within Heritage Creek will know whether there would ever be a model home near their home.

As the applicant has included model homes and model units in the list of permitted uses it is possible that this deviation is not necessary. The applicant's agents have been previously required to include this request by some reviewers. Consequently, it has been included here.

DEVIATION 13
Deviation from LDC Section 34-1954(f) that allows the Director discretion to allow high turnover parking surfaces to meet the surfacing standards for low turnover parking lots to allow the parking spaces for the ancillary sales office use within a model home to be surfaced with gravel.

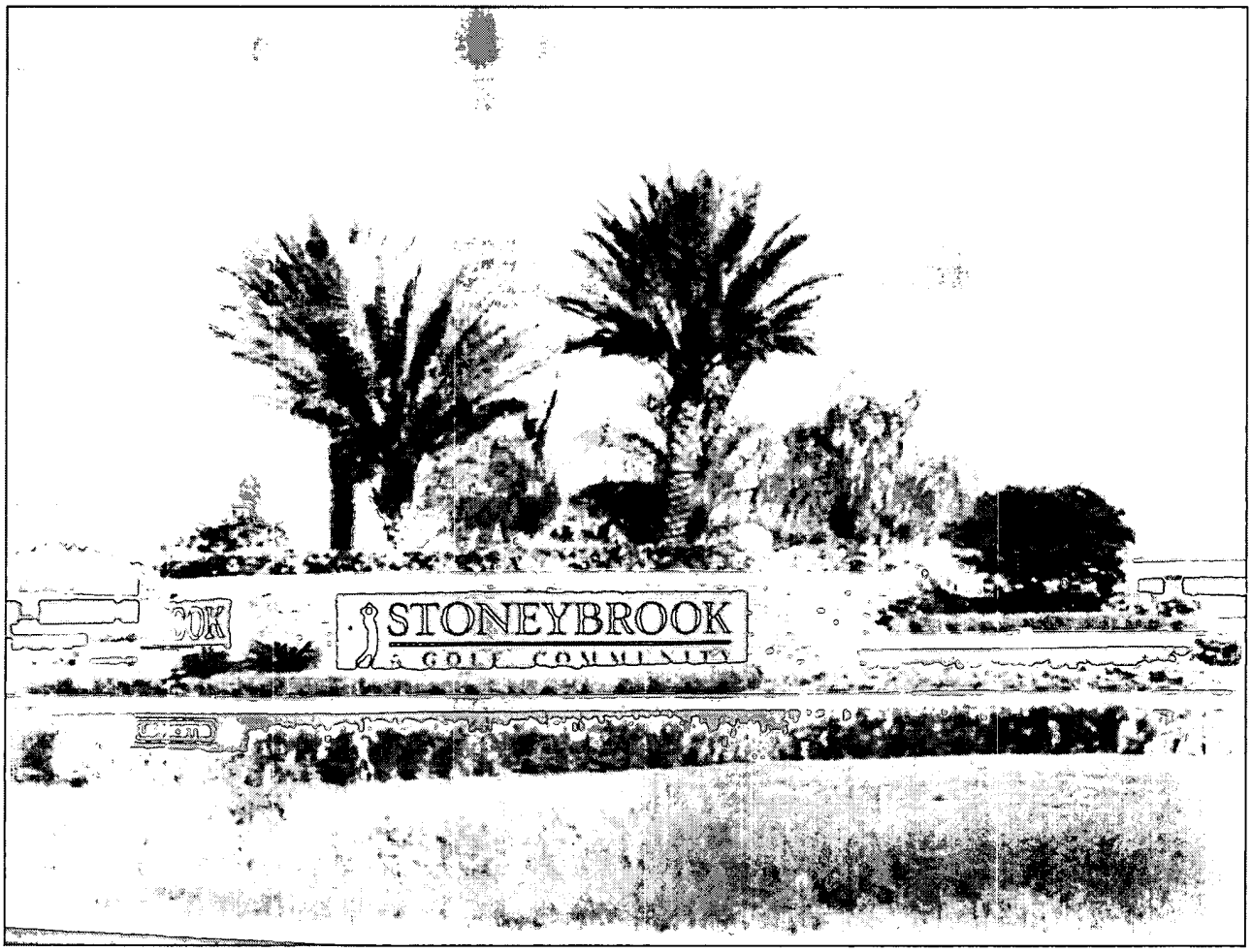
Justification
No deviation is requested regarding the surfacing standards for the actual single family home. That required parking as well as the handicapped parking space(s) for the model home will be paved. This request applies only to the additional parking for the use of the model home as a model. Parking requirements for model homes and model units change over time. When the models are active, the parking requirements are higher than they will be for the same unit after it becomes a home. Gravel parking lots are customary for model homes and model units. The project will be enhanced by granting this deviation to allow for less impervious paving surfaces because additional paving is unattractive, heat producing, environmentally insensitive and an unnecessary expense to the developer.

As a condition of this request, the applicant will construct the required handicapped parking for the type of dwelling unit being displayed with asphalt or concrete to provide a smooth surface without gaps or holes while additional parking for the models will be surfaced with gravel. This deviation will not affect public safety.

DEVIATION 14
Deviation requesting relief from the LDC Section 30-153(2)(a)(iv) requirement that limits the text of additional identification signs to the name of the subdivision or residential development, to allow sign text for both the entrance signs and the project sign to include the notation "A US Home Community" or "US Home" in addition to the name of the residential development. Specific Information on the entrance signs and the project sign are attached as Attachment 5.

Justification
A critical component of project identification for a new residential development is identifying the developer. This deviation was approved recently for US Home's Stoneybrook community. The part of the signage identifying the developer is small, low key and attractive. The developer proposes the same kind of signage for Heritage Creek.

DEVIATION 15
Deviation requesting relief from the LDC Section 30-152 d.2 requirement that limits the face of each permitted main entrance identification sign in developments of more than 25 units to 105 square feet in area and a deviation requesting relief from the LDC Section 30-94(h) which requires that double-faced signs with opposing faces having an interior angle less than 30 degrees to allow the Heritage Creek project sign to have two sign faces of approximately 130 square feet in size and be located on a curvilinear wall as illustrated in a comparable sign approved by Lee County for US Home's Stoneybrook development.



DCT 2001-00039

Justification
Regarding the proposed sign size:
Lee County allows a 105 square foot project sign to be located at the development's main entrance. In addition, one additional permanent wall or ground-mounted sign of 105 square feet is permitted along each boundary line of the development, which exceeds 2,000 feet in length. The Heritage Creek development has a total of 4244 linear feet of frontage on the east side of Pritchett Parkway and a total of 5035 linear feet on the west side of Pritchett Parkway. With this considerable frontage the development would be allowed two additional 105 square foot double-faced signs. The applicant's request is to combine the two additional identification signs and the sign that would be allowed at the project's main entrance into the sign illustrated above. This sign would have two sides with each side totaling approximately 150 square feet.

	Allowable Main Project Sign	**Heritage Creek Main Project Sign**
Main Project Sign	105 sq ft x 2 sides	
Additional Signs (with a development with frontage which exceeds 2,000 feet in length)	105 sq ft x 2 sides (east side of Pritchett Pkwy) +105 sq ft x 2 sides (west side of Pritchett Pkwy)	
Total	**315 sq ft x 2 sides**	**150 sq ft x 2 sides**

The total square footage of sign face requested for Heritage Creek's main project sign is about half the square footage allowed by Lee County.

Regarding the interior angle of the proposed sign
This request is to allow a more visually attractive sign in an unusual location. From I-75 it would be difficult to see the text on the usual back to back sign. Locating the sign on a curvilinear wall open us the opportunity for better visibility

This sign would be located on Pritchett Parkway which in this location runs parallel to I-75. Visibility to the traveling public is from I-75. Because of the distance between this sign and the travel lanes on I-75 (approximately 200 feet), it would be difficult to see much less read a Project Sign that was either parallel or perpendicular to I-75. A similar sign for the Stoneybrook development works very well further south on I-75 where the sign is closer to I-75. This deviation enhances the project by decreasing the total number of signs allowed for the development while at the same time notifying the traveling public better of the Heritage Creek development. This is a very attractive sign and its construction will cause no negative impact on the public.

DEVIATION 16
Deviation requesting relief from the LDC Section 10-416(d)(6) requirement that if roads, drives, or parking areas are located less than 125 feet from an existing residential subdivision or residential lots, a solid wall or combination berm and solid wall not less than eight feet in height must be constructed not less than 25 feet from the abutting property and landscaped (between the wall and the abutting property) with a minimum of five trees and 18 shrubs per 100 linear feet to allow the two cul-de sacs in Tract H and the short roadway segment in Tract E to be located as illustrated on the Master Concept Plan together with the buffers proposed on the Master Concept Plan.

Justification
There are three components of this request:
a. The two cul-de sacs in Tract H.
Tract H is a very small tract with limited design flexibility. Each of these cul-de sac's ROW is located a minimum of 50 feet from the property line. With between 20 and 30

units in this tracts the traffic on the two cul de sacs will be minimal and the proposed Type D buffer will provide adequate visual protection for any abutting land uses. The proposed buffer is equal to that required in the number of trees and requires hedges must be planted in double staggered rows and be maintained so as to form a 36-inch high continuous visual screen within one year after time of planting..

b. The roadway segment in Tract E
This part of the right of way for Tract E is located between the property line and a wetland proposed for preservation. The available space between the wetland and the property line only accommodates the SFWMD's required wetland buffer, lots on one side of the road and the proposed Type D buffer.

This deviation enhances the project by allowing an efficient development of Tract H and allowing the developer to provide a needed connection between the easterly and westerly parts of Tract E. With the buffers that are committed for these three locations, there will cause no negative impact on the public.

DCT 2001-00038

Attachment 5
Signage for Heritage Creek
November 28, 2001

LOCATION OF PROJECT AND ENTRANCE SIGNS

All signs within Heritage Creek will meet the Visibility triangle set forth in Sec. 30-93 of the LDC. The locations for the project sign and the entrance signs for Heritage Creek Oaks are indicated on the Master Plan. Internal subdivision signs, on-site directional signs, construction signs, model home signs and temporary signs are not specifically located.

Project Sign

Two alternative locations for the Project Sign are illustrated on the Master Concept Plan. The preferred location is in the island between Leetana Road and Pritchett Parkway. This sign will each be set back a minimum of 15 feet from the rights of way and a minimum of five feet from the edge of the pavement of the entrance and exit lanes.

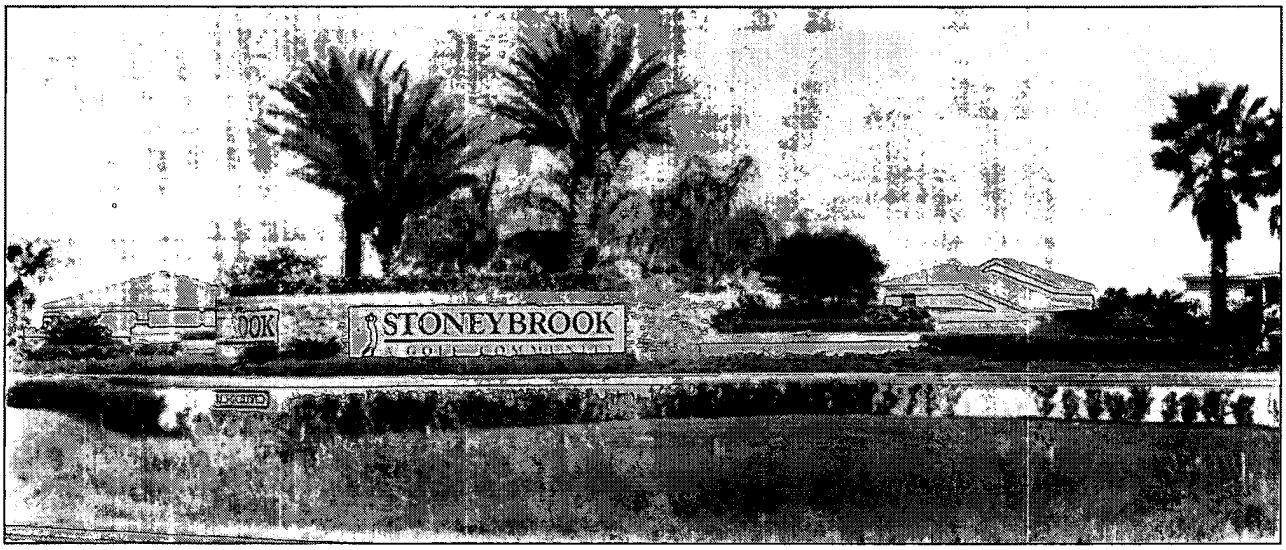
Entrance Signs

These will be two single-faced signs located on each side of the entranceway shown on the Master Concept Plan. The signs will each be set back a minimum of 15 feet from the right of way of the public access road and a minimum of five feet from the edge of the pavement of the entrance and exit lanes.

DESIGN AND SIZE OF PROJECT AND ENTRANCE SIGNS

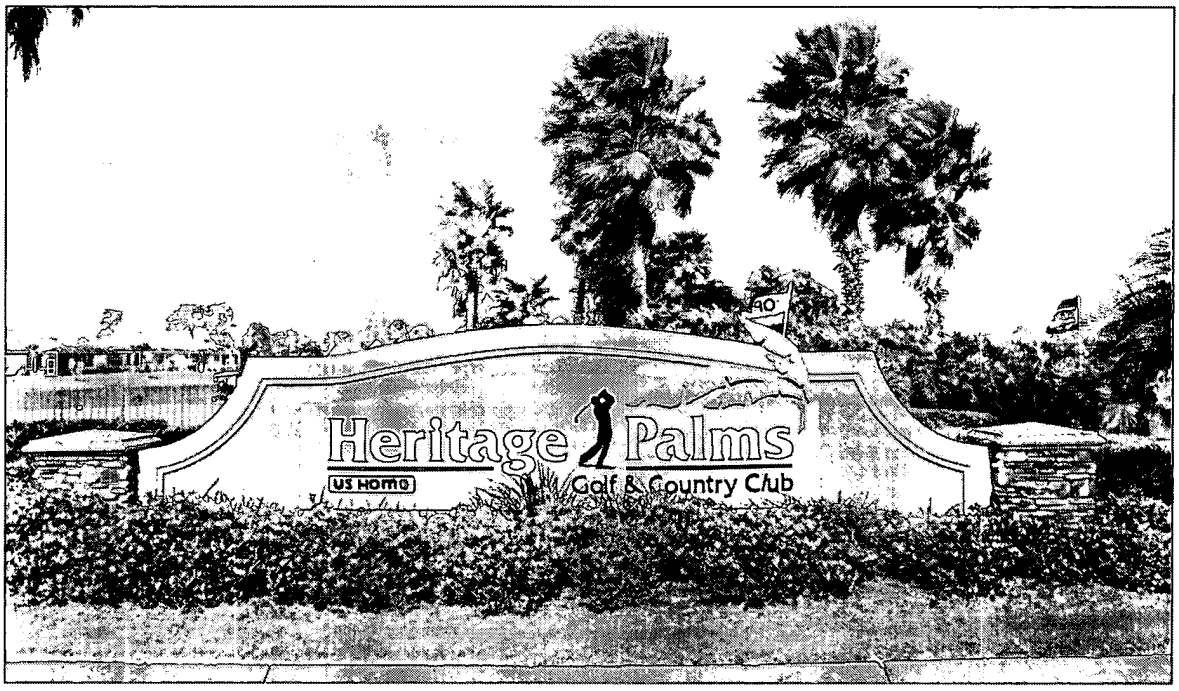
Project Sign

It is anticipated that this sign will be similar to the sign for US Home's Stoneybrook development located along its I-75 frontage. This is a double-faced sign with a sign face of approximately 150 square feet on each side. A deviation is requested for this sign to allow the signs to be placed on a curved wall instead of back to back and to allow the size of the sign to reflect the additional signage that is possible for developments with boundary lines that exceed 2,000 feet in length. See Deviation 15.



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Entrance Signs
These will be two single-faced signs equal in size, with a maximum size of 105 square feet in size each, one on each side of the entrance roads. It is anticipated that these signs will be similar to the sign for US Home's Heritage Palms development that is located on Winkler Road. A photograph of this Heritage Palms sign is included below.



Temporary "For Sale" Signs
One sign would be located every 330 linear feet on either side of Pritchett Parkway. These signs would be limited to 32 sq. ft. in area (approximately 4' x 8') and ten feet in height.

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RECEIVED
OCT 19 2001
COMMUNITY DEVELOPMENT

PROTECTED SPECIES ASSESSMENT

For

HERITAGE CREEK

US HOME CORPORATION

Sections 16 & 21, Township 43 South, Range 25 East
Lee County, Florida

April 2001

Revised August 2001

Prepared By:

W. Dexter Bender & Associates, Inc.
2052 Virginia Avenue
Fort Myers, Florida 33901
(941) 334-3680

DCI 2001-00038
DCI 2001-00038

INTRODUCTION

A parcel known as Heritage Creek is located in Sections 16 & 21, Township 43S, and Range 25E in northern Lee County. The property is bounded on the southwest by Interstate 75, on the east by Popash Creek and is divided by Pritchett Parkway running north to south through the property. The property location is shown on the attached map. This report documents the observations made during protected species surveys conducted on February 8 & 9, March 6, 26, 27, 28, and April 2, 3, 4, 6 and 9, 2001.

VEGETATION

Field observations, in conjunction with the Lee County Soil Survey and infrared aerial photographs, were used to develop a map of vegetative communities on site. The table below displays the twenty-seven (27) distinct vegetation associations found on the subject parcel. These vegetative communities were identified and classified utilizing the Florida Land Use Cover and Forms Classification System (FLUCCS) and are shown in table 1 below. A description of each FLUCCS association is also included. The attached vegetation map provides the location of the vegetative communities on site.

FLUCCS CODE	DESCRIPTION	ACREAGE	PERCENT SURVEYED
119/411	Low Density Residential Under Construction/ Pine Flatwoods	19.2	>90
211	Improved Pasture	41.7	>90
211P	Improved Pasture with Pines	24.2	>90
214	Row Crops	158.0	50
321	Palmetto Prairie	22.6	>90
321P	Palmetto Prairie with Pines	12.9	>90
411	Pine Flatwoods	275.7	>90
411P	Pine Flatwoods with Brazilian Pepper	23.7	>90
414/428	Pine - Mesic Oak/ Cabbage Palm	11.7	>90
411/740	Pine Flatwoods/ Disturbed Land	10.4	>90
415	Scrubby Pine Flatwoods	9.2	>90
417	Live Oak	1.0	>90
425	Temperate Hardwood	1.9	>90
428P	Cabbage Palm with Brazilian Pepper	0.5	>90
429H	Willow- Hydric	13.1	50

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432	Sand Live Oak	2.8	>90
510	Streams and Waterways	2.0	50
617	Mixed Wetland Hardwoods	0.7	50
621	Cypress	7.3	50
641	Freshwater Marsh	42.8	50
740	Disturbed Land	1.1	>90
740/211	Disturbed Land/ Improved Pasture	19.4	>90
742	Borrow Areas	26.7	50
743	Spoil Areas	8.8	>90
8145	Graded and Drained	2.2	>90
832/211	Electrical Transmission Lines/ Improved Pasture	4.5	>90
8331	Treatment Plant	6.0	50
TOTAL		750.1	

VEGETATIVE DESCRIPTIONS

The following is a brief description of the twenty-seven (27) vegetative communities found on site. All of the habitats described below are currently being utilized as active cattle pasture and have been altered to varying degrees (via burning, clearing, planting of pasture grasses, etc.) to create more suitable conditions for livestock grazing.

119/411 – Low Density Residential Under Construction/ Pine Flatwoods (19.2 acres)
This area contains roads and a stormwater management system without structures. The dominant species within this vegetative community are saw palmetto (*Serenoa repens*) and slash pine (*Pinus elliottii*).

211 – Improved Pasture (41.7 acres)
This vegetative community is dominated by Bahia grass (*Paspalum notatum*) and other pasture grass species with scattered saw palmetto (*Serenoa repens*), Brazilian pepper (*Schinus terebinthifolius*), wax myrtle (*Myrica cerifera*), and prickly pear cactus (*Opuntia humifusa*) also present.

211P – Improved Pasture with Pines (24.2 acres)
This vegetative community is similar in composition to FLUCCS 211 above with slash pine scattered throughout.

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214 – Row Crops (158.0 acres)
This area is actively farmed and currently contains tomatoes.

321 – Palmetto Prairie (22.6 acres)
This habitat contains dense thickets saw palmetto with Bahia grass dominating the open areas. Other species present include wiregrass (*Aristida stricta*), runner oak (*Quercus pumila*), staggerbush (*Lyonia fruticosa*), gallberry (*Ilex glabra*), grapevine (*Vitis rotundifolia*), slash pine, Brazilian pepper and prickly pear cactus.

321P – Palmetto Prairie with Pines (12.9 acres)
This habitat is similar in vegetative species composition to FLUCCS 321 above with significant coverage by slash pines.

411 - Pine Flatwoods (275.7 acres)
Slash pine dominates the canopy of this habitat with saw palmetto, Bahia grass, wiregrass, gallberry, Brazilian pepper and grapevine comprising the groundcover.

411P - Pine Flatwoods with Brazilian Pepper (23.7 acres)
This habitat is similar in composition to FLUCCS 411 above with significant coverage by Brazilian pepper.

414/428 – Pine – Mesic Oak/ Cabbage Palm (11.7 acres)
Cabbage palms (*Sabal palmetto*) and live oaks (*Quercus virginiana*) are the dominant canopy species in this mesic hammock. Subdominant species include American beautyberry (*Callicarpa americana*), buckthorn (*Bumelia sp.*), Bahia grass and grapevine.

415 – Scrubby Pine Flatwoods (9.2 acres)
Slash pine is the dominant canopy species and Bahia grass is the dominant groundcover within this habitat. Scattered myrtle oak (*Quercus myrtifolia*), sand live oak (*Quercus geminata*), dwarf live oak (*Quercus minima*), saw palmetto, live oak, cabbage palm, American beautyberry and grapevine are also present.

417 – Live Oak (1.0 acres)
Live oaks dominate the canopy while broom sedge (*Andropogon virginicus*), Bahia grass and other pasture grasses are dominant groundcover species. Cabbage palm, Brazilian pepper and grapevine are also present.

425 – Temperate Hardwood (1.9 acres)
This hammock area contains laurel oak (*Quercus laurifolia*), live oak, cabbage palm, red maple (*Acer rubrum*), Brazilian pepper, grapevine, poison ivy (*Toxicodendron radicans*) and swamp fern (*Blechnum serrulatum*).

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428P – Cabbage Palm with Brazilian Pepper (0.5 acres)
Cabbage palm is the dominant canopy species in this mesic hammock area. Subdominant species include poison ivy, greenbrier (*Smilax sp.*), wiregrass, American beautyberry, buckthorn, Bahia grass and grapevine.

429H – Willow - Hydric (13.1 acres)
This wetland community is dominated by Carolina willow (*Salix caroliniana*) with swamp fern, wax myrtle, slash pine and Brazilian pepper also present.

432 – Sand Live Oak (2.8 acres)
Sand live oak, myrtle oak and dwarf live oak are the dominant species within this habitat. Common paw-paw (*Asimina reticulata*), Bahia grass, saw palmetto, grapevine, buckthorn and prickly pear cactus are also present.

510 – Streams and Waterways (2.0 acres)
This habitat is a creek known as Popash Creek, running approximately north-south through the site, containing sparse vegetation including torpedo grass (*Panicum repens*), water-hyssop (*Bacopa sp.*) and pickerelweed.

617 – Mixed Wetland Hardwoods (0.7 acres)
Laurel oak, bald cypress (*Taxodium distichum*), cabbage palm, red maple, swamp fern and Brazilian pepper are the primary species in this wetland habitat.

621 – Cypress (7.3 acres)
Bald cypress is the dominant canopy species in this forested wetland habitat. Swamp fern, chainfern (*Woodwardia virginica*) and Brazilian pepper are also present.

641 – Freshwater Marsh (42.8 acres)
This wetland habitat contains St. John's wort (*Hypericum fasciculatum*), sand cordgrass (*Spartina bakeri*), pickerelweed (*Pontederia cordata*), maidencane (*Panicum hemitomon*), duck potato (*Sagittaria lancifolia*), common frog-fruit (*Phyla nodiflora*), water pennywort (*Hydrocotyle umbellata*), Asiatic coinwort (*Centella asiatica*), wax myrtle and broom sedge.

740 – Disturbed Land (1.1 acres)
Bahia grass and various other pasture grasses are the dominant species within this disturbed area. Weedy vegetation including ragweed (*Ambrosia artemisiifolia*) and dog fennel (*Eupatorium capillifolium*) is also present.

740/211 – Disturbed Land/ Improved Pasture (16.8 acres)
Bahia grass and other pasture grass species dominate this disturbed habitat. Brazilian pepper, wax myrtle and scattered live oaks are also present.

742 – Borrow Areas (26.7 acres)

These open water habitats consists of a borrow pits that were apparently created during the construction of Interstate 75 and Pritchett Parkway. Shoreline vegetation includes cattail (*Typha sp.*), wax myrtle, water pennywort, water-hyssop, Brazilian pepper and pickerelweed.

743 – Spoil Areas (8.8 acres)
This depositional spoil area contains pasture grasses and weedy vegetation.

8145 – Graded and Drained (2.2 acres)
This area is a dirt road with little or no vegetation present.

832/211 – Electrical Transmission Lines/ Improved Pasture (4.5 acres)
Bahia grass is the dominant species within this habitat. Saw palmetto and broom sedge are also present.

8331 – Treatment Plant (6.0 acres)
This area is an active water treatment facility with various grass species present.

The following table shows which protected species could occur in each habitat:

FLUCCS CODE	DESCRIPTION	Species Name
119/411	Low Density Residential Under Construction/ Pine Flatwoods	Eastern Indigo Snake (*Drymarchon corais couperi*) Gopher Tortoise (*Gopherus polyphemus*) Gopher Frog (*Rana areolata*) Southeastern American Kestrel (*Falco sparverius paulus*) Red-cockaded Woodpecker (*Picoides borealis*) Big Cypress Fox Squirrel (*Sciurus niger avicennia*) Fakahatchee Burmannia (*Burmannia flava*) Satinleaf (*Chrysophyllum olivaeforme*) Beautiful Pawpaw (*Deeringothamnus pulchellus*) Florida Coontie (*Zamia floridana*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*)
211	Improved Pasture	Florida Sandhill Crane (*Grus canadensis pratensis*) Florida Panther (*Felis concolor coryi*)
211P	Improved Pasture with Pines	Florida Sandhill Crane (*Grus canadensis pratensis*) Florida Panther (*Felis concolor coryi*)

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214	Row Crops	
321	Palmetto Prairie	Eastern Indigo Snake (*Drymarchon corais couperi*) Burrowing Owl (*Athene cunicularia floridana*) Florida Sandhill Crane (*Grus canadensis pratensis*) Audubon's Crested Caracara (*Polyborus plancus audubonii*) Gopher Tortoise (*Gopherus polyphemus*) Gopher Frog (*Rana areolata*) Southeastern American Kestrel (*Falco sparverius paulus*) Fakahatchee Burmannia (*Burmannia flava*) Beautiful Pawpaw (*Deeringothamnus pulchellus*) Curtis Milkweed (*Asclepias curtisii*) Florida Coontie (*Zamia floridana*) Florida Black Bear (*Ursus americanus floridanus*)
321P	Palmetto Prairie with Pines	Eastern Indigo Snake (*Drymarchon corais couperi*) Burrowing Owl (*Athene cunicularia floridana*) Florida Sandhill Crane (*Grus canadensis pratensis*) Audubon's Crested Caracara (*Polyborus plancus audubonii*) Gopher Tortoise (*Gopherus polyphemus*) Gopher Frog (*Rana areolata*) Southeastern American Kestrel (*Falco sparverius paulus*) Fakahatchee Burmannia (*Burmannia flava*) Beautiful Pawpaw (*Deeringothamnus pulchellus*) Curtis Milkweed (*Asclepias curtisii*) Florida Coontie (*Zamia floridana*) Florida Black Bear (*Ursus americanus floridanus*)

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411	Pine Flatwoods	Eastern Indigo Snake (*Drymarchon corais couperi*) Gopher Tortoise (*Gopherus polyphemus*) Gopher Frog (*Rana areolata*) Southeastern American Kestrel (*Falco sparverius paulus*) Red-cockaded Woodpecker (*Picoides borealis*) Big Cypress Fox Squirrel (*Sciurus niger avicennia*) Fakahatchee Burmannia (*Burmannia flava*) Satinleaf (*Chrysophyllum olivaeforme*) Beautiful Pawpaw (*Deeringothamnus pulchellus*) Florida Coontie (*Zamia floridana*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*)
411P	Pine Flatwoods with Brazilian Pepper	Eastern Indigo Snake (*Drymarchon corais couperi*) Gopher Tortoise (*Gopherus polyphemus*) Gopher Frog (*Rana areolata*) Southeastern American Kestrel (*Falco sparverius paulus*) Red-cockaded Woodpecker (*Picoides borealis*) Big Cypress Fox Squirrel (*Sciurus niger avicennia*) Fakahatchee Burmannia (*Burmannia flava*) Satinleaf (*Chrysophyllum olivaeforme*) Beautiful Pawpaw (*Deeringothamnus pulchellus*) Florida Coontie (*Zamia floridana*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*)
414/428	Pine - Mesic Oak/ Cabbage Palm	Eastern Indigo Snake (*Drymarchon corais couperi*) Gopher Frog (*Rana areolata*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*) Audubon's Crested Caracara (*Polyborus plancus audubonii*) Simpson's Stopper (*Myrcianthes frangrans* var. *simpsonii*)

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411/740	Pine Flatwoods/ Disturbed Land	Eastern Indigo Snake (*Drymarchon corais couperi*) Gopher Tortoise (*Gopherus polyphemus*) Gopher Frog (*Rana areolata*) Southeastern American Kestrel (*Falco sparverius paulus*) Red-cockaded Woodpecker (*Picoides borealis*) Big Cypress Fox Squirrel (*Sciurus niger avicennia*) Fakahatchee Burmannia (*Burmannia flava*) Satinleaf (*Chrysophyllum olivaeforme*) Beautiful Pawpaw (*Deeringothamnus pulchellus*) Florida Coontie (*Zamia floridana*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*)
415	Scrubby Pine Flatwoods	Eastern Indigo Snake (*Drymarchon corais couperi*) Gopher Tortoise (*Gopherus polyphemus*) Gopher Frog (*Rana areolata*) Southeastern American Kestrel (*Falco sparverius paulus*) Red-cockaded Woodpecker (*Picoides borealis*) Big Cypress Fox Squirrel (*Sciurus niger avicennia*) Fakahatchee Burmannia (*Burmannia flava*) Satinleaf (*Chrysophyllum olivaeforme*) Beautiful Pawpaw (*Deeringothamnus pulchellus*) Florida Coontie (*Zamia floridana*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*) Florida Scrub Jay (*Aphelocoma coerulescens*)
417	Live Oak	
425	Temperate Hardwood	Eastern Indigo Snake (*Drymarchon corais couperi*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*)
428P	Cabbage Palm with Brazilian Pepper	Eastern Indigo Snake (*Drymarchon corais couperi*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*) Audubon's Crested Caracara (*Polyborus plancus audubonii*) Simpson's Stopper (*Myrcianthes frangrans* var. *simpsonii*)

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429H	Willow- Hydric	
432	Sand Live Oak	Florida Scrub Jay (*Aphelocoma coerulescens*) Gopher Tortoise (*Gopherus polyphemus*)
510	Streams and Waterways	American Alligator (*Alligator mississippiensis*) Roseate Spoonbill (*Ajaia ajaja*) Limpkin (*Aramus guarauna*) Little Blue Heron (*Egretta caerulea*) Reddish Egret (*Egretta rufescens*) Snowy Egret (*Egretta thula*) Tricolored Heron (*Egretta tricolor*) Everglades Mink (*Mustela vison evergladensis*)
617	Mixed Wetland Hardwoods	American Alligator (*Alligator mississippiensis*) Limpkin (*Aramus guarauna*) Little Blue Heron (*Egretta caerulea*) Reddish Egret (*Egretta rufescens*) Snowy Egret (*Egretta thula*) Tricolored Heron (*Egretta tricolor*) Wood Stork (*Mycteria americana*) Big Cypress Fox Squirrel (*Sciurus niger avicennia*) Twisted Air Plant (*Tillandsia flexuosa*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*)
621	Cypress	Gopher Frog (*Rana areolata*) Arctic Peregrine Falcon (*Falco peregrinus tundrius*) Everglades Mink (*Mustela vison evergladensis*) Big Cypress Fox Squirrel (*Sciurus niger avicennia*) Little Blue Heron (*Egretta caerulea*) Snowy Egret (*Egretta thula*) Tricolored Heron (*Egretta tricolor*) American Alligator (*Alligator mississippiensis*) Limpkin (*Aramus guarauna*) Wood Stork (*Mycteria americana*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*)

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641	Freshwater Marsh	Everglades Mink (*Mustela vison evergladensis*) Little Blue Heron (*Egretta caerulea*) Snowy Egret (*Egretta thula*) Tricolored Heron (*Egretta tricolor*) American Alligator (*Alligator mississippiensis*) Limpkin (*Aramus guarauna*) Wood Stork (*Mycteria americana*) Reddish Egret (*Egretta rufescens*) Florida Sandhill Crane (*Grus canadensis pratensis*) Snail Kite (*Rostrhamus sociabilis*)
740	Disturbed Land	
740/211	Disturbed Land/ Improved Pasture	Florida Sandhill Crane (*Grus canadensis pratensis*) Florida Panther (*Felis concolor coryi*)
742	Borrow Areas	
743	Spoil Areas	Gopher Tortoise (*Gopherus polyphemus*)
8145	Graded and Drained	
832/211	Electrical Transmission Lines/ Improved Pasture	
8331	Treatment Plant	

SURVEY METHODOLOGY

There are several protected plant and wildlife species that could potentially inhabit the vegetative associations found on the subject parcel. In order to provide at least 80% coverage of the various FLUCCS communities, meandering transects with biologists spaced adequately to ensure visual overlap were walked across the entire parcel. The distance between biologists varied between 30 and 100 feet based on the visibility within each habitat. Any sighting of a protected species or evidence of protected species utilization was noted on an aerial or, in the case of gopher tortoise burrows, marked with a hand-held GPS unit. The attached protected species assessment map provides the locations of all protected species sightings during the survey.

RESULTS

Gopher Tortoise:

A total of 159 active and inactive gopher tortoise burrows were identified during the course of the survey. Because a single tortoise can have several burrows, a conversion factor for

the number of tortoises per burrow is used to calculate the density of tortoises per acre. This factor can vary depending on the quality of a given habitat.

Although some habitats are found in several locations throughout the site, gopher tortoise burrows were not identified in each individual location. For instance, FLUCCS 211 is found in four separate locations on the subject property. However, because of varying degrees of habitat quality, gopher tortoise burrows were only identified in one of these areas. Subsequently, only the FLUCCS 211 polygon containing gopher tortoise burrows is included in the density calculations. The following list represents the gopher tortoise density (based on FWC methodology) for each of the habitats that contained active or inactive burrows:

FLUCCS	Acreage	Number of Burrows	Conversion Factor	Number of Tortoises	Density (Tortoises/acre)
211	8.1	13	0.3	3.9	0.48
321	5.2	21	0.3	6.3	1.21
321P	3.4	4	0.3	1.2	0.35
411	215.3	43	0.3	13	0.06
414/428	2.3	7	0.3	2.1	0.91
415	9.2	57	0.4	22.8	2.48
417	2.5	1	0.3	0.3	0.12
432	2.8	13	0.4	5.2	1.86
TOTALS	**196.7**	**156**		**53.8**	

The percentage of a habitat that must be preserved is based on the number of tortoises per acre. This percentage is calculated by multiplying the number of tortoises per acre by 0.375%. The maximum amount of preservation required is 25%. By the calculation described above, the preservation acreages required for this project are as follows:

FLUCCS	Percent Preserved (Tortoises/acre * 0.375%)	* Total Acreage =	Preserved acreage
211	18%	8.1 ac.	1.5 ac.
321	25%	5.2 ac.	1.3 ac.
321P	13.1%	3.4 ac.	0.4 ac.
411	2.3%	215.3 ac.	4.9 ac.
414/428	25%	2.3 ac.	0.6 ac.
415	25%	9.2 ac.	2.3 ac.
417	4.5%	2.5 ac.	0.1 ac.
432	25%	2.8 ac.	0.7 ac.
TOTAL		248.8 ac.	11.8 ac.

In addition to the FWC, Lee County requires a density calculation based on a separate formula. This formula is as follows:

$Dsq' = N/[L (lv+rv)]$ and $Dac = Dsq' * 43{,}560$

Where Dac = Density/acre, Dsq'= Density/ sq. ft., N=number of tortoises.
L=length of transect (ft.), lv=left visibility (ft.), rv=right visibility (ft.)

FLUCCS 211	Dsq'=3.9/[8800(20+20)]=3.9/352,000=0.000011; Dac=0.000011*43,560= 0.48
FLUCCS 321	Dsq'=6.3/[5700(20+20)]=6.3/228,000=0.000028; Dac=0.000028*43,560= 1.21
FLUCCS 321P	Dsq'=1.2/[2960(25+25)]=1.2/148,000=0.000081; Dac=0.0000081*43,560= 0.35
FLUCCS 411	Dsq'=13/[187,000(25+25)]=13/9,350,000=0.0000014; Dac=0.0000014*43,560= 0.07
FLUCCS 414/428	Dsq'=2.1/[2,500(20+20)]=2.1/100,000=0.00021; Dac=0.000021*43,560= 0.91
FLUCCS 415	Dsq'=22.8/[10,000(20+20)]=22.8/400,000=0.00057; Dac=0.000057*43,560= 2.48
FLUCCS 417	Dsq'=0.3/[2,100(25+25)]=0.3/105,000=0.000029; Dac=0.0000029*43,560= 0.12
FLUCCS 432	Dsq'=5.2/[3,000(20+20)]=5.2/120,000=0.000043; Dac=0.000043*43,560= 1.87

Big Cypress Fox Squirrel

A big cypress fox squirrel was observed along the power line easement on the eastern side of Pritchett Parkway.

Florida Scrub Jay

A formal Florida scrub jay survey in accordance with FWC guidelines was conducted on the property. No Florida scrub jays or evidence of Florida scrub jay utilization was observed. The Florida scrub jay report is attached as Appendix A.

Bald Eagle

A bald eagle was observed in a dead pine tree located on the southwestern edge of the borrow area on the southern end of the property. The eagle was also observed flying south toward the Caloosahatchee River. No bald eagle nests were observed on site during this protected species survey.

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Southeastern American Kestrel

At the request of the FWC, a survey was conducted to establish the presence or absence of the Southeastern American Kestrel on the subject property. This survey consisted of inspection of the dead trees (snags) to determine if cavities within these trees are being utilized as nesting cavities by the kestrel. The survey was conducted by driving transects and individually inspecting each snag on site in accordance with FWC methodology outlined in nongame technical report No. 13, Ecology and Habitat Protection Needs of the Southeastern American Kestrel on Large Scale Development Sites in Florida. No evidence of Southeastern American Kestrel utilization was observed during this survey and it has been determined that the majority of the cavities are being utilized by red headed and pileated woodpeckers.

Other Bird Species

Several species of wading birds were observed in the borrow areas (FLUCCS 742) during the survey. These species include great blue heron, tricolor heron, great egret, snowy egret, glossy ibis, white ibis, wood stork and little blue heron. Two sandhill cranes were observed in the improved pasture (FLUCCS 211) area south of the tomato field.

Appendix A

Florida Scrub Jay Survey

DCI 2001-00038

April 19, 2001

Mr. Jim Beever
Florida Fish and Wildlife Conservation Commission
29200 Tuckers Grade
Punta Gorda, FL 33955

RE: Formal Scrub Jay Survey
Heritage Creek a.k.a. Pritchett Property
Sections 16 & 21, Township 43S, Range 25E
Lee County

Dear Mr. Beever:

A 650± acre parcel known as Heritage Creek is located in Sections 16 & 21, Township 43S, and Range 25E in northern Lee County. The property is bounded on the southwest by Interstate 75, on the east by Popash Creek and is divided by Pritchett Parkway running north to south through the property. The property location is shown on the attached map. Vegetative communities found on the site include sand live oak scrub and scrubby pine flatwoods, both of which are strongly associated with the occurrence of Florida scrub jays.

Although the entire parcel contains more than 650 acres, this survey applies only to the areas on site that qualify as Florida scrub jay habitat under the guidelines set forth in the Florida Fish and Wildlife Conservation Commission (FWC) Technical Report 8: Ecology and Development-Related Habitat Requirements of the Florida Scrub Jay.

To determine the presence or absence of Florida scrub jays, a formal five-day survey was performed on March 26-28 and April 2-3, 2001. The following report describes the habitats found on site, details the methods used during the scrub jay survey, and provides the results of the survey with conclusions regarding the development of the site relative to Florida scrub jay issues.

I. Vegetative Descriptions

Field observations, in conjunction with the Lee County Soil Survey and infrared aerial photographs, were used to develop a map of vegetative communities according to the Florida Land Use Cover and Forms Classification System (FLUCCS). The following is a brief

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description of the ten (10) vegetative communities found on site that qualify as potential scrub jay habitat.

All of the habitats mentioned below are currently being utilized as active cattle pasture and have been altered to varying degrees (via burning, clearing, planting of pasture grasses, etc.) to create more suitable conditions for livestock grazing.

211 – Improved Pasture (8.1 acres)
This vegetative community is dominated by Bahia grass (*Paspalum notatum*) and other pasture grass species with scattered saw palmetto (*Serenoa repens*), Brazilian pepper (*Schinus terebinthifolius*) and prickly pear cactus (*Opuntia humifusa*) also present.

321 – Palmetto Prairie (5.2 acres)
This habitat contains dense thickets saw palmetto with Bahia grass dominating the open areas. Other species present include wiregrass (*Aristida stricta*), runner oak (*Quercus pumila*), slash pine (*Pinus elliottii*), staggerbush (*Lyonia fruticosa*), gallberry (*Ilex glabra*), grapevine (*Vitis rotundifolia*), Brazilian pepper and prickly pear cactus.

411 - Pine Flatwoods (80.8 acres)
Slash pine dominates the canopy of this habitat with saw palmetto, Bahia grass, wiregrass, gallberry, Brazilian pepper and grapevine comprising the groundcover.

414/428 – Pine – Mesic Oak/ Cabbage Palm (6.2 acres)
Cabbage palms (*Sabal palmetto*) and live oaks (*Quercus virginiana*) are the dominant canopy species in this mesic hammock. Subdominant species include American beautyberry (*Callicarpa americana*), buckthorn (*Bumelia sp.*), Bahia grass and grapevine.

415 – Scrubby Pine Flatwoods (9.2 acres)
Slash pine is the dominant canopy species and Bahia grass is the dominant groundcover within this habitat. Scattered myrtle oak (*Quercus myrtifolia*), sand live oak (*Quercus geminata*), dwarf live oak (*Quercus minima*), saw palmetto (*Serenoa repens*), live oak, cabbage palm, American beautyberry and grapevine are also present.

417 – Live Oak (2.5 acres)
Live oaks dominate the canopy while broom sedge (*Andropogon virginicus*), Bahia grass and other pasture grasses are dominant groundcover species. Cabbage palm, Brazilian pepper and grapevine are also present.

432 – Sand Live Oak (2.8 acres)
Sand live oak, myrtle oak and dwarf live oak are the dominant species within this habitat. Common paw-paw (*Asimina reticulata*), Bahia grass, saw palmetto, grapevine, buckthorn and prickly pear cactus are also present.

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641 – Freshwater Marsh (1.7 acres)
This wetland habitat contains St. John's wort (*Hypericum fasciculatum*), sand cordgrass (*Spartina bakeri*), wax myrtle (*Myrica cerifera*) and broom sedge.

740/211 – Disturbed Land/ Improved Pasture (7.4 acres)
Bahia grass and other pasture grass species dominate this disturbed habitat. Brazilian pepper, wax myrtle and scattered live oaks are also present.

832/211 – Electrical Transmission Lines/ Improved Pasture (2.7 acres)
Bahia grass is the dominant species within this habitat. Saw palmetto and broom sedge are also present.

II. Background Information

The Florida scrub jay has been classified as threatened by the FWC since 1975 and the U.S. Fish and Wildlife Service (FWS) since 1987. These birds are extremely sedentary and have very specific habitat requirements. The primary habitat is the xeric oak scrub community. FWC uses guidelines to assess the relative quality of scrub jay habitat; Type I is the highest quality and Type III is the lowest. The scrub habitats are classified according to aerial coverage by scrub oak species (myrtle oak, sand live oak, Chapman oak, scrub oak, and dwarf live oak). Type I habitat is defined as having greater than 15% coverage by scrub oak species while Type II habitat contains scrub oak species comprising less than 15% coverage. Uplands with no scrub oak coverage and seasonally dry wetlands that are within 0.25 miles of Type I or Type II habitat are classified as Type III habitats.

By this definition, on the Heritage Creek parcel, the 2.8 acres of sand live oak scrub (FLUCCS 432) would be considered Type I habitat and the 9.2 acres of scrubby pine flatwoods (FLUCCS 415) would be considered Type II habitat. Portions of the improved pasture (FLUCCS 211), palmetto prairie (FLUCCS 321), pine flatwoods (FLUCCS 411), pine-mesic oak/ cabbage palm (FLUCCS 414/428), live oak (FLUCCS 417), freshwater marsh (FLUCCS 641), disturbed land/ unimproved pasture (FLUCCS 740/212) and electrical transmission lines/ improved pasture (FLUCCS 832/211) within 0.25 miles of the Type I and II habitats will qualify as Type III habitats. A Florida scrub jay survey in accordance with FWC guidelines, as recommended by FWS, was conducted within all Type I, II and III habitats on site.

III. Survey Methods

This formal survey was performed over a five-day period to establish the presence or absence of the Florida scrub jay on site.

At each calling station, a pre-recorded cassette tape of territorial scrub jay scolding was broadcast for one minute in all four directions for a total of four minutes at each station. The recording,

which includes the female "hiccup" call, was purchased from Archbold Biological Station. Calling stations were arranged in order within the Type I, II and III habitats.

FWC guidelines recommend that calling stations be established between 100 and 200 meters (300-600 feet) apart to ensure adequate broadcast overlap of the recording. The relatively high quality of the Type I and II habitats made it logical to survey these areas more vigorously. Therefore, walking transects were established approximately 300 feet apart with calling stations also located approximately 300 feet apart within the Type I and II habitats. Transects were established approximately 500 feet apart with calling stations located approximately 500 feet apart within the Type III habitat. The attached scrub jay habitat map provides the locations of the calling stations.

The survey was conducted on March 26-28 and April 2-3, 2001. Weather conditions were ideal for scrub jay activities with temperatures ranging from 60-75° F and relatively calm winds. Skies ranged from clear to partly cloudy during the survey. The following table provides survey times and weather conditions:

Table 1. Survey Times and Weather Conditions

DATE	TIME	WEATHER
3/26/01	3:00 P.M. - 6:15 P.M.	Partly Cloudy, 70° - 75° F, Wind W 5-7 mph.
3/27/01	6:45 A.M. - 10:15 A.M.	Clear, 60° - 70° F, Wind NW 3-5 mph.
3/28/01	6:45 A.M. - 10:00 A.M.	Clear, 65° - 70° F, Wind W 5-8 mph.
4/2/01	7:30 A.M. -10:30 A.M.	Clear, 65° - 70° F, Wind S 0-3 mph.
4/3/01	7:00 A.M. - 10:30 A.M.	Clear, 65° - 70° F, Wind E 3-5 mph.

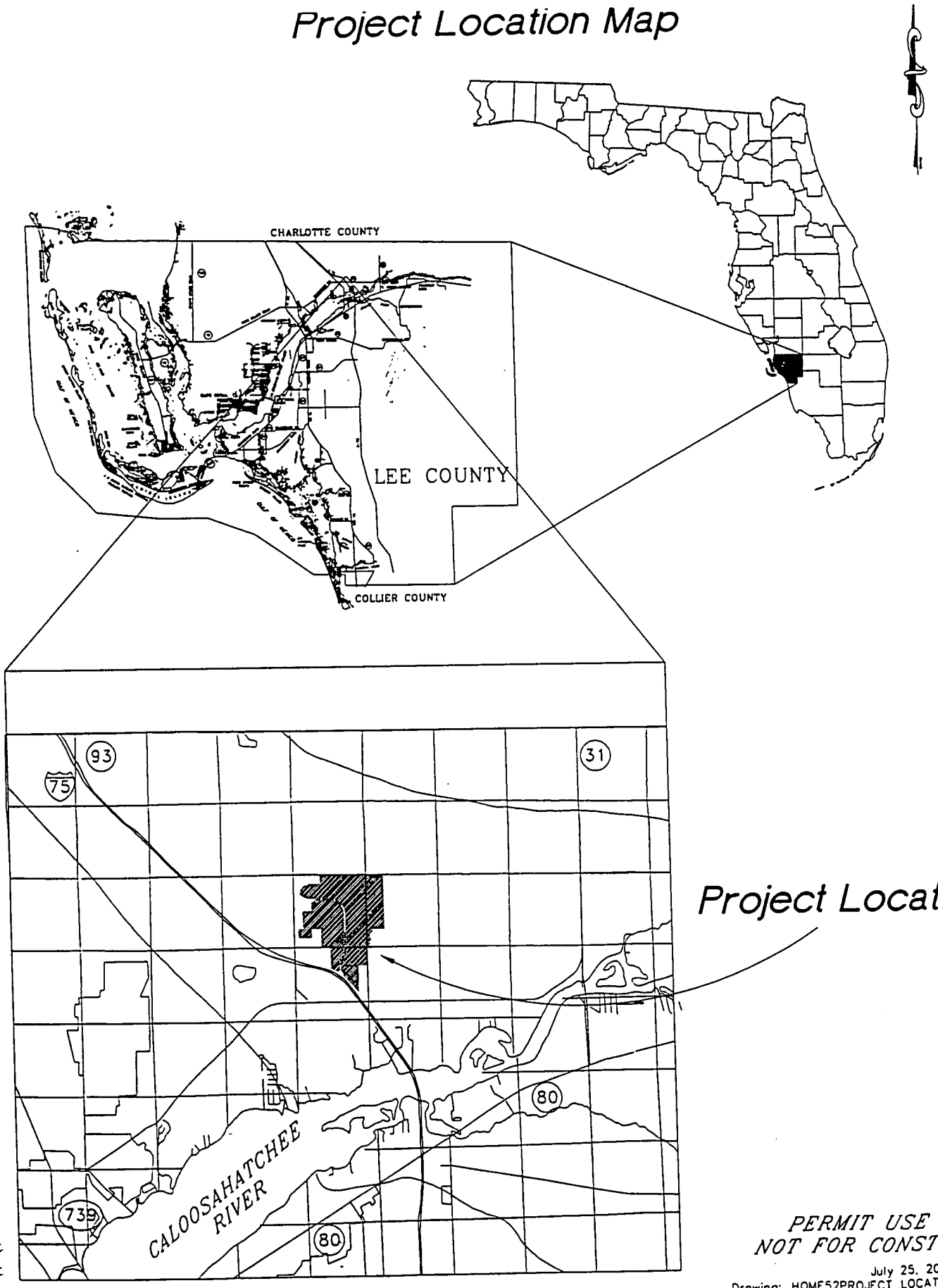
IV. Survey Results and Conclusions

No Florida scrub jays were observed on site during this formal five-day survey.

Several other bird species including grackle, black vulture, shrike, red-headed woodpecker, pileated woodpecker, downy woodpecker, northern flicker, meadowlark, ground dove, cardinal, blue jay, crow, brown thrasher, mourning dove, mockingbird and various warblers were observed during this Florida scrub jay survey.

DCT 2001-00038

Project Location Map



PERMIT USE ONLY.
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July 25, 2001 9:01:54 a.m.
Drawing: HOME52PROJECT_LOCATION.DWG (DCS)

W. DEXTER BENDER
AND ASSOCIATES
ENVIRONMENTAL & MARINE CONSULTING
FORT MYERS, FL (941) 334-3680

REVISED:

DCI Heritage Creek

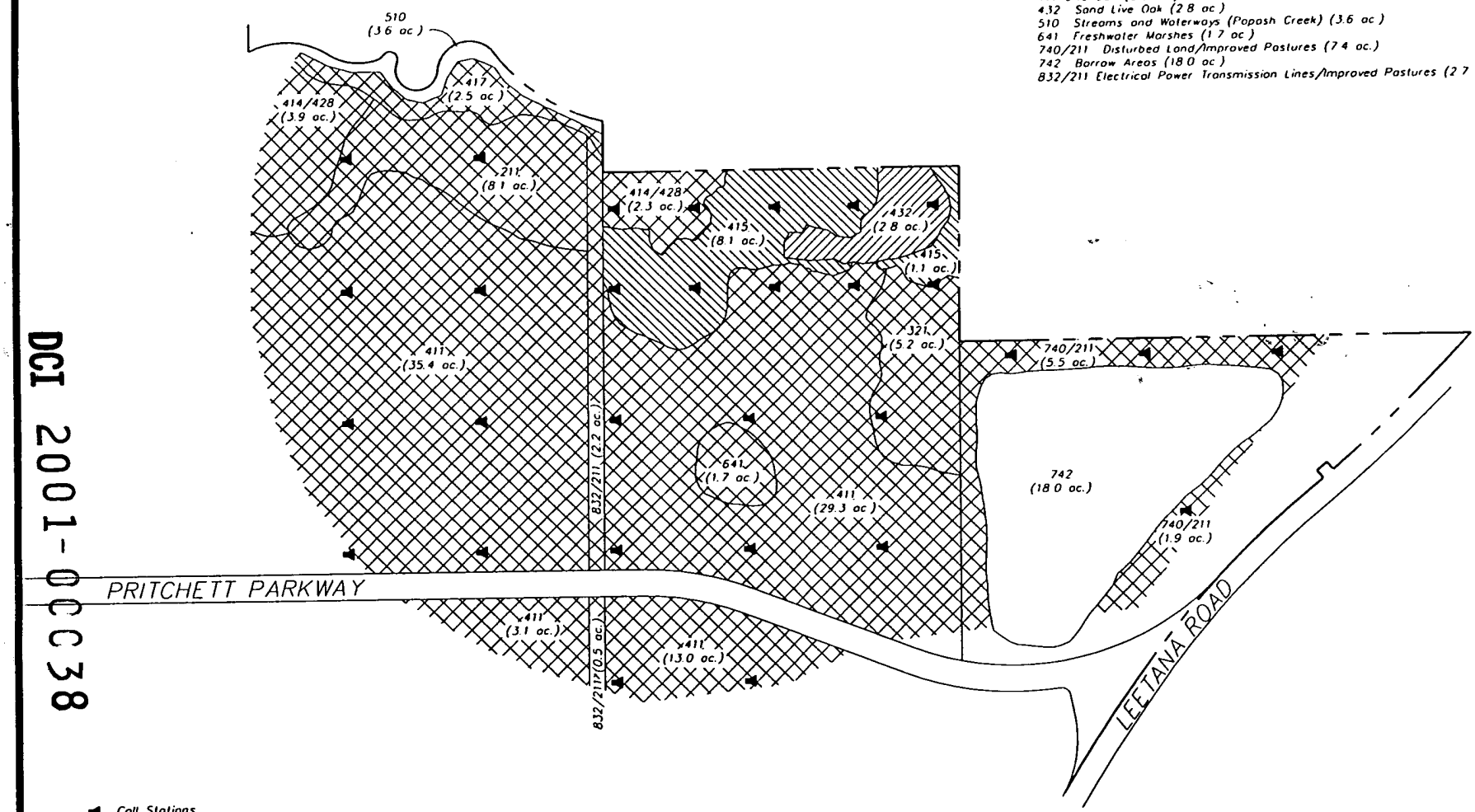
SHEET

SECTION: 16 & 21
TOWNSHIP: 43 S
RANGE: 25 E

SCRUB JAY HABITAT MAP

0 300 600
SCALE FEET

FLUCCS Legend
211 Improved Pastures (8.1 ac.)
321 Palmetto Prairies (5.2 ac.)
411 Pine Flatwoods (80.8 ac.)
414/428 Pine - Mesic Oak/Cabbage Palm (6.2 ac.)
415 Scrubby pine flatwoods (9.2 ac.)
417 Live Oak (2.5 ac.)
432 Sand Live Oak (2.8 ac.)
510 Streams and Waterways (Poposh Creek) (3.6 ac.)
641 Freshwater Marshes (1.7 ac.)
740/211 Disturbed Land/Improved Pastures (7.4 ac.)
742 Borrow Areas (18.0 ac.)
832/211 Electrical Power Transmission Lines/Improved Pastures (2.7 ac.)



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Coll Stations
Type I Habitat (2.8 ac.)
Type II Habitat (9.2 ac.)
Type III Habitat (114.6 ac.)

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NOT FOR CONSTRUCTION

April 10, 2001 2:35:46 p.m.
Drawing: HOME52SCRUBJAY.DWG

W. DEXTER BENDER AND ASSOCIATES
ENVIRONMENTAL & MARINE CONSULTING
FORT MYERS, FL (941) 334-3680

REVISED:

HERITAGE CREEK

SHEET

RECEIVED
MAY 31 2001
COMMUNITY DEVELOPMENT

Exhibit II-D-5

Mailing Labels

Heritage Creek RPD
US HOME Corporation

FLORIDA LAND PLANNING, INC.

DCI 2001-00038

RECEIVED
MAY 31 2001
COMMUNITY DEVELOPMENT

TRAFFIC IMPACT STATEMENT

FOR

HERITAGE CREEK

A U.S. HOME COMMUNITY

ON PRITCHETT PARKWAY TO THE NORTH OF BAYSHORE ROAD

PROJECT NO. 010412

PREPARED BY:
Metro Transportation Group, Inc.
12651 McGregor Boulevard, Suite 4-403
Fort Myers, Florida 33919
941-278-3090

DCI 2001-00038

May 27, 2001

DCI 2001-00038

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I. INTRODUCTION

II. EXISTING CONDITIONS

III. PROPOSED DEVELOPMENT

IV. TRIP GENERATION

V. TRIP DISTRIBUTION

VI. ANALYSIS

VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS

VIII. CONCLUSION

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I. INTRODUCTION

Metro Transportation Group, Inc. (Metro) has conducted a traffic impact statement to fulfill requirements set forth by the Lee County Department of Community Development for projects seeking approval for zoning. This report has been completed in compliance with guidelines established in the Lee County Traffic Impact Statement Guidelines. The development site is located on Pritchett Parkway, to the north of its intersection with Bayshore Road (State Route 78), in Lee County, Florida. The site location is illustrated on **Figure 1**.

The Developer is proposing to develop a residential golf course community on the approximately 745 acre site. Access to the development will be provided via several access drives along Pritchett Parkway. The site access will be further defined at the Development Order stage.

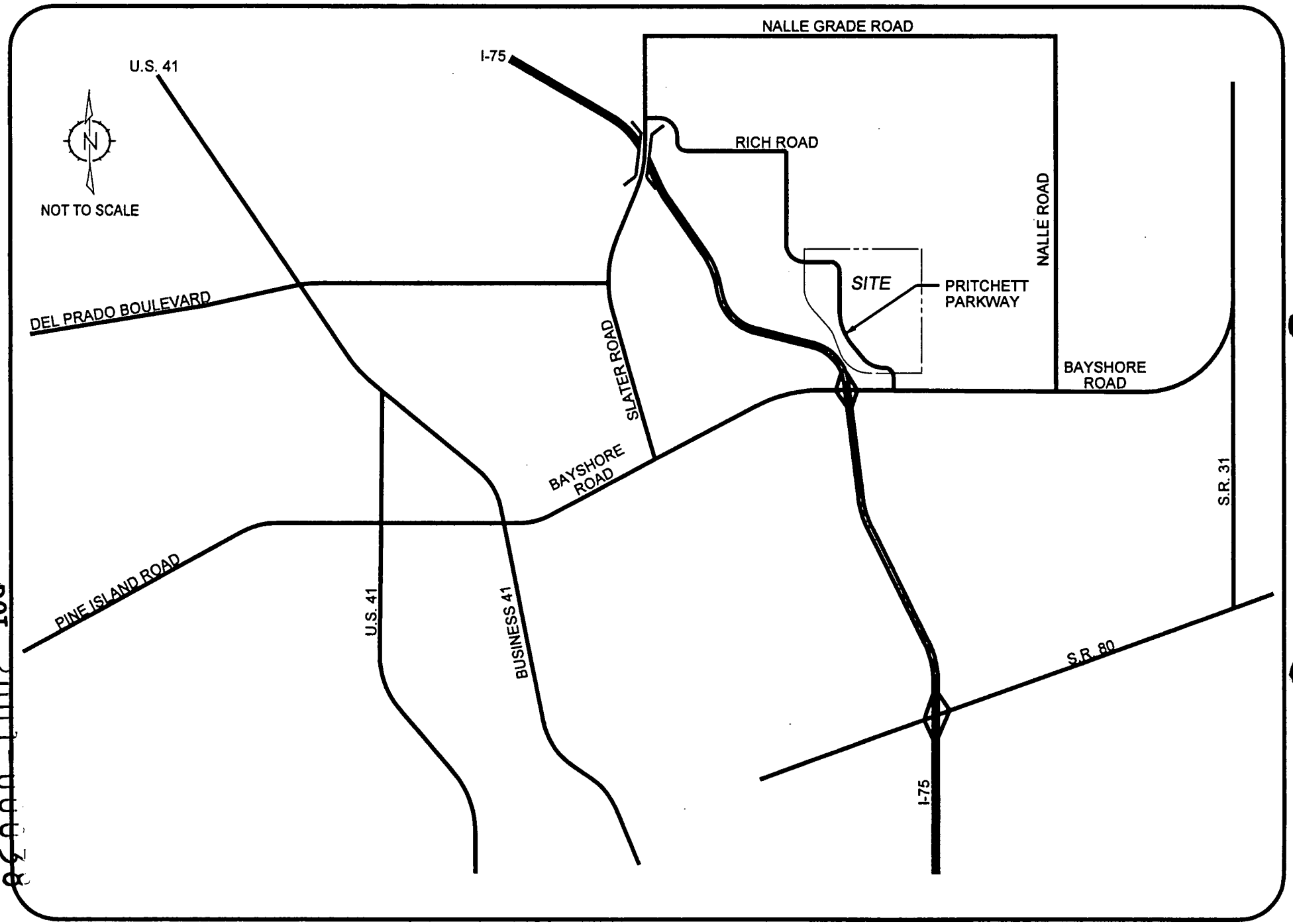
This report examines the impact of the development on the surrounding roadways and intersections. Trip generation and assignments to the various surrounding intersections will be completed and analysis conducted to determine the impacts of the development on the surrounding streets and intersections.

II. EXISTING CONDITIONS

The subject site is currently vacant. The site is bordered on the north by vacant land. To the northwest is Hunter's Glen, another residential development, to the south the site is bordered by more vacant land and to the east by single family homes as well as vacant land.

Pritchett Parkway is a north/south two-lane collector roadway that extends north from Bayshore Road to Rich Road in the vicinity of the subject site. At its intersection with Bayshore Road, Pritchett Parkway has a single lane approach under STOP sign control. At the intersection with Rich Road to the north, Pritchett Parkway has a single lane

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SITE LOCATION

FIGURE: 1

approach under STOP sign control as well. Pritchett Parkway has a posted speed limit of 45 mph and is under the jurisdiction of the Lee County Department of Transportation.

Bayshore Road (State Route 78) is a two-lane arterial roadway the widens to a four-lane divided roadway in the vicinity of the I-75 interchange. At the unsignalized intersection of Pritchett Parkway, Bayshore Road has an eastbound left turn lane and two through lanes in each direction. To the east of its intersection with Pritchett Parkway, Bayshore Road narrows to a two-lane roadway. Bayshore Road, between Slater Road and I-75, is programmed to be widened to a four-lane divided roadway by the time the Heritage Creek development is completed. Construction is scheduled to begin in the year 2004. This roadway improvement was taken into account in this analysis. Bayshore Road has a posted speed limit of 50 mph and is under the jurisdiction of the Florida Department of Transportation.

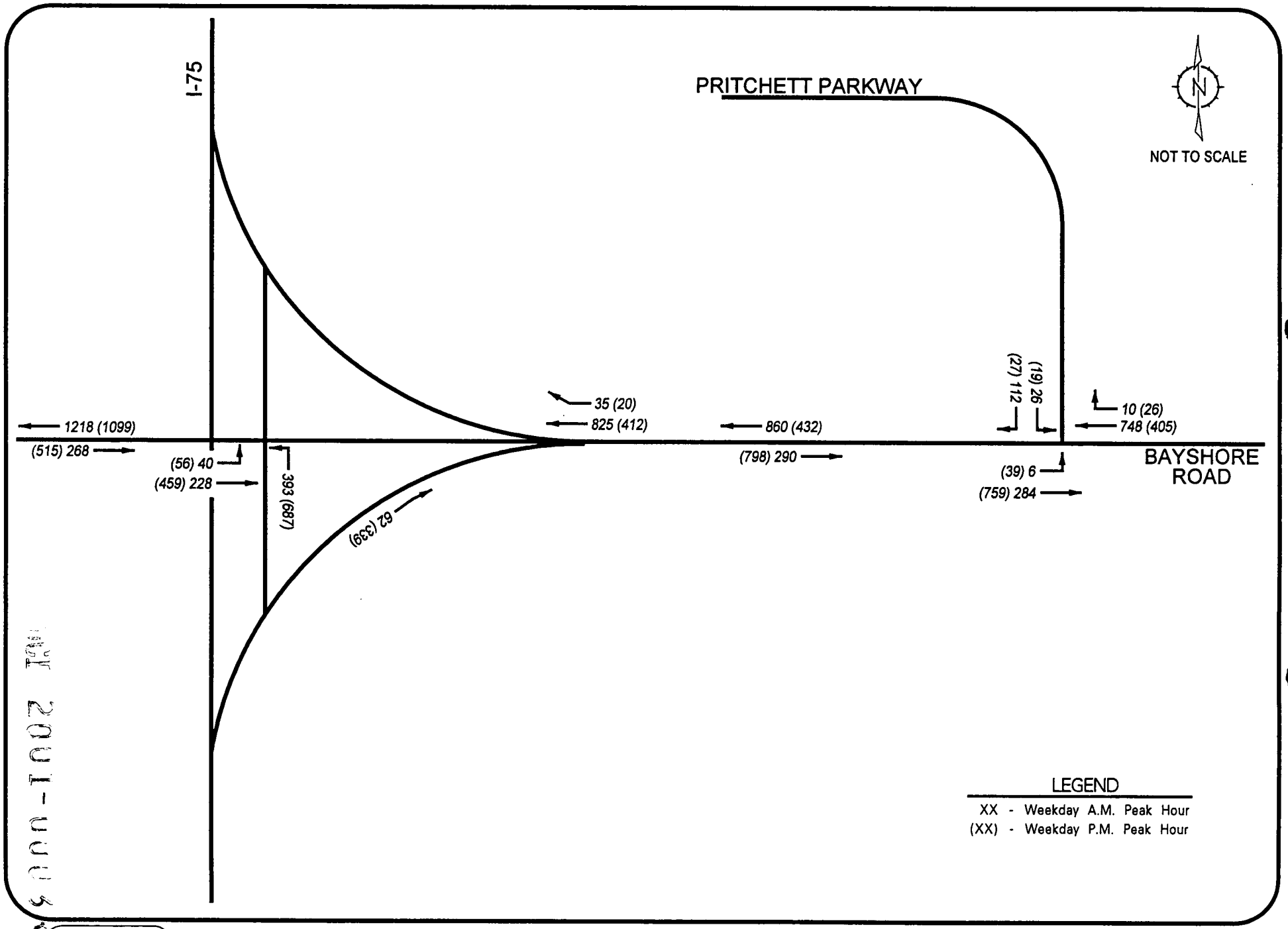
In order to gain a better understanding of the existing traffic conditions in the vicinity of the site, Metro conducted weekday A.M. and P.M. peak hour traffic counts at the intersections of Pritchett Parkway @ Bayshore Road and Bayshore Road @ I-75 East Ramp. **Figure 2** indicates the weekday A.M. and P.M. peak hour turning movement volumes for these intersections.

III. PROPOSED DEVELOPMENT

Heritage Creek is an approximately 745-acre proposed residential golf course community within Lee County. The proposed development intensity was taken from the Master Concept plan prepared by Banks Engineering and Florida Land Planning.

Table 1 summarizes the land uses utilized for trip generation purposes for the subject development.

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2001 PEAK HOUR TURNING MOVEMENTS

FIGURE: 2

Table 1
Heritage Creek
Land Uses

Land Use	Size
Golf Course	18 holes
Residential	330 Multi-Family Townhouses
	1142 Single Family Homes

IV. TRIP GENERATION

The trip generation for the proposed development was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled ***Trip Generation***, 6th Edition. For the residential uses, Land Use Code 230 (Residential Condominium/Townhouse) was utilized for the multi-family units, and Land Use Code 210 (Single-Family Detached Housing) was utilized for the single family units. Land Use Code 430 (Golf Course) was utilized for the golf course portion of the development. This land use code includes the trips generated by the golf course and the clubhouse. It is important to note that the golf course will be a private country club at build-out of the site. Therefore it will not generate many trips, if any at all, from outside of the Heritage Creek development. However, the golf course trip generation was included in order to provide this analysis with a "worst case" trip generation scenario. Therefore, the actual trips generated by the Heritage Creek development will most likely be lower than the values reflected by this analysis. The equations for each of these land uses are contained in the Appendix of this report for reference. **Table 2** outlines the anticipated weekday A.M. and P.M. peak hour trip generation of Heritage Creek as currently proposed. The daily trip generation is also indicated in the table.

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Table 2
Trip Generation
Heritage Creek

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily
	In	Out	Total	In	Out	Total	2-way
Multi-Family (330 units)	20	110	130	110	55	165	1,795
Single Family (1142 units)	205	605	810	620	345	965	9,745
Golf Course (18 holes)	30	10	40	20	30	50	645
Total	255	725	980	750	430	1,180	12,095

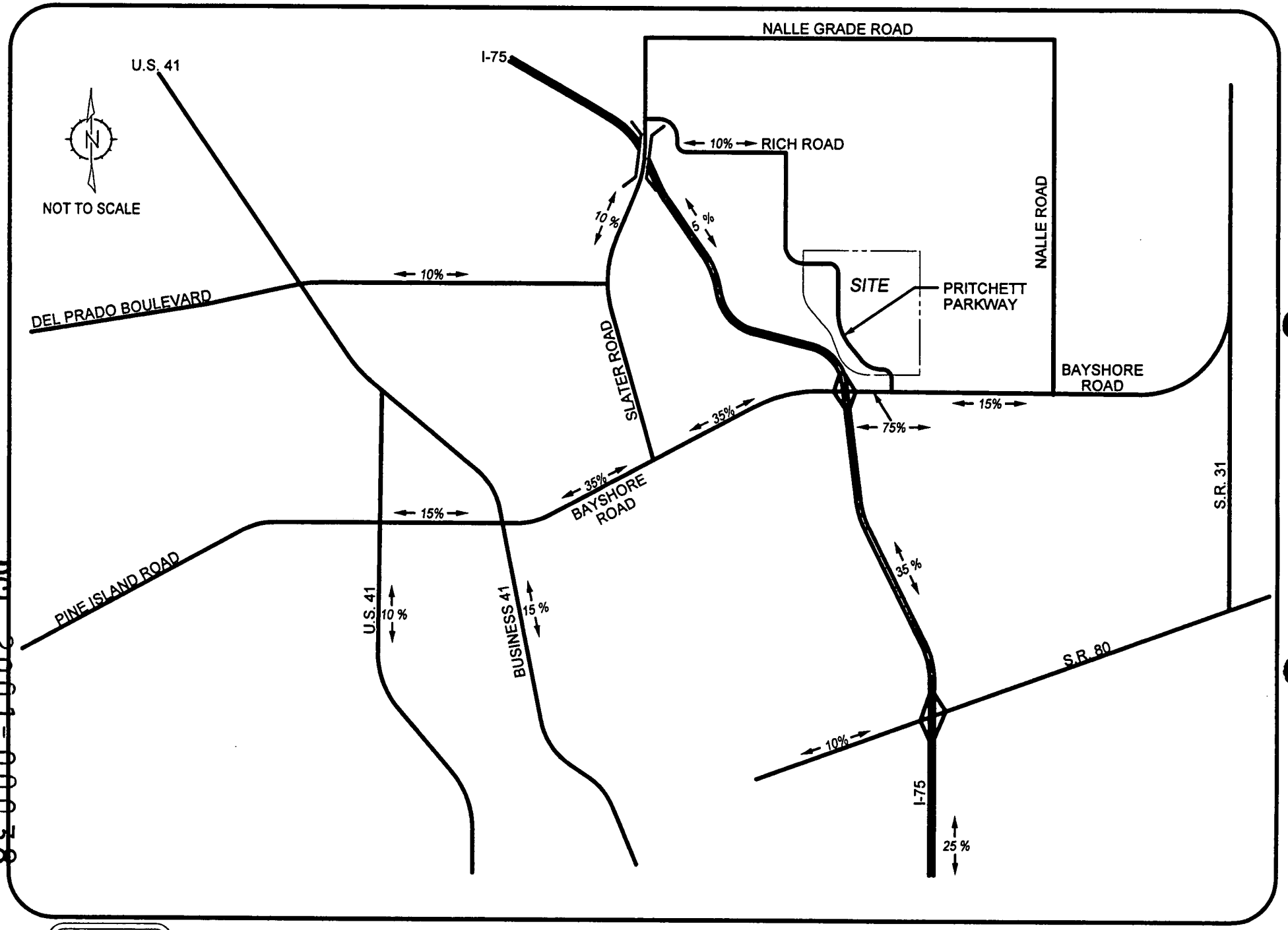
V. TRIP DISTRIBUTION

The trips shown in Table 2 were then assigned to the surrounding roadway system based on the anticipated routes the drivers will utilize to approach the site. Based on current and projected population in the area and other existing or planned competing/complementary uses in the area, a distribution of the site traffic was formulated. The anticipated trip distribution of the development traffic is shown on **Figure 3**. In order to determine which roadway segments surrounding the site will be significantly impacted as outlined in the Lee County Traffic Impact Statement Guidelines, **Table 1A**, contained in the Appendix, was created. This table indicates which roadway links will accommodate greater than 10% of the Peak Hour – Peak Direction Level of Service "C" volumes, as defined by the Lee County Route Specific Level of Service Tables provided by the Lee County Division of Transportation.

VI. FUTURE TRAFFIC CONDITIONS

It was assumed that the project would be completed by the year 2008. Based on this projected build-out, a growth rate was applied to the existing traffic conditions for all roadway links and intersections that could be significantly impacted by this development. The existing roadway link traffic data was obtained from the 2000 Lee County Traffic Count Report. Based on the project distribution shown in Figure 3, the link data was analyzed for the existing conditions, year 2008 without the development and year 2008

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TRIP DISTRIBUTION

FIGURE: 3

DCI 2001-000078

with the development. **Figure 4** indicates the site traffic assignment to the intersections of Bayshore Road @ I-75 East Ramp and Bayshore Road @ Pritchett Parkway.

Figure 5 indicates the year 2001 peak hour – peak direction traffic volumes and Levels of Service for the various roadway links within the study area. The 2001 traffic volumes were calculated based on the historic growth rate as determined by the 2000 Lee County Traffic Count report. **Table 2A** in the Appendix of the report indicates the methodology utilized to obtain the year 2001 base year traffic volumes as well as the growth rate utilized for each roadway segment. Also noted in Figure 5 is the Level of Service for each link for the year 2001, as defined by the Lee County Link Specific Level of Service Tables, as provided by the Lee County Department of Transportation.

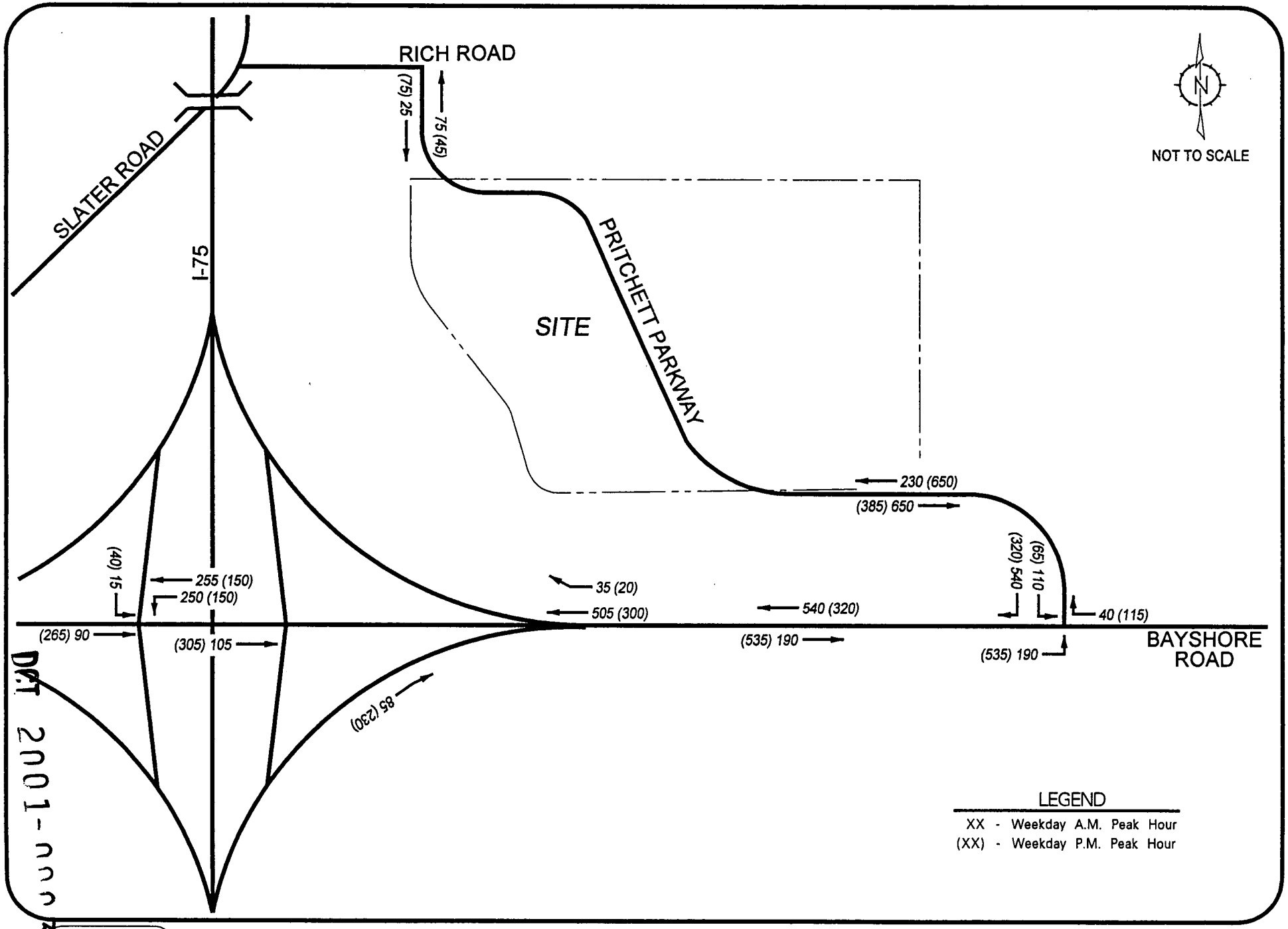
Figure 6 indicates the year 2008 peak hour – peak direction traffic volumes and Level of Service for the various roadway links within the study area. Noted on Figure 6 is the peak hour – peak direction volume and Level of Service of each link should no development occur on the subject site and the peak hour – peak direction volume and Level of Service for the weekday A.M. and P.M. peak hours with the development traffic added to the roadways. These figures are also derived from **Table 2A** contained in the Appendix.

VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS

Figure 7 indicates the site traffic assignment combined with the existing traffic volumes, increased by the growth factors shown in Table 2A. This graphic depicts the estimated traffic conditions near the site for build-out conditions, or the year 2008, based on historical growth rate trends and the trip generation of the proposed development. The analysis and improvements were evaluated on these traffic conditions.

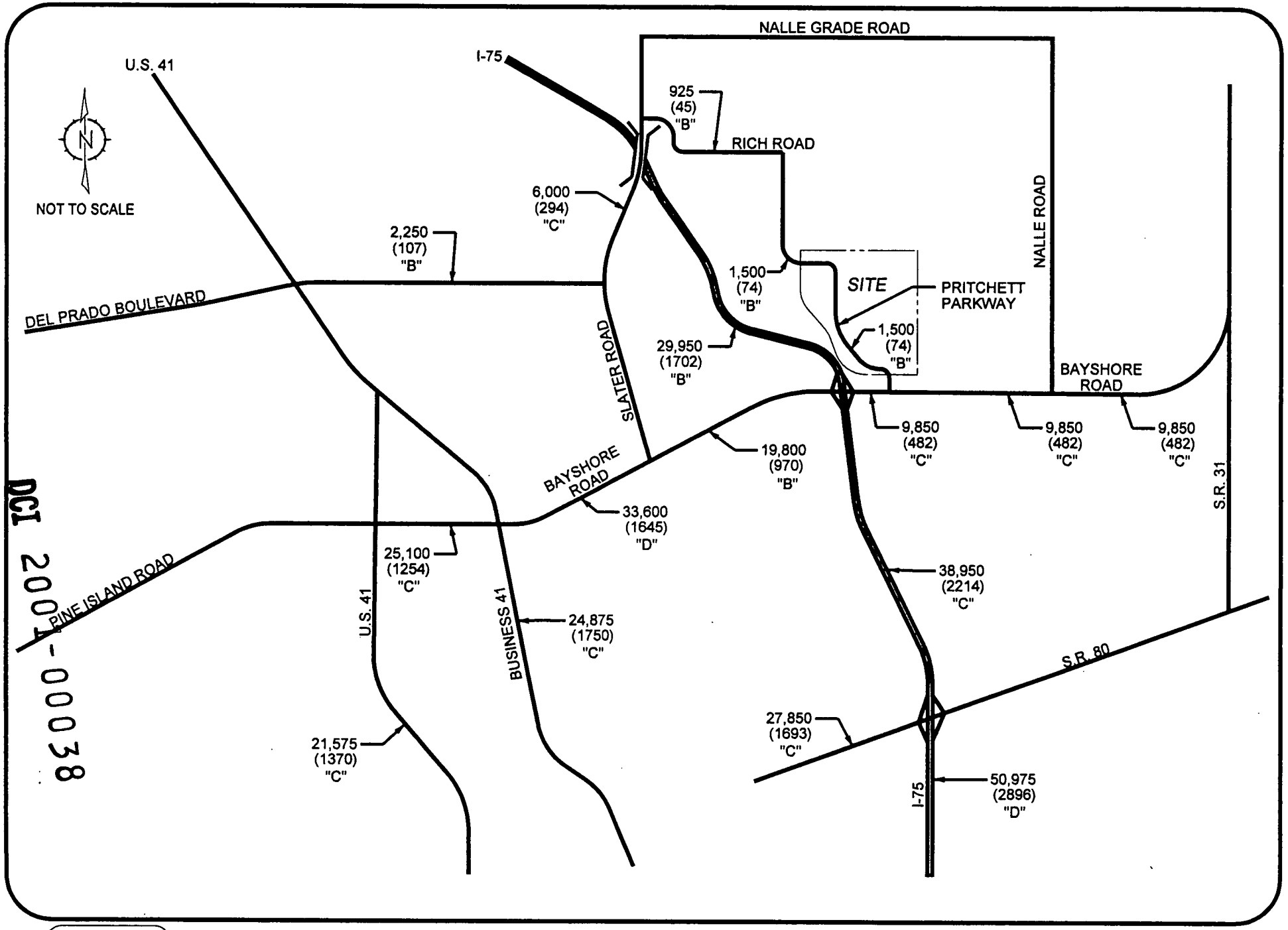
As can be seen from Figure 6, many of the roadway links analyzed as part of this report will be significantly impacted as a result of the proposed residential development because the project traffic added to the links is more than 10% of the Level of Service "C" volume for that particular roadway link. However, none of the roadway links analyzed as

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2008 PROJECT GENERATED TRAFFIC

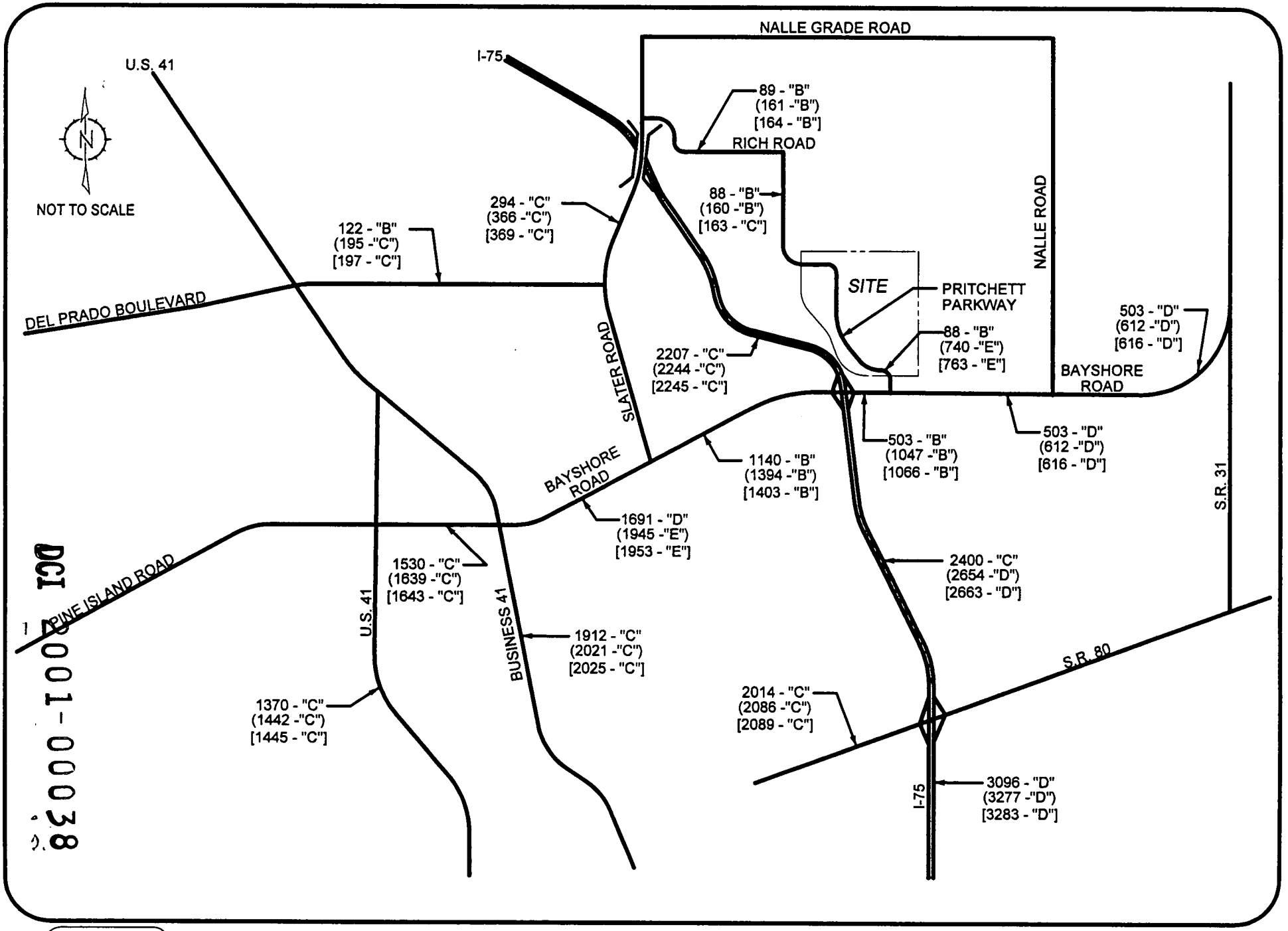
FIGURE: 4



DCI 2001-00038

2001 TRAFFIC CONDITIONS

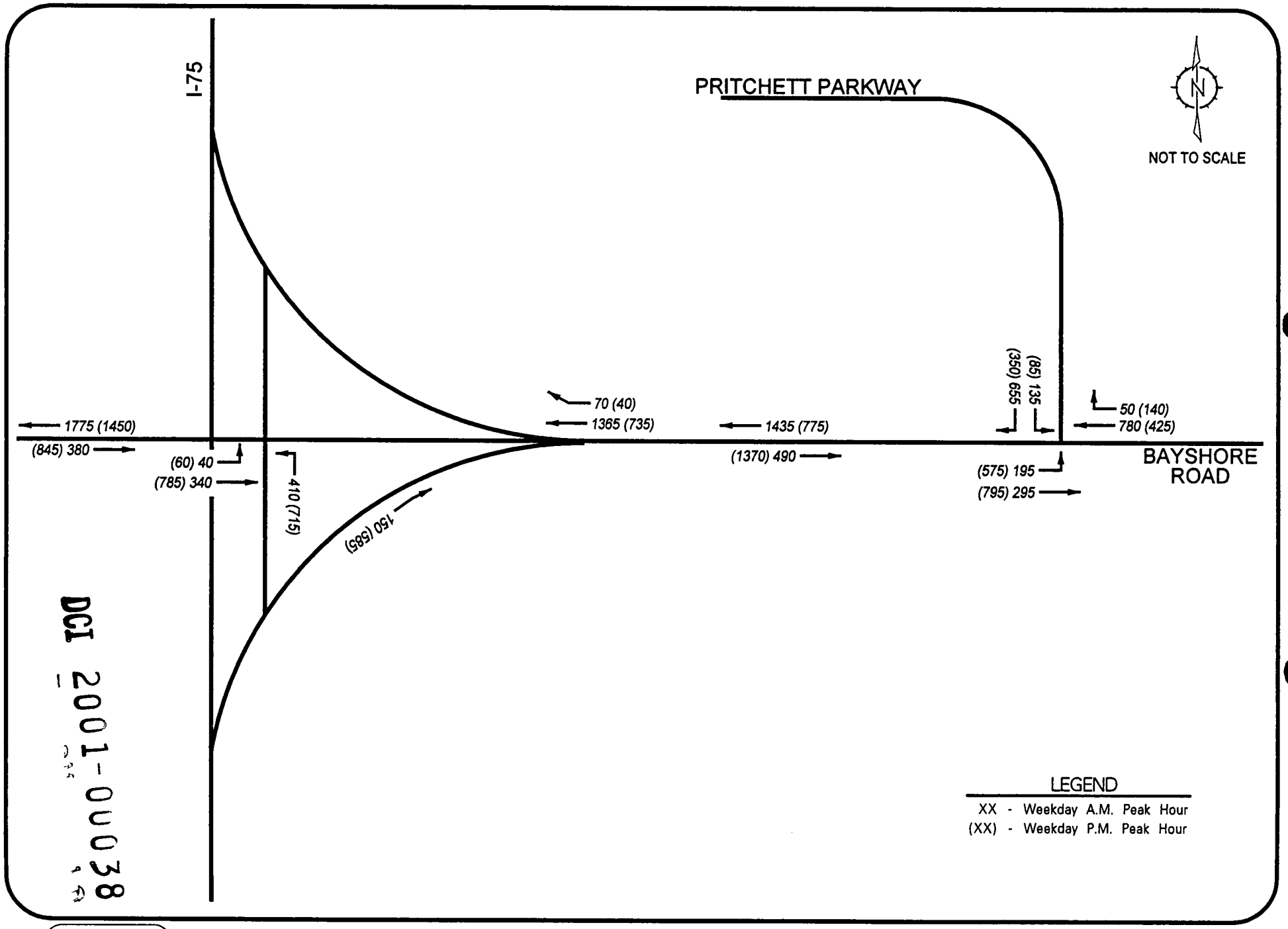
FIGURE: 5



DCI 2001-00038

2008 TRAFFIC CONDITIONS

FIGURE: 6



DCI 2001-00038

2008 PROJECTED TRAFFIC CONDITIONS

FIGURE: 7

a part of this report will be adversely impacted as a result of Heritage Creek because all the roadways will maintain a Level of Service below the adopted Level of Service for a roadway in Lee County. The majority of roadway segments analyzed as a part of this report, once the development is completed, will maintain the Level of Service as projected without the development. The only exceptions are Pritchett Parkway north of Bayshore Road, I-75 between Bayshore Road and Palm Beach Boulevard, Bayshore Road between Slater Road and Business 41, and Del Prado Boulevard to the east of U.S. 41. These roadway links are shown to operate at a lower Level of Service once the project traffic has been added to the roadways. Regardless, these roadway links will continue to maintain an acceptable level of service according to the parameters established by the County.

Intersection analysis was performed at the intersections of Bayshore Road and Pritchett Parkway as well as Bayshore Road at the I-75 East Ramp. **Table 3** illustrates the results of the capacity analysis. Included in Table 3 is the approach level of service for the aforementioned intersections, as well as the level of service for the entire intersection.

Table 3
Heritage Creek
Intersection Analysis Results

Intersection	Approach	A.M. Peak Hour			P.M. Peak Hour		
		2001 (Exist.)	2008 (Background)	2008 (w/ Devel.)	2001 (Exist.)	2008 (Background)	2008 (w/ Devel)
I-75 (East Ramp) @ Bayshore	Overall Intersection	C	B	C	C	C	C
Pritchett @ Bayshore (Unsignalized)	Eastbound Left	A	A	B	A	A	B
	Southbound Left + Right	B	B	F	B	B	F

According to the capacity analysis results, minor improvements to the intersection of Pritchett Parkway @ Bayshore Road may be necessary, but these intersections will be further analyzed at the Development Order stage. Turn lanes will be warranted at the site access drives and possibly at some nearby intersections, but turn lane improvements will

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be further defined at the Development Order stage once turn lane analysis has been completed.

X. CONCLUSION

The development of approximately 745 acres of property to the north of Bayshore Road on Pritchett Parkway in Lee County, Florida will not have a detrimental impact on the surrounding roadway system. The existing roadway network as well as improvements to the network programmed by Lee County within the next three years can accommodate the additional new vehicle trips the development is anticipated to generate. Site specific turn lane improvements will be warranted based on the Lee County Turn Lane Policy and will be further defined in the Development Order process. Turn lanes will be required at some of the site access drives and possibly some surrounding intersections, but turn lane improvements will be further defined at the Development Order stage.

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APPENDIX

DCI 2001-00038

TABLE 1A & TABLE 2A

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

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 980 VPH IN= 255 OUT= 725

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 1180 VPH IN= 750 OUT= 430

ROADWAY	SEGMENT	ROADWAY CLASS	LOS A VOLUME	LOS B VOLUME	LOS C VOLUME	LOS D VOLUME	LOS E VOLUME	PERCENT PROJECT TRAFFIC	PROJECT TRAFFIC	PROJ/ LOS C
Bayshore Road	E. of Business 41	4LD	0	0	1590	1910	2030	35.00%	263	16.5%
	E. of Slater Rd	4LD	0	1410	1920	2030	2030	35.00%	263	13.7%
	E. of I-75	4LD	0	1410	1920	2030	2030	75.00%	563	29.3%
	E. of Pritchett Pkwy	2LN	0	150	420	680	1140	15.00%	113	26.8%
	E. of Nalle Rd	2LN	0	180	410	640	1170	15.00%	113	27.4%
Business U.S. 41	S. of Bayshore Rd	6LD	0	0	3040	3530	3630	15.00%	113	3.7%
Del Prado Blvd	W. of Slater Rd	2LN	0	160	360	570	1040	10.00%	75	20.8%
I-75	S. of Palm Beach Blvd	4LF	1060	1720	2570	3310	4090	25.0%	188	7.3%
	N. of Palm Beach Blvd	4LF	1060	1720	2570	3310	4090	35.0%	263	10.2%
	N. of Bayshore Road	4LF	1060	1720	2570	3310	4090	5.0%	38	1.5%
Pine Island Road	W. of Business 41	4LD	0	640	1810	2010	2020	15.00%	113	6.2%
Pritchette Pkwy	N. of Bayshore Rd	2LN	0	160	360	570	1040	90.00%	675	187.5%
	S. of Rich Rd	2LN	0	160	360	570	1040	10.00%	75	20.8%
Rich Road	E. of Slater Road	2LN	0	160	360	570	1040	10.00%	75	20.8%
Slater Road	N. of Del Prado Blvd	2LN	0	210	460	690	1170	10.00%	75	16.3%
State Road 80	W. of I-75	6LD	0	810	2690	3030	3150	10.00%	75	2.8%
U.S. 41	S. of Pine Island Rd	4LD	0	1050	2360	2570	2600	10.00%	75	3.2%

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TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS

FILE: 99COUNTS 7% Truck Adjustment = 0.934

P. C. S.	PEAK	K	D	P. C. S.	PEAK	K	D	P. C. S.	PEAK	K	D
PCS NO. 1	1.100	0.092	0.69	PCS NO. 24	1.070	0.095	0.50	I-75	1.127	0.099	0.574
PCS NO. 4	1.127	0.096	0.51	PCS NO. 34	1.053	0.098	0.51				
PCS NO. 5	1.077	0.095	0.64	PCS NO. 41	1.087	0.105	0.67				

TOTAL PROJECT TRAFFIC AM = 980 VPH IN = 255 OUT= 725

TOTAL PROJECT TRAFFIC PM = 1180 VPH IN= 750 OUT= 430

ROADWAY	SEGMENT	PCS	BASE YR ADT	2000 ADT	YRS OF GROWTH	ANNUAL RATE		2001 PK HR PK SEASON PEAK DIR.	2008 PK HR PK SEASON PEAK DIR.	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2008 BCKGRND + AM PROJ TRAFFIC	2008 BCKGRND + PM PROJ TRAFFIC
Bayshore Road	E. of Business 41	4	30700	31800	9	0.39%		1645	1691	35.00%	254	263	1945	1953
	E. of Slater Rd	4	15300	18400	8	2.33%		970	1140	35.00%	254	263	1394	1403
	E. of I-75	4	8800	9300	9	0.62%		482	503	75.00%	544	563	1047	1066
	E. of Pritchett Pkwy	4	8800	9300	9	0.62%		482	503	15.00%	109	113	612	616
	E. of Nalle Rd	4	8800	9300	9	0.62%		482	503	15.00%	109	113	612	616
Business U.S. 41	S. of Bayshore Rd	41	21600	24200	9	1.27%		1750	1912	15.00%	109	113	2021	2025
Del Prado Blvd	E. of U.S. 41	24	No Data	2200	0	2.00%	[1]	107	122	10.00%	73	75	195	197
I-75	S. of Palm Beach Blvd	I-75	46300	48100	4	0.96%		2896	3096	25.00%	181	188	3277	3283
	N. of Palm Beach Blvd	I-75	35450	36700	3	1.16%	[2]	2214	2400	35.00%	254	263	2654	2663
	N. of Bayshore Road	I-75	24600	27500	3	3.78%		1702	2207	5.00%	36	38	2244	2245
Pine Island Road	W. of Business 41	34	19200	24800	9	2.88%		1254	1530	15.00%	109	113	1639	1643
Pritchett Pkwy	N. of Bayshore Rd	4	1300	1400	3	2.50%		74	88	90.00%	653	675	740	763
	S. of Rich Rd	4	1300	1400	3	2.50%		74	88	10.00%	73	75	160	163
Rich Road	E. of Slater Road	4	600	800	3	10.06%		45	89	10.00%	73	75	161	164
Slater Road	N. of Del Prado Blvd	4	5900	5700	9	0.00%		294	294	10.00%	73	75	366	369
State Road 80	W. of I-75	5	21600	27000	9	2.51%		1693	2014	10.00%	73	75	2086	2089
U.S. 41	S. of Pine Island Rd	1	24100	21000	9	0.00%		1370	1370	10.00%	73	75	1442	1445

[1] The growth rate for Del Prado Blvd, E. of U.S. 41, was assumed to be 2.0% based on the surrounding roadway traffic growth rates

[2] The traffic count data for I-75, N. of Palm Beach Blvd, was averaged from the roadway segments adjacent to it

2001 00038

TRAFFIC COUNTS

DCI 2001-00038

PRITCHETTE PARKWAY @

BAYSHORE ROAD

PROJECT:
DATE: 4/12/01
DAY: WEDNESDAY
WEATHER: SUNNY
COUNT TIME: 7:00 AM - 9:00 AM

15 MINUTE SUMMARY OF ALL VEHICLE MOVEMENTS

PRITCHETT PARKWAY & BAYSHORE ROAD

15 MIN BEGIN	PRITCHETT PARKWAY								BAYSHORE ROAD								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
7:00 AM	0	0	0	0	4	0	23	27	1	55	0	56	0	169	2	171	254
7:15 AM	0	0	0	0	5	0	28	33	1	67	0	68	0	190	3	193	294
7:30 AM	0	0	0	0	9	0	35	44	3	73	0	76	0	221	1	222	342
7:45 AM	0	0	0	0	8	0	26	34	1	89	0	90	0	168	4	172	296
8:00 AM	0	0	0	0	2	0	13	15	3	79	0	82	0	114	4	118	215
8:15 AM	0	0	0	0	5	0	14	19	2	72	0	74	0	141	5	146	239
8:30 AM	0	0	0	0	1	0	21	22	2	61	0	63	0	134	3	137	222
8:45 AM	0	0	0	0	4	0	9	13	1	69	0	70	0	100	2	102	185
TOTAL:	0	0	0	0	38	0	169	207	14	565	0	579	0	1237	24	1261	2047

HOURLY SUMMARY OF ALL VEHICLE MOVEMENTS

PRITCHETT PARKWAY & BAYSHORE ROAD

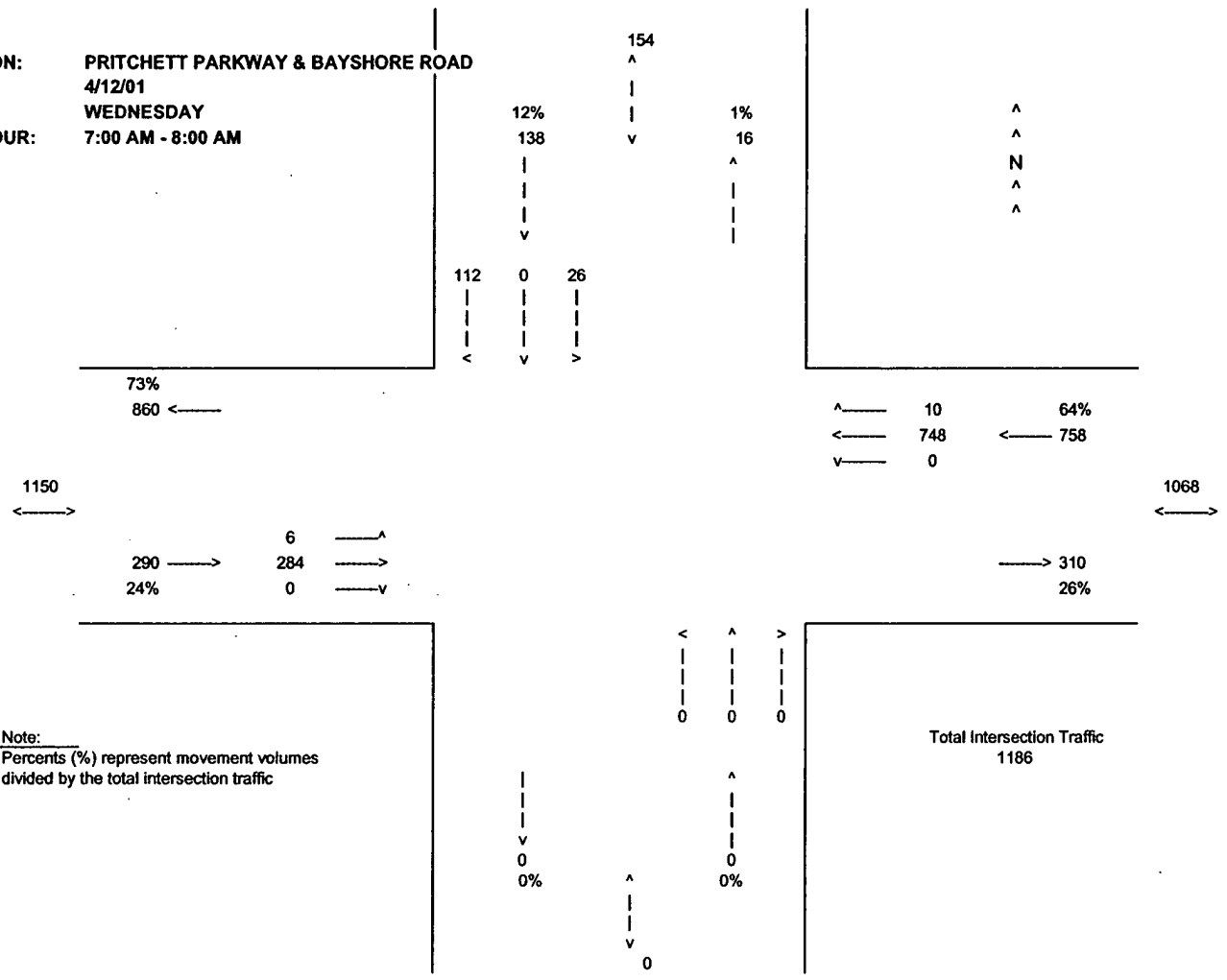
HOUR BEGIN	PRITCHETT PARKWAY								BAYSHORE ROAD								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
7:00 AM	0	0	0	0	26	0	112	138	6	284	0	290	0	748	10	758	1186
7:15 AM	0	0	0	0	24	0	102	126	8	308	0	316	0	693	12	705	1147
7:30 AM	0	0	0	0	24	0	88	112	9	313	0	322	0	644	14	658	1092
7:45 AM	0	0	0	0	16	0	74	90	8	301	0	309	0	557	16	573	972
8:00 AM	0	0	0	0	12	0	57	69	8	281	0	289	0	489	14	503	861

PEAK HOUR SUMMARY

HOUR BEGIN	PRITCHETT PARKWAY								BAYSHORE ROAD								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
7:00 AM	0	0	0	0	26	0	112	138	6	284	0	290	0	748	10	758	1186
																PHF =	0.87

DCI 2001-00038

LOCATION: PRITCHETT PARKWAY & BAYSHORE ROAD
DATE: 4/12/01
DAY: WEDNESDAY
PEAK HOUR: 7:00 AM - 8:00 AM



Note:
Percents (%) represent movement volumes divided by the total intersection traffic

Total Intersection Traffic
1186

DCT 2001-00038

PROJECT:
DATE: 4/12/01
DAY: WEDNESDAY
WEATHER: SUNNY
COUNT TIME: 4:00 PM - 6:00 PM

15 MINUTE SUMMARY OF ALL VEHICLE MOVEMENTS

PRITCHETT PARKWAY & BAYSHORE ROAD

15 MIN BEGIN	PRITCHETT PARKWAY								BAYSHORE ROAD								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
4:00 PM	0	0	0	0	4	0	6	10	8	158	0	166	0	103	8	111	287
4:15 PM	0	0	0	0	3	0	14	17	4	152	0	156	0	91	3	94	267
4:30 PM	0	0	0	0	7	0	11	18	13	152	0	165	0	73	2	75	258
4:45 PM	0	0	0	0	4	0	5	9	14	158	0	172	0	86	10	96	277
5:00 PM	0	0	0	0	4	0	4	8	5	189	0	194	0	114	11	125	327
5:15 PM	0	0	0	0	4	0	9	13	7	211	0	218	0	99	3	102	333
5:30 PM	0	0	0	0	7	0	9	16	13	201	0	214	0	106	2	108	338
5:45 PM	0	0	0	0	3	0	9	12	19	160	0	179	0	92	3	95	286
TOTAL:	0	0	0	0	36	0	67	103	83	1381	0	1464	0	764	42	806	2373

HOURLY SUMMARY OF ALL VEHICLE MOVEMENTS

PRITCHETT PARKWAY & BAYSHORE ROAD

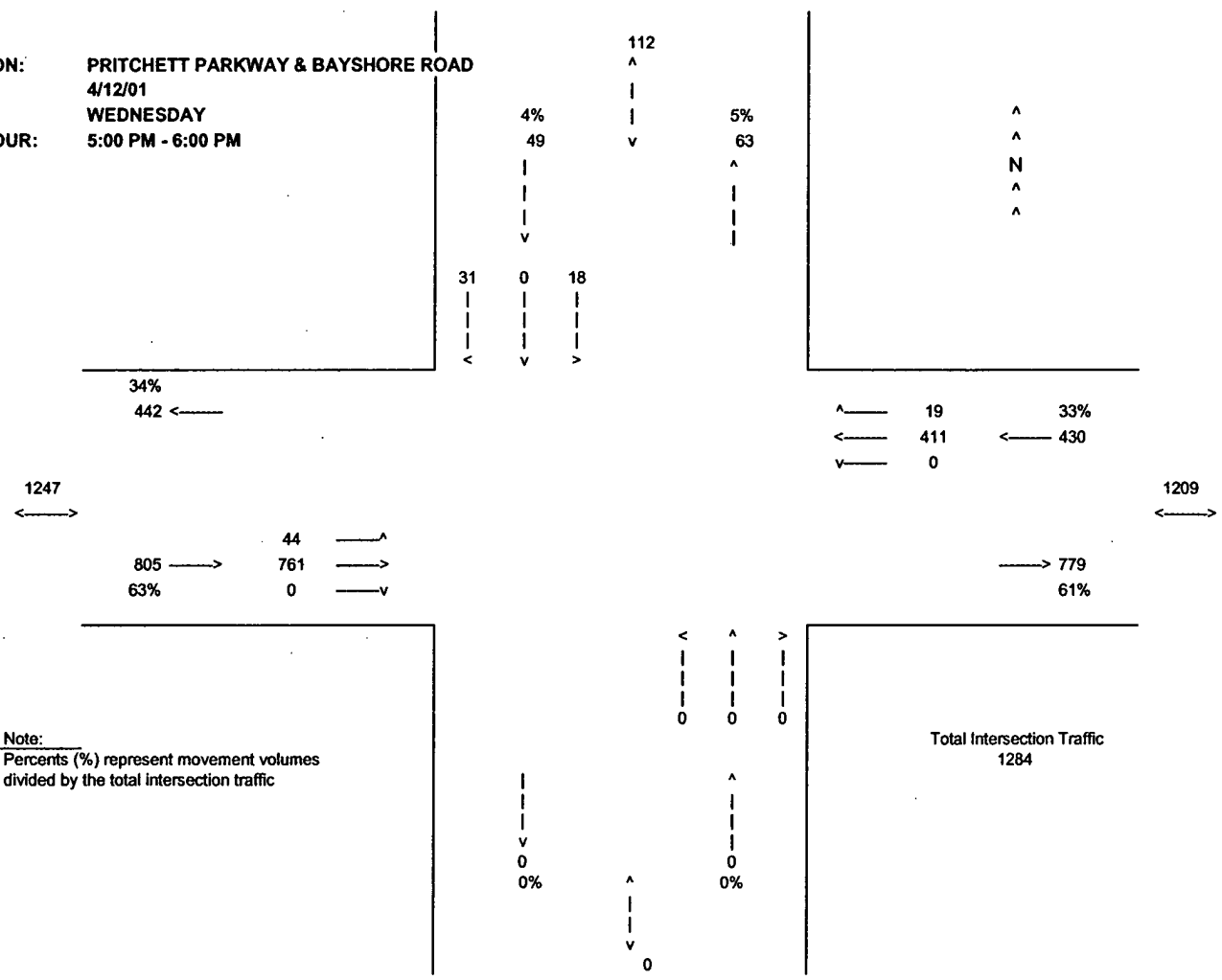
HOUR BEGIN	PRITCHETT PARKWAY								BAYSHORE ROAD								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
4:00 PM	0	0	0	0	18	0	36	54	39	620	0	659	0	353	23	376	1089
4:15 PM	0	0	0	0	18	0	34	52	36	651	0	687	0	364	26	390	1129
4:30 PM	0	0	0	0	19	0	29	48	39	710	0	749	0	372	26	398	1195
4:45 PM	0	0	0	0	19	0	27	46	39	759	0	798	0	405	26	431	1275
5:00 PM	0	0	0	0	18	0	31	49	44	761	0	805	0	411	19	430	1284

PEAK HOUR SUMMARY

HOUR BEGIN	PRITCHETT PARKWAY								BAYSHORE ROAD								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
5:00 PM	0	0	0	0	18	0	31	49	44	761	0	805	0	411	19	430	1284
																PHF =	0.95

DCI 2001-00038

LOCATION: PRITCHETT PARKWAY & BAYSHORE ROAD
DATE: 4/12/01
DAY: WEDNESDAY
PEAK HOUR: 5:00 PM - 6:00 PM



Note:
Percents (%) represent movement volumes divided by the total intersection traffic

Total Intersection Traffic
1284

DCI 2001-00038

BAYSHORE ROAD @ I-75 NB

DCI 2001-00038

PROJECT:
DATE: 4/12/01
DAY: WEDNESDAY
WEATHER: SUNNY
COUNT TIME: 7:00 AM - 9:00 AM

15 MINUTE SUMMARY OF ALL VEHICLE MOVEMENTS

I-75 NORTHBOUND RAMPS & BAYSHORE ROAD

15 MIN BEGIN	I-75 NORTHBOUND RAMPS								BAYSHORE ROAD								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
7:00 AM	86	0	13	99	0	0	0	0	10	40	0	50	0	183	9	192	341
7:15 AM	92	0	8	100	0	0	0	0	13	54	0	67	0	200	6	206	373
7:30 AM	101	0	18	119	0	0	0	0	9	59	0	68	0	245	10	255	442
7:45 AM	114	0	23	137	0	0	0	0	8	68	0	76	0	170	10	180	393
8:00 AM	86	0	17	103	0	0	0	0	11	62	0	73	0	120	4	124	300
8:15 AM	73	0	24	97	0	0	0	0	13	49	0	62	0	136	10	146	305
8:30 AM	67	0	22	89	0	0	0	0	13	42	0	55	0	140	10	150	294
8:45 AM	82	0	28	110	0	0	0	0	16	46	0	62	0	109	2	111	283
TOTAL:	701	0	153	854	0	0	0	0	93	420	0	513	0	1303	61	1364	2731

HOURLY SUMMARY OF ALL VEHICLE MOVEMENTS

I-75 NORTHBOUND RAMPS & BAYSHORE ROAD

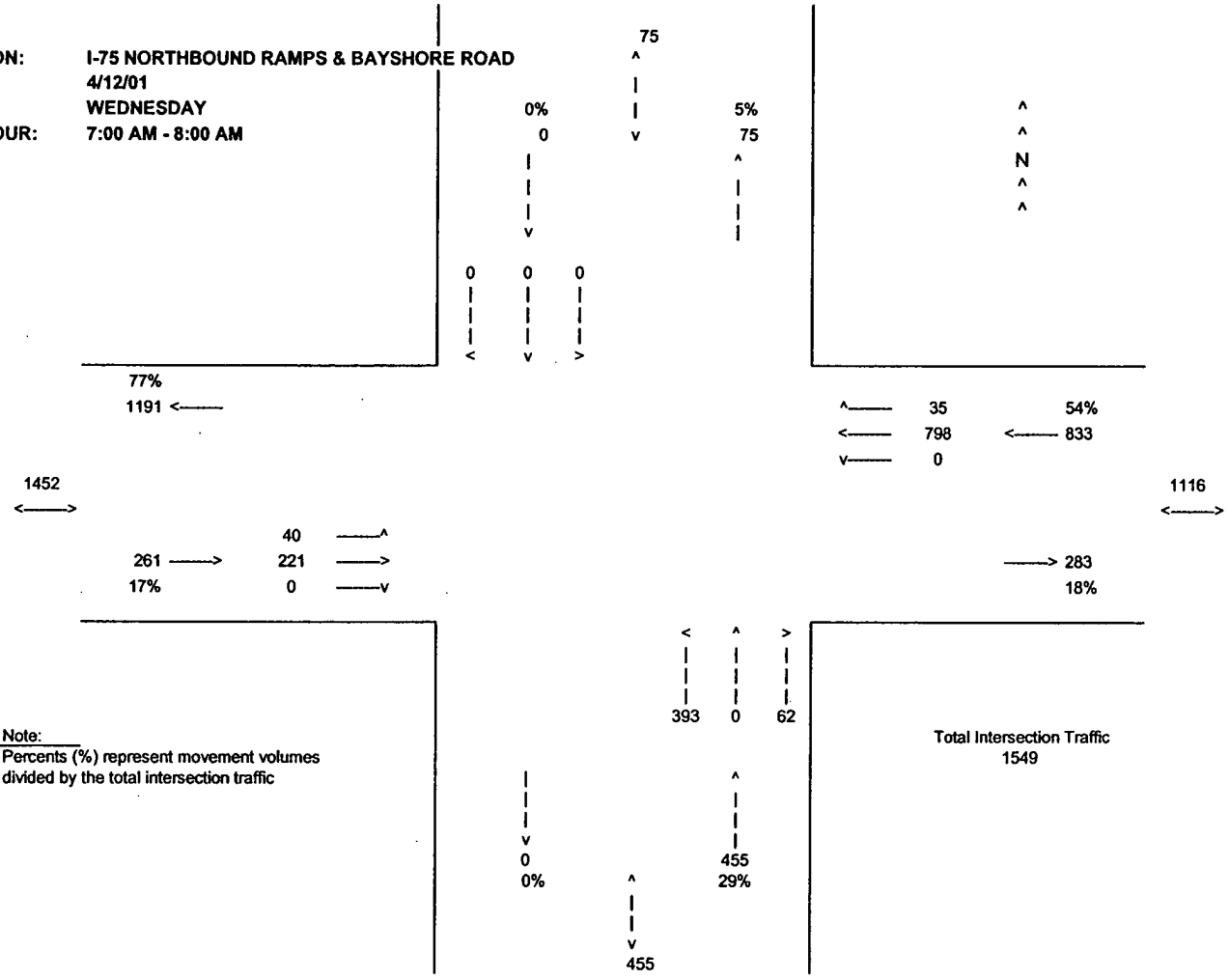
HOUR BEGIN	I-75 NORTHBOUND RAMPS								BAYSHORE ROAD								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
7:00 AM	393	0	62	455	0	0	0	0	40	221	0	261	0	798	35	833	1549
7:15 AM	393	0	66	459	0	0	0	0	41	243	0	284	0	735	30	765	1508
7:30 AM	374	0	82	456	0	0	0	0	41	238	0	279	0	671	34	705	1440
7:45 AM	340	0	86	426	0	0	0	0	45	221	0	266	0	566	34	600	1292
8:00 AM	308	0	91	399	0	0	0	0	53	199	0	252	0	505	26	531	1182

PEAK HOUR SUMMARY

HOUR BEGIN	I-75 NORTHBOUND RAMPS								BAYSHORE ROAD								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
7:00 AM	393	0	62	455	0	0	0	0	40	221	0	261	0	798	35	833	1549
																PHF =	0.88

DCI 2001-00038

LOCATION: I-75 NORTHBOUND RAMPS & BAYSHORE ROAD
DATE: 4/12/01
DAY: WEDNESDAY
PEAK HOUR: 7:00 AM - 8:00 AM



Note:
Percents (%) represent movement volumes divided by the total intersection traffic

Total Intersection Traffic
1549

DCI 2001-00038

PROJECT:
DATE: 4/12/01
DAY: WEDNESDAY
WEATHER: SUNNY
COUNT TIME: 4:00 PM - 6:00 PM

15 MINUTE SUMMARY OF ALL VEHICLE MOVEMENTS

I-75 NORTHBOUND RAMPS & BAYSHORE ROAD

15 MIN BEGIN	I-75 NORTHBOUND RAMPS								BAYSHORE ROAD								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
4:00 PM	133	0	74	207	0	0	0	0	14	0	0	14	0	0	5	5	226
4:15 PM	156	0	80	236	0	0	0	0	19	0	0	19	0	0	7	7	262
4:30 PM	161	0	71	232	0	0	0	0	17	0	0	17	0	0	8	8	257
4:45 PM	150	0	87	237	0	0	0	0	14	0	0	14	0	0	3	3	254
5:00 PM	182	0	85	267	0	0	0	0	15	0	0	15	0	0	5	5	287
5:15 PM	180	0	121	301	0	0	0	0	11	0	0	11	0	0	8	8	320
5:30 PM	175	0	106	281	0	0	0	0	16	0	0	16	0	0	4	4	301
5:45 PM	145	0	84	229	0	0	0	0	12	0	0	12	0	0	8	8	249
TOTAL:	1282	0	708	1990	0	0	0	0	118	0	0	118	0	0	48	48	2156

HOURLY SUMMARY OF ALL VEHICLE MOVEMENTS

I-75 NORTHBOUND RAMPS & BAYSHORE ROAD

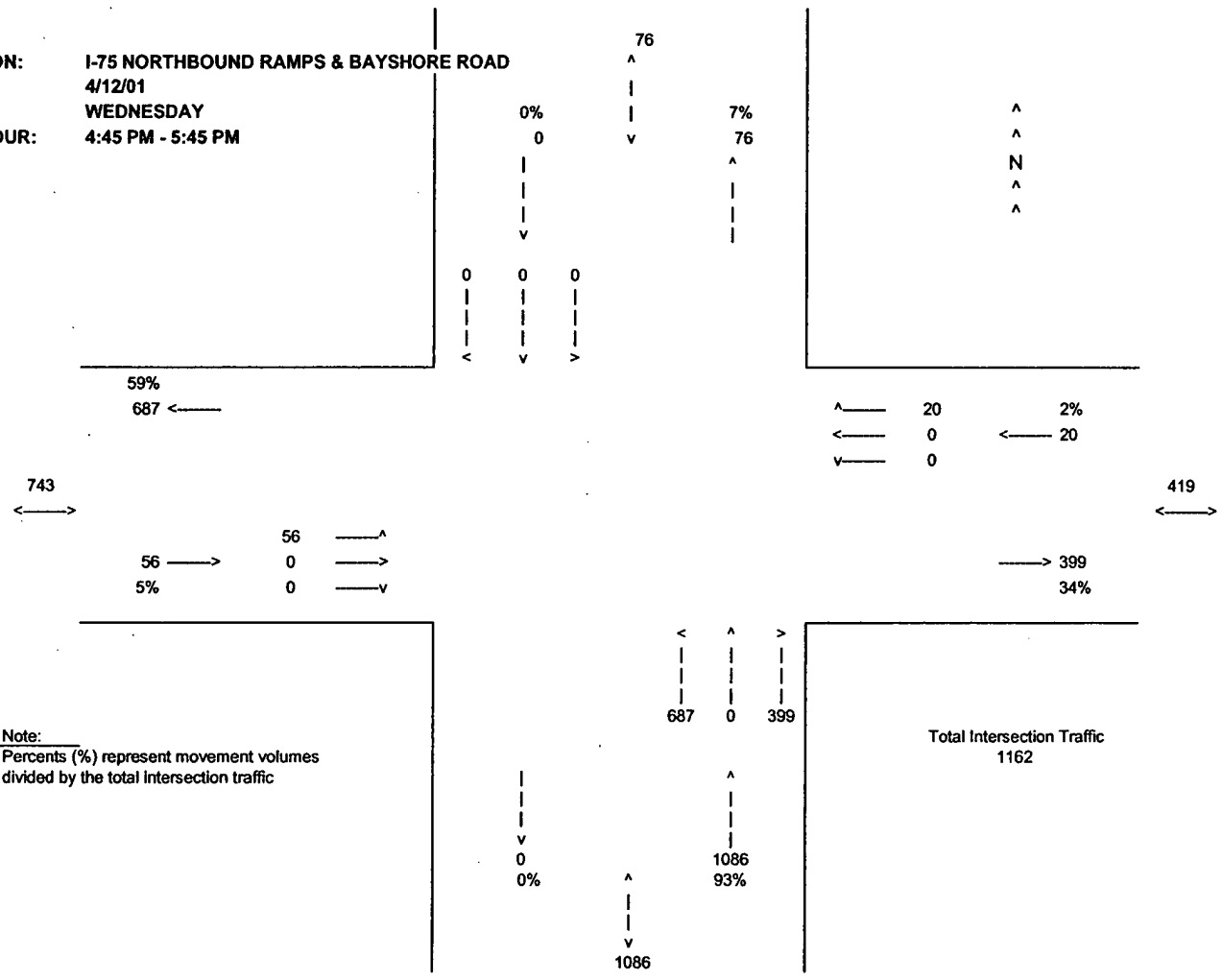
HOUR BEGIN	I-75 NORTHBOUND RAMPS								BAYSHORE ROAD								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
4:00 PM	600	0	312	912	0	0	0	0	64	0	0	64	0	0	23	23	999
4:15 PM	649	0	323	972	0	0	0	0	65	0	0	65	0	0	23	23	1060
4:30 PM	673	0	364	1037	0	0	0	0	57	0	0	57	0	0	24	24	1118
4:45 PM	687	0	399	1086	0	0	0	0	56	0	0	56	0	0	20	20	1162
5:00 PM	682	0	396	1078	0	0	0	0	54	0	0	54	0	0	25	25	1157

PEAK HOUR SUMMARY

HOUR BEGIN	I-75 NORTHBOUND RAMPS								BAYSHORE ROAD								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
4:45 PM	687	0	399	1086	0	0	0	0	56	0	0	56	0	0	20	20	1162
																PHF =	0.91

DCI 2001-00038

LOCATION: I-75 NORTHBOUND RAMPS & BAYSHORE ROAD
DATE: 4/12/01
DAY: WEDNESDAY
PEAK HOUR: 4:45 PM - 5:45 PM



Note:
Percents (%) represent movement volumes divided by the total intersection traffic

Total Intersection Traffic
1162

DCI 2001-00038

HCS SUMMARY SHEETS

DCI 2001-00038

PRITCHETTE PARKWAY @

BAYSHORE ROAD

DCI 2001-00038

A.M. PEAK HOUR

DOT 2001-00038

TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*RLP*	Intersection	*Bayshore Rd @ Pritchett Pkwy*
Agency/Co.	*Metro Transportation Group*	Jurisdiction	*Lee County DOT*
Date Performed	*4/23/2001*	Analysis Year	*2001*
Analysis Time Period	*AM Peak*	Project ID	*Heritage Creek*

East/West Street: *Bayshore Road*	North/South Street:
Intersection Orientation: *East-West*	Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume	*6*	*284*	*0*	*0*	*748*	*10*
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Hourly Flow Rate, HFR	*6*	*284*	*0*	*0*	*748*	*10*
Percent Heavy Vehicles	*0*	--	--	*0*	--	--
Median Type	*Raised curb*					
RT Channelized			*0*			*0*
Lanes	*1*	*2*	*0*	*0*	*2*	*0*
Configuration	*L*	*T*			*T*	*TR*
Upstream Signal		*0*			*0*	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume	*0*	*0*	*0*	*26*	*0*	*112*
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Hourly Flow Rate, HFR	*0*	*0*	*0*	*26*	*0*	*112*
Percent Heavy Vehicles	*0*	*0*	*0*	*0*	*0*	*0*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*0*	*0*	*0*	*0*	*0*
Configuration					*LR*	

Delay, Queue Length, and Level of Service

Approach	EB	WB	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*L*						*LR*	
v (vph)	*6*						*138*	
C (m) (vph)	*862*						*551*	
v/c	*0.01*						*0.25*	
95% queue length	*0.02*						*0.98*	
Control Delay	*9.2*						*13.7*	
LOS	*A*						*B*	
Approach Delay	--	--					*13.7*	
Approach LOS	--	--					*B*	

DCI 2001-00038

TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*RLP*	Intersection	*Bayshore Rd @ Pritchett Pkwy*
Agency/Co.	*Metro Transportation Group*	Jurisdiction	*Lee County DOT*
Date Performed	*4/23/2001*	Analysis Year	*2008 Background*
Analysis Time Period	*AM Peak*	Project ID	*Heritage Creek*

East/West Street: *Bayshore Road*	North/South Street: *Pritchett Parkway*
Intersection Orientation: *East-West*	Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume	*6*	*295*	*0*	*0*	*780*	*10*
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Hourly Flow Rate, HFR	*6*	*295*	*0*	*0*	*780*	*10*
Percent Heavy Vehicles	*0*	--	--	*0*	--	--
Median Type	*Raised curb*					
RT Channelized			*0*			*0*
Lanes	*1*	*2*	*0*	*0*	*2*	*0*
Configuration	*L*	*T*			*T*	*TR*
Upstream Signal		*0*			*0*	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume	*0*	*0*	*0*	*30*	*0*	*115*
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Hourly Flow Rate, HFR	*0*	*0*	*0*	*30*	*0*	*115*
Percent Heavy Vehicles	*0*	*0*	*0*	*0*	*0*	*0*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*0*	*0*	*0*	*0*	*0*
Configuration					*LR*	

Delay, Queue Length, and Level of Service

Approach	EB	WB	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*L*						*LR*	
v (vph)	*6*						*145*	
C (m) (vph)	*839*						*529*	
v/c	*0.01*						*0.27*	
95% queue length	*0.02*						*1.11*	
Control Delay	*9.3*						*14.4*	
LOS	*A*						*B*	
Approach Delay	--	--				*14.4*		
Approach LOS	--	--				*B*		

DCI 2001-00038

TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*RLP*	Intersection	*Bayshore Rd @ Pritchett Pkwy*
Agency/Co.	*Metro Transportation Group*	Jurisdiction	*Lee County DOT*
Date Performed	*4/23/2001*	Analysis Year	*2008 w/ Project*
Analysis Time Period	*AM Peak*	Project ID	*Heritage Creek*

East/West Street: *Bayshore Road*	North/South Street: *Pritchett Parkway*
Intersection Orientation: *East-West*	Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume	*195*	*295*	*0*	*0*	*780*	*50*
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Hourly Flow Rate, HFR	*195*	*295*	*0*	*0*	*780*	*50*
Percent Heavy Vehicles	*0*	--	--	*0*	--	--
Median Type	*Raised curb*					
RT Channelized			*0*			*0*
Lanes	*1*	*2*	*0*	*0*	*2*	*0*
Configuration	*L*	*T*			*T*	*TR*
Upstream Signal		*0*			*0*	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume	*0*	*0*	*0*	*135*	*0*	*655*
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Hourly Flow Rate, HFR	*0*	*0*	*0*	*135*	*0*	*655*
Percent Heavy Vehicles	*0*	*0*	*0*	*0*	*0*	*0*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*0*	*0*	*0*	*0*	*0*
Configuration					*LR*	

Delay, Queue Length, and Level of Service

Approach	EB	WB	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*L*						*LR*	
v (vph)	*195*						*790*	
C (m) (vph)	*811*						*473*	
v/c	*0.24*						*1.67*	
95% queue length	*0.94*						*46.06*	
Control Delay	*10.8*						*332.1*	
LOS	*B*						*F*	
Approach Delay	--	--				*332.1*		
Approach LOS	--	--				*F*		

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P.M. PEAK HOUR

DCI 2001-00038

Attachment 2

Heritage Creek
PROPERTY DEVELOPMENT REGULATIONS
May 11, 2001

LAND USES	Minimum Lot			Minimum Setback (ft)								Max Height (ft)	Min Bldg Separation (ft)	Max Lot Coverage (%)
	Area (sq ft)	Min Width (ft)	Min Depth (ft)	Side[1] Incl. Corner Lots (ft)	Rear (ft)				Front (ft)		Water Body (ft)			
					Lots	Wetland	Golf	Acc	Front Entry Garage	Bldg or Side Entry Garage				
Single Family Detached	4,000	40	100	5	20	20	0	5	20	12	25	35 or 2 stories	10	65
Two Family Attached	3,750	37½	100	0 or 10	20	20	0	5	20	12	25	35 or 2 stories	10	65
Townhouse	2,000	22	80	0 or 10	20	20	0	5	20	15	25	35 or 2 stories	20	n/a
Multi-Family	10,000	100	100	10	20	20	0	5	20	20	25	55 or 4 stories	20	70
Clubhouse	20,000	80	100	10	20	20	0	5	n/a	20	25	45 or 2 stories	20	55

1 Applies to lots of all widths and to corner lots.

TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*RLP*	Intersection	*Bayshore Rd @ Pritchett Pkwy*
Agency/Co.	*Metro Transportation Group*	Jurisdiction	*Lee County DOT*
Date Performed	*4/23/2001*	Analysis Year	*2008 w/ Project*
Analysis Time Period	*PM Peak*	Project ID	*Heritage Creek*

East/West Street: *Bayshore Road*	North/South Street: *Pritchett Parkway*
Intersection Orientation: *East-West*	Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume	*575*	*795*	*0*	*0*	*425*	*140*
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Hourly Flow Rate, HFR	*575*	*795*	*0*	*0*	*425*	*140*
Percent Heavy Vehicles	*0*	--	--	*0*	--	--
Median Type	*Raised curb*					
RT Channelized			*0*			*0*
Lanes	*1*	*2*	*0*	*0*	*2*	*0*
Configuration	*L*	*T*			*T*	*TR*
Upstream Signal		*0*			*0*	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume	*0*	*0*	*0*	*85*	*0*	*350*
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Hourly Flow Rate, HFR	*0*	*0*	*0*	*85*	*0*	*350*
Percent Heavy Vehicles	*0*	*0*	*0*	*0*	*0*	*0*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*0*	*0*	*0*	*0*	*0*
Configuration					*LR*	

Delay, Queue Length, and Level of Service

Approach	EB	WB	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*L*						*LR*	
v (vph)	*575*						*435*	
C (m) (vph)	*1017*						*234*	
v/c	*0.57*						*1.86*	
95% queue length	*3.66*						*30.48*	
Control Delay	*13.0*						*437.8*	
LOS	*B*						*F*	
Approach Delay	--	--					*437.8*	
Approach LOS	--	--					*F*	

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DCI 2001-00038

BAYSHORE ROAD @ I-75 NB

DCI 2001-00038

A.M. PEAK

DCI 2001-00038

HCS2000: Signalized Intersections Release 4.1

Analyst: RLP
Agency: Metro Transportation Group
Date: 4/23/2001
Period: A.M. Peak
Project ID: Heritage Creek
E/W St: Bayshore Road

Inter.: Bayshore Rd @ I-75
Area Type: All other areas
Jurisd: Lee County DOT
Year : 2001

N/S St: I-75

SIGNALIZED INTERSECTION SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	1	2	0	0	2	0	1	0	0	0	0	0
LGConfig	L	T			T		L					
Volume	40	228			825		393					
Lane Width	12.0	12.0			12.0		12.0					
RTOR Vol												

Duration 0.25 Area Type: All other areas

Signal Operations

Phase Combination		1	2	3	4		5	6	7	8
EB	Left	A				NB	Left	A		
	Thru	A	A				Thru			
	Right						Right			
	Peds						Peds			
WB	Left					SB	Left			
	Thru		A				Thru			
	Right						Right			
	Peds						Peds			
NB	Right					EB	Right			
SB	Right					WB	Right			
Green		10.0	25.0				40.0			
Yellow		4.0	4.0				4.0			
All Red		1.0	1.0				1.0			

Cycle Length: 90.0 secs

DCI 2001-00038

Intersection Performance Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios v/c	Ratios g/C	Lane Group Delay	Lane Group LOS	Approach Delay	Approach LOS
Eastbound								
L	201	1805	0.21	0.11	36.9	D		
T	1604	3610	0.15	0.44	14.9	B	18.2	B
Westbound								
T	1003	3610	0.87	0.28	38.9	D	38.9	D
Northbound								
L	802	1805	0.52	0.44	18.6	B		
							18.6	B
Southbound								

Intersection Delay = 29.8 (sec/veh) Intersection LOS = C

HCS2000: Signalized Intersections Release 4.1

Robert L. Price
Metro Transportation Group, Inc.
12651 McGregor Boulevard, Suite 4-403
Fort Myers, FL 33919

Phone: 941-278-3090 Fax: 941-278-1906
E-Mail: rlp@metrotransportation.com

OPERATIONAL ANALYSIS

Analyst:	RLP
Agency/Co.:	Metro Transportation Group
Date Performed:	4/23/2001
Analysis Time Period:	A.M. Peak
Intersection:	Bayshore Rd @ I-75
Area Type:	All other areas
Jurisdiction:	Lee County DOT
Analysis Year:	2001
Project ID:	Heritage Creek
	East/West Street: Bayshore Road
	North/South Street: I-75

DCI 2001-00038

HCS2000: Signalized Intersections Release 4.1

Analyst: RLP
Agency: Metro Transportation Group
Date: 4/23/2001
Period: A.M. Peak
Project ID: Heritage Creek
E/W St: Bayshore Road

Inter.: Bayshore Rd @ I-75
Area Type: All other areas
Jurisd: Lee County DOT
Year : 2008 Background
N/S St: I-75

SIGNALIZED INTERSECTION SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	1	2	0	0	2	0	2	0	0	0	0	0
LGConfig	L	T			T		L					
Volume	40	240			860		410					
Lane Width	12.0	12.0			12.0		12.0					
RTOR Vol												

Duration 0.25 Area Type: All other areas

Signal Operations

Phase Combination		1	2	3	4			5	6	7	8
EB	Left	A				NB	Left	A			
	Thru	A	A				Thru				
	Right						Right				
	Peds						Peds				
WB	Left					SB	Left				
	Thru		A				Thru				
	Right						Right				
	Peds						Peds				
NB	Right					EB	Right				
SB	Right					WB	Right				
Green		10.0	40.0					25.0			
Yellow		4.0	4.0					4.0			
All Red		1.0	1.0					1.0			

Cycle Length: 90.0 secs

DCI 2001-00038

Intersection Performance Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios v/c	Ratios g/C	Lane Group Delay	Lane Group LOS	Approach Delay	Approach LOS
Eastbound								
L	201	1805	0.21	0.11	36.9	D		
T	2206	3610	0.11	0.61	7.3	A	11.6	B
Westbound								
T	1604	3610	0.56	0.44	19.0	B	19.0	B
Northbound								
L	973	3502	0.44	0.28	27.1	C		
							27.1	C
Southbound								

Intersection Delay = 19.8 (sec/veh) Intersection LOS = B

HCS2000: Signalized Intersections Release 4.1

Robert L. Price
Metro Transportation Group, Inc.
12651 McGregor Boulevard, Suite 4-403
Fort Myers, FL 33919

Phone: 941-278-3090 Fax: 941-278-1906
E-Mail: rlp@metrotransportation.com

OPERATIONAL ANALYSIS

Analyst:	RLP
Agency/Co.:	Metro Transportation Group
Date Performed:	4/23/2001
Analysis Time Period:	A.M. Peak
Intersection:	Bayshore Rd @ I-75
Area Type:	All other areas
Jurisdiction:	Lee County DOT
Analysis Year:	2008 Background
Project ID:	Heritage Creek
	East/West Street: Bayshore Road
	North/South Street: I-75

DCI 2001-00038

HCS2000: Signalized Intersections Release 4.1

Analyst: RLP
Agency: Metro Transportation Group
Date: 4/23/2001
Period: A.M. Peak
Project ID: Heritage Creek
E/W St: Bayshore Road

Inter.: Bayshore Rd @ I-75
Area Type: All other areas
Jurisd: Lee County DOT
Year : 2008 w/ Project

N/S St: I-75

SIGNALIZED INTERSECTION SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	1	2	0	0	2	0	2	0	0	0	0	0
LGConfig	L	T			T		L					
Volume	40	340			1365		410					
Lane Width	12.0	12.0			12.0		12.0					
RTOR Vol												

Duration 0.25 Area Type: All other areas

Signal Operations

Phase Combination		1	2	3	4		5	6	7	8
EB	Left	A				NB	Left A			
	Thru	A	A				Thru			
	Right						Right			
	Peds						Peds			
WB	Left					SB	Left			
	Thru		A				Thru			
	Right						Right			
	Peds						Peds			
NB	Right					EB	Right			
SB	Right					WB	Right			
Green		10.0	40.0				25.0			
Yellow		4.0	4.0				4.0			
All Red		1.0	1.0				1.0			

Cycle Length: 90.0 secs

DCI 2001-00038

Intersection Performance Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios v/c	Ratios g/C	Lane Group Delay	Lane Group LOS	Approach Delay	Approach LOS
Eastbound								
L	201	1805	0.21	0.11	36.9	D		
T	2206	3610	0.16	0.61	7.6	A	10.7	B
Westbound								
T	1604	3610	0.90	0.44	30.1	C	30.1	C
Northbound								
L	973	3502	0.44	0.28	27.1	C		
							27.1	C
Southbound								

Intersection Delay = 26.1 (sec/veh) Intersection LOS = C

HCS2000: Signalized Intersections Release 4.1

Robert L. Price
Metro Transportation Group, Inc.
12651 McGregor Boulevard, Suite 4-403
Fort Myers, FL 33919

Phone: 941-278-3090 Fax: 941-278-1906
E-Mail: rlp@metrotransportation.com

OPERATIONAL ANALYSIS

Analyst:	RLP
Agency/Co.:	Metro Transportation Group
Date Performed:	4/23/2001
Analysis Time Period:	A.M. Peak
Intersection:	Bayshore Rd @ I-75
Area Type:	All other areas
Jurisdiction:	Lee County DOT
Analysis Year:	2008 w/ Project
Project ID:	Heritage Creek
	East/West Street: Bayshore Road
	North/South Street: I-75

DCI 2001-00038

P.M. PEAK

DCI 2001-00038

HCS2000: Signalized Intersections Release 4.1

Analyst: RLP
Agency: Metro Transportation Group
Date: 4/23/2001
Period: P.M. Peak
Project ID: Heritage Creek
E/W St: Bayshore Road

Inter.: Bayshore Rd @ I-75
Area Type: All other areas
Jurisd: Lee County DOT
Year : 2001

N/S St: I-75

SIGNALIZED INTERSECTION SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	1	2	0	0	2	0	2	0	0	0	0	0
LGConfig	L	T			T		L					
Volume	56	459			412		687					
Lane Width	12.0	12.0			12.0		12.0					
RTOR Vol												

Duration 0.25 Area Type: All other areas

Signal Operations

Phase Combination		1	2	3	4			5	6	7	8
EB	Left	A				NB	Left	A			
	Thru	A	A				Thru				
	Right						Right				
	Peds						Peds				
WB	Left					SB	Left				
	Thru		A				Thru				
	Right						Right				
	Peds						Peds				
NB	Right					EB	Right				
SB	Right					WB	Right				
Green		10.0	25.0					40.0			
Yellow		4.0	4.0					4.0			
All Red		1.0	1.0					1.0			

Cycle Length: 90.0 secs

DCI 2001-00038

Intersection Performance Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios v/c	Ratios g/C	Lane Group Delay	Lane Group LOS	Approach Delay	Approach LOS
Eastbound								
L	201	1805	0.29	0.11	37.6	D		
T	1604	3610	0.30	0.44	16.1	B	18.5	B
Westbound								
T	1003	3610	0.43	0.28	27.0	C	27.0	C
Northbound								
L	1556	3502	0.46	0.44	17.7	B		
							17.7	B
Southbound								

Intersection Delay = 20.3 (sec/veh) Intersection LOS = C

HCS2000: Signalized Intersections Release 4.1

Robert L. Price
Metro Transportation Group, Inc.
12651 McGregor Boulevard, Suite 4-403
Fort Myers, FL 33919

Phone: 941-278-3090 Fax: 941-278-1906
E-Mail: rlp@metrotransportation.com

OPERATIONAL ANALYSIS

Analyst:	RLP
Agency/Co.:	Metro Transportation Group
Date Performed:	4/23/2001
Analysis Time Period:	P.M. Peak
Intersection:	Bayshore Rd @ I-75
Area Type:	All other areas
Jurisdiction:	Lee County DOT
Analysis Year:	2001
Project ID:	Heritage Creek
	East/West Street: Bayshore Road
	North/South Street: I-75

DCI 2001-00038

HCS2000: Signalized Intersections Release 4.1

Analyst: RLP
Agency: Metro Transportation Group
Date: 4/23/2001
Period: P.M. Peak
Project ID: Heritage Creek
E/W St: Bayshore Road

Inter.: Bayshore Rd @ I-75
Area Type: All other areas
Jurisd: Lee County DOT
Year : 2008 Background

N/S St: I-75

SIGNALIZED INTERSECTION SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	1	2	0	0	2	0	2	0	0	0	0	0
LGConfig	L	T			T		L					
Volume	60	480			430		715					
Lane Width	12.0	12.0			12.0		12.0					
RTOR Vol												

Duration 0.25 Area Type: All other areas

Signal Operations

Phase Combination	1	2	3	4	5	6	7	8
EB Left	A				NB Left	A		
Thru	A	A			Thru			
Right					Right			
Peds					Peds			
WB Left					SB Left			
Thru		A			Thru			
Right					Right			
Peds					Peds			
NB Right					EB Right			
SB Right					WB Right			
Green	10.0	38.0				27.0		
Yellow	4.0	4.0				4.0		
All Red	1.0	1.0				1.0		

Cycle Length: 90.0 secs

DCI 2001 00038

Intersection Performance Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios v/c	Ratios g/C	Lane Group Delay	Lane Group LOS	Approach Delay	Approach LOS
Eastbound								
L	201	1805	0.31	0.11	37.7	D		
T	2126	3610	0.24	0.59	8.9	A	12.1	B
Westbound								
T	1524	3610	0.30	0.42	17.3	B	17.3	B
Northbound								
L	1051	3502	0.72	0.30	30.5	C		
							30.5	C
Southbound								

Intersection Delay = 21.2 (sec/veh) Intersection LOS = C

HCS2000: Signalized Intersections Release 4.1

Robert L. Price
Metro Transportation Group, Inc.
12651 McGregor Boulevard, Suite 4-403
Fort Myers, FL 33919

Phone: 941-278-3090 Fax: 941-278-1906
E-Mail: rlp@metrotransportation.com

OPERATIONAL ANALYSIS

Analyst:	RLP
Agency/Co.:	Metro Transportation Group
Date Performed:	4/23/2001
Analysis Time Period:	P.M. Peak
Intersection:	Bayshore Rd @ I-75
Area Type:	All other areas
Jurisdiction:	Lee County DOT
Analysis Year:	2008 Background
Project ID:	Heritage Creek
	East/West Street: Bayshore Road
	North/South Street: I-75

DCI 2001-00038

HCS2000: Signalized Intersections Release 4.1

Analyst: RLP
Agency: Metro Transportation Group
Date: 4/23/2001
Period: P.M. Peak
Project ID: Heritage Creek
E/W St: Bayshore Road

Inter.: Bayshore Rd @ I-75
Area Type: All other areas
Jurisd: Lee County DOT
Year : 2008 w/ Project

N/S St: I-75

SIGNALIZED INTERSECTION SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	1	2	0	0	2	0	2	0	0	0	0	0
LGConfig	L	T			T		L					
Volume	60	785			735		715					
Lane Width	12.0	12.0			12.0		12.0					
RTOR Vol												

Duration 0.25 Area Type: All other areas

Signal Operations

Phase Combination		1	2	3	4			5	6	7	8
EB	Left	A				NB	Left	A			
	Thru	A	A				Thru				
	Right						Right				
	Peds						Peds				
NB	Left					SB	Left				
	Thru		A				Thru				
	Right						Right				
	Peds						Peds				
NB	Right					EB	Right				
SB	Right					WB	Right				
Green		10.0	38.0					27.0			
Yellow		4.0	4.0					4.0			
All Red		1.0	1.0					1.0			

Cycle Length: 90.0 secs

DCI 2001-00038

Intersection Performance Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios v/c	Ratios g/C	Lane Group Delay	Lane Group LOS	Approach Delay	Approach LOS
Eastbound								
L	201	1805	0.31	0.11	37.7	D		
T	2126	3610	0.39	0.59	10.0-	A	11.9	B
Westbound								
T	1524	3610	0.51	0.42	19.4	B	19.4	B
Northbound								
L	1051	3502	0.72	0.30	30.5	C		
							30.5	C
Southbound								

Intersection Delay = 20.1 (sec/veh) Intersection LOS = C

HCS2000: Signalized Intersections Release 4.1

Robert L. Price
Metro Transportation Group, Inc.
12651 McGregor Boulevard, Suite 4-403
Fort Myers, FL 33919

Phone: 941-278-3090 Fax: 941-278-1906
E-Mail: rlp@metrotransportation.com

OPERATIONAL ANALYSIS

Analyst:	RLP
Agency/Co.:	Metro Transportation Group
Date Performed:	4/23/2001
Analysis Time Period:	P.M. Peak
Intersection:	Bayshore Rd @ I-75
Area Type:	All other areas
Jurisdiction:	Lee County DOT
Analysis Year:	2008 w/ Project
Project ID:	Heritage Creek
	East/West Street: Bayshore Road
	North/South Street: I-75

DCI 2001-00038

LEE COUNTY GENERALIZED LEVEL OF SERVICE VOLUME TABLE

DCI 2001-00038

7/18/00

LEE COUNTY
GENERALIZED PEAK HOUR DIRECTIONAL SERVICE VOLUMES

URBANIZED AREAS

ARTERIALS

GROUP I (>0.00 TO 1.99 SIGNALIZED INTERSECTIONS PER MILE)

LANES	A*	B	C	D**	E**
2 UNDIV.	--	650	900	960	960
4 DIV.	--	1,410	1,920	2,030	2,030
6 DIV.	--	2,150	2,900	3,040	3,040
8 DIV.	--	2,730	3,560	3,720	3,720

GROUP II (2.00 TO 4.50 SIGNALIZED INTERSECTIONS PER MILE)

LANES	A*	B*	C	D	E
2 UNDIV.	--	--	640	880	940
4 DIV.	--	--	1,460	1,890	2,000
6 DIV.	--	--	2,270	2,840	3,000
8 DIV.	--	--	2,850	3,490	3,690

GROUP III (MORE THAN 4.50 SIGNALIZED INTERSECTIONS PER MILE)

LANES	A*	B*	C*	D	E
2 UNDIV.	--	--	290	750	910
4 DIV.	--	--	680	1,700	1,930
6 DIV.	--	--	1,060	2,570	2,910
8 DIV.	--	--	1,340	3,180	3,570

FREEWAYS (GROUP 2)

LANES	A	B	C	D	E
4	1,090	1,710	2,570	3,270	3,900
6	1,680	2,630	3,950	5,030	5,990
8	2,290	3,590	5,390	6,860	8,170

COLLECTORS

LANES	A*	B*	C	D	E
2 UNDIV.	--	--	500	800	870
2 DIV.	--	--	520	840	910
4 UNDIV.	--	--	1,080	1,640	1,750
4 DIV.	--	--	1,140	1,720	1,840

CONTROLLED ACCESS FACILITIES ***

LANES	A*	B	C	D**	E**
2 UNDIV.	0	690	930	980	980
4 DIV.	0	1,530	1,980	2,070	2,070
6 DIV.	0	2,340	2,980	3,110	3,110
8 DIV.	0	3,030	3,780	3,930	3,930

* CANNOT BE ACHIEVED.
**VOLUMES ARE COMPARABLE BECAUSE INTERSECTION CAPACITIES ARE REACHED.
*** THE APPLICATION OF THESE SERVICE VOLUMES SHOULD BE APPROVED BY LEE COUNTY DOT.

D:\LOS\DIRCAPA3.WK1

DCI 2001-00038

FDOT DRAFT TENTATIVE WORK PROGRAM FY 2001/02-2005/06 FOR S.R. 78 (BAYSHORE ROAD)

DCI 2001-00038

HIGHWAYS: STATE HIGHWAYS

DESCRIPTION TYPE OF WORK	ITEM (NEW/OLD) PROJECT LENGTH	2002	2003	2004	2005	2006
SR 739 (METRO PKWY) FROM SR 884 TO WAREHOUSE SKID HAZARD OVERLAY	4092321 / .935 MI			749 CST		
SR 739 (METRO PKWY) AT SOUTH OF COLONIAL & AT NORTH OF WINKLER AVE TRAFFIC OPS IMPROVEMENT	4106421 / .520 MI		68 PE	510 CST		
SR 739 (EVAN/PARK AV) FROM SR 82 TO SR 80 RESURFACING	4067481 / .543 MI			50 PE		570 CST
SR 78 FROM W OF DEL PRADO TO E OF PONDELLA LIGHTING	4092251 / .498 MI			94 CST		
SR 78 (BAYSHORE) FROM E OF SLATER ROAD TO W OF I-75 ADD LANES & RECONSTRUCT	1957051 / 1114675 2.246 MI	7,432 ROW 500 RRU	500 RRU	750 RRU 9,957 CST		
SR 78 (PINE ISLAND RD AT BURNT STORE ROAD TRAFFIC SIGNALS	1957411 / 1114711 .500 MI		25 PE		110 CST	
SR 78 (PINE ISLAND RD FROM E OF CHIQUITA BLVD TO W OF SANTA BARBARA ADD LANES & RECONSTRUCT	1957562 / 1.868 MI	5,318 ROW 47 RRU		470 RRU	500 RRU 7,680 CST	
SR 78 (PINE ISLAND RD AT HANCOCK BRIDGE PKWY TRAFFIC SIGNALS	4054761 / .100 MI	150 LAR				
SR 80 (PALM BCH BLV) FROM IVERSON STREET TO HENDRY CO/L ADD LANES & RECONSTRUCT	1956101 / 1114579 3.391 MI	1,200 PE		300 RRU 7,912 CST		
SR 80 EB (1ST ST) FROM US 41 TO SR 80 RESURFACING	4067491 / .446 MI			50 PE		515 CST
SR 80 WB (MONROE ST) FROM BAY ST TO SR 80 (1ST ST) RESURFACING	4067501 / .047 MI			30 PE		222 CST
SR 80 (PALM BCH BLVD) FROM E OF HICKEY CREEK BR TO IVERSON STREET ADD LANES & RECONSTRUCT	1956091 / 1114578 3.073 MI	1,100 PE		1,750 RRU 6,815 CST		

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TRIP GENERATION EQUATIONS

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TRIP GENERATION EQUATIONS
HERITAGE CREEK
ITE TRIP GENERATION REPORT, 6th EDITION

Land Use	Weekday AM Peak Hour	Weekday PM Peak Hour	Weekday
Residential Condominium/Townhouse (LUC 230)	Ln (T) = 0.790 Ln (X) + 0.298	Ln (T) = 0.827 Ln (X) + 0.309	Ln (T) = 0.850 Ln (X) + 2.564
T = Trips, X = Units			
Residential Single Family Detached Homes (LUC 210)	T = 0.700 (X) + 9.477	Ln (T) = 0.901 Ln (X) + 0.527	Ln (T) = 0.920 Ln (X) + 2.707
T = Trips, X = Units			
Golf Course (LUC 430)	T = 2.22 (X)*	T = 2.74 (X)*	T = 35.74 (X)*
T = Trips, X = Number if Holes			

* The average trip rate was utilized for trip generation purposes because no trip generation equation was available

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	RLP	Intersection	Bayshore Rd @ Pritchett Pkwy
Agency/Co.	Metro Transportation Group	Jurisdiction	Lee County DOT
Date Performed	4/23/2001	Analysis Year	2008 Background
Analysis Time Period	PM Peak	Project ID	Heritage Creek

East/West Street: Bayshore Road	North/South Street: Pritchett Parkway
Intersection Orientation: East-West	Study Period (hrs): 0.25

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume	40	795	0	0	425	30
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR	40	795	0	0	425	30
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Raised curb					
RT Channelized			0			0
Lanes	1	2	0	0	2	0
Configuration	L	T			T	TR
Upstream Signal		0			0	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume	0	0	0	20	0	30
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR	0	0	0	20	0	30
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)	0			0		
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	0	0	0	0
Configuration					LR	

Delay, Queue Length, and Level of Service

Approach	EB	WB	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	L						LR	
v (vph)	40						50	
C (m) (vph)	1116						560	
v/c	0.04						0.09	
95% queue length	0.11						0.29	
Control Delay	8.3						12.1	
LOS	A						B	
Approach Delay	--	--					12.1	
Approach LOS	--	--					B	

TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*RLP*	Intersection	*Bayshore Rd @ Pritchett Pkwy*
Agency/Co.	*Metro Transportation Group*	Jurisdiction	*Lee County DOT*
Date Performed	*4/23/2001*	Analysis Year	*2001*
Analysis Time Period	*PM Peak*	Project ID	*Heritage Creek*

East/West Street: *Bayshore Road*	North/South Street:
Intersection Orientation: *East-West*	Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume	*39*	*759*	*0*	*0*	*405*	*26*
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Hourly Flow Rate, HFR	*39*	*759*	*0*	*0*	*405*	*26*
Percent Heavy Vehicles	*0*	--	--	*0*	--	--
Median Type	*Raised curb*					
RT Channelized			*0*			*0*
Lanes	*1*	*2*	*0*	*0*	*2*	*0*
Configuration	*L*	*T*			*T*	*TR*
Upstream Signal		*0*			*0*	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume	*0*	*0*	*0*	*19*	*0*	*27*
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Hourly Flow Rate, HFR	*0*	*0*	*0*	*19*	*0*	*27*
Percent Heavy Vehicles	*0*	*0*	*0*	*0*	*0*	*0*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*0*	*0*	*0*	*0*	*0*
Configuration					*LR*	

Delay, Queue Length, and Level of Service

Approach	EB	WB	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*L*						*LR*	
v (vph)	*39*						*46*	
C (m) (vph)	*1139*						*571*	
v/c	*0.03*						*0.08*	
95% queue length	*0.11*						*0.26*	
Control Delay	*8.3*						*11.9*	
LOS	*A*						*B*	
Approach Delay	--	--				*11.9*		
Approach LOS	--	--				*B*		

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EXHIBIT IV-J-1; Attachment 4
Heritage Creek
LIST OF DEVIATIONS & JUSTIFICATIONS
May 11, 2001

DEVIATION LOCATIONS

The locations for the Deviations for Heritage Creek with limited application are indicated on the Master Plan. Other Deviations are located as follows:

Deviations 1 and 5 apply to all internal roadways and accessways.
Deviation 2 applies to all internal sidewalks.
Deviations 6, 8, 11, 12 and 13 apply to residential and golf course tracts as applicable.
Deviation 7 applies to the internal lakes.
Deviation 14 applies to the project identification signs.

DEVIATION 1

Deviation from LDC Section 10-296(d), Table 4(7)(c) which requires the wearing surface on local and access streets to be one-and-one-half-inch (1.5") asphaltic FDOT type S-III to allow for cement concrete and/or pavers on the private streets.

Justification

This developer is requesting this deviation for entrance features and other focal points within Heritage Creek. They expect the pavers would be used to enhance the development entrance, golf cart crossings and the clubhouse entrance. Cement concrete and/or pavers have been used extensively through out the county in most large-scale projects. These building systems are structurally equivalent to the "standard" cross-section of asphaltic and concrete paving materials and consequently their use only adds to the quality of this development and does not create any negative impact to the public.

DEVIATION 2

Deviation from LDC Section 10-256(d)(3) which requires all sidewalks to be either (1) four-inch (4") thick Portland cement concrete, or (2) a minimum of one-and-one-half-inch (1.5") thick asphaltic concrete of FDOT type S-III to allow sidewalks to be constructed of decorative pavers throughout the development.

Justification

This developer is requesting that this alternate cross-section which is structurally equivalent to the "standard" cross-section of concrete sidewalks be granted to allow the developer the option of upgrading the appearance of some of the development's sidewalks. Several examples of this alternate surface can be found in the county, particularly in large-scale, quality projects. There is no impact to the public from this change.

DEVIATION 3
Deviation from LDC Section 10-418 (a)(2)(b) which requires a minimum number of native wetland herbaceous plants of one (1) plant per linear foot of lake shoreline and that native wetland trees or shrubs may be substituted for up to 25 percent of the total number of herbaceous plants required to allow the required number of plantings to be 50% trees in the aqua range only.

Justification
The twenty acre borrow pit near the project entrance is proposed to include a golf aqua driving range for the subject property. This lake's use as an aqua driving range is incompatible with the usual lake perimeter wetland plantings. With the physical constraints of the subject property an aqua range was the only possible solution for a driving range. In an aqua range the balls float and are retrieved by scooping them out with nets from the lake edge. The usual low level wetland vegetation along the aqua range's shore line would interfere with this retrieval and result in unavoidable damage and possibly destruction of the plants. The applicant is requesting this deviation to allow the option of locating wetland trees in lieu of some of the smaller plant varieties. There is no impact to the public from this change.

DEVIATION 4
Deviation 4 seeks relief from the LDC Section 10-291(3) which requires, where practical, any residential development of at least 5± acres to provide two (2) or more means of ingress and egress, to allow only one means of ingress and egress for those development parcels which are surrounded by golf course, water body or conservation area or any combination of these. These tracts are Tract A, Tract B, Tract D, Tract E, Tract F, Tract G, Tract H, Tract I, Tract J, Tract K , Tract L and the Clubhouse Tract. A full size cul-de-sac will be provided in any parcels subject to this deviation. Prior to each local Development Order, the local Fire and Emergency Service will provide a letter of no objection to the single ingress and egress of these parcels.

Justification
On a project-wide basis, the Heritage Creek development meets the requirements of LDC Section 10-281 as it provides many access points onto Pritchett Parkway. This deviation is intended to apply to the parcels listed above. Except for Tract B, the park tract, each of these parcel is either surrounded by golf course, water or preserve area. Final design for this tract is not complete but it may be necessary for security reasons to limit access to one access point. There is no impact to the public from this change.

DEVIATION 5
Deviation requesting relief from LDC Section 10-355(a)(1) which requires a 10-foot public utility easement on both sides of a roadway parcel to allow the public utility easement on one side only provided that all applicable utility companies have no objection.

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Justification
This section provides that water and sewer line utility easement's "actual width shall be determined on a case-by-case basis so as to be accommodated within the utility easements". Providing adequate utility easements that ensure future access to these facilities will be a primary concern. Allowing one side of the project's local roads and accessways to be free of utility easements will enhance the development in those cases where it is more appropriate to eliminate an easement on one side based on sound efficient engineering reasons. Examples of this possibility would be in cases where proper looping of utility lines within the development is constructed on one side of a road only or in cases where it is more feasible to route utility lines elsewhere rather than along road right of ways. The reason for this deviation is to allow the project engineer, in full consultation with the reviewers and the utility companies flexibility to design the best possible project.

This deviation will improve the development by allowing water and sewer line utility easements to be located based on sound efficient engineering reasons for the specific project. Generally the approvals have been conditioned to require the approval of the utility company, and this applicant agrees to that condition. There is no impact to the public from this change.

DEVIATION 6
Deviation seeking relief from LDC Sections 10-421(a)(5) which requires that no portion of a buffer area consisting of trees and shrubs be located in an easement, to allow planted buffers consisting of shrubs and non-required trees in easements provided that if any required buffer or landscape strip plantings installed within easements must be removed, then the Developer or property-owners' association must replace these plantings with like size and species at no expense to the county. This requirement must be clearly stated in the property-owners' documents.

Justification
This deviation is requested to enhance the development by improving its appearance with landscaping while still providing access to any easements. This deviation is routinely approved with the conditions "if any required buffer or landscape strip plantings installed within easements must be removed, the Developer or property owner's or homeowner's association must replace these plantings with like size and aged species at no expense to the county and assume the cost to repair any utilities damaged by the removal of these plantings. The requirement must be clearly stated in the property owner's or homeowner's documents." It is also understood that plantings in these easement areas are not credited against any project landscape requirements. There is no impact to the public from this change. See Master Concept Plan.

DEVIATION 7
Deviation from LDC Section 10-329(e)(4) which requires excavation banks to be sloped; to allow up to 40 percent of the banks to utilize a vertical slope with the condition that the number of littoral plants required for the excavation must be based on the entire shoreline including the bulkhead portions. Lake bottom slopes at the toe of any bulkhead may be no

greater than 4:1 and adequate elements for the protection of wayward vehicles must be provided when adjacent to any roadway, parking lot or driveway aisle.

Discussion
Safety and environmental considerations are addressed in the conditions. This deviation improves the development by allowing a more aesthetic, creative design of the development and by improving the golf course. As mentioned above, safety is addressed with the condition regarding wayward vehicles and the requirement that slopes at the toe of the bulkhead be maintained at 4:1. Environmental considerations are also addressed in the conditions. There is no impact to the public from this change.

DEVIATION 8
Deviation from LDC Section 10-259 which requires that no buildings or structures shall be placed in easements where placing a building or structure in an easement is contrary to the terms of the easement or interferes with the use of the easement, to permit building overhangs only to the extent a maximum 1.5 feet into either a 15-foot or 20-foot closed drainage system easement throughout the only in those circumstances where corrugated plastic pipe is used and adequate engineering analysis is provided by the Applicant at the time of development order and approval by Development Services Division which demonstrates that adequate maintenance of utilities, storm drain facilities, etc. can be achieved.

Discussion
The applicant's request is not to place any building or structure in an easement but simply to allow minor building overhangs. The deviation will improve the project by reducing unnecessary cost to the development while at the same time meeting all of the objectives of the LDC provision. The application of this deviation is very limited. Safety concerns are addressed with the condition that High Density Polyethylene pipe is required. With this type of pipe no machinery is needed to move the pipe into location. Maintaining this minimum deviation to allow only to a maximum 1.5 feet overhang into either a 15-foot or 20-foot easement and to require a review at the time of development order approval further contribute to alleviate any safety concerns. There is no impact to the public from this change.

DEVIATION 9
Deviation 9 seeks relief from the LDC Section 34-2020(1)c. requirement that multiple family buildings have 1.5 parking spaces for 1-bedroom units, 1.75 spaces for 2-bedroom units and 2.0 spaces for 3-bedroom units, to allow 1.25 parking spaces for all bedroom unit types, with an additional 10 percent of parking for multiple family buildings to accommodate guest parking.

Justification
Heritage Creek is modeled after other US Home Communities. Tract M is the only tract with Multi-Family product proposed. US Home previously completed a study on the parking requirements for this same building concept. As this building attracts the same clients wherever it is built, the number of occupied parking places at these other US Home projects is a predictor of what will occur at Heritage Creek.

DEVIATION 10
Deviation seeking relief from LDC Section 10-8(2) (Traffic Pattern), 10-296(m)(4) and 4-2013(a) (Access) which require all parking lots to be designed to permit vehicles exiting the parking lot to enter the street right-of-way or easement in a forward motion and from LDC Section 34-201 which limits the number of units on an accessway to 50 units, to allow individual parking spaces for multiple family buildings in Tract M to back onto an accessway segment serving up to 64 units provided that:

- The design and posted speed in these tracts will be 20 mph or less;
- The visual clear zone will be in accordance with the visibility triangle criteria set forth in LDC Section 34-3131.
- Where determined to be practical by the design engineer, traffic-calming devices as identified in the ITE Residential Street Design and Traffic Control book will be provided.

Justification
This request is to allow individual parking spaces for multiple family buildings in Tract M to back onto an accessway serving more than 50 units. An accessway has been provided for the multi-family units in this tract and there is no intention to allow the parking for the multifamily tracts to back out onto the project's roadways. Every effort has been made to minimize the extent of this deviation. The number of units involved is up to a maximum of 64 units on each accessway segment instead of the threshold 50 units. With the conditions described above, all safety concerns are met. There is no effect on the public from this change.

DEVIATION 11
Deviation seeking relief from LDC Section 10-8(2) (Traffic Pattern), 10-296(m)(4) and 4-2013(a) (Access) which require all parking lots to be designed to permit vehicles exiting the parking lot to enter the street right-of-way or easement in a forward motion to allow backing out for pool parking provided that the parking spaces are a minimum of 26 feet deep, that intersection separation is met and that the visual clear zone will be in accordance with the visibility triangle criteria set forth in LDC Section 34-3131.

Justification
This request is to allow the parking places for residential accessory pools to be located on the internal project roads. The specific designs for these parking spaces would be reviewed at the time of development order. With the safeguards and the review proposed above, this deviation would have no effect on the public.

DEVIATION 12
Deviation from LDC Section 34-1954(a)(1) to allow model homes and model home units to be permitted by right.

Justification
This deviation allows the county to determine that model homes and model units are appropriate for the subject development now rather than waiting to make piecemeal

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decisions in the future. This alternative process enhances the planned development by allowing the use to exist within the project while under unified control and meeting the provisions of the LDC with respect to model homes and model units.

There is only one multi-family tract within the entire Heritage Creek project. Any and all model units will be located in that tract.

As the applicant has included model homes and model units in the list of permitted uses it is possible that this deviation is not necessary. The applicant's agents have been previously required to include this request by some reviewers. Consequently, it has been included here.

DEVIATION 13
Deviation from LDC Section 34-1954(f) which allows Director discretion to allow high turnover parking surfaces to meet the surfacing standards for low turnover parking lots to allow the parking spaces for the ancillary sales office use within a model home to be surfaced with gravel.

Justification
No deviation is requested regarding the surfacing standards for the actual single family home. That required parking as well as the handicapped parking space(s) for the model home will be paved. This request applies only to the additional parking for the use of the model home as a model. Parking requirements for model homes and model units change over time. When the models are active, the parking requirements are higher than they will be for the same unit after it becomes a home. Gravel parking lots are customary for model homes and model units. The project will be enhanced by granting this deviation to allow for less impervious paving surfaces because additional paving is unattractive, heat producing, environmentally insensitive and an unnecessary expense to the developer.

As a condition of this request, the applicant will construct the required handicapped parking for the type of dwelling unit being displayed with asphalt or concrete to provide a smooth surface without gaps or holes while additional parking for the models will be surfaced with gravel. This deviation will not affect public safety.

DEVIATION 14
Deviation requesting relief from the LDC Section 30-153(2)(a)(iv) requirement that limits the text of additional identification signs to the name of the subdivision or residential development, to allow sign text for both the entry signs and the corner monuments to include the notation "A US Home Community" or "US Home" in addition to the name of the residential development.

Justification
A critical component of project identification for a new residential development is identifying the developer. This deviation was approved recently for US Home's Stoneybrook community. The part of the signage identifying the developer is small, low key and attractive. The developer proposes the same kind of signage for Heritage Creek. No additional size is being requested for the signage due to this request.

EXHIBIT IV-M
FACILITIES FOR THE DEVELOPMENT
(Instructions on back side of page)

1. Fire District: Bayshore Fire

2. Estimated daily consumption of potable water:

2.a.	1472	Residential units:	351,500	gpd
2.b.		Mobile Home units:		gpd
2.c.		Rec. Vehicle units:		gpd
2.d.		Commercial:	37,900	gpd
2.e.		Industrial:		gpd

3. Source of Potable Water: Lee County Utilities

3.a. _____ Agreement with the utility company is attached as **Exhibit IV-M-3.**

4. Source of Non-Potable Water Utility Company effluent

5. Estimated daily production of wastewater:

5.a.	1472	Residential units:	351,500	gpd
5.b.		Mobile Home units:		gpd
5.c.		Rec. Vehicle units:		gpd
5.d.	37,900	Commercial:	37,900	gpd
5.e.		Industrial:		gpd

6. _____ Special effluent is anticipated. See **Exhibit IV-M-4.**

7. Source of sanitary sewer service: Utility Company

7.a. _____ Agreement with the utility company is attached as **Exhibit IV-M-7.**

7.b. _____ A private on-site disposal facility will be used. See **Exhibit IV-M-4.**

7.c. _____ Individual sewage disposal systems will be used.

7.d.. _____ Spray irrigation will be used. See **Exhibit IV-M-4.**

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Attachment 1
Heritage Creek
PERMITTED LAND USES
May 11, 2001

- Accessory Uses and Structures
- Administrative Offices
- Agricultural Uses and Agricultural Accessory Uses, continuation of bona fide use only
- Club, Country including but not limited to the following ancillary uses:
  Consumption on Premises, including outdoor seating. COP includes the clubhouse tract and the golf course.
  Food and Beverage Service
  Golf Course Maintenance Facility
  Health Club and Spa
  Restaurant, including outdoor seating
  Specialty Retail
- Dwelling Units:
  Duplex, Single Family
  Townhouse, Multi-family Building
- Entrance Gates and Gatehouses
- Essential Services
- Essential Service Facilities, Group I
- Excavation, Water Retention—Not to include the removal of excavated material from the site
- Fences and Walls
- Golf Course, including Practice Greens
- Golf Driving Range (aqua range)
- Golf and Tennis Pro Shops (limited to ancillary use in clubhouse tract)
- Home Occupation, as limited by the LDC
- Models: Display Center, Model Home and Model Unit, including accessory parking lot
- Real Estate Sales and Rental Office—limited to sales of lots, homes or units within the development
- Recreational Facilities, Personal, Private On-site and Private Off-site but only in the "Park" shown on the Master Concept Plan for Heritage Creek. See definitions in LDC Section 34-2(3)
- Signs in accordance with LDC Chapter 30
- Temporary uses—limited to a sales center and a construction office

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Attachment 3
OPEN SPACE AND INDIGENOUS VEGETATION
Heritage Creek
May 11, 2001

		Open Space			Indigenous Vegetation		
		Required		Provided	Required		Provided
	Acres	% open space	Acres	Acres	% Indig.	Acres	Acres
Residential Tracts with lots greater than 6,500 sq ft	239.5	n/a	n/a	0	0	0	0
Balance of Development	500.6	40%	200.3	200.3	50%	100.2	100.4
TOTAL	740.1						

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W. DEXTER BENDER & ASSOCIATES, INC.
Environmental & Marine Consultants
2052 Virginia Avenue ■ Fort Myers, Florida 33901 ■ (941) 334-3680 ■ (941) 334-8714 Fax

DCI 2001-00038

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AUG 20 2001
COMMUNITY DEVELOPMENT

August 10, 2001

To: Carron Day, Florida Land Planning

From: Ian Vincent, W. Dexter Bender & Associates

RE: STONEYBROOK NORTH (HERITAGE CREEK)
ZONING SUFFICIENCY RESPONSE #1

The following information is provided in response to Lee County's sufficiency findings:

Environmental Services Checklist Dated 6/18/01

2. The revised protected species assessment is attached.

3. A final management plan for protected species on site will be developed and submitted at the development order stage prior to development of the site. The preliminary plan contains 32+ acres of contiguous upland preserve adjacent to Popash Creek to offset habitat loss for fox squirrels. This area will also serve as the gopher tortoise preserve. Approximately 90% of the wetlands on site are being preserved. This, in conjunction with the foraging habitat within the proposed lakes on site will provide ample opportunity for utilization by wading bird species. The dead pine tree that the bald eagle was observed perched in will be preserved. Suitable habitat for Florida scrub jays does exist on site in the sand live oak (FLUCCS 432) and scrubby pine flatwoods (FLUCCS 415) areas. However, no Florida scrub jays or evidence of scrub jay utilization was observed during the survey. Florida Fish and Wildlife Conservation Commission (FWC) staff have agreed that the proposed upland conservation area will provide adequate scrub jay habitat preservation in accordance with satellite preserve guidelines. The Florida scrub jay survey is attached as Appendix A of the Protected Species Assessment.

4. The South Florida Water Management District (SFWMD) wetland jurisdictional determination is attached.

6. (A) The proposed wetland creation area is provided to SFWMD as mitigation for wetland impacts associated with development of the site. The wetland creation will consist of the excavation and planting of an actively grazed cattle area dominated by pasture grasses to an elevation consistent with that of the abutting cypress wetland. The area to be excavated is not quality upland habitat and should not require a field review by ES staff.

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6. (B) All preserves on site that are being utilized as mitigation will be placed under a conservation easement granted to the SFWMD. The upland preserves will be protected from the surrounding development by a fence to prevent vehicular entry and the wetland preserves will contain a 15 foot minimum, 25 foot average upland buffer.

Memo From Planning Department Dated 6/20/01

The South Florida Water Management District (SFWMD) wetland jurisdictional determination is attached.

The golf course and associated golf hole bridge crossings of Popash Creek have been removed from the proposed development. For bridge design information, refer to the response to question 16. Although the LCEC easement crosses the proposed upland conservation area, the acreage of the easement is not included the upland preservation area. FWC staff have inspected the site and concur that the LCEC easement does not sever the upland preserve.

The revised site plan shows only one area of wetland creation, located at the intersection of Pritchett Parkway and Leetana Road. For wetland creation information, refer to the response to question 6A.

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RECEIVED
JUL 3 0 2003
COMMUNITY DEVELOPMENT

Heritage Creek/Stoney Brook North
DCI 2001-00038

It appears to the citizens of the Bayshore Community that somebody at the Lee County Department of Community Development cares more about developers like US Homes than citizens that live in the community. An application for the rezoning of 741 acres off Pritchett Parkway to include 1475 multi-family, duplexes, townhouses, two-family attached and single family homes has been in the works for over two years now. The Bayshore Community is predominantly large acreage tracts and is known by its rural character. First Lee County issues a denial of the proposed development with several supporting reasons for the denial. The report also says that the development is **incompatible in this rural area** and demands that US Homes provide data to prove that this development will not flood out the surrounding community (which already experiences terrible flooding year after year).

This proposed development would be between PopAsh and Bayshore Creeks. The initial data that US Homes provides as to their impacts on the creeks and the potential to cause adverse flooding proved non-conclusive. Then for over a year Lee County Division of Natural Resources requests new data. At the last minute a new report is issued now recommending approval, while the project was not substantially changed from what was originally proposed which is incompatible with our rural community in many ways. But wait.....the new report that recommends approval didn't bother to let the Division of Natural Resources do their job and collect the data as to the flooding/creeks instead they just issue an approval and say the data is "PENDING". Wait a minute Zoning Department you don't think it is important enough to let the Division of Natural Resources do their job before you issue an approval on a plan that could flood out an entire community. Excuse me, zoning department, who pays your salary? Last time we checked it was citizen's tax dollars. According to your department we are just a "sad story". A sad story – we think the only sad story should be when one of your employees loses their job for not ensuring the citizens that their community would not be flooded by this development.

A "real sad story" is the citizens had to hire an attorney to attend this rezoning hearing to try to make sure their properties are protected. But does Lee County agree to a continuance of the hearing to allow for the data to be completed, no! Instead, Lee County walks in the second day of the hearing and says they have to ask for a continuance to go review the creeks. What? Now you are going to look at the creeks after you already recommended an approval?
Then eight days after the hearing US Homes finally submits the data as to the creeks. Wait a minute does US Homes just get to play with the numbers of this data until they get the answer they want? Who is going to ensure that our community does not get flooded worse then we already are by this development?

Another "real sad story" is that the Bayshore community formed a committee to represent the community's concerns. The committee met with US Homes to go over these concerns over a year ago. However, US Homes didn't even bother to call or write the committee back about any of the community's concerns. US Homes keeps saying they want to be a good neighbor but we're not buying that line anymore.

Heritage Creek/Stoney Brook North
DCI 2001-00038

Another "real sad story" is that the Bayshore community spent their hard earned money to amend the Lee County Comprehensive Plan to adopt a community plan to protect their rural community much like Buckingham. But does the Lee County Department of Community Development even bother to acknowledge that the plan exists. No, instead, the Lee County Government sides with big developers and over rules a community plan that was adopted into the Comprehensive Plan. A big developer comes along, somebody sees dollar signs and decides that it doesn't really matter what the citizens want we will just side with the big developer.

Another "real sad story" is who is overseeing these departments? Well the citizens have no idea since they requested a meeting with County Manager Donald Stillwell, but he declined to meet with the citizens. Instead, he referred the citizens back to the very department who started this whole mess.

There are plenty of available home sites already in Cape Coral and Lehigh Acres – that is where we should be directing future growth to where it is already planned.

Our area is behind in schools and classrooms even without these 1475 additional homes. We are growing faster than our schools can keep up.

We find it ironic that the very department that makes such decisions is called Community Development. You are bringing the city to the country. You certainly would not allow farm animals on individual home sites to come to the middle of the city would you? Then why do you feel it is appropriate to allow the city to come to the country?

Concerned Citizens of Bayshore Community

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT - ZONING DIVISION

DATE: July 14, 2003

TO: Hearing Examiner

FROM: Alvin Block, AICP

Principal Planner

RE: Heritage Creek, DCI2001-00038

Attached you will find a copy of a document prepared by staff that attempts to note all of the changes to the request and conditions that have so far been proposed as part of the public hearing process for this application. Staff has prepared this in an effort to place all of the changes into one document.

cc: Zoning/DCI File

CONDITIONS & DEVIATIONS AS OF JULY 14, 2003 (071403/1530)
[changes are shown in strike-through and underline format]

TYPE OF CASE: PLANNED DEVELOPMENT/DCI
CASE NUMBER: DCI 2001-00038

I. APPLICATION SUMMARY:

A. Applicant: U. S. Home Corporation in ref to Heritage Creek (aka Stoneybrook North)

B. Request: Rezone from AG-2, CPD, & RVPD to RPD to permit the development of ~~1,525~~ a maximum of 1,475 residential units including a mixture of single-family, duplex, townhouse, two-family attached and multi-family units all not to exceed 35 feet in height.

C. Location: The subject property is located on Pritchett Parkway (in the northeast quadrant of the intersection of I-75 and Bayshore Blvd.), in S15, 16 & 21-T43S-R25E, Lee County, FL. (District #4)

D. Land Use Plan Designation: Outlying Suburban, General Interchange and Wetlands

E. Surrounding Land Use:

Existing Zoning & Land Use	Future Land Use Map
North: AG-2 developed with single family uses.	Open Lands and Density Reduction/Groundwater Resource
East: AG-2 and RS-1 vacant land and developed single family residential uses	Outlying Suburban
South: Leetana Drive, Pritchett Parkway, I-75, AG-2, RV-3, RS-1 vacant land and developed single family residential uses	Outlying Suburban
West: AG-2, AG-3 developed with single family residential uses	Outlying Suburban

F. Size of Property: 741.22± acres

II. RECOMMENDATION:

Staff recommends **approval** of the Applicant's request for rezoning from AG-2, CPD, and RVPD to RPD, subject to the following conditions and deviations:

A. Conditions

1. The development of this project must be consistent with the one page Master Concept Plan entitled "Stoneybrook North," prepared by WilsonMiller, dated October ~~10~~ 01, 2001, last revised June 16, 2003 and stamped ~~received at the zoning counter on April 7, 2003~~ "Received JUN 16 2003 Community Development,", except as modified by the conditions below. This development must comply with all requirements of the Lee County Land Development Code (LDC) at time of local Development Order Approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

2. The following limits apply to the project and uses:

   a. Schedule of Uses

Administrative Offices
Agriculture - Subject to Condition 24
Accessory uses and structures
Club, Private (Limited to Tract K)
    Food and beverage service, limited
    Health Club and Spa
    Parking lot, accessory
    Rental or leasing establishment, Group I, limited to
        bicycles, tennis rackets and other small
        equipment for use by members of the private club
Specialty Retail Shop, Group I
Communication Tower (limited to one on the north
    side of Tract K and limited to a
    maximum of 35 feet in height)
Dwelling Unit , limited to a maximum of 1,475 units,
        (of which not more than 250 units
        may be multi-family - See Note 1), consisting of:
            Conventional Single Family Residence
            Townhouse
            Two family attached
            Multiple Family Building (limited to Tract ~~R-2~~ J)
Entrance Gate and Gatehouse, in compliance with LDC Section 34-1749~~8~~
Essential Services
Essential Service Facilities, Group I
Excavation, water retention
Fences, walls
Golf Driving Range - Aqua Range (Limited to Tract K and in
    conjunction with Lake L1)
Home occupation
Model Home, Model Unit and Model Display Group
Real Estate Sales Office (Temporary sales office limited
    to Tract K and limited to the sale of lots

or units within the development only)
Recreation Facilities, Personal
Recreation Facilities, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs, including one existing billboard located on the southwest side of Lake L1, all in compliance with LDC Chapter 30 except as approved by deviation
Temporary uses (LDC Section 34-3041)

Note 1: Single-family, two-family attached and townhouse dwelling units may be constructed on all R-1 and R-2 residential tracts. Multi-family dwelling units may be constructed only on Tract J and limited to a maximum of 250 units.

b. Site Development Regulations

	Minimum Lot			Minimum Setback (ft.)								
					Rear (ft.)			Front (ft.)				
LAND USES	Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Side Including Corner Lots (ft.) *	Lots	Wetland	Acc.	Front Entry Garage	Bldg. or Side Entry Garage	Water Body (ft.)	Max. Bldg. Height (ft.)	Min. Bld. Separation (ft.)	Max Lot Coverage (%)
Single-family Detached	4,000	40	100	5	20	20	5	20	12	25	35 or 2 stories	10	45
Two-family Attached	3,500	35	100	0 or 10	20	20	5	20	12	25	35 or 2 stories	10	45
Townhouse	2,000	22	80	0 or 10	20	20	5	20	15	25	35 or 2 stories	20	n/a
Multi-family	10,000	100	100	10	20	20	5	20	20	25	35 or 2 stories	20	45
Clubhouse	20,000	80	100	10	20	20	5	n/a	20	25	35 or 2 Stories	20	45
Accessory Recreation Buildings	n/a	n/a	n/a	n/a	20	20	n/a	n/a	n/a	n/a	35 or 1 story	20	n/a

* Applies to lots of all widths and to corner lots. Each lot, including corner lots, will have only one front yard.

3. ~~Any and all existing easements must be reflected on the proposed Master Concept Plan and incorporated into the design of the proposed development unless the existing easements are vacated in accordance with adopted county procedures.~~ **[CONDITION #3 HAS BEEN DELETED AS IT IS NO LONGER NECESSARY.]**

4. ~~The Master Concept Plan must be revised to incorporate a recreational area within the northern portion of the project.~~ The Tract M recreational area must

include at a minimum, one (1) tennis court, a playground, ~~swimming pool~~ and picnic area. Facilities for the safe passage of pedestrians cyclists from one side of Pritchett Parkway to the other as determined by the Director of Development Services at the time of local development order submittal must be provided

[Condition 5 is still in dispute. The applicant has suggested the italicized, embolden text modifying the requirement for the buffer/berm; this change is opposed by Public Works/Utilities.]

5. No residential lots ~~lines~~ may be located within 250 feet of the existing High Point sewage treatment plant property lines until the sewage treatment plant is no longer in operation. ***If the High Point sewage treatment plant is still in operation when the plat is approved for any lots located in Tracts F-2 and G that are located within 250 feet of the existing 5-acre sewage treatment plant site,*** The applicant must include ~~in addition,~~ a thirty-six foot wide buffer including a six to eight foot high berm that must be placed along the perimeter of the High Point sewage treatment plant property lines, excluding the easement ~~which~~ that provides access to the plant. Plantings on the berm must include ten trees per one hundred linear feet, five of which must be located on top of the berm and five of which must be located on the berm slope facing the residential development. Additional plantings must include 48 inch high shrubs planted 48 inches on center on top of the berm, and 3 gallon shrubs planted 3 foot on center over 50% of the berm slope on the residential side.

6. Common area ~~O~~open space ~~areas~~ must be designed to incorporate as many of the native heritage trees and sabal palms as possible. Any healthy sabal palms with a minimum eight foot clear trunk must be salvaged if conditions (e.g., no rock) and sequence of construction allows. If sequence of construction does not allow the on-site relocation of sabal palms, effort must be made to identify an off-site recipient site. Sabal palms that are located in wet areas typically do not respond well to transplanting and will not be subject to this condition. The salvage efforts must be coordinated with the Division of Environmental Sciences staff whether used on-site or otherwise. Any sabal palms being relocated must be moved in a horticulturally correct manner per Lee County Extension Services brochure Lee 8/2000A ~~(attached)~~ and attached as Exhibit [ ]. Prior to local development order approval, the preserved trees and any relocated palms must be delineated on the plans. Preserved trees and relocated sabal palms will receive protected tree credits per LDC Section 10-420(h).

7. A detailed protected species management plan for gopher tortoises, Big Cypress fox squirrels, and wading birds must be submitted with the initial development order for any portion of this project. The gopher tortoise management plan must include either a permanent fence or a continuous hedge of native shrubs where the gopher tortoise preserve abuts the road and park to protect the tortoises from the vehicular traffic and active recreation area.

   A pedestrian/bicycle trail, with a maximum 4-foot width, is permissible within the gopher tortoise preserve. The trail must be designed to avoid impacting existing gopher tortoise burrows and large native trees. Two access points to the trail

may be incorporated into the fence, provided the openings are designed to minimize the potential for tortoises to disperse from the preserve. Details of the trail and fence must be included in the development order plans.

8. Prior to any local development order approval, an open space table must be included ~~which~~ that details the residential unit type with lot size per tract, required open space, provided open space, required indigenous preservation and provided indigenous preservation. The project must preserve at a minimum the approximately 100.1 acres of conservation area including the wetland creation area. If more than 500 acres of the project is developed with residential tracts (including roads and lakes) requiring open space, then the development order must delineate the additional required indigenous preservation for the Division of Environmental Sciences staff review and approval.

9. The use of cypress mulch is prohibited in preserve areas.

10. The maximum width of all boardwalks within the preserve areas ~~must~~ may not exceed the minimum width requirements set forth by the Americans with Disabilities Act.

11. All boardwalks within the preserve areas must be designed to avoid mature native trees and protected species burrows, nests, or dens. The final layout of the boardwalks must be field verified by Division of Environmental Sciences staff prior to construction. Minor adjustments to minimize impacts to native vegetation may be required.

12. The construction of gazebos or viewing platforms within conservation areas is limited to no more than 2 structures each having a footprint no larger than 200 square feet.

13. Prior to site work for any recreational use that requires the removal of vegetation within a conservation area, a development order showing impacts to the conservation area must be submitted for review and approval by Environmental Sciences and other applicable County Staff.

14. Prior to local development order approval, the development order plans must include a littoral planting areas in substantial compliance with the "Stoneybrook North Littoral Planting Exhibit" stamped received April 7, 2003, and attached as Exhibit [ ]. All lake littoral zones must be constructed as depicted in Cross-Section B-B. Littoral planting quantities must be consistent with the "Littoral Planting Plan Exhibit Stoneybrook North" and accompanying table stamped received May 29, 2003, and attached as Exhibit [ ]. The planting area along the northern ditch expansion must also provide native wetland plants installed 3-foot on-center.

15. The Communication Tower as denoted on the Master Concept Plan must be of a monopole design and limited to 35 feet in height. The tower and its associated maintenance buildings must be designed to minimize impacts to birds.

16. Lake littoral plantings within Tract K must be calculated at one littoral plant per linear foot of lake shoreline. One 10-foot tall tree or two 3-gallon shrubs may be substituted for 10 herbaceous plants. Trees and shrubs may used to count toward up to 50 % of the required lake littoral planting requirements. A minimum of two native wetland tree species and four native herbaceous plant species must be installed in the ~~Tract K lake~~ Lake L1 (contained within Tract K).

17. The placement of any required vegetation within a utility, power, or drainage easement must be clearly delineated on an Alternate Landscape Betterment Plan as per LDC Section 10-419 and submitted with the local development order. The placement of vegetation within any easement must be approved by Lee County Environmental Sciences staff AND any other affected Division (Utilities, Zoning, etc.). If the easement is to an entity other than Lee County, then written approval of the location of vegetation from any affected easement holder must be submitted to ES staff as part of the development order. Approval from all affected parties must be obtained prior to approval of the local development order.

18. Lake ~~B~~bulkheads are limited to roads and the clubhouse area. Bulkheads are not permitted along residential boundaries.

    Prior to local development order approval, the plans must show the location of the bulkheads to confirm that no more than 20% of each lake shoreline consists of bulkhead or rip-rap. Lakes where bulkheads are proposed must be designed to provide one linear foot of compensatory littoral zone with an 8:1 slope for each linear foot of bulkhead. For lakes ~~which~~ that utilize bulkheads, littoral plants must be calculated at two plants per linear foot of shoreline clustered within the 8:1 slope portion of the lake.

    The development order must include a typical cross-section detail of bulkhead and rip-rap areas on the paving and grading AND landscape plan.

19. ~~No development order for this project will be issued if the development contemplated thereunder will precipitate a drop in the level of service on the links numbers 16 and 17 of Bayshore Road, below the adopted level of service.~~ Transportation Concurrency for this project will be measured pursuant to the Lee Plan and LDC standards in place at the time of the development order. This must include evaluating Bayshore Road from Nalle Road to I-75 for transportation concurrency. Prior to development order approval, the developer must demonstrate that the Level of Service (LOS) will not fall below the adopted level of service on the identified links. In determining that level of service, only road improvements with committed funding, as provided in FAC 9J-2.045, may be considered.

20. The developer ~~will~~ must provide intersection improvements to the intersection of Bayshore Road and Pritchett Parkway. At a minimum, the developer will construct a southbound right turn lane as a site-related improvement, and not eligible for road impact fee credits. In cooperation with the Florida Department of Transportation and the County, the developer may realign Pritchett Parkway to address future operational problems caused by project traffic.

21. **Staff and the Applicant each have submitted a condition on this issue.**

The Staff's original condition is as follows:

The developer ~~will~~ must construct an eight-foot wide bicycle path or two five-foot wide sidewalks along Pritchett Parkway from Bayshore Road to Rich Road. The bicycle/pedestrian facilities improvement will be considered a site-related improvement and not eligible for road impact fee credits.

The Applicant's proposed condition is as follows:

The developer must construct an eight-foot wide bicycle path or two five-foot wide sidewalks along Pritchett Parkway from Bayshore Road to Rich Road. The bicycle/pedestrian improvements will be considered a site-related improvement for the portion of the improvement constructed between the southernmost and northernmost entrances to the project site as shown on the approved Master Concept Plan. The portions of the bicycle/pedestrian improvements constructed 1) between Bayshore Road and the southernmost site entrance, and 2) between Rich Road and the northernmost site entrance, will be eligible for road impact fee credits.

22. Blasting is prohibited on this project site; however, if it is found during development that the excavations cannot be performed without blasting, the developer must obtain an amendment to this zoning resolution.

23. The excavation of material from the lake areas does not constitute construction materials mining as defined under Section 552.30, Florida Statutes.

24. AGRICULTURAL USES: Agriculture is not approved as a permanent use in the Schedule of Uses for this property. All agricultural uses must cease upon approval of the requested rezoning, EXCEPT as follows:

    (a) Existing bona fide agricultural uses as shown on attached Exhibit [ ] may continue until approval of a local development order for the area of the project containing those uses.

    (b) Additional clearing of trees or other vegetation in agricultural areas is prohibited. Existing areas of bona fide agricultural use may be maintained, i.e., mowed, but not cleared or expanded. This prohibition is not intended to preclude County approved requests for the removal of invasive exotic vegetation.

(c) The property owner must terminate the agricultural tax exemption for any portion of the property that receives a local development order. The agricultural use must cease by December 31st of the calendar year in which the local development order is issued. The exemption termination must be filed with the Property Appraiser's Office by December 31st of the calendar year in which the local development order is issued. A copy of the exemption termination must be provided to the Office of the County Attorney.

~~25. Single-family, two-family attached and townhouse dwelling units may be constructed on all R-1 and R-2 residential tracts. Multi-family dwelling units may be constructed only on Tract J and limited to a maximum of 250 units.~~

[Condition #25 has been relocated to become a note at the end of the Schedule of Uses in Condition #2a.]

~~26. Recommendations from the Lee County Division of Natural Resources, including comments on HEC-2RAS flood modeling, is pending as of the date of this June 18,2003 hearing. Subsequent changes may be required to the Master Concept Plan as a result of the flood modeling along the areas of both Bayshore Creek and Popash Creek, including a reduction of residential dwelling units. If staff determines subsequent changes to the Master Concept Plan result in any impact outside of the project boundaries, then a public hearing will be required to effect those changes.~~

[THE ABOVE CONDITION #26 HAS BEEN DELETED AND IS BEING REPLACED BY A REVISED CONDITION FROM NATURAL RESOURCES.]

26. Development along Popash and Bayshore Creeks:

General Conditions:

a. Prior to issuance of the first Development Order (or any early work, clearing, filling permits), the applicant must submit the following information for review and approval by the Lee County Natural Resources Division:

1. If the development parameters change from those modeled and approved during the rezoning, then developer must provide an HEC-RAS model pursuant to the same modeling parameters established during the rezoning process for the Popash and Bayshore Creeks demonstrating that the revised development will not induce any rise to the existing flood elevations, nor any increases in velocities, nor any transfer in overbank flows for the 10-, 25-, and 100-year storms.

2. Show the location and extent of the existing and proposed cross sections from the HEC-RAS model on the Development Order plans, as well as, defining the existing top of bank station/elevation, overbank elevations, roadway elevations, and bridge dimensions

and elevations. Sufficient details or sections showing continuity and capacity of flows in the overbank must be clearly demonstrated.

3. All plans and documents related to the above must include the statement: "This is to certify that I am a duly qualified engineer licensed to practice in the State of Florida. It is to further certify that these design plans, drawings, and associated technical calculations and/or data demonstrate that no adverse affects to the existing flood elevations will occur as a result of this development."

4. The above information must be submitted to the South Florida Water Management District (SFWMD) for review, consideration, and inclusion in their permit files.

5. The developer or its assigns must dedicate a drainage/maintenance easement to Lee County for Popash and Bayshore Creeks for all that portion(s) of the channel and its overbanks included in the HEC-RAS modeling and that lie within its property limits. The easement may be apart of any conservation easement dedicated to Lee County and the South Florida Water Management District (SFWMD), but must be consistent with the maintenance activities anticipated and outlined in these conditions. The easement must also give the county the right, but not the obligation of maintenance and provide for maintenance access along the creeks. As a part of the easement, the developer agrees to a monthly maintenance schedule to include an initial and ongoing maintenance for these creeks that is to include removal of all exotics including, but not limited to, grape vines (above three feet in height above ground) and rosary pea, any deposited debris, fencing, fallen trees, or eroded vegetation. The basic ground cover within the easement area is to remain in its current grassed condition. The relocation of onsite sabal palms from other parts of the property to the easement area is permissible, but must not be collocated closer than a ten (10) foot spacing. No saw palmetto or shrubbery of any type is to be planted within the easement area. Said easement must be reviewed and approved by the County Attorney and Natural Resources during the platting process. This same drainage/maintenance easement language must be contained within the Community Development District or Home Owners Association documents (eg: CDD, HOA, etc).

6. All modifications and exotic vegetation removal outlined herein for Popash and Bayshore Creeks must be completed before the issuance of the first Certification of Completion for the first Development Order.

7. The east-west ditch proposed along the northerly boundary of the development must not provide for an interconnection between Popash and Bayshore Creeks.

Popash Creek:

b. Prior to issuance of the first Development Order (or any early work, clearing, filling permits) containing the bridged crossing, the developer must provide complete construction plans for the bridge for review and approval by the Lee County Natural Resources Division and be in accordance with the following:

1. The bridge crossing of Popash Creek must be a pile-supported structure.

2. No more that 2 rows of pilings (or supports) are permitted in the overbank and none may be closer than 10 feet to the existing top of bank. Each row must be perpendicular to the direction of flood flows and each must have a maximum dimension of twenty-four inches (24").

3. The low chord of the bridge must be at or above the 100-year floodwater surface elevation and the abutments for the bridge may not be closer than fifty feet (50') to the existing top of bank. Additionally, the low chord must be at least two feet (2') above the highest overbank elevation within the fifty-foot offset areas (total of 100'+).

4. No berming, filling, planting, or other above ground construction/amenities are permitted within fifty feet (50') of the existing top of banks for Popash Creek, except as elsewhere permitted in these conditions by Lee County Natural Resources.

Bayshore Creek:

c. All modifications and exotic vegetation removal outlined below for Bayshore Creek must be completed before the issuance of the first Certification of Completion for the first Development Order.

1. Along Bayshore Creek for that portion upstream of Prichett Parkway and within the fifty (50) foot offset from the existing top of bank, the spoil is to be removed down to an elevation of 18.0 feet NGVD and then sloped in conjunction with the perimeter berm.

2. No berming, filling, planting, or other above ground construction/amenities are permitted within fifty feet (50') of the existing top of bank for Bayshore Creek, except as elsewhere permitted in these conditions by Lee County Natural Resources.

27. **[The following condition was provided by the Department of Public Works. It has been modified from the condition as originally suggested in the 7-11-03 memo to the Hearing Examiner from Michael Pavese. The**

disclosure is only being requested for the lots adjacent to the WWTP site, rather than the whole project, and the "hold harmless" language has been removed. The applicant has not yet commented on this revised condition.]

In light of the potential for the existing High Point wastewater treatment plant (WWTP) to continue operation, the developer must disclose the existence, location and operation of the sewage treatment plant to any purchasers of property immediately adjacent to a line 250 feet from the perimeter boundary of the WWTP site (excluding that portion of the site containing the access road into the WWTP site).

Any and all agreements for the sale of property immediately adjacent to the 250-foot dimension must include this disclosure statement. The following disclosure statement must appear in bold face and conspicuous type that is larger than the type in the remaining text of the contract:

> "Lot owners immediately adjacent to the line 250 feet from the perimeter boundary of the WWTP site within the Stoneybrook North (f/k/a Heritage Creek) Planned Development acknowledge the presence of the High Point Sewage Treatment Plant."

DEVIATIONS:

Deviation # 1 is withdrawn.

Deviation # 2 is withdrawn.

Deviation #3 seeks relief from LDC Section ~~10-418~~ 10-418(2)b which requires the installation of one native wetland herbaceous plant per linear foot of lake shoreline and where trees and shrubs can be substituted for up to twenty-five percent of the total number of herbaceous plants required; to allow the required plantings to include up to fifty percent trees in the Tract K lake (Lake L1) is approved subject to Condition #16.

Deviation #4 is withdrawn.

Deviation #5 is withdrawn.

Deviation # 6 is withdrawn.

Deviation #7 ~~is a request to deviate~~ seeks relief from LDC Section 10-329)e)(4) which requires excavations to be sloped at four horizontal to one vertical to a water depth of four feet below the dry season water table and two horizontal to one vertical thereafter, to allow 40% of the lake bank slopes within the development to utilize vertical bulkheads and/or rip rap is approved subject to Condition #18.

Deviation #8 is withdrawn. ~~from LDC Section 10-259 which prohibits the placement of buildings or structures within easements where the placing of buildings or structures within the easement is contrary to the terms of the easement or interferes with the use of the easement; to allow the placement of buildings or structures within easements limited to roof overhangs is denied.~~

Deviation # 9 is withdrawn. ~~seeks relief from LDC Section 34-2020(1)c which requires minimum parking for multiple family buildings based on the number of bedrooms within each unit; to allow 1.25 1.5 spaces for all bedroom types with an additional 10 percent for guest parking only for those multi-family units where garage parking is available is denied.~~

Deviation #10 is withdrawn.

Deviation #11 is withdrawn.

Deviation #12 seeks relief from LDC Section 34-1954(a)(1) which requires administrative approval of locations for model homes in new developments; to allow model homes by right in ~~any~~ the locations within the development ~~is denied~~ as shown on the MCP is approved.

Deviation #13: The Staff is recommending denial of the requested deviation. The Applicant has proposed additional conditions to supplement their original request and is seeking approval of the deviation.

The following is Staff's recommended denial of the deviation.

Deviation #13 seeks relief from LDC Section 34-1954(f) which requires parking for model homes or model units to be located on the same premises and in compliance with the type of dwelling unit being displayed; to permit the development of accessory parking for model homes as low turnover and therefore permit development of these lots with alternative surfaces is denied.

The following is the Applicant's requested deviation with additional conditions:

Deviation #13 seeks relief from LDC Section 34-1954(f) which requires parking for model homes or model units to be located on the same premises and in compliance with the type of dwelling unit being displayed; to permit the development of accessory parking for model homes as low turnover and therefore permit development of these lots with alternative surfaces is approved subject to the following conditions:

1. The entrance apron into each parking lot would be paved.

2. The handicapped parking space(s) in each lot would be paved.

3. The applicant will keep the portion of the street in front of each model free from gravel or shell that may have been tracked out the model home parking area(s) by departing vehicles.

Deviation #14 seeks relief from LDC Section 30-153(2)(a)(iv) which limits the text of additional subdivision or residential development identification signs to the subdivision or project name; to allow the additional signs for this project to include the notation "A US Home Community" in addition to the name of the development is approved. The proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15 which was stamped received at Community Development on April 7, 2003, and as attached as Exhibit [ ].

Deviation #15 seeks relief from LDC Section ~~30-152d2~~ 30-152(2)(d) which limits the size of project entrance signs and which limits the size and number of additional project signs to allow all of the permitted square footage for the number of permitted signs to be combined into the main project entrance sign and a deviation from LDC Section 30-94(h) which restricts double faced signs with opposing faces to an interior angle of less than 30 degrees; to allow the Heritage Creek project sign to have two sign faces of approximately 130 square feet in size and be located on a curvilinear wall is approved. The proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15 which was stamped received at Community Development on April 7, 2003, and attached as Exhibit [ ].

Deviation #16 is withdrawn. ~~from LDC Section 10-416(d)(6) which provides that if roads, drives, or parking areas are located less than 125 feet from an existing residential subdivision or residential lots, a solid wall or combination berm and solid wall not less than eight feet in height must be constructed not less than 25 feet from the abutting property and landscaped (between the wall and the abutting property) with a minimum of five trees and 18 shrubs per 100 lineal feet; to allow the two cul-de-sacs in Tract H and the short roadway segment in Tract E to be located and buffered as illustrated on the Master Concept Plan is denied.~~

Findings and Conclusions:

Based upon an analysis of the application for Residential Planned Development and the standards for approval of planned development rezonings, staff offers the following findings and conclusions:

1. The applicant has proven entitlement to the rezoning to RPD by demonstrating compliance with the Lee Plan, the Land Development Code, and other applicable codes and regulations.

2. The requested RPD zoning, as conditioned:

   a) is consistent with the densities, intensities and general uses set forth in the Lee Plan;

   b) is compatible with existing or planned uses in the surrounding area; and

c) will not adversely affect environmentally critical areas or natural resources.

3. Approval of the requested RPD zoning, as conditioned, will not place an undue burden upon existing transportation or planned infrastructure facilities and the site will be served by streets with the capacity to carry traffic generated by the development.

4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

5. The proposed mix of uses, as conditioned, is appropriate at the subject location.

6. The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguards to the public interest.

7. The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.

8. The deviations, recommended for approval, as conditioned:

   a) enhance the objectives of the planned development; and

   b) preserve and promote the general intent of the LDC to protect the public health, safety and welfare.

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

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Writer's Direct Dial Number: (239) 335-2236
Facsimile: (239) 335-2606

July 8, 2003

VIA FACSIMILE & U.S. MAIL

Ralf Brookes, Esq.
1217 E. Cape Coral Parkway, #107
Cape Coral, FL 33904

Re: Public Records Request
Heritage Creek (f/k/a Stoneybrook North)

Dear Mr. Brookes:

I am in receipt of a copy of your letter dated July 3, 2003 with respect to a public records request for the above-referenced zoning case. In an effort to simplify the process for you and County staff, we have attempted to make records available in a manner that will yield the least amount of confusion. To this end, you will find records available for inspection at the following locations:

1. **Office of the County Attorney** (County Administration Building, 6th Floor) - please ask for Maria Encarnacion and she will direct you to the files in our office. (335-2236)

2. **Lee County DOT** (Public Works/DCD Building, 3rd Floor) - please ask for Andrew Getch at 479-8580.

3. **Natural Resources** (Public Works/ DCD Building, 3rd Floor) - while Brad Vance may be away for the rest of this week, nevertheless, his office staff is aware of the request and his files are available for inspection upon your request. (479-8109)

[Note: The next three sources have been grouped together at one location for your review as follows:]

4. **Environmental Sciences** (Public Works/ DCD Building, 2nd Floor) - please ask for Kim Trebatoski. Her files (including digital photo disks) may be viewed along with the files for the Zoning staff - please contact Pam Houck or Chip Block at 479-8585.

S:\LU\JJF\JJFLTR\Heritage Creek - Ralf Brookes, Esq.wpd

Re: Public Records Request
Heritage Creek (f/k/a Stoneybrook North)

5. **Zoning** files (Public Works/DCD Building, 2nd Floor) - please contact Pam Houck or Chip Block at 479-8585.

6. **Former Planner Mike Pavese**. Although Mike now works for Facilities Management on the Fourth Floor of the Public Works/DCD Building, copies of his files have been forwarded to the Zoning Department on the second floor and may be viewed along with the Zoning files - please contact Pam Houck or Chip Block at 479-8585 for this purpose.

We have endeavored to make this process as easy as possible for you. Please feel free to examine the files at your convenience and request copies as you deem appropriate.

I believe you will find everything to be satisfactory, but please do not hesitate to call if you have any questions or need any assistance.

Very truly yours,

John J. Fredyma
Assistant County Attorney

JJF/mme

cc: Mary Gibbs, Director, DCD/Administration
Pam Houck, Director, Zoning Division, DCD/Zoning
Alvin Chip Block, Principal Planner, DCD/Zoning
Kim Trebatoski, Principal Planner, DCD/Environmental Sciences
Andrew Getch, Professional Engineer II, DOT
Brad Vance, Professional Engineer II, Natural Resources
Michael Pavese, Principal Planner, PW/Construct-Design

TESTIMONY SUMMARY, HERITAGE CREEK RPD COMPATIBILITY AND CONSISTENCY ISSUES; PROPOSED CONDITIONS FOR APPROVAL

CASE NO.: DCI 2001-00038

Prepared By: David W. Depew, AICP
Morris-Depew Associates, Inc.
2216 Altamont Avenue
Ft. Myers, FL 33901
July 31, 2003

TESTIMONY SUMMARY, HERITAGE CREEK RPD COMPATIBILITY AND CONSISTENCY ISSUES; PROPOSED CONDITIONS FOR APPROVAL
CASE NO.: DCI 2001-00038
JULY 31, 2003

Introduction

This report will analyze the request for development approval for the Development of County Impact zoning request designated as 'Heritage Creek RPD'. I will provide a brief overview of the project and relevant factors discussed later in the report. It is the purpose of this report to determine whether the proposed zoning amendment is consistent with applicable regulations and generally accepted zoning and planning principles, whether there is sufficient evidence to support the zoning amendment, whether it is reasonable, and to examine its relationship to the public health, safety, and general welfare. In preparing this report, I examined local land use decisions and recommendations, the Lee County Comprehensive Plan (called the 'Lee Plan'), the Lee County Land Development Code (LDC), and the various documents submitted on behalf of the Heritage Creek RPD. These are explained in greater detail below. I also applied generally accepted planning principles, knowledge of which was acquired through prior education and experience, as explained in my professional resume, submitted with this report. To the extent that this report states facts that are not derived from one of these aforementioned documents or other documents identified in the report, they are based upon my personal knowledge acquired through a study of the area and my professional experience as set forth in my resume. This request has raised issues relating primarily to compatibility, and an attempt will be made to provide examples of those standards of compatibility established locally in similar situations.

Background

The Heritage Creek RPD development is a proposed Development of County Impact (DCI) located on the northeast quadrant of the intersection of Bayshore Road and I-75. The parcel is an irregularly shaped parcel, roughly triangular, approximately 741.22 acres in size, and is accessed via Pritchett Parkway. The site also fronts on Nalle Road to the east. Pritchett Parkway also serves as primary access to single-family and agricultural land uses to the west and north of the subject property, while Nalle road permits access to the single-family, agricultural, and estate development to the east and north of the subject parcel. The subject property

is zoned AG-2, CPD, and RVPD. To the east of the subject property is RV-3, AG-2, and RS-1 zoning; to the north AG-2 zoning borders the subject property; to the west, AG-2, AG-3 zoning exists; and south of the subject property is I-75. The subject property is currently undeveloped. Although there are some traditional single-family subdivision uses in the vicinity of the subject property, the vast majority of land uses adjacent to the subject property are either agricultural in nature or large lot, estate residential uses. This portion of the Bayshore neighborhood is predominantly rural in character with single-family residences on larger parcels, some with horses and other farm animals.

The Lee Plan

The subject property is designated Outlying Suburban, Wetlands, and Interstate Interchange under the Future Land Use Map (FLUM) of the Lee Plan. Policy 1.1.6 states, " *The Outlying Suburban areas are characterized by their peripheral location in relation to established urban areas. In general, these areas are rural in nature or contain existing low-density development. Some, but not all, of the requisite infrastructure needed for higher density development is generally planned or in place. It is intended that these areas will develop at lower residential densities than other Future Urban Areas. As in the Suburban areas, higher densities, commercial development greater than neighborhood centers, and industrial land uses are not permitted. The standard density range is from one dwelling unit per acre (1 du/acre) to three dwelling units per acre (3 du/acre). Bonus densities are not allowed. In the Outlying Suburban area in North Fort Myers east of I-75 and in the Buckingham area (see Goal 17), the maximum density permitted is two dwelling units per acre (2 du/acre).*" As noted above, there are significant limitations on development in the Outlying Suburban areas, and the Policy describes the existing land use patters as rural or low-density in nature. The areas east of I-75 are singled out for special treatment with an additional density restriction of two (2) units per acre. This was done in recognition of the predominantly rural nature of the area in question, and was done to reflect more appropriate development densities than what was being proposed for other Outlying Suburban areas in Lee County.

Lee Plan Policy 1.3.2 states, "*The General Interchange areas are intended primarily for land uses that serve the traveling public: service stations, hotel, motel, restaurants, and gift shops. But because of their location, market attractions, and desire for flexibility, these interchange uses permit a broad range of land uses that include tourist commercial, general commercial and light*

industrial/commercial." Policy 1.5.1 states, "*Permitted land uses in Wetlands consist of very low density residential uses and recreational uses that will not adversely affect the ecological functions of wetlands. All development in Wetlands must be consistent with Goal 84 of this plan. The maximum density is one dwelling unit per twenty acres (1 du/20 acre) except as otherwise provided in Table 1(a) and Chapter XIII of this plan.*" While these two land uses are significant in that they exist on the subject property, it is clear that the General Interchange portion of the site cannot be used for residential activities, and the Wetlands designated property must be integrated into the site development plan in accordance with the applicable portions of the Lee Plan.

Of greater interest is the newly adopted Bayshore Community Plan, now a part of the development regulations under which the approval is being requested. In the application material for the Bayshore Community Plan the applicant states, "*...the pattern of ownership and the existing land uses in Bayshore are definitely agricultural and rural residential...*" The adopted Vision Statement describes the area as, "*...predominantly a rural residential area of single family homes on large acreages, small horse farms, citrus groves, and plant nurseries, interspersed by some larger carrel grazing operations.*" The subject property is proposing a development with single-family residential uses on lots as small as 40' X 100', duplex development on lots as small as 35' X 100', and townhouses on lots as small as 22' X 80'. Additionally, multi-family development is requested on lots as small as 100' X 100'. In accordance with the research undertaken for the now adopted amendments, there are no land use patterns reflective of this development pattern in proximity to the subject property. Establishment of this type of land use in the Bayshore district will be a first for the area, and a review of the proposed site plan in comparison to the existing parcel map of the area demonstrates that there is nothing like it in the vicinity of the subject property.

Lee Plan Objective 2.1 states, "*Contiguous and compact growth patterns shall be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities.*" Objective 2.1 directs growth to areas in which public services and infrastructure can best accommodate the demands that development places upon them. The concept of growth management embodied by the Lee Plan is one that attempts to minimize the necessity of additional public expenditures for providing the general health, safety,

and welfare of the County's residents as well as preserving the precious natural resources that have made the County such a magnet for growth. These policies are intended to direct development into areas that are most appropriate for the development pattern being proposed, not inject an enclave of urban development into a basically rural neighborhood.

Urban sprawl is a condition that is characterized by, among other things, spread-out residential development that has 'leap-frogged' into previously undeveloped areas. Sprawl results in the abandonment or underutilization of existing infrastructure in older neighborhoods, duplication of services, and new investments into previously undeveloped areas. Sprawl results in an inefficient use of public efforts to provide services to the residents based upon the demand for inexpensive land. Locating this development will increase demand for transportation infrastructure, drainage improvements, educational facilities, emergency and protective facilities, and other publicly provided services. Approval of the proposed development plan is contrary to the letter and the intent of Objective 2.1.

Objective 2.2 notes that Lee County will direct new growth to those portions of the Future Urban Areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. There is no argument about the compact nature of the proposed development. It far exceeds any other development in the area on a "compactness" scale. However, it is not contiguous with similar types of development. There is nothing in the area that resembles the proposed project, and it has the effect of breaking into the neighborhood with a totally new development style. Policy 2.2.1 clearly notes that compatibility with surrounding land uses must be considered, and places that consideration in the context of the health, safety, and welfare of the general public. The proposed project violates the compatibility criteria, and further, given the traffic, surface water regime in the area, and rural lifestyle of the existing residents, is a threat to the general health, safety, and welfare of the Bayshore Community at large.

Policy 2.2.2 notes that although density ranges are established by the FLUM category, there is no guarantee that such uses will be immediately appropriate. The request must be considered in relation to its impacts upon public facilities and whether it is so far beyond existing development that approval should be delayed in an effort to encourage compact and efficient growth patterns. As already noted there are no other developments similar to this project in the area, so it is clearly a

'leapfrog' development seeking to push an urban landform into a rural area. The establishment of this urban enclave in the Bayshore Community is simply contrary to the intention of the Lee Plan.

Lee Plan Policy 4.1.1 states, "*Development designs will be evaluated to ensure that land uses and structures are well integrated, properly oriented, and functionally related to the topographic and natural features of the site, and that the placement of uses or structures within the development minimizes the expansion and construction of street and utility improvements.*" Originally, Staff reviewed the applicant's proposal and found that the flowways existing on the subject property have not been adequately incorporated into the design of the project. The project did not acknowledge, according to Staff's original position, the presence of historic water flows through the property. Further, a review of the history of the area encompassing the subject property and the surrounding properties drained by Bayshore and Popash Creeks demonstrates that surface water flows in the area are significant, and the flowways that cross the subject property are a necessary component of the overall basin drainage regime. The establishment of a series of lakes surrounding residential peninsulas as demonstrated by the applicant on the Master Concept Plan does not demonstrate a development plan that is functionally related to the topographic and natural features of the site.

Policies 5.1.3 and 5.1.4 require that high density development be directed to areas that are most appropriate for such activity. The applicant has argued that the proposed development is only 2 dwelling units per acre. However, the gross density calculation is not necessarily the best way to view this particular development proposal. There has been no calculation of the net density for the project, but the Master Concept Plan notes that the residential tracts and miscellaneous open space amounts to 453.3 acres. For the requested 1,475 dwelling units, this amounts to 3.25 units per acre. Density must be viewed contextually, and for a rural neighborhood like the Bayshore Community, this density represents a figure significantly higher than anything existing or proposed. A review of surrounding land uses and densities further supports the conclusion that the proposed development is not in keeping with the neighborhood. To the north of the subject property is, in addition to Outlying Suburban, Open Lands and Density Reduction/Groundwater Resource designated lands. Except for two parcels, all properties north of the subject property are not less than five (5) acres in size. To the east of the subject property (Outlying Suburban) are two small subdivisions,

Oakmont and High Point, with densities of 1.85 and 2.26 units per acre respectively. All of the other development is are parcels not less than 3 acres and some as large as 30 acres in size. The property to the west of the subject parcel (Outlying Suburban) has the Hunters Glen and Colonial Pines developments with densities of 1.3 and 1.2 units per acre, respectively. Other parcels to the west range in size from 0.8 acres to as much as 15 acres in size. To the south is a campground zoned RV-3, but the residential parcels south of the subject property range in size from 0.9 up to 3 acres in size. Nowhere is there to be found parcels as small as 4,000 square feet, and nowhere are the duplexes, townhomes, and multi-family structures proposed by the applicant to be found. Although the Bayshore Vision Statement contemplates densities up to two (2) units per acre, the stacking of units in duplex, townhouse, and multi-family configurations are not part of that future picture. The project as proposed represents a clear violation of the intention articulated in Policies 5.1.3 and 5.1.4 to direct high density development to areas that are most appropriate.

Lee Plan Policy 5.1.5 states that the County will, "*Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. If such uses are proposed in the form of a planned development and generally applicable development regulations are deemed to be inadequate, conditions shall be attached to minimize or eliminate the potential impacts or, where no adequate conditions can be devised, the application shall be denied altogether. Requests for conventional rezonings shall be denied in the event that the buffers provided in Chapter 10 of the Land Development Code are not adequate to address potentially incompatible uses in a satisfactory manner. The Land Development Code shall continue to require appropriate buffers for new developments.*" The Heritage Creek RPD, as proposed, has not demonstrated a commitment to preserving the character and integrity of the Bayshore Community as it currently exists. The Lee Plan specifies that adequate conditions to protect the neighborhood from the intrusion of incompatible uses **must** be provided, and if the Heritage Creek RPD amendment cannot incorporate such conditions, it may not be approved. The applicant has proposed a land development plan that is the antithesis of the kind of development currently in place throughout the Bayshore Community, and one that will serve to destroy the life style that predominates in the Community through the introduction of standard subdivision tract housing on small lots, along with duplexes and townhomes, and multi-family dwelling units on parcels as small as 10,000 square feet. The essence of the development plan is in direct opposition to the

stated Goal of the Bayshore Community, and is simply inconsistent with the Lee Plan.

Lee Plan Map 20 shows significant amounts of agricultural lands within close proximity to the subject property, and even some agricultural lands contained on the subject property. Policy 9.1.4 requires Lee County to, "*Protect agricultural activities on lands designated as Agricultural on the agricultural overlay from the impacts of new natural resource extraction operations, recreational uses, and residential developments.*" Even if the agricultural land on the subject property is ignored, there are considerable amounts of agricultural land shown on Map 20 that will be affected by the injection of urban-style residential dwellings into the predominantly rural neighborhood in which the subject property is located. The establishment of small lot residential uses in such close proximity to rural, agricultural activities will certainly generate land use conflicts, to the detriment of the agricultural activities. The request is clearly contrary to the County's stated intention of protecting agricultural activities as noted on Map 20.

Policies 41.3.7 and 41.3.10 prohibit the channelization of natural streams and rivers, discourage channelization of other natural watercourses, and prohibit the channelization of runoff directly into natural waterbodies. The master concept plan demonstrates that the applicant has channelized the existing flowways on the subject property in an effort to redirect broad areas of sheet flow into a lake system and ultimately into natural waterbodies. The current effort is based upon a residential density that forces this kind of approach in order to achieve economic viability. This is not, however, consistent with the Lee Plan criteria for preservation of natural systems, and violates these policies. The Lee Plan goes on to state (Policy 77.2.3) that the County will, "*Prevent water management and development projects from altering or disrupting the natural function of significant natural systems.*" The idea that the surface water regime in this area does not constitute a "significant natural system" is not supportable, and the natural functions are clearly being disrupted as demonstrated by the Master Concept Plan. Testimony by Mr. Thompson has indicated that the model used for analysis of the water management system is incomplete. Further, testimony by the applicant's engineer as well as the County's experts has confirmed that surface water flows are being directed through pipes, swales, and on-site retention features. Given that the normal sheet flow regime existing on the site in its natural state is being disrupted so greatly by the development plan proposed, it seems clear that these Lee Plan policies are being violated.

The Lee Plan is also explicit regarding the need to protect viable tracts of high quality habitat. Policy 77.2.4 states that the County will, "*Encourage the protection of viable tracts of sensitive or high-quality natural plant communities within developments.*" Policy 77.2.6 requires that Lee County, "*Avoid needless destruction of upland vegetation communities including coastal and interior hammocks through consideration during the site plan review process of alternative layouts of permitted uses.*" As demonstrated by the Master Concept Plan, broad areas of viable tracts of sensitive and high-quality natural plant communities are being destroyed solely for the placement of more dwelling units than the area can support. Further, a reduction in density can address these issues through the development of alternative site layouts. The basic problem with the proposal is the establishment of a traditional suburban small lot single-family neighborhood in an area that cannot support it.

The eventual outcome of an approval will be the destruction of the rural residential lifestyle currently enjoyed by the residents of the Bayshore neighborhood. Policy 100.1.9 requires the County to ensure a mix of residential types and designs on a County-wide basis. This does not mean that all types of residential units will be available in all locations, but rather that across the County, a full range of unit types will exist. The intrusion of this development into the Bayshore Community will reduce the availability of the rural residential type of residence that has characterized this area of the County and is directly contrary to the idea of providing a mix of housing types across the County.

Policy 100.9.5 requires that, "*New development adjacent to areas of established residential neighborhoods must be compatible with or improve the area's existing character.*" It is without question that the introduction of small lot single-family, duplex, townhouse, and multi-family units into a rural residential neighborhood will be a detriment to the neighborhood. The Bayshore Community underwent a planning exercise during the last 2 years in order to establish the rural residential nature of the area as a component of the Lee Plan. To allow intrusion of this kind of subdivision development into this environment cannot improve the area's existing character. The County is further directed in Lee Plan Policy 100.9.6 to, "*...administer the planning, zoning, and development review process in such a manner that proposed land uses acceptably minimize adverse drainage, environmental, spatial, traffic, noise, and glare impacts, as specified in county*

development regulations, upon adjacent residential properties, while maximizing aesthetic qualities."

Finally, Lee Plan policy 100.9.7 states, "*The county will coordinate residential development within urban areas to coincide with existing or planned and programmed services and facilities so as to avoid premature or non-contiguous urbanization and the use of septic tanks and private wells for potable water within developed urban areas.*" Another restriction against urban sprawl, this policy will be violated through the establishment of non-contiguous urbanization on the subject property. The intrusion of an urban landform into the rural environment is clearly prohibited by this policy.

Lee County Land Development Code

In Section 34-2 of the Lee County Land Development Code (LDC), the term *compatible* is defined. It states, "in describing the relation between two land uses, buildings or structures, or zoning districts, the state wherein those two things exhibit either a positive relationship based on fit, similarity or reciprocity of characteristics, or a neutral relationship based on a relative lack of conflict (actual or potential) or on a failure to communicate negative or harmful influences one to another." Clearly the establishment of reduced buffers and increased development intensity demonstrates a potential conflict between the proposed use and the existing activities. Without conditions to address the relationship between the proposed activities and the existing uses, conflicts will be guaranteed.

For all planned developments such as the proposed Heritage Creek RPD, the LDC states, "*The tract or parcel proposed for development under this regulation shall be located so as to minimize the negative effects of the resulting land uses on surrounding properties and the public interest generally...*" (Section 34-411(c)). Development of the proposed Heritage Creek RPD has not been designed or located to minimize the impacts upon the Bayshore Community. The placement of small lot single-family, duplex, townhouse, and multi-family units will create direct and irreversible damage to the rural lifestyle and low density development patterns in the Bayshore neighborhood, and will be contrary to the public interest in that it will negatively affect the public health, safety and welfare.

Section 34-411(f) of the LDC states, "*Development and subsequent use of the planned development shall not create or increase hazards to persons or property, whether on or off the site, by increasing the probability or degree of flood, erosion,*

or other danger, nor shall it impose a nuisance on surrounding land uses or the public's interest generally through emissions of noise, glare, dust, odor, air or water pollutants." The establishment of this land use as an enclave within the Bayshore Community will clearly pose a nuisance through the increase in traffic and its attendant pollution, increase human activities and the noises associated with such, and the increase in ambient light in an area where such lighting has not heretofore existed. Additionally, this area of the County is afflicted by sever stormwater management difficulties that have resisted efforts directed at resolution for years. The additional population will only serve to exacerbate this problem despite assertions by the applicant to the contrary.

The provisions of LDC Section 34-411(g) indicate that efforts shall be made to protect, preserve, and not unnecessarily destroy or alter natural systems of the site. The applicant's site plan proposes a density and intensity of use that leaves no other option but to excavate natural areas, redirect surface water flows, alter vegetation, and re-contour the site. In short, the proposed development plan proposes maximum impacts to the natural systems as a result of the density and intensity of what is proposed.

In Section 34-411(i), LDC, the intention to minimize negative impacts is most clearly articulated. This section states, "*Site planning and design shall minimize any negative impacts of the planned development on surrounding land and land uses.*" The current site plan for the Heritage Creek RPD, showing the proposed layout of single-family, duplex, townhouse, and multi-family dwellings demonstrates a failure to understand the essential nature of the neighborhood into which the developer seeks to inject his product. The very nature of the area that is seeking to be tapped, the quiet peace of rural Lee County, will be destroyed by the approval of this project.

This principle is further supported in 34-411(k), LDC, which states, "Where the proposed planned development is surrounded by existing development . . . design emphasis will be to separate and mutually protect the planned development and its environs." The LDC recognizes that it is imperative to protect the environment, physical and social, into which a development wishes to be established in the best interests of both the existing adjacent uses as well as the proposed development itself. This will lessen conflicts that could occur in the future and could involve the expenditure of public resources for the settlement of neighborhood disputes. The

establishment of density and design restrictions must be undertaken if an approval is to be granted.

The LDC clearly states, in Section 34-413, that intensities of use in any planned development shall be determined on a case by case basis, and that one of the primary factors affecting that determination shall be, "*The nature of and the density and intensity of existing development surrounding the project.*" This means that the prior existence of development in the Bayshore Community must be considered as one element that will be factored into any final approval. This requirement has not been adequately provided for in the Heritage Creek RPD site design parameters, and has not been adequately addressed in the Staff Report in the suggested conditions. The County must establish design parameters as conditions of its development approval in order to assure continued compliance with compatibility standards.

Proposed Conditions

Of primary interest to the adjoining properties is the question of development intensity for the subject property. The request includes the small lot single-family development along with duplexes, townhomes, and multi-family units. These are simply not consistent with the surrounding uses, nor are they consistent with the provisions of the newly adopted Bayshore Community Plan. It is proposed that the conditions be modified from those already proposed by Staff as follows:

"2. Schedule of Uses:

Administrative Offices
Agriculture - Subject to Condition 24
Accessory uses and structures
Club, Private (Limited to Tract K)
Food and beverage service, limited
Health Club and Spa
Parking lot, accessory
~~Rental or leasing establishment, Group I, limited to bicycles, tennis rackets and other small equipment for use by members of the private club~~
~~Specialty Retail Shop, Group I~~
Communication Tower (limited to one on the north side of Tract K and limited to a maximum of 35 feet in height)
Dwelling Unit , limited to a maximum of ~~1,475~~ **682** units, ~~(of which not more than 250 units~~

~~may be multi-family - See Note 1),~~ consisting of:
Conventional Single Family Residence **on lots not less than 20,000 square feet in size**
~~Townhouse~~
~~Two family attached~~
~~Multiple Family Building (limited to Tract R-2 J)~~
Entrance Gate and Gatehouse, in compliance with LDC Section 34-174~~9~~8
Essential Services
Essential Service Facilities, Group I
Excavation, water retention
Fences, walls
~~Golf Driving Range - Aqua Range (Limited to Tract K and in conjunction with Lake L1)~~
Home occupation
Model Home, Model Unit and Model Display Group
Real Estate Sales Office (Temporary sales office limited to Tract K and limited to the sale of lots or units within the development only)
Recreation Facilities, Personal
Recreation Facilities, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs, including one existing billboard located on the southwest side of Lake L1, all in compliance with LDC Chapter 30 ~~except as approved by deviation~~
Temporary uses (LDC Section 34-3041)"

Note 1 to be removed, along with the Site Development Regulations table, except for the clubhouse and the residential accessory use regulations. The site development regulations would read as follows:

"b. Site Development Regulations
Minimum lot area: 20,000 square feet
Minimum lot depth: 130 feet
Minimum lot width: 100 feet
Street setback: In accordance with LDC Section 34-2192

Side yard setback: 15 feet
Rear yard setback: 25 feet
Water body setback: 25 feet
Maximum height: 35 feet from finished grade
Maximum lot coverage: 25%"

In addition to the Staff Conditions, new requirements would read as follows:

Internal Lighting: Street lights and common areas, if lighted, must have lighting done in a fashion that minimizes light pollution. Fixtures or the pole and fixture combination may not be greater than four (4) feet in height, and lights must be baffled such that lighting is directed towards the ground, and the actual light source is not visible to a normal sized adult standing next to the light. Common recreation areas may not be lighted for nighttime use.

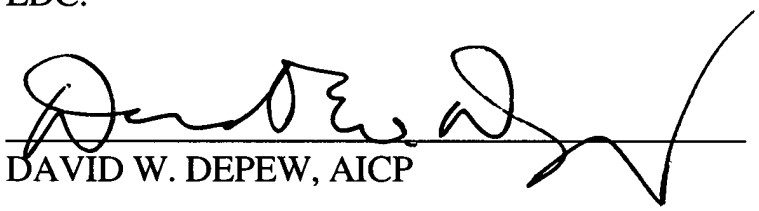
Bridle Paths: The developer shall construct a bridle path for the exclusive use of horses along the Pritchett Parkway frontage.

Perimeter Setbacks: There shall be a minimum 300' structure setback along the entire perimeter of the development. Within that setback, where natural vegetation does not exist in amounts sufficient to amount to a Type F buffer (double staggered row hedge and 10 trees per 100 linear feet), native vegetation must be planted to meet that requirement.

Conclusion

The modifications to the conditions proposed to accompany the approval of the Heritage Creek RPD represent a necessary requirement for a project that is requesting significantly more intense development than that which it adjoins. While it is reasonable to expect that any development will impact an existing neighborhood, a review of the data and analysis accompanying the application demonstrates that unless the greatest care is taken in formulating a development plan to protect, preserve and enhance the existing natural and social features of the surrounding properties, and the Bayshore Community at large, irreparable damage will occur. The Staff conditions address buffering, screening, setbacks, and other elements of the proposed project, but fail to preserve neighborhood compatibility for the adjoining rural residential developments. Without the added conditions, the request may not be approved because the Lee Plan, the LDC, and generally accepted planning principals related to compatibility, would be violated. There is no mandate

to increase the intensity of use, the Lee Plan specifically contemplates agricultural uses within the Outlying Suburban land use category. Absent the establishment of added protections for the existing and emergent rural residential uses of the Bayshore Community, it is my professional opinion that there can be no rezoning approval granted to the Heritage Creek RPD without violating the Lee Plan and the LDC.



DAVID W. DEPEW, AICP

7/8/03 Copy to: Kim T. Matt M. Chip B. Pam H. Return M.G. 7/

LEE COUNTY
SOUTHWEST FLORIDA

LEE COUNTY RECEIVED
03 JUL -8 AM 9:56
COMM. DEV./
PUB. WRKS. CNTR.
SECOND FLOOR

BOARD OF COUNTY COMMISSIONERS

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

Writer's Direct Dial Number: (239) 335-2236
Facsimile (239) 335-2118

July 7, 2003

Ralf Brookes, Esquire
1217 E. Cape Coral Parkway, #107
Cape Coral, Florida 33904

RE: PUBLIC RECORDS REQUEST/ HERITAGE CREEK

Dear Mr. Brookes:

I received your public records request today and have forwarded same on to the respective Administrative Departments that may have such records. Due to the magnitude of the request and the number of County Departments affected, it may take a limited time to locate all the files and have them available for a coordinated inspection.

If you should desire an earlier inspection of any one Department's file, please let us know.

Very truly yours,

James Yaeger

James G. Yaeger
Lee County Attorney

JGY/cdd

xc: Mary Gibbs, Community Development Director
Timothy Jones, Chief Assistant County Attorney

S:\GS\JGY\LETTER\Brookes - Public Records Request.wpd

MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY

DATE: July 7, 2003

TO: Mary Gibbs, Director
Department of Community Development

FROM: James G. Yaeger
County Attorney

RE: PUBLIC RECORDS REQUEST/ATTORNEY RALF BROOKES/ HERITAGE CREEK

Attached is a public records request for documents pertaining to the above-planned development which we received today. In light of the magnitude of the request and the possible number of Departments that may have such records, I am circulating to the parties noted. We will coordinate the documents within our office and the Board members. You or some other designee will need to coordinate Administration's documents.

If you have any questions, please let us know.

JGY/cdd

Attachment

xc: Donald Stilwell, County Manager
William Hammond, Deputy County Manager
Holly Schwartz, Assistant County Manager
Jim Lavender, Public Works Director
Timothy Jones, Chief Assistant County Attorney

:T.J.

RALF BROOKES, ATTORNEY

TO: LEE COUNTY
July 3, 2003

Re: **Public Records Request** pursuant to Chapter 119 Florida Statutes.
Heritage Creek (previously aka Stoneybrook) by U.S.Homes

Dear Lee County,

I represent Shelley Traurig with regard to the above referenced planned development. Please provide me with an opportunity to view and copy any and all emails, drafts, preliminary versions, correspondence and memorandums, of any and all staff, appointed or elected officials concerning:

> The proposed planned development near I-75 and Bayshore known as Heritage Creek (previously aka Stoneybrook North) by U.S. Homes Corporation

concerning any aspect of the proposed development, but not limited to flooding, flow ways, traffic counts, interchanges and signalization, community character compatibility data and analysis, and wildlife habitat on the subject land.

All public records of Lee County with regard to the proposed development are requested, including but not limited to, the following departments/divisions:

Community Development
Division of Planning
Zoning Department
Division of Development Services
Division of Natural Resources
Division of Environmental Sciences
Department of Transportation
Department of Public Works
Staff members past and present
Office of County Attorney
County Managers
Commissioners and Board

Please call me as soon as these file(s) are located. Pursuant to Florida's public records law I will first review the files and request copies of the information in the file, (Electronic Versions are preferred, but will accept xerox or hard copies if electronic format is not available).

I am aware that if my request is denied I am entitled to know the grounds for this denial and that while the law allows your agency to withhold specified categories of exempted information, you are required by law to release any segregable portions that are left after the exempted material has been deleted from the data I am seeking.

Thank you for your prompt attention to this matter of public concern.

Sincerely,

Ralf Brookes, Attorney
1217 E Cape Coral Parkway, #107
Cape Coral, Florida 33904
(941) 910-5464 phone
(208) 441-5423 fax
ralf@ralfbrookesattorney.com

2003 JUL -7 AM 8:29
RECEIVED BY
LEE CO. ATTORNEY

MORRIS-DEPEW
ENGINEERS · PLANNERS · SURVEYORS

Proposed Conditions:
Heritage Creek RPD
Case #: DCI 2001-00038
July 31, 2003

It is proposed that the conditions be modified from those already proposed by Staff as follows:

"2. Schedule of Uses:

Administrative Offices
Agriculture - Subject to Condition 24
Accessory uses and structures
Club, Private (Limited to Tract K)
Food and beverage service, limited
Health Club and Spa
Parking lot, accessory
~~Rental or leasing establishment, Group I, limited to bicycles, tennis rackets and other small equipment for use by members of the private club~~
~~Specialty Retail Shop, Group I~~
Communication Tower (limited to one on the north side of Tract K and limited to a maximum of 35 feet in height)
Dwelling Unit , limited to a maximum of ~~1,475~~ **682** units, ~~(of which not more than 250 units may be multi family - See Note 1),~~ consisting of:
Conventional Single Family Residence **on lots not less than 20,000 square feet in size**
~~Townhouse~~
~~Two family attached~~
~~Multiple Family Building (limited to Tract R-2 J)~~
Entrance Gate and Gatehouse, in compliance with LDC Section 34-1749~~8~~
Essential Services
Essential Service Facilities, Group I
Excavation, water retention

Fences, walls
~~Golf Driving Range - Aqua Range (Limited to Tract K and in conjunction with Lake L1)~~
Home occupation
Model Home, Model Unit and Model Display Group
Real Estate Sales Office (Temporary sales office limited to Tract K and limited to the sale of lots or units within the development only)
Recreation Facilities, Personal
Recreation Facilities, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs, including one existing billboard located on the southwest side of Lake L1, all in compliance with LDC Chapter 30 ~~except as approved by deviation~~
Temporary uses (LDC Section 34-3041)"

Note 1 to be removed, along with the Site Development Regulations table, except for the clubhouse and the residential accessory use regulations. The site development regulations would read as follows:

"b. Site Development Regulations
Minimum lot area: 20,000 square feet
Minimum lot depth: 130 feet
Minimum lot width: 100 feet
Street setback: In accordance with LDC Section 34-2192
Side yard setback: 15 feet
Rear yard setback: 25 feet
Water body setback: 25 feet
Maximum height: 35 feet from finished grade
Maximum number of habitable stories: 2
Maximum lot coverage: 25%"

In addition to the Staff Conditions, new requirements would read as follows:

Internal Lighting: Street lights and common areas, if lighted, must have lighting done in a fashion that minimizes light pollution. Fixtures or the pole and fixture combination may not be greater than four (4) feet in

height, and lights must be baffled such that lighting is directed towards the ground, and the actual light source is not visible to a normal sized adult standing next to the light. Common recreation areas may not be lighted for nighttime use.

Bridle Paths: The developer shall construct a bridle path for the exclusive use of horses along the Pritchett Parkway frontage.

Perimeter Setbacks: There shall be a minimum 300' structure setback along the entire perimeter of the development. Within that setback, where natural vegetation does not exist in amounts sufficient to amount to a Type F buffer (double staggered row hedge and 10 trees per 100 linear feet), native vegetation must be planted to meet that requirement.

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION
OF
PARCELS OF LAND
LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

TRACTS OR PARCELS OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 15, 16 AND 21 TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER DESCRIBED AS FOLLOWS:

PARCEL "A"

BEGINNING AT THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°44'09"E. ALONG THE NORTH LINE OF SAID SECTION 15 FOR 1341.49 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.00°00'20"W. ALONG THE EAST LINE OF SAID FRACTION FOR 2657.08 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S.00°00'40"E. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 FOR 1328.46 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION THE SAME BEING THE NORTHEAST CORNER OF OAKMONT, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34 AT PAGES 161 THROUGH 164 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.89°40'00"W. ALONG THE SOUTH LINE OF SAID FRACTION AND THE NORTH LINE OF SAID OAKMONT FOR 868.51 FEET TO AN INTERSECTION WITH THE CENTERLINE OF POPASH CREEK AND THE WESTERLY LINE OF SAID OAKMONT; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE AND SAID WESTERLY LINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 THE SAME BEING THE SOUTHWEST CORNER OF SAID OAKMONT; THENCE N.89°36'56"W. ALONG SAID SOUTH LINE FOR 194.20 FEET TO THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°19'27"E. ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21 FOR 1339.16 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE N.89°50'02"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 664.14 FEET TO THE NORTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE S.00°12'53"E. ALONG THE EAST LINE OF SAID FRACTION FOR 1338.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE CONTINUE S.00°12'53"E. 582.89 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.46°31'25"W. ALONG SAID NORTHERLY LINE FOR 203.32 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5553.58 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 05°30'23.2" FOR 533.73 FEET; THENCE N.49°06'14"E. ALONG SAID NORTHERLY LINE FOR 36.99 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 50.00 FEET; THENCE S.49°06'14"W. ALONG SAID NORTHERLY LINE FOR 37.00 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 156.94 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 3513.62 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 06°05'42.5" FOR 373.78 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 1050.00 FEET; THENCE

10511 Six Mile Cypress Pkwy, Suite 101, Ft Myers, Florida 33912 • (941) 939-5490 • Fax (941) 939-2923

DCI 2001-00038

NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 68°05'24" FOR 1247.81 FEET; THENCE N.21°05'55"E. ALONG SAID EASTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 423.77 FEET; THENCE N.00°00'53"W. ALONG SAID EASTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1804.90 FEET; THENCE N.89°56'20"W. ALONG SAID EASTERLY LINE FOR 1399.20 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 47°47'50" FOR 875.93 FEET; TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE CREEK; THENCE NORTHEASTERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°59'47"E. ALONG SAID SOUTH LINE FOR 915.24 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE N.00°06'54"W. ALONG THE WEST LINE OF SAID FRACTION FOR 667.02 FEET TO AN INTERSECTION WITH THE NORTH LINE OF SAID FRACTION; THENCE N.89°56'25"E. ALONG SAID NORTH LINE FOR 672.59 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE S.89°29'37"E. ALONG THE NORTH LINE OF SAID SECTION FOR 2646.16 FEET TO THE **POINT OF BEGINNING**.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL

COMMENCING AT NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°01'00"W. ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15 FOR 1328.33 FEET TO THE POINT OF BEGINNING THE SAME BEING THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.89°43'37"E. ALONG THE NORTH LINE OF SAID FRACTION FOR 467.00 FEET; THENCE S.00°01'00"W. FOR 467.00 FEET; THENCE N.89°43'37"W. FOR 467.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID FRACTION; THENCE N.00°01'00"E. ALONG THE WEST LINE OF SAID FRACTION FOR 467.00 FEET TO THE POINT OF BEGINNING.

PARCEL "A" CONTAINS 510.23 ACRES MORE OR LESS.

AND: PARCEL "B"

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.89°50'53"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 661.74 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 THE SAME BEING A POINT ON THE EAST LINE OF COLONIAL PINES, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 36 AT PAGES 26 THROUGH 29 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.00°06'55"W. ALONG SAID EAST LINE FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION AND SAID COLONIAL PINES; THENCE N.00°06'55"W. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE N.89°49'35"W. ALONG THE NORTH LINE OF SAID FRACTION FOR 664.45 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE S.00°13'55"E. ALONG THE EAST LINE OF SAID FRACTION FOR 664.68 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION THE SAME BEING AN INTERSECTION WITH THE NORTH LINE OF SAID COLONIAL PINES; THENCE N.89°50'14"W. ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 AND THE NORTH LINE OF SAID COLONIAL PINES FOR 998.54 FEET TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE

DCI 2001-00038

CREEK; THENCE NORTHERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16, THE SAME BEING THE SOUTH LINE OF HUNTER'S GLEN, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 59 AT PAGES 92 THROUGH 94 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA; THENCE S.89°49'35"E. ALONG SAID SOUTH LINE FOR 316.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND SAID HUNTER'S GLEN; THENCE N.00°20'57"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 1329.62 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16 AND SAID HUNTER'S GLEN; THENCE S.89°48'18"E. ALONG SAID SOUTH LINE FOR 667.18 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°13'55"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 666.28 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID HUNTER'S GLEN; THENCE S.89°52'09"E. ALONG SAID SOUTH LINE FOR 378.81 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°03'40"E. ALONG SAID EAST LINE FOR 150.55 FEET TO THE NORTHEAST CORNER OF SAID HUNTER'S GLEN, THE SAME BEING AN INTERSECTION WITH THE WESTERLY LINE OF PRITCHETT PARKWAY (100 FEET WIDE); THENCE S.89°56'20"E. ALONG SAID WESTERLY LINE FOR 942.66 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1647.95 FEET; THENCE S.00°00'53"E. ALONG SAID WESTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 386.92 FEET; THENCE S.21°05'55"W. ALONG SAID WESTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 29°20'46" FOR 589.01 FEET TO **POINT "A"** THE SAME BEING AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PRITCHETT PARKWAY AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°07'33" FOR 45.10 FEET; THENCE S.77°52'42"W. ALONG SAID NORTHERLY LINE FOR 75.93 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 450.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 41°28'01" FOR 325.68 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF LEETANA DRIVE (86 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 4064.06 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 04°02'04" FOR 286.17 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.00°06'48"E. ALONG SAID WEST LINE FOR 1581.74 FEET TO THE **POINT OF BEGINNING.**

PARCEL "B" CONTAINS 230.62 ACRES MORE OR LESS.

AND: PARCEL "C"

COMMENCING AT THE AFOREMENTIONED **POINT "A"** THE SAME BEING A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.81°45'09"W.; THENCE; SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°46'30" FOR 156.05 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE SOUTHERLY ALONG SAID CURVE AND THE WESTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) THROUGH A CENTRAL ANGLE OF 04°44'48" FOR 95.27 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 145°24'40" FOR 76.14 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.55°21'28"W. ALONG SAID NORTHERLY LINE FOR 133.36 FEET TO AN INTERSECTION WITH THE

OCT 2001-000038

SOUTHERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 133°42'05" FOR 70.01 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 550.00 FEET; THENCE EASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 00°27'56" FOR 4.47 FEET; THENCE N.77°52'42"E. ALONG SAID SOUTHERLY LINE FOR 75.96 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°05'58" FOR 45.08 FEET TO THE **POINT OF BEGINNING**.

PARCEL "C" CONTAINS 0.37 ACRES MORE OR LESS.

PARCELS CONTAIN 741.22 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

DESCRIPTION PREPARED 10-03-01

S:\Jobs\14xx\1447\SURVEYING\DESCRIPTIONS\1447_SR_DESC_SKT.doc
S:\Jobs\14xx\1447\SURVEYING\DESCRIPTIONS\1447_SR_DESC_SH1-SH12.dwg

DCI 2001-00038

Findings and Conclusions:

Based upon an analysis of the application for Residential Planned Development and the standards for approval of planned development rezonings, staff offers the following findings and conclusions:

1. The applicant has proven entitlement to the rezoning to RPD by demonstrating compliance with the Lee Plan, the Land Development Code, and other applicable codes and regulations.

2. The requested RPD zoning, as conditioned:

   a) is consistent with the densities, intensities and general uses set forth in the Lee Plan;

   b) is compatible with existing or planned uses in the surrounding area; and

   c) will not adversely affect environmentally critical areas or natural resources.

3. Approval of the requested RPD zoning, as conditioned, will not place an undue burden upon existing transportation or planned infrastructure facilities and the site will be served by streets with the capacity to carry traffic generated by the development.

4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

5. The proposed mix of uses, as conditioned, is appropriate at the subject location.

6. The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguards to the public interest.

7. The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.

8. The deviations, recommended for approval, as conditioned:

   a) enhance the objectives of the planned development; and

   b) preserve and promote the general intent of the LDC to protect the public health, safety and welfare.

FLORIDA LAND PLANNING, INC.

MEMORANDUM

31 May 2001

To: Gloria Sajgo
Lee County Planning Department

From: A. Brian Bigelow, Senior Planner

Subject: Heritage Creek RPD

via: Hand delivered on this date.

cc: US HOME Corporation
Carron Day, President

RECEIVED
MAY 31 2001
COMMUNITY DEVELOPMENT

Please find enclosed three aerial maps and a location map which is meant to assist you in a review of the lands referenced by the following STRAP #'s to determine the archeological and historical significance of properties within this project:

21-43-25-00-00006.0020
21-43-25-00-00002.0000
16-43-25-00-00003.0000
16-43-25-00-00003.0080
16-43-25-00-00003.0050
16-43-25-00-00003.0010
16-43-25-00-00003.0020
16-43-25-00-00001.0060
16-43-25-00-00001.0100
16-43-25-00-00003.0040
16-43-25-00-00001.006A
16-43-25-00-00001.006B
16-43-25-00-00001.006C
16-43-25-00-00003.0070
15-43-25-00-00001.0000
15-43-25-00-00001.0010
21-43-25-00-00001.1000
16-43-25-00-00002.0000
16-43-25-00-00003.0030

Please review these exhibits and reply with your comments to this office.

DCI 2001-00038

• Midtown Professional Center • 1560 Matthew Drive, Suite E • Fort Myers, Florida 33907-1702 •
• PHONE (941) 278-5222 • FAX (941) 278-4466 • e-mail: FLP1@Earthlink.net •

MEMORANDUM
DEPARTMENT OF PUBLIC WORKS
NATURAL RESOURCES DIVISION

TO: Chip Block
Development Services Division

FROM: Bradley S. Vance

RECEIVED
JUL 07 2003
ZONING

RE: **HERITAGE CREEK (DCI2001-00038)**

DATE: July 7, 2003

Below are our conditions for the above project. The following conditions reflect the assumptions, methodologies, and input parameters associated with the modeling and the development activities anticipated and associated with the channel and overbanks for Popash and Bayshore Creeks.

GENERAL

1. Prior to issuance of the first Development Order (or any early work, clearing, filling permits), the applicant must submit the following information for review and approval by the Lee County Natural Resources Division:

a. If the development parameters change from those modeled and approved during the rezoning, then developer must provide an HEC-RAS model pursuant to the same modeling parameters established during the rezoning process for the Popash and Bayshore Creeks demonstrating that the revised development will not induce any rise to the existing flood elevations, nor any increases in velocities, nor any transfer in overbank flows for the 10-, 25-, and 100-year storms.

b. Show the location and extent of the existing and proposed cross sections from the HEC-RAS model on the Development Order plans, as well as, defining the existing top of bank station/elevation, overbank elevations, roadway elevations, and bridge dimensions and elevations. Sufficient details or sections showing continuity and capacity of flows in the overbank must be clearly demonstrated.

c. All plans and documents related to the above must include the statement: "This is to certify that I am a duly qualified engineer licensed to practice in the State of Florida. It is to further certify that these design plans, drawings, and associated technical calculations and/or data demonstrate that no adverse affects to the existing flood elevations will occur as a result of this development".

d. The above information must be submitted to the South Florida Water Management District (SFWMD) for review, consideration, and inclusion in their permit files.

e. The developer or its assigns must dedicate a drainage/maintenance easement to Lee County for Popash and Bayshore Creeks for all that portion(s) of the channel and its overbanks included in the HEC-RAS modeling and that lie within its property limits. The easement may be apart of any conservation easement dedicated to Lee County and the South Florida Water Management District (SFWMD), but must be consistent with the maintenance activities anticipated and outlined in these conditions. The easement must also give the county the right, but not the obligation of maintenance and provide for maintenance access along the creeks. As a part of the easement, the developer agrees to a monthly maintenance schedule to include an initial and ongoing maintenance for these creeks that is to include removal of all exotics including, but not limited to, grape vines (above three feet in height above ground) and rosary pea, any deposited debris, fencing, fallen trees, or eroded vegetation. The basic ground cover within the easement area is to remain in its current grassed condition. The relocation of onsite sabal palms from other parts of the property to the easement area is permissible, but must not be collocated closer than a ten (10) foot spacing. No saw palmetto or shrubbery of any type is to be planted within the easement area. Said easement must be reviewed and approved by the County Attorney and Natural Resources during the platting process. This same drainage/maintenance easement language must be contained within the Community Development District or Home Owners Association documents (eg: CDD, HOA, etc).

f. All modifications and exotic vegetation removal outlined herein for Popash and Bayshore Creeks must be completed before the issuance of the first Certification of Completion for the first Development Order.

g. The east-west ditch proposed along the northerly boundary of the development must not provide for an interconnection between Popash and Bayshore Creeks.

POPASH CREEK

2. Prior to issuance of the first Development Order (or any early work, clearing, filling permits), containing the bridged crossing, the developer must provide complete construction plans for the bridge for review and approval by the Lee County Natural Resources Division and be in accordance with the following:

a. The bridge crossing of Popash Creek must be a pile supported structure.

b. No more that 2 rows of pilings (or supports) are permitted in the overbank and none may be closer than 10 feet to the existing top of bank. Each row must be perpendicular to the direction of flood flows and each must have a maximum dimension of twenty-four inches (24").

c. The low chord of the bridge must be at or above the 100-year floodwater surface elevation and the abutments for the bridge may not be closer than fifty feet (50') to the existing top of bank. Additionally, the low chord must be at least two feet (2') above the highest overbank elevation within the fifty foot offset areas (total of 100'+).

d. No berming, filling, planting, or other above ground construction/amenities are permitted within fifty feet (50') of the existing top of banks for Popash Creek, except as elsewhere permitted in these conditions by Lee County Natural Resources.

BAYSHORE CREEK

3. All modifications and exotic vegetation removal outlined below for Bayshore Creek must be completed before the issuance of the first Certification of Completion for the first Development Order.

a. Along Bayshore Creek for that portion upstream of Prichett Parkway and within the fifty (50) foot offset from the existing top of bank, the spoil is to be removed down to an elevation of 18.0 feet NGVD and then sloped in conjunction with the perimeter berm.

b. No berming, filling, planting, or other above ground construction/amenities are permitted within fifty feet (50') of the existing top of bank for Bayshore Creek, except as elsewhere permitted in these conditions by Lee County Natural Resources.

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUBSTANTIVE REVIEW
TRANSMITTAL SHEET

TO: Distribution
Joan Henry, Asst. County Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Don Blackburn
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Stephanie Keyes, Lee County School District
Roland Ottolini, Natural Resources
Jerry Murphy, Zoning

FROM: Alvin Block, AICP

DATE: 07/08/2003

PROJECT NAME: HERITAGE CREEK

CASE #: DCI2001-00038

INFORMATION SUMMARY:

___ To update your file
_X_ Review and forward substantive comments **ASAP**.

RESPONSE REQUIRED BY: 07/18/2003

Additional Comments:

cc: DCI planner/working file
DCI Zone File

Distributed by: Jessica M Smith

Date: 07/08/2003

(Front counter)

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA ♦ HOLMES BEACH

July 7, 2003

Mr. Alvin "Chip" Block
Lee County Development Services
1500 Monroe Street
Fort Myers, Florida 33901

Reference: **DCI2001-00038 U.S. HOME/HERITAGE CREEK**
HEC-RAS STATIONING EXHIBIT

Dear Chip:

Lee County Staff requested that we send in an exhibit with the HEC-RAS model stationing shown for Popash Creek and Bayshore Creek. This information was previously submitted for each creek; the attached sketch combines the information on one drawing. The stationing for both creeks was utilized in the original models by Taylor Engineering, Inc., and has not been modified.

Please call me if you have any questions or require additional information.

Sincerely,
BANKS ENGINEERING, INC.

Samuel W. Marshall, P.E.
Project Manager

CC: Deno Benetis
Steve Hartsell
Brad Vance

DCI 2001-00038

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RECEIVED
JUL 08 2003
CRC
ZONING COUNTER

10511 Six Mile Cypress Parkway, Suite 101, Fort Myers, Florida 33912 • (941)939-5490 • Fax (941)939-2523

(Front counter)

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA ♦ HOLMES BEACH

July 7, 2003

Mr. Alvin "Chip" Block
Lee County Development Services
1500 Monroe Street
Fort Myers, Florida 33901

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Please call me if you have any questions or require additional information.

Sincerely,
BANKS ENGINEERING, INC.

Samuel W. Marshall, P.E.
Project Manager

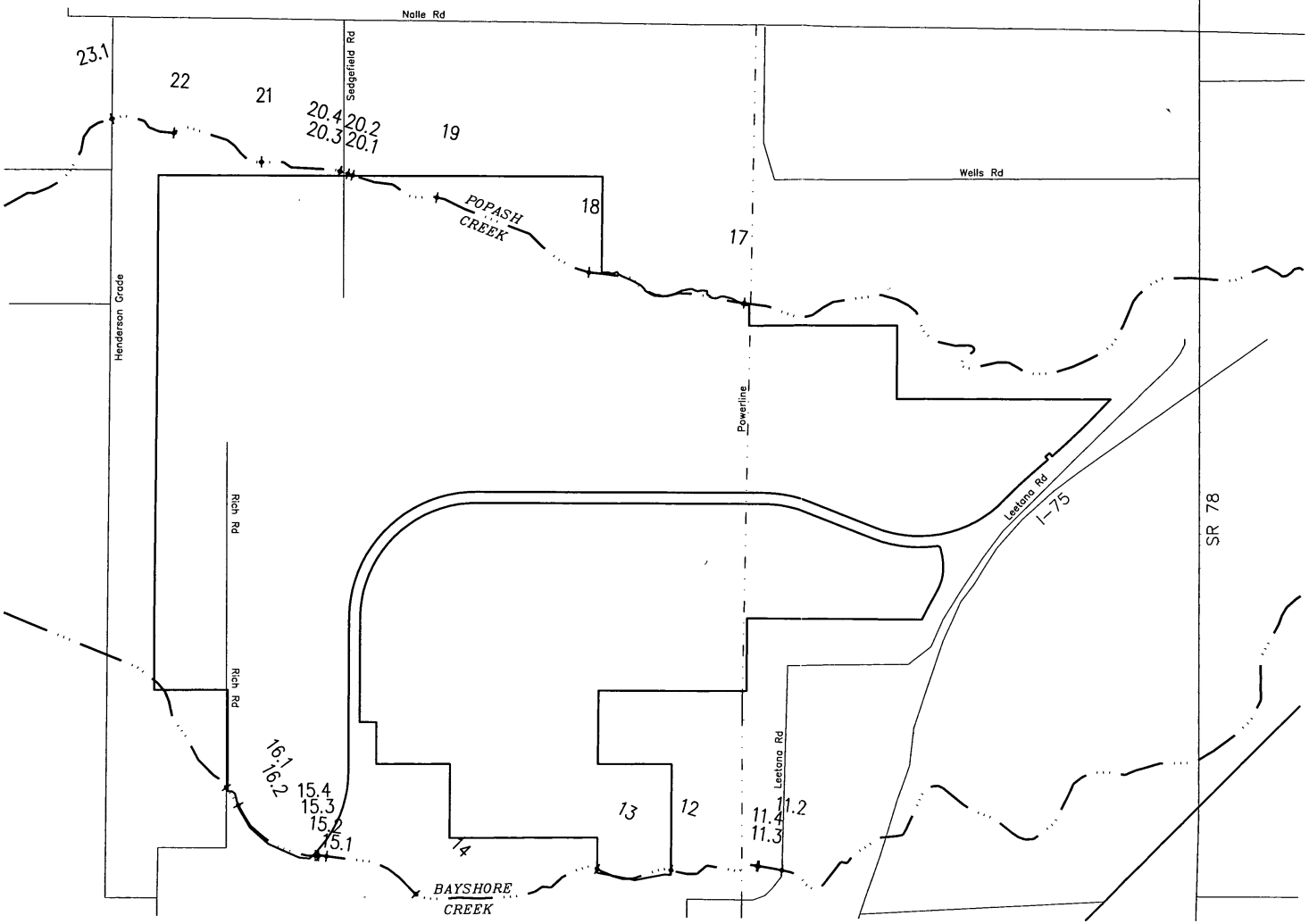
CC: Deno Benetis
Steve Hartsell
Brad Vance

DCI 2001-00038

S:\JOBS\14xx\1447\Documents\LCDS\1447-Block-letter.doc

RECEIVED
JUL 08 2003
CRC
ZONING COUNTER

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0 1000 2000

GRAPHIC SCALE 1"= 1000

NOTE

HEC-RAS RIVER STATIONING DEPICTED FOR POPASH CREEK AND BAYSHORE CREEK IS APPROXIMATE AND BASED UPON THE TAYLOR ENGINEERING, INC. MODELS.

DCI 2001-00038

RECEIVED

JUL 08 2003

ZONING COUNTER

1447 STONEYBROOK NORTH

S:\JOBS\14xx\1447\Calculations\Exhibits-Drainage\1447Dr-Creek_Exhibit.dwg, 7/7/2003 2:02:04 PM, Chris Dawson

PREPARED FOR:

U.S. HOME CORPORATION

10491 SIX MILE CYPRESS PARKWAY
FORT MYERS, FLORIDA 33912

NO.	DATE	REVISION DESCRIPTION	BY

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS ◆ NAPLES ◆ SARASOTA
10511 SIX MILE CYPRESS PARKWAY - SUITE 101
FORT MYERS, FLORIDA 33912
PHONE: (239) 939-5490 FAX: (239) 939-2523
ENGINEERING LICENSE # ED 6469
SURVEY LICENSE # LB 6690

7/7/03

SAMUEL W. MARSHALL
P.E. No. 48881

HEC RAS STATIONING EXHIBIT

STONEYBROOK NORTH

LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
07-07-2003	1447Dr	CREEK-EXHIBIT	SWM	CMD		1"=1000'	1	1	15, 16, 21 43-25

Attachment 4
Stoneybrook North
(fka Heritage Creek)
April 2, 2003

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APR 07 2003
COMMUNITY DEVELOPMENT

DEVIATION LOCATIONS

The locations for the Deviations for Stoneybrook North with limited application are indicated on the Master Plan. Other Deviations are located as follows:

Deviations 8, 12 and 13 apply to residential tracts.
Deviation 14 applies to the project identification sign and the entrance signs.
Deviation 7 applies to the internal lakes.

DEVIATION 1

This Deviation is WITHDRAWN by the applicant. Last year's LDC changes addressed the issue.

DEVIATION 2

This Deviation is WITHDRAWN by the applicant. Last year's LDC changes addressed the issue.

DEVIATION 3

Deviation from LDC Section 10-418 (a)(2)(b) which requires a minimum number of native wetland herbaceous plants of one (1) plant per linear foot of lake shoreline and that native wetland trees or shrubs may be substituted for up to 25 percent of the total number of herbaceous plants required to allow the required number of plantings to be 50% trees in the Tract K lake only.

Justification

The twenty acre borrow pit near the project entrance is proposed to include a golf aqua driving range as a recreational amenity for the subject property. This lake's use as an aqua driving range is incompatible with the usual lake perimeter wetland plantings. With the physical constraints of the subject property an aqua range was the only possible solution for a driving range. In an aqua range the balls float and are retrieved by scooping them out with nets from the lake edge. The usual low-level wetland vegetation along the aqua range's shoreline would interfere with this retrieval would result in unavoidable damage and possibly destruction of the plants. The applicant is requesting this deviation to allow the option of locating wetland trees in lieu of some of the smaller plant varieties. There is no impact to the public from this change.

DEVIATION 4

Deviation 4 seeks relief from the LDC Section 10-291(3) which requires, where practical, any residential development of at least 5± acres to provide two (2) or more means of ingress and egress, to allow only one means of ingress and egress for those development parcels which are surrounded by golf course, water body or conservation area or any combination of these. These tracts are Tract A, Tract D, Tract F1 and F2, Tract G, Tract H, Tract I-1, and Tract L. During the Development Order review process emergency access will be provided as deemed necessary.

Justification

On a project-wide basis, the Heritage Creek development meets the requirements of LDC Section 10-281 as it provides many access points onto Pritchett Parkway. Both the east and west side of the project also meet this requirement. The applicant has heard clearly from the surrounding property owners that connections to their roadways are not desirable and we have

proposed none. This deviation is intended to apply to the parcels listed above. Generally these parcel is either surrounded by water or preserve area. Provisions for emergency access will be provided as feasible. There is no impact to the public from this change.

Tract A is a 18 acre tract located west of Pritchett Parkway. Emergency access could be provided to Pritchett Parkway if needed.

Tract D is a 28 acre tract located west of Pritchett Parkway. It is bordered on one side by a large lake and on the other side by the property line. As the County has requested, the project design has focused here on separation from the adjacent properties and significant buffers are in place.

Tract F1, a 31 acre tract located north of Pritchett Parkway, is completely surrounded by lake. This tract does have two ways to approach Pritchett Parkway on the project's internal roads.

Tract F2 is a 44 acre tract located north of Pritchett Parkway. Most of this tract is bordered by lake and the remainder is bordered either by a large preserve area, the existing Wastewater treatment plant or the property line. The project design has focused here on separation from the adjacent properties and significant buffers are in place. This tract does have two ways to approach Pritchett Parkway on the project's internal roads.

Tract G is a 32 acre tract located east of Pritchett Parkway. This tract is bordered either by lake, Popash Creek or the Wastewater treatment plant. This tract does have two ways to approach Pritchett Parkway on the project's internal roads.

Tract H is a 14 acre tract located east of Pritchett Parkway and east of Tract H. The project design has focused here on separation from the adjacent properties and significant buffers are in place. Its access is through Tract G.

Tract I-1 is a 22 acre tract located east of Pritchett Parkway. Emergency access could be provided to the internal spine roadway if needed.

Tract L is a six acre tract located east of Pritchett Parkway. It is bordered on the north by the powerline and by the recreation facility tract on the south. This tract does have two ways to approach Pritchett Parkway on the project's internal roads.

DEVIATION 5
This Deviation is WITHDRAWN by the applicant as the staff has indicated that it can be handled administratively through the Development Order process.

DEVIATION 6
This Deviation is WITHDRAWN by the applicant. Last year's LDC changes addressed the issue.

DEVIATION 7
Deviation from LDC Section 10-329(e)(4) which requires excavation banks to be sloped; to allow up to 40 percent of the banks to utilize either:

a. A vertical slope with the condition that lake bottom slopes at the toe of any bulkhead may be no greater than 4:1 or
b. A 2:1 (horizontal:vertical) slope to a depth of 6 feet below control with the condition that the 2:1 section(s) be stabilized with rip-rap.

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COMMUNITY DEVELOPMENT

If either bulkhead or rip-rap is used, the number of littoral plants required for the excavation would be based on the entire shoreline including the bulkhead or rip-rap portions. Adequate elements for the protection of wayward vehicles will be provided when adjacent to any roadway, parking lot or driveway aisle.

Justification
This deviation improves the development by allowing a more aesthetic, creative design of the development and by improving the project's open space. Bulkhead or rip-rap may be used to eliminate or move the lake slope further away from a structure (patio, pool deck, walking path) and allow a level "landing" area adjacent to these structures instead of an immediate 4:1 slope. As mentioned above, safety is addressed with the condition regarding wayward vehicles. Environmental considerations are also addressed in the condition that the number of littoral plants required for the excavation must be based on the entire shoreline including the bulkhead portions. There is no impact to the public from this change.

DEVIATION 8
Deviation from LDC Section 10-259 which requires that no buildings or structures shall be placed in easements where placing a building or structure in an easement is contrary to the terms of the easement or interferes with the use of the easement, to permit building overhangs only to a maximum 1.5 feet into either a 15-foot or 20-foot closed drainage system easement throughout and only in those circumstances where corrugated plastic pipe is used and adequate engineering analysis is provided by the Applicant at the time of development order and approval by Development Services Division which demonstrates that adequate maintenance of utilities, storm drain facilities, etc. can be achieved.

Justification
The applicant's request is not to place any building or structure in an easement but simply to allow minor building overhangs. The deviation will improve the project by reducing unnecessary cost to the development while at the same time meeting all of the objectives of the LDC provision. The application of this deviation is very limited. Safety concerns are addressed with the condition that High Density Polyethylene pipe is required. With this type of pipe no machinery is needed to move the pipe into location. Maintaining this minimum deviation to allow only to a maximum 1.5 feet into either a 15-foot or 20-foot easement and to require a review at the time of development order approval further contribute to alleviate any safety concerns.

The requested sample drawing is attached.

DEVIATION 9
Deviation 9 seeks relief from the LDC Section 34-2020(1)c. requirement that multiple family buildings have 1.5 parking spaces for 1-bedroom units, 1.75 spaces for 2-bedroom units and 2.0 spaces for 3-bedroom units, to allow 1.25 parking spaces for all bedroom unit types, with an additional 10 percent of parking for multiple family buildings to accommodate guest parking in Tracts B, I and J.

Justification
Heritage Creek is modeled after other US Home Communities. US Home previously completed a study on the parking requirements for their multi-family building concept and has submitted it previously to support this requested deviation. As these US Home multi-family buildings attracts the same clients wherever they are built, the number of occupied parking places at these other US Home projects is a predictor of what will occur at Heritage Creek.

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APR 07 2003
COMMUNITY DEVELOPMENT

Typically the US Home multi-family buildings have a maximum of 30 units. For each of these buildings there would be a reduction of approximately 12 parking spaces. Based on the real life

experience of this same developer with this same building product within Lee County, these parking spaces are not needed. The development is enhanced because unneeded parking spaces are not going to be constructed. There is no impact to the public from this change. See attached study.

DEVIATION 10
Withdrawn by Applicant

DEVIATION 11
Withdrawn by Applicant

DEVIATION 12
Deviation from LDC Section 34-1954(a)(1) to allow model homes and model units to be permitted by right.

Justification
This deviation allows the county to determine that model homes and model units are appropriate for the subject development now rather than waiting to make piecemeal decisions in the future. This alternative process enhances the planned development by allowing the use to exist within the project while under unified control and meeting the provisions of the LDC with respect to model homes and model units.

Any and all model units will be located in Tracts B, I and J. The general location of all potential model homes has been shown on the Master Concept Plan. With this change to the Master Concept Plan, any one purchasing a home within Heritage Creek will know whether there would ever be a model home near their home.

As the applicant has included model homes and model units in the list of permitted uses it is possible that this deviation is not necessary. The applicant's agents have been previously required to include this request by some reviewers. Consequently, it has been included here.

DEVIATION 13
Deviation from LDC Section 34-1954(f) that allows the Director discretion to allow high turnover parking surfaces to meet the surfacing standards for low turnover parking lots to allow the parking spaces for the ancillary sales office use within a model home to be surfaced with gravel.

Justification
No deviation is requested regarding the surfacing standards for the actual single family home. That required parking as well as the handicapped parking space(s) for the model home will be paved. This request applies only to the additional parking for the use of the model home as a model. Parking requirements for model homes and model units change over time. When the models are active, the parking requirements are higher than they will be for the same unit after it becomes a home. Gravel parking lots are customary for model homes and model units. The project will be enhanced by granting this deviation to allow for less impervious paving surfaces because additional paving is unattractive, heat producing, environmentally insensitive and an unnecessary expense to the developer.

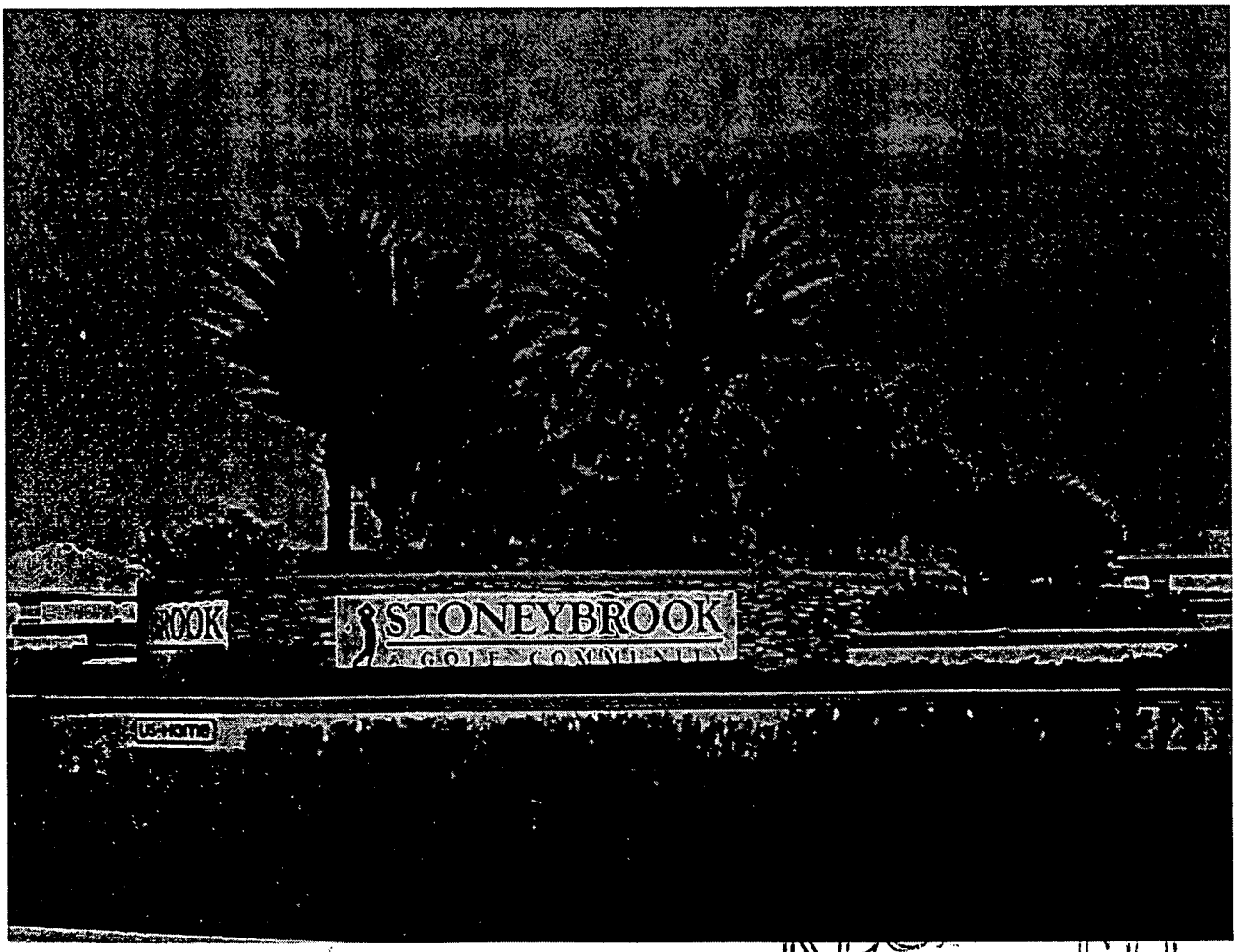
As a condition of this request, the applicant will construct the required handicapped parking for the type of dwelling unit being displayed with asphalt or concrete to provide a smooth surface without gaps or holes while additional parking for the models will be surfaced with gravel. This deviation will not affect public safety.

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APR 07 2003
COMMUNITY DEVELOPMENT

DEVIATION 14
Deviation requesting relief from the LDC Section 30-153(2)(a)(iv) requirement that limits the text of additional identification signs to the name of the subdivision or residential development, to allow sign text for both the entrance signs and the project sign to include the notation "A US Home Community" or "US Home" in addition to the name of the residential development. Specific Information on the entrance signs and the project sign are attached as Attachment 5.

Justification
A critical component of project identification for a new residential development is identifying the developer. This deviation was approved recently for US Home's Stoneybrook community. The part of the signage identifying the developer is small, low key and attractive. The developer proposes the same kind of signage for Heritage Creek.

DEVIATION 15
Deviation requesting relief from the LDC Section 30-152 d.2 requirement that limits the face of each permitted main entrance identification sign in developments of more than 25 units to 105 square feet in area and a deviation requesting relief from the LDC Section 30-94(h) which requires that double-faced signs with opposing faces having an interior angle less than 30 degrees to allow the Heritage Creek project sign to have two sign faces of approximately 130 square feet in size and be located on a curvilinear wall as illustrated in a comparable sign approved by Lee County for US Home's Stoneybrook development.



4/3/2003- 18850 Ver: 03!- CDAY
CA#43
03642-000-000- PCOR- 5968

DCI 2001-00038

APR 07 2003

COMMUNITY DEVELOPMENT

Justification
Regarding the proposed sign size:
Lee County allows a 105 square foot project sign to be located at the development's main entrance. In addition, one additional permanent wall or ground-mounted sign of 105 square feet is permitted along each boundary line of the development, which exceeds 2,000 feet in length. The Heritage Creek development has a total of 4244 linear feet of frontage on the east side of Pritchett Parkway and a total of 5035 linear feet on the west side of Pritchett Parkway. With this considerable frontage the development would be allowed two additional 105 square foot double-faced signs. The applicant's request is to combine the two additional identification signs and the sign that would be allowed at the project's main entrance into the sign illustrated above. This sign would have two sides with each side totaling approximately 150 square feet.

	Allowable Main Project Sign	**Heritage Creek Main Project Sign**
Main Project Sign	105 sq ft x 2 sides	
Additional Signs (with a development with frontage which exceeds 2,000 feet in length)	105 sq ft x 2 sides (east side of Pritchett Pkwy) +105 sq ft x 2 sides (west side of Pritchett Pkwy)	
Total	**315 sq ft x 2 sides**	**150 sq ft x 2 sides**

The total square footage of sign face requested for Heritage Creek's main project sign is about half the square footage allowed by Lee County.

Regarding the interior angle of the proposed sign
This request is to allow a more visually attractive sign in an unusual location. From I-75 it would be difficult to see the text on the usual back to back sign. Locating the sign on a curvilinear wall open us the opportunity for better visibility

This sign would be located on Pritchett Parkway which in this location runs parallel to I-75. Visibility to the traveling public is from I-75. Because of the distance between this sign and the travel lanes on I-75 (approximately 200 feet), it would be difficult to see much less read a Project Sign that was either parallel or perpendicular to I-75. A similar sign for the Stoneybrook development works very well further south on I-75 where the sign is closer to I-75. This deviation enhances the project by decreasing the total number of signs allowed for the development while at the same time notifying the traveling public better of the Heritage Creek development. This is a very attractive sign and its construction will cause no negative impact on the public.

DEVIATION 16
Deviation requesting relief from the LDC Section 10-416(d)(6) requirement that if roads, drives, or parking areas are located less than 125 feet from an existing residential subdivision or residential lots, a solid wall or combination berm and solid wall not less than eight feet in height must be constructed not less than 25 feet from the abutting property and landscaped (between the wall and the abutting property) with a minimum of five trees and 18 shrubs per 100 linear feet to allow the two cul-de sacs in Tract H and the short roadway segment in Tract E to be located as illustrated on the Master Concept Plan together with the buffers proposed on the Master Concept Plan.

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COMMUNITY DEVELOPMENT

Justification
There are three components of this request:
a. The two cul-de sacs in Tract H.
Tract H is a very small tract with limited design flexibility. Each of these cul-de sacs ROW is located a minimum of 50 feet from the property line. With between 20 and 30

MEMORANDUM
FROM THE
DEPARTMENT OF
PUBLIC WORKS

RECEIVED
JUL 11 2003
ZONING

DATE: July 11, 2003

TO: Sal Territo
Lee County Hearing Examiner

FROM: Michael P. Pavese
Principal Planner

RE: STONEYBROOK NORTH (FKA HERITAGE CREEK); CASE # DCI2001-00038
High Point Sewage Treatment Plant

As requested by Chip Block, the county planner assigned to the above referenced case, Public Works offers the following comments pertaining to the modification of Condition # 5 as proposed by the applicant. Condition # 5 is reproduced below with the applicant's proposed changes in strikethrough and underline format. Staff's comments follow the applicant's version.

5. No residential lot lines may be located within 250 feet of the existing High Point sewage treatment plant property lines until the sewage treatment plant is no longer in operation. If the High Point sewage treatment plant is still in operation prior to plat approval for any lots located in Tracts F-2 and G that are located within 250 feet of the existing 5-acre sewage treatment plant site, the applicant must include ~~In addition,~~ a thirty-six foot wide buffer including a six ~~-~~to eight foot high berm must be placed along the perimeter of the High Point sewage treatment plant property lines, excluding the easement ~~which~~ that provides access to the plant. Plantings on the berm must include ten trees per one hundred linear feet, five of which must be located on top of the berm and five of which must be located on the berm slope facing the residential development. Additional plantings must include 48 inch high shrubs planted 48 inches on center on top of the berm, and 3 gallon shrubs planted 3 foot on center over 50% of the berm slope on the residential side.

In light of the potential for this treatment plant to continue operation indefinitely, the developer and subsequent assignees must agree to hold Lee County harmless for any noise, odor, dust, or other similar nuisance related factors associated with, or produced by, the operation of the High Point Sewage Treatment Plant. The developer must disclose the existence, location, and operation of the sewage treatment plant to any purchasers of property within the development. Any and all agreements for the sale of property within the

boundaries of the project must include this disclosure statement immediately prior to the space reserved in the contract for the signature of the purchaser. The following disclosure statement in bold face and conspicuous type which is larger than the type in the remaining text of the contract must be included: **Property owners within the Stoneybrook North (fka Heritage Creek) Planned Development acknowledge the presence of the High Point Sewage Treatment Plant and agree to hold Lee County harmless for any noise, odor, dust, or other similar nuisance factors associated with, or produced by, the operation of the High Point Sewage Treatment Plant.**

Public Works staff would defer to the Lee County Attorney's Office for specific wording of the disclosure language if the language proposed by staff needs to be revised.

Should you have any questions or require any additional information, please do not hesitate to contact me.

cc: Jim Lavender, Public Works
Rick Diaz, Lee County Utilities
Thom Osterhout, Lee County Utilities
John Fredyma, Assistant County Attorney
Chip Block, Zoning
Steve Hartsell, Esquire, Agent for applicant
File

PAVESE, HAVERFIELD, DALTON, HARRISON & JENSEN, L.L.P.
A FLORIDA LIMITED LIABILITY PARTNERSHIP

ATTORNEYS AND COUNSELORS AT LAW
http://paveselaw.com

1833 HENDRY STREET
FORT MYERS, FLORIDA 33901

POST OFFICE DRAWER 1507
FORT MYERS, FLORIDA 33902-1507

(239) 334-2195
FAX (239) 332-2243
SteveHartsell@PaveseLaw.com

STEVEN C. HARTSELL
(239) 336-6244

PLEASE REPLY TO
FORT MYERS OFFICE

August 8, 2003

Mr. Alvin "Chip" Block, Senior Planner
Lee County Department of Community Development
1500 Monroe Street, P. O. Box 398
Fort Myers, Florida 33901-0398

RE: Stoneybrook North RPD, Case No. DCI 2001-000038

Dear Chip:

In an effort to address concerns raised by the neighbors, U. S. Home has once again expressed a willingness to revise the proposed plan. However, from discussions yesterday with some of the members of the public who have hired an attorney, it appears that they have decided that their demands to reduce density from 1,475 units down to a maximum 682 dwelling units with minimum 20,000 s.f. lot sizes are conditions which are not negotiable. Those two conditions are unreasonable under these circumstances and are not acceptable to U. S. Home. Nonetheless, U. S. Home has again unilaterally agreed to make substantial concessions in a good faith effort to address concerns that have been raised by various members of the public throughout the hearing process. Enclosed with this letter is a revised Master Concept Plan dated August 7, 2003, which incorporates the following revisions:

1. Eliminated multi-family use from the development;

2. Eliminated townhouse use from the development;

3. Limited US Home "Twin Villas" (two family attached) to three tracts;

4. Decreased Development Unit Total from 1,475 homes to 1,275 homes;

5. Increased perimeter buffers to 10 trees per 100 feet and a double row of hedges which will be maintained at 60 inches in height;

6. Increased all parcel setbacks to a minimum of 50 feet from the property boundary;

7. Increased the parcel setbacks to a minimum of 200 feet from the property line abutting the Rural and Density Reduction/Groundwater Recharge land use category (part of the development's northern property line);

8. Limited residential homes within 500 feet of the property line abutting the Rural and Density Reduction/Groundwater Recharge land use category to single family detached with a minimum lot size of 7,500 square feet;

9. Provided street trees along Pritchett Parkway;

10. Eliminated baseball field lights;

11. Provided stringent conditions limiting lighting on all courts in Tracts K and M.

In addition to the revisions above which are shown on the Master Concept Plan, U. S. Home proposes the following conditions to be added to the existing 27 conditions contained in the 14-page document, "CONDITIONS AND DEVIATIONS AS OF AUGUST 1, 2003," provided by Assistant County Attorney John Fredyma. [The same condition numbers will be used for ease of reference.]

1. [The MCP date will be revised to reflect the August 7, 2003, MCP received August 8, 2003 by Community Development.]

2. a. Schedule of Uses [only those which are being changed are included. The others remain unchanged.]

Dwelling unit, limited to a maximum of ~~1,475~~ 1,275 units, ~~of which not more than 250 units may be multi-family – [See Note 1~~] consisting of:

Conventional single-family residence
~~Townhouse~~
Two family attached [limited to Tracts I-1, I-2, J]
~~Multi-family building [limited to Tract J]~~
[Delete golf driving range]

Note 1: [Change to as follows] Single-family dwelling units may be constructed on all R-1 and R-1A residential tracts. Two family attached dwelling units may be constructed only on Tracts I-1, I-2 and J.

b. Site Development Regulations: See Attachment 2 - Property Development Regulations

4. [Clarify that Tract M does not require a tennis court, but will require a "multi-purpose field" to allow greater flexibility for the type of court that residents would desire:] "The Tract M recreational area must include at a minimum, one (1) multi-

purpose field, a playground and picnic area. Facilities for the safe passage of pedestrians/cyclists from one side of Pritchett Parkway to the other as determined by the Director of Development Services at the time of local development order submittal must be provided."

28. The maintenance of Popash and Bayshore Creek within the property limits which is required pursuant to Condition #26 will be assured by the provision of a surety for the annual cost of maintenance. Evidence of the surety must be provided to Lee County prior to certificate of completion of the first development order for the drainage infrastructure for the project.

29. In an effort to cooperate in achieving the reduction of the regional flooding problem, the Applicant must provide a drainage easement to Lee County for the drainage ditch along the north boundary of the property. This is for the purpose of allowing the ditch to accept the quantity of stormwater that is approved pursuant to a South Florida Water Management District permit addressing the regional flood problem.

30. Except as otherwise noted on the MCP, perimeter buffers around the outside perimeter of the property will require 10 trees per 100 linear feet and a double staggered hedge. The hedge will be installed at 36" high and maintained at 60" high. 75% of the shrubs and 50% of the trees will be native species.

31. Lighting:

    a. This project must comply with the recently adopted "Outdoor Lighting Standards" adopted in Lee County Land Development Code §34-625.

    b. Outdoor ball field lights for the baseball field located on Tract K are prohibited.

    c. Outdoor recreational lighting for any multi-purpose courts located on Tract K and Tract M must be on timers and shall meet the requirements of LDC §34-625 and shall be done in a fashion to minimize light pollution, glare, and light trespass. Lighting impacts will be measured at the boundary of Tracts K and M, and not at the boundary of any adjacent lakes or preserve areas.

With these conditions and revisions to the Master Concept Plan, U. S. Home has once again made a good faith effort to address concerns of the neighbors. We will address these in the

presentation to the Hearing Examiner at the continued hearing. Please feel free to call me if you have any questions.

Very truly yours,

Steven C. Hartsell

SCH:llg
Enclosures
cc: Lee County Hearing Examiner
Deno Benetis
John Fredyma
Ralph Brooks
Carron Day
Sam Marshall
Ted Treesh
Ian Vincent

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Attachment 2

Stoneybrook North
PROPERTY DEVELOPMENT REGULATIONS

Revised August 5, 2003

LAND USES	Minimum Lot			Minimum Setback (ft)							Max Building Height (ft)	Min Bldg Separation (ft)	Max Lot Coverage (%)
	Area (sq ft)	Min Width (ft)	Min Depth (ft)	Side Including. Corner Lots (ft)*	Rear (ft)			Front (ft)		Water Body (ft)			
					Lots	Wetland	Acc	Front Entry Garage	Bldg or Side Entry Garage				
Single Family Detached	4,000	40	100	5	20	20	5	20	12	25	35 or 2 stories	10	45
Two Family Attached	3,500 per unit	35 per unit	100	0 or 10	20	20	5	20	12	25	35 or 2 stories	10	45
~~Townhouse~~	~~2,000~~	~~22~~	~~80~~	~~0 or 10~~	~~20~~	~~20~~	~~5~~	~~20~~	~~15~~	~~25~~	~~35 or 2 stories~~	~~20~~	~~n/a~~
~~Multi-Family~~	~~10,000~~	~~100~~	~~100~~	~~10~~	~~20~~	~~20~~	~~5~~	~~20~~	~~20~~	~~25~~	~~35 or 2 stories~~	~~20~~	~~45~~
Clubhouse	20,000	80	100	10	20	20	5	n/a	20	25	35 or 2 stories	20	45
~~Maintenance~~	~~8,000~~	~~80~~	~~100~~	~~n/a~~	~~100~~	~~20~~	~~5~~	~~n/a~~	~~n/a~~	~~25~~	~~1story~~	~~20~~	~~45~~
Accessory Recreation Buildings	n/a	n/a	n/a	n/a	20	20	n/a	n/a	n/a	n/a	1story	20	n/a

* Applies to lots of all widths and to corner lots. Each lot, including corner lots, will have only one front yard.

BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, Petitioner, v. JACK R. SNYDER, et ux., Respondents.

No. 79,720

SUPREME COURT OF FLORIDA

627 So. 2d 469; 1993 Fla. LEXIS 1628; 18 Fla. L. Weekly S 522

October 7, 1993, Decided

SUBSEQUENT HISTORY: [**1]

As Revised December 23, 1993. Petition for Rehearing Denied December 23, 1993. Released for Publication January 18, 1994.

PRIOR HISTORY: Application for Review of the Decision of the District Court of Appeal - Direct Conflict of Decisions. Fifth District - Case No. 90-1214.

Orginial Opinion of March 20, 1992, Reported at: *1992 Fla. App. LEXIS 12297.*

CASE SUMMARY:

PROCEDURAL POSTURE: Petitioner filed an application for review of a decision of the Fifth District Court of Appeal (Florida) which ruled, in apparent conflict with another appellate court, that petitioner's denial of respondents request for a zoning change, which was based on petitioner's comprehensive plan, was arbitrary and unreasonable.

OVERVIEW: The court granted review of an appellate court decision relating to a zoning matter because it conflicted with another appellate decision. Respondent landowners owned a one-half acre parcel of property that was zoned for general use. The zoning classification allowed for the construction of a single-family residence. Respondents filed an application to rezone their property, which was denied by petitioner county commission. The appellate court granted relief to respondents and held that petitioner's denial was arbitrary and capricious. The court quashed the decision of the appellate court and held that, because petitioner's action on respondents' application was quasi-judicial, the practical effect was to review the case by strict scrutiny in the sense of strict compliance with the comprehensive zoning plan. Applying that principle, the court opined that respondents were charged with the burden of proving that their proposal was consistent with the comprehensive plan. Then the burden shifted to petitioner to show that maintaining the existing zoning plan accomplished a legitimate public purpose. Because the appellate court did not follow this rationale, its judgment was quashed.

OUTCOME: The judgment of the appellate court, which found that petitioner's denial of respondents' request for a zoning change was arbitrarily and unreasonably denied, was quashed because the appellate court did not follow the appropriate burden-shifting rationale in place for challenges to a local government's comprehensive plan.

LexisNexis (TM) HEADNOTES - Core Concepts:

Real & Personal Property Law > Zoning & Land Use > Zoning Generally

[HN1] Pursuant to the Growth Management Act, Fla. Stat. ch. 85-55, each county and municipality is required to prepare a comprehensive plan for approval by the Department of Community Affairs. The adopted local plan must include principles, guidelines, and standards for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the local government's jurisdictional area. At a minimum, the local plan must include elements covering future land use; capital improvements generally; sanitary sewer, solid waste, drainage, potable water, and natural ground water aquifer protection specifically; conservation; recreation and open space; housing; traffic circulation; intergovernmental coordination; coastal management (for local government in the coastal zone), and mass transit (for local jurisdictions with 50,000 or more people).

Real & Personal Property Law > Zoning & Land Use > Zoning Generally
[HN2] See *Fla. Stat. ch. 163.3194(3) (1991).*

Real & Personal Property Law > Zoning & Land Use > Zoning Generally
[HN3] See *Fla. Stat. ch. 163.3164 (1991).*

Real & Personal Property Law > Zoning & Land Use > Zoning Generally
[HN4] Because an order granting or denying rezoning constitutes a development order, and development orders must be consistent with the comprehensive plan, it is clear that orders on rezoning applications must be consistent with the comprehensive plan.

Administrative Law > Judicial Review > Standards of Review > Standards Generally
[HN5] A board's legislative action is subject to attack in circuit court. However, in deference to the policy-making function of a board when acting in a legislative capacity, its actions are sustained as long as they are fairly debatable. On the other hand, the rulings of a board acting in its quasi-judicial capacity are subject to review by certiorari and are upheld only if they are supported by substantial competent evidence.

Real & Personal Property Law > Zoning & Land Use > Zoning Generally
[HN6] Enactments of original zoning ordinances are considered legislative.

Administrative Law > Agency Adjudication > Hearings
[HN7] It is the character of the hearing that determines whether or not board action is legislative or quasi-judicial. Generally speaking, legislative action results in the formulation of a general rule of policy, whereas judicial action results in the application of a general rule of policy.

Administrative Law > Agency Adjudication > Hearings
[HN8] A judicial or quasi-judicial act determines the rules of law applicable, and the rights affected by them, in relation to past transactions. On the other hand, a quasi-legislative or administrative order prescribes what the rule or requirement of administratively determined duty shall be with respect to transactions to be executed in the future, in order that same shall be considered lawful. But even so, quasi-legislative and quasi-executive orders, after they have already been entered, may have a quasi-judicial attribute if capable of being arrived at and provided by law to be declared by the administrative agency only after express statutory notice, hearing, and consideration of evidence to be adduced as a basis for the making thereof.

Real & Personal Property Law > Zoning & Land Use > Judicial Review
[HN9] Rezoning actions which have an impact on a limited number of persons or property owners, on identifiable parties and interests, where the decision is contingent on a fact or facts arrived at from distinct alternatives presented at a hearing, and where the decision can be functionally viewed as policy application, rather than policy setting, are in the nature of quasi-judicial action.

Real & Personal Property Law > Zoning & Land Use > Judicial Review
[HN10] In practical effect, the review by strict scrutiny in zoning cases appears to be the same as that given in the review of other quasi-judicial decisions. The term as used in the review of land use decisions must be distinguished from the type of strict scrutiny review afforded in some constitutional cases.

Real & Personal Property Law > Zoning & Land Use > Zoning Generally
[HN11] A comprehensive plan only establishes a long-range maximum limit on the possible intensity of land use; a plan does not simultaneously establish an immediate minimum limit on the possible intensity of land use. The present use of land may, by zoning ordinance, continue to be more limited than the future use contemplated by the comprehensive plan.

Real & Personal Property Law > Zoning & Land Use > Judicial Review
[HN12] Absent the assertion of some enforceable property right, an application for rezoning appeals at least in part to local officials' discretion to accept or reject the applicant's argument that change is desirable. The right of judicial review does not ipso facto ease the burden on a party seeking to overturn a decision made by a local government, and certainly does not confer any property-based right upon the owner where none previously existed. Moreover, when it is the zoning classification that is challenged, the comprehensive plan is relevant only when the suggested use is inconsistent with that plan. Where any of several zoning classifications is consistent with the plan, the applicant seeking a change from one to the other is not entitled to judicial relief absent proof the status quo is no longer reasonable. It is not enough simply to be "consistent"; the proposed change cannot be inconsistent, and will be subject to "strict scrutiny" to insure this does not happen.

COUNSEL: Robert D. Guthrie, County Attorney and Eden Bentley, Assistant County Attorney, Melbourne, Florida, for Petitioner.

Frank J. Griffith, Jr. of Cianfrogna, Telfer, Reda & Faherty, P.A., Titusville, Florida, for Respondents.

Denis Dean and Jonathan A. Glogau, Assistant Attorneys General, Tallahassee, Florida, Amicus Curiae for The Attorney General, State of Florida.

Nancy Stuparich, Assistant General Counsel and Jane C. Hayman, Deputy General Counsel, Tallahassee, Florida, Amicus Curiae for Florida League of Cities, Inc..

Paul R. Gougelman, III and Maureen M.Matheson of Reinman, Harrell, Graham, Mitchell & Wattwood, P.A., Melbourne, Florida, Amicus Curiae for Space Coast League of Cities, Inc., City of Melbourne, and Town of Indialantic.

Richard E. Gentry, Florida Home Builders Association, Tallahassee, Florida; and Robert M. Rhodes and Cathy M. Sellers of Steel, Hector and Davis, Tallahassee, Florida, Amicus Curiae for Florida Home [**2] Builders Association.

David La Croix of Pennington, Wilkinson & Dunlap, P.A., Tallahassee, Florida; and William J. Roberts of Roberts and Eagan, P.A., Tallahassee, Florida, Amicus Curiae for Florida Association of Counties.

David J. Russ and Karen Brodeen, Assistant General Counsels, Tallahassee, Florida, Amicus Curiae for Florida Department of Community Affairs.

Richard Grosso, Legal Director, 1000 Friends of Florida, Tallahassee, Florida; and C. Allen Watts of Cobb, Cole and Bell, Daytona Beach, Florida, Amicus Curiae for 1000 Friends of Florida.

Neal D. Bowen, County Attorney, Kissimmee, Florida, Amicus Curiae for Osceola County.

M. Stephen Turner and David K. Miller of Broad and Cassel, Tallahassee, Florida, Amicus Curiae for Monticello Drug Company.

John J. Copelan, Jr., County Attorney and Barbara S. Monahan, Assistant County Attorney for Broward County, Fort Lauderdale, Florida; and Emeline Acton, County Attorney for Hillsborough County, Tampa, Florida, Amici Curiae for Broward County, Hillsborough County, and Florida Association of County Attorneys, Inc..

Thomas G. Pelham of Holland & Knight, Tallahassee, Florida, Amicus Curiae for Thomas G. Pelham, pro se.

JUDGES: GRIMES, [**3] BARKETT, OVERTON, McDONALD, KOGAN, HARDING, SHAW

OPINIONBY: GRIMES

OPINION: [*470] The Motion for Rehearing filed by Petitioner, having been considered in light of the revised opinion, is hereby denied.

GRIMES, J.

We review *Snyder v. Board of County Commissioners, 595 So. 2d 65 (Fla. 5th DCA 1991),* because of its conflict with *Schauer v. City of Miami Beach, 112 So. 2d 838 (Fla. 1959); City of Jacksonville Beach v. Grubbs, 461 So. 2d 160 (Fla. 1st DCA 1984),* review denied, *469 So. 2d 749 (Fla. 1985);* and *Palm Beach County v. Tinnerman, 517 So. 2d 699 (Fla. 4th DCA 1987),* review denied, [*471] *528 So. 2d 1183 (Fla. 1988).* We have jurisdiction under article V, section 3(b)(3) of the Florida Constitution. Jack and Gail Snyder owned a one-half acre parcel of property on Merritt Island in the unincorporated area of Brevard County. The property is zoned GU (general use) which allows construction of a single-family residence. The Snyders filed an application to rezone their property to the RU-2-15 zoning classification which allows the [**4] construction of fifteen units per acre. The area is designated for residential use under the 1988 Brevard County Comprehensive Plan Future Land Use Map. Twenty-nine zoning classifications are considered potentially consistent with this land use designation, including both the GU and the RU-2-15 classifications.

After the application for rezoning was filed, the Brevard County Planning and Zoning staff reviewed the application and completed the county's standard "rezoning review worksheet." The worksheet indicated that the proposed multifamily use of the Snyders' property was consistent with all aspects of the comprehensive plan except for the fact that it was located in the one-hundred-year flood plain in which a maximum of only two units per acre was permitted. For this reason, the staff recommended that the request be denied.

At the planning and zoning board meeting, the county planning and zoning director indicated that when the property was developed the land elevation would be raised to the point where the one-hundred-year-flood plain restriction would no longer be applicable. Thus, the director stated that the staff no longer opposed the application. The planning and zoning board [**5] voted to approve the Snyders' rezoning request.

When the matter came before the board of county commissioners, Snyder stated that he intended to build

only five or six units on the property. However, a number of citizens spoke in opposition to the rezoning request. Their primary concern was the increase in traffic which would be caused by the development. Ultimately, the commission voted to deny the rezoning request without stating a reason for the denial.

The Snyders filed a petition for certiorari in the circuit court. Three circuit judges, sitting en banc, reviewed the petition and denied it by a two-to-one decision. The Snyders then filed a petition for certiorari in the Fifth District Court of Appeal.

The district court of appeal acknowledged that zoning decisions have traditionally been considered legislative in nature. Therefore, courts were required to uphold them if they could be justified as being "fairly debatable." Drawing heavily on *Fasano v. Board of County Commissioners, 264 Ore. 574, 507 P.2d 23 (Or. 1973),* however, the court concluded that, unlike initial zoning enactments and comprehensive rezonings or rezonings affecting a large portion of the [**6] public, a rezoning action which entails the application of a general rule or policy to specific individuals, interests, or activities is quasi-judicial in nature. Under the latter circumstances, the court reasoned that a stricter standard of judicial review of the rezoning decision was required. The court went on to hold:

> (4) Since a property owner's right to own and use his property is constitutionally protected, review of any governmental action denying or abridging that right is subject to close judicial scrutiny. Effective judicial review, constitutional due process and other essential requirements of law, all necessitate that the governmental agency (by whatever name it may be characterized) applying legislated land use restrictions to particular parcels of privately owned lands, must state reasons for action that denies the owner the use of his land and must make findings of fact and a record of its proceedings, sufficient for judicial review of: the legal sufficiency of the evidence to support the findings of fact made, the legal sufficiency of the findings of fact supporting the reasons given and the legal adequacy, under applicable law (i.e., under general comprehensive [**7] zoning ordinances, applicable state and case law and state and federal constitutional provisions) of the reasons given for the result of the action taken.
>
> (5) The initial burden is upon the landowner to demonstrate that his petition or application for use of privately owned [*472] lands, (rezoning, special exception, conditional use permit, variance, site plan approval, etc.) complies with the reasonable procedural requirements of the ordinance and that the use sought is consistent with the applicable comprehensive zoning plan. Upon such a showing the landowner is presumptively entitled to use his property in the manner he seeks unless the opposing governmental agency asserts and proves by clear and convincing evidence that a specifically stated public necessity requires a specified, more restrictive, use. After such a showing the burden shifts to the landowner to assert and prove that such specified more restrictive land use constitutes a taking of his property for public use for which he is entitled to compensation under the taking provisions of the state or federal constitutions.

Snyder v. Board of County Commissioners, 595 So. 2d at 81 (footnotes omitted). [**8]

Applying these principles to the facts of the case, the court found (1) that the Snyders' petition for rezoning was consistent with the comprehensive plan; (2) that there was no assertion or evidence that a more restrictive zoning classification was necessary to protect the health, safety, morals, or welfare of the general public; and (3) that the denial of the requested zoning classification without reasons supported by facts was, as a matter of law, arbitrary and unreasonable. The court granted the petition for certiorari.

Before this Court, the county contends that the standard of review for the county's denial of the Snyders' rezoning application is whether or not the decision was fairly debatable. The county further argues that the opinion below eliminates a local government's ability to operate in a legislative context and impairs its ability to respond to public comment. The county refers to *Jennings v. Dade County, 589 So. 2d 1337 (Fla. 3d DCA 1991),* review denied, *598 So. 2d 75 (Fla. 1992),* for the proposition that if its rezoning decision is quasi-judicial, the commissioners will be prohibited from obtaining community [**9] input by way of ex parte communications from its citizens. In addition, the county suggests that the requirement to make findings in support of its rezoning decision will place an insurmountable burden on the zoning authorities. The county also asserts

that the salutary purpose of the comprehensive plan to provide controlled growth will be thwarted by the court's ruling that the maximum use permitted by the plan must be approved once the rezoning application is determined to be consistent with it.

The Snyders respond that the decision below should be upheld in all of its major premises. They argue that the rationale for the early decisions that rezonings are legislative in nature has been changed by the enactment of the Growth Management Act. Thus, in order to ensure that local governments follow the principles enunciated in their comprehensive plans, it is necessary for the courts to exercise stricter scrutiny than would be provided under the fairly debatable rule. The Snyders contend that their rezoning application was consistent with the comprehensive plan. Because there are no findings of fact or reasons given for the denial by the board of county commissioners, there is no basis [**10] upon which the denial could be upheld. Various amici curiae have also submitted briefs in support of their several positions.

Historically, local governments have exercised the zoning power pursuant to a broad delegation of state legislative power subject only to constitutional limitations. Both federal and state courts adopted a highly deferential standard of judicial review early in the history of local zoning. In *Village of Euclid v. Ambler Realty Co., 272 U.S. 365, 47 S. Ct. 114, 71 L. Ed. 303 (1926),* the United States Supreme Court held that "if the validity of the legislative classification for zoning purposes be fairly debatable, the legislative judgment must be allowed to control." *272 U.S. at 388.* This Court expressly adopted the fairly debatable principle in *City of Miami Beach v. Ocean & Inland Co., 147 Fla. 480, 3 So. 2d 364 (1941).*

Inhibited only by the loose judicial scrutiny afforded by the fairly debatable rule, local zoning systems developed in a markedly inconsistent manner. Many land use experts and practitioners [**11] have been critical of the local zoning system. Richard Babcock deplored the effect of "neighborhoodism" and [*473] rank political influence on the local decision-making process. Richard F. Babcock, The Zoning Game (1966). Mandelker and Tarlock recently stated that "zoning decisions are too often ad hoc, sloppy and self-serving decisions with well-defined adverse consequences without off-setting benefits." Daniel R. Mandelker and A. Dan Tarlock, Shifting the Presumption of Constitutionality in Land-Use Law, *24 Urb. Law. 1, 2 (1992).*

Professor Charles Harr, a leading proponent of zoning reform, was an early advocate of requiring that local land use regulation be consistent with a legally binding comprehensive plan which would serve long range goals, counteract local pressures for preferential treatment, and provide courts with a meaningful standard of review. Charles M. Harr, "In Accordance With A Comprehensive Plan," *68 Harv. L. Rev. 1154 (1955).* In 1975, the American Law Institute adopted the Model Land Development Code, which provided for procedural and planning reforms at the local level and increased state participation [**12] in land use decision-making for developments of regional impact and areas of critical state concern.

Reacting to the increasing calls for reform, numerous states have adopted legislation to change the local land use decision-making process. As one of the leaders of this national reform, Florida adopted the Local Government Comprehensive Planning Act of 1975. Ch. 75-257, Laws of Fla. This law was substantially strengthened in 1985 by the Growth Management Act. Ch. 85-55, Laws of Fla.

[HN1] Pursuant to the Growth Management Act, each county and municipality is required to prepare a comprehensive plan for approval by the Department of Community Affairs. The adopted local plan must include "principles, guidelines, and standards for the orderly and balanced future economic, social, physical, environmental, and fiscal development" of the local government's jurisdictional area. *§ 163.3177(1),* Fla. Stat. (1991). At the minimum, the local plan must include elements covering future land use; capital improvements generally; sanitary sewer, solid waste, drainage, potable water, and natural ground water aquifer protection specifically; conservation; recreation and open space; housing; traffic circulation; [**13] intergovernmental coordination; coastal management (for local government in the coastal zone); and mass transit (for local jurisdictions with 50,000 or more people). Id. § 163.3177(6).

Of special relevance to local rezoning actions, the future land use plan element of the local plan must contain both a future land use map and goals, policies, and measurable objectives to guide future land use decisions. This plan element must designate the "proposed future general distribution, location, and extent of the uses of land" for various purposes. Id. § 163.3177(6)(a). It must include standards to be utilized in the control and distribution of densities and intensities of development. In addition, the future land use plan must be based on adequate data and analysis concerning the local jurisdiction, including the projected population, the amount of land needed to accommodate the estimated population, the availability of public services and facilities, and the character of undeveloped land. Id. § 163.3177(6)(a).

The local plan must be implemented through the adoption of land development regulations that are consistent with the plan. Id. § 163.3202. In addition, all development, [**14] both public and private, and all development orders approved by local governments must be consistent with the adopted local plan. Id. § 163.3194(1)(a). [HN2] ***Section 163.3194(3)*, Florida Statutes (1991), explains consistency as follows:**

> **(a) A development order or land development regulation shall be consistent with the comprehensive plan if the land uses, densities or intensities, and other aspects of development permitted by such order or regulation are compatible with and further the objectives, policies, land uses, and densities or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government.**

[HN3] *Section 163.3164*, Florida Statutes (1991), reads in pertinent part:

> (6) "Development order" means any order granting, denying, or granting with conditions an application for a development permit.
>
> [*474] (7) "Development permit" includes any building permit, zoning permit, subdivision approval, **rezoning**, certification, special exception, variance, or any other official action of local government having the effect of permitting the development of land.

[HN4] Because an order granting or denying rezoning constitutes a development order and development [**15] orders must be consistent with the comprehensive plan, it is clear that orders on rezoning applications must be consistent with the comprehensive plan.

The first issue we must decide is whether the Board's action on Snyder's rezoning application was legislative or quasi-judicial. [HN5] A board's legislative action is subject to attack in circuit court. *Hirt v. Polk County Bd. of County Comm'rs, 578 So. 2d 415 (Fla. 2d DCA 1991).* However, in deference to the policy-making function of a board when acting in a legislative capacity, its actions will be sustained as long as they are fairly debatable. *Nance v. Town of Indialantic, 419 So. 2d 1041 (Fla. 1982).* On the other hand, the rulings of a board acting in its quasi-judicial capacity are subject to review by certiorari and will be upheld only if they are supported by substantial competent evidence. *De Groot v. Sheffield, 95 So. 2d 912 (Fla. 1957).*

[HN6] Enactments of original zoning ordinances have always been considered legislative. *Gulf & Eastern Dev. Corp. v. City of Fort Lauderdale, 354 So. 2d 57 (Fla. 1978); County of Pasco v. J. Dico, Inc., 343 So. 2d 83 (Fla. 2d DCA 1977).* [**16] In Schauer v. City of Miami Beach, this Court held that the passage of an amending zoning ordinance was the exercise of a legislative function. *112 So. 2d at 839.* However, the amendment in that case was comprehensive in nature in that it effected a change in the zoning of a large area so as to permit it to be used as locations for multiple family buildings and hotels. Id. In City of Jacksonville Beach v. Grubbs and Palm Beach County v. Tinnerman, the district courts of appeal went further and held that board action on specific rezoning applications of individual property owners was also legislative. *Grubbs, 461 So. 2d at 163; Tinnerman, 517 So. 2d at 700.*

[HN7] It is the character of the hearing that determines whether or not board action is legislative or quasi-judicial. *Coral Reef Nurseries, Inc. v. Babcock Co., 410 So. 2d 648 (Fla. 3d DCA 1982).* Generally speaking, legislative action results in the formulation of a general rule of policy, whereas judicial action results in the application of a general rule of policy. Carl J. Peckingpaugh, Jr., Comment, [**17] Burden of Proof in Land Use Regulations: A Unified Approach and Application to Florida, *8 Fla. St. U. L. Rev. 499, 504 (1980).* In *West Flagler Amusement Co. v. State Racing Commission, 122 Fla. 222, 225, 165 So. 64, 65 (1935),* we explained: [HN8]

> A judicial or quasi-judicial act determines the rules of law applicable, and the rights affected by them, in relation to past transactions. On the other hand, a quasi-legislative or administrative order prescribes what the rule or requirement of administratively determined duty shall be with respect to transactions to be executed in the future, in order that same shall be considered lawful. But even so, quasi-legislative and quasi-executive orders, after they have already been entered, may have a quasi-judicial attribute if capable of being arrived at and provided by law to be declared by the administrative agency only after express statutory notice,

> hearing and consideration of evidence to be adduced as a basis for the making thereof.

Applying this criterion, it is evident that comprehensive rezonings affecting a large portion of the public are legislative in nature. [**18] However, we agree with the court below when it said:

> [HN9] Rezoning actions which have an impact on a limited number of persons or property owners, on identifiable parties and interests, where the decision is contingent on a fact or facts arrived at from distinct alternatives presented at a hearing, and where the decision can be functionally viewed as policy application, rather than policy setting, are in the nature of . . . quasi-judicial action . . . .

Snyder, 595 So. 2d at 78. Therefore, the board's action on Snyder's application was in the nature of a quasi-judicial proceeding and [*475] properly reviewable by petition for certiorari. n1

> n1 One or more of the amicus briefs suggests that Snyder's remedy was to bring a de novo action in circuit court pursuant to *section 163.3215*, Florida Statutes (1991). However, in *Parker v. Leon County, Nos. 80,230 and 80,288, 627 So.2d 476* (Fla. Oct. 7, 1993), we explained that this statute only provides a remedy for third parties to challenge the consistency of development orders.

[**19]

We also agree with the court below that the review is subject to strict scrutiny. [HN10] In practical effect, the review by strict scrutiny in zoning cases appears to be the same as that given in the review of other quasi-judicial decisions. See *Lee County v. Sunbelt Equities, II, Ltd. Partnership, 619 So. 2d 996 (Fla. 2d DCA 1993)* (The term "strict scrutiny" arises from the necessity of strict compliance with comprehensive plan.). This term as used in the review of land use decisions must be distinguished from the type of strict scrutiny review afforded in some constitutional cases. Compare *Snyder v. Board of County Comm'rs, 595 So. 2d 65, 75-76 (Fla. 5th DCA 1991)* (land use), and *Machado v. Musgrove, 519 So. 2d 629, 632 (Fla. 3d DCA 1987),* review denied, *529 So. 2d 693 (Fla. 1988),* and review denied, *529 So. 2d 694 (Fla. 1988)* (land use), with *In re Estate of Greenberg, 390 So. 2d 40, 42-43 (Fla. 1980)* (general discussion of strict scrutiny review in context of fundamental rights), appeal dismissed, [**20] *450 U.S. 961, 101 S. Ct. 1475, 67 L. Ed. 2d 610 (1981), Florida High Sch. Activities Ass'n v. Thomas, 434 So. 2d 306 (Fla. 1983)* (equal protection), and *Department of Revenue v. Magazine Publishers of America, Inc., 604 So. 2d 459 (Fla. 1992)* (First Amendment).

At this point, we depart from the rationale of the court below. In the first place, the opinion overlooks the premise that the comprehensive plan is intended to provide for the future use of land, which contemplates a gradual and ordered growth. See *City of Jacksonville Beach, 461 So. 2d at 163,* in which the following statement from *Marracci v. City of Scappoose, 26 Ore. App. 131, 552 P.2d 552, 553 (Or. Ct. App. 1976),* was approved:

> [HN11] **[A] comprehensive plan only establishes a long-range maximum limit on the possible intensity of land use; a plan does not simultaneously establish an immediate minimum limit on the possible intensity of land use. The present use of land may, by zoning ordinance, continue to be more limited than the future use contemplated by the [**21] comprehensive plan.**

Even where a denial of a zoning application would be inconsistent with the plan, the local government should have the discretion to decide that the maximum development density should not be allowed provided the governmental body approves some development that is consistent with the plan and the government's decision is supported by substantial, competent evidence.

Further, we **cannot accept** the proposition that once the landowner demonstrates that the proposed use is consistent with the comprehensive plan, he is presumptively entitled to this use unless the opposing governmental agency proves by clear and convincing evidence that specifically stated public necessity requires a more restricted use. **We do not believe that a property owner is necessarily entitled to relief by proving consistency when the board action is also consistent with the plan.** As

noted in Lee County v. Sunbelt Equities II, Limited Partnership:

> [HN12] Absent the assertion of some enforceable property right, an application for rezoning appeals at least in part to local officials' discretion to accept or reject the applicant's argument that change is desirable. The right of judicial review [**22] does not ipso facto ease the burden on a party seeking to overturn a decision made by a local government, and certainly does not confer any property-based right upon the owner where none previously existed.
>
> . . . .
>
> Moreover, when it is the zoning classification that is challenged, the comprehensive plan is relevant only when the suggested use is inconsistent with that plan. Where any of several zoning classifications is consistent with the plan, the applicant seeking a change from one to the other is not entitled to judicial relief absent proof the status quo is no longer reasonable. It is not enough simply to be "consistent"; **the proposed change cannot be inconsistent, and will be subject to the "strict [*476] scrutiny" of Machado to insure this does not happen.**

619 So. 2d at 1005-06.

This raises a question of whether the Growth Management Act provides any comfort to the landowner when the denial of the rezoning request is consistent with the comprehensive plan. It could be argued that the only recourse is to pursue the traditional remedy of attempting to prove that the denial of the application was arbitrary, discriminatory, or [**23] unreasonable. *Burritt v. Harris, 172 So. 2d 820 (Fla. 1965); City of Naples v. Central Plaza of Naples, Inc., 303 So. 2d 423 (Fla. 2d DCA 1974).* Yet, **the fact that a proposed use is consistent with the plan means that the planners contemplated that that use would be acceptable at some point in the future. We do not believe the Growth Management Act was intended to preclude development but only to insure that it proceed in an orderly manner.**

Upon consideration, **we hold that a landowner seeking to rezone property has the burden of proving that the proposal is consistent with the comprehensive plan and complies with all procedural requirements of the zoning ordinance. At this point, the burden shifts to the governmental board to demonstrate that maintaining the existing zoning classification with respect to the property accomplishes a legitimate public purpose. In effect, the landowners' traditional remedies will be subsumed within this rule, and the board will now have the burden of showing that the refusal to rezone the property is not arbitrary, discriminatory, or unreasonable. If the board carries its burden, the application should be denied.**

While they may be useful, the board will not be required to make findings of fact. However, in order to sustain the board's action, upon review by certiorari in the circuit court it must be shown that there was competent substantial evidence presented to the board to support its ruling. Further review in the district court of appeal will continue to be governed by the principles of *City of Deerfield Beach v. Vaillant, 419 So. 2d 624 (Fla. 1982).*

Based on the foregoing, we quash the decision below and disapprove City of Jacksonville Beach v. Grubbs and Palm Beach County v. Tinnerman, to the extent they are inconsistent with this opinion. However, in the posture of this case, we are reluctant to preclude the Snyders from any avenue of relief. Because of the possibility that conditions have changed during the extended lapse of time since their original application was filed, we believe that justice would be best served by permitting them to file a new application for rezoning of the property. The application will be without prejudice of the result reached by this decision and will allow the process to begin anew according to the [**25] procedure outlined in our opinion.

It is so ordered.

BARKETT, C.J., and OVERTON, McDONALD, KOGAN and HARDING, JJ., concur.
SHAW, J., dissents.

MEMORANDUM
DEPARTMENT OF PUBLIC WORKS
NATURAL RESOURCES DIVISION

TO: Chip Block
Development Services Division

FROM: Bradley S. Vance BSV

RE: **HERITAGE CREEK (DCI2001-00038)**

DATE: June 17, 2003

Below are our conditions for the above project. I have reviewed the modeling provided by Banks Engineering, Inc. and discussed the same with Sam Marshall. I have determined that the Master Concept Plan as presented is achievable.

1. Prior to issuance of the first Development Order (or any early work, clearing, filling permits), the applicant must submit the following information for review and written approval by the Lee County Natural Resources Division:

a. The developer must provide an HEC-RAS model for the Popash and Bayshore Creeks demonstrating that the development will not induce any rise to the existing flood elevations, nor any increases in velocities, nor any transfer in overbank flows for the 10-, 25-, and 100-year storms. In addition, the development must not create more than a one (1) foot rise in the base flood (100-year) elevation utilizing encroachment method 4 in the HEC-RAS model. This same model must be submitted to the SFWMD for review, consideration, and their permit files.

b. Show the location and extent of the existing and proposed cross sections from the HEC-RAS model on the Development Order plans, as well as, defining the existing top of bank station/elevation, overbank elevations, roadway elevations, and bridge dimensions and elevations. Sufficient details or sections showing continuity and capacity of flows in the overbank must be clearly demonstrated.

c. No berming, filling or other above ground construction is permitted within fifty feet (50') of the top of banks of Popash Creek.

2. Prior to issuance of the first Development Order (or any early work, clearing, filling permits), containing the bridged crossing, the developer must provide complete construction plans for the bridge for review and approval by the Lee County Natural Resources Division and be in accordance with the following:

a. The bridge crossing of Popash Creek must be a pile supported structure.

b. No more that 4 rows of pilings are permitted in the overbank and none may be closer than 10 feet to the top of bank. Each row must be perpendicular to the direction of flood flows and have a maximum dimension of twelve inches (12").

c. The low chord of the bridge must be at or above the 100-year flood water surface elevation and the abutments for the bridge may not be closer that fifty feet (50') to the top of bank. Additionally, the low chord must be at least two feet (2') above the highest overbank elevation within the fifty foot offset areas (total of 100'+).

3. Along Bayshore Creek, a minimum of fifty foot (50') offset from the top of bank is to be preserved. Any prior filling or alterations from that of natural elevation(s) is to be removed and restored.

4. The developer or its assigns must dedicate an exclusive drainage easement to Lee County for Popash and Bayshore Creeks and its overbanks (50 feet) that lie within its property limits and provide for maintenance accesses. No vegetative planting other than short grasses is allowed within the easement area. The developer agrees to a monthly maintenance/mowing and to keep all exotic/emergent plants to less than one foot of height and remove all non-native vegetation and all brushy type material within the easement area in perpetuity. Said easement must be reviewed and approved the County Attorney and Natural Resources during the platting process. This same language must be contained within the Community Development District or Home Owners Association documents (eg: CDD, HOA, etc).

5. All plans and documents related to this item must include the statement: "This is to certify that I am a duly qualified engineer licensed to practice in the State of Florida. It is to further certify that these design plans, drawings, and associated technical calculations and/or data demonstrate that no adverse affects to the existing flood elevations will occur as a result of this development".

ENGINEER'S PRELIMINARY ESTIMATE OF EXCAVATION
FOR
STONEYBROOK NORTH
10-Jun-03
BASED UPON SITE PLAN AS OF JUNE 2003

FILL REQUIREMENTS:	**1,947,000 Cubic Yards**
PROPOSED REQUIREMENTS:	**1,947,000 Cubic Yards**

6/10/03

Sam W. Marshall, P.E. 48881
Banks Engineering, Inc.

S:\admin\Jobs\14xx\1447\Documents/TakeOff/1447-FillEstimate.xls

Planner COPY

IN RE: STONEYBROOK RPD

CASE NUMBER: DCI 2001-00038

_____/

LEE COUNTY
HEARING EXAMINER
03 JUN 18 AM 8:07

NOTICE OF APPEARANCE for
SHELLEY TRAURIG, LORI DAVIDSON and RICHARD COOLICK's

The undersigned files this Notice of Appearance in the hearing in the above referenced action and under Chapter 119, Florida Statutes, and due process hereby requests continuing timely service of copies of any further action, submittals or notices provided in this case.

Respectfully submitted,

Ralf Brookes, Attorney

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above Motion for Continuance of Hearing has been furnished by hand delivery to HEARING EXAMINER, 1500 Monroe Street, 2nd Floor and Lee County, 1500 Monroe Street, Fort Myers, Florida 33901 and Case Number DCI 2001-00038 on this 18th day of June, 2003.

RALF BROOKES
Florida Bar No. 0778362
Attorney for Richard Coolick,
Lori Davidson and Shelley Traurig
1217 East Cape Coral Parkway
#107
Cape Coral, Florida 33904
Telephone: (239) 910-5464
Facsimile: (239) 541-2774

THE MATTER OF: STONEYBROOK RPD

CASE NUMBER: DCI 2001-00038

_____/

SHELLEY TRAURIG, LORI DAVIDSON and RICHARD COOLICK's MOTION FOR CONTINUANCE OF HEARING

The undersigned hereby moves to continue their portion of the hearing in this action currently set for June 18, 2003 and June 19, 2003 at 9:00 a.m. until July 14, 2003 and as grounds states as follows:

14 days from the complete staff report is required, but the staff report was not completed until 1 day prior to the scheduled hearing.

A revised staff report was not issued until June 4, 2003 with a page containing the following notation: "Recommendation from Lee County Division of Natural Resources is pending as of date of this report".

The applicant submitted revisions and clarifications through their attorney on June 16th

As of June 17, 2003 at 12:00 pm the issues analysis from the Lee County Division of Natural Resources and Environmental Sciences had not been completed and my client was advised that the report would not be completed until the end of the day.

The complete staff report was not submitted until after 3:30 on June 17th, the day before the hearing.

The County Attorney submitted an additional list of concerns at 3:45pm on June 17th.

This is an insufficient time for analysis and review by experts for the above referenced individuals with standing under common law and Florida Statutes 163.3215.

Petitioners have been denied sufficient time of 14 days for Petitioners and their experts and other witnesses to review the staff issues analysis prior to the hearing, is not "reasonable notice" and violates procedural due process.

WHEREFORE, a continuance of the adversely affected parties presentation is requested until July 14, 2003 in order to submit expert analysis of the revised application and new staff reports.

Respectfully submitted,

Ralf Brookes, Attorney

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above Motion for Continuance of Hearing has been furnished by hand delivery to HEARING EXAMINER, 1500 Monroe Street, 2nd Floor and Lee County, 1500 Monroe Street, Fort Myers, Florida 33901 and Case Number DCI 2001-00038 on this 18th day of June, 2003.

RALF BROOKES
Florida Bar No. 0778362
Attorney for Richard Coolick,
Lori Davidson and Shelley Traurig
1217 East Cape Coral Parkway
#107
Cape Coral, Florida 33904
Telephone: (239) 910-5464
Facsimile: (239) 541-2774

In the matter of:

CASE NUMBER DCI 2001-00038

SUBPOENA DUCES TECUM FOR HEARING

STATE OF FLORIDA

TO: **Michael Pavese**, 1500 Monroe Street, 4th Floor, Fort Myers, Florida 33901

Pursuant to FRCP Rule 1.410, YOU ARE HEREBY COMMANDED to appear before the HEARING EXAMINER, at 1500 Monroe Street, 2nd Floor, Fort Myers, Florida, on June 18, 2003 and June 19, 2003 from 9:00 am to 5:00 pm.(a courtesy time certain will be arranged on 6/18/03 at 9:00 am), to testify in the above styled cause and to have with you at said time and place the following:

ANY FILES RELATED TO CASE NUMBER DCI 2001-00038, INCLUDING STAFF REPORT DATED 6/5/2001, ANY DATA, DRAFTS AND NOTES CREATED BY MICHAEL PAVESE.

If you fail to appear, you may be in contempt of Court.

You are subpoenaed to appear by the following attorney and unless excused from this subpoena by this attorney, you shall respond to this subpoena as directed.

DATED this 17th day of June, 2003.

Ralph Brookes, Esq.
1217 East Cape Coral Parkway
#107
Cape Coral, Florida 33904
Telephone: (239) 910-5464
Facsimile: (239) 541-2774

By: Ralf Brookes
Ralf Brookes
Florida Bar No. 0778362
Attorney for: Shelley Traurig, et al.

AFFIDAVIT OF SERVICE

State of FLORIDA **County of LEE** **Circuit Court**

Case Number: DCI-2001-00038 Court Date: 6/19/2003

Plaintiff:
IN THE MATTER OF DCI-2001-00038
vs.
Defendant:

For:
Ronald L. Arend
LAW OFFICE OF RONALD L. AREND, P.A.
P.O. Box 9
Ft. Myers, FL 33902-0009

Received by SOUTH FLORIDA LEGAL SERVICES OF NAPLES on the **17th day of June, 2003** at **4:25 pm** to be served on **MICHAEL PAVESE, 1500 MONROE ST., 4TH FLOOR, FT. MYERS, FL. 33901.**

I, Teresa Joiner., being duly sworn, depose and say that on the **17th day of June, 2003** at **4:30 pm, I:**

Delivered a true copy of the **SUBPOENA DUCES TECUM FOR HEARING** to SILVIA RODRIGUEZ as a professional courtesy, who stated that they were authorized to accept for the witness in their absence.

I do hereby certify that I have no interest in the above action, that I am over the age of eighteen, and that I am a Special Process Server in the county in which it was served.

Subscribed and Sworn to before me on the 17th day of June, 2003 by the affiant who is personally known to me.

NOTARY PUBLIC

Teresa Joiner.
SHERIFF APPOINTED #716

SOUTH FLORIDA LEGAL SERVICES OF NAPLES
P.O. Box 2647
Ft. Myers, FL 33902-2647
(239) 332-7000

Our Job Serial Number: 2003007441

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RALF BROOKES, ATTORNEY
1217 East Cape Coral Parkway 107, Cape Coral, Florida 33904
phone (239) 910-5464 (208) 441-5423 fax

MEMORANDUM OF LAW

Fact-based, Non-Expert Testimony from Residents or Other Concerned Citizens is competent, substantial evidence on the issues of aesthetics and community character.

Fact-based testimony of lay witnesses (as opposed to general statements of concern or opposition) may constitute competent, substantial evidence:

> Under the correct legal standard, **citizen testimony in a zoning matter is perfectly permissible and constitutes substantial competent evidence, so long as it is fact-based**. Id.; see also Grefkowicz v. Metropolitan Dade County, 389 So. 2d 1041, 1042 (Fla. 3d DCA 1980). **Mere generalized statements of opposition are to be disregarded, but fact-based testimony is not**. A quasi-judicial decision cannot be based on generalized statements of opposition, or concern. However, lay witnesses can provide factual testimony that would support a decision. Grefkowicz v. Dade County, 389 So. 2d 1041 (Fla. 3d DCA 1980).

Metropolitan Dade County v. Blumenthal, 675 So. 2d 598, 607 (Fla. 3d DCA 1995) (J. Cope dissenting, adopted as the opinion of the court on rehearing en banc Feb. 21, 1996).

"Fact based testimony" of lay witnesses includes their testimony regarding **aesthetics and community character and the compatibility of a proposed project with existing development**. In Metropolitan Dade County v. Section 11 Property Corp., 719 So. 2d 1204 (Fla. 3d DCA 1998), the Third DCA reviewed a case in which the county commission denied a special exception for mini self-storage facility. Planning staff had supported the special exception as compatible with surrounding areas, but neighborhood residents testified at the hearing that the facility would increase traffic noise and decrease property values, and would not be aesthetically compatible. The County Commission denied the special exception based on incompatibility. On certiorari review, the circuit court held that the County Commission's finding of incompatibility was not supported by competent evidence, as the neighbors' testimony was merely opinion. The third DCA quashed the circuit court's writ on the grounds that because the commission could properly consider aesthetics, the residents' testimony was fact-based, and the testimony coupled with the documentary evidence supported the denial. The Third DCA stated:

> The Commission received the testimony of several neighbors who characterized the project as "industrial" and who stated that the project would be incompatible with the surrounding residential neighborhood. Specifically, one neighbor stated that the self-storage facility would be "an eyesore." He commented that any proposed landscaping to try to enhance the appearance of the self-storage facility would not be effective and stated, "it's almost

> like trying to put an elephant in a Volkswagen, you still know the elephant is there." This fact-based testimony regarding the aesthetic incompatibility of the project with the surrounding neighborhood, coupled with the site plan, elevation drawings, and the aerial photograph constituted substantial competent evidence supporting the denial of the exception. Metropolitan Dade County v. Sportacres Dev. Group, Inc., 698 So. 2d 281, 282 (Fla. 3d DCA 1997); Metropolitan Dade County v. Blumenthal, 675 So. 2d 598, 607 (Fla. 3d DCA), review dismissed, 680 So. 2d 421 (Fla.1996). Where, as here, the County Commission's denial of the special exception was supported by substantial competent evidence, we find that the circuit court departed from the essential requirements of the law.

719 So. 2d at 1205. See, also, Board of County Commn'rs of Pinellas County v. City of Clearwater, 440 So. 2d 497 (Fla. 2d DCA 1983) (lay testimony of witnesses with first-hand knowledge of the vicinity can constitute "expert testimony" on effect of project on natural beauty and recreational advantages).

RALF BROOKES, ATTORNEY
1217 East Cape Coral Parkway 107, Cape Coral, Florida 33904
phone (239) 910-5464 (208) 441-5423 fax

MEMORANDUM OF LAW
IN RE : **STANDING IN ZONING AND COMPREHENSIVE PLAN CASES**

Under Florida law, there are two bases by which adversely aggrieved "third parties" may demonstrate standing in quasi-judicial administrative actions involving the regulation or use of land, including building permits, variances, special exceptions, etc...

1) The first type of standing is based on case law concepts derived from common law and due process afforded by the Florida and United States Constitution. The common law basis for this type of standing in zoning type cases (including building permits, variances, special exccptions, etc...) is derived from Renard v. Dade County, 261 So.2d 832 (Fla. 1972). In that case the Court discussed the various factors that were relevant to a determination of standing as follows:

> In determining the sufficiency of the parties' interest to give standing, factors such as the proximity of his property to the property to be zoned or rezoned, the character of the neighborhood, including ...set-back requirements, and the type of change proposed are considerations. (Emphasis added).

Other courts focused on distance. At the common law, the closer the Plaintiff was to the affected property, the easier it was for a court to find standing. See, Elwyn v. City of Miami, 113 So.2d 849 (Fla. 3rd DCA 1959)(abutting homeowners had standing); Exchange Investments, Inc, v. Alachua County, 481 So.2d 1223 (Fla. 1st DCA 1985)(owners of land within one mile of development had standing to challenge a rezoning that adversely affected their off-street parking; held offstreet parking was a "legally recognizable interest"); Carlos Estates, Inc. v. DadeCounty, 426 So.2d 1167 (Fla. 3rd DCA 1983)(resident 700 feet from zero-lot line development had standing to challenge a special exception because this neighbor had a specific, definite interest, beyond that a mere interest in community good shared by all persons).

2) The second type of standing granted by Florida Statutes related to consistency determinations under the Growth Management Act under the more expansive provisions of Florida Statutes 163.3215. This statutorily created cause of action contains an expanded definition of standing that applies to consistency determinations, i.e., whether a particular "development order" is consistent with the policies contained in the local comprehensive plan, is broader than standing under common law.

"Aggrieved or adversely affected parties" under Section 163.3215(2), Fla. Stat. have statutory standing to challenge development orders and includes:

> 163.3215(2)"Aggrieved or adversely affected party" means any person or local government that will suffer an adverse effect to an interest protected or furthered by the local government comprehensive plan, including interests related to health and safety, police and fire protection service systems, densities or intensities of development, transportation facilities, health care facilities, equipment or services, or environmental or natural resources. The alleged adverse interest may be shared in common with other members of the community at large, but shall exceed in

> degree the general interest in community good shared by all persons... (Emphasis added).

This provision was intended to be a statutory grant of standing that was broader than that required at the common law to challenge land use decisions of local governments. See, Southwest Ranches Homeowners Association, Inc. v. County of Broward, 502 So.2d 931, 935 (Fla. 4th DCA 1987), reviewed denied, 511 So.2d 999 (Fla. 1987), where the court reasoned:

> [Section 163.3215] liberalizes standing requirements and demonstrates a clear legislative policy in favor of the enforcement of comprehensive plans by persons adversely affected by local action. (Emphasis added).

This statement was specifically adopted by the Florida Supreme Court in Parker v. Leon County, 627 So.2d 476, 479 (Fla. 1993).

PLANNING DIVISION
MEMORANDUM

LEE COUNTY
SOUTHWEST FLORIDA

to: Mark Penfield

from: Brandy Gonzalez, Planner BG

subject: Lee Plan Objective 20.1

date: August 5, 2003

As requested, the following is Lee Plan Objective 20.1 adopted by the Board of County Commissioners as part of CPA 2001-09, the Bayshore Community Plan, on January 9, 2003. The language became effective on March 11, 2003 when the Department of Community Affairs published the notice of intent to find the proposed amendment In Compliance.

> ***OBJECTIVE 20.1: LAND USE.*** *The existing land use designations of the Lee Plan (as of September 30, 2001) are appropriate to achieving the goal of the Bayshore Plan. No land use map amendments to a more intensive category will be permitted after March 11, 2003, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners. (Added by Ordinance No. 03-02)*

Staff is currently preparing an updated codification to include all effective amendments. Copies will be made available for purchase. If you have any questions, or if I can be of further assistance in this matter, please feel free to call me at (239) 479-8316.

Penfield # 4

P.O. Box 398 • Fort Myers, FL 33902-0398 • (941) 479-8585 • Fax (941) 479-8319

BAYSHORE FINAL ADOPTION LANGUAGE

VISION STATEMENT:

The Bayshore Community, bounded by I-75, SR 31, the Caloosahatcheee River and Charlotte County, is predominantly a rural residential area of single family homes on large acreages, small horse farms, citrus groves, and plant nurseries, interspersed by some larger cattle grazing operations. There are also scattered single family subdivisions and mobile homes on smaller lots which provide for a full range of housing prices. There is limited urban infrastructure and commercial uses. By and large, the residents of Bayshore want to see this land use pattern maintained. The vision of the future would include slow but steady growth with the building of larger single family homes on 2 ½ to 5 acre tracts, as well as some higher density development in the Outlying Suburban category (i.e. up to two units per acre with proper zoning), and continued support for the infrastructure necessary for the owners and breeders of horses. The protection of environmental resources and the maintenance of a wholesome family atmosphere is desired, as well as the protection of existing agricultural and equestrian activities. One community project that could serve these ends would be the development of an equestrian park in the community.

GOAL 20: BAYSHORE COMMUNITY. To protect the existing rural residential, agricultural and equestrian-oriented character of the community by maintaining low residential densities and minimal commercial activities, while excluding incompatible uses that are destructive to the character of this rural residential environment. For the purposes of this goal and related objectives and policies, the boundaries of the Bayshore Community will be I-75 on the west, SR 31 on the east, the Caloosahatchee River on the south and the Charlotte County line on the north.

OBJECTIVE 20.1: LAND USE. The existing land use designations of the Lee Plan (as of September 30, 2001) are appropriate to achieving the goal of the Bayshore Plan. No land use map amendments to a more intensive category will be permitted after *{scrivener will insert effective date of policy, if adopted}*, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners.

POLICY 20.1.1: Retail commercial activity will be limited to the Interstate Interchange designation at Bayshore and I-75, plus minor commercial uses at the intersections of Nalle Road and Bayshore, SR 31 and Bayshore, and SR 31 and Old Bayshore. Non-retail commercial uses are permitted elsewhere consistent with the Lee Plan and the Land Development Code.

POLICY 20.1.2: Commercial stables or tack and feed stores are exempt from meeting commercial site location standards. The existing 7.1 acre +/- retail commercial center at 10440 Bayshore Road, the 0.66 acre +/- retail commercial property at 19451 SR 31, the 0.83 +/- acre retail commercial property at 17270 Durrance Road, and the 0.36 +/- acre retail commercial property described in resolution Z-72-93 which is part of the property at 6600 Nalle Grade Road will be deemed consistent with Policy 20.1.1.

POLICY 20.1.3: No new industrial activities or industrial rezonings are

Penfield #3 2 pages

Penfield EXHIBIT #3 DCI 2001-00038

permitted.

POLICY 20.1.4: No new mining uses or commercial excavations are permitted.

OBJECTIVE 20.2: TRANSPORTATION. All road improvements within the Bayshore Community considered by the County will address the community's goal to maintain its rural character and give preference to alternatives that allow existing roads to function at their current capacity.

POLICY 20.2.1: Any expansion of the state arterial roadways should include physically-separated provisions for bicyclists/pedestrians.

POLICY 20.2.2: Road capacity improvements needed within the Bayshore Comunity to serve demands generated outside the community will be designed to minimize the impacts on the community and its rural character.

POLICY 20.2.3: If a need to extend Del Prado Boulevard east of I-75 through the Bayshore Community is demonstrated, the corridor evaluation must include alternatives to using the existing Nalle Grade Road alignment. The evaluation will address (but not be limited to) access, safety and community character issues. Alternatives will be presented at evening public workshops within the Bayshore community.

OBJECTIVE 20.3: SEWER AND WATER. Given the desire to maintain a low residential density, new central sewage service is not economically feasible and is discouraged north of Bayshore Road within the future non-urban land use categories. Central water service for enhanced fire protection will be encouraged where economically feasible.

POLICY 20.3.1: Central sewage service will be encouraged for existing and future high density and intensity developments south of Bayshore Road within the future urban land use categories and for new developments that are required to provide such service under the provisions of Standard 11.2 of the Lee Plan.

POLICY 20.3.2: No landowner will be required to connect to central sewer or water utilities or be assessed for same unless a threat to public health can be documented, or if a new development proposes an intensity that exceeds the thresholds in Standards 11.1 and 11.2 of the Lee Plan.

OBJECTIVE 20.4: PARKS AND RECREATION. The County will explore, with the support of the residents of Bayshore, the feasibility of establishing an equestrian park as the primary recreation facility for this community.

POLICY 20.4.1: The support of the Bayshore residents may include assistance with development and maintenance of such a recreation facility.

Penfield #2

RECREATIONAL VEHICLE PLANNED DEVELOPMENT

LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING

Lee County Department of Community Development
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Last Revised: 06/12/01 09:07 AM

DCI 2001-00038

ZONING DIVISION

LEE COUNTY

PLANNED DEVELOPMENT SUFFICIENCY REVIEW

TRANSMITTAL SHEET

TO: Distribution
John Fredyma, Asst. County Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Don Blackburn
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Stephanie Keyes, Lee County School District
Roland Ottolini, Natural Resources
Alan Davies, Natural Resources

FROM: Mike Pavese

DATE: 04/26/2002

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: HERITAGE CREEK

CASE #: DCI2001-00038

INFORMATION SUMMARY:

RESUBMITTAL

X To update your file
__ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY:

Additional Comments:

(DCI) Lee County LDC Section 34-373(d)(1).
Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI planner/working file
DCI Zone File

DCI 2001-00038

Distributed by: Billie Jacoby

Date: 05/02/2002

WilsonMiller

MEMORANDUM

TO: Mike Pavese, Lee County Development Services

FROM: Carron Day

DATE: 24 April 2002

SUBJECT: Heritage Creek
(also known as Stoneybrook North)
Case No. DCI2001-00038

CC: Steven C. Hartsell, Esquire
Deno Benetis, U.S. Home Corporation

Enclosed please find twelve copies of the following documents:

- Master Concept Plan
- Memorandum describing the changes to the Master Concept Plan
- Revised Attachment 5
- Memorandum to Mary Gibbs regarding the zoning application

In response to the staff questions regarding the existing sewer treatment plant, we confirm that the sewer treatment plant property is not included within the legal description of the subject property. The access to the sewer treatment plant remains as it currently is and as shown on the Master Concept Plan. Zoning of the sewer treatment plant is AG-2, which is the same zoning classification as all of the property to the east of it, with the exception of the lots on Sedgefield Road.

DCI 2001-00038

APR 29 2002

DCI 2001-00038

WilsonMiller

MEMORANDUM

TO: Mike Pavese, Lee County Development Services

FROM: Carron Day

DATE: 24 April 2002

SUBJECT: Master Concept Plan for Heritage Creek
(also known as Stoneybrook North)
Case No. DCI2001-00038

CC: Steven C. Hartsell, Esquire
Deno Benetis, U.S. Home Corporation

In response to the neighborhood meeting held on February 28, 2002, US Home has made a number of changes to the Master Concept Plan.

- Eliminated the four-story condominiums.
- Lowered building height to two stories across the property.
- Located the multiple family buildings so that they are internal to the development. Tract I has been divided into two tracts with the R-1 tract adjacent to the site's easterly boundary and the R-2 tract a minimum of 855 feet from the property boundary. Tract B has been changed from Multi-Family to Single Family.
- The "Tract Information" table has been updated to reflect these changes.
- The Buffering requirements have been adjusted to reflect these changes.

DCI 2001-00038

APR 26 2002

COMMUNITY DEVELOPMENT

DCI 2001-00038

Attachment 5
Signage for Heritage Creek
April 24, 2002

LOCATION OF PROJECT AND ENTRANCE SIGNS

All signs within Heritage Creek will meet the Visibility Triangle set forth in Sec. 30-93 of the LDC. The locations for the project sign and the entrance signs for Heritage Creek Oaks are indicated on the Master Plan. Internal subdivision signs, on-site directional signs, construction signs, model home signs and temporary signs are not specifically located.

We have distinguished the "Project Sign" from the project's "Entrance Signs" on the Master Concept Plan and in this text because we expect that the scale of the signs will be different.

Project Sign

There will be one "Project Sign". Alternative locations for the Project Sign are illustrated on the Master Concept Plan. The preferred location is in the island between Leetana Road and Pritchett Parkway. This sign will each be set back a minimum of 15 feet from the rights of way and a minimum of five feet from the edge of the pavement of the entrance and exit lanes.

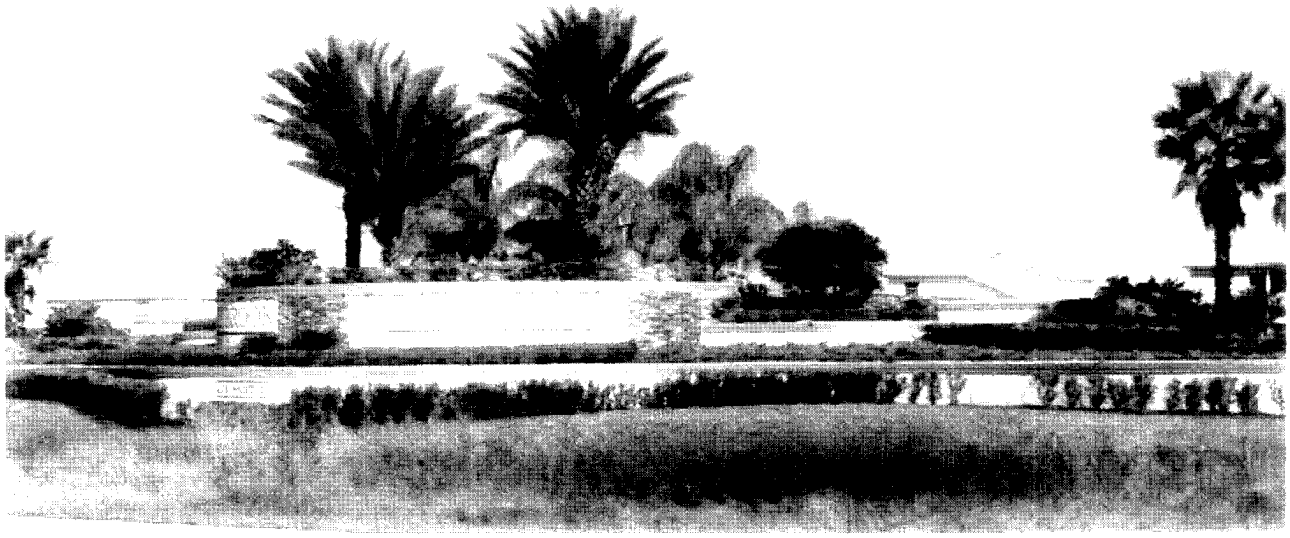
Entrance Signs

These will be two single-faced signs located on each side of the entranceway shown on the Master Concept Plan. The signs will each be set back a minimum of 15 feet from the right of way of the public access road and a minimum of five feet from the edge of the pavement of the entrance and exit lanes.

DESIGN AND SIZE OF PROJECT AND ENTRANCE SIGNS

Project Sign

It is anticipated that this sign will be similar to the sign for US Home's Stoneybrook development located along its I-75 frontage. This is a double-faced sign with a sign face of approximately 150 square feet on each side. A deviation is requested for this sign to allow the signs to be placed on a curved wall instead of back to back and to allow the size of the sign to reflect the additional signage that is possible for developments with boundary lines that exceed 2,000 feet in length. See Deviation 15.



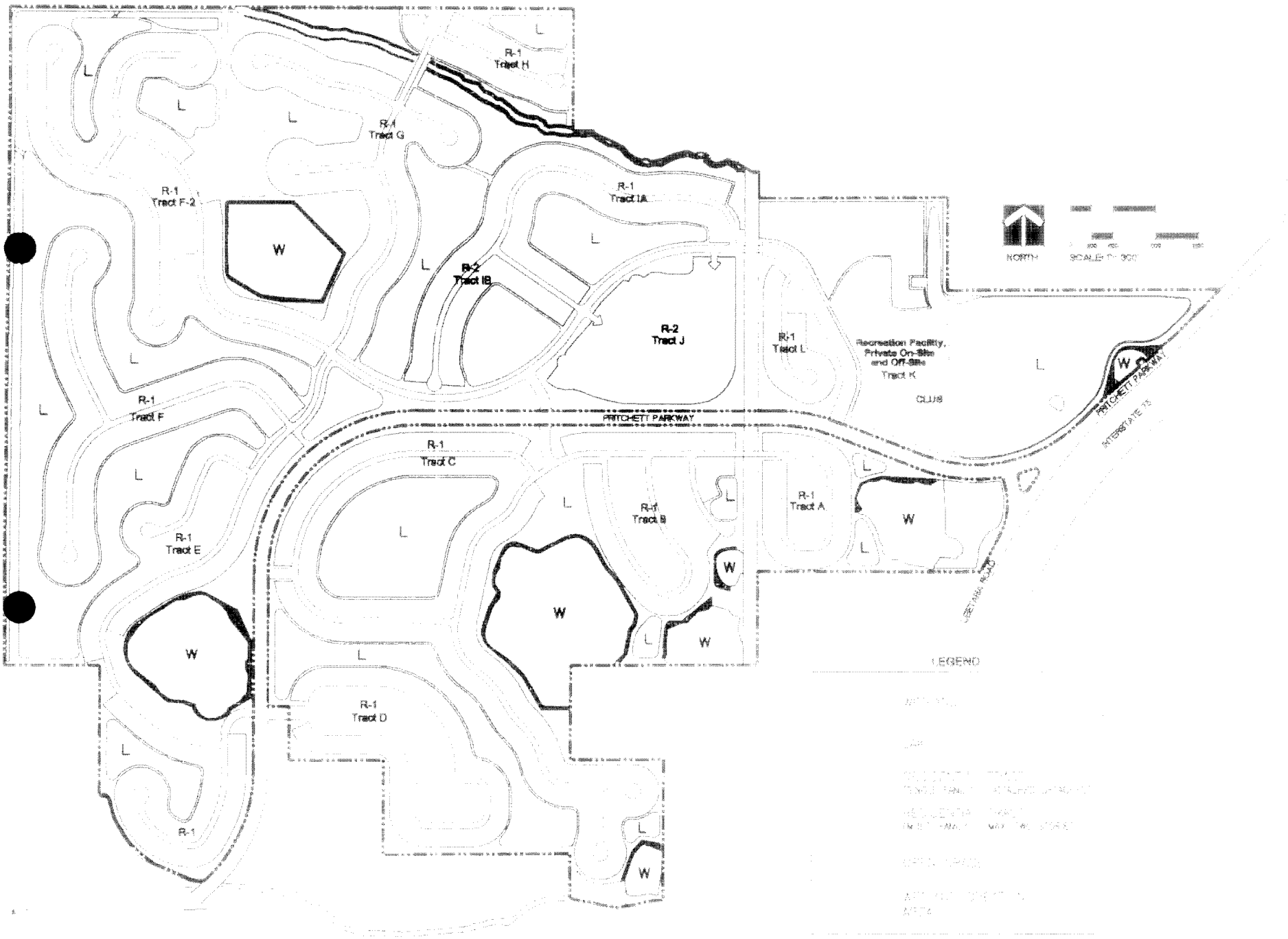
Entrance Signs

These will be two single-faced signs equal in size with a maximum size of 105 square feet in size each, one on each side of the entrance roads. It is anticipated that these signs will be similar to the sign for US Home's Heritage Palms development that is located on Winkler Road. A photograph of this Heritage Palms sign is included below.



Temporary "For Sale" Signs

One sign would be located every 330 linear feet on either side of Pritchett Parkway. These signs would be limited to 32 sq. ft. in area (approximately 4' x 8') and ten feet in height.


R-1
Tract H
R-1
Tract G
R-1
Tract F-2
R-1
Tract IA
R-2
Tract IB
R-2
Tract J
R-1
Tract L
Recreation Facility,
Private On-Site
and Off-Site
Tract K
CLUB
NORTH
SCALE IN FEET
PRITCHETT PARKWAY
INTERSTATE 75
R-1
Tract F
R-1
Tract C
R-1
Tract B
R-1
Tract A
R-1
Tract E
R-1
Tract D
L
W

WilsonMiller

MEMORANDUM

TO: Mary Gibbs, Director

FROM: Carron Day

DATE: 24 April 2002

SUBJECT: Heritage Creek

CC: Deno Benetis
Steve Hartsell

In the November 7th Sufficiency Checklist in regards to Heritage Creek Jerry Murphy questioned if "the director had exercised her LDC Sec. 34-201(b)(1) discretion to allow this application to cover the three non-abutting properties included in this application.

In response to this reminder, the applicant respectfully requests that you allow Heritage Creek to be submitted as one Residential Planned Development. Although the property is divided into two pieces by Pritchett Parkway, the property is being developed as one planned development with a single owner, a single development concept and with one main recreational area serving both parts of the development.

If there are any questions about this project, please do not hesitate to contact us.

DCI 2001-00038

APR 26 2002

COMMUNITY

ZONING DIVISION

SUBSTANTIVE REVIEW

TRANSMITTAL SHEET

TO: Distribution FROM: Mike Pavese DATE: April 18, 2002

John Fredyma, Asst. County Attorney
Don Blackburn, Development Services
Kim Trebatoski/Gary Nychyk, Environmental Sciences
Andy Getch, LCDOT
Paul O'Connor/Matt Noble, Planning Division
Brad Vance, Natural Resources
Thom Osterhout, Utilities
Stephanie Keyes, School Board

PROJECT NAME: **HERITAGE CREEK** CASE: **DCI2001-00038**

Additional Comments:

This case has not been scheduled for hearing as the applicant has not submitted additional required information. Attached is a revised MCP for your file. The revisions were the result of a Town Meeting with interested parties.

DCI 2001-00038

DCI2001-00038

US·HOME®
A LENNAR COMPANY

South Florida Land Division • 10481 Ben C. Pratt Six Mile Cypress Parkway • Fort Myers, Florida 33912 • Administration 239-278-1177 • Fax 239-278-0883

April 11, 2002

Mr. Michael Pavese
1500 Monroe St.
Fort Myers, FL 33901

Dear Mr. Pavese:

In late February, we met with area residents to address questions and concerns about the planned Stoneybrook North community. That meeting provided valuable insight and information for our development team who has since met to discuss solutions. We are pleased to update you on our latest plans.

Four story Condominiums – After carefully considering resident concerns, we have eliminated plans to build four-story condominiums in Stoneybrook North. We have also lowered the maximum to two-story buildings and pulled back the multi-family from the east side of the property. The master concept development plan has been revised to reflect this change and will be resubmitted to the County. Enclosed is a copy of the revised site plan.

Drainage – We have had several discussions with Lee County DOT Road and Ditch Maintenance Department regarding drainage problems in the surrounding area. The department has committed to send an inspector out to review identified trouble spots and will take action accordingly if warranted.

Traffic – Although it will take time to develop solutions for the Bayshore traffic issues, we are pursuing discussions with both the Florida and the Lee Departments of Transportation to explore future options. We will keep you posted as discussions ensue and action plans are created.

Gatehouses – Based on follow up discussions with some residents, it is evident there was confusion surrounding the placement of gatehouses. To clarify, no gatehouses will be built on Pritchett Parkway, all will be located directly on private roads inside Stoneybrook North.

Community Advisory Group – We are pleased with the continued feedback we have received from neighborhood residents and are optimistic about developing long-term productive relationships. As we discussed at the resident meeting, we support and will participate in an area resident advisory group to serve as a liaison between our company and the surrounding neighbors. It is my understanding by Mr. Ron Wierengo that a group has been formed and has already met.

As promised at the February meeting, we will continue to keep you posted on our progress. In the meantime, we are available for questions anytime and welcome your calls and letters.

Sincerely,

DCI 2001-00038

Deno Benetis
US Home Corporation
Sr. VP Project Manager

LEE COUNTY
RECEIVED
02 APR 15 AM 11:35
COMM. DEV/
PUB. WRKS. CNTR.
SECOND FLOOR

WilsonMiller
New Directions In Planning, Design & Engineering

MEMORANDUM OCT 2001-00038

TO: Kay Deselem, Senior Planner

FROM: Carron Day

DATE: 28 November 2001

SUBJECT: Heritage Creek

PERMIT COUNTER

Response to Sufficiency Checklist dated November 7, 1901

PART II GENERAL INFORMATION

Comment 1: The legal description is not sufficient. Jerry Murphy has the following questions:

Has the director exercised her 34-201 (b)(1) discretion to allow this application to cover the three non-abutting properties included in this application (Parcels A, B, and C)?

Response: **Attached is a copy of the request to Mary Gibbs, Director, dated 16 November 2001**

What are the respective acreages for these parcels and how were they calculated, particularly with regard to the centerlines of the creeks and less and except parcel?

Response: **Attached for your review are ten copies of the sketch and description in recordable form, with the parcel acreages. The acreages are based on the descriptions.**

Please provide 10- 8.5 x 11 sealed copies of the legal description prepared by Banks Engineering to accompany the survey, suitable for recording, including individual parcel acreages and overall aggregate acreage.

Response: **The sealed copies of the legal description are attached.**

PAGIS shows a number of easements encumbering the property, e.g. Rich Road. The survey notes that the parcel is "subject to easements, rights-of-way, restrictions and reservations of record, "Please revised the survey accordingly to show the all existing "easements, rights-of-way, restrictions and reservations" encumbering the property. The Surveyor's note may then be removed. No opinion of title or other confirmation of ownership has been provided for county review, and the possibility of these easements without disclosure in the

Naples Fort Myers Sarasota Bradenton Tampa Tallahassee
4571 Colonial Boulevard, Suite 100 Fort Myers, Florida 33912-1062 941-939-1020 ☎ 941-939-7479
www.wilsonmiller.com

WilsonMiller,Inc. — FL Lic.# LC-C000170 CA 43

application raises the question of ownership suggesting that such document(s) be provided.

Response: **See attached Title Opinion**

Comment 2: Staff has reviewed the explanation that you have provided regarding the separation distances from proposed uses in this project to adjacent development. No detail has been provided to explain the statements. For example, you state that "development is set back approximately 1,300 feet from the project boundary." No structures are shown on the MCP, so staff does not understand the statements regarding setbacks. The proposed Property Development Regulations Table only proposes a 20 foot rear setback for the clubhouse. The current MCP configuration appears to show that buildings could be within approximately 200 feet of a property line, not the 1,300 feet noted in the explanation.

Response: **The previously submitted statements referenced the compatibility between the proposed development and development located to the south. A large existing borrow lake is located between that part of Tract K proposed for development and the project's southerly boundary. The Master Concept Plan is drawn to scale and the average distance between Tract K and the project's southerly boundary is approximately 1300 feet. Any building setback would be added to the 1300 feet distance.**

PART IV PROPOSED DEVELOPMENT

Questions about the Master Concept Plan (and Attachments)

Comment: The configuration for the "Existing STP" have changed. Part of the boundary of this use have been eliminated. Please correct.

Response: **There has been no change in the boundary; these boundary lines simply printed lighter than the others. This has been corrected on the attached revised Master Concept Plan**

Comment: It is not clear whether this STP is within the confines of this project. The legal description does not include it. Please make the issue more clear on the MCP by noting that the STP is NOT a part of the request.

Response: **As the legal description indicates, the STP is not currently within the Heritage Creek project. See attached revised Master Concept Plan that includes the requested notation.**

Comment: Please explain the different between the R-1 and R-2 designations. R-2 proposed to have all uses allowed in R-1 PLUS multi-family buildings. What is the difference? R-1 also proposed multi-family dwelling units.

Response: **R-1 was not intended to include multi-family dwelling units. Multi-family buildings have been deleted from the R-1 list of uses. See the revised Attachment 1.**

Comment: The proposed height in the different Tracts is not clear. The Property Development Regulations Table indicates that multi-family uses would not exceed 55 feet or 4 stories. The MCP indicates that these buildings could go up to 60 feet in height.

Response: The Master Concept Plan and the Master List of Uses for Entire Development (Exhibit IV-I-1) show the correct height of 4 stories or 60 feet. Attachment 2 has been amended.

Comment: Please provide both sizes of the MCP as required in LDC Section 34-373(a)6.

Response: Both sizes of the MCP are attached as requested.

Comment: The revised MCP includes the note, "This tract may have internal water management areas." Please show wet retention areas for ALL tracts as required by LDC Section 34-373(a)6.i.

Response: The proposed wet retention areas are now shown for all tracts as requested. See the attached revised Master Concept Plan

Comment: The application, on page 8, indicates that you have done the preliminary calculations for cuts and fills. Please provide the information.

Response: See attached "Engineer's Preliminary Estimate of Excavation" dated 01 Nov 01.

Comment: The revised MCP shows a triangular parcel at the intersection of Pritchett Parkway and Leetana Road that was not included in previous versions. The parcel is noted as "Alternative entry sign location." Please explain. Alternative to what? Please provide detail about the proposed sign.

Response: The legal description has been revised to include this triangular parcel. There are two alternative project sign locations shown on the Master Concept Plan. One location is an alternative to the other location. The applicant will construct the Main Project Sign in one of these two locations. For more information regarding the proposed signage see Attachment 5.

Comment: Please provide property development regulations for uses within Tract K. Please show the proposed buildings in the Recreational Facility area.

Response: Attachment 2 included proposed setbacks for the clubhouse and has been revised to add proposed setbacks for the proposed maintenance facility and recreational accessory uses. The "Master Concept Plan Notes" have been amended to reflect increased buffers for the maintenance area.

The general location of the clubhouse has been indicated on the Master Concept Plan. Any other buildings in Tract K would be accessory recreational buildings such as building to provide rest rooms and pro shop

facilities accessory to the tract's uses. Picnic pavilions are also a possibility. The location of these small accessory buildings has not been determined at this time.

Comment: As we discussed, the MCP needs to provide some level of detail regarding the proposed uses for Tract K. Staff cannot ascertain whether the "no buffer required" statement on the MCP is correct because none of the uses are shown and no property development regulations for the list of uses has been submitted.

Response: All uses allowed within Tract K are included in Attachment 1. Lee County LDC Sec. 10 416 does not require buffers between any of the recreational uses proposed for Tract K and adjacent land uses.

In fact, these uses are buffered from adjacent uses because of the specifics of the Master Concept Plan. A large preserve area with a minimum width of approximately 400 feet is shown on the Master Concept Plan between any recreational use in Tract K and properties to the east. A large lake buffers these recreational uses from properties to the south. Master Concept Plan Note 8 has been revised to reflect the changes to the configuration to this tract and to ensure that the proposed maintenance facility is buffered from Pritchett Parkway and adjacent uses.

Comment: What parameters are proposed for the maintenance facility? Where will it be located? Where will the Club, private be located?

Response: This maintenance facility will be accessory to the recreational and open space uses of Heritage Creek. The size of this building has not been determined at this time. Attachment 2 has been revised to indicate the proposed setbacks for the maintenance facility. It will be located a minimum of 300 feet from any property adjacent to Heritage Creek, a minimum of 100 feet from any residential lot within Heritage Creek (as indicated in Attachment 2) and a minimum of 100 feet from Pritchett Parkway (as indicated in Master Concept Plan Note 8).

The general location of the clubhouse within Tract K is depicted on the Master Concept Plan.

Comment: Where are the "multi-purpose fields" going to be located? What are they? The MCP already includes soccer fields and baseball fields. What is left?

Response: The location of any "Multi-purpose field" to be developed on this site has not been determined at this time. "Multi-purpose field" is the term applied to a grassed play field for general use.

Comment The same question arises in "multi-purpose courts." Tennis courts, shuffleboard courts and bocce courts are already being sought. What is left? Where will they be? How many will there be?

Response: "Multi-purpose court" is the term applied to hard surface play courts with multiple uses. These are often found in parks and are used for such uses

as hardball, tennis backboard practice, etc. The location of any "Multi-purpose court" to be developed on this site has not been determined at this time.

Comment The MCP indicates that Tract K consists of 36 acres. Does that acreage include the existing lake along Pritchett Parkway? It appears that separate calculations are provided for water management areas, and the lake is not included. This raises another question. Please show the water upon which the water related uses in Tract K will be done. Fishing piers, boat docks and an aqua range are proposed. Please show the water areas or adjust the MCP.

Response: The Master Concept Plan has been revised to address the staff's concern. Tract K now includes the large lake and consists of a total of 49 acres. Tract L, a residential tract, has been added in this area.

Comment: The Tract Information on the MCP does not specify where the townhouses, and two family units will be located or how many of these uses there will be.

Response: The Master Concept Plan indicates the tracts which are designated "R-1" and R-2". The townhouses and two family units may be located in any of the "R-1" or R-2" tracts. The total number of units set forth on the Master Concept Plan's "Tract Information" table includes the possibility of these units in any of these tracts. The townhouse and two family units are compatible with each other and with both the single family and multi-family uses. Identification of which of the R-1 or R-2 tracts will include or will exclude townhouses and two family units has not been determined at this time.

The perimeter buffers have been revised on the Master Concept Plan to reflect the possibility that there could be townhouses and two family units in any of these tracts.

Comment: The Tract Information does not appear to agree with the "Master List of Uses for the Entire Development" document. The Tract Information on the MCP indicates that there could be a maximum of 1,016 multi-family units while the Master List of Uses for the Entire Development" document indicates that there will be a maximum of 330 multi-family dwelling units. Please rectify.

Response: The tract information on the Master Concept Plan should agree with the "Master List of Uses for the Entire Development" document. The Tract Information on the MCP indicates that there is a range in the number of units in each tract but that the total number of units within Heritage Creek would be 1525. The revised Master Concept Plan has been revised to indicate a maximum of 330 multi-family dwelling units within Heritage Creek as well as the overall maximum number of units. See revised Master Concept Plan.

If one were to add up the maximum number of units allowed in each of the tracts that number would exceed the total number of units approved for the overall site, BUT the total number of units is controlled by the maximum

number of units presented in this application. The applicant expects to submit information in its Development Order submittals that will track the number of units.

Comment: The MCP shows a typical Single Family Attached Lot. There is no such dwelling unit sought nor defined in the LDC. Please relabel this as a Two Family Attached Lot.

Response: That change has been made on the revised Master Concept Plan

Comment: Please add townhouse and multi-family units to the typicals that are shown.

Response: That change has been made on the revised Master Concept Plan

Comment: Please amend the typicals that are shown to show the proposed setbacks for each type unit.

Response: The setbacks were drawn for each typical, and references has been made to Attachment 2 for the dimensions. See revised Master Concept Plan

Comment: The "Park" designation has not been removed form the Schedule of Uses as is claimed in the 9/16/01 letter. Please remove it.

Response: See revised Attachment 1

Comment: Please provide the maintenance facility limitations noted in the 9/16/01 letter on the MCP.

Response: The limitations on the maintenance facility are as set forth above.

Comment: Please show the traffic circulation within Tract K to accommodate the uses.

Response: Track K has been amended and the traffic circulation shown through the area. A residential Tract L added. See attached revised Master Concept Plan. Internal circulation for Tract K will be designed as a part of the Development Order process.

Comment: Attachment 1, the proposed Schedule of Uses, still includes references to the "Park" in the Recreational Facilities area. Since this area not longer exists the Park designation should be removed.

Response: Attachment 1 has been revised as suggested.

DEVIATIONS

Attachment 4 was not updated in the last sufficiency round to reflect changes in the Master Concept Plan. These adjustments have been made in the attached Attachment 4.

Comment: Deviation #7 justification still references a golf course. Since there is no golf course in this project anymore, the deviation is no longer valid. Please explain

the statement "Environmental considerations are also addressed in the conditions." What conditions?

Response: **See revised Attachment 4.**

Comment: The details regarding Deviation #9 have not been provided in response to staff's questions. Staff will not support this deviation based upon lack of specific detail and errors in the deviation request, i.e., there is no Tract M for which this deviation seeks relief.

Response: **See revised Attachment 4.**

Comment: The justification for Deviation #12 is no longer correct. It states there is only one multi-family tract, however there are now several areas where multi-family uses are proposed. Please correct.

Response: **See revised Attachment 4.**

Comment: The photo referenced in the 9/16/01 memo regarding the sign deviation was not attached.

Response: **A copy of this photo is included in both Attachment 4 and Attachment 5.**

Comment: To avoid confusion, please coordinate the project name in all documents. In some places this project is referred to as Heritage Creek, while in other documents the project is called Stoneybrook North.

Response: **As is common with development projects, the project names evolve over time. Like you we are trying to avoid confusion. For the purpose of this zoning process, the project name is Heritage Creek.**

Comment: Water Management Issues It is my understanding that there are still unanswered questions with Brad Vance regarding surface water management issues. Until that information is received and reviewed, this project cannot go forward. Please contact Mr. Vance.

Response: **The average separation between proposed fill and the top of bank of both creeks far exceeds the top of bank width. See Master Concept Plan. As discussed in a meeting between Lee County staff, the Applicant and consultants, detailed flood plain information will be provided at the development order stage.**

Response to Memo from Department of Transportation dated November 5, 2001

Requesting a revised traffic analysis for the project and roadway segment and intersection analyses at Bayshore Road.

See attached response from Metro Transportation.

Response to Rezoning Sufficiency Checklist from /Environmental Sciences dated October 19, 2001

3. Protected Species Management Plan

The scrub jay preserve is located within the larger 16.8 acre upland conservation area shown on the attached Master Concept Plan. Although no Florida scrub jays were observed on site, this area will remain as a satellite preserve with the potential for future scrub jay utilization. Management activities will include but not be limited to: topping of scrub oaks to provide better habitat and exotic vegetation removal. The upland preserve currently contains only minimal coverage by exotic vegetation, primarily Brazilian pepper (*Schinus terebinthifolius*). Regular maintenance events will be scheduled to ensure that exotic vegetation coverage within the upland compensation area remains within the thresholds proposed in the upland compensation area success criteria of less than 5% exotic/nuisance vegetation.

A gopher tortoise incidental take permit will be obtained from the FWC. The upland conservation area described above will also receive the relocated gopher tortoises from the developed portion of the property. Typical best management practices (fencing, exotic removal, etc.) will be employed to provide the maximum habitat for the gopher tortoises.

6. Design Standards

6A. Created Wetland Areas

The creation of mitigation area adjacent to Leetana Road will consist of the excavation of 5.0 acres of pasture to a grade similar to that of the adjacent wetland. Regular maintenance events will be scheduled to ensure that exotic and nuisance vegetation coverage within the mitigation area remains within the thresholds proposed in the wetland creation area success criteria described below.

The following plant species and quantities will be installed within this mitigation area:

Species	Size/Spacing	Quantity Installed
Spartina bakeri	bareroot/ 3' o.c.	1,500
Juncus effusus	bareroot/ 3' o.c.	3,500
Iris hexagona	bareroot/ 3' o.c.	800
Scirpus validus	bareroot/ 3' o.c.	1,700
Eleocharis spp.	bareroot/ 3' o.c.	4,000
Panicum hemitomon	bareroot/ 3' o.c.	3,400
Sagittaria lancifolia	bareroot/ 3' o.c.	3,000
Thalia geniculata	bareroot/ 3' o.c.	800
Pontederia cordata	bareroot/ 3' o.c.	4,000
Canna flaccida	bareroot/ 3' o.c.	1,500
	TOTAL	**24,200**

Success Criteria:

The wetland creation area will be deemed successful when the following conditions have been met:

Greater than 80% coverage by desirable vegetation
Less than 5% exotic/nuisance vegetation
Less than 5% upland vegetation

6B. Flow Way
The swale happened to be flowing out of its banks when the County inspection was done. It handles only on site flow discharging from an existing water control structure at the wetland adjacent to the farm fields and wastewater treatment plant. No off site flows are dependant upon it. The water control structure is proposed to be removed when the overall surface water system is constructed. This swale is not a necessary component of the proposed drainage system.

From an environmental perspective, we have identified with SFWMD the wetlands being preserved and impacted. The swale is not proposed for preservation. An application was submitted to SFWMD this past week. A copy of the permit will be available to County staff during the Development Order process.

6C. Lake Design
The applicant addressed this issue in the response dated August 16, 2001. That response submitted the following: "At 300 scale sinuosity may be difficult to observe, but the applicant intends to comply with LDC requirements regarding lake shorelines."

6D. List of Uses
The subject property has been utilized for many years for row crops and cattle grazing. The row crops are visible on the aerial photographs and the cattle utilize the balance of the property. The applicant's intention is to continue the existing agricultural use for each part of the subject property until that property is developed.

Response to Memo from Department of Community Development dated November 8, 2001.

1. Deviation 5
   Please consider Deviation 5 withdrawn.
2. **See attached exhibit prepared by Banks Engineering for Deviation 8 which is included in Attachment 4.**
3. **The applicant intends to comply with LDC 10-296(m)**

DEVELOPMENT SERVICES DIVISION
DCI SUFFICIENCY REVIEW -RESIDENTIAL PLANNED DEVELOPMENT
TRANSMITTAL SHEET

TO: Distribution FROM: Mike Pavese DATE: December 5, 2001

John Fredyma, Assistant County Attorney
DS Reviewer- Don Blackburn
TIS Reviewer - Bob Rentz
Paul O'Connor, Planning
Kim Trebatoski, Planning
Andy Getch, LCDOT
Stephanie Keyes, Lee Co. School District
Roland Ottolini, Natural Resources
Jerry Murphy, Development Services

PROJECT NAME: U. S. Home Corp., in ref to Heritage Creek RPD CASE DCI 2001-00038

INFORMATION SUMMARY:

RESUBMITTAL

X To update your file RESPONSE REQUIRED BY: December 19, 2001

X Review and forward sufficiency questions or make finding of sufficiency

Additional Comments:

Response to Sufficiency checklist dated Nov. 7, 2001 from Carron Day of Wilson Miller;

Master Concept Plan dated 10/01/001 (full sized and reduced copy);

Memo to Mary Gibbs from Carron Day;

Sketch of descriptions with legal descriptions;

Copy of letter from Steven Kushner, Esq. to Banks Engineering w/attachments;

Engineer's preliminary estimate of excavation w/raised seal;

Attachments 1, 4 & 5;

Letter w/attachments from Metro Transportation to Carron Day

Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

Cc: DCI File/ZONE File

Distributed by Denise Bayliss on December 7, 2001

ATTACHMENT TO REQUEST FOR CONTINUANCE
U.S. HOME CORPORATION
IN REF. TO STONEYBROOK NORTH - HERITAGE CREEK

The hearing in the case is set for December 11, 2002. LDC §34-233(a)(1) states that the Staff Report "must be available at least 14 days prior to the public hearing." Due to the Thanksgiving holiday and County offices being closed the Staff Report was not available until Monday, December 2, 2002, and the only notice that the Staff Report was available was apparently given to the Applicant's planner who is out of the country, so the Staff Report was only received by the Applicant's team on Wednesday, December 4, 2002.

This application has been in process and under review for nearly two years. The Applicant's team has met with Staff on various occasions and has requested a draft of the report but it was never available. The Staff Report recommends denial without any suggested conditions in the event that the Hearing Examiner would recommend approval with conditions. The issues raised require more than seven days' access to the Staff Report in order to prepare to address them.

For these reasons the Applicant believes that a continuance for cause is appropriate and that it should not be charged as an Applicant initiated continuance.

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DCI 2001-00038

RECEIVED
DEC 06 2002
DEVELOPMENT

Attachment 5
Signage for Heritage Creek
November 28, 2001

LOCATION OF PROJECT AND ENTRANCE SIGNS

All signs within Heritage Creek will meet the Visibility triangle set forth in Sec. 30-93 of the LDC. The locations for the project sign and the entrance signs for Heritage Creek Oaks are indicated on the Master Plan. Internal subdivision signs, on-site directional signs, construction signs, model home signs and temporary signs are not specifically located.

Project Sign

Two alternative locations for the Project Sign are illustrated on the Master Concept Plan. The preferred location is in the island between Leetana Road and Pritchett Parkway. This sign will each be set back a minimum of 15 feet from the rights of way and a minimum of five feet from the edge of the pavement of the entrance and exit lanes.

Entrance Signs

These will be two single-faced signs located on each side of the entranceway shown on the Master Concept Plan. The signs will each be set back a minimum of 15 feet from the right of way of the public access road and a minimum of five feet from the edge of the pavement of the entrance and exit lanes.

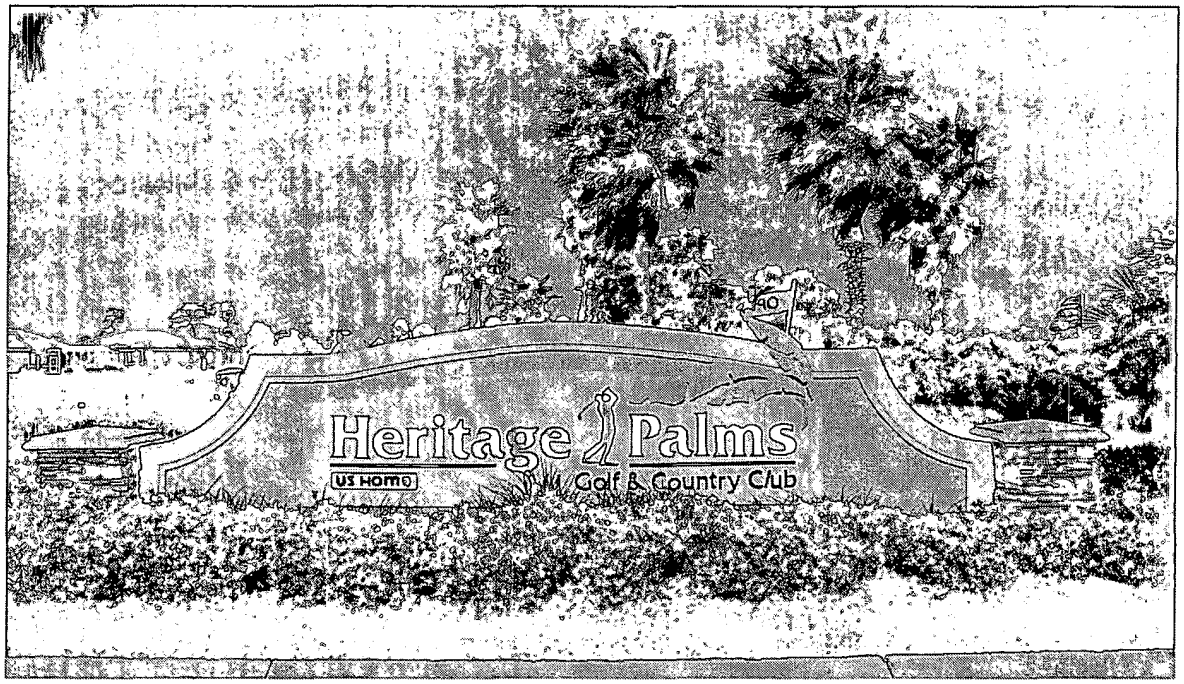
DESIGN AND SIZE OF PROJECT AND ENTRANCE SIGNS

Project Sign

It is anticipated that this sign will be similar to the sign for US Home's Stoneybrook development located along its I-75 frontage. This is a double-faced sign with a sign face of approximately 150 square feet on each side. A deviation is requested for this sign to allow the signs to be placed on a curved wall instead of back to back and to allow the size of the sign to reflect the additional signage that is possible for developments with boundary lines that exceed 2,000 feet in length. See Deviation 15.



Entrance Signs
These will be two single-faced signs equal in size, with a maximum size of 105 square feet in size each, one on each side of the entrance roads. It is anticipated that these signs will be similar to the sign for US Home's Heritage Palms development that is located on Winkler Road. A photograph of this Heritage Palms sign is included below.



Temporary "For Sale" Signs
One sign would be located every 330 linear feet on either side of Pritchett Parkway. These signs would be limited to 32 sq. ft. in area (approximately 4' x 8') and ten feet in height.

Attachment 1
Heritage Creek
PERMITTED LAND USES
November 28, 2001

Residential 1 (R-1)

- Accessory Uses
- Administrative Offices
- Agricultural Uses, continuation of bona fide use only
- Dwelling Units
  - Single Family, detached
  - Townhouse
  - Two family attached
- Entrance Gates and Gatehouses
- Essential Services
- Essential Service Facilities, Group I
- Excavation, Water Retention
- Fences and Walls
- Home Occupation, as limited by the LDC
- Model Homes, Model Units and Model Display Center, including accessory parking lots
- Real Estate Sales and Rental Office—limited to sales of lots, homes or units within the development
- Recreation Facilities, Personal and Private On-Site located throughout the development to include the following or other comparable uses:

Tennis Courts	Bike paths	Boardwalks
Nature Trails	Swimming pools	Picnic areas
Playgrounds	Shuffleboard courts	Horseshoe pits
Vita course	Jogging paths	Bocce courts

- Residential accessory uses, including but not limited to:
  - Private garages, carports and parking areas
  - Private swimming pools and enclosures and Private tennis courts
- Signs
- Temporary uses—limited to a sales center and a construction office

Residential 2 (R-2)
All uses permitted in the R-1 District plus Multi-family Building .

Recreational Facilities, Private On-site or Off-site (Tract K)

- Accessory Uses
- Administrative Offices
- Agricultural Uses, continuation of bona fide use only
- Club, Private including but not limited to the following ancillary uses:
  - Food and Beverage Service
  - Pro Shop and Specialty Retail, Group I
  - Locker Rooms
  - Health Club and Spa

Rental or leasing establishment, Group I (limited to bicycles, tennis rackets and other small sports equipment for use in Heritage Creek.)

- Entrance Gates and Gatehouses
- Essential Services
- Essential Service Facilities, Group II
- Excavation, Water Retention
- Fences and Walls
- Project Maintenance Facility
- Recreational Facilities for Heritage Creek for use by the residents of Heritage Creek and their guests to include the following or comparable uses:

Tennis Courts	Bike paths	Fishing Piers	Multi-purpose fields
Nature Trails	Swimming pools	Picnic areas	Putting Practice Green
Playgrounds	Boat docks	Horseshoe pits	Multi-purpose courts
Vita course	Jogging paths	Bocce courts	Driving (aqua) range
Soccer Fields	Baseball Fields	In-line skating	Shuffleboard courts
Recreational Hall			

- Signs, including the existing billboard
- Temporary uses—limited to Real Estate Sales and Rental Office limited to sales of lots, homes or units within the development and a construction office

Conservation Areas (Wetland and Upland Conservation Areas)
Interpretive centers and Signage, rain shelters, gazebos
Nature and foot trails including boardwalks and jogging paths
Paths, boardwalks and bridges to provide access from the uplands to the wetlands
Water Management Facilities
Wildlife Management
Mitigation and Restoration Activities

Attachment 2

Heritage Creek
PROPERTY DEVELOPMENT REGULATIONS
November 16, 2001

LAND USES	Minimum Lot			Minimum Setback (ft)							Max Building Height (ft)	Min Bldg Separation (ft)	Max Lot Coverage (%)
					Rear (ft)			Front (ft)					
	Area (sq ft)	Min Width (ft)	Min Depth (ft)	Side Including . Corner Lots (ft)*	Lots	Wetland	Acc	Front Entry Garage	Bldg or Side Entry Garage	Water Body (ft)			
Single Family Detached	4,000	40	100	5	20	20	5	20	12	25	35 or 2 stories	10	65
Two Family Attached	3,750	37½	100	0 or 10	20	20	5	20	12	25	35 or 2 stories	10	65
Townhouse	2,000	22	80	0 or 10	20	20	5	20	15	25	35 or 2 stories	20	n/a
Multi-Family	10,000	100	100	10	20	20	5	20	20	25	60 or 4 stories	20	70
Clubhouse	20,000	80	100	10	20	20	5	n/a	20	25	45 or 2 stories	20	55
Maintenance	8,000	80	100	n/a	100	20	5	n/a	n/a	25	1story	20	65
Accessory Recreation Buildings	n/a	n/a	n/a	n/a	20	20	n/a	n/a	n/a	n/a	1story	20	n/a

* Applies to lots of all widths and to corner lots. Each lot, including corner lots, will have only one front yard.

Attachment 4
Heritage Creek
November 28, 2001

DEVIATION LOCATIONS

The locations for the Deviations for Heritage Creek Oaks with limited application are indicated on the Master Plan. Other Deviations are located as follows:

Deviations 6, 8, 11, 12 and 13 apply to residential and golf course tracts as applicable.
Deviations 1 and 5 apply to all internal roadways and accessways.
Deviation 2 applies to all internal sidewalks.
Deviation 14 applies to the project identification sign and the entrance signs.
Deviation 7 applies to the internal lakes.

DEVIATION 1

Deviation from LDC Section 10-296(d), Table 4(7)(c) which requires the wearing surface on local and access streets to be one-and-one-half-inch (1.5") asphaltic FDOT type S-III to allow for cement concrete and/or pavers on the private streets.

Justification

This developer is requesting this deviation for entrance features and other focal points within Heritage Creek. They expect the pavers would be used to enhance the development entrance, golf cart crossings and the clubhouse entrance. Cement concrete and/or pavers have been used extensively through out the county in most large-scale projects. These building systems are structurally equivalent to the "standard" cross-section of asphaltic and concrete paving materials and consequently their use only adds to the quality of this development and does not create any negative impact to the public.

DEVIATION 2

Deviation from LDC Section 10-256(d)(3) which requires all sidewalks to be either (1) four-inch (4") thick Portland cement concrete, or (2) a minimum of one-and-one-half-inch (1.5") thick asphaltic concrete of FDOT type S-III to allow sidewalks to be constructed of decorative pavers throughout the development.

Justification

This developer is requesting that this alternate cross-section which is structurally equivalent to the "standard" cross-section of concrete sidewalks be granted to allow the developer the option of upgrading the appearance of some of the development's sidewalks. Several examples of this alternate surface can be found in the county, particularly in large-scale, quality projects. There is no impact to the public from this change.

DEVIATION 3

Deviation from LDC Section 10-418 (a)(2)(b) which requires a minimum number of native wetland herbaceous plants of one (1) plant per linear foot of lake shoreline and that native wetland trees or shrubs may be substituted for up to 25 percent of the total number of herbaceous plants required to allow the required number of plantings to be 50% trees in the Tract K lake only.

Justification

The twenty acre borrow pit near the project entrance is proposed to include a golf aqua driving range as a recreational amenity for the subject property. This lake's use as an aqua driving range is incompatible with the usual lake perimeter wetland plantings. With the physical

constraints of the subject property an aqua range was the only possible solution for a driving range. In an aqua range the balls float and are retrieved by scooping them out with nets from the lake edge. The usual low level wetland vegetation along the aqua range's shore line would interfere with this retrieval would result in unavoidable damage and possibly destruction of the plants. The applicant is requesting this deviation to allow the option of locating wetland trees in lieu of some of the smaller plant varieties. There is no impact to the public from this change.

DEVIATION 4
Deviation 4 seeks relief from the LDC Section 10-291(3) which requires, where practical, any residential development of at least 5± acres to provide two (2) or more means of ingress and egress, to allow only one means of ingress and egress for those development parcels which are surrounded by golf course, water body or conservation area or any combination of these. These tracts are Tract D, Tract G and Tract H. A full size cul-de-sac will be provided in any parcels subject to this deviation. Prior to each local Development Order, the local Fire and Emergency Service will provide a letter of no objection to the single ingress and egress of these parcels.

Justification
On a project-wide basis, the Heritage Creek development meets the requirements of LDC Section 10-281 as it provides many access points onto Pritchett Parkway. This deviation is intended to apply to the parcels listed above. Except for Tract K, the recreation facility tract, each of these parcel is either surrounded by water or preserve area. Final design for this tract is not complete but it may be necessary for security reasons to limit access to one access point. There is no impact to the public from this change.

DEVIATION 5
This Deviation is WITHDRAWN by the applicant as the staff has indicated in a memo dated that it can be handled administratively through the Development Order process.

DEVIATION 6
Deviation seeking relief from LDC Sections 10-421(a)(5) which requires that no portion of a buffer area consisting of trees and shrubs be located in an easement, to allow planted buffers consisting of shrubs and non-required trees in easements provided that if any required buffer or landscape strip plantings installed within easements must be removed, then the Developer or property-owners' association must replace these plantings with like size and species at no expense to the county. This requirement must be clearly stated in the property-owners' documents.

Justification
This deviation is requested to enhance the development by improving its appearance with landscaping while still providing access to any easements. This deviation is routinely approved with the conditions "if any required buffer or landscape strip plantings installed within easements must be removed, the Developer or property owner's or homeowner's association must replace these plantings with like size and aged species at no expense to the county and assume the cost to repair any utilities damaged by the removal of these plantings. The requirement must be clearly stated in the property owner's or homeowner's documents." It is also understood that plantings in these easement areas are not credited against any project landscape requirements. There is no impact to the public from this change. See Master Concept Plan.

DEVIATION 7
Deviation from LDC Section 10-329(e)(4) which requires excavation banks to be sloped; to allow up to 40 percent of the banks to utilize either:

a. A vertical slope with the condition that lake bottom slopes at the toe of any bulkhead may be no greater than 4:1 or

b. A 2:1 (horizontal:vertical) slope to a depth of 6 feet below control with the condition that the 2:1 section(s) be stabilized with rip-rap.

If either bulkhead or rip-rap is used, the number of littoral plants required for the excavation would be based on the entire shoreline including the bulkhead or rip-rap portions. Adequate elements for the protection of wayward vehicles will be provided when adjacent to any roadway, parking lot or driveway aisle.

Justification

This deviation improves the development by allowing a more aesthetic, creative design of the development and by improving the project's open space. Bulkhead or rip-rap may be used to eliminate or move the lake slope further away from a structure (patio, pool deck, walking path) and allow a level "landing" area adjacent to these structures instead of an immediate 4:1 slope. As mentioned above, safety is addressed with the condition regarding wayward vehicles. Environmental considerations are also addressed in the condition that the number of littoral plants required for the excavation must be based on the entire shoreline including the bulkhead portions. There is no impact to the public from this change.

DEVIATION 8

Deviation from LDC Section 10-259 which requires that no buildings or structures shall be placed in easements where placing a building or structure in an easement is contrary to the terms of the easement or interferes with the use of the easement, to permit building overhangs only to a maximum 1.5 feet into either a 15-foot or 20-foot closed drainage system easement throughout and only in those circumstances where corrugated plastic pipe is used and adequate engineering analysis is provided by the Applicant at the time of development order and approval by Development Services Division which demonstrates that adequate maintenance of utilities, storm drain facilities, etc. can be achieved.

Justification

The applicant's request is not to place any building or structure in an easement but simply to allow minor building overhangs. The deviation will improve the project by reducing unnecessary cost to the development while at the same time meeting all of the objectives of the LDC provision. The application of this deviation is very limited. Safety concerns are addressed with the condition that High Density Polyethylene pipe is required. With this type of pipe no machinery is needed to move the pipe into location. Maintaining this minimum deviation to allow only to a maximum 1.5 feet into either a 15-foot or 20-foot easement and to require a review at the time of development order approval further contribute to alleviate any safety concerns.

The requested sample drawing is attached.

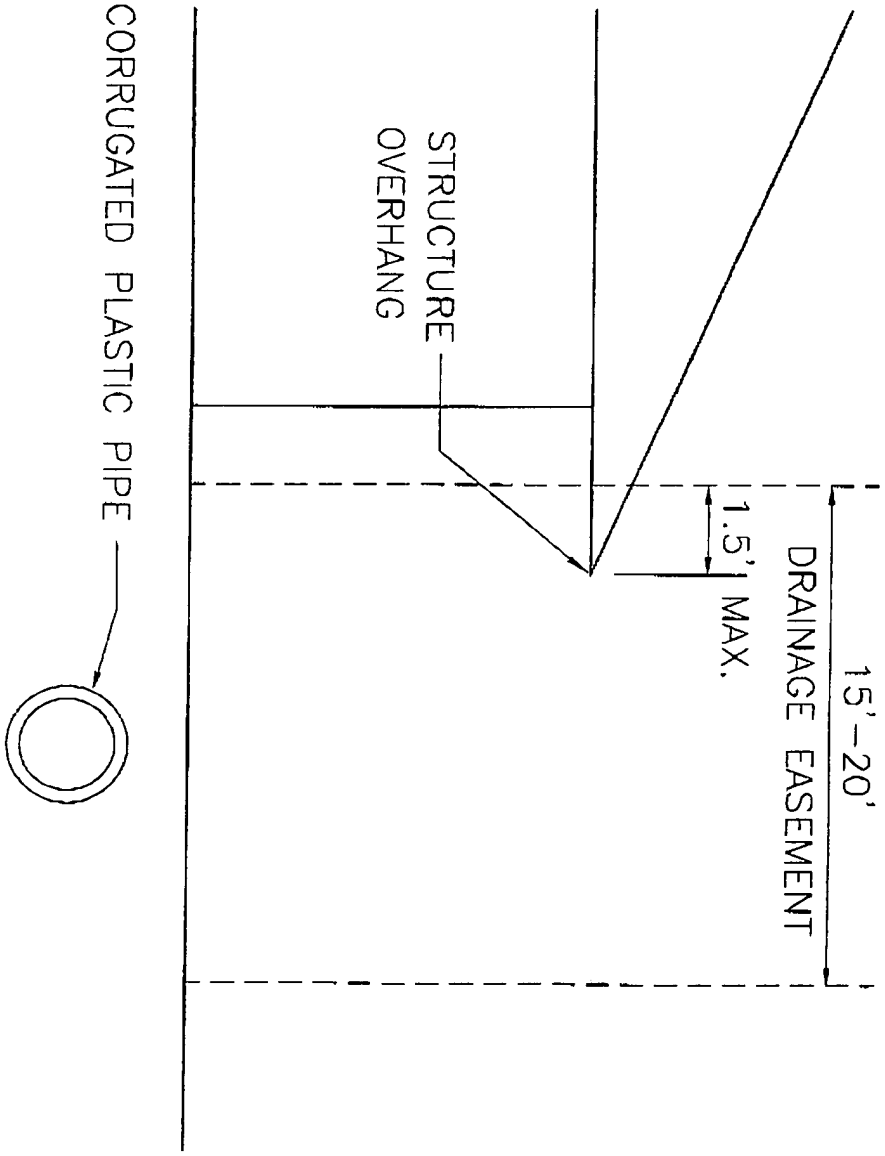
DEVIATION 9

Deviation 9 seeks relief from the LDC Section 34-2020(1)c. requirement that multiple family buildings have 1.5 parking spaces for 1-bedroom units, 1.75 spaces for 2-bedroom units and 2.0 spaces for 3-bedroom units, to allow 1.25 parking spaces for all bedroom unit types, with an additional 10 percent of parking for multiple family buildings to accommodate guest parking in Tracts B, I and J.

Justification

Heritage Creek is modeled after other US Home Communities. US Home previously completed a study on the parking requirements for their multi-family building concept and has submitted it previously to support this requested deviation. As these US Home multi-family buildings attracts the same clients wherever they are built, the number of occupied parking places at these other US Home projects is a predictor of what will occur at Heritage Creek.

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Typically the US Home multi-family buildings have a maximum of 30 units. For each of these buildings there would be a reduction of approximately 12 parking spaces. Based on the real life experience of this same developer with this same building product within Lee County, these parking spaces are not needed. The development is enhanced because unneeded parking spaces are not going to be constructed. There is no impact to the public from this change.

DEVIATION 10
Withdrawn by Applicant

DEVIATION 11
Withdrawn by Applicant

DEVIATION 12
Deviation from LDC Section 34-1954(a)(1) to allow model homes and model home units to be permitted by right.

Justification
This deviation allows the county to determine that model homes and model units are appropriate for the subject development now rather than waiting to make piecemeal decisions in the future. This alternative process enhances the planned development by allowing the use to exist within the project while under unified control and meeting the provisions of the LDC with respect to model homes and model units.

Any and all model units will be located in Tracts B, I and J. The general location of all potential model homes has been shown on the Master Concept Plan. With this change to the Master Concept Plan, any one purchasing a home within Heritage Creek will know whether there would ever be a model home near their home.

As the applicant has included model homes and model units in the list of permitted uses it is possible that this deviation is not necessary. The applicant's agents have been previously required to include this request by some reviewers. Consequently, it has been included here.

DEVIATION 13
Deviation from LDC Section 34-1954(f) that allows the Director discretion to allow high turnover parking surfaces to meet the surfacing standards for low turnover parking lots to allow the parking spaces for the ancillary sales office use within a model home to be surfaced with gravel.

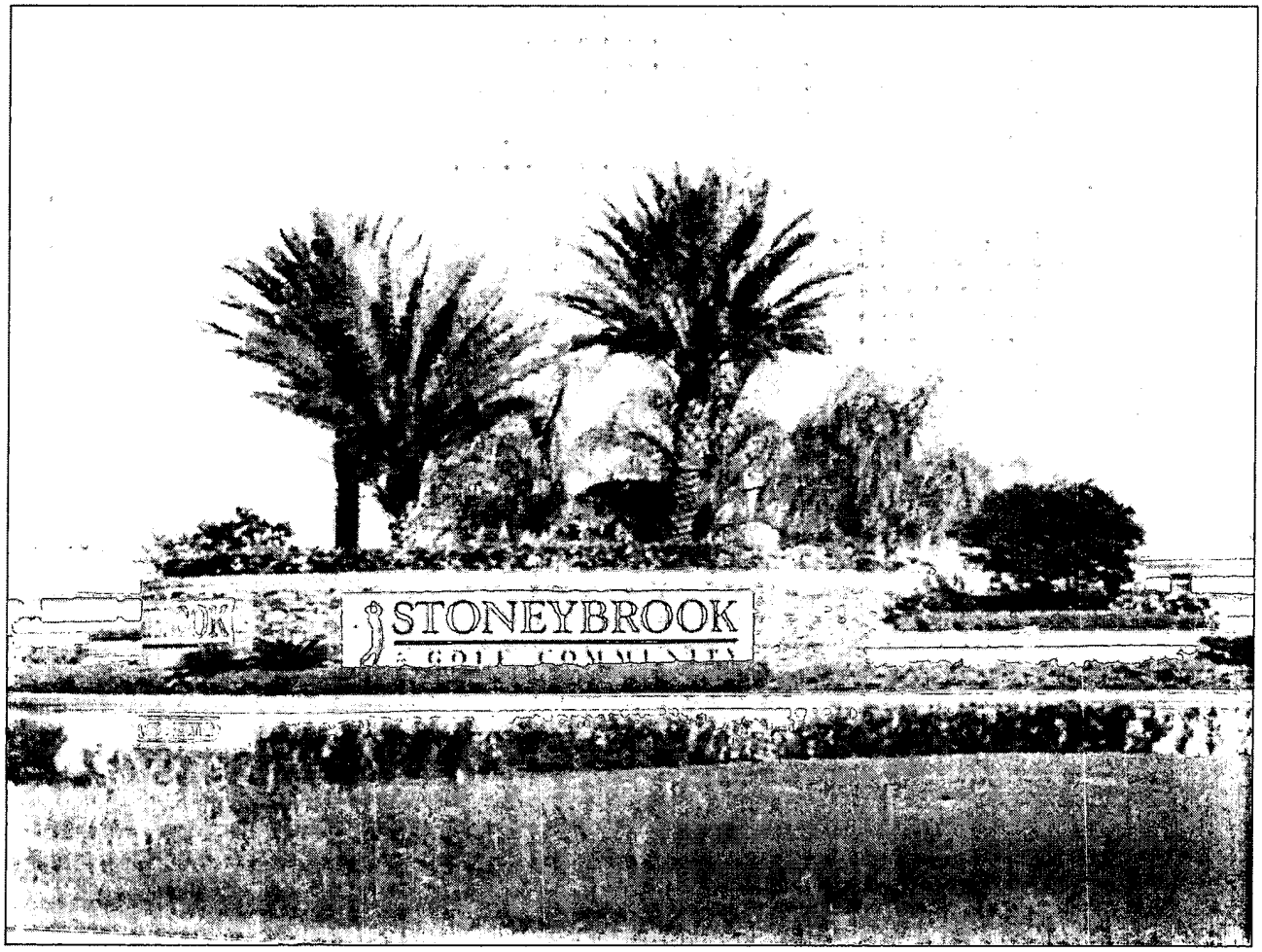
Justification
No deviation is requested regarding the surfacing standards for the actual single family home. That required parking as well as the handicapped parking space(s) for the model home will be paved. This request applies only to the additional parking for the use of the model home as a model. Parking requirements for model homes and model units change over time. When the models are active, the parking requirements are higher than they will be for the same unit after it becomes a home. Gravel parking lots are customary for model homes and model units. The project will be enhanced by granting this deviation to allow for less impervious paving surfaces because additional paving is unattractive, heat producing, environmentally insensitive and an unnecessary expense to the developer.

As a condition of this request, the applicant will construct the required handicapped parking for the type of dwelling unit being displayed with asphalt or concrete to provide a smooth surface without gaps or holes while additional parking for the models will be surfaced with gravel. This deviation will not affect public safety.

DEVIATION 14
Deviation requesting relief from the LDC Section 30-153(2)(a)(iv) requirement that limits the text of additional identification signs to the name of the subdivision or residential development, to allow sign text for both the entrance signs and the project sign to include the notation "A US Home Community" or "US Home" in addition to the name of the residential development. Specific Information on the entrance signs and the project sign are attached as Attachment 5.

Justification
A critical component of project identification for a new residential development is identifying the developer. This deviation was approved recently for US Home's Stoneybrook community. The part of the signage identifying the developer is small, low key and attractive. The developer proposes the same kind of signage for Heritage Creek.

DEVIATION 15
Deviation requesting relief from the LDC Section 30-152 d.2 requirement that limits the face of each permitted main entrance identification sign in developments of more than 25 units to 105 square feet in area and a deviation requesting relief from the LDC Section 30-94(h) which requires that double-faced signs with opposing faces having an interior angle less than 30 degrees to allow the Heritage Creek project sign to have two sign faces of approximately 130 square feet in size and be located on a curvilinear wall as illustrated in a comparable sign approved by Lee County for US Home's Stoneybrook development.



Justification
Regarding the proposed sign size:
Lee County allows a 105 square foot project sign to be located at the development's main entrance. In addition, one additional permanent wall or ground-mounted sign of 105 square feet is permitted along each boundary line of the development, which exceeds 2,000 feet in length. The Heritage Creek development has a total of 4244 linear feet of frontage on the east side of Pritchett Parkway and a total of 5035 linear feet on the west side of Pritchett Parkway. With this considerable frontage the development would be allowed two additional 105 square foot double-faced signs. The applicant's request is to combine the two additional identification signs and the sign that would be allowed at the project's main entrance into the sign illustrated above. This sign would have two sides with each side totaling approximately 150 square feet.

	Allowable Main Project Sign	**Heritage Creek Main Project Sign**
Main Project Sign	105 sq ft x 2 sides	
Additional Signs (with a development with frontage which exceeds 2,000 feet in length)	105 sq ft x 2 sides (east side of Pritchett Pkwy) +105 sq ft x 2 sides (west side of Pritchett Pkwy)	
Total	**315 sq ft x 2 sides**	**150 sq ft x 2 sides**

The total square footage of sign face requested for Heritage Creek's main project sign is about half the square footage allowed by Lee County.

Regarding the interior angle of the proposed sign
This request is to allow a more visually attractive sign in an unusual location. From I-75 it would be difficult to see the text on the usual back to back sign. Locating the sign on a curvilinear wall open us the opportunity for better visibility

This sign would be located on Pritchett Parkway which in this location runs parallel to I-75. Visibility to the traveling public is from I-75. Because of the distance between this sign and the travel lanes on I-75 (approximately 200 feet), it would be difficult to see much less read a Project Sign that was either parallel or perpendicular to I-75. A similar sign for the Stoneybrook development works very well further south on I-75 where the sign is closer to I-75. This deviation enhances the project by decreasing the total number of signs allowed for the development while at the same time notifying the traveling public better of the Heritage Creek development. This is a very attractive sign and its construction will cause no negative impact on the public.

DEVIATION 16
Deviation requesting relief from the LDC Section 10-416(d)(6) requirement that if roads, drives, or parking areas are located less than 125 feet from an existing residential subdivision or residential lots, a solid wall or combination berm and solid wall not less than eight feet in height must be constructed not less than 25 feet from the abutting property and landscaped (between the wall and the abutting property) with a minimum of five trees and 18 shrubs per 100 linear feet to allow the two cul-de sacs in Tract H and the short roadway segment in Tract E to be located as illustrated on the Master Concept Plan together with the buffers proposed on the Master Concept Plan.

Justification
There are three components of this request:
a. The two cul-de sacs in Tract H.
Tract H is a very small tract with limited design flexibility. Each of these cul-de sac's ROW is located a minimum of 50 feet from the property line. With between 20 and 30

units in this tracts the traffic on the two cul de sacs will be minimal and the proposed Type D buffer will provide adequate visual protection for any abutting land uses. The proposed buffer is equal to that required in the number of trees and requires hedges must be planted in double staggered rows and be maintained so as to form a 36-inch high continuous visual screen within one year after time of planting..

b. The roadway segment in Tract E
This part of the right of way for Tract E is located between the property line and a wetland proposed for preservation. The available space between the wetland and the property line only accommodates the SFWMD's required wetland buffer, lots on one side of the road and the proposed Type D buffer.

This deviation enhances the project by allowing an efficient development of Tract H and allowing the developer to provide a needed connection between the easterly and westerly parts of Tract E. With the buffers that are committed for these three locations, there will cause no negative impact on the public.

ENGINEER'S PRELIMINARY ESTIMATE OF EXCAVATION

01-Nov-01
BASED UPON SITE PLAN AS OF NOV. 2001

PROPOSED EXCAVATION:	**2,170,000 Cubic Yards**
FILL REQUIREMENTS:	**2,000,000 Cubic Yards**

11/28/01

Sam W. Marshall, P.E. 48881
Banks Engineering, Inc.

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METRO TRANSPORTATION GROUP, INC.

12651 McGREGOR BOULEVARD
SUITE 4-403
FORT MYERS, FL 33919-4489
TELEPHONE 941-278-3090
FAX 941-278-1906
www.metrotransportation.com
TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

November 19, 2001

DCI 2001-00038

Ms Carron Day
Wilson Miller
4571 Colonial Boulevard, Suite 100
Fort Myers, FL 33912-1062

PERMIT COUNTER

RE: Stoneybrook North
DCI2001-00038

Dear Ms. Day:

Metro has reviewed the comments by Mr. Andy Getch of the Lee County Department of Transportation in a letter dated November 5, 2001. Based on the addition of the 60 single-family dwelling units which increases the overall intensity of the Stoneybrook North development to 1,532 single-family dwelling units, Mr. Getch requires a revised level of service analysis as well as intersection analysis for Bayshore Road @ Pritchett Parkway.

Attached to this letter is a revised copy of Tables 1A and 2A from the TIS reflecting the latest trip generation numbers based on 1,532 single-family dwelling units. According to the revised Table 2A, no roadway segment that is significantly impacted by the proposed development is expected to operate at a level of service below the Lee County adopted standards.

Also attached to this document are the revised intersection analyses for the Bayshore Road @ Pritchett Parkway intersection. The intersection analysis was performed both for signalized conditions as well as for unsignalized conditions. Currently, the intersection operates under unsignalized conditions, however the developer is planning to perform a signal warrant analysis when the development generates sufficient trips to potentially satisfy warrants at this location. Based on the increased trips associated with the additional 60 single-family dwelling units, the conclusions reached in the original TIS continue to be valid.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Robert L. Price, E.I.T.
Transportation Consultant

Ted B. Treesh
Regional Manager

Attachments

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

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 1080 VPH IN= 270 OUT= 810

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 1255 VPH IN= 805 OUT= 450

ROADWAY	SEGMENT	ROADWAY CLASS	LOS A VOLUME	LOS B VOLUME	LOS C VOLUME	LOS D VOLUME	LOS E VOLUME	PERCENT PROJECT TRAFFIC	PROJECT TRAFFIC	PROJ/ LOS C
Bayshore Road	E. of Business 41	4LD	0	1410	1920	2030	2030	40.00%	324	16.9%
	E. of Slater Rd	4LD	0	1410	1920	2030	2030	40.00%	324	16.9%
	E. of I-75	4LD	0	1410	1920	2030	2030	75.00%	608	31.6%
	E. of Pritchett Pkwy	2LN	0	650	900	960	960	15.00%	122	13.5%
	E. of Nalle Rd	2LN	0	650	900	960	960	15.00%	122	13.5%
Business U.S. 41	S. of Bayshore Rd	6LD	0	0	2270	2840	3000	20.00%	162	7.1%
Del Prado Blvd	W. of Slater Rd	2LN	0	650	900	960	960	10.00%	81	9.0%
I-75	S. of Palm Beach Blvd	4LF	1090	1710	2570	3270	3900	25.0%	203	7.9%
	N. of Palm Beach Blvd	4LF	1090	1710	2570	3270	3900	30.0%	243	9.5%
	N. of Bayshore Road	4LF	1090	1710	2570	3270	3900	5.0%	41	1.6%
Pine Island Road	W. of Business 41	4LD	0	1410	1920	2030	2030	15.00%	122	6.3%
Pritchette Pkwy	N. of Bayshore Rd	2LN	0	0	500	800	870	90.00%	729	145.8%
	S. of Rich Rd	2LN	0	0	500	800	870	10.00%	81	16.2%
Rich Road	E. of Slater Road	2LN	0	0	500	800	870	10.00%	81	16.2%
Slater Road	N. of Del Prado Blvd	2LN	0	0	500	800	870	10.00%	81	16.2%
State Road 80	W. of I-75	6LD	0	0	2270	2840	3000	10.00%	81	3.6%
U.S. 41	S. of Pine Island Rd	4LD	0	0	1460	1890	2000	10.00%	81	5.5%

TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS

7% Truck Adjustment = 0.934

P. C. S.	K	D	P. C. S.	K	D	P. C. S.	K	D
PCS NO. 1	0.092	0.69	PCS NO. 24	0.095	0.50	I-75	0.099	0.574
PCS NO. 4	0.096	0.51	PCS NO. 34	0.098	0.64			
PCS NO. 5	0.095	0.64	PCS NO. 41	0.105	0.67			

TOTAL PROJECT TRAFFIC AM = 1080 VPH IN = 270 OUT= 810

TOTAL PROJECT TRAFFIC PM = 1255 VPH IN= 805 OUT= 450

ROADWAY	SEGMENT	PCS	BASE YR ADT	2000 ADT	YRS OF GROWTH	ANNUAL RATE	2001 PK HR PK SEASON PEAK DIR.	2008 PK HR PK SEASON PEAK DIR.	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2008 BCKGRND + AM PROJ TRAFFIC	2008 BCKGRND + PM PROJ TRAFFIC
Bayshore Road	E. of Business 41	4	30700	31800	9	0.39%	1460	1500	40.00%	324	322	1824	1822
	E. of Slater Rd	4	15300	18400	8	2.33%	922	1083	40.00%	324	322	1407	1405
	E. of I-75	4	8800	9300	9	0.62%	428	447	75.00%	608	604	1054	1050
	E. of Pritchett Pkwy	4	8800	9300	9	0.62%	428	447	15.00%	122	121	568	567
	E. of Nalle Rd	4	8800	9300	9	0.62%	428	447	15.00%	122	121	568	567
Business U.S. 41	S. of Bayshore Rd	41	21600	24200	9	1.27%	1610	1759	20.00%	162	161	1921	1920
Del Prado Blvd	E. of U.S. 41	24	No Data	2200	0	2.00% [1]	100	114	10.00%	81	81	195	195
I-75	S. of Palm Beach Blvd	I-75	47000	58000	5	4.30%	3201	4297	25.00%	203	201	4499	4498
	N. of Palm Beach Blvd	I-75	36000	47500	5	5.70%	2657	3916	30.00%	243	242	4159	4158
	N. of Bayshore Road	I-75	25000	31500	5	4.73%	1746	2413	5.00%	41	40	2453	2453
Pine Island Road	W. of Business 41	34	19200	24800	9	2.88%	1495	1824	15.00%	122	121	1945	1945
Pritchette Pkwy	N. of Bayshore Rd	4	1300	1400	3	2.50%	66	78	90.00%	729	725	807	803
	S. of Rich Rd	4	1300	1400	3	2.50%	66	78	10.00%	81	81	159	159
Rich Road	E. of Slater Road	4	600	800	3	10.06%	40	79	10.00%	81	81	160	159
Slater Road	N. of Del Prado Blvd	4	5900	5700	9	0.00%	261	261	10.00%	81	81	342	341
State Road 80	W. of I-75	5	21600	27000	9	2.51%	1572	1870	10.00%	81	81	1951	1950
U.S. 41	S. of Pine Island Rd	1	24100	21000	9	0.00%	1245	1245	10.00%	81	81	1326	1326

[1] The growth rate for Del Prado Blvd, E. of U.S. 41, was assumed to be 2.0% based on the surrounding roadway traffic growth rates

TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*RLP*	Intersection	*Bayshore Rd @ Pritchett Pkwy*
Agency/Co.	*Metro Transportation Group*	Jurisdiction	*Lee County DOT*
Date Performed	*Revised 11/19/2001*	Analysis Year	*2008 w/ Project*
Analysis Time Period	*PM Peak*		

Project Description *Stoneybrook North*

East/West Street: *Bayshore Road*	North/South Street: *Pritchett Parkway*
Intersection Orientation: *East-West*	Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume	*645*	*630*	*0*	*0*	*425*	*145*
Peak-Hour Factor, PHF	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*
Hourly Flow Rate, HFR	*678*	*663*	*0*	*0*	*447*	*152*
Percent Heavy Vehicles	*0*	--	--	*0*	--	--
Median Type	*Raised curb*					
RT Channelized			*0*			*0*
Lanes	*1*	*2*	*0*	*0*	*2*	*0*
Configuration	*L*	*T*			*T*	*TR*
Upstream Signal		*0*			*0*	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume	*0*	*0*	*0*	*95*	*0*	*365*
Peak-Hour Factor, PHF	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*
Hourly Flow Rate, HFR	*0*	*0*	*0*	*100*	*0*	*384*
Percent Heavy Vehicles	*0*	*0*	*0*	*0*	*0*	*0*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*0*	*0*	*0*	*0*	*0*
Configuration					*LR*	

Delay, Queue Length, and Level of Service

Approach	EB	WB	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*L*						*LR*	
v (vph)	*678*						*484*	
C (m) (vph)	*988*						*152*	
v/c	*0.69*						*3.18*	
95% queue length	*5.72*						*45.49*	
Control Delay	*16.2*							
LOS	*C*						*F*	
Approach Delay	--	--						
Approach LOS	--	--					*F*	

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HCS2000: Signalized Intersections Release 4.1a

Analyst: RLP
Agency: Metro Transportation Group
Date: Revised 11/19/2001
Period: P.M. Peak
Project ID: Heritage Creek
E/W St: Bayshore Road

Inter.: Bayshore Rd @ Pritchett Pkwy
Area Type: All other areas
Jurisd: Lee County DOT
Year : 2008 w/ Project

N/S St: Pritchett Parkway

SIGNALIZED INTERSECTION SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	1	2	0	0	2	0	0	0	0	0	0	0
LGConfig	L	T			TR						LR	
Volume	645	630			425	145				95		365
Lane Width	12.0	12.0			12.0						12.0	
RTOR Vol						0						0

Duration 0.25 Area Type: All other areas

Signal Operations

Phase Combination		1	2	3	4	5	6	7	8
EB	Left	A				NB Left			
	Thru	A	A			Thru			
	Right					Right			
	Peds					Peds			
WB	Left					SB Left	A		
	Thru		A			Thru			
	Right		A			Right	A		
	Peds					Peds			
NB	Right					EB Right			
SB	Right					WB Right			
Green		40.0	26.0				42.0		
Yellow		3.0	3.0				3.0		
All Red		1.0	1.0				1.0		

Cycle Length: 120.0 secs

Intersection Performance Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios v/c	Ratios g/C	Lane Group Delay	Lane Group LOS	Approach Delay	Approach LOS
Eastbound								
L	602	1805	1.13	0.33	117.2	F		
T	2106	3610	0.31	0.58	12.8	B	65.7	E
Westbound								
TR	752	3472	0.80	0.22	50.6	D	50.6	D
Northbound								
Southbound								
LR	588	1679	0.82	0.35	44.9	D	44.9	D

Intersection Delay = 57.8 (sec/veh) Intersection LOS = E

HCS2000: Signalized Intersections Release 4.1a

Robert L. Price
Metro Transportation Group, Inc.
12651 McGregor Boulevard, Suite 4-403
Fort Myers, FL 33919

Phone: 941-278-3090 Fax: 941-278-1906
E-Mail: rlp@metrotransportation.com

OPERATIONAL ANALYSIS

Analyst: RLP
Agency/Co.: Metro Transportation Group
Date Performed: Revised 11/19/2001
Analysis Time Period: P.M. Peak
Intersection: Bayshore Rd @ Pritchett Pkwy
Area Type: All other areas
Jurisdiction: Lee County DOT
Analysis Year: 2008 w/ Project
Project ID: Heritage Creek

East/West Street: Bayshore Road
North/South Street: Pritchett Parkway

Steven P. Kushner, P.A.
Real Property, Corporate and Development Law

February 12, 2001

Mr. Randy Banks
Banks Engineering, Inc.
10511 Six Mile Cypress Parkway
Suite 101
Fort Myers, FL 33912

DCT 2001-00038

PERMIT COUNTER

Re: US Home p/f Pritchett

Dear Randy:

I am forwarding herewith a copy of the title commitment and the "hard copies" of the instruments to be used as a basis for exceptions to the title coverage. In order to avoid the "Bromley" problem experienced at Heritage Palms, I have requested, and Chris McCurdy agrees, that the easement locations and similar encumbrances should be reviewed jointly with whomever you assign to the project.

Chris and I would like to meet in approximately one (1) week with the project planner who, we hope, will have been able to locate the easements on the property and help to identify impacts on whatever concept plan or proposed development plan is being worked on.

After you have designated the planner, please have him contact Chris so that we can arrange for a mutually acceptable date and time to meet with your personnel.

Thank you for your prompt attention.

Very truly yours,

Steven P. Kushner
Attorney at Law

SPK/cal
Enclosures

00038

The Tidewater Building
1375 Jackson Street, Suite 202 • Fort Myers, Florida 33901
Telephone (941) 337-0080 • Fax (941) 337-7909
E-Mail: kushlaw@olsusa.com

FUND COMMITMENT

Schedule A

Commitment No.: C-2354308 *Fund File Number* 18-01-244 - AMENDED
Effective Date: December 22, 2000 *at* 11:00 p.m.

Agent's File Reference: Pritchett Develop/US Homes

1. ***Policy or Policies to be issued:*** ***Proposed Amount of Insurance***

   OWNER'S: ALTA Owner's Policy (10/17/92). $8,572,500.00

   Proposed Insured:

   U.S. Homes Corporation, a Delaware Corporation

   MORTGAGEE:

   Proposed Insured:

2. ***The estate or interest in the land described or referred to in this commitment is a fee simple and title thereto is at the effective date hereof vested in:***

   Pritchett Development Company, Ltd., a Florida limited partnership and Bank of America, N.A., successor Trustee to Barnett Bank Trust Company, N.A., Trustee of the Richard H. Pritchett, Jr. restated Revocable Trust dated March 27, 1986

3. ***The land referred to in this commitment is described as follows:*** DCI 2001-00038

   See Exhibit A.

PERMIT COORDINATOR

AGENT NO.: 4830002
ISSUED BY: STEVEN CARTA

MAILING ADDRESS:

1619 Jackson Street
P.O. Box 1906
Fort Myers, Florida 33902

AGENT'S SIGNATURE _____
STEVEN CARTA

Rev.1.1

FUND COMMITMENT

Schedule B

Commitment No.: C-2354308 *Fund File Number* 18-01-244 – AMENDED

I. The following are the requirements to be complied with:

1. Payment of the full consideration to, or for the account of, the grantors or mortgagors.

2. Instruments creating the estate or interest to be insured which must be executed, delivered and filed for record:

a. Warranty Deed from Pritchett Development Company, Ltd., a Florida limited partnership, executed by a general partner(s) with authority, to the proposed insured purchaser(s).

b. Trustee's Deed from Bank of America, N.A., as successor Trustee to Barnett Bank Trust Company as Trustee of the Richard H. Pritchett, Jr., restated Revocable Trust dated March 27, 1986 to the proposed insured purchaser. (As to Parcel described in O.R. Book 2777, Page 674.)

3. A determination must be made that there are no unrecorded special assessment liens or unrecorded liens arising by virtue of ordinances, unrecorded agreements as to impact or other development fees, unpaid waste fees payable to the county or municipality, or unpaid service charges under Ch. 159, F. S., or county ordinance.

4. Satisfactory evidence must be furnished establishing that Pritchett Development Company, Ltd. is a limited partnership in good standing under the laws of Florida from date of purchase through the present [or date of the recording of the deed of sale (if back in the chain)].

5. Satisfactory evidence, in the form of an affidavit, must be furnished to establish that the general partner who executed Deed on behalf of Pritchett Development Company, Ltd. is not a debtor in a bankruptcy proceeding.

6. An affidavit from one or more general partners should be recorded stating: (1) that the general partner executing the deed or mortgage is authorized to convey and mortgage the limited partnership's real property; (2) that the limited partnership has not been dissolved; and (3) that the limited partnership agreement has not been revoked or amended to prohibit the subject transaction.

7. If any general partner(s) is a legal or commercial entity, require a good standing certificate from the date of purchase through to the present time.

8. Recording of the Trust Agreement referred to in the instrument dated December 26, 1996, recorded December 30, 1996 in O.R. Book 2777, Page 674, Public Records of Lee County, Florida, either accompanied by or as an exhibit to an Affidavit establishing that such Trust Agreement has not been amended or revoked and is currently in full force and effect. The Fund reserves the right, upon the review of such Trust Agreement, to make any additional requirements and exceptions in this commitment which it may deem appropriate.

9. Satisfactory evidence must be furnished establishing that U.S. Homes is a corporation duly organized, validly existing, and in good standing under the laws of Delaware (at date of purchase and at the present time, or at date of purchase and at date of sale). If there is no governmental agency in charge of corporate records from which a certificate of good standing can be obtained, then an attorney or

notary public in the state or country of origin, who has examined to appropriate corporate records, can provide the certificate.

10. Review of the Richard H. Pritchett, Jr., restated Revocable Trust dated March 27, 1986 and all amendments thereto to determine the current Trustees.

Note: The Fund reserves the right to make additional requirements and/or exceptions as necessary.

11. Recording of Vacation of Collector Road as described in Deed recorded in O.R. Book 2765, Page 2884, Public Records of Lee County, Florida.

Note: The Fund reserves the right to make additional requirements as necessary.

II. Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of The Fund:

1. ***Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this commitment.***

2. ***Any owner and mortgagee policies issued pursuant hereto will contain under Schedule B the standard exceptions set forth at the inside cover hereof unless an affidavit of possession and a satisfactory current survey are submitted, an inspection of the premises is made, it is determined the current year's taxes or special assessments have been paid, and it is determined there is nothing of record which would give rise to construction liens which could take priority over the interest(s) insured hereunder (where the liens would otherwise take priority, submission of waivers is necessary).***

3. ***Federal liens, if any, filed with the Office of the Secretary of State, pursuant to Sec. 713.901, et seq., F.S., which became effective January 1, 1993, and which designated that Office as the place for filing federal liens against tangible and intangible personal property of partnerships, corporations, trusts and decedents' estates. For insuring purposes, personal property includes, but is not limited to, mortgages, leaseholds, mortgages on leaseholds, interests in cooperative associations, vendees' interests, and options.***

4. Any adverse ownership claim by the State of Florida by right of sovereignty to any portion of the lands insured hereunder, including submerged, filled, and artificially exposed lands and lands accreted to such lands.

5. Lee County Ordinance No. 86-14 recorded November 30, 1990, in O.R. Book 2189, Page 3281; and amended by Ordinance No. 86-38 in O.R. Book 2189, Page 3334, Public Records of Lee County, Florida.

6. Right-of-way easement in favor of Lee County Electric Co-Operative, Inc., contained in instrument recorded March 21, 1979, O.R. Book 1337, Page 342, Public Records of Lee County, Florida.

FUND COMMITMENT

Schedule B

Commitment No.: C-2354308 *Fund File Number* 18-01-244 – AMENDED

7. Easement in favor of Lee County, a political subdivision of the State of Florida, contained in instrument recorded February 16, 1981, O.R. Book 1488, Page 1933, Public Records of Lee County, Florida.

8. Easement in favor of Lee County, a political subdivision of the State of Florida, contained in instrument recorded February 16, 1981, O.R. Book 1488, Page 1935, Public Records of Lee County, Florida.

9. Non-exclusive sewer line easement in favor of Lee County Board of Commissioners, contained in instrument recorded April 27, 1995, O.R. Book 2595, Page 807, Public Records of Lee County, Florida.

10. Resolution of the Board of County Commissioners of Lee County, Florida, recorded June 25, 1985 in O.R. Book 1790, Page 3612, Public Records of Lee County, Florida.

11. Notice of Development Order, recorded May 6, 1992 in O.R. Book 2297, Page 3763, Public Records of Lee County, Florida.

12. Covenant of Unified Control, recorded October 1, 1991 in O.R. Book 2249, Page 3627, Public Records of Lee County, Florida.

13. Easement in favor of Lee County Board of County Commissioners, contained in instrument recorded December 21, 1978, O.R. Book 1319, Page 615, Public Records of Lee County, Florida.

14. Oil, Gas and Mineral Lease in favor of Sun Oil Company, a New Jersey Corporation recorded in O.R. Book 612, Page 478, Public Records of Lee County, Florida.

15. Right-of-way easement in favor of Lee County Electric Co-Operative, Inc., contained in instrument recorded April 24, 1978, O.R. Book 1267, Page 1469, Public Records of Lee County, Florida.

16. Easement in favor of Lee County, a political subdivision of the State of Florida, contained in instrument recorded February 16, 1981, O.R. Book 1488, Page 1934, Public Records of Lee County, Florida.

17. Terms and Conditions of the unrecorded Trust dated March 27, 1986 referred to in instrument recorded in O.R. Book 2777, Page 674, Public Records of Lee County, Florida, and subject to the rights, title and interest of all beneficiaries named in said trust.

18. Riparian and littoral rights are not insured.

19. This policy does not insure any portion of the insured parcel lying waterward of the ordinary high water mark of Popash Creek.

20. Subject to rights of public, if any, due to resolution vacating public rights in Collector Road not been found in the Official Records of Lee County, Florida.

FUND COMMITMENT

Schedule B

Commitment No.: C-2354308 *Fund File Number* 18-01-244 – AMENDED

21. NOTE: Access for Section 15 is dependent upon Section 15 being conveyed with the other parcels described in Exhibit "A" of this Commitment. If Section 15 is separated then it may not have legal access.

22. Undivided three-fourths interest in phosphates, minerals and metals reserved by Lee County, a political subdivision of the State of Florida by Deed recorded in O.R. Book 2765, Page 2884, Public Records of Lee County, Florida.

Pritchett Pkwy
2137/2738

EXHIBIT "A"
LEGAL DESCRIPTION
OF A
RIGHT-OF-WAY FOR A NEW COLLECTOR ROAD IN
NORTH FORT MYERS, LEE COUNTY, FLORIDA

A PARCEL OR TRACT OF LAND SITUATED IN SECTIONS 16,17 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 16 RUN N 89°56'25" E FOR 50.00 FEET; THENCE RUN S 00°27'57" E FOR 50.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OR TRACT:

FROM SAID POINT OF BEGINNING RUN S 00°27'57" E FOR 201.33 FEET TO A POINT OF CURVE TO THE LEFT, WITH A RADIUS OF 1050.00 FEET, A DELTA ANGLE OF 20°35'01", A CHORD OF 375.19 FEET THAT BEARS S 10°45'27" E; THENCE RUN 377.22 FEET ALONG SAID CURVE TO A POINT OF TANGENCY; THENCE RUN S 21°02'58" E FOR 487.02 FEET TO A POINT OF CURVE TO THE LEFT WITH A RADIUS OF 1050.00 FEET, A DELTA ANGLE OF 68°53'22", A CHORD OF 1187.78 FEET THAT BEARS S 55°29'39" E; THENCE RUN 1262.47 FEET ALONG SAID CURVE TO A POINT OF TANGENCY; THENCE RUN S 89°56'20" E FOR 1399.21 FEET TO A POINT OF CURVE TO THE RIGHT WITH A RADIUS OF 1150.00 FEET, A DELTA OF 89°55'27", A CHORD OF 1625.27 FEET THAT BEARS S 44°58'37" E; THENCE RUN 1804.89 FEET ALONG SAID CURVE TO A POINT OF TANGENCY; THENCE RUN S 00°00'53" E FOR 2429.98 FEET TO A POINT LYING ON THE NORTH LINE OF SAID SECTION 21 AND 1134.21 FEET S 89°52'23" E OF THE NORTH ¼ CORNER OF SAID SECTION 21; THENCE CONTINUE S 00°00'53" E FOR 142.54 FEET TO A POINT OF CURVE TO THE RIGHT WITH A RADIUS OF 1150.00 FEET, A DELTA ANGLE OF 21°06'45", A CHORD OF 421.38 FEET THAT BEARS S 10°32'31" W; THENCE RUN 423.77 FEET ALONG SAID CURVE TO POINT OF TANGENCY; THENCE RUN S 21°05'55" W FOR 652.71 FEET TO A POINT OF CURVE TO THE LEFT WITH A RADIUS OF 1050.00 FEET, A DELTA ANGLE OF 68°05'24", A CHORD OF 1175.68 FEET THAT BEARS S 12°56'45" E; THENCE RUN 1247.81 FEET ALONG SAID CURVE TO A POINT OF REVERSE CURVATURE TO THE LEFT WITH A RADIUS OF 3513.61 FEET; A DELTA ANGLE OF 8°22'00", A CHORD OF 512.61 FEET THAT BEARS N 51°10'24" W; THENCE RUN 513.07 FEET ALONG SAID CURVE TO A POINT OF TANGENCY; THENCE RUN N 55°21'28" W FOR 5.84 FEET TO A POINT OF CURVE TO THE LEFT WITH A RADIUS OF 30.00 FEET, A DELTA ANGLE OF 145°24'41", A CHORD OF 57.29 FEET THAT BEARS N 51°56'12" E; THENCE RUN 76.14 FEET ALONG SAID CURVE TO A POINT OF REVERSE CURVE TO THE RIGHT WITH A RADIUS OF 1150.00 FEET, A DELTA ANGLE OF 4°44'52", A CHORD OF 95.27 FEET THAT BEARS N 18°23'43" W; THENCE RUN 95.29 FEET ALONG SAID CURVE TO A POINT OF REVERSE CURVE TO THE LEFT WITH A RADIUS OF 30.00 FEET, A DELTA ANGLE OF 86°06'45", A CHORD OF 40.96 FEET THAT BEARS N 59°04'39" W; THENCE RUN 45.09 FEET ALONG SAID CURVE TO A POINT OF TANGENCY; THENCE RUN S 77°51'58" W FOR 76.58 FEET TO A POINT OF CURVE TO THE RIGHT WITH A RADIUS OF 550.00 FEET; A DELTA ANGLE OF 00°28'39", A CHORD OF 4.38 FEET THAT BEARS S 78°04'38" W; THENCE RUN 4.48 FEET ALONG SAID CURVE TO A POINT OF COMPOUND CURVE TO THE LEFT WITH A RADIUS OF 30.00 FEET, A DELTA ANGLE OF 133°42'04", A CHORD OF 55.17 FEET THAT BEARS S 11°29'34" W; THENCE RUN 70.00 FEET ALONG SAID CURVE TO A POINT OF TANGENCY; THENCE RUN N 55°21'28" W FOR 2.59 FEET TO A POINT OF CURVE TO THE LEFT WITH A RADIUS OF 4064.06 FEET, A DELTA ANGLE OF 5°17'15, A CHORD OF 325.60 FEET THAT BEARS N 58°00'22" W; THENCE RUN 375.23 FEET ALONG SAID CURVE TO A POINT OF COMPOUND CURVE TO THE LEFT WITH A RADIUS OF 450.00 FEET, A DELTA ANGLE OF 41°28'42", A CHORD OF 318.46 FEET THAT BEARS S 81°22'38" E; THENCE RUN 325.51 FEET ALONG SAID CURVE TO A POINT OF TANGENCY; THENCE RUN N 77°51'58" E FOR 76.12 FEET TO A POINT OF CURVE TO THE LEFT WITH A RADIUS OF 30.00 FEET, A DELTA ANGLE OF 86°06'45",

A CHORD OF 40.96 FEET THAT BEARS N 34°48'35" E; THENCE RUN 45.09 FEET ALONG SAID CURVE TO A POINT OF REVERSE CURVE TO THE RIGHT WITH A RADIUS OF 1150.00 FEET, A DELTA ANGLE OF 29°20'42", A CHORD OF 582.58 FEET THAT BEARS N 6°25'34" E; THENCE RUN 588.99 FEET TO A POINT OF TANGENCY; THENCE RUN N 21°05'55" E FOR 652.71 FEET TO A POINT OF CURVE TO THE LEFT WITH A RADIUS OF 1050.00 FEET, A DELTA ANGLE OF 21°06'48", A CHORD OF 384.74 FEET THAT BEARS N 10°32'31" E; THENCE RUN 386.92 FEET ALONG SAID CURVE TO A POINT OF TANGENCY; THENCE RUN N 00°00'53" W FOR 142.78 FEET TO A POINT LYING ON THE NORTH LINE OF SAID SECTION 21 AND 1034.21 FEET S 89°52'23" E OF THE NORTH ¼ CORNER OF SAID SECTION 21; THENCE CONTINUE N 00°00'53" W FOR 2429.72 FEET TO A POINT OF CURVE TO THE LEFT WITH A RADIUS OF 1050.00 FEET, A DELTA ANGLE OF 89°55'27", A CHORD OF 1483.94 FEET THAT BEARS N 44°58'37" W; THENCE RUN 1647.95 FEET ALONG SAID CURVE TO A POINT OF TANGENCY; THENCE RUN N 89°56'20" W FOR 1399.21 FEET TO A POINT OF CURVE TO THE RIGHT WITH A RADIUS OF 1150.00 FEET, A DELTA ANGLE OF 68°53'22", A CHORD OF 1300.91 FEET THAT BEARS N 55°29'39"W; THENCE RUN 1382.70 FEET ALONG SAID CURVE TO A POINT OF TANGENCY; THENCE RUN N 21°02'58" W FOR 487.02 FEET TO A POINT OF CURVE TO THE RIGHT WITH A RADIUS OF 1150.00 FEET, A DELTA ANGLE OF 20°35'01", A CHORD OF 410.92 FEET THAT BEARS N 10°45'27" W; THENCE RUN 413.14 FEET ALONG SAID CURVE TO A POINT OF TANGENCY; THENCE RUN N 0°27'57" W FOR 207.80 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF RICH ROAD (100 FEET WIDE); THENCE RUN N 89°58'25" E FOR 100.00 FEET TO THE POINT OF BEGINNING.

PARCEL "A"

A PARCEL OF LAND IN SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST LYING EASTERLY & NORTHERLY OF PRITCHETT PARKWAY:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST, RUN NORTH 89°56'25" EAST FOR 2017.78 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16 AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°56'25" EAST FOR 672.59 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 16; THENCE RUN SOUTH 89°29'37" EAST FOR 2646.16 FEET TO THE NORTHEAST CORNER OF SAID SECTION 16; THENCE RUN SOUTH 00°01'00" WEST FOR 2656.66 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 16; THENCE RUN SOUTH 00°01'06" EAST FOR 2654.52 TO THE SOUTHEAST CORNER OF SAID SECTION 16; THENCE RUN NORTH 89°52'23" WEST FOR 1512.10 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE); THENCE RUN NORTH 00°00'53" WEST ALONG SAID EAST RIGHT-OF-WAY FOR 2429.98 FEET TO A POINT OF CURVE TO THE LEFT, WITH A RADIUS OF 1150.00 FEET, A CENTRAL ANGLE OF 89°55'27", AND A CHORD OF 1625.27 FEET THAT BEARS NORTH 44°58'37" WEST; THENCE RUN NORTHERLY AND WESTERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY FOR 1804.89 FEET TO A POINT OF TANGENT; THENCE RUN NORTH 89°56'20" WEST ALONG SAID RIGHT-OF-WAY FOR 955.92 FEET; THENCE RUN NORTH 00°04'02" EAST FOR 416.14 FEET; THENCE RUN SOUTH 89°55'58" EAST FOR 970.75 FEET; THENCE RUN NORTH 00°00'06" EAST FOR 667.76 FEET; THENCE RUN NORTH 89°59'46" WEST FOR 671.24 FEET; THENCE RUN NORTH 00°06'53" WEST FOR 887.02 FEET TO THE POINT OF BEGINNING:

SUBJECT TO A FLORIDA POWER & LIGHT EASEMENT OVER THE SOUTH 100 FEET OF SAID SECTION 16.

PARCEL "B"

A PARCEL OF LAND IN SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST LYING SOUTHERLY AND WESTERLY OF PRITCHETT PARKWAY:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 16, RUN SOUTH 89°50'53" EAST FOR 1985.21 FEET; THENCE RUN NORTH 00°08'55" WEST FOR 1900.02 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 00°08'55" WEST FOR 758.16 FEET; THENCE RUN NORTH 00°08'55" WEST FOR 667.02 FEET; THENCE RUN NORTH 89°52'09" WEST FOR 289.70 FEET TO THE EASTERLY BOUNDARY OF HUNTER'S GLEN SUBDIVISION AS RECORDED IN PLAT BOOK 59 AT PAGES 92 THROUGH 94 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN NORTH 00°03'40" EAST ALONG SAID EASTERLY BOUNDARY OF SAID HUNTER'S GLEN SUBDIVISION FOR 150.56 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE); THENCE RUN SOUTH 89°56'20" EAST ALONG SAID RIGHT OF WAY FOR 942.66 FEET TO A POINT OF CURVE TO THE RIGHT WITH A RADIUS OF 1050.00 FEET, A CENTRAL ANGLE OF 89°55'27", AND A CHORD OF 1483.94 FEET THAT BEARS SOUTH 44°58'37" EAST; THENCE RUN EASTERLY AND SOUTHERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY FOR 1647.95 FEET TO A POINT OF TANGENT; THENCE RUN SOUTH 00°00'53" EAST ALONG SAID RIGHT-OF-WAY FOR 2020.71 FEET; THENCE RUN NORTH 89°52'23" WEST FOR 846.65 FEET; THENCE RUN NORTH 00°08'55" WEST FOR 1490.93 FEET; THENCE RUN NORTH 89°50'53" WEST FOR 850.01 FEET TO THE POINT OF BEGINNING:

PARCEL "C"

A PARCEL OF LAND IN SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST LYING EASTERLY OF PRITCHETT PARKWAY:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, RUN SOUTH 89°50'53" EAST FOR 2646.95 FEET; THENCE RUN SOUTH 89°52'23" EAST FOR 1134.21 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100.00 FEET WIDE) AND THE POINT OF BEGINNING; THENCE RUN SOUTH 00°00'53" EAST ALONG SAID EASTERLY RIGHT OF WAY FOR 142.54 FEET TO A POINT OF CURVE TO THE RIGHT WITH A RADIUS OF 1150.00 FEET, A CENTRAL ANGLE OF 21°06'48" AND A CHORD OF 421.38 FEET THAT BEARS SOUTH 10°32'31" WEST; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE AND SAID EASTERLY RIGHT-OF-WAY FOR 423.77 FEET TO A POINT OF TANGENT; THENCE RUN SOUTH 21°05'55" WEST ALONG SAID EASTERLY RIGHT OF WAY FOR 652.71 FEET TO A POINT OF CURVE TO THE LEFT WITH A RADIUS OF 1050.00 FEET, A CENTRAL ANGLE OF 68°05'24" AND A CHORD OF 1175.68 FEET THAT BEARS SOUTH 12°56'45" EAST; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY FOR 1247.81 FEET TO A POINT OF REVERSE CURVE WITH A RADIUS OF 3513.62 FEET, A CENTRAL ANGLE OF 06°05'43", A CHORD OF 373.80 FEET THAT BEARS SOUTH 43°56'42" EAST AND A RADIUS POINT THAT BEARS SOUTH 49°06'14" WEST; THENCE RUN ALONG SAID CURVE AND SAID RIGHT-OF-WAY FOR 373.78 FEET TO A POINT OF TANGENT; THENCE RUN SOUTH 40°53'46" EAST FOR 156.94 FEET; THENCE RUN NORTH 49°06'14" EAST FOR 37.00 FEET; THENCE RUN SOUTH 40°53'46" EAST FOR 50.00 FEET; THENCE RUN SOUTH 49°06'14" WEST FOR 36.99 FEET TO A POINT ON A CURVE CONCAVE TO THE NORTH EAST WITH A RADIUS OF 5553.58 FEET, A CENTRAL ANGLE OF 05°30'23", A CHORD OF 533.52 FEET THAT BEARS SOUTH 43°46'13" EAST AND A RADIUS POINT THAT BEARS NORTH 48°58'58" EAST; THENCE RUN ALONG SAID CURVE FOR 533.73 FEET TO A POINT OF TANGENT; THENCE RUN SOUTH 46°31'25" EAST FOR 203.27 FEET; THENCE RUN NORTH 00°12'49" WEST FOR 1921.58 FEET; THENCE RUN SOUTH 89°49'53" EAST FOR 664.14 FEET; THENCE RUN NORTH 00°19'27" WEST FOR 1339.16 FEET TO THE NORTH EAST CORNER OF SAID SECTION 21; THENCE RUN NORTH 89°52'23" WEST FOR 1512.10 FEET TO THE POINT OF BEGINNING.

PARCEL "D"

A PARCEL OF LAND IN SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST LYING WESTERLY OF PRITCHETT PARKWAY:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, RUN SOUTH 89°50'53" EAST FOR 2648.85 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 89°52'23" EAST FOR 1034.21 FEET TO THE WESTERLY RIGHT OF WAY OF PRITCHETT PARKWAY (100 FEET WIDE) ; THENCE RUN SOUTH 00°00'53" EAST ALONG SAID RIGHT-OF-WAY FOR 142.79 FEET TO A POINT OF CURVE TO THE RIGHT WITH A RADIUS OF 1050.00 FEET, A CENTRAL ANGLE OF 21°06'45", AND A CHORD OF 384.74 FEET THAT BEARS SOUTH 10°32'31" WEST. THENCE RUN SOUTHERLY AND WESTERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY FOR 386.92 FEET TO A POINT OF TANGENT; THENCE RUN SOUTH 21-05-55 WEST ALONG SAID RIGHT-OF-WAY FOR 652.72 FEET TO POINT OF CURVE TO THE LEFT WITH A RADIUS OF 1150.00 FEET, A CENTRAL ANGLE OF 29-20-42, AND A CHORD OF 582.58 FEET THAT BEARS SOUTH 06°25'30" WEST; THENCE RUN SOUTHERLY AND WESTERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY FOR 588.99 FEET TO A POINT OF REVERSE CURVE TO THE RIGHT WITH A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 86°06'45", AND A CHORD OF 40.96 FEET THAT BEARS SOUTH 34°45'35" WEST; THENCE RUN SOUTHERLY AND WESTERLY ALONG SAID CURVE FOR 45.09 FEET TO A POINT OF TANGENT; THENCE RUN SOUTH 77°51'58" WEST FOR 76.11 FEET TO A POINT OF CURVE TO THE RIGHT WITH A RADIUS OF 450.00 FEET, A CENTRAL ANGLE OF 41°26'42" AND A CHORD OF 318.46 FEET THAT BEARS NORTH 81°22'38" WEST; THENCE RUN WESTERLY AND NORTHERLY ALONG SAID CURVE FOR 325.51 FEET TO A POINT OF A REVERSE CURVE TO THE LEFT WITH A RADIUS OF 4064.06 FEET, A CENTRAL ANGLE OF 04°02'04", A CHORD OF 286.10 FEET THAT BEARS NORTH 62°40'20" WEST AND A RADIUS POINT THAT BEARS SOUTH 29°20'43" WEST FROM THE POINT OF REVERSE CURVE; THENCE RUN NORTHWESTERLY ALONG SAID REVERSE CURVE FOR 286.16 FEET; THENCE RUN NORTH 00°06'48" EAST FOR 1581.74 FEET TO THE POINT OF BEGINNING.

PARCEL "E"

A PARCEL OF LAND IN SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST RUN SOUTH 89°44'09" EAST FOR 1341.49 FEET; THENCE RUN SOUTH 00°00'20" WEST FOR 2657.07 FEET; THENCE RUN SOUTH 00°00'40" EAST FOR 1328.45 FEET; THENCE RUN NORTH 89°40'50" WEST FOR 1341.84 FEET; THENCE RUN NORTH 00°01'06" WEST FOR 1327.26 FEET; THENCE RUN NORTH 00°01'00" EAST FOR 2656.66 FEET TO THE POINT OF BEGINNING:

PLUS THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST LYING WESTERLY OF THE CENTER LINE OF POPASH CREEK:

LESS THAT PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 1319 AT PAGE 616 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

DESCRIPTION OF A PARCEL OF LAND
LYING IN
SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

A TRACT OR PARCEL OF LAND LYING IN SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH ONE-QUARTER (S 1/4) CORNER OF SAID SECTION 16; THENCE N89°50'53"W ALONG THE SOUTH LINE OF SAID SECTION 16 FOR 661.74 FEET TO THE WEST LINE OF THE EAST ONE-HALF (E 1/2) OF THE EAST ONE-HALF (E 1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 16; THENCE N00°06'55"W ALONG SAID WEST LINE FOR 1900.02 FEET; THENCE S89°50'53"E FOR 850.01 FEET; THENCE S00°06'55"E FOR 1490.93 FEET; THENCE S89°52'23"E FOR 846.65 FEET TO THE WEST RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100.00 FEET WIDE); THENCE S00°00'53"E ALONG SAID WEST RIGHT-OF-WAY LINE FOR 409.00 FEET TO THE SOUTH LINE OF SAID SECTION 16; THENCE N89°52'23"W ALONG SAID SOUTH LINE FOR 1034.20 FEET TO THE POINT OF BEGINNING.

SUBJECT TO A LEE COUNTY ELECTRIC COOPERATIVE EASEMENT LYING OVER AND ACROSS THE SOUTH 100.00 FEET.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS ARE BASED ON THE SOUTH LINE OF SAID SECTION 16 AS BEARING N89°50'53"W.

April 19, 2001

Mr. Jim Beever
Florida Fish and Wildlife Conservation Commission
29200 Tuckers Grade
Punta Gorda, FL 33955

RE: Formal Scrub Jay Survey
Heritage Creek a.k.a. Pritchett Property
Sections 16 & 21, Township 43S, Range 25E
Lee County

Dear Mr. Beever:

A 650± acre parcel known as Heritage Creek is located in Sections 16 & 21, Township 43S, and Range 25E in northern Lee County. The property is bounded on the southwest by Interstate 75, on the east by Popash Creek and is divided by Pritchett Parkway running north to south through the property. The property location is shown on the attached map. Vegetative communities found on the site include sand live oak scrub and scrubby pine flatwoods, both of which are strongly associated with the occurrence of Florida scrub jays.

Although the entire parcel contains more than 650 acres, this survey applies only to the areas on site that qualify as Florida scrub jay habitat under the guidelines set forth in the Florida Fish and Wildlife Conservation Commission (FWC) Technical Report 8: Ecology and Development-Related Habitat Requirements of the Florida Scrub Jay.

To determine the presence or absence of Florida scrub jays, a formal five-day survey was performed on March 26-28 and April 2-3, 2001. The following report describes the habitats found on site, details the methods used during the scrub jay survey, and provides the results of the survey with conclusions regarding the development of the site relative to Florida scrub jay issues.

I. Vegetative Descriptions

Field observations, in conjunction with the Lee County Soil Survey and infrared aerial photographs, were used to develop a map of vegetative communities according to the Florida Land Use Cover and Forms Classification System (FLUCCS). The following is a brief

description of the ten (10) vegetative communities found on site that qualify as potential scrub jay habitat.

All of the habitats mentioned below are currently being utilized as active cattle pasture and have been altered to varying degrees (via burning, clearing, planting of pasture grasses, etc.) to create more suitable conditions for livestock grazing.

211 – Improved Pasture (8.1 acres)
This vegetative community is dominated by Bahia grass (*Paspalum notatum*) and other pasture grass species with scattered saw palmetto (*Serenoa repens*), Brazilian pepper (*Schinus terebinthifolius*) and prickly pear cactus (*Opuntia humifusa*) also present.

321 – Palmetto Prairie (5.2 acres)
This habitat contains dense thickets saw palmetto with Bahia grass dominating the open areas. Other species present include wiregrass (*Aristida stricta*), runner oak (*Quercus pumila*), slash pine (*Pinus elliottii*), staggerbush (*Lyonia fruticosa*), gallberry (*Ilex glabra*), grapevine (*Vitis rotundifolia*), Brazilian pepper and prickly pear cactus.

411 - Pine Flatwoods (80.8 acres)
Slash pine dominates the canopy of this habitat with saw palmetto, Bahia grass, wiregrass, gallberry, Brazilian pepper and grapevine comprising the groundcover.

414/428 – Pine – Mesic Oak/ Cabbage Palm (6.2 acres)
Cabbage palms (*Sabal palmetto*) and live oaks (*Quercus virginiana*) are the dominant canopy species in this mesic hammock. Subdominant species include American beautyberry (*Callicarpa americana*), buckthorn (*Bumelia sp.*), Bahia grass and grapevine.

415 – Scrubby Pine Flatwoods (9.2 acres)
Slash pine is the dominant canopy species and Bahia grass is the dominant groundcover within this habitat. Scattered myrtle oak (*Quercus myrtifolia*), sand live oak (*Quercus geminata*), dwarf live oak (*Quercus minima*), saw palmetto (*Serenoa repens*), live oak, cabbage palm, American beautyberry and grapevine are also present.

417 – Live Oak (2.5 acres)
Live oaks dominate the canopy while broom sedge (*Andropogon virginicus*), Bahia grass and other pasture grasses are dominant groundcover species. Cabbage palm, Brazilian pepper and grapevine are also present.

432 – Sand Live Oak (2.8 acres)
Sand live oak, myrtle oak and dwarf live oak are the dominant species within this habitat. Common paw-paw (*Asimina reticulata*), Bahia grass, saw palmetto, grapevine, buckthorn and prickly pear cactus are also present.

641 – Freshwater Marsh (1.7 acres)
This wetland habitat contains St. John's wort (*Hypericum fasciculatum*), sand cordgrass (*Spartina bakeri*), wax myrtle (*Myrica cerifera*) and broom sedge.

740/211 – Disturbed Land/ Improved Pasture (7.4 acres)
Bahia grass and other pasture grass species dominate this disturbed habitat. Brazilian pepper, wax myrtle and scattered live oaks are also present.

832/211 – Electrical Transmission Lines/ Improved Pasture (2.7 acres)
Bahia grass is the dominant species within this habitat. Saw palmetto and broom sedge are also present.

II. Background Information

The Florida scrub jay has been classified as threatened by the FWC since 1975 and the U.S. Fish and Wildlife Service (FWS) since 1987. These birds are extremely sedentary and have very specific habitat requirements. The primary habitat is the xeric oak scrub community. FWC uses guidelines to assess the relative quality of scrub jay habitat; Type I is the highest quality and Type III is the lowest. The scrub habitats are classified according to aerial coverage by scrub oak species (myrtle oak, sand live oak, Chapman oak, scrub oak, and dwarf live oak). Type I habitat is defined as having greater than 15% coverage by scrub oak species while Type II habitat contains scrub oak species comprising less than 15% coverage. Uplands with no scrub oak coverage and seasonally dry wetlands that are within 0.25 miles of Type I or Type II habitat are classified as Type III habitats.

By this definition, on the Heritage Creek parcel, the 2.8 acres of sand live oak scrub (FLUCCS 432) would be considered Type I habitat and the 9.2 acres of scrubby pine flatwoods (FLUCCS 415) would be considered Type II habitat. Portions of the improved pasture (FLUCCS 211), palmetto prairie (FLUCCS 321), pine flatwoods (FLUCCS 411), pine-mesic oak/ cabbage palm (FLUCCS 414/428), live oak (FLUCCS 417), freshwater marsh (FLUCCS 641), disturbed land/ unimproved pasture (FLUCCS 740/212) and electrical transmission lines/ improved pasture (FLUCCS 832/211) within 0.25 miles of the Type I and II habitats will qualify as Type III habitats. A Florida scrub jay survey in accordance with FWC guidelines, as recommended by FWS, was conducted within all Type I, II and III habitats on site.

III. Survey Methods

This formal survey was performed over a five-day period to establish the presence or absence of the Florida scrub jay on site.

At each calling station, a pre-recorded cassette tape of territorial scrub jay scolding was broadcast for one minute in all four directions for a total of four minutes at each station. The recording,

which includes the female "hiccup" call, was purchased from Archbold Biological Station. Calling stations were arranged in order within the Type I, II and III habitats.

FWC guidelines recommend that calling stations be established between 100 and 200 meters (300-600 feet) apart to ensure adequate broadcast overlap of the recording. The relatively high quality of the Type I and II habitats made it logical to survey these areas more vigorously. Therefore, walking transects were established approximately 300 feet apart with calling stations also located approximately 300 feet apart within the Type I and II habitats. Transects were established approximately 500 feet apart with calling stations located approximately 500 feet apart within the Type III habitat. The attached scrub jay habitat map provides the locations of the calling stations.

The survey was conducted on March 26-28 and April 2-3, 2001. Weather conditions were ideal for scrub jay activities with temperatures ranging from 60-75° F and relatively calm winds. Skies ranged from clear to partly cloudy during the survey. The following table provides survey times and weather conditions:

Table 1. Survey Times and Weather Conditions

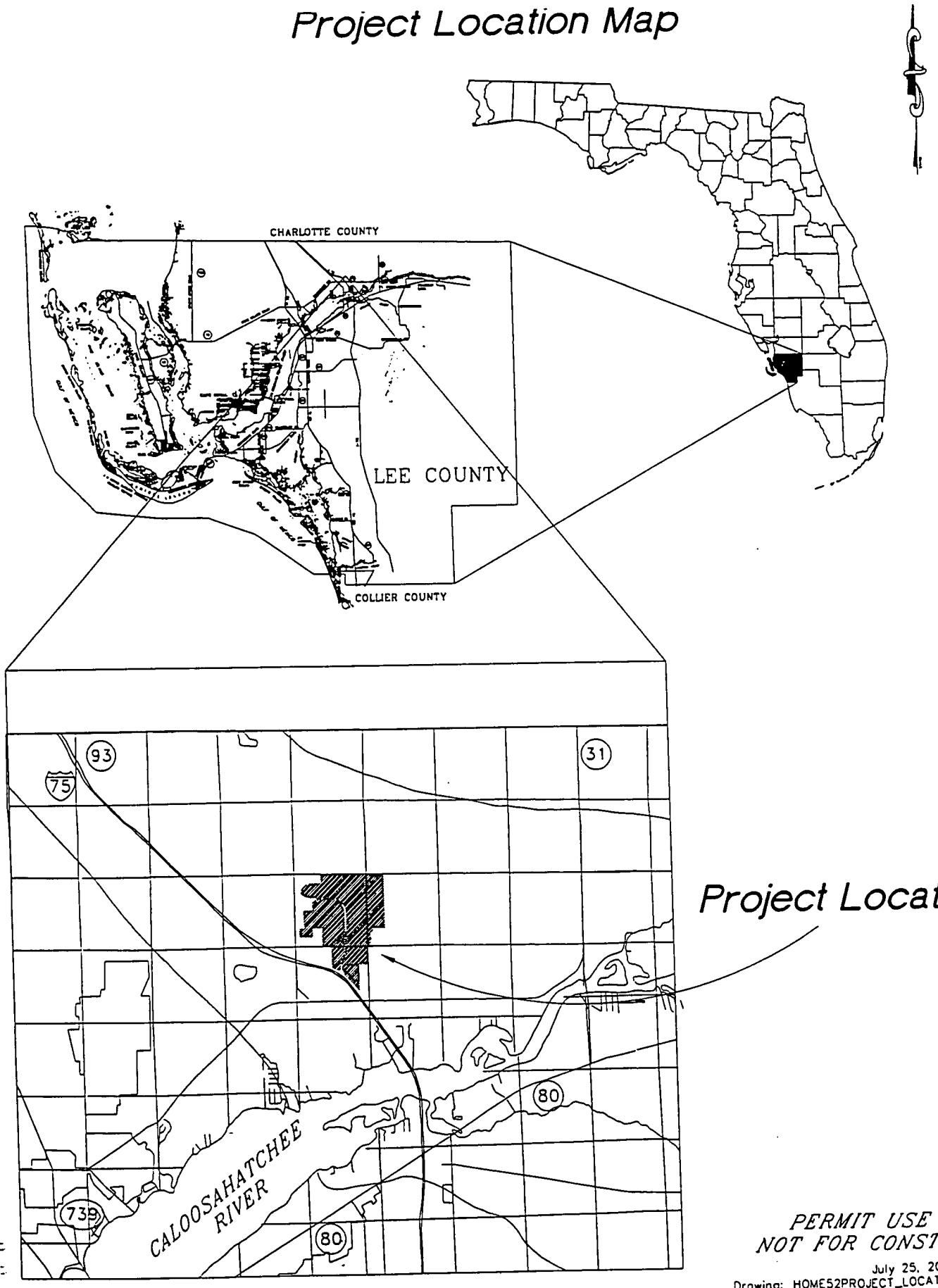
DATE	TIME	WEATHER
3/26/01	3:00 P.M. - 6:15 P.M.	Partly Cloudy, 70° - 75° F, Wind W 5-7 mph.
3/27/01	6:45 A.M. - 10:15 A.M.	Clear, 60° - 70° F, Wind NW 3-5 mph.
3/28/01	6:45 A.M. - 10:00 A.M.	Clear, 65° - 70° F, Wind W 5-8 mph.
4/2/01	7:30 A.M. -10:30 A.M.	Clear, 65° - 70° F, Wind S 0-3 mph.
4/3/01	7:00 A.M. - 10:30 A.M.	Clear, 65° - 70° F, Wind E 3-5 mph.

IV. Survey Results and Conclusions

No Florida scrub jays were observed on site during this formal five-day survey.

Several other bird species including grackle, black vulture, shrike, red-headed woodpecker, pileated woodpecker, downy woodpecker, northern flicker, meadowlark, ground dove, cardinal, blue jay, crow, brown thrasher, mourning dove, mockingbird and various warblers were observed during this Florida scrub jay survey.

Project Location Map



PERMIT USE ONLY,
NOT FOR CONSTRUCTION

July 25, 2001 9:01:54 a.m.
Drawing: HOME52PROJECT_LOCATION.DWG (DCS)

W. DEXTER BENDER
AND ASSOCIATES
ENVIRONMENTAL & MARINE CONSULTING
FORT MYERS, FL (941) 334-3680

REVISED:

Heritage Creek

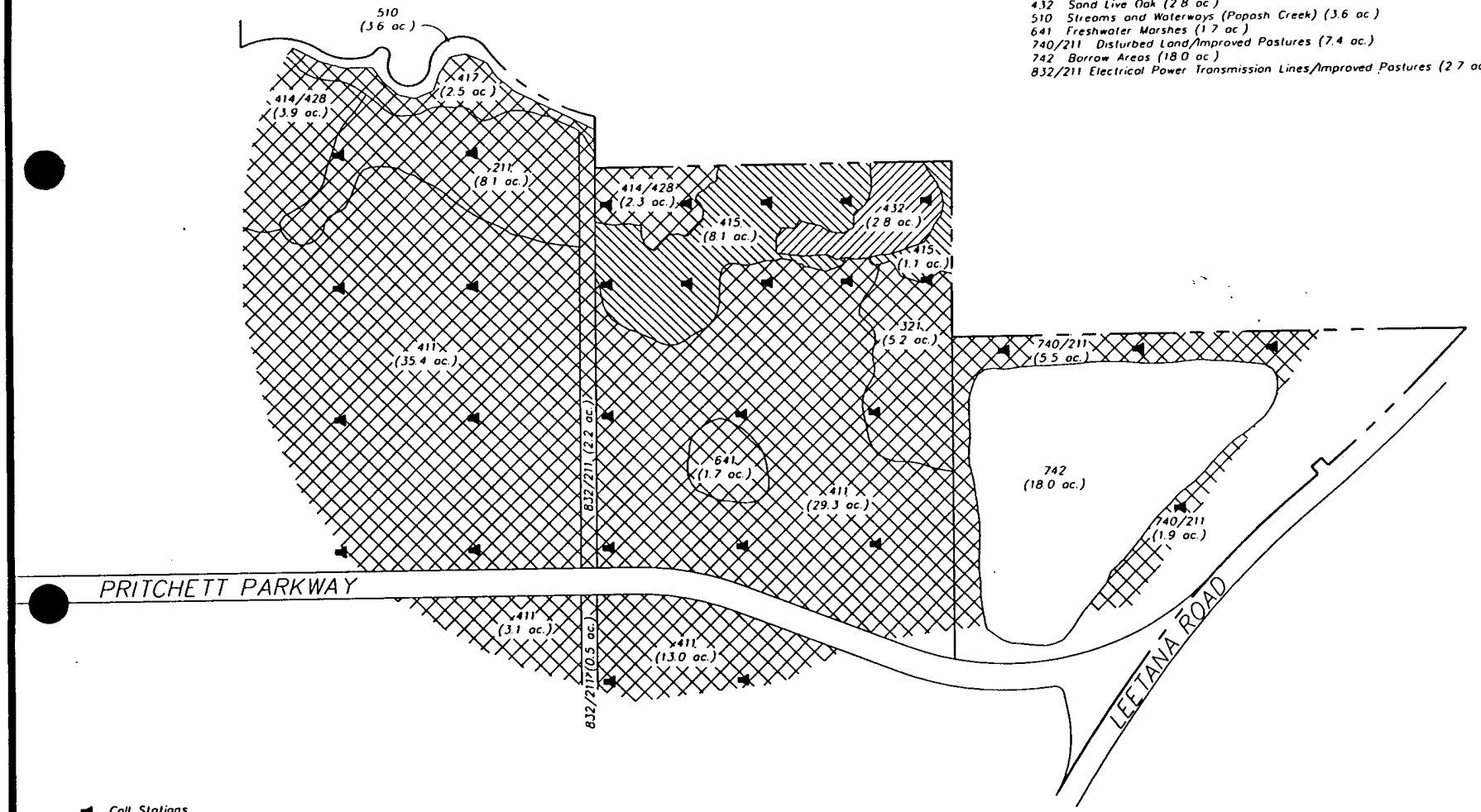
SHEET

SECTION: 16 & 21
TOWNSHIP: 43 S
RANGE: 25 E

SCRUB JAY HABITAT MAP

0 300 600
SCALE FEET

FLUCCS Legend
211 Improved Pastures (8.1 ac.)
321 Palmetto Prairies (5.2 ac.)
411 Pine Flatwoods (80.8 ac.)
414/428 Pine - Mesic Oak/Cabbage Palm (6.2 ac.)
415 Scrubby pine flatwoods (9.2 ac.)
417 Live Oak (2.5 ac.)
432 Sand Live Oak (2.8 ac.)
510 Streams and Waterways (Papash Creek) (3.6 ac.)
641 Freshwater Marshes (1.7 ac.)
740/211 Disturbed Land/Improved Pastures (7.4 ac.)
742 Borrow Areas (18.0 ac.)
832/211 Electrical Power Transmission Lines/Improved Pastures (2.7 ac.)



Call Stations
Type I Habitat (2.8 ac.)
Type II Habitat (9.2 ac.)
Type III Habitat (114.6 ac.)

PERMIT USE ONLY,
NOT FOR CONSTRUCTION
April 10, 2001 2:35:46 p.m.
Drawing: HOME52SCRUBJAY.DWG

W. DEXTER BENDER
AND ASSOCIATES
ENVIRONMENTAL & MARINE CONSULTING
FORT MYERS, FL (941) 334-3680

REVISED:

HERITAGE CREEK

SHEET

EXHIBIT IV-M
FACILITIES FOR THE DEVELOPMENT
(Instructions on back side of page)

1. Fire District: Bayshore Fire

2. Estimated daily consumption of potable water:

2.a.	1525	Residential units:	364,500	gpd
2.b.		Mobile Home units:		gpd
2.c.		Rec. Vehicle units:		gpd
2.d.		Commercial/Other:	37,900	gpd
2.e.		Industrial:		gpd

3. Source of Potable Water: Lee County Utilities

3.a. Agreement with the utility company is attached as **Exhibit IV-M-3.**

4. Source of Non-Potable Water Utility Company effluent

5. Estimated daily production of wastewater:

5.a.	1525	Residential units:	364,500	gpd
5.b.		Mobile Home units:		gpd
5.c.		Rec. Vehicle units:		gpd
5.d.		Commercial/Other:	37,900	gpd
5.e.		Industrial:		gpd

6. Special effluent is anticipated. See **Exhibit IV-M-4.**

7. Source of sanitary sewer service: Utility Company

7.a. Agreement with the utility company is attached as **Exhibit IV-M-7.**

7.b. A private on-site disposal facility will be used. See **Exhibit IV-M-4.**

7.c. Individual sewage disposal systems will be used.

7.d.. Spray irrigation will be used. See **Exhibit IV-M-4.**

Attachment 1
Heritage Creek
PERMITTED LAND USES
October 16, 2001

Residential 1 (R-1)

- Accessory Uses
- Administrative Offices
- Agricultural Uses, continuation of bona fide use only
- Dwelling Units

Single Family, detached	Two family attached
Townhouse	Multi-family

- Entrance Gates and Gatehouses
- Essential Services
- Essential Service Facilities, Group I
- Excavation, Water Retention—Not to include the removal of excavated material from the site
- Fences and Walls
- Home Occupation, as limited by the LDC
- Model Homes, Model Units and Model Display Center, including accessory parking lots
- Real Estate Sales and Rental Office—limited to sales of lots, homes or units within the development
- Recreation Facilities, Personal and Private On-Site located throughout the development to include the following or other comparable uses:

Tennis Courts	Bike paths	Boardwalks
Nature Trails	Swimming pools	Picnic areas
Playgrounds	Shuffleboard courts	Horseshoe pits
Vita course	Jogging paths	Bocce courts

- Residential accessory uses, including but not limited to:
  Private garages, carports and parking areas,
  Private swimming pools and enclosures and Private tennis courts
- Signs
- Temporary uses—limited to a sales center and a construction office

Residential 2 (R-2)
All uses permitted in the R-1 District plus Multi-family Building .

Park (Tract K)

- Recreational Facilities, Private On-site or Off-site for Heritage Creek for use by the residents of Heritage Creek and their guests to include the following or comparable uses:

Tennis Courts	Bike paths	Fishing Piers	Multi-purpose fields
Nature Trails	Swimming pools	Picnic areas	Putting Practice Green
Playgrounds	Boat docks	Horseshoe pits	Multi-purpose courts
Vita course	Jogging paths	Bocce courts	Driving (aqua) range
Soccer Fields	Baseball Fields	In-line skating	Shuffleboard courts

Recreational
Hall

- Project Maintenance Facility
- Club, Private located in the "Park" shown on the Master Concept Plan for Heritage Creek including but not limited to the following ancillary uses:
  Food and Beverage Service
  Pro Shop
  Locker Rooms
  Health Club and Spa
  Rental or leasing establishment, Group I (limited to bicycles, tennis rackets and other small sports equipment for use in Heritage Creek.)
  Specialty Retail, Group I

Conservation Areas
Interpretive centers and Signage, rain shelters, gazebos
Nature and foot trails including boardwalks and jogging paths
Paths, boardwalks and bridges to provide access from the uplands to the wetlands
Water Management Facilities
Wildlife Management
Mitigation and Restoration Activities

Attachment 2

Heritage Creek
PROPERTY DEVELOPMENT REGULATIONS
October 16, 2001

LAND USES	Minimum Lot			Minimum Setback (ft)							Max Height (ft)	Min Bldg Separation (ft)	Max Lot Coverage (%)
					Rear (ft)			Front (ft)					
	Area (sq ft)	Min Width (ft)	Min Depth (ft)	Side[1] Incl. Corner Lots (ft)	Lots	Wetland	Acc	Front Entry Garage	Bldg or Side Entry Garage	Water Body (ft)			
Single Family Detached	4,000	40	100	5	20	20	5	20	12	25	35 or 2 stories	10	65
Two Family Attached	3,750	37½	100	0 or 10	20	20	5	20	12	25	35 or 2 stories	10	65
Townhouse	2,000	22	80	0 or 10	20	20	5	20	15	25	35 or 2 stories	20	n/a
Multi-Family	10,000	100	100	10	20	20	5	20	20	25	55 or 4 stories	20	70
Clubhouse	20,000	80	100	10	20	20	5	n/a	20	25	45 or 2 stories	20	55

[1] Applies to lots of all widths and to corner lots. Each lot will have only one front yard.

Attachment 3
OPEN SPACE AND INDIGENOUS VEGETATION
Heritage Creek
October 16, 2001

		Open Space			Indigenous Vegetation		
		Required		Provided	Required		Provided
	Acres	% open space	Acres	Acres	% Indig.	Acres	Acres
Residential Tracts with lots greater than 6,500 sq ft	260.0	n/a	n/a	0	0	0	0
Balance of Development	481.7	40%	200.9	200.9	50%	100.4	100.4
TOTAL	741.7						

Note: This table is very preliminary. The total required open space and indigenous vegetation will change if more acreage is provided with tracts with lots greater than 6,500 sq ft.

Attachment 4
Heritage Creek
October 16, 2001

DEVIATION LOCATIONS
The locations for the Deviations for Heritage Creek Oaks with limited application are indicated on the Master Plan. Other Deviations are located as follows:

Deviations 6, 8, 11, 12 and 13 apply to residential and golf course tracts as applicable.
Deviations 1 and 5 apply to all internal roadways and accessways.
Deviation 2 applies to all internal sidewalks.
Deviation 14 applies to the project identification signs.
Deviation 7 applies to the internal lakes.

DEVIATION 1
Deviation from LDC Section 10-296(d), Table 4(7)(c) which requires the wearing surface on local and access streets to be one-and-one-half-inch (1.5") asphaltic FDOT type S-III to allow for cement concrete and/or pavers on the private streets.

Justification
This developer is requesting this deviation for entrance features and other focal points within Heritage Creek. They expect the pavers would be used to enhance the development entrance, golf cart crossings and the clubhouse entrance. Cement concrete and/or pavers have been used extensively through out the county in most large-scale projects. These building systems are structurally equivalent to the "standard" cross-section of asphaltic and concrete paving materials and consequently their use only adds to the quality of this development and does not create any negative impact to the public.

DEVIATION 2
Deviation from LDC Section 10-256(d)(3) which requires all sidewalks to be either (1) four-inch (4") thick Portland cement concrete, or (2) a minimum of one-and-one-half-inch (1.5") thick asphaltic concrete of FDOT type S-III to allow sidewalks to be constructed of decorative pavers throughout the development.

Justification
This developer is requesting that this alternate cross-section which is structurally equivalent to the "standard" cross-section of concrete sidewalks be granted to allow the developer the option of upgrading the appearance of some of the development's sidewalks. Several examples of this alternate surface can be found in the county, particularly in large-scale, quality projects. There is no impact to the public from this change.

DEVIATION 3
Deviation from LDC Section 10-418 (a)(2)(b) which requires a minimum number of native wetland herbaceous plants of one (1) plant per linear foot of lake shoreline and that native wetland trees or shrubs may be substituted for up to 25 percent of the total number of herbaceous plants required to allow the required number of plantings to be 50% trees in the aqua driving range lake only.

Justification
The twenty acre borrow pit near the project entrance is proposed to include a golf aqua driving range for the subject property. This lake's use as an aqua driving range is incompatible with the usual lake perimeter wetland plantings. With the physical constraints of the subject property an aqua range was the only possible solution for a driving range. In an aqua range the balls float

and are retrieved by scooping them out with nets from the lake edge. The usual low level wetland vegetation along the aqua range's shore line would interfere with this retrieval would result in unavoidable damage and possibly destruction of the plants. The applicant is requesting this deviation to allow the option of locating wetland trees in lieu of some of the smaller plant varieties. There is no impact to the public from this change.

DEVIATION 4
Deviation 4 seeks relief from the LDC Section 10-291(3) which requires, where practical, any residential development of at least 5± acres to provide two (2) or more means of ingress and egress, to allow only one means of ingress and egress for those development parcels which are surrounded by golf course, water body or conservation area or any combination of these. These tracts are Tract D, Tract G and Tract H. A full size cul-de-sac will be provided in any parcels subject to this deviation. Prior to each local Development Order, the local Fire and Emergency Service will provide a letter of no objection to the single ingress and egress of these parcels.

Justification
On a project-wide basis, the Heritage Creek development meets the requirements of LDC Section 10-281 as it provides many access points onto Pritchett Parkway. This deviation is intended to apply to the parcels listed above. Except for Tract K, the recreation facility tract, each of these parcel is either surrounded by water or preserve area. Final design for this tract is not complete but it may be necessary for security reasons to limit access to one access point. There is no impact to the public from this change.

DEVIATION 5
Deviation requesting relief from LDC Section 10-355(a)(1) which requires a 10-foot public utility easement on both sides of a roadway parcel to allow the public utility easement on one side only provided that all applicable utility companies have no objection.

Justification
This section provides that water and sewer line utility easement's "actual width shall be determined on a case-by-case basis so as to be accommodated within the utility easements". Providing adequate utility easements that ensure future access to these facilities will be a primary concern. Allowing one side of the project's local roads and accessways to be free of utility easements will enhance the development in those cases where it is more appropriate to eliminate an easement on one side based on sound efficient engineering reasons. Examples of this possibility would be in cases where proper looping of utility lines within the development is constructed on one side of a road only or in cases where it is more feasible to route utility lines elsewhere rather than along road right of ways. Roadway segments that include development only on one side of the road have been indicated. The reason for this deviation is to allow the project engineer, in full consultation with the reviewers and the utility companies flexibility to design the best possible project.

This deviation will improve the development by allowing water and sewer line utility easements to be located based on sound efficient engineering reasons for the specific project. Generally the approvals have been conditioned to require the approval of the utility company, and this applicant agrees to that condition. There is no impact to the public from this change.

DEVIATION 6
Deviation seeking relief from LDC Sections 10-421(a)(5) which requires that no portion of a buffer area consisting of trees and shrubs be located in an easement, to allow planted buffers consisting of shrubs and non-required trees in easements provided that if any required buffer or landscape strip plantings installed within easements must be removed, then the Developer or property-owners' association must replace these plantings with like size and species at no

expense to the county. This requirement must be clearly stated in the property-owners' documents.

Justification
This deviation is requested to enhance the development by improving its appearance with landscaping while still providing access to any easements. This deviation is routinely approved with the conditions "if any required buffer or landscape strip plantings installed within easements must be removed, the Developer or property owner's or homeowner's association must replace these plantings with like size and aged species at no expense to the county and assume the cost to repair any utilities damaged by the removal of these plantings. The requirement must be clearly stated in the property owner's or homeowner's documents." It is also understood that plantings in these easement areas are not credited against any project landscape requirements. There is no impact to the public from this change. See Master Concept Plan.

DEVIATION 7
Deviation from LDC Section 10-329(e)(4) which requires excavation banks to be sloped; to allow up to 40 percent of the banks to utilize a vertical slope with the condition that the number of littoral plants required for the excavation must be based on the entire shoreline including the bulkhead portions. Lake bottom slopes at the toe of any bulkhead may be no greater than 4:1 and adequate elements for the protection of wayward vehicles must be provided when adjacent to any roadway, parking lot or driveway aisle.

Justification
Safety and environmental considerations are addressed in the conditions. This deviation improves the development by allowing a more aesthetic, creative design of the development and by improving the golf course. As mentioned above, safety is addressed with the condition regarding wayward vehicles and the requirement that slopes at the toe of the bulkhead be maintained at 4:1. Environmental considerations are also addressed in the conditions. There is no impact to the public from this change.

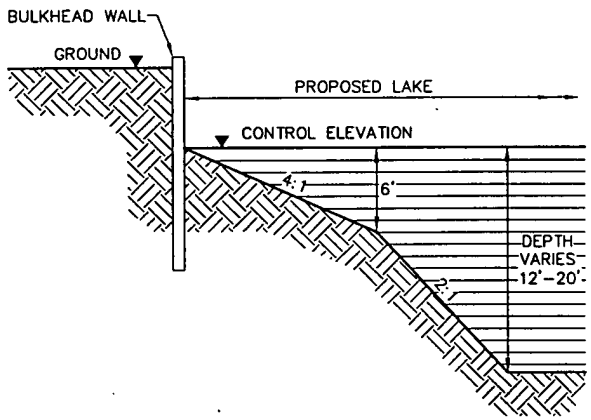
DEVIATION 8
Deviation from LDC Section 10-259 which requires that no buildings or structures shall be placed in easements where placing a building or structure in an easement is contrary to the terms of the easement or interferes with the use of the easement, to permit building overhangs only to a maximum 1.5 feet into either a 15-foot or 20-foot closed drainage system easement throughout and only in those circumstances where corrugated plastic pipe is used and adequate engineering analysis is provided by the Applicant at the time of development order and approval by Development Services Division which demonstrates that adequate maintenance of utilities, storm drain facilities, etc. can be achieved.

Justification
The applicant's request is not to place any building or structure in an easement but simply to allow minor building overhangs. The deviation will improve the project by reducing unnecessary cost to the development while at the same time meeting all of the objectives of the LDC provision. The application of this deviation is very limited. Safety concerns are addressed with the condition that High Density Polyethylene pipe is required. With this type of pipe no machinery is needed to move the pipe into location. Maintaining this minimum deviation to allow only to a maximum 1.5 feet into either a 15-foot or 20-foot easement and to require a review at the time of development order approval further contribute to alleviate any safety concerns. There is no impact to the public from this change.

DEVIATION 9
Deviation 9 seeks relief from the LDC Section 34-2020(1)c. requirement that multiple family

OCI 2001-00038

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OCT 19 2001
PERMIT COUNTER



BULKHEAD CROSS SECTION

N.T.S.

Deviation 7

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS ◆ NAPLES ◆ SARASOTA
10511 SIX MILE CYPRESS PARKWAY – SUITE 101
FORT MYERS, FLORIDA 33912
PHONE: (941)939-5490 FAX: (941)939-2523
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690

LAKE/BULKHEAD WALL CROSS SECTION

STONYBROOK NORTH

LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
10-04-01	1447	LK-BKD-2	DGP	DGP		N.T.S.	1	1	

J:\JOBS\14xx\1447\ENGINEERING\Exhibits\1447_Lk-Bulked-2.dwg, 10/04/2001 03:33:28 PM, Dan Post

buildings have 1.5 parking spaces for 1-bedroom units, 1.75 spaces for 2-bedroom units and 2.0 spaces for 3-bedroom units, to allow 1.25 parking spaces for all bedroom unit types, with an additional 10 percent of parking for multiple family buildings to accommodate guest parking.

Justification
Heritage Creek is modeled after other US Home Communities. Tract M is the only tract with Multi-Family product proposed. US Home previously completed a study on the parking requirements for this same building concept. As this building attracts the same clients wherever it is built, the number of occupied parking places at these other US Home projects is a predictor of what will occur at Heritage Creek.

DEVIATION 10
Withdrawn by Applicant

DEVIATION 11
Withdrawn by Applicant

DEVIATION 12
Deviation from LDC Section 34-1954(a)(1) to allow model homes and model home units to be permitted by right.

Justification
This deviation allows the county to determine that model homes and model units are appropriate for the subject development now rather than waiting to make piecemeal decisions in the future. This alternative process enhances the planned development by allowing the use to exist within the project while under unified control and meeting the provisions of the LDC with respect to model homes and model units.

There is only one multi-family tract within the entire Heritage Creek project. Any and all model units will be located in that tract. The general location of all model homes have been shown on the Master Concept Plan.

As the applicant has included model homes and model units in the list of permitted uses it is possible that this deviation is not necessary. The applicant's agents have been previously required to include this request by some reviewers. Consequently, it has been included here.

DEVIATION 13
Deviation from LDC Section 34-1954(f) which allows Director discretion to allow high turnover parking surfaces to meet the surfacing standards for low turnover parking lots to allow the parking spaces for the ancillary sales office use within a model home to be surfaced with gravel.

Justification
No deviation is requested regarding the surfacing standards for the actual single family home. That required parking as well as the handicapped parking space(s) for the model home will be paved. This request applies only to the additional parking for the use of the model home as a model. Parking requirements for model homes and model units change over time. When the models are active, the parking requirements are higher than they will be for the same unit after it becomes a home. Gravel parking lots are customary for model homes and model units. The project will be enhanced by granting this deviation to allow for less impervious paving surfaces because additional paving is unattractive, heat producing, environmentally insensitive and an unnecessary expense to the developer.

As a condition of this request, the applicant will construct the required handicapped parking for

the type of dwelling unit being displayed with asphalt or concrete to provide a smooth surface without gaps or holes while additional parking for the models will be surfaced with gravel. This deviation will not affect public safety.

DEVIATION 14
Deviation requesting relief from the LDC Section 30-153(2)(a)(iv). requirement that limits the text of additional identification signs to the name of the subdivision or residential development, to allow sign text for both the entry signs and the corner
monuments to include the notation "A US Home Community" or "US Home" in addition to the name of the residential development.

Justification
A critical component of project identification for a new residential development is identifying the developer. This deviation was approved recently for US Home's Stoneybrook community. The part of the signage identifying the developer is small, low key and attractive. The developer proposes the same kind of signage for Heritage Creek. No additional size is being requested for the signage due to this request.

PROTECTED SPECIES ASSESSMENT

For

HERITAGE CREEK

US HOME CORPORATION

Sections 16 & 21, Township 43 South, Range 25 East
Lee County, Florida

April 2001

Revised August 2001

RECEIVED
OCT 19 2001
COMMUNITY DEVELOPMENT

Prepared By:

W. Dexter Bender & Associates, Inc.
2052 Virginia Avenue
Fort Myers, Florida 33901
(941) 334-3680

DCI 2001-00038

INTRODUCTION

A parcel known as Heritage Creek is located in Sections 16 & 21, Township 43S, and Range 25E in northern Lee County. The property is bounded on the southwest by Interstate 75, on the east by Popash Creek and is divided by Pritchett Parkway running north to south through the property. The property location is shown on the attached map. This report documents the observations made during protected species surveys conducted on February 8 & 9, March 6, 26, 27, 28, and April 2, 3, 4, 6 and 9, 2001.

VEGETATION

Field observations, in conjunction with the Lee County Soil Survey and infrared aerial photographs, were used to develop a map of vegetative communities on site. The table below displays the twenty-seven (27) distinct vegetation associations found on the subject parcel. These vegetative communities were identified and classified utilizing the Florida Land Use Cover and Forms Classification System (FLUCCS) and are shown in table 1 below. A description of each FLUCCS association is also included. The attached vegetation map provides the location of the vegetative communities on site.

FLUCCS CODE	DESCRIPTION	ACREAGE	PERCENT SURVEYED
119/411	Low Density Residential Under Construction/ Pine Flatwoods	19.2	>90
211	Improved Pasture	41.7	>90
211P	Improved Pasture with Pines	24.2	>90
214	Row Crops	158.0	50
321	Palmetto Prairie	22.6	>90
321P	Palmetto Prairie with Pines	12.9	>90
411	Pine Flatwoods	275.7	>90
411P	Pine Flatwoods with Brazilian Pepper	23.7	>90
414/428	Pine - Mesic Oak/ Cabbage Palm	11.7	>90
411/740	Pine Flatwoods/ Disturbed Land	10.4	>90
415	Scrubby Pine Flatwoods	9.2	>90
417	Live Oak	1.0	>90
425	Temperate Hardwood	1.9	>90
428P	Cabbage Palm with Brazilian Pepper	0.5	>90
429H	Willow- Hydric	13.1	50

432	Sand Live Oak	2.8	>90
510	Streams and Waterways	2.0	50
617	Mixed Wetland Hardwoods	0.7	50
621	Cypress	7.3	50
641	Freshwater Marsh	42.8	50
740	Disturbed Land	1.1	>90
740/211	Disturbed Land/ Improved Pasture	19.4	>90
742	Borrow Areas	26.7	50
743	Spoil Areas	8.8	>90
8145	Graded and Drained	2.2	>90
832/211	Electrical Transmission Lines/ Improved Pasture	4.5	>90
8331	Treatment Plant	6.0	50
TOTAL		750.1	

VEGETATIVE DESCRIPTIONS

The following is a brief description of the twenty-seven (27) vegetative communities found on site. All of the habitats described below are currently being utilized as active cattle pasture and have been altered to varying degrees (via burning, clearing. planting of pasture grasses, etc.) to create more suitable conditions for livestock grazing.

119/411 – Low Density Residential Under Construction/ Pine Flatwoods (19.2 acres)
This area contains roads and a stormwater management system without structures. The dominant species within this vegetative community are saw palmetto (*Serenoa repens*) and slash pine (*Pinus elliottii*).

211 – Improved Pasture (41.7 acres)
This vegetative community is dominated by Bahia grass (*Paspalum notatum*) and other pasture grass species with scattered saw palmetto (*Serenoa repens*), Brazilian pepper (*Schinus terebinthifolius*), wax myrtle (*Myrica cerifera*), and prickly pear cactus (*Opuntia humifusa*) also present.

211P – Improved Pasture with Pines (24.2 acres)
This vegetative community is similar in composition to FLUCCS 211 above with slash pine scattered throughout.

214 – Row Crops (158.0 acres)
This area is actively farmed and currently contains tomatoes.

321 – Palmetto Prairie (22.6 acres)
This habitat contains dense thickets saw palmetto with Bahia grass dominating the open areas. Other species present include wiregrass (*Aristida stricta*), runner oak (*Quercus pumila*), staggerbush (*Lyonia fruticosa*), gallberry (*Ilex glabra*), grapevine (*Vitis rotundifolia*), slash pine, Brazilian pepper and prickly pear cactus.

321P – Palmetto Prairie with Pines (12.9 acres)
This habitat is similar in vegetative species composition to FLUCCS 321 above with significant coverage by slash pines.

411 - Pine Flatwoods (275.7 acres)
Slash pine dominates the canopy of this habitat with saw palmetto, Bahia grass, wiregrass, gallberry, Brazilian pepper and grapevine comprising the groundcover.

411P - Pine Flatwoods with Brazilian Pepper (23.7 acres)
This habitat is similar in composition to FLUCCS 411 above with significant coverage by Brazilian pepper.

414/428 – Pine – Mesic Oak/ Cabbage Palm (11.7 acres)
Cabbage palms (*Sabal palmetto*) and live oaks (*Quercus virginiana*) are the dominant canopy species in this mesic hammock. Subdominant species include American beautyberry (*Callicarpa americana*), buckthorn (*Bumelia sp.*), Bahia grass and grapevine.

415 – Scrubby Pine Flatwoods (9.2 acres)
Slash pine is the dominant canopy species and Bahia grass is the dominant groundcover within this habitat. Scattered myrtle oak (*Quercus myrtifolia*), sand live oak (*Quercus geminata*), dwarf live oak (*Quercus minima*), saw palmetto, live oak, cabbage palm. American beautyberry and grapevine are also present.

417 – Live Oak (1.0 acres)
Live oaks dominate the canopy while broom sedge (*Andropogon virginicus*), Bahia grass and other pasture grasses are dominant groundcover species. Cabbage palm, Brazilian pepper and grapevine are also present.

425 – Temperate Hardwood (1.9 acres)
This hammock area contains laurel oak (*Quercus laurifolia*), live oak, cabbage palm, red maple (*Acer rubrum*), Brazilian pepper, grapevine, poison ivy (*Toxicodendron radicans*) and swamp fern (*Blechnum serrulatum*).

428P – Cabbage Palm with Brazilian Pepper (0.5 acres)
Cabbage palm is the dominant canopy species in this mesic hammock area. Subdominant species include poison ivy, greenbrier (*Smilax sp.*), wiregrass, American beautyberry, buckthorn, Bahia grass and grapevine.

429H – Willow - Hydric (13.1 acres)
This wetland community is dominated by Carolina willow (*Salix caroliniana*) with swamp fern, wax myrtle, slash pine and Brazilian pepper also present.

432 – Sand Live Oak (2.8 acres)
Sand live oak, myrtle oak and dwarf live oak are the dominant species within this habitat. Common paw-paw (*Asimina reticulata*), Bahia grass, saw palmetto, grapevine, buckthorn and prickly pear cactus are also present.

510 – Streams and Waterways (2.0 acres)
This habitat is a creek known as Popash Creek, running approximately north-south through the site, containing sparse vegetation including torpedo grass (*Panicum repens*), water-hyssop (*Bacopa sp.*) and pickerelweed.

617 – Mixed Wetland Hardwoods (0.7 acres)
Laurel oak, bald cypress (*Taxodium distichum*), cabbage palm, red maple, swamp fern and Brazilian pepper are the primary species in this wetland habitat.

621 – Cypress (7.3 acres)
Bald cypress is the dominant canopy species in this forested wetland habitat. Swamp fern, chainfern (*Woodwardia virginica*) and Brazilian pepper are also present.

641 – Freshwater Marsh (42.8 acres)
This wetland habitat contains St. John's wort (*Hypericum fasciculatum*), sand cordgrass (*Spartina bakeri*), pickerelweed (*Pontederia cordata*), maidencane (*Panicum hemitomon*), duck potato (*Sagittaria lancifolia*), common frog-fruit (*Phyla nodiflora*), water pennywort (*Hydrocotyle umbellata*), Asiatic coinwort (*Centella asiatica*), wax myrtle and broom sedge.

740 – Disturbed Land (1.1 acres)
Bahia grass and various other pasture grasses are the dominant species within this disturbed area. Weedy vegetation including ragweed (*Ambrosia artemisiifolia*) and dog fennel (*Eupatorium capillifolium*) is also present.

740/211 – Disturbed Land/ Improved Pasture (16.8 acres)
Bahia grass and other pasture grass species dominate this disturbed habitat. Brazilian pepper, wax myrtle and scattered live oaks are also present.

742 – Borrow Areas (26.7 acres)

These open water habitats consists of a borrow pits that were apparently created during the construction of Interstate 75 and Pritchett Parkway. Shoreline vegetation includes cattail (*Typha sp.*), wax myrtle, water pennywort, water-hyssop, Brazilian pepper and pickerelweed.

743 – Spoil Areas (8.8 acres)
This depositional spoil area contains pasture grasses and weedy vegetation.

8145 – Graded and Drained (2.2 acres)
This area is a dirt road with little or no vegetation present.

832/211 – Electrical Transmission Lines/ Improved Pasture (4.5 acres)
Bahia grass is the dominant species within this habitat. Saw palmetto and broom sedge are also present.

8331 – Treatment Plant (6.0 acres)
This area is an active water treatment facility with various grass species present.

The following table shows which protected species could occur in each habitat:

FLUCCS CODE	DESCRIPTION	Species Name
119/411	Low Density Residential Under Construction/ Pine Flatwoods	Eastern Indigo Snake (*Drymarchon corais couperi*) Gopher Tortoise (*Gopherus polyphemus*) Gopher Frog (*Rana areolata*) Southeastern American Kestrel (*Falco sparverius paulus*) Red-cockaded Woodpecker (*Picoides borealis*) Big Cypress Fox Squirrel (*Sciurus niger avicennia*) Fakahatchee Burmannia (*Burmannia flava*) Satinleaf (*Chrysophyllum olivaeforme*) Beautiful Pawpaw (*Deeringothamnus pulchellus*) Florida Coontie (*Zamia floridana*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*)
211	Improved Pasture	Florida Sandhill Crane (*Grus canadensis pratensis*) Florida Panther (*Felis concolor coryi*)
211P	Improved Pasture with Pines	Florida Sandhill Crane (*Grus canadensis pratensis*) Florida Panther (*Felis concolor coryi*)

214	Row Crops	
321	Palmetto Prairie	Eastern Indigo Snake (*Drymarchon corais couperi*) Burrowing Owl (*Athene cunicularia floridana*) Florida Sandhill Crane (*Grus canadensis pratensis*) Audubon's Crested Caracara (*Polyborus plancus audubonii*) Gopher Tortoise (*Gopherus polyphemus*) Gopher Frog (*Rana areolata*) Southeastern American Kestrel (*Falco sparverius paulus*) Fakahatchee Burmannia (*Burmannia flava*) Beautiful Pawpaw (*Deeringothamnus pulchellus*) Curtis Milkweed (*Asclepias curtisii*) Florida Coontie (*Zamia floridana*) Florida Black Bear (*Ursus americanus floridanus*)
321P	Palmetto Prairie with Pines	Eastern Indigo Snake (*Drymarchon corais couperi*) Burrowing Owl (*Athene cunicularia floridana*) Florida Sandhill Crane (*Grus canadensis pratensis*) Audubon's Crested Caracara (*Polyborus plancus audubonii*) Gopher Tortoise (*Gopherus polyphemus*) Gopher Frog (*Rana areolata*) Southeastern American Kestrel (*Falco sparverius paulus*) Fakahatchee Burmannia (*Burmannia flava*) Beautiful Pawpaw (*Deeringothamnus pulchellus*) Curtis Milkweed (*Asclepias curtisii*) Florida Coontie (*Zamia floridana*) Florida Black Bear (*Ursus americanus floridanus*)

411	Pine Flatwoods	Eastern Indigo Snake (*Drymarchon corais couperi*) Gopher Tortoise (*Gopherus polyphemus*) Gopher Frog (*Rana areolata*) Southeastern American Kestrel (*Falco sparverius paulus*) Red-cockaded Woodpecker (*Picoides borealis*) Big Cypress Fox Squirrel (*Sciurus niger avicennia*) Fakahatchee Burmannia (*Burmannia flava*) Satinleaf (*Chrysophyllum olivaeforme*) Beautiful Pawpaw (*Deeringothamnus pulchellus*) Florida Coontie (*Zamia floridana*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*)
411P	Pine Flatwoods with Brazilian Pepper	Eastern Indigo Snake (*Drymarchon corais couperi*) Gopher Tortoise (*Gopherus polyphemus*) Gopher Frog (*Rana areolata*) Southeastern American Kestrel (*Falco sparverius paulus*) Red-cockaded Woodpecker (*Picoides borealis*) Big Cypress Fox Squirrel (*Sciurus niger avicennia*) Fakahatchee Burmannia (*Burmannia flava*) Satinleaf (*Chrysophyllum olivaeforme*) Beautiful Pawpaw (*Deeringothamnus pulchellus*) Florida Coontie (*Zamia floridana*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*)
414/428	Pine - Mesic Oak/ Cabbage Palm	Eastern Indigo Snake (*Drymarchon corais couperi*) Gopher Frog (*Rana areolata*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*) Audubon's Crested Caracara (*Polyborus plancus audubonii*) Simpson's Stopper (*Myrcianthes frangrans* var. *simpsonii*)

411/740	Pine Flatwoods/ Disturbed Land	Eastern Indigo Snake (*Drymarchon corais couperi*) Gopher Tortoise (*Gopherus polyphemus*) Gopher Frog (*Rana areolata*) Southeastern American Kestrel (*Falco sparverius paulus*) Red-cockaded Woodpecker (*Picoides borealis*) Big Cypress Fox Squirrel (*Sciurus niger avicennia*) Fakahatchee Burmannia (*Burmannia flava*) Satinleaf (*Chrysophyllum olivaeforme*) Beautiful Pawpaw (*Deeringothamnus pulchellus*) Florida Coontie (*Zamia floridana*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*)
415	Scrubby Pine Flatwoods	Eastern Indigo Snake (*Drymarchon corais couperi*) Gopher Tortoise (*Gopherus polyphemus*) Gopher Frog (*Rana areolata*) Southeastern American Kestrel (*Falco sparverius paulus*) Red-cockaded Woodpecker (*Picoides borealis*) Big Cypress Fox Squirrel (*Sciurus niger avicennia*) Fakahatchee Burmannia (*Burmannia flava*) Satinleaf (*Chrysophyllum olivaeforme*) Beautiful Pawpaw (*Deeringothamnus pulchellus*) Florida Coontie (*Zamia floridana*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*) Florida Scrub Jay (*Aphelocoma coerulescens*)
417	Live Oak	
425	Temperate Hardwood	Eastern Indigo Snake (*Drymarchon corais couperi*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*)
428P	Cabbage Palm with Brazilian Pepper	Eastern Indigo Snake (*Drymarchon corais couperi*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*) Audubon's Crested Caracara (*Polyborus plancus audubonii*) Simpson's Stopper (*Myrcianthes frangrans* var. *simpsonii*)

429H	Willow- Hydric	
432	Sand Live Oak	Florida Scrub Jay (*Aphelocoma coerulescens*) Gopher Tortoise (*Gopherus polyphemus*)
510	Streams and Waterways	American Alligator (*Alligator mississippiensis*) Roseate Spoonbill (*Ajaia ajaja*) Limpkin (*Aramus guarauna*) Little Blue Heron (*Egretta caerulea*) Reddish Egret (*Egretta rufescens*) Snowy Egret (*Egretta thula*) Tricolored Heron (*Egretta tricolor*) Everglades Mink (*Mustela vison evergladensis*)
617	Mixed Wetland Hardwoods	American Alligator (*Alligator mississippiensis*) Limpkin (*Aramus guarauna*) Little Blue Heron (*Egretta caerulea*) Reddish Egret (*Egretta rufescens*) Snowy Egret (*Egretta thula*) Tricolored Heron (*Egretta tricolor*) Wood Stork (*Mycteria americana*) Big Cypress Fox Squirrel (*Sciurus niger avicennia*) Twisted Air Plant (*Tillandsia flexuosa*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*)
621	Cypress	Gopher Frog (*Rana areolata*) Arctic Peregrine Falcon (*Falco peregrinus tundrius*) Everglades Mink (*Mustela vison evergladensis*) Big Cypress Fox Squirrel (*Sciurus niger avicennia*) Little Blue Heron (*Egretta caerulea*) Snowy Egret (*Egretta thula*) Tricolored Heron (*Egretta tricolor*) American Alligator (*Alligator mississippiensis*) Limpkin (*Aramus guarauna*) Wood Stork (*Mycteria americana*) Florida Black Bear (*Ursus americanus floridanus*) Florida Panther (*Felis concolor coryi*)

641	Freshwater Marsh	Everglades Mink (*Mustela vison evergladensis*) Little Blue Heron (*Egretta caerulea*) Snowy Egret (*Egretta thula*) Tricolored Heron (*Egretta tricolor*) American Alligator (*Alligator mississippiensis*) Limpkin (*Aramus guarauna*) Wood Stork (*Mycteria americana*) Reddish Egret (*Egretta rufescens*) Florida Sandhill Crane (*Grus canadensis pratensis*) Snail Kite (*Rostrhamus sociabilis*)
740	Disturbed Land	
740/211	Disturbed Land/ Improved Pasture	Florida Sandhill Crane (*Grus canadensis pratensis*) Florida Panther (*Felis concolor coryi*)
742	Borrow Areas	
743	Spoil Areas	Gopher Tortoise (*Gopherus polyphemus*)
8145	Graded and Drained	
832/211	Electrical Transmission Lines/ Improved Pasture	
8331	Treatment Plant	

SURVEY METHODOLOGY

There are several protected plant and wildlife species that could potentially inhabit the vegetative associations found on the subject parcel. In order to provide at least 80% coverage of the various FLUCCS communities, meandering transects with biologists spaced adequately to ensure visual overlap were walked across the entire parcel. The distance between biologists varied between 30 and 100 feet based on the visibility within each habitat. Any sighting of a protected species or evidence of protected species utilization was noted on an aerial or, in the case of gopher tortoise burrows, marked with a hand-held GPS unit. The attached protected species assessment map provides the locations of all protected species sightings during the survey.

RESULTS

Gopher Tortoise:

A total of 159 active and inactive gopher tortoise burrows were identified during the course of the survey. Because a single tortoise can have several burrows, a conversion factor for

the number of tortoises per burrow is used to calculate the density of tortoises per acre. This factor can vary depending on the quality of a given habitat.

Although some habitats are found in several locations throughout the site, gopher tortoise burrows were not identified in each individual location. For instance, FLUCCS 211 is found in four separate locations on the subject property. However, because of varying degrees of habitat quality, gopher tortoise burrows were only identified in one of these areas. Subsequently, only the FLUCCS 211 polygon containing gopher tortoise burrows is included in the density calculations. The following list represents the gopher tortoise density (based on FWC methodology) for each of the habitats that contained active or inactive burrows:

FLUCCS	Acreage	Number of Burrows	Conversion Factor	Number of Tortoises	Density (Tortoises/acre)
211	8.1	13	0.3	3.9	0.48
321	5.2	21	0.3	6.3	1.21
321P	3.4	4	0.3	1.2	0.35
411	215.3	43	0.3	13	0.06
414/428	2.3	7	0.3	2.1	0.91
415	9.2	57	0.4	22.8	2.48
417	2.5	1	0.3	0.3	0.12
432	2.8	13	0.4	5.2	1.86
TOTALS	**196.7**	**156**		**53.8**	

The percentage of a habitat that must be preserved is based on the number of tortoises per acre. This percentage is calculated by multiplying the number of tortoises per acre by 0.375%. The maximum amount of preservation required is 25%. By the calculation described above, the preservation acreages required for this project are as follows:

FLUCCS	Percent Preserved (Tortoises/acre * 0.375%)	* Total Acreage =	Preserved acreage
211	18%	8.1 ac.	1.5 ac.
321	25%	5.2 ac.	1.3 ac.
321P	13.1%	3.4 ac.	0.4 ac.
411	2.3%	215.3 ac.	4.9 ac.
414/428	25%	2.3 ac.	0.6 ac.
415	25%	9.2 ac.	2.3 ac.
417	4.5%	2.5 ac.	0.1 ac.
432	25%	2.8 ac.	0.7 ac.
TOTAL		248.8 ac.	11.8 ac.

In addition to the FWC, Lee County requires a density calculation based on a separate formula. This formula is as follows:

$Dsq' = N/[L\ (lv+rv)]$ and $Dac = Dsq' * 43{,}560$

Where Dac = Density/acre, Dsq'= Density/ sq. ft., N=number of tortoises.
L=length of transect (ft.), lv=left visibility (ft.), rv=right visibility (ft.)

FLUCCS 211	Dsq'=3.9/[8800(20+20)]=3.9/352,000=0.000011; Dac=0.000011*43,560= 0.48
FLUCCS 321	Dsq'=6.3/[5700(20+20)]=6.3/228,000=0.000028; Dac=0.000028*43,560= 1.21
FLUCCS 321P	Dsq'=1.2/[2960(25+25)]=1.2/148,000=0.000081; Dac=0.0000081*43,560= 0.35
FLUCCS 411	Dsq'=13/[187,000(25+25)]=13/9,350,000=0.0000014; Dac=0.0000014*43,560= 0.07
FLUCCS 414/428	Dsq'=2.1/[2,500(20+20)]=2.1/100,000=0.00021; Dac=0.000021*43,560= 0.91
FLUCCS 415	Dsq'=22.8/[10,000(20+20)]=22.8/400,000=0.00057; Dac=0.000057*43,560= 2.48
FLUCCS 417	Dsq'=0.3/[2,100(25+25)]=0.3/105,000=0.000029; Dac=0.0000029*43,560= 0.12
FLUCCS 432	Dsq'=5.2/[3,000(20+20)]=5.2/120,000=0.000043; Dac=0.000043*43,560= 1.87

Big Cypress Fox Squirrel

A big cypress fox squirrel was observed along the power line easement on the eastern side of Pritchett Parkway.

Florida Scrub Jay

A formal Florida scrub jay survey in accordance with FWC guidelines was conducted on the property. No Florida scrub jays or evidence of Florida scrub jay utilization was observed. The Florida scrub jay report is attached as Appendix A.

Bald Eagle

A bald eagle was observed in a dead pine tree located on the southwestern edge of the borrow area on the southern end of the property. The eagle was also observed flying south toward the Caloosahatchee River. No bald eagle nests were observed on site during this protected species survey.

Southeastern American Kestrel

At the request of the FWC, a survey was conducted to establish the presence or absence of the Southeastern American Kestrel on the subject property. This survey consisted of inspection of the dead trees (snags) to determine if cavities within these trees are being utilized as nesting cavities by the kestrel. The survey was conducted by driving transects and individually inspecting each snag on site in accordance with FWC methodology outlined in nongame technical report No. 13, Ecology and Habitat Protection Needs of the Southeastern American Kestrel on Large Scale Development Sites in Florida. No evidence of Southeastern American Kestrel utilization was observed during this survey and it has been determined that the majority of the cavities are being utilized by red headed and pileated woodpeckers.

Other Bird Species

Several species of wading birds were observed in the borrow areas (FLUCCS 742) during the survey. These species include great blue heron, tricolor heron, great egret, snowy egret, glossy ibis, white ibis, wood stork and little blue heron. Two sandhill cranes were observed in the improved pasture (FLUCCS 211) area south of the tomato field.

Appendix A

Florida Scrub Jay Survey

Table 1
Heritage Creek
Revised Land Uses

Status	Land Use	Size
Previously Submitted	Single Family	1472 Dwelling Units
New Total	Single Family	1532 Dwelling Units

Table 2
Revised Trip Generation
Heritage Creek

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily
	In	Out	Total	In	Out	Total	2-way
Previous Single Family (1472 units)	260	780	1,040	775	435	1,210	12,305
New Single Family (1532 units)	270	810	1,080	805	450	1,255	12,765
New Trips	10	30	40	30	15	45	460

EXHIBIT IV-I-1

MASTER LIST OF USES FOR ENTIRE DEVELOPMENT
Revised October 16, 2001

A. **Residential Uses**

	Type	Habitable stories	Height	Total Number of Units
A..1.	Single Family	2 stories	35	0-1525
A. 2.	Zero lot line			
A..3.	Mobile Homes			
A..4.	Recreational Vehicles			
A..5.	Duplex/Two Family	2 stories	35	0-1525
A..6.	Townhouses	2 stories	35	0 to 330
A .7.	Multiple Family	1 - 3 stories	60	0 to 330
A .8.	Multiple Family	4 - 6 stories	60	0 to 330
A. 9.	Multiple Family	7 or more		
A .10	**TOTAL UNITS**			1525

B. **Assisted Living Facilities**

	Type	Habitable Stories	Height	Total Number of Beds
B.1.	Dependent Living Units			
B.2.	Independent Living Units			
B.3.	**TOTAL UNITS**			

C. **Hotels/Motels**

	Room Size	Habitable Stories	Height	Number of Rental Units
C.1.	< 425 sq. ft.			
C.2.	426-725 sq. ft.			
C.3.	725 < sq. ft.			
C.4.	**TOTAL UNITS**			

D. **Commercial**

		Habitable Stories	Height	Total Floor area
D.1.	Medical			Sq. Ft.
D.2.	General Office			Sq. Ft.
D.3.	Retail			Sq. Ft.
D.4.	Other			Sq. Ft.
D.5.	**TOTAL FLOOR AREA**			Sq. Ft.

E. **Industrial**

		Habitable Stories	Height	Total Floor area
E.1.	Under Roof			
E.2.	Not under Roof	NA		
E.3.	**TOTAL FLOOR AREA**			

F. **Mining**

			Depth	
F.1.	Area to be excavated	NA		Acres

MEMORANDUM

October 5, 2001

From: Carron Day

To: Sam Marshall

cc: Deno Benetis, U.S. Home

Reference: **STONEYBROOK NORTH SUFFICIENCY RESPONSE**

The following information is offered in response to the September 11, 2001 Sufficiency Review prepared by Kay Deselem:

Part II

1. Copies of the boundary survey are to be included in this re-submittal.

4. An update on the status of utility service is as follows: North Fort Myers Utilities has petitioned the Public Service Commission for annexation of the Stoneybrook North site in their service area. Assistant Lee County Attorney David Owen issued a letter stating the County will "remain 'neutral' with respect to the NFMU service issues in North Fort Myers" (letter attached). It is anticipated that the annexation will occur in the next few months. The water provider continues to be Lee County Utilities.

Part IV

9. As requested by Lee County staff, a meeting with Deno Benetis, Carron Day, Sam Marshall, Kay Deselem, and Brad Vance was held on September 26, 2001 to discuss floodplain analysis of Popash Creek and Bayshore Creeks. At that meeting, the applicant and consultants expressed a concern that requesting a detailed analysis during zoning is premature. The concept plan depicts setbacks from the creeks which can be finalized during engineering design. Brad provided a draft memorandum stating that floodplain modeling and data would have to be submitted prior to issuance of the first Development Order. Kay also added that sufficient floodplain modeling and data would be required during zoning, if staff is to support that the issue has been sufficiently addressed. Brad explained that there is currently a floodplain study underway for Popash and Bayshore Creeks, and he would attempt to forward that information to the engineer. At that time we will proceed with the floodplain analysis and coordinate our progress with Lee County.

15. A copy of the sketch and description of the proposed access easement through Hunter's Glen is attached. A copy of easement will be provided once it is recorded.

Checklist from Development Services - zoning review, dated 9/10//01:

PART I

1. Amend disclosure forms.

The previously submitted forms were the result of numerous conversations with the County Attorney's Office.

2. WilsonMiller authorization.

Enclosed.

PART II

1. Boundary survey.

Enclosed.

2. Section E.1 of the Planned Development application form.

Enclosed.

3. Explain proposed density

The proposed development has an overall density of two units, which is allowed in the Outlying Suburban land use category. Adjacent to the subject property are land uses of various intensities. The Master Concept Plan effectively separates development within the project from adjacent land uses.

SOUTH

Adjacent Land Uses

I-75, Pritchett Pkwy and Leetana Road.

Development Setback

Tract K development is set back approximately 1300 feet from the project boundary.
Tract A is set back approximately 1050 feet from the project boundary.

EAST

Adjacent Land Uses

Farmworker housing
Agricultural storage .
Oakmont Subdivision with lots of varying sizes but a "typical size" would be 80' x 130'. Density is approximately 1.86 units per acre.
Highpoint Subdivision (Sedgefield Road) with lots of approximately 109' x 135'. Density is approximately 2.25 units per acre.
Tracts ranging in size from 3.35 acres to 32.1 acres

Development Setback

Tract K development is set back a minimum of 400 feet from the project boundary. Native scrub vegetation will be retained.
Tract I development is set back a minimum of 150 feet from the project boundary.
Tract H includes lots sizes that are is comparable to the Oakmont Subdivision.
Tract G development is set back approximately 150 feet and as much as 450 feet from the project boundary.

WEST

Adjacent Land Uses

Virginia Farms with half acre lots, more or less.
Hunter's Glen with half acre lots, more or less. Density is approximately 1.5 units per acre.
Colonial Pines with lots of approximately 100' x 275'. Density is approximately 1.15 units

per acre.
Tracts ranging in size from 1.26 acres on the southern end to 16.4 acres in the north.
Development Setback
The existing Virginia Farms development has been incorporated into the subject site.
Hunter's Glen has been developed by the owner of the subject property.
South of Colonial Farms the subject property is separated from abutting uses by the Bayshore Creek.
Tract C includes a vegetated area of approximately 150 feet between it and adjacent uses.
Tract B is separated from adjacent uses by a minimum of 150 feet.

NORTH
Adjacent Land Uses
Mostly 5 acre tracts. One 3.5 acre tract.
Development Setback
Tract F development is set back a minimum of 180 feet from the project boundary.

4. Utility Question
Response Enclosed

8. Utility Question
Response Enclosed

PART III
1. Revise Application
This change has been made to the original application.

PART IV
1. Acreage for each tract.
See Master Concept Plan

Schedule of Uses and Driving Range
This language change for the "park" has been made. As discussed the developer wishes to retain the possibility of developing a driving range in the large lake within the recreation area. A putting practice area may also be developed.

Project Maintenance Facility
As we discussed, this facility is needed to maintain the common areas and the recreational area within the development. It is expected that the facility will be located adjacent to the powerline easement and a minimum of 100 feet from the Pritchett Parkway ROW. Any part of the facility facing either the residential lots or Pritchett Parkway will be provided with a minimum of a Type C buffer.

Proposed Buildings in the Recreational Facility area
As mentioned previously, it is anticipated that the only buildings within this tract will be the project maintenance buildings mentioned above, a project clubhouse and a building to provide rest rooms and pro shop facilities accessory to the tract's uses.

Aqua Range
The terminology in Attachment 1 has been revised.

3. Provide the number and type of each unit proposed for each tract.

See the revised MCP.

Townhouse

The applicant respectfully disagrees with staff regarding the townhouses. The applicant's attached single family product, which would be considered to be a "townhouse" is very compatible with single family uses and more similar to single family than a multi-story multiple family would be.

Property Development Regulations

See revised Attachment 2.

4. Provide the proposed square footages for specialty retail and restaurant uses.

The restaurant has been deleted from the list of uses. As we have discussed the "specialty retail" is limited to being an accessory use to the clubhouse. It is anticipated that uses will be limited to Group I uses.

5. Address "Park" use on MCP.

The terminology has been revised and made consistent

7. Clarify building heights.

The application has been corrected.

9. Respond to Brad Vance's comments.

See attached.

10. Show general location of service areas

Other than deliveries for the residential uses, the only other deliveries expected within this project are an occasional delivery of office supplies for the administrative offices and ...No services areas, as defined by the LDC, as expected within this development.

16. Hunter's Glen access

See attached

DEVIATIONS:

18. B. Deviation Commitment

The applicant has not requested a commitment to a future approval of a deviation but rather would simply request that the staff indicate that a requested deviation was more properly handled at the Development Order stage.

If the change to the matter included in Deviations 1 and 2 are approved prior to the hearing on this application, the applicant will be happy to withdraw these two deviations.

Deviation #9

We discussed the value and validity of the information provided for Deviation 9 and the project meeting.

18. C. Provide more information to support #4; single access.

We have revised the Master Concept Plan to add an entrance to Tract A, as requested. See revised Deviation list, Attachment 4.

Information regarding access to Hunter's Glen has been provided.

18. D. Provide missing words from #8 request.

See revised Deviation list, Attachment 4.

18. E. Provide more detail for #9.

The requested deviation has nothing to do with the design of the parking lot. It is simply to allow the developer to provide a reasonable number of parking spaces based on his actual experience with the same building types in other similar projects. This deviation was approved for this same developer with this same justification.

18. G. Deviation #11.

After consultation with Don Blackburn the applicant is comfortable that the requested action can be approved through the development review process.

18. H. Provide signage details.

No deviation has been requested regarding the size of any sign. The only deviation relates to the limitation of the text to the project name. Attached is a photograph of the signage at Heritage Palms which is similar in text to the Heritage Creek proposal.

Memo from Brad Vance dated 9/5/01:

See attached

Page No.: 1 2

Help

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This Instrument Prepared by:

Lee County Attorney's Office
Post Office Box 398
Fort Myers, FL 33902-0398

STRAP No.

10-50R
24-50-25

4068096

Documentary Tax Pd. $ 245.00
Intangible Tax Pd. $ ____
CHARLIE GREEN, CLERK LEE COUNTY
By: [illegible] Deputy Clerk

THIS SPACE FOR RECORDING

OR2765 PG2884

COUNTY DEED
(Statutory)

THIS DEED, executed this 2nd day of August, A.D., 1995, by LEE COUNTY, FLORIDA, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, whose address is Post Office Box 398, Fort Myers, Florida 33902-0398 first party, to PRITCHETT DEVELOPMENT COMPANY, LTD., a Florida limited partnership, whose address is 6601 Bayshore Road, North Fort Myers, Florida 33917, second party.

• RECORD VERIFIED - CHARLIE GREEN, CLERK •
• BY: G. SHERWOOD, D.C. •

WITNESSETH: That the said first party, for and in consideration of the sum of Ten ($10.00) Dollars to it in hand paid by the said second party, receipt whereof is hereby acknowledged, has granted, bargained and sold to the said second party, its heirs and assigns forever, the following described land, lying and being in Lee County, Florida:

SEE ATTACHED EXHIBIT "A"

This grant conveys only the interest of the County and its Board of County Commissioners in the property herein described, and shall not be deemed to warrant the title or to represent any state of facts concerning the same.

IN WITNESS WHEREOF the said first party has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman or Vice Chairman of said Board, the day and year aforesaid.

ATTEST:
CHARLIE GREEN, CLERK

By: [signature]
Deputy Clerk

LEE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By: [signature]
Chairman

APPROVED AS TO LEGAL FORM:

[signature]
Office of County Attorney

C9a
8-2-95

CYCLED FOR

Page No.: 1 2

Help

Fit Width | Fit Height | Best Fit | 1:1 | Zoom In | Zoom Out | Rotate 90

OR2765 PG2885

EXHIBIT "A"

VACATION OF COLLECTOR ROAD

A PARCEL OF LAND LYING IN SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA MORE PROPERLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 16, THENCE S 89°28'03" E ALONG THE WEST LINE OF SECTION 16 FOR 664.81 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16 AND THE POINT OF BEGINNING; THENCE N 89°39'49" E FOR 26.81 FEET; THENCE S 21°02'58" E FOR 66.57 FEET TO A POINT NON-TANGENT ON A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 1050.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 56°19'11" FOR AN ARC LENGTH OF 1031.50 FEET (CHORD BEARING S 29°46'18" E, CHORD LENGTH 990.52 FEET) TO A POINT OF COMPOUND CURVE NON-TANGENT CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 1150 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 39°16'34" FOR AN ARC LENGTH OF 788.32 FEET (CHORD BEARING S 78°18'03" E, CHORD LENGTH 772.98 FEET) TO A POINT OF TANGENCY; THENCE N 89°56'10" W FOR 174.21 FEET TO A POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1150.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 72°30'56" FOR AN ARC LENGTH OF 1455.449 (CHORD BEARING N 53°40'56" W, CHORD LENGTH 1360.238 FEET) TO A POINT ON THE WEST LINE OF SAID SECTION 16; THENCE N 00°28'03" W ALONG SAID WEST LINE FOR 376.68 FEET TO THE POINT OF BEGINNING.
CONTAINING 3.15 ACRES, MORE OR LESS.

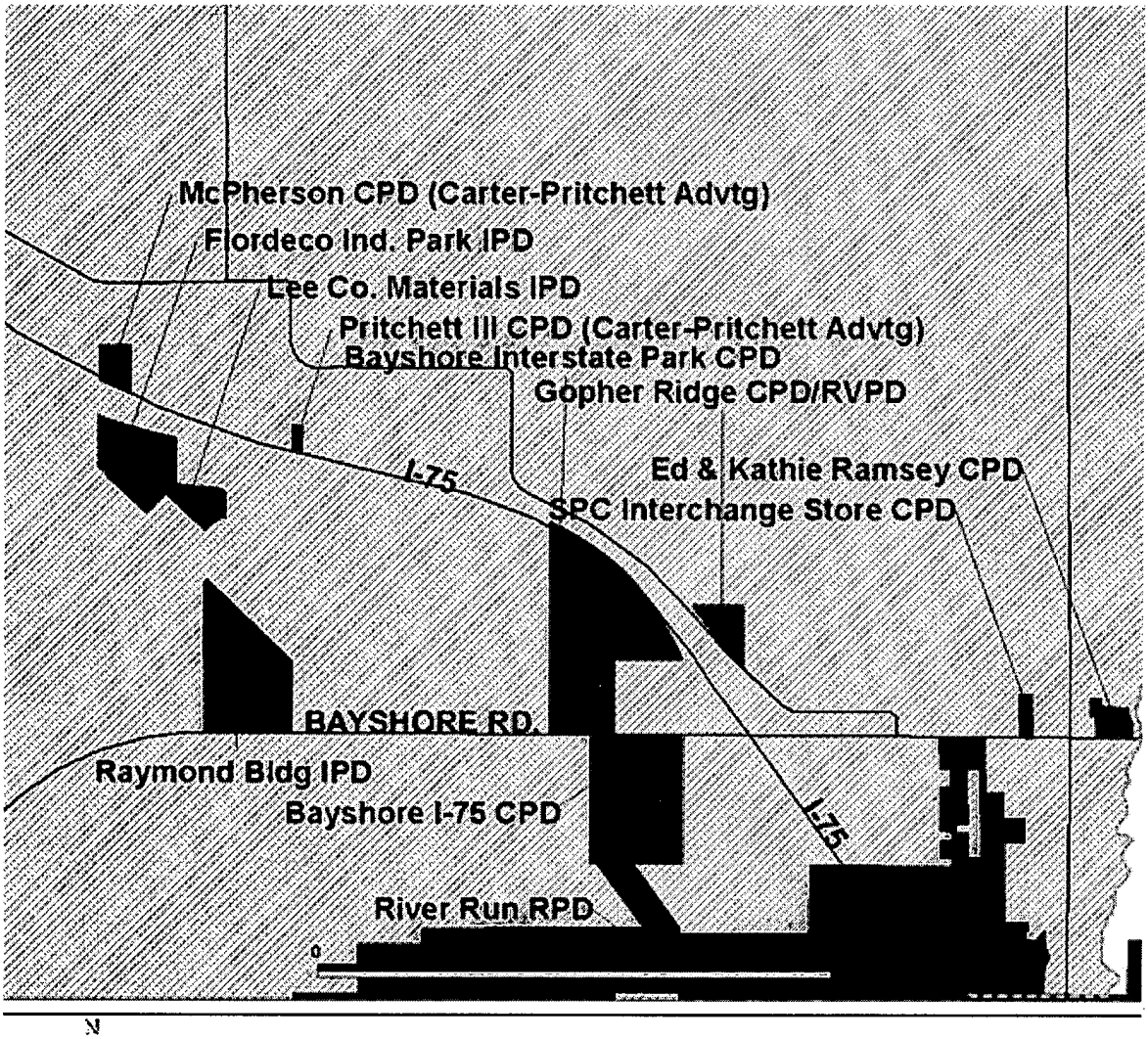
96 NOV 20 PM 4:35 CHARLIE GREEN LEE CTY FL

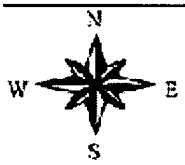
NORTH FORT MYERS PLANNING COMMUNITY

Select and Go!

Select Your Community

Click on a Project to see detail Information





- AIRPORT AUTHORITY PLANNED DEVELOPMENT
- COMMUNITY FACILITIES PLANNED DEVELOPMENT
- COMMERCIAL PLANNED DEVELOPMENT
- INDUSTRIAL PLANNED DEVELOPMENT
- MOBILE HOME PLANNED DEVELOPMENT
- MIXED USE PLANNED DEVELOPMENT
- PLANNED UNIT DEVELOPMENT
- RESIDENTIAL PLANNED DEVELOPMENT
- RECREATIONAL VEHICLE PLANNED DEVELOPMENT

DCI 2001-00138

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA ♦ HOLMES BEACH

The Natural Resources Department has reviewed the submitted Master Concept Plan for Heritage Creek/Stoneybrook North. We have also reviewed the accompanying HEC-RAS floodplain modeling for those portions of Popash Creek and Bayshore Creek adjacent to and within the site and the modeling was done in accordance with generally accepted floodplain modeling principles and parameters. We find that the model demonstrates that the Master Concept Plan is an achievable plan that will have no adverse flooding impacts to upstream or downstream properties.

10511 Six Mile Cypress Parkway, Suite 101, Fort Myers, Florida 33912 • (941)939-5490 • Fax (941)939-2523

Heritage Creek
Stoneybrook North

(1)

6-12-03

Deno Benetis (sp?)
Sam Marshall
Steve Hartzell
Pam Houck
Chip Block
Jason Brant
~~John~~ FREDYMA

Lennar Family of Builders

US·HOME SOUTH FLORIDA LAND DIVISION

DENO BENETIS
SR. VICE PRESIDENT – PROJECT MANAGER

10481 Ben C. Pratt Six Mile Cypress Pkwy.
Fort Myers, FL 33912

Bus: (239) 278-1177
Fax: (239) 278-0883
Mobile: (239) 872-1208
E-mail: benetisd@ushome.com

Issue: Why the change in recommendation in the staff report?

Tract J can be either R-1 or R2 uses

sewage treatment plant - seeking to acquire the plant
Lee Co. water + sewer

Maintenance facility will be minimal
not going to have something like the ~~formerly~~ planned
Self maint. facility that
would have been required
on the earlier design

Tract M also a recreational use tract
entrance not on Pritchette Parkway

Model Home/Model Unit/Model Display Group

Communication Tower need to add to schedule of use

BillBoard issue

AG uses

Heritage Creek ②

6-12-03

Condition 5 needs to occur only if built near it

Not needed if acquired by Developer.

Mining issues - no material off site

Blasting - none

MEMORANDUM
DEPARTMENT OF PUBLIC WORKS
NATURAL RESOURCES DIVISION

LEE COUNTY
HEARING EXAMINER
03 JUN 17 PM 3:24

TO: Chip Block
Development Services Division

FROM: Bradley S. Vance BSV

RE: **HERITAGE CREEK (DCI2001-00038)**

DATE: June 17, 2003

Below are our conditions for the above project. I have reviewed the modeling provided by Banks Engineering, Inc. and discussed the same with Sam Marshall. I have determined that the Master Concept Plan as presented is achievable.

1. Prior to issuance of the first Development Order (or any early work, clearing, filling permits), the applicant must submit the following information for review and written approval by the Lee County Natural Resources Division:

a. The developer must provide an HEC-RAS model for the Popash and Bayshore Creeks demonstrating that the development will not induce any rise to the existing flood elevations, nor any increases in velocities, nor any transfer in overbank flows for the 10-, 25-, and 100-year storms. In addition, the development must not create more than a one (1) foot rise in the base flood (100-year) elevation utilizing encroachment method 4 in the HEC-RAS model. This same model must be submitted to the SFWMD for review, consideration, and their permit files.

b. Show the location and extent of the existing and proposed cross sections from the HEC-RAS model on the Development Order plans, as well as, defining the existing top of bank station/elevation, overbank elevations, roadway elevations, and bridge dimensions and elevations. Sufficient details or sections showing continuity and capacity of flows in the overbank must be clearly demonstrated.

c. No berming, filling or other above ground construction is permitted within fifty feet (50') of the top of banks of Popash Creek.

2. Prior to issuance of the first Development Order (or any early work, clearing, filling permits), containing the bridged crossing, the developer must provide complete construction plans for the bridge for review and approval by the Lee County Natural Resources Division and be in accordance with the following:

a. The bridge crossing of Popash Creek must be a pile supported structure.

b. No more that 4 rows of pilings are permitted in the overbank and none may be closer than 10 feet to the top of bank. Each row must be perpendicular to the direction of flood flows and have a maximum dimension of twelve inches (12").

c. The low chord of the bridge must be at or above the 100-year flood water surface elevation and the abutments for the bridge may not be closer that fifty feet (50') to the top of bank. Additionally, the low chord must be at least two feet (2') above the highest overbank elevation within the fifty foot offset areas (total of 100'+).

3. Along Bayshore Creek, a minimum of fifty foot (50') offset from the top of bank is to be preserved. Any prior filling or alterations from that of natural elevation(s) is to be removed and restored.

4. The developer or its assigns must dedicate an exclusive drainage easement to Lee County for Popash and Bayshore Creeks and its overbanks (50 feet) that lie within its property limits and provide for maintenance accesses. No vegetative planting other than short grasses is allowed within the easement area. The developer agrees to a monthly maintenance/mowing and to keep all exotic/emergent plants to less than one foot of height and remove all non-native vegetation and all brushy type material within the easement area in perpetuity. Said easement must be reviewed and approved the County Attorney and Natural Resources during the platting process. This same language must be contained within the Community Development District or Home Owners Association documents (eg: CDD, HOA, etc).

5. All plans and documents related to this item must include the statement: "This is to certify that I am a duly qualified engineer licensed to practice in the State of Florida. It is to further certify that these design plans, drawings, and associated technical calculations and/or data demonstrate that no adverse affects to the existing flood elevations will occur as a result of this development".

From: Roland Ottolini
To: Trebatoski, Kim; Vance, Brad
Date: 6/18/03 5:07PM
Subject: Re: Heritage Creek Conditions

we need to make sure the hydraulic capacity is there for flood conveyance. making it narrower and denser w/ vegetation might cause a problem.

>>> Kim Trebatoski 06/18/03 05:02PM >>>
Brad - Condition 4 in the Natural Resources memo dated June 17, 2003 is contrary to the LDC requirement to maintain a 25-foot natural waterway buffer, and contrary to the indigenous preservation requirement. Please see me before the hearing resumes at 9am on Thursday to discuss.

Kim Trebatoski
Principal Environmental Planner
DCD - Planning/Environmental Sciences
trebatkm@leegov.com
239-479-8183
FAX 239-479-8319

CC: Houck, Pam; Joyce, Rick

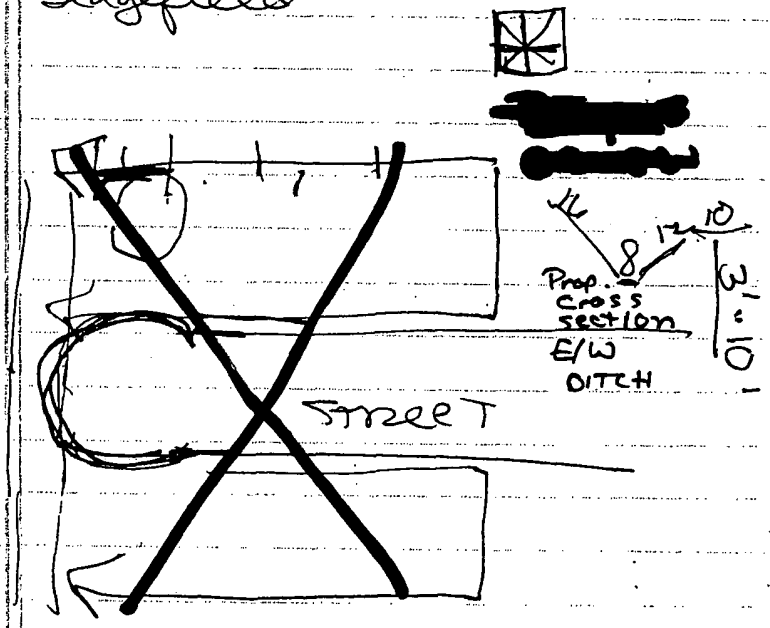
NOTES FROM HEARING FOR STONEYBROOK NORTH

6/19/03 2 weeks (continuance)

~~July 9? + 10?~~ Wed + Thurs

~~City not available~~

Sedgefield



Next hearing dates: July 31 + Aug 1st

Attorney for residents: Ralph Brooks

6/19/03

Sam - willing to grant easement to neighbors to north to drain into east ⇔ west ditch

berm NTB? Farms

1995 ditch dug (Gardubois)

e/w ditch doesn't flow much

TOTAL 36' ditch (proposed)

- wetlands A+B could be left alone

wetland A is seed source for larger wetland on DW end of property

- modeling standard 1.00' rise
- enforcement standard 0' rise

6/19/03

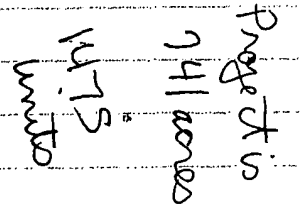
Sharia - Oakmont

have no lighting in Oakmont
— see notes from yesterday

concerned about water
coming from e→w ditch
dredging creek
e→w ditch retain
water so creek goes
dry?
replacement vegetation
— to replace removed
species

Richard Codick
- Lettara Rd

2 staff reports/inconsistencies
density? buffers
putting in logs
traffic
Right



Cal 1/9/03

1

Public —

Matt Smith - Bahia Vista

objection of general idea
of developers coming into area
"quality of life"

① wants to reduce density
② solve traffic problems
③ include wetlands + gopher tortoise
from land to be developed

Ron Weirango - been in area 25 years
Rick Rd.

- believes US Home better
of avils -
believes newer residents haven't really
experienced water problems

Christine Abrams
Henderson Grade

Feb 2002 Toad 2 need 1/10 acres
incompatibility issues

ATV's / Bridle path / Shopping / Density

Cd. 23 LDC re comp Plan

Chip -
Rev. staff report 6/4/03
- subsequent supplementals
- zoning chg AG2 → R
1475 units
blah blah blah

Cond 26 - Hec RAS - deleted
because of Nat Res
req for continuance

Any utility crossing
on Topash C must be
subaqueous + be
3' below flow line...

Public 6.18.03
Andy Pines Ct

Sheri Weinlauf
Oakmont

Will buffer on west side of Popash react to flooding on east side where she lives?

buffer ~~on~~ 90'-168' along Popash ~~in~~ Oakmont area

Richard Rabini?
Henderson Grade
north ~~of~~ farm
+ adjacent ~~s~~

- flood ~~s~~ problems
- no sheet flow?
- berms?

Laura Dardas
Henderson Grade

- pictures from 11 '02
- e-mail to me
- water not making to Rich Rd

D.O. for Va Farms
Brad → District
prev. berm - flood plain encroachment

16-43-25-00-00003.0060
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD

FT MYERS FL 33917

09-43-25-00-00003.0140
HAUSER ELLESA + CAROL B

19061 LESA LN

N FT MYERS FL 33917

09-43-25-00-00003.0170
MORRISON MARK W + CHARLENE P

8500 HENDERSON GRADE

NORTH FORT MYERS FL 33917

09-43-25-00-00003.0220
MCKEEVER GLENN T

4845 GARY RD

BONITA SPRINGS FL 34134

09-43-25-00-00003.024A
CAMERON DONALD W +BONNIE

8400 HENDERSON GRADE

N FT MYERS FL 33917

09-43-25-00-00003.0320
SMITH ANTOINNETTE +

8950 HENDERSON GRADE RD

N FT MYERS FL 33917

09-43-25-00-00003.045A
WALKER WYATT L + DONNA J

8350 HENDERSON GRADE RD

N FT MYERS FL 33917

10-43-25-00-00013.0060
BROOKS J W

9200 HENDERSON GRADE RD

N FT MYERS FL 33917

10-43-25-00-00013.0100
MOE ALAN G

9150 HENDERSON GRADE RD

NORTH FT MYERS FL 33903

15-43-25-00-00002.0000
CRAIG EDWARD + SALLY H/W

961 N WATERWAY DR

FT MYERS FL 33919

09-43-25-00-00003.0020
LEVINE RICHARD

8550 HENDERSON GRADE

NORTH FORT MYERS FL 33917

09-43-25-00-00003.014A
HAUSER ELLESA U + CAROL B

19061 LESA LN

N FT MYERS FL 33917

09-43-25-00-00003.0180
SMITH WALTER A + KAZUKO TR

PO BOX 50691

FORT MYERS FL 33994

09-43-25-00-00003.0240
TARDIFF JAMES + ESTELLA M

8450 HENDERSON GRADE

NORTH FORT MYERS FL 33917

09-43-25-00-00003.0310
REED RUSSELL J + D DIANNE

8600 HENDERSON RD

N FT MYERS FL 33917

09-43-25-00-00003.0450
TRAURIG DOUGLAS + SHELLEY

8300 HENDERSON GRADE

N FT MYERS FL 33917

10-43-25-00-00013.0050
ROSS MICHAEL W + MELODI

9100 HENDERSON GRADE

N FT MYERS FL 33917

10-43-25-00-00013.0080
MOSKWA DAVID A + PATRICIA S

9300 HENDERSON GRADE RD

N FT MYERS FL 33917

10-43-25-00-00013.0130
JEFFERS ELIZABETH J +

9050 HENDERSON GRADE RD

NORTH FT MYERS FL 33903

15-43-25-00-00002.0010
LEE WILLIAM J + SHIRLEY J

18791 NALLE RD

NORTH FORT MYERS FL 33917

15-43-25-00-00002.001B
HAND LORIE KIM

18781 NALLE RD

NORTH FORT MYERS FL 33917

15-43-25-00-00002.001C
LEE WILLIAM J + SHIRLEY J

18791 NALLE RD

N FT MYERS FL 33917

15-43-25-00-00002.001E
ASSOCIATES FINANCIAL SERVICES

BLDG 4 STE 100
1111 NORTH PORT DR
COPPELL TX 75019

15-43-25-00-00002.0030
GREENWELL TIMOTHY C + BRENDA L

18951 NALLE RD

N FT MYERS FL 33917

15-43-25-00-00004.0000
GRIEG THOMAS S TR

19630 LAN SHELL DR

NORTH FORT MYERS FL 33917

15-43-25-00-00005.0000
GRAY WILLIAM H + BETTY J

18551 NALLE RD

NORTH FORT MYERS FL 33917

15-43-25-00-00009.0020
PENFIELD MARK

18141 NALLE RD

NORTH FORT MYERS FL 33917

15-43-25-00-00009.0050
HAAS GARY E TR

16520 TAMIAMI TRAIL
STE 18-105
FT MYERS FL 33908

15-43-25-01-00000.000A
HIGH POINT

15-43-25-01-00000.0070
SIMONSON SANDRA L

9331 SEDGEFIELD RD

N FT MYERS FL 33917

15-43-25-01-00000.0080
STEED DANE + BEVERLY

9321 SEDGEFIELD RD

N FT MYERS FL 33917

15-43-25-01-00000.0090
EZELL BRETT A

9301 SEDGEFIELD RD

NORTH FORT MYERS FL 33917

15-43-25-01-00000.009A
HOLBROOK JOHN +

9311 SEDGEFIELD RD

NORTH FORT MYERS FL 33917

15-43-25-01-00000.0100
BANK OF AMERICA
C/O PD LTD
P O BOX 2148

FT MYERS FL 33902

15-43-25-01-00000.010A
BOLDGER SEAN D

9310 SEDGEFIELD RD

NORTH FORT MYERS FL 33917

15-43-25-01-00000.0110
MADEWELL TWANA D

9320 SEDGEFIELD RD

NORTH FORT MYERS FL 33917

15-43-25-02-00000.000A
OAKMONT SUBDIVISION

15-43-25-02-00000.0060
COOK TIMOTHY W + ANDREA B

18130 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0070
MEYERHOLZ STEVE

18134 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0080
KILLAM GEORGE E + VIRGINIA D

18138 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0090
MCMULLEN PAUL E JR + BONNIE J

18142 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0100
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0110
BELANGER LARRY R + K LAURINE

9491 BAYSHORE RD

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0120
MORTON DEBBIE L 50% INT +

18158 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0130
HIGGINBOTHAN THOMAS + JENNIFER

18162 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0140
COOK OSCAR W + NORMA J

18166 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0150
MILLER D GARTH +

18170 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0160
PABON ANTHONY M + DAWNA E

18172 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0170
QUEEN RICHARD B SR TR 1/2 INT+

18178 SANDY PINES CIR

N FT MYERS FL 33917

15-43-25-02-00000.017A
PLEDGER JOSEPH N + TAMI

18174 SANDY PINES CIR

N FT MYERS FL 33917

15-43-25-02-00000.0180
QUEEN JENNIFER K +

18182 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0190
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD

N FT MYERS FL 33917

15-43-25-02-00000.0200
BANK OF AMERICA TR

P O BOX 927

FT MYERS FL 33902

15-43-25-02-00000.0210
WEINLAUF GARY M + SHERI G

18194 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0220
CARLSEN DAVID F + LORIE A

18198 SANDY PINES CIR

N FT MYERS FL 33917

15-43-25-02-00000.0230
JONES JENNY L

18202 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0240
MACANDER JUDITH K

18206 SANDY PINES CIR

N FT MYERS FL 33917

15-43-25-02-00000.0250
FORD LARRY D +

P O BOX 2094

N FT MYERS FL 33902

15-43-25-02-00000.0260
COOK SCOTT G + MARY S

18214 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0270
MOHLER DON B JR + SHIRLEY A

18218 SANDY PINES CIR

N FT MYERS FL 33917

15-43-25-02-00000.0280
LAWHON RICHARD H + SUSIE E

18222 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0290
LAWHON RICHARD H + SUSIE E

18226 SANDY PINES CIR

N FT MYERS FL 33917

15-43-25-02-00000.0300
MORAINE FLOYD L + KAREN K

18230 SANDY PINE CR

N FT MYERS FL 33917

15-43-25-02-00000.0390
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD

N FT MYERS FL 33917

15-43-25-02-00000.0400
HILLMAN BILL E + MARTHA A

18133 SANDY PINE CIR

N FT MYERS FL 33917

15-43-25-02-00000.0410
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD

N FT MYERS FL 33917

15-43-25-02-00000.0420
COX CLAYTON E + ASHLEY D

18141 SANDY PINES CIR

N FT MYERS FL 33917

15-43-25-02-00000.0430
DESCHENES JOHN + CONNIE

18155 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0440
DESCHENES JOHN E +

18161 SANDY PINE CIR NE

FT MYERS FL 33917

15-43-25-02-00000.0450
MENDOLERA MIKE

18152 HORSESHOE BAY CIR

FT MYERS FL 33912

15-43-25-02-00000.0460
TINNEY GARY A + SUSAN R

18173 SANDY PINES CIR

N FT MYERS FL 33917

15-43-25-02-00000.0470
CAMPOBASSO JOSEPH R + PATRICIA

18185 SANDY PINES CIR

N FT MYERS FL 33917

15-43-25-02-00000.0480
MACFARLANE CATHERINE T

88 BEAVER DAM RD

SCITUATE MA 02066

15-43-25-02-00000.0490
GIBSON SHELBY J

18193 SANDY PINES CIR

N FT MYERS FL 33917

15-43-25-02-00000.0500
YANOSIK MICHAEL J

18197 SANDY PINES CIR

N FT MYERS FL 33917

15-43-25-02-00000.0510
PRENDOTA C T + DONNA J DOWNS

1535 ALHAMBRA DR

FT MYERS FL 33901

15-43-25-02-00000.0520
LANG AARON W +

18209 SANDY PINE CIR

N FT MYERS FL 33917

15-43-25-02-00000.0530
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD

N FT MYERS FL 33917

15-43-25-02-00000.0540
THORNE BROOKE K + DANA A

18229 SANDY PINES CIR

N FT MYERS FL 33917

15-43-25-02-00000.0550
MILLER J D + MARY LOUISE

18233 SANDY PINES CIR

FORT MYERS FL 33917

15-43-25-02-00000.0570
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD

N FT MYERS FL 33917

15-43-25-02-00000.0580
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD

N FT MYERS FL 33917

15-43-25-02-0000A.0000
PRITCHETT DEVELOPMANT CO LTD

6601 BAYSHORE RD

N FT MYERS FL 33917

15-43-25-03-00000.000A
HIGH POINT-FIRST ADDITION SUBD

15-43-25-03-00000.0010
DECKER STEVEN K + REBECCA A

9251 SEDGEFIELD RD

N FT MYERS FL 33917

15-43-25-03-00000.0020
GRIEG THOMAS S TR

19630 LAN SHELL DR

NORTH FORT MYERS FL 33917

15-43-25-03-00000.0030
CONNOR FRANK L + BRITTAIN

9260 SEDGEFIELD RD

NORTH FORT MYERS FL 33917

16-43-25-00-00001.0000
MYERS CAROL PEAGLER

8181 RICH RD

N FT MYERS FL 33917

16-43-25-00-00001.0020
RISNER RICHARD JR + MARY G

8301 RICH RD

NORTH FORT MYERS FL 33917

16-43-25-00-00001.002A
WIERENGO RONALD J + JEAN

8251 RICH RD

N FT MYERS FL 33917

16-43-25-00-00001.0090
LOPEZ LOUIS J + BARBARA L

8121 RICH RD

N FT MYERS FL 33917

16-43-25-00-00002.0000
HANSEN A ERNEST TR 1/2 INT +

PO BOX 50903

FORT MYERS FL 33994

16-43-25-00-00002.0010
HANSEN A ERNEST +

PO BOX 50903

FORT MYERS FL 33994

16-43-25-00-00003.0030
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD

FT MYERS FL 33917

16-43-25-00-00003.0040
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD

FT MYERS FL 33917

16-43-25-03-00000.000A
COLONIAL PINES S/D

16-43-25-03-0000B.0130
THORSEN RANDY E JR + PAULA S

8300 BOONESBORO RD

N FT MYERS FL 33917

16-43-25-03-0000B.0140
KINTER JAMES L + PATRICIA A

8320 BOONESBORO RD

N FT MYERS FL 33917

16-43-25-03-0000B.0150
COLLINS MICHAEL + MICHELLE

8340 BOONESBORO RD

N FT MYERS FL 33917

16-43-25-03-0000B.0160
METZGER MICHAEL + CONNIE S

8360 BOONESBORO RD

NORTH FORT MYERS FL 33917

16-43-25-03-0000B.0180
HALL EDWIN E + CAROLE A

8379 BOONESBORO RD

NORTH FORT MYERS FL 33917

16-43-25-03-0000B.0210
WALL TIMOTHY P

8325 BOONESBORO RD

N FT MYERS FL 33917

16-43-25-04-00000.000A
HUNTERS GLEN

SECTION AS REC IN

16-43-25-04-00000.0210
STEWART CHARLES M + CHRISTINA

1260 SE 8TH ST

CAPE CORAL FL 33990

16-43-25-04-00000.0230
GATEWOOD RODNEY W + ANGELISA C

17870 CHESTERFIELD RD

NORTH FORT MYERS FL 33917

16-43-25-04-00000.0250
BABB CHARLES D + LESLIE A

371 HERON AV

NAPLES FL 34108

16-43-25-04-00000.0270
CHO HO C + AE RYON

516 SE 18TH AV

CAPE CORAL FL 33990

16-43-25-04-00000.0350
RHODEN TERESA M

8190 EBSON DR

NORTH FORT MYERS FL 33917

16-43-25-04-0000D.0000
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD

FT MYERS FL 33917

21-43-25-00-00003.0020
EAGLE GREG W TR +

3818 DEL PRADO BLVD

CAPE CORAL FL 33904

16-43-25-03-0000B.0200
WILLIAMS LARRY W + PAMELA D

8343 BOONESBORO RD

N FT MYERS FL 33917

16-43-25-03-0000B.0220
WERT WILLIAM H + DEBORAH Q

8307 BOONESBORO RD

NORTH FORT MYERS FL 33917

16-43-25-04-00000.0200
PIERSON JOHN D + PATRICIA

1685 N HERMITAGE RD

FORT MYERS FL 33919

16-43-25-04-00000.0220
GATEWOOD RODNEY W + ANGELISA C

17870 CHESTERFIELD RD

NORTH FORT MYERS FL 33917

16-43-25-04-00000.0240
BROWN DONN J + JEANETTE F

11561 VILLA GRAND #713

FORT MYERS FL 33913

16-43-25-04-00000.0260
HALL LARRY J +

1816 NE 22ND ST

CAPE CORAL FL 33909

16-43-25-04-00000.0340
MAGNER STEVEN J + SUZANNE K

18265 COLUMBINE RD

FORT MYERS FL 33912

16-43-25-04-0000A.0000
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD

FT MYERS FL 33917

21-43-25-00-00003.0010
DALLAS + GRAFF ENTERPRISES INC

8991 TRIPLETT RD

N FT MYERS FL 33917

21-43-25-00-00004.0000
EAGLE GREG W TR +

3818 DEL PRADO BLVD

CAPE CORAL FL 33904

21-43-25-00-00005.0000
EAGLE GREG W TR +

3818 DEL PRADO BLVD

CAPE CORAL FL 33904

21-43-25-00-00006.0060
EAGLE GREG W TR

3818 DEL PRADO BLVD

CAPE CORAL FL 33904

21-43-25-00-00016.0000
COCHRAN JIMMIE J

PO BOX 1701

FT MYERS FL 33902

21-43-25-00-00016.0020
CROSBY DORTHA L +

17730 LEETANA RD

NORTH FORT MYERS FL 33917

21-43-25-00-00016.0040
WILLIAMS SANDRA S

17911 LEETANA RD

NORTH FORT MYERS FL 33917

21-43-25-00-00016.0050
SHOAP DANNIE C + DONNA

17910 LEETANA RD

N FT MYERS FL 33917

21-43-25-00-00016.0060
PETERS ANGELO V + CHARLOTTE S

17871 LEETANA RD NE

N FT MYERS FL 33917

21-43-25-00-00016.0080
DUNFORD LARRY W + TERRI LYNN

17761 WILLIAMSBURG DR

N FT MYERS FL 33917

21-43-25-00-00016.0130
JACKMAN RONALD A + VELMA J

17750 LEETANA RD

N FT MYERS FL 33917

21-43-25-00-00016.0150
GREEN ELLIS JR + REGINA L

17850 LEETANA DR

N FT MYERS FL 33917

21-43-25-00-00006.0000
CROSS NICK 12.5% ETAL

P O BOX 1526

FT MYERS FL 33910

21-43-25-00-00006.006A
EAGLE W GREG TR +

3818 DEL PRADO BLVD

CAPE CORAL FL 33904

21-43-25-00-00016.0010
PARKER LLOYD HAROLD+VERONICA L

4405 CYPRESS LN

FT MYERS FL 33905

21-43-25-00-00016.0030
CASWELL MALVERN L + DOLORES C

6148 THORNEYCROFT DR

SHELBY TOWNSHIP MI 48316

21-43-25-00-00016.004A
MILLER MYRTLE S

17901 LEETANA RD NE

N FT MYERS FL 33917

21-43-25-00-00016.005A
DALY JOSEPH W +

17920 LEETANA RD

NORTH FORT MYERS FL 33917

21-43-25-00-00016.0070
HANSEN TRACY R +

17870 LEETANA RD

N FT MYERS FL 33917

21-43-25-00-00016.0120
RUFFNER THOMAS E + GAIL

30950 SW 194TH AVE

HOMESTEAD FL 33030

21-43-25-00-00016.0140
BERWICK LORETTA H +

17831 LEE TANA RD NE

N FT MYERS FL 33917

21-43-25-00-00016.0160
MADDOX DOROTHY

17750 WILLIAMSBURG DR

FT MYERS FL 33917

21-43-25-00-00016.0170
BACA WILFREDO +

1617 SE 20TH LN

CAPE CORAL FL 33990

21-43-25-00-00016.0180
SMITH STEPHANIE R +

P O BOX 3797

NORTH FORT MYERS FL 33918

21-43-25-00-00016.0190
HECK A K + VELVA J

RR 2 BOX 182

FAIRMONT WV 26554

21-43-25-00-00016.0200
DARLIN GENE R JR + MARY E

17710 LEETANA RD

N FT MYERS FL 33917

21-43-25-00-00016.0210
SIMMONS ERWIN E + MARY E

17820 LEETANA RD

NORTH FORT MYERS FL 33917

21-43-25-00-00016.0220
ANDERSON RALPH LEE+ JANICE LEE

17840 LEETANA RD

N FORT MYERS FL 33917

21-43-25-00-00016.0230
PARKER LLOYD H + VERONICA L

4405 CYPRESS LN

FT MYERS FL 33905

21-43-25-00-00016.0250
BELCHER ELVIN R + WILMA L

17890 LEETANA RD

N FT MYERS FL 33917

21-43-25-00-00016.0260
BERWICK LORETTA H

17811 LEETANA RD

NORTH FORT MYERS FL 33917

21-43-25-03-00000.000A
COLONIAL PINES

22-43-25-00-00001.0000
CHASTAIN CARLEE + JANIE R

17901 WELLS RD

NORTH FORT MYERS FL 33917

22-43-25-00-00001.0010
PIGOTT ABBIE LOIS

17801 WELLS RD

N FT MYERS FL 33917

22-43-25-00-00001.0040
MILLER DOUGLAS E + CARLA JANE

17861 WELLS RD

N FT MYERS FL 33917

22-43-25-00-00006.0010
BELLER BRIAN + KATHY

9011 TRIPLETT RD

N FT MYERS FL 33917

22-43-25-00-00006.0040
TINNEY J PAUL + AUDREY J

9051 TRIPLETT RD

N FT MYERS FL 33917

22-43-25-00-00006.0070
ELMORE WILLIAM LEE + SHERON K

17761 WELLS RD

N FT MYERS FL 33917

22-43-25-00-00006.0080
ELMORE WILLIAM+ SHERON K

17765 WELLS RD

N FT MYERS FL 33917

----.

(1)

Andy Getch
Brad VANCE
Kim TREBATOSKI

Ralph Brooks - Attorney requests permission to continue.
Requested Mike Pavese be able to be cross-examined.
- ? about whether his objections were addressed and whether the flow way has been addressed.

Exhibits 1. Aerial
2. MCP
3. Adjoin Dev

Eredyna - Would understand about Natural Resources position

Hartsell - Would object to a continuance.

Presentation

Hartsell - Overview

DAY - PROJECT LOCATION AND AREA
Outlying Suburban - Wetlands and Interchange areas
- INTRODUCED MCP. NOTED all UNITS ARE 35 FEET. NOTED R-1 area allows SF, 2-Family AND TownHouse. R-2 Allows SAME AND Multi-Family.
- GAVE HISTORY OF THE DEV'T OF THE MCP.
- WENT OVER LEE PLAN, compatibility, TRACT by TRACT COMPATIBILITY ISSUES

BOOKS

? to DAY: SURROUND ING LAND USES IN LEE PLAN ARE ~~Rural~~ OUTLYING Suburban

?- Are there horses, chickens, etc. Can they be heard?

?- ON Buffers and their widtd

?- ON Berms, Fencing on perimeter.

?- Where did the 250 ft come from.

?- Who does STP serve? What is BUFFER required?

Buffer is TYPE "E" which is 25 foot wide,

DAY

AG exhibit (Exhibit 4)

DEVIATIONS: To Discuss that there is A problem; they are

#12:

#13:

Withdrawn Dev. 1, 2, 4, 5, 6, 8, 9, 10, 11, and 16.

Dev. 12. Asterick is show location

Request Needs to be re-worded to note that days be limited to those areas.

ED TREESCH - Overview of Study

Added that they would agree to build a sidewalk/bikepath between entrances ~~ass~~ site

3

1 1
451.8
2
903.6

1
762.5
2
1525.0

a site related project. The applicant wants impact fee credits for ~~not~~ ~~now~~ northward of northern access and south from southern access.

Various ?'s from Brooks on Traffic.

Discussed construction traffic and related traffic.

CATCH – GAVE comments ON Baystore Rd. improvements
Bike path/SIDEWALK: Have paved shoulder with liner painted with a couple of feet for Impact Fee credits

ON VINCENT – DEX BENDER. (Resume Exhibit 5)
- gopher Tortoise locations and Preserve. Noted Policy 77.8.1
- bald eagle
- Fox squirrel
- Wading birds

(4)

Sam Marshall - With Banks Engineering (Resume #9)
Fill Requirements (#10)
Stream Routing (#11)
Gave Overview of Bayshore Creek
Talked generally on Ag. Ditches
Overview of Popash Creek
Popash has greater fall (waterflow) than Bayshore Creek. Flow generally North to South.
There are flooding problems in the area, they know this.
To the north, if they flood now they will flood in the future.
They will accept flow from Pritchett Parkway. HEC-RAS Modeling at a conservative evaluation will still have no impact on flooding. Bayshore Creek Floodway is wider under this project. There is no rise in floodwaters due to this Project.
Chapter 6 in LDC, using the rules results in a 50 foot setback from top of Bank.

(5)

Public -

Mr. Prince - 3 ~~exhibits~~ ephibits. Requested hearing be continued. Concerned with need to have like fence adjoing Hunters's Glen. Increase buffer to 250 foot buffer. Opposes use of Hunter's Glen entrance and ~~that~~ that it was solely a private access. They want a separate access. In lighting in Tracts D&C with limited lighting + shielding of lighting.

Mrs. ~~Steve~~ Lauf - Owns in Oakmount, adjoing proposed Tract 12. Opposes Townhouse + 2-Family. Lighting is a problem. Lighting at the ball field. Noise from the ball field. Lighting should be shielded. Flooding is a concern. Objects to aqua range.

MF defined
SF 2-Family defined
townhouse defined.

Mr. Levine - Lives off of Henderson Grade. Concerned about Flooding.

Mrs. Davidson - Henderson Creek Rd. Boyhore Creek runs ~~through~~ site. Concerned about any ~~development~~. Noted all drainage problems.

(6)

Natel Brod Vance memo's and the flooding problems resulted by the berms on Pritchett lands.

(Kim says Condition 4 is a problem and if it is needed it shows there is a bigger problem if it ~~it~~ help the project comply with the HEC modeling.

6/19/03

Tom Marshall — Flow Pattern (Exhibit 12)
Widened Ditches (" 13)
Various drainage ~~questions~~ questions from Brooks.

Natl Smith — Reduce density to surrounding density ~~use~~ with exception & of Oakmont.
- Fix transportation problems.
- Exclude lands that are wetlands & gopher tortoise

- Residential dev't in or near as areas has been previously approved.
- Like Ultimate Ski Lake.
- Marsh Landing ~~Condo~~

Public ~~Residential~~
Mr. Ron Wiengo(?) - Lives off of Rich Rd.
Water flow. If dev't is to occur. He would support this development.

(7)

Mrs. Abrahms - Henderson Grade. Moved there to avoid the higher densities.
Zoned one house per 10 acres

Fact sheet sent to her in February.
Mostly SF but some MF low rise.
Wants bridle path on Pritchett Parkway.
Concerned that ATV's will be increased on Henderson Grade (private)
Where will people shop and go to school?

Mr. Wolfs - Compatibility. In Oakmont there is no street Lighting. All are from homes. The ball field lights and street lights will affect.
Condition no outdoor light or Low Level lighting and daytime use only.

Mr. Coolick - Noted substantial differences. Read old report and noted the numerous differences.
Noted high density of the project and incompatibility. Between Tract A + his site there is no buffering requirements 34-612. encourages controls
Wants more buffering, vegetative greater buffer width and project wall.

* Not zoned but the Low Use is 1/10 acres.

(8)

Look up: Hills of Rough

... Lighting is a concern with poor
... lighting management. Hold
... developer to new standards for
... lighting. Opposes aqua range.
... Traffic. Difficult in making
... left off of Pritchett. No
... paved shoulders. Do designs
... now not later.
... Noted Veranda project at 1u/a.
... Noted gross density of neighborhood
... at ½ mile of adjoining property is
... significantly less.
... – Lessen the density to 1 u/a
... – Handout of exhibit of proposal
... lots and existing lots and show
... that no 1390 lots can be
... put in. Noted not lot size versus
... gross density.

– Incorporates other land use categories of Open Lands and DR6R

Public
Stephanie Smith – Leelana

... No real discussion been
... presented on use (existing)
... compatibility with planned use.
... Noted potential # of units. Would
... like to see revision of project
... perimeter to be consistent lot
... sizes in the dev't to the
... adjoining lots.

(9)

145 → 4:30

Smith (cont) Bayshore Planning District. language. Noted density agreement.

Buffers. Most part no buffers are required due to LDC. She understood rules are guidelines. It is the minimum criteria and more restrictive rules can be established. She would like increased buffers, substantial vegetative buffer or fence/wall.

Lighting - agree no need for lighting. She objects to any lighting. Bayshore Park lights (maybe 3-4 miles) is a problem.

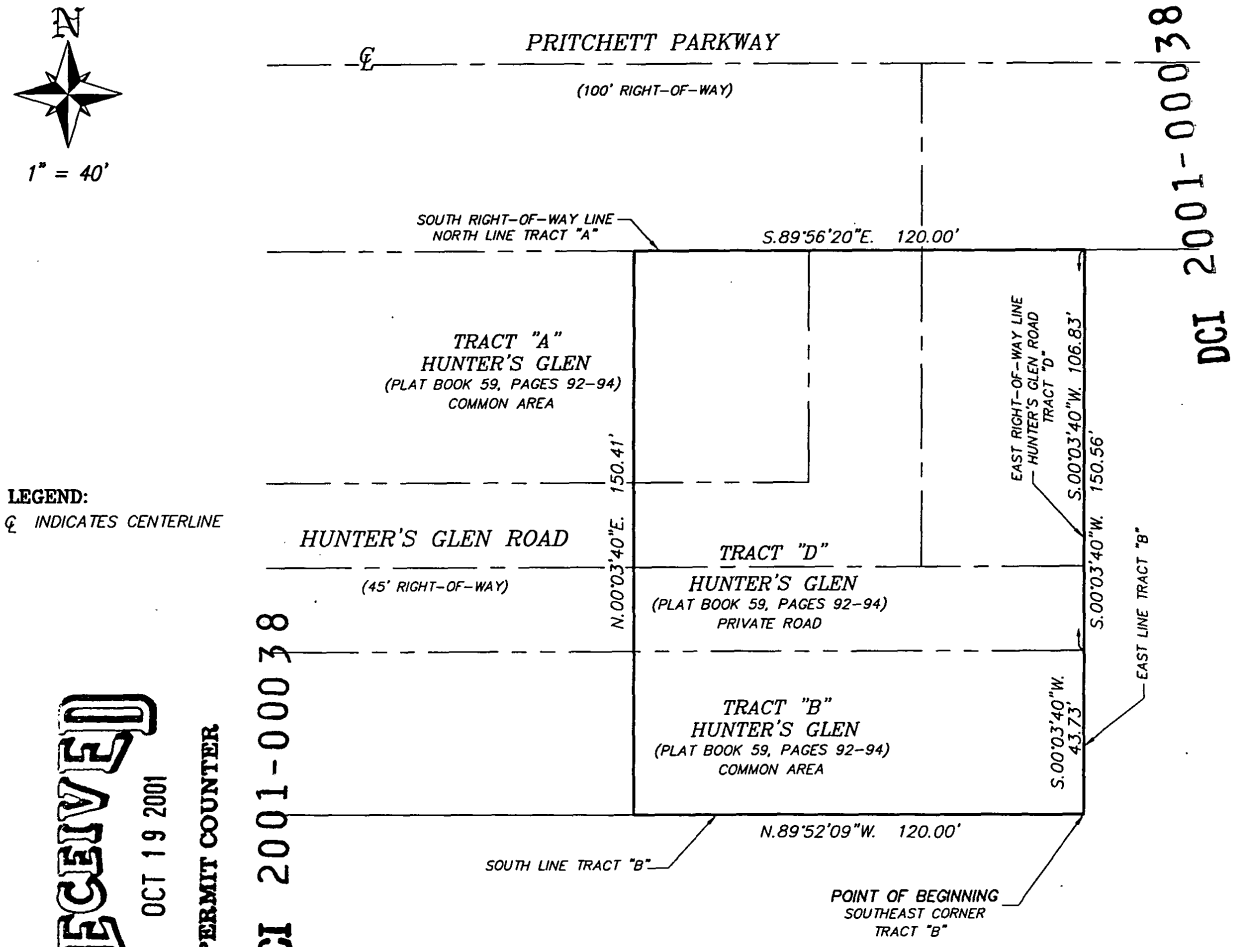
N.R.
Camron Henderson Grade: Concern is flooding. Floods up to her house. Lighting. Move out to get away from the city. ~~Moving~~ Rides on Pritchett Parkway and wants that activity protected.

SKETCH OF DESCRIPTION

OF

A PARCEL OF LAND LYING IN
SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

(ACCESS EASEMENT)



LEGEND:

℄ INDICATES CENTERLINE

LEGAL DESCRIPTION

AS PREPARED BY BANKS ENGINEERING, INC.

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST, AND BEING A PORTION OF TRACT "B", TRACT "D" AND TRACT "A" OF HUNTER'S GLEN, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 59 AT PAGES 92 THROUGH 94 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF TRACT "B" OF SAID HUNTER'S GLEN, THENCE N.89°52'09"W. ALONG THE SOUTH LINE OF SAID TRACT "B" A DISTANCE OF 120.00 FEET; THENCE N.00°03'40"E. A DISTANCE OF 150.41 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100' RIGHT-OF-WAY); THENCE S.89°56'20"E. ALONG SAID SOUTH LINE A DISTANCE OF 120.00 FEET TO AN INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF HUNTER'S GLEN ROAD, TRACT "D"; THENCE S.00°03'40"W. ALONG SAID EAST LINE A DISTANCE OF 106.83 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID HUNTER'S GLEN ROAD, TRACT "D" THE SAME BEING THE NORTH LINE OF SAID TRACT "B"; THENCE S.00°03'40"E. ALONG THE EAST LINE OF SAID TRACT "B" A DISTANCE OF 43.73 FEET TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON THE SOUTH LINE OF TRACT "B" AS BEARING N.89°52'09"W.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

PARCEL CONTAINS 0.41 ACRES, MORE OR LESS.

THIS SKETCH OF DESCRIPTION
IS NOT A BOUNDARY SURVEY

Richard M. Ritz

RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009

- THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

RECEIVED
OCT 19 2001
PERMIT COUNTER

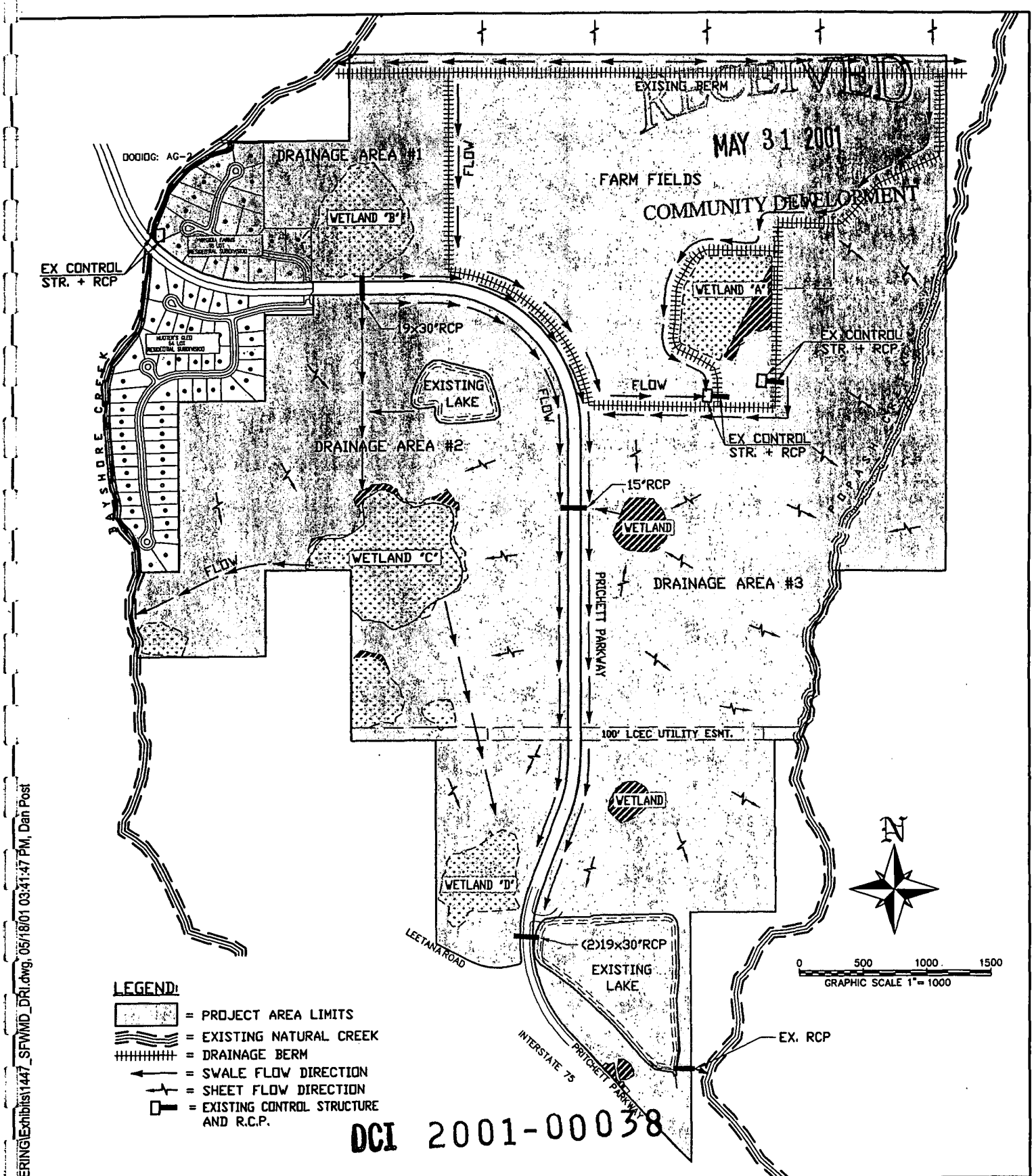
DCI 2001-000038

DCI 2001-000038

SHEET 1 OF 1

S:\JOBS\14XX\1447\SURVEYING\DESCRIPTIONS\1447_ACC_SKT.DWG

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DCI 2001-00038

S:\JOBS\14xx\1447\ENGINEERING\Exhibits\1447_SFWMD_DRI.dwg, 05/18/01 03:41:47 PM, Dan Post

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS ◆ NAPLES ◆ SARASOTA
10511 SIX MILE CYPRESS PARKWAY – SUITE 101
FORT MYERS, FLORIDA 33912
PHONE: (941)939-5490 FAX: (941)939-2523
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690

EXISTING DRAINAGE CONDITION EXHIBIT

HERITAGE CREEK

LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
5-08-01	1447	SFWMD-DR	CAB	DGP		1"=1000'			

NODAL DIAGRAM
STONEYBROOK NORTH
LEE COUNTY, FLORIDA
Banks Engineering, Inc.
Professional Engineers & Land Surveyors
U.S. HOME CORPORATION
10400 BEE CYPRESS PARKWAY
FORT MYERS, FLORIDA
(941) 479-1177
1447 HERITAGE CREEK
BASIN 1
23.3 AC
BASIN 2
133.2 AC
BASIN 3
23.0 AC
BASIN 4
33.8 AC
BASIN 5
13.1 AC
BASIN 6
79.9 AC
BASIN 7
85.3 AC
BASIN 8
156.3 AC
BASIN 9
18.4 AC
ZONING: AG-2
J:\JOBS\1447\Cad\Exhibits\1447_NODAL.dwg, 10/10/2002 11:12:31 AM, Cory Brocket

7/27/01



Exhibit II-B-1-A & II-B-2

Legal Descriptions & Certified Sketches

Heritage Creek RPD
US HOME Corporation

Banks Engineering, Inc.

RECEIVED
MAY 31 2001
COMMUNITY DEVELOPMENT

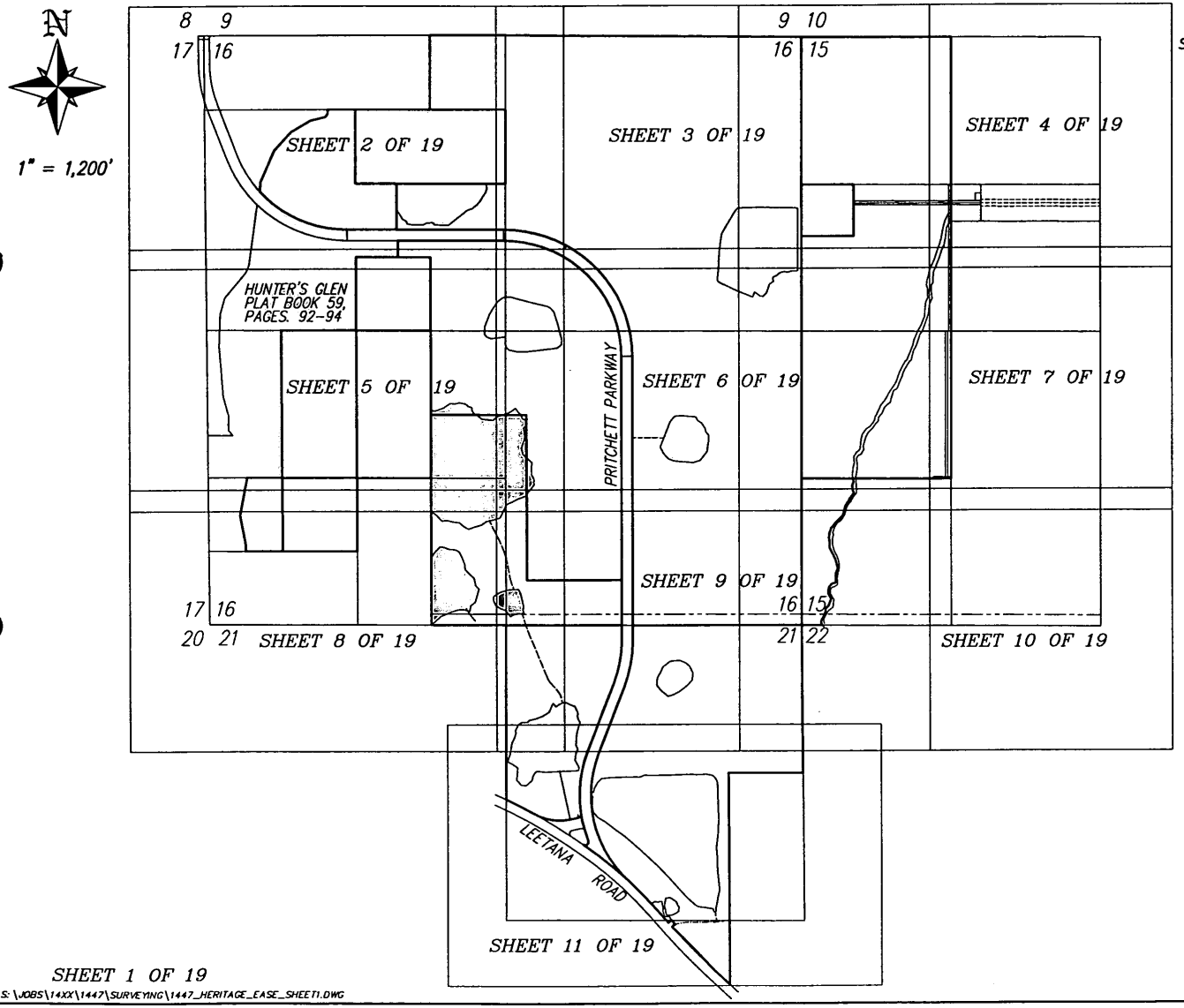
DCI 2001-00038

SKETCH OF DESCRIPTIONS

OF

PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

(US HOME HERITAGE CREEK)



RECEIVED
MAY 31 2001
COMMUNITY DEVELOPMENT

DCI 2001-00038

LEGEND:

O.R. INDICATES OFFICIAL RECORDS BOOK
PG. INDICATES PAGE
P.O.C. INDICATES POINT OF COMMENCEMENT
P.O.B. INDICATES POINT OF BEGINNING

SEE SHEETS 12 THROUGH 19
FOR DESCRIPTIONS.

THIS SKETCH OF DESCRIPTIONS
IS NOT A BOUNDARY SURVEY

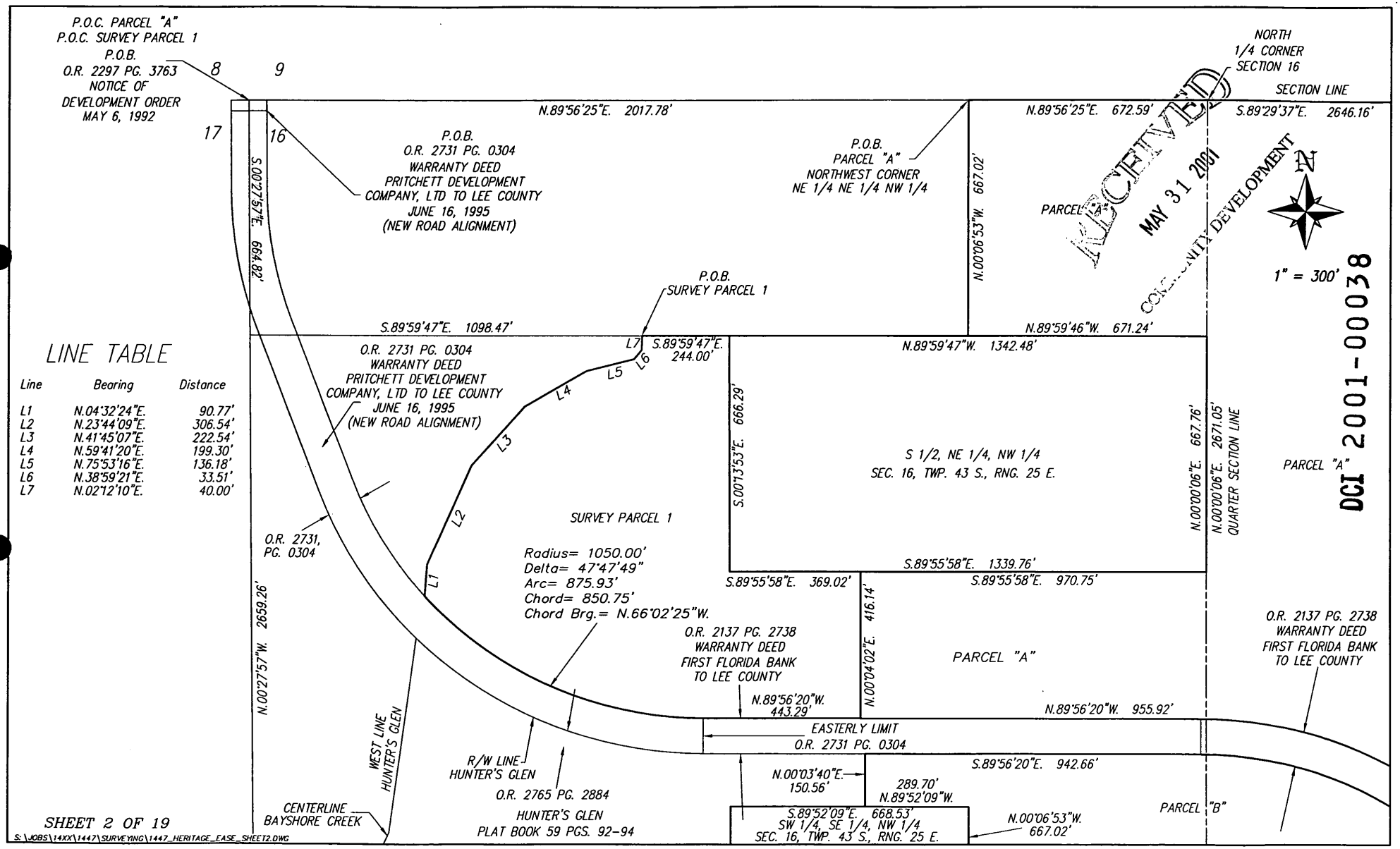
Richard M. Ritz

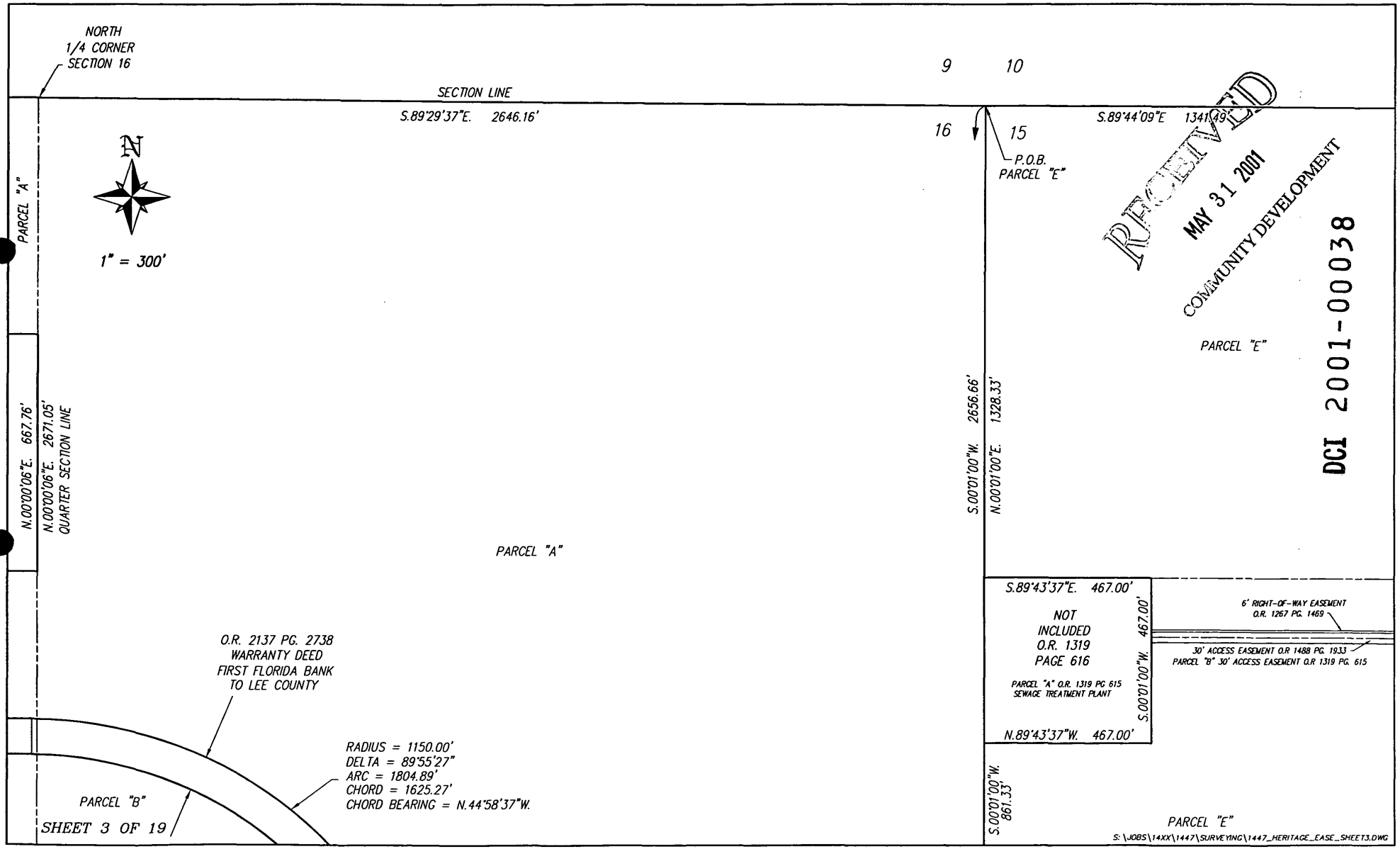
RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009

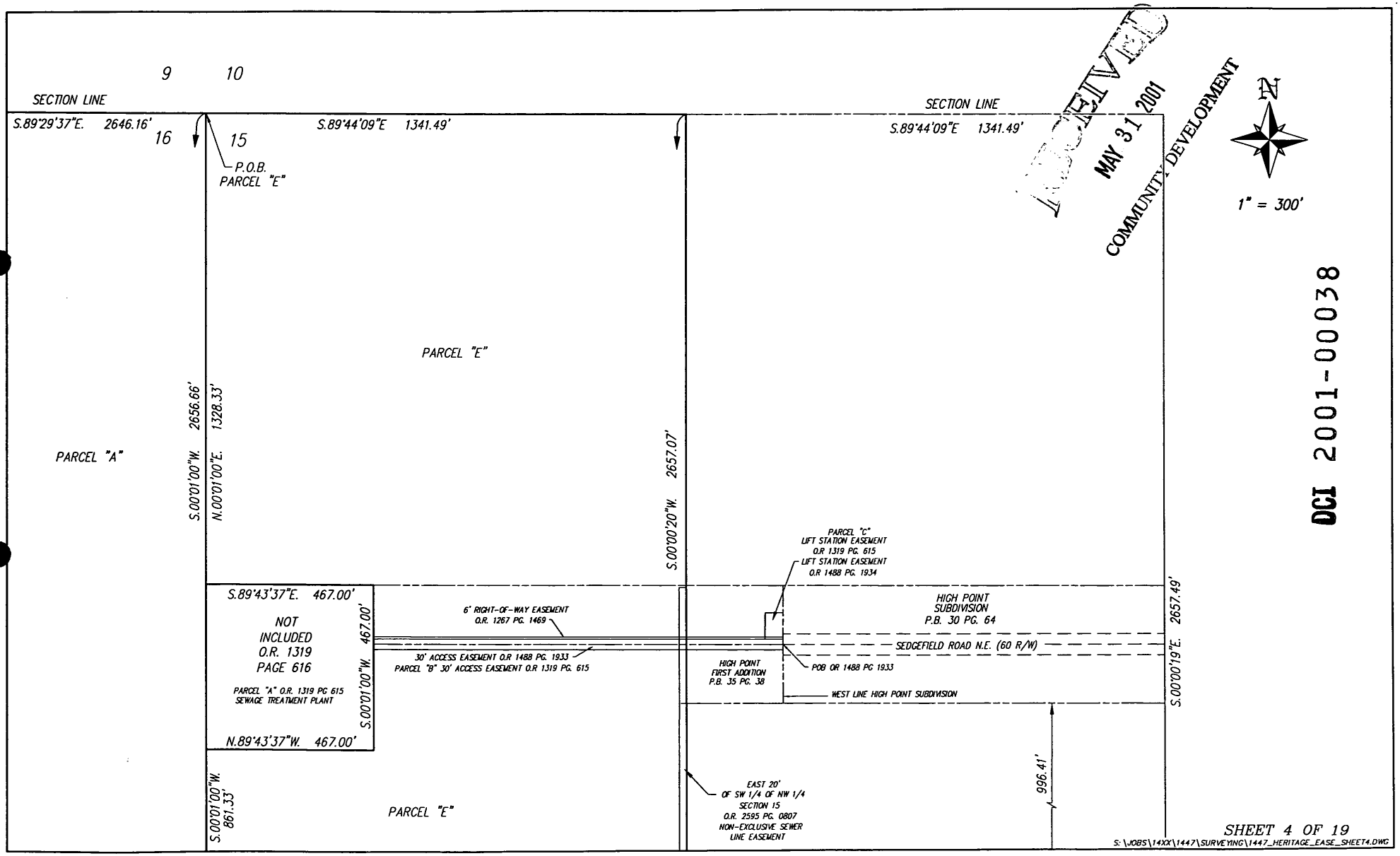
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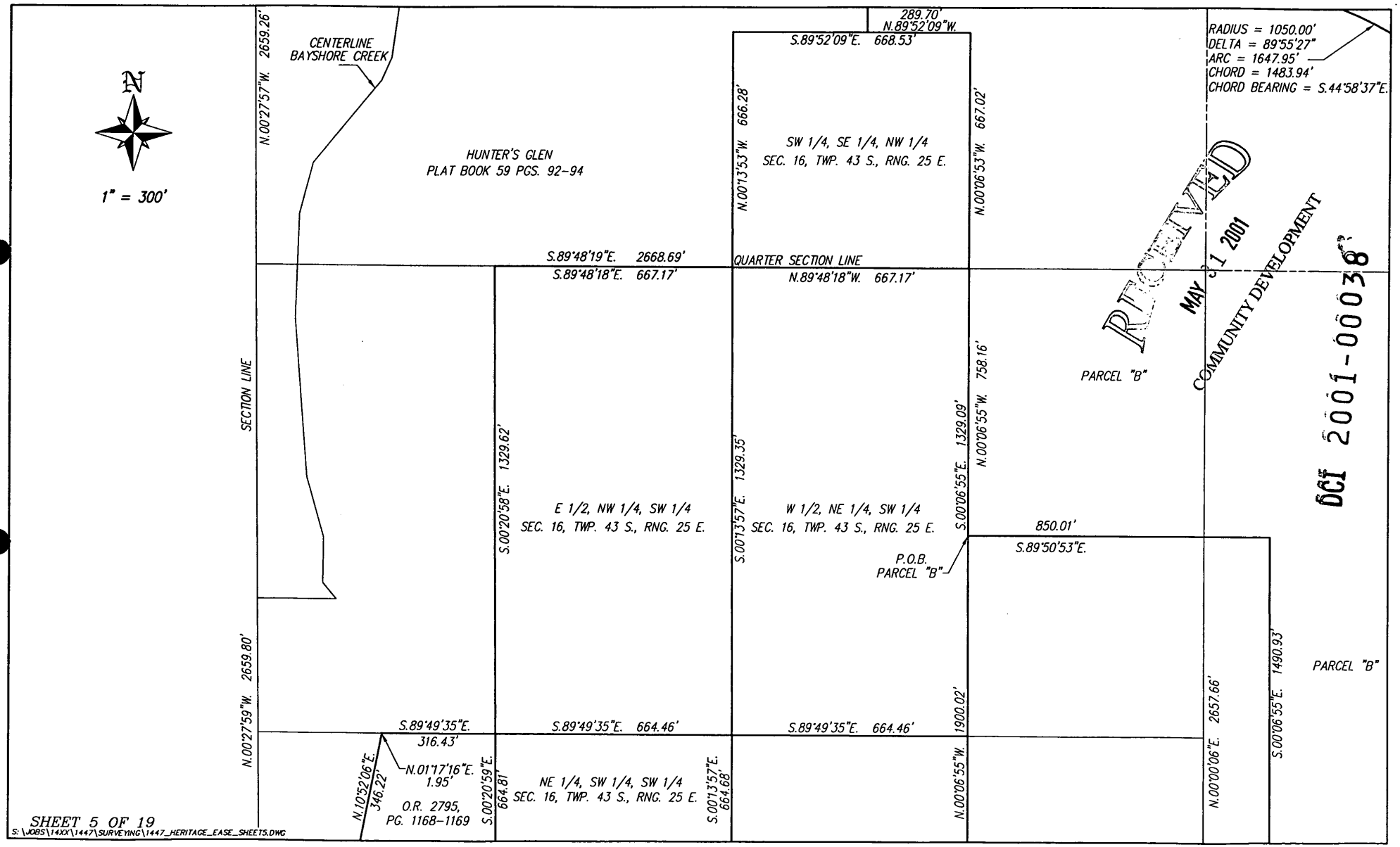
SHEET 1 OF 19

S:\JOBS\14XX\1447\SURVEYING\1447_HERITAGE_EASE_SHEET1.DWG


P.O.C. PARCEL "A"
P.O.C. SURVEY PARCEL 1
P.O.B.
O.R. 2297 PG. 3763
NOTICE OF
DEVELOPMENT ORDER
MAY 6, 1992
8
9
17
16
NORTH
1/4 CORNER
SECTION 16
SECTION LINE
N.89°56'25"E. 2017.78'
N.89°56'25"E. 672.59'
S.89°29'37"E. 2646.16'
P.O.B.
O.R. 2731 PG. 0304
WARRANTY DEED
PRITCHETT DEVELOPMENT
COMPANY, LTD TO LEE COUNTY
JUNE 16, 1995
(NEW ROAD ALIGNMENT)
P.O.B.
PARCEL "A"
NORTHWEST CORNER
NE 1/4 NE 1/4 NW 1/4
S.00°27'57"E. 664.87'
N.00°06'53"W. 667.02'
PARCEL "A"
RECEIVED
MAY 31 2001
COMMUNITY DEVELOPMENT
1" = 300'
P.O.B.
SURVEY PARCEL 1
S.89°59'47"E. 1098.47'
N.89°59'46"W. 671.24'
LINE TABLE
Line Bearing Distance
L1 N.04°32'24"E. 90.77'
L2 N.23°44'09"E. 306.54'
L3 N.41°45'07"E. 222.54'
L4 N.59°41'20"E. 199.30'
L5 N.75°53'16"E. 136.18'
L6 N.38°59'21"E. 33.51'
L7 N.02°12'10"E. 40.00'
O.R. 2731 PG. 0304
WARRANTY DEED
PRITCHETT DEVELOPMENT
COMPANY, LTD TO LEE COUNTY
JUNE 16, 1995
(NEW ROAD ALIGNMENT)
L7
S.89°59'47"E.
244.00'
N.89°59'47"W. 1342.48'
L6
L5
L4
L3
L2
L1
S.00°13'53"E. 666.29'
S 1/2, NE 1/4, NW 1/4
SEC. 16, TWP. 43 S., RNG. 25 E.
N.00°00'06"E. 667.76'
N.00°00'06"E. 2671.05'
QUARTER SECTION LINE
PARCEL "A"
DCI 2001-00038
SURVEY PARCEL 1
O.R. 2731,
PG. 0304
Radius= 1050.00'
Delta= 47°47'49"
Arc= 875.93'
Chord= 850.75'
Chord Brg.= N.66°02'25"W.
S.89°55'58"E. 369.02'
S.89°55'58"E. 1339.76'
S.89°55'58"E. 970.75'
N.00°27'57"W. 2659.26'
O.R. 2137 PG. 2738
WARRANTY DEED
FIRST FLORIDA BANK
TO LEE COUNTY
N.00°04'02"E. 416.14'
PARCEL "A"
O.R. 2137 PG. 2738
WARRANTY DEED
FIRST FLORIDA BANK
TO LEE COUNTY
N.89°56'20"W.
443.29'
N.89°56'20"W. 955.92'
EASTERLY LIMIT
O.R. 2731 PG. 0304
WEST LINE
HUNTER'S GLEN
R/W LINE
HUNTER'S GLEN
O.R. 2765 PG. 2884
HUNTER'S GLEN
PLAT BOOK 59 PGS. 92-94
S.89°56'20"E. 942.66'
N.00°03'40"E.
150.56'
289.70'
N.89°52'09"W.
S.89°52'09"E. 668.53'
SW 1/4, SE 1/4, NW 1/4
SEC. 16, TWP. 43 S., RNG. 25 E.
N.00°06'53"W.
667.02'
PARCEL "B"
CENTERLINE
BAYSHORE CREEK
SHEET 2 OF 19
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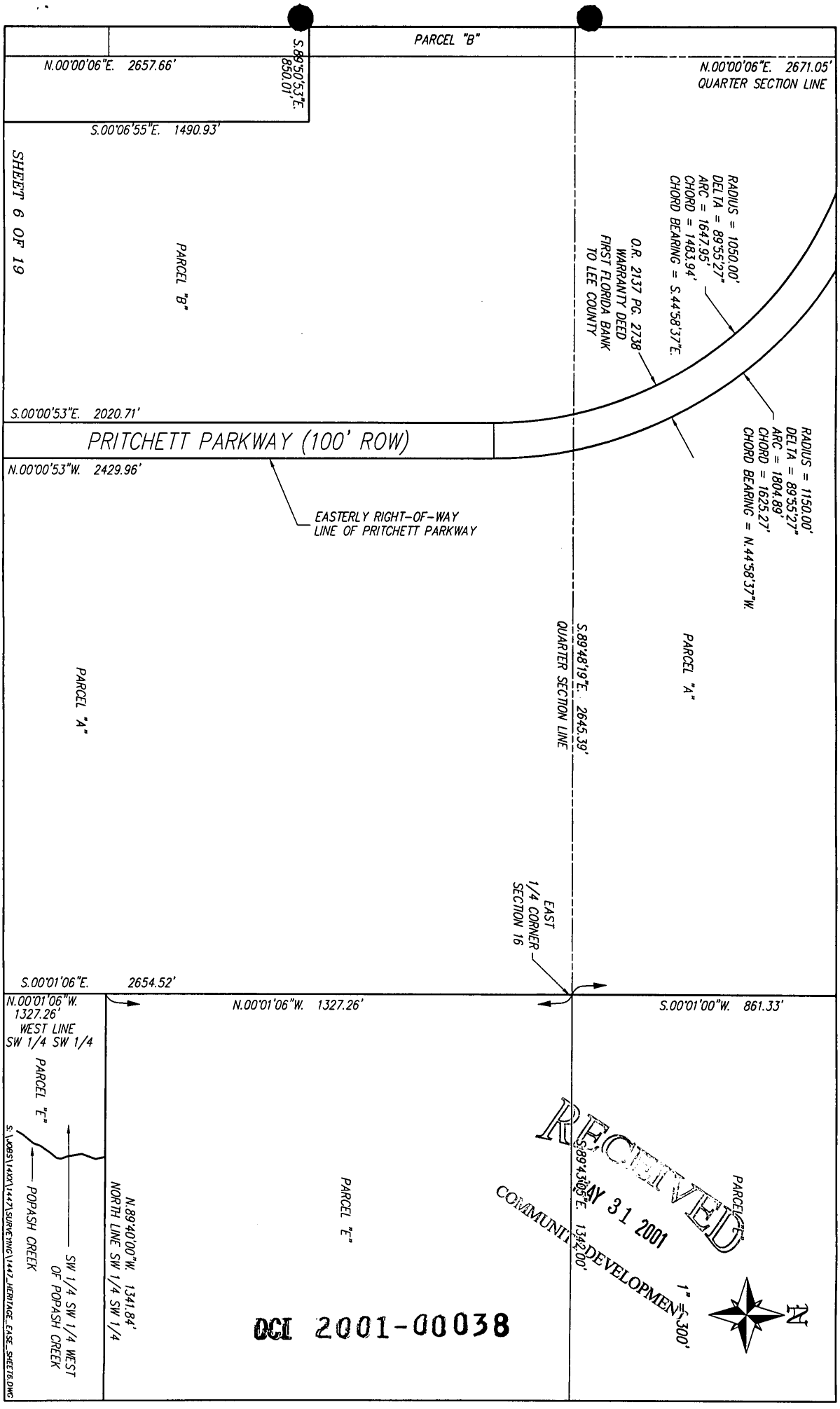

NORTH
1/4 CORNER
SECTION 16
SECTION LINE
S.89°29'37"E. 2646.16'
9
10
16
15
P.O.B.
PARCEL "E"
S.89°44'09"E 1341.49'
RECEIVED
MAY 31 2001
COMMUNITY DEVELOPMENT
DCI 2001-00038
PARCEL "E"
PARCEL "A"
N.00°00'06"E. 667.76'
N.00°00'06"E. 2671.05'
QUARTER SECTION LINE
S.00°01'00"W. 2656.66'
N.00°01'00"E. 1328.33'
1" = 300'
PARCEL "A"
S.89°43'37"E. 467.00'
NOT
INCLUDED
O.R. 1319
PAGE 616
PARCEL "A" O.R. 1319 PG 615
SEWAGE TREATMENT PLANT
S.00°01'00"W. 467.00'
N.89°43'37"W. 467.00'
6' RIGHT-OF-WAY EASEMENT
O.R. 1267 PG. 1469
30' ACCESS EASEMENT O.R 1488 PG. 1933
PARCEL "B" 30' ACCESS EASEMENT O.R 1319 PG. 615
O.R. 2137 PG. 2738
WARRANTY DEED
FIRST FLORIDA BANK
TO LEE COUNTY
RADIUS = 1150.00'
DELTA = 89°55'27"
ARC = 1804.89'
CHORD = 1625.27'
CHORD BEARING = N.44°58'37"W.
PARCEL "B"
S.00°01'00"W.
861.33'
PARCEL "E"
SHEET 3 OF 19
S:\JOBS\14XX\1447\SURVEYING\1447_HERITAGE_EASE_SHEET3.DWG

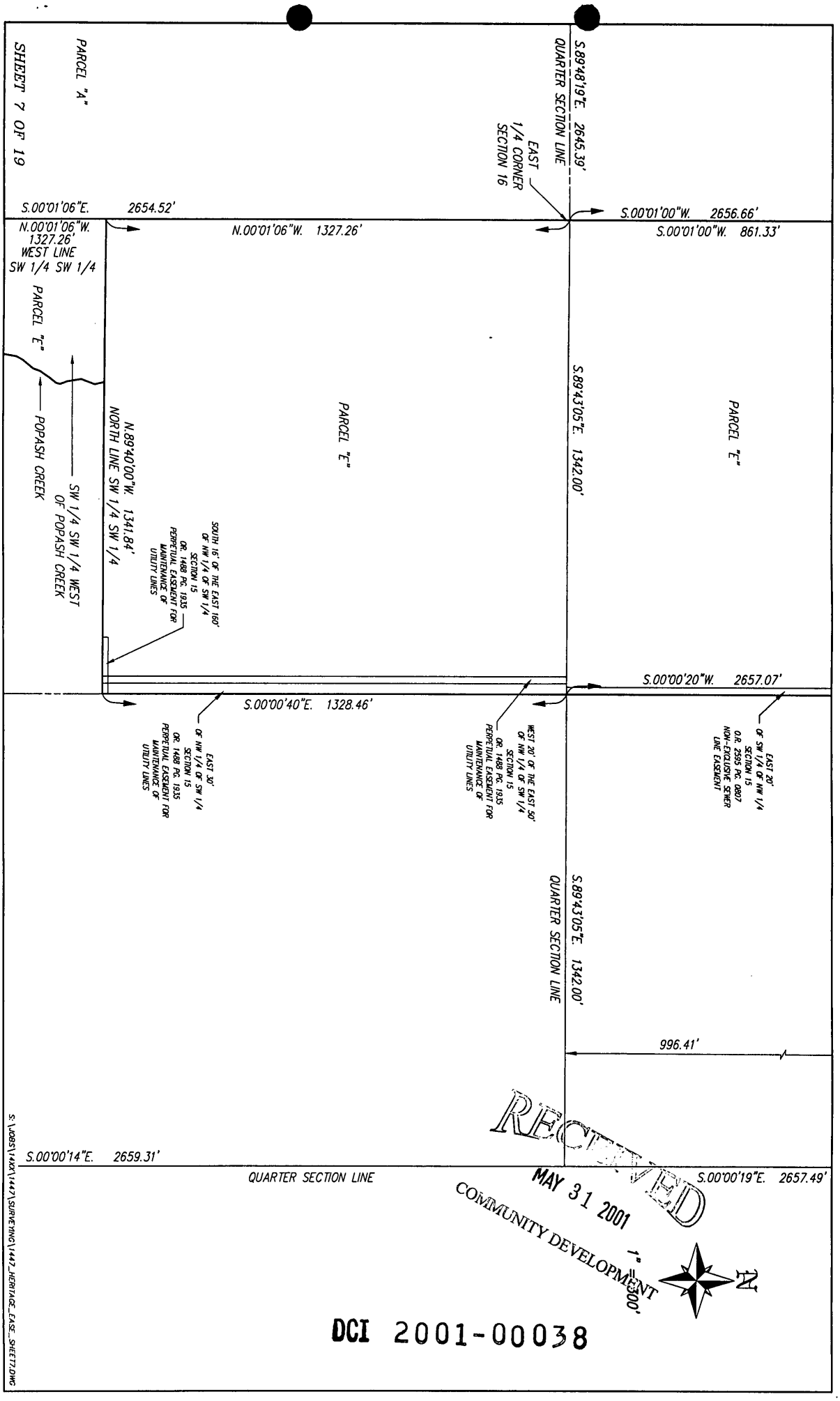

9
10
SECTION LINE
S.89°29'37"E. 2646.16'
16
15
S.89°44'09"E 1341.49'
SECTION LINE
S.89°44'09"E 1341.49'
P.O.B.
PARCEL "E"
RECEIVED
MAY 31 2001
COMMUNITY DEVELOPMENT
N
1" = 300'
DCI 2001-00038
PARCEL "E"
PARCEL "A"
S.00°01'00"W. 2656.66'
N.00°01'00"E. 1328.33'
S.00°00'20"W. 2657.07'
PARCEL "C"
LIFT STATION EASEMENT
O.R 1319 PG. 615
LIFT STATION EASEMENT
O.R 1488 PG. 1934
S.89°43'37"E. 467.00'
NOT
INCLUDED
O.R. 1319
PAGE 616
PARCEL "A" O.R. 1319 PG 615
SEWAGE TREATMENT PLANT
N.89°43'37"W. 467.00'
S.00°01'00"W. 467.00'
6' RIGHT-OF-WAY EASEMENT
O.R. 1267 PG. 1469
30' ACCESS EASEMENT O.R 1488 PG. 1933
PARCEL "B" 30' ACCESS EASEMENT O.R 1319 PG. 615
HIGH POINT
SUBDIVISION
P.B. 30 PG. 64
SEDGEFIELD ROAD N.E. (60 R/W)
POB OR 1488 PG 1933
HIGH POINT
FIRST ADDITION
P.B. 35 PG. 38
WEST LINE HIGH POINT SUBDIVISION
S.00°00'19"E. 2657.49'
996.41'
S.00°01'00"W. 861.33'
PARCEL "E"
EAST 20'
OF SW 1/4 OF NW 1/4
SECTION 15
O.R. 2595 PG. 0807
NON-EXCLUSIVE SEWER
LINE EASEMENT
SHEET 4 OF 19
S:\JOBS\14XX\1447\SURVEYING\1447_HERITAGE_EASE_SHEET4.DWG



SHEET 5 OF 19

S:\JOBS\14XX\1447\SURVEYING\1447_HERITAGE_EASE_SHEET5.DWG


PARCEL "B"
N.00°00'06"E. 2657.66'
S.89°50'53"E. 850.01'
N.00°00'06"E. 2671.05'
QUARTER SECTION LINE
S.00°06'55"E. 1490.93'
SHEET 6 OF 19
PARCEL "B"
RADIUS = 1050.00'
DELTA = 89°55'27"
ARC = 1647.95'
CHORD = 1483.94'
CHORD BEARING = S.44°58'37"E.
O.R. 2137 PG. 2738
WARRANTY DEED
FIRST FLORIDA BANK
TO LEE COUNTY
S.00°00'53"E. 2020.71'
PRITCHETT PARKWAY (100' ROW)
RADIUS = 1150.00'
DELTA = 89°55'27"
ARC = 1804.89'
CHORD = 1625.27'
CHORD BEARING = N.44°58'37"W.
N.00°00'53"W. 2429.96'
EASTERLY RIGHT-OF-WAY
LINE OF PRITCHETT PARKWAY
PARCEL "A"
S.89°48'19"E. 2645.39'
QUARTER SECTION LINE
PARCEL "A"
EAST
1/4 CORNER
SECTION 16
S.00°01'06"E. 2654.52'
N.00°01'06"W. 1327.26'
WEST LINE
SW 1/4 SW 1/4
N.00°01'06"W. 1327.26'
S.00°01'00"W. 861.33'
PARCEL "E"
S.89°43'05"E. 1342.00'
PARCEL "E"
PARCEL "E"
N.89°40'00"W. 1341.84'
NORTH LINE SW 1/4 SW 1/4
SW 1/4 SW 1/4 WEST
OF POPASH CREEK
POPASH CREEK
S:\JOBS\1400\1447\SURVEYING\1447_HERITAGE_EASE_SHEET6.DWG
RECEIVED
MAY 31 2001
COMMUNITY DEVELOPMENT
1" = 300'
N
OCI 2001-00038

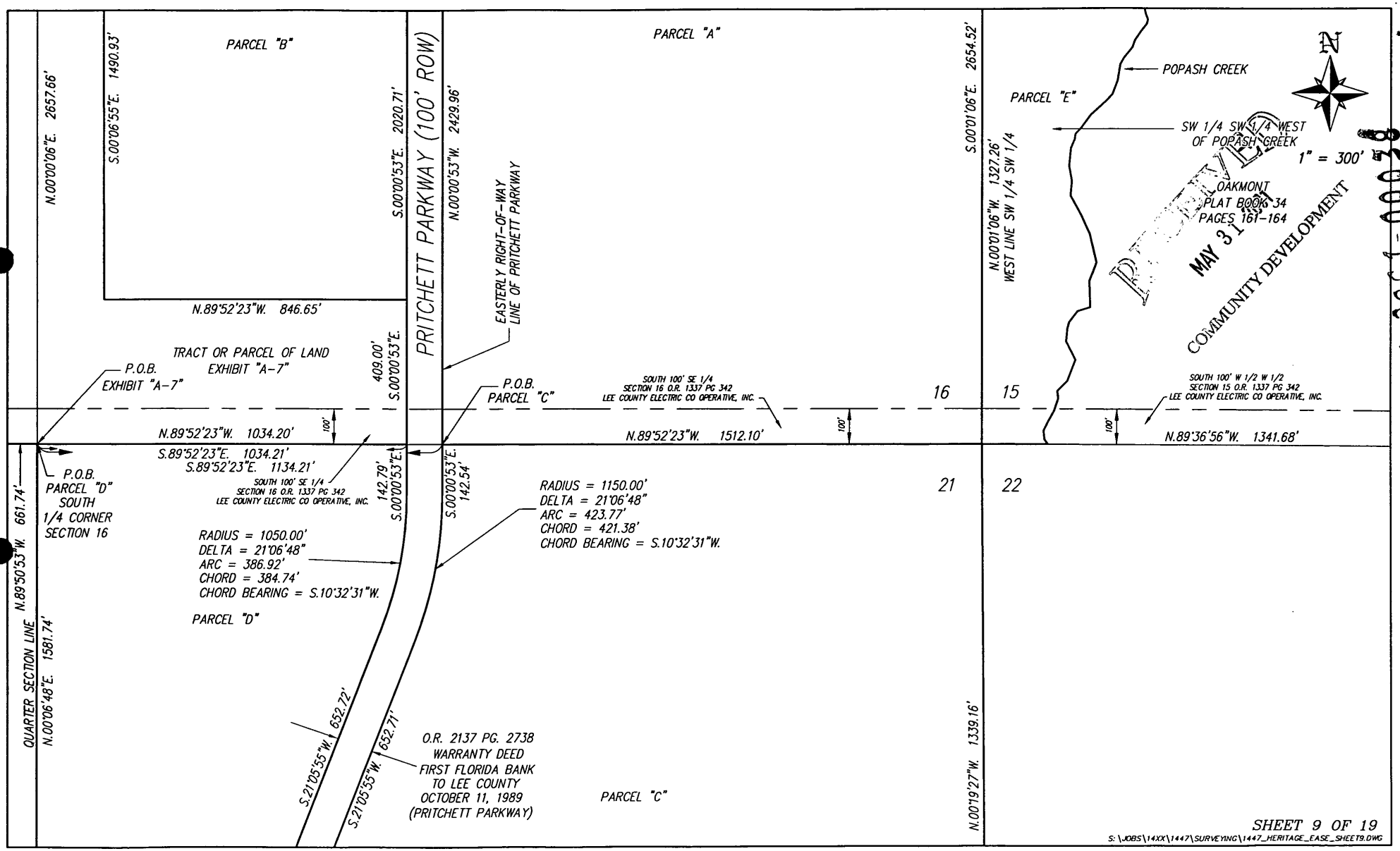


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SHEET 8 OF 19

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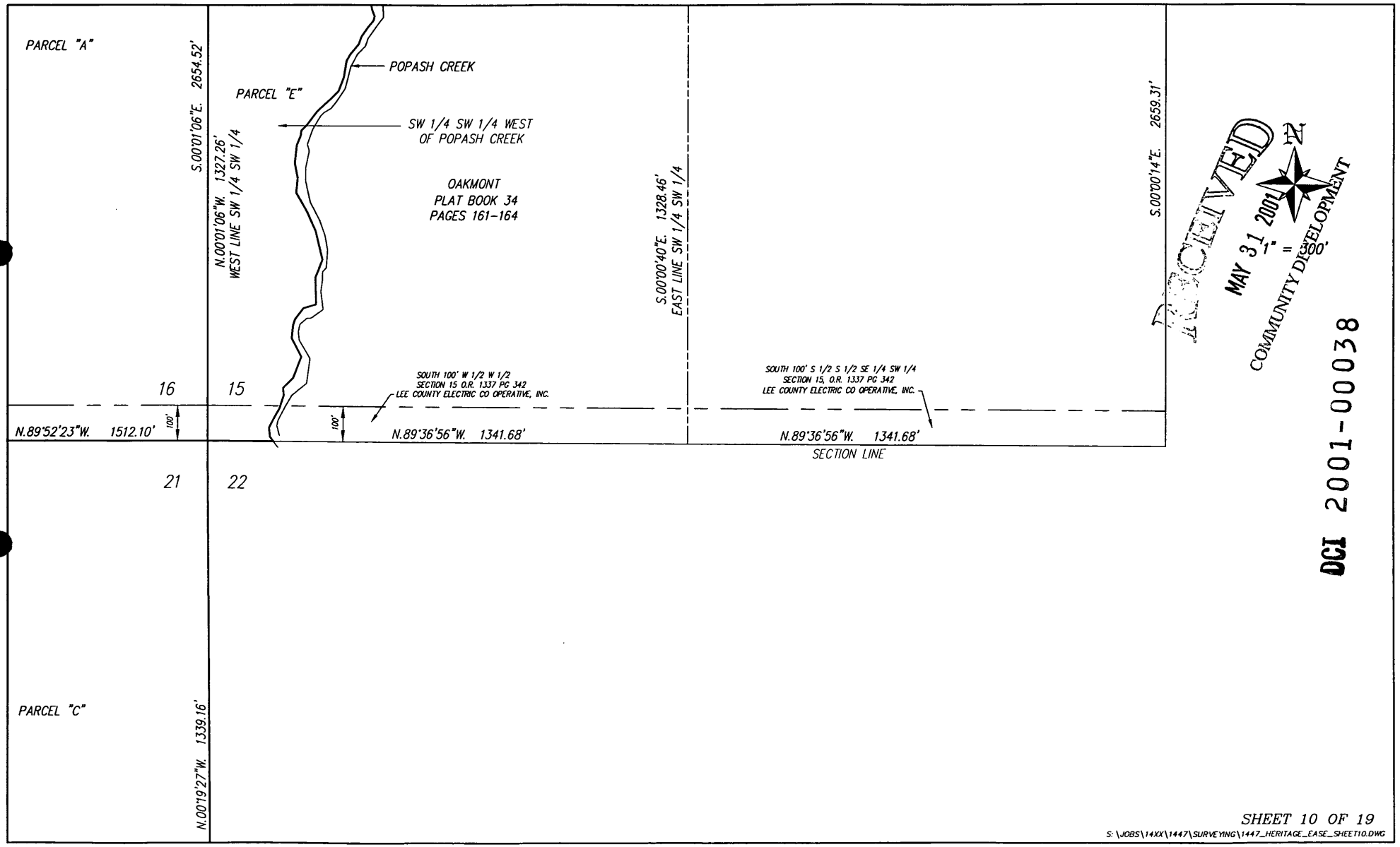


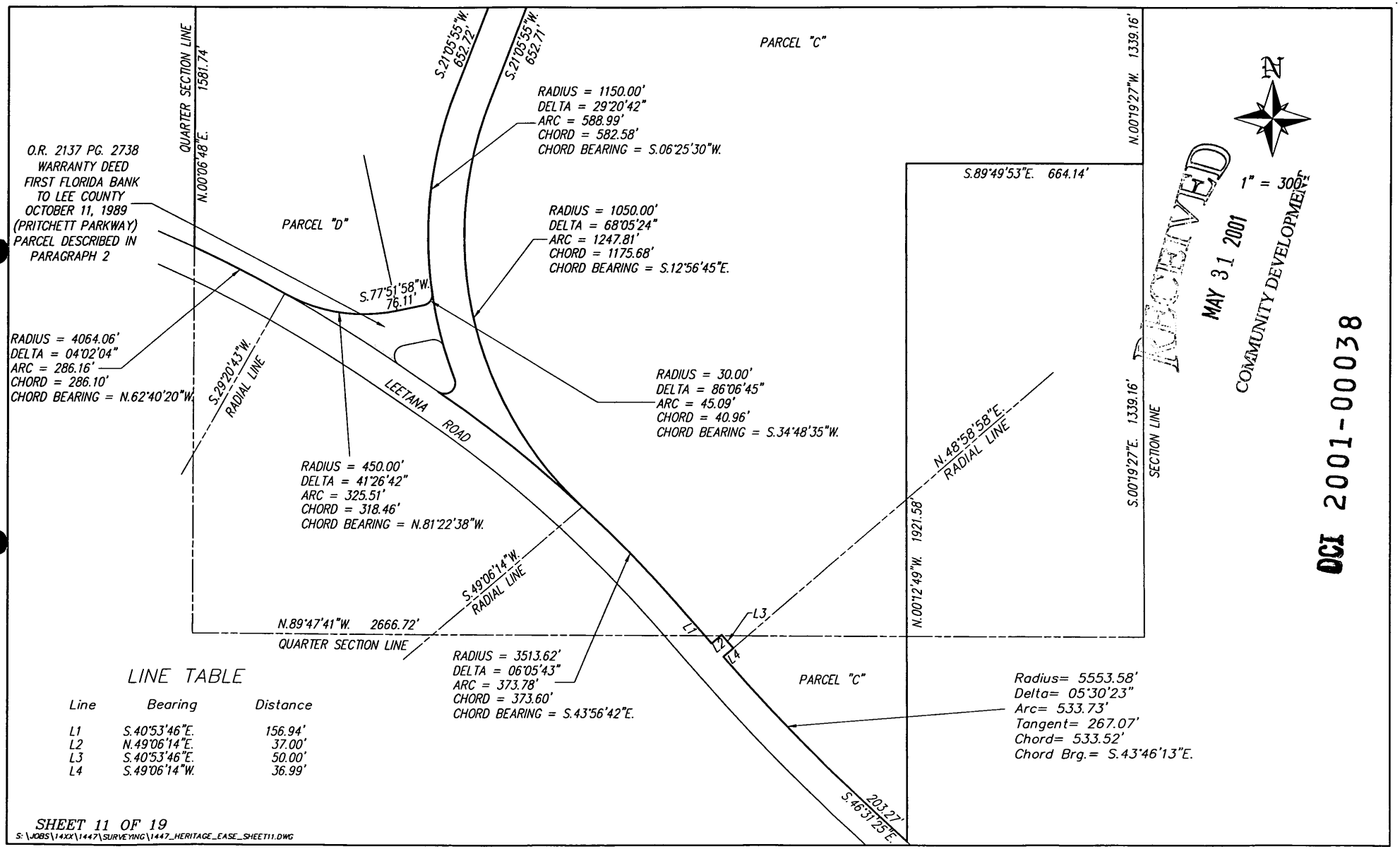
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SHEET 9 OF 19

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PARCEL "A"
PARCEL "E"
POPASH CREEK
SW 1/4 SW 1/4 WEST
OF POPASH CREEK
OAKMONT
PLAT BOOK 34
PAGES 161-164
S.00°01'06"E. 2654.52'
N.00°01'06"W. 1327.26'
WEST LINE SW 1/4 SW 1/4
S.00°00'40"E. 1328.46'
EAST LINE SW 1/4 SW 1/4
S.00°00'14"E. 2659.31'
SOUTH 100' W 1/2 W 1/2
SECTION 15 O.R. 1337 PG 342
LEE COUNTY ELECTRIC CO OPERATIVE, INC.
SOUTH 100' S 1/2 S 1/2 SE 1/4 SW 1/4
SECTION 15, O.R. 1337 PG 342
LEE COUNTY ELECTRIC CO OPERATIVE, INC.
16
15
100'
N.89°52'23"W. 1512.10'
100'
N.89°36'56"W. 1341.68'
N.89°36'56"W. 1341.68'
SECTION LINE
21
22
PARCEL "C"
N.00°19'27"W. 1339.16'
RECEIVED
MAY 31 2001
COMMUNITY DEVELOPMENT
N
1" = 80'
DCI 2001-00038
SHEET 10 OF 19
S:\JOBS\14XX\1447\SURVEYING\1447_HERITAGE_EASE_SHEET10.DWG



LINE TABLE

Line	Bearing	Distance
L1	S.40°53'46"E.	156.94'
L2	N.49°06'14"E.	37.00'
L3	S.40°53'46"E.	50.00'
L4	S.49°06'14"W.	36.99'

S:\JOBS\14XX\1447\SURVEYING\1447_HERITAGE_EASE_SHEET11.DWG

PARCEL "A"

A PARCEL OF LAND IN SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST LYING EASTERLY & NORTHERLY OF PRITCHETT PARKWAY:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST, RUN NORTH 89°56'25" EAST FOR 2017.78 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16 AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°56'25" EAST FOR 872.59 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 16; THENCE RUN SOUTH 89°29'37" EAST FOR 2646.16 FEET TO THE NORTHEAST CORNER OF SAID SECTION 16; THENCE RUN SOUTH 00°01'00" WEST FOR 2656.66 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 16; THENCE RUN SOUTH 00°01'06" EAST FOR 2654.52 TO THE SOUTHEAST CORNER OF SAID SECTION 16; THENCE RUN NORTH 89°52'23" WEST FOR 1512.10 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE); THENCE RUN NORTH 00°00'53" WEST ALONG SAID EAST RIGHT-OF-WAY FOR 2429.96 FEET TO A POINT OF CURVE TO THE LEFT, WITH A RADIUS OF 1150.00 FEET, A CENTRAL ANGLE OF 89°55'27", AND A CHORD OF 1625.27 FEET THAT BEARS NORTH 44°58'37" WEST; THENCE RUN NORTHERLY AND WESTERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY FOR 1804.89 FEET TO A POINT OF TANGENT; THENCE RUN NORTH 89°58'20" WEST ALONG SAID RIGHT-OF-WAY FOR 955.92 FEET; THENCE RUN NORTH 00°04'02" EAST FOR 416.14 FEET; THENCE RUN SOUTH 89°55'58" EAST FOR 970.75 FEET; THENCE RUN NORTH 00°00'06" EAST FOR 667.78 FEET; THENCE RUN NORTH 89°59'48" WEST FOR 871.24 FEET; THENCE RUN NORTH 00°06'53" WEST FOR 667.02 FEET TO THE POINT OF BEGINNING:

SUBJECT TO A FLORIDA POWER & LIGHT EASEMENT OVER THE SOUTH 100 FEET OF SAID SECTION 16.

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EXHIBIT "A-2"

PARCEL "B"

A PARCEL OF LAND IN SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST LYING SOUTHERLY AND WESTERLY OF PRITCHETT PARKWAY:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 16, RUN SOUTH 89°50'53" EAST FOR 1985.21 FEET; THENCE RUN NORTH 00°06'55" WEST FOR 1900.02 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 00°06'55" WEST FOR 758.16 FEET; THENCE RUN NORTH 00°06'55" WEST FOR 667.02 FEET; THENCE RUN NORTH 89°52'09" WEST FOR 289.70 FEET TO THE EASTERLY BOUNDARY OF HUNTER'S GLEN SUBDIVISION AS RECORDED IN PLAT BOOK 59 AT PAGES 92 THROUGH 94 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN NORTH 00°03'40" EAST ALONG SAID EASTERLY BOUNDARY OF SAID HUNTER'S GLEN SUBDIVISION FOR 150.58 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE); THENCE RUN SOUTH 89°56'20" EAST ALONG SAID RIGHT OF WAY FOR 842.66 FEET TO A POINT OF CURVE TO THE RIGHT WITH A RADIUS OF 1050.00 FEET, A CENTRAL ANGLE OF 89°55'27", AND A CHORD OF 1483.94 FEET THAT BEARS SOUTH 44°58'37" EAST; THENCE RUN EASTERLY AND SOUTHERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY FOR 1647.95 FEET TO A POINT OF TANGENT; THENCE RUN SOUTH 00°00'53" EAST ALONG SAID RIGHT-OF-WAY FOR 2020.71 FEET; THENCE RUN NORTH 89°52'23" WEST FOR 848.65 FEET; THENCE RUN NORTH 00°06'55" WEST FOR 1480.93 FEET; THENCE RUN NORTH 89°50'53" WEST FOR 850.01 FEET TO THE POINT OF BEGINNING:

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PARCEL "C"

A PARCEL OF LAND IN SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST LYING EASTERLY OF PRITCHETT PARKWAY:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, RUN SOUTH 89°50'53" EAST FOR 2646.95 FEET; THENCE RUN SOUTH 89°52'23" EAST FOR 1134.21 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100.00 FEET WIDE) AND THE POINT OF BEGINNING; THENCE RUN SOUTH 00°00'53" EAST ALONG SAID EASTERLY RIGHT OF WAY FOR 142.54 FEET TO A POINT OF CURVE TO THE RIGHT WITH A RADIUS OF 1150.00 FEET, A CENTRAL ANGLE OF 21°06'48" AND A CHORD OF 421.38 FEET THAT BEARS SOUTH 10°32'31" WEST; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE AND SAID EASTERLY RIGHT-OF-WAY FOR 423.77 FEET TO A POINT OF TANGENT; THENCE RUN SOUTH 21°05'55" WEST ALONG SAID EASTERLY RIGHT OF WAY FOR 652.71 FEET TO A POINT OF CURVE TO THE LEFT WITH A RADIUS OF 1050.00 FEET, A CENTRAL ANGLE OF 68°05'24" AND A CHORD OF 1175.88 FEET THAT BEARS SOUTH 12°56'45" EAST; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY FOR 1247.81 FEET TO A POINT OF REVERSE CURVE WITH A RADIUS OF 3513.62 FEET, A CENTRAL ANGLE OF 06°05'43", A CHORD OF 373.80 FEET THAT BEARS SOUTH 43°56'42" EAST AND A RADIUS POINT THAT BEARS SOUTH 49°06'14" WEST; THENCE RUN ALONG SAID CURVE AND SAID RIGHT-OF-WAY FOR 373.78 FEET TO A POINT OF TANGENT; THENCE RUN SOUTH 40°53'48" EAST FOR 156.94 FEET; THENCE RUN NORTH 49°06'14" EAST FOR 37.00 FEET; THENCE RUN SOUTH 40°53'46" EAST FOR 50.00 FEET; THENCE RUN SOUTH 49°06'14" WEST FOR 36.99 FEET TO A POINT ON A CURVE CONCAVE TO THE NORTH EAST WITH A RADIUS OF 5553.58 FEET, A CENTRAL ANGLE OF 05°30'23", A CHORD OF 533.52 FEET THAT BEARS SOUTH 43°46'13" EAST AND A RADIUS POINT THAT BEARS NORTH 48°58'58" EAST; THENCE RUN ALONG SAID CURVE FOR 533.73 FEET TO A POINT OF TANGENT; THENCE RUN SOUTH 46°31'25" EAST FOR 203.27 FEET; THENCE RUN NORTH 00°12'49" WEST FOR 1921.58 FEET; THENCE RUN SOUTH 89°49'53" EAST FOR 664.14 FEET; THENCE RUN NORTH 00°19'27" WEST FOR 1339.16 FEET TO THE NORTH EAST CORNER OF SAID SECTION 21; THENCE RUN NORTH 89°52'23' WEST FOR 1512.10 FEET TO THE POINT OF BEGINNING.

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EXHIBIT "A-4"

PARCEL "D"

A PARCEL OF LAND IN SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST LYING WESTERLY OF PRITCHETT PARKWAY:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, RUN SOUTH 89°50'53" EAST FOR 2648.95 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 89°52'23" EAST FOR 1034.21 FEET TO THE WESTERLY RIGHT OF WAY OF PRITCHETT PARKWAY (100 FEET WIDE) ; THENCE RUN SOUTH 00°00'53" EAST ALONG SAID RIGHT-OF-WAY FOR 142.79 FEET TO A POINT OF CURVE TO THE RIGHT WITH A RADIUS OF 1050.00 FEET, A CENTRAL ANGLE OF 21°06'48", AND A CHORD OF 384.74 FEET THAT BEARS SOUTH 10°32'31" WEST. THENCE RUN SOUTHERLY AND WESTERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY FOR 386.92 FEET TO A POINT OF TANGENT; THENCE RUN SOUTH 21-05-55 WEST ALONG SAID RIGHT-OF-WAY FOR 652.72 FEET TO POINT OF CURVE TO THE LEFT WITH A RADIUS OF 1150.00 FEET, A CENTRAL ANGLE OF 29-20-42, AND A CHORD OF 582.58 FEET THAT BEARS SOUTH 06°25'30" WEST; THENCE RUN SOUTHERLY AND WESTERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY FOR 588.99 FEET TO A POINT OF REVERSE CURVE TO THE RIGHT WITH A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 86°06'45", AND A CHORD OF 40.96 FEET THAT BEARS SOUTH 34°48'35" WEST; THENCE RUN SOUTHERLY AND WESTERLY ALONG SAID CURVE FOR 45.09 FEET TO A POINT OF TANGENT; THENCE RUN SOUTH 77°51'58" WEST FOR 76.11 FEET TO A POINT OF CURVE TO THE RIGHT WITH A RADIUS OF 450.00 FEET, A CENTRAL ANGLE OF 41°26'42" AND A CHORD OF 318.46 FEET THAT BEARS NORTH 81°22'38" WEST; THENCE RUN WESTERLY AND NORTHERLY ALONG SAID CURVE FOR 325.51 FEET TO A POINT OF A REVERSE CURVE TO THE LEFT WITH A RADIUS OF 4064.06 FEET, A CENTRAL ANGLE OF 04°02'04", A CHORD OF 286.10 FEET THAT BEARS NORTH 62°40'20" WEST AND A RADIUS POINT THAT BEARS SOUTH 29°20'43" WEST FROM THE POINT OF REVERSE CURVE; THENCE RUN NORTHWESTERLY ALONG SAID REVERSE CURVE FOR 286.16 FEET; THENCE RUN NORTH 00°06'48" EAST FOR 1581.74 FEET TO THE POINT OF BEGINNING.

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PARCEL "E"

A PARCEL OF LAND IN SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST RUN SOUTH 89°44'09" EAST FOR 1341.49 FEET; THENCE RUN SOUTH 00°00'20" WEST FOR 2657.07 FEET; THENCE RUN SOUTH 00°00'40" EAST FOR 1328.45 FEET; THENCE RUN NORTH 89°40'50" WEST FOR 1341.84 FEET; THENCE RUN NORTH 00°01'06" WEST FOR 1327.26 FEET; THENCE RUN NORTH 00°01'00" EAST FOR 2656.66 FEET TO THE POINT OF BEGINNING:

PLUS THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST LYING WESTERLY OF THE CENTER LINE OF POPASH CREEK:

LESS THAT PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 1319 AT PAGE 616 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

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DCI 2001-00038

DESCRIPTION OF A PARCEL OF LAND
LYING IN
SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

A TRACT OR PARCEL OF LAND LYING IN SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH ONE-QUARTER (S 1/4) CORNER OF SAID SECTION 16; THENCE N89°50'53"W ALONG THE SOUTH LINE OF SAID SECTION 16 FOR 661.74 FEET TO THE WEST LINE OF THE EAST ONE-HALF (E 1/2) OF THE EAST ONE-HALF (E 1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 16; THENCE N00°06'55"W ALONG SAID WEST LINE FOR 1900.02 FEET; THENCE S89°50'53"E FOR 850.01 FEET; THENCE S00°06'55"E FOR 1490.93 FEET; THENCE S89°52'23"E FOR 846.65 FEET TO THE WEST RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100.00 FEET WIDE); THENCE S00°00'53"E ALONG SAID WEST RIGHT-OF-WAY LINE FOR 409.00 FEET TO THE SOUTH LINE OF SAID SECTION 16; THENCE N89°52'23"W ALONG SAID SOUTH LINE FOR 1034.20 FEET TO THE POINT OF BEGINNING.

SUBJECT TO A LEE COUNTY ELECTRIC COOPERATIVE EASEMENT LYING OVER AND ACROSS THE SOUTH 100.00 FEET.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS ARE BASED ON THE SOUTH LINE OF SAID SECTION 16 AS BEARING N89°50'53"W.

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EXHIBIT "A-7"

LEGAL DESCRIPTION

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER

AND

THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER

AND

THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER

AND

THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER

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DCI 2001-00038

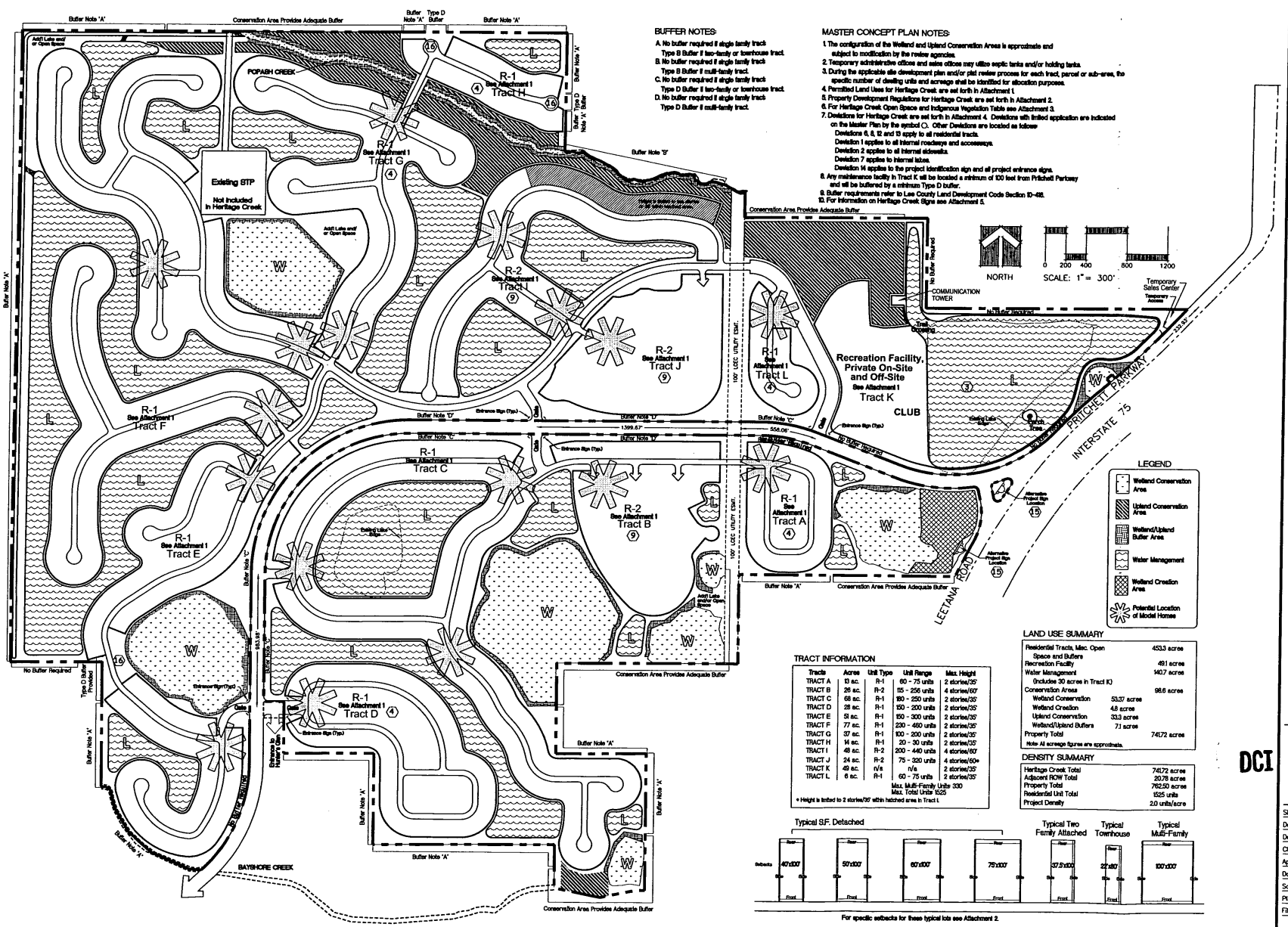
Legal Description of Parcel 1:

A parcel of land lying in Section 16, Township 43 South, Range 25 East, Lee County, Florida, more properly described as follows:

From the Northwest corner of said Section 16 go S 00° 27' 57" E 664.82 feet: Thence go S 89° 59' 47" E 1098.47 feet to the point of the beginning of the lands herein described: Thence S 89 ° 59' 47" E 244.00 feet: Thence S 00° 13' 53" E 666.29 feet: Thence S 89° 55' 58" E 369.02 feet: Thence S 00° 04' 02" W 416.14 feet: Thence N 89° 56' 20" W 443.29 feet to a point of tangency of a curve to the right: Thence along said curve 875.93 feet, said curve having a Radius of 1050.00 feet, An Internal (Delta) angle of 47° 47' 49", a Chord of 850.75 feet, and a Chord Bearing of N 66° 02' 25" W: Thence non-radial and non-tangent N 04° 32' 24" E 90.77 feet: Thence N 23° 44' 09" E 306.54 feet: Thence N 41° 45' 07" E 222.54 feet: Thence N 59° 41' 20" E 199.30 feet: Thence N 75° 53' 16" E 136.18 feet: Thence N 38° 59' 21" E 33.51 feet: Thence N 02° 12' 10" E 40.00 feet to the point of beginning.

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BUFFER NOTES:

A. No buffer required if single family tract
Type B Buffer if two-family or townhouse tract.
B. No buffer required if single family tract
Type B Buffer if multi-family tract.
C. No buffer required if single family tract
Type D Buffer if two-family or townhouse tract.
D. No buffer required if single family tract
Type D Buffer if multi-family tract.

MASTER CONCEPT PLAN NOTES:

1. The configuration of the Wetland and Upland Conservation Areas is approximate and subject to modification by the review agencies.
2. Temporary administrative offices and sales offices may utilize septic tanks and/or holding tanks.
3. During the applicable site development plan and/or plat review process for each tract, parcel or sub-area, the specific number of dwelling units and acreage shall be identified for allocation purposes.
4. Permitted Land Uses for Heritage Creek are set forth in Attachment I.
5. Property Development Regulations for Heritage Creek are set forth in Attachment 2.
6. For Heritage Creek Open Space and Indigenous Vegetation Table see Attachment 3.
7. Deviations for Heritage Creek are set forth in Attachment 4. Deviations with limited application are indicated on the Master Plan by the symbol ⊙. Other Deviations are located as follows:
Deviations 6, 8, 12 and 13 apply to all residential tracts.
Deviation 1 applies to all internal roadways and accessways.
Deviation 2 applies to all internal sidewalks.
Deviation 7 applies to internal lakes.
Deviation 14 applies to the project identification sign and all project entrance signs.
8. Any maintenance facility in Tract K will be located a minimum of 100 feet from Pritchett Parkway and will be buffered by a minimum Type D buffer.
9. Buffer requirements refer to Lee County Land Development Code Section 10-416.
10. For information on Heritage Creek Signs see Attachment 5.

LEGEND

- Wetland Conservation Area
- Upland Conservation Area
- Wetland/Upland Buffer Area
- Water Management
- Wetland Creation Area
- Potential Location of Model Homes

LAND USE SUMMARY

Residential Tracts, Misc. Open Space and Buffers		453.3 acres
Recreation Facility		49.1 acres
Water Management (Includes 30 acres in Tract K)		140.7 acres
Conservation Areas		98.6 acres
Wetland Conservation	53.37 acres	
Wetland Creation	4.8 acres	
Upland Conservation	33.3 acres	
Wetland/Upland Buffers	7.1 acres	
Property Total		741.72 acres

Note: All acreage figures are approximate.

DENSITY SUMMARY

Heritage Creek Total	741.72 acres
Adjacent ROW Total	20.78 acres
Property Total	762.50 acres
Residential Unit Total	1525 units
Project Density	2.0 units/acre

TRACT INFORMATION

Tracts	Acres	Unit Type	Unit Range	Max. Height
TRACT A	13 ac.	R-1	60 - 75 units	2 stories/35'
TRACT B	26 ac.	R-2	115 - 256 units	4 stories/60'
TRACT C	68 ac.	R-1	180 - 250 units	2 stories/35'
TRACT D	28 ac.	R-1	150 - 200 units	2 stories/35'
TRACT E	51 ac.	R-1	150 - 300 units	2 stories/35'
TRACT F	77 ac.	R-1	230 - 460 units	2 stories/35'
TRACT G	37 ac.	R-1	100 - 200 units	2 stories/35'
TRACT H	14 ac.	R-1	20 - 30 units	2 stories/35'
TRACT I	48 ac.	R-2	200 - 440 units	4 stories/60'
TRACT J	24 ac.	R-2	75 - 220 units	4 stories/60+
TRACT K	49 ac.	n/a	n/a	2 stories/35'
TRACT L	6 ac.	R-1	60 - 75 units	2 stories/35'

Max. Multi-Family Units 330
Max. Total Units 1525

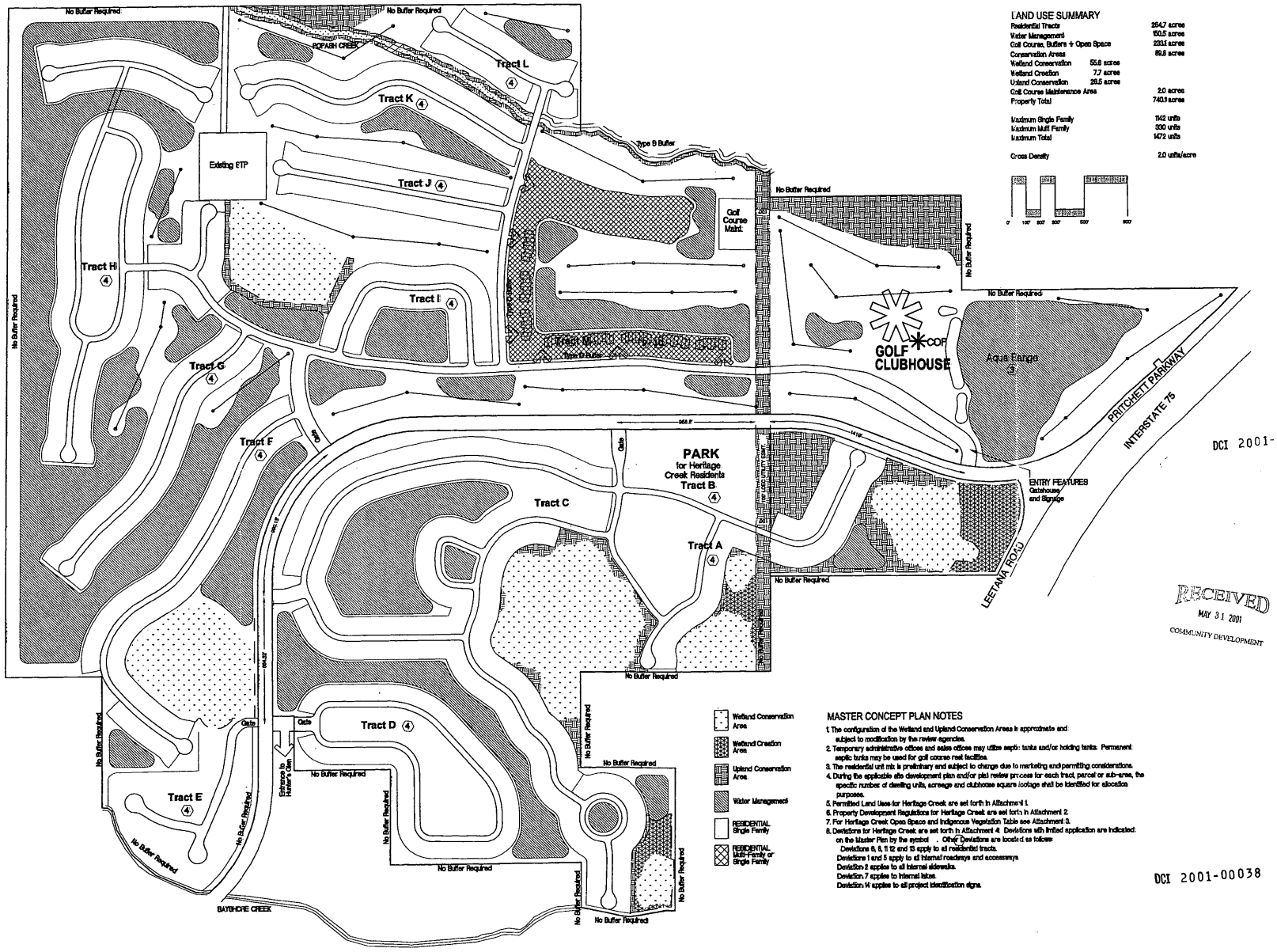
* Height is limited to 2 stories/35' within hatched area in Tract I.

WilsonMiller
Planners · Engineers · Ecologists · Surveyors
Landscape Architects · Transportation Consultants
Naples · Fort Myers · WilsonMiller, Inc. · Tampa · Tallahassee
4571 Colonial Boulevard, Suite 100 · Fort Myers, Florida 33966
Phone: (941) 479-1200 · Fax: (941) 479-1478
E-mail: FortMyers@WilsonMiller.com · Web site: wilsonmiller.com

HERITAGE CREEK
MASTER CONCEPT PLAN
PREPARED FOR : US HOME CORPORATION

DCI 2001-00038

SEC 15,21,16 TWP 43S RGE 25E
Designed by:
Drawn by: S.W.P./1078
Checked by:
Approved by:
Date: 10/01/001
Scale: 1" = 300'
PIN: 03642-000-000 P2PSR
File #: D-3642-02
Sheet 1 of 1



LAND USE SUMMARY

Residential Tracts		254.7 acres
Water Management		150.5 acres
Golf Course, Buffers + Open Space		233.1 acres
Conservation Areas		89.8 acres
Wetland Conservation	55.6 acres	
Wetland Creation	7.7 acres	
Upland Conservation	26.5 acres	
Golf Course Maintenance Area		2.0 acres
Property Total		740.9 acres
Maximum Single Family		740 units
Maximum Multi Family		390 units
Maximum Total		1472 units
Gross Density		2.0 units/acre

MASTER CONCEPT PLAN NOTES

1. The configuration of the Wetland and Upland Conservation Areas is approximate and subject to modification by the review agencies.
2. Temporary administrative offices and sales offices may utilize septic tanks and/or holding tanks. Permanent septic tanks may be used for golf course rest facilities.
3. The residential unit mix is preliminary and subject to change due to marketing and permitting considerations.
4. During the applicable site development plan and/or plat review process for each tract, parcel or sub-area, the specific number of dwelling units, acreage and clubhouse square footage shall be identified for allocation purposes.
5. Permitted Land Uses for Heritage Creek are set forth in Attachment 1.
6. Property Development Regulations for Heritage Creek are set forth in Attachment 2.
7. For Heritage Creek Open Space and Indigenous Vegetation Table see Attachment 3.
8. Deviations for Heritage Creek are set forth in Attachment 4. Deviations with limited application are indicated on the Master Plan by the symbol . Other Deviations are located as follows:
   Deviations 6, 8, 11 12 and 13 apply to all residential tracts.
   Deviations 1 and 5 apply to all internal roadways and accessways.
   Deviation 2 applies to all internal sidewalks.
   Deviation 7 applies to internal lakes.
   Deviation 14 applies to all project identification signs.

DCI 2001-00038

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MAY 31 2001
COMMUNITY DEVELOPMENT

DCI 2001-00038

For Information Contact:
Florida Land Planning, Inc.
1560 Matthew Drive, Fort Myers, Florida 33907
(941)278-5222 fax (941)278-4466

CONSULTANT TEAM
Florida Land Planning
Metro Transportation
Pavese Law Firm
Anzinger-Lewis
Banks Engineering
Bender & Associates

HERITAGE CREEK

A Golf Course Community by:
US Home Corporation

Date: 05/18/2001

SEC 5 TWP 46S RGE 25E

Scale: 1" = 300'

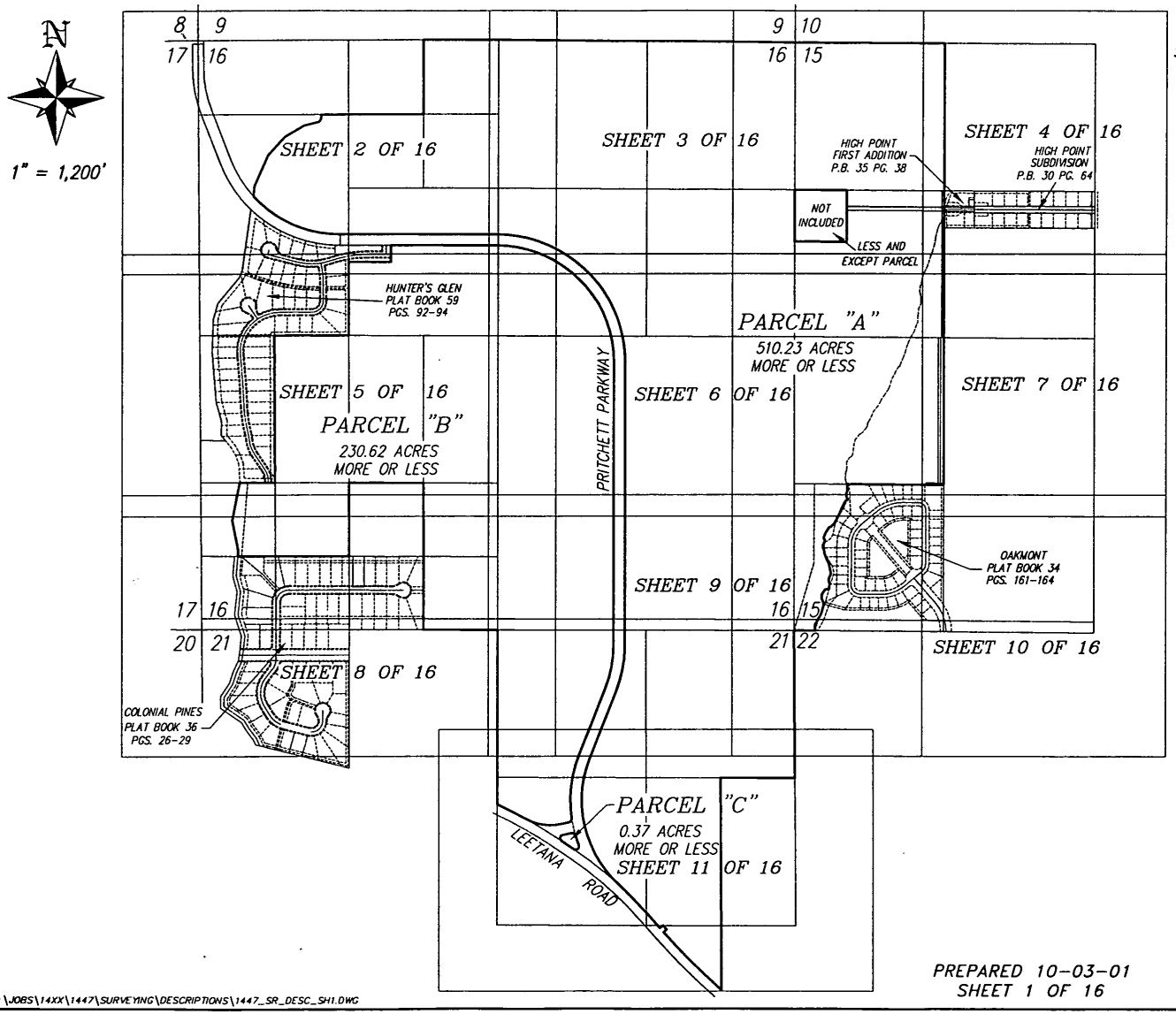
Sheet 1 of 1

SKETCH OF DESCRIPTIONS

OF

PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

(STONEYBROOK NORTH)



LEGEND:

O.R.	INDICATES OFFICIAL RECORDS BOOK
PG.	INDICATES PAGE.
P.O.B	INDICATES POINT OF BEGINNING
P.O.C.	INDICATES POINT OF COMMENCEMENT
R/W	INDICATES RIGHT-OF-WAY
(1)	INDICATES CURVE NUMBER 1 FROM THE CURVE TABLE
L1	INDICATES LINE NUMBER 1 FROM THE LINE TABLE
SUBDIV.	INDICATES SUBDIVISION

NOTES:

1.) PARCEL SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND RESERVATIONS OF RECORD.

2.) BEARINGS ARE BASID ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

3.) PARCELS CONTAIN 741.22 ACRES MORE OR LESS.

SEE SHEETS 13 THROUGH 16 FOR DESCRIPTIONS.

THIS SKETCH OF DESCRIPTIONS IS NOT A BOUNDARY SURVEY

Richard M. Ritz

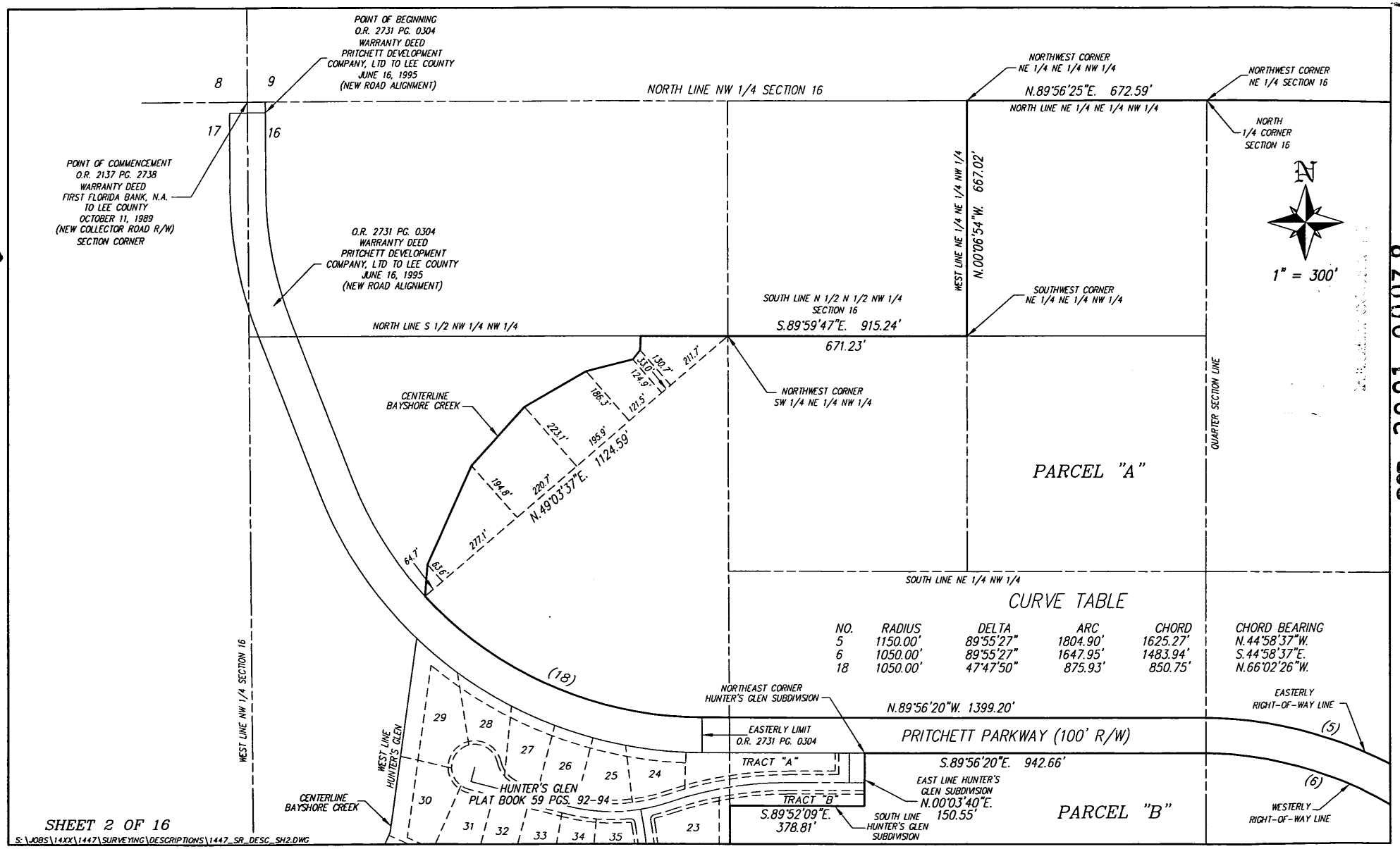
RICHARD M. RITZ,
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009

- THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

PREPARED 10-03-01
SHEET 1 OF 16

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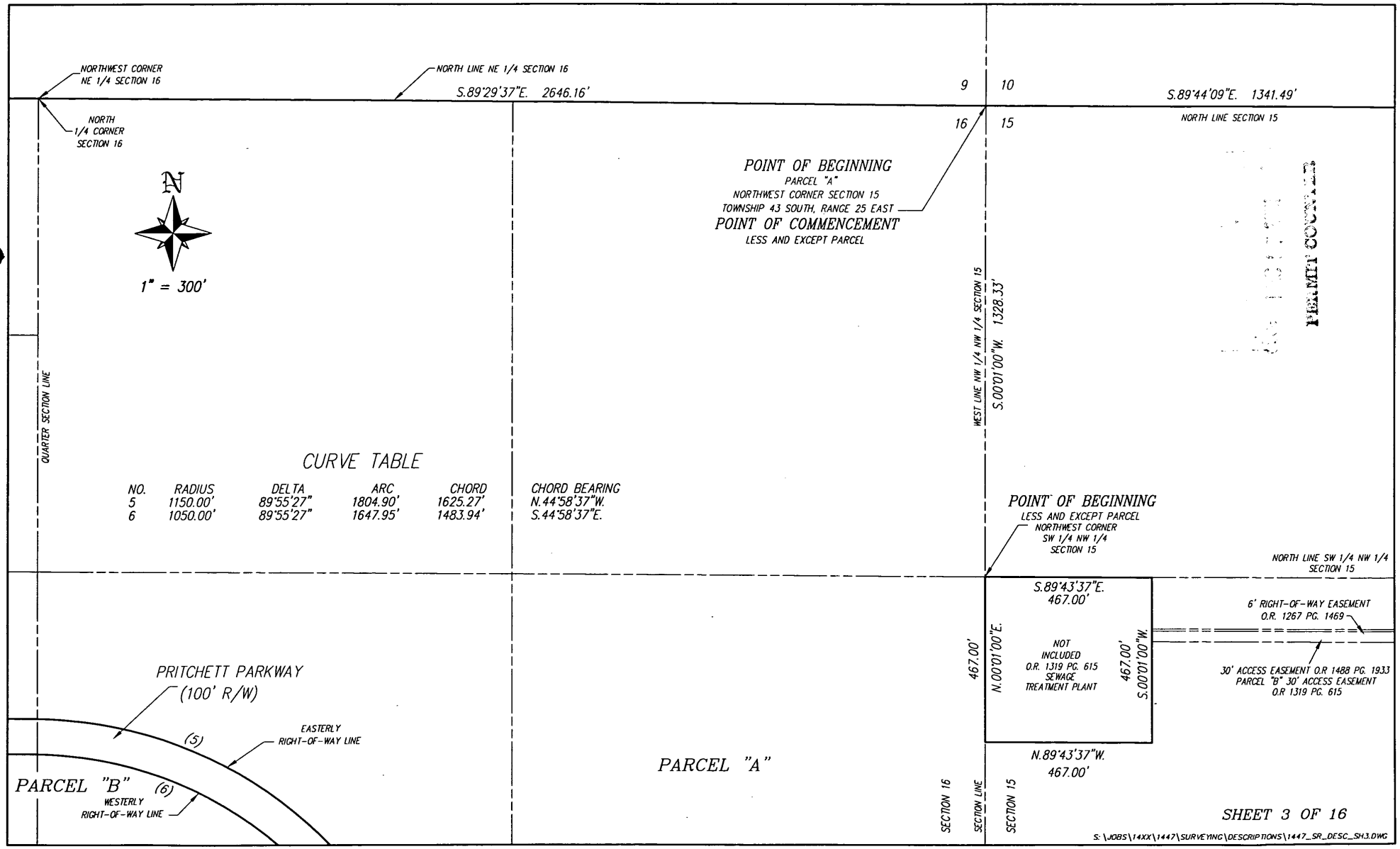
OCT 2001-00038

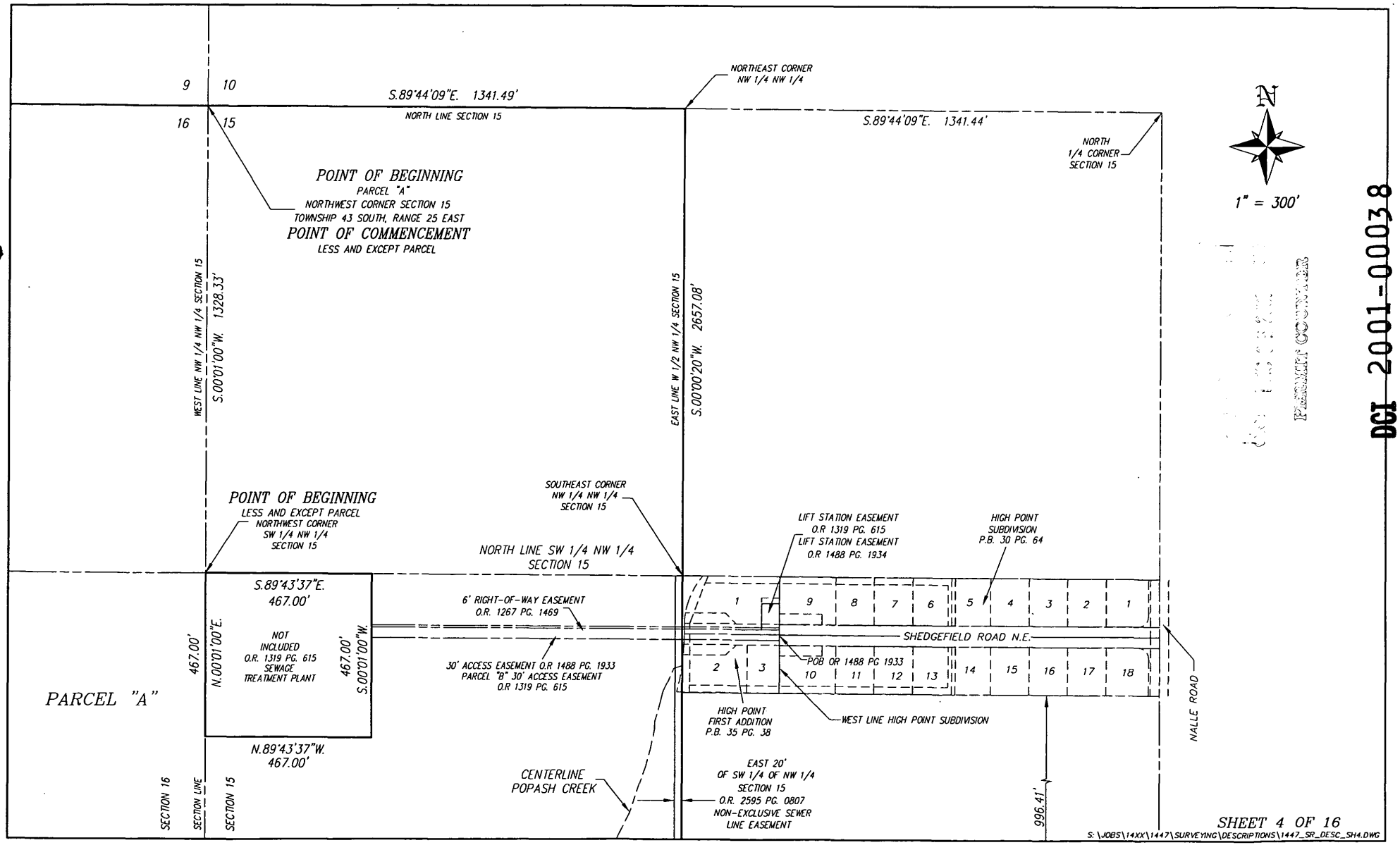


SHEET 2 OF 16

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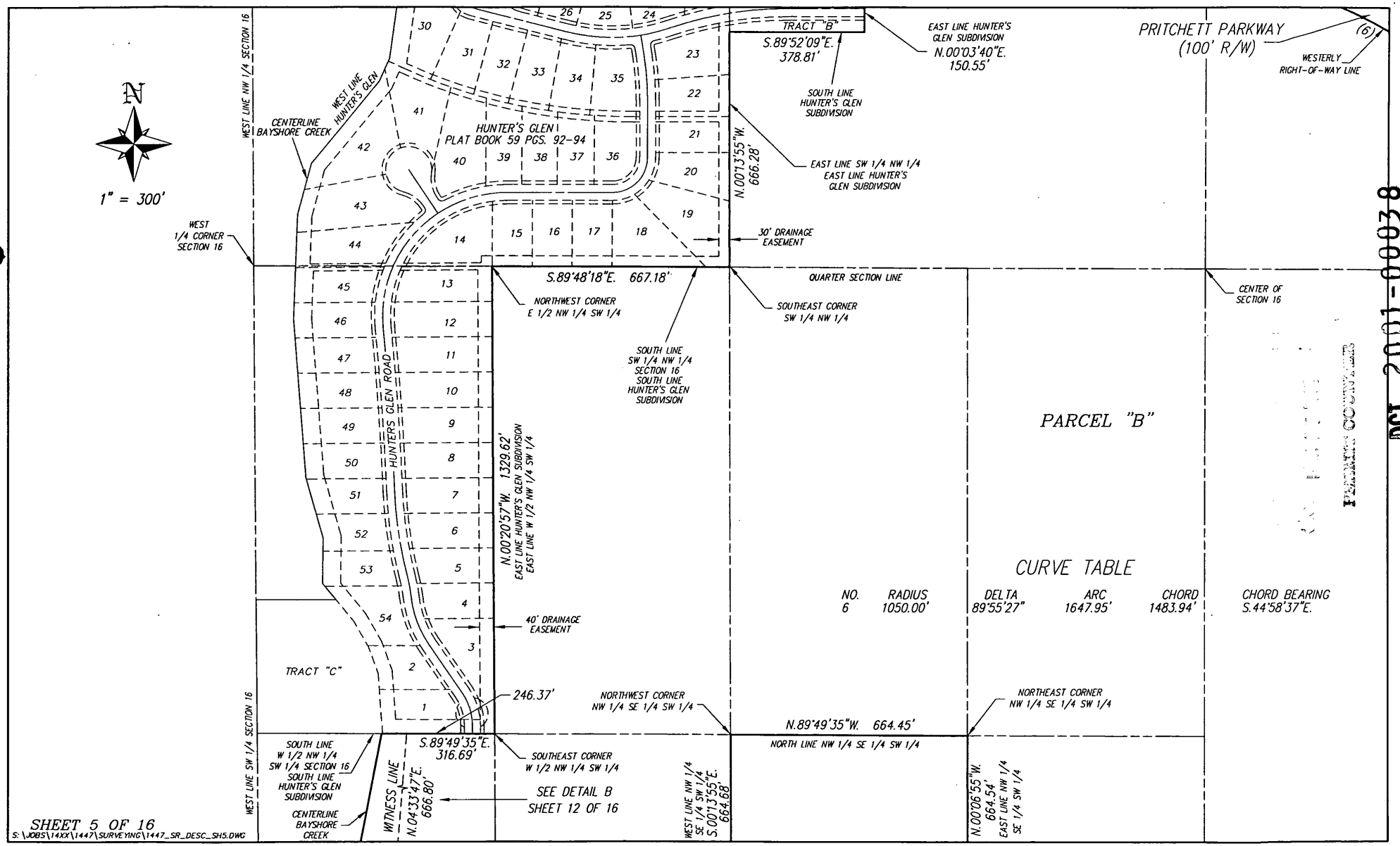

NORTHWEST CORNER
NE 1/4 SECTION 16
NORTH LINE NE 1/4 SECTION 16
S.89°29'37"E. 2646.16'
9
10
S.89°44'09"E. 1341.49'
NORTH
1/4 CORNER
SECTION 16
16
15
NORTH LINE SECTION 15
N
1" = 300'
POINT OF BEGINNING
PARCEL "A"
NORTHWEST CORNER SECTION 15
TOWNSHIP 43 SOUTH, RANGE 25 EAST
POINT OF COMMENCEMENT
LESS AND EXCEPT PARCEL
PREMIT COPY
QUARTER SECTION LINE
WEST LINE NW 1/4 NW 1/4 SECTION 15
S.00°01'00"W. 1328.33'
CURVE TABLE
NO. RADIUS DELTA ARC CHORD CHORD BEARING
5 1150.00' 89°55'27" 1804.90' 1625.27' N.44°58'37"W.
6 1050.00' 89°55'27" 1647.95' 1483.94' S.44°58'37"E.
POINT OF BEGINNING
LESS AND EXCEPT PARCEL
NORTHWEST CORNER
SW 1/4 NW 1/4
SECTION 15
NORTH LINE SW 1/4 NW 1/4
SECTION 15
S.89°43'37"E.
467.00'
6' RIGHT-OF-WAY EASEMENT
O.R. 1267 PG. 1469
NOT
INCLUDED
O.R. 1319 PG. 615
SEWAGE
TREATMENT PLANT
467.00'
N.00°01'00"E.
467.00'
S.00°01'00"W.
30' ACCESS EASEMENT O.R 1488 PG. 1933
PARCEL "B" 30' ACCESS EASEMENT
O.R 1319 PG. 615
PRITCHETT PARKWAY
(100' R/W)
(5)
EASTERLY
RIGHT-OF-WAY LINE
PARCEL "B"
(6)
WESTERLY
RIGHT-OF-WAY LINE
PARCEL "A"
N.89°43'37"W.
467.00'
SECTION 16
SECTION LINE
SECTION 15
SHEET 3 OF 16
S:\JOBS\14XX\1447\SURVEYING\DESCRIPTIONS\1447_SR_DESC_SH3.DWG



PENDER COUNTY

DCI 2001-00038

S:\JOBS\14XX\1447\SURVEYING\DESCRIPTIONS\1447_SR_DESC_SH4.DWG

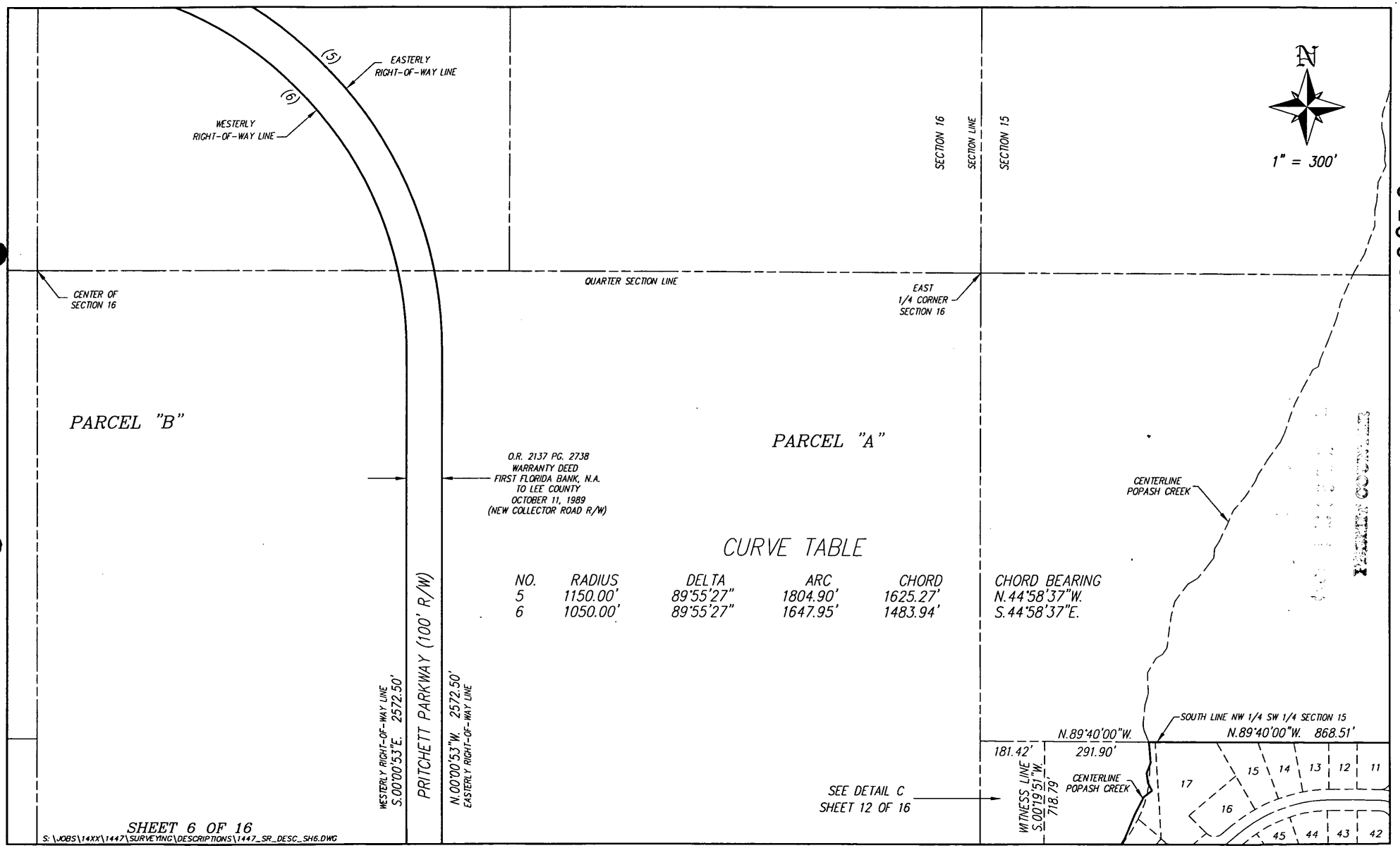


SHEET 5 OF 16

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PASCO COUNTY, FL

OCT 2001-00028



SHEET 6 OF 16

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DCI 2001-00038

DCI 2001-00038

PARCEL MAPS

N

1" = 300'

QUARTER SECTION LINE

996.41'

EAST 20' OF SW 1/4 OF NW 1/4 SECTION 15 O.R. 2595 PG. 0807 NON-EXCLUSIVE SEWER LINE EASEMENT

SOUTHEAST CORNER W 1/2 NW 1/4 SECTION 15

QUARTER SECTION LINE

WEST 20' OF THE EAST 50' OF NW 1/4 OF SW 1/4 SECTION 15 OR. 1488 PG. 1935 PERPETUAL EASEMENT FOR MAINTENANCE OF UTILITY LINES

S.00°00'40"E. 1328.46'
EAST LINE NW 1/4 SW 1/4

EAST 30' OF NW 1/4 OF SW 1/4 SECTION 15 OR. 1488 PG. 1935 PERPETUAL EASEMENT FOR MAINTENANCE OF UTILITY LINES

NORTHEAST CORNER OAKMONT SOUTHEAST CORNER NW 1/4 SW 1/4 SECTION 15

9
10
11
12
13
14
15
16
17
42
43
44
45

SOUTH 16' OF THE EAST 160' OF NW 1/4 OF SW 1/4 SECTION 15 OR. 1488 PG. 1935 PERPETUAL EASEMENT FOR MAINTENANCE OF UTILITY LINES

SOUTH LINE NW 1/4 SW 1/4 SECTION 15
N.89°40'00"W. 868.51'

CENTERLINE POPASH CREEK

N.89°40'00"W.
291.90'

CENTERLINE POPASH CREEK

WITNESS LINE
S.00°19'51"W. 718.79'

181.42'

SECTION 15

SECTION LINE

SECTION 16

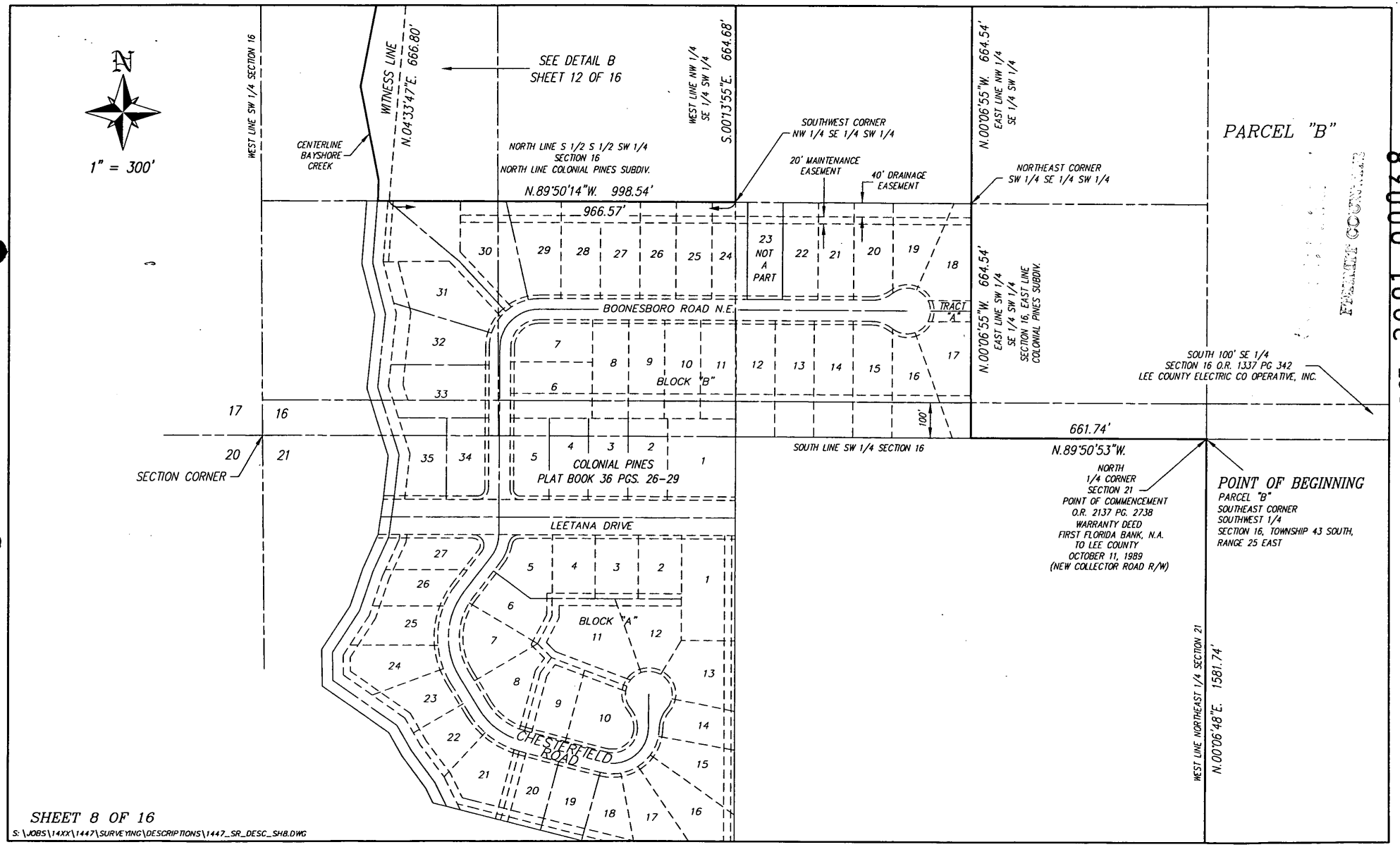
EAST 1/4 CORNER SECTION 16

PARCEL "A"

SEE DETAIL C
SHEET 12 OF 16

SHEET 7 OF 16

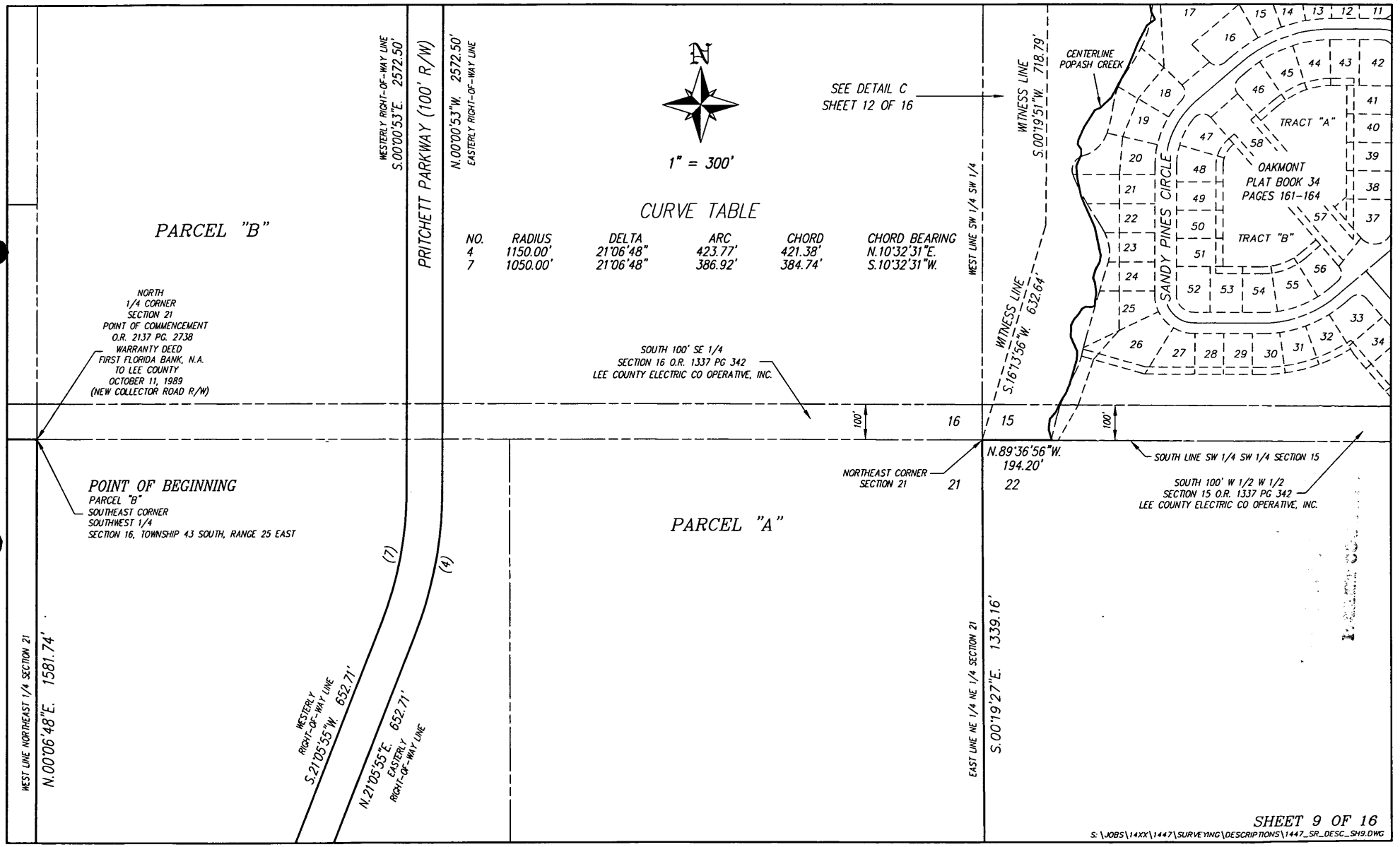
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DCI 2001-00038

SHEET 8 OF 16

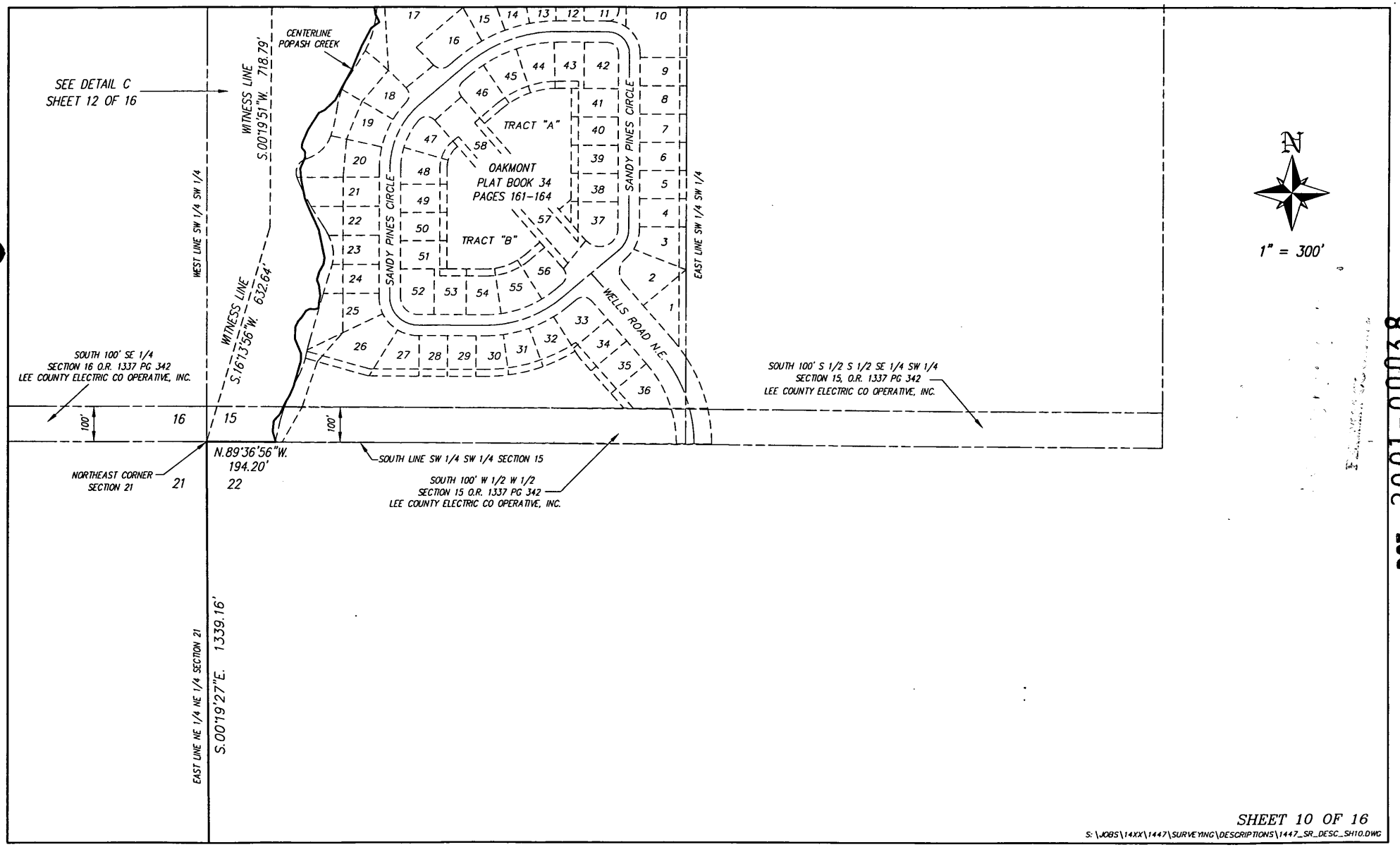
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SHEET 9 OF 16

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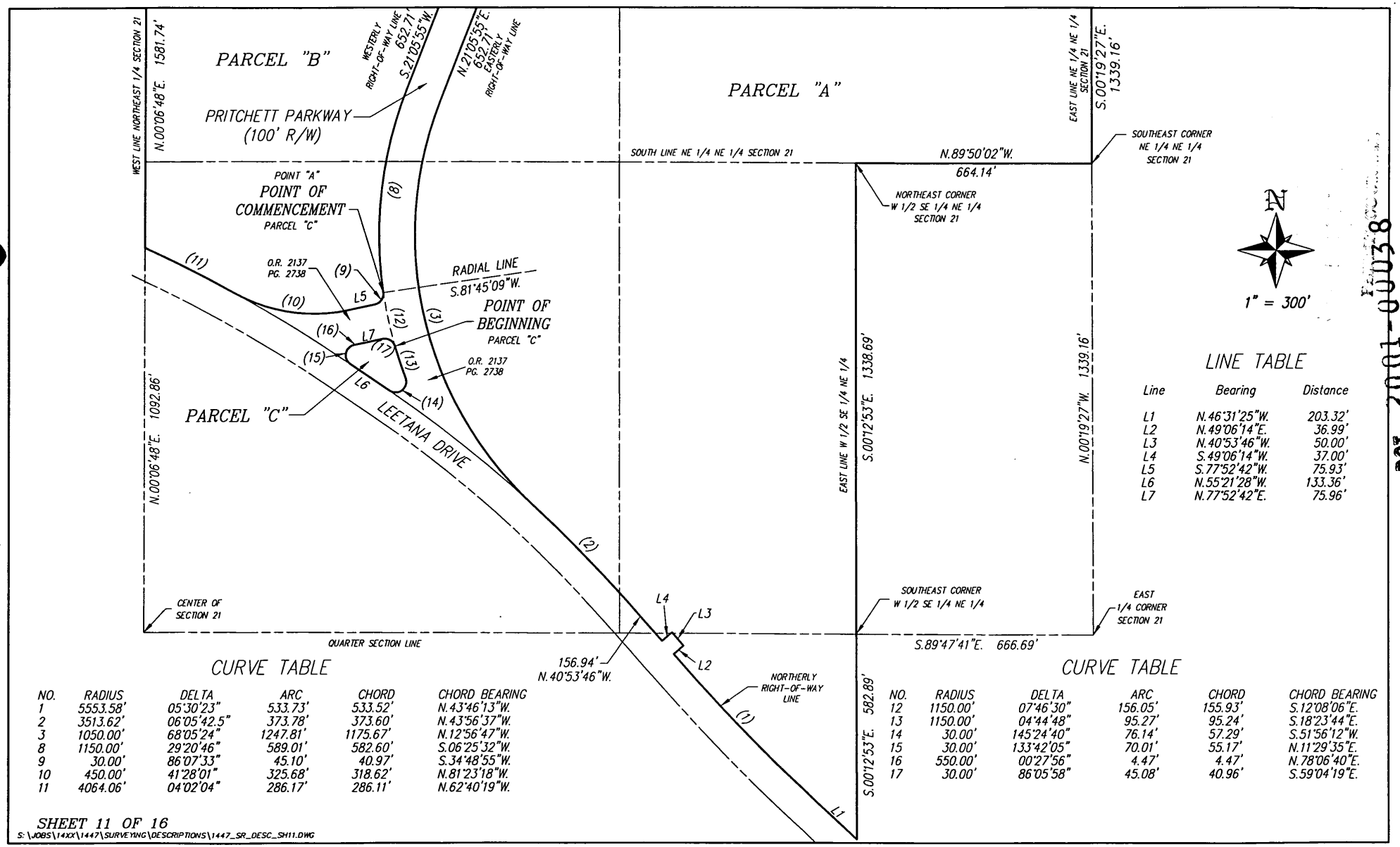
DCI 2001-00038



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SHEET 10 OF 16

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LINE TABLE

Line	Bearing	Distance
L1	N.46°31'25"W.	203.32'
L2	N.49°06'14"E.	36.99'
L3	N.40°53'46"W.	50.00'
L4	S.49°06'14"W.	37.00'
L5	S.77°52'42"W.	75.93'
L6	N.55°21'28"W.	133.36'
L7	N.77°52'42"E.	75.96'

CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	5553.58'	05°30'23"	533.73'	533.52'	N.43°46'13"W.
2	3513.62'	06°05'42.5"	373.78'	373.60'	N.43°56'37"W.
3	1050.00'	68°05'24"	1247.81'	1175.67'	N.12°56'47"W.
8	1150.00'	29°20'46"	589.01'	582.60'	S.06°25'32"W.
9	30.00'	86°07'33"	45.10'	40.97'	S.34°48'55"W.
10	450.00'	41°28'01"	325.68'	318.62'	N.81°23'18"W.
11	4064.06'	04°02'04"	286.17'	286.11'	N.62°40'19"W.

CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
12	1150.00'	07°46'30"	156.05'	155.93'	S.12°08'06"E.
13	1150.00'	04°44'48"	95.27'	95.24'	S.18°23'44"E.
14	30.00'	145°24'40"	76.14'	57.29'	S.51°56'12"W.
15	30.00'	133°42'05"	70.01'	55.17'	N.11°29'35"E.
16	550.00'	00°27'56"	4.47'	4.47'	N.78°06'40"E.
17	30.00'	86°05'58"	45.08'	40.96'	S.59°04'19"E.

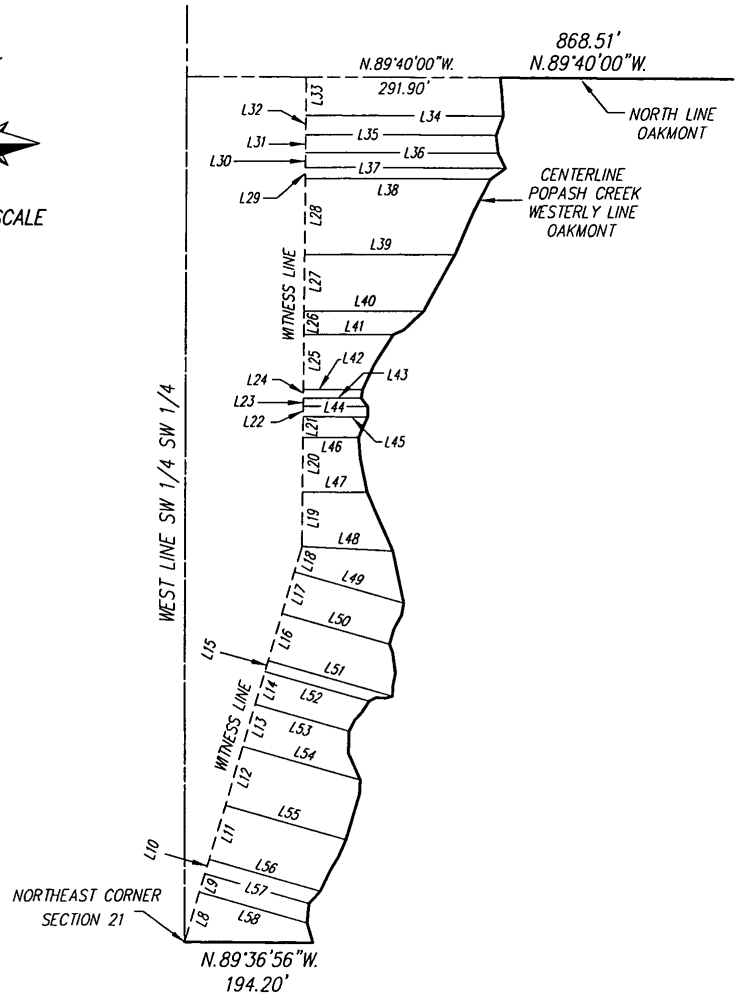
SHEET 11 OF 16

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DCI 2001-0003

DETAIL SHEET

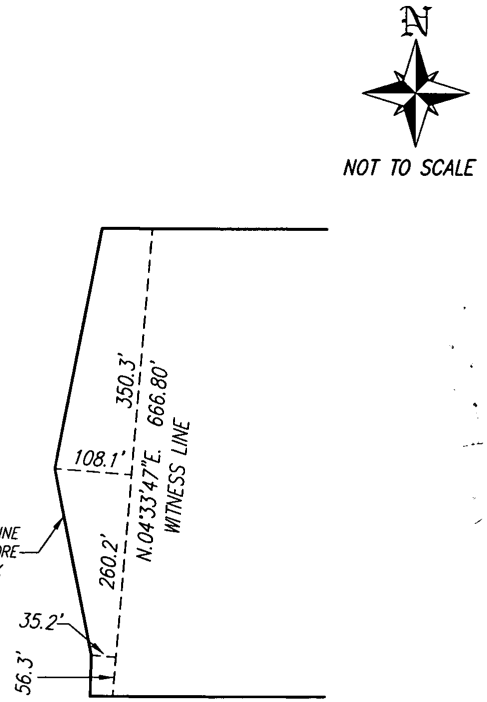




DETAIL C
NOT TO SCALE

LINE TABLE

Line	Bearing	Distance
L8	N.16°13'56"E.	79.4'
L9	N.16°13'56"E.	29.6'
L10	N.16°13'56"E.	23.1'
L11	N.16°13'56"E.	86.7'
L12	N.16°13'56"E.	94.4'
L13	N.16°13'56"E.	67.3'
L14	N.16°13'56"E.	52.6'
L15	N.16°13'56"E.	17.2'
L16	N.16°13'56"E.	75.4'
L17	N.16°13'56"E.	66.6'
L18	N.16°13'56"E.	40.3'
L19	N.00°19'51"E.	83.1'
L20	N.00°19'51"E.	83.7'
L21	N.00°19'51"E.	31.8'
L22	N.00°19'51"E.	16.0'
L23	N.00°19'51"E.	12.6'
L24	N.00°19'51"E.	13.2'
L25	N.00°19'51"E.	84.6'
L26	N.00°19'51"E.	35.8'
L27	N.00°19'51"E.	87.0'
L28	N.00°19'51"E.	116.4'
L29	N.00°19'51"E.	16.7'
L30	N.00°19'51"E.	22.7'
L31	N.00°19'51"E.	27.4'
L32	N.00°19'51"E.	29.4'
L33	N.00°19'51"E.	58.4'
L34	S.89°40'09"E.	297.3'
L35	S.89°40'09"E.	286.4'
L36	S.89°40'09"E.	289.9'
L37	S.89°40'09"E.	301.4'
L38	S.89°40'09"E.	279.0'
L39	S.89°40'09"E.	227.1'
L40	S.89°40'09"E.	181.1'
L41	S.89°40'09"E.	135.2'
L42	S.89°40'09"E.	89.7'
L43	S.89°40'09"E.	88.0'
L44	S.89°40'09"E.	97.6'
L45	S.89°40'09"E.	97.8'
L46	S.89°40'09"E.	84.3'
L47	S.89°40'09"E.	97.7'
L48	S.87°00'59"E.	137.8'
L49	S.73°46'04"E.	172.6'
L50	S.73°46'04"E.	169.4'
L51	S.73°46'04"E.	196.7'
L52	S.73°46'04"E.	164.5'
L53	S.73°46'04"E.	148.4'
L54	S.73°46'04"E.	185.7'
L55	S.73°46'04"E.	191.1'
L56	S.73°46'04"E.	176.0'
L57	S.73°46'04"E.	164.7'
L58	S.73°46'04"E.	170.2'



DETAIL B
NOT TO SCALE

DCI 2001-00038

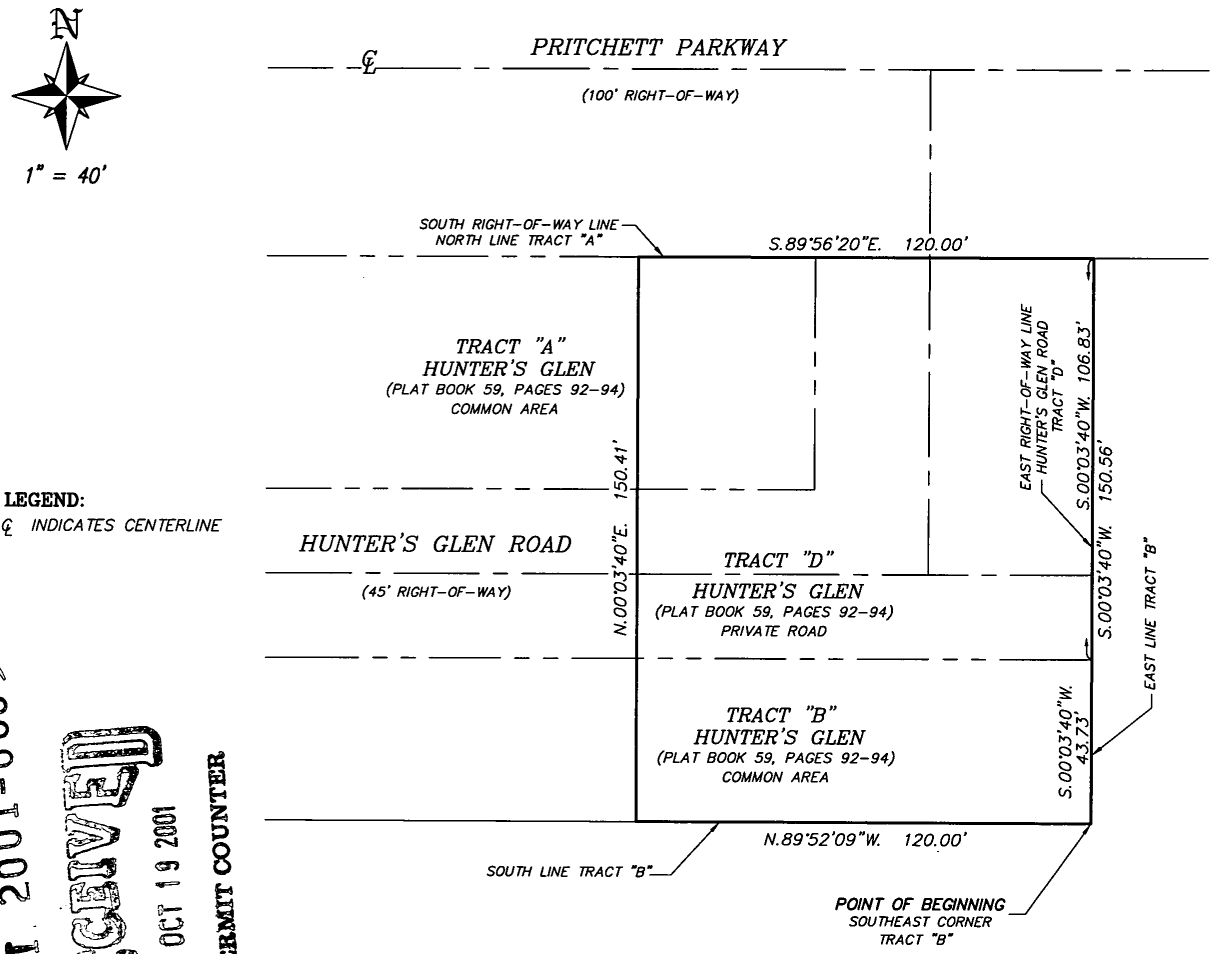
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SKETCH OF DESCRIPTION

OF

A PARCEL OF LAND LYING IN
SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

(ACCESS EASEMENT)



LEGEND:

℄ INDICATES CENTERLINE

LEGAL DESCRIPTION

AS PREPARED BY BANKS ENGINEERING, INC.

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST, AND BEING A PORTION OF TRACT "B", TRACT "D" AND TRACT "A" OF HUNTER'S GLEN, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 59 AT PAGES 92 THROUGH 94 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF TRACT "B" OF SAID HUNTER'S GLEN, THENCE N.89°52'09"W. ALONG THE SOUTH LINE OF SAID TRACT "B" A DISTANCE OF 120.00 FEET; THENCE N.00°03'40"E. A DISTANCE OF 150.41 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100' RIGHT-OF-WAY); THENCE S.89°56'20"E. ALONG SAID SOUTH LINE A DISTANCE OF 120.00 FEET TO AN INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF HUNTER'S GLEN ROAD, TRACT "D"; THENCE S.00°03'40"W. ALONG SAID EAST LINE A DISTANCE OF 106.83 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID HUNTER'S GLEN ROAD, TRACT "D" THE SAME BEING THE NORTH LINE OF SAID TRACT "B"; THENCE S.00°03'40"E. ALONG THE EAST LINE OF SAID TRACT "B" A DISTANCE OF 43.73 FEET TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON THE SOUTH LINE OF TRACT "B" AS BEARING N.89°52'09"W.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

PARCEL CONTAINS 0.41 ACRES, MORE OR LESS.

DCT 2001-00038
RECEIVED
OCT 19 2001
PERMIT COUNTER

THIS SKETCH OF DESCRIPTION
IS NOT A BOUNDARY SURVEY

Richard M. Ritz

RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009

- THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SHEET 1 OF 1

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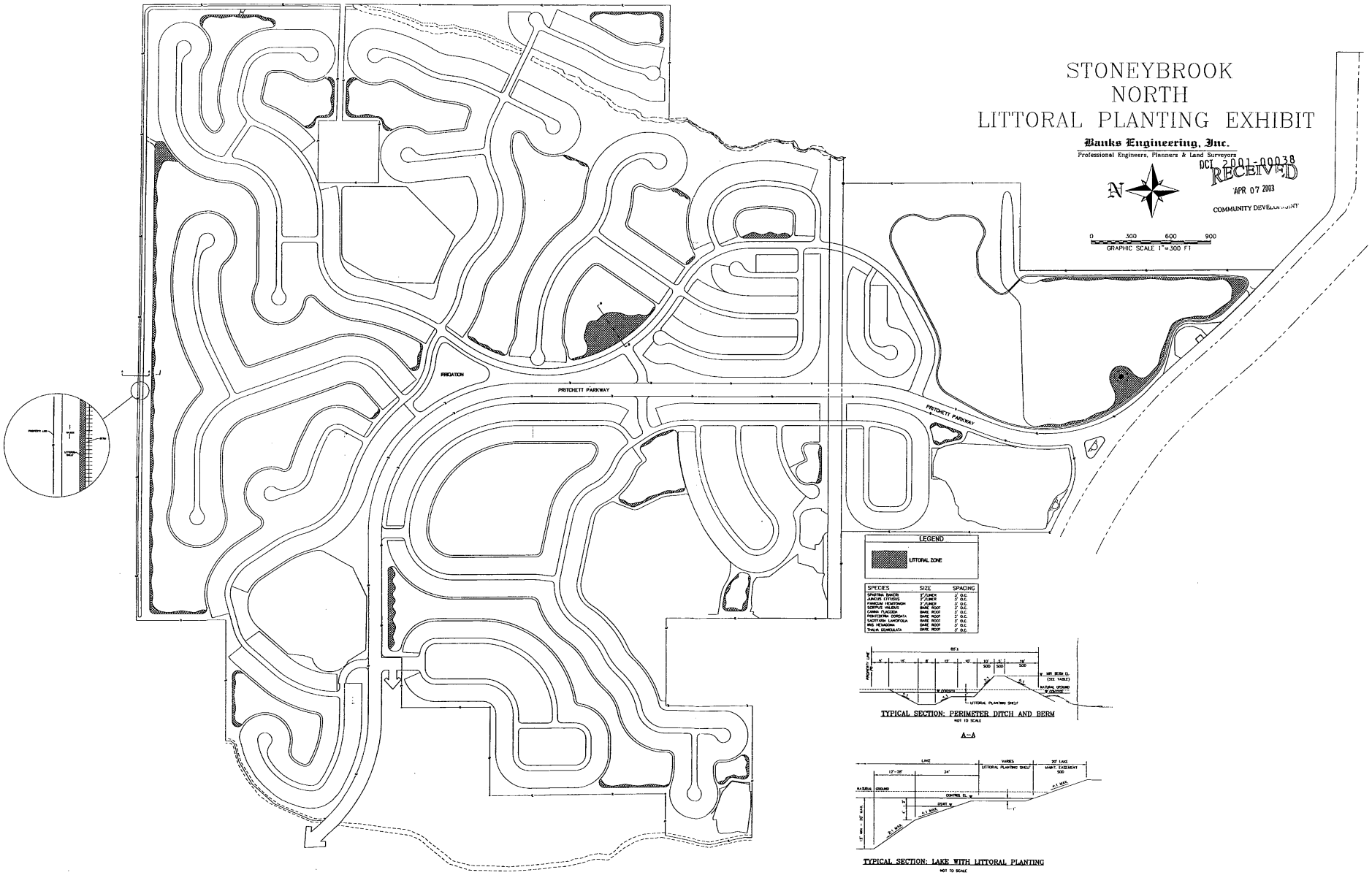
STONEYBROOK
NORTH
LITTORAL PLANTING EXHIBIT

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors

DCI 2001-00038
RECEIVED
APR 07 2003
COMMUNITY DEVELOPMENT

N

0 300 600 900
GRAPHIC SCALE 1"=300 FT



LEGEND

LITTORAL ZONE

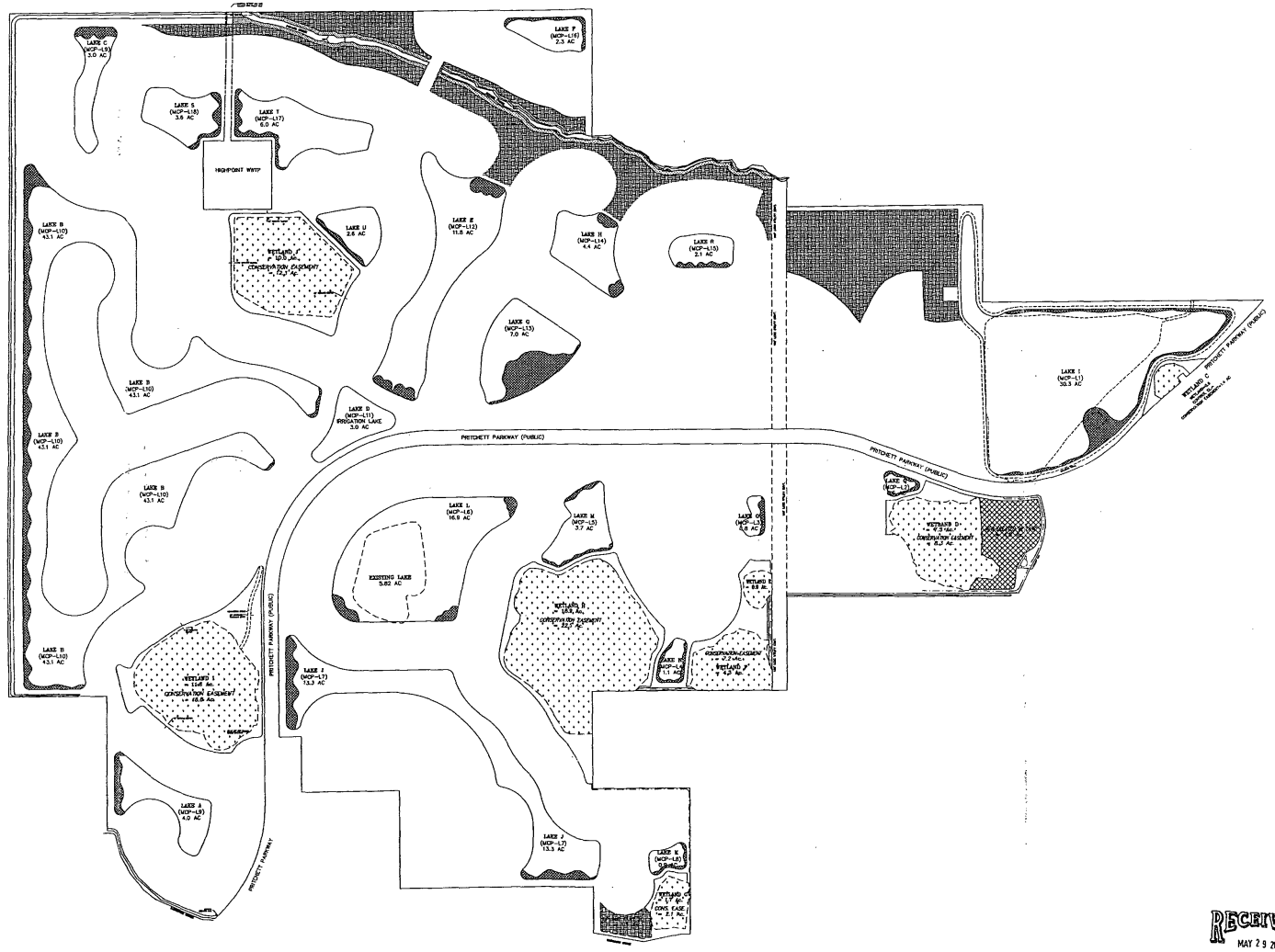
SPECIES	SIZE	SPACING
SPARTINA BAKERI	3" LINER	3' O.C.
JUNCUS EFFUSUS	3" LINER	3' O.C.
PANICUM HEMITOMON	3" LINER	3' O.C.
SCIRPUS VALIDUS	BARE ROOT	3' O.C.
SAGITTARIA LATIFOLIA	BARE ROOT	3' O.C.
PONTEDERIA CORDATA	BARE ROOT	3' O.C.
SAGITTARIA LANCIFOLIA	BARE ROOT	3' O.C.
IRIS HEXAGONA	BARE ROOT	3' O.C.
THALIA GENICULATA	BARE ROOT	3' O.C.

TYPICAL SECTION: PERIMETER DITCH AND BERM
NOT TO SCALE
A–A

TYPICAL SECTION: LAKE WITH LITTORAL PLANTING
NOT TO SCALE
B–B

STONEYBROOK NORTH
LAKE PERIMETER (LF)
LITTORAL AREA (AC)

LAKE A	LAKE K
2,404 LF	820 LF
0.50 AC	0.17 AC
LAKE B	LAKE L
18,105 LF	3,541 LF
3.74 AC	0.73 AC
LAKE C	LAKE M
2,104 LF	1,781 LF
0.43 AC	0.37 AC
LAKE D	LAKE N
1,662 LF	856 LF
	1.10 AC
LAKE E	LAKE O
4,255 LF	783 LF
0.88 AC	0.16 AC
LAKE F	LAKE Q
1,394 LF	670 LF
0.34 AC	0.22 AC
LAKE G	LAKE R
2,131 LF	1,174 LF
2.11 AC	0.24 AC
LAKE H	LAKE S
1,819 LF	1,794 LF
0.38 AC	0.37 AC
LAKE I	LAKE T
6,422 LF	2,643 LF
2.49 AC	0.55 AC
LAKE J	LAKE U
6,870	1,334 LF
1.42 AC	0.28 AC



RECEIVED
MAY 29 2003
COMMUNITY DEVELOPMENT

PREPARED FOR:
U.S. HOME CORPORATION
10481 SIX MILE CYPRESS PARKWAY
FORT MYERS, FLORIDA
PHONE: (239) 278-1177
FAX: (239) 274-4483

NO.	DATE	REVISION DESCRIPTION	BY

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
10511 SIX MILE CYPRESS PARKWAY — SUITE 101
FORT MYERS, FLORIDA 33966
PHONE: (239) 939-5490 FAX: (239) 939-2523
CERTIFICATE OF AUTHORIZATION #: EB 0006626
SURVEY LICENSE # LB 6989

LITTORAL PLANTING EXHIBIT
STONEYBROOK NORTH
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
29 MAY 2003	1447	_LITTORAL	JCU	JCU	SWM	1"=400'	1	1	15,18&21-46-25

Attachment 5
Signage for Heritage Creek
April 24, 2002

LOCATION OF PROJECT AND ENTRANCE SIGNS

All signs within Heritage Creek will meet the Visibility Triangle set forth in Sec. 30-93 of the LDC. The locations for the project sign and the entrance signs for Heritage Creek Oaks are indicated on the Master Plan. Internal subdivision signs, on-site directional signs, construction signs, model home signs and temporary signs are not specifically located.

We have distinguished the "Project Sign" from the project's "Entrance Signs" on the Master Concept Plan and in this text because we expect that the scale of the signs will be different.

Project Sign

There will be one "Project Sign". Alternative locations for the Project Sign are illustrated on the Master Concept Plan. The preferred location is in the island between Leetana Road and Pritchett Parkway. This sign will each be set back a minimum of 15 feet from the rights of way and a minimum of five feet from the edge of the pavement of the entrance and exit lanes.

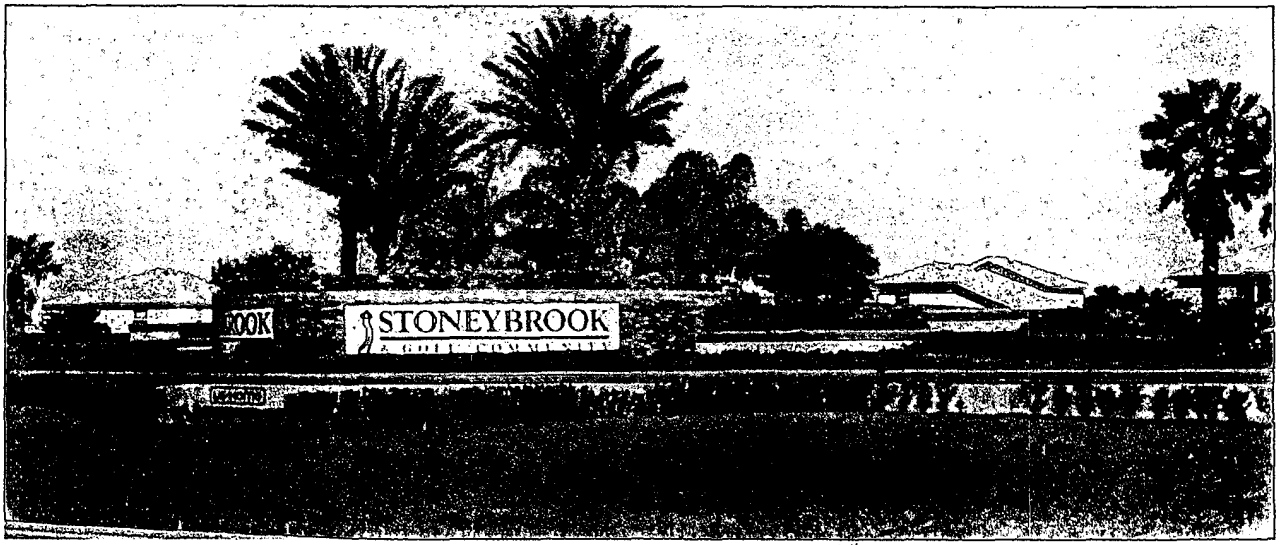
Entrance Signs

These will be two single-faced signs located on each side of the entranceway shown on the Master Concept Plan. The signs will each be set back a minimum of 15 feet from the right of way of the public access road and a minimum of five feet from the edge of the pavement of the entrance and exit lanes.

DESIGN AND SIZE OF PROJECT AND ENTRANCE SIGNS

Project Sign

It is anticipated that this sign will be similar to the sign for US Home's Stoneybrook development located along its I-75 frontage. This is a double-faced sign with a sign face of approximately 150 square feet on each side. A deviation is requested for this sign to allow the signs to be placed on a curved wall instead of back to back and to allow the size of the sign to reflect the additional signage that is possible for developments with boundary lines that exceed 2,000 feet in length. See Deviation 15.



EXT 2001-00070 APR 26 2002

Entrance Signs

These will be two single-faced signs equal in size, with a maximum size of 105 square feet in size each, one on each side of the entrance roads. It is anticipated that these signs will be similar to the sign for US Home's Heritage Palms development that is located on Winkler Road. A photograph of this Heritage Palms sign is included below.



Temporary "For Sale" Signs

One sign would be located every 330 linear feet on either side of Pritchett Parkway. These signs would be limited to 32 sq. ft. in area (approximately 4' x 8') and ten feet in height.

APR 26 2002

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUBSTANTIVE REVIEW
TRANSMITTAL SHEET

TO: Distribution

FROM: Alvin Block, AICP

DATE: 06/26/2003

John Fredyma, Asst. County Attorney
DS Reviewer - Don Blackburn
Kim Trebatoski, Environmental Sciences
Roland Ottolini - Natural Resources
Brad Vance - Natural Resources

PROJECT NAME: HERITAGE CREEK

CASE #: DCI2001-00038

INFORMATION SUMMARY:

___ To update your file
_X_ Review and forward substantive comments **ASAP**.

RESPONSE REQUIRED BY: 07/06/2003

Additional Comments:

cc: DCI planner/working file
DCI Zone File

Distributed by: Billie Jacoby

Date: 06/27/2003

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

June 26, 2003

Mr. Alvin "Chip" Block
Lee County Planning Department
1500 Monroe Street
Fort Myers, Florida 33901

Reference: **Stoneybrook North/Heritage Creek HEC-RAS Model** DCI - 2001 - 00038

Dear Chip:

Attached are the HEC-RAS model output files for Popash and Bayshore Creeks. Based upon a field review with the applicant, consultants and County staff, the models analyzed an encroachment of 50 feet only on the project side of the creeks. This is conservative as the Master Concept Plan shows a *minimum* 50 foot setback from the top of creek banks. The roughness coefficients, representing the state of vegetation which impedes flow along the creeks were entered as follows:

Bayshore Creek Existing Channel	0.060
Bayshore Creek Existing Overbank	0.110
Popash Creek Existing Channel	0.050
Popash Creek Existing Overbank	0.150
Bayshore Creek Proposed Channel	0.050
Bayshore Creek Proposed Overbank	0.075
Popash Creek Proposed Channel	0.040
Popash Creek Proposed Overbank	0.100

The complete electronic files have been e-mailed to Lee County Natural Resources, attention Brad Vance, P.E.

Sincerely,
BANKS ENGINEERING, INC.

6/26/03

Samuel W. Marshall, P.E
Project Manager

RECEIVED
JUN 26 2003
PERMIT COUNTER

CC: Brad Vance
Deno Benetis
Steve Hartsell

Z:\JOBS\14xx\1447\Documents\1447-Vance-HeritageCreek-002.doc

BAYSHORE CREEK
EXISTING

B.
E.

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	22.4	171.00	19.82	23.22		23.22	0.000001	0.06	8506.42	4650.00	0.01
Main	22.4	226.00	19.82	23.40		23.40	0.000001	0.08	9332.96	4650.00	0.01
Main	22.4	309.00	19.82	23.45		23.45	0.000002	0.10	9596.34	4650.00	0.01
Main	22.4	405.00	19.82	23.45		23.45	0.000003	0.13	9586.67	4650.00	0.01
Main	22.3	171.00	17.43	23.22	19.16	23.22	0.000003	0.16	5436.38	4646.00	0.01
Main	22.3	226.00	17.43	23.40	19.50	23.40	0.000003	0.18	6262.17	4646.00	0.01
Main	22.3	309.00	17.43	23.45	19.97	23.45	0.000005	0.23	6490.01	4646.00	0.02
Main	22.3	405.00	17.43	23.45	20.45	23.45	0.000009	0.30	6501.39	4646.00	0.02
Main	22.25	Culvert									
Main	22.2	171.00	17.43	21.87	19.16	21.99	0.000795	2.79	61.22	1394.44	0.24
Main	22.2	226.00	17.43	22.09	19.50	22.28	0.001180	3.52	64.29	1394.79	0.29
Main	22.2	309.00	17.43	22.41	19.97	22.42	0.000157	1.06	1699.85	4646.00	0.10
Main	22.2	405.00	17.43	22.73	20.45	22.73	0.000071	0.76	3149.11	4646.00	0.07
Main	22.1	171.00	17.42	21.88		21.92	0.000395	1.49	325.40	1394.47	0.15
Main	22.1	226.00	17.42	22.14		22.16	0.000285	1.33	680.80	1394.87	0.13
Main	22.1	309.00	17.42	22.41		22.41	0.000172	1.08	1659.18	4646.00	0.10
Main	22.1	405.00	17.42	22.72		22.73	0.000074	0.75	3129.49	4646.00	0.07
Main	21	171.00	17.42	21.47		21.53	0.000764	1.93	88.53	32.80	0.21
Main	21	226.00	17.42	21.73		21.81	0.000999	2.32	101.45	74.15	0.24
Main	21	309.00	17.42	22.15		22.20	0.000711	2.11	757.16	4219.43	0.21
Main	21	405.00	17.42	22.67		22.68	0.000085	0.80	3001.81	4333.93	0.07
Main	20	171.00	17.42	20.86		20.86	0.000214	0.93	986.03	2003.32	0.11
Main	20	226.00	17.42	20.98		20.98	0.000224	0.97	1239.96	2252.97	0.11
Main	20	309.00	17.42	21.69		21.69	0.000037	0.46	3372.89	3745.52	0.05
Main	20	405.00	17.42	22.63		22.63	0.000006	0.23	7530.84	4640.00	0.02
Main	19.4	243.00	16.12	20.51		20.51	0.000358	0.74	1460.47	2838.27	0.08
Main	19.4	320.00	16.12	20.65		20.65	0.000304	0.70	1870.91	2868.66	0.07
Main	19.4	438.00	16.12	21.66		21.66	0.000026	0.24	5382.42	4012.00	0.02
Main	19.4	574.00	16.12	22.63		22.63	0.000008	0.16	9256.75	4012.00	0.01

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	19.3	243.00	16.42	20.50	18.53	20.50	0.000166	0.57	2075.96	4002.89	0.06
Main	19.3	320.00	16.42	20.64	19.50	20.64	0.000142	0.54	2655.95	4003.61	0.05
Main	19.3	438.00	16.42	21.66	19.50	21.66	0.000015	0.20	6715.04	4006.00	0.02
Main	19.3	574.00	16.42	22.63	20.21	22.63	0.000006	0.14	10599.73	4006.00	0.01
Main	19.25	Culvert									
Main	19.2	243.00	16.42	20.50	18.53	20.50	0.000170	0.58	2053.14	3976.09	0.06
Main	19.2	320.00	16.42	20.64	19.50	20.64	0.000145	0.55	2626.80	3978.10	0.05
Main	19.2	438.00	16.42	21.65	19.50	21.65	0.000015	0.20	6666.50	3984.80	0.02
Main	19.2	574.00	16.42	22.62	20.21	22.62	0.000006	0.15	10530.62	3984.80	0.01
Main	19.1	243.00	16.52	20.49		20.49	0.000145	0.51	2194.13	3960.65	0.05
Main	19.1	320.00	16.52	20.63		20.63	0.000126	0.49	2770.30	3962.34	0.05
Main	19.1	438.00	16.52	21.65		21.65	0.000014	0.19	6811.02	3968.00	0.02
Main	19.1	574.00	16.52	22.62		22.62	0.000005	0.14	10674.84	3968.00	0.01
Main	18.4	243.00	16.02	20.30		20.30	0.000097	0.50	1930.52	4008.00	0.05
Main	18.4	320.00	16.02	20.47		20.47	0.000079	0.47	2596.29	4008.00	0.05
Main	18.4	438.00	16.02	21.64		21.64	0.000007	0.17	7280.50	4008.00	0.01
Main	18.4	574.00	16.02	22.62		22.62	0.000003	0.13	11229.68	4008.00	0.01
Main	18.3	243.00	16.02	20.29	18.02	20.29	0.000259	0.82	1294.35	4008.00	0.08
Main	18.3	320.00	16.02	20.46	18.41	20.46	0.000172	0.69	1970.14	4008.00	0.07
Main	18.3	438.00	16.02	21.64	19.50	21.64	0.000009	0.19	6696.41	4008.00	0.02
Main	18.3	574.00	16.02	22.62	19.50	22.62	0.000003	0.14	10653.88	4008.00	0.01
Main	18.25	Culvert									
Main	18.2	243.00	16.02	20.29	18.02	20.29	0.000253	0.81	1311.72	4009.00	0.08
Main	18.2	320.00	16.02	20.46	18.41	20.46	0.000169	0.69	1987.78	4009.00	0.07
Main	18.2	438.00	16.02	21.63	19.50	21.63	0.000009	0.19	6710.89	4009.00	0.02
Main	18.2	574.00	16.02	22.62	19.50	22.62	0.000003	0.14	10673.18	4009.00	0.01
Main	18.1	243.00	15.42	20.25		20.27	0.000439	1.07	778.81	2422.97	0.11

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	18.1	320.00	15.42	20.42		20.43	0.000345	0.99	1187.77	2423.23	0.10
Main	18.1	438.00	15.42	21.63		21.63	0.000021	0.30	4118.10	2425.08	0.03
Main	18.1	574.00	15.42	22.62		22.62	0.000008	0.21	7509.39	4014.00	0.02
Main	17.4	284.00	14.82	20.00		20.07	0.001626	2.18	396.64	6657.76	0.21
Main	17.4	375.00	14.82	20.37		20.37	0.000164	0.73	2815.54	6663.67	0.07
Main	17.4	513.00	14.82	21.63		21.63	0.000004	0.15	11241.97	6680.97	0.01
Main	17.4	673.00	14.82	22.62		22.62	0.000002	0.10	17879.33	6694.34	0.01
Main	17.3	284.00	14.82	19.93	17.26	20.03	0.002197	2.51	125.54	244.16	0.24
Main	17.3	375.00	14.82	20.35	17.65	20.37	0.000578	1.36	1248.12	3177.85	0.13
Main	17.3	513.00	14.82	21.63	18.16	21.63	0.000019	0.30	5365.48	3237.33	0.02
Main	17.3	673.00	14.82	22.62	18.67	22.62	0.000007	0.21	8588.37	3243.32	0.02
Main	17.25	Bridge									
Main	17.2	284.00	14.82	19.88	17.26	19.98	0.002318	2.55	112.54	62.56	0.25
Main	17.2	375.00	14.82	20.30	17.65	20.33	0.000800	1.59	1050.54	3094.00	0.15
Main	17.2	513.00	14.82	21.62	18.16	21.62	0.000020	0.31	5201.31	3161.41	0.02
Main	17.2	673.00	14.82	22.62	18.67	22.62	0.000008	0.21	8368.63	3167.35	0.02
Main	17.1	284.00	14.82	19.89		19.89	0.000045	0.36	2656.90	2714.78	0.03
Main	17.1	375.00	14.82	20.29		20.30	0.000026	0.29	4896.61	6611.79	0.03
Main	17.1	513.00	14.82	21.62		21.62	0.000002	0.10	13735.99	6688.91	0.01
Main	17.1	673.00	14.82	22.62		22.62	0.000001	0.08	20451.36	6700.73	0.01
Main	17	284.00	15.92	19.89		19.89	0.000006	0.12	5886.58	3888.03	0.01
Main	17	375.00	15.92	20.29		20.29	0.000006	0.13	8213.06	6689.68	0.01
Main	17	513.00	15.92	21.62		21.62	0.000001	0.07	17154.47	6720.86	0.01
Main	17	673.00	15.92	22.62		22.62	0.000001	0.06	23918.06	6731.89	0.00
Main	16.4	317.00	13.82	19.88		19.88	0.000002	0.13	9697.36	5680.67	0.01
Main	16.4	419.00	13.82	20.28		20.28	0.000002	0.13	12343.40	7163.57	0.01
Main	16.4	573.00	13.82	21.61		21.61	0.000001	0.09	21938.58	7172.34	0.01
Main	16.4	751.00	13.82	22.62		22.62	0.000000	0.08	29168.35	7178.00	0.01

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	16.3	317.00	16.42	19.88	18.15	19.88	0.000002	0.11	9838.53	6290.47	0.01
Main	16.3	419.00	16.42	20.27	18.18	20.27	0.000002	0.11	12518.00	7159.36	0.01
Main	16.3	573.00	16.42	21.61	18.22	21.61	0.000001	0.08	22159.81	7168.10	0.01
Main	16.3	751.00	16.42	22.62	18.25	22.62	0.000000	0.08	29401.73	7175.00	0.01
Main	16.25	Culvert									
Main	16.2	317.00	16.42	19.88	18.23	19.88	0.000024	0.24	4263.97	4258.45	0.03
Main	16.2	419.00	16.42	20.27	18.31	20.27	0.000020	0.24	6705.17	7161.37	0.02
Main	16.2	573.00	16.42	21.61	18.40	21.61	0.000002	0.10	16348.04	7168.21	0.01
Main	16.2	751.00	16.42	22.62	18.47	22.62	0.000001	0.08	23590.29	7177.00	0.01
Main	16.1	317.00	12.72	19.86		19.87	0.000076	0.57	1741.04	1613.26	0.05
Main	16.1	419.00	12.72	20.26		20.26	0.000048	0.48	3798.54	7130.99	0.04
Main	16.1	573.00	12.72	21.61		21.61	0.000004	0.15	13466.49	7158.40	0.01
Main	16.1	751.00	12.72	22.62		22.62	0.000002	0.11	20719.24	7173.00	0.01
Main	15.4	317.00	12.72	19.83		19.83	0.000004	0.13	6064.88	2398.86	0.01
Main	15.4	419.00	12.72	20.23		20.23	0.000004	0.14	7842.90	5843.50	0.01
Main	15.4	573.00	12.72	21.61		21.61	0.000001	0.10	15999.23	6036.49	0.01
Main	15.4	751.00	12.72	22.62		22.62	0.000001	0.09	22286.56	6287.86	0.01
Main	15.3	317.00	12.72	19.69	15.56	19.80	0.001005	2.59	122.37	2281.71	0.18
Main	15.3	419.00	12.72	20.02	15.97	20.19	0.001475	3.25	128.93	4701.38	0.23
Main	15.3	573.00	12.72	21.33	16.52	21.54	0.001488	3.69	155.14	5009.34	0.23
Main	15.3	751.00	12.72	22.62	17.10	22.62	0.000001	0.10	19402.74	5229.33	0.01
Main	15.25	Culvert									
Main	15.2	317.00	12.72	19.38	15.56	19.50	0.001197	2.73	116.10	330.23	0.20
Main	15.2	419.00	12.72	19.46	15.97	19.65	0.002001	3.56	117.64	337.41	0.26
Main	15.2	573.00	12.72	20.18	16.52	20.47	0.002542	4.34	132.12	1810.07	0.30
Main	15.2	751.00	12.72	20.27	17.10	20.76	0.004166	5.60	134.00	1811.52	0.38
Main	15.1	317.00	12.72	19.40		19.41	0.000279	1.02	538.21	303.42	0.09
Main	15.1	419.00	12.72	19.50		19.52	0.000423	1.27	670.60	1639.22	0.11

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	15.1	573.00	12.72	20.27		20.28	0.000181	0.93	2593.13	4062.00	0.07
Main	15.1	751.00	12.72	20.43		20.43	0.000190	0.98	3240.47	4062.00	0.08
Main	14	317.00	14.12	19.31		19.32	0.000591	1.31	574.04	421.22	0.13
Main	14	419.00	14.12	19.37		19.39	0.000938	1.66	596.69	424.36	0.16
Main	14	573.00	14.12	20.20		20.21	0.000530	1.42	1333.91	1755.77	0.12
Main	14	751.00	14.12	20.35		20.37	0.000622	1.58	1603.68	1762.34	0.13
Main	13	317.00	13.02	18.15		18.20	0.001403	2.03	766.53	4372.28	0.19
Main	13	419.00	13.02	18.38	16.02	18.39	0.000533	1.29	1761.01	4376.37	0.12
Main	13	573.00	13.02	19.85		19.85	0.000011	0.22	8221.13	4391.87	0.02
Main	13	751.00	13.02	19.93		19.93	0.000016	0.28	8551.45	4392.42	0.02
Main	12	317.00	9.22	16.97		16.97	0.000004	0.13	7892.43	4380.33	0.01
Main	12	419.00	9.22	17.92		17.92	0.000002	0.10	12103.50	4427.80	0.01
Main	12	573.00	9.22	19.85		19.85	0.000001	0.07	20756.06	4486.00	0.00
Main	12	751.00	9.22	19.92		19.92	0.000001	0.09	21047.09	4486.00	0.01
Main	11.4	429.00	10.82	16.96		16.96	0.000038	0.41	4364.17	4733.59	0.03
Main	11.4	566.00	10.82	17.91		17.91	0.000008	0.21	9208.26	5445.33	0.02
Main	11.4	774.00	10.82	19.85		19.85	0.000001	0.10	20137.25	5672.62	0.01
Main	11.4	1014.00	10.82	19.92		19.92	0.000002	0.13	20505.04	5674.54	0.01
Main	11.3	429.00	10.82	16.96	13.20	16.96	0.000033	0.38	4558.74	4661.02	0.03
Main	11.3	566.00	10.82	17.90	13.57	17.90	0.000007	0.20	9272.46	5332.30	0.02
Main	11.3	774.00	10.82	19.85	14.08	19.85	0.000001	0.10	20189.78	5645.73	0.01
Main	11.3	1014.00	10.82	19.92	14.60	19.92	0.000002	0.13	20555.55	5647.61	0.01
Main	11.25	Culvert									
Main	11.2	429.00	10.82	15.73	13.20	15.86	0.002562	2.94	145.80	54.82	0.26
Main	11.2	566.00	10.82	17.31	13.57	17.31	0.000021	0.31	6710.69	5214.54	0.02
Main	11.2	774.00	10.82	19.85	14.08	19.85	0.000001	0.10	20527.11	5506.95	0.01
Main	11.2	1014.00	10.82	19.92	14.60	19.92	0.000002	0.12	20889.95	5509.06	0.01
Main	11.1	429.00	8.82	15.68		15.75	0.000481	2.20	198.80	57.39	0.17

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	11.1	566.00	8.82	17.30		17.30	0.000013	0.40	6663.01	5134.95	0.03
Main	11.1	774.00	8.82	19.85		19.85	0.000001	0.13	20259.99	5396.54	0.01
Main	11.1	1014.00	8.82	19.91		19.91	0.000001	0.16	20615.27	5398.43	0.01
Main	10.4	451.00	9.12	15.47		15.47	0.000052	0.34	3773.07	2570.28	0.03
Main	10.4	595.00	9.12	17.29		17.29	0.000007	0.14	9945.00	3750.62	0.01
Main	10.4	814.00	9.12	19.85		19.85	0.000001	0.09	19920.58	4062.99	0.01
Main	10.4	1067.00	9.12	19.91		19.91	0.000002	0.11	20188.11	4071.70	0.01
Main	10.3	451.00	4.82	15.34	8.00	15.44	0.000928	2.53	178.28	1312.77	0.14
Main	10.3	595.00	4.82	17.13	8.61	17.25	0.000929	2.83	210.44	2718.49	0.15
Main	10.3	814.00	4.82	19.85	9.42	19.85	0.000002	0.17	16358.46	3885.20	0.01
Main	10.3	1067.00	4.82	19.91	10.21	19.91	0.000004	0.21	16614.16	3895.86	0.01
Main	10.25	Culvert									
Main	10.2	451.00	4.82	13.36	8.00	13.52	0.001949	3.16	142.70	335.28	0.20
Main	10.2	595.00	4.82	13.64	8.61	13.89	0.003029	4.03	147.63	356.62	0.25
Main	10.2	814.00	4.82	14.07	9.42	14.49	0.004784	5.24	155.35	864.38	0.31
Main	10.2	1067.00	4.82	14.18	10.21	14.89	0.007886	6.78	157.30	917.67	0.40
Main	10.1	451.00	8.82	13.39		13.42	0.002188	2.01	531.23	494.19	0.20
Main	10.1	595.00	8.82	13.70		13.73	0.002227	2.02	698.46	570.88	0.20
Main	10.1	814.00	8.82	14.22		14.24	0.002492	1.98	1157.90	1317.95	0.21
Main	10.1	1067.00	8.82	14.45		14.47	0.002404	1.90	1474.16	1389.64	0.21
Main	9	451.00	6.72	12.14		12.15	0.000397	1.13	1518.54	1347.31	0.09
Main	9	595.00	6.72	12.46		12.46	0.000352	1.11	1958.70	1428.71	0.09
Main	9	814.00	6.72	12.85		12.85	0.000325	1.12	2532.94	1528.41	0.09
Main	9	1067.00	6.72	13.10		13.11	0.000372	1.24	2928.45	1593.45	0.09
Main	8	451.00	7.32	11.37		11.41	0.001334	1.66	293.04	148.14	0.16
Main	8	595.00	7.32	11.70		11.76	0.001618	1.96	346.80	175.11	0.18
Main	8	814.00	7.32	12.09		12.17	0.001967	2.32	744.98	3610.60	0.21
Main	8	1067.00	7.32	12.28		12.35	0.001943	2.38	1414.67	3615.07	0.21

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	7.4	551.00	4.22	10.38		10.39	0.000520	1.46	2105.11	3643.83	0.14
Main	7.4	734.00	4.22	10.42		10.43	0.000788	1.82	2249.38	3647.58	0.17
Main	7.4	1020.00	4.22	10.54		10.55	0.000975	2.07	2686.24	3658.92	0.19
Main	7.4	1332.00	4.22	10.66		10.68	0.001092	2.24	3143.80	3670.76	0.21
Main	7.3	551.00	4.22	10.37	7.21	10.38	0.000260	1.24	2064.23	3604.03	0.11
Main	7.3	734.00	4.22	10.40	7.65	10.42	0.000420	1.58	2182.18	3607.11	0.13
Main	7.3	1020.00	4.22	10.51	8.25	10.54	0.000597	1.92	2582.56	3617.53	0.16
Main	7.3	1332.00	4.22	10.63	9.32	10.66	0.000744	2.18	3010.69	3628.64	0.18
Main	7.25	Culvert									
Main	7.2	551.00	4.22	10.16	7.21	10.21	0.000679	1.94	1264.26	3590.78	0.17
Main	7.2	734.00	4.22	10.33	7.65	10.37	0.000676	1.99	1862.41	3604.26	0.17
Main	7.2	1020.00	4.22	10.47	8.25	10.51	0.000834	2.25	2355.95	3615.35	0.19
Main	7.2	1332.00	4.22	10.62	8.79	10.66	0.000889	2.38	2920.46	3628.00	0.20
Main	7.1	551.00	4.02	10.10	7.97	10.14	0.000919	2.01	1330.71	3537.64	0.19
Main	7.1	734.00	4.02	10.27	8.39	10.30	0.000808	1.95	1952.88	3559.89	0.18
Main	7.1	1020.00	4.02	10.39	9.41	10.43	0.001006	2.22	2385.20	3575.26	0.20
Main	7.1	1332.00	4.02	10.54	9.60	10.57	0.001047	2.33	2925.37	3594.38	0.21
Main	6.4	562.00	1.59	8.01	6.79	8.47	0.007647	5.48	181.33	1348.44	0.53
Main	6.4	750.00	1.59	7.88	7.59	8.70	0.014872	7.44	144.56	172.23	0.73
Main	6.4	1043.00	1.59	8.55		8.75	0.004877	4.84	988.22	1625.24	0.43
Main	6.4	1363.00	1.59	8.88		8.99	0.003304	4.20	1541.64	1790.52	0.36
Main	6.3	562.00	1.50	8.10	6.82	8.24	0.001317	3.06	327.11	1343.69	0.23
Main	6.3	750.00	1.50	8.02	6.82	8.30	0.002574	4.23	221.00	1308.10	0.32
Main	6.3	1043.00	1.50	8.39	6.82	8.66	0.002790	4.60	734.57	1472.37	0.33
Main	6.3	1363.00	1.50	8.62	6.82	8.89	0.003033	4.92	1087.48	1575.34	0.35
Main	6.25	Culvert									
Main	6.2	562.00	1.50	7.34	6.82	7.54	0.002144	3.61	155.78	31.49	0.29
Main	6.2	750.00	1.50	7.93	6.82	8.21	0.002685	4.29	182.03	62.07	0.32

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	6.2	1043.00	1.50	8.34	6.82	8.65	0.003044	4.79	653.31	1436.01	0.35
Main	6.2	1363.00	1.50	8.57	6.82	8.88	0.003372	5.17	990.38	1533.96	0.37
Main	6.1	562.00	1.42	7.08	5.02	7.38	0.004090	4.41	127.37	31.18	0.38
Main	6.1	750.00	1.42	7.66	5.51	8.03	0.004498	4.96	239.41	456.86	0.41
Main	6.1	1043.00	1.42	8.13	6.20	8.48	0.004512	5.26	600.24	1502.83	0.41
Main	6.1	1363.00	1.42	8.40	6.88	8.69	0.004273	5.31	1027.53	1591.72	0.41
Main	6	562.00	-0.58	3.41		3.44	0.000922	1.96	922.88	732.34	0.19
Main	6	750.00	-0.58	3.78		3.80	0.000856	2.03	1195.31	769.12	0.19
Main	6	1043.00	-0.58	4.25		4.27	0.000816	2.15	1569.60	821.84	0.19
Main	6	1363.00	-0.58	4.69		4.72	0.000793	2.26	1944.31	875.48	0.19
Main	5.4	562.00	-3.28	3.00		3.01	0.000404	1.40	1393.64	1277.91	0.13
Main	5.4	750.00	-3.28	3.40		3.41	0.000336	1.34	1916.24	1304.31	0.12
Main	5.4	1043.00	-3.28	3.90		3.91	0.000300	1.33	2571.02	1336.66	0.11
Main	5.4	1363.00	-3.28	4.36		4.37	0.000275	1.36	3329.24	1740.27	0.11
Main	5.3	562.00	-3.28	2.99	0.31	3.00	0.000344	1.29	1612.23	1514.95	0.12
Main	5.3	750.00	-3.28	3.39	0.71	3.40	0.000279	1.22	2224.40	1549.90	0.11
Main	5.3	1043.00	-3.28	3.89	1.25	3.90	0.000242	1.20	3006.38	1593.42	0.10
Main	5.3	1363.00	-3.28	4.35	2.46	4.36	0.000227	1.23	3787.04	1726.25	0.10
Main	5.25	Bridge									
Main	5.2	562.00	-3.28	2.96	0.31	2.97	0.000329	1.26	1702.10	1635.32	0.11
Main	5.2	750.00	-3.28	3.36	0.71	3.37	0.000258	1.17	2361.78	1653.67	0.10
Main	5.2	1043.00	-3.28	3.86	1.25	3.87	0.000217	1.13	3198.73	1676.66	0.10
Main	5.2	1363.00	-3.28	4.32	2.49	4.32	0.000212	1.19	4070.11	2030.00	0.10
Main	5.1	562.00	-3.28	2.88		2.94	0.001043	2.22	667.09	874.81	0.20
Main	5.1	750.00	-3.28	3.30		3.34	0.000929	2.20	1085.89	1147.99	0.20
Main	5.1	1043.00	-3.28	3.82		3.85	0.000769	2.12	1771.13	1490.65	0.18
Main	5.1	1363.00	-3.28	4.28		4.31	0.000640	2.05	2613.17	2004.00	0.17
Main	4	562.00	-3.28	2.50		2.50	0.000052	0.56	3347.52	1394.41	0.05

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	4	750.00	-3.28	2.95		2.95	0.000054	0.61	3978.59	1401.92	0.05
Main	4	1043.00	-3.28	3.52		3.52	0.000058	0.68	4778.02	1411.38	0.05
Main	4	1363.00	-3.28	4.02		4.03	0.000064	0.76	5498.73	1419.44	0.06
Main	3	562.00	-3.68	2.32		2.37	0.001009	2.68	709.18	374.19	0.20
Main	3	750.00	-3.68	2.76		2.81	0.001053	2.88	880.27	395.19	0.21
Main	3	1043.00	-3.68	3.32		3.37	0.001139	3.17	1105.84	421.27	0.22
Main	3	1363.00	-3.68	3.81		3.86	0.001232	3.46	1318.04	444.42	0.23
Main	2	562.00	-3.68	0.56		0.67	0.001798	3.04	469.03	520.58	0.27
Main	2	750.00	-3.68	0.79		0.93	0.002245	3.53	600.12	604.74	0.30
Main	2	1043.00	-3.68	1.12	0.11	1.28	0.002678	4.05	812.71	720.61	0.33
Main	2	1363.00	-3.68	1.44	0.58	1.61	0.002863	4.38	1061.76	836.19	0.35
Main	1	622.00	-4.18	-0.18	-3.29	-0.16	0.000212	1.06	998.05	914.50	0.09
Main	1	840.00	-4.18	-0.18	-3.09	-0.15	0.000386	1.43	998.05	914.50	0.13
Main	1	1171.00	-4.18	-0.18	-2.82	-0.12	0.000751	2.00	998.05	914.50	0.18
Main	1	1542.00	-4.18	-0.18	-2.56	-0.08	0.001301	2.63	998.05	914.50	0.23

BAYSHORE CREEK
PROPOSED

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	22.4	171.00	19.82	23.22		23.22	0.000001	0.06	8504.67	4650.00	0.01
Main	22.4	226.00	19.82	23.42		23.42	0.000001	0.07	9458.06	4650.00	0.01
Main	22.4	309.00	19.82	23.40		23.40	0.000002	0.10	9365.96	4650.00	0.01
Main	22.4	405.00	19.82	23.45		23.45	0.000003	0.13	9589.54	4650.00	0.01
Main	22.3	171.00	17.43	23.22	19.16	23.22	0.000003	0.16	5434.63	4646.00	0.01
Main	22.3	226.00	17.43	23.42	19.50	23.42	0.000003	0.17	6387.20	4646.00	0.01
Main	22.3	309.00	17.43	23.40	19.97	23.40	0.000006	0.24	6259.24	4646.00	0.02
Main	22.3	405.00	17.43	23.45	20.45	23.45	0.000009	0.30	6498.61	4646.00	0.02
Main	22.25	Culvert									
Main	22.2	171.00	17.43	21.87	19.16	21.99	0.000795	2.79	61.21	1394.44	0.24
Main	22.2	226.00	17.43	22.24	19.50	22.42	0.001054	3.40	66.50	4646.00	0.27
Main	22.2	309.00	17.43	22.41	19.97	22.42	0.000159	1.07	1685.25	4646.00	0.10
Main	22.2	405.00	17.43	22.65	20.45	22.65	0.000095	0.86	2798.67	4646.00	0.08
Main	22.1	171.00	17.42	21.88		21.92	0.000396	1.49	324.83	1394.47	0.15
Main	22.1	226.00	17.42	22.30		22.31	0.000153	1.00	1175.06	4646.00	0.10
Main	22.1	309.00	17.42	22.40		22.41	0.000175	1.09	1644.01	4646.00	0.10
Main	22.1	405.00	17.42	22.65		22.65	0.000100	0.87	2773.41	4646.00	0.08
Main	21	171.00	17.42	21.47		21.53	0.000764	1.93	88.50	32.80	0.21
Main	21	226.00	17.42	22.10		22.14	0.000494	1.75	565.26	4211.85	0.17
Main	21	309.00	17.42	22.12		22.19	0.000832	2.27	643.70	4213.56	0.22
Main	21	405.00	17.42	22.56		22.56	0.000137	1.00	2494.71	4308.33	0.09
Main	20	171.00	17.42	20.86		20.86	0.000216	0.93	981.91	1999.02	0.11
Main	20	226.00	17.42	21.79		21.79	0.000015	0.30	3759.68	3956.57	0.03
Main	20	309.00	17.42	21.58		21.58	0.000051	0.53	2971.19	3512.93	0.05
Main	20	405.00	17.42	22.46		22.46	0.000009	0.27	6755.73	4640.00	0.02
Main	19.4	243.00	16.12	20.48		20.48	0.000411	0.79	1389.75	2831.58	0.08
Main	19.4	320.00	16.12	21.78		21.78	0.000011	0.16	5859.60	4012.00	0.01
Main	19.4	438.00	16.12	21.52		21.52	0.000036	0.28	4837.21	4012.00	0.03
Main	19.4	574.00	16.12	22.45		22.45	0.000011	0.18	8549.96	4012.00	0.01

B.
P.

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	19.3	243.00	16.42	20.47	18.53	20.47	0.000191	0.61	1971.06	4002.76	0.06
Main	19.3	320.00	16.42	21.77	19.50	21.77	0.000006	0.14	7192.76	4006.00	0.01
Main	19.3	438.00	16.42	21.52	19.50	21.52	0.000019	0.23	6165.96	4006.00	0.02
Main	19.3	574.00	16.42	22.45	20.21	22.45	0.000007	0.16	9893.89	4006.00	0.01
Main	19.25	Culvert									
Main	19.2	243.00	16.42	20.47	18.53	20.47	0.000194	0.61	1956.70	3975.75	0.06
Main	19.2	320.00	16.42	21.77	19.50	21.77	0.000006	0.14	7143.03	3984.80	0.01
Main	19.2	438.00	16.42	21.52	19.50	21.52	0.000019	0.23	6121.60	3984.80	0.02
Main	19.2	574.00	16.42	22.45	20.21	22.45	0.000007	0.16	9821.25	3984.80	0.01
Main	19.1	243.00	16.52	20.46		20.46	0.000166	0.54	2093.07	3960.36	0.06
Main	19.1	320.00	16.52	21.77		21.77	0.000006	0.13	7286.79	3968.00	0.01
Main	19.1	438.00	16.52	21.51		21.51	0.000018	0.21	6263.77	3968.00	0.02
Main	19.1	574.00	16.52	22.45		22.45	0.000007	0.15	9968.35	3968.00	0.01
Main	18.4	243.00	16.02	20.23		20.24	0.000137	0.59	1656.90	4008.00	0.06
Main	18.4	320.00	16.02	21.77		21.77	0.000003	0.11	7792.57	4008.00	0.01
Main	18.4	438.00	16.02	21.50		21.50	0.000009	0.19	6714.78	4008.00	0.02
Main	18.4	574.00	16.02	22.44		22.44	0.000003	0.14	10515.95	4008.00	0.01
Main	18.3	243.00	16.02	20.22	18.02	20.23	0.000396	1.00	1030.01	4008.00	0.10
Main	18.3	320.00	16.02	21.76	18.41	21.76	0.000004	0.13	7201.87	4008.00	0.01
Main	18.3	438.00	16.02	21.50	19.50	21.50	0.000012	0.22	6134.23	4008.00	0.02
Main	18.3	574.00	16.02	22.44	19.50	22.44	0.000004	0.15	9940.03	4008.00	0.01
Main	18.25	Culvert									
Main	18.2	243.00	16.02	20.22	18.02	20.23	0.000388	0.99	1044.71	4009.00	0.10
Main	18.2	320.00	16.02	21.76	18.41	21.76	0.000004	0.13	7219.17	4009.00	0.01
Main	18.2	438.00	16.02	21.49	19.50	21.49	0.000012	0.22	6134.86	4009.00	0.02
Main	18.2	574.00	16.02	22.44	19.50	22.44	0.000004	0.15	9952.95	4009.00	0.01
Main	18.1	243.00	15.42	20.17		20.19	0.000670	1.30	569.92	2422.84	0.13

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	18.1	320.00	15.42	21.76		21.76	0.000009	0.20	4421.57	2425.27	0.02
Main	18.1	438.00	15.42	21.49		21.49	0.000028	0.34	3771.81	2424.86	0.03
Main	18.1	574.00	15.42	22.44		22.44	0.000010	0.23	6788.15	4014.00	0.02
Main	17.4	284.00	14.82	19.94		19.97	0.000964	1.66	337.85	473.26	0.16
Main	17.4	375.00	14.82	21.75		21.75	0.000002	0.10	12067.08	6682.62	0.01
Main	17.4	513.00	14.82	21.49		21.49	0.000006	0.16	10293.95	6679.08	0.01
Main	17.4	673.00	14.82	22.44		22.44	0.000002	0.11	16676.52	6691.91	0.01
Main	17.3	284.00	14.82	19.84	17.26	19.94	0.002417	2.59	110.16	78.34	0.25
Main	17.3	375.00	14.82	21.75	17.65	21.75	0.000008	0.20	5759.96	3238.20	0.02
Main	17.3	513.00	14.82	21.49	18.16	21.49	0.000025	0.34	4908.98	3236.31	0.03
Main	17.3	673.00	14.82	22.44	18.67	22.44	0.000009	0.23	8005.51	3242.37	0.02
Main	17.25	Bridge									
Main	17.2	284.00	14.82	19.65	17.26	19.77	0.002825	2.74	103.63	32.54	0.27
Main	17.2	375.00	14.82	21.74	17.65	21.74	0.000009	0.21	5570.88	3162.16	0.02
Main	17.2	513.00	14.82	21.48	18.16	21.48	0.000027	0.35	4763.88	3160.51	0.03
Main	17.2	673.00	14.82	22.44	18.67	22.44	0.000009	0.23	7799.23	3166.34	0.02
Main	17.1	284.00	14.82	19.66		19.66	0.000082	0.47	2074.95	2391.31	0.05
Main	17.1	375.00	14.82	21.73		21.73	0.000001	0.07	14506.87	6690.23	0.01
Main	17.1	513.00	14.82	21.48		21.48	0.000003	0.11	12816.35	6687.35	0.01
Main	17.1	673.00	14.82	22.44		22.44	0.000001	0.09	19246.78	6698.57	0.01
Main	17	284.00	15.92	19.66		19.66	0.000009	0.15	5026.19	3686.99	0.02
Main	17	375.00	15.92	21.73		21.73	0.000001	0.05	17917.91	6721.61	0.00
Main	17	513.00	15.92	21.48		21.48	0.000001	0.08	16236.33	6719.95	0.01
Main	17	673.00	15.92	22.44		22.44	0.000001	0.07	22707.72	6731.89	0.00
Main	16.4	317.00	13.82	19.66		19.66	0.000003	0.15	8427.29	5540.88	0.01
Main	16.4	419.00	13.82	21.73		21.73	0.000000	0.06	22741.47	7173.07	0.00
Main	16.4	573.00	13.82	21.48		21.48	0.000001	0.10	20965.09	7171.45	0.01
Main	16.4	751.00	13.82	22.44		22.44	0.000001	0.09	27877.83	7178.00	0.01

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	16.3	317.00	16.42	19.65	18.15	19.65	0.000004	0.13	8444.69	6068.51	0.01
Main	16.3	419.00	16.42	21.72	18.18	21.72	0.000000	0.06	22950.39	7168.82	0.00
Main	16.3	573.00	16.42	21.48	18.22	21.48	0.000001	0.08	21193.22	7167.23	0.01
Main	16.3	751.00	16.42	22.44	18.25	22.44	0.000000	0.08	28111.78	7175.00	0.01
Main	16.25	Culvert									
Main	16.2	317.00	16.42	19.65	18.22	19.65	0.000021	0.26	3352.07	3753.68	0.03
Main	16.2	419.00	16.42	21.70	18.33	21.72	0.000250	1.25	414.79	100.00	0.10
Main	16.2	573.00	16.42	21.48	18.37	21.48	0.000001	0.09	15381.44	7167.52	0.01
Main	16.2	751.00	16.42	22.44	18.44	22.44	0.000001	0.07	22300.12	7177.00	0.01
Main	16.1	317.00	12.72	19.64		19.64	0.000059	0.59	1471.80	1475.91	0.05
Main	16.1	419.00	12.72	21.69		21.70	0.000095	0.94	541.15	108.00	0.07
Main	16.1	573.00	12.72	21.48		21.48	0.000002	0.15	12222.02	7050.03	0.01
Main	16.1	751.00	12.72	22.44		22.44	0.000001	0.11	19116.47	7173.00	0.01
Main	15.4	317.00	12.72	19.61		19.61	0.000002	0.12	5547.38	2384.46	0.01
Main	15.4	419.00	12.72	21.59		21.60	0.000109	0.98	516.37	108.00	0.07
Main	15.4	573.00	12.72	21.47		21.47	0.000001	0.08	15197.11	6017.79	0.01
Main	15.4	751.00	12.72	22.44		22.44	0.000001	0.08	21156.28	6287.86	0.01
Main	15.3	317.00	12.72	19.47	15.56	19.58	0.000791	2.69	117.83	2269.37	0.20
Main	15.3	419.00	12.72	21.46	15.97	21.57	0.000523	2.66	157.68	108.00	0.17
Main	15.3	573.00	12.72	21.19	16.52	21.41	0.001100	3.76	152.27	4975.62	0.24
Main	15.3	751.00	12.72	22.44	17.10	22.44	0.000001	0.09	18463.78	5217.93	0.01
Main	15.25	Culvert									
Main	15.2	317.00	12.72	19.16	15.56	19.29	0.000945	2.84	111.73	311.87	0.21
Main	15.2	419.00	12.72	20.84	15.97	20.97	0.000688	2.88	145.27	108.00	0.19
Main	15.2	573.00	12.72	20.05	16.52	20.35	0.001891	4.43	129.42	1807.98	0.31
Main	15.2	751.00	12.72	20.10	17.10	20.61	0.003167	5.76	130.40	1808.74	0.40
Main	15.1	317.00	12.72	19.19		19.21	0.000229	1.07	475.78	294.99	0.10
Main	15.1	419.00	12.72	20.87		20.90	0.000200	1.23	391.31	108.00	0.09

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	15.1	573.00	12.72	20.15		20.16	0.000152	1.01	2121.23	4062.00	0.08
Main	15.1	751.00	12.72	20.28		20.29	0.000165	1.07	2645.09	4062.00	0.09
Main	14	317.00	14.12	19.12		19.13	0.000481	1.37	493.97	409.94	0.13
Main	14	419.00	14.12	20.73		20.82	0.000974	2.43	210.22	84.00	0.20
Main	14	573.00	14.12	20.10		20.11	0.000370	1.40	1153.72	1751.37	0.12
Main	14	751.00	14.12	20.22		20.23	0.000461	1.60	1364.30	1756.51	0.14
Main	13	317.00	13.02	18.09		18.16	0.001367	2.39	506.88	4370.74	0.22
Main	13	419.00	13.02	19.28		19.37	0.001184	2.57	206.13	82.00	0.21
Main	13	573.00	13.02	19.85		19.85	0.000005	0.19	8221.14	4391.87	0.01
Main	13	751.00	13.02	19.92		19.92	0.000008	0.23	8503.92	4392.34	0.02
Main	12	317.00	9.22	16.96		16.96	0.000002	0.11	7862.73	4379.99	0.01
Main	12	419.00	9.22	18.03		18.06	0.000315	1.59	347.79	83.00	0.11
Main	12	573.00	9.22	19.85		19.85	0.000000	0.06	20756.07	4486.00	0.00
Main	12	751.00	9.22	19.92		19.92	0.000000	0.07	21044.68	4486.00	0.00
Main	11.4	429.00	10.82	16.95		16.95	0.000024	0.39	4308.83	4724.80	0.03
Main	11.4	566.00	10.82	17.91		17.91	0.000005	0.19	9208.32	5445.34	0.01
Main	11.4	774.00	10.82	19.85		19.85	0.000001	0.09	20137.27	5672.62	0.01
Main	11.4	1014.00	10.82	19.92		19.92	0.000001	0.12	20501.99	5674.52	0.01
Main	11.3	429.00	10.82	16.94	13.20	16.94	0.000021	0.37	4462.88	4646.27	0.03
Main	11.3	566.00	10.82	17.90	13.57	17.90	0.000004	0.19	9272.52	5332.31	0.01
Main	11.3	774.00	10.82	19.85	14.08	19.85	0.000001	0.09	20189.79	5645.73	0.01
Main	11.3	1014.00	10.82	19.92	14.60	19.92	0.000001	0.12	20552.51	5647.59	0.01
Main	11.25	Culvert									
Main	11.2	429.00	10.82	15.71	13.20	15.84	0.001809	2.96	145.02	54.09	0.27
Main	11.2	566.00	10.82	17.31	13.57	17.31	0.000012	0.29	6710.69	5214.54	0.02
Main	11.2	774.00	10.82	19.85	14.08	19.85	0.000001	0.09	20527.11	5506.95	0.01
Main	11.2	1014.00	10.82	19.92	14.60	19.92	0.000001	0.11	20889.95	5509.06	0.01
Main	11.1	429.00	8.82	15.68		15.75	0.000481	2.20	198.80	57.39	0.17

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	11.1	566.00	8.82	17.30		17.30	0.000013	0.40	6663.01	5134.95	0.03
Main	11.1	774.00	8.82	19.85		19.85	0.000001	0.13	20259.99	5396.54	0.01
Main	11.1	1014.00	8.82	19.91		19.91	0.000001	0.16	20615.27	5398.43	0.01
Main	10.4	451.00	9.12	15.47		15.47	0.000052	0.34	3773.07	2570.28	0.03
Main	10.4	595.00	9.12	17.29		17.29	0.000007	0.14	9945.00	3750.62	0.01
Main	10.4	814.00	9.12	19.85		19.85	0.000001	0.09	19920.58	4062.99	0.01
Main	10.4	1067.00	9.12	19.91		19.91	0.000002	0.11	20188.11	4071.70	0.01
Main	10.3	451.00	4.82	15.34	8.00	15.44	0.000928	2.53	178.28	1312.77	0.14
Main	10.3	595.00	4.82	17.13	8.61	17.25	0.000929	2.83	210.44	2718.49	0.15
Main	10.3	814.00	4.82	19.85	9.42	19.85	0.000002	0.17	16358.46	3885.20	0.01
Main	10.3	1067.00	4.82	19.91	10.21	19.91	0.000004	0.21	16614.16	3895.86	0.01
Main	10.25	Culvert									
Main	10.2	451.00	4.82	13.36	8.00	13.52	0.001949	3.16	142.70	335.28	0.20
Main	10.2	595.00	4.82	13.64	8.61	13.89	0.003029	4.03	147.63	356.62	0.25
Main	10.2	814.00	4.82	14.07	9.42	14.49	0.004784	5.24	155.35	864.38	0.31
Main	10.2	1067.00	4.82	14.18	10.21	14.89	0.007886	6.78	157.30	917.67	0.40
Main	10.1	451.00	8.82	13.39		13.42	0.002188	2.01	531.23	494.19	0.20
Main	10.1	595.00	8.82	13.70		13.73	0.002227	2.02	698.46	570.88	0.20
Main	10.1	814.00	8.82	14.22		14.24	0.002492	1.98	1157.90	1317.95	0.21
Main	10.1	1067.00	8.82	14.45		14.47	0.002404	1.90	1474.16	1389.64	0.21
Main	9	451.00	6.72	12.14		12.15	0.000397	1.13	1518.54	1347.31	0.09
Main	9	595.00	6.72	12.46		12.46	0.000352	1.11	1958.70	1428.71	0.09
Main	9	814.00	6.72	12.85		12.85	0.000325	1.12	2532.94	1528.41	0.09
Main	9	1067.00	6.72	13.10		13.11	0.000372	1.24	2928.45	1593.45	0.09
Main	8	451.00	7.32	11.37		11.41	0.001334	1.66	293.04	148.14	0.16
Main	8	595.00	7.32	11.70		11.76	0.001618	1.96	346.80	175.11	0.18
Main	8	814.00	7.32	12.09		12.17	0.001967	2.32	744.98	3610.60	0.21
Main	8	1067.00	7.32	12.28		12.35	0.001943	2.38	1414.67	3615.07	0.21

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	7.4	551.00	4.22	10.38		10.39	0.000520	1.46	2105.11	3643.83	0.14
Main	7.4	734.00	4.22	10.42		10.43	0.000788	1.82	2249.38	3647.58	0.17
Main	7.4	1020.00	4.22	10.54		10.55	0.000975	2.07	2686.24	3658.92	0.19
Main	7.4	1332.00	4.22	10.66		10.68	0.001092	2.24	3143.80	3670.76	0.21
Main	7.3	551.00	4.22	10.37	7.21	10.38	0.000260	1.24	2064.23	3604.03	0.11
Main	7.3	734.00	4.22	10.40	7.65	10.42	0.000420	1.58	2182.18	3607.11	0.13
Main	7.3	1020.00	4.22	10.51	8.25	10.54	0.000597	1.92	2582.56	3617.53	0.16
Main	7.3	1332.00	4.22	10.63	9.32	10.66	0.000744	2.18	3010.69	3628.64	0.18
Main	7.25	Culvert									
Main	7.2	551.00	4.22	10.16	7.21	10.21	0.000679	1.94	1264.26	3590.78	0.17
Main	7.2	734.00	4.22	10.33	7.65	10.37	0.000676	1.99	1862.41	3604.26	0.17
Main	7.2	1020.00	4.22	10.47	8.25	10.51	0.000834	2.25	2355.95	3615.35	0.19
Main	7.2	1332.00	4.22	10.62	8.79	10.66	0.000889	2.38	2920.46	3628.00	0.20
Main	7.1	551.00	4.02	10.10	7.97	10.14	0.000919	2.01	1330.71	3537.64	0.19
Main	7.1	734.00	4.02	10.27	8.39	10.30	0.000808	1.95	1952.88	3559.89	0.18
Main	7.1	1020.00	4.02	10.39	9.41	10.43	0.001006	2.22	2385.20	3575.26	0.20
Main	7.1	1332.00	4.02	10.54	9.60	10.57	0.001047	2.33	2925.37	3594.38	0.21
Main	6.4	562.00	1.59	8.01	6.79	8.47	0.007647	5.48	181.33	1348.44	0.53
Main	6.4	750.00	1.59	7.88	7.59	8.70	0.014872	7.44	144.56	172.23	0.73
Main	6.4	1043.00	1.59	8.55		8.75	0.004877	4.84	988.22	1625.24	0.43
Main	6.4	1363.00	1.59	8.88		8.99	0.003304	4.20	1541.64	1790.52	0.36
Main	6.3	562.00	1.50	8.10	6.82	8.24	0.001317	3.06	327.11	1343.69	0.23
Main	6.3	750.00	1.50	8.02	6.82	8.30	0.002574	4.23	221.00	1308.10	0.32
Main	6.3	1043.00	1.50	8.39	6.82	8.66	0.002790	4.60	734.57	1472.37	0.33
Main	6.3	1363.00	1.50	8.62	6.82	8.89	0.003033	4.92	1087.48	1575.34	0.35
Main	6.25	Culvert									
Main	6.2	562.00	1.50	7.34	6.82	7.54	0.002144	3.61	155.78	31.49	0.29
Main	6.2	750.00	1.50	7.93	6.82	8.21	0.002685	4.29	182.03	62.07	0.32

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	6.2	1043.00	1.50	8.34	6.82	8.65	0.003044	4.79	653.31	1436.01	0.35
Main	6.2	1363.00	1.50	8.57	6.82	8.88	0.003372	5.17	990.38	1533.96	0.37
Main	6.1	562.00	1.42	7.08	5.02	7.38	0.004090	4.41	127.37	31.18	0.38
Main	6.1	750.00	1.42	7.66	5.51	8.03	0.004498	4.96	239.41	456.86	0.41
Main	6.1	1043.00	1.42	8.13	6.20	8.48	0.004512	5.26	600.24	1502.83	0.41
Main	6.1	1363.00	1.42	8.40	6.88	8.69	0.004273	5.31	1027.53	1591.72	0.41
Main	6	562.00	-0.58	3.41		3.44	0.000922	1.96	922.88	732.34	0.19
Main	6	750.00	-0.58	3.78		3.80	0.000856	2.03	1195.31	769.12	0.19
Main	6	1043.00	-0.58	4.25		4.27	0.000816	2.15	1569.60	821.84	0.19
Main	6	1363.00	-0.58	4.69		4.72	0.000793	2.26	1944.31	875.48	0.19
Main	5.4	562.00	-3.28	3.00		3.01	0.000404	1.40	1393.64	1277.91	0.13
Main	5.4	750.00	-3.28	3.40		3.41	0.000336	1.34	1916.24	1304.31	0.12
Main	5.4	1043.00	-3.28	3.90		3.91	0.000300	1.33	2571.02	1336.66	0.11
Main	5.4	1363.00	-3.28	4.36		4.37	0.000275	1.36	3329.24	1740.27	0.11
Main	5.3	562.00	-3.28	2.99	0.31	3.00	0.000344	1.29	1612.23	1514.95	0.12
Main	5.3	750.00	-3.28	3.39	0.71	3.40	0.000279	1.22	2224.40	1549.90	0.11
Main	5.3	1043.00	-3.28	3.89	1.25	3.90	0.000242	1.20	3006.38	1593.42	0.10
Main	5.3	1363.00	-3.28	4.35	2.46	4.36	0.000227	1.23	3787.04	1726.25	0.10
Main	5.25	Bridge									
Main	5.2	562.00	-3.28	2.96	0.31	2.97	0.000329	1.26	1702.10	1635.32	0.11
Main	5.2	750.00	-3.28	3.36	0.71	3.37	0.000258	1.17	2361.78	1653.67	0.10
Main	5.2	1043.00	-3.28	3.86	1.25	3.87	0.000217	1.13	3198.73	1676.66	0.10
Main	5.2	1363.00	-3.28	4.32	2.49	4.32	0.000212	1.19	4070.11	2030.00	0.10
Main	5.1	562.00	-3.28	2.88		2.94	0.001043	2.22	667.09	874.81	0.20
Main	5.1	750.00	-3.28	3.30		3.34	0.000929	2.20	1085.89	1147.99	0.20
Main	5.1	1043.00	-3.28	3.82		3.85	0.000769	2.12	1771.13	1490.65	0.18
Main	5.1	1363.00	-3.28	4.28		4.31	0.000640	2.05	2613.17	2004.00	0.17
Main	4	562.00	-3.28	2.50		2.50	0.000052	0.56	3347.52	1394.41	0.05

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	4	750.00	-3.28	2.95		2.95	0.000054	0.61	3978.59	1401.92	0.05
Main	4	1043.00	-3.28	3.52		3.52	0.000058	0.68	4778.02	1411.38	0.05
Main	4	1363.00	-3.28	4.02		4.03	0.000064	0.76	5498.73	1419.44	0.06
Main	3	562.00	-3.68	2.32		2.37	0.001009	2.68	709.18	374.19	0.20
Main	3	750.00	-3.68	2.76		2.81	0.001053	2.88	880.27	395.19	0.21
Main	3	1043.00	-3.68	3.32		3.37	0.001139	3.17	1105.84	421.27	0.22
Main	3	1363.00	-3.68	3.81		3.86	0.001232	3.46	1318.04	444.42	0.23
Main	2	562.00	-3.68	0.56		0.67	0.001798	3.04	469.03	520.58	0.27
Main	2	750.00	-3.68	0.79		0.93	0.002245	3.53	600.12	604.74	0.30
Main	2	1043.00	-3.68	1.12	0.11	1.28	0.002678	4.05	812.71	720.61	0.33
Main	2	1363.00	-3.68	1.44	0.58	1.61	0.002863	4.38	1061.76	836.19	0.35
Main	1	622.00	-4.18	-0.18	-3.29	-0.16	0.000212	1.06	998.05	914.50	0.09
Main	1	840.00	-4.18	-0.18	-3.09	-0.15	0.000386	1.43	998.05	914.50	0.13
Main	1	1171.00	-4.18	-0.18	-2.82	-0.12	0.000751	2.00	998.05	914.50	0.18
Main	1	1542.00	-4.18	-0.18	-2.56	-0.08	0.001301	2.63	998.05	914.50	0.23

POPASH CREEK
EXISTING

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	38.4	687.00	23.32	24.92		24.92	0.000093	0.47	4786.74	5591.30	0.07
Main Stem	38.4	912.00	23.32	25.05		25.05	0.000104	0.53	5539.67	5722.49	0.08
Main Stem	38.4	1258.00	23.32	25.23		25.23	0.000117	0.61	6577.41	5898.52	0.08
Main Stem	38.4	1663.00	23.32	25.41		25.41	0.000129	0.68	7654.90	6075.89	0.09
Main Stem	38.3	687.00	23.32	24.92	24.91	24.92	0.000093	0.47	4778.76	5589.90	0.07
Main Stem	38.3	912.00	23.32	25.05	24.91	25.05	0.000105	0.53	5530.33	5720.88	0.08
Main Stem	38.3	1258.00	23.32	25.23	24.91	25.23	0.000118	0.61	6566.36	5896.67	0.08
Main Stem	38.3	1663.00	23.32	25.41	24.92	25.41	0.000130	0.68	7642.22	6073.83	0.09
Main Stem	38.25	Culvert									
Main Stem	38.2	687.00	23.42	24.92	24.91	24.92	0.000061	0.38	5200.75	6157.28	0.06
Main Stem	38.2	912.00	23.42	25.05	24.91	25.05	0.000070	0.43	6038.79	6354.43	0.06
Main Stem	38.2	1258.00	23.42	25.23	24.92	25.23	0.000080	0.50	7189.68	6615.61	0.07
Main Stem	38.2	1663.00	23.42	25.41	24.92	25.41	0.000089	0.57	8400.62	6879.73	0.07
Main Stem	38.1	687.00	23.42	24.92		24.92	0.000062	0.38	5191.97	6155.18	0.06
Main Stem	38.1	912.00	23.42	25.05		25.05	0.000070	0.43	6028.42	6352.03	0.06
Main Stem	38.1	1258.00	23.42	25.23		25.23	0.000081	0.50	7177.29	6612.86	0.07
Main Stem	38.1	1663.00	23.42	25.41		25.41	0.000090	0.57	8386.26	6876.65	0.07
Main Stem	37	687.00	21.62	24.81		24.81	0.000238	1.02	3478.54	4789.88	0.12
Main Stem	37	912.00	21.62	24.93		24.93	0.000269	1.12	4061.98	5062.86	0.13
Main Stem	37	1258.00	21.62	25.09		25.09	0.000300	1.24	4899.86	5430.95	0.14
Main Stem	37	1663.00	21.62	25.25		25.25	0.000322	1.34	5823.05	5809.57	0.14
Main Stem	36	687.00	19.42	24.55		24.55	0.000157	1.00	4594.53	8030.00	0.10
Main Stem	36	912.00	19.42	24.64		24.64	0.000179	1.09	5303.44	8030.00	0.11
Main Stem	36	1258.00	19.42	24.77		24.77	0.000199	1.18	6311.67	8030.00	0.12
Main Stem	36	1663.00	19.42	24.91		24.91	0.000208	1.24	7434.51	8030.00	0.12
Main Stem	35	687.00	19.12	24.16		24.25	0.001535	3.00	1462.13	8011.61	0.32
Main Stem	35	912.00	19.12	24.26	23.28	24.32	0.001280	2.80	2259.89	8012.61	0.30
Main Stem	35	1258.00	19.12	24.40	24.27	24.43	0.001011	2.57	3338.30	8013.96	0.27
Main Stem	35	1663.00	19.12	24.55	24.32	24.57	0.000766	2.32	4588.50	8015.52	0.23

P.
E.

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	34	687.00	18.52	23.20		23.20	0.000039	0.54	5730.92	4767.41	0.05
Main Stem	34	912.00	18.52	23.44		23.44	0.000039	0.57	6879.97	4805.89	0.05
Main Stem	34	1258.00	18.52	23.74		23.74	0.000042	0.62	8292.04	4852.75	0.06
Main Stem	34	1663.00	18.52	24.04		24.04	0.000048	0.70	9868.17	7920.00	0.06
Main Stem	33.4	733.00	16.82	23.16		23.16	0.000035	0.52	7174.74	6842.84	0.05
Main Stem	33.4	969.00	16.82	23.40		23.40	0.000033	0.51	8862.73	7144.77	0.05
Main Stem	33.4	1329.00	16.82	23.69		23.69	0.000033	0.52	10995.03	7508.84	0.05
Main Stem	33.4	1764.00	16.82	23.99		23.99	0.000033	0.53	13263.80	7877.76	0.05
Main Stem	33.3	733.00	16.82	23.16	22.26	23.16	0.000035	0.52	7171.34	6842.22	0.05
Main Stem	33.3	969.00	16.82	23.40	22.31	23.40	0.000033	0.51	8859.39	7144.19	0.05
Main Stem	33.3	1329.00	16.82	23.69	22.37	23.69	0.000033	0.52	10991.50	7508.26	0.05
Main Stem	33.3	1764.00	16.82	23.99	22.43	23.99	0.000033	0.53	13260.09	7877.17	0.05
Main Stem	33.25	Culvert									
Main Stem	33.2	733.00	15.52	23.06	19.66	23.16	0.000628	2.71	746.24	1055.76	0.22
Main Stem	33.2	969.00	15.52	23.28	20.37	23.39	0.000787	3.13	996.98	1266.73	0.25
Main Stem	33.2	1329.00	15.52	23.56	21.07	23.69	0.000949	3.56	1388.16	1539.15	0.28
Main Stem	33.2	1764.00	15.52	23.85	22.92	23.98	0.001049	3.89	1874.95	1822.15	0.29
Main Stem	33.1	733.00	15.52	23.00		23.12	0.000761	2.96	568.74	889.24	0.24
Main Stem	33.1	969.00	15.52	23.18		23.34	0.001033	3.53	745.73	1082.98	0.29
Main Stem	33.1	1329.00	15.52	23.41		23.61	0.001376	4.21	1020.41	1328.84	0.33
Main Stem	33.1	1764.00	15.52	23.68		23.91	0.001564	4.65	1428.76	1627.07	0.36
Main Stem	32.4	702.00	16.52	22.83		22.84	0.000230	1.52	2481.83	2932.40	0.13
Main Stem	32.4	917.00	16.52	22.96		22.97	0.000271	1.69	2866.72	2984.31	0.14
Main Stem	32.4	1225.00	16.52	23.12		23.14	0.000318	1.87	3358.67	3049.37	0.16
Main Stem	32.4	1715.00	16.52	23.35		23.36	0.000371	2.09	4056.49	3139.35	0.17
Main Stem	32.3	702.00	17.42	22.82	22.35	22.84	0.000450	1.88	1897.17	2325.63	0.18
Main Stem	32.3	917.00	17.42	22.95	22.43	22.97	0.000521	2.06	2201.41	2362.66	0.19
Main Stem	32.3	1225.00	17.42	23.11	22.53	23.13	0.000600	2.26	2589.62	2409.08	0.20

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	32.3	1715.00	17.42	23.34	22.64	23.36	0.000690	2.50	3139.32	2473.33	0.22
Main Stem	32.25	Bridge									
Main Stem	32.2	702.00	17.42	22.79	22.35	22.81	0.000481	1.94	1927.91	2589.70	0.18
Main Stem	32.2	917.00	17.42	22.92	22.44	22.93	0.000537	2.09	2264.15	2610.93	0.19
Main Stem	32.2	1225.00	17.42	23.08	22.52	23.10	0.000592	2.25	2686.50	2610.95	0.20
Main Stem	32.2	1715.00	17.42	23.30	22.64	23.32	0.000651	2.44	3272.66	2610.97	0.21
Main Stem	32.1	702.00	17.42	22.77		22.79	0.000435	1.90	2073.94	2909.29	0.18
Main Stem	32.1	917.00	17.42	22.90		22.92	0.000479	2.04	2451.60	2960.63	0.18
Main Stem	32.1	1225.00	17.42	23.06		23.08	0.000523	2.20	2935.03	3025.08	0.19
Main Stem	32.1	1715.00	17.42	23.28		23.30	0.000566	2.37	3624.21	3114.66	0.20
Main Stem	31	702.00	17.32	22.34	21.38	22.44	0.001640	3.57	1169.61	3034.61	0.34
Main Stem	31	917.00	17.32	22.47	22.36	22.55	0.001490	3.49	1580.36	3042.50	0.32
Main Stem	31	1225.00	17.32	22.64	22.44	22.70	0.001361	3.44	2082.88	3052.12	0.31
Main Stem	31	1715.00	17.32	22.87	22.54	22.92	0.001199	3.36	2803.94	3065.87	0.30
Main Stem	30.4	694.00	17.02	21.22		21.23	0.000411	1.51	1998.83	2036.43	0.16
Main Stem	30.4	905.00	17.02	21.43		21.43	0.000412	1.57	2438.36	2185.45	0.16
Main Stem	30.4	1199.00	17.02	21.64		21.64	0.000433	1.67	2907.89	2254.65	0.17
Main Stem	30.4	1703.00	17.02	21.97		21.97	0.000423	1.78	3652.91	2259.51	0.17
Main Stem	30.3	694.00	16.62	21.21	20.47	21.22	0.000377	1.59	1972.47	1980.18	0.16
Main Stem	30.3	905.00	16.62	21.42	20.55	21.43	0.000387	1.66	2399.20	2118.13	0.16
Main Stem	30.3	1199.00	16.62	21.63	20.83	21.64	0.000429	1.80	2858.73	2250.53	0.17
Main Stem	30.3	1703.00	16.62	21.96	20.83	21.97	0.000424	1.88	3600.92	2250.91	0.17
Main Stem	30.25	Bridge									
Main Stem	30.2	694.00	16.62	21.19	20.37	21.19	0.000058	0.62	4969.58	4124.80	0.06
Main Stem	30.2	905.00	16.62	21.40	20.43	21.40	0.000059	0.65	5828.84	4127.85	0.06
Main Stem	30.2	1199.00	16.62	21.61	20.51	21.61	0.000066	0.70	6700.00	4130.94	0.07
Main Stem	30.2	1703.00	16.62	21.94	20.61	21.94	0.000073	0.78	8058.51	4133.54	0.07

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	30.1	694.00	16.62	21.19		21.19	0.000059	0.63	4944.96	4129.14	0.06
Main Stem	30.1	905.00	16.62	21.39		21.40	0.000060	0.65	5805.22	4133.14	0.06
Main Stem	30.1	1199.00	16.62	21.61		21.61	0.000067	0.71	6678.83	4137.19	0.07
Main Stem	30.1	1703.00	16.62	21.93		21.94	0.000074	0.78	8038.20	4140.00	0.07
Main Stem	29	694.00	17.32	21.17		21.18	0.000333	1.44	2004.43	1942.44	0.15
Main Stem	29	905.00	17.32	21.38		21.38	0.000344	1.52	2419.68	2045.76	0.15
Main Stem	29	1199.00	17.32	21.59		21.60	0.000383	1.67	2865.43	2151.14	0.17
Main Stem	29	1703.00	17.32	21.92		21.93	0.000401	1.81	3587.95	2225.99	0.17
Main Stem	28.4	694.00	14.42	21.13		21.15	0.000539	2.11	1911.31	1885.60	0.19
Main Stem	28.4	903.00	14.42	21.34		21.36	0.000571	2.21	2314.31	1980.37	0.20
Main Stem	28.4	1197.00	14.42	21.56		21.58	0.000643	2.39	2759.23	2080.00	0.21
Main Stem	28.4	1702.00	14.42	21.88		21.90	0.000713	2.60	3461.37	2199.94	0.22
Main Stem	28.3	694.00	14.42	21.13	20.43	21.15	0.000673	2.27	1823.29	1769.58	0.19
Main Stem	28.3	903.00	14.42	21.34	20.82	21.36	0.000699	2.36	2200.02	1844.26	0.19
Main Stem	28.3	1197.00	14.42	21.55	20.82	21.57	0.000791	2.55	2595.79	1919.53	0.20
Main Stem	28.3	1702.00	14.42	21.87	20.89	21.89	0.000877	2.75	3239.99	2036.09	0.21
Main Stem	28.25	Bridge									
Main Stem	28.2	694.00	14.42	21.10	20.43	21.12	0.000743	2.38	1748.65	1743.07	0.20
Main Stem	28.2	903.00	14.42	21.29	20.82	21.31	0.000795	2.50	2088.78	1812.46	0.20
Main Stem	28.2	1197.00	14.42	21.50	20.82	21.52	0.000895	2.70	2472.10	1887.50	0.22
Main Stem	28.2	1702.00	14.42	21.82	20.90	21.84	0.000981	2.90	3103.87	2005.07	0.22
Main Stem	28.1	694.00	15.52	21.09		21.11	0.000531	2.01	1983.19	2319.03	0.19
Main Stem	28.1	903.00	15.52	21.28		21.30	0.000557	2.12	2458.34	2652.60	0.20
Main Stem	28.1	1197.00	15.52	21.49		21.51	0.000586	2.26	3036.62	2919.82	0.21
Main Stem	28.1	1702.00	15.52	21.81		21.83	0.000588	2.39	4054.94	3338.79	0.21
Main Stem	27.4	691.00	13.72	20.84		20.85	0.000151	1.35	3479.68	4009.47	0.11
Main Stem	27.4	898.00	13.72	21.02		21.03	0.000163	1.43	4187.67	4010.00	0.11
Main Stem	27.4	1186.00	13.72	21.22		21.23	0.000181	1.55	4974.91	4010.00	0.12
Main Stem	27.4	1697.00	13.72	21.53		21.54	0.000199	1.69	6230.73	4010.00	0.13

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	27.3	691.00	13.72	20.84	17.30	20.85	0.000154	1.38	3387.54	3914.89	0.11
Main Stem	27.3	898.00	13.72	21.02	17.80	21.03	0.000168	1.47	4081.53	3950.07	0.11
Main Stem	27.3	1186.00	13.72	21.21	18.43	21.22	0.000189	1.59	4859.75	3988.66	0.12
Main Stem	27.3	1697.00	13.72	21.52	20.51	21.53	0.000209	1.73	6103.97	4010.00	0.13
Main Stem	27.25	Bridge									
Main Stem	27.2	691.00	13.62	20.82		20.83	0.000160	1.26	3512.62	4001.65	0.11
Main Stem	27.2	898.00	13.62	21.00		21.00	0.000171	1.33	4218.44	4008.26	0.11
Main Stem	27.2	1186.00	13.62	21.19		21.20	0.000189	1.44	5000.82	4015.31	0.12
Main Stem	27.2	1697.00	13.62	21.49		21.50	0.000211	1.58	6196.63	4020.00	0.13
Main Stem	26.4	690.00	16.32	20.80		20.82	0.000500	1.98	1944.84	2431.80	0.19
Main Stem	26.4	897.00	16.32	20.97		21.00	0.000538	2.06	2381.29	2493.46	0.20
Main Stem	26.4	1185.00	16.32	21.17		21.19	0.000599	2.18	2874.55	2561.59	0.21
Main Stem	26.4	1697.00	16.32	21.47		21.49	0.000665	2.31	3657.18	2666.06	0.22
Main Stem	26.3	690.00	16.32	20.79	19.06	20.81	0.000461	1.90	2253.33	3285.32	0.18
Main Stem	26.3	897.00	16.32	20.96	20.38	20.98	0.000468	1.95	2857.23	3540.90	0.18
Main Stem	26.3	1185.00	16.32	21.16	20.50	21.18	0.000491	2.05	3572.92	3821.72	0.19
Main Stem	26.3	1697.00	16.32	21.45	20.65	21.46	0.000490	2.13	4707.33	3949.72	0.19
Main Stem	26.25	Culvert									
Main Stem	26.2	690.00	12.52	20.80	17.24	20.81	0.000189	1.51	3234.73	3996.53	0.12
Main Stem	26.2	897.00	12.52	20.97	18.00	20.98	0.000201	1.59	3924.41	4006.88	0.12
Main Stem	26.2	1185.00	12.52	21.16	18.57	21.17	0.000221	1.70	4694.08	4010.00	0.13
Main Stem	26.2	1697.00	12.52	21.45	20.55	21.46	0.000248	1.86	5842.14	4010.00	0.14
Main Stem	26.1	690.00	12.52	20.75		20.78	0.000308	1.92	2402.33	3586.61	0.15
Main Stem	26.1	897.00	12.52	20.92		20.95	0.000333	2.03	3040.49	3858.26	0.16
Main Stem	26.1	1185.00	12.52	21.12		21.14	0.000357	2.15	3803.01	4010.00	0.16
Main Stem	26.1	1697.00	12.52	21.40		21.43	0.000374	2.28	4956.02	4010.00	0.17
Main Stem	25.4	690.00	12.32	20.46		20.51	0.000362	2.24	2045.81	4080.00	0.17

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	25.4	897.00	12.32	20.58		20.63	0.000429	2.48	2543.27	4080.00	0.18
Main Stem	25.4	1185.00	12.32	20.76		20.81	0.000455	2.61	3285.01	4080.00	0.19
Main Stem	25.4	1697.00	12.32	21.03		21.08	0.000477	2.75	4407.29	4080.00	0.19
Main Stem	25.3	690.00	15.11	20.44	17.57	20.49	0.000513	2.41	1945.02	4080.00	0.19
Main Stem	25.3	897.00	15.11	20.58	18.04	20.63	0.000547	2.53	2516.49	4080.00	0.19
Main Stem	25.3	1185.00	15.11	20.76	18.63	20.80	0.000554	2.60	3254.33	4080.00	0.20
Main Stem	25.3	1697.00	15.11	21.03	20.52	21.07	0.000551	2.68	4377.56	4080.00	0.20
Main Stem	25.25	Culvert									
Main Stem	25.2	690.00	15.06	20.43	17.58	20.49	0.000537	2.47	1882.94	4040.00	0.19
Main Stem	25.2	897.00	15.06	20.58	18.05	20.63	0.000548	2.55	2505.01	4040.00	0.20
Main Stem	25.2	1185.00	15.06	20.74	18.65	20.79	0.000590	2.70	3151.02	4040.00	0.20
Main Stem	25.2	1697.00	15.06	21.01	20.52	21.05	0.000597	2.80	4225.86	4040.00	0.21
Main Stem	25.1	690.00	11.12	20.39		20.45	0.000446	2.37	1764.52	4026.21	0.18
Main Stem	25.1	897.00	11.12	20.54		20.60	0.000488	2.52	2364.15	4028.70	0.19
Main Stem	25.1	1185.00	11.12	20.70		20.75	0.000555	2.73	2983.25	4030.00	0.20
Main Stem	25.1	1697.00	11.12	20.96		21.01	0.000577	2.86	4065.87	4030.00	0.20
Main Stem	24.4	685.00	14.32	20.15		20.21	0.000555	2.37	1948.86	4667.30	0.21
Main Stem	24.4	888.00	14.32	20.29		20.34	0.000564	2.43	2599.03	4668.43	0.21
Main Stem	24.4	1165.00	14.32	20.40		20.45	0.000669	2.67	3116.93	4669.33	0.23
Main Stem	24.4	1688.00	14.32	20.68		20.72	0.000614	2.64	4419.70	4671.59	0.22
Main Stem	24.3	685.00	14.32	20.11	17.83	20.19	0.000881	2.91	1728.21	4673.26	0.25
Main Stem	24.3	888.00	14.32	20.28	19.06	20.33	0.000756	2.73	2503.00	4676.89	0.23
Main Stem	24.3	1165.00	14.32	20.40	19.39	20.45	0.000834	2.90	3066.69	4679.52	0.25
Main Stem	24.3	1688.00	14.32	20.67	19.77	20.71	0.000725	2.81	4350.15	4680.00	0.23
Main Stem	24.25	Culvert									
Main Stem	24.2	685.00	14.32	20.08	17.83	20.19	0.001106	3.25	1358.65	4674.73	0.28
Main Stem	24.2	888.00	14.32	20.26	19.05	20.33	0.000927	3.02	2185.84	4682.72	0.26
Main Stem	24.2	1165.00	14.32	20.38	19.43	20.45	0.000996	3.17	2776.71	4688.41	0.27

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	24.2	1688.00	14.32	20.66	19.87	20.70	0.000842	3.03	4071.93	4690.00	0.25
Main Stem	24.1	685.00	13.72	19.91		20.08	0.001680	3.49	318.04	764.59	0.32
Main Stem	24.1	888.00	13.72	20.12		20.24	0.001374	3.26	950.24	4476.39	0.30
Main Stem	24.1	1165.00	13.72	20.35		20.38	0.000632	2.28	1959.54	4576.90	0.20
Main Stem	24.1	1688.00	13.72	20.64		20.65	0.000346	1.75	3306.21	4700.00	0.15
Main Stem	23.4	682.00	10.82	19.63		19.65	0.000105	1.17	1458.64	1419.00	0.09
Main Stem	23.4	884.00	10.82	19.88		19.90	0.000114	1.25	1840.15	1624.57	0.09
Main Stem	23.4	1158.00	10.82	20.19		20.20	0.000143	1.45	2779.43	4010.00	0.10
Main Stem	23.4	1684.00	10.82	20.55		20.56	0.000108	1.31	4249.03	4010.00	0.09
Main Stem	23.3	682.00	14.62	19.61	17.49	19.64	0.000487	1.94	836.16	890.64	0.17
Main Stem	23.3	884.00	14.62	19.86	18.79	19.89	0.000475	1.97	1078.45	1025.49	0.17
Main Stem	23.3	1158.00	14.62	20.15	19.03	20.19	0.000636	2.37	1840.59	4010.00	0.20
Main Stem	23.3	1684.00	14.62	20.54	19.31	20.55	0.000267	1.62	3401.20	4010.00	0.13
Main Stem	23.25	Culvert									
Main Stem	23.2	682.00	14.62	19.60	17.49	19.62	0.000381	1.72	998.84	1100.44	0.15
Main Stem	23.2	884.00	14.62	19.85	18.78	19.86	0.000364	1.72	1292.24	1266.11	0.15
Main Stem	23.2	1158.00	14.62	20.16	18.99	20.18	0.000466	2.03	2149.65	4000.00	0.17
Main Stem	23.2	1684.00	14.62	20.54	19.24	20.55	0.000219	1.47	3663.71	4000.00	0.12
Main Stem	23.1	682.00	13.52	19.56		19.60	0.000586	1.85	781.20	1031.37	0.16
Main Stem	23.1	884.00	13.52	19.81		19.84	0.000547	1.85	1061.95	1240.68	0.15
Main Stem	23.1	1158.00	13.52	20.13		20.16	0.000616	2.06	1833.78	4000.00	0.16
Main Stem	23.1	1684.00	13.52	20.53		20.54	0.000257	1.40	3438.62	4000.00	0.11
Main Stem	22	682.00	13.22	19.34		19.35	0.000181	1.07	3047.73	2297.93	0.09
Main Stem	22	884.00	13.22	19.60		19.60	0.000203	1.18	3660.44	2522.56	0.10
Main Stem	22	1158.00	13.22	19.89		19.90	0.000225	1.29	4444.36	2783.66	0.10
Main Stem	22	1684.00	13.22	20.38		20.39	0.000255	1.46	6260.39	3990.00	0.11
Main Stem	21	682.00	11.72	19.12		19.13	0.000355	1.65	2142.87	1490.00	0.12
Main Stem	21	884.00	11.72	19.34		19.36	0.000401	1.80	2480.29	1490.00	0.13

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	21	1158.00	11.72	19.61		19.63	0.000453	1.97	2877.46	1490.00	0.14
Main Stem	21	1684.00	11.72	20.05		20.07	0.000527	2.23	3532.05	1490.00	0.15
Main Stem	20.4	673.00	11.92	18.72		18.74	0.001052	2.15	1885.70	2510.00	0.19
Main Stem	20.4	868.00	11.92	18.95		18.97	0.000848	2.00	2464.65	2510.00	0.18
Main Stem	20.4	1127.00	11.92	19.21		19.23	0.000721	1.93	3126.72	2510.00	0.16
Main Stem	20.4	1669.00	11.92	19.64		19.65	0.000653	1.95	4190.21	2510.00	0.16
Main Stem	20.3	673.00	12.22	18.72	16.82	18.73	0.000217	1.17	2470.24	2510.00	0.10
Main Stem	20.3	868.00	12.22	18.95	16.82	18.96	0.000231	1.25	3042.04	2510.00	0.10
Main Stem	20.3	1127.00	12.22	19.21	16.82	19.22	0.000246	1.34	3699.64	2510.00	0.11
Main Stem	20.3	1669.00	12.22	19.63	16.82	19.64	0.000284	1.52	4753.50	2510.00	0.11
Main Stem	20.25	Culvert									
Main Stem	20.2	673.00	12.22	18.71	16.82	18.73	0.000280	1.33	1851.37	1836.48	0.11
Main Stem	20.2	868.00	12.22	18.94	16.82	18.96	0.000316	1.46	2287.73	1948.18	0.12
Main Stem	20.2	1127.00	12.22	19.20	16.82	19.22	0.000354	1.61	2807.91	2073.49	0.13
Main Stem	20.2	1669.00	12.22	19.60	16.82	19.62	0.000436	1.87	3671.84	2266.35	0.14
Main Stem	20.1	673.00	11.92	18.60		18.69	0.001776	3.12	1072.60	1743.05	0.26
Main Stem	20.1	868.00	11.92	18.86		18.92	0.001483	2.96	1550.91	1881.60	0.24
Main Stem	20.1	1127.00	11.92	19.14		19.19	0.001301	2.87	2096.80	2028.20	0.22
Main Stem	20.1	1669.00	11.92	19.55		19.59	0.001244	2.96	2973.16	2243.61	0.22
Main Stem	19	673.00	10.22	17.52		17.58	0.000958	2.43	1031.18	1091.15	0.20
Main Stem	19	868.00	10.22	17.94		17.99	0.000821	2.38	1550.96	1366.69	0.19
Main Stem	19	1127.00	10.22	18.35		18.39	0.000663	2.26	2601.40	2739.29	0.17
Main Stem	19	1669.00	10.22	18.82		18.84	0.000597	2.26	3871.99	2742.30	0.16
Main Stem	18	673.00	8.22	15.37		15.59	0.002640	3.83	207.68	94.47	0.33
Main Stem	18	868.00	8.22	15.91		16.18	0.002816	4.29	264.49	116.30	0.35
Main Stem	18	1127.00	8.22	16.51		16.84	0.002956	4.76	516.24	822.80	0.36
Main Stem	18	1669.00	8.22	17.18	15.01	17.45	0.002700	4.91	1352.28	1569.74	0.35
Main Stem	17	673.00	7.02	13.35		13.39	0.000662	1.63	428.35	171.49	0.16

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	17	868.00	7.02	13.77		13.83	0.000713	1.84	505.45	191.72	0.17
Main Stem	17	1127.00	7.02	14.25		14.32	0.000786	2.10	626.53	414.97	0.18
Main Stem	17	1669.00	7.02	14.98		15.07	0.000881	2.48	1160.91	1044.02	0.20
Main Stem	16	673.00	5.22	11.56		11.75	0.002173	4.32	643.97	598.68	0.37
Main Stem	16	868.00	5.22	11.92		12.10	0.002109	4.50	882.70	714.99	0.37
Main Stem	16	1127.00	5.22	12.31		12.48	0.002059	4.70	1179.99	828.89	0.37
Main Stem	16	1669.00	5.22	12.94		13.09	0.001996	5.01	1758.80	1011.32	0.38
Main Stem	15	673.00	1.22	8.08		8.20	0.002237	2.75	247.05	143.65	0.34
Main Stem	15	868.00	1.22	8.49		8.62	0.002220	2.89	322.35	219.57	0.35
Main Stem	15	1127.00	1.22	8.95		9.09	0.002171	3.03	440.65	302.54	0.35
Main Stem	15	1669.00	1.22	9.67		9.82	0.002092	3.24	707.87	435.18	0.35
Main Stem	14	673.00	-0.58	6.14		6.19	0.000537	1.97	639.01	515.13	0.18
Main Stem	14	868.00	-0.58	6.56		6.62	0.000553	2.15	870.51	588.25	0.19
Main Stem	14	1127.00	-0.58	7.04		7.11	0.000559	2.34	1175.84	672.63	0.20
Main Stem	14	1669.00	-0.58	7.77		7.85	0.000616	2.71	1711.38	799.42	0.21
Main Stem	12	673.00	-0.92	5.12	4.15	5.35	0.003242	4.08	364.28	391.17	0.43
Main Stem	12	868.00	-0.92	5.56	4.57	5.77	0.002766	4.15	560.90	505.80	0.40
Main Stem	12	1127.00	-0.92	6.12	4.98	6.30	0.002117	4.04	885.19	636.85	0.36
Main Stem	12	1669.00	-0.92	6.83		7.00	0.001891	4.27	1370.20	732.48	0.35
Main Stem	11.4	711.00	-7.18	3.37		3.53	0.000936	3.38	361.07	256.00	0.24
Main Stem	11.4	938.00	-7.18	3.90		4.11	0.001099	3.87	519.74	335.63	0.27
Main Stem	11.4	1275.00	-7.18	4.59		4.84	0.001266	4.44	843.86	642.99	0.29
Main Stem	11.4	1796.00	-7.18	5.29		5.57	0.001406	4.98	1421.29	995.42	0.31
Main Stem	11.3	711.00	-4.58	3.36	-0.09	3.45	0.001494	2.49	285.32	121.83	0.29
Main Stem	11.3	938.00	-4.58	3.90	0.49	4.01	0.001314	2.66	352.61	123.74	0.28
Main Stem	11.3	1275.00	-4.58	4.60	1.22	4.73	0.001200	2.90	439.43	126.16	0.27
Main Stem	11.3	1796.00	-4.58	5.29	2.87	5.47	0.001337	3.41	526.92	128.56	0.30
Main Stem	11.25	Bridge									

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	11.2	711.00	-4.58	3.34	-0.09	3.44	0.001522	2.51	283.69	121.79	0.29
Main Stem	11.2	938.00	-4.58	3.89	0.49	4.00	0.001336	2.67	350.79	123.69	0.28
Main Stem	11.2	1275.00	-4.58	4.58	1.22	4.71	0.001219	2.92	437.26	126.10	0.28
Main Stem	11.2	1796.00	-4.58	5.26	2.87	5.44	0.001363	3.43	523.74	128.47	0.30
Main Stem	10.4	711.00	-3.68	3.19		3.24	0.000455	1.71	520.26	302.60	0.17
Main Stem	10.4	938.00	-3.68	3.76		3.81	0.000438	1.87	715.45	385.18	0.17
Main Stem	10.4	1275.00	-3.68	4.47		4.53	0.000423	2.06	1026.70	492.97	0.17
Main Stem	10.4	1796.00	-3.68	5.15		5.23	0.000485	2.42	1395.64	597.82	0.19
Main Stem	10.3	711.00	-4.18	3.18	-0.35	3.22	0.000360	1.52	466.76	144.05	0.15
Main Stem	10.3	938.00	-4.18	3.75	0.20	3.79	0.000374	1.71	549.17	146.79	0.16
Main Stem	10.3	1275.00	-4.18	4.46	0.77	4.51	0.000398	1.95	654.23	150.21	0.16
Main Stem	10.3	1796.00	-4.18	5.11	1.38	5.20	0.000507	2.38	753.89	153.38	0.19
Main Stem	10.25	Bridge									
Main Stem	10.2	711.00	-4.18	3.18	-0.35	3.21	0.000361	1.52	466.25	144.03	0.15
Main Stem	10.2	938.00	-4.18	3.74	0.20	3.79	0.000375	1.71	548.49	146.77	0.16
Main Stem	10.2	1275.00	-4.18	4.45	0.77	4.51	0.000400	1.95	653.31	150.18	0.16
Main Stem	10.2	1796.00	-4.18	5.10	1.38	5.19	0.000510	2.39	752.44	153.34	0.19
Main Stem	10.1	711.00	-4.78	3.10		3.13	0.000639	1.43	506.19	302.64	0.18
Main Stem	10.1	938.00	-4.78	3.68		3.71	0.000448	1.43	765.29	600.39	0.16
Main Stem	10.1	1275.00	-4.78	4.40		4.43	0.000325	1.44	1359.57	1098.41	0.14
Main Stem	10.1	1796.00	-4.78	5.06		5.09	0.000304	1.58	2259.43	1637.41	0.14
Main Stem	9	711.00	-4.68	2.80		2.87	0.000324	2.30	686.31	450.54	0.15
Main Stem	9	938.00	-4.68	3.40		3.49	0.000371	2.61	1014.64	640.18	0.17
Main Stem	9	1275.00	-4.68	4.09		4.22	0.000474	3.13	1685.70	2456.04	0.19
Main Stem	9	1796.00	-4.68	4.83		4.91	0.000378	2.95	3507.53	2503.80	0.17
Main Stem	8.4	711.00	-3.68	2.38		2.48	0.000955	2.59	290.57	116.67	0.25
Main Stem	8.4	939.00	-3.68	2.92		3.05	0.001007	2.93	361.92	147.69	0.26
Main Stem	8.4	1276.00	-3.68	3.49		3.67	0.001152	3.44	456.81	180.88	0.28
Main Stem	8.4	1799.00	-3.68	4.15		4.41	0.001413	4.17	591.15	247.79	0.32

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	8.3	711.00	-4.08	2.36	-0.71	2.45	0.000630	2.42	332.71	113.84	0.21
Main Stem	8.3	939.00	-4.08	2.90	-0.29	3.02	0.000724	2.82	397.83	127.41	0.23
Main Stem	8.3	1276.00	-4.08	3.47	0.24	3.64	0.000901	3.38	473.13	141.58	0.26
Main Stem	8.3	1799.00	-4.08	4.12	0.90	4.37	0.001185	4.19	563.26	155.58	0.30
Main Stem	8.25	Bridge									
Main Stem	8.2	711.00	-4.08	2.35	-0.71	2.44	0.000620	2.40	358.33	135.32	0.21
Main Stem	8.2	939.00	-4.08	2.89	-0.29	3.01	0.000704	2.77	432.54	143.40	0.22
Main Stem	8.2	1276.00	-4.08	3.45	0.24	3.62	0.000871	3.32	511.48	151.80	0.25
Main Stem	8.2	1799.00	-4.08	4.10	0.90	4.34	0.001147	4.11	603.89	160.48	0.30
Main Stem	7.4	709.00	-4.18	2.35		2.38	0.000319	1.43	541.20	263.34	0.14
Main Stem	7.4	936.00	-4.18	2.89		2.93	0.000320	1.59	690.31	283.70	0.15
Main Stem	7.4	1275.00	-4.18	3.46		3.52	0.000359	1.85	858.13	304.99	0.16
Main Stem	7.4	1783.00	-4.18	4.13		4.20	0.000420	2.21	1067.90	328.45	0.17
Main Stem	7.3	709.00	-2.88	2.23	-0.21	2.33	0.000913	2.63	374.15	289.60	0.24
Main Stem	7.3	936.00	-2.88	2.76	0.17	2.88	0.000924	2.90	521.32	312.21	0.25
Main Stem	7.3	1275.00	-2.88	3.30	0.66	3.45	0.001043	3.34	682.40	335.17	0.27
Main Stem	7.3	1783.00	-2.88	3.91	1.28	4.12	0.001231	3.94	880.36	361.36	0.30
Main Stem	7.25	Bridge									
Main Stem	7.2	709.00	-2.88	2.22	-0.21	2.32	0.000909	2.62	379.84	352.18	0.24
Main Stem	7.2	936.00	-2.88	2.75	0.17	2.87	0.000922	2.89	513.38	357.51	0.25
Main Stem	7.2	1275.00	-2.88	3.29	0.66	3.44	0.001053	3.35	650.67	362.90	0.27
Main Stem	7.2	1783.00	-2.88	3.90	1.28	4.11	0.001264	3.99	809.57	369.03	0.31
Main Stem	7.1	709.00	-2.88	2.15		2.26	0.000996	2.72	316.71	212.62	0.25
Main Stem	7.1	936.00	-2.88	2.67		2.81	0.001044	3.05	448.52	293.38	0.27
Main Stem	7.1	1275.00	-2.88	3.19		3.37	0.001206	3.55	622.34	374.10	0.29
Main Stem	7.1	1783.00	-2.88	3.79		4.02	0.001417	4.18	874.27	466.96	0.32
Main Stem	6	709.00	-4.68	1.82		1.88	0.000329	2.14	1051.98	613.81	0.15

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	6	936.00	-4.68	2.34		2.40	0.000359	2.36	1389.91	677.29	0.16
Main Stem	6	1275.00	-4.68	2.81		2.88	0.000443	2.74	1716.74	714.85	0.18
Main Stem	6	1783.00	-4.68	3.34		3.44	0.000565	3.24	2109.50	757.53	0.20
Main Stem	5	709.00	-4.68	1.58		1.60	0.000205	1.65	2147.69	1533.31	0.12
Main Stem	5	936.00	-4.68	2.03		2.07	0.000289	2.05	2959.53	3430.00	0.14
Main Stem	5	1275.00	-4.68	2.52		2.54	0.000218	1.87	4614.97	3430.00	0.12
Main Stem	5	1783.00	-4.68	3.03		3.04	0.000192	1.84	6372.82	3430.00	0.12
Main Stem	4	709.00	-3.78	1.20		1.29	0.001042	2.87	955.67	1093.23	0.26
Main Stem	4	936.00	-3.78	1.59		1.67	0.000957	2.94	1441.28	1375.31	0.25
Main Stem	4	1275.00	-3.78	2.15		2.22	0.000861	3.03	2421.69	2404.43	0.24
Main Stem	4	1783.00	-3.78	2.75		2.79	0.000564	2.65	3867.28	2422.40	0.20
Main Stem	3	709.00	-4.68	0.60		0.67	0.000472	2.21	486.31	308.06	0.18
Main Stem	3	936.00	-4.68	0.93		1.03	0.000625	2.67	598.85	363.46	0.21
Main Stem	3	1275.00	-4.68	1.40		1.54	0.000802	3.20	786.81	440.72	0.24
Main Stem	3	1783.00	-4.68	2.02		2.21	0.000982	3.80	1091.16	544.61	0.27
Main Stem	2	709.00	-4.98	0.24		0.33	0.001076	2.45	289.47	100.69	0.25
Main Stem	2	936.00	-4.98	0.44		0.58	0.001597	3.02	310.06	106.05	0.31
Main Stem	2	1275.00	-4.98	0.72		0.94	0.002341	3.74	340.63	112.44	0.38
Main Stem	2	1783.00	-4.98	1.11		1.44	0.003228	4.61	401.43	222.91	0.45
Main Stem	1	709.00	-4.68	-0.13	-3.60	-0.12	0.000110	0.84	844.10	298.81	0.08
Main Stem	1	936.00	-4.68	-0.13	-3.40	-0.11	0.000193	1.11	844.10	298.81	0.11
Main Stem	1	1274.00	-4.68	-0.13	-3.13	-0.09	0.000357	1.51	844.10	298.81	0.15
Main Stem	1	1781.00	-4.68	-0.13	-2.79	-0.06	0.000697	2.11	844.10	298.81	0.21

POPASH CREEK
PROPOSED

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	38.4	687.00	23.32	24.92		24.92	0.000093	0.47	4786.74	5591.30	0.07
Main Stem	38.4	912.00	23.32	25.05		25.05	0.000104	0.53	5539.67	5722.49	0.08
Main Stem	38.4	1258.00	23.32	25.23		25.23	0.000117	0.61	6577.42	5898.52	0.08
Main Stem	38.4	1663.00	23.32	25.41		25.41	0.000129	0.68	7654.88	6075.89	0.09
Main Stem	38.3	687.00	23.32	24.92	24.91	24.92	0.000093	0.47	4778.76	5589.90	0.07
Main Stem	38.3	912.00	23.32	25.05	24.91	25.05	0.000105	0.53	5530.33	5720.88	0.08
Main Stem	38.3	1258.00	23.32	25.23	24.91	25.23	0.000118	0.61	6566.38	5896.67	0.08
Main Stem	38.3	1663.00	23.32	25.41	24.92	25.41	0.000130	0.68	7642.19	6073.83	0.09
Main Stem	38.25	Culvert									
Main Stem	38.2	687.00	23.42	24.92	24.91	24.92	0.000061	0.38	5200.75	6157.28	0.06
Main Stem	38.2	912.00	23.42	25.05	24.91	25.05	0.000070	0.43	6038.79	6354.43	0.06
Main Stem	38.2	1258.00	23.42	25.23	24.92	25.23	0.000080	0.50	7189.69	6615.62	0.07
Main Stem	38.2	1663.00	23.42	25.41	24.92	25.41	0.000089	0.57	8400.60	6879.72	0.07
Main Stem	38.1	687.00	23.42	24.92		24.92	0.000062	0.38	5191.97	6155.18	0.06
Main Stem	38.1	912.00	23.42	25.05		25.05	0.000070	0.43	6028.42	6352.03	0.06
Main Stem	38.1	1258.00	23.42	25.23		25.23	0.000081	0.50	7177.31	6612.86	0.07
Main Stem	38.1	1663.00	23.42	25.41		25.41	0.000090	0.57	8386.23	6876.65	0.07
Main Stem	37	687.00	21.62	24.81		24.81	0.000238	1.02	3478.54	4789.88	0.12
Main Stem	37	912.00	21.62	24.93		24.93	0.000269	1.12	4061.99	5062.87	0.13
Main Stem	37	1258.00	21.62	25.09		25.09	0.000300	1.24	4899.86	5430.95	0.14
Main Stem	37	1663.00	21.62	25.25		25.25	0.000322	1.34	5823.03	5809.56	0.14
Main Stem	36	687.00	19.42	24.55		24.55	0.000157	1.00	4594.53	8030.00	0.10
Main Stem	36	912.00	19.42	24.64		24.64	0.000179	1.09	5303.50	8030.00	0.11
Main Stem	36	1258.00	19.42	24.77		24.77	0.000199	1.18	6311.68	8030.00	0.12
Main Stem	36	1663.00	19.42	24.91		24.91	0.000208	1.24	7434.48	8030.00	0.12
Main Stem	35	687.00	19.12	24.16		24.25	0.001535	3.00	1462.13	8011.61	0.32
Main Stem	35	912.00	19.12	24.26	23.28	24.32	0.001279	2.80	2261.05	8012.61	0.30
Main Stem	35	1258.00	19.12	24.40	24.27	24.43	0.001011	2.57	3338.41	8013.96	0.27
Main Stem	35	1663.00	19.12	24.55	24.32	24.57	0.000766	2.32	4588.30	8015.52	0.23

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	34	687.00	18.52	23.20		23.20	0.000039	0.54	5730.92	4767.41	0.05
Main Stem	34	912.00	18.52	23.44		23.45	0.000039	0.57	6883.68	4806.01	0.05
Main Stem	34	1258.00	18.52	23.74		23.74	0.000042	0.62	8292.39	4852.76	0.06
Main Stem	34	1663.00	18.52	24.04		24.04	0.000048	0.70	9867.31	7920.00	0.06
Main Stem	33.4	733.00	16.82	23.16		23.16	0.000035	0.52	7174.74	6842.84	0.05
Main Stem	33.4	969.00	16.82	23.40		23.40	0.000033	0.51	8868.81	7145.84	0.05
Main Stem	33.4	1329.00	16.82	23.69		23.69	0.000033	0.52	10995.63	7508.94	0.05
Main Stem	33.4	1764.00	16.82	23.99		23.99	0.000033	0.53	13262.85	7877.61	0.05
Main Stem	33.3	733.00	16.82	23.16	22.26	23.16	0.000035	0.52	7171.34	6842.22	0.05
Main Stem	33.3	969.00	16.82	23.40	22.31	23.40	0.000033	0.51	8865.47	7145.25	0.05
Main Stem	33.3	1329.00	16.82	23.69	22.37	23.69	0.000033	0.52	10992.10	7508.36	0.05
Main Stem	33.3	1764.00	16.82	23.99	22.43	23.99	0.000033	0.53	13259.14	7877.02	0.05
Main Stem	33.25	Culvert									
Main Stem	33.2	733.00	15.52	23.06	19.66	23.16	0.000628	2.71	746.24	1055.76	0.22
Main Stem	33.2	969.00	15.52	23.28	20.37	23.39	0.000787	3.13	996.99	1266.73	0.25
Main Stem	33.2	1329.00	15.52	23.56	21.07	23.69	0.000949	3.56	1388.15	1539.15	0.28
Main Stem	33.2	1764.00	15.52	23.85	22.92	23.98	0.001049	3.89	1874.65	1821.99	0.29
Main Stem	33.1	733.00	15.52	23.00		23.12	0.000761	2.96	568.74	889.24	0.24
Main Stem	33.1	969.00	15.52	23.18		23.34	0.001032	3.53	745.74	1082.99	0.29
Main Stem	33.1	1329.00	15.52	23.41		23.61	0.001376	4.21	1020.41	1328.84	0.33
Main Stem	33.1	1764.00	15.52	23.68		23.91	0.001565	4.65	1428.28	1626.75	0.36
Main Stem	32.4	702.00	16.52	22.83		22.84	0.000230	1.52	2481.83	2932.40	0.13
Main Stem	32.4	917.00	16.52	22.96		22.97	0.000271	1.69	2866.77	2984.32	0.14
Main Stem	32.4	1225.00	16.52	23.12		23.14	0.000318	1.87	3358.64	3049.37	0.16
Main Stem	32.4	1715.00	16.52	23.35		23.36	0.000371	2.09	4054.55	3139.10	0.17
Main Stem	32.3	702.00	17.42	22.82	22.35	22.84	0.000450	1.88	1897.17	2325.63	0.18
Main Stem	32.3	917.00	17.42	22.95	22.43	22.97	0.000521	2.06	2201.46	2362.66	0.19
Main Stem	32.3	1225.00	17.42	23.11	22.53	23.13	0.000600	2.26	2589.59	2409.08	0.20

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	32.3	1715.00	17.42	23.34	22.64	23.36	0.000691	2.50	3137.73	2473.14	0.22
Main Stem	32.25	Bridge									
Main Stem	32.2	702.00	17.42	22.79	22.35	22.81	0.000481	1.94	1927.91	2589.70	0.18
Main Stem	32.2	917.00	17.42	22.92	22.44	22.93	0.000537	2.09	2264.25	2610.93	0.19
Main Stem	32.2	1225.00	17.42	23.08	22.52	23.10	0.000592	2.25	2686.45	2610.95	0.20
Main Stem	32.2	1715.00	17.42	23.30	22.64	23.32	0.000652	2.44	3270.72	2610.97	0.21
Main Stem	32.1	702.00	17.42	22.77		22.79	0.000435	1.90	2073.94	2909.29	0.18
Main Stem	32.1	917.00	17.42	22.90		22.92	0.000479	2.04	2451.74	2960.65	0.18
Main Stem	32.1	1225.00	17.42	23.06		23.08	0.000523	2.20	2934.97	3025.07	0.19
Main Stem	32.1	1715.00	17.42	23.28		23.30	0.000567	2.37	3621.74	3114.34	0.20
Main Stem	31	702.00	17.32	22.34	21.38	22.44	0.001640	3.57	1169.62	3034.61	0.34
Main Stem	31	917.00	17.32	22.47	22.36	22.55	0.001487	3.49	1581.64	3042.52	0.32
Main Stem	31	1225.00	17.32	22.64	22.44	22.70	0.001361	3.44	2082.57	3052.11	0.31
Main Stem	31	1715.00	17.32	22.87	22.54	22.91	0.001209	3.37	2796.38	3065.73	0.30
Main Stem	30.4	694.00	17.02	21.22		21.22	0.000412	1.51	1996.93	2035.76	0.16
Main Stem	30.4	905.00	17.02	21.43		21.44	0.000408	1.56	2447.95	2188.61	0.16
Main Stem	30.4	1199.00	17.02	21.64		21.64	0.000434	1.68	2905.47	2254.64	0.17
Main Stem	30.4	1703.00	17.02	21.95		21.96	0.000436	1.80	3618.46	2259.28	0.17
Main Stem	30.3	694.00	16.62	21.21	20.47	21.22	0.000378	1.60	1970.58	1979.54	0.16
Main Stem	30.3	905.00	16.62	21.43	20.55	21.43	0.000382	1.65	2410.63	2121.70	0.16
Main Stem	30.3	1199.00	16.62	21.63	20.83	21.64	0.000430	1.80	2856.27	2250.53	0.17
Main Stem	30.3	1703.00	16.62	21.94	20.83	21.95	0.000437	1.91	3566.11	2250.91	0.17
Main Stem	30.25	Bridge									
Main Stem	30.2	694.00	16.62	21.19	20.37	21.19	0.000058	0.62	4965.38	4124.79	0.06
Main Stem	30.2	905.00	16.62	21.41	20.43	21.41	0.000058	0.64	5863.55	4127.97	0.06
Main Stem	30.2	1199.00	16.62	21.61	20.51	21.61	0.000066	0.70	6695.31	4130.92	0.07
Main Stem	30.2	1703.00	16.62	21.92	20.61	21.93	0.000075	0.79	7991.86	4133.43	0.07

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	30.1	694.00	16.62	21.19		21.19	0.000059	0.63	4940.67	4129.12	0.06
Main Stem	30.1	905.00	16.62	21.40		21.41	0.000058	0.64	5844.12	4133.32	0.06
Main Stem	30.1	1199.00	16.62	21.61		21.61	0.000067	0.71	6674.07	4137.17	0.07
Main Stem	30.1	1703.00	16.62	21.92		21.92	0.000076	0.79	7970.53	4140.00	0.07
Main Stem	29	694.00	17.32	21.17		21.17	0.000334	1.44	2002.29	1941.90	0.15
Main Stem	29	905.00	17.32	21.39		21.40	0.000334	1.50	2445.75	2052.07	0.15
Main Stem	29	1199.00	17.32	21.59		21.60	0.000384	1.67	2862.85	2150.54	0.17
Main Stem	29	1703.00	17.32	21.90		21.91	0.000415	1.84	3550.07	2225.19	0.17
Main Stem	28.4	694.00	14.42	21.13		21.15	0.000541	2.11	1908.99	1885.04	0.19
Main Stem	28.4	903.00	14.42	21.36		21.38	0.000544	2.16	2360.07	1990.85	0.19
Main Stem	28.4	1197.00	14.42	21.56		21.58	0.000645	2.40	2756.56	2079.41	0.21
Main Stem	28.4	1702.00	14.42	21.86		21.89	0.000738	2.64	3421.15	2199.92	0.22
Main Stem	28.3	694.00	14.42	21.13	20.43	21.15	0.000675	2.28	1821.11	1769.14	0.19
Main Stem	28.3	903.00	14.42	21.35	20.82	21.37	0.000676	2.32	2228.41	1849.77	0.19
Main Stem	28.3	1197.00	14.42	21.55	20.82	21.57	0.000793	2.55	2593.27	1919.06	0.20
Main Stem	28.3	1702.00	14.42	21.85	20.89	21.87	0.000906	2.79	3202.06	2029.41	0.22
Main Stem	28.25	Bridge									
Main Stem	28.2	694.00	14.42	21.10	20.43	21.12	0.000745	2.39	1746.76	1742.67	0.20
Main Stem	28.2	903.00	14.42	21.31	20.82	21.33	0.000764	2.46	2120.93	1818.87	0.20
Main Stem	28.2	1197.00	14.42	21.49	20.82	21.52	0.000898	2.71	2469.26	1886.96	0.22
Main Stem	28.2	1702.00	14.42	21.80	20.90	21.82	0.001018	2.95	3061.87	1997.47	0.23
Main Stem	28.1	694.00	15.52	21.09		21.11	0.000532	2.01	1980.63	2316.85	0.19
Main Stem	28.1	903.00	15.52	21.30		21.32	0.000531	2.08	2507.45	2676.33	0.19
Main Stem	28.1	1197.00	15.52	21.49		21.51	0.000588	2.27	3032.08	2917.82	0.21
Main Stem	28.1	1702.00	15.52	21.79		21.81	0.000614	2.44	3983.33	3311.06	0.21
Main Stem	27.4	691.00	13.72	20.84		20.85	0.000152	1.36	3471.13	4009.45	0.11
Main Stem	27.4	898.00	13.72	21.05		21.06	0.000150	1.38	4325.65	4010.00	0.11
Main Stem	27.4	1186.00	13.72	21.21		21.22	0.000182	1.55	4964.10	4010.00	0.12
Main Stem	27.4	1697.00	13.72	21.49		21.50	0.000214	1.74	6073.60	4010.00	0.13

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	27.3	691.00	13.72	20.84	17.30	20.85	0.000155	1.38	3379.05	3914.45	0.11
Main Stem	27.3	898.00	13.72	21.05	17.80	21.06	0.000155	1.41	4219.14	3956.93	0.11
Main Stem	27.3	1186.00	13.72	21.21	18.43	21.22	0.000190	1.59	4848.88	3988.13	0.12
Main Stem	27.3	1697.00	13.72	21.48	20.51	21.50	0.000224	1.78	5954.13	4010.00	0.13
Main Stem	27.25	Bridge									
Main Stem	27.2	691.00	13.62	20.82		20.83	0.000161	1.27	3503.29	4001.04	0.11
Main Stem	27.2	898.00	13.62	21.03		21.04	0.000156	1.28	4366.34	4009.59	0.11
Main Stem	27.2	1186.00	13.62	21.19		21.20	0.000190	1.44	4989.23	4015.20	0.12
Main Stem	27.2	1697.00	13.62	21.46		21.47	0.000223	1.62	6085.33	4020.00	0.13
Main Stem	26.4	690.00	16.32	20.79		20.82	0.000503	1.99	1938.69	2430.94	0.19
Main Stem	26.4	897.00	16.32	21.01		21.03	0.000489	1.96	2480.03	2507.25	0.19
Main Stem	26.4	1185.00	16.32	21.16		21.19	0.000603	2.18	2866.66	2560.51	0.21
Main Stem	26.4	1697.00	16.32	21.44		21.46	0.000705	2.37	3576.38	2655.46	0.22
Main Stem	26.3	690.00	16.32	20.78	19.06	20.81	0.000464	1.90	2244.73	3281.54	0.18
Main Stem	26.3	897.00	16.32	21.00	20.38	21.02	0.000419	1.86	3001.93	3599.44	0.17
Main Stem	26.3	1185.00	16.32	21.15	20.50	21.17	0.000495	2.05	3560.82	3817.14	0.19
Main Stem	26.3	1697.00	16.32	21.42	20.65	21.44	0.000515	2.18	4623.44	3946.29	0.20
Main Stem	26.25	Culvert									
Main Stem	26.2	690.00	12.52	20.79	17.24	20.81	0.000190	1.51	3225.43	3996.39	0.12
Main Stem	26.2	897.00	12.52	20.97	18.00	20.98	0.000201	1.59	3924.71	4006.88	0.12
Main Stem	26.2	1185.00	12.52	21.16	18.57	21.17	0.000221	1.70	4690.85	4010.00	0.13
Main Stem	26.2	1697.00	12.52	21.43	20.55	21.44	0.000256	1.89	5772.51	4010.00	0.14
Main Stem	26.1	690.00	12.52	20.75		20.78	0.000310	1.92	2392.52	3582.27	0.15
Main Stem	26.1	897.00	12.52	20.92		20.95	0.000333	2.03	3040.84	3858.40	0.16
Main Stem	26.1	1185.00	12.52	21.12		21.14	0.000358	2.15	3799.28	4010.00	0.16
Main Stem	26.1	1697.00	12.52	21.38		21.41	0.000390	2.32	4877.88	4010.00	0.17
Main Stem	25.4	690.00	12.32	20.45		20.50	0.000371	2.27	2009.13	4080.00	0.17

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	25.4	897.00	12.32	20.58		20.63	0.000427	2.47	2550.12	4080.00	0.18
Main Stem	25.4	1185.00	12.32	20.76		20.81	0.000458	2.62	3272.05	4080.00	0.19
Main Stem	25.4	1697.00	12.32	20.98		21.03	0.000547	2.93	4162.94	4080.00	0.21
Main Stem	25.3	690.00	15.11	20.43	17.57	20.48	0.000532	2.45	1901.09	4080.00	0.19
Main Stem	25.3	897.00	15.11	20.58	18.04	20.63	0.000544	2.52	2523.25	4080.00	0.19
Main Stem	25.3	1185.00	15.11	20.76	18.63	20.80	0.000558	2.61	3242.73	4080.00	0.20
Main Stem	25.3	1697.00	15.11	20.97	20.52	21.02	0.000639	2.87	4131.61	4080.00	0.21
Main Stem	25.25	Culvert									
Main Stem	25.2	690.00	15.06	20.42	17.58	20.48	0.000547	2.49	1860.45	4040.00	0.19
Main Stem	25.2	897.00	15.06	20.58	18.05	20.63	0.000543	2.54	2516.47	4040.00	0.20
Main Stem	25.2	1185.00	15.06	20.73	18.65	20.78	0.000610	2.74	3104.13	4040.00	0.21
Main Stem	25.2	1697.00	15.06	20.97	20.52	21.01	0.000657	2.92	4068.39	4040.00	0.22
Main Stem	25.1	690.00	11.12	20.39		20.45	0.000456	2.39	1732.82	4026.08	0.18
Main Stem	25.1	897.00	11.12	20.55		20.60	0.000483	2.50	2379.19	4028.76	0.18
Main Stem	25.1	1185.00	11.12	20.68		20.74	0.000580	2.78	2917.82	4030.00	0.20
Main Stem	25.1	1697.00	11.12	20.92		20.97	0.000648	3.02	3869.67	4030.00	0.22
Main Stem	24.4	685.00	14.32	20.13		20.19	0.000613	2.48	1825.35	4667.09	0.22
Main Stem	24.4	888.00	14.32	20.30		20.35	0.000543	2.38	2650.38	4668.52	0.20
Main Stem	24.4	1165.00	14.32	20.34		20.41	0.000820	2.94	2828.72	4668.83	0.25
Main Stem	24.4	1688.00	14.32	20.53		20.59	0.000947	3.23	3706.88	4670.35	0.27
Main Stem	24.3	685.00	14.32	20.06	17.83	20.17	0.001097	3.23	1486.67	4672.13	0.28
Main Stem	24.3	888.00	14.32	20.29	19.06	20.34	0.000724	2.68	2555.54	4677.13	0.23
Main Stem	24.3	1165.00	14.32	20.33	19.39	20.40	0.001087	3.29	2724.81	4677.92	0.28
Main Stem	24.3	1688.00	14.32	20.53	19.77	20.59	0.001133	3.44	3666.99	4680.00	0.29
Main Stem	24.25	Culvert									
Main Stem	24.2	685.00	14.32	20.01	17.83	20.17	0.001471	3.72	1000.25	4671.26	0.32
Main Stem	24.2	888.00	14.32	20.27	19.05	20.34	0.000890	2.96	2235.20	4683.19	0.25
Main Stem	24.2	1165.00	14.32	20.30	19.43	20.40	0.001355	3.67	2385.93	4684.65	0.31

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	24.2	1688.00	14.32	20.52	19.87	20.59	0.001322	3.72	3397.20	4690.00	0.31
Main Stem	24.1	685.00	13.72	19.84		20.04	0.001883	3.66	273.87	648.55	0.34
Main Stem	24.1	888.00	13.72	20.11		20.24	0.001505	3.40	883.99	4469.71	0.31
Main Stem	24.1	1165.00	13.72	20.20		20.31	0.001442	3.37	1309.62	4512.44	0.30
Main Stem	24.1	1688.00	13.72	20.47		20.50	0.000703	2.44	2539.43	4633.66	0.21
Main Stem	23.4	682.00	10.82	19.54		19.55	0.000124	1.26	1325.96	1340.13	0.09
Main Stem	23.4	884.00	10.82	19.84		19.86	0.000122	1.29	1774.44	1591.05	0.09
Main Stem	23.4	1158.00	10.82	19.91		19.93	0.000186	1.61	1884.29	1646.70	0.12
Main Stem	23.4	1684.00	10.82	20.28		20.30	0.000226	1.84	3163.28	4010.00	0.13
Main Stem	23.3	682.00	14.62	19.51	17.49	19.54	0.000608	2.15	749.57	837.19	0.19
Main Stem	23.3	884.00	14.62	19.82	18.79	19.85	0.000515	2.04	1039.93	1005.26	0.18
Main Stem	23.3	1158.00	14.62	19.88	19.03	19.92	0.000782	2.53	1099.17	1036.21	0.22
Main Stem	23.3	1684.00	14.62	20.26	19.31	20.30	0.000807	2.71	2272.65	4010.00	0.23
Main Stem	23.25	Culvert									
Main Stem	23.2	682.00	14.62	19.39	17.49	19.42	0.000631	2.16	782.21	959.95	0.20
Main Stem	23.2	884.00	14.62	19.82	18.78	19.84	0.000382	1.76	1263.91	1251.07	0.15
Main Stem	23.2	1158.00	14.62	19.87	18.99	19.90	0.000593	2.20	1321.67	1281.54	0.19
Main Stem	23.2	1684.00	14.62	20.27	19.24	20.30	0.000596	2.33	2592.51	4000.00	0.20
Main Stem	23.1	682.00	13.52	19.31		19.39	0.000777	2.56	545.90	808.56	0.22
Main Stem	23.1	884.00	13.52	19.72		19.80	0.000821	2.80	524.21	324.68	0.23
Main Stem	23.1	1158.00	13.52	19.79		19.85	0.000796	2.78	1032.11	1220.14	0.23
Main Stem	23.1	1684.00	13.52	20.20		20.26	0.000776	2.91	2129.31	4000.00	0.23
Main Stem	22	682.00	13.22	19.08		19.09	0.000142	1.15	2481.39	2068.71	0.10
Main Stem	22	884.00	13.22	19.48		19.49	0.000162	1.30	2070.73	896.20	0.11
Main Stem	22	1158.00	13.22	19.53		19.54	0.000192	1.42	3494.04	2463.58	0.12
Main Stem	22	1684.00	13.22	19.94		19.95	0.000216	1.60	4587.21	2828.64	0.12
Main Stem	21	682.00	11.72	18.90		18.92	0.000271	1.75	1824.70	1490.00	0.13
Main Stem	21	884.00	11.72	19.29		19.30	0.000277	1.86	1991.62	1188.12	0.14

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	21	1158.00	11.72	19.29		19.31	0.000370	2.15	2399.24	1490.00	0.16
Main Stem	21	1684.00	11.72	19.66		19.69	0.000428	2.41	2957.11	1490.00	0.17
Main Stem	20.4	673.00	11.92	18.59		18.62	0.000845	2.35	1566.67	2510.00	0.22
Main Stem	20.4	868.00	11.92	19.03		19.05	0.000508	1.96	2035.53	1898.69	0.17
Main Stem	20.4	1127.00	11.92	18.95		18.97	0.000697	2.27	2455.87	2510.00	0.20
Main Stem	20.4	1669.00	11.92	19.31		19.33	0.000594	2.22	3374.78	2510.00	0.19
Main Stem	20.3	673.00	12.22	18.60	16.82	18.61	0.000155	1.22	2158.55	2510.00	0.10
Main Stem	20.3	868.00	12.22	19.02	16.82	19.04	0.000210	1.49	1611.48	933.88	0.12
Main Stem	20.3	1127.00	12.22	18.95	16.82	18.96	0.000207	1.48	3035.73	2510.00	0.12
Main Stem	20.3	1669.00	12.22	19.31	16.82	19.32	0.000236	1.66	3940.99	2510.00	0.13
Main Stem	20.25	Culvert									
Main Stem	20.2	673.00	12.22	18.58	16.82	18.60	0.000199	1.38	1619.16	1774.17	0.12
Main Stem	20.2	868.00	12.22	18.95	16.82	18.98	0.000229	1.55	1548.54	933.88	0.13
Main Stem	20.2	1127.00	12.22	18.93	16.82	18.96	0.000296	1.77	2264.80	1942.47	0.14
Main Stem	20.2	1669.00	12.22	19.28	16.82	19.31	0.000363	2.05	2975.46	2112.27	0.16
Main Stem	20.1	673.00	11.92	18.34	16.24	18.53	0.002117	4.10	644.96	1609.09	0.35
Main Stem	20.1	868.00	11.92	18.78		18.92	0.001703	3.87	792.73	846.80	0.31
Main Stem	20.1	1127.00	11.92	18.82		18.91	0.001445	3.63	1479.13	1861.47	0.29
Main Stem	20.1	1669.00	11.92	19.21		19.27	0.001219	3.51	2246.70	2066.64	0.27
Main Stem	19	673.00	10.22	17.15		17.25	0.001009	2.95	672.21	850.25	0.25
Main Stem	19	868.00	10.22	17.73		17.83	0.000949	3.11	618.45	302.74	0.25
Main Stem	19	1127.00	10.22	17.97		18.03	0.000707	2.78	1597.32	1388.61	0.22
Main Stem	19	1669.00	10.22	18.52		18.55	0.000530	2.57	3050.01	2740.35	0.19
Main Stem	18	673.00	8.22	14.93		15.22	0.002490	4.32	170.19	76.74	0.39
Main Stem	18	868.00	8.22	15.48		15.84	0.002715	4.83	201.10	76.54	0.41
Main Stem	18	1127.00	8.22	15.98		16.41	0.002830	5.42	272.53	119.07	0.44
Main Stem	18	1669.00	8.22	16.78		17.26	0.002874	6.06	787.53	1192.93	0.45
Main Stem	17	673.00	7.02	13.12		13.17	0.000549	1.76	390.14	160.52	0.18

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	17	868.00	7.02	13.54		13.60	0.000589	1.99	438.82	135.80	0.19
Main Stem	17	1127.00	7.02	13.97		14.05	0.000635	2.25	544.52	201.20	0.20
Main Stem	17	1669.00	7.02	14.70		14.81	0.000723	2.70	899.91	801.07	0.23
Main Stem	16	673.00	5.22	11.56		11.75	0.002173	4.32	643.97	598.68	0.37
Main Stem	16	868.00	5.22	11.92		12.10	0.002109	4.50	882.70	714.99	0.37
Main Stem	16	1127.00	5.22	12.31		12.48	0.002059	4.70	1179.99	828.89	0.37
Main Stem	16	1669.00	5.22	12.94		13.09	0.001996	5.01	1758.80	1011.32	0.38
Main Stem	15	673.00	1.22	8.08		8.20	0.002237	2.75	247.05	143.65	0.34
Main Stem	15	868.00	1.22	8.49		8.62	0.002220	2.89	322.35	219.57	0.35
Main Stem	15	1127.00	1.22	8.95		9.09	0.002171	3.03	440.65	302.54	0.35
Main Stem	15	1669.00	1.22	9.67		9.82	0.002092	3.24	707.87	435.18	0.35
Main Stem	14	673.00	-0.58	6.14		6.19	0.000537	1.97	639.01	515.13	0.18
Main Stem	14	868.00	-0.58	6.56		6.62	0.000553	2.15	870.51	588.25	0.19
Main Stem	14	1127.00	-0.58	7.04		7.11	0.000559	2.34	1175.84	672.63	0.20
Main Stem	14	1669.00	-0.58	7.77		7.85	0.000616	2.71	1711.38	799.42	0.21
Main Stem	12	673.00	-0.92	5.12	4.15	5.35	0.003242	4.08	364.28	391.17	0.43
Main Stem	12	868.00	-0.92	5.56	4.57	5.77	0.002766	4.15	560.90	505.80	0.40
Main Stem	12	1127.00	-0.92	6.12	4.98	6.30	0.002117	4.04	885.19	636.85	0.36
Main Stem	12	1669.00	-0.92	6.83		7.00	0.001891	4.27	1370.20	732.48	0.35
Main Stem	11.4	711.00	-7.18	3.37		3.53	0.000936	3.38	361.07	256.00	0.24
Main Stem	11.4	938.00	-7.18	3.90		4.11	0.001099	3.87	519.74	335.63	0.27
Main Stem	11.4	1275.00	-7.18	4.59		4.84	0.001266	4.44	843.86	642.99	0.29
Main Stem	11.4	1796.00	-7.18	5.29		5.57	0.001406	4.98	1421.29	995.42	0.31
Main Stem	11.3	711.00	-4.58	3.36	-0.09	3.45	0.001494	2.49	285.32	121.83	0.29
Main Stem	11.3	938.00	-4.58	3.90	0.49	4.01	0.001314	2.66	352.61	123.74	0.28
Main Stem	11.3	1275.00	-4.58	4.60	1.22	4.73	0.001200	2.90	439.43	126.16	0.27
Main Stem	11.3	1796.00	-4.58	5.29	2.87	5.47	0.001337	3.41	526.92	128.56	0.30
Main Stem	11.25	Bridge									

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	11.2	711.00	-4.58	3.34	-0.09	3.44	0.001522	2.51	283.69	121.79	0.29
Main Stem	11.2	938.00	-4.58	3.89	0.49	4.00	0.001336	2.67	350.79	123.69	0.28
Main Stem	11.2	1275.00	-4.58	4.58	1.22	4.71	0.001219	2.92	437.26	126.10	0.28
Main Stem	11.2	1796.00	-4.58	5.26	2.87	5.44	0.001363	3.43	523.74	128.47	0.30
Main Stem	10.4	711.00	-3.68	3.19		3.24	0.000455	1.71	520.26	302.60	0.17
Main Stem	10.4	938.00	-3.68	3.76		3.81	0.000438	1.87	715.45	385.18	0.17
Main Stem	10.4	1275.00	-3.68	4.47		4.53	0.000423	2.06	1026.70	492.97	0.17
Main Stem	10.4	1796.00	-3.68	5.15		5.23	0.000485	2.42	1395.64	597.82	0.19
Main Stem	10.3	711.00	-4.18	3.18	-0.35	3.22	0.000360	1.52	466.76	144.05	0.15
Main Stem	10.3	938.00	-4.18	3.75	0.20	3.79	0.000374	1.71	549.17	146.79	0.16
Main Stem	10.3	1275.00	-4.18	4.46	0.77	4.51	0.000398	1.95	654.23	150.21	0.16
Main Stem	10.3	1796.00	-4.18	5.11	1.38	5.20	0.000507	2.38	753.89	153.38	0.19
Main Stem	10.25	Bridge									
Main Stem	10.2	711.00	-4.18	3.18	-0.35	3.21	0.000361	1.52	466.25	144.03	0.15
Main Stem	10.2	938.00	-4.18	3.74	0.20	3.79	0.000375	1.71	548.49	146.77	0.16
Main Stem	10.2	1275.00	-4.18	4.45	0.77	4.51	0.000400	1.95	653.31	150.18	0.16
Main Stem	10.2	1796.00	-4.18	5.10	1.38	5.19	0.000510	2.39	752.44	153.34	0.19
Main Stem	10.1	711.00	-4.78	3.10		3.13	0.000639	1.43	506.19	302.64	0.18
Main Stem	10.1	938.00	-4.78	3.68		3.71	0.000448	1.43	765.29	600.39	0.16
Main Stem	10.1	1275.00	-4.78	4.40		4.43	0.000325	1.44	1359.57	1098.41	0.14
Main Stem	10.1	1796.00	-4.78	5.06		5.09	0.000304	1.58	2259.43	1637.41	0.14
Main Stem	9	711.00	-4.68	2.80		2.87	0.000324	2.30	686.31	450.54	0.15
Main Stem	9	938.00	-4.68	3.40		3.49	0.000371	2.61	1014.64	640.18	0.17
Main Stem	9	1275.00	-4.68	4.09		4.22	0.000474	3.13	1685.70	2456.04	0.19
Main Stem	9	1796.00	-4.68	4.83		4.91	0.000378	2.95	3507.53	2503.80	0.17
Main Stem	8.4	711.00	-3.68	2.38		2.48	0.000955	2.59	290.57	116.67	0.25
Main Stem	8.4	939.00	-3.68	2.92		3.05	0.001007	2.93	361.92	147.69	0.26
Main Stem	8.4	1276.00	-3.68	3.49		3.67	0.001152	3.44	456.81	180.88	0.28
Main Stem	8.4	1799.00	-3.68	4.15		4.41	0.001413	4.17	591.15	247.79	0.32

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	8.3	711.00	-4.08	2.36	-0.71	2.45	0.000630	2.42	332.71	113.84	0.21
Main Stem	8.3	939.00	-4.08	2.90	-0.29	3.02	0.000724	2.82	397.83	127.41	0.23
Main Stem	8.3	1276.00	-4.08	3.47	0.24	3.64	0.000901	3.38	473.13	141.58	0.26
Main Stem	8.3	1799.00	-4.08	4.12	0.90	4.37	0.001185	4.19	563.26	155.58	0.30
Main Stem	8.25	Bridge									
Main Stem	8.2	711.00	-4.08	2.35	-0.71	2.44	0.000620	2.40	358.33	135.32	0.21
Main Stem	8.2	939.00	-4.08	2.89	-0.29	3.01	0.000704	2.77	432.54	143.40	0.22
Main Stem	8.2	1276.00	-4.08	3.45	0.24	3.62	0.000871	3.32	511.48	151.80	0.25
Main Stem	8.2	1799.00	-4.08	4.10	0.90	4.34	0.001147	4.11	603.89	160.48	0.30
Main Stem	7.4	709.00	-4.18	2.35		2.38	0.000319	1.43	541.20	263.34	0.14
Main Stem	7.4	936.00	-4.18	2.89		2.93	0.000320	1.59	690.31	283.70	0.15
Main Stem	7.4	1275.00	-4.18	3.46		3.52	0.000359	1.85	858.13	304.99	0.16
Main Stem	7.4	1783.00	-4.18	4.13		4.20	0.000420	2.21	1067.90	328.45	0.17
Main Stem	7.3	709.00	-2.88	2.23	-0.21	2.33	0.000913	2.63	374.15	289.60	0.24
Main Stem	7.3	936.00	-2.88	2.76	0.17	2.88	0.000924	2.90	521.32	312.21	0.25
Main Stem	7.3	1275.00	-2.88	3.30	0.66	3.45	0.001043	3.34	682.40	335.17	0.27
Main Stem	7.3	1783.00	-2.88	3.91	1.28	4.12	0.001231	3.94	880.36	361.36	0.30
Main Stem	7.25	Bridge									
Main Stem	7.2	709.00	-2.88	2.22	-0.21	2.32	0.000909	2.62	379.84	352.18	0.24
Main Stem	7.2	936.00	-2.88	2.75	0.17	2.87	0.000922	2.89	513.38	357.51	0.25
Main Stem	7.2	1275.00	-2.88	3.29	0.66	3.44	0.001053	3.35	650.67	362.90	0.27
Main Stem	7.2	1783.00	-2.88	3.90	1.28	4.11	0.001264	3.99	809.57	369.03	0.31
Main Stem	7.1	709.00	-2.88	2.15		2.26	0.000996	2.72	316.71	212.62	0.25
Main Stem	7.1	936.00	-2.88	2.67		2.81	0.001044	3.05	448.52	293.38	0.27
Main Stem	7.1	1275.00	-2.88	3.19		3.37	0.001206	3.55	622.34	374.10	0.29
Main Stem	7.1	1783.00	-2.88	3.79		4.02	0.001417	4.18	874.27	466.96	0.32
Main Stem	6	709.00	-4.68	1.82		1.88	0.000329	2.14	1051.98	613.81	0.15

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	6	936.00	-4.68	2.34		2.40	0.000359	2.36	1389.91	677.29	0.16
Main Stem	6	1275.00	-4.68	2.81		2.88	0.000443	2.74	1716.74	714.85	0.18
Main Stem	6	1783.00	-4.68	3.34		3.44	0.000565	3.24	2109.50	757.53	0.20
Main Stem	5	709.00	-4.68	1.58		1.60	0.000205	1.65	2147.69	1533.31	0.12
Main Stem	5	936.00	-4.68	2.03		2.07	0.000289	2.05	2959.53	3430.00	0.14
Main Stem	5	1275.00	-4.68	2.52		2.54	0.000218	1.87	4614.97	3430.00	0.12
Main Stem	5	1783.00	-4.68	3.03		3.04	0.000192	1.84	6372.82	3430.00	0.12
Main Stem	4	709.00	-3.78	1.20		1.29	0.001042	2.87	955.67	1093.23	0.26
Main Stem	4	936.00	-3.78	1.59		1.67	0.000957	2.94	1441.28	1375.31	0.25
Main Stem	4	1275.00	-3.78	2.15		2.22	0.000861	3.03	2421.69	2404.43	0.24
Main Stem	4	1783.00	-3.78	2.75		2.79	0.000564	2.65	3867.28	2422.40	0.20
Main Stem	3	709.00	-4.68	0.60		0.67	0.000472	2.21	486.31	308.06	0.18
Main Stem	3	936.00	-4.68	0.93		1.03	0.000625	2.67	598.85	363.46	0.21
Main Stem	3	1275.00	-4.68	1.40		1.54	0.000802	3.20	786.81	440.72	0.24
Main Stem	3	1783.00	-4.68	2.02		2.21	0.000982	3.80	1091.16	544.61	0.27
Main Stem	2	709.00	-4.98	0.24		0.33	0.001076	2.45	289.47	100.69	0.25
Main Stem	2	936.00	-4.98	0.44		0.58	0.001597	3.02	310.06	106.05	0.31
Main Stem	2	1275.00	-4.98	0.72		0.94	0.002341	3.74	340.63	112.44	0.38
Main Stem	2	1783.00	-4.98	1.11		1.44	0.003228	4.61	401.43	222.91	0.45
Main Stem	1	709.00	-4.68	-0.13	-3.60	-0.12	0.000110	0.84	844.10	298.81	0.08
Main Stem	1	936.00	-4.68	-0.13	-3.40	-0.11	0.000193	1.11	844.10	298.81	0.11
Main Stem	1	1274.00	-4.68	-0.13	-3.13	-0.09	0.000357	1.51	844.10	298.81	0.15
Main Stem	1	1781.00	-4.68	-0.13	-2.79	-0.06	0.000697	2.11	844.10	298.81	0.21

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT - ZONING DIVISION

DATE: July 8, 2003

TO: Hearing Examiner

FROM: Alvin Block, AICP
Principal Planner

RE: DCI2001-00038, Heritage Creek

The Natural Resources Division and the Division of Environmental Sciences have completed another site visit since the last hearing date. Attached you will find a Memorandum from the Natural Resources Division providing their recommended conditions, if the zoning approval is granted. This Natural Resources Division memorandum of July 7, 2003 replaces a memo previously prepared on June 17, 2003.

The Applicant's engineering firm supplied a document on June 26, 2003 entitled Stoneybrook North/Heritage Creek, HEC-RAS Model. This document is also attached.

Environmental Science advises that their comments and recommendations remain unchanged from Staff report for the June 18th and 19th hearing dates, as revised by their Memorandum dated June 17, 2003.

The remaining staff recommendations are unchanged and may be found in the Revised Staff Report prepared for the June 18th and 19th hearing dates.

attachments: Memorandum from Natural Resources, dated July 7, 2003
Correspondence with attachment from Banks Engineering, received on June 26, 2003.

cc: Zoning/DCI Files
John Fredyma, Assistant County Attorney
Steve Hartsell, Applicant's agent
Ralf Brookes, attorney

MEMORANDUM
DEPARTMENT OF PUBLIC WORKS
NATURAL RESOURCES DIVISION

TO: Chip Block
Development Services Division

FROM: Bradley S. Vance

RECEIVED
JUL 0 7 2003
ZONING

RE: **HERITAGE CREEK (DCI2001-00038)**

DATE: July 7, 2003

Below are our conditions for the above project. The following conditions reflect the assumptions, methodologies, and input parameters associated with the modeling and the development activities anticipated and associated with the channel and overbanks for Popash and Bayshore Creeks.

GENERAL

1. Prior to issuance of the first Development Order (or any early work, clearing, filling permits), the applicant must submit the following information for review and approval by the Lee County Natural Resources Division:

a. If the development parameters change from those modeled and approved during the rezoning, then developer must provide an HEC-RAS model pursuant to the same modeling parameters established during the rezoning process for the Popash and Bayshore Creeks demonstrating that the revised development will not induce any rise to the existing flood elevations, nor any increases in velocities, nor any transfer in overbank flows for the 10-, 25-, and 100-year storms.

b. Show the location and extent of the existing and proposed cross sections from the HEC-RAS model on the Development Order plans, as well as, defining the existing top of bank station/elevation, overbank elevations, roadway elevations, and bridge dimensions and elevations. Sufficient details or sections showing continuity and capacity of flows in the overbank must be clearly demonstrated.

c. All plans and documents related to the above must include the statement: "This is to certify that I am a duly qualified engineer licensed to practice in the State of Florida. It is to further certify that these design plans, drawings, and associated technical calculations and/or data demonstrate that no adverse affects to the existing flood elevations will occur as a result of this development".

d. The above information must be submitted to the South Florida Water Management District (SFWMD) for review, consideration, and inclusion in their permit files.

e. The developer or its assigns must dedicate a drainage/maintenance easement to Lee County for Popash and Bayshore Creeks for all that portion(s) of the channel and its overbanks included in the HEC-RAS modeling and that lie within its property limits. The easement may be apart of any conservation easement dedicated to Lee County and the South Florida Water Management District (SFWMD), but must be consistent with the maintenance activities anticipated and outlined in these conditions. The easement must also give the county the right, but not the obligation of maintenance and provide for maintenance access along the creeks. As a part of the easement, the developer agrees to a monthly maintenance schedule to include an initial and ongoing maintenance for these creeks that is to include removal of all exotics including, but not limited to, grape vines (above three feet in height above ground) and rosary pea, any deposited debris, fencing, fallen trees, or eroded vegetation. The basic ground cover within the easement area is to remain in its current grassed condition. The relocation of onsite sabal palms from other parts of the property to the easement area is permissible, but must not be collocated closer than a ten (10) foot spacing. No saw palmetto or shrubbery of any type is to be planted within the easement area. Said easement must be reviewed and approved by the County Attorney and Natural Resources during the platting process. This same drainage/maintenance easement language must be contained within the Community Development District or Home Owners Association documents (eg: CDD, HOA, etc).

f. All modifications and exotic vegetation removal outlined herein for Popash and Bayshore Creeks must be completed before the issuance of the first Certification of Completion for the first Development Order.

g. The east-west ditch proposed along the northerly boundary of the development must not provide for an interconnection between Popash and Bayshore Creeks.

POPASH CREEK

2. Prior to issuance of the first Development Order (or any early work, clearing, filling permits), containing the bridged crossing, the developer must provide complete construction plans for the bridge for review and approval by the Lee County Natural Resources Division and be in accordance with the following:

a. The bridge crossing of Popash Creek must be a pile supported structure.

b. No more that 2 rows of pilings (or supports) are permitted in the overbank and none may be closer than 10 feet to the existing top of bank. Each row must be perpendicular to the direction of flood flows and each must have a maximum dimension of twenty-four inches (24").

c. The low chord of the bridge must be at or above the 100-year floodwater surface elevation and the abutments for the bridge may not be closer than fifty feet (50') to the existing top of bank. Additionally, the low chord must be at least two feet (2') above the highest overbank elevation within the fifty foot offset areas (total of 100'+).

d. No berming, filling, planting, or other above ground construction/amenities are permitted within fifty feet (50') of the existing top of banks for Popash Creek, except as elsewhere permitted in these conditions by Lee County Natural Resources.

BAYSHORE CREEK

3. All modifications and exotic vegetation removal outlined below for Bayshore Creek must be completed before the issuance of the first Certification of Completion for the first Development Order.

a. Along Bayshore Creek for that portion upstream of Prichett Parkway and within the fifty (50) foot offset from the existing top of bank, the spoil is to be removed down to an elevation of 18.0 feet NGVD and then sloped in conjunction with the perimeter berm.

b. No berming, filling, planting, or other above ground construction/amenities are permitted within fifty feet (50') of the existing top of bank for Bayshore Creek, except as elsewhere permitted in these conditions by Lee County Natural Resources.

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

June 26, 2003

Mr. Alvin "Chip" Block
Lee County Planning Department
1500 Monroe Street
Fort Myers, Florida 33901

Reference: **Stoneybrook North/Heritage Creek HEC-RAS Model** DCI - 2001 - 00038

Dear Chip:

Attached are the HEC-RAS model output files for Popash and Bayshore Creeks. Based upon a field review with the applicant, consultants and County staff, the models analyzed an encroachment of 50 feet only on the project side of the creeks. This is conservative as the Master Concept Plan shows a *minimum* 50 foot setback from the top of creek banks. The roughness coefficients, representing the state of vegetation which impedes flow along the creeks were entered as follows:

Bayshore Creek Existing Channel	0.060
Bayshore Creek Existing Overbank	0.110
Popash Creek Existing Channel	0.050
Popash Creek Existing Overbank	0.150
Bayshore Creek Proposed Channel	0.050
Bayshore Creek Proposed Overbank	0.075
Popash Creek Proposed Channel	0.040
Popash Creek Proposed Overbank	0.100

The complete electronic files have been e-mailed to Lee County Natural Resources, attention Brad Vance, P.E.

Sincerely,
BANKS ENGINEERING, INC.

6/26/03
Samuel W. Marshall, P.E
Project Manager

RECEIVED
JUN 26 2003
PERMIT COUNTER

CC: Brad Vance
Deno Benetis
Steve Hartsell

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BAYSHORE CREEK
EXISTING

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	22.4	171.00	19.82	23.22		23.22	0.000001	0.06	8506.42	4650.00	0.01
Main	22.4	226.00	19.82	23.40		23.40	0.000001	0.08	9332.96	4650.00	0.01
Main	22.4	309.00	19.82	23.45		23.45	0.000002	0.10	9596.34	4650.00	0.01
Main	22.4	405.00	19.82	23.45		23.45	0.000003	0.13	9586.67	4650.00	0.01
Main	22.3	171.00	17.43	23.22	19.16	23.22	0.000003	0.16	5436.38	4646.00	0.01
Main	22.3	226.00	17.43	23.40	19.50	23.40	0.000003	0.18	6262.17	4646.00	0.01
Main	22.3	309.00	17.43	23.45	19.97	23.45	0.000005	0.23	6490.01	4646.00	0.02
Main	22.3	405.00	17.43	23.45	20.45	23.45	0.000009	0.30	6501.39	4646.00	0.02
Main	22.25	Culvert									
Main	22.2	171.00	17.43	21.87	19.16	21.99	0.000795	2.79	61.22	1394.44	0.24
Main	22.2	226.00	17.43	22.09	19.50	22.28	0.001180	3.52	64.29	1394.79	0.29
Main	22.2	309.00	17.43	22.41	19.97	22.42	0.000157	1.06	1699.85	4646.00	0.10
Main	22.2	405.00	17.43	22.73	20.45	22.73	0.000071	0.76	3149.11	4646.00	0.07
Main	22.1	171.00	17.42	21.88		21.92	0.000395	1.49	325.40	1394.47	0.15
Main	22.1	226.00	17.42	22.14		22.16	0.000285	1.33	680.80	1394.87	0.13
Main	22.1	309.00	17.42	22.41		22.41	0.000172	1.08	1659.18	4646.00	0.10
Main	22.1	405.00	17.42	22.72		22.73	0.000074	0.75	3129.49	4646.00	0.07
Main	21	171.00	17.42	21.47		21.53	0.000764	1.93	88.53	32.80	0.21
Main	21	226.00	17.42	21.73		21.81	0.000999	2.32	101.45	74.15	0.24
Main	21	309.00	17.42	22.15		22.20	0.000711	2.11	757.16	4219.43	0.21
Main	21	405.00	17.42	22.67		22.68	0.000085	0.80	3001.81	4333.93	0.07
Main	20	171.00	17.42	20.86		20.86	0.000214	0.93	986.03	2003.32	0.11
Main	20	226.00	17.42	20.98		20.98	0.000224	0.97	1239.96	2252.97	0.11
Main	20	309.00	17.42	21.69		21.69	0.000037	0.46	3372.89	3745.52	0.05
Main	20	405.00	17.42	22.63		22.63	0.000006	0.23	7530.84	4640.00	0.02
Main	19.4	243.00	16.12	20.51		20.51	0.000358	0.74	1460.47	2838.27	0.08
Main	19.4	320.00	16.12	20.65		20.65	0.000304	0.70	1870.91	2868.66	0.07
Main	19.4	438.00	16.12	21.66		21.66	0.000026	0.24	5382.42	4012.00	0.02
Main	19.4	574.00	16.12	22.63		22.63	0.000008	0.16	9256.75	4012.00	0.01

B.
E.

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	19.3	243.00	16.42	20.50	18.53	20.50	0.000166	0.57	2075.96	4002.89	0.06
Main	19.3	320.00	16.42	20.64	19.50	20.64	0.000142	0.54	2655.95	4003.61	0.05
Main	19.3	438.00	16.42	21.66	19.50	21.66	0.000015	0.20	6715.04	4006.00	0.02
Main	19.3	574.00	16.42	22.63	20.21	22.63	0.000006	0.14	10599.73	4006.00	0.01
Main	19.25	Culvert									
Main	19.2	243.00	16.42	20.50	18.53	20.50	0.000170	0.58	2053.14	3976.09	0.06
Main	19.2	320.00	16.42	20.64	19.50	20.64	0.000145	0.55	2626.80	3978.10	0.05
Main	19.2	438.00	16.42	21.65	19.50	21.65	0.000015	0.20	6666.50	3984.80	0.02
Main	19.2	574.00	16.42	22.62	20.21	22.62	0.000006	0.15	10530.62	3984.80	0.01
Main	19.1	243.00	16.52	20.49		20.49	0.000145	0.51	2194.13	3960.65	0.05
Main	19.1	320.00	16.52	20.63		20.63	0.000126	0.49	2770.30	3962.34	0.05
Main	19.1	438.00	16.52	21.65		21.65	0.000014	0.19	6811.02	3968.00	0.02
Main	19.1	574.00	16.52	22.62		22.62	0.000005	0.14	10674.84	3968.00	0.01
Main	18.4	243.00	16.02	20.30		20.30	0.000097	0.50	1930.52	4008.00	0.05
Main	18.4	320.00	16.02	20.47		20.47	0.000079	0.47	2596.29	4008.00	0.05
Main	18.4	438.00	16.02	21.64		21.64	0.000007	0.17	7280.50	4008.00	0.01
Main	18.4	574.00	16.02	22.62		22.62	0.000003	0.13	11229.68	4008.00	0.01
Main	18.3	243.00	16.02	20.29	18.02	20.29	0.000259	0.82	1294.35	4008.00	0.08
Main	18.3	320.00	16.02	20.46	18.41	20.46	0.000172	0.69	1970.14	4008.00	0.07
Main	18.3	438.00	16.02	21.64	19.50	21.64	0.000009	0.19	6696.41	4008.00	0.02
Main	18.3	574.00	16.02	22.62	19.50	22.62	0.000003	0.14	10653.88	4008.00	0.01
Main	18.25	Culvert									
Main	18.2	243.00	16.02	20.29	18.02	20.29	0.000253	0.81	1311.72	4009.00	0.08
Main	18.2	320.00	16.02	20.46	18.41	20.46	0.000169	0.69	1987.78	4009.00	0.07
Main	18.2	438.00	16.02	21.63	19.50	21.63	0.000009	0.19	6710.89	4009.00	0.02
Main	18.2	574.00	16.02	22.62	19.50	22.62	0.000003	0.14	10673.18	4009.00	0.01
Main	18.1	243.00	15.42	20.25		20.27	0.000439	1.07	778.81	2422.97	0.11

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	18.1	320.00	15.42	20.42		20.43	0.000345	0.99	1187.77	2423.23	0.10
Main	18.1	438.00	15.42	21.63		21.63	0.000021	0.30	4118.10	2425.08	0.03
Main	18.1	574.00	15.42	22.62		22.62	0.000008	0.21	7509.39	4014.00	0.02
Main	17.4	284.00	14.82	20.00		20.07	0.001626	2.18	396.64	6657.76	0.21
Main	17.4	375.00	14.82	20.37		20.37	0.000164	0.73	2815.54	6663.67	0.07
Main	17.4	513.00	14.82	21.63		21.63	0.000004	0.15	11241.97	6680.97	0.01
Main	17.4	673.00	14.82	22.62		22.62	0.000002	0.10	17879.33	6694.34	0.01
Main	17.3	284.00	14.82	19.93	17.26	20.03	0.002197	2.51	125.54	244.16	0.24
Main	17.3	375.00	14.82	20.35	17.65	20.37	0.000578	1.36	1248.12	3177.85	0.13
Main	17.3	513.00	14.82	21.63	18.16	21.63	0.000019	0.30	5365.48	3237.33	0.02
Main	17.3	673.00	14.82	22.62	18.67	22.62	0.000007	0.21	8588.37	3243.32	0.02
Main	17.25	Bridge									
Main	17.2	284.00	14.82	19.88	17.26	19.98	0.002318	2.55	112.54	62.56	0.25
Main	17.2	375.00	14.82	20.30	17.65	20.33	0.000800	1.59	1050.54	3094.00	0.15
Main	17.2	513.00	14.82	21.62	18.16	21.62	0.000020	0.31	5201.31	3161.41	0.02
Main	17.2	673.00	14.82	22.62	18.67	22.62	0.000008	0.21	8368.63	3167.35	0.02
Main	17.1	284.00	14.82	19.89		19.89	0.000045	0.36	2656.90	2714.78	0.03
Main	17.1	375.00	14.82	20.29		20.30	0.000026	0.29	4896.61	6611.79	0.03
Main	17.1	513.00	14.82	21.62		21.62	0.000002	0.10	13735.99	6688.91	0.01
Main	17.1	673.00	14.82	22.62		22.62	0.000001	0.08	20451.36	6700.73	0.01
Main	17	284.00	15.92	19.89		19.89	0.000006	0.12	5886.58	3888.03	0.01
Main	17	375.00	15.92	20.29		20.29	0.000006	0.13	8213.06	6689.68	0.01
Main	17	513.00	15.92	21.62		21.62	0.000001	0.07	17154.47	6720.86	0.01
Main	17	673.00	15.92	22.62		22.62	0.000001	0.06	23918.06	6731.89	0.00
Main	16.4	317.00	13.82	19.88		19.88	0.000002	0.13	9697.36	5680.67	0.01
Main	16.4	419.00	13.82	20.28		20.28	0.000002	0.13	12343.40	7163.57	0.01
Main	16.4	573.00	13.82	21.61		21.61	0.000001	0.09	21938.58	7172.34	0.01
Main	16.4	751.00	13.82	22.62		22.62	0.000000	0.08	29168.35	7178.00	0.01

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	16.3	317.00	16.42	19.88	18.15	19.88	0.000002	0.11	9838.53	6290.47	0.01
Main	16.3	419.00	16.42	20.27	18.18	20.27	0.000002	0.11	12518.00	7159.36	0.01
Main	16.3	573.00	16.42	21.61	18.22	21.61	0.000001	0.08	22159.81	7168.10	0.01
Main	16.3	751.00	16.42	22.62	18.25	22.62	0.000000	0.08	29401.73	7175.00	0.01
Main	16.25	Culvert									
Main	16.2	317.00	16.42	19.88	18.23	19.88	0.000024	0.24	4263.97	4258.45	0.03
Main	16.2	419.00	16.42	20.27	18.31	20.27	0.000020	0.24	6705.17	7161.37	0.02
Main	16.2	573.00	16.42	21.61	18.40	21.61	0.000002	0.10	16348.04	7168.21	0.01
Main	16.2	751.00	16.42	22.62	18.47	22.62	0.000001	0.08	23590.29	7177.00	0.01
Main	16.1	317.00	12.72	19.86		19.87	0.000076	0.57	1741.04	1613.26	0.05
Main	16.1	419.00	12.72	20.26		20.26	0.000048	0.48	3798.54	7130.99	0.04
Main	16.1	573.00	12.72	21.61		21.61	0.000004	0.15	13466.49	7158.40	0.01
Main	16.1	751.00	12.72	22.62		22.62	0.000002	0.11	20719.24	7173.00	0.01
Main	15.4	317.00	12.72	19.83		19.83	0.000004	0.13	6064.88	2398.86	0.01
Main	15.4	419.00	12.72	20.23		20.23	0.000004	0.14	7842.90	5843.50	0.01
Main	15.4	573.00	12.72	21.61		21.61	0.000001	0.10	15999.23	6036.49	0.01
Main	15.4	751.00	12.72	22.62		22.62	0.000001	0.09	22286.56	6287.86	0.01
Main	15.3	317.00	12.72	19.69	15.56	19.80	0.001005	2.59	122.37	2281.71	0.18
Main	15.3	419.00	12.72	20.02	15.97	20.19	0.001475	3.25	128.93	4701.38	0.23
Main	15.3	573.00	12.72	21.33	16.52	21.54	0.001488	3.69	155.14	5009.34	0.23
Main	15.3	751.00	12.72	22.62	17.10	22.62	0.000001	0.10	19402.74	5229.33	0.01
Main	15.25	Culvert									
Main	15.2	317.00	12.72	19.38	15.56	19.50	0.001197	2.73	116.10	330.23	0.20
Main	15.2	419.00	12.72	19.46	15.97	19.65	0.002001	3.56	117.64	337.41	0.26
Main	15.2	573.00	12.72	20.18	16.52	20.47	0.002542	4.34	132.12	1810.07	0.30
Main	15.2	751.00	12.72	20.27	17.10	20.76	0.004166	5.60	134.00	1811.52	0.38
Main	15.1	317.00	12.72	19.40		19.41	0.000279	1.02	538.21	303.42	0.09
Main	15.1	419.00	12.72	19.50		19.52	0.000423	1.27	670.60	1639.22	0.11

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	15.1	573.00	12.72	20.27		20.28	0.000181	0.93	2593.13	4062.00	0.07
Main	15.1	751.00	12.72	20.43		20.43	0.000190	0.98	3240.47	4062.00	0.08
Main	14	317.00	14.12	19.31		19.32	0.000591	1.31	574.04	421.22	0.13
Main	14	419.00	14.12	19.37		19.39	0.000938	1.66	596.69	424.36	0.16
Main	14	573.00	14.12	20.20		20.21	0.000530	1.42	1333.91	1755.77	0.12
Main	14	751.00	14.12	20.35		20.37	0.000622	1.58	1603.68	1762.34	0.13
Main	13	317.00	13.02	18.15		18.20	0.001403	2.03	766.53	4372.28	0.19
Main	13	419.00	13.02	18.38	16.02	18.39	0.000533	1.29	1761.01	4376.37	0.12
Main	13	573.00	13.02	19.85		19.85	0.000011	0.22	8221.13	4391.87	0.02
Main	13	751.00	13.02	19.93		19.93	0.000016	0.28	8551.45	4392.42	0.02
Main	12	317.00	9.22	16.97		16.97	0.000004	0.13	7892.43	4380.33	0.01
Main	12	419.00	9.22	17.92		17.92	0.000002	0.10	12103.50	4427.80	0.01
Main	12	573.00	9.22	19.85		19.85	0.000001	0.07	20756.06	4486.00	0.00
Main	12	751.00	9.22	19.92		19.92	0.000001	0.09	21047.09	4486.00	0.01
Main	11.4	429.00	10.82	16.96		16.96	0.000038	0.41	4364.17	4733.59	0.03
Main	11.4	566.00	10.82	17.91		17.91	0.000008	0.21	9208.26	5445.33	0.02
Main	11.4	774.00	10.82	19.85		19.85	0.000001	0.10	20137.25	5672.62	0.01
Main	11.4	1014.00	10.82	19.92		19.92	0.000002	0.13	20505.04	5674.54	0.01
Main	11.3	429.00	10.82	16.96	13.20	16.96	0.000033	0.38	4558.74	4661.02	0.03
Main	11.3	566.00	10.82	17.90	13.57	17.90	0.000007	0.20	9272.46	5332.30	0.02
Main	11.3	774.00	10.82	19.85	14.08	19.85	0.000001	0.10	20189.78	5645.73	0.01
Main	11.3	1014.00	10.82	19.92	14.60	19.92	0.000002	0.13	20555.55	5647.61	0.01
Main	11.25	Culvert									
Main	11.2	429.00	10.82	15.73	13.20	15.86	0.002562	2.94	145.80	54.82	0.26
Main	11.2	566.00	10.82	17.31	13.57	17.31	0.000021	0.31	6710.69	5214.54	0.02
Main	11.2	774.00	10.82	19.85	14.08	19.85	0.000001	0.10	20527.11	5506.95	0.01
Main	11.2	1014.00	10.82	19.92	14.60	19.92	0.000002	0.12	20889.95	5509.06	0.01
Main	11.1	429.00	8.82	15.68		15.75	0.000481	2.20	198.80	57.39	0.17

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	11.1	566.00	8.82	17.30		17.30	0.000013	0.40	6663.01	5134.95	0.03
Main	11.1	774.00	8.82	19.85		19.85	0.000001	0.13	20259.99	5396.54	0.01
Main	11.1	1014.00	8.82	19.91		19.91	0.000001	0.16	20615.27	5398.43	0.01
Main	10.4	451.00	9.12	15.47		15.47	0.000052	0.34	3773.07	2570.28	0.03
Main	10.4	595.00	9.12	17.29		17.29	0.000007	0.14	9945.00	3750.62	0.01
Main	10.4	814.00	9.12	19.85		19.85	0.000001	0.09	19920.58	4062.99	0.01
Main	10.4	1067.00	9.12	19.91		19.91	0.000002	0.11	20188.11	4071.70	0.01
Main	10.3	451.00	4.82	15.34	8.00	15.44	0.000928	2.53	178.28	1312.77	0.14
Main	10.3	595.00	4.82	17.13	8.61	17.25	0.000929	2.83	210.44	2718.49	0.15
Main	10.3	814.00	4.82	19.85	9.42	19.85	0.000002	0.17	16358.46	3885.20	0.01
Main	10.3	1067.00	4.82	19.91	10.21	19.91	0.000004	0.21	16614.16	3895.86	0.01
Main	10.25	Culvert									
Main	10.2	451.00	4.82	13.36	8.00	13.52	0.001949	3.16	142.70	335.28	0.20
Main	10.2	595.00	4.82	13.64	8.61	13.89	0.003029	4.03	147.63	356.62	0.25
Main	10.2	814.00	4.82	14.07	9.42	14.49	0.004784	5.24	155.35	864.38	0.31
Main	10.2	1067.00	4.82	14.18	10.21	14.89	0.007886	6.78	157.30	917.67	0.40
Main	10.1	451.00	8.82	13.39		13.42	0.002188	2.01	531.23	494.19	0.20
Main	10.1	595.00	8.82	13.70		13.73	0.002227	2.02	698.46	570.88	0.20
Main	10.1	814.00	8.82	14.22		14.24	0.002492	1.98	1157.90	1317.95	0.21
Main	10.1	1067.00	8.82	14.45		14.47	0.002404	1.90	1474.16	1389.64	0.21
Main	9	451.00	6.72	12.14		12.15	0.000397	1.13	1518.54	1347.31	0.09
Main	9	595.00	6.72	12.46		12.46	0.000352	1.11	1958.70	1428.71	0.09
Main	9	814.00	6.72	12.85		12.85	0.000325	1.12	2532.94	1528.41	0.09
Main	9	1067.00	6.72	13.10		13.11	0.000372	1.24	2928.45	1593.45	0.09
Main	8	451.00	7.32	11.37		11.41	0.001334	1.66	293.04	148.14	0.16
Main	8	595.00	7.32	11.70		11.76	0.001618	1.96	346.80	175.11	0.18
Main	8	814.00	7.32	12.09		12.17	0.001967	2.32	744.98	3610.60	0.21
Main	8	1067.00	7.32	12.28		12.35	0.001943	2.38	1414.67	3615.07	0.21

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	7.4	551.00	4.22	10.38		10.39	0.000520	1.46	2105.11	3643.83	0.14
Main	7.4	734.00	4.22	10.42		10.43	0.000788	1.82	2249.38	3647.58	0.17
Main	7.4	1020.00	4.22	10.54		10.55	0.000975	2.07	2686.24	3658.92	0.19
Main	7.4	1332.00	4.22	10.66		10.68	0.001092	2.24	3143.80	3670.76	0.21
Main	7.3	551.00	4.22	10.37	7.21	10.38	0.000260	1.24	2064.23	3604.03	0.11
Main	7.3	734.00	4.22	10.40	7.65	10.42	0.000420	1.58	2182.18	3607.11	0.13
Main	7.3	1020.00	4.22	10.51	8.25	10.54	0.000597	1.92	2582.56	3617.53	0.16
Main	7.3	1332.00	4.22	10.63	9.32	10.66	0.000744	2.18	3010.69	3628.64	0.18
Main	7.25	Culvert									
Main	7.2	551.00	4.22	10.16	7.21	10.21	0.000679	1.94	1264.26	3590.78	0.17
Main	7.2	734.00	4.22	10.33	7.65	10.37	0.000676	1.99	1862.41	3604.26	0.17
Main	7.2	1020.00	4.22	10.47	8.25	10.51	0.000834	2.25	2355.95	3615.35	0.19
Main	7.2	1332.00	4.22	10.62	8.79	10.66	0.000889	2.38	2920.46	3628.00	0.20
Main	7.1	551.00	4.02	10.10	7.97	10.14	0.000919	2.01	1330.71	3537.64	0.19
Main	7.1	734.00	4.02	10.27	8.39	10.30	0.000808	1.95	1952.88	3559.89	0.18
Main	7.1	1020.00	4.02	10.39	9.41	10.43	0.001006	2.22	2385.20	3575.26	0.20
Main	7.1	1332.00	4.02	10.54	9.60	10.57	0.001047	2.33	2925.37	3594.38	0.21
Main	6.4	562.00	1.59	8.01	6.79	8.47	0.007647	5.48	181.33	1348.44	0.53
Main	6.4	750.00	1.59	7.88	7.59	8.70	0.014872	7.44	144.56	172.23	0.73
Main	6.4	1043.00	1.59	8.55		8.75	0.004877	4.84	988.22	1625.24	0.43
Main	6.4	1363.00	1.59	8.88		8.99	0.003304	4.20	1541.64	1790.52	0.36
Main	6.3	562.00	1.50	8.10	6.82	8.24	0.001317	3.06	327.11	1343.69	0.23
Main	6.3	750.00	1.50	8.02	6.82	8.30	0.002574	4.23	221.00	1308.10	0.32
Main	6.3	1043.00	1.50	8.39	6.82	8.66	0.002790	4.60	734.57	1472.37	0.33
Main	6.3	1363.00	1.50	8.62	6.82	8.89	0.003033	4.92	1087.48	1575.34	0.35
Main	6.25	Culvert									
Main	6.2	562.00	1.50	7.34	6.82	7.54	0.002144	3.61	155.78	31.49	0.29
Main	6.2	750.00	1.50	7.93	6.82	8.21	0.002685	4.29	182.03	62.07	0.32

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	6.2	1043.00	1.50	8.34	6.82	8.65	0.003044	4.79	653.31	1436.01	0.35
Main	6.2	1363.00	1.50	8.57	6.82	8.88	0.003372	5.17	990.38	1533.96	0.37
Main	6.1	562.00	1.42	7.08	5.02	7.38	0.004090	4.41	127.37	31.18	0.38
Main	6.1	750.00	1.42	7.66	5.51	8.03	0.004498	4.96	239.41	456.86	0.41
Main	6.1	1043.00	1.42	8.13	6.20	8.48	0.004512	5.26	600.24	1502.83	0.41
Main	6.1	1363.00	1.42	8.40	6.88	8.69	0.004273	5.31	1027.53	1591.72	0.41
Main	6	562.00	-0.58	3.41		3.44	0.000922	1.96	922.88	732.34	0.19
Main	6	750.00	-0.58	3.78		3.80	0.000856	2.03	1195.31	769.12	0.19
Main	6	1043.00	-0.58	4.25		4.27	0.000816	2.15	1569.60	821.84	0.19
Main	6	1363.00	-0.58	4.69		4.72	0.000793	2.26	1944.31	875.48	0.19
Main	5.4	562.00	-3.28	3.00		3.01	0.000404	1.40	1393.64	1277.91	0.13
Main	5.4	750.00	-3.28	3.40		3.41	0.000336	1.34	1916.24	1304.31	0.12
Main	5.4	1043.00	-3.28	3.90		3.91	0.000300	1.33	2571.02	1336.66	0.11
Main	5.4	1363.00	-3.28	4.36		4.37	0.000275	1.36	3329.24	1740.27	0.11
Main	5.3	562.00	-3.28	2.99	0.31	3.00	0.000344	1.29	1612.23	1514.95	0.12
Main	5.3	750.00	-3.28	3.39	0.71	3.40	0.000279	1.22	2224.40	1549.90	0.11
Main	5.3	1043.00	-3.28	3.89	1.25	3.90	0.000242	1.20	3006.38	1593.42	0.10
Main	5.3	1363.00	-3.28	4.35	2.46	4.36	0.000227	1.23	3787.04	1726.25	0.10
Main	5.25	Bridge									
Main	5.2	562.00	-3.28	2.96	0.31	2.97	0.000329	1.26	1702.10	1635.32	0.11
Main	5.2	750.00	-3.28	3.36	0.71	3.37	0.000258	1.17	2361.78	1653.67	0.10
Main	5.2	1043.00	-3.28	3.86	1.25	3.87	0.000217	1.13	3198.73	1676.66	0.10
Main	5.2	1363.00	-3.28	4.32	2.49	4.32	0.000212	1.19	4070.11	2030.00	0.10
Main	5.1	562.00	-3.28	2.88		2.94	0.001043	2.22	667.09	874.81	0.20
Main	5.1	750.00	-3.28	3.30		3.34	0.000929	2.20	1085.89	1147.99	0.20
Main	5.1	1043.00	-3.28	3.82		3.85	0.000769	2.12	1771.13	1490.65	0.18
Main	5.1	1363.00	-3.28	4.28		4.31	0.000640	2.05	2613.17	2004.00	0.17
Main	4	562.00	-3.28	2.50		2.50	0.000052	0.56	3347.52	1394.41	0.05

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	4	750.00	-3.28	2.95		2.95	0.000054	0.61	3978.59	1401.92	0.05
Main	4	1043.00	-3.28	3.52		3.52	0.000058	0.68	4778.02	1411.38	0.05
Main	4	1363.00	-3.28	4.02		4.03	0.000064	0.76	5498.73	1419.44	0.06
Main	3	562.00	-3.68	2.32		2.37	0.001009	2.68	709.18	374.19	0.20
Main	3	750.00	-3.68	2.76		2.81	0.001053	2.88	880.27	395.19	0.21
Main	3	1043.00	-3.68	3.32		3.37	0.001139	3.17	1105.84	421.27	0.22
Main	3	1363.00	-3.68	3.81		3.86	0.001232	3.46	1318.04	444.42	0.23
Main	2	562.00	-3.68	0.56		0.67	0.001798	3.04	469.03	520.58	0.27
Main	2	750.00	-3.68	0.79		0.93	0.002245	3.53	600.12	604.74	0.30
Main	2	1043.00	-3.68	1.12	0.11	1.28	0.002678	4.05	812.71	720.61	0.33
Main	2	1363.00	-3.68	1.44	0.58	1.61	0.002863	4.38	1061.76	836.19	0.35
Main	1	622.00	-4.18	-0.18	-3.29	-0.16	0.000212	1.06	998.05	914.50	0.09
Main	1	840.00	-4.18	-0.18	-3.09	-0.15	0.000386	1.43	998.05	914.50	0.13
Main	1	1171.00	-4.18	-0.18	-2.82	-0.12	0.000751	2.00	998.05	914.50	0.18
Main	1	1542.00	-4.18	-0.18	-2.56	-0.08	0.001301	2.63	998.05	914.50	0.23

BAYSHORE CREEK
PROPOSED

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	22.4	171.00	19.82	23.22		23.22	0.000001	0.06	8504.67	4650.00	0.01
Main	22.4	226.00	19.82	23.42		23.42	0.000001	0.07	9458.06	4650.00	0.01
Main	22.4	309.00	19.82	23.40		23.40	0.000002	0.10	9365.96	4650.00	0.01
Main	22.4	405.00	19.82	23.45		23.45	0.000003	0.13	9589.54	4650.00	0.01
Main	22.3	171.00	17.43	23.22	19.16	23.22	0.000003	0.16	5434.63	4646.00	0.01
Main	22.3	226.00	17.43	23.42	19.50	23.42	0.000003	0.17	6387.20	4646.00	0.01
Main	22.3	309.00	17.43	23.40	19.97	23.40	0.000006	0.24	6259.24	4646.00	0.02
Main	22.3	405.00	17.43	23.45	20.45	23.45	0.000009	0.30	6498.61	4646.00	0.02
Main	22.25	Culvert									
Main	22.2	171.00	17.43	21.87	19.16	21.99	0.000795	2.79	61.21	1394.44	0.24
Main	22.2	226.00	17.43	22.24	19.50	22.42	0.001054	3.40	66.50	4646.00	0.27
Main	22.2	309.00	17.43	22.41	19.97	22.42	0.000159	1.07	1685.25	4646.00	0.10
Main	22.2	405.00	17.43	22.65	20.45	22.65	0.000095	0.86	2798.67	4646.00	0.08
Main	22.1	171.00	17.42	21.88		21.92	0.000396	1.49	324.83	1394.47	0.15
Main	22.1	226.00	17.42	22.30		22.31	0.000153	1.00	1175.06	4646.00	0.10
Main	22.1	309.00	17.42	22.40		22.41	0.000175	1.09	1644.01	4646.00	0.10
Main	22.1	405.00	17.42	22.65		22.65	0.000100	0.87	2773.41	4646.00	0.08
Main	21	171.00	17.42	21.47		21.53	0.000764	1.93	88.50	32.80	0.21
Main	21	226.00	17.42	22.10		22.14	0.000494	1.75	565.26	4211.85	0.17
Main	21	309.00	17.42	22.12		22.19	0.000832	2.27	643.70	4213.56	0.22
Main	21	405.00	17.42	22.56		22.56	0.000137	1.00	2494.71	4308.33	0.09
Main	20	171.00	17.42	20.86		20.86	0.000216	0.93	981.91	1999.02	0.11
Main	20	226.00	17.42	21.79		21.79	0.000015	0.30	3759.68	3956.57	0.03
Main	20	309.00	17.42	21.58		21.58	0.000051	0.53	2971.19	3512.93	0.05
Main	20	405.00	17.42	22.46		22.46	0.000009	0.27	6755.73	4640.00	0.02
Main	19.4	243.00	16.12	20.48		20.48	0.000411	0.79	1389.75	2831.58	0.08
Main	19.4	320.00	16.12	21.78		21.78	0.000011	0.16	5859.60	4012.00	0.01
Main	19.4	438.00	16.12	21.52		21.52	0.000036	0.28	4837.21	4012.00	0.03
Main	19.4	574.00	16.12	22.45		22.45	0.000011	0.18	8549.96	4012.00	0.01

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	19.3	243.00	16.42	20.47	18.53	20.47	0.000191	0.61	1971.06	4002.76	0.06
Main	19.3	320.00	16.42	21.77	19.50	21.77	0.000006	0.14	7192.76	4006.00	0.01
Main	19.3	438.00	16.42	21.52	19.50	21.52	0.000019	0.23	6165.96	4006.00	0.02
Main	19.3	574.00	16.42	22.45	20.21	22.45	0.000007	0.16	9893.89	4006.00	0.01
Main	19.25	Culvert									
Main	19.2	243.00	16.42	20.47	18.53	20.47	0.000194	0.61	1956.70	3975.75	0.06
Main	19.2	320.00	16.42	21.77	19.50	21.77	0.000006	0.14	7143.03	3984.80	0.01
Main	19.2	438.00	16.42	21.52	19.50	21.52	0.000019	0.23	6121.60	3984.80	0.02
Main	19.2	574.00	16.42	22.45	20.21	22.45	0.000007	0.16	9821.25	3984.80	0.01
Main	19.1	243.00	16.52	20.46		20.46	0.000166	0.54	2093.07	3960.36	0.06
Main	19.1	320.00	16.52	21.77		21.77	0.000006	0.13	7286.79	3968.00	0.01
Main	19.1	438.00	16.52	21.51		21.51	0.000018	0.21	6263.77	3968.00	0.02
Main	19.1	574.00	16.52	22.45		22.45	0.000007	0.15	9968.35	3968.00	0.01
Main	18.4	243.00	16.02	20.23		20.24	0.000137	0.59	1656.90	4008.00	0.06
Main	18.4	320.00	16.02	21.77		21.77	0.000003	0.11	7792.57	4008.00	0.01
Main	18.4	438.00	16.02	21.50		21.50	0.000009	0.19	6714.78	4008.00	0.02
Main	18.4	574.00	16.02	22.44		22.44	0.000003	0.14	10515.95	4008.00	0.01
Main	18.3	243.00	16.02	20.22	18.02	20.23	0.000396	1.00	1030.01	4008.00	0.10
Main	18.3	320.00	16.02	21.76	18.41	21.76	0.000004	0.13	7201.87	4008.00	0.01
Main	18.3	438.00	16.02	21.50	19.50	21.50	0.000012	0.22	6134.23	4008.00	0.02
Main	18.3	574.00	16.02	22.44	19.50	22.44	0.000004	0.15	9940.03	4008.00	0.01
Main	18.25	Culvert									
Main	18.2	243.00	16.02	20.22	18.02	20.23	0.000388	0.99	1044.71	4009.00	0.10
Main	18.2	320.00	16.02	21.76	18.41	21.76	0.000004	0.13	7219.17	4009.00	0.01
Main	18.2	438.00	16.02	21.49	19.50	21.49	0.000012	0.22	6134.86	4009.00	0.02
Main	18.2	574.00	16.02	22.44	19.50	22.44	0.000004	0.15	9952.95	4009.00	0.01
Main	18.1	243.00	15.42	20.17		20.19	0.000670	1.30	569.92	2422.84	0.13

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	18.1	320.00	15.42	21.76		21.76	0.000009	0.20	4421.57	2425.27	0.02
Main	18.1	438.00	15.42	21.49		21.49	0.000028	0.34	3771.81	2424.86	0.03
Main	18.1	574.00	15.42	22.44		22.44	0.000010	0.23	6788.15	4014.00	0.02
Main	17.4	284.00	14.82	19.94		19.97	0.000964	1.66	337.85	473.26	0.16
Main	17.4	375.00	14.82	21.75		21.75	0.000002	0.10	12067.08	6682.62	0.01
Main	17.4	513.00	14.82	21.49		21.49	0.000006	0.16	10293.95	6679.08	0.01
Main	17.4	673.00	14.82	22.44		22.44	0.000002	0.11	16676.52	6691.91	0.01
Main	17.3	284.00	14.82	19.84	17.26	19.94	0.002417	2.59	110.16	78.34	0.25
Main	17.3	375.00	14.82	21.75	17.65	21.75	0.000008	0.20	5759.96	3238.20	0.02
Main	17.3	513.00	14.82	21.49	18.16	21.49	0.000025	0.34	4908.98	3236.31	0.03
Main	17.3	673.00	14.82	22.44	18.67	22.44	0.000009	0.23	8005.51	3242.37	0.02
Main	17.25	Bridge									
Main	17.2	284.00	14.82	19.65	17.26	19.77	0.002825	2.74	103.63	32.54	0.27
Main	17.2	375.00	14.82	21.74	17.65	21.74	0.000009	0.21	5570.88	3162.16	0.02
Main	17.2	513.00	14.82	21.48	18.16	21.48	0.000027	0.35	4763.88	3160.51	0.03
Main	17.2	673.00	14.82	22.44	18.67	22.44	0.000009	0.23	7799.23	3166.34	0.02
Main	17.1	284.00	14.82	19.66		19.66	0.000082	0.47	2074.95	2391.31	0.05
Main	17.1	375.00	14.82	21.73		21.73	0.000001	0.07	14506.87	6690.23	0.01
Main	17.1	513.00	14.82	21.48		21.48	0.000003	0.11	12816.35	6687.35	0.01
Main	17.1	673.00	14.82	22.44		22.44	0.000001	0.09	19246.78	6698.57	0.01
Main	17	284.00	15.92	19.66		19.66	0.000009	0.15	5026.19	3686.99	0.02
Main	17	375.00	15.92	21.73		21.73	0.000001	0.05	17917.91	6721.61	0.00
Main	17	513.00	15.92	21.48		21.48	0.000001	0.08	16236.33	6719.95	0.01
Main	17	673.00	15.92	22.44		22.44	0.000001	0.07	22707.72	6731.89	0.00
Main	16.4	317.00	13.82	19.66		19.66	0.000003	0.15	8427.29	5540.88	0.01
Main	16.4	419.00	13.82	21.73		21.73	0.000000	0.06	22741.47	7173.07	0.00
Main	16.4	573.00	13.82	21.48		21.48	0.000001	0.10	20965.09	7171.45	0.01
Main	16.4	751.00	13.82	22.44		22.44	0.000001	0.09	27877.83	7178.00	0.01

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	16.3	317.00	16.42	19.65	18.15	19.65	0.000004	0.13	8444.69	6068.51	0.01
Main	16.3	419.00	16.42	21.72	18.18	21.72	0.000000	0.06	22950.39	7168.82	0.00
Main	16.3	573.00	16.42	21.48	18.22	21.48	0.000001	0.08	21193.22	7167.23	0.01
Main	16.3	751.00	16.42	22.44	18.25	22.44	0.000000	0.08	28111.78	7175.00	0.01
Main	16.25	Culvert									
Main	16.2	317.00	16.42	19.65	18.22	19.65	0.000021	0.26	3352.07	3753.68	0.03
Main	16.2	419.00	16.42	21.70	18.33	21.72	0.000250	1.25	414.79	100.00	0.10
Main	16.2	573.00	16.42	21.48	18.37	21.48	0.000001	0.09	15381.44	7167.52	0.01
Main	16.2	751.00	16.42	22.44	18.44	22.44	0.000001	0.07	22300.12	7177.00	0.01
Main	16.1	317.00	12.72	19.64		19.64	0.000059	0.59	1471.80	1475.91	0.05
Main	16.1	419.00	12.72	21.69		21.70	0.000095	0.94	541.15	108.00	0.07
Main	16.1	573.00	12.72	21.48		21.48	0.000002	0.15	12222.02	7050.03	0.01
Main	16.1	751.00	12.72	22.44		22.44	0.000001	0.11	19116.47	7173.00	0.01
Main	15.4	317.00	12.72	19.61		19.61	0.000002	0.12	5547.38	2384.46	0.01
Main	15.4	419.00	12.72	21.59		21.60	0.000109	0.98	516.37	108.00	0.07
Main	15.4	573.00	12.72	21.47		21.47	0.000001	0.08	15197.11	6017.79	0.01
Main	15.4	751.00	12.72	22.44		22.44	0.000001	0.08	21156.28	6287.86	0.01
Main	15.3	317.00	12.72	19.47	15.56	19.58	0.000791	2.69	117.83	2269.37	0.20
Main	15.3	419.00	12.72	21.46	15.97	21.57	0.000523	2.66	157.68	108.00	0.17
Main	15.3	573.00	12.72	21.19	16.52	21.41	0.001100	3.76	152.27	4975.62	0.24
Main	15.3	751.00	12.72	22.44	17.10	22.44	0.000001	0.09	18463.78	5217.93	0.01
Main	15.25	Culvert									
Main	15.2	317.00	12.72	19.16	15.56	19.29	0.000945	2.84	111.73	311.87	0.21
Main	15.2	419.00	12.72	20.84	15.97	20.97	0.000688	2.88	145.27	108.00	0.19
Main	15.2	573.00	12.72	20.05	16.52	20.35	0.001891	4.43	129.42	1807.98	0.31
Main	15.2	751.00	12.72	20.10	17.10	20.61	0.003167	5.76	130.40	1808.74	0.40
Main	15.1	317.00	12.72	19.19		19.21	0.000229	1.07	475.78	294.99	0.10
Main	15.1	419.00	12.72	20.87		20.90	0.000200	1.23	391.31	108.00	0.09

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	15.1	573.00	12.72	20.15		20.16	0.000152	1.01	2121.23	4062.00	0.08
Main	15.1	751.00	12.72	20.28		20.29	0.000165	1.07	2645.09	4062.00	0.09
Main	14	317.00	14.12	19.12		19.13	0.000481	1.37	493.97	409.94	0.13
Main	14	419.00	14.12	20.73		20.82	0.000974	2.43	210.22	84.00	0.20
Main	14	573.00	14.12	20.10		20.11	0.000370	1.40	1153.72	1751.37	0.12
Main	14	751.00	14.12	20.22		20.23	0.000461	1.60	1364.30	1756.51	0.14
Main	13	317.00	13.02	18.09		18.16	0.001367	2.39	506.88	4370.74	0.22
Main	13	419.00	13.02	19.28		19.37	0.001184	2.57	206.13	82.00	0.21
Main	13	573.00	13.02	19.85		19.85	0.000005	0.19	8221.14	4391.87	0.01
Main	13	751.00	13.02	19.92		19.92	0.000008	0.23	8503.92	4392.34	0.02
Main	12	317.00	9.22	16.96		16.96	0.000002	0.11	7862.73	4379.99	0.01
Main	12	419.00	9.22	18.03		18.06	0.000315	1.59	347.79	83.00	0.11
Main	12	573.00	9.22	19.85		19.85	0.000000	0.06	20756.07	4486.00	0.00
Main	12	751.00	9.22	19.92		19.92	0.000000	0.07	21044.68	4486.00	0.00
Main	11.4	429.00	10.82	16.95		16.95	0.000024	0.39	4308.83	4724.80	0.03
Main	11.4	566.00	10.82	17.91		17.91	0.000005	0.19	9208.32	5445.34	0.01
Main	11.4	774.00	10.82	19.85		19.85	0.000001	0.09	20137.27	5672.62	0.01
Main	11.4	1014.00	10.82	19.92		19.92	0.000001	0.12	20501.99	5674.52	0.01
Main	11.3	429.00	10.82	16.94	13.20	16.94	0.000021	0.37	4462.88	4646.27	0.03
Main	11.3	566.00	10.82	17.90	13.57	17.90	0.000004	0.19	9272.52	5332.31	0.01
Main	11.3	774.00	10.82	19.85	14.08	19.85	0.000001	0.09	20189.79	5645.73	0.01
Main	11.3	1014.00	10.82	19.92	14.60	19.92	0.000001	0.12	20552.51	5647.59	0.01
Main	11.25	Culvert									
Main	11.2	429.00	10.82	15.71	13.20	15.84	0.001809	2.96	145.02	54.09	0.27
Main	11.2	566.00	10.82	17.31	13.57	17.31	0.000012	0.29	6710.69	5214.54	0.02
Main	11.2	774.00	10.82	19.85	14.08	19.85	0.000001	0.09	20527.11	5506.95	0.01
Main	11.2	1014.00	10.82	19.92	14.60	19.92	0.000001	0.11	20889.95	5509.06	0.01
Main	11.1	429.00	8.82	15.68		15.75	0.000481	2.20	198.80	57.39	0.17

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	11.1	566.00	8.82	17.30		17.30	0.000013	0.40	6663.01	5134.95	0.03
Main	11.1	774.00	8.82	19.85		19.85	0.000001	0.13	20259.99	5396.54	0.01
Main	11.1	1014.00	8.82	19.91		19.91	0.000001	0.16	20615.27	5398.43	0.01
Main	10.4	451.00	9.12	15.47		15.47	0.000052	0.34	3773.07	2570.28	0.03
Main	10.4	595.00	9.12	17.29		17.29	0.000007	0.14	9945.00	3750.62	0.01
Main	10.4	814.00	9.12	19.85		19.85	0.000001	0.09	19920.58	4062.99	0.01
Main	10.4	1067.00	9.12	19.91		19.91	0.000002	0.11	20188.11	4071.70	0.01
Main	10.3	451.00	4.82	15.34	8.00	15.44	0.000928	2.53	178.28	1312.77	0.14
Main	10.3	595.00	4.82	17.13	8.61	17.25	0.000929	2.83	210.44	2718.49	0.15
Main	10.3	814.00	4.82	19.85	9.42	19.85	0.000002	0.17	16358.46	3885.20	0.01
Main	10.3	1067.00	4.82	19.91	10.21	19.91	0.000004	0.21	16614.16	3895.86	0.01
Main	10.25	Culvert									
Main	10.2	451.00	4.82	13.36	8.00	13.52	0.001949	3.16	142.70	335.28	0.20
Main	10.2	595.00	4.82	13.64	8.61	13.89	0.003029	4.03	147.63	356.62	0.25
Main	10.2	814.00	4.82	14.07	9.42	14.49	0.004784	5.24	155.35	864.38	0.31
Main	10.2	1067.00	4.82	14.18	10.21	14.89	0.007886	6.78	157.30	917.67	0.40
Main	10.1	451.00	8.82	13.39		13.42	0.002188	2.01	531.23	494.19	0.20
Main	10.1	595.00	8.82	13.70		13.73	0.002227	2.02	698.46	570.88	0.20
Main	10.1	814.00	8.82	14.22		14.24	0.002492	1.98	1157.90	1317.95	0.21
Main	10.1	1067.00	8.82	14.45		14.47	0.002404	1.90	1474.16	1389.64	0.21
Main	9	451.00	6.72	12.14		12.15	0.000397	1.13	1518.54	1347.31	0.09
Main	9	595.00	6.72	12.46		12.46	0.000352	1.11	1958.70	1428.71	0.09
Main	9	814.00	6.72	12.85		12.85	0.000325	1.12	2532.94	1528.41	0.09
Main	9	1067.00	6.72	13.10		13.11	0.000372	1.24	2928.45	1593.45	0.09
Main	8	451.00	7.32	11.37		11.41	0.001334	1.66	293.04	148.14	0.16
Main	8	595.00	7.32	11.70		11.76	0.001618	1.96	346.80	175.11	0.18
Main	8	814.00	7.32	12.09		12.17	0.001967	2.32	744.98	3610.60	0.21
Main	8	1067.00	7.32	12.28		12.35	0.001943	2.38	1414.67	3615.07	0.21

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	7.4	551.00	4.22	10.38		10.39	0.000520	1.46	2105.11	3643.83	0.14
Main	7.4	734.00	4.22	10.42		10.43	0.000788	1.82	2249.38	3647.58	0.17
Main	7.4	1020.00	4.22	10.54		10.55	0.000975	2.07	2686.24	3658.92	0.19
Main	7.4	1332.00	4.22	10.66		10.68	0.001092	2.24	3143.80	3670.76	0.21
Main	7.3	551.00	4.22	10.37	7.21	10.38	0.000260	1.24	2064.23	3604.03	0.11
Main	7.3	734.00	4.22	10.40	7.65	10.42	0.000420	1.58	2182.18	3607.11	0.13
Main	7.3	1020.00	4.22	10.51	8.25	10.54	0.000597	1.92	2582.56	3617.53	0.16
Main	7.3	1332.00	4.22	10.63	9.32	10.66	0.000744	2.18	3010.69	3628.64	0.18
Main	7.25	Culvert									
Main	7.2	551.00	4.22	10.16	7.21	10.21	0.000679	1.94	1264.26	3590.78	0.17
Main	7.2	734.00	4.22	10.33	7.65	10.37	0.000676	1.99	1862.41	3604.26	0.17
Main	7.2	1020.00	4.22	10.47	8.25	10.51	0.000834	2.25	2355.95	3615.35	0.19
Main	7.2	1332.00	4.22	10.62	8.79	10.66	0.000889	2.38	2920.46	3628.00	0.20
Main	7.1	551.00	4.02	10.10	7.97	10.14	0.000919	2.01	1330.71	3537.64	0.19
Main	7.1	734.00	4.02	10.27	8.39	10.30	0.000808	1.95	1952.88	3559.89	0.18
Main	7.1	1020.00	4.02	10.39	9.41	10.43	0.001006	2.22	2385.20	3575.26	0.20
Main	7.1	1332.00	4.02	10.54	9.60	10.57	0.001047	2.33	2925.37	3594.38	0.21
Main	6.4	562.00	1.59	8.01	6.79	8.47	0.007647	5.48	181.33	1348.44	0.53
Main	6.4	750.00	1.59	7.88	7.59	8.70	0.014872	7.44	144.56	172.23	0.73
Main	6.4	1043.00	1.59	8.55		8.75	0.004877	4.84	988.22	1625.24	0.43
Main	6.4	1363.00	1.59	8.88		8.99	0.003304	4.20	1541.64	1790.52	0.36
Main	6.3	562.00	1.50	8.10	6.82	8.24	0.001317	3.06	327.11	1343.69	0.23
Main	6.3	750.00	1.50	8.02	6.82	8.30	0.002574	4.23	221.00	1308.10	0.32
Main	6.3	1043.00	1.50	8.39	6.82	8.66	0.002790	4.60	734.57	1472.37	0.33
Main	6.3	1363.00	1.50	8.62	6.82	8.89	0.003033	4.92	1087.48	1575.34	0.35
Main	6.25	Culvert									
Main	6.2	562.00	1.50	7.34	6.82	7.54	0.002144	3.61	155.78	31.49	0.29
Main	6.2	750.00	1.50	7.93	6.82	8.21	0.002685	4.29	182.03	62.07	0.32

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	6.2	1043.00	1.50	8.34	6.82	8.65	0.003044	4.79	653.31	1436.01	0.35
Main	6.2	1363.00	1.50	8.57	6.82	8.88	0.003372	5.17	990.38	1533.96	0.37
Main	6.1	562.00	1.42	7.08	5.02	7.38	0.004090	4.41	127.37	31.18	0.38
Main	6.1	750.00	1.42	7.66	5.51	8.03	0.004498	4.96	239.41	456.86	0.41
Main	6.1	1043.00	1.42	8.13	6.20	8.48	0.004512	5.26	600.24	1502.83	0.41
Main	6.1	1363.00	1.42	8.40	6.88	8.69	0.004273	5.31	1027.53	1591.72	0.41
Main	6	562.00	-0.58	3.41		3.44	0.000922	1.96	922.88	732.34	0.19
Main	6	750.00	-0.58	3.78		3.80	0.000856	2.03	1195.31	769.12	0.19
Main	6	1043.00	-0.58	4.25		4.27	0.000816	2.15	1569.60	821.84	0.19
Main	6	1363.00	-0.58	4.69		4.72	0.000793	2.26	1944.31	875.48	0.19
Main	5.4	562.00	-3.28	3.00		3.01	0.000404	1.40	1393.64	1277.91	0.13
Main	5.4	750.00	-3.28	3.40		3.41	0.000336	1.34	1916.24	1304.31	0.12
Main	5.4	1043.00	-3.28	3.90		3.91	0.000300	1.33	2571.02	1336.66	0.11
Main	5.4	1363.00	-3.28	4.36		4.37	0.000275	1.36	3329.24	1740.27	0.11
Main	5.3	562.00	-3.28	2.99	0.31	3.00	0.000344	1.29	1612.23	1514.95	0.12
Main	5.3	750.00	-3.28	3.39	0.71	3.40	0.000279	1.22	2224.40	1549.90	0.11
Main	5.3	1043.00	-3.28	3.89	1.25	3.90	0.000242	1.20	3006.38	1593.42	0.10
Main	5.3	1363.00	-3.28	4.35	2.46	4.36	0.000227	1.23	3787.04	1726.25	0.10
Main	5.25	Bridge									
Main	5.2	562.00	-3.28	2.96	0.31	2.97	0.000329	1.26	1702.10	1635.32	0.11
Main	5.2	750.00	-3.28	3.36	0.71	3.37	0.000258	1.17	2361.78	1653.67	0.10
Main	5.2	1043.00	-3.28	3.86	1.25	3.87	0.000217	1.13	3198.73	1676.66	0.10
Main	5.2	1363.00	-3.28	4.32	2.49	4.32	0.000212	1.19	4070.11	2030.00	0.10
Main	5.1	562.00	-3.28	2.88		2.94	0.001043	2.22	667.09	874.81	0.20
Main	5.1	750.00	-3.28	3.30		3.34	0.000929	2.20	1085.89	1147.99	0.20
Main	5.1	1043.00	-3.28	3.82		3.85	0.000769	2.12	1771.13	1490.65	0.18
Main	5.1	1363.00	-3.28	4.28		4.31	0.000640	2.05	2613.17	2004.00	0.17
Main	4	562.00	-3.28	2.50		2.50	0.000052	0.56	3347.52	1394.41	0.05

HEC-RAS Plan: Imported Pla River: Bayshore Creek Reach: Main (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main	4	750.00	-3.28	2.95		2.95	0.000054	0.61	3978.59	1401.92	0.05
Main	4	1043.00	-3.28	3.52		3.52	0.000058	0.68	4778.02	1411.38	0.05
Main	4	1363.00	-3.28	4.02		4.03	0.000064	0.76	5498.73	1419.44	0.06
Main	3	562.00	-3.68	2.32		2.37	0.001009	2.68	709.18	374.19	0.20
Main	3	750.00	-3.68	2.76		2.81	0.001053	2.88	880.27	395.19	0.21
Main	3	1043.00	-3.68	3.32		3.37	0.001139	3.17	1105.84	421.27	0.22
Main	3	1363.00	-3.68	3.81		3.86	0.001232	3.46	1318.04	444.42	0.23
Main	2	562.00	-3.68	0.56		0.67	0.001798	3.04	469.03	520.58	0.27
Main	2	750.00	-3.68	0.79		0.93	0.002245	3.53	600.12	604.74	0.30
Main	2	1043.00	-3.68	1.12	0.11	1.28	0.002678	4.05	812.71	720.61	0.33
Main	2	1363.00	-3.68	1.44	0.58	1.61	0.002863	4.38	1061.76	836.19	0.35
Main	1	622.00	-4.18	-0.18	-3.29	-0.16	0.000212	1.06	998.05	914.50	0.09
Main	1	840.00	-4.18	-0.18	-3.09	-0.15	0.000386	1.43	998.05	914.50	0.13
Main	1	1171.00	-4.18	-0.18	-2.82	-0.12	0.000751	2.00	998.05	914.50	0.18
Main	1	1542.00	-4.18	-0.18	-2.56	-0.08	0.001301	2.63	998.05	914.50	0.23

POPASH CREEK
EXISTING

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	38.4	687.00	23.32	24.92		24.92	0.000093	0.47	4786.74	5591.30	0.07
Main Stem	38.4	912.00	23.32	25.05		25.05	0.000104	0.53	5539.67	5722.49	0.08
Main Stem	38.4	1258.00	23.32	25.23		25.23	0.000117	0.61	6577.41	5898.52	0.08
Main Stem	38.4	1663.00	23.32	25.41		25.41	0.000129	0.68	7654.90	6075.89	0.09
Main Stem	38.3	687.00	23.32	24.92	24.91	24.92	0.000093	0.47	4778.76	5589.90	0.07
Main Stem	38.3	912.00	23.32	25.05	24.91	25.05	0.000105	0.53	5530.33	5720.88	0.08
Main Stem	38.3	1258.00	23.32	25.23	24.91	25.23	0.000118	0.61	6566.36	5896.67	0.08
Main Stem	38.3	1663.00	23.32	25.41	24.92	25.41	0.000130	0.68	7642.22	6073.83	0.09
Main Stem	38.25	Culvert									
Main Stem	38.2	687.00	23.42	24.92	24.91	24.92	0.000061	0.38	5200.75	6157.28	0.06
Main Stem	38.2	912.00	23.42	25.05	24.91	25.05	0.000070	0.43	6038.79	6354.43	0.06
Main Stem	38.2	1258.00	23.42	25.23	24.92	25.23	0.000080	0.50	7189.68	6615.61	0.07
Main Stem	38.2	1663.00	23.42	25.41	24.92	25.41	0.000089	0.57	8400.62	6879.73	0.07
Main Stem	38.1	687.00	23.42	24.92		24.92	0.000062	0.38	5191.97	6155.18	0.06
Main Stem	38.1	912.00	23.42	25.05		25.05	0.000070	0.43	6028.42	6352.03	0.06
Main Stem	38.1	1258.00	23.42	25.23		25.23	0.000081	0.50	7177.29	6612.86	0.07
Main Stem	38.1	1663.00	23.42	25.41		25.41	0.000090	0.57	8386.26	6876.65	0.07
Main Stem	37	687.00	21.62	24.81		24.81	0.000238	1.02	3478.54	4789.88	0.12
Main Stem	37	912.00	21.62	24.93		24.93	0.000269	1.12	4061.98	5062.86	0.13
Main Stem	37	1258.00	21.62	25.09		25.09	0.000300	1.24	4899.86	5430.95	0.14
Main Stem	37	1663.00	21.62	25.25		25.25	0.000322	1.34	5823.05	5809.57	0.14
Main Stem	36	687.00	19.42	24.55		24.55	0.000157	1.00	4594.53	8030.00	0.10
Main Stem	36	912.00	19.42	24.64		24.64	0.000179	1.09	5303.44	8030.00	0.11
Main Stem	36	1258.00	19.42	24.77		24.77	0.000199	1.18	6311.67	8030.00	0.12
Main Stem	36	1663.00	19.42	24.91		24.91	0.000208	1.24	7434.51	8030.00	0.12
Main Stem	35	687.00	19.12	24.16		24.25	0.001535	3.00	1462.13	8011.61	0.32
Main Stem	35	912.00	19.12	24.26	23.28	24.32	0.001280	2.80	2259.89	8012.61	0.30
Main Stem	35	1258.00	19.12	24.40	24.27	24.43	0.001011	2.57	3338.30	8013.96	0.27
Main Stem	35	1663.00	19.12	24.55	24.32	24.57	0.000766	2.32	4588.50	8015.52	0.23

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HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	34	687.00	18.52	23.20		23.20	0.000039	0.54	5730.92	4767.41	0.05
Main Stem	34	912.00	18.52	23.44		23.44	0.000039	0.57	6879.97	4805.89	0.05
Main Stem	34	1258.00	18.52	23.74		23.74	0.000042	0.62	8292.04	4852.75	0.06
Main Stem	34	1663.00	18.52	24.04		24.04	0.000048	0.70	9868.17	7920.00	0.06
Main Stem	33.4	733.00	16.82	23.16		23.16	0.000035	0.52	7174.74	6842.84	0.05
Main Stem	33.4	969.00	16.82	23.40		23.40	0.000033	0.51	8862.73	7144.77	0.05
Main Stem	33.4	1329.00	16.82	23.69		23.69	0.000033	0.52	10995.03	7508.84	0.05
Main Stem	33.4	1764.00	16.82	23.99		23.99	0.000033	0.53	13263.80	7877.76	0.05
Main Stem	33.3	733.00	16.82	23.16	22.26	23.16	0.000035	0.52	7171.34	6842.22	0.05
Main Stem	33.3	969.00	16.82	23.40	22.31	23.40	0.000033	0.51	8859.39	7144.19	0.05
Main Stem	33.3	1329.00	16.82	23.69	22.37	23.69	0.000033	0.52	10991.50	7508.26	0.05
Main Stem	33.3	1764.00	16.82	23.99	22.43	23.99	0.000033	0.53	13260.09	7877.17	0.05
Main Stem	33.25	Culvert									
Main Stem	33.2	733.00	15.52	23.06	19.66	23.16	0.000628	2.71	746.24	1055.76	0.22
Main Stem	33.2	969.00	15.52	23.28	20.37	23.39	0.000787	3.13	996.98	1266.73	0.25
Main Stem	33.2	1329.00	15.52	23.56	21.07	23.69	0.000949	3.56	1388.16	1539.15	0.28
Main Stem	33.2	1764.00	15.52	23.85	22.92	23.98	0.001049	3.89	1874.95	1822.15	0.29
Main Stem	33.1	733.00	15.52	23.00		23.12	0.000761	2.96	568.74	889.24	0.24
Main Stem	33.1	969.00	15.52	23.18		23.34	0.001033	3.53	745.73	1082.98	0.29
Main Stem	33.1	1329.00	15.52	23.41		23.61	0.001376	4.21	1020.41	1328.84	0.33
Main Stem	33.1	1764.00	15.52	23.68		23.91	0.001564	4.65	1428.76	1627.07	0.36
Main Stem	32.4	702.00	16.52	22.83		22.84	0.000230	1.52	2481.83	2932.40	0.13
Main Stem	32.4	917.00	16.52	22.96		22.97	0.000271	1.69	2866.72	2984.31	0.14
Main Stem	32.4	1225.00	16.52	23.12		23.14	0.000318	1.87	3358.67	3049.37	0.16
Main Stem	32.4	1715.00	16.52	23.35		23.36	0.000371	2.09	4056.49	3139.35	0.17
Main Stem	32.3	702.00	17.42	22.82	22.35	22.84	0.000450	1.88	1897.17	2325.63	0.18
Main Stem	32.3	917.00	17.42	22.95	22.43	22.97	0.000521	2.06	2201.41	2362.66	0.19
Main Stem	32.3	1225.00	17.42	23.11	22.53	23.13	0.000600	2.26	2589.62	2409.08	0.20

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	32.3	1715.00	17.42	23.34	22.64	23.36	0.000690	2.50	3139.32	2473.33	0.22
Main Stem	32.25	*Bridge*									
Main Stem	32.2	702.00	17.42	22.79	22.35	22.81	0.000481	1.94	1927.91	2589.70	0.18
Main Stem	32.2	917.00	17.42	22.92	22.44	22.93	0.000537	2.09	2264.15	2610.93	0.19
Main Stem	32.2	1225.00	17.42	23.08	22.52	23.10	0.000592	2.25	2686.50	2610.95	0.20
Main Stem	32.2	1715.00	17.42	23.30	22.64	23.32	0.000651	2.44	3272.66	2610.97	0.21
Main Stem	32.1	702.00	17.42	22.77		22.79	0.000435	1.90	2073.94	2909.29	0.18
Main Stem	32.1	917.00	17.42	22.90		22.92	0.000479	2.04	2451.60	2960.63	0.18
Main Stem	32.1	1225.00	17.42	23.06		23.08	0.000523	2.20	2935.03	3025.08	0.19
Main Stem	32.1	1715.00	17.42	23.28		23.30	0.000566	2.37	3624.21	3114.66	0.20
Main Stem	31	702.00	17.32	22.34	21.38	22.44	0.001640	3.57	1169.61	3034.61	0.34
Main Stem	31	917.00	17.32	22.47	22.36	22.55	0.001490	3.49	1580.36	3042.50	0.32
Main Stem	31	1225.00	17.32	22.64	22.44	22.70	0.001361	3.44	2082.88	3052.12	0.31
Main Stem	31	1715.00	17.32	22.87	22.54	22.92	0.001199	3.36	2803.94	3065.87	0.30
Main Stem	30.4	694.00	17.02	21.22		21.23	0.000411	1.51	1998.83	2036.43	0.16
Main Stem	30.4	905.00	17.02	21.43		21.43	0.000412	1.57	2438.36	2185.45	0.16
Main Stem	30.4	1199.00	17.02	21.64		21.64	0.000433	1.67	2907.89	2254.65	0.17
Main Stem	30.4	1703.00	17.02	21.97		21.97	0.000423	1.78	3652.91	2259.51	0.17
Main Stem	30.3	694.00	16.62	21.21	20.47	21.22	0.000377	1.59	1972.47	1980.18	0.16
Main Stem	30.3	905.00	16.62	21.42	20.55	21.43	0.000387	1.66	2399.20	2118.13	0.16
Main Stem	30.3	1199.00	16.62	21.63	20.83	21.64	0.000429	1.80	2858.73	2250.53	0.17
Main Stem	30.3	1703.00	16.62	21.96	20.83	21.97	0.000424	1.88	3600.92	2250.91	0.17
Main Stem	30.25	Bridge									
Main Stem	30.2	694.00	16.62	21.19	20.37	21.19	0.000058	0.62	4969.58	4124.80	0.06
Main Stem	30.2	905.00	16.62	21.40	20.43	21.40	0.000059	0.65	5828.84	4127.85	0.06
Main Stem	30.2	1199.00	16.62	21.61	20.51	21.61	0.000066	0.70	6700.00	4130.94	0.07
Main Stem	30.2	1703.00	16.62	21.94	20.61	21.94	0.000073	0.78	8058.51	4133.54	0.07

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	30.1	694.00	16.62	21.19		21.19	0.000059	0.63	4944.96	4129.14	0.06
Main Stem	30.1	905.00	16.62	21.39		21.40	0.000060	0.65	5805.22	4133.14	0.06
Main Stem	30.1	1199.00	16.62	21.61		21.61	0.000067	0.71	6678.83	4137.19	0.07
Main Stem	30.1	1703.00	16.62	21.93		21.94	0.000074	0.78	8038.20	4140.00	0.07
Main Stem	29	694.00	17.32	21.17		21.18	0.000333	1.44	2004.43	1942.44	0.15
Main Stem	29	905.00	17.32	21.38		21.38	0.000344	1.52	2419.68	2045.76	0.15
Main Stem	29	1199.00	17.32	21.59		21.60	0.000383	1.67	2865.43	2151.14	0.17
Main Stem	29	1703.00	17.32	21.92		21.93	0.000401	1.81	3587.95	2225.99	0.17
Main Stem	28.4	694.00	14.42	21.13		21.15	0.000539	2.11	1911.31	1885.60	0.19
Main Stem	28.4	903.00	14.42	21.34		21.36	0.000571	2.21	2314.31	1980.37	0.20
Main Stem	28.4	1197.00	14.42	21.56		21.58	0.000643	2.39	2759.23	2080.00	0.21
Main Stem	28.4	1702.00	14.42	21.88		21.90	0.000713	2.60	3461.37	2199.94	0.22
Main Stem	28.3	694.00	14.42	21.13	20.43	21.15	0.000673	2.27	1823.29	1769.58	0.19
Main Stem	28.3	903.00	14.42	21.34	20.82	21.36	0.000699	2.36	2200.02	1844.26	0.19
Main Stem	28.3	1197.00	14.42	21.55	20.82	21.57	0.000791	2.55	2595.79	1919.53	0.20
Main Stem	28.3	1702.00	14.42	21.87	20.89	21.89	0.000877	2.75	3239.99	2036.09	0.21
Main Stem	28.25	Bridge									
Main Stem	28.2	694.00	14.42	21.10	20.43	21.12	0.000743	2.38	1748.65	1743.07	0.20
Main Stem	28.2	903.00	14.42	21.29	20.82	21.31	0.000795	2.50	2088.78	1812.46	0.20
Main Stem	28.2	1197.00	14.42	21.50	20.82	21.52	0.000895	2.70	2472.10	1887.50	0.22
Main Stem	28.2	1702.00	14.42	21.82	20.90	21.84	0.000981	2.90	3103.87	2005.07	0.22
Main Stem	28.1	694.00	15.52	21.09		21.11	0.000531	2.01	1983.19	2319.03	0.19
Main Stem	28.1	903.00	15.52	21.28		21.30	0.000557	2.12	2458.34	2652.60	0.20
Main Stem	28.1	1197.00	15.52	21.49		21.51	0.000586	2.26	3036.62	2919.82	0.21
Main Stem	28.1	1702.00	15.52	21.81		21.83	0.000588	2.39	4054.94	3338.79	0.21
Main Stem	27.4	691.00	13.72	20.84		20.85	0.000151	1.35	3479.68	4009.47	0.11
Main Stem	27.4	898.00	13.72	21.02		21.03	0.000163	1.43	4187.67	4010.00	0.11
Main Stem	27.4	1186.00	13.72	21.22		21.23	0.000181	1.55	4974.91	4010.00	0.12
Main Stem	27.4	1697.00	13.72	21.53		21.54	0.000199	1.69	6230.73	4010.00	0.13

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	27.3	691.00	13.72	20.84	17.30	20.85	0.000154	1.38	3387.54	3914.89	0.11
Main Stem	27.3	898.00	13.72	21.02	17.80	21.03	0.000168	1.47	4081.53	3950.07	0.11
Main Stem	27.3	1186.00	13.72	21.21	18.43	21.22	0.000189	1.59	4859.75	3988.66	0.12
Main Stem	27.3	1697.00	13.72	21.52	20.51	21.53	0.000209	1.73	6103.97	4010.00	0.13
Main Stem	27.25	Bridge									
Main Stem	27.2	691.00	13.62	20.82		20.83	0.000160	1.26	3512.62	4001.65	0.11
Main Stem	27.2	898.00	13.62	21.00		21.00	0.000171	1.33	4218.44	4008.26	0.11
Main Stem	27.2	1186.00	13.62	21.19		21.20	0.000189	1.44	5000.82	4015.31	0.12
Main Stem	27.2	1697.00	13.62	21.49		21.50	0.000211	1.58	6196.63	4020.00	0.13
Main Stem	26.4	690.00	16.32	20.80		20.82	0.000500	1.98	1944.84	2431.80	0.19
Main Stem	26.4	897.00	16.32	20.97		21.00	0.000538	2.06	2381.29	2493.46	0.20
Main Stem	26.4	1185.00	16.32	21.17		21.19	0.000599	2.18	2874.55	2561.59	0.21
Main Stem	26.4	1697.00	16.32	21.47		21.49	0.000665	2.31	3657.18	2666.06	0.22
Main Stem	26.3	690.00	16.32	20.79	19.06	20.81	0.000461	1.90	2253.33	3285.32	0.18
Main Stem	26.3	897.00	16.32	20.96	20.38	20.98	0.000468	1.95	2857.23	3540.90	0.18
Main Stem	26.3	1185.00	16.32	21.16	20.50	21.18	0.000491	2.05	3572.92	3821.72	0.19
Main Stem	26.3	1697.00	16.32	21.45	20.65	21.46	0.000490	2.13	4707.33	3949.72	0.19
Main Stem	26.25	Culvert									
Main Stem	26.2	690.00	12.52	20.80	17.24	20.81	0.000189	1.51	3234.73	3996.53	0.12
Main Stem	26.2	897.00	12.52	20.97	18.00	20.98	0.000201	1.59	3924.41	4006.88	0.12
Main Stem	26.2	1185.00	12.52	21.16	18.57	21.17	0.000221	1.70	4694.08	4010.00	0.13
Main Stem	26.2	1697.00	12.52	21.45	20.55	21.46	0.000248	1.86	5842.14	4010.00	0.14
Main Stem	26.1	690.00	12.52	20.75		20.78	0.000308	1.92	2402.33	3586.61	0.15
Main Stem	26.1	897.00	12.52	20.92		20.95	0.000333	2.03	3040.49	3858.26	0.16
Main Stem	26.1	1185.00	12.52	21.12		21.14	0.000357	2.15	3803.01	4010.00	0.16
Main Stem	26.1	1697.00	12.52	21.40		21.43	0.000374	2.28	4956.02	4010.00	0.17
Main Stem	25.4	690.00	12.32	20.46		20.51	0.000362	2.24	2045.81	4080.00	0.17

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	25.4	897.00	12.32	20.58		20.63	0.000429	2.48	2543.27	4080.00	0.18
Main Stem	25.4	1185.00	12.32	20.76		20.81	0.000455	2.61	3285.01	4080.00	0.19
Main Stem	25.4	1697.00	12.32	21.03		21.08	0.000477	2.75	4407.29	4080.00	0.19
Main Stem	25.3	690.00	15.11	20.44	17.57	20.49	0.000513	2.41	1945.02	4080.00	0.19
Main Stem	25.3	897.00	15.11	20.58	18.04	20.63	0.000547	2.53	2516.49	4080.00	0.19
Main Stem	25.3	1185.00	15.11	20.76	18.63	20.80	0.000554	2.60	3254.33	4080.00	0.20
Main Stem	25.3	1697.00	15.11	21.03	20.52	21.07	0.000551	2.68	4377.56	4080.00	0.20
Main Stem	25.25	Culvert									
Main Stem	25.2	690.00	15.06	20.43	17.58	20.49	0.000537	2.47	1882.94	4040.00	0.19
Main Stem	25.2	897.00	15.06	20.58	18.05	20.63	0.000548	2.55	2505.01	4040.00	0.20
Main Stem	25.2	1185.00	15.06	20.74	18.65	20.79	0.000590	2.70	3151.02	4040.00	0.20
Main Stem	25.2	1697.00	15.06	21.01	20.52	21.05	0.000597	2.80	4225.86	4040.00	0.21
Main Stem	25.1	690.00	11.12	20.39		20.45	0.000446	2.37	1764.52	4026.21	0.18
Main Stem	25.1	897.00	11.12	20.54		20.60	0.000488	2.52	2364.15	4028.70	0.19
Main Stem	25.1	1185.00	11.12	20.70		20.75	0.000555	2.73	2983.25	4030.00	0.20
Main Stem	25.1	1697.00	11.12	20.96		21.01	0.000577	2.86	4065.87	4030.00	0.20
Main Stem	24.4	685.00	14.32	20.15		20.21	0.000555	2.37	1948.86	4667.30	0.21
Main Stem	24.4	888.00	14.32	20.29		20.34	0.000564	2.43	2599.03	4668.43	0.21
Main Stem	24.4	1165.00	14.32	20.40		20.45	0.000669	2.67	3116.93	4669.33	0.23
Main Stem	24.4	1688.00	14.32	20.68		20.72	0.000614	2.64	4419.70	4671.59	0.22
Main Stem	24.3	685.00	14.32	20.11	17.83	20.19	0.000881	2.91	1728.21	4673.26	0.25
Main Stem	24.3	888.00	14.32	20.28	19.06	20.33	0.000756	2.73	2503.00	4676.89	0.23
Main Stem	24.3	1165.00	14.32	20.40	19.39	20.45	0.000834	2.90	3066.69	4679.52	0.25
Main Stem	24.3	1688.00	14.32	20.67	19.77	20.71	0.000725	2.81	4350.15	4680.00	0.23
Main Stem	24.25	Culvert									
Main Stem	24.2	685.00	14.32	20.08	17.83	20.19	0.001106	3.25	1358.65	4674.73	0.28
Main Stem	24.2	888.00	14.32	20.26	19.05	20.33	0.000927	3.02	2185.84	4682.72	0.26
Main Stem	24.2	1165.00	14.32	20.38	19.43	20.45	0.000996	3.17	2776.71	4688.41	0.27

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	24.2	1688.00	14.32	20.66	19.87	20.70	0.000842	3.03	4071.93	4690.00	0.25
Main Stem	24.1	685.00	13.72	19.91		20.08	0.001680	3.49	318.04	764.59	0.32
Main Stem	24.1	888.00	13.72	20.12		20.24	0.001374	3.26	950.24	4476.39	0.30
Main Stem	24.1	1165.00	13.72	20.35		20.38	0.000632	2.28	1959.54	4576.90	0.20
Main Stem	24.1	1688.00	13.72	20.64		20.65	0.000346	1.75	3306.21	4700.00	0.15
Main Stem	23.4	682.00	10.82	19.63		19.65	0.000105	1.17	1458.64	1419.00	0.09
Main Stem	23.4	884.00	10.82	19.88		19.90	0.000114	1.25	1840.15	1624.57	0.09
Main Stem	23.4	1158.00	10.82	20.19		20.20	0.000143	1.45	2779.43	4010.00	0.10
Main Stem	23.4	1684.00	10.82	20.55		20.56	0.000108	1.31	4249.03	4010.00	0.09
Main Stem	23.3	682.00	14.62	19.61	17.49	19.64	0.000487	1.94	836.16	890.64	0.17
Main Stem	23.3	884.00	14.62	19.86	18.79	19.89	0.000475	1.97	1078.45	1025.49	0.17
Main Stem	23.3	1158.00	14.62	20.15	19.03	20.19	0.000636	2.37	1840.59	4010.00	0.20
Main Stem	23.3	1684.00	14.62	20.54	19.31	20.55	0.000267	1.62	3401.20	4010.00	0.13
Main Stem	23.25	Culvert									
Main Stem	23.2	682.00	14.62	19.60	17.49	19.62	0.000381	1.72	998.84	1100.44	0.15
Main Stem	23.2	884.00	14.62	19.85	18.78	19.86	0.000364	1.72	1292.24	1266.11	0.15
Main Stem	23.2	1158.00	14.62	20.16	18.99	20.18	0.000466	2.03	2149.65	4000.00	0.17
Main Stem	23.2	1684.00	14.62	20.54	19.24	20.55	0.000219	1.47	3663.71	4000.00	0.12
Main Stem	23.1	682.00	13.52	19.56		19.60	0.000586	1.85	781.20	1031.37	0.16
Main Stem	23.1	884.00	13.52	19.81		19.84	0.000547	1.85	1061.95	1240.68	0.15
Main Stem	23.1	1158.00	13.52	20.13		20.16	0.000616	2.06	1833.78	4000.00	0.16
Main Stem	23.1	1684.00	13.52	20.53		20.54	0.000257	1.40	3438.62	4000.00	0.11
Main Stem	22	682.00	13.22	19.34		19.35	0.000181	1.07	3047.73	2297.93	0.09
Main Stem	22	884.00	13.22	19.60		19.60	0.000203	1.18	3660.44	2522.56	0.10
Main Stem	22	1158.00	13.22	19.89		19.90	0.000225	1.29	4444.36	2783.66	0.10
Main Stem	22	1684.00	13.22	20.38		20.39	0.000255	1.46	6260.39	3990.00	0.11
Main Stem	21	682.00	11.72	19.12		19.13	0.000355	1.65	2142.87	1490.00	0.12
Main Stem	21	884.00	11.72	19.34		19.36	0.000401	1.80	2480.29	1490.00	0.13

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	21	1158.00	11.72	19.61		19.63	0.000453	1.97	2877.46	1490.00	0.14
Main Stem	21	1684.00	11.72	20.05		20.07	0.000527	2.23	3532.05	1490.00	0.15
Main Stem	20.4	673.00	11.92	18.72		18.74	0.001052	2.15	1885.70	2510.00	0.19
Main Stem	20.4	868.00	11.92	18.95		18.97	0.000848	2.00	2464.65	2510.00	0.18
Main Stem	20.4	1127.00	11.92	19.21		19.23	0.000721	1.93	3126.72	2510.00	0.16
Main Stem	20.4	1669.00	11.92	19.64		19.65	0.000653	1.95	4190.21	2510.00	0.16
Main Stem	20.3	673.00	12.22	18.72	16.82	18.73	0.000217	1.17	2470.24	2510.00	0.10
Main Stem	20.3	868.00	12.22	18.95	16.82	18.96	0.000231	1.25	3042.04	2510.00	0.10
Main Stem	20.3	1127.00	12.22	19.21	16.82	19.22	0.000246	1.34	3699.64	2510.00	0.11
Main Stem	20.3	1669.00	12.22	19.63	16.82	19.64	0.000284	1.52	4753.50	2510.00	0.11
Main Stem	20.25	Culvert									
Main Stem	20.2	673.00	12.22	18.71	16.82	18.73	0.000280	1.33	1851.37	1836.48	0.11
Main Stem	20.2	868.00	12.22	18.94	16.82	18.96	0.000316	1.46	2287.73	1948.18	0.12
Main Stem	20.2	1127.00	12.22	19.20	16.82	19.22	0.000354	1.61	2807.91	2073.49	0.13
Main Stem	20.2	1669.00	12.22	19.60	16.82	19.62	0.000436	1.87	3671.84	2266.35	0.14
Main Stem	20.1	673.00	11.92	18.60		18.69	0.001776	3.12	1072.60	1743.05	0.26
Main Stem	20.1	868.00	11.92	18.86		18.92	0.001483	2.96	1550.91	1881.60	0.24
Main Stem	20.1	1127.00	11.92	19.14		19.19	0.001301	2.87	2096.80	2028.20	0.22
Main Stem	20.1	1669.00	11.92	19.55		19.59	0.001244	2.96	2973.16	2243.61	0.22
Main Stem	19	673.00	10.22	17.52		17.58	0.000958	2.43	1031.18	1091.15	0.20
Main Stem	19	868.00	10.22	17.94		17.99	0.000821	2.38	1550.96	1366.69	0.19
Main Stem	19	1127.00	10.22	18.35		18.39	0.000663	2.26	2601.40	2739.29	0.17
Main Stem	19	1669.00	10.22	18.82		18.84	0.000597	2.26	3871.99	2742.30	0.16
Main Stem	18	673.00	8.22	15.37		15.59	0.002640	3.83	207.68	94.47	0.33
Main Stem	18	868.00	8.22	15.91		16.18	0.002816	4.29	264.49	116.30	0.35
Main Stem	18	1127.00	8.22	16.51		16.84	0.002956	4.76	516.24	822.80	0.36
Main Stem	18	1669.00	8.22	17.18	15.01	17.45	0.002700	4.91	1352.28	1569.74	0.35
Main Stem	17	673.00	7.02	13.35		13.39	0.000662	1.63	428.35	171.49	0.16

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	17	868.00	7.02	13.77		13.83	0.000713	1.84	505.45	191.72	0.17
Main Stem	17	1127.00	7.02	14.25		14.32	0.000786	2.10	626.53	414.97	0.18
Main Stem	17	1669.00	7.02	14.98		15.07	0.000881	2.48	1160.91	1044.02	0.20
Main Stem	16	673.00	5.22	11.56		11.75	0.002173	4.32	643.97	598.68	0.37
Main Stem	16	868.00	5.22	11.92		12.10	0.002109	4.50	882.70	714.99	0.37
Main Stem	16	1127.00	5.22	12.31		12.48	0.002059	4.70	1179.99	828.89	0.37
Main Stem	16	1669.00	5.22	12.94		13.09	0.001996	5.01	1758.80	1011.32	0.38
Main Stem	15	673.00	1.22	8.08		8.20	0.002237	2.75	247.05	143.65	0.34
Main Stem	15	868.00	1.22	8.49		8.62	0.002220	2.89	322.35	219.57	0.35
Main Stem	15	1127.00	1.22	8.95		9.09	0.002171	3.03	440.65	302.54	0.35
Main Stem	15	1669.00	1.22	9.67		9.82	0.002092	3.24	707.87	435.18	0.35
Main Stem	14	673.00	-0.58	6.14		6.19	0.000537	1.97	639.01	515.13	0.18
Main Stem	14	868.00	-0.58	6.56		6.62	0.000553	2.15	870.51	588.25	0.19
Main Stem	14	1127.00	-0.58	7.04		7.11	0.000559	2.34	1175.84	672.63	0.20
Main Stem	14	1669.00	-0.58	7.77		7.85	0.000616	2.71	1711.38	799.42	0.21
Main Stem	12	673.00	-0.92	5.12	4.15	5.35	0.003242	4.08	364.28	391.17	0.43
Main Stem	12	868.00	-0.92	5.56	4.57	5.77	0.002766	4.15	560.90	505.80	0.40
Main Stem	12	1127.00	-0.92	6.12	4.98	6.30	0.002117	4.04	885.19	636.85	0.36
Main Stem	12	1669.00	-0.92	6.83		7.00	0.001891	4.27	1370.20	732.48	0.35
Main Stem	11.4	711.00	-7.18	3.37		3.53	0.000936	3.38	361.07	256.00	0.24
Main Stem	11.4	938.00	-7.18	3.90		4.11	0.001099	3.87	519.74	335.63	0.27
Main Stem	11.4	1275.00	-7.18	4.59		4.84	0.001266	4.44	843.86	642.99	0.29
Main Stem	11.4	1796.00	-7.18	5.29		5.57	0.001406	4.98	1421.29	995.42	0.31
Main Stem	11.3	711.00	-4.58	3.36	-0.09	3.45	0.001494	2.49	285.32	121.83	0.29
Main Stem	11.3	938.00	-4.58	3.90	0.49	4.01	0.001314	2.66	352.61	123.74	0.28
Main Stem	11.3	1275.00	-4.58	4.60	1.22	4.73	0.001200	2.90	439.43	126.16	0.27
Main Stem	11.3	1796.00	-4.58	5.29	2.87	5.47	0.001337	3.41	526.92	128.56	0.30
Main Stem	11.25	Bridge									

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	11.2	711.00	-4.58	3.34	-0.09	3.44	0.001522	2.51	283.69	121.79	0.29
Main Stem	11.2	938.00	-4.58	3.89	0.49	4.00	0.001336	2.67	350.79	123.69	0.28
Main Stem	11.2	1275.00	-4.58	4.58	1.22	4.71	0.001219	2.92	437.26	126.10	0.28
Main Stem	11.2	1796.00	-4.58	5.26	2.87	5.44	0.001363	3.43	523.74	128.47	0.30
Main Stem	10.4	711.00	-3.68	3.19		3.24	0.000455	1.71	520.26	302.60	0.17
Main Stem	10.4	938.00	-3.68	3.76		3.81	0.000438	1.87	715.45	385.18	0.17
Main Stem	10.4	1275.00	-3.68	4.47		4.53	0.000423	2.06	1026.70	492.97	0.17
Main Stem	10.4	1796.00	-3.68	5.15		5.23	0.000485	2.42	1395.64	597.82	0.19
Main Stem	10.3	711.00	-4.18	3.18	-0.35	3.22	0.000360	1.52	466.76	144.05	0.15
Main Stem	10.3	938.00	-4.18	3.75	0.20	3.79	0.000374	1.71	549.17	146.79	0.16
Main Stem	10.3	1275.00	-4.18	4.46	0.77	4.51	0.000398	1.95	654.23	150.21	0.16
Main Stem	10.3	1796.00	-4.18	5.11	1.38	5.20	0.000507	2.38	753.89	153.38	0.19
Main Stem	10.25	Bridge									
Main Stem	10.2	711.00	-4.18	3.18	-0.35	3.21	0.000361	1.52	466.25	144.03	0.15
Main Stem	10.2	938.00	-4.18	3.74	0.20	3.79	0.000375	1.71	548.49	146.77	0.16
Main Stem	10.2	1275.00	-4.18	4.45	0.77	4.51	0.000400	1.95	653.31	150.18	0.16
Main Stem	10.2	1796.00	-4.18	5.10	1.38	5.19	0.000510	2.39	752.44	153.34	0.19
Main Stem	10.1	711.00	-4.78	3.10		3.13	0.000639	1.43	506.19	302.64	0.18
Main Stem	10.1	938.00	-4.78	3.68		3.71	0.000448	1.43	765.29	600.39	0.16
Main Stem	10.1	1275.00	-4.78	4.40		4.43	0.000325	1.44	1359.57	1098.41	0.14
Main Stem	10.1	1796.00	-4.78	5.06		5.09	0.000304	1.58	2259.43	1637.41	0.14
Main Stem	9	711.00	-4.68	2.80		2.87	0.000324	2.30	686.31	450.54	0.15
Main Stem	9	938.00	-4.68	3.40		3.49	0.000371	2.61	1014.64	640.18	0.17
Main Stem	9	1275.00	-4.68	4.09		4.22	0.000474	3.13	1685.70	2456.04	0.19
Main Stem	9	1796.00	-4.68	4.83		4.91	0.000378	2.95	3507.53	2503.80	0.17
Main Stem	8.4	711.00	-3.68	2.38		2.48	0.000955	2.59	290.57	116.67	0.25
Main Stem	8.4	939.00	-3.68	2.92		3.05	0.001007	2.93	361.92	147.69	0.26
Main Stem	8.4	1276.00	-3.68	3.49		3.67	0.001152	3.44	456.81	180.88	0.28
Main Stem	8.4	1799.00	-3.68	4.15		4.41	0.001413	4.17	591.15	247.79	0.32

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	8.3	711.00	-4.08	2.36	-0.71	2.45	0.000630	2.42	332.71	113.84	0.21
Main Stem	8.3	939.00	-4.08	2.90	-0.29	3.02	0.000724	2.82	397.83	127.41	0.23
Main Stem	8.3	1276.00	-4.08	3.47	0.24	3.64	0.000901	3.38	473.13	141.58	0.26
Main Stem	8.3	1799.00	-4.08	4.12	0.90	4.37	0.001185	4.19	563.26	155.58	0.30
Main Stem	8.25	Bridge									
Main Stem	8.2	711.00	-4.08	2.35	-0.71	2.44	0.000620	2.40	358.33	135.32	0.21
Main Stem	8.2	939.00	-4.08	2.89	-0.29	3.01	0.000704	2.77	432.54	143.40	0.22
Main Stem	8.2	1276.00	-4.08	3.45	0.24	3.62	0.000871	3.32	511.48	151.80	0.25
Main Stem	8.2	1799.00	-4.08	4.10	0.90	4.34	0.001147	4.11	603.89	160.48	0.30
Main Stem	7.4	709.00	-4.18	2.35		2.38	0.000319	1.43	541.20	263.34	0.14
Main Stem	7.4	936.00	-4.18	2.89		2.93	0.000320	1.59	690.31	283.70	0.15
Main Stem	7.4	1275.00	-4.18	3.46		3.52	0.000359	1.85	858.13	304.99	0.16
Main Stem	7.4	1783.00	-4.18	4.13		4.20	0.000420	2.21	1067.90	328.45	0.17
Main Stem	7.3	709.00	-2.88	2.23	-0.21	2.33	0.000913	2.63	374.15	289.60	0.24
Main Stem	7.3	936.00	-2.88	2.76	0.17	2.88	0.000924	2.90	521.32	312.21	0.25
Main Stem	7.3	1275.00	-2.88	3.30	0.66	3.45	0.001043	3.34	682.40	335.17	0.27
Main Stem	7.3	1783.00	-2.88	3.91	1.28	4.12	0.001231	3.94	880.36	361.36	0.30
Main Stem	7.25	Bridge									
Main Stem	7.2	709.00	-2.88	2.22	-0.21	2.32	0.000909	2.62	379.84	352.18	0.24
Main Stem	7.2	936.00	-2.88	2.75	0.17	2.87	0.000922	2.89	513.38	357.51	0.25
Main Stem	7.2	1275.00	-2.88	3.29	0.66	3.44	0.001053	3.35	650.67	362.90	0.27
Main Stem	7.2	1783.00	-2.88	3.90	1.28	4.11	0.001264	3.99	809.57	369.03	0.31
Main Stem	7.1	709.00	-2.88	2.15		2.26	0.000996	2.72	316.71	212.62	0.25
Main Stem	7.1	936.00	-2.88	2.67		2.81	0.001044	3.05	448.52	293.38	0.27
Main Stem	7.1	1275.00	-2.88	3.19		3.37	0.001206	3.55	622.34	374.10	0.29
Main Stem	7.1	1783.00	-2.88	3.79		4.02	0.001417	4.18	874.27	466.96	0.32
Main Stem	6	709.00	-4.68	1.82		1.88	0.000329	2.14	1051.98	613.81	0.15

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	6	936.00	-4.68	2.34		2.40	0.000359	2.36	1389.91	677.29	0.16
Main Stem	6	1275.00	-4.68	2.81		2.88	0.000443	2.74	1716.74	714.85	0.18
Main Stem	6	1783.00	-4.68	3.34		3.44	0.000565	3.24	2109.50	757.53	0.20
Main Stem	5	709.00	-4.68	1.58		1.60	0.000205	1.65	2147.69	1533.31	0.12
Main Stem	5	936.00	-4.68	2.03		2.07	0.000289	2.05	2959.53	3430.00	0.14
Main Stem	5	1275.00	-4.68	2.52		2.54	0.000218	1.87	4614.97	3430.00	0.12
Main Stem	5	1783.00	-4.68	3.03		3.04	0.000192	1.84	6372.82	3430.00	0.12
Main Stem	4	709.00	-3.78	1.20		1.29	0.001042	2.87	955.67	1093.23	0.26
Main Stem	4	936.00	-3.78	1.59		1.67	0.000957	2.94	1441.28	1375.31	0.25
Main Stem	4	1275.00	-3.78	2.15		2.22	0.000861	3.03	2421.69	2404.43	0.24
Main Stem	4	1783.00	-3.78	2.75		2.79	0.000564	2.65	3867.28	2422.40	0.20
Main Stem	3	709.00	-4.68	0.60		0.67	0.000472	2.21	486.31	308.06	0.18
Main Stem	3	936.00	-4.68	0.93		1.03	0.000625	2.67	598.85	363.46	0.21
Main Stem	3	1275.00	-4.68	1.40		1.54	0.000802	3.20	786.81	440.72	0.24
Main Stem	3	1783.00	-4.68	2.02		2.21	0.000982	3.80	1091.16	544.61	0.27
Main Stem	2	709.00	-4.98	0.24		0.33	0.001076	2.45	289.47	100.69	0.25
Main Stem	2	936.00	-4.98	0.44		0.58	0.001597	3.02	310.06	106.05	0.31
Main Stem	2	1275.00	-4.98	0.72		0.94	0.002341	3.74	340.63	112.44	0.38
Main Stem	2	1783.00	-4.98	1.11		1.44	0.003228	4.61	401.43	222.91	0.45
Main Stem	1	709.00	-4.68	-0.13	-3.60	-0.12	0.000110	0.84	844.10	298.81	0.08
Main Stem	1	936.00	-4.68	-0.13	-3.40	-0.11	0.000193	1.11	844.10	298.81	0.11
Main Stem	1	1274.00	-4.68	-0.13	-3.13	-0.09	0.000357	1.51	844.10	298.81	0.15
Main Stem	1	1781.00	-4.68	-0.13	-2.79	-0.06	0.000697	2.11	844.10	298.81	0.21

POPASH CREEK
PROPOSED

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	38.4	687.00	23.32	24.92		24.92	0.000093	0.47	4786.74	5591.30	0.07
Main Stem	38.4	912.00	23.32	25.05		25.05	0.000104	0.53	5539.67	5722.49	0.08
Main Stem	38.4	1258.00	23.32	25.23		25.23	0.000117	0.61	6577.42	5898.52	0.08
Main Stem	38.4	1663.00	23.32	25.41		25.41	0.000129	0.68	7654.88	6075.89	0.09
Main Stem	38.3	687.00	23.32	24.92	24.91	24.92	0.000093	0.47	4778.76	5589.90	0.07
Main Stem	38.3	912.00	23.32	25.05	24.91	25.05	0.000105	0.53	5530.33	5720.88	0.08
Main Stem	38.3	1258.00	23.32	25.23	24.91	25.23	0.000118	0.61	6566.38	5896.67	0.08
Main Stem	38.3	1663.00	23.32	25.41	24.92	25.41	0.000130	0.68	7642.19	6073.83	0.09
Main Stem	38.25	Culvert									
Main Stem	38.2	687.00	23.42	24.92	24.91	24.92	0.000061	0.38	5200.75	6157.28	0.06
Main Stem	38.2	912.00	23.42	25.05	24.91	25.05	0.000070	0.43	6038.79	6354.43	0.06
Main Stem	38.2	1258.00	23.42	25.23	24.92	25.23	0.000080	0.50	7189.69	6615.62	0.07
Main Stem	38.2	1663.00	23.42	25.41	24.92	25.41	0.000089	0.57	8400.60	6879.72	0.07
Main Stem	38.1	687.00	23.42	24.92		24.92	0.000062	0.38	5191.97	6155.18	0.06
Main Stem	38.1	912.00	23.42	25.05		25.05	0.000070	0.43	6028.42	6352.03	0.06
Main Stem	38.1	1258.00	23.42	25.23		25.23	0.000081	0.50	7177.31	6612.86	0.07
Main Stem	38.1	1663.00	23.42	25.41		25.41	0.000090	0.57	8386.23	6876.65	0.07
Main Stem	37	687.00	21.62	24.81		24.81	0.000238	1.02	3478.54	4789.88	0.12
Main Stem	37	912.00	21.62	24.93		24.93	0.000269	1.12	4061.99	5062.87	0.13
Main Stem	37	1258.00	21.62	25.09		25.09	0.000300	1.24	4899.86	5430.95	0.14
Main Stem	37	1663.00	21.62	25.25		25.25	0.000322	1.34	5823.03	5809.56	0.14
Main Stem	36	687.00	19.42	24.55		24.55	0.000157	1.00	4594.53	8030.00	0.10
Main Stem	36	912.00	19.42	24.64		24.64	0.000179	1.09	5303.50	8030.00	0.11
Main Stem	36	1258.00	19.42	24.77		24.77	0.000199	1.18	6311.68	8030.00	0.12
Main Stem	36	1663.00	19.42	24.91		24.91	0.000208	1.24	7434.48	8030.00	0.12
Main Stem	35	687.00	19.12	24.16		24.25	0.001535	3.00	1462.13	8011.61	0.32
Main Stem	35	912.00	19.12	24.26	23.28	24.32	0.001279	2.80	2261.05	8012.61	0.30
Main Stem	35	1258.00	19.12	24.40	24.27	24.43	0.001011	2.57	3338.41	8013.96	0.27
Main Stem	35	1663.00	19.12	24.55	24.32	24.57	0.000766	2.32	4588.30	8015.52	0.23

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	34	687.00	18.52	23.20		23.20	0.000039	0.54	5730.92	4767.41	0.05
Main Stem	34	912.00	18.52	23.44		23.45	0.000039	0.57	6883.68	4806.01	0.05
Main Stem	34	1258.00	18.52	23.74		23.74	0.000042	0.62	8292.39	4852.76	0.06
Main Stem	34	1663.00	18.52	24.04		24.04	0.000048	0.70	9867.31	7920.00	0.06
Main Stem	33.4	733.00	16.82	23.16		23.16	0.000035	0.52	7174.74	6842.84	0.05
Main Stem	33.4	969.00	16.82	23.40		23.40	0.000033	0.51	8868.81	7145.84	0.05
Main Stem	33.4	1329.00	16.82	23.69		23.69	0.000033	0.52	10995.63	7508.94	0.05
Main Stem	33.4	1764.00	16.82	23.99		23.99	0.000033	0.53	13262.85	7877.61	0.05
Main Stem	33.3	733.00	16.82	23.16	22.26	23.16	0.000035	0.52	7171.34	6842.22	0.05
Main Stem	33.3	969.00	16.82	23.40	22.31	23.40	0.000033	0.51	8865.47	7145.25	0.05
Main Stem	33.3	1329.00	16.82	23.69	22.37	23.69	0.000033	0.52	10992.10	7508.36	0.05
Main Stem	33.3	1764.00	16.82	23.99	22.43	23.99	0.000033	0.53	13259.14	7877.02	0.05
Main Stem	33.25	Culvert									
Main Stem	33.2	733.00	15.52	23.06	19.66	23.16	0.000628	2.71	746.24	1055.76	0.22
Main Stem	33.2	969.00	15.52	23.28	20.37	23.39	0.000787	3.13	996.99	1266.73	0.25
Main Stem	33.2	1329.00	15.52	23.56	21.07	23.69	0.000949	3.56	1388.15	1539.15	0.28
Main Stem	33.2	1764.00	15.52	23.85	22.92	23.98	0.001049	3.89	1874.65	1821.99	0.29
Main Stem	33.1	733.00	15.52	23.00		23.12	0.000761	2.96	568.74	889.24	0.24
Main Stem	33.1	969.00	15.52	23.18		23.34	0.001032	3.53	745.74	1082.99	0.29
Main Stem	33.1	1329.00	15.52	23.41		23.61	0.001376	4.21	1020.41	1328.84	0.33
Main Stem	33.1	1764.00	15.52	23.68		23.91	0.001565	4.65	1428.28	1626.75	0.36
Main Stem	32.4	702.00	16.52	22.83		22.84	0.000230	1.52	2481.83	2932.40	0.13
Main Stem	32.4	917.00	16.52	22.96		22.97	0.000271	1.69	2866.77	2984.32	0.14
Main Stem	32.4	1225.00	16.52	23.12		23.14	0.000318	1.87	3358.64	3049.37	0.16
Main Stem	32.4	1715.00	16.52	23.35		23.36	0.000371	2.09	4054.55	3139.10	0.17
Main Stem	32.3	702.00	17.42	22.82	22.35	22.84	0.000450	1.88	1897.17	2325.63	0.18
Main Stem	32.3	917.00	17.42	22.95	22.43	22.97	0.000521	2.06	2201.46	2362.66	0.19
Main Stem	32.3	1225.00	17.42	23.11	22.53	23.13	0.000600	2.26	2589.59	2409.08	0.20

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	32.3	1715.00	17.42	23.34	22.64	23.36	0.000691	2.50	3137.73	2473.14	0.22
Main Stem	32.25	Bridge									
Main Stem	32.2	702.00	17.42	22.79	22.35	22.81	0.000481	1.94	1927.91	2589.70	0.18
Main Stem	32.2	917.00	17.42	22.92	22.44	22.93	0.000537	2.09	2264.25	2610.93	0.19
Main Stem	32.2	1225.00	17.42	23.08	22.52	23.10	0.000592	2.25	2686.45	2610.95	0.20
Main Stem	32.2	1715.00	17.42	23.30	22.64	23.32	0.000652	2.44	3270.72	2610.97	0.21
Main Stem	32.1	702.00	17.42	22.77		22.79	0.000435	1.90	2073.94	2909.29	0.18
Main Stem	32.1	917.00	17.42	22.90		22.92	0.000479	2.04	2451.74	2960.65	0.18
Main Stem	32.1	1225.00	17.42	23.06		23.08	0.000523	2.20	2934.97	3025.07	0.19
Main Stem	32.1	1715.00	17.42	23.28		23.30	0.000567	2.37	3621.74	3114.34	0.20
Main Stem	31	702.00	17.32	22.34	21.38	22.44	0.001640	3.57	1169.62	3034.61	0.34
Main Stem	31	917.00	17.32	22.47	22.36	22.55	0.001487	3.49	1581.64	3042.52	0.32
Main Stem	31	1225.00	17.32	22.64	22.44	22.70	0.001361	3.44	2082.57	3052.11	0.31
Main Stem	31	1715.00	17.32	22.87	22.54	22.91	0.001209	3.37	2796.38	3065.73	0.30
Main Stem	30.4	694.00	17.02	21.22		21.22	0.000412	1.51	1996.93	2035.76	0.16
Main Stem	30.4	905.00	17.02	21.43		21.44	0.000408	1.56	2447.95	2188.61	0.16
Main Stem	30.4	1199.00	17.02	21.64		21.64	0.000434	1.68	2905.47	2254.64	0.17
Main Stem	30.4	1703.00	17.02	21.95		21.96	0.000436	1.80	3618.46	2259.28	0.17
Main Stem	30.3	694.00	16.62	21.21	20.47	21.22	0.000378	1.60	1970.58	1979.54	0.16
Main Stem	30.3	905.00	16.62	21.43	20.55	21.43	0.000382	1.65	2410.63	2121.70	0.16
Main Stem	30.3	1199.00	16.62	21.63	20.83	21.64	0.000430	1.80	2856.27	2250.53	0.17
Main Stem	30.3	1703.00	16.62	21.94	20.83	21.95	0.000437	1.91	3566.11	2250.91	0.17
Main Stem	30.25	Bridge									
Main Stem	30.2	694.00	16.62	21.19	20.37	21.19	0.000058	0.62	4965.38	4124.79	0.06
Main Stem	30.2	905.00	16.62	21.41	20.43	21.41	0.000058	0.64	5863.55	4127.97	0.06
Main Stem	30.2	1199.00	16.62	21.61	20.51	21.61	0.000066	0.70	6695.31	4130.92	0.07
Main Stem	30.2	1703.00	16.62	21.92	20.61	21.93	0.000075	0.79	7991.86	4133.43	0.07

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	30.1	694.00	16.62	21.19		21.19	0.000059	0.63	4940.67	4129.12	0.06
Main Stem	30.1	905.00	16.62	21.40		21.41	0.000058	0.64	5844.12	4133.32	0.06
Main Stem	30.1	1199.00	16.62	21.61		21.61	0.000067	0.71	6674.07	4137.17	0.07
Main Stem	30.1	1703.00	16.62	21.92		21.92	0.000076	0.79	7970.53	4140.00	0.07
Main Stem	29	694.00	17.32	21.17		21.17	0.000334	1.44	2002.29	1941.90	0.15
Main Stem	29	905.00	17.32	21.39		21.40	0.000334	1.50	2445.75	2052.07	0.15
Main Stem	29	1199.00	17.32	21.59		21.60	0.000384	1.67	2862.85	2150.54	0.17
Main Stem	29	1703.00	17.32	21.90		21.91	0.000415	1.84	3550.07	2225.19	0.17
Main Stem	28.4	694.00	14.42	21.13		21.15	0.000541	2.11	1908.99	1885.04	0.19
Main Stem	28.4	903.00	14.42	21.36		21.38	0.000544	2.16	2360.07	1990.85	0.19
Main Stem	28.4	1197.00	14.42	21.56		21.58	0.000645	2.40	2756.56	2079.41	0.21
Main Stem	28.4	1702.00	14.42	21.86		21.89	0.000738	2.64	3421.15	2199.92	0.22
Main Stem	28.3	694.00	14.42	21.13	20.43	21.15	0.000675	2.28	1821.11	1769.14	0.19
Main Stem	28.3	903.00	14.42	21.35	20.82	21.37	0.000676	2.32	2228.41	1849.77	0.19
Main Stem	28.3	1197.00	14.42	21.55	20.82	21.57	0.000793	2.55	2593.27	1919.06	0.20
Main Stem	28.3	1702.00	14.42	21.85	20.89	21.87	0.000906	2.79	3202.06	2029.41	0.22
Main Stem	28.25	Bridge									
Main Stem	28.2	694.00	14.42	21.10	20.43	21.12	0.000745	2.39	1746.76	1742.67	0.20
Main Stem	28.2	903.00	14.42	21.31	20.82	21.33	0.000764	2.46	2120.93	1818.87	0.20
Main Stem	28.2	1197.00	14.42	21.49	20.82	21.52	0.000898	2.71	2469.26	1886.96	0.22
Main Stem	28.2	1702.00	14.42	21.80	20.90	21.82	0.001018	2.95	3061.87	1997.47	0.23
Main Stem	28.1	694.00	15.52	21.09		21.11	0.000532	2.01	1980.63	2316.85	0.19
Main Stem	28.1	903.00	15.52	21.30		21.32	0.000531	2.08	2507.45	2676.33	0.19
Main Stem	28.1	1197.00	15.52	21.49		21.51	0.000588	2.27	3032.08	2917.82	0.21
Main Stem	28.1	1702.00	15.52	21.79		21.81	0.000614	2.44	3983.33	3311.06	0.21
Main Stem	27.4	691.00	13.72	20.84		20.85	0.000152	1.36	3471.13	4009.45	0.11
Main Stem	27.4	898.00	13.72	21.05		21.06	0.000150	1.38	4325.65	4010.00	0.11
Main Stem	27.4	1186.00	13.72	21.21		21.22	0.000182	1.55	4964.10	4010.00	0.12
Main Stem	27.4	1697.00	13.72	21.49		21.50	0.000214	1.74	6073.60	4010.00	0.13

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	27.3	691.00	13.72	20.84	17.30	20.85	0.000155	1.38	3379.05	3914.45	0.11
Main Stem	27.3	898.00	13.72	21.05	17.80	21.06	0.000155	1.41	4219.14	3956.93	0.11
Main Stem	27.3	1186.00	13.72	21.21	18.43	21.22	0.000190	1.59	4848.88	3988.13	0.12
Main Stem	27.3	1697.00	13.72	21.48	20.51	21.50	0.000224	1.78	5954.13	4010.00	0.13
Main Stem	27.25	Bridge									
Main Stem	27.2	691.00	13.62	20.82		20.83	0.000161	1.27	3503.29	4001.04	0.11
Main Stem	27.2	898.00	13.62	21.03		21.04	0.000156	1.28	4366.34	4009.59	0.11
Main Stem	27.2	1186.00	13.62	21.19		21.20	0.000190	1.44	4989.23	4015.20	0.12
Main Stem	27.2	1697.00	13.62	21.46		21.47	0.000223	1.62	6085.33	4020.00	0.13
Main Stem	26.4	690.00	16.32	20.79		20.82	0.000503	1.99	1938.69	2430.94	0.19
Main Stem	26.4	897.00	16.32	21.01		21.03	0.000489	1.96	2480.03	2507.25	0.19
Main Stem	26.4	1185.00	16.32	21.16		21.19	0.000603	2.18	2866.66	2560.51	0.21
Main Stem	26.4	1697.00	16.32	21.44		21.46	0.000705	2.37	3576.38	2655.46	0.22
Main Stem	26.3	690.00	16.32	20.78	19.06	20.81	0.000464	1.90	2244.73	3281.54	0.18
Main Stem	26.3	897.00	16.32	21.00	20.38	21.02	0.000419	1.86	3001.93	3599.44	0.17
Main Stem	26.3	1185.00	16.32	21.15	20.50	21.17	0.000495	2.05	3560.82	3817.14	0.19
Main Stem	26.3	1697.00	16.32	21.42	20.65	21.44	0.000515	2.18	4623.44	3946.29	0.20
Main Stem	26.25	Culvert									
Main Stem	26.2	690.00	12.52	20.79	17.24	20.81	0.000190	1.51	3225.43	3996.39	0.12
Main Stem	26.2	897.00	12.52	20.97	18.00	20.98	0.000201	1.59	3924.71	4006.88	0.12
Main Stem	26.2	1185.00	12.52	21.16	18.57	21.17	0.000221	1.70	4690.85	4010.00	0.13
Main Stem	26.2	1697.00	12.52	21.43	20.55	21.44	0.000256	1.89	5772.51	4010.00	0.14
Main Stem	26.1	690.00	12.52	20.75		20.78	0.000310	1.92	2392.52	3582.27	0.15
Main Stem	26.1	897.00	12.52	20.92		20.95	0.000333	2.03	3040.84	3858.40	0.16
Main Stem	26.1	1185.00	12.52	21.12		21.14	0.000358	2.15	3799.28	4010.00	0.16
Main Stem	26.1	1697.00	12.52	21.38		21.41	0.000390	2.32	4877.88	4010.00	0.17
Main Stem	25.4	690.00	12.32	20.45		20.50	0.000371	2.27	2009.13	4080.00	0.17

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	25.4	897.00	12.32	20.58		20.63	0.000427	2.47	2550.12	4080.00	0.18
Main Stem	25.4	1185.00	12.32	20.76		20.81	0.000458	2.62	3272.05	4080.00	0.19
Main Stem	25.4	1697.00	12.32	20.98		21.03	0.000547	2.93	4162.94	4080.00	0.21
Main Stem	25.3	690.00	15.11	20.43	17.57	20.48	0.000532	2.45	1901.09	4080.00	0.19
Main Stem	25.3	897.00	15.11	20.58	18.04	20.63	0.000544	2.52	2523.25	4080.00	0.19
Main Stem	25.3	1185.00	15.11	20.76	18.63	20.80	0.000558	2.61	3242.73	4080.00	0.20
Main Stem	25.3	1697.00	15.11	20.97	20.52	21.02	0.000639	2.87	4131.61	4080.00	0.21
Main Stem	25.25	Culvert									
Main Stem	25.2	690.00	15.06	20.42	17.58	20.48	0.000547	2.49	1860.45	4040.00	0.19
Main Stem	25.2	897.00	15.06	20.58	18.05	20.63	0.000543	2.54	2516.47	4040.00	0.20
Main Stem	25.2	1185.00	15.06	20.73	18.65	20.78	0.000610	2.74	3104.13	4040.00	0.21
Main Stem	25.2	1697.00	15.06	20.97	20.52	21.01	0.000657	2.92	4068.39	4040.00	0.22
Main Stem	25.1	690.00	11.12	20.39		20.45	0.000456	2.39	1732.82	4026.08	0.18
Main Stem	25.1	897.00	11.12	20.55		20.60	0.000483	2.50	2379.19	4028.76	0.18
Main Stem	25.1	1185.00	11.12	20.68		20.74	0.000580	2.78	2917.82	4030.00	0.20
Main Stem	25.1	1697.00	11.12	20.92		20.97	0.000648	3.02	3869.67	4030.00	0.22
Main Stem	24.4	685.00	14.32	20.13		20.19	0.000613	2.48	1825.35	4667.09	0.22
Main Stem	24.4	888.00	14.32	20.30		20.35	0.000543	2.38	2650.38	4668.52	0.20
Main Stem	24.4	1165.00	14.32	20.34		20.41	0.000820	2.94	2828.72	4668.83	0.25
Main Stem	24.4	1688.00	14.32	20.53		20.59	0.000947	3.23	3706.88	4670.35	0.27
Main Stem	24.3	685.00	14.32	20.06	17.83	20.17	0.001097	3.23	1486.67	4672.13	0.28
Main Stem	24.3	888.00	14.32	20.29	19.06	20.34	0.000724	2.68	2555.54	4677.13	0.23
Main Stem	24.3	1165.00	14.32	20.33	19.39	20.40	0.001087	3.29	2724.81	4677.92	0.28
Main Stem	24.3	1688.00	14.32	20.53	19.77	20.59	0.001133	3.44	3666.99	4680.00	0.29
Main Stem	24.25	Culvert									
Main Stem	24.2	685.00	14.32	20.01	17.83	20.17	0.001471	3.72	1000.25	4671.26	0.32
Main Stem	24.2	888.00	14.32	20.27	19.05	20.34	0.000890	2.96	2235.20	4683.19	0.25
Main Stem	24.2	1165.00	14.32	20.30	19.43	20.40	0.001355	3.67	2385.93	4684.65	0.31

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	24.2	1688.00	14.32	20.52	19.87	20.59	0.001322	3.72	3397.20	4690.00	0.31
Main Stem	24.1	685.00	13.72	19.84		20.04	0.001883	3.66	273.87	648.55	0.34
Main Stem	24.1	888.00	13.72	20.11		20.24	0.001505	3.40	883.99	4469.71	0.31
Main Stem	24.1	1165.00	13.72	20.20		20.31	0.001442	3.37	1309.62	4512.44	0.30
Main Stem	24.1	1688.00	13.72	20.47		20.50	0.000703	2.44	2539.43	4633.66	0.21
Main Stem	23.4	682.00	10.82	19.54		19.55	0.000124	1.26	1325.96	1340.13	0.09
Main Stem	23.4	884.00	10.82	19.84		19.86	0.000122	1.29	1774.44	1591.05	0.09
Main Stem	23.4	1158.00	10.82	19.91		19.93	0.000186	1.61	1884.29	1646.70	0.12
Main Stem	23.4	1684.00	10.82	20.28		20.30	0.000226	1.84	3163.28	4010.00	0.13
Main Stem	23.3	682.00	14.62	19.51	17.49	19.54	0.000608	2.15	749.57	837.19	0.19
Main Stem	23.3	884.00	14.62	19.82	18.79	19.85	0.000515	2.04	1039.93	1005.26	0.18
Main Stem	23.3	1158.00	14.62	19.88	19.03	19.92	0.000782	2.53	1099.17	1036.21	0.22
Main Stem	23.3	1684.00	14.62	20.26	19.31	20.30	0.000807	2.71	2272.65	4010.00	0.23
Main Stem	23.25	Culvert									
Main Stem	23.2	682.00	14.62	19.39	17.49	19.42	0.000631	2.16	782.21	959.95	0.20
Main Stem	23.2	884.00	14.62	19.82	18.78	19.84	0.000382	1.76	1263.91	1251.07	0.15
Main Stem	23.2	1158.00	14.62	19.87	18.99	19.90	0.000593	2.20	1321.67	1281.54	0.19
Main Stem	23.2	1684.00	14.62	20.27	19.24	20.30	0.000596	2.33	2592.51	4000.00	0.20
Main Stem	23.1	682.00	13.52	19.31		19.39	0.000777	2.56	545.90	808.56	0.22
Main Stem	23.1	884.00	13.52	19.72		19.80	0.000821	2.80	524.21	324.68	0.23
Main Stem	23.1	1158.00	13.52	19.79		19.85	0.000796	2.78	1032.11	1220.14	0.23
Main Stem	23.1	1684.00	13.52	20.20		20.26	0.000776	2.91	2129.31	4000.00	0.23
Main Stem	22	682.00	13.22	19.08		19.09	0.000142	1.15	2481.39	2068.71	0.10
Main Stem	22	884.00	13.22	19.48		19.49	0.000162	1.30	2070.73	896.20	0.11
Main Stem	22	1158.00	13.22	19.53		19.54	0.000192	1.42	3494.04	2463.58	0.12
Main Stem	22	1684.00	13.22	19.94		19.95	0.000216	1.60	4587.21	2828.64	0.12
Main Stem	21	682.00	11.72	18.90		18.92	0.000271	1.75	1824.70	1490.00	0.13
Main Stem	21	884.00	11.72	19.29		19.30	0.000277	1.86	1991.62	1188.12	0.14

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	21	1158.00	11.72	19.29		19.31	0.000370	2.15	2399.24	1490.00	0.16
Main Stem	21	1684.00	11.72	19.66		19.69	0.000428	2.41	2957.11	1490.00	0.17
Main Stem	20.4	673.00	11.92	18.59		18.62	0.000845	2.35	1566.67	2510.00	0.22
Main Stem	20.4	868.00	11.92	19.03		19.05	0.000508	1.96	2035.53	1898.69	0.17
Main Stem	20.4	1127.00	11.92	18.95		18.97	0.000697	2.27	2455.87	2510.00	0.20
Main Stem	20.4	1669.00	11.92	19.31		19.33	0.000594	2.22	3374.78	2510.00	0.19
Main Stem	20.3	673.00	12.22	18.60	16.82	18.61	0.000155	1.22	2158.55	2510.00	0.10
Main Stem	20.3	868.00	12.22	19.02	16.82	19.04	0.000210	1.49	1611.48	933.88	0.12
Main Stem	20.3	1127.00	12.22	18.95	16.82	18.96	0.000207	1.48	3035.73	2510.00	0.12
Main Stem	20.3	1669.00	12.22	19.31	16.82	19.32	0.000236	1.66	3940.99	2510.00	0.13
Main Stem	20.25	Culvert									
Main Stem	20.2	673.00	12.22	18.58	16.82	18.60	0.000199	1.38	1619.16	1774.17	0.12
Main Stem	20.2	868.00	12.22	18.95	16.82	18.98	0.000229	1.55	1548.54	933.88	0.13
Main Stem	20.2	1127.00	12.22	18.93	16.82	18.96	0.000296	1.77	2264.80	1942.47	0.14
Main Stem	20.2	1669.00	12.22	19.28	16.82	19.31	0.000363	2.05	2975.46	2112.27	0.16
Main Stem	20.1	673.00	11.92	18.34	16.24	18.53	0.002117	4.10	644.96	1609.09	0.35
Main Stem	20.1	868.00	11.92	18.78		18.92	0.001703	3.87	792.73	846.80	0.31
Main Stem	20.1	1127.00	11.92	18.82		18.91	0.001445	3.63	1479.13	1861.47	0.29
Main Stem	20.1	1669.00	11.92	19.21		19.27	0.001219	3.51	2246.70	2066.64	0.27
Main Stem	19	673.00	10.22	17.15		17.25	0.001009	2.95	672.21	850.25	0.25
Main Stem	19	868.00	10.22	17.73		17.83	0.000949	3.11	618.45	302.74	0.25
Main Stem	19	1127.00	10.22	17.97		18.03	0.000707	2.78	1597.32	1388.61	0.22
Main Stem	19	1669.00	10.22	18.52		18.55	0.000530	2.57	3050.01	2740.35	0.19
Main Stem	18	673.00	8.22	14.93		15.22	0.002490	4.32	170.19	76.74	0.39
Main Stem	18	868.00	8.22	15.48		15.84	0.002715	4.83	201.10	76.54	0.41
Main Stem	18	1127.00	8.22	15.98		16.41	0.002830	5.42	272.53	119.07	0.44
Main Stem	18	1669.00	8.22	16.78		17.26	0.002874	6.06	787.53	1192.93	0.45
Main Stem	17	673.00	7.02	13.12		13.17	0.000549	1.76	390.14	160.52	0.18

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	17	868.00	7.02	13.54		13.60	0.000589	1.99	438.82	135.80	0.19
Main Stem	17	1127.00	7.02	13.97		14.05	0.000635	2.25	544.52	201.20	0.20
Main Stem	17	1669.00	7.02	14.70		14.81	0.000723	2.70	899.91	801.07	0.23
Main Stem	16	673.00	5.22	11.56		11.75	0.002173	4.32	643.97	598.68	0.37
Main Stem	16	868.00	5.22	11.92		12.10	0.002109	4.50	882.70	714.99	0.37
Main Stem	16	1127.00	5.22	12.31		12.48	0.002059	4.70	1179.99	828.89	0.37
Main Stem	16	1669.00	5.22	12.94		13.09	0.001996	5.01	1758.80	1011.32	0.38
Main Stem	15	673.00	1.22	8.08		8.20	0.002237	2.75	247.05	143.65	0.34
Main Stem	15	868.00	1.22	8.49		8.62	0.002220	2.89	322.35	219.57	0.35
Main Stem	15	1127.00	1.22	8.95		9.09	0.002171	3.03	440.65	302.54	0.35
Main Stem	15	1669.00	1.22	9.67		9.82	0.002092	3.24	707.87	435.18	0.35
Main Stem	14	673.00	-0.58	6.14		6.19	0.000537	1.97	639.01	515.13	0.18
Main Stem	14	868.00	-0.58	6.56		6.62	0.000553	2.15	870.51	588.25	0.19
Main Stem	14	1127.00	-0.58	7.04		7.11	0.000559	2.34	1175.84	672.63	0.20
Main Stem	14	1669.00	-0.58	7.77		7.85	0.000616	2.71	1711.38	799.42	0.21
Main Stem	12	673.00	-0.92	5.12	4.15	5.35	0.003242	4.08	364.28	391.17	0.43
Main Stem	12	868.00	-0.92	5.56	4.57	5.77	0.002766	4.15	560.90	505.80	0.40
Main Stem	12	1127.00	-0.92	6.12	4.98	6.30	0.002117	4.04	885.19	636.85	0.36
Main Stem	12	1669.00	-0.92	6.83		7.00	0.001891	4.27	1370.20	732.48	0.35
Main Stem	11.4	711.00	-7.18	3.37		3.53	0.000936	3.38	361.07	256.00	0.24
Main Stem	11.4	938.00	-7.18	3.90		4.11	0.001099	3.87	519.74	335.63	0.27
Main Stem	11.4	1275.00	-7.18	4.59		4.84	0.001266	4.44	843.86	642.99	0.29
Main Stem	11.4	1796.00	-7.18	5.29		5.57	0.001406	4.98	1421.29	995.42	0.31
Main Stem	11.3	711.00	-4.58	3.36	-0.09	3.45	0.001494	2.49	285.32	121.83	0.29
Main Stem	11.3	938.00	-4.58	3.90	0.49	4.01	0.001314	2.66	352.61	123.74	0.28
Main Stem	11.3	1275.00	-4.58	4.60	1.22	4.73	0.001200	2.90	439.43	126.16	0.27
Main Stem	11.3	1796.00	-4.58	5.29	2.87	5.47	0.001337	3.41	526.92	128.56	0.30
Main Stem	11.25	Bridge									

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	11.2	711.00	-4.58	3.34	-0.09	3.44	0.001522	2.51	283.69	121.79	0.29
Main Stem	11.2	938.00	-4.58	3.89	0.49	4.00	0.001336	2.67	350.79	123.69	0.28
Main Stem	11.2	1275.00	-4.58	4.58	1.22	4.71	0.001219	2.92	437.26	126.10	0.28
Main Stem	11.2	1796.00	-4.58	5.26	2.87	5.44	0.001363	3.43	523.74	128.47	0.30
Main Stem	10.4	711.00	-3.68	3.19		3.24	0.000455	1.71	520.26	302.60	0.17
Main Stem	10.4	938.00	-3.68	3.76		3.81	0.000438	1.87	715.45	385.18	0.17
Main Stem	10.4	1275.00	-3.68	4.47		4.53	0.000423	2.06	1026.70	492.97	0.17
Main Stem	10.4	1796.00	-3.68	5.15		5.23	0.000485	2.42	1395.64	597.82	0.19
Main Stem	10.3	711.00	-4.18	3.18	-0.35	3.22	0.000360	1.52	466.76	144.05	0.15
Main Stem	10.3	938.00	-4.18	3.75	0.20	3.79	0.000374	1.71	549.17	146.79	0.16
Main Stem	10.3	1275.00	-4.18	4.46	0.77	4.51	0.000398	1.95	654.23	150.21	0.16
Main Stem	10.3	1796.00	-4.18	5.11	1.38	5.20	0.000507	2.38	753.89	153.38	0.19
Main Stem	10.25	Bridge									
Main Stem	10.2	711.00	-4.18	3.18	-0.35	3.21	0.000361	1.52	466.25	144.03	0.15
Main Stem	10.2	938.00	-4.18	3.74	0.20	3.79	0.000375	1.71	548.49	146.77	0.16
Main Stem	10.2	1275.00	-4.18	4.45	0.77	4.51	0.000400	1.95	653.31	150.18	0.16
Main Stem	10.2	1796.00	-4.18	5.10	1.38	5.19	0.000510	2.39	752.44	153.34	0.19
Main Stem	10.1	711.00	-4.78	3.10		3.13	0.000639	1.43	506.19	302.64	0.18
Main Stem	10.1	938.00	-4.78	3.68		3.71	0.000448	1.43	765.29	600.39	0.16
Main Stem	10.1	1275.00	-4.78	4.40		4.43	0.000325	1.44	1359.57	1098.41	0.14
Main Stem	10.1	1796.00	-4.78	5.06		5.09	0.000304	1.58	2259.43	1637.41	0.14
Main Stem	9	711.00	-4.68	2.80		2.87	0.000324	2.30	686.31	450.54	0.15
Main Stem	9	938.00	-4.68	3.40		3.49	0.000371	2.61	1014.64	640.18	0.17
Main Stem	9	1275.00	-4.68	4.09		4.22	0.000474	3.13	1685.70	2456.04	0.19
Main Stem	9	1796.00	-4.68	4.83		4.91	0.000378	2.95	3507.53	2503.80	0.17
Main Stem	8.4	711.00	-3.68	2.38		2.48	0.000955	2.59	290.57	116.67	0.25
Main Stem	8.4	939.00	-3.68	2.92		3.05	0.001007	2.93	361.92	147.69	0.26
Main Stem	8.4	1276.00	-3.68	3.49		3.67	0.001152	3.44	456.81	180.88	0.28
Main Stem	8.4	1799.00	-3.68	4.15		4.41	0.001413	4.17	591.15	247.79	0.32

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	8.3	711.00	-4.08	2.36	-0.71	2.45	0.000630	2.42	332.71	113.84	0.21
Main Stem	8.3	939.00	-4.08	2.90	-0.29	3.02	0.000724	2.82	397.83	127.41	0.23
Main Stem	8.3	1276.00	-4.08	3.47	0.24	3.64	0.000901	3.38	473.13	141.58	0.26
Main Stem	8.3	1799.00	-4.08	4.12	0.90	4.37	0.001185	4.19	563.26	155.58	0.30
Main Stem	8.25	Bridge									
Main Stem	8.2	711.00	-4.08	2.35	-0.71	2.44	0.000620	2.40	358.33	135.32	0.21
Main Stem	8.2	939.00	-4.08	2.89	-0.29	3.01	0.000704	2.77	432.54	143.40	0.22
Main Stem	8.2	1276.00	-4.08	3.45	0.24	3.62	0.000871	3.32	511.48	151.80	0.25
Main Stem	8.2	1799.00	-4.08	4.10	0.90	4.34	0.001147	4.11	603.89	160.48	0.30
Main Stem	7.4	709.00	-4.18	2.35		2.38	0.000319	1.43	541.20	263.34	0.14
Main Stem	7.4	936.00	-4.18	2.89		2.93	0.000320	1.59	690.31	283.70	0.15
Main Stem	7.4	1275.00	-4.18	3.46		3.52	0.000359	1.85	858.13	304.99	0.16
Main Stem	7.4	1783.00	-4.18	4.13		4.20	0.000420	2.21	1067.90	328.45	0.17
Main Stem	7.3	709.00	-2.88	2.23	-0.21	2.33	0.000913	2.63	374.15	289.60	0.24
Main Stem	7.3	936.00	-2.88	2.76	0.17	2.88	0.000924	2.90	521.32	312.21	0.25
Main Stem	7.3	1275.00	-2.88	3.30	0.66	3.45	0.001043	3.34	682.40	335.17	0.27
Main Stem	7.3	1783.00	-2.88	3.91	1.28	4.12	0.001231	3.94	880.36	361.36	0.30
Main Stem	7.25	Bridge									
Main Stem	7.2	709.00	-2.88	2.22	-0.21	2.32	0.000909	2.62	379.84	352.18	0.24
Main Stem	7.2	936.00	-2.88	2.75	0.17	2.87	0.000922	2.89	513.38	357.51	0.25
Main Stem	7.2	1275.00	-2.88	3.29	0.66	3.44	0.001053	3.35	650.67	362.90	0.27
Main Stem	7.2	1783.00	-2.88	3.90	1.28	4.11	0.001264	3.99	809.57	369.03	0.31
Main Stem	7.1	709.00	-2.88	2.15		2.26	0.000996	2.72	316.71	212.62	0.25
Main Stem	7.1	936.00	-2.88	2.67		2.81	0.001044	3.05	448.52	293.38	0.27
Main Stem	7.1	1275.00	-2.88	3.19		3.37	0.001206	3.55	622.34	374.10	0.29
Main Stem	7.1	1783.00	-2.88	3.79		4.02	0.001417	4.18	874.27	466.96	0.32
Main Stem	6	709.00	-4.68	1.82		1.88	0.000329	2.14	1051.98	613.81	0.15

HEC-RAS Plan: Imported Pla River: Popash Creek Reach: Main Stem (Continued)

Reach	River Sta	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
		(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Main Stem	6	936.00	-4.68	2.34		2.40	0.000359	2.36	1389.91	677.29	0.16
Main Stem	6	1275.00	-4.68	2.81		2.88	0.000443	2.74	1716.74	714.85	0.18
Main Stem	6	1783.00	-4.68	3.34		3.44	0.000565	3.24	2109.50	757.53	0.20
Main Stem	5	709.00	-4.68	1.58		1.60	0.000205	1.65	2147.69	1533.31	0.12
Main Stem	5	936.00	-4.68	2.03		2.07	0.000289	2.05	2959.53	3430.00	0.14
Main Stem	5	1275.00	-4.68	2.52		2.54	0.000218	1.87	4614.97	3430.00	0.12
Main Stem	5	1783.00	-4.68	3.03		3.04	0.000192	1.84	6372.82	3430.00	0.12
Main Stem	4	709.00	-3.78	1.20		1.29	0.001042	2.87	955.67	1093.23	0.26
Main Stem	4	936.00	-3.78	1.59		1.67	0.000957	2.94	1441.28	1375.31	0.25
Main Stem	4	1275.00	-3.78	2.15		2.22	0.000861	3.03	2421.69	2404.43	0.24
Main Stem	4	1783.00	-3.78	2.75		2.79	0.000564	2.65	3867.28	2422.40	0.20
Main Stem	3	709.00	-4.68	0.60		0.67	0.000472	2.21	486.31	308.06	0.18
Main Stem	3	936.00	-4.68	0.93		1.03	0.000625	2.67	598.85	363.46	0.21
Main Stem	3	1275.00	-4.68	1.40		1.54	0.000802	3.20	786.81	440.72	0.24
Main Stem	3	1783.00	-4.68	2.02		2.21	0.000982	3.80	1091.16	544.61	0.27
Main Stem	2	709.00	-4.98	0.24		0.33	0.001076	2.45	289.47	100.69	0.25
Main Stem	2	936.00	-4.98	0.44		0.58	0.001597	3.02	310.06	106.05	0.31
Main Stem	2	1275.00	-4.98	0.72		0.94	0.002341	3.74	340.63	112.44	0.38
Main Stem	2	1783.00	-4.98	1.11		1.44	0.003228	4.61	401.43	222.91	0.45
Main Stem	1	709.00	-4.68	-0.13	-3.60	-0.12	0.000110	0.84	844.10	298.81	0.08
Main Stem	1	936.00	-4.68	-0.13	-3.40	-0.11	0.000193	1.11	844.10	298.81	0.11
Main Stem	1	1274.00	-4.68	-0.13	-3.13	-0.09	0.000357	1.51	844.10	298.81	0.15
Main Stem	1	1781.00	-4.68	-0.13	-2.79	-0.06	0.000697	2.11	844.10	298.81	0.21

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT - ZONING DIVISION

DATE: August 25, 2003

TO: Mr. Sal Territo, Hearing Examiner

FROM: Alvin Block, AICP
Principal Planner

RE: DC I2001-00038, Heritage Creek (aka Stoneybrook North)

Attached you will find what I believe is the most complete compilation of the staff recommendation for this case.

I have included:

1. A strike-through and underlined copy of the conditions and deviations (in Word).

2. A clean copy of the conditions and deviations (in Word).

3. A clean copy of the conditions and deviations (in WordPerfect).

The Hearing Examiner should have already received a copy of the rest of the documentation which was requested from the applicant.

If I can be of any further assistance, please feel free to contact me.

CONDITIONS & DEVIATIONS AS OF AUGUST 25, 2003 (081903/1600)
[changes are shown in strike-through and underline format]

TYPE OF CASE: PLANNED DEVELOPMENT/DCI
CASE NUMBER: DCI 2001-00038

I. APPLICATION SUMMARY:

A. Applicant: U. S. Home Corporation in ref to Heritage Creek (aka Stoneybrook North)

B. Request: Rezone from AG-2, CPD, & RVPD to RPD to permit the development of ~~1,525~~ ~~1,475~~ a maximum of 1,275 residential units including a mixture of single-family, duplex, townhouse, two-family attached and multi-family units all not to exceed 35 feet in height.

C. Location: The subject property is located on Pritchett Parkway (in the northeast quadrant of the intersection of I-75 and Bayshore Blvd.), in S15, 16 & 21-T43S-R25E, Lee County, FL. (District #4)

D. Land Use Plan Designation: Outlying Suburban, General Interchange and Wetlands

E. Surrounding Land Use:

Existing Zoning & Land Use	Future Land Use Map
North: AG-2 developed with single family uses.	Open Lands and Density Reduction/Groundwater Resource
East: AG-2 and RS-1 vacant land and developed single family residential uses	Outlying Suburban
South: Leetana Drive, Pritchett Parkway, I-75, AG-2, RV-3, RS-1 vacant land and developed single family residential uses	Outlying Suburban
West: AG-2, AG-3 developed with single family residential uses	Outlying Suburban

F. Size of Property: 741.22± acres

II. RECOMMENDATION:

Staff recommends **approval** of the Applicant's request for rezoning from AG-2, CPD, and RVPD to RPD, subject to the following conditions and deviations:

A. Conditions

1. The development of this project must be consistent with the one page Master Concept Plan entitled "Stoneybrook North," prepared by WilsonMiller, dated October ~~10~~ 01, 2001, last revised ~~July 11,~~ August 16, 2003 and stamped ~~received at the zoning counter on April 7, 2003~~ "Received AUG 25 2003 Community Development,", except as modified by the conditions below. This development must comply with all requirements of the Lee County Land Development Code (LDC) at time of local Development Order Approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

2. The following limits apply to the project and uses:

   a. Schedule of Uses

Administrative Offices
Agriculture - Subject to Condition 24
Accessory uses and structures
Club, Private (Limited to Tract K)
Food and beverage service, limited
Health Club and Spa
Parking lot, accessory
Rental or leasing establishment, Group I, limited to bicycles, tennis rackets and other small equipment for use by members of the private club
Specialty Retail Shop, Group I
Communication Tower (limited to one on the north side of Tract K and limited to a maximum of 35 feet in height)
Dwelling Unit , limited to a maximum of ~~1,475~~ 1,275 units - See Note 1 ~~(of which not more than 250 units may be multi-family - See Note 1),~~ consisting of:

Conventional Single Family Residence

(Ma

~~Townhouse~~
Two family attached (Limited to Tracts I-1, I-2 & J)
~~Multiple Family Building (limited to Tract R-2 J)~~
Entrance Gate and Gatehouse, in compliance with LDC Section 34-1749~~8~~
Essential Services
Essential Service Facilities, Group I
Excavation, water retention
Fences, walls
~~Golf Driving Range - Aqua Range (Limited to Tract K and in conjunction with Lake L1)~~
Home occupation
Model Home, Model Unit and Model Display Group
Real Estate Sales Office (Temporary sales office limited

to Tract K and limited to the sale of lots or units within the development only)
Recreation Facilities, Personal
Recreation Facilities, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs, including one existing billboard located on the southwest side of Lake L1, all in compliance with LDC Chapter 30 except as approved by deviation
Temporary uses (LDC Section 34-3041)

Note 1: Single-family and two-family attached ~~and townhouse dwelling units~~ may be constructed on all R-1 and R-1A residential tracts. Two-family attached dwelling units may be constructed only on Tracts I-1, I-2 and J.

b. Site Development Regulations

LAND USES	Minimum Lot			Minimum Setback (ft.)							Max. Bldg. Height (ft.)	Min. Bld. Separation (ft.)	Max Lot Coverage (%)
	Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Side Including Corner Lots (ft.) *	Rear (ft.)			Front (ft.)		Water Body (ft.)			
					Lots	Wetland	Acc.	Front Entry Garage	Bldg. or Side Entry Garage				

Single-family Detached	4,000	40	100	5	20	20	5	20	12	25	35 or 2 stories	10	45
Two-family Attached	3,500 per unit	35 per unit	100	0 or 10	20	20	5	20	12	25	35 or 2 stories	10	45
~~Townhouse~~	~~2,000~~	~~22~~	~~80~~	~~0 or 10~~	~~20~~	~~20~~	~~5~~	~~20~~	~~15~~	~~25~~	~~35 or 2 stories~~	~~20~~	~~n/a~~
~~Multi-family~~	~~10,000~~	~~100~~	~~100~~	~~10~~	~~20~~	~~20~~	~~5~~	~~20~~	~~20~~	~~25~~	~~35 or 2 stories~~	~~20~~	~~45~~
Clubhouse	20,000	80	100	10	20	20	5	n/a	20	25	35 or 2 Stories	20	45

Accessory Recreation Buildings	n/a	n/a	n/a	n/a	20	20	n/a	n/a	n/a	n/a	35 or 1 story	20	n/a

* Applies to lots of all widths and to corner lots. Each lot, including corner lots, will have only one front yard.

3. ~~Any and all existing easements must be reflected on the proposed Master Concept Plan and incorporated into the design of the proposed development unless the existing easements are vacated in accordance with adopted county procedures.~~ [CONDITION #3 HAS BEEN DELETED AS IT IS NO LONGER NECESSARY.]

4. ~~The Master Concept Plan must be revised to incorporate a recreational area within the northern portion of the project.~~ The Tract M recreational area must include at a minimum, one (1) ~~tennis court~~ multi-purpose field, a playground~~,~~ ~~swimming pool~~ and picnic area. Facilities for the safe passage of pedestrians cyclists from one side of Pritchett Parkway to the other as determined by the Director of Development Services at the time of local development order submittal must be provided

5. No residential lots ~~lines~~ may be located within 250 feet of the existing High Point sewage treatment plant property lines until the sewage treatment plant is no longer in operation. If the High Point sewage treatment plant is still in operation when the plat is approved for any lots located in Tracts F-2 and G, ~~that are located within 250 feet of the existing 5-acre sewage treatment plant site,~~ ~~I~~the applicant must include ~~In addition,~~ a thirty-~~six~~ foot wide Type F buffer ~~including a six to eight foot high berm that must be placed along~~ around the perimeter of the High Point sewage treatment plant property lines, excluding the easement ~~which~~ that provides access to the plant. ~~Plantings on the berm must include ten trees per one hundred linear feet, five of which must be located on top of the berm and five of which must be located on the berm slope facing the residential development. Additional plantings must include 48 inch high shrubs planted 48 inches on center on top of the berm, and 3 gallon shrubs planted 3 feet on center over 50% of the berm slope on the residential side.~~

6. Common area ~~O~~open space ~~areas~~ must be designed to incorporate as many of the native heritage trees and sabal palms as possible. Any healthy sabal palms with a minimum eight foot clear trunk must be salvaged if conditions (e.g., no rock) and sequence of construction allows. If sequence of construction does not allow the on-site relocation of sabal palms, effort must be made to identify an off-site recipient site. Sabal palms that are located in wet

areas typically do not respond well to transplanting and will not be subject to this condition. The salvage efforts must be coordinated with the Division of Environmental Sciences staff whether used on-site or otherwise. Any sabal palms being relocated must be moved in a horticulturally correct manner per Lee County Extension Services brochure Lee 8/2000A ~~(attached)~~ and attached as Exhibit [ ]. Prior to local development order approval, the preserved trees and any relocated palms must be delineated on the plans. Preserved trees and relocated sabal palms will receive protected tree credits per LDC Section 10-420(h).

7. A detailed protected species management plan for gopher tortoises, Big Cypress fox squirrels, and wading birds must be submitted with the initial development order for any portion of this project. The gopher tortoise management plan must include either a permanent fence or a continuous hedge of native shrubs where the gopher tortoise preserve abuts the road and park to protect the tortoises from the vehicular traffic and active recreation area.

   A pedestrian/bicycle trail, with a maximum 4-foot width, is permissible within the gopher tortoise preserve. The trail must be designed to avoid impacting existing gopher tortoise burrows and large native trees. Two access points to the trail may be incorporated into the fence, provided the openings are designed to minimize the potential for tortoises to disperse from the preserve. Details of the trail and fence must be included in the development order plans.

8. Prior to any local development order approval, an open space table must be included ~~which~~ that details the residential unit type with lot size per tract, required open space, provided open space, required indigenous preservation and provided indigenous preservation. The project must preserve at a minimum the approximately 100.1 acres of conservation area including the wetland creation area. If more than 500 acres of the project is developed with residential tracts (including roads and lakes) requiring open space, then the development order must delineate the additional required indigenous preservation for the Division of Environmental Sciences staff review and approval.

9. The use of cypress mulch is prohibited in preserve areas.

10. The maximum width of all boardwalks within the preserve areas ~~must~~ may not exceed the minimum width requirements set forth by the Americans with Disabilities Act.

11. All boardwalks within the preserve areas must be designed to avoid mature native trees and protected species burrows, nests, or dens. The final layout of the boardwalks must be field verified by Division of Environmental Sciences staff prior to construction. Minor adjustments to minimize impacts to native vegetation may be required.

12. The construction of gazebos or viewing platforms within conservation areas is limited to no more than 2 structures each having a footprint no larger than 200 square feet.

13. Prior to site work for any recreational use that requires the removal of vegetation within a conservation area, a development order showing impacts to the conservation area must be submitted for review and approval by Environmental Sciences and other applicable County Staff.

14. Prior to local development order approval, the development order plans must include a littoral planting areas in substantial compliance with the "Stoneybrook North Littoral Planting Exhibit" stamped received April 7, 2003, and attached as Exhibit [ ]. All lake littoral zones must be constructed as depicted in Cross-Section B-B. Littoral planting quantities must be consistent with the "Littoral Planting Plan Exhibit Stoneybrook North" and accompanying table stamped received May 29, 2003, and attached as Exhibit [ ]. The planting area along the northern ditch expansion must also provide native wetland plants installed 3-foot on-center.

15. The Communication Tower as denoted on the Master Concept Plan must be of a monopole design and limited to 35 feet in height. The tower and its associated maintenance buildings must be designed to minimize impacts to birds.

16. Lake littoral plantings within Tract K must be calculated at one littoral plant per linear foot of lake shoreline. One 10-foot tall tree or two 3-gallon shrubs may be substituted for 10 herbaceous plants. Trees and shrubs may used to count toward up to 50 % of the required lake littoral planting requirements. A minimum of two native wetland tree species and four native herbaceous plant species must be installed in the ~~Tract K lake~~ Lake L1 (contained within Tract K).

17. The placement of any required vegetation within a utility, power, or drainage easement must be clearly delineated on an Alternate Landscape Betterment Plan as per LDC Section 10-419 and submitted with the local development order. The placement of vegetation within any easement must be approved by Lee County Environmental Sciences staff AND any other affected Division (Utilities, Zoning, etc.). If the easement is to an entity other than Lee County, then written approval of the location of vegetation from any affected easement holder must be submitted to ES staff as part of the development order. Approval from all affected parties must be obtained prior to approval of the local development order.

18. Lake ~~B~~bulkheads are limited to roads and the clubhouse area. Bulkheads are not permitted along residential boundaries.

    Prior to local development order approval, the plans must show the location of the bulkheads to confirm that no more than 20% of each lake shoreline consists of bulkhead or rip-rap. Lakes where bulkheads are proposed must be designed to provide one linear foot of compensatory littoral zone with an 8:1

slope for each linear foot of bulkhead. For lakes ~~which~~ that utilize bulkheads, littoral plants must be calculated at two plants per linear foot of shoreline clustered within the 8:1 slope portion of the lake.

The development order must include a typical cross-section detail of bulkhead and rip-rap areas on the paving and grading AND landscape plan.

19. ~~No development order for this project will be issued if the development contemplated thereunder will precipitate a drop in the level of service on the links numbers 16 and 17 of Bayshore Road, below the adopted level of service.~~ Transportation Concurrency for this project will be measured pursuant to the Lee Plan and LDC standards in place at the time of the development order. This must include evaluating Bayshore Road from Nalle Road to I-75 for transportation concurrency. Prior to development order approval, the developer must demonstrate that the Level of Service (LOS) will not fall below the adopted level of service on the identified links. In determining that level of service, only road improvements with committed funding, as provided in FAC 9J-2.045, may be considered.

20. The developer ~~will~~ must provide intersection improvements to the intersection of Bayshore Road and Pritchett Parkway. At a minimum, the developer will construct a southbound right turn lane as a site-related improvement, and not eligible for road impact fee credits. In cooperation with the Florida Department of Transportation and the County, the developer may realign Pritchett Parkway to address future operational problems caused by project traffic.

21. Staff and the Applicant each have submitted a condition on this issue.

The Staff's original condition is as follows:

The developer ~~will~~ must construct an eight-foot wide bicycle path or two five-foot wide sidewalks along Pritchett Parkway from Bayshore Road to Rich Road. The bicycle/pedestrian facilities improvement will be considered a site-related improvement and not eligible for road impact fee credits.

The Applicant's proposed condition is as follows:

The developer must construct an eight-foot wide bicycle path or two five-foot wide sidewalks along Pritchett Parkway from Bayshore Road to Rich Road. The bicycle/pedestrian improvements will be considered a site-related improvement for the portion of the improvement constructed between the southernmost and northernmost entrances to the project site as shown on the approved Master Concept Plan. The portions of the bicycle/pedestrian improvements constructed 1) between Bayshore Road and the southernmost site entrance, and 2) between Rich Road and the northernmost site entrance, will be eligible for road impact fee credits.

22. Blasting is prohibited on this project site; however, if it is found during development that the excavations cannot be performed without blasting, the developer must obtain an amendment to this zoning resolution.

23. The excavation of material from the lake areas does not constitute construction materials mining as defined under Section 552.30, Florida Statutes.

24. AGRICULTURAL USES: Agriculture is not approved as a permanent use in the Schedule of Uses for this property. All agricultural uses must cease upon approval of the requested rezoning, EXCEPT as follows:

(a) Existing bona fide agricultural uses as shown on attached Exhibit [ ] may continue until approval of a local development order for the area of the project containing those uses.

(b) Additional clearing of trees or other vegetation in agricultural areas is prohibited. Existing areas of bona fide agricultural use may be maintained, i.e., mowed, but not cleared or expanded. This prohibition is not intended to preclude County approved requests for the removal of invasive exotic vegetation.

(c) The property owner must terminate the agricultural tax exemption for any portion of the property that receives a local development order. The agricultural use must cease by December 31st of the calendar year in which the local development order is issued. The exemption termination must be filed with the Property Appraiser's Office by December 31st of the calendar year in which the local development order is issued. A copy of the exemption termination must be provided to the Office of the County Attorney.

~~25. Single-family, two-family attached and townhouse dwelling units may be constructed on all R-1 and R-2 residential tracts. Multi-family dwelling units may be constructed only on Tract J and limited to a maximum of 250 units.~~

[Condition #25 has been relocated to become a note at the end of the Schedule of Uses in Condition #2a.]

~~26. Recommendations from the Lee County Division of Natural Resources, including comments on HEC-2RAS flood modeling, is pending as of the date of this June 18,2003 hearing. Subsequent changes may be required to the Master Concept Plan as a result of the flood modeling along the areas of both Bayshore Creek and Popash Creek, including a reduction of residential dwelling units. If staff determines subsequent changes to the Master Concept Plan result in any impact outside of the project boundaries, then a public hearing will be required to effect those changes.~~

[THE ABOVE CONDITION #26 HAS BEEN DELETED AND IS BEING REPLACED BY A REVISED CONDITION FROM NATURAL RESOURCES.]

26. Development along Popash and Bayshore Creeks:

General Conditions:

a. Prior to issuance of the first Development Order (or any early

work, clearing, filling permits), the applicant must submit the following information for review and approval by the Lee County Natural Resources Division:

1. If the development parameters change from those modeled and approved during the rezoning, then developer must provide an HEC-RAS model pursuant to the same modeling parameters established during the rezoning process for the Popash and Bayshore Creeks demonstrating that the revised development will not induce any rise to the existing flood elevations, nor any increases in velocities, nor any transfer in overbank flows for the 10-, 25-, and 100-year storms.

2. Show the location and extent of the existing and proposed cross sections from the HEC-RAS model on the Development Order plans, as well as, defining the existing top of bank station/elevation, overbank elevations, roadway elevations, and bridge dimensions and elevations. Sufficient details or sections showing continuity and capacity of flows in the overbank must be clearly demonstrated.

3. All plans and documents related to the above must include the statement: "This is to certify that I am a duly qualified engineer licensed to practice in the State of Florida. It is to further certify that these design plans, drawings, and associated technical calculations and/or data demonstrate that no adverse affects to the existing flood elevations will occur as a result of this development."

4. The above information must be submitted to the South Florida Water Management District (SFWMD) for review, consideration, and inclusion in their permit files.

5. The developer or its assigns must dedicate a drainage/maintenance easement to Lee County for Popash and Bayshore Creeks for all that portion(s) of the channel and its overbanks included in the HEC-RAS modeling and that lie within its property limits. The easement may be apart of any conservation easement dedicated to Lee County and the South Florida Water Management District (SFWMD), but must be consistent with the maintenance activities anticipated and outlined in these conditions. The easement must also give the county the right, but not the obligation of maintenance and provide for maintenance access along the creeks. As a part of the easement, the developer agrees to a monthly maintenance schedule to include an initial and ongoing maintenance for these creeks that is to include removal of all exotics including, but not limited to, grape vines (above three feet in height above ground) and rosary pea, any deposited debris, fencing, fallen trees, or eroded vegetation. The basic ground cover within the easement area is to remain in

its current grassed condition. The relocation of onsite sabal palms from other parts of the property to the easement area is permissible, but must not be collocated closer than a ten (10) foot spacing. No saw palmetto or shrubbery of any type is to be planted within the easement area. Said easement must be reviewed and approved by the County Attorney and Natural Resources during the platting process. This same drainage/maintenance easement language must be contained within the Community Development District or Home Owners Association documents (eg: CDD, HOA, etc).

6. All modifications and exotic vegetation removal outlined herein for Popash and Bayshore Creeks must be completed before the issuance of the first Certification of Completion for the first Development Order.

7. The east-west ditch proposed along the northerly boundary of the development must not provide for an interconnection between Popash and Bayshore Creeks.

Popash Creek:

b. Prior to issuance of the first Development Order (or any early work, clearing, filling permits) containing the bridged crossing, the developer must provide complete construction plans for the bridge for review and approval by the Lee County Natural Resources Division and be in accordance with the following:

1. The bridge crossing of Popash Creek must be a pile-supported structure.

2. No more than 2 rows of pilings (or supports) are permitted in the overbank and none may be closer than 10 feet to the existing top of bank. Each row must be perpendicular to the direction of flood flows and each must have a maximum dimension of twenty-four inches (24").

3. The low chord of the bridge must be at or above the 100-year floodwater surface elevation and the abutments for the bridge may not be closer than fifty feet (50') to the existing top of bank. Additionally, the low chord must be at least two feet (2') above the highest overbank elevation within the fifty-foot offset areas (total of 100'+).

4. No berming, filling, planting, or other above ground construction/amenities are permitted within fifty feet (50') of the existing top of banks for Popash Creek, except as elsewhere permitted in these conditions by Lee County Natural Resources.

Bayshore Creek:

c. All modifications and exotic vegetation removal outlined below for Bayshore Creek must be completed before the issuance of the first Certification of Completion for the first Development Order.

1. Along Bayshore Creek for that portion upstream of Prichett Parkway and within the fifty (50) foot offset from the existing top of bank, the spoil is to be removed down to an elevation of 18.0 feet NGVD and then sloped in conjunction with the perimeter berm.

2. No berming, filling, planting, or other above ground construction/amenities are permitted within fifty feet (50') of the existing top of bank for Bayshore Creek, except as elsewhere permitted in these conditions by Lee County Natural Resources.

27. **[The following condition was provided by the Department of Public Works. It has been modified from the condition as originally suggested in the 7-11-03 memo to the Hearing Examiner from Michael Pavese. The disclosure is only being requested for the lots adjacent to the WWTP site, rather than the whole project, and the "hold harmless" language has been removed. The applicant has not yet commented on this revised condition.]**

In light of the potential for the existing High Point wastewater treatment plant (WWTP) to continue operation, the developer must disclose the existence, location and operation of the sewage treatment plant to any purchasers of property immediately adjacent to a line 250 feet from the perimeter boundary of the WWTP site (excluding that portion of the site containing the access road into the WWTP site).

Any and all agreements for the sale of property immediately adjacent to the 250-foot dimension must include this disclosure statement. The following disclosure statement must appear in bold face and conspicuous type that is larger than the type in the remaining text of the contract:

"Lot owners immediately adjacent to the line 250 feet from the perimeter boundary of the WWTP site within the Stoneybrook North (f/k/a Heritage Creek) Planned Development acknowledge the presence of the High Point Sewage Treatment Plant."

28. The maintenance of Popash and Bayshore Creeks within the property limits, which is required in Condition 26, will be assured by the provision of a surety for the annual cost of maintenance. Evidence of the surety must be provided to the County prior to certificate of completion of the first development order for the drainage infrastructure for the project.

29. In an effort to cooperate in achieving the reduction of the regional flooding problem, the applicant must provide a drainage easement to Lee County for the drainage ditch along the north boundary of the property. This easement is for

the purpose of allowing the existing ditch to accept the quantity of stormwater that is approved pursuant to a South Florida Water Management District permit addressing the regional flooding problem.

30. Except as otherwise noted on the MCP, perimeter buffers around the outside perimeter of the property will require 10 trees per 100 linear feet and a double staggered hedge. The hedge will be installed at 36" high and maintained at 60" high. 75% of the shrubs and 50% of the trees will be native species.

31. Lighting

a. This project must comply with the recently adopted "Outdoor Lighting Standards" adopted in LDC §34-625.

b. Outdoor ballfield lights for the baseball field located on Tract K are prohibited.

c. Outdoor recreational lighting for any multi-purpose courts or fields located on Tract K and Tract M must be on timers and must meet the requirements of LDC §34-625 and must be done in a fashion to minimize light pollution, glare and light trespass. Lighting impacts will be measured at the boundary of Tracts K and M, and not at the boundary of any adjacent lakes or preserve areas.

DEVIATIONS:

Deviation # 1 is withdrawn.

Deviation # 2 is withdrawn.

Deviation #3 seeks relief from LDC Section ~~10-418~~ 10-418(2)b which requires the installation of one native wetland herbaceous plant per linear foot of lake shoreline and where trees and shrubs can be substituted for up to twenty-five percent of the total number of herbaceous plants required; to allow the required plantings to include up to fifty percent trees in the Tract K lake (Lake L1) is approved subject to Condition #16.

Deviation #4 is withdrawn.

Deviation #5 is withdrawn.

Deviation # 6 is withdrawn.

Deviation #7 ~~is a request to deviate~~ seeks relief from LDC Section 10-329)e)(4) which requires excavations to be sloped at four horizontal to one vertical to a water depth of four feet below the dry season water table and two horizontal to one vertical thereafter, to allow 40% of the lake bank slopes within the development to utilize vertical bulkheads and/or rip rap is approved subject to Condition #18.

Deviation #8 is withdrawn. ~~from LDC Section 10-259 which prohibits the placement of buildings or structures within easements where the placing of buildings or structures within the easement is contrary to the terms of the easement or interferes with the use of the easement; to allow the placement of buildings or structures within easements limited to roof overhangs is denied.~~

Deviation # 9 is withdrawn. ~~seeks relief from LDC Section 34-2020(1)c which requires minimum parking for multiple family buildings based on the number of bedrooms within each unit; to allow 1.25 1.5 spaces for all bedroom types with an additional 10 percent for guest parking only for those multi-family units where garage parking is available is denied.~~

Deviation #10 is withdrawn.

Deviation #11 is withdrawn.

Deviation #12 seeks relief from LDC Section 34-1954(a)(1) which requires administrative approval of locations for model homes in new developments; to allow model homes by right in ~~any~~ the locations within the development ~~is denied~~ as shown on the MCP is approved.

Deviation #13: The Staff is recommending denial of the requested deviation. The Applicant has proposed additional conditions to supplement their original request and is seeking approval of the deviation.

The following is Staff's recommended denial of the deviation.

Deviation #13 seeks relief from LDC Section 34-1954(f) which requires parking for model homes or model units to be located on the same premises and in compliance with the type of dwelling unit being displayed; to permit the development of accessory parking for model homes as low turnover and therefore permit development of these lots with alternative surfaces is denied.

The following is the Applicant's requested deviation with additional conditions:

Deviation #13 seeks relief from LDC Section 34-1954(f) which requires parking for model homes or model units to be located on the same premises and in compliance with the type of dwelling unit being displayed; to permit the development of accessory parking for model homes as low turnover and therefore permit development of these lots with alternative surfaces is approved subject to the following conditions:

1. The entrance apron into each parking lot would be paved.

2. The handicapped parking space(s) in each lot would be paved.

3. The applicant will keep the portion of the street in front of each model free from gravel or shell that may have been tracked out the model home parking area(s) by departing vehicles.

Deviation #14 seeks relief from LDC Section 30-153(2)(a)(iv) which limits the text of additional subdivision or residential development identification signs to the subdivision or project name; to allow the additional signs for this project to include the notation "A US Home Community" in addition to the name of the development is approved. The proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15 which was stamped received at Community Development on April 7, 2003, and as attached as Exhibit [ ].

Deviation #15 seeks relief from LDC Section ~~30-152d2~~ 30-152(2)(d) which limits the size of project entrance signs and which limits the size and number of additional project signs to allow all of the permitted square footage for the number of permitted signs to be combined into the main project entrance sign and a deviation from LDC Section 30-94(h) which restricts double faced signs with opposing faces to an interior angle of less than 30 degrees; to allow the Heritage Creek project sign to have two sign faces of approximately 130 square feet in size and be located on a curvilinear wall is approved. The proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15 which was stamped received at Community Development on April 7, 2003, and attached as Exhibit [ ].

Deviation #16 is withdrawn. ~~from LDC Section 10-416(d)(6) which provides that if roads, drives, or parking areas are located less than 125 feet from an existing residential subdivision or residential lots, a solid wall or combination berm and solid wall not less than eight feet in height must be constructed not less than 25 feet from the abutting property and landscaped (between the wall and the abutting property) with a minimum of five trees and 18 shrubs per 100 lineal feet; to allow the two cul-de-sacs in Tract H and the short roadway segment in Tract E to be located and buffered as illustrated on the Master Concept Plan is denied.~~

Findings and Conclusions:

Based upon an analysis of the application for Residential Planned Development and the standards for approval of planned development rezonings, staff offers the following findings and conclusions:

1. The applicant has proven entitlement to the rezoning to RPD by demonstrating compliance with the Lee Plan, the Land Development Code, and other applicable codes and regulations.

2. The requested RPD zoning, as conditioned:

   a) is consistent with the densities, intensities and general uses set forth in the Lee Plan;

   b) is compatible with existing or planned uses in the surrounding area; and

   c) will not adversely affect environmentally critical areas or natural resources.

3. Approval of the requested RPD zoning, as conditioned, will not place an undue burden upon existing transportation or planned infrastructure facilities and the site will be served by streets with the capacity to carry traffic generated by the development.

4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

5. The proposed mix of uses, as conditioned, is appropriate at the subject location.

6. The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguards to the public interest.

7. The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.

8. The deviations, recommended for approval, as conditioned:

   a) enhance the objectives of the planned development; and

   b) preserve and promote the general intent of the LDC to protect the public health, safety and welfare.

CONDITIONS & DEVIATIONS AS OF AUGUST 25, 2003 (082003/1045)

TYPE OF CASE: PLANNED DEVELOPMENT/DCI
CASE NUMBER: DCI 2001-00038

I. APPLICATION SUMMARY:

A. Applicant: U. S. Home Corporation in ref to Heritage Creek (aka Stoneybrook North)

B. Request: Rezone from AG-2, CPD, & RVPD to RPD to permit the development of a maximum of 1,275 residential units including a mixture of single-family and two-family attached dwelling unit types, all not to exceed 35 feet in height.

C. Location: The subject property is located on Pritchett Parkway (in the northeast quadrant of the intersection of I-75 and Bayshore Blvd.), in S15, 16 & 21-T43S-R25E, Lee County, FL. (District #4)

D. Land Use Plan Designation: Outlying Suburban, General Interchange and Wetlands

E. Surrounding Land Use:

Existing Zoning & Land Use	Future Land Use Map
North: AG-2 developed with single family uses.	Open Lands and Density Reduction/Groundwater Resource
East: AG-2 and RS-1 vacant land and developed single family residential uses	Outlying Suburban
South: Leetana Drive, Pritchett Parkway, I-75, AG-2, RV-3, RS-1 vacant land and developed single family residential uses	Outlying Suburban
West: AG-2, AG-3 developed with single family residential uses	Outlying Suburban

F. Size of Property: 741.22± acres

II. RECOMMENDATION:

Staff recommends approval of the Applicant's request for rezoning from AG-2, CPD, and RVPD to RPD, subject to the following conditions and deviations:

A. Conditions

1. The development of this project must be consistent with the one page Master Concept Plan entitled "Stoneybrook North," prepared by WilsonMiller, dated October 01, 2001, last revised August 16, 2003 and stamped "Received AUG 25 2003 Community Development,", except as modified by the conditions below. This development must comply with all requirements of the Lee County Land Development Code (LDC) at time of local Development Order Approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary. ***[The last revised date and submission date of this MCP will change with the submission of the newest MCP referenced in the HEX's continuance.]***

2. The following limits apply to the project and uses:

   a. Schedule of Uses

Administrative Offices
Agriculture - Subject to Condition 24
Accessory uses and structures
Club, Private (Limited to Tract K)
    Food and beverage service, limited
    Health Club and Spa
    Parking lot, accessory
    Rental or leasing establishment, Group I, limited to bicycles, tennis rackets and other small equipment for use by members of the private club
Specialty Retail Shop, Group I
Communication Tower (limited to one on the north side of Tract K and limited to a maximum of 35 feet in height)
Dwelling Unit , limited to a maximum of 1,275 units consisting of:
    Conventional Single Family Residence (May be constructed on all R-1 and R-1A residential tracts) *See Note 1.*
    Two family attached (Limited to Tracts I-1, I-2 & J) *See Note 1.*
Entrance Gate and Gatehouse, in compliance with LDC Section 34-1748
Essential Services
Essential Service Facilities, Group I
Excavation, water retention
Fences, walls
Home occupation
Model Home, Model Unit and Model Display Group
Real Estate Sales Office (Temporary sales office limited to Tract K and limited to the sale of lots or units within the development only)
Recreation Facilities, Personal
Recreation Facilities, Private on-site
    Parking lot, accessory
Residential Accessory Uses

Signs, including one existing billboard located on the southwest side of Lake L1, all in compliance with LDC Chapter 30 except as approved by deviation
Temporary uses (LDC Section 34-3041)

Note 1: Single-family and two-family attached dwelling units may be constructed on all R-1 and R-1A residential tracts. Two-family attached dwelling units may be constructed only on Tracts I-1, I-2 and J.

b. Site Development Regulations

LAND USES	Minimum Lot			Minimum Setback (ft.)							Max. Bldg. Height (ft.)	Min. Bld. Separation (ft.)	Max Lot Coverage (%)
					Rear (ft.)			Front (ft.)					
	Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Side Including Corner Lots (ft.) *	Lots	Wetland	Acc.	Front Entry Garage	Bldg. or Side Entry Garage	Water Body (ft.)			
Single-family Detached	4,000	40	100	5	20	20	5	20	12	25	35 or 2 stories	10	45
Two-family Attached	3,500 per unit	35 per unit	100	0 or 10	20	20	5	20	12	25	35 or 2 stories	10	45
Clubhouse	20,000	80	100	10	20	20	5	n/a	20	25	35 or 2 Stories	20	45
Accessory Recreation Buildings	n/a	n/a	n/a	n/a	20	20	n/a	n/a	n/a	n/a	35 or 1 story	20	n/a

* Applies to lots of all widths and to corner lots. Each lot, including corner lots, will have only one front yard.

3. ***CONDITION #3 HAS BEEN DELETED.***

4. The Tract M recreational area must include at a minimum, one multi-purpose field, a playground and picnic area. Facilities for the safe passage of pedestrians cyclists from one side of Pritchett Parkway to the other as determined by the Director of Development Services at the time of local development order submittal must be provided

5. No residential lots may be located within 250 feet of the existing High Point sewage treatment plant property lines until the sewage treatment plant is no longer in operation. If the High Point sewage treatment plant is still in operation when the plat is approved for any lots located in Tracts F-2 and G, the applicant must include a thirty-foot wide Type F buffer around the perimeter of the High Point sewage treatment plant property lines, excluding the easement that provides access to the plant.

6. Common area open space must be designed to incorporate as many of the native heritage trees and sabal palms as possible. Any healthy sabal palms with a minimum eight foot clear trunk must be salvaged if conditions (e.g., no rock) and sequence of construction allows. If sequence of construction does not allow the on-site relocation of sabal palms, effort must be made to identify an off-site recipient site. Sabal palms that are located in wet areas typically do not respond well to transplanting and will not be subject to this condition. The salvage efforts must be coordinated with the Division of Environmental Sciences staff whether used on-site or otherwise. Any sabal palms being relocated must be moved in a horticulturally correct manner per Lee County Extension Services brochure Lee 8/2000A and attached as Exhibit [ ]. Prior to local development order approval, the preserved trees and any relocated palms must be delineated on the plans. Preserved trees and relocated sabal palms will receive protected tree credits per §10-420(h).

7. A detailed protected species management plan for gopher tortoises, Big Cypress fox squirrels, and wading birds must be submitted with the initial development order for any portion of this project. The gopher tortoise management plan must include either a permanent fence or a continuous hedge of native shrubs where the gopher tortoise preserve abuts the road and park to protect the tortoises from the vehicular traffic and active recreation area.

   A pedestrian/bicycle trail, with a maximum 4-foot width, is permissible within the gopher tortoise preserve. The trail must be designed to avoid impacting existing gopher tortoise burrows and large native trees. Two access points to the trail may be incorporated into the fence, provided the openings are designed to minimize the potential for tortoises to disperse from the preserve. Details of the trail and fence must be included in the development order plans.

8. Prior to any local development order approval, an open space table must be included that details the residential unit type with lot size per tract, required open space, provided open space, required indigenous preservation and provided indigenous preservation. The project must preserve at a minimum the approximately 100.1 acres of conservation area including the wetland creation area. If more than 500 acres of the project is developed with residential tracts (including roads and lakes) requiring open space, then the development order must delineate the additional required indigenous preservation for the Division of Environmental Sciences staff review and approval.

9. The use of cypress mulch is prohibited in preserve areas.

10. The maximum width of all boardwalks within the preserve areas may not exceed the minimum width requirements set forth by the Americans with Disabilities Act.

11. All boardwalks within the preserve areas must be designed to avoid mature native trees and protected species burrows, nests, or dens. The final layout of the boardwalks must be field verified by Division of Environmental Sciences

staff prior to construction. Minor adjustments to minimize impacts to native vegetation may be required.

12. The construction of gazebos or viewing platforms within conservation areas is limited to no more than 2 structures each having a footprint no larger than 200 square feet.

13. Prior to site work for any recreational use that requires the removal of vegetation within a conservation area, a development order showing impacts to the conservation area must be submitted for review and approval by Environmental Sciences and other applicable County Staff.

14. Prior to local development order approval, the development order plans must include a littoral planting areas in substantial compliance with the "Stoneybrook North Littoral Planting Exhibit" stamped received April 7, 2003, and attached as Exhibit [ ]. All lake littoral zones must be constructed as depicted in Cross-Section B-B. Littoral planting quantities must be consistent with the "Littoral Planting Plan Exhibit Stoneybrook North" and accompanying table stamped received May 29, 2003, and attached as Exhibit [ ]. The planting area along the northern ditch expansion must also provide native wetland plants installed 3-foot on-center.

15. The Communication Tower as denoted on the Master Concept Plan must be of a monopole design and limited to 35 feet in height. The tower and its associated maintenance buildings must be designed to minimize impacts to birds.

16. Lake littoral plantings within Tract K must be calculated at one littoral plant per linear foot of lake shoreline. One 10-foot tall tree or two 3-gallon shrubs may be substituted for 10 herbaceous plants. Trees and shrubs may used to count toward up to 50 % of the required lake littoral planting requirements. A minimum of two native wetland tree species and four native herbaceous plant species must be installed in the Lake L1 (contained within Tract K).

17. The placement of any required vegetation within a utility, power, or drainage easement must be clearly delineated on an Alternate Landscape Betterment Plan as per §10-419 and submitted with the local development order. The placement of vegetation within any easement must be approved by Lee County Environmental Sciences staff AND any other affected Division (Utilities, Zoning, etc.). If the easement is to an entity other than Lee County, then written approval of the location of vegetation from any affected easement holder must be submitted to ES staff as part of the development order. Approval from all affected parties must be obtained prior to approval of the local development order.

18. Lake bulkheads are limited to roads and the clubhouse area. Bulkheads are not permitted along residential boundaries.

    Prior to local development order approval, the plans must show the location of the bulkheads to confirm that no more than 20% of each lake shoreline

consists of bulkhead or rip-rap. Lakes where bulkheads are proposed must be designed to provide one linear foot of compensatory littoral zone with an 8:1 slope for each linear foot of bulkhead. For lakes that utilize bulkheads, littoral plants must be calculated at two plants per linear foot of shoreline clustered within the 8:1 slope portion of the lake.
The development order must include a typical cross-section detail of bulkhead and rip-rap areas on the paving and grading AND landscape plan.

19. Transportation Concurrency for this project will be measured pursuant to the Lee Plan and LDC standards in place at the time of the development order. This must include evaluating Bayshore Road from Nalle Road to I-75 for transportation concurrency. Prior to development order approval, the developer must demonstrate that the Level of Service (LOS) will not fall below the adopted level of service on the identified links. In determining that level of service, only road improvements with committed funding, as provided in FAC 9J-2.045, may be considered.

20. The developer must provide intersection improvements to the intersection of Bayshore Road and Pritchett Parkway. At a minimum, the developer will construct a southbound right turn lane as a site-related improvement, and not eligible for road impact fee credits. In cooperation with the Florida Department of Transportation and the County, the developer may realign Pritchett Parkway to address future operational problems caused by project traffic.

21. ***Staff and the Applicant have each submitted a condition on this issue.***

The Staff's original condition is as follows:

The developer must construct an eight-foot wide bicycle path or two five-foot wide sidewalks along Pritchett Parkway from Bayshore Road to Rich Road. The bicycle/pedestrian facilities improvement will be considered a site-related improvement and not eligible for road impact fee credits.

The Applicant's proposed condition is as follows:

The developer must construct an eight-foot wide bicycle path or two five-foot wide sidewalks along Pritchett Parkway from Bayshore Road to Rich Road. The bicycle/pedestrian improvements will be considered a site-related improvement for the portion of the improvement constructed between the southernmost and northernmost entrances to the project site as shown on the approved Master Concept Plan. The portions of the bicycle/pedestrian improvements constructed 1) between Bayshore Road and the southernmost site entrance, and 2) between Rich Road and the northernmost site entrance, will be eligible for road impact fee credits.

22. Blasting is prohibited on this project site; however, if it is found during development that the excavations cannot be performed without blasting, the developer must obtain an amendment to this zoning resolution.

23. The excavation of material from the lake areas does not constitute construction materials mining as defined under Section 552.30, Florida Statutes.

24. AGRICULTURAL USES: Agriculture is not approved as a permanent use in the Schedule of Uses for this property. All agricultural uses must cease upon approval of the requested rezoning, EXCEPT as follows:

(a) Existing bona fide agricultural uses as shown on attached Exhibit [ ] may continue until approval of a local development order for the area of the project containing those uses.

(b) Additional clearing of trees or other vegetation in agricultural areas is prohibited. Existing areas of bona fide agricultural use may be maintained, i.e., mowed, but not cleared or expanded. This prohibition is not intended to preclude County approved requests for the removal of invasive exotic vegetation.

(c) The property owner must terminate the agricultural tax exemption for any portion of the property that receives a local development order. The agricultural use must cease by December 31st of the calendar year in which the local development order is issued. The exemption termination must be filed with the Property Appraiser's Office by December 31st of the calendar year in which the local development order is issued. A copy of the exemption termination must be provided to the Office of the County Attorney.

25. ***[Condition #25 has been relocated to become a note at the end of the Schedule of Uses in Condition #2a.]***

26. Development along Popash and Bayshore Creeks:

General Conditions:

a. Prior to issuance of the first Development Order (or any early work, clearing, filling permits), the applicant must submit the following information for review and approval by the Lee County Natural Resources Division:

1. If the development parameters change from those modeled and approved during the rezoning, then developer must provide an HEC-RAS model pursuant to the same modeling parameters established during the rezoning process for the Popash and Bayshore Creeks demonstrating that the revised development will not induce any rise to the existing flood elevations, nor any increases in velocities, nor any transfer in overbank flows for the 10-, 25-, and 100-year storms.

2. Show the location and extent of the existing and proposed cross sections from the HEC-RAS model on the Development Order plans, as well as, defining the existing top of bank station/elevation, overbank elevations, roadway elevations, and

bridge dimensions and elevations. Sufficient details or sections showing continuity and capacity of flows in the overbank must be clearly demonstrated.

3. All plans and documents related to the above must include the statement: "This is to certify that I am a duly qualified engineer licensed to practice in the State of Florida. It is to further certify that these design plans, drawings, and associated technical calculations and/or data demonstrate that no adverse effects to the existing flood elevations will occur as a result of this development."

4. The above information must be submitted to the South Florida Water Management District (SFWMD) for review, consideration, and inclusion in their permit files.

5. The developer or its assigns must dedicate a drainage/maintenance easement to Lee County for Popash and Bayshore Creeks for all that portion(s) of the channel and its overbanks included in the HEC-RAS modeling and that lie within its property limits. The easement may be apart of any conservation easement dedicated to Lee County and the South Florida Water Management District (SFWMD), but must be consistent with the maintenance activities anticipated and outlined in these conditions. The easement must also give the county the right, but not the obligation of maintenance and provide for maintenance access along the creeks. As a part of the easement, the developer agrees to a monthly maintenance schedule to include an initial and ongoing maintenance for these creeks that is to include removal of all exotics including, but not limited to, grape vines (above three feet in height above ground) and rosary pea, any deposited debris, fencing, fallen trees, or eroded vegetation. The basic ground cover within the easement area is to remain in its current grassed condition. The relocation of onsite sabal palms from other parts of the property to the easement area is permissible, but must not be collocated closer than a ten (10) foot spacing. No saw palmetto or shrubbery of any type is to be planted within the easement area. Said easement must be reviewed and approved by the County Attorney and Natural Resources during the platting process. This same drainage/maintenance easement language must be contained within the Community Development District or Home Owners Association documents (eg: CDD, HOA, etc).

6. All modifications and exotic vegetation removal outlined herein for Popash and Bayshore Creeks must be completed before the issuance of the first Certification of Completion for the first Development Order.

7. The east-west ditch proposed along the northerly boundary

of the development must not provide for an interconnection between Popash and Bayshore Creeks.

Popash Creek:

b. Prior to issuance of the first Development Order (or any early work, clearing, filling permits) containing the bridged crossing, the developer must provide complete construction plans for the bridge for review and approval by the Lee County Natural Resources Division and be in accordance with the following:

1. The bridge crossing of Popash Creek must be a pile-supported structure.

2. No more than 2 rows of pilings (or supports) are permitted in the overbank and none may be closer than 10 feet to the existing top of bank. Each row must be perpendicular to the direction of flood flows and each must have a maximum dimension of twenty-four inches (24").

3. The low chord of the bridge must be at or above the 100-year floodwater surface elevation and the abutments for the bridge may not be closer than fifty feet (50') to the existing top of bank. Additionally, the low chord must be at least two feet (2') above the highest overbank elevation within the fifty-foot offset areas (total of 100'+).

4. No berming, filling, planting, or other above ground construction/amenities are permitted within fifty feet (50') of the existing top of banks for Popash Creek, except as elsewhere permitted in these conditions by Lee County Natural Resources.

Bayshore Creek:

c. All modifications and exotic vegetation removal outlined below for Bayshore Creek must be completed before the issuance of the first Certification of Completion for the first Development Order.

1. Along Bayshore Creek for that portion upstream of Prichett Parkway and within the fifty (50) foot offset from the existing top of bank, the spoil is to be removed down to an elevation of 18.0 feet NGVD and then sloped in conjunction with the perimeter berm.

2. No berming, filling, planting, or other above ground construction/amenities are permitted within fifty feet (50') of the existing top of bank for Bayshore Creek, except as elsewhere permitted in these conditions by Lee County Natural Resources.

27. In light of the potential for the existing High Point wastewater treatment plant (WWTP) to continue operation, the developer must disclose the existence, location and operation of the sewage treatment plant to

any purchasers of property immediately adjacent to a line 250 feet from the perimeter boundary of the WWTP site (excluding that portion of the site containing the access road into the WWTP site).

Any and all agreements for the sale of property immediately adjacent to the 250-foot dimension must include this disclosure statement. The following disclosure statement must appear in bold face and conspicuous type that is larger than the type in the remaining text of the contract:

> "Lot owners immediately adjacent to the line 250 feet from the perimeter boundary of the WWTP site within the Stoneybrook North (f/k/a Heritage Creek) Planned Development acknowledge the presence of the High Point Sewage Treatment Plant."

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30. Except as otherwise noted on the MCP, perimeter buffers around the outside perimeter of the property will require 10 trees per 100 linear feet and a double staggered hedge. The hedge will be installed at 36" high and maintained at 60" high. 75% of the shrubs and 50% of the trees will be native species.

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a. This project must comply with the recently adopted "Outdoor Lighting Standards" adopted in LDC §34-625.

b. Outdoor ballfield lights for the baseball field located on Tract K are prohibited.

c. Outdoor recreational lighting for any multi-purpose courts or fields located on Tract K and Tract M must be on timers and must meet the requirements of LDC §34-625 and must be done in a fashion to minimize light pollution, glare and light trespass. Lighting impacts will be measured at the boundary of Tracts K and M, and not at the boundary of any adjacent lakes or preserve areas.

DEVIATIONS:

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Deviation # 2 is withdrawn.

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Deviation #5 is withdrawn.

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Deviation #8 is withdrawn.

Deviation # 9 is withdrawn.

Deviation #10 is withdrawn.

Deviation #11 is withdrawn.

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2. The handicapped parking space(s) in each lot would be paved.

3. The applicant will keep the portion of the street in front of each model free from gravel or shell that may have been tracked out the model home parking area(s) by departing vehicles.

Deviation #14 seeks relief from §30-153(2)(a)(iv) which limits the text of additional subdivision or residential development identification signs to the subdivision or project name; to allow the additional signs for this project to include the notation "A US Home Community" in addition to the name of the development is approved. The proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15 which was stamped received at Community Development on April 7, 2003, and as attached as Exhibit [ ].

Deviation #15 seeks relief from §30-152(2)(d) which limits the size of project entrance signs and which limits the size and number of additional project signs to allow all of the permitted square footage for the number of permitted signs to be combined into the main project entrance sign and a deviation from §30-94(h) which restricts double faced signs with opposing faces to an interior angle of less than 30 degrees; to allow the Heritage Creek project sign to have two sign faces of approximately 130 square feet in size and be located on a curvilinear wall is approved. The proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15 which was stamped received at Community Development on April 7, 2003, and attached as Exhibit [ ].

Deviation #16 is withdrawn.

Findings and Conclusions:

Based upon an analysis of the application for Residential Planned Development and the standards for approval of planned development rezonings, staff offers the following findings and conclusions:

1. The applicant has proven entitlement to the rezoning to RPD by demonstrating compliance with the Lee Plan, the Land Development Code, and other applicable codes and regulations.

2. The requested RPD zoning, as conditioned:

a) is consistent with the densities, intensities and general uses set forth in the Lee Plan;

b) is compatible with existing or planned uses in the surrounding area; and

c) will not adversely affect environmentally critical areas or natural resources.

3. Approval of the requested RPD zoning, as conditioned, will not place an undue burden upon existing transportation or planned infrastructure facilities and the site will be served by streets with the capacity to carry traffic generated by the development.

4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

5. The proposed mix of uses, as conditioned, is appropriate at the subject location.

6. The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguards to the public interest.

7. The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.

8. The deviations, recommended for approval, as conditioned:

a) enhance the objectives of the planned development; and

b) preserve and promote the general intent of the LDC to protect the public health, safety and welfare.

CONDITIONS & DEVIATIONS AS OF AUGUST 25, 2003 (082003/1045)

TYPE OF CASE: PLANNED DEVELOPMENT/DCI
CASE NUMBER: DCI 2001-00038

I. APPLICATION SUMMARY:

A. Applicant: U. S. Home Corporation in ref to Heritage Creek (aka Stoneybrook North)

B. Request: Rezone from AG-2, CPD, & RVPD to RPD to permit the development of a maximum of 1,275 residential units including a mixture of single-family and two-family attached dwelling unit types, all not to exceed 35 feet in height.

C. Location: The subject property is located on Pritchett Parkway (in the northeast quadrant of the intersection of I-75 and Bayshore Blvd.), in S15, 16 & 21-T43S-R25E, Lee County, FL. (District #4)

D. Land Use Plan Designation: Outlying Suburban, General Interchange and Wetlands

E. Surrounding Land Use:

Existing Zoning & Land Use	Future Land Use Map
North: AG-2 developed with single family uses.	Open Lands and Density Reduction/Groundwater Resource
East: AG-2 and RS-1 vacant land and developed single family residential uses	Outlying Suburban
South: Leetana Drive, Pritchett Parkway, I-75, AG-2, RV-3, RS-1 vacant land and developed single family residential uses	Outlying Suburban
West: AG-2, AG-3 developed with single family residential uses	Outlying Suburban

F. Size of Property: 741.22± acres

II. RECOMMENDATION:

Staff recommends approval of the Applicant's request for rezoning from AG-2, CPD, and RVPD to RPD, subject to the following conditions and deviations:

A. Conditions

1. The development of this project must be consistent with the one page Master Concept Plan entitled "Stoneybrook North," prepared by WilsonMiller, dated October 01, 2001, last revised August 16, 2003 and stamped "Received AUG 25 2003 Community Development,", except as modified by the conditions below. This development must comply with all requirements of the Lee County Land Development Code (LDC) at time of local Development Order Approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary. ***[The last revised date and submission date of this MCP will change with the submission of the newest MCP referenced in the HEX's continuance.]***

2. The following limits apply to the project and uses:

   a. Schedule of Uses

Administrative Offices
Agriculture - Subject to Condition 24
Accessory uses and structures
Club, Private (Limited to Tract K)
    Food and beverage service, limited
    Health Club and Spa
    Parking lot, accessory
    Rental or leasing establishment, Group I, limited to
        bicycles, tennis rackets and other small
        equipment for use by members of the private club
Specialty Retail Shop, Group I
Communication Tower (limited to one on the north
    side of Tract K and limited to a
    maximum of 35 feet in height)
Dwelling Unit , limited to a maximum of 1,275 units consisting of:
    Conventional Single Family Residence
        (May be constructed on all R-1 and R-1A residential tracts)
        See Note 1.
    Two family attached (Limited to Tracts I-1, I-2 & J)
        See Note 1.
Entrance Gate and Gatehouse, in compliance with LDC Section 34-1748
Essential Services
Essential Service Facilities, Group I
Excavation, water retention
Fences, walls
Home occupation
Model Home, Model Unit and Model Display Group
Real Estate Sales Office (Temporary sales office limited

to Tract K and limited to the sale of lots or units within the development only)
Recreation Facilities, Personal
Recreation Facilities, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs, including one existing billboard located on the southwest side of Lake L1, all in compliance with LDC Chapter 30 except as approved by deviation
Temporary uses (LDC Section 34-3041)

Note 1: Single-family and two-family attached dwelling units may be constructed on all R-1 and R-1A residential tracts. Two-family attached dwelling units may be constructed only on Tracts I-1, I-2 and J.

b. Site Development Regulations

	Minimum Lot			Minimum Setback (ft.)									
					Rear (ft.)			Front (ft.)					
LAND USES	Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Side Including Corner Lots (ft.) *	Lots	Wetland	Acc.	Front Entry Garage	Bldg. or Side Entry Garage	Water Body (ft.)	Max. Bldg. Height (ft.)	Min. Bld. Separation (ft.)	Max Lot Coverage (%)
Single-family Detached	4,000	40	100	5	20	20	5	20	12	25	35 or 2 stories	10	45
Two-family Attached	3,500 per unit	35 per unit	100	0 or 10	20	20	5	20	12	25	35 or 2 stories	10	45
Clubhouse	20,000	80	100	10	20	20	5	n/a	20	25	35 or 2 Stories	20	45
Accessory Recreation Buildings	n/a	n/a	n/a	n/a	20	20	n/a	n/a	n/a	n/a	35 or 1 story	20	n/a

* Applies to lots of all widths and to corner lots. Each lot, including corner lots, will have only one front yard.

3. ***CONDITION #3 HAS BEEN DELETED.***

4. The Tract M recreational area must include at a minimum, one multi-purpose field, a playground and picnic area. Facilities for the safe passage of pedestrians cyclists from one side of Pritchett Parkway to the other as determined by the Director of Development Services at the time of local development order submittal must be provided

5. No residential lots may be located within 250 feet of the existing High Point sewage treatment plant property lines until the sewage treatment plant is no longer in operation. If the High Point sewage treatment plant is still in operation when the plat is approved for any lots located in Tracts F-2 and G, the applicant must include a thirty-foot wide Type F buffer around the perimeter of the High Point sewage treatment plant property lines, excluding the easement that provides access to the plant.

6. Common area open space must be designed to incorporate as many of the native heritage trees and sabal palms as possible. Any healthy sabal palms with a minimum eight foot clear trunk must be salvaged if conditions (e.g., no rock) and sequence of construction allows. If sequence of construction does not allow the on-site relocation of sabal palms, effort must be made to identify an off-site recipient site. Sabal palms that are located in wet areas typically do not respond well to transplanting and will not be subject to this condition. The salvage efforts must be coordinated with the Division of Environmental Sciences staff whether used on-site or otherwise. Any sabal palms being relocated must be moved in a horticulturally correct manner per Lee County Extension Services brochure Lee 8/2000A and attached as Exhibit [ ]. Prior to local development order approval, the preserved trees and any relocated palms must be delineated on the plans. Preserved trees and relocated sabal palms will receive protected tree credits per §10-420(h).

7. A detailed protected species management plan for gopher tortoises, Big Cypress fox squirrels, and wading birds must be submitted with the initial development order for any portion of this project. The gopher tortoise management plan must include either a permanent fence or a continuous hedge of native shrubs where the gopher tortoise preserve abuts the road and park to protect the tortoises from the vehicular traffic and active recreation area.

   A pedestrian/bicycle trail, with a maximum 4-foot width, is permissible within the gopher tortoise preserve. The trail must be designed to avoid impacting existing gopher tortoise burrows and large native trees. Two access points to the trail may be incorporated into the fence, provided the openings are designed to minimize the potential for tortoises to disperse from the preserve. Details of the trail and fence must be included in the development order plans.

8. Prior to any local development order approval, an open space table must be included that details the residential unit type with lot size per tract, required open space, provided open space, required indigenous preservation and provided indigenous preservation. The project must preserve at a minimum the approximately 100.1 acres of conservation area including the wetland creation area. If more than 500 acres of the project is developed with residential tracts (including roads and lakes) requiring open space, then the development order must delineate the additional required indigenous preservation for the Division of Environmental Sciences staff review and approval.

9. The use of cypress mulch is prohibited in preserve areas.

10. The maximum width of all boardwalks within the preserve areas may not exceed the minimum width requirements set forth by the Americans with Disabilities Act.

11. All boardwalks within the preserve areas must be designed to avoid mature native trees and protected species burrows, nests, or dens. The final layout of the boardwalks must be field verified by Division of Environmental Sciences staff prior to construction. Minor adjustments to minimize impacts to native vegetation may be required.

12. The construction of gazebos or viewing platforms within conservation areas is limited to no more than 2 structures each having a footprint no larger than 200 square feet.

13. Prior to site work for any recreational use that requires the removal of vegetation within a conservation area, a development order showing impacts to the conservation area must be submitted for review and approval by Environmental Sciences and other applicable County Staff.

14. Prior to local development order approval, the development order plans must include a littoral planting areas in substantial compliance with the "Stoneybrook North Littoral Planting Exhibit" stamped received April 7, 2003, and attached as Exhibit [ ]. All lake littoral zones must be constructed as depicted in Cross-Section B-B. Littoral planting quantities must be consistent with the "Littoral Planting Plan Exhibit Stoneybrook North" and accompanying table stamped received May 29, 2003, and attached as Exhibit [ ]. The planting area along the northern ditch expansion must also provide native wetland plants installed 3-foot on-center.

15. The Communication Tower as denoted on the Master Concept Plan must be of a monopole design and limited to 35 feet in height. The tower and its associated maintenance buildings must be designed to minimize impacts to birds.

16. Lake littoral plantings within Tract K must be calculated at one littoral plant per linear foot of lake shoreline. One 10-foot tall tree or two 3-gallon shrubs may be substituted for 10 herbaceous plants. Trees and shrubs may used to count toward up to 50 % of the required lake littoral planting requirements. A minimum of two native wetland tree species and four native herbaceous plant species must be installed in the Lake L1 (contained within Tract K).

17. The placement of any required vegetation within a utility, power, or drainage easement must be clearly delineated on an Alternate Landscape Betterment Plan as per §10-419 and submitted with the local development order. The placement of vegetation within any easement must be approved by Lee County Environmental Sciences staff AND any other affected Division (Utilities, Zoning, etc.). If the easement is to an entity other than Lee County, then written approval of the location of vegetation from any affected easement holder must be submitted to ES staff as part of the development order. Approval from all affected parties must be obtained prior to approval of the local development order.

18. Lake bulkheads are limited to roads and the clubhouse area. Bulkheads are not permitted along residential boundaries.

    Prior to local development order approval, the plans must show the location of the bulkheads to confirm that no more than 20% of each lake shoreline consists of bulkhead or rip-rap. Lakes where bulkheads are proposed must be designed to provide one linear foot of compensatory littoral zone with an 8:1 slope for each linear foot of bulkhead. For lakes that utilize bulkheads, littoral plants must be calculated at two plants per linear foot of shoreline clustered within the 8:1 slope portion of the lake.

    The development order must include a typical cross-section detail of bulkhead and rip-rap areas on the paving and grading AND landscape plan.

19. Transportation Concurrency for this project will be measured pursuant to the Lee Plan and LDC standards in place at the time of the development order. This must include evaluating Bayshore Road from Nalle Road to I-75 for transportation concurrency. Prior to development order approval, the developer must demonstrate that the Level of Service (LOS) will not fall below the adopted level of service on the identified links. In determining that level of service, only road improvements with committed funding, as provided in FAC 9J-2.045, may be considered.

20. The developer must provide intersection improvements to the intersection of Bayshore Road and Pritchett Parkway. At a minimum, the developer will construct a southbound right turn lane as a site-related improvement, and not eligible for road impact fee credits. In cooperation with the Florida Department of Transportation and the County, the developer may realign Pritchett Parkway to address future operational problems caused by project traffic.

21. ***Staff and the Applicant have each submitted a condition on this issue.***

The Staff's original condition is as follows:

The developer must construct an eight-foot wide bicycle path or two five-foot wide sidewalks along Pritchett Parkway from Bayshore Road to Rich Road. The bicycle/pedestrian facilities improvement will be considered a site-related improvement and not eligible for road impact fee credits.

The Applicant's proposed condition is as follows:

The developer must construct an eight-foot wide bicycle path or two five-foot wide sidewalks along Pritchett Parkway from Bayshore Road to Rich Road. The bicycle/pedestrian improvements will be considered a site-related improvement for the portion of the improvement constructed between the southernmost and northernmost entrances to the project site as shown on the approved Master Concept Plan. The portions of the bicycle/pedestrian improvements constructed 1) between Bayshore Road and the southernmost site entrance, and 2) between Rich Road and the northernmost site entrance, will be eligible for road impact fee credits.

22. Blasting is prohibited on this project site; however, if it is found during development that the excavations cannot be performed without blasting, the developer must obtain an amendment to this zoning resolution.

23. The excavation of material from the lake areas does not constitute construction materials mining as defined under Section 552.30, Florida Statutes.

24. AGRICULTURAL USES: Agriculture is not approved as a permanent use in the Schedule of Uses for this property. All agricultural uses must cease upon approval of the requested rezoning, EXCEPT as follows:

    (a) Existing bona fide agricultural uses as shown on attached Exhibit [ ] may continue until approval of a local development order for the area of the project containing those uses.

    (b) Additional clearing of trees or other vegetation in agricultural areas is prohibited. Existing areas of bona fide agricultural use may be maintained, i.e., mowed, but not cleared or expanded. This prohibition is not intended to preclude County approved requests for the removal of invasive exotic vegetation.

(c) The property owner must terminate the agricultural tax exemption for any portion of the property that receives a local development order. The agricultural use must cease by December 31st of the calendar year in which the local development order is issued. The exemption termination must be filed with the Property Appraiser's Office by December 31st of the calendar year in which the local development order is issued. A copy of the exemption termination must be provided to the Office of the County Attorney.

25. ***[Condition #25 has been relocated to become a note at the end of the Schedule of Uses in Condition #2a.]***

26. Development along Popash and Bayshore Creeks:

General Conditions:

a. Prior to issuance of the first Development Order (or any early work, clearing, filling permits), the applicant must submit the following information for review and approval by the Lee County Natural Resources Division:

1. If the development parameters change from those modeled and approved during the rezoning, then developer must provide an HEC-RAS model pursuant to the same modeling parameters established during the rezoning process for the Popash and Bayshore Creeks demonstrating that the revised development will not induce any rise to the existing flood elevations, nor any increases in velocities, nor any transfer in overbank flows for the 10-, 25-, and 100-year storms.

2. Show the location and extent of the existing and proposed cross sections from the HEC-RAS model on the Development Order plans, as well as, defining the existing top of bank station/elevation, overbank elevations, roadway elevations, and bridge dimensions and elevations. Sufficient details or sections showing continuity and capacity of flows in the overbank must be clearly demonstrated.

3. **All plans and documents related to the above must include the statement: "This is to certify that I am a duly qualified engineer licensed to practice in the State of Florida. It is to further certify that these design plans, drawings, and associated technical calculations and/or data demonstrate that no adverse effects to the existing flood elevations will occur as a result of this development."**

4. The above information must be submitted to the South Florida Water Management District (SFWMD) for review, consideration, and inclusion in their permit files.

5. The developer or its assigns must dedicate a drainage/maintenance easement to Lee County for Popash and Bayshore Creeks for all that portion(s) of the channel and its overbanks included in the HEC-RAS modeling and that lie within its property limits. The easement may be apart of any conservation easement dedicated to Lee County and the South Florida Water Management District (SFWMD), but must be consistent with the maintenance activities anticipated and outlined in these conditions. The easement must also give the county the right, but not the obligation of maintenance and provide for maintenance access along the creeks. As a part of the easement, the developer agrees to a monthly maintenance schedule to include an initial and ongoing maintenance for these creeks that is to include removal of all exotics including, but not limited to, grape vines (above three feet in height above ground) and rosary pea, any deposited debris, fencing, fallen trees, or eroded vegetation. The basic ground cover within the easement area is to remain in its current grassed condition. The relocation of onsite sabal palms from other parts of the property to the easement area is permissible, but must not be collocated closer than a ten (10) foot spacing. No saw palmetto or shrubbery of any type is to be planted within the easement area. Said easement must be reviewed and approved by the County Attorney and Natural Resources during the platting process. This same drainage/maintenance easement language must be contained within the Community Development District or Home Owners Association documents (eg: CDD, HOA, etc).

6. All modifications and exotic vegetation removal outlined herein for Popash and Bayshore Creeks must be completed before the issuance of the first Certification of Completion for the first Development Order.

7. The east-west ditch proposed along the northerly boundary of the development must not provide for an interconnection between Popash and Bayshore Creeks.

Popash Creek:

b. Prior to issuance of the first Development Order (or any early work, clearing, filling permits) containing the bridged crossing, the developer must provide complete construction plans for the bridge for review and approval by the Lee County Natural Resources Division and be in accordance with the following:

1. The bridge crossing of Popash Creek must be a pile-supported structure.

2. No more than 2 rows of pilings (or supports) are permitted in the overbank and none may be closer than 10 feet to the existing top of bank. Each row must be perpendicular to the direction of flood flows and each must have a maximum dimension of twenty-four inches (24").

3. The low chord of the bridge must be at or above the 100-year floodwater surface elevation and the abutments for the bridge may not be closer than fifty feet (50') to the existing top of bank. Additionally, the low chord must be at least two feet (2') above the highest overbank elevation within the fifty-foot offset areas (total of 100'+).

4. No berming, filling, planting, or other above ground construction/amenities are permitted within fifty feet (50') of the existing top of banks for Popash Creek, except as elsewhere permitted in these conditions by Lee County Natural Resources.

Bayshore Creek:

c. All modifications and exotic vegetation removal outlined below for Bayshore Creek must be completed before the issuance of the first Certification of Completion for the first Development Order.

1. Along Bayshore Creek for that portion upstream of Prichett Parkway and within the fifty (50) foot offset from the existing top of bank, the spoil is to be removed down to an elevation of 18.0 feet NGVD and then sloped in conjunction with the perimeter berm.

2. No berming, filling, planting, or other above ground construction/amenities are permitted within fifty feet (50') of the existing top of bank for Bayshore Creek, except as elsewhere permitted in these conditions by Lee County Natural Resources.

27. In light of the potential for the existing High Point wastewater treatment plant (WWTP) to continue operation, the developer must disclose the existence, location and operation of the sewage treatment plant to any purchasers of property immediately adjacent to a line 250 feet from the perimeter boundary of the WWTP site (excluding that portion of the site containing the access road into the WWTP site).

Any and all agreements for the sale of property immediately adjacent to the 250-foot dimension must include this disclosure statement. The following disclosure statement must appear in bold face and conspicuous type that is larger than the type in the remaining text of the contract:

"Lot owners immediately adjacent to the line 250 feet from the perimeter boundary of the WWTP site within the Stoneybrook North (f/k/a Heritage Creek) Planned Development acknowledge the presence of the High Point Sewage Treatment Plant."

28. **The maintenance of Popash and Bayshore Creeks within the property limits, which is required in Condition 26, will be assured by the provision of a surety for the annual cost of maintenance. Evidence of the surety must be provided to the County prior to certificate of completion of the first development order for the drainage infrastructure for the project.**

29. In an effort to cooperate in achieving the reduction of the regional flooding problem, the applicant must provide a drainage easement to Lee County for the drainage ditch along the north boundary of the property. This easement is for the purpose of allowing the existing ditch to accept the quantity of stormwater that is approved pursuant to a South Florida Water Management District permit addressing the regional flooding problem.

30. Except as otherwise noted on the MCP, perimeter buffers around the outside perimeter of the property will require 10 trees per 100 linear feet and a double staggered hedge. The hedge will be installed at 36" high and maintained at 60" high. 75% of the shrubs and 50% of the trees will be native species.

31. Lighting

    a. **This project must comply with the recently adopted "Outdoor Lighting Standards" adopted in LDC §34-625.**

    b. Outdoor ballfield lights for the baseball field located on Tract K are prohibited.

    c. **Outdoor recreational lighting for any multi-purpose courts or fields located on Tract K and Tract M must be on timers and must meet the requirements of LDC §34-625 and must be done in a fashion to minimize light pollution, glare and light trespass. Lighting impacts will be measured at the boundary of Tracts K and M, and not at the boundary of any adjacent lakes or preserve areas.**

DEVIATIONS:

Deviation # 1 is withdrawn.

Deviation # 2 is withdrawn.

Deviation #3 seeks relief from §10-418(2)b which requires the installation of one native wetland herbaceous plant per linear foot of lake shoreline and where trees and shrubs can be substituted for up to twenty-five percent of the total number of herbaceous plants required; to allow the required plantings to include up to fifty percent trees in the Tract K lake (Lake L1) is approved subject to Condition #16.

Deviation #4 is withdrawn.

Deviation #5 is withdrawn.

Deviation # 6 is withdrawn.

Deviation #7 seeks relief from §10-329)e)(4) which requires excavations to be sloped at four horizontal to one vertical to a water depth of four feet below the dry season water table and two horizontal to one vertical thereafter, to allow 40% of the lake bank slopes within the development to utilize vertical bulkheads and/or rip rap is approved subject to Condition #18.

Deviation #8 is withdrawn.

Deviation # 9 is withdrawn.

Deviation #10 is withdrawn.

Deviation #11 is withdrawn.

Deviation #12 seeks relief from §34-1954(a)(1) which requires administrative approval of locations for model homes in new developments; to allow model homes by right in the locations within the development as shown on the MCP is approved.

Deviation #13: ***The Staff is recommending denial of the requested deviation. The Applicant has proposed additional conditions to supplement their original request and is seeking approval of the deviation.***

The following is Staff's recommended denial of the deviation.

Deviation #13 seeks relief from §34-1954(f) which requires parking for model homes or model units to be located on the same premises and in compliance with the type of dwelling unit being displayed; to permit the development of accessory parking for model homes as low turnover and therefore permit development of these lots with alternative surfaces is denied.

The following is the Applicant's requested deviation with additional conditions:

Deviation #13 seeks relief from §34-1954(f) which requires parking for model homes or model units to be located on the same premises and in compliance with the type of dwelling unit being displayed; to permit the development of accessory parking for model homes as low turnover and therefore permit development of these lots with alternative surfaces is approved subject to the following conditions:

1. The entrance apron into each parking lot would be paved.

2. The handicapped parking space(s) in each lot would be paved.

3. The applicant will keep the portion of the street in front of each model free from gravel or shell that may have been tracked out the model home parking area(s) by departing vehicles.

Deviation #14 seeks relief from §30-153(2)(a)(iv) which limits the text of additional subdivision or residential development identification signs to the subdivision or project name; to allow the additional signs for this project to include the notation "A US Home Community" in addition to the name of the development is approved. The proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15 which was stamped received at Community Development on April 7, 2003, and as attached as Exhibit [ ].

Deviation #15 seeks relief from §30-152(2)(d) which limits the size of project entrance signs and which limits the size and number of additional project signs to allow all of the permitted square footage for the number of permitted signs to be combined into the main project entrance sign and a deviation from §30-94(h) which restricts double faced signs with opposing faces to an interior angle of less than 30 degrees; to allow the Heritage Creek project sign to have two sign faces of approximately 130 square feet in size and be located on a curvilinear wall is approved. The proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15 which was stamped received at Community Development on April 7, 2003, and attached as Exhibit [ ].

Deviation #16 is withdrawn.

Findings and Conclusions:

Based upon an analysis of the application for Residential Planned Development and the standards for approval of planned development rezonings, staff offers the following findings and conclusions:

1. The applicant has proven entitlement to the rezoning to RPD by demonstrating compliance with the Lee Plan, the Land Development Code, and other applicable codes and regulations.

2. The requested RPD zoning, as conditioned:

   a) is consistent with the densities, intensities and general uses set forth in the Lee Plan;

   b) is compatible with existing or planned uses in the surrounding area; and

   c) will not adversely affect environmentally critical areas or natural resources.

3. Approval of the requested RPD zoning, as conditioned, will not place an undue burden upon existing transportation or planned infrastructure facilities and the site will be served by streets with the capacity to carry traffic generated by the development.

4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

5. The proposed mix of uses, as conditioned, is appropriate at the subject location.

6. The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguards to the public interest.

7. The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.

8. The deviations, recommended for approval, as conditioned:

   a) enhance the objectives of the planned development; and

   b) preserve and promote the general intent of the LDC to protect the public health, safety and welfare.

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8585

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District Two

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District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

January 27, 2004

Ms. Carron Day
WilsonMiller
4571 Colonial Blvd. Ste. 100
Fort Myers, FL 33912

Re: Agenda Schedule for US Home Corporation, in ref. to Heritage Creek (AKA Stoneybrook)
Case No. DCI2001-00038

Dear Ms. Carron Day:

Your zoning request has been scheduled before the Board of County Commissioners to take final action after reviewing the Hearing Examiner's recommendation.

DATE & TIME: February 16, 2004, Meeting commences at 9:30 A.M.

LOCATION: Commissioners' Meeting Room
2120 Main Street
Ft. Myers, Florida

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

Jamie Princing
Administrative Assistant

cc: US Homes Corporation
Pritchett Development Co. LTD
Mr. Steven Hartsell Pavese Law Firm
Alvin "Chip" Block, AICP, Principal Planner
Zoning File

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LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8371

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District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

July 31, 2003

Mr. Ralf Brookes, Attorney
1217 Cape Coral Parkway, #107
Cape Coral, Florida 33904

Subject: DCI2001-00038, Heritage Creek/Stoneybrook RPD

Dear Mr. Brookes:

As discussed in our phone conversation of Monday, July 28, 2003, the decision to allow the cross-examination of certain County Staff for this case is up to the Lee County Hearing Examiner. A copy of your request will be handed to the Hearing Examiner at the July 31, 2003 hearing for consideration.

If you have any questions please feel free to contact me.

Sincerely,
DEPARTMENT OF COMMUNITY DEVELOPMENT
Division of Zoning

Alvin Block

Alvin Block, AICP
Principal Planner

cc: Zoning and DCI Files
Mr. Steve Hartsell, Attorney for the applicant
Mr. John Fredyma, Assistant County Attorney

P.O. Box 398, Fort Myers, Florida 33902-0398 (239) 335-2111
Internet address http://www.lee-county.com
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AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

CC: TIM ✓
PAM ✓

IN RE: HERITAGE CREEK/STONEYBROOK RPD

CASE NUMBER: DCI 2001-00038

/

REQUEST TO CROSS EXAMINE AGENCY STAFF

The undersigned, as Attorney for adjacent landowners Richard Coolick, Lori Davidson and Shelley Traurig, respectfully requests to cross examine at the hearing on the above-referenced application currently scheduled for July 31, 2003 and August 1, 2003 the following sworn witnesses under oath:

Pam Houck (Lee County Staff) who prepared the revised staff report and final recommendation in this case,

Mike Pavese (Lee County Staff) who reviewed the application and prepared staff reports and preliminary recommendations in this case,

Mary Gibbs (Lee County staff) concerning her response to the scope and level of detail contained in the staff recommendation, and

Matt Noble (Lee County staff) who took photographs of the site and prepared a power point presentation concerning staff field visits conducted during the staff review of this application.

Respectfully submitted,

Ralf Brookes, Attorney
Florida Bar No. 0778362
Attorney for Richard Coolick,
Lori Davidson and Shelley Traurig
1217 East Cape Coral Parkway #107
Cape Coral, Florida 33904
Telephone: (239) 910-5464
Facsimile: (239) 541-2774
Ralf@RalfBrookesAttorney.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above Motion for Continuance of Hearing has been furnished by fax or hand delivery to Lee County, 1500 Monroe Street, Fort Myers, Florida 33901 on this 25th day of July, 2003.

RALF BROOKES, ATTORNEY
Attorney for Richard Coolick,
Lori Davidson and Shelley Traurig
1217 East Cape Coral Parkway #107
Cape Coral, Florida 33904
Telephone: (239) 910-5464
Facsimile: (239) 541-2774
Ralf@RalfBrookesAttorney.com

MEMORANDUM

From The
Department Of
Community Development
Zoning Division

Date: February 4, 2004

To: DCI2001-00038 Heritage Creek

From: Billie Jacoby

RE: Notice of Public Hearing - February 16, 2004 BCC
Lee County Board of County Commissioners Meeting

I, Billie Jacoby, Administrative Assistant, Zoning Division, do hereby certify that I have mailed **notices to the participants** in regard to the above referenced meeting, in the attached style, pursuant to the list marked and attached hereto and made a part of the certification.

NOTICE TO PARTICIPANT

CASE NUMBER:	DCI2001-00038
NAME:	US Home Corporation, in ref. to Heritage Creek (AKA Stoneybrook)
REQUEST:	Request is to rezone the property from AG-2, CPD, & RVPD to Residential Planned Development (RPD) to permit the development of a maximum of 1275 residential units including a mixture of single-family, duplex, townhouse, two-family attached and multi-family units all not to exceed 35 feet in height.
LOCATION:	The subject property is located on Pritchett Parkway (in the northeast quadrant of the intersection of Interstate 75 and Bayshore Road), in S15, 16 and 21, T43S, R25E, Lee County, FL.
PROPERTY OWNER'S REPRESENTATIVE:	Ms. Carron Day Wilson Miller (239)939-1020

Notice is hereby given that the Lee County Board of Commissioners will hold a public hearing at 9:30 a.m. on February 16, 2004, to review the written recommendation made by the Hearing Examiner and make a final decision in the above-referenced case. This hearing will be held in the Commissioners' Meeting Room, 2120 Main St., Ft. Myers, FL.

The law states that, as a participant, you have the right to appear and address the Board on this case. However, the law strictly limits all testimony before the Board to statements challenging the correctness of findings and conclusions contained in the record, or statements alleging the discovery of relevant new evidence which was not known by the speaker at the time of the Hearing Examiner's hearing and not otherwise disclosed in the record. Statements will be limited to five (5) minutes or as the Board may otherwise allow.

Additional copies of the Hearing Examiner's recommendation may be obtained or the file reviewed at the Zoning Division, 1500 Monroe St., Ft. Myers, FL. Call 479-8585 additional information.

In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, please contact Billie Jacoby at 479-8585.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

DCI2001-00038

Ms. Carron Day
WilsonMiller
4571 Colonial Blvd. Ste. 100
Fort Myers, FL 33912

Pritchett Development Co. LTD
6601 Bayshore Road
Fort Myers, FL 33917

Christine Abrams
8200 Henderson Grade Road
N. Ft. Myers, FL 33917

Russ Reed
8600 Henderson Grade
N. Ft. Myers, FL 33917

Bill Hannong
8200 Boonesboro Rd.
N. Ft. Myers, FL 33917

Joseph Baublis
17351 Wells Road
N. Ft. Myers, FL 33917

Sharon Rollins
18341 Hunter's Glen Rd.
N. Ft. Myers, FL 33917

Terry Haymond
18371 Hunter's Glen Rd.
N. Ft. Myers, FL 33917

Steven Brodkin
17720 Durrance Rd.
N. Ft. Myers, FL 33917

US Homes Corporation
10481 Six Mile Cypress Pkwy.
Fort Myers, FL 33912

Mr. Steven Hartsell
Pavese Law Firm
1833 Hendry Street
Fort Myers, FL 33902

Mark Fenicle
18401 Hunter's Glen Road
N. Ft. Myers, FL 33917

Laura Alvarez
18900 Glen Road
N. Ft. Myers, FL 33917

F. Marshall Rogers
8240 Boonesboro Rd.
N. Ft. Myers, FL 33917

Kevin Hart
1607 Winkler Ave.
Ft. Myers, FL 33901

Loretta Berwick
17831 Leetana Rd.
N. Ft. Myers, FL 33917

Tami Rucker
18320 Lynn Rd.
N. Ft. Myers, FL 33917

Steven Hunton
18381 Hunter's Glen Rd.
N. Ft. Myers, FL 33917

Cecilia Sheene
17901 Nalle Rd.
N. Ft. Myers, FL 33917

Debbie Jackow
19450 Meredith Rd.
N. Ft. Myers, FL 33917

Bonnie Cameron
8400 Henderson Grade Road
N. Ft. Myers, FL 33917

Sandra Sloan
8235 Boonesboro Rd.
N. Ft. Myers, FL 33917

Jack Jorgensen
18850 Nalle Road
N. Ft. Myers, FL 33917

Doug Caton
18251 Caton Lane
N. Ft. Myers, FL 33917

Charles & Kathie Smith
17885 Chesterfield Rd.
N. Ft. Myers, FL 33917

James Kroeker
80891 Nalle Grade Rd.
N. Ft. Myers, FL 33917

Richard T. Coolick
P. 0. Box 3797
N. Ft. Myers, FL 33918

Stephanie Smith
18700 Leetana Road
N. Ft. Myers, FL 33917

Ralf Brookes, Attorney representing Traurig,
Davidson and Coolick
1217 E. Cape Coral Pkwy Ste.107
Cape Coral, FL 33904

Trinda & David Shepard
7730 Rich Rd.
N. Ft. Myers, FL 33917

Velma Jackman
17750 Leetana Rd.
N. Ft. Myers, FL 33917

Robert Cathell
19230 Poor Lane
N. Ft. Myers, FL 33917

Theresa Slomski
18320 Hunter's Glen
N. Ft. Myers, FL 33917

Stephanie Keyes,
Lee County School District
3308 Canal Street
Ft. Myers, FL 33916

Karen Cochran
19560 Woodbridge Lane
N. Ft. Myers, FL 33917

Matt Smith
P. 0. Box 51033
Ft. Myers, FL 33994

D.J. Lansaw
20050 Pearce St.
N. Ft. Myers, FL 33917

Carroll Copping
17925 Chesterfield Rd.
N. Ft. Myers, FL 33917

Richard M. Levine
8550 Henderson Grade Road
N. Ft. Myers, FL 33917

Natalie Stratta
18220 Old Bayshore Rd.
N. Ft. Myers, FL 33917

Jeanne Cornele
20151 Welborn Rd.
N. Ft. Myers, FL 33917

Steven Magner
841 S.E. 8* Terr.
Cape Coral, FL 33990

Terry Taitano
19220 Four Wheel Drive
N. Ft. Myers, FL 33917

Shari Shifrin Crouch
9150 Nalle Grade Rd.
N. Ft. Myers, FL 33917

Curtis Martin
19221 Four Wheel Drive
N. Ft. Myers, FL 33917

Douglas R. Tatton
18251 Tatton Lane
N. Ft. Myers, FL 33917

Dennis Coughlin
8151 Henderson Grade Rd.
N. Ft. Myers, FL 33917-4860

Lisa & Michael Musho
17350 Wells Rd.
N. Ft. Myers, FL 33917

Richard H. Thompson, P.E.
319 Inman St.
Lehigh Acres, FL 33972

Lori Davidson
8501 Henderson Grade Road
N. Ft. Myers, FL 33917

John Ortini
18420 Panther Trail Lane
N. Ft. Myers, FL 33917

Doug Traurig
8300 Henderson Grade Road
N. Ft. Myers, FL 33917

Becky Decker
9251 Sedgefield Rd.
N. Ft. Myers, FL 33917

Nina & Don Paight
20150 Keola Lane
N. Ft. Myers, FL 33917

Shelley Traurig
8300 Henderson Grade Road
N. Ft. Myers, FL 33917
(spoke for herself, Tammie Hillman and Trudy Evans)

Tammie Hillman
17670 Sabal Palm Drive
N. Ft. Myers, FL 33917

Trudy Evans
8250 Dosonte Lane
N. Ft. Myers, FL 33917

Nora Demers & representing RGMC
17493 Laurel Valley Rd.
Ft. Myers, FL 33912

Nora Demers & representing RGMC
P. 0. Box 1826
Ft. Myers, FL 33902

Mark Penfield
18141 Nalle Rd.
N. Ft. Myers, FL 33917

Sheri Weinlauf
18194 Sandy Pines Circle
N. Ft. Myers, FL 33917

David W. Depew, AICP
(representing the concerned citizens of Bayshore Community)
2216 Altamont Ave.
Ft. Myers, Fl 33901

Doug Traurig
represented by David W. Depew, AICP
8300 Henderson Grade
N. Ft. Myers, FL 33917

Russ Jacob Post
16970 Tarpon Way
N. Ft. Myers, FL 33917

Patti & James E. Westberry
18700 Lynn Rd.
N. Ft. Myers, FL 33917

Phil & Trudy Evans
8250 Dosonte Lane
N. Ft. Myers, FL 33917

Andrew Prince
18270 Hunters Glen Road
N. Ft. Myers, FL 33917

Ronald J. Wierengo
8251 Rich Road
N. Ft. Myers, FL 33917

Amy Fainer
20650 Bradley Rd.
N. Ft. Myers, FL 33917

Glenn Purdy
9340 Sedgefield Rd.
N. Ft. Myers, FL 33917

Mary Yaufman
16780 Tarpon Way
N. Ft. Myers, FL 33917

Dorothy Farrington
17520 Durrance Road
N. Ft. Myers, FL 33917

Richard A. Ramos
17750 Wells Rd.
N. Ft. Myers, FL 33917

RECEIVED
OCT 19 2001
PERMIT COUNTER

DCI 2001-00038

DCI 2001-00038

LETTER OF AUTHORIZATION

TO THE LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned do hereby swear or affirm that they are the fee simple holders and owners of record

of property commonly known as Heritage Creek *and legally described in Exhibit A attached hereto.*

The property described herein is the subject of an application for zoning or development. We hereby designate WilsonMiller, Inc. *as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended authorization is delivered to Lee County.*

Owner (signature)*

CONSTANTINE BARRETT
Printed Name
VP Project mgr - US Home

Owner (signature)*

Printed Name

Owner (signature)*

Printed Name

Owner (signature)*

Printed Name

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 25 day of September, ~~19~~ 2001, by

_____, (who is personally known to me) or who has produced

_____ as identification.

Lucille F. Barrett
Notary Public

(SEAL)

OFFICIAL NOTARY SEAL
LUCILLE F BARRETT
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC721216
MY COMMISSION EXP. MAR. 3,2002

Lucille F. Barrett
(Name typed, printed or stamped)

MEMORANDUM

FROM THE

DEPARTMENT OF
COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

DATE: November 26, 2002

TO: File -- **DCI2001-00038**
Heritage Creek

FROM: Rebecca Tatlock
Secretary, Internal Services

RE: Notice of Public Hearing - December 11, 2002
Lee County Hearing Examiner's Meeting

I, Rebecca Tatlock, certify that I have mailed notices to the adjacent property owners on the above referenced date, in the attached style, pursuant to the list marked and attached hereto and made a part of this certification.

NOTICE TO PROPERTY OWNERS WITHIN 500 FEET

CASE NUMBER: DCI2001-00038

CASE NAME: HERITAGE CREEK

REQUEST: Rezone from AG-2, CPD, & RVPD to RPD to permit the development of 1,525 residential units including a mixture of single-family, duplex, townhouse, and multi-family units, all not to exceed 35 feet in height.

LOCATION: The subject property is located at Pritchett Parkway, North Fort Myers, in S15 (Section)-T43 (Township)S-R25 (Range)E, Lee County, Florida.

SIZE OF PROPERTY: 741.22 Acres ±

STAFF REPORT: Direct inquiries to Mike Pavese, Principal Planner, at 239-479-8360, at the Department of Community Development, 1500 Monroe St., Ft. Myers, FL 33901.

PROPERTY OWNER'S REPRESENTATIVE:

MS. CARRON DAY
WILSON MILLER
239-278-5222

MR. STEVEN C HARTSELL, ESQUIRE
PAVESES LAW FIRM
239-336-6244

Notice is hereby given that the Lee County Hearing Examiner will hold a public hearing at 11:00 am on December 11, 2002, on the above case. The public hearing will be held in the Hearing Examiner's Meeting Room, 1500 Monroe St., Ft. Myers, FL 33901.

You must appear in person, or through counsel, or an authorized agent and provide testimony, legal argument or other evidence at the hearing to become a participant with the right to address the Board of County Commissioners.

After the Hearing Examiner has made a written recommendation, the case will be scheduled for a public hearing before the Board of County Commissioners who will review the recommendation and make a final decision.

If you do not appear before the Hearing Examiner, by law, you will not be allowed to appear before the Board of County Commissioners at the final hearing in this case.

Copies of the staff report will be available two weeks prior to the hearing. The file may be reviewed at the Development Services Division, 1500 Monroe St., Fort Myers, FL 33901. Call 239/479-8585 for additional information.

In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, please contact Becky Tatlock at 239/479-8585.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

16-43-25-00-00003.0060
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD

FT MYERS FL 33917

09-43-25-00-00003.0140
HAUSER ELLESA + CAROL B

19061 LESA LN

N FT MYERS FL 33917

09-43-25-00-00003.0170
MORRISON MARK W + CHARLENE P

8500 HENDERSON GRADE

NORTH FORT MYERS FL 33917

09-43-25-00-00003.0220
MCKEEVER GLENN T

4845 GARY RD

BONITA SPRINGS FL 34134

09-43-25-00-00003.024A
CAMERON DONALD W +BONNIE

8400 HENDERSON GRADE

N FT MYERS FL 33917

09-43-25-00-00003.0320
SMITH ANTOINNETTE +

8950 HENDERSON GRADE RD

N FT MYERS FL 33917

09-43-25-00-00003.045A
WALKER WYATT L + DONNA J

8350 HENDERSON GRADE RD

N FT MYERS FL 33917

10-43-25-00-00013.0060
BROOKS J W

9200 HENDERSON GRADE RD

N FT MYERS FL 33917

10-43-25-00-00013.0100
MOE ALAN G

9150 HENDERSON GRADE RD

NORTH FT MYERS FL 33903

15-43-25-00-00002.0000
CRAIG EDWARD + SALLY H/W

961 N WATERWAY DR

FT MYERS FL 33919

09-43-25-00-00003.0020
LEVINE RICHARD

8550 HENDERSON GRADE

NORTH FORT MYERS FL 33917

09-43-25-00-00003.014A
HAUSER ELLESA U + CAROL B

19061 LESA LN

N FT MYERS FL 33917

09-43-25-00-00003.0180
SMITH WALTER A + KAZUKO TR

PO BOX 50691

FORT MYERS FL 33994

09-43-25-00-00003.0240
TARDIFF JAMES + ESTELLA M

8450 HENDERSON GRADE

NORTH FORT MYERS FL 33917

09-43-25-00-00003.0310
REED RUSSELL J + D DIANNE

8600 HENDERSON RD

N FT MYERS FL 33917

09-43-25-00-00003.0450
TRAURIG DOUGLAS + SHELLEY

8300 HENDERSON GRADE

N FT MYERS FL 33917

10-43-25-00-00013.0050
ROSS MICHAEL W + MELODI

9100 HENDERSON GRADE

N FT MYERS FL 33917

10-43-25-00-00013.0080
MOSKWA DAVID A + PATRICIA S

9300 HENDERSON GRADE RD

N FT MYERS FL 33917

10-43-25-00-00013.0130
JEFFERS ELIZABETH J +

9050 HENDERSON GRADE RD

NORTH FT MYERS FL 33903

15-43-25-00-00002.0010
LEE WILLIAM J + SHIRLEY J

18791 NALLE RD

NORTH FORT MYERS FL 33917

DCT 2001-000020

15-43-25-00-00002.001B
HAND LORIE KIM

18781 NALLE RD

NORTH FORT MYERS FL 33917

15-43-25-00-00002.001C
LEE WILLIAM J + SHIRLEY J

18791 NALLE RD

N FT MYERS FL 33917

15-43-25-00-00002.001E
ASSOCIATES FINANCIAL SERVICES

BLDG 4 STE 100
1111 NORTH PORT DR
COPPELL TX 75019

15-43-25-00-00002.0030
GREENWELL TIMOTHY C + BRENDA L

18951 NALLE RD

N FT MYERS FL 33917

15-43-25-00-00004.0000
GRIEG THOMAS S TR

19630 LAN SHELL DR

NORTH FORT MYERS FL 33917

15-43-25-00-00005.0000
GRAY WILLIAM H + BETTY J

18551 NALLE RD

NORTH FORT MYERS FL 33917

15-43-25-00-00009.0020
PENFIELD MARK

18141 NALLE RD

NORTH FORT MYERS FL 33917

15-43-25-00-00009.0050
HAAS GARY E TR

16520 TAMIAMI TRAIL
STE 18-105
FT MYERS FL 33908

15-43-25-01-00000.000A
HIGH POINT

15-43-25-01-00000.0070
SIMONSON SANDRA L

9331 SEDGEFIELD RD

N FT MYERS FL 33917

15-43-25-01-00000.0080
STEED DANE + BEVERLY

9321 SEDGEFIELD RD

N FT MYERS FL 33917

15-43-25-01-00000.0090
EZELL BRETT A

9301 SEDGEFIELD RD

NORTH FORT MYERS FL 33917

15-43-25-01-00000.009A
HOLBROOK JOHN +

9311 SEDGEFIELD RD

NORTH FORT MYERS FL 33917

15-43-25-01-00000.0100
BANK OF AMERICA
C/O PD LTD
P O BOX 2148

FT MYERS FL 33902

15-43-25-01-00000.010A
BOLDGER SEAN D

9310 SEDGEFIELD RD

NORTH FORT MYERS FL 33917

15-43-25-01-00000.0110
MADEWELL TWANA D

9320 SEDGEFIELD RD

NORTH FORT MYERS FL 33917

15-43-25-02-00000.000A
OAKMONT SUBDIVISION

15-43-25-02-00000.0060
COOK TIMOTHY W + ANDREA B

18130 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0070
MEYERHOLZ STEVE

18134 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0080
KILLAM GEORGE E + VIRGINIA D

18138 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0090
MCMULLEN PAUL E JR + BONNIE J

18142 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0100
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0110
BELANGER LARRY R + K LAURINE

9491 BAYSHORE RD

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0120
MORTON DEBBIE L 50% INT +

18158 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0130
HIGGINBOTHAN THOMAS + JENNIFER

18162 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0140
COOK OSCAR W + NORMA J

18166 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0150
MILLER D GARTH +

18170 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0160
PABON ANTHONY M + DAWNA E

18172 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0170
QUEEN RICHARD B SR TR 1/2 INT+

18178 SANDY PINES CIR

N FT MYERS FL 33917

15-43-25-02-00000.017A
PLEDGER JOSEPH N + TAMI

18174 SANDY PINES CIR

N FT MYERS FL 33917

15-43-25-02-00000.0180
QUEEN JENNIFER K +

18182 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0190
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD

N FT MYERS FL 33917

15-43-25-02-00000.0200
BANK OF AMERICA TR

P O BOX 927

FT MYERS FL 33902

15-43-25-02-00000.0210
WEINLAUF GARY M + SHERI G

18194 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0220
CARLSEN DAVID F + LORIE A

18198 SANDY PINES CIR

N FT MYERS FL 33917

15-43-25-02-00000.0230
JONES JENNY L

18202 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0240
MACANDER JUDITH K

18206 SANDY PINES CIR

N FT MYERS FL 33917

15-43-25-02-00000.0250
FORD LARRY D +

P O BOX 2094

N FT MYERS FL 33902

15-43-25-02-00000.0260
COOK SCOTT G + MARY S

18214 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0270
MOHLER DON B JR + SHIRLEY A

18218 SANDY PINES CIR

N FT MYERS FL 33917

15-43-25-02-00000.0280
LAWHON RICHARD H + SUSIE E

18222 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0290
LAWHON RICHARD H + SUSIE E

18226 SANDY PINES CIR

N FT MYERS FL 33917

15-43-25-02-00000.0300
MORAINE FLOYD L + KAREN K

18230 SANDY PINE CR

N FT MYERS FL 33917

15-43-25-02-00000.0390
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD

N FT MYERS FL 33917

15-43-25-02-00000.0400
HILLMAN BILL E + MARTHA A

18133 SANDY PINE CIR

N FT MYERS FL 33917

15-43-25-02-00000.0410
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD

N FT MYERS FL 33917

15-43-25-02-00000.0420
COX CLAYTON E + ASHLEY D

18141 SANDY PINES CIR

N FT MYERS FL 33917

15-43-25-02-00000.0430
DESCHENES JOHN + CONNIE

18155 SANDY PINES CIR

NORTH FORT MYERS FL 33917

15-43-25-02-00000.0440
DESCHENES JOHN E +

18161 SANDY PINE CIR NE

FT MYERS FL 33917

15-43-25-02-00000.0450
MENDOLERA MIKE

18152 HORSESHOE BAY CIR

FT MYERS FL 33912

15-43-25-02-00000.0460
TINNEY GARY A + SUSAN R

18173 SANDY PINES CIR

N FT MYERS FL 33917

15-43-25-02-00000.0470
CAMPOBASSO JOSEPH R + PATRICIA

18185 SANDY PINES CIR

N FT MYERS FL 33917

15-43-25-02-00000.0480
MACFARLANE CATHERINE T

88 BEAVER DAM RD

SCITUATE MA 02066

15-43-25-02-00000.0490
GIBSON SHELBY J

18193 SANDY PINES CIR

N FT MYERS FL 33917

15-43-25-02-00000.0500
YANOSIK MICHAEL J

18197 SANDY PINES CIR

N FT MYERS FL 33917

15-43-25-02-00000.0510
PRENDOTA C T + DONNA J DOWNS

1535 ALHAMBRA DR

FT MYERS FL 33901

15-43-25-02-00000.0520
LANG AARON W +

18209 SANDY PINE CIR

N FT MYERS FL 33917

15-43-25-02-00000.0530
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD

N FT MYERS FL 33917

15-43-25-02-00000.0540
THORNE BROOKE K + DANA A

18229 SANDY PINES CIR

N FT MYERS FL 33917

15-43-25-02-00000.0550
MILLER J D + MARY LOUISE

18233 SANDY PINES CIR

FORT MYERS FL 33917

15-43-25-02-00000.0570
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD

N FT MYERS FL 33917

15-43-25-02-0000A.0000
PRITCHETT DEVELOPMANT CO LTD

6601 BAYSHORE RD

N FT MYERS FL 33917

15-43-25-03-00000.0010
DECKER STEVEN K + REBECCA A

9251 SEDGEFIELD RD

N FT MYERS FL 33917

15-43-25-03-00000.0030
CONNOR FRANK L + BRITTAIN

9260 SEDGEFIELD RD

NORTH FORT MYERS FL 33917

16-43-25-00-00001.0020
RISNER RICHARD JR + MARY G

8301 RICH RD

NORTH FORT MYERS FL 33917

16-43-25-00-00001.0090
LOPEZ LOUIS J + BARBARA L

8121 RICH RD

N FT MYERS FL 33917

16-43-25-00-00002.0010
HANSEN A ERNEST +

PO BOX 50903

FORT MYERS FL 33994

16-43-25-00-00003.0040
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD

FT MYERS FL 33917

16-43-25-03-0000B.0130
THORSEN RANDY E JR + PAULA S

8300 BOONESBORO RD

N FT MYERS FL 33917

16-43-25-03-0000B.0150
COLLINS MICHAEL + MICHELLE

8340 BOONESBORO RD

N FT MYERS FL 33917

15-43-25-02-00000.0580
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD

N FT MYERS FL 33917

15-43-25-03-00000.000A
HIGH POINT-FIRST ADDITION SUBD

15-43-25-03-00000.0020
GRIEG THOMAS S TR

19630 LAN SHELL DR

NORTH FORT MYERS FL 33917

16-43-25-00-00001.0000
MYERS CAROL PEAGLER

8181 RICH RD

N FT MYERS FL 33917

16-43-25-00-00001.002A
WIERENGO RONALD J + JEAN

8251 RICH RD

N FT MYERS FL 33917

16-43-25-00-00002.0000
HANSEN A ERNEST TR 1/2 INT +

PO BOX 50903

FORT MYERS FL 33994

16-43-25-00-00003.0030
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD

FT MYERS FL 33917

16-43-25-03-00000.000A
COLONIAL PINES S/D

16-43-25-03-0000B.0140
KINTER JAMES L + PATRICIA A

8320 BOONESBORO RD

N FT MYERS FL 33917

16-43-25-03-0000B.0160
METZGER MICHAEL + CONNIE S

8360 BOONESBORO RD

NORTH FORT MYERS FL 33917

16-43-25-03-0000B.0180
HALL EDWIN E + CAROLE A

8379 BOONESBORO RD

NORTH FORT MYERS FL 33917

16-43-25-03-0000B.0210
WALL TIMOTHY P

8325 BOONESBORO RD

N FT MYERS FL 33917

16-43-25-04-00000.000A
HUNTERS GLEN

SECTION AS REC IN

16-43-25-04-00000.0210
STEWART CHARLES M + CHRISTINA

1260 SE 8TH ST

CAPE CORAL FL 33990

16-43-25-04-00000.0230
GATEWOOD RODNEY W + ANGELISA C

17870 CHESTERFIELD RD

NORTH FORT MYERS FL 33917

16-43-25-04-00000.0250
BABB CHARLES D + LESLIE A

371 HERON AV

NAPLES FL 34108

16-43-25-04-00000.0270
CHO HO C + AE RYON

516 SE 18TH AV

CAPE CORAL FL 33990

16-43-25-04-00000.0350
RHODEN TERESA M

8190 EBSON DR

NORTH FORT MYERS FL 33917

16-43-25-04-0000D.0000
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD

FT MYERS FL 33917

21-43-25-00-00003.0020
EAGLE GREG W TR +

3818 DEL PRADO BLVD

CAPE CORAL FL 33904

16-43-25-03-0000B.0200
WILLIAMS LARRY W + PAMELA D

8343 BOONESBORO RD

N FT MYERS FL 33917

16-43-25-03-0000B.0220
WERT WILLIAM H + DEBORAH Q

8307 BOONESBORO RD

NORTH FORT MYERS FL 33917

16-43-25-04-00000.0200
PIERSON JOHN D + PATRICIA

1685 N HERMITAGE RD

FORT MYERS FL 33919

16-43-25-04-00000.0220
GATEWOOD RODNEY W + ANGELISA C

17870 CHESTERFIELD RD

NORTH FORT MYERS FL 33917

16-43-25-04-00000.0240
BROWN DONN J + JEANETTE F

11561 VILLA GRAND #713

FORT MYERS FL 33913

16-43-25-04-00000.0260
HALL LARRY J +

1816 NE 22ND ST

CAPE CORAL FL 33909

16-43-25-04-00000.0340
MAGNER STEVEN J + SUZANNE K

18265 COLUMBINE RD

FORT MYERS FL 33912

16-43-25-04-0000A.0000
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD

FT MYERS FL 33917

21-43-25-00-00003.0010
DALLAS + GRAFF ENTERPRISES INC

8991 TRIPLETT RD

N FT MYERS FL 33917

21-43-25-00-00004.0000
EAGLE GREG W TR +

3818 DEL PRADO BLVD

CAPE CORAL FL 33904

21-43-25-00-00005.0000
EAGLE GREG W TR +

3818 DEL PRADO BLVD

CAPE CORAL FL 33904

21-43-25-00-00006.0060
EAGLE GREG W TR

3818 DEL PRADO BLVD

CAPE CORAL FL 33904

21-43-25-00-00016.0000
COCHRAN JIMMIE J

PO BOX 1701

FT MYERS FL 33902

21-43-25-00-00016.0020
CROSBY DORTHA L +

17730 LEETANA RD

NORTH FORT MYERS FL 33917

21-43-25-00-00016.0040
WILLIAMS SANDRA S

17911 LEETANA RD

NORTH FORT MYERS FL 33917

21-43-25-00-00016.0050
SHOAP DANNIE C + DONNA

17910 LEETANA RD

N FT MYERS FL 33917

21-43-25-00-00016.0060
PETERS ANGELO V + CHARLOTTE S

17871 LEETANA RD NE

N FT MYERS FL 33917

21-43-25-00-00016.0080
DUNFORD LARRY W + TERRI LYNN

17761 WILLIAMSBURG DR

N FT MYERS FL 33917

21-43-25-00-00016.0130
JACKMAN RONALD A + VELMA J

17750 LEETANA RD

N FT MYERS FL 33917

21-43-25-00-00016.0150
GREEN ELLIS JR + REGINA L

17850 LEETANA DR

N FT MYERS FL 33917

21-43-25-00-00006.0000
CROSS NICK 12.5% ETAL

P O BOX 1526

FT MYERS FL 33910

21-43-25-00-00006.006A
EAGLE W GREG TR +

3818 DEL PRADO BLVD

CAPE CORAL FL 33904

21-43-25-00-00016.0010
PARKER LLOYD HAROLD+VERONICA L

4405 CYPRESS LN

FT MYERS FL 33905

21-43-25-00-00016.0030
CASWELL MALVERN L + DOLORES C

6148 THORNEYCROFT DR

SHELBY TOWNSHIP MI 48316

21-43-25-00-00016.004A
MILLER MYRTLE S

17901 LEETANA RD NE

N FT MYERS FL 33917

21-43-25-00-00016.005A
DALY JOSEPH W +

17920 LEETANA RD

NORTH FORT MYERS FL 33917

21-43-25-00-00016.0070
HANSEN TRACY R +

17870 LEETANA RD

N FT MYERS FL 33917

21-43-25-00-00016.0120
RUFFNER THOMAS E + GAIL

30950 SW 194TH AVE

HOMESTEAD FL 33030

21-43-25-00-00016.0140
BERWICK LORETTA H +

17831 LEE TANA RD NE

N FT MYERS FL 33917

21-43-25-00-00016.0160
MADDOX DOROTHY

17750 WILLIAMSBURG DR

FT MYERS FL 33917

21-43-25-00-00016.0170
BACA WILFREDO +

1617 SE 20TH LN

CAPE CORAL FL 33990

21-43-25-00-00016.0180
SMITH STEPHANIE R +

P O BOX 3797

NORTH FORT MYERS FL 33918

21-43-25-00-00016.0190
HECK A K + VELVA J

RR 2 BOX 182

FAIRMONT WV 26554

21-43-25-00-00016.0200
DARLIN GENE R JR + MARY E

17710 LEETANA RD

N FT MYERS FL 33917

21-43-25-00-00016.0210
SIMMONS ERWIN E + MARY E

17820 LEETANA RD

NORTH FORT MYERS FL 33917

21-43-25-00-00016.0220
ANDERSON RALPH LEE+ JANICE LEE

17840 LEETANA RD

N FORT MYERS FL 33917

21-43-25-00-00016.0230
PARKER LLOYD H + VERONICA L

4405 CYPRESS LN

FT MYERS FL 33905

21-43-25-00-00016.0250
BELCHER ELVIN R + WILMA L

17890 LEETANA RD

N FT MYERS FL 33917

21-43-25-00-00016.0260
BERWICK LORETTA H

17811 LEETANA RD

NORTH FORT MYERS FL 33917

21-43-25-03-00000.000A
COLONIAL PINES

22-43-25-00-00001.0000
CHASTAIN CARLEE + JANIE R

17901 WELLS RD

NORTH FORT MYERS FL 33917

22-43-25-00-00001.0010
PIGOTT ABBIE LOIS

17801 WELLS RD

N FT MYERS FL 33917

22-43-25-00-00001.0040
MILLER DOUGLAS E + CARLA JANE

17861 WELLS RD

N FT MYERS FL 33917

22-43-25-00-00006.0010
BELLER BRIAN + KATHY

9011 TRIPLETT RD

N FT MYERS FL 33917

22-43-25-00-00006.0040
TINNEY J PAUL + AUDREY J

9051 TRIPLETT RD

N FT MYERS FL 33917

22-43-25-00-00006.0070
ELMORE WILLIAM LEE + SHERON K

17761 WELLS RD

N FT MYERS FL 33917

22-43-25-00-00006.0080
ELMORE WILLIAM+ SHERON K

17765 WELLS RD

N FT MYERS FL 33917

----.

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8585

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

November 12, 2002

Ms. Carron Day
WilsonMiller
4571 Colonial Blvd., Ste. 100
Fort Myers, FL 33912

Re: Agenda Schedule for Heritage Creek
Case No. DCI2001-00038

Dear Ms. Day:

Your zoning request has been scheduled before the Hearing Examiner on December 11, 2002, at 11:00 am. The hearing will be conducted in the Hearing Examiner Meeting Room, 1500 Monroe St., Ft. Myers, FL.

Your zoning sign will be ready for pickup any time after November 13, 2002, at the drive-thru window at 1500 Monroe St., Ft. Myers, FL. This sign must be posted in accordance with Department procedures no later than November 26, 2002, and is to remain posted until final decision is rendered.

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Rebecca Tatlock

Rebecca Tatlock
Administrative Assistant

cc: US Home Corporation
Pavese Law Firm
Pritchett Development Co., LTD.
Kathy Lynne R. Pritchett, Trustee
Peter Kainz
Bank of America, N.A.
Ernest A. & Frances Hansen, Trustees
Mike Pavese, Principal Planner
Zoning File

U:\200211\DCI20010.003\8\app ltr HEX.wpd

EXHIBIT I-F

DISCLOSURE OF INTEREST FORM

(Pritchett Development Property for Heritage Creek RPD)

STRAP NO. Listed here: _____ **CASE NO.** _____

21-43-25-00-00006.0020 (4ac CPD district), 21-43-25-00-00001.1000 (37 ac incl. triangular lake @ I-75), 21-43-25-00-00002.0000 (78 ac RVPD district), 16-43-25-00-00003.0050 (16 ac nth & sth of Pkwy), 16-43-25-00-00003.0070 (12 ac west of Pkwy), 16-43-25-00-00003.0000 (139 ac east of Pkwy), 15-43-25-00-00001.0000 (125 ac adj Trtmnt Plant), 16-43-25-00-00003.0040 (10ac south of Pkwy), 16-43-25-00-00003.0020 (10 ac north of Pkwy @ nthly bndry), 16-43-25-00-00003.0010 (157 ac incl. farm land), 16-43-25-00-00001.0100 (15 ac sth of Hansen 50 ac)

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name, Address, and Office	Percentage of Stock

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest

4. If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership
(SEE ATTACHMENT "1")	

con't

DCI 2001-00038

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name, Address, & Office(if applicable)	Percentage of Stock

RECEIVED
MAY 31 2001
COMMUNITY DEVELOPMENT

Date of Contract: _____

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address	

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

Signature: _____
(Owner)

Richard H. Pritchett, III
(Printed or typed name of owner)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 30th day of May, 2001 by Richard H. Pritchett III, who is personally known to me or who has produced personally known as identification.

(SEAL)

Carolyn Sue Avoglia
Signature of Notary Public

Carolyn Sue Avoglia
Commission # CC 756933
Expires August 13, 2002
BONDED THRU

Carolyn Sue Avoglia
Printed Name of Notary Public

DCI 2001-00038

ATTACHMENT 1

EXHIBIT 1-F
DISCLOSURE OF INTEREST FORM

PRITCHETT DEVELOPMENT COMPANY, LTD.

4. General and Limited Partners:

Name and Address	Percentage of Ownership	
General Partner:		
Pritchett Development Corporation 6601 Bayshore Road North Fort Myers, FL 33918	312 units	1.0%
Common Limited Partner:		
Bank of America, N.A., Successor Trustee of Residuary Trust U/A with Richard H. Pritchett, Jr., Grantor, dated 3/27/86 P.O. Box 927 Fort Myers, FL 33902	4,000 Units	12.8%
Preferred Limited Partner:		
Bank of America, N.A., Successor Trustee of (Non-Exempt) Qualified Terminable Interest Property Trust U/A with Richard H. Pritchett, Jr., Grantor, dated 3/27/86 P.O. Box 927 Fort Myers, FL 33902	26,840 Units	86.2%

EXHIBIT I-F

DISCLOSURE OF INTEREST FORM

(Kathy Pritchett Property for Heritage Creek RPD)

STRAP NO. Listed here: _____ **CASE NO.** _____

16-43-25-00-00001.006A (3 ac nth of Pkwy), 16-43-25-00-00001.006B (2 ac nth of Pkwy)
16-43-25-00-00001.006C (2 ac nth of Pkwy)

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name, Address, and Office	Percentage of Stock

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest
KATHY LYNNE R. PRITCHETT	100%

4. If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership

con't

DCI 2001-00038

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name, Address, & Office(if applicable) | Percentage of Stock

RECEIVED
MAY 31 2001
COMMUNITY DEVELOPMENT

Date of Contract: _____

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

Signature: Lynne R Pritchett
(Owner)

LYNNE R. Pritchett
(Printed or typed name of owner)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 30th day of May, 2001, by LYNNE R. Pritchett, who is personally known to me or who has produced personally known as identification.

(SEAL)

Carolyn Sue Avoglio
Commission # CC 756933
Expires August 13, 2002
BONDED THRU
ATLANTIC BONDING CO., INC.

Carolyn Sue Avoglio
Signature of Notary Public

CAROLYN SUE AVOGLIO
Printed Name of Notary Public

DCI 2001-00038

EXHIBIT I-F

DISCLOSURE OF INTEREST FORM

(Peter Kainz Property for Heritage Creek RPD)

STRAP NO. Listed here: _____ **CASE NO.** _____

16-43-25-00-00001.0060 (12 ac nth of Pkwy)

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership
Peter Kainz	100%

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name, Address, and Office	Percentage of Stock

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest

4. If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership

con't

DCI 2001-00038

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name, Address, & Office(if applicable)	Percentage of Stock

RECEIVED
MAY 31 2001
COMMUNITY DEVELOPMENT

Date of Contract: _____

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address	

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

Signature: Peter Kainz
(Owner)

PETER KAINZ
(Printed or typed name of owner)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 10th day of May, 2001,
by PETER KAINZ, who is personally known to me
or who has produced Personally Known to me as identification.

(SEAL)

Carolyn Sue Avoglia
Signature of Notary Public

NOTARY PUBLIC STATE OF FLORIDA
Carolyn Sue Avoglia
Commission # CC 756933
Expires August 13, 2002
BONDED THRU
ATLANTIC BONDING CO., INC.

CAROLYN SUE AVOGLIA
Printed Name of Notary Public

DCI 2001-00038

EXHIBIT I-F

DISCLOSURE OF INTEREST FORM

(~~Nations Bank~~ Property for Heritage Creek RPD)

Bank of America, N.A.

STRAP NO. Listed here: _____ **CASE NO.** _____

16-43-25-00-00003.0080 (45 ac wst of Pkwy)

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name, Address, and Office	Percentage of Stock

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest
Bank of America, N.A. as Trustee Richard H Pritchett Jr Trust fbo Virginia Pritchett	100%

4. If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership

con't

DCI 2001-00038

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name, Address, & Office(if applicable)	Percentage of Stock
	RECEIVED
	MAY 31 2001
	COMMUNITY DEVELOPMENT

Date of Contract: _____

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address	

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

Signature: Bank of America NA as Trustee
By Kathy S Bright, VP
(Owner)
Richard H Pritchett Jr Trust
(Printed or typed name of owner)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 18 day of May, 2001,
by Kathy S Bright, Vice President, Bank of America NA, who is personally known to me
or who has produced _____ as identification.

(SEAL)

SYLVIA HUTCHISON
MY COMMISSION # CC 768249
EXPIRES: August 17, 2002
Bonded Thru Notary Public Underwriters

Sylvia Hutchison
Signature of Notary Public

Sylvia Hutchison
Printed Name of Notary Public

DCI 2001-00038

EXHIBIT I-F
DISCLOSURE OF INTEREST FORM
(Hansen Property for Heritage Creek RPD)

STRAP NO. Listed here: _____ **CASE NO.** _____

16-43-25-00-00002.0000 (50 ac sth of Pkwy)

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership
Albert Ernest Hansen	50%
Frances L. Hansen	50%

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name, Address, and Office	Percentage of Stock

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest

4. If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership

con't

DCI 2001-00038

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name, Address, & Office(if applicable)	Percentage of Stock

RECEIVED
MAY 31 2001
COMMUNITY DEVELOPMENT

Date of Contract: _____

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address	

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

Signature: A Ernest Hansen
(Owner)

A Ernest Hansen
(Printed or typed name of owner)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 7th day of May, 2001,
by ALBERT. ERNEST HANSEN, who is personally known to me
or who has produced Personally Known To Me as identification.

(SEAL)

Carolyn Sue Avoglia
Signature of Notary Public

NOTARY PUBLIC STATE OF FLORIDA
Carolyn Sue Avoglia
Commission # CC 756933
Expires August 13, 2002
BONDED THRU
ATLANTIC BONDING CO., INC.

CAROLYN Sue Avoglia
Printed Name of Notary Public

DCI 2001-00038

EXHIBIT I-F

DISCLOSURE OF INTEREST FORM

(Kathy Pritchett Property for Heritage Creek RPD)

STRAP NO. Listed here: _____ **CASE NO.** _____

16-43-25-00-00001.006A (3 ac nth of Pkwy), 16-43-25-00-00001.006B (2 ac nth of Pkwy)
16-43-25-00-00001.006C (2 ac nth of Pkwy)

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name, Address, and Office	Percentage of Stock

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest
KATHY LYNNE R. PRITCHETT, TRUSTEE	100%

4. If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership

con't

DCI 2001-00038

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name, Address, & Office(if applicable)	Percentage of Stock

Date of Contract: _____

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address	

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

RECEIVED
AUG 20 2001
COMMUNITY DEVELOPMENT

DCI 2001-00038

Signature: Kathy Lynne R. Pritchett
(Owner)

Kathy Lynne R. Pritchett
(Printed or typed name of owner)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 14th day of August, 2001 by Kathy Lynne R. Pritchett, who is personally known to me or who has produced personally known to me as identification.

(SEAL)

Carolyn Sue Avoglia
Signature of Notary Public

NOTARY PUBLIC STATE OF FLORIDA
Carolyn Sue Avoglia
Commission # CC 756933
Expires August 13, 2002
BONDED THRU
ATLANTIC BONDING CO., INC.

CAROLYN Sue Avoglia
Printed Name of Notary Public

DCI 2001-00038

EXHIBIT I-F

DISCLOSURE OF INTEREST FORM

(US HOME; contract purchaser for Heritage Creek RPD)

STRAP NO. Listed here: _____ **CASE NO.** _____

15-43-25-00-00001.0000, 16-43-25-00-00001.0060, 16-43-25-00-00001.006A, 16-43-25-00-00001.006B, 16-43-25-00-00001.006C, 16-43-25-00-00001.0100, 16-43-25-00-00002.0000, 16-43-25-00-00003.0000, 16-43-25-00-00003.0010, 16-43-25-00-00003.0020, 16-43-25-00-00003.0030, 16-43-25-00-00003.0040, 16-43-25-00-00003.0040, 16-43-25-00-00003.0050, 16-43-25-00-00003.0070, 16-43-25-00-00003.0080, 21-43-25-00-00001.1000, 21-43-25-00-00002.0000, 21-43-25-00-00006.0020

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name, Address, and Office	Percentage of Stock

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest

4. If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership

con't

DCI 2001-00038

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name, Address, & Office(if applicable)	Percentage of Stock
US HOME CORPORATION	**Publicly Traded Corp.**
c/o James E. Curry, President	
South Florida Land Division	
10481 Six Mile Cypress/Ben Pratt Pkwy	
Fort Myers, Florida 33912-6460	

Date of Contract: July 6, 2001
July 12, 2001

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address	

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

RECEIVED
AUG 20 2001
COMMUNITY DEVELOPMENT

DCI 2001-00038

Signature: _____
(Owner)

James E. Curry, President
US HOME Corporation South Florida Land Division
(Printed or typed name of owner)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 15 day of July, 2001
by James E. Curry, who is personally known to me
or who has produced _____ as identification.

(SEAL)

Constantine B Benetis
My Commission CC959903
Expires September 09, 2004

_____
Signature of Notary Public

Constantine Benetis
Printed Name of Notary Public

DCI 2001-00038

EXHIBIT I-F

DISCLOSURE OF INTEREST FORM

(Pritchett Development Property for Heritage Creek RPD)

STRAP NO. Listed here: _____ **CASE NO.** _____

21-43-25-00-00006.0020 (4ac CPD district), 21-43-25-00-00001.1000 (37 ac incl. triangular lake @ I-75), 21-43-25-00-00002.0000 (78 ac RVPD district), 16-43-25-00-00003.0050 (16 ac nth & sth of Pkwy), 16-43-25-00-00003.0070 (12 ac west of Pkwy), 16-43-25-00-00003.0000 (139 ac east of Pkwy), 15-43-25-00-00001.0000 (125 ac adj Trtmnt Plant), 16-43-25-00-00003.0060 (10ac south of Pkwy), 16-43-25-00-00003.0020 (10 ac north of Pkwy @ nthly bndry), 16-43-25-00-00003.0010 (157 ac incl. farm land), 16-43-25-00-00001.0100 (15 ac sth of Hansen 50 ac), 16-43-25-00-00003.0030 & 16-43-25-00-00003.0040 ("Virginia Farms")

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name, Address, and Office	Percentage of Stock

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest

4. If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address (see also Attachment 1)	Percentage of Ownership
GENERAL PARTNER: PRITCHETT DEVELOPMENT CORP.	312 UNITS 1.0%
COMMON LIMITED PARTNER: BANK OF AMERICA	4000 UNITS 12.8%
RESIDUARY TRUST U/A WITH RICHARD H. PRITCHETT	
GRANTOR, DATED 3/27/86	
PREFERRED LIMITED PARTNER: QUALIFIED TERMINABLE INTEREST	
PROPERTY TRUST U/A WITH RICHARD H. PRITCHETT GRANTOR,	
DATED 3/27/86 (NON-EXEMPT)	26940 UNITS 86.2%

con't

DCI 2001-000278

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name, Address, & Office(if applicable)	Percentage of Stock

Date of Contract: _____

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address	

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

RECEIVED DCI 2001-00038
AUG 20 2001
COMMUNITY DEVELOPMENT

Signature: _____
(Owner) OFFICER AND DIRECTOR PRITCHETT DEVELOPMENT COMPANY, LTD.

Richard H. Pritchett, III
(Printed or typed name of owner)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 14th day of August, 2001 by Richard H. Pritchett, III, who is personally known to me or who has produced personally known to me as identification.

(SEAL)

Carolyn Sue Avoglio
Signature of Notary Public

Carolyn Sue Avoglio
Commission # CC 756933
Expires August 13, 2002
BONDED THRU
ATLANTIC BONDING CO., INC.

CAROLYN Sue Avoglio
Printed Name of Notary Public

DRT 2001-00038

ATTACHMENT 1

EXHIBIT I-F
DISCLOSURE OF INTEREST FORM

PRITCHETT DEVELOPMENT COMPANY, LTD

4. General and Limited Partners:

Name and Address	Percentage of Ownership	
General Partner:		
Pritchett Development Corporation 6601 Bayshore Road North Fort Myers, FL 33918	312 Units	1.0%
Common Limited Partner:		
Bank of America, N.A., Successor Trustee of Residuary Trust U/A with Richard H. Pritchett, Grantor, dated 3/27/86 P.O. Box 927 Fort Myers, FL 33902	4,000 Units	12.8%
Preferred Limited Partner:		
Bank of America, N.A., Successor Trustee of (Non-Exempt) Qualified Terminable Interest Property Trust U/A with Richard H. Prichett, Grantor, dated 3/27/86 P.O. Box 927 Fort Myers, FL 33902	26,840 Units	86.2%

EXHIBIT I-F

DISCLOSURE OF INTEREST FORM

(Hansen Property for Heritage Creek RPD)

STRAP NO. Listed here: _____ **CASE NO.** _____

16-43-25-00-00002.0000 (50 ac sth of Pkwy)

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name, Address, and Office	Percentage of Stock

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest
A. Ernest Hansen	50%
Frances Hansen	50%
Beneficiaries – each to the other Then to our Children	
Jennie H. Hoke 1/2	
Hans Christian Hansen 1/2	

4. If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership

con't

DCI 2001-00038

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name, Address, & Office(if applicable)	Percentage of Stock

Date of Contract: _____

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address	

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

DCI 2001-00038

RECEIVED
AUG 20 2001
COMMUNITY DEVELOPMENT

Signature: A. Ernest Hansen
(Owner)

A. ERNEST HANSEN
(Printed or typed name of owner)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 14th day of August, 2001,
by A. ERNEST HANSEN, who is personally known to me
or who has produced Personally Known to me as identification.

(SEAL)

Carolyn Sue Avoglia
Signature of Notary Public

NOTARY PUBLIC STATE OF FLORIDA
Carolyn Sue Avoglia
Commission # CC 756933
Expires August 13, 2002
BONDED THRU
ATLANTIC BONDING CO., INC.

CAROLYN SUE AVOGLIA
Printed Name of Notary Public

con't

DCI 2001-00038

Signature: Frances Hansen
(Owner)

Frances Hansen
(Printed or typed name of owner)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 14th day of August, 2001,
by Frances Hansen, who is personally known to me
or who has produced personally known to me as identification.

(SEAL)

Carolyn Sue Avoglia
Signature of Notary Public

NOTARY PUBLIC STATE OF FLORIDA
Carolyn Sue Avoglia
Commission # CC 756933
Expires August 13, 2002
BONDED THRU
ATLANTIC BONDING CO., INC.

CAROLYN Sue Avoglia
Printed Name of Notary Public

DCI 2001-00038

RECEIVED
AUG 20 2001
COMMUNITY DEVELOPMENT

DCI 2001-00038

PROTECTED SPECIES ASSESSMENT

For

HERITAGE CREEK

US HOME CORPORATION

Sections 16 & 21, Township 43 South, Range 25 East
Lee County, Florida

April 2001

Revised August 2001

Prepared By:

W. Dexter Bender & Associates, Inc.
2052 Virginia Avenue
Fort Myers, Florida 33901
(941) 334-3680

DCI 2001 OC038

LETTER OF AUTHORIZATION

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record or an Authorized Agent with permission to bind the owner with regards to the application being submitted for the property commonly known as **Heritage Creek RPD** and legally described herein.

The property described herein is the subject of an application for development approval. We hereby designate **FLORIDA LAND PLANNING, INC. & Steve Hartsell, Esquire** as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain this amendments approval.

James E. Curry, President Land Division
US HOME Corporation

RECEIVED
MAY 31 2001
COMMUNITY DEVELOPMENT

STATE OF FLORIDA)
COUNTY OF LEE)

Sworn to (or affirmed) and subscribed before me this 1 day of May, 2001,
by James E Curry, who is (are) personally known to me
or who has produced _____ as identification.

Notary Public (signature)

(SEAL)

Constantine B Benetis
My Commission CC959903
Expires September 09, 2004

Constantine Benetis
(Name typed, printed or stamped)

DCI 2001-00038

DCI 2001-00038

LETTER OF AUTHORIZATION

TO THE LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned do hereby swear or affirm that they are the fee simple holders and owners of record

of property commonly known as Heritage Creek *and legally described in Exhibit A attached hereto.*

The property described herein is the subject of an application for zoning or development. We hereby designate WilsonMiller, Inc. *as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended authorization is delivered to Lee County.*

Owner (signature)*	*Owner* (signature)*
Printed Name Constantine Barrett VP Project mgr - US Home	*Printed Name*
Owner (signature)*	*Owner* (signature)*
Printed Name	*Printed Name*

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 25 day of September, ~~19~~ 2001, by

_____, (who is personally known to me) or who has produced

_____ as identification.

DCI 2001-00038

(SEAL)

OFFICIAL NOTARY SEAL
LUCILLE F BARRETT
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC721216
MY COMMISSION EXP. MAR. 3,2002

Lucille F. Barrett
Notary Public

Lucille F. Barrett
(Name typed, printed or stamped)

RECEIVED
OCT 19 2001
PERMIT COUNTER

*If more than one owner then all owners must sign. See explanation on back.

EXPLANATORY NOTES

Where there is more than one owner, either legal or equitable, then all such owners must jointly initiate the application. Exceptions to this are:

1) It is not required that both husband and wife initiate the application on private real property owned by them.
2) Where the property is subject to a land trust agreement, the trustee may initiate the application.
3) Where the fee owner is a corporation, any duly authorized corporate official may initiate the application.
4) Where the fee owner is a partnership, the general partner may initiate the application.
5) Where the fee owner is an association, the association may appoint an agent to initiate the application on behalf of the association.
6) Where the property is a condominium or time-share condominium, refer to Sec. 34-201(a)(1)b. for rules.
7) Where the property is a subdivision, refer to Sec. 34-201(a)(1)c. for rules.
8) Rezonings initiated by the Board of County Commissioners on property not owned by the county.

DCI 2001-00038

EXHIBIT I-B-4
COVENANT OF UNIFIED CONTROL
(Heritage Creek RPD)

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known by the following STRAP numbers:
15-43-25-00-00001.0000 (Pritchett Dev.: 125 ac adj Trtmnt Plant),
16-43-25-00-00001.0060 (Peter Kainz: 12 ac nth of Pkwy),
16-43-25-00-00001.006A (Kathy Lynne R. Pritchett: 3 ac nth of Pkwy),
16-43-25-00-00001.006B (Kathy Lynne R. Pritchett: 2 ac nth of Pkwy),
16-43-25-00-00001.006C (Kathy Lynne R. Pritchett: 2 ac nth of Pkwy),
16-43-25-00-00001.0100 (Pritchett Dev.: 15 ac sth of Hansen 50 ac),
16-43-25-00-00002.0000 (Albert Ernest & Frances L. Hansen: 50 ac sth of Pkwy),
16-43-25-00-00003.0000 (Pritchett Dev.: 139 ac east of Pkwy),
16-43-25-00-00003.0010 (Pritchett Dev.: 157 ac incl. farm land),
16-43-25-00-00003.0020 (Pritchett Dev.: 10 ac north of Pkwy @ nthly bndry),
16-43-25-00-00003.0030 & 16-43-25-00-00003.0040 (Pritchett Dev.: "Virginia Farms"),
16-43-25-00-00003.0040 (Pritchett Dev.: 10ac south of Pkwy),
16-43-25-00-00003.0050 (Pritchett Dev.: 16 ac nth & sth of Pkwy),
16-43-25-00-00003.0070 (Pritchett Dev.: 12 ac west of Pkwy),
16-43-25-00-00003.0080 (Bank of America, NA: 45 ac wst of Pkwy),
21-43-25-00-00001.1000 (Pritchett Dev.: 37 ac incl. triangular lake @ I-75),
21-43-25-00-00002.0000 (Pritchett Dev.: 78 ac RVPD district),
21-43-25-00-00006.0020 (Pritchett Dev.: 4ac CPD district)
and legally described in exhibit A attached hereto.

The property described herein is the subject of an application for planned development zoning. We hereby designate **US HOME Corporation** as the legal representatives of the property and as such, these individuals are authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorization of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended covenant of unified control is delivered to Lee County.

The undersigned recognize the following and will be guided accordingly in the pursuit of development of the project:

1. The property will be developed and used in conformity with the approved master concept plan including all conditions placed on the development and all commitments agreed to by the applicant in connection with the planned development rezoning.
2. The legal representative identified herein is responsible for compliance with all terms, conditions, safeguards, and stipulations made at the time of approval of the master concept plan, even if the property is subsequently sold in whole or in part, unless and until a new or amended covenant of unified control is delivered to and recorded by Lee County.
3. A departure from the provisions of the approved plans or a failure to comply with any requirements, conditions, or safeguards provided for in the planned development process will constitute a violation of the Land Development Code.
4. All terms and conditions of the planned development approval will be incorporated into covenants and restrictions which run with the land so as to provide notice to subsequent owners that all development activity within the planned development must be consistent with those terms and conditions.
5. So long as this covenant is in force, Lee County can, upon the discovery of noncompliance with the terms, safeguards, and conditions of the planned development, seek equitable relief as necessary to compel compliance. The County will not issue permits, certificates, or licenses to occupy or use any part of the planned development and the County may stop ongoing construction activity until the project is brought into compliance with all terms, conditions and safeguards of the planned development.

PRITCHETT DEVELOPMENT COMPANY, LTD.:
15-43-25-00-00001.0000 (125 ac adj Trtmnt Plant), 16-43-25-00-00001.0100 (15 ac sth of Hansen 50 ac),
16-43-25-00-00003.0000 (139 ac east of Pkwy), 16-43-25-00-00003.0010 (157 ac incl. farm land),
16-43-25-00-00003.0020 (10 ac north of Pkwy @ nthly bndry),
16-43-25-00-00003.0030 ("Virginia Farms"), 16-43-25-00-00003.0040 ("Virginia Farms"),
16-43-25-00-00003.0050 (16 ac nth & sth of Pkwy), 16-43-25-00-00003.0060 (10ac south of Pkwy),
16-43-25-00-00003.0070 (12 ac west of Pkwy),
21-43-25-00-00001.1000 (37 ac incl. triangular lake @ I-75),
21-43-25-00-00002.0000 (78 ac RVPD district) & 21-43-25-00-00006.0020 (4ac CPD district)

DCI 2001-00038

RECEIVED
AUG 20 2001
COMMUNITY DEVELOPMENT

(Owner Signature)

Richard H. Pritchett, III
(Printed Name and Title)
OFFICER AND DIRECTOR
PRITCHETT DEVELOPMENT COMPANY, LTD.

STATE OF FLORIDA)
COUNTY OF LEE)

Sworn to (or affirmed) and subscribed before me this 14th day of August, 2001
by Richard H. Pritchett, III who is personally known to me
or has produced Personally Known to me as identification.

Carolyn Sue Avoglia
Notary Public

Carolyn Sue Avoglia
Commission # CC 756933
Expires August 13, 2002
BONDED THRU
ATLANTIC BONDING CO., INC.

Carolyn Sue Avoglia
(Name typed, printed or stamped)
(Serial Number, if any)

DCI 2001-00038

KATHY LYNNE R. PRITCHETT:
16-43-25-00-00001.006A (3 ac nth of Pkwy), 16-43-25-00-00001.006B (2 ac nth of Pkwy)
16-43-25-00-00001.006C (2 ac nth of Pkwy)

RECEIVED
AUG 20 2001
COMMUNITY DEVELOPMENT

x Kathy Lynne R. Pritchett
(Owner Signature)

Kathy Lynne R. Pritchett
(Printed Name and Title) TRUSTEE

DCI 2001-00038

STATE OF FLORIDA)
COUNTY OF LEE)

Sworn to (or affirmed) and subscribed before me this 14th day of August, 2001
by Kathy Lynne R. Pritchett who is personally known to me
or has produced personally known to me as identification.

Carolyn Sue Avoglia
Notary Public

Carolyn Sue Avoglia
Commission # CC 756933
Expires August 13, 2002
BONDED THRU
ATLANTIC BONDING CO., INC.

Carolyn Sue Avogl. A
(Name typed, printed or stamped)
(Serial Number, if any)

DCI 2001-00038

DCI 2001-00038

RECEIVED
AUG 20 2001
COMMUNITY DEVELOPMENT

PETER KAINZ:
16-43-25-00-00001.0060 (12 ac nth of Pkwy)

Peter Kainz
(Owner Signature)

X Peter Kainz 100% owner
(Printed Name and Title)

~~STATE OF FLORIDA~~ ILLINOIS O.K.
~~COUNTY OF LEE~~ McHenry O.K.

Sworn to (or affirmed) and subscribed before me this 13th day of August, 2001

by Peter Kainz who is personally known to me

or has produced _____ as identification.

OFFICIAL SEAL
TIMOTHY PAUL ETERNICK
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES:07/07/03

Timothy Paul Eternick
Notary Public

Timothy Paul Eternick
(Name typed, printed or stamped)
(Serial Number, if any)

DCI 2001-00038

BANK OF AMERICA, N.A.: Trustee of the Richard H. Pritchett Trust
16-43-25-00-00003.0080 (45 ac wst of Pkwy)

(Owner Signature)

Kathy S. Bright Vice President
(Printed Name and Title)

RECEIVED
AUG 20 2001
COMMUNITY DEVELOPMENT

DCI 2001-00038

STATE OF FLORIDA)
COUNTY OF LEE)

Sworn to (or affirmed) and subscribed before me this 14 day of August, 2001

by Kathy S. Bright who is personally known to me

or has produced _____ as identification.

OFFICIAL NOTARY SEAL
NANCY L TURNER
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC858155
MY COMMISSION EXP. JULY 26,2003

Notary Public

CC858155
(Name typed, printed or stamped)
(Serial Number, if any)

DCI 2001-00038

ERNEST A. HANSEN & FRANCES HANSEN; TRUSTEES:
16-43-25-00-00002.0000 (50 ac sth of Pkwy)

A Ernest Hansen
(Owner Signature)

A. Ernest Hansen
(Printed Name and Title)

RECEIVED
AUG 20 2001
COMMUNITY DEVELOPMENT

STATE OF FLORIDA)
COUNTY OF LEE)

DCI 2001-00038

Sworn to (or affirmed) and subscribed before me this 14th day of August, 2001
by A. Ernest Hansen who is personally known to me
or has produced personally known to me as identification.

Carolyn Sue Avoglia
Notary Public

Carolyn Sue Avoglia
(Name typed, printed or stamped)
(Serial Number, if any)

NOTARY PUBLIC STATE OF FLORIDA
Carolyn Sue Avoglia
Commission # CC 756933
Expires August 13, 2002
BONDED THRU
ATLANTIC BONDING CO., INC.

Frances Hansen
(Owner Signature)

Frances Hansen
(Printed Name and Title)

STATE OF FLORIDA)
COUNTY OF LEE)

Sworn to (or affirmed) and subscribed before me this 14th day of August, 2001
by Frances Hansen who is personally known to me
or has produced personally known to me as identification.

Carolyn Sue Avoglia
Notary Public

Carolyn Sue Avoglia
(Name typed, printed or stamped)
(Serial Number, if any)

NOTARY PUBLIC STATE OF FLORIDA
Carolyn Sue Avoglia
Commission # CC 756933
Expires August 13, 2002
BONDED THRU
ATLANTIC BONDING CO., INC.

EXHIBIT I-B-4
COVENANT OF UNIFIED CONTROL
(Hansen Property for Heritage Creek RPD)

RECEIVED
MAY 31 2001
COMMUNITY DEVELOPMENT

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known by the following STRAP numbers:
16-43-25-00-00002.0000 (50 ac sth of Pkwy)
and legally described in exhibit A attached hereto.

The property described herein is the subject of an application for planned development zoning. We hereby designate **US HOME Corporation** as the legal representatives of the property and as such, these individuals are authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorization of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended covenant of unified control is delivered to Lee County.

The undersigned recognize the following and will be guided accordingly in the pursuit of development of the project:

1. The property will be developed and used in conformity with the approved master concept plan including all conditions placed on the development and all commitments agreed to by the applicant in connection with the planned development rezoning.
2. The legal representative identified herein is responsible for compliance with all terms, conditions, safeguards, and stipulations made at the time of approval of the master concept plan, even if the property is subsequently sold in whole or in part, unless and until a new or amended covenant of unified control is delivered to and recorded by Lee County.
3. A departure from the provisions of the approved plans or a failure to comply with any requirements, conditions, or safeguards provided for in the planned development process will constitute a violation of the Land Development Code.
4. All terms and conditions of the planned development approval will be incorporated into covenants and restrictions which run with the land so as to provide notice to subsequent owners that all development activity within the planned development must be consistent with those terms and conditions.
5. So long as this covenant is in force, Lee County can, upon the discovery of noncompliance with the terms, safeguards, and conditions of the planned development, seek equitable relief as necessary to compel compliance. The County will not issue permits, certificates, or licenses to occupy or use any part of the planned development and the County may stop ongoing construction activity until the project is brought into compliance with all terms, conditions and safeguards of the planned development.

Albert Ernest Hansen
(Owner)

A Ernest Hansen
(Printed Name)

STATE OF FLORIDA)
COUNTY OF LEE)

Sworn to (or affirmed) and subscribed before me this 7th day of May, 2001
by ALBERT ERNEST HANSEN who is personally known to me
or has produced personally known to me as identification.

Carolyn Sue Avoglin
Notary Public

Carolyn Sue Avoglin
Commission # CC 756933
Expires August 13, 2002
BONDED THRU
ATLANTIC BONDING CO., INC.

CAROLYN SUE AVOGLIA
(Name typed, printed or stamped)
(Serial Number, if any)

DCI 2001-00038

RECEIVED
MAY 31 2001
COMMUNITY DEVELOPMENT

EXHIBIT I-B-4
COVENANT OF UNIFIED CONTROL
(~~Nations Bank~~ Property for Heritage Creek RPD)
Bank of America, N.A.

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known by the following STRAP numbers:
16-43-25-00-00003.0080 (45 ac wst of Pkwy)
and legally described in exhibit A attached hereto.

The property described herein is the subject of an application for planned development zoning. We hereby designate **US HOME Corporation** as the legal representatives of the property and as such, these individuals are authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorization of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended covenant of unified control is delivered to Lee County.

The undersigned recognize the following and will be guided accordingly in the pursuit of development of the project:

1. The property will be developed and used in conformity with the approved master concept plan including all conditions placed on the development and all commitments agreed to by the applicant in connection with the planned development rezoning.
2. The legal representative identified herein is responsible for compliance with all terms, conditions, safeguards, and stipulations made at the time of approval of the master concept plan, even if the property is subsequently sold in whole or in part, unless and until a new or amended covenant of unified control is delivered to and recorded by Lee County.
3. A departure from the provisions of the approved plans or a failure to comply with any requirements, conditions, or safeguards provided for in the planned development process will constitute a violation of the Land Development Code.
4. All terms and conditions of the planned development approval will be incorporated into covenants and restrictions which run with the land so as to provide notice to subsequent owners that all development activity within the planned development must be consistent with those terms and conditions.
5. So long as this covenant is in force, Lee County can, upon the discovery of noncompliance with the terms, safeguards, and conditions of the planned development, seek equitable relief as necessary to compel compliance. The County will not issue permits, certificates, or licenses to occupy or use any part of the planned development and the County may stop ongoing construction activity until the project is brought into compliance with all terms, conditions and safeguards of the planned development.

Bank of America, NA as Trustee
By: Kathy S Bright, VP
(Owner)
Richard H. Ritchett Jr Trust

(Printed Name)

STATE OF FLORIDA)
COUNTY OF LEE)

Sworn to (or affirmed) and subscribed before me this 18th day of May, 2001
by Kathy S Bright Vice President, Bank of America, N.A. who is personally known to me
or has produced _____ as identification.

Notary Public

SYLVIA HUTCHISON
MY COMMISSION # CC 768249
EXPIRES: August 17, 2002
Bonded Thru Notary Public Underwriters

Sylvia Hutchison
(Name typed, printed or stamped)
(Serial Number, if any)

DCI 2001-00038

EXHIBIT I-B-4
COVENANT OF UNIFIED CONTROL
(Peter Kainz Property for Heritage Creek RPD)

RECEIVED
MAY 31 2001
COMMUNITY DEVELOPMENT

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known by the following STRAP numbers:
16-43-25-00-00001.0060 (12 ac nth of Pkwy)
and legally described in exhibit A attached hereto.

The property described herein is the subject of an application for planned development zoning. We hereby designate **US HOME Corporation** as the legal representatives of the property and as such, these individuals are authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorization of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended covenant of unified control is delivered to Lee County.

The undersigned recognize the following and will be guided accordingly in the pursuit of development of the project:

1. The property will be developed and used in conformity with the approved master concept plan including all conditions placed on the development and all commitments agreed to by the applicant in connection with the planned development rezoning.
2. The legal representative identified herein is responsible for compliance with all terms, conditions, safeguards, and stipulations made at the time of approval of the master concept plan, even if the property is subsequently sold in whole or in part, unless and until a new or amended covenant of unified control is delivered to and recorded by Lee County.
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4. All terms and conditions of the planned development approval will be incorporated into covenants and restrictions which run with the land so as to provide notice to subsequent owners that all development activity within the planned development must be consistent with those terms and conditions.
5. So long as this covenant is in force, Lee County can, upon the discovery of noncompliance with the terms, safeguards, and conditions of the planned development, seek equitable relief as necessary to compel compliance. The County will not issue permits, certificates, or licenses to occupy or use any part of the planned development and the County may stop ongoing construction activity until the project is brought into compliance with all terms, conditions and safeguards of the planned development.

Peter Kainz
(Owner)

PETER KAINZ
(Printed Name)

STATE OF FLORIDA)
COUNTY OF LEE)

Sworn to (or affirmed) and subscribed before me this 10th day of May, 2001
by Peter KAINZ who is personally known to me
or has produced personaley Known To me as identification.

Carolyn Sue Avoglia
Notary Public

CAROLYN SUE AVOGLIA
(Name typed, printed or stamped)
(Serial Number, if any)

DCI 2001-00038

Carolyn Sue Avoglia
Commission # CC 756933
Expires August 13, 2002
BONDED THRU
ATLANTIC BONDING CO., INC.

RECEIVED
MAY 31 2001

EXHIBIT I-B-4
COVENANT OF UNIFIED CONTROL
(Kathy Pritchett for Heritage Creek RPD)

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known by the following STRAP numbers:
16-43-25-00-00001.006A (3 ac nth of Pkwy), 16-43-25-00-00001.006B (2 ac nth of Pkwy)
16-43-25-00-00001.006C (2 ac nth of Pkwy)
and legally described in exhibit A attached hereto.

The property described herein is the subject of an application for planned development zoning. We hereby designate **US HOME Corporation** as the legal representatives of the property and as such, these individuals are authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorization of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended covenant of unified control is delivered to Lee County.

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Lynne R Pritchett
(Owner)

KATHY LYNNE R. PRITCHETT
(Printed Name)

STATE OF FLORIDA)
COUNTY OF LEE)

Sworn to (or affirmed) and subscribed before me this 30th day of May, 2001
by Lynne R. Pritchett who is personally known to me
or has produced Personally Known Dme as identification.

Carolyn Sue Avoglio
Notary Public

Carolyn Sue Avoglio
(Name typed, printed or stamped)
(Serial Number, if any)

NOTARY PUBLIC STATE OF FLORIDA
Carolyn Sue Avoglio
Commission # CC 756933
Expires August 13, 2002
BONDED THRU
ATLANTIC BONDING CO., INC.

DCI 2001-00038

RECEI

MAY 31 2001

EXHIBIT I-B-4
COVENANT OF UNIFIED CONTROL
(Pritchett Development Property for Heritage Creek RPD)

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known by the following STRAP numbers:
21-43-25-00-00006.0020 (4ac CPD district), 16-43-25-00-00003.0070 (12 ac west of Pkwy), 21-43-25-00-00002.0000 (78 ac RVPD district), 16-43-25-00-00003.0040 (10ac south of Pkwy), 15-43-25-00-00001.0000 (125 ac adj Trtmnt Plant), 16-43-25-00-00003.0050 (16 ac nth & sth of Pkwy), 16-43-25-00-00003.0000 (139 ac east of Pkwy), 16-43-25-00-00003.0010 (157 ac incl. farm land), 21-43-25-00-00001.1000 (37 ac incl. triangular lake @ I-75), 16-43-25-00-00003.0020 (10 ac north of Pkwy @ nthly bndry), 16-43-25-00-00001.0100 (15 ac sth of Hansen 50 ac)
and legally described in exhibit A attached hereto.

The property described herein is the subject of an application for planned development zoning. We hereby designate **US HOME Corporation** as the legal representatives of the property and as such, these individuals are authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorization of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended covenant of unified control is delivered to Lee County.

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(Owner)

Richard H. Pritchett, III
(Printed Name)

STATE OF FLORIDA)
COUNTY OF LEE)

Sworn to (or affirmed) and subscribed before me this 30th day of May, 2001
by Richard H. Pritchett III who is personally known to me
or has produced Personally Known as identification.

Notary Public

Carolyn Sue Avoglia
Commission # CC 756933
Expires August 13, 2002
BONDED THRU
ATLANTIC BONDING CO., INC.

Carolyn Sue Avoglia
(Name typed, printed or stamped)
(Serial Number, if any)

DCI 2001-00038

PAVESE, HAVERFIELD, DALTON, HARRISON & JENNINGS, L.L.P.
A FLORIDA LIMITED LIABILITY PARTNERSHIP

ATTORNEYS AND COUNSELORS AT LAW
http://paveselaw.com

1833 HENDRY STREET
FORT MYERS, FLORIDA 33901

POST OFFICE DRAWER 1507
FORT MYERS, FLORIDA 33902-1507

(239) 334-2195
FAX (239) 332-2243
SteveHartsell@PaveseLaw.com

STEVEN C. HARTSELL
(239) 336-6244

RECEIVED
AUG 2 5 2003
ZONING

PLEASE REPLY TO
FORT MYERS OFFICE

August 22, 2003

Mr. Salvatore Territo, Lee County Hearing Examiner
1500 Monroe Street
Fort Myers, Florida 33902-0398

VIA HAND DELIVERY

RE: Heritage Creek (a/k/a Stoneybrook North) RPD, Case #DCI-2001-00038

Dear Mr. Territo:

Pursuant to your order following the hearing on August 8th, 2003, enclosed please find the Master Concept Plan corrected as noted during the hearing on August 8th as well as a colored and mounted copy of that Master Concept Plan (which simply makes it easier to read at a distance). Also enclosed is a summary of the changes made to the Master Concept Plan in response to the residents' concerns and in response to the Staff's concerns. That summary is captioned "Stoneybrook North – Site Plan Changes Since the February 28, 2002, Neighborhood Meeting."

The final summary of the conditions and deviations was coordinated through the County Attorney's Office and I have reviewed those conditions and deviations with Chip Block, and Chip will be submitting the final document which incorporates those changes which were discussed at the hearing on August 8th, 2003.

I am sending a copy of this letter and the enclosures to all of those who are listed at the end of the letter.

Very truly yours,

Steven C. Hartsell

SCH:llg
Enclosures
cc: Alvin "Chip" Block w/encl.
John Fredyma w/encl.
Ralf Brookes w/encl.
Deno Benetis w/encl.
Carron Day w/encl.
Sam Marshall w/encl.
Ian Vincent w/encl.
Ted Treesh w/encl.

F:\WPDATA\SCH\CLIENTS\U.S.Home\StoneybrookNorth\Territo.ltr 63496.016.wpd

Stoneybrook North
Site Plan Changes
Since the February 28, 2002 Neighborhood Meeting

RECEIVED
AUG 2 5 2003
ZONING

IN RESPONSE TO RESIDENTS' CONCERNS:

April 2002

- Removed the golf course and eliminated the 4-story condominiums
- Lowered building height to 2 stories across the property
- Located the multiple family tracts so that they are internal to the property

July 2003

Revised Site Plan to pull Tract A back 50 feet from the west property line, consistent with the other tracts.

August 2003

- Eliminated multi-family use from the development.
- Eliminated townhouse use from the development.
- Limited US Home "Twin Villas" (two family attached) to three tracts.
- Decreased Development Unit Total from 1,475 homes to 1,275 homes.
- Except as otherwise noted on the MCP, increased the perimeter buffers to 10 trees per 100 linear feet and a double staggered hedge. The hedge will be installed at 36" high and maintained at 60" high. 75% of the shrubs and 50% of the trees will be native species.
- Increased all parcel setbacks to a minimum of 50 feet from the property boundary.
- Increased the parcel setbacks to a minimum of 200 feet from the property line abutting the Open Lands and Density Reduction Groundwater Recharge land use category (part of the development's northern property line).
- Limited residential homes within Tracts F1 and F3, which are the only tracts abutting the Open Lands and Density Reduction Groundwater Recharge land use category (this amounts to a distance of more than 500 feet from the Open Lands and Density Reduction Groundwater Recharge land use category), to single family detached with a minimum lot size of 7,500 square feet.
- Provided street trees along Pritchett Parkway.
- Eliminated baseball field lights.
- Provided stringent conditions limiting lighting on all courts in Tract K.
- Eliminated the golf driving range.

IN RESPONSE TO STAFF CONCERNS:

May 2002

Increased the preserve and open space area between Popash Creek and the rear property line of the lots in this area.

March 2003

- Lot coverage reduced to 45% for all single family parcels.
- Relocated the roadway adjacent to Tract K to avoid gopher tortoise burrows.
- Reconfigured the "Upland Conservation" area adjacent to the Popash Creek to incorporate the "flowway" vegetation as requested by Lee County.

- Increased the amount of Upland Conservation Area by deleting a lake and adding a "rare and unique" area south of Tract A.
- Provided a Type D Buffer between the boundary of the existing Wastewater Treatment facility and any residential lot within Stoneybrook North.
- Pulled back lots in the area within 100 feet of the Wastewater Treatment facility property lines.
- Increased the buffer along the north property line and adjacent to Tract H to Type E.
- Decreased the number of Model Unit locations and deleted all of those that were internal to the development tracts.
- Deleted Deviation #16 and provide required buffer/setback.

May 2003

- Provided a minimum 50-foot setback between development in Tract H, E and D and the Property Boundary.
- Limited the maximum number of multi-family to 250 (the number set for Tract J.).
- Reduced the total number of units requested to 1475.

June 2003

- Provided a 250-foot setback and the buffer requested by the county staff between the boundary of the existing Wastewater Treatment facility and any residential lot within Stoneybrook North. This resulted in pulling back the lots in this area.
- Added the satellite park (Tract M).
- Changed site plan around the STP to move tracts and lakes back 250 feet.

WilsonMiller

MEMORANDUM

TO: Mike Pavese

FROM: Carron Day

DATE: March 21, 2003

SUBJECT: Stoneybrook North (fka Heritage Creek)

CC: Deno Benetis, US Home
Steve Hartsell, Pavese Law Firm
Sam Marshall, BanksEngineering
Ted Tresh, Metro Transportation
Tyler King and Ian Vincent, Dex Bender & Assoc

We listened closely to the concerns expressed by the County staff in our recent meetings regarding Stoneybrook North and have revised the Master Concept Plan accordingly. Changes include the following:

- Relocated the roadway adjacent to Tract K to avoid gopher tortoise burrows.
- Reconfigured the "Upland Conservation" area adjacent to the Popash Creek to incorporate the vegetation requested by Lee County. As a result Tracts I1 and I2 have been reconfigured as well.
- Increased the amount of Upland Conservation Area.
- Provided a minimum 50-foot setback between development in Tract H, E and D and the Property Boundary.
- Provided a 100-foot setback and Type D Buffer between the boundary of the existing Wastewater Treatment facility and any residential lot within Stoneybrook North. This resulted in pulling back the lots in this area.
- Changed the "Buffer Notes" along the north property line and adjacent to Tract H.
- Adjusted the "Tract Information" and "Land Use Summary"
- Limited the maximum number of multi-family to 250 (the number set for Tract J.)
- Reduced the total number of units requested to 1475.
- Adjusted the Lot Coverage in the development's proposed Property Development Regulations to the County's "standard" percentage of 45%
- Decreased the number of Model Unit locations and deleted all of those that were internal to the development tracts.

RECEIVED
MAR 21 2003
ZONING COUNTER
DCI 2001-00038

COPY

Sir,

13 Jun 03

After seeing a copy of the staff report, dated 6/4/03 relating to the Heritage Creek / Stoney Brook north project, I am requesting that you delay the hearing.

This report differs drastically from the previous report & I need more time to review this new report before it would be unfair to rush this hearing.

In particular the water problems & flooding have not been adequately addressed. Also the traffic flow is still not good!

Respectfully

John D Martinie
8720 Bonbay Road
543-6672



John D. Martinie
18420 Panther Trail Ln
Fort Myers FL 33917-4728

THE HUMANE SOCIETY OF THE UNITED STATES

HIDDEN EAGLE RANCH



Bus: (813) 543-66[illegible] Mobile: (813) 339-7292
FAX: (813) 543-6672

LEE COUNTY
HEARING EXAMINER
03 JUN 16 AM 10:32

Copy to Comm. Dev
3/16/03
MR 11am

June 13, 2003

Hand-delivery

RECEIVED
JUN 13 2003
COMMUNITY DEVELOPMENT

Hearing Examiner
1500 Monroe Street
2nd Floor
Fort Myers, Florida 33901

Re: Case Number: DCI2001-00038
Heritage Creek/Stoney Brook North

Dear Sir/Madam:

I am writing this letter to request that the hearing scheduled for June 18th and 19th in the above matter be rescheduled to a later date. After reading the first staff report which recommended denial of the MCP as it existed, I felt I was protected since it clearly followed the Lee County Comprehensive Plan and Lee County Land Development Regulations. However, with the new staff report dated June 4, 2003 recommending approval of the same MCP with only minor modifications adding litoral plantings and slightly shifting 2 areas to avoid gopher tortoises, I am astonished.

I have been waiting for the analysis from Brad Vance at the Division of Natural Resources to see how this planned development will impact the already existing drainage/flow way/flooding problems in the area. To date, the report has not been completed. If this hearing goes forward as scheduled, I will be denied adequate time to have the analysis reviewed prior to the hearing if need be or to obtain adequate representation to protect my interests as an existing property owner.

If possible, I am requesting that you please advise me by Monday, June 16, 2003 as to your decision for the rescheduling of this hearing.

Thank you,

Shelley Trauring
8300 Henderson Grade
North Fort Myers, FL 33917
731-0309

Cc: Mr. Michael Pavese
File

DCI 2001-00038

MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY

LEE COUNTY
RECEIVED
04 JAN 12 AM 9:07
COMM. DEV/
PUB. WRKS. CNTR.
SECOND FLOOR

DATE: January 9, 2004

TO: Billie Jacoby
Community Development - ISA

FROM: Maria M. Encarnacion
Legal Administrative Secretary

RE: **Heritage Creek a/k/a Stoneybrook North**
Zoning Case #DCI2001-00038
Resolution No. Z-02-070

Attached hereto please find a legal verification letter in connection with the above matter. Please place this letter in the appropriate file.

Thank you.

/mme
Attachment

PAVESE, HAVERFIELD, DALTON, HARRISON & JENSEN, L.L.P.
A FLORIDA LIMITED LIABILITY PARTNERSHIP

ATTORNEYS AND COUNSELORS AT LAW
http://paveselaw.com

1833 HENDRY STREET
FORT MYERS, FLORIDA 33901

POST OFFICE DRAWER 1507
FORT MYERS, FLORIDA 33902-1507

(239) 334-2195
FAX (239) 332-2243
SteveHartsell@PaveseLaw.com

RECEIVED BY
LEE CO. ATTORNEY
2004 JAN -9 AM 8:02

STEVEN C. HARTSELL
(239) 336-6244

PLEASE REPLY TO
FORT MYERS OFFICE

January 8, 2004

Sent via U.S. Mail

John J. Fredyma
Assistant County Attorney
P.O. Box 398
Fort Myers, Florida 33902-0398

RE: Heritage Creek, a/k/a Stoneybrook North
Zoning Case #DCI2001-00038
Resolution No. Z-02-070
Our File# 63496.016

Dear John:

I am in receipt of your December 19, 2003 letter regarding the above referenced zoning case. Per your instructions, I reviewed the legal description and have confirmed that all of the property intended to be rezoned is accurately described.

Please do not hesitate to contact me if you require additional action on this matter.

Very truly yours,

Steven C. Hartsell

F:\WPDATA\ESR\SCH\U.S Home\Stoneybrook North\Letter Fredyma Confirming Legal Description 1-8-04.wpd

LEE COUNTY
RECEIVED

01 OCT -3 PM 3:55

COMM. DEV/
PUB. WKS. CNTR.
SECOND FLOOR

Re: Heritage Creek
Case No. DCI 2001-00038

Dear Sir or Madam:

I/we am writing this letter as a concerned citizen(s). My/our intent is to maintain the rural lifestyle I/we moved here to enjoy.

Obviously, a multi-family development has the potential to impact our community in many ways. Therefore, I/we would request that you consider and address the following concerns during the consideration of granting the re-zoning request:

1. Surface Water Management (which several of us already have terrible problems with during rainy season)
2. Height of apartment/duplexes & townhouses
3. The developments consistency with surrounding properties. we don't want another project like US Home Riverdale
4. The developments consistency with the "Bayshore Community Plan" which is in the process of being submitted for implementation.
5. Traffic/roads
6. Bright lights that may be put throughout this community and at their parks, pools and parking lots.

- DRINKING WATER SUPPLIES
- SEWERS - WASTE TREATMENT + THEIR LOCATIONS
- LAKE EXCAVATION (BLASTING) DRYING UP WELLS
- ENVIRONMENTAL ISSUES - RCW'S, JAYS, FOX SQUIRLES, BALD EAGLES
- DRAINAGE - IMPERMIABLE SURFACE AREA.

Name: Donald METRIONE

Address: 8280 BOONESBORO RD
N. FT MYERS 33917

Telephone: 543-7501

Signed: [signature] Date: 9-20-01

DCI 2001-00038

10/3/01

Please File
in Zoning
file
Thanks
(K)

LEE COUNTY
RECEIVED

01 OCT -3 PM 3:56

COMM. DEV/
PUB. WRKS. CNTR.
SECOND FLOOR

Re: Heritage Creek
Case No. DCI 2001-00038

Dear Sir or Madam:

I/we am writing this letter as a concerned citizen(s). My/our intent is to maintain the rural lifestyle I/we moved here to enjoy.

Obviously, a multi-family development has the potential to impact our community in many ways. Therefore, I/we would request that you consider and address the following concerns during the consideration of granting the re-zoning request:

1. Surface Water Management (which several of us already have terrible problems with during rainy season)

2. Height of apartment/duplexes & townhouses

3. The developments consistency with surrounding properties.

4. The developments consistency with the "Bayshore Community Plan" which is in the process of being submitted for implementation.

5. Traffic/roads

6. Bright lights that may be put throughout this community and at their parks, pools and parking lots.

Keep The Area Looking Country.

Name: Jerome & Robin Payne

Address: 18010 Leatrice Ln.
N. Ft. Myers, Fl. 33917

Telephone: 543-5894

Signed: Jerome Payne Date: 9-18-01

DCI 2001-00038

LEE COUNTY
RECEIVED
01 OCT -3 PM 3:56
COMM. DEV/
PUB. WRKS. CNTR.
SECOND FLOOR

Re: Heritage Creek
Case No. DCI 2001-00038

Dear Sir or Madam:

I/we am writing this letter as a concerned citizen(s). My/our intent is to maintain the rural lifestyle I/we moved here to enjoy.

Obviously, a multi-family development has the potential to impact our community in many ways. Therefore, I/we would request that you consider and address the following concerns during the consideration of granting the re-zoning request:

1. Surface Water Management (which several of us already have terrible problems with during rainy season)
2. Height of apartment/duplexes & townhouses
3. The developments consistency with surrounding properties.
4. The developments consistency with the "Bayshore Community Plan" which is in the process of being submitted for implementation.
5. Traffic/roads
6. Bright lights that may be put throughout this community and at their parks, pools and parking lots.

High buildings are absolutely unneccessary if a golf course doesn't exist! You have plenty of room for nice single family homes. Don't bring down our property value.

Name: Denise Metrione
Address: 8280 Boonesboro Road
N. Ft. Myers, FL 33917
Telephone: 543-7501

Signed: Denise Metrione Date: 9-20-01

DCI 2001-00038

LEE COUNTY
RECEIVED
01 OCT -3 PM 3:57
COMM. DEV.
PUB. WRKS. CNTR.
SECOND FLOOR

Re: Heritage Creek
Case No. DCI 2001-00038

Dear Sir or Madam:

I/we am writing this letter as a concerned citizen(s). My/our intent is to maintain the rural lifestyle I/we moved here to enjoy.

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4. The developments consistency with the "Bayshore Community Plan" which is in the process of being submitted for implementation.
5. Traffic/roads
6. Bright lights that may be put throughout this community and at their parks, pools and parking lots.

Name: TAWIZA Cook

Address: 18000 Leetana Rd
N Ft Myers Fl

Telephone: 941-850-8466

Signed: [signature] Date: 9/16/01

DCI 2001-00038

LEE COUNTY
RECEIVED
01 OCT -3 PM 3:57
COMM. DEV/
PUB. WRKS. CNTR.
SECOND FLOOR

Re: Heritage Creek
Case No. DCI 2001-00038

Dear Sir or Madam:

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2. Height of apartment/duplexes & townhouses
3. The developments consistency with surrounding properties.
4. The developments consistency with the "Bayshore Community Plan" which is in the process of being submitted for implementation.
5. Traffic/roads
6. Bright lights that may be put throughout this community and at their parks, pools and parking lots.

Name: Michael Yanosik

Address: 18197 Sandy Pines Circle
N. Ft. Myers, FL 33917

Telephone: (941) 543-5009

Signed: [signature]

Date: 9/14/01

DCI 2001-00038

LEE COUNTY
RECEIVED
01 OCT -3 PM 3:57
COMM. DEV/
PUB. WRKS. CNTR.
SECOND FLOOR

Re: Heritage Creek
Case No. DCI 2001-00038

Dear Sir or Madam:

I/we am writing this letter as a concerned citizen(s). My/our intent is to maintain the rural lifestyle I/we moved here to enjoy.

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All of the above 1+

Name: Sandra D Williams

Address: 17911 Leeland Rd.
Ft. Myers, Fla 33917

Telephone: (941) 567-0636

Signed: Sandra D Williams Date: 9/19/01

DCI 2001-00038

LEE COUNTY
RECEIVED
01 OCT -3 PM 3:57
COMM DEV
PUB. WKS. CNTR.
SECOND FLOOR

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THE BURM NOW PRESENT IS NOT ALLOWING SHEET FLOW, BACK WATER UP ON MY PROPERTY AT PRESENT. THE BURM AND SWALE WAS BUILT IN SUCH A FASHION THAT IT FORCES WATER NORTH RATHER THAN SOUTH. COME LOOK - I WILL EXPLAIN.
MY RIGHTS AS LANDOWNER ARE BEING INFRINGED UPON!

Name: Ronald and Dean Vreenigo (Bayshore Dest Fire Comm)
Address: 8251 RICH RD.
N. Ft. MYERS FL
Telephone: 543-4468

Signed: Ronald J Vreenigo Date: 9-16-01

DCI 2001-00038

LEE COUNTY
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01 OCT -3 PM 3:57
COM. DEV/
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SECOND FLOOR

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This area must be kept Single family Residence on No Less Then 5 Acres per Residence, How Did Rick Pritchett get away with Selling ½ Acre Lots. This Should be The worst Case.

Name: Ray H. Wenger
Address: 18950 Lynn Rd.
N. Ft. Myers Fla 33917
Telephone: 941-731-9065
Signed: Ray H. Wenger Date: 9/15/01

DCI 2001-00038

LEE COUNTY
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01 OCT -3 PM 3:57
COMM. DEV/
PUB. WRKS. CNTR.
SECOND FLOOR

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I just spent a good deal of money for a piece of property with trees & creek behind it, I do not want to see bright lights and parking lots.

Name: Gary & Sheri Weinlauf
Address: 1419 SE 10th Terr
Cape Coral FL 33990
Telephone: 772-5941

Signed: Sheri Weinlauf Date: 9-25-01

DCI 2001-00038

LEE COUNTY
RECEIVED
01 OCT -3 PM 3:57
DCI, DEV/
PUB. WKS. CNTR.
SECOND FLOOR

Re: Heritage Creek
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Name: WYATT WALKER

Address: 8350 HENDERSON GRADE
N. FORT MYERS FL 33917

Telephone: (941) 567-1622

Signed: WW Walker

Date: 9/15/01

DCI 2001-00038

LEE COUNTY
RECEIVED

01 OCT -3 PM 3:57

COMM. DEV/
PUB. WRKS. CNTR.
SECOND FLOOR

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Name: Tim Walker

Address: 8200 Posontehone
N. Ft. Myers, FL

Telephone: _____

Signed: [signature] Date: 9/12/01

DCI 2001-00038

LEE COUNTY
RECEIVED
01 OCT -3 PM 3:57
COMM. DEV./
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SECOND FLOOR

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I own land on which I hoped to build a house, but I may change my mind now.

Name: Beverly S. Thompson
Address: 3033 Clifford St.
Pt. Charlotte, FL 33980
Telephone: 941-629-0748

Signed: Beverly S. Thompson Date: 09/18/01

DCI 2001-00038

LEE COUNTY
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COMM DEV/
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I moved to North Fort Myer to enjoy a County setting. If I wanted to move to City setting I would have moved into a zero lot line community This multe-family project does not fit in with the surrounding community that is here now

Name: JOSEPH W. DALY/CHERYL K. STAMPER

Address: 17920 LEETANA ROAD
N.Ft. MYERS, FL 33918

Telephone: 731-2878 (PLEASE CALL)

Signed: Joseph W Daly/Cheryl K. Stamper Date: 9/13/01

DCI 2001-00038

LEE COUNTY
RECEIVED
01 OCT -3 PM 3:51
COMM. DEV/
PUB. WKS. CNTR.
SECOND FLOOR

Re: Heritage Creek
Case No. DCI 2001-00038

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Name: M. M. Smith
Address: P.O. Box 51033
Ft. Myers FL 33994
Telephone: 543-1258

DCI 2001-00038.

Signed: [signature] Date: 9/24/01

LEE COUNTY
RECEIVED
01 OCT -3 PM 3:56
COMM DEV/
PUB. WRKS. CNTR.
SECOND FLOOR

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Case No. DCI 2001-00038

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Name: Dawn C. Stamps

Address: 17910 Leetana Rd
N. Ft. Myers FL 33917

Telephone: 941-731-2171

DCI 2001-00038

Signed: [signature]

Date: 9/21/2001

LEE COUNTY
RECEIVED

01 OCT -3 PM 3:56

COMM. DEV/
PUB. WRKS. CNTR.
SECOND FLOOR

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Name: Bob & Marlene Shaw

Address: 841 Henderson Cr. Rd.
N. Ft. Myers, Fl. 33917

Telephone: 731-8632

DCI 2001-00038

Signed: Bob Shaw
Marlene Shaw

Date: 9-20-01

Wilson Miller

MEMORANDUM

TO: Mike Pavese

FROM: Carron Day

DATE: May 30, 2002

SUBJECT: Stoneybrook North

Mike – We have modified the Master Concept Plan for Stoneybrook North (formerly Heritage Creek) to add a 50 foot open space area between Bayshore Creek and the rear property line shown for the lots in the area formerly known as Virginia Farms. With this change all of the property within Stoneybrook North will be in compliance with LDC Section 6-473 which requires that no encroachments, including fill material or structures, shall be located within a distance from the stream bank equal to two times the width of the stream at the top of the bank or 50 feet on each side from the top of the bank, whichever is greater.

This change is in lieu of the alternative we discussed at our last meeting, the HEC 2 modeling. It is my recollection that we have now responded to all of the county's requests for information after we were found sufficient. Could you please schedule the project for the Hearing Examiner's public hearing. Thank you.

5/30/02
CA #43
03642-000-000

WilsonMiller
New Directions In Planning, Design & Engineering

MEMORANDUM

TO: Mary Gibbs, Director

FROM: Carron Day

DATE: 16 November 2001

SUBJECT: Heritage Creek

CC: Deno Benetis, Sam Marshall, Tyler King, Ted Tresh, Steve Hartsell

---

In the November 7th Sufficiency Checklist in regards to Heritage Creek Jerry Murphy questioned if "the director had exercised her LDC Sec. 34-201(b)(1) discretion to allow this application to cover the three non-abutting properties included in this application.

In response to this reminder, the applicant respectfully requests that you allow Heritage Creek to be submitted as one Residential Planned Development. Although the property is divided into two pieces by Pritchett Parkway, the property is being developed as one planned development with a single owner, a single development concept and with one main recreational area serving both parts of the development.

If there are any questions about this project, please do not hesitate to contact us.

PERMIT COUNTER
DCI 2001-00038

12651 McGREGOR BOULEVARD
SUITE 4-403
FORT MYERS, FL 33919-4489
TELEPHONE 941-278-3090
FAX 941-278-1906
www.metrotransportation.com
TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

METRO TRANSPORTATION GROUP, INC.
October 4, 2001

Ms Carron Day
Florida Land Planning
1560 Matthew Drive, Suite E
Fort Myers, FL 33907

RE: Heritage Creek
DCI2001-00038

Dear Ms. Day:

Attached is a revised copy of Tables 1 and 2 from the Traffic Impact Statement for the above referenced project. The revised Table 1 indicates the revised unit count provided to Metro on October 3, 2001. The revised Table 2 indicates the previously submitted trip generation, the new trip generation based on the new unit count, and the new trips that are generated by the addition of 60 single-family dwelling units.

The level of service impacts on the area roadway network due to the addition of 60 single-family dwelling units will be negligible in comparison to the impacts of the overall development. Therefore, the previously submitted level of service analysis will remain sufficient whether 1532 dwelling units are constructed or 1472 dwelling units are constructed. In addition, the level of service conclusions contained in the TIS will remain accurate once the 60 additional dwelling units are added to the previously submitted single-family total.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Robert L. Price, E.I.T.
Transportation Consultant

Ted B. Treesh
Regional Manager

Attached: Revised Tables 1 and 2

LEE COUNTY
RECEIVED
01 OCT -3 PM 3:55
COMM DEV/
PUB. WRKS. CNTR.
FT. MYERS, FLORIDA

Re: Heritage Creek
Case No. DCI 2001-00038

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7. AREA DENSITY SHOULD NOT EXCEED /ESS THAN 5 ACRES PER UNIT AS WE WERE ALL TOLD WHEN WE PURCHASED OUR PROPERTIES IE #3

8. LAW ENFORCEMENT AND FIRE DEPT IMPACT ARE OUR TAXES GOING UP TO SUPPORT THIS DEVELOPMENT?

9. ARE LEE COUNTY PLANNERS STUPID OR BEING PAID OFF?

Name: RICHARD RISNER JR

Address: 8301 RICH RD
NFT MYERS FL 33917

Telephone: 851-2882

Signed: Richard Risner Jr Date: 9.20.01

DCI 2001-00038

LEE COUNTY
RECEIVED
01 OCT -3 PM 3:56
COMM. DEV/
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GROUND FLOOR

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Name: JOSEPH N. & JANET J. REDONDO JR.

Address: 8127 BOONESBORO Rd
N. FT MYERS FL 33917

Telephone: 941-543-3661

Signed: Joseph Redondo
Janet J Redondo

Date: 9-20-01

DCI 2001-00038

LEE COUNTY
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2ND FLOOR

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OWN LOTS 374 IN HUNTERS GLEN-
MOVED FROM CAPE CORAL. 2915 SW 22ND AV.
WAS THERE 17 YEARS, MOVED TO COUNTRY
NOW THEY WANT TO MOVE CAPE CORAL
TO MY BACK YARD.

Name: Andrew J Prince

Address: NOW - 40 SERENDIPITY BLVD. N FT MYERS 33903
IN 2 TO 3 WEEKS 18270 HUNTERS GLEN ROAD

Telephone: NOW - 656 - 1085

Signed: Andrew J Prince Date: 09-17-01

DCI 2001-00038

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01 OCT -3 PM 3:56
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Name: PETERS, ANGELO & CHARLOTTE

Address: 17871 LEETANA
NFT MYERS FL 33917

Telephone: 543-3734

Signed: Angelo Peters Date: 9/18/01
Charlotte Peters

DCI 2001-00038

LEE COUNTY
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Name: Mark Penfield

Address: 18141 Nalle Rd.
N. Ft. Myers FL

Telephone: 543-0846

Signed: Mark Penfield Date: 9/24/01

DCI 2001-00038

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7. We at 8100 - 8200 Rich Rd. have hands on or knees on, experience of water flow mis-management. ie. Prichett Pkwy - ie tomato grove - ie. wells drying up. When the earth is moved around it directly affects us. (5) 1500 rooftops means 1500 more vehicles from 7:30 to 9 AM. traveling our rural neighborhood roads.

Name: Rich & Carol Myers

Address: 8181 & 8185 Rich Rd.
N. Ft. Myers 33917

Telephone: 543-6387

Signed: [signature]

Date: 9-14-01

DCI 2001-00038

LEE COUNTY
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01 OCT -3 PM 3:56
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Name: Debbie Morton

Address: 457 Ellis St
N. Ft. Myers, FL 33903

Telephone: 995-6847

Signed: Debbie Morton Date: 9-16-01

DCI 2001-00038

LEE COUNTY
RECEIVED

01 OCT -3 PM 3:55

DEV/
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Name: DON MOHLER

Address: 18218 SANDY PINES CIRCLE
N. FT. MYERS, FL 33917

Telephone: 941-543-8396

Signed: [signature]

Date: 09-15-2001

DCI 2001-00038

LEE COUNTY
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01 OCT -3 PM 3:56
COMM. DEV/
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Name: Myrtle S. Miller
Address: 17901 Leetana Rd. NE
N. Ft. Myers, FL 33917

Telephone: 941 543 2977

Signed: Myrtle S Miller Date: 09/15/01

DCI 2001-00038

LEE COUNTY
RECEIVED
01 OCT -3 PM 3:56
COMM. DEV/
PUB. WRKS. CNTR.
SECOND FL. MAIL

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5. Traffic/roads
6. Bright lights that may be put throughout this community and at their parks, pools and parking lots.

Name: Doris Mayhew

Address: 18381 Panther Trail Lane
N. Fort Myers, FL 33917

Telephone: 731-7703

Signed: [signature] Date: 9/20/01

DCI 2001-00038

LEE COUNTY
RECEIVED

01 OCT -3 PM 3:56

COMM. DEV/
PUB. WRKS. CNTR.
SECOND FLOOR

Re: Heritage Creek
Case No. DCI 2001-00038

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Name: Dorothy Maddox

Address: 17750 Williamsburg Dr.
Ft. Myes Fl. 33917

Telephone: 543-3587

Signed: Dorothy Maddox Date: 09-14-2001

DCI 2001-00038

LEE COUNTY
RECEIVED
01 OCT -3 PM 3:56
COMM. DEV/
PUB. WRKS. CNTR.
SECOND FLOOR

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5. Traffic/roads
6. Bright lights that may be put throughout this community and at their parks, pools and parking lots.
7. Increased Crime

Name: Margaret Alinci

Address: 19670 Gothard Rd
N. Ft. Myers FL 33917

Telephone: 941 543 6548

Signed: Margaret A Linci Date: 9/16/01

DCI 2001 00038

LEE COUNTY
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01 OCT -3 PM 3:56
COMM. DEV/
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Name: Jenny Jones

Address: 18202 Sandy Pines Cr.
N. Ft. Myers, FL

Telephone: 543-6466

Signed: Jenny Jones Date: 9/18/01

DCI 2001-00038

LEE COUNTY
RECEIVED
01 OCT -3 PM 3:55
COMM. DEV/
PUB. WRKS. CNTR.
2ND FLOOR

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WE DO NOT MIND SINGLE FAMILY HOMES. MULTI FAMILY + DUPLEXES ARE NOT FOR OUR AREA.

Name: RONALD, VELMA + JACOB JACKMAN

Address: 17750 LEETANA RD
N.F.M FL 33917

Telephone: 9417316718

Signed: Ronald A Jackman Date: 9-15-01

DCI 2001-00038

LEE COUNTY
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01 OCT -3 PM 3:55
COMM. DEV/
PUB. WRKS. CNTR.
SECOND FLOOR

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7- THE NOISE AND ODORS THAT FARM ANIMALS WILL MAKE MAY BE A PROBLEM FOR PEOPLE MOVING FROM THE CITY

Name: Richard A. + Anneliese R. Hunter

Address: 8450 Henderson Grade Road
N. Ft Myers, FL 33917

Telephone: 543-2565

Signed: Richard A. Hunter Date: 9-16-01
Anneliese R. Hunter 9-16-01

DCI 2001-00038

LEE COUNTY
RECEIVED
01 OCT -3 PM 3:55
COMM. DEV/
PUB. WRKS. CNTR.
3RD FLOOR

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Waste Management

Impact of Property Taxes

Property Value

Name: Bill & Martha Hillman

Address: 18633 Sandy Pine Circ.
N. Ft. Myers FL 33917

Telephone: _____

Signed: Bill E. Hillman Date: 9/17/01

DCI 2001-00038

LEE COUNTY
RECEIVED
01 OCT -3 PM 3:55
COMM. DEV/
PUB. WRKS. CNTR.
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THE GROWTH IN THIS AREA SHOULD CONTINUE WITH SINGLE FAMILY HOUSES ON NO LESS THAN HALF ACRE LOTS, NO CONDO'S, NO HIGH RISES, NO APARTMENTS.

Name: CLARENCE W. HANNON

Address: 8200 BOONESBORO RD.
N. FT. MYERS, FL. 33917

Telephone: 941-731-7380

Signed: C W Hannon Date: 9/16/01

DCI 2001-00038

LEE COUNTY
RECEIVED
01 OCT -3 PM 3:55
COMM. DEV/
PUB. WRKS. CNTR.

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Name: Dennis R. Elsin + Jane E. Elsin

Address: 8163 Bonaventure Rd.
N. Ft. Myers, Fl 33917

Telephone: 543-5399

Signed: Dennis R. Elsin Date: 9-19-01
Jane E. Elsin

DCI 2001-00038

LEE COUNTY
RECEIVED
01 OCT -3 PM 3:55
COMM. DEV/
PUB. WRKS. CNTR.
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We like the country, 5 acre tracs
We have horses we need land
not more traffic

Name: Sheron Elmore

Address: 17765 Wells Rd
N. Ft Myers Fl 33917

Telephone: 941-543-6536

Signed: Sheron Elmore Date: 9/8/2001

DCI 2001-00038

LEE COUNTY
RECEIVED
01 OCT -3 PM 3:55
COMM. DEV/
PUB. WRKS. CNTR.
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5. Traffic/roads
6. Bright lights that may be put throughout this community and at their parks, pools and parking lots.
7. DO NOT want Boonesboro to be connected to the development.
8. We have no need for city water and sewer since we have our own. We do not want to be forced to put it in.

Name: REBECCA DOUGLAS

Address: 8199 BOONESBORO RD
Ft. MYERS, FL. 33917

Telephone: (941) 567-0756

Signed: Rebecca Douglas

DCI 2001-00038

Date: 9-19-01

LEE COUNTY
RECEIVED

01 OCT -3 PM 3:55

COMM. DEV/
PUB. WRKS. CNTR.
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Name: Connie Deschenes

Address: 18161 Sandy Pines Circle N.E.
N. Fort Myers, Florida 33917

Telephone: 941-543-3558

Signed: C. Deschenes

DCI 2001-00038
Date: 9-17-01

LEE COUNTY
RECEIVED
01 OCT -3 PM 3:55
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PUB. WKS. CNTR.
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Name: John Deschenes

Address: 18161 Sandy Pines Circle N.E.
N. Fort Myers, Florida 33917

Telephone: 941-543-3558

DCI 2001-00038

Signed: John Deschenes

Date: 9-17-01

LEE COUNTY
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5. Traffic/roads - Current roads are in bad shape already
6. Bright lights that may be put throughout this community and at their parks, pools and parking lots.
7. Destruction of natural habitat for fox, Whooping cranes and gopher tortoises who now exist in this area.
8. Do not want Sedgefield Rd extended to Pritchett Pkwy
9. Do not want increased noise level

Name: Steven & Rebecca Decker

Address: 9251 Sedgefield Rd
N Ft Myers FL 33917

Telephone: (941) 731-0876

DCI 2001-00038

Signed: Steven & Rebecca Decker Date: 09-13-01

LEE COUNTY
RECEIVED

01 OCT -3 PM 3:55

COMM. DEV/
PUB. WRKS. CNTR.
1ST FLOOR

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7. WATER FLOW, WATER FLOW, WATER FLOW
8. #2-Limit height to no more than 2 stories

Name: Lori DAVIDSON - Donald DAVIDSON

Address: 8501 HENDERSON GR
FT MYERS FL

Telephone: 567-1500

DCI 2001-00038 ;8

Signed: Lori Do

Date: 9/25/01

LEE COUNTY
RECEIVED

SEP 15 2001

01 OCT -3 PM 3:55

COMM. DEV/
PUB. WRKS. CNTR.
SECOND FLOOR

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5. Traffic/roads

6. Bright lights that may be put throughout this community and at their parks, pools and parking lots.

Name: Gene & Mary Darlin

Address: 17710 Leetana Road

North Fort Myers, FL 33917

Telephone: 731-9483

DCI 2001-00038

Signed: Mary Darlin

Date: 9-18-01

LEE COUNTY
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01 OCT -3 PM 3:55
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Name: Dennis + Annette Coughlin
Address: 8151 Henderson Creek
N. Fort Myers FL 33917
Telephone: 941-731-1665

DCI 2001-00038

Signed: Dennis Coughlin Date: 9-16-01

LEE COUNTY
RECEIVED

01 OCT -3 PM 3:55

COMM. DEV/
PUB. WRKS. CNTR.
1ST FLOOR

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7. Enormous difference in density proposed versus the surrounding area.

Name: Richard T. Coolick

Address: P. O. Box 3797
N. Ft. Myers, FL 33917

Telephone: (941) 731-8596

DCI 2001-00038

Signed: [signature]

Date: 9/19/01

LEE COUNTY
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01 OCT -3 PM 3:55
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Name: Scott Cook

Address: 18214 Sandy Pines Circle
N. Fort Myers, FL 33917

Telephone: (941) 567-4409

Signed: Scott Cook Date: 9/19/01

DCI 2001-00038

LEE COUNTY
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01 OCT -3 PM 3:55

COMM. DEV/
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Traffic will be a big problem Bayshore is only a two lane road and has problems. Putting more cars will be a disaster. Also we have only single family homes occupied by owners in our subdivision.

Name: Bill + Norma Cook

Address: 18166 Sandy Pines Cir.
N. Ft. Myers, FL 33917

Telephone: 941-731-1598

Signed: Bill Cook - Norma Cook Date: 9-14-01

DCI 2001-00038

LEE COUNTY
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01 OCT -3 PM 3:55
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Name: CARLEE (Dick) CHASTAIN

Address: 17901 WELLS RD.

Telephone: 941-543-5286

Signed: Carlee Chastain Date: 10/3/01

DCI 2001-00038

LEE COUNTY
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01 OCT -3 PM 3:55
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PUB. WRKS. CNTR.
SECOND FLOOR

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I am concerned that the current plans have deviated from the original proposal that was sent to homeowners in the area. A large development on Pritchett Pkwy. has the potential for improving property values if done appropriately. however Duplexes / Multifamily units could have the opposite effect. Congestion on Bayshore road is already a concern and a large complex will only add to it. I hope Lee County will also take into consideration the rural character of this area & work to enhance & preserve the natural appeal of this community.

Name: Joseph + Patricia Campobasso

Address: 18185 Sandy Pines Circle
N. Ft. Myers, FL 33917

Telephone: 731-3482

Signed: [signature]

Date: 9-15-01

DCI 2001-00038

Re: Heritage Creek
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PLACEMENT OF BALL FIELDS TO HAVE NO IMPACT ON EXISTING HOMES, RE: LIGHTING AND NOISE

Name: DON + BONNIE CAMERON

Address: 8400 HENDERSON GRADE
N. FT. MYERS FL. 33917

Telephone: 731-8429

Signed: [signature]

DCI 2001-00038

Date:

01 OCT -3 PM 3:54
LEE COUNTY
RECEIVED
PUBLIC WORKS DEPT/
COMM. DEV.
STRAP NO.

Re: Heritage Creek
Case No. DCI 2001-00038

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5. Traffic/roads

6. Bright lights that may be put throughout this community and at their parks, pools and parking lots.

Back in the 1970's this Property was zone only for 1 House Per 10 acres, at the County meeting I have lived on Henderson Grade Rd. from 1973 to 2001 and still living here and the water problems are still as bad now as then, so if this Housing, Apartment, and Townhouse come in the water problems will be Twice as bad, and the road traffic will really be bad

The answer is leave Bayshore area Complete rural. Check your record back in 1970's Lee County.

Name: James Wm. & Glenda S. Brooks

Address: 9200 Henderson Grade Rd.
N. Ft Myers Fla. 33917

Telephone: 941-543-1113

Signed: James Wm. Brooks

DCI 2001-00038

Date: 9/16/2001

LEE COUNTY
2001 SEP 13 PM 5:5

Re: Heritage Creek
Case No. DCI 2001-00038

Dear Sir or Madam:

I/we am writing this letter as a concerned citizen(s). My/our intent is to maintain the rural lifestyle I/we moved here to enjoy.

Obviously, a multi-family development has the potential to impact our community in many ways. Therefore, I/we would request that you consider and address the following concerns during the consideration of granting the re-zoning request:

1. Surface Water Management (which several of us already have terrible problems with during rainy season)
2. Height of apartment/duplexes & townhouses
3. The developments consistency with surrounding properties.
4. The developments consistency with the "Bayshore Community Plan" which is in the process of being submitted for implementation.
5. Traffic/roads
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LEE COUNTY
RECEIVED
01 OCT 13 PM 3:54
PLANNING
COMM. DEV.
PUBLIC WKS. CNTR.
FORT MYERS, FLORIDA

Name: Kornel Blesey & Gloria Blesey

Address: 8201 Henderson Cr. Rd.
N. Ft. Myers, FL 33917

Telephone: 941-543-8676

DCI 2001-00038

Signed: Kornel Blesey
Gloria Blesey

Date: 9/14/2001

LEE COUNTY
RECEIVED

01 OCT -3 PM 3:56

COMM. DEV/
PUB. WRKS. CNTR.

Re: Heritage Creek
Case No. DCI 2001-00038

Dear Sir or Madam:

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5. Traffic/roads

6. Bright lights that may be put throughout this community and at their parks, pools and parking lots.

7. PRESERVING AN IRREPLACABLE HOME FOR WILDLIFE IN THIS AREA OF LEE COUNTY, FLORIDA. I MOVED HERE FOR ITS RURAL BEAUTY.

Name: RICHARD LEVINE

Address: 8550 Henderson
N. FT. Myers Fl. 33917

Telephone: 543·1041

DCI 2001-0003

Signed: Richard Levine. Date: 9·20·01

Re: Heritage Creek
Case No. DCI 2001-00038

Dear Sir or Madam:

I/we am writing this letter as a concerned citizen(s). My/our intent is to maintain the rural lifestyle I/we moved here to enjoy.

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WE DON'T HAVE ENOUGH WATER NOW AND YOU WANT TO PUT MORE HOMES HERE WHERE ARE YOU GOING TO GET IT?

LEE COUNTY RECEIVED
OCT -3 PM 3:54
COMM. DEV./ PARKS, CNTR. 1ST FLOOR

Name: LORETTA BERWICK

Address: 17831 LEETANA RD
NO. FT MYERS FL. 33917

Telephone: _____

DCI 2001-00038

Signed: Loretta Berwick Date: 9/14/01

Re: Heritage Creek
Case No. DCI 2001-00038

Dear Sir or Madam:

I/we am writing this letter as a concerned citizen(s). My/our intent is to maintain the rural lifestyle I/we moved here to enjoy.

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5. Traffic/roads

6. Bright lights that may be put throughout this community and at their parks, pools and parking lots.

WE ARE ON WATER RESTRICTIONS NOW AND ARE THINKING OF PUTTING US ON MORE RESTRICTIONS SO WHERE WILL THEY GET THE WATER WITH ALL OF THE CONSTRUCTION THAT THEY INTEND TO DO? WHAT ABOUT FIRE PROTECTION? WILL THEY BUY ALL OF THE EQUIPMENT THAT WILL BE NEEDED.

Name: LORETTA BERWICK

Address: 17831 LEE TANA RD
NO. FT. MYERS FL 33917

Telephone: 941-543-4828

Signed: Loretta Berwick

Date: 9/30/01

DCI 2001-00038

LEE COUNTY RECEIVED
01 OCT -3 PM 3:5
COMM. DEV.
PUB. WKS. CNTR.
FORT MYERS, FLORIDA

Re: Heritage Creek
Case No. DCI 2001-00038

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LEE COUNTY RECEIVED
01 OCT -3 PM 3:54
COMM. DEV. CNTR. 1ST FLOOR
PUB. WKS. SERV.

Name: Thomas Rabut + Morrey Berkowitz
Address: 10870 Kings Point Circle
N. Ft. Myers, Florida 33917
Telephone: 941 543-1314

DCI 2001-00038

Signed: Thomas Rabut Date: 9-20-01

Re: Heritage Creek
Case No. DCI 2001-00038

Dear Sir or Madam:

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Please contact me about this

Name: Brian Beller

Address: 9011 Triplett Rd
N. Ft Myers, Fl.

Telephone: 941-543-9177

Signed: Brian Beller

Date: 9-14-01

LEE COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
PUBLIC RECORDS SECTION
01 OCT -3 PM 04:54
DCI 2001-00038

Re: Heritage Creek
Case No. DCI 2001-00038

Dear Sir or Madam:

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5. Traffic/roads

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Name: Ralph L Anderson
Address: 17840 Leetana Rd.
N. Ft Myers FL 33917
Telephone: 543-4655
Signed: Ralph L Anderson

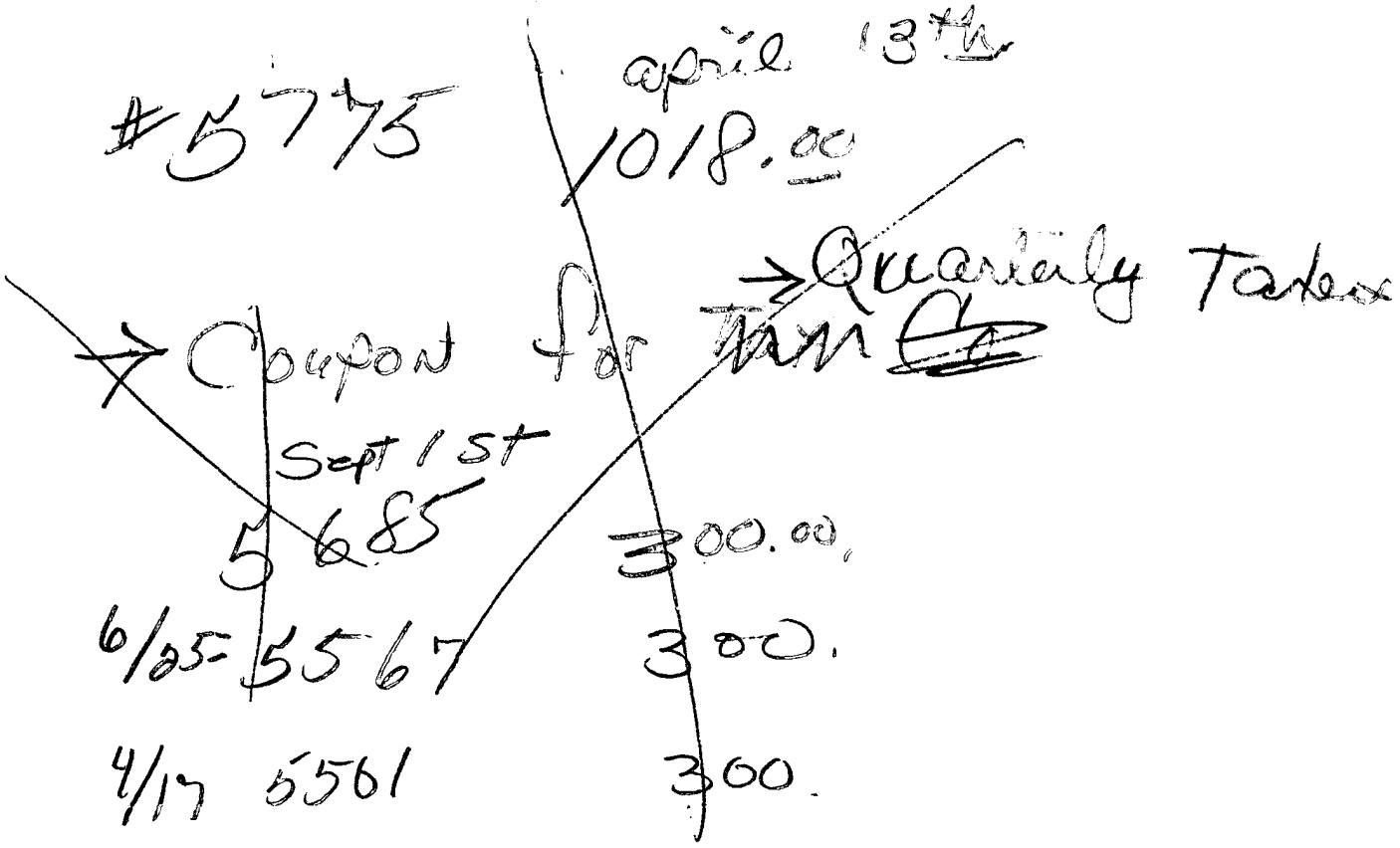
DCI 2001-00038
Date: 9-20-2001

RECEIVED
LEE COUNTY
01 OCT -3 PM 3:54
DEPT. OF COMM. DEV.
PUB. WKS. CNTR.
1500 MONROE ST.
FORT MYERS, FL

Filed H&R Block Electronic

8-1-2001

#5872 400



New address

Re: Heritage Creek
Case No. DCI 2001-00038

Dear Sir or Madam:

I/we am writing this letter as a concerned citizen(s). My/our intent is to maintain the rural lifestyle I/we moved here to enjoy.

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LEE COUNTY RECEIVED
OCT -3 PM 3:54
COMM. DEV./ PUB. WKS. CNTR. 1ST FLOOR

Name: Norman Lecoy & Christine Abrams
Address: 8260 Henderson Grade Rd.
N. Ft. Myers, Fl. 33917
Telephone: 941-567-0533

DCI 2001-00038

Signed: Christine Abrams
Norman L Abrams

Date: 9/12/01

Re: Heritage Creek
Case No. DCI 2001-00038

Dear Sir or Madam:

I/we am writing this letter as a concerned citizen(s). My/our intent is to maintain the rural lifestyle I/we moved here to enjoy.

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5. Traffic/roads
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Name: Anthony & Dawna Pabon

Address: 18172 Sandy Pines Cir
N. Fort Myers, FL 33917

Telephone: (941) 567-2343

Signed: Dawna E Pabon

Date: 9-17-01

LEE COUNTY RECEIVED
01 OCT -3 PM 3:54
DCD PUBLIC SERVICES DEV/ CNTR. FLOOR

DCI 2001-00038

Re: Heritage Creek
Case No. DCI 2001-00038

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I was born & raised in this community and would like to see it remain rural. I would like to see it as the Buckingham Community is protected from the likes of what is planned at this time.

Name: Jon Miller

Address: 18233 Sandy Pine Circle
N. Ft. Myers, Fl 33917

Telephone: 941-543-4036

Signed: Jon D. Miller

Date: 9-19-01

LEE COUNTY
RECEIVED
01 OCT -3 PM 3:57
PUB. WKS. CNTR.
COMM. DEV.
COMPT. LOOR

DCI 2001-00038

Re: Heritage Creek
Case No. DCI 2001-00038

Dear Sir or Madam:

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Name: Ashley + Clayton Cox

Address: 8141 Sandpines Circle
N. Ft. Myers FL 33917

Telephone: (941) 543-8741

Signed: Clayton Cox

Date: 9/6/2001

Ashley Cox

DCI 2001-00038

LEE COUNTY
RECEIVED
01 OCT -3 PM 3:53
PUB. WKS. CNTR.
COMM. DEV.
SERVICES

Re: Heritage Creek
Case No. DCI 2001-00038

Dear Sir or Madam:

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LEE COUNTY
RECEIVED
01 OCT -3 PM 3:54
COMM. DEV/
PUB. WKS. CNTR.
SECOND FLOOR

Name: DANE & BEVERLY STEED

Address: 9321 SEDGEFIELD RD.
N. FT. MYERS, FL. 33917

Telephone: 941-543-2510

DCI 2001-00038

Signed: [signature]

Date: 9/17/01

Re: Heritage Creek
Case No. DCI 2001-00038

Dear Sir or Madam:

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LEE COUNTY RECEIVED
01 OCT -3 PM 3:54
DEV. SERVICES CNTR
PUBLIC WKS. BLDG. 1ST FLOOR

Name: Michael Medbdi - John + Heather

Address: 9100 HENDERSON CR

Telephone: 941-543-1248

DCI 2001-00038

Signed: Michael W Ross

Date: 9-16-01

LEE COUNTY
HEARING EXAMINER
03 JUN 16 AM 9:54

6/13/03

Lee County Hearing Examiner
1500 Monroe Street
2nd FLOOR
FT Myers, FL 33901

RE: HERITAGE CREEK/STONEY BROOK NORTH

After reviewing a new copy of the staff reported dated 6/4/03, I am requesting that the 6/18/03 and 6/19/03 hearing on rezoning related to Heritage Creek/Stoney Brook North be continued.

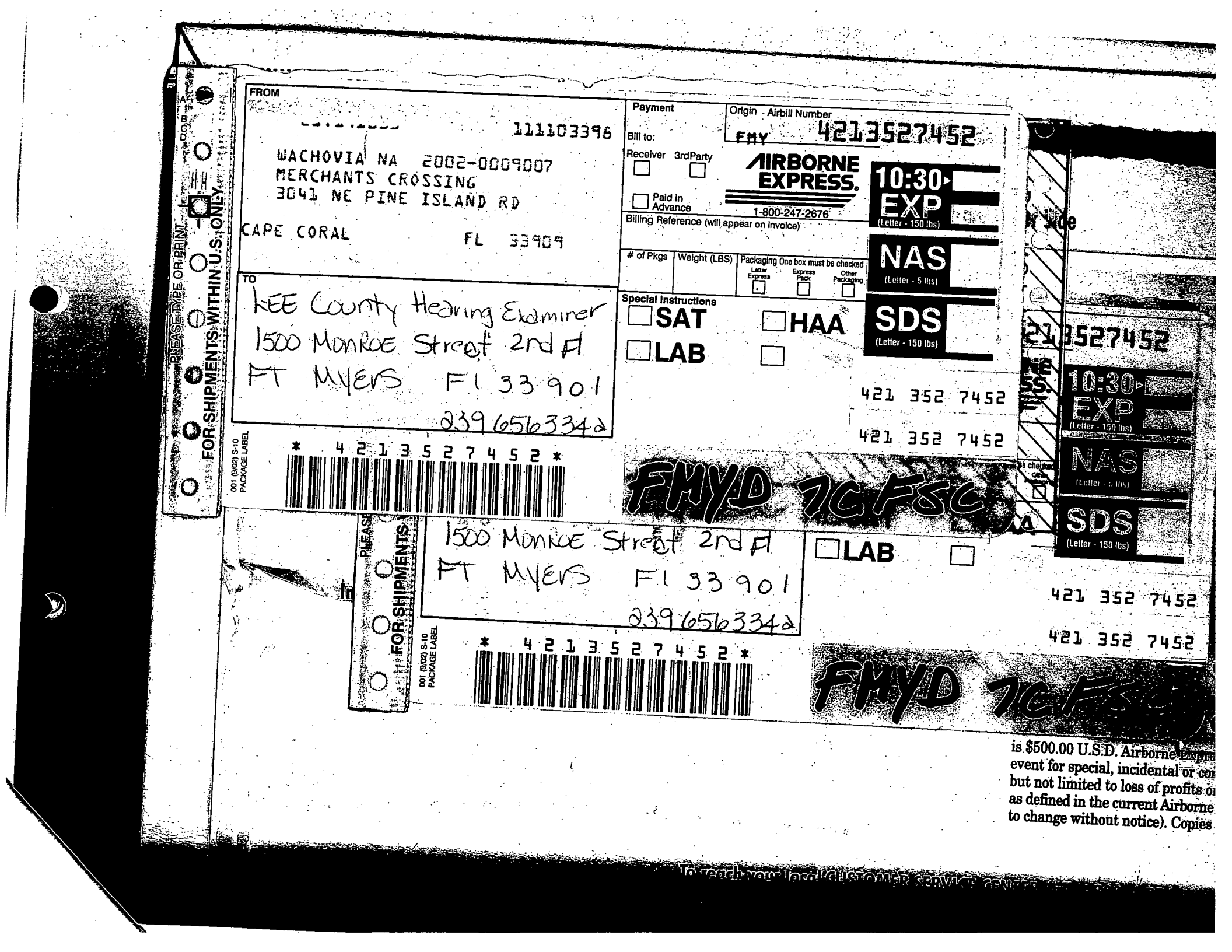
Since this report differs drastically, I deserve ample time to have this report reviewed by a professional to determine if I'm protected.

In particular, one of my major concerns is the flooding. I need the analysis report from the Division of Natural Resources; however, this report is unavailable to date.

Sincerely,

Lori Davidson

Lori Davidson
8501 Henderson Grade
N FT Myers, FL 33917



FROM

111103396

WACHOVIA NA 2002-0009007
MERCHANTS CROSSING
3041 NE PINE ISLAND RD

CAPE CORAL FL 33909

TO

LEE County Hearing Examiner
1500 Monroe Street 2nd Fl
FT Myers Fl 33901
2396563342

Payment

Bill to:

Receiver 3rdParty

Paid in Advance

Origin Airbill Number

FMY 4213527452

AIRBORNE EXPRESS.

1-800-247-2676

Billing Reference (will appear on invoice)

of Pkgs | Weight (LBS) | Packaging One box must be checked: Letter Express | Express Pack | Other Packaging

Special Instructions

SAT HAA

LAB

10:30 EXP (Letter - 150 lbs)

NAS (Letter - 5 lbs)

SDS (Letter - 150 lbs)

421 352 7452

421 352 7452

001 (9/02) S-10 PACKAGE LABEL

* 4 2 1 3 5 2 7 4 5 2 *

FMYD 7GFSC

PLEASE TYPE OR PRINT

FOR SHIPMENTS WITHIN U.S. ONLY

1500 Monroe Street 2nd Fl
FT Myers Fl 33901
2396563342

LAB

421 352 7452

421 352 7452

001 (9/02) S-10 PACKAGE LABEL

* 4 2 1 3 5 2 7 4 5 2 *

FMYD 7GFSC

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but not limited to loss of profits o
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METRO TRANSPORTATION GROUP, INC.

12651 McGREGOR BOULEVARD
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FORT MYERS, FL 33919-4489
TELEPHONE 941-278-3090
FAX 941-278-1906
www.metrotransportation.com
TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

August 2, 2001

DCI 2001-00038
RECEIVED
AUG 20 2001
COMMUNITY DEVELOPMENT

Ms Carron Day
Florida Land Planning
1560 Matthew Drive, Suite E
Fort Myers, FL 33907

RE: Heritage Creek
Sufficiency Response
DCI2001-00038

Dear Ms. Day:

Attached is a revised copy of the Traffic Impact Statement for the above referenced project. The revised report addresses all the comments raised in the sufficiency review by Mr. Bob Rentz, Development Services Division, and Mr. Andy Getch, Department of Transportation.

As noted in the TIS, the golf course has been eliminated from the list of land uses and is no longer included in the analysis. In addition, the Master Concept Plan allows for a maximum of 1,472 residential units, including both single family and multi-family. The analysis in the TIS assumed 100% of the units would be single family since this represents a "worst case" analysis in terms of traffic generation.

A comment raised in Mr. Getch's letter asks what would the Level of Service be if build-out of the development were to precede the completion of the widening of Bayshore Road between Slater Road and I-75. The FDOT project is scheduled for construction in FDOT's fiscal year 2004. Should this residential project gain approval from Lee County, the earliest that home sites within the development would be occupied would be 2003. A large amount of infrastructure improvements need to be in place before any residential construction can begin.

As typical with many larger residential developments, the project is developed in phases. It is typical for these types of developments to close between 125 and 200 homesites per year. Occupancy of the fist homesite typically occurs eight to twelve months after the site is sold. Therefore, once approved and the infrastructure is in place, it could be as much as a year before any substantial traffic volumes are realized. Regardless if this development is approved, Bayshore Road, between Slater Road and I-75, will operate at LOS "F" by the year 2003 as a two lane roadway if the historical growth trends remain constant.

DCI 2001-00038

Therefore, the by time the subject development is generating any significant amount of residential traffic, the FDOT project will be completed and will operate at acceptable Levels of Service.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Ted B. Treesh
Regional Manager

DCI 2001-00038

RECEIVED
AUG 20 2001
COMMUNITY DEVELOPMENT

DCI 2001-00038

THE SCHOOL DISTRICT OF LEE COUNTY

2055 CENTRAL AVENUE • FORT MYERS, FLORIDA 33901-3916 • (941) 334-1102

KATHERINE BOREN
CHAIRMAN • DISTRICT 4

TERRI K. WAMPLER
VICE CHAIRMAN • DISTRICT 1

JEANNE S. DOZIER
DISTRICT 2

JANE E. KUCKEL, PH.D.
DISTRICT 3

LISA POCKRUS
DISTRICT 5

BRUCE HARTER, PH.D.
SUPERINTENDENT

KEITH B. MARTIN
BOARD ATTORNEY

FILE COPY

June 7, 2001

Mr. Jeff Jenkins
Lee County Development Services Division
P. O. Box 398
Ft. Myers, FL 33902-0398

Re: Heritage Creek, DCI Sufficiency Review, DCI 2001-00038

Dear Jeff:

Thank you for the opportunity to review the proposed U. S. Home Heritage Creek DCI for sufficiency with regard to educational impacts. The following additional questions need to be addressed concerning the proposed 1,472 unit project, located off Bayshore Road, I-75, and Pritchett Parkway in North Fort Myers:

1. Will any of the 1,472 residential units be age restricted to those over 55 in accordance with HUD standards? If so, please provide the appropriate documentation.

2. Will any of the proposed multi-family units consist of rental apartments, and if so what will be the unit mix?

3. Is there a possibility of obtaining a more definitive breakdown of the unit mix between single and multi-family? It is difficult to assess the potential impacts without this information.

4. Please estimate the number of school aged children expected to reside in the proposed 1,472 unit development.

5. Will traffic generated by this project impact Bayshore Elementary School?

Thank you for your attention to this matter. If I may be of further assistance, please give me a call.

Sincerely,

Stephanie Keyes

Stephanie Keyes, AICP, Facilities Planner
Construction Services

cc: Tyler F. Patak, NCARB, Director

LEE COUNTY
RECEIVED
01 JUN 11 PM 1:32
COMM. DEV/
PUB. WRKS. CNTR.
SECOND FLOOR

DCI 2001-00038

HeritageCreek6-7-01.doc

currently working diligently on the detailed plans for the proposed development. As each phase is submitted for Development Order review some more specific information will be available. It is premature to "guesstimate" that information at this time.

4. Estimate number of school aged children expected in project.
Based on comparable US Home communities, a preliminary estimate would be six to a maximum of fourteen school-aged children.

5. Will traffic generations impact Bayshore Elementary School?
See TIS prepared by Metro Transportation.

Miscellaneous

A copy of the SFWMD permit for the construction of Pritchett Parkway is attached. The project area for the permit/drainage area was 740 acres. This permit does not authorize the construction of the Heritage Creek proposed improvements. A new permit or permit modification will be necessary.

DCI 2001-00038

RECEIVED
AUG 20 2001
COMMUNITY DEVELOPMENT

Cul-de-sac designs.
Both the cul-de-sac design depicted on the previous MCP and the one shown on the current MCP are viable options in master planned communities.

Provide information regarding access to golf maintenance facility.
N/A

Memo from DOT, dated 6/13/01

1. What is to prevent golf balls from landing in Pritchett ROW?
The golf course has been removed.

2. Separation distances between Pritchett and Tracts D & F?
A minimum of 25 feet and in most cases 50 feet is maintained between Pritchett Parkway and any residential tracts.

3. Is applicant willing to provide bike/pedestrian paths along Pritchett Pkwy?
The applicant does not intend to redesign and provide these facilities along the existing county road.

4.-12 Include a legend for figures 5 & 6 of the TIS.
See attached information from Metro Transportation.

Memo from Natural Resources, dated 6/14/01

Please see response to Development Services Checklist, Part IV, item 9.

Memo from Public Works, dated 6/18/01

Potable water and sanitary sewer service issues
Please see response to Development Services Checklist, Part II, item 4.

Letter from The School District of Lee County, dated 6/7/01

1. Will any d/u's be age restricted?
This is not an age-restricted community.

2. Will any multi-family units be rental apartments?
US Home does not anticipate constructing any rental units.

3. Can unit mix be defined more definitively?
This is a project with 1472 units of varying types. The applicant is

WilsonMiller

New Directions In Planning, Design & Engineering

DCI 2001-00038

MEMORANDUM of TRANSMITTAL

RECEIVED
OCT 19 2001
PERMIT COUNTER

16 September 2001

To: Kay Deselem, AICP, Senior Planner
Lee County Development Services Division

From: Carron Day

Subject: US HOME Heritage Creek RPD; Lee County file #DCI2001-00038

via: Hand delivered

cc: Deno Benetis, US Home
Sam Marshall, Banks Engineering
Tyler King, Dex Bender & Assoc.
Ted Tresch, Metro Transportation

In reply to your letter of September 10, 2001 regarding Staff's sufficiency comments for the above referenced application, please consider the attached responses.

In addition, please find the following attachments:

- A letter from Metro Transportation addressing the increased unit count.
- Updated information from Dex Bender and Associates.
- Attachments 1, 2, 3 and 4 were amended since our last submission.
- Revised Exhibit IV-I-1
- Revised Exhibit IV-M
- Master Concept Plan, revised
- Boundary Survey
- Sketch of Description regarding the access to Hunter's Glen

Should you have any questions on any of this material, please call.

DCI 2001-00038

Naples Fort Myers Sarasota Bradenton Tampa Tallahassee
4571 Colonial Boulevard, Suite 100 Fort Myers, Florida 33912-1062 941-939-1020 ☎ 941-939-7479
www.wilsonmiller.com

WilsonMiller, Inc. — FL Lic.# LC-C000170 CA 43

Checklist from Development Services - zoning review, dated 9/10//01:

PART I

1. Amend disclosure forms.

The previously submitted forms were the result of numerous conversations with the County Attorney's Office.

2. WilsonMiller authorization.

Enclosed.

PART II

1. Boundary survey.

Enclosed.

2. Section E.1 of the Planned Development application form.

Enclosed.

3. Explain proposed density

The proposed development has an overall density of two units, which is allowed in the Outlying Suburban land use category. Adjacent to the subject property are land uses of various intensities. The Master Concept Plan effectively separates development within the project from adjacent land uses.

SOUTH

Adjacent Land Uses

I-75, Pritchett Pkwy and Leetana Road.

Development Setback

Tract K development is set back approximately 1300 feet from the project boundary.
Tract A is set back approximately 1050 feet from the project boundary.

EAST

Adjacent Land Uses

Farmworker housing
Agricultural storage .
Oakmont Subdivision with lots of varying sizes but a "typical size" would be 80' x 130'. Density is approximately 1.86 units per acre.
Highpoint Subdivision (Sedgefield Road) with lots of approximately 109' x 135'. Density is approximately 2.25 units per acre.
Tracts ranging in size from 3.35 acres to 32.1 acres

Development Setback

Tract K development is set back a minimum of 400 feet from the project boundary. Native scrub vegetation will be retained.
Tract I development is set back a minimum of 150 feet from the project boundary.
Tract H includes lots sizes that are is comparable to the Oakmont Subdivision.
Tract G development is set back approximately 150 feet and as much as 450 feet from the project boundary.

WEST

Adjacent Land Uses

Virginia Farms with half acre lots, more or less.
Hunter's Glen with half acre lots, more or less. Density is approximately 1.5 units per acre.
Colonial Pines with lots of approximately 100' x 275'. Density is approximately 1.15 units

per acre.
Tracts ranging in size from 1.26 acres on the southern end to 16.4 acres in the north.

Development Setback

The existing Virginia Farms development has been incorporated into the subject site.
Hunter's Glen has been developed by the owner of the subject property.
South of Colonial Farms the subject property is separated from abutting uses by the Bayshore Creek.
Tract C includes a vegetated area of approximately 150 feet between it and adjacent uses.
Tract B is separated from adjacent uses by a minimum of 150 feet.

NORTH

Adjacent Land Uses

Mostly 5 acre tracts. One 3.5 acre tract.

Development Setback

Tract F development is set back a minimum of 180 feet from the project boundary.

4. Utility Question

Response Enclosed

8. Utility Question

Response Enclosed

PART III

1. Revise Application

This change has been made to the original application.

PART IV

1. Acreage for each tract.

See Master Concept Plan

Schedule of Uses and Driving Range

This language change for the "park" has been made. As discussed the developer wishes to retain the possibility of developing a driving range in the large lake within the recreation area. A putting practice area may also be developed.

Project Maintenance Facility

As we discussed, this facility is needed to maintain the common areas and the recreational area within the development. It is expected that the facility will be located adjacent to the powerline easement and a minimum of 100 feet from the Pritchett Parkway ROW. Any part of the facility facing either the residential lots or Pritchett Parkway will be provided with a minimum of a Type C buffer.

Proposed Buildings in the Recreational Facility area

As mentioned previously, it is anticipated that the only buildings within this tract will be the project maintenance buildings mentioned above, a project clubhouse and a building to provide rest rooms and pro shop facilities accessory to the tract's uses.

Aqua Range

The terminology in Attachment 1 has been revised.

DCI 2001-00038

3. Provide the number and type of each unit proposed for each tract.

See the revised MCP.

Townhouse

The applicant respectfully disagrees with staff regarding the townhouses. The applicant's attached single family product, which would be considered to be a "townhouse" is very compatible with single family uses and more similar to single family than a multi-story multiple family would be.

Property Development Regulations

See revised Attachment 2.

4. Provide the proposed square footages for specialty retail and restaurant uses.

The restaurant has been deleted from the list of uses. As we have discussed the "specialty retail" is limited to being an accessory use to the clubhouse. It is anticipated that uses will be limited to Group I uses.

5. Address "Park" use on MCP.

The terminology has been revised and made consistent

7. Clarify building heights.

The application has been corrected.

9. Respond to Brad Vance's comments.

See attached.

10. Show general location of service areas

Other than deliveries for the residential uses, the only other deliveries expected within this project are an occasional delivery of office supplies for the administrative offices and ...No services areas, as defined by the LDC, as expected within this development.

16. Hunter's Glen access

See attached

DEVIATIONS:

18. B. Deviation Commitment

The applicant has not requested a commitment to a future approval of a deviation but rather would simply request that the staff indicate that a requested deviation was more properly handled at the Development Order stage.

If the change to the matter included in Deviations 1 and 2 are approved prior to the hearing on this application, the applicant will be happy to withdraw these two deviations.

Deviation #9

We discussed the value and validity of the information provided for Deviation 9 and the project meeting.

18. C. Provide more information to support #4; single access.

We have revised the Master Concept Plan to add an entrance to Tract A, as requested. See revised Deviation list, Attachment 4.

Information regarding access to Hunter's Glen has been provided.

DCI 2001-00038

18. D. Provide missing words from #8 request.

See revised Deviation list, Attachment 4.

18. E. Provide more detail for #9.

The requested deviation has nothing to do with the design of the parking lot. It is simply to allow the developer to provide a reasonable number of parking spaces based on his actual experience with the same building types in other similar projects. This deviation was approved for this same developer with this same justification.

18. G. Deviation #11.

After consultation with Don Blackburn the applicant is comfortable that the requested action can be approved through the development review process.

18. H. Provide signage details.

No deviation has been requested regarding the size of any sign. The only deviation relates to the limitation of the text to the project name. Attached is a photograph of the signage at Heritage Palms which is similar in text to the Heritage Creek proposal.

Memo from Brad Vance dated 9/5/01:

See attached

DCI 2001-00038

DCI2001-38

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South Florida Land Division • 10481 Ben C. Pratt Six Mile Cypress Parkway • Fort Myers, Florida 33912 • Administration 239-278-1177 • Fax 239-278-0883

April 11, 2002

Lee County
P.O. Box 398
Fort Myers, FL 33902

In late February, we met with area residents to address questions and concerns about the planned Stoneybrook North community. That meeting provided valuable insight and information for our development team who has since met to discuss solutions. We are pleased to update you on our latest plans.

Four story Condominiums – After carefully considering resident concerns, we have eliminated plans to build four-story condominiums in Stoneybrook North. We have also lowered the maximum to two-story buildings and pulled back the multi-family from the east side of the property. The master concept development plan has been revised to reflect this change and will be resubmitted to the County. Enclosed is a copy of the revised site plan.

Drainage – We have had several discussions with Lee County DOT Road and Ditch Maintenance Department regarding drainage problems in the surrounding area. The department has committed to send an inspector out to review identified trouble spots and will take action accordingly if warranted.

Traffic – Although it will take time to develop solutions for the Bayshore traffic issues, we are pursuing discussions with both the Florida and the Lee Departments of Transportation to explore future options. We will keep you posted as discussions ensue and action plans are created.

Gatehouses – Based on follow up discussions with some residents, it is evident there was confusion surrounding the placement of gatehouses. To clarify, no gatehouses will be built on Pritchett Parkway, all will be located directly on private roads inside Stoneybrook North.

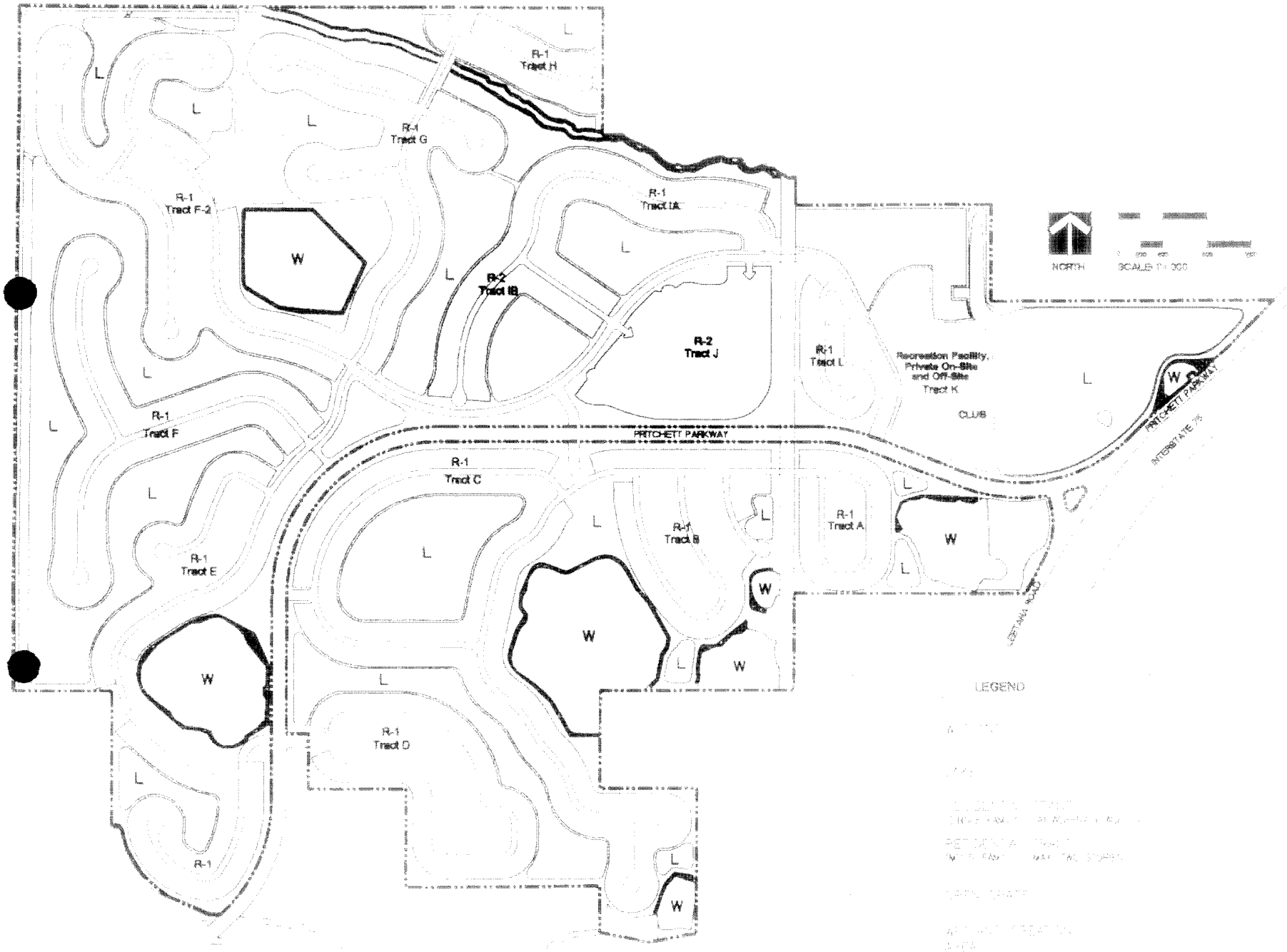
Community Advisory Group – We are pleased with the continued feedback we have received from neighborhood residents and are optimistic about developing long-term productive relationships. As we discussed at the resident meeting, we support and will participate in an area resident advisory group to serve as a liaison between our company and the surrounding neighbors. It is my understanding by Mr. Ron Wierengo that a group has been formed and has already met.

As promised at the February meeting, we will continue to keep you posted on our progress. In the meantime, we are available for questions anytime and welcome your calls and letters.

Sincerely,

Deno Benetis
US Home Corporation
Sr. VP Project Manager

DCI 2001-00038


R-1
Tract H
R-1
Tract G
R-1
Tract F-2
R-1
Tract I-A
R-2
Tract I-B
R-2
Tract J
R-1
Tract L
Recreation Facility,
Private On-Site
and Off-Site
Tract K
CLUB
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Tract F
PRITCHETT PARKWAY
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Tract C
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Tract E
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Tract D
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Fort Myers, Florida 33912

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Lee County
P.O. Box 398
Fort Myers, FL 33902

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THE SCHOOL DISTRICT OF LEE COUNTY

2055 CENTRAL AVENUE • FORT MYERS, FLORIDA 33901-3916 • (941) 334-1102

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TERRI K. WAMPLER
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JEANNE S. DOZIER
DISTRICT 2

KATHERINE BOREN
DISTRICT 4

LISA POCKRUS
DISTRICT 5

JOHN W. SANDERS, ED.D.
SUPERINTENDENT

KEITH B. MARTIN
BOARD ATTORNEY

FILE COPY

January 16, 2002

Mr. Mike Pavese
Lee County Development Services Division
P. O. Box 398
Ft. Myers, FL 33902-0398

Re: Heritage Creek, DCI Sufficiency Review, DCI 2001-00038

Dear Mike:

Thank you for the opportunity to review the Heritage Creek RPD DCI for substantive comments with regard to educational impacts. This proposed development is in the East Region of the District, off I-75 and Bayshore Road. Based on the proposed maximum total of 1,525 dwelling units at the project, the Lee County School District is estimating that the proposal could generate up to 482 additional school-aged children. This uses a generation rate of .315 students generated in the East region of Lee County for single family homes, and is a worst case scenario. This would create the need for approximately twenty (20) new classrooms in the system, as well as additional staff and core facilities, or the equivalent of one small elementary school.

The schools in this region that would serve this development are operating at or above permanent student capacity levels. Those schools that exceed permanent student capacity levels are operating through the use of portable classroom buildings. The growth generated by this development will require either the addition of permanent student and auxiliary space or the placement of portable buildings. Either action imposes an impact on the District that should be mitigated by the applicant.

The Lee County Board of County Commissioners recently adopted a School Impact Fee Ordinance on November 27, 2001, effective at this time. As such, the Heritage Creek developers will be expected to pay their appropriate impact fees at the required time, thereby partially meeting their fiscal obligations noted above.

Thank you for your attention to this issue. If I may be of further assistance, please give me a call.

Sincerely,

Stephanie Keyes

Stephanie Keyes, Facilities Planner
Construction Services

cc: Tyler F. Patak, NCARB, Director

LEE COUNTY
FLORIDA
02 JAN 17 AM 9:51
DEV. SVCS.
CNTR.

DCI 2001-00038

THE SCHOOL DISTRICT OF LEE COUNTY

2055 CENTRAL AVENUE • FORT MYERS, FLORIDA 33901-3916 • (941) 334-1102

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DISTRICT 5

JOHN W. SANDERS, ED.D.
SUPERINTENDENT

KEITH B. MARTIN
BOARD ATTORNEY

June 10, 2002

FILE COPY

Mr. Mike Pavese
Lee County Development Services Division
P. O. Box 398
Ft. Myers, FL 33902-0398

Re: Heritage Creek, DCI Sufficiency Review, DCI 2001-00038

Dear Mike:

Thank you for the opportunity to review the proposed U. S. Home Heritage Creek DCI in North Ft. Myers for substantive comments with regard to educational impacts. This proposed development is in the East Choice Region of the District. Based on the proposed maximum total of 1,595 residential dwelling units, the Lee County School District is estimating that the proposal could generate up to 482 additional school-aged children. This uses a generation rate of .315 students generated in the East region of Lee County. This would create the need for up to 20 new classrooms in the system along with additional staff and core facility needs.

The applicant should be made aware that on November 27, 2001 the Lee County Board of County Commissioners adopted a school impact fee in Lee County, effective December 1, 2001. As such, the Heritage Creek RPD developers will be expected to pay the designated impact fees at the appropriate time, thereby meeting the requirements of the impact fee ordinance.

Thank you for your attention to this matter. If I may be of further assistance, please give me a call.

Sincerely,

Stephanie Keyes

Stephanie Keyes, AICP, Facilities Planner
Department of Construction and Planning

cc: Tyler F. Patak, NCARB, Director, Department of Construction and Planning

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02 JUN 12 AM 8:59
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THE SCHOOL DISTRICT OF LEE COUNTY

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KEITH B. MARTIN
BOARD ATTORNEY

FILE COPY

December 11, 2001

Mr. Mike Pavese
Lee County Development Services Division
P. O. Box 398
Ft. Myers, FL 33902-0398

Re: Heritage Creek, DCI Sufficiency Review, DCI 2001-00038

Dear Mike:

Thank you for the opportunity to review the proposed U. S. Home Heritage Creek DCI for sufficiency with regard to educational impacts. It has been determined by the Lee County School District that the application is now sufficient for review. We will submit our substantive comments upon your request.

On November 27, 2001 the Lee County Board of County Commissioners adopted a school impact fee in Lee County, effective December 1, 2001. As such, the Bonita Villas developers will be expected to pay the designated impact fee at the appropriate time, thereby meeting the requirements of the impact fee ordinance.

Thank you for your attention to this matter. If I may be of further assistance, please give me a call.

Sincerely,

Stephanie Keyes

Stephanie Keyes, AICP, Facilities Planner
Construction Services

cc: Tyler F. Patak, NCARB, Director

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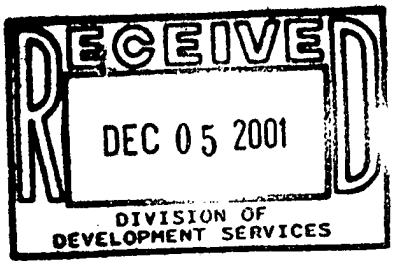
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MEMORANDUM

TO: COMM. DEV./Mary Gibbs, Director
PUB. WRKS. CNTR.
SECOND FLOOR

FROM: Carron Day

DATE: 16 November 2001

SUBJECT: Heritage Creek, DCI2001-00038

CC: Deno Benetis
Sam Marshall
Tyler King
Ted Tresh
Steve Hartsell

In the November 7th Sufficiency Checklist in regards to Heritage Creek Jerry Murphy questioned if "the director had exercised her LDC Sec. 34-201(b)(1) discretion to allow this application to cover the three non-abutting properties included in this application.

In response to this reminder, the applicant respectfully requests that you allow Heritage Creek to be submitted as one Residential Planned Development. Although the property is divided into two pieces by Pritchett Parkway, the property is being developed as one planned development with a single owner, a single development concept and with one main recreational area serving both parts of the development.

If there are any questions about this project, please do not hesitate to contact us.

DCI 2001-00038

Naples Fort Myers Sarasota Bradenton Tampa Tallahassee

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DCI 2001-00038

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

FILE COPY

Febuary 15, 2002

Mr. Rick Diaz
Lee County Utilities
1500 Monroe Street
Fort Myers, Florida 33901

Reference: **HIGHPOINT WASTEWATER TREATMENT PLANT**

Dear Mr. Diaz:

U.S. Home Corporation is in the process of rezoning 745 acres in North Fort Myers for a residential development called Stoneybrook North. The Stoneybrook North property completely surrounds the five acre Highpoint Wastewater Treatment Plant (WWTP) site. It is the desire of U.S. Home to ultimately have the WWTP removed and incorporate the five acre site into the residential development. Wastewater flows from the 67 homes currently served by the WWTP would be accepted into Stoneybrook North and pumped to the North Fort Myers Utilities (NFMU) WWTP on Del Prado Boulevard.

In a recent meeting with Mike Pavese, he said that the five acre parcel could be conditionally zoned along with Stoneybrook North. This would avoid piecemealing the project together with two separate zoning processes.

In order to move forward with the conditional zoning of the Highpoint site, eventual sale of the property and transfer of service from Lee County Utilities (LCU) to NFMU, we are requesting that you do the following:

1. Have a letter of authorization drafted to support the conditional zoning of the Highpoint site.
2. Outline the steps necessary for the transfer of service from LCU to NFMU.
3. Outline the steps necessary for sale of the Highpoint Property to U.S. Home Corp.

Please call me if you have any questions or require any additional information regarding this request.

Sincerely,
BANKS ENGINEERING, INC.

Samuel W. Marshall, P.E.
Project Manager

CC: David Owen – Lee County
Ivan Velez – Lee County
Thom Osterhout – Lee County
Mike Pavese – Lee County
Deno Benetis – U.S. Home

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Heritage Creek

Mike Pavese

DCI2001-00038

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South Florida Land Division • 10481 Six Mile Cypress Parkway • Fort Myers, Florida 33912 • Administration 941-278-1177 • Fax 941-278-0883

February 19, 2002

Lee County
P.O. Box 398
Fort Myers, FL 33902

Dear Property Owner:

U.S. Home, part of the Lennar Family of Builders, has purchased 750 acres on Bayshore Road just east of I-75 for the purpose of building a new community called Stoneybrook North. We appreciate area residents' concern that such development could bring uninvited change. And we would like the opportunity to address questions raised by neighbors in the letters received by the Lee County Department of Community Development.

U.S. Home would like to join in constructive dialogue with local homeowners by inviting you to an informal meeting. We will present information about the Stoneybrook North project, then open the floor for discussion. Topics will include water resources, drainage, traffic, environmental impact, wastewater service and compatibility with the area's rural character.

Please come:

Thursday, Feb. 28, 2002, 5 p.m. to 7 p.m.
Faith Assembly of God Family Center
6950 Bayshore Road
N. Fort Myers, Florida

The Faith Assembly of God church is two miles west of I-75 on the south side of Bayshore Road . Turn left on Williams Road. The Family center is the building on the left.

We look forward to meeting you and working together to achieve a mutually satisfying result.

Best regards,

Deno Benetis

Deno Benetis, Senior Project Manager
U.S. Home

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METRO TRANSPORTATION GROUP, INC.

October 4, 2001

Ms Carron Day
Florida Land Planning
1560 Matthew Drive, Suite E
Fort Myers, FL 33907

RE: Heritage Creek
DCI2001-00038

Dear Ms. Day:

Attached is a revised copy of Tables 1 and 2 from the Traffic Impact Statement for the above referenced project. The revised Table 1 indicates the revised unit count provided to Metro on October 3, 2001. The revised Table 2 indicates the previously submitted trip generation, the new trip generation based on the new unit count, and the new trips that are generated by the addition of 60 single-family dwelling units.

The level of service impacts on the area roadway network due to the addition of 60 single-family dwelling units will be negligible in comparison to the impacts of the overall development. Therefore, the previously submitted level of service analysis will remain sufficient whether 1532 dwelling units are constructed or 1472 dwelling units are constructed. In addition, the level of service conclusions contained in the TIS will remain accurate once the 60 additional dwelling units are added to the previously submitted single-family total.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Robert L. Price, E.I.T.
Transportation Consultant

Ted B. Treesh
Regional Manager

Attached: Revised Tables 1 and 2

RECEIVED
OCT 19 2001
PERMIT COUNTER

DCI 2001-00038

April 19, 2001

Mr. Jim Beever
Florida Fish and Wildlife Conservation Commission
29200 Tuckers Grade
Punta Gorda, FL 33955

RE: Formal Scrub Jay Survey
Heritage Creek a.k.a. Pritchett Property
Sections 16 & 21, Township 43S, Range 25E
Lee County

Dear Mr. Beever:

A 650± acre parcel known as Heritage Creek is located in Sections 16 & 21, Township 43S, and Range 25E in northern Lee County. The property is bounded on the southwest by Interstate 75, on the east by Popash Creek and is divided by Pritchett Parkway running north to south through the property. The property location is shown on the attached map. Vegetative communities found on the site include sand live oak scrub and scrubby pine flatwoods, both of which are strongly associated with the occurrence of Florida scrub jays.

Although the entire parcel contains more than 650 acres, this survey applies only to the areas on site that qualify as Florida scrub jay habitat under the guidelines set forth in the Florida Fish and Wildlife Conservation Commission (FWC) Technical Report 8: Ecology and Development-Related Habitat Requirements of the Florida Scrub Jay.

To determine the presence or absence of Florida scrub jays, a formal five-day survey was performed on March 26-28 and April 2-3, 2001. The following report describes the habitats found on site, details the methods used during the scrub jay survey, and provides the results of the survey with conclusions regarding the development of the site relative to Florida scrub jay issues.

I. Vegetative Descriptions

Field observations, in conjunction with the Lee County Soil Survey and infrared aerial photographs, were used to develop a map of vegetative communities according to the Florida Land Use Cover and Forms Classification System (FLUCCS). The following is a brief

DCI 2001-00038

description of the ten (10) vegetative communities found on site that qualify as potential scrub jay habitat.

All of the habitats mentioned below are currently being utilized as active cattle pasture and have been altered to varying degrees (via burning, clearing, planting of pasture grasses, etc.) to create more suitable conditions for livestock grazing.

211 – Improved Pasture (8.1 acres)
This vegetative community is dominated by Bahia grass (*Paspalum notatum*) and other pasture grass species with scattered saw palmetto (*Serenoa repens*), Brazilian pepper (*Schinus terebinthifolius*) and prickly pear cactus (*Opuntia humifusa*) also present.

321 – Palmetto Prairie (5.2 acres)
This habitat contains dense thickets saw palmetto with Bahia grass dominating the open areas. Other species present include wiregrass (*Aristida stricta*), runner oak (*Quercus pumila*), slash pine (*Pinus elliottii*), staggerbush (*Lyonia fruticosa*), gallberry (*Ilex glabra*), grapevine (*Vitis rotundifolia*), Brazilian pepper and prickly pear cactus.

411 - Pine Flatwoods (80.8 acres)
Slash pine dominates the canopy of this habitat with saw palmetto, Bahia grass, wiregrass, gallberry, Brazilian pepper and grapevine comprising the groundcover.

414/428 – Pine – Mesic Oak/ Cabbage Palm (6.2 acres)
Cabbage palms (*Sabal palmetto*) and live oaks (*Quercus virginiana*) are the dominant canopy species in this mesic hammock. Subdominant species include American beautyberry (*Callicarpa americana*), buckthorn (*Bumelia sp.*), Bahia grass and grapevine.

415 – Scrubby Pine Flatwoods (9.2 acres)
Slash pine is the dominant canopy species and Bahia grass is the dominant groundcover within this habitat. Scattered myrtle oak (*Quercus myrtifolia*), sand live oak (*Quercus geminata*), dwarf live oak (*Quercus minima*), saw palmetto (*Serenoa repens*), live oak, cabbage palm, American beautyberry and grapevine are also present.

417 – Live Oak (2.5 acres)
Live oaks dominate the canopy while broom sedge (*Andropogon virginicus*), Bahia grass and other pasture grasses are dominant groundcover species. Cabbage palm, Brazilian pepper and grapevine are also present.

432 – Sand Live Oak (2.8 acres)
Sand live oak, myrtle oak and dwarf live oak are the dominant species within this habitat. Common paw-paw (*Asimina reticulata*), Bahia grass, saw palmetto, grapevine, buckthorn and prickly pear cactus are also present.

DCI 2001-00038

641 – Freshwater Marsh (1.7 acres)
This wetland habitat contains St. John's wort (*Hypericum fasciculatum*), sand cordgrass (*Spartina bakeri*), wax myrtle (*Myrica cerifera*) and broom sedge.

740/211 – Disturbed Land/ Improved Pasture (7.4 acres)
Bahia grass and other pasture grass species dominate this disturbed habitat. Brazilian pepper, wax myrtle and scattered live oaks are also present.

832/211 – Electrical Transmission Lines/ Improved Pasture (2.7 acres)
Bahia grass is the dominant species within this habitat. Saw palmetto and broom sedge are also present.

II. Background Information

The Florida scrub jay has been classified as threatened by the FWC since 1975 and the U.S. Fish and Wildlife Service (FWS) since 1987. These birds are extremely sedentary and have very specific habitat requirements. The primary habitat is the xeric oak scrub community. FWC uses guidelines to assess the relative quality of scrub jay habitat; Type I is the highest quality and Type III is the lowest. The scrub habitats are classified according to aerial coverage by scrub oak species (myrtle oak, sand live oak, Chapman oak, scrub oak, and dwarf live oak). Type I habitat is defined as having greater than 15% coverage by scrub oak species while Type II habitat contains scrub oak species comprising less than 15% coverage. Uplands with no scrub oak coverage and seasonally dry wetlands that are within 0.25 miles of Type I or Type II habitat are classified as Type III habitats.

By this definition, on the Heritage Creek parcel, the 2.8 acres of sand live oak scrub (FLUCCS 432) would be considered Type I habitat and the 9.2 acres of scrubby pine flatwoods (FLUCCS 415) would be considered Type II habitat. Portions of the improved pasture (FLUCCS 211), palmetto prairie (FLUCCS 321), pine flatwoods (FLUCCS 411), pine-mesic oak/ cabbage palm (FLUCCS 414/428), live oak (FLUCCS 417), freshwater marsh (FLUCCS 641), disturbed land/ unimproved pasture (FLUCCS 740/212) and electrical transmission lines/ improved pasture (FLUCCS 832/211) within 0.25 miles of the Type I and II habitats will qualify as Type III habitats. A Florida scrub jay survey in accordance with FWC guidelines, as recommended by FWS, was conducted within all Type I, II and III habitats on site.

III. Survey Methods

This formal survey was performed over a five-day period to establish the presence or absence of the Florida scrub jay on site.

At each calling station, a pre-recorded cassette tape of territorial scrub jay scolding was broadcast for one minute in all four directions for a total of four minutes at each station. The recording,

DCI 2001-00038

which includes the female "hiccup" call, was purchased from Archbold Biological Station. Calling stations were arranged in order within the Type I, II and III habitats.

FWC guidelines recommend that calling stations be established between 100 and 200 meters (300-600 feet) apart to ensure adequate broadcast overlap of the recording. The relatively high quality of the Type I and II habitats made it logical to survey these areas more vigorously. Therefore, walking transects were established approximately 300 feet apart with calling stations also located approximately 300 feet apart within the Type I and II habitats. Transects were established approximately 500 feet apart with calling stations located approximately 500 feet apart within the Type III habitat. The attached scrub jay habitat map provides the locations of the calling stations.

The survey was conducted on March 26-28 and April 2-3, 2001. Weather conditions were ideal for scrub jay activities with temperatures ranging from 60-75° F and relatively calm winds. Skies ranged from clear to partly cloudy during the survey. The following table provides survey times and weather conditions:

Table 1. Survey Times and Weather Conditions

DATE	TIME	WEATHER
3/26/01	3:00 P.M. - 6:15 P.M.	Partly Cloudy, 70° - 75° F, Wind W 5-7 mph.
3/27/01	6:45 A.M. - 10:15 A.M.	Clear, 60° - 70° F, Wind NW 3-5 mph.
3/28/01	6:45 A.M. - 10:00 A.M.	Clear, 65° - 70° F, Wind W 5-8 mph.
4/2/01	7:30 A.M. -10:30 A.M.	Clear, 65° - 70° F, Wind S 0-3 mph.
4/3/01	7:00 A.M. - 10:30 A.M.	Clear, 65° - 70° F, Wind E 3-5 mph.

IV. Survey Results and Conclusions

No Florida scrub jays were observed on site during this formal five-day survey.

Several other bird species including grackle, black vulture, shrike, red-headed woodpecker, pileated woodpecker, downy woodpecker, northern flicker, meadowlark, ground dove, cardinal, blue jay, crow, brown thrasher, mourning dove, mockingbird and various warblers were observed during this Florida scrub jay survey.

DCI 2001-00038

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

FORT MYERS SERVICE CENTER 2301 McGregor Boulevard, Fort Myers, FL 33901
(941) 338-2929 • FL WATS 1-800-248-1201 • Suncom 748-2929 • Fax (941) 338-2936 • www.sfwmd.gov/org/exo/ftmyers/

July 27, 2001

Mr. Tyler King
W. Dexter Bender & Associates, Inc.
2052 Virginia Avenue
Ft. Myers, Florida 33901

Subject: Pritchett Parcel; Informal Jurisdictional Wetland Inspection;
Lee County, S-15, 16 & 21 / T-43-S / R-25-E

Dear Mr. King:

The District offers the following in response to your request for a determination of the jurisdictional wetland boundaries and other surface waters located within the subject property. Craig Schmittler, Environmental Analyst, of the Natural Resource Management Division, conducted a site inspection on January 31, 2001.

The project boundaries shown on the attached aerial identify the approximate limits of the property inspected. Based on the information provided and the results of the site inspection, The jurisdictional wetlands and other surface waters, as defined in Chapter 62-340 F.A.C., within the limits of the subject property, are shown on the attached aerial-survey exhibits.

This correspondence is an informal pre-application jurisdictional determination pursuant to Section 373.421(6) and F.A.C. 62-312.040(7). It does not bind the District, its agents or employees, nor does it convey any legal rights, expressed or implied. Persons obtaining this informal pre-application jurisdictional determination are not entitled to rely upon it for purposes of compliance with provision of law or District rules. A binding jurisdictional determination may be obtained by submitting an application to the South Florida Water Management District Ft. Myers office for a formal determination pursuant to Chapter 40E-4.042 F.A.C. or by applying for a permit.

RECEIVED
W. DEX BENDER & ASSOC.
AUG 4 - 2001

GOVERNING BOARD

Michael Collins, *Chairman*
Michael D. Minton, *Vice Chairman*
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Gerardo B. Fernandez
Patrick J. Gleason
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EXECUTIVE OFFICE

Frank R. Finch, P.E., *Executive Director*
James E. Blount, *Chief of Staff*

SERVICE CENTER

Chip Merriam, *Director*

DISTRICT HEADQUARTERS: 3301 Gun Club Road, P.O. Box 24680, West Palm Beach, FL 33416-4680 • (561) 686-8800 • FL WATS 1-800-432-2045

DCI 2001-00038

A file has been set up with pre-application materials at the Ft. Myers Service Center office. If you have any further questions please contact Craig Schmittler at (941) 338-2929 ext. 7739.

Sincerely,

Karen M. Johnson
Supervising Professional
Ft. Myers Service Center

KMJ/cds - Attachment (Memo, Location Map, and Aerials)

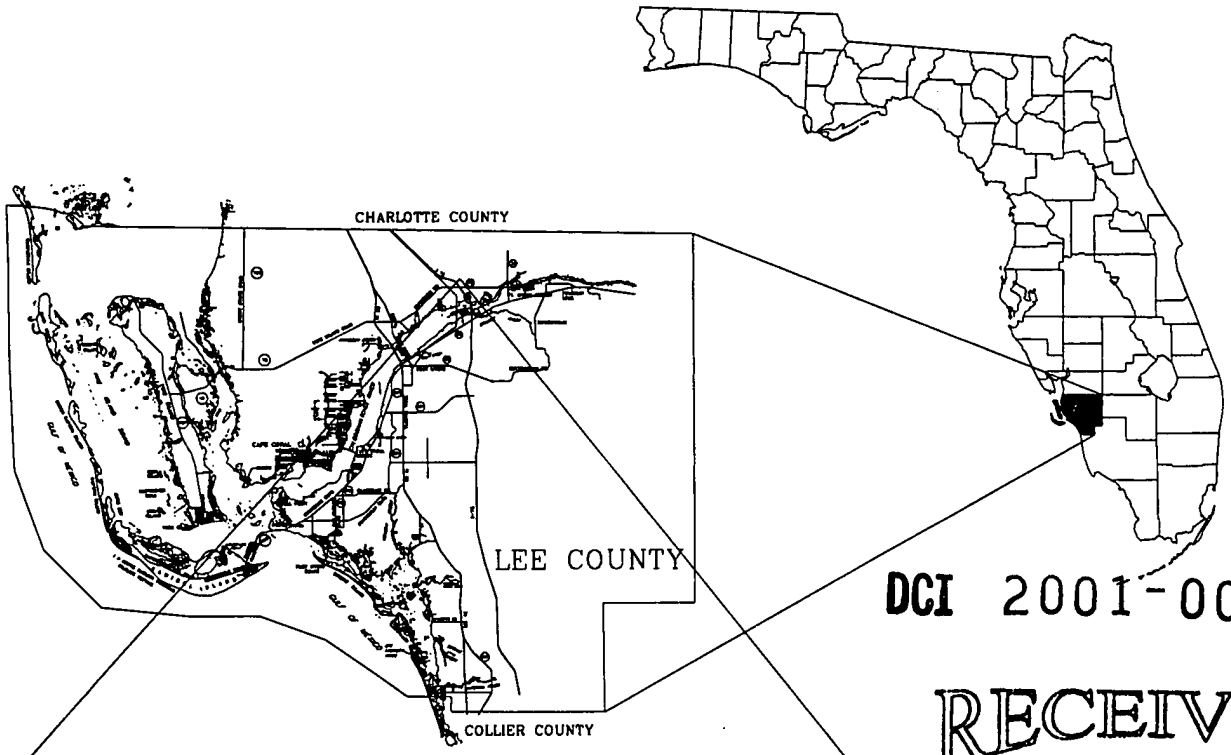
c: USACOE - Ft. Myers w/ memo, location map, and aerial
DEP- w/ memo, location map

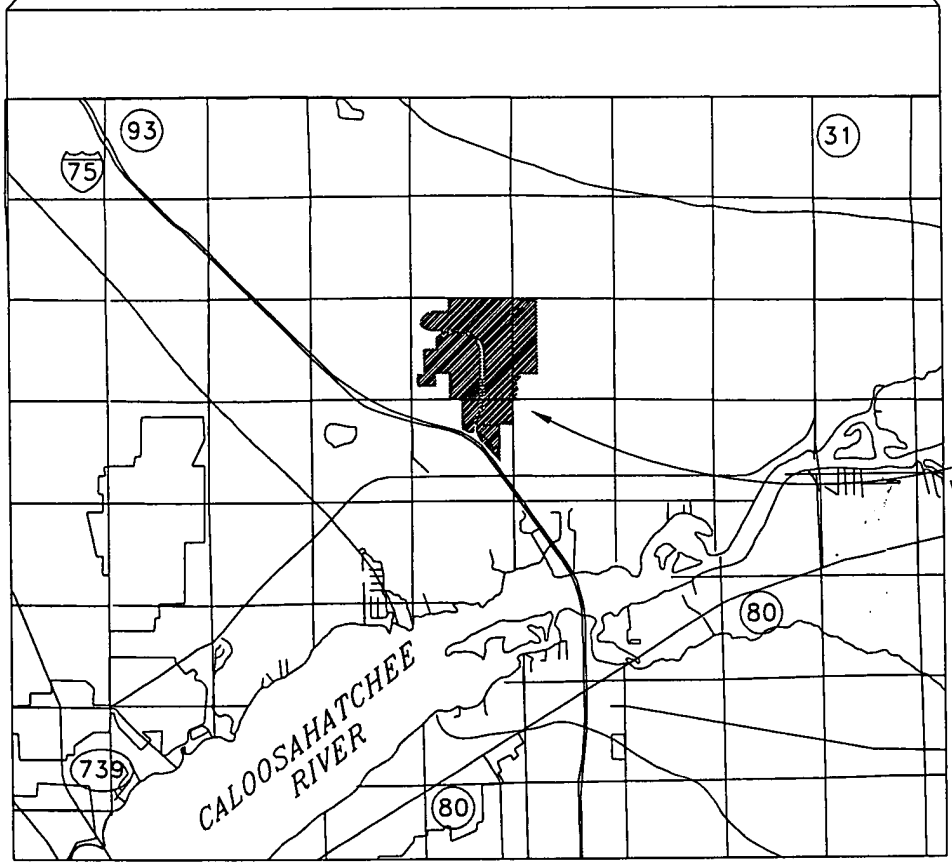
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AUG 20 2001
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Project Location Map





Project Location

DCI 2001-00038

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AUG 20 2001

COMMUNITY DEVELOPMENT

PERMIT USE ONLY, NOT FOR CONSTRUCTION

July 25, 2001 9:01:54 a.m.
Drawing: HOME52PROJECT_LOCATION.DWG (DCS)

W. DEXTER BENDER AND ASSOCIATES
ENVIRONMENTAL & MARINE CONSULTING
FORT MYERS, FL (941) 334-3680

REVISED:

Heritage Creek

SHEET

METRO TRANSPORTATION GROUP, INC.

12651 McGREGOR BOULEVARD
SUITE 4-403
FORT MYERS, FL 33919-4489
TELEPHONE 941-278-3090
FAX 941-278-1906
www.metrotransportation.com
TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

November 19, 2001

Ms Carron Day
Wilson Miller
4571 Colonial Boulevard, Suite 100
Fort Myers, FL 33912-1062

RE: Stoneybrook North
DCI2001-00038

Dear Ms. Day:

Metro has reviewed the comments by Mr. Andy Getch of the Lee County Department of Transportation in a letter dated November 5, 2001. Based on the addition of the 60 single-family dwelling units which increases the overall intensity of the Stoneybrook North development to 1,532 single-family dwelling units, Mr. Getch requires a revised level of service analysis as well as intersection analysis for Bayshore Road @ Pritchett Parkway.

Attached to this letter is a revised copy of Tables 1A and 2A from the TIS reflecting the latest trip generation numbers based on 1,532 single-family dwelling units. According to the revised Table 2A, no roadway segment that is significantly impacted by the proposed development is expected to operate at a level of service below the Lee County adopted standards.

Also attached to this document are the revised intersection analyses for the Bayshore Road @ Pritchett Parkway intersection. The intersection analysis was performed both for signalized conditions as well as for unsignalized conditions. Currently, the intersection operates under unsignalized conditions, however the developer is planning to perform a signal warrant analysis when the development generates sufficient trips to potentially satisfy warrants at this location. Based on the increased trips associated with the additional 60 single-family dwelling units, the conclusions reached in the original TIS continue to be valid.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Robert L. Price, E.I.T.
Transportation Consultant

Ted B. Treesh
Regional Manager

Attachments

RECEIVED
PERMIT COUNTER
DCI 2001-00038

DCI 2001-00038

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

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 1080 VPH IN= 270 OUT= 810

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 1255 VPH IN= 805 OUT= 450

ROADWAY	SEGMENT	ROADWAY CLASS	LOS A VOLUME	LOS B VOLUME	LOS C VOLUME	LOS D VOLUME	LOS E VOLUME	PERCENT PROJECT TRAFFIC	PROJECT TRAFFIC	PROJ/ LOS C
Bayshore Road	E. of Business 41	4LD	0	1410	1920	2030	2030	40.00%	324	16.9%
	E. of Slater Rd	4LD	0	1410	1920	2030	2030	40.00%	324	16.9%
	E. of I-75	4LD	0	1410	1920	2030	2030	75.00%	608	31.6%
	E. of Pritchett Pkwy	2LN	0	650	900	960	960	15.00%	122	13.5%
	E. of Nalle Rd	2LN	0	650	900	960	960	15.00%	122	13.5%
Business U.S. 41	S. of Bayshore Rd	6LD	0	0	2270	2840	3000	20.00%	162	7.1%
Del Prado Blvd	W. of Slater Rd	2LN	0	650	900	960	960	10.00%	81	9.0%
I-75	S. of Palm Beach Blvd	4LF	1090	1710	2570	3270	3900	25.0%	203	7.9%
	N. of Palm Beach Blvd	4LF	1090	1710	2570	3270	3900	30.0%	243	9.5%
	N. of Bayshore Road	4LF	1090	1710	2570	3270	3900	5.0%	41	1.6%
Pine Island Road	W. of Business 41	4LD	0	1410	1920	2030	2030	15.00%	122	6.3%
Pritchette Pkwy	N. of Bayshore Rd	2LN	0	0	500	800	870	90.00%	729	145.8%
	S. of Rich Rd	2LN	0	0	500	800	870	10.00%	81	16.2%
Rich Road	E. of Slater Road	2LN	0	0	500	800	870	10.00%	81	16.2%
Slater Road	N. of Del Prado Blvd	2LN	0	0	500	800	870	10.00%	81	16.2%
State Road 80	W. of I-75	6LD	0	0	2270	2840	3000	10.00%	81	3.6%
U.S. 41	S. of Pine Island Rd	4LD	0	0	1460	1890	2000	10.00%	81	5.5%

DCI [illegible]

TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS

7% Truck Adjustment = 0.934

P. C. S.	K	D	P. C. S.	K	D	P. C. S.	K	D
PCS NO. 1	0.092	0.69	PCS NO. 24	0.095	0.50	I-75	0.099	0.574
PCS NO. 4	0.096	0.51	PCS NO. 34	0.098	0.64			
PCS NO. 5	0.095	0.64	PCS NO. 41	0.105	0.67			

TOTAL PROJECT TRAFFIC AM =	1080	VPH	IN =	270	OUT=	810
TOTAL PROJECT TRAFFIC PM =	1255	VPH	IN=	805	OUT=	450

ROADWAY	SEGMENT	PCS	BASE YR ADT	2000 ADT	YRS OF GROWTH	ANNUAL RATE	2001 PK HR PK SEASON PEAK DIR.	2008 PK HR PK SEASON PEAK DIR.	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2008 BCKGRND + AM PROJ TRAFFIC	2008 BCKGRND + PM PROJ TRAFFIC
Bayshore Road	E. of Business 41	4	30700	31800	9	0.39%	1460	1500	40.00%	324	322	1824	1822
	E. of Slater Rd	4	15300	18400	8	2.33%	922	1083	40.00%	324	322	1407	1405
	E. of I-75	4	8800	9300	9	0.62%	428	447	75.00%	608	604	1054	1050
	E. of Pritchett Pkwy	4	8800	9300	9	0.62%	428	447	15.00%	122	121	568	567
	E. of Nalle Rd	4	8800	9300	9	0.62%	428	447	15.00%	122	121	568	567
Business U.S. 41	S. of Bayshore Rd	41	21600	24200	9	1.27%	1610	1759	20.00%	162	161	1921	1920
Del Prado Blvd	E. of U.S. 41	24	No Data	2200	0	2.00% [1]	100	114	10.00%	81	81	195	195
I-75	S. of Palm Beach Blvd	I-75	47000	58000	5	4.30%	3201	4297	25.00%	203	201	4499	4498
	N. of Palm Beach Blvd	I-75	36000	47500	5	5.70%	2657	3916	30.00%	243	242	4159	4158
	N. of Bayshore Road	I-75	25000	31500	5	4.73%	1746	2413	5.00%	41	40	2453	2453
Pine Island Road	W. of Business 41	34	19200	24800	9	2.88%	1495	1824	15.00%	122	121	1945	1945
Pritchette Pkwy	N. of Bayshore Rd	4	1300	1400	3	2.50%	66	78	90.00%	729	725	807	803
	S. of Rich Rd	4	1300	1400	3	2.50%	66	78	10.00%	81	81	159	159
Rich Road	E. of Slater Road	4	600	800	3	10.06%	40	79	10.00%	81	81	160	159
Slater Road	N. of Del Prado Blvd	4	5900	5700	9	0.00%	261	261	10.00%	81	81	342	341
State Road 80	W. of I-75	5	21600	27000	9	2.51%	1572	1870	10.00%	81	81	1951	1950
U.S. 41	S. of Pine Island Rd	1	24100	21000	9	0.00%	1245	1245	10.00%	81	81	1326	1326

[1] The growth rate for Del Prado Blvd, E. of U.S. 41, was assumed to be 2.0% based on the surrounding roadway traffic growth rates

TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*RLP*	Intersection	*Bayshore Rd @ Pritchett Pkwy*
Agency/Co.	*Metro Transportation Group*	Jurisdiction	*Lee County DOT*
Date Performed	*Revised 11/19/2001*	Analysis Year	*2008 w/ Project*
Analysis Time Period	*PM Peak*		

Project Description *Stoneybrook North*

East/West Street: *Bayshore Road*	North/South Street: *Pritchett Parkway*
Intersection Orientation: *East-West*	Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume	*645*	*630*	*0*	*0*	*425*	*145*
Peak-Hour Factor, PHF	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*
Hourly Flow Rate, HFR	*678*	*663*	*0*	*0*	*447*	*152*
Percent Heavy Vehicles	*0*	--	--	*0*	--	--
Median Type	*Raised curb*					
RT Channelized			*0*			*0*
Lanes	*1*	*2*	*0*	*0*	*2*	*0*
Configuration	*L*	*T*			*T*	*TR*
Upstream Signal		*0*			*0*	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume	*0*	*0*	*0*	*95*	*0*	*365*
Peak-Hour Factor, PHF	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*	*0.95*
Hourly Flow Rate, HFR	*0*	*0*	*0*	*100*	*0*	*384*
Percent Heavy Vehicles	*0*	*0*	*0*	*0*	*0*	*0*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*0*	*0*	*0*	*0*	*0*
Configuration					*LR*	

Delay, Queue Length, and Level of Service

Approach	EB	WB	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*L*						*LR*	
v (vph)	*678*						*484*	
C (m) (vph)	*988*						*152*	
v/c	*0.69*						*3.18*	
95% queue length	*5.72*						*45.49*	
Control Delay	*16.2*							
LOS	*C*						*F*	
Approach Delay	--	--						
Approach LOS	--	--					*F*	

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DCT 2001-00038

HCS2000: Signalized Intersections Release 4.1a

Analyst: RLP
Agency: Metro Transportation Group
Date: Revised 11/19/2001
Period: P.M. Peak
Project ID: Heritage Creek
E/W St: Bayshore Road

Inter.: Bayshore Rd @ Pritchett Pkwy
Area Type: All other areas
Jurisd: Lee County DOT
Year : 2008 w/ Project

N/S St: Pritchett Parkway

SIGNALIZED INTERSECTION SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	1	2	0	0	2	0	0	0	0	0	0	0
LGConfig	L	T			TR						LR	
Volume	645	630			425	145				95		365
Lane Width	12.0	12.0			12.0						12.0	
RTOR Vol						0						0

Duration 0.25 Area Type: All other areas

Signal Operations

Phase Combination		1	2	3	4	5	6	7	8
EB	Left	A				NB Left			
	Thru	A	A			Thru			
	Right					Right			
	Peds					Peds			
WB	Left					SB Left	A		
	Thru		A			Thru			
	Right		A			Right	A		
	Peds					Peds			
NB	Right					EB Right			
SB	Right					WB Right			
Green		40.0	26.0				42.0		
Yellow		3.0	3.0				3.0		
All Red		1.0	1.0				1.0		

Cycle Length: 120.0 secs

DCI 2001-00038

Intersection Performance Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios v/c	Ratios g/C	Lane Group Delay	Lane Group LOS	Approach Delay	Approach LOS
Eastbound								
L	602	1805	1.13	0.33	117.2	F		
T	2106	3610	0.31	0.58	12.8	B	65.7	E
Westbound								
TR	752	3472	0.80	0.22	50.6	D	50.6	D
Northbound								
Southbound								
LR	588	1679	0.82	0.35	44.9	D	44.9	D

Intersection Delay = 57.8 (sec/veh) Intersection LOS = E

HCS2000: Signalized Intersections Release 4.1a

Robert L. Price
Metro Transportation Group, Inc.
12651 McGregor Boulevard, Suite 4-403
Fort Myers, FL 33919

Phone: 941-278-3090 Fax: 941-278-1906
E-Mail: rlp@metrotransportation.com

OPERATIONAL ANALYSIS

Analyst: RLP
Agency/Co.: Metro Transportation Group
Date Performed: Revised 11/19/2001
Analysis Time Period: P.M. Peak
Intersection: Bayshore Rd @ Pritchett Pkwy
Area Type: All other areas
Jurisdiction: Lee County DOT
Analysis Year: 2008 w/ Project
Project ID: Heritage Creek

East/West Street: Bayshore Road
North/South Street: Pritchett Parkway

DCI 2001-00038

DEVELOPMENT SERVICES DIVISION
DCI SUFFICIENCY REVIEW -RESIDENTIAL PLANNED DEVELOPMENT
TRANSMITTAL SHEET

TO: Distribution FROM: Mike Pavese DATE: December 5, 2001

John Fredyma, Assistant County Attorney
DS Reviewer- Don Blackburn
TIS Reviewer - Bob Rentz
Paul O'Connor, Planning
Kim Trebatoski, Planning
Andy Getch, LCDOT
Stephanie Keyes, Lee Co. School District
Roland Ottolini, Natural Resources
Jerry Murphy, Development Services

PROJECT NAME: U. S. Home Corp., in ref to Heritage Creek RPD CASE DCI 2001-00038

INFORMATION SUMMARY:

RESUBMITTAL

X To update your file RESPONSE REQUIRED BY: December 19, 2001

X Review and forward sufficiency questions or make finding of sufficiency

Additional Comments:

Response to Sufficiency checklist dated Nov. 7, 2001 from Carron Day of Wilson Miller;

Master Concept Plan dated 10/01/001 (full sized and reduced copy);

Memo to Mary Gibbs from Carron Day;

Sketch of descriptions with legal descriptions;

Copy of letter from Steven Kushner, Esq. to Banks Engineering w/attachments;

Engineer's preliminary estimate of excavation w/raised seal;

Attachments 1, 4 & 5;

Letter w/attachments from Metro Transportation to Carron Day

Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

Cc: DCI File/ZONE File

Distributed by Denise Bayliss on December 7, 2001

DCI 2001-00038

WilsonMiller
4571 Colonial Boulevard, Suite 100
Ft. Myers, Florida 33912-1062
Phone No. 941/939-1020
Fax No. 941/939-7479 (Admin/Eng.)
Fax No. 941/939-3412 (Planning/Survey/Environmental)

LETTER OF TRANSMITTAL

TO: Lee County Department of Community Development
P.O. Box 398
Ft. Myers, FL 33902-0398

Attn: Kay Deselem, AICP

Date: 11/28/01
PIN: 03642-000-000
File Designator:
Project Name: Heritage Creek
Ref: DCI2001-00038

We are sending attached via: ☐ Client Pickup x Delivery ☐ Mail ☐ UPS-Overnight Express, the following items:

☐ Prints ☐ Plans ☐ Specifications ☐ Change Order ☐ Copy of Letter ☐ Shop Drawings
☐ Disk ☐ Thermal Plot x Other: Suffficiency Response

Copies	Date	Drawing File No.	Description/Sheet Numbers
12	11/28/01		Response to Staff Sufficiency Checklists Dated November 7, 2001

THESE ARE TRANSMITTED as checked below:

☐ For approval ☐ For your use ☐ As requested x For review and comment ☐ FOR BIDS DUE
☐ ☐ PRINTS RETURNED AFTER LOAN TO US

Enclosed with the Response are the following:

- Master Concept Plan (full size and 11" x 17")
- Copy of Memo to Mary Gibbs dated November 16, 2001
- Signed and sealed copies of the sketch and description for Heritage Creek
- Title Opinion
- Engineer's Preliminary Estimate of Excavation
- Attachment 1 - List of Uses
- Attachment 2 – Property Development Regulations
- Attachment 4 – Deviations
- Exhibit for Deviation 8 (found in Attachment 4)
- Attachment 5 - Sign Information
- Metro Transportation

DCI 2001-00038

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DEC 05 2001
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DCI 2001-00038

COPY TO: Heritage Creek Team

SIGNED Carron Day mpk
Carron Day

Original to Client Project File

If enclosures are not as noted, kindly notify us at once.

WilsonMiller
New Directions In Planning, Design & Engineering

DCI 2001-00038

MEMORANDUM

RECEIVED
DEC 05 2001
PERMIT COUNTER

TO: Kay Deselem, Senior Planner

FROM: Carron Day

DATE: 28 November 2001

SUBJECT: Heritage Creek

Response to Sufficiency Checklist dated November 7, 1901

PART II GENERAL INFORMATION

Comment 1: The legal description is not sufficient. Jerry Murphy has the following questions:

Has the director exercised her 34-201 (b)(1) discretion to allow this application to cover the three non-abutting properties included in this application (Parcels A, B, and C)?

Response: **Attached is a copy of the request to Mary Gibbs, Director, dated 16 November 2001**

What are the respective acreages for these parcels and how were they calculated, particularly with regard to the centerlines of the creeks and less and except parcel?

Response: **Attached for your review are ten copies of the sketch and description in recordable form, with the parcel acreages. The acreages are based on the descriptions.**

Please provide 10- 8.5 x 11 sealed copies of the legal description prepared by Banks Engineering to accompany the survey, suitable for recording, including individual parcel acreages and overall aggregate acreage.

Response: **The sealed copies of the legal description are attached.**

PAGIS shows a number of easements encumbering the property, e.g. Rich Road. The survey notes that the parcel is "subject to easements, rights-of-way, restrictions and reservations of record, "Please revised the survey accordingly to show the all existing "easements, rights-of-way, restrictions and reservations" encumbering the property. The Surveyor's note may then be removed. No opinion of title or other confirmation of ownership has been provided for county review, and the possibility of these easements without disclosure in the

DCI 2001-00038

Naples Fort Myers Sarasota Bradenton Tampa Tallahassee
4571 Colonial Boulevard, Suite 100 Fort Myers, Florida 33912-1062 941-939-1020 941-939-7479
www.wilsonmiller.com

WilsonMiller, Inc. — FL Lic.# LC-C000170 CA 43

application raises the question of ownership suggesting that such document(s) be provided.

Response: **See attached Title Opinion**

Comment 2: Staff has reviewed the explanation that you have provided regarding the separation distances from proposed uses in this project to adjacent development. No detail has been provided to explain the statements. For example, you state that "development is set back approximately 1,300 feet from the project boundary." No structures are shown on the MCP, so staff does not understand the statements regarding setbacks. The proposed Property Development Regulations Table only proposes a 20 foot rear setback for the clubhouse. The current MCP configuration appears to show that buildings could be within approximately 200 feet of a property line, not the 1,300 feet noted in the explanation.

Response: **The previously submitted statements referenced the compatibility between the proposed development and development located to the south. A large existing borrow lake is located between that part of Tract K proposed for development and the project's southerly boundary. The Master Concept Plan is drawn to scale and the average distance between Tract K and the project's southerly boundary is approximately 1300 feet. Any building setback would be added to the 1300 feet distance.**

PART IV PROPOSED DEVELOPMENT

Questions about the Master Concept Plan (and Attachments)

Comment: The configuration for the "Existing STP" have changed. Part of the boundary of this use have been eliminated. Please correct.

Response: **There has been no change in the boundary; these boundary lines simply printed lighter than the others. This has been corrected on the attached revised Master Concept Plan**

Comment: It is not clear whether this STP is within the confines of this project. The legal description does not include it. Please make the issue more clear on the MCP by noting that the STP is NOT a part of the request.

Response: **As the legal description indicates, the STP is not currently within the Heritage Creek project. See attached revised Master Concept Plan that includes the requested notation.**

Comment: Please explain the different between the R-1 and R-2 designations. R-2 proposed to have all uses allowed in R-1 PLUS multi-family buildings. What is the difference? R-1 also proposed multi-family dwelling units.

Response: **R-1 was not intended to include multi-family dwelling units. Multi-family buildings have been deleted from the R-1 list of uses. See the revised Attachment 1.**

Comment: The proposed height in the different Tracts is not clear. The Property Development Regulations Table indicates that multi-family uses would not exceed 55 feet or 4 stories. The MCP indicates that these buildings could go up to 60 feet in height.

Response: The Master Concept Plan and the Master List of Uses for Entire Development (Exhibit IV-I-1) show the correct height of 4 stories or 60 feet. Attachment 2 has been amended.

Comment: Please provide both sizes of the MCP as required in LDC Section 34-373(a)6.

Response: Both sizes of the MCP are attached as requested.

Comment: The revised MCP includes the note, "This tract may have internal water management areas." Please show wet retention areas for ALL tracts as required by LDC Section 34-373(a)6.i.

Response: The proposed wet retention areas are now shown for all tracts as requested. See the attached revised Master Concept Plan

Comment: The application, on page 8, indicates that you have done the preliminary calculations for cuts and fills. Please provide the information.

Response: See attached "Engineer's Preliminary Estimate of Excavation" dated 01 Nov 01.

Comment: The revised MCP shows a triangular parcel at the intersection of Pritchett Parkway and Leetana Road that was not included in previous versions. The parcel is noted as "Alternative entry sign location." Please explain. Alternative to what? Please provide detail about the proposed sign.

Response: The legal description has been revised to include this triangular parcel. There are two alternative project sign locations shown on the Master Concept Plan. One location is an alternative to the other location. The applicant will construct the Main Project Sign in one of these two locations. For more information regarding the proposed signage see Attachment 5.

Comment: Please provide property development regulations for uses within Tract K. Please show the proposed buildings in the Recreational Facility area.

Response: Attachment 2 included proposed setbacks for the clubhouse and has been revised to add proposed setbacks for the proposed maintenance facility and recreational accessory uses. The "Master Concept Plan Notes" have been amended to reflect increased buffers for the maintenance area.

The general location of the clubhouse has been indicated on the Master Concept Plan. Any other buildings in Tract K would be accessory recreational buildings such as building to provide rest rooms and pro shop

facilities accessory to the tract's uses. Picnic pavilions are also a possibility. The location of these small accessory buildings has not been determined at this time.

Comment: As we discussed, the MCP needs to provide some level of detail regarding the proposed uses for Tract K. Staff cannot ascertain whether the "no buffer required" statement on the MCP is correct because none of the uses are shown and no property development regulations for the list of uses has been submitted.

Response: **All uses allowed within Tract K are included in Attachment 1. Lee County LDC Sec. 10 416 does not require buffers between any of the recreational uses proposed for Tract K and adjacent land uses.**

In fact, these uses are buffered from adjacent uses because of the specifics of the Master Concept Plan. A large preserve area with a minimum width of approximately 400 feet is shown on the Master Concept Plan between any recreational use in Tract K and properties to the east. A large lake buffers these recreational uses from properties to the south. Master Concept Plan Note 8 has been revised to reflect the changes to the configuration to this tract and to ensure that the proposed maintenance facility is buffered from Pritchett Parkway and adjacent uses.

Comment: What parameters are proposed for the maintenance facility? Where will it be located? Where will the Club, private be located?

Response: **This maintenance facility will be accessory to the recreational and open space uses of Heritage Creek. The size of this building has not been determined at this time. Attachment 2 has been revised to indicate the proposed setbacks for the maintenance facility. It will be located a minimum of 300 feet from any property adjacent to Heritage Creek, a minimum of 100 feet from any residential lot within Heritage Creek (as indicated in Attachment 2) and a minimum of 100 feet from Pritchett Parkway (as indicated in Master Concept Plan Note 8).**

The general location of the clubhouse within Tract K is depicted on the Master Concept Plan.

Comment: Where are the "multi-purpose fields" going to be located? What are they? The MCP already includes soccer fields and baseball fields. What is left?

Response: **The location of any "Multi-purpose field" to be developed on this site has not been determined at this time. "Multi-purpose field" is the term applied to a grassed play field for general use.**

Comment The same question arises in "multi-purpose courts." Tennis courts, shuffleboard courts and bocce courts are already being sought. What is left? Where will they be? How many will there be?

Response: **"Multi-purpose court" is the term applied to hard surface play courts with multiple uses. These are often found in parks and are used for such uses**

as hardball, tennis backboard practice, etc. The location of any "Multi-purpose court" to be developed on this site has not been determined at this time.

Comment The MCP indicates that Tract K consists of 36 acres. Does that acreage include the existing lake along Pritchett Parkway? It appears that separate calculations are provided for water management areas, and the lake is not included. This raises another question. Please show the water upon which the water related uses in Tract K will be done. Fishing piers, boat docks and an aqua range are proposed. Please show the water areas or adjust the MCP.

Response: The Master Concept Plan has been revised to address the staff's concern. Tract K now includes the large lake and consists of a total of 49 acres. Tract L, a residential tract, has been added in this area.

Comment: The Tract Information on the MCP does not specify where the townhouses, and two family units will be located or how many of these uses there will be.

Response: The Master Concept Plan indicates the tracts which are designated "R-1" and R-2". The townhouses and two family units may be located in any of the "R-1" or R-2" tracts. The total number of units set forth on the Master Concept Plan's "Tract Information" table includes the possibility of these units in any of these tracts. The townhouse and two family units are compatible with each other and with both the single family and multi-family uses. Identification of which of the R-1 or R-2 tracts will include or will exclude townhouses and two family units has not been determined at this time.

The perimeter buffers have been revised on the Master Concept Plan to reflect the possibility that there could be townhouses and two family units in any of these tracts.

Comment: The Tract Information does not appear to agree with the "Master List of Uses for the Entire Development" document. The Tract Information on the MCP indicates that there could be a maximum of 1,016 multi-family units while the Master List of Uses for the Entire Development" document indicates that there will be a maximum of 330 multi-family dwelling units. Please rectify.

Response: The tract information on the Master Concept Plan should agree with the "Master List of Uses for the Entire Development" document. The Tract Information on the MCP indicates that there is a range in the number of units in each tract but that the total number of units within Heritage Creek would be 1525. The revised Master Concept Plan has been revised to indicate a maximum of 330 multi-family dwelling units within Heritage Creek as well as the overall maximum number of units. See revised Master Concept Plan.

If one were to add up the maximum number of units allowed in each of the tracts that number would exceed the total number of units approved for the overall site, BUT the total number of units is controlled by the maximum

number of units presented in this application. The applicant expects to submit information in its Development Order submittals that will track the number of units.

Comment: The MCP shows a typical Single Family Attached Lot. There is no such dwelling unit sought nor defined in the LDC. Please relabel this as a Two Family Attached Lot.

Response: That change has been made on the revised Master Concept Plan

Comment: Please add townhouse and multi-family units to the typicals that are shown.

Response: That change has been made on the revised Master Concept Plan

Comment: Please amend the typicals that are shown to show the proposed setbacks for each type unit.

Response: The setbacks were drawn for each typical, and references has been made to Attachment 2 for the dimensions. See revised Master Concept Plan

Comment: The "Park" designation has not been removed form the Schedule of Uses as is claimed in the 9/16/01 letter. Please remove it.

Response: See revised Attachment 1

Comment: Please provide the maintenance facility limitations noted in the 9/16/01 letter on the MCP.

Response: The limitations on the maintenance facility are as set forth above.

Comment: Please show the traffic circulation within Tract K to accommodate the uses.

Response: Track K has been amended and the traffic circulation shown through the area. A residential Tract L added. See attached revised Master Concept Plan. Internal circulation for Tract K will be designed as a part of the Development Order process.

Comment: Attachment 1, the proposed Schedule of Uses, still includes references to the "Park" in the Recreational Facilities area. Since this area not longer exists the Park designation should be removed.

Response: Attachment 1 has been revised as suggested.

DEVIATIONS

Attachment 4 was not updated in the last sufficiency round to reflect changes in the Master Concept Plan. These adjustments have been made in the attached Attachment 4.

Comment: Deviation #7 justification still references a golf course. Since there is no golf course in this project anymore, the deviation is no longer valid. Please explain

the statement "Environmental considerations are also addressed in the conditions." What conditions?

Response: **See revised Attachment 4.**

Comment: The details regarding Deviation #9 have not been provided in response to staff's questions. Staff will not support this deviation based upon lack of specific detail and errors in the deviation request, i.e., there is no Tract M for which this deviation seeks relief.

Response: **See revised Attachment 4.**

Comment: The justification for Deviation #12 is no longer correct. It states there is only one multi-family tract, however there are now several areas where multi-family uses are proposed. Please correct.

Response: **See revised Attachment 4.**

Comment: The photo referenced in the 9/16/01 memo regarding the sign deviation was not attached.

Response: **A copy of this photo is included in both Attachment 4 and Attachment 5.**

Comment: To avoid confusion, please coordinate the project name in all documents. In some places this project is referred to as Heritage Creek, while in other documents the project is called Stoneybrook North.

Response: **As is common with development projects, the project names evolve over time. Like you we are trying to avoid confusion. For the purpose of this zoning process, the project name is Heritage Creek.**

Comment: Water Management Issues It is my understanding that there are still unanswered questions with Brad Vance regarding surface water management issues. Until that information is received and reviewed, this project cannot go forward. Please contact Mr. Vance.

Response: **The average separation between proposed fill and the top of bank of both creeks far exceeds the top of bank width. See Master Concept Plan. As discussed in a meeting between Lee County staff, the Applicant and consultants, detailed flood plain information will be provided at the development order stage.**

Response to Memo from Department of Transportation dated November 5, 2001

Requesting a revised traffic analysis for the project and roadway segment and intersection analyses at Bayshore Road.

See attached response from Metro Transportation.

Response to Rezoning Sufficiency Checklist from /Environmental Sciences dated October 19, 2001

3. Protected Species Management Plan

The scrub jay preserve is located within the larger 16.8 acre upland conservation area shown on the attached Master Concept Plan. Although no Florida scrub jays were observed on site, this area will remain as a satellite preserve with the potential for future scrub jay utilization. Management activities will include but not be limited to: topping of scrub oaks to provide better habitat and exotic vegetation removal. The upland preserve currently contains only minimal coverage by exotic vegetation, primarily Brazilian pepper (*Schinus terebinthifolius*). Regular maintenance events will be scheduled to ensure that exotic vegetation coverage within the upland compensation area remains within the thresholds proposed in the upland compensation area success criteria of less than 5% exotic/nuisance vegetation.

A gopher tortoise incidental take permit will be obtained from the FWC. The upland conservation area described above will also receive the relocated gopher tortoises from the developed portion of the property. Typical best management practices (fencing, exotic removal, etc.) will be employed to provide the maximum habitat for the gopher tortoises.

6. Design Standards

6A. Created Wetland Areas

The creation of mitigation area adjacent to Leetana Road will consist of the excavation of 5.0 acres of pasture to a grade similar to that of the adjacent wetland. Regular maintenance events will be scheduled to ensure that exotic and nuisance vegetation coverage within the mitigation area remains within the thresholds proposed in the wetland creation area success criteria described below.

The following plant species and quantities will be installed within this mitigation area:

Species	Size/Spacing	Quantity Installed
Spartina bakeri	bareroot/ 3' o.c.	1,500
Juncus effusus	bareroot/ 3' o.c.	3,500
Iris hexagona	bareroot/ 3' o.c.	800
Scirpus validus	bareroot/ 3' o.c.	1,700
Eleocharis spp.	bareroot/ 3' o.c.	4,000
Panicum hemitomon	bareroot/ 3' o.c.	3,400
Sagittaria lancifolia	bareroot/ 3' o.c.	3,000
Thalia geniculata	bareroot/ 3' o.c.	800
Pontederia cordata	bareroot/ 3' o.c.	4,000
Canna flaccida	bareroot/ 3' o.c.	1,500
	TOTAL	**24,200**

Success Criteria:

The wetland creation area will be deemed successful when the following conditions have been met:

DCI 2001 00038

Greater than 80% coverage by desirable vegetation
Less than 5% exotic/nuisance vegetation
Less than 5% upland vegetation

6B. Flow Way
The swale happened to be flowing out of its banks when the County inspection was done. It handles only on site flow discharging from an existing water control structure at the wetland adjacent to the farm fields and wastewater treatment plant. No off site flows are dependant upon it. The water control structure is proposed to be removed when the overall surface water system is constructed. This swale is not a necessary component of the proposed drainage system.

From an environmental perspective, we have identified with SFWMD the wetlands being preserved and impacted. The swale is not proposed for preservation. An application was submitted to SFWMD this past week. A copy of the permit will be available to County staff during the Development Order process.

6C. Lake Design
The applicant addressed this issue in the response dated August 16, 2001. That response submitted the following: "At 300 scale sinuosity may be difficult to observe, but the applicant intends to comply with LDC requirements regarding lake shorelines."

6D. List of Uses
The subject property has been utilized for many years for row crops and cattle grazing. The row crops are visible on the aerial photographs and the cattle utilize the balance of the property. The applicant's intention is to continue the existing agricultural use for each part of the subject property until that property is developed.

Response to Memo from Department of Community Development dated November 8, 2001.

1. Deviation 5
   Please consider Deviation 5 withdrawn.
2. **See attached exhibit prepared by Banks Engineering for Deviation 8 which is included in Attachment 4.**
3. **The applicant intends to comply with LDC 10-296(m)**

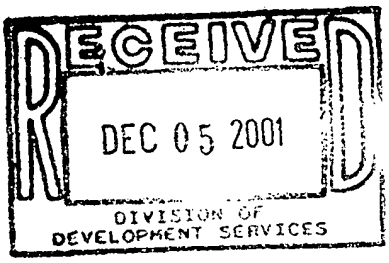
DCI 2001-00038

ORIGINAL TO MARY GIBBS

WilsonMiller

New Directions In Planning, Design & Engineering

MEMORANDUM



TO: Mary Gibbs, Director

FROM: Carron Day

DATE: 16 November 2001

SUBJECT: Heritage Creek, DCI2001-00038

CC: Deno Benetis, Sam Marshall, Tyler King, Ted Tresh, Steve Hartsell

---

In the November 7th Sufficiency Checklist in regards to Heritage Creek Jerry Murphy questioned if "the director had exercised her LDC Sec. 34-201(b)(1) discretion to allow this application to cover the three non-abutting properties included in this application.

In response to this reminder, the applicant respectfully requests that you allow Heritage Creek to be submitted as one Residential Planned Development. Although the property is divided into two pieces by Pritchett Parkway, the property is being developed as one planned development with a single owner, a single development concept and with one main recreational area serving both parts of the development.

If there are any questions about this project, please do not hesitate to contact us.

DCI 2001-00038

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (941)479-8336

November 7, 2001

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

Ms. Carron Day, AICP
Wilson Miller
4571 Colonial Boulevard, Suite 100
Ft. Myers, FL 33912-1062

RE: Heritage Creek; File #DCI2001-00038

Dear Ms. Day:

The Development Services Division has reviewed the information provided on 5/31/01 and supplemented on 8/20/01 and 10/19/01 for this application. The Land Development Code requires additional information for the application to be sufficient. Please respond to each requirement not satisfied on the attached sufficiency checklists or memos.

If you do not provide the requested supplements or corrections within 60 calendar days of this letter, the Code requires that this application be considered withdrawn. Please feel free to contact me or the staff reviewers if you have any questions.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Kay Deselem

Kay Deselem, AICP
Senior Planner

Enclosures: Checklist from Zoning, dated 11/7/01
Memo from DOT, dated 11/5/01
Memo from Environmental Sciences, dated 11/2/01

cc: Paul O'Connor, Division of Planning
John Fredyma, Asst. County Attorney
Bob Rentz, Development Services
Andy Getch, DOT
Gary Nychyk, Environmental Sciences
Kim Trebatoski, Environmental Sciences
Thom Osterhout, Utilities-Public Works
Don Blackburn, Development Services
Brad Vance, Natural Resources
Zoning/DCI File

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LEE COUNTY
SOUTHWEST FLORIDA

DEPARTMENT OF COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

SUFFICIENCY CHECKLIST FOR PLANNED DEVELOPMENTS, AMENDMENTS, AND EXISTING DEVELOPMENTS REQUESTING PLANNED DEVELOPMENT ZONING

PROJECT NAME: HERITAGE CREEK RPD
CASE #: DCI2001-00038
REQUEST: Rezone to Planned Development
DATE OF REVIEW: 11/701
REVIEWED BY: Kay Deselem
SUFFICIENCY DETERMINATION: INSUFFICIENT

X MAJOR PLANNED DEVELOPMENT
___ MINOR PLANNED DEVELOPMENT
___ EXISTING DEVELOPMENT
___ AMENDMENT

LEGEND:

OK - Requirement satisfied
N/A - Not applicable
REF - Referred to another agency for review
X - Requirement not satisfied
RW - Requirement waived by director

PART II GENERAL INFORMATION

1. The legal description is not sufficient. Jerry Murphy has the following questions:

   Has the director exercised her 34-201(b)(1) discretion to allow this application to cover the three non-abutting properties included in this application (Parcels A, B, and C)?

   What are the respective acreages for these parcels and how were they calculated, particularly with regard to the centerlines of the creeks and less and except parcel?

   Please provide 10- 8.5 x 11 sealed copies of the legal description prepared by Banks Engineering to accompany the survey, suitable for recording, including individual parcel acreages and overall aggregate acreage.

   PAGIS shows a number of easements encumbering the property, e.g. Rich Road. The survey notes that the parcel is "subject to easements, rights-of-way, restrictions and reservations of record."Please revised the survey accordingly to show the all existing "easements, rights-of-way, restrictions and reservations" encumbering the property. The Surveyor's note may then be removed. No opinion of title or other confirmation of ownership has been provided for county review, and the possibility of these easements without disclosure in the application raises the question of ownership suggesting that such document(s) be provided.

   Please contact Mr. Murphy with questions.

2. Staff has reviewed the explanation that you have provided regarding the separation distances from proposed uses in this project to adjacent development. No detail has been provided to explain the statements. For example, you state that "development is set back approximately 1,300 feet from the project boundary." No structures are shown on the MCP, so staff does not understand the statements regarding setbacks. The proposed Property Development Regulations Table only proposes a 20 foot rear setback for the clubhouse. The current MCP configuration appears to show that buildings could be within approximately 200 feet of a property line, not the 1,300 feet noted in the explanation.

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Questions about the Master Concept Plan (and Attachments)

The configuration for the "Existing STP" have changed. Part of the boundary of this use have been eliminated. Please correct.

It is not clear whether this STP is within the confines of this project. The legal description does not include it. Please make the issue more clear on the MCP by noting that the STP is NOT a part of the request.

Please explain the different between the R-1 and R-2 designations. R-2 proposed to have all uses allowed in R-1 PLUS multi-family buildings. What is the difference? R-1 also proposed multi-family dwelling units.

The proposed height in the different Tracts is not clear. The Property Development Regulations Table indicates that multi-family uses would not exceed 55 feet/4 stories. The MCP indicates that these buildings could go up to 60 feet in height.

Please provide both sizes of the MCP as required in LDC Section 34-373(a)6.

The revised MCP includes the note, "This tract may have internal water management areas." Please show wet retention areas for ALL tracts as required by LDC Section 34-373(a)6.i.

The application, on page 8, indicates that you have done the preliminary calculations for cuts and fills. Please provide the information.

The revised MCP shows a triangular parcel at the intersection of Pritchett Parkway and Leetana Road that was not included in previous versions. The parcel is noted as "Alternative entry sign location." Please explain. Alternative to what? Please provide detail about the proposed sign.

Please provide property development regulations for uses within Tract K. Please show the proposed buildings in the Recreational Facility area.

As we discussed, the MCP needs to provide some level of detail regarding the proposed uses for Tract K. Staff cannot ascertain whether the "no buffer required" statement on the MCP is correct because none of the uses are shown and no property development regulations for the list of uses has been submitted.

What parameters are proposed for the maintenance facility? Where will it be located?

Where will the Club, private be located?

Where are the "multi-purpose fields" going to be located? What are they? The MCP already includes soccer fields and baseball fields. What is left?

The same question arises in "multi-purpose courts." Tennis courts, shuffleboard courts and bocce courts are already being sought. What is left? Where will they be? How many will there be?

The MCP indicates that Tract K consists of 36 acres. Does that acreage include the existing lake along Pritchett Parkway? It appears that separate calculations are provided for water management areas, and the lake is not included. This raises another question. Please show the water upon which the water related uses in Tract K will be done. Fishing

DCI 2001-00038

Steven P. Kushner, P.A.
Real Property, Corporate and Development Law

February 12, 2001

Mr. Randy Banks
Banks Engineering, Inc.
10511 Six Mile Cypress Parkway
Suite 101
Fort Myers, FL 33912

Re: US Home p/f Pritchett

Dear Randy:

I am forwarding herewith a copy of the title commitment and the "hard copies" of the instruments to be used as a basis for exceptions to the title coverage. In order to avoid the "Bromley" problem experienced at Heritage Palms, I have requested, and Chris McCurdy agrees, that the easement locations and similar encumbrances should be reviewed jointly with whomever you assign to the project.

Chris and I would like to meet in approximately one (1) week with the project planner who, we hope, will have been able to locate the easements on the property and help to identify impacts on whatever concept plan or proposed development plan is being worked on.

After you have designated the planner, please have him contact Chris so that we can arrange for a mutually acceptable date and time to meet with your personnel.

Thank you for your prompt attention.

Very truly yours,

Steven P. Kushner
Attorney at Law

SPK/cal
Enclosures

PERMIT COUNTER
DCI 2001-00038

The Tidewater Building
1375 Jackson Street, Suite 202 • Fort Myers, Florida 33901
Telephone (941) 337-0080 • Fax (941) 337-7909
E-Mail: kushlaw@olsusa.com

FUND COMMITMENT

Schedule A

Commitment No.: C-2354308 *Fund File Number* 18-01-244 - AMENDED
Effective Date: December 22, 2000 *at* 11:00 p.m.

Agent's File Reference: Pritchett Develop/US Homes

1. ***Policy or Policies to be issued:*** ***Proposed Amount of Insurance***

   OWNER'S: ALTA Owner's Policy (10/17/92). $8,572,500.00

   Proposed Insured:

   U.S. Homes Corporation, a Delaware Corporation

   MORTGAGEE:

   Proposed Insured:

2. ***The estate or interest in the land described or referred to in this commitment is a fee simple and title thereto is at the effective date hereof vested in:***

   Pritchett Development Company, Ltd., a Florida limited partnership and Bank of America, N.A., successor Trustee to Barnett Bank Trust Company, N.A., Trustee of the Richard H. Pritchett, Jr. restated Revocable Trust dated March 27, 1986

3. ***The land referred to in this commitment is described as follows:***

See Exhibit A.

PERMIT COUNTER

DCI 2001-00038

AGENT NO.: 4830002
ISSUED BY: STEVEN CARTA

MAILING ADDRESS:

1619 Jackson Street
P.O. Box 1906
Fort Myers, Florida 33902

AGENT'S SIGNATURE _____
STEVEN CARTA

Rev.1.1

FUND COMMITMENT

Schedule B

Commitment No.: C-2354308 *Fund File Number* 18-01-244 – AMENDED

I. The following are the requirements to be complied with:

1. Payment of the full consideration to, or for the account of, the grantors or mortgagors.

2. Instruments creating the estate or interest to be insured which must be executed, delivered and filed for record:

a. Warranty Deed from Pritchett Development Company, Ltd., a Florida limited partnership, executed by a general partner(s) with authority, to the proposed insured purchaser(s).

b. Trustee's Deed from Bank of America, N.A., as successor Trustee to Barnett Bank Trust Company as Trustee of the Richard H. Pritchett, Jr., restated Revocable Trust dated March 27, 1986 to the proposed insured purchaser. (As to Parcel described in O.R. Book 2777, Page 674.)

3. A determination must be made that there are no unrecorded special assessment liens or unrecorded liens arising by virtue of ordinances, unrecorded agreements as to impact or other development fees, unpaid waste fees payable to the county or municipality, or unpaid service charges under Ch. 159, F. S., or county ordinance.

4. Satisfactory evidence must be furnished establishing that Pritchett Development Company, Ltd. is a limited partnership in good standing under the laws of Florida from date of purchase through the present [or date of the recording of the deed of sale (if back in the chain)].

5. Satisfactory evidence, in the form of an affidavit, must be furnished to establish that the general partner who executed Deed on behalf of Pritchett Development Company, Ltd. is not a debtor in a bankruptcy proceeding.

6. An affidavit from one or more general partners should be recorded stating: (1) that the general partner executing the deed or mortgage is authorized to convey and mortgage the limited partnership's real property; (2) that the limited partnership has not been dissolved; and (3) that the limited partnership agreement has not been revoked or amended to prohibit the subject transaction.

7. If any general partner(s) is a legal or commercial entity, require a good standing certificate from the date of purchase through to the present time.

8. Recording of the Trust Agreement referred to in the instrument dated December 26, 1996, recorded December 30, 1996 in O.R. Book 2777, Page 674, Public Records of Lee County, Florida, either accompanied by or as an exhibit to an Affidavit establishing that such Trust Agreement has not been amended or revoked and is currently in full force and effect. The Fund reserves the right, upon the review of such Trust Agreement, to make any additional requirements and exceptions in this commitment which it may deem appropriate.

9. Satisfactory evidence must be furnished establishing that U.S. Homes is a corporation duly organized, validly existing, and in good standing under the laws of Delaware (at date of purchase and at the present time, or at date of purchase and at date of sale). If there is no governmental agency in charge of corporate records from which a certificate of good standing can be obtained, then an attorney or

DCI 2001-00038

notary public in the state or country of origin, who has examined to appropriate corporate records, can provide the certificate.

10. Review of the Richard H. Pritchett, Jr., restated Revocable Trust dated March 27, 1986 and all amendments thereto to determine the current Trustees.

Note: The Fund reserves the right to make additional requirements and/or exceptions as necessary.

11. Recording of Vacation of Collector Road as described in Deed recorded in O.R. Book 2765, Page 2884, Public Records of Lee County, Florida.

Note: The Fund reserves the right to make additional requirements as necessary.

II. Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of The Fund:

1. ***Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this commitment.***

2. ***Any owner and mortgagee policies issued pursuant hereto will contain under Schedule B the standard exceptions set forth at the inside cover hereof unless an affidavit of possession and a satisfactory current survey are submitted, an inspection of the premises is made, it is determined the current year's taxes or special assessments have been paid, and it is determined there is nothing of record which would give rise to construction liens which could take priority over the interest(s) insured hereunder (where the liens would otherwise take priority, submission of waivers is necessary).***

3. ***Federal liens, if any, filed with the Office of the Secretary of State, pursuant to Sec. 713.901, et seq., F.S., which became effective January 1, 1993, and which designated that Office as the place for filing federal liens against tangible and intangible personal property of partnerships, corporations, trusts and decedents' estates. For insuring purposes, personal property includes, but is not limited to, mortgages, leaseholds, mortgages on leaseholds, interests in cooperative associations, vendees' interests, and options.***

4. Any adverse ownership claim by the State of Florida by right of sovereignty to any portion of the lands insured hereunder, including submerged, filled, and artificially exposed lands and lands accreted to such lands.

5. Lee County Ordinance No. 86-14 recorded November 30, 1990, in O.R. Book 2189, Page 3281; and amended by Ordinance No. 86-38 in O.R. Book 2189, Page 3334, Public Records of Lee County, Florida.

6. Right-of-way easement in favor of Lee County Electric Co-Operative, Inc., contained in instrument recorded March 21, 1979, O.R. Book 1337, Page 342, Public Records of Lee County, Florida.

DCT 2001-00038

FUND COMMITMENT

Schedule B

Commitment No.: C-2354308 *Fund File Number* 18-01-244 – AMENDED

7. Easement in favor of Lee County, a political subdivision of the State of Florida, contained in instrument recorded February 16, 1981, O.R. Book 1488, Page 1933, Public Records of Lee County, Florida.

8. Easement in favor of Lee County, a political subdivision of the State of Florida, contained in instrument recorded February 16, 1981, O.R. Book 1488, Page 1935, Public Records of Lee County, Florida.

9. Non-exclusive sewer line easement in favor of Lee County Board of Commissioners, contained in instrument recorded April 27, 1995, O.R. Book 2595, Page 807, Public Records of Lee County, Florida.

10. Resolution of the Board of County Commissioners of Lee County, Florida, recorded June 25, 1985 in O.R. Book 1790, Page 3612, Public Records of Lee County, Florida.

11. Notice of Development Order, recorded May 6, 1992 in O.R. Book 2297, Page 3763, Public Records of Lee County, Florida.

12. Covenant of Unified Control, recorded October 1, 1991 in O.R. Book 2249, Page 3627, Public Records of Lee County, Florida.

13. Easement in favor of Lee County Board of County Commissioners, contained in instrument recorded December 21, 1978, O.R. Book 1319, Page 615, Public Records of Lee County, Florida.

14. Oil, Gas and Mineral Lease in favor of Sun Oil Company, a New Jersey Corporation recorded in O.R. Book 612, Page 478, Public Records of Lee County, Florida.

15. Right-of-way easement in favor of Lee County Electric Co-Operative, Inc., contained in instrument recorded April 24, 1978, O.R. Book 1267, Page 1469, Public Records of Lee County, Florida.

16. Easement in favor of Lee County, a political subdivision of the State of Florida, contained in instrument recorded February 16, 1981, O.R. Book 1488, Page 1934, Public Records of Lee County, Florida.

17. Terms and Conditions of the unrecorded Trust dated March 27, 1986 referred to in instrument recorded in O.R. Book 2777, Page 674, Public Records of Lee County, Florida, and subject to the rights, title and interest of all beneficiaries named in said trust.

18. Riparian and littoral rights are not insured.

19. This policy does not insure any portion of the insured parcel lying waterward of the ordinary high water mark of Popash Creek.

20. Subject to rights of public, if any, due to resolution vacating public rights in Collector Road not been found in the Official Records of Lee County, Florida.

DCI 2001-00038

FUND COMMITMENT

Schedule B

Commitment No.: C-2354308 *Fund File Number* 18-01-244 – AMENDED

21. NOTE: Access for Section 15 is dependent upon Section 15 being conveyed with the other parcels described in Exhibit "A" of this Commitment. If Section 15 is separated then it may not have legal access.

22. Undivided three-fourths interest in phosphates, minerals and metals reserved by Lee County, a political subdivision of the State of Florida by Deed recorded in O.R. Book 2765, Page 2884, Public Records of Lee County, Florida.

DCI 2001 00038

EXHIBIT "A"
LEGAL DESCRIPTION
OF A
RIGHT-OF-WAY FOR A NEW COLLECTOR ROAD IN
NORTH FORT MYERS, LEE COUNTY, FLORIDA

A PARCEL OR TRACT OF LAND SITUATED IN SECTIONS 16,17 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 16 RUN N 89°56'25" E FOR 50.00 FEET; THENCE RUN S 00°27'57" E FOR 50.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OR TRACT:

FROM SAID POINT OF BEGINNING RUN S 00°27'57" E FOR 201.33 FEET TO A POINT OF CURVE TO THE LEFT, WITH A RADIUS OF 1050.00 FEET, A DELTA ANGLE OF 20°35'01", A CHORD OF 375.19 FEET THAT BEARS S 10°45'27" E; THENCE RUN 377.22 FEET ALONG SAID CURVE TO A POINT OF TANGENCY; THENCE RUN S 21°02'58" E FOR 467.02 FEET TO A POINT OF CURVE TO THE LEFT WITH A RADIUS OF 1050.00 FEET, A DELTA ANGLE OF 68°53'22", A CHORD OF 1187.78 FEET THAT BEARS S 55°29'39" E; THENCE RUN 1262.47 FEET ALONG SAID CURVE TO A POINT OF TANGENCY; THENCE RUN S 89°56'20" E FOR 1399.21 FEET TO A POINT OF CURVE TO THE RIGHT WITH A RADIUS OF 1150.00 FEET, A DELTA OF 89°55'27", A CHORD OF 1625.27 FEET THAT BEARS S 44°58'37" E; THENCE RUN 1804.89 FEET ALONG SAID CURVE TO A POINT OF TANGENCY; THENCE RUN S 00°00'53" E FOR 2429.96 FEET TO A POINT LYING ON THE NORTH LINE OF SAID SECTION 21 AND 1134.21 FEET S 89°52'23" E OF THE NORTH ¼ CORNER OF SAID SECTION 21; THENCE CONTINUE S 00°00'53" E FOR 142.54 FEET TO A POINT OF CURVE TO THE RIGHT WITH A RADIUS OF 1150.00 FEET, A DELTA ANGLE OF 21°06'46", A CHORD OF 421.38 FEET THAT BEARS S 10°32'31" W; THENCE RUN 423.77 FEET ALONG SAID CURVE TO POINT OF TANGENCY; THENCE RUN S 21°05'55" W FOR 652.71 FEET TO A POINT OF CURVE TO THE LEFT WITH A RADIUS OF 1050.00 FEET, A DELTA ANGLE OF 68°05'24", A CHORD OF 1175.68 FEET THAT BEARS S 12°56'45" E; THENCE RUN 1247.81 FEET ALONG SAID CURVE TO A POINT OF REVERSE CURVATURE TO THE LEFT WITH A RADIUS OF 3513.61 FEET; A DELTA ANGLE OF 8°22'00", A CHORD OF 512.61 FEET THAT BEARS N 51°10'24" W; THENCE RUN 513.07 FEET ALONG SAID CURVE TO A POINT OF TANGENCY; THENCE RUN N 55°21'28" W FOR 5.84 FEET TO A POINT OF CURVE TO THE LEFT WITH A RADIUS OF 30.00 FEET, A DELTA ANGLE OF 145°24'41", A CHORD OF 57.29 FEET THAT BEARS N 51°56'12" E; THENCE RUN 76.14 FEET ALONG SAID CURVE TO A POINT OF REVERSE CURVE TO THE RIGHT WITH A RADIUS OF 1150.00 FEET, A DELTA ANGLE OF 4°44'52", A CHORD OF 95.27 FEET THAT BEARS N 18°23'43" W; THENCE RUN 95.29 FEET ALONG SAID CURVE TO A POINT OF REVERSE CURVE TO THE LEFT WITH A RADIUS OF 30.00 FEET, A DELTA ANGLE OF 86°06'45", A CHORD OF 40.98 FEET THAT BEARS N 59°04'39" W; THENCE RUN 45.09 FEET ALONG SAID CURVE TO A POINT OF TANGENCY; THENCE RUN S 77°51'58" W FOR 76.58 FEET TO A POINT OF CURVE TO THE RIGHT WITH A RADIUS OF 550.00 FEET; A DELTA ANGLE OF 00°28'39", A CHORD OF 4.38 FEET THAT BEARS S 78°04'39" W; THENCE RUN 4.48 FEET ALONG SAID CURVE TO A POINT OF COMPOUND CURVE TO THE LEFT WITH A RADIUS OF 30.00 FEET, A DELTA ANGLE OF 133°42'04", A CHORD OF 55.17 FEET THAT BEARS S 11°29'34" W; THENCE RUN 70.00 FEET ALONG SAID CURVE TO A POINT OF TANGENCY; THENCE RUN N 55°21'28" W FOR 2.59 FEET TO A POINT OF CURVE TO THE LEFT WITH A RADIUS OF 4064.06 FEET, A DELTA ANGLE OF 5°17'15", A CHORD OF 375.60 FEET THAT BEARS N 58°00'22" W; THENCE RUN 375.23 FEET ALONG SAID CURVE TO A POINT OF COMPOUND CURVE TO THE LEFT WITH A RADIUS OF 450.00 FEET, A DELTA ANGLE OF 41°26'42", A CHORD OF 318.46 FEET THAT BEARS S 81°22'38" E; THENCE RUN 325.51 FEET ALONG SAID CURVE TO A POINT OF TANGENCY; THENCE RUN N 77°51'58" E FOR 76.12 FEET TO A POINT OF CURVE TO THE LEFT WITH A RADIUS OF 30.00 FEET, A DELTA ANGLE OF 86°06'45".

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A CHORD OF 40.96 FEET THAT BEARS N 34°48'35" E; THENCE RUN 45.09 FEET ALONG SAID CURVE TO A POINT OF REVERSE CURVE TO THE RIGHT WITH A RADIUS OF 1150.00 FEET, A DELTA ANGLE OF 29°20'42", A CHORD OF 582.58 FEET THAT BEARS N 6°25'34" E; THENCE RUN 588.99 FEET TO A POINT OF TANGENCY; THENCE RUN N 21°05'55" E FOR 852.71 FEET TO A POINT OF CURVE TO THE LEFT WITH A RADIUS OF 1050.00 FEET, A DELTA ANGLE OF 21°06'48", A CHORD OF 384.74 FEET THAT BEARS N 10°32'31" E; THENCE RUN 386.92 FEET ALONG SAID CURVE TO A POINT OF TANGENCY; THENCE RUN N 00°00'53" W FOR 142.78 FEET TO A POINT LYING ON THE NORTH LINE OF SAID SECTION 21 AND 1034.21 FEET S 89°52'23" E OF THE NORTH ¼ CORNER OF SAID SECTION 21; THENCE CONTINUE N 00°00'53" W FOR 2429.72 FEET TO A POINT OF CURVE TO THE LEFT WITH A RADIUS OF 1050.00 FEET, A DELTA ANGLE OF 89°55'27", A CHORD OF 1483.94 FEET THAT BEARS N 44°58'37" W; THENCE RUN 1647.95 FEET ALONG SAID CURVE TO A POINT OF TANGENCY; THENCE RUN N 89°56'20" W FOR 1399.21 FEET TO A POINT OF CURVE TO THE RIGHT WITH A RADIUS OF 1150.00 FEET, A DELTA ANGLE OF 68°53'22", A CHORD OF 1300.91 FEET THAT BEARS N 55°29'39" W; THENCE RUN 1382.70 FEET ALONG SAID CURVE TO A POINT OF TANGENCY; THENCE RUN N 21°02'58" W FOR 487.02 FEET TO A POINT OF CURVE TO THE RIGHT WITH A RADIUS OF 1150.00 FEET, A DELTA ANGLE OF 20°35'01", A CHORD OF 410.92 FEET THAT BEARS N 10°45'27" W; THENCE RUN 413.14 FEET ALONG SAID CURVE TO A POINT OF TANGENCY; THENCE RUN N 0°27'57" W FOR 207.80 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF RICH ROAD (100 FEET WIDE); THENCE RUN N 89°56'25" E FOR 100.00 FEET TO THE POINT OF BEGINNING.

DCI 2001-00038

PARCEL "A"

A PARCEL OF LAND IN SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST LYING EASTERLY & NORTHERLY OF PRITCHETT PARKWAY:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST, RUN NORTH 89°56'25" EAST FOR 2017.78 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16 AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°56'25" EAST FOR 672.59 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 16; THENCE RUN SOUTH 89°29'37" EAST FOR 2646.16 FEET TO THE NORTHEAST CORNER OF SAID SECTION 16; THENCE RUN SOUTH 00°01'00" WEST FOR 2656.66 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 16; THENCE RUN SOUTH 00°01'06" EAST FOR 2654.52 TO THE SOUTHEAST CORNER OF SAID SECTION 16; THENCE RUN NORTH 89°52'23" WEST FOR 1512.10 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE); THENCE RUN NORTH 00°00'53" WEST ALONG SAID EAST RIGHT-OF-WAY FOR 2429.96 FEET TO A POINT OF CURVE TO THE LEFT, WITH A RADIUS OF 1150.00 FEET, A CENTRAL ANGLE OF 89°55'27", AND A CHORD OF 1625.27 FEET THAT BEARS NORTH 44°58'37" WEST; THENCE RUN NORTHERLY AND WESTERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY FOR 1804.89 FEET TO A POINT OF TANGENT; THENCE RUN NORTH 89°56'20" WEST ALONG SAID RIGHT-OF-WAY FOR 955.92 FEET; THENCE RUN NORTH 00°04'02" EAST FOR 416.14 FEET; THENCE RUN SOUTH 89°55'58" EAST FOR 970.75 FEET; THENCE RUN NORTH 00°00'06" EAST FOR 667.76 FEET; THENCE RUN NORTH 89°59'46" WEST FOR 671.24 FEET; THENCE RUN NORTH 00°06'53" WEST FOR 667.02 FEET TO THE POINT OF BEGINNING.

SUBJECT TO A FLORIDA POWER & LIGHT EASEMENT OVER THE SOUTH 100 FEET OF SAID SECTION 16.

EXHIBIT "A-2"

DCI 2001-00038

PARCEL "B"

A PARCEL OF LAND IN SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST LYING SOUTHERLY AND WESTERLY OF PRITCHETT PARKWAY:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 16, RUN SOUTH 89°50'53" EAST FOR 1985.21 FEET; THENCE RUN NORTH 00°08'55" WEST FOR 1900.02 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 00°08'55" WEST FOR 758.16 FEET; THENCE RUN NORTH 00°08'55" WEST FOR 667.02 FEET; THENCE RUN NORTH 89°52'09" WEST FOR 289.70 FEET TO THE EASTERLY BOUNDARY OF HUNTER'S GLEN SUBDIVISION AS RECORDED IN PLAT BOOK 59 AT PAGES 92 THROUGH 94 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN NORTH 00°03'40" EAST ALONG SAID EASTERLY BOUNDARY OF SAID HUNTER'S GLEN SUBDIVISION FOR 150.56 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE); THENCE RUN SOUTH 89°56'20" EAST ALONG SAID RIGHT OF WAY FOR 942.66 FEET TO A POINT OF CURVE TO THE RIGHT WITH A RADIUS OF 1050.00 FEET, A CENTRAL ANGLE OF 89°55'27", AND A CHORD OF 1483.94 FEET THAT BEARS SOUTH 44°58'37" EAST; THENCE RUN EASTERLY AND SOUTHERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY FOR 1647.95 FEET TO A POINT OF TANGENT; THENCE RUN SOUTH 00°00'53" EAST ALONG SAID RIGHT-OF-WAY FOR 2020.71 FEET; THENCE RUN NORTH 89°52'23" WEST FOR 846.65 FEET; THENCE RUN NORTH 00°08'55" WEST FOR 1480.93 FEET; THENCE RUN NORTH 89°50'53" WEST FOR 850.01 FEET TO THE POINT OF BEGINNING.

DCI 2001 00038

EXHIBIT "A-3"

PARCEL "C"

A PARCEL OF LAND IN SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST LYING EASTERLY OF PRITCHETT PARKWAY:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, RUN SOUTH 89°50'53" EAST FOR 2646.95 FEET; THENCE RUN SOUTH 89°52'23" EAST FOR 1134.21 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100.00 FEET WIDE) AND THE POINT OF BEGINNING; THENCE RUN SOUTH 00°00'53" EAST ALONG SAID EASTERLY RIGHT OF WAY FOR 142.54 FEET TO A POINT OF CURVE TO THE RIGHT WITH A RADIUS OF 1150.00 FEET, A CENTRAL ANGLE OF 21°06'48" AND A CHORD OF 421.38 FEET THAT BEARS SOUTH 10°32'31" WEST; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE AND SAID EASTERLY RIGHT-OF-WAY FOR 423.77 FEET TO A POINT OF TANGENT; THENCE RUN SOUTH 21°05'55" WEST ALONG SAID EASTERLY RIGHT OF WAY FOR 652.71 FEET TO A POINT OF CURVE TO THE LEFT WITH A RADIUS OF 1050.00 FEET, A CENTRAL ANGLE OF 68°05'24" AND A CHORD OF 1175.68 FEET THAT BEARS SOUTH 12°56'45" EAST; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY FOR 1247.81 FEET TO A POINT OF REVERSE CURVE WITH A RADIUS OF 3513.62 FEET, A CENTRAL ANGLE OF 06°05'43", A CHORD OF 373.60 FEET THAT BEARS SOUTH 43°58'42" EAST AND A RADIUS POINT THAT BEARS SOUTH 49°06'14" WEST; THENCE RUN ALONG SAID CURVE AND SAID RIGHT-OF-WAY FOR 373.78 FEET TO A POINT OF TANGENT; THENCE RUN SOUTH 40°53'46" EAST FOR 156.94 FEET; THENCE RUN NORTH 49°06'14" EAST FOR 37.00 FEET; THENCE RUN SOUTH 40°53'46" EAST FOR 50.00 FEET; THENCE RUN SOUTH 49°06'14" WEST FOR 36.99 FEET TO A POINT ON A CURVE CONCAVE TO THE NORTH EAST WITH A RADIUS OF 5553.58 FEET, A CENTRAL ANGLE OF 05°30'23", A CHORD OF 533.52 FEET THAT BEARS SOUTH 43°46'13" EAST AND A RADIUS POINT THAT BEARS NORTH 48°58'58" EAST; THENCE RUN ALONG SAID CURVE FOR 533.73 FEET TO A POINT OF TANGENT; THENCE RUN SOUTH 46°31'25" EAST FOR 203.27 FEET; THENCE RUN NORTH 00°12'49" WEST FOR 1921.58 FEET; THENCE RUN SOUTH 89°49'53" EAST FOR 664.14 FEET; THENCE RUN NORTH 00°19'27" WEST FOR 1339.16 FEET TO THE NORTH EAST CORNER OF SAID SECTION 21; THENCE RUN NORTH 89°52'23" WEST FOR 1512.10 FEET TO THE POINT OF BEGINNING.

DCI 2001-00038

PARCEL "D"

A PARCEL OF LAND IN SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST LYING WESTERLY OF PRITCHETT PARKWAY:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, RUN SOUTH 89°50'53" EAST FOR 2646.85 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 89°52'23" EAST FOR 1034.21 FEET TO THE WESTERLY RIGHT OF WAY OF PRITCHETT PARKWAY (100 FEET WIDE) ; THENCE RUN SOUTH 00°00'53" EAST ALONG SAID RIGHT-OF-WAY FOR 142.79 FEET TO A POINT OF CURVE TO THE RIGHT WITH A RADIUS OF 1050.00 FEET, A CENTRAL ANGLE OF 21°06'45", AND A CHORD OF 384.74 FEET THAT BEARS SOUTH 10°32'31" WEST. THENCE RUN SOUTHERLY AND WESTERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY FOR 386.92 FEET TO A POINT OF TANGENT; THENCE RUN SOUTH 21-05-55 WEST ALONG SAID RIGHT-OF-WAY FOR 652.72 FEET TO POINT OF CURVE TO THE LEFT WITH A RADIUS OF 1150.00 FEET, A CENTRAL ANGLE OF 29-20-42, AND A CHORD OF 582.58 FEET THAT BEARS SOUTH 06°25'30" WEST; THENCE RUN SOUTHERLY AND WESTERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY FOR 588.99 FEET TO A POINT OF REVERSE CURVE TO THE RIGHT WITH A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 86°06'45", AND A CHORD OF 40.96 FEET THAT BEARS SOUTH 34°48'35" WEST; THENCE RUN SOUTHERLY AND WESTERLY ALONG SAID CURVE FOR 45.09 FEET TO A POINT OF TANGENT; THENCE RUN SOUTH 77°51'58" WEST FOR 76.11 FEET TO A POINT OF CURVE TO THE RIGHT WITH A RADIUS OF 450.00 FEET, A CENTRAL ANGLE OF 41°26'42" AND A CHORD OF 318.46 FEET THAT BEARS NORTH 81°22'38" WEST; THENCE RUN WESTERLY AND NORTHERLY ALONG SAID CURVE FOR 325.51 FEET TO A POINT OF A REVERSE CURVE TO THE LEFT WITH A RADIUS OF 4064.06 FEET, A CENTRAL ANGLE OF 04°02'04", A CHORD OF 286.10 FEET THAT BEARS NORTH 62°40'20" WEST AND A RADIUS POINT THAT BEARS SOUTH 29°20'43" WEST FROM THE POINT OF REVERSE CURVE; THENCE RUN NORTHWESTERLY ALONG SAID REVERSE CURVE FOR 286.16 FEET; THENCE RUN NORTH 00°06'48" EAST FOR 1581.74 FEET TO THE POINT OF BEGINNING.

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EXHIBIT "A-5"

PARCEL "E"

A PARCEL OF LAND IN SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST RUN SOUTH 89°44'09" EAST FOR 1341.49 FEET; THENCE RUN SOUTH 00°00'20" WEST FOR 2657.07 FEET; THENCE RUN SOUTH 00°00'40" EAST FOR 1328.46 FEET; THENCE RUN NORTH 89°40'00" WEST FOR 1341.84 FEET; THENCE RUN NORTH 00°01'06" WEST FOR 1327.26 FEET; THENCE RUN NORTH 00°01'00" EAST FOR 2658.66 FEET TO THE POINT OF BEGINNING:

PLUS THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST LYING WESTERLY OF THE CENTER LINE OF POPASH CREEK:

LESS THAT PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 1319 AT PAGE 616 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

DCI 2001-00038

DESCRIPTION OF A PARCEL OF LAND
LYING IN
SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

A TRACT OR PARCEL OF LAND LYING IN SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH ONE-QUARTER (S 1/4) CORNER OF SAID SECTION 16; THENCE N89°50'53"W ALONG THE SOUTH LINE OF SAID SECTION 16 FOR 661.74 FEET TO THE WEST LINE OF THE EAST ONE-HALF (E 1/2) OF THE EAST ONE-HALF (E 1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 16; THENCE N00°06'55"W ALONG SAID WEST LINE FOR 1900.02 FEET; THENCE S89°50'53"E FOR 850.01 FEET; THENCE S00°06'55"E FOR 1490.93 FEET; THENCE S89°52'23"E FOR 846.65 FEET TO THE WEST RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100.00 FEET WIDE); THENCE S00°00'53"E ALONG SAID WEST RIGHT-OF-WAY LINE FOR 409.00 FEET TO THE SOUTH LINE OF SAID SECTION 16; THENCE N89°52'23"W ALONG SAID SOUTH LINE FOR 1034.20 FEET TO THE POINT OF BEGINNING.

SUBJECT TO A LEE COUNTY ELECTRIC COOPERATIVE EASEMENT LYING OVER AND ACROSS THE SOUTH 100.00 FEET.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS ARE BASED ON THE SOUTH LINE OF SAID SECTION 16 AS BEARING N89°50'53"W.

DCI 2001-00038

EXHIBIT "A-7"

ENGINEER'S PRELIMINARY ESTIMATE OF EXCAVATION

01-Nov-01
BASED UPON SITE PLAN AS OF NOV. 2001

PROPOSED EXCAVATION:	**2,170,000 Cubic Yards**
FILL REQUIREMENTS:	**2,000,000 Cubic Yards**

11/28/01
Sam W. Marshall, P.E. 48881
Banks Engineering, Inc.

PERMIT COUNTER

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DCI 2001-00038

DCI 2001-00038

Attachment 1
Heritage Creek
PERMITTED LAND USES
November 28, 2001

Residential 1 (R-1)

- Accessory Uses
- Administrative Offices
- Agricultural Uses, continuation of bona fide use only
- Dwelling Units
  - Single Family, detached
  - Townhouse
  - Two family attached
- Entrance Gates and Gatehouses
- Essential Services
- Essential Service Facilities, Group I
- Excavation, Water Retention
- Fences and Walls
- Home Occupation, as limited by the LDC
- Model Homes, Model Units and Model Display Center, including accessory parking lots
- Real Estate Sales and Rental Office—limited to sales of lots, homes or units within the development
- Recreation Facilities, Personal and Private On-Site located throughout the development to include the following or other comparable uses:

Tennis Courts	Bike paths	Boardwalks
Nature Trails	Swimming pools	Picnic areas
Playgrounds	Shuffleboard courts	Horseshoe pits
Vita course	Jogging paths	Bocce courts

- Residential accessory uses, including but not limited to:
  - Private garages, carports and parking areas
  - Private swimming pools and enclosures and Private tennis courts
- Signs
- Temporary uses—limited to a sales center and a construction office

Residential 2 (R-2)
All uses permitted in the R-1 District plus Multi-family Building .

Recreational Facilities, Private On-site or Off-site (Tract K)

- Accessory Uses
- Administrative Offices
- Agricultural Uses, continuation of bona fide use only
- Club, Private including but not limited to the following ancillary uses:
  - Food and Beverage Service
  - Pro Shop and Specialty Retail, Group I
  - Locker Rooms
  - Health Club and Spa

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Rental or leasing establishment, Group I (limited to bicycles, tennis rackets and other small sports equipment for use in Heritage Creek.)

- Entrance Gates and Gatehouses
- Essential Services
- Essential Service Facilities, Group II
- Excavation, Water Retention
- Fences and Walls
- Project Maintenance Facility
- Recreational Facilities for Heritage Creek for use by the residents of Heritage Creek and their guests to include the following or comparable uses:

Tennis Courts	Bike paths	Fishing Piers	Multi-purpose fields
Nature Trails	Swimming pools	Picnic areas	Putting Practice Green
Playgrounds	Boat docks	Horseshoe pits	Multi-purpose courts
Vita course	Jogging paths	Bocce courts	Driving (aqua) range
Soccer Fields	Baseball Fields	In-line skating	Shuffleboard courts
Recreational Hall			

- Signs, including the existing billboard
- Temporary uses—limited to Real Estate Sales and Rental Office limited to sales of lots, homes or units within the development and a construction office

Conservation Areas (Wetland and Upland Conservation Areas)
Interpretive centers and Signage, rain shelters, gazebos
Nature and foot trails including boardwalks and jogging paths
Paths, boardwalks and bridges to provide access from the uplands to the wetlands
Water Management Facilities
Wildlife Management
Mitigation and Restoration Activities

DCI 2001-00038

Attachment 2

Heritage Creek
PROPERTY DEVELOPMENT REGULATIONS
November 16, 2001

LAND USES	Minimum Lot			Minimum Setback (ft)							Max Building Height (ft)	Min Bldg Separation (ft)	Max Lot Coverage (%)
					Rear (ft)			Front (ft)					
	Area (sq ft)	Min Width (ft)	Min Depth (ft)	Side Including . Corner Lots (ft)*	Lots	Wetland	Acc	Front Entry Garage	Bldg or Side Entry Garage	Water Body (ft)			
Single Family Detached	4,000	40	100	5	20	20	5	20	12	25	35 or 2 stories	10	65
Two Family Attached	3,750	37½	100	0 or 10	20	20	5	20	12	25	35 or 2 stories	10	65
Townhouse	2,000	22	80	0 or 10	20	20	5	20	15	25	35 or 2 stories	20	n/a
Multi-Family	10,000	100	100	10	20	20	5	20	20	25	60 or 4 stories	20	70
Clubhouse	20,000	80	100	10	20	20	5	n/a	20	25	45 or 2 stories	20	55
Maintenance	8,000	80	100	n/a	100	20	5	n/a	n/a	25	1story	20	65
Accessory Recreation Buildings	n/a	n/a	n/a	n/a	20	20	n/a	n/a	n/a	n/a	1story	20	n/a

* Applies to lots of all widths and to corner lots. Each lot, including corner lots, will have only one front yard.

DCI 2001-00038

Lee County
SOUTHWEST FLORIDA

INTEROFFICE MEMORANDUM
FROM
PUBLIC WORKS
UTILITIES

FILE COPY

Date: June 18, 2001

TO: Kay Deselem

From: Thom Osterhout

SUBJECT: HERITAGE CREEK

Regarding the application for the approval of a planned development stamped received May 31,2001, Lee County Utilities (LCU) requires further explanation of several references regarding the availability of potable water and sanitary sewer service. For example, Policy 2.2.1 states " Central potable water and sanitary sewer services will be provided to the development by LCU which has capacity to serve this project". To the best of my knowledge LCU has made no such statement or provided a letter of availability of service to this effect for this project. The existing wastewater treatment plant shown on the plan submitted by Florida Land Planning Inc. does not have adequate capacity for this project.

Regarding potable water service the water main on Wells Road is an 8"" diameter and on Nalle Road LCU has a 10" diameter main. Of course extensive hydraulic calculations will be required to determine what off-site improvements (if any) may be required to obtain adequate potable and fire flows.

LCU looks forward to meeting with the applicant prior to resubmitting for sufficiency review to address these issues.

/TO

cc: Rick Diaz
Ivan Velez
Terry Kelley
Mary McCormic

DCI 2001-00038

FILE COPY

Richard T. Coolick
P.O. Box 3797
N. Ft. Myers, FL 33918-3797

June 19, 2001

Kay Deselem, AICP
Senior Planner
Department of Community Development
Division of Development Services
P. O. Box 398
Ft. Myers, FL 33902-0398

Dear Ms. Deselem:

Thank you for meeting with me yesterday regarding the Heritage Creek development (Case Number DCI 2001-00038). Upon reviewing the information in the file, reviewing the Lee County Comprehensive Plan and talking to the SFWMD, I would like to request the following concerns be included in your sufficiency response to the applicant. In discussing the project with you, I know you will probably be including some, if not, all these issues in your response but I would like to go on record as having concerns about these issues too.

1. **Traffic**

The existing intersection at Pritchett Parkway and Bayshore Road is not adequate for the 1472 units proposed. Most of the traffic movements at this intersection will be to the west, towards I-75. This intersection has no separate right turn lane. In addition, the median cut has little stacking distance and at the present time, during peak traffic hours, the northbound traffic (turning onto Pritchett Parkway from Bayshore Road) becomes congested.

The existing two lane Pritchett Parkway, between Bayshore Road and Leetana Road, does not contain paved shoulders and is unsafe for the additional traffic. The road should be widened to included paved shoulders and in places, the drainage system needs to be improved. Portions of the road have base and subbase failure due to a high water table elevation. The additional traffic movements on this road will further deteriorate the existing roadway.

LEE COUNTY
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DCI 2001-00038

2. **Land Usage**
The minimum lot dimensions should be compatible with the surrounding existing land development. A significant portion of the surrounding area is divided into 1-2 acre tracts and in some area as large as 5 –10 ac. These tracts may contain single family homes but with the agricultural zoning, the landowners have farm animals – horses, goats, and chickens – which maintain the rural nature of the area.

The proposed multi-family area is also very incompatible with the surrounding area. The potential height on those buildings will not fit with the rural area.

3. **Drainage Permit**
The application incorrectly indicates that a permit has been obtained from the SFWMD for the project area and it should be revised. In discussion with the District, the permit referenced is for the Hunters Ridge/Virginia Farms development at the northwest corner of the project. The District indicates that this permit may be modified to include the proposed project but no application has been submitted at this time. They also indicated that they might require the development be permitted under a different permit number depending on the ownership of the two developments.

4. **Water Use**
The application does not address the irrigation requirements for the proposed golf course and it should be identified. According to the SFWMD, allocation is typically 1/2"/acre/day. Conceivably a 100 ac. golf course could use approximately 1.36 million gallons per day. All the surrounding residential developments use individual wells for potable water. If irrigation wells are proposed by the applicant , a permit from the SFWMD will be required. As part of the application, the District will require the applicant use an aquifer that is different from the majority of the surrounding land owner usages. If the applicant uses the same aquifer as the surrounding land owners, then they must identify all the usages, typically within 1 mile, and are responsible if something happens to the landowners wells.

The applicant should be required to identify all the landowners which may use the same aquifer and the area should not be limited to those within 1 mile. Studies and calculations can determine the true extent of the area influenced by the drawdown of the aquifer.

DCI 2001-00038

I am also concerned with the following issues and request that you provide some information regarding the current zoning criteria and/or Lee County regulations:

1. Use of sewage package plants. Do the Lee County regulations allow for private plants and has the applicant demonstrate that the plant has the capacity for the 1472 units? While I understand staff typically reviews this at a permit stage, if the capacity is not available, does the plant have the right to expand?

2. Lighting. The surrounding rural development has no street lighting and houses have few exterior lights. As an amateur astronomer, I moved to this area for the reduced lighting and limited light pollution. What kind of limitation can be placed in the zoning document to limit the development lighting?

3. Excavation and Blasting. One of the lakes is located along my east property line. What is the current zoning criteria regarding blasting? If my property is damaged during excavation and/or blasting, does the rule allow for the cessation of work? Can the zoning document for this development limit or eliminate the use of blasting in the construction of the ponds?

If at all possible, I would appreciate it if you could provide me with a list of names and addresses for those surrounding landowners which were notified of this potential zoning action. If this information is available electronically, please forward this to me by e-mail. If you cannot provide it electronically and there is a fee associated with providing the list, please let me know and I will arrange to obtain a copy from you.

Thank you very much,

Richard T. Coolick
Abutting Property Owner

DCI 2001-00038

THE SCHOOL DISTRICT OF LEE COUNTY

2055 CENTRAL AVENUE • FORT MYERS, FLORIDA 33901-3916 • (941) 334-1102

FILE COPY

KATHERINE BOREN
CHAIRMAN · DISTRICT 4

TERRI K. WAMPLER
VICE CHAIRMAN · DISTRICT 1

JEANNE S. DOZIER
DISTRICT 2

JANE E. KUCKEL, PH.D.
DISTRICT 3

LISA POCKRUS
DISTRICT 5

SHARON BENNER
INTERIM SUPERINTENDENT

KEITH B. MARTIN
BOARD ATTORNEY

August 23, 2001

Ms. Kay Deselem
Lee County Development Services Division
P. O. Box 398
Ft. Myers, FL 33902-0398

Re: Heritage Creek, DCI Sufficiency Review, DCI 2001-00038

Dear Kay:

Thank you for the opportunity to review the proposed U. S. Home Heritage Creek DCI for sufficiency with regard to educational impacts. It has been determined by the Lee County School District that the application is now sufficient for review. We will submit our substantive comments upon your request.

Thank you for your attention to this matter. If I may be of further assistance, please give me a call.

Sincerely,

Stephanie Keyes

Stephanie Keyes, AICP, Facilities Planner
Construction Services

cc: Tyler F. Patak, NCARB, Director

DCI 2001-00038

HeritageCreek8-23-01.doc

LEE COUNTY
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DEVELOPMENT SERVICES DIVISION
DCI SUFFICIENCY REVIEW -RESIDENTIAL PLANNED DEVELOPMENT
TRANSMITTAL SHEET

TO: Distribution FROM: Kay Deselem DATE: August 20, 2001

John Fredyma, Assistant County Attorney
DS Reviewer- Don Blackburn
TIS Reviewer - Bob Rentz
Paul O'Connor, Planning
Kim Trebatoski, Planning
Andy Getch, LCDOT
Stephanie Keyes, Lee Co. School District
Roland Ottolini, Natural Resources

PROJECT NAME: U. S. Home Corp., in ref to Heritage Creek CASE DCI 2001-00038

INFORMATION SUMMARY:

NEW SUBMITTAL

September 4, 2001

X To update your file RESPONSE REQUIRED BY: ~~September 3, 2001~~(holiday)

X Review and forward sufficiency questions or make finding of sufficiency

Additional Comments:

(DCI) Lee County LDC Section 34-373(d)(1).
Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI File/ZONE File

U:\200108\DCI20010.003\8\xmtsfrv2 heritage creek.wpd

DCI 2001-00038

PLANNING DIVISION
M E M O R A N D U M

LEE COUNTY
SOUTHWEST FLORIDA

FILE COPY

to: Kay Deselem

from: Paul O'Connor, AICP, Director of Planning POC

subject: Heritage Creek Sufficiency Comments

date: June 20, 2001

The Planning Division has reviewed the application materials for the Heritage Creek RPD, and offers the following sufficiency comments.

The application notes that the property is within the Outlying Suburban and General Interchange land use categories. The application must provide the number of acres within each of these categories. Also, the application must provide the number of acres that are within the Wetlands land use category as shown on the Future Land Use Map.

The application is proposing that a portion of the RPD will be developed within the General Interchange land use category, which does not allow residential land uses. The applicant has made the argument that the General Interchange areas will be developed with golf course uses, and will therefore be consistent with the General Interchange category which allows general commercial uses. Staff does not agree with this assessment. The application is seeking approval of a residential accessory use in a land use category that does not permit residential uses. A Lee Plan Future Land Use Map amendment would be required in order to extend the RPD into the General Interchange category. The rezoning application has not included an application for a plan amendment.

Staff is unable to locate any density calculations in the application. These calculations must be provided in order for staff to make a finding of consistency with the density restrictions for the applicable land use categories.

The application has not included a wetlands jurisdictional verification from the South Florida Water Management District. The application must provide a map, signed by a representative of the Water Management District, showing the location and total acreage of jurisdictional wetlands on the subject property. The verification must be submitted in order for staff to determine consistency with various Lee Plan policies pertaining to development in wetlands. Additionally, Part III, Existing Conditions, Item F.1.b of the rezoning application form indicates that the Freshwater Wetland acreage is "N/A." In looking at the FLUCCS vegetation map, however, it shows several areas of freshwater marsh. The application should clarify this discrepancy.

The Lee Plan narrative (Exhibit II-E-2) provides discussion of Policy 2.2.1, which states that rezonings will be evaluated as to the availability and proximity of the road network; central sewer

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DCI 2001-00038

and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare. The Lee Plan narrative has addressed water and sewer availability, but has not provided any evidence that Lee County utilities will be able to provide water and sewer to serve the proposed development. Also, the application has not addressed the availability of schools, EMS, fire and police protection. The application must address all of these items in accordance with Policy 2.2.1.

In accordance with Policy 4.1.1, which addresses development design, the application has not provided any discussion of how the golf hole that crosses Popash Creek represents a placement of land uses in a way that they are functionally related to the topographic and natural features of the site. Why are two separate bridge crossings needed? Also, how will the golf hole that crosses Popash Creek impact the required buffer zone along the creek? Staff also notes that the area under the LCEC easement is being counted as Upland Conservation Area. Given that utility easements are generally not maintained in their natural state, how is the inclusion of this area as upland conservation consistent with the development design requirements of Policy 4.1.1.

The Master Concept Plan shows an approximately 80-foot wide strip of land running along the north, east, and west property lines. This area does not seem to be designated for any type of development, open space or buffer. What uses will be developed in this area?

The Master Concept Plan shows several areas labeled as "Wetland Creation Area." Staff is unsure what these areas represent and why they are being proposed. Are the "Wetland Creation" areas part of the mitigation requirements for the South Florida Water Management District? Also, if wetlands are being created, why are these areas shown as development tracts?

The Master Concept Plan has not shown any buffer between the existing sewage treatment plant and surrounding residential areas. The plan should show any required buffering around the sewage treatment plant.

Staff notes that many of the proposed cul-de-sacs form dead-ends so that no homes could be placed on the ends of the cul-de-sacs. Staff simply questions whether this was the intent of the project design.

The golf course maintenance facility does not appear to have any means of access. The application should indicate how vehicles will access the maintenance area.

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LEE COUNTY
SOUTHWEST FLORIDA

DEPARTMENT OF TRANSPORTATION

FILE COPY

Memo

To: Kay Deselem
Development Services Senior Planner

From: Andrew J. Getch AG
LCDOT Professional Engineer II

Date: September 6, 2001

Re: U.S. Home Corp. in ref. to Heritage Creek RPD
DCI2001-00038

We have received the proposed Residential Planned Development (RPD) Application and have found it to be sufficient for review. We will provide substantive comments upon request.

AJG/mlb

cc: Administrative File

DCI 2001-00038

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MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

FILE COPY

DATE: September 04, 2001

TO: Kay Deselem, AICP
Senior Planner

FROM: Robert G. Rentz, P.E.
Development Review
Engineer

RE: **Heritage Creek**
Case No. DCI2001-00038
Zoning Traffic Impact Statement

The Zoning Traffic Impact Statement for the referenced project was reviewed and found insufficient on June 14, 2001, and was resubmitted on August 20, 2001. Based on a review of the resubmitted information all previous review comments appear to have been addressed. Therefore, this Zoning Traffic Impact Statement now meets the requirements of the Zoning Traffic Impact Statement guidelines adopted on April 15, 1992 and is considered acceptable and approved for sufficiency.

BGR
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DCI 2001-00038

MEMORANDUM
DEPARTMENT OF PUBLIC WORKS
NATURAL RESOURCES DIVISION

TO: Mike Pavese
Community Development

FILE COPY

FROM: Brad Vance

DATE: September 24, 2002

RE: HERITAGE CREEK
DCI 2001-00038

In regards to the modeling effort submitted by Banks Engineering, the modifications to the HEC-RAS model provided to the applicant were inconclusive. At this point, I cannot state that the project is achievable or substantiate any comments regarding the effects to current versus future flooding limits or levels.

It is our intent to have the applicants demonstrate no impacts prior to scheduling for the Hearing Examiner to resolve any question(s) concerning that matter. However, as with past experiences, applicants are not willing to provide such information. Thus, proceeding to the Hearing Examiner and then eventually the Board of County Commissioners is the remaining course action. Below will be one of our conditions of the rezoning. As such, it will also have to be acknowledged that this plan may have to be substantially revised should the applicant be unable to meet these conditions.

"The applicant must provide an HEC-RAS model for Popash and Bayshore Creeks demonstrating that the development will not induce any rise to the existing flood elevations, nor any increases in velocities, nor any transfer in overbank flows for the 10-, 25-, and 100-year storms. In addition, the development will not create more than a one (1) foot rise in the base flood elevation utilizing encroachment method 4 in the HEC-RAS model. This same model must be concurrently submitted to the County and the SFWMD for review and approval."

pc: Roland Ottolini

DCI 2001-00038

DCI 2001-00038

FILE COPY

MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY

DATE: March 27, 2002

TO: Rick Diaz, P.E., Director
Lee County Utilities

FROM:
David M. Owen
Chief Assistant County Attorney

RE: STONEYBROOK (U.S. HOMES) DEVELOPMENT / HIGH POINT WASTEWATER TREATMENT SYSTEM

Rick;

As a follow-up to our discussions on March 8, 2002 concerning your February 19th letter to Sam Marshall, P.E., I took a call on March 20, 2002 from Sam in reference to the above.

U.S. Homes will be sending you a letter in the next week or so with respect to their position concerning the acquisition of the High Point System. They have abandoned the idea of obtaining a "conditional zoning" for the plant property and are proceeding only with the rezoning of the balance of their project property at this time. The need for a letter of authorization from the DLCU is now moot.

I have also been recently advised by Bill Sundstrom, Esq., representing North Fort Myers Utilities, that NFMU has neither the intention nor interest in purchasing the High Point System from either the County or U.S. Homes, but will accept the customers into the NFMU System from the High Point System without charging any connection fees.

We can evaluate the U.S. Homes proposal once it has been received.

DMO:dm
xc: Timothy Jones, Assistant County Attorney
James Lavender, Director, Public Works Administration
Ivan Velez, P.E., Lee County Utilities
Thom Osterhout, Lee County Utilities
Mike Pavese, Development Services
Chuck Short, Clerk's Office, Internal Audit

S:\GS\DMO\MEMO\STONEYBROOK–HIGH POINT.diaz.wpd

DCI 2001-00038

MEMORANDUM

October 5, 2001

From: Carron Day

To: Sam Marshall

cc: Deno Benetis, U.S. Home

Reference: **STONEYBROOK NORTH SUFFICIENCY RESPONSE**

The following information is offered in response to the September 11, 2001 Sufficiency Review prepared by Kay Deselem:

Part II

1. Copies of the boundary survey are to be included in this re-submittal.

4. An update on the status of utility service is as follows: North Fort Myers Utilities has petitioned the Public Service Commission for annexation of the Stoneybrook North site in their service area. Assistant Lee County Attorney David Owen issued a letter stating the County will "remain 'neutral' with respect to the NFMU service issues in North Fort Myers" (letter attached). It is anticipated that the annexation will occur in the next few months. The water provider continues to be Lee County Utilities.

Part IV

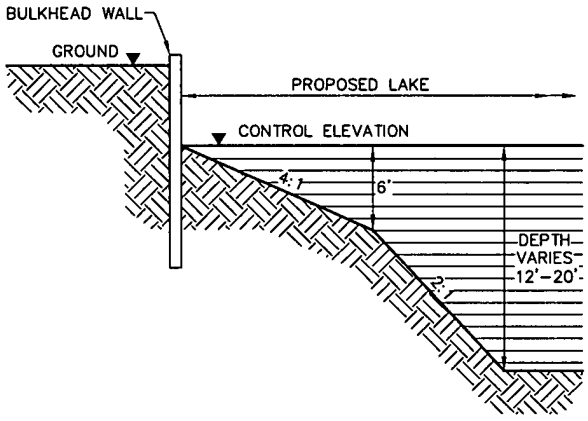
9. As requested by Lee County staff, a meeting with Deno Benetis, Carron Day, Sam Marshall, Kay Deselem, and Brad Vance was held on September 26, 2001 to discuss floodplain analysis of Popash Creek and Bayshore Creeks. At that meeting, the applicant and consultants expressed a concern that requesting a detailed analysis during zoning is premature. The concept plan depicts setbacks from the creeks which can be finalized during engineering design. Brad provided a draft memorandum stating that floodplain modeling and data would have to be submitted prior to issuance of the first Development Order. Kay also added that sufficient floodplain modeling and data would be required during zoning, if staff is to support that the issue has been sufficiently addressed. Brad explained that there is currently a floodplain study underway for Popash and Bayshore Creeks, and he would attempt to forward that information to the engineer. At that time we will proceed with the floodplain analysis and coordinate our progress with Lee County.

15. A copy of the sketch and description of the proposed access easement through Hunter's Glen is attached. A copy of easement will be provided once it is recorded.

DCI 2001-00038

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PERMIT COUNTER

DCI 2001-00038



BULKHEAD CROSS SECTION

N.T.S.

Deviation 7

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ◆ NAPLES ◆ SARASOTA
10511 SIX MILE CYPRESS PARKWAY – SUITE 101
FORT MYERS, FLORIDA 33912
PHONE: (941)939-5490 FAX: (941)939-2523
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690

LAKE/BULKHEAD WALL CROSS SECTION
STONYBROOK NORTH
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
10-04-01	1447	LK-BKD-2	DGP	DGP		N.T.S.	1	1	

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DCI 2001-00038

FILE COPY

MEMORANDUM
DEPARTMENT OF PUBLIC WORKS
NATRUAL RESOURCES DIVISION

TO: Mike Pavese
Community Development

FROM: Brad Vance

DATE: June 6, 2002

RE: HERITAGE CREEK
DCI2001-00038

Without the HEC-2/RAS modeling, we cannot make a determination as to the effects of the development with regards to flooding and floodplain issues. Use of a 50 foot setback is an arbitrary value that could be used if this were just a simple rezoning request. However, being that this is planned development, we cannot support this Master Concept Plan (MCP) as developable for the reason stated above. Further, it would be premature to move toward a public hearing without this evaluation.

In addition, I have attached a copy of the letter I sent to the SFWMD concerning this matter. Call me at X8132 to discuss further and set a meeting as outlined.

pc: Roland Ottolini
Peter Eckenrode
Matt Noble

DCI 2001-00038

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

(239) 479-8132
Writer's Direct Dial Number:

June 4, 2002

Ms. Carol Senne
South Florida Water Management District
Fort Myers Service Center
2301 McGregor Blvd.
Fort Myers, FL 33901

RE: HERITAGE CREEK
FLOODPLAIN ENCROACHMENT

Dear Ms. Senne:

This project is located between the creeks of Popash and Bayshore. In previous years, an agricultural perimeter berm had been (permitted) constructed around portions of that property proposed to be developed into a residential planned community, now known as Heritage Creek. We have concerns that this previous berming activity may have introduced an adverse floodplain encroachment condition. In this condition, a disproportionate amount of flood flows may have been transferred to the opposing overbank and could have caused increased upstream flood elevations.

These creeks, for which a possible encroachment to flood flows exist, need to be evaluated to determine the extent of those effects to both existing and future single family homes. We believe that the current plan as proposed has not considered these effects for those storms to include the 5-, 10- 25- and 100- year recurrence intervals. There are also stream crossings, both existing and proposed, that need to be included in this evaluation.

As of this date, there is an updated Flood Insurance Study (FIS) for Lee County being prepared for this community that will include these streams. Currently, it is my understanding that the preliminary findings should be published in about six to eight months. Given the imminent time frame of this FIS restudy compared to this projects' time frame, it is our position to consider the analysis in conjunction with the FIS, as well as, the flood compensation criteria of the South Florida Water Management District (SFWMD).

DCI 2001-00038

Ms. Senne
HERITAGE CREEK
June 4, 2002

In view of the above, I would like to request a meeting of our representatives, your staff, and the applicant to discuss these issues in a more indepth manner. Please contact me at the above listed telephone number to have that meeting scheduled at the earliest convenient time.

Sincerely,
LEE COUNTY NATURAL RESOURCES

Bradley S. Vance
Engineering Manager I

Cc: Antony Waterhouse, SFWMD
Richard Thompson, SFWMD
Roland Ottolini, Lee County
Mike Pavese, Lee County
Peter Eckenrode, Lee County
Sam Marshall, Banks Engineering

DCI 2001-00038

FILE COPY

MEMORANDUM
FROM THE
DEPARTMENT OF COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

FAXED 11-8-01

DATE: November 8, 2001

TO: Kay Deselem
Senior Planner

FROM: Don Blackburn
Development Review Manager

RE: **HERITAGE CREEK RPD**
DCI2001-00038
COMMENTS

I have reviewed the above submittal for sufficiency and find it insufficient for the following reasons.

1. Please ask the applicant to withdraw deviation number 5. This request can be handled administratively through the Development Order process.
2. A sample drawing should be provided for Deviation number 8. The drawing must address the concerns of the adjacent structures in the event the drainage pipe has to be dug up and repaired.

The applicant may want to explore whether or not the future designs of the individual tracts will meet the criteria of LDC10-296(m).

The rest of the project information appears sufficient for me to make substantive comments on.

DCI 2001-00038

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FILE COPY

DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF PLANNING/ENVIRONMENTAL SCIENCES
PLANNED DEVELOPMENT REZONING SUFFICIENCY CHECKLIST

PROJECT NAME: Heritage Creek RPD

CASE NUMBER: DCI 2001-00038

STRAP NUMBER(S): 15-43-25-00-00001.0000, .0010, and 16-43-25-00-00001.0060, .006A, .006B, .006C, .0100, 00002.0000, 00003.0000, .0010, .0020, .0030, .0040, .0050, .0070, .0080, and 21-43-25-00-00001.1000, 00002.0000, and 00006.0020

ACREAGE: 740.1 Ac [79.2 Ac Wetlands]

SUBMITTAL DATE: December 5, 2001

END DATE OF REVIEW: December 18, 2001

REVIEWED BY: Gary Nychyk, Environmental Planner AGN
Phone: (941)479-8323; FAX 941-479-8319
E-mail: nychykag@leegov.com

RECOMMENDATION: OK/A - Please see notes below

OK =Sufficiency requirement satisfied.
OK/A=sufficiency satisfied, but additional information needed.
X=Sufficiency requirement not satisfied.
N/A=Not applicable to this submittal.
N/R=Not a requirement for Sufficiency Submittal: Minor PD.

This checklist is for sufficiency of information to review for planned development rezoning. It does not grant or imply any approvals.

ADDITIONAL INFORMATION MAY BE REQUESTED BEFORE ANY HEARINGS.

---

1. **Soils, Vegetation FLUCCS, Topography** - Aerial with the site clearly delineated. Maps or aerial photographs marked or overprinted to show soils, vegetation and ground cover, and a Lee county topographic map (required if available) or a USGS quadrangle map showing the subject property at the same scale as the Master Concept Plan. Soils and vegetation, etc. should be classified in accordance with USDA/SCS system and the Florida Land Use and Cover classification system, respectively.
[34-373(a)(4) c.&d.]
SUFFICIENCY STATUS: OK

2. **Protected Species Survey** - For large developments, a protected species survey as required by Chapter 10, Division 8 of the Lee County Land Development Code. [34-373(b)(2)]
SUFFICIENCY STATUS: OK

DCI 2001-00038

3. **Protected Species Management Plan** - A management plan as required by Chapter 10, Division 8 of the Lee County Land Development Code. Protected species preserve areas must be indicated on the master concept plan; a final management plan is not required until time of local development order. [10-474]
SUFFICIENCY STATUS: OK

4. **Environmentally Sensitive Areas:** - The location of any environmentally sensitive land and water, based upon standard environmental data and verified by the South Florida Water Management District staff, unless waived by the director. [34-373(4)d.]
SUFFICIENCY STATUS: OK

5. **Open Space** - Open space must be stated on the plans, unless the proposed development is in a development area consisting solely of conventional single family dwelling units on lots of no less than 6500 square feet. For commercial and industrial developments, the percent of open space within each lot or outparcel shall be as set forth in 34-414(c). [34-373(a)(6)f.]
SUFFICIENCY STATUS: OK

6. **Design Standards: Preservation Areas, Environmentally Sensitive Areas, and Conservation Easements** - Every effort shall be made in the planning, design and execution of a planned development to protect, preserve or to not unnecessarily destroy or alter natural features of the site, particularly mature native trees and threatened or endangered native vegetation. [34-411(g)] All preservation areas and/or conservation easements must be delineated on the plan and labeled as such. [34-373(a)(6)e.], [34-414(d)], [34-932(b)]. *Note flow-ways: to be reviewed by Division of Natural Resources* [10-253(1),(2)&(3)]
SUFFICIENCY STATUS: Please see notes below.
A. Created Wetland Areas: OK

B. Flow-way: OK

C. Lake Design: OK

D. List of Uses: OK

7. **Natural Waterways** - 25 foot natural waterway buffer ; 50 foot in the Greater Pine Island Area abutting state-designated aquatic preserves and associated natural tributaries. [10-416(d)(9)]
SUFFICIENCY STATUS: OK

8. **Dock & Shoreline Structures** - Location and dimensions of proposed structure(s). How will protected species, the natural waterway buffer, and adjacent waterways be affected? [10-474; 10-416(d)(9); Chapter 26]
SUFFICIENCY STATUS: N/A

9. **Deviations** - All environmental deviation requests must be shown on the master concept plan and explained by documentation. [34-412(a)][34-373(a)(9)]
SUFFICIENCY STATUS: OK/A - Please note that ES staff cannot support Deviation Request 6 at this time. If a more specific deviation request is submitted, depicting which easements will be planted, then ES staff could review the impacts to the vegetation and utilities within that easement.

DCI 2001-00038

Zoning Staff Report From
Department of Community Development
Division of Environmental Sciences

FILE COPY

Date February 5, 2002

To: Mike Pavese, Principal Planner

From: Gary Nychyk, Environmental Planner AGN
Phone: (941) 473-8323
Fax: (941) 479-8319

Project: Heritage Creek RPD
Case Number: DCI 2001-00038
STRAP Number: 15-43-25-00-00001.0000 et al.

Vegetation:
W. Dexter Bender and Associates, Inc. staff compiled a vegetation classification map for the Heritage Creek RPD property utilizing the Florida Land Use Cover Forms and Classification System (FLUCCS). Native plant communities on this site include 22.6 ac of palmetto prairie (FLUCCS 321), 275.7 ac of pine flatwoods (FLUCCS 411), 11.7 ac of pine - mesic oak/cabbage palm (FLUCCS 414/428), 9.2 ac of scrubby pine flatwoods (FLUCCS 415), 1 ac of live oak hammock (FLUCCS 417), 1.9 ac of temperate hardwood (FLUCCS 425), 13.1 ac of hydric willow (FLUCCS 429), 2.8 ac of sand live oak (FLUCCS 432), 0.7 ac of mixed wetland hardwood (FLUCCS 617), 7.3 ac of cypress (FLUCCS 621), and 42.8 ac of freshwater marsh (FLUCCS 641). Several of the respective indigenous plant communities were included in preserve areas on the Master Concept Plan. A total of approximately 388.8 acres of the Heritage Creek development meet criteria for indigenous vegetation. The Master Concept Plan depicts the preservation of approximately 93.8 acres of indigenous vegetation comunities.

Protected Species:
W. Dexter Bender and Associates, Inc staff performed a survey for Lee County listed species meeting criteria set forth in Chapter 10, Division 8 of the Lee County Land Development Code (LDC). The survey identified 159 gopher tortoise burrows on the property and estimated 54 tortoises residing on the Heritage Creek site. A bald eagle was observed perched in a dead pine tree near the edge of the property. Although no eagle nest was observed onsite, the Master Concept Plan (MCP) denotes that the perch tree will be retained. Additionally, a Big Cypress fox squirrel was observed near the Florida Power and Light easement. Several species of wading birds including great blue heron, tricolor heron, great egret, snowy egret, glossy ibis, wood stork, and little blue heron were also observed in the borrow areas on the site.

ES staff confirmed the species survey during the July 26, 2001 field verification. No management plan has been submitted at this point. ES staff recommend the following condition to ensure adequate protection of listed species:

A detailed protected species management plan for gopher tortoises, Big Cypress fox squirrels, and wading birds must be submitted with the development order.

Open Space:
The Master Concept Plan does not include open space accessible for common use. To ensure that adequate common open space is included in the plans, ES staff recommend the following condition:

The development order must delineate 40% common open space for single family lots less than 6,500 square feet, multifamily, and the recreation facility. This open space must be designed to be usable by all residents of the development.

Currently the Master Concept Plan does not indicate lot sizes for determining minimum open space requirements. The Master Concept Plan includes enough indigenous open space for 469 acres of residential development requiring open space. The remainder of the project must be designed so as not to require open space. To ensure that adequate indigenous open space ha been provided, ES staff recommend the following condition:

The development order must show a minimum of 272.7 acres of single family or two family attached lots which exceed open space thresholds as set forth in Section 10-415 (a) of the Land Development Code, or additional indigenous preservation must be provided on-site.

Conservation Area Uses:
Attachment 1 lists several uses within the wetland and upland conservation areas that could provide an ideal setting for educational and passive recreational uses beneficial to the natural habitat, wildlife, and residents of the development. Although the utilization of recreational structures such as gazebos, foot trails, and boardwalks are attributes for the residents and plant communities, implementation of such uses must be carefully planned and executed to induce minimum disturbance to preserve areas. ES staff recommend the following conditions to ensure the protection of the preserve areas:

The use of cypress mulch is prohibited in preserve areas.

The maximum width of all boardwalks within the preserve areas must meet the minimum width requirements set forth by the Americans with Disabilities Act.

All boardwalks within the preserve areas must be designed to avoid mature native trees and protected species burrows, nests, or dens.

The construction of gazebos or viewing platforms within conservation areas is limited to no more than 2 structures each having a footprint no larger than 200 square feet.

Prior to site work for any recreational use that requires the removal of vegetation within a conservation area, a development order showing impacts to the conservation area must be submitted for review and approval by Environmental Sciences and other applicable County Staff.

DCT 2001-00038

The MCP shows several locations where single-family residences may abut preservation or conservation areas. The interface between the conservation area and single-family residences has often led to encroachment into the preserve areas and disturbance of indigenous vegetation communities. ES staff recommend the following conditions to protect the preserve areas from encroachment by single family lots.

The development order must include a fence or other physical barrier between residences and preserve areas. The use of decorative fence materials, or hedges is encouraged.

The development order must include a signage plan, which informs residents of natural preserve areas and discourages activities that may cause a deleterious impact to native vegetation. The signage plan must include sign locations and a typical sign detail. Signs must be located at every other lot corner adjacent to the preserve areas.

Tower:
The MCP includes a tower surrounded by the Gopher Tortoise/Upland Preserve. This area is currently utilized by several species of native and migratory birds. The design and location of this tower could impact the utilization of the palmetto prairie and scrubby pine flatwood plant communities by resident birds. ES staff recommend the following condition to minimize impacts to surrounding habitat from the proposed tower:

The Communication Tower as denoted on the Master Concept Plan must be of a monopole design. The tower and its associated maintenance buildings must be designed to minimize impacts to birds.

Deviations:
Deviation 3 requests relief from Section 10-418 (a)(2)(b) of the LDC which requires the installation of one native wetland herbaceous plant per linear foot of lake shoreline to be installed, where trees and shrubs can be substituted for up to twenty five percent of the total number of herbaceous plants required, to allow the required plantings to include up to fifty percent trees in the Tract K lake.

Justification for this request states that the usual low level wetland vegetation along the aqua-range's shoreline would interfere with the retrieval of range balls. Additionally, the littoral vegetation would inevitably be damaged due to the aqua-range activities.

The unique nature of the aqua-range design lends support to the applicant's request. ES staff recommend APPROVAL of Deviation 3 with the following condition:

A minimum of two native wetland tree species and four native herbaceous plant species must be installed in the Tract K lake.

DCI 2001 00038

Deviation 6 requests relief from LDC Section 10-421 (a)(5) which requires that no portion of a buffer area consisting of trees and shrubs be located in an easement to allow planted buffers consisting of shrubs and non-required trees in easements provided that if any required landscaping within the easement is removed or damaged, then it will be replaced at no cost to the County.

Justification for this request states that it will enhance the development by improving its appearance with landscaping while providing access to any easements.

As per LDC Section 10-421 (a)(5) no trees or shrubs may be may be located in any utility, drainage or street easement or right-of-way. To avoid conflicts with overhead utility lines, only trees less than 20 feet in height at maturity may be used directly adjacent to an overhead line. Variances or deviations from the requirements of this subsection are prohibited except when included in an approved Alternate Landscape Betterment Plan. ES staff cannot recommend approval of deviation 6, but recommend the SUBMITTAL of an Alternate Landscape Betterment Plan, detailing the buffer planting, with the development order which will be reviewed by Environmental Sciences staff and other applicable County staff.

Deviation 7 requests relief form LDC Section 10-329 (e)(4), which requires excavation banks to be constructed with a 4:1 slope, to allow up to forty percent of the banks to utilize either:

1. A vertical slope with the lake bottom slopes at the toe of any bulkhead to be no greater than 4:1, or
2. A 2:1 slope protected by riprap to a depth of six feet below control elevation.

Justification for this request states that the deviation will allow a more creative design of the lakes.

Bulkheads have been used within residential and commercial planned developments to increase design flexibility. The South Florida Water Management District allows the use of bulkheads on surface water management lakes provided that one linear foot of compensatory littoral zone with an 8:1 slope is provided for each linear foot of bulkhead. The 8:1 littoral area provides a good wading bird foraging area, and insures no decrease in littoral zone.

ES staff recommend APPROVAL of Deviation 7 with the following condition:

Prior to local development order approval, the plans must show the location of the bulkheads to confirm that no more than 40% of each lake shoreline consists of bulkhead or rip-rap. Lakes where bulkheads are proposed must be designed to provide one linear foot of compensatory littoral zone with an 8:1 slope for each linear foot of bulkhead. Land Development Code required littoral plants must be clustered within the 8:1 slope portion of the lake.

DCI 2001-00038

Where extensive use of bulkheads will limit the area available for the installation of littoral plants, a minimum of 50% of the required littoral vegetation must be met with trees. The installation of one tree or two shrubs receive credit of ten required herbaceous plants.

The development order must include a typical cross section detail of bulkhead and rip-rap areas on the paving and grading AND landscape plan.

Deviation 16 requests relief from LDC Section 10-416(d)(6) which requires that if roads, drives, or parking areas are located less than 125 feet from an existing residential subdivision or residential lots, a solid wall must be constructed not less than 25 feet from the abutting property and landscaped with a minimum of five trees and 18 shrubs per 100 linear feet to allow two cul-de-sacs in Tract H and part of Tract E to be located as illustrated on the MCP.

Justification for this request states that the design of Tracts E and H limits the flexibility of the buffer area. The applicant indicated that the incorporation of a Type "D" buffer would adequately buffer the road. Furthermore, the short nature of the affected areas would lead to small, interrupted segments of wall and landscape material.

ES staff defer compatibility issued to the Division of Development Services.

DCI 2001-00038

LEE COUNTY
SOUTHWEST FLORIDA

DEPARTMENT OF TRANSPORTATION

FILE COPY

Memo

LEE COUNTY RECEIVED
02 JAN 30 AM 9:05
COMM. DEV./ PUB. WRKS. CNTR. SECOND FLOOR

To: Mike Pavese
Development Services Principal Planner

From: Andrew J. Getch AG
LCDOT Senior Engineer

Date: January 28, 2002

Re: U.S. Home Corp. in ref. to Heritage Creek RPD
DCI2001-00038

We have reviewed the proposed Residential Planned Development (RPD) Application and have the following substantive comments:

Based on the Master Concept Plan, the project has nearly two miles of frontage along Pritchett Parkway. Pritchett Parkway is a county maintained roadway with a current functional classification as a major collector. The 2001 Lee County Traffic Report shows a low AADT of 1,200 on Pritchett Parkway. In the application the roadway identified as Pritchett Parkway east of the project is actually Leetana Road. Leetana Road (a/k/a Pritchett Parkway) intersects with Bayshore Road, State Road 78, less than ¼ mile east of the project. The Bayshore Road intersection with Leetana Road/Pritchett Parkway would appear to be problematic in the future with this project. The TIS by Metro Transportation Group without the project shows the southbound left and through operates at Level of Service "B" and the eastbound left operates at Level of Service "A" in the year 2001. The TIS shows the southbound left and through operates at Level of Service "C" and the eastbound left operates at Level of Service "B" in the year 2008.

The TIS with the project shows that the southbound approach to the intersection will operate at Level of Service "F" with a significant queue of vehicles. The TIS estimates 95 left and 365 right turns in the P.M. peak hour. The queue appears to be the result of the left turns waiting and blocking the right turns. The TIS also shows 90 percent of the future volume on Pritchett Parkway being generated by the Heritage Creek project. The addition of a southbound right turn lane will address this problem.

DCI 2001-00038

The TIS with the project shows 645 vehicles making an eastbound left from State Road 78 to Pritchett Parkway. Again, 90 percent of the eastbound left turns are generated by this project. The eastbound left turn movement is projected by the TIS to operate at a Level of Service "C". This appears to operate at an acceptable level of service because of a relatively low opposing through volume. The geometry of the interchange includes an overlap of the off-ramp with the left turn lane, and only 150 feet separation between the end of the northbound to eastbound off-ramp and the median opening. A possible solution the Florida Department of Transportation may evaluate is the signalization of the northbound to eastbound off-ramp. Staff has a concern that the projected turning volumes and the geometry of the interchange may cause operational problems at the interchange primarily resulting from the project eastbound left-in volumes. The likely solutions to such a problem would be signalization, modification or closure of the median opening by the Florida Department of Transportation. Because the median opening is less than ¼ mile from the I-75 northbound ramps signal, signalization of the median opening is not likely.

In discussions with the applicant's representatives, they have suggested a realignment of Leetana Road/Pritchett Parkway to connect to Wells Road instead of directly connecting to State Road 78, Bayshore Road, in exchange for Road Impact Fee Credits. Wells Road is a County maintained local street approximately 400 feet east of the intersection of Pritchett Parkway and State Road 78. The suggested realignment would require acquisition of right-of-way across an adjacent property outside of the project boundaries.

Pritchett Parkway was originally constructed in exchange for Road Impact Fee Credits. While realignment of Pritchett Parkway would be an operational intersection improvement for the interchange area, it does not appear to meet the criteria for Roads Impact Fee Credits. Instead, the operational improvements needed in the future appear to be caused by the addition of the project traffic.

Construction funds to 4-lane Bayshore Road between Slater Road and I-75 are currently programmed in fiscal year 2004 by FDOT. Based on the TIS, that segment of Bayshore Road will operate at level of service "F" by 2003 until the 4-laning is completed. A condition may be needed to address the potential interim level of service problem.

The existing Unincorporated Bikeways/Walkways facility plan identifies the existing paved shoulders along Pritchett Parkway. The needed facilities are identified based on the current land use character of the area and low traffic volume. This community, with 1,532 single-family units, will likely generate significant bicycle and pedestrian demand along Pritchett Parkway from Bayshore Road to Rich Road, ¼ mile north of the project. We recommend that the applicant include construction of off-road bicycle and pedestrian facilities along Pritchett Parkway to Bayshore Road as part of the project.

Recommended Conditions

1) No development order for this project will be issued if the development contemplated thereunder will precipitate a drop in the level of service on links number 16 and 17 of Bayshore Road, below the adopted level of service. Prior to development order approval, the developer must demonstrate that the LOS will not fall below the adopted level of service on

DCI 2001-00038

the identified links. In determining the level of service, only road improvements with committed funding, as provided in FAC 9J-2.045, may be considered.

2) The developer will provide intersection improvements to the intersection of Bayshore Road and Pritchett Parkway. At a minimum, the developer will construct a southbound right turn lane as a site-related improvement. In cooperation with the Florida Department of Transportation and the County, the developer may realign Pritchett Parkway to address future operational problems caused by project traffic.

3) The developer will construct an eight foot wide bicycle path or two five foot sidewalks along Pritchett Parkway from Bayshore Road to Rich Road. The bicycle/pedestrian facilities improvement will be considered a site-related improvement.

AJG/mlb

cc: Sarah Clarke – Florida Department of Transportation
Administrative File

MEMORANDUM
FROM THE
DEPARTMENT OF COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

FILE COPY

DATE: January 30, 2002

TO: Mike Pavese
Senior Planner

FROM: Robert G. Rentz, P.E.
Development Review Engineer

RE: **Heritage Creek**
DCI2001-00038

The proposed development consists of 1,532 single-family dwelling units. The development is projected to generate 12,765 net new trips per day, with 1,080 occurring in the AM peak hour and 1,255 occurring in the PM peak hour. The projected build out year is 2008.

Based on the 2000 Traffic Count Report issued by the Lee County Department of Transportation the peak hour, peak season, peak direction level of service on *Bayshore Rd. east of Business 41* at the 2008 build out year will be "**C**", on *Bayshore Rd. from east of Slater Rd. to east of Nalle Rd.* will be "**B**", on *Business U.S.41 south of Bayshore Rd.* will be "**C**", on *Pine Island Rd. west of Business 41* will be "**C**", on *Pritchette Pkwy north of Bayshore Rd.* will be "**C**", and on *Pritchette Pkwy. south of Rich Rd.* will be "**C**". When the project traffic is added to the background traffic *Pine Island Rd. west of Business 41* will operate at level of service "**D**", and *Pritchette Pkwy. north of Bayshore Rd.* will operate at level of service "**E**". The other roadways will remain at the same level of service as without the project traffic.

BGR
S:\WRITERS\RENTZRG\DCI200100038SUBSTANTIVETRAFFICCOMMENTS

DCI 2001-00038

FILE COPY

MEMORANDUM
DEPARTMENT OF PUBLIC WORKS
NATURAL RESOURCES DIVISION

TO: Mike Pavese
Community Development

FROM: Brad Vance BSV

DATE: February 6, 2002

RE: HERITAGE CREEK
DCI 2001-00038

In reference to the above project, we recommend the following conditions for the zoning resolution, to read as follows:

NR-1:

The applicant must maintain Popash and Bayshore Creeks on a biannual basis (May and October) in perpetuity by removing all non-native vegetation and all brushy type material within the property limits for which they lie. This same language must be contained within the Home Owners Association (HOA) documents and said language must be approved by the Division of Natural Resources.

NR-2:

The applicant must provide an HEC-RAS model for Popash and Bayshore Creeks demonstrating that the development will not induce any rise to the existing flood elevations, nor any increases in velocities, nor any transfer in overbank flows for the 10-, 25-, and 100-year storms. In addition, the development will not create more than a one (1) foot rise in the base flood elevation utilizing method 4 in the HEC-RAS model. This same model must be concurrently submitted to the County and the SFWMD for review and approval.

pc: Roland Ottolini
Kim Trebatoski

DCI 2001-00038

FILE COPY

DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF PLANNING/ENVIRONMENTAL SCIENCES
PLANNED DEVELOPMENT REZONING SUFFICIENCY CHECKLIST

PROJECT NAME: Heritage Creek RPD

CASE NUMBER: DCI 2001-00038

STRAP NUMBER(S): 15-43-25-00-00001.0000, .0010, and 16-43-25-00-00001.0060, .006A, .006B, .006C, .0100, 00002.0000, 00003.0000, .0010, .0020, .0030, .0040, .0050, .0070, .0080, and 21-43-25-00-00001.1000, 00002.0000, and 00006.0020

ACREAGE: 740.1 Ac [79.2 Ac Wetlands]

SUBMITTAL DATE: October 19, 2001

END DATE OF REVIEW: November 2, 2001

REVIEWED BY: Gary Nychyk, Environmental Planner AGN
Phone: (941)479-8323; FAX 941-479-8319
E-mail: nychykag@leegov.com

RECOMMENDATION: X - Please see notes below

OK =Sufficiency requirement satisfied.
OK/A=sufficiency satisfied, but additional information needed.
X=Sufficiency requirement not satisfied.
N/A=Not applicable to this submittal.
N/R=Not a requirement for Sufficiency Submittal: Minor PD.

This checklist is for sufficiency of information to review for planned development rezoning. It does not grant or imply any approvals.

ADDITIONAL INFORMATION MAY BE REQUESTED BEFORE ANY HEARINGS.

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1. **Soils, Vegetation FLUCCS, Topography** - Aerial with the site clearly delineated. Maps or aerial photographs marked or overprinted to show soils, vegetation and ground cover, and a Lee county topographic map (required if available) or a USGS quadrangle map showing the subject property at the same scale as the Master Concept Plan. Soils and vegetation, etc. should be classified in accordance with USDA/SCS system and the Florida Land Use and Cover classification system, respectively.
[34-373(a)(4) c.&d.]
SUFFICIENCY STATUS: OK

2. **Protected Species Survey** - For large developments, a protected species survey as required by Chapter 10, Division 8 of the Lee County Land Development Code. [34-373(b)(2)]

DCI 2001-00038

SUFFICIENCY STATUS: OK

3. **Protected Species Management Plan** - A management plan as required by Chapter 10, Division 8 of the Lee County Land Development Code. Protected species preserve areas must be indicated on the master concept plan; a final management plan is not required until time of local development order. [10-474]
SUFFICIENCY STATUS: X - ES staff require more information regarding the protected species management plan for this project. Please provide preliminary scrub jay and gopher tortoise management plans locating preserve areas and future management procedures.

4. **Environmentally Sensitive Areas:** - The location of any environmentally sensitive land and water, based upon standard environmental data and verified by the South Florida Water Management District staff, unless waived by the director. [34-373(4)d.]
SUFFICIENCY STATUS: OK

5. **Open Space** - Open space must be stated on the plans, unless the proposed development is in a development area consisting solely of conventional single family dwelling units on lots of no less than 6500 square feet. For commercial and industrial developments, the percent of open space within each lot or outparcel shall be as set forth in 34-414(c). [34-373(a)(6)f.]
SUFFICIENCY STATUS: OK

6. **Design Standards: Preservation Areas, Environmentally Sensitive Areas, and Conservation Easements** - Every effort shall be made in the planning, design and execution of a planned development to protect, preserve or to not unnecessarily destroy or alter natural features of the site, particularly mature native trees and threatened or endangered native vegetation. [34-411(g)] All preservation areas and/or conservation easements must be delineated on the plan and labeled as such. [34-373(a)(6)e.], [34-414(d)], [34-932(b)]. *Note flow-ways: to be reviewed by Division of Natural Resources* [10-253(1),(2)&(3)]
SUFFICIENCY STATUS: Please see notes below.
A. Created Wetland Areas: X - Please provide details on wetland creation including proposed plant coverage, plant density, plant species used, etc.

B. Flow-way: OK/A - The revised Master Concept Plan does not address the flow way as noted by ES staff. Please note that County staff is considering incorporation of this feature into the preserve / water management system. Several County departments have expressed interest in the natural features, and flood control aspects of the flow way.

C. Lake Design: X - As stated previously in the ES staff sufficiency report, the rezoning application states that some fill will be removed from site during the excavation process. Please provide information as to the maximum requested depth for lake excavation. Can the northern most lake be designed to provide a more sinuous shoreline along the north bank? If not, a deviation, along with justification, will need to be requested.

D. List of Uses: X - The proposed list of uses includes continuation of existing agricultural uses. Review of this use requires knowledge of the types and extent of

existing agricultural uses. Since this request could have a dramatic effect on property taxes, more information is needed. Please provide details which clarify existing uses and their locations and what uses would be proposed.

7. **Natural Waterways** - 25 foot natural waterway buffer ; 50 foot in the Greater Pine Island Area abutting state-designated aquatic preserves and associated natural tributaries. [10-416(d)(9)]
SUFFICIENCY STATUS: OK

8. **Dock & Shoreline Structures** - Location and dimensions of proposed structure(s). How will protected species, the natural waterway buffer, and adjacent waterways be affected? [10-474; 10-416(d)(9); Chapter 26]
SUFFICIENCY STATUS: N/A

9. **Deviations** - All environmental deviation requests must be shown on the master concept plan and explained by documentation. [34-412(a)][34-373(a)(9)]
SUFFICIENCY STATUS: X
- Deviation 6 requests relief from the requirement that no required buffer plant material be planted within easements, to allow required shrubs and non-required trees to be planted in easements. ES staff has found that vegetation planted within easements could be deleterious to public welfare. Trees having large root systems are capable of damaging underground utility structures and trees planted near power lines often must be severely pruned which violates the tree protection ordinance. The replacement of dead vegetation to meet LDC requirements can also lead to cut or damaged communication or power lines. Please provide justification which provides assurances that utilities will not be negatively impacted by the placement of trees and shrubs within easements. ES staff cannot approve a generic request to plant within easements, but if specific easements and locations are proposed, a more specific deviation request could possibly be approved.

DCI 2001 00038

LEE COUNTY
SOUTHWEST FLORIDA

DEPARTMENT OF TRANSPORTATION

Memo

FILE COPY

To: Kay Deselem
Development Services Senior Planner

From: Andrew J. Getch
LCDOT Senior Engineer

Date: November 5, 2001

Re: U.S. Home Corp. in ref. to Heritage Creek RPD
DCI2001-00038

We have received the October 19, 2001 resubmittal for the proposed Residential Planned Development (RPD) Application and have found it insufficient for review. The applicant is now adding 60 single-family units to the previous 1,472 unit request. The applicant has not provided a revised traffic analysis for the project with 1,532 single-family units. Specifically, the roadway segment and intersection analyses at Bayshore Road should be updated to reflect the revised project trip generation estimate.

AJG/mlb

cc: Administrative File

LEE COUNTY
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DCI 2001-00038

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (941)479-8336

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

June 20 , 2001

Ms. Carron Day
Florida Land Planning
1560 Matthew Drive, Suite E
Ft. Myers, FL 33907

RE: Heritage Creek; File #DCI2001-00038

Dear Ms. Day:

The Development Services Division has reviewed the information provided on May 31, 2001 for the above zoning application. The Land Development Code requires additional information for the application to be sufficient. Please respond to each requirement not satisfied on the attached sufficiency checklists. For your assistance, I have attached memoranda from the various Lee County reviewing agencies and other persons who provided input.

If you do not provide the requested supplements or corrections within 60 calendar days of this letter, the Code requires that this application be considered withdrawn. Please feel free to contact me or the staff reviewers if you have any questions.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Kay Deselem

Kay Deselem, AICP
Senior Planner

Enclosures:
Checklist from Development Services-zoning review, dated 6/15/01
Checklist from Development Services-TIS & plan review, dated 614/01 & 6/18/01
Checklist from Environmental Sciences, dated 6/18/01
Memo from Planning Division, dated 6/20/01
Memo from DCT, dated 6/13/01
Memo from Natural Resources, dated 6/14/01
Memo from Public Works, dated 6/18/01
Letter from The School District of Lee County, dated 6/7/01
Memo (e-mail) from Richard T. Coolick; abutting property owner, dated 6/19/01

cc:
Mary Gibbs, Dept. Director
John Fredyma, Asst. County Attorney
Bob Rentz, Development Services
Andy Getch, DOT
Kim Trebatoski, Environmental Sciences
Stephanie Keyes, Lee County Schools
Paul O'Connor, Division of Planning
Thom Osterhout, Utilities-Public Works
Don Blackburn, Development Services
Brad Vance, Natural Resources
Gary Nychyk, Environmental Sciences
Zoning/DCI File

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DCI 2001-00038

LEE COUNTY
SOUTHWEST FLORIDA

DEPARTMENT OF COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

SUFFICIENCY CHECKLIST FOR PLANNED DEVELOPMENTS, AMENDMENTS, AND EXISTING DEVELOPMENTS REQUESTING PLANNED DEVELOPMENT ZONING

PROJECT NAME:	HERITAGE CREEK RPD	CASE #:	DCI2001-00038
REQUEST:	Rezone to Planned Development	DATE OF REVIEW:	6/15/01
REVIEWED BY:	Kay Deselem	SUFFICIENCY DETERMINATION:	INSUFFICIENT

X	MAJOR PLANNED DEVELOPMENT		EXISTING DEVELOPMENT
	MINOR PLANNED DEVELOPMENT		AMENDMENT

LEGEND:

OK - Requirement satisfied
N/A - Not applicable
REF - Referred to another agency for review
X - Requirement not satisfied
RW - Requirement waived by director

PART I APPLICANT\PROPERTY OWNERSHIP INFORMATION

1. Sections A.3 and D.2 indicate that US Home Corporation is a contract purchaser. Please amend the disclosure forms to provide the required information for the Contract Purchaser.

2. The Disclosure of Interest and the Covenant of Unified Control forms must be signed by the authorized persons within the capacity within which they are acting. For example, Mr. Pritchett has signed the Disclosure Form for Pritchett Development Company, Ltd., but he has not indicated that capacity within which his signature is offered. Ms. Pritchett has not indicated her position as a trustee. Please revise the documents as required to comply.

3. It is not clear whether Albert and Frances Hansen are husband and wife. Without that clarification, both signatures must be provided.

4. The four separate covenants of unified control all referencing different STRAP numbers are not acceptable. To unify control, all owners must be listed on the same document referencing the overall boundary description of the subject property. There also appears to be some confusion about the attachments to the covenant that should be correct on the resubmitted document.

5. By virtue of the initials that appear on the Disclosure form after Mr. Hansen's signature, it appears that someone else has the this form for Mr. Hansen. Please provide the power of attorney documents to authorize the transaction.

6. It appears that a portion of the site may be platted, i.e., Virginia Farms. Are there deed restrictions for this subdivision?

PART II GENERAL INFORMATION

1. The legal description in not sufficient. A boundary survey must be submitted. Please located all existing structures on the boundary survey. Please provide an overall boundary description for the entire site. Please provide sufficient detail for Bayshore and Popash Creeks. Should you have questions about the legal description requirements, please contact Mr. Murphy.

2. The Lee Plan Land Use classification in E.1 should be revised to include Wetlands.

3. The Lee Plan narrative proposes a 2 upa density which is at the top of the density range. It appears that the surround densities are less. Please explain.

4. You have stated that this project is consistent with Lee Plan Policy 2.1 because it is located ". . .in an area where the requisite infrastructure exists and has capacity." Please explain and provide a response to Question #7 and each of its parts in Exhibit IV-M.

5. The narrative states that this project is consistent with Objective 2.1 saying that this project is ". . .surrounded by existing or approved development." Please explain how this project is consistent with the surrounding development. It appears that most surrounding development is either agricultural in nature or is rural residential development with homes on lots of at least one acre.

6. Policies 5.1.5 and 100.9.5 analyses indicate that "Adequate buffering is planned". Since this project proposes a density that appears to be at least twice the surrounding area, and the MCP indicates that no buffering will be provided along the majority of the perimeter boundary, please explain this statement. .

7. The cul-de-sac designs shown in most tracts are not in compliance with LDC Section 10-416(d)(6) because they are within 125 of residential lots.

8. Your discussion of Goal 11 seems contrary to the comments provided by Lee County Utilities' staff (copy attached). Please provide more information.

PART III EXISTING CONDITIONS

1. Exhibit III-A-2 appears to be missing from the application. Please submit it.

2. C.1 has not been checked. However, it appears that a large portion of this site is within the "A" flood zone on the FIRM documents. Please revise.

PART IV PROPOSED DEVELOPMENT

1. Vehicular ingress and egress from the golf course maintenance facility must be shown.

2. The buffer proposed for the southerly boundary of Tract L is not provided on the MCP. Please revise.

3. The MCP has divided the project into tracts however the tracts need to show the number and type of EACH unit proposed for EACH tract. The Master List of Uses for Entire Development does not provide adequate detail either.

4. The MCP Note # 3 and #4 are not adequate. This detail must be provided at time of zoning. Please provide the proposed square footages or other limitations for all uses proposed in the proposed schedule of uses such as the specialty retail uses and the restaurant.

5. The MCP contains the use "Park." This use, as explained in the schedule of uses, does not meet the definition of that use per the LDC. Please re-label the use on the MCP to reflect what is explained in the schedule of uses as Recreational Facilities.

6. The information provided on the various documents does not agree. For example, the MCP indicates that only single-family and multi-family units are proposed. In other documents, duplexes

and townhouses are also proposed. Please clarify.

7. The proposed height in the different documents do not agree. In the property development regulations, a maximum height of 55 feet of 4 stories is proposed whereas the "Mater List of Uses for Entire Development" proposed buildings up to 6 stories high. The proposed building height should be provided on the MCP, as well.

8. Attached are the e-mailed comments from Richard T. Coolick, an abutting property owner.

9. I have attached comments from Brad Vance regarding surface water management issues. Please respond to his questions via the zoning counter, with the appropriate number of copies provided to share the input with all staff reviewers.

10. Please provide the general location of service areas as is required in item H.10.

11. Please provide the density calculations for this project.

12. The lake configurations do not appear to meet the intent of "sinuous shorelines, as required by the LDC. Please reconfigure.

14. Please explain what the perimeter areas are to contain where the notation "No Buffer Required" is shown.

15. Please explain what the line along the north and eastern boundaries of Tract E represents. On some documents, lot lines are shown for Tract E, and it is referred to as Virginia Farms. What is the status of this Tract? Is it subdivided?

16. Please provide more information such as a cross-section of the proposed crossings of Popash Creek to access Tract L and to access the golf hole that traverses the creek.

17. Some of the golf course holes appear to be located very close to project perimeter boundaries. What measures do you propose to address errand golf balls crossing the project's eastern boundary?

16. Please provide documentation to show that you have authority to utilize Hunter's Glen Drive to access Tract D.

17. It does not appear that all the gates shown will be in compliance with the LDC Section 34-1748(1). Please provide detail of the gate designs for this project.

18. Deviations

    A. Please refer to the memo from Don Blackburn regarding the deviations.

    B. Please refer to Estero Golf Resort for the action on the deviations proposed. That project initially proposed many of the same deviations. Many of those deviations (#1, 2, 12, and 13) were subsequently withdrawn based upon staff's recommendation to deny.

    C. Please provide more information about Deviation #4. It appears that A already connects to Tract C, and minor design changes would allow some of the other tracts to interconnect. Please provide additional information and justification for this deviation in conjunction with the requirements of the LDC if you wish to pursue it.

In addition, site checks reveal that the adjacent Hunter's Glen subdivision's cul-de-sac was designed as a temporary measure in anticipation of an interconnection into this project. Please review the plans and show the interconnection.

D. Deviation #8 has words missing. Please review this request.

E. Please provide details about Deviation #9. How many units of each bedroom type are proposed? What are the actual parking spaces that will be required and how many do you propose to provide? What is the parking design for the buildings? Please shown the location for this deviation on the MCP. Please provide graphics to support this request.

F. Please provide details for Deviation #10. Where is this deviation proposed on site? It's location is not shown or noted on the MCP or the deviation documents. The number of 64 units is mentioned, but no site plan detail is provided to document that number or show the layout of the parking areas. Is this for 64 units total, or it is seeking 64 units on each accessway segment as noted in the justification? What are the "segments"? Please provide the detailed site plan to support this request.

G. Deviation #11 is noted to be effective in "all residential tracts", however the deviation only seems to be appropriate for multi-family buildings. Please explain.

H. Deviation #14 seeks a sign deviation. Please provide exact drawing of the sign. Detail drawings need to show proposed text and landscaping. The MCP must show how many signs will be affected by this deviation and show the exact location of each sign. Please provide the justification for the request in the form required by the LDC.

DCI 2001-00038

DEPARTMENT OF COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

ZONING TRAFFIC IMPACT STATEMENT SUFFICIENCY CHECKLIST

PROJECT HERITAGE CREEK

DCI CASE NO: DCI2001-00038

SUBMITTED FOR: RPD

RECOMMENDATION: find **INSUFFICIENT**

DATE OF REVIEW: June 14, 2001

REVIEWED Bob Rentz

COMMENTS INCLUDED Yes

DATE: June 14, 2001

METHODOLOGY MEETING No

SUFFICIENT (Y/N) NO

LEGEND

S- REQUIREMENT SATISFIED I - REQUIREMENT NOT SATISFIED

INFORMATION REQUIRED FOR ALL PROJECTS

1) S DESCRIPTION OF DEVELOPMENT AND ITE LAND USE CATEGORY. The TIS contains a general description of each type of use proposed, the units of development (i.e. the number of dwelling units, square feet of building floor area, etc.) and the Land Use Code for each type of use used in Trip Generation (i.e. Single-Family Detached Housing, 200 Lots, Land Use Code 210).

S Land Use Codes are complete and appropriate for each proposed use.

2) S TRIP END RATES OR EQUATIONS. The TIS contains the equations or the average trip end generation rates for each type of use proposed and the name of the document from which this information was obtained (i.e. ITE TRIP GENERATION, current edition).

S Trip generation is based on the combination of uses shown in the Schedule of Uses on the

S Master Concept Plan which generates the highest total number of trips during the A.M. and P.M. peak hour of the adjacent street(s) and the A.M. and P.M. peak hour of the generator(s).

S Trip generation has been based on regression equations where available; or

S Average generation rates, where regression equations are unavailable or were approved in advance by Z&DS; or

NA Trip generation rates from a study of one or more similar developments when the study was approved in advance by Z&DS.

I Trip generation equations or average trip rates are complete and correct.

3) S SITE PLAN. The TIS contains a drawing showing the project's access point(s), and the . location of all other access point(s) within 660' for project entrances on an arterial road, 330' for

Road(s) accessed:	Functional Classification:	Trafficway Classificati
Pritchett Pkwy.	major collector	collector

4) I BACKGROUND TRAFFIC. The TIS contains peak season peak hour traffic for the current year and for the year in which the project is expected to be completed. For projects which are to be constructed in phases, peak season peak hour traffic for the year in which each phase of the project is expected to be completed is shown.

5) S DIRECTIONAL SPLITS. The TIS contains a drawing showing the percentage and the direction of travel for trips entering and exiting the project at each proposed access point Distribution of traffic to project entrances is reasonable.

6) S AREA OF INFLUENCE. (Required of projects generating more than 100 trips during the A.M. or P.M. peak hour of the adjacent street.) The TIS contains a drawing showing the area of influence of the project (the area in which project traffic is 10% or more of the maximum service volume at LOS "C" on roadway links and 10% or more of the total approach volumes at intersections at project buildout).

S Distribution of traffic throughout the area of influence is reasonable. Distribution shows a reasonable reduction in trips as they move away from the project. reasonable reduction in trips as

7) I LEVEL OF SERVICE ANALYSIS. (Required of projects generating more than 100 trips during the A.M. or P.M. peak hour of the adjacent street.) The TIS contains an analysis of the Level of Service for all links within the area of influence.

S The TI S contains an analysis of the Level of Service for each 'of the project's access points and of all intersections within one-quarter mile of the project. The analysis follows the methods established in the most current edition of the HIGHWAY CAPACITY MANUAL for either unsignalized or signalized intersections.

8) I ARTERIAL ANALYSIS. (Required of projects generating more than 300 trips during the A.M. or P.M. peak hour of the adjacent street.) The TIS contains an analysis of the arterial road accessed or impacted in the area of influence which follows the methods established in the most current edition of the HIGHWAY CAPACITY MANUAL for an urban or suburban arterial road.

9) I NECESSARY. IMPROVEMENTS. (Required of projects when the Level of Service analysis shows that the LOS on links or at intersections falls below the minimums adopted in THE LEE PLAN.) The TIS contains a recommendation and analysis of the improvements that are needed to meet or exceed the LOS standard.

DCI 2001 00038

COMMENTS

2) **Table 1 and 2:** The trip generation for Golf Course must be based on acreage, rather than number of holes.

Figure 4: Some of the volumes appear to be incorrect.

4), 7), & 8) The project build out date is more than 5 years as measured from 1998, and therefore the Generalized Peak Hour Directional Service Volumes must be used, instead of the link-specific volumes. This will change some of the levels of service determinations.

When using AADT volumes from the 2000 Traffic Count Report the truck factor and the peak season factor are no longer necessary. The permanent count stations automatically adjust for trucks and the K100 factor automatically adjusts the volumes to peak season. Without these factors some of the background volumes, and thus the future volumes, will change.

9) In 2008 with the project, the SB movement at the Bayshore Rd./Pritchett Pkwy. intersection fails. How will this be mitigated?

NOTE: **Figure 7:** Please explain how these volumes were calculated. I could not duplicate any of them.

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

DATE: June 18, 2001

TO: Kay Deselem
Senior Planner

FROM: Don Blackburn
Development Review Manager

RE: HERITAGE CREEK
DCI2001-00038
COMMENTS

I have reviewed the applicants submittal and find it insufficient for review @ this for the following reasons.

1) The MCP must show the locations of the requested deviations and the deviations must be listed on the plan.

2) The justifications provided for some of the deviation request do not satisfactorily address the requirements of section LDC34-412 with regards to project enhancement, and not being detrimental to the public. The applicant should re-visit each request to make sure each element of 34-412 has be addressed.

3) The applicant can withdraw deviation request number 5, as relief from this requirement can be granted during the DO process.

4) With regards to deviation request number 7; the applicant will need to provide a cross sectional detail of the proposed bulkhead so the excavation slope and environmental concerns are evaluated.

5) With regards to deviation request number 10; in order to provide a comment for this deviation, a drawing will be needed for review. It should be noted that typical details are usually not considered adequate to make sufficiency comments.

DCI 2001 00038

6) The applicant can withdraw deviation request number 11 as the LDC allows this request to be administratively approved during the Development Order process.

7) With regards to deviation request numbers 12 and 13; the applicant should be aware that Development Review staff will support only one specific model type for this development. While I question why a deviation is being requested for the model, I feel the request that is needed is to provide for an unpaved parking lot for the models, in lieu of the public parking in the model driveway.

I would strongly suggest having a meeting with the applicant to discuss the merits of the project design and their deviation request. The use of Pritchett Pwky as the developments spine road is questionable. Development Review feels that more of the tracts should be interconnected to limit the access onto Pritchett Pwky.

The applicant should also be aware that the standards set forth in the LDC have been pre-determined to be the minimum safe standards to protect the public health, safety and welfare of the public. Development Review staff feels that because of the large vacant tracts of land that are to be developed that the LDC standards can be met without jeopardizing the intent of the development.

DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF PLANNING/ENVIRONMENTAL SCIENCES
PLANNED DEVELOPMENT REZONING SUFFICIENCY CHECKLIST

PROJECT NAME: **Heritage Creek RPD**

CASE NUMBER: **DCI 2001-00038**

STRAP NUMBER(S): **15-43-25-00-00001.0000, .0010, and 16-43-25-00-00001.0060, .006A, .006B, .006C, .0100, 00002.0000, 00003.0000, .0010, .0020, .0030, .0040, .0050, .0070, .0080, and 21-43-25-00-00001.1000, 00002.0000, and 00006.0020**

ACREAGE: **740.1 Ac [79.2 Ac Wetlands]**

SUBMITTAL DATE: **May 31, 2001**

END DATE OF REVIEW: **June 18, 2001**

REVIEWED BY: **Gary Nychyk, Environmental Planner** AGN
Phone: (941)479-8323; FAX 941-479-8319
E-mail: nychykag@leegov.com

RECOMMENDATION: X - Please see notes below

OK =Sufficiency requirement satisfied.
OK/A=sufficiency satisfied, but additional information needed.
X=Sufficiency requirement not satisfied.
N/A=Not applicable to this submittal.
N/R=Not a requirement for Sufficiency Submittal: Minor PD.

This checklist is for sufficiency of information to review for planned development rezoning. It does not grant or imply any approvals.

ADDITIONAL INFORMATION MAY BE REQUESTED BEFORE ANY HEARINGS.

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1. **Soils, Vegetation FLUCCS, Topography** - Aerial with the site clearly delineated. Maps or aerial photographs marked or overprinted to show soils, vegetation and ground cover, and a Lee county topographic map (required if available) or a USGS quadrangle map showing the subject property at the same scale as the Master Concept Plan. Soils and vegetation, etc. should be classified in accordance with USDA/SCS system and the Florida Land Use and Cover classification system, respectively.
[34-373(a)(4) c.&d.]
SUFFICIENCY STATUS: OK

2. **Protected Species Survey** - For large developments, a protected species survey as required by Chapter 10, Division 8 of the Lee County Land Development Code. [34-373(b)(2)]

DCI 2001-00038

SUFFICIENCY STATUS: X - Please revise the Protected Species Survey to show the results of all Lee County protected species which could occur in each vegetative classification.

3. **Protected Species Management Plan** - A management plan as required by Chapter 10, Division 8 of the Lee County Land Development Code. Protected species preserve areas must be indicated on the master concept plan; a final management plan is not required until time of local development order. [10-474]
SUFFICIENCY STATUS: X - Please provide a Protected Species Management Plan addressing all species observed during survey. Is there any suitable habitat for scrub jays? Will the scrub jay habitat be protected? Where will the gopher tortoise preserve be located?

4. **Environmentally Sensitive Areas:** - The location of any environmentally sensitive land and water, based upon standard environmental data and verified by the South Florida Water Management District staff, unless waived by the director. [34-373(4)d.]
SUFFICIENCY STATUS: X - Please provide SFWMD wetland jurisdictional verification.

5. **Open Space** - Open space must be stated on the plans, unless the proposed development is in a development area consisting solely of conventional single family dwelling units on lots of no less than 6500 square feet. For commercial and industrial developments, the percent of open space within each lot or outparcel shall be as set forth in 34-414(c). [34-373(a)(6)f.]
SUFFICIENCY STATUS: X - Please provide open space calculations as well as indigenous open space calculations. Lee County generally does not count created wetlands as indigenous open space. Will the wetland creation areas be counted towards indigenous open space requirements? If these areas are to be included toward indigenous open space requirements, a deviation, along with justification, will need to be requested. The powerline easement may not be used to meet indigenous requirements. Please revise the Master Concept Plan.

6. **Design Standards: Preservation Areas, Environmentally Sensitive Areas, and Conservation Easements** - Every effort shall be made in the planning, design and execution of a planned development to protect, preserve or to not unnecessarily destroy or alter natural features of the site, particularly mature native trees and threatened or endangered native vegetation. [34-411(g)] All preservation areas and/or conservation easements must be delineated on the plan and labeled as such. [34-373(a)(6)e.], [34-414(d)], [34-932(b)]. *Note flow-ways: to be reviewed by Division of Natural Resources* [10-253(1),(2)&(3)]
SUFFICIENCY STATUS: X
A. Created Wetland Areas: Why are the created wetland areas being proposed? Are these areas part of the South Florida Water Management District mitigation requirements? What comprises wetland creation? Will quality upland habitat be impacted by re-grading?
Note: Wetland creation site approval is pending a field verification by ES staff.

B. Proposed Preserves: The Master Concept Plan shows that some upland and wetland preserve areas will abut single family residences. How will the preserves be protected from encroachment by the single family residential lots?

Note: Approval of indigenous open space areas is pending a field verification by ES staff.

C. Lake Design: The rezoning application states that some fill will be removed from site during the excavation process. Please provide information as to the maximum requested depth for lake excavation. Can the northern most lake be designed to provide a more sinuous shoreline along the north bank? If not, a deviation, along with justification, will need to be requested.

D. List of Uses: The proposed list of uses includes continuation of existing agricultural uses only. Please provide information as to the current agricultural uses on the property.

7. Natural Waterways - 25 foot natural waterway buffer ; 50 foot in the Greater Pine Island Area abutting state-designated aquatic preserves and associated natural tributaries. [10-416(d)(9)]
SUFFICIENCY STATUS: X - **Please delineate the natural waterway buffers on the Master Concept Plan.**

8. Dock & Shoreline Structures - Location and dimensions of proposed structure(s). How will protected species, the natural waterway buffer, and adjacent waterways be affected? [10-474; 10-416(d)(9); Chapter 26]
SUFFICIENCY STATUS: N/A

9. Deviations - All environmental deviation requests must be shown on the master concept plan and explained by documentation. [34-412(a)][34-373(a)(9)]
SUFFICIENCY STATUS: X
- Deviation 6 requests relief from the requirement that no required buffer plant material be planted within easements, to allow required shrubs and non-required trees to be planted in easements. ES staff has found that vegetation planted within easements could be deleterious to public welfare. Trees having large root systems are capable of damaging underground utility structures and trees planted near power lines often must be severely pruned which violates the tree protection ordinance. The replacement of dead vegetation to meet LDC requirements can also lead to cut or damaged communication or power lines. ES staff cannot approve a generic request to plant within easements, but if specific easements and locations are proposed, a more specific deviation request could possibly be approved.

Lee County
SOUTHWEST FLORIDA

INTEROFFICE MEMORANDUM
FROM
PUBLIC WORKS
UTILITIES

Date: June 18, 2001

TO: Kay Deselem

From: Thom Osterhout

SUBJECT: HERITAGE CREEK

Regarding the application for the approval of a planned development stamped received May 31,2001, Lee County Utilities (LCU) requires further explanation of several references regarding the availability of potable water and sanitary sewer service. For example, Policy 2.2.1 states " Central potable water and sanitary sewer services will be provided to the development by LCU which has capacity to serve this project". To the best of my knowledge LCU has made no such statement or provided a letter of availability of service to this effect for this project. The existing wastewater treatment plant shown on the plan submitted by Florida Land Planning Inc. does not have adequate capacity for this project.

Regarding potable water service the water main on Wells Road is an 8"" diameter and on Nalle Road LCU has a 10" diameter main. Of course extensive hydraulic calculations will be required to determine what off-site improvements (if any) may be required to obtain adequate potable and fire flows.

LCU looks forward to meeting with the applicant prior to resubmitting for sufficiency review to address these issues.

/TO

cc: Rick Diaz
Ivan Velez
Terry Kelley
Mary McCormic

PLANNING DIVISION
MEMORANDUM

LEE COUNTY
SOUTHWEST FLORIDA

to: Kay Deselem

from: Paul O'Connor, AICP, Director of Planning POC

subject: Heritage Creek Sufficiency Comments

date: June 20, 2001

The Planning Division has reviewed the application materials for the Heritage Creek RPD, and offers the following sufficiency comments.

The application notes that the property is within the Outlying Suburban and General Interchange land use categories. The application must provide the number of acres within each of these categories. Also, the application must provide the number of acres that are within the Wetlands land use category as shown on the Future Land Use Map.

The application is proposing that a portion of the RPD will be developed within the General Interchange land use category, which does not allow residential land uses. The applicant has made the argument that the General Interchange areas will be developed with golf course uses, and will therefore be consistent with the General Interchange category which allows general commercial uses. Staff does not agree with this assessment. The application is seeking approval of a residential accessory use in a land use category that does not permit residential uses. A Lee Plan Future Land Use Map amendment would be required in order to extend the RPD into the General Interchange category. The rezoning application has not included an application for a plan amendment.

Staff is unable to locate any density calculations in the application. These calculations must be provided in order for staff to make a finding of consistency with the density restrictions for the applicable land use categories.

The application has not included a wetlands jurisdictional verification from the South Florida Water Management District. The application must provide a map, signed by a representative of the Water Management District, showing the location and total acreage of jurisdictional wetlands on the subject property. The verification must be submitted in order for staff to determine consistency with various Lee Plan policies pertaining to development in wetlands. Additionally, Part III, Existing Conditions, Item F.1.b of the rezoning application form indicates that the Freshwater Wetland acreage is "N/A." In looking at the FLUCCS vegetation map, however, it shows several areas of freshwater marsh. The application should clarify this discrepancy.

The Lee Plan narrative (Exhibit II-E-2) provides discussion of Policy 2.2.1, which states that rezonings will be evaluated as to the availability and proximity of the road network; central sewer

P.O. Box 398 ▪ Fort Myers, FL 33902-0398 ▪ (941) 479-8585 ▪ Fax (941) 479-8319

DCI 2001 00038

and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare. The Lee Plan narrative has addressed water and sewer availability, but has not provided any evidence that Lee County utilities will be able to provide water and sewer to serve the proposed development. Also, the application has not addressed the availability of schools, EMS, fire and police protection. The application must address all of these items in accordance with Policy 2.2.1.

In accordance with Policy 4.1.1, which addresses development design, the application has not provided any discussion of how the golf hole that crosses Popash Creek represents a placement of land uses in a way that they are functionally related to the topographic and natural features of the site. Why are two separate bridge crossings needed? Also, how will the golf hole that crosses Popash Creek impact the required buffer zone along the creek? Staff also notes that the area under the LCEC easement is being counted as Upland Conservation Area. Given that utility easements are generally not maintained in their natural state, how is the inclusion of this area as upland conservation consistent with the development design requirements of Policy 4.1.1.

The Master Concept Plan shows an approximately 80-foot wide strip of land running along the north, east, and west property lines. This area does not seem to be designated for any type of development, open space or buffer. What uses will be developed in this area?

The Master Concept Plan shows several areas labeled as "Wetland Creation Area." Staff is unsure what these areas represent and why they are being proposed. Are the "Wetland Creation" areas part of the mitigation requirements for the South Florida Water Management District? Also, if wetlands are being created, why are these areas shown as development tracts?

The Master Concept Plan has not shown any buffer between the existing sewage treatment plant and surrounding residential areas. The plan should show any required buffering around the sewage treatment plant.

Staff notes that many of the proposed cul-de-sacs form dead-ends so that no homes could be placed on the ends of the cul-de-sacs. Staff simply questions whether this was the intent of the project design.

The golf course maintenance facility does not appear to have any means of access. The application should indicate how vehicles will access the maintenance area.

LEE COUNTY
SOUTHWEST FLORIDA

LEE COUNTY
RECEIVED
01 JUN 14 AM 10:01
COMM. DEV.
PUB. WKS. CNTR.

DEPARTMENT OF
TRANSPORTATION

Memo

To: Kay Deselem
Development Services Senior Planner

From: Andrew J. Getch
LCDOT Professional Engineer II

Date: June 13, 2001

Re: U.S. Home Corp. in ref. to Heritage Creek RPD
DCI2001-00038

We have received the proposed Residential Planned Development (RPD) Application and have the following sufficiency comments:

1) The Master Concept Plan depicts five golf course holes and an aqua range along Pritchett Parkway. What provisions will be made to prevent errant golf balls from landing in the right of way?

2) What is the separation between Pritchett Parkway and the water management areas adjacent to Tract "D" and Tract "F"?

3) Since this community will likely generate significant bicycle and pedestrian demand, is the applicant willing to consider construction of off-road bicycle and pedestrian facilities along Pritchett Parkway as part of the project?

4) For clarity, a legend should be included as part of Figures 5 and 6 of the TIS.

5) Since the build-out year is 2008 (more than five years), the Generalized Service Volume Tables should be used for the LOS analysis in the TIS.

6) The total of entering and exiting traffic volumes (1,155 trips) in the P.M. peak hour (Figure 4) are not equal to the trip generation calculation in Table 2 (1,180 trips).

7) The D-factor of PCS No 34 is incorrect in Table 2A.

DCI 2001-00038

MEMORANDUM
DEPARTMENT OF PUBLIC WORKS
NATRUAL RESOURCES DIVISION

TO: Jeff Jenkins
Community Development

FROM: Brad Vance

DATE: June 14, 2001

RE: HERITAGE CREEK
DCI 2001-00038

The application is insufficient. Please submit the electronic copy of an HEC 2 model with 100 year floodway utilizing method 4 with a target increase of 1.0 feet. Cross sections must be surveyed sections across the entire floodplain and be no further apart than 1000 feet. The limits of the modeling for Bayshore must be from I-75 to Henderson Grade and Popash must be from Leetana to Henderson Grade. Delineate these lines on the Master Concept Plan.

Please call with any questions or comments regarding the above.

Cc: Roland Ottolini

8) The traffic information (AADT, K-factor, D-factor, growth rate) of I-75 should reflect the FDOT's latest information (year 2000).

9) The peak season factor should not be used for the calculation of peak season peak hour traffic volumes since in Lee Plan Policy 22.1.1 the 100th highest hour approximates the typical peak hour during the peak season.

10) The heavy vehicle factor cannot be applied for the AADT from the permanent count stations and state traffic count stations.

11) Construction funds to 4-lane Bayshore Road between Slater Road and I-75 are currently programmed in fiscal year 2004 by FDOT. What will the level of service be along that segment of Bayshore Road should the development precede completion of the 4-laning?

12) The TIS should be corrected to reflect the current LOS standard on I-75 is "C".

AJG/mlb

cc: Administrative File

DCI 2001-00038

THE SCHOOL DISTRICT OF LEE COUNTY

2055 CENTRAL AVENUE • FORT MYERS, FLORIDA 33901-3916 • (941) 334-1102

KATHERINE BOREN
CHAIRMAN - DISTRICT 4

TERRI K. WAMPLER
VICE CHAIRMAN - DISTRICT 1

JEANNE S. DOZIER
DISTRICT 2

JANE E. KUCKEL, PH.D.
DISTRICT 3

LISA POCKRUS
DISTRICT 5

BRUCE HARTER, PH.D.
SUPERINTENDENT

KEITH B. MARTIN
BOARD ATTORNEY

FILE COPY

June 7, 2001

Mr. Jeff Jenkins
Lee County Development Services Division
P. O. Box 398
Ft. Myers, FL 33902-0398

Re: Heritage Creek, DCI Sufficiency Review, DCI 2001-00038

Dear Jeff:

Thank you for the opportunity to review the proposed U. S. Home Heritage Creek DCI for sufficiency with regard to educational impacts. The following additional questions need to be addressed concerning the proposed 1,472 unit project, located off Bayshore Road, I-75, and Pritchett Parkway in North Fort Myers:

1. Will any of the 1,472 residential units be age restricted to those over 55 in accordance with HUD standards? If so, please provide the appropriate documentation.

2. Will any of the proposed multi-family units consist of rental apartments, and if so what will be the unit mix?

3. Is there a possibility of obtaining a more definitive breakdown of the unit mix between single and multi-family? It is difficult to assess the potential impacts without this information.

4. Please estimate the number of school aged children expected to reside in the proposed 1,472 unit development.

5. Will traffic generated by this project impact Bayshore Elementary School?

Thank you for your attention to this matter. If I may be of further assistance, please give me a call.

Sincerely,

Stephanie Keyes

Stephanie Keyes, AICP, Facilities Planner
Construction Services

cc: Tyler F. Patak, NCARB, Director

LEE COUNTY
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HeritageCreek6-7-01.doc

FILE COPY

MEMORANDUM
FROM
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF PLANNING: ENVIRONMENTAL SCIENCES

Date: **July 27, 2001**

To: **Kay Deselem, Senior Planner**
From: **Gary Nychyk, Environmental Planner** AGN

Re: **Heritage Creek CPD**
DCI 2001-00038
STRAP 15-43-25-00-00001.0000 plus others

Upon field investigation by Lee County Environmental Sciences (ES) staff on July 26th and 27th of 2001, environmental questions beyond the initial items covered in the June 18, 2001 sufficiency checklist have arisen. These items pertain to an apparent flow way which exists between a proposed wetland preserve and Pop Ash Creek.

Through aerial photograph interpretation followed by field verification, a well defined flow way was observed beginning near the southeastern corner of the preserve located adjacent to the existing sewage treatment plant, and extending south until it converges with Pop Ash Creek near the Oak Mont residential subdivision. No mention of this conveyance was found in either the Florida Land Use and Cover Classification Systems (FLUCCS) map, or the Master Concept Plan (MCP). Currently the MCP shows golf holes, a lake and residential tracts J and K covering this flow way.

Additionally, ES staff noted that the aerial photographs supplied with the application do not include Pop Ash Creek along the eastern property boundary of Heritage Creek.

The following items need to be addressed for ES staff to find the submittal sufficient (in addition to the information requested through the ES staff sufficiency checklist dated June 18, 2001):

1. Please explain how this active flow way is being incorporated into the overall design of the project. Will the berm surrounding the proposed wetland preserve be removed to allow connection of the wetland and Pop Ash Creek? Is the flow way proposed to be removed? Why was the flow way not included in the FLUCCS delineation? How have the water management issues associated with the removal of this flow way been addressed?

   Please note that Lee County staff will find it difficult to support impacting this existing flow way, and encourage the applicant to meet with staff prior to resubmitting.

2. Please revise the FLUCCS map to include the flow way.

Copy: Carron Day, President, Florida Land Planning
Tyler King, Environmental Consultant, Bender and Associates.
Roland Ottolini, Deputy Director, Natural Resources
Rick Joyce, Deputy Director, Planning
Matt Noble, Principle Planner
Kim Trebatoski, Senior Environmental Planner

DCI 2001-00038

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

FILE COPY

DATE: June 18, 2001

TO: Kay Deselem
Senior Planner

FROM: Don Blackburn
Development Review Manager

RE: **HERITAGE CREEK**
DCI2001-00038
COMMENTS

I have reviewed the applicants submittal and find it insufficient for review @ this for the following reasons.

1) The MCP must show the locations of the requested deviations and the deviations must be listed on the plan.

2) The justifications provided for some of the deviation request do not satisfactorily address the requirements of section LDC34-412 with regards to project enhancement, and not being detrimental to the public. The applicant should re-visit each request to make sure each element of 34-412 has be addressed.

3) The applicant can withdraw deviation request number 5, as relief from this requirement can be granted during the DO process.

4) With regards to deviation request number 7; the applicant will need to provide a cross sectional detail of the proposed bulkhead so the excavation slope and environmental concerns are evaluated.

5) With regards to deviation request number 10; in order to provide a comment for this deviation, a drawing will be needed for review. It should be noted that typical details are usually not considered adequate to make sufficiency comments.

DCI 2001-00038

Kay Deselm
Heritage Creek
6/18/01

6) The applicant can withdraw deviation request number 11 as the LDC allows this request to be administratively approved during the Development Order process.

7) With regards to deviation request numbers 12 and 13; the applicant should be aware that Development Review staff will support only one specific model type for this development. While I question why a deviation is being requested for the model, I feel the request that is needed is to provide for an unpaved parking lot for the models, in lieu of the public parking in the model driveway.

I would strongly suggest having a meeting with the applicant to discuss the merits of the project design and their deviation request. The use of Pritchett Pwky as the developments spine road is questionable. Development Review feels that more of the tracts should be interconnected to limit the access onto Pritchett Pwky.

The applicant should also be aware that the standards set forth in the LDC have been pre-determined to be the minimum safe standards to protect the public health, safety and welfare of the public. Development Review staff feels that because of the large vacant tracts of land that are to be developed that the LDC standards can be met without jeopardizing the intent of the development.

FILE COPY

DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF PLANNING/ENVIRONMENTAL SCIENCES
PLANNED DEVELOPMENT REZONING SUFFICIENCY CHECKLIST

PROJECT NAME: Heritage Creek RPD

CASE NUMBER: DCI 2001-00038

STRAP NUMBER(S): 15-43-25-00-00001.0000, .0010, and 16-43-25-00-00001.0060, .006A, .006B, .006C, .0100, 00002.0000, 00003.0000, .0010, .0020, .0030, .0040, .0050, .0070, .0080, and 21-43-25-00-00001.1000, 00002.0000, and 00006.0020

ACREAGE: 740.1 Ac [79.2 Ac Wetlands]

SUBMITTAL DATE: May 31, 2001

END DATE OF REVIEW: June 18, 2001

REVIEWED BY: Gary Nychyk, Environmental Planner AGN
Phone: (941)479-8323; FAX 941-479-8319
E-mail: nychykag@leegov.com

RECOMMENDATION: X - Please see notes below

OK =Sufficiency requirement satisfied.
OK/A=sufficiency satisfied, but additional information needed.
X=Sufficiency requirement not satisfied.
N/A=Not applicable to this submittal.
N/R=Not a requirement for Sufficiency Submittal: Minor PD.

This checklist is for sufficiency of information to review for planned development rezoning. It does not grant or imply any approvals.

ADDITIONAL INFORMATION MAY BE REQUESTED BEFORE ANY HEARINGS.

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1. **Soils, Vegetation FLUCCS, Topography** - Aerial with the site clearly delineated. Maps or aerial photographs marked or overprinted to show soils, vegetation and ground cover, and a Lee county topographic map (required if available) or a USGS quadrangle map showing the subject property at the same scale as the Master Concept Plan. Soils and vegetation, etc. should be classified in accordance with USDA/SCS system and the Florida Land Use and Cover classification system, respectively.
[34-373(a)(4) c.&d.]
SUFFICIENCY STATUS: OK

2. **Protected Species Survey** - For large developments, a protected species survey as required by Chapter 10, Division 8 of the Lee County Land Development Code. [34-373(b)(2)]

DCI 2001 00038

SUFFICIENCY STATUS: X - Please revise the Protected Species Survey to show the results of all Lee County protected species which could occur in each vegetative classification.

3. **Protected Species Management Plan** - A management plan as required by Chapter 10, Division 8 of the Lee County Land Development Code. Protected species preserve areas must be indicated on the master concept plan; a final management plan is not required until time of local development order. [10-474]
SUFFICIENCY STATUS: X - Please provide a Protected Species Management Plan addressing all species observed during survey. Is there any suitable habitat for scrub jays? Will the scrub jay habitat be protected? Where will the gopher tortoise preserve be located?

4. **Environmentally Sensitive Areas:** - The location of any environmentally sensitive land and water, based upon standard environmental data and verified by the South Florida Water Management District staff, unless waived by the director. [34-373(4)d.]
SUFFICIENCY STATUS: X - Please provide SFWMD wetland jurisdictional verification.

5. **Open Space** - Open space must be stated on the plans, unless the proposed development is in a development area consisting solely of conventional single family dwelling units on lots of no less than 6500 square feet. For commercial and industrial developments, the percent of open space within each lot or outparcel shall be as set forth in 34-414(c). [34-373(a)(6)f.]
SUFFICIENCY STATUS: X - Please provide open space calculations as well as indigenous open space calculations. Lee County generally does not count created wetlands as indigenous open space. Will the wetland creation areas be counted towards indigenous open space requirements? If these areas are to be included toward indigenous open space requirements, a deviation, along with justification, will need to be requested. The powerline easement may not be used to meet indigenous requirements. Please revise the Master Concept Plan.

6. **Design Standards: Preservation Areas, Environmentally Sensitive Areas, and Conservation Easements** - Every effort shall be made in the planning, design and execution of a planned development to protect, preserve or to not unnecessarily destroy or alter natural features of the site, particularly mature native trees and threatened or endangered native vegetation. [34-411(g)] All preservation areas and/or conservation easements must be delineated on the plan and labeled as such. [34-373(a)(6)e.], [34-414(d)], [34-932(b)]. *Note flow-ways: to be reviewed by Division of Natural Resources* [10-253(1),(2)&(3)]
SUFFICIENCY STATUS: X
A. Created Wetland Areas: Why are the created wetland areas being proposed? Are these areas part of the South Florida Water Management District mitigation requirements? What comprises wetland creation? Will quality upland habitat be impacted by re-grading?
Note: Wetland creation site approval is pending a field verification by ES staff.

B. Proposed Preserves: The Master Concept Plan shows that some upland and wetland preserve areas will abut single family residences. How will the preserves be protected from encroachment by the single family residential lots?

Note: Approval of indigenous open space areas is pending a field verification by ES staff.

C. Lake Design: The rezoning application states that some fill will be removed from site during the excavation process. Please provide information as to the maximum requested depth for lake excavation. Can the northern most lake be designed to provide a more sinuous shoreline along the north bank? If not, a deviation, along with justification, will need to be requested.

D. List of Uses: The proposed list of uses includes continuation of existing agricultural uses only. Please provide information as to the current agricultural uses on the property.

7. **Natural Waterways** - 25 foot natural waterway buffer ; 50 foot in the Greater Pine Island Area abutting state-designated aquatic preserves and associated natural tributaries. [10-416(d)(9)]
SUFFICIENCY STATUS: X - Please delineate the natural waterway buffers on the Master Concept Plan.

8. **Dock & Shoreline Structures** - Location and dimensions of proposed structure(s). How will protected species, the natural waterway buffer, and adjacent waterways be affected? [10-474; 10-416(d)(9); Chapter 26]
SUFFICIENCY STATUS: N/A

9. **Deviations** - All environmental deviation requests must be shown on the master concept plan and explained by documentation. [34-412(a)][34-373(a)(9)]
SUFFICIENCY STATUS: X
- Deviation 6 requests relief from the requirement that no required buffer plant material be planted within easements, to allow required shrubs and non-required trees to be planted in easements. ES staff has found that vegetation planted within easements could be deleterious to public welfare. Trees having large root systems are capable of damaging underground utility structures and trees planted near power lines often must be severely pruned which violates the tree protection ordinance. The replacement of dead vegetation to meet LDC requirements can also lead to cut or damaged communication or power lines. ES staff cannot approve a generic request to plant within easements, but if specific easements and locations are proposed, a more specific deviation request could possibly be approved.

LEE COUNTY
SOUTHWEST FLORIDA

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DEPARTMENT OF TRANSPORTATION

Memo

FILE COPY

To: Kay Deselem
Development Services Senior Planner

From: Andrew J. Getch
LCDOT Professional Engineer II

Date: June 13, 2001

Re: U.S. Home Corp. in ref. to Heritage Creek RPD
DCI2001-00038

We have received the proposed Residential Planned Development (RPD) Application and have the following sufficiency comments:

1) The Master Concept Plan depicts five golf course holes and an aqua range along Pritchett Parkway. What provisions will be made to prevent errant golf balls from landing in the right of way?

2) What is the separation between Pritchett Parkway and the water management areas adjacent to Tract "D" and Tract "F"?

3) Since this community will likely generate significant bicycle and pedestrian demand, is the applicant willing to consider construction of off-road bicycle and pedestrian facilities along Pritchett Parkway as part of the project?

4) For clarity, a legend should be included as part of Figures 5 and 6 of the TIS.

5) Since the build-out year is 2008 (more than five years), the Generalized Service Volume Tables should be used for the LOS analysis in the TIS.

6) The total of entering and exiting traffic volumes (1,155 trips) in the P.M. peak hour (Figure 4) are not equal to the trip generation calculation in Table 2 (1,180 trips).

7) The D-factor of PCS No 34 is incorrect in Table 2A.

DCI 2001-00038

8) The traffic information (AADT, K-factor, D-factor, growth rate) of I-75 should reflect the FDOT's latest information (year 2000).

9) The peak season factor should not be used for the calculation of peak season peak hour traffic volumes since in Lee Plan Policy 22.1.1 the 100th highest hour approximates the typical peak hour during the peak season.

10) The heavy vehicle factor cannot be applied for the AADT from the permanent count stations and state traffic count stations.

11) Construction funds to 4-lane Bayshore Road between Slater Road and I-75 are currently programmed in fiscal year 2004 by FDOT. What will the level of service be along that segment of Bayshore Road should the development precede completion of the 4-laning?

12) The TIS should be corrected to reflect the current LOS standard on I-75 is "C".

AJG/mlb

cc: Administrative File

DCI 2001-00038

DEPARTMENT OF COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

ZONING TRAFFIC IMPACT STATEMENT SUFFICIENCY CHECKLIST

PROJECT **HERITAGE CREEK** DCI CASE NO: DCI2001-00038

SUBMITTED FOR: RPD RECOMMENDATION: find **INSUFFICIENT**

DATE OF REVIEW: June 14, 2001 REVIEWED Bob Rentz

COMMENTS INCLUDED Yes DATE: June 14, 2001

METHODOLOGY MEETING No SUFFICIENT (Y/N) **NO**

FILE COPY

LEGEND

S- REQUIREMENT SATISFIED I - REQUIREMENT NOT SATISFIED

INFORMATION REQUIRED FOR ALL PROJECTS

1) S DESCRIPTION OF DEVELOPMENT AND ITE LAND USE CATEGORY. The TIS contains a general description of each type of use proposed, the units of development (i.e. the number of dwelling units, square feet of building floor area, etc.) and the Land Use Code for each type of use used in Trip Generation (i.e. Single-Family Detached Housing, 200 Lots, Land Use Code 210).

S Land Use Codes are complete and appropriate for each proposed use.

2) S TRIP END RATES OR EQUATIONS. The TIS contains the equations or the average trip end generation rates for each type of use proposed and the name of the document from which this information was obtained (i.e. ITE TRIP GENERATION, current edition).

S Trip generation is based on the combination of uses shown in the Schedule of Uses on the

S Master Concept Plan which generates the highest total number of trips during the A.M. and P.M. peak hour of the adjacent street(s) and the A.M. and P.M. peak hour of the generator(s).

S Trip generation has been based on regression equations where available; or

S Average generation rates, where regression equations are unavailable or were approved in advance by Z&DS; or

NA Trip generation rates from a study of one or more similar developments when the study was approved in advance by Z&DS.

I Trip generation equations or average trip rates are complete and correct.

DCI 2001-00038

3) S SITE PLAN. The TIS contains a drawing showing the project's access point(s), and the . location of all other access point(s) within 660' for project entrances on an arterial road, 330' for

Road(s) accessed:	Functional Classification:	Trafficway Classificati
Pritchett Pkwy.	major collector	collector

4) I BACKGROUND TRAFFIC. The TIS contains peak season peak hour traffic for the current year and for the year in which the project is expected to be completed. For projects which are to be constructed in phases, peak season peak hour traffic for the year in which each phase of the project is expected to be completed is shown.

5) S DIRECTIONAL SPLITS. The TIS contains a drawing showing the percentage and the direction of travel for trips entering and exiting the project at each proposed access point Distribution of traffic to project entrances is reasonable.

6) S AREA OF INFLUENCE. (Required of projects generating more than 100 trips during the A.M. or P.M. peak hour of the adjacent street.) The TIS contains a drawing showing the area of influence of the project (the area in which project traffic is 10% or more of the maximum service volume at LOS "C" on roadway links and 10% or more of the total approach volumes at intersections at project buildout).

S Distribution of traffic throughout the area of influence is reasonable. Distribution shows a reasonable reduction in trips as they move away from the project. reasonable reduction in trips as

7) I LEVEL OF SERVICE ANALYSIS. (Required of projects generating more than 100 trips during the A.M. or P.M. peak hour of the adjacent street.) The TIS contains an analysis of the Level of Service for all links within the area of influence.

S The TI S contains an analysis of the Level of Service for each 'of the project's access points and of all intersections within one-quarter mile of the project. The analysis follows the methods established in the most current edition of the HIGHWAY CAPACITY MANUAL for either unsignalized or signalized intersections.

8) I ARTERIAL ANALYSIS. (Required of projects generating more than 300 trips during the A.M. or P.M. peak hour of the adjacent street.) The TIS contains an analysis of the arterial road accessed or impacted in the area of influence which follows the methods established in the most current edition of the HIGHWAY CAPACITY MANUAL for an urban or suburban arterial road.

9) I NECESSARY. IMPROVEMENTS. (Required of projects when the Level of Service analysis shows that the LOS on links or at intersections falls below the minimums adopted in THE LEE PLAN.) The TIS contains a recommendation and analysis of the improvements that are needed to meet or exceed the LOS standard.

DCI 2001 00038

COMMENTS

2) **Table 1 and 2:** The trip generation for Golf Course must be based on acreage, rather than number of holes.

Figure 4: Some of the volumes appear to be incorrect.

4), 7), & 8) The project build out date is more than 5 years as measured from 1998, and therefore the Generalized Peak Hour Directional Service Volumes must be used, instead of the link-specific volumes. This will change some of the levels of service determinations.

When using AADT volumes from the 2000 Traffic Count Report the truck factor and the peak season factor are no longer necessary. The permanent count stations automatically adjust for trucks and the K100 factor automatically adjusts the volumes to peak season. Without these factors some of the background volumes, and thus the future volumes, will change.

9) In 2008 with the project, the SB movement at the Bayshore Rd./Pritchett Pkwy. intersection fails. How will this be mitigated?

NOTE: **Figure 7:** Please explain how these volumes were calculated. I could not duplicate any of them.

DCI 2001 00038

MEMORANDUM
DEPARTMENT OF PUBLIC WORKS
NATRUAL RESOURCES DIVISION

TO: Jeff Jenkins
Community Development

FILE COPY

FROM: Brad Vance

DATE: June 14, 2001

RE: HERITAGE CREEK
DCI 2001-00038

The application is insufficient. Please submit the electronic copy of an HEC 2 model with 100 year floodway utilizing method 4 with a target increase of 1.0 feet. Cross sections must be surveyed sections across the entire floodplain and be no further apart than 1000 feet. The limits of the modeling for Bayshore must be from I-75 to Henderson Grade and Popash must be from Leetana to Henderson Grade. Delineate these lines on the Master Concept Plan.

Please call with any questions or comments regarding the above.

Cc: Roland Ottolini

DCI 2001 00038

LEE COUNTY
SOUTHWEST FLORIDA

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County Hearing Examiner

Writer's Direct Dial Number: (941)479-8336

September 11, 2001

Ms. Carron Day
Florida Land Planning
1560 Matthew Drive, Suite E
Ft. Myers, FL 33907

RE: Heritage Creek; File #DCI2001-00038

Dear Ms. Day:

The Development Services Division has reviewed the information provided for the above zoning application. The Land Development Code requires additional information for the application to be sufficient. Please respond to each requirement not satisfied on the attached sufficiency checklists. For your assistance, I have attached memoranda from the various Lee County reviewing agencies and other persons who provided input.

If you do not provide the requested supplements or corrections within 60 calendar days of this letter, the Code requires that this application be considered withdrawn. Please feel free to contact me or the staff reviewers if you have any questions.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Kay Deselem

Kay Deselem, AICP
Senior Planner

Enclosures: Checklist from Development Services-zoning review, dated 9/10/01
Checklist from Development Services-TIS, dated 9/4/01
Memo from DOT, dated 9/6/01
E-mail message from Natural Resources, dated 9/5/01
Correspondences from neighbors

cc: Mary Gibbs, Dept. Director
John Fredyma, Asst. County Attorney
Bob Rentz, Development Services
Andy Getch, DOT
Kim Trebatoski, Environmental Sciences
Zoning/DCI File
Paul O'Connor, Division of Planning
Thom Osterhout, Utilities-Public Works
Don Blackburn, Development Services
Brad Vance, Natural Resources
Gary Nychyk, Environmental Sciences

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DCI 2001 00038

LEE COUNTY
SOUTHWEST FLORIDA

DEPARTMENT OF COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

SUFFICIENCY CHECKLIST FOR PLANNED DEVELOPMENTS, AMENDMENTS, AND EXISTING DEVELOPMENTS REQUESTING PLANNED DEVELOPMENT ZONING

PROJECT NAME: HERITAGE CREEK RPD
CASE #: DCI2001-00038
REQUEST: Rezone to Planned Development
DATE OF REVIEW: 9/10/01
REVIEWED BY: Kay Deselem
SUFFICIENCY DETERMINATION: INSUFFICIENT

X MAJOR PLANNED DEVELOPMENT
___ MINOR PLANNED DEVELOPMENT
___ EXISTING DEVELOPMENT
___ AMENDMENT

LEGEND:

OK - Requirement satisfied
N/A - Not applicable
REF - Referred to another agency for review
X - Requirement not satisfied
RW - Requirement waived by director

PART I APPLICANT\PROPERTY OWNERSHIP INFORMATION

1. Sections A.3 and D.2 indicate that US Home Corporation is a contract purchaser. The revised disclosure forms still do not provide the required information for the Contract Purchaser.

2. It appears that the agent information should be amended to reflect the change in affiliation of Ms. Day. If Ms. Day's new firm, Wilson Miller, is going to be the agent for this request, the application must be changed to reflect this information on page 3 of 11, and authorization must be provided to the new firm either from the owners or from the applicant. Until that information is received, Lee County will continue to send correspondence to Florida Land Planning, as that is the information currently on file.

PART II GENERAL INFORMATION

1. The legal description in not sufficient. A boundary survey must be submitted in compliance with the information requested previously. Your response indicated that a boundary survey for the site is being prepared and will be forwarded when complete. Until that document is received and reviewed, this project cannot go forward. Should you have questions about the legal description requirements, please contact Mr. Murphy.

2. The letter stated that an amended Section E-1 was submitted. Nothing is found in the submittal documents. Please provide the information as previously requested.

3. The Lee Plan narrative proposes a 2 upa density which is at the top of the density range. It appears that the surround densities are less. Please explain.

4. Your letter states that an answer to this question will be forthcoming. Until that information is received and reviewed, this project cannot go forward.

5. Staff accepts your response as a sufficiency response, but reserves the right to respectfully disagree as part of the staff report analysis of compatibility issues. For sufficiency purposes, the question has been answered.

DCI 2001 00038

6. Staff accepts your response as a sufficiency response, but reserves the right to respectfully disagree as part of the staff report analysis of compatibility issues. For sufficiency purposes, the question has been answered.

7. Staff accepts your response as a sufficiency response, but reserves the right to respectfully disagree as part of the staff report analysis of compatibility issues. For sufficiency purposes, the question has been answered.

8. Your letter states that an answer to this question will be forthcoming. Until that information is received and reviewed, this project cannot go forward.

PART III EXISTING CONDITIONS

1. Please revise the application to be consistent with your response in the 8/13/01 letter.

PART IV PROPOSED DEVELOPMENT

1. Due to changes in the MCP, additional information is required.

   Please provide the acreage for each of the tracts.

   Attachment 1, the proposed Schedule of Uses still includes references to the "Park" in the Recreational Facilities area. Since this area not longer exists the Park designation should be removed.

   The Recreational Facilities area continues to include what appear to be "left-over uses, from the previously proposed golf course use. These uses include a driving range [see note below regarding deviation #3], a pro shop, and a putting practice green.

   Please explain what is proposed for a project maintenance facility. Since the golf course has been removed from the project it is not clear what function this facility will have.

   Please show the proposed buildings in the Recreational Facility area.

   The justification for Deviation #3 states that a golf aqua driving range is proposed for the project. That lake that was previously identified for a n aqua range is now shown asa water management area, but no uses are proposed for that site or any other water management areas. Please clarify. The Aqua range use is not included in the schedule of uses for any area. Please include building details and property development regulations for this use.

2. Response accepted as sufficient.

3. You were requested to provide the number and type of EACH unit proposed for EACH tract. This has not been provided. Please indicate where the different type dwelling units will be located. A townhouse is more similar to a multi-family building. Where are townhouses to be located? Which tracts and where on those tracts will the duplex, two-family and zero lot line units be located?

   Please provide revised property development regulations to correspond to the amended schedule of uses.

4. As previously noted, the MCP Note #4 is not adequate. The explanation provided in your letter is not consistent with the requirements of a planned development rezoning request contained in the LDC. This detail must be provided at time of zoning. Please provide the proposed square footages or other limitations for all uses proposed in the proposed schedule of uses such as the

specialty retail uses and the restaurant.

5. The issue about the "Park" use is still not clear. See previous discussions.

6. Issue clarified.

7. Please provide a revised Master List of Uses to correspond to the clarification made regarding height.

8. No staff response required.

9. Please provide the response as previously requested from Brad Vance regarding surface water management issues. It is not appropriate to delay this issue until development order review, as is mentioned in your letter. Until that information is received and reviewed, this project cannot go forward.

10. Please provide the general location of service areas as is required in item H.10.

11. Issue clarified.

12. Issue clarified.

14. Issue clarified.

15. Issue clarified.

16. Staff accepts your response as a sufficiency response, but reserves the right to respectfully disagree as part of the staff report analysis of compatibility issues. For sufficiency purposes, the question has been answered.

17. Issue clarified.

16. You were asked to provide documentation to show that you have authority to utilize Hunter's Glen Drive to access Tract D. Your response indicates that this issue is pending. Please respond.

17. Issue clarified.

18. Deviations

    A. A response from Mr. Blackburn is pending.

    B. Your letter asks that staff provide a written commitment that deviations can be approved through the Development Order Review process. Staff cannot provide any assurances that any deviation will be supported at a later time.

    An amendment is proposed to the LDC to allow the action requested in Deviations 1 & 2 to occur by right.

    One of the reasons it is not appropriate to seek the deviation as part of the rezoning is because no detail has been provided in support of the deviations. Until the detail is provided, staff cannot offer a position. Approval of any deviation in a previous hearing does not necessarily warrant approval in any subsequent application. As you stated, each deviation request should be addressed on its own merit relative to the subject case at hand. The justification provided for Deviation 9 does not specifically address this project.

The justification contains references to other US Home projects in Lee County. Please provide justification specific to this project.

C. The justification provided for Deviation #4 n indicates that you are seeking this deviation "to reduce crossing of the powerline easement. It is not clear to staff what you mean. The first MCP showed one crossing of the powerline easement in Tract A and there is still one crossing in Tract A. Please explain.

Please respond to the issue about the Hunter's Glen project design

D. The words are still missing from Deviation #8. Please review this request.

E. Although Deviation #9 was clarified to some extent, staff still needs more details about Deviation #9 in order to review the request. How many units of each bedroom type are proposed? What is the number of parking spaces that will be required and how many do you propose to provide? What is the parking design for the buildings?

F. Deviation withdrawn.

G. Since no parking lots are shown on the MCP, Deviation #11 seems premature. Given the lack of detail, staff will most likely not support this deviation.

H. Staff respectfully disagrees with the sufficiency response provided. Staff continues to believe that a copy of the proposed signs are necessary. The justification claims that the signs will be "small, low key and attractive". Please provide staff documentation to see what that assumption was made. The MCP must show how many signs will be affected by this deviation and show the exact location of each sign. Please provide the justification for the request in the form required by the LDC.

DCI 2001 00038

MEMORANDUM
FROM THE
DEPARTMENT OF COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

DATE: September 04, 2001

TO: Kay Deselem, AICP
Senior Planner

FROM: Robert G. Rentz, P.E.
Development Review Engineer

RE: **Heritage Creek**
Case No. DCI2001-00038
Zoning Traffic Impact Statement

The Zoning Traffic Impact Statement for the referenced project was reviewed and found insufficient on June 14, 2001, and was resubmitted on August 20, 2001. Based on a review of the resubmitted information all previous review comments appear to have been addressed. Therefore, this Zoning Traffic Impact Statement now meets the requirements of the Zoning Traffic Impact Statement guidelines adopted on April 15, 1992 and is considered acceptable and approved for sufficiency.

BGR
S:/WRITERS/RENTZRG/DCI200100038ZTIS2

DCI 2001 [illegible]38

LEE COUNTY
SOUTHWEST FLORIDA

DEPARTMENT OF
TRANSPORTATION

Memo

To: Kay Deselem
Development Services Senior Planner

From: Andrew J. Getch AG
LCDOT Professional Engineer II

Date: September 6, 2001

Re: U.S. Home Corp. in ref. to Heritage Creek RPD
DCI2001-00038

We have received the proposed Residential Planned Development (RPD) Application and have found it to be sufficient for review. We will provide substantive comments upon request.

AJG/mlb

cc: Administrative File

DCI 2001-00038

\\LCFNW04\DATA\SHARED\DOT\DOCUMENT\GETCH\MEMOS\2001\Heritage Creek RPD suff 090701.doc

From: Brad Vance
To: Deselem, Kay
Date: 9/5/01 2:20PM
Subject: Heritage Creek DCI2001-00038

Kay,

Being that the limits of the floodways can adversely affect the MCP, we cannot find it sufficient or deal with this issue at the time of Development Order.

The applicant will need to submit an HEC-2 model for the base flood with the limits of the floodway established using the equal conveyance reduction method with a target increase of one foot. Anay increases in flow velocity would also need to be reviewed.

Brad

CC: Ottolini, Roland

DCI 2001 00038

ASAP

TO: Kay Deselem

FR: Lori DAVIDSON

RE: HERITAGE Creek
US Homes
DCI 2001-00038

DCI 2001 00038

9/11/01

LEE COUNTY PLANNING
ATT: KAY DESELEM
#DCI 2001-00038 HERITAGE CREEK

DEAR SIR OR MADAM:

I AM WRITING THIS LETTER AS A CONCERNED CITIZEN. OUR INTENT IS TO MAINTAIN THE RURAL LIFESTYLE WE MOVED HERE TO ENJOY.

OBVIOUSLY, A MULTI-FAMILY DEVELOPMENT HAS THE POTENTIAL TO IMPACT OUR COMMUNITY IN MANY WAYS. THEREFORE, I WOULD REQUEST THAT YOU CONSIDER AND ADDRESS THE FOLLOWING CONCERNS DURING THE CONSIDERRATION OF GRANTING THE RE-ZONING REQUEST:

1) SURFACE WATER MANAGEMENT-WE CURRENTLY HAVE A MAJOR PROBLEMS IN OUR AREAS DURING RAINY SEASON.

2) HEIGHT OF APARTMENT/DUPLEXES & TOWNHOUSES

3) THE DEVELOPMENTS CONSISTENCY WITH SURROUNDING PROPERTIES

4) THE DEVELOPMENT CONSISTENCY WITH THE "BAYSHORE COMMUNITY PLAN" WHICH IS CURRENTLY BEING SUBMITTED

5) TRAFFIC/ROADS-NO SIDE WALKS OR FOUR LANING FOR TURNS ETC..

6) BRIGHT LIGHTS THAT MAY BE PUT THROUGHTOUT THIS COMMUNITY AND AT THEIR PARKS, POOLS AND PARKING LOTS. (NORTHERN END)

7) THE NORTHERN BOUNDARY THERE IS TO BE A BUFFER? WHAT WILL HAPPEN THE THE NORTHERN BORDERS SWALES ARE FULL? THE WATER WILL REMAIN ON OUR NORTHERN PROPERTIES

8) WHO WILL MAINTAIN THE CREEKS (POPASH AND BAYSHORE) SO THAT THE ADDITIONAL WATER CAN FLOW? US HOMES SUGGEST BUFFERS IN ORDER TO PREVENT THE CREEKS FROM OVERFLOWING INTO THERE 'NEW DEVELOPMENT" WHICH WOULD OBVIOUSLY FORCE THE WATER TO THE NORTH .

DCI 2001-00038

THANK YOU FOR YOUR TIME AND CONSIDERATION ON THIS MATTER IF YOU SHOULD HAVE ANY QUESTIONS PLEASE CONTACT ME AT 941-567-1500.

SINCERELY,

Lori Davidson

LORI DAVIDSON
8501 HENDERSON GRADE
N FT MYERS, FL 33909

DCI 2001-00038

September 11, 2001

VIA FACSIMILE: (941) 479-8341

Attn: Ms. Kay Deselem
and/or director of Planning Department

Re: Heritage Creek
Case No. DCI 2001-00038

Dear Ms. Deselem:

We are writing this letter as a concerned citizens. Our intent is to maintain the rural lifestyle we moved here to enjoy.

This proposed multi-family development has the potential to impact our community in many ways. We would request that you consider and address the following concerns during the consideration of granting the re-zoning request:

1. Surface Water Management (which several of us already have terrible problems with during rainy season)
2. Height of apartment/duplexes & townhouses
3. The developments consistency with surrounding properties.
4. The developments consistency with the "Bayshore Community Plan" which is in the process of being submitted for implementation. (enclosed)
5. Traffic/roads
6. Bright lights that may be put throughout this community and at their parks, pools and parking lots.

Concerned citizens,

Concerned citizens

Henderson Grade Road Improvement Fund

Encl: as stated above

DCI 2001 00038

BAYSHORE COMMUNITY PLAN
FOURTH DRAFT - June 8, 2001

GOAL 20: BAYSHORE COMMUNITY

To protect the existing rural, agricultural and equestrian-oriented character of the community by maintaining low residential densities and minimal commercial activities, while excluding incompatible uses, such as mining, that are destructive to the character of this rural residential environment. For the purposes of this goal and related objectives and policies, the boundaries of the Bayshore Community will be I-75 on the west, SR 31 on the east, the Caloosahatchee River on the south and the Charlotte County line on the north.

OBJECTIVE 20.1: LAND USE

~~The existing land use designations of the Lee Plan~~ (as of September 30, 2001) are appropriate to achieving the goal of the Bayshore Plan. No land use map amendments to a more intensive category will be permitted after the adoption of this amendment, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners.

POLICY 20.1.1: Retail commercial activity shall be limited to the Interstate Interchange designation at Bayshore and I-75, plus minor commercial uses at the intersections of Nalle Road and Bayshore, SR 31 and Bayshore, and SR 31 and Old Bayshore. Non-retail commercial uses are permitted elsewhere consistent with the Lee Plan and the Land Development Code.

POLICY 20.1.2: No new industrial activities or industrial rezonings are permitted.

OBJECTIVE 20.2: TRANSPORTATION

To protect and maintain the rural character of the Bayshore Community, no new arterial or collector roads will be constructed nor existing arterial or collector roads widened or extended, with the exception of the widening of Bayshore Road in the future. Public transportation expenditures shall be limited to routine maintenance and bike paths and/or bridle paths. New local roads may be constructed with private funds or municipal service taxing or benefit units.

OBJECTIVE 20.3: SEWER AND WATER

Given the desire to maintain a low residential density, central sewage service is not economically feasible and should be discouraged north of Bayshore Road. Central water service for enhanced fire protection will be encouraged where economically feasible.

OBJECTIVE 20.4: PARKS AND RECREATION

The County will explore, with the support of the residents of Bayshore, the feasibility of establishing an equestrian park as the primary recreation facility for this community.

September 11, 2001

Via Facsimile: 941-479-8341

Lee County Planning Department
Attn: Ms. Kay Deselem

Re: Heritage Creek
Case No. DCI 2001-00038

Dear Ms. Deselem:

We are writing this letter as concerned citizens. Our intent is to maintain the rural lifestyle we moved here to enjoy.

Obviously, a multi-family development has the potential to impact our community in many ways. Therefore, we would request that you consider and address the following concerns during the consideration of granting the re-zoning request:

1. Surface Water Management (which several of us already have terrible problems with during rainy season). Pictures can be provided that depict standing water in roadways and ditches that do not flow anywhere. I would also reference Gary Nychyk, Environmental Planner's July 27, 2001 letter regarding "apparent flow way which exists between a proposed wetland preserve and Pop Ash Creek". How has this been resolved? Any other flow ways that may be potentially blocked?

2. Considering amount of sheet flow, what will happen on northern borders when swale is full, surface water will remain on northern properties or lay stagnant in swale? Who will maintain swale? *Chapter 10, article 1, # 8 - Drainage and stormwater management.* The development must be designed in accordance with applicable county and water management districts' runoff, retention and attenuation requirements and any other state and local drainage laws. **The development must also be designed to avoid flooding or erosion damage to adjacent property and the county drainage system and to avoid the creation of stagnant pools that would encourage mosquito breeding.** The development must provide a method of continual maintenance and operation through legal documentation and must ensure proper stormwater management so as to reduce the potential impacts of flooding.

3. Part IV #16 road that shall cross Popash Creek, current roads that already cross these creeks, surrounding properties have significant surface water problems during rainy season since the creeks do not handle the surface water.

DCI 2001-00038

Re: Heritage Creek
Case No. DCI 2001-00038
page 2

4. Who is going to do the routine maintenance of Popash & Bayshore Creeks that US Homes proposes to "assure existing flow capacities are not diminished by overgrown vegetation. Also, US Homes will put in upland preservation buffers along the creeks in order to prevent the creeks from overflowing into their "new development" which would obviously force or keep the water to the north.

5. The developments consistency with surrounding properties.

   a. Height of apartment/duplexes & townhouses. If townhouses or apartments are in this plan we would request that they are in an area where they are not visible to adjacent/surrounding properties

   b. Bright lights that may be put throughout this community and at their parks, tennis courts, pools and parking lots, etc. Part II #5 - lowering the density and changing the zoning to non-agricultural is not consistent with surrounding properties. So in order to reduce impact on surrounding properties, we are requesting: lighting/height and brightness to be addressed. Chapter 10, article 1, #9 *Open space, parks and recreation.* Sufficient open space must be provided for the use of the occupants of the development. **Recreation facilities and parks must be located so as to avoid nuisance conditions affecting adjacent and nearby properties**, and must be of a sufficient size and variety for all occupants of the development. Every effort must be made to locate required open space so as to protect archaeological sites.

   c. Throughout applicant's responses to Lee County, they state that no buffers are required between residential/residential or residential/agricultural, although LDC states: Chapter 10, article 1, in general, # 10 *Landscaping and buffering.* Adequate landscaping, including screens and buffers, to preserve compatibility with uses outside the proposed development must be provided, and, as a furtherance of the ecological preservation goal, vegetation, trees and signs must be in accordance with this chapter and must be aesthetically pleasing. Applicant is requesting to change the density and zoning, considering the fact that the subdivision is not consistent with surrounding properties, ie will not be zoned agricultural, we would request that vegetative buffers be in place especially on the northern and eastern borders.
   14. Part IV #14 notable plants vegetative buffers along north of property boundary with Popash Creek & Bayshore Creek engineer has planned for berms & water management facilities to be located in these areas. What type of water management facilities?

Re: Heritage Creek
Case No. DCI 2001-00038
page 3

6. Traffic/roads. Section 10-8- 2. Ensure that safe and efficient access is provided to the development and 3. Minimize the proposed development's adverse traffic impacts and minimize traffic congestion on the road system.

7. US Homes does not intend to put in sidewalks on Pritchett Parkway, although their development will obviously increase traffic flow, which will not ensure safety for the residents who do ride bikes or walk. You will also need to take into consideration that since this is an agricultural area, several people ride horses along the edge of the roadway. If sidewalks are not on the "official bikeways/walkways facilities plan map for the county dated July 12, 1995, how and who will ensure the safety of the citizens who use this area considering there is no shoulder?

8. How far from the property line of the northern boundary will the 80 foot buffer start, plan is not clear?

9. Where is lake located on northern boundary, not visible on new plan submitted in August, 2001.

10. What is the facility on northern border of subdivision? Would request that no operating or other facilities be in sight of existing surrounding agricultural/single family residences.

11. The developments consistency with the "Bayshore Community Plan" which is in the process of being submitted for implementation.

I would request that you phone me when you are able to locate attachment 1 where applicant is supposed to clarify single and multi-family tracts which may also show where pools, parking lots and other structures will be located.

Respectfully,

Douglas and Shelley Traurig

Douglas and Shelley Traurig
8300 Henderson Grade
North Fort Myers, FL 33917
(941) 226-1200 day time
(941) 731-0309 evening

DEVELOPMENT SERVICES DIVISION
DCI SUFFICIENCY REVIEW -RESIDENTIAL PLANNED DEVELOPMENT
TRANSMITTAL SHEET

TO: Distribution FROM: Kay Deselem DATE: October 19, 2001
John Fredyma, Assistant County Attorney
DS Reviewer- Don Blackburn
TIS Reviewer - Bob Rentz
Paul O'Connor, Planning
Kim Trebatoski, Planning
Andy Getch, LCDOT
Stephanie Keyes, Lee Co. School District
Roland Ottolini, Natural Resources
Jerry Murphy, to review raised seal sketch of description

PROJECT NAME: U. S. Home Corp., in ref to Heritage Creek RPD CASE DCI 2001-00038

INFORMATION SUMMARY:

RESUBMITTAL

X To update your file RESPONSE REQUIRED BY: November 2, 2001

X Review and forward sufficiency questions or make finding of sufficiency

Additional Comments:

Sufficiency response from Carron Day of Wilson Miller;

Letter from Metro Transportation;

Amended attachments 1, 2, 3 & 4;

Revised exhibits IV-I-1 & IV-M,

Revised MCP;

Boundary survey;

Sketch of description;

Protected species assessment from Dex Bender & Assocs.

(DCI) Lee County LDC Section 34-373(d)(1).

Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

Cc: DCI File/ZONE File

Distributed by Denise Bayliss on October 22, 2001

U:\200110\DCI20010.003\8\xmtsfrv3 heritage creek.wpd

DCI 2001-00038

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUFFICIENCY REVIEW
TRANSMITTAL SHEET

TO: Distribution
John Fredyma, Asst. County Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Don Blackburn
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Stephanie Keyes, Lee County School District
Roland Ottolini, Natural Resources

FROM: Mike Pavese

DATE: 05/31/2002

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: HERITAGE CREEK

CASE #: DCI2001-00038

INFORMATION SUMMARY:

RESUBMITTAL

___ To update your file
_X_ Review and forward sufficiency questions or make finding of sufficiency (If applicable)

RESPONSE REQUIRED BY: 06/14/2002

Additional Comments:

(DCI) Lee County LDC Section 34-373(d)(1).
Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI planner/working file
DCI Zone File

DCI 2001-00038

Distributed by: Jamie Princing

Date: 06/03/2002

WilsonMiller
4571 Colonial Boulevard, Suite 100
Ft. Myers, Florida 33912-1062
Phone No. 941/939-1020
Fax No. 941/939-7479 (Admin/Eng.)
Fax No. 941/939-3412 (Planning/Survey/Environmental)

LETTER OF TRANSMITTAL

Date: May 31, 2002
PIN: 03642--000--000--5968
File Designator: PCOR
Project Name: Stoneybrook North
Ref: DCI 2001 - 00038

TO: Lee County Department of Community Development

P.O. Box 398

Ft. Myers, FL 33902-0398

Attn: Mike Pavese

We are sending attached via: ☐ Client Pickup ☒ Delivery ☐ Mail ☐ UPS-Overnight Express, the following items:

☐ Prints ☐ Plans ☐ Specifications ☐ Change Order ☐ Copy of Letter ☐ Shop Drawings
☐ Disk ☐ Thermal Plot ☐ Other:

Copies	Date	Drawing File No.	Description/Sheet Numbers
12	5/31/02	D-3642	Stoneybrook North Master Concept Plan

THESE ARE TRANSMITTED as checked below:

☐ For approval ☐ For your use ☐ As requested ☐ For review and comment ☐ FOR BIDS DUE
☐ ☐ PRINTS RETURNED AFTER LOAN TO US

RECEIVED
MAY 31 2002
DS
COMMUNITY DEVELOPMENT

sufficiency

DCI 2001-00038

COPY TO: Deno Benetis
Sam Marshall

SIGNED _____
Carron Day
If enclosures are not as noted, kindly notify us at once.

Original to Client Project File

5/15/00-12485 Ver: 011-PCase
CA #43
Z5555-555-555--0000

WilsonMiller

MEMORANDUM

TO: Mike Pavese

FROM: Carron Day

DATE: May 30, 2002

SUBJECT: Stoneybrook North

Mike – We have modified the Master Concept Plan for Stoneybrook North (formerly Heritage Creek) to add a 50 foot open space area between Bayshore Creek and the rear property line shown for the lots in the area formerly known as Virginia Farms. With this change all of the property within Stoneybrook North will be in compliance with LDC Section 6-473 which requires that no encroachments, including fill material or structures, shall be located within a distance from the stream bank equal to two times the width of the stream at the top of the bank or 50 feet on each side from the top of the bank, whichever is greater.

This change is in lieu of the alternative we discussed at our last meeting, the HEC 2 modeling. It is my recollection that we have now responded to all of the county's requests for information after we were found sufficient. Could you please schedule the project for the Hearing Examiner's public hearing. Thank you.

DCI 2001-00038

RECEIVED

MAY 31 2002

COLLIER COUNTY DEVELOPMENT

5/30/02
CA #43
03642-000-000

ZONING DIVISION

SUBSTANTIVE REVIEW

TRANSMITTAL SHEET

TO: Distribution FROM: Kay Deselem DATE: 1/8/02

John Fredyma, Asst. County Attorney
Don Blackburn, Development Services
Kim Trebatoski/Gary Nychyk, Environmental Sciences
Andy Getch, LCDOT
Paul O'Connor/Matt Noble, Planning Division
Brad Vance, Natural Resources
Thom Osterhout, Utilities
Stephanie Keyes, School Board

PROJECT NAME: **HERITAGE CREEK** CASE: **DCI2001-00038**

Please provide your written comments to Mike Pavese by 1/29/02

Additional Comments:

Attached you will find a copy of the draft request letter that was sent to the applicant's agent. Please address your written comments to the request as shown. If you see an error or omission, please contact me immediately. This case will be tentatively scheduled for public hearing (Hearing Examiner) shortly. If you need additional information, please contact me.

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Bob James
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

Writer's Direct Dial Number

January 8, 2002

Ms. Carron Day, AICP
Wilson Miller
4571 Colonial Boulevard, Suite 100
Ft. Myers, FL 33912-1062

RE: Heritage Creek; File #DCI2001-00038

Dear Ms. Day:

The Development Services Division has reviewed the information provided on 5/31/01 and supplemented on 8/20/01, 10/19/01 and 12/5/01 for this application. The application will be sufficient and ready to be scheduled for public hearings once the legal description, which is still being reviewed, is deemed acceptable. Please contact Jerry Murphy at 479-8585 with questions about the legal description.

Please note that a finding of sufficiency only recognizes that enough information has been provided to allow staff to adequately review the request. Staff may or may not necessarily agree with the information provided and the conclusions that have been drawn. In addition, staff would like to get additional information on the sign deviation that was added as part of the12/5/01 resubmittal, as noted below.

The finding does not imply that staff will be recommending approval of the request or any deviation. I have drafted the formal request from your application as follows:

> Rezone 741.72± acres from AG-2, CPD, and RVPD to Residential Planned Development (RPD) to permit a maximum of 1,525 dwelling units to consist of a mixture of single family, two family townhouse, and multifamily uses, along with various recreational facilities in structures that may be a maximum of 60 feet/4 stories high.
>
> NOTE: If approved, the Master Concept Plan (available for inspection at 1500 Monroe St., in Ft. Myers) may deviate from certain Land Development Code (LDC) standards.

Please review this language carefully, and notify me in writing by whether or not this wording is satisfactory. Staff's substantive comments, along with the staff report, are being prepared. This request will be tentatively scheduled for public hearing before the Lee County Hearing Examiner once the clarifications below have been addressed and the legal has been deemed complete. However, please note that any hearing date is tentative and subject to change. Furthermore, Lee County will be held harmless for any potential delay in effectuating compliance with the tentative hearing date.

DCI 2001-00038

P.O. Box 398, Fort Myers, Florida 33902-0398 (941) 335-2111
Internet address: http://www.lee-county.com

Recycled Paper
AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

Staff seeks clarification on the following issues:

On page two of the explanation about the proposed signs, it is noted that there will be two entrance signs, however the MCP shows several locations where these signs may be located. Is it your intention to limit the entrance signs to only two?

The deviation discussion for Deviation #15 talks about "Main Entrance Identification Signs." Are you referring to the signs identified on the MCP as "Project Signs?" Attachment #5, "Signage for Heritage Creek" distinguishes clearly between the two types of signs, however the deviation language is not as clear.

If you are showing alternative locations for the project signs, and stating in 11/28/01 memo that the applicant will construct the main project sing in one of these two locations, it seems that you are only going to have one project sign. It is not clear in the discussion about Deviation #14 as the discussion talks about "each" sign. Please clarify.

The deviation discussion notes the sign faces will be 130 square feet in size and Attachment 5 indicates the signs will be 150 square feet in size. Please clarify.

The pictures provided in Attachment 5 portray considerable landscaping and detail. Are you committing to the design shown? Please provide cross section and measurable detail to accompany the pictures.

Please provide more information about the communication tower that was added to the 12/5/01 MCP. Please note that a communication tower is NOT a permitted use in an RPD.

Please provide more information and the show the location of the "existing billboard" that is reference in the revised schedule of uses in the 12/5/01 submittal for Tract K.

Please provide more information about the Temporary Sales Center and Temporary Access that has been added to the MCP at the project's northeastern edge. For example: What is the structure to be? How big will the structure be? What is the proposed time frame for the temporary use? How will parking and water management be addressed.

Deviations 1 & 2 can be withdrawn as that action is now permitted by the LDC without a deviation.

Deviation #6 seeks to allow trees in buffers. The LDC was changed in the last round of LDC amendments to prohibit variances and deviations from this section. Please withdraw this request as relief cannot be sought through this avenue.

I am awaiting review comments from LCDOT.

DCI 2001-00038

You may schedule or waive a formal pre-hearing conference to discuss substantive issues. Contact Mike Pavese if you have any questions or if you would like to meet informally prior to the public hearings.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

Kay Deselem

Kay Deselem, AICP
Senior Planner

Enclosures: Memo from Environmental Sciences, dated 12/18/01

cc: Paul O'Connor, Division of Planning
John Fredyma, Asst. County Attorney
Bob Rentz, Development Services
Andy Getch, DOT
Gary Nychyk, Environmental Sciences
Zoning/DCI File
Kim Trebatoski, Environmental Sciences
Thom Osterhout, Utilities-Public Works
Don Blackburn, Development Services
Brad Vance, Natural Resources
Mike Pavese, Zoning Division

DCI 2001-00038

DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF PLANNING/ENVIRONMENTAL SCIENCES
PLANNED DEVELOPMENT REZONING SUFFICIENCY CHECKLIST

PROJECT NAME:	Heritage Creek RPD
CASE NUMBER:	DCI 2001-00038
STRAP NUMBER(S):	15-43-25-00-00001.0000, .0010, and 16-43-25-00-00001.0060, .006A, .006B, .006C, .0100, 00002.0000, 00003.0000, .0010, .0020, .0030, .0040, .0050, .0070, .0080, and 21-43-25-00-00001.1000, 00002.0000, and 00006.0020
ACREAGE:	740.1 Ac [79.2 Ac Wetlands]
SUBMITTAL DATE:	December 5, 2001
END DATE OF REVIEW:	December 18, 2001
REVIEWED BY:	Gary Nychyk, Environmental Planner Phone: (941)479-8323; FAX 941-479-8319 E-mail: nychykag@leegov.com

RECOMMENDATION: OK/A - Please see notes below

OK =Sufficiency requirement satisfied.
OK/A=sufficiency satisfied, but additional information needed.
X=Sufficiency requirement not satisfied.
N/A=Not applicable to this submittal.
N/R=Not a requirement for Sufficiency Submittal: Minor PD.

This checklist is for sufficiency of information to review for planned development rezoning. It does not grant or imply any approvals.

ADDITIONAL INFORMATION MAY BE REQUESTED BEFORE ANY HEARINGS.

---

1. **Soils, Vegetation FLUCCS, Topography** - Aerial with the site clearly delineated. Maps or aerial photographs marked or overprinted to show soils, vegetation and ground cover, and a Lee county topographic map (required if available) or a USGS quadrangle map showing the subject property at the same scale as the Master Concept Plan. Soils and vegetation, etc. should be classified in accordance with USDA/SCS system and the Florida Land Use and Cover classification system, respectively.
[34-373(a)(4) c.&d.]
SUFFICIENCY STATUS: OK

2. **Protected Species Survey** - For large developments, a protected species survey as required by Chapter 10, Division 8 of the Lee County Land Development Code. [34-373(b)(2)]
SUFFICIENCY STATUS: OK

DCI 2001-00038

3. **Protected Species Management Plan** - A management plan as required by Chapter 10, Division 8 of the Lee County Land Development Code. Protected species preserve areas must be indicated on the master concept plan; a final management plan is not required until time of local development order. [10-474]
SUFFICIENCY STATUS: OK

4. **Environmentally Sensitive Areas:** - The location of any environmentally sensitive land and water, based upon standard environmental data and verified by the South Florida Water Management District staff, unless waived by the director. [34-373(4)d.]
SUFFICIENCY STATUS: OK

5. **Open Space** - Open space must be stated on the plans, unless the proposed development is in a development area consisting solely of conventional single family dwelling units on lots of no less than 6500 square feet. For commercial and industrial developments, the percent of open space within each lot or outparcel shall be as set forth in 34-414(c). [34-373(a)(6)f.]
SUFFICIENCY STATUS: OK

6. **Design Standards: Preservation Areas, Environmentally Sensitive Areas, and Conservation Easements** - Every effort shall be made in the planning, design and execution of a planned development to protect, preserve or to not unnecessarily destroy or alter natural features of the site, particularly mature native trees and threatened or endangered native vegetation. [34-411(g)] All preservation areas and/or conservation easements must be delineated on the plan and labeled as such. [34-373(a)(6)e.], [34-414(d)], [34-932(b)]. *Note flow-ways: to be reviewed by Division of Natural Resources* [10-253(1),(2)&(3)]
SUFFICIENCY STATUS: Please see notes below.
A. Created Wetland Areas: OK

B. Flow-way: OK

C. Lake Design: OK

D. List of Uses: OK

7. **Natural Waterways** - 25 foot natural waterway buffer ; 50 foot in the Greater Pine Island Area abutting state-designated aquatic preserves and associated natural tributaries. [10-416(d)(9)]
SUFFICIENCY STATUS: OK

8. **Dock & Shoreline Structures** - Location and dimensions of proposed structure(s). How will protected species, the natural waterway buffer, and adjacent waterways be affected? [10-474; 10-416(d)(9); Chapter 26]
SUFFICIENCY STATUS: N/A

9. **Deviations** - All environmental deviation requests must be shown on the master concept plan and explained by documentation. [34-412(a)][34-373(a)(9)]
SUFFICIENCY STATUS: OK/A - Please note that ES staff cannot support Deviation Request 6 at this time. If a more specific deviation request is submitted, depicting which easements will be planted, then ES staff could review the impacts to the vegetation and utilities within that easement.

LEE COUNTY
SOUTHWEST FLORIDA

1447.utic file

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (941) 335-2236
Facsimile (941) 335-2606

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

August 22, 2001

William E. Sundstrom, Esquire, P.A.
ROSE, SUNDSTROM & BENTLEY, LLP
Post Office Box 1567
Tallahassee, FL 32302-1567

RE: NORTH FORT MYERS UTILITY, INC./SERVICE AREA EXTENSION/HERITAGE CREEK DEVELOPMENT

Dear Bill:

Thank you for our meeting on August 13, 2001 concerning the above matters.

County staff has reviewed and considered your proposals and are of the collective opinion that at this time, the County's best course of action is to remain "neutral" with respect to the NFMU service issues in North Fort Myers.

Additionally, we have been in prior negotiations and have made arrangements with the City of Cape Coral for the disposal of excess treated effluent from the Waterway Estates facilities, which are satisfactory for the County's needs at present.

If circumstances change in the future with respect to the treatment and disposal of influent and/or treated effluent from the Waterway Estates facilities, we would like to have the opportunity to discuss same with NFMU representatives at that time, assuming that NFMU will still have available treatment capacity when or if these discussions are had.

Again, thank you for your taking the time to meet with us last week to discuss matters of mutual interest.

Cordially,

David M. Owen
Assistant County Attorney

DMO/plm

cc: Board of County Commissioners
James G. Yaeger, County Attorney
Donald D. Stilwell, County Manager
Jim Lavender, Director, Public Works
Rick Diaz, P.E., Director, Lee County Utilities
Randy Banks, P.E., Banks Engineering

Copy Dana 9/6/01

DCI 2001-00038

P.O. Box 398, Fort Myers, Florida 33902-0398 (941) 335-2111
Internet address http://www.lee-county.com
Recycled Paper
AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

DCI2001-00038

LEE COUNTY
SOUTHWEST FLORIDA

LEE COUNTY
RECEIVED
01 JUN -5 PM 1:37
COMM. DEV/
PUB. WRKS. CNTR.
SECOND FLOOR

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 941-277-5012

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

June 4, 2001

Mr. Peter M. Dailey, AICP
3665 Bee Ridge Road
Suite 312
Sarasota, FL 34233

Dear Mr. Dailey:

At this time Lee Tran does not offer objections to the rezoning request in Bayshore near Samville Road, Palm Drive and Bayshore Road.

Lee Tran does not currently service the area in question.

Sincerely,

TRANSIT DIVISION

Darren R. Brugmann
Transit Planner

cc: Development Services ✓

DCI 2001-00038

[Originator/Typist Initials]

Dailey Design Group, Inc.
Peter M. Dailey, AICP
3665 Bee Ridge Road
Suite 312
Sarasota, FL 34233
Tel: 941-929-0846
Fax: 941-929-0745
Email: res00tv5@gte.net

FACSIMILE TRANSMITTAL SHEET

Message From: Peter M. Dailey	Date: 6/1/01 Total Pages: 2 w/ cover
Message To: Chris LEFFORT	Fax Number: 941-277-5011
Company Name: Lee County MASS TRANS	Phone Number:
Message To:	Fax Number:
Company Name:	Phone Number:
Message To:	Fax Number:
Company Name:	Phone Number:
Message To:	Fax Number:
Company Name:	Phone Number:
Message To:	Fax Number:
Company Name:	Phone Number:

Comments:

Enclosed is an area map showing where the parcel is located — Again we are simply putting zoning and land use in place to be consistent with the already existing use on the property. I need a letter stating you have no objections!

_____ Original will NOT follow
_____ Original will follow by:
_____ Regular Mail
_____ Certified Mail
_____ Overnight Delivery
_____ Hand Delivery
Other

DCI 2001-00038

Alvin Chip Block - RE: revised Heritage Creek

From: "Keyes, Stephanie" <StephanieK@lee.k12.fl.us>
To: 'Alvin Chip Block' <BLOCKAH@leegov.com>
Date: 8/1/2003 10:19 AM
Subject: RE: revised Heritage Creek

The other one has a typo! This is not my day!

>Stephanie Keyes, AICP
>Lee County School District
>Facilities Planner, Department of Construction and Planning
>3308 Canal Street
>Fort Myers, FL 33916
>239-479-4205
>Fax 239-334-8637
>

-----Original Message-----
From: Alvin Chip Block [mailto:BLOCKAH@leegov.com]
Sent: Friday, August 01, 2003 10:12 AM
To: StephanieK@lee.k12.fl.us
Subject: Re: revised Heritage Creek

I expect to be in a public hearing all day and will respond as soon as I can.

August 1, 2003

Mr. Chip Block
Lee County Development Services Division
P. O. Box 398
Ft. Myers, FL 33902-0398

Re: Revised Heritage Creek, DCI Substantive Review, DCI 2001-00038

Dear Chip:

Thank you for the opportunity to review the proposed U. S. Home Heritage Creek DCI in North Ft. Myers for substantive comments with regard to educational impacts. This proposed development is in the East Choice Region of the District. Based on the proposed maximum total of 1,475 residential dwelling units, the Lee County School District is estimating that the proposal could generate up to 465 additional school-aged children. This uses a generation rate of .315 students generated in the East region of Lee County. This would create the need for up to 23 new classrooms in the system along with additional staff and core facility needs, based on the new class size reduction constitutional amendment.

The applicant should be made aware that on November 27, 2001 the Lee County Board of County Commissioners adopted a school impact fee in Lee County, effective December 1, 2001. As such, the Heritage Creek RPD developers will be expected to pay the designated impact fees at the appropriate time, thereby meeting the requirements of the impact fee ordinance.

Thank you for your attention to this matter. If I may be of further assistance, please give me a call.

Sincerely,

Stephanie Keyes, AICP, Facilities Planner
Department of Construction and Planning

cc: Susan Waite, Interim Assistant Director, Department of Construction and

Alvin Chip Block - revised Heritage Creek

From: "Keyes, Stephanie" <StephanieK@lee.k12.fl.us>
To: 'Alvin Chip Block' <BLOCKAH@leegov.com>
Date: 8/1/2003 10:12 AM
Subject: revised Heritage Creek

<<HeritageCreekRevision8-1-03.doc>>

Stephanie Keyes, AICP

Lee County School District

Facilities Planner, Department of Construction and Planning

3308 Canal Street

Fort Myers, FL 33916

239-479-4205

Fax 239-334-8637

August 1, 2003

Mr. Chip Block
Lee County Development Services Division
P. O. Box 398
Ft. Myers, FL 33902-0398

Re: Revised Heritage Creek, DCI Substantive Review, DCI 2001-00038

Dear Chip:

Thank you for the opportunity to review the proposed U. S. Home Heritage Creek DCI in North Ft. Myers for substantive comments with regard to educational impacts. This proposed development is in the East Choice Region of the District. Based on the proposed maximum total of 1,4,75 residential dwelling units, the Lee County School District is estimating that the proposal could generate up to 465 additional school-aged children. This uses a generation rate of .315 students generated in the East region of Lee County. This would create the need for up to 23 new classrooms in the system along with additional staff and core facility needs, based on the new class size reduction constitutional amendment.

The applicant should be made aware that on November 27, 2001 the Lee County Board of County Commissioners adopted a school impact fee in Lee County, effective December 1, 2001. As such, the Heritage Creek RPD developers will be expected to pay the designated impact fees at the appropriate time, thereby meeting the requirements of the impact fee ordinance.

Thank you for your attention to this matter. If I may be of further assistance, please give me a call.

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Stephanie Keyes, AICP, Facilities Planner
Department of Construction and Planning

cc: Susan Waite, Interim Assistant Director, Department of Construction and

From: Terry <teece@ix.netcom.com>
To: <deselekl@leegov.com>
Date: 6/19/01 8:50AM
Subject: Heritage Creek

FILE COPY

Ms. Deselem:

Thank you for meeting with me yesterday regarding the Heritage Creek development (Case Number DCI 2001-00038). Upon reviewing the information in the file, reviewing the Lee County Comprehensive Plan and talking to the SFWMD, I would like to request the following concerns be included in your sufficiency response to the applicant. In discussing the project with you, I know you will probably be including some, if not, all these issues in your response but I would like to go on record as having concerns about these issues too.

1. Traffic
The existing intersection at Pritchett Parkway and Bayshore Road is not adequate for the 1472 units proposed. Most of the traffic movements at this intersection will be to the west, towards I-75. This intersection has no separate right turn lane. In addition, the median cut has little stacking distance and at the present time, during peak traffic hours, the northbound traffic (turning onto Pritchett Parkway from Bayshore Road) becomes congested.

The existing two lane Pritchett Parkway, between Bayshore Road and Leetana Road, does not contain paved shoulders and is unsafe for the additional traffic. The road should be widened to included paved shoulders and in places, the drainage system needs to be improved. Portions of the road have base and subbase failure due to a high water table elevation. The additional traffic movements on this road will further deteriorate the existing roadway.

2. Land Usage
The minimum lot dimensions should be compatible with the surrounding existing land development. A significant portion of the surrounding area is divided into 1-2 acre tracts and in some area as large as 5 -10 ac. These tracts may contain single family homes but with the agricultural zoning, the landowners have farm animals - horses, goats, and chickens - which maintain the rural nature of the area.

The proposed multi-family area is also very incompatible with the surrounding area. The potential height on those buildings will not fit with the rural area.

3. Drainage Permit
The application incorrectly indicates that a permit has been obtained from the SFWMD for the project area and it should be revised. In discussion with the District, the permit referenced is for the Hunters Ridge/Virginia Farms development at the northwest corner of the project. The District indicates that this permit may be modified to include the proposed project but no application has been submitted at this time. They also indicated that they might require the development be permitted under a different permit number depending on the ownership of the two developments.

4. Water Use

DCI 2001-00038

The application does not address the irrigation requirements for the proposed golf course and it should be identified. According to the SFWMD,allocation is typically 1/2"/acre/day. Conceivably a 100 ac. golf course could use approximately 1.36 million gallons per day. All the surrounding residential developments use individual wells for potable water. If irrigation wells are proposed by the applicant , a permit from the SFWMD will be
required. As part of the application, the District will require the applicant use an aquifer that is different from the majority of the surrounding land owner usages. If the applicant uses the same aquifer as the surrounding land owners, then they must identify all the usages, typically within 1 mile, and are responsible if something happens to the landowners wells.

The applicant should be required to identify all the landowners which may use the same aquifer and the area should not be limited to those within 1 mile. Studies and calculations can determine the true extent of the area influenced by the drawdown of the aquifer.

I am also concerned with the following issues and request that you provide some information regarding the current zoning criteria and/or Lee County regulations:

1. Use of sewage package plants. Do the Lee County regulations allow for private plants and has the applicant demonstrate that the plant has the capacity for the 1472 units. While I understand staff typically reviews this at a permit stage, if the capacity is not available, does the plant have the right to expand?

2. Lighting. The surrounding rural development has no street lighting and houses have few exterior lights. As an amateur astronomer, I moved to this area for the reduced lighting and limited light pollution. What kind of limitation can be placed in the zoning document to limit the development lighting?

3. Excavation and Blasting. One of the lakes is located along my east property line. What is the current zoning criteria regarding blasting? If my property is damaged during excavation and/or blasting, does the rule allow for the cessation of work? Can the zoning document for this development limit or eliminate the use of blasting in the construction of the ponds?

If at all possible, I would appreciate it if you could provide me with a list of names and addresses for those surrounding landowners which were notified of this potential zoning action. If this information is available electronically, please forward this to me by e-mail. If you cannot provide it electronically and there is a fee associated with providing the list, please let me know and I will arrange to obtain a copy from you.

Sincerely,
Richard T. Coolick
abutting propertyowner

DCI 2001 00038

From: Terry <teece@ix.netcom.com>
To: <deselekl@leegov.com>
Date: 6/19/01 8:50AM
Subject: Heritage Creek

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Sincerely,
Richard T. Coolick
abutting propertyowner

OCT 2001-00138

FILE COPY

From: Brad Vance
To: Deselem, Kay
Date: 9/5/01 2:20PM
Subject: Heritage Creek DCI2001-00038

Kay,

Being that the limits of the floodways can adversely affect the MCP, we cannot find it sufficient or deal with this issue at the time of Development Order.

The applicant will need to submit an HEC-2 model for the base flood with the limits of the floodway established using the equal conveyance reduction method with a target increase of one foot. Anay increases in flow velocity would also need to be reviewed.

Brad

CC: Ottolini, Roland

DCI 2001-00038

Brad Vance - Stoneybrook North Existing Conditions HEC-RAS

From: Sam Marshall <SMarshall@BanksEng.com>
To: "'vancebs@leegov.com'" <vancebs@leegov.com>
Date: 06/24/2003 11:29 AM
Subject: Stoneybrook North Existing Conditions HEC-RAS
CC: 'Steve Hartsell' <SteveHartsell@PaveseLaw.com>

Brad:

Attached are the HEC-RAS routings for the existing conditions of Popash Creek and Bayshore Creek.

Bayshore Notes:

The roughness coefficient has been adjusted in areas we inspected to 0.11 in the overbank and 0.60 in the channel.
The section at Virginia Farms (sta. 16.1) reflects the existing condition.

Popash Notes:

The roughness coefficient has been adjusted in areas we inspected to 0.05 in the channel.

Sam

Brad Vance - Stoneybrook North Proposed Conditions HEC-RAS

From: Sam Marshall <SMarshall@BanksEng.com>
To: "'vancebs@leegov.com'" <vancebs@leegov.com>
Date: 06/24/2003 11:34 AM
Subject: Stoneybrook North Proposed Conditions HEC-RAS
CC: 'Steve Hartsell' <SteveHartsell@PaveseLaw.com>

Brad:

The attached files are for proposed conditions at Popash Creek and Bayshore Creek.

Bayshore Notes:

50' encroachment on project side only.
The section at Virginia Farms (sta.16.1) shows an excavated shelf at elevation 18.0 as discussed.
Roughness coefficients are adjusted to reflect maintenance discussed.

Popash Notes:

50' encroachment on project side only.
Roughness coefficients are adjusted to reflect maintenance discussed.

Sam

Brad Vance - FW: Stoneybrook North Proposed Conditions HEC-RAS

From: Sam Marshall <SMarshall@BanksEng.com>
To: 'Steve Hartsell' <SteveHartsell@PaveseLaw.com>
Date: 07/02/2003 4:25 PM
Subject: FW: Stoneybrook North Proposed Conditions HEC-RAS
CC: "'vancebs@leegov.com'" <vancebs@leegov.com>

Steve:

Brad wants to send this to Chip tomorrow. Did you have any comments? My only request to Brad was that he somehow acknowledges that a model was submitted and reviewed, and found to be sufficient, achievable plan, etc. Brad asked if a separate letter issued by him stating that the model met the requirements would be okay. I just don't want to have another full review of this at D.O. time. Any thoughts?

Sam

-----Original Message-----
From: Brad Vance [mailto:VANCEBS@leegov.com]
Sent: Thursday, June 26, 2003 10:57 AM
To: SMarshall@BanksEng.com
Subject: Re: Stoneybrook North Proposed Conditions HEC-RAS

sam,

see attached.

brad

>>> Sam Marshall <SMarshall@BanksEng.com> 06/24/03 11:31AM >>>
Brad:

The attached files are for proposed conditions at Popash Creek and Bayshore Creek.

Bayshore Notes:

50' encroachment on project side only.

The section at Virginia Farms (sta.16.1) shows an excavated shelf at

elevation 18.0 as discussed.

Roughness coefficients are adjusted to reflect maintenance discussed.

Popash Notes:

50' encroachment on project side only.

Roughness coefficients are adjusted to reflect maintenance discussed.

Sam

Brad Vance - Heritage Creek aka Stoneybrook North

From: Steve Hartsell <SteveHartsell@PaveseLaw.com>
To: "Brad Vance (E-mail)" <vancebs@leegov.com>
Date: 07/03/2003 2:15 PM
Subject: Heritage Creek aka Stoneybrook North
CC: "Sam Marshall (E-mail)" <SMarshall@BanksEng.com>, "Deno Benetis (E-mail)" <BenetisD@ushome.com>, "Carron Day (E-mail)" <CarronDay@WilsonMiller.com>, "Ian Vincent (E-mail)" <ivincent@dexbender.com>

Brad,

Sam sent me a copy of the proposed conditions which seem to effectively address the issues being considered. I offer some suggested clarifications on the attached document. My suggestions should be highlighted with a different color. I also think that it will be necessary to have some sort of memo from you to Chip which acknowledges that you've reviewed the model and that it demonstrates that the plan is achievable without causing flooding impacts. Please feel free to call me. Thanks. Steve.

<<Hartsell comments to conditionhx2.DOC>>

From: John Fredyma
To: Block, Alvin Chip; Gibbs, Mary
Date: 6/13/03 4:01PM
Subject: Re: DCI2001-00038 Stoneybrook North / Heritage Creek

Well, that's up to you. However, we did make a lot of progress the other day in meeting with Steve Hartsell, Sam Marshall and Deno Benetis. Unfortuantely, it doesn't appear there is anyone on the applicant's side who has been taking care of the "wagon train." Hartsell is involved at this point and he's trying to pull it together from his side, but there are some pieces still missing.

>>> Mary Gibbs 06/13/03 03:45PM >>>
John, there is a long sad story here that I won't go into, but the report will stand as it is. I explained to Tim already.I dont see it necessary to go over comp plan policies, I do know the flooding is an issue though.

>>> John Fredyma 06/13/03 03:42PM >>>
Chip,

Please consider the following:

I don't know if Pam talked with you about the issue of the cited (list of) Comp Plan goals, policies and objectives set out in a single-line list in the staff report for this case yet. However, it is my opinion it is not sufficient to simply list the identifying number of the applicable goals, policies and objectives the staff considers make the project "compatible." Without the benefit of any explanation to back up the listed items, the list is not helpful or effectively supportive of the Department's position in recommending "approval" of this project.

To make a clear and complete record I would suggest you review the "list" in the staff report and then expand on each in the hearing (assuming you find it to be applicable). If necessary, you may find other applicable goals, policies or objectives that should be cited and placed on the record at the hearing (since they are not found in the staff report or any of the backup). You may also have to provide the applicant and HEX with notice and copies of anything new you decide to add.

I will try to have my strike-through and underlined version of revised or additional conditions over to you on Monday. Some of the items necessary to complete this project may need to be sent along to the HEX and the applicant at least 24 hours prior to the hearing. However, I believe we talked about most of these issues the other day when we met with Steve Hartsell, though I think it is still necessary make a complete presentation of the applicable issues when this goes to the HEX. This is particularly true with respect to the flood and flood-related issues that are simply not found anywhere in the staff report or the backup.

Let me know if you have any questions.

John

CC: Henry, Joan; Houck, Pam

From: John Fredyma
To: Houck, Pam
Date: 6/6/03 4:07PM
Subject: Stoneybrook North - Heritage Creek DCI2001-00038

Pam,

Can you please advise me as soon as possible as to the following:

1. When was this case found sufficient?

2. Who is assigned to present the case at the HEX?

Thanks.

John

From: John Fredyma
To: COLLINSD@leegov.com; Jones, Timothy
Date: 6/11/03 11:26AM
Subject: Heritage Creek/Stoneybrook North DCI2001-00038

FYI on the status of this zoning case going to hearing next Wed. and Thurs.

Pam called this morning to tell me Chip will be taking over the case and making the presentation at the HEX next week.

Pam, Chip and I will be meeting with Steve Hartsell tomorrow afternoon to go over some of the outstanding case issues.

The flood plain/flooding/HEC-2 modeling issues are still not confirmed by Natural Resources as being resolved (though Steve Hartsell seems to think most of the issues have been settled). Pam acknowledged (as a result of a short meeting with Roland Ottolini yesterday) Roland's confirmation of the recent submission of information by Banks Engineering and the possibility of some information still not yet having been provided. It's not clear how much information or detail is still needed. Brad Vance is not due back from vacation until this Friday or next Monday. Consequently, the answer to this question will have to wait until his return.

Looks like mining will not be necessary as a use. Steve Hartsell says they'll be keeping everything excavated on-site.

Blasting is also not likely to be necessary either, but this will be confirmed by Steve (probably tomorrow).

AG use issues still need to be addressed. Steve Hartsell is aware of the need to do this. Staff also needs to offer a position on this issue. I suspect the standard response will be sought, e.g., it's all grazing and each section will come out of ag use as each area's DO is pulled. (I don't really know if there is any bona fide ag use up there now since large portions of the site are too wet.)

I've asked Pam to consider having Chip answer the question of "Why the change from a recommendation from denial to one for approval?" This needs to be part of the staff presentation. Pam said the answer will most likely be provided by Kim Trebatoski. This remains to be seen.

I'll see what happens tomorrow.

Please let me know if there are any other questions or concerns to be considered.

Thanks.

CC: Henry, Joan; Lehnert, Dawn

From: Michael Pavese
To: Houck, Pam
Date: 6/3/03 12:19PM
Subject: Stoneybrook North

Steve just called. Of course he's not happy. In addition, he has a problem with my staff report being in strike through underline format, which means if you agree, I have to start over on that. As you remember the original staff report was issued the day before Thanksgiving. I'll be here.

From: Pam Houck
To: Pavese, Michael
Date: 6/3/03 5:26PM
Subject: Re: Stoneybrook North

Mike, we need to discuss. I doesn't need to be in strike thru underline. Just simply revise.

>>> Michael Pavese 06/03/03 12:19PM >>>
Steve just called. Of course he's not happy. In addition, he has a problem with my staff report being in strike through underline format, which means if you agree, I have to start over on that. As you remember the original staff report was issued the day before Thanksgiving. I'll be here.

CC: Gibbs, Mary

Brad Vance - Stoneybrook North/ Heritage Creek

From: Sam Marshall <SMarshall@BanksEng.com>
To: "'vancebs@leegov.com'" <vancebs@leegov.com>
Date: 06/04/2003 9:34 AM
Subject: Stoneybrook North/ Heritage Creek
CC: 'Steve Hartsell' <SteveHartsell@PaveseLaw.com>, 'Deno Benetis' <BenetisD@wf.USHOME.com>

Brad:

Steve Hartsell called yesterday after you and I discussed the HEC-RAS review. It is still our intent to have the Hearing Examiner dates of 6/18 and 6/19. Mike Pavese told Steve that the last bit of information he needed to complete the staff report was the review from you. I believe the staff report is due today to meet that deadline.

Can you take the time to review the following (brief) information and get a memo to Mike Pavese?

1.The roughness coefficient used for the post development channel was 0.030. This value was used to represent the cleaned and ongoing maintained channels that are proposed. The original model lists the existing coefficient as 0.040 (channel in current state), so I am only reducing the value by 0.010.

2.The bridge over Popash Creek will be designed so that the bottom deck member will not encroach below the elevation associated with a 50' setback from the creek top of bank, matching the model's 50 encroachment parameter.

I will send a separate e-mail with the language we had proposed for the memo to Mike Pavese. It has not changed since I met with you (you may still have the original e-mail).

I know yesterday we discussed that you would not have time until after the 13th, but I was unaware that we were still preparing for the 6/18 date.

Thanks for your help.

Sam

Brad Vance - FW: Word Doc

From: Sam Marshall <SMarshall@BanksEng.com>
To: "'vancebs@leegov.com'" <vancebs@leegov.com>
Date: 06/04/2003 10:25 AM
Subject: FW: Word Doc
CC: 'Steve Hartsell' <SteveHartsell@PaveseLaw.com>, 'Deno Benetis' <BenetisD@wf.USHOME.com>

Brad:

Attached is a copy of the language we had proposed.

Thanks,

Sam

-----Original Message-----
From: Julie Aanerud
Sent: Wednesday, June 04, 2003 10:20 AM
To: Sam Marshall
Subject: Word Doc

Here it is. I saved it in your employee file, also.

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUBSTANTIVE REVIEW
TRANSMITTAL SHEET

TO: Distribution
John Fredyma, Asst. County Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Don Blackburn
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Stephanie Keyes, Lee County School District
Roland Ottolini, Natural Resources
Jerry Murphy, Zoning
Mike Pavese, Public Works

FROM: Alvin Block, AICP

DATE: 07/14/2003

PROJECT NAME: HERITAGE CREEK

CASE #: DCI2001-00038

INFORMATION SUMMARY:

___ To update your file
_X_ Review and forward substantive comments

RESPONSE REQUIRED BY: **ASAP**

Additional Comments:

cc: DCI planner/working file
DCI Zone File

Distributed by: Billie Jacoby

Date: 07/15/2003

PAVESE, HAVERFIELD, DALTON, HARRISON & JENNEN, L.L.P.
A FLORIDA LIMITED LIABILITY PARTNERSHIP

ATTORNEYS AND COUNSELORS AT LAW
http://paveselaw.com

1833 HENDRY STREET
FORT MYERS, FLORIDA 33901

POST OFFICE DRAWER 1507
FORT MYERS, FLORIDA 33902-1507

(239) 334-2195
FAX (239) 332-2243
SteveHartsell@PaveseLaw.com

STEVEN C. HARTSELL
(239) 336-6244

PLEASE REPLY TO
FORT MYERS OFFICE

July 14, 2003

Mr. Alvin "Chip" Block, Senior Planner
Lee County Department of Community Development
1500 Monroe Street, P. O. Box 398
Fort Myers, Florida 33901-0398

VIA HAND DELIVERY

RE: Stoneybrook North (f/k/a Heritage Creek)
Case No. DCI 2001-000038

Dear Chip:

Enclosed please find eleven (11) copies of the Revised Master Concept Plan for Stoneybrook North (printed July 11, 2003). This Plan was revised to reflect that Tract A has been pulled back to reflect a 50' setback from the west property line. Otherwise it should be the same as the Master Concept Plan of June 16, 2003.

If you have any questions, please feel free to call me.

Very truly yours,
Signed in Mr. Hartsell's absence to avoid delay

Steven C. Hartsell

Steven C. Hartsell

SCH:llg
Enclosures

cc: Carron Day
Deno Benetis
Sam Marshall

F:\WPDATA\SCH\U.S.Home\StoneybrookNorth\Block.ltr.wpd

RECEIVED
JUL 14 2003
COMMUNITY DEVELOPMENT
DCI 2001-00038

4635 S. DEL PRADO BLVD.
P.O. BOX 100088
CAPE CORAL FLORIDA 33910-0088
(239) 542-3148
FAX (239) 542-8953

461 S. MAIN STREET
P.O. DRAWER 2280
LaBELLE, FLORIDA 33935
(863) 675-5800
FAX (863) 675-4998

SUITE 203
4524 GUN CLUB ROAD
WEST PALM BEACH, FLORIDA 33415
(561) 471-1366
FAX (561) 471-0522

WilsonMiller
4571 Colonial Boulevard, Suite 100
Ft. Myers, Florida 33912-1062
Phone No. 941/939-1020
Fax No. 941/939-7479 (Admin/Eng.)
Fax No. 941/939-3412 (Planning/Survey/Environmental)

LETTER OF TRANSMITTAL

Date: March 21, 2003
PIN: 03642-000-000
File Designator:
Project Name: Stoneybrook North (fka Heritage Creek)
Ref: DCI 2001-00038

TO: Lee County Department of Community Development

P.O. Box 398

Ft. Myers, FL 33902-0398

Attn: Mary Gibbs, Director

We are sending attached via: ☐ Client Pickup ☐ Delivery ☐ Mail ☐ UPS-Overnight Express, the following items:

☐ Prints ☐ Plans ☐ Specifications ☐ Change Order ☐ Copy of Letter ☐ Shop Drawings
☐ Disk ☐ Thermal Plot ☐ Other:

Copies	Date	Drawing File No.	Description/Sheet Numbers
11	3-21-03	03642/09	Updated Master Concept Plan

THESE ARE TRANSMITTED as checked below:

☐ For approval ☐ For your use ☐ As requested ☒ For review and comment ☐ FOR BIDS DUE
☐ ☐ PRINTS RETURNED AFTER LOAN TO US

RECEIVED
MAR 21 2003
ZONING COUNTER

DCI 2001-00038

COPY TO: Deno Benetis, US Home
Steve Hartsell, Pavese Law Firm
Sam Marshall, BanksEngineering
Ted Tresh, Metro Transportation
Tyler King and Ian Vincent, Dex Bender & Assoc
Original to Client Project File

SIGNED Carron Day
Carron Day
If enclosures are not as noted, kindly notify us at once.

5/4/03 Zoning Review Case
CA #43
Z5555-555-555--0000

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUBSTANTIVE REVIEW
TRANSMITTAL SHEET

TO: Distribution

FROM: Mike Pavese

DATE: 03/21/2003

Donna Marie Collins, Asst. County Attorney
TIS Reviewer-Bob Rentz
DS Reviewer-Don Blackburn
Paul O'Conner-Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Stephanie Keyes, Lee County School District
Roland Ottolini, Natural Resources

PROJECT NAME: HERITAGE CREEK

CASE #: DCI2001-00038

INFORMATION SUMMARY:

___ To update your file
_X_ Review and forward substantive comments **ASAP**.

RESPONSE REQUIRED BY: 04/04/2003

Additional Comments:

cc: DCI planner/working file
DCI Zone File

Distributed by: Jessica M Smith

Date: 03/21/2003

HAND-DELIVERY
INSTRUCTION SHEET

DATE: December 6, 2002

TO: Lee County Zoning Department -
Original to Zoning Counter

ADDRESS: 1500 Monroe Street

DELIVER TO: **NICOLE DISHMAN**

INDICATE WHEN DELIVERY NEEDS TO BE MADE:

Date	December 6, 2002
Before Noon	
By 2PM	
After 2PM	
Specified time	ASAP

SPECIAL INSTRUCTIONS: Please take the attached Original Request for Continuance and filing fee to the first floor zoning counter/cashier. The copy needs to be delivered to the second floor, hearing examiner's office. Thanks.

Atty	SCH
File Name	U.S. Home / **Stoneybrook North**
File No.	63496.016
Requested By	
Hand-Delivered by	
Date	
Time	

DCI 2001-00038

RECEIVED
DEC 06 2002

DEVELOPMENT

DEVELOPMENT SERVICES DIVISION
DCI SUFFICIENCY REVIEW -RESIDENTIAL PLANNED DEVELOPMENT
TRANSMITTAL SHEET

TO: Distribution FROM: Jeff Jenkins DATE: May 31, 2001

John Fredyma, Assistant County Attorney
DS Reviewer- Don Blackburn
TIS Reviewer - Bob Rentz
Paul O'Connor, Planning
Kim Trebatoski, Planning
Andy Getch, LCDOT
Stephanie Keyes, Lee Co. School District
Roland Ottolini, Natural Resources

PROJECT NAME: U. S. Home Corp., in ref to Heritage Creek CASE DCI 2001-00038

INFORMATION SUMMARY:

NEW SUBMITTAL

__ To update your file RESPONSE REQUIRED BY: June 14, 2001

X Review and forward sufficiency questions or make finding of sufficiency

Additional Comments:

(DCI) Lee County LDC Section 34-373(d)(1).
Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI File/ZONE File

U:\200106\DCI20010.003\8\xmtsfrv1 heritage creek.wpd

DCI 2001-00038

MEMORANDUM

FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
ZONING DIVISION

LEE COUNTY
HEARING EXAMINER
03 FEB -4 PM 2:33

To: Hearing Examiner

TO: January 31, 2003

FROM: Mary Gibbs
Community Development Director

RE: DCI2001-00038 Heritage Creek

The staff and applicant met today to discuss several issues regarding this case, and we anticipate a revised plan and new staff report. We agreed a continuance is needed to April 23 &. 24. Please advise if this is acceptable.

LEE COUNTY
SOUTHWEST FLORIDA

1447 utic file

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (941) 335-2236
Facsimile (941) 335-2606

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

August 22, 2001

William E. Sundstrom, Esquire, P.A.
ROSE, SUNDSTROM & BENTLEY, LLP
Post Office Box 1567
Tallahassee, FL 32302-1567

RE: NORTH FORT MYERS UTILITY, INC./SERVICE AREA EXTENSION/HERITAGE CREEK DEVELOPMENT

Dear Bill:

Thank you for our meeting on August 13, 2001 concerning the above matters.

County staff has reviewed and considered your proposals and are of the collective opinion that at this time, the County's best course of action is to remain "neutral" with respect to the NFMU service issues in North Fort Myers.

Additionally, we have been in prior negotiations and have made arrangements with the City of Cape Coral for the disposal of excess treated effluent from the Waterway Estates facilities, which are satisfactory for the County's needs at present.

If circumstances change in the future with respect to the treatment and disposal of influent and/or treated effluent from the Waterway Estates facilities, we would like to have the opportunity to discuss same with NFMU representatives at that time, assuming that NFMU will still have available treatment capacity when or if these discussions are had.

Again, thank you for your taking the time to meet with us last week to discuss matters of mutual interest.

Cordially,

David M. Owen
Assistant County Attorney

DMO/plm

Copy Rec'd 9/6/01

cc: Board of County Commissioners
James G. Yaeger, County Attorney
Donald D. Stilwell, County Manager
Jim Lavender, Director, Public Works
Rick Diaz, P.E., Director, Lee County Utilities
Randy Banks, P.E., Banks Engineering

P.O. Box 398, Fort Myers, Florida 33902-0398 (941) 335-2111
Internet address http://www.lee-county.com
Recycled Paper
AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

WilsonMiller
New Directions In Planning, Design & Engineering

RECEIVED
OCT 19 2001
PERMIT COUNTER

MEMORANDUM of TRANSMITTAL

16 September 2001

To: Kay Deselem, AICP, Senior Planner
Lee County Development Services Division

From: Carron Day

DCI 2001-00038

Subject: US HOME Heritage Creek RPD; Lee County file #DCI2001-00038

via: Hand delivered

cc: Deno Benetis, US Home
Sam Marshall, Banks Engineering
Tyler King, Dex Bender & Assoc.
Ted Tresch, Metro Transportation

In reply to your letter of September 10, 2001 regarding Staff's sufficiency comments for the above referenced application, please consider the attached responses.

In addition, please find the following attachments:

- A letter from Metro Transportation addressing the increased unit count.
- Updated information from Dex Bender and Associates.
- Attachments 1, 2, 3 and 4 were amended since our last submission.
- Revised Exhibit IV-I-1
- Revised Exhibit IV-M
- Master Concept Plan, revised
- Boundary Survey
- Sketch of Description regarding the access to Hunter's Glen

Should you have any questions on any of this material, please call.

Naples Fort Myers Sarasota Bradenton Tampa Tallahassee
4571 Colonial Boulevard, Suite 100 Fort Myers, Florida 33912-1062 941-939-1020 ☎ 941-939-7479
www.wilsonmiller.com
WilsonMiller,Inc. — FL Lic.# LC-C000170 CA 43

WilsonMiller

MEMORANDUM

TO: Mike Pavese

FROM: Carron Day

DATE: March 21, 2003

SUBJECT: Stoneybrook North (fka Heritage Creek)
Revised List of Deviations

CC: Deno Benetis, US Home
Steve Hartsell, Pavese Law Firm
Sam Marshall, Banks Engineering
Ted Tresh, Metro Transportation
Tyler King and Ian Vincent, Dex Bender & Assoc

The list of Deviations has been revised to reflect the Land Development Code changes since this application was submitted for review. The changes are:

- Deviation 1 has been withdrawn.
- Deviation 2 has been withdrawn.
- Deviation 6 has been withdrawn.
- In support of Deviation 9, a parking survey prepared for a comparable US Home development has been added to the submittal.

A copy of the revised Attachment 4, the Deviation requests and justifications is attached.

The Master Concept Plan has been revised but only to conform the text of the Deviation locations to the revised Deviation request. Copies of the Plan are also attached.

RECEIVED
APR 07 2003
COMMUNITY DEVELOPMENT
DCI 2001-00038

DEVELOPMENT SERVICES DIVISION
DCI SUFFICIENCY REVIEW -RESIDENTIAL PLANNED DEVELOPMENT
TRANSMITTAL SHEET

TO: Distribution FROM: Kay Deselem DATE: October 19, 2001
John Fredyma, Assistant County Attorney
DS Reviewer- Don Blackburn
TIS Reviewer - Bob Rentz
Paul O'Connor, Planning
Kim Trebatoski, Planning
Andy Getch, LCDOT
Stephanie Keyes, Lee Co. School District
Roland Ottolini, Natural Resources
Jerry Murphy, to review raised seal sketch of description

PROJECT NAME: U. S. Home Corp., in ref to Heritage Creek RPD CASE DCI 2001-00038

INFORMATION SUMMARY:

RESUBMITTAL

X To update your file RESPONSE REQUIRED BY: November 2, 2001

X Review and forward sufficiency questions or make finding of sufficiency

Additional Comments:

Sufficiency response from Carron Day of Wilson Miller;

Letter from Metro Transportation;

Amended attachments 1, 2, 3 & 4;

Revised exhibits IV-I-1 & IV-M,

Revised MCP;

Boundary survey;

Sketch of description;

Protected species assessment from Dex Bender & Assocs.

(DCI) Lee County LDC Section 34-373(d)(1).

Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

Cc: DCI File/ZONE File

Distributed by Denise Bayliss on October 22, 2001

U:\200110\DCI20010.003\8\xmtsfrv3 heritage creek.wpd

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUBSTANTIVE REVIEW
TRANSMITTAL SHEET

TO: Distribution

FROM: Mike Pavese

DATE: 04/07/2003

Donna marie Collins, Asst. County Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Don Blackburn
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Stephanie Keyes, Lee County School District
Roland Ottolini, Natural Resources
Jerry Murphy, Zoning

PROJECT NAME: HERITAGE CREEK

CASE #: DCI2001-00038

INFORMATION SUMMARY:

___ To update your file
_X_ Review and forward substantive comments **ASAP**.

RESPONSE REQUIRED BY: 04/17/2003

Additional Comments:
Bob Stewart - Building Official (For review of Deviations 15 & 16)

April 7th mike

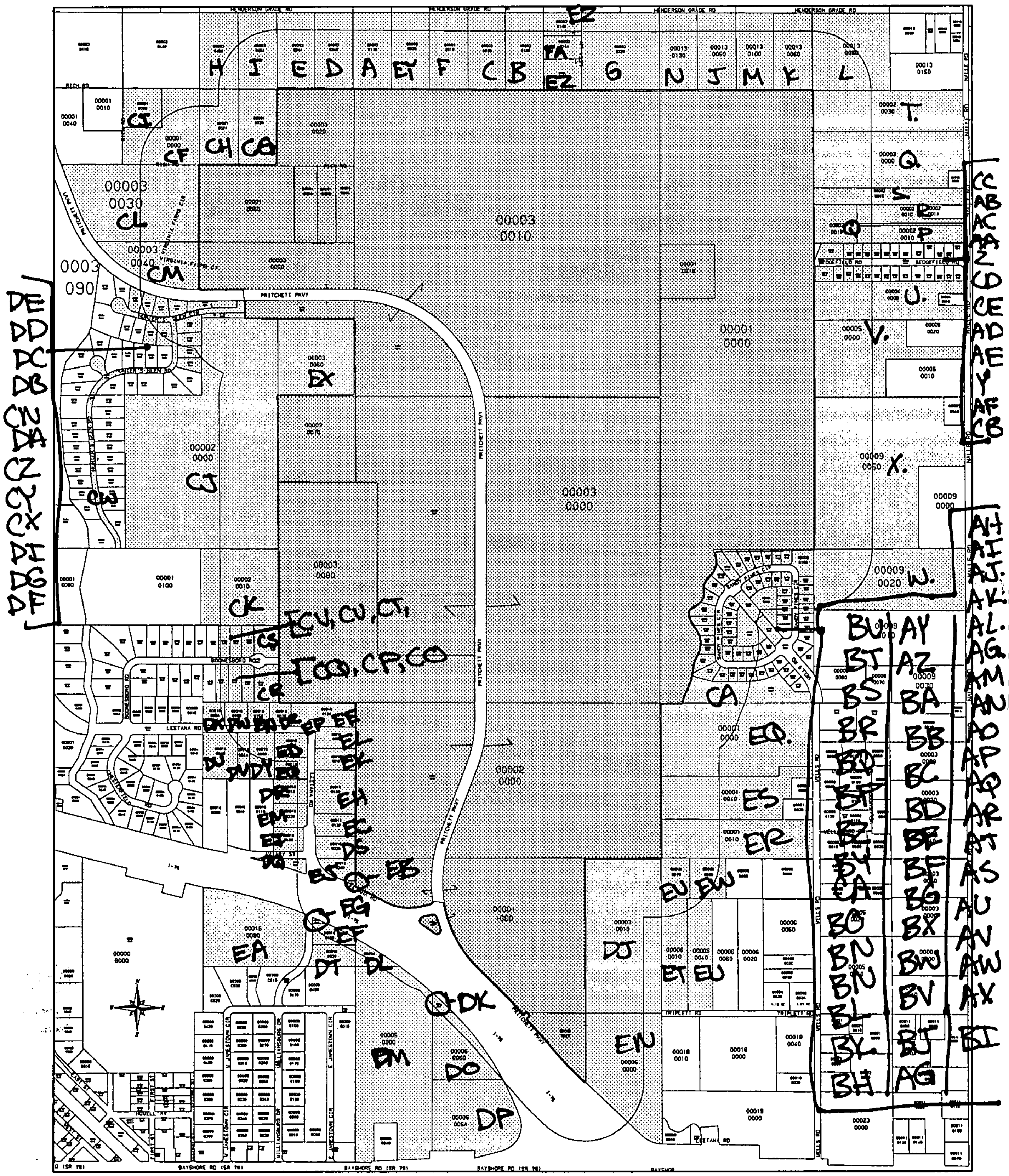
Parking Survey

Heritage Creek

cc: DCI planner/working file
DCI Zone File

Distributed by: Becky Tatlock

Date: 04/08/2003



DCI 2001-00038

VARIANCE REPORT -- Parcels Found by Scan

SUBJECT PARCEL: AP:164325:00:00003:0060 EXPAND HDR: FALSE TRAP CONDOS: TRUE

1) 16-43-25-00-00003.0060EX
2) 09-43-25-00-00003.0020EY
3) 09-43-25-00-00003.0140EZ
4) 09-43-25-00-00003.014AFA
5) 09-43-25-00-00003.0170A
6) 09-43-25-00-00003.0180B
7) 09-43-25-00-00003.0220C
8) 09-43-25-00-00003.0240D
9) 09-43-25-00-00003.024AE
10) 09-43-25-00-00003.0310F
11) 09-43-25-00-00003.0320G
12) 09-43-25-00-00003.0450H
13) 09-43-25-00-00003.045AI
14) 10-43-25-00-00013.0050J
15) 10-43-25-00-00013.0060K
16) 10-43-25-00-00013.0080L
17) 10-43-25-00-00013.0100M
18) 10-43-25-00-00013.0130N
19) 15-43-25-00-00002.0000O
20) 15-43-25-00-00002.0010P
21) 15-43-25-00-00002.001BQ
22) 15-43-25-00-00002.001CR
23) 15-43-25-00-00002.001ES
24) 15-43-25-00-00002.0030T
25) 15-43-25-00-00004.0000U
26) 15-43-25-00-00005.0000V
27) 15-43-25-00-00009.0020W
28) 15-43-25-00-00009.0050X
29) 15-43-25-01-00000.000AY
30) 15-43-25-01-00000.0070Z
31) 15-43-25-01-00000.0080AA
32) 15-43-25-01-00000.0090AB
33) 15-43-25-01-00000.009AAC
34) 15-43-25-01-00000.0100AD
35) 15-43-25-01-00000.010AAE
36) 15-43-25-01-00000.0110AF
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46) 15-43-25-02-00000.0140AP
47) 15-43-25-02-00000.0150AQ
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49) 15-43-25-02-00000.0170AS
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53) 15-43-25-02-00000.0200AW
54) 15-43-25-02-00000.0210AX
55) 15-43-25-02-00000.0220AY

DCI 2001-00038

56) 15-43-25-02-00000.0230AZ
57) 15-43-25-02-00000.0240BA
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60) 15-43-25-02-00000.0270BD
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62) 15-43-25-02-00000.0290BF
63) 15-43-25-02-00000.0300BG
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67) 15-43-25-02-00000.0420BK
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70) 15-43-25-02-00000.0450BN
71) 15-43-25-02-00000.0460BO
72) 15-43-25-02-00000.0470BP
73) 15-43-25-02-00000.0480BQ
74) 15-43-25-02-00000.0490BR
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77) 15-43-25-02-00000.0520BU
78) 15-43-25-02-00000.0530BV
79) 15-43-25-02-00000.0540BW
80) 15-43-25-02-00000.0550BX
81) 15-43-25-02-00000.0570BY
82) 15-43-25-02-00000.0580BZ
83) 15-43-25-02-0000A.0000CA
84) 15-43-25-03-00000.000ACB
85) 15-43-25-03-00000.0010CC
86) 15-43-25-03-00000.0020CD
87) 15-43-25-03-00000.0030CE
88) 16-43-25-00-00001.0000CF
89) 16-43-25-00-00001.0020CG
90) 16-43-25-00-00001.002ACH
91) 16-43-25-00-00001.0090CI
92) 16-43-25-00-00002.0000CJ
93) 16-43-25-00-00002.0010CK
94) 16-43-25-00-00003.0030CL
95) 16-43-25-00-00003.0040CM
96) 16-43-25-03-00000.000ACN
97) 16-43-25-03-0000B.0130CO
98) 16-43-25-03-0000B.0140CP
99) 16-43-25-03-0000B.0150CQ
100) 16-43-25-03-0000B.0160CR
101) 16-43-25-03-0000B.0180CS
102) 16-43-25-03-0000B.0200CT
103) 16-43-25-03-0000B.0210CU
104) 16-43-25-03-0000B.0220CV
105) 16-43-25-04-00000.000ACW
106) 16-43-25-04-00000.0200CX
107) 16-43-25-04-00000.0210CY
108) 16-43-25-04-00000.0220CZ
109) 16-43-25-04-00000.0230DA
110) 16-43-25-04-00000.0240DB
111) 16-43-25-04-00000.0250DC
112) 16-43-25-04-00000.0260DD
113) 16-43-25-04-00000.0270DE
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115) 16-43-25-04-00000.0350DG

116) 16-43-25-04-0000A.0000DH
117) 16-43-25-04-0000D.0000DI
118) 21-43-25-00-00003.0010DJ
119) 21-43-25-00-00003.0020DK
120) 21-43-25-00-00004.0000DL
121) 21-43-25-00-00005.0000DM
122) 21-43-25-00-00006.0000DN
123) 21-43-25-00-00006.0060DO
124) 21-43-25-00-00006.006ADP
125) 21-43-25-00-00016.0000DQ
126) 21-43-25-00-00016.0010DR
127) 21-43-25-00-00016.0020DS
128) 21-43-25-00-00016.0030DT
129) 21-43-25-00-00016.0040DU
130) 21-43-25-00-00016.004ADV
131) 21-43-25-00-00016.0050DW
132) 21-43-25-00-00016.005ADX
133) 21-43-25-00-00016.0060DY
134) 21-43-25-00-00016.0070DZ
135) 21-43-25-00-00016.0080EA
136) 21-43-25-00-00016.0120EB
137) 21-43-25-00-00016.0130EC
138) 21-43-25-00-00016.0140ED
139) 21-43-25-00-00016.0150EE
140) 21-43-25-00-00016.0160EF
141) 21-43-25-00-00016.0170EG
142) 21-43-25-00-00016.0180EH
143) 21-43-25-00-00016.0190EI
144) 21-43-25-00-00016.0200EJ
145) 21-43-25-00-00016.0210EK
146) 21-43-25-00-00016.0220EL
147) 21-43-25-00-00016.0230EM
148) 21-43-25-00-00016.0250EN
149) 21-43-25-00-00016.0260EO
150) 21-43-25-03-00000.000AEP
151) 22-43-25-00-00001.0000EQ
152) 22-43-25-00-00001.0010ER
153) 22-43-25-00-00001.0040ES
154) 22-43-25-00-00006.0010ET
155) 22-43-25-00-00006.0040EU
156) 22-43-25-00-00006.0070EV
157) 22-43-25-00-00006.0080EW

TOTAL STRAPS: 157 (EXPANDED)CONDOS: 0
TOTAL PARCELS : 157

****
*** VARIANCE REPORT ***
***
***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 06NOV02
SUBJECT PROPERTY : 16-43-25-00-00003.0060
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

16-43-25-00-00003.0060

SE1/4 OF SE1/4 OF NW1/4

DCI 2001-00038

********** OWNER **********
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD

FT MYERS FL 33917

********** SITE **********
0 ACCESS UNDETERMINED

North Fort Myers
33917

EX.

09-43-25-00-00003.0020

E 1/2 OF SW 1/4 OF SW 1/4 OF SE 1/4

********** OWNER **********
LEVINE RICHARD

8550 HENDERSON GRADE

NORTH FORT MYERS FL 33917

********** SITE **********
8550 HENDERSON GRADE

North Fort Myers
33917

EY.

09-43-25-00-00003.0140

E 1/2 OF SW 1/4 OF SE 1/4 OF SE 1/4 LESS PAR 3.014 A

********** OWNER **********
HAUSER ELLESA + CAROL B

19061 LESA LN

N FT MYERS FL 33917

********** SITE **********
8800/19051HENDERSON GRADE/LESA

North Fort Myers
33917

EZ.

09-43-25-00-00003.014A

PARL IN E 1/2 OF SW 1/4 OF SE 1/4 OF SE 1/4 DESC OR 1467 PG 407

********** OWNER **********
HAUSER ELLESA U + CAROL B

19061 LESA LN

N FT MYERS FL 33917

********** SITE **********
19061/65 LESA LN

North Fort Myers
33917

FA.

****
*** VARIANCE REPORT ***
*** ***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 06NOV02
SUBJECT PROPERTY : 16-43-25-00-00003.0060
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

09-43-25-00-00003.0170

W 1/2 OF SW 1/4 OF SW 1/4 OF SE 1/4 AKA LT 28 TRIP LE R ACRES UNREC

********** OWNER ********** ********** SITE *********

MORRISON MARK W + CHARLENE P

A.

8500 HENDERSON GRADE 8500 HENDERSON GRADE

NORTH FORT MYERS FL 33917 North Fort Myers 33917

09-43-25-00-00003.0180

W 1/2 OF SW 1/4 OF SE 1/4 OF SE 1/4 AKA LT 24 TRIP LE R ACRES

********** OWNER ********** ********** SITE *********

SMITH WALTER A + KAZUKO TR

B.

PO BOX 50691 8750 HENDERSON GRADE

FORT MYERS FL 33994 North Fort Myers 33917

09-43-25-00-00003.0220

THE E 1/2 OF SE 1/4 OF SW 1/4 OF SE 1/4 BEING LT 25 TRIPLE R ACRES UNREC

C. ********** OWNER ********** ********** SITE *********

MCKEEVER GLENN T

4845 GARY RD 8700 HENDERSON GRADE

BONITA SPRINGS FL 34134 North Fort Myers 33917

09-43-25-00-00003.0240

E 1/2 OF SE 1/4 OF SE 1/4 SW 1/4 BEING E 1/2 LT 46 TRIPLE R ACRES UNREC

D. ********** OWNER ********** ********** SITE *********

TARDIFF JAMES + ESTELLA M

8450 HENDERSON GRADE 8450 HENDERSON GRADE

NORTH FORT MYERS FL 33917 North Fort Myers 33917

****
*** VARIANCE REPORT ***
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***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 06NOV02
SUBJECT PROPERTY : 16-43-25-00-00003.0060
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

09-43-25-00-00003.024A

W 1/2 OF SE 1/4 OF SE 1/4 OF SW1/4 BEING W1/2 LT 46 TRIPLE R ACRES UNREC

E. ********** OWNER ********** ********** SITE *********
CAMERON DONALD W +BONNIE

8400 HENDERSON GRADE 8400 HENDERSON GRADE

N FT MYERS FL 33917 North Fort Myers 33917

09-43-25-00-00003.0310

W 1/2 OF SE 1/4 OF SW 1/4 OF SE 1/4

F. ********** OWNER ********** ********** SITE *********
REED RUSSELL J + D DIANNE

8600 HENDERSON RD 8600 HENDERSON GRADE

N FT MYERS FL 33917 North Fort Myers 33917

09-43-25-00-00003.0320

SE 1/4 OF SE 1/4 OF SE 1/4

G. ********** OWNER ********** ********** SITE *********
SMITH ANTOINNETTE +

8950 HENDERSON GRADE RD 8950 HENDERSON GRADE

N FT MYERS FL 33917 North Fort Myers 33917

09-43-25-00-00003.0450

W 1/2 OF SW 1/4 OF SE 1/4 OF SW 1/4 AKA W 1/2 LOT 4 7 TRIPLE R ACRES

H. ********** OWNER ********** ********** SITE *********
TRAURIG DOUGLAS + SHELLEY

8300 HENDERSON GRADE 8300 HENDERSON GRADE

N FT MYERS FL 33917 North Fort Myers 33917

****
*** VARIANCE REPORT ***
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*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
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DATE OF REPORT : 06NOV02
SUBJECT PROPERTY : 16-43-25-00-00003.0060
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

09-43-25-00-00003.045A

E 1/2 OF SW 1/4 OF SE 1/4 OF SW 1/4 AKA E 1/2 LOT 4 7 TRIPLE R ACRES

I. ********** OWNER **********
WALKER WYATT L + DONNA J

8350 HENDERSON GRADE RD

N FT MYERS FL 33917

********** SITE **********
8350 HENDERSON GRADE

North Fort Myers
33917

10-43-25-00-00013.0050

THE E 1/2 OF SW 1/4 OF SW 1/4 OF SW 1/4 AKA LT 2 TRIPLE R ACRES

J. ********** OWNER **********
ROSS MICHAEL W + MELODI

9100 HENDERSON GRADE

N FT MYERS FL 33917

********** SITE **********
9100 HENDERSON GRADE

North Fort Myers
33917

10-43-25-00-00013.0060

THE E 1/2 OF SE 1/4 OF SW 1/4 OF SW 1/4

K. ********** OWNER **********
BROOKS J W

9200 HENDERSON GRADE RD

N FT MYERS FL 33917

********** SITE **********
9200 HENDERSON GRADE

North Fort Myers
33917

10-43-25-00-00013.0080

SW1/4 OF SE1/4 OF SW1/4 LESS N50'RD R/W AKA LOTS 5 & 6 TRIPLE R ACRES

L. ********** OWNER **********
MOSKWA DAVID A + PATRICIA S

9300 HENDERSON GRADE RD

N FT MYERS FL 33917

********** SITE **********
9300 HENDERSON GRADE

North Fort Myers
33917

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*** VARIANCE REPORT ***
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*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
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DATE OF REPORT : 06NOV02
SUBJECT PROPERTY : 16-43-25-00-00003.0060
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

10-43-25-00-00013.0100

W 1/2 OF SE 1/4 OF SW 1/4 OF SW 1/4

M. ********** OWNER ********** ********** SITE *********
MOE ALAN G

9150 HENDERSON GRADE RD 9150 HENDERSON GRADE

NORTH FT MYERS FL 33903 North Fort Myers 33917

10-43-25-00-00013.0130

TH W 1/2 OF SW 1/4 OF SW 1/4 OF SW 1/4

N. ********** OWNER ********** ********** SITE *********
JEFFERS ELIZABETH J +

9050 HENDERSON GRADE RD 9050 HENDERSON GRADE

NORTH FT MYERS FL 33903 North Fort Myers 33917

15-43-25-00-00002.0000

NE1/4 OF NW1/4 LESS PARLS 2.0010 THRU 2.0040

O. ********** OWNER ********** ********** SITE *********
CRAIG EDWARD + SALLY H/W

961 N WATERWAY DR 18901 NALLE RD

FT MYERS FL 33919 North Fort Myers 33917

15-43-25-00-00002.0010

NE 1/4 OF NW 1/4 LESS N 976.65 FT + LESS PARCELS 2.001A-2.001C

P. ********** OWNER ********** ********** SITE *********
LEE WILLIAM J + SHIRLEY J

18791 NALLE RD 18771 NALLE RD

NORTH FORT MYERS FL 33917 North Fort Myers 33917

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*** VARIANCE REPORT ***
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*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
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DATE OF REPORT : 06NOV02
SUBJECT PROPERTY : 16-43-25-00-00003.0060
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

15-43-25-00-00002.001B

PARL IN NE 1/4 OF NW 1/4
DESC IN OR 1812 PG 107

Q. ********** OWNER ********** ********** SITE *********
HAND LORIE KIM

18781 NALLE RD 18781 NALLE RD

NORTH FORT MYERS FL 33917 North Fort Myers
33917

15-43-25-00-00002.001C

PARL SE 1/4 OF NE 1/4 OF
NW 1/4 OF SECT DESC OR 21
40-3809

R. ********** OWNER ********** ********** SITE *********
LEE WILLIAM J + SHIRLEY J

18791 NALLE RD 18791 NALLE RD

N FT MYERS FL 33917 North Fort Myers
33917

15-43-25-00-00002.001E

PARL IN NE 1/4 OF NW 1/4
DESC IN OR 2185 PG 4
630

S. ********** OWNER ********** ********** SITE *********
ASSOCIATES FINANCIAL SERVICES

BLDG 4 STE 100 18825 NALLE RD
1111 NORTH PORT DR
COPPELL TX 75019 NORTH FORT MYERS
33971

15-43-25-00-00002.0030

N355 FT OF NE1/4 OF NW1/4
LESS E 25 FT RD R/W

T. ********** OWNER ********** ********** SITE *********
GREENWELL TIMOTHY C + BRENDA L

18951 NALLE RD 18951 NALLE RD

N FT MYERS FL 33917 North Fort Myers
33917

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*** VARIANCE REPORT ***
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*** Kenneth M. Wilkinson ***
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VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

15-43-25-00-00004.0000

S 1/2 OF N 1/2 OF SE 1/4 OF NW 1/4 LESS OR 1984 PG 3843

U. ********** OWNER ********** ********** SITE *********
GRIEG THOMAS S TR

19630 LAN SHELL DR 18651 NALLE RD

NORTH FORT MYERS FL 33917 North Fort Myers 33917

15-43-25-00-00005.0000

PAR LYING IN S 1/2 OF SE 1/4 OF NW 1/4 LESS 5.001/5.002

V. ********** OWNER ********** ********** SITE *********
GRAY WILLIAM H + BETTY J

18551 NALLE RD 18551 NALLE RD

NORTH FORT MYERS FL 33917 North Fort Myers 33917

15-43-25-00-00009.0020

N 1/2 OF SE 1/4 OF SW 1/4 LESS S 148.87 FT

W. ********** OWNER ********** ********** SITE *********
PENFIELD MARK

18141 NALLE RD 18141 NALLE RD

NORTH FORT MYERS FL 33917 North Fort Myers 33917

15-43-25-00-00009.0050

NE 1/4 OF SW 1/4 LESS 9.0000 +9.0040

X. ********** OWNER ********** ********** SITE *********
HAAS GARY E TR

16520 TAMIAMI TRAIL STE 18-105 18425 NALLE RD
FT MYERS FL 33908 North Fort Myers 33917

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*** VARIANCE REPORT ***
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PARCELS AFFECTED : 157

15-43-25-01-00000.000A

A SUBDIVISION OF PART OF SECT 15 T43 SR 25E AS DES CRIBED IN PB 30 PG 64

Y ********** OWNER **********
HIGH POINT

********** SITE **********

0 HDR: HIGH POINT

North Fort Myers 33917

15-43-25-01-00000.0070

HIGH POINT PB 30 PG 64 W 58 FT LOT 7 + E 22 FT LOT 8

Z ********** OWNER **********
SIMONSON SANDRA L

********** SITE **********

9331 SEDGEFIELD RD

9331 SEDGEFIELD RD

N FT MYERS FL 33917

North Fort Myers 33917

15-43-25-01-00000.0080

HIGH POINT PB 30 PG 64 L OT 8 LESS W 7 FT + LESS E 22 FT

AA ********** OWNER **********
STEED DANE + BEVERLY

********** SITE **********

9321 SEDGEFIELD RD

9321 SEDGEFIELD RD

N FT MYERS FL 33917

North Fort Myers 33917

15-43-25-01-00000.0090

HIGH POINT PB 30 PG 64 L OT 9 LESS E 73 FT

AB ********** OWNER **********
EZELL BRETT A

********** SITE **********

9301 SEDGEFIELD RD

9301 SEDGEFIELD RD

NORTH FORT MYERS FL 33917

North Fort Myers 33917

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*** VARIANCE REPORT ***
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*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
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DATE OF REPORT : 06NOV02
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VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

15-43-25-01-00000.009A

HIGH POINT PB 30 PG 64 W 7 FT LT 8 + E 73 FT LT 9

AC

********** OWNER **********
HOLBROOK JOHN +

9311 SEDGEFIELD RD

NORTH FORT MYERS FL 33917

********** SITE *********
9311 SEDGEFIELD RD

North Fort Myers 33917

15-43-25-01-00000.0100

HIGH POINT PB 30 PG 64 L OT 10 LESS E 73FT

AD

********** OWNER **********
BANK OF AMERICA
C/O PD LTD
P O BOX 2148

FT MYERS FL 33902

********** SITE *********
9300 SEDGEFIELD RD

North Fort Myers 33917

15-43-25-01-00000.010A

HIGH POINT PB 30 PG 64E 7 3FT OF LT 10 + W 7FT OF L OT 11

AE

********** OWNER **********
BOLDGER SEAN D

9310 SEDGEFIELD RD

NORTH FORT MYERS FL 33917

********** SITE *********
9310 SEDGEFIELD RD

North Fort Myers 33917

15-43-25-01-00000.0110

HIGH POINT PB 30 PG 64 LO T 11 LESS W 7FT + E 22FT

AF

********** OWNER **********
MADEWELL TWANA D

9320 SEDGEFIELD RD

NORTH FORT MYERS FL 33917

********** SITE *********
9320 SEDGEFIELD RD

North Fort Myers 33917

****
*** VARIANCE REPORT ***
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VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

15-43-25-02-00000.000A

SUBDIVISION LOCATED AT SE 15 TWP 43 RGE 25 AS DESC IN PB 34 PG 161-164 HD
R: OAKMONT 0

AG. ********** OWNER **********
OAKMONT SUBDIVISION

********** SITE **********

33917 North Fort Myers

A

L
61.0

15-43-25-02-00000.0060

OAKMONT PB 34 PGS 161-164
LOT 6

AH. ********** OWNER **********
COOK TIMOTHY W + ANDREA B

18130 SANDY PINES CIR
NORTH FORT MYERS FL 33917

********** SITE **********

18130 SANDY PINES CIR
North Fort Myers
33917

15-43-25-02-00000.0070

OAKMONT PB 34 PGS 161-164
LOT 7

A. I. ********** OWNER **********
MEYERHOLZ STEVE

18134 SANDY PINES CIR
NORTH FORT MYERS FL 33917

********** SITE **********

18134 SANDY PINES CIR
North Fort Myers
33917

15-43-25-02-00000.0080

OAKMONT PB 34 PGS 161-164
LOT 8

A.J. ********** OWNER **********
KILLAM GEORGE E + VIRGINIA D

18138 SANDY PINES CIR
NORTH FORT MYERS FL 33917

********** SITE **********

18138 SANDY PINES CIR
North Fort Myers
33917

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*** VARIANCE REPORT ***
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*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
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DATE OF REPORT : 06NOV02
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VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

15-43-25-02-00000.0090

OAKMONT PB 34 PGS 161-164
LOT 9

A.K ********** OWNER ********** ********** SITE *********
MCMULLEN PAUL E JR + BONNIE J

18142 SANDY PINES CIR 18142 SANDY PINES CIR

NORTH FORT MYERS FL 33917 North Fort Myers
33917

15-43-25-02-00000.0100

OAKMONT PB 34 PGS 161-164
LOT 10

AL. ********** OWNER ********** ********** SITE *********
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD 18150 SANDY PINES CIR

NORTH FORT MYERS FL 33917 North Fort Myers
33917

15-43-25-02-00000.0110

OAKMONT PB 34 PGS 161-164
LOT 11

AM. ********** OWNER ********** ********** SITE *********
BELANGER LARRY R + K LAURINE

9491 BAYSHORE RD 18154 SANDY PINES CIR

NORTH FORT MYERS FL 33917 North Fort Myers
33917

15-43-25-02-00000.0120

OAKMONT PB 34 PGS 161-164
LOT 12

AN. ********** OWNER ********** ********** SITE *********
MORTON DEBBIE L 50% INT +

18158 SANDY PINES CIR 18158 SANDY PINES CIR

NORTH FORT MYERS FL 33917 North Fort Myers
33917

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*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
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DATE OF REPORT : 06NOV02
SUBJECT PROPERTY : 16-43-25-00-00003.0060
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

15-43-25-02-00000.0130

OAKMONT PB 34 PGS 161-164
LOT 13

AO. ********** OWNER ********** ********** SITE *********
HIGGINBOTHAN THOMAS + JENNIFER

18162 SANDY PINES CIR 18162 SANDY PINES CIR

NORTH FORT MYERS FL 33917 North Fort Myers
33917

15-43-25-02-00000.0140

OAKMONT PB 34 PGS 161-164
LOT 14

AP. ********** OWNER ********** ********** SITE *********
COOK OSCAR W + NORMA J

18166 SANDY PINES CIR 18166 SANDY PINES CIR

NORTH FORT MYERS FL 33917 North Fort Myers
33917

15-43-25-02-00000.0150

OAKMONT PB 34 PGS 161-164
LOT 15

AQ. ********** OWNER ********** ********** SITE *********
MILLER D GARTH +

18170 SANDY PINES CIR 18170 SANDY PINES CIR

NORTH FORT MYERS FL 33917 North Fort Myers
33917

15-43-25-02-00000.0160

OAKMONT PB 34 PGS 161-164
PART LT16 AS DESC IN OR
3238, PG 1423

AR. ********** OWNER ********** ********** SITE *********
PABON ANTHONY M + DAWNA E

18172 SANDY PINES CIR 18172 SANDY PINES CIR

NORTH FORT MYERS FL 33917 North Fort Myers
33917

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*** Kenneth M. Wilkinson ***
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VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

15-43-25-02-00000.0170

OAKMONT PB 34 PGS 161-164
PART LT17 LES .017A + LE
S OR 3238/1423

AS. ********** OWNER ********** ********** SITE *********
QUEEN RICHARD B SR TR 1/2 INT+

18178 SANDY PINES CIR 18178 SANDY PINES CIR

N FT MYERS FL 33917 North Fort Myers
33917

15-43-25-02-00000.017A

OAKMONT PB 34 PG 161-164
P PF LTS 16+17 OR2727/236
5

AT. ********** OWNER ********** ********** SITE *********
PLEDGER JOSEPH N + TAMI

18174 SANDY PINES CIR 18174 SANDY PINES CIR

N FT MYERS FL 33917 North Fort Myers
33917

15-43-25-02-00000.0180

OAKMONT PB 34 PGS 161-164
LOT 18

AU. ********** OWNER ********** ********** SITE *********
QUEEN JENNIFER K +

18182 SANDY PINES CIR 18182 SANDY PINES CIR

NORTH FORT MYERS FL 33917 North Fort Myers
33917

15-43-25-02-00000.0190

OAKMONT PB 34 PGS 161-164
LOT 19

AV. ********** OWNER ********** ********** SITE *********
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD 18186 SANDY PINES CIR

N FT MYERS FL 33917 North Fort Myers
33917

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VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

15-43-25-02-00000.0200

OAKMONT PB 34 PGS 161-164
LOT 20

AW. ********** OWNER **********
BANK OF AMERICA TR

P O BOX 927

FT MYERS FL 33902

********** SITE *********
18190 SANDY PINES CIR

North Fort Myers
33917

15-43-25-02-00000.0210

OAKMONT PB 34 PGS 161-164
LOT 21

AX. ********** OWNER **********
WEINLAUF GARY M + SHERI G

18194 SANDY PINES CIR

NORTH FORT MYERS FL 33917

********** SITE *********
18194 SANDY PINES CIR

North Fort Myers
33917

15-43-25-02-00000.0220

OAKMONT PB 34 PGS 161-164
LOT 22

AY. ********** OWNER **********
CARLSEN DAVID F + LORIE A

18198 SANDY PINES CIR

N FT MYERS FL 33917

********** SITE *********
18198 SANDY PINES CIR

North Fort Myers
33917

15-43-25-02-00000.0230

OAKMONT PB 34 PGS 161-164
LOT 23

AZ. ********** OWNER **********
JONES JENNY L

18202 SANDY PINES CIR

NORTH FORT MYERS FL 33917

********** SITE *********
18202 SANDY PINES CIR

North Fort Myers
33917

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VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

15-43-25-02-00000.0240

OAKMONT PB 34 PGS 161-164
LOT 24

BA. ********** OWNER ********** ********** SITE *********
MACANDER JUDITH K

18206 SANDY PINES CIR 18206 SANDY PINES CIR

N FT MYERS FL 33917 North Fort Myers
33917

15-43-25-02-00000.0250

OAKMONT PB 34 PGS 161-164
LOT 25

BB. ********** OWNER ********** ********** SITE *********
FORD LARRY D +

P O BOX 2094 18210 SANDY PINES CIR

N FT MYERS FL 33902 North Fort Myers
33917

15-43-25-02-00000.0260

OAKMONT PB 34 PGS 161-164
LOT 26

BC. ********** OWNER ********** ********** SITE *********
COOK SCOTT G + MARY S

18214 SANDY PINES CIR 18214 SANDY PINES CIR

NORTH FORT MYERS FL 33917 North Fort Myers
33917

15-43-25-02-00000.0270

OAKMONT PB 34 PGS 161-164
LOT 27

BD. ********** OWNER ********** ********** SITE *********
MOHLER DON B JR + SHIRLEY A

18218 SANDY PINES CIR 18218 SANDY PINES CIR

N FT MYERS FL 33917 North Fort Myers
33917

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VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

15-43-25-02-00000.0280

OAKMONT PB 34 PGS 161-164
LOT 28

BE ********** OWNER ********** ********** SITE *********
LAWHON RICHARD H + SUSIE E

18222 SANDY PINES CIR 18222 SANDY PINES CIR

NORTH FORT MYERS FL 33917 North Fort Myers
33917

15-43-25-02-00000.0290

OAKMONT PB 34 PGS 161-164
LOT 29

BF ********** OWNER ********** ********** SITE *********
LAWHON RICHARD H + SUSIE E

18226 SANDY PINES CIR 18226 SANDY PINES CIR

N FT MYERS FL 33917 North Fort Myers
33917

15-43-25-02-00000.0300

OAKMONT PB 34 PGS 161-164
LOT 30

BG. ********** OWNER ********** ********** SITE *********
MORAINE FLOYD L + KAREN K

18230 SANDY PINE CR 18230 SANDY PINES CIR

N FT MYERS FL 33917 North Fort Myers
33917

15-43-25-02-00000.0390

OAKMONT PB 34 PGS 161-164
LOT 39

BH. ********** OWNER ********** ********** SITE *********
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD 18129 SANDY PINES CIR

N FT MYERS FL 33917 North Fort Myers
33917

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VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

15-43-25-02-00000.0400

OAKMONT PB 34 PGS 161-164
LOT 40

BI. ********** OWNER ********** ********** SITE *********
HILLMAN BILL E + MARTHA A

18133 SANDY PINE CIR 18133 SANDY PINES CIR

N FT MYERS FL 33917 North Fort Myers
33917

15-43-25-02-00000.0410

OAKMONT PB 34 PGS 161-164
LOT 41

BJ. ********** OWNER ********** ********** SITE *********
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD 18137 SANDY PINES CIR

N FT MYERS FL 33917 North Fort Myers
33917

15-43-25-02-00000.0420

OAKMONT PB 34 PGS 161-164
LOT 42

BK. ********** OWNER ********** ********** SITE *********
COX CLAYTON E + ASHLEY D

18141 SANDY PINES CIR 18141 SANDY PINES CIR

N FT MYERS FL 33917 North Fort Myers
33917

15-43-25-02-00000.0430

OAKMONT PB 34 PGS 161-164
LOT 43

BL. ********** OWNER ********** ********** SITE *********
DESCHENES JOHN + CONNIE

18155 SANDY PINES CIR 18155 SANDY PINES CIR

NORTH FORT MYERS FL 33917 North Fort Myers
33917

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*** Kenneth M. Wilkinson ***
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VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

15-43-25-02-00000.0440

OAKMONT PB 34 PGS 161-164
LOT 44

BM. ********** OWNER ********** ********** SITE *********
DESCHENES JOHN E +

18161 SANDY PINE CIR NE 18161 SANDY PINES CIR

FT MYERS FL 33917 North Fort Myers
33917

15-43-25-02-00000.0450

OAKMONT PB 34 PGS 161-164
LOT 45

BN. ********** OWNER ********** ********** SITE *********
MENDOLERA MIKE

18152 HORSESHOE BAY CIR 18165 SANDY PINES CIR

FT MYERS FL 33912 North Fort Myers
33917

15-43-25-02-00000..0460

OAKMONT PB 34 PGS 161-164
LOT 46

BO. ********** OWNER ********** ********** SITE *********
TINNEY GARY A + SUSAN R

18173 SANDY PINES CIR 18173 SANDY PINES CIR

N FT MYERS FL 33917 North Fort Myers
33917

15-43-25-02-00000.0470

OAKMONT PB 34 PGS 161-164
LOT 47

BP. ********** OWNER ********** ********** SITE *********
CAMPOBASSO JOSEPH R + PATRICIA

18185 SANDY PINES CIR 18185 SANDY PINES CIR

N FT MYERS FL 33917 North Fort Myers
33917

****
*** VARIANCE REPORT ***
*** ***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 06NOV02
SUBJECT PROPERTY : 16-43-25-00-00003.0060
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

15-43-25-02-00000.0480

OAKMONT PB 34 PGS 161-164
LOT 48

BQ. ********** OWNER **********
MACFARLANE CATHERINE T

88 BEAVER DAM RD

SCITUATE MA 02066

********** SITE *********
18189 SANDY PINES CIR

North Fort Myers
33917

15-43-25-02-00000.0490

OAKMONT PB 34 PGS 161-164
LOT 49

BR. ********** OWNER **********
GIBSON SHELBY J

18193 SANDY PINES CIR

N FT MYERS FL 33917

********** SITE *********
18193 SANDY PINES CIR

North Fort Myers
33917

15-43-25-02-00000.0500

OAKMONT PB 34 PGS 161-164
LOT 50

BS. ********** OWNER **********
YANOSIK MICHAEL J

18197 SANDY PINES CIR

N FT MYERS FL 33917

********** SITE *********
18197 SANDY PINES CIR

North Fort Myers
33917

15-43-25-02-00000.0510

OAKMONT PB 34 PGS 161-164
LOT 51

BT. ********** OWNER **********
PRENDOTA C T + DONNA J DOWNS

1535 ALHAMBRA DR

FT MYERS FL 33901

********** SITE *********
18201 SANDY PINES CIR

North Fort Myers
33917

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*** VARIANCE REPORT ***
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*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
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DATE OF REPORT : 06NOV02
SUBJECT PROPERTY : 16-43-25-00-00003.0060
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

15-43-25-02-00000.0520

OAKMONT PB 34 PGS 161-164
LOT 52

BU. ********** OWNER ********** ********** SITE *********
LANG AARON W +

18209 SANDY PINE CIR 18209 SANDY PINES CIR

N FT MYERS FL 33917 North Fort Myers
33917

15-43-25-02-00000.0530

OAKMONT PB 34 PGS 161-164
LOT 53

BV. ********** OWNER ********** ********** SITE *********
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD 18225 SANDY PINES CIR

N FT MYERS FL 33917 North Fort Myers
33917

15-43-25-02-00000.0540

OAKMONT PB 34 PGS 161-164
LOT 54

BW. ********** OWNER ********** ********** SITE *********
THORNE BROOKE K + DANA A

18229 SANDY PINES CIR 18229 SANDY PINES CIR

N FT MYERS FL 33917 North Fort Myers
33917

15-43-25-02-00000.0550

OAKMONT PB 34 PGS 161-164
LOT 55

BX. ********** OWNER ********** ********** SITE *********
MILLER J D + MARY LOUISE

18233 SANDY PINES CIR 18233 SANDY PINES CIR

FORT MYERS FL 33917 North Fort Myers
33917

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*** VARIANCE REPORT ***
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*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
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SUBJECT PROPERTY : 16-43-25-00-00003.0060
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

15-43-25-02-00000.0570

OAKMONT PB 34 PGS 161-164
LOT 57

B.Y. ********** OWNER ********** ********** SITE *********
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD 18115 SANDY PINES CIR

N FT MYERS FL 33917 North Fort Myers
33917

15-43-25-02-00000.0580

OAKMONT PB 34 PGS 161-164
LOT 58

B2. ********** OWNER ********** ********** SITE *********
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD 18179 SANDY PINES CIR

N FT MYERS FL 33917 North Fort Myers
33917

15-43-25-02-0000A.0000

OAKMONT PB 34 PGS 161-164
TRACTS A B + C

CA. ********** OWNER ********** ********** SITE *********
PRITCHETT DEVELOPMANT CO LTD

6601 BAYSHORE RD 0 LAKE

N FT MYERS FL 33917 North Fort Myers
33917

15-43-25-03-00000.000A

A SUBDIVISION LOCATED IN
SEC 15 TWP 43 RGE 25 AS D
ESC IN PLAT BOOK 35 PG 38

CB. ********** OWNER ********** ********** SITE *********
HIGH POINT-FIRST ADDITION SUBD

0 HDR: HIGH POINT 1

North Fort Myers
33917

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*** VARIANCE REPORT ***
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*** Kenneth M. Wilkinson ***
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VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

15-43-25-03-00000.0010

HIGH POINT FIRST ADDITION
SUBD PB 35 PG 38 LOT 1

CC. ********** OWNER ********** ********** SITE *********
DECKER STEVEN K + REBECCA A

9251 SEDGEFIELD RD 9251 SEDGEFIELD RD

N FT MYERS FL 33917 North Fort Myers
33917

15-43-25-03-00000.0020

HIGH POINT FIRST ADDITION
SUBD PB 35 PG 38 LOT 2

CD. ********** OWNER ********** ********** SITE *********
GRIEG THOMAS S TR

19630 LAN SHELL DR 9250 SEDGEFIELD RD

NORTH FORT MYERS FL 33917 North Fort Myers
33917

15-43-25-03-00000.0030

HIGH POINT FIRST ADDITION
SUBD PB 35 PG 38 LOT 3

CE. ********** OWNER ********** ********** SITE *********
CONNOR FRANK L + BRITTAIN

9260 SEDGEFIELD RD 9260 SEDGEFIELD RD

NORTH FORT MYERS FL 33917 North Fort Myers
33917

16-43-25-00-00001.0000

NE 1/4 OF NW 1/4 OF NW 1/4
LESS PARL 1.0090

CF. ********** OWNER ********** ********** SITE *********
MYERS CAROL PEAGLER

8181 RICH RD 8181 RICH RD

N FT MYERS FL 33917 North Fort Myers
33917

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*** VARIANCE REPORT ***
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VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

16-43-25-00-00001.0020

E 1/2 OF NW 1/4 OF NE 1/4 OF NW 1/4 SUBJECT TO EASEMENT

CG. ********** OWNER ********** ********** SITE *********
RISNER RICHARD JR + MARY G

8301 RICH RD 8301 RICH RD

NORTH FORT MYERS FL 33917 North Fort Myers 33917

16-43-25-00-00001.002A

W 1/2 OF NW 1/4 OF NE 1/4 OF NW 1/4

CH. ********** OWNER ********** ********** SITE *********
WIERENGO RONALD J + JEAN

8251 RICH RD 8251 RICH RD

N FT MYERS FL 33917 North Fort Myers 33917

16-43-25-00-00001.0090

N 329 FT OF W 1/2 OF NE 1/4 OF NW 1/4 OF NW 1/4

CI. ********** OWNER ********** ********** SITE *********
LOPEZ LOUIS J + BARBARA L

8121 RICH RD 8121 RICH RD

N FT MYERS FL 33917 North Fort Myers 33917

16-43-25-00-00002.0000

PARL IN W 1/2 DESC OR 422/409 + SW 1/4 OF NE 1/4 OF SW 1/4

CJ. ********** OWNER ********** ********** SITE *********
HANSEN A ERNEST TR 1/2 INT +

PO BOX 50903 0 ACCESS UNDETERMINED

FORT MYERS FL 33994 North Fort Myers 33917

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*** VARIANCE REPORT ***
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VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

16-43-25-00-00002.0010

NW 1/4 OF SE 1/4 OF SW1/4

CK ********** OWNER ********** ********** SITE *********
HANSEN A ERNEST +

PO BOX 50903 8289 BOONESBORO RD

FORT MYERS FL 33994 North Fort Myers
33917

16-43-25-00-00003.0030

S1/2 OF NW1/4 OF NW1/4 LE
S R/W 2137/2738+3158/3630

CL. ********** OWNER ********** ********** SITE *********
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD 8180 RICH RD

FT MYERS FL 33917 North Fort Myers
33917

16-43-25-00-00003.0040

SW1/4 OF NW1/4 LES R/W 21
37/2738+3158/3630

CM. ********** OWNER ********** ********** SITE *********
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD 18300 PRITCHETT PKWY

FT MYERS FL 33917 North Fort Myers
33917

16-43-25-03-00000.000A

S/D IN MULTI SECS 16 + 21
RECORDED IN PB 36 PG 29

CN. ********** OWNER ********** ********** SITE *********
COLONIAL PINES S/D

0 HDR: COLONIAL PINES

North Fort Myers
33917

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*** Kenneth M. Wilkinson ***
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VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

16-43-25-03-0000B.0130

COLONIAL PINES S/D BLK B
PB 36 PG 29 LOT 13

CO. ********** OWNER ********** ********** SITE *********
THORSEN RANDY E JR + PAULA S

8300 BOONESBORO RD 8300 BOONESBORO RD

N FT MYERS FL 33917 North Fort Myers
33917

16-43-25-03-0000B.0140

COLONIAL PINES S/D BLK B
PB 36 PG 29 LOT 14

CP. ********** OWNER ********** ********** SITE *********
KINTER JAMES L + PATRICIA A

8320 BOONESBORO RD 8320 BOONESBORO RD

N FT MYERS FL 33917 North Fort Myers
33917

16-43-25-03-0000B.0150

COLONIAL PINES S/D BLK B
PB 36 PG 29 LOT 15

CQ. ********** OWNER ********** ********** SITE *********
COLLINS MICHAEL + MICHELLE

8340 BOONESBORO RD 8340 BOONESBORO RD

N FT MYERS FL 33917 North Fort Myers
33917

16-43-25-03-0000B.0160

COLONIAL PINES S/D BLK B
PB 36 PG 29 LOTS 16 + 17

CR. ********** OWNER ********** ********** SITE *********
METZGER MICHAEL + CONNIE S

8360 BOONESBORO RD 8380 BOONESBORO RD

NORTH FORT MYERS FL 33917 North Fort Myers
33917

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VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

16-43-25-03-0000B.0180

COLONIAL PINES S/D BLK B
PB 36 PG 29 LOTS 18 + 19

CS. ********** OWNER ********** ********** SITE *********
HALL EDWIN E + CAROLE A

8379 BOONESBORO RD 8379 BOONESBORO RD

NORTH FORT MYERS FL 33917 North Fort Myers
33917

16-43-25-03-0000B.0200

COLONIAL PINES S/D BLK B
PB 36 PG 29 LOT 20

CT. ********** OWNER ********** ********** SITE *********
WILLIAMS LARRY W + PAMELA D

8343 BOONESBORO RD 8343 BOONESBORO RD

N FT MYERS FL 33917 North Fort Myers
33917

16-43-25-03-0000B.0210

COLONIAL PINES S/D BLK B
PB 36 PG 29 LOT 21

CU. ********** OWNER ********** ********** SITE *********
WALL TIMOTHY P

8325 BOONESBORO RD 8325 BOONESBORO RD

N FT MYERS FL 33917 North Fort Myers
33917

16-43-25-03-0000B.0220

COLONIAL PINES S/D BLK B
PB 36 PG 29 LOT 22

CV. ********** OWNER ********** ********** SITE *********
WERT WILLIAM H + DEBORAH Q

8307 BOONESBORO RD 8307 BOONESBORO RD

NORTH FORT MYERS FL 33917 North Fort Myers
33917

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VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

16-43-25-04-00000.000A HDR:HUNT

RS GLEN N F
T MYERS 33917
LT58.0

CW. ********** OWNER ********** ********** SITE **********
HUNTERS GLEN

0 0

SECTION
AS REC IN PB 59 PG 92 33917

16-43-25-04-00000.0200

HUNTERS GLEN
PB 59 PG 92
LOT 20

CX. ********** OWNER ********** ********** SITE **********
PIERSON JOHN D + PATRICIA

1685 N HERMITAGE RD 18470 HUNTERS GLEN RD

FORT MYERS FL 33919 N Ft Myers
33917

16-43-25-04-00000.0210

HUNTERS GLEN
PB 59 PG 92
LOT 21

CY. ********** OWNER ********** ********** SITE **********
STEWART CHARLES M + CHRISTINA

1260 SE 8TH ST 18480 HUNTERS GLEN RD

CAPE CORAL FL 33990 N Ft Myers
33917

16-43-25-04-00000.0220

HUNTERS GLEN
PB 59 PG 92
LOT 22

CZ. ********** OWNER ********** ********** SITE **********
GATEWOOD RODNEY W + ANGELISA C

17870 CHESTERFIELD RD 18490 HUNTERS GLEN RD

NORTH FORT MYERS FL 33917 N Ft Myers
33917

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*** Kenneth M. Wilkinson ***
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DATE OF REPORT : 06NOV02
SUBJECT PROPERTY : 16-43-25-00-00003.0060
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

16-43-25-04-00000.0230

HUNTERS GLEN
PB 59 PG 92
LOT 23

D.A. ********** OWNER ********** ********** SITE **********
GATEWOOD RODNEY W + ANGELISA C

17870 CHESTERFIELD RD 18500 HUNTERS GLEN RD

NORTH FORT MYERS FL 33917 N Ft Myers
33917

16-43-25-04-00000.0240

HUNTERS GLEN
PB 59 PG 92
LOT 24

D.B. ********** OWNER ********** ********** SITE **********
BROWN DONN J + JEANETTE F

11561 VILLA GRAND #713 18501 HUNTERS GLEN RD

FORT MYERS FL 33913 N Ft Myers
33917

16-43-25-04-00000.0250

HUNTERS GLEN
PB 59 PG 92
LOT 25

D.C. ********** OWNER ********** ********** SITE **********
BABB CHARLES D + LESLIE A

371 HERON AV 8241 HUNTERS GLEN CIR

NAPLES FL 34108 N Ft Myers
33917

16-43-25-04-00000.0260

HUNTERS GLEN
PB 59 PG 92
LOT 26

D.D. ********** OWNER ********** ********** SITE **********
HALL LARRY J +

1816 NE 22ND ST 8231 HUNTERS GLEN CIR

CAPE CORAL FL 33909 N Ft Myers
33917

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VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

16-43-25-04-00000.0270

HUNTERS GLEN
PB 59 PG 92
LOT 27

DE. ********** OWNER ********** ********** SITE *********
CHO HO C + AE RYON

516 SE 18TH AV 8221 HUNTERS GLEN CIR

CAPE CORAL FL 33990 N Ft Myers
33917

16-43-25-04-00000.0340

HUNTERS GLEN
PB 59 PG 92
LOT 34

DF. ********** OWNER ********** ********** SITE *********
MAGNER STEVEN J + SUZANNE K

18265 COLUMBINE RD 8240 HUNTERS GLEN CIR

FORT MYERS FL 33912 N Ft Myers
33917

16-43-25-04-00000.0350

HUNTERS GLEN
PB 59 PG 92
LOT 35

DG. ********** OWNER ********** ********** SITE *********
RHODEN TERESA M

8190 EBSON DR 8250 HUNTERS GLEN CIR

NORTH FORT MYERS FL 33917 N Ft Myers
33917

16-43-25-04-0000A.0000

HUNTERS GLEN
PB 59 PG 92
TRACTS A + B

DH. ********** OWNER ********** ********** SITE *********
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD HUNTERS GLEN CIR

FT MYERS FL 33917 North Fort Myers
33917

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VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

16-43-25-04-0000D.0000

HUNTERS GLEN
PB 59 PG 92
TRACT D

DI. ********** OWNER ********** ********** SITE *********
PRITCHETT DEVELOPMENT CO LTD

6601 BAYSHORE RD RIGHT OF WAY

FT MYERS FL 33917 North Fort Myers
33917

21-43-25-00-00003.0010

E 1/2 OF SE 1/4 OF NE 1/4

DJ. ********** OWNER ********** ********** SITE *********
DALLAS + GRAFF ENTERPRISES INC

8991 TRIPLETT RD 8991 TRIPLETT RD

N FT MYERS FL 33917 North Fort Myers
33917

21-43-25-00-00003.0020

PARL IN NE 1/4 DESC IN OR 0269 PG 0319 LESS PARL 1 .100

DK. ********** OWNER ********** ********** SITE *********
EAGLE GREG W TR +

3818 DEL PRADO BLVD 0 LEETANA RD

CAPE CORAL FL 33904 North Fort Myers
33917

21-43-25-00-00004.0000

TH N 264FT OF SW 1/4 OF S W 1/4 OF NE 1/4 LESS I-75 R/W

DL. ********** OWNER ********** ********** SITE *********
EAGLE GREG W TR +

3818 DEL PRADO BLVD 17690 WILLIAMSBURG DR

CAPE CORAL FL 33904 North Fort Myers
33917

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VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

21-43-25-00-00005.0000

PARL IN N 1/2 OF SE 1/4 I -75 R/W DESC OR 1855 PG 2032

DM. ********** OWNER ********** ********** SITE *********
EAGLE GREG W TR +

3818 DEL PRADO BLVD 8601 BAYSHORE RD

CAPE CORAL FL 33904 North Fort Myers 33917

21-43-25-00-00006.0000

E 1/2 OF N 1/2 OF SE 1/4 LESS RD R/W LESS W 1/2 LESS I-75 R/W

DN. ********** OWNER ********** ********** SITE *********
CROSS NICK 12.5% ETAL

P O BOX 1526 17300 PRITCHETT PKWY

FT MYERS FL 33910 North Fort Myers 33917

21-43-25-00-00006.0060

PARL IN N 1/2 OF SE 1/4 DESC IN OR 1325 PG 1497 LESS OR 1858 PG 3015

DO. ********** OWNER ********** ********** SITE *********
EAGLE GREG W TR

3818 DEL PRADO BLVD 8721 BAYSHORE RD

CAPE CORAL FL 33904 North Fort Myers 33917

21-43-25-00-00006.006A

PARL IN N 1/2 OF SE 1/4 DESC OR 1858 PG 3015

DP. ********** OWNER ********** ********** SITE *********
EAGLE W GREG TR +

3818 DEL PRADO BLVD 8701 BAYSHORE RD

CAPE CORAL FL 33904 North Fort Myers 33917

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PARCELS AFFECTED : 157

21-43-25-00-00016.0000

PARL IN E 1/2 OF NW 1/4 D
ES OR1503 PG 0364 LESS I-
75+SPLITS ADJ 75 + E SR 9

DQ. ********** OWNER ********** ********** SITE *********

COCHRAN JIMMIE J

PO BOX 1701 8350 AVIARY ST

FT MYERS FL 33902 North Fort Myers
33917

21-43-25-00-00016.0010

FR NE COR OF NW1/4 RUN W
1323.39 FT TH S 660.64 FT
E 600 FT TO POB

DR. ********** OWNER ********** ********** SITE *********

PARKER LLOYD HAROLD+VERONICA L

4405 CYPRESS LN 17801 LEETANA RD

FT MYERS FL 33905 North Fort Myers
33917

21-43-25-00-00016.0020

A PAR IN NE 1/4 OF NW 1/4
AS DESC IN OR 0297/0817

DS. ********** OWNER ********** ********** SITE *********

CROSBY DORTHA L +

17730 LEETANA RD 17730 LEETANA RD

NORTH FORT MYERS FL 33917 North Fort Myers
33917

21-43-25-00-00016.0030

A PAR IN SE 1/4 OF NW 1/4
AS DESC IN OR 0302/0122

DT. ********** OWNER ********** ********** SITE *********

CASWELL MALVERN L + DOLORES C

6148 THORNEYCROFT DR 17700 WILLIAMSBURG DR

SHELBY TOWNSHIP MI 48316 North Fort Myers
33917

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*** Kenneth M. Wilkinson ***
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PARCELS AFFECTED : 157

21-43-25-00-00016.0040

A PAR IN NE 1/4 OF NW 1/4 AS DESC IN OR 0305/0699 LESS E 105 FT

DU. ********** OWNER ********** ********** SITE *********
WILLIAMS SANDRA S

17911 LEETANA RD 17911 LEETANA RD

NORTH FORT MYERS FL 33917 North Fort Myers 33917

21-43-25-00-00016.004A

A PAR IN NE 1/4 OF NW 1/4 AS DESC IN OR 2555/3004

DV. ********** OWNER ********** ********** SITE *********
MILLER MYRTLE S

17901 LEETANA RD NE 17901 LEETANA RD

N FT MYERS FL 33917 North Fort Myers 33917

21-43-25-00-00016.0050

PAR IN NE1/4 OF NW1/4 DESC OR 326/479 LESS 16.005A AKA LT 66 COLONIAL ACRES

PW. ********** OWNER ********** ********** SITE *********
SHOAP DANNIE C + DONNA

17910 LEETANA RD 17910 LEETANA RD

N FT MYERS FL 33917 North Fort Myers 33917

21-43-25-00-00016.005A

PARL IN NE 1/4 OF NW 1/4 DESC OR 1766 PG 1659 AKA LT 67 COLONIAL ACRES S/D

PX. ********** OWNER ********** ********** SITE *********
DALY JOSEPH W +

17920 LEETANA RD 17920 LEETANA RD

NORTH FORT MYERS FL 33917 North Fort Myers 33917

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21-43-25-00-00016.0060

A PAR IN NE 1/4 OF NW 1/4 AS DESC IN OR 0326/0481

DY. ********** OWNER ********** ********** SITE *********
PETERS ANGELO V + CHARLOTTE S

17871 LEETANA RD NE 17871 LEETANA RD

N FT MYERS FL 33917 North Fort Myers 33917

21-43-25-00-00016.0070

PARL IN NW 1/4 DESC OR 1875/1913 AKA LT 64 COLONIAL ACRES UR

DZ. ********** OWNER ********** ********** SITE *********
HANSEN TRACY R +

17870 LEETANA RD 17870 LEETANA RD

N FT MYERS FL 33917 North Fort Myers 33917

21-43-25-00-00016.0080

PARL IN SE 1/4 OF NW 1/4 SWLY OF I-75 AS DESC IN OR 1923 PG 1896

E.A. ********** OWNER ********** ********** SITE *********
DUNFORD LARRY W + TERRI LYNN

17761 WILLIAMSBURG DR 17761 WILLIAMSBURG DR

N FT MYERS FL 33917 North Fort Myers 33917

21-43-25-00-00016.0120

A PAR IN NE 1/4 OF NW 1/4 AS DESC IN OR 0731/0535

E.B. ********** OWNER ********** ********** SITE *********
RUFFNER THOMAS E + GAIL

30950 SW 194TH AVE 17690 LEETANA RD

HOMESTEAD FL 33030 North Fort Myers 33917

****
*** VARIANCE REPORT ***
*** ***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 06NOV02
SUBJECT PROPERTY : 16-43-25-00-00003.0060
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

21-43-25-00-00016.0130

PARL IN N E 1/4 OF N W 1/4 DESC OR 1253 PG 971 AKA LT 57 COLONIAL ACRES UNR

EC. ********** OWNER ********** ********** SITE **********
JACKMAN RONALD A + VELMA J

17750 LEETANA RD 17750 LEETANA RD

N FT MYERS FL 33917 North Fort Myers 33917

21-43-25-00-00016.0140

A PAR IN NE 1/4 OF NW 1/4 AS DESC IN OR 1181/2031 &T TO POB CONT SAME COUR

ED. ********** OWNER ********** ********** SITE **********
BERWICK LORETTA H +

17831 LEE TANA RD NE 17831 LEETANA RD

N FT MYERS FL 33917 North Fort Myers 33917

21-43-25-00-00016.0150

PARL IN NW 1/4 SEC 21 T43 R25 DESC IN OR 829 P 649

EE. ********** OWNER ********** ********** SITE **********
GREEN ELLIS JR + REGINA L

17850 LEETANA DR 17850 LEETANA RD

N FT MYERS FL 33917 North Fort Myers 33917

21-43-25-00-00016.0160

A PAR IN SE 1/4 OF NW 1/4 DESC OR 1143/0153 AKA LT 52 COLONIAL ACRES

EF. ********** OWNER ********** ********** SITE **********
MADDOX DOROTHY

17750 WILLIAMSBURG DR 17750 WILLIAMSBURG DR

FT MYERS FL 33917 North Fort Myers 33917

****
*** VARIANCE REPORT ***
***
***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 06NOV02
SUBJECT PROPERTY : 16-43-25-00-00003.0060
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

21-43-25-00-00016.0170

A PAR IN SE 1/4 OF NW 1/4 AS DESC IN OR 0951/0348

EG. ********** OWNER ********** ********** SITE *********
BACA WILFREDO +

1617 SE 20TH LN 17760 WILLIAMSBURG DR

CAPE CORAL FL 33990 North Fort Myers 33917

21-43-25-00-00016.0180

A PAR IN NE 1/4 OF NW 1/4 AS DESC IN OR 0978/0625

EH. ********** OWNER ********** ********** SITE *********
SMITH STEPHANIE R +

P O BOX 3797 17800 LEETANA RD

NORTH FORT MYERS FL 33918 North Fort Myers 33917

21-43-25-00-00016.0190

A PAR IN NE 1/4 OF NW 1/4 AS DESC IN OR 0997/0356

EI. ********** OWNER ********** ********** SITE *********
HECK A K + VELVA J

RR 2 BOX 182 8351 AVIARY ST

FAIRMONT WV 26554 North Fort Myers 33917

21-43-25-00-00016.0200

PARL IN E 1/2 OF W 1/2 N OF I-75 DESC IN OR 1688 P G 0808

EJ. ********** OWNER ********** ********** SITE *********
DARLIN GENE R JR + MARY E

17710 LEETANA RD 17710 LEETANA RD

N FT MYERS FL 33917 North Fort Myers 33917

****
*** VARIANCE REPORT ***
*** ***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 06NOV02
SUBJECT PROPERTY : 16-43-25-00-00003.0060
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

21-43-25-00-00016.0210

COLONIAL ACRES UNREC UT 2 LOT 60 DESC OR 2461 PG 1492

EK. ********** OWNER ********** ********** SITE *********
SIMMONS ERWIN E + MARY E

17820 LEETANA RD 17820 LEETANA RD

NORTH FORT MYERS FL 33917 North Fort Myers 33917

21-43-25-00-00016.0220

COLONIAL ACRES UNREC UNIT 2 LOT 61 DESC OR 2461 PG 1490

EL. ********** OWNER ********** ********** SITE *********
ANDERSON RALPH LEE+ JANICE LEE

17840 LEETANA RD 17840 LEETANA RD

N FORT MYERS FL 33917 North Fort Myers 33917

21-43-25-00-00016.0230

COLONIAL ACRES UNREC UNIT 2 PT LOT 70 DESC OR 2461 PG 1491

EM. ********** OWNER ********** ********** SITE *********
PARKER LLOYD H + VERONICA L

4405 CYPRESS LN 17781 LEETANA RD

FT MYERS FL 33905 North Fort Myers 33917

21-43-25-00-00016.0250

A PAR IN NE 1/4 OF NW 1/4 AS DESC IN OR 1220/1035

EN. ********** OWNER ********** ********** SITE *********
BELCHER ELVIN R + WILMA L

17890 LEETANA RD 17890 LEETANA RD

N FT MYERS FL 33917 North Fort Myers 33917

****
*** VARIANCE REPORT ***
*** ***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 06NOV02
SUBJECT PROPERTY : 16-43-25-00-00003.0060
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

21-43-25-00-00016.0260

PARL IN NE 1/4 OF NW 1/4 DESC IN OR 1728 PG 0334 L OT 69 COLONIAL ACRE UN 2

EG. ********** OWNER ********** ********** SITE *********

BERWICK LORETTA H

17811 LEETANA RD 17811 LEETANA RD

NORTH FORT MYERS FL 33917 North Fort Myers 33917

21-43-25-03-00000.000A

D IN MULTI SECS 16 + 21 R CORDED IN PB 36 PG 29

HD

R: COLONIAL PINES 0

EP. ********** OWNER ********** ********** SITE *********

COLONIAL PINES

33903 North Fort Myers

L

S 1.00

22-43-25-00-00001.0000

NW 1/4 OF NW 1/4 LESS THE SLY 330 FT + LESS 1.002 + 1.003 + 1.004

EQ. ********** OWNER ********** ********** SITE *********

CHASTAIN CARLEE + JANIE R

17901 WELLS RD 17901 WELLS RD

NORTH FORT MYERS FL 33917 North Fort Myers 33917

22-43-25-00-00001.0010

THE SLY 330 FT OF THE NW 1/4 OF NW 1/4

ER. ********** OWNER ********** ********** SITE *********

PIGOTT ABBIE LOIS

17801 WELLS RD 17801 WELLS RD

N FT MYERS FL 33917 North Fort Myers 33917

****
*** VARIANCE REPORT ***
***
***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 06NOV02
SUBJECT PROPERTY : 16-43-25-00-00003.0060
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

22-43-25-00-00001.0040

PARCEL NW 1/4 OF NW 1/4 D
ESC OR 2122 PG 3194

E.S. ********** OWNER ********** ********** SITE *********
MILLER DOUGLAS E + CARLA JANE

17861 WELLS RD 17861 WELLS RD

N FT MYERS FL 33917 North Fort Myers
33917

22-43-25-00-00006.0010

WLY 220 FT OF SLY 990 FT
OF SW 1/4 OF NW 1/4

ET. ********** OWNER ********** ********** SITE *********
BELLER BRIAN + KATHY

9011 TRIPLETT RD 9011 TRIPLETT RD

N FT MYERS FL 33917 North Fort Myers
33917

22-43-25-00-00006.0040

E 220 FT OF W 440 FT OF S
990 FT OF SW 1/4 OF NW 1/
4

EU. ********** OWNER ********** ********** SITE *********
TINNEY J PAUL + AUDREY J

9051 TRIPLETT RD 9051 TRIPLETT RD

N FT MYERS FL 33917 North Fort Myers
33917

22-43-25-00-00006.0070

W 250 FT OF SW 1/4 OF NW
1/4 LESS S 990 FT

EV. ********** OWNER ********** ********** SITE *********
ELMORE WILLIAM LEE + SHERON K

17761 WELLS RD 17771 WELLS RD

N FT MYERS FL 33917 North Fort Myers
33917

****
*** VARIANCE REPORT ***
*** ***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 06NOV02
SUBJECT PROPERTY : 16-43-25-00-00003.0060
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 157

22-43-25-00-00006.0080

E 314 FT OF W 564 FT OF S W 1/4 OF NW 1/4 LESS S 990 FT

E.W

********** OWNER **********
ELMORE WILLIAM+ SHERON K

17765 WELLS RD

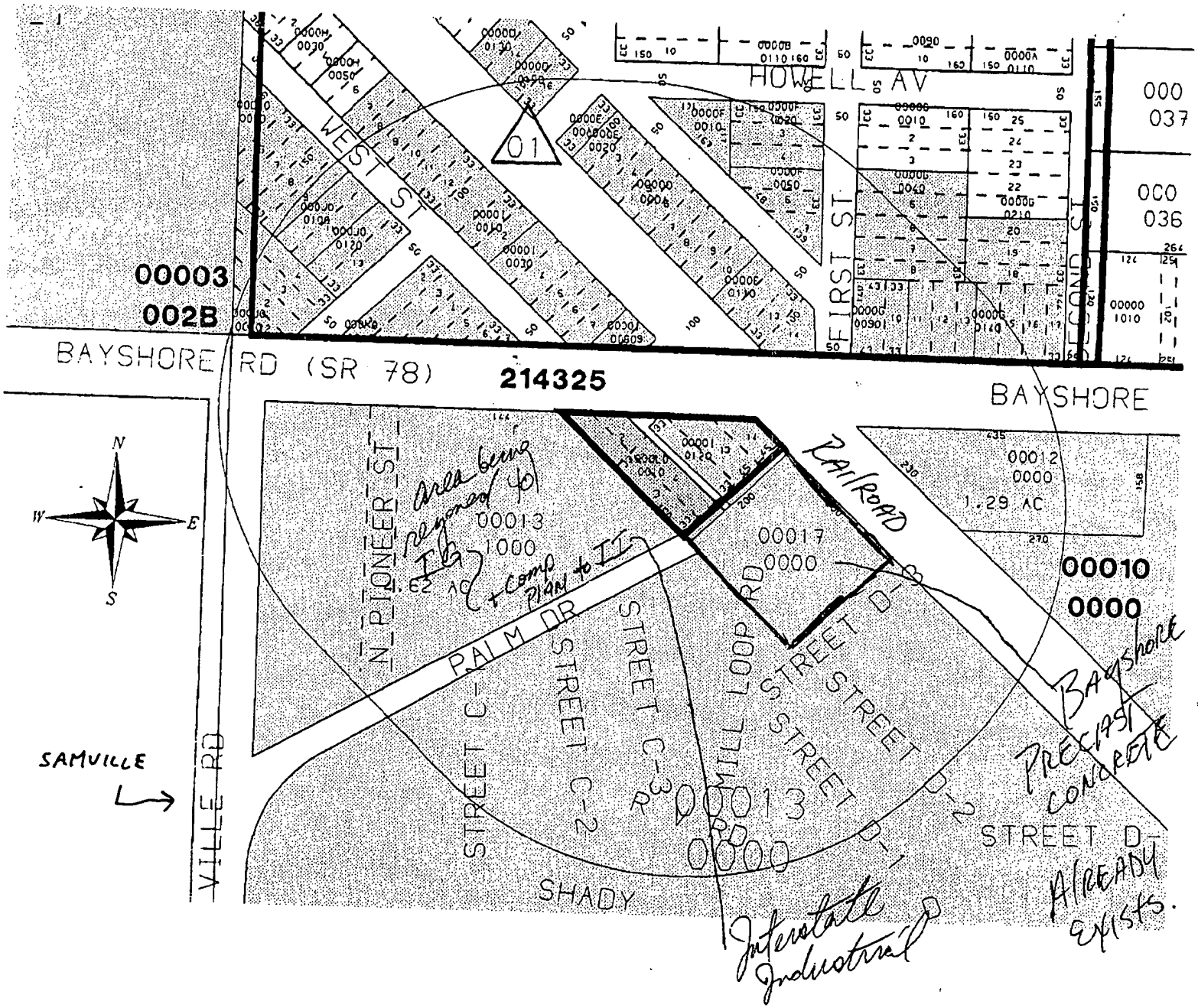
N FT MYERS FL 33917

********** SITE **********

17765 WELLS RD

North Fort Myers 33917

****
*** END OF REPORT ***
****



Jun 01 01 03:07p
941-939-0745
P.2

WilsonMiller
4571 Colonial Boulevard
Ft. Myers, Florida 33912-1062
Phone No. (239) 939-1020
Fax No. (239) 939-7479 (Admin/Eng.)
Fax No. (239) 939-3412 (Planning/Survey/Environmental)

LETTER OF TRANSMITTAL

Date: March 17, 2004
PIN: 03642--000--000—
File Designator: Pcor
Project Name: Stoneybrook North
Ref: DCI 2001-00038

TO: Mr. Chip Block
Lee County Community Development
1500 Monroe Street
Fort Myers, FL 33902

We are sending attached via: ☐ Client Pickup ☒ Delivery ☐ Mail ☐ Overnight Express, the following items:

☐ Prints ☐ Plans ☐ Specifications ☐ Change Order ☐ Copy of Letter ☐ Shop Drawings
☐ Disk ☐ Thermal Plot ☐ Other:

Copies	Date	Drawing File No.	Description/Sheet Numbers
12	3/17/04		Stoneybrook Revisions

These are transmitted as checked below:

☒ For approval ☐ For your use ☒ As requested ☐ For review and comment ☐ For Bids Due
☐ ☐ Prints Returned After Loan To Us

Chip,

The plans have been revised as requested. Perimeter buffer note 1 was added back in and the buffer required where the roadway and cul-de-sacs abut the property lines is specifically indicated.

Hope that this meets with your approval. Thanks.

DCI 2001-00038

RECEIVED
MAR 17 2004
PERMIT COUNTER

COPY TO: Steve Hartsell

SIGNED Carron Day
Carron Day, AICP
If enclosures are not as noted, kindly notify us at once.

Original to Client Copy to Project File

3/17/2004- 31945 Ver: 011- CDAY
CA#43
03642-000-000- PCOR- 5968

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUBSTANTIVE REVIEW
TRANSMITTAL SHEET

TO: Distribution

John Fredyma, Asst. County Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Don Blackburn
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Kathy Babcock, Lee County School District
Roland Ottolini, Natural Resources
Jerry Murphy, Zoning

FROM: Alvin Block, AICP

DATE: 03/17/2004

PROJECT NAME: HERITAGE CREEK

CASE #: DCI2001-00038

INFORMATION SUMMARY:

To update your file
_X_ Review and forward substantive comments **ASAP**.

Additional Comments:

PLEASE REVIEW THE ATTACHED PLAN TO DETERMINE IF IT ACCURATELY REFLECTS THE APPROVAL BY THE BCC ON FEBRUARY 16, 2004 IN ACCORDANCE WITH LDC 34-377 (B)(6).

cc: DCI planner/working file
DCI Zone File

Distributed by: Billie Jacoby

Date: 03/18/2004

OFFICE OF THE HEARING EXAMINER, LEE COUNTY, FLORIDA

ORDER FOR CONTINUANCE

CASE NUMBER: DCI2001-00038
APPLICANT: HERITAGE CREEK
RESPONSE DATES: AUGUST 25, 2003

The hearing on the above-styled case began as scheduled on August 8, 2003. At the conclusion of the presentations of Staff and Applicant and, following the comments and presentations of other interested parties present, the matter was continued to the date and time set forth below to allow the Staff and the Applicant to submit additional materials, only as requested by the Hearing Examiner, which are responsive to questions, issues and concerns which arose during the course of the proceedings.

Written submissions shall be in the form of:

1) Agreement upon conditions between Applicant & Staff;
2) List of changes in response to Staff and Public condition;
3) Submittal of new Master Concept Plan (MCP).

This matter is continued to MONDAY, AUGUST 25, 2003 AT 5:00 P.M. FOR SUBMISSION OF MATERIALS AS REQUESTED BY THE HEARING EXAMINER. At, or before this time, the requested materials will be submitted to the Hearing Examiner, *and other responding parties,* and the Hearing Examiner will determine if these submissions are sufficient. **NO HEARING WILL BE HELD AND NO TESTIMONY WILL BE HEARD.** If the Hearing Examiner determines that these submissions are insufficient, a subsequent hearing will be set to discuss this matter further and notices will be sent to all parties involved.

Accordingly, written submittals will be delivered to the Office of the Hearing Examiner, 1500 Monroe Street, Suite 218, Fort Myers, Florida, on or before these dates. Copies of this order will be furnished to the Staff, the Applicant, and all hearing participants.

DONE AND ORDERED this 13TH day of AUGUST, 2003.

SALVATORE TERRITO
LEE COUNTY HEARING EXAMINER
P. O. Box 398 (1500 Monroe Street, Suite 218)
Fort Myers, Florida 33902-0398
Telephone: 239/479-8100 Fax: 239/479-8106

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the aforesaid Order was sent to all hearing participants, officially established as of the above Order date, either by U.S. Mail, Inter-County Mail, or Facsimile Transfer on the 13TH day of August, 2003.

Suzanne Hunter-Galvan
Office Manager

August 12, 2003

OFFICE OF THE HEARING EXAMINER, LEE COUNTY, FLORIDA

ORDER FOR CONTINUANCE

CASE NUMBER: DCI2001-00038
APPLICANT: HERITAGE CREEK
NEW HEARING DATE: AUGUST 8, 2003

The hearing on the above-styled case began as scheduled on August 1, 2003. At the conclusion of the presentations, the matter was continued to date and time set forth below to allow additional time for the Applicant, the Staff, and the public to present additional evidence and testimony.

Accordingly, this matter is continued to **FRIDAY, AUGUST 8, 2003, at 9:00 A.M.**, at the Hearing Examiner's Hearing Room, 1500 Monroe Street, Second Floor, Fort Myers, Florida. Copies of this Order will be mailed to the Staff, the Applicant, the Court Reporter, and all hearing participants.

DONE AND ORDERED this 4th day of August, 2003.

SALVATORE TERRITO
LEE COUNTY HEARING EXAMINER
1500 Monroe Street, Suite 218
Post Office Box 398
Fort Myers, Florida 33902-0398
Telephone: 239/479-8100
Facsimile: 239/479-8106

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the aforesaid Order was hand delivered to Community Development and the Hearing Examiner's Office case file, officially established as of the above Order date, on the 4th day of August, 2003.

Suzanne Hunter-Galvan
Office Manager

04Aug03

OFFICE OF THE HEARING EXAMINER, LEE COUNTY, FLORIDA

ORDER FOR CONTINUANCE

CASE NUMBER: **DCI2001-00038**
APPLICANT: **US HOME CORPORATION, in reference to HERITAGE CREEK**
NEW HEARING DATE: **JULY 31, 2003 and AUGUST 1, 2003**

The hearing on the above-styled case began as scheduled on June 19, 2003. At the conclusion of the presentations, the matter was continued to date and time set forth below to allow additional time for the Applicant, the Staff, and the public to present additional evidence and testimony.

Accordingly, this matter is continued to **THURSDAY, JULY 31, 2003 at 9:00 A.M. and FRIDAY, AUGUST 1, 2003 at 9:00 A.M.**, at the Hearing Examiner's Hearing Room, 1500 Monroe Street, Second Floor, Fort Myers, Florida. Copies of this Order will be mailed to the Staff, the Applicant, the Court Reporter, and all hearing participants.

DONE AND ORDERED this 19TH day of June, 2003.

SALVATORE TERRITO
LEE COUNTY HEARING EXAMINER
1500 Monroe Street, Suite 218
Post Office Box 398
Fort Myers, Florida 33902-0398
Telephone: 239/479-8100
Facsimile: 239/479-8106

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the aforesaid Order was sent to all hearing participants, officially established as of the above Order date, either by U.S. Mail, Inter-County Mail, or Facsimile Transfer on the 20TH day of June, 2003.

Suzanne Hunter Galvan
Office Manager

19Jun03

OFFICE OF THE HEARING EXAMINER, LEE COUNTY, FLORIDA

ORDER FOR CONTINUANCE

CASE NUMBER: DCI2001-00038
APPLICANT: U. S. HOME CORPORATION in ref. to STONEYBROOK NORTH - HERITAGE CREEK
NEW HEARING DATE: JUNE 18, 2003 and JUNE 19, 2003

This matter was scheduled to be heard on Wednesday, April 23, 2003 at 9:00 a.m. and Thursday, April 24, 2003 at 9:00 a.m. and at, or prior to, that time, it was agreed that continuing the hearing on this matter was in the best interests of all concerned.

Accordingly, this matter is continued to **WEDNESDAY, JUNE 18, 2003 at 9:00 a.m. and THURSDAY, JUNE 19, 2003 at 9:00 a.m.** at the Hearing Examiner's Hearing Room, 1500 Monroe Street, Second Floor, Fort Myers, Florida. Copies of this order will be mailed to the Staff, the Applicant, the Court Reporter, and all hearing participants.

DONE AND ORDERED this 11th day of April, 2003.

DIANA M. PARKER
LEE COUNTY HEARING EXAMINER
1500 Monroe Street, Suite 218
Post Office Box 398
Fort Myers, Florida 33902-0398
Telephone: 239/479-8100
Facsimile: 239/479-8106

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the aforesaid Order was sent to all hearing participants, officially established as of the above Order date, either by U.S. Mail, Inter-County Mail, or Facsimile Transfer on the 11th day of April, 2003.

Margaret Russell
Administrative Assistant

April 11, 2003

OFFICE OF THE HEARING EXAMINER, LEE COUNTY, FLORIDA

ORDER FOR CONTINUANCE

CASE NUMBER: **DCI2001-00038**
APPLICANT: **U. S. HOME CORPORATION in ref. to STONEYBROOK NORTH - HERITAGE CREEK**
NEW HEARING DATE: **APRIL 23, 2003 and APRIL 24, 2003**

This matter was scheduled to be heard on Wednesday, February 12, 2003 and Thursday, February 13, 2003 at 9:00 a.m. and at, or prior to, that time, it was agreed that continuing the hearing on this matter was in the best interests of all concerned.

Accordingly, this matter is continued to **WEDNESDAY, APRIL 23, 2003 at 9:00 a.m. and THURSDAY, APRIL 24, 2003 at 9:00 a.m.**, at the Hearing Examiner's Hearing Room, 1500 Monroe Street, Second Floor, Fort Myers, Florida. Copies of this order will be mailed to the Staff, the Applicant, the Court Reporter, and all hearing participants.

DONE AND ORDERED this 5th day of February, 2003.

DIANA M. PARKER
LEE COUNTY HEARING EXAMINER
1500 Monroe Street, Suite 218
Post Office Box 398
Fort Myers, Florida 33902-0398
Telephone: 239/479-8100
Facsimile: 239/479-8106

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the aforesaid Order was sent to all hearing participants, officially established as of the above Order date, either by U.S. Mail, Inter-County Mail, or Facsimile Transfer on the 5th day of February, 2003.

Margaret Russell
Administrative Assistant

February 5, 2003

OFFICE OF THE HEARING EXAMINER, LEE COUNTY, FLORIDA

ORDER FOR CONTINUANCE

CASE NUMBER: **DCI2001-00038**
APPLICANT: **U. S. HOME CORPORATION, in ref. to STONEYBROOK NORTH - HERITAGE CREEK**
NEW HEARING DATES: **FEBRUARY 12, 2003 and FEBRUARY 13, 2003**

This matter was scheduled to be heard on December 11, 2002 at 11:00 a.m. and at, or prior to, that time, it was agreed that continuing the hearing on this matter was in the best interests of all concerned.

Accordingly, this matter is continued to **WEDNESDAY, FEBRUARY 12, 2003 at 9:00 A.M. and THURSDAY, FEBRUARY 13, 2003 at 9:00 A.M.**, at the Hearing Examiner's Hearing Room, 1500 Monroe Street, Second Floor, Fort Myers, Florida. Copies of this order will be mailed to the Staff, the Applicant, the Court Reporter, and all hearing participants.

DONE AND ORDERED this 6TH day of December, 2002.

DIANA M. PARKER
LEE COUNTY HEARING EXAMINER
1500 Monroe Street, Suite 218
Post Office Box 398
Fort Myers, Florida 33902-0398
Telephone: 239/479-8100
Facsimile: 239/479-8106

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the aforesaid Order was sent to all hearing participants, officially established as of the above Order date, either by U.S. Mail, Inter-County Mail, or Facsimile Transfer on the 6TH day of December, 2002.

Suzanne Hunter-Galvan
Office Manager

December 6, 2002

LEE COUNTY

APPLICATION FOR REQUEST FOR CONTINUANCE, DEFERRAL, WITHDRAWAL, OR REHEARING

REQUEST FOR: (refer to back of sheet for special notes)

X CONTINUANCE ___ DEFERRAL ___ WITHDRAWAL

___ REHEARING ___ WITHDRAWAL OF ADMINISTRATIVE APPEAL

If a DEFERRAL OR CONTINUANCE is requested, please indicate:

Length of time approx. 60 days

From: X Hearing Examiner ___ BOCC

1. Date of Scheduled Hearing: December 11, 2002
2. Applicant/Project Name: U.S. Home Corporation in ref. to Stoneybrook North - Heritage Creek
3. Tracking/Hearing/Application Number: ___
4. Date Decision was Rendered: ___
5. Type of Application-Check

   X Rezoning ___ Special Exception ___ Variance ___ Other
6. Reason for request (If rehearing is requested, see Special Notes on Back):

   See attached statement

Steven C. Hartsell 12-6-02

Signature of applicant or authorized agent — Date

Steven C. Hartsell, Authorized Agent

Name (typed or printed legibly)

P. O. Drawer 1507, Fort Myers, FL 33902

Address

RECEIVED
DEC 06 2002
DEVELOPMENT

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 6th day of December 20 02 by Steven C. Hartsell who is personally known to me or who produced ___ as identification.

OFFICIAL NOTARY SEAL
LAURIE L GIARRUSSO
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC928660
MY COMMISSION EXP. MAY 6,2004

Laurie L Giarrusso

Signature of Notary Public

Laurie L. Giarrusso

Printed Name of Notary Public

FEE $ 160.00 RECEIPT NUMBER: ___

DATE PAID: 12/6/02 INTAKE BY: ___

DCI 2001-00038

ZDS0108 Rev. 03
3/21/00 Y2K 1/03/2000

LEE COUNTY

LEE COUNTY
HEARING EXAMINER
02 DEC -6 AM 10:34

APPLICATION FOR REQUEST FOR CONTINUANCE DEFERRAL, WITHDRAWAL, OR REHEARING

REQUEST FOR: (refer to back of sheet for special notes)

X CONTINUANCE ___ DEFERRAL ___ WITHDRAWAL
___ REHEARING ___ WITHDRAWAL OF ADMINISTRATIVE APPEAL

If a DEFERRAL OR CONTINUANCE is requested, please indicate:

Length of time approx. 60 days

From: X Hearing Examiner ___ BOCC

1. Date of Scheduled Hearing: December 11, 2002
2. Applicant/Project Name: U.S. Home Corporation in ref. to Stoneybrook North - Heritage Creek
3. Tracking/Hearing/Application Number:
4. Date Decision was Rendered:
5. Type of Application-Check
   X Rezoning ___ Special Exception ___ Variance ___ Other
6. Reason for request (If rehearing is requested, see Special Notes on Back):
   See attached statement

Steven C. Hartsell — 12-6-02
Signature of applicant or authorized agent — Date

Steven C. Hartsell, Authorized Agent
Name (typed or printed legibly)

P. O. Drawer 1507, Fort Myers, FL 33902
Address 334-2195

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 6th day of December 20 02 by Steven C. Hartsell who is personally known to me or who produced ___ as identification.

OFFICIAL NOTARY SEAL
LAURIE L GIARRUSSO
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC928660
MY COMMISSION EXP. MAY 6,2004

Laurie L Giarrusso
Signature of Notary Public

Laurie L. Giarrusso
Printed Name of Notary Public

FEE $ ___ RECEIPT NUMBER: ___
DATE PAID: ___ INTAKE BY: ___

ZDS0108 Rev. 03
3/21/00 Y2K 1/03/2000

ATTACHMENT TO REQUEST FOR CONTINUANCE
U.S. HOME CORPORATION
IN REF. TO STONEYBROOK NORTH - HERITAGE CREEK

The hearing in the case is set for December 11, 2002. LDC §34-233(a)(1) states that the Staff Report "must be available at least 14 days prior to the public hearing." Due to the Thanksgiving holiday and County offices being closed the Staff Report was not available until Monday, December 2, 2002, and the only notice that the Staff Report was available was apparently given to the Applicant's planner who is out of the country, so the Staff Report was only received by the Applicant's team on Wednesday, December 4, 2002.

This application has been in process and under review for nearly two years. The Applicant's team has met with Staff on various occasions and has requested a draft of the report but it was never available. The Staff Report recommends denial without any suggested conditions in the event that the Hearing Examiner would recommend approval with conditions. The issues raised require more than seven days' access to the Staff Report in order to prepare to address them.

For these reasons the Applicant believes that a continuance for cause is appropriate and that it should not be charged as an Applicant initiated continuance.

F:\WPDATA\SCH\U.S.Home\StoneybrookNorth\attach to cont.wpd