



WALDROP ENGINEERING

CIVIL ENGINEERING & LAND DEVELOPMENT CONSULTANTS

28100 BONITA GRANDE DR. #305
BONITA SPRINGS, FL 34135
P: 239-405-7777
F: 239-405-7899

Letter of Transmittal

To: Mr. Peter Blackwell, Lee County Government

From: Alexis Crespo

cc:

Date: May 23, 2014

Subject: Hideaway Cove CPA2014-00002

1500 Monroe St.
1st Floor Zoning
Counter
(Resubmittal)

RECEIVED
MAY 23 2014

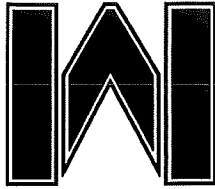
The following items are transmitted as listed below:

Quantity	Description
6	Sufficiency Response Packages

COMMUNITY DEVELOPMENT

REMARKS: For distribution. Thanks!

SIGNED: _____



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26100 BONITA GRANDE DR. #305
BONITA SPRINGS, FL 34135
P: 239-405-7777
F: 239-405-7699

May 23, 2014

Mr. Peter Blackwell
Lee County Planning Division
P.O. Box 398
Fort Myers, Florida 33902-0398

**RE: Hideaway Cove
CPA2014-00002
CPTM Application (Text/Map)**

Dear Mr. Blackwell,

Enclosed please find responses to your sufficiency letter dated March 24, 2014. Your comments are listed below with the Applicant's responses shown in bold. To assist in Staff's review the following items are enclosed:

1. Six (6) copies of the comment response letter;
2. One (1) original set of mailing labels;
3. Six (6) copies of the revised application;
4. Six (6) copies of the revised infrastructure analysis;
5. Six (6) copies of the revised Lee Plan consistency narrative;
6. Six (6) copies of the Lee Tran availability letter;
7. Six (6) copies of the revised Lee Plan Table 1(b); and
8. Revised Environmental Report prepared by W. Dex Bender & Associates, Inc.

II A.b.1. TYPE, Future Land Use Map Series Amendment, Map amendments require the submittal of a complete list, map, and two sets of mailing labels, for all property within 500 feet of the perimeter of the subject parcel.

Comment: An additional set of mailing labels is required because this request includes a change to the Future Land Use Map. Please provide an additional set of labels.

RESPONSE: The requested mailing labels are enclosed per the above comment.

III E. 1. a. Potential development of the Subject Property, Calculation of maximum allowable development under existing FLUM, Residential Units/Density

Comment: The Application provides that the maximum allowable development under existing FLUM is 90 dwelling units. The subject property is located in the Sub-Outlying Suburban future land use category of the Lee Plan. This land use category is limited to a maximum of 2 dwelling units per acre. See POLICY 1.1.11. At 32 acres, the maximum units permitted for the 32 acre parcel is 64. The additional density that appears to be referenced is only permitted if the adjacent parcel is designated as preserve/open space. As indicated in the application materials, this is no longer an option for the Applicant. As a standalone parcel, without the benefit of the adjacent property, the maximum density

is 2 units per acre. Therefore, please provide an amended application that does not include the potential 30 units from the adjacent property in the currently permitted total.

RESPONSE: The Applicant prepared an analysis of the requested density of 96 units (calculated at 3 du/acre X 32 acres) versus the 90 units permitted for development on the 32-acres of uplands pursuant to Policy 1.1.11. The Application is not being amended to change the request, however the analysis based on 64 units requested by Staff is provided.

The Applicant believes that its original analysis is the correct analysis and respectfully submits that the chief purpose of demonstrating the maximum allowable development under the existing FLUM versus the proposed maximum allowable development is to analyze the availability of infrastructure to support the amendment. Additionally, the comparison allows Staff to evaluate the proposed amendment's compatibility with the surrounding land use pattern, i.e., the impacts of the proposed density or intensity increase on the surrounding community.

Policy 1.1.11 clearly sets forth the maximum allowable development for the 32-acre upland at 90 units. While the Applicant understands this development option is contingent upon the preservation of the flowway, which Staff has opined must be achieved through a conservation easement, this does not change the underlying determination that the subject site is suitable for the development of 90 units based upon available infrastructure and the surrounding land use pattern, described in detail in the application.

Therefore, from a data and analysis standpoint the Applicant submits that utilizing 90 units as the maximum allowable development per the current FLUM is appropriate and allows for an accurate evaluation of the amendment's impacts.

However, in efforts to streamline the review process a revised infrastructure analysis has been attached to demonstrate the comparison of 64 units versus the proposed 92 units. The Applicant does not concede that this approach is correct. Please note pursuant to comments below, the maximum allowable development under the proposed FLUM has been modified to address a maximum attainable density of 1 du/20 acres for the 1.32 acres of on-site wetlands.

III E. 2. a. Potential development of the Subject Property, Calculation of maximum allowable development under proposed FLUM, Residential Units/ Density

Comment: The Applicant has listed a total maximum allowable density of 96 units under the proposed FLUM. The FLUCCS map provided with the application identifies potential jurisdictional wetlands on the subject site. Normally, it is possible to preserve these uplands as part of the development process and receive the normal upland density. However, the concurrent Planned Development application, DCI2012-00056, shows those wetlands being impacted and therefore not able to be calculated at the upland density. Please revise proposed density calculations to reflect impacted wetland acreage at 1 unit per 20 acres.

RESPONSE: Please refer to the revised application form and infrastructure analysis. The maximum allowable density has been revised to 92 dwelling units in consideration of the 1.32 acres of on-site wetlands.

IV A. 6. General Information and Maps, The legal description(s) for the property

Comment: The legal description closes but does not follow the path indicated by the Applicant. Please provide a corrected legal description that accurately follows the boundaries of the subject property.

RESPONSE: Pursuant to Staff's email on May 21, 2014 the legal description provided in accurate.

IV B. 2. Public Facilities Analysis

Comment: This analysis incorrectly lists the currently permitted maximum units as 90. Per item III.E.1.a, provide an analysis for items a through e (sanitary sewer, potable water, surface water/drainage basins, parks, recreation and open space, and public schools) based on the 64 units currently allowed on the property.

RESPONSE: Please refer to the response in III.E.1.a. above. A revised infrastructure analysis is enclosed to demonstrate a maximum attainable development of 64 units per the existing FLUM.

IV B. 3. c. Public Facilities Impacts, Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including, Law enforcement

Comment: Please provide a letter from the service provider of law enforcement.

RESPONSE: The letter of availability from Lee County Sheriff's Office will be provided upon receipt.

IV B. 3. e. Public Facilities Impacts, Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including, Mass Transit

Comment: Please provide a letter from the service provider of mass transit service.

RESPONSE: Please refer to the attached letter of availability from LeeTran.

IV C. 5. Environmental Impacts, A map delineating wetlands, aquifer recharge areas, and rare & unique uplands

Comment: Provide a revised habitat assessment to address if there are any rare and unique uplands on the subject property.

RESPONSE: Please refer to the revised habitat assessment prepared by W. Dex Bender & Associates, Inc.

IV E. 1. Internal Consistency with the Lee Plan, Discuss how the proposal affects population projections, Table 1(b), and the population capacity of the Lee Plan Future Land Use Map.

Comment: Table 1(b) is insufficient. The 32 acres listed by the applicant in the Outlying Suburban column for the proposed density increase is not reflected in the balance of the table. Please provide a corrected Table 1(b) to address this issue.

RESPONSE: Please refer to revised Table 1(b) attached.

IV E. 2. Internal Consistency with the Lee Plan, List goals and objectives of the Lee Plan. Include an evaluation of all relevant policies under each goal and objective.

Comment: Please provide analysis to demonstrate consistency with the Goals, objectives and policies of the Conservation and Coastal Management Element of the Lee Plan.

RESPONSE: Please refer to the revised Lee Plan Consistency Narrative attached.

If you have any further questions, please do not hesitate to contact me directly at (239) 405-7777, ext. 207 or alexisc@waldropengineering.com.

Sincerely,

WALDROP ENGINEERING, P.A.



Alexis V. Crespo, AICP, LEED AP
Principal Planner

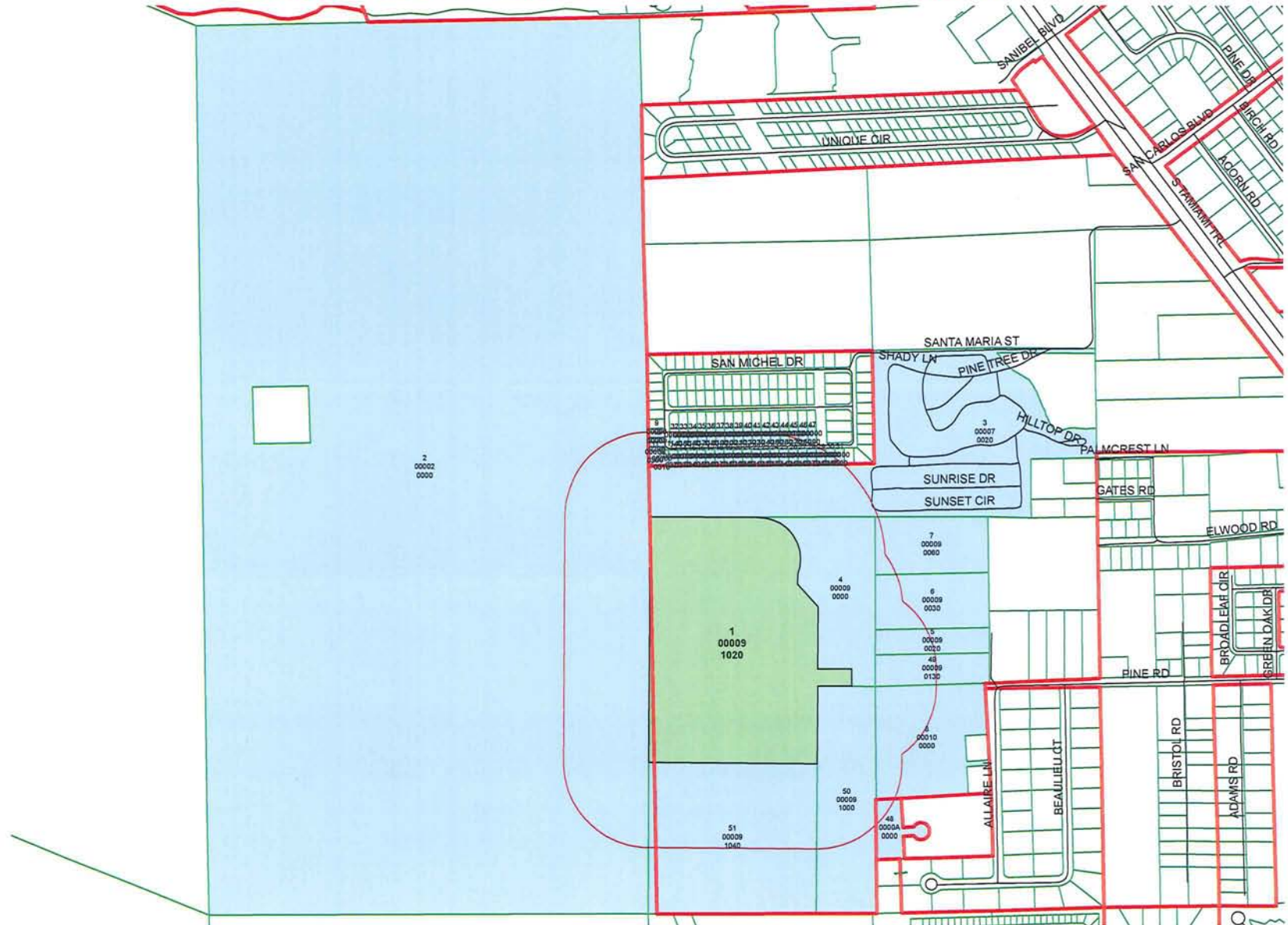
Enclosures

cc: John Asher, Taylor Morrison of Florida, Inc.
Steven C. Hartsell, Pavese Law Firm
Tyler King, W. Dex Bender & Associates, Inc.

VARIANCE REPORT

5/13/2014

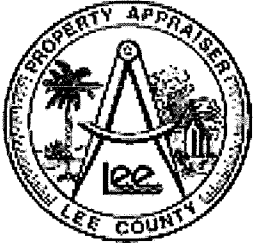
Subject Parcels: 1 Affected Parcels: 50 Buffer Distance: 500 ft



20-46-25-01-00009.1020

1,000 750 500 250 0 1,000 Feet

THE INFORMATION CONTAINED IN THIS REPORT IS GOVERNED BY FLORIDA STATUTE 119.071 (GENERAL EXEMPTIONS FROM INSPECTION OR COPYING OF PUBLIC RECORDS).



Lee County Property Appraiser

Kenneth M. Wilkinson, C.F.A.

GIS Department / Map Room

Phone: (239) 533-6159 • Fax: (239) 533-6139 • eMail: MapRoom@LeePA.org

VARIANCE REPORT

Date of Report: 5/13/2014 11:11:06 AM
Buffer Distance: 500 ft
Parcels Affected: 50
Subject Parcels: 20-46-25-01-00009.1020

<u>OWNER NAME AND ADDRESS</u>	<u>STRAP AND LOCATION</u>	<u>LEGAL DESCRIPTION</u>	<u>MAP INDEX</u>
TIITF/REC + PARKS DEPT OF ENVIR PROTECTION 3900 COMMONWEALTH BLVD TALLAHASSEE, FL 32399	19-46-25-00-00002.0000 GOVT LOT FORT MYERS FL 33908	E 1/2 SEC 19 LESS 2.001 SEC 19	2
SHADY ACRES TRAVEL PARK LLC 19370 S TAMiami TRL FORT MYERS, FL 33908	20-46-25-01-00007.0020 19370 S TAMiami TRL FORT MYERS FL 33908	SAN CARLOS GROVE TRACTS PB 4 PG 75 LOT 5 + PTS OF LOTS 4 + LOT 17 AS DESC IN INST #2009000291941 + 2010000134910	3
PENINSULA SAILFISH LLC NATOLI ENGINEERING CO 28 RESEARCH PARK CIR SAINT CHARLES, MO 63304	20-46-25-01-00009.0000 ACCESS UNDETERMINED FORT MYERS FL	SAN CARLOS GROVE TRACTS PB 4 PG 75 POR OF LOTS 6 THRU 8 LYING EAST OF PARCEL DESC IN OR 4315 PG 4271	4
STRICKLER DANIEL S + LORI 4630 PINE RD FORT MYERS, FL 33908	20-46-25-01-00009.0020 4630 PINE RD FORT MYERS FL 33908	SAN CARLOS GROVE PB 4 PG 75 TRACT 14 W 1/2 LES S 180 FT	5
BIGGAR MALCOLM PO BOX 1333 ESTERO, FL 33928	20-46-25-01-00009.0030 4650 PINE RD FORT MYERS FL 33908	SAN CARLOS GROVE PB 4 PG 75 TRACT 15 W 1/2	6
GUNDER CURT + JENNIFER 4739 RIVERSIDE DR ESTERO, FL 33928	20-46-25-01-00009.0060 ACCESS UNDETERMINED FORT MYERS FL 33908	SAN CARLOS GROVE TRACTS PB 4 PG 75 W 1/2 LOT 16	7
ST MARK COPTIC ORTHODOX CHURCH 19800 ALLAIRE LN FORT MYERS, FL 33908	20-46-25-01-00010.0000 19800 ALLAIRE LN FORT MYERS FL 33908	SAN CARLOS GROVE TRACTS PB 4 PG 75 LOT 13 LESS OR 4156/1513	8
SANTA EDO CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.0280 19470 SAN MARCO DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 99 LOT 28	9
SPENCER JOHN M 1911 BRACKENRIDGE AUSTIN, TX 78704	20-46-25-11-00000.0290 19480 SAN MARCO DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 99 LOT 29	10
SANTA EDO CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.0300 19490 SAN MARCO DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 99 LOT 30	11
SAN SUSA CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.0310 4987 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 99 LOT 31	12
SANTA EDO CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.0320 4971 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 99 LOT 32	13
SAN SUSA CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.0330 4957 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 99 LOT 33	14
SANTA EDO CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.0340 4941 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 99 LOT 34	15

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	MAP INDEX
SAN SUSA CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.0350 4927 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 99 LOT 35	16
SANTA EDO CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.0360 4911 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 99 LOT 36	17
SAN SUSA CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.0370 4897 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 99 LOT 37	18
SANTA EDO CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.0380 4881 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 99 LOT 38	19
SAN SUSA CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.0390 4867 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 99 LOT 39	20
SANTA EDO CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.0400 4851 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 99 LOT 40	21
SAN SUSA CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.0410 4837 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 99 LOT 41	22
SANTA EDO CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.0420 4821 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 99 LOT 42	23
SAN SUSA CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.0430 4807 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 98 LOT 43	24
SANTA EDO CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.0440 4791 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 98 LOT 44	25
SAN SUSA CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.0450 4777 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 98 LOT 45	26
SANTA EDO CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.0460 4761 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 98 LOT 46	27
SAN SUSA CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.0470 4747 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 98 LOT 47	28
SANTA EDO CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.0480 4731 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 98 LOT 48	29
SAN SUSA CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.0490 4717 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 98 LOT 49	30
SANTA EDO CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.0500 4711 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 98 LOT 50	31
SANTA EDO CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.1140 4970 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 99 LOT 114	32
SAN SUSA CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.1150 4956 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 99 LOT 115	33
SANTA EDO CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.1160 4940 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 99 LOT 116	34
SAN SUSA CORP 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.1170 4926 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 99 LOT 117	35
SANTA EDO CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.1180 4910 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 99 LOT 118	36

All data is current at time of printing and subject to change without notice.
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(GENERAL EXEMPTIONS FROM INSPECTION OR COPYING OF PUBLIC RECORDS).

<u>OWNER NAME AND ADDRESS</u>	<u>STRAP AND LOCATION</u>	<u>LEGAL DESCRIPTION</u>	<u>MAP INDEX</u>
SAN SUSA CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.1190 4896 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 99 LOT 119	37
SANTA EDO CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.1200 4880 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 99 LOT 120	38
SAN SUSA CORP 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.1210 4866 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 99 LOT 121	39
SANTA EDO CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.1220 4850 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 99 LOT 122	40
SAN SUSA CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.1230 4836 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 99 LOT 123	41
SANTA EDO CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.1240 4820 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 99 LOT 124	42
SAN SUSA CORP 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.1250 4806 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 98 LOT 125	43
SANTA EDO CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.1260 4790 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 98 LOT 126	44
SAN SUSA CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.1270 4776 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 98 LOT 127	45
SANTA EDO CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.1280 4760 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 98 LOT 128	46
SAN SUSA CORPORATION 16650 MCGREGOR BLVD # 103 FORT MYERS, FL 33908	20-46-25-11-00000.1290 4746 SAN SUSA DR FORT MYERS FL 33908	SHADY ACRES SUB PB 33 PG 98 LOT 129	47
LEE COUNTY PO BOX 398 FORT MYERS, FL 33902	20-46-25-12-0000A.0000 ACCESS UNDETERMINED FORT MYERS FL	BELLAIRE SUBD PB 36 PG 67 TRACT A RETENTION AREA	48
KLUSACEK MARK + ZOE 4610 PINE RD FORT MYERS, FL 33908	20-46-25-01-00009.0130 4610 PINE RD FORT MYERS FL 33908	SAN CARLOS GROVE PB 4 PG 75 S 180 FT OF W1/2 OF TRACT 14	49
TIITF/REC + PARKS DEPT OF ENVIR PROTECTION 3900 COMMONWEALTH BLVD TALLAHASSEE, FL 32399	20-46-25-01-00009.1000 ACCESS UNDETERMINED FORT MYERS FL	SAN CARLOS GROVE TRACTS PB 4 PG 75 LOT 12	50
PENINSULA SAILFISH LLC NATOLI ENGINEERING CO 28 RESEARCH PARK CIR SAINT CHARLES, MO 63304	20-46-25-01-00009.1040 ACCESS UNDETERMINED FORT MYERS FL	SAN CARLOS GROVE TRACTS PB 4 PG 75 POR OF LOTS 9 THRU 11 LYING SOUTH OF PARCEL DESC IN OR 4315 PG 4271	51

19-46-25-00-00002.0000
TIITF/REC + PARKS
DEPT OF ENVIR PROTECTION
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399

20-46-25-01-00007.0020
SHADY ACRES TRAVEL PARK LLC
19370 S TAMIAMI TRL
FORT MYERS, FL 33908

20-46-25-01-00009.0000
PENINSULA SAILFISH LLC
NATOLI ENGINEERING CO
28 RESEARCH PARK CIR
SAINT CHARLES, MO 63304

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STRICKLER DANIEL S + LORI
4630 PINE RD
FORT MYERS, FL 33908

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BIGGAR MALCOLM
PO BOX 1333
ESTERO, FL 33928

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GUNDER CURT + JENNIFER
4739 RIVERSIDE DR
ESTERO, FL 33928

20-46-25-01-00010.0000
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FORT MYERS, FL 33908

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16650 MCGREGOR BLVD # 103
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1911 BRACKENRIDGE
AUSTIN, TX 78704

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16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

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FORT MYERS, FL 33908

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FORT MYERS, FL 33908

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FORT MYERS, FL 33908

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FORT MYERS, FL 33908

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FORT MYERS, FL 33908

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FORT MYERS, FL 33908

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FORT MYERS, FL 33908

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FORT MYERS, FL 33908

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FORT MYERS, FL 33908

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SAN SUSA CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-11-00000.1220
SANTA EDO CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-11-00000.0500
SANTA EDO CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-11-00000.1230
SAN SUSA CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-11-00000.1240
SANTA EDO CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-01-00009.1040
PENINSULA SAILFISH LLC
NATOLI ENGINEERING CO
28 RESEARCH PARK CIR
SAINT CHARLES, MO 63304

20-46-25-11-00000.1250
SAN SUSA CORP
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-01-00009.1000
TIITF/REC + PARKS
DEPT OF ENVIR PROTECTION
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399

20-46-25-11-00000.1260
SANTA EDO CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-01-00009.0130
KLUSACEK MARK + ZOE
4610 PINE RD
FORT MYERS, FL 33908

20-46-25-11-00000.1270
SAN SUSA CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-12-0000A.0000
LEE COUNTY
PO BOX 398
FORT MYERS, FL 33902

20-46-25-11-00000.1280
SANTA EDO CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-11-00000.1290
SAN SUSA CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-11-00000.1290
SAN SUSA CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-11-00000.1280
SANTA EDO CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-12-0000A.0000
LEE COUNTY
PO BOX 398
FORT MYERS, FL 33902

20-46-25-11-00000.1270
SAN SUSA CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-01-00009.0130
KLUSACEK MARK + ZOE
4610 PINE RD
FORT MYERS, FL 33908

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SANTA EDO CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-01-00009.1000
TIITF/REC + PARKS
DEPT OF ENVIR PROTECTION
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399

20-46-25-11-00000.1250
SAN SUSA CORP
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-01-00009.1040
PENINSULA SAILFISH LLC
NATOLI ENGINEERING CO
28 RESEARCH PARK CIR
SAINT CHARLES, MO 63304

20-46-25-11-00000.1240
SANTA EDO CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

19-46-25-00-00002.0000
TIITF/REC + PARKS
DEPT OF ENVIR PROTECTION
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399

20-46-25-11-00000.0310
SAN SUSA CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-01-00007.0020
SHADY ACRES TRAVEL PARK LLC
19370 S TAMIAMI TRL
FORT MYERS, FL 33908

20-46-25-11-00000.0320
SANTA EDO CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-01-00009.0000
PENINSULA SAILFISH LLC
NATOLI ENGINEERING CO
28 RESEARCH PARK CIR
SAINT CHARLES, MO 63304

20-46-25-11-00000.0330
SAN SUSA CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-01-00009.0020
STRICKLER DANIEL S + LORI
4630 PINE RD
FORT MYERS, FL 33908

20-46-25-11-00000.0340
SANTA EDO CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-01-00009.0030
BIGGAR MALCOLM
PO BOX 1333
ESTERO, FL 33928

20-46-25-11-00000.0350
SAN SUSA CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-01-00009.0060
GUNDER CURT + JENNIFER
4739 RIVERSIDE DR
ESTERO, FL 33928

20-46-25-11-00000.0360
SANTA EDO CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-01-00010.0000
ST MARK COPTIC ORTHODOX CHURCH
19800 ALLAIRE LN
FORT MYERS, FL 33908

20-46-25-11-00000.0370
SAN SUSA CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-11-00000.0280
SANTA EDO CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-11-00000.0380
SANTA EDO CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-11-00000.0290
SPENCER JOHN M
1911 BRACKENRIDGE
AUSTIN, TX 78704

20-46-25-11-00000.0390
SAN SUSA CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-11-00000.0300
SANTA EDO CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-11-00000.0400
SANTA EDO CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

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SAN SUSA CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

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SANTA EDO CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-11-00000.0420
SANTA EDO CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-11-00000.1150
SAN SUSA CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-11-00000.0430
SAN SUSA CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-11-00000.1160
SANTA EDO CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

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SANTA EDO CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

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SAN SUSA CORP
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

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SAN SUSA CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

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SANTA EDO CORPORATION
16650 MCGREGOR BLVD # 103
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SAN SUSA CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

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SAN SUSA CORPORATION
16650 MCGREGOR BLVD # 103
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20-46-25-11-00000.1200
SANTA EDO CORPORATION
16650 MCGREGOR BLVD # 103
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20-46-25-11-00000.0480
SANTA EDO CORPORATION
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16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908

20-46-25-11-00000.0490
SAN SUSA CORPORATION
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20-46-25-11-00000.1220
SANTA EDO CORPORATION
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20-46-25-11-00000.0500
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SAN SUSA CORPORATION
16650 MCGREGOR BLVD # 103
FORT MYERS, FL 33908



Lee County Board of County Commissioners
 Department of Community Development
 Division of Planning
 Post Office Box 398
 Fort Myers, FL 33902-0398
 Telephone: (239) 533-8585
 FAX: (239) 485-8344

APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT

(To be completed at time of intake)

DATE REC'D: _____ REC'D BY: _____

APPLICATION FEE: _____ TIDEMARK NO: _____

THE FOLLOWING VERIFIED:

Zoning Commissioner District

Designation on FLUM

(To be completed by Planning Staff)

Plan Amendment Cycle: Normal Small Scale DRI Emergency

Request No: _____

APPLICANT – PLEASE NOTE:

Answer all questions completely and accurately. Please print or type responses. If additional space is needed, number and attach additional sheets. The total number of sheets in your application is: _____

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

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.



 Signature of Owner or Authorized Representative

5/23/2014

 Date

John Asher, Authorized Agent for Taylor Morrison of Florida, Inc.

 Printed Name of Owner or Authorized Representative

I. APPLICANT/AGENT/OWNER INFORMATION

Applicant: Taylor Morrison of Florida, Inc.
Address: 551 North Cattlemen Road, Suite 200
City, State, Zip: Sarasota, FL 34232
Phone Number: (941) 371-3008 Fax Number: _____
Email: jasher@taylormorrison.com

Agent*: Waldrop Engineering, P.A. c/o Alexis Crespo, AICP
Address: 28100 Bonita Grande Drive, Suite 305
City, State, Zip: Bonita Springs, FL 34135
Phone Number: (239) 405-7777, ext. 207 Fax Number: (239) 405-7899
Email: alexisc@waldropengineering.com

Owner(s) of Record: Taylor Morrison of Florida, Inc.
Address: 551 North Cattlemen Road, Suite 200
City, State, Zip: Sarasota, FL 34232
Phone Number: (941) 371-3008 Fax Number: _____
Email: jasher@taylormorrison.com

Name, address and qualification of additional planners, architects, engineers, environmental consultants, and other professionals providing information contained in this application.

Please refer to Additional Agents List

* This will be the person contacted for all business relative to the application.

II. REQUESTED CHANGE (Please see Item 1 for Fee Schedule)

A. TYPE: (Check appropriate type)

Text Amendment

Future Land Use Map Series Amendment
(Maps 1 thru 24)

List Number(s) of Map(s) to be amended:

Map 1, Page 1 of 8

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

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

B. SUMMARY OF REQUEST (Brief explanation):

Amend the underlying Future Land Use designation for the 32-acre subject property from Sub-Outlying Suburban to Outlying Suburban; remove Policy 1.1.11.1 a. and b. from the Future Land Use Element; and amend Table 1(b) 2030 Planning Community Allocations for the San Carlos Planning Community

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

A. Property Location:

1. Site Address: Access Undetermined (Western terminus of Pine Road)
2. STRAP(s): 20-46-25-01-00009.1020

B. Property Information:

Total Acreage of Property: 32 acres

Total Acreage included in Request: 32 acres

Total Uplands: 30.68 acres

Total Wetlands: 1.32 acres

Current Zoning: Residential Planned Development (RPD)

Current Future Land Use Designation: Sub-Outlying Suburban

Area of each Existing Future Land Use Category: 32 acres

Existing Land Use: Vacant

C. State if the subject property is located in one of the following areas and if so how does the proposed change affect the area:

Lehigh Acres Commercial Overlay: N/A

Airport Noise Zone 2 or 3: N/A

Acquisition Area: N/A

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

Community Redevelopment Area: N/A

D. Proposed change for the subject property:

Amend the FLU Designation to Outlying Suburban to allow for infill residential community

E. Potential development of the subject property:

1. Calculation of maximum allowable development under existing FLUM:

Residential Units/Density	90 d.u.
Commercial intensity	N/A
Industrial intensity	N/A

2. Calculation of maximum allowable development under proposed FLUM:

Residential Units/Density	92 d.u. (3 du/acre X 30.68 upland acres = 92 d.u.) (1 du/20 acres X 1.32 wetland acres = 0.66 du)
Commercial intensity	N/A
Industrial intensity	N/A

IV. AMENDMENT SUPPORT DOCUMENTATION

At a minimum, the application shall include the following support data and analysis. These items are based on comprehensive plan amendment submittal requirements of the State of Florida, Department of Community Affairs, and policies contained in the Lee County Comprehensive Plan. Support documentation provided by the applicant will be used by staff as a basis for evaluating this request. To assist in the preparation of amendment packets, the applicant is encouraged to provide all data and analysis electronically. (Please contact the Division of Planning for currently accepted formats.)

A. General Information and Maps

NOTE: For each map submitted, the applicant will be required to provide a reduced map (8.5" x 11") for inclusion in public hearing packets.

The following pertains to all proposed amendments that will affect the development potential of properties (unless otherwise specified).

1. Provide any proposed text changes.
2. Provide a current Future Land Use Map at an appropriate scale showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.
3. Provide a proposed Future Land Use Map at an appropriate scale showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.
4. Map and describe existing land uses (not designations) of the subject property and surrounding properties. Description should discuss consistency of current uses with the proposed changes.
5. Map and describe existing zoning of the subject property and surrounding properties.
6. The certified legal description(s) and certified sketch of the description for the property subject to the requested change. A metes and bounds legal description must be submitted specifically describing the entire perimeter boundary of the

property with accurate bearings and distances for every line. The sketch must be tied to the state plane coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment) with two coordinates, one coordinate being the point of beginning and the other an opposing corner. If the subject property contains wetlands or the proposed amendment includes more than one land use category a metes and bounds legal description, as described above, must be submitted in addition to the perimeter boundary of the property for each wetland or future land use category.

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

B. Public Facilities Impacts

NOTE: The applicant must calculate public facilities impacts based on a maximum development scenario (see Part II.H.).

1. Traffic Circulation Analysis

The analysis is intended to determine the effect of the land use change on the Financially Feasible Transportation Plan/Map 3A (20-year horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit the following information:

Long Range – 20-year Horizon:

- a. Working with Planning Division staff, identify the traffic analysis zone (TAZ) or zones that the subject property is in and the socio-economic data forecasts for that zone or zones;
- b. Determine whether the requested change requires a modification to the socio-economic data forecasts for the host zone or zones. The land uses for the proposed change should be expressed in the same format as the socio-economic forecasts (number of units by type/number of employees by type/etc.);
- c. If no modification of the forecasts is required, then no further analysis for the long range horizon is necessary. If modification is required, make the change and provide to Planning Division staff, for forwarding to DOT staff. DOT staff will rerun the FSUTMS model on the current adopted Financially Feasible Plan network and determine whether network modifications are necessary, based on a review of projected roadway conditions within a 3-mile radius of the site;
- d. If no modifications to the network are required, then no further analysis for the long range horizon is necessary. If modifications are necessary, DOT staff will determine the scope and cost of those modifications and the effect on the financial feasibility of the plan;
- e. An inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change;
- f. If the proposal is based on a specific development plan, then the site plan should indicate how facilities from the current adopted Financially Feasible Plan and/or the Official Trafficways Map will be accommodated.

Short Range – 5-year CIP horizon:

- a. Besides the 20-year analysis, for those plan amendment proposals that include a specific and immediated development plan, identify the existing roadways serving the site and within a 3-mile radius (indicate laneage, functional classification, current LOS, and LOS standard);
 - b. Identify the major road improvements within the 3-mile study area funded through the construction phase in adopted CIP's (County or Cities) and the State's adopted Five-Year Work Program;
Projected 2030 LOS under proposed designation (calculate anticipated number of trips and distribution on roadway network, and identify resulting changes to the projected LOS);
 - c. For the five-year horizon, identify the projected roadway conditions (volumes and levels of service) on the roads within the 3-mile study area with the programmed improvements in place, with and without the proposed development project. A methodology meeting with DOT staff prior to submittal is required to reach agreement on the projection methodology;
 - d. Identify the additional improvements needed on the network beyond those programmed in the five-year horizon due to the development proposal.
2. Provide an existing and future conditions analysis for (see Policy 95.1.3):
- a. Sanitary Sewer
 - b. Potable Water
 - c. Surface Water/Drainage Basins
 - d. Parks, Recreation, and Open Space
 - e. Public Schools.

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

- Franchise Area, Basin, or District in which the property is located;
- Current LOS, and LOS standard of facilities serving the site;
- Projected 2030 LOS under existing designation;
- Projected 2030 LOS under proposed designation;
- Existing infrastructure, if any, in the immediate area with the potential to serve the subject property.
- Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long range improvements; and
- Anticipated revisions to the Community Facilities and Services Element and/or Capital Improvements Element (state if these revisions are included in this amendment).
- Provide a letter of service availability from the appropriate utility for sanitary sewer and potable water.

In addition to the above analysis for Potable Water:

- Determine the availability of water supply within the franchise area using the current water use allocation (Consumptive Use Permit) based on the annual average daily withdrawal rate.
- Include the current demand and the projected demand under the existing designation, and the projected demand under the proposed designation.
- Include the availability of treatment facilities and transmission lines for reclaimed water for irrigation.
- Include any other water conservation measures that will be applied to the site (see Goal 54).

3. Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including:
 - a. Fire protection with adequate response times;
 - b. Emergency medical service (EMS) provisions;
 - c. Law enforcement;
 - d. Solid Waste;
 - e. Mass Transit; and
 - f. Schools.

In reference to above, the applicant should supply the responding agency with the information from Section's II and III for their evaluation. This application should include the applicant's correspondence to the responding agency.

C. Environmental Impacts

Provide an overall analysis of the character of the subject property and surrounding properties, and assess the site's suitability for the proposed use upon the following:

1. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCCS).
2. A map and description of the soils found on the property (identify the source of the information).
3. A topographic map depicting the property boundaries and 100-year flood prone areas indicated (as identified by FEMA).
4. A map delineating the property boundaries on the Flood Insurance Rate Map effective August 2008.
5. A map delineating wetlands, aquifer recharge areas, and rare & unique uplands.
6. A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern. The table must include the listed species by FLUCCS and the species status (same as FLUCCS map).

D. Impacts on Historic Resources

List all historic resources (including structure, districts, and/or archeologically sensitive areas) and provide an analysis of the proposed change's impact on these resources. The following should be included with the analysis:

1. A map of any historic districts and/or sites, listed on the Florida Master Site File, which are located on the subject property or adjacent properties.
2. A map showing the subject property location on the archeological sensitivity map for Lee County.

E. Internal Consistency with the Lee Plan

1. Discuss how the proposal affects established Lee County population projections, Table 1(b) (Planning Community Year 2030 Allocations), and the total population capacity of the Lee Plan Future Land Use Map.

2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.
3. Describe how the proposal affects adjacent local governments and their comprehensive plans.
4. List State Policy Plan and Regional Policy Plan goals and policies which are relevant to this plan amendment.

F. Additional Requirements for Specific Future Land Use Amendments

1. Requests involving Industrial and/or categories targeted by the Lee Plan as employment centers (to or from)
 - a. State whether the site is accessible to arterial roadways, rail lines, and cargo airport terminals,
 - b. Provide data and analysis required by Policy 2.4.4,
 - c. The affect of the proposed change on county's industrial employment goal specifically policy 7.1.4.
 2. Requests moving lands from a Non-Urban Area to a Future Urban Area
 - a. Demonstrate why the proposed change does not constitute Urban Sprawl. Indicators of sprawl may include, but are not limited to: low-intensity, low-density, or single-use development; 'leap-frog' type development; radial, strip, isolated or ribbon pattern type development; a failure to protect or conserve natural resources or agricultural land; limited accessibility; the loss of large amounts of functional open space; and the installation of costly and duplicative infrastructure when opportunities for infill and redevelopment exist.
 3. Requests involving lands in critical areas for future water supply must be evaluated based on policy 2.4.2.
 4. Requests moving lands from Density Reduction/Groundwater Resource must fully address Policy 2.4.3 of the Lee Plan Future Land Use Element.
- G. Justify the proposed amendment based upon sound planning principles. Be sure to support all conclusions made in this justification with adequate data and analysis.

Item 1: Fee Schedule

Map Amendment Flat Fee	\$2,000.00 each
Map Amendment > 20 Acres	\$2,000.00 and \$20.00 per 10 acres
Small Scale Amendment (10 acres or less)	\$1,500.00 each
Text Amendment Flat Fee	\$2,500.00 each

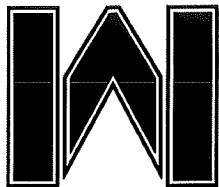


EXHIBIT IV.B.2 – Infrastructure Analysis

REVISED MAY 23, 2014

I. Sanitary Sewer

LOS Standard = 200 GPD/ERC

Existing Land Use – Sub-Outlying Suburban (Subject to Future Land Use Policy 1.1.11.1.a-b.)

64 single family du @ 200 GPD = 12,800 GPD

Proposed Land Use – Outlying Suburban

92 single family du @ 200 GPD = 18,400 GPD

The proposed FLUM amendment results in an increased sanitary sewer demand of 5,600 GPD.

The Hideaway Cove (“Property”) is located in the Lee County Utilities Franchise area and will be served by the Three Oaks Wastewater Treatment Plant (WWTP). The plant has a current capacity of 6.0 MGD. According to the 2013 Lee County Concurrency Report, the estimated 2014 daily flow in peak months is 3.4 MGD. Therefore, adequate capacity is available to service the proposed increase in density. Please also refer to the letter of availability provided by Lee County Utilities.

II. Potable Water

LOS Standard = 250 GPD/ERC

Existing Land Use – Sub-Outlying Suburban (Subject to Future Land Use Policy 1.1.11.1.a-b.)

64 single family du @ 250 GPD = 16,000 GPD

Proposed Land Use – Outlying Suburban

92 single family du @ 250 GPD = 23,000 GPD

The proposed FLUM amendment results in an increased potable water demand of 7,000 GPD.

The Property is located in the Lee County Utilities Franchise area and would be served by the Pinewoods Water Treatment Plant (WTP). The plant has a current capacity of 5.3 MGD. According to the 2013 Lee County Concurrency Report, the projected 2014 daily flow in peaks months is 4,115,250 GPD. Therefore, adequate capacity is available to service the proposed increase in density. Please also refer to the letter of availability provided by Lee County Utilities.

III. Surface Water Management

The Property is located within the Estero Bay Watershed and Drainage Basin.

LOS Standard = 25 year, 3-day storm event of 24 hours duration.

The Applicant will obtain an Environmental Resource Permit (ERP) from the South Florida Water Management District (SFWMD) prior to Development Order approval to be deemed concurrent.

IV. Public Schools – South Zone, S2

Current Public Schools LOS Standard = 100% of the Permanent Inventory of Public Schools (FISH) capacity.

Existing Land Use – Sub-Outlying Suburban (Subject to Future Land Use Policy 1.1.11.1.a-b.

64 single family du @ 0.299 students per household = 19 students

Proposed Land Use – Outlying Suburban

92 single family du @ 0.299 students per household = 27.5 students

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

Projected 2013-2014 Permanent FISH Capacity = 2,523

Available Capacity = 25

Middle Schools (Lexington, Three Oaks)

Projected 2013-2014 Permanent FISH Capacity = 2,020

Available Capacity = 187

High Schools (South Fort Myers)

Projected 2013-14 Permanent FISH Capacity = 1,973

Available Capacity = 191

The amendment results in the addition of 8.5 students. No breakdown is available for elementary, middle or high school ages. There is adequate capacity based on the 2013-2014 projections. Please also refer to the letter of availability provided by The Lee County School District.

V. Parks, Recreation and Open Space

Current Regional Parks LOS Standard = 6 acres per 1,000 seasonal population

Current Community Parks LOS Standard = 0.8 acres per 1,000 permanent population

Existing Land Use – Sub-Outlying Suburban (Subject to Future Land Use Policy 1.1.11.1.a-b.

64 single family du @ 2.5 persons/unit = 160 persons

Regional Parks @ 6 acres/1,000 = 1.35 acres required
Community Parks @ 0.8 acres/1,000 = 0.18 acres required

Proposed Land Use – Outlying Suburban

92 single family du @ 2.5 persons/unit = 230 persons

Regional Parks @ 6 acres/1,000 = 138 acres required
Community Parks @ 0.8 acres/1,000 = .184 acres required

The Property is located in the Community Park Benefit District 48, Estero/San Carlos/Three Oaks. According to the 2013 Concurrency Report, there are 132 acres of Community Park within the district, which far exceeds the acres required. Additionally, the report specifies that the desired acreage of parks will be met through 2018. No additional Community Parks are required as a result of this amendment.

There are currently 7,220 acres of existing Regional Parks currently operated by the County, City, State and Federal government. This acreage is sufficient to meet the “Regulatory Level of Service Standard” of six (6) acres per 1,000 total seasonal population in the County for the year 2013, and will continue to do so at least through the year 2018 as currently projected. As such, no additional Regional Parks are required as a result of this amendment. Please also refer to the letter of availability provided by the Lee County Parks & Recreation Department.

VI. Solid Waste –Waste to Energy (WTE) Facility

Current LOS Standard = 7 lbs./day/capita

Current Facility Capacity = 1,836 tons/day (3,672,000 lbs./day)

Existing Land Use – Sub-Outlying Suburban (Subject to Future Land Use Policy 1.1.11.1.a-b.

64 single family du @ 2.5 persons/unit = 160 persons

160 persons @ 7 lbs./day = 1,120 lbs./day (0.56 tons/day)

Proposed Land Use – Outlying Suburban

92 single family du @ 2.5 persons/unit = 230 persons

230 persons @ 7 lbs./day = 1,610 lbs./day (0.81 tons/day)

The amendment results in an increased solid waste generation of 490 lbs./day (0.25 tons/day), and there is adequate capacity to service the proposed density increase. Please also refer to the letter of availability provided by the Lee County Solid Waste Division.

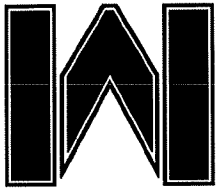


EXHIBIT IV.E.4 – LEE PLAN CONSISTENCY & AMENDMENT JUSTIFICATION

REVISED MAY 13, 2014

Taylor Morrison of Florida, Inc. ("Applicant") is requesting approval of a Comprehensive Plan Amendment to:

- 1) Amend the underlying Future Land Use Designation for the 32-acre subject property from Sub-Outlying Suburban to Outlying Suburban, allowing for a maximum of 92 dwelling units;
- 2) Remove site-specific text in Policy 1.1.11.1. a. and b. from the Future Land Use Element; and
- 3) Amend Lee Plan Table 1(b) "Planning Community Year 2030 Allocations" to add 32 acres of residential acreage to the Outlying Suburban Future Land Use Category in the San Carlos Planning Community.

Future Land Use Element (FLUE) Policy 1.1.11.1 a. and b. allocates 90 units for development on the subject property. Additional language in the policy ties development of the 32-acre subject property to the permanent conservation of the adjacent 28 acres owned by others. Since the Applicant does not have control of the adjacent 28 acres, and is unable to acquire conservation easements to preserve these lands in perpetuity, this application will allow for the appropriate development of the subject property as a stand-alone project, at a density consistent with the existing policy and with surrounding properties.

The proposed amendment will allow for the development of an infill community comprised of single-family uses approved per Z-05-041. The amendment will serve to direct new growth to an urbanized area of the county with adequate public infrastructure, while ensuring compatibility with the surrounding single-family neighborhood, places of worship, and mobile home parks.

As outlined in detail below, the requested Outlying Suburban Future Land Use Designation will allow for a logical transition from the lands designated Urban Community Category to the east, and the state-owned preserve lands to the west, which are designated as Conservation Lands. As further evidence of the request's appropriateness, the subject property contains minimal wetlands (4% of the total acreage), and is further buffered to some extent by the presence of the 100' wide FPL Power Line Right of Way angling from SE to NW along SW corner of the west side of the Subject Property.

As indicated in the enclosed Infrastructure Analysis, attached as Exhibit IV.B.2, the FLUM amendment will increase the allowable density on the property by 2 dwelling units, or 5 persons (2 du @ 2.5 persons/unit), a nominal increase that is supported by, and that will avoid the underutilization of, the existing adequate public infrastructure.

I. DEVELOPMENT LOCATION

The subject property comprises 32+/-acres and is located 3/4 miles west of the South Tamiami Trail/Pine Road intersection in unincorporated Lee County, Florida. The Property is designated within the Sub-Outlying Suburban Future Land Use Category and is within the San Carlos Planning Community.

The property is located in an urbanized portion of Lee County as evidenced by the property’s proximity to South Tamiami Trail/US, a six-lane arterial roadway, and by the Urban Community Future Land Use designation and development pattern immediately to the east, as well as the urban levels of public infrastructure available to service the project.

The subject property is also located in close proximity to existing Residential Planned Developments, conventionally zoned residential communities, places of worship, and mobile home parks. Intensive commercial and light industrial uses are also in close proximity along the US 41 frontage. Please refer to Table 1 below and Exhibits IV.A.4 and 5, which show the moderate intensity and density of those uses and describe the adjacent Future Land Use Categories, zoning districts, and existing land uses.

TABLE 1: INVENTORY OF SURROUNDING LANDS

DIRECTION	FUTURE LAND USE	ZONING DISTRICT	EXISTING LAND USE
North	Rural	AG-2	Mobile Home Park (Shady Acres Travel Park)
South	Conservation Lands	RPD	Conservation (Estero Scrub Preserve)
East	Urban Community; Rural; Conservation Lands	AG-2	Single-Family Residential (San Carlos Grove); Conservation (Estero Bay Preserve)
West	Conservation Lands	RPD	Conservation (Estero Bay Preserve)

II. PROJECT HISTORY

In 2003, a Comprehensive Plan Amendment (CPA) was approved per Ordinance 03-20, which re-designated the subject property from Rural to Outlying Suburban. The Applicant agreed during the amendment process to restrict future development to a maximum of 120 dwelling units, of which 90 units could be developed on the 32-acre subject property, while the surrounding 28 acres would remain in conservation. The additional 30 dwelling units would be available for sale or transfer as Transfer of Development Rights (TDR) units. This agreement is clearly reflected in the approving ordinance and in Lee Plan Policy 1.1.11.1.

In 2005, the Applicant submitted an application to rezone the 60-acre property from Agricultural (AG-2) to Residential Planned Development (RPD) in order to implement the Outlying Suburban Future

Land Use Designation. In compliance with the aforementioned CPA ordinance, the Applicant requested a total of 90 units clustered on the 32-acre parcel with the adjacent 28-acres remaining in preserve. The request also included permission to sell/transfer the 30 additional units for use in another development pursuant to the county's TDR program.

Although Staff recommended approval of the proposed 90-unit development due to its consistency with the Outlying Suburban Future Land Use Designation, availability of public infrastructure to serve the development, and compatibility with the surrounding development pattern, the application was ultimately approved for a maximum of 64 dwelling units plus 30 units available for transfer off-site.

In May 2007, the subject property was re-designated from Outlying Suburban to Sub-Outlying Suburban per a county-initiated amendment process. The resulting Lee Plan Policy 1.1.11 includes the following language to guide the future development of the subject property:

"1. For Lots 6 -11, San Carlos Groves Tract, Section 20, Township 46 S, Range 25 E of the San Carlos/Estero area:

a. The property may be developed at a gross density of one dwelling unit per acre; however, a gross density of up to two dwelling units per acre is permitted through the planned development zoning process, in which the residential development is clustered in a manner that provides for the protection of flow ways, high-quality native vegetation, and endangered, threatened or species of special concern. Clustered development must also connect to a central water and sanitary sewer system.

b. A maximum of one hundred and twenty (120) residential dwelling units, along with accessory, and accessory active recreation uses are permitted through the use of clustering and the planned development zoning process. The dwelling units and accessory uses must be clustered on an area not to exceed thirty two (± 32) acres, which must be located on the northwestern portion of the property. No development may occur in the flowway, with the exception of the improvement of the existing road access from the site to Pine Road. The remainder of the property will be designated as preserve/open space, which can be used for passive recreation, and environmental management and education. In addition, the developer will diligently pursue the sale or transfer of the preserve/open space area, along with development rights for thirty (30) of the maximum one hundred and twenty (120) residential dwelling units, to the State, County, or other conservation entity."

In November, 2005, Resolution Z-05-041 approved the Hideaway Cove RPD approving 64 single family units to be located on the 32 acre upland parcel in the NW corner of the 60 acre subject property. Only the 32 acres was allowed to be developed and the 28 acre balance of the property was designated as Preserve (consistent with Lee Plan Policy 1.1. 11) with 30 units of transferrable development rights assigned to the 28 acre preserve parcels. On December 5, 2005, the owner of the 32 acres upland parcel (Estero Preserve, LLC) paid \$100,000 for a signed and recorded Agreement with the owner of the 28 acres preserve parcel (Estero Commons, LLC) in which Estero Commons agreed that when the local DO required it, then Estero Commons would convey a Conservation Easement to

Lee County over the 28 acres Preserve as required by the Zoning RPD. After that, Morrison Homes signed a contract in late December, 2005, and then bought the 32 developable acres from Estero Preserve in April, 2006, along with the right to rely upon the Conservation Easement Agreement which ran with the land. Morrison Homes paid \$6.8 million for the 32 acres with the Conservation Easement Agreement in place.

Later, [approximately 2007], Estero Commons filed for bankruptcy. The owner of the 28 acre Preserve parcel, Natoli/Peninsula Sailfish, filed a claim in the bankruptcy because they had a mortgage on the 28 acre Preserve parcel and asked the bankruptcy judge to convey the property to them free of the Conservation Easement Agreement which they had not signed. The judge agreed and removed the agreement from affecting the 28 acres (which were then conveyed by the Bankruptcy Trustee to Peninsula Sailfish in October, 2008.). We do not believe that the bankruptcy hearing had any effect on the 28 acres with regard to removing the zoning conditions already in place.

Taylor Morrison made a very significant investment in the 32 acres parcel with the reasonable expectation that the Conservation Easement confirming the Preserve condition would be conveyed when the DO was issued. Now they find that the post-bankruptcy owner of the 28 acre Preserve refuses to convey the easement (notwithstanding that they should have been required to sign off on the applications for the zoning and plan amendment that first established that the 28 acres was the Preserve area).

On the 32 acre Taylor Morrison parcel with 64 units, the \$6.8 million purchase price translates to \$106,250/unit for land costs before they even begin to develop the project. They can't afford to repurchase the 28 acre preserve area again. If the 32 acres/64 units can be increased to the 90 units originally anticipated, then the land cost drops to \$75,555/unit, which is still high but is certainly better than \$106,250. The surrounding areas (other than the Estero Bay Preserve) have largely developed at Suburban and Urban Community densities in the range of 5-10 units per acre. Artificially limiting this last infill parcel to a density of less than 3 units per acre doesn't make sense in this area nor from the standpoint of fighting urban sprawl. Regardless of what the present owner of the 28 acres chooses to do, this 32 acre parcel is appropriate for 90 units of density (still less than 3 units/acre in Outlying Suburban). If offsite mitigation is necessary in order to allow development of the 32 acres, then that should be evaluated on its own merits rather than requiring Taylor Morrison to somehow acquire the 28 acres on which it previously purchased a Conservation Easement Agreement (but lost due to the Bankruptcy Court ruling).

In 2012, the Applicant filed a RPD Amendment (DCI2012-00056) to increase the density to 90 units, as was intended by Ordinance 03-20, and remove conditions that required a conservation easement on the 28-acres controlled by others. The intent was to maintain the 28-acres as preserve on the RPD Master Concept Plan, thereby precluding their future development, but remove language requiring easements that the Application could not provide due to lack of ownership.

Per correspondence from the Lee County Planning Division, attached as Exhibit "A", the Applicant's only option to develop the property with the density intended by Ordinance 03-20 is to remove the

above-referenced site-specific text that requires unified development with the adjacent 28-acres. This application is filed in direct response to Staff's directive.

III. LEE PLAN CONSISTENCY

The following is an analysis of the proposed Amendment's consistency with the goals, policies and objectives of the Lee Plan.

Policy 1.1.6: *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 compliance with this policy, the subject property is located on the periphery of the Urban Community Future Land Use Category, in close proximity to urban levels of development. The proposed amendment will allow for an appropriate transition from the Urban Community lands to the east and the Conservation Lands to the west, as was intended for the property through the entitlement history outlined above.

The surrounding land use pattern is a mix of intensive commercial uses along the US 41 frontage, large- and small-lot single-family residential uses, places of worship, and mid-rise multi-family uses in the nearby Breckinridge PUD, and built-out Recreational Vehicle (RV) parks.

Nearby RV parks include Shady Acres to the north and Riverwoods Plantation to the south. Riverwoods Plantation is zoned RV-3 and is built out with RV sites ranging in size from 2,000-3,000 square feet in area, resulting in densities in excess of 15 du/acre. Shady Acres is zoned MH-2, RV-3 and AG-2 and is built out with 250 RV sites, recreational amenities, campgrounds and RV storage on approximately 40 acres. The resulting density is 6 du/acre. These densities and uses demonstrate that the Subject Property is surrounded by a diverse land use pattern, which is not solely characterized by single-family uses.

The required Infrastructure to support the project is readily available for the 92 units permitted pursuant to the Outlying Suburban Future Land Use Category.

The corresponding RPD Amendment ensures the development of the subject property with single-family detached dwelling types that are compatible with the lower-density residential uses along Pine Road.

The amendment will serve to balance the County's objectives to ensure compatibility with established residential areas and to direct new development to urbanized areas with available infrastructure.

Objective 2.2: *Direct new growth to those portions of the Future Urban Areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in F.S. 163.3164(7)) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, Florida Statutes and the county's Concurrency Management Ordinance.*

The proposed amendment to allow for the development of up to 92 units is in direct compliance with this policy. The property is west of the US 41/South Tamiami corridor in southern Lee County, which is an urbanized area where growth is not only intended, but is encouraged by the Lee Plan.

The subject property is located in Future Water and Sanitary Service Areas per Lee Plan Maps 6 and 7, respectively. Lee County Utilities has adequate capacity to service the proposed density as outlined in the letter of availability provided with this application. Moreover, the recent investment in public infrastructure widening and improving US 41, in immediate proximity to the subject property, is evidence of this property's ideal location for infill development.

Approval of this amendment will allow for development of the subject property at slightly below 3 units per acre as intended by the original plan amendment, instead of 1 unit per acre as outlined in Planning Staff's correspondence. The Applicant respectfully submits that unnecessarily restricting development of the Subject Property to one unit per acre will contribute to a sprawling land use pattern, and under-utilize the County's investment in public infrastructure in this area.

OBJECTIVE 2.7: *Historic resources will be identified and protected pursuant to the Historic Preservation element and the county's Historic Preservation Ordinance.*

In compliance with this policy, the Applicant has secured a letter from the Florida Master Site File indicating that no recorded historical or archaeological resources exist on the property.

POLICY 5.1.5: *Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. Requests for conventional rezonings will 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. If such uses are proposed in the form of a planned development or special exception and generally applicable development regulations are deemed to be inadequate, conditions will be attached to minimize or eliminate the potential impacts or, where no adequate conditions can be devised, the application will be denied altogether. The Land Development Code will continue to require appropriate buffers for new developments.*

The proposed amendment will not negatively impact the residential character along Pine Road and in the vicinity of the subject property. The immediate area contains a diverse mix of uses, ranging from light industrial and intensive commercial uses along the US 41 corridor, to large- and small-lot single-family uses consistent with Two-Family (TFC-2), Single-Family (RS-3 & RS-1), and Agricultural (AG-2) zoning, as well as mobile home parks, and places of worship. As outlined above, the Shady Acres and Riverwoods Plantation RV parks have densities ranging up to 15 du/acre, which demonstrate the broad range of land uses and densities/intensities in the immediate area.

While the Applicant is asking to remove unneeded restrictions on the allowable density in order to implement the Lee Plan policies guiding the development of this project, the proposed dwelling types will continue to be strictly limited to single-family detached units pursuant to the underlying RPD zoning.

Furthermore, the 32-acres of the Subject Property already approved for development are not directly adjacent to any existing single-family residences. The project will be still be entirely buffered from the San Carlos Groves subdivision via adjacent undeveloped lands, as well as by the Estero Bay Preserve to the southeast, south and west.

Based upon the approved single-family dwelling types, perimeter buffers, and adjacent preserve areas, the proposed amendment will continue to protect the existing residential development to the east, while allowing for the appropriate single family development density intended for this property.

POLICY 4.1.1: *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.*

The proposed amendment will maintain the intent of Ordinance 03-02 and the RPD zoning district to direct development to the upland areas. The residential uses are oriented toward Pine Road where the project will be connected to the adjacent roadway network, as well as public utilities. The amendment does not include the adjacent 28-acres that the County has targeted as preserve abutting state-owned lands. As noted above and detailed in environmental report, the site contains 1.32 acres of lower quality isolated wetlands, and is suitable for the development of a residential community. Therefore, the proposed amendment is in direct compliance with this policy.

STANDARD 11.1: WATER

Potable water is available to service the allowable density within the Outlying Suburban Future Land Use Category, as outlined in the attached Availability Letter provided by Lee County Utilities. The property is also within the Lee County Utilities Future Service Area for Potable Water Service. The proposed amendment is in compliance with this standard.

STANDARD 11.2: SEWER

Sanitary sewer is available to service the allowable density within the Outlying Suburban Future Land Use Category, as outlined in the attached Availability Letter provided by Lee County Utilities. The property is also within the Lee County Utilities Future Service Area for Sanitary Sewer Service. The proposed amendment is in compliance with this standard.

STANDARD 11.3: TRANSPORTATION

JMB Transportation Engineering, Inc. has prepared the enclosed Traffic Impact Statement in accordance with the county requirements. Per this analysis, there is adequate capacity on the surrounding roadway network to support the proposed amendment and maintain the adopted Level of Service standards. Moreover, development of the property at 3 units per acre will ensure the efficient and effective utilization of the public investment in infrastructure in southern Lee County, such as the US 41 six-lane expansion project and the right turn lane onto Pine Road.

POLICY 107.2.10: *Development adjacent to aquatic and other nature preserves, wildlife refuges, and recreation areas must protect the natural character and public benefit of these areas including, but not limited to, scenic values for the benefit of future generations.*

The adjacent Estero Bay Preserve will be protected by the perimeter buffer requirements set forth in the Lee County Land Development Code.

CONSERVATION & COASTAL MANAGEMENT

POLICY 107.2.10: *Development adjacent to aquatic and other nature preserves, wildlife refuges, and recreation areas must protect the natural character and public benefit of these areas including, but not limited to, scenic values for the benefit of future generations.*

The proposed development is adjacent to the Estero Bay Buffer Preserve. The companion zoning application will ensure appropriate buffering of the off-site preserve area in accordance with LDC Sec. 10-416.

POLICY 107.4.2: *Conserve critical habitat of rare and endangered plant and animal species through development review, regulation, incentives, and acquisition.*

As outlined in the environmental assessment prepared by W. Dex Bender & Associates, Inc., the site does not contain rare or unique upland habitats. Additionally, the site contains 1.32 acres of low-quality wetlands, which equates to less than 5% of the site. Therefore, the subject property is an ideal site for the development of an infill residential community based upon the type and quality of habitat.

POLICY 107.8.1: The County's policy is to protect gopher tortoise burrows wherever they are found. However, if unavoidable conflicts make on-site protection infeasible, then off-site mitigation may be provided in accordance with Florida Game and Fresh Water Fish Commission requirements.

As outlined in the environmental assessment prepared by W. Dex Bender, there is evidence of gopher tortoise burrows on-site. The development will comply with all state and federal permitting requirements regarding the relocation of gopher tortoises to approved off-site preserve areas. As part of the local Development Order process a gopher tortoise management plan will be provided, in addition to all required permits in accordance with the above policy.

POLICY 114.1.1: Development in wetlands is limited to very low density residential uses and uses of a recreational, open space, or conservation nature that are compatible with wetland functions. The maximum density in the Wetlands category is one unit per 20 acres, except that one single family residence will be permitted on lots meeting the standards in Chapter XIII of this plan, and except that owners of wetlands adjacent to Intensive Development, Central Urban, Urban Community, Suburban, and Outlying Suburban areas may transfer densities to developable contiguous uplands under common ownership in accordance with Footnotes 9b and 9c of Table 1(a), Summary of Residential Densities. In Future Limerock Mining areas only (see Map 14), impacts to wetlands resulting from mining will be allowed by Lee County when those impacts are offset through appropriate mitigation, preferably within Southeast Lee County (see also Policy 33.1.3). Appropriate wetland mitigation may be provided by preservation of high quality indigenous habitat, restoration or reconnection of historic flow ways, connectivity to public conservation lands, restoration of historic ecosystems, or other mitigation measures as deemed sufficient by the Division of Environmental Sciences. It is recommended that, whenever possible, wetland mitigation be located within Southeast Lee County. The Land Development Code will be revised to include provisions to implement this policy.

The maximum allowable development under the proposed FLUM utilizes the density calculation of 3 du/acre for uplands and 1 du/20 acres for wetlands in accordance with the above policy and Table 1(a). As noted above, the on-site wetlands are limited to 1.32 acres and are low-quality due to exotic infestation.

IV. ADJACENT LOCAL GOVERNMENTAL

The subject property is located entirely within Lee County and does not abut any other jurisdictions. Therefore, the proposed amendment will not affect other local governments.

V. STATE COMPREHENSIVE PLAN

The following are goals and policies from the State Comprehensive Plan that are generally applicable to the subject property.

Water Resources. *Florida shall assure the availability of an adequate supply of water for all competing uses deemed reasonable and beneficial and shall maintain the functions of natural systems and the*

overall present level of surface and ground water quality. Florida shall improve and restore the quality of waters not presently meeting water quality standards.

In compliance with this goal, this application will be reviewed by Lee County to ensure the availability of potable water for future residents, as well as the protection of surface water and groundwater in terms of both quality and quantity.

Natural Systems & Recreational Lands. *Florida shall protect and acquire unique natural habitats and ecological systems, such as wetlands, tropical hardwood hammocks, palm hammocks, and virgin longleaf pine forests, and restore degraded natural systems to a functional condition.*

The site contains minimal wetlands and is suitable for the development of a residential community. All required state and federal permits will be acquired prior to site development activities.

Land Use. *In recognition of the importance of preserving the natural resources and enhancing the quality of life of the state, development shall be directed to those areas which have in place, or have agreements to provide, the land and water resources, fiscal abilities, and service capacity to accommodate growth in an environmentally acceptable manner.*

As indicated above, the proposed amendment will allow for the development of a vacant property serviced by available public infrastructure and adjacent to existing suburban development patterns. Approval of this request will direct new development to an infill location as encouraged by this goal.

Transportation. *Florida shall direct future transportation improvements to aid in the management of growth and shall have a state transportation system that integrates highway, air, mass transit and transportation.*

The project is serviced by an adequate roadway network, and is in close proximity to public transit, bicycle and pedestrian facilities.

VI. REGIONAL PLAN CONSISTENCY

The following are goals within the Strategic Regional Policy Plan (SRPP) that are generally applicable to the subject property:

Housing Element

Goal 2: Southwest Florida will develop (or redevelop) communities that are livable and offer residents a wide-range of housing and employment opportunities.

The proposed amendment will allow for the development of an infill residential community with single-family dwelling types that are compatible with the surrounding neighborhood. The subject property is in close proximity to goods, services, and major employment centers in the

Estero community immediately to the south. The property provides an ideal location to accommodate the demand for new housing in Southwest Florida.

Natural Resources Element

Goal 4: Livable communities designed to improve quality of life and provide for the sustainability of our natural resources.

The proposed amendment and companion RPD Amendment will ensure protection of the site's natural resources. The site contains 1.32 acres of wetlands, or less than 4% of the total acreage. The vast majority of the site is comprised of uplands, ideal for new residential development. The requisite buffers for the adjacent public lands will be provided as shown on the Master Concept Plan.

Regional Transportation

Goal 2: Livable communities designed to affect behavior, improve quality of life and responsive to community needs.

As outlined above, the Applicant is seeking approval of this FLUM amendment to allow for the development of a residential community. The property is in close proximity to the pedestrian and transit facilities along the U.S. 41 corridor.

VII. Sprawl Analysis

The proposed amendment does not constitute sprawl. As outlined in detail above, the property is located in an urbanized area of the County that contains a diverse mix of residential and non-residential development, and is serviced by available public infrastructure.

The property is less than 1 mile from U.S. 41/South Tamiami Trail, which was recently expanded to six lanes. Capacity is available in nearby water and wastewater treatment plants, as evidenced in the attached Infrastructure Analysis. Schools, parks and other public services are also readily available as evidenced in this application.

The Property is adjacent to existing residential development to the east, and will serve as an appropriate, low-density transition to the Estero Bay Buffer lands to the west.

Based on the available public infrastructure and the surrounding development pattern, this amendment does not constitute urban sprawl.

John E. Manning
District One

Cecil L. Pendergrass
District Two

Larry Kiker
District Three

Brian Hamman
District Four

Frank Mann
District Five

Roger Desjarlais
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
Hearing Examiner

February 21, 2014

Alexis V. Crespo, AICP, LEED AP
Principal Planner
Waldrop Engineering, P.A.
28100 Bonita Grande Dr #305
Bonita Springs, FL 34135

**RE: Hideaway Cove – Comprehensive Plan Amendment
Letter of Service Availability**

Dear Ms. Crespo,

LeeTran has reviewed your request for services availability concerning the Hideaway Cove development project.

LeeTran currently has no fixed-route transit service going down Pine Road from US 41 to Hideaway Cove. According to LeeTran's Transit Development Plan, there are no plans for service expansion in this area.

Currently, the nearest LeeTran fixed-route transit service is located about ¾ mile from the proposed entrance of the project along US 41. This is Rt. 240, a north-south connection going from Bell Tower down to Coconut Point.

If you have any questions or require further information, please feel free to contact me at (239) 533-0319 or at ABielawska@leegov.com.

Sincerely,



Anna Bielawska
Planner
Lee County Transit

**TABLE 1(b)
Year 2030 Allocations**

Future Land Use Classification		Lee County Totals	Alva	Boca Grande	Bonita Springs	Fort Myers Shores	Burnt Store	Cape Coral	Captiva	Fort Myers	Fort Myers Beach	Gateway/Airport	Daniels Parkway
Residential By Future Land Use Category	Intensive Development	1,367	0	0	0	20	0	27	0	250	0	0	0
	Central Urban	14,787	0	0	0	225	0	0	0	230	0	0	0
	Urban Community	18,425	520	485	0	637	0	0	0	0	0	0	0
	Suburban	16,623	0	0	0	1,810	0	0	0	85	0	0	0
	Outlying Suburban	4,105	30	0	0	40	20	2	500	0	0	0	1,700
	Sub-Outlying Suburban	1,548	0	0	0	367	0	0	0	0	0	0	0
	Industrial Development	79	0	0	0	0	0	0	0	39	0	20	0
	Public Facilities	1	0	0	0	0	0	0	1	0	0	0	0
	University Community	850	0	0	0	0	0	0	0	0	0	0	0
	Destination Resort Mixed Use Water Dependent	8	0	0	0	0	0	0	0	0	0	0	0
	Burnt Store Marina Village	4	0	0	0	0	4	0	0	0	0	0	0
	Industrial Interchange	0	0	0	0	0	0	0	0	0	0	0	2
	General Interchange	42	0	0	0	0	0	0	0	0	0	0	0
	General/Commercial Interchange	0	0	0	0	0	0	0	0	0	0	0	0
	Industrial/Commercial Interchange	0	0	0	0	0	0	0	0	0	0	0	0
	University Village Interchange	0	0	0	0	0	0	0	0	0	0	900	0
	New Community	900	0	0	0	0	0	0	0	0	0	0	0
	Airport	0	0	0	0	0	0	0	0	0	0	0	9
	Tradeport	9	0	0	0	0	0	0	0	0	0	0	1,500
	Rural	8,313	1,948	0	0	1,400	636	0	0	0	0	0	0
	Rural Community Preserve	3,100	0	0	0	0	0	0	0	0	0	0	0
	Coastal Rural	1,300	0	0	0	0	0	0	0	0	0	0	0
	Outer Islands	202	5	0	0	1	0	0	150	0	0	0	0
	Open Lands	2,805	250	0	0	0	590	0	0	0	0	0	120
	Density Reduction/Groundwater Resource	6,905	711	0	0	0	0	0	0	0	0	0	0
	Conservation Lands Uplands	0	0	0	0	0	0	0	0	0	0	0	0
Wetlands	0	0	0	0	0	0	0	0	0	0	0	0	
Conservation Lands Wetlands	0	0	0	0	0	0	0	0	0	0	0	0	
Total Residential		81,373	3,464	485	0	4,500	1,250	29	651	604	0	1,023	3,322
Commercial		12,793	57	52	0	400	50	17	125	150	0	1,100	440
Industrial		13,801	26	3	0	400	5	26	0	300	0	3,100	10
Non Regulatory Allocations													
Public		82,252	7,100	421	0	2,000	7,000	20	1,961	350	0	7,500	2,416
Active Agriculture		17,027	5,100	0	0	550	150	0	0	0	0	0	20
Passive Agriculture		45,859	13,549	0	0	2,500	109	0	0	0	0	1,491	20
Conservation (wetlands)		81,948	2,214	611	0	1,142	3,236	133	1,603	748	0	2,809	1,719
Vacant		22,122	1,953	0	0	226	931	34	0	45	0	300	20
Total		357,175	33,463	1,572	0	11,718	12,731	259	4,340	2,197	0	17,323	7,967
Population Distribution*		495,000	5,090	1,531	0	30,861	3,270	225	530	5,744	0	11,582	16,488

* Population for Unincorporated Area of Lee County

**TABLE 1(b)
Year 2030 Allocations**

Future Land Use Classification		Iona/ McGregor	San Carlos	Sanibel	South Fort Myers	Pine Island	Lehigh Acres	Southeast Lee County	North Fort Myers	Buckingham	Estero	Bayshore
Residential By Future Land Use Category	Intensive Development	0	0	0	660	3	42	0	365	0	0	0
	Central Urban	375	17	0	3,140	0	8,200	0	2,600	0	0	0
	Urban Community	850	1,000	0	860	500	13,013	0	0	110	450	0
	Suburban	2,488	1,975	0	1,200	675	0	0	6,690	0	1,700	0
	Outlying Suburban	377	32 -0-	0	0	600	0	0	382	0	454	0
	Sub-Outlying Suburban	0	25	0	0	0	0	0	140	66	0	950
	Industrial Development	5	5	0	10	0	0	0	0	0	0	0
	Public Facilities	0	0	0	0	0	0	0	0	0	0	0
	University Community	0	850	0	0	0	0	0	0	0	0	0
	Destination Resort Mixed Use Water Dependent	8	0	0	0	0	0	0	0	0	0	0
	Burnt Store Marina Village	0	0	0	0	0	0	0	0	0	0	0
	Industrial Interchange	0	0	0	0	0	0	0	0	0	0	0
	General Interchange	0	0	0	0	0	0	15	7	0	6	12
	General/Commercial Interchange	0	0	0	0	0	0	0	0	0	0	0
	Industrial/Commercial Interchange	0	0	0	0	0	0	0	0	0	0	0
	University Village Interchange	0	0	0	0	0	0	0	0	0	0	0
	New Community	0	0	0	0	0	0	0	0	0	0	0
	Airport	0	0	0	0	0	0	0	0	0	0	0
	Tradeport	0	0	0	0	0	0	0	0	0	0	0
	Rural	0	90	0	0	190	14	0	500	50	635	1,350
	Rural Community Preserve	0	0	0	0	0	0	0	0	3,100	0	0
	Coastal Rural	0	0	0	0	1,300	0	0	0	0	0	0
	Outer Islands	1	0	0	0	45	0	0	0	0	0	0
	Open Lands	0	0	0	0	0	0	0	45	0	0	1,800
	Density Reduction/Groundwater Resource	0	0	0	0	0	0	4,000	0	0	0	2,100
	Conservation Lands Uplands	0	0	0	0	0	0	0	0	0	0	0
Wetlands	0	0	0	0	0	0	0	0	0	0	0	
Conservation Lands Wetlands	0	0	0	0	0	0	0	0	0	0	0	
Total Residential	4,104	3,994 3,962	0	5,870	3,313	21,269	4,015	10,729	3,326	3,245	6,212	
Commercial	1,100	1,944	0	2,100	226	1,420	68	1,687	18	1,700	139	
Industrial	320	450	0	900	64	300	7,246	554	5	87	5	
Non Regulatory Allocations												
Public	3,550	3,059	0	3,500	2,100	15,289	12,000	4,000	1,486	7,000	1,500	
Active Agriculture	0	0	0	0	2,400	0	7,171	200	411	125	900	
Passive Agriculture	0	0	0	0	815	0	18,000	1,556	3,619	200	4,000	
Conservation (wetlands)	9,306	2,969	0	188	14,767	1,541	31,359	1,317	336	5,068	882	
Vacant	975	594	0	309	3,781	8,085	470	2,060	1,000	809	530	
Total	19,355	12,978	0	12,867	27,466	47,904	80,329	22,103	10,201	18,234	14,168	
Population Distribution*	34,538	36,963	0	58,363	13,265	164,699	1,270	70,659	6,117	25,395	8,410	

* Population for Unincorporated Area of Lee County

Hideaway Cove Protected Species Assessment

Section 20, Township 46 South, Range 25 East
Lee County, Florida

June 2012
(revised May 2014)

Prepared for:

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Prepared by:

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INTRODUCTION

The 32± acre parcel is located within a portion of Section 20, Township 46 South, Range 25 East, Lee County, Florida. The lands to the north, east, and south of the site consist of privately owned undeveloped and partially cleared property. Lands that are part of the publically owned Estero Bay Buffer Preserve are located to the west and southeast.

SITE CONDITIONS

The majority of the site consists of upland pine flatwoods with varying densities of exotics. Four melaleuca dominated wetlands are also present. Portions of the site appear to have been burned in the past few years.

VEGETATIVE CLASSIFICATIONS

The predominant upland and wetland vegetation associations were mapped in the field on 2012 digital color 1" = 200' scale aerial photography. Six vegetation associations were identified using the Florida Land Use, Cover and Forms Classification System (FLUCCS). Figure 1 depicts the approximate location and configuration of these vegetation associations and Table 1 summarizes the acreages by FLUCCS Code. A brief description of each FLUCCS Code is provided below.

Table 1. Acreage Summary by FLUCCS Code

FLUCCS CODE	DESCRIPTION	ACREAGE
411	Pine Flatwoods	11.13
411E	Pine Flatwoods Invaded by Exotics (5 – 9%)	4.77
411E1	Pine Flatwoods Invaded by Exotics (10 – 25%)	8.74
411E3	Pine Flatwoods Invaded by Exotics (51 – 75%)	6.04
*619	Exotic Wetland Hardwoods	1.24
*625E3	Hydric Pine Flatwoods Invaded by Exotics (51 – 75%)	0.08
	Upland Subtotal	30.68
	Wetland Subtotal	1.32
	Total	32.00

FLUCCS Code 411, Pine Flatwoods

The southwest portion of the site consists of upland pine flatwoods. This area has an open canopy of slash pine (*Pinus elliotii*). The midstory is also open and consists of shrubs such as tarflower (*Befaria racemosa*), stagger bush (*Lyonia* sp.), wax myrtle (*Myrica cerifera*), and gallberry (*Ilex glabra*). Low growing saw palmetto (*Serenoa repens*) is the dominant ground cover species. Additional species such as penny royal (*Piloblephis rigida*), hatpin (*Eriocaulon* sp.), threeawn grass (*Aristida* sp.), pawpaw (*Asimina* sp.), St. John's wort (*Hypericum* sp.), muhly grass (*Muhlenbergia* sp.), and

SECTION 25
TOWNSHIP 48 S
RANGE 25 E

PROTECTED SPECIES ASSESSMENT MAP



FLUCO#	Description	Acres
411	Pine Flatwoods	11.18 ac.
411E	Pine Flatwoods Inhabited by <i>Ludlowia</i> (34%)	6.74 ac.
411E1	Pine Flatwoods Inhabited by <i>Castalia</i> (19-22%)	6.74 ac.
411E3	Pine Flatwoods Inhabited by <i>Scutella</i> (21-25%)	5.24 ac.
619	Cyclic Wetland Hardwoods	1.24 ac.
625E3	Hybrid Pine Flatwoods Inhabited by <i>Castalia</i> (5.77%)	0.08 ac.
Total		32.80 ac.

☉ Potentially Occupied Gopher Tortoise Burrow (21)

Note:
 1. Property boundary obtained from G. Clark, Murr and Associates, P.A.
 2. Mapping based on photographs taken in 2012.
 3. Aerial photography and ground truthing in June 2012.
 4. Detection of amphibian wetlands is preliminary and subject to field notes, permitted by applicable regulatory agencies.

PERMIT USE ONLY; NOT FOR CONSTRUCTION

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 FORT WORTH, TEXAS 76104-1880

HIDEAWAY COVE

DATE

running oak (*Quercus pumila*) are also present in the numerous open areas between the saw palmetto clumps. A search of historical aerials revealed that the parcel has been logged in the past and appears to have been burned in the past few years. There are no large pine trees present. This pine flatwood cannot be categorized as "mature" and does not meet the criteria for Rare and Unique uplands.

FLUCCS Code 411E, Pine Flatwoods Invaded by Exotics (5 – 9%)

Several areas of upland pine flatwoods in the northern portion of the site contain widely scattered exotics; primarily melaleuca (*Melaleuca quinquenervia*) and downy rose-myrtle (*Rhodomyrtus tomentosa*). Other than these exotics, the vegetation is very similar to the pine flatwoods described above.

FLUCCS Code 411E1, Pine Flatwoods Invaded by Exotics (10 – 25%)

A significant portion of the uplands have been colonized by slightly higher density of melaleuca and downy rose-myrtle. In these areas the saw palmetto tends to be somewhat taller with less open spaces between the clumps.

FLUCCS Code 411E3, Pine Flatwoods Invaded by Exotics (51 – 75%)

The upland pine flatwoods that are adjacent to the wetlands on-site have the greatest density of exotics. In these areas the dense growth of melaleuca has substantially reduced the density and diversity of native plants in all strata.

FLUCCS Code 619, Exotic Wetland Hardwoods

Four melaleuca dominated wetlands are present on the property. In these areas the ground cover is typically sparse and consists of species such as bushy bluestem (*Andropogon glomeratus*), redroot (*Lachnanthes caroliniana*), yellow-eyed grass (*Xyris* sp.), and little blue maidencane (*Amphicarpum muhlenbergianum*). While no standing water was present at the time of our site inspection, based on the adventitious roots on the melaleuca it appears that these depressional areas are inundated by two to five inches of water during the summer wet season.

FLUCCS Code 625E3, Hydric Pine Flatwoods Invaded by Exotics (51 – 75%)

A small area of hydric pine flatwoods that has been invaded by exotics is present in the eastern portion of the property. Slash pine and melaleuca dominate the canopy. The mid story contains cabbage palm (*Sabal palmetto*), Brazilian pepper (*Schinus terebinthifolius*), saltbush (*Baccharis halimifolia*), and myrsine (*Rapanea punctata*). Species present within the ground cover include swamp fern (*Blechnum serrulatum*) and saw-grass (*Cladium jamaicense*). This wetland community extends off-site to the east.

SURVEY METHOD

Lee County Protected Species Ordinance No. 89-34 lists several protected species of animals that could potentially occur on-site based on the general vegetative associations found on the subject parcel. Each habitat type was surveyed for the

occurrence of these and any other listed species likely to occur in the specific habitat types. The survey was conducted using meandering linear pedestrian belt transects. This survey methodology is based on the Lee County administratively approved Meandering Transect Methodology. In order to provide at least 80 percent visual coverage of habitat types listed in Ordinance No. 89-34, the transects were spaced approximately 35 feet apart. The approximate locations of all direct sighting or signs (such as tracks, nests, and droppings) of a listed species were denoted on the aerial photography. The 1" = 200' scale aerial Protected Species Assessment Map (Figure 1) depicts the approximate location of the survey transects and the results of the survey. The listed species survey was conducted during the morning and mid-day hours of June 5, 2012. During the survey the weather was warm, humid and overcast.

Species listed as endangered, threatened, or species of special concern by the Florida Fish and Wildlife Conservation Commission (FWC) or the United States Fish and Wildlife Service (FWS) that could potentially occur on the subject parcel according to the Lee County Protected Species Ordinance are shown in Table 2. This list from the Lee County Protected Species Ordinance is general in nature, does not necessarily reflect existing conditions within or adjacent to the 32± acre property, and is provided for general informational purposes only.

Prior to conducting the protected species survey, a search of the FWC listed species database (updated in June 2012) was conducted to determine the known occurrence of listed species in the project area. This search revealed no known protected species occurring on or immediately adjacent to the site.

Table 2. Listed Species That Could Potentially Occur On-site

FLUCCS CODE	Percent Survey Coverage	Species Name	Present	Absent
411	80	Gopher Frog (<i>Rana areolata</i>)		√
411E	80	Eastern Indigo Snake (<i>Drymarchon corais</i>		√
411E1	80	<i>couperi</i>)		
411E3	80	Gopher Tortoise (<i>Gopherus polyphemus</i>)	√	
		Red-cockaded Woodpecker (<i>Picoides borealis</i>)		√
		Southeastern American Kestrel (<i>Falco sparverius paulus</i>)		√
		Big Cypress Fox Squirrel (<i>Sciurus niger avicennia</i>)		√
		Florida Black Bear (<i>Ursus americanus floridanus</i>)		√
		Florida Panther (<i>Felis concolor coryi</i>)		√
		Beautiful Pawpaw (<i>Deeringothamnus pulchellus</i>)		√
		Fakahatchee Burmannia (<i>Burmannia flava</i>)		√
		Florida Coontie (<i>Zamia floridana</i>)		√
		Satinleaf (<i>Chrysophyllum olivaeforme</i>)		√
619	80	None		
625E3	80	Gopher Frog (<i>Rana areolata</i>)		√
		Eastern Indigo Snake (<i>Drymarchon corais</i>		√
		<i>couperi</i>)		
		Arctic Peregrine Falcon (<i>Falco peregrinus tundrius</i>)		√
		Little Blue Heron (<i>Egretta caerulea</i>)		√
		Red-cockaded Woodpecker (<i>Picoides borealis</i>)		√
		Snowy Egret (<i>Egretta thula</i>)		√
		Tricolored Heron (<i>Egretta tricolor</i>)		√
		Big Cypress Fox Squirrel (<i>Sciurus niger avicennia</i>)		√
		Everglades Mink (<i>Mustela vison evergladensis</i>)		√
		Florida Black Bear (<i>Ursus americanus floridanus</i>)		√
		Florida Panther (<i>Felis concolor coryi</i>)		√

SURVEY RESULTS

A total of 21 potentially occupied gopher tortoise (*Gopherus polyphemus*) burrows were observed within the property. Gopher tortoises are listed as threatened by the FWC but not listed by the FWS. Based on the 80 percent survey coverage, it is estimated that $26 \pm$ gopher tortoise burrows are present on-site. The FWC standard burrow occupancy correction factor is 0.5 gopher tortoise per burrow which equates to $13 \pm$ gopher tortoises.

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