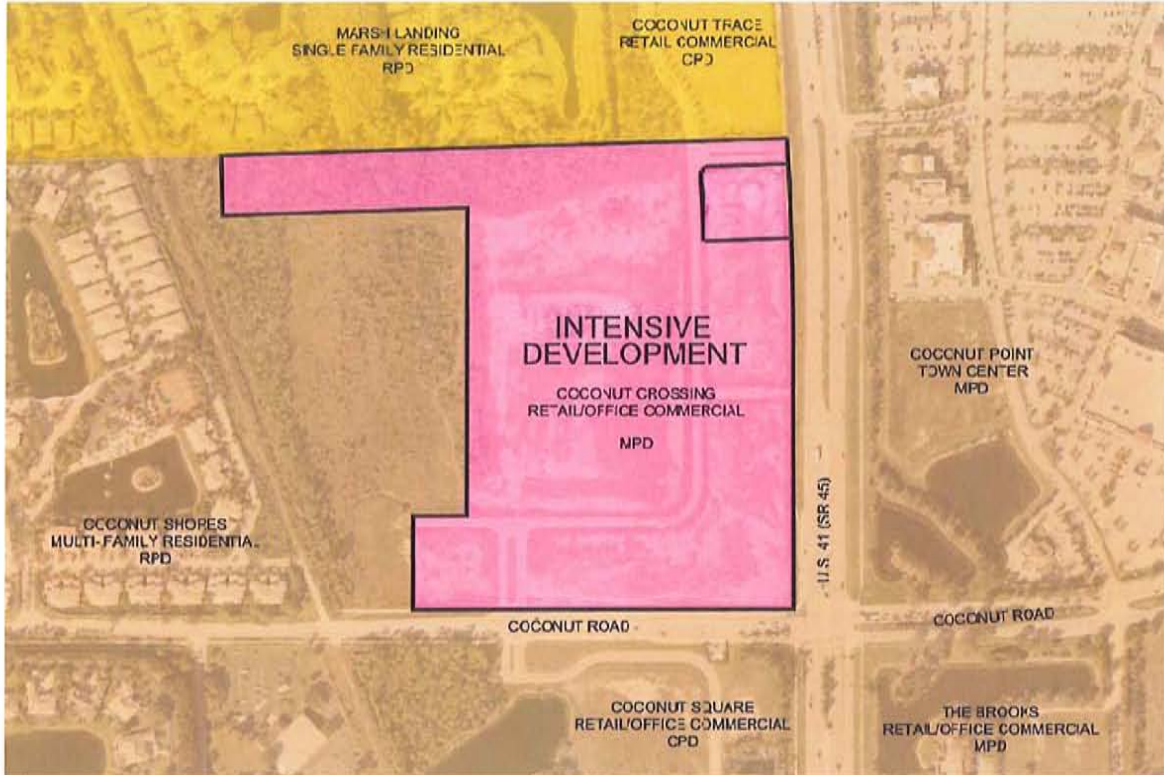


Coconut Crossing Mixed Use Planned Development

Application for a Comprehensive Plan Amendment



Prepared for

General Real Estate Corp.

Prepared by



6200 Whiskey Creek Drive
Fort Myers, Fl. 33919
(239) 985-1200

May 2014



CPA 2014-00005



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

PROJECT NAME: Coconut Crossing

PROJECT SUMMARY: Request to change the Future Land Use designation on 31.32 acres of property located at the NW corner of US 41 and Coconut Road from Urban Community to Intensive development with a standard density of 18 DU/acre and a maximum density of 25 du/acre, and to place the property in the mixed use overlay.


Plan Amendment Cycle: Normal Small Scale DRI

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

Brandon Lurie, Authorized Representative
 Printed Name of Owner or Authorized Representative

5/13/14
 Date
RECEIVED
 MAY 23 2014

COMMUNITY DEVELOPMENT

CPA2014-00005

I. **APPLICANT/AGENT/OWNER INFORMATION** (Name, address and qualification of additional planners, architects, engineers, environmental consultants, and other professionals providing information contained in this application.)

Applicant: General Real Estate Corp. Attn: Brandon Lurie
Address: 5711 SW 86th Street
City, State, Zip: South Miami, Florida 33143
Phone Number: (305) 310-0030 Email: brandon@blurie.com

Agent*: Hole Montes, Inc. - Thomas W. McLean, P.E.
Address: 6200 Whiskey Creek Drive
City, State, Zip: Fort Myers, Florida 33919
Phone Number: (239) 985-1200 Email: tommclean@hmeng.com

Owner(s) of Record: OB Florida CRE Holdings LLC & IBERIABANK
Address: 5310 East State Road 64 601 Poydras St., STE 2075
City, State, Zip: Bradenton, Florida 34208 New Orleans, LA 70130
Phone Number: _____ Email: _____

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

II. **REQUESTED CHANGE**

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, Pages 1 and 6 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.

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

A. Property Location:

1. Site Address: 23281 Lyden Drive, Estero, Florida 33928
2. STRAP(s): 09-47-25-00-00002.0040, 09-47-25-00-00002.0030
09-47-25-00-00002.0020, 09-47-25-00-00002.0080
09-47-25-00-00002.0070

B. Property Information:

Total Acreage of Property: 31.32 acres
Total Acreage included in Request: 31.32 acres
Total Uplands: 31.32 acres
Total Wetlands: _____
Current Zoning: MPD
Current Future Land Use Designation: Urban Community
Area of each Existing Future Land Use Category: Urban Community - 31.32 Acres
Existing Land Use: Vacant - Retail/Office Commercial Subdivision

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:

Change to Intensive Development with 18 DU/ac standard and 25 DU/ac max.
Placement into the Mixed Use Overlay.

E. Potential development of the subject property:

1. Calculation of maximum allowable development under existing FLUM:

Residential Units/Density 180 units at 6 du/ac to 301 units at 10 du/ac
Commercial intensity 260,000 at FAR 0.2
Industrial intensity _____

2. Calculation of maximum allowable development under proposed FLUM:

Residential Units/Density 563 units at 18 du/ac to 783 units at 25 du/ac
Commercial intensity 273,000 at FAR 0.2
Industrial intensity _____

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.

H. Planning Communities/Community Plan Area Requirements

If located in one of the following planning communities/community plan areas, provide a meeting summary document of the required public informational session.

- Not Applicable
- Alva Community Plan area [Lee Plan Objective 26.7]
- Buckingham Planning Community [Lee Plan Objective 17.7]
- Caloosahatchee Shores Community Plan area [Lee Plan Objective 21.6]
- Captiva Planning Community [Lee Plan Policy 13.1.8]
- North Captiva Community Plan area [Lee Plan Policy 25.6.2]
- Estero Planning Community [Lee Plan Objective 19.5]
- Lehigh Acres Planning Community [Lee Plan Objective 32.12]
- Northeast Lee County Planning Community [Lee Plan Objective 34.5]
- North Fort Myers Planning Community [Lee Plan Policy 28.6.1]
- North Olga Community Plan area [Lee Plan Objective 35.10]
- Page Park Community Plan area [Lee Plan Policy 27.10.1]
- Palm Beach Boulevard Community Plan area [Lee Plan Objective 23.5]
- Pine Island Planning Community [Lee Plan Objective 14.7]

AFFIDAVIT

I, Brandon Lurie / General Real Estate, certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data, or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.

[Signature]
Signature of Applicant

5/13/14
Date

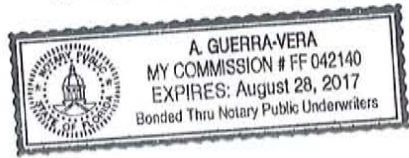
Brandon Lurie, AUTHORIZED REP
Printed Name of Applicant

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me on 5/13/14 (date) by Brandon Lurie (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

[Signature]
Signature of Notary Public

(Name typed, printed or stamped)



**LETTER OF AUTHORIZATION
TO LEE COUNTY COMMUNITY DEVELOPMENT**

*The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of the properties commonly known as **Strap Nos. 09-47-25-00-00002.0020, 09-47-25-00-00002.0030, and 09-47-25-00-00002.0040** which is a portion of the **Coconut Crossing (fka Coconut Road MPD)** development and legally described in Exhibit 'A' attached hereto.*

*The property described herein is the subject of an Application for a Comprehensive Plan Amendment and a Planned Development Rezoning. We hereby designate **General Real Estate Corp.** as the legal representative of the property, and as such, is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site.*

OB Florida CRE Holdings LLC

Bruce Reid

STATE OF FLORIDA
COUNTY OF ~~LEE~~ *MANATEE*

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 16th day of May, 2014 by *Bruce C. Reid*. He is personally known to me or has produced _____ as identification.

Sandra A. Hettel
Signature of Notary Public

(Seal)

Sandra A. Hettel
Printed name of Notary Public



SANDRA A. HETTEL
NOTARY PUBLIC
STATE OF FLORIDA
Comm# EE841444
Expires 10/8/2016

**LETTER OF AUTHORIZATION
TO LEE COUNTY COMMUNITY DEVELOPMENT**

*The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of the properties commonly known as **Strap Nos. 09-47-25-00-00002.0080** which is a portion of the **Coconut Crossing (fka Coconut Road MPD)** development and legally described in Exhibit 'A' attached hereto.*

*The property described herein is the subject of an Application for a Comprehensive Plan Amendment and a Planned Development Rezoning. We hereby designate **General Real Estate Corp.** as the legal representative of the property, and as such, is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site.*

IBERIABANK

Bruce C Reid

STATE OF FLORIDA
COUNTY OF ~~LEE~~ MANATEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 16th day of May, 2014 by Bruce C. Reid. He is personally known to me or has produced _____ as identification.

Sandra A. Hettel
Signature of Notary Public

(Seal)

Sandra A. Hettel
Printed name of Notary Public



SANDRA A. HETTEL
NOTARY PUBLIC
STATE OF FLORIDA
Comm# EE841444
Expires 10/8/2016

**LETTER OF AUTHORIZATION
TO LEE COUNTY COMMUNITY DEVELOPMENT**

*The undersigned do hereby swear or affirm that they are the legal representatives of the properties commonly known as **Strap Nos. 09-47-25-00-00002.0020, 09-47-25-00-00002.0030, 09-47-25-00-00002.0040, and 09-47-25-00-00002.0080** which are a portion of the **Coconut Crossing (fka Coconut Road MPD)** development and legally described in Exhibit 'A' attached hereto.*

*The property described herein is the subject of an Application for a Comprehensive Plan Amendment and a Planned Development Rezoning. We hereby designate **Mr. Charles Basinait, Attorney at Law of Henderson, Franklin, Starnes and Holt, P.A. and Mr. Thomas W. McLean, P.E. of Hole Montes, Inc.** as the legal representatives of the property and as such, these individuals are authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site.*

General Real Estate Corp.



**STATE OF FLORIDA
COUNTY OF LEE**

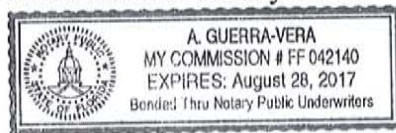
The foregoing instrument was sworn to (or affirmed) and subscribed before me this 13 day of May, 2014 by Brandon Curie. He is personally known to me or has produced _____ as identification.



Signature of Notary Public

(Seal)

Printed name of Notary Public

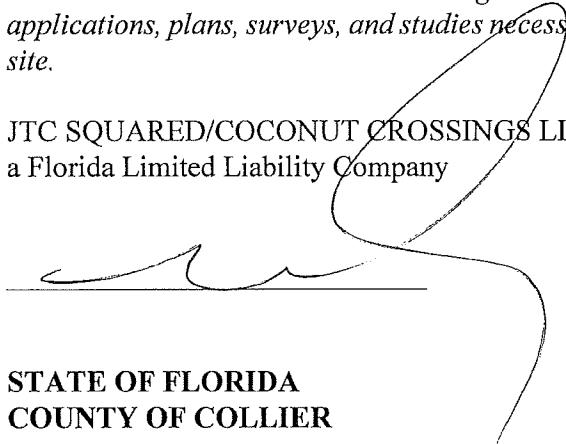


**LETTER OF AUTHORIZATION
TO LEE COUNTY COMMUNITY DEVELOPMENT**

*The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of the properties commonly known as **Strap Nos. 09-47-25-00-00002.0070** which is a portion of the **Coconut Crossing (fka Coconut Road MPD)** development and legally described in Exhibit 'A' attached hereto.*

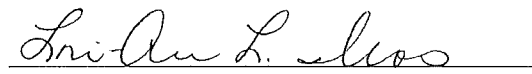
*The property described herein is the subject of an Application for a Comprehensive Plan Amendment and a Mixed Use Planned Development Rezoning. We hereby designate **General Real Estate Corp.** as the legal representative of the property, solely for the purpose of filing the Application for a Comprehensive Plan Amendment to which this Letter of Authorization is attached. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site.*

JTC SQUARED/COCONUT CROSSINGS LLC,
a Florida Limited Liability Company



**STATE OF FLORIDA
COUNTY OF COLLIER**

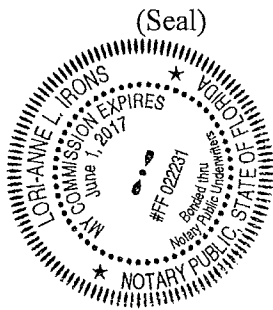
The foregoing instrument was sworn to (or affirmed) and subscribed before me this 22 day of May, 2014 by J. Thomas Conroy, III. He is personally known to me or has produced _____ as identification.



Signature of Notary Public

Lori-Anne L. Irons

Printed name of Notary Public



Attachment G.

Justification of Request

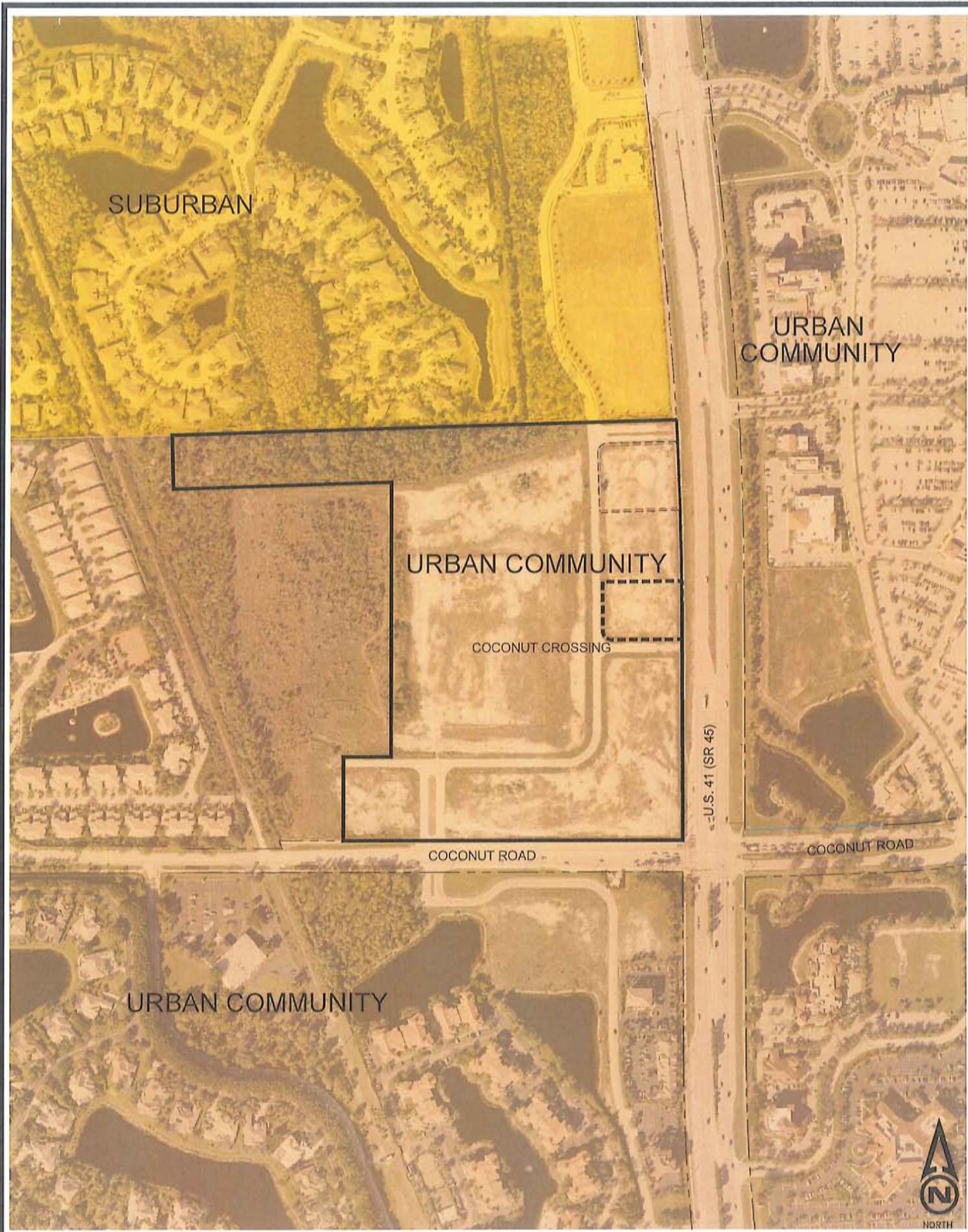
This application for Lee Plan Amendment represents an opportunity for Lee County and Estero to meet their long range planning goal to promote the development of mixed-use centers and targeted economic areas at major nodes within the Estero Community. This application is for a 31.32 acres located at the northwest corner of US 41 and Coconut Road at one of the most significant intersections in Estero. The request is to reclassify the subject property from Urban Community to Intensive Development with a standard density of 18 du/acre and a maximum density of 25 du/ac. We are also requesting that the subject property be included in the mixed use overlay found on Map 1, page 6 of 8 of the Lee Plan. The amendment is a reasonable request to allow development of a 30 +/- acre property into a multi-modal, mixed-use community including residential, office, retail and civic uses. The project will incorporate vertical as well as horizontal mixed use type construction. The project will include a central multi-modal community residential/commercial component interconnected to more outlying service/office/retail type commercial located along the perimeter, which will provide access to both residents of the development as well as residents from adjacent communities. This project will enhance the community and take maximum advantage of one of the few remaining prime intersections in Estero.

In terms of neighborhood compatibility, a horizontal/vertical interconnected mixed use commercial/residential development will help to serve the needs of the existing nearby residential communities of Marsh Landing, Pelican Landing and Coconut Shores along with the typical highway commercial. The inclusion of public gathering spaces and pedestrian connectivity to the adjacent Coconut Point Town Center will also be a major improvement in the land use pattern and overall neighborhood compatibility. The project will become a destination point for the community rather than an impulse stop on a

route currently over-burdened with historical types of uses.

The other factor to consider is the availability of services and infrastructure for the proposed project. The higher demand on the public facilities created by the increased density and intensity will be ameliorated by the mixed use nature of the project. Any additional impacts on the current infrastructure, as substantiated in the individual element analyses, will be minimal and will not require expansions or capital improvements to the existing facilities. Letters of Availability have been provided from the various service providers.

The project as proposed is compatible with the goals of the Estero Community to provide more mixed-use centers and is consistent with the proposed modifications to the Estero Community Plan contained in CPA2014-00003. We would submit that the conversion of the subject property from Urban Community to Intensive Development with the requested density increases along with inclusion of the site in the Mixed-Use Overlay map (Map 1, page 6 of 8 of the Lee Plan) will represent an enhancement to the Land Use Plan and an improved and more modern pattern of development for the existing residents and surrounding property owners.



SUBURBAN

URBAN
COMMUNITY

URBAN COMMUNITY

COCONUT CROSSING

U.S. 41 (SR 45)

COCONUT ROAD

COCONUT ROAD

URBAN COMMUNITY



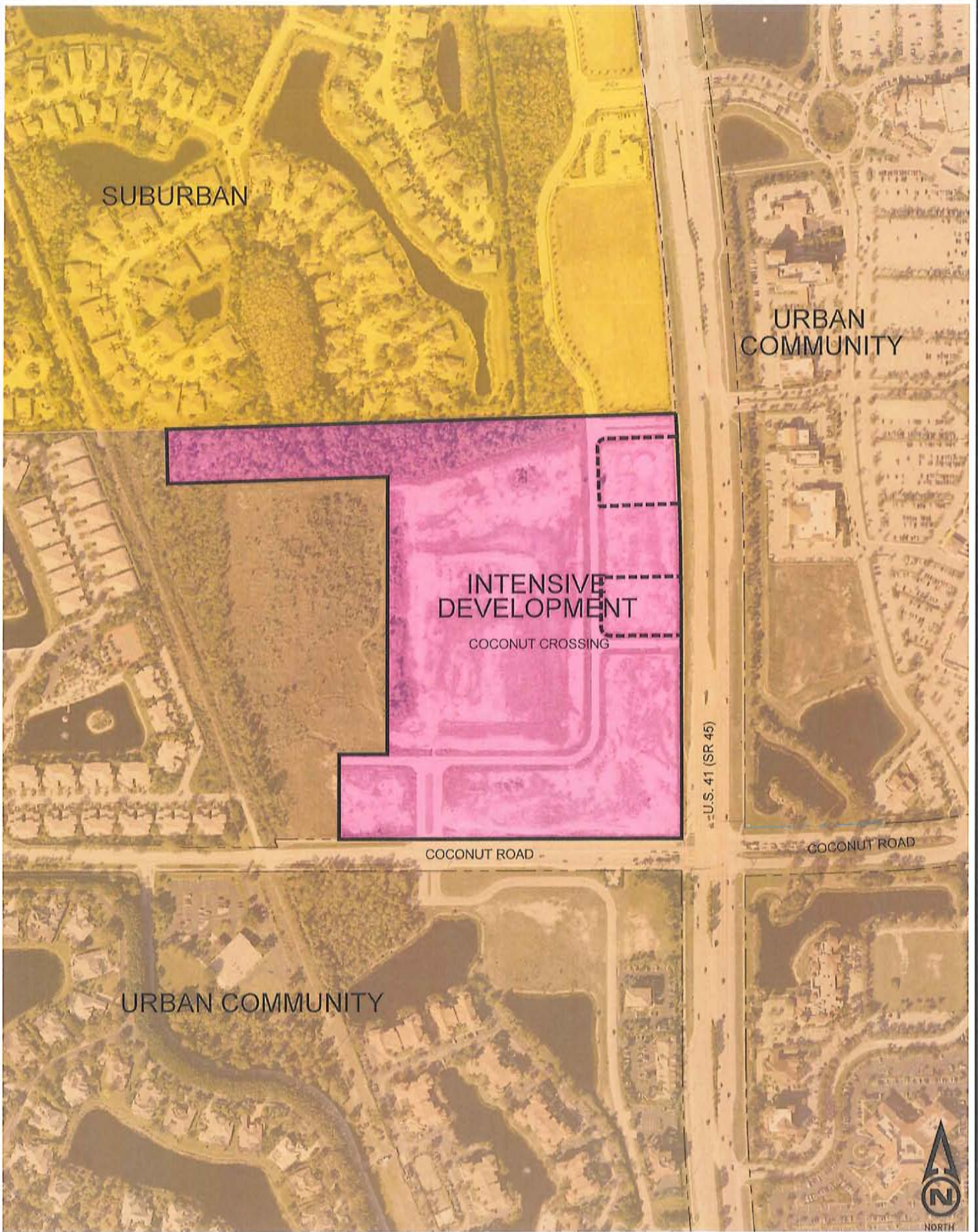
COCONUT CROSSING
CURRENT FUTURE LAND USE MAP
EXHIBIT A.2

PROJECT NO.: 2014.019-B

MAY, 2014



6200 Whiskey Creek Drive
Fort Myers, FL. 33919
Phone : (239) 985-1200
Florida Certificate of Authorization No.1772
Naples - Fort Myers



SUBURBAN

URBAN
COMMUNITY

INTENSIVE
DEVELOPMENT

COCONUT CROSSING

U.S. 41 (SR 45)

COCONUT ROAD

COCONUT ROAD

URBAN COMMUNITY



NORTH

COCONUT CROSSING
PROPOSED FUTURE LAND USE MAP

EXHIBIT A.3

PROJECT NO.: 2014.019-B

MAY, 2014



6200 Whiskey Creek Drive
Fort Myers, FL. 33919
Phone : (239) 985-1200
Florida Certificate of Authorization No.1772
Naples - Fort Myers



COCONUT CROSSING
 EXISTING LAND USES
 EXHIBIT A.4

PROJECT NO.: 2014.019-B

MAY, 2014



6200 Whiskey Creek Drive
 Fort Myers, FL. 33919
 Phone : (239) 985-1200
 Florida Certificate of Authorization No.1772
 Naples - Fort Myers

ATTACHMENT IV.A.

3. 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.

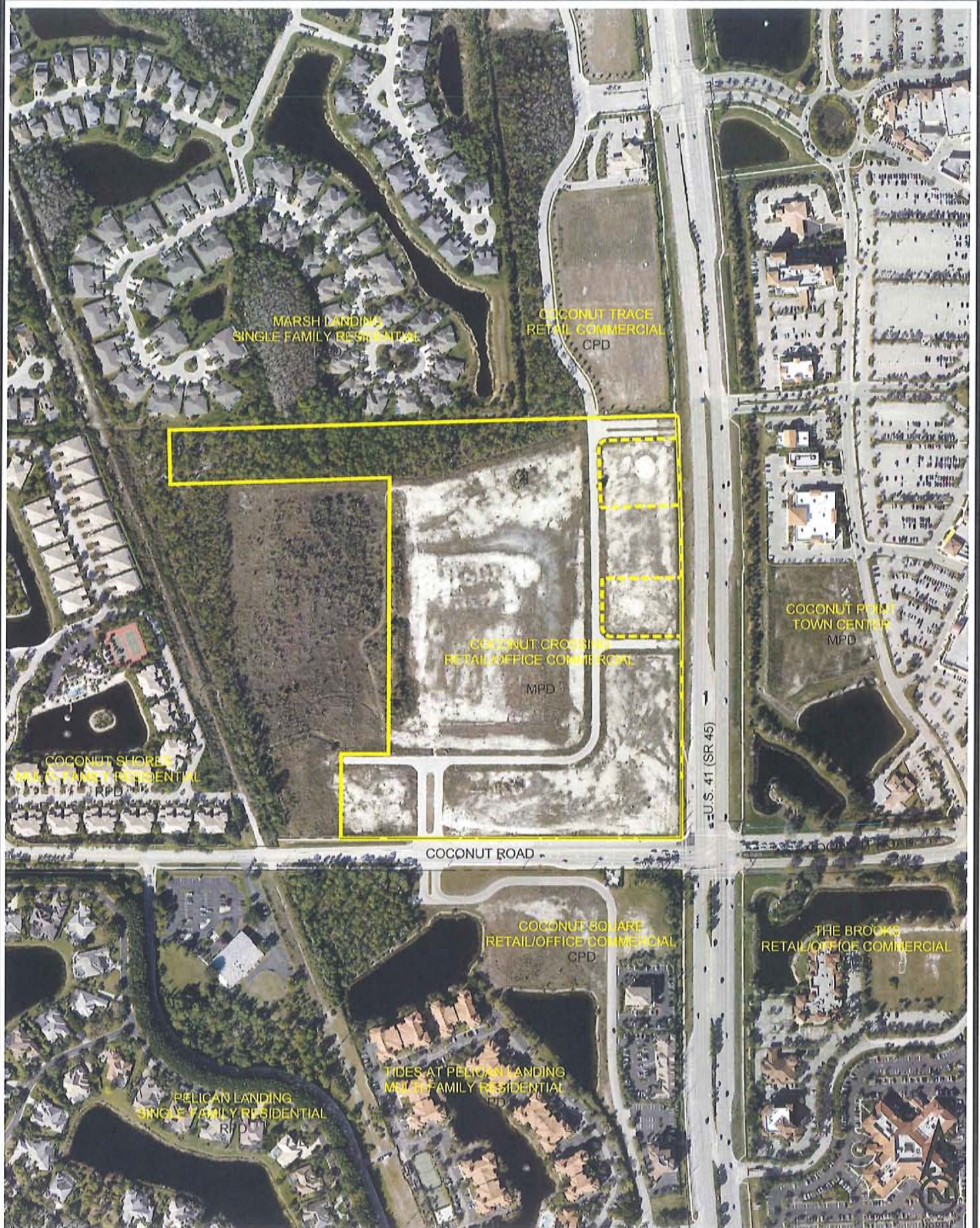
The subject property is located at the NW corner of US 41 and Coconut Road in Estero. To the north and northwest of the property is Marsh Landing, and existing single family residential subdivision. To the north and northeast of the property is Coconut Trace, an existing retail/office commercial subdivision that currently includes a bank and eight vacant out-parcels. To the east is the Coconut Point Town Center, an existing retail/office and regional mall consisting of over 1.4 million sf of retail commercial. To the south and south east is Coconut Square, a commercial subdivision that includes existing office space and a bank as well as two vacant development lots/tracts. To the south and southwest of the property is the Pelican Landing DRI, an existing residential community. To the west of the property is Coconut Shores, an existing multi-family residential development.

The proposed property will be developed as a mixed use community with the majority of proposed residential units and commercial floor area oriented with access connection to the, northeast, east and south towards existing commercially and residentially developed areas. Buffering in the form of existing natural preserve areas in conjunction with berm/wall/landscaping combinations will assist in transitioning from the existing lower intensity uses to the north and west. The proposed development will be designed as a multi-modal, residential and commercial service oriented development that will blend into the existing high intensity adjacent commercial developments and provide services for the adjacent lower intensity residential uses.

4. Map and describe existing zoning of the subject property and surrounding properties.

The subject property currently consists of MPD zoning which allows for a maximum of 250,000 sf retail commercial and 50,000 sf office. The property is surrounded by CPD to the north and north east, MPD to the east,

CPD to the south and southeast, RPD to the south and southwest, RPD to the west, and RPD to the north and northwest.



COCONUT CROSSING
 EXISTING ZONING MAP
 EXHIBIT A.5



6200 Whiskey Creek Drive
 Fort Myers, FL. 33919
 Phone : (239) 985-1200
 Florida Certificate of Authorization No.1772
 Naples - Fort Myers



HM PROJECT #2014019
5/22/2014
REF. DWG. #B-6933
Page 1 of 1

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN A PORTION OF SECTION 9, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF TRACT 'D'. COCONUT SHORES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 65, AT PAGES 29-31 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THE SAME BEING A POINT ON THE SOUTH LINE OF A 25 FOOT WIDE R-O-W TAKE PARCEL, FOR COCONUT RD (PUBLIC R-O-W OF VARYING WIDTH) AS RECORDED AS INSTRUMENT NO. 2008000177809; THENCE RUN N.89°57'23"E., ALONG SAID R-O-W TAKE LINE, FOR A DISTANCE OF 192.57 FEET TO A POINT ON THE EAST LINE OF THAT PARCEL AS RECORDED IN SPECIAL WARRANTY DEED IN O.R. BOOK 4850, PAGE 2420 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN N. 00°05'29"W., ALONG SAID EAST PARCEL LINE FOR A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE N.00°05'29"W., ALONG SAID EAST PARCEL LINE FOR A DISTANCE OF 264.86 FEET; THENCE RUN N.89°57'23"E., ALONG SAID EAST PARCEL LINE FOR A DISTANCE OF 150.73 FEET; THENCE RUN N.00°07'55"E., ALONG SAID EAST PARCEL LINE FOR A DISTANCE OF 869.25 FEET; THENCE RUN S.88°15'44"W., ALONG SAID EAST PARCEL LINE FOR A DISTANCE OF 689.92 FEET; THENCE RUN N.01°44'16"W., ALONG SAID EAST PARCEL LINE FOR A DISTANCE OF 169.10 FEET TO A POINT ON THE SOUTH LINE OF MARSH LANDING, ACCORDING TO THE PLAT THEREOF AS RECORDED AT PLAT BOOK 58, AT PAGES 42-49, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN N.88°15'44"E., ALONG THE SOUTH LINE OF SAID MARSH LANDING, FOR A DISTANCE OF 1076.74 FEET TO THE NORTHEAST CORNER OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE RUN N.88°23'00"E., ALONG THE SOUTH LINE OF SAID MARSH LANDING AND ALONG THE SOUTH LINE OF COCONUT TRACE, ACCORDING TO THE PLAT THEREOF AS RECORDED AS INSTRUMENT NO. 2006000423660 FOR A DISTANCE OF 517.07 FEET, TO THE SOUTHEAST CORNER OF OUT-PARCEL D, OF SAID COCONUT TRACE AND TO A POINT ON THE WESTERLY R-O-W LINE OF U.S. HIGHWAY 41 (STATE RD 45 - TAMIAMI TRAIL, A 200 FOOT WIDE PUBLIC R-O-W) THE SAME BEING A POINT ON A CIRCULAR CURVE, CONCAVE WESTERLY, WHOSE RADIUS POINT BEARS S.86°47'55"W., THEREFROM; THENCE RUN SOUTHERLY, ALONG THE WESTERLY R-O-W LINE OF SAID U.S. HIGHWAY 41 AND ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 11,391.16 FEET, THROUGH A CENTRAL ANGLE OF 02°56'18", SUBTENDED BY A CHORD OF 584.13 FEET AT A BEARING OF S.01°43'56"E., FOR A DISTANCE OF 584.20 FEET TO THE END OF SAID CURVE; THENCE RUN S.00°15'47"E., ALONG THE WESTERLY R-O-W LINE OF SAID U.S. HIGHWAY 41, FOR A DISTANCE OF 744.89 FEET TO A POINT ON THE NORTHERLY R-O-W LINE OF COCONUT RD, ACCORDING TO THE 25 FOOT WIDE R-O-W TAKE PARCEL AS RECORDED AS INSTRUMENT NO. 2008000173146; THENCE RUN S.89°57'23"W., ALONG SAID NORTHERLY R-O-W LINE OF COCONUT RD, FOR A DISTANCE OF 1071.77 FEET, TO THE POINT OF BEGINNING; CONTAINING 31.265 ACRES, MORE OR LESS.

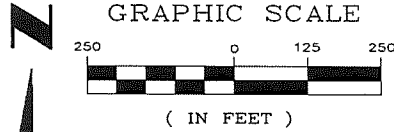
THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.

BEARINGS SHOWN HEREON REFER TO THE NORTHERLY RIGHT OF WAY LINE OF COCONUT RD AS BEING S.89°57'23"W.

HOLE MONTES, INC.
CERTIFICATE OF AUTHORIZATION NUMBER LB 1772

BY  P.S.M. #5628
THOMAS M. MURPHY STATE OF FLORIDA

CURVE	RADIUS	DELTA ANGLE	CHORD LENGTH	CHORD BEARING	ARC LENGTH
C1	11391.16'	2°56'18"	584.13'	S 01°43'56" E	584.20'

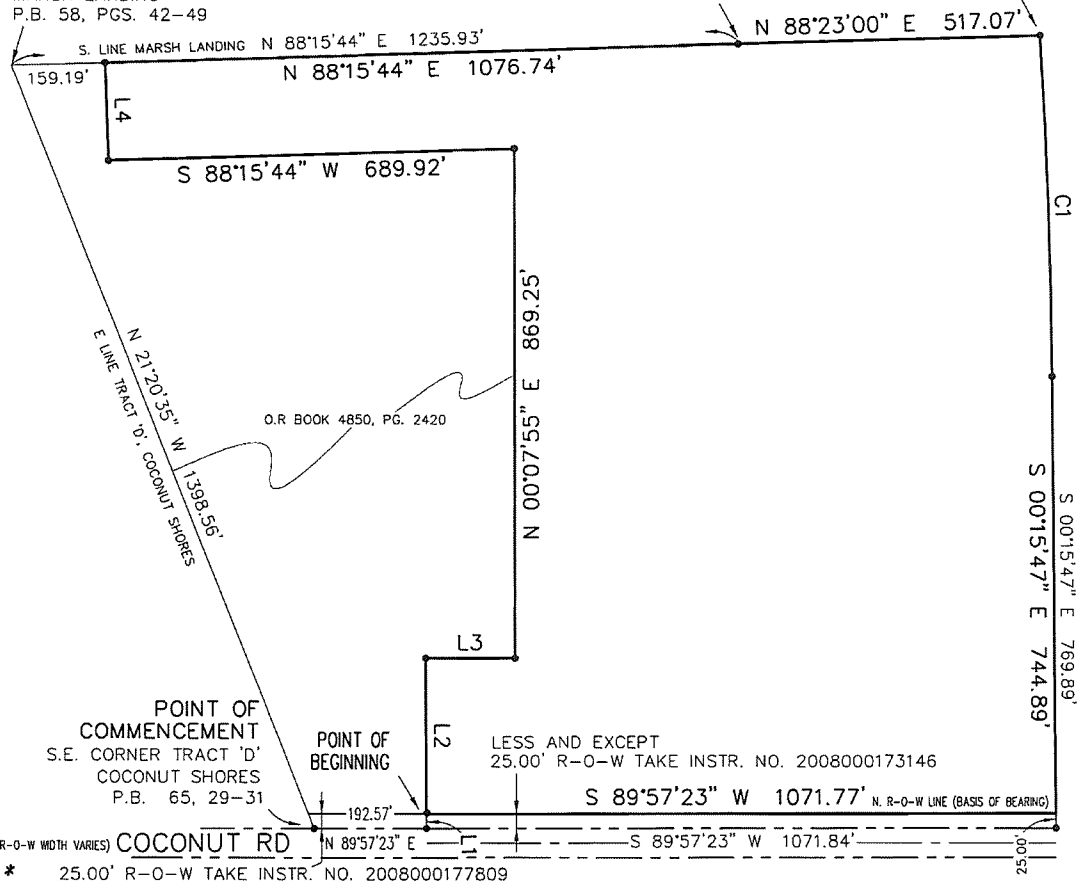


LINE	BEARING	DISTANCE
L1	N 00°05'29" W	25.00'
L2	N 00°05'29" W	264.86'
L3	N 89°57'23" E	150.73'
L4	N 01°44'16" W	169.10'

SOUTHWEST CORNER
TRACT 'I'
MARSH LANDING
P.B. 58, PGS. 42-49

NORTHEAST CORNER
SOUTH HALF, NORTHWEST QUARTER
SEC 9-47-25

SOUTHEAST CORNER
OUT-PARCEL D
COCONUT TRACE
INSTR. NO. 2006000423660



*** NOT A SURVEY *** 25.00' R-O-W TAKE INSTR. NO. 2008000177809

SEC--TWN--RGE: 9-47-58	
DRAWN BY: BEN	DATE 5/14
CHECKED BY: TMM	DRAWING NO. B-6933



950 Encore Way
Naples, FL 34110
Phone: (239) 254-2000
Florida Certificate of
Authorization No.1772

SKETCH TO ACCOMPANY A LEGAL DESCRIPTION

PROJECT NO. 14.019
REFERENCE NO. COMB

H:\2014\20140509\DWG\SKETCHES\COMB.dwg Tab: Layout1 May 22, 2014 - 12:13pm Plotted by: BenNovel

35-0
11,000.00

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

CASE NO. 2:11-CV-00321-JES-DNF

IBERIABANK,

Plaintiff,

v.

COCONUT 41, LLC, *et al.*,

Defendants.

CERTIFICATE OF TITLE

The undersigned Special Master, appointed by the Court pursuant to the Order dated February 4, 2013 (Doc. #311), certifies that he executed and filed a Certificate of Sale in this action on April 26, 2013, for the property described herein, that no objections to the sale have been filed within the time allowed for filing objections, and that the sale has been confirmed by the Court pursuant to the Order dated May 15, 2013 (Doc. #338).

The following property in Lee County, Florida:

A portion of Section 9, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Commencing at the West quarter corner of Section 9, Township 47 South, Range 25 East, Lee County, Florida; thence N 01° 00' 32" W, a distance of 55.00 feet to a point on the Northerly right-of-way line of Coconut Road, a 50.00 foot right-of-way as the same is described in Official Records Book 1738, Page 2538 of the Public Records of Lee County, Florida; thence S. 89° 56' 40" E, along the Northerly right-of-way line of Coconut Road, a distance of 2,093.24 feet to the Point of Beginning of the parcel of land herein described; thence N 00° 00' 28" E, a distance of 290.01 feet; thence S 89° 56' 39" E, a distance of 150.73 feet; thence N 00° 03' 21" E, a distance of 868.82 feet; thence S 88° 20' 48" W, a distance of 690.29 feet; thence N 01° 39' 12" W, a distance of 170.00 feet to

the South line of the North 1/2 of the Northwest quarter of said Section 9, thence N 88° 20' 48" E, along said South line, a distance of 1,080.32 feet to the Southwest corner of the North Half of the Northeast quarter of said Section 9; thence N 88° 30' 03" E, along the South line of the North 1/2 of said Northeast quarter, a distance of 516.62 feet to the Westerly right-of-way line of Tamiami Trail (State Road 45) the same being a point on a curve to the right, having: A radius of 11,391.116 feet, a central angle of 02° 56' 26", a chord bearing of S 01° 38' 01" E, and a chord length of 584.54 feet; thence along said Westerly right of way line and the arc of said curve an arc length of 584.61 feet to the end of said curve; thence S 00° 09' 48" E, along said Westerly right of way line, a distance of 770.12 feet to the Northerly right of way line of said Coconut Road; thence N 89° 56' 40" W, along said Northerly right of way line a distance of 1,071.87 feet to the Point of Beginning;

LESS AND EXCEPT THEREFROM those certain parcels conveyed by Corporate Warranty Deeds recorded in Official Records Instrument No. 2007000208549 and Official Records Instrument No. 2007000218031, Public Records of Lee County, Florida.

AND FURTHER LESS AND EXCEPT THEREFROM that certain parcel conveyed by Warranty Deed recorded in Official Records Instrument No. 2008000173146, Public Records of Lee County, Florida.

was sold to OB Florida CRE Holdings, LLC, a Florida limited liability company.

WITNESS my hand on May 30, 2013.

Witness: USA M. Augusto

Printed name: USA M. Augusto

Witness: Sharon D. Firloff

Printed name: Sharon D. Firloff


SPECIAL MASTER:

By: Thomas F. Icard, Jr., Esq.

Thomas F. Icard, Jr., Esq.
Florida Bar No. 162741
Icard, Merrill, Cullis, Timm,
Furen & Ginsburg, P.A.
2033 Main Street
Suites 500 and 600
Sarasota, Florida 34237

STATE OF FLORIDA)
) SS
COUNTY OF SARASOTA)

The foregoing instrument was acknowledged before me on this 30th day of May, 2013,
by Thomas F. Icard, Jr., Esq., as Special Master, who is personally known to me or produced
N/A as identification.



Notary Public

My Commission Expires:

Sharon D. Firlotte
Print or Stamp Name of Notary Public



Service List:

Andrew I. Solis
David T. Lupo
Cohen & Grigsby, P.C.
9110 Strada Place
Mercato - Suite 6200
Naples, FL 34108-2938

Stuart Jay Levine
Walters Levine Klingensmith & Thomson, P.A.
601 Bayshore Blvd., Suite 720
Tampa, FL 33606

Hole Montes, Inc.
950 Encore Way
Naples, FL 34110
Attn: Tom Taylor, President

Michael E. Strauch
Merrick L. Gross
Aaron S. Weiss
Carlton Fields, P.A.
100 S.E. Second Street, Suite 4200
Miami, FL 33131

Aaron A. Haak
Knott Ebelini Hart
1625 Hendry Street, Third Floor
Fort Myers, FL 33901

Michael R. D'Onofrio
The D'Onofrio Law Firm, P.A.
1415 Panther Lane, Suite 328
Naples, FL 34109

Douglas B. Szabo
Henderson, Franklin, Starnes & Holt, P.A.
P.O. Box 280
Fort Myers, FL 33902

Prepared by:
Dawn Alsip
Old Republic National Title Insurance
Company
1410 N. Westshore Blvd. #800
Tampa, Fl. 33607
ORT FILE #10010436

FD10 # 09-47-25-00-00002.0080

space above this line for Recorder's use

RECEIVER'S DEED

(Deed Without Covenant, Representation, or Warranty)

STATE OF Louisiana §
 §
COUNTY OF Orleans §

The FEDERAL DEPOSIT INSURANCE CORPORATION, as Receiver for ORION BANK, NAPLES, FLORIDA, a Florida Banking corporation (herein referred to as "Grantor"), whose address is 1601 Bryan Street, Dallas, Texas 75201, the said ORION BANK having been placed in receivership on, November 13, 2009 by the Office of the Comptroller of the Currency, for and in consideration of the sum of \$10.00 and other good and valuable consideration in hand paid to Grantor by IBERIABANK, a Louisiana state bank (herein referred to as "Grantee"), whose address is: 200 West Congress Street, Lafayette, Louisiana 70501, the receipt and sufficiency of which are hereby acknowledged, by these presents does hereby GRANT, SELL and CONVEY to Grantee, without covenant, representation, or warranty of any kind or nature, express or implied, and any and all warranties that might arise by common law and any warranties created by statute, as the same may be hereafter amended or superseded, are excluded, all of Grantor's right, title and interest in that certain real property situated in Palm Beach County, Florida, described on Exhibit "A" attached hereto and made a part hereof for all purposes, together with all of Grantor's right, title and interest in any and all improvements and fixtures thereon and thereto (hereinafter collectively referred to as the "Subject Property"), and all and singular the rights and appurtenances pertaining thereto, including, but not limited to, any right, title and interest of Grantor in and to adjacent streets, alleys or rights-of-way, subject however to all liens, exceptions, easements, rights-of-way, covenants, conditions, restrictions, reservations, encroachments, protrusions, shortages in area, boundary disputes and discrepancies, matters which could be discovered or would be revealed by, respectively, an inspection or current survey of the Subject Property, encumbrances, impositions (monetary and otherwise), access limitations, licenses, leases, prescriptive rights, rights of parties in possession, rights of tenants, co-tenants, or other co-owners, and any and all other matters or conditions affecting the Subject Property, as well as standby fees, real estate taxes, and assessments on the Subject Property for the current year and prior and subsequent years, and subsequent taxes and assessments for prior years due to change in land usage or ownership, and any and all zoning laws, regulations, and ordinances of Municipal and other governmental authorities affecting the

Subject Property (all of the foregoing being collectively referred to as the "Permitted Encumbrances"). Grantee, by its execution and acceptance of delivery of this Receiver's Deed, assumes and agrees to perform all of Grantor's obligations under the Permitted Encumbrances.

FURTHER, GRANTEE, BY ITS EXECUTION AND ACCEPTANCE OF DELIVERY OF THIS RECEIVER'S DEED, ACKNOWLEDGES AND AGREES THAT (i) GRANTOR HAS NOT MADE, DOES NOT MAKE, AND SPECIFICALLY NEGATES AND DISCLAIMS ANY REPRESENTATIONS, WARRANTIES, PROMISES, COVENANTS, AGREEMENTS, OR GUARANTIES OF ANY KIND OR CHARACTER WHATSOEVER, WHETHER EXPRESS OR IMPLIED, ORAL OR WRITTEN, PAST, PRESENT, OR FUTURE, OF, AS TO, CONCERNING, OR WITH RESPECT TO (A) THE VALUE, NATURE, QUALITY, OR CONDITION OF THE SUBJECT PROPERTY, INCLUDING, WITHOUT LIMITATION, THE WATER, SOIL, AND GEOLOGY, (B) THE INCOME TO BE DERIVED FROM THE SUBJECT PROPERTY, (C) THE SUITABILITY OF THE SUBJECT PROPERTY FOR ANY AND ALL ACTIVITIES AND USES WHICH GRANTEE MAY CONDUCT THEREON, (D) THE COMPLIANCE OF OR BY THE SUBJECT PROPERTY OR ITS OPERATION WITH ANY LAWS, RULES, ORDINANCES, OR REGULATIONS OF ANY APPLICABLE GOVERNMENTAL AUTHORITY OR BODY, (E) THE OWNERSHIP, TITLE, POSSESSION, HABITABILITY, MERCHANTABILITY, MARKETABILITY, PROFITABILITY, OR FITNESS FOR A PARTICULAR PURPOSE OF THE SUBJECT PROPERTY, (F) THE MANNER OR QUALITY OF THE CONSTRUCTION OR MATERIALS, IF ANY, INCORPORATED INTO THE SUBJECT PROPERTY, (G) THE MANNER, QUALITY, STATE OF REPAIR, OR LACK OF REPAIR OF THE SUBJECT PROPERTY OR ANY PORTION THEREOF OR ANY IMPROVEMENTS THERETO, (H) THE EXISTENCE, QUALITY, NATURE, ADEQUACY, OR PHYSICAL CONDITION OF ANY UTILITIES SERVING THE SUBJECT PROPERTY, OR (I) ANY OTHER MATTER WITH RESPECT TO THE SUBJECT PROPERTY, AND SPECIFICALLY, THAT GRANTOR HAS NOT MADE, DOES NOT MAKE, AND SPECIFICALLY DISCLAIMS ANY REPRESENTATIONS REGARDING COMPLIANCE WITH ANY ENVIRONMENTAL PROTECTION, POLLUTION, OR LAND USE LAWS, RULES, REGULATIONS, ORDERS, OR REQUIREMENTS, INCLUDING, WITHOUT LIMITATION, THE DISPOSAL OR EXISTENCE, IN OR ON THE SUBJECT PROPERTY, OF ANY HAZARDOUS MATERIALS; (ii) GRANTEE HAS FULLY INSPECTED THE SUBJECT PROPERTY AND THAT THE CONVEYANCE AND DELIVERY HEREUNDER OF THE SUBJECT PROPERTY IS "AS IS" AND "WITH ALL FAULTS", AND GRANTOR HAS NO OBLIGATION TO ALTER, REPAIR, OR IMPROVE THE SUBJECT PROPERTY OR ANY PORTION THEREOF OR ANY IMPROVEMENTS THERETO; AND (iii) NO WARRANTY HAS ARISEN THROUGH TRADE, CUSTOM, OR COURSE OF DEALING WITH GRANTOR, AND ALL STATUTORY, COMMON LAW, AND CUSTOMARY COVENANTS AND WARRANTIES, IF ANY, OF WHATEVER KIND, CHARACTER, NATURE, PURPOSE, OR EFFECT, WHETHER EXPRESS OR IMPLIED OR ARISING BY OPERATION OF LAW, ARE HEREBY EXPRESSLY, UNCONDITIONALLY, AND IRREVOCABLY WAIVED, DISCLAIMED, AND EXCLUDED FROM THIS RECEIVER'S DEED, NOTWITHSTANDING ANY CUSTOM OR PRACTICE TO THE CONTRARY, OR ANY STATUTORY, COMMON LAW, DECISIONAL, HISTORICAL, OR CUSTOMARY

MEANING, IMPLICATION, SIGNIFICANCE, EFFECT, OR USE OF CONTRARY IMPORT OF ANY WORD, TERM, PHRASE OR PROVISION HEREIN.

Further, by its execution and acceptance of delivery of this Receiver's Deed, Grantee or anyone claiming by, through, or under Grantee, hereby fully releases Grantor, its employees, officers, directors, representatives, and agents from any and all claims, costs, losses, liabilities, damages, expenses, demands, actions, or causes of action that it may now have or hereafter acquire, whether direct or indirect, known or unknown, suspected or unsuspected, liquidated or contingent, arising from or related to the Subject Property in any manner whatsoever. This covenant releasing Grantor shall be a covenant running with the Subject Property and shall be binding upon Grantee, its successors and assigns.

TO HAVE AND TO HOLD the Subject Property together with all and singular the rights and appurtenances thereto in any wise belonging, unto Grantee, its successors and assigns forever, **without covenant, representation, or warranty whatsoever, subject, however, to the Permitted Encumbrances.**

The fact that certain encumbrances, limitations, or other matters or conditions may be mentioned, disclaimed, or excepted in any way herein, whether specifically or generally, and whether in the body hereof or any exhibit hereto, shall not be a covenant, representation, or warranty of Grantor as to any encumbrances, limitations, or any other matters or conditions not mentioned, disclaimed, or excepted. Notwithstanding anything herein to the contrary, however, nothing herein shall be construed or deemed as an admission by Grantor or Grantee to any third party of the existence, validity, enforceability, scope, or location of any encumbrances, limitations, or other matters or conditions mentioned, disclaimed, or excepted in any way herein, and nothing shall be construed or deemed as a waiver by Grantor or Grantee of its respective rights, if any, but without obligation, to challenge or enforce the existence, validity, enforceability, scope, or location of same against third parties.

Grantee hereby assumes the payment of all ad valorem taxes, standby fees, and general and special assessments of whatever kind and character affecting the Subject Property which are due, or which may become due, for any tax year or assessment period prior or subsequent to the effective date of this Receiver's Deed, including, without limitation, taxes or assessments becoming due by reason of a change in usage or ownership, or both, of the Subject Property.

[remainder of page intentionally left blank]

This Receiver's Deed is executed pursuant to that certain Purchase and Assumption Agreement between Grantor and Grantee dated as of November 13, 2009

IN WITNESS WHEREOF, this Receiver's Deed is executed by Grantor and Grantee on the dates set forth below their respective signatures hereinbelow.

WITNESSES:

J. A. Mann
at midson

GRANTOR:

FEDERAL DEPOSIT INSURANCE CORPORATION,
as Receiver for ORION BANK, A Florida banking
corporation,

By: *Anthony Restel*

Name: ANTHONY RESTEL

Title: Attorney in Fact

Date: SEPT 8, 2010

WITNESSES:

Catalina Manis
Glennice Carey

GRANTEE:

IBERIA BANK
[type name]

By: *Robert C. Magee*

Name: Robert C. Magee

Title: Exec. V.P.

Date: 9/14, 2010

ACKNOWLEDGMENTS

STATE OF Louisiana §
COUNTY OF Orleans §

This instrument was acknowledged before me on the 8th day of September, 2010, by Anthony Pestel, Attorney in Fact of the Federal Deposit Insurance Corporation, as Receiver for ORION BANK, a Florida banking corporation, on behalf of said entity.

Holly S. PoPham
Notary Public

Holly S. PoPham

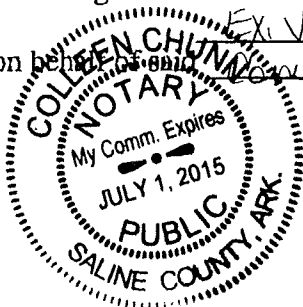
Notary Public

Bar # 29658

My Commission Is For Life

STATE OF Arkansas §
COUNTY OF Pulaski §

This instrument was acknowledged before me on the 14 day of September, 2010 of Robert Magee, Ex. Vice President of Iberiabank fsb, on behalf of said company.



Colleen Chuang
Notary Public

EXHIBIT "A"

(Legal Description)

A parcel of land located in a portion of Section 9, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Commence at the Southeast corner of Tract "D", Coconut Shores, according to the plat thereof as recorded in Plat Book 65, pages 29 through 31, of the Public Records of Lee County, Florida; thence run N.89°57'23"E., along the Northerly right-of-way line of Coconut Road, having a 50.00 foot wide right-of-way, for a distance of 1,264.72 feet to a point on the Westerly right-of-way line of U.S. 41, State Road 45, having a 200.00 foot wide right-of-way; thence run N.00°15'47"W., along the Westerly right-of-way line of said U.S. 41, for a distance of 659.62 feet to the Point of Beginning of the parcel of land herein described; thence run S.89°44'13"W., for a distance of 220.00 feet to the beginning of a tangential circular curve, concave Northeasterly; thence run Northwesterly along the arc of said curve to the right, having a radius of 30.00 feet, through a central angle of 90°00'00", subtended by a chord of 42.43 feet at a bearing of N.45°15'47"W., for a distance of 47.12 feet to the end of said curve; thence run N.00°15'47"W., for a distance of 80.27 feet to the beginning of a tangential circular curve, concave Westerly; thence run Northerly along the arc of said curve to the left, having a radius of 11,141.16 feet, through a central angle of 00°22'25", subtended by a chord of 72.65 feet at a bearing of N.00°27'00"W., for a distance of 72.65 feet to the end of said curve; thence run N.89°21'48"E., for a distance of 250.00 feet to a point on the Westerly right-of-way line of said U.S. 41, the same being a point on a circular curve, concave Westerly, whose radius point bears S.89°21'48"W., a distance of 11,391.16 feet therefrom; thence run Southerly along the Westerly right-of-way line of said U.S. 41 and along the arc of said curve to the right, having a radius of 11,391.16 feet, through a central angle of 00°22'25", subtended by a chord of 74.28 feet at a bearing of S.00°27'00"E., for a distance of 74.29 feet to the end of said curve; thence run S.00°15'47"E., along the Westerly right-of-way line of said U.S. 41, for a distance of 110.27 feet to the Point of Beginning.

ORT FILE 10010436

This Document Prepared by:
Michael B. Johnson, Esq.
JOHNSON & STEPHENS, P.C.
4809 Cole Avenue, Suite 260
Dallas, Texas 75205

Recording requested by
and when recorded return to:
Stephanie Taylor
Chicago Title Company
1875 Lawrence Street, Suite 1300
Denver Colorado 80202

Send tax statements to:
JTC Squared/Coconut Crossings, LLC
2210 Vanderbilt Beach Road, Suite 1201
Naples, Florida 34109

Parcel ID No.: 09-47-25-00-00002.0070
Documentary Stamps: \$1,750.00

_____ Space above this line for Recorder's use only.

Return to Susie Jackson
Chicago Title Insurance Company/
690 W. Cypress Street, Ste. A
Naples, FL 33607
File # 253786547

Asset No. 10181004752
23201 Lyden Court, Estero FL

SPECIAL WARRANTY DEED

STATE OF FLORIDA §
 §
COUNTY OF LEE §

RECITALS

WHEREAS, FLORIDA COMMUNITY BANK (the "Institution"), acquired that certain property situated in Lee County, Florida, as described on Exhibit "A" attached hereto and made a part hereof for all purposes (the "Property") by that certain Corporate Warranty Deed dated June 28, 2007, and recorded as Instrument No. 2007000208549 of the Official Records of Lee County, Florida, on July 2, 2007; and

WHEREAS, the Institution was closed by the State of Florida Office of Financial Regulation on January 29, 2010, and the **FEDERAL DEPOSIT INSURANCE CORPORATION** (the "FDIC") was appointed as receiver for the Institution (the "Receiver"); and

WHEREAS, as a matter of federal law, 12 U.S.C. § 1821(d)(2)(A)(i), the Receiver

NOW, THEREFORE, the Receiver (hereinafter "Grantor"), whose address is 1601 Bryan Street, Dallas, Texas 75201, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and subject to any reservations from and exceptions to conveyance and warranty stated herein, grants, sells and conveys unto **JTC SQUARED/COCONUT CROSSINGS, LLC**, a Florida limited liability company, whose address is 2210 Vanderbilt Beach Road, Suite 1201, Naples, Florida 34109, (hereinafter "Grantee"), the Property, any and all improvements located thereon and affixed thereto, together with all and singular the rights and appurtenances pertaining to the Property or in any wise belonging thereto, including any right, title and interest of Grantor in and to adjacent streets, alleys or rights-of-way, to have and hold the Property unto Grantee, Grantee's successors and assigns forever, subject to the reservations and exceptions hereinafter set forth.

Grantor binds Grantor and Grantor's successors and assigns to warrant and forever defend the title to the Property to Grantee and Grantee's heirs, executors, administrators, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to any reservations from and exceptions to conveyance and warranty herein, when and only when the claim is by, through, or under Grantor but not otherwise.

The Property is conveyed subject to, and the warranty herein contained expressly excludes, all easements, rights-of-way, exceptions, covenants, conditions, restrictions, encroachments, reservations, encumbrances, access limitations, and all other matters or conditions affecting the Property.

BY ACCEPTANCE OF THIS DEED, GRANTEE ACKNOWLEDGES THAT GRANTOR HAS NOT MADE AND DOES NOT MAKE ANY REPRESENTATIONS AS TO THE PHYSICAL CONDITION OF THE PROPERTY, OR ANY OTHER MATTER AFFECTING OR RELATED TO THE PROPERTY (OTHER THAN WARRANTIES OF TITLE AS PROVIDED AND LIMITED HEREIN). GRANTEE EXPRESSLY AGREES THAT TO THE MAXIMUM EXTENT PERMITTED BY LAW, THE PROPERTY IS CONVEYED "AS IS" AND "WITH ALL FAULTS", AND GRANTOR EXPRESSLY DISCLAIMS, AND GRANTEE ACKNOWLEDGES AND ACCEPTS THAT GRANTOR HAS DISCLAIMED, ANY AND ALL REPRESENTATIONS, WARRANTIES OR GUARANTEES OF ANY KIND, ORAL OR WRITTEN, EXPRESS OR IMPLIED (EXCEPT AS TO TITLE AS HEREIN PROVIDED AND LIMITED) CONCERNING THE PROPERTY, INCLUDING, WITHOUT LIMITATION, (i) THE VALUE, CONDITION, MERCHANTABILITY, HABITABILITY, MARKETABILITY, PROFITABILITY, SUITABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE, OF THE PROPERTY, (ii) THE MANNER OR QUALITY OF THE CONSTRUCTION, OR THE MATERIALS, IF ANY, INCORPORATED INTO THE CONSTRUCTION, OF ANY IMPROVEMENTS TO THE PROPERTY, (iii) THE MANNER OF REPAIR QUALITY OF REPAIR, STATE OF REPAIR OR LACK OF REPAIR OF ANY SUCH IMPROVEMENTS, AND (iv) ACCESS. GRANTEE HAS MADE ALL INSPECTIONS OF THE PROPERTY TO DETERMINE ITS VALUE AND CONDITION DEEMED NECESSARY OR

RELYING ON ANY INFORMATION PROVIDED BY GRANTOR IN DETERMINING THE PROPERTY CONDITION. BY ACCEPTANCE OF THIS DEED, GRANTEE SPECIFICALLY ASSUMES ALL RISK, COSTS AND LIABILITIES OF WHATEVER NATURE ARISING OUT OF THE CONDITION OF THE PROPERTY.

This Special Warranty Deed is executed and delivered by Grantor, and accepted by Grantee, pursuant to that certain Real Estate Purchase and Sale Contract ("Contract") dated effective May 31, 2011, by and between Grantor and Grantee, as amended and assigned. The provisions of Section 9 of the Contract, entitled "Property Condition", are hereby incorporated herein, acknowledged by Grantee and made binding upon Grantee the same as if such provisions were set forth verbatim herein.

When the context requires, singular nouns and pronouns include the plural.

The remainder of this page is left blank. The signature page(s) follow.

Signed, sealed and delivered in the presence of: GRANTOR:

Keith MacDonald

Witness Signature

Printed Witness Name: Keith MacDonald

FEDERAL DEPOSIT INSURANCE CORPORATION AS RECEIVER FOR FLORIDA COMMUNITY BANK

Dalphine Dave

Witness Signature

Printed Witness Name: Dalphine Dave

By: Duval S. Farrar

Printed Name:

Title: Attorney in Fact Duval S. Farrar
ATTORNEY IN FACT

STATE OF Florida §

COUNTY OF Duval §

This instrument was ACKNOWLEDGED before me, on the 21st day of March, 2012, by Duval S. Farrar, Attorney in Fact for the **FEDERAL DEPOSIT INSURANCE CORPORATION AS RECEIVER FOR FLORIDA COMMUNITY BANK**, on behalf of said entity.

[SEAL]

NOTARY PUBLIC-STATE OF FLORIDA
Kathryn F. Swanson
Commission # EE047379
Expires: DEC. 07, 2014
BONDED THRU ATLANTIC BONDING CO., INC.

My Commission Expires:

12/07/2014

Kathryn F Swanson
Notary Public, State of Florida

Kathryn F Swanson
Printed Name of Notary Public

EXHIBIT "A"

Legal Description of the Property

A parcel of land located in Section 9, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Commence at the Southeast corner of Tract "D", Coconut Shores, according to the plat thereof as recorded in Plat Book 65, Pages 29 through 31 of the Public Records of Lee County, Florida; thence run N 21° 20' 35" W., along the Easterly line of said Tract "D", for a distance of 1398.56 feet to the Southwest corner of Tract "I", Marsh Landing, according to the plat thereof as recorded in Plat Book 58, Pages 42 through 49 of the Public Records of Lee County, Florida; thence run N 88° 15' 44" E, for a distance of 1236.24 feet, to the Northeast corner of the South Half of the Northwest Quarter of Section 9, Township 47 South, Range 25 East, Lee County, Florida; thence run N 88° 23' 00" E, for a distance of 517.07 feet, to a point on the Westerly right-of-way line of U.S. Highway 41 (State Road 45) a 200 foot wide right-of-way, the same being a point on a circular curve concave Westerly, whose radius point bears S 86° 47' 55" W., a distance of 11,391.16 feet therefrom; thence run Southerly along the Westerly right-of-way line of U.S. Highway 41 and along the arc of said curve to the right, having a radius of 11,391.16 feet, through a central angle of 00° 21' 50", subtended by a chord of 72.36 feet at a bearing of S 03° 01' 10" E, for a distance of 72.36 feet to the Point of Beginning of the parcel of land herein described, thence continue along the Westerly right-of-way line of said U.S. Highway 41 and along the arc of said curve to the right, having a radius of 11,391.16 feet, through a central angle of 01° 03' 18", subtended by a chord of 209.77 feet at a bearing of S 02° 18' 36" E, for a distance of 209.77 feet to the end of said curve; thence run S 88° 13' 03" W, for a distance of 250.00 feet to a point on a circular curve concave westerly, whose radius point bears S 88° 13' 03" W a distance of 11,141.16 feet therefrom; thence run Northwesterly along the arc of said curve to the left, having a radius of 11,141.16 feet, through a central angle of 00° 57' 05", subtended by a chord of 185.00 feet at a bearing of N 02° 15' 29" W, for a distance of 185.01 feet to a point of reverse curve, concave Southeasterly, thence run Northeasterly along the arc of said curve to the right, having a radius of 25.00 feet through a central angle of 91° 07' 02", subtended by a chord of 35.70 feet at a bearing of N 42° 49' 29" E, for a distance of 39.76 feet to the end of said curve; thence run N 88° 23' 00" E, for a distance of 224.54 feet to the point of beginning.

Tax Parcel ID No.: 09-47-25-00-00002.0070

Commonly known as 23201 Lyden Court, Estero, Florida 33928

(Leave Blank Above this Line for Recording Information)
(Space above this line must be at least 3 Inches)

LIMITED POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS, that the **FEDERAL DEPOSIT INSURANCE CORPORATION**, a Corporation organized and existing under an Act of Congress, hereinafter called the "FDIC," acting in its Receivership capacity or separate Corporate capacity or as Manager of the FSLIC Resolution Fund has acquired and will acquire certain assets for liquidation and has determined that it is necessary to appoint a representative to act on its behalf in connection with the maintenance and liquidation of said assets, hereinafter called the "Acquired Assets."

WHEREAS, the FDIC desires to designate **DUVAL SCOTT FARRAR** as attorney-in-fact for the limited purpose of facilitating the management and disposition of the Acquired Assets; and

WHEREAS, the undersigned has full authority to execute this instrument on behalf of the FDIC under applicable Resolutions of the FDIC's Board of Directors and redelegations thereof.

NOW, THEREFORE, the FDIC appoints **DUVAL SCOTT FARRAR** as its true and lawful attorney-in-fact to act in its name, place, and stead, and hereby grants **DUVAL SCOTT FARRAR** the authority, subject to the limitations herein, as follows:

(1) Sign, seal and deliver as the act and deed of the FDIC any instrument in writing, and to do every other thing necessary and proper for the collection and recovery of any and all monies and properties of every kind and nature whatsoever for and on behalf of the FDIC and to give proper receipts and acquittance therefor in the name and on behalf of the FDIC;

(2) Release, discharge or assign any and all judgments, mortgages on real estate or personal property, including the release and discharge of the same of record in the Official or Public Records of the Clerk of any Circuit Court or any other official public records or registries, wherever located, where payments on account of the same in redemption or otherwise may have been made by the

debtor(s), and to endorse receipt of such payment upon the records in any appropriate public office;

(3) Receive, collect and give all proper acquittance for any other sums of money owing to the FDIC for any Acquired Asset which the attorney-in-fact may sell or dispose of;

(4) Execute any and all transfers and assignments as may be necessary to assign any securities or other choses in action;

(5) Sign, seal, acknowledge and deliver any and all agreements, easements, or conveyances as shall be deemed necessary or proper by the FDIC attorney-in-fact in the care and management of the Acquired Assets;

(6) Sign, seal, acknowledge and deliver indemnity agreements and surety bonds in the name of and on behalf of the FDIC;

(7) Sign receipts for the payment of all rents and profits due or to become due on the Acquired Assets;

(8) Execute, acknowledge and deliver deeds of real property in the name of the FDIC;

(9) Extend, postpone, release and satisfy or take such other action regarding any mortgage lien held in the name of the FDIC;

(10) Execute, acknowledge and deliver in the name of the FDIC a power of attorney wherever necessary or required by law to any attorney employed by the FDIC;

(11) Foreclose any mortgage or other lien on either real or personal property, wherever located;

(12) Do and perform every act necessary for the use, liquidation or collection of the Acquired Assets held in the name of the FDIC;

(13) Sign, seal, acknowledge and deliver any and all documents as may be necessary to settle any action(s) or claim(s) asserted against the FDIC, either in its Receivership or Corporate capacity, or as Manager of the FSLIC Resolution Fund.

This Power of Attorney shall be effective **January 18, 2011**, and shall continue in full force and effect through **January 17, 2013**, unless otherwise terminated by any official of the FDIC authorized to do so by the Board of Directors of the FDIC.

IN WITNESS WHEREOF, the FDIC, by its duly authorized officer empowered by appropriate resolution of its Board of Directors, has caused these presents to be subscribed in its name this 06 day of April, 2011.

FEDERAL DEPOSIT INSURANCE CORPORATION

By: Gary L. Lewis
Name: GARY L. LEWIS
Title: Manager of Customer Service -
East Coast Temporary Satellite Office
7777 Baymeadows Way West
Jacksonville, FL 32256

Signed in the presence of:

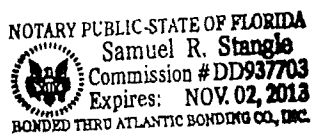
Witness: [Signature]
Printed Name: CAROL J. NUGGIN

Witness: [Signature]
Printed Name: EDDY O. BENCOURT

STATE OF FLORIDA }
 }
COUNTY OF DUVAL }

On this 06 day of April, 2011, before me, a Notary Public in and for the State of Florida appeared GARY L. LEWIS, to me personally known, who, being by me first duly sworn did depose that he/she is Manager of Customer Service, East Coast Temporary Satellite Office of the Federal Deposit Insurance Corporation (the "Corporation"), in whose name the foregoing Limited Power of Attorney was executed and subscribed, and the said Limited Power of Attorney was executed and subscribed on behalf of the said Corporation by due authority of the Corporation's Board of Directors, and the said GARY L. LEWIS, acknowledged the said Limited Power of Attorney to be the free act and deed of said Corporation.

[PLACE NOTARY SEAL BELOW HERE]

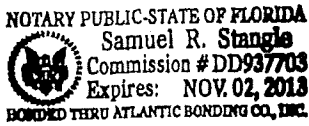


[Signature]
Notary Public
Printed Name of Notary: Samuel R Stangle
Commission No.: DD937703
My Commission expires: NOV 02, 2013

STATE OF FLORIDA }
 }
 COUNTY OF DUVAL }

On this 06 day of April, 2011, before me, a Notary Public in and for the State of Florida appeared Carol J Nugin (witness #1) and Eddy O Betancourt (witness #2), to me personally known to be the persons whose names are subscribed as witness to the foregoing instrument of writing, and after being duly sworn by me stated on oath that they saw **GARY L. LEWIS**, Manager of Customer Service, East Coast Temporary Satellite Office, of the Federal Deposit Insurance Corporation, the person who executed the foregoing instrument, and had subscribed the same, and that they had signed the same as a witness at the request of the person who executed the same.

[PLACE NOTARY SEAL BELOW HERE]



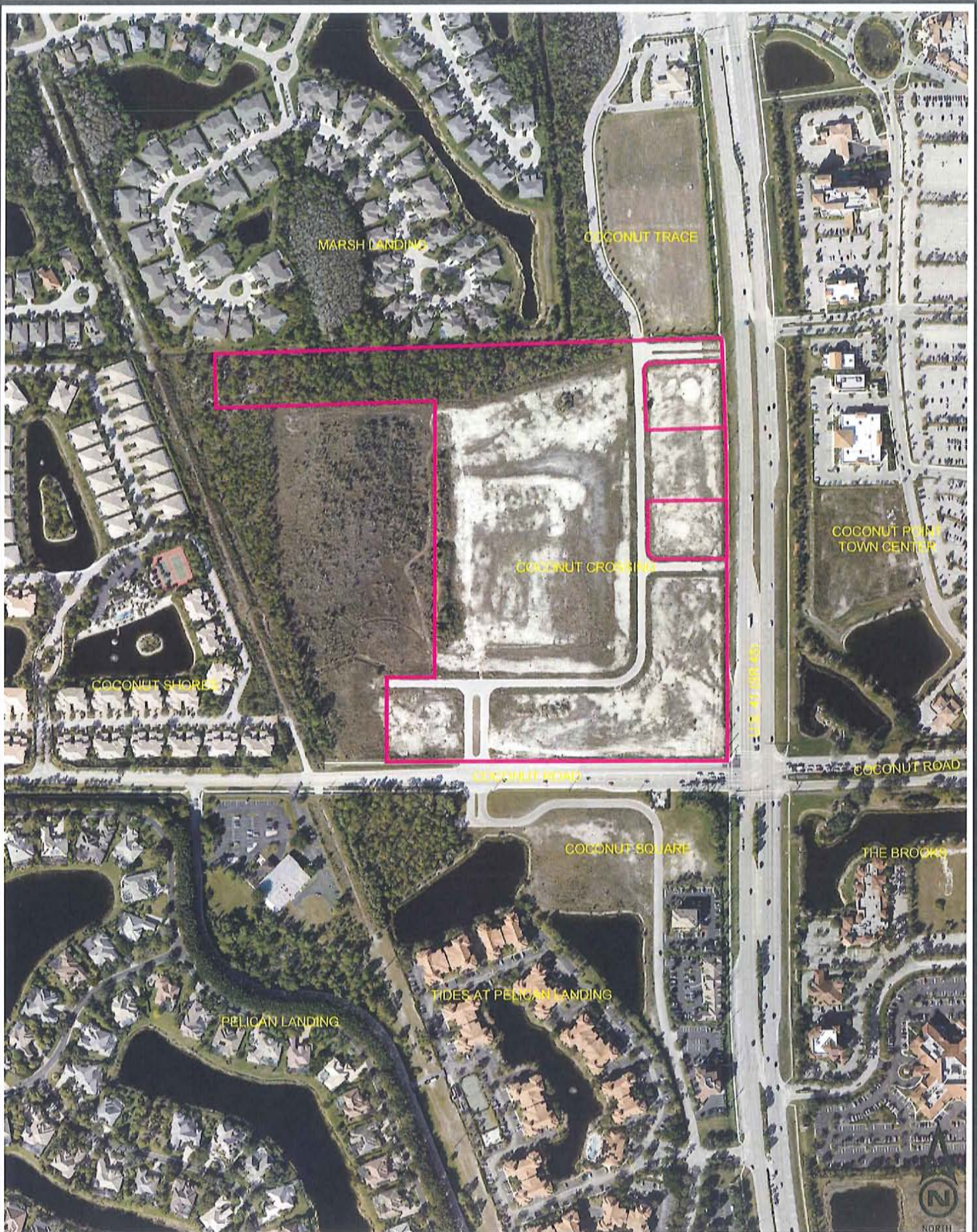
Samuel R Stangle
 Notary Public
 Printed Name of Notary: Samuel R Stangle
 Commission No. : DD937703
 My Commission expires: NOV 02, 2013

CERTIFIED
 COPY OF
 ORIGINAL

TRUE AND CORRECT
 COPY OF ORIGINAL
 FILED IN DUVAL
 COUNTY CLERK'S OFFICE
Eddy O Betancourt 5-3-11
 Signature Date

STATE OF FLORIDA
 DUVAL COUNTY
 I, THE UNDERSIGNED Clerk of the Circuit Court, Duval County, Florida, DO HEREBY CERTIFY the within and foregoing is a true and correct copy of the original as it appears on record, and file in the office of the Clerk of Circuit Court of Duval County, Florida, and the same is in full force and effect.
 WITNESS my hand and seal of Clerk of Circuit Court at Jacksonville, Florida, this the 8 day of April, 2011.

JIM FULLER
 Clerk, Circuit and County Courts
 Duval County, Florida.
 By O. Bloom
 Deputy Clerk



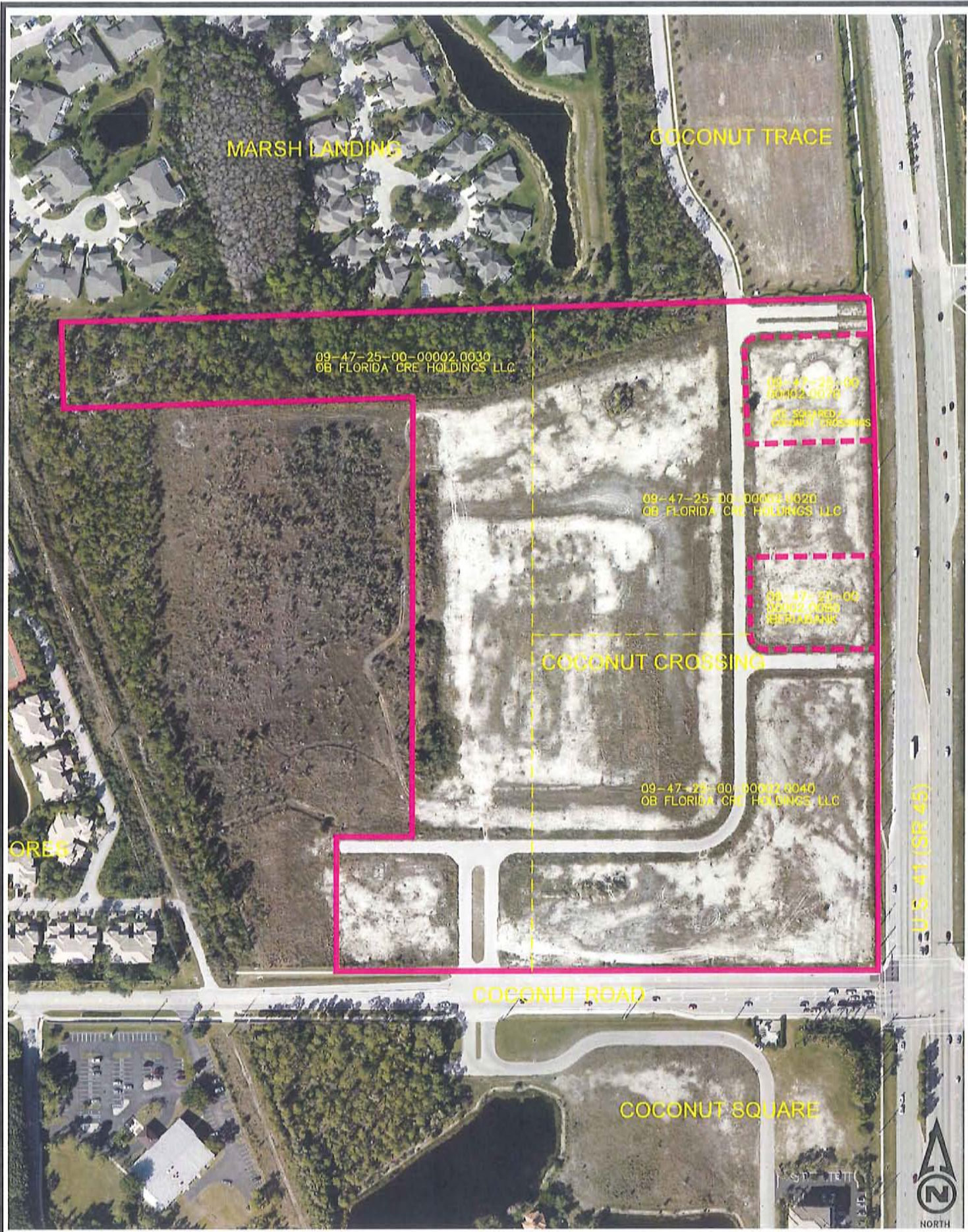
COCONUT CROSSING
AERIAL MAP
EXHIBIT A.8

PROJECT NO.: 2014.019-B

APRIL, 2014



6200 Whiskey Creek Drive
Fort Myers, FL. 33919
Phone : (239) 985-1200
Florida Certificate of Authorization No.1772
Naples - Fort Myers



MARSH LANDING

COCONUT TRACE

09-47-25-00-00002.0030
OB FLORIDA CRE HOLDINGS LLC

09-47-25-00-00002.0070
ALL SCARRED
PROPERTY BOUNDARIES

09-47-25-00-00002.0020
OB FLORIDA CRE HOLDINGS LLC

09-47-25-00-00002.0040
SCARRED BOUNDARIES
PROPERTY BOUNDARIES

COCONUT CROSSING

09-47-25-00-00002.0040
OB FLORIDA CRE HOLDINGS LLC

ORCS

U.S. 41 (SR 45)

COCONUT ROAD

COCONUT SQUARE



COCONUT CROSSING
SUBJECT PROPERTY OWNERS MAP
EXHIBIT A.8-1

PROJECT NO.: 2014.019-B

MAY, 2014



6200 Whiskey Creek Drive
Fort Myers, FL. 33919
Phone : (239) 985-1200
Florida Certificate of Authorization No.1772
Naples - Fort Myers

MEMORANDUM

TO: Mr. Tom McLean, P.E.
Hole Montes, Inc.

FROM: Ted B. Treesh
President

DATE: May 22, 2014

RE: Coconut Crossing CPD
Comprehensive Plan Amendment
Lee County, Florida

TR Transportation Consultants, Inc. has completed a traffic circulation analysis for the proposed Comprehensive Plan Amendment for property within the Coconut Road MPD pursuant to the requirements outlined within the application document for Comprehensive Plan Amendment requests. This analysis will determine the impacts of the requested land use change from Urban Community to Intensive Development. The Coconut Road MPD is a 46 acre mixed use project located at the northwest corner of U.S. 41 and Coconut Road in the Estero area of Lee County, Florida. These amendment would only modify approximately 31.3 acres within the overall MPD. As shown on the currently approved Master Concept Plan for the Coconut Road MPD, the subject 31.3 acres is generally identified as Development Area #1 on the MCP.

The transportation related impacts of the proposed Comprehensive Plan Amendment were evaluated pursuant to the criteria in the application document. This included an evaluation of the long range impact (20-year horizon) and short range impact (5-year horizon) the proposed amendment would have on the existing and future roadway infrastructure.

The proposed Map Amendment would change the future land use designation on the subject site from Urban Community to Intensive Development, which would then permit the 31.3 acres an increase in the density of residential units on the site. Based on the existing land use designation (Urban Community) the subject site could be developed with a mix of commercial office, retail and industrial type uses as well as residential uses with a standard density of 6 units to acre up to a maximum density of 10 units per acre. The proposed land use change to Intensive Development would not change the maximum permitted floor area for commercial uses (retail, office, etc.) but it would increase the

permitted density for residential uses to a standard density of 18 dwelling units per acre up to a maximum density of 25 dwelling units per acre.

The Coconut Road MPD is approved for development based on Zoning Resolution Z-98-075. The internal roadway infrastructure and access drives to U.S. 41 and Coconut Road have been constructed within the MPD. **Table 1** compares the uses and maximum intensities approved under the existing Land Use designation and the uses and densities that would be permitted under the requested Land Use designation.

**Table 1
Land Uses
Coconut Crossing**

Land Use Category	Intensity
Existing Land Use Designation (Urban Community)	1,300,000 sq. ft. of Commercial Uses 6 du/ac (180 units) to 10 du/ac (301 units)
Proposed Land Use Designation (Intensive Development)	1,300,000 sq. ft. of Commercial Uses 18 du/ac (563 units) to 25 du/ac (783 units)

Commercial use assumes an FAR of 1.0

Long Range Impacts (20-year horizon)

The Lee County Metropolitan Planning Organization’s (MPO) 2035 Long Range Transportation Plan was reviewed to determine if any future roadway improvements were planned in the vicinity of the subject site. Based on the review, there were no major roadway improvement on the 2035 Financially Feasible Plan

The Lee County Metropolitan Planning Organization’s (MPO) long range transportation travel model was also reviewed in order to determine the impacts the amendment would have on the surrounding area. The subject site lies within Traffic Analysis Zone (TAZ) 1615. The map showing TAZ 1615 is attached for reference. The TAZ is bordered by U.S. 41 on the east, Coconut Road on the south and Williams Road on the north. The western boundary of the TAZ is approximately one mile west of U.S. 41.

The model has both productions and attractions included in this zone. The productions include both single-family homes, multi-family homes and hotel rooms. The attractions include industrial employment, commercial employment, and service employment. **Table 2** identifies the land uses currently contained in the long range travel model utilized by the MPO and Lee County for the Long Range Transportation Analysis.

**Table 2
TAZ 1615
Land Uses in Existing Travel Model (2035)**

Land Use Category	Intensity
Single Family Dwelling Units	702 dwelling units
Multi-Family Dwelling Units	698 dwelling units
Hotel Rooms	125 rooms
Industrial Employment	163 employees
Commercial Employment	744 employees
Service Employment	1,926 employees

When utilizing standard conversion rates from employees to floor area, the total number of employees within the TAZ would translate into over 7,700,000 square feet of floor area for industrial, commercial and retail uses. Even though the boundaries of the TAZ extend north from Coconut Road to Williams Road, the only commercial property available for development is along the U.S. 41 corridor, with more intensity permitted under current approved zoning at the corners of U.S. 41 and Williams Road and U.S. 41 and Coconut Road.

All of the commercial property within the TAZ currently has an approved PUD through the Lee County zoning process. The total amount of commercial floor area within these approved CPD's is just under 900,000 square feet. Therefore, there is no reasonable expectation that the development within TAZ 1615 will exceed those levels that are identified in the ZDATA file used for attractions (industrial/commercial & retail land uses) computations within the long range travel model. In addition, should the residential development intensity increase within the boundaries of the Coconut Road MPD, it is a likely assumption that the development of commercial floor area will decrease on the subject site. The current zoning on the entire 46 acres (per Z-98-075) includes up to 250,000 square feet of retail, 50,000 square feet of office and 200,000 square feet of light industrial uses. The 200,000 square feet of light industrial uses are located on the Master Concept Plan in what is identified as Development Area #2. Development Area #2 also has the option to be developed with 144 multi-family dwelling units in place of the light industrial uses. The remaining commercial floor area is located on Development Area #1 (the area subject to this Comprehensive Plan Amendment) as identified on the approved Master Concept Plan for Coconut Road MPD. Therefore, the proposed change in land use designation on the subject site from Urban Development to Intensive Development would not have a significant impact on the trip generation characteristics of the TAZ as included in the 2035 travel model.

Short Range Impacts (5-year horizon)

The 2013/2014-2017/2018 Lee County Transportation Capital Improvement Plan and the 2014-2018 Florida Department of Transportation Adopted Work Program were reviewed to determine the short term impacts the proposed land use change would have on the surrounding roadways. Based on this review there are no programmed improvements in the vicinity of the subject site.

Assuming the trip generation of the potential commercial portion of the development is not changed, the only potential increase in trip generation would be from the increase in residential density permitted on the subject site. As previously noted in Table 1, the residential intensity could increase from a maximum dwelling unit count of 313 units to a maximum of 783 units, or an increase of 470 dwelling units.

The trip generation for this potential increase was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled *Trip Generation*, 9th Edition. Land Use Code 230 (Residential Condominiums/Townhouse) was utilized for the trip generation purposes of the residential uses. **Table 3** indicates the trip generation of the subject site as approved under the current Development Order.

**Table 3
Trip Generation
Coconut Crossing**

Land Use	A.M. Peak Hour			P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Multi-Family Dwellings (470 Units.)	30	148	178	143	71	214	2,472

Therefore, the proposed map amendment could increase the overall trip generation of the subject site by approximately 214 vehicle trips during the P.M. peak hour.

As previously discussed, the 31.3 acres that are subject to this map amendment are identified as Development Area #1 on the Master Concept Plan currently approved as part of Zoning Resolution Z-98-075. The development parameters approved in Development Area #1 include up to 250,000 square feet of retail uses and up to 50,000 square feet of office uses. Should multi-family be developed within the 31.3 acres known as Development Area #1, it is reasonable to assume a development scenario of up to 263,000 square feet of retail uses (FAR of 0.2) and up to the maximum permitted density of 783 multi-family dwelling units. This is a reasonable assumption for trip generation purposes to evaluate the short term impacts to the surrounding roadway network. For analysis purposes, the assumption of 783 multi-family dwelling units is very conservative along with the assumed retail uses of 263,000 square feet of retail uses, which is more than what is currently permitted floor area of 200,000 square feet of retail uses. This was compared to the development currently approved within Development Area #1.

The trip generation comparison for the site was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled *Trip Generation*, 9th Edition. Land Use Code 820 (Shopping Center) was utilized for the trip generation purposes of the retail use, Land Use Code 710 (General Office) was utilized for the trip generation purposes of the office use and Land Use Code 230 (Residential Condominium/Townhouse) was utilized for the multi-family dwelling unit trip generation. **Table 4** indicates the trip

generation comparison of the 31.3 acres within the Coconut Road MPD, referred to as Development Area #1.

Table 4
Trip Generation
Development Area #1 Trip Comparison
Coconut Road MPD

Land Use	A.M. Peak Hour			P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Approved Zoning							
Shopping Center (200,000 sq. ft.)	148	90	238	457	496	953	10,656
General Office (50,000 sq. ft.)	97	13	110	22	112	134	775
Total Trips	245	103	348	479	608	1,087	14,431
Proposed Use under New Land Use Designation							
Shopping Center (263,000 sq. ft.)	174	107	281	550	595	1,145	12,732
Multi-Family Residential (783 Units)	46	222	268	218	107	325	3,854
Total Trips	220	329	549	768	702	1,470	16,586
Proposed Land Use – Approved Zoning	-25	+226	+201	+289	+94	+383	+2,155

Positive trip number reflects an increase in trips due to Proposed Land Use Change and negative trip number reflects decrease in trips due to Land Use Change

The trips indicated for the shopping center uses in Table 4 will not entirely be new trips to the adjacent roadway system. Vehicles already traveling the adjoining roadway system, called “pass-by” traffic, reduce the development’s overall impact on the surrounding roadway system but do not decrease the actual driveway volumes. ITE estimates that a retail center of comparable size may attract as much as 10 to 90 percent of its traffic from vehicles already traveling the adjoining roadway system. Lee County limits the maximum permissible pass-by rate for Land Use Code 820 (Shopping Center) to thirty percent (30%). Therefore, a thirty percent (30%) pass-by rate was utilized for Land Use Code 820.

For this analysis, the “pass-by” traffic was accounted for to determine the number of “new” trips the development will add to the surrounding roadways. **Table 4** summarizes the “pass-by” trips reduction factors for the development. **Table 5** summarizes the development traffic and the breakdown between the new trips the development is anticipated to generate and the “pass-by” trips the development is anticipated to attract. It should be noted that the driveway volumes are not reduced as a result of the “pass-by” reduction, only the traffic added to the surrounding streets and intersections.

Table 4
“Pass-by” Trip Reduction Factors
Coconut Crossing

Land Use	Percentage Trip Reduction
Shopping Center (LUC 820)	30%

Table 5
Net New Trip Generation
Coconut Crossing

Land Use	A.M. Peak Hour			P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Total Trips	220	329	549	768	702	1,470	16,586
Less 30% Retail Trips	-52	-32	-84	-165	-179	-344	-3,820
Net New Trips	168	297	465	603	523	1,126	12,766

Table 1A and **Table 2A** attached to this report indicate the projected 5-year planning Level of Service on Coconut Road and U.S. 41 based on the uses that would be permitted under the proposed land use designation. From Table 2A, Coconut Road, east of U.S. 41, and U.S. 41 are anticipated to operate at a Level of Service “C” in the 5 year planning window and Coconut Road west of U.S. 41 is anticipated to operate at LOS “D” in the 5 year planning window. Therefore, based on this analysis no modifications will be necessary to the Lee County or FDOT short term capital improvement program.

Conclusion

The proposed Comprehensive Plan Amendment is to modify the future land use designation on the subject site from Urban Community to Intensive Development. The approximately 31.3-acre site within the Coconut Road MPD would be modified to permit multi-family dwelling units at a standard density of 18 dwelling units per acre up to a maximum of 25 dwelling units per acre. The commercial intensity would not be impacted. Based on the analysis, no modifications are necessary to the Short Term or the Long Range Transportation plan to support the proposed Comprehensive Plan Amendment. In addition, the modifications to land use will not significantly alter the socio-economic data forecasts that were utilized in the development of the Long Range Transportation Plan.

Attachments

APPENDIX

TABLES 1A & 2A

**TABLE 1A
PEAK DIRECTION PROJECT TRAFFIC VS. LOS C LINK VOLUMES
COCONUT CROSSING COMP PLAN - 5 YEAR LOS ANALYSIS**

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 465 VPH IN= 168 OUT= 297
 TOTAL PM PEAK HOUR PROJECT TRAFFIC = 1126 VPH IN= 603 OUT= 523

<u>ROADWAY</u>	<u>SEGMENT</u>	<u>ROADWAY CLASS</u>	<u>LOS A VOLUME</u>	<u>LOS B VOLUME</u>	<u>LOS C VOLUME</u>	<u>LOS D VOLUME</u>	<u>LOS E VOLUME</u>	<u>PROJECT</u>			<u>PROJ/ LOS C</u>
								<u>TRAFFIC DISTRIBUTION</u>	<u>NEW PROJ TRAFFIC AM PEAK</u>	<u>PM PEAK</u>	
U.S. 41	N. of Coconut Rd.	6LD	0	410	2,840	2,940	2,940	30%	89	181	6.37%
	S. of Coconut Rd.	6LD	0	410	2,840	2,940	2,940	35%	104	211	7.43%
Coconut Rd.	E. of U.S. 41	4LD	0	260	1,840	1,960	1,960	30%	89	181	9.83%
	W. of Site	2LN	0	0	310	670	740	5%	15	30	9.73%

The Level of Service thresholds for all roadways were obtained from the Lee County Generalized Service Volume Table (Sept. 2013)

- Denotes a Significantly Impacted roadway segment

**TABLE 2A
COCONUT CROSSING COMP PLAN - 5 YEAR LOS ANALYSIS**

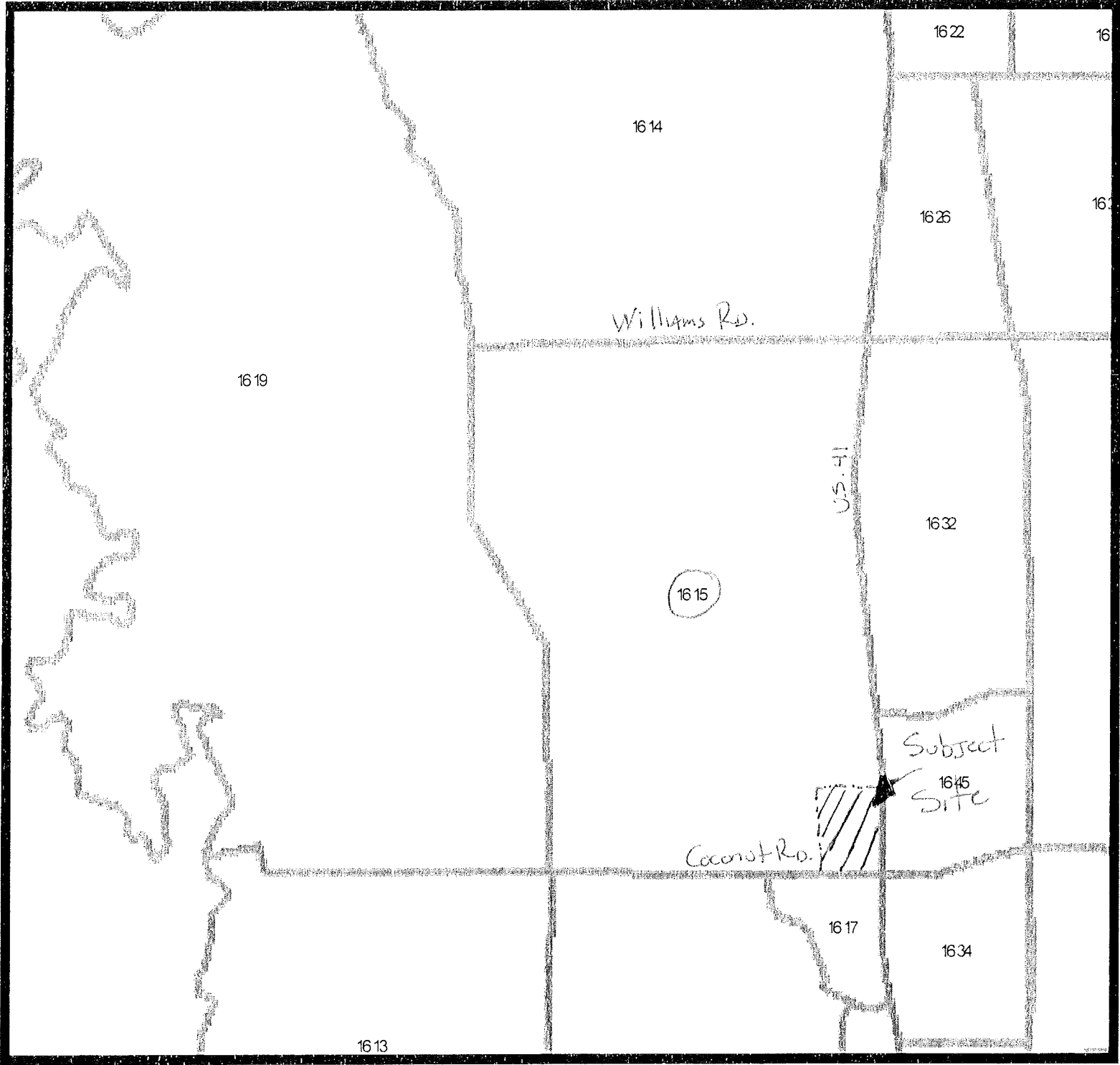
TOTAL AM PEAK HOUR PROJECT TRAFFIC = 465 VPH IN= 168 OUT= 297
 TOTAL PM PEAK HOUR PROJECT TRAFFIC = 1126 VPH IN= 603 OUT= 523

<u>ROADWAY</u>	<u>SEGMENT</u>	<u>SITE/ STATION</u>	<u>BASE YR ADT</u>	<u>2011 ADT</u>	<u>YRS OF GROWTH</u>	<u>ANNUAL RATE</u>	2012	2017		<u>PROJECT TRAFFIC</u>	<u>AM PROJ TRAFFIC</u>	<u>PM PROJ TRAFFIC</u>	2017		2017	
							<u>PK HR</u>	<u>PK HR</u>	<u>PK SEASON</u>				<u>BCKGRND</u>	<u>BCKGRND</u>		
U.S. 41	N. of Coconut Rd.	120065	60,000	47,500	6	1.00%	2,211	2,324	C	30%	89	181	2,413	C	2,505	C
	S. of Coconut Rd.	120065	60,000	47,500	6	1.00%	2,211	2,324	C	35%	104	211	2,428	C	2,535	C
Coconut Rd.	E. of U.S. 41	490	15,500	12,200	6	1.00%	444	467	C	30%	89	181	556	C	648	C
	W. of Site	495	9,300	7,600	6	1.00%	350	368	D	5%	15	30	383	D	398	D

¹The 2012 peak hour, peak season, peak direction traffic volumes were taken from the 2013 Lee County Concurrency Report.

US 41 Traffic Data obtained from FDOT 2013 Traffic Information Online. Coconut Road traffic data obtained from 2013 Lee County Traffic Count Report

TAZ 1615



**LEE COUNTY GENERALIZED
SERVICE VOLUMES TABLE**

Lee County
Generalized Peak Hour Directional Service Volumes
Urbanized Areas

Sept. 2013

c:\input4

Uninterrupted Flow Highway						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	120	420	840	1,190	1,640
2	Divided	1,060	1,810	2,560	3,240	3,590
3	Divided	1,600	2,720	3,840	4,860	5,380
Arterials						
Class I (40 mph or higher posted speed limit)						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	*	140	800	860	860
2	Divided	*	260	1,840	1,960	1,960
3	Divided	*	410	2,840	2,940	2,940
4	Divided	*	550	3,840	3,940	3,940
Class II (35 mph or slower posted speed limit)						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	*	*	330	710	780
2	Divided	*	*	710	1,590	1,660
3	Divided	*	*	1,150	2,450	2,500
4	Divided	*	*	1,580	3,310	3,340
Controlled Access Facilities						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	*	160	880	940	940
2	Divided	*	270	1,970	2,100	2,100
3	Divided	*	430	3,050	3,180	3,180
Collectors						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	*	*	310	670	740
1	Divided	*	*	330	710	780
2	Undivided	*	*	740	1,460	1,460
2	Divided	*	*	780	1,530	1,530
Note: the service volumes for I-75 (freeway), bicycle mode, pedestrian mode, and bus mode should be from FDOT's most current version of LOS Handbook.						

**TRAFFIC DATA FROM THE 2013 LEE
COUNTY TRAFFIC COUNT REPORT**

**TRAFFIC DATA FROM THE 2013 LEE
COUNTY CONCURRENCY REPORT**

ROADWAY LINK NAME	FROM	TO	ROAD TYPE	PERFORMANCE STANDARD		2012 100th HIGHEST HR		EST 2013 100th HIGHEST HR		FORECAST FUTURE VOL		NOTES*	LINK NO.
				LOS	CAPACITY	LOS	VOLUME	LOS	VOLUME	LOS	VOLUME		
BONITA BEACH RD	I-75	BONITA GRANDE DR	4LD	E	2,040	B	420	B	420	B	420		02900
BONITA BEACH RD	BONITA GRANDE DR	LOGAN BLVD EXT	4LD	E	2,040	B	420	B	420	B	420		02950
BOY SCOUT DR	SUMMERLIN RD	US 41	6LD	E	2,410	E	996	E	996	E	999		03200
BRANTLEY RD*	SUMMERLIN RD	US 41	2LU	E	860	B	116	B	116	B	134		03300
BRIARCLIFF DR*	US 41	TRIPLE CROWN CT	2LU	E	860	B	201	B	201	B	223		03400
BROADWAY (ALVA)*	PALM BEACH BL (SR 80)	NORTH RIVER RD	2LU	E	860	B	181	B	181	B	181		03500
BROADWAY (ESTERO)*	LOGAN AVE	US 41	2LU	E	860	B	161	B	167	B	179		03600
BUCKINGHAM RD	IMMOKALEE RD (SR 82)	GUNNERY RD	2LU	E	970	B	313	B	315	C	346		03700
BUCKINGHAM RD	GUNNERY RD	ORANGE RIVER BL	2LU	E	970	C	371	C	372	C	372		03730
BUCKINGHAM RD	ORANGE RIVER BL	PALM BEACH BL (SR 80)	2LU	E	970	C	481	C	481	F	1,184		03800
BURNT STORE RD	PINE ISLAND RD (SR 78)	DIPLOMAT PKWY	2LU	E	1,190	C	649	C	649	C	675	4 Ln design & ROW acquisition underway	03900
BURNT STORE RD	DIPLOMAT PKWY	CHARLOTTE COUNTY LINE	2LU	E	1,190	B	310	B	310	C	482		04000
BUS 41 (SR 739)	FORT MYERS CITY LIMIT	PONDELLA RD	6LD	D	2,800	D	1,822	D	1,822	D	1,822		04200
BUS 41 (SR 739)	PONDELLA RD	PINE ISLAND RD (SR 78)	6LD	D	2,800	C	1,267	C	1,267	C	1,279		04300
BUS 41 (SR 739)	PINE ISLAND RD (SR 78)	LITTLETON RD	4LD	D	1,840	C	740	C	780	C	831		04400
BUS 41 (SR 739)	LITTLETON RD	US 41	2LU	D	1,050	B	369	B	369	B	426	4 Ln design underway by FDOT	04500
CAPE CORAL BR RD	DEL PRADO BL	McGREGOR BL	4L	E	4,000	C	2,551	C	2,551	C	2,551	Toll Plaza under construction	04600
CAPTIVA RD*	BLIND PASS	SOUTH SEAS PLANTATION	2LU	E	860	B	265	B	267	B	267	Constrained v/c = 0.31	04700
CEMETERY RD*	BUCKINGHAM RD	HIGGINS AVE	2LU	E	860	B	257	B	258	B	258		04800
CHAMBERLIN PKWY	AIRPORT ENT	DANIELS PKWY	4LD	E	1,830	B	84	B	84	B	129	Port Authority maintained	04900
COCONUT RD*	SPRING CREEK RD	US 41	2LN	E	860	B	350	B	498	C	591	No count since 2007	05000
COCONUT RD*	US 41	THREE OAKS PKWY	4LD	E	1,830	B	444	B	444	B	467		05030
COLLEGE PKWY*	McGREGOR BL	WINKLER RD	6LD	E	2,810	E	1,831	E	1,831	E	1,831		05100
COLLEGE PKWY	WINKLER RD	WHISKEY CREEK DR	6LD	E	2,810	E	2,318	E	2,318	E	2,401		05200
COLLEGE PKWY*	WHISKEY CREEK DR	SUMMERLIN RD	6LD	E	2,810	E	2,371	E	2,371	E	2,394		05300
COLLEGE PKWY	SUMMERLIN RD	US 41	6LD	E	2,810	E	1,535	E	1,535	E	1,558		05400
COLONIAL BL*	McGREGOR BL	SUMMERLIN RD	6LD	E	2,580	F	2,628	F	2,628	F	2,628		05500
COLONIAL BL	SUMMERLIN RD	US 41	6LD	E	2,580	F	2,859	F	2,859	F	2,859		05600
COLONIAL BL (SR 884)	US 41	FOWLER ST	6LD	E	2,580	F	2,805	F	2,805	F	2,805		05700
COLONIAL BL (SR 884)	FOWLER ST	METRO PKWY	6LD	E	2,580	F	3,485	F	3,485	F	3,485	N. Airport Rd. Ext. in 2012/13	05800
COLONIAL BL (SR 884)	METRO PKWY	WINKLER AVE	6LD	E	3,320	D	3,057	D	3,057	D	3,059		05900
COLONIAL BL (SR 884)	WINKLER AVE	SIX MILE CYPRESS PKWY	6LD	E	3,320	F	3,835	F	3,835	F	3,835		06000
COLONIAL BL (SR 884)	SIX MILE CYPRESS PKWY	I-75	6LD	E	3,320	F	4,053	F	4,053	F	4,053		06100
COLONIAL BL	I-75	IMMOKALEE RD (SR 82)	6LD	D	2,960	B	1,939	B	1,939	B	1,939		06200

ROADWAY LINK NAME	FROM	TO	ROAD TYPE	PERFORMANCE STANDARD		2012 100th HIGHEST HR		EST 2013 100th HIGHEST HR		FORECAST FUTURE VOL		NOTES*	LINK NO.
				LOS	CAPACITY	LOS	VOLUME	LOS	VOLUME	LOS	VOLUME		
WILLIAMS RD*	US 41	RIVER RANCH RD	2LU	E	860	B	130	B	130	B	170		28100
WILLIAMS AVE	LEE BL	W 6th ST	2LN	E	860	C	581	C	586	C	670		28200
WINKLER RD*	STOCKBRIDGE	SUMMERLIN RD	2LN	E	860	B	444	B	458	C	655		28300
WINKLER RD*	SUMMERLIN RD	GLADIOLUS DR	4LD	E	1,520	D	284	D	284	D	300		28400
WINKLER RD*	GLADIOLUS DR	BRANDYWINE CIR	2LN	E	940	B	593	B	593	C	600		28500
WINKLER RD*	BRANDYWINE CIR	CYPRESS LAKE DR	2LN	E	940	C	675	C	675	C	675		28600
WINKLER RD	CYPRESS LAKE DR	COLLEGE PKWY	4LD	E	1,800	D	683	D	683	D	833		28700
WINKLER RD*	COLLEGE PKWY	McGREGOR BL	2LN	E	820	C	347	C	347	C	371		28800
WOODLAND BL*	US 41	AUSTIN ST	2LU	E	860	B	266	B	266	B	266		28900
W 6th ST*	WILLIAMS AVE	JOEL BL	2LU	E	860	B	145	B	145	B	140		29000
W 12th ST*	GUNNERY RD	SUNSHINE BL	2LU	E	860	B	75	B	77	B	77		29100
W 12th ST*	SUNSHINE BL	WILLIAMS AVE	2LU	E	860	B	75	B	75	B	164		29200
W 12th ST*	WILLIAMS AVE	JOEL BL	2LU	E	860	B	91	B	92	B	92		29300
W 14th ST*	SUNSHINE BL	RICHMOND AVE	2LU	E	860	B	47	B	48	B	48		29400
US 41	COLLIER COUNTY LINE	BONITA BEACH RD	6LD	E	2,860	C	1,923	C	1,923	C	1,923		29500
US 41	BONITA BEACH RD	WEST TERRY ST	6LD	E	3,140	C	2,016	C	2,016	C	2,016		29600
US 41	WEST TERRY ST	OLD 41	6LD	E	3,140	C	1,821	C	1,821	C	1,821		29700
US 41	OLD 41	CORKSCREW RD	6LD	E	3,140	C	2,211	C	2,318	C	2,597		29800
US 41	CORKSCREW RD	SANIBEL BL	6LD	E	2,980	C	2,070	C	2,083	C	2,254	6 Ln under construction	29900
US 41	SANIBEL BL	ALICO RD	6LD	E	2,980	C	1,925	C	1,929	C	2,156		30000
US 41	ALICO RD	ISLAND PARK RD	6LD	E	2,980	C	2,799	C	2,800	F	2,981		30100
US 41	ISLAND PARK RD	JAMAICA BAY WEST	6LD	E	2,980	C	2,814	C	2,815	F	3,027		30200
US 41	JAMAICA BAY WEST	SIX MILE CYPRESS PKWY	6LD	E	2,980	F	3,266	F	3,280	F	3,280		30300
US 41	SIX MILE CYPRESS PKWY	DANIELS PKWY	6LD	E	2,740	E	2,590	E	2,636	F	2,858		30400
US 41	DANIELS PKWY	COLLEGE PKWY	6LD	E	2,740	F	3,155	F	3,155	F	3,167	Constrained v/c=1.15	30500
US 41	COLLEGE PKWY	SOUTH RD	6LD	E	2,740	D	2,307	D	2,307	D	2,333	Constrained v/c=0.84	30600
US 41	SOUTH DR	BOY SCOUT RD	6LD	E	2,740	F	2,953	F	2,953	F	2,955	Constrained v/c=1.08	30700
US 41	BOY SCOUT DR	NORTH AIRPORT RD	6LD	E	2,740	E	2,448	E	2,448	E	2,448	Constrained v/c=0.89	30800
US 41	NORTH AIRPORT RD	COLONIAL BL	6LD	E	2,740	E	2,519	E	2,519	E	2,519		30810
US 41	FOUNTAIN INTERCHANGE	NORTH KEY DR	4LD	E	2,280	F	2,358	F	2,358	F	2,358		30900
US 41	NORTH KEY DR	HANCOCK BRIDGE PKWY	4LD	E	2,280	F	2,358	F	2,358	F	2,391		31000
US 41	HANCOCK BRIDGE PKWY	PONDELLA RD	4LD	E	1,940	D	1,755	D	1,755	D	1,755		31100
US 41	PONDELLA RD	PINE ISLAND RD (SR 78)	4LD	E	1,940	D	1,372	D	1,372	D	1,372		31200
US 41	PINE ISLAND RD (SR 78)	LITTLETON RD	4LD	E	2,040	B	1,093	B	1,093	B	1,180		31300
US 41	LITTLETON RD	BUSINESS 41	4LD	E	2,040	B	856	B	856	B	1,221		31400
US 41	BUSINESS 41	DEL PRADO BL	4LD	E	2,040	B	1,191	B	1,207	B	1,221		31500
US 41	DEL PRADO BL	CHARLOTTE COUNTY LINE	4LD	E	2,040	B	1,191	B	1,193	B	1,283		31600

**TRAFFIC DATA FROM THE 2013
FDOT TRAFFIC INFORMATION
ONLINE**

FLORIDA DEPARTMENT OF TRANSPORTATION
 TRANSPORTATION STATISTICS OFFICE
 2013 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 0065 - SR 45/US 41, NORTH OF CR 887/OLD US 41 LC436

YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2013	47500 C	N 24000	S 23500	9.00	59.70	3.60
2012	47000 C	N 23500	S 23500	9.00	54.30	3.20
2011	52500 C	N 27000	S 25500	9.00	55.00	3.10
2010	51500 C	N 26000	S 25500	10.32	57.60	3.20
2009	48500 C	N 25000	S 23500	10.24	54.47	3.40
2008	51000 C	N 26000	S 25000	10.37	58.94	3.40
2007	60000 F	N 30500	S 29500	10.16	54.76	4.80
2006	56000 C	N 28500	S 27500	10.23	54.38	4.80
2005	48500 C	N 24500	S 24000	10.30	54.10	8.40
2004	51500 S	N 26000	S 25500	9.90	54.30	6.30
2003	48500 F	N 24500	S 24000	9.80	55.60	6.30
2002	45500 C	N 23000	S 22500	10.20	57.20	6.30
2001	41500 C	N 21000	S 20500	10.00	55.60	8.50
2000	38000 C	N 19500	S 18500	9.90	55.20	7.00
1999	35500 C	N 18500	S 17000	10.00	54.50	5.60
1998	32000 C	N 16000	S 16000	10.10	54.10	5.50

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE
 S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; F = FOURTH YEAR ESTIMATE
 V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
 *K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

TRIP GENERATION EQUATIONS

**TRIP GENERATION EQUATIONS
COCONUT CROSSING
ITE TRIP GENERATION REPORT, 9th EDITION**

Land Use	Weekday AM Peak Hour	Weekday PM Peak Hour	Weekday
Shopping Center (LUC 820)	$\ln(T) = 0.61 \ln(X) + 2.24$ (62% In/38% Out)	$\ln(T) = 0.67 \ln(X) + 3.31$ (48% In/52% Out)	$\ln(T) = 0.65 \ln(X) + 5.83$
T = Trips, X = 1,000's of square feet GLA			
General Office Building (LUC 710)	$\ln(T) = 0.80 \ln(X) + 1.57$ (88% In/12% Out)	$T = 1.12 (X) + 78.45$ (17% In/83% Out)	$\ln(T) = 0.76 \ln(X) + 3.68$
T = Trips, X = 1,000's of square feet GFA			
Residential Condominium/Townhouse (LUC 230)	$\ln(T) = 0.80 \ln(X) + 0.26$ (17% In/83% Out)	$\ln(T) = 0.82 \ln(X) + 0.32$ (67% In/33% Out)	$\ln(T) = 0.87 \ln(X) + 2.46$
T = Trips, X = 1,000's of square feet GFA			
Industrial Park (LUC 130)	$\ln(T) = 0.79 \ln(X) + 0.91$ (82% In/18% Out)	$T = 0.78 (X) + 30.48$ (21% In/79% Out)	$T = 4.99 (X) + 678.25$
T = Trips, X = 1,000's of square feet GFA			

ATTACHMENT B.2(a)

SANITARY SEWER ANALYSIS

The property is located within the Bonita Springs Utilities waste water service area. The property was previously developed for a retail/commercial subdivision serving a maximum of 250,000 sf of retail and 50,000 sf of office. The wastewater infrastructure serving the development was permitted and subsequently constructed. The system is composed of sanitary sewer manholes and 8" pvc sanitary sewer mains that collect wastewater from the individual lots and building tracts and convey the wastewater to BSU's regional pumping station located just south of the property on the Coconut Square development area. This proposed commercial land use is expected to produce 45,000 gallons per day.

The existing future land use designation of Urban Community allows for a range of residential from 180 units up to a max of 301 units or commercial development with no regulation on floor area. Assuming a floor area ratio of 0.2 the maximum intensity would be 260,000 sf of retail/office commercial. The residential scenario would produce an estimated 75,250 GPD and the commercial scenario would produce an estimated 39,000 gpd. Based on a peaking factor of 3.0, the estimated peak flows would be 157 gpm and 81 gpm, respectively.

The proposed future land use designation of Intensive Development with a standard density of 18 du/ac along with inclusion within the Mixed Use Overlay allows for a maximum of 563 units along with the 273,000 sf of commercial (assuming FAR = 0.2). This scenario would produce 181,700 GPD. Based on a peaking factor of 3.0, the estimated peak flows would be 378 gpm.

The existing system of manholes and gravity sewers has the available capacity to convey these flows to the BSU wastewater transmission system. BSU has the available capacity to accommodate the additional 106,450 GPD over the current Land Use category development concept of 301 units (181,700 gpd - 75,250 gpd = 106,450 gpd).

No improvements will be necessary to service the additional demand. This amendment will not require any revisions to the sanitary sewer sub-element or CIE.

ATTACHMENT B.2(b)

POTABLE WATER ANALYSIS

The property is located within the Bonita Springs Utilities water service area. The property was previously developed for a retail/commercial subdivision serving a maximum of 250,000 sf of retail and 50,000 sf of office. The water infrastructure serving the development was permitted and subsequently constructed. The system is composed of a central 12” water main connecting to an existing 12” water main running along the west side of US 41 and to an existing 16” water main running the south side of Coconut Road.

Based on the proposed Future Land Use designation, 563 units and 273,000 sf of commercial would be allowed, which would result in an increase of 106,450 GPD over the maximum use under the current Future Land Use designation (301 units – 75,250 GPD). The BSU Water Treatment Plant has adequate Capacity to provide service to the project. The expected increase in flows can be accommodated by BSU without revisions to the potable water system sub-element or CIE.

ATTACHMENT B.2(c)

DRAINAGE/SURFACE WATER MANAGEMENT ANALYSIS

The property is located within the Halfway Creek Watershed and is currently permitted under the SFWMD ERP 36-03587-P. Modifications to the project associated with this Lee Plan Amendment will require modifications to the existing Environmental Resource Permit from the South Florida Water Management District (SFWMD) for construction and operation approval meeting the intent of Policy 95.1.3, 4,(c) for Regulation of Private and Public Development of the Lee Plan.

Per the Lee County Concurrency Management Report for inventories and projections (2011), no crossings of evacuation routes within the watershed are anticipated to be flooded for more than 24 hours, thus meeting concurrency standards as set forth in Policy 95.1.3, 4(a). This amendment will not require any revisions to the surface water management sub-element or to the CIE.

Attachment B.2.d.

Existing and Future Conditions Analysis

Parks, Recreation and Open Space

The subject property is located in Community Park Benefit District 48 for Estero/San Carlos/Three Oaks. According to the Lee County Concurrency Management Inventory and Projections 2011, this district currently contains 131 acres of community parks, while the required level of service is 45.1 acres. No future parks are planned. The proposed project will include approximately 500 dwelling units at a population density of 2.5 persons per du for a total permanent population of 1,250. The increased community park demand created by this amendment is 1.0 acres (1,250 persons x .8 acres/1000 permanent population). This amount of additional park area is available in the current community park area within District 48. No new park area will be required as part of this amendment.

Attachment B.2.e.

Existing and Future Conditions Analysis

Schools

The subject property is located in the South Student Assignment Zone. Community Park Benefit District 48 for Estero/San Carlos/Three Oaks. According to the Lee County Concurrency Management Inventory and Projections 2011, the South Zone has an available capacity of 3,206 seats, which is comprised of 1,644 elementary seats, 1,050 middle school seats, and 512 high school seats. No additional school seat capacity will be required to accommodate the proposed Land Use change.

ATTACHMENT C

Environmental Impacts

C.1 The property is located at the NW corner of US 41 and Coconut Road. Development of a standard Big Box commercial subdivision with out-parcels was initiated and infrastructure improvements including clearing, filling and grading as well as utility, drainage and internal accessways have been completed. These areas are denoted as FLUCFCS code 149 which is Commercial Areas under Construction. There is a well-defined natural preserve area on site that consists of exotic invaded (melaleuca) pine-palmetto flatwoods. These areas make up 3.85 acres and are denoted 411, 411-424, and 4119. This area was preserved as part of the previous development plan and was designed to serve a multi-purpose role of indigenous vegetation preserve, gopher tortoise relocation area and surface water management area. Exotic removal within the preserve was initiated, however was not completed. A FLUCCS Map is provided at Exhibit C.1.

C.2 The property consists of the following soil types:

- 6 Hallandale Fine Sand
- 11 Myakka Fine Sand
- 14 Valkaria Fine Sand
- 26 Pineda Fine Sand
- 28 Immokalee Sand

These soil types are consistent with pine-palmetto flatwoods and are well suited for development. These soil types are found in the USDA Soil Survey for Lee County. As noted above the project has been cleared and filled with off-site borrow material that meets or exceeds the minimum specifications development suitable soil. A soils map is provided as Exhibit C.2

C.3 The pre-existing property grades varied from 13.3 to 15.0 NGVD. The development area portion of the property was filled to a pad ready elevation of approximately 16.5 NGVD. Based on the 2008 FEMA FIRM Maps there are no 100-year flood prone areas on site. A topographic map is provided as Exhibit C.3.

C.4 A map delineating the property boundaries on the 2008 FIRM Map is provided as Exhibit C.4.

C.5 There are no wetlands, aquifer recharge area, or rare & unique uplands on site.

C.6 As noted above the existing vegetation on site is consistent with the Pine-Palmetto Flatwood land use cover. As such, the project had the potential to contain Gopher Tortoises. A Gopher Tortoise Take Permit was issued for the project and burrows within the cleared/filled areas on site were destroyed with the tortoises relocated to the preserved areas on site.

Upland Species List (411, 4119, 411/424)

<u>Common Name</u>	<u>Observed(Y/N)</u>	<u>Comments</u>
Eastern Indigo Snake	N	Not Observed
Gopher tortoise	Y	14 burrows originally Observed/relocated
Gopher frog	N	Not Observed
Florida scrub jay	N	Not Observed
Merlin (pigeon hawk)	N	Not Observed
SE American Kestrel	N	Not Observed
Red-cockaded woodpecker	N	Not Observed
Florida panther	N	Not Observed
Big Cypress fox squirrel	N	Not Observed
Curtis Milkweed	N	Not Observed
Fakahatchee burmannia	N	Not Observed
Satinleaf	N	Not Observed
Beautiful pawpaw	N	Not typical habitat
Scrub blazing star	N	Not Observed
Florida coontie	N	Inappropriate Habitat

ATTACHMENT D

Impacts on Historic Resources

The property is located at the NW corner of US 41 and Coconut Road. Development of a standard Big Box commercial subdivision with out-parcels was initiated and infrastructure improvements including clearing, filling and grading as well as utility, drainage and internal accessways have been completed. There is a well-defined natural preserve area on site that consists of exotic invaded (melaleuca) pine-palmetto flatwoods. There are no historic districts or sites listed on the Florida Master Site File that are located on the subject property or adjacent properties.



LEGEND

CODE	DESCRIPTION	ACRES
411	Pine - Palmetto Flatwoods	3.85
411B	Melaleuca Invaded Pine Flatwoods	0.72
411-424	Melaleuca - Pine - Palmetto	0.69
149	Commercial - Under Construction	26.06
Total Project Acreage		31.32



COCONUT CROSSING
 FLUCCS MAP
 EXHIBIT C.1

PROJECT NO.: 2014.019-B

APRIL, 2014



6200 Whiskey Creek Drive
 Fort Myers, FL. 33919
 Phone : (239) 985-1200
 Florida Certificate of Authorization No.1772
 Naples - Fort Myers



SOIL LEGEND

SYMBOL	NAME
6	HALLANDALE FINE SAND
11	MYAKKA FINE SAND
14	VALKARIA FINE SAND
26	PINEDA FINE SAND
28	IMMOKALEE SAND

NORTH
SCALE: 1" = 250'

COCONUT CROSSING
SOILS MAP
EXHIBIT C.2

PROJECT NO.: 2014.019-B

MAY, 2014



6200 Whiskey Creek Drive
Fort Myers, FL. 33919
Phone : (239) 985-1200
Florida Certificate of Authorization No.1772
Naples - Fort Myers



SOURCE: LEE COUNTY GIS/FEMA FIRM PANEL# 12071C-0593 F

NORTH
SCALE: 1" = 250'

COCONUT CROSSING
TOPO MAP
EXHIBIT C.3 & C.4

PROJECT NO.: 2014.019-B

MAY, 2014



6200 Whiskey Creek Drive
Fort Myers, FL. 33919
Phone : (239) 985-1200
Florida Certificate of Authorization No.1772
Naples - Fort Myers

Attachment E.4.

CONSISTENCY WITH STATE AND REGIONAL PLANS

The proposed amendment from Urban Community to Intensive Development is intended to permit an attractive mixed use development with residential, retail commercial, and office commercial components in a vicinity of Estero that has been developed with intense commercial and residential uses and that has access to adequate public facilities . The proposed amendment is consistent with the following State and Regional Plan provisions which encourage mixed uses and infill projects:

State Plan – Chapter 187

1. State Plan (11) Energy (b) Policy 4 speaks to ensuring energy efficiency in transportation design and planning and increase the availability of more efficient modes of transportation. The project will be designed as mixed use and will incorporate a multi-modal concept where alternative means of transportation including walking, bicycling, use of public transportation and centralized shared parking facilities are emphasized.
2. State Plan (16) Urban and Downtown Revitalization (a) Goal speaks to the encouragement of the centralization of commercial, governmental, retail, residential and cultural activities within downtown areas. The project will be designed with the concept of an urban center in mind and consistent with the goals of Estero and Lee County in their current EAR land use amendment. With Estero in the process of attaining village status, the project, along with Coconut Point and other adjacent commercial developments will become a vital urban resource in the development of a downtown village center for Estero.
3. State Plan (17) Public Facilities (b) Policy 1 speaks to providing

incentives for developing land in a way that maximizes the uses of existing public facilities. The project is located within a well-established, intensely developed, corridor that has access to adequate public facilities. The approval of the land use amendment and associated density request and inclusion in the Mixed Use Overlay Map (Map 1, page 6 of 8 of the Lee Plan) will allow for the development of the mixed use residential and commercial project without the need to increase capacity of existing facilities, or extend public facilities to more remote, undeveloped portions of the County. Approval of the amendment, allowing the increased density/intensity and inclusion in the Mixed Use Overlay is considered an incentive as noted in the policy.

Regional Plan – SW Florida Regional Planning Council Strategic Regional Policy Plan – Adopted September 15, 2011

1. The Work Force – The second strategy speaks to ensuring a wide range of employment for all Southwest Floridians. The project will provide a unique and diverse range of commercial development and will assist the County and Estero in providing a well-educated and well-trained workforce.
2. Marketing Goal 4 – The third strategy speaks to promoting Southwest Florida as a business location. The project will provide a needed resource of diverse housing, service type retail commercial and entertainment that is a critical component necessary to attract larger corporations to move their operations or portions thereof to Southwest Florida, i.e. the Hertz Corporation.
3. Livable Communities – Affordable Housing, Goal 4 speaks to developing communities that are liveable and offer residents a wide range of housing and employment opportunities. The project will provide a unique mixed use live/work capability along with a multi-modal concept and will be located within a well-established residential and commercial area (Coconut Point, Pelican Landing, The Brooks and Marsh Landing). The project will provide a range of housing as well as employment opportunities for the local community.

4. Livable Communities – Transportation, Goal 5 first strategy speaks to promoting communities designed to provide a good environment for driving, walking, bicycling and public transit. The project will be designed to include a highly connected network of streets that allow for multi-modal transportation, public green spaces and public gathering spaces.

Attachment E

INTERNAL CONSISTENCY with the LEE PLAN

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

Table 1(b) does not include an allocation in the Intensive Development land use category within the Estero Planning Community. The proposed amendment would add approximately 1,250 residents to the County's total population capacity, which is not significant in a County population that is approximately 500,000 residents. Table 1(b) should be adjusted to include this parcel as Intensive Development and take it out of Urban Community. In other words Table 1(b) should be amended to allow for up to 32 acres of Intensive Development in the Residential category. Commercial should not be a problem since the site is commercial already.

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.**

The overall policy question related to this change is whether a high density/intensity mixed-use residential/commercial development is preferable to thirty one plus acres of Urban Community commercial uses in this location.

Goal 1 - Future Land Use Map.

This Goal calls for the Future Land Use Map to protect natural and manmade resources, provide essential services in a cost effective manner and discourage urban sprawl. The proposed

amendment will allow for the development of a classic infill development site as well as provide for a desirable high density/intensity mixed-use community within a previously heavily developed area. The proposal qualifies as infill, and is not classified as urban sprawl.

Objective 1.1 - Future Urban Areas.

This objective calls for the Land Use Map to provide categories of varying intensities to provide for a full range of urban activities. As noted above there are no areas within the Estero Community which are classified as Intensive Development. Approval of the proposed amendments will provide a currently unavailable category and will encourage development diversity within the Estero community without diminishing the supply of needed services to the traveling public.

Policy 1.1.

This policy references Map 16 and Table 1(b), which are the planning community acreage allocation tables. The Estero Planning Community has 450 acres of Central Urban assigned to it and 0 acres of Intensive Development. There will need to be a revision to Table 1(b) to accommodate this land use change.

Policy 1.1.2.

This policy outlines the characteristics of the Intensive Development land use areas and indicates that these lands are part of the future urban nodes of the County. The policy states that these are found along major arterial roads, and have access to adequate public facilities, and as a consequence, these locations are well suited to accommodate high densities and intensities. The project

location is at the corner of an arterial roadway (US 41) and a collector roadway (Coconut Road). The Coconut Road intersection is the most heavily developed intersection of the five major Estero intersections of US 41 (Estero Parkway, Broadway, Corkscrew Road, Williams Road), with all four quadrants entitled and in most cases developed with significant DRI's on the east and west sides of the roadway. Public facilities are adequate, including roadway capacity, water/sewer utilities, other public utilities, and pedestrian facilities to serve the project. The Estero Planning Community has been vocal in their need to promote urban centers for mixed use within their community. The project's design as well as its location is ideal for this type of use, and is consistent with the communities' stated goals. In fact, a representative from the Estero Council of Community Leaders appeared at the April 28, 2014 Lee County Local Planning Agency meeting in support of this request to increase densities and intensities on this site.

Policy 1.5.1.

This policy provides guidance for the Wetlands land use category. There are no wetlands located within the 31 plus acres subject to this amendment.

Policy 1.7.6.

This policy regulates the planning communities' map and acreage allocation table. As mentioned above there is no allocation for Intensive Development within the Estero Planning Community. Table 1(b) will need to be revised to accommodate the reduction of Urban Community and creation of Intensive Development proposed in this amendment.

Goal 2 - Growth Management.

This goal provides guidance on the coordination of the location and timing of new developments in conjunction with infrastructure and services. As noted adequate public facilities are available to serve the project.

Objectives 2.1 and 2.2.

The project meets the intent of these objectives as the project will be designed as mixed use within an area surrounded by intense development, directly adjacent to adequate public facilities to serve the project.

Goal 4 – Sustainable Development Design.

The design of the project will be consistent with Goal 4 as the project is intended to be a mixed use development incorporating a creative design which will balance the high densities/intensities with a multi-modal concept. The project will also include public spaces, access to public transit and utility facilities.

A portion of the request is to include the subject property within the Mixed Use Overlay map (Map 1, page 6 of 8 of the Lee Plan), such that the project can include its commercial acreage when calculating its residential density.

The project will be designed with innovative concepts for parking including the concepts of shared parking areas taking advantage of differences in peak use times by the different land use types and the possibility of parking facilities incorporated within proposed buildings or the use of parking structures designed to be a part of the overall project.

Goal 5 – Residential Land Uses.

Perhaps the most relevant portion of the Lee Plan is Goal 5 dealing with residential land uses and related policies. Goal 5 calls for the County to provide sufficient land in appropriate locations to accommodate the projected population of Lee County in attractive and safe neighborhoods.

Policy 5.1.3.

This policy speaks to directing high density residential developments to locations that are near employment and shopping centers. The project's location at the intersection of one of the busiest intersections in Estero, directly across from the Coconut Point Mall and other commercial and medical developments is ideal and consistent with this policy.

Policy 5.1.3.

This policy speaks to protection of existing and future residential areas from encroachment of uses that are destructive to the character and integrity of residential development. The project will incorporate existing native areas as well as planted/walled buffer areas to protect surrounding single family development areas from less compatible uses. The project will incorporate a mixture of residential and community/service commercial and will be an enhancement to the surrounding communities by providing services, open space and public gathering areas in a mixed use, multi-modal fashion.

This land use amendment will allow for the replacement of a typical big box development with an urban mixed use

center that is compatible and consistent with goals of the Estero Community.

Goal 11 – Water, Sewer, Traffic, and Environmental Review Standards.

Standard 11.1: Water

The project is located within the Bonita Springs Utilities (BSU) franchise area. There are existing water mains located along US 41 and Coconut Road that will be utilized as part of the project. BSU has capacity within their potable water treatment and distribution system to provide potable water to the project.

Standard 11.2: Sewer

The project is located within the Bonita Springs Utilities (BSU) franchise area. There is an existing regional pumping station located to the south of the project on the Coconut Square property. The project will connect to the pumping station via a gravity main and manhole collection system. BSU has capacity within their wastewater treatment and distribution system to provide sanitary sewer service to the project.

Standard 11.3: Traffic

The project will be required to prepare and submit a Traffic Impact Statement as part of the zoning and development order approval processes.

Standard 11.4: Environmental Review Factors

The project previously developed on-site infrastructure for a project known as the Coconut Road MPD and later renamed

Coconut Crossing. A USACOE individual permit and SFWMD ERP were issued for the project. An environmental assessment will be required as part of the zoning and development order processes.

Goal 19 – Estero.

The project is located within the Estero Planning Community. The initial design concept of the proposed project has been coordinated with the Estero Council of Community Leaders. As required, the design concepts and zoning/development order applications will be presented to the Estero Community Planning Panel and Estero Design Review Committee. The project will be designed consistent with the Estero Community Plan and any relevant Estero design criteria.

The concept for the project and this CPA have been discussed with members of the Estero Community as well as the Lee County Community Development Department (Planning Division) with respect to the current County initiated EAR land use amendment. Both Lee County and Estero recognize the need for greater density and mixed use located at nodes within Estero. The following compliance statements refer to the latest Goal 19 draft by the Estero Community:

Objective 19.1

This objective speaks to the promotion of community character through planning and development practices that create a visually attractive community, an enhanced quality of life, and foster a unique sense of place. The project will embody all of these ideals as mentioned above in the various compliance statements.

Policy 19.1.1 and 19.1.3

The project seeks to be placed within the Mixed Use Overlay Map (Map 1, page 6 of 8 of the Lee Plan) as well as requesting higher density for the purpose of developing a mixed use concept within an area long targeted by Estero for high density/high intensity uses.

The project is considered an infill project and will not create urban sprawl. The project will be coordinated with the Estero community throughout all facets of the zoning and permitting processes.

Objective 19.2

The project will promote development diversity by virtue of its mixed use design and will be a multi-modal community located adjacent to residentially developed areas as well as intense commercial development areas. The project will assist Estero in providing housing options, and will be designed to include public gathering places, outdoor spaces and pedestrian connections to the surrounding infrastructure. The project will include a commercial component to provide services for the community as well as provide employment opportunities.

Goal 135 deals with housing and calls for the County to provide decent, safe and sanitary housing in suitable neighborhoods at affordable costs to meet the needs of the present and future residents of the County. The project will include a residential component that will assist in creating housing options for current as well as future residents within the Estero Community.