EXHIBITS

CASE # DCI2013-00003

CASE NAME: RIVER HALL

Attach copy of this form to top of packet of exhibits & place exhibits in case file.

ARE THERE ANY BOARD EXHIBITS? ____ **YES** ____ **NO**

LOCATION OF BOARDS _____

If there are any board exhibits, attach another copy of this form to boards for identification purposes.

EXHIBITS

CASE #: DCI2013-00003

APPLICANT	STAFF
#A 48 Hr	#1 Staff Report
#1 Resume, David Depew	
#2 Resume	#2 Revised School Board letter
#3 resume	#3 CD of ES Report attachments
#4 resume	#4 FAC connection permits
#5 Resume	#5
#6 powerpoint pres	#6
#7 Resolution Z-05-051	
#14 Rebuttal Exhibit	#7
#8 CPA Transmittal Package	
#15 Existing Density	#8
#9 Applicant's 12-17-14 CPA Amendment letter to Mary Gibbs	
#16 SR 80 @ Riverstall Parkway	#9
#10 Corrections to TIS Analysis	#10
#11 TIS p.12 and 19	

OTHER EXHIBITS

NAME	NUMBER	DESCRIPTION
Steve b.	# 1	
	# 2	
Thomas	# 1	Resume
Thomas	# 2	CPA for Caloosahatchee Shore
Thomas	# 3	Existing FLU categories plus "suburban" area owned by Applicant
Brooks	# 1	9-12-13 EMS document
"	2	Lee Tran document

EXHIBITS

CASE #: **DCI2012-00059**

APPLICANT	STAFF
#1 Site plan Sheets 2 & 3	#1 Staff Report
#2 Agricultural Use Affidavit	#2 ① 48-Hour
#3	#3 ② 48-Hour
#4	#4 ③ 48-Hour
#5	#5 Lee Plan Maps
#6	#6 Olga Community Maps
#7	#7 LPA Ag classification
#8	#8 Google Maps recent aerial
#9	#9 Photo drive to church
#10	#10 Revision to Cond. 11.a.

OTHER EXHIBITS

NAME	NUMBER	DESCRIPTION
	#	
	#	
	#	
	#	
	#	
	#	

MEMORANDUM
FROM THE OFFICE OF THE
LEE COUNTY HEARING EXAMINER

DATE: January 7, 2015

TO: David W. Depew, Applicant's Representative
Alvin Block, DCD Staff
Michael Jacob, Assistant County Attorney

FROM: Laura B. Belflower, Deputy Hearing Examiner

RE: **DCI2013-00003 - River Hall - ADDITIONAL INFORMATION AND HEARING PROCEDURE**

After a review of the case materials, the Hearing Examiner requests that the parties present the following documents during the hearing, and be prepared to explain their relationship to the rezoning case:

- The originally transmitted CPA2012-01 and the revised CPA on which the Applicant is basing the rezoning request and the Staff is basing their zoning recommendation.
- Staff's recommendation on the revised CPA2012-01.
- A copy of the existing River Hall zoning resolution.

The Hearing Examiner also provides the following information about how the hearing will be conducted.

- It is expected the hearing may be a multiple day hearing, but participants should not rely on that expectation. The hearing may last only one day.

- The order of presentation will follow Administrative Code 2-6, Section 2.2 (first the applicant, then County staff, then the public participants). The presentations of the applicant and staff will not be interrupted to allow public participant presentations.

- During the public participation portion of the hearing, the public participants or their representatives will be allowed to present their witnesses and will be allowed to speak without time limits.

- Cross-examination and questions will be handled as follows:
  - Witnesses may be cross-examined only by the parties (the applicant and staff).
  - Public participants may ask questions about the witnesses' testimony during their presentation portion of the hearing.
    - The public participant's questions will be directed to the Hearing Examiner.
    - If the question can be answered quickly or it is not disruptive to do so, the Hearing Examiner may ask the applicant or staff to answer the question immediately. Otherwise, the questions will be addressed in the applicant's and staff's rebuttal testimony.
  - The applicant and staff should expect to have their witnesses available throughout the hearing.

HEX Exh 1

CONDITIONS:

These conditions are a compilation of the River Hall development conditions approved under Resolution Z-05-051, ADD2006-00164, ADD2006-00173, ADD2007-00063, and ADD2007-00075 (herein "River Hall 1"), and Resolution Z-15- , from DCI2013-00003 (herein "River Hall 2"). If a condition applies to a specific area, that area will be identified in the condition. If no area is specifically identified, the condition is applicable throughout the River Hall boundaries.

The approval of Resolution Z-15- does not change the development rights or obligations for the areas of River Hall not included in DCI2013-000003.

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

~~The lands within the legally described area for case number DCI2013-00003 will be regulated by the rights granted and regulations contained within this Resolution, in addition to those found in Zoning Resolution Z-05-051, subject to modifications authorized herein. Those lands within the River Hall development and found outside of Exhibit will continue to be regulated by Zoning Resolution Z-05-051, as amended.~~

1. Development of this project must be consistent with the ~~two~~five-page Master Concept Plan (MCP) ~~entitled "RIVER HALL: Formerly known as Hawk's Haven",~~for River Hall, stamped received ~~January 6, 2006, last revised January 3, 2006, except as modified by the conditions below. Development~~ on December 17, 2014, except as modified by the conditions below.

   The project is limited to a maximum of 45,000 square feet of commercial floor area and 2,695 residential units. See further~~, subject to~~ Condition 5. The 696 dwelling units added by this resolution must be located in River Hall 2 only. No currently platted land within River Hall 2 may be replatted to increase density.

   This development must comply with all of the requirements of the Land Development Code (LDC) at the time of local development order approval, except as may be granted by ~~deviation~~deviations approved as part of this planned development. ~~If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.~~

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

   a. **SCHEDULE OF USES**

      RESIDENTIAL, GOLF & AMENITY SITES
      Accessory Uses and Structures
      Administrative Office
      ~~Agricultural Uses - See Conditions 3.h and 8.~~
      Club - country and private
      Consumption on Premises - limited to the clubhouse/amenity areas. No outdoor seating unless approved as a special exception (public hearing required).
      Dwelling Units -~~maximum of 1,999 units to be comprised of~~ single-family (R-1 or RMF-1), two-family attached (RMF-1), townhouse (RMF-1), multiple-family (RMF-1), zero-lot-line units (RMF-1) ~~Densities may not be shifted between~~

HEX EXHIBIT # 2
DCI2013-00003

~~future land use categories unless a new public hearing occurs and the allocation of density complies with provisions of Policy 5.1 .II of the Lee Plan.~~

Entrance Gates and Gatehouse

Essential Services

Essential Services Facilities, Group I

Excavation, Water Retention - No blasting and removal of excavated material off site is not permitted.

Fences and Walls

Golf Course - 36 holes, golf maintenance facility, cart barn and related accessory uses to a golf course. (See Conditions 6 and ~~23~~ 20 for additional requirements)

Golf and Tennis Pro Shops (limited to ancillary use in clubhouse)

Golf Driving Range

Golf Training Facility

Model Home and Model Unit - must be in compliance with LDC §34-1954

Model Display Center, must be in compliance with LDC §34-1955, limited to one which must be located in the sales center area shown on the MCP and must only serve this project.

Parking Lot, Accessory

Parks, Group I (River Hall 1 only)

~~Recreational Facilities - Private, On-site only~~

Real Estate Sales Office - limited to sales of lots, homes or units within the development, and must be located in the clubhouse, amenity or model unit sites.

Recreational Facilities - Private, On-site only

Residential Accessory Uses - In compliance with LDC §622(c)42 and LDC Article VII Division 2.

Signs, in compliance with LDC Chapter 30 (See Deviation 5)

Storage, Open, recreational vehicles, boats and similar items for residents only, limited to locations shown on the MCP and must be shielded behind a continuous visual screening at least eight feet in height when visible from any residential use, and six feet in height when visible from any street right-of-way or street easement. (See Condition ~~22~~ 19 for additional requirements)

Temporary Uses

TOWN CENTER (CPD)

Maximum 15,000 sf office and maximum 30,000 sf retail within the Town Center CPD parcel only.

Accessory Uses and Structures

Administrative Office

~~Agricultural Uses - See Condition 3.h and 8.~~

Banks and Financial Establishments, Group I

Business Services, Group I

Consumption on Premises - Indoor only in conjunction with a Restaurant use only. No outdoor seating unless approved as a special exception (public hearing required).

Day Care Center, Adult & Child

Drive-~~thought~~through in connection with any approved use except drugstore/pharmacy

Dwelling Units, limited to Townhouse ~~(RMF-1)~~ and Multi-family ~~(RMF-1)~~, two units per residential acre, and only in River Hall 2

EMS, Fire or Sheriff's Station

Essential Services

Essential Service Facilities, Group I
Excavation, Water Retention - No blasting; Removal of excavated material off site not permitted.
Food Stores, Group I ~~(may sell food and non-food products)~~
Hardware Store
Laundry or Dry Cleaning, Group I
Parking lot, accessory
Personal Services, Group I
Pharmacy/Drugstore - limited to one within a multi-occupancy complex only and no drive-through~~.~~
Place of Worship, Religious Facilities
Real Estate Sales Office
Recreational Facilities - Private, On-site only (River Hall 2 only)
Repair Shop, Group I
Restaurant, Groups I, II, III
Specialty Retail Shops, Group I
Temporary Uses

ELEMENTARY SCHOOL SITE
Public Schools and Related Accessory Uses

b. **SITE DEVELOPMENT REGULATIONS**

Minimum Lot Area and Dimensions~~:~~

Single-Family
Width: 45 feet
Lots 148 and 149 of Cascades at River Hall, Phase I, as platted in Instrument Number 2005000166035 of the Lee County Records are permitted a minimum lot width of 44 feet. (ADD2006-00164)

Depth: 120 feet
Lots 26, 27, 28, 38, 55, 302, 303, 304, 305, 306, 307, 344, 345, 346, 347, and 348 of Cascades at River Hall, Phase I & II, as platted in Instrument Numbers 2005000166035 and 2005000166038 of the Lee County Records may be permitted a minim lot depth of 110 feet. (ADD2006-00173)

Lot Size: 5,400 sf

~~Minimum Lot Area and Dimensions -~~ Multi-Family
Width: 75 feet
Depth: 100 feet
Lot Size: 10,000 sf

~~Minimum Lot Area and Dimensions -~~ Commercial
Width: 200 feet
Depth: 100 feet
Lot Size: 20,000 sf

Minimum Perimeter Setbacks (for River Hall 2)

RPD – one-half the building height
CPD – the greater of 15 feet, one-half the building height, or the perimeter buffer (including the buffer required by LDC Section 10-416(d)(6).

Minimum Setbacks

Single Family

Road -	Palm Beach Blvd 25 feet/Private Roads 20 feet
Side -	5 feet, ~~See Condition 2.b.i. 2.b.i. S~~but structures~~,~~ (including but not limited to, sidewalks, air conditioners, mechanical equipment, door stoops, walls, etc.) may not be located within the required 5-foot side setback of each lot. Prior to issuance of Certificate of Occupancy on each lot, the Engineer of Record must certify that the drainage for each lot is built in compliance with the typical lot grading detail provided.
Rear -	15 feet Lots 302-307 and 344-348 of Cascades at River Hall, Phase I & II, as platted in Instrument Numbers 2005000166035 and 2005000166038 of the Lee County Records may be permitted a minimum rear primary structure setback of 5 feet. (ADD2006-00173)
Water Body -	20 feet
Accessory -	Per the LDC Lots 302-307 and 344-348 of Cascades at River Hall, Phase I & II, as platted in Instrument Numbers 2005000166035 and 2005000166038 of the Lee County Records may have a minimum rear accessory structure setback of 6 inches. (ADD2006-00173)

Two-Family Attached and Zero Lot Line

Road -	Palm Beach Blvd 25 feet/Private Roads 20 feet
Side -	0/5 feet, ~~See Condition 2.b.ii. 2.b.ii.~~ but, for the s~~S~~ide opposite the zero-lot-line or for two-family attached structures,~~.~~ ~~S~~structures~~,~~ (including but not limited to, sidewalks, air conditioners, mechanical equipment, door stoops, walls, etc.) may not be located within the required 5-foot side setbacks; or prior to issuance of Certificate of Occupancy on each lot, the Engineer of Record must certify that the drainage for each lot is built in compliance with the typical lot grading detail provided.
Rear -	15 feet
Water Body -	20 feet
Accessory -	Per the LDC

Minimum Distance Between Buildings: 15 feet

Minimum building separation between Lots 117 and 154, 147 and 148, and 148 and 149 of Cascades at River Hall, Phase I, as platted in Instrument Number 2005000166035 of the Lee County Records may be 11 feet. (ADD2006-00164)

Townhouse & Multi-family

Road -	Palm Beach Blvd 25 feet/Private Roads 20 feet
Side -	N/A
Rear-	15 feet
Water Body -	20 feet
Accessory -	Per the LDC

Minimum Distance Between Buildings - 20 feet

Clubhouse, Amenity & Golf Maintenance Buildings

Road -	Palm Beach Blvd 25 feet/Private Roads 20 feet
Side -	15 feet
Rear-	15 feet
Water Body -	20 feet
Accessory -	Per the LDC

Minimum Distance Between Buildings - 20 feet

Commercial

Road -	Palm Beach Blvd 25 feet/Private Roads 20 feet
Side -	15 feet
Rear -	20 feet
Water Body -	20 feet
Accessory -	Per the LDC

Minimum Distance Between Buildings - 20 feet

Maximum Lot Coverage

Single Family	60 percent
Two-Family Attached and Zero Lot Line	60 percent
Townhouse & Multi-family	60 percent
Clubhouse, Amenity & Golf Maintenance Buildings	60 percent
Commercial	45 percent

Maximum Height

Residential uses	45 feet/3 stories
Commercial uses	35 feet/3 stories
Recreational/Amenity sites	
on the perimeter of the property	35 feet/3 stories
on the interior of the project	60 feet/3 stories

c. **GOLF DRIVING RANGE:**
If the Golf Driving Range is open after daylight hours, all lighting must comply with LDC §34-936(g), be of the lowest intensity meeting life safety codes, and be shielded and directed away from adjacent residential areas.

3. The following conditions address environmental issues:

a. The "American Alligator Management Plan" provided as part of the "Protected Species Management Plan for Schulman Parcel" counter stamped May 19, 1999 incorporated into this resolution of approval as Exhibit D. Prior to local development order approval, the location of the American Alligator Management Plan signage must be delineated on the development order plans for Division of Environmental Sciences' review and approval. Warning signs must be placed where there is potential for human/alligator interaction. These signs must discourage the feeding or harassment of alligators.

b. The "Gopher Tortoise Management Plan" provided as part of the "Protected Species Management Plan For Shulman Parcel" counter stamped May 19, 1999 incorporated into this resolution of approval as Exhibit D. Any revisions to the Tortoise Management Plan are subject to Environmental Sciences' review and approval.

c. The "Florida Burrowing Owl Management Plan" provided as part of the "Protected Species Management Plan For Schulman Parcel," counter stamped May 19, 1999, must be revised for Division of Environmental Sciences' review and approval at the time of local development order submittal. The plan must either commit to preserving the existing burrowing owl burrows in place with a buffer in accordance with LDC Appendix H, or commit to a detailed relocation management plan. The developer demonstrates it is necessary to impact the burrows, the management proposal must provide details about where appropriate replacement habitat for the owls will be provided, how the owls will be attracted to this area, and how it will be protected during construction activities on the site.

d. The developer must submit a detailed Scrub Jay Management Plan to the Division of Environmental Sciences for review and approval at the time of local development order submittal. This plan must follow the general guidelines of the "Florida Scrub Jay Management Plan" provided as part of the "Protected Species Management Plan For Schulman Parcel," counter stamped May 19, 1999 and incorporated into this resolution of approval as Exhibit D. The finalized Scrub Jay Management Plan must be approved by the Florida Fish and Wildlife Conservation Commission (FWC) prior to local development order approval.

e. The developer must submit a detailed Sandhill Crane Management Plan to the Division of Environmental Sciences for review and approval at the time of local development order submittal.

f. Open space must be provided in accordance with the MCP. All individual tracts must provide a minimum of ten percent open space within the tract and may be met with private open space.

g. The developer must provide a minimum of 465 acres of indigenous preservation areas in substantial compliance with the MCP. The preserves must be delineated on

the local development order plans when they are within or adjacent to the development phase or tract to be developed.

~~h. The developer must barricade all indigenous preservation areas to exclude cattle grazing within 60 days of approval of the planned development by the Board of County Commissioners.~~

~~i.~~h. Prior to local development order approval, the plans for any residential units on individual lots that abut a preserve must delineate a preserve boundary sign location at every other lot line and provide a detail of the sign for the Division of Environmental Sciences' Staff review and approval.

~~j.~~i. Every effort must be made in the final design of the golf course and residential tracts to preserve large native trees. The developer must schedule an on-site preconstruction meeting with Division of Environmental Sciences' Staff prior to the issuance of a vegetation removal permit for any phase of development to confirm preservation and barricading requirements prior to the initiation of site clearing.

j. Existing ~~approved~~ development and River Hall 1 future development will meet requirements of the River Hall Lee County Protected Species Management Plan, dated May 2006. ~~However, p~~Prior to local development order approval for future development of lands within ~~the legally described areas as part of the amendment sought in DCI2013-00003~~ River Hall 2, a Protected Species Management Plan must be submitted revising the gopher tortoise and burrowing owl management plans to address the current conditions and update management techniques and required permits; include resident educational materials for the gopher tortoise, listed wading birds, and Florida scrub jay; as well as incorporate a large mammal management plan to limit potential negative human/wildlife interactions.

k. Prior to prescribed burn management activities occurring within the on-site preserve or on the adjacent Hickey's Creek Mitigation park (as notified by the CDD and/or park staff), the HOA of the development pods in River Hall 2 located adjacent to the easternmost preserve must notify ~~residents~~ these development pods residents of the scheduled prescribed burn activities and general education material on prescribed burn management activities must be provided. If covenants or deed restrictions are required for these development pods, the documents must include language requiring each deed holder will be informed of their purchase of a lot adjacent to an on-site preserve or public preserve land which is managed with prescribed burning and each deed holder will be presented with education material on prescribed burn management activities at the time of purchase.

4. The following recommendations are presented in order to mitigate future hurricane damage and loss of life, as well as to ensure compliance with Lee Plan objectives.

a. The developer must establish a homeowners' or residents' association that will provide an educational program on an annual basis, in conjunction with the staff of Emergency Management, who will provide literature, brochures and speakers for Hurricane Awareness/Preparedness Seminars, describing the risks of natural hazards. The intent of this recommendation is to provide a mechanism to educate residents concerning the actions they should take to mitigate the dangers inherent in these hazards.

b. The developer must formulate an emergency hurricane notification and evacuation plan, which will be subject to review and approval by the Lee County Office of Emergency Management.

c. If access to this development or any portions thereof, is through a security gate or similar device that is not manned 24 hours a day, it must be equipped with an override strip installed in a glass covered box to be used by drivers of emergency vehicles to gain entry, consistent with LDC §34-1749.

d. The developer must cooperate with the Division of Public Safety/Emergency Management in determining and participating in a means to lessen hurricane shelter impacts on the County's hurricane preparedness process and public safety. Those "means" could include the provision of equipment, monies in lieu of equipment, or such other goods, materials or actions deemed appropriate by Emergency Management that results in the provision of additional shelters, or improvement of roads for use as additional evacuation routes. The choice of "means" will rest with the developer, so long as the choice adequately mitigates the adverse impacts.

5. The following conditions are included to address Lee Plan consistency issues:

a. The total residential dwelling count within River Hall may not exceed 2,695 dwelling units. In accordance with the Lee Plan, maximum densities per the Future Land Use Categories are provided below:

TABLE

Land Use Category	Acreage	Density	Max Allowed per FLUC*
Suburban	71.5	6 du/ac	429
Sub-Outlying Suburban	585.6	2 du/ac	1171
Rural	1140.3	1 du/ac	1140
Wetlands	181.0	.05 du/ac	9

* Density calculations assume all acreage is available for residential density calculations. Actual achievable numbers may be less.

The portion of the property within the Rural future land use category must maintain densities of one dwelling unit per acre or less. No more than 1,~~648~~140 dwelling units may be constructed in the Rural designated areas of the project.

b. In River Hall 1 – Densities may not be shifted between future land use categories unless a new public hearing occurs and the allocation of density complies with provisions of Policy 5.1.10 of the Lee Plan.

~~a.~~c. In River Hall 2 – Units within the Suburban and Sub-Outlying Suburban future land use designations may be shifted between these future land use designations, so long as the requirements of Lee Plan Policy 5.1.10. are met.

~~b.~~d. Given the limited existing available Rural 2020 Planning Community Acreage Allocation~~,~~ at the time of rezoning, the available Rural allocation must be determined by the Planning Division prior to any development order approval for residential use in the Rural portions of the site. No development order will be issued or approved if the acreage, when added to the acreage contained in the updated existing land use database, exceeds the limitation established by Lee Plan Table 1 (b), Acreage Allocation Table (per Lee Plan Policy 1.7.6). In order to develop more Rural acreage with residential uses, the Lee Plan must be amended to change the Rural residential

acreage allocation for the Fort Myers Shores planning community in Table 1 (b). Adequate data and analysis to support this amendment must be submitted by the applicant at the time of the request for the Lee Plan amendment. Development in excess of the current Table 1 (b) allocations will not be permitted until Table 1 (b) is amended accordingly.

6. The following conditions are included to address the golf course:
   a. The developer of the golf course must use fertilizers with a low leaching potential (slow release). The fertilizers must not be applied after active growth of the turfgrass has ceased, and must be kept to the lowest reasonable levels; and

   b. To reduce sources of pollutants, especially nutrients and pesticides associated with the golf course, the golf course manager must implement a chemicals management plan that includes an integrated pest management (IPM) program and a nutrient management program so that nutrients and pesticides are used only when absolutely necessary. The program must address prevention, diagnosis, and limited treatment with pesticides when necessary rather than blanket treatment with broad spectrum pesticides as insurance against all pest species. The application of pesticides will involve only the purposeful and minimal application of pesticides, aimed only at identified targeted species. The regular widespread application of broad spectrum pesticides is prohibited. The IPM program must minimize the use of pesticides and must include the use of the US Department of Agriculture - Natural Resources Conservation Service (USDA-NRCS) Soil Pesticide Interaction Rating guide to select pesticides for use that have a minimum potential for leaching or loss from runoff. The nutrient management program must be based upon the USDA-NRCS Nutrient Management Standard and must include the use of soil tests to determine needed applications of nutrients. Only EPA-approved chemicals may be used. Turf managed areas (including fairways, tees, and greens) within 35 feet of wetlands or preserve areas are prohibited. This chemicals management plan must be submitted to and approved by Lee County Planning Division Staff prior to the development order approval.

   c. The golf course manager must coordinate the application of pesticides with the irrigation practices (the timing and application rates of irrigation water) to reduce runoff and the leaching of applied pesticides and nutrients.

   d. The utilization of a golf course manager licensed by the state to use restricted pesticides and experienced in the principles of IPM is required. The golf course manager is responsible for ensuring that the golf course fertilizers are selected and applied to minimize fertilizer runoff into the surface water and the leaching of those fertilizers into the groundwater.

   e. The storage, mixing, and loading of fertilizer and pesticides must be designed to prevent/minimize the pollution of the natural environment.

   f. The golf course must comply with the "Best Management Practices for Golf Course Maintenance Departments," prepared by the Florida Department of Environmental Protection, as amended.

   g. The golf course must be planted with a turfgrass cultivated variety that is drought and pest resistant, and that requires relatively low fertilizer use.

h. The irrigation system must operate on an "as needed" basis through the utilization of weather forecasting and ongoing assessment of the moisture content of the soil.

i. All fairways, greens, and tees must be elevated above the 25-year flood level, and all greens must utilize underdrains. The effluent from these underdrains must be pre-treated prior to discharge into the balance of the project's water management system.

j. Stormwater run-off must be pre-treated through an acceptable recreated natural system or dry retention and water retention system, prior to discharging the run-off into existing lake or wetland (any aquatic) systems.

k. An annual monitoring report of ground water and surface water quality is required for the golf course operation. The monitoring program must include: testing to assess whether there are any herbicide, pesticide or fertilizer pollution of the water within the area of the golf course; identification of the locations for the ground water monitoring and testing on a map(s); testing and recording requirements. The developer must submit the test results with the monitoring report to the Lee County Planning Division. The monitoring program will be established and operated at the expense of the developer, or other comparable legal entity charged with the legal responsibility of managing the golf course. This plan will be evaluated in accordance with the directives of Chapter 17-302, F.A.C., water quality standards.

l. If groundwater or surface water pollution occurs, as that term is defined by the rules or regulations in effect at the time, and if the pollution is caused by the application of fertilizers, herbicides or pesticides to the golf course, the application must cease until the developer submits a revised management plan. If mitigation is necessary to address the pollution, the developer must implement a mitigation plan approved by Lee County.

7. Model units and homes are permitted in compliance with the following conditions:

a. Each model must be a unique example. Multiple examples of the same unit are not permitted; and

b. All model sites must be designated on the development order plans; and

c. Prior to constructing model homes within this project, the lots upon which the model homes will be constructed will have been shown on a preliminary plat filed concurrently with the required local development order for this project. Such model home(s) will comply with all setbacks set forth within the Property Development Regulations for River Hall (f/k/a Hawk's Haven) or the LDC, whichever applies. Should setback problems arise after construction of a model home, it will be the responsibility of the owner/developer to resolve the setback problem.

d. Hours of operation for model units and real estate sales within the model units are limited to Monday through Sunday, 8 a.m. through 8 p.m.

8. ~~Agricultural USES: Existing bona fide agricultural uses on this site are no longer permitted use since they have been previously terminated allowed only in strict compliance with the following: Bona fide agricultural uses that are in existence at the~~

~~time the application for this project was filed, and as shown on Exhibit E attached hereto, may continue until approval part of a local development order for the area of the project containing those uses approval.~~

~~b. Additional clearing of trees or other vegetation in agricultural areas is prohibited. Existing areas of bona fide agricultural use may be maintained, i.e., mowed, but not cleared or expanded. This prohibition is not intended to preclude County approved requests for the removal of invasive exotic vegetation.~~
~~c. Prior to issuance of a local development order, the property owner must provide written proof, subject to approval by the County Attorney's Office, of the following:~~

~~i. Termination of all agricultural use on any portion of the property included in the development order application/approval. Proof must include a sworn affidavit from the person or entity holding title to the subject property that specifically provides:~~
~~(1) the date the agricultural uses ceased;~~
~~(2) the legal description of the property subject to the development order approval;~~
~~(3) an affirmative statement that the owner acknowledges and agrees that all agricultural uses are illegal and prohibited on the property and that the owner covenants with the county that they will not allow any such uses on the property unless and until the property is re-zoned to permit such uses; and,~~
~~(4) that the affidavit constitutes a covenant between the owner and the county that is binding on the owner and their assignees and successors in interest.~~

~~The covenant must be properly recorded in the public records of the county at the owner's expense.~~
~~ii. Termination of the agricultural tax exemption for any portion of the property included in the development order application/approval. Proof as to termination must include of a copy of the request to terminate the tax exemption provided to the Property Appraiser.~~

~~9.~~ Construction traffic is prohibited on Hickey Creek Road.

~~10~~9. Buildings exceeding 35 feet in height must maintain additional building separation as regulated by LDC §34-2174(a).

~~11~~10. ~~Approval of this zoning request does not address access onto S.R. 80, since Lee County has no jurisdiction over that roadway. The developer must pursue this access approval with the Florida Department of Transportation (FDOT). Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.~~ By letter dated April 22, 2014, the Florida Department of Transportation (FDOT) has deemed that signalization of the intersection of River Hall Parkway and SR 80 is currently warranted and necessary. The Special Provisions contained within the FDOT Connection Permit 04-A-192-0061 require signalization of this intersection at the Applicant's expense when the FDOT Traffic Operation Division determines that the warrants are met. As a result, the Applicant must coordinate, design, and construct the traffic signal now. Typically, design and construction of a traffic signal takes 12-18 months. In order to ensure the permitting of the signal occurs in a timely manner, the signal design must be initiated no later than 30 days of the date of the Zoning Resolution. The signal design must be submitted to FDOT no later than 150 days of the date of this Zoning Resolution. Construction of the signal must be

completed within 12 months of the date of this Zoning Resolution. Once 12 months from the date of the Zoning Resolution has passed, issuance of further local development order approvals (including amendments and minor changes to active development orders) within the River Hall Development will not be granted until the signal is constructed per FDOT's approval. In the event the signal is not constructed within 12 months of the date of this Resolution, the Director of Community Development may issue a reasonable extension if the Applicant demonstrates good-faith progress on the design, permitting, and construction of the signal. This condition placed by Lee County as a part of this rezoning does not exempt the Applicant from having to comply with the permit as approved by FDOT.

~~12~~11. Approval of this rezoning does not give the developer an undeniable right to receive local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocations Table, Map 16 and Table 1(b).

~~13~~12. ~~This development must comply with all of the requirements of the LDC at the time of local development order approval, except as may be granted by deviations approved as part of this planned development. 14.~~ The developer is required to design the project in a manner that will provide the internal "outparcels" (separate tracts encapsulated by the project property) the ability to obtain reasonable and practicable access through the subject property, unless the developer provides a circuit court order indicating that the internal outparcels are not legally entitled to access through the subject property. However, this rezoning does not obviate the developer's responsibility to provide access to the internal "outparcels" in accordance with Florida law.

~~15~~13. If the developer constructs structures other than conventional single-family homes within 100 feet of the "outparcels," the developer must provide a 25-foot-wide enhanced vegetative buffer completely around the outparcel. In addition, the enhanced vegetative buffer must utilize native vegetation, indigenous to the plant community in which it is to be planted. The vegetation must be installed prior to vertical construction and it must be installed according to the following density and size:

a. Six trees per 100 linear feet - At installation, trees must be a minimum of 12 to 14 feet tall, with a 2-112 inch minimum caliper and a 5-foot minimum canopy. No palm trees, or completely deciduous trees, may be used to meet the requirements of this enhanced buffer.
b. 33 shrubs per 100 linear feet - 1) At installation, all shrubs must be 18 to 24 inches in height, 3-gallon pots, and spaced 30 to 36 inches on center; and 2) all shrubs used to meet the enhanced buffer requirements must reach a mature height in excess of six feet under normal growing conditions. If these "outparcels" come under the control of the developer prior to construction within the 100-foot-wide area, then compliance with this condition is not required.

~~16~~14. Vehicle access from the northern boundary of the subject property over and across ~~Hickory~~Hickey Creek Road is prohibited.

~~17~~15. Accessory uses must be located on the same tract, parcel or outparcel where a principal use is located. Accessory uses must be incidental and subordinate to the principal use of the tract, parcel or outparcel.

~~18~~16. No development blasting is permitted as part of this project unless approved at a subsequent public hearing as an amendment to the planned development.

~~19~~17. All required buffers must utilize 100 percent native vegetation.

~~20~~18. ~~Upon passage of this Zoning Resolution, Zoning Resolution #Z-99-056 and Administrative Amendment ADD2004-00067 are null and void. 21.~~ The school site is limited to a public school operated by the School District of Lee County.

19.~~22.~~ Outdoor storage areas must be in compliance with §34-3001, et seq, of the Lee County LDC, with the additional requirements as outlined on page 2 of 2 of the attached MCP, including a 200-foot perimeter setback and enhanced buffer.

20.~~23.~~ A plan showing landscaping in accordance with page 2 of 2 of the approved MCP must be submitted and approved prior to the issuance of a development order for the golf course maintenance facility and amenity center.

21.~~24.~~ Signage referencing the town center is prohibited within 50 feet of the right-of-way of Palm Beach Boulevard (State Road 80).

22.~~25.~~ BUFFERS.

a. A Type "B" buffer must be added to the MCP for the "Town Center" portion bordering agriculturally-zoned property to the east, in accordance with the LDC. This buffer will not include the existing conservation areas shown on the approved MCP.

b. A Type "D" buffer must be added to the MCP on the "spine" Road for the commercial Town Center portion of the property, in accordance with the LDC.

~~26. The MCP must be amended to include a 2nd full access that crosses the existing 50-foot-wide canal to the south to connect into 75th Street West in Lehigh Acres. The developer may show the access at any location along the southern boundary of the property except where the MCP shows conservation easements. The developer is not obligated to construct this access until Lee County has issued a certificate of occupancy for 1,598 homes within the project. Responsibilities regarding improvements to 75th Street West or other abutting Lehigh roads will be determined at the time the access is approved for construction. The County will work with the developer to obtain approval to bridge the 50-foot-wide canal.~~

23. Second Access

a. Within 24 months of the date of this Zoning Resolution, the Applicant will design, permit, and construct the secondary access to 75th Street West shown on Page 4 of the MCP. The design of the second driveway to the River Hall community must be shown as a part of the first local development order approval for any of the unplatted lands in the southern portion of the development. In the event the secondary access is not constructed within 24 months of the date of this Resolution, the Director of Community Development may issue a reasonable extension for completion if the development has not exceeded the occupancy of 1,598 dwelling units, and the Applicant demonstrates good faith progress on the design, permitting, and construction of the access. This requirement is contingent upon approval from the East County Water Control District (ECWCD) to cross the 50-foot-wide canal along

the south side of River Hall. The County will work with the developer to obtain approval to cross the 50-foot-wide canal.

b. Upon construction of the second access to the River Hall community, access through the security gates must be provided to Lee County School District buses and Fire/EMS vehicles.

~~27. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.~~

~~The developer may obtain the necessary development orders when the project meets Lee County Concurrency requirements. This approval may require either road improvements or a reduction in requested intensity and density.~~

24. Wall between River Hall and Portico (ADD2007-00063)
The construction of a wall along a portion of the southern and western property boundaries adjacent to the Portico Residential Planned Development (RPD) is subject to the following conditions:
a. The Development must be in compliance with the amended Master Concept Plan, dated APRIL 17, 2007, Master Concept Plan for ADD2007-00063 (Exhibit ~~A~~) and is attached hereto.
b. Approval of this administrative amendment was contingent upon approval of ADD2007-00084 Portico, which was approved on May 14, 2007.

25. Within ninety (90) days of the effective date of this Resolution, the developer of lands within ~~the legally described areas as part of the amendment sought in DCI2013-00003 will~~ River Hall 2 must submit a request to the South Florida Water Management District (SFWMD) for a letter modification to the consumptive use permit for the project to reinstate the groundwater monitoring requirements that were not included in the 2013 permit renewal. These requirements include conditions 31, 32, and 33 of the original Permit No. 36-04006-W issued in 2006. If the SFWMD approves the requested modification, all monitoring reports filed with the SFWMD pursuant to the permit will also be simultaneously filed with the County's Department of Natural Resources.

26. The developer of lands within ~~the legally described areas as part of the amendment sought in DCI2013-00003 will~~ River Hall 2 must provide the ability for drainage from the ECWMD to pass through the project's surface water management system in order to lower flood stages within the ECWMD. The intent of this condition is to provide for a stormwater conveyance from the existing ECWMD canal along the southern boundary of River Hall during major storm events. This condition is not intended to require the construction of any physical improvements to the surface water management system within River Hall, but only to require access to and authority for the ECWMD to utilize the surface water management system within River Hall in accordance with it existing permit Documentation of compliance with this requirement will be provided by the developer to the County prior to issuance of any residential development orders; provided, however, that this will not prohibit the issuance of development orders solely for the infrastructure improvements (including but not limited to sewer, water, and drainage) for the project.

27. The developer of lands within ~~the legally described areas as part of the amendment sought in DCI2013-00003 will~~ River Hall must provide, at developer's expense, a

temporary modular unit to be located on the River Hall sales facility parcel for use as a station for Lee County Emergency Medical Services (EMS). At a minimum, the modular unit will provide office space, rest/sleeping area, shower and restroom facilities for EMS, along with a minimum of 4 dedicated parking spaces. Upon installation, the modular unit and parking spaces will be leased to the County for $10.00 per year, whereupon the County will be responsible for all costs of operation including, but not limited to, utilities, electricity, telecommunications, furniture, and maintenance. Within thirty (30) days after the effective date of this resolution, the developer will submit a development order application for the installation of the modular unit, and will diligently pursue issuance of the development order and move-on permit for the unit. The modular unit will be installed within ninety (90) days of receipt of all necessary permitting. The developer's obligation under this condition will expire upon the earlier of: (1) construction and issuance of a certificate of occupancy for the fire station on the parcel within River Hall owned by the Fort Myers Shores Fire District; or (2) five years after issuance of a certificate of occupancy for the modular unit.

~~29.The structure side setback to the preserve may be reduced to 17-feet for existing platted lots River Hall Country Club Phase Two, Block K Lots 29, 57, 76, and 77 as documented in Instrument No. 2006000409514, with the condition that any re-plat of these lots will require the lots to meet the 30-foot structure setback to the preserve.~~

~~30.The structure setback to the preserve may be reduced to 20-feet for existing platted lots River Hall Country Club Phase Two, Block K Lots 37-39, 54-57 & 65-77 as documented in Instrument No. 2006000409514, and Hampton Lakes at River Hall Phase One, Lots 102-134, as documented in Instrument No. 2006000409514 2005001153004, with the condition that any re-plat of these lots will require the lots to meet the 30-foot structure setback to the preserve.~~

DEVIATIONS:

The following deviations (1 through 5) have been previously approved as part of ~~this planned development~~ the River Hall 1 approvals and remain in effect~~,~~ as approved:

1. Deviation ~~(1) seeks~~ sought relief from the LDC §10-385(d)(3)a requirement to provide a maximum fire hydrant spacing of 800 feet in the one- and two-dwelling unit area, to eliminate this requirement in areas along the "spine" road where no homes exist. This deviation ~~is~~ was APPROVED.

2. Deviation ~~(2)~~: Withdrawn.

3. Deviation ~~(3) seeks~~ sought relief from the LDC §10-329(d)(4) requirement to provide lake banks to be sloped at a maximum 4:1 slope, to allow bulkheads for up to 25 percent of the shoreline of lake banks. This deviation ~~is~~ was APPROVED.

4. Deviation ~~(4) seeks~~ sought relief from the LDC §34-2194(b) requirement to provide a 25-foot setback from bodies of water, to allow 20-foot setbacks for the manmade lakes to be consistent with the existing development orders and permits. This deviation ~~is~~ was APPROVED.

5. (ADD2007-00075) Deviation ~~(5)~~ sought relief from LDC §30-152(2)c to allow a reduction in the minimum required setback for residential subdivision entrance signage from 15 feet to 5

feet from the Right-Of-Way. This deviation ~~is~~ was APPROVED subject to the following Conditions:

1. Entrance signs to subdivisions within the River Hall Country Club development must be in compliance with the attached Signage Exhibit, stamped received on April 11, 2007. The Signage Exhibit for ADD2007-0075 is hereby APPROVED and adopted. A reduced copy is attached hereto as "Attachment A." (Exhibit B) rear setbacks for accessory structures on lots 302-307 and 344-348 must be at least 6 inches.

2. Either a two-sided sign in a landscaped median OR two one-sided signs on either side of a project entrance within the River Hall Country Club will be allowed at the entrance to each residential development. All signs must be in accordance with Chapter 30 of the Land Development Code.

The following Deviations have been requested as part of this amendment to the planned development zoning:

6. Deviation seeks relief from LDC Section 10-415(b)(1)c~~.~~, which requires a minimum building setback of 20 feet from ~~buildings~~ all indigenous preserves and a 30 foot building setback ~~for~~ from indigenous plant communities subject to fire, to allow a side setback of 17 feet for the following existing platted lots: River Hall Country Club, Phase Two, Block K, Lots 29, 57, 76, and 77, as documented in Instrument No. 2006000409514~~; Hampton Lakes at River Hall, Phase One, Lot 87~~.

Staff recommends ~~is APPROVED~~ APPROVAL, subject to the following condition: ~~Condition 29.~~

~~The structure side setback to the preserve may be reduced to 17 feet for existing platted lots River Hall Country Club Phase Two, Block K Lots 29, 57, 76, and 77 as documented in Instrument No. 2006000409514, with the condition that a~~Any re-plat of these lots will require the lots to meet the 30-foot structure setback to the preserve.

7. Deviation seeks relief from LDC Section 10-415(b)(1)c~~.~~, which requires a minimum building setback of 20 feet from ~~buildings~~ all indigenous preserves and a 30 foot building setback ~~for~~ from indigenous plant communities subject to fire, to allow a setback of 20 feet for ~~all~~ existing platted lots River Hall Country Club Phase Two, Block K Lots 37-39, 54-57 & 65-77 as documented in Instrument No. 2006000409514, and Hampton Lakes at River Hall Phase One, Lots 102-134, as documented in Instrument No. ~~2006000409514~~ 2005001153004.

Staff recommends ~~is APPROVED~~ APPROVAL, subject to the following condition: ~~Condition 30.~~

~~The structure setback to the preserve may be reduced to 20 feet for existing platted lots River Hall Country Club Phase Two, Block K Lots 37-39, 54-57 & 65-77 as documented in Instrument No. 2006000409514, and Hampton Lakes at River Hall Phase One, Lots 102-134, as documented in Instrument No. 2006000409514 2005001153004, with the condition that a~~Any re-plat of these lots will require the lots to meet the 30-foot structure setback to the preserve.

8. Deviation seeks relief from LDC Section 10-329(d)(4), which requires banks of excavations to be sloped at a ratio not greater than six horizontal to one vertical from the top of bank to a water depth of two feet below the dry season water table to allow a 4:1 slope.

Staff recommends DENIAL of this deviation.

9. Deviation from LDC Section 10-291(3) which requires residential subdivisions of more than five acres to provide more than one means of ingress or egress for the development to allow one ingress or egress onto State Route 80.

Staff recommends DENIAL of this deviation.

10. Deviation from LDC Section 34-934 which permits dwelling units within a CPD when there are at least 50,000 square feet or more of commercial uses, to allow dwelling units within the existing River Hall CPD which was permitted for 45,000 square feet of commercial uses.

Staff recommends APPROVAL of this deviation.

LEE COUNTY
HEARING EXAMINER

2014 DEC 31 PM 12: 00

STAFF'S EXHIBIT
1

LEE COUNTY, FLORIDA
DEPARTMENT OF COMMUNITY DEVELOPMENT
ZONING DIVISION
STAFF REPORT

TYPE OF CASE: **PLANNED DEVELOPMENT/DCI**
CASE NUMBER: **DCI2013-00003**
HEARING EXAMINER DATE: **January 14, 2015**

I. APPLICATION SUMMARY

A. Applicant: Green Point Communities, LLC in reference to River Hall

B. Request: Amend the existing River Hall (fka Hawks' Haven) Residential Planned Development (RPD) and Commercial Planned Development (CPD) zoning to increase the maximum number of dwelling units within River Hall from 1,999 to 2,695, for an increase of 696 dwelling units, and to permit Recreational Facilities, Private On-Site, and townhouse and multi-family dwelling units in the CPD portion of the community.

C. Location: The subject property is located 5.7 miles east of I-75 exit 141 and south of SR 80 in the Fort Myers Shores Planning Community, Lee County, FL. (District #5)

D. Future Land Use Plan Designation, Current Zoning and Use of Subject Property and Road Classification:

Land Use Designation: Rural and Wetlands
(CPA2012-01 was transmitted to the State by the Board of County Commissioners (BOCC) on October 22, 2014 to change portions of the property to Conservation Lands Wetlands, Conservation Lands Uplands, and Sub-Outlying Suburban.)

Current Zoning: Residential Planned Development (RPD) and Commercial Planned Development (CPD)

Current Use: (overall River Hall development) residential, public school, golf course, and vacant commercial and residential. Of the 1,999 dwelling units approved, approximately 324 units have been constructed to date.

Road Classification: State Road 80, Palm Beach Boulevard, arterial

E. Surrounding Zoning and Land Use:

Zoning & Land Use	Future Land Use
North: AG-2, large lot residential, vacant (North of SR 80 at River Hall Pkwy. Vacant CPD zoned land)	Rural & Wetlands Commercial & Conservation Lands Wetlands & Uplands
East: Canal, then AG-2, Hickey Creek Mitigation Park	Conservation Lands Upland and Wetland

South:	RS-1, developed and undeveloped single family lots	Urban Community
West:	RM-2 and RS-1, single family; AG-2, large lot single family; RPD, single family and vacant lots	Suburban, Outlying Suburban and Sub-Outlying Suburban

F. Size of Property: Parcel to be amended: 553 acres (as of December 17, 2014)
Original planned development: 1,978± acres.

II. RECOMMENDATION:

Staff recommends APPROVAL of the applicant's requested amendments with conditions. Staff includes Attachment C to this report providing a proposed codification of the conditions and actions for the entire planned development as part of any approval.

Findings and Conclusions:

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

1. The applicant has proved entitlement to the amendment of the Residential Planned Development (RPD) and Commercial Planned Development (CPD) zoning by demonstrating compliance with the Lee Plan, the Land Development Code, and other applicable codes and regulations. (Lee Plan Goals, Objectives and Policies: Policy 1.1.5., Policy 1.4.1, Objective 1.5., Policy 1.5.1., Policy 1.1.11., Objective 2.2, Policy 2.2.1, Goal 5, Objective 5.1, Policy 5.1.1, 5.1.2, 5.1.5, Goal 21, Objective 21.3, Objective 21.6, and Policy 21.6.3)

2. The requested amendment of the existing RPD and CPD zoning, as conditioned:

   a) is consistent with the densities, intensities and general uses set forth in the Lee Plan finding that the transmitted amendments to the Lee County Comprehensive Plan for CPA2012-01 accommodate the development as proposed. (Policies 1.1.5, 1.4.1, 1.5.1, and 1.1.11.)

   b) is compatible with existing or planned uses in the surrounding area finding that the proposed density is similar to surrounding land uses and the resulting lot sizes within the development remain consistent with the existing lots within the development and no changes to the approved lot sizes have been proposed as part of the planned development amendments; and (Lee Plan Policy 5.1.5)

3. The proposed amendment is expected to impact the intersection of SR 80 and River Hall Parkway. Conditions to satisfy the requirement to signalize this intersection and provide a second means of access will address the impacts placed upon existing transportation facilities. As conditioned, the proposed development will be served by streets with the capacity to carry traffic generated by the development.

4. As conditioned, urban services will be available and adequate to support the development. (Lee Plan Objective 2.2 and Policy 2.2.1.)

5. The proposed mix of uses, as conditioned, remains appropriate at the subject location.

6. The recommended conditions to the master concept plan and other applicable regulations provide sufficient safeguards to the public interest.

7. The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.

8. The deviations, as conditioned:

   a) enhance the planned development; and

   b) preserve and promote the general intent of the LDC to protect the public health, safety and welfare.

III. BACKGROUND INFORMATION AND ANALYSIS:

Introduction/Synopsis

This application seeks to amend the existing Residential Planned Development, RPD and Commercial Planned Development, CPD zoning within a portion of River Hall. The subject property is located on Palm Beach Boulevard, State Route 80, 5.7 miles east of I-75.

The overall River Hall development is located on 1,978 acres and the current zoning approval allows 1,999 units; 15,000 square feet of office; and 30,000 square feet of retail use. The requested zoning amendment is to allow 696 additional dwelling units, add residential units in the Town Center, and add Recreational Facilities, Private On-Site, and townhouse and multi-family dwelling units to the CPD portion of the planned development.

The applicant has applied for a Comprehensive Plan amendment. During the course of the transmittal hearing for CPA2012-01 on October 22, 2014, the applicant described it was their intent to have a maximum of 2,850 dwelling units, representing an increase of 851 units (not the originally requested 1,000 units as part of the planned development zoning application) over the existing allowed unit count within the planned development. The applicant indicated the proposed additional units will be constructed within the development footprint that has already been approved, with no impacts to existing or approved conservation areas or community amenities.

Recent actions by the River Hall Community Development District (CDD) withdrew their authorization on CDD owned lands that had been included as part of the comprehensive plan amendment and zoning amendment applications.

As a result of this action, the applicant resubmitted their Zoning application materials on December 17, 2014. The Zoning application is now for 553 acres. The applicant advises the changes proposed in CPA2012-01 result in a maximum yield of 2,749 units within the entire River Hall development. Their zoning amendment requests a maximum dwelling unit cap at 2,695 and is reflected in the applicant's proposed changes to the zoning conditions in Attachment E. The resubmitted materials include:

- Revised 5-sheet Master Concept Plan;
- Revised sketches and legal descriptions for the areas within River Hall subject to the amendment;
- Proposed revisions to the zoning conditions;
- Revised Project Summary and comprehensive plan analysis;
- Updated Traffic Impact Statement; and
- Updated application forms and supporting documentation.

The applicant supplemented their recommended conditions by adding by e-mail (Attachment E) a condition addressing Emergency Medical Services.

Zoning History

On October 18, 1999, Residential Planned Development (RPD) zoning was adopted in Resolution Z-99-056 for a project named Hawk's Haven. The approval allowed development of up to 1,598 dwelling units on 1,797.45 acres.

On September 19, 2005, the original Hawk's Haven project, plus an additional 181 acres, was rezoned to Residential Planned Development (RPD) and Commercial Planned Development (CPD) zoning by adoption of Zoning Resolution Z-05-051. This new project was named River Hall. The zoning approval allows a maximum of 1,999 dwelling units; 15,000 square feet of office, and 30,000 square feet of retail on 1,978.44± acres.

Master Concept Plan (MCP)

The MCP is a 5 sheet plan (stamped received on December 17, 2014). The MCP shows the full River Hall development, with the 553 acre amendment area shaded to distinguish it from the remaining portion of the development, on Sheet 4.

The Master Concept Plan shows the general locations for residential, lakes, and vehicular circulation areas. The residential areas are divided into R-1 and RMF-1 designated areas. Dwelling unit types of single-family detached, two-family attached, and zero-lot-line would be allowed in both the R-1 or RMF-1 areas, while townhouse and multiple-family units would only be allowed in the RMF-1 areas.

The Schedule of Uses adds Recreation Facilities, Private on-site to "Residential, Golf, & Amenity", and within the Town Center (CPD) the application adds Dwelling Units: townhouse or multiple family and Recreation Facilities, Private on-site.

There is no change to the proposed access to the community. Both the current and proposed Master Concept Plan show two means of access: one to SR 80 - Palm Beach Boulevard and the second south to 75th Street West. Additionally, two potential emergency access points are shown: one in the southwest portion of the development and the other being a connection of Great Laurel Court (within River Hall) to Portico Boulevard (within the Portico development)

Deviations

The applicant has requested the following deviations be added as part of this amendment to the planned development zoning:

Deviation from LDC Section 10-415(b)(1)c. which requires a minimum setback of 20 feet from buildings and a 30 foot setback for indigenous plant communities subject to fire to allow a side setback of 17 feet for the following existing platted lots: River Hall Country Club, Phase Two, Block K, Lots 29, 57, 76, and 77; Hampton Lakes at River Hall, Phase One, Lot 87.

This zoning application only amends the zoning for the legally described property as part of DCI2013-00003. Some of the above lots are located outside of the legally described area of the amendment and staff does not recommend approval for those lots. Staff recommends approval of the deviation for only those lots within the legally described area, as provided for in the recommended Conditions and Deviations (Attachment C).

Deviation from LDC Section 10-415(b)(1)c. which requires a minimum setback of 20 feet from buildings and a 30 foot setback for indigenous plant communities subject to fire to allow a setback of 20 feet for all existing lots.

This zoning application only amends the zoning for the legally described property as part of DCI2013-00003. Not all of the existing lots within the development are within the legally described area of the amendment. Staff recommends approval of this deviation for those specific lots as contained in the recommended Conditions and Deviations (Attachment C).

Deviation from LDC Section 10-329(d)(4) which requires banks of excavations to be sloped at a ratio not greater than six horizontal to one vertical from the top of bank to a water depth of two feet below the dry season water table to allow a 4:1 slope.

Staff is not aware where this deviation would be applied within the legally described parcels of this application, DCI2013-00003. The deviation cannot be approved outside of the legally described boundary of this amendment. Staff also does not support the granting of this deviation. The lakes may be abutting or nearby to single family homes within the development. Staff cannot support the granting of this increase in slope as it may not preserve and promote the general intent of Chapter 34 of the LDC to protect the public health, safety and welfare.

Deviation from LDC Section 10-291(3) which requires residential subdivisions of more than five acres to provide more than one means of ingress or egress for the development to allow one ingress or egress onto State Route 80.

Staff does not support the granting of this deviation. The LDC requirement does not require two means of access to State Route 80 and therefore this deviation is not needed. As offered by the applicant, a second means of access will be provided within 24 months of the action approving this amendment.

Deviation from LDC Section 34-934 which permits dwelling units within a CPD when there are at least 50,000 square feet or more of commercial uses, to allow dwelling units within the existing River Hall CPD which was permitted for 45,000 square feet of commercial uses.

Staff does not object to the granting of this deviation. Approval would help achieve the planned development and would not be expected to adversely impact the general intent of Chapter 34 to protect the public health, safety and welfare.

Development of Regional Impact (DRI)
The DRI thresholds have been reviewed for this project, by County staff with the assistance of the Regional Planning Council and the Department of Economic Opportunity. The proposed residential is 89.87% of the residential threshold of 3,000 units (proposed 2,696 units). The retail is 7.5% of the shopping center threshold of 400,000 square feet (proposed 30,000 square feet). Finally, the office is 5.0% of the general office threshold of 300,000 square feet (proposed 15,000 square feet). The sum of the percentages is 102.37%, below the 160% threshold for a Development of Regional Impact.

Lee County Comprehensive Plan (Lee Plan)
Concurrent with the proposed amendment to the existing RPD and CPD zoning, the applicant has filed an amendment the Lee County Comprehensive Plan, CPA2012-01. The BoCC voted on October 22, 2014 to transmit the following amendments to the State Land Planning Agency:

> Amend the future land use category of 1,064 acres of land within the Rural Future land Use category and 223 acres within the wetlands Future land Use Category to 153 acres of Conservation Lands Wetlands, 264 acres of Conservation Lands Uplands and 870 acres of Sub-Outlying Suburban.
>
> Adopt Policy 5.1.11 to allow density from lands designated as Conservation Lands Uplands to be relocated to contiguous developable uplands at the same underlying density as the developable uplands.
>
> Amend Policy 21.1.5 to cap the density of the River Hall development at 2,850 dwelling units.
>
> Also amend Table 1(b), Year 2030 Allocations, to adjust the acreage allocations for the Fort Myers Shores Planning Community to provide an allocation for the Sub-Outlying Suburban future land use category by lowering the allocation to the Rural future land use category.

Subsequent to the Transmittal, the plan amendment application has been revised, reducing the acreage and number of units. This revised zoning request has been reviewed based upon the revised comprehensive plan amendment. The pending comprehensive plan amendment and this rezoning request will be heard by the Board on the same day.

The surrounding future land use categories consist of Urban Community, Suburban, Outlying Suburban, Sub-Outlying Suburban, Commercial, Rural, Conservation Lands (Uplands and Wetlands), and Wetlands.

The lands to the south of the subject property are designated Urban Community and are within Lehigh Acres. The Urban Community lands within Lehigh Acres have been subdivided into ¼ acre single-family parcels and are primarily zoned RS-1. There are

intermittent single-family homes developed in the area adjacent to the proposed amendment.

The Suburban and Outlying Suburban lands are located near the northwest corner of the subject property and consist of single-family homes in RPD and RS-1 zoning districts. The approved density of these residential developments ranges between 2 and 4 units per acre. The Sub-Outlying Suburban lands are located near the southwest corner of the subject property and consist of vacant property that has been zoned for residential development (RPDs). These lands include two separate projects known as Buckingham 320 (DCI2004-00090) and Portico (DCI2004-00031). Buckingham 320 and Portico were approved with 2 dwelling units per acre.

Commercial lands are located on the north side of State Route 80, directly across from the River Hall entrance, River Hall Parkway. The property in the Commercial future land use category is vacant and was recently rezoned from AG-2 to Commercial Planned Development (CPD), DCI2012-00059, Olga Square. This rezoning approved approximately 371,000 square feet of various commercial uses. Also located to the north are Rural lands that are zoned AG-2 and are currently vacant or developed with single-family homes.

Lands in the Conservation Lands future land use category are located to the east in the Hickey's Creek Mitigation Park. It is anticipated that the Conservation Lands will remain substantially in their natural state.

In review of the current Lee County Comprehensive Plan, staff provides the following Lee Plan Policies for consideration:

The overall River Hall development is currently designated with the following future land use categories on the Future Land Use Map of the Lee County Comprehensive Plan: Suburban, Rural, Wetlands. The Lee Plan provides the following description for each of these future land use categories.

> **POLICY 1.1.5:** The Suburban areas are or will be predominantly residential areas that are either on the fringe of the Central Urban or Urban Community areas or in areas where it is appropriate to protect existing or emerging residential neighborhoods. These areas provide housing near the more urban areas but do not provide the full mix of land uses typical of urban areas. The standard residential densities are the same as the Urban Community category. Higher densities, commercial development greater than neighborhood centers, and industrial land uses are not permitted. Bonus densities are not allowed. (Amended by Ordinance No. 94-30)
>
> **POLICY 1.4.1:** The Rural areas are to remain predominantly rural--that is, low density residential, agricultural uses, and minimal non-residential land uses that are needed to serve the rural community. Natural resource extraction may be permitted in accordance with Policy 10.1.4. These areas are not to be programmed to receive urban-type capital improvements, and they can anticipate a continued level of public services below that of the urban areas. Maximum density in the Rural area is one dwelling unit per acre (1 du/acre). (Added by Ordinance No. 97-17, Amended by Ordinance No. 98-09, 00-22, 07-12, 10-20)
>
> **OBJECTIVE 1.5: WETLANDS.** Designate on the Future Land Use Map those lands that are identified as Wetlands in accordance with F.S. 373.019(17) through the use of the

unified state delineation methodology described in FAC Chapter 17-340, as ratified and amended in F.S. 373.4211. (Amended by Ordinance No. 94-30)

POLICY 1.5.1: Permitted land uses in Wetlands consist of very low density residential uses and recreational uses that will not adversely affect the ecological functions of wetlands. All development in Wetlands must be consistent with Goal 114 of this plan. The maximum density is one dwelling unit per twenty acres (1 du/20 acre) except as otherwise provided in Table 1(a) and Chapter XIII of this plan. (Amended by Ordinance No. 94-30)

The concurrent Lee Plan amendment, as revised, would change approximately 586 acres of Rural lands to Sub-Outlying Suburban within the River Hall development. Sub-Outlying Suburban lands are described as follows:

POLICY 1.1.11: The Sub-Outlying Suburban areas are residential areas that are predominantly low-density development. Generally the requisite infrastructure needed for higher density development is not planned or in place. It is intended that these areas will develop at lower residential densities than other Future Urban Areas and are placed within communities where higher densities are incompatible with the surrounding area and where there is a desire to retain a low-density community character. Higher densities, commercial development greater than neighborhood centers, and industrial land uses are not permitted. The standard density range is from one dwelling unit per acre (1 du/acre) to two dwelling units per acre (2 du/acre). Bonus densities are not allowed.

The Lee Plan gives direction as to development timing and the provision of public services as provided below:

OBJECTIVE 2.2: DEVELOPMENT TIMING. Direct new growth to those portions of the Future Urban Areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in F.S. 163.3164(7)) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, Florida Statutes and the county's Concurrency Management Ordinance. (Amended by Ordinance No. 94-30, 00-22)

POLICY 2.2.1: Rezonings and development-of-regional-impact proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare. (Amended by Ordinance No. 94-30, 00-22)

The subject property is currently served by potable water and sanitary sewer. Lee County Utilities reports they have sufficient capacity to serve the development. The School District of Lee County reports they currently have sufficient seats to serve the potential 292 school-aged children expected to be generated by the development (based on the originally requested 1000 dwelling units). The Fort Myers Shores Fire and Rescue District owns land within the development for the future use of a fire station. The District also has a fire station west of this site on Palm Beach Boulevard. Lee County EMS maintains an EMS station west of this property along Palm Beach Boulevard, however Lee County EMS has indicated difficulty in meeting required response times. Resolution to this is discussed later in this report. The property is served by the Lee County Sheriff.

The Lee Plan requires that development is compatible with the surrounding land uses. There are no proposed changes to buffers, commercial development intensity, residential and commercial property development regulations, and additional development will not occur outside of existing areas currently planned for development within the community. Surrounding areas are not expected to be further impacted by this development due to these reasons. This is consistent with Lee Plan Goal 5, Objective 5.1, and Policies 5.1.1, 5.1.2, and 5.1.5.

The River Hall development is within the Fort Myers Shores Planning Community, and Goal 21 of the Lee Plan addresses the planning efforts in Caloosahatchee Shores in which River Hall is located.

> **GOAL 21: CALOOSAHATCHEE SHORES:** To protect the existing character, natural resources and quality of life in Caloosahatchee Shores, while promoting new development, redevelopment and maintaining a more rural identity for the neighborhoods east of I-75 by establishing minimum aesthetic requirements, planning the location and intensity of future commercial and residential uses, and providing incentives for redevelopment, mixed use development and pedestrian safe environments. This Goal and subsequent objectives and policies apply to the Caloosahatchee Shores boundaries as depicted on Map 1, page 2 of 8 in the Appendix. (Added by Ordinance No. 03-21)
>
> **OBJECTIVE 21.3: RESIDENTIAL USES:** Lee County will protect and enhance the residential character of the Caloosahatchee Shores Community by strictly evaluating adjacent uses, natural resources, access and recreational or open space. (Added by Ordinance No. 03-21)

The proposed additional dwelling units will occur within the already disturbed areas of the project with no further encroachment of development on neighboring uses. The amendment does introduce a new dwelling unit type within the existing commercial area of the development. Expansion of residential into the Town Center is appropriate offering the opportunity for mixed use development as identified in Goal 21.

> **OBJECTIVE 21.6: PUBLIC PARTICIPATION.** Lee County will encourage and solicit public input and participation prior to and during the review and adoption of county regulations, Land Development Code provisions, Lee Plan provisions, and zoning approvals. (Added by Ordinance No. 03-21)
>
> **POLICY 21.6.3:** The owner or agent of a requested Lee Plan amendment or zoning action (planned development, conventional rezoning, special exception, or variance requests) within the Caloosahatchee Shores Community must conduct one public informational session where the agent will provide a general overview of the project for any interested citizens. Lee County encourages zoning staff to participate in the public information session. This meeting must be conducted before the application can be found sufficient. The applicant is fully responsible for providing the meeting space, providing notice of the meeting, and providing security measures as needed. Subsequent to this meeting, the applicant must provide County staff with a meeting summary document that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the public information session; and a proposal for how the applicant will respond to any issues that were raised.
> (Added by Ordinance No. 03-21, Amended by Ordinance No. 11-24)

The applicant has held several public informational meetings. The meetings were conducted on September 6, 2012 (Attachment I). Another meeting, according to the applicant, was held during the annual home owner's association meeting in January, 2013. Finally on April 17, 2014, the applicant held two other informational meetings: the first with the owners within the River Hall development and the second with owners and concerned citizens who live outside of the River Hall Development.

Smart Growth

The proposed development, as with the current development approvals, has a mix of land uses including residential, commercial, public facilities (school) and recreational uses. Proposed commercial is found at the entrance to the development, capturing trips that might leave the development for services or goods. A mix of housing opportunities is achievable with single family and multiple family dwelling units allowed. On both sides of River Hall Parkway, prior to the entrance gate/gatehouse there are existing sidewalks.

Neighborhood Compatibility

Zoning staff has prepared the following to provide information on the lot sizes (internal and external) and densities (external). The application proposes no changes to the approved property development regulations. The project currently permits a minimum lot size of 5,400 square feet for single family residential and 10,000 square feet for multiple-family residential. The following provides information on internal and surrounding lot sizes.

Internal to the River Hall development, staff finds:

Cascades, Phase 1 has platted single family lots ranging from 5,400 to over 10,000 square feet.

Cascades, Phase 2 has platted single family lots ranging from 6,500 to over 67,000 square feet (5 lots ranging in size from 64,000 to over 67,000 square feet), many range from 6,500 to 9,500 square feet.

Hampton Lakes @ River Hall Phase 1 has platted single family lots ranging from 7,580 to 20,600 square feet with many being in the 8,000 to 10,000 square foot range.

River Hall Country Club, Phase One has platted single family lots ranging in area from 7,400 to 18,000 square feet.

River Hall Country Club, Phase Two has platted single family lots ranging in area from 7,300 to 24,000 square feet, with many in the range of 8,000 to 10,000 square feet.

South of the River Hall development, across a 100 foot wide canal, are single family lots within Lehigh Acres. These lots are zoned RS-1. Staff estimates the average density for this area of Lehigh Acres is 3.1 units per acre and the lot sizes range from 10,800 to 21,000 square feet.

North of the River Hall development properties range in size from hundreds of acres to 1.25 acres, with many being about 2.5 acres. These properties consist of agricultural, single family homes, and vacant land uses.

West of the River Hall development is mixed development consisting of subdivisions and individual parcels. These individual parcels are zoned AG-2 and range in area from 1 to tens of acres. These parcels are vacant or used for agricultural and single family residential. The following projects abut River Hall:

Hawks Preserve: a single family subdivision with platted lot sizes ranging from 8,000 to 13,000 square feet (many of the lots are around 9,000 square feet). The Hawks Preserve subdivision (based on the subdivision plat, has 81.42 acres with 186 lots and 6 tracts (right-of-way, recreation area, retention and lake maintenance, and utility easement). Gross residential density is 2.28 units per acre.

Portico: This development is partially platted. Those platted lots range in area from 9,100 to 18,500 square feet, with most lots between 9,000 and 11,000 square feet. The zoning (adopted by Resolution Z-04-080) allowed 1,178 units on the 589 acre parcel, a gross density of 2 units per acre.

Hemingway Pointe: This is a vacant, but zoned parcel north of the Portico Development. This is zoned RPD (adopted by Resolution Z-06-085) and allows the development of 225 multiple-family units on 75.1 acres, a gross density of 2.996 units per acre.

Environmental Issues

The full report from Environmental Sciences may be found as Attachment L to this Staff Report. The following provides a summary of their report.

The current 1,978 acre River Hall Community site contains 270.7 acres indigenous uplands, 180.99 acres jurisdictional state and federal wetlands and 13.51 acres jurisdictional federal only wetlands for a total of 465.2 acres of required preserve on the site. The jurisdictional wetlands were approved in permits issued by the South Florida Water Management District and US Army Corp (ACOE).

Current protected species surveys for Lee County listed species meeting the requirements of LDC Section 10-473 were conducted by Passarella & Associates, Inc. December 4, 6, 7, and 11 2012, on the previously cleared and undeveloped lands (FLUCCS 740) located within the RPD amendment area. These surveys indicate four Lee County protected species were found within the survey area including gopher tortoise, burrowing owl, little blue heron, and bald eagle (Haliaeetus Leucocephalus). A total of 61 gopher tortoise burrows, 16 burrowing owl burrows (3 owls observed), two little blue herons, and 1 bald eagle were identified. The bald eagle was observed perched on a pine snag, no nest or nesting activity was observed or has been documented on or immediately adjacent to the subject site. The applicant proposes the protection of the gopher tortoises, burrowing owls, and little blue herons to be addressed as per the Lee County Protected Species Management Plans dated May 2006 approved through previous development orders. The gopher tortoises will be relocated on-site and

burrowing owl burrows removed as per the required Florida Fish and Wildlife Conservation Commission (FWC) permits.

County Staff conducted a site inspection on February 8, 2013 verifying the FLUCCS map and results of the Protected Species Survey.

The application is requesting to add residential units within previously cleared and undeveloped lands currently re-occupied by gopher tortoise and burrowing owls. This area is also adjacent to documented gopher tortoise, burrowing owl, American alligator, Florida Sandhill crane, listed wading birds, and Florida Scrub jay preserved indigenous habitat. Current approvals provide habitat management plans for these species, but resident educational materials are only provided for the American alligator and burrowing owl. Therefore, ES staff finds the gopher tortoise and burrowing owl management plans will need to be revised to address the current conditions and update management techniques and required permits. Species management plans will also need to be revised to provide educational materials to residents on the gopher tortoise, listed wading birds and Florida scrub jay.

The River Hall Community preserve areas provide suitable habitat for and is located within the secondary zone of the Florida panther (Felis concolor) and secondary range of the Florida black bear (Ursus americanus). Hickey's Creek Mitigation Park which abuts this property to the east has documented panther and black bear utilization. Increasing the number of units in River Hall next to the preserves will increase the potential for negative human/wildlife inter-action, and were similarly expressed by the Florida Fish and Wildlife Conservation Commission in December 9, 2014. ES staff recommends prior to development of the additional residential units the River Hall Community should also provide large mammal management plans with educational materials.

ES staff recommends that Environmental Conditions 3.a-e. from the previous zoning action (Resolution Z-05-51, as amended) be brought forward and remain in full force and effect. Additional conditions have been also offered to recognize current approved species management plans for the existing development and address the species issues of the proposed amendment area.

The Master Concept Plan depicts the addition of residential units and does not propose to reduce the common open space acreage as approved in Zoning Resolution Z-05-051.

The application does not propose any changes to the existing approved wetland and upland preserve areas and/or conservation easements and the preserve areas are not part of the amendment acreage.

New deviations 5 and 6 have been requested from LDC Section 10-415(b)(1)(c.) building setbacks to the preserve at locations depicted on the MCP. The applicant has provided an email from the Fire Chief at Fort Myers Shores Fire Department stating that the request may occur on existing platted lots only but that any new lots should have the required 30-foot setback. ES staff does not object to the deviation requests as long as it is only for existing platted lots subject to this zoning amendment and have recommended conditions to reflect these requirements and the need for residents to be notified of prescribed burn activities that may occur with on-site and adjacent public preserves.

Transportation

Lee County DOT reports (see Attachment F) this request seeks to increase the number of residential units by 696, to a total of 2,695 dwelling units. Lee County DOT has no objection to the application.

Attachment K is the full report from Development Services staff. In summary, the proposed amendment to the Comprehensive Plan will result in an increase in external traffic by 32% in the AM peak hour, by 28% in the PM peak hour, and by 26% over the course of the entire day.

The Applicant performed a Level of Service analysis on the County roadway network based on the proposed amendment to the River Hall planned development. The traffic analysis indicates a 2021 planning level analysis for zoning purposes. Based on the Applicant's roadway segment analysis, the traffic on SR 80 will operate within the adopted Level of Service standards in 2021. However, the analysis indicates that the intersection of SR 80 and River Hall Parkway will fail under buildout conditions without the construction of a traffic signal at the intersection. A traffic signal warrant analysis dated April 22, 2014 performed by the FDOT Traffic Operation Division indicates a traffic signal is now warranted at this intersection. The Applicant is now required to move forward with satisfying the special provisions indicated in Part 5 of the connection permit. Staff has proposed a condition to provide for the signalization of this intersection.

A current condition of the zoning approval requires the construction of a second access to the River Hall community prior to the issuance of the certificate of occupancy for the 1,598th dwelling unit. In the recent December 17, 2014 revised application resubmittal for this rezoning, the Applicant proposed a revised set of conditions of approval, including a proposed revision to the second access condition. Staff would support a condition that expedites the construction of the secondary access to the River Hall Community, with some minor adjustments, as offered in the recommended conditions.

The proposed second access would be gated serving only the residents and guests of the community. The applicant, however, has indicated they would allow access into the community for the School District of Lee County to help reduce fuel costs and vehicle miles travelled, and to Lee County Fire/EMS emergency vehicles.

Urban Services

The River Hall project is currently connected to potable water and sanitary sewer. If approved, when additional development is sought through the local development order process the utilities will be reviewed to make sure that adequate capacity exists to support the development.

Fort Myers Shores Fire and Rescue District maintains a fire station to the west about 2.5 to 3 miles along Pam Beach Boulevard. The Fort Myers Shores Fire District also owns a 2.25 acre site located on the east River Hall Parkway, south of Palm Beach Boulevard, but this property is currently vacant.

The closest EMS station is about 4.5 miles west of River Hall on Palm Beach Boulevard. Lee County EMS provided a response as part of the Comprehensive Plan amendment stating response times to the River Hall development were projected to be between 7:00 minutes to reach the development and 17:00 minutes to reach the far end of the development. (By Ordinance response times are required to be 8:59 minutes or less).

The applicant has proposed a condition to provide a temporary onsite facility for EMS services until a proposed fire station can be built to provide permanent facilities.

According to the LeeSplnS mapping system the development is within the Bravo Patrol District for the Lee County Sheriff's Office.

Public Transit does not extend out to the entrance to this development along Palm Beach Boulevard. The closest transit stop is at the northeast corner of Palm Beach Boulevard and Buckingham Road. (Attachment G)

The Lee County Library system maintains a branch library at 2421 Buckingham Road (east side of the road), about 600 feet south of the intersection of Palm Beach Boulevard.

The School District of Lee County reports (Attachment J) currently within the School District, there are sufficient seats available. The District does raise a concern with the potential for Consumption on Premises (COP) of alcoholic beverages in the CPD zoned portion and the proximity to the School. The Master Concept Plan shows the location of the commercial building area is over 900 feet from the closest portion of the School District property, meeting the requirements of the LDC §34-1264(b)(1). No deviations have been sought from the County requirements requiring separation of any COP sought in the CPD from churches, schools, day care facility, or residential.

IV. SUBJECT PROPERTY:

The applicant indicates there are numerous and varied STRAP numbers which are on file and available for inspection at the Department of Community Development, 1500 Monroe St., Ft. Myers, FL.

V. ATTACHMENTS:

A. Expert Witness Information
B. Maps of Property, Zoning, Future Land Use, and Aerial
C. Proposed Staff Conditions and Deviations
D. Master Concept Plan
E. Applicant's Cover Letter, Combined Exhibits, Proposed Conditions and Deviations with Justifications, E-Mail regarding proposed EMS Condition
F. Memorandum from Lee County DOT
G. Letter to Applicant from Lee County Transit
H. Letter to Applicant from Lee County Utilities
I. Public Informational Meeting
J. Letter from the School District of Lee County
K. Memorandum from Development Services
L. Memorandum from Environmental Sciences
M. Legal Description

cc: Applicant
County Attorney
Zoning File

LEE COUNTY STAFF EXPERT WITNESS INFORMATION
PROVIDED PURSUANT TO AC-2-6, SECTION 2.2.b(5)(f)3.

Case Number: DCI2013-00003
Project Name: River Hall
Hearing Examiner Date: January 14, 2014

Alvin Block AICP, Principal Planner, Zoning, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee County Land Development Code, Lee Plan, zoning, and land use planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the applicant as part of the subject application.

Susie Derheimer, Planner, Environmental Sciences, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee County Land Development Code, Lee Plan, zoning, and land use planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the applicant as part of the subject application.

Robert Price, Senior Engineer, Development Services, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in Traffic Engineering and Transportation Planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the applicant as part of the subject application.

Brandon Dunn, Principal Planner, Planning, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee Plan and land use planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the applicant as part of the subject application.

Attachment A

RIVER HALL
DCI2013-00003

ATTACHMENT B

Legend

- Subject Property
- Lee County Zoning

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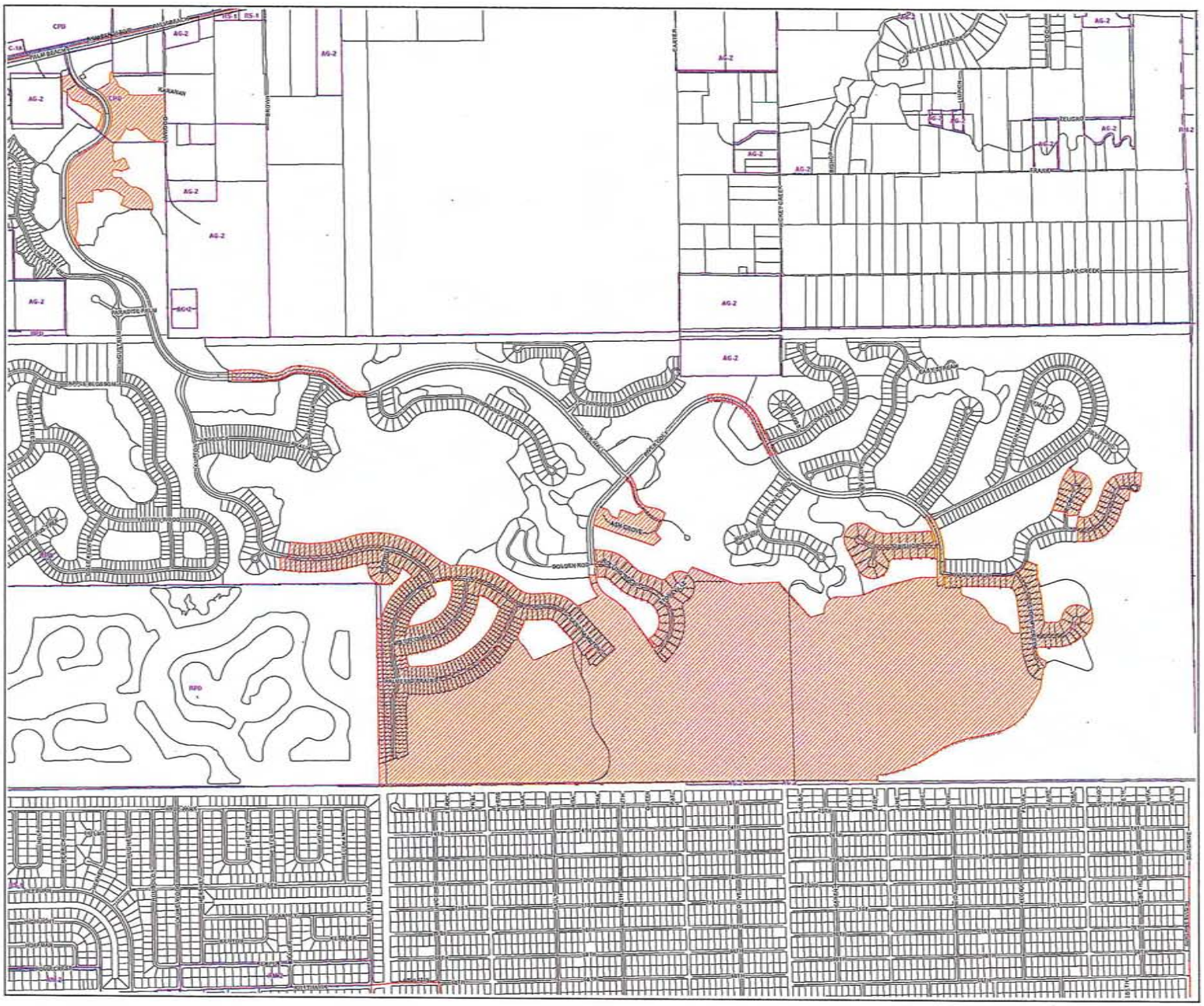
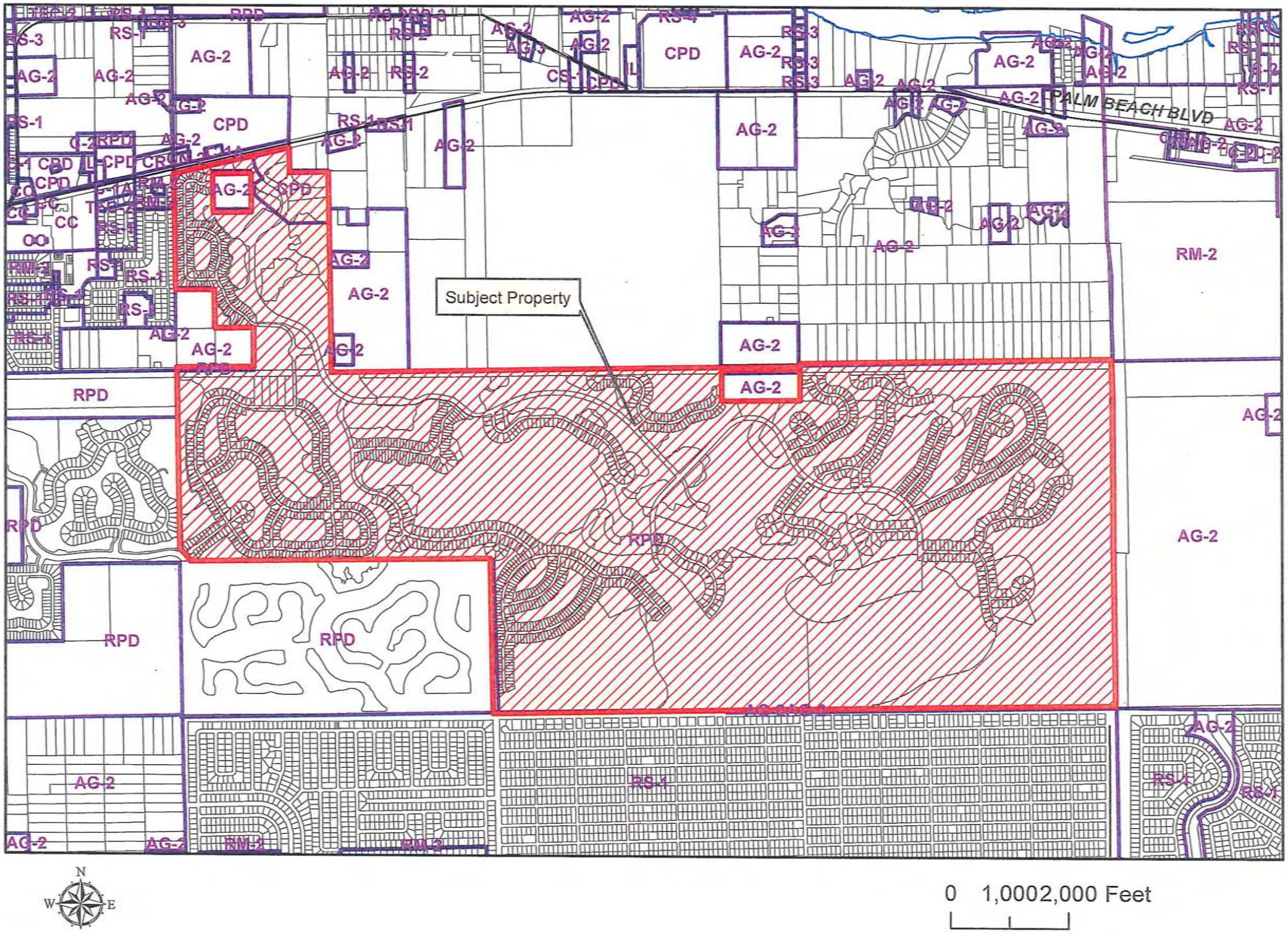


This map is for visual purposes only. Not to be used for official zoning map.

Prepared by:
Lee County DCD
Mapped DEC 2014
2014 Aerial Photograph

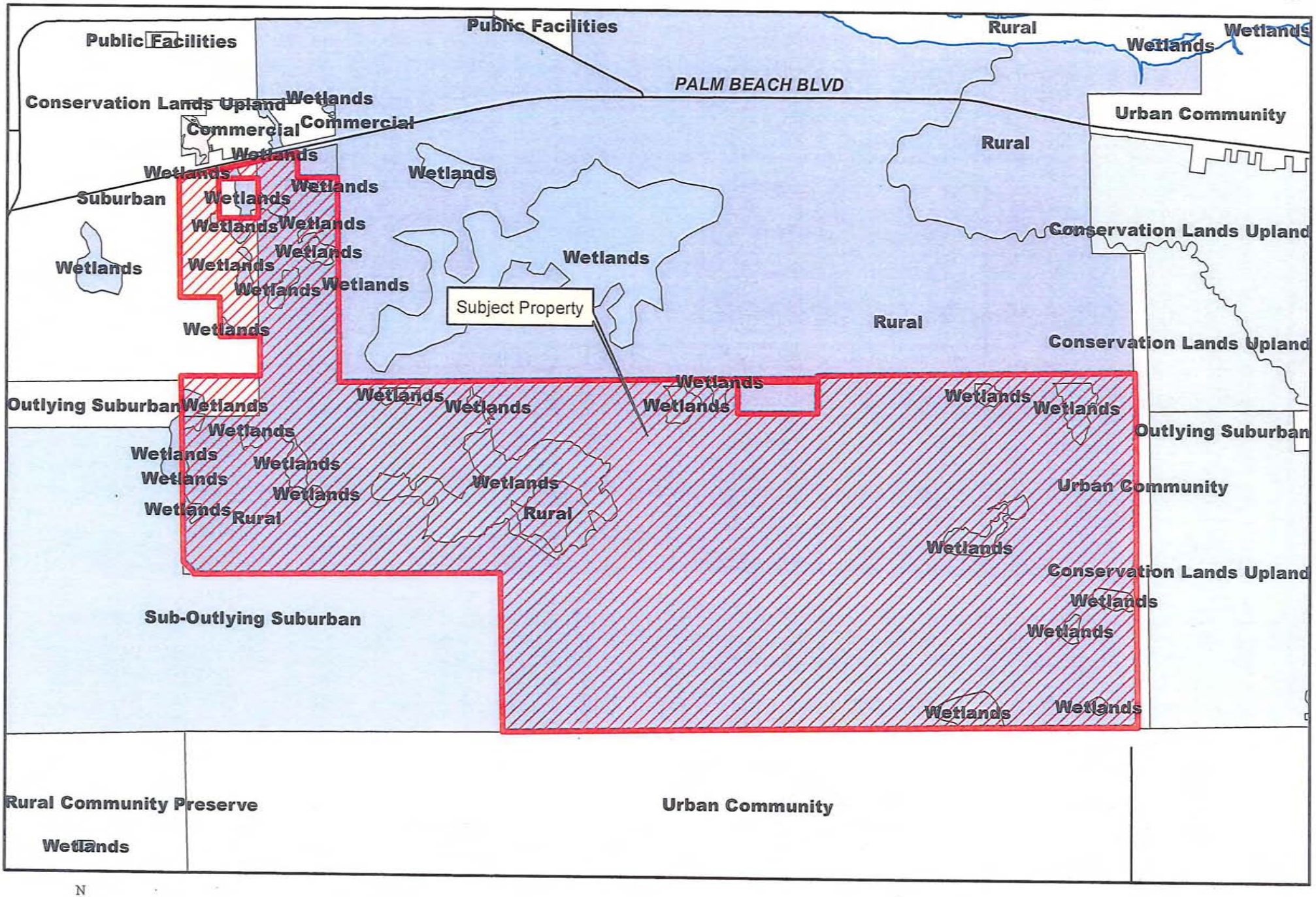
RIVER HALL

Zoning Map



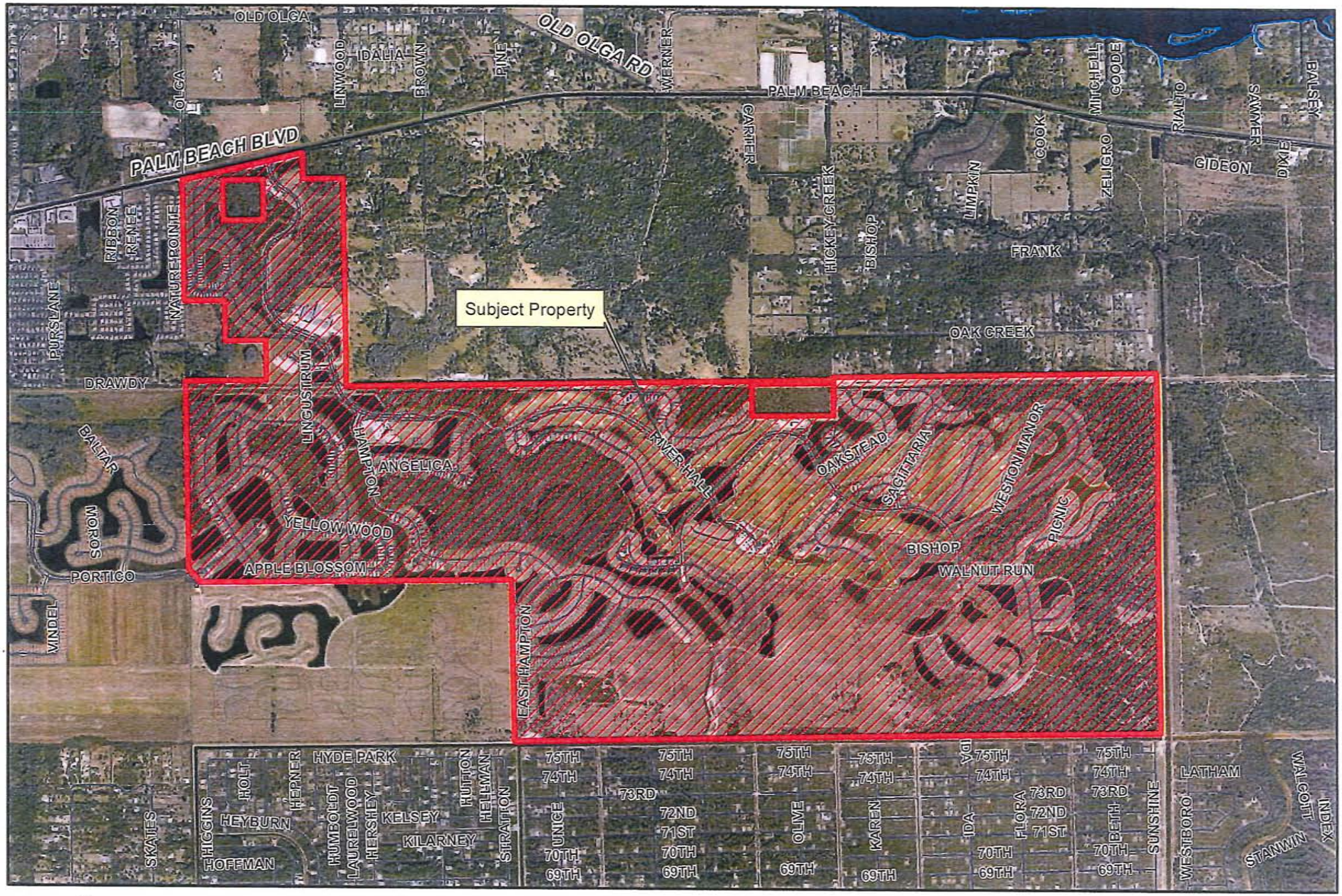
RIVER HALL

Future Land Use Map



RIVER HALL

2014 Aerial Map



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

1. The lands within the legally described area for case number DCI2013-00003 will be regulated by the rights granted and regulations contained within this Resolution, in addition to those found in Zoning Resolution Z-05-051, subject to modifications authorized herein. Those lands within the River Hall development and found outside of Exhibit _____ will continue to be regulated by Zoning Resolution Z-05-051, as amended.

   Development of this project must be consistent with the five-page Master Concept Plan (MCP) for River Hall, stamped received on December 17, 2014.

   The project is limited to a maximum of 45,000 square feet of commercial floor area and 2,695 residential units, subject to Condition 5.

   This development must comply with all of the requirements of the Land Development Code (LDC) at the time of local development order approval, except as may be granted by deviations approved as part of this planned development.

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

   a. <u>SCHEDULE OF USES</u>

   <u>RESIDENTIAL, GOLF & AMENITY SITES</u>
   Accessory Uses and Structures
   Administrative Office
   Agricultural Uses - See Conditions 3.h and 8.
   Club - country and private
   Consumption on Premises - limited to the clubhouse/amenity areas. No outdoor seating unless approved as a special exception (public hearing required).
   Dwelling Units - single-family (R-1 or RMF-1), two-family attached (RMF-1), townhouse (RMF-1), multiple-family (RMF-1), zero-lot-line units (RMF-1)
   Entrance Gates and Gatehouse
   Essential Services
   Essential Services Facilities, Group I
   Excavation, Water Retention - No blasting and removal of excavated material off site is not permitted.
   Fences and Walls
   Golf Course - 36 holes, golf maintenance facility, cart barn and related accessory uses to a golf course. (See Condition 23 for additional requirements)
   Golf and Tennis Pro Shops (limited to ancillary use in clubhouse)
   Golf Driving Range
   Golf Training Facility
   Model Home and Model Unit - must be in compliance with LDC §34-1954
   Model Display Center, must be in compliance with LDC §34-1955, limited to one which must be located in the sales center area shown on the MCP and must only serve this project.
   Parking Lot, Accessory
   <u>Recreational Facilities - Private, On-site only</u>

Real Estate Sales Office - limited to sales of lots, homes or units within the development, and must be located in the clubhouse, amenity or model unit sites.
Recreational Facilities - Private, On-site only
Residential Accessory Uses - In compliance with LDC §622(c)42 and LDC Article VII Division 2.
Signs, in compliance with LDC Chapter 30 (See Deviation 5)
Storage, Open, recreational vehicles, boats and similar items for residents only, limited to locations shown on the MCP and must be shielded behind a continuous visual screening at least eight feet in height when visible from any residential use, and six feet in height when visible from any street right-of-way or street easement. (See Condition 22 for additional requirements)
Temporary Uses

TOWN CENTER (CPD)
Maximum 15,000 sf office and maximum 30,000 sf retail within the Town Center CPD parcel only.
Accessory Uses and Structures
Administrative Office
Agricultural Uses - See Condition 3.h and 8.
Banks and Financial Establishments, Group I
Business Services, Group I
Consumption on Premises - Indoor only in conjunction with a Restaurant use only. No outdoor seating unless approved as a special exception (public hearing required).
Day Care Center, Adult & Child
Drive-through in connection with any approved use except drugstore/pharmacy
Dwelling Units, limited to Townhouse (RMF-1) and Multi-family (RMF-1)
EMS, Fire or Sheriff's Station
Essential Services
Essential Service Facilities, Group I
Excavation, Water Retention - No blasting; Removal of excavated material off site not permitted.
Food Stores, Group I (may sell food and non-food products)
Hardware Store
Laundry or Dry Cleaning, Group I
Parking lot, accessory
Personal Services, Group I
Pharmacy/Drugstore - limited to one with a multi-occupancy complex only and no drive-through.
Place of Worship, Religious Facilities
Real Estate Sales Office
Recreational Facilities - Private, On-site only
Repair Shop, Group I
Restaurant, Groups I, II, III
Specialty Retail Shops, Group I
Temporary Uses

ELEMENTARY SCHOOL SITE
Public Schools and Related Accessory Uses

b. SITE DEVELOPMENT REGULATIONS

Minimum Lot Area and Dimensions - Single-Family

Width: 45 feet
Lots 148 and 149 of Cascades at River Hall, Phase I, as platted in Instrument Number 2005000166035 of the Lee County Records are permitted a minimum lot width of 44 feet. (ADD2006-00164)

Depth: 120 feet
Lots 26, 27, 28, 38, 55, 302, 303, 304, 305, 306, 307, 344, 345, 346, 347, and 348 of Cascades at River Hall, Phase I & II, as platted in Instrument Numbers 2005000166035 and 2005000166038 of the Lee County Records may be permitted a minim lot depth of 110 feet. (ADD2006-00173)

Lot Size: 5,400 sf

Minimum Lot Area and Dimensions - Multi-Family
Width: 75 feet
Depth: 100 feet
Lot Size: 10,000 sf

Minimum Lot Area and Dimensions - Commercial
Width: 200 feet
Depth: 100 feet
Lot Size: 20,000 sf

Minimum Setbacks

Single Family
Road - Palm Beach Blvd 25 feet/Private Roads 20 feet
Side - 5 feet, See Condition 2.b.i.
Rear - 15 feet
Lots 302-307 and 344-348 of Cascades at River Hall, Phase I & II, as platted in Instrument Numbers 2005000166035 and 2005000166038 of the Lee County Records may be permitted a minimum 5 feet.

Water Body - 20 feet
Accessory - Per the LDC
Lots 302-307 and 344-348 of Cascades at River Hall, Phase I & II, as platted in Instrument Numbers 2005000166035 and 2005000166038 of the Lee County Records may have a minimum rear setback of 6 inches. (ADD2006-00173)

Maximum Lot Coverage - 60 percent

2.b.i. Structures, including but not limited to, sidewalks, air conditioners, mechanical equipment, door stoops, walls, etc. may not be located within the required 5-foot side setback of each lot. Prior to issuance of Certificate of Occupancy on each lot, the Engineer of Record must certify that the drainage for each lot is built in compliance with the typical lot grading detail provided.

Two-Family Attached and Zero Lot Line

Road -	Palm Beach Blvd 25 feet/Private Roads 20 feet
Side -	0/5 feet, See Condition 2.b.ii.
Rear -	15 feet
Water Body -	20 feet
Accessory -	Per the LDC

Minimum Distance Between Buildings: 15 feet

Minimum building separation between Lots 117 and 154, 147 and 148, and 148 and 149 of Cascades at River Hall, Phase I, as platted in Instrument Number 2005000166035 of the Lee County Records may be 11 feet. (ADD2006-00164)

Maximum Lot Coverage - 60 percent

2.b.ii. Side opposite zero-lot-line or two-family attached structure. Structures, including but not limited to, sidewalks, air conditioners, mechanical equipment, door stoops, walls, etc. may not be located within the required 5-foot side setbacks; or prior to issuance of Certificate of Occupancy on each lot, the Engineer of Record must certify that the drainage for each lot is built in compliance with the typical lot grading detail provided.

Townhouse & Multi-family

Road -	Palm Beach Blvd 25 feet/Private Roads 20 feet
Side -	N/A
Rear-	15 feet
Water Body -	20 feet
Accessory -	Per the LDC

Minimum Distance Between Buildings - 20 feet

Maximum Lot Coverage - 60 percent

Clubhouse, Amenity & Golf Maintenance Buildings

Road -	Palm Beach Blvd 25 feet/Private Roads 20 feet
Side -	15 feet
Rear-	15 feet
Water Body -	20 feet
Accessory -	Per the LDC

Minimum Distance Between Buildings - 20 feet

Maximum Lot Coverage - 60 percent

Commercial

Road -	Palm Beach Blvd 25 feet/Private Roads 20 feet
Side -	15 feet
Rear -	20 feet

Water Body - 20 feet
Accessory - Per the LDC

Minimum Distance Between Buildings - 20 feet

Maximum Lot Coverage - 45 percent

Maximum Height
45 feet/3 stories for Residential uses
35 feet/3 stories for Commercial uses
35 feet/3 stories for Recreational/Amenity sites on the perimeter of the subject property
Recreational/Amenity sites on the interior of the project may be 60 feet/three stories

c. GOLF DRIVING RANGE:
If the Golf Driving Range is open after daylight hours, all lighting must comply with LDC §34-936(g), be of the lowest intensity meeting life safety codes, and be shielded and directed away from adjacent residential areas.

3. The following conditions address environmental issues:

a. The "American Alligator Management Plan" provided as part of the "Protected Species Management Plan for Schulman Parcel" counter stamped May 19, 1999 incorporated into this resolution of approval as Exhibit D. Prior to local development order approval, the location of the American Alligator Management Plan signage must be delineated on the development order plans for Division of Environmental Sciences' review and approval. Warning signs must be placed where there is potential for human/alligator interaction. These signs must discourage the feeding or harassment of alligators.

b. The "Gopher Tortoise Management Plan" provided as part of the "Protected Species Management Plan For Shulman Parcel" counter stamped May 19, 1999 incorporated into this resolution of approval as Exhibit D. Any revisions to the Tortoise Management Plan are subject to Environmental Sciences' review and approval.

c. The "Florida Burrowing Owl Management Plan" provided as part of the "Protected Species Management Plan For Schulman Parcel," counter stamped May 19, 1999, must be revised for Division of Environmental Sciences' review and approval at the time of local development order submittal. The plan must either commit to preserving the existing burrowing owl burrows in place with a buffer in accordance with LDC Appendix H, or commit to a detailed relocation management plan. The developer demonstrates it is necessary to impact the burrows, the management proposal must provide details about where appropriate replacement habitat for the owls will be provided, how the owls will be attracted to this area, and how it will be protected during construction activities on the site.

d. The developer must submit a detailed Scrub Jay Management Plan to the Division of Environmental Sciences for review and approval at the time of local development order submittal. This plan must follow the general guidelines of the "Florida Scrub Jay Management Plan" provided as part of the "Protected Species Management Plan For Schulman Parcel," counter stamped May 19, 1999 and incorporated into this resolution of approval as Exhibit D. The finalized Scrub Jay Management Plan

must be approved by the Florida Fish and Wildlife Conservation Commission (FWC) prior to local development order approval.

e. The developer must submit a detailed Sandhill Crane Management Plan to the Division of Environmental Sciences for review and approval at the time of local development order submittal.

f. Open space must be provided in accordance with the MCP. All individual tracts must provide a minimum of ten percent open space within the tract and may be met with private open space.

g. The developer must provide a minimum of 465 acres of indigenous preservation areas in substantial compliance with the MCP. The preserves must be delineated on the local development order plans when they are within or adjacent to the development phase or tract to be developed.

h. The developer must barricade all indigenous preservation areas to exclude cattle grazing within 60 days of approval of the planned development by the Board of County Commissioners.

i. Prior to local development order approval, the plans for any residential units on individual lots that abut a preserve must delineate a preserve boundary sign location at every other lot line and provide a detail of the sign for the Division of Environmental Sciences' Staff review and approval.

j. Every effort must be made in the final design of the golf course and residential tracts to preserve large native trees. The developer must schedule an on-site preconstruction meeting with Division of Environmental Sciences' Staff prior to the issuance of a vegetation removal permit for any phase of development to confirm preservation and barricading requirements prior to the initiation of site clearing.

k. Existing approved development will meet requirements of the River Hall Lee County Protected Species Management Plan, dated May 2006. However, prior to local development order approval for future development of lands within the legally described areas as part of the amendment sought in DCI2013-00003, a Protected Species Management Plan must be submitted revising the gopher tortoise and burrowing owl management plans to address the current conditions and update management techniques and required permits; include resident educational materials for the gopher tortoise, listed wading birds, and Florida scrub jay; as well as incorporate a large mammal management plan to limit potential negative human/wildlife interactions.

l. Prior to prescribed burn management activities occurring within the on-site preserve or on the adjacent Hickey's Creek Mitigation park (as notified by the CDD and/or park staff), the HOA of the development pods located adjacent to the easternmost preserve must notify residents these development pods of the scheduled prescribed burn activities and general education material on prescribed burn management activities must be provided. If covenants or deed restrictions are required for these development pods, the documents must include language requiring each deed holder will be informed of their purchase of a lot adjacent to an on-site preserve or public preserve land which is managed with prescribed burning and each deed

holder will be presented with education material on prescribed burn management activities at the time of purchase.

4. The following recommendations are presented in order to mitigate future hurricane damage and loss of life, as well as to ensure compliance with Lee Plan objectives.
   a. The developer must establish a homeowners' or residents' association that will provide an educational program on an annual basis, in conjunction with the staff of Emergency Management, who will provide literature, brochures and speakers for Hurricane Awareness/Preparedness Seminars, describing the risks of natural hazards. The intent of this recommendation is to provide a mechanism to educate residents concerning the actions they should take to mitigate the dangers inherent in these hazards.

   b. The developer must formulate an emergency hurricane notification and evacuation plan, which will be subject to review and approval by the Lee County Office of Emergency Management.

   c. If access to this development or any portions thereof, is through a security gate or similar device that is not manned 24 hours a day, it must be equipped with an override strip installed in a glass covered box to be used by drivers of emergency vehicles to gain entry, consistent with LDC §34-1749.

   d. The developer must cooperate with the Division of Public Safety/Emergency Management in determining and participating in a means to lessen hurricane shelter impacts on the County's hurricane preparedness process and public safety. Those "means" could include the provision of equipment, monies in lieu of equipment, or such other goods, materials or actions deemed appropriate by Emergency Management that results in the provision of additional shelters, or improvement of roads for use as additional evacuation routes. The choice of "means" will rest with the developer, so long as the choice adequately mitigates the adverse impacts.

5. The following conditions are included to address Lee Plan consistency issues:
   a. The total residential dwelling count within River Hall may not exceed 2,695 dwelling units. In accordance with the Lee Plan, maximum densities per the Future Land Use Categories are provided below:

TABLE

Land Use Category	Acreage	Density	Max Allowed per FLUC
Suburban	71.5	6 du/ac	429
Sub-Outlying Suburban	585.6	2 du/ac	1171
Rural	1140.3	1 du/ac	1140
Wetlands	181.0	.05 du/ac	9

The portion of the property within the Rural future land use category must maintain densities of one dwelling unit per acre or less. No more than 1,140 dwelling units may be constructed in the Rural designated areas of the project. Units within the Suburban and Sub-Outlying Suburban future land use designations may be shifted between these future land use designations, so long as the requirements of Lee Plan Policy 5.1.10. are met.

b. Given the limited existing available Rural 2020 Planning Community Acreage Allocation, at the time of rezoning, the available Rural allocation must be determined by the Planning Division prior to any development order approval for residential use in the Rural portions of the site. No development order will be issued or approved if the acreage, when added to the acreage contained in the updated existing land use database, exceeds the limitation established by Lee Plan Table 1 (b), Acreage Allocation Table (per Lee Plan Policy 1.7.6). In order to develop more Rural acreage with residential uses, the Lee Plan must be amended to change the Rural residential acreage allocation for the Fort Myers Shores planning community in Table 1 (b). Adequate data and analysis to support this amendment must be submitted by the applicant at the time of the request for the Lee Plan amendment. Development in excess of the current Table 1 (b) allocations will not be permitted until Table 1 (b) is amended accordingly.

6. The following conditions are included to address the golf course:

a. The developer of the golf course must use fertilizers with a low leaching potential (slow release). The fertilizers must not be applied after active growth of the turfgrass has ceased, and must be kept to the lowest reasonable levels; and

b. To reduce sources of pollutants, especially nutrients and pesticides associated with the golf course, the golf course manager must implement a chemicals management plan that includes an integrated pest management (IPM) program and a nutrient management program so that nutrients and pesticides are used only when absolutely necessary. The program must address prevention, diagnosis, and limited treatment with pesticides when necessary rather than blanket treatment with broad spectrum pesticides as insurance against all pest species. The application of pesticides will involve only the purposeful and minimal application of pesticides, aimed only at identified targeted species. The regular widespread application of broad spectrum pesticides is prohibited. The IPM program must minimize the use of pesticides and must include the use of the US Department of Agriculture - Natural Resources Conservation Service (USDA-NRCS) Soil Pesticide Interaction Rating guide to select pesticides for use that have a minimum potential for leaching or loss from runoff. The nutrient management program must be based upon the USDA-NRCS Nutrient Management Standard and must include the use of soil tests to determine needed applications of nutrients. Only EPA-approved chemicals may be used. Turf managed areas (including fairways, tees, and greens) within 35 feet of wetlands or preserve areas are prohibited. This chemicals management plan must be submitted to and approved by Lee County Planning Division Staff prior to the development order approval.

c. The golf course manager must coordinate the application of pesticides with the irrigation practices (the timing and application rates of irrigation water) to reduce runoff and the leaching of applied pesticides and nutrients.

d. The utilization of a golf course manager licensed by the state to use restricted pesticides and experienced in the principles of IPM is required. The golf course manager is responsible for ensuring that the golf course fertilizers are selected and applied to minimize fertilizer runoff into the surface water and the leaching of those fertilizers into the groundwater.

e. The storage, mixing, and loading of fertilizer and pesticides must be designed to prevent/minimize the pollution of the natural environment.

f. The golf course must comply with the "Best Management Practices for Golf Course Maintenance Departments," prepared by the Florida Department of Environmental Protection, as amended.

g. The golf course must be planted with a turfgrass cultivated variety that is drought and pest resistant, and that requires relatively low fertilizer use.

h. The irrigation system must operate on an "as needed" basis through the utilization of weather forecasting and ongoing assessment of the moisture content of the soil.

i. All fairways, greens, and tees must be elevated above the 25-year flood level, and all greens must utilize underdrains. The effluent from these underdrains must be pre-treated prior to discharge into the balance of the project's water management system.

j. Stormwater run-off must be pre-treated through an acceptable recreated natural system or dry retention and water retention system, prior to discharging the run-off into existing lake or wetland (any aquatic) systems.

k. An annual monitoring report of ground water and surface water quality is required for the golf course operation. The monitoring program must include: testing to assess whether there are any herbicide, pesticide or fertilizer pollution of the water within the area of the golf course; identification of the locations for the ground water monitoring and testing on a map(s); testing and recording requirements. The developer must submit the test results with the monitoring report to the Lee County Planning Division. The monitoring program will be established and operated at the expense of the developer, or other comparable legal entity charged with the legal responsibility of managing the golf course. This plan will be evaluated in accordance with the directives of Chapter 17-302, F.A.C., water quality standards.

l. If groundwater or surface water pollution occurs, as that term is defined by the rules or regulations in effect at the time, and if the pollution is caused by the application of fertilizers, herbicides or pesticides to the golf course, the application must cease until the developer submits a revised management plan. If mitigation is necessary to address the pollution, the developer must implement a mitigation plan approved by Lee County.

7. Model units and homes are permitted in compliance with the following conditions:

a. Each model must be a unique example. Multiple examples of the same unit are not permitted; and

b. All model sites must be designated on the development order plans; and

c. Prior to constructing model homes within this project, the lots upon which the model homes will be constructed will have been shown on a preliminary plat filed concurrently with the required local development order for this project. Such model home(s) will comply with all setbacks set forth within the Property Development Regulations for River Hall (f/k/a Hawk's Haven) or the LDC, whichever applies.

Should setback problems arise after construction of a model home, it will be the responsibility of the owner/developer to resolve the setback problem.

d. Hours of operation for model units and real estate sales within the model units are limited to Monday through Sunday, 8 a.m. through 8 p.m.

8. Agricultural uses are no longer a permitted use since they have been previously terminated as part of local development order approval.

9. Construction traffic is prohibited on Hickey Creek Road.

10. Buildings exceeding 35 feet in height must maintain additional building separation as regulated by LDC §34-2174(a).

11. By letter dated April 22, 2014, the Florida Department of Transportation (FDOT) has deemed that signalization of the intersection of River Hall Parkway and SR 80 is currently warranted and necessary. The Special Provisions contained within the FDOT Connection Permit 04-A-192-0061 require signalization of this intersection at the Applicant's expense when the FDOT Traffic Operation Division determines that the warrants are met. As a result, the Applicant must coordinate, design, and construct the traffic signal now. Typically, design and construction of a traffic signal takes 12-18 months. In order to ensure the permitting of the signal occurs in a timely manner, the signal design must be initiated no later than 30 days of the date of the Zoning Resolution. The signal design must be submitted to FDOT no later than 150 days of the date of this Zoning Resolution. Construction of the signal must be completed within 12 months of the date of this Zoning Resolution. Once 12 months from the date of the Zoning Resolution has passed, issuance of further local development order approvals (including amendments and minor changes to active development orders) within the River Hall Development will not be granted until the signal is constructed per FDOT's approval. This condition placed by Lee County as a part of this rezoning does not exempt the Applicant from having to comply with the permit as approved by FDOT.

12. Approval of this rezoning does not give the developer an undeniable right to receive local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocations Table, Map 16 and Table 1(b).

13. The developer is required to design the project in a manner that will provide the internal "outparcels" (separate tracts encapsulated by the project property) the ability to obtain reasonable and practicable access through the subject property, unless the developer provides a circuit court order indicating that the internal outparcels are not legally entitled to access through the subject property. However, this rezoning does not obviate the developer's responsibility to provide access to the internal "outparcels" in accordance with Florida law.

14. If the developer constructs structures other than conventional single-family homes within 100 feet of the "outparcels," the developer must provide a 25-foot-wide enhanced vegetative buffer completely around the outparcel. In addition, the enhanced vegetative buffer must utilize native vegetation, indigenous to the plant community in which it is to be planted. The vegetation must be installed prior to vertical construction and it must be installed according to the following density and size:

a. Six trees per 100 linear feet - At installation, trees must be a minimum of 12 to 14 feet tall, with a 2-112 inch minimum caliper and a 5-foot minimum canopy. No palm trees, or completely deciduous trees, may be used to meet the requirements of this enhanced buffer.

b. 33 shrubs per 100 linear feet - 1) At installation, all shrubs must be 18 to 24 inches in height, 3-gallon pots, and spaced 30 to 36 inches on center; and 2) all shrubs used to meet the enhanced buffer requirements must reach a mature height in excess of six feet under normal growing conditions. If these "outparcels" come under the control of the developer prior to construction within the 100-foot-wide area, then compliance with this condition is not required.

15. Vehicle access from the northern boundary of the subject property over and across Hickey Creek Road is prohibited.

16. Accessory uses must be located on the same tract, parcel or outparcel where a principal use is located. Accessory uses must be incidental and subordinate to the principal use of the tract, parcel or outparcel.

17. No development blasting is permitted as part of this project unless approved at a subsequent public hearing as an amendment to the planned development.

18. All required buffers must utilize 100 percent native vegetation.

19. The school site is limited to a public school operated by the School District of Lee County.

20. Outdoor storage areas must be in compliance with §34-3001, et seq, of the Lee County LDC, with the additional requirements as outlined on page 2 of 2 of the attached MCP, including a 200-foot perimeter setback and enhanced buffer.

21. A plan showing landscaping in accordance with page 2 of 2 of the approved MCP must be submitted and approved prior to the issuance of a development order for the golf course maintenance facility and amenity center.

22. Signage referencing the town center is prohibited within 50 feet of the right-of-way of Palm Beach Boulevard (State Road 80).

23. BUFFERS.

a. A Type "B" buffer must be added to the MCP for the "Town Center" portion bordering agriculturally-zoned property to the east, in accordance with the LDC. This buffer will not include the existing conservation areas shown on the approved MCP.

b. A Type "D" buffer must be added to the MCP on the "spine" Road for the commercial Town Center portion of the property, in accordance with the LDC.

24. <u>Second Access</u>

a. Within 24 months of the date of this Zoning Resolution, the Applicant will design, permit, and construct the secondary access to 75th Street West shown on Page 4 of the MCP. The design of the second driveway to the River Hall community must be shown as a part of the first local development order approval for any of the unplatted

lands in the southern portion of the development. In the event the secondary access is not constructed within 24 months of the date of this Resolution, the Director of Community Development may issue a reasonable extension for completion if the development has not exceeded the occupancy of 1,598 dwelling units, and the Applicant demonstrates good faith progress on the design, permitting, and construction of the access. This requirement is contingent upon approval from the East County Water Control District (ECWCD) to cross the 50-foot-wide canal along the south side of River Hall. The County will work with the developer to obtain approval to cross the 50-foot-wide canal.

b. Upon construction of the second access to the River Hall community, access through the security gates must be provided to Lee County School District buses and Fire/EMS vehicles.

25. Wall between River Hall and Portico (ADD2007-00063)
The construction of a wall along a portion of the southern and western property boundaries adjacent to the Portico Residential Planned Development (RPD) is subject to the following conditions:
   a. The Development must be in compliance with the amended Master Concept Plan, dated APRIL 17, 2007, Master Concept Plan for ADD2007-00063 (Exhibit A) and is attached hereto.
   b. Approval of this administrative amendment was contingent upon approval of ADD2007-00084 Portico, which was approved on May 14, 2007.

26. Within ninety (90) days of the effective date of this Resolution, the developer of lands within the legally described areas as part of the amendment sought in DCI2013-00003 will submit a request to the South Florida Water Management District (SFWMD) for a letter modification to the consumptive use permit for the project to reinstate the groundwater monitoring requirements that were not included in the 2013 permit renewal. These requirements include conditions 31, 32, and 33 of the original Permit No. 36-04006-W issued in 2006. If the SFWMD approves the requested modification, all monitoring reports filed with the SFWMD pursuant to the permit will also be simultaneously filed with the County's Department of Natural Resources.

27. The developer of lands within the legally described areas as part of the amendment sought in DCI2013-00003 will provide the ability for drainage from the ECWMD to pass through the project's surface water management system in order to lower flood stages within the ECWMD. The intent of this condition is to provide for a stormwater conveyance from the existing ECWMD canal along the southern boundary of River Hall during major storm events. This condition is not intended to require the construction of any physical improvements to the surface water management system within River Hall, but only to require access to and authority for the ECWMD to utilize the surface water management system within River Hall in accordance with it existing permit Documentation of compliance with this requirement will be provided by the developer to the County prior to issuance of any residential development orders; provided, however, that this will not prohibit the issuance of development orders solely for the infrastructure improvements (including but not limited to sewer, water, and drainage) for the project.

28. The developer of lands within the legally described areas as part of the amendment sought in DCI2013-00003 will provide, at developer's expense, a temporary modular unit to be located on the River Hall sales facility parcel for use as a station for Lee County

Emergency Medical Services (EMS). At a minimum, the modular unit will provide office space, rest/sleeping area, shower and restroom facilities for EMS, along with a minimum of 4 dedicated parking spaces. Upon installation, the modular unit and parking spaces will be leased to the County for $10.00 per year, whereupon the County will be responsible for all costs of operation including, but not limited to, utilities, electricity, telecommunications, furniture, and maintenance. Within thirty (30) days after the effective date of this resolution, the developer will submit a development order application for the installation of the modular unit, and will diligently pursue issuance of the development order and move-on permit for the unit. The modular unit will be installed within ninety (90) days of receipt of all necessary permitting. The developer's obligation under this condition will expire upon the earlier of: (1) construction and issuance of a certificate of occupancy for the fire station on the parcel within River Hall owned by the Fort Myers Shores Fire District; or (2) five years after issuance of a certificate of occupancy for the modular unit.

29. The structure side setback to the preserve may be reduced to 17-feet for existing platted lots River Hall Country Club Block K Lots 29, 57, 76, and 77 as documented in Instrument No. 2006000409514, with the condition that any re-plat of these lots will require the lots to meet the 30-foot structure setback to the preserve.

30. The structure setback to the preserve may be reduced to 20-feet for existing platted lots River Hall Country Club Block K Lots 37-39, 54-57 & 65-77 and Hampton Lakes at River Hall Lots 102-134, as documented in Instrument No. 2006000409514, with the condition that any re-plat of these lots will require the lots to meet the 30-foot structure setback to the preserve.

DEVIATIONS:

The following deviations have been previously approved as part of this planned development and remain in effect, as approved:

Deviation (1) seeks relief from the LDC §10-385(d)(3)a requirement to provide a maximum fire hydrant spacing of 800 feet in the one- and two-dwelling unit area, to eliminate this requirement in areas along the "spine" road where no homes exist. This deviation is APPROVED.

Deviation (2) Withdrawn.

Deviation (3) seeks relief from the LDC §10-329(d)(4) requirement to provide lake banks to be sloped at a maximum 4:1 slope, to allow bulkheads for up to 25 percent of the shoreline of lake banks. This deviation is APPROVED.

Deviation (4) seeks relief from the LDC §34-2194(b) requirement to provide a 25-foot setback from bodies of water, to allow 20-foot setbacks for the manmade lakes to be consistent with the existing development orders and permits. This deviation is APPROVED.

(ADD2007-00075) Deviation (5) from LDC §30-152(2)c to allow a reduction in the minimum required setback for residential subdivision entrance signage from 15 feet to 5 feet from the Right-Of-Way. This deviation is APPROVED subject to the following Conditions:

1. Entrance signs to subdivisions within the River Hall Country Club development must be in compliance with the attached Signage Exhibit, stamped received on April 11, 2007. The Signage Exhibit for ADD2007-0075 is hereby APPROVED and adopted.

A reduced copy is attached hereto as "Attachment A." (Exhibit B) rear setbacks for accessory structures on lots 302-307 and 344-348 must be at least 6 inches.

2. Either a two-sided sign in a landscaped median OR two one-sided signs on either side of a project entrance within the River Hall Country Club will be allowed at the entrance to each residential development. All signs must be in accordance with Chapter 30 of the Land Development Code.

The following Deviations have been requested as part of this amendment to the planned development zoning:

Deviation from LDC Section 10-415(b)(1)c. which requires a minimum setback of 20 feet from buildings and a 30 foot setback for indigenous plant communities subject to fire to allow a side setback of 17 feet for the following existing platted lots: River Hall Country Club, Phase Two, Block K, Lots 29, 57, 76, and 77; Hampton Lakes at River Hall, Phase One, Lot 87, is APPROVED subject to Condition 29.

Deviation from LDC Section 10-415(b)(1)c. which requires a minimum setback of 20 feet from buildings and a 30 foot setback for indigenous plant communities subject to fire to allow a setback of 20 feet for all existing lots, is APPROVED subject to Condition 30.

Deviation from LDC Section 10-329(d)(4) which requires banks of excavations to be sloped at a ratio not greater than six horizontal to one vertical from the top of bank to a water depth of two feet below the dry season water table to allow a 4:1 slope.

Staff recommends DENIAL of this deviation.

Deviation from LDC Section 10-291(3) which requires residential subdivisions of more than five acres to provide more than one means of ingress or egress for the development to allow one ingress or egress onto State Route 80.

Staff recommends DENIAL of this deviation.

Deviation from LDC Section 34-934 which permits dwelling units within a CPD when there are at least 50,000 square feet or more of commercial uses, to allow dwelling units within the existing River Hall CPD which was permitted for 45,000 square feet of commercial uses.

Staff recommends APPROVAL of this deviation.

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Cascades at River Hall Resident's Association, Inc. filed an application for administrative approval for an amendment to a Residential Planned Development/ Commercial Planned Development (RPD/CPD) on a project known as Cascades at River Hall Phase II for construction of a wall along a portion of the southern and western property boundaries adjacent to the Portico Residential Planned Development (RPD) on property located in Fort Myers Shores, described more particularly as:

LEGAL DESCRIPTION: In Section 34, Township 43 South, Range 26 East, Lee County, Florida:

See Legal Description attached hereto as Exhibit A:

WHEREAS, the property was originally rezoned in case number 99-03-066.03Z01.01 (#Z-99-056), with subsequent amendment in case number ADD2004-00067, amended DCI2004-00054 (#Z-05-051) with subsequent amendments in case numbers ADD2006-00164, ADD2006-00173; and

WHEREAS, the subject property is located in the Rural Future Land Use Category as designated by the Lee Plan; and

WHEREAS, the developers of River Hall RPD/CPD and the adjacent Portico RPD propose a wall with landscaping separating the two residential developments at the "pinch point" on the southwest corner of River Hall and the northwest corner of the southern parcel of Portico RPD; and

WHEREAS, there is a potential emergency access point at that location within River Hall; and

WHEREAS, that emergency access point will access Portico's road network; and

WHEREAS, Land Development Code Sec. 34-1743(b)(3)requires residential walls to have landscaping on the exterior side of the wall; and

WHEREAS, the developers of both River Hall and Portico desire a wall between the two developments; and

WHEREAS, the developers do not desire to place two walls between the developments; and

WHEREAS, as an alternative, the developers of both Portico and River Hall have entered into an agreement where the wall will be placed in River Hall and the required landscaping will be placed in Portico; and

EXHIBIT A

WHEREAS, there is a copy of this agreement in this file; and

WHEREAS, the proposed wall is not a requirement of the River Hall (RPD) resolution; and

WHEREAS; this wall and landscaping serve the purpose of providing buffering between the two developments - which is the intent of the LDC; and

WHEREAS, this wall and landscaping provide an adequate buffer between these two residential developments and serves the public interest; and

WHEREAS, this arrangement raises no health, safety or welfare issues; and

WHEREAS, the agreement on file shows the maintenance and cost responsibilities of both parties; and

WHEREAS, this amendment requires no changes to the zoning resolution for River Hall (#Z-05-051); and

WHEREAS, the developers of Portico RPD recently filed an administrative amendment (ADD2007-00084) for the landscaping adjacent to the proposed wall to be placed on their property; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to the River Hall RPD/CPD is **APPROVED.**

Approval is subject to the following conditions:

1. **The Development must be in compliance with the amended Master Concept Plan, dated APRIL 17, 2007 Master Concept Plan for ADD2007-00063 is hereby APPROVED and adopted. A reduced copy is attached hereto.**

2. **The terms and conditions of the original zoning resolutions remain in full force and effect.**

3. **Approval of this administrative amendment is contingent upon approval of ADD2007-00084 Portico.**

DULY SIGNED this 14th day of May, A.D., 2007.

BY: Pam Houck

Pam Houck, Director
Division of Zoning
Department of Community Development

Exhibit C
Page 1 of 2

Page 1 of 2
Z-05-051

RECEIVED
JAN 06 2006
PERMIT COUNTER

DCI 2004-00054

OPEN SPACE CALCULATIONS:

ENTIRE PROJECT

TOTAL DEVELOPMENT	1,978.44 ACRES
OPEN SPACE PROVIDED	1,175.00 ACRES
INDIGENOUS OPEN SPACE PROVIDED	463.04 ACRES

RPD

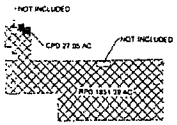
TOTAL RPD DEVELOPMENT	1,931.39 ACRES
OPEN SPACE REQUIRED (40%)	180.56 ACRES
OPEN SPACE PROVIDED LAKES = 253.73 AC (25% OF 1,175.00 AC) INDIGENOUS OPEN SPACE = 463.04 AC RECREATIONAL OPEN SPACE / GOLF COURSE = 406.81 AC OTHER OPEN SPACE 7.37 AC	1,167.95 ACRES
INDIGENOUS SPACE REQUIRED (50% OF 780.56) INDIGENOUS OPEN SPACE PROVIDED	290.28 ACRES 463.04 ACRES

CPD

TOTAL RPD DEVELOPMENT	27.05 ACRES
OPEN SPACE REQUIRED (50%)	5.41 ACRES
OPEN SPACE PROVIDED INDIGENOUS OPEN SPACE = 7.05 AC	7.05 ACRES
INDIGENOUS SPACE REQUIRED (50% OF 5.41) INDIGENOUS OPEN SPACE PROVIDED	2.71 ACRES 7.05 ACRES

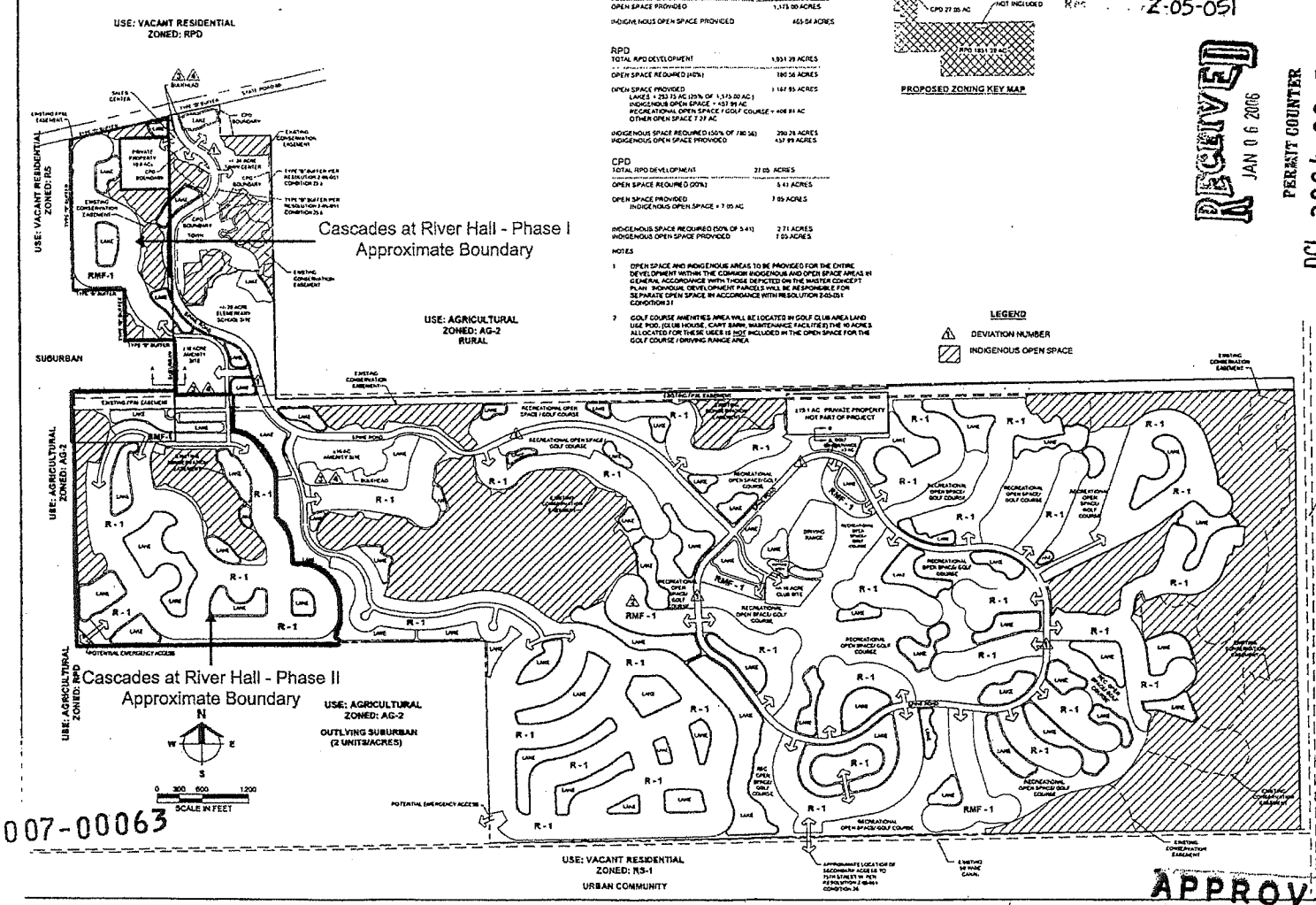
NOTES

1. OPEN SPACE AND INDIGENOUS AREAS TO BE PROVIDED FOR THE ENTIRE DEVELOPMENT WITHIN THE CORRIDOR INDIGENOUS AND OPEN SPACE AREAS IN GENERAL ACCORDANCE WITH THOSE DEPICTED ON THE MASTER CONCEPT PLAN. INDIVIDUAL DEVELOPMENT PARCELS WILL BE RESPONSIBLE FOR SEPARATE OPEN SPACE IN ACCORDANCE WITH RESOLUTION Z-05-051 CONDITION 31
2. GOLF COURSE AMENITIES AREA WILL BE LOCATED IN GOLF CLUB AREA LAND USE POD. (CLUB HOUSE, CART BARN, MAINTENANCE FACILITIES) THE 10 ACRES ALLOCATED FOR THESE USES IS NOT INCLUDED IN THE OPEN SPACE FOR THE GOLF COURSE / DRIVING RANGE AREA



PROPOSED ZONING KEY MAP

LEGEND
DEVIATION NUMBER
INDIGENOUS OPEN SPACE



ADD 2007-00063

APPROVED
Amendment to
Master Concept Plan
Subject to Case # ADD2007-00063
Date May 14, 2007

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BOULEVARD
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 463-3186
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-8940

PREPARED FOR

LandMar GROUP, LLC
2401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-6321
FAX (239) 274-0617

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS
HAWKS HAVEN

PART OF SECTIONS 27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND INTENDED FOR CONCEPTUAL PLANNING PURPOSES ONLY. SITE LAYOUT AND LAND USE INTENSITIES OR DENSITIES MAY CHANGE SIGNIFICANTLY BASED UPON SURVEY ENVIRONMENTAL, ENGINEERING AND REGULATORY CONSTRAINTS AND / OR OPPORTUNITIES.
* NOT FOR CONSTRUCTION *

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FILE NAME	21988RH.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21988RH\BOOKMARKS\DWG\
PLOT DATE	TUE 1-3-2006 - 2:01 PM
PLOT BY	TOM HEILELAND
DESIGN BY	TOM HEILELAND

CROSS REFERENCES (BARRACO)
BASEPLAN = 21988J2B.DWG

PLAN REVISIONS

5-17-05	ADD OPS BOUNDARY
1-3-2006	COUNTY COMMENTS

PLAN STATUS
APPROVAL SUBMITTAL PLANS
NOT FOR CONSTRUCTION

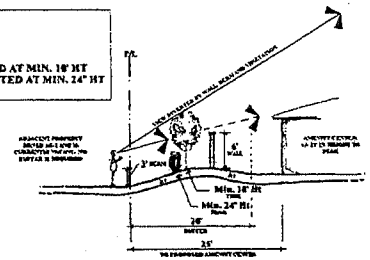
MASTER CONCEPT PLAN
EXHIBIT C

PROJECT / FILE NO.	SHEET NUMBER
21988	1 OF 2

RECEIVED
APR 17 2007
PERMIT COUNTER

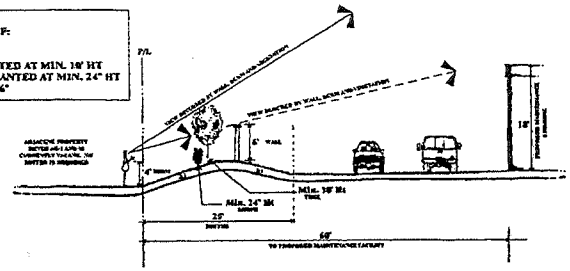
Exhibit C
Page 2 of 2
Approved as Exhibit C
MCP Page 2 of 2
Resolution #Z-05-051

PROPOSED
25' BUFFER CONSISTING OF:
3' BERM +/-
6' WALL
7 TREES PER 100 L.F. PLANTED AT MIN. 10' HT
30 SHRUBS PER 100 L.F. PLANTED AT MIN. 24" HT
AND MAINTAINED AT 36"



PROPOSED BUFFER FOR AMENITY CENTER (SECTION A-A)
NTS

PROPOSED
25' BUFFER CONSISTING OF:
4' BERM +/-
6' WALL
7 TREES PER 100 L.F. PLANTED AT MIN. 10' HT
30 SHRUBS PER 100 L.F. PLANTED AT MIN. 24" HT
AND MAINTAINED AT 36"



PROPOSED BUFFER FOR GOLF COURSE MAINTENANCE FACILITY (SECTION B-B)
NTS

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DCI 2004-00054

RECEIVED
JUN 05 2006
PERMIT COUNTER

APPROVED
Amendment to
Master Concept Plan
Subject to Case # ADD2007-00063
Date May 14, 2007

ADD 2007-00063

Barraco and Associates, Inc.
CIVIL ENGINEERING · LAND SURVEYING
LAND PLANNING · LANDSCAPE DESIGN
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PHONE (239) 461-3170
FAX (239) 461-3186
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7985 · SURVEYING LB-6640

PREPARED FOR
LandMar GROUP, LLC
2491 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0517

PROJECT DESCRIPTION
RIVER HALL
FORMERLY KNOWN AS
HAWKS HAVEN
PART OF SECTIONS 27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND INTENDED FOR CONCEPTUAL PLANNING PURPOSES ONLY. SITE LAYOUT AND LAND USE INTENSITIES OR DENSITIES MAY CHANGE SIGNIFICANTLY BASED UPON SURVEY ENVIRONMENTAL, ENGINEERING AND REGULATORY CONSTRAINTS AND / OR OPPORTUNITIES.
" NOT FOR CONSTRUCTION "

NOT WITHIN WRITTEN PERMISSION FROM, BARRACO AND ASSOCIATES, INC.
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FILE NAME	21988-FINAL.DWG
LAYOUT	LAYOUT-1
LOCATION	J:\21988\DWG\21988-FINAL.DWG
PLOT DATE	Tue, 1-9-2007 - 2:01 PM
PLOT BY	TIM HEALLIPS
DESIGN BY	AUTHOR

CROSS REFERENCES DRAWING

PLAN REVISIONS

PLAN STATUS
APPROVAL SUBMITTAL PLANS
NOT FOR CONSTRUCTION

TYPICAL
SECTIONS
EXHIBIT C

PROJECT FILE NO.	SHEET NUMBER
21988	2 OF 2

Barraco and Associates, Inc.
www.barraco.net
Civil Engineers, Land Surveyors and Planners

RECEIVED
APR 17 2007
PERMIT COUNTER

DESCRIPTION

Parcel in
Sections 25, 26, 27, 34, 35 and 36, Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Sections 25, 26, 27, 34, 35 and 36, Township 43 South, Range 26 East, Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Beginning at the Southeast corner of said Section 34 run N00°59'34"W along the East line of the Southeast Quarter (SE ¼) of said Section 34 for 2,654.70 feet to the East Quarter Corner of said Section 34; thence run S89°15'30"W along the North line of the South Half (S ½) of said Section 34 for 5,100.92 feet to a point on a non-tangent curve at the intersection with the Easterly line of lands described in a deed recorded in Official Record Book 4107, at Page 886, Lee County Records; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta 21°30'24") (chord bearing N34°21'11"W) (chord 89.56 feet) for 90.09 feet to a point of tangency; thence run N45°06'23"W along said Easterly line for 156.71 feet to a point of curvature; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta 06°54'55") (chord bearing N48°33'50"W)(chord 28.95 feet) for 28.97 feet to an intersection with the West line of the Northwest Quarter (NW ¼) of said Section 34; thence run N00°49'55"W along said West line for 2,437.57 feet to the Southwest Corner of said Section 27; thence run N00°49'48"W along the West line of the Southwest Quarter (SW ¼) of said Section 27 for 659.59 feet to the Southwest corner of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of said Section 27; thence run N89°06'39"E along the South line of the North Half (N ½) of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of said Section 27 for 1,318.66 feet to the Southeast corner of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of said Section 27; thence run N00°50'33"W along the East line of said Fraction for 660.48 feet to the Northeast Corner of said Fraction; thence run S89°04'20"W along the North line of said Fraction for 659.26 feet to the Southeast corner of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of said Section 27; thence run N00°50'10"W along the East line of said Fraction for 660.23 feet to the Northeast Corner of said Fraction; thence run S89°02'22"W along the North line of said Fraction for 659.19 feet to an intersection with the West line of the Southwest Quarter (SW ¼) of said Section 27; thence run N00°49'48"W along said West line for 659.85 feet to the West Quarter Corner of said Section 27; thence run N00°47'16"W along the West line of the Northwest Quarter (NW ¼) of said Section 27 for 1,328.51 feet to an intersection with the Southerly right of way line of State Road 80, (150 feet wide); thence run N77°10'14"E along said Southerly right of way line for 2,020.27 feet to an intersection with the West line of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of said Section 27; thence run S00°50'17"E along said West line for 421.56 feet to the Southwest Corner of said Fraction, being designated as POINT "A"; thence run N88°54'52"E along the South line of said Fraction for 658.74 feet to an intersection with the West line of the East Half (E ½) of said Section 27; thence run S00°51'17"E along said West line for 3,420.35 feet to an intersection with the North line of the South 50 feet of said former Seaboard All Florida Railroad right of way (100 feet wide); thence run N89°00'08"E along said North line for 7,949.61 feet to an intersection with the West line of the Southwest Quarter (SW ¼) of said Section 25; thence run N00°33'55"W along said West line for 50.00 feet to an intersection with the Northerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said right of way line for 5,295.61 feet to an intersection with the East line of the Southeast Quarter (SE ¼) of said Section 25; thence run S01°39'28"E along said East line for 629.62 feet to the Northeast Corner of said Section 36 being designated as POINT "B";

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Phone (239) 461-3170 • Fax (239) 461-3169

DESCRIPTION (Cont.)

thence run S00°16'51"E along the East line of the Northeast Quarter (NE ¼) of said Section 36 for 2,647.36 feet to the East Quarter Corner of said Section 36; thence run S00°45'42"E along the East line of the Southeast Quarter (SE ¼) of said Section 36 for 2,644.68 feet to the Southeast Corner of said Section 36; thence run S89°12'27"W along the South line of the Southeast Quarter (SE ¼) of said Section 36 for 2,644.62 feet the South Quarter Corner of said Section 36; thence run S89°11'43"W along the South line of the Southwest Quarter (SW ¼) of said Section 36 for 2,643.63 feet to the Southeast Corner of said Section 35; thence run S88°54'06"W along the South line of the Southeast Quarter (SE 1/4) of said Section 35 for 2643.62 feet to the South Quarter Corner of said Section 35; thence run S88°53'41"W along the South line of the Southwest Quarter (SW ¼) of said Section 35 for 2,642.70 feet to the POINT OF BEGINNING.
LESS and EXCEPT the following described parcels.
From the point designated as POINT "A" run S88°54'52"W along the South line of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of said Section 27 for 658.74 feet to the Northeast Corner of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section 27 and POINT OF BEGINNING.
From said Point of Beginning run S00°49'17"E along the East line of said Fraction for 660.13 feet to the Southeast Corner of said Fraction; thence run S88°57'38"W along the South line of said Fraction for 658.93 feet to the Southwest Corner of said Fraction; thence run N00°48'16"W along the West line of said Fraction for 659.60 feet to the Northwest Corner of said Fraction; thence run N88°54'52"E along the North line of said Fraction for 658.74 feet to the POINT OF BEGINNING.
AND
From the point designated as POINT "B" run S88°44'46"W along the South line of the Southeast Quarter (SE ¼) of said Section 25 for 2,674.22 feet to the South Quarter Corner of said Section 25, run S89°12'44"W along the South line of the Southwest Quarter (SW ¼) of said Section 25 for 2,633.46 feet to the Southeast Corner of said Section 26 and POINT OF BEGINNING.
From said Point of Beginning run S89°14'15"W along the South line of the Southeast Quarter (SE ¼) of said Section 26 for 1,327.50 feet to the Southwest Corner of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE 1/4) of said Section 26; thence run N00°23'46"W along the West line of said Fraction for 526.48 feet to an intersection with the Southerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said Southerly right of way line for 1,325.98 feet to an intersection with the East line of the Southeast Quarter (SE ¼) of said Section 26; thence run S00°33'55"E along said East line for 531.91 feet to the POINT OF BEGINNING.

Containing a Total Area of 1,978.44 Acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/90 adjustment) and are based on the west line of the Northwest Quarter (NW 1/4) of said Section 34 to bear N00°49'55"W.

Applicant's Legal Checked
by 17APRIL07

4/2/07
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

RECEIVED
APR 17 2007
PERMIT COUNTER

ADD 2007-00063

L:\21988 - Hawks Haven\DESC[illegible]3S07de[illegible]

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Hawk Haven Golf Course Developers, LLC c/o Grady Miars filed an application for administrative approval to a Residential Planned Development on a project known as River Hall Country Club **for a deviation from LDC Sec. 30-152(2)c to allow a reduction in the minimum required setback for residential subdivision entrance signage from 15 feet to 5 feet from the Right-Of-Way** on property located in the River Hall community, described more particularly as:

LEGAL DESCRIPTION: In Section 35, Township 43 South, Range 26 East, Lee County, Florida:

SEE ATTACHED THREE-PAGE "EXHIBIT A"

WHEREAS, the property was originally rezoned in case number 99-03-066.03z01.01 (with subsequent amendments in case numbers DCI2004-00054, ADD2006-00164, ADD2006-00173, ADD2004-00067a); and

WHEREAS, the subject property is located in the Rural Future Land Use Category as designated by the Lee Plan; and

WHEREAS, Hawks Haven Golf Course Developers, LLC, the owner of the subject property has authorized Shellie Johnson to act as agent on the case for administrative approval; and

WHEREAS, the applicant has requested an administrative amendment to a Residential Planned Development for a deviation from LDC Sec. 30-152(2)c to allow a reduction in the minimum required setback from the minimum required 15 feet to allow 5 feet from the Right-Of-Way for an internal residential subdivision entrance signage; and

WHEREAS, the River Hall Country Club development consists of three phases; and

WHEREAS, Phase 1 was approved under Development Order # DOS2004-00330; and

WHEREAS, Phase 2 was approved under Development Order # DOS2005-00182; and

WHEREAS, Phase 3 is in the design stage at this time and has not been submitted for Local Development Order approval; and

WHEREAS, the approved Development Orders for Phase 1 & Phase 2 each included the proposed entrance and signage features; and

EXHIBIT B

WHEREAS, the applicant has provided a six-page signage exhibit depicting each location for the three "optional signs" at a minimum of 5 feet from the right-of-way; and

WHEREAS, a copy of the signage exhibit is attached as "Attachment A;" and

WHEREAS, the signage exhibit indicates three sign possibilities for each entrance; and

WHEREAS, the applicant has indicated that either a two-sided median sign or two one-sided signs on each side of the entrance will be constructed; and

WHEREAS, the possible sign in the center of each entrance is to be located within a curbed and landscaped median; and

WHEREAS, the roadways in River Hall Country Club will be privately owned and maintained by the Homeowner's Association; and

WHEREAS, no public traffic will have access to the private roadways; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to Residential Planned Development **for a deviation from LDC Sec. 30-152(2)c to allow a reduction in the minimum required setback from 15 feet to 5 feet from the Right-Of-Way for residential subdivision entrance signage** is **APPROVED, subject to the following conditions:**

1. **Entrance signs to subdivisions within the River Hall Country Club development must be in compliance with the attached Signage Exhibit, stamped received on April 11, 2007. The Signage Exhibit for ADD2007-0075 is hereby APPROVED and adopted. A reduced copy is attached hereto as "Attachment A."**

2. **Either a two-sided sign in a landscaped median OR two one-sided signs on either side of a project entrance within the River Hall Country Club will be allowed at the entrance to each residential development. All signs must be in accordance with Chapter 30 of the Land Development Code.**

3. **The terms and conditions of the original zoning resolutions remain in full force and effect, except as herein amended.**

DULY SIGNED this 30th day of April, A.D., 2007.

BY: Pam Houck

Pam Houck, Director
Division of Zoning
Department of Community Development

EXHIBIT A

Barraco and Associates, Inc.
www.barraco.net
Civil Engineers, Land Surveyors and Planners

DESCRIPTION

Parcel in
Sections 25, 26, 27, 34, 35 and 36, Township 43 South, Range 26 East
Lee County, Florida

RECEIVED
APR 18 2007
PERMIT COUNTER

A tract or parcel of land lying in Sections 25, 26, 27, 34, 35 and 36, Township 43 South, Range 26 East, Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Beginning at the Southeast corner of said Section 34 run N00°59'34"W along the East line of the Southeast Quarter (SE ¼) of said Section 34 for 2,654.70 feet to the East Quarter Corner of said Section 34; thence run S89°15'30"W along the North line of the South Half (S ½) of said Section 34 for 5,100.92 feet to a point on a non-tangent curve at the intersection with the Easterly line of lands described in a deed recorded in Official Record Book 4107, at Page 886, Lee County Records; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta 21°30'24") (chord bearing N34°21'11"W) (chord 89.56 feet) for 90.09 feet to a point of tangency; thence run N45°06'23"W along said Easterly line for 156.71 feet to a point of curvature; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta 06°54'55") (chord bearing N48°33'50"W)(chord 28.95 feet) for 28.97 feet to an intersection with the West line of the Northwest Quarter (NW ¼) of said Section 34; thence run N00°49'55"W along said West line for 2,437.57 feet to the Southwest Corner of said Section 27; thence run N00°49'48"W along the West line of the Southwest Quarter (SW ¼) of said Section 27 for 659.59 feet to the Southwest corner of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of said Section 27; thence run N89°06'39"E along the South line of the North Half (N ½) of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of said Section 27 for 1,318.66 feet to the Southeast corner of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of said Section 27; thence run N00°50'33"W along the East line of said Fraction for 660.48 feet to the Northeast Corner of said Fraction; thence run S89°04'20"W along the North line of said Fraction for 659.26 feet to the Southeast corner of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of said Section 27; thence run N00°50'10"W along the East line of said Fraction for 660.23 feet to the Northeast Corner of said Fraction; thence run S89°02'22"W along the North line of said Fraction for 659.19 feet to an intersection with the West line of the Southwest Quarter (SW ¼) of said Section 27; thence run N00°49'48"W along said West line for 659.85 feet to the West Quarter Corner of said Section 27; thence run N00°47'16"W along the West line of the Northwest Quarter (NW ¼) of said Section 27 for 1,328.51 feet to an intersection with the Southerly right of way line of State Road 80, (150 feet wide); thence run N77°10'14"E along said Southerly right of way line for 2,020.27 feet to an intersection with the West line of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of said Section 27; thence run S00°50'17"E along said West line for 421.56 feet to the Southwest Corner of said Fraction, being designated as POINT "A"; thence run N88°54'52"E along the South line of said Fraction for 658.74 feet to an intersection with the West line of the East Half (E ½) of said Section 27; thence run S00°51'17"E along said West line for 3,420.35 feet to an intersection with the North line of the South 50 feet of said former Seaboard All Florida Railroad right of way (100 feet wide); thence run N89°00'08"E along said North line for 7,949.61 feet to an intersection with the West line of the Southwest Quarter (SW ¼) of said Section 25; thence run N00°33'55"W along said West line for 50.00 feet to an intersection with the Northerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said right of way line for 5,295.61 feet to an intersection with the East line of the Southeast Quarter (SE ¼) of said Section 25; thence run S01°39'28"E along said East line for 629.62 feet to the Northeast Corner of said Section 36 being designated as POINT "B";

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Phone (239) 461-3170 • Fax (239) 461-316

ADD 2007-00075

DESCRIPTION (Cont.)

thence run S00°16'51"E along the East line of the Northeast Quarter (NE ¼) of said Section 36 for 2,647.36 feet to the East Quarter Corner of said Section 36; thence run S00°45'42"E along the East line of the Southeast Quarter (SE ¼) of said Section 36 for 2,644.68 feet to the Southeast Corner of said Section 36; thence run S89°12'27"W along the South line of the Southeast Quarter (SE ¼) of said Section 36 for 2,644.62 feet the South Quarter Corner of said Section 36; thence run S89°11'43"W along the South line of the Southwest Quarter (SW ¼) of said Section 36 for 2,643.63 feet to the Southeast Corner of said Section 35; thence run S88°54'06"W along the South line of the Southeast Quarter (SE 1/4) of said Section 35 for 2643.62 feet to the South Quarter Corner of said Section 35; thence run S88°53'41"W along the South line of the Southwest Quarter (SW ¼) of said Section 35 for 2,642.70 feet to the POINT OF BEGINNING.
LESS and EXCEPT the following described parcels.
From the point designated as POINT "A" run S88°54'52"W along the South line of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of said Section 27 for 658.74 feet to the Northeast Corner of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section 27 and POINT OF BEGINNING.
From said Point of Beginning run S00°49'17"E along the East line of said Fraction for 660.13 feet to the Southeast Corner of said Fraction; thence run S88°57'38"W along the South line of said Fraction for 658.93 feet to the Southwest Corner of said Fraction; thence run N00°48'16"W along the West line of said Fraction for 659.60 feet to the Northwest Corner of said Fraction; thence run N88°54'52"E along the North line of said Fraction for 658.74 feet to the POINT OF BEGINNING.
AND
From the point designated as POINT "B" run S88°44'46"W along the South line of the Southeast Quarter (SE ¼) of said Section 25 for 2,674.22 feet to the South Quarter Corner of said Section 25, run S89°12'44"W along the South line of the Southwest Quarter (SW ¼) of said Section 25 for 2,633.46 feet to the Southeast Corner of said Section 26 and POINT OF BEGINNING.
From said Point of Beginning run S89°14'15"W along the South line of the Southeast Quarter (SE ¼) of said Section 26 for 1,327.50 feet to the Southwest Corner of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE 1/4) of said Section 26; thence run N00°23'46"W along the West line of said Fraction for 526.48 feet to an intersection with the Southerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said Southerly right of way line for 1,325.98 feet to an intersection with the East line of the Southeast Quarter (SE ¼) of said Section 26; thence run S00°33'55"E along said East line for 531.91 feet to the POINT OF BEGINNING.

Containing a Total Area of 1,978.44 Acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/90 adjustment) and are based on the west line of the Northwest Quarter (NW 1/4) of said Section 34 to bear N00°49'55"W.

Applicant's Legal Checked
by 24APR1L07

RECEIVED
APR 18 2007
PERMIT COUNTER

Scott A. Wheeler 4/17/07
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

L:\21988 - Hawks Haven\DESC\21988S07desc.doc

ADD 2007-00075

Township 43 South Range 27 East

DESCRIPTION (AS PROVIDED)

Hickey Creek Road

Township 43 South Range 26 East

TOTAL AREA OF TRACT = 1,878.44 +/- Ac.

Section 35

Section 36

Section 34

Section 27

Township 43 South Range 26 East

LEGEND

MG LINE
COORDINATE SYSTEM
NAD 1983
HPGN

0 200 400 800
SCALE IN FEET

NOTES

ADD 2007-00075

Barraco and Associates, Inc.
CIVIL ENGINEERING · LAND SURVEYING
LAND PLANNING · LANDSCAPE DESIGN
www.barraco.net
2771 MACDONALD DRIVE (DAVIS)
POST OFFICE DRAWER 1809
PORT ST. LUCIE, FLORIDA 34985-2999
PHONE (561) 461-2199
FAX (561) 461-1188
FLORIDA CERTIFICATE OF AUTHORIZATION
ENGINEERING FIRM - 6,000 / LAND SURVEYING FIRM - LB 6745

PREPARED FOR

LandMar GROUP, LLC
3401 PONCE DE LEON BOULEVARD
CORAL GABLES, FLORIDA 33134
PHONE (305) 447-0021
FAX (305) 447-0337

PROJECT DESCRIPTION

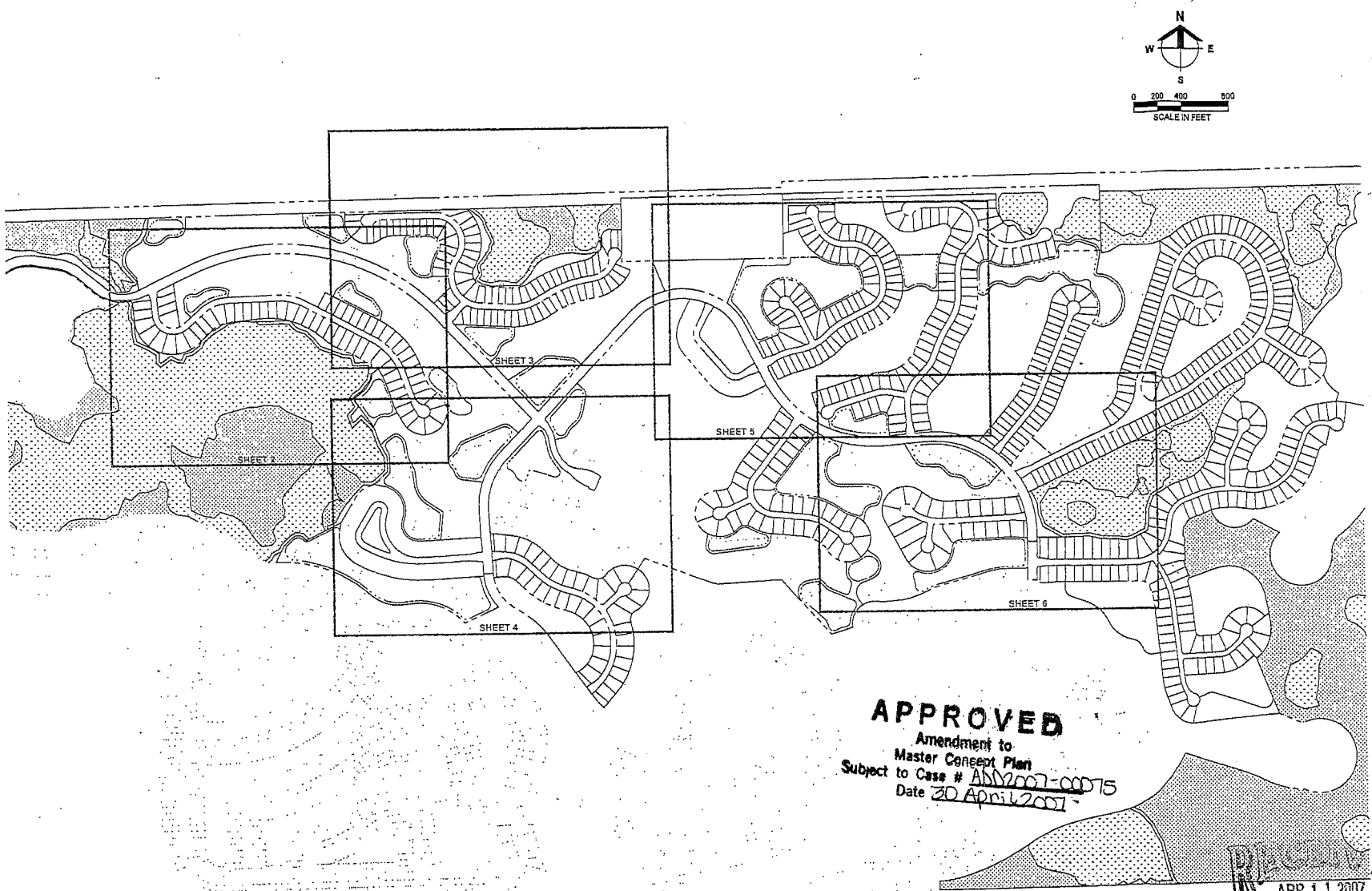
HAWK'S HAVEN

PART OF SECTIONS 26, 34, 35, 36, 27, 34, 3 AND 10
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

BOUNDARY SURVEY

DATE 25-03-26	SHEET NUMBER 1 OF 1

ATTACHMENT A



APPROVED
Amendment to
Master Concept Plan
Subject to Case # ADD2007-00075
Date 30 April 2007

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APR 11 2007
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Barraco and Associates, Inc.
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FAX (239) 461-3189
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7993 · SURVEYING LB-6940

PREPARED FOR

HAWK'S HAVEN GOLF DEVELOPERS, LLC

2401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920

PHONE (239) 274-6521
FAX (239) 274-6517

LandMar GROUP, LLC

PROJECT DESCRIPTION

RIVER HALL COUNTRY CLUB

PHASE 1

FORMERLY KNOWN AS HAWKS HAVEN GOLF COURSE COMMUNITY PHASE 1

PART OF SECTIONS 25,26,27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

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PLOT BY	TARA HUULKANDER
DESIGN BY	

CROSS REFERENCED DRAWINGS

BASEPLAN = 2196A00.DWG

PLAN REVISIONS

PLAN STATUS

FOR EXHIBIT PURPOSES ONLY

SIGNAGE EXHIBIT

PROJECT / FILE NO.	SHEET NUMBER
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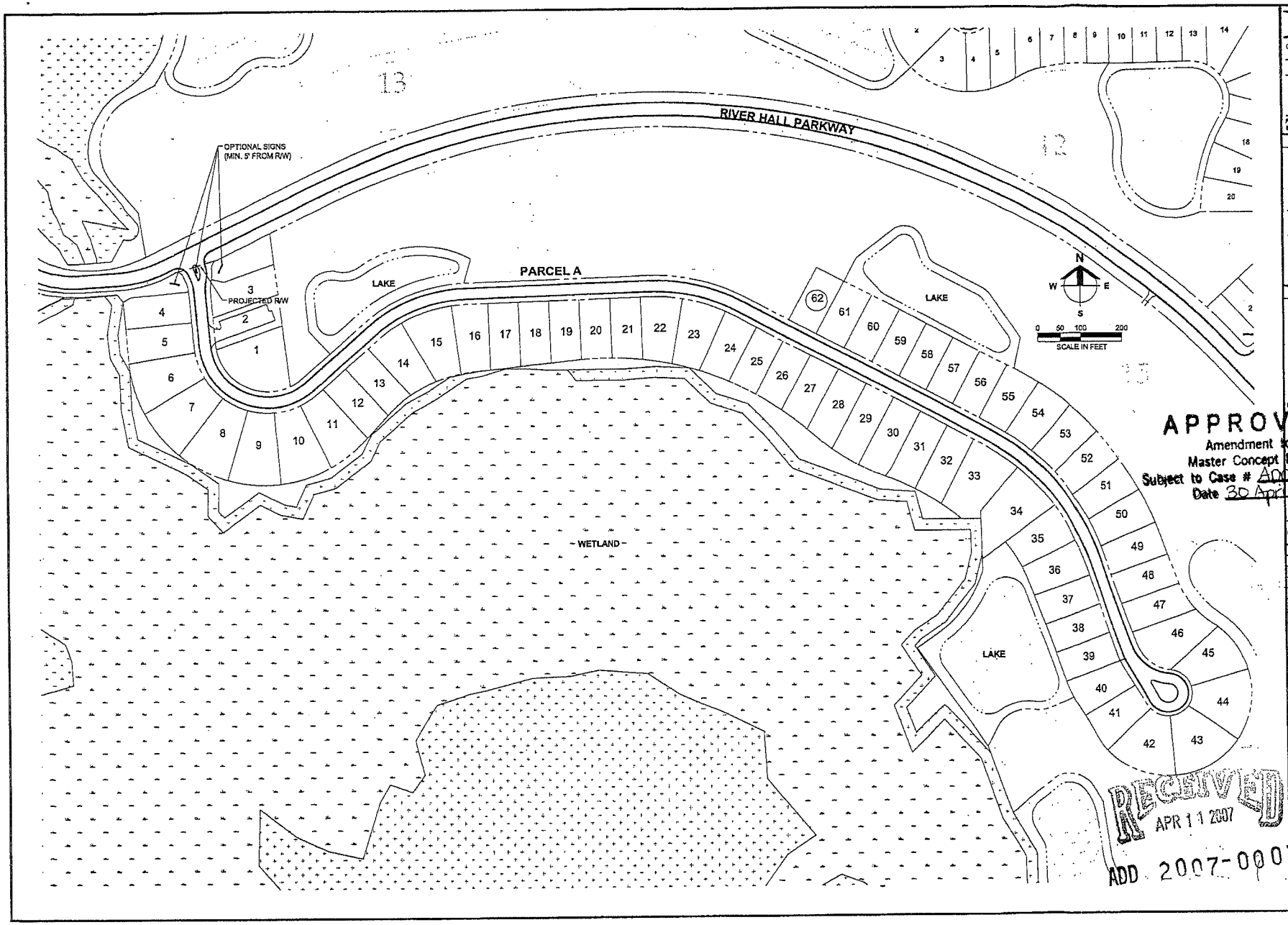

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Amendment to
Master Concept Plan
Subject to Case # ADD2007-00075
Date 30 April 2007

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FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7985 - SURVEYING LB-6946

PREPARED FOR

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LandMar GROUP, LLC

PROJECT DESCRIPTION

RIVER HALL COUNTRY CLUB

PHASE 1

FORMERLY KNOWN AS HAWKS HAVEN GOLF COURSE COMMUNITY PHASE 1

PART OF SECTIONS 25,26,27,34,35 AND 36
TOWNSHIP 43 SOUTH
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PLOT BY	TARA HULSLANDER
DESIGN BY	

CROSS REFERENCED DRAWINGS
BASEPLAN = 21986A08.DWG

PLAN REVISIONS

PLAN STATUS
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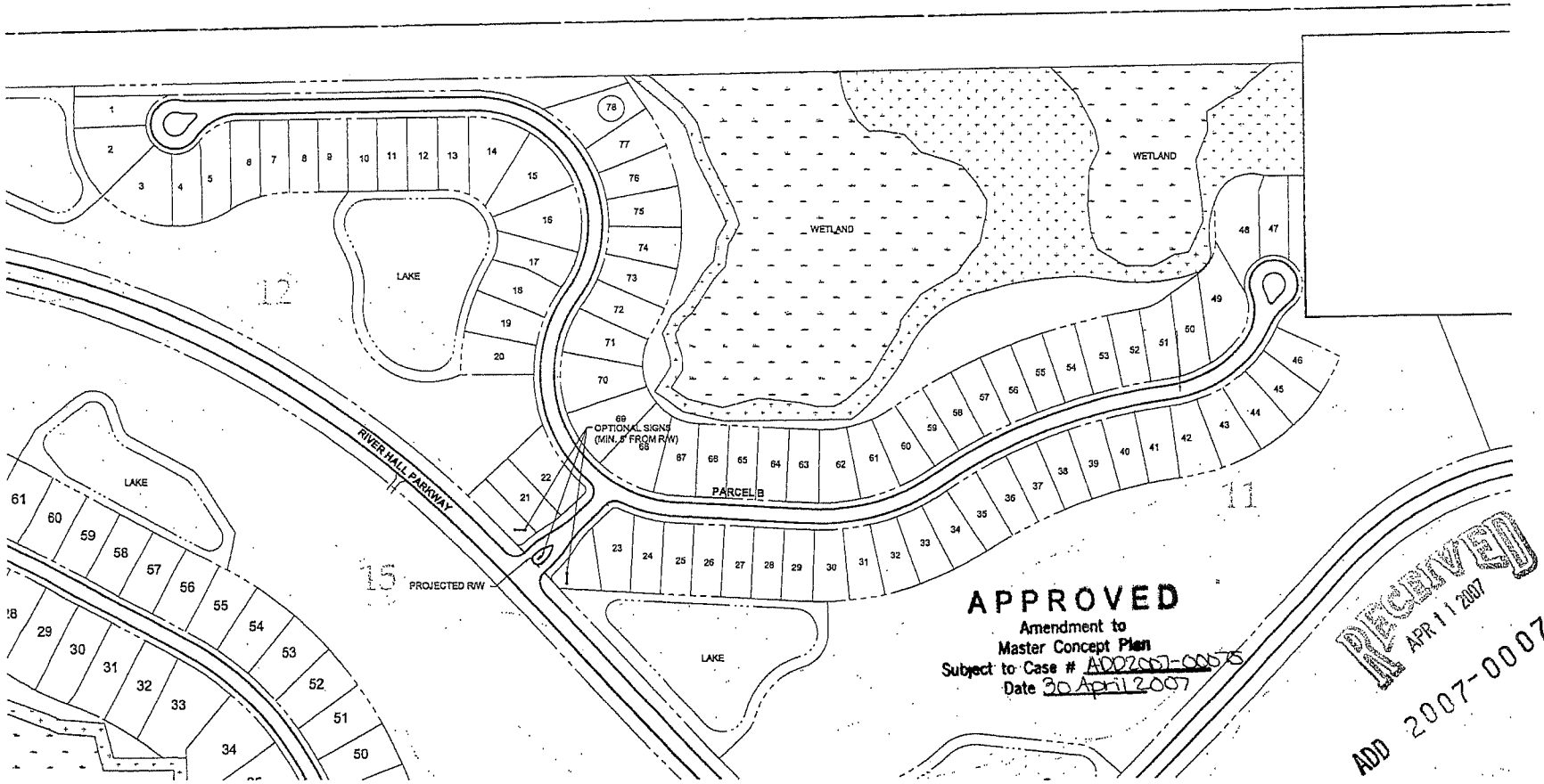

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FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-4640

PREPARED FOR

HAWK'S HAVEN GOLF DEVELOPERS, LLC

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LandMar GROUP, LLC

PROJECT DESCRIPTION

RIVER HALL COUNTRY CLUB

PHASE 1

FORMERLY KNOWN AS HAWKS HAVEN GOLF COURSE COMMUNITY PHASE 1

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CROSS REFERENCED DRAWINGS

BASEPLAN = 21996A00.DWG

PLAN REVISIONS

PLAN STATUS

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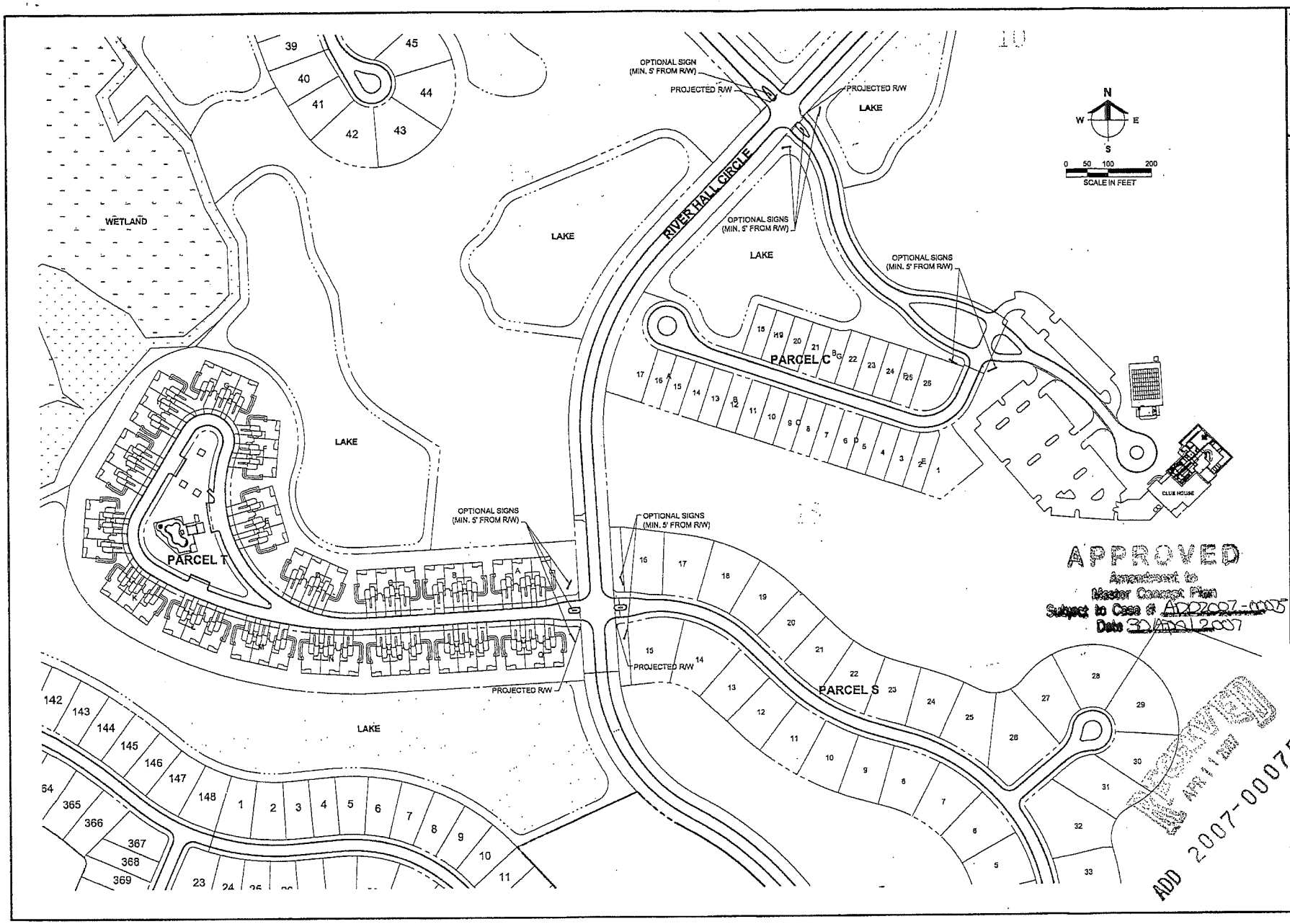

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ENGINEERING 7905 - SURVEYING LB-2840

PREPARED FOR

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LandMar GROUP, LLC

PROJECT DESCRIPTION

RIVER HALL COUNTRY CLUB

PHASE 1

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PART OF SECTIONS 25,26,27,34,35 AND 36
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DESIGN BY	

CROSS REFERENCED DRAWINGS

BASEPLAN = 21966A00.DWG

PLAN REVISIONS

PLAN STATUS

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SIGNAGE EXHIBIT

PROJECT / FILE NO.	SHEET NUMBER
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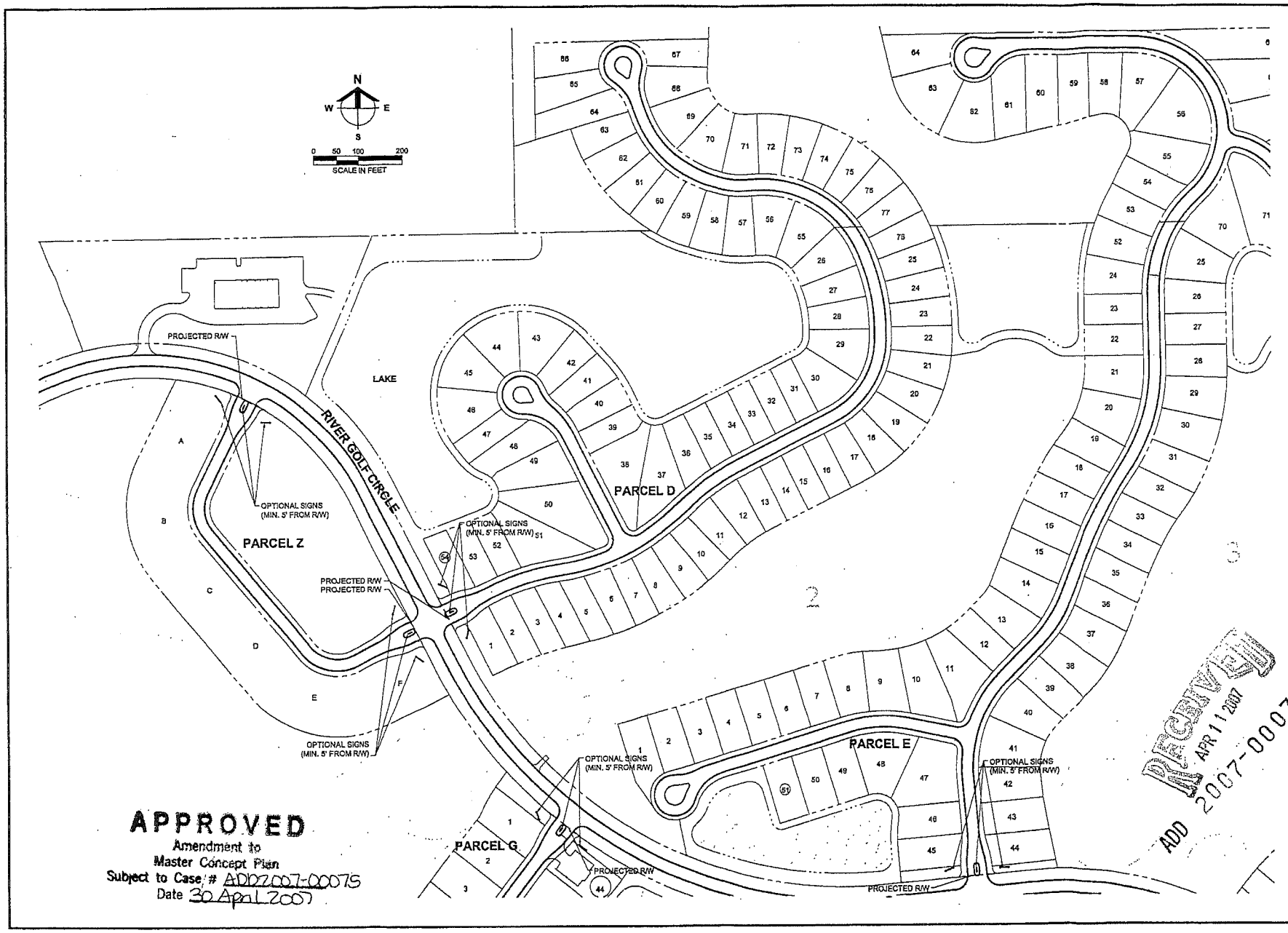

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FLORIDA CERTIFICATE OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-8940

PREPARED FOR:

HAWK'S HAVEN GOLF DEVELOPERS, LLC

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LandMar GROUP, LLC

PROJECT DESCRIPTION

RIVER HALL COUNTRY CLUB

PHASE 1

FORMERLY KNOWN AS HAWKS HAVEN GOLF COURSE COMMUNITY PHASE 1

PART OF SECTIONS 25,26,27,34,35 AND 36
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RANGE 26 EAST
LEE COUNTY, FLORIDA

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PLOT BY	TARA MUSLANDER
DESIGN BY	

CROSS REFERENCED DRAWINGS

BASEPLAN = 21966ADD.DWG

PLAN REVISIONS

PLAN STATUS

FOR EXHIBIT PURPOSES ONLY

SIGNAGE EXHIBIT

PROJECT / FILE NO.	SHEET NUMBER
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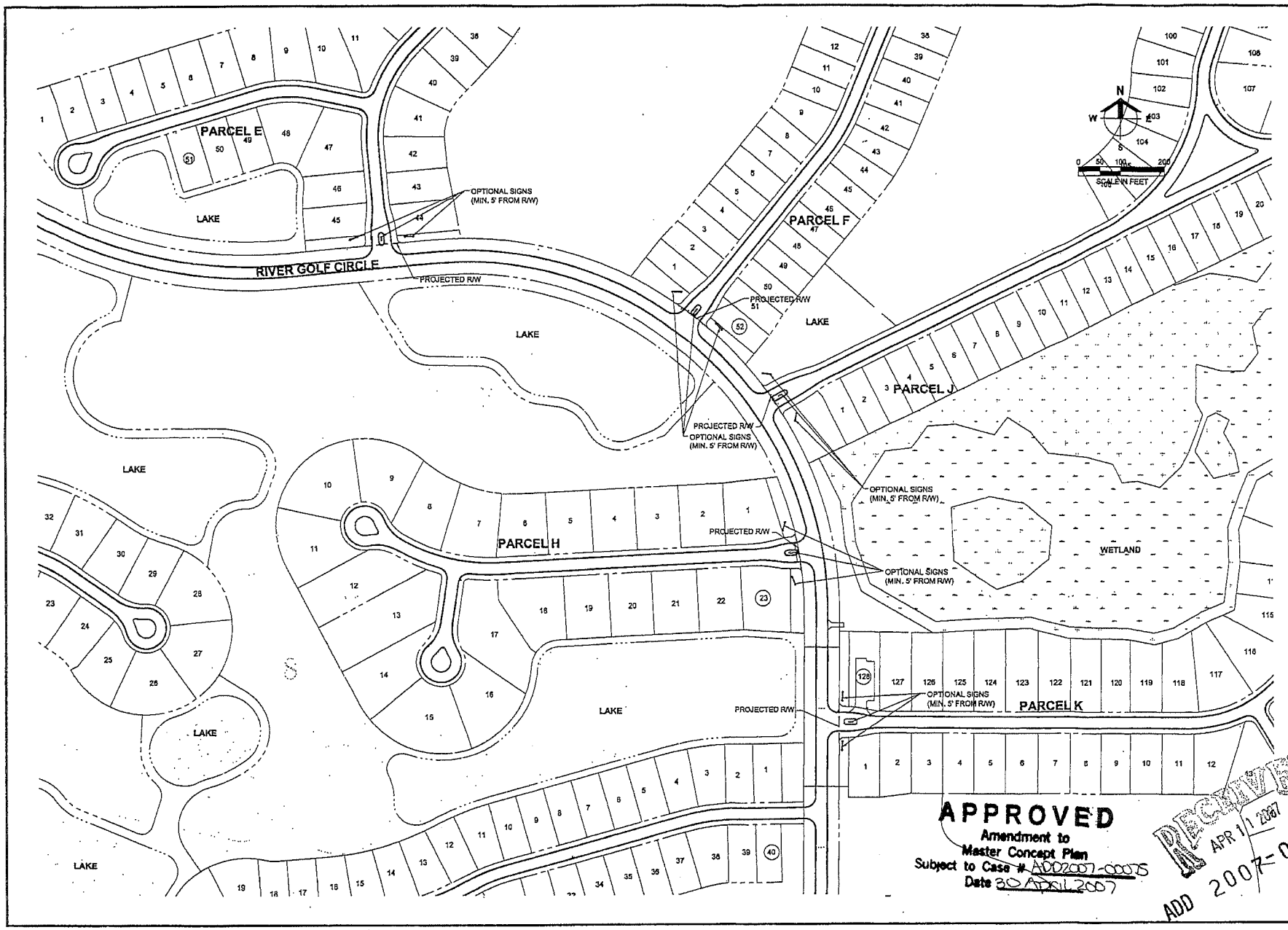

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FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7989 - SURVEYING LB-6946

PREPARED FOR

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LandMar GROUP, LLC

PROJECT DESCRIPTION

RIVER HALL COUNTRY CLUB

PHASE 1

FORMERLY KNOWN AS HAWKS HAVEN GOLF COURSE COMMUNITY PHASE 1

PART OF SECTIONS 25,26,27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 23 EAST
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PLOT BY	TARA HULSLANDER
DESIGN BY	

CROSS REFERENCED DRAWINGS

BASEPLAN = 21998ADD.DWG

PLAN REVISIONS

PLAN STATUS
FOR EXHIBIT PURPOSES ONLY

SIGNAGE EXHIBIT

PROJECT / FILE NO.	SHEET NUMBER
22060	6

MASTER CONCEPT PLAN

FOR

RIVER HALL RPD / CPD

(FORMERLY KNOWN AS HAWKS HAVEN RPD)

PART OF SECTION 27, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

PROJECT DATA

SITE ADDRESS

HAWK'S HAVEN DEVELOPERS, LLC
2401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
(239) 274-0321
(239) 274-0517

PROJECT DATUM

FLORIDA STATE PLANE WEST ZONE (NAD1983/90)
NATIONAL GEODETIC VERTICAL DATUM (NGVD) 1929

ZONING

HAWK'S HAVEN RPD

RECORD PLAT

APPROVED

FLOOD ZONE

ACCORDING TO F.I.R.M. COMMUNITY PANEL 125124 0250B, EFFECTIVE SEPTEMBER 19, 1984, THE SUBJECT PARCEL IS LOCATED IN FLOOD ZONE A7 (EL. 8) AND ZONE B.

STRAP NUMBERS

PERMIT REQUIREMENTS

AGENCY	STATUS	NOTES
S. FLORIDA WATER MANAGEMENT DISTRICT	APPROVED	PERMIT NO. 36-04008-P
LEE COUNTY DEVELOPMENT ORDER	APPROVED	PERMIT NO. DOS2004-00138
LEE COUNTY DEPARTMENT OF HEALTH	APPROVED	PERMIT NO. 0125120-117 DSGP
FLORIDA DEPT. OF ENVIRONMENTAL PROTECTION	APPROVED	PERMIT NO. 47040-084-DWC
F.D.O.T. CONNECTION PERMIT	N/A	-
F.D.O.T. DRAINAGE CONNECTION PERMIT	N/A	-
F.D.O.T. UTILITY PERMIT	N/A	-
ARMY CORPS OF ENGINEERS	N/A	-
F.D.E.P. NOTICE OF INTENT	ISSUED	PERMIT NO. FLR10Y480

NOTE: CONTRACTOR MUST OBTAIN AND KEEP ON FILE A COPY OF ALL PERMITS REQUIRED PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION ACTIVITY

DESIGN TEAM

PROJECT ENGINEER
CARL A. BARRACO, P.E.

PROJECT MANAGEMENT
CHRIS VAN BUSKIRK

DESIGN ENGINEER
TIM GAVIN, P.E.

PROJECT SURVEYOR
SCOTT WHEELER, P.S.M.

LEAD DESIGN TECHNICIAN
WES KAYNE, E.I.

SITE PLANNING
JENNIFER SAPEN

DESIGN STAFF
TOM R. HOLMLUND

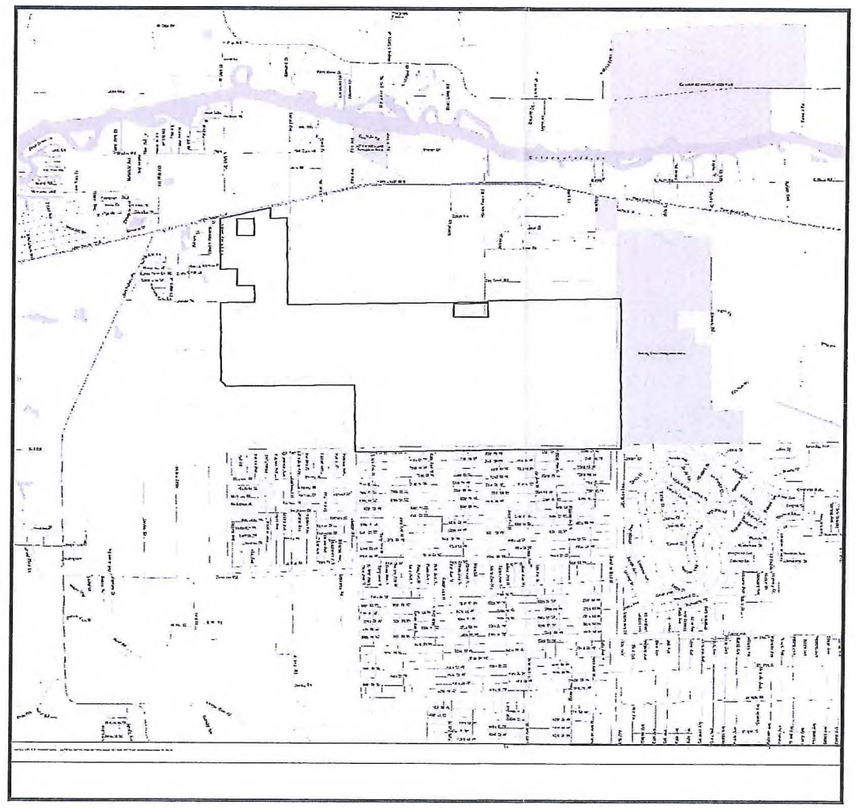
LANDSCAPE DESIGN

QUALITY CONTROL
TOM R. HOLMLUND

RECORD DRAWINGS

THESE PLANS MAY HAVE BEEN MODIFIED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN OBTAINING SCALED DATA.

ALL DIMENSIONS ARE IN FEET.



PROJECT LOCATION

N
W E
S

LOCATION MAP

0 1500 3000 6000
SCALE IN FEET

INDEX OF DRAWINGS

SHEET	DESCRIPTION	XREF	DRAWING NAME
1	COVER SHEET AND LOCATION MAP	A	21998Z01.DWG
2	PREVIOUSLY APPROVED MASTER CONCEPT PLAN	B	21998Z02.DWG
3	PREVIOUSLY APPROVED TYPICAL SECTIONS	-	21998Z02.DWG
4	PROPOSED MASTER CONCEPT PLAN	B	21998Z03.DWG
5	PROPOSED DETAILS	-	21998Z04.DWG

CROSS-REFERENCED DRAWINGS:

XREF NO.	DESCRIPTION	DRAWING NAME
A	LOCATION MAP - LEE COUNTY 43-26	LEEMAP.DWG
B	BASE LINEWORK PLAN	21988A00.DWG

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ATTACHMENT D

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ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

GREENPOINTE COMMUNITIES, LLC
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SUITE 205
JACKSONVILLE, FL 32256

PHONE (904) 562-1358
FAX (904) 996-2481

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS HAWKS HAVEN

PART OF SECTIONS 27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

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PLOT DATE	TUE. 12-16-2014 - 3:35 PM
PLOT BY	JENNIFER SAPEN

CROSS REFERENCED DRAWINGS

MASTER = BAI-COVER-1.DWG

PLAN REVISIONS

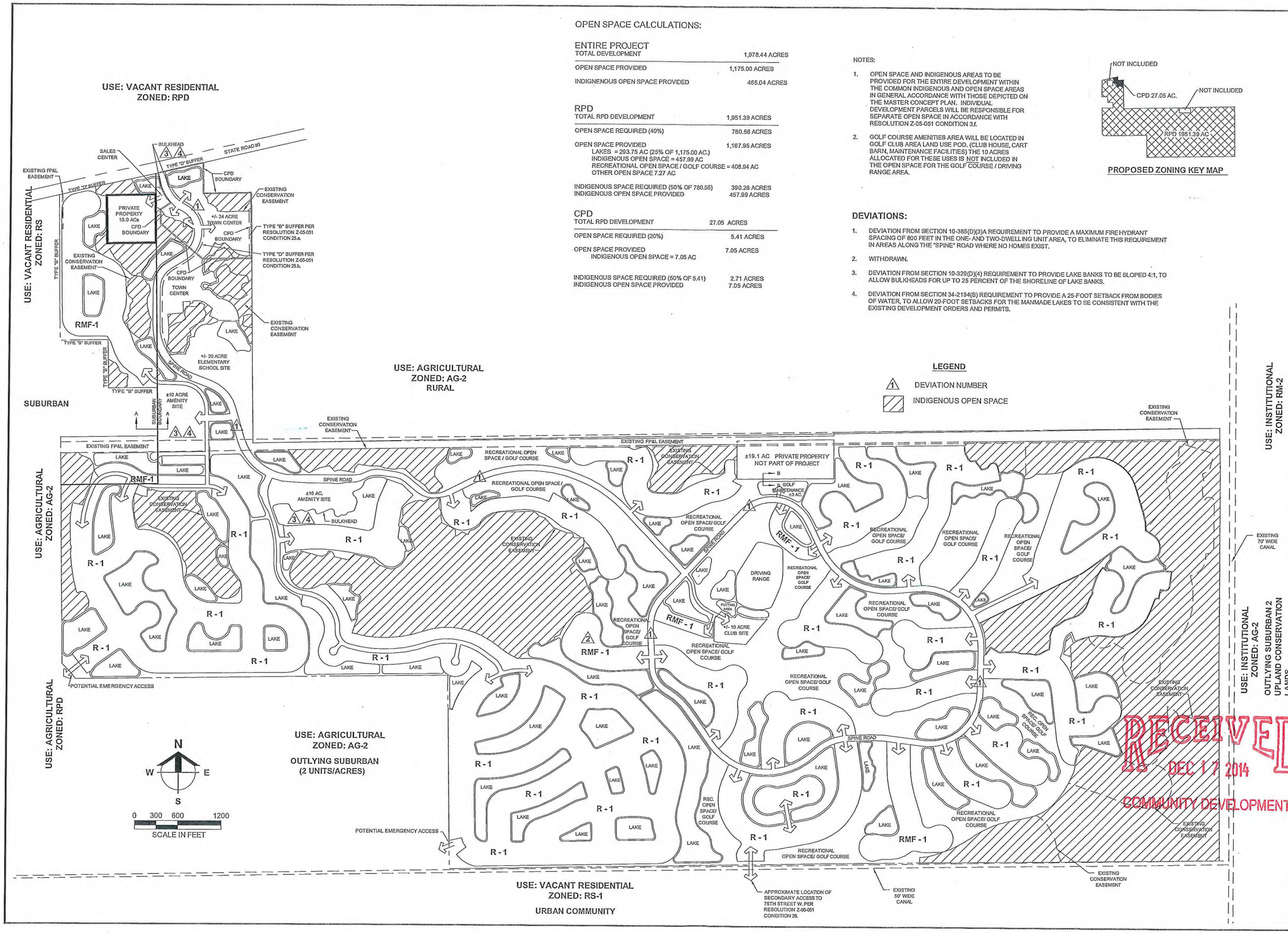
3-20-13	REVISED AMENDMENT AREA
12-17-14	REVISED AMENDMENT AREA

PLAN STATUS

EXHIBIT
D-7-M.1 & D-7-M.2-2

COVER SHEET AND LOCATION MAP

PROJECT / FILE NO.	SHEET NUMBER
21988	1



OPEN SPACE CALCULATIONS:

ENTIRE PROJECT

TOTAL DEVELOPMENT	1,978.44 ACRES
OPEN SPACE PROVIDED	1,175.00 ACRES
INDIGNENOUS OPEN SPACE PROVIDED	465.04 ACRES

RPD

TOTAL RPD DEVELOPMENT	1,951.39 ACRES
OPEN SPACE REQUIRED (40%)	780.56 ACRES
OPEN SPACE PROVIDED LAKES = 293.75 AC (25% OF 1,175.00 AC.) INDIGENOUS OPEN SPACE = 457.99 AC RECREATIONAL OPEN SPACE / GOLF COURSE = 408.94 AC OTHER OPEN SPACE 7.27 AC	1,167.95 ACRES
INDIGENOUS SPACE REQUIRED (50% OF 780.56)	390.28 ACRES
INDIGENOUS OPEN SPACE PROVIDED	457.99 ACRES

CPD

TOTAL RPD DEVELOPMENT	27.05 ACRES
OPEN SPACE REQUIRED (20%)	5.41 ACRES
OPEN SPACE PROVIDED INDIGENOUS OPEN SPACE = 7.05 AC	7.05 ACRES
INDIGENOUS SPACE REQUIRED (50% OF 5.41)	2.71 ACRES
INDIGENOUS OPEN SPACE PROVIDED	7.05 ACRES

NOTES:

1. OPEN SPACE AND INDIGENOUS AREAS TO BE PROVIDED FOR THE ENTIRE DEVELOPMENT WITHIN THE COMMON INDIGENOUS AND OPEN SPACE AREAS IN GENERAL ACCORDANCE WITH THOSE DEPICTED ON THE MASTER CONCEPT PLAN. INDIVIDUAL DEVELOPMENT PARCELS WILL BE RESPONSIBLE FOR SEPARATE OPEN SPACE IN ACCORDANCE WITH RESOLUTION Z-05-051 CONDITION 3.f.
2. GOLF COURSE AMENITIES AREA WILL BE LOCATED IN GOLF CLUB AREA LAND USE POD. (CLUB HOUSE, CART BARN, MAINTENANCE FACILITIES) THE 10 ACRES ALLOCATED FOR THESE USES IS NOT INCLUDED IN THE OPEN SPACE FOR THE GOLF COURSE / DRIVING RANGE AREA.

PROPOSED ZONING KEY MAP

DEVIATIONS:

1. DEVIATION FROM SECTION 10-385(D)(3)A REQUIREMENT TO PROVIDE A MAXIMUM FIRE HYDRANT SPACING OF 800 FEET IN THE ONE- AND TWO-DWELLING UNIT AREA, TO ELIMINATE THIS REQUIREMENT IN AREAS ALONG THE "SPINE" ROAD WHERE NO HOMES EXIST.
2. WITHDRAWN.
3. DEVIATION FROM SECTION 10-329(D)(4) REQUIREMENT TO PROVIDE LAKE BANKS TO BE SLOPED 4:1, TO ALLOW BULKHEADS FOR UP TO 25 PERCENT OF THE SHORELINE OF LAKE BANKS.
4. DEVIATION FROM SECTION 34-2194(B) REQUIREMENT TO PROVIDE A 25-FOOT SETBACK FROM BODIES OF WATER, TO ALLOW 20-FOOT SETBACKS FOR THE MANMADE LAKES TO BE CONSISTENT WITH THE EXISTING DEVELOPMENT ORDERS AND PERMITS.

LEGEND

1 DEVIATION NUMBER

INDIGENOUS OPEN SPACE

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PHONE (904) 562-1358
FAX (904) 996-2481

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS
HAWKS HAVEN

PART OF SECTIONS 27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

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PLOT DATE	TUE. 12-16-2014 - 3:35 PM
PLOT BY	JENNIFER SAPEN

CROSS REFERENCED DRAWINGS

BASEPLAN = 21988Z00.DWG

PLAN REVISIONS

12-17-14	REVISED AMENDMENT AREA

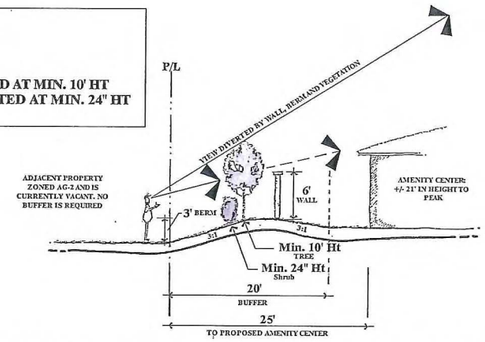
PLAN STATUS

EXHIBIT
D-7-M.1 & D-7-M.2-2

PREVIOUSLY APPROVED MASTER CONCEPT PLAN

PROJECT / FILE NO.	SHEET NUMBER
21988	2

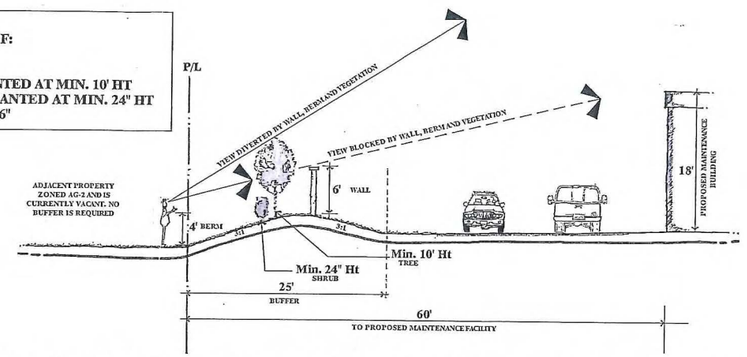
PROPOSED
25' BUFFER CONSISTING OF:
3' BERM +/-
6' WALL
7 TREES PER 100 L.F. PLANTED AT MIN. 10' HT
30 SHRUBS PER 100 L.F. PLANTED AT MIN. 24" HT AND MAINTAINED AT 36"



PROPOSED BUFFER FOR AMENITY CENTER (SECTION A-A)

NTS

PROPOSED
25' BUFFER CONSISTING OF:
4' BERM +/-
6' WALL
7 TREES PER 100 L.F. PLANTED AT MIN. 10' HT
30 SHRUBS PER 100 L.F. PLANTED AT MIN. 24" HT AND MAINTAINED AT 36"



PROPOSED BUFFER FOR GOLF COURSE MAINTENANCE FACILITY (SECTION B-B)

NTS

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COMMUNITY DEVELOPMENT

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ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

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SUITE 205
JACKSONVILLE, FL 32256

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PROJECT DESCRIPTION

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PART OF SECTIONS 27,34,35 AND 36
TOWNSHIP 43 SOUTH
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LOCATION	J:\21988\DWG\ZONING\2014 REZONE\
PLOT DATE	TUE, 12-16-2014 - 3:35 PM
PLOT BY	JENNIFER SAPEN

CROSS REFERENCED DRAWINGS

PLAN REVISIONS

12-17-14	REVISED AMENDMENT AREA

PLAN STATUS

APPROVAL SUBMITTAL PLANS
NOT FOR CONSTRUCTION

PREVIOUSLY APPROVED TYPICAL SECTIONS

PROJECT / FILE NO.	SHEET NUMBER
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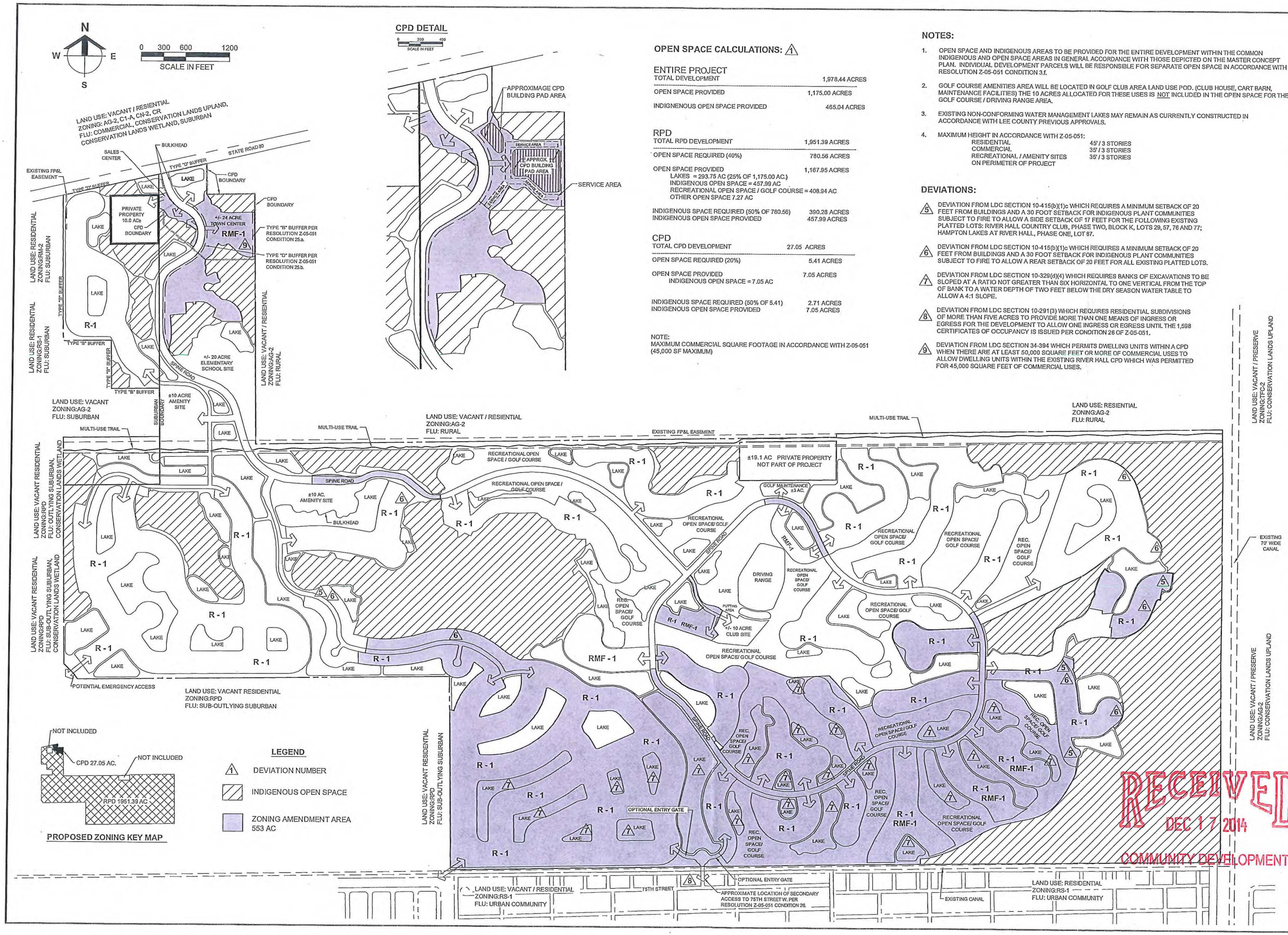

OPEN SPACE CALCULATIONS: 1

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TOTAL RPD DEVELOPMENT	1,951.39 ACRES
OPEN SPACE REQUIRED (40%)	780.56 ACRES
OPEN SPACE PROVIDED LAKES = 293.75 AC (25% OF 1,175.00 AC.) INDIGENOUS OPEN SPACE = 457.99 AC RECREATIONAL OPEN SPACE / GOLF COURSE = 408.94 AC OTHER OPEN SPACE 7.27 AC	1,167.95 ACRES
INDIGENOUS SPACE REQUIRED (50% OF 780.56)	390.28 ACRES
INDIGENOUS OPEN SPACE PROVIDED	457.99 ACRES

CPD

TOTAL CPD DEVELOPMENT	27.05 ACRES
OPEN SPACE REQUIRED (20%)	5.41 ACRES
OPEN SPACE PROVIDED INDIGENOUS OPEN SPACE = 7.05 AC	7.05 ACRES
INDIGENOUS SPACE REQUIRED (50% OF 5.41)	2.71 ACRES
INDIGENOUS OPEN SPACE PROVIDED	7.05 ACRES

NOTE:
MAXIMUM COMMERCIAL SQUARE FOOTAGE IN ACCORDANCE WITH Z-05-051 (45,000 SF MAXIMUM)

NOTES:

1. OPEN SPACE AND INDIGENOUS AREAS TO BE PROVIDED FOR THE ENTIRE DEVELOPMENT WITHIN THE COMMON INDIGENOUS AND OPEN SPACE AREAS IN GENERAL ACCORDANCE WITH THOSE DEPICTED ON THE MASTER CONCEPT PLAN. INDIVIDUAL DEVELOPMENT PARCELS WILL BE RESPONSIBLE FOR SEPARATE OPEN SPACE IN ACCORDANCE WITH RESOLUTION Z-05-051 CONDITION 3.f.
2. GOLF COURSE AMENITIES AREA WILL BE LOCATED IN GOLF CLUB AREA LAND USE POD. (CLUB HOUSE, CART BARN, MAINTENANCE FACILITIES) THE 10 ACRES ALLOCATED FOR THESE USES IS NOT INCLUDED IN THE OPEN SPACE FOR THE GOLF COURSE / DRIVING RANGE AREA.
3. EXISTING NON-CONFORMING WATER MANAGEMENT LAKES MAY REMAIN AS CURRENTLY CONSTRUCTED IN ACCORDANCE WITH LEE COUNTY PREVIOUS APPROVALS.
4. MAXIMUM HEIGHT IN ACCORDANCE WITH Z-05-051:

RESIDENTIAL	45' / 3 STORIES
COMMERCIAL	35' / 3 STORIES
RECREATIONAL / AMENITY SITES ON PERIMETER OF PROJECT	35' / 3 STORIES

DEVIATIONS:

5. DEVIATION FROM LDC SECTION 10-415(b)(1)c WHICH REQUIRES A MINIMUM SETBACK OF 20 FEET FROM BUILDINGS AND A 30 FOOT SETBACK FOR INDIGENOUS PLANT COMMUNITIES SUBJECT TO FIRE TO ALLOW A SIDE SETBACK OF 17 FEET FOR THE FOLLOWING EXISTING PLATTED LOTS: RIVER HALL COUNTRY CLUB, PHASE TWO, BLOCK K, LOTS 29, 57, 76 AND 77; HAMPTON LAKES AT RIVER HALL, PHASE ONE, LOT 87.
6. DEVIATION FROM LDC SECTION 10-415(b)(1)c WHICH REQUIRES A MINIMUM SETBACK OF 20 FEET FROM BUILDINGS AND A 30 FOOT SETBACK FOR INDIGENOUS PLANT COMMUNITIES SUBJECT TO FIRE TO ALLOW A REAR SETBACK OF 20 FEET FOR ALL EXISTING PLATTED LOTS.
7. DEVIATION FROM LDC SECTION 10-329(d)(4) WHICH REQUIRES BANKS OF EXCAVATIONS TO BE SLOPED AT A RATIO NOT GREATER THAN SIX HORIZONTAL TO ONE VERTICAL FROM THE TOP OF BANK TO A WATER DEPTH OF TWO FEET BELOW THE DRY SEASON WATER TABLE TO ALLOW A 4:1 SLOPE.
8. DEVIATION FROM LDC SECTION 10-291(3) WHICH REQUIRES RESIDENTIAL SUBDIVISIONS OF MORE THAN FIVE ACRES TO PROVIDE MORE THAN ONE MEANS OF INGRESS OR EGRESS FOR THE DEVELOPMENT TO ALLOW ONE INGRESS OR EGRESS UNTIL THE 1,598 CERTIFICATES OF OCCUPANCY IS ISSUED PER CONDITION 26 OF Z-05-051.
9. DEVIATION FROM LDC SECTION 34-394 WHICH PERMITS DWELLING UNITS WITHIN A CPD WHEN THERE ARE AT LEAST 50,000 SQUARE FEET OR MORE OF COMMERCIAL USES TO ALLOW DWELLING UNITS WITHIN THE EXISTING RIVER HALL CPD WHICH WAS PERMITTED FOR 45,000 SQUARE FEET OF COMMERCIAL USES.

RECEIVED
DEC 17 2014
COMMUNITY DEVELOPMENT

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

GREENPOINTE COMMUNITIES, LLC
7807 BAYMEADOWS ROAD E
SUITE 205
JACKSONVILLE, FL 32256

PHONE (904) 562-1358
FAX (904) 996-2481

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS HAWKS HAVEN

PART OF SECTIONS 27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

DRAWING NOT VALID WITHOUT SEAL, SIGNATURE AND DATE
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FILE NAME	21988Z03.DWG
LOCATION	J:\21988\DWG\ZONING\2014 REZONE\
PLOT DATE	TUE, 12-16-2014 - 3:36 PM
PLOT BY	JENNIFER SAPEN

CROSS REFERENCED DRAWINGS

BASEPLAN = 21988Z00.DWG

PLAN REVISIONS

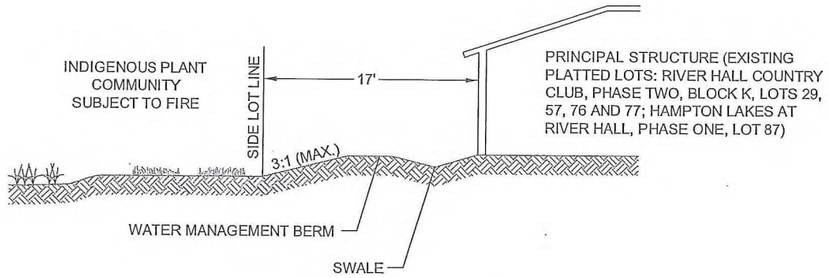
1-2-12	NOTE CHANGES
4-1-13	REVISED AMENDMENT AREA
7-19-13	NOTE CHANGES
9-12-13	REVISED AMENDMENT AREA

PLAN STATUS

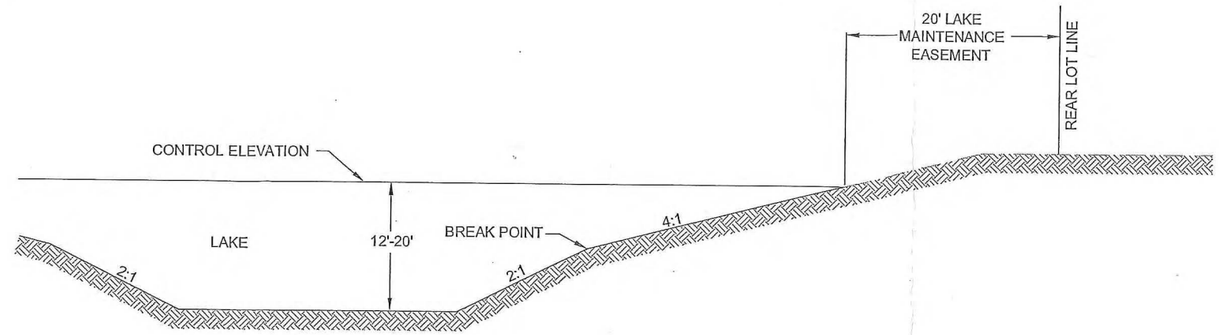
EXHIBIT
D-7-M.1 & D-7-M.2-2

MASTER CONCEPT PLAN

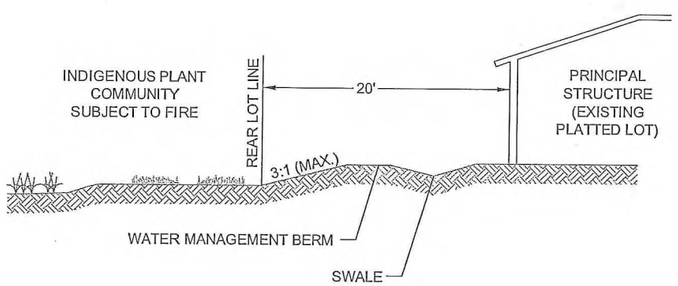
PROJECT / FILE NO.	SHEET NUMBER
21988	4



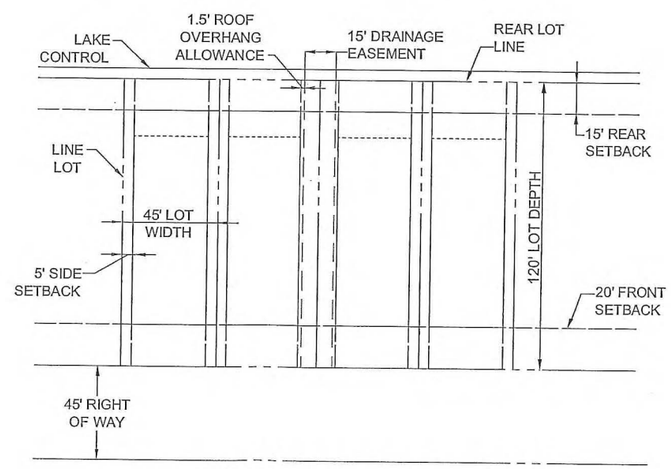
5 DEVIATION 5 DETAIL



7 DEVIATION 7 DETAIL



6 DEVIATION 6 DETAIL



SINGLE FAMILY TYPICAL LOT DETAIL

SITE DEVELOPMENT REGULATIONS

MINIMUM LOT AREA AND DIMENSIONS - SINGLE FAMILY

WIDTH: 45 FEET
DEPTH: 120 FEET
LOT SIZE: 5,400 S.F.

MINIMUM SETBACKS

SINGLE FAMILY

ROAD: PALM BEACH BLVD 25 FEET / PRIVATE ROADS 20 FEET
SIDE: 5 FEET, SEE CONDITION 2.b.i.
REAR: 15 FEET
WATERBODY: 20 FEET
ACCESSORY: 5 FEET

MAXIMUM LOT COVERAGE - 60 PERCENT

2.b.i. STRUCTURES, INCLUDING BUT NOT LIMITED TO, SIDEWALKS, AIR CONDITIONERS, MECHANICAL EQUIPMENT, DOOR STOOPS, WALLS, etc. MAY NOT BE LOCATED WITHIN THE REQUIRED 5-FOOT SIDE SETBACK OF EACH LOT. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY ON EACH LOT, THE ENGINEER OF RECORD MUST CERTIFY THAT THE DRAINAGE FOR EACH LOT IS BUILT IN COMPLIANCE WITH THE TYPICAL LOT GRADING DETAIL PROVIDED.

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COMMUNITY DEVELOPMENT

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7807 BAYMEADOWS ROAD E
SUITE 205
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PHONE (904) 562-1358
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PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS
HAWKS HAVEN

PART OF SECTIONS 27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

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FILE NAME	21988Z04.DWG
LOCATION	J:\21988\DWG\ZONING\2014 REZONE\
PLOT DATE	TUE, 12-16-2014 - 3:36 PM
PLOT BY	JENNIFER SAPEN

CROSS REFERENCED DRAWINGS

PLAN REVISIONS

3-20-13	REVISED AMENDMENT AREA
12-17-14	REVISED AMENDMENT AREA

PLAN STATUS

EXHIBIT
D-7-M.1 & D-7-M.2-2

PROPOSED DETAILS

PROJECT / FILE NO.	SHEET NUMBER
21988	5

Henderson | Franklin
ATTORNEYS AT LAW

1715 Monroe Street
Post Office Box 280 • Fort Myers, FL 33902-0280
Tel: 239.344.1100• Fax: 239.344.1200• www.henlaw.com
Bonita Springs • Sanibel

RECEIVED
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COMMUNITY DEVELOPMENT

Reply to
Russell P. Schropp
Direct Fax Number 239.344.1535
Direct Dial Number 239.344.1280
E-Mail: russell.schropp@henlaw.com

December 17, 2014

Mary Gibbs, Director
Lee County Community Development
1500 Monroe Street
Fort Myers, FL 33901

Re: DCI2013-00003 – River Hall

Dear Mary:

As requested by your email of December 12, 2014, this letter will transmit the proposed revisions to the above – referenced zoning application made necessary by the revisions to CPA2012-00001 that are being filed contemporaneously with this submittal.

The changes to the Future Land Use Map (FLUM) amendment proposed in the revision to CPA2012-00001 have resulted in a maximum yield of 2749 dwelling units under the FLUM, as shown in the table below:

Land Use Category	Acreage	Density	DU Allowed Under Lee Plan	DU Already Permitted by Plat and DO	DU Remaining to be Permitted
Suburban	71.5	6 du/ac	429	186	243
Sub-O.S.	585.6	2 du/ac	1171	598	573
Rural	1140.3	1 du/ac	1140	1119	21
Wetlands	181.0	.05 du/ac	9	0	9
Total	**1978.4**		**2749**	**1903**	**846**

As you will recall, during my meeting with you, Brandon and Chip prior to Thanksgiving, I suggested a dwelling unit cap of 2695 units as the maximum buildout scenario for River Hall. Although the revised FLUM amendment results in a density slightly higher than what we previously discussed, we will continue to request that the dwelling unit cap in the zoning amendment remain at 2695 dwelling units.

Henderson, Franklin, Starnes & Holt, P.A.

ATTACHMENT E

Enclosed you will find the following documents and materials to update the zoning application to reflect the changes necessitated by the modifications to CPA2012-00001:

1. Revised Master Concept Plan.

2. Revised sketches and legal descriptions for the area within River Hall that is subject to the amendment. Please note that no lands of the River Hall Community Development District are included.

3. Proposed revisions to the zoning conditions contained in Resolution Z-05-051, shown in redline format. Please note the proposed revisions to condition #5:

   a. The total residential dwelling count in River Hall is amended to 2695.

   b. The area that remains designated as Rural after adoption of CPA2012-00001 will be limited to a maximum density of 1 du/acre, or a maximum of 1140 dwelling units on 1140.3 acres.

   c. The condition in Resolution Z-05-051 limiting the transfer of units between land use categories has been relocated from condition 2.a. to condition 5.

4. The Applicant's Project Summary prepared by Morris-Depew Associates, which provides an updated and comprehensive analysis of the zoning request, as amended. This Summary contains a "clean" copy of the proposed zoning conditions referenced in #3 above.

5. An updated TIS based on 2695 du prepared by David Plummer and Associates.

6. Updated application forms and supporting materials.

Please contact me should you have any questions or if you need additional information. Thank you.

Sincerely,

Russell P. Schropp

RPS/mls

cc Grady Miars
Dave Depew
Tina Ekblad
Carl Barraco
Stephen Leung
Ken Passarella
Tina Matte
Richard Wm. Wesch, Esq.
Michael Jacob, Esq.
Paul O'Connor
Brandon Dunn
Alvin "Chip" Block

GREENPOINTE COMMUNITIES, LLC IN REFERENCE TO RIVER HALL, DCI2013-00003

APPLICANT'S COMBINED EXHIBITS: PROJECT NARRATIVE, SCHEDULE OF DEVIATIONS, LEE PLAN COMPLIANCE (D-7-J), DESIGN STANDARDS COMPLIANCE (D-7-K), AND DECISION MAKING COMPLIANCE (D-7-L)

RECEIVED
DEC 17 2014
COMMUNITY DEVELOPMENT

TYPE OF CASE: RPD/CPD AMENDMENT
CASE NUMBER: DCI2013-00003
HEARING EXAMINER DATE: 1/14/2015

I. APPLICATION SUMMARY

A. Applicant: GreenPointe Communities, LLC in reference to River Hall

B. Amended Request: Amend portions (553 acres) of the existing Residential Planned Development, RPD and Commercial Planned Development, CPD zoning to increase the number of permitted residential dwelling units in River Hall community by 696, to a total of 2,695, and include additional recreational uses within the commercial portion of the community.

Figure 1: Subject Property

C. Location: The subject property is located south of Palm Beach Boulevard (SR 80), approximately 6 miles east of I-75, east of Buckingham Road. (District #5)

D. Future Land Use Plan Designation, Current Zoning and Use of Subject Property and Road Classification

Land Use Designation: Suburban, Sub-Outlying Suburban (pending approval of CPA2012-0001), Rural, & Wetlands
Current Zoning: Residential Planned Development (RPD), and Commercial Planned Development (CPD)
Current Use: Residential
Road Classification: State Road 80, Arterial

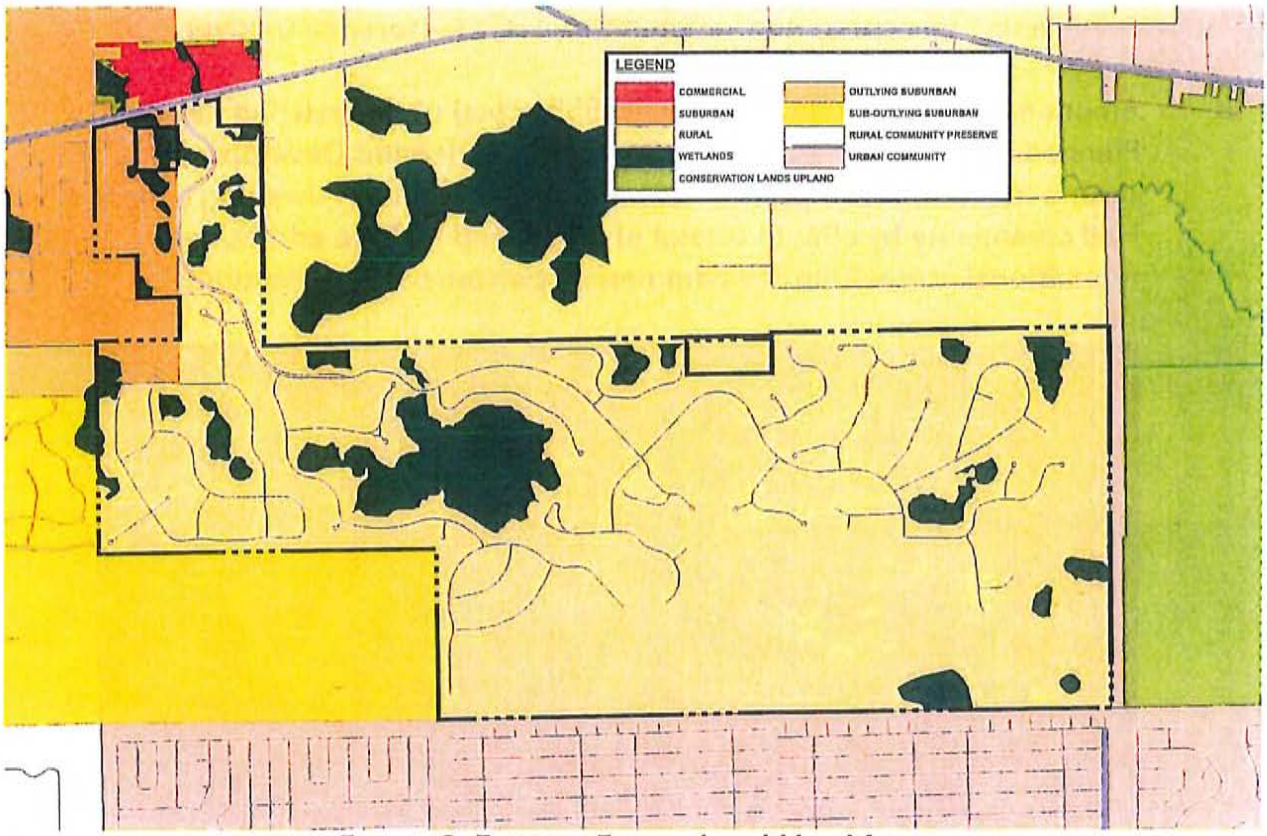

Figure 2: Existing Future Land Use Map

E. Surrounding Land Use:

Existing Zoning & Land Use Future Land Use Map

North: CPD- Grazing Land Class I and II; AG-2- Orchard Groves, Citrus, Vacant Residential, Single Family Residential, Vacant Government	Suburban, Commercial, Rural, Wetlands, Conservation Lands Uplands
East: AG-2 -Vacant Governmental; RM-2- Vacant Governmental, C-2- Vacant Governmental	Conservation Lands Uplands, Urban Community
South: RS-1- Partially Developed Residential	Sub-Outlying Suburban, Urban Community
West: RPD- Right of Way, Approved from RPD; AG-2 vacant	Sub-Outlying Suburban, Suburban, Rural, Wetlands

F. Size of Property: ±1,978.4 Acres Total; ±553 Acres in Request

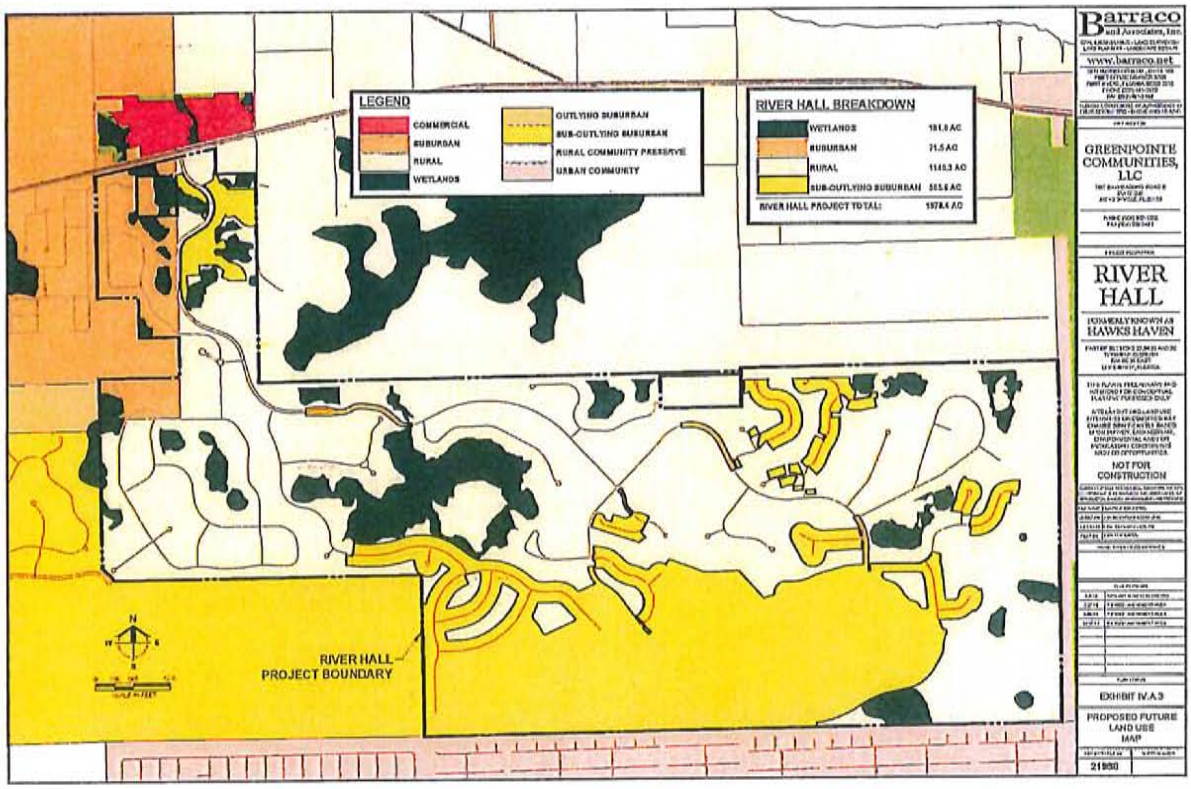

Figure 3: Proposed Future Land Use Map (CPA2012-0001)

II. REQUEST:

Applicant requests APPROVAL of the request for the Amendment of the Existing Residential Planned Development, RPD and Commercial Planned Development, CPD zoning to increase the number of residential dwelling units in River Hall community by 696 (2,695 total DU's) and include additional recreational uses within the commercial portion of the Community.

A. PROPOSED CONDITIONS:

1. Development of this project must be consistent with the five-page Master Concept Plan (MCP) entitled "RIVER HALL: Formerly known as Hawk's Haven", stamped received December 17, 2014, last revised December 17, 2014, except as modified by the conditions below. Development must comply with all requirements of the LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

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

a. SCHEDULE OF USES

RESIDENTIAL, GOLF & AMENITY SITES

Accessory Uses and Structures
Administrative Office
Agricultural Uses - See Conditions 3.h and 8.
Club - country and private
Consumption on Premises - limited to the clubhouse/amenity areas.
No outdoor seating unless approved as a special exception (public hearing required).
Dwelling Units - to be comprised of single-family (R-1 or RMF-1), two-family attached (RMF-1), townhouse (RMF-1), multiple-family (RMF-1), zero-lot-line units (RMF-1)

Entrance Gates and Gatehouse
Essential Services
Essential Services Facilities, Group I
Excavation, Water Retention - No blasting and removal of excavated material off site is not permitted.
Fences and Walls

Golf Course - 36 holes, golf maintenance facility, cart barn and related accessory uses to a golf course. (See Condition 23 for additional requirements)
Golf and Tennis Pro Shops (limited to ancillary use in clubhouse)
Golf Driving Range
Golf Training Facility
Model Home and Model Unit - must be in compliance with LDC §34-1954
Model Display Center, must be in compliance with LDC §34-1955, limited to one which must be located in the sales center area shown on the MCP and must only serve this project.
Parking Lot, Accessory
Parks, Group I
Real Estate Sales Office - limited to sales of lots, homes or units within the development, and must be located in the clubhouse, amenity or model unit sites.
Recreational Facilities - Private, On-site only
Residential Accessory Uses - In compliance with LDC §622(c)42 and LDC Article VII Division 2.
Signs, in compliance with LDC Chapter 30
Storage, Open, recreational vehicles, boats and similar items for residents only, limited to locations shown on the MCP and must be shielded behind a continuous visual screening at least eight feet in height when visible from any residential use, and six feet in height when visible from any street right-of-way or street easement. (See Condition 22 for additional requirements)
Temporary Uses

TOWN CENTER (CPD)

Maximum 15,000 sf office and maximum 30,000 sf retail within the Town Center CPD parcel only.
Accessory Uses and Structures
Administrative Office
Agricultural Uses - See Condition 3.h and 8.
Banks and Financial Establishments, Group I
Business Services, Group I
Consumption on Premises - Indoor only in conjunction with a Restaurant use only. No outdoor seating unless approved as a special exception (public hearing required).
Day Care Center, Adult & Child
Drive-through in connection with any approved use except drugstore/pharmacy
Dwelling units, limited to Townhouse (RMF-1) and multi-family (RMF-1)
EMS, Fire or Sheriff's Station
Essential Services

Essential Service Facilities, Group I
Excavation, Water Retention-No blasting; Removal of excavated material off site not permitted.
Food Stores, Group I (may sell food and non-food products)
Hardware Store
Laundry or Dry Cleaning, Group I
Parking lot, accessory
Parks, Group I, Group II (limited to civic center)
Personal Services, Group I
Pharmacy/Drugstore - limited to one with a multi-occupancy complex only and no drive-through.
Place of Worship, Religious Facilities
Real Estate Sales Office
Repair Shop, Group I
Restaurant, Groups I, II, III
Specialty Retail Shops, Group I
Temporary Uses

ELEMENTARY SCHOOL SITE

Public Schools and Related Accessory Uses

b. SITE DEVELOPMENT REGULATIONS

Minimum Lot Area and Dimensions - Single-Family
Width: 45 feet
Depth: 120 feet
Lot Size: 5,400 sf

Minimum Lot Area and Dimensions - Multi-Family
Width: 75 feet
Depth: 100 feet
Lot Size: 10,000 sf

Minimum Lot Area and Dimensions - Commercial
Width: 200 feet
Depth: 100 feet
Lot Size: 20,000 sf

Minimum Setbacks & Misc. Property Development Regulations
a. Single Family

Road - Palm Beach Blvd 25 feet/Private Roads 20 feet
Side - 5 feet, See Condition 2.b.i.
Rear- 15 feet
Water Body - 20 feet
Accessory - per the LDC
Accessory Water Body Setback – 0 feet

Maximum Lot Coverage - 60 percent

b. Two-Family Attached and Zero Lot Line
Road - Palm Beach Blvd 25 feet/Private Roads 20 feet
Side - 0/5 feet, See Condition 2.b.ii.

Rear - 15 feet
Water Body - 20 feet
Accessory - per the LDC
Accessory Water Body Setback – 0 feet

Minimum Distance Between Buildings: 15 feet

Maximum Lot Coverage - 60 percent

c. Townhouse & Multi-family
Road - Palm Beach Blvd 25 feet/Private Roads 20 feet
Side - N/A
Rear- 15 feet
Water Body - 20 feet
Accessory - Per the LDC

Minimum Distance Between Buildings - 20 feet

Maximum Lot Coverage - 60 percent

d. Clubhouse, Amenity & Golf Maintenance Buildings
Road - Palm Beach Blvd 25 feet/Private Roads 20 feet
Side - 15 feet
Rear-15 feet
Water Body - 20 feet
Accessory - Per the LDC

Minimum Distance Between Buildings - 20 feet

Maximum Lot Coverage - 60 percent

e. Commercial
Road - Palm Beach Blvd 25 feet/Private Roads 20 feet
Side - 15 feet
Rear - 20 feet
Water Body - 20 feet
Accessory - Per the LDC

Minimum Distance Between Buildings - 20 feet

Maximum Lot Coverage - 45 percent

f. Maximum Height:
45 feet/3 stories for Residential uses
35 feet/3 stories for Commercial uses
35 feet/3 stories for Recreational/Amenity sites on the perimeter of the subject property
Recreational/Amenity sites on the interior of the project may be 60 feet/three stories

i. Except for zero-lot-line and two-family units, structures, including but not limited to, sidewalks, air conditioners, mechanical equipment, door stoops, walls, etc. may not be located within the required 5-foot side setback of each lot. Prior to issuance of Certificate of Occupancy on each lot, the Engineer of Record must certify that the drainage for each lot is built in compliance with the *Typical Lot Grading Detail* provided.

ii. For zero-lot-line and two-family units, on the side opposite zero-lot-line or two-family attached structure, structures, including but not limited to, sidewalks, air conditioners, mechanical equipment, door stoops, walls, etc. may not be located within the required 5-foot side setbacks; or prior to issuance of Certificate of Occupancy on each lot, the Engineer of Record must certify that the drainage for each lot is built in compliance with the *Typical Lot Grading Detail* provided.

c. GOLF DRIVING RANGE:

If the Golf Driving Range is open after daylight hours, all lighting must comply with LDC §34-936(g), be of the lowest intensity meeting life safety codes, and be shielded and directed away from adjacent residential areas.

3. The following conditions address environmental issues:

a. The "American Alligator Management Plan" provided as part of the "Protected Species Management Plan for Schulman Parcel" counter stamped May 19, 1999 incorporated into this resolution of approval as Exhibit D. Prior to local development order approval, the location of the American Alligator Management Plan signage must be delineated on the development order plans for Division of Environmental Sciences' review and approval. Warning signs must be placed where there is potential for human/alligator interaction. These signs must discourage the feeding or harassment of alligators.

b. The "Gopher Tortoise Management Plan" provided as part of the "Protected Species Management Plan for Shulman Parcel" counter stamped May 19, 1999 incorporated into this resolution of approval as Exhibit D. Any revisions to the Tortoise Management Plan are subject to Environmental Sciences' review and approval.

c. The "Florida Burrowing Owl Management Plan" provided as part of the "Protected Species Management Plan for Schulman Parcel," counter stamped May 19, 1999, must be revised for Division of Environmental Sciences' review and approval at the time of local development order submittal. The plan must either commit to preserving the existing burrowing owl burrows in place with a buffer in accordance with LDC Appendix H, or commit to a detailed relocation management plan. The developer demonstrates it is necessary to impact the burrows, the management proposal must provide details about where appropriate replacement habitat for the owls will be provided, how the owls will be attracted to this area, and how it will be protected during construction activities on the site.

d. The developer must submit a detailed Scrub Jay Management Plan to the Division of Environmental Sciences for review and approval at the time of local development order submittal. This plan must follow the general guidelines of the "Florida Scrub Jay Management Plan" provided as part of the "Protected Species Management Plan for Schulman Parcel," counter stamped May 19, 1999 and incorporated into this resolution of approval as Exhibit D. The finalized Scrub Jay Management Plan must be approved by the Florida Fish and Wildlife Conservation Commission (FWC) prior to local development order approval.

e. The developer must submit a detailed Sandhill Crane Management Plan to the Division of Environmental Sciences for review and approval at the time of local development order submittal.

f. Conditions 3.a.-e. above were satisfied by the Protected Species Management Plan dated May 2006 prepared by Passarella and Associates and approved by the Division of Environmental Sciences (DES). Prior to approval of any additional residential development orders, a revised Protected Species Management Plan must be submitted to DES for review and approval. Revisions to the plan will include resident educational materials for the gopher tortoise, listed wading birds, and scrub jays, as well as incorporate a large mammal management plan.

g. Open space must be provided in accordance with the MCP. All individual tracts must provide a minimum of ten percent open space within the tract and may be met with private open space.

h. The developer must provide a minimum of 465 acres of indigenous preservation areas in substantial compliance with the MCP. The preserves must be delineated on the local development order plans when they are within or adjacent to the development phase or tract to be developed.

i. The developer must barricade all indigenous preservation areas to exclude cattle grazing within 60 days of approval of the planned development by the Board of County Commissioners.

j. Prior to local development order approval, the plans for any residential units on individual lots that abut a preserve must delineate a preserve boundary sign location at every other lot line and provide a detail of the sign for the Division of Environmental Sciences' Staff review and approval.

k. Every effort must be made in the final design of the golf course and residential tracts to preserve large native trees. The developer must schedule an on-site preconstruction meeting with Division of Environmental Sciences' Staff prior to the issuance of a vegetation removal permit for any phase of development to confirm preservation and barricading requirements prior to the initiation of site clearing.

4. The following recommendations are presented in order to mitigate future hurricane damage and loss of life, as well as to ensure compliance with Lee Plan objectives.

a. The developer must establish a homeowners' or residents' association that will provide an educational program on an annual basis, in conjunction with the staff of Emergency Management, who will provide literature, brochures and speakers for Hurricane Awareness/Preparedness Seminars, describing the risks of natural hazards. The intent of this recommendation is to provide a mechanism to educate residents concerning the actions they should take to mitigate the dangers inherent in these hazards.

b. The developer must formulate an emergency hurricane notification and evacuation plan, which will be subject to review and approval by the Lee County Office of Emergency Management.

c. If access to this development or any portions thereof, is through a security gate or similar device that is not manned 24 hours a day, it must be equipped with an override strip installed in a glass covered box to be used by drivers of emergency vehicles to gain entry, consistent with LDC §34-1749.

d. The developer must cooperate with the Division of Public Safety/Emergency Management in determining and participating in a means to lessen hurricane shelter impacts on the County's hurricane preparedness process and public safety. Those "means" could include the provision of equipment, monies in lieu of equipment, or such other goods, materials or actions deemed appropriate by Emergency Management that results in the provision of additional shelters, or improvement of roads for use as additional evacuation routes. The choice of "means" will rest with the developer, so long as the choice adequately mitigates the adverse impacts.

5. The following conditions are included to address Lee Plan consistency issues:

a. In accordance with CPA2012-01, the total residential dwelling count within River Hall will not exceed 2695 dwelling units. The portion of the property within the Rural future land use category must maintain densities of one dwelling unit per acre or less. No more than 1,140 dwelling units may be constructed in the Rural designated areas of the project. Densities may not be shifted between future land use categories unless a new public hearing occurs and the allocation of density complies with provisions of Policy 5.1.10 of the Lee Plan.

b. Given the limited existing available Rural 2020 Planning Community Acreage Allocation, at the time of rezoning, the available Rural allocation must be

determined by the Planning Division prior to any development order approval for residential use in the Rural portions of the site. No development order will be issued or approved if the acreage, when added to the acreage contained in the updated existing land use database, exceeds the limitation established by Lee Plan Table 1 (b), Acreage Allocation Table (per Lee Plan Policy 1.7.6). In order to develop more Rural acreage with residential uses, the Lee Plan must be amended to change the Rural residential acreage allocation for the Fort Myers Shores planning community in Table 1 (b). Adequate data and analysis to support this amendment must be submitted by the applicant at the time of the request for the Lee Plan amendment. Development in excess of the current Table 1 (b) allocations will not be permitted until Table 1 (b) is amended accordingly.

6. The following conditions are included to address the golf course:

a. The developer of the golf course must use fertilizers with a low leaching potential (slow release). The fertilizers must not be applied after active growth of the turfgrass has ceased, and must be kept to the lowest reasonable levels; and

b. To reduce sources of pollutants, especially nutrients and pesticides associated with the golf course, the golf course manager must implement a chemicals management plan that includes an integrated pest management (IPM) program and a nutrient management program so that nutrients and pesticides are used only when absolutely necessary. The program must address prevention, diagnosis, and limited treatment with pesticides when necessary rather than blanket treatment with broad spectrum pesticides as insurance against all pest species. The application of pesticides will involve only the purposeful and minimal application of pesticides, aimed only at identified targeted species. The regular widespread application of broad spectrum pesticides is prohibited. The IPM program must minimize the use of pesticides and must include the use of the US Department of Agriculture - Natural Resources Conservation Service (USDA-NRCS) Soil Pesticide Interaction Rating guide to select pesticides for use that have a minimum potential for leaching or loss from runoff. The nutrient management program must be based upon the USDA-NRCS Nutrient Management Standard and must include the use of soil tests to determine needed applications of nutrients. Only EPA-approved chemicals may be used. Turf managed areas (including fairways, tees, and greens) within 35 feet of wetlands or preserve areas are prohibited. This chemicals management plan must be submitted to and approved by Lee County Planning Division Staff prior to the development order approval.

c. The golf course manager must coordinate the application of pesticides with the irrigation practices (the timing and application rates of irrigation water) to reduce runoff and the leaching of applied pesticides and nutrients.

d. The utilization of a golf course manager licensed by the state to use restricted pesticides and experienced in the principles of IPM is required. The golf course manager is responsible for ensuring that the golf course fertilizers are selected and applied to minimize fertilizer runoff into the surface water and the leaching of those fertilizers into the groundwater.

e. The storage, mixing, and loading of fertilizer and pesticides must be designed to prevent/minimize the pollution of the natural environment.

f. The golf course must comply with the "Best Management Practices for Golf Course Maintenance Departments," prepared by the Florida Department of Environmental Protection, as amended.

g. The golf course must be planted with a turfgrass cultivated variety that is drought and pest resistant, and that requires relatively low fertilizer use.

h. The irrigation system must operate on an "as needed" basis through the utilization of weather forecasting and ongoing assessment of the moisture content of the soil.

i. All fairways, greens, and tees must be elevated above the 25-year flood level, and all greens must utilize underdrains. The effluent from these underdrains must be pre-treated prior to discharge into the balance of the project's water management system.

j. Stormwater run-off must be pre-treated through an acceptable recreated natural system or dry retention and water retention system, prior to discharging the run-off into existing lake or wetland (any aquatic) systems.

k. An annual monitoring report of ground water and surface water quality is required for the golf course operation. The monitoring program must include: testing to assess whether there are any herbicide, pesticide or fertilizer pollution of the water within the area of the golf course; identification of the locations for the ground water monitoring and testing on a map(s); testing and recording requirements. The developer must submit the test results with the monitoring report to the Lee County Planning Division. The monitoring program will be established and operated at the expense of the developer, or other comparable

legal entity charged with the legal responsibility of managing the golf course. This plan will be evaluated in accordance with the directives of Chapter 17-302, F.A.C., water quality standards.

l. If groundwater or surface water pollution occurs, as that term is defined by the rules or regulations in effect at the time, and if the pollution is caused by the application of fertilizers, herbicides or pesticides to the golf course, the application must cease until the developer submits a revised management plan. If mitigation is necessary to address the pollution, the developer must implement a mitigation plan approved by Lee County.

7. Model units and homes are permitted in compliance with the following conditions:

a. Each model must be a unique example. Multiple examples of the same unit are not permitted; and

b. All model sites must be designated on the development order plans; and

c. Prior to constructing model homes within this project, the lots upon which the model homes will be constructed will have been shown on a preliminary plat filed concurrently with the required local development order for this project. Such model home(s) will comply with all setbacks set forth within the Property Development Regulations for River Hall (f/k/a Hawk's Haven) or the LDC, whichever applies. Should setback problems arise after construction of a model home, it will be the responsibility of the owner/developer to resolve the setback problem.

d. Hours of operation for model units and real estate sales within the model units are limited to Monday through Sunday, 8 a.m. through 8 p.m.

8. AGRICULTURAL USES: Existing bona fide agricultural uses on this site are allowed only in strict compliance with the following:

a. Bona fide agricultural uses that are in existence at the time the application for this project was filed, and as shown on Exhibit E attached hereto, may continue until approval of a local development order for the area of the project containing those uses.

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

c. Prior to issuance of a local development order, the property owner must provide written proof, subject to approval by the County Attorney's Office, of the following:

i. Termination of all agricultural use on any portion of the property included in the development order application/approval. Proof must include a sworn affidavit from the person or entity holding title to the subject property that specifically provides:

(1) the date the agricultural uses ceased;

(2) the legal description of the property subject to the development order approval;

(3) an affirmative statement that the owner acknowledges and agrees that all agricultural uses are illegal and prohibited on the property and that the owner covenants with the county that they will not allow any such uses on the property unless and until the property is re-zoned to permit such uses; and,

(4) that the affidavit constitutes a covenant between the owner and the county that is binding on the owner and their assignees and successors in interest.

The covenant must be properly recorded in the public records of the county at the owner's expense.

ii. Termination of the agricultural tax exemption for any portion of the property included in the development order application/approval. Proof as to termination must include of a copy of the request to terminate the tax exemption provided to the Property Appraiser.

9. Construction traffic is prohibited on Hickey Creek Road.

10. Buildings exceeding 35 feet in height must maintain additional building separation as regulated by LDC §34-2174(a).

11. Approval of this zoning request does not address access onto S.R. 80, since Lee County has no jurisdiction over that roadway. The developer must pursue this access approval with the Florida Department of Transportation (FDOT). In accordance with the signal warrant analysis conducted by FDOT April 22, 2014, the developer will coordinate with FDOT to install a traffic signal at the intersection of S.R. 80 and River Hall Parkway. The signal design will be initiated within 30 days of the effective date of this Resolution and the design will be submitted to FDOT for review within 150 days of the effective date of this Resolution. The developer will pursue final design approval from FDOT with all due diligence. Construction and installation of the signal shall proceed forward immediately after design approval by FDOT. Actual timing of installation is subject to agency review, permitting, manufacturing, construction, installation, testing and other factors.

12. Approval of this rezoning does not give the developer an undeniable right to receive local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocations Table, Map 16 and Table 1(b).

13. This development must comply with all of the requirements of the LDC at the time of local development order approval, except as may be granted by deviations approved as part of this planned development.

14. The developer is required to design the project in a manner that will provide the internal "outparcels" (separate tracts encapsulated by the project property) the ability to obtain reasonable and practicable access through the subject property, unless the developer provides a circuit court order indicating that the internal outparcels are not legally entitled to access through the subject property. However, this rezoning does not obviate the developer's responsibility to provide access to the internal "outparcels" in accordance with Florida law.

15. If the developer constructs structures other than conventional single-family homes within 100 feet of the "outparcels," the developer must provide a 25-foot-wide enhanced vegetative buffer completely around the outparcel. In addition, the enhanced vegetative buffer must utilize native vegetation, indigenous to the plant community in which it is to be planted. The vegetation must be installed prior to vertical construction and it must be installed according to the following density and size:

a. Six trees per 100 linear feet - At installation, trees must be a minimum of 12 to 14 feet tall, with a 2-1/2 inch minimum caliper and a 5-foot minimum

canopy. No palm trees, or completely deciduous trees, may be used to meet the requirements of this enhanced buffer.

b. 33 shrubs per 100 linear feet - 1) At installation, all shrubs must be 18 to 24 inches in height, 3-gallon pots, and spaced 30 to 36 inches on center; and 2) all shrubs used to meet the enhanced buffer requirements must reach a mature height in excess of six feet under normal growing conditions. If these "outparcels" come under the control of the developer prior to construction within the 100-foot-wide area, then compliance with this condition is not required.

16. Vehicle access from the northern boundary of the subject property over and across Hickory Creek Road is prohibited.

17. Accessory uses must be located on the same tract, parcel or outparcel where a principal use is located. Accessory uses must be incidental and subordinate to the principal use of the tract, parcel or outparcel.

18. No development blasting is permitted as part of this project unless approved at a subsequent public hearing as an amendment to the planned development.

19. All required buffers must utilize 100 percent native vegetation.

20. Upon passage of this Zoning Resolution, Zoning Resolution #Z-99-056, Administrative Amendment ADD2004-00067, and Zoning Resolution #Z-05-051 are null and void.

21. The school site is limited to a public school operated by the School District of Lee County.

22. Outdoor storage areas must be in compliance with §34-3001, et seq, of the Lee County LDC, with the additional requirements as outlined on page 2 of 2 of the attached MCP, including a 200-foot perimeter setback and enhanced buffer.

23. A plan showing landscaping in accordance with page 2 of 2 of the approved MCP must be submitted and approved prior to the issuance of a development order for the golf course maintenance facility and amenity center.

24. Signage referencing the town center is prohibited within 50 feet of the right-of-way of Palm Beach Boulevard (State Road 80).

25. BUFFERS.

a. A Type "B" buffer must be added to the MCP for the "Town Center" portion bordering agriculturally-zoned property to the east, in accordance with the LDC. This buffer will not include the existing conservation areas shown on the approved MCP.

b. A Type "D" buffer must be added to the MCP on the "spine" Road for the commercial Town Center portion of the property, in accordance with the LDC.

26. Within 24 months of the effective date of this Resolution, the developer will design, permit, and construct the secondary access to 75th Street West shown on page 4 of the MCP. In the event the secondary access is not constructed within 24 months of the effective date of this Resolution, the Director of Community Development may issue a reasonable extension for completion if the developer demonstrates good faith progress on the design, permitting and construction of the access. This requirement is contingent upon approval from the East County Water Control District (ECWCD) to cross the 50-foot-wide canal along the south side of River Hall. The County will work with the developer to obtain approval to cross the 50-foot-wide canal.

27. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.

Approval of this zoning does not constitute a finding that the proposed project meets the concurrency requirements set forth in the LDC Chapter 2 and the Lee Plan. The developer is required to demonstrate compliance with all concurrency requirements prior to the issuance of a local development order.

28. Within ninety (90) days of the effective date of this Resolution, the developer will submit a request to the South Florida Water Management District (SFWMD) for a letter modification to the consumptive use permit for the project to reinstate the groundwater monitoring requirements that were not included in the 2013 permit renewal. These requirements include conditions 31, 32, and 33 of the original Permit No. 36-04006-W issued in 2006. If the SFWMD approves the requested modification, all monitoring reports filed with the SFWMD pursuant to the permit will also be simultaneously filed with the County's Department of Natural Resources.

29. The developer will provide the ability for drainage from the ECWCD to pass through the project's surface water management system in order to lower flood stages within the ECWCD. The intent of this condition is to provide for a storm water conveyance from the existing ECWCD canal along the southern boundary of River Hall during major storm events. This condition is not intended to require the construction of any physical improvements to the surface water management system within River Hall, but only to require access to and authority for the ECWCD to utilize the surface water management system within River Hall in accordance with its existing permit. Documentation of compliance with this requirement will be provided by the developer to the County prior to the issuance of any additional residential development orders; provided, however, that this will not prohibit the issuance of development orders solely for infrastructure improvements (including but not limited to sewer, water, and drainage) for the project.

30. The developer will design, permit, and construct an 8-foot wide sidewalk/bicycle path along State Road 80 between River Hall Parkway and Buckingham Road. The design will be submitted to FDOT for review within 150 days of the effective date of this Resolution. The developer will pursue final construction approval from FDOT with all due diligence. Construction and installation of the sidewalk shall proceed forward immediately after design approval by FDOT. Actual timing of installation is subject to FDOT review and permitting.

31. The developer will coordinate with Lee County Emergency Management Services to accommodate the provision of EMS services at a location near the intersection of River Hall Parkway and State Road 80. At the developer's option, the developer may satisfy this condition by providing either: (a) space within an existing or new structure, along with associated parking; (b) a donation of land not to exceed one-half (1/2) acre along River Hall Parkway for construction of an EMS facility at the County's expense; or (c) some other facility or donation mutually acceptable to the developer and County.

B. DEVIATIONS:

The first four (4) deviations were approved along with Resolution Z-05-051. They remain unchanged from that approval and are listed in order to provide an exhaustive list of the approvals associated with existing development. Deviations five (5) through nine (9) are new, and approval is sought as part of the current amendment request.

1. Deviation (1) sought relief from the LDC §10-385(d)(3)a requirement to provide a maximum fire hydrant spacing of 800 feet in the one- and two-dwelling

unit area, to eliminate this requirement in areas along the "spine" road where no homes exist. This deviation was APPROVED.

2. Deviation (2) was withdrawn.

3. Deviation (3) sought relief from the LDC §10-329(d)(4) requirement to provide lake banks to be sloped at a maximum 4:1 slope, to allow bulkheads for up to 25 percent of the shoreline of lake banks. This deviation was APPROVED.

4. Deviation (4) sought relief from the LDC §34-2194(b) requirement to provide a 25-foot setback from bodies of water, to allow 20-foot setbacks for the manmade lakes to be consistent with the existing development orders and permits. This deviation was APPROVED.

5. Deviation from LDC Section 10-415(b)(1)c which requires a minimum setback of 20 feet from buildings and a 30 foot setback for indigenous plant communities subject to fire to allow a side setback of 17 feet for the following existing platted lots: River Hall Country Club, Phase Two, Block K, Lots 29, 57, 76 and 77; Hampton Lakes At River Hall, Phase One, Lot 87. This deviation is APPROVED.

The River Hall Community was approved by the Board of County Commissioners for a Residential Planned Development on September 19, 2005. The development footprint and indigenous open space identified in the existing Master Concept Plan for the River Hall RPD are not being amended as part of this application. The setback requirements for indigenous communities were incorporated into the Land Development Code as part of Ordinance 05-14, approved August 23, 2005. At the time the Ordinance was approved, the River Hall RPD was in process and scheduled for a public hearing at the Board of County Commissioners. As a result, the existing development pattern of the River Hall Community was not required to provide the 30 foot indigenous setback. The approved side setback in Z-05-051 for the principal structure from the side lot line is 5'.

The requested 17' is for specific side setback locations within the existing platted portions of the River Hall Community where the side yard abuts an upland preserve. The requested setback provides the maximum distance available on the existing platted lot for emergency services vehicles and staff to access the indigenous habitat and yet allows the existing platted development and development tracts to remain consistent with the previously approved development plan. Should these parcels be replatted at a future time, the requested deviation would not be applicable.

6. Deviation from LDC Section 10-415(b)(1)c which requires a minimum setback of 20 feet from buildings and a 30 foot setback for indigenous plant communities subject to fire to allow a rear setback of 20 feet for all existing platted lots. This deviation is APPROVED.

The River Hall Community was approved by the Board of County Commissioners for a Residential Planned Development on September 19, 2005. The development footprint and indigenous open space identified in the existing Master Concept Plan for the River Hall RPD are not being amended as part of this application. The setback requirements for indigenous communities were incorporated into the Land Development Code as part of Ordinance 05-14, approved August 23, 2005. At the time the Ordinance was approved, the River Hall RPD was in process and scheduled for a public hearing at the Board of County Commissioners. As a result, the existing development pattern of the River Hall Community was not required to provide the indigenous setback. The approved setback in Z-05-051 for the principal structure from the rear setback is 15'.

The requested 20' is for the existing platted portions of the River Hall Community to address the existing conditions of the Community. This setback provides adequate distance for emergency services vehicles and staff to access the indigenous habitat and will allow the existing platted development and development tracts to remain consistent with the previously approved development plan. It is important to note that a substantial portion of the community, as defined by LDC §34-381(4), has approved Development Orders and is platted for residential development. Should these parcels be replatted at a future time, the requested deviation would not be applicable.

7. Deviation from LDC Section 10-329(d)(4) which requires banks of excavations to be sloped at a ratio not greater than 6 horizontal to 1 vertical from the top of bank to a water depth of 2 feet below the dry season water table to allow a 4:1 slope. This deviation is APPROVED.

The slope requirements for the excavation bank slopes were incorporated into the Land Development Code as part of Ordinance 09-23, approved June 23, 2009, after the approval of the River Hall RPD on September 19, 2005. As a result, the existing slopes within the development provide a 4 to 1 slope. The requested 4:1 slope will allow a consistent and compatible development pattern to continue throughout the residential development. The deviation works within the existing physical conditions of the Residential Planned Development to enhance its economic feasibility and does not pose a threat to the public health safety and welfare.

8. Deviation from LDC Section 10-291(3) which requires residential subdivisions of more than 5 acres to provide more than 1 means of ingress or egress for the development to allow 1 point of ingress or egress onto State Road 80. This deviation is APPROVED, subject to condition 26.

The River Hall Community was approved by the Board of County Commissioners for a Residential Planned Development on September 19, 2005. The requirement for residential development to provide more than one means of ingress or egress was incorporated into the Land Development Code as part of Ordinance 07-24, approved August 14, 2007. At the time the Ordinance was approved, the River Hall RPD was already approved. As a result, the River Hall Community does not provide a secondary access at this time. The applicant agrees to design, permit and construct the secondary access to 75th Street West as shown on page 4 of the MCP within 24 months of the PD Amendment being approved. This is contingent upon approval from the East County Water Control District (ECWCD) to cross the 50-foot wide canal along the south side of River Hall.

9. Deviation from LDC Section 34-934 which permits dwelling units within a CPD when there are at least 50,000 square feet or more of commercial uses to allow dwelling units within the existing River Hall CPD which was permitted for 45,000 square feet of commercial uses. This deviation is APPROVED.

The applicant has proposed to amend the schedule of uses for the existing proposed Commercial Planned Development to promote a mix of uses along SR 80 at the front entry of the River Hall Community. Objective 21.4 of the Caloosahatchee Shores Community encourages Mixed Use Development that promotes a mix of commercial and residential uses to facilitate alternative transportation an internal capture. The addition of the requested multi-family residential would promote the integration of commercial and residential uses, the additional recreational and civic uses would promote pedestrian and bicycle connections to the existing surrounding development along the proposed multi-use path adjacent to SR 80. The addition of the residential uses within the CPD will promote infill development and the clustering of uses, improving the efficient use of both land and existing utilities to create a well-designed community with a mix of uses that supports the needs and demands of the area's residents.

III. BACKGROUND INFORMATION AND ANALYSIS

Introduction/Synopsis

The current request is intended to provide infill development for a portion of the River Hall (f/k/a Hawk's Haven) development currently under unified control of the

current developer/owner, GreenPointe, LLC. This action will amend the existing RPD and CPD zoning approval to increase the number of residential dwelling units in River Hall development by 696 dwelling units (to a total of 2,695), all of which will be placed into areas already shown as future development, and include additional recreational uses within the commercial portion of the community. This application is being reviewed along with a Comprehensive Plan Amendment (CPA2012-00001) which will serve to assign future land use categories to the areas in which the additional dwelling units would be placed. This rezoning will also assist in the proper allocation of dwelling units already permitted into the appropriate future land use categories that match the densities allowable.

The initial application involved a Lee Plan amendment consisting of a text amendment, modifications to Table 1(b), and a Future Land Use Map (FLUM) amendment to remove 1,247 acres of land from Rural and Wetlands and place that acreage into Conservation Wetlands, Conservation Uplands, and Sub-Outlying Suburban. During the pendency of the amendment process a number of events occurred that eventually led to the current request. Currently, as a result of a portion of the acreage having been removed from the CPA, none of the Wetlands acreage is being re-designated, and only 585.6 acres of Rural are being moved into Sub-Outlying Suburban. Table 2, below, details the specific density breakdowns. The result of the modified requests provides for an increase in the total number of permissible units across the entirety of the River Development to a total of of 2,696 DU's, 696 additional units beyond the already approved 1999.

Zoning/Development History

Hawks Haven:

The Development was originally named Hawk's Haven and approved as an RPD by the adoption of Zoning Resolution Z-99-056 on October 18, 1999. This approval allowed the development of up to 1,598 dwelling units on 1,797 acres. The RPD zoning was amended administratively by ADD2004-00067A. The amendment identified an emergency access, revised conditions, relocated the open storage and golf maintenance faculties, and identified the location of a 20 acre school site. Subsequent local development order approvals[1] for development of infrastructure, residential home sites, golf course, and other amenities were granted.

River Hall:

[1] Cascades at River Hall (2004-00248 & 2004-00266; 575 lots, infrastructure, & sales facilities); Hampton Lakes at River Hall (2004-00305, 2005-00156, & 2006-00042; amenity and sales center and 404 lots); River Hall Elementary School (2005-00233; 1,000 student elementary school and infrastructure); and River Hall Country Club (2004-00330 & 2005-00182; 18 hole golf course and clubhouse, 745 lots, 138 condominiums, and infrastructure).

On September 19, 2005, the Board of County Commissioners approved a rezoning from RPD (the original Hawk's Haven) and AG-2 to Residential Planned Development and Commercial Planned Development[2] for an enlarged 1,978 acre development now named River Hall. This approval added 181 acres to the development and permitted up to 1,999 dwelling units; 15,000 square feet of office, and 30,000 square feet of retail. Clearing and grading of the entire site was undertaken in stages, along with the construction of necessary infrastructure, amenities, and 18 of the permitted 36 golf course holes.

As of the application date, there were 324 occupied dwelling units, or 16% of the 1,999 units approved by Resolution Z-05-051. Existing development consisted of 132 occupied homes in River Hall Country Club, along with 18 holes of the golf course and phase 1 of the clubhouse facilities, 70 occupied homes in Hampton Lakes plus phase 1 of the Town Hall, and 122 occupied homes within Cascades. Since that time additional golf course facilities have been commenced along with new model homes within River Hall Country Club. A total of 1,903 dwelling units have been entitled through development orders and platting efforts.

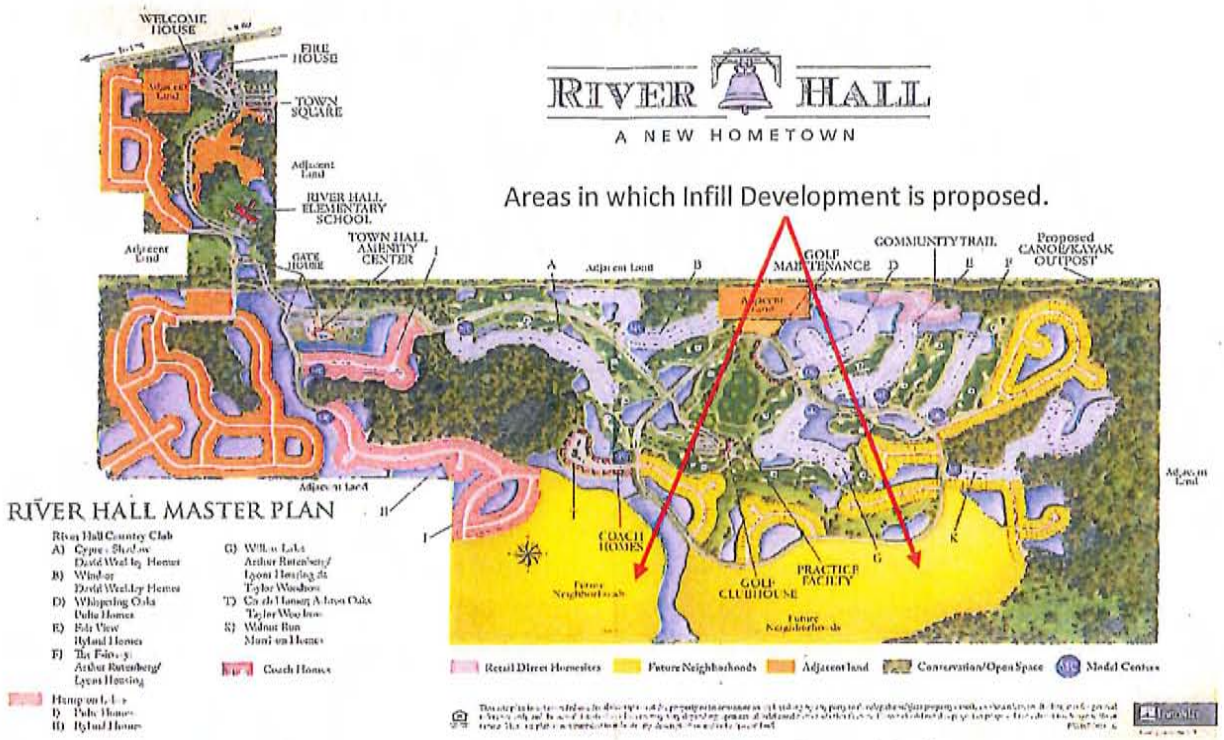

Figure 4: Original Marketing Plan, River Hall

[2] Z-05-051

DO#	Project	Date	Units	Cumulative Units
DOS2004-00318	Entry Road	1/3/2005		0
DOS2004-00248	Cascades, Phase 1	3/2/2005	167	167
DOS2004-00305	Hampton Lakes, Phase 1	3/14/2005	404	571
DOS2004-00266	Cascades Phase 2	3/15/2005	408	979
DOS2004-00330	River Hall Country Club, Phase 1	6/14/2005	391	1370
DOS2005-00156	Hampton Lakes, Phase 2	4/28/2006	41	1411
DOS2005-00182	River Hall Country Club, Phase 2	5/15/2006	492	1903
DOS2005-00233	Elementary School	10/18/2005		1903
DOS2006-00042	River Hall Lake	8/18/2006		1903
COM2013-01314	Country Club Cart Barn	8/20/2013		1903

Table 1: River Hall Entitlements

Master Concept Plan

The Master Concept Plan is a five-page Plan submitted on December 17, 2014. Development tracts are identified on the MCP showing the locations of the proposed additional units. The applicant proposes the development of a total of 2,695 residential units within River Hall. The applicant wants the ability to develop zero lot line, duplex, townhouse, and multi-family dwellings as permitted uses.

DENSITY CALCULATIONS			
Existing Future Land Use			
Current Future Land Use	**Acres**	**Lee Plan Density**	**Dwelling Units**
Suburban	71.5	6	429
Wetlands	181	.05	9.05
Rural	1,726	1	1,726
TOTAL ACRES	**1,978**	**TOTAL DWELLING UNITS**	**2,161**

FLUM Amendment Area			
Proposed Future Land Use	**Acres**	**Lee Plan Density**	**Proposed Dwelling Units**
Sub-Outlying Suburban	585.6	2	1,171
TOTAL ACRES	**585.6**	**TOTAL DWELLING UNITS**	**1,171**

TOTAL PROJECT			
Non-Amendment Future Land Use	**Acres**	**Lee Plan Density**	**Dwelling Units**
Suburban	71.5	6	429
Wetland	181	.05	9
Rural	1,140.3	1	1,140
PD Amendment Future Land Use			
Sub-outlying Suburban	585.6	2	1,171
TOTAL ACRES	**1,978.4**	**TOTAL DWELLING UNITS**	**2,749[3]**

Table 2: Lee Plan Density Calculations

Lee Plan Compliance

Planning Community Map and Allocation Table

The applicant has proposed an amendment to Table 1(b), the Year 2030 Allocations Table. The applicant has requested an amendment to Table 1(b) to accommodate the added acreage necessary for the requested increase in Sub-Outlying Suburban area. This is further explained below. Map 16 and Table 1(b) provide the allocations and geographic applicability of the allocations. Map 16 identifies 22 Planning Communities. The subject property is within the Planning Community #4, Fort Myers Shores. Table 1(b) uses the Planning Communities to allocate the number of acres that may be developed for residential, commercial, or industrial uses within each future land use category. Lee Plan Policy 1.7.6 provides further guidance concerning the Planning Communities map and Acreage Allocation Table (Map16 and Table 1(b)).

Currently the subject property has 1,726 acres of land within the rural future land use categoryand 181 acres of Wetlands. The applicant is proposing an amendment to the Future Land Use Map to add 585.6 acres of Sub-Outlying Suburban. The amendment language authorizing this addition has been transmitted by the Florida Department of Economic Opportunity, and a report has been received from that Agency offering no substantive comments. The applicant is also proposing an amendment to Table 1(b) so that sufficient acreage will be available to allow the build-out of the River Hall development should the proposed changes to the Future Land Use Map be adopted.

[3] Applicant has agreed to cap zoning approval at 2,695 dwelling units, although a calculation of the FLUM density achieves the potential 2,749 dwelling unit count.

(Portion of) Table 1(b)
Fort Myers Shores Planning Community

Future Land Use Category	Remaining	Proposed Remaining
Sub-Outlying Suburban	367	586
Rural	1,726	1,140

Table 3: Excerpt from Lee Plan Table 1(b)

Amending the Future Land Use to Sub-Outlying Suburban allows a maximum density of 2 dwelling unit per acre. The Planned Development Amendment will limit the area to ±553 acres and the density increase to an additional 696 dwelling units. The additional units will be clustered into only those the portions of the River Hall Community subject to the Planned Development Amendment request. Within the amendment area, no lands will be re-platted and, as demonstrated on the Master Concept Plan, the existing development footprint will be utilized for the additional density. This will serve to promote the clustering of residential density and uses, improving the efficient use of both land and existing utilities to create a well-designed, healthy lifestyle community with a mix of uses which supports the needs and demands of the area's residents – the definition of a Suburban Place. No revisions are proposed to the open space or conservation areas.

The River Hall Community has existing Suburban, Rural and Wetland Future Land Uses, together with the proposed Sub-Outlying Suburban, the River Hall Community will be limited to 2,695 units by the proposed Planned Development Amendment in concert with the accompanying FLUM amendment. The proposed amendment is not contiguous across the subject property due to the nature of infill development within an existing, partially built subdivision. The RPD/CPD modifications are based upon the applicant's ownership and the desire for the infill development described in the application. The proposed amendment will promote infill development and provide a transition from the existing adjacent residential developments to the south and west of the community to the rural and conservation land uses to the north and east. The proposal integrates various land uses and facilitates transportation options to provide opportunities for walking, biking and riding.

The proposed amendment also promotes the logical extension of the adjacent, existing residential development pattern in this urbanized portion of the county, and will permit infill development of the subject property, which is served by existing public, urban infrastructure. The previously approved open space, height and property development regulations relating to lot size in Z-05-051 will not be amended by this request. In addition, multi-family residential has been added to the

uses requested within the Commercial Planned Development to encourage a mix of uses. These additional units will create a commercial mixed use node adjacent to an existing commercial to serve the residential of River Hall and the surrounding community.

Lee Plan Consistency

Originally, the River Hall Comprehensive Plan Amendment, CPA2012-00001, requested a Future Land Use Map Amendment to remove ±1,278 acres of the subject property from the Rural and Wetlands Future Land Use Categories and re-designate this portion of the property into the Conservation Uplands and Conservation Wetlands and Sub-Outlying Suburban. On October 22, 2014, that amendment was approved to be transmitted to the Department of Economic Opportunity by the Lee County Board of County Commissioners. As previously described, since that time a detailed review of the development needs has been conducted and the Planned Development Amendment area has been reduced to promote greater consistency with the Lee Plan.

River Hall is currently classified by the Lee Plan as Suburban, Rural and Wetland. Given the approved planned development, existing infrastructure, and surrounding land uses, the Rural designation is no longer appropriate for the subject property. Objective 1.4 sets forth a land use framework for non-urban areas including the Rural land use classification. The Lee Plan states such areas are not anticipated for urban development at this time. However the approved planned development and existing infrastructure already provides for a suburban level density and uses. According to Future Land Use Policy 1.4.1, within the Rural Classification, permitted land uses include residential, agriculture, and minimal non- residential land uses that are needed to serve the rural community. The maximum density is one dwelling unit per acre. This definition is not consistent with the existing approval for River Hall. Thus, as it currently exists, the River Hall development is inconsistent with the description and intent of the Lee Plan land use designation in which it is located.

As proposed by this request, River Hall would be consistent with the Lee Plan definitions and the Sub-Outlying Suburban future land use designation. The property is located in a developed area of the County with established residential communities, commercial development, and some Conservation and Rural lands. Letters of Availability have been received from service providers demonstrating public infrastructure is available to support the additional 696 additional dwelling units. The property transitions density from the 2 to 4 dwelling units per acre permitted to the South and West to the 1 dwelling unit per acre and Conservation lands permitted to the North and West. The requested density will be directed toward the existing unplatted developable areas of the community, creating an infill

development. The Sub-Outlying Suburban category provides for lower densities appropriate for the site's transitional location and the proposed Conservation Future Land Use categories to promote an infill land use.

Lee Plan Policy 1.1.11 states, "The Sub-Outlying Suburban areas are residential areas that are predominantly low-density development. Generally the requisite infrastructure needed for higher density development is not planned or in place. It is intended that these areas will develop at lower residential densities than other Future Urban Areas and are placed within communities where higher densities are incompatible with the surrounding area and where there is a desire to retain a low-density community character. Higher densities, commercial development greater than neighborhood centers, and industrial land uses are not permitted. The standard density range is from one dwelling unit per acre (1 du/acre) to two dwelling units per acre (2 du/acre). Bonus densities are not allowed." A review of the existing development patterns and the proposed infill development as depicted upon the MCP demonstrates that the existing single-family and multi-family development activities are consistent with a suburban land form. The most appropriate transition land use category found within the Lee Plan, consistent with existing and proposed development, is Sub-Outlying Suburban. The proposed added units will create a land area consistent with the density maximums and the surrounding community character. The proposed zoning amendment is consistent with this Lee Plan policy.

Goal 2 Growth Management

This portion of the Lee Plan establishes land use policy to support projects that propose an economically feasible plan for development. The proposed Planned Development Amendment promotes a contiguous and compact growth pattern and infills an existing subdivision with urban infrastructure. The request utilizes the existing development footprint to establish a density consistent with the existing surrounding residential developments. A review of the design of the infrastructure for the subject property demonstrates: 1.) the potable water system has been designed to accommodate the added units; 2.) the wastewater collection system has been designed to accommodate the added units; 3.) the irrigation system has been designed to accommodate the added units; 4.) the surface water management system has been designed to accommodate the added units; 5.) the internal circulation system has been designed to accommodate the added units; and 6.) the amenities have been designed to accommodate the added units.

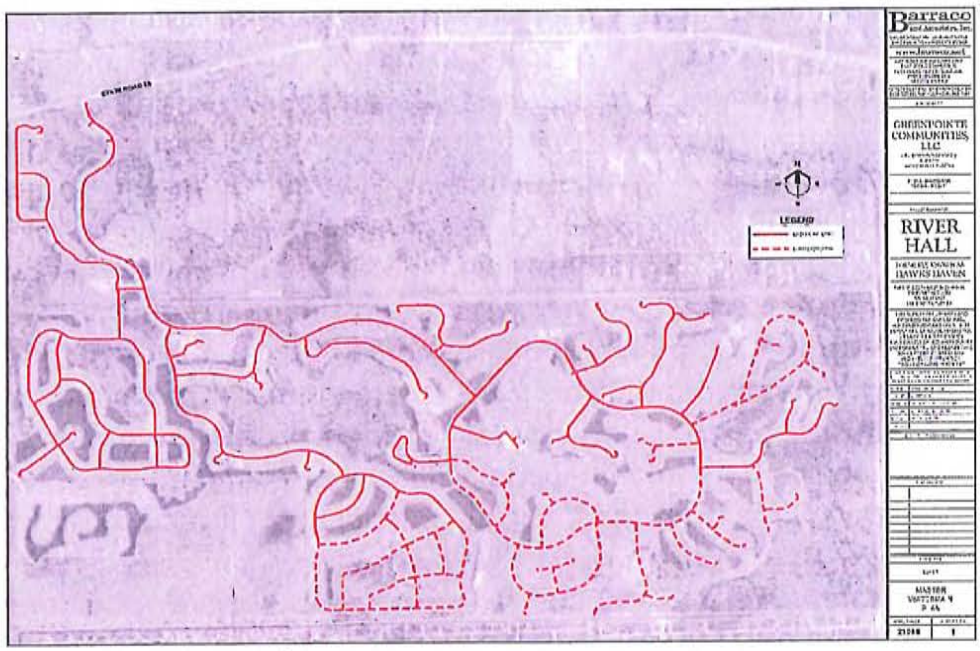

Figure 5: Potable Water Facilities

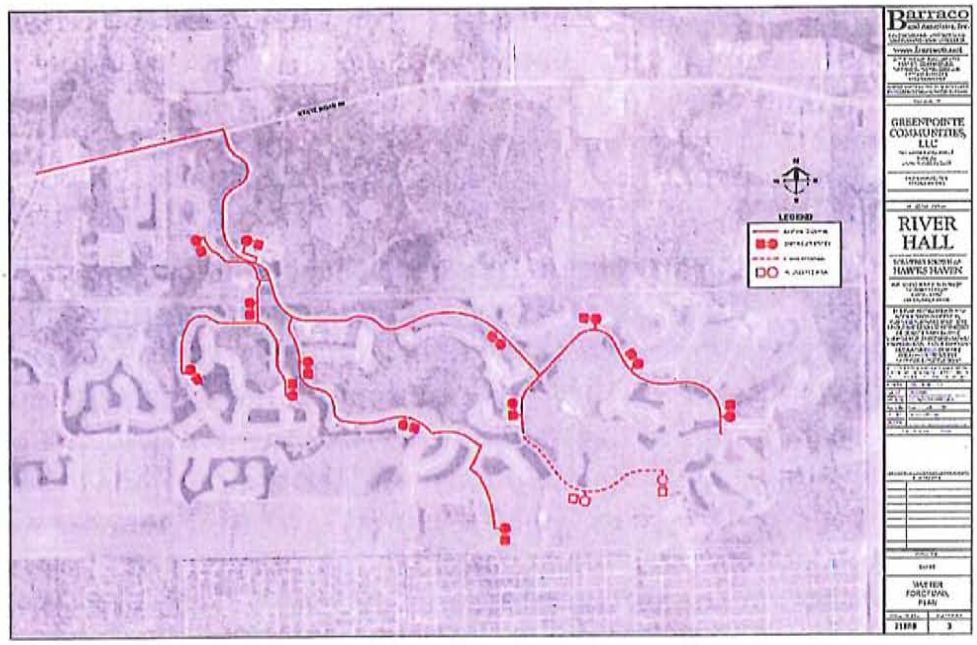

Figure 6: Wastewater Collection Facilities

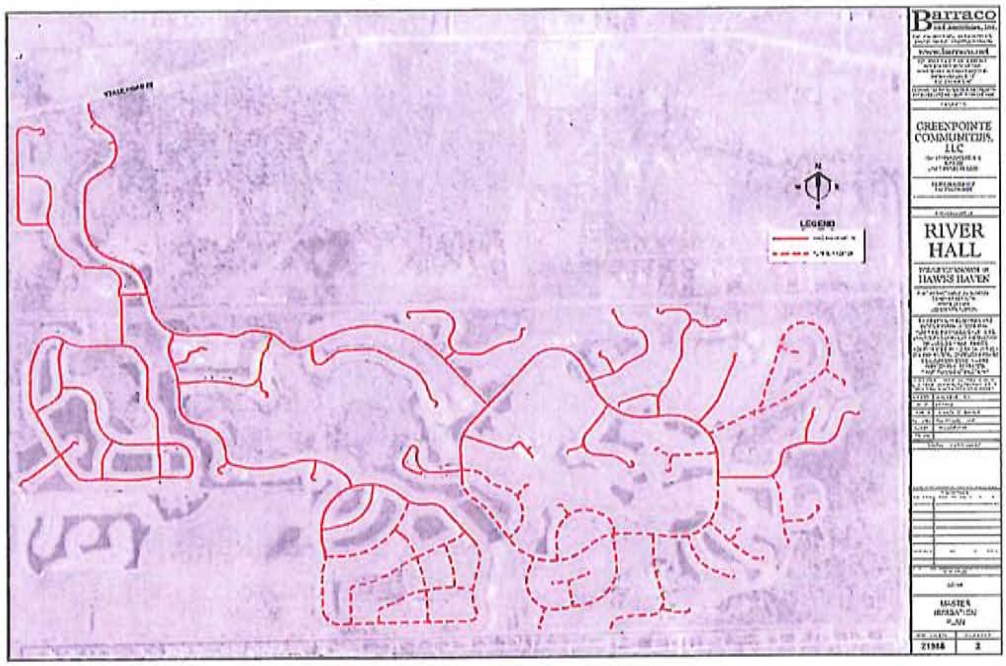

Figure 7: Irrigation Facilities

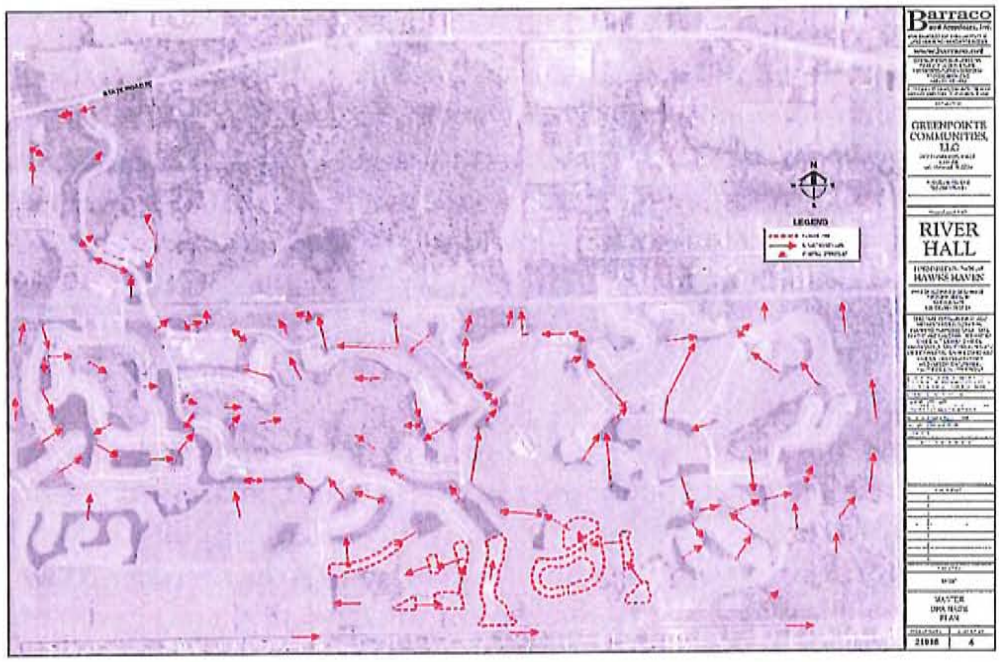

Figure 8: Master Drainage Facilities

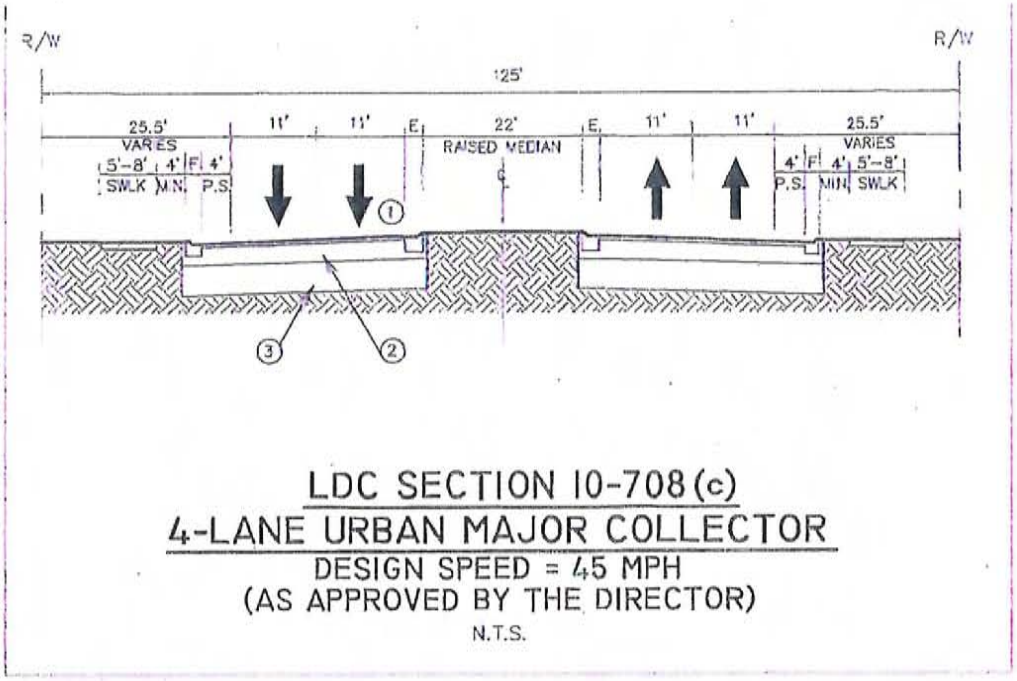

Figure 9: River Hall Parkway Roadway Section – LDC 10-296, Closed Drainage

The requested additional 696 units will be located on existing unplatted areas of the development within the proposed Sub-Outlying Suburban Future Land Use – depicted as "Future Neighborhoods" on the original marketing literature. Letters of Availability have been received demonstrating there is adequate capacity within the existing public infrastructure system to service the additional 696 dwelling units requested. The Comprehensive Plan Amendment and Planned Development Amendment will promote a mix of uses that serve the residents of River Hall and surrounding area.

Goal 5 Residential Uses

Goal 5 provides for sufficient land to be provided in appropriate locations on the Future Land Use Map to accommodate the projected population of Lee County. The approved planned development and existing infrastructure allow a suburban level density which is consistent with the abutting residential developments. The proposed Planned Development Amendment will expand the uses permitted within the existing CPD to provide additional uses that will permit a commercial and civic node to meet the needs of area residents as well as the River Hall Community. The additional dwelling units requested will be located within the existing unplatted and developable areas of the Community to ensure no reduction to open space, buffering, landscaping or recreation areas occurs. Lot sizes, configurations, and designs will be consistent with existing approved development in order to promote the unified aesthetic of the development. No added buffering between

development tracts will be required as the styles of development will be consistent with that which already exists. The proposed infill will also allow the economically viable addition of the next phase of the golf course, increasing the recreational opportunities and amenities of the development. Consequently, the River Hall site should be viewed as an infill property where development intensity is logically stepped down from the adjacent Suburban and Urban Future Land Use Categories and a mix of uses are provided for the community and surrounding area consistent with the intentions of the policies associated with Goal 5.

Consistent with the first sentence of existing Condition 5a. in Z-05-051, the proposed Planned Development Amendment also ensures the portion of the project remaining in the Rural Future Land Use will maintain one dwelling unit per acre. The proposed Planned Development amendment is limited to 553 acres, which were included in CPA2012-00001 to be reallocated to the Sub-Outlying Suburban Category. The remaining ±1,393 acres will be allocated between the Rural, Wetlands and Suburban Future Land Use Categories. The table below demonstrates the acreage of each Future Land Use Category, the maximum number of dwelling units allowed, the number of permitted dwelling units, and the remaining available units in each Future Land Use Category.

Future Land Use	Acres	Dwelling Units Allowed	Dwelling Units Entitled	Dwelling Units Available
Suburban	71.5	429	185	244
Wetlands	181	9	0	9
Rural	1,140.3	1,140	1,119	21
Sub-outlying Suburban	585.6	1,171	598	573
TOTAL	**1,978.4**	**2,749**	**1,903**	**846**

Table 4: Lee Plan Units Available for Entitlement/Development

There are currently ±1,725.8 acres and 1,718 units approved by plat and development order within the Rural portion of the River Hall Community. The proposed Planned Development Amendment only utilizes ±553 acres of the proposed Sub-Outlying Suburban Future Land Amendment area to increase the total number of permitted residential dwelling units for the entirety of the River Hall development by 696. Outside the Planned Development Amendment area, ±1,140 acres would remain at the existing Rural density of 1 dwelling unit/acre as currently permitted in Z-05-051. This acreage is adequate to support the existing 1,119 permitted Rural dwelling units located outside the Planned Development Amendment area, providing the opportunity for an additional 21 Rural units to be permitted in the future, and maintain consistency with the existing Condition 5a. in Z-05-051. Meanwhile, the Sub-outlying Suburban area (±553 acres) will receive 573

dwelling units, with the balance remaining in the Suburban designated area (71.5 acres) for eventual development opportunities.

Goal 21 Caloosahatchee Shores
The proposed Comprehensive Plan and Planned Development Amendments for the River Hall Community are consistent with the Caloosahatchee Shores Community Plan. The existing architecture for the River Hall Community is Florida Vernacular. This style will continue throughout the development to ensure consistency and compatibility between the existing and future development within the community and surrounding neighborhoods. The proposed Planned Development Amendment does not seek to increase the intensity of the existing Commercial Planned Development. Rather, additional uses are proposed to establish a commercial and civic node which aligns with an existing Commercial Planned Development along Palm Beach Boulevard to establish a larger commercial node to serve area residents as well as the River Hall Community. The requested residential, recreational, and civic uses within the existing Commercial Planned Development will promote a mix of uses in a manner consistent with the density and intensity limitations of the Caloosahatchee Shores Policies.

The requested Comprehensive Plan Amendment and Planned Development Amendment for the River Hall Community meet the public needs identified in the Objectives and Policies of the Caloosahatchee Shores Community Plan.

Objective 21.1 Community Character
The Caloosahatchee Shores Community seeks to retain the Old Florida identity the area is known for. These policies encourage Florida vernacular architecture, native and enhanced landscaping and promote regulations for new development within the Land Development code related to architecture and site design.

The River Hall Community currently promotes Florida Vernacular architecture and 100% native vegetation in all required buffers. The Planned Development Amendment does not request any changes to these conditions, ensuring the existing design components will continue throughout the community to promote consistency and compatibility between the existing and future development. Any development within the existing Commercial Planned Development will comply with the requirements of the Caloosahatchee Shores Planning Community Section of the Land Development Code. It should be noted the existing approved height for the River Hall Community is compliant with the Caloosahatchee Shores LDC requirements and the Planned Development Amendment does not request a change to this property development regulation.

Objective 21.2 Commercial Land Uses
The policies established related to commercial land uses encourage the restriction of commercial uses to their existing locations and the redevelopment of existing commercial. The Community wishes to increase the commercial opportunities available within Caloosahatchee Shores and provide interconnections between commercial uses and surrounding residential areas to accommodate alternative modes of transportation.

The existing approval for the River Hall Community includes a Commercial Planned Development located at the north entrance of the property adjacent to Palm Beach Boulevard. The proposed Planned Development Amendment requests residential, recreational and civic uses to be permitted within the existing CPD to increase the availability of a variety of commercial and civic uses along Palm Beach Boulevard. This request will promote a mix of uses within the CPD to meet the needs of Caloosahatchee Shores as well as the River Hall Community. The location of the CPD within River Hall aligns with an existing Commercial Planned Development across Palm Beach Boulevard (SR 80) to create a larger commercial node available to the Caloosahatchee Shores Community.

The recreational uses proposed within the CPD will provide interconnection opportunities between the River Hall Community and existing surrounding uses. The developer has agreed to work with Lee County to extend a proposed trail to the West to provide a multi-use path along SR 80 to the intersection with Buckingham Road. The multi-use path will increase access to the surrounding commercial uses and provide alternative modes of transportation.

Objective 21.3 Residential Uses
The Caloosahatchee Shores Community values residential development and seeks to reduce conflicts between uses while promoting the protection of natural resources, open space, and increased recreational opportunities.

The River Hall Community's existing approved Master Concept Plan ensures compatibility with surrounding uses. The approved Master Concept Plan locates the CPD in the northern portion of the property adjacent to Palm Beach Boulevard to provide convenient access from a major roadway. Residential uses are located adjacent to existing and future proposed residential uses. The proposed Planned Development Amendment directs the additional 696 dwelling units to the existing approved developable areas eliminating impacts to the existing open space and recreational areas while continuing to promote conservation areas along the eastern property boundary providing a buffer to Hickey's Creek Mitigation Park.

Objective 21.4 Mixed-use Development.
The Community desires developments that contain commercial and residential uses and provide interconnections between uses to facilitate alternative transportation and internal capture.

The proposed Planned Development Amendment requests residential, recreational, and civic uses to be permitted within the existing Commercial Planned Development. The residential uses would allow the addition of multi-family residential within the CPD to promote the integration of commercial and residential uses. The recreational and civic uses are requested to promote pedestrian and bicycle linkages to the existing surrounding development with a multi-use path along SR 80. The requested Planned Development Amendment will increase the mix of uses within the community and promote interconnectivity to facilitate alternative transportation and internal capture as consistent with this objective and its supporting policies.

Objective 21.5 Community Facilities/Parks
There is a desire to establish a broad mix of Community Facilities within the Caloosahatchee Shores Community. Therefore, these policies outline the types of facilities the Community will encourage and the connectivity desired between recreational uses.

The River Hall Community is proposing to increase recreational and civic opportunities for residents of the community and the surrounding area by the proposed Planned Development Amendment. Recreational and Civic uses are requested to be added to the schedule of uses for the CPD. The developer has also agreed to provide a multi-use path from the entry of River Hall along SR 80 to the intersection with SR 80 to provide multi-modal linkages to the existing surrounding uses. The amendment will promote the economic viability of the second phase of the golf course, providing added recreational opportunities for members of the golf club.

Objective 21.6 Public Participation
The involvement of the public in entitlement and permitting decisions is a high priority for the Caloosahatchee Shores Community. A Public informational session must be provided on all amendments and zoning actions and copies of the proposed amendments are to be distributed to known citizen groups and civic organizations.

GreenPointe Communities wishes to coordinate with the residents of the Caloosahatchee Shores community regarding the proposed Comprehensive Plan

Amendment and Planned Development Amendment to discuss the proposals and gather feedback. A number of public informational sessions have already been held. On September 6, 2012 an informational session was held for all residents of the Caloosahatchee Shores Community to introduce the proposed Comprehensive Plan and Planned Development Amendments. During the meeting participants were asked to sign in and provide contact information so that informational updates regarding the amendments can be e-mailed to interested parties. Another community meeting was held April 17, 2014 to discuss the proposed Comprehensive Plan Amendment and Planned Development Amendment with the residents of River Hall as well as the Caloosahatchee Shores residents. Small group interactions with residents have also been held over the course of the process.

Consistency with Resource Protection

As demonstrated by the supporting information prepared by Passarella and Associates and by virtue of the exclusion of the existing conservation areas, the proposed amendment is consistent with and furthers Conservation Goals, Objectives and Policies. The proposed amendment will utilize the existing development footprint to ensure there are no impacts to the existing native habitats on-site. Lee Plan Goal 107 states, "To manage the county's wetland and upland ecosystems so as to maintain and enhance native habitats, floral and faunal species diversity, water quality, and natural surface water characteristics." Lee Plan Objective 107.3 indicates that Lee County will, "Maintain and enhance the fish and wildlife diversity and distribution within Lee County for the benefit of a balanced ecological system." Finally, Lee Plan Policy 107.3.1 states that the County will, "Encourage upland preservation in and around preserved wetlands to provide habitat diversity, enhance edge effect, and promote wildlife conservation."

The existing conservation easement areas and indigenous preserved provided long-term protection of the natural wetland and upland habitats within the River Hall Community. Indigenous habitats most suitable for protection, enhancement and conservation were previously identified and retained. These areas are not included in the area proposed for the Planned Development Amendment. The proposed request will not reduce the previously approved indigenous preserved, conservation easement areas, or recreational/golf course areas.

Goals 53 & 56 Community Facilities and Services

The amendment is consistent with potable water Goal 53 and associated Objective 53.1, Policy 53.1.1, and Policy 53.1.2; as well as wastewater Goal 56 and associated Objective 56.1 and Policy 56.1.2. Public Facilities are in place and are serving the existing development of the River Hall Communities. Letters of Availability have

been received from all service providers stating adequate capacity exists to service the additional 696 units requested for the River Hall Community.

Goal 43 Mass Transit
The requested Planned Development Amendment will promote the Goals, Objectives and Policies of the Lee County Mass Transit system. The existing Commercial Planned Development will remain; however the PD Amendment includes additional uses to promote residential, civic, and recreation uses creating a truly mixed use center to serve the needs of the River Hall Community as well as residents from the surrounding area. When considered in conjunction with the approved Commercial Planned Development across Palm Beach Boulevard, a commercial and civic node is established in this location along Palm Beach Boulevard to serve the needs of area residents. These uses are located within a comfortable walking or bicycling distance and the requested uses within the CPD will promote internal capture within the River Hall Community.

Should residents of River Hall desire to utilize Mass Transit, the existing Lee Tran Stop for Route 100 at the Riverdale Library is less than a mile from the entrance of the River Hall Community. The Lee County Transit – Lee Tran Title IV Program Update 2012-2014 indicates this route has approximately 80.42% excess capacity. The report also indicates the Lee Tran system as a whole has substantial capacity remaining. GreenPointe has agreed to provide a multi-use path along SR 80 to the intersection of Buckingham Road to promote multi-modal connections. The multi-use path will cross directly in front of the commercial plaza where the Lee Tran Stop is located ensure safe access to any resident desiring to walk or bike to the existing Lee Tran stop.

Neighborhood Compatibility
In addition to establishing an appropriate and realistic Future Land Use Category for the subject property, the proposed Comprehensive Plan and Planned Development Amendments promote compatibility with the existing surrounding land uses and envisioned future land uses.

The residential developments of Portico, Riverdale Shores, Hawks Preserve and Riverdale Estates are located west of River Hall and have a density of approximately 2 units per acre. The Reserve at Buckingham is also located to the west and has approximately 4 units per acre. The proposed Planned Development Amendment would increase the density of the existing Rural portion of River Hall adjacent to the existing Sub-Outlying Suburban and Portico development to 2 dwelling units per acre. This density is compatible with the density of the existing abutting and surrounding residential neighborhoods. The requested Planned Development

Amendment would bring the existing density of the surrounding residential neighborhoods onto the subject property ensuring the consistency of the River Hall Community with the existing surrounding residential developments.

Surrounding Land Uses			
	FLU Designation	Use	Notes
North	Commercial and Rural	Vacant & Residential	Approved Commercial across from the entry at Palm Beach Blvd & S. Olga Dr.
South	Urban Community	Platted Residential	Lehigh Acres
East	Conservation – Upland	Hickey's Creek	Lee County Preserve & Recreation Area
West	Suburban and Sub-Outlying Suburban	Residential Single Family Developments	Commercial Plaza located nearby at Palm Beach Blvd and Buckingham Rd.

Table 5: Surrounding Land Uses

South of the River Hall Community is Lehigh Acres, in the Urban Community Future Land Use with a density of approximately 4 units per acre. The southern portion of River Hall abutting Lehigh Acres is currently approved for residential density and has an existing conservation area. The proposed residential density of this portion of River Hall at 2 dwelling units per acre is compatible with the existing residential development and allowable density of Lehigh Acres.

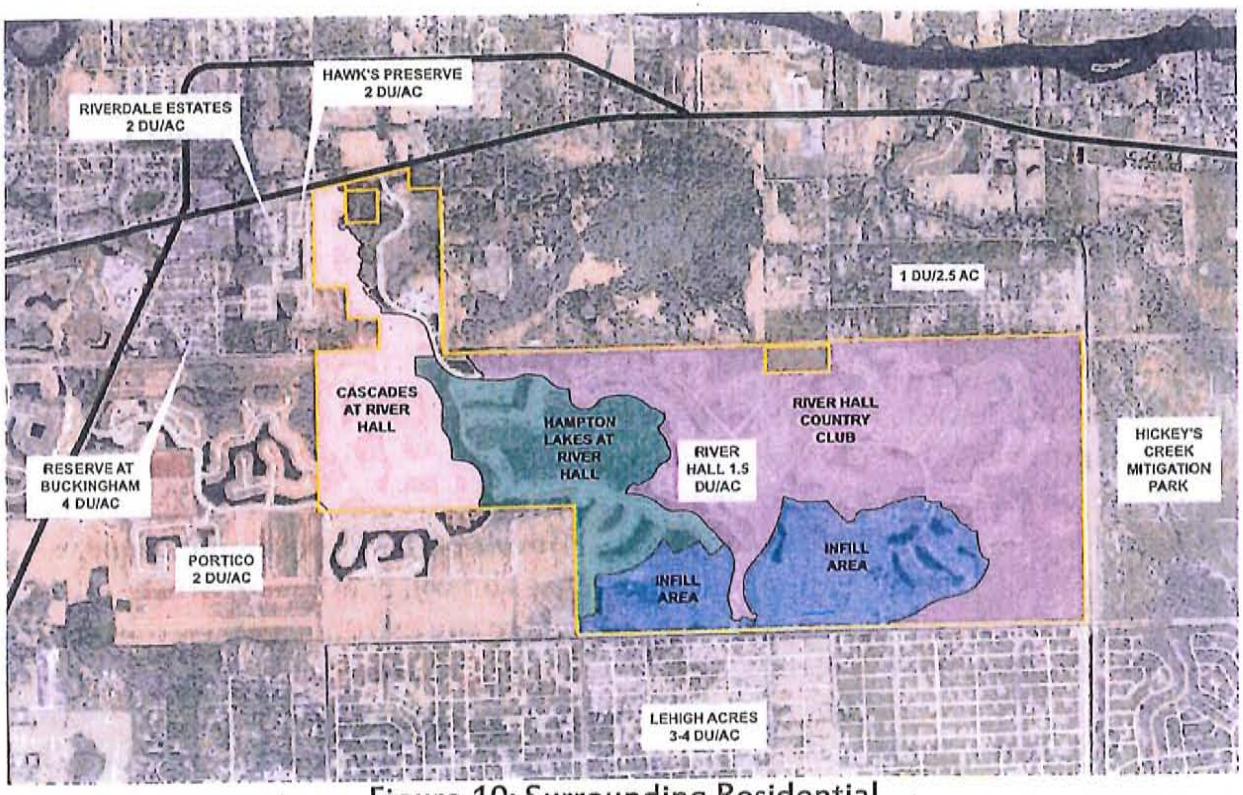

Figure 10: Surrounding Residential

Figure 11: Surrounding Urban & Suburban Uses

An existing Commercial Plaza is located near River Hall at the intersection of Palm Beach Boulevard and Buckingham Road and provides retail and commercial opportunities to area residents. A second commercial node was recently rezoned to commercial and is located directly north of the River Hall Community at the intersection of Palm Beach Boulevard and S. Olga Drive in the Commercial Future Land Use. The River Hall Community currently includes a commercial node at the main entrance along Palm Beach Boulevard and S. Olga Drive. The proposed request seeks to expand the uses permitted within the existing River Hall CPD to provide multi-family residential and recreational opportunities within this area of the community. This expanded mix of uses will create a commercial and civic node compatible with the existing commercial, provides additional opportunities to meet the needs of area residents, and meets the intent of the Caloosahatchee Shores Community Goals, Objectives and Policies.

The Hickey's Creek Mitigation Park is located east of the River Hall Community. The existing approved Master Concept Plan for the community includes a large conservation area along the eastern border that acts as a buffer to the Mitigation Park. This area is not included in the Planned Development Amendment request and will not be impacted by future development and will continue to provide a buffer from the developable areas of the project to the existing conservation areas and Lee County Mitigation Park.

In consideration of the uses surrounding the River Hall Community, the property is appropriately classified as an infill property where development is directed toward

the existing footprint and the intensity transitions from the abutting Suburban and Urban Community categories to the nearby Rural and Conservation categories. The development is a well-designed residential community with a mix of uses that support the needs and demands of the area's residents – the definition of a Suburban place. The Planned Development Amendment includes trails to provide linkages between the proposed commercial/civic node near the community's entry and the existing commercial uses at the intersection of SR 80 and Buckingham Road to connect the community to the surrounding uses and neighborhoods. These proposed improvements will integrate the various land uses and promote connectivity between River Hall and the existing surrounding uses.

Transportation
Please see attached amended Traffic Impact Statement.

LDC Design Standards Compliance
34-411. General Standards.
(a) All planned developments shall be consistent with the provisions of the Lee Plan.

The request is consistent with the Lee Plan. For a more detailed discussion of compliance, please see the attached Lee Plan Compliance Narrative.

(b) All planned developments, unless otherwise excepted, shall be designed and constructed in accordance with the provisions of all applicable County development regulations in force at that time.

The site is currently approved for a residential subdivision and some site improvements are completed. Any future construction will comply with the applicable Lee County regulations unless the subject of an approved deviation.

(c) The tract or parcel proposed for development under this article must be located so as to minimize the negative effects of the resulting land uses on surrounding properties and the public interest generally, and must be of such size, configuration and dimension as to adequately accommodate the proposed structures, all required open space, including private recreational facilities and parkland, bikeways, pedestrian ways, buffers, parking, access, on-site utilities, including wet or dry runoff retention, and reservations of environmentally sensitive land or water.

The Master Concept Plan demonstrates compliance with this standard. It is designed to accommodate the additional 696 dwelling units requested, including recreational and civic uses, within the existing approved development footprint.

The Master Concept Plan has not significantly changed since its approval in 2005. The additional dwelling units and recreational and civic uses are directed to areas which were previously approved for development. The previously approved conservation areas are not included in the planned development amendment request and will not be negatively impacted by the proposed amendment. The approved open space acreage is not proposed to be modified by the requested amendment.

(d) The tract or parcel shall have access to existing or proposed roads:

(1) In accordance with Chapter 10 and as specified in the Lee Plan traffic circulation element or the official trafficways map of the County;

(2) That have either sufficient existing capacity or the potential for expanded capacity to accommodate both the traffic generated by the proposed land use and that traffic expected from the background (through traffic plus that generated by surrounding land uses) at a level of service D or better on an annual average basis and level of service E or better during the peak season, except where higher levels of service on specific roads have been established in the Lee Plan; and

(3) That provide ingress and egress without requiring site-related industrial traffic to move through predominantly residential areas.

The development has access to Palm Beach Boulevard, a major arterial street. Pursuant to the attached Traffic Impact Statement, Palm Beach Boulevard will continue to operate at the required Level of Service.

(e) If within the Lee Tran public transit service area, the development shall be designed to facilitate the use of the transit system.

The residential development is not within the Lee Tran service area but proposes to establish a multi-use path along SR 80 to the intersection with Buckingham Road. It should be noted the existing Lee Tran service has approximately 80% capacity available should residents of River Hall desire to walk to the Riverdale Library Lee Tran stop less than a mile from the development entry. The proposed multi-use path would be constructed adjacent to the existing Lee Tran Stop providing safe multi-modal access from River Hall to the stop.

(f) Development and subsequent use of the planned development shall not create or increase hazards to persons or property, whether on or off the site, by increasing the probability or degree of flood, erosion or other danger, nor shall it impose a

nuisance on surrounding land uses or the public's interest generally through emissions of noise, glare, dust, odor, air or water pollutants.

The development will not result in increased drainage impacts or otherwise impose any nuisance on surrounding properties or land uses through emissions of noise, dust, odor, light, air or water pollutants.

(g) Every effort shall be made in the planning, design and execution of a planned development to protect, preserve or to not unnecessarily destroy or alter natural, historic or archaeological features of the site, particularly mature native trees and other threatened or endangered native vegetation. Alteration of the vegetation or topography that unnecessarily disrupts the surface water or groundwater hydrology, increases erosion of the land, or destroys significant wildlife habitat is prohibited. That habitat is significant that is critical for the survival of rare, threatened or endangered species of flora or fauna.

The Master Concept Plan submitted with this application is consistent with this standard. The functioning wetlands and conservation areas as well as existing open space on the subject property are not included in this amendment request therefore they will remain protected. The additional dwelling units and recreational and civic uses are directed toward approved developable areas and will not negatively impact the existing conservation areas. The proposed request does not decrease the open space provided in the existing approval.

(h) A fundamental principle of planned development design is the creative use of the open space requirement to produce an architecturally integrated human environment. This shall be coordinated with the achievement of other goals, e.g., the preservation or conservation of environmentally sensitive land and waters or archaeological sites.

The River Hall Community complied with this requirement during the original approval in 2005. The existing conservation areas are not included in this planned development amendment and ACOE and SFWMD permits have been issued for the development. The requested dwelling units and recreational and civic uses will be directed toward existing developable areas to further produce an architecturally integrated human environment.

(i) Site planning and design shall minimize any negative impacts of the planned development on surrounding land and land uses.

The property is located in an area of existing residential subdivisions and commercial development. These uses were previously found to be compatible with the residential development and the applicant believes the planned development amendment request remains compatible with these uses.

(j) Where a proposed planned development is surrounded by existing development or land use with which it is compatible and of an equivalent intensity of use, the design emphasis shall be on the integration of this development with the existing development, in a manner consistent with current regulation.

The property is located in an area that transitions from urban type uses to non-urban uses; River Hall is surrounded by development of varying intensity. The request is consistent with the existing and proposed uses surrounding the development. The Planned Development Amendment proposes a multi-use path to connect River Hall to the surrounding commercial and residential areas along SR 80.

(k) Where the proposed planned development is surrounded by existing development or land use with which it is not compatible or which is of a significant higher or lower intensity of use (plus or minus ten percent of the gross floor area per acre if a commercial or industrial land use, or plus or minus 20 percent of the residential density), or is surrounded by undeveloped land or water, the design emphasis will be to separate and mutually protect the planned development and its environs.

As noted above, the property is located in an area that transitions from urban to non-urban type uses; River Hall is surrounded by development of varying intensity. The request is consistent with the existing and proposed uses surrounding the development. The Planned Development Amendment proposes pathways and trails to connect River Hall to the surrounding residential communities and conservation areas.

(l)In large residential or commercial planned developments, the site planner is encouraged to create subunits, neighborhoods or internal communities which promote pedestrian activity and community interaction.

The River Hall Community accomplishes this standard to the greatest extent possible on this previously developed parcel. The project includes several subunits with different housing types. The Planned Development Amendment proposes to add residential and recreational and civic uses to the Commercial area.

(m) In order to enhance the viability and value of the resulting development, the designer shall ensure the internal buffering and separation of potentially conflicting uses within the planned development.

The types of uses depicted on the Master Concept Plan have been previously separated, buffered, and approved in order to enhance the viability and subsequent value of the resulting development. All required internal buffers, both street and use, will be provided with local Development Order approval.

(n) Density or type of use, height and bulk of buildings and other parameters of intensity should vary systematically throughout the planned development. This is intended to permit the location of intense or obnoxious uses away from incompatible land uses at the planned development's perimeter, or, conversely, to permit the concentration of intensity where it is desirable, e.g., on a major road frontage or at an intersection.

A review of the Master Concept Plan indicates compliance with this standard. The proposed planned development amendment utilizes the existing developable areas, which were previously found to be consistent with this provision.

(o) Unless otherwise provided for in this article, minimum parking and loading requirements shall be as set forth in article VII, divisions 25 and 26, of this chapter. Where it can be reasonably anticipated that specified land uses are generators of occasional peak demand for parking space, a portion of the required parking may be pervious or semi-pervious surfaces subject to the condition that it be constructed and maintained so as to prevent erosion of soil. In all cases, however, sufficient parking shall be provided to prevent the spilling over of parking demand onto adjacent properties or rights-of-way at times of peak demand.

All required parking areas shall be provided in accordance with Chapter 34.

(p) Joint use of parking by various land uses within the planned development may be permitted by special condition where it can be demonstrated or required that the demand for parking by the various uses will not conflict. Joint parking agreements between uses within and uses without the planned development shall be governed by agreement per general regulation (see section 34-2018), without exception.

Not applicable

(q) Internal consistency through sign control, architectural controls, uniform planting schedules and other similar controls is encouraged.

The development will be consistent with the existing approved and constructed architecture, signage, and plantings.

Decision Making Compliance

34-145(c)(2) Considerations. In reaching a decision, the Hearing Examiner must consider the following, whenever applicable:

> *a. Whether there exist changed or changing conditions that make approval of the request appropriate.*

The area surrounding the subject property has changed in recent years. The residential communities surrounding River Hall have densities that range from 2 to 4 dwelling units per acre. The proposed amendment would be consistent with the existing surrounding densities while providing a transition to the Rural and Conservation lands to the North and making efficient use of the existing infrastructure in the area. The River Hall Community is an infill development where the additional density will be directed to the existing development footprint; residential, recreational and civic uses will be added as allowable uses in the commercial portion of the development; and connections to the surrounding residential properties via a multi-use path along SR 80 will promote a well-designed and connected residential community.

Several important benefits will be made possible through the Residential Planned Development Amendment including enhancing the transition of land use, promoting infill development, establishing connections for walking and riding to surrounding properties, and promoting recreational and civic uses in this area of the County. The approved open space acreage will not be decreased by the proposed request.

This request is appropriate due to the proposed future land use amendment establishing the amendment area within the Sub-Outlying Suburban Future Land Use. This zoning petition has been submitted pursuant to Section 163.3184(12), Florida Statutes, which allows for a concurrent zoning change.

> *e. Whether the request is consistent with the goals, objectives, policies and intent of the Lee Plan.*

The request is consistent with the Lee Plan; please see the Project Summary and Lee Plan Consistency (above) for further analysis.

34-145(d)(3) Findings. Before preparing a recommendation to the Board of County Commissioners on a zoning matter, the Hearing Examiner must find that:

a. The applicant has proved entitlement to the rezoning or special exception by demonstrating compliance with the Lee Plan, this land development code, and any other applicable code or regulation: and

The proposed Planned Development Amendment will promote infill redevelopment on the subject property at a density consistent with the surrounding uses. The Lee Plan Compliance narrative demonstrates consistency with the Lee Plan. The proposed Master Concept Plan and supporting application documentation further demonstrate compliance with the Lee Plan, the Land Development Code and all other land use regulations. With the re-designation of the subject property to Sub-Outlying Suburban, the request for an additional 696 dwelling units will limit the allowable density of the subject property to 2,695 dwelling units. The amendment will promote the property allocation of dwelling units to the appropriate future land us categories on the property ensure the allowable densities are maintained. The deviations requested do not pose a negative impact to public health safety and welfare nor do they pose a negative impact to the adjacent properties.

b. The request will meet or exceed all performance and locational standards set forth for the potential uses allowed by the request; and.

The request meets or exceeds the minimum performance and locational standards contained in the Lee Plan and Land Development Code.

c. The request, including the use of TDR or affordable housing bonus density units, is consistent with the densities, intensities and general uses set forth in the Lee Plan; and

The property is proposed to be designated Sub-Outlying Suburban. This will increase the maximum density allowable under the Lee Plan to 2,749 residential units. The planned development amendment proposes to cap the unit count within River Hall at 2,695, well below the maximum allowed under the Lee Plan. This request is consistent with the permitted density of each Future Land Use Category as set forth in the Lee Plan. The additional uses requested are permitted within the Rural and Sub-Outlying Suburban Future Land Use Categories.

d. The request is compatible with existing or planned uses in the surrounding area; and

The request is consistent with the existing and proposed uses in the surrounding area. A full explanation of compatibility with surrounding uses is provided with the Lee Plan Consistency Narrative.

The properties adjacent to the River Hall Community in the West have an approximate density of 2 to 4 dwelling units per acre. Commercial uses are approved at the intersection of Palm Beach Boulevard and S. Olga Drive, aligning with the existing CPD within River Hall and creating a commercial node. The proposed Comprehensive Plan and Planned Development amendments establishes River Hall as a infill property where development is directed toward the existing footprint and the development intensity transitions from the abutting residential communities to the nearby Rural and Conservation areas. The proposed request will create a well-designed residential community with a mix of uses that support the internal residents as well as the surrounding area.

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

The provided Traffic Impact Statements for the Comprehensive Plan and Planned Development Amendments demonstrate that approval of the request will not place undue burden upon the existing transportation system. Sufficient capacity is available to accommodate traffic generated by this development.

f. Where applicable, the request will not adversely affect environmentally critical areas and natural resources.

The Planned Development Amendment only includes lands that were previously approved for development. The proposal does not decrease the open space acreage or modify the conservation areas of the existing approval.

g. In the case of a planned development rezoning or mine excavation planned development, the decision of the Hearing Examiner must also be supported by the formal findings required by sections 34-377(a)(2) and (4).

LDC 377(a)(2) The recommendation made to the Board of County Commissioners must be supported by formal findings that address the guidelines set forth in section 34-145(d)(3) of this chapter. In addition, the findings must address whether the following criteria can be satisfied:

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

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

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

The Planned Development Amendment is consistent with the existing development within the area. The application and supporting documentation demonstrate that the proposed mix of uses are appropriate and that steps taken by the applicant to ensure sufficient safeguards to the public interest are in place. Any future recommended conditions will be reviewed by the applicant to ensure they are reasonably related to any perceived impacts.

LDC 377(a)(4) If the application includes a schedule of deviations pursuant to section 34-412, the Hearing Examiner's recommendation must approve, approve with modification or reject each requested deviation based upon a finding that each item:

a. Enhances the achievement of the objectives of the planned development; and

b. Preserves and promotes the general intent of this chapter to protect the public health, safety and welfare

If the Hearing Examiner concludes that the application omits the necessary deviations, he may include those omitted deviations in his recommendation without an additional hearing.

A Schedule of Deviations has been submitted with the application. The deviations recognize the existing conditions of the River Hall Community to provide a consistent and compatible pattern of development. The applicant has provided a narrative indicting compliance with the standards set forth above.

h. Where the change proposed is within a future urban area category, the Hearing Examiner must also find that urban services, as defined in the Lee

Plan, are, or will be, available and adequate to serve the proposed land use.

The proposed Planned Development Amendment will be located within the Sub-Outlying Suburban and existing Rural and Suburban future land use designations and urban services as defined in the Lee Plan are available. The following definition is found in the Lee Plan:

URBAN SERVICES - The requisite services, facilities, capital improvements, and infrastructure necessary to support growth and development at levels of urban density and intensity. Urban services as used in this plan include, but are not limited to:

- *public sewer and water*
- *paved streets and roads*
- *public transit*
- *parks and recreation facilities*
- *urban levels of police, fire, and emergency services*
- *urban surface water management*
- *schools*
- *employment, industrial, and commercial centers*
- *institutional, public, or administrative facilities*
- *community facilities such as senior citizens' centers, libraries, and community centers.*

Some of these facilities are already in place and have the capacity available to serve the additional 696 dwelling units. Some of these facilities are proposed to be incorporated into the Planned Development Amendment further improving the services available to residents within the community and surrounding area.

i. If the rezoning is to Compact PD, the recommendation of the Hearing Examiner must also include findings regarding the provisions set forth in section 32-504(a).

Not applicable.

Conclusion

The proposed Planned Development Amendment provides infill development for the portion of River Hall under unified control of the current developer/owner GreenPointe Communities, LLC. The amendment will increase the number of residential dwelling units by 696 and locate these units within areas already identified for future development. The maximum number of units for the River Hall Community will be capped at 2,695. No lands will be replatted to accommodate the

density increase and the minimum property development regulations will not be changed ensuring the new residential lots are consistent and compatible with the existing platted lots. The revised amendment area is consistent with the Lee Plan and will promote the proper allocation of dwelling units to the appropriate future land use categories to ensure the allowable densities of the Future Land Use are maintained. The requested 696 units will be located in the unplatted portions of the amendment area adjacent to existing residential developments to the south and west of the River Hall Community. No changes are proposed to the existing upland and wetland preserves or open space.

As demonstrated herein, the rezoning, as requested, will meet or exceed all performance and locational standards set forth for the proposed uses allowed by the request. The request is consistent with the densities, intensities and general uses set forth in the Lee Plan, and the currently allowed uses do not provide any reasonable uses for the subject property. The current approvals provide for no additional units to be developed on the property, leaving the area vacant and undevelopable. The request, as proposed and conditioned, is compatible with existing or planned uses in the surrounding area, and will not place an undue burden upon existing transportation or planned infrastructure facilities; it will be served by streets with the capacity to carry traffic generated by the development. An approval of this request will not adversely affect environmentally critical areas or natural resources, and all proposed development will occur within the already approved development envelope. In addition, the requested rezoning is appropriate at the subject location, conforming to the existing pattern of approved land uses. The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest, and are reasonably related to the impacts created by or expected from the proposed development. All urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use. Finally, the requested deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.

Rev12/17/2014

1. Development of this project must be consistent with the ~~two~~five-page Master Concept Plan (MCP) entitled "RIVER HALL: Formerly known as Hawk's Haven", stamped received ~~January 6, 2006,~~ _____, 20 ___, last revised ~~January 3, 2006,~~ _____, 20 ___, except as modified by the conditions below. Development must comply with all requirements of the LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

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

RECEIVED
DEC 17 2014
COMMUNITY DEVELOPMENT

a. SCHEDULE OF USES

RESIDENTIAL, GOLF & AMENITY SITES

Accessory Uses and Structures
Administrative Office
Agricultural Uses - See Conditions 3.h and 8.
Club - country and private
Consumption on Premises - limited to the clubhouse/amenity areas. ~~No~~ No outdoor seating unless approved as a special exception (public hearing required).
Dwelling Units ~~- maximum of 1,999 units~~ to be comprised of single-family (R-1 or RMF-1), two-family attached (RMF-1), townhouse (RMF-1), multiple-family (RMF-1), zero-lot-line units (RMF-1)

~~Densities may not be shifted between future land use categories unless a new public hearing occurs and the allocation of density complies with provisions of Policy 5.1.11 of the Lee Plan.~~

Entrance Gates and Gatehouse
Essential Services
Essential Services Facilities, Group I
Excavation, Water Retention - No blasting and removal of excavated material off site is not permitted.
Fences and Walls
Golf Course - 36 holes, golf maintenance facility, cart barn and related accessory uses to a golf course. (See Condition 23 for additional requirements)
Golf and Tennis Pro Shops (limited to ancillary use in clubhouse)
Golf Driving Range
Golf Training Facility
Model Home and Model Unit - must be in compliance with LDC §34-1954
Model Display Center, must be in compliance with LDC §34-1955, limited to one which must be located in the sales center area shown on the MCP and must only serve this project.

Parking Lot, Accessory
Parks, Group I

Real Estate Sales Office - limited to sales of lots, homes or units within the development, and must be located in the clubhouse, amenity or model unit sites.
Recreational Facilities - Private, On-site only
Residential Accessory Uses - In compliance with LDC §622(c)42 and LDC Article VII Division 2.
Signs, in compliance with LDC Chapter 30
Storage, Open, recreational vehicles, boats and similar items for residents only, limited to locations shown on the MCP and must be shielded behind a continuous visual screening at least eight feet in height when visible from any residential use, and six feet in height when visible from any street right-of-way or street easement. (See Condition 22 for additional requirements)
Temporary Uses

TOWN CENTER (CPD)

Maximum 15,000 sf office and maximum 30,000 sf retail within the Town Center CPD parcel only.
Accessory Uses and Structures
Administrative Office
Agricultural Uses - See Condition 3.h and 8.
Banks and Financial Establishments, Group I
Business Services, Group I
Consumption on Premises - Indoor only in conjunction with a Restaurant use only. No outdoor seating unless approved as a special exception (public hearing required).
Day Care Center, Adult & Child
Drive-through in connection with any approved use except drugstore/pharmacy
Dwelling units, limited to Townhouse (RMF-1) and multi-family (RMF-1)
EMS, Fire or Sheriff's Station
Essential Services
Essential Service Facilities, Group I
Excavation, Water Retention - No blasting; Removal of excavated material off site not permitted.
Food Stores, Group I (may sell food and non-food products)
Hardware Store
Laundry or Dry Cleaning, Group I
Parking lot, accessory
Parks, Group I, Group II (limited to civic center)
Personal Services, Group I
Pharmacy/Drugstore - limited to one with a multi-occupancy complex only and no drive-through.

Place of Worship, Religious Facilities
Real Estate Sales Office
Repair Shop, Group I
Restaurant, Groups I, II, III
Specialty Retail Shops, Group I
Temporary Uses

ELEMENTARY SCHOOL SITE

Public Schools and Related Accessory Uses

b. SITE DEVELOPMENT REGULATIONS

Minimum Lot Area and Dimensions - Single-Family

Width: 45 feet
Depth: 120 feet
Lot Size: 5,400 sf

Minimum Lot Area and Dimensions - Multi-Family

Width: 75 feet
Depth: 100 feet
Lot Size: 10,000 sf

Minimum Lot Area and Dimensions - Commercial

Width: 200 feet
Depth: 100 feet
Lot Size: 20,000 sf

Minimum Setbacks

Single Family

Road - Palm Beach Blvd 25 feet/Private Roads 20 feet
Side - 5 feet, See Condition 2.b.i.
Rear- 15 feet
Water Body - 20 feet
Accessory - ~~Perper~~ the LDC
Accessory Water Body Setback – 0 feet

Maximum Lot Coverage - 60 percent

2.b.i. Structures, including but not limited to, sidewalks, air conditioners, mechanical equipment, door stoops, walls, etc. may not be located

within the required 5-foot side setback of each lot. Prior to issuance of Certificate of Occupancy on each lot, the Engineer of Record must certify that the drainage for each lot is built in compliance with the *typical lot grading detail* provided.

Two-Family Attached and Zero Lot Line

Road - Palm Beach Blvd 25 feet/Private Roads 20 feet
Side - 0/5 feet, See Condition 2.b.ii.
Rear - 15 feet
Water Body - 20 feet
Accessory - ~~Per~~ per the LDC
Accessory Water Body Setback – 0 feet

Minimum Distance Between Buildings: 15 feet

Maximum Lot Coverage - 60 percent

2.b.ii. Side opposite zero-lot-line or two-family attached structure. Structures, including but not limited to, sidewalks, air conditioners, mechanical equipment, door stoops, walls, etc. may not be located within the required 5-foot side setbacks; or prior to issuance of Certificate of Occupancy on each lot, the Engineer of Record must certify that the drainage for each lot is built in compliance with the *typical lot grading detail* provided.

Townhouse & Multi-family

Road - Palm Beach Blvd 25 feet/Private Roads 20 feet
Side - N/A
Rear- 15 feet
Water Body - 20 feet
Accessory - Per the LDC

Minimum Distance Between Buildings - 20 feet

Maximum Lot Coverage - 60 percent

Clubhouse, Amenity & Golf Maintenance Buildings

Road - Palm Beach Blvd 25 feet/Private Roads 20 feet
Side - 15 feet
Rear- 15 feet
Water Body - 20 feet

Accessory - Per the LDC

Minimum Distance Between Buildings - 20 feet

Maximum Lot Coverage - 60 percent

Commercial

Road - Palm Beach Blvd 25 feet/Private Roads 20 feet
Side - 15 feet
Rear - 20 feet
Water Body - 20 feet
Accessory - Per the LDC

Minimum Distance Between Buildings - 20 feet

Maximum Lot Coverage - 45 percent

Maximum Height

45 feet/3 stories for Residential uses
35 feet/3 stories for Commercial uses
35 feet/3 stories for Recreational/Amenity sites on the perimeter of the subject property

Recreational/Amenity sites on the interior of the project may be 60 feet/three stories

c. GOLF DRIVING RANGE:

If the Golf Driving Range is open after daylight hours, all lighting must comply with LDC §34-936(g), be of the lowest intensity meeting life safety codes, and be shielded and directed away from adjacent residential areas.

3. The following conditions address environmental issues:

a. The "American Alligator Management Plan" provided as part of the "Protected Species Management Plan for Schulman Parcel" counter stamped May 19, 1999 incorporated into this resolution of approval as Exhibit D. Prior to local development order approval, the location of the American Alligator Management Plan signage must be delineated on the development order plans for Division of Environmental Sciences' review and approval. Warning signs must be placed where there is potential for human/alligator interaction. These

signs must discourage the feeding or harassment of alligators.

b. The "Gopher Tortoise Management Plan" provided as part of the "Protected Species Management Plan For Shulman Parcel" counter stamped May 19, 1999 incorporated into this resolution of approval as Exhibit D. Any revisions to the Tortoise Management Plan are subject to Environmental Sciences' review and approval.

c. The "Florida Burrowing Owl Management Plan" provided as part of the "Protected Species Management Plan For Schulman Parcel," counter stamped May 19, 1999, must be revised for Division of Environmental Sciences' review and approval at the time of local development order submittal. The plan must either commit to preserving the existing burrowing owl burrows in place with a buffer in accordance with LDC Appendix H, or commit to a detailed relocation management plan. The developer demonstrates it is necessary to impact the burrows, the management proposal must provide details about where appropriate replacement habitat for the owls will be provided, how the owls will be attracted to this area, and how it will be protected during construction activities on the site.

d. The developer must submit a detailed Scrub Jay Management Plan to the Division of Environmental Sciences for review and approval at the time of local development order submittal. This plan must follow the general guidelines of the "Florida Scrub Jay Management Plan" provided as part of the "Protected Species Management Plan For Schulman Parcel," counter stamped May 19, 1999 and incorporated into this resolution of approval as Exhibit D. The finalized Scrub Jay Management Plan must be approved by the Florida Fish and Wildlife Conservation Commission (FWC) prior to local development order approval.

e. The developer must submit a detailed Sandhill Crane Management Plan to the Division of Environmental Sciences for review and approval at the time of local development order submittal.

~~f~~ f. Conditions 3.a.-e. above were satisfied by the Protected Species Management Plan dated May 2006 prepared by Passarella and Associates and approved by the Division of Environmental Sciences (DES). Prior to approval of any additional residential development orders, a revised Protected Species Management Plan must be submitted to DES for review and approval. Revisions to the plan will include resident educational materials for the gopher tortoise, listed wading birds, and scrub jays; as well as incorporate a large mammal management plan.

g. Open space must be provided in accordance with the MCP. All individual tracts must provide a minimum of ten percent open space within the tract and may be met with private open space.

~~g~~h. The developer must provide a minimum of 465 acres of indigenous preservation areas in substantial compliance with the MCP. The preserves must be delineated on the local development order plans when they are within or adjacent to the development phase or tract to be developed.

~~h~~i. The developer must barricade all indigenous preservation areas to exclude cattle grazing within 60 days of approval of the planned development by the Board of County Commissioners.

~~i~~j. Prior to local development order approval, the plans for any residential units on individual lots that abut a preserve must delineate a preserve boundary sign location at every other lot line and provide a detail of the sign for the Division of Environmental Sciences' Staff review and approval.

~~j~~k. Every effort must be made in the final design of the golf course and residential tracts to preserve large native trees. The developer must schedule an on-site preconstruction meeting with Division of Environmental Sciences' Staff prior to the issuance of a vegetation removal permit for any phase of development to confirm preservation and barricading requirements prior to the initiation of site clearing.

4. The following recommendations are presented in order to mitigate future hurricane damage and loss of life, as well as to ensure compliance with Lee Plan objectives.

   a. The developer must establish a homeowners' or residents' association that will provide an educational program on an annual basis, in conjunction with the staff of Emergency Management, who will provide literature, brochures and speakers for Hurricane Awareness/Preparedness Seminars, describing the risks of natural hazards. The intent of this recommendation is to provide a mechanism to educate residents concerning the actions they should take to mitigate the dangers inherent in these hazards.

   b. The developer must formulate an emergency hurricane notification and evacuation plan, which will be subject to review and approval by the Lee County Office of Emergency Management.

   c. If access to this development or any portions thereof, is through a security gate or similar device that is not manned 24 hours a day, it must be equipped with an override strip installed in a glass covered box to be used by drivers of emergency vehicles to gain entry, consistent with LDC §34-1749.

   d. The developer must cooperate with the Division of Public Safety/Emergency Management in determining and participating in a means to lessen hurricane shelter impacts on the County's hurricane preparedness process and public safety. Those "means" could include the provision of equipment, monies in lieu of equipment, or such other goods, materials or actions deemed appropriate by Emergency Management that results in the provision of additional shelters,

or improvement of roads for use as additional evacuation routes. The choice of "means" will rest with the developer, so long as the choice adequately mitigates the adverse impacts.

5. The following conditions are included to address Lee Plan consistency issues:

   ~~a.~~ a. In accordance with CPA2012-01, the total residential dwelling count within River Hall will not exceed 2695 dwelling units. The portion of the property within the Rural future land use category must maintain densities of one dwelling unit per acre or less. No more than 1,~~648~~140 dwelling units may be constructed in the Rural designated areas of the project. Densities may not be shifted between future land use categories unless a new public hearing occurs and the allocation of density complies with provisions of Policy 5.1.10 of the Lee Plan.

   b. Given the limited existing available Rural 2020 Planning Community Acreage Allocation, at the time of rezoning, the available Rural allocation must be determined by the Planning Division prior to any development order approval for residential use in the Rural portions of the site. No development order will be issued or approved if the acreage, when added to the acreage contained in the updated existing land use database, exceeds the limitation established by Lee Plan Table 1 (b), Acreage Allocation Table (per Lee Plan Policy 1.7.6). In order to develop more Rural acreage with residential uses, the Lee Plan must be amended to change the Rural residential acreage allocation for the Fort Myers Shores planning community in Table 1 (b). Adequate data and analysis to support this amendment must be submitted by the applicant at the time of the request for the Lee Plan amendment. Development in excess of the current Table 1 (b) allocations will not be permitted until Table 1 (b) is amended accordingly.

6. The following conditions are included to address the golf course:

   a. The developer of the golf course must use fertilizers with a low leaching potential (slow release). The fertilizers must not be applied after active growth of the turfgrass has ceased, and must be kept to the lowest reasonable levels; and

   b. To reduce sources of pollutants, especially nutrients and pesticides associated with the golf course, the golf course manager must implement a chemicals management plan that includes an integrated pest management (IPM) program and a nutrient management program so that nutrients and pesticides are used only when absolutely necessary. The program must address prevention, diagnosis, and limited treatment with pesticides when necessary rather than blanket treatment with broad spectrum pesticides as insurance against all pest species. The application of pesticides will involve only the purposeful and minimal application of pesticides, aimed only at identified targeted species.

The regular widespread application of broad spectrum pesticides is prohibited. The IPM program must minimize the use of pesticides and must include the use of the US Department of Agriculture - Natural Resources Conservation Service (USDA-NRCS) Soil Pesticide Interaction Rating guide to select pesticides for use that have a minimum potential for leaching or loss from runoff. The nutrient management program must be based upon the USDA-NRCS Nutrient Management Standard and must include the use of soil tests to determine needed applications of nutrients. Only EPA-approved chemicals may be used. Turf managed areas (including fairways, tees, and greens) within 35 feet of wetlands or preserve areas are prohibited. This chemicals management plan must be submitted to and approved by Lee County Planning Division Staff prior to the development order approval.

c. The golf course manager must coordinate the application of pesticides with the irrigation practices (the timing and application rates of irrigation water) to reduce runoff and the leaching of applied pesticides and nutrients.

d. The utilization of a golf course manager licensed by the state *to* use restricted pesticides and experienced in the principles of IPM is required. The golf course manager is responsible for ensuring that the golf course fertilizers are selected and applied to minimize fertilizer runoff into the surface water and the leaching of those fertilizers into the groundwater.

e. The storage, mixing, and loading of fertilizer and pesticides must be designed to prevent/minimize the pollution of the natural environment.

f. The golf course must comply with the "Best Management Practices for Golf Course Maintenance Departments," prepared by the Florida Department of Environmental Protection, as amended.

g. The golf course must be planted with a turfgrass cultivated variety that is drought and pest resistant, and that requires relatively low fertilizer use.

h. The irrigation system must operate on an "as needed" basis through the utilization of weather forecasting and ongoing assessment of the moisture content of the soil.

i. All fairways, greens, and tees must be elevated above the 25-year flood level, and all greens must utilize underdrains. The effluent from these underdrains must be pre-treated prior to discharge into the balance of the project's water management system.

j. Stormwater run-off must be pre-treated through an acceptable recreated natural system or dry retention and water retention system, prior to discharging the run-off into existing lake or wetland (any aquatic) systems.

k. An annual monitoring report of ground water and surface water quality is

required for the golf course operation. The monitoring program must include: testing to assess whether there are any herbicide, pesticide or fertilizer pollution of the water within the area of the golf course; identification of the locations for the ground water monitoring and testing on a map(s); testing and recording requirements. The developer must submit the test results with the monitoring report to the Lee County Planning Division. The monitoring program will be established and operated at the expense of the developer, or other comparable legal entity charged with the legal responsibility of managing the golf course. This plan will be evaluated in accordance with the directives of Chapter 17-302, F.A.C., water quality standards.

l. If groundwater or surface water pollution occurs, as that term is defined by the rules or regulations in effect at the time, and if the pollution is caused by the application of fertilizers, herbicides or pesticides to the golf course, the application must cease until the developer submits a revised management plan. If mitigation is necessary to address the pollution, the developer must implement a mitigation plan approved by Lee County.

7. Model units and homes are permitted in compliance with the following conditions:

a. Each model must be a unique example. Multiple examples of the same unit are not permitted; and

b. All model sites must be designated on the development order plans; and

c. Prior to constructing model homes within this project, the lots upon which the model homes will be constructed will have been shown on a preliminary plat filed concurrently with the required local development order for this project. Such model home(s) will comply with all setbacks set forth within the Property Development Regulations for River Hall (f/k/a Hawk's Haven) or the LDC, whichever applies. Should setback problems arise after construction of a model home, it will be the responsibility of the owner/developer to resolve the setback problem.

d. Hours of operation for model units and real estate sales within the model units are limited to Monday through Sunday, 8 a.m. through 8 p.m.

8. AGRICULTURAL USES: Existing bona fide agricultural uses on this site are allowed only in strict compliance with the following:

a. Bona fide agricultural uses that are in existence at the time the application for this project was filed, and as shown on Exhibit E attached hereto, may continue until approval of a local development order for the area of the project containing

those uses.

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

c. Prior to issuance of a local development order, the property owner must provide written proof, subject to approval by the County Attorney's Office, of the following:

i. Termination of all agricultural use on any portion of the property included in the development order application/approval. Proof must include a sworn affidavit from the person or entity holding title to the subject property that specifically provides:

(1) the date the agricultural uses ceased;

(2) the legal description of the property subject to the development order approval;

(3) an affirmative statement that the owner acknowledges and agrees that all agricultural uses are illegal and prohibited on the property and that the owner covenants with the county that they will not allow any such uses on the property unless and until the property is re-zoned to permit such uses; and,

(4) that the affidavit constitutes a covenant between the owner and the county that is binding on the owner and their assignees and successors in interest.

The covenant must be properly recorded in the public records of the county at the owner's expense.

ii. Termination of the agricultural tax exemption for any portion of the property included in the development order application/approval. Proof as to termination must include of a copy of the request to terminate the tax exemption provided to the Property Appraiser.

9. Construction traffic is prohibited on Hickey Creek Road.

10. Buildings exceeding 35 feet in height must maintain additional building separation as regulated by LDC §34-2174(a).

11. Approval of this zoning request does not address access onto S.R. 80, since Lee County has no jurisdiction over that roadway. The developer must pursue this access approval with the Florida Department of Transportation (FDOT). ~~Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order~~In accordance with the signal warrant analysis conducted by FDOT dated April 22, 2014, the developer will coordinate with FDOT to install a traffic signal at the intersection of S.R. 80 and River Hall Parkway. The signal design will be initiated within 30 days of the effective date of this Resolution and the design will be submitted to FDOT for review within 150 days of the effective date of this Resolution. The developer will pursue final design approval from FDOT with all due diligence. Construction and installation of the signal shall proceed forward immediately after design approval by FDOT. Actual timing of installation is subject to agency review, permitting, manufacturing, construction, installation, testing and other factors.

12. Approval of this rezoning does not give the developer an undeniable right to receive local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocations Table, Map 16 and Table 1(b).

13. This development must comply with all of the requirements of the LDC at the time of local development order approval, except as may be granted by deviations approved as part of this planned development.

14. The developer is required to design the project in a manner that will provide the internal "outparcels" (separate tracts encapsulated by the project property) the ability to obtain reasonable and practicable access through the subject property, unless the developer provides a circuit court order indicating that the internal outparcels are not legally entitled to access through the subject property. However, this rezoning does not obviate the developer's responsibility to provide access to the internal "outparcels" in accordance with Florida law.

15. If the developer constructs structures other than conventional single-family homes within 100 feet of the "outparcels," the developer must provide a 25-foot-wide enhanced vegetative buffer completely around the outparcel. In addition, the enhanced vegetative buffer must utilize native vegetation, indigenous to the plant community in which it is to be planted. The vegetation must be installed prior to vertical construction and it must be installed according to the following density and size:

    a. Six trees per 100 linear feet - At installation, trees must be a minimum of 12 to 14 feet tall, with a 2-1/2 inch minimum caliper and a 5-foot minimum canopy. No palm trees, or completely deciduous trees, may be used to meet the requirements of this enhanced buffer.

    b. 33 shrubs per 100 linear feet - 1) At installation, all shrubs must be 18 to 24 inches in height, 3-gallon pots, and spaced 30 to 36 inches on center; and 2)

all shrubs used to meet the enhanced buffer requirements must reach a mature height in excess of six feet under normal growing conditions. If these "outparcels" come under the control of the developer prior to construction within the 100-foot-wide area, then compliance with this condition is not required.

16. Vehicle access from the northern boundary of the subject property over and across Hickory Creek Road is prohibited.

17. Accessory uses must be located on the same tract, parcel or outparcel where a principal use is located. Accessory uses must be incidental and subordinate to the principal use of the tract, parcel or outparcel.

18. No development blasting is permitted as part of this project unless approved at a subsequent public hearing as an amendment to the planned development.

19. All required buffers must utilize 100 percent native vegetation.

20. Upon passage of this Zoning Resolution, Zoning Resolution #Z-99-056 ~~and~~, Administrative Amendment ADD2004-00067, and Zoning Resolution #Z-05-051 are null and void.

21. The school site is limited to a public school operated by the School District of Lee County.

22. Outdoor storage areas must be in compliance with §34-3001, *et seq*, of the Lee County LDC, with the additional requirements as outlined on page 2 of 2 of the attached MCP, including a 200-foot perimeter setback and enhanced buffer.

23. A plan showing landscaping in accordance with page 2 of 2 of the approved MCP must be submitted and approved prior to the issuance of a development order for the golf course maintenance facility and amenity center.

24. Signage referencing the town center is prohibited within 50 feet of the right-of-way of Palm Beach Boulevard (State Road 80).

25. BUFFERS.

    a. A Type "B" buffer must be added to the MCP for the "Town Center" portion bordering agriculturally-zoned property to the east, in accordance with the LDC. This buffer will not include the existing conservation areas shown on the approved MCP.

    b. A Type "D" buffer must be added to the MCP on the "spine" Road for the

commercial Town Center portion of the property, in accordance with the LDC.

26. ~~The MCP must be amended to include a 2nd full access that crosses the existing 50-foot-wide canal to the south to connect into 75th Street West in Lehigh Acres. The developer may show the access at any location along the southern boundary~~Within 24 months of the ~~property except where~~effective date of this Resolution, the ~~MCP shows conservation easements. The~~ developer ~~is not obligated to~~will design, permit, and construct ~~this access until Lee County has issued a certificate of occupancy for 1,598 homes~~the secondary access to 75th Street West shown on page 4 of the MCP. In the event the secondary access is not constructed within 24 months of the ~~project. Responsibilities regarding improvements to 75th Street West or other abutting Lehigh roads will be determined at~~effective date of this Resolution, the ~~time~~Director of Community Development may issue a reasonable extension for completion if the ~~access is approved for~~developer demonstrates good faith progress on the design, permitting and construction~~.~~ of the access. This requirement is contingent upon approval from the East County Water Control District (ECWCD) to cross the 50-foot-wide canal along the south side of River Hall. The County will work with the developer to obtain approval to ~~bridge~~cross the 50-foot-wide canal.

27. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.

Approval of this zoning does not constitute a finding that the proposed project meets the concurrency requirements set forth in the LDC Chapter 2 and the Lee Plan. The developer ~~may obtain the necessary~~is required to demonstrate compliance with all concurrency requirements prior to the issuance of a local development order.

28. Within ninety (90) days of the effective date of this Resolution, the developer will submit a request to the South Florida Water Management District (SFWMD) for a letter modification to the consumptive use permit for the project to reinstate the groundwater monitoring requirements that were not included in the 2013 permit renewal. These requirements include conditions 31, 32, and 33 of the original Permit No. 36-04006-W issued in 2006. If the SFWMD approves the requested modification, all monitoring reports filed with the SFWMD pursuant to the permit will also be simultaneously filed with the County's Department of Natural Resources.

29. The developer will provide the ability for drainage from the ECWCD to pass through the project's surface water management system in order to lower flood stages within the ECWCD. The intent of this condition is to provide for a storm water conveyance from the existing ECWCD canal along the southern boundary of River Hall during major storm events. This condition is not intended to require the construction of any physical improvements to the surface water management system within River Hall, but only to require access to and authority for the ECWCD to utilize the surface water management system within River Hall in accordance with its existing permit. Documentation of compliance with this requirement will be provided by the developer to the County prior to the issuance of any additional residential development orders

~~when the project meets Lee County Concurrency requirements. This~~ ; provided, however, that this will not prohibit the issuance of development orders solely for infrastructure improvements (including but not limited to sewer, water, and drainage) for the project.

30. The developer will design, permit, and construct an 8-foot wide sidewalk/bicycle path along State Road 80 between River Hall Parkway and Buckingham Road. The design will be submitted to FDOT for review within 150 days of the effective date of this Resolution. The developer will pursue final design approval ~~may require~~ from FDOT with all due diligence. Design and installation of the sidewalk shall proceed forward immediately after design approval by FDOT. Actual timing of installation is subject to FDOT review and permitting.

31. The developer will coordinate with Lee County Emergency Management Services to accommodate the provision of EMS services at a location near the intersection of River Hall Parkway and State Road 80. At the developer's option, the developer may satisfy this condition by providing either ~~road improvements~~ : (a) space within an existing or ~~a reduction in requested intensity and density.~~ new structure, along with associated parking; (b) a donation of land not to exceed one-half (1/2) acre along River Hall Parkway for construction of an EMS facility at the County's expense; or (c) some other facility or donation mutually acceptable to the developer and County.

SECTION C. DEVIATIONS:

1. Deviation (1) seeks relief from the LDC §10-385(d)(3)a requirement to provide a maximum fire hydrant spacing of 800 feet in the one- and two-dwelling unit area, to eliminate this requirement in areas along the "spine" road where no homes exist. This deviation is APPROVED.

2. Deviation (2) Withdrawn.

3. Deviation (3) seeks relief from the LDC §10-329(d)(4) requirement to provide lake banks to be sloped at a maximum 4:1 slope, to allow bulkheads for up to 25 percent of the shoreline of lake banks. This deviation is APPROVED.

4. Deviation (4) seeks relief from the LDC §34-2194(b) requirement to provide a 25-foot setback from bodies of water, to allow 20-foot setbacks for the manmade lakes to be consistent with the existing development orders and permits. This deviation is APPROVED.

5. Deviation from LDC Section 10-415(b)(1)c which requires a minimum setback of 20 feet from buildings and a 30 foot setback for indigenous plant communities subject to fire to allow a side setback of 17 feet for the following existing platted lots: River Hall Country Club, Phase Two, Block K, Lots 29, 57, 76 and 77; Hampton Lakes At River

Hall, Phase One, Lot 87. This deviation is APPROVED.

6. Deviation from LDC Section 10-415(b)(1)c which requires a minimum setback of 20 feet from buildings and a 30 foot setback for indigenous plant communities subject to fire to allow a rear setback of 20 feet for all existing platted lots. This deviation is APPROVED.

7. Deviation from LDC Section 10-329(d)(4) which requires banks of excavations to be sloped at a ratio not greater than 6 horizontal to 1 vertical from the top of bank to a water depth of 2 feet below the dry season water table to allow a 4:1 slope. This deviation is APPROVED.

8. Deviation from LDC Section 10-291(3) which requires residential subdivisions of more than 5 acres to provide more than 1 means of ingress or egress for the development to allow 1 point of ingress or egress onto State Road 80. This deviation is APPROVED, subject to condition 26.

9. Deviation from LDC Section 34-934 which permits dwelling units within a CPD when there are at least 50,000 square feet or more of commercial uses to allow dwelling units within the existing River Hall CPD which was permitted for 45,000 square feet of commercial uses. This deviation is APPROVED.

MORRIS DEPEW
ENGINEERS · PLANNERS · SURVEYORS
LANDSCAPE ARCHITECTS

2891 Center Pointe Drive Unit 100 | Fort Myers, Florida 33916
Phone (239) 337-3993 | Toll Free (866) 337-7341
www.morris-depew.com

RECEIVED
DEC 17 2014
COMMUNITY DEVELOPMENT

River Hall
Planned Development Amendment
SCHEDULE OF DEVIATIONS
Revised December 15, 2014

The following deviations were approved via Resolution Z-05-051 and should carry forward through the Planned Development Amendment.

1. Deviation 1 sought relief from the LDC §10-385(d)(3)a requirement to provide a maximum fire hydrant spacing of 800 feet in the one- and two-dwelling unit area, to eliminate this requirement in areas along the "spine" road where no homes exist. This deviation was APPROVED.
2. Deviation 2 was Withdrawn
3. Deviation (3) sought relief from the LDC §10-329(d)(4) requirement to provide lake banks to be sloped at a maximum 4:1 slope, to allow bulkheads for up to 25 percent of the shoreline of lake banks. This deviation was APPROVED.
4. Deviation (4) sought relief from the LDC §34-2194(b) requirement to provide a 25-foot setback from bodies of water, to allow 20-foot setbacks for the manmade lakes to be consistent with the existing development orders and permits. This deviation was APPROVED.

The following deviations are new and requested as a part of this Planned Development Amendment application

5. Deviation from LDC Section 10-415(b)(1)c. which requires a minimum setback of 20 feet from buildings and a 30 foot setback for indigenous plant communities subject to fire to allow a side setback of 17 feet for the following existing platted lots: River Hall Country Club, Phase Two, Block K, Lots 29, 57, 76, and 77; Hampton Lakes at River Hall, Phase One, Lot 87.

Justification: The River Hall Community was approved by the Board of County Commissioners for a Residential Planned Development on September 19, 2005. The development footprint and indigenous open space identified in the existing Master Concept Plan for the River Hall RPD are not being amended as part of this application. The setback requirements for indigenous communities were incorporated into the Land Development Code as part of Ordinance 05-14, approved August 23, 2005. At the time the Ordinance was approved, the River Hall RPD was in process and scheduled for a public hearing at the Board of County Commissioners. As a result, the existing development pattern of the River Hall Community was not required to provide the 30 foot indigenous setback. The approved side setback in Z-05-051 for the principal structure from the side lot line is 5'.

The requested 17' is for specific side setback locations within the existing platted portions of the River Hall Community where the side yard abuts an upland preserve. The requested setback provides the maximum distance available on the existing platted lot for emergency services vehicles and staff to

access the indigenous habitat and yet allows the existing platted development and development tracts to remain consistent with the previously approved development plan. Should these parcels be replatted at a future time, the requested deviation would not be applicable.

6. Deviation from LDC Section 10-415(b)(1)c. which requires a minimum setback of 20 feet from buildings and a 30 foot setback for indigenous plant communities subject to fire to allow a setback of 20 feet for all existing platted lots.

Justification: The River Hall Community was approved by the Board of County Commissioners for a Residential Planned Development on September 19, 2005. The development footprint and indigenous open space identified in the existing Master Concept Plan for the River Hall RPD are not being amended as part of this application. The setback requirements for indigenous communities were incorporated into the Land Development Code as part of Ordinance 05-14, approved August 23, 2005. At the time the Ordinance was approved, the River Hall RPD was in process and scheduled for a public hearing at the Board of County Commissioners. As a result, the existing development pattern of the River Hall Community was not required to provide the indigenous setback. The approved setback in Z-05-051 for the principal structure from the rear setback is 15'.

The requested 20' is for the existing platted portions of the River Hall Community to address the existing conditions of the Community. This setback provides adequate distance for emergency services vehicles and staff to access the indigenous habitat and will allow the existing platted development and development tracts to remain consistent with the previously approved development plan. It is important to note that a substantial portion of the community, as defined by LDC §34-381(4), has approved Development Orders and is platted for residential development. Should these parcels be replatted at a future time, the requested deviation would not be applicable.

7. Deviation from LDC Section 10-329(d)(4) which requires banks of excavations to be sloped at a ratio not greater than six horizontal to one vertical from the top of bank to a water depth of two feet below the dry season water table to allow a 4:1 slope.

Justification: The slope requirements for the excavation bank slopes were incorporated into the Land Development Code as part of Ordinance 09-23, approved June 23, 2009, after the approval of the River Hall RPD on September 19, 2005. As a result, the existing slopes within the development provide a 4 to 1 slope. The requested 4:1 slope will allow a consistent and compatible development pattern to continue throughout the residential development. The deviation works within the existing physical conditions of the Residential Planned Development to enhance its economic feasibility and does not pose a threat to the public health safety and welfare.

8. Deviation from LDC Section 10-291(3) which requires residential subdivisions of more than five acres to provide more than one means of ingress or egress for the development to allow one ingress or egress onto State Road 80.

Justification: The River Hall Community was approved by the Board of County Commissioners for a Residential Planned Development on September 19, 2005.

The requirement for residential development to provide more than one means of ingress or egress was incorporated into the Land Development Code as part of Ordinance 07-24, approved August 14,

2007. At the time the Ordinance was approved, the River Hall RPD was already approved. As a result, the River Hall Community does not provide a secondary access at this time. The applicant agrees to design, permit and construct the secondary access to 75th Street West as shown on page 4 of the MCP within 24 months of the PD Amendment being approved. This is contingent upon approval from the East County Water Control District (ECWCD) to cross the 50-foot wide canal along the south side of River Hall. ~~Rather, the Community is conditioned to provide a second access upon the issuance of the 1,598 certificate of occupancy per Condition 26 of Zoning Resolution Z-05-051.~~

~~The Planned Development Amendment Application does not propose to amend this condition. Per Lee County Staff, this deviation is requested to provide compliance with the current Land Development Code until the 1,598th certificate of occupancy is issued.~~

9. Deviation from LDC Section 34-934 which permits dwelling units within a CPD when there are at least 50,000 square feet or more of commercial uses to allow dwelling units within the existing River Hall CPD which was permitted for 45,000 square feet of commercial uses.

Justification: The applicant has proposed to amend the schedule of uses for the existing proposed Commercial Planned Development to promote a mix of uses along SR 80 at the front entry of the River Hall Community. Objective 21.4 of the Caloosahatchee Shores Community encourages Mixed Use Development that promotes a mix of commercial and residential uses to facilitate alternative transportation an internal capture. The addition of the requested multi-family residential would promote the integration of commercial and residential uses, the additional recreational and civic uses would promote pedestrian and bicycle connections to the existing surrounding development along the proposed multi-use path adjacent to SR 80. The addition of the residential uses within the CPD will promote infill development and the clustering of uses, improving the efficient use of both land and existing utilities to create a well-designed community with a mix of uses that supports the needs and demands of the area's residents.

Block, Alvin

From: Abes, Benjamin
Sent: Friday, December 19, 2014 3:25 PM
To: Russell Schropp; Block, Alvin; Dunn, Brandon
Cc: 'David W. Depew'; Tina Ekblad (tekblad@m-da.com); 'Grady Miars'; Farmer, Robert; Tuttle, Scott
Subject: RE: River Hall EMS condition

Russell,

From our standpoint, the language you've provided would work for us. We have two other modular stations, so we look forward to the opportunity to work with you in the future when we can implement this condition.

Have a safe trip to Virginia, and happy holidays!

Sincerely,

Ben

Benjamin Abes
Deputy Chief, Operations
Lee County EMS
14752 Six Mile Cypress Parkway
Ft. Myers, Fl. 33912
239-533-3961
239-656-0251 fax
239-839-3125 cell

From: Russell Schropp [mailto:Russell.Schropp@henlaw.com]
Sent: Friday, December 19, 2014 10:04 AM
To: Block, Alvin; Dunn, Brandon; Abes, Benjamin
Cc: 'David W. Depew'; Tina Ekblad (tekblad@m-da.com); 'Grady Miars'
Subject: River Hall EMS condition

Ben, Chip, and Brandon,

Following up on our meeting Wednesday, I spoke with my client regarding a temporary modular facility for EMS at River Hall that would work until the new fire station is constructed. Let me know if you think the zoning condition below is acceptable. Thanks.

Russell

The developer will provide, at developer's expense, a temporary modular unit to be located on the River Hall sales facility parcel for use as a station for Lee County Emergency Medical Services (EMS). At a minimum, the modular unit will provide office space, rest/sleeping area, shower and restroom facilities for EMS, along with a minimum of 4 dedicated parking spaces. Upon installation, the modular unit and parking spaces will be leased to the County for $10.00 per year, whereupon the County will be responsible for all costs of operation including, but not limited to, utilities, electricity, telecommunications, furniture, and maintenance. Within thirty (30) days after the effective date of this resolution, the developer will submit a development order application for the installation of the modular unit, and will diligently pursue issuance of the development order and move-on permit for the unit. The modular unit will be installed within ninety (90) days of receipt of all necessary permitting. The developer's obligation under this condition will expire upon the earlier of: (1) construction and issuance of a certificate of occupancy for the fire station on the

parcel within River Hall owned by the Fort Myers Shores Fire District; or (2) five years after issuance of a certificate of occupancy for the modular unit.

Russell Schropp
Attorney at Law
Henderson, Franklin, Starnes & Holt, P.A.
1715 Monroe Street
P.O. Box 280
Fort Myers, FL 33902
Direct Dial: 239.344.1280
Direct Fax: 239.344.1535
Russell.Schropp@henlaw.com
www.henlaw.com

CONFIDENTIALITY STATEMENT

Henderson, Franklin, Starnes & Holt, P.A.

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LEE COUNTY
SOUTHWEST FLORIDA

DEPARTMENT OF TRANSPORTATION

Memo

To: Chip Block, Principal Planner
Zoning Division

From: Lili Wu Wu
Sr. Transportation Planner

Date: Dec. 24, 2014

Subject: River Hall (DCI2013-00003)

The Lee County Department of Transportation (LCDOT) has reviewed the application for public hearing. This project is located on the south side of SR 80 approximately three-fourths of a mile east of Buckingham Road. This project was approved for 1,999 residential dwelling units. This application requests to increase 696 dwelling units to a total of 2,695 dwelling units. The project is currently served by River Hall Pkwy, the main entry road from SR 80, and a secondary access is anticipated to be connected with Ruth Ave in Lehigh Acres. LCDOT has no objection to the application.

cc: File

ATTACHMENT F

LEE COUNTY
SOUTHWEST FLORIDA

RECEIVED OCT 19 2012

BOARD OF COUNTY COMMISSIONERS

John E. Manning
District One

Brian Bigelow
District Two

Ray Judah
District Three

Tammy Hall
District Four

Frank Mann
District Five

Karen B. Hawes
County Manager

Michael D. Hunt
County Attorney

Diana M. Parker
County Hearing Examiner

October 17, 2012

Ms. Tina Mayfield-Ekblad
Morris-Depew Associates Inc
2914 Cleveland Ave
Fort Myers, FL 33901

Re: River Hall (formerly Hawks Haven) – Request for Letter of Availability

Dear Ms. Ekblad,

In reviewing your letter of August 23, 2012 requesting a determination of service availability from LeeTran for the Residential Planned Development please find the following:

1) Currently, LeeTran does not provide service to Hawk's Haven (proposed River Hall) as it lies outside of the ¼ mile transit service buffer. The closest transit route to the site is Route 100.
2) Currently, only a small area of the proposed River Hall RDP, in the northwest section of the development, is eligible for ADA service through LeeTran. The remainder of the development lies outside of the ¾ mile ADA transit service buffer.
3) The FY2012-2021 Transit Development Plan does not include the expansion of transit services beyond their current service area, for the Route 100. This also means that there are no plans to expand ADA services in this area.

Should you have any additional questions, please feel free to contact me at your convenience.

Sincerely,

H. Wayne Gaither

H. Wayne Gaither
Planner, LeeTran

DCI 2013-00003

file

P.O. Box 398, Fort Myers, Florida 33902-0398 (239) 533-2111
Internet address http://www.lee-county.com
AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

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Exhibit D-1-C
ATTACHMENT G

LEE COUNTY
SOUTHWEST FLORIDA
BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (239) 533-8532

John E. Manning
District One

Brian Bigelow
District Two

Ray Judah
District Three

Tammy Hall
District Four

Frank Mann
District Five

Karen B. Hawes
County Manager

Diana M. Parker
County Hearing Examiner

November 28, 2012

Tina M. Ekblad
Morris-Depew Associates
2914 Cleveland Ave
Fort Myers, FL 33901

RE: Potable Water and Wastewater Availability
River Hall
Multiple STRAP # in Sections 27, 35 & 36 Township 43, Range 26

Dear Mr. Ekblad:

Potable water and sanitary sewer lines are in operation adjacent to the property mentioned above. However, in order to provide service to the subject parcels, developer funded system enhancements such as line extensions will be required.

Your firm has indicated that this project will consist of 1,000 single family residential units with an estimated flow demand of approximately 250,000 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water and sanitary sewer service as estimated above.

Availability of potable water and sanitary sewer service is contingent upon final acceptance of the infrastructure to be constructed by the developer. Upon completion and final acceptance of this project, potable water service will be provided through our Olga Water Treatment Plant.

Sanitary sewer service will be provided by the City of Fort Myers North Wastewater Plant. The Lee County Utilities' Design Manual requires the project engineer to perform hydraulic computations to determine what impact this project will have on our existing system.

Prior to beginning design work on this project, please schedule a meeting with Thom Osterhout to determine the best point of connection and discuss requirements for construction.

This letter is not a commitment to serve, but only as to the availability of service. Lee County Utilities will commit to serve only upon receipt of all appropriate connection fees, a signed request for service and/or an executed service agreement, and the approval of all State and local regulatory agencies.

Further, this letter of availability of Water and Wastewater service to be utilized for request for general purposes for this project Only. Individual letters of availability will be required to obtaining building permits.

Sincerely,

LEE COUNTY UTILITIES

Mary McCormic

Mary McCormic
Technician Senior
UTILITIES ENGINEERING

DCI 2013-00003

VIA EMAIL
Original Mailed

Exhibit PH-4.1
ATTACHMENT H

LEE COUNTY
SOUTHWEST FLORIDA

LEE COUNTY UTILITIES
REQUEST FOR LETTERS OF AVAILABILITY

DATE: NOVEMBER 19, 2012

TO: Mary McCormic
Utilities' Senior Engineering Technician

FROM: TINA M. EKBLAD
FIRM: MORRIS-DEPEW ASSOCIATES
ADDRESS: 2914 CLEVELAND AVE.
ADDRESS: FORT MYERS, FL 33901 -
PHONE#: (239)337-3993 FAX: ( ) -
E-MAIL ADDRESS: TEKBLAD@M-DA.COM

PROJECT NAME: RIVER HALL

PROJECT ID (IF APPLICABLE): 12061

STRAP #: MULTIPLE

LOCATION/SITE ADDRESS: PALM BEACH BLVD. (SR 80)

PURPOSE OF LETTER:

☐ DEVELOPMENT ORDER SUBMITTAL ☐ FINANCING ☐ EFFLUENT REUSE

☐ PERMITTING OF SURFACE WATER MANAGEMENT (SOUTH FLORIDA WATER MANAGEMENT DISTRICT)

☒ OTHER: (PLEASE SPECIFY) PLANNED DEVELOPMENT AMENDMENT

PLANNED USE:

☐ COMMERCIAL ☐ INDUSTRIAL ☒ RESIDENTIAL - (☒ SINGLE-FAMILY ☐ MULTI-FAMILY)

☐ OTHER: (PLEASE SPECIFY) _____

PLANNED # OF UNITS/BUILDINGS: 1,000 DWELLING UNITS

TOTAL SQUARE FOOTAGE (COMMERCIAL/INDUSTRIAL)_____

AVERAGE ESTIMATED DAILY FLOW (GPD): 250/DU (☒ WATER ☒ WASTE-WATER ☐ REUSE)

PLEASE SHOW CALCULATION USED TO DETERMINE AVERAGE ESTIMATED DAILY FLOW (GPD) PER CRITERIA SET FORTH IN LEE COUNTY UTILITIES OPERATIONS MANUAL, SECTION 5.2: _____

SF: 100 Gpd Per Capita X 2.5 Persons Per Residence = 250 Gpd Per SF Residence.

DCI 2013-00003

Please e-mail the completed form at mccormmm@leegov.com . If you are unable to e-mail the completed form, please fax to (239) 485-8311. If you should have any questions or require assistance, please feel free to call our office at (239) 533-8532.

C:\Documents and Settings\mccormmm\Local Settings\Temporary Internet Files\Content.Outlook\H1R0N09T\12061 2012-19-

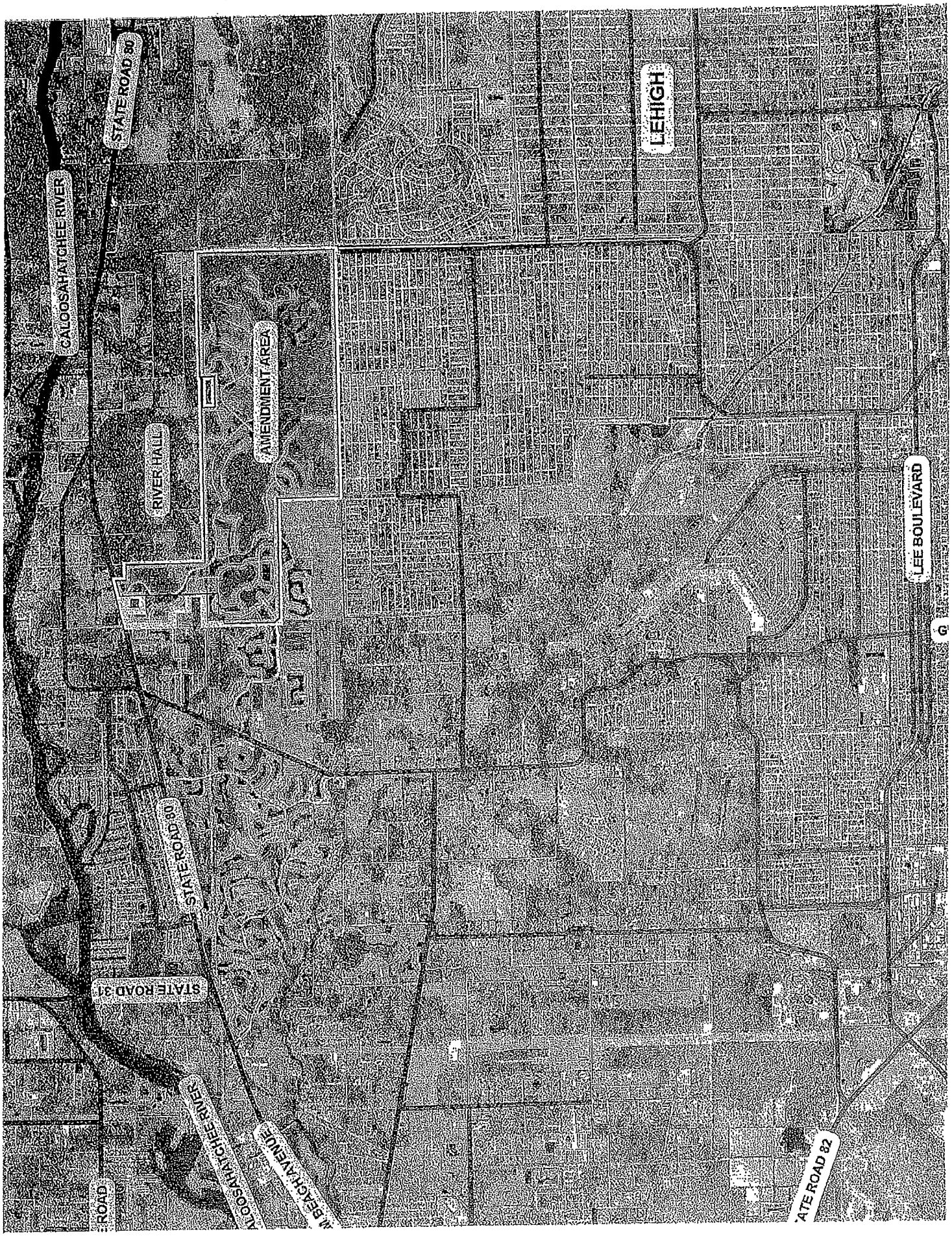


Exhibit PH-4.1

TOTAL AREA = 404.87 Ac.
PLATTED (2 TRACTS) = 6.95 Ac.
REMAINING AREA = 397.7 Ac.

RH VENTURE II, LLC
(INST. No. 2011000[illegible], L.C.R.)

TOTAL AREA = 225.47 Ac.
PLATTED (311 LOTS) = 190.00 Ac.
(TRACT "C-4") = 5.54 Ac.
REMAINING AREA = 35.87 Ac.

RH VENTURE III, LLC
(INST. No. 2006[illegible], L.C.R.)
(INST. No. 2006[illegible], L.C.R.)
(INST. No. 2006[illegible], L.C.R.)

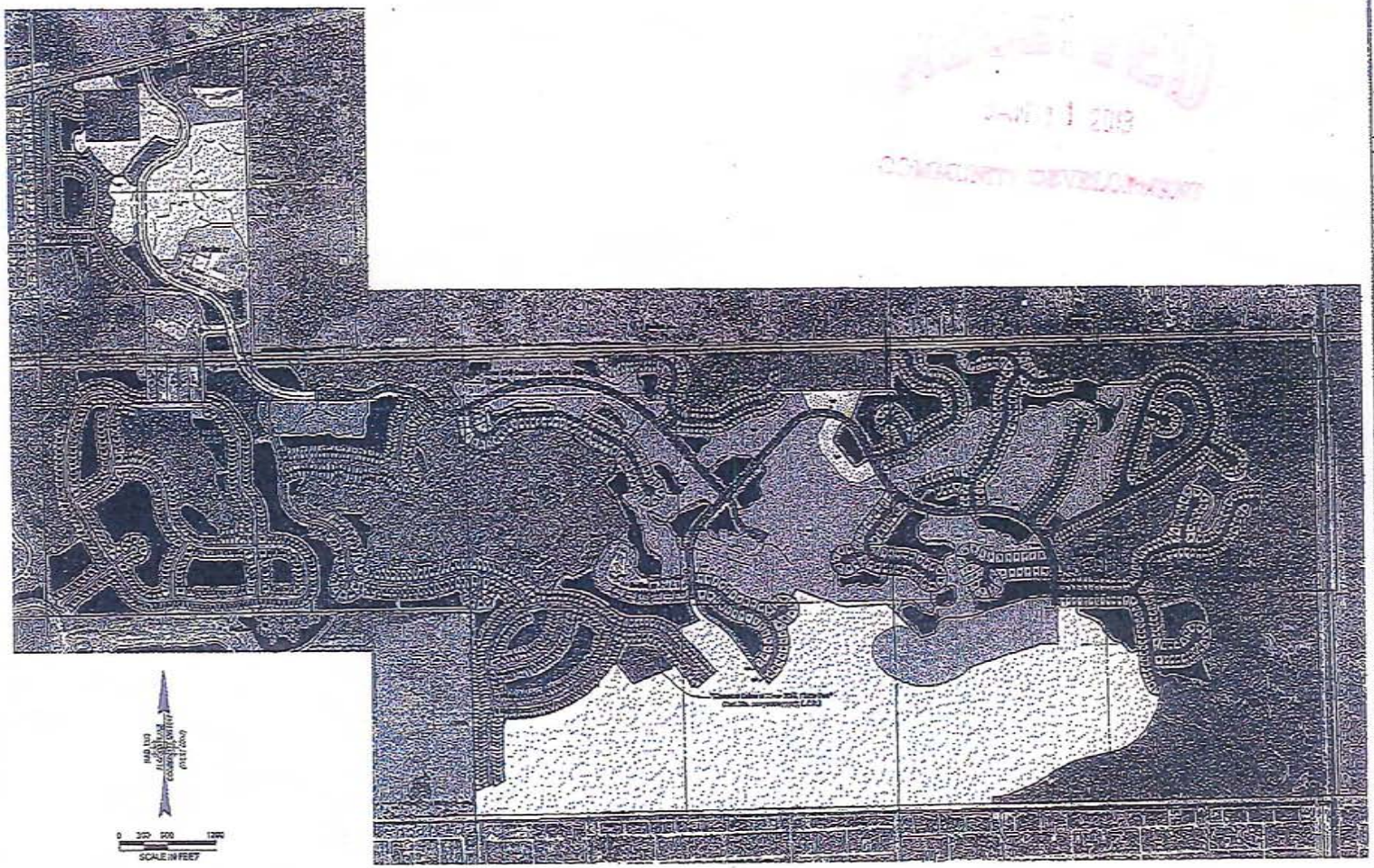
NOTE: INST. No. 2010[illegible], L.C.R. INCLUDES LOT 74 IN BLOCK E, RIVER HALL COUNTRY CLUB PHASE I, EXIT WAS PREVIOUSLY SOLD PER INST. No. 2010[illegible] TO ANDERSON TRUST, NOT INCLUDED IN PLATS.

TOTAL AREA = 175.38 Ac.
PLATTED (0 TRACT)

RH GOLF, LLC
(INST. No. 2010[illegible], L.C.R.)

TOTAL AREA = 91.20 Ac.
PLATTED (1 TRACT)

RH VENTURE THC, LLC
(INST. No. 2010[illegible], L.C.R.)



Barraco and Associates, Inc.
CIVIL ENGINEERING • LAND SURVEYING
LAND PLANNING • LANDSCAPE ARCHITECTURE
www.barraco.com

PREPARED FOR:
GREENPOINTE COMMUNITIES, LLC

Exhibit of
RIVER HALL

OWNERSHIP EXHIBIT
OCTOBER 2012

1 OF 1

COMMUNITY DEVELOPMENT

Exhibit PH-4.1

DCI 2013-00003

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
#LC26000330

RECEIVED
JAN 11 2013
COMMUNITY DEVELOPMENT

River Hall Planned Development Amendment
CALOOSAHATCHEE SHORES MEETING SUMMARY

On September 6, 2012 at 6 pm a community meeting was held at the River Hall Town Center, 3089 River Hall Parkway. The meeting was organized with the Caloosahatchee Shores Community leaders to present the proposed Comprehensive Plan and Planned Development Amendments prior to the initial submittal of the applications.

Lee County Staff Member Alvin "Chip" Block was in attendance with approximately 20 to 25 members of the community. A sign-in sheet is attached with contact information for those residents that agreed to provide their contact information.

Representatives from GreenPointe Communities, Morris-Depew Associates, Barraco and Associates, David Plummer and Associates, and Henderson, Franklin, Starnes, and Holt were in attendance to a provide an overview of the proposed amendments and answer any questions residents had.

There was much discussion about the finished product of the community and question relating to the number of units constructed within the community already. The attached handout was provided to the residents in attendance. The meeting adjourned at approximately 8pm.

DCI 2013-00003

ATTACHMENT "I"

9-6-2012 SIGN-IN: RIVER HALL

NAME	TELEPHONE	EMAIL
Alvin "Chip" Brock	239-533-8371	blockahd@LEE Gov.com
JANET TAPPO		Janet Tappo [illegible]
[illegible]	239-728-3311	alvadogan@gmail.com
RICHARD & PATRICIA FORT	239-396-8535	PAT2DENVER [illegible]
Ruby Daniels	239-728-3292	[illegible]
Ken Bleffu	239-826-5690	KBDF28 MSN.com
Paul Moreno	239-400-0453	[illegible]
Jim Green	728 5491	[illegible]
Gloria Moff	481-0421	
BOB FEIGE	481-0421	[illegible]
Deidre Heindl	693-6265	info@fortmyersbeach.org
ED KIMBALL	694-7822	[illegible]
Steve Brodkin	470-3475	steveB239@aol.com
Marianne Visco	691-1259	eclectricmo@yahoo.com
Jerry Kammerer	410 7220	JerryK2029@Comcast.net
Jim GIEDEMAN	694 5987	JimGied@yahoo
ROSALIE PIESTARKI	336-9623	
David Duncan	694-2883	FMSFDchief@Hotmail.com

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COMMUNITY DEVELOPMENT

DCI 2013-00003

Exhibit PH-4.G.5

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JAN 11 2013
COMMUNITY DEVELOPMENT

River Hall
Proposed Lee Plan Amendments
9-6-2012

Proposal:

1) Re-designate 'Upland Preserve' to 'Conservation Lands – Uplands'
2) Confirm 'Wetlands' designation with legal descriptions
3) Confirm School and Commercial area designations; add park facilities into commercial area
4) Re-designate 'Rural' areas to 'Sub-Outlying Suburban' – 2 units per acre maximum density
5) Establish trail connections to Hickey's Creek

Background:

The proposal will keep the development footprint exactly as it now stands. The golf course will stay the same as will the roadways, lakes, and development tracts. The increased density will be fit into the existing development footprint with no loss of green space, wetlands, preservation areas, or site amenities. There will be no increase in height or change in community character. The proposal is to process a rezoning request concurrently with the comprehensive plan amendment application so that all developer commitments can be honored and re-adopted as part of the joint request.

Benefits:

1) Establishes upland preserves as formally protected under the Lee Plan as Conservation Lands
2) Proposal will add a trailhead and trail connection along the northerly perimeter of the site to connect to Hickey's Creek
3) Proposal will provide additional park and recreational opportunities in commercially designated area that will be open to the public
4) Park to be maintained by CDD
5) More efficient utilization of utilities and infrastructure
6) Florida style of architecture to be maintained
7) Infill development using existing facilities rather than new growth
8) Commercial/park/trailhead development aligns with commercial development to the north creating a civic/community node
9) Mobility options will be explored as part of amendment and rezoning process to reduce traffic impacts
10) Utilization of physical features rather than property boundaries for establishment of land use boundaries
11) Connections between commercial, residential and civic uses are being improved through non-vehicular linkages

DCI 2013-00003

THE SCHOOL DISTRICT OF LEE COUNTY

2855 COLONIAL BLVD. ♦ FORT MYERS, FLORIDA 33966 ♦ WWW.LEESCHOOLS.NET

DAWN HUFF
LONG RANGE PLANNER
239-479-5661
DAWNMHU@LEESCHOOLS.NET

MARY FISCHER
CHAIRMAN, DISTRICT 1

DON H. ARMSTRONG
VICE CHAIRMAN, DISTRICT 4

JEANNE S. DOZIER
DISTRICT 2

CATHLEEN O'DANIEL MORGAN
DISTRICT 3

THOMAS SCOTT
DISTRICT 5

NANCY J. GRAHAM, ED.D
SUPERINTENDENT

KEITH B. MARTIN, ESQ.
BOARD ATTORNEY

August 6, 2013

Alvin Block, AICP
Lee County Development Services Division
P.O. Box 398
Fort Myers, FL 33902-0398

RE: River Hall – Substantive Comments
Case # DCI2013-00003

Dear Mr. Block:

This letter is in response to your request dated July 17, 2013 for River Hall substantive comments in reference to the educational impact. This development is located in the East Choice Zone, Sub Zone E2.

As stated within the previous response, this development is approved and consists of 1,999 single family units. This request is to add an additional 1,000 dwelling units and the breakdown of single-family or multi-family is not clear. Therefore, the single-family generation rate will be utilized for the purpose of determining capacity. With regard to the inter-local agreement for school concurrency, the generation rates are created from the type of dwelling unit and broken down by grade level.

For single family the generation rate is .292 and further broken down into the following, .146 for elementary, .070 for middle and .076 for high. A total of 292 school-aged children would be generated and utilized for the purpose of determining sufficient capacity to serve the development. Currently within the School District, there are sufficient seats available to serve this need.

However, there is a concern as to one of the schedule of uses being "Consumption on Premises". Florida Statute 562.45(2) (a) prohibits on-premise consumption of alcoholic beverages within 500' of a public school, except for restaurants deriving at least 51% of gross revenues from the sales of food and nonalcoholic beverages. The only exception to this is if the County approves the location as promoting the public health, safety and general welfare of the community. Section 34-1264 of the Lee County Land Development Code indicates that the Director of the Department of Community Development may administratively approve such a use or that the applicant may instead apply for such use as a special exception. If Statute is followed, the District would find this development sufficient.

Thank you for your attention to this issue. If I may be of further assistance, please call me at (239) 479-5661.

Sincerely,

Dawn Huff

Dawn Huff, Long Range Planner

ATTACHMENT J

LEE COUNTY SCHOOL DISTRICT'S SCHOOL CONCURRENCY ANALYSIS

REVIEWING AUTHORITY	Lee School District
NAME/CASE NUMBER	River Hall/DCI2013-00003
OWNER/AGENT	RH Golf, LLC
ITEM DESCRIPTION	Adding 1000 Single Family Units East CSA, sub area E2
LOCATION	St. Rd 80 East of Buckingham Rd
CURRENT FLU	Rural
CURRENT ZONING	RPD

PROPOSED DWELLING UNITS BY TYPE

Single Family	Multi Family	Mobile Home
1000	0	0

STUDENT GENERATION	Student Generation Rates			
	SF	MF	MH	Projected Students
Elementary School	0.146			146.00
Middle School	0.07			70.00
High School	0.076			76.00

Source: Lee County School District, August 6, 2013 letter

CSA SCHOOL NAME 2016/17	CSA Capacity (1)	CSA Projected Enrollment (2)	CSA Available Capacity	Projected Impact of Project	Available Capacity W/Impact	LOS is 100% Perm FISH Capacity	Adjacent CSA Available Capacity w/Impact
East CSA, Elementary	14,638	14,268	370	146	224	98%	
East CSA, Middle	6,385	6,758	-373	70	-443	107%	
East CSA, High	6,575	7,432	-857	76	-933	114%	

(1) Permanent Capacity as defined in the Interlocal Agreement and adopted in the five (5) years of the School District's Five Year Plan

(2) Projected Enrollment per the five (5) years of the School District's Five Year Plan plus any reserved capacity (development has a valid finding of capacity)

(3) Available Adjacent CSA capacity is subject to adjacency criteria as outlined in the Interlocal Agreement and the School District's School Concurrency Manual

Prepared by: Dawn Huff, Long Range Planner

MEMORANDUM
FROM THE
DEPARTMENT OF COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

DATE: December 23, 2014

TO: Alvin "Chip" Block
Principal Planner

FROM: Robert L. Price PE
65232 State of Florida
Digitally signed by Robert
of Florida
DN: cn=Robert L. Price PE
c=US, o=Lee County DCD
com
Reason: I am the author o
Date: 2014.12.23 16:13:4

Robert L. Price, P.E.
Senior Engineer

RE: **River Hall**
Case No. DCI2013-00003

Introduction
Staff has received a proposed amendment to the existing zoning for the River Hall develc According to the Applicant's revised Traffic Impact Statement December 16, 2014, the rec amendment would increase the number of residential dwelling units on the site from 1,999 2,695 units while adding some recreational uses within the commercial portion of the com

The entrance to the subject property is located approximately 4,300 feet to the Buckingham Road on Palm Beach Boulevard (SR 80). The site extends south from Palm Boulevard to the north side of Lehigh Acres and east to the Lee County owned Hickey Preserve. Presently, nine (9) Development Orders have been approved on the subject p that would allow for the construction of a total of 1,903 dwelling units (1,765 single family d units & 138 multi-family dwelling units). A separate Development Order has also been ap for the River Hall Elementary School within the boundaries of the subject site, and this sch been constructed and occupied.

In addition to the residential development, there are commercial uses approved as a par River Hall development. Specifically, the site is approved to consist of a total of 15,000 feet of office uses and 30,000 square feet of retail uses. The addition of the aforemei recreational uses with the commercial portion of the development will not generate additior from the office and retail uses that were used for the site's traffic analysis.

Access to the River Hall development is currently provided via a single full access drivewa 80 that allows full turning movements. SR 80 is a state maintained, four lane, arterial rc with a posted speed limit of 55 mph in the vicinity of the subject site. A second access development is required to be constructed prior to the issuance of the certificate of occupa the 1,598th dwelling unit within the subject site. To date the second access driveway h been designed or approved on any of the nine (9) approved Development Order plans th been processed by Lee County. The zoning plans indicate that a gated second access project would be provided to a local street within Lehigh Acres to the south.

Trip Generation
Staff performed an evaluation of the trip generation impacts associated with the prc increase in dwelling units. There will be interaction between the residential dwelling units

ATTACHMENT K

the development and the commercial uses approved in the planned development that have yet to be constructed. In order to accurately project the interaction between these uses, it was necessary to account for the future traffic that will be generated by not just the increased dwelling units, but also the existing non-residential traffic approved on the site. The breakdown of the dwelling units and commercial uses is indicated within Table 1 below. Please note that the number of multi-family dwelling units was taken from the current Development Order approvals, and these units were assumed to remain the same after the proposed rezoning. Additionally, the school traffic was excluded from the trip generation analysis because it was developed separately and the traffic from the school already exists.

Table 1
Development Parameters
Existing Zoning vs. Proposed Zoning

Land Use	Existing Comp Plan	Proposed CPA	Difference
Single Family Dwelling Units	1,861 units	2,557 units	+696 units
Multi-Family Dwelling Units	138 units	138 units	No Change
Golf Course	36 holes	36 holes	No Change
Medical Office	15,000 sq. ft.	15,000 sq. ft.	No Change
Shopping Center	30,000 sq. ft.	30,000 sq. ft.	No Change

Based on the development parameters indicated in Table 1, a trip generation comparison was performed in order to evaluate the impacts of the proposed amendment. The trip generation calculations were performed based on the parameters set forth by the Institute of Transportation Engineers (ITE) in their report titled *Trip Generation, 9th Edition*. These calculations included a reduction in the retail traffic for pass-by as well as an internal capture reduction to account for the vehicular interaction between the various uses. The results of the trip generation are summarized in Table 2 below, and the actual OTISS trip generation print outs are attached in the Appendix of this report. It should be noted that, in an effort to be conservative, the AM peak hour internal capture rates were utilized for the daily trip generation scenario.

Table 2
Trip Generation Comparison
Existing Comp Plan vs. Proposed Comp Plan Amendment

Scenario	AM Peak Hour			PM Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Existing Zoning	443	1,067	1,510	1,033	664	1,697	19,725
Proposed Zoning	565	1,433	1,998	1,337	843	2,180	24,843
Trip Increase	+122 (+28%)	+366 (+34%)	+488 (+32%)	+304 (+29%)	+179 (+27%)	+483 (+28%)	+5,118 (+26%)

The proposed amendment to the Comprehensive Plan will result in an increase in external traffic by 32% in the AM peak hour, by 28% in the PM peak hour, and by 26% over the course of the entire day.

Level of Service

The Applicant performed a Level of Service analysis on the County roadway network based on the proposed amendment to the River Hall planned development. The traffic analysis indicates a 2021 planning level analysis for zoning purposes. Based on the Applicant's roadway segment analysis, the traffic on SR 80 will operate within the adopted Level of Service standards in 2021. However, the analysis indicates that the intersection of SR 80 and River Hall Parkway will fail under buildout conditions without the construction of a traffic signal at the intersection.

Signalization of this intersection is controlled by the State since SR 80 is a State owned and

maintained roadway. Staff requested a copy of the connection permit from the State for the work within the State right-of-way when River Hall Parkway was originally constructed. A copy of this permit was forwarded to Staff on April 24, 2014, and it is attached to the end of this document for reference. The permit was issued on February 2, 2005. As evidenced by Part 5 of the connection permit, titled Special Provisions, the first special provision requires signalization of this intersection at the expense of the Developer when it is deemed warranted by the Florida Department of Transportation (FDOT) Traffic Operation Division. Therefore, signalization of this intersection is already required of the River Hall Developer even without approval of the proposed amendment.

On April 29, 2014, Staff received a copy of a traffic signal warrant analysis dated April 22, 2014 performed by the FDOT Traffic Operation Division that indicates a traffic signal is now warranted at this intersection. The Applicant is now required to move forward with satisfying the special provisions indicated in Part 5 of the connection permit attached to this document. To date, a signal has not been designed or constructed at this intersection. Therefore, Staff proposes the following condition to further emphasize the importance of signalization of this intersection at this time:

> *Traffic Signal Condition: By letter dated April 22, 2014, the Florida Department of Transportation (FDOT) has deemed that signalization of the intersection of River Hall Parkway and SR 80 is currently warranted and necessary. The Special Provisions contained within the FDOT Connection Permit 04-A-192-0061 require signalization of this intersection at the Applicant's expense when the FDOT Traffic Operation Division determines that the warrants are met. As a result, the Applicant must coordinate, design, and construct the traffic signal now. Typically, design and construction of a traffic signal takes 12-18 months. In order to ensure the permitting of the signal occurs in a timely manner, the signal design must be initiated no later than 30 days of the date of the Zoning Resolution. The signal design must be submitted to FDOT no later than 150 days of the date of this Zoning Resolution. Construction of the signal must be completed within 12 months of the date of this Zoning Resolution. Once 12 months from the date of the Zoning Resolution has passed, issuance of further local development order approvals (including amendments and minor changes to active development orders) within the River Hall Development will not be granted until the signal is constructed per FDOT's approval. Please note that this condition placed by Lee County as a part of this rezoning does not exempt the Applicant from having to comply with the permit as approved by FDOT.*

Access

As a part of the most recent zoning action associated with the River Hall development, a condition was approved that required the construction of a second access to the River Hall community prior to the issuance of the certificate of occupancy for the 1,598th dwelling unit. In the recent December 17, 2014 resubmittal for this rezoning, the Applicant proposed a revised set of conditions of approval. One of the items that the Applicant has proposed to revise is the second access condition. Staff would support a condition that expedites the construction of the secondary access to the River Hall Community. However, Staff does offer some minor adjustments to the Applicant's proposed condition as follows:

> *Secondary Access Construction Timing: Within 24 months of the date of this Zoning Resolution, the Applicant will design, permit, and construct the secondary access to 75th Street West shown on Page 4 of the MCP. The design of the second driveway to the River Hall community must be shown as a part of the first local development order approval for any of the unplatted lands in the southern portion of the development. In the event the secondary access is not constructed within 24*

months of the date of this Resolution, the Director of Community Development may issue a reasonable extension for completion if the development has not exceeded the occupancy of 1,598 dwelling units, and the Applicant demonstrates good faith progress on the design, permitting, and construction of the access. This requirement is contingent upon approval from the East County Water Control District (ECWCD) to cross the 50-foot-wide canal along the south side of River Hall. The County will work with the developer to obtain approval to cross the 50-foot-wide canal.

Through the Comprehensive Plan Amendment review, concerns were raised by the Lee County School District with regard to their ability to utilize the new second access. The Applicant indicated that the access to Lehigh Acres will be gated, so it will only serve the residents and guests of the River Hall Community. However, the Applicant also indicated that, even though the second access would be gated, they would provide access into the community for the Lee County School District and Lee County Fire/EMS emergency vehicles. The Lee County School District requested access to the community from Lehigh Acres in order to reduce fuel costs and vehicle miles travelled for school bus traffic. Staff proposes the following condition in response to this concern:

School Bus/Fire/EMS Access: Upon construction of the second access to the River Hall community, access through the security gates must be provided to Lee County School District buses and Fire/EMS vehicles.

Attachments:

A) OTISS Trip Generation Printouts
B) FDOT Connection Permit – Hawks Haven

Attachment A – OTISS Trip Generation Printouts

Period Setting

Analysis Name:	AM Peak Hour		
Project Name:	River Hall @ 1,999 units	**No:**	DCI2013-00003
Date:	4/22/2014	**City:**	Lee County
State/Province:	FL	**Zip/Postal Code:**	
Country:		**Client Name:**	
Analyst's Name:	RYP	**Edition:**	ITE-TGM 9th Edition

Land Use	Independent Variable	Size	Time Period	Method	Entry	Exit	Total
210 - Single-Family Detached Housing	Dwelling Units	1861	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.	Best Fit (LIN)	328	984	1312
230 - Residential Condominium/Townhouse	Dwelling Units	138	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.	Best Fit (LOG)	11	56	67
720 - Medical-Dental Office Building	1000 Sq. Feet Gross Floor Area	15	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.	Average	28	8	36
820 - Shopping Center	1000 Sq. Feet Gross Leasable Area	30	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.	Best Fit (LOG)	47	28	75
430 - Golf Course	Holes	36	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.	Average	58	16	74

Traffic Reductions

Land Use	Entry Reduction	Adjusted Entry	Exit Reduction	Adjusted Exit
210 - Single-Family Detached Housing	0 %	328	0 %	984
230 - Residential Condominium/Townhouse	0 %	11	0 %	56
720 - Medical-Dental Office Building	0 %	28	0 %	8
820 - Shopping Center	0 %	47	0 %	28
430 - Golf Course	0 %	58	0 %	16

Internal Trips

210 - Single-Family Detached Housing

Exit 984	Demand Exit: 0 % (0)	Balanced: 0	Demand Entry: 0 % (0)	**Entry** 11
Entry 328	Demand Entry: 0 % (0)	Balanced: 0	Demand Exit: 0 % (0)	**Exit** 56

210 - Single-Family Detached Housing

720 - Medical-Dental Office Building

Exit 984	Demand Exit: 2 % (20)	Balanced: 1	Demand Entry: 3 % (1)	**Entry** 28

Entry	328	Demand Entry:	0 %	(0)	Balanced: 0	Demand Exit:	1 %	(0)	Exit 8

210 - Single-Family Detached Housing — **820 - Shopping Center**

Exit	984	Demand Exit:	1 %	(10)	Balanced: 8	Demand Entry:	17 %	(8)	Entry 47
Entry	328	Demand Entry:	2 %	(7)	Balanced: 4	Demand Exit:	14 %	(4)	Exit 28

210 - Single-Family Detached Housing — **430 - Golf Course**

Exit	984	Demand Exit:	0 %	(0)	Balanced: 0	Demand Entry:	0 %	(0)	Entry 58
Entry	328	Demand Entry:	0 %	(0)	Balanced: 0	Demand Exit:	0 %	(0)	Exit 16

230 - Residential Condominium/Townhouse — **720 - Medical-Dental Office Building**

Exit	56	Demand Exit:	2 %	(1)	Balanced: 1	Demand Entry:	3 %	(1)	Entry 28
Entry	11	Demand Entry:	0 %	(0)	Balanced: 0	Demand Exit:	1 %	(0)	Exit 8

230 - Residential Condominium/Townhouse — **820 - Shopping Center**

Exit	56	Demand Exit:	1 %	(1)	Balanced: 1	Demand Entry:	17 %	(8)	Entry 47
Entry	11	Demand Entry:	2 %	(0)	Balanced: 0	Demand Exit:	14 %	(4)	Exit 28

230 - Residential Condominium/Townhouse — **430 - Golf Course**

Exit	56	Demand Exit:	0 %	(0)	Balanced: 0	Demand Entry:	0 %	(0)	Entry 58
Entry	11	Demand Entry:	0 %	(0)	Balanced: 0	Demand Exit:	0 %	(0)	Exit 16

720 - Medical-Dental Office Building — **820 - Shopping Center**

Exit	8	Demand Exit:	28 %	(2)	Balanced: 2	Demand Entry:	32 %	(15)	Entry 47
Entry	28	Demand Entry:	4 %	(1)	Balanced: 1	Demand Exit:	29 %	(8)	Exit 28

720 - Medical-Dental Office Building — **430 - Golf Course**

Exit	8	Demand Exit:	0 %	(0)	Balanced: 0	Demand Entry:	0 %	(0)	Entry 58
Entry	28	Demand Entry:	0 %	(0)	Balanced: 0	Demand Exit:	0 %	(0)	Exit 16

820 - Shopping Center — **430 - Golf Course**

Exit	28	Demand Exit:	0 %	(0)	Balanced: 0	Demand Entry:	0 %	(0)	Entry 58
Entry	47	Demand Entry:	0 %	(0)	Balanced: 0	Demand Exit:	0 %	(0)	Exit 16

210 - Single-Family Detached Housing

	Total Trips	Internal Trips					External Trips
		230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	820 - Shopping Center	430 - Golf Course	Total	
Entry	328 (100%)	0 (0%)	0 (0%)	4 (1%)	0 (0%)	4 (1%)	324 (99%)
Exit	984 (100%)	0 (0%)	1 (0%)	8 (1%)	0 (0%)	9 (1%)	975 (99%)
Total	1312 (100%)	0 (0%)	1 (0%)	12 (1%)	0 (0%)	13 (1%)	1299 (99%)

230 - Residential Condominium/Townhouse

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	720 - Medical-Dental Office Building	820 - Shopping Center	430 - Golf Course	Total	
Entry	11 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	11 (100%)
Exit	56 (100%)	0 (0%)	1 (2%)	1 (2%)	0 (0%)	2 (4%)	54 (96%)
Total	67 (100%)	0 (0%)	1 (1%)	1 (1%)	0 (0%)	2 (3%)	65 (97%)

720 - Medical-Dental Office Building

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	820 - Shopping Center	430 - Golf Course	Total	
Entry	28 (100%)	1 (4%)	1 (4%)	1 (4%)	0 (0%)	3 (11%)	25 (89%)
Exit	8 (100%)	0 (0%)	0 (0%)	2 (25%)	0 (0%)	2 (25%)	6 (75%)
Total	36 (100%)	1 (3%)	1 (3%)	3 (8%)	0 (0%)	5 (14%)	31 (86%)

820 - Shopping Center

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	430 - Golf Course	Total	
Entry	47 (100%)	8 (17%)	1 (2%)	2 (4%)	0 (0%)	11 (23%)	36 (77%)
Exit	28 (100%)	4 (14%)	0 (0%)	1 (4%)	0 (0%)	5 (18%)	23 (82%)
Total	75 (100%)	12 (16%)	1 (1%)	3 (4%)	0 (0%)	16 (21%)	59 (79%)

430 - Golf Course

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	820 - Shopping Center	Total	
Entry	58 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	58 (100%)
Exit	16 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	16 (100%)
Total	74 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	74 (100%)

External Trips

Land Use	External Trips	Pass-by%	Pass-by Trips	Non-pass-by Trips
210 - Single-Family Detached Housing	1299	0 %	0	1299
230 - Residential Condominium/Townhouse	65	0 %	0	65
720 - Medical-Dental Office Building	31	0 %	0	31
820 - Shopping Center	59	30 %	18	41
430 - Golf Course	74	0 %	0	74

ITE Deviation Details

Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.

Landuse	No deviations from ITE.
Methods	No deviations from ITE.
External Trips	210 - Single-Family Detached Housing ITE does not recommend a particular pass-by% for this case. 230 - Residential Condominium/Townhouse ITE does not recommend a particular pass-by% for this case. 720 - Medical-Dental Office Building ITE does not recommend a particular pass-by% for this case. 820 - Shopping Center ITE does not recommend a particular pass-by% for this case. 430 - Golf Course ITE does not recommend a particular pass-by% for this case.

Summary

Total Entering	472
Total Exiting	1092
Total Entering Reduction	0
Total Exiting Reduction	0
Total Entering Internal Capture Reduction	18
Total Exiting Internal Capture Reduction	18
Total Entering Pass-by Reduction	11
Total Exiting Pass-by Reduction	7
Total Entering Non-Pass-by Trips	443
Total Exiting Non-Pass-by Trips	1067

Period Setting

Analysis Name:	PM Peak Hour		
Project Name:	River Hall @ 1,999 units	**No:**	DCI2013-00003
Date:	4/22/2014	**City:**	Lee County
State/Province:	FL	**Zip/Postal Code:**	
Country:		**Client Name:**	
Analyst's Name:	RYP	**Edition:**	ITE-TGM 9th Edition

Land Use	Independent Variable	Size	Time Period	Method	Entry	Exit	Total
210 - Single-Family Detached Housing	Dwelling Units	1861	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.	Best Fit (LOG)	920	540	1460
230 - Residential Condominium/Townhouse	Dwelling Units	138	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.	Best Fit (LOG)	52	26	78
720 - Medical-Dental Office Building	1000 Sq. Feet Gross Floor Area	15	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.	Best Fit (LOG)	15	38	53
820 - Shopping Center	1000 Sq. Feet Gross Leasable Area	30	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.	Best Fit (LOG)	128	139	267
430 - Golf Course	Holes	36	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.	Average	54	51	105

Traffic Reductions

Land Use	Entry Reduction	Adjusted Entry	Exit Reduction	Adjusted Exit
210 - Single-Family Detached Housing	0 %	920	0 %	540
230 - Residential Condominium/Townhouse	0 %	52	0 %	26
720 - Medical-Dental Office Building	0 %	15	0 %	38
820 - Shopping Center	0 %	128	0 %	139
430 - Golf Course	0 %	54	0 %	51

Internal Trips

210 - Single-Family Detached Housing

Exit 540 Demand Exit: 0 % (0) Balanced: 0

Entry 920 Demand Entry: 0 % (0) Balanced: 0

230 - Residential Condominium/Townhouse

Demand Entry: 0 % (0) **Entry** 52

Demand Exit: 0 % (0) **Exit** 26

210 - Single-Family Detached Housing

Exit 540 Demand Exit: 4 % (22) Balanced: 9

720 - Medical-Dental Office Building

Demand Entry: 57 % (9) **Entry** 15

Entry 920 Demand Entry: 4 % (37) Balanced: 1 Demand Exit: 2 % (1) Exit 38

210 - Single-Family Detached Housing **820 - Shopping Center**

Exit 540 Demand Exit: 42 % (227) Balanced: 13 Demand Entry: 10 % (13) Entry 128

Entry 920 Demand Entry: 46 % (423) Balanced: 36 Demand Exit: 26 % (36) Exit 139

210 - Single-Family Detached Housing **430 - Golf Course**

Exit 540 Demand Exit: 0 % (0) Balanced: 0 Demand Entry: 0 % (0) Entry 54

Entry 920 Demand Entry: 0 % (0) Balanced: 0 Demand Exit: 0 % (0) Exit 51

230 - Residential Condominium/Townhouse **720 - Medical-Dental Office Building**

Exit 26 Demand Exit: 4 % (1) Balanced: 1 Demand Entry: 57 % (9) Entry 15

Entry 52 Demand Entry: 4 % (2) Balanced: 1 Demand Exit: 2 % (1) Exit 38

230 - Residential Condominium/Townhouse **820 - Shopping Center**

Exit 26 Demand Exit: 42 % (11) Balanced: 11 Demand Entry: 10 % (13) Entry 128

Entry 52 Demand Entry: 46 % (24) Balanced: 24 Demand Exit: 26 % (36) Exit 139

230 - Residential Condominium/Townhouse **430 - Golf Course**

Exit 26 Demand Exit: 0 % (0) Balanced: 0 Demand Entry: 0 % (0) Entry 54

Entry 52 Demand Entry: 0 % (0) Balanced: 0 Demand Exit: 0 % (0) Exit 51

720 - Medical-Dental Office Building **820 - Shopping Center**

Exit 38 Demand Exit: 20 % (8) Balanced: 8 Demand Entry: 8 % (10) Entry 128

Entry 15 Demand Entry: 31 % (5) Balanced: 3 Demand Exit: 2 % (3) Exit 139

720 - Medical-Dental Office Building **430 - Golf Course**

Exit 38 Demand Exit: 0 % (0) Balanced: 0 Demand Entry: 0 % (0) Entry 54

Entry 15 Demand Entry: 0 % (0) Balanced: 0 Demand Exit: 0 % (0) Exit 51

820 - Shopping Center **430 - Golf Course**

Exit 139 Demand Exit: 0 % (0) Balanced: 0 Demand Entry: 0 % (0) Entry 54

Entry 128 Demand Entry: 0 % (0) Balanced: 0 Demand Exit: 0 % (0) Exit 51

210 - Single-Family Detached Housing

	Total Trips	Internal Trips					External Trips
		230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	820 - Shopping Center	430 - Golf Course	Total	
Entry	920 (100%)	0 (0%)	1 (0%)	36 (4%)	0 (0%)	37 (4%)	883 (96%)
Exit	540 (100%)	0 (0%)	9 (2%)	13 (2%)	0 (0%)	22 (4%)	518 (96%)
Total	1460 (100%)	0 (0%)	10 (1%)	49 (3%)	0 (0%)	59 (4%)	1401 (96%)

230 - Residential Condominium/Townhouse

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	720 - Medical-Dental Office Building	820 - Shopping Center	430 - Golf Course	Total	
Entry	52 (100%)	0 (0%)	1 (2%)	24 (46%)	0 (0%)	25 (48%)	27 (52%)
Exit	26 (100%)	0 (0%)	1 (4%)	11 (42%)	0 (0%)	12 (46%)	14 (54%)
Total	78 (100%)	0 (0%)	2 (3%)	35 (45%)	0 (0%)	37 (47%)	41 (53%)

720 - Medical-Dental Office Building

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	820 - Shopping Center	430 - Golf Course	Total	
Entry	15 (100%)	9 (60%)	1 (7%)	3 (20%)	0 (0%)	13 (87%)	2 (13%)
Exit	38 (100%)	1 (3%)	1 (3%)	8 (21%)	0 (0%)	10 (26%)	28 (74%)
Total	53 (100%)	10 (19%)	2 (4%)	11 (21%)	0 (0%)	23 (43%)	30 (57%)

820 - Shopping Center

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	430 - Golf Course	Total	
Entry	128 (100%)	13 (10%)	11 (9%)	8 (6%)	0 (0%)	32 (25%)	96 (75%)
Exit	139 (100%)	36 (26%)	24 (17%)	3 (2%)	0 (0%)	63 (45%)	76 (55%)
Total	267 (100%)	49 (18%)	35 (13%)	11 (4%)	0 (0%)	95 (36%)	172 (64%)

430 - Golf Course

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	820 - Shopping Center	Total	
Entry	54 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	54 (100%)
Exit	51 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	51 (100%)
Total	105 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	105 (100%)

External Trips

Land Use	External Trips	Pass-by%	Pass-by Trips	Non-pass-by Trips
210 - Single-Family Detached Housing	1401	0 %	0	1401
230 - Residential Condominium/Townhouse	41	0 %	0	41
720 - Medical-Dental Office Building	30	0 %	0	30
820 - Shopping Center	172	30 %	52	120
430 - Golf Course	105	0 %	0	105

ITE Deviation Details

Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.

Landuse	No deviations from ITE.
Methods	No deviations from ITE.
External Trips	210 - Single-Family Detached Housing ITE does not recommend a particular pass-by% for this case. 230 - Residential Condominium/Townhouse ITE does not recommend a particular pass-by% for this case. 720 - Medical-Dental Office Building ITE does not recommend a particular pass-by% for this case. 820 - Shopping Center The chosen pass-by% (30) is not provided by ITE. ITE recommends 55. 430 - Golf Course ITE does not recommend a particular pass-by% for this case.

Summary

Total Entering	1169
Total Exiting	794
Total Entering Reduction	0
Total Exiting Reduction	0
Total Entering Internal Capture Reduction	107
Total Exiting Internal Capture Reduction	107
Total Entering Pass-by Reduction	29
Total Exiting Pass-by Reduction	23
Total Entering Non-Pass-by Trips	1033
Total Exiting Non-Pass-by Trips	664

Period Setting

Analysis Name:	Daily (2-way)		
Project Name:	River Hall @ 1,999 units	**No:**	DCI2013-00003
Date:	4/22/2014	**City:**	Lee County
State/Province:	FL	**Zip/Postal Code:**	
Country:		**Client Name:**	
Analyst's Name:	RYP	**Edition:**	ITE-TGM 9th Edition

Land Use	Independent Variable	Size	Time Period	Method	Entry	Exit	Total
210 - Single-Family Detached Housing	Dwelling Units	1861	Weekday	Best Fit (LOG)	7734	7734	15468
230 - Residential Condominium/Townhouse	Dwelling Units	138	Weekday	Best Fit (LOG)	426	425	851
720 - Medical-Dental Office Building	1000 Sq. Feet Gross Floor Area	15	Weekday	Average	271	271	542
820 - Shopping Center	1000 Sq. Feet Gross Leasable Area	30	Weekday	Best Fit (LOG)	1553	1552	3105
430 - Golf Course	Holes	36	Weekday	Average	644	643	1287

Traffic Reductions

Land Use	Entry Reduction	Adjusted Entry	Exit Reduction	Adjusted Exit
210 - Single-Family Detached Housing	0 %	7734	0 %	7734
230 - Residential Condominium/Townhouse	0 %	426	0 %	425
720 - Medical-Dental Office Building	0 %	271	0 %	271
820 - Shopping Center	0 %	1553	0 %	1552
430 - Golf Course	0 %	644	0 %	643

Internal Trips

210 - Single-Family Detached Housing

Exit	7734	Demand Exit: 0 % (0)	Balanced: 0	Demand Entry: 0 % (0)	**Entry**	426
Entry	7734	Demand Entry: 0 % (0)	Balanced: 0	Demand Exit: 0 % (0)	**Exit**	425

230 - Residential Condominium/Townhouse

210 - Single-Family Detached Housing

Exit	7734	Demand Exit: 2 % (155)	Balanced: 8	Demand Entry: 3 % (8)	**Entry**	271
Entry	7734	Demand Entry: 0 % (0)	Balanced: 0	Demand Exit: 1 % (3)	**Exit**	271

720 - Medical-Dental Office Building

210 - Single-Family Detached Housing

Exit	7734	Demand Exit: 1 % (77)	Balanced: 77	Demand Entry: 17 % (264)	**Entry**	1553
Entry	7734	Demand Entry: 2 % (155)	Balanced: 155	Demand Exit: 14 % (217)	**Exit**	1552

820 - Shopping Center

210 - Single-Family Detached Housing

430 - Golf Course

Exit	7734	Demand Exit: 0 % (0)	Balanced: 0	Demand Entry: 0 % (0)	Entry	644
Entry	7734	Demand Entry: 0 % (0)	Balanced: 0	Demand Exit: 0 % (0)	Exit	643

230 - Residential Condominium/Townhouse — **720 - Medical-Dental Office Building**

Exit	425	Demand Exit: 2 % (9)	Balanced: 8	Demand Entry: 3 % (8)	Entry	271
Entry	426	Demand Entry: 0 % (0)	Balanced: 0	Demand Exit: 1 % (3)	Exit	271

230 - Residential Condominium/Townhouse — **820 - Shopping Center**

Exit	425	Demand Exit: 1 % (4)	Balanced: 4	Demand Entry: 17 % (264)	Entry	1553
Entry	426	Demand Entry: 2 % (9)	Balanced: 9	Demand Exit: 14 % (217)	Exit	1552

230 - Residential Condominium/Townhouse — **430 - Golf Course**

Exit	425	Demand Exit: 0 % (0)	Balanced: 0	Demand Entry: 0 % (0)	Entry	644
Entry	426	Demand Entry: 0 % (0)	Balanced: 0	Demand Exit: 0 % (0)	Exit	643

720 - Medical-Dental Office Building — **820 - Shopping Center**

Exit	271	Demand Exit: 28 % (76)	Balanced: 76	Demand Entry: 32 % (497)	Entry	1553
Entry	271	Demand Entry: 4 % (11)	Balanced: 11	Demand Exit: 29 % (450)	Exit	1552

720 - Medical-Dental Office Building — **430 - Golf Course**

Exit	271	Demand Exit: 0 % (0)	Balanced: 0	Demand Entry: 0 % (0)	Entry	644
Entry	271	Demand Entry: 0 % (0)	Balanced: 0	Demand Exit: 0 % (0)	Exit	643

820 - Shopping Center — **430 - Golf Course**

Exit	1552	Demand Exit: 0 % (0)	Balanced: 0	Demand Entry: 0 % (0)	Entry	644
Entry	1553	Demand Entry: 0 % (0)	Balanced: 0	Demand Exit: 0 % (0)	Exit	643

210 - Single-Family Detached Housing

	Total Trips	Internal Trips					External Trips
		230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	820 - Shopping Center	430 - Golf Course	Total	
Entry	7734 (100%)	0 (0%)	0 (0%)	155 (2%)	0 (0%)	155 (2%)	7579 (98%)
Exit	7734 (100%)	0 (0%)	8 (0%)	77 (1%)	0 (0%)	85 (1%)	7649 (99%)
Total	15468 (100%)	0 (0%)	8 (0%)	232 (1%)	0 (0%)	240 (2%)	15228 (98%)

230 - Residential Condominium/Townhouse

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	720 - Medical-Dental Office Building	820 - Shopping Center	430 - Golf Course	Total	
Entry	426 (100%)	0 (0%)	0 (0%)	9 (2%)	0 (0%)	9 (2%)	417 (98%)
Exit	425 (100%)	0 (0%)	8 (2%)	4 (1%)	0 (0%)	12 (3%)	413 (97%)
Total	851 (100%)	0 (0%)	8 (1%)	13 (2%)	0 (0%)	21 (2%)	830 (98%)

720 - Medical-Dental Office Building

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	820 - Shopping Center	430 - Golf Course	Total	
Entry	271 (100%)	8 (3%)	8 (3%)	11 (4%)	0 (0%)	27 (10%)	244 (90%)
Exit	271 (100%)	0 (0%)	0 (0%)	76 (28%)	0 (0%)	76 (28%)	195 (72%)
Total	542 (100%)	8 (1%)	8 (1%)	87 (16%)	0 (0%)	103 (19%)	439 (81%)

820 - Shopping Center

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	430 - Golf Course	Total	
Entry	1553 (100%)	77 (5%)	4 (0%)	76 (5%)	0 (0%)	157 (10%)	1396 (90%)
Exit	1552 (100%)	155 (10%)	9 (1%)	11 (1%)	0 (0%)	175 (11%)	1377 (89%)
Total	3105 (100%)	232 (7%)	13 (0%)	87 (3%)	0 (0%)	332 (11%)	2773 (89%)

430 - Golf Course

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	820 - Shopping Center	Total	
Entry	644 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	644 (100%)
Exit	643 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	643 (100%)
Total	1287 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1287 (100%)

External Trips

Land Use	External Trips	Pass-by%	Pass-by Trips	Non-pass-by Trips
210 - Single-Family Detached Housing	15228	0 %	0	15228
230 - Residential Condominium/Townhouse	830	0 %	0	830
720 - Medical-Dental Office Building	439	0 %	0	439
820 - Shopping Center	2773	30 %	832	1941
430 - Golf Course	1287	0 %	0	1287

ITE Deviation Details

Weekday

Landuse — No deviations from ITE.

Methods — No deviations from ITE.

External Trips — 210 - Single-Family Detached Housing
ITE does not recommend a particular pass-by% for this case.

230 - Residential Condominium/Townhouse

ITE does not recommend a particular pass-by% for this case.

720 - Medical-Dental Office Building
ITE does not recommend a particular pass-by% for this case.

820 - Shopping Center
ITE does not recommend a particular pass-by% for this case.

430 - Golf Course
ITE does not recommend a particular pass-by% for this case.

Summary

Total Entering	10628
Total Exiting	10625
Total Entering Reduction	0
Total Exiting Reduction	0
Total Entering Internal Capture Reduction	348
Total Exiting Internal Capture Reduction	348
Total Entering Pass-by Reduction	419
Total Exiting Pass-by Reduction	413
Total Entering Non-Pass-by Trips	9861
Total Exiting Non-Pass-by Trips	9864

Period Setting

Analysis Name:	AM Peak Hour		
Project Name:	River Hall @ 2,695 units	**No:**	DCI2013-00003
Date:	5/22/2014	**City:**	Lee County
State/Province:	FL	**Zip/Postal Code:**	
Country:		**Client Name:**	
Analyst's Name:	RYP	**Edition:**	ITE-TGM 9th Edition

Land Use	Independent Variable	Size	Time Period	Method	Entry	Exit	Total
210 - Single-Family Detached Housing	Dwelling Units	2557	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.	Best Fit (LIN)	450	1350	1800
230 - Residential Condominium/Townhouse	Dwelling Units	138	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.	Best Fit (LOG)	11	56	67
720 - Medical-Dental Office Building	1000 Sq. Feet Gross Floor Area	15	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.	Average	28	8	36
820 - Shopping Center	1000 Sq. Feet Gross Leasable Area	30	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.	Best Fit (LOG)	47	28	75
430 - Golf Course	Holes	36	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.	Average	58	16	74

Traffic Reductions

Land Use	Entry Reduction	Adjusted Entry	Exit Reduction	Adjusted Exit
210 - Single-Family Detached Housing	0 %	450	0 %	1350
230 - Residential Condominium/Townhouse	0 %	11	0 %	56
720 - Medical-Dental Office Building	0 %	28	0 %	8
820 - Shopping Center	0 %	47	0 %	28
430 - Golf Course	0 %	58	0 %	16

Internal Trips

210 - Single-Family Detached Housing

Exit 1350 Demand Exit: 0 % (0) Balanced: 0

Entry 450 Demand Entry: 0 % (0) Balanced: 0

230 - Residential Condominium/Townhouse

Demand Entry: 0 % (0) **Entry** 11

Demand Exit: 0 % (0) **Exit** 56

210 - Single-Family Detached Housing

Exit 1350 Demand Exit: 2 % (27) Balanced: 1

720 - Medical-Dental Office Building

Demand Entry: 3 % (1) **Entry** 28

Entry	450	Demand Entry: 0 % (0)	Balanced: 0	Demand Exit: 1 % (0)		Exit	8

210 - Single-Family Detached Housing — **820 - Shopping Center**

Exit	1350	Demand Exit: 1 % (14)	Balanced: 8	Demand Entry: 17 % (8)		Entry	47
Entry	450	Demand Entry: 2 % (9)	Balanced: 4	Demand Exit: 14 % (4)		Exit	28

210 - Single-Family Detached Housing — **430 - Golf Course**

Exit	1350	Demand Exit: 0 % (0)	Balanced: 0	Demand Entry: 0 % (0)		Entry	58
Entry	450	Demand Entry: 0 % (0)	Balanced: 0	Demand Exit: 0 % (0)		Exit	16

230 - Residential Condominium/Townhouse — **720 - Medical-Dental Office Building**

Exit	56	Demand Exit: 2 % (1)	Balanced: 1	Demand Entry: 3 % (1)		Entry	28
Entry	11	Demand Entry: 0 % (0)	Balanced: 0	Demand Exit: 1 % (0)		Exit	8

230 - Residential Condominium/Townhouse — **820 - Shopping Center**

Exit	56	Demand Exit: 1 % (1)	Balanced: 1	Demand Entry: 17 % (8)		Entry	47
Entry	11	Demand Entry: 2 % (0)	Balanced: 0	Demand Exit: 14 % (4)		Exit	28

230 - Residential Condominium/Townhouse — **430 - Golf Course**

Exit	56	Demand Exit: 0 % (0)	Balanced: 0	Demand Entry: 0 % (0)		Entry	58
Entry	11	Demand Entry: 0 % (0)	Balanced: 0	Demand Exit: 0 % (0)		Exit	16

720 - Medical-Dental Office Building — **820 - Shopping Center**

Exit	8	Demand Exit: 28 % (2)	Balanced: 2	Demand Entry: 32 % (15)		Entry	47
Entry	28	Demand Entry: 4 % (1)	Balanced: 1	Demand Exit: 29 % (8)		Exit	28

720 - Medical-Dental Office Building — **430 - Golf Course**

Exit	8	Demand Exit: 0 % (0)	Balanced: 0	Demand Entry: 0 % (0)		Entry	58
Entry	28	Demand Entry: 0 % (0)	Balanced: 0	Demand Exit: 0 % (0)		Exit	16

820 - Shopping Center — **430 - Golf Course**

Exit	28	Demand Exit: 0 % (0)	Balanced: 0	Demand Entry: 0 % (0)		Entry	58
Entry	47	Demand Entry: 0 % (0)	Balanced: 0	Demand Exit: 0 % (0)		Exit	16

210 - Single-Family Detached Housing

	Total Trips	Internal Trips					External Trips
		230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	820 - Shopping Center	430 - Golf Course	Total	
Entry	450 (100%)	0 (0%)	0 (0%)	4 (1%)	0 (0%)	4 (1%)	446 (99%)
Exit	1350 (100%)	0 (0%)	1 (0%)	8 (1%)	0 (0%)	9 (1%)	1341 (99%)
Total	1800 (100%)	0 (0%)	1 (0%)	12 (1%)	0 (0%)	13 (1%)	1787 (99%)

230 - Residential Condominium/Townhouse

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	720 - Medical-Dental Office Building	820 - Shopping Center	430 - Golf Course	Total	
Entry	11 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	11 (100%)
Exit	56 (100%)	0 (0%)	1 (2%)	1 (2%)	0 (0%)	2 (4%)	54 (96%)
Total	67 (100%)	0 (0%)	1 (1%)	1 (1%)	0 (0%)	2 (3%)	65 (97%)

720 - Medical-Dental Office Building

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	820 - Shopping Center	430 - Golf Course	Total	
Entry	28 (100%)	1 (4%)	1 (4%)	1 (4%)	0 (0%)	3 (11%)	25 (89%)
Exit	8 (100%)	0 (0%)	0 (0%)	2 (25%)	0 (0%)	2 (25%)	6 (75%)
Total	36 (100%)	1 (3%)	1 (3%)	3 (8%)	0 (0%)	5 (14%)	31 (86%)

820 - Shopping Center

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	430 - Golf Course	Total	
Entry	47 (100%)	8 (17%)	1 (2%)	2 (4%)	0 (0%)	11 (23%)	36 (77%)
Exit	28 (100%)	4 (14%)	0 (0%)	1 (4%)	0 (0%)	5 (18%)	23 (82%)
Total	75 (100%)	12 (16%)	1 (1%)	3 (4%)	0 (0%)	16 (21%)	59 (79%)

430 - Golf Course

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	820 - Shopping Center	Total	
Entry	58 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	58 (100%)
Exit	16 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	16 (100%)
Total	74 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	74 (100%)

External Trips

Land Use	External Trips	Pass-by%	Pass-by Trips	Non-pass-by Trips
210 - Single-Family Detached Housing	1787	0 %	0	1787
230 - Residential Condominium/Townhouse	65	0 %	0	65
720 - Medical-Dental Office Building	31	0 %	0	31
820 - Shopping Center	59	30 %	18	41
430 - Golf Course	74	0 %	0	74

ITE Deviation Details

Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.

Landuse	No deviations from ITE.
Methods	No deviations from ITE.
External Trips	210 - Single-Family Detached Housing ITE does not recommend a particular pass-by% for this case. 230 - Residential Condominium/Townhouse ITE does not recommend a particular pass-by% for this case. 720 - Medical-Dental Office Building ITE does not recommend a particular pass-by% for this case. 820 - Shopping Center ITE does not recommend a particular pass-by% for this case. 430 - Golf Course ITE does not recommend a particular pass-by% for this case.

Summary

Total Entering	594
Total Exiting	1458
Total Entering Reduction	0
Total Exiting Reduction	0
Total Entering Internal Capture Reduction	18
Total Exiting Internal Capture Reduction	18
Total Entering Pass-by Reduction	11
Total Exiting Pass-by Reduction	7
Total Entering Non-Pass-by Trips	565
Total Exiting Non-Pass-by Trips	1433

Period Setting

Analysis Name:	PM Peak Hour		
Project Name:	River Hall @ 2,695 units	**No:**	DCI2013-00003
Date:	5/22/2014	**City:**	Lee County
State/Province:	FL	**Zip/Postal Code:**	
Country:		**Client Name:**	
Analyst's Name:	RYP	**Edition:**	ITE-TGM 9th Edition

Land Use	Independent Variable	Size	Time Period	Method	Entry	Exit	Total
210 - Single-Family Detached Housing	Dwelling Units	2557	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.	Best Fit (LOG)	1224	719	1943
230 - Residential Condominium/Townhouse	Dwelling Units	138	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.	Best Fit (LOG)	52	26	78
720 - Medical-Dental Office Building	1000 Sq. Feet Gross Floor Area	15	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.	Best Fit (LOG)	15	38	53
820 - Shopping Center	1000 Sq. Feet Gross Leasable Area	30	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.	Best Fit (LOG)	128	139	267
430 - Golf Course	Holes	36	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.	Average	54	51	105

Traffic Reductions

Land Use	Entry Reduction	Adjusted Entry	Exit Reduction	Adjusted Exit
210 - Single-Family Detached Housing	0 %	1224	0 %	719
230 - Residential Condominium/Townhouse	0 %	52	0 %	26
720 - Medical-Dental Office Building	0 %	15	0 %	38
820 - Shopping Center	0 %	128	0 %	139
430 - Golf Course	0 %	54	0 %	51

Internal Trips

210 - Single-Family Detached Housing

Exit 719 Demand Exit: 0 % (0) Balanced: 0

Entry 1224 Demand Entry: 0 % (0) Balanced: 0

230 - Residential Condominium/Townhouse

Demand Entry: 0 % (0) **Entry** 52

Demand Exit: 0 % (0) **Exit** 26

210 - Single-Family Detached Housing

Exit 719 Demand Exit: 4 % (29) Balanced: 9

720 - Medical-Dental Office Building

Demand Entry: 57 % (9) **Entry** 15

Entry	1224	Demand Entry:	4 %	(49)	Balanced: 1	Demand Exit:	2 %	(1)	Exit 38

210 - Single-Family Detached Housing — **820 - Shopping Center**

Exit	719	Demand Exit:	42 %	(302)	Balanced: 13	Demand Entry:	10 %	(13)	Entry 128
Entry	1224	Demand Entry:	46 %	(563)	Balanced: 36	Demand Exit:	26 %	(36)	Exit 139

210 - Single-Family Detached Housing — **430 - Golf Course**

Exit	719	Demand Exit:	0 %	(0)	Balanced: 0	Demand Entry:	0 %	(0)	Entry 54
Entry	1224	Demand Entry:	0 %	(0)	Balanced: 0	Demand Exit:	0 %	(0)	Exit 51

230 - Residential Condominium/Townhouse — **720 - Medical-Dental Office Building**

Exit	26	Demand Exit:	4 %	(1)	Balanced: 1	Demand Entry:	57 %	(9)	Entry 15
Entry	52	Demand Entry:	4 %	(2)	Balanced: 1	Demand Exit:	2 %	(1)	Exit 38

230 - Residential Condominium/Townhouse — **820 - Shopping Center**

Exit	26	Demand Exit:	42 %	(11)	Balanced: 11	Demand Entry:	10 %	(13)	Entry 128
Entry	52	Demand Entry:	46 %	(24)	Balanced: 24	Demand Exit:	26 %	(36)	Exit 139

230 - Residential Condominium/Townhouse — **430 - Golf Course**

Exit	26	Demand Exit:	0 %	(0)	Balanced: 0	Demand Entry:	0 %	(0)	Entry 54
Entry	52	Demand Entry:	0 %	(0)	Balanced: 0	Demand Exit:	0 %	(0)	Exit 51

720 - Medical-Dental Office Building — **820 - Shopping Center**

Exit	38	Demand Exit:	20 %	(8)	Balanced: 8	Demand Entry:	8 %	(10)	Entry 128
Entry	15	Demand Entry:	31 %	(5)	Balanced: 3	Demand Exit:	2 %	(3)	Exit 139

720 - Medical-Dental Office Building — **430 - Golf Course**

Exit	38	Demand Exit:	0 %	(0)	Balanced: 0	Demand Entry:	0 %	(0)	Entry 54
Entry	15	Demand Entry:	0 %	(0)	Balanced: 0	Demand Exit:	0 %	(0)	Exit 51

820 - Shopping Center — **430 - Golf Course**

Exit	139	Demand Exit:	0 %	(0)	Balanced: 0	Demand Entry:	0 %	(0)	Entry 54
Entry	128	Demand Entry:	0 %	(0)	Balanced: 0	Demand Exit:	0 %	(0)	Exit 51

210 - Single-Family Detached Housing

	Total Trips	Internal Trips					External Trips
		230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	820 - Shopping Center	430 - Golf Course	Total	
Entry	1224 (100%)	0 (0%)	1 (0%)	36 (3%)	0 (0%)	37 (3%)	1187 (97%)
Exit	719 (100%)	0 (0%)	9 (1%)	13 (2%)	0 (0%)	22 (3%)	697 (97%)
Total	1943 (100%)	0 (0%)	10 (1%)	49 (3%)	0 (0%)	59 (3%)	1884 (97%)

230 - Residential Condominium/Townhouse

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	720 - Medical-Dental Office Building	820 - Shopping Center	430 - Golf Course	Total	
Entry	52 (100%)	0 (0%)	1 (2%)	24 (46%)	0 (0%)	25 (48%)	27 (52%)
Exit	26 (100%)	0 (0%)	1 (4%)	11 (42%)	0 (0%)	12 (46%)	14 (54%)
Total	78 (100%)	0 (0%)	2 (3%)	35 (45%)	0 (0%)	37 (47%)	41 (53%)

720 - Medical-Dental Office Building

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	820 - Shopping Center	430 - Golf Course	Total	
Entry	15 (100%)	9 (60%)	1 (7%)	3 (20%)	0 (0%)	13 (87%)	2 (13%)
Exit	38 (100%)	1 (3%)	1 (3%)	8 (21%)	0 (0%)	10 (26%)	28 (74%)
Total	53 (100%)	10 (19%)	2 (4%)	11 (21%)	0 (0%)	23 (43%)	30 (57%)

820 - Shopping Center

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	430 - Golf Course	Total	
Entry	128 (100%)	13 (10%)	11 (9%)	8 (6%)	0 (0%)	32 (25%)	96 (75%)
Exit	139 (100%)	36 (26%)	24 (17%)	3 (2%)	0 (0%)	63 (45%)	76 (55%)
Total	267 (100%)	49 (18%)	35 (13%)	11 (4%)	0 (0%)	95 (36%)	172 (64%)

430 - Golf Course

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	820 - Shopping Center	Total	
Entry	54 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	54 (100%)
Exit	51 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	51 (100%)
Total	105 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	105 (100%)

External Trips

Land Use	External Trips	Pass-by%	Pass-by Trips	Non-pass-by Trips
210 - Single-Family Detached Housing	1884	0 %	0	1884
230 - Residential Condominium/Townhouse	41	0 %	0	41
720 - Medical-Dental Office Building	30	0 %	0	30
820 - Shopping Center	172	30 %	52	120
430 - Golf Course	105	0 %	0	105

ITE Deviation Details

Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.

Landuse	No deviations from ITE.
Methods	No deviations from ITE.
External Trips	210 - Single-Family Detached Housing ITE does not recommend a particular pass-by% for this case. 230 - Residential Condominium/Townhouse ITE does not recommend a particular pass-by% for this case. 720 - Medical-Dental Office Building ITE does not recommend a particular pass-by% for this case. 820 - Shopping Center The chosen pass-by% (30) is not provided by ITE. ITE recommends 55. 430 - Golf Course ITE does not recommend a particular pass-by% for this case.

Summary

Total Entering	1473
Total Exiting	973
Total Entering Reduction	0
Total Exiting Reduction	0
Total Entering Internal Capture Reduction	107
Total Exiting Internal Capture Reduction	107
Total Entering Pass-by Reduction	29
Total Exiting Pass-by Reduction	23
Total Entering Non-Pass-by Trips	1337
Total Exiting Non-Pass-by Trips	843

Period Setting

Analysis Name:	Daily (2-way)		
Project Name:	River Hall @ 2,695 units	No:	DCI2013-00003
Date:	5/22/2014	City:	Lee County
State/Province:	FL	Zip/Postal Code:	
Country:		Client Name:	
Analyst's Name:	RYP	Edition:	ITE-TGM 9th Edition

Land Use	Independent Variable	Size	Time Period	Method	Entry	Exit	Total
210 - Single-Family Detached Housing	Dwelling Units	2557	Weekday	Best Fit (LOG)	10360	10360	20720
230 - Residential Condominium/Townhouse	Dwelling Units	138	Weekday	Best Fit (LOG)	426	425	851
720 - Medical-Dental Office Building	1000 Sq. Feet Gross Floor Area	15	Weekday	Average	271	271	542
820 - Shopping Center	1000 Sq. Feet Gross Leasable Area	30	Weekday	Best Fit (LOG)	1553	1552	3105
430 - Golf Course	Holes	36	Weekday	Average	644	643	1287

Traffic Reductions

Land Use	Entry Reduction	Adjusted Entry	Exit Reduction	Adjusted Exit
210 - Single-Family Detached Housing	0 %	10360	0 %	10360
230 - Residential Condominium/Townhouse	0 %	426	0 %	425
720 - Medical-Dental Office Building	0 %	271	0 %	271
820 - Shopping Center	0 %	1553	0 %	1552
430 - Golf Course	0 %	644	0 %	643

Internal Trips

210 - Single-Family Detached Housing

Exit	10360	Demand Exit:	0 % (0)	Balanced: 0	Demand Entry:	0 % (0)	Entry 426
Entry	10360	Demand Entry:	0 % (0)	Balanced: 0	Demand Exit:	0 % (0)	Exit 425

210 - Single-Family Detached Housing / 720 - Medical-Dental Office Building

Exit	10360	Demand Exit:	2 % (207)	Balanced: 8	Demand Entry:	3 % (8)	Entry 271
Entry	10360	Demand Entry:	0 % (0)	Balanced: 0	Demand Exit:	1 % (3)	Exit 271

210 - Single-Family Detached Housing / 820 - Shopping Center

Exit	10360	Demand Exit:	1 % (104)	Balanced: 104	Demand Entry:	17 % (264)	Entry 1553
Entry	10360	Demand Entry:	2 % (207)	Balanced: 207	Demand Exit:	14 % (217)	Exit 1552

210 - Single-Family Detached Housing / 430 - Golf Course

Exit	10360	Demand Exit:	0 % (0)	Balanced:	Demand Entry:	0 % (0)	Entry 644

			0				
Entry	10360	Demand Entry: 0 % (0)	Balanced: 0	Demand Exit: 0 % (0)	Exit	643	

230 - Residential Condominium/Townhouse **720 - Medical-Dental Office Building**

Exit	425	Demand Exit: 2 % (9)	Balanced: 8	Demand Entry: 3 % (8)	Entry	271	
Entry	426	Demand Entry: 0 % (0)	Balanced: 0	Demand Exit: 1 % (3)	Exit	271	

230 - Residential Condominium/Townhouse **820 - Shopping Center**

Exit	425	Demand Exit: 1 % (4)	Balanced: 4	Demand Entry: 17 % (264)	Entry	1553	
Entry	426	Demand Entry: 2 % (9)	Balanced: 9	Demand Exit: 14 % (217)	Exit	1552	

230 - Residential Condominium/Townhouse **430 - Golf Course**

Exit	425	Demand Exit: 0 % (0)	Balanced: 0	Demand Entry: 0 % (0)	Entry	644	
Entry	426	Demand Entry: 0 % (0)	Balanced: 0	Demand Exit: 0 % (0)	Exit	643	

720 - Medical-Dental Office Building **820 - Shopping Center**

Exit	271	Demand Exit: 28 % (76)	Balanced: 76	Demand Entry: 32 % (497)	Entry	1553	
Entry	271	Demand Entry: 4 % (11)	Balanced: 11	Demand Exit: 29 % (450)	Exit	1552	

720 - Medical-Dental Office Building **430 - Golf Course**

Exit	271	Demand Exit: 0 % (0)	Balanced: 0	Demand Entry: 0 % (0)	Entry	644	
Entry	271	Demand Entry: 0 % (0)	Balanced: 0	Demand Exit: 0 % (0)	Exit	643	

820 - Shopping Center **430 - Golf Course**

Exit	1552	Demand Exit: 0 % (0)	Balanced: 0	Demand Entry: 0 % (0)	Entry	644	
Entry	1553	Demand Entry: 0 % (0)	Balanced: 0	Demand Exit: 0 % (0)	Exit	643	

210 - Single-Family Detached Housing

	Total Trips	Internal Trips					External Trips
		230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	820 - Shopping Center	430 - Golf Course	Total	
Entry	10360 (100%)	0 (0%)	0 (0%)	207 (2%)	0 (0%)	207 (2%)	10153 (98%)
Exit	10360 (100%)	0 (0%)	8 (0%)	104 (1%)	0 (0%)	112 (1%)	10248 (99%)
Total	20720 (100%)	0 (0%)	8 (0%)	311 (2%)	0 (0%)	319 (2%)	20401 (98%)

230 - Residential Condominium/Townhouse

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	720 - Medical-Dental Office Building	820 - Shopping Center	430 - Golf Course	Total	
Entry	426 (100%)	0 (0%)	0 (0%)	9 (2%)	0 (0%)	9 (2%)	417 (98%)
Exit	425 (100%)	0 (0%)	8 (2%)	4 (1%)	0 (0%)	12 (3%)	413 (97%)
Total	851 (100%)	0 (0%)	8 (1%)	13 (2%)	0 (0%)	21 (2%)	830 (98%)

720 - Medical-Dental Office Building

		Internal Trips

	Total Trips	210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	820 - Shopping Center	430 - Golf Course	Total	External Trips
Entry	271 (100%)	8 (3%)	8 (3%)	11 (4%)	0 (0%)	27 (10%)	244 (90%)
Exit	271 (100%)	0 (0%)	0 (0%)	76 (28%)	0 (0%)	76 (28%)	195 (72%)
Total	542 (100%)	8 (1%)	8 (1%)	87 (16%)	0 (0%)	103 (19%)	439 (81%)

820 - Shopping Center

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	430 - Golf Course	Total	
Entry	1553 (100%)	104 (7%)	4 (0%)	76 (5%)	0 (0%)	184 (12%)	1369 (88%)
Exit	1552 (100%)	207 (13%)	9 (1%)	11 (1%)	0 (0%)	227 (15%)	1325 (85%)
Total	3105 (100%)	311 (10%)	13 (0%)	87 (3%)	0 (0%)	411 (13%)	2694 (87%)

430 - Golf Course

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	820 - Shopping Center	Total	
Entry	644 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	644 (100%)
Exit	643 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	643 (100%)
Total	1287 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1287 (100%)

External Trips

Land Use	External Trips	Pass-by%	Pass-by Trips	Non-pass-by Trips
210 - Single-Family Detached Housing	20401	0 %	0	20401
230 - Residential Condominium/Townhouse	830	0 %	0	830
720 - Medical-Dental Office Building	439	0 %	0	439
820 - Shopping Center	2694	30 %	808	1886
430 - Golf Course	1287	0 %	0	1287

ITE Deviation Details

Weekday

Landuse — No deviations from ITE.

Methods — No deviations from ITE.

External Trips — 210 - Single-Family Detached Housing
ITE does not recommend a particular pass-by% for this case.

230 - Residential Condominium/Townhouse
ITE does not recommend a particular pass-by% for this case.

720 - Medical-Dental Office Building
ITE does not recommend a particular pass-by% for this case.

820 - Shopping Center
ITE does not recommend a particular pass-by% for this case.

430 - Golf Course
ITE does not recommend a particular pass-by% for this case.

Summary

Total Entering	13254
Total Exiting	13251
Total Entering Reduction	0
Total Exiting Reduction	0
Total Entering Internal Capture Reduction	427
Total Exiting Internal Capture Reduction	427
Total Entering Pass-by Reduction	411
Total Exiting Pass-by Reduction	397
Total Entering Non-Pass-by Trips	12416
Total Exiting Non-Pass-by Trips	12427

Attachment B – FDOT Connection Permit – Hawks Haven

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

TRAFFIC CONTROL SHALL COMPLY WITH THE FEDERAL MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES [MUTCD] AND FDOT DESIGN STANDARDS 600 SERIES.

DRIVEWAY CONNECTION PERMIT FOR ALL CATEGORIES

PART 1: PERMIT INFORMATION

APPLICATION NUMBER: 04-A-192-0061

Permit Category: F Access Classification: 3

Project: Hawks Haven

Permittee: Duke Capital LLC on behalf of Hawks Haven Developers, LLC

Section/Mile Post: 12020 / 11.554 State Road: 80

Section/Mile Post: State Road:

PART 2: PERMITTEE INFORMATION

APPROVED

FOR DOT PERMIT #

Permittee Name: Duke Capital LLC on behalf of Hawks Haven Developers, LLC

Permittee Mailing Address: c/o Land Mar Group, L.L.C., 9110 College Point Court

City, State, Zip: Fort Myers, Florida 33919

Telephone: (239) 851-3225

Engineer/Consultant/or Project Manager: Carolyn Gish, P.E.

Engineer responsible for construction inspection: Carolyn Gish, P.E. (NAME) 53845 (P.E. #)

Mailing Address: 7741 North Military Trail, Suite 5

City, State, Zip: Palm Beach Gardens, Florida 33410

Telephone: (561) 840-8650 FAX, Mobile Phone, etc.: (561) 840-8590

PART 3: PERMIT APPROVAL

The above application has been reviewed and is hereby approved subject to all Provisions as attached.

PERMIT NUMBER: 04-A-192-0061

Signature: Sarah T. Clarke Department of Transportation Title: Permits Manager

Department Representative's Printed Name: Sarah T. Clarke

Temporary Permit YES (NO) (If temporary, this permit is only valid for 6 months)

Special provisions attached (YES) NO

Date of Issuance: 2-2-05

If this is a normal (non-temporary) permit it authorizes construction for one year from the date of issuance. This can only be extended by the Department as specified in 14-96.007(6).

See following pages for General and Special Provisions

SEE ATTACHMENT

PART 4: GENERAL PROVISIONS

1. Notify the Department of Transportation Maintenance Office at least 48 hours in advance of starting proposed work. Phone: (239) 656-7813, Attention: Marla Bricher

2. A copy of the approved permit must be displayed in a prominent location in the immediate vicinity of the connection construction.

3. Comply with Rule 14-96.008(1), F.A.C., Disruption of Traffic.

4. Comply with Rule 14-96.008(7), F.A.C., on Utility Notification Requirements.

5. All work performed in the Department's right of way shall be done in accordance with the most current Department standards, specifications and the permit provisions.

6. The permittee shall not commence use of the connection prior to a final inspection and acceptance by the Department.

7. Comply with Rule 14-96.003(3)(a), F.A.C., Cost of Construction.

8. If a Significant Change of the permittee's land use, as defined in Section 335.182, Florida Statutes, occurs, the Permittee must contact the Department.

9. Medians may be added and median openings may be changed by the Department as part of a Construction Project or Safety Project. The provision for a median might change the operation of the connection to be for right turns only.

10. All conditions in NOTICE OF INTENT WILL APPLY unless specifically changed by the Department.

11. All approved connection(s) and turning movements are subject to the Department's continuing authority to modify such connection(s) or turning movements in order to protect safety and traffic operations on the state highway or State Highway System.

12. **Transportation Control Features in the State Right of Way.** Transportation control features and devices in the Department's right of way, including, but not limited to, traffic signals, medians, median openings, or any other transportation control features or devices in the state right of way, are operational and safety characteristics of the State Highway and are not means of access. The Department may install, remove or modify any present or future transportation control feature or device in the state right of way to make changes to promote safety in the right of way or efficient traffic operations on the highway.

13. The Permittee for him/herself, his/her heirs, his/her assigns and successors in interest, binds and is bound and obligated to save and hold the State of Florida, and the Department, its agents and employees harmless from any and all damages, claims, expense, or injuries arising out of any act, neglect or omission by the applicant, his/her heirs, assigns and successors in interest that may occur by reason of this, facility design, construction, maintenance or continuing existence of the connection facility, except that the applicant shall not be liable under this provision for damages arising from the sole negligence of the Department.

14. The Permittee shall be responsible for determining and notify all other users of the right of way.

15. Starting work on the State Right of Way means that I am accepting all conditions on the Permit.

PART 5: SPECIAL PROVISIONS

NON-CONFORMING CONNECTIONS: YES NO

If this is a non-conforming connection permit, as defined in Rule Chapters 14-96 and 14-97, then the following shall be a part of this permit:

1. The non-conforming connection(s) described in this permit is(are) not permitted for traffic volumes exceeding the Permit Category on page 1 of this permit, or as specified in "Other Special Provisions" below.

2. All non-conforming connections will be subject to closure or relocation when reasonable access becomes available in the future.

OTHER SPECIAL PROVISIONS:

- **The proposed connection and full median opening will be signalized at the applicant's expense when the signal warrants are met as determined by the Florida Department of Transportation Traffic Operation Division. All necessary analyses for determination of signal warrants, the development of detailed signalization design plans and all construction costs will be the responsibility of the applicant.**
- **The full median openings at South Olga Road and Linwood Avenue will be directionalized by the applicant at the applicant's expense when requested by the Florida Department of Transportation and/or signalization of the Hawk's Haven connection occurs.**
- **A minimum of one hundred fifty feet (150') of connection throat depth as measured from the right of way line must be maintained. This must be in the form of a recorded deed restriction.**
- **Features within the State Highway Right of Way, such as median openings and traffic control devices are not part of the connection(s) to be authorized by a connection permit. Except as otherwise provided herein, the Florida Department of Transportation reserves the discretion to determine the phasing, timing, and features for all traffic signals installed in the State Highway System.**
- **The approved permit with the stated conditions, including the legal description for all parcel(s) as shown in the approved site plan will be recorded with the Lee County Courthouse prior to commencement of construction or within 30 days of the permit approval date, whichever is less. Copy of said record must be provided to the Fort Myers Operations Center within said time line.**

PART 6: APPEAL PROCEDURES

You may request an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes. If you disagree with the facts stated in the foregoing Notice of Intended Department Action (hereinafter "Notice"), You may request a formal administrative hearing pursuant to Section 120.57(1), Florida Statutes. If you agree with the facts stated in the Notice, you may request an informal administrative hearing pursuant to Section 120.57(2), Florida Statutes. You must send the written request to:

Clerk of Agency Proceedings
Department of Transportation
Haydon Burns Building
605 Suwannee Street, M.S. 58
Tallahassee, Florida 32399-0458

The written request for an administrative hearing must conform to the requirements of either Rule 28-106.201(2) or Rule 28-106.301(2), Florida Administrative Code, and must be received by the Clerk of Agency Proceedings by 5:00 P.M., no later than 21 days after you received the Notice. The written request for an administrative proceeding should include a copy of the Notice, and must be legible, on 81/2 by 11 inch white paper, and contain:

1. Your name, address, and telephone number, and the Department identifying number on the Notice, if known, and name, address, and telephone number of your representative, if any;

2. An explanation of how you are affected by the action described in the Notice.

3. A statement of how and when you received the Notice.

4. A statement of all disputed issues of material fact. If there are none, you must so indicate.

5. A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle you to relief; and

6. A demand for relief.

A formal hearing will be held if there are disputed issued of material fact. If a formal hearing is held, this matter will be referred to the Division of Administrative Hearings, where you may present witnesses and evidence and cross examine other witnesses before an administrative law judge. If there are no disputed issues of material fact, an informal hearing will be held, in which case you will have the right to provide the Department with any written documentation or legal arguments which you wish the Department to consider.

Mediation, pursuant to Section 120.573, Florida Statutes, will be available if agreed to by all parties, and on such terms as may be agreed upon by all parties. The right to an administrative hearing is not affected when mediation does not result in a settlement.

If a written request for an administrative hearing is not timely received you will have waived your right to have the intended action reviewed pursuant to Chapter 120, Florida Statutes, and the action set forth in the Notice shall be conclusive and final.

STAFF REPORT
FROM
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF ENVIRONMENTAL SCIENCES

Date: **December 23, 2014**

To: **Alvin "Chip" Block, Principal Planner**

From: **Susie Derheimer, Environmental Planner**
Phone: (239) 533-8158
E-mail: sderheimer@leegov.com

Project: **River Hall RPD/CPD**
Case: **DCI2013-00003**
Strap: **25-43-26-03-0000D.0560 & others (see approved legal description)**

The Division of Environmental Sciences (ES) staff has reviewed the proposed amendment to River Hall Residential/Commercial Planned Development (RPD/CPD) and offer the following analysis and recommendations:

SITE DESCRIPTION:
The 1,978 acre River Hall Residential Planned Development (RPD) is currently approved through Zoning Resolution Z-05-051 for 1,999 residential dwelling units, a golf course, public school, 45,000 square feet of commercial uses, and 465.2 acres of wetland and upland preservation. Multiple development orders have been approved for the site infrastructure, golf course, amenities, and residential dwelling units. As a result of past approvals the preserves have been established, the developable footprint has been cleared, a majority of the lakes have been excavated, and a majority of public utilities and roadways installed.

REQUEST:
The application requests to amend a portion of the RPD and CPD zoning boundary to increase the number of residential dwelling units in the River Hall community and include additional recreational uses within the commercial portion of the community.

VEGETATION:
A habitat assessment and associated Florida Land Use, Cover and Classification System (FLUCCS), jurisdictional wetland, soil, flow-way, and topography maps, prepared by Passarella & Associates, Inc. dated January 2013, were provided (See attached FLUCCS map with delineated wetland lines 2 pages). The current 1,978 acre River Hall Community site contains

ATTACHMENT L

270.7 acres indigenous uplands, 180.99 acres jurisdictional state and federal wetlands and 13.51 acres jurisdictional federal only wetlands for a total of 465.2 acres of required preserve on the site. The jurisdictional wetlands were approved under South Florida Water Management District (SFWMD) Environmental Resource Permit (ERP) No. 36-040006-P and US Army Corp (ACOE) permit No. 199901378 (IP-DEY) and copies of the permits were provided by the applicant.

PROTECTED SPECIES AND MANAGEMENT:

The environmental assessment indicates that Lee County Protected Species Surveys (PSS) meeting the requirements of the Land Development Code (LDC) Chapter 10, Article III, Division 8 Standards were conducted on the River Hall project site in 2004 as part of the re-zoning requirements for resolution Z-05-051. During these surveys a total of five Lee County protected species were identified including; gopher tortoise (*Gopherus polyphemus*), burrowing owl (*Athene cunicularia*), Florida sandhill cranes (*Grus Canadensis*) little blue heron (*Egretta caerulea*), and woodstorks (*Mycteria Americana*). In addition, habitat for the American alligator (*Alligator mississippiensis*) and Florida scrub jay (*Aphelocoma coerulescens*) was observed on the subject site. In order to address the protection of these listed species, Lee County Protected Species Management Plan dated May 2006 was reviewed and approved by ES staff as part of development order DOS2006-00042 requirements (See ES Staff Attachment A-PSMP dated May 2006). The management plans specifically addressing gopher tortoise, burrowing owls, Florida sandhill crane, listed wading birds, American alligator and Florida scrub jay were found to meet the requirements of LDC Section 10-474 and Zoning Resolution Z-05-051 conditions.

Current protected species surveys for Lee County listed species meeting the requirements of LDC Section 10-473 were conducted by Passarella & Associates, Inc. December 4, 6, 7, and 11 2012, on the previously cleared and undeveloped lands (FLUCCS 740) located within the RPD amendment area (See ES Staff Attachment B- PSS dated January 2013 and Species Transect Map). The survey results indicate a total of four Lee County protected species were found within the survey area including gopher tortoise, burrowing owl, little blue heron, and bald eagle (*Haliaeetus Leucocephalus*). A total of 61 gopher tortoise burrows, 16 burrowing owl burrows (3 owls observed), two little blue herons, and 1 bald eagle were identified. The bald eagle was observed perched on a pine snag, no nest or nesting activity was observed or has been documented on or immediately adjacent to the subject site. The applicant proposes the protection of the gopher tortoises, burrowing owls, and little blue herons to be addressed as per the Lee County Protected Species Management Plans dated May 2006 approved through previous development orders. The gopher tortoises will be relocated on-site and burrowing owl burrows removed as per the required Florida Fish and Wildlife Conservation Commission (FWC) permits. Copies of the approved 2006 management plans, existing FWC gopher tortoise take permit and the required FWC conservation easement for a 64.58 acres on-site gopher tortoise preserve have been provided to Lee County.

County Staff conducted a site inspection on February, 8 2013 and verified the FLUCCS map and results of the PSS.

ES staff reviewed the application for consistency with the following Lee Plan Goals, Objectives, and Policies:

GOAL 107: RESOURCE PROTECTION. To manage the county's wetland and upland ecosystems so as to maintain and enhance native habitats, floral and faunal species diversity, water quality, and natural surface water characteristics.

Objective 107.8: Gopher Tortoises. The county will protect gopher tortoises through the enforcement of the protected species regulations and by operating and maintaining, in coordination with the Florida Game and Fresh Water Fish Commission, the Hickey Creek Mitigation Park.

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

Objective 107.3: Wildlife. Maintain and enhance the fish and wildlife diversity and distribution within Lee County for the benefit of a balanced ecological system.

Policy 107.3.1: Encourage upland preservation in and around preserved wetlands to provide habitat diversity, enhance edge effect, and promote wildlife conservation.

Objective 107.4: Endangered And Threatened Species In General. Lee County will continue to protect habitats of endangered and threatened species and species of special concern in order to maintain or enhance existing population numbers and distributions of listed species.

Policy 107.4.3: Require detailed inventories and assessments of the impacts of development where it threatens habitat of endangered and threatened species and species of special concern.

Policy 107.4.4: Restrict the use of protected plant and wildlife species habitat to that which is compatible with the requirements of endangered and threatened species and species of special concern. New developments must protect remnants of viable habitats when listed vegetative and wildlife species inhabit a tract slated for development, except where equivalent mitigation is provided.

The application is requesting to add residential units within previously cleared and undeveloped lands (FLUCCS 740) currently re-occupied by gopher tortoise and burrowing owls. This area is also adjacent to documented gopher tortoise, burrowing owl, American alligator, Florida Sandhill crane, listed wading birds, and Florida Scrub jay preserved indigenous habitat. While the current approvals provide habitat management plans for these species, resident educational materials are only provided for the American alligator and burrowing owl. Therefore, ES staff finds that upon future development of additional units the gopher tortoise and burrowing owl management plans will need to be revised to address the current conditions and update management techniques and required permits. Species management plans will also need to be revised to provide educational materials to residents on the gopher tortoise, listed wading birds and Florida scrub jay. In addition, the River Hall Community preserve areas provide suitable habitat for and is located within the secondary zone of the Florida panther (*Felis concolor*) and secondary range of the Florida black bear (*Ursus americanus*). Hickey's Creek Mitigation Park which abuts this property to the east has documented panther and black bear utilization as referenced in its Land Stewardship Management Plan. Given the River Hall preserve areas provide suitable habitat for the Florida panther and black bear, increasing the number of dwelling

units next to the preserves will increase the potential for negative human/wildlife inter-action. These concerns are also expressed by the Florida Fish and Wildlife Conservation Commission in a letter dated December 9, 2014 (See ES Staff Attachment C). Thus, ES staff recommends that prior to development of the additional residential units the River Hall Community should also provide large mammal management plans with educational materials (i.e. pamphlets, signage, etc.) on these documented listed species to limit negative human/wildlife interactions for consistency with the above referenced Lee Plan Goals, Objectives and Policies.

OPEN SPACE:
A review of the Master Concept Plan (MCP) and application documents reveals that the addition of residential units does not propose to reduce the common open space as approved in Zoning Resolution Z-05-051. ES staff finds that the acreage and general location of the common recreational open space/golf course area remains consistent with previous approvals.

ES staff finds the common open space is consistent with the following Lee Plan Goal and Objective:
Goal 77: Development Design Requirements. To require new development to provide adequate open space for improved aesthetic appearance, visual relief, environmental quality, preservation of existing native trees and plant communities, and the planting of required vegetation.
Objective 77.1: Development regulations will continue to require that new residential developments provide sufficient open space to meet the needs of their residents.

INDIGENOUS PRESERVATION:
The application does not propose any changes to the existing approved wetland and upland preserve areas and/or conservation easements and the preserve areas are not part of the amendment acreage. In addition, a review of the MCP reveals that the addition of residential units does not reduce the required 465.2 acres of indigenous preservation as approved in Zoning Resolution Z-05-051.

Therefore, ES staff finds the preservation continues to be consistent with the following Lee Plan Goals, Objectives, and Policies:
Lee Plan Goal 77: Development Design Requirements requires new development to provide adequate open space for improved aesthetic appearance, visual relief, environmental quality, preservation of existing native trees and plant communities, and the planting of required vegetation.
Objective 77.3: New developments must use innovative open space design to preserve existing native vegetation, provide visual relief, and buffer adjacent uses and proposed and/or existing rights-of-way. This objective and subsequent policies are to be implemented through the zoning process.
Policy 77.3.1: Any new development with existing indigenous vegetation is encouraged to provide half of the required open space as existing native plant communities. Any new development with existing native trees without associated native groundcover or understory is

encouraged to provide half of the required open space with areas containing existing native trees. The planting of native shrub species within native tree protection areas is encouraged.

DEVIATIONS:

Deviation #5 requests to deviate from LDC Section 10-415(b)(1)(c.) which requires a minimum setback of 20 feet from buildings; and for indigenous plant communities subject to fire, such as pine flatwoods, palmetto prairie and xeric scrub, a 30 foot setback is required for fire protection; to allow a side setback of 17 feet for the following existing platted lots: River Hall Country Club, Phase Two Block K Lots 29, 57, 76, and 77; and Hampton Lakes at River Hall, Phase One Lot 87. See the applicant's justification for the deviation attached to the overall staff report.

An ES staff review of the FLUCCS mapping reveals that the River Hall Country Club Lots 29, 57, 76, and 77 abut preserved habitat containing predominately upland pine flatwoods; therefore, given the existing platted lot size a deviation from a building setback of 30-feet to allow a 17-foot side setback may be needed.

A revised MCP submitted by the applicant stamped "Received DEC 17 2014 Community Development" removed Hampton Lakes at River Hall Lot 87 from the zoning amendment area; therefore, ES staff finds Lot 87 cannot be subject to the deviation request.

The applicant has provided an email from the Fire Chief at Fort Myers Shores Fire Department stating that the request may occur on existing platted lots only but that any new lots should have the required 30-foot setback. Therefore, ES staff recommends that the structure side setback may be reduced to 17-feet for existing platted lots River Hall Country Club Block K Lots 29, 57, 76, and 77, as documented in Instrument No. 2006000409514, with the condition that any re-plat of these lots will require the lots to meet the 30-foot structure setback to the preserve.

Deviation #6 requests to deviate from LDC Section 10-415(b)(1)(c.) which requires a minimum setback of 20 feet from buildings and for indigenous plant communities subject to fire, such as pine flatwoods, palmetto prairie and xeric scrub, a 30 foot setback is required for fire protection; to allow a 20 foot setback for existing platted lots within of the River Hall Community at locations depicted on the MCP. See the applicant's justification for the deviation attached to the overall staff report.

An ES staff review of the FLUCCS mapping reveals that the River Hall Country Club Block K Lots 37-39, 54-57 & 65-77 and the Hampton Lakes at River Hall Lots 102-134 abut preserved habitat containing predominately upland pine flatwoods and/or upland xeric oak habitat; therefore, given the existing platted lot size a deviation from a building setback of 30-feet to allow a 20-foot side setback may be needed.

A revised MCP was submitted by the applicant stamped "Received DEC 17 2014 Community Development" which removed River Hall Country Club Block J Lots 47-80 and Hampton Lakes at River Hall Lots 39-48 & 88-90 from the zoning amendment area; therefore, ES staff finds these lots cannot be subject to the deviation request.

The applicant has provided an email from the Fire Chief at Fort Myers Shores Fire Department stating that a 20-foot setback may occur on existing platted lots only but that any new lots should have the required 30-foot setback. Therefore, ES staff recommends that the structure setback may be reduced to 20-feet for existing platted lots River Hall Country Club Block K Lots 37-39, 54-57 & 65-77 and Hampton Lakes at River Hall Lots 102-134, as documented in Instruments No. 2006000409514 and 200500153004, respectively, with the condition that any re-plat of these lots will require the lots to meet the 30-foot structure setback to the preserve.

ES staff has a concern with requested deviations from setbacks to preserves. The on-site gopher tortoise preserve located within the southeast corner of the River Hall Community contains habitat which is subject to fire management techniques as required by the FWC conservation easement. In addition, as documented in the Hickey's Creek Preserve Land Stewardship Plan, the adjacent public preserve to the east also contains requirements for habitat management by prescribed burn activities. This concern is also expressed in the previously reference FWC letter dated December 9, 2014. Therefore, in order to ensure that the River Hall Community residents are aware of the fire management activities, ES staff recommends that residents of development pods adjacent to the on-site preserves are notified prior to any prescribed burns occurring within the on-site preserve or on the adjacent Hickey's Creek Mitigation park and general education material on prescribe burn management activities provided. Also, potential purchasers of lots adjacent to the onsite preserve must be informed of their purchase of a lot adjacent to an on-site preserve or public preserve land which is managed with prescribed burning through covenants or deed restriction documents.

CONDITIONS:

Upon approval of the current zoning request ES staff recommends that environmental conditions 3.a.-e. of the previous zoning action (Z-05-51, as amended) be brought forward and remain in full force and effect. In addition, ES staff recommends that the following conditions be added as discussed above to ensure compliance with the LDC and consistency with the Lee Plan:

Existing approved development will meet requirements of the River Hall Lee County Protected Species Management Plan, dated May 2006. However, prior to local development order approval for future developments subject to the amendment of this zoning, a Protected Species Management Plan must be submitted revising the gopher tortoise and burrowing owl management plans to address the current conditions and update management techniques and required permits; include resident educational materials for the gopher tortoise, listed wading birds, and Florida scrub jay; as well as incorporate a large mammal management plan to limit potential negative human/wildlife interactions.

Prior to prescribed burn management activities occurring within the on-site preserve or on the adjacent Hickey's Creek Mitigation park (as notified by the CDD and/or park staff), the HOA of the development pods located adjacent to the easternmost preserve must notify residents of those development pods of the scheduled prescribed burn activities and general education material on prescribed burn management activities must be provided. If a covenants or deed restrictions are required for these development pods, the documents must include language

requiring each deed holder will be informed of their purchase of a lot adjacent to an on-site preserve or public preserve land which is managed with prescribed burning and each deed holder will be presented with education material on prescribed burn management activities at the time of purchase.

Deviation #5:
The structure side setback to the preserve may be reduced to 17-feet for existing platted lots River Hall Country Club Block K Lots 29, 57, 76, and 77 as documented in Instrument No. 2006000409514, with the condition that any re-plat of these lots will require the lots to meet the 30-foot structure setback to the preserve.

Deviation #6:
The structure setback to the preserve may be reduced to 20-feet for existing platted lots River Hall Country Club Block K Lots 37-39, 54-57 & 65-77 and Hampton Lakes at River Hall Lots 102-134, as documented in Instrument No. 2006000409514 & 200500153004, respectively, with the condition that any re-plat of these lots will require the lots to meet the 30-foot structure setback to the preserve.

DESCRIPTION (REZONE AREA)

Parcel in
Sections 25, 27, 34, 35 and 36, Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Section 25, 27, 34, 35 and 36, Township 43 South, Range 26 East Lee County, Florida, said tract or parcel of land being more particularly described as follows:

PARCEL 1:

A tract or parcel of land lying in Section 27, Township 43, Range 26, Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the North Quarter Corner of said Section 27 run S00°51'17"E along the East line of the West Half (W 1/2) of said Section 27 1,573.70 feet to the POINT OF BEGINNING.
From said Point of Beginning continue S00°51'17"E along said East line for 614.10 feet to an intersection with the Northerly line of Conservation Easement CE-5, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records; thence run along the Northerly and Westerly line of of said Conservation Easement the following thirty-seven (37) courses: S89°08'43"W for 93.44 feet to a point on a non-tangent curve; Westerly along an arc of a curve to the right of radius 66.36 feet (delta 16°50'32") (chord bearing N84°55'21"W) (chord 19.44 feet) for 19.51 feet; N71°01'07"W for 89.50 feet to a point of curvature; Northwesterly along an arc of a curve to the right of radius 70.00 feet (delta 23°16'07") (chord bearing N59°23'03"W) (chord 28.23 feet) for 28.43 feet to a point of tangency; N47°45'00"W for 184.10 feet to a point of curvature; Westerly along an arc of a curve to the left of radius 30.00 feet (delta 72°55'14") (chord bearing N84°12'37"W) (chord 35.66 feet) for 38.18 feet; S55°56'06"W for 16.37 feet to a point on a non-tangent curve; Southwesterly along an arc of a curve to the right of radius 26.40 feet (delta 05°46'39") (chord bearing S56°05'54"W) (chord 2.66 feet) for 2.66 feet to a point on a non-tangent curve; Westerly along an arc of a curve to the right of radius 70.00 feet (delta 89°33'57") (chord bearing N76°34'03"W) (chord 98.62 feet) for 109.43 feet; S28°40'01"W for 168.43 feet; S49°55'00"W for 120.21 feet; S08°34'30"W for 59.47 feet; S16°25'18"E for 53.01 feet; S10°53'06"W for 52.02 feet; S21°20'30"E for 68.84 feet; N62°54'21"E for 119.90 feet; S66°05'27"E for 32.67 feet; S15°30'06"E for 72.37 feet; S40°08'04"E for 34.02 feet; S03°40'51"E for 25.26 feet; S70°07'12"W for 69.86 feet; S61°26'29"W for 17.36 feet; S72°08'48"W for 19.92 feet; N60°51'22"W for 30.42 feet; N77°06'37"W for 44.10 feet; S64°52'29"W for 38.94 feet; S20°52'27"W for 43.82 feet; S31°30'37"E for 59.12 feet; N86°41'36"E for 84.58 feet; S63°46'58"E for 10.50 feet; S40°41'16"E for 40.28 feet; S42°43'38"E for 45.16 feet; S67°36'20"E for 23.72 feet; S41°52'34"E for 38.96 feet; S63°15'06"E for 38.14 feet; S89°23'27"E for 35.43 feet; N63°29'28"E for 1.44 feet to a point on a non-tangent curve and Southeasterly along an arc of a curve to the right of radius 294.98 feet (delta 79°24'50") (chord bearing S37°32'25"E) (chord 376.91 feet) for 408.86 feet to an intersection with the Northerly line of lands described

ATTACHMENT M

DESCRIPTION (CONTINUED)

in a deed recorded in Official Record Book 4326, at Page 2075, Lee County Records; thence run S89°59'57"W along said Northerly line for 290.94 feet to a point on a non-tangent curve and an intersection with the Northerly line of Conservation Easement CE-6, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Record; thence run along the Northerly and Westerly line of of said Conservation Easement the following nineteen (19) courses: Northerly along an arc of a curve to the right of radius 366.19 feet (delta 02°18'35") (chord bearing N06°14'13"E) (chord 14.76 feet) for 14.76 feet; N67°30'09"W for 128.15 feet; N22°29'51"E for 111.26 feet to a point on a non-tangent curve; Northwesterly along an arc of a curve to the right of radius 284.50 feet (delta 15°17'25") (chord bearing N54°28'27"W) (chord 75.70 feet) for 75.92 feet; Westerly along an arc of a curve to the left of radius 215.00 feet (delta 48°01'46") (chord bearing N70°51'26"W) (chord 175.00 feet) for 180.23 feet to a point to tangency; S85°07'41"W for 47.77 feet; S04°52'19"E for 25.00 feet; S85°07'41"W for 40.00 feet; N04°52'19"W for 25.00 feet; S85°07'41"W for 99.33 feet; S04°52'19"E for 84.36 feet; S00°40'13"E for 44.90 feet; S09°23'27"W for 21.52 feet; S85°07'41"W for 214.14 feet; S04°52'19"E for 195.19 feet to a point of curvature; Southerly along an arc of a curve to the right of radius 645.00 feet (delta 24°05'35") (chord bearing S07°10'29"W) (chord 269.23 feet) for 271.23 feet; S56°46'33"E for 5.45 feet; S22°03'38"E for 26.30 feet and S44°22'17"E for 89.18 feet to an intersection with said Northerly line of lands described in a deed recorded in Official Record Book 4326, at Page 2075, Lee County Records; thence run S84°07'47"W along said Northerly line for 35.31 feet to a point on a non-tangent curve and an intersection with the Easterly right of way line of River Hall Parkway described in a deed recorded in Official Record Book 4326, at Page 1851, Lee County Records; thence run along said Easterly right of way line the following five (5) courses: Northerly along an arc of a curve to the right of radius 700.00 feet (delta 35°18'45") (chord bearing N17°39'25"W) (chord 424.63 feet) for 431.42 feet to a point of tangency; N00°00'03"W for 514.62 feet to a point of curvature; Northeasterly along an arc of a curve to the right of radius 300.00 feet (delta 58°24'51") (chord bearing N29°12'23"E) (chord 292.78 feet) for 305.86 feet to a point of tangency; N58°24'48"E for 260.56 feet to a point of curvature; Northerly along an arc of a curve to the left of radius 430.00 feet (delta 113°16'07") (chord bearing N01°46'45"E) (chord 718.25 feet) for 850.07 feet to an intersection with the Southerly line of lands described in Instrument No. 2007000309267, Lee County Records; thence run the following three courses along said Southerly line: N59°14'31"E for 186.92 feet; N00°00'00"E for 85.63 feet to a point of tangency and Northeasterly along an arc of a curve to the right of radius 67.00 feet (delta 65°23'59") (chord bearing N32°42'00'E) (chord 72.39 feet) for 76.48 feet to an intersection with the West line of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 27 also being an intersection with the Westerly line of Conservation Easement CE-3, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records thence run along the Westerly and Southerly line of said Conservation Easement the following twelve (12) courses: S00°50'17"E for 60.93 feet; S34°56'26"E for 102.67 feet; S09°14'30"E for 48.67 feet; S67°52'13"E for 81.78 feet; S48°12'54"E for 71.57 feet; S01°01'22"W for 27.84 feet; S80°11'09"E for 57.75 feet; S87°52'40"E for 72.84 feet; N88°30'21"E for 65.61 feet; N87°58'32"E for 123.03 feet; N86°30'04"E for 86.75 feet and N89°08'44"E for 62.31 feet to the POINT OF BEGINNING.

DESCRIPTION (CONTINUED)

Containing 22.74 acres, more or less.

PARCEL 2:

A tract or parcel of land lying in Section 27, Township 43, Range 26, Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the North Quarter Corner of said Section 27 run S00°51'17"E along the East line of the West Half (W 1/2) of said Section 27 for 763.79 feet to an intersection with the Southerly right of way line of State Road 80, (F.D.O.T. right of way map, Section 1202-(106)202) (150 feet wide); thence run S77°10'14"W along said Southerly right of way line for 1,346.60 feet to an intersection with the West line of of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 27; thence run S00°49'17"E along said West line for 284.51 feet to the Southwest Corner of said Fraction and the POINT OF BEGINNING.
From said Point of Beginning run N88°54'52"E along the South line of said Fraction, along being the South line of lands described in Instrument No. 2013000006374, Lee County Records for 14.28 feet; thence run N70°31'00"E still along said South line of lands for 91.71 feet to a point on a non-tangent curve and an intersection with the Westerly right of way line of River Hall Parkway described in a deed recorded in Official Record Book 4326, at Page 1851, Lee County Records; thence run along said Westerly right of way line the following two (2) courses: thence run Southeasterly along an arc of a curve to the left of radius 550.00 feet (delta 38°10'13") (chord bearing S44°57'39"E) (chord 359.67 feet) for 366.41 feet to a point to reverse curvature; and Southerly along an arc of a curve to the right of radius 330.00 feet (delta 99°34'05") (chord bearing S14°15'43"E) (chord 503.99 feet) for 573.47 feet to an intersection with the Northerly line of lands described in Instrument No. 2005000189275, Lee County Records thence run N49°27'03"W along said Northerly line for 61.57 feet an intersection with the Easterly line of Conservation Easement CE-2, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records thence run along the Easterly and Northerly line of said Conservation Easement the following eighteen (18) courses: N45°39'05"E for 15.51 feet to a point on a non-tangent curve; Northeasterly along an arc of a curve to the left of radius 243.59 feet (delta 02°15'07") (chord bearing N44°10'13"E) (chord 9.57 feet) for 9.57 feet; N49°27'03"W for 6.01 feet to a point on a non-tangent curve; Northeasterly along an arc of a curve to the left of radius 237.59 feet (delta 38°59'14") (chord bearing N23°36'50"E) (chord 158.57 feet) for 161.67 feet; S54°38'48"E for 4.76 feet; S76°07'10"E for 1.94 feet to a point on a non-tangent curve; Northerly along an arc of a curve to the left of radius 243.59 feet (delta 06°53'49") (chord bearing N01°19'46"E) (chord 29.31 feet) for 29.32 feet; N54°38'48"W for 20.18 feet; N54°38'46"W for 62.62 feet; N56°19'59"W for 41.82 feet; N60°57'46"W for 41.20 feet; N58°35'37"W for 49.86 feet; N86°11'12"W for 74.80 feet; N28°14'18"W for 31.90 feet; N78°18'45"W for 52.55 feet; N74°02'56"W for 65.51 feet; N33°39'00"W for 113.45 feet and N67°25'04"W for 70.30 feet to an intersection with said West line of of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 27; thence run N00°49'17"W along sadi West line for 178.87 feet to the POINT OF BEGINNING.
Containing 2.46 acres, more or less.

PARCEL 3:

DESCRIPTION (CONTINUED)

A portion of Tract "A", RIVER HALL COUNTRY CLUB, PHASE ONE as recorded in Instrument Number 2005000153068, Lee County Records being more particularly described as follows:

Beginning at the Northeast Corner of said Tract "A" thence run along the Northerly line of said Tract "A" the following eleven (11) courses: N85°02'56"E for 136.40 feet to a point of curvature; thence run Easterly along an arc of a curve to the right of radius 1,026.00 feet (delta 04°58'05") (chord bearing N87°31'59"E) (chord 88.94 feet) for 88.96 feet to a point of tangency; S89°58'59"E for 44.15 feet to a point of curvature; Easterly along an arc of a curve to the right of radius 726.00 feet (delta 17°17'43") (chord bearing S81°20'07"E) (chord 218.32 feet) for 219.15 feet to a point of reverse curvature; Easterly along an arc of a curve to the left of radius 284.00 feet (delta 49°14'39") (chord bearing N82°41'25"E) (chord 236.65 feet) for 244.09 feet to a point of reverse curvature; Easterly along an arc of a curve to the right of radius 380.00 feet (delta 40°00'56") (chord bearing N78°04'34"E) (chord 260.03 feet) for 265.39 feet to a point of tangency; S81°54'58"E for 212.22 feet to a point of curvature; Southeasterly along an arc of a curve to the right of radius 340.00 feet (delta 31°27'37") (chord bearing S66°11'10"E) (chord 184.35 feet) for 186.69 feet to a point of tangency; S50°27'22"E for 284.60 feet to a point of curvature; Southeasterly along an arc of a curve to the left of radius 175.00 feet (delta 31°06'17") (chord bearing S66°00'30"E) (chord 93.84 feet) for 95.00 feet to a point of compound curvature; and Easterly along an arc of a curve to the left of radius 300.00 feet (delta 18°53'32") (chord bearing N88°59'36"E) (chord 98.47 feet) for 98.92 feet; thence run thence run along the Southerly and Westerly line of said Tract "A" the following sixteen (16) courses: S86°31'29"W for 80.17 feet to a point of curvature; thence run Westerly along an arc of a curve to the right of radius 300.00 feet (delta 43°01'09") (chord bearing N71°57'56"W) (chord 219.99 feet) for 225.25 feet to a point of tangency; N50°27'22"W for 226.84 feet to a point of curvature; Northwesterly along an arc of a curve to the left of radius 260.00 feet (delta 31°27'37") (chord bearing N66°11'10"W) (chord 140.98 feet) for 142.76 feet to a point of tangency; N81°54'58"W for 212.22 feet to a point of curvature; Westerly along an arc of a curve to the left of radius 300.00 feet (delta 40°00'56") (chord bearing S78°04'34"W) (chord 205.29 feet) for 209.52 feet to a point of reverse curvature; Westerly along an arc of a curve to the right of radius 364.00 feet (delta 31°56'56") (chord bearing S74°02'33"W) (chord 200.35 feet) for 202.97 feet to a point of tangency; N89°58'59"W for 41.35 feet to a point of curvature; Westerly along an arc of a curve to the left of radius 287.00 feet (delta 12°33'46") (chord bearing S83°44'09"W) (chord 62.80 feet) for 62.93 feet to a point of tangency; S77°27'16"W for 12.39 feet to a point on a non-tangent curve; Westerly along an arc of a curve to the right of radius 213.00 feet (delta 12°33'45") (chord bearing S83°44'09"W) (chord 46.61 feet) for 46.70 feet; N89°58'59"W for 79.52 feet to a point of curvature; Westerly along an arc of a curve to the right of radius 188.00 feet (delta 09°48'12") (chord bearing N85°04'53"W) (chord 32.13 feet) for 32.17 feet to a point of reverse curvature; Westerly along an arc of a curve to the left of radius 200.00 feet (delta 09°48'12") (chord bearing N85°04'53"W) (chord 34.18 feet) for 34.22 feet to a point of tangency; N89°58'59"W for 261.37 feet and N00°01'01"E for 119.00 feet to the POINT OF BEGINNING.
Containing 3.87 acres, more or less.

PARCEL 4:

DESCRIPTION (CONTINUED)

A tract or parcel of land lying in Sections 34, 35 and 36, Township 43, Range 26, Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Beginning at the Southeast corner of said Section 34 N00°59'34"W along the East line of the Southeast Quarter (SE 1/4) of said Section 34 for 2,198.67 feet to an intersection with the Southerly line of Tract "B" of HAMPTON LAKES AT RIVER HALL, PHASE ONE as recorded in Instrument Number 2005000153004, Lee County Records; thence run along the Southerly, Easterly and Northerly line of said Tract "B" the following ten (10) courses: S74°41'45"E for 60.29 feet to a point on a radial curve; Northeasterly along an arc of a curve to the right of radius 976.00 feet (delta 41°14'33") (chord bearing N35°55'32"E) (chord 687.47 feet) for 702.54 feet; N34°34'20"W for 34.83 feet to a point on a non-tangent curve; Northwesterly along an arc of a curve to the left of radius 678.00 feet (delta 12°08'58") (chord bearing N54°08'49"W) (chord 143.50 feet) for 143.77 feet; S29°46'42"W for 12.75 feet; S21°50'20"W for 82.45 feet to a point of curvaure; Westerly along an arc of a curve to the right of radius 208.00 feet (delta 153°15'26") (chord bearing N81°31'57"W) (chord 404.72 feet) for 556.37 feet to a point of tangency; N04°54'15"W for 46.12 feet to a point of curvature; Northwesterly along an arc of a curve to the left of radius 40.00 feet (delta 102°41'37") (chord bearing N56°15'03"W) (chord 62.48 feet) for 71.69 feet to a point of reverse curvature and Westerly along an arc of a curve to the right of radius 2,355.00 feet (delta 26°34'30") (chord bearing S85°41'24"W) (chord 1,082.54 feet) for 1,092.30 feet to an intersection with the Westerly line of Lot 281 of said record plat; thence run N00°44'30"W along said westerly line for 163.51 feet to a point on a non-tangent curve and an intersection with the Southerly line of Tract "A" of said record plat; thence run Easterly along said southerly line and along an arc of a curve to the left of radius 1,821.00 feet (delta 03°07'08") (chord bearing S79°41'29"E) (chord 99.12 feet) for 99.13 feet; thence run N08°44'57"E for 216.00 feet to an intersection with the Southerly line of Tract "M" of said record plat; thence run along the Southerly line said Tract "M" the following five (5) courses: Easterly along an arc of a curve to the left of radius 1,605.00 feet (delta 27°46'04") (chord bearing N84°51'55"E) (chord 770.25 feet) for 777.84 feet to a point; Easterly along an arc of a curve to the right of radius 1,045.00 feet (delta 45°55'36") (chord bearing S86°03'19"E) (chord 815.40 feet) for 837.64 feet to a point of tangency; Southeasterly along an arc of a curve to the right of radius 1,345.00 feet (delta 12°24'26") (chord bearing S56°53'18"E) (chord 290.69 feet) for 291.26 feet to a point of tangency; Southeasterly along an arc of a curve to the left of radius 980.00 feet (delta 17°20'44") (chord bearing S59°21'27"E) (chord 295.55 feet) for 296.68 feet and N86°46'52"E for 63.97 feet to an intersection with the Southerly line of, RIVER HALL COUNTRY CLUB, PHASE ONE as recorded in Instrument Number 2005000153068, Lee County Records; thence run along the Southerly line said record plat the following nine (9) courses: Easterly along an arc of a curve to the right of radius 1,060.00 feet (delta 42°49'43") (chord bearing S71°48'16"E) (chord 774.03 feet) for 792.35 feet to a point of tangency; S50°23'25"E for 72.19 feet to a point of curvature; Easterly along an arc of a curve to the left of radius 340.00 feet (delta 45°17'38") (chord bearing S73°02'14"E) (chord 261.84 feet) for 268.78 feet to a point of tangency; N84°18'57"E for 92.74 feet to a point of curvature; Easterly along an arc of a curve to the right of radius 511.00 feet (delta

DESCRIPTION (CONTINUED)

53°03'18") (chord bearing S69°09'24"E) (chord 456.45 feet) for 473.18 feet to a point of tangency; S42°37'45"E for 4.29 feet; N65°12'55"E for 304.89 feet to a point on a non-tangent curve; Northwesterly along an arc of a curve to the right of radius 440.00 feet (delta 40°02'00") (chord bearing N23°18'48"W) (chord 301.22 feet) for 307.43 feet and N86°42'12"E for 80.00 feet to an intersection with the Southerly line of, RIVER HALL COUNTRY CLUB, PHASE TWO as recorded in Instrument Number 2006000409514, Lee County Records; thence run along the Southerly line said record plat the following three (3) courses: Southeasterly along an arc of a curve to the left of radius 360.00 feet (delta 58°01'05") (chord bearing S32°18'21"E) (chord 349.16 feet) for 364.54 feet to a point to reverse curvature; Southeasterly along an arc of a curve to the right of radius 840.00 feet (delta 25°16'08") (chord bearing S48°40'49"E) (chord 367.47 feet) for 370.46 feet to a point of tangency and S36°02'45"E for 496.83 feet to an intersection with the Easterly line of Tract "D-2" of said record plat; thence run along the Easterly and Northerly line of said Tract D-2" the following three (3) courses: Easterly along an arc of a curve to the left of radius 10.00 feet (delta 90°48'06") (chord bearing S81°26'48"E) (chord 14.24 feet) for 15.85 feet to a point of reverse curvature; thence run Northeasterly along an arc of a curve to the right of radius 215.00 feet (delta 10°35'32") (chord bearing N58°26'55"E) (chord 39.69 feet) for 39.75 feet and N45°56'00"W for 148.18 feet to an intersection with the Easterly line of Tract "B-1" of said record plat; thence run along the Easterly and Northerly line of said Tract B-1" the following seven (7) courses: Northeasterly along an arc of a curve to the left of radius 250.00 feet (delta 52°44'51") (chord bearing N34°41'14"E) (chord 222.11 feet) for 230.15 feet to a point of compound curvature; Northwesterly along an arc of a curve to the left of radius 283.00 feet (delta 82°40'54") (chord bearing N33°01'39"W) (chord 373.86 feet) for 408.39 feet to a point of tangency; N74°22'05"W for 69.19 feet to a point of curvature; Northwesterly along an arc of a curve to the right of radius 667.00 feet (delta 28°18'26") (chord bearing N60°12'53"W) (chord 326.19 feet) for 329.53 feet to a point of tangency; N46°03'40"W for 110.97 feet to a point of curvature; Westerly along an arc of a curve to the left of radius 135.00 feet (delta 50°07'46") (chord bearing N71°07'33"W) (chord 114.38 feet) for 118.11 feet to a point of tangency and S83°48'35"W for 52.76 feet to an intersection with the Easterly line of Tract "D-3" of said record plat; thence run along the Easterly and Northerly line of said Tract D-2" the following three (3) courses: N03°17'48"W for 142.20 feet; Westerly along an arc of a curve to the right of radius 215.00 feet (delta 04°25'47") (chord bearing S85°17'24"W) (chord 16.62 feet) for 16.62 feet to a point of reverse curvature; and Southwesterly along an arc of a curve to the left of radius 10.00 feet (delta 90°48'06") (chord bearing S42°06'15"W) (chord 14.24 feet) for 15.85 feet to a point of cusp; thence run N03°17'48"W for 91.96 feet to point of cusp; thence run Southeasterly along an arc of a curve to the left of radius 10.00 feet (delta 90°48'06") (chord bearing S48°41'51"E) (chord 14.24 feet) for 15.85 feet to a point of tangency; thence run Easterly along an arc of a curve to the right of radius 215.00 feet (delta 03°57'42") (chord bearing N87°52'57"E) (chord 14.86 feet) for 14.87 feet to a point of tangency; thence run N03°17'48"W for 149.09 feet; thence run S82°56'00"E for 141.12 feet; thence run Southeasterly along an arc of a curve to the right of radius 467.00 feet (delta 36°52'20") (chord bearing S64°29'50"E) (chord 295.38 feet) for 300.53 feet to a point of tangency; thence run S46°03'40"E for 122.65 feet; thence run Southeasterly along an arc of a curve to the left of radius 333.00 feet (delta 28°18'26") (chord bearing S60°12'53"E) (chord 162.85 feet) for 164.52 feet to a point of tangency; thence run S74°22'05"E for 69.19 feet; thence run Easterly along an arc of a curve to the right of radius 617.00 feet (delta 12°05'13") (chord bearing S68°19'29"E) (chord 129.92 feet)

DESCRIPTION (CONTINUED)

for 130.16 feet to a point of tangency; thence run Easterly along an arc of a curve to the left of radius 80.00 feet (delta 80°21'13") (chord bearing N77°32'31"E) (chord 103.22 feet) for 112.19 feet to a point of tangency; thence run Easterly along an arc of a curve to the right of radius 199.00 feet (delta 85°50'24") (chord bearing N80°17'07"E) (chord 271.03 feet) for 298.14 feet to a point of tangency; thence run N33°12'19"E for 103.92 feet; thence run S69°21'19"E for 585.07 feet; thence run Easterly along an arc of a curve to the left of radius 175.00 feet (delta 23°42'43") (chord bearing S81°12'40"E) (chord 71.91 feet) for 72.42 feet to a point of tangency; thence run N86°55'59"E for 507.21 feet; thence run S42°30'21"E for 617.01 feet; thence run N72°42'51"E for 186.40 feet; thence run Northeasterly along an arc of a curve to the right of radius 190.00 feet (delta 110°19'44") (chord bearing N47°39'10"E) (chord 311.90 feet) for 365.86 feet to a point; thence run Easterly along an arc of a curve to the left of radius 90.00 feet (delta 17°01'46") (chord bearing S85°41'51"E) (chord 26.65 feet) for 26.75 feet to a point of tangency; thence run N85°47'16"E for 103.64 feet; thence run Easterly along an arc of a curve to the left of radius 640.00 feet (delta 24°16'20") (chord bearing N73°39'06"E) (chord 269.10 feet) for 271.12 feet to a point of tangency; thence run Easterly along an arc of a curve to the right of radius 560.00 feet (delta 12°52'56") (chord bearing N67°57'24"E) (chord 125.64 feet) for 125.91 feet to a point of tangency; thence run N74°23'52"E for 423.58 feet; thence run Easterly along an arc of a curve to the right of radius 560.00 feet (delta 14°41'42") (chord bearing N81°44'43"E) (chord 143.23 feet) for 143.63 feet to a point of tangency; thence run N89°05'34"E for 175.70 feet; thence run N00°28'09"E for 292.49 feet; thence run Northerly along an arc of a curve to the left of radius 770.00 feet (delta 06°48'29") (chord bearing N02°56'05"W) (chord 91.44 feet) for 91.49 feet to a point of tangency; thence run Northwesterly along an arc of a curve to the left of radius 10.00 feet (delta 87°49'13") (chord bearing N50°14'56"W) (chord 13.87 feet) for 15.33 feet to a point of tangency; thence run Westerly along an arc of a curve to the right of radius 215.00 feet (delta 04°07'59") (chord bearing S87°54'27"W) (chord 15.51 feet) for 15.51 feet to a point of tangency; thence run S00°01'33"E for 143.28 feet; thence run N86°35'19"W for 109.67 feet; thence run S87°12'03"W for 424.79 feet; thence run Southwesterly along an arc of a curve to the left of radius 65.00 feet (delta 83°51'37") (chord bearing S45°16'14"W) (chord 86.87 feet) for 95.14 feet to a point of tangency; thence run Westerly along an arc of a curve to the right of radius 207.00 feet (delta 148°35'59") (chord bearing S77°38'25"W) (chord 398.55 feet) for 536.87 feet to a point of tangency; thence run N28°03'35"W for 350.17 feet; thence run Northeasterly along an arc of a curve to the right of radius 201.00 feet (delta 159°46'46") (chord bearing N51°49'48"E) (chord 395.76 feet) for 560.52 feet to a point of tangency; thence run Easterly along an arc of a curve to the left of radius 305.00 feet (delta 44°31'08") (chord bearing S70°32'23"E) (chord 231.07 feet) for 236.99 feet to a point of tangency; thence run N87°12'03"E for 465.09 feet; thence run N83°37'00"E for 99.40 feet; thence run S17°18'48"E for 142.86 feet; thence run Easterly along an arc of a curve to the right of radius 215.00 feet (delta 04°14'04") (chord bearing N83°33'30"E) (chord 15.89 feet) for 15.89 feet to a point; thence run Northeasterly along an arc of a curve to the left of radius 10.00 feet (delta 98°59'46") (chord bearing N36°10'39"E) (chord 15.21 feet) for 17.28 feet to a point of tangency; thence run Northwesterly along an arc of a curve to the left of radius 770.00 feet (delta 24°14'07") (chord bearing N25°26'18"W) (chord 323.27 feet) for 325.70 feet to a point of tangency; thence run N52°26'39"E for 80.00 feet; thence run Southerly along an arc of a curve to the right of radius 850.00 feet (delta 38°01'30") (chord bearing S18°32'36"E) (chord 553.82 feet) for 564.11 feet to a point; thence run S00°28'09"W for 391.65 feet; thence run S89°31'51"E for 22.00 feet; thence run N00°28'09"E for 111.21 feet; thence run Easterly along an arc of a curve to the left of radius 215.00 feet (delta 10°39'19") (chord bearing N82°19'44"E) (chord 39.93 feet) for 39.98 feet to a point; thence

DESCRIPTION (CONTINUED)

run Easterly along an arc of a curve to the right of radius 185.00 feet (delta 13°28'05") (chord bearing N83°44'07"E) (chord 43.39 feet) for 43.49 feet to a point of tangency; thence run S89°31'51"E for 684.37 feet; thence run Easterly along an arc of a curve to the left of radius 307.36 feet (delta 37°43'03") (chord bearing N70°23'34"E) (chord 198.70 feet) for 202.33 feet to a point; thence run Northeasterly along an arc of a curve to the right of radius 20.00 feet (delta 18°41'19") (chord bearing N41°45'08"E) (chord 6.49 feet) for 6.52 feet to a point; thence run Northeasterly along an arc of a curve to the left of radius 300.00 feet (delta 30°26'47") (chord bearing N35°52'24"E) (chord 157.55 feet) for 159.42 feet to a point of tangency; thence run S69°21'00"E for 140.00 feet; thence run S01°16'06"W for 12.46 feet; thence run S02°11'01"E for 103.61 feet; thence run S71°47'24"W for 15.08 feet; thence run S18°12'36"E for 150.00 feet; thence run S27°04'48"W for 31.37 feet; thence run Southerly along an arc of a curve to the right of radius 757.00 feet (delta 11°01'36") (chord bearing S12°07'12"E) (chord 145.46 feet) for 145.69 feet to a point; thence run S06°36'24"E for 276.23 feet; thence run Southeasterly along an arc of a curve to the left of radius 43.00 feet (delta 85°40'09") (chord bearing S49°26'28"E) (chord 58.47 feet) for 64.29 feet to a point of tangency; thence run N87°43'27"E for 117.27 feet; thence run Northeasterly along an arc of a curve to the left of radius 80.00 feet (delta 78°21'12") (chord bearing N48°32'51"E) (chord 101.07 feet) for 109.40 feet to a point of tangency; thence run Easterly along an arc of a curve to the right of radius 193.00 feet (delta 133°46'45") (chord bearing N76°15'38"E) (chord 355.02 feet) for 450.63 feet to a point of tangency; thence run N53°09'00"E for 42.88 feet; thence run Southerly along an arc of a curve to the right of radius 2,202.18 feet (delta 02°16'47") (chord bearing S08°49'46"E) (chord 87.62 feet) for 87.62 feet to a point; thence run Southwesterly along an arc of a curve to the right of radius 300.00 feet (delta 61°40'28") (chord bearing S23°08'59"W) (chord 307.56 feet) for 322.93 feet to a point of tangency; thence run N43°05'38"W for 33.19 feet; thence run S49°32'15"W for 108.94 feet; thence run Westerly along an arc of a curve to the right of radius 307.00 feet (delta 38°11'12") (chord bearing S68°37'51"W) (chord 200.84 feet) for 204.61 feet to a point of tangency; thence run S87°43'27"W for 313.19 feet; thence run S06°36'24"E for 30.78 feet; thence run Southerly along an arc of a curve to the left of radius 230.00 feet (delta 20°17'02") (chord bearing S16°44'54"E) (chord 81.00 feet) for 81.42 feet to a point of tangency; thence run Southeasterly along an arc of a curve to the left of radius 90.00 feet (delta 49°40'47") (chord bearing S51°43'49"E) (chord 75.61 feet) for 78.04 feet to a point of tangency; thence run Southerly along an arc of a curve to the right of radius 55.00 feet (delta 139°00'23") (chord bearing S07°04'00"E) (chord 103.04 feet) for 133.44 feet to a point of tangency; thence run S12°09'00"W for 147.46 feet; thence run S01°39'32"W for 30.44 feet; thence run Southerly along an arc of a curve to the right of radius 350.00 feet (delta 23°11'32") (chord bearing S13°15'18"W) (chord 140.71 feet) for 141.67 feet to a point of tangency; thence run Southwesterly along an arc of a curve to the right of radius 1,651.75 feet (delta 11°33'08") (chord bearing S30°37'38"W) (chord 332.47 feet) for 333.04 feet to a point of tangency; thence run Southwesterly along an arc of a curve to the right of radius 690.00 feet (delta 41°50'09") (chord bearing S57°17'46"W) (chord 492.70 feet) for 503.82 feet to a point; thence run S78°12'50"W for 275.30 feet; thence run Southwesterly along an arc of a curve to the left of radius 1,335.00 feet (delta 22°43'21") (chord bearing S66°51'10"W) (chord 525.97 feet) for 529.44 feet to a point of tangency; thence run Southwesterly along an arc of a curve to the left of radius 132.56 feet (delta 12°16'24") (chord bearing S55°00'04"W) (chord 28.34 feet) for 28.39 feet to a point; thence run Southwesterly along an arc of a curve to the right of radius 1,665.00 feet (delta 16°51'25") (chord bearing S63°25'21"W) (chord 488.09 feet) for 489.86 feet to a point; thence run S71°51'03"W for 86.61 feet; thence run Westerly along an arc of a curve to the right of radius 665.00 feet (delta 17°20'35") (chord bearing

DESCRIPTION (CONTINUED)

S80°31'21"W) (chord 200.52 feet) for 201.29 feet to a point of tangency; thence run S00°48'22"E for 74.36 feet; thence run S89°11'43"W for 1,166.27 feet; thence run S88°54'06"W for 2,643.62 feet; thence run S88°53'41"W for 2,642.70 feet to the POINT OF BEGINNING.
Containing 525.57 acres, more or less.

LESS AND EXCEPT FROM PARCEL 4:

Tract "G" and Tract "H" of HAMPTON LAKES AT RIVER HALL, PHASE ONE as recorded in Instrument Number 2005000153004, Lee County Records.

Tract "B" of HAMPTON LAKES AT RIVER HALL, PHASE TWO as recorded in Instrument Number 200700059747, Lee County Records.

Tract "B-13" of RIVER HALL COUNTRY CLUB, PHASE TWO as recorded in Instrument Number 2006000409514, Lee County Records.

PARCEL 5:

A portion of Tract "A", RIVER HALL COUNTRY CLUB, PHASE ONE as recorded in Instrument Number 2005000153068, Lee County Records being more particularly described as follows:

Beginning at Easterly Most corner of Tract "C-2" of RIVER HALL COUNTRY CLUB, PHASE TWO as recorded in Instrument Number 2006000409514, Lee County Records, run Northwesterly along an arc of a curve to the right of radius 1,040.00 feet (delta 03°26'40") (chord bearing N28°22'09"W) (chord 62.51 feet) for 62.52 feet to a point; thence run N26°38'49"W for 433.02 feet; thence run Northwesterly along an arc of a curve to the left of radius 510.00 feet (delta 77°41'27") (chord bearing N65°29'33"W) (chord 639.76 feet) for 691.54 feet to a point of tangency; thence run N00°00'00"E for 0.00 feet; thence run N14°20'16"W for 80.00 feet; thence run Southeasterly along an arc of a curve to the right of radius 590.00 feet (delta 77°41'27") (chord bearing S65°29'33"E) (chord 740.12 feet) for 800.02 feet to a point; thence run S26°38'49"E for 433.02 feet; thence run Southeasterly along an arc of a curve to the left of radius 960.00 feet (delta 03°43'55") (chord bearing S28°30'47"E) (chord 62.52 feet) for 62.53 feet to a point of tangency; thence run S63°21'11"W for 80.16 feet to the POINT OF BEGINNING.
Containing 2.28 acres, more or less.

AND

Tract "A-2" and Tract "C-1"of RIVER HALL COUNTRY CLUB, PHASE TWO as recorded in Instrument Number 2006000409514, Lee County Records.

PARCEL 8:

DESCRIPTION (CONTINUED)

A portion of RIVER HALL COUNTRY CLUB, PHASE TWO as recorded in Instrument Number 2006000409514, Lee County Records being more particularly described as follows:

Beginning at Northerly Most corner of Lot 99, Block "K" of RIVER HALL COUNTRY CLUB, PHASE TWO as recorded in Instrument Number 2006000409514, Lee County Records, run S48°20'23"E for 81.51 feet; thence run Southeasterly along an arc of a curve to the right of radius 193.00 feet (delta 143°45'09") (chord bearing S26°15'26"E) (chord 366.85 feet) for 484.23 feet to a point; thence run Southwesterly along an arc of a curve to the left of radius 315.00 feet (delta 21°41'59") (chord bearing S34°46'09"W) (chord 118.59 feet) for 119.30 feet to a point of tangency; thence run S23°55'09"W for 107.80 feet; thence run Southerly along an arc of a curve to the left of radius 43.00 feet (delta 42°31'14") (chord bearing S02°39'32"W) (chord 31.18 feet) for 31.91 feet to a point of tangency; thence run S84°06'00"W for 145.78 feet; thence run Northerly along an arc of a curve to the right of radius 230.00 feet (delta 10°55'34") (chord bearing N04°13'13"E) (chord 43.79 feet) for 43.86 feet to a point; thence run N80°19'00"W for 200.63 feet; thence run Northeasterly along an arc of a curve to the left of radius 285.00 feet (delta 09°31'36") (chord bearing N22°41'57"E) (chord 47.33 feet) for 47.39 feet to a point; thence run N17°56'09"E for 67.47 feet; thence run N26°22'53"E for 16.63 feet; thence run N29°56'44"E for 69.42 feet; thence run N05°37'45"W for 42.24 feet; thence run N17°56'09"E for 115.54 feet; thence run Northeasterly along an arc of a curve to the right of radius 541.52 feet (delta 25°54'46") (chord bearing N28°42'14"E) (chord 242.83 feet) for 244.91 feet to a point; to the POINT OF BEGINNING.
Containing 4.50 acres, more or less.

PARCEL 9:

A portion of RIVER HALL COUNTRY CLUB, PHASE TWO as recorded in Instrument Number 2006000409514, Lee County Records being more particularly described as follows:

Beginning at Easterly Most corner of Lot 77, Block "K" of RIVER HALL COUNTRY CLUB, PHASE TWO as recorded in Instrument Number 2006000409514, Lee County Records, run S05°31'00"W for 168.94 feet; thence run S75°15'00"W for 10.07 feet; thence run Southwesterly along an arc of a curve to the right of radius 55.00 feet (delta 153°38'05") (chord bearing S62°04'03"W) (chord 107.10 feet) for 147.48 feet to a point; thence run Northwesterly along an arc of a curve to the left of radius 90.00 feet (delta 15°27'44") (chord bearing N48°50'47"W) (chord 24.21 feet) for 24.29 feet to a point of tangency; thence run S11°49'00"W for 153.76 feet; thence run Southwesterly along an arc of a curve to the left of radius 48.00 feet (delta 81°30'58") (chord bearing S61°03'31"W) (chord 62.68 feet) for 68.29 feet to a point; thence run S20°18'02"W for 183.50 feet; thence run Southwesterly along an arc of a curve to the right of radius 507.00 feet (delta 77°48'10") (chord bearing

DESCRIPTION (CONTINUED)

S59°12'06"W) (chord 636.77 feet) for 688.46 feet to a point of tangency; thence run N04°08'00"E for 137.37 feet; thence run N81°39'21"W for 27.40 feet; thence run Westerly along an arc of a curve to the left of radius 775.00 feet (delta 00°14'21") (chord bearing N81°46'32"W) (chord 3.23 feet) for 3.23 feet to a point of tangency; thence run N12°58'00"E for 161.00 feet; thence run N36°09'00"E for 24.42 feet; thence run Easterly along an arc of a curve to the left of radius 43.00 feet (delta 30°02'08") (chord bearing S68°52'04"E) (chord 22.28 feet) for 22.54 feet to a point; thence run Northeasterly along an arc of a curve to the left of radius 193.00 feet (delta 75°43'55") (chord bearing N58°14'55"E) (chord 236.93 feet) for 255.10 feet to a point of tangency; thence run N20°01'59"E for 252.49 feet; thence run Northeasterly along an arc of a curve to the right of radius 307.00 feet (delta 62°41'32") (chord bearing N51°22'45"E) (chord 319.41 feet) for 335.92 feet to a point of tangency; thence run N82°43'37"E for 164.26 feet; thence run S84°29'00"E for 84.83 feet to the POINT OF BEGINNING.
Containing 7.91 acres, more or less.

Total acres 552.99 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS 2007) and are based on the East line of the Southeast Quarter (SE ¼) of said Section 34 to bear N00°59'34"W.

12/17/14

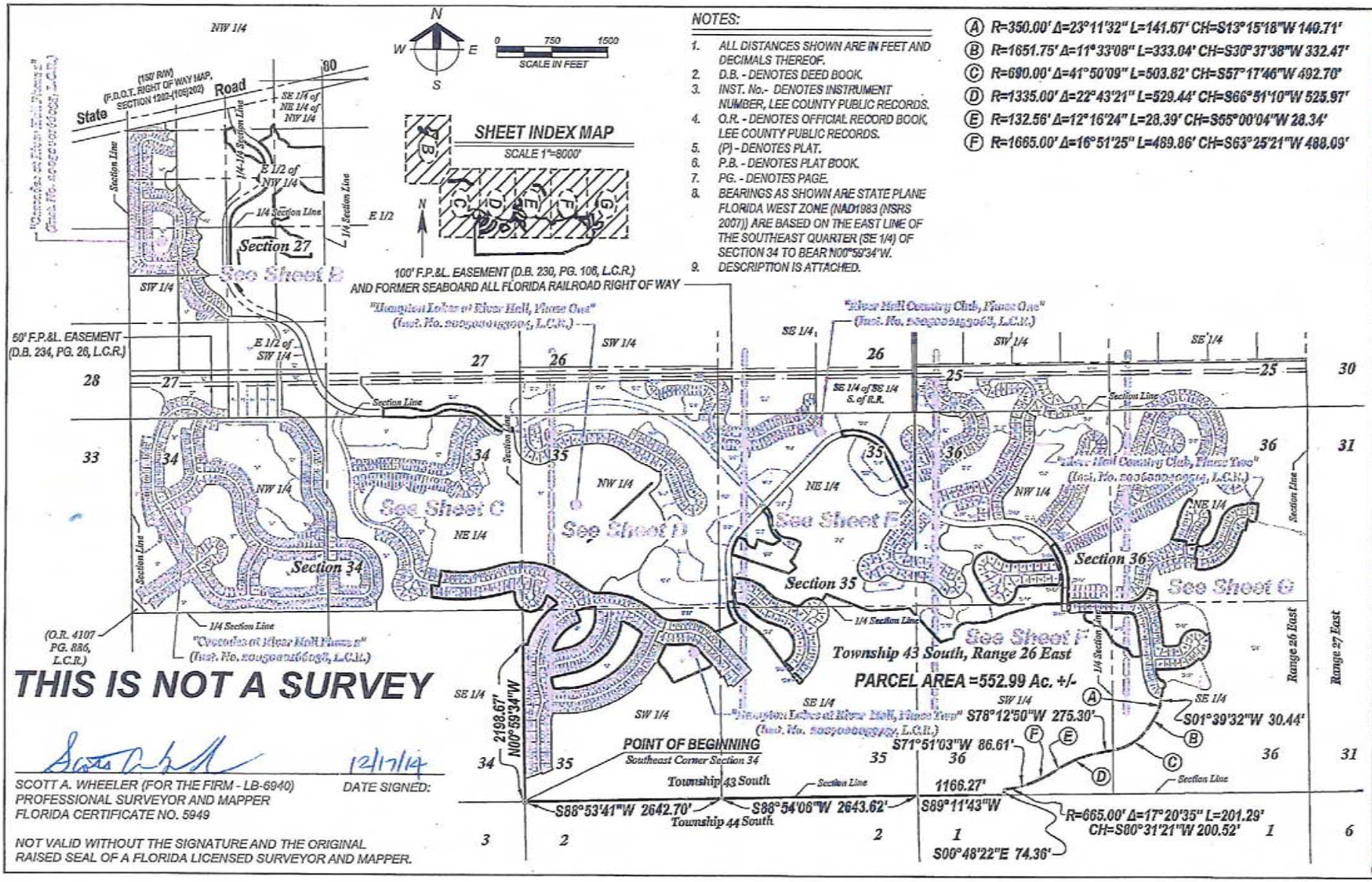
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955CPA01.doc

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
4. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
5. (P) - DENOTES PLAT.
6. P.B. - DENOTES PLAT BOOK.
7. PG. - DENOTES PAGE.
8. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) ARE BASED ON THE EAST LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 34 TO BEAR N00°59'34"W.
9. DESCRIPTION IS ATTACHED.

(A) R=350.00' Δ=23°11'32" L=141.67' CH=S13°15'18"W 140.71'
(B) R=1651.75' Δ=11°33'08" L=333.04' CH=S30°37'38"W 332.47'
(C) R=690.00' Δ=41°50'09" L=503.82' CH=S57°17'46"W 492.70'
(D) R=1335.00' Δ=22°43'21" L=529.44' CH=S66°51'10"W 525.97'
(E) R=132.56' Δ=12°16'24" L=28.39' CH=S55°00'04"W 28.34'
(F) R=1665.00' Δ=16°51'25" L=489.86' CH=S63°25'21"W 488.09'



THIS IS NOT A SURVEY

12/17/14

SCOTT A. WHEELER (FOR THE FIRM - LB-6940)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5949

DATE SIGNED:

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

Barraco and Associates, Inc.
www.barraco.net

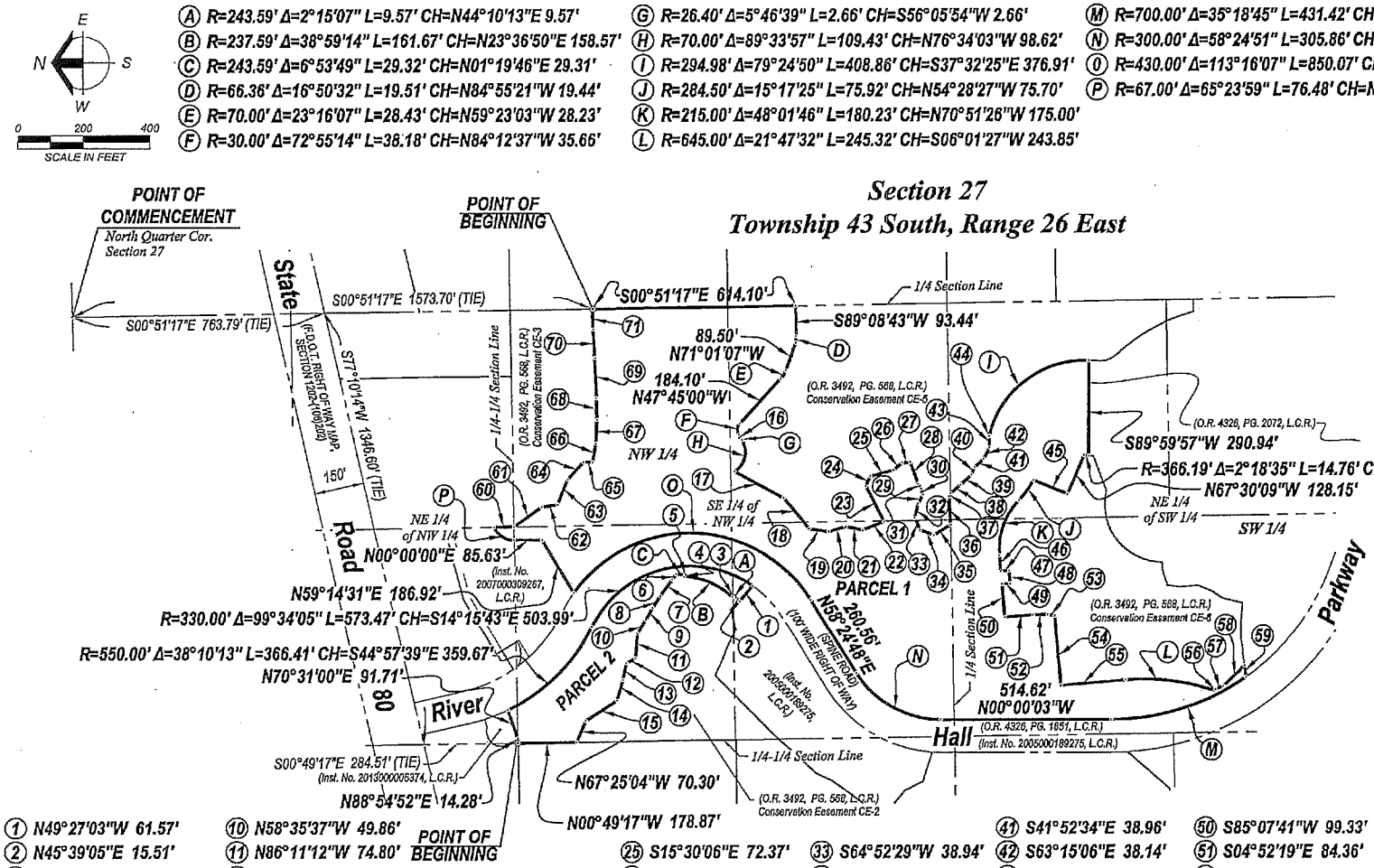
LandMar GROUP, LLC

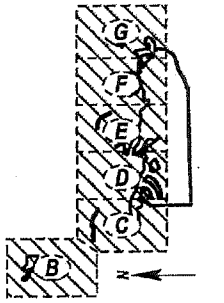
A Parcel of Land in Sections 25, 26, 27, 34, 35 & 36 Township 43 South, Range 26 East Lee County, Florida

SKETCH TO ACCOMPANY DESCRIPTION

A OF XX

(A) R=243.59' Δ=2°15'07" L=9.57' CH=N44°10'13"E 9.57'
(B) R=237.59' Δ=38°59'14" L=161.67' CH=N23°36'50"E 158.57'
(C) R=243.59' Δ=6°53'49" L=29.32' CH=N01°19'46"E 29.31'
(D) R=66.36' Δ=16°50'32" L=19.51' CH=N84°55'21"W 19.44'
(E) R=70.00' Δ=23°16'07" L=28.43' CH=N59°23'03"W 28.23'
(F) R=30.00' Δ=72°55'14" L=38.18' CH=N84°12'37"W 35.66'
(G) R=26.40' Δ=5°46'39" L=2.66' CH=S56°05'54"W 2.66'
(H) R=70.00' Δ=89°33'57" L=109.43' CH=N76°34'03"W 98.62'
(I) R=294.98' Δ=79°24'50" L=408.86' CH=S37°32'25"E 376.91'
(J) R=284.50' Δ=15°17'25" L=75.92' CH=N54°28'27"W 75.70'
(K) R=215.00' Δ=48°01'46" L=180.23' CH=N70°51'26"W 175.00'
(L) R=645.00' Δ=21°47'32" L=245.32' CH=S06°01'27"W 243.85'
(M) R=700.00' Δ=35°18'45" L=431.42' CH=N17°39'25"W 424.63'
(N) R=300.00' Δ=58°24'51" L=305.86' CH=N29°12'23"E 292.78'
(O) R=430.00' Δ=113°16'07" L=850.07' CH=N01°46'45"E 718.25'
(P) R=67.00' Δ=65°23'59" L=76.48' CH=N32°42'00"E 72.39'





(1) N49°27'03"W 61.57'
(2) N45°39'05"E 15.51'
(3) N49°27'03"W 6.01'
(4) S54°38'48"E 4.76'
(5) S76°07'10"E 1.94'
(6) N54°38'48"W 20.18'
(7) N54°38'46"W 62.62'
(8) N56°19'59"W 41.82'
(9) N60°57'46"W 41.20'
(10) N58°35'37"W 49.86'
(11) N86°11'12"W 74.80'
(12) N28°14'18"W 31.90'
(13) N78°18'45"W 52.55'
(14) N74°02'56"W 65.51'
(15) N33°39'00"W 113.45'
(16) S55°56'06"W 16.37'
(17) S28°40'01"W 168.43'
(18) S49°55'00"W 120.21'
(19) S08°34'30"W 59.47'
(20) S16°25'18"E 53.01'
(21) S10°53'06"W 52.02'
(22) S21°20'30"E 68.84'
(23) N62°54'21"E 119.90'
(24) S66°05'27"E 32.67'
(25) S15°30'06"E 72.37'
(26) S40°08'04"E 34.02'
(27) S03°40'51"E 25.26'
(28) S70°07'12"W 69.86'
(29) S61°26'29"W 17.36'
(30) S72°08'48"W 19.92'
(31) N60°51'22"W 30.42'
(32) N77°06'37"W 44.10'
(33) S64°52'29"W 38.94'
(34) S20°52'27"W 43.82'
(35) S31°30'37"E 59.12'
(36) N86°41'36"E 84.58'
(37) S63°46'58"E 10.50'
(38) S40°41'16"E 40.28'
(39) S42°43'38"E 45.16'
(40) S67°36'20"E 23.72'
(41) S41°52'34"E 38.96'
(42) S63°15'06"E 38.14'
(43) S89°23'27"E 35.43'
(44) N63°29'28"E 1.44'
(45) N22°29'51"E 111.26'
(46) S85°07'41"W 47.77'
(47) S04°52'19"E 25.00'
(48) S85°07'41"W 40.00'
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(50) S85°07'41"W 99.33'
(51) S04°52'19"E 84.36'
(52) S00°40'13"E 44.90'
(53) S09°23'27"W 21.52'
(54) S85°07'41"W 214.14'
(55) S04°52'19"E 195.19'
(56) S56°46'33"E 5.45'
(57) S22°03'38"E 26.30'
(58) S44°22'17"E 89.18'
(59) S84°07'47"W 35.31'
(60) S00°50'17"E 60.93'
(61) S34°56'26"E 102.67'
(62) S09°14'30"E 48.67'
(63) S67°52'13"E 81.78'
(64) S48°12'54"E 71.57'
(65) S01°01'22"W 27.84'
(66) S80°11'09"E 57.75'
(67) S87°52'40"E 72.84'
(68) N88°30'21"E 65.61'
(69) N87°58'32"E 123.03'
(70) N86°30'04"E 86.75'
(71) N89°08'44"E 62.31'

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
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FORT MYERS, FLORIDA 33902-2600
PHONE (239) 461-3170
FAX (239) 461-3199
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 2005 - SURVEYING LB-6545

PREPARED FOR

LandMar GROUP, LLC
2401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274 0321
FAX (239) 274-0517

PROJECT DESCRIPTION

A Parcel of Land in Sections 25, 26, 27, 34, 35 & 36 Township 43 South, Range 26 East Lee County, Florida

PROJECT SURVEYOR

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

FILE NAME	22955SR2D1.DWG
LAYOUT	8
LOCATION	J:\22955\DWG\SURVEY\DWG\STCH
PLOT DATE	WED, 12-17-2014 - 1:32 AM
PLOT BY	H. H. H. C. H.

DRAWING DATA

SURVEY DATE	12-12-2014
DRAWN BY	P. OLLUF
CHECKED BY	S.K.
SCALE	1"=1500'
FIELD BOOK	

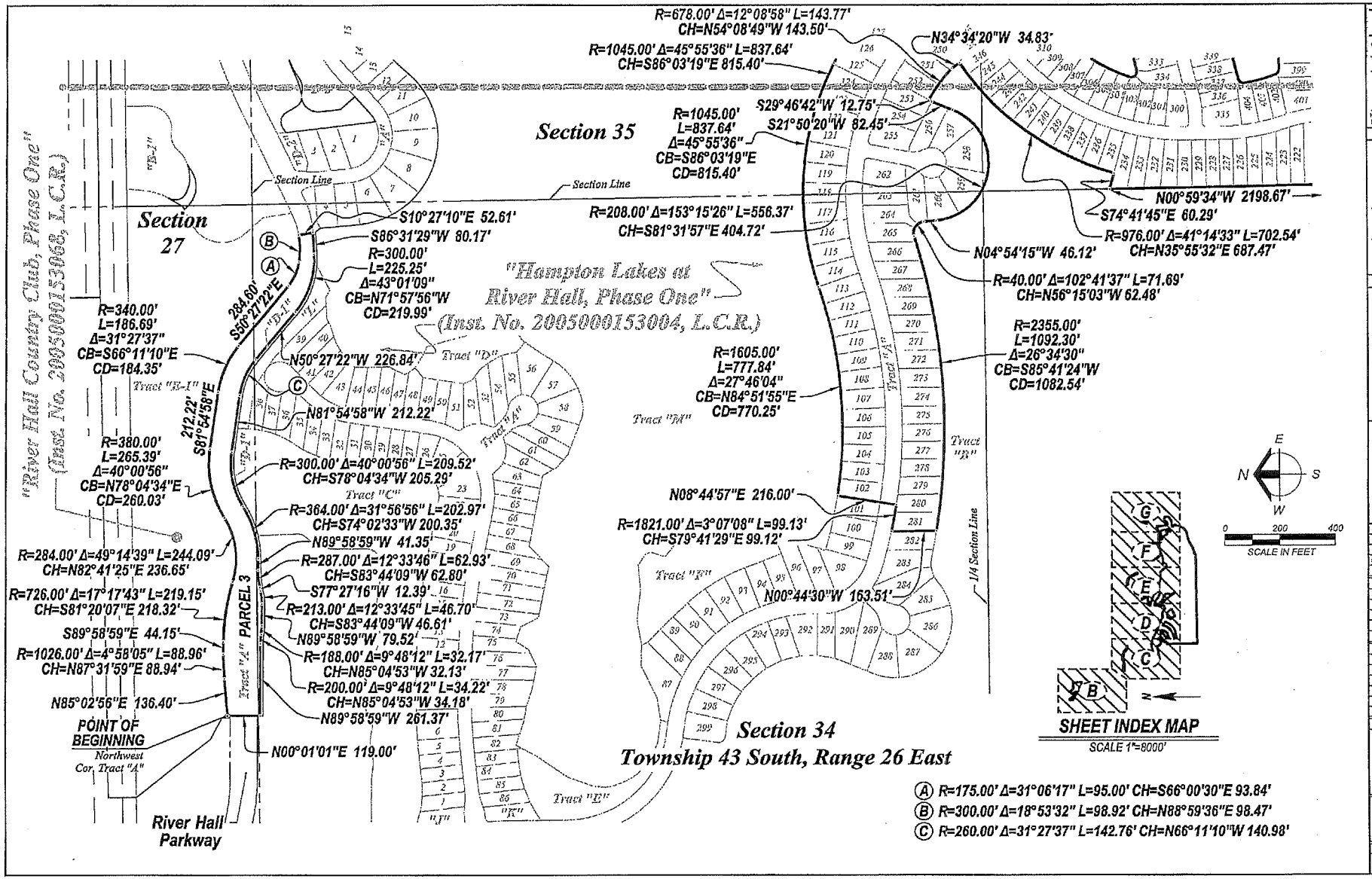
PLAN REVISIONS

STRAP NUMBERS

REZONE AREA

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT FILE NO.	SHEET NUMBER
22955 36-43-26	B OF XX



Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2600
FORT MYERS, FLORIDA 33902-2600
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATE OF AUTHORIZATION
ENGINEERING 7593 - SURVEYING LB-642

PREPARED FOR

LandMar GROUP, LLC
2401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0517

PROJECT DESCRIPTION

A Parcel of Land in Sections 25, 26, 27, 34, 35 & 36 Township 43 South, Range 26 East Lee County, Florida

PROJECT SURVEYOR

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

FILE NAME	22955SKR261.DWG
LAYOUT	01
LOCATION	J:\2295\DWGS\SURVEY\SKETCH
PLOT DATE	WED, 12-17-2014 - 10:25 AM
PLOT BY	PETER OLSEN
DRAWING DATA	
SURVEY DATE	12-15-2014
DRAWN BY	P. OLSEN
CHECKED BY	SAV
SCALE	1"=1500'
FIELD BOOK	

REVISIONS

REZONE AREA

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
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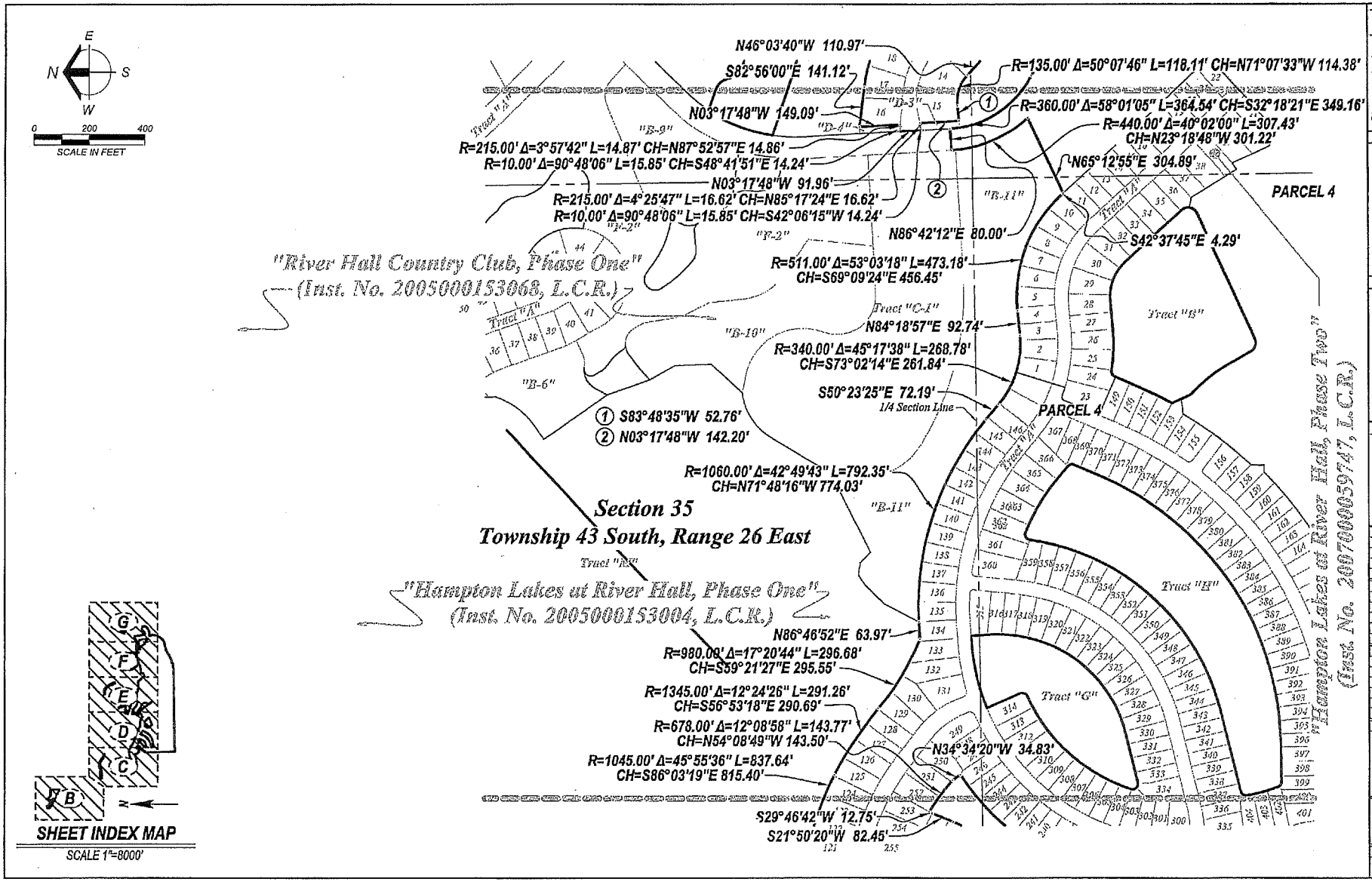

Barraco and Associates, Inc.

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LAND PLANNING · LANDSCAPE DESIGN

www.barraco.net

2271 McGREGOR BLVD., SUITE 100
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PHONE (239) 461-3170
FAX (239) 461-3189

FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7993 - SURVEYING LB-6990

PREPARED FOR

LandMar GROUP, LLC

2401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920

PHONE: (239) 274-0321
FAX: (239) 274-0517

PROJECT DESCRIPTION

A Parcel of Land in Sections 25, 26, 27, 34, 35 & 36 Township 43 South, Range 26 East Lee County, Florida

PROJECT SURVEYOR

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

FILE NAME	23555\R23LD.DWG
LAYOUT	D
LOCATION	J:\ASSESS\DWG\SURVEY\ALA\SKETCH
PLOT DATE	WED, 12-17-25 11:18:25 AM
PLOT BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	12-18-2001
DRAWN BY	P. OLSEN
CHECKED BY	DAW
SCALE	1"=1000'
FIELD BOOK	

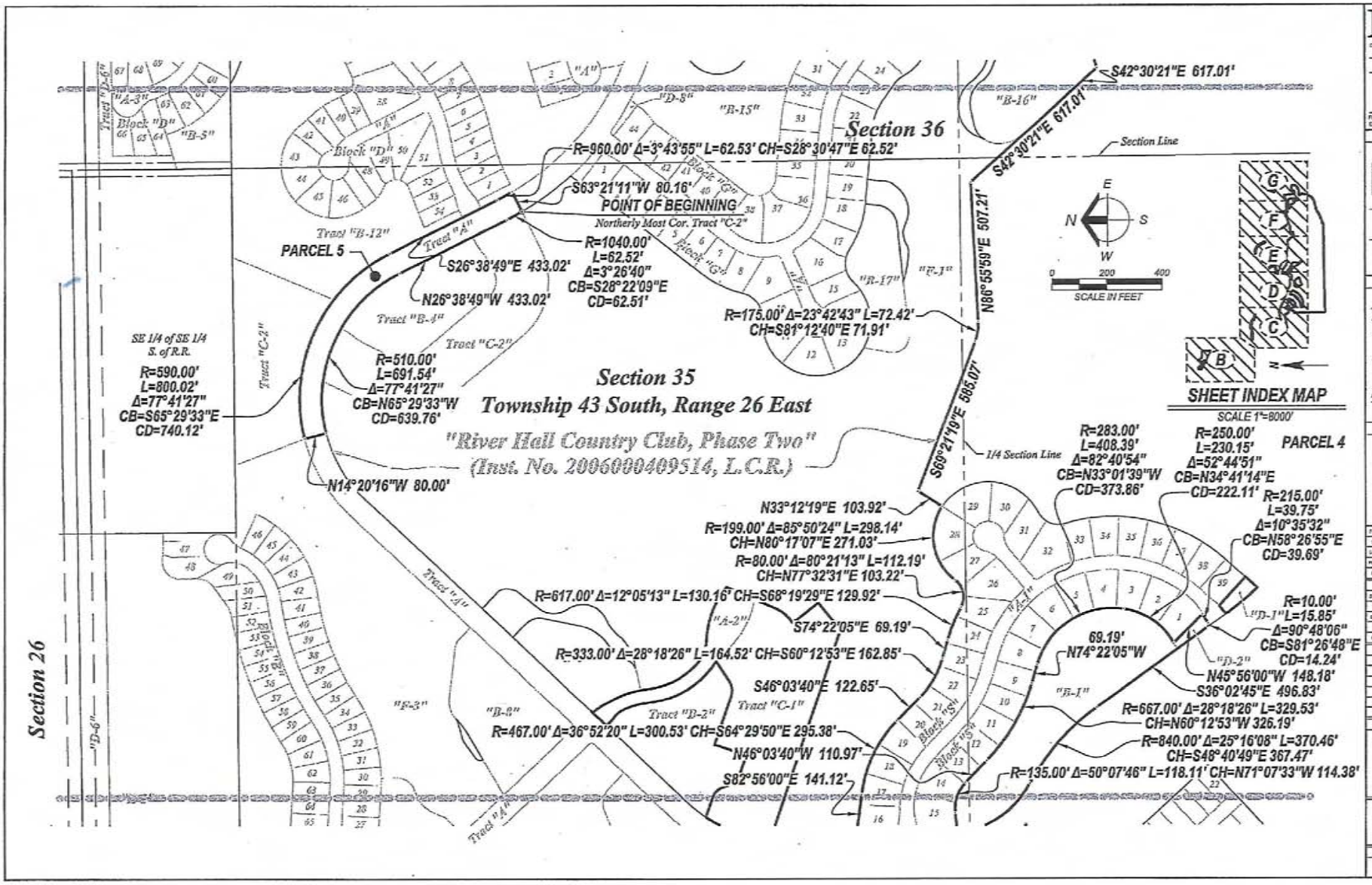
PLAN REVISIONS

SIGN NUMBERS

REZONE AREA

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT/FILE NO.	SHEET NUMBER
23555 36-43-26	D OF XX



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2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 2655 - SURVEYING LB-4342

PREPARED FOR

LandMar GROUP, LLC
2400 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-6321
FAX (239) 274-6317

PROJECT DESCRIPTION

A Parcel of Land in Sections 25, 26, 27, 34, 35 & 36 Township 43 South, Range 26 East Lee County, Florida

PROJECT SURVEYOR

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

FILE NAME	22355MASZ.DWG
LAYOUT	8
LOCATION	J:\22355\DWG\SURVEY\TO-SKETCH
PLOT DATE	WED, 10-29-2014 - 10:25 AM
PLOT BY	PETER CUTTS

DRAWING DATA

SURVEY DATE	10-15-2014
DRAWN BY	R. OLSEN
CHECKED BY	SAW
SCALE	1"=1000'
FIELD BOOK	

PLOT REVISIONS

STRAP NUMBERS
PRESERVE AREA

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT NO.	SHEET NUMBER
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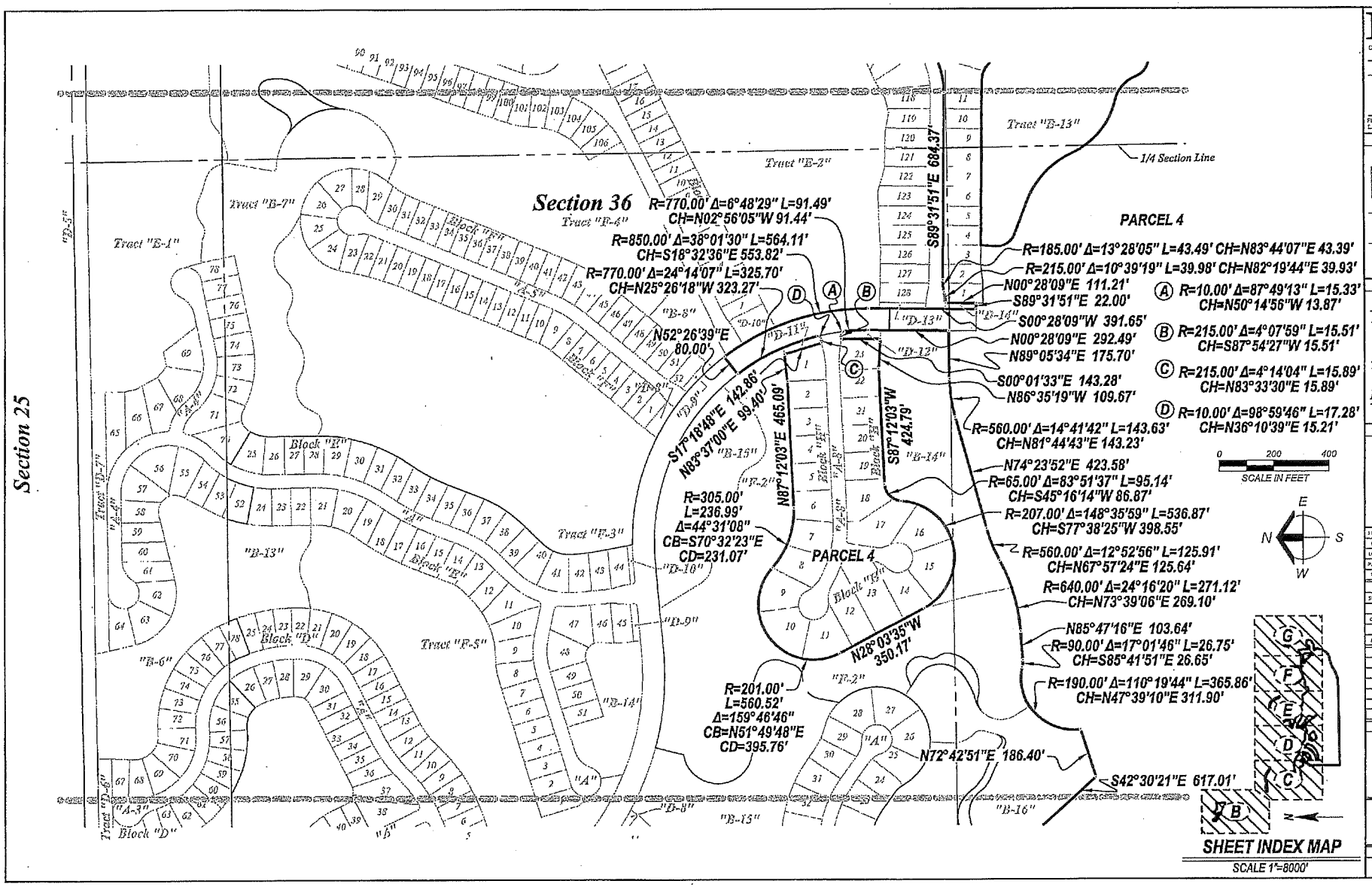


Barraco and Associates, Inc.

CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN

www.barraco.net

2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2000
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461 3169

FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-0549

PREPARED FOR

LandMar GROUP, LLC

2401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920

PHONE (239) 274-0321
FAX (239) 274 0517

PROJECT DESCRIPTION

A Parcel of Land in Sections 25, 26, 27, 34, 35 & 36 Township 43 South, Range 26 East Lee County, Florida

PROJECT SURVEYOR

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

J.N.C. NAME	F:\PROJECTS\LANDMAR\CVWS
LAYOUT	F
LOCATION	J:\LANDMAR\CVWS\SURVEY\NO-SKETCH
PLOT DATE	WED, 12-17-2014 - 10:25 AM
PLOT BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	12-16-2014
DRAWN BY	P. OLSEN
CHECKED BY	DAN
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

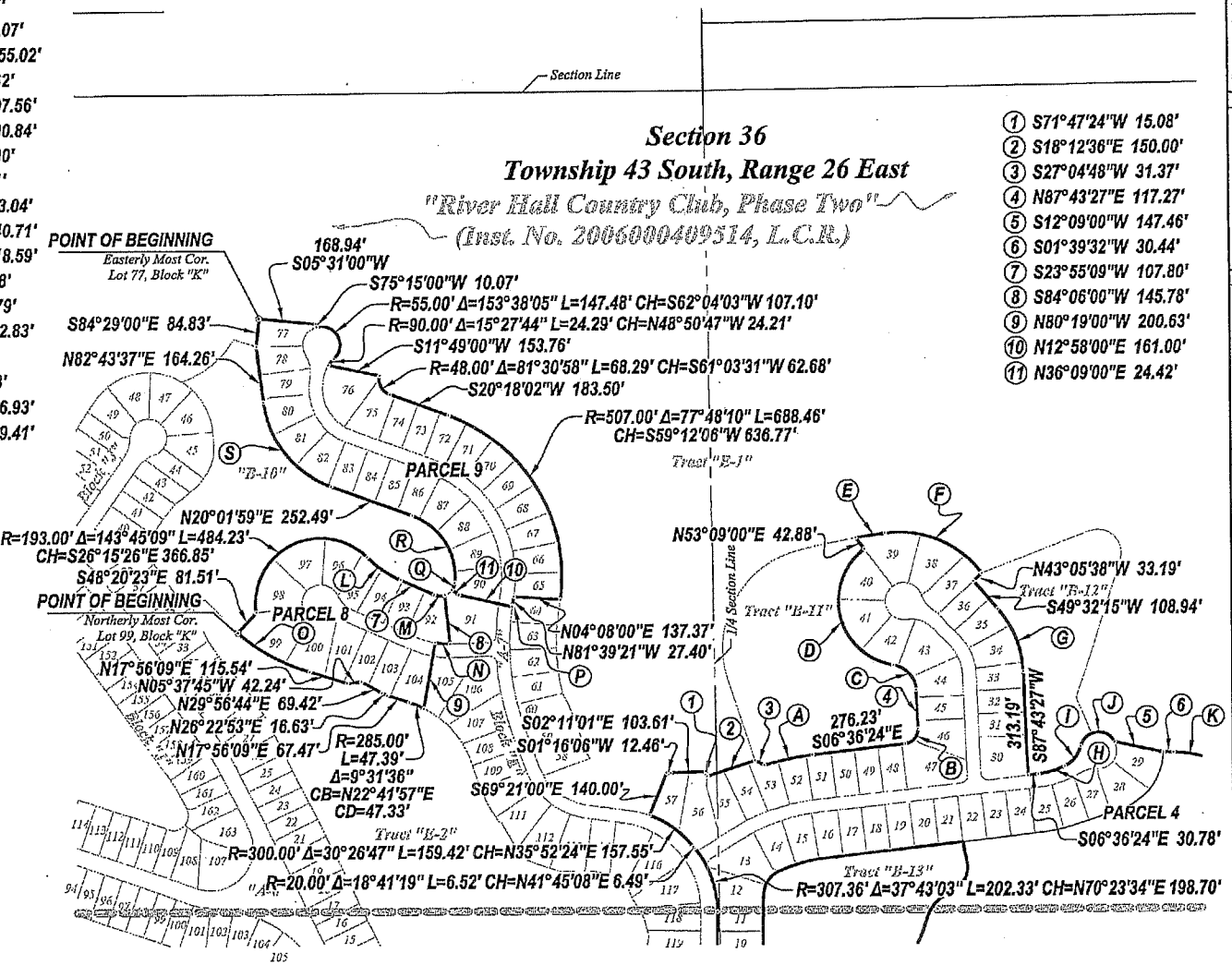
STRAP NUMBERS

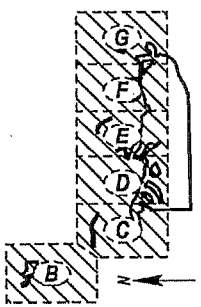
REZONE AREA

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
23959 35-43-26	F OF XX

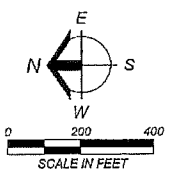
(A) R=757.00' Δ=11°01'36" L=145.69' CH=S12°07'12"E 145.46'
(B) R=43.00' Δ=85°40'09" L=64.29' CH=S49°26'28"E 58.47'
(C) R=80.00' Δ=78°21'12" L=109.40' CH=N48°32'51"E 101.07'
(D) R=193.00' Δ=133°46'45" L=450.63' CH=N76°15'38"E 355.02'
(E) R=2202.18' Δ=2°16'47" L=87.62' CH=S08°49'46"E 87.62'
(F) R=300.00' Δ=61°40'28" L=322.93' CH=S23°08'59"W 307.56'
(G) R=307.00' Δ=38°11'12" L=204.61' CH=S68°37'51"W 200.84'
(H) R=230.00' Δ=20°17'02" L=81.42' CH=S16°44'54"E 81.00'
(I) R=90.00' Δ=49°40'47" L=78.04' CH=S51°43'49"E 75.61'
(J) R=55.00' Δ=139°00'23" L=133.44' CH=S07°04'00"E 103.04'
(K) R=350.00' Δ=23°11'32" L=141.67' CH=S13°15'18"W 140.71'
(L) R=315.00' Δ=21°41'59" L=119.30' CH=S34°46'09"W 118.59'
(M) R=43.00' Δ=42°31'14" L=31.91' CH=S02°39'32"W 31.18'
(N) R=230.00' Δ=10°55'34" L=43.86' CH=N04°13'13"E 43.79'
(O) R=541.52' Δ=25°54'46" L=244.91' CH=N28°42'14"E 242.83'
(P) R=775.00' Δ=0°14'21" L=3.23' CH=N81°46'32"W 3.23'
(Q) R=43.00' Δ=30°02'08" L=22.54' CH=S68°52'04"E 22.28'
(R) R=193.00' Δ=75°43'55" L=255.10' CH=N58°14'55"E 236.93'
(S) R=307.00' Δ=62°41'32" L=335.92' CH=N51°22'45"E 319.41'





SHEET INDEX MAP

SCALE 1"=8000'



Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7998 - SURVEYING LB-6948

PREPARED FOR

LandMar GROUP, LLC

2401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920

PHONE (239) 274 0321
FAX (239) 274-0517

PROJECT DESCRIPTION

A Parcel of Land in Sections 25, 26, 27, 34, 35 & 36 Township 43 South, Range 26 East Lee County, Florida

PROJECT SURVEYOR

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

FILE NAME	22955ERRUSH.DWG
LAYOUT	G
LOCATION	J:\22955\DWG\SURVEYING\SKETCH
PLOT DATE	WED, 12-17-20 4:19:25 AM
PLOT BY	PETE HAGAN
DRAWING DATA	
SURVEY DATE	10-13-2014
DRAWN BY	P. HAGAN
CHECKED BY	SAW
SCALE	1"=200'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

REZONE AREA

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT NUMBER	SHEET NUMBER
22955 35-43-26	G OF XX

STAFF EXHIBIT # 2
DCI2013-00003

THE SCHOOL DISTRICT OF LEE COUNTY

2855 COLONIAL BLVD. ♦ FORT MYERS, FLORIDA 33966 ♦ WWW.LEESCHOOLS.NET

DAWN HUFF
LONG RANGE PLANNER
239-337-8142
DAWNMHU@LEESCHOOLS.NET

CATHLEEN O'DANIEL MORGAN
CHAIRMAN, DISTRICT 3

STEVEN K. TEUBER
VICE CHAIRMAN, DISTRICT 4

MARY FISCHER
DISTRICT 1

JEANNE S. DOZIER
DISTRICT 2

PAMELA H. LARIVIERE
DISTRICT 5

NANCY J. GRAHAM, ED.D
SUPERINTENDENT

KEITH B. MARTIN, ESQ.
BOARD ATTORNEY

January 9, 2015

Alvin Block, AICP
Lee County Development Services Division
P.O. Box 398
Fort Myers, FL 33902-0398

RE: River Hall
Case # DCI2013-00003

Dear Mr. Block:

This letter is in response to your request dated December 17, 2014 for River Hall comments in reference to the educational impact. This development is located in the East Choice Zone, Sub Zone E2.

This request will add an additional 750 single-family dwelling units to the already approved 1,999. With regard to the inter-local agreement for school concurrency, the generation rates are created from the type of dwelling unit and broken down by grade level.

For single family, the generation rate is .292 and further broken down into the following, .146 for elementary, .070 for middle and .076 for high. A total of 219 school-aged children would be generated and utilized for the purpose of determining sufficient capacity to serve the development. Within the Concurrency Analysis provided, the increase in dwelling units creates 28 middle school students above the capacity available within the East Zone Concurrency Service Area (CSA). However, there are sufficient seats available to serve the need within the contiguous CSA.

Thank you for your attention to this issue. If I may be of further assistance, please call me at (239) 479-5661.

Sincerely,

Dawn Huff, Long Range Planner

LEE COUNTY SCHOOL DISTRICT'S SCHOOL CONCURRENCY ANALYSIS

REVIEWING AUTHORITY	Lee School District
NAME/CASE NUMBER	River Hall/DCI2013-00003
OWNER/AGENT	RH Golf, LLC
ITEM DESCRIPTION	Adding 750 Single Family Units East CSA, Sub Zone E2
LOCATION	St. Rd. 82 East of Buckingham Rd.
CURRENT FLU	Rural
CURRENT ZONING	RPD

PROPOSED DWELLING UNITS BY TYPE

Single Family	Multi Family	Mobile Home
750	0	0

	Student Generation Rates			
STUDENT GENERATION	**SF**	**MF**	**MH**	**Projected Students**
Elementary School	0.146			109.50
Middle School	0.07			52.50
High School	0.076			57.00

Source: Lee County School District, January 9, 2015 letter

CSA SCHOOL NAME 2018/19	**CSA Capacity (1)**	**CSA Projected Enrollment (2)**	**CSA Available Capacity**	**Projected Impact of Project**	**Available Capacity W/Impact**	**LOS is 100% Perm FISH Capacity**	**Adjacent CSA Available Capacity w/Impact**
East CSA, Elementary	14,959	13,619	1,340	110	1231	92%	
East CSA, Middle	6,464	6,439	25	53	-28	100%	
East CSA, High	7,702	7,496	206	57	149	98%	

(1) Permanent Capacity as defined in the Interlocal Agreement and adopted in the five (5) years of the School District's Five Year Plan

(2) Projected Enrollment per the five (5) years of the School District's Five Year Plan plus any reserved capacity (development has a valid finding of capacity)

(3) Available Adjacent CSA capacity is subject to adjacency criteria as outlined in the Interlocal Agreement and the School District's School Concurrency Manual

Prepared by: Dawn Huff, Long Range Planner

STAFF'S EXHIBIT # 4
DC12013-00003

movements from the applicant's site) must be signed, dated, and sealed by a Professional Engineer registered in the State of Florida. All work submitted by such a Professional Engineer in a traffic study will be reviewed by or under the supervision of a Department Professional Engineer registered in the State of Florida. The traffic study must include:

1. Critical peak hour turn movements from each proposed connection and abutting public road in graphic form.

2. Traffic operations analysis of sufficient depth to analyze the impacts of the development on the surrounding transportation system.

3. An appropriately sized study area and time horizon based upon the type and size of the development.

(f) Category C Exemptions. Category C applicants are exempt from some of the requirements listed above if the applicant can show that the information would have no significant bearing on the permitting decision process.

Rulemaking Authority 334.044(2), (27), 335.182(2), 335.183, 335.184 FS. Law Implemented 334.044(14), 334.044(28), 335.18-.187 FS. History–New 4-18-90, Amended 7-16-95, 1-23-03, 12-28-03.

14-96.007 Application Submittal, Review, Approval, and Conditions.

(1) Application Submittal. The application shall be submitted to the Department's District Permits Office or to the Department's District Maintenance Office.

(2) Application Completeness Review. The Department shall notify the applicant within 30 days of submittal, using State Highway Access Connection Completeness Review, Form 850-040-21, (11/94), if additional information is needed, or if there are errors or omissions. This notification will list those items needed to complete the application, consistent with the requirements of this rule chapter or additional information needed to evaluate the application. If such a request for additional information is given to an applicant within the 30-day period, the application will be deemed incomplete until the additional requested information is supplied to the Department. An application that requires a fee will not be accepted without the fee.

(a) Unless otherwise indicated in the notice of completeness review, applicants must provide such requested information within 60 days of the receipt of the Access Connection Completeness Review Form.

(b) If the additional information has not been received by the Department within the prescribed time from the date of notification, the application shall be processed based upon the information provided.

(c) If no additional information is requested during the prescribed 30-day Completeness Review Period, the application shall be deemed complete as of the date the Department received the application.

(3) Applicant Time Extension. If the applicant needs more time to provide additional information or correct deficiencies in the application than allowed under this rule chapter, then the applicant may request a waiver of the time requirements by stating the reasons in writing on an Applicant Time Extension Form, Form 850-040-22, (04/93).

(4) Technical Planning and Engineering Sufficiency/Compliance Review. The applicant will be notified within 90 days of receipt of a complete application, receipt of all required information, or expiration of the time period for receipt of additional or corrected information. The notification will include the Department's decision of approval or denial of the application.

(a) Notice of Intent to Issue Permit. The Department shall send the applicant a Proposed State Highway Access Connection Notice of Intent to Issue Permit, Form 850-040-24, (06/06), if either:

1. The Department determines that an application is consistent with Rule Chapters 14-96 and 14-97, F.A.C., and there is no need to exceed the minimum standards as stated in paragraph 14-97.003(1)(e), F.A.C.; or

2. The Department determines that an application is not consistent with Rule Chapters 14-96 and 14-97, F.A.C., but that denial of a connection would be denial of reasonable access and that such a connection would not jeopardize the safety of the public or have a negative impact upon the operational characteristics of the highway, consistent with Rule 14-96.007, F.A.C.

(b) Direct Permitting. If an applicant provides an application that otherwise meets all the requirements of Rule Chapters 14-96 and 14-97, F.A.C., and the Department is not imposing any additional conditions, the Department will issue a permit.

(c) Notice of Intent to Deny. The Department shall send the applicant Proposed State Highway Access Driveway/Connection Notice of Intent to Deny Permit, Form 850-040-23, (06/06), if the Department determines that an application is not consistent with currently adopted Department rules and design standards or additional site specific operations and safety concerns as stated in paragraph 14-97.003(1)(e), F.A.C., apply, and;

1. The Department determines that denial of a connection would not be a denial of reasonable access; or

2. The Department determines that denial of a connection would be a denial of reasonable access but that a connection would jeopardize the safety of the public or have a negative impact upon the operational characteristics of the highway.

as an additional named insured, which policy shall contain a contractual endorsement specifically covering the liabilities arising from the indemnity agreement.

a. The policy shall provide public liability insurance, including property damage, in the amount of $500,000 combined single limit for each occurrence.

b. The above required policy shall be endorsed with a provision requiring the insurance company to notify the Department 30 days prior to the effective date of cancellation or of any material change in the policy if the change occurs during the construction period.

c. The applicant shall pay all premiums and other charges due on said policy and keep said policy, or a materially identical replacement policy, in force to insure the entire period of construction of the connection.

(6) Issuance of Permit. A Driveway Connection Permit for All Categories, Form 850-040-18, (06/06), will be issued after the applicant provides satisfactory evidence of compliance with all conditions that must be met before issuance of a permit. A permit shall be subject to all the conditions set forth in the Proposed State Highway Access Connection Notice of Intent to Issue Permit, Form 850-040-24, (06/06). A permit authorizes construction for one year from the date of issuance and expires if construction of the connection is not completed within that period.

(a) Failure to Comply. If the Department determines that the applicant has failed to comply with all conditions required prior to the issuance of a permit, it shall notify the applicant that the Department will not issue a permit and specify the conditions that have not been met. Notice of the Department's intended action will be provided in accordance with Rule Chapter 28-106, F.A.C. The Department's action will become final unless a timely petition for a hearing is filed in accordance with Rule Chapter 28-106, F.A.C. In order to be timely, the petition must be filed with the Department's Clerk of Agency Proceedings within 21 days after receipt of the Department's notice, in accordance with Rule Chapter 28-106, F.A.C.

(b) Permit Time Extension. The permit will be extended beyond the one year time limit (only with Department approval) for good cause, such as weather delays, natural disasters, governmental entity coordination delays, or other technical problems not within the control of the permittee.

(7) Concurrent Governmental Entity Review. Nothing contained herein shall preclude concurrent review of the permit application by the Department and governmental entities.

(8) Permit Conditions. Failure by the applicant to abide by the permit conditions that are applicable after permit issuance shall be just cause for the Department to order alteration of the connection, or to revoke the permit and close the connection at the expense of the applicant, subject to the provisions in this rule chapter, or for the Department to have the necessary modifications made and seek payment from the applicant. The permit requirements shall be binding on the applicant, the applicant's successors, heir, and assigns, the permit application signatories, and all future owners and occupants of the property. The Department may require permits to be recorded in the public records with the legal description of the property when cross or joint access exists, when permit conditions requiring future performance by the permittee exist such as installation of traffic control features or devices, or when other conditions warrant recording.

(9) Government Owned Rail or Non-Highway Use Corridors. Corridors including separate pedestrian trails, bike trails, current or abandoned exclusive bus or transit corridors, current or abandoned rail corridors, or waterways, are not part of the State Highway System and are not subject to the provisions of the Access Management Act, Sections 335.18-.188, F.S. These corridors, that abut the state highway system, are considered intervening property and property on the other side of such a corridor will not be considered to be abutting the State Highway System. Action will be taken under Rule 14-96.011, F.A.C., to modify an existing connection across a corridor if it interferes with the safe or efficient operation of the corridor or State Highway System.

Rulemaking Authority 334.044(2), 334.187(4), 335.182(2), 335.184 FS. Law Implemented 334.187, 335.181-.1825, 335.184, 335.185 FS. History–New 4-18-90, Amended 7-16-95, 6-24-99, 1-23-03, 12-28-03, 7-2-06.

14-96.008 Construction and Maintenance of Traffic Requirements.

All construction and maintenance on Department right of way shall conform to the Federal *Manual on Uniform Traffic Control Devices* (MUTCD), incorporated by reference under Rule 14-15.010, F.A.C. All construction and maintenance on Department right of way shall also conform to the Department's *Design Standards*, January 2002, Topic #625-010-003; the *Standard Specifications for Road and Bridge Construction*, 2000 Edition, the Department's *Plans Preparation Manual*, January 2003, or other generally accepted professional practices. With the exception of the MUTCD, which already is incorporated by reference under Rule 14-15.010, F.A.C., the manuals and standards specifically listed in this section are hereby incorporated by reference and made a part of

Proposed emergency access - intersection DC12013-00003

EXHIBIT # 1
Astour

Proposed emergency access

Looking down Ruth from 75th

Narrow roads - passing cars must go off roadside.

Perez, Maria

From:	Steveb239@aol.com
Sent:	Tuesday, January 13, 2015 4:26 PM
To:	Hearing Examiner
Subject:	DCI2013-00003, CCBC Comments
Attachments:	River Hall, CCBC Comments to HEX, 1-14-15.pdf

Hearing Examiners Office
Linda Waters,

Attached are our comments from CCBC regarding the hearing at your office for GreenPointe's application DCI2013-00003.

Thank you,
Steve Brodkin
President CCBC
(Concerned Citizens of Bayshore Community)

Steve Brodkin **EXHIBIT**
#_1_
DCI2013-00003

1/14/15
RE: DCI2013-00003
Hearing Examiner
Laura Belflower,

The Concerned Citizens of Bayshore Community opposes the rezoning of River Hall, which would allow an increase in the maximum number of dwelling units. It is clear in the Caloosahatchee Shores Plan (Policy 21.1.5 shown below) that a finding of "overriding public necessity" is required to be made by Commissioners in order to make the land use change. The BOCC has made no such finding, making the requested change that was transmitted to the State invalid, since it's inconsistent with the Lee Plan. It addition, it is the clear intent of the Caloosahatchee Shores Plan, as stated in Policy 21.1.5, to retain the rural land use where it currently exists. The applicant has made no case for overriding public necessity, or any kind of necessity, for the requested change. In the Staff Report for CPA 2012-01, dated June 13, 2014 and recommending denial, Staff stated "The amendment does not qualify as an overriding public necessity." The BOCC cannot make an arbitrary pronouncement that a property is non-rural in order to circumvent the Lee Plan. Lee County Staff has discussed with community planning groups clustering of development as one option to maintain open space in rural communities. Clustering does not make a community non-rural.

In the minutes for the River Hall transmittal hearing it states that: "Commissioner Pendergrass moved, in concurrence with the recommendation of the County Attorney, to deem River Hall as a non-rural community, based on current amenities and development, seconded by Commissioner Hamman." According to the DCI2013-00003 Staff Report "Of the 1999 dwelling units approved, approximately 324 units have been constructed to date." While the declaration of River Hall to be non-rural based on current development by the BOCC is meaningless, it doesn't even pass muster as a statement since there are only 324 dwellings constructed on 1978 acres.

The Lee Plan provides a definition for rural areas as shown below.
"POLICY 1.4.1: The Rural areas are to remain predominantly rural--that is, low density residential, agricultural uses, and minimal non-residential land uses that are needed to serve the rural community. Natural resource extraction may be permitted in accordance with Policy 10.1.4. These areas are not to be programmed to receive urban-type capital improvements, and they can anticipate a continued level of public services below that of the urban areas. Maximum density in the Rural area is one dwelling unit per acre (1 du/acre). (Added by Ordinance No. 97-17,Amended by Ordinance No. 98-09, 00-22, 07-12, 10-20)." Under the current zoning there will be no more than one unit per acre in the rural land use category within River Hall. The current River Hall development is consistent with the definition quoted above, making the BOCC's declaration that River Hall is non-rural inconsistent with the Lee Plan.

Also please note that the applicant has not shown entitlement, consistent with the Lee Plan, including policy 5.1.10, to the more than 2 units per acre they've applied for under the rezoning. There have been substantive changes to the land use amendment since transmittal, including the addition of multi-family dwellings to the commercial portion of the development, creating a mixed use center. Since substantive changes have been made, the applicant has not conducted a public informational session, as required by policy 21.6.3. In addition, this change has not been reviewed by the LPA, thus making consideration of the rezoning premature.

Under findings and conclusions on page 3 of the DCI2013-00003 Staff Report it states: "The deviations, as conditioned: a)enhance the planned development; and b)preserve and promote the general intent of the LDC to protect the public health, safety, and welfare." How does increasing the density of the development, which will increase traffic congestion within the community and surrounding area, slow emergency response times, overburden the public and private amenities, and change a development that residents invested in as rural development into a suburban development, enhance the development and promote the public health, safety and welfare? It does not, which is why there is widespread opposition.

The density increase for River Hall has been opposed by numerous River Hall residents (as demonstrated by petitions and public meetings), the River Hall CDD, the two homeowner associations controlled by the residents within River Hall, the East Lee County Council, Alva Inc., the Concerned Citizens of Bayshore Community, N. Fort Myers Design and Review Committee, Responsible Growth Management Coalition, The Conservancy of SW Florida, and Lee Public Voice.

As a member of the East Lee County Council, the Concerned Citizens of Bayshore Community is also represented by attorney Ralf Brookes. We ask that you recommend denial of the rezoning.

Thank you,
Steve Brodkin
President CCBC
(Concerned Citizens of Bayshore Community)

POLICY 21.1.5: One important aspect of the Caloosahatchee Shores Community Plan goal is to retain its' rural character and rural land use where it currently exists. Therefore no land use map amendments to the remaining rural lands category will be permitted after May 15, 2009, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners. (Added by Ordinance No. 09-06)

EXHIBIT # 2
Brodkin
DCI2013-00003

1/14/15
RE:DCI2013-00003
Lee County Hearing Examiner
Laura Belflower,

The Concerned Citizens of Bayshore Community opposes the rezoning of River Hall, which would allow an increase in the maximum number of dwelling units.

1. The consideration of the rezoning is premature since there have been substantive changes to the plan since transmittal including the addition of multi-family dwellings to the commercial portion of the development, creating a mixed use center. This has not been reviewed by the LPA and a public informational session is required consistent with policy 21.6.3 of the Lee Plan.

2. Under findings and conclusions on page 3 of the DCI2013-00003 Staff Report it states: "The deviations, as conditioned: a)enhance the planned development; and b)preserve and promote the general intent of the LDC to protect the public health, safety, and welfare." How does increasing the density of the development, which will increase traffic congestion within the community and surrounding area, slow emergency response times, overburden the public and private amenities, and change a development that residents invested in as rural development into a suburban development, enhance the development and promote the public health, safety and welfare? It does not, which is why there is widespread opposition.

3. The density increase for River Hall has been opposed by numerous River Hall residents (as demonstrated by petitions and public meetings), the River Hall CDD, the two homeowner associations controlled by the residents within River Hall, the East Lee County Council, Alva Inc., the Concerned Citizens of Bayshore Community, N. Fort Myers Design and Review Committee, Responsible Growth Management Coalition, The Conservancy of SW Florida, and Lee Public Voice.

4. We believe that the transmitted document is inconsistent with the Lee Plan in part because there was no finding of overriding public necessity as required by policy 21.1.5. The applicant has made no case for overriding public necessity, or any kind of necessity, for the requested change. In the Staff Report for CPA 2012-01, dated June 13, 2014 and recommending denial, Staff stated "The amendment does not qualify as an overriding public necessity." The BOCC cannot make an arbitrary pronouncement that a property is non-rural in order to circumvent the Lee Plan.

As a member of the East Lee County Council, the Concerned Citizens of Bayshore Community is also represented by attorney Ralf Brookes. We ask that you recommend denial of the rezoning.

Thank you,
Steve Brodkin
President CCBC
(Concerned Citizens of Bayshore Community)

EXHIBIT # 1
Brooks
DC1201300003

Emergency Response to River Hall

RECEIVED
SEP 12 2013
COMMUNITY DEVELOPMENT

1 December 2012

Lee County EMS has been asked to consider the response capability to River Hall near the intersection of Buckingham and SR 80.

It is our determination that the Lee County EMS response time is projected to be between 7:00 and 17:00. Approximately 7:00 to reach the development and approximately 17:00 to get the far end of the development where Phase II is building. Searching dispatch database for the calendar year 2011, there were 20 responses to River Hall. The actual response times were between 10 and 14 minutes. The actual response times correlate with the projected response times.

The two nearest ambulances are medic 11 and medic 26. Medic 11 is located at the Department of Forestry at 10941 Palm Beach Boulevard. This address is 5.2 miles away. Based on past data, this medic responds most often to River Hall.

M26 is slightly farther away. It is located at 9351 Workmen Way. This station is 8 miles away. This medic is not expected to respond unless M11 is out of station.

River Hall resides within the Fort Myers Shores Fire District. The nearest fire station is located at 12345 Palm Beach Boulevard and is within 3.5 miles of River Hall. Based on historical dispatch data, engine 81 or engine 82 accompany medic 11 on calls within the development.

Medic 11 has an expected response time of 6:48 to arrive at the entrance of River Hall.

Map 1.) Medic 11 drive time to River Hall entrance.

In order to travel deep within the River Hall community would take an additional 11+ minutes. The end point is Walnut Run and is within Phase II of River Hall.

Map 2.) Medic 11 drive time to Phase II within River Hall.

The next nearest medic is M26, approximately 11:25 away responding with lights and sirens. However this medic only in the event of M11 being out of station – which is not often.

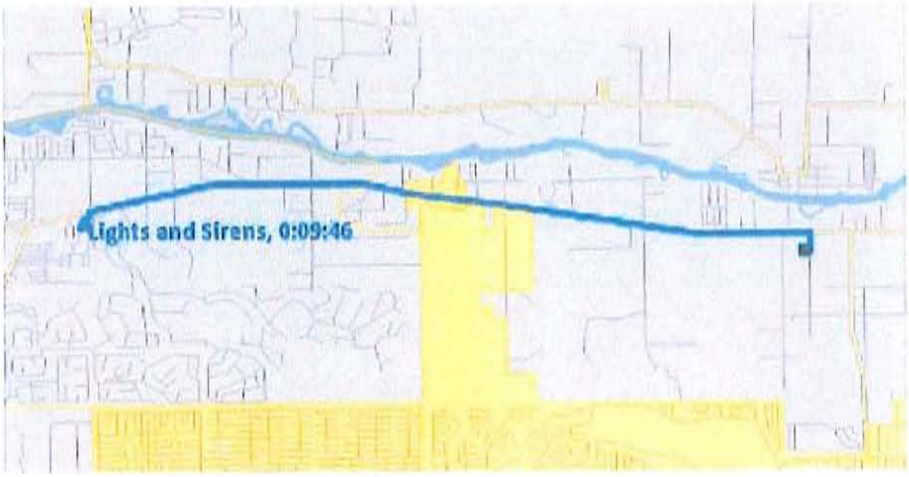
Map 3.) Medic 26 drive time to River Hall entrance.

Medic 26 would require about 22:39 minutes to reach the far end of the development (Walnut Run). However this would only be in the event of M11 being out of station.

Map 4.) M26 drive time to Phase II of River Hall.

The Alva Medic does not transport patients, but it is Advanced Life support equipped. The Alva medic has a response time of 9:46 responding with lights and sirens.

Map 5.) Alva Medic drive time to River Hall.



In calendar year LCEMS responded to 20 calls in River Hall with an average response time of 11:23. The Fort Myers Shores Fire District responded to those same calls with an average response time of 7:29. These averages are from the fire station where the unit resides, to the residence of the 911 caller. The majority of these responses are handled by engines 81 and 82, and M11.

Map 6.) Calls within River Hall and Phase II

The current population of River Hall may be serviced within COPCN goals depending on the location within the community and the availability of the closest ambulance. If the closest ambulance, Medic 11, is in quarters and the call is near the entrance, response can be expected to be below the COPCN goal of 8:59. If the ambulance responsible for the primary response to River Hall is busy, the next closest unit will not be available to respond with the COPCN goal of 8:59. If the primary unit is in quarters, it will depend on where in River Hall the call occurs for LCEMS to be able to respond in 8:59; the further from the entrance, the longer the response time. As build out and full occupation of River Hall is achieved, LCEMS will have difficulty of achieving the goal of 8:59.

ATTACHMENT 7

Dunn, Brandon

From:	Lauren Hennessey [lhennessey@M-DA.com]
Sent:	Thursday, September 12, 2013 9:46 AM
To:	Dunn, Brandon
Subject:	Copy of request for availability letter (Lee county Division of Public Safety) River Hall CPA201200001- MDA project# 12061
Attachments:	12061- 2013-09-11 Letter of Availability Lee County Public Safety PDF.pdf

Good morning Brandon,
Attached is a copy of the request for letter of availability from the Lee County Division of Public Safety. River Hall CPA201200001.
MDA project# 12061

Best Regards,
Lauren Hennessey
Planning Technician

RECEIVED
SEP 1 2 2013
COMMUNITY DEVELOPMENT

Morris-Depew Associates, Inc
(239)-337-3993
Fax (239)-337-3993
Metro Center 1
2891 Center Pointe Drive, Unit 100
Fort Myers, FL 33916

EXHIBIT # 2
Brooks
PCI2013-00003

ATTACHMENT 6

Dunn, Brandon

From: Gaither, Wayne
Sent: Thursday, October 18, 2012 3:22 PM
To: Dunn, Brandon
Cc: Brown, Jill
Subject: FW: CPA2012-00001 - River Hall
Attachments: 20121017114752.pdf

Brandon,

The attached letter was submitted to Tina Mayfield-Ekblad, Morris-Depew Associates, Inc. in response to a determination of service availability for mass transit request. In the letter it is clearly stated there currently are no fixed route transit service available and only limited ADA service to the proposed development. It is also stated there are no future plans to extend transit services beyond the current configurations throughout the 2012 – 2021 Transit Development Plan horizon.

Changing the land-use designation from rural to a sub-urban land-use category could imply a need for services that are either found in urban setting or feed urban settings. In the case of fixed route mass transit or the transportation of ADA riders through the LeeTran Passport Service, I did not find sufficient response to determine how an increase in demand for these services would be funded. As was stated above, there are no plans for expanding the service in this area which would create another potential unfunded need for transit services within the horizon of the 2012-2021 Transit Development Plan. Additionally, a development of this size also requires an expansion of other public uses ranging from parks/open spaces to additional demands on schools. Both could create new demands for transit services beyond the existing service boundaries. These potential additional needs and expansion of services will only be met by an increase in funding or a decrease in systemwide transit service.

I submit the following Lee Plan Policies and Objectives as ones needing to be addressed as a part of the Comprehensive Plan Amendment 2012-00001.

Policy 43.1.4
Policy 43.1.6
Policy 43.1.7
Policy 43.1.8
Objective 43.2
Policy 43.2.1
Policy 43.3.2
Policy 43.4.2
Policy 43.4.3

Sincerely,

Wayne Gaither

H. Wayne Gaither
Planner, LeeTran
(239) 533-0344
www.rideleetran.com

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

John E. Manning
District One

Brian Bigelow
District Two

Ray Judah
District Three

Tammy Hall
District Four

Frank Mann
District Five

Karen B. Hawes
County Manager

Michael D. Hunt
County Attorney

Diana M. Parker
County Hearing Examiner

October 17, 2012

Ms. Tina Mayfield-Ekblad
Morris-Depew Associates Inc
2914 Cleveland Ave
Fort Myers, FL 33901

Re: River Hall (formerly Hawks Haven) – Request for Letter of Availability

Dear Ms. Ekblad,

In reviewing your letter of August 23, 2012 requesting a determination of service availability from LeeTran for the Residential Planned Development please find the following:

1) Currently, LeeTran does not provide service to Hawk's Haven (proposed River Hall) as it lies outside of the ¼ mile transit service buffer. The closest transit route to the site is Route 100.
2) Currently, only a small area of the proposed River Hall RDP, in the northwest section of the development, is eligible for ADA service through LeeTran. The remainder of the development lies outside of the ¾ mile ADA transit service buffer.
3) The FY2012-2021 Transit Development Plan does not include the expansion of transit services beyond their current service area, for the Route 100. This also means that there are no plans to expand ADA services in this area.

Should you have any additional questions, please feel free to contact me at your convenience.

Sincerely,

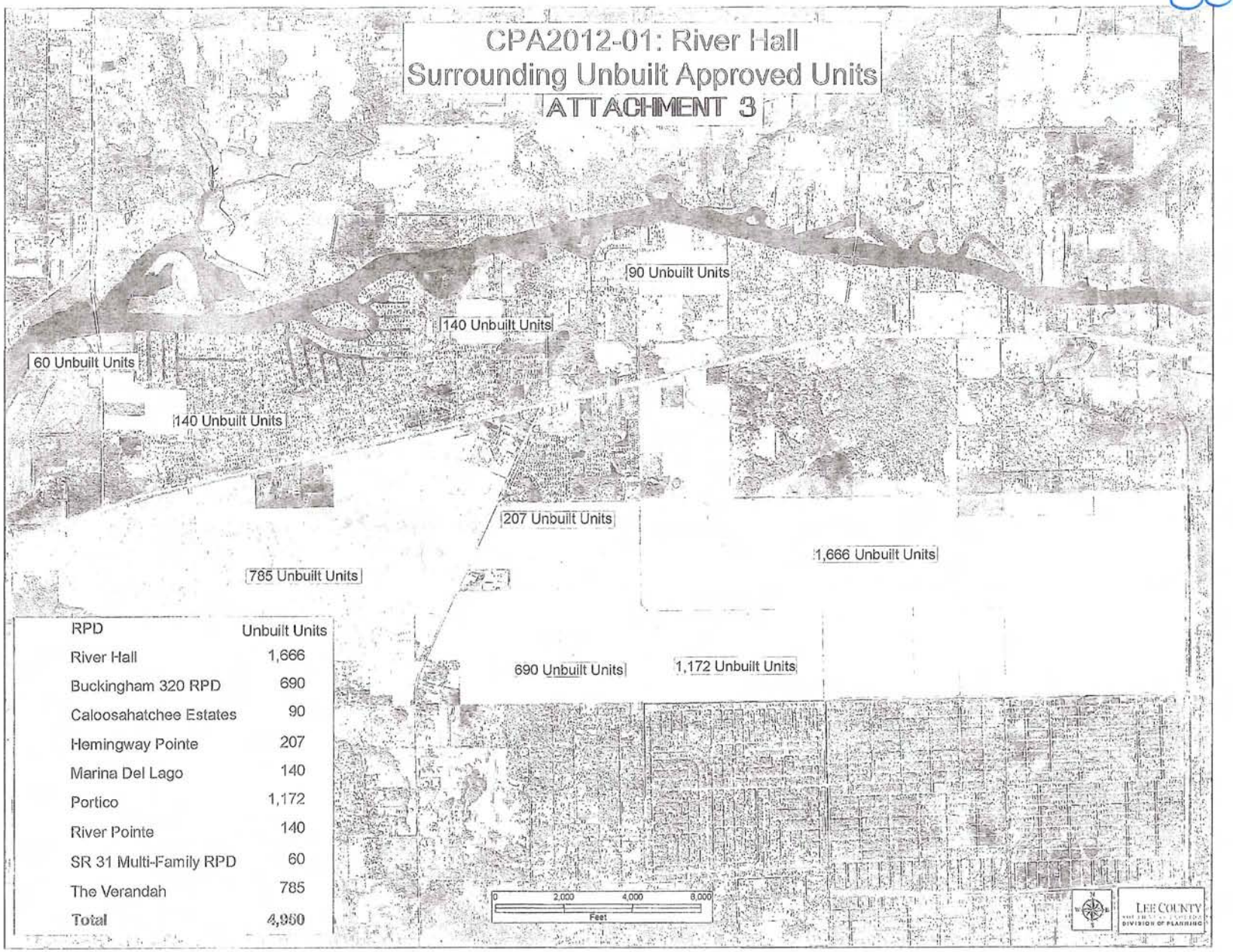
H Wayne Gaither

H. Wayne Gaither
Planner, LeeTran

file

EXHIBIT # 3
Brooks
DC12013-00003

CPA2012-01: River Hall
Surrounding Unbuilt Approved Units
ATTACHMENT 3



RPD	Unbuilt Units
River Hall	1,666
Buckingham 320 RPD	690
Caloosahatchee Estates	90
Hemingway Pointe	207
Marina Del Lago	140
Portico	1,172
River Pointe	140
SR 31 Multi-Family RPD	60
The Verandah	785
Total	**4,950**

EXHIBIT # 4
Brooks

DCI2013-00003

Ralf Brookes Attorney

QUESTIONS FOR WITNESSES (submitted pursuant to the Hearing Examiner's Introductory Instructions):

HISTORY OF PROPOSED PROJECT – RUSSELL SCHROPP TESTIMONY

1. Are any of the current principals/members of this Corporate/LLC applicant, (which knowingly purchased the land in bankruptcy), former members or principals of the prior applicant corporation/LLCs?
    a. In other words although these are different LLCs are any of the same principals involved in this additional development?
2. Does this rezoning exceed 1 DU/1 acre on the lands currently designated Rural on the Comprehensive Plan Future Land Use Map?
3. How many total dwelling units have been constructed out of the 1,999 units approved for River Hall?
    a. What is the percentage build out?
    b. Why is the increase in dwelling units needed at this time?
4. Has the text amendment to Policy 21.1.5 been officially withdrawn? If not,
    a. Without the Density Cap of 2,850 into Policy 21.1.5, how many units could have been created under the proposed change to Sub-Outlying Suburban?
    b. Was the change to 21.1.5 ever specifically presented as a text amendment to the East Lee County Community Planning Panel? What was their recommendation?
    c. Was the change to 21.1.5 ever specifically presented as a text amendment to the LPA? What was their recommendation?
5. Has the text amendment to Policy 5.1.11 been officially withdrawn?
6. Do you have the ("thanksgiving") conceptual drawings showing how 2,695 units can be placed on the site?
7. Do the "post-CDD withdrawal" acreage and total unit numbers match what was transmitted to DEO?
    a. Have the numbers been officially changed?
8. ~~Are you asking for the Table 1(b) changes to Conservation Lands (uplands/wetlands)? Or just Rural and Sub-Outlying Suburban?~~

9. Does the current FLUM amendment create pockets of Sub-Outlying Suburban within the Rural lands category?
10. Is the Applicant officially withdrawing the 2 deviations for which staff recommended denial?
    a. What do you mean when you say not contesting these 2 deviation denials?
    b. Which deviation #s are officially withdrawn ?

APPLICANT's PLANNING EXPERT - TINA EKBLAD

1. Does the Stormwater Lake enter the Canal on the southern border?
    a. Is the new Hampton Lakes access point location in the flowway?
2. Does Rural Land Use Category allow multi-family as an allowable use?
    a. At what overall density?
3. Are you using the roadway for acreage to calculate available density for total dwelling units?
    a. What is the acreage of the linear roadway Right Of Ways?
4. What type of street (collector, arterial, local street) is the LeHigh roadway connection
    a. Where is this 75th Street?
5. Without the temporary EMS facility can you meet the time of response requirements?
    a. How will the temporary EMS facility be funded?
    b. When will it be constructed?
    c. Who is the EMS Provider?
    d. Is the staff budgeted by the EMS provider?
    e. When will it be staffed?
6. What is the development density of the proposed development on the land that is currently shown as "Rural" land use designation on the Future Land Use Map, Comprehensive Plan?
7. Does the existing rezoning specify that lands designated rural be limited to 1 unit/acre?

KEN PASSERELLA - Environmental

1. Please explain how many acres of land designated FLUM "Wetlands" on the FLUM is included in this rezoning application?

a. where are the FLUM Wetlands designated lands located on this site plan overlay maps?
b. How many acres of FLUM wetlands were included in the plan amendment transmitted to state and where were those wetlands located?
    i. Are there 251 acres of FLUM Wetlands ?
    ii. 223 acres of FLUM wetlands as advertised in the proposed plan amendment
    iii. 181 FLUM Wetlands in the Rezoning Application Letter dated December 2014?
    iv. Please explain the discrepancies?
c. Why have the FLUM Wetland acreage changed throughout the tables included in the application and supporting documents?

2. Have you fully addressed the concerns raised by James Beever (staff SWFRPC) raised by Jim Beever at the SWFRPC meeting?

STEVE LEUNG – David Plummer Associates – TRAFFIC

1. Where traffic impacts of additional units analyzed to determine how River Halll Parkway will be additionally impacted during school traffic am and pm hours?
2. Does traffic on River Hall Parkway become what is commonly called a "standstill/stop and go" during school traffic hours?
3. Is the intersection at River Hall Parkway and SR 80 failing under current conditions?
4. How will traffic enter and exit and turn across SR 80?
5. Are there turning lanes in median openings on SR 80?
    a. How many cars can be accommodated in turning across SR 80 lanes?
6. Will the southern entrance to LeHigh Acres be gated? If so,
    a. Will there be a full time security guard at the gatehouse?
7. Is River Hall Parkway a collector?
8. Is SR80 an aterial?

EXHIBIT # 1
Thomas
DC1 0013-00003

Julianne Thomas

1495 Smith Way, Naples, FL 34102 * juliannet@conservancy.org

Expertise: Growth Management, Comprehensive Planning in Florida, Transfer of Development Rights

Employment:

The ~~Conversancy~~ Conservancy of Southwest Florida Naples, Florida

2014 – Present: Senior Growth Management Specialist
2009- 2014: Growth Management Specialist
Responsible for:

- Evaluation of Comprehensive Plan changes and sector plans for Lee, Hendry, Glades and Charlotte Counties
- Comments to local and state agencies regarding comprehensive plan changes for Lee, Hendry, Glades and Charlotte Counties
- Creation of maps using Geographic Information Systems

Lake County, Florida Tavares, Florida

2008-2009: Senior Planner
Responsible for:

- Writing Evaluation and Appraisal Report (EAR) for Comprehensive Plan
- Drafting Comprehensive Plan changes for EAR based amendments
- Processing Future Land Use Map changes, zoning changes, and conditional use applications, writing staff reports to evaluate
- Transferring Development Rights to the Mount Plymouth/Sorrento area of Lake County
- Creation of maps using Geographic Information Systems

Monroe County, Florida Tavernier, Florida

2005 – 2008: Planner
Responsible for:

- Processing Future Land Use Map changes, zoning changes, and conditional use applications in an area of critical state concern. This means that ALL permits (except for re-roof permits and fences not on Big Pine Key) are reviewed for consistency and compliance with the comprehensive plan by the state land planning agency. Processing applications includes meeting with applicants, writing staff reports which evaluate the proposal for consistency with land

use regulations and the comprehensive plan and presenting those staff reports at public meetings.

- Assisting with the creation of a Historical District on Tavernier, Florida which included amendments to the comprehensive plan and land use regulations
- Transferring Development Rights between parcels consistent with the land development regulations and comprehensive plan
- Creation of maps using geographic information systems

Eastern Michigan University Ypsilanti, Michigan

2003-2005: Relational Database Developer & Analyst

Responsible for:

- Designed and development relational database for continuing education department
- Created necessary documentation for system set up, database architecture and design, and backup information

Education:

Eastern Michigan University: 2003-2005: Master of Science in Geographic Information Systems and Urban Planning

The College of William and Mary, Marshall - Wythe School of Law: 2000-2003: Juris Doctorate

Internship from May 2002- August 2002 with Department of Justice, Environmental and Natural Resources Division, Litigation Section

Eastern Michigan University: 1997 – 2000: Master of Liberal Studies in Interdisciplinary Technology with focus areas in Political Management and Urban Planning

Alma College: 1990-1994: Bachelor of Arts: Biology and Political Science

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Thomas #1

use regulations and the comprehensive plan and presenting those staff reports at public meetings.

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- Transferring Development Rights between parcels consistent with the land development regulations and comprehensive plan
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Internship from May 2002- August 2002 with Department of Justice, Environmental and Natural Resources Division, Litigation Section

Eastern Michigan University: 1997 – 2000: Master of Liberal Studies in Interdisciplinary Technology with focus areas in Political Management and Urban Planning

Alma College: 1990-1994: Bachelor of Arts: Biology and Political Science

EXHIBIT # Z
Thomas

DC12013-00003

CPA2007-01
CALOOSAHATCHEE SHORES
BoCC SPONSORED
AMENDMENT
TO THE

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

BoCC Public Hearing Document
for the
February 25th, 2009 Adoption Hearing

Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(239) 533-8585

January 16, 2009

LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2007-00001

☑ **Text Amendment** ☐ **Map Amendment**

	This Document Contains the Following Reviews:
✓	**Staff Review**
✓	**Local Planning Agency Review and Recommendation**
✓	**Board of County Commissioners Hearing for Transmittal**
✓	**Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report**
	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: November 20, 2007

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. **SPONSOR/APPLICANT:**

   A. SPONSOR:
   LEE COUNTY BOARD OF COUNTY COMMISSIONERS
   REPRESENTED BY LEE COUNTY DIVISION OF PLANNING

   B. APPLICANT
   THE EAST LEE COUNTY COUNCIL
   REPRESENTED BY KRIS CELLA McGUIRE

2. **REQUEST:**
   Amend the Future Land Use Element, Goal 21, to add a policy that provides that no land use map amendments to the remaining rural lands category will be permitted unless a finding of overriding public necessity is made by three members of the Board of County Commissioners.

THE BOARD OF COUNTY COMMISSIONERS VOTED TO TRANSMIT THE FOLLOWING POLICY TO THE DEPARTMENT OF COMMUNITY AFFAIRS:

POLICY 21.1.5: One important aspect of the Caloosahatchee Shores Community Plan goal is to retain its' rural character and rural land use where it currently exists. Therefore no land use map amendments to the remaining rural lands category will be permitted after {scrivener will insert effective date of policy}, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY:

1. RECOMMENDATION: Planning staff recommends that the Board of County Commissioners transmit this proposed amendment.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The Caloosahatchee Shores Community Plan was submitted to Lee County in September, 2002.
- The Caloosahatchee Shores Community Plan resulted in a Lee Plan amendment adopted in October, 2003.
- The Lee Plan amendment specific to Caloosahatchee Shores is now Goal 21 of the Lee Plan.
- Goal 21 was amended on May 16, 2007 when a new Policy 21.1.4 was adopted.
- The East Lee County Council submitted an application to make a second amendment to Goal 21 in April, 2007.
- This amendment would add a new Policy 21.1.5 to Goal 21 of the Lee Plan.

C. BACKGROUND INFORMATION

The Caloosahatchee Shores Community Plan was undertaken by the Caloosahatchee Shores Community Planning Panel working as a sub group of the ELCC. The planning area encompasses that portion of the Fort Myers Shores planning community located east of I-75. The community plan was financed, in part, with $25,000 of community planning funds from Lee County.

The Caloosahatchee Shores community plan was submitted to Lee County in September, 2002. The plan contained a Goal, Objectives, and Policies. The Goal for Caloosahatchee Shores was adopted into the Lee Plan in October, 2003 and is now Goal 21.

The East Lee County Council has continued to work on improvements to Goal 21, and submitted an amendment to the Goal in September, 2005 that was adopted as Policy 21.1.4 on May 16, 2007. This second proposed amendment to Goal 21 would add a new Policy 21.1.5.

A. STAFF DISCUSSION

Goal 21 of the Lee Plan is intended to express the communities desire to protect the existing character of the community and to maintain the existing rural character of the Caloosahatchee shores area. Goal 21 reads as follows:

GOAL 21: CALOOSAHATCHEE SHORES: To protect the existing character, natural resources and quality of life in Caloosahatchee Shores, while promoting new development, redevelopment and maintaining a more rural identity for the neighborhoods east of I-75 by establishing minimum aesthetic requirements, planning the location and intensity of future commercial and residential uses, and providing incentives for redevelopment, mixed use development and pedestrian safe environments. This Goal and subsequent objectives and policies apply to the Caloosahatchee Shores boundaries as depicted on Map 1, page 2 of 5 in the Appendix. (Added by Ordinance No. 03-21)

STAFF COMMENTS: This proposed amendment is consistent with Goal 21 of the Lee Plan and may help further the intent of the Caloosahatchee Shores community. This proposed new Policy contains language very similar to Objective 17.1 pertaining to the Buckingham community and Objective 20.1 pertaining to the Bayshore community. Objective 17.1 of the Lee Plan reads:

> **OBJECTIVE 17.1: LAND USE.** The primary land use designation for the Buckingham area is "Rural Community Preserve." Public Facilities have also been designated as appropriate. After the adoption of this amendment, no land in Buckingham will be changed to a land use category more intense than Rural Community Preserve (including Public Facilities) unless a finding of overriding public necessity is determined by three members of the Board of County Commissioners. (Amended by Ordinance No. 00-22)

Objective 20.1 of the Lee Plan reads:

> **OBJECTIVE 20.1: LAND USE.** The existing land use designations of the Lee Plan (as of September 30, 2001) are appropriate to achieving the goal of the Bayshore Plan. No land use map amendments to a more intensive category will be permitted after March 11, 2003, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners. (Added by Ordinance No. 03-02)

STAFF COMMENTS: The County Attorney's office issued two separate memorandum on this plan amendment. One is dated October 24, 2007 and the other is dated November 2, 2007. The October 24 memorandum concludes that the proposed amendment to the Caloosahatchee Shores Community Plan may create potential liability for Lee County pursuant to the Bert J. Harris, Jr., Private Property Rights Protection Act. The November 2 memorandum states that the proposed limitation on further amendments to the Future Land Use Map for lands currently designated as Rural, will result in liability under the Bert J. Harris, Jr., Private Property Rights Protection Act. Those memorandum are attached to this report.

The County Attorney's Office recommended that planning staff provide an inventory of land designated Rural in the Caloosahatchee Shores planning area. There are approximately 3,189 acres

of Rural land in the Caloosahatchee Shores planning area. The County Attorney's office also suggested that an estimate of the possible relief that may be sought by these property owners. Short of having appraisals for all of the Rural designated property with each possible land use category change that could be sought, assigning a dollar amount to the amount of exposure the County may or will be exposing itself to is impossible.

Planning staff questions that there are valid investment backed expectations on the Rural properties in Caloosahatchee Shores, or anywhere else for that matter. If you purchase a piece of property that is designated as Rural, it would be reasonable to expect that is what you have. Planning staff does not believe that any investment backed expectations beyond the uses allowed in the Rural category is reasonable foreseeable and speculative. In addition, this amendment does not preclude a property owner from requesting a change to their Future Land Use Map designation. It does heighten the scrutiny of that request. Additionally, very similar language is in place in two other communities in Lee County, namely Buckingham and Bayshore.

Planning staff recommends that the Board of County Commissioners transmit this proposed amendment.

PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

DATE OF PUBLIC HEARING: December 17, 2007

A. LOCAL PLANNING AGENCY REVIEW

Staff gave a brief review of the staff report and recommendations. Following staff's presentation one LPA member expressed concern with designating a permanence of rural and ignoring the fact that this area will continue to grow and may need commercial at some point. He felt there should be an analysis done to determine what part of the 3,189 affected acres would be appropriate for commercial development. Staff noted that if there is a need in the community for commercial development then three members of the Board of County Commissioners can find that there is an overriding public need and make that change.

Another member appreciated the fact that this community based amendment underscores the desires of the community to emphasize the rural character of their area and preserve it as has been done with the Buckingham community and the Bayshore community.

The LPA had a lengthy discussion about Mr. Spickerman's memorandum dated October 24, 2007 regarding Bert J. Harris implications.

An LPA member stated that when someone applies for a plan amendment, they must go through an analysis from the Planning Division, various other departments, the LPA, and the Board of County Commissioners. This rigorous process will continue regardless of whether or not this plan amendment is adopted.

The LPA asked if anyone from the public wished to speak and the sponser of the proposal spoke in favor of transmitting CPA 2007-01.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. **RECOMMENDATION: The LPA Recommends that the Board of County Commissioners transmit CPA 2007-00001 as recommended by staff.**

2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA accepted the findings of fact as advanced by staff.

C. VOTE:

NOEL ANDRESS	AYE
DEREK BURR	AYE
LES COCHRAN	AYE
RONALD INGE	AYE
CARLETON RYFFEL	AYE
RAE ANN WESSEL	AYE
LELAND TAYLOR	AYE

PART IV - BOARD OF COUNTY COMMISSIONERS HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT

DATE OF TRANSMITTAL HEARING: October 22, 2008

A. BOARD REVIEW:

Staff gave a brief presentation and explained that proposed Policy 21.1. contains language that is very similar to Objective 17.1 for Buckingham, and Objective 20.1 for Bayshore. Staff told the Board that both staff and the LPA are recommending transmittal of CPA 2007-00001.

One Board member expressed concern over the phrase "finding of overriding public necessity". That Board member wanted less ambiguity in the policy, but supported transmittal of the amendment.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

Transmit CPA 2007-00001 as recommended by staff and the LPA.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

The Board of County Commissioners accepted the findings of fact as advanced by staff and the LPA.

C. VOTE:

A. BRIAN BIGELOW	**AYE**
TAMMARA HALL	**AYE**
ROBERT P. JANES	**AYE**
RAY JUDAH	**AYE**
FRANKLIN B. MANN	**AYE**

PART V - DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS, RECOMMENDATIONS, AND COMMENTS (ORC) REPORT

DATE OF ORC REPORT: January 16, 2009

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS

The DCA ORC Report contained the following comment:

> *A proposed amendment to add a new Future Land Use Element Policy 21.1.5 to Goal 21 (Caloosahatchee Shores Community Plan). The Department raises the following comment to proposed Amendment 2007-01:*
>
> *Comment: The amendment support material states that the proposed amendment is to establish a new Policy 21.1.5; however, the transmitted proposed text of the amendment is to establish Policy 21.1.4. The Comprehensive Plan currently includes a Policy 21.1.4, and it does not appear as though that policy is intended to be revised but rather a new Policy 21.1.5 is to be added. Therefore, renumber the proposed amendment to utilize Policy 21.1.5.*

B. STAFF RESPONSE

The staff report and amendment language have been corrected to reference Policy 21.1.5 where appropriate.

C. STAFF RECOMMENDATION

Staff believes the corrected report adequately addresses DCA's comment and staff recommends the Board adopt CPA 2007-01 Caloosahatchee Shores.

PART VI - BOARD OF COUNTY COMMISSIONERS HEARING FOR ADOPTION OF PROPOSED AMENDMENT

DATE OF ADOPTION HEARING: February 25th, 2009

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

A. BRIAN BIGELOW	_____
TAMMARA HALL	_____
ROBERT P. JANES	_____
RAY JUDAH	_____
FRANKLIN B. MANN	_____

DC120 13-00003

EXHIBIT # 3

Thomas

APPLICANT'S EXHIBIT
A
48 HR

Weigel, Zsuzsanna

From: Russell Schropp [Russell.Schropp@henlaw.com]
Sent: Saturday, January 10, 2015 3:29 PM
To: Hearing Examiner
Cc: Block, Alvin; Jacob, Michael; Grady Miars; David W. Depew; Tina Ekblad (tekblad@m-da.com); kenp@passarella.net; Carl A. Barraco; 'Stephen Leung'
Subject: River Hall, DCI2013-00003 - 48-Hour Notice and Exhibit List
Attachments: Document.pdf

Attached please find the Applicant's 48-Hour Notice and Applicant's Exhibit List for the above-referenced case.

Russell Schropp

Russell Schropp
Attorney at Law
Henderson, Franklin, Starnes & Holt, P.A.
1715 Monroe Street
P.O. Box 280
Fort Myers, FL 33902
Direct Dial: 239.344.1280
Direct Fax: 239.344.1535
Russell.Schropp@henlaw.com
www.henlaw.com

Henderson|Franklin
ATTORNEYS AT LAW

CONFIDENTIALITY STATEMENT

Henderson, Franklin, Starnes & Holt, P.A.

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To reply to our e-mail administrator directly, please send an e-mail to: administrator@henlaw.com

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Henderson|Franklin
ATTORNEYS AT LAW

1715 Monroe Street • Fort Myers, FL 33901
Post Office Box 280 • Fort Myers, FL 33902
Tel: 239.344.1100 • Fax: 239.344.1200 • www.henlaw.com

Bonita Springs • Sanibel

Memorandum

Date : January 9, 2015

To : Laura B. Belflower

From : Russell P. Schropp

Re : DCI2013-00003 - River Hall

48-Hour Notice

Pursuant to AC-2-6, Section 1.2.D., the Applicant provides this notice of outstanding issues with the Staff Report for the above-referenced case. The Applicant is in general agreement with the recommendation and conditions of approval proposed in the Staff Report, and has identified only the minor items reflected in the attached email to Chip Block dated January 7, 2015, as issues or proposed changes.

Applicant's Exhibit List

The following documents have been pre-labeled as Applicant's Exhibits 1-10, and, except as noted below, copies of these exhibits have been provided to Chip Block and Michael Jacob with this Notice.

1. Resume, David Depew.

2. Resume, Tina Ekblad.

3. Resume, Carl Barraco.

4. Resume, Ken Passarella.

5. Resume, Stephen Leung.

6. PowerPoint Presentation.

7. Zoning Resolution Z-05-051 (note: no copy provided to staff as this document is available in County records).

8. Transmittal Report, CPA2012-00001 (note: no copy provided to staff as this document is available in County records).

9. Letter and attachments dated December 17, 2015, from Schropp to Gibbs.

10. Corrections to TIS, pages 12 and 19 (correcting transposition errors).

Additionally, all attachments to the Staff Report dated December 30, 2014, may be relied upon by the Applicant at hearing. The Applicant reserves the right to present additional exhibits as needed to respond to cross-examination by staff and inquiry from the Hearing Examiner and public, and also reserves the right to present additional exhibits on rebuttal.

/rs

cc: Chip Block, AICP
Michael Jacob, Esq.

Russell Schropp

From: Russell Schropp
Sent: Wednesday, January 07, 2015 9:03 AM
To: Block, Alvin (ABlock@leegov.com)
Cc: Jacob, Michael (MJacob@leegov.com); 'Gibbs, Mary'; Grady Miars; David W. Depew; Tina Ekblad (tekblad@m-da.com)
Subject: River Hall Staff Report

Good Morning Chip,

I've had a chance to review the staff report with my client and our consulting team. Generally, we concur with the recommendation and conditions. There are a few minor edits and changes that we would suggest be made prior to or at the hearing, as follows. Please let me know if you agree.

1. In Condition 2.a., the use "Recreational Facilities - Private, On-site only" appears to be added as an underlined use under both the RESIDENTIAL, GOLF AND AMENITY SITES section and the TOWN CENTER (CPD) section. I believe it is already a permitted use in the RESIDENTIAL, GOLF AND AMENITY SITES section in Resolution Z-05-051.

2. Should there be a reference to "(ADD2006-00173)" at the end of the Rear Minimum Setback section in Condition 2.b.?

3. In Condition 11 (the traffic signal), we are concerned that an absolute 12-month deadline for installation of the traffic signal may cause a hardship if there are permitting delays encountered with FDOT or if the signal or zoning approval is challenged. These are items beyond the developer's control. In Condition 24 dealing with the installation of the second access, a sentence was included that allowed the Director to grant a reasonable extension to the deadline if the developer demonstrates good faith progress. We would request a similar provision in Condition 11. Specifically, we suggest adding the following as the second-to-the-last sentence of Condition 11: "In the event the signal is not constructed within 12 months of the date of this Resolution, the Director of Community development may issue a reasonable extension if the Applicant demonstrates good-faith progress on the design, permitting, and construction of the signal."

4. In Conditions 29 and 30, I checked the references to the plats for the lots referenced in these conditions. I suggest the following edits:

29. The structure side setback to the preserve may be reduced to 17-feet for existing platted lots River Hall Country Club Phase Two, Block K Lots 29, 57, 76, and 77 as documented in Instrument No. 2006000409514, with the condition ....

30. The structure setback to the preserve may be reduced to 20-feet for existing platted lots in River Hall Country Club Phase Two, Block K Lots 37-39, 54-57, & 65-77 as documented in Instrument No. 2006000409514, and Hampton Lakes at River Hall Phase One, Lots 102-134, as documented in Instrument No. 2005001153004 ~~2006000409514~~, with the condition .....

Let me know how you want to handle. Thanks.

Russell

PROFESSIONAL QUALIFICATIONS

EXHIBIT
App. 1

PC12013-00003

David W. Depew, PhD, AICP, LEED® AP
President & Principal

EDUCATION

University of Florida, BA, Honors, Political Science, 1972
McMaster University, MA, Comparative Political Development, 1973
Johns Hopkins University, PhD coursework and all doctoral exams completed successfully in Policy Analysis and Public Administration, 1973-1976
Kennedy-Western University, PhD coursework and dissertation completed, Public Administration, 1997-2004[1]

PROFESSIONAL REGISTRATION

Certified Planner, American Institute of Certified Planners, 1983
Leadership in Energy and Environmental Design (LEED®) Accredited Professional, 2008.

AFFILIATIONS & HONORS

Member, American Institute of Certified Planners
Member, American Planning Association
Member, Florida Planning and Zoning Association
Associate Member, Urban Land Institute.
Member/Vice President/President, Association of Eminent Domain Professionals
Member/Chairman, Fort Myers Historic Preservation Commission, 1999-2006
Member, Fort Myers Charter Review Commission
Chairman, Lee County Local Planning Agency, 1982-1984
Member, Real Estate Investment Society
Charter Member, Director, Southwest Florida Tiger Bay Club

AREA OF EXPERTISE

Land planning, development permitting, zoning, comprehensive planning, transportation planning, traffic analysis, policy analysis, eminent domain-related planning issues, demographics and statistical modeling.

CURRENT RESPONSIBILITIES

As President and a principal of Morris-Depew Associates, David Depew is responsible for the management of all phases of land use planning and project permitting. He is also responsible for the development of research methodology, staff supervision, regulatory agency contacts, and client relations. His duties also include the ongoing business management of the firm. Dr. Depew has also served as an Adjunct Faculty member at Florida Gulf Coast University in Fort Myers, Florida.

[1] Kennedy Western University is no longer in operation; Dr. Depew's degree was obtained as part of continuing education and professional development coursework.

RELEVANT EXPERIENCE

David Depew has acquired extensive experience over more than 25 years in the management of significant planning and permitting projects. Much of his experience has been acquired in Southwest Florida since 1980 where he served as the primary planning manager and consultant for a number of large public and private organizations. He is an acknowledged expert on regional planning and permitting issues and has been certified as an expert witness in a variety of legal and administrative proceedings in numerous jurisdictions across Florida. Prior to founding Morris-Depew Associates, he was a planning, permitting, and financial consultant to a variety of public and private clients throughout Southwest Florida.

David Depew was previously the Director of Community Development for Lee County with responsibility for all planning and permitting activities. In this position, he successfully supervised major revisions to Lee County's Land Development Regulations and Comprehensive Plan, both of which were recognized state-wide for quality, as well as the development of a new series of permitting procedures, various sub-area studies, and development review policies. During that period of time, he served as Lee County's Local Planning Agency, supervised the Metropolitan Planning Organization's staff efforts, and initiated Lee County's first efforts at comprehensive growth management legislation.

He also served in the following high-level positions: Acting Director and Senior Planner, Long Range Planning Department, Lee County, Florida; Assistant Manager, and Research Associate II, Mayor's Office of Manpower Resources, Baltimore, Maryland; Computer Applications Consultant, Geneva, Switzerland; and Instructor, The American College, Leysin, Switzerland.

REPRESENTATIVE PROJECTS & CLIENTS

Comprehensive & Site Planning

- **Lee County Port Authority;** acquisition consultant for Airport Expansion; Fort Myers, FL; S. Woodward Hanson
- **Gulf Harbour Yacht and Country Club;** golf course/ marina residential DRI; Fort Myers, FL; Florida Design Communities, Inc.
- **Pueblo Bonito;** farm worker housing development; Bonita Springs, FL; Donald E. Franck

REPRESENTIVE PROJECTS & CLIENTS (CONTINUED)

- **International Center;** mixed use commercial, industrial, residential development; Fort Myers, FL; W. Parkinson Myers
- **American U-Store It;** urban redevelopment and adaptive re-use of existing facilities; Fort Myers, FL; Thomas R. Branham
- **Cypress Lake Center;** urban redevelopment and adaptive re-use of existing shopping center; Fort Myers, FL; LEFMARK, Inc.
- **Manor Care Skilled Nursing Facility;** ALF development; Fort Myers, FL; Manor Care
- **McGregor Baptist Church;** religious facility; Fort Myers, FL; McGregor Baptist Church
- **Temple Beth-el**; religious facility; Fort Myers, FL; Bruce Gora
- **Faith Fellowship Ministries;** religious facility; Fort Myers, FL; Reverend David T. DeMola
- **Presbyterian Retreat;** religious facility; Sanibel, FL; John Hicks
- **Pineland Marina**, commercial marina DRI; Pine Island, FL; Pineland Holdings
- **Corkscrew Woods;** aggregate mining and residential development, planning and permitting; Cameratta Companies, LLC; Lee County, Florida.
- **Coca Cola Distribution Facility;** commercial/ industrial development; Fort Myers, FL; Charles S. Faller, III, CPM
- **Kelly Greens Homeowners Association**; land use consulting, comprehensive planning; Lee County, FL; Kelly Green Homeowners Assoc., Inc.
- **Edison Park Homeowners Association**; land use consulting; Fort Myers, FL; Edison Park Homeowners Assoc.
- **Airport Technology Center;** industrial planned development; Fort Myers, FL; Bundschu Kraft, Inc.
- **D-75 Commerce Center**; interchange commercial development; Fort Myers, FL; BK Equities, LLC
- **ACT Shelter;** community facility expansion; Fort Myers, FL; Abuse Counseling and Treatment, Inc.
- **Bonita Grande Mine;** aggregate mining and re-use development planning and permitting; Bonita Springs, FL; Bonita Grande Mining, Inc.
- **Vanderbilt Beach Property Owners**; Collier County Ordinance Amendments; Collier County; Vanderbilt Beach Property Owners Assoc.
- **Osceola County**; Comprehensive Plan Amendments; Osceola County, FL; Segundo Fernandez
- **Captiva Community Panel**; preparation of a community plan and Comprehensive Plan Amendments, Lee County, FL; Captiva Island Property Owners Association
- **Boca Grande Community Panel**; preparation of a community plan and Comprehensive Plan Amendments; Charlotte and Lee Counties; Boca Grande Community Planning Assoc., Inc.
- **Town of McIntosh**; Land Development Regulations amendments; McIntosh, FL: Town of McIntosh
- **Charter School Sites**; two charter school sites; Lee County, Florida; J. McGarvey
- **Bokeelia Seaport**, residential re-development and historic preservation efforts; Bokeelia, Florida; Highpoint Tower Development, LLC
- **Spring Hills Development of Regional Impact**; Mixed Use development; Alachua County, Florida; Pennsylvania Real Estate Investment Trust, Inc.
- **Lake Placid Village**; mixed use development; Lake Placid, Florida; HIW Development
- **Gulf Coast Landfill;** sanitary landfill, recycling, solid waste transfer station, and industrial development; Lee County, Florida; Waste Management, Inc.
- **Premier Airport Park**; industrial development; Lee County, Florida; Premier Airport Park, LLP
- **Corkscrew Excavation**; aggregate mining and re-use development; Fort Myers, FL; Resource Conservation Holdings, LLC.
- **Gulf Coast Medical Center**; 800 hospital redevelopment and expansion; Lee memorial Health Systems.
- **Highpoint Tower Technology, Inc.**; Cellular communication towers, various sites; Sarasota and Lee Counties.
- **City of Venice**; LDR revisions and comprehensive plan amendments; Venice, FL.

REPRESENTIVE PROJECTS & CLIENTS (CONTINUED)

- **Lost Grove Mine;** aggregate mine; Alico Land Development, Inc.; Collier County, FL
- **FDOT;** outdoor advertising permit and site analysis; Tallahassee, FL.

Litigation

- **Zemel vs. Lee County;** inverse condemnation case and administrative hearing; representing owner.
- **Southern States Utilities vs. Collier Family Enterprises;** condemnation case; representing condemning authority.
- **Lee County vs. Abdallah;** inverse condemnation; representing owner.
- **Feinstein vs. Johnson Engineering, Inc.;** liability dispute; representing Johnson Engineering, Inc., defendant.
- **FDOT vs. The Landings Homeowners' Association;** right of way acquisition; representing owners.
- **In Re Seago Group;** bankruptcy action; representing plaintiff.
- **FDOT vs. KB Holdings (Boulis);** right of way acquisition; representing owner.
- **FDOT vs. Coral Ridge Cemeter;** right of way acquisition; representing owner.
- **FDOT vs. Mobil Oil;** right of way acquisition; representing condemning authority.
- **FDOT vs. TransNation Title Insurance Co.;** right of way acquisition; representing condemning authority.
- **Collier County vs. Northside Construction;** right of way acquisition; representing owner.
- **Stardial vs. Town of Fort Myers Beach;** land use dispute; representing property owner.
- **Kessler, et. al. vs. City of Naples and Collier Enterprises;** permit challenge; representing Collier Enterprises.
- **Jonesboro, et. al. vs. Alachua County, et. al.;** comprehensive plan challenge; representing Jonesboro Properties, Inc.
- **Crouch vs. City of Newberry;** defense of annexation by City; representing intervener.
- **Batreal, Caron vs. City of Newberry;** ordinance challenge; representing City.
- **Cossu-Cohen vs. Town of Fort Myers Beach;** ordinance challenge; representing Fort Myers Beach.
- **Miami Corporation vs. City of Titusville;** permit challenge; representing Miami Corporation.
- **City of Lakeland vs. Southwest Florida Water Management District;** permit challenge; representing City.
- **White vs. Levy County;** vested rights challenge; representing White Construction.
- **Watson vs. City of Gainesville;** inverse condemnation case: representing Watson Construction.
- **Lee County vs. Colico**; eminent domain action; representing the owner.
- **LPH, LLC vs. Lee County**: inverse condemnation action; representing plaintiff.
- **Rotonda Project, LLC vs. Charlotte County**; inverse condemnation representing plaintiff.
- **Collier County vs. Blocker**; land use dispute; representing Collier County.

PROFESSIONAL QUALIFICATIONS

Tina Mayfield Ekblad
MPA, AICP, LEED AP BD+C
Planning Director

EXHIBIT
App. 2
DC12013-00003

EDUCATION

Florida Gulf Coast University
Master of Public Administration, April 2008; Environmental Policy.
Bachelor of Arts, April 2004: Liberal Studies - Environmental Studies

Charles Darwin University
Darwin, Australia in partnership with University of Florida Study Abroad, February to July 2004.

PROFESSIONAL REGISTRATION

Certified Planner, American Institute of Certified Planners, May 2011.
Leadership in Energy and Environmental Design (LEED®) Accredited Professional, February 2009.

AFFILIATIONS & HONORS

Member, American Institute of Certified Planners
Member, American Planning Association
Member, Florida Planning and Zoning Association
President, Calusa Chapter, Florida Planning and Zoning Association July 2011- present
Member Program Committee Florida APA 2011 Conference August 2011 - present
Member, Promised Lands Section, Florida Chapter, American Planning Association May 2007 - present
Conference Committee Member and Presenter FPZA 2011 Conference
Video Interviews and Developer Match-up, Florida Redevelopment Association October 2010

AREA OF EXPERTISE

Land planning, development permitting, zoning, comprehensive planning, economic development, strategic planning, grant writing, policy analysis, eminent domain related planning issues, demographics and statistical modeling.

CURRENT RESPONSIBILITIES

As the Planning Director of Morris-Depew Associates, Ms. Ekblad is responsible for the research and analysis of land use issues, preparing land use & zoning applications, and hearing exhibits. Responding to requests for additional information from permitting agencies, reviewing and determining design compliance with applicable regulations, and report preparation for land use and eminent domain related projects.

RELEVANT EXPERIENCE

Prior to Morris-Depew Associates, Ms. Ekblad was a teaching assistant with Florida Gulf Coast University, teaching undergraduate students to conduct statistical analysis. She began her planning experience at Johnson Engineering before working at the Village of Wellington and the Town of Fort Myers Beach. During this time she acquired extensive experience with various permitting agencies and the development process. She also has experience analyzing development potential of commercial, industrial, and residential properties in jurisdictions throughout the South and Southwest Florida.

REPRESENTATIVE PROJECTS & CLIENTS

- **River Hall:** residential planned development; Lee County, FL; GreenPointe Communities, LLC
- **Corkscrew Woods;** residential planned development; Lee County, FL; RCS-Corkscrew Lakes, LLC
- **Alico West;** residential planned development; Lee County, FL; Alico Land Development, Inc.
- **Merchants Crossing;** DRI Commercial Development; Lee County, FL; Nobel Properties
- **Bonita Grande Mine;** aggregate mining and re-use development; Bonita Springs, FL; Bonita Grande Mining, Inc.
- **DR Horton**: Multiple residential sites in various locations; DR Horton America's Builder
- **Chase Bank;** multiple commercial bank sites in various locations; Southwest Florida; Boos Development Group, Inc.
- **Family Dollar;** multiple retail stores in various locations; Southwest Florida; Boos Development Group, Inc.
- **Meridian Center;** light industrial development; Lee County, Florida; Airport Technology Center, LLC.
- **Premier Airport Park;** industrial development; Lee County, Florida; Premier Airport Park, LLP
- **University West Lakes;** aggregate mining and re-use development; Lee County, FL; Harvey Youngquist
- **Evaluation and Appraisal Report;** Town of Ft. Myers Beach, Lee County, FL
- **Medical Arts District;** Village of Wellington Medical Health Care Complex; Palm Beach County, FL

EXHIBIT

App. 3

PC12013-00003

Barraco and Associates, Inc.

CARL A. BARRACO, P.E.

Expert Witness

EDUCATION

University of South Florida
B.S. Civil Engineering, 1984
M.S. Civil Engineering, 1987

PROFESSIONAL REGISTRATION

Florida P.E. #38536 - 1987

CERTIFICATIONS

Qualified Stormwater Management Erosion Control Inspector, FDEP Inspector No. 26233

PROFESSIONAL AFFILIATIONS

American Society of Civil Engineers

Florida Engineering Society

National Society of Professional Engineers

HONORS

1998
Asphalt Contractors Assn. of FL, Inc.
District One
Road and Streets Award

1993-94
Florida Engineering Society
Calusa Chapter
Young Engineer Of The Year

1983
American Society of Civil Engineers
Student Engineer Of The Year

Tau Beta Pi National Engineering Honor Society

Chi Epsilon National Civil Engineering Honor Society

Phi Kappa Phi National Honor Society

Carl A. Barraco, along with his associates, formed Barraco and Associates, Inc., in April 1998. Prior to this time he was a senior shareholder and served on the Board of Directors of a large Southwest Florida engineering and surveying firm. Mr. Barraco has been providing engineering services in Southwest Florida for 30 years. His professional experience is well diversified as illustrated below:

- Principal in Charge for **Naples Square**, an 11.8 -acre redevelopment project in Collier County. The development discharges into Naples Bay, which has been classified as impaired for Copper and Iron by the FDEP. Water quality will be achieved by using a pervious pavement system which will serve to improve water quality discharging into Naples Bay.
- Design Engineer under Engineer of Record, Forrest H. Banks, P.E., for **Centennial Park** in the City of Fort Myers, Florida. This project included reclaiming river bottom consisting of 8' of silty material. The design included a non-typical retaining wall constructed in river fines with special rip rap.
- Project Engineer for **Caloosa Preserve**, a +/-240-acre residential community in Lee County, Florida. This project involved soil conditions of extremely silty soil situated below suitable material providing a staging platform for lake construction. The excavated material was handled in non-typical fashion, being spread out, dried, and then blended with suitable material.
- Project Engineer for **Paseo**, a 444-acre residential community with 749 multi-family and 378 single family units. Services included infrastructure design including all drainage, water and sewer. Phase 1 includes approximately one mile of 24" water main, of which +/- 2,100' was directional bore below Six Mile Cypress Slough.
- Project Engineer for **River Hall**, a 1,978-acre residential development in Alva, Florida, which includes 1,765 single family units, an elementary school, fire station and town center. Engineering services included master infrastructure planning and design for the stormwater management system, potable water distribution, sanitary collection and transmission systems, irrigation distribution, roadway design and coordination with cable service providers and essential service providers.
- Project Engineer for **Colonial Country Club**, a 750-acre, 18-hole golf course community with 1,250 residential units located at the corner of Treeline Avenue and Colonial Boulevard in Fort Myers. This project included 8 miles of roadway, 8.2 miles of potable water main, 5 sanitary lift stations, 7.8 miles of gravity sewer, and 2.5 miles of force main.

EXHIBIT
tabbies
App. 4
CC12013-0006 3

KENNETH C. PASSARELLA

President and Principal Ecologist, Passarella & Associates, Inc., Fort Myers, FL, May 1996 to Present.

President and Principal Ecologist for Passarella & Associates, Inc., an ecological consulting firm providing environmental and ecological services to private land owners and local and state agencies. Services include state, federal, and local permitting; agency negotiations; environmental impact assessments; ecological assessments; listed species surveys, permitting and relocation; state and federal wetland jurisdictionals; wetland mitigation design, permitting and construction observations; wetland mitigation banking management, design, permitting and construction observations; and environmental project management.

Education

M.S. Marine Science, 1990
University of South Florida, St. Petersburg, Florida

B.A. Marine Science, 1984. Major: Marine Science, Minor: Botany
Jacksonville University, Jacksonville, Florida

Representative Projects

Environmental project management, federal and state permitting, Collier County Environmental Impact Statement, wetland mitigation design, listed species habitat management plan and U.S. Fish and Wildlife Service Section 7 Consultation for the 2,262± acre Hacienda Lakes. Collier County, Florida.

Environmental assessment for the 23,000± acre Hendry County Sector Plan. Hendry County, Florida.

South Florida Water Management District and U.S. Army Corps of Engineers wetland jurisdictional determinations and listed species surveys for the 22,210± acre Big Cypress Stewardship District. Collier County, Florida.

Environmental project management, federal and state permitting, Collier County Environmental Analysis, wetland mitigation design and listed species habitat management plan for the 3,699± acre Town of Big Cypress. Collier County, Florida.

State permitting, wetland mitigation design and mitigation monitoring for the 426± acre Bullfrog Bay Wetland Mitigation Bank. Polk County, Florida.

Environmental project management, federal and state permitting, wetland mitigation design and U.S. Fish and Wildlife Service Section 7 Consultation for the 6,000± acre Florida Rock Industries, Inc. Fort Myers Mine No. 2. Lee County, Florida.

General planning and environmental services consultant for the Lee County Port Authority for the Southwest Florida International Airport and Page Field Airport. Lee County, Florida.

Vegetation mapping, listed species surveys, wetland jurisdictional determination, wetland mitigation design, state and federal environmental permitting and U.S. Fish and Wildlife Service Section 7 Consultation for the 2,331± acre Sabal Bay residential and golf course development. Collier County, Florida

Federal and state permitting, wetland mitigation design and U.S. Fish and Wildlife Service Section 7 Consultation for the Southwest Florida International Airport Parallel Runway program. Lee County, Florida.

Permitting and consultation with the U.S. Fish and Wildlife Service for the 1,971± acre Florida Panther Conservation Bank. Hendry County, Florida

State and federal environmental permitting, county zoning review and U.S. Fish and Wildlife Service section 7 Consultation for the 1,298± acre Bonita Beach Road RPD residential and Golf course development. Lee County, Florida

Environmental project management, federal and state permitting, wetland jurisdictionals, and listed species surveys for the 180± acre Retreat Golf Course. Lee County, Florida.

State and federal environmental permitting, county zoning review and U.S. Fish and Wildlife Service Section 7 for the 1,454± acre Verandah residential and golf course development. Lee County, Florida

State and federal environmental permitting and U.S. Fish and Wildlife Service Section 7 Consultation for the 1,017± acre Sun City residential and golf course development. Lee County, Florida.

Environmental project management, wetland jurisdictionals, listed species survey, and federal and state permitting for 700± acre Charlotte County Mine. Charlotte County, Florida.

Vegetation mapping, listed species survey, wetland jurisdictionals, red-cockaded woodpecker foraging surveys, state and federal wetland permitting, federal negotiations for red-cockaded woodpeckers on the 190± acre Hideout Golf Course. Collier County, Florida.

Wetland jurisdictionals and state and federal permitting for the 700± acre Naples Airport. Collier County, Florida.

Environmental project management, wetland jurisdictionals, listed species survey, bald eagle consultation with U.S. Fish and Wildlife Service and federal and state permitting for the 70± acre Pine Island Air Park. Lee County, Florida.

Environmental project management, vegetation mapping and state and federal permitting for Florida Rock Industries, Inc. 2,250± acre Naples Mine. Collier County, Florida.

Vegetation mapping, ecological assessment, and state permitting for the Florida Gulf Coast University 40± acre student housing project. Lee County, Florida.

Environmental project management, listed species monitoring, wetland mitigation, construction observations, agency negotiations, and permit modifications for 275± acre Burnt Store Mine. Lee County, Florida.

Environmental project management, federal and state wetland permitting, agency negotiation, and off-site wetland mitigation for 40± acre Glen Eden residential development. Collier County, Florida

Experience

Ecologist, Director of Wetland Permitting Section, Kevin L. Erwin Consulting Ecologist, Inc., Fort Myers, FL, October 1993 - May 1996.

Environmental consultant to private landowners, land planners, commercial and residential developers, engineering firms, and state and federal agencies. Consulting services included: permitting with federal, state, and local environmental regulatory agencies; wetland mitigation bank permitting; environmental impact assessments providing analysis for existing or expected impacts on water quality, biological communities, and natural resources; habitat evaluation; reclamation and restoration of altered or disturbed land; wetland mitigation design, permitting, and construction observations; natural resources management; and endangered species survey, management, and relocation plans.

Representative Projects:

Environmental project management, ecological assessment (vegetation mapping, wetland jurisdictional determinations and listed species survey) and state permitting for Florida Rock Industries, Inc. 2,250 acre Naples Mine. Collier County, Florida. 1994 - 1996.

Environmental project management, ecological assessment, federal and state permitting and agency negotiations for Mariner Properties Development, Inc. 4,000 acre Little Pine Island Wetland Mitigation Bank. Lee County, Florida. 1993 - 1996.

Environmental project management, ecological assessment, federal and state permitting, wetland monitoring, permit modifications, agency negotiations, coordination of archaeological issues and construction observations for Florida Board of Regents 760 acre Florida Gulf Coast University. Lee County, Florida. 1993 - 1996.

Environmental project management, ecological assessment, and wetland jurisdictionals for 40 acre Bailey Parcel on Sanibel. Lee County, Florida. 1995 - 1996.

Environmental project management and federal and state permitting for APAC Florida, Inc. 640 acre Naples Mine Expansion. Collier County, Florida. 1994 - 1995.

Test study for control of exotic woody vegetation on Little Pine Island. Lee County, Florida. 1993 - 1995.

Environmental project management, ecological assessments, wetland jurisdictional determinations, and listed species survey for 75 acre Village Place PUD. Collier County, Florida. 1994 - 1996.

Vegetation and listed species assessment on the 640 acre APAC Section 21 mine expansion site. Collier County, Florida. 1994.

Environmental project management, listed species survey, state and federal permitting gopher tortoise relocation, and listed plant relocation on the 270 acre Burnt Store Mine. Lee County, Florida. 1993 - 1996.

Environmental Consultant, Johnson Engineering, Inc., Fort Myers, FL, May 1988 - October 1993.

Member of firm's environmental section. Project manager for environmental planning, ecological studies, and regulatory agency coordination. Performed wetland jurisdictional determinations, wildlife surveys, wetland monitoring, wetland mitigation design, regulatory permitting, and project management.

Representative Projects:

State and federal wetland jurisdictional assessments on the 12,000 acre Charlotte Harbor Flatwoods CARL acquisition lands. Charlotte and Lee County, Florida. 1992 - 1993.

Project management and ecological assessment (vegetation mapping, jurisdictional wetland determinations and listed species surveys) on 406 acres in North Cape Coral. Lee County, Florida. 1993.

Wetland mitigation design for a 17 acre hardwood wetland. Florida Department of Transportation widening of U.S. 17 in Wauchula. Hardee County, Florida. 1992 - 1993.

Third annual monitoring report for IMC Fertilizer, Inc. 125 acre Hookers Prairie Mitigation site. Polk County, Florida. 1992.

Project management and ecological assessments (vegetation mapping, wetland jurisdictional determinations, and listed species survey) on the 60 acre Dominica property. Lee County, Florida. 1992.

Wetland mitigation design and federal and state permitting for Florida Department of Transportation widening of S.R. 29 at I-75. Collier County, Florida. 1992 - 1993.

Wetland mitigation design, wetland jurisdictional determinations, and permitting for the Florida Department of Transportation widening of S.R. 72. Sarasota County, Florida. 1992 - 1993.

Wetland mitigation design assistance to the Florida Department of Transportation for construction of the Laurel Road/Interstate 75 interchange mitigation site. Sarasota County, Florida. 1993.

Gopher tortoise relocation for 60 acre Market Place DRI. Lee County, Florida. 1992.

Project management and wetland monitoring at Florida Cities Water Company Green Meadows wellfield. Lee County, Florida. 1991 -1993.

Project management, state and federal permitting, and construction design for Charlotte Harbor Yacht Club Marina. Charlotte County, Florida. 1990 - 1992.

Wetland mitigation design and mitigation construction inspections for 30 acre mitigation site. Lee County Department of Transportation Daniel's Road widening. Lee County, Florida. 1989 - 1990.

State permitting and construction inspections for Florida Department of Transportation 951 widening south of U.S. 41. Collier County, Florida. 1989 - 1992.

Project management, ecological assessments (vegetation mapping, listed species surveys, and wetland jurisdictional determinations), federal and state permitting, and wetland mitigation design for Del Prado Boulevard Extension, City of Cape Coral. Lee County, Florida. 1992 - 1994.

Vegetation mapping and state permitting for Berry Groves 6,300 acre citrus grove. Charlotte County, Florida. 1991 - 1992.

Wetland mitigation design, wetland monitoring, federal and state permitting, and construction observations for 60 acre mitigation site at Omni Interstate Park. Lee County, Florida. 1989 - 1993.

Project management, ecological assessments (vegetation mapping, listed species surveys and wetland jurisdictional determinations, and state and local permitting on 70 acres in Silver Key, Sanibel. Lee County, Florida. 1989 - 1991.

Wetland mitigation design, wetland monitoring, jurisdictional determinations, federal and state permitting, and mitigation construction observations on 400 acre Health Park Florida DRI. Lee County, Florida. 1988 - 1993.

Vegetation mapping, wetland jurisdictional determinations, and wildlife surveys on 1,100 acre River Run project. Lee County, Florida. 1990 - 1992.

Environmental Specialist I, Sarasota County Natural Resources Department, Sarasota, FL, July 1987 - May 1988.

Primary responsibilities included environmental planning, permitting, and enforcement of county environmental regulatory codes. Performed field inspections, including permit inspections and compliance. Prepared permit summaries and notices of permit violations. Conducted Environmental Permitting Course for County Growth Management Divisions.

Biological Scientist Assistant, Department of Natural Resources, Bureau of Marine Research, Vertebrate Section, St. Petersburg, FL, February 1985 - July 1987.

Worked in fisheries section under the supervision of Biological Scientists. Performed field collection of data and taxonomic identifications in the lab.

Continuing Education

- 7th Annual ULI South Carolina Statewide Meeting, Hilton Head, South Carolina, February 2013
- North Carolina State University Stream Restoration Conference, Wilmington, Virginia. October 2012
- Wetland Mitigation Design, The Swamp School, Sweet Briar College, Sweet Briar, Virginia. September 2011
- Mitigation Bank Workshop, U.S. Army Corps of Engineers (COE) Jacksonville District, Jacksonville, Florida. March 2011
- Wetland Delineation Training, North Carolina State University, (NCSU), Columbia, South Carolina. November 2010
- Charleston COE Mitigation Workshop, Charleston, South Carolina. November 2010
- Wetlands Regional Supplement Training for the Southeast, The Swamp School, Raleigh, North Carolina. October 2010
- Regulatory Process Relating to Managed Tidal Wetlands along the South Carolina Coast, Nemours Plantation, Yemassee, South Carolina. September 2010
- 5th Annual Georgia Environmental Conference, Savannah, Georgia, August 2010
- Endangered Species Act & Renewable Energy Development, EUCI Web Conference, December 2009

- Panther Mitigation Workshop, U.S. Fish and Wildlife Service (USFWS) April 2007
- South Florida Water Management District Environmental Resources Permitting (ERP) Workshop. (1996)
- Florida Exotic Pest Plant Council 10th Annual Conference. (1995)
- Florida Department of Environmental Protection Wetland Delineation Workshop. (1993)
- SCS Hydric Soils Workshop. (1992)
- Florida Wetlands: Successful Creation, Restoration & Enhancement Training Course. (1991)
- Executive Enterprises, Inc. Southeast Wetland Conference. (1990)
- Wetland Restoration and Creation Conference. (1988, 1989, and 1990)
- Florida Chamber's Environmental Permitting Summer School. (1988, 1989, and 1992)
- Contamination Issues Seminar for Charlotte County. (1989)
- Wetland Training Institute's Federal Wetland Delineation Course. (1989)
- Lee County Endangered Species Workshop. (1989)
- South Florida Water Management District Environmental Policies Workshop. (1989)
- Florida Association of Environmental Professional Fall Seminar. (1988 and 1989)
- TREEO Regional Wetland Permitting Course. (1988)
- TREEO Environmental Compliance for Local Government. (1988)
- Engineering and Geological Consideration of Coastal Development. (1988)

Conference Presentations

Little Pine Island Wetland Mitigation Bank. Subcommittee on Managed Marshes Workshop (1994). Lee County, Florida.

The Use of Garlon for Controlling the Exotic *Melaleuca Quinquenervia* in Coastal Wetlands. Florida Academy of Sciences 59th Annual Meeting (1995). Tampa, Florida.

Wetland Mitigation Banking - Opportunities for DOT. National Research Council Transportation Research Board Workshop (1995). Austin, Texas.

Wetland Functional Assessments. NSSGA Isolated Wetlands Identification and Habitat Conservation Seminar (2004). Fort Myers, Florida

Publications

Passarella, Kenneth C. and Thomas L. Hopkins. 1991. Species composition and food habits of micronektonic cephalopod assemblage in the Eastern Gulf of Mexico. Bulletin of Marine Science 49: 638-659.

Professional Associations

National Association of Environmental Professionals
Florida Association of Environmental Professionals
- President of State Board (1996 to 1999)
- State Board of Directors (1991 to 1996)
- President of Southwest Florida Chapter (1991 - 1994)

Society of Wetland Scientists
Ecological Society of America

Certifications

Certified Professional Wetland Scientist by the Society of Wetland Scientists
Certified Senior Ecologist by the Ecological Society of America
Certified Wetland Delineator by the U.S. Army Corps of Engineers

DAVID PLUMMER & ASSOCIATES
TRANSPORTATION · CIVIL · STRUCTURAL · ENVIRONMENTAL

EXHIBIT
App. 5
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Vice President Transportation
Stephen Leung

EDUCATION:
Bachelor of Environmental Studies, Geography, University of Waterloo
Master of Arts, Urban Studies/Planning, University of Akron

PROFESSIONAL AFFILIATIONS:
Institute of Transportation Engineers
American Planning Association

CONTINUING EDUCATION:
ITE Site Access Management and Design; Fourth National Conference, Transportation Planning Methods and Applications; FDOT Roundabout Design and Traffic Calming Course; Travel Demand Forecasting Workshop Using TRANPLAN; McTRANS Center Highway Capacity Analysis Workshop; FAU Center for Urban and Environmental Solutions; The Transportation Exchange.

YEARS OF EXPERIENCE:
Total Years of Experience - 29
Total Years with DPA - 25

EXPERIENCE:
Mr. Leung is Vice President - Transportation in David Plummer & Associates Southwest Florida Regional Office with almost 30 years as a transportation professional. Mr. Leung has extensive experience with macro planning and micro traffic simulation models including FSUTMS Cube/TranPlan and Synchro/SimTraffic. His responsibilities include traffic planning and operations analyses, as well as, maintenance and operation of travel models in the office. Mr. Leung serves as Project Manager for numerous land use and traffic impact studies, including Development of Regional Impact statements, comprehensive plan updates, corridor studies, and PD&E traffic studies. He has been qualified as an expert witness in transportation planning and site impact analysis for various jurisdictions in Southwest Florida.

Prior to joining DPA, Mr. Leung was a transportation planner with Marshall Macklin Monaghan Limited (MMM Group) where he was involved with a variety of transportation and mass-transit studies in the Greater Toronto Area. Mr. Leung was also a transportation planner with the Lee County (FL) Department of Transportation and the Lee County (FL) Department of Economic and Community Development.

REPRESENTATIVE PROJECTS:
Mr. Leung has worked on various projects from planning through design. Several significant projects are:

SR 82 Corridor Study
Mr. Leung prepared the traffic study for the City of Fort Myers to establish the proportionate share contributions to fund the 4-mile long road widening improvement project. The study analyzed the cumulative traffic impacts from a number of private developments situated along the SR 82 corridor.

Tenth State University Comprehensive Plan Amendment
Mr. Leung assisted in the preparation of the Land Use and Transportation Elements of the Lee Plan to reflect the Florida Gulf Coast University. The county-wide traffic study included the update of the MPO Long-Range Transportation Plan.

Corkscrew Road Special Assessment Study
Mr. Leung provided the travel model support and transportation impact assessment of the Corkscrew Road Special Assessment Study. The special assessment secured the infrastructure improvements needed to support the high-growth area of south Lee County.

Babcock Ranch Community Master Traffic Study Update
Mr. Leung was the Project Manager in the preparation of the Development of Regional Impact traffic assessment. The study included: travel model sub-area validation; travel demand forecasting; and future recommended roadway improvements in support of the large-scale planned development to Year 2035. The master traffic study update will serve as a guide to future incremental development of the Babcock Ranch Community.

OTHER SIGNIFICANT PROJECTS:

- Gulf Coast Town Center DRI
- Arborwood DRI
- Pelican Marsh DRI
- Pelican Bay DRI / Waterside Shops
- Collier County 2020 Financially-Feasible Plan Update
- Page Field Master Plan
- Miromar Lakes DRI
- SR 776 PD&E Study
- Pelican Landing DRI
- Immokalee Road Improvement Project
- Palmetto Avenue Improvement Project
- Ben Hill Griffin Parkway Design Traffic Study
- Treeline Avenue Design Traffic Report
- Airport/ECC Access / US 17 Bypass Area Study
- HealthPark DRI
- Hanson Street / Edison Avenue Extension Preliminary Engineering Study
- Pelican Preserve DRI
- Gateway DRI
- Palm Pointe Shoppes/US 41 Signal Relocation
- City of Fort Myers Growth Management Code, Chapter 134 Traffic Circulation and Parking
- City of Fort Myers Golf Carts on City Streets Study
- The Forum DRI
- Coconut Point DRI
- Southwest Hendry County Sector Plan

EXHIBIT

App. 6

River Hall: DCI2013-00003

Infill in an Existing Residential/Commercial Planned Development

River Hall: DCI2013-00003

Introduction:

- Applicant & Consulting Team
- Current Zoning (Z-05-051)
- Pending CPA (CPA2012-00001)
- Present Zoning Request

Russell Schropp, Esq
Henderson, Franklin, Starnes, & Holt, PA

Applicant: GreenPointe Communities, LLC

- Founded in 2008; homebuilder since 2010
- Acquired significant undeveloped portions of River Hall in 2010 from bankruptcy proceedings
- Focused on creating neighborhoods with lasting and sustainable value
- In addition to **River Hall**, developing **Southern Hills**, **Triple Creek**, **Belmont,** and 7 more
- Grady Miars, President

Professional Consultants

Russell Schropp, Esq

Henderson, Franklin, Starnes, & Holt, PA

Tina M. Ekblad, MPA, AICP, LEED AP

Morris-Depew Associates, Inc.

David W. Depew, PhD, AICP, LEED AP

Morris-Depew Associates, Inc.

Carl Barraco, PE

Barraco and Associates, Inc.

Kenneth Passarella

Passarella and Associates, Inc.

Stephen Leung

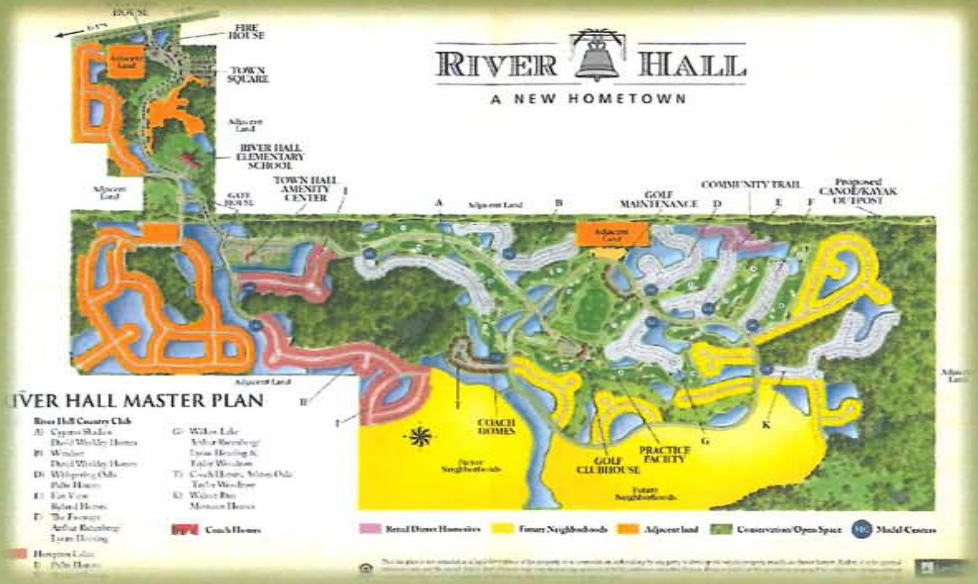
David Plummer and Associates, Inc.

Existing Zoning: CPD/RPD

- Approved by Z-05-051
  - 1,999 dwelling units
  - 45,000 SF Commercial Uses
    - Neighborhood Commercial
  - Fire Station
  - Elementary School
  - Golf Course
  - Amenity Center/Town Hall
  - 27 Conditions of Approval
    - Density in Rural land use classification capped at 1,648 DU's (1 DU:1 AC)
    - 2nd Access to south required at 1,598th C/O

River Hall: History

- Community opened for sales in 2006
- During the global downturn, home sales slowed
- Original developer filed bankruptcy
- Current owner purchased River Hall in 2010
- Maintained the amenities and golf course during bankruptcy
- Invested $20+ million in stabilizing the River Hall Community
- Retired debt



River Hall Neighborhoods

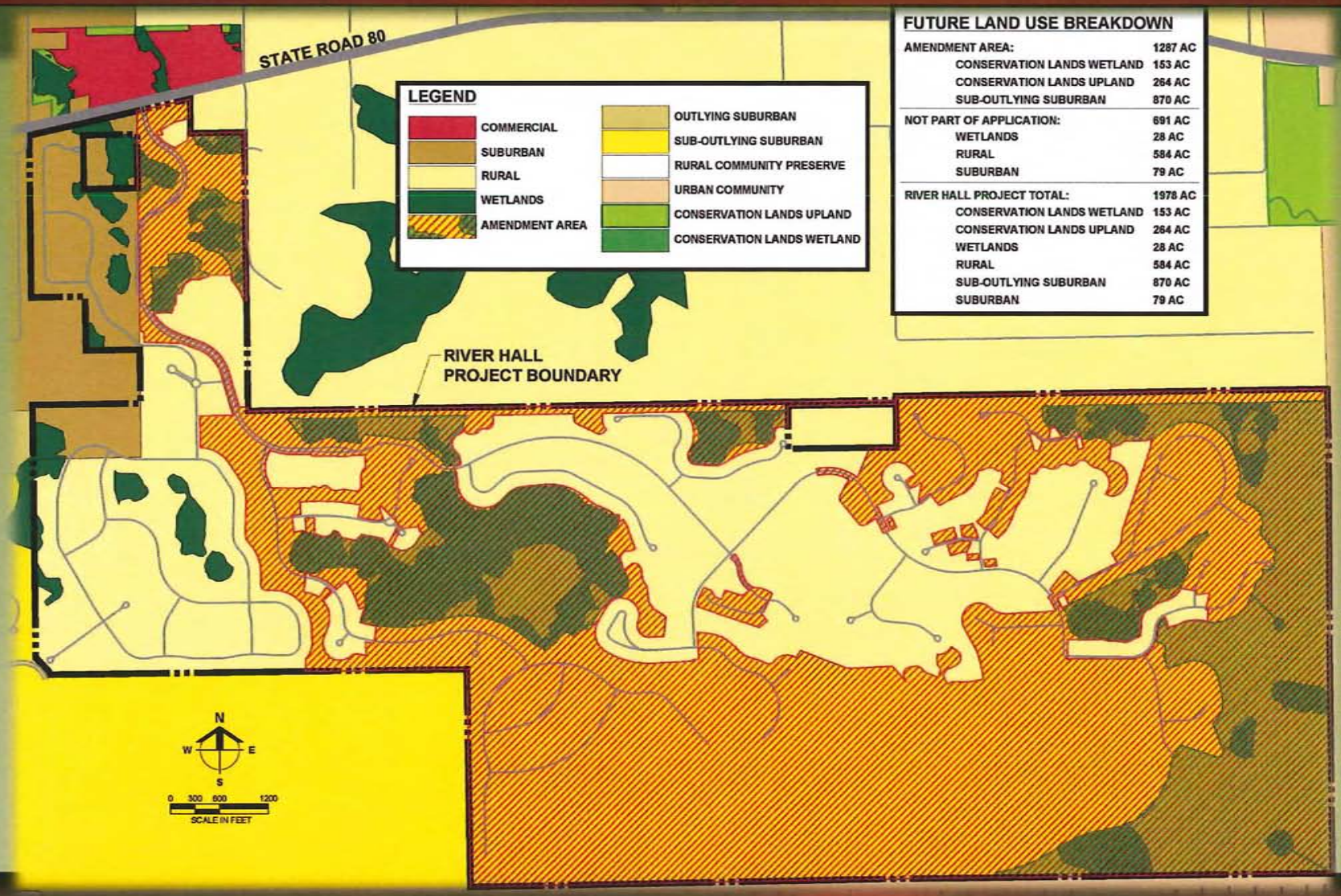
Three separate residential communities:

- Cascades (55+ community)
- River Hall Country Club (golf course community)
- Hampton Lakes (traditional single-family neighborhood)

CPA2012-00001

- BACKGROUND
  - Originally filed September 2012
  - Purpose of Request: To increase total density at River Hall from 1,999 to 2,999 du
  - CPA2012-00001 initially considered for transmittal by BOCC in September 2013 and included the following 3 components:
    - FLUM amendment to reclassify 1287 acres from Rural and Wetlands to Sub-Outlying Suburban, Conservation Lands Uplands, and Conservation Lands Wetlands
    - Text amendment adding Policy 5.1.11 to allow the transfer of density from Conservation Lands to contiguous uplands
    - Amendment to Table 1(b), 2030 Allocations to increase the allocation for Sub-Outlying Suburban and decrease the allocation for Rural
  - BOCC failed to transmit on a 2-2 vote
  - Applicant requested mediation pursuant to Section 163.3181(4) – resulted in a stipulated agreement to re-hear the plan amendment for transmittal before a full 5-member Commission
  - After mediation, Applicant held an additional neighborhood meeting and added a 4th component to the CPA
    - Placed density cap for River Hall of 2,850 du into Policy 21.1.5

CPA 2012-00001 As Transmitted: Part 1, FLUM Amendment



FUTURE LAND USE BREAKDOWN

AMENDMENT AREA:	1287 AC
CONSERVATION LANDS WETLAND	153 AC
CONSERVATION LANDS UPLAND	264 AC
SUB-OUTLYING SUBURBAN	870 AC
NOT PART OF APPLICATION:	691 AC
WETLANDS	28 AC
RURAL	584 AC
SUBURBAN	79 AC
RIVER HALL PROJECT TOTAL:	1978 AC
CONSERVATION LANDS WETLAND	153 AC
CONSERVATION LANDS UPLAND	264 AC
WETLANDS	28 AC
RURAL	584 AC
SUB-OUTLYING SUBURBAN	870 AC
SUBURBAN	79 AC

Prior Proposed Land Use Changes

Land Use Classification	Existing FLUM	Proposed FLUM
Rural	1064 ac.	0 ac.
Sub-Outlying Suburban	0	870
Conservation Land Upland	0	264
Conservation Land Wetland	0	153
Wetlands	223	0
Total	1287 ac.	1287 ac.

Included land owned by:

- GreenPointe Entities (RH Venture II and III)
- River Hall Community Development District
- River Hall Country Club HOA

Part 2: Text Amendment Adding Policy 5.1.11

- POLICY 5.1.11: Property that is outside of the Coastal High Hazard Area, may receive density from lands that are designated to the Conservation Lands future land use category though a privately initiated amendment. The use of any density that is generated from this policy must be approved through the Planned Development zoning process and be used on the same property as the privately initiated amendment. Density from the Conservation Lands will be calculated at the same rate as the uplands immediately adjacent to the non-Conservation Lands within the planned development. A conservation easement, dedicated to the county, must be granted by the owner of the Conservation Lands. This easement must assign maintenance responsibility to a property owners' association, community development district, or similar acceptable entity. The conservation easement must be recorded prior to issuance of a development permit authorizing construction of the additional dwelling units generated from the Conservation Lands.

Part 3: Text Amendment to Policy 21.1.5

- Policy 21.1.5: One important aspect of the Caloosahatchee Shores Community Plan goal is to retain its rural character and rural land use where it currently exists. Therefore no land use map amendments to the remaining rural land category will be permitted after May 15, 2009, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners. <u>For the River Hall development located in Sections 25, 26, 27, 34, 35, and 36, Township 43 South, Range 26 East, Lee County, Florida, total density for the development shall not exceed 2,850 dwelling units.</u>

Part 4: Amendment to Table 1(b) Allocations

- Table 1(b) modification

Future Land Use Category	Remaining Acreage	Proposed Acreage	Change
Sub-Outlying Suburban	367	486	+119
Rural	1,061	942	-119
Conservation Lands – Upland	0	264	+264
Conservation Lands – Wetland	0	153	+153

CPA 2012-00001 State Agency Review

- No substantive comments/objections were received from:
  - Department of Economic Opportunity
  - Southwest Florida Regional Planning Council
  - Florida Department of Transportation
  - Department of Agriculture and Consumer Services
  - South Florida Water Management District
  - Department of Environmental Protection
- Comments from FFWCC and DOE addressed as part of this rezoning

During State agency review, GreenPointe advised County Staff that a further reduction in the density increase would be requested as part of the rezoning, from 2,850 DU's (as requested in the transmitted CPA) to 2,695 DU's.

Post-Transmittal Changes to CPA2012-00001)

Subsequent to transmittal & state agency review, the River Hall Community Development District withdrew its lands from the Plan Amendment.

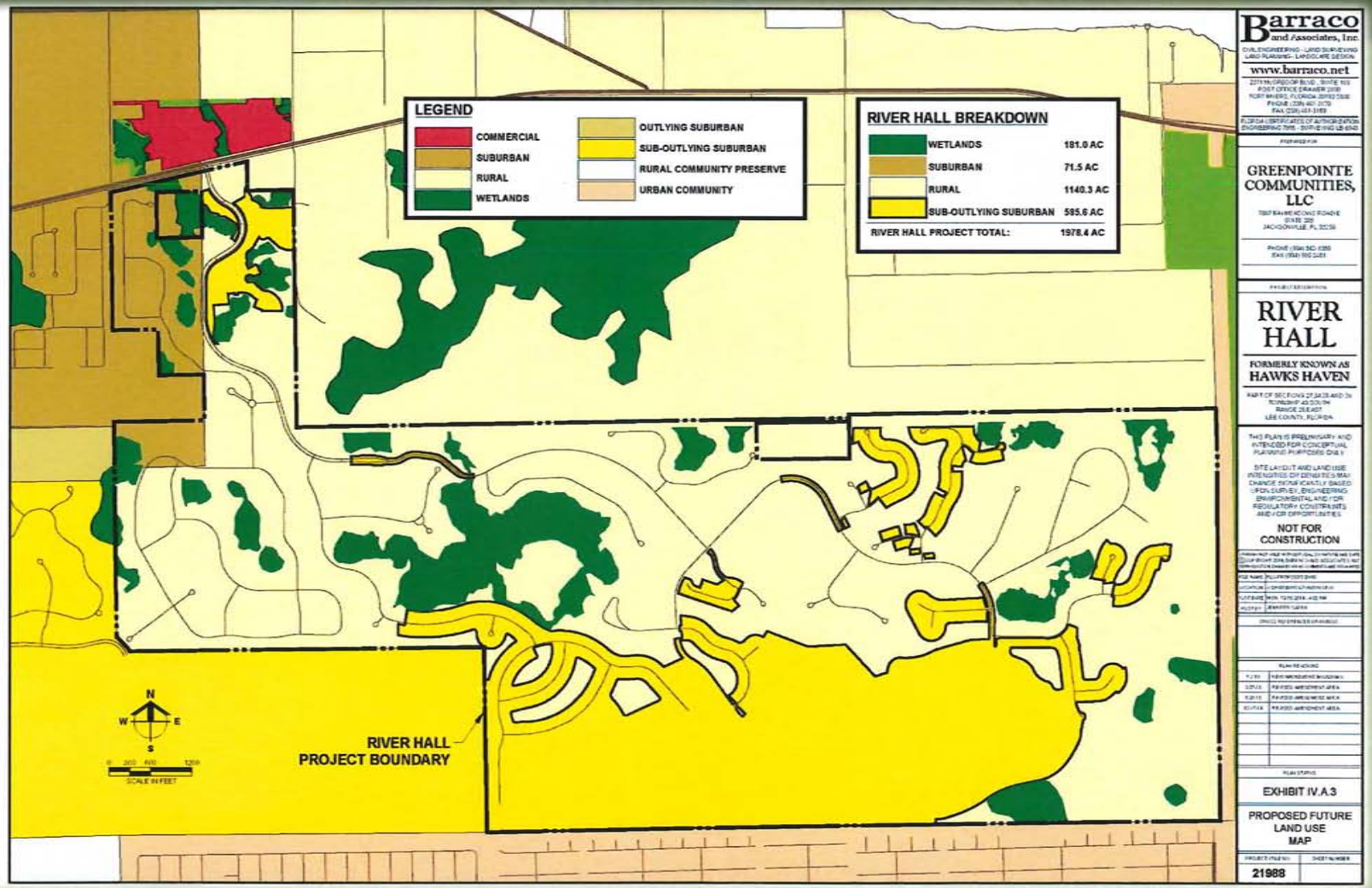
- Eliminated all lands proposed to be amended to Conservation Lands Upland and Conservation Lands Wetland
- Reduced the amount of acreage being converted from Rural to Sub-Outlying Suburban to 585.6 acres
- After withdrawing the CDD lands, the FLUM amendment would allow a maximum of 2,749 du within River Hall, as follows:

Land Use Category	Acreage	Density	Max Allowed per FLUM
Suburban	71.5	6 du/ac	429
Sub-Outlying Suburban	585.6	2 du/ac	1171
Rural	1140.3	1 du/ac	1140
Wetlands	181.0	.05 du/ac	9

Post-Transmittal Changes to CPA2012-00001)

- GreenPointe proposed the following changes to the 4-part CPA as a result of the withdrawal of the CDD land and its own density needs:
  - Withdrawal of text amendment adding Policy 5.1.11
  - Withdrawal of density cap of 2,850 du for River Hall in Policy 21.1.5
  - Maintain the amendment to Table 1(b), as transmitted.
  - Amend the FLUM amendment as shown on the following map
    - Removes all CDD lands
    - Does not add lands that were not transmitted and reviewed

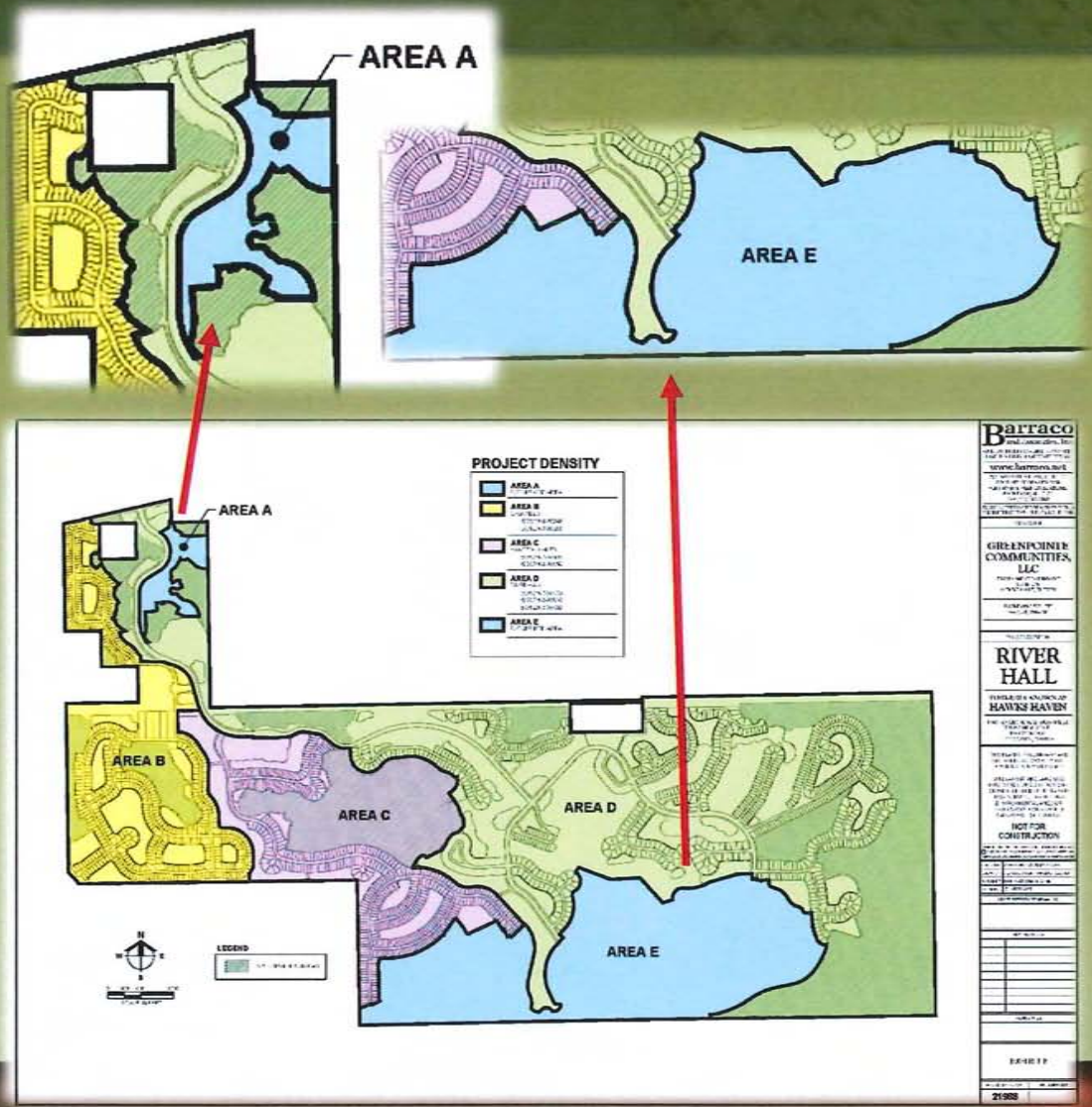
CPA2012-00001: Current FLUM Changes



Zoning Request

- Amend portions of the existing RPD/CPD zoning to increase the number of permitted residential dwelling units in River Hall community by 696, to a total of 2,695, include additional recreational uses within the commercial portion of the community, and provide for 5 added deviations related to lot layout and site design.

Location Map for Added Dwelling Units



- Additional units to be located in Areas A & E
- Additional units to use same property development regulations as those developed under Z-05-051
- Existing platted lands in Areas B, C, & D will not be altered
- No changes to preservation lands

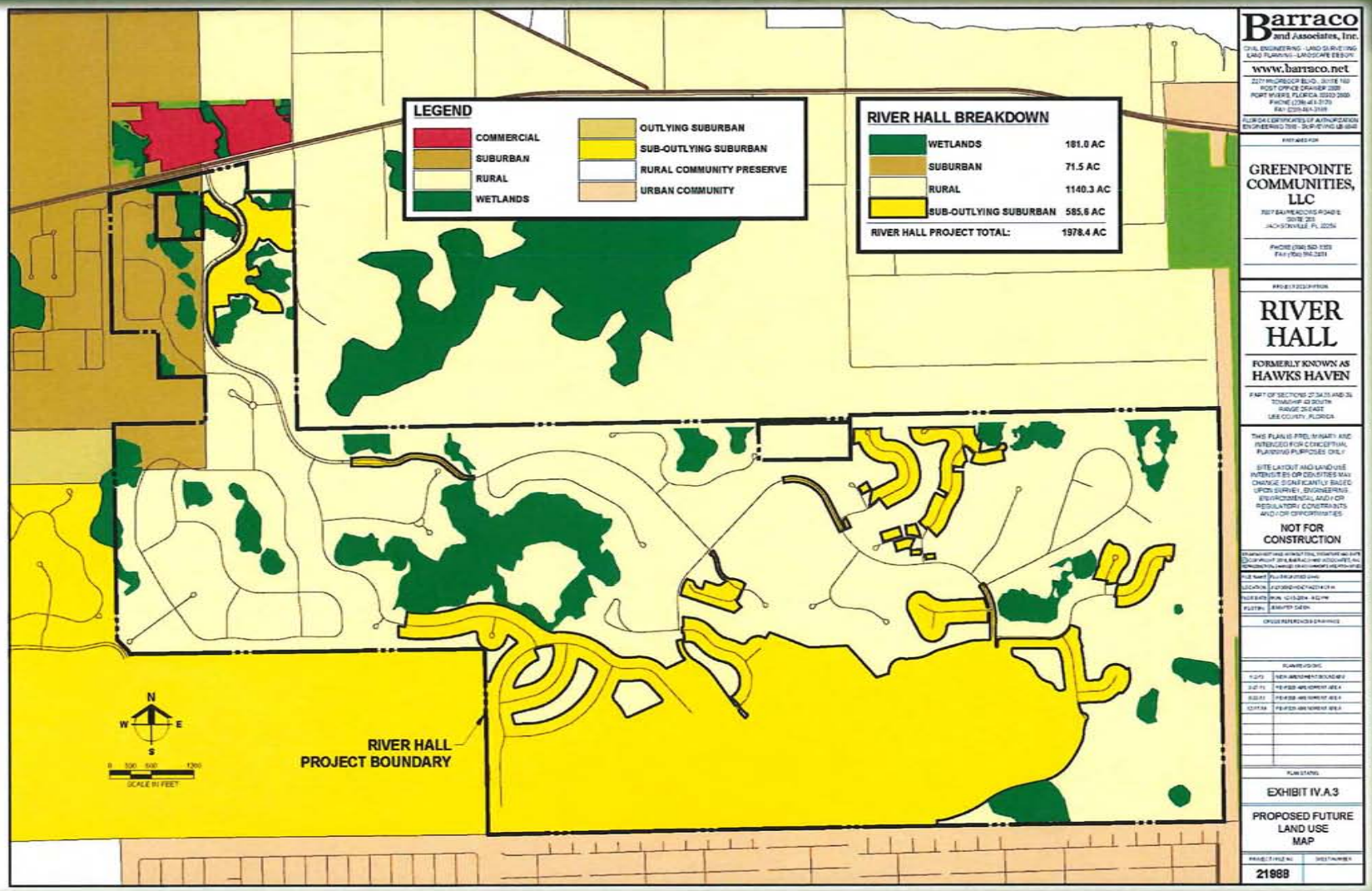
Deviations: 5 Additional Requested

- 2 Recommended for DENIAL:
  1. Deviation from LDC Section 10-329(d)(4) which requires banks of excavations to be sloped at a ratio not greater than six horizontal to one vertical from the top of bank to a water depth of two feet below the dry season water table to allow a 4:1 slope.
  2. Deviation from LDC Section 10-291(3) which requires residential subdivisions of more than five acres to provide more than one means of ingress or egress for the development to allow one ingress or egress onto State Route 80.
- 3 Recommended for APPROVAL:
  1. Deviation from LDC Section 10-415(b)(1)c. which requires a minimum setback of 20 feet from buildings and a 30 foot setback for indigenous plant communities subject to fire to allow a side setback of 17 feet for the following existing platted lots: River Hall Country Club, Phase Two, Block K, Lots 29, 57, 76, and 77; Hampton Lakes at River Hall, Phase One, Lot 87, subject to Condition 29.
  2. Deviation from LDC Section 10-415(b)(1)c. which requires a minimum setback of 20 feet from buildings and a 30 foot setback for indigenous plant communities subject to fire to allow a setback of 20 feet for all existing lots, subject to Condition 30.
  3. Deviation from LDC Section 34-934 which permits dwelling units within a CPD when there are at least 50,000 square feet or more of commercial uses, to allow dwelling units within the existing River Hall CPD which was permitted for 45,000 square feet of commercial uses.

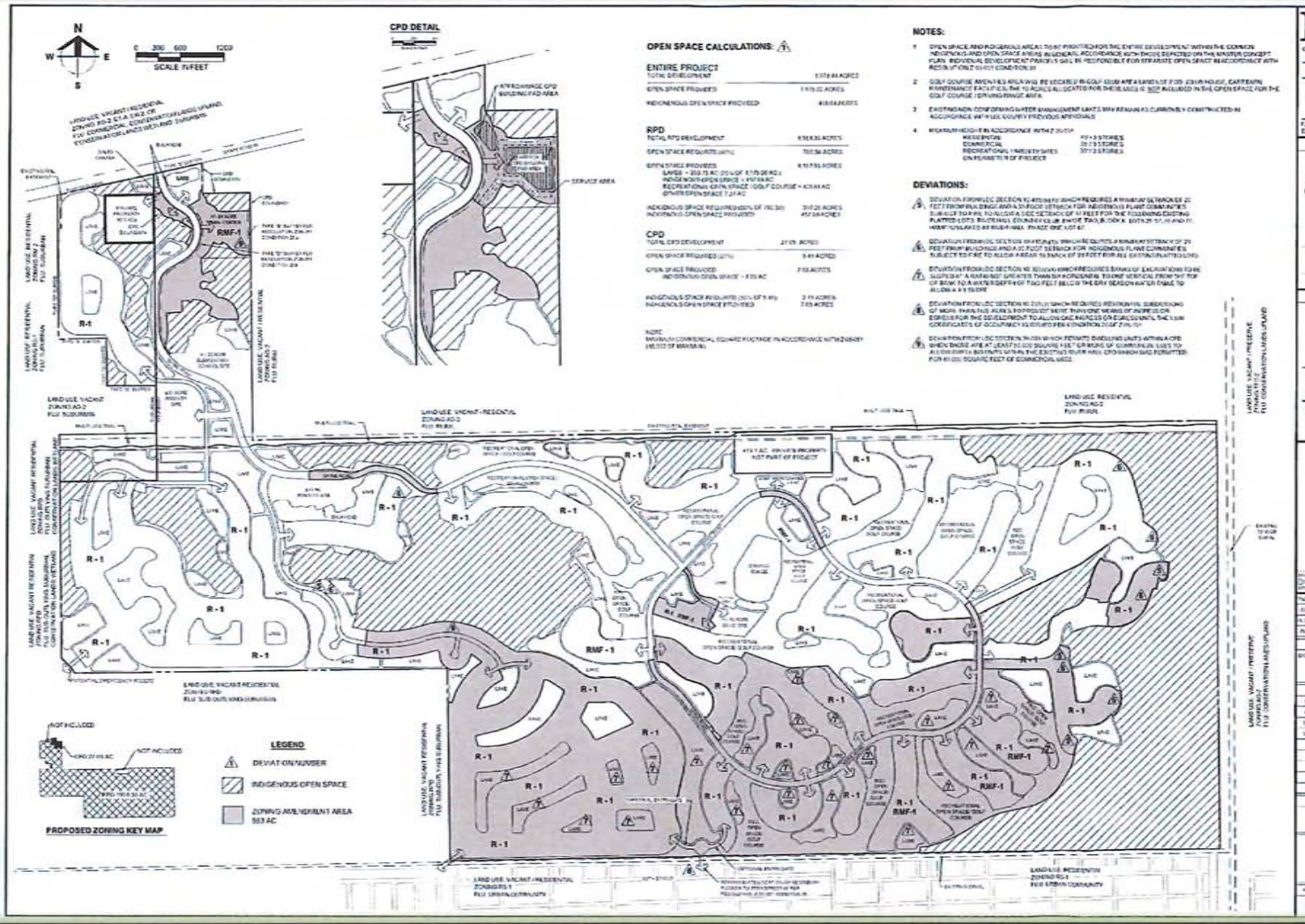
Background

Tina M. Ekblad, MPA, AICP, LEED AP
Morris-Depew Associates, Inc.

CPA2012-00001



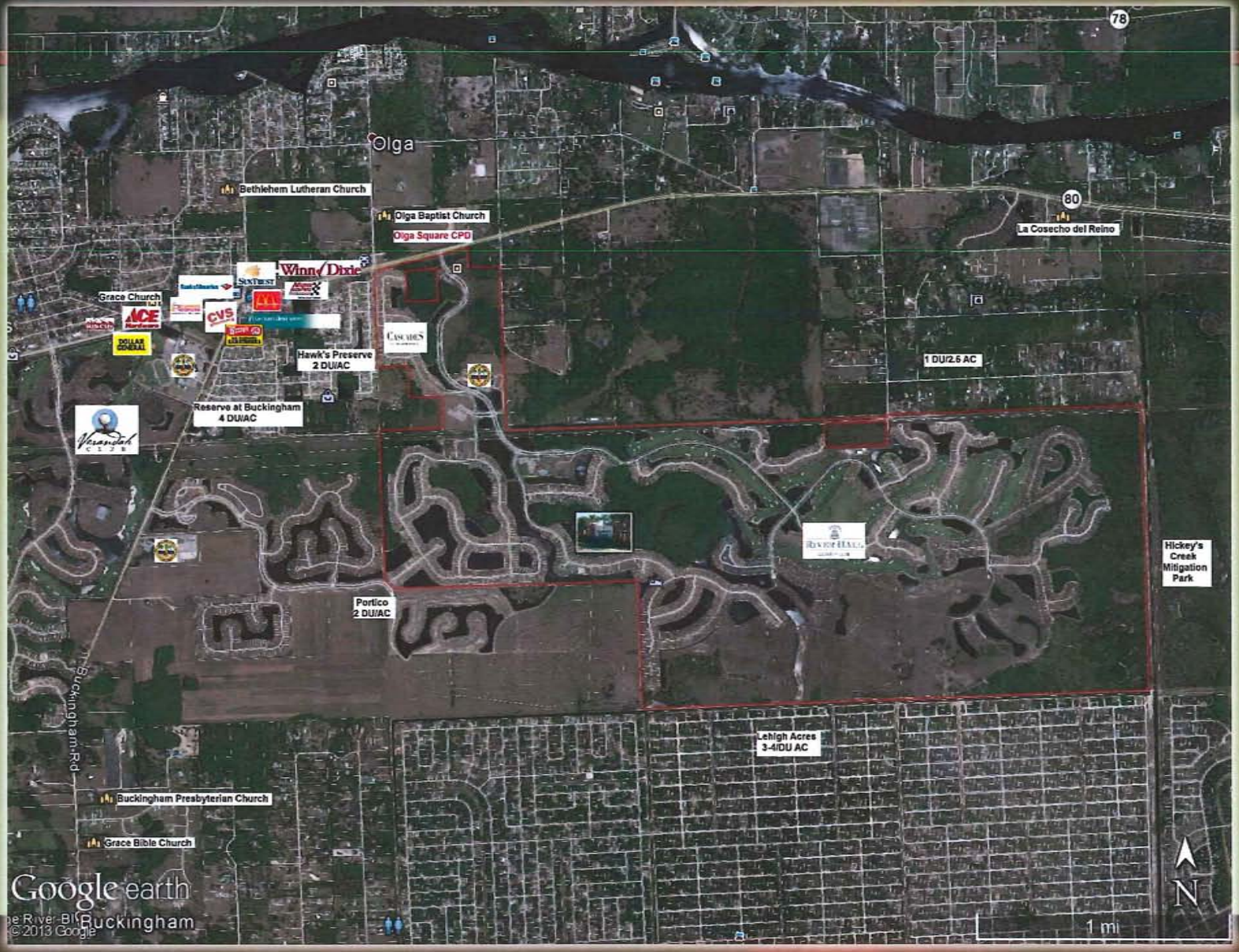
Proposed Master Concept Plan



Request

- Amend portions of the existing RPD/CPD zoning to increase the number of permitted residential dwelling units in River Hall community by 696, to a total of 2,695, include additional recreational uses within the commercial portion of the community, and provide for 5 added deviations related to lot layout and site design.

Surrounding Development

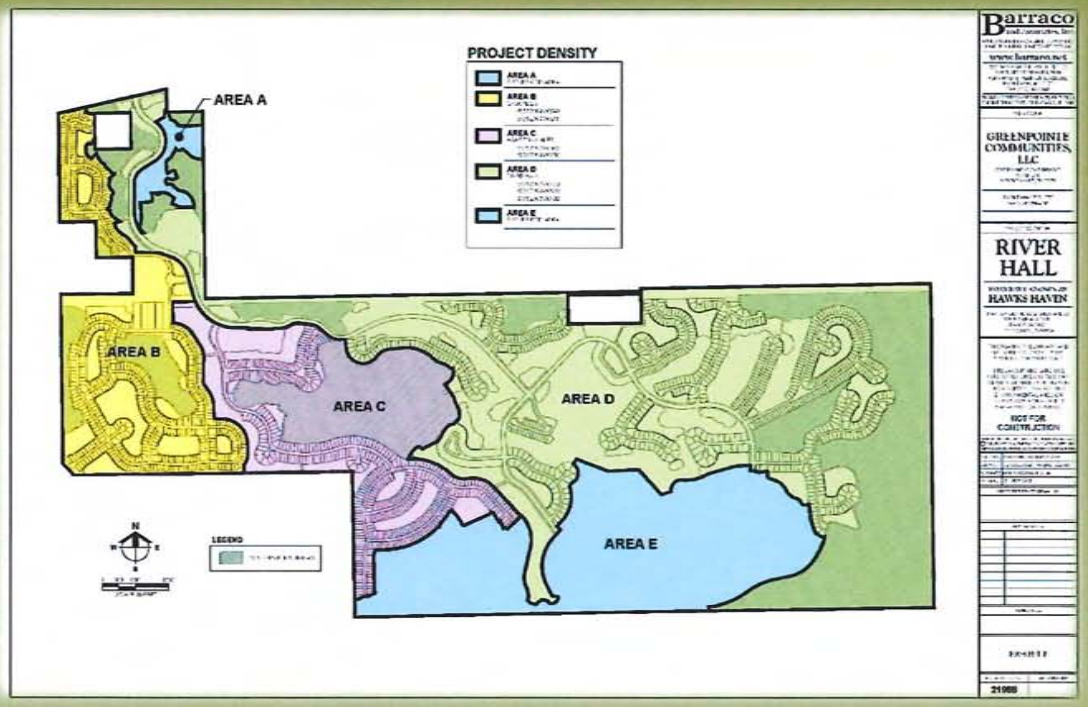


Surrounding Land Use & Zoning

Existing Zoning & Land Use	Future Land Use Map
North: CPD- Grazing Land Class I and II; AG-2- Orchard Groves, Citrus, Vacant Residential, Single Family Residential, Vacant Government	Suburban, Commercial, Rural, Wetlands, Conservation Lands Uplands
East: AG-2 -Vacant Governmental; RM-2- Vacant Governmental, C-2- Vacant Governmental	Conservation Lands Uplands, Urban Community
South: RS-1- Partially Developed Residential	Sub-Outlying Suburban, Urban Community
West: RPD- Right of Way, Approved from RPD; AG-2 vacant	Sub-Outlying Suburban, Suburban, Rural, Wetlands

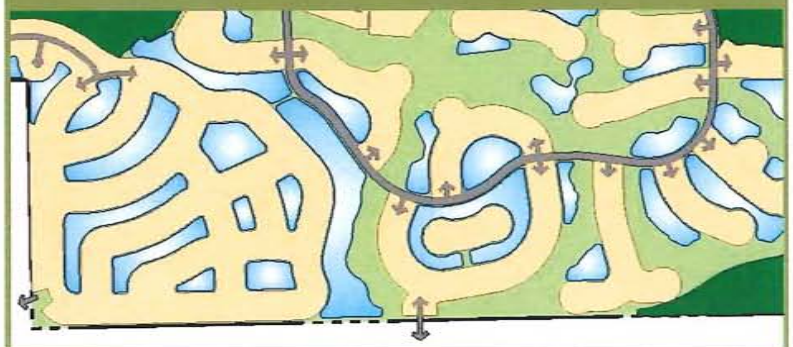
Illustrative Master Concept Plan

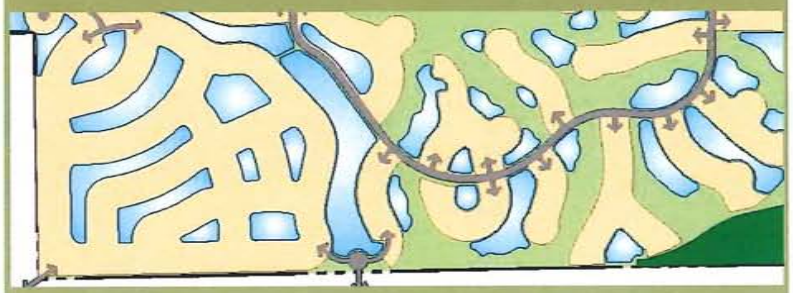
Location Map for Added Dwelling Units



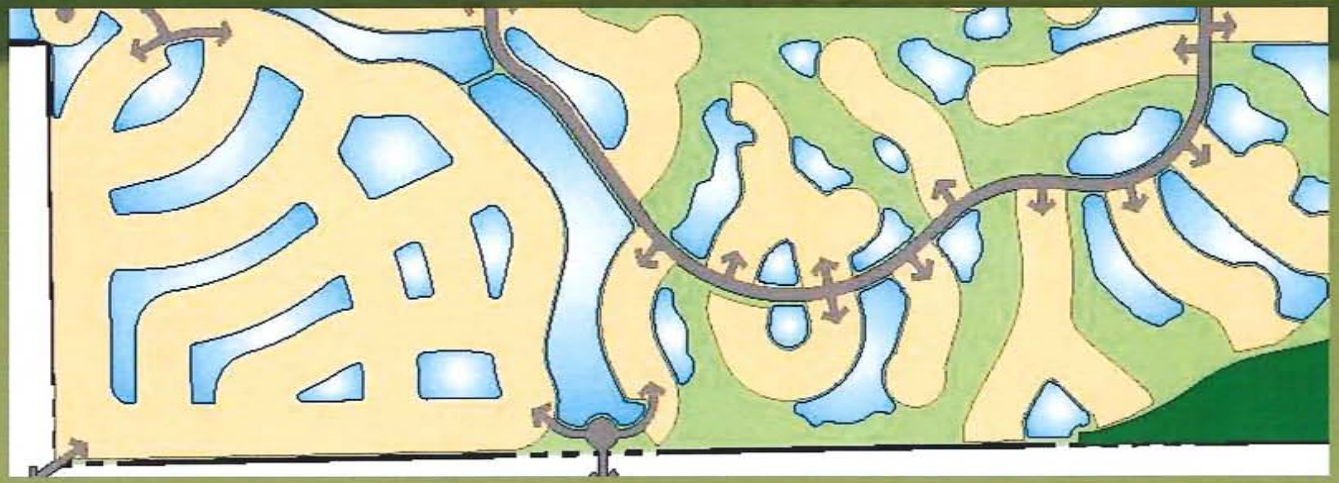
- Additional units to be located in Areas A & E
- Additional units to use same property development regulations as those developed under Z-05-051
- Existing platted lands in Areas B, C, & D will not be altered
- No changes to preservation lands

Concept Plan Comparison

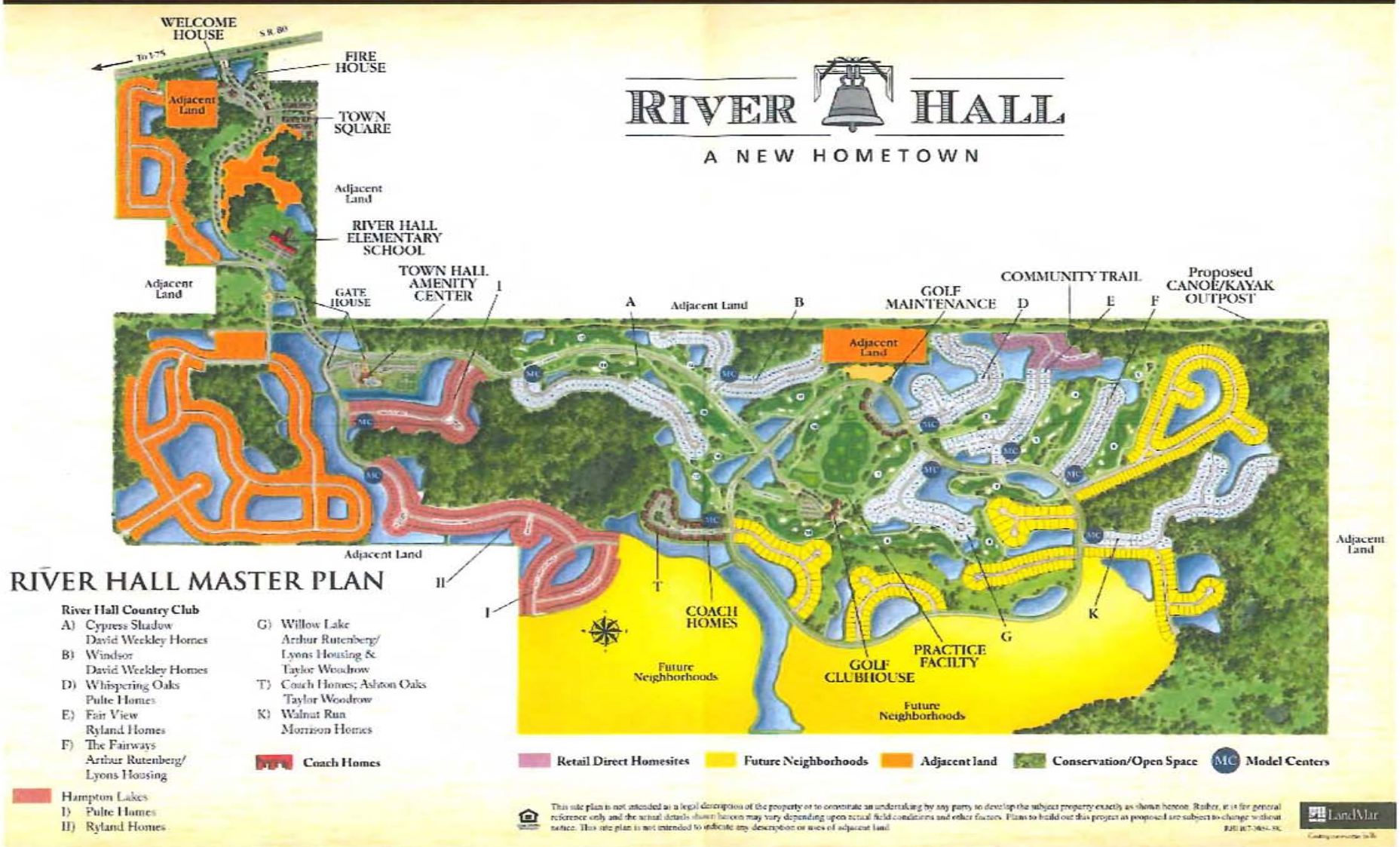




Infill Area

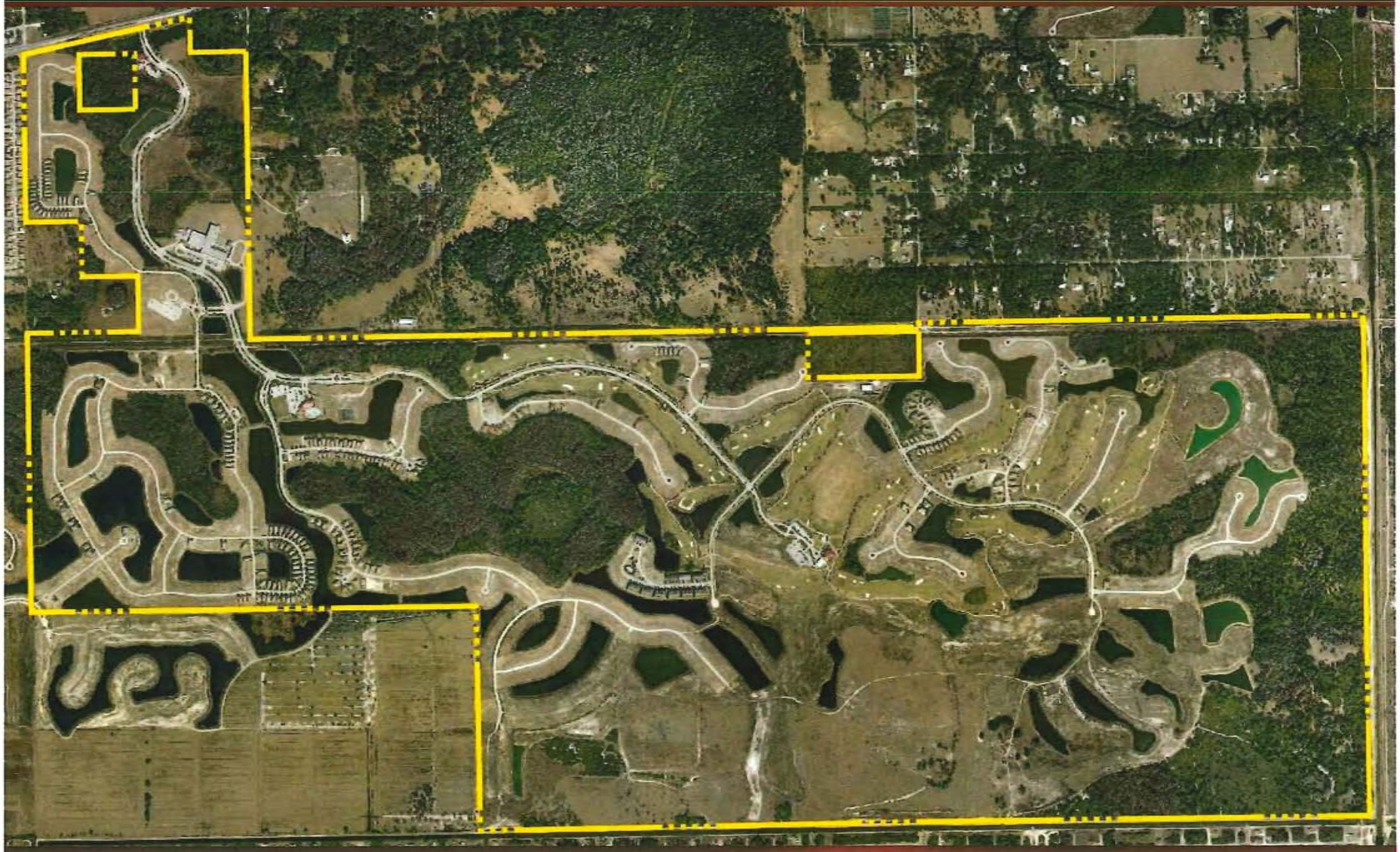


Original Marketing Concept Plan

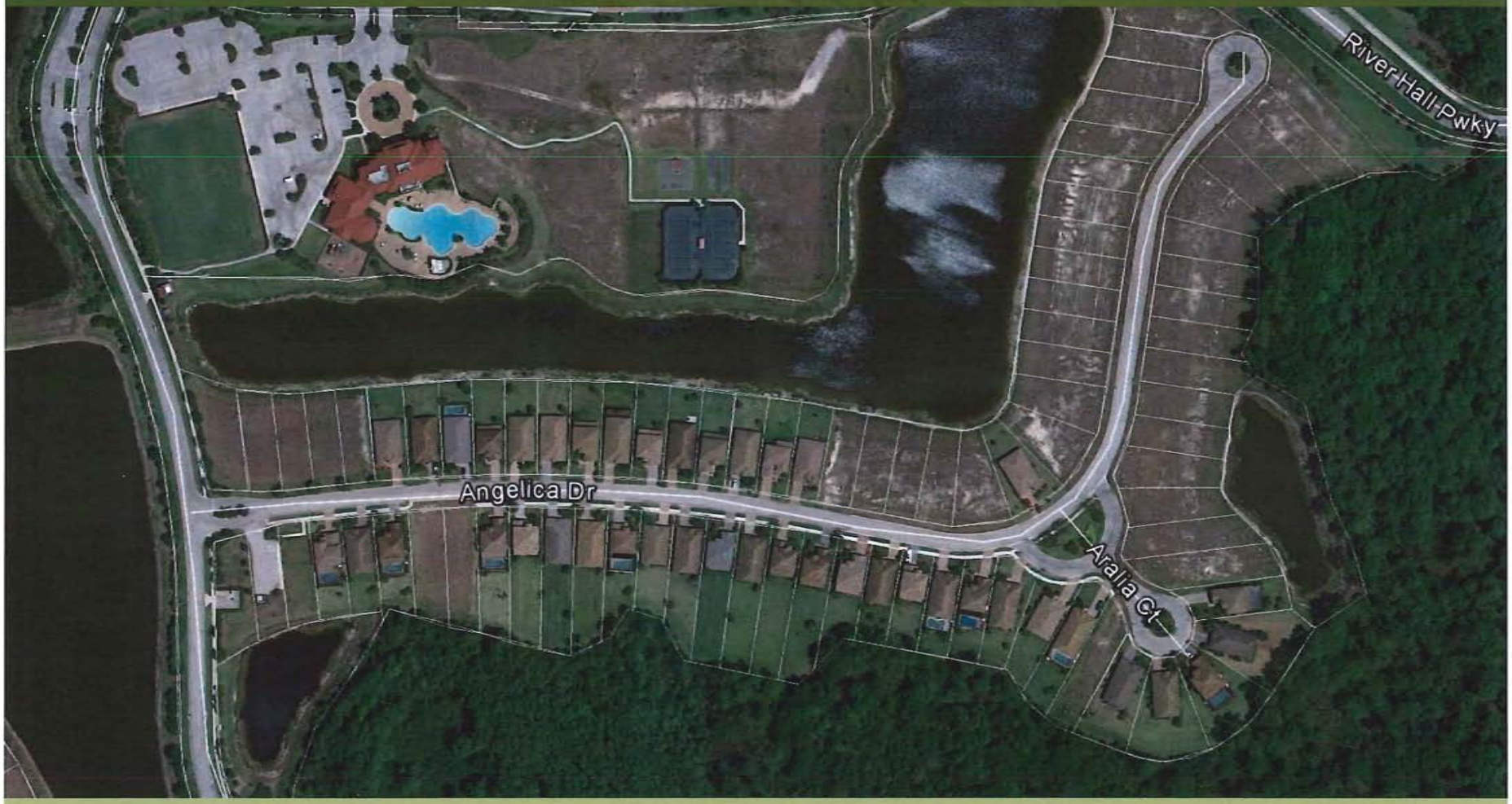


Original Marketing Concept Plan

Existing Development Patterns

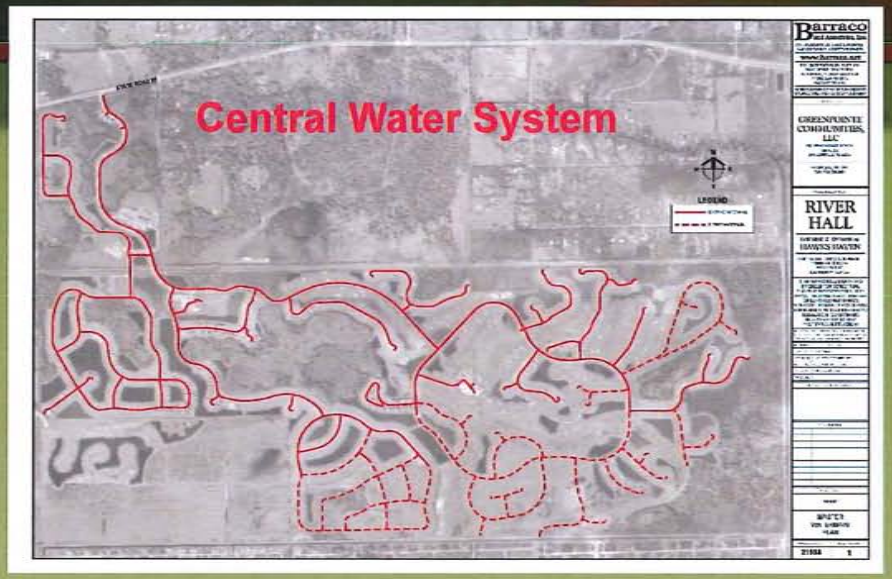


Existing Development Patterns

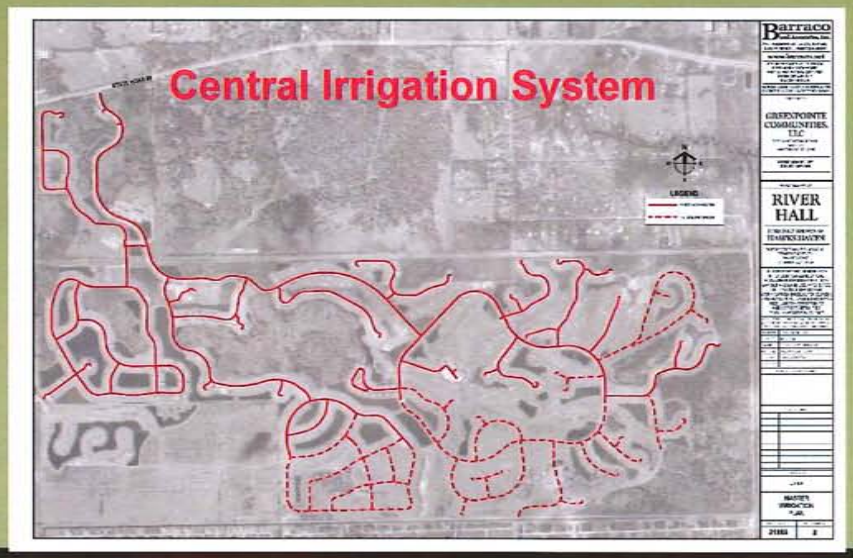


Existing Development Patterns

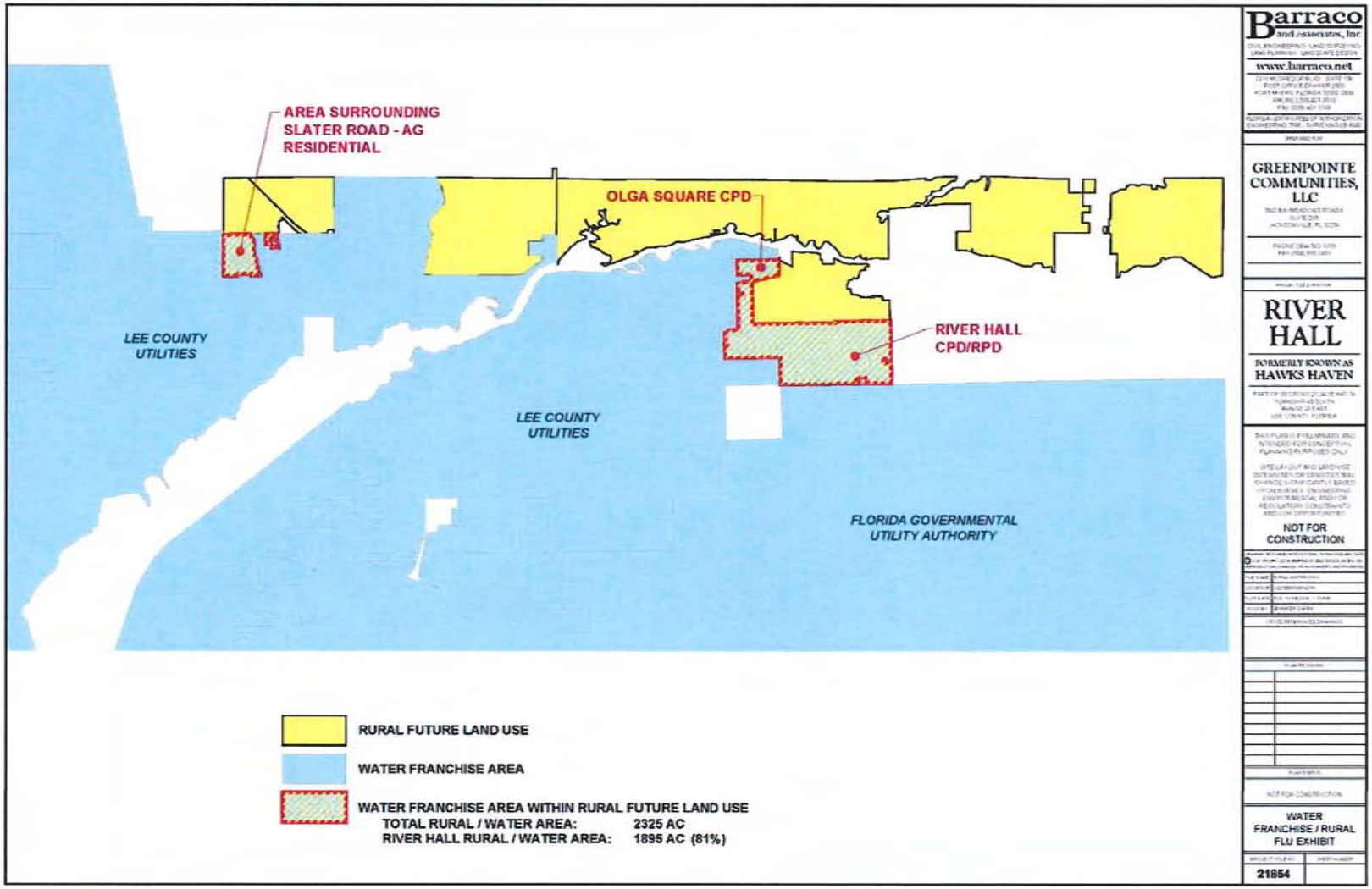
Existing Conditions - Utilities



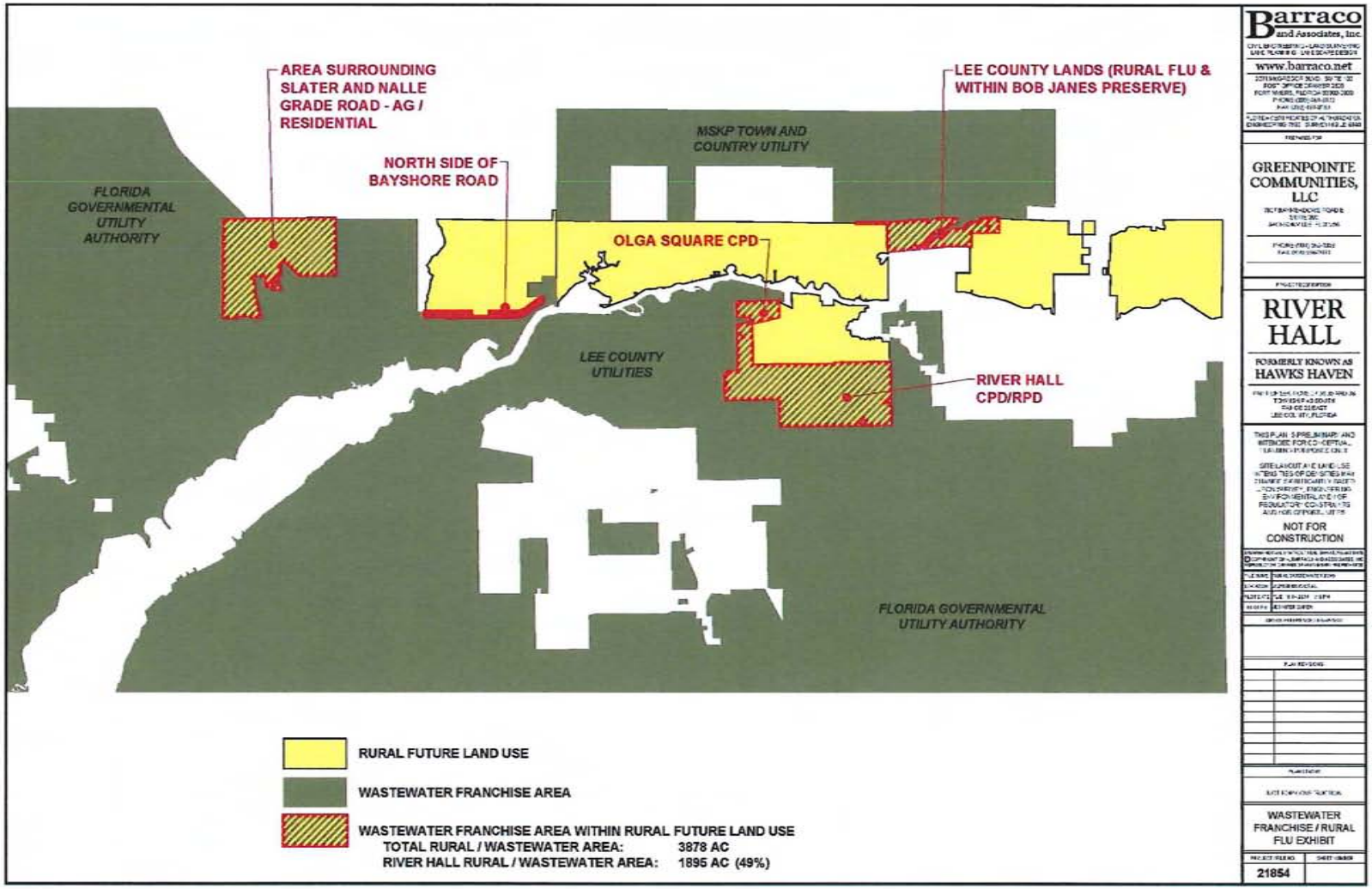
a. Master Plan will accommodate additional units
b. Area is not rural, but within Lee County Utilities service area



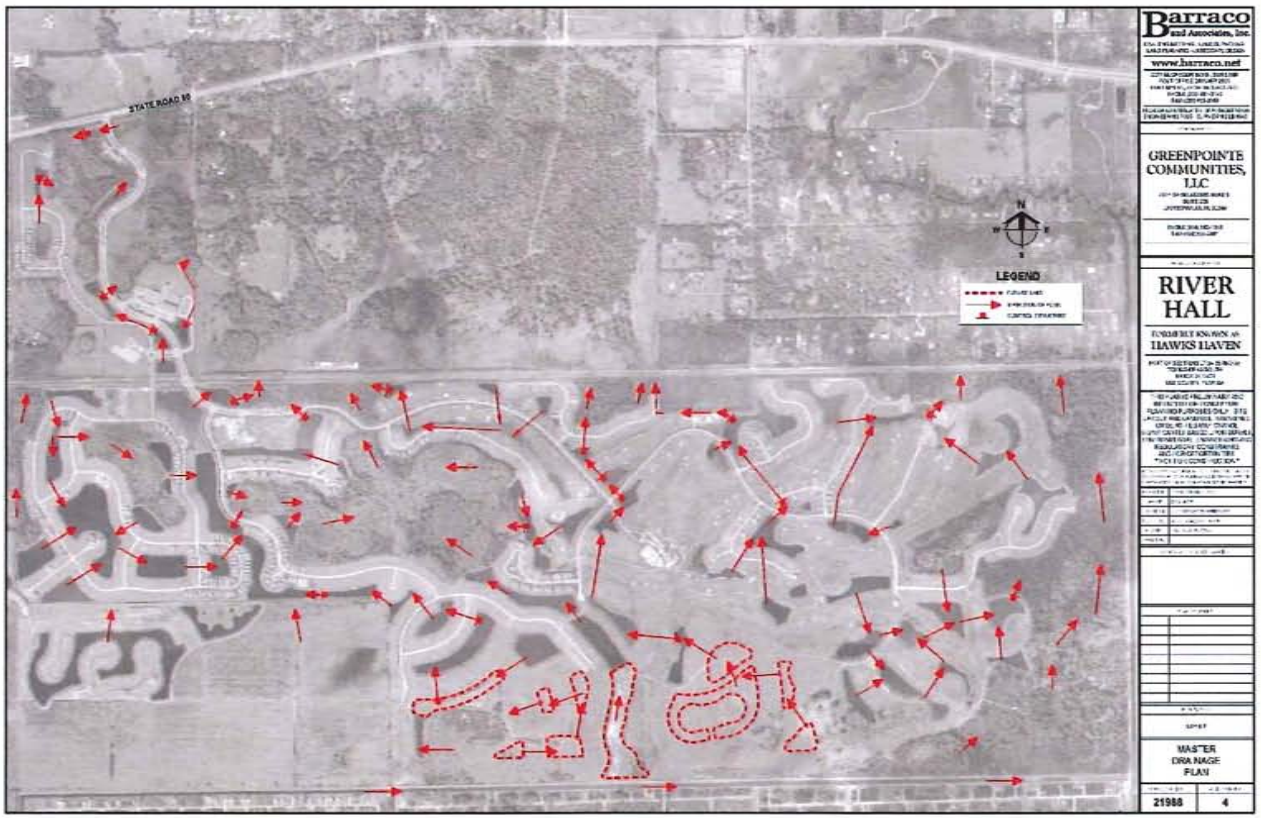
Existing Conditions – Central Water Franchise Area



Existing Conditions – Central Sewer Franchise Area



Existing Conditions - Drainage

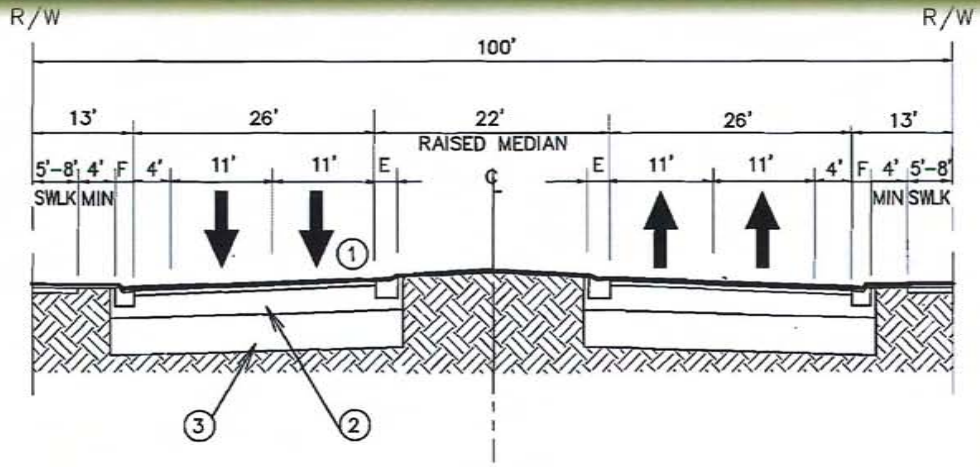


- Entire system designed to accommodate additional development
- System designed based upon characteristics of suburban impervious areas
- Entire water management system is a closed suburban system rather than an open rural system

Existing Conditions - Roadways

- Internal roadways are designed to accommodate additional units
- All roadway sections are suburban closed drainage, not rural open drainage (swales)
- LDC creates minimum right-of way widths for urban and rural roadways
- River Hall Parkway:
  - 4 lane divided roadway
  - Meets **urban** collector standards of LDC 10-296
  - Provides public access

Urban Roadways



LDC SECTION 10-708(1)
4-LANE URBAN COLLECTOR
DESIGN SPEED = 45 MPH
(AS APPROVED BY THE DIRECTOR)
N.T.S.

Roadway designed for urban uses, drainage, and utilities

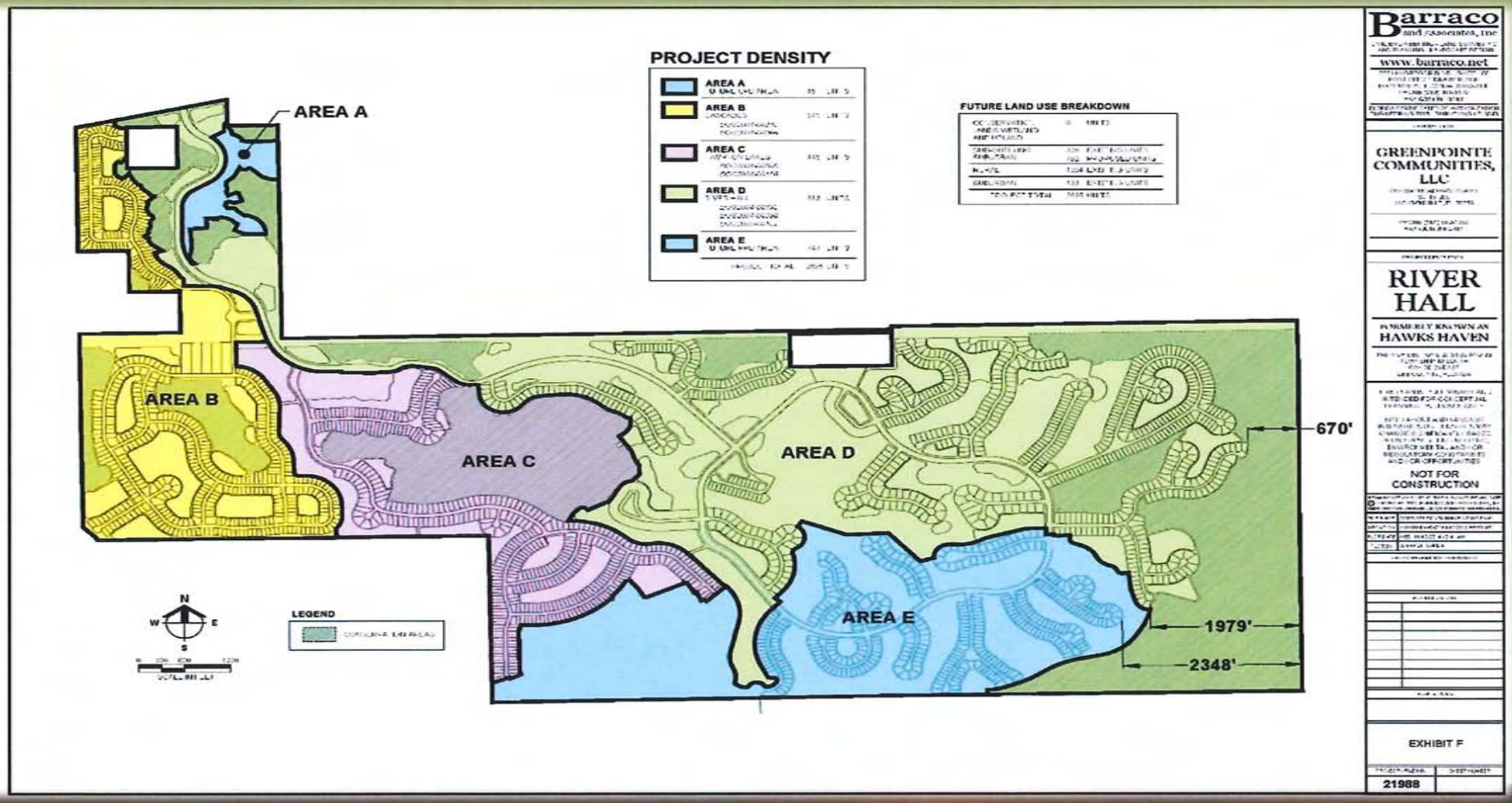
Existing Conditions – Urban Services

- Lee County School District
  - River Hall Elementary within the community
  - Supports the advancement of the second access
  - There are sufficient seats to accommodate the additional units
- Lee County Solid Waste
  - Provides service to the community
  - Available capacity to service the additional units
- Lee County Utilities
  - Provides service to the community
  - Available capacity to service the additional units

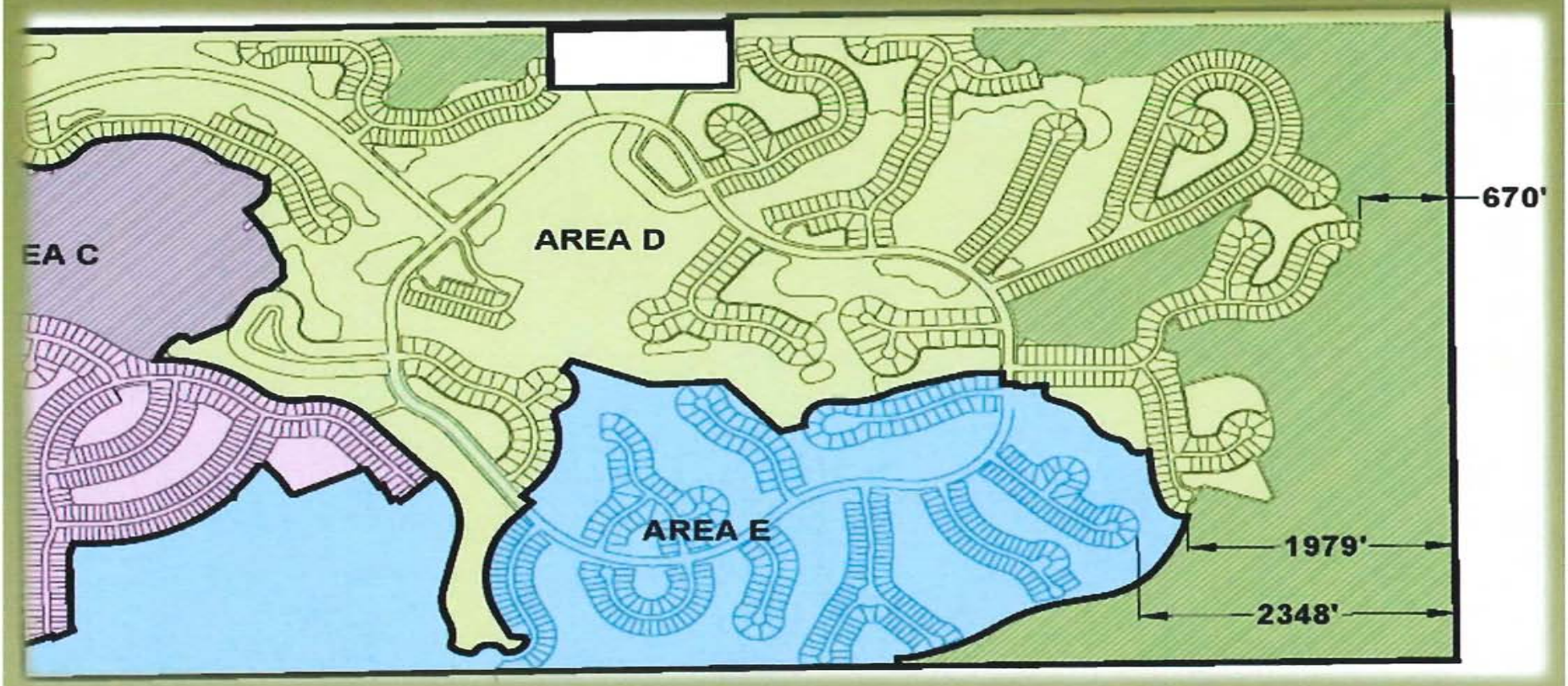
Existing Conditions – Urban Services

- LeeTran
  - Bus stop is less than a mile from the entry
  - Route has 80% capacity available
  - Community not within service boundary
- Fort Myers Shores Fire District
  - Provides service to the exiting community
  - Site for new Station within community
  - Will service the additional units
- Lee County EMS
  - Provides service to the existing community
  - Can locate at Fire Station site in community
  - Can service the additional units
  - Agreement to provide facilities for EMS unit at entry
- Lee County Sheriff
  - Provides service to the existing Community
  - Will service the additional units

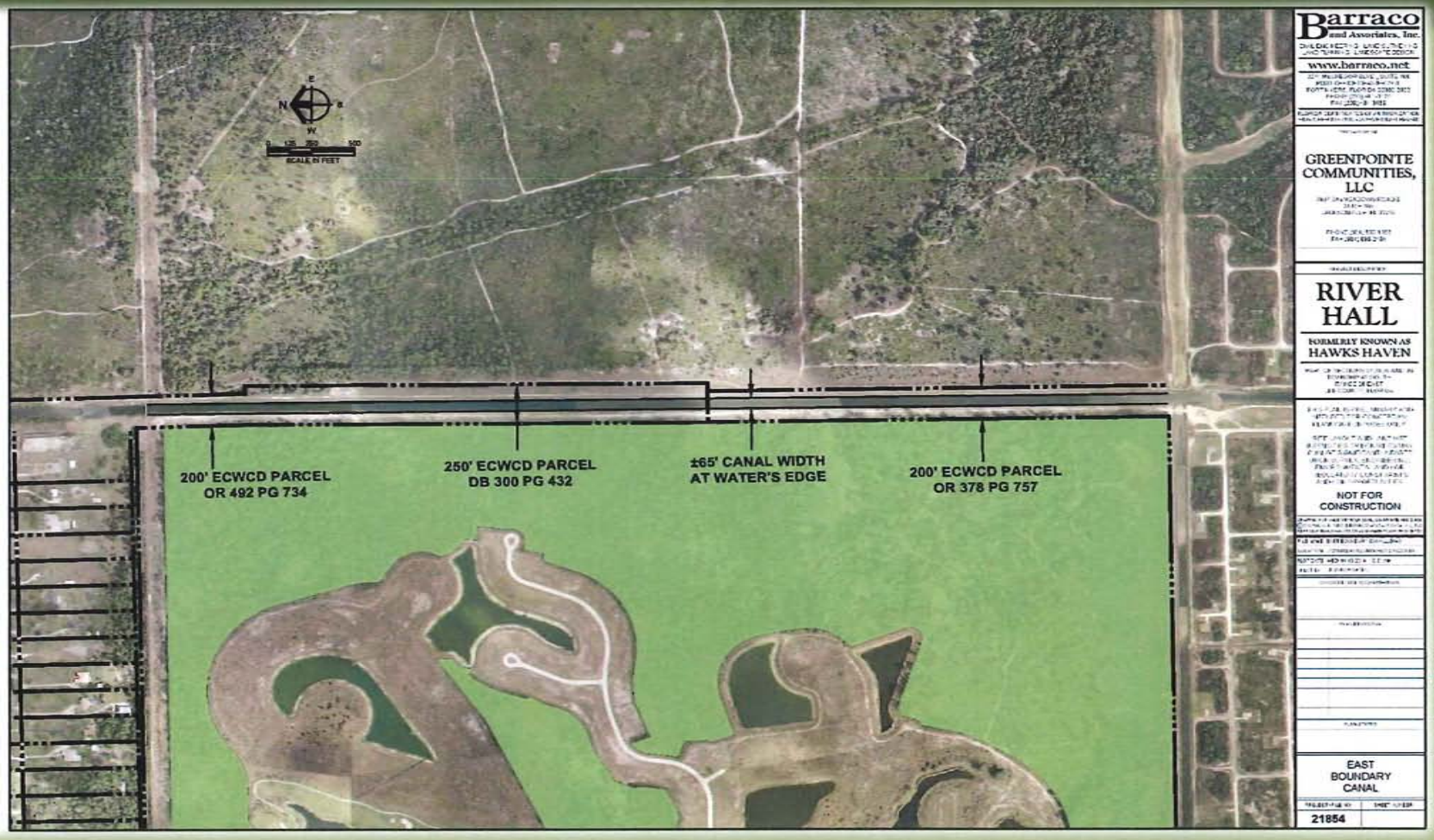
Hickey Creek



Hickey Creek



Hickey Creek



River Hall: DCI2013-00003

Environmental Considerations

Kenneth Passarella

Passarella and Associates, Inc.

Environmental Considerations

- 2005 Approved Master Concept Plan
- 405 acres of Indigenous Preserve
- The Indigenous Preserve includes:
  - 181± acres of SFWMD and COE wetlands
  - 13± acres of COE wetlands
  - 271± acres of uplands

Environmental Considerations

- Proposed Master Concept Plan
  - No changes to the Indigenous Preserves

Environmental Zoning Conditions

- All previous environmental conditions 3.a. through 3.j. carried forward
- Two new environmental conditions: 3.k. and 3.l.
  - 3.k. Updated Protected Species Management Plan
  - 3.l. Addresses Prescribed Burn Management Activities

River Hall: DCI2013-00003

Transportation Considerations

Stephen Leung
David Plummer and Associates, Inc.

Transportation Considerations

1. The submitted Traffic Impact Statement dated December 16, 2014 was prepared consistent with the requirements of the Lee County Guidelines for Zoning Traffic Studies.
2. The TIS reflected the buildout of River Hall with 2,695 total dwelling units with supporting commercial and amenities, coincident with year 2020 plus 1 year later at year 2021.
3. The traffic assessment also considered general background traffic growth and the recently approved Olga Square CPD of approximately 370,000 square feet.

Transportation Considerations

4. The roadway network assessment included the major arterials of SR 80, SR 31 and Buckingham Road. All area roadways are expected to operate at or better than the adopted level of service standards with the existing number of lanes, either without or with the proposed rezoning.
5. The roadway intersection assessment included SR 80 at SR 31, SR 80 at Buckingham Road and SR 80 at River Hall Parkway. All intersections are expected to operate at or better than the adopted level of service standards with the recommended turn-lane improvements, either without or with the proposed rezoning.
6. The TIS assessment concluded that buildout of River Hall will not create adverse transportation impacts to the area roadway network. In fact, the proposed 696 additional DU's will enhance the market-base to support the recently approved Olga Square commercial development, while taking Olga Square traffic off SR 80.

Transportation Considerations

7. We concur with LCDOT that staff has no objection to the application.
8. We also concur with DCD staff that River Hall should move forward with the signalization of the SR 80 and River Hall Parkway intersection, as the signal warrants were satisfied based on the existing school traffic.
9. In addition to funding the SR 80 and River Hall Parkway signal, River Hall will also pay an estimated $4.7 million in impact fees that are anticipated to be generated by the additional 696 dwelling units.

River Hall: DCI2013-00003

Proposed New/Revised Conditions & Deviations

David W. Depew, PhD, AICP, LEED AP
Morris-Depew Associates, Inc.

River Hall: Proposed New/Revised Conditions

- Development outside the area covered by request governed by Z-05-051
- Development within boundary of request must be consistent with the five-page Master Concept Plan (MCP) for River Hall, stamped received on December 17, 2014.
- Maximum of 45,000 square feet of commercial floor area and 2,695 residential units
- Must comply with LDC at the time of local development order approval, except for deviations approved as part of this approval

River Hall: Proposed New/Revised Conditions

- Additional Uses:
  - Residential
    - Recreational Facilities - Private, On-site only
  - Commercial
    - Dwelling Units, limited to Townhouse (RMF-1) and Multi-family (RMF-1)
    - Recreational Facilities - Private, On-site only

River Hall: Proposed New/Revised Conditions

- <u>SITE DEVELOPMENT REGULATIONS</u>
- Minimum Lot Area and Dimensions - Single-Family
- Width: 45 feet
- Lots 148 and 149 of Cascades at River Hall, Phase I, as platted in Instrument Number 2005000166035 of the Lee County Records are permitted a minimum lot width of 44 feet. (ADD2006-00164)
-
- Depth: 120 feet
- Lots 26, 27, 28, 38, 55, 302, 303, 304, 305, 306, 307, 344, 345, 346, 347, and 348 of Cascades at River Hall, Phase I & II, as platted in Instrument Numbers 2005000166035 and 2005000166038 of the Lee County Records may be permitted a minimum lot depth of 110 feet. (ADD2006-00173)

River Hall: Proposed New/Revised Conditions

- Rear - 15 feet
- Lots 302-307 and 344-348 of Cascades at River Hall, Phase I & II, as platted in Instrument Numbers 2005000166035 and 2005000166038 of the Lee County Records may be permitted a minimum 5 feet. (ADD2006-00173)

- Water Body - 20 feet
- Accessory - Per the LDC
- Lots 302-307 and 344-348 of Cascades at River Hall, Phase I & II, as platted in Instrument Numbers 2005000166035 and 2005000166038 of the Lee County Records may have a minimum rear setback of 6 inches. (ADD2006-00173)

River Hall: Proposed New/Revised Conditions

- Minimum Distance Between Buildings: 15 feet
- Minimum building separation between Lots 117 and 154, 147 and 148, and 148 and 149 of Cascades at River Hall, Phase I, as platted in Instrument Number 20050001660 35 of the Lee County Records may be 11 feet. (ADD2006-00164)

River Hall: Proposed New/Revised Conditions

3. k. Existing approved development will meet requirements of the River Hall Lee County Protected Species Management Plan, dated May 2006. However, prior to local development order approval for future development of lands within the legally described areas as part of the amendment sought in DCI2013-00003, a Protected Species Management Plan must be submitted revising the gopher tortoise and burrowing owl management plans to address the current conditions and update management techniques and required permits; include resident educational materials for the gopher tortoise, listed wading birds, and Florida scrub jay; as well as incorporate a large mammal management plan to limit potential negative human/wildlife interactions.

River Hall: Proposed New/Revised Conditions

3. l. Prior to prescribed burn management activities occurring within the on-site preserve or on the adjacent Hickey's Creek Mitigation park (as notified by the CDD and/or park staff), the HOA of the development pods located adjacent to the easternmost preserve must notify residents these development pods of the scheduled prescribed burn activities and general education material on prescribed burn management activities must be provided. If covenants or deed restrictions are required for these development pods, the documents must include language requiring each deed holder will be informed of their purchase of a lot adjacent to an on-site preserve or public preserve land which is managed with prescribed burning and each deed holder will be presented with education material on prescribed burn management activities at the time of purchase.

River Hall: Proposed New/Revised Conditions

5. a. The total residential dwelling count within River Hall may not exceed 2,695 dwelling units. In accordance with the Lee Plan, maximum densities per the Future Land Use Categories are provided below:

TABLE

Land Use Category	Acreage	Density	Max Allowed per FLUC
Suburban	71.5	6 du/ac	429
Sub-Outlying Suburban	585.6	2 du/ac	1171
Rural	1140.3	1 du/ac	1140
Wetlands	181.0	.05 du/ac	9

The portion of the property within the Rural future land use category must maintain densities of one dwelling unit per acre or less. No more than 1,140 dwelling units may be constructed in the Rural designated areas of the project. Units within the Suburban and Sub-Outlying Suburban future land use designations may be shifted between these future land use designations, so long as the requirements of Lee Plan Policy 5.1.10. are met.

River Hall: Proposed New/Revised Conditions

8. Agricultural uses are no longer a permitted use since they have been previously terminated as part of local development order approval.

11. By letter dated April 22, 2014, the Florida Department of Transportation (FDOT) has deemed that signalization of the intersection of River Hall Parkway and SR 80 is currently warranted and necessary. The Special Provisions contained within the FDOT Connection Permit 04-A-192-0061 require signalization of this intersection at the Applicant's expense when the FDOT Traffic Operation Division determines that the warrants are met. As a result, the Applicant must coordinate, design, and construct the traffic signal now. Typically, design and construction of a traffic signal takes 12-18 months. In order to ensure the permitting of the signal occurs in a timely manner, the signal design must be initiated no later than 30 days of the date of the Zoning Resolution. The signal design must be submitted to FDOT no later than 150 days of the date of this Zoning Resolution. Construction of the signal must be completed within 12 months of the date of this Zoning Resolution. Once 12 months from the date of the Zoning Resolution has passed, issuance of further local development order approvals (including amendments and minor changes to active development orders) within the River Hall Development will not be granted until the signal is constructed per FDOT's approval. This condition placed by Lee County as a part of this rezoning does not exempt the Applicant from having to comply with the permit as approved by FDOT.

River Hall: Proposed New/Revised Conditions

24. Second Access

Within 24 months of the date of this Zoning Resolution, the Applicant will design, permit, and construct the secondary access to 75th Street West shown on Page 4 of the MCP. The design of the second driveway to the River Hall community must be shown as a part of the first local development order approval for any of the unplatted lands in the southern portion of the development. In the event the secondary access is not constructed within 24 months of the date of this Resolution, the Director of Community Development may issue a reasonable extension for completion if the development has not exceeded the occupancy of 1,598 dwelling units, and the Applicant demonstrates good faith progress on the design, permitting, and construction of the access. This requirement is contingent upon approval from the East County Water Control District (ECWCD) to cross the 50-foot-wide canal along the south side of River Hall. The County will work with the developer to obtain approval to cross the 50-foot-wide canal.

Upon construction of the second access to the River Hall community, access through the security gates must be provided to Lee County School District buses and Fire/EMS vehicles.

River Hall: Proposed New/Revised Conditions

25. Wall between River Hall and Portico (ADD2007-00063)

The construction of a wall along a portion of the southern and western property boundaries adjacent to the Portico Residential Planned Development (RPD) is subject to the following conditions:

The Development must be in compliance with the amended Master Concept Plan, dated APRIL 17, 2007, Master Concept Plan for ADD2007-00063 (Exhibit A) and is attached hereto.

Approval of this administrative amendment was contingent upon approval of ADD2007-00084 Portico, which was approved on May 14, 2007.

River Hall: Proposed New/Revised Conditions

26. Within ninety (90) days of the effective date of this Resolution, the developer of lands within the legally described areas as part of the amendment sought in DCI2013-00003 will submit a request to the South Florida Water Management District (SFWMD) for a letter modification to the consumptive use permit for the project to reinstate the groundwater monitoring requirements that were not included in the 2013 permit renewal. These requirements include conditions 31, 32, and 33 of the original Permit No. 36-04006-W issued in 2006. If the SFWMD approves the requested modification, all monitoring reports filed with the SFWMD pursuant to the permit will also be simultaneously filed with the County's Department of Natural Resources.

River Hall: Proposed New/Revised Conditions

27. The developer of lands within the legally described areas as part of the amendment sought in DCI2013-00003 will provide the ability for drainage from the ECWMD to pass through the project's surface water management system in order to lower flood stages within the ECWMD. The intent of this condition is to provide for a stormwater conveyance from the existing ECWMD canal along the southern boundary of River Hall during major storm events. This condition is not intended to require the construction of any physical improvements to the surface water management system within River Hall, but only to require access to and authority for the ECWMD to utilize the surface water management system within River Hall in accordance with it existing permit Documentation of compliance with this requirement will be provided by the developer to the County prior to issuance of any residential development orders; provided, however, that this will not prohibit the issuance of development orders solely for the infrastructure improvements (including but not limited to sewer, water, and drainage) for the project.

River Hall: Proposed New/Revised Conditions

28. The developer of lands within the legally described areas as part of the amendment sought in DCI2013-00003 will provide, at developer's expense, a temporary modular unit to be located on the River Hall sales facility parcel for use as a station for Lee County Emergency Medical Services (EMS). At a minimum, the modular unit will provide office space, rest/sleeping area, shower and restroom facilities for EMS, along with a minimum of 4 dedicated parking spaces. Upon installation, the modular unit and parking spaces will be leased to the County for $10.00 per year, whereupon the County will be responsible for all costs of operation including, but not limited to, utilities, electricity, telecommunications, furniture, and maintenance. Within thirty (30) days after the effective date of this resolution, the developer will submit a development order application for the installation of the modular unit, and will diligently pursue issuance of the development order and move-on permit for the unit. The modular unit will be installed within ninety (90) days of receipt of all necessary permitting. The developer's obligation under this condition will expire upon the earlier of: (1) construction and issuance of a certificate of occupancy for the fire station on the parcel within River Hall owned by the Fort Myers Shores Fire District; or (2) five years after issuance of a certificate of occupancy for the modular unit.

River Hall: Proposed New/Revised Conditions

29. The structure side setback to the preserve may be reduced to 17-feet for existing platted lots River Hall Country Club Block K Lots 29, 57, 76, and 77 as documented in Instrument No. 2006000409514, with the condition that any re-plat of these lots will require the lots to meet the 30-foot structure setback to the preserve.

The structure setback to the preserve may be reduced to 20-feet for existing platted lots River Hall Country Club Block K Lots 37-39, 54-57 & 65-77 and Hampton Lakes at River Hall Lots 102-134, as documented in Instrument No. 2006000409514, with the condition that any re-plat of these lots will require the lots to meet the 30-foot structure setback to the preserve.

River Hall: Proposed New Deviations

- Deviation from LDC Section 10-415(b)(1)c. which requires a minimum setback of 20 feet from buildings and a 30 foot setback for indigenous plant communities subject to fire to allow a side setback of 17 feet for the following existing platted lots: River Hall Country Club, Phase Two, Block K, Lots 29, 57, 76, and 77; Hampton Lakes at River Hall, Phase One, Lot 87, is APPROVED subject to Condition 29.
- Deviation from LDC Section 10-415(b)(1)c. which requires a minimum setback of 20 feet from buildings and a 30 foot setback for indigenous plant communities subject to fire to allow a setback of 20 feet for all existing lots, is APPROVED subject to Condition 30.

River Hall: Proposed New Deviations

- Deviation from LDC Section 10-329(d)(4) which requires banks of excavations to be sloped at a ratio not greater than six horizontal to one vertical from the top of bank to a water depth of two feet below the dry season water table to allow a 4:1 slope.
-
- Staff recommends DENIAL of this deviation.

River Hall: Proposed New Deviations

- Deviation from LDC Section 10-291(3) which requires residential subdivisions of more than five acres to provide more than one means of ingress or egress for the development to allow one ingress or egress onto State Route 80.
-
- Staff recommends DENIAL of this deviation.

River Hall: Proposed New Deviations

- Deviation from LDC Section 34-934 which permits dwelling units within a CPD when there are at least 50,000 square feet or more of commercial uses, to allow dwelling units within the existing River Hall CPD which was permitted for 45,000 square feet of commercial uses.
-
- Staff recommends APPROVAL of this deviation.

River Hall: DCI2013-00003

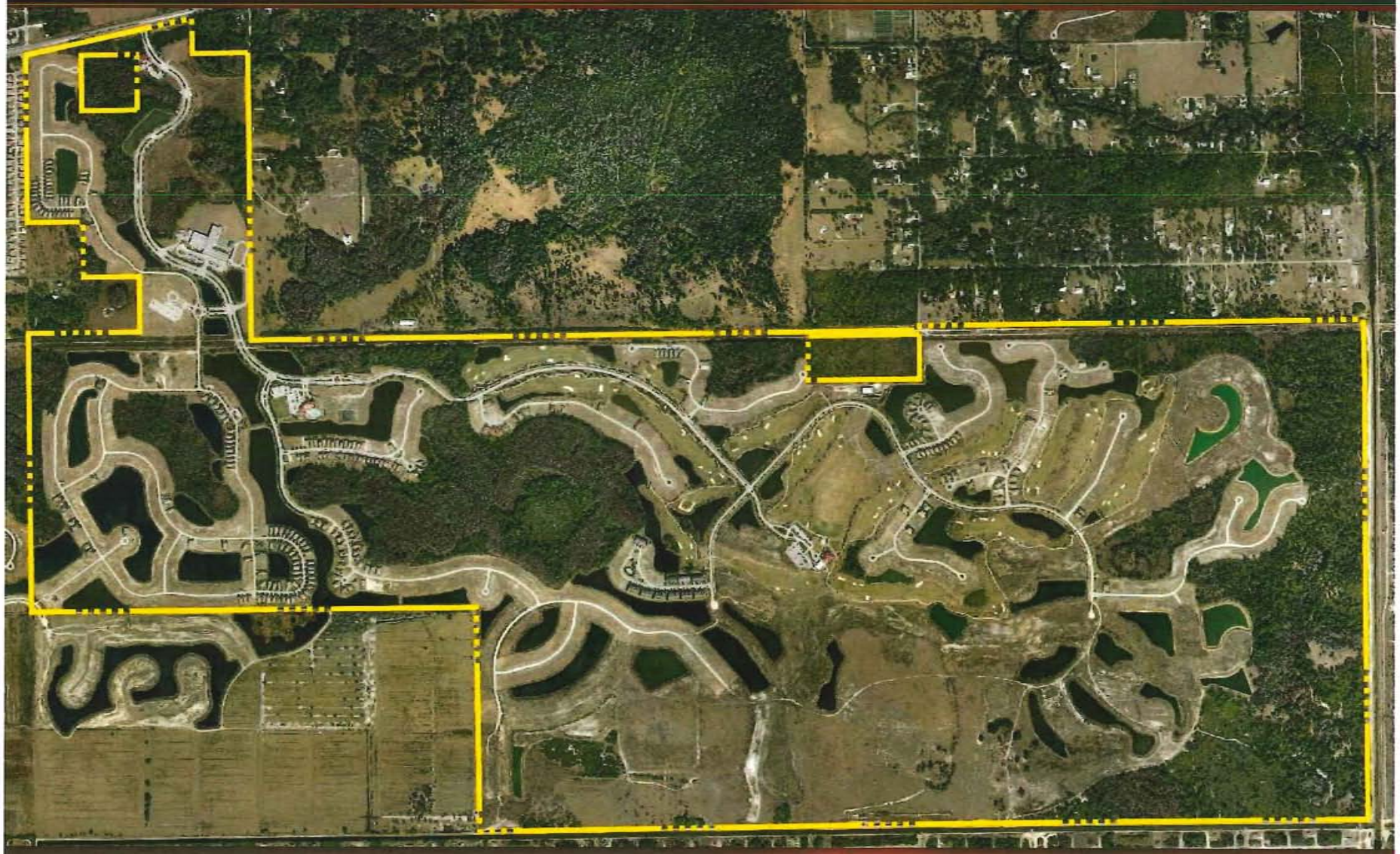
Lee Plan Considerations

David W. Depew, PhD, AICP, LEED AP
Morris-Depew Associates, Inc.

Lee Plan Considerations

Policy 1.1.11 states, "The Sub-Outlying Suburban areas are residential areas that are predominantly low-density development. Generally the requisite infrastructure needed for higher density development is not planned or in place. It is intended that these areas will develop at lower residential densities than other Future Urban Areas and are placed within communities where higher densities are incompatible with the surrounding area and where there is a desire to retain a low-density community character. Higher densities, commercial development greater than neighborhood centers, and industrial land uses are not permitted. The standard density range is from one dwelling unit per acre (1 du/acre) to two dwelling units per acre (2 du/acre). Bonus densities are not allowed."

Existing Development Patterns



Lee Plan Considerations

Goal 2 Growth Management

Design of the infrastructure for the subject property demonstrates:

1.) Potable water has been designed to accommodate the added units;
2.) Wastewater has been designed to accommodate the added units;
3.) Irrigation has been designed to accommodate the added units;
4.) Water management has been designed to accommodate the added units;
5.) Internal circulation has been designed to accommodate the added units; and
6.) Amenities have been designed to accommodate the added units.

Letters of Availability have been received demonstrating there is adequate capacity within the existing public infrastructure system to service the additional dwelling units requested.

The Comprehensive Plan Amendment and Planned Development Amendment will promote a mix of uses that serve the residents of River Hall and surrounding area.

Lee Plan Considerations

Goal 5: Residential Uses

Goal 5 and associated Objectives and Policies provide for sufficient land to be located appropriately on the Future Land Use Map to accommodate the projected population of Lee County.

The approved planned development and existing infrastructure allow a suburban level density which is consistent with the abutting residential developments.

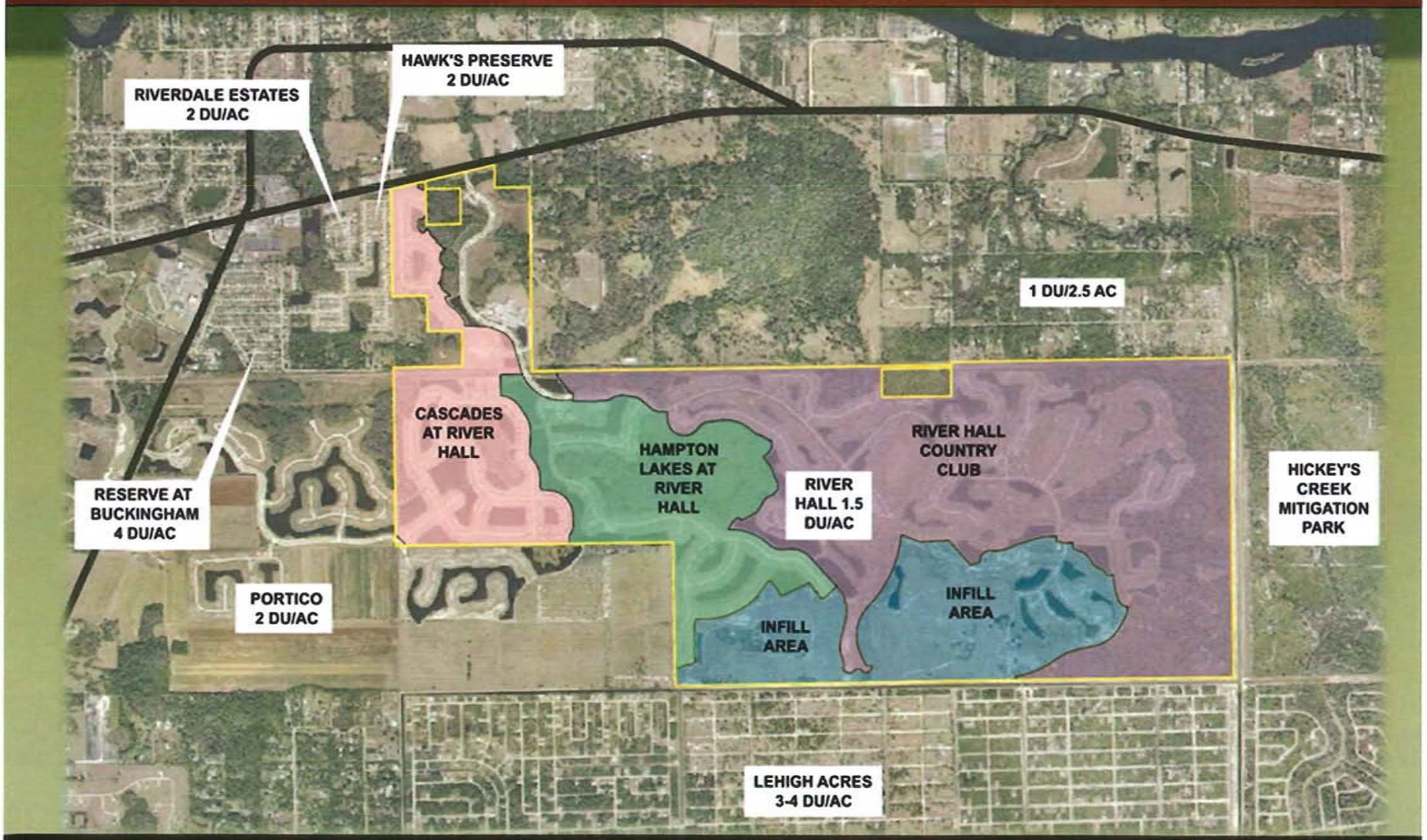
The proposed Planned Development Amendment will expand the uses permitted within the existing CPD to provide additional uses that will permit a commercial and civic node, consistent with the approved commercial planned development directly north across S. R. 80, to meet the needs of area residents as well as the River Hall Community.

Lee Plan Considerations

The proposed Planned Development Amendments promote compatibility with the existing surrounding land uses and envisioned future land uses.

Surrounding Land Uses			
	FLU Designation	Use	Notes
North	Commercial and Rural	Vacant & Residential	Approved Commercial across from the entry at Palm Beach Blvd & S. Olga Dr.
South	Urban Community	Platted Residential	Lehigh Acres
East	Conservation – Upland	Hickey's Creek	Lee County Preserve & Recreation Area
West	Suburban and Sub-Outlying Suburban	Residential Single Family Developments	Commercial Plaza located nearby at Palm Beach Blvd and Buckingham Rd.

Lee Plan Considerations



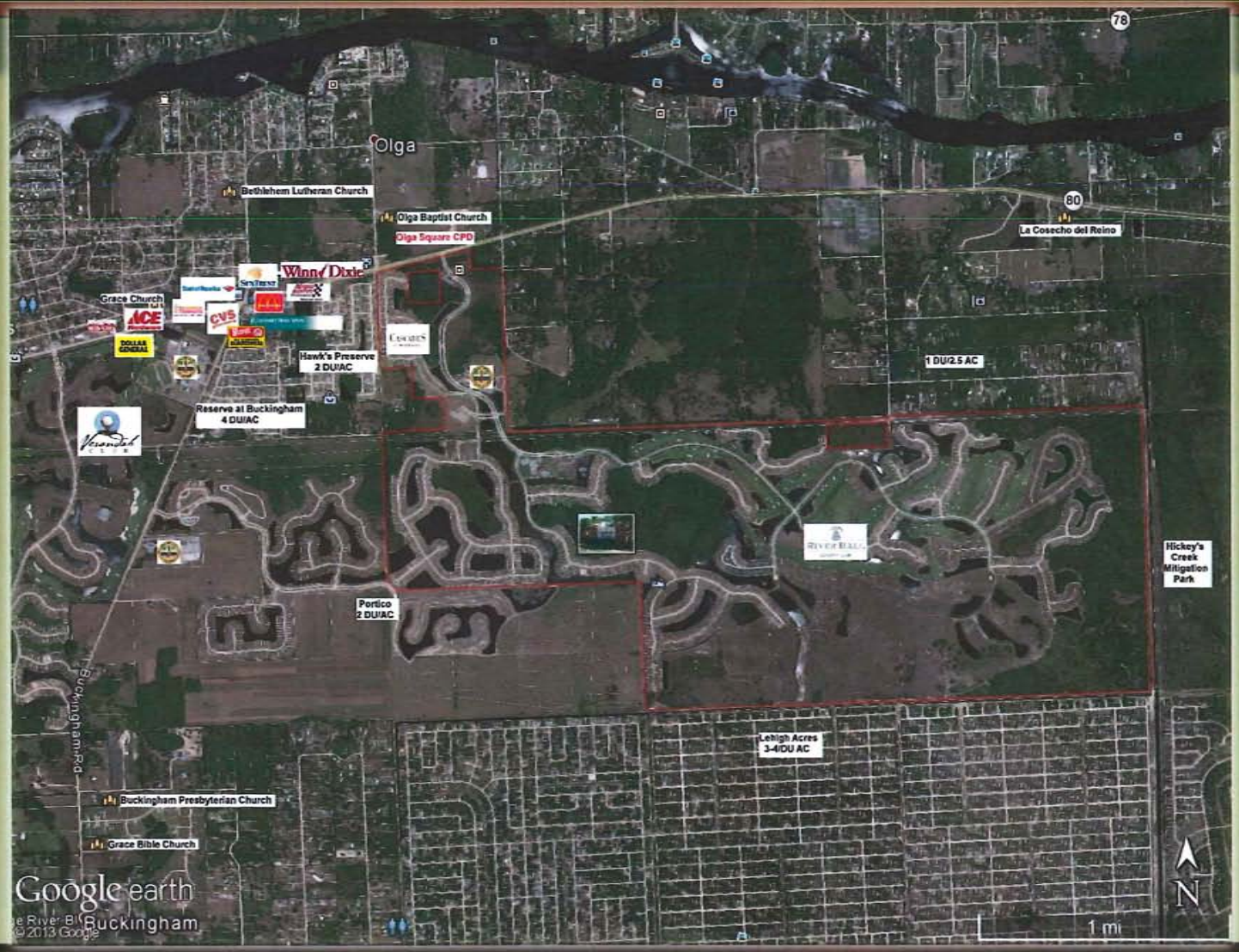
Lee Plan Considerations

Goal 5: Residential Uses

The additional dwelling units requested will be located within the existing unplatted and developable areas of the Community to ensure no reduction to open space, buffering, landscaping or recreation areas occurs. Lot sizes, configurations, and designs will be consistent with existing approved development in order to promote the unified aesthetic of the development.

The River Hall site should be viewed as an infill property where development intensity is logically stepped down from the adjacent Suburban and Urban Future Land Use Categories and a mix of uses are provided for the community and surrounding area consistent with the intentions of the policies associated with Goal 5.

Lee Plan Considerations



Lee Plan Considerations

Objective 21.1 Community Character

Caloosahatchee Shores seeks to retain an Old Florida identity, & applicable policies encourage Florida vernacular architecture, native and enhanced landscaping, and related architecture and site design.

- The River Hall Community currently promotes Florida Vernacular architecture, and requires 100% native vegetation in all required buffers.
- The Planned Development Amendment does not request any changes to these conditions, ensuring the existing design components will continue throughout the community to promote consistency and compatibility between the existing and future development.

Lee Plan Considerations

Objective 21.2 Commercial Land Uses

The policies encourage both the restriction and the redevelopment of existing commercial as well as an increase in commercial opportunities available within Caloosahatchee Shores.

They also encourage interconnections between commercial uses and surrounding residential areas to accommodate alternative modes of transportation.

- The existing approval includes a CPD at the north entrance.
- The proposed Planned Development Amendment requests residential, recreational and civic uses to be permitted within the CPD, increasing availability of commercial and civic uses along Palm Beach Boulevard.
- This request will promote a mix of uses within the CPD and aligns with a new CPD across SR 80 to create a larger commercial node available to the Caloosahatchee Shores Community.

Lee Plan Considerations

Objective 21.3 Residential Uses

The Caloosahatchee Shores Community values residential development and seeks to reduce conflicts between uses while promoting protection of natural resources, open space, and increased recreational opportunities.

- The River Hall Community's existing approved Master Concept Plan has demonstrated compatibility with surrounding uses.
- The approved Master Concept Plan locates the CPD in the northern portion of the property adjacent to Palm Beach Boulevard to provide convenient access from a major roadway.
- Residential uses are located adjacent to existing and future proposed residential uses of similar densities.
- Approval of the request will add to interconnections between communities through the addition of a multi-use path along SR 80.

Lee Plan Considerations

Objective 21.4 Mixed-use Development.

The Community desires developments that contain commercial and residential uses and provide interconnections between uses to facilitate alternative transportation and internal capture.

- The proposed Planned Development Amendment requests residential, recreational, and civic uses to be permitted within the existing CPD.
- The recreational and civic uses are requested to promote pedestrian and bicycle linkages to the existing surrounding development with a multi-use path along SR 80.

Lee Plan Considerations

Objective 21.5 Community Facilities/Parks

There is a desire to establish a broad mix of Community Facilities within the Caloosahatchee Shores Community. Therefore, these policies outline the types of facilities the Community will encourage and the connectivity desired between recreational uses.

- The request proposes to increase recreational and civic opportunities for residents of the community and the surrounding area by the proposed Amendment.
- Recreational and Civic uses are requested to be added to the schedule of uses for the CPD.
- The developer has also agreed to provide a multi-use path from the entry of River Hall along SR 80 to the intersection with SR 80 to provide multi-modal linkages to the existing surrounding uses.

Lee Plan Considerations

Objective 21.6 Public Participation

The involvement of the public is a priority for the Caloosahatchee Shores Community. Public informational sessions must be provided on all amendments and zoning actions.

- GreenPointe Communities has coordinated with the residents of the Caloosahatchee Shores community regarding the proposed Amendment to discuss the proposals and gather feedback.
- Multiple public informational sessions have been held in 2012, 2013, & 2014.

Lee Plan Considerations

Lee Plan Goal 107 states, "To manage the county's wetland and upland ecosystems so as to maintain and enhance native habitats, floral and faunal species diversity, water quality, and natural surface water characteristics."

Lee Plan Objective 107.3 indicates that Lee County will, "Maintain and enhance the fish and wildlife diversity and distribution within Lee County for the benefit of a balanced ecological system."

Lee Plan Policy 107.3.1 states that the County will, "Encourage upland preservation in and around preserved wetlands to provide habitat diversity, enhance edge effect, and promote wildlife conservation."

- The proposed amendment will utilize the existing development footprint to ensure there are no impacts to the existing native habitats on-site.
- The existing conservation easement areas and indigenous preserves provide long-term protection of the natural wetland and upland habitats within the River Hall Community.
- Indigenous habitats most suitable for protection, enhancement and conservation were previously identified and retained.
- These areas are not included in the area proposed for the Amendment.
- The proposed request will not reduce the previously approved indigenous preserved, conservation easement areas, or recreational/golf course areas.

Conclusion

- The proposed request meets or exceeds all measurable performance criteria found in the Lee Plan.
- The proposed request is consistent with the Lee Plan.
- The proposed request complies with the Lee Plan.

River Hall: DCI2013-00003

Land Development Code Considerations

David W. Depew, PhD, AICP, LEED AP
Morris-Depew Associates, Inc.

LDC Design Standard Considerations

34-411. General Standards.
(a) All planned developments shall be consistent with the provisions of the Lee Plan.

The request is consistent with the Lee Plan. For a more detailed discussion of compliance, please see the attached Lee Plan Compliance Narrative.

(b) All planned developments, unless otherwise excepted, shall be designed and constructed in accordance with the provisions of all applicable County development regulations in force at that time.

The site is currently approved for a residential subdivision and some site improvements are completed. Any future construction will comply with the applicable Lee County regulations unless the subject of an approved deviation.

LDC Design Standard Considerations

(c) The tract or parcel proposed for development under this article must be located so as to minimize the negative effects of the resulting land uses on surrounding properties and the public interest generally, and must be of such size, configuration and dimension as to adequately accommodate the proposed structures, all required open space, including private recreational facilities and parkland, bikeways, pedestrian ways, buffers, parking, access, on-site utilities, including wet or dry runoff retention, and reservations of environmentally sensitive land or water.

The Master Concept Plan demonstrates compliance with this standard. It is designed to accommodate the additional 696 dwelling units requested, including recreational and civic uses, within the existing approved development footprint. The Master Concept Plan has not significantly changed since its approval in 2005. The additional dwelling units and recreational and civic uses are directed to areas which were previously approved for development. The previously approved conservation areas are not included in the planned development amendment request and will not be negatively impacted by the proposed amendment. The approved open space acreage is not proposed to be modified by the requested amendment.

LDC Design Standard Considerations

(d) The tract or parcel shall have access to existing or proposed roads:
(1) In accordance with Chapter 10 and as specified in the Lee Plan traffic circulation element or the official trafficways map of the County;
(2) That have either sufficient existing capacity or the potential for expanded capacity to accommodate both the traffic generated by the proposed land use and that traffic expected from the background (through traffic plus that generated by surrounding land uses) at a level of service D or better on an annual average basis and level of service E or better during the peak season, except where higher levels of service on specific roads have been established in the Lee Plan; and
(3) That provide ingress and egress without requiring site-related industrial traffic to move through predominantly residential areas.

The development has access to Palm Beach Boulevard, a major arterial street. Pursuant to the attached Traffic Impact Statement, Palm Beach Boulevard will continue to operate at the required Level of Service.

LDC Design Standard Considerations

(e) If within the Lee Tran public transit service area, the development shall be designed to facilitate the use of the transit system.

The residential development is not within the Lee Tran service area but proposes to establish a multi-use path along SR 80 to the intersection with Buckingham Road. It should be noted the existing Lee Tran service has approximately 80% capacity available should residents of River Hall desire to walk to the Riverdale Library Lee Tran stop less than a mile from the development entry. The proposed multi-use path would be constructed adjacent to the existing Lee Tran Stop providing safe multi-modal access from River Hall to the stop.

LDC Design Standard Considerations

(f) Development and subsequent use of the planned development shall not create or increase hazards to persons or property, whether on or off the site, by increasing the probability or degree of flood, erosion or other danger, nor shall it impose a nuisance on surrounding land uses or the public's interest generally through emissions of noise, glare, dust, odor, air or water pollutants.

The development will not result in increased drainage impacts or otherwise impose any nuisance on surrounding properties or land uses through emissions of noise, dust, odor, light, air or water pollutants.

LDC Design Standard Considerations

(g) Every effort shall be made in the planning, design and execution of a planned development to protect, preserve or to not unnecessarily destroy or alter natural, historic or archaeological features of the site, particularly mature native trees and other threatened or endangered native vegetation. Alteration of the vegetation or topography that unnecessarily disrupts the surface water or groundwater hydrology, increases erosion of the land, or destroys significant wildlife habitat is prohibited. That habitat is significant that is critical for the survival of rare, threatened or endangered species of flora or fauna.

The Master Concept Plan submitted with this application is consistent with this standard. The functioning wetlands and conservation areas as well as existing open space on the subject property are not included in this amendment request therefore they will remain protected. The additional dwelling units and recreational and civic uses are directed toward approved developable areas and will not negatively impact the existing conservation areas. The proposed request does not decrease the open space provided in the existing approval.

LDC Design Standard Considerations

(h) A fundamental principle of planned development design is the creative use of the open space requirement to produce an architecturally integrated human environment. This shall be coordinated with the achievement of other goals, e.g., the preservation or conservation of environmentally sensitive land and waters or archaeological sites.

The River Hall Community complied with this requirement during the original approval in 2005. The existing conservation areas are not included in this planned development amendment and ACOE and SFWMD permits have been issued for the development. The requested dwelling units and recreational and civic uses will be directed toward existing developable areas to further produce an architecturally integrated human environment.

LDC Design Standard Considerations

(i) Site planning and design shall minimize any negative impacts of the planned development on surrounding land and land uses.

- The property is located in an area of existing residential subdivisions and commercial development. These uses were previously found to be compatible with the residential development and the applicant believes the planned development amendment request remains compatible with these uses.

LDC Design Standard Considerations

(j) Where a proposed planned development is surrounded by existing development or land use with which it is compatible and of an equivalent intensity of use, the design emphasis shall be on the integration of this development with the existing development, in a manner consistent with current regulation.

- The property is located in an area that transitions from urban type uses to non-urban uses; River Hall is surrounded by development of varying intensity. The request is consistent with the existing and proposed uses surrounding the development. The Planned Development Amendment proposes a multi-use path to connect River Hall to the surrounding commercial and residential areas along SR 80.

LDC Design Standard Considerations

(k) Where the proposed planned development is surrounded by existing development or land use with which it is not compatible or which is of a significant higher or lower intensity of use (plus or minus ten percent of the gross floor area per acre if a commercial or industrial land use, or plus or minus 20 percent of the residential density), or is surrounded by undeveloped land or water, the design emphasis will be to separate and mutually protect the planned development and its environs.

- As noted above, the property is located in an area that transitions from urban to non-urban type uses; River Hall is surrounded by development of varying intensity. The request is consistent with the existing and proposed uses surrounding the development. The Planned Development Amendment proposes pathways and trails to connect River Hall to the surrounding community.

LDC Design Standard Considerations

(l)In large residential or commercial planned developments, the site planner is encouraged to create subunits, neighborhoods or internal communities which promote pedestrian activity and community interaction.

- The River Hall Community accomplishes this standard to the greatest extent possible on this previously developed parcel. The project includes several subunits with different housing types. The Planned Development Amendment proposes to add residential and recreational and civic uses to the Commercial area.

(m) In order to enhance the viability and value of the resulting development, the designer shall ensure the internal buffering and separation of potentially conflicting uses within the planned development.

- The types of uses depicted on the Master Concept Plan have been previously separated, buffered, and approved in order to enhance the viability and subsequent value of the resulting development. All required internal buffers, both street and use, will be provided with local Development Order approval.

LDC Design Standard Considerations

(n) Density or type of use, height and bulk of buildings and other parameters of intensity should vary systematically throughout the planned development. This is intended to permit the location of intense or obnoxious uses away from incompatible land uses at the planned development's perimeter, or, conversely, to permit the concentration of intensity where it is desirable, e.g., on a major road frontage or at an intersection.

- A review of the Master Concept Plan indicates compliance with this standard. The proposed planned development amendment utilizes the existing developable areas, which were previously found to be consistent with this provision.

LDC Design Standard Considerations

(o) Unless otherwise provided for in this article, minimum parking and loading requirements shall be as set forth in article VII, divisions 25 and 26, of this chapter. Where it can be reasonably anticipated that specified land uses are generators of occasional peak demand for parking space, a portion of the required parking may be pervious or semi-pervious surfaces subject to the condition that it be constructed and maintained so as to prevent erosion of soil. In all cases, however, sufficient parking shall be provided to prevent the spilling over of parking demand onto adjacent properties or rights-of-way at times of peak demand.

- All required parking areas shall be provided in accordance with Chapter 34.

(p) Joint use of parking by various land uses within the planned development may be permitted by special condition where it can be demonstrated or required that the demand for parking by the various uses will not conflict. Joint parking agreements between uses within and uses without the planned development shall be governed by agreement per general regulation (see section 34-2018), without exception.

- Not applicable

(q) Internal consistency through sign control, architectural controls, uniform planting schedules and other similar controls is encouraged.

- The development will be consistent with the existing approved and constructed architecture, signage, and plantings.

LDC Decision Making Compliance

34-145(c)(2) Considerations. In reaching a decision, the Hearing Examiner must consider the following, whenever applicable:

a. Whether there exist changed or changing conditions that make approval of the request appropriate.

- The area surrounding the subject property has changed in recent years. The residential communities surrounding River Hall have densities that range from 2 to 4 dwelling units per acre. The proposed amendment would be consistent with the existing surrounding densities while providing a transition to the Rural and Conservation lands to the North and making efficient use of the existing infrastructure in the area.

e. Whether the request is consistent with the goals, objectives, policies and intent of the Lee Plan.

- The request is consistent with the Lee Plan; please see the Project Summary and Lee Plan Consistency (above) for further analysis.

LDC Decision Making Compliance

34-145(d)(3) Findings. Before preparing a recommendation to the Board of County Commissioners on a zoning matter, the Hearing Examiner must find that:

a. The applicant has proved entitlement to the rezoning or special exception by demonstrating compliance with the Lee Plan, this land development code, and any other applicable code or regulation: and

- The proposed Planned Development Amendment will promote infill redevelopment on the subject property at a density consistent with the surrounding uses. The Lee Plan Compliance narrative demonstrates consistency with the Lee Plan. The proposed Master Concept Plan and supporting application documentation further demonstrate compliance with the Lee Plan, the Land Development Code and all other land use regulations.

LDC Decision Making Compliance

b. The request will meet or exceed all performance and locational standards set forth for the potential uses allowed by the request; and.

- The request meets or exceeds the minimum performance and locational standards contained in the Lee Plan and Land Development Code.

c. The request, including the use of TDR or affordable housing bonus density units, is consistent with the densities, intensities and general uses set forth in the Lee Plan; and

- The property is proposed to be designated Sub-Outlying Suburban and limit the maximum number of dwelling units to 2,570. This request is consistent with the permitted density of each Future Land Use Category as set forth in the Lee Plan. The additional uses requested are permitted within the Rural and Sub-Outlying Suburban Future Land Use Categories.

LDC Decision Making Compliance

d. The request is compatible with existing or planned uses in the surrounding area; and

- The request is consistent with the existing and proposed uses in the surrounding area. The properties adjacent to the River Hall Community in the West have an approximate density of 2 to 4 dwelling units per acre. Commercial uses are approved at the intersection of Palm Beach Boulevard and S. Olga Drive, aligning with the existing CPD within River Hall and creating a commercial node. The proposed Comprehensive Plan and Planned Development amendments establishes River Hall as a infill property where development is directed toward the existing footprint and the development intensity transitions from the abutting residential communities to the nearby Rural and Conservation areas. The proposed request will create a well-designed residential community with a mix of uses that support the internal residents as well as the surrounding area.

LDC Decision Making Compliance

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

- The provided Traffic Impact Statements for the Comprehensive Plan and Planned Development Amendments demonstrate that approval of the request will not place undue burden upon the existing transportation system. Sufficient capacity is available to accommodate traffic generated by this development.

f. Where applicable, the request will not adversely affect environmentally critical areas and natural resources.

- The Planned Development Amendment only includes lands that were previously approved for development. The proposal does not decrease the open space acreage or modify the conservation areas of the existing approval.

LDC Decision Making Compliance

LDC 377(a)(2) The recommendation made to the Board of County Commissioners must be supported by formal findings that address the guidelines set forth in section 34-145(d)(3) of this chapter. In addition, the findings must address whether the following criteria can be satisfied:

a. The proposed use or mix of uses is appropriate at the subject location;
b. The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguards to the public interest.
c. The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.

- The Planned Development Amendment is consistent with the existing development within the area. The application and supporting documentation demonstrate that the proposed mix of uses are appropriate and that steps taken by the applicant to ensure sufficient safeguards to the public interest are in place. Any future recommended conditions will be reviewed by the applicant to ensure they are reasonably related to any perceived impacts.

LDC Decision Making Compliance

LDC 377(a)(4) If the application includes a schedule of deviations pursuant to section 34-412, the Hearing Examiner's recommendation must approve, approve with modification or reject each requested deviation based upon a finding that each item:

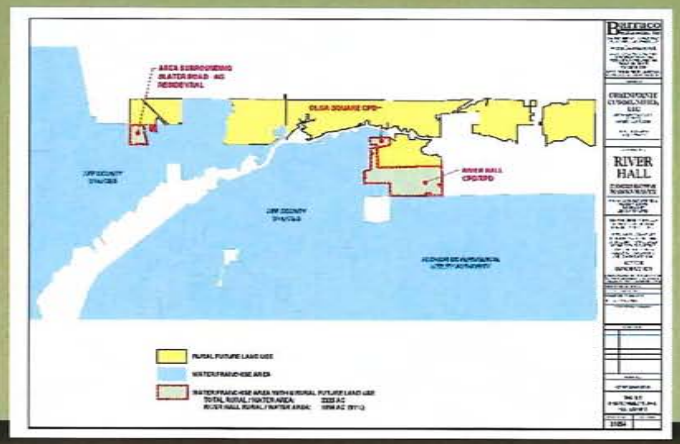
a. *Enhances the achievement of the objectives of the planned development; and*
b. *Preserves and promotes the general intent of this chapter to protect the public health, safety and welfare*

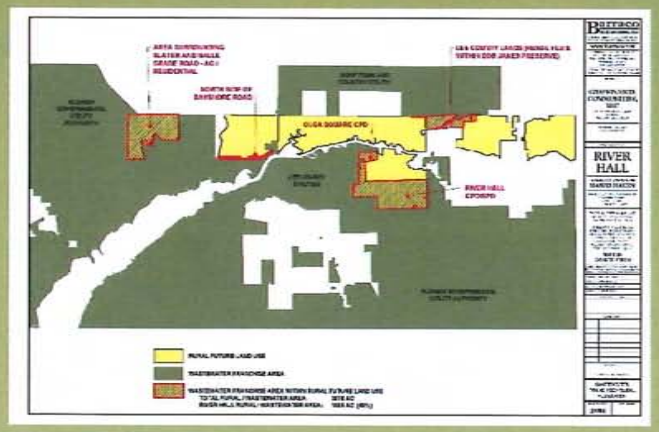
The deviations recognize the existing conditions of the River Hall Community to provide a consistent and compatible pattern of development. The applicant has provided a presentation indicating compliance with the standards set forth above.

LDC Decision Making Compliance

h. Where the change proposed is within a future urban area category, the Hearing Examiner must also find that urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

- The proposed Planned Development Amendment will be located within the Sub-Outlying Suburban and existing Rural and Suburban future land use designations and urban services as defined in the Lee Plan are available.





Conclusion

- The proposed request meets or exceeds all measurable performance criteria found in the Lee County Land Development Code.
- The application meets all requirements and has been deemed sufficient pursuant to the provisions of the Lee County Land Development Code.
- Details of the proposed request serve to implement the general health, safety and welfare of the public and implement the intent of the design criteria of the Lee County Land Development Code.

River Hall: DCI2013-00003

General Conclusions

Russell Schropp, Esq
Henderson, Franklin, Starnes, & Holt, PA

Conclusions

- The proposed Planned Development Amendment provides infill development for the portion of River Hall under unified control of the current developer/owner GreenPointe, LLC.
- The amendment will increase the number of residential dwelling units by 696 and locate these units within areas already identified for future development. The maximum number of units for the River Hall Community will be capped at 2,695.
- No lands will be replatted to accommodate the density increase and the minimum property development regulations will not be changed ensuring the new residential lots are consistent and compatible with the existing platted lots.

Conclusions

- The revised amendment area is consistent with the Lee Plan, CPA2012-00001, and will promote the proper allocation of dwelling units to the appropriate future land use categories to ensure the allowable densities of the Future Land Use are maintained.
- The requested 696 units will be located in the unplatted portions of the amendment area adjacent to existing residential developments to the south and west of the River Hall Community.
- No changes are proposed to the existing upland and wetland preserves or open space.

Conclusions

- As demonstrated herein, the rezoning, as requested, will meet or exceed all performance and locational standards set forth for the proposed uses allowed by the request.
- The request is consistent with the densities, intensities and general uses set forth in the Lee Plan, and the currently allowed uses do not provide any reasonable uses for the subject property.
- The current approvals provide for no additional units to be developed on the property, leaving the area vacant and undevelopable.

Conclusions

- The request, as proposed and conditioned, is compatible with existing or planned uses in the surrounding area, and will not place an undue burden upon existing transportation or planned infrastructure facilities; it will be served by streets with the capacity to carry traffic generated by the development.
- An approval of this request will not adversely affect environmentally critical areas or natural resources, and all proposed development will occur within the already approved development envelope.
- The requested rezoning is appropriate at the subject location, conforming to the existing pattern of approved land uses.

Conclusions

- The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest, and are reasonably related to the impacts created by or expected from the proposed development.
- All urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.
- The requested deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.

EXHIBIT
App. 7

RESOLUTION NUMBER Z-05-051

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

WHEREAS, Hawk's Haven Developers, L.L.C., filed an application on behalf of the property owner, Levitt and Sons at Hawk's Haven, L.L.C., and The School District of Lee County, to rezone a 1,978.44± acre parcel from Residential Planned Development (RPD) and Agricultural (Ag-2) to Residential Planned Development/Commercial Planned Development (RPD/CPD) in reference to River Hall (f/k/a Hawks' Haven RPD); and

WHEREAS, a public hearing was advertised and held on June 15, 2005, before the Lee County Zoning Hearing Examiner Diana Parker, who gave full consideration to the evidence in the record for Case #DCI2004-00054; and

WHEREAS, a second public hearing was advertised and held on September 19, 2005, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

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

SECTION A. REQUEST

The applicant filed a request to rezone a 1,978.44± acre parcel from RPD and AG-2 to RPD/CPD, to add 181 acres, 401 dwelling units, an elementary school site, and a town center consisting of a maximum of 45,000 square feet of commercial uses to the Hawk's Haven RPD, Zoning Resolution #Z-99-056. The request consists of a total of 1,999 dwelling units (single- and multi-family) with a golf course, a public school, and a maximum of 15,000 square feet of office and 30,000 square feet of retail uses. Maximum building heights are 45 feet (three stories) for residential uses, 35 feet (two stories) for commercial uses, and 60 feet (three stories) for recreational uses. No development blasting is requested. The property is located in the Rural (1,647.55 acres), Suburban (79.47 acres), and Wetlands (251.42 acres) Future Land Use Categories. The legal description is set forth in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

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

1. Development of this project must be consistent with the two-page Master Concept Plan (MCP) entitled "RIVER HALL: Formerly known as Hawk's Haven", stamped received January 6, 2006, last revised January 3, 2006, except as modified by the conditions below. Development must comply with all requirements of the LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

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

   a. SCHEDULE OF USES

   RESIDENTIAL, GOLF & AMENITY SITES

   Accessory Uses and Structures
   Administrative Office
   Agricultural Uses - See Conditions 3.h and 8.
   Club - country and private
   Consumption on Premises - limited to the clubhouse/amenity areas. No outdoor seating unless approved as a special exception (public hearing required).
   Dwelling Units - maximum of 1,999 units to be comprised of single-family (R-1 or RMF-1), two-family attached (RMF-1), townhouse (RMF-1), multiple-family (RMF-1), zero-lot-line units (RMF-1)

   Densities may not be shifted between future land use categories unless a new public hearing occurs and the allocation of density complies with provisions of Policy 5.1.11 of the Lee Plan.
   Entrance Gates and Gatehouse
   Essential Services
   Essential Services Facilities, Group I
   Excavation, Water Retention - No blasting and removal of excavated material off site is not permitted.
   Fences and Walls
   Golf Course - 36 holes, golf maintenance facility, cart barn and related accessory uses to a golf course. (See Condition 23 for additional requirements)
   Golf and Tennis Pro Shops (limited to ancillary use in clubhouse)
   Golf Driving Range
   Golf Training Facility
   Model Home and Model Unit - must be in compliance with LDC §34-1954
   Model Display Center, must be in compliance with LDC §34-1955, limited to one which must be located in the sales center area shown on the MCP and must only serve this project.
   Parking Lot, Accessory
   Parks, Group I
   Real Estate Sales Office - limited to sales of lots, homes or units within the development, and must be located in the clubhouse, amenity or model

unit sites.

Recreational Facilities - Private, On-site only

Residential Accessory Uses - In compliance with LDC §622(c)42 and LDC Article VII Division 2.

Signs, in compliance with LDC Chapter 30

Storage, Open, recreational vehicles, boats and similar items for residents only, limited to locations shown on the MCP and must be shielded behind a continuous visual screening at least eight feet in height when visible from any residential use, and six feet in height when visible from any street right-of-way or street easement. (See Condition 22 fo additional requirements)

Temporary Uses

TOWN CENTER (CPD)

Maximum 15,000 sf office and maximum 30,000 sf retail within the Town Center CPD parcel only.

Accessory Uses and Structures

Administrative Office

Agricultural Uses - See Condition 3.h and 8.

Banks and Financial Establishments, Group I

Business Services, Group I

Consumption on Premises - Indoor only in conjunction with a Restaurant use only. No outdoor seating unless approved as a special exception (public hearing required).

Day Care Center, Adult & Child

Drive-though in connection with any approved use except drugstore/pharmacy

EMS, Fire or Sheriff's Station

Essential Services

Essential Service Facilities, Group I

Excavation, Water Retention - No blasting; Removal of excavated material off site not permitted.

Food Stores, Group I (may sell food and non-food products)

Hardware Store

Laundry or Dry Cleaning, Group I

Parking lot, accessory

Personal Services, Group I

Pharmacy/Drugstore - limited to one with a multi-occupancy complex only and no drive-through.

Place of Worship, Religious Facilities

Real Estate Sales Office

Repair Shop, Group I

Restaurant, Groups I, II, III

Specialty Retail Shops, Group I

Temporary Uses

ELEMENTARY SCHOOL SITE

Public Schools and Related Accessory Uses

b. SITE DEVELOPMENT REGULATIONS

Minimum Lot Area and Dimensions - Single-Family

Width:	45 feet
Depth:	120 feet
Lot Size:	5,400 sf

Minimum Lot Area and Dimensions - Multi-Family

Width:	75 feet
Depth:	100 feet
Lot Size:	10,000 sf

Minimum Lot Area and Dimensions - Commercial

Width:	200 feet
Depth:	100 feet
Lot Size:	20,000 sf

Minimum Setbacks

Single Family

Road -	Palm Beach Blvd 25 feet/Private Roads 20 feet
Side -	5 feet, See Condition 2.b.i.
Rear-	15 feet
Water Body -	20 feet
Accessory -	Per the LDC

Maximum Lot Coverage - 60 percent

2.b.i. Structures, including but not limited to, sidewalks, air conditioners, mechanical equipment, door stoops, walls, etc. may not be located within the required 5-foot side setback of each lot. Prior to issuance of Certificate of Occupancy on each lot, the Engineer of Record must certify that the drainage for each lot is built in compliance with the *typical lot grading detail* provided.

Two-Family Attached and Zero Lot Line

Road -	Palm Beach Blvd 25 feet/Private Roads 20 feet
Side -	0/5 feet, See Condition 2.b.ii.

Rear - 15 feet
Water Body - 20 feet
Accessory - Per the LDC

Minimum Distance Between Buildings: 15 feet

Maximum Lot Coverage - 60 percent

2.b.ii. Side opposite zero-lot-line or two-family attached structure. Structures, including but not limited to, sidewalks, air conditioners, mechanical equipment, door stoops, walls, etc. may not be located within the required 5-foot side setbacks; or prior to issuance of Certificate of Occupancy on each lot, the Engineer of Record must certify that the drainage for each lot is built in compliance with the *typical lot grading detail* provided.

Townhouse & Multi-family

Road - Palm Beach Blvd 25 feet/Private Roads 20 feet
Side - N/A
Rear- 15 feet
Water Body - 20 feet
Accessory - Per the LDC

Minimum Distance Between Buildings - 20 feet

Maximum Lot Coverage - 60 percent

Clubhouse, Amenity & Golf Maintenance Buildings

Road - Palm Beach Blvd 25 feet/Private Roads 20 feet
Side - 15 feet
Rear- 15 feet
Water Body - 20 feet
Accessory - Per the LDC

Minimum Distance Between Buildings - 20 feet

Maximum Lot Coverage - 60 percent

Commercial

Road - Palm Beach Blvd 25 feet/Private Roads 20 feet
Side - 15 feet
Rear - 20 feet
Water Body - 20 feet
Accessory - Per the LDC

Minimum Distance Between Buildings - 20 feet

Maximum Lot Coverage - 45 percent

Maximum Height

45 feet/3 stories for Residential uses
35 feet/3 stories for Commercial uses
35 feet/3 stories for Recreational/Amenity sites on the perimeter of the subject property

Recreational/Amenity sites on the interior of the project may be 60 feet/three stories

c. GOLF DRIVING RANGE:

If the Golf Driving Range is open after daylight hours, all lighting must comply with LDC §34-936(g), be of the lowest intensity meeting life safety codes, and be shielded and directed away from adjacent residential areas.

3. The following conditions address environmental issues:

a. The "American Alligator Management Plan" provided as part of the "Protected Species Management Plan for Schulman Parcel" counter stamped May 19, 1999 incorporated into this resolution of approval as Exhibit D. Prior to local development order approval, the location of the American Alligator Management Plan signage must be delineated on the development order plans for Division of Environmental Sciences' review and approval. Warning signs must be placed where there is potential for human/alligator interaction. These signs must discourage the feeding or harassment of alligators.

b. The "Gopher Tortoise Management Plan" provided as part of the "Protected Species Management Plan For Shulman Parcel" counter stamped May 19, 1999 incorporated into this resolution of approval as Exhibit D. Any revisions to the Tortoise Management Plan are subject to Environmental Sciences' review and approval.

c. The "Florida Burrowing Owl Management Plan" provided as part of the "Protected Species Management Plan For Schulman Parcel," counter stamped May 19, 1999, must be revised for Division of Environmental Sciences' review and approval at the time of local development order submittal. The plan must either commit to preserving the existing burrowing owl burrows in place with a buffer in accordance with LDC Appendix H, or commit to a detailed relocation management plan. The developer demonstrates it is necessary to impact the burrows, the management proposal must provide details about where appropriate replacement habitat for the owls will be provided, how the owls will be attracted to this area, and how it will be protected during construction activities on the site.

d. The developer must submit a detailed Scrub Jay Management Plan to the Division of Environmental Sciences for review and approval at the time of local development order submittal. This plan must follow the general guidelines of the "Florida Scrub Jay Management Plan" provided as part of the "Protected Species Management Plan For Schulman Parcel," counter stamped May 19, 1999 and incorporated into this resolution of approval as Exhibit D. The finalized Scrub Jay Management Plan must be approved by the Florida Fish and Wildlife Conservation Commission (FWC) prior to local development order approval.

e. The developer must submit a detailed Sandhill Crane Management Plan to the Division of Environmental Sciences for review and approval at the time of local development order submittal.

f. Open space must be provided in accordance with the MCP. All individual tracts must provide a minimum of ten percent open space within the tract and may be met with private open space.

g. The developer must provide a minimum of 465 acres of indigenous preservation areas in substantial compliance with the MCP. The preserves must be delineated on the local development order plans when they are within or adjacent to the development phase or tract to be developed.

h. The developer must barricade all indigenous preservation areas to exclude cattle grazing within 60 days of approval of the planned development by the Board of County Commissioners.

i. Prior to local development order approval, the plans for any residential units on individual lots that abut a preserve must delineate a preserve boundary sign location at every other lot line and provide a detail of the sign for the Division of Environmental Sciences' Staff review and approval.

j. Every effort must be made in the final design of the golf course and residential tracts to preserve large native trees. The developer must schedule an on-site preconstruction meeting with Division of Environmental Sciences' Staff prior to the issuance of a vegetation removal permit for any phase of development to confirm preservation and barricading requirements prior to the initiation of site clearing.

4. The following recommendations are presented in order to mitigate future hurricane damage and loss of life, as well as to ensure compliance with Lee Plan objectives.

a. The developer must establish a homeowners' or residents' association that will provide an educational program on an annual basis, in conjunction with the staff of Emergency Management, who will provide literature, brochures and speakers for Hurricane Awareness/Preparedness Seminars, describing the

risks of natural hazards. The intent of this recommendation is to provide a mechanism to educate residents concerning the actions they should take to mitigate the dangers inherent in these hazards.

b. The developer must formulate an emergency hurricane notification and evacuation plan, which will be subject to review and approval by the Lee County Office of Emergency Management.

c. If access to this development or any portions thereof, is through a security gate or similar device that is not manned 24 hours a day, it must be equipped with an override strip installed in a glass covered box to be used by drivers of emergency vehicles to gain entry, consistent with LDC §34-1749.

d. The developer must cooperate with the Division of Public Safety/Emergency Management in determining and participating in a means to lessen hurricane shelter impacts on the County's hurricane preparedness process and public safety. Those "means" could include the provision of equipment, monies in lieu of equipment, or such other goods, materials or actions deemed appropriate by Emergency Management that results in the provision of additional shelters, or improvement of roads for use as additional evacuation routes. The choice of "means" will rest with the developer, so long as the choice adequately mitigates the adverse impacts.

5. The following conditions are included to address Lee Plan consistency issues:

a. The portion of the property within the Rural future land use category must maintain densities of one dwelling unit per acre or less. No more than 1,648 dwelling units may be constructed in the Rural designated areas of the project.

b. Given the limited existing available Rural 2020 Planning Community Acreage Allocation, at the time of rezoning, the available Rural allocation must be determined by the Planning Division prior to any development order approval for residential use in the Rural portions of the site. No development order will be issued or approved if the acreage, when added to the acreage contained in the updated existing land use database, exceeds the limitation established by Lee Plan Table 1 (b), Acreage Allocation Table (per Lee Plan Policy 1.7.6). In order to develop more Rural acreage with residential uses, the Lee Plan must be amended to change the Rural residential acreage allocation for the Fort Myers Shores planning community in Table 1 (b). Adequate data and analysis to support this amendment must be submitted by the applicant at the time of the request for the Lee Plan amendment. Development in excess of the current Table 1 (b) allocations will not be permitted until Table 1 (b) is amended accordingly.

6. The following conditions are included to address the golf course:

a. The developer of the golf course must use fertilizers with a low leaching potential (slow release). The fertilizers must not be applied after active growth of the turfgrass has ceased, and must be kept to the lowest reasonable levels; and

b. To reduce sources of pollutants, especially nutrients and pesticides associated with the golf course, the golf course manager must implement a chemicals management plan that includes an integrated pest management (IPM) program and a nutrient management program so that nutrients and pesticides are used only when absolutely necessary. The program must address prevention, diagnosis, and limited treatment with pesticides when necessary rather than blanket treatment with broad spectrum pesticides as insurance against all pest species. The application of pesticides will involve only the purposeful and minimal application of pesticides, aimed only at identified targeted species. The regular widespread application of broad spectrum pesticides is prohibited. The IPM program must minimize the use of pesticides and must include the use of the US Department of Agriculture - Natural Resources Conservation Service (USDA-NRCS) Soil Pesticide Interaction Rating guide to select pesticides for use that have a minimum potential for leaching or loss from runoff. The nutrient management program must be based upon the USDA-NRCS Nutrient Management Standard and must include the use of soil tests to determine needed applications of nutrients. Only EPA-approved chemicals may be used. Turf managed areas (including fairways, tees, and greens) within 35 feet of wetlands or preserve areas are prohibited. This chemicals management plan must be submitted to and approved by Lee County Planning Division Staff prior to the development order approval.

c. The golf course manager must coordinate the application of pesticides with the irrigation practices (the timing and application rates of irrigation water) to reduce runoff and the leaching of applied pesticides and nutrients.

d. The utilization of a golf course manager licensed by the state *to* use restricted pesticides and experienced in the principles of IPM is required. The golf course manager is responsible for ensuring that the golf course fertilizers are selected and applied to minimize fertilizer runoff into the surface water and the leaching of those fertilizers into the groundwater.

e. The storage, mixing, and loading of fertilizer and pesticides must be designed to prevent/minimize the pollution of the natural environment.

f. The golf course must comply with the "Best Management Practices for Golf Course Maintenance Departments," prepared by the Florida Department of Environmental Protection, as amended.

g. The golf course must be planted with a turfgrass cultivated variety that is drought and pest resistant, and that requires relatively low fertilizer use.

h. The irrigation system must operate on an "as needed" basis through the utilization of weather forecasting and ongoing assessment of the moisture content of the soil.

i. All fairways, greens, and tees must be elevated above the 25-year flood level, and all greens must utilize underdrains. The effluent from these underdrains must be pre-treated prior to discharge into the balance of the project's water management system.

j. Stormwater run-off must be pre-treated through an acceptable recreated natural system or dry retention and water retention system, prior to discharging the run-off into existing lake or wetland (any aquatic) systems.

k. An annual monitoring report of ground water and surface water quality is required for the golf course operation. The monitoring program must include: testing to assess whether there are any herbicide, pesticide or fertilizer pollution of the water within the area of the golf course; identification of the locations for the ground water monitoring and testing on a map(s); testing and recording requirements. The developer must submit the test results with the monitoring report to the Lee County Planning Division. The monitoring program will be established and operated at the expense of the developer, or other comparable legal entity charged with the legal responsibility of managing the golf course. This plan will be evaluated in accordance with the directives of Chapter 17-302, F.A.C., water quality standards.

l. If groundwater or surface water pollution occurs, as that term is defined by the rules or regulations in effect at the time, and if the pollution is caused by the application of fertilizers, herbicides or pesticides to the golf course, the application must cease until the developer submits a revised management plan. If mitigation is necessary to address the pollution, the developer must implement a mitigation plan approved by Lee County.

7. Model units and homes are permitted in compliance with the following conditions:

a. Each model must be a unique example. Multiple examples of the same unit are not permitted; and

b. All model sites must be designated on the development order plans; and

c. Prior to constructing model homes within this project, the lots upon which the model homes will be constructed will have been shown on a preliminary plat filed concurrently with the required local development order for this project. Such model home(s) will comply with all setbacks set forth within the Property Development Regulations for River Hall (f/k/a Hawk's Haven) or the LDC, whichever applies. Should setback problems arise after construction of a model

home, it will be the responsibility of the owner/developer to resolve the setback problem.

d. Hours of operation for model units and real estate sales within the model units are limited to Monday through Sunday, 8 a.m. through 8 p.m.

8. AGRICULTURAL USES: Existing bona fide agricultural uses on this site are allowed only in strict compliance with the following:

a. Bona fide agricultural uses that are in existence at the time the application for this project was filed, and as shown on Exhibit E attached hereto, may continue until approval of a local development order for the area of the project containing those uses.

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

c. Prior to issuance of a local development order, the property owner must provide written proof, subject to approval by the County Attorney's Office, of the following:

i. Termination of all agricultural use on any portion of the property included in the development order application/approval. Proof must include a sworn affidavit from the person or entity holding title to the subject property that specifically provides:

(1) the date the agricultural uses ceased;

(2) the legal description of the property subject to the development order approval;

(3) an affirmative statement that the owner acknowledges and agrees that all agricultural uses are illegal and prohibited on the property and that the owner covenants with the county that they will not allow any such uses on the property unless and until the property is re-zoned to permit such uses; and,

(4) that the affidavit constitutes a covenant between the owner and the county that is binding on the owner and their assignees and successors in interest.

The covenant must be properly recorded in the public records of the county at the owner's expense.

ii. Termination of the agricultural tax exemption for any portion of the property included in the development order application/approval. Proof as to termination must include of a copy of the request to terminate the tax exemption provided to the Property Appraiser.

9. Construction traffic is prohibited on Hickey Creek Road.

10. Buildings exceeding 35 feet in height must maintain additional building separation as regulated by LDC §34-2174(a).

11. Approval of this zoning request does not address access onto S.R. 80, since Lee County has no jurisdiction over that roadway. The developer must pursue this access approval with the Florida Department of Transportation (FDOT). Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.

12. Approval of this rezoning does not give the developer an undeniable right to receive local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocations Table, Map 16 and Table 1(b).

13. This development must comply with all of the requirements of the LDC at the time of local development order approval, except as may be granted by deviations approved as part of this planned development.

14. The developer is required to design the project in a manner that will provide the internal "outparcels" (separate tracts encapsulated by the project property) the ability to obtain reasonable and practicable access through the subject property, unless the developer provides a circuit court order indicating that the internal outparcels are not legally entitled to access through the subject property. However, this rezoning does not obviate the developer's responsibility to provide access to the internal "outparcels" in accordance with Florida law.

15. If the developer constructs structures other than conventional single-family homes within 100 feet of the "outparcels," the developer must provide a 25-foot-wide enhanced vegetative buffer completely around the outparcel. In addition, the enhanced vegetative buffer must utilize native vegetation, indigenous to the plant community in which it is to be planted. The vegetation must be installed prior to vertical construction and it must be installed according to the following density and size:

a. Six trees per 100 linear feet - At installation, trees must be a minimum of 12 to 14 feet tall, with a 2-1/2 inch minimum caliper and a 5-foot minimum canopy. No palm trees, or completely deciduous trees, may be used to meet the requirements of this enhanced buffer.

b. 33 shrubs per 100 linear feet - 1) At installation, all shrubs must be 18 to 24 inches in height, 3-gallon pots, and spaced 30 to 36 inches on center; and 2) all shrubs used to meet the enhanced buffer requirements must reach a mature height in excess of six feet under normal growing conditions. If these "outparcels" come under the control of the developer prior to construction within the 100-foot-wide area, then compliance with this condition is not required.

16. Vehicle access from the northern boundary of the subject property over and across Hickory Creek Road is prohibited.

17. Accessory uses must be located on the same tract, parcel or outparcel where a principal use is located. Accessory uses must be incidental and subordinate to the principal use of the tract, parcel or outparcel.

18. No development blasting is permitted as part of this project unless approved at a subsequent public hearing as an amendment to the planned development.

19. All required buffers must utilize 100 percent native vegetation.

20. Upon passage of this Zoning Resolution, Zoning Resolution #Z-99-056 and Administrative Amendment ADD2004-00067 are null and void.

21. The school site is limited to a public school operated by the School District of Lee County.

22. Outdoor storage areas must be in compliance with §34-3001, *et seq*, of the Lee County LDC, with the additional requirements as outlined on page 2 of 2 of the attached MCP, including a 200-foot perimeter setback and enhanced buffer.

23. A plan showing landscaping in accordance with page 2 of 2 of the approved MCP must be submitted and approved prior to the issuance of a development order for the golf course maintenance facility and amenity center.

24. Signage referencing the town center is prohibited within 50 feet of the right-of-way of Palm Beach Boulevard (State Road 80).

25. BUFFERS.

a. A Type "B" buffer must be added to the MCP for the "Town Center" portion bordering agriculturally-zoned property to the east, in accordance with the LDC.

This buffer will not include the existing conservation areas shown on the approved MCP.

b. A Type "D" buffer must be added to the MCP on the "spine" Road for the commercial Town Center portion of the property, in accordance with the LDC.

26. The MCP must be amended to include a 2nd full access that crosses the existing 50-foot-wide canal to the south to connect into 75th Street West in Lehigh Acres. The developer may show the access at any location along the southern boundary of the property except where the MCP shows conservation easements. The developer is not obligated to construct this access until Lee County has issued a certificate of occupancy for 1,598 homes within the project. Responsibilities regarding improvements to 75th Street West or other abutting Lehigh roads will be determined at the time the access is approved for construction. The County will work with the developer to obtain approval to bridge the 50-foot-wide canal.

27. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.

The developer may obtain the necessary development orders when the project meets Lee County Concurrency requirements. This approval may require either road improvements or a reduction in requested intensity and density.

SECTION C. DEVIATIONS:

1. Deviation (1) seeks relief from the LDC §10-385(d)(3)a requirement to provide a maximum fire hydrant spacing of 800 feet in the one- and two-dwelling unit area, to eliminate this requirement in areas along the "spine" road where no homes exist. This deviation is APPROVED.

2. Deviation (2) Withdrawn.

3. Deviation (3) seeks relief from the LDC §10-329(d)(4) requirement to provide lake banks to be sloped at a maximum 4:1 slope, to allow bulkheads for up to 25 percent of the shoreline of lake banks. This deviation is APPROVED.

4. Deviation (4) seeks relief from the LDC §34-2194(b) requirement to provide a 25-foot setback from bodies of water, to allow 20-foot setbacks for the manmade lakes to be consistent with the existing development orders and permits. This deviation is APPROVED.

SECTION D. EXHIBITS AND STRAP NUMBER:

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

Exhibit A.1: Legal description of the overall property
Exhibit A.2: Legal description of the CPD property
Exhibit A.3: Legal description of the RPD property
Exhibit B: Zoning Map (subject parcel identified with shading)
Exhibit C: The Master Concept Plan stamped Received January 6, 2006, last revised January 3, 2006
Exhibit D: Protected Species Management Plan for Schulman Parcel (American Alligator Management Plan; Gopher Tortoise Management Plan; and Scrub Jay Management Plan)
Exhibit E: Affidavit of bona fide agricultural uses

The applicant has indicated that the STRAP numbers for the property are: 25-43-26-00-00121.0000, 26-43-26-00-00011.0000, 26-43-26-00-00011.0010, 27-43-26-00-00003.0010, 27-43-26-00-00003.0020, 27-43-26-00-00016.0000, 34-43-26-00-00001.0010, 34-43-26-00-00001.0020, 36-43-26-00-00001.0000, 35-43-26-00-00001.0010, 35-43-26-00-00001.0000, 35-43-26-00-00002.0000.

SECTION E. FINDINGS AND CONCLUSIONS:

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

2. The rezoning, as approved:

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

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

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

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

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

3. The rezoning satisfies the following criteria:

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

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

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

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

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

The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner Judah, seconded by Commissioner Hall and, upon being put to a vote, the result was as follows:

Robert P. Janes	Absent
Douglas R. St. Cerny	Aye
Ray Judah	Aye
Tammara Hall	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 19th day of September 2005.

ATTEST:
CHARLIE GREEN, CLERK

BY: Michele B. Cooper
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Tammara Hall, Chairwoman

Approved as to form by:

_____
Dawn E. Perry-Lehnert
County Attorney's Office

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MINUTES OFFICE
mgc
2006 JAN 18 AM 9:49

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Legal Description

Parcel in
Sections 25, 26, 27, 34, 35 and 36, Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Sections 25, 26, 27, 34, 35 and 36, Township 43 South, Range 26 East, Lee County, Florida, said tract or parcel of land being more particularly described as follows:
Beginning at the Southeast corner of said Section 34 run N00°59'34"W along the East line of the Southeast Quarter (SE 1/4) of said Section 34 for 2,654.70 feet tot he East Quarter Corner of said Section 34; thence run S89°15'30"W along the North line of the South Half (S ½) of said Section 34 for 5,100.92 feet to a point on a non-tangent curve at the intersection with the Easterly line of lands described in a deed recorded in Official Record Book 4107, at Page 886, Lee County Records; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta 21°30'24") (chord bearing N34°21'11"W) (chord 89.56 feet) for 90.09 feet to a point of tangency; thence run N45°06'23"W along said Easterly line for 156.71 feet to a point of curvature; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta 06°54'55") (chord bearing N48°33'50"W) (chord 28.95 feet) for 28.97 feet to an intersection with the West line of the Northwest Quarter (NW 1/4) of said Section 34; thence run N00°49'55"W along said West line for 2,437.57 feet to the Southwest Corner of said Section 27; thence run N00°49'48"W along the West line of the Southwest Quarter (SW 1/4) of said Section 27 for 659.59 feet to the Southwest corner of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW 1/4) of said Section 27; thence run N89°06'39"E along the South line of the North Half (N ½) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section 27 for 1,316.66 feet to the Southeast corner of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section 27; thence run N00°50'33"W along the East line of said Fraction for 660.48 feet to the Northeast Corner of said Fraction; thence run S89°04'20"W along the North line of said Fraction for 659.26 feet to the Southeast corner of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of said Section 27; thence run N00°50'10"W along the East line of said Fraction for 660.23 feet to the Northeast Corner of said Fraction; thence run S89°02'22"W along the North line of said Fraction for 659.19 feet to an intersection with the West line of the Southwest Quarter (SW 1/4) of said Section 27; thence run N00°49'48"W along said West line for 659.85 feet to the West Quarter Corner of said Section 27; thence run N00°47'16"W along the West line of the Northwest Quarter (NW 1/4) of said Section 27 for 1,328.51 feet to an intersection with the Southerly right of way line of State Road 80, (150 feet wide); thence run N77°10'14"E along the Southerly right of way line for 2,020.27 feet to an intersection with the West line of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 27; thence run S00°50'17"E along said West line for 421.56 feet to the Southwest Corner of said Fraction, being designated as POINT "A"; thence run

N88°54'52"E along the South line of said Fraction for 658.74 feet to an intersection with the West line of the East Half (E ½) of said Section 27; thence run S00°51'17"E along said West line for 3,420.35 feet to an intersection with the North line of the South 50 feet of said former Seaboard All Florida Railroad right of way (100 feet wide); thence run N89°00'08"E along said North line for 7,949.61 feet to an intersection with the West line of the Southwest Quarter (SW 1/4) of said Section 25; thence run N00°33'55"W along said West line for 50.00 feet to an intersection with the Northerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said right of way line for 5,295.61 feet to an intersection with the East line of the Southeast Quarter (SE 1/4) of said Section 25; thence run S01°39'28"E along said East line for 629.62 feet to the Northeast Corner of said Section 36 being designated as POINT "B"; thence run S00°16'51"E along the East line of the Northeast Quarter (NE 1/4) of said Section 36 for 2,647.36 feet to the East Quarter Corner of said Section 36; thence run S00°45'42"E along the East line of the Southeast Quarter (SE 1/4) of said Section 36 for 2,644.68 feet to the Southeast Corner of said Section 36; thence run S89°12'27"W along the South line of the Southeast Quarter (SE 1/4) of said Section 36 for 2,644.62 feet to the South Quarter Corner of said Section 36; thence run S89°11'43"W along the South line of the Southwest Quarter (SW 1/4) of said Section 36 for 2,643.63 feet to the Southeast Corner of said Section 35; thence run S88°54'06"W along the South line of the Southeast Quarter (SE 1/4) of said Section 35 for 2,643.62 feet to the South Quarter Corner of said Section 35; thence run S88°53'41"W along the South line of the Southwest Quarter (SW 1/4) of said Section 35 for 2,642.70 feet to the POINT OF BEGINNING.

LESS and EXCEPT the following described parcels:

From the point designated as POINT "A" run S88°54'52"W along the South line of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 27 for 858.74 feet to the Northeast Corner of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of said Section 27 and POINT OF BEGINNING.

From said Point of Beginning run S00°49'17"E along the East line of said Fraction for 660.13 feet to the Southeast Corner of said Fraction; thence run S88°57'38"W along the South line of said Fraction for 658.93 feet to the Southwest Corner of said Fraction; thence run N00°48'16"W along the West line of said Fraction for 659.60 feet to the Northwest Corner of said Fraction; thence run N88°54'52"E along the North line of said Fraction for 658.74 feet to the POINT OF BEGINNING.

AND

From the point designated as POINT "B" run S88°44'46" along the South line of the Southeast Quarter (SE 1/4) for said Section 25 for 2,674.22 feet to the South Quarter Corner of said Section 25, run S89°12'44"W along the South line of the Southwest Quarter (SW 1/4) of said Section 25 for 2,633.46 feet to the Southeast Corner of said Section 26 and POINT OF BEGINNING.

From said Point of Beginning run S89°14'15"W along the South line of the Southeast Quarter (SE 1/4) of said Section 26 for 1,327.50 feet to the Southwest Corner of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section 26; thence run N00°23'46"W along the West line of said Fraction for 526.48 feet to an intersection with the Southerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said Southerly right of way line for 1,325.98 feet to

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an intersection with the East line of the Southeast Quarter (SE 1/4) of said Section 26; thence run S00°33'55"E along said East line for 531.91 feet to the POINT OF BEGINNING.

Containing a Total Area of 1,978.44 Acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/90 adjustment) and are based on the west line of the Northwest Quarter (NW 1/4) of said Section 34 to bear N00°49'55"W.

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DC12004-00054

Barraco and Associates, Inc.

www.barraco.net

Civil Engineers, Land Surveyors and Planners

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DESCRIPTION
Parcel in
Section 27, Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Section 27, Township 43 South, Range 26 East, Lee county, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the North Quarter Corner of said Section 27 run S00°51'17"E along the East line of the West Half (W ½) of said Section 27 for 1322.39 feet to the Southeast corner of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of said Section 27 and the POINT OF BEGINNING.

From said Point of Beginning continue S00°51'17"E along said East line for 897.03 feet; thence run S89°08'43"W for 678.49 feet to an intersection with the Northwesterly line of Conservation Easement CE-5, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records; thence run N50°41'11"W leaving said Northwesterly line for 752.69 feet; thence run N00°49'17"W for 199.39 feet to an intersection with the Northerly line of Conservation Easement CE-2, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records; thence run N56°53'01"E leaving said Northerly line for 164.06 feet to a point on a non-tangent curve and intersection with the Westerly right of way line of a Proposed Road described in a deed recorded in Official Record Book 4326, at Page 1851, Lee County Records; thence run northwesterly along an arc of curve to the right of radius 550.00 feet (delta 31°54'17") (chord bearing N28°46'55"W) (chord 302.32 feet) for 306.26 feet to a point of tangency; thence run N12°49'46"W along said Westerly right of way line for 146.41 feet to an intersection with the Southerly right of way line of State Road 80, (150 feet wide); thence run N77°10'14"E along said Southerly right of way line for 641.66 feet to an intersection with the West line of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of said Section 27; thence run S00°50'17"E along said West line for 421.56 feet to the Southwest Corner of said Fraction thence run N88°54'52"E along the South line of said Fraction for 658.74 feet to the POINT OF BEGINNING.

Containing 27.05 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/90 adjustment) and are based on the East line of the West Half (W 1/2) of said Section 27 to bear S00°51'17"E.

Applicant's Legal Checked
by Lgm 5/27/2005.

5/20/05

Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 3929

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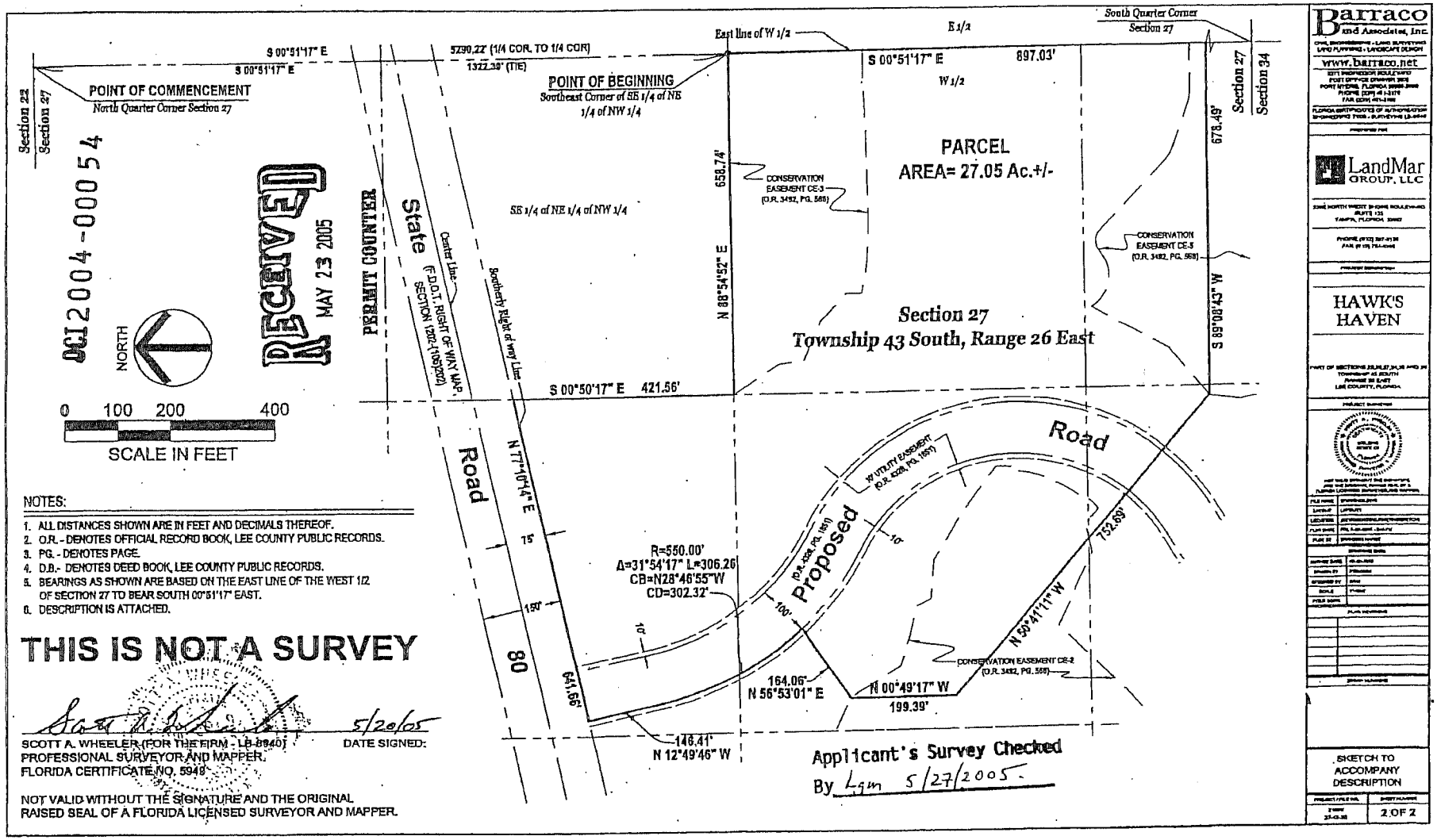

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
3. PG. - DENOTES PAGE.
4. D.B.- DENOTES DEED BOOK, LEE COUNTY PUBLIC RECORDS.
5. BEARINGS AS SHOWN ARE BASED ON THE EAST LINE OF THE WEST 1/2 OF SECTION 27 TO BEAR SOUTH 00°51'17" EAST.
6. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

5/20/05

SCOTT A. WHEELER (FOR THE FIRM - LB-3640)
PROFESSIONAL SURVEYOR AND MAPPER.
FLORIDA CERTIFICATE NO. 5948

DATE SIGNED:

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

EXHIBIT A.2
PAGE 2 OF 2

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Civil Engineers, Land Surveyors and Planners

DESCRIPTION
RPD

Parcel in
Sections 25, 26, 27 34, 35 and 36, Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Sections 25, 26, 27 34, 35 and 36, Township 43 South, Range 26 East, Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Beginning at the Southeast corner of said Section 34 run N00°59'34"W along the East line of the Southeast Quarter (SE ¼) of said Section 34 for 2,654.70 feet to the East Quarter Corner of said Section 34; thence run S89°15'30"W along the North line of the South Half (S ½) of said Section 34 for 5,100.92 feet to a point on a non-tangent curve at the intersection with the Easterly line of lands described in a deed recorded in Official Record Book 4107, at Page 886, Lee County Records; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta 21°30'24") (chord bearing N34°21'11"W) (chord 89.56 feet) for 90.09 feet to a point of tangency; thence run N45°06'23"W along said Easterly line for 156.71 feet to a point of curvature; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta 06°54'55") (chord bearing N48°33'50"W)(chord 28.95 feet) for 28.97 feet to and intersection with the West line of the Northwest Quarter (NW ¼) of said Section 34; thence run N00°49'55"W along said West line for 2,437.57 feet to the Southwest Corner of said Section 27; thence run N00°49'48"W along the West line of the Southwest Quarter (SW ¼) of said Section 27 for 659.59 feet to the Southwest corner of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of said Section 27; thence run N89°06'39"E along the South line of the North Half (N ½) of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of said Section 27 for 1,318.66 feet to the Southeast corner of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of said Section 27; thence run N00°50'33"W along the East line of said Fraction for 660.48 feet to the Northeast Corner of said Fraction; thence run S89°04'20"W along the North line of said Fraction for 659.26 feet to the Southeast corner of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of said Section 27; thence run N00°50'10"W along the East line of said Fraction for 660.23 feet to the Northeast Corner of said Fraction, being designated as POINT "A"; thence run S89°02'22"W along the North line of said Fraction for 659.19 feet to an intersection with the West line of the Southwest Quarter (SW ¼) of said Section 27; thence run N00°49'48"W along said West line for 659.85 feet to the West Quarter Corner of said Section 27; thence run N00°47'16"W along the West line of the Northwest Quarter (NW ¼) of said Section 27 for 1,328.51 feet to an intersection with the Southerly right of way line of State Road 80, (150 feet wide); thence run N77°10'14"E along said Southerly right of way line for 1,378.61 feet; thence run S12°49'46"E for 146.41 feet to a point of curvature; thence run southeasterly along an arc of curve to the left of radius 550.00 feet (delta 31°54'17") (chord bearing S28°46'55"E)(chord 302.32 feet) for 306.26 feet;

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Civil Engineers, Land Surveyors and Planners

DESCRIPTION (Cont.)

thence run S56°53'01"W for 164.63 feet; thence run S00°49'17"E for 199.08 feet; thence run S50°41'11"E for 752.69 feet; thence run N89°08'43"E for 678.49 feet to an intersection with the West line of the East Half (E ½) of said Section 27; thence run S00°51'17"E along said West line for 2,523.31 feet to an intersection with the North line of the South 50 feet of the former Seaboard All Florida Railroad right of way (100 feet wide); thence run N89°00'08"E along said North line for 7,949.61 feet to an intersection with the West line of the Southwest Quarter (SW ¼) of said Section 25; thence run N00°33'55"W along said West line for 50.00 feet to an intersection with the Northerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said right of way line for 5,295.61 feet to an intersection with the East line of the Southeast Quarter (SE ¼) of said Section 25; thence run S01°39'28"E along said East line for 629.62 feet to the Northeast Corner of said Section 36 being designated as POINT "B"; thence run S00°16'51"E along the East line of the Northeast Quarter (NE ¼) of said Section 36 for 2,647.36 feet to the East Quarter Corner of said Section 36; thence run S00°45'42"E along the East line of the Southeast Quarter (SE ¼) of said Section 36 for 2,644.68 feet to the Southeast Corner of said Section 36; thence run S89°12'27"W along the South line of the Southeast Quarter (SE ¼) of said Section 36 for 2,644.62 feet the South Quarter Corner of said Section 36; thence run S89°11'43"W along the South line of the Southwest Quarter (SW ¼) of said Section 36 for 2,643.63 feet to the Southeast Corner of said Section 35; thence run S88°54'06"W along the South line of the Southeast Quarter (SE 1/4) of said Section 35 for 2,643.62 feet to the South Quarter Corner of said Section 35; thence run S88°53'41"W along the South line of the Southwest Quarter (SW ¼) of said Section 35 for 2,642.70 feet to the POINT OF BEGINNING.

LESS and EXCEPT the following described parcels.

From the point designated as POINT "A" run N00°50'10"W along the East line of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) Southwest Quarter (SW ¼) of the of said Section 27 for 660.23 feet to the Southeast Corner of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section 27 ; thence run N00°48'16"W along the East line of said Fraction for 659.60 to the Southwest Corner of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section 27 and the POINT OF BEGINNING.

From said Point of Beginning run N00°48'16"W along the West line of said Fraction for 659.60 feet to the Northwest Corner of said Fraction; thence run N88°54'52"E along the North line of said Fraction for 658.74 feet to the Northeast Corner of said Fraction; thence run S00°49'17"E along the East line of said Fraction for 660.13 feet to the Southeast Corner of said Fraction; thence run S88°57'38"W along the South line of said Fraction for 658.93 feet to the POINT OF BEGINNING.

AND

LESS and EXCEPT the following described parcel.

From the point designated as POINT "B" run S88°44'46"W along the South line of the Southeast Quarter (SE ¼) of said Section 25 for 2,674.22 feet to the South Quarter Corner of said Section 25; thence run S89°12'44"W along the South line of

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www.barraco.net
Civil Engineers, Land Surveyors and Planners

DESCRIPTION (Cont.)

the Southwest Quarter (SW ¼) of said Section 25 for 2,633.46 feet to the Southeast Corner of said Section 26 and POINT OF BEGINNING.
From said Point of Beginning run S89°14'15"W along the South line of the Southeast Quarter (SE ¼) of said Section 26 for 1,327.50 feet to the Southwest Corner of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE 1/4) of said Section 26; thence run N00°23'46"W along the West line of said Fraction for 526.48 feet to an intersection with the Southerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said Southerly right of way line for 1,325.98 feet to an intersection with the East line of the Southeast Quarter (SE ¼) of said Section 26; thence run S00°33'55"E along said East line for 531.91 feet to the POINT OF BEGINNING.

Containing a Total Area of 1951.39 Acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/90 adjustment) and are based on the west line of the Northwest Quarter (NW 1/4) of said Section 34 to bear N00°49'55"W.

1/6/06

Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

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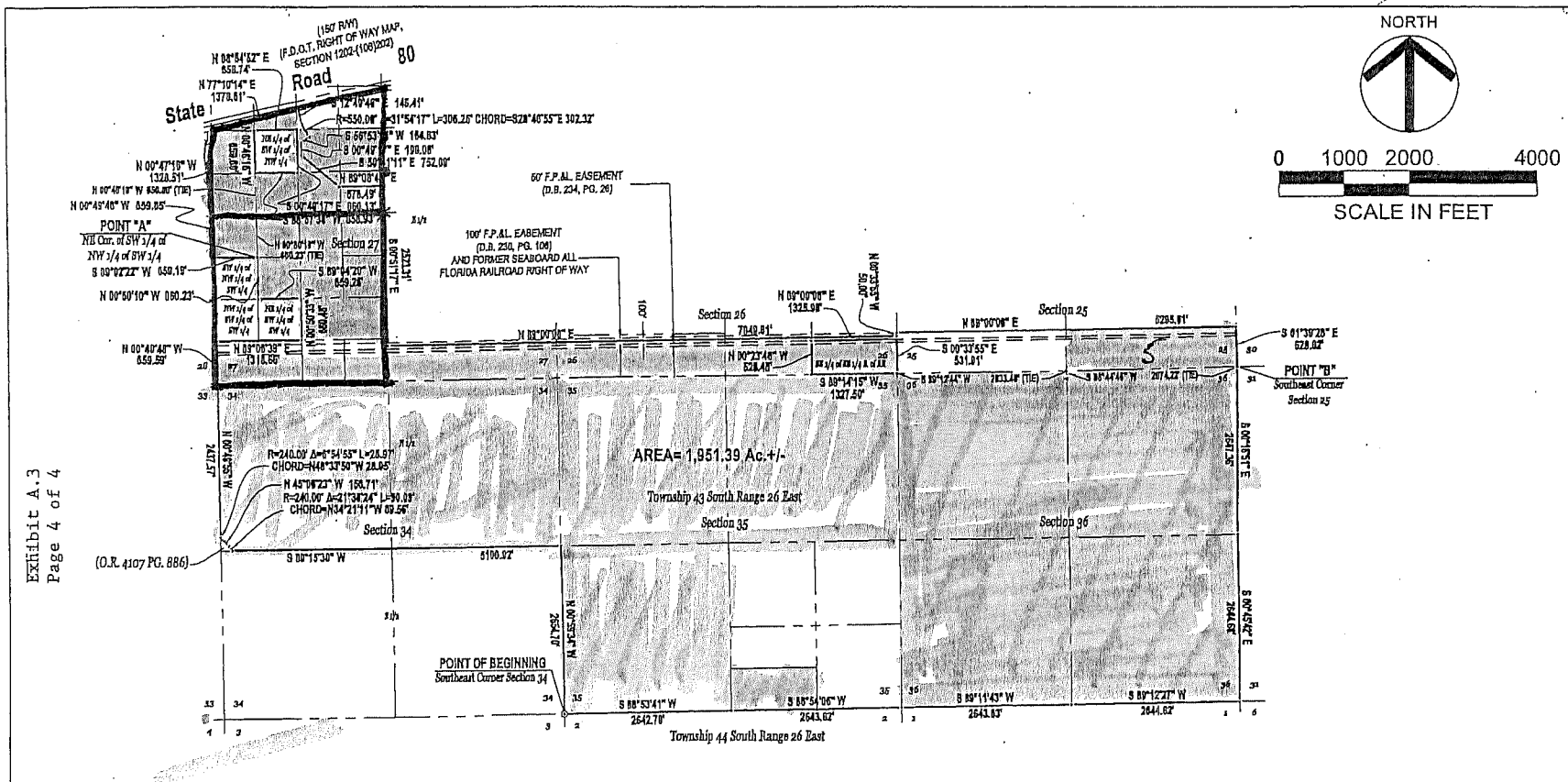
Exhibit A.3
Page 4 of 4



THIS IS NOT A SURVEY

Scott A. Wheeler 1/6/06

SCOTT A. WHEELER (FOR THE FIRM - LB-6940)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5949

DATE SIGNED:

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

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
3. PG. - DENOTES PAGE.
4. D.B.- DENOTES DEED BOOK, LEE COUNTY PUBLIC RECORDS.
5. BEARINGS AS SHOWN ARE BASED ON THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 34 TO BEAR NORTH 00°49'55" WEST.
6. DESCRIPTION IS ATTACHED.

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
8271 McGregor Boulevard
Post Office Drawer 2908
Fort Myers, Florida 33902-2908
Phone (239) 481-9170
Fax (239) 481-3486
Florida Certificate of Authorization
Engineering 7988 - Surveying LB-6940

LandMar Group, LLC
2401 River Hall Parkway
Alva, Florida 33920
Phone (239) 274-2921
Fax (239) 274-0617

HAWK'S HAVEN

PART OF SECTIONS 25,26,27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

FILE NAME	
LAYOUT	LAYOUT
LOCATION	
PLOT DATE	
PLOT BY	
SURVEY DATE	
DRAWN BY	
EDITED BY	
SCALE	
FIELD BOOK	

PLAN REVISIONS

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
21900 25-43-26	4 OF 4

DCI2004-00054 RIVER HALL RPD/CPD (FKA HAWK'S HAVEN)

5/12/2005

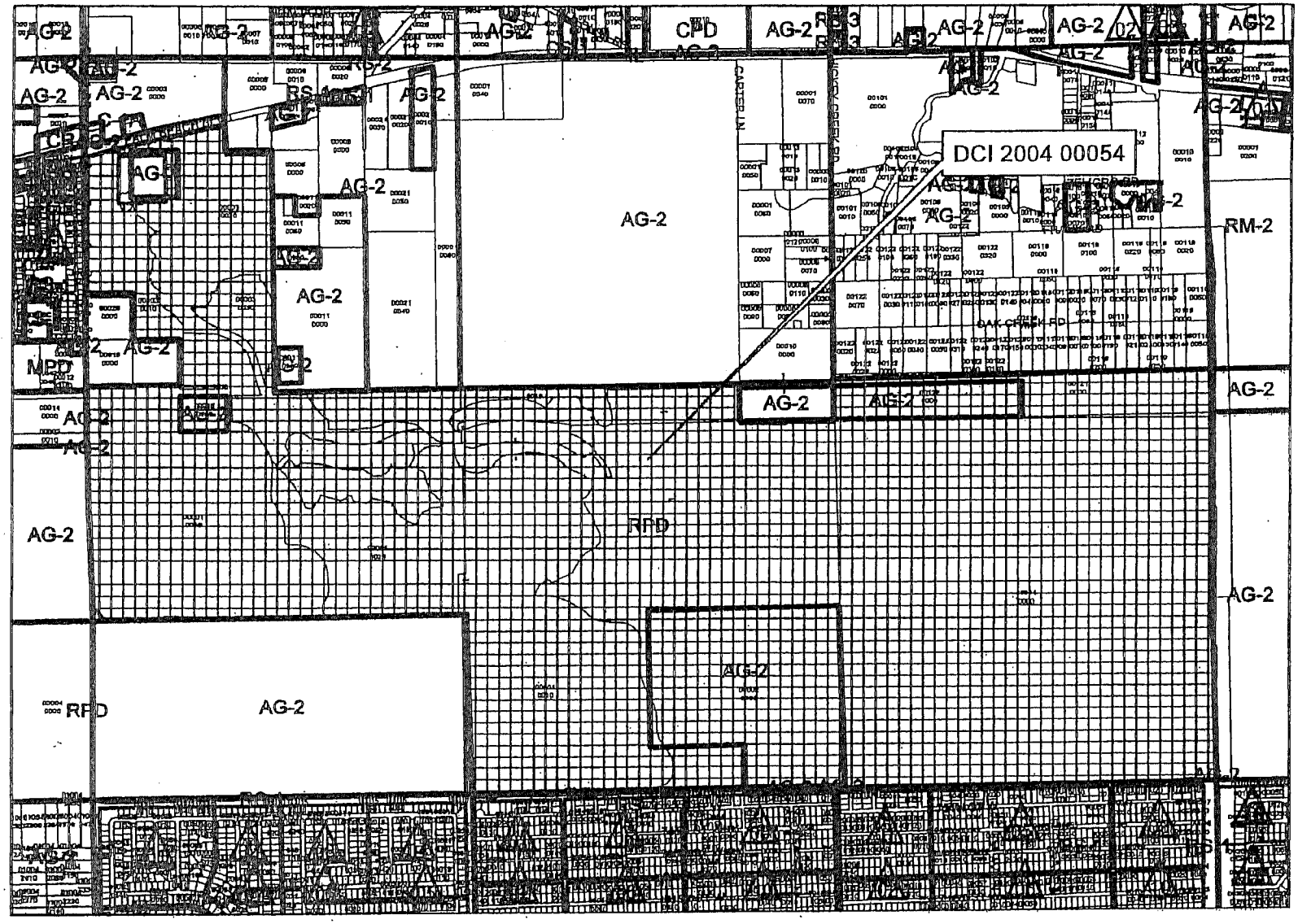


EXHIBIT B

N
W E
S

2,200 1,100 0 2,200 Feet

Exhibit C
Page 1 of 2

Page 1 of 2

Z-05-051

RECEIVED
JAN 06 2006
PERMIT COUNTER

DCI 2004-00054

OPEN SPACE CALCULATIONS:

ENTIRE PROJECT

TOTAL DEVELOPMENT	1,878.44 ACRES
OPEN SPACE PROVIDED	1,175.00 ACRES
INDIGENOUS OPEN SPACE PROVIDED	463.04 ACRES

RPD

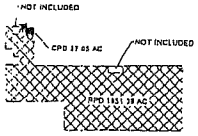
TOTAL RPD DEVELOPMENT	1,951.39 ACRES
OPEN SPACE REQUIRED (10%)	780.56 ACRES
OPEN SPACE PROVIDED LAKES = 793.73 AC (25% OF 1,175.00 AC.) INDIGENOUS OPEN SPACE = 457.89 AC RECREATIONAL OPEN SPACE / GOLF COURSE = 408.91 AC OTHER OPEN SPACE = 7.37 AC	1,667.93 ACRES
INDIGENOUS SPACE REQUIRED (30% OF 780.56) INDIGENOUS OPEN SPACE PROVIDED	300.28 ACRES 457.89 ACRES

CPD

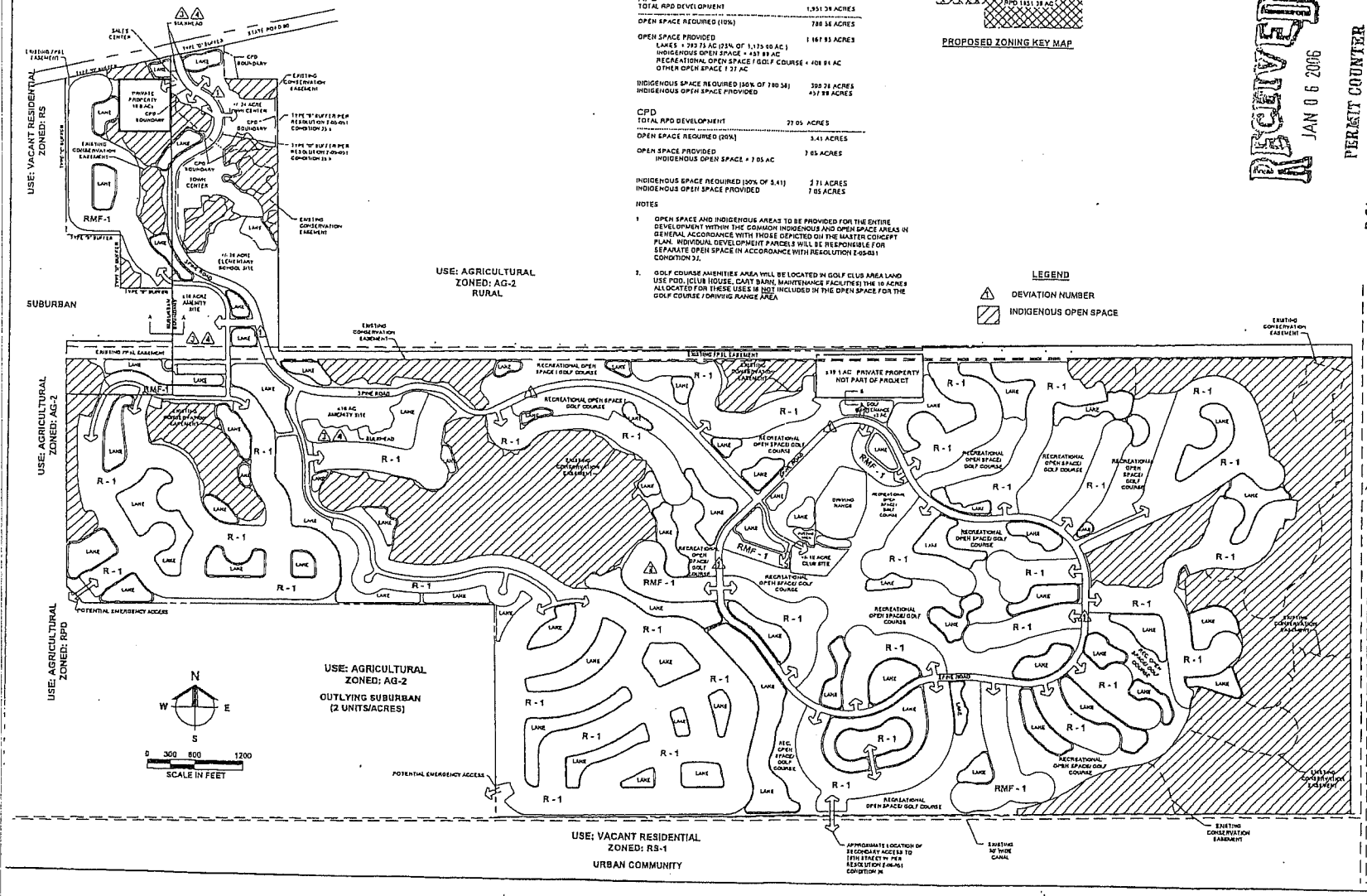
TOTAL RPD DEVELOPMENT	27.05 ACRES
OPEN SPACE REQUIRED (20%)	5.41 ACRES
OPEN SPACE PROVIDED INDIGENOUS OPEN SPACE = 7.05 AC	7.05 ACRES
INDIGENOUS SPACE REQUIRED (30% OF 5.41) INDIGENOUS OPEN SPACE PROVIDED	1.71 ACRES 7.05 ACRES

NOTES

1. OPEN SPACE AND INDIGENOUS AREAS TO BE PROVIDED FOR THE ENTIRE DEVELOPMENT WITHIN THE COMMON INDIGENOUS AND OPEN SPACE AREAS IN GENERAL ACCORDANCE WITH THOSE DEPICTED ON THE MASTER CONCEPT PLAN. INDIVIDUAL DEVELOPMENT PARCELS WILL BE RESPONSIBLE FOR SEPARATE OPEN SPACE IN ACCORDANCE WITH RESOLUTION Z-05-051 CONDITION 3J.
2. GOLF COURSE AMENITIES AREA WILL BE LOCATED IN GOLF CLUB AREA LAND USE POD. (CLUB HOUSE, CART BARN, MAINTENANCE FACILITIES) THE 10 ACRES ALLOCATED FOR THESE USES IS NOT INCLUDED IN THE OPEN SPACE FOR THE GOLF COURSE / DRIVING RANGE AREA



PROPOSED ZONING KEY MAP



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PHONE (239) 481-3170
FAX (239) 481-3168
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 2895 · SURVEYING LB-6940

PREPARED FOR

LandMar GROUP, LLC

7401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920

PHONE (239) 274-0321
FAX (239) 274-0517

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS
HAWKS HAVEN

PART OF SECTIONS 27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND INTENDED FOR CONCEPTUAL PLANNING PURPOSES ONLY. SITE LAYOUT AND LAND USE INTENSITIES OR DENSITIES MAY CHANGE SIGNIFICANTLY BASED UPON SURVEY, ENVIRONMENTAL, ENGINEERING AND REGULATORY CONSTRAINTS AND / OR OPPORTUNITIES.
* NOT FOR CONSTRUCTION *

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FILE NAME	21988203A.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21988\DWG\ZONING\ZONING11
PLOT DATE	TUE, 1-3-2006 - 2:01 PM
PLOT BY	TOM HOLMLUND
DESIGN BY	TOM HOLMLUND

CROSS REFERENCED DRAWINGS

BASEPLAN - 21988200.DWG

	PLAN REVISIONS
5-17-05	ADD CPD BOUNDARY
1-3-2006	COUNTY COMMENTS

PLAN STATUS

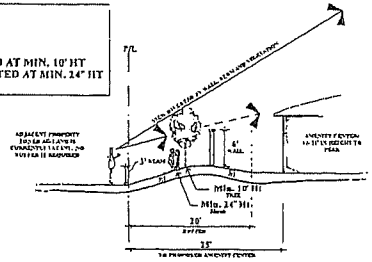
APPROVAL SUBMITTAL PLANS
NOT FOR CONSTRUCTION

MASTER CONCEPT PLAN
EXHIBIT C

PROJECT / FILE NO	SHEET NUMBER
21988	1 OF 2

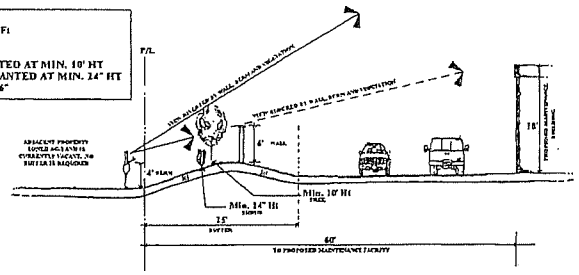
Exhibit C
Page 2 of 2
Approved as Exhibit C
MCP Page 2 of 2
Resolution #Z-05-051

PROPOSED
25' BUFFER CONSISTING OF:
3' BERM +/-
6' WALL
7 TREES PER 100 L.F. PLANTED AT MIN. 10' HT
30 SHRUBS PER 100 L.F. PLANTED AT MIN. 24" HT
AND MAINTAINED AT 36"



PROPOSED BUFFER FOR AMENITY CENTER (SECTION A-A)
NTS

PROPOSED
25' BUFFER CONSISTING OF:
4' BERM +/-
6' WALL
7 TREES PER 100 L.F. PLANTED AT MIN. 10' HT
30 SHRUBS PER 100 L.F. PLANTED AT MIN. 24" HT
AND MAINTAINED AT 36"



PROPOSED BUFFER FOR GOLF COURSE MAINTENANCE FACILITY (SECTION B-B)
NTS

DCI 2004-00054

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2006
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FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 1995 - SURVEYING LB-6940

PREPARED FOR

LandMar GROUP, LLC
2401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0517

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS
HAWKS HAVEN

PART OF SECTIONS 27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

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FILE NAME	21988ZB.DWG
LAYOUT	LAYOUT 1
LOCATION	J:\21988\DWG\ZONING\ZONE 11
PLOT DATE	THU, 1-5-2006 - 3:31 PM
PLOT BY	TONI HOLIE, LHG
DESIGN BY	AUTHOR

CROSS REFERENCED DRAWINGS

PLAN REVISIONS

PLAN STATUS
APPROVAL SUBMITTAL PLANS
NOT FOR CONSTRUCTION

TYPICAL
SECTIONS
EXHIBIT C

PROJECT / FILE NO.	SHEET NUMBER
21988	2 OF 2

RECEIVED
MAY 19 1999
PERMIT COUNTER

Protected Species Management Plan

For

Schulman Parcel

Sections 27,34,35,36, Township 43 South, Range 26 East

Prepared for:

Lee County Department of Community Development
Division of Planning / Environmental Sciences
1500 Monroe St.
P.O. Box 398
Ft. Myers, FL 33902-0398

Prepared By:

Consul-Tech Engineering, Inc.
24831 Old 41 Rd.
Bonita Springs, FL 34135

99 03-066 03 Z 01.01
PROJECT # 12
PROJECT TYPE

CONSUL-TECH ENGINEERING, INC.

- Consulting Engineers
- Land Planners
- Land Surveyors
- Transportation Engineers
- Environmental Engineers
- Construction Managers
- GPS & GIS Consultants
- Forensic Engineers

Respond To:

Bonita Springs
24831 Old 41 Road
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(941) 947-0266
FAX (941) 947-1323
E-mail: bonita@consul-t.com

Other Offices:

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FAX (561) 467-9350
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FAX (954) 436-7742
E-mail: pines@consul-t.com

South Dade
(305) 248-9444
FAX (305) 248-3644
E-mail: cci@consul-t.com

April 13, 1999

Ms. Betsi Newton-Hiatt
Ms. Kim Trebatoski
Lee County Department of Community Development
Division of Planning / Environmental Sciences
P.O. Box 398
Fort Myers, Florida 33902

Re: Protected Species Management Plan
1775 Acre Schulman Parcel
CTE # 98-0408

Dear Ms. Newton & Ms. Trebatoski

Please accept this protected species management plan for the above referenced project as resubmittal for our rezoning application. Please note that these plans are based on best available information. As new information or agency input becomes available, it may become necessary to revise some management policies. Management details will be finalized and provided at the time of development order submittal.

In the meantime, we would appreciate any suggestions you may have which might contribute to the success and longevity of listed species on this parcel. Should you have any comments or question regarding this management plan, please feel free to contact me at (941) 947-0266.

Sincerely,

CONSUL-TECH ENGINEERING, INC.

Matthew Goff
Environmental Scientist

99-03-066.03 Z 01.01

Gopher Tortoise Management Plan
1775-acre Schulman Property
S 25, 26, 27, 28, 33, 34, 35, 36 / T 43 S / R 26 E
Lee County, Florida
CTE Project No. 98-0408

Consul-Tech Engineering, Inc. (CTE) performed a Protected Species Survey of the above-referenced property from December 1998 through February 1999. Gopher tortoise *(Gopherus polyphemus)* burrows were found in several pine flatwoods, palmetto prairie, and rangeland habitats on the property (please see location maps provided with Protected Species Survey Report). Management practices shall follow established guidelines as referenced in Florida Game and Freshwater Fish Commission Nongame Wildlife Program Technical Report No. 4: Ecology and Habitat Protection Needs of Gopher Tortoise (*Gopherus polyphemus*) Populations Found on Lands Slated for Large-Scale Development in Florida.The following items will address preservation of this species onsite:

1) Certain areas are to be preserved onsite in areas where gopher tortoises currently reside. Preserve location and acreage are available on the attached Master Concept plan (MCP). A permanent management commitment for the preserve area will be ensured by the filing of a conservation easement pursuant to F.S. 704.06.

2) A take permit from the Florida Game and Freshwater Fish Commission will be sought to collect and relocate gopher tortoises from areas to be impacted to the onsite preserve areas. This permit will negate density requirements for preservation areas.

3) Collection and relocation of gopher tortoises from areas to be impacted will occur as per Florida Game and Freshwater Fish Commission guidelines taking into consideration nesting periods or other requirements. Capture of tortoises shall occur via the bucket trapping method, whereupon a five-gallon bucket will be buried at the burrow entrance. The bucket will be covered with a thin piece of paper overlain with soil and shall have a hole of no less than one inch at the bottom to insure proper drainage. Each bucket will be monitored at least once per day for at least 28 days. Buckets will be checked and tortoises/commensals released in the morning to allow for thermal considerations. Captured animals will be immediately released into the preserve area and evenly distributed throughout the site at either inactive or 'starter' burrows.

4) Each burrow will be destroyed after removal of gopher tortoises. Relocation will occur as close to construction dates as possible to prevent repatriation to areas slated for development. During construction, a wire fence shall be set two feet above and below the ground surrounding the preserve area to prevent tortoises from entering construction areas postrelocation. Excavation will be conducted by individuals experienced in such work.

5) Every effort will be made to prevent entombment of gopher tortoises as per Lee County requirements.

6) Land usage abutting preserve acreage shall be designated as golf course / low density housing to the greatest extent practicable (please refer to MCP). Efforts such as informational signing will be utilized to avoid / minimize impacts to the preserve.

99-03-066.03 Z 01.01

Florida Scrub Jay Management Plan
1775-acre Schulman Property
S 25, 26, 27, 28, 33, 34, 35, 36 / T 43 S / R 26 E
Lee County, Florida
CTE Project No. 98-0408

Consul-Tech Engineering, Inc. (CTE) performed a Protected Species Survey of the above-referenced property from December 1998 through February 1999. Additionally, a scrub jay specific spring survey was conducted between March22 - April 2, 1999 in order to better qualify jay utilization of the subject parcel. The results of these surveys demonstrate the following: 1) there appears to be no scrub jay nesting on-site, however, 2) territorial boundaries from two separate jay families do extend onto the subject parcel.

CTE staff realize that, according to the Florida Game and Freshwater Fish Commission (FGFWFC): Non-Game Wildlife Program's Technical Report No. 8: Ecology and Development-Related Habitat Requirements of the Florida Scrub Jay, further surveys during foraging seasons (autumn) are required to accurately assess the scrub jay's habitat utilization on the site. Information regarding autumn acorn caching activities shall be integrated into the management strategy as it becomes available. The following activites are currently being planned to promote

Preservation measures shall be exclusively on-site. The following items will be used to address preservation of this species on-site:

1) Establishment of on-site satellite refuge. A refuge of approximately 80 acres is currently being planned in the southeast corner of Section 36 (please refer to Master Concept Plan for specific location). The preserve area is composed primarily of Type I habitat. Smaller areas of Type II habitat and wetlands occur within the preserve area as an artifact of site configuration This area shall serve as an outlying forage zone and dispersal corridor for scrub jays in the vicinity of the subject parcel. Current preserve area is strategically located so as to provide a continuous lanscape with the adjacent Hickey Creek Mitigation Park and maximal distance from major highways and other forms of human disturbance.

2) Commitment to the preserve area shall be demonstrated via the granting of a permanent conservation easement to the State of Florida.

3) Preserve area shall be managed in perpetuity to provide those habitat requirements essential to the well-being of scrub jay families. Final management activities to be provided in the development order submittal will address the following issues; A) financial responsibility, B) fire management program, C) placement of informational signage, D) prohibited property owner activities, E)preserve area fencing, F) appropriate landscaping considerations, G)preserve area monitoring.

99-03-066.03 Z 01.01

American Alligator Management Plan
1775-acre Schulman Property
S 25, 26, 27, 28, 33, 34, 35, 36 / T 43 S / R 26 E
Lee County, Florida
CTE Project No. 98-0408

Consul-Tech Engineering, Inc. (CTE) performed a Protected Species Survey of the above-referenced property from December 1998 through February 1999. Two American alligators *(Alligator mississippiensis)* were observed in the central herbaceous wetland areas located in Sections 35 and 36 on the property (please see location maps provided with Protected Species Survey Report). The following items will address preservation of this species onsite:

1) Available habitat (i.e. holds water year-round) for American Alligators on the subject site is currently restricted to two small artificial ponds. Construction of numerous lakes and deep-water areas on the subject site is anticipated (please see Master Concept Plan). These areas should significantly increase both the quality and quantity of habitat. Educational material such as signage and informational pamphlets will be strategically placed so as to discourage feeding and minimize interaction between residents and alligators.

99-03-066.03 Z 01.01

CONSUL-TECH ENGINEERING, INC.

Wading Birds Management Plan
1775-acre Schulman Property
S 25, 26, 27, 28, 33, 34, 35, 36 / T 43 S / R 26 E
Lee County, Florida
CTE Project No. 98-0408

Consul-Tech Engineering, Inc. (CTE) performed a Protected Species Survey of the above-referenced property from December 1998 through February 1999. The Lee County listed wading birds found onsite (non-nesting) were utilizing freshwater marsh areas (please see location maps provided with Protected Species Survey Report). Listed birds include little blue heron (*Egretta caerula*), tricolored heron (*Egretta tricolor*), wood stork (*Mycteria americana*) and the sandhill crane (*Grus canadensis pratensis*). The following items will address preservation of potential foraging and nesting habitats onsite:

1) Potential habitat areas to be preserved onsite include the following: 641-B thru 641-M, 643-A and 643-C thru 643-H. Educational material such as signage and imformational pamphlets will be utilized to minimize interaction between residents and the wading birds.

99-03-066.03 Z 01.01

CONSUL-TECH ENGINEERING, INC.

Florida Burrowing Owl Management Plan
1775-acre Schulman Property
S 25, 26, 27, 28, 33, 34, 35, 36 / T 43 S / R 26 E
Lee County, Florida
CTE Project No. 98-0408

Consul-Tech Engineering, Inc. (CTE) performed a Protected Species Survey of the above-referenced property from December 1998 through February 1999. Florida burrowing owl (*Speotyto cunicularia floridana*) burrows were located in three of the pastures on the property (please see location maps provided with Protected Species Survey Report). The following items will address preservation of this species onsite:

1) Several golf course areas are to be developed onsite adjacent to currently active owl burrows and will provide suitable replacement habitat for the Florida burrowing owl.

2) A take permit from the Florida Game and Freshwater Fish Commission will be sought to avoid accidental mortality and mititgate for impacts to burrows during construction in areas where owls are currently located. A take permit will be sought for each active burrow on the subject property.

3) No taking of active burrows will occur, i.e., nests with eggs or fledglings. If construction is to occur in the areas of the owl burrows while they are active, buffers of 150 feet in radius will be established and maintained in order to minimize disturbances around the burrows during this period. Buffers will be staked and roped off prior to initiating construction.

4) The burrows will be destroyed during periods when nests are generally considered inactive, that is from July 10 - February 15 . Experienced CTE environmental staff will remove burrows by hand shoveling to ensure that no birds are harmed during the process.

99-05-066.03 Z 01.01

AFFIDAVIT

STATE OF FLORIDA)
)
COUNTY OF DUVAL)

BEFORE ME this day appeared JAMES P. HARVEY, who, being first duly sworn, proposes and says:

1. He is the Vice-President of Hawk's Haven Developers, L.L.C., the applicant for rezoning in Case DCI2004-00054.

2. A portion of the subject property is currently being used, and historically has been used, for cattle grazing. A sketch showing the areas in question is attached as Exhibit "A".

FURTHER, AFFIANT SAYETH NAUGHT.

DONE AND EXECUTED THIS 7 DAY OF SEPTEMBER 2004.

James P. Harvey

The foregoing instrument was acknowledged before me this 7th day of SEPTEMBER, 2004 by JAMES P. HARVEY, who is personally known to me [✓], or has produced _____ as identification [___], and did/did not take an oath.

My Commission Expires:

Notary Public

DEBORAH M. O'HERN

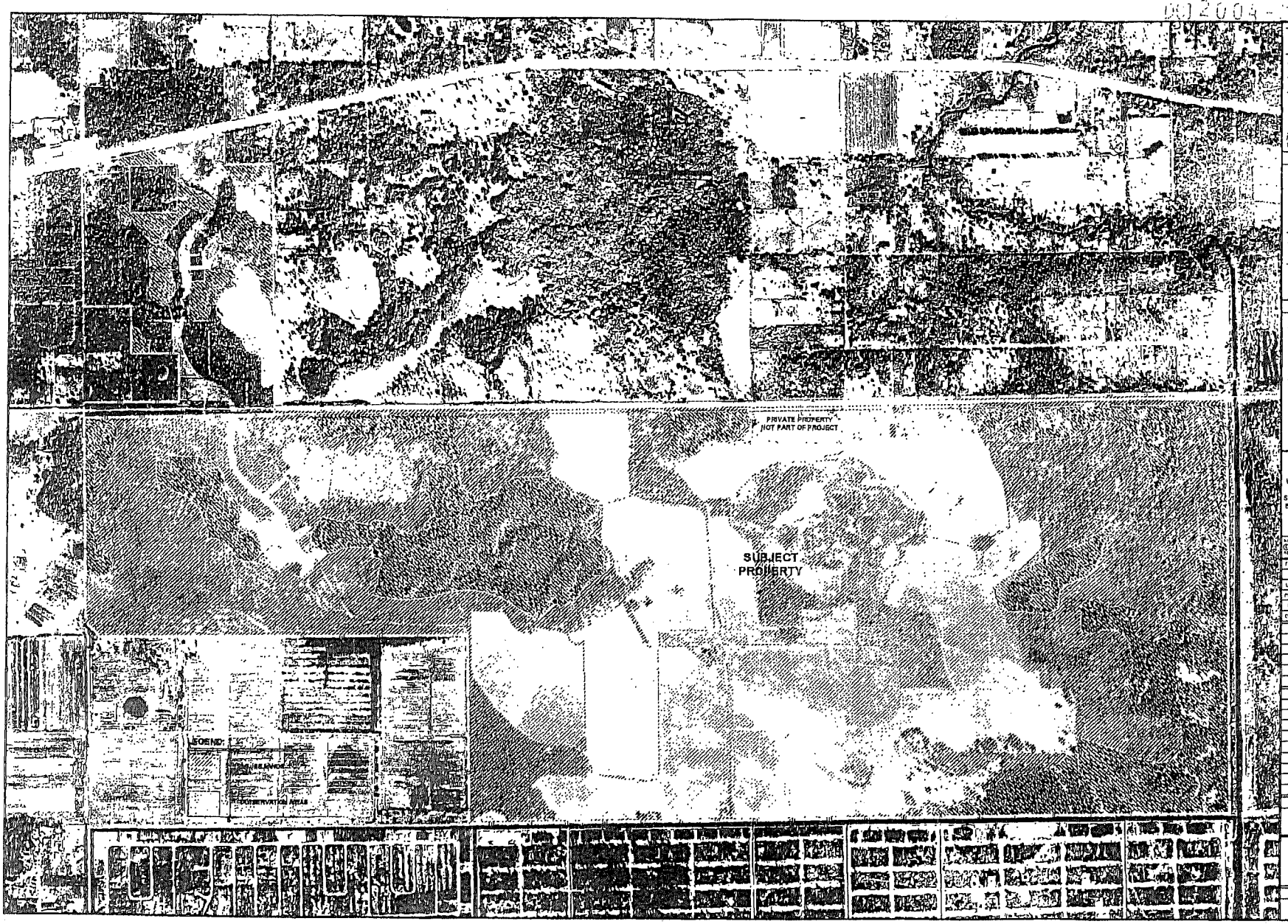
Printed Name

Deborah M O'Hern
My Commission DD046976
Expires August 01, 2005

OCT 26 2004

PERMIT CENTER

DCI2004-00054



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FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 1991 · SURVEYING LB 4040

LandMar GROUP, LLC
7200 NORTH WEST SHORE BOULEVARD
SUITE 125
TAMPA, FLORIDA 33607
PHONE (813) 207-0138
FAX (813) 741-0398

HAWK'S HAVEN

PART OF SECTIONS 27, 34, 35 AND 36
TOWNSHIP 43 SOUTH
RANGE 28 EAST
LEE COUNTY, FLORIDA

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FILE NAME	HAWKS LAND USE EXH
JOB NO.	14-1-0015
DRAWING	HAWKS HAVEN DP1
PLOT DATE	MON 1 JUN 2015 9:30 AM
DRAWN BY	MEGGRAHAM
DESIGNED	MEGGRAHAM
SHEET 1	DEVELOPMENT PLAN REVIEW
SHEET 2	
SHEET 3	
SHEET 4	
SHEET 5	
SHEET 6	

PLAN REVISIONS

PLAN STATUS
HAWK'S HAVEN CDD

AG USE EXHIBIT

JOB NUMBER	SHEET NUMBER
21988	A

DCI 2004-00054

RECEIVED
MAR 3 1 2005

Legal Description

Parcel in
Sections 25, 26, 27, 34, 35 and 36, Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Sections 25, 26, 27, 34, 35 and 36, Township 43 South, Range 26 East, Lee County, Florida, said tract or parcel of land being more particularly described as follows:
Beginning at the Southeast corner of said Section 34 run N00°59'34"W along the East line of the Southeast Quarter (SE 1/4) of said Section 34 for 2,654.70 feet tot he East Quarter Corner of said Section 34; thence run S89°15'30"W along the North line of the South Half (S ½) of said Section 34 for 5,100.92 feet to a point on a non-tangent curve at the intersection with the Easterly line of lands described in a deed recorded in Official Record Book 4107, at Page 886, Lee County Records; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta 21°30'24") (chord bearing N34°21'11"W) (chord 89.56 feet) for 90.09 feet to a point of tangency; thence run N45°06'23"W along said Easterly line for 156.71 feet to a point of curvature; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta 06°54'55") (chord bearing N48°33'50"W) (chord 28.95 feet) for 28.97 feet to an intersection with the West line of the Northwest Quarter (NW 1/4) of said Section 34; thence run N00°49'55"W along said West line for 2,437.57 feet to the Southwest Corner of said Section 27; thence run N00°49'48"W along the West line of the Southwest Quarter (SW 1/4) of said Section 27 for 659.59 feet to the Southwest corner of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW 1/4) of said Section 27; thence run N89°06'39"E along the South line of the North Half (N ½) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section 27 for 1,316.66 feet to the Southeast corner of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section 27; thence run N00°50'33"W along the East line of said Fraction for 660.48 feet to the Northeast Corner of said Fraction; thence run S89°04'20"W along the North line of said Fraction for 659.26 feet to the Southeast corner of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of said Section 27; thence run N00°50'10"W along the East line of said Fraction for 660.23 feet to the Northeast Corner of said Fraction; thence run S89°02'22"W along the North line of said Fraction for 659.19 feet to an intersection with the West line of the Southwest Quarter (SW 1/4) of said Section 27; thence run N00°49'48"W along said West line for 659.85 feet to the West Quarter Corner of said Section 27; thence run N00°47'16"W along the West line of the Northwest Quarter (NW 1/4) of said Section 27 for 1,328.51 feet to an intersection with the Southerly right of way line of State Road 80, (150 feet wide); thence run N77°10'14"E along the Southerly right of way line for 2,020.27 feet to an intersection with the West line of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 27; thence run S00°50'17"E along said West line for 421.56 feet to the Southwest Corner of said Fraction, being designated as POINT "A"; thence run

N88°54'52"E along the South line of said Fraction for 658.74 feet to an intersection with the West line of the East Half (E ½) of said Section 27; thence run S00°51'17"E along said West line for 3,420.35 feet to an intersection with the North line of the South 50 feet of said former Seaboard All Florida Railroad right of way (100 feet wide); thence run N89°00'08"E along said North line for 7,949.61 feet to an intersection with the West line of the Southwest Quarter (SW 1/4) of said Section 25; thence run N00°33'55"W along said West line for 50.00 feet to an intersection with the Northerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said right of way line for 5,295.61 feet to an intersection with the East line of the Southeast Quarter (SE 1/4) of said Section 25; thence run S01°39'28"E along said East line for 629.62 feet to the Northeast Corner of said Section 36 being designated as POINT "B"; thence run S00°16'51"E along the East line of the Northeast Quarter (NE 1/4) of said Section 36 for 2,647.36 feet to the East Quarter Corner of said Section 36; thence run S00°45'42"E along the East line of the Southeast Quarter (SE 1/4) of said Section 36 for 2,644.68 feet to the Southeast Corner of said Section 36; thence run S89°12'27"W along the South line of the Southeast Quarter (SE 1/4) of said Section 36 for 2,644.62 feet to the South Quarter Corner of said Section 36; thence run S89°11'43"W along the South line of the Southwest Quarter (SW 1/4) of said Section 36 for 2,643.63 feet to the Southeast Corner of said Section 35; thence run S88°54'06"W along the South line of the Southeast Quarter (SE 1/4) of said Section 35 for 2,643.62 feet to the South Quarter Corner of said Section 35; thence run S88°53'41"W along the South line of the Southwest Quarter (SW 1/4) of said Section 35 for 2,642.70 feet to the POINT OF BEGINNING.

LESS and EXCEPT the following described parcels:

From the point designated as POINT "A" run S88°54'52"W along the South line of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 27 for 858.74 feet to the Northeast Corner of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of said Section 27 and POINT OF BEGINNING.

From said Point of Beginning run S00°49'17"E along the East line of said Fraction for 660.13 feet to the Southeast Corner of said Fraction; thence run S88°57'38"W along the South line of said Fraction for 658.93 feet to the Southwest Corner of said Fraction; thence run N00°48'16"W along the West line of said Fraction for 659.60 feet to the Northwest Corner of said Fraction; thence run N88°54'52"E along the North line of said Fraction for 658.74 feet to the POINT OF BEGINNING.

AND

From the point designated as POINT "B" run S88°44'46" along the South line of the Southeast Quarter (SE 1/4) for said Section 25 for 2,674.22 feet to the South Quarter Corner of said Section 25, run S89°12'44"W along the South line of the Southwest Quarter (SW 1/4) of said Section 25 for 2,633.46 feet to the Southeast Corner of said Section 26 and POINT OF BEGINNING.

From said Point of Beginning run S89°14'15"W along the South line of the Southeast Quarter (SE 1/4) of said Section 26 for 1,327.50 feet to the Southwest Corner of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section 26; thence run N00°23'46"W along the West line of said Fraction for 526.48 feet to an intersection with the Southerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said Southerly right of way line for 1,325.98 feet to

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an intersection with the East line of the Southeast Quarter (SE 1/4) of said Section 26; thence run S00°33'55"E along said East line for 531.91 feet to the POINT OF BEGINNING.

Containing a Total Area of 1,978.44 Acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/90 adjustment) and are based on the west line of the Northwest Quarter (NW 1/4) of said Section 34 to bear N00°49'55"W.

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DCI2004-00054

MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY

DATE: January 13, 2006

TO: Carmen Solome
Executive Assistant to
Chairwoman Tammara Hall

FROM: Dawn E. Perry-Lehnert
Assistant County Attorney

RE: BOCC ZONING RESOLUTION FROM THE SEPTEMBER 19, 2005 MEETING
RIVER HALL, fka Hawk's Haven RPD
RESOLUTION Z-05-051

Attached is an original resolution adopted by the Board at the September 19, 2005, zoning meeting. This resolution has been reviewed and approved as to form and is ready for the Chairwoman's signature. After the Chairwoman signs the resolution, please forward it to the Minutes Department for attestation and further processing.

Please note, the delay of this submission for the Chairwoman's signature is due to required revisions to the approved Master Concept Plan (MCP) by the project applicant. Lee County Land Development Code, Section 34-377(b)(6), requires the project's MCP conform to the Board's approval. Consequently, changes had to be made to the MCP before the resolution could be signed.

Thank you for your assistance with respect to the above. Should you have any questions, please do not hesitate to contact me.

DPL/amp
Attachment

cc: Jamie Princing, DCD, Zoning
Lisa Pierce, Minutes Department

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MINUTES OFFICE
2006 JAN 18 AM 8:55

LEE COUNTY
SOUTHWEST FLORIDA
BOARD OF COUNTY COMMISSIONERS

EXHIBIT
App. 8
DC12013-00003

November 5, 2014

John E. Manning
District One

Cecil L. Pendergrass
District Two

Larry Kiker
District Three

Brian Hamman
District Four

Frank Mann
District Five

Roger Desjarlais
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
Hearing Examiner

Ray Eubanks, Plan Processing Administrator
State Land Planning Agency
Caldwell Building
107 East Madison – MSC 160
Tallahassee, FL. 32399-0800

Re: Amendment to the Lee Plan
Transmittal Submission Package
Privately Initiated Amendment, CPA2012-01

Dear Mr. Eubanks:

In accordance with the provisions of F.S. Chapter 163, please find attached the proposed Publicly Sponsored Comprehensive Plan Amendment, known locally as CPA2013-04. The proposed amendment is being submitted through the expedited state review process as described in Chapter 163.3184. The amendment is as follows:

> **CPA2012-01** is to amend the future land use category of 1,064 acres of land within the Rural Future Land Use Category and 223 acres of land within the Wetlands Future Land Use Category to 153 acres of Conservation Lands Wetlands, 264 acres of Conservation Lands Uplands, and 870 acres of Sub-Outlying Suburban.
>
> Adopt Policy 5.1.11 to allow density from lands designated as Conservation Lands Uplands to be relocated to contiguous developable uplands at the same underlying density as the developable uplands.
>
> Amend Policy 21.1.5 to cap the density of the River Hall development at 2,850 dwelling units.
>
> Also amend Table 1(b), Year 2030 Allocations, to adjust the acreage allocations for the Fort Myers Shores Planning Community to provide an allocation for the Sub-Outlying Suburban future land use category by lowering the allocation to the Rural future land use category.

The Local Planning Agency held a public hearing for this plan amendment on June 23, 2014. The Board of County Commissioners transmittal hearing for the plan amendment was held on October 22, 2014. The Board of County Commissioners voted to transmit the attached Lee Plan amendment package at the October 22, 2014 transmittal hearing. The proposed amendment is not applicable to an area of critical state concern. The Board of County Commissioners has stated its intent to hold an adoption hearing following the receipt of the review agencies' comments.

The name, title, address, telephone number, facsimile number, and email address of the person for the local government who is most familiar with the proposed amendment is as follows:

Mr. Paul O'Connor, AICP
Lee County Planning Division Director
P.O. Box 398
Fort Myers, Florida 33902-0398
(239) 533-8309
Fax (239) 485-8319
Email: oconnops@leegov.com

Included with this package are one paper copy and two CD ROM copies, in PDF format, of the proposed amendment and supporting data and analysis. By copy of this letter and its attachments, I certify that this amendment and supporting data and analysis have been sent on this date to the agencies listed below.

Sincerely,

DEPT. OF COMMUNITY DEVELOPMENT
Division of Planning

Paul O'Connor, AICP, Director
Director

All documents and reports attendant to this transmittal are also being sent, by copy of this cover in a CD ROM format, to:

Comprehensive Plan Review
Department of Agriculture and Consumer Services

Tracy D. Suber
Department of Education

Kae Craig
Department of Environmental Protection

Susan Harp
Florida Department of State

Scott Sanders
Florida Fish and Wildlife Conservation Commission

Lawrence Massey
FDOT District One

Margaret Wuerstle
Southwest Florida Regional Planning Council

Terry Manning, A.I.C.P., Senior Planner, Intergovernmental Coordination Section
South Florida Water Management District

THE NEWS-PRESS

Published every morning
Daily and Sunday
Fort Myers, Florida

Affidavit of Publication

STATE OF FLORIDA
COUNTY OF LEE

Before the undersigned authority, personally appeared **Kathy Allebach** who on oath says that he/she is the **Legal Assistant** of the News-Press, a daily newspaper, published at Fort Myers, in Lee County, Florida; that the attached copy of advertisement, being a

Notice of Public Hearing

In the matter of:

Hearing on October 22, 2014

In the court was published in said newspaper

In the issues of

October 14, 2014

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida and that said newspaper has heretofore been continuously published in said Lee County; Florida, each day, and has been entered as a second class mail matter at the post office in Fort Myers in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of the advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 14th day of October, 2014.

by **Kathy Allebach**
personally known to me

as identification, and who did or did not take an oath.

Notary Public

Print Name: **Jessica Hanft**
My commission Expires: **February 12, 2017**

JESSICA HANFT
MY COMMISSION # EE874397
EXPIRES February 12, 2017
(407) 398-0153
FloridaNotaryService.com

NOTICE OF PROPOSED AMENDMENT TO THE LEE COUNTY COMPREHENSIVE LAND USE PLAN (TRANSMITTAL HEARING)

The Lee County Board of County Commissioners will hold a public hearing to consider proposed amendments to the Lee County Comprehensive Land Use Plan (Lee Plan) on Wednesday, October 22, 2014. The hearing will commence at 9:30 a.m., or as soon thereafter as can be heard, in the Board Chambers at 2120 Main Street in Downtown Fort Myers. At the hearing, the Board will consider the proposed amendments for transmittal to the Florida Department of Economic Opportunity:

CPA2012-00001, River Hall: Amend the future land use category of 1,064 acres of land within the Rural Future Land Use Category and 223 acres of land within the Wetlands Future Land Use Category to 153 acres of Conservation Lands Wetlands, 264 acres of Conservation Lands Uplands, and 870 acres of Sub-Outlying Suburban. Amend Policy 5.1.10 to allow density from lands designated as Conservation Lands Uplands to be relocated to contiguous developable uplands at the same underlying density as the developable uplands. Amend Policy 21.1.5 to cap the density of the River Hall development at 2,850 dwelling units. Also amend Table 1(b), Year 2030 Allocations, to adjust the acreage allocations for the Fort Myers Shores Planning Community to provide an allocation for the Sub-Outlying Suburban future land use category by lowering the allocation to the Rural future land use category.

This transmittal hearing is the first step in a two step public hearing process to amend the Lee Plan. A second hearing will follow the Department of Economic Opportunity's review of the application.

This meeting is open to the public. Interested parties may appear at the meeting and be heard with respect to the proposed plan amendment. A verbatim record of the proceeding will be necessary to appeal a decision made at this hearing. Persons with disabilities who need an accommodation to participate in the public hearing should contact Janet Miller at 239-533-8583 or jmiller@leegov.com. To ensure availability of services, please request accommodation as soon as possible but preferably five or more business days prior to the event. Persons using a TDD may contact Janet Miller through the Florida Relay Service, 711.

No.1492939
October 14, 2014

CPA2012-01
RIVER HALL
PRIVATELY SPONSORED
AMENDMENT
TO THE

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

DEO Transmittal Document

Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(239) 533-8585

October 22, 2014

LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2012-01

✓ **Text Amendment** ✓ **Map Amendment**

	This Document Contains the Following Reviews
✓	Staff Review
✓	Local Planning Agency Review and Recommendation
✓	Board of County Commissioners Hearing for Transmittal
	Staff Response to Review Agencies' Comments
	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: June 13, 2014

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT/REPRESENTATIVES:
GreenPointe Communities, LLC. / Dave Depew, Ph. D., AICP, Morris-Depew Associates, Inc.

2. REQUEST:
Amend the future land use category of 1,064 acres of land within the Rural Future Land Use Category and 223 acres of land within the Wetlands Future Land Use Category to 153 acres of Conservation Lands Wetlands, 264 acres of Conservation Lands Uplands, and 870 acres of Sub-Outlying Suburban.

Adopt Policy 5.1.11 to allow density from lands designated as Conservation Lands Uplands to be relocated to contiguous developable uplands at the same underlying density as the developable uplands.

Amend Policy 21.1.5 to cap the density of the River Hall development at 2,850 dwelling units.

Also amend Table 1(b), Year 2030 Allocations, to adjust the acreage allocations for the Fort Myers Shores Planning Community to provide an allocation for the Sub-Outlying

Suburban future land use category by lowering the allocation to the Rural future land use category.

B. EXECUTIVE SUMMARY

The River Hall Comprehensive Plan Amendment was originally filed by GreenPointe Communities LLC., on September 27, 2012. That amendment was not transmitted by the Board of County Commissioners. At the time of the transmittal hearing, on September 25, 2013, there were only four sitting members of the Board leaving one vacant seat. Motions were made to not transmit the Plan Amendment to State reviewing agencies and to remand the Plan Amendment to the Local Planning Agency. Both of these motions ended in a 2 to 2 vote. The effect of the Board's action at the transmittal hearing on September 25, 2013, was to deny the Plan Amendment.

Pursuant to § 163.3181(4) of the Florida Statutes County staff and GreenPointe engaged in a mediation conference on March 5, 2014. Following this conference, County Attorney staff and the applicant's representatives drafted an agreement that outlined a review process. That process was approved by the Board of County Commissioners at their regular meeting of April 1, 2014. This application is being reviewed in accordance with that process.

The amendment, as currently proposed, asks to reclassify portions of the River Hall development to allow for an increase in the property's density by changing the future land use category from Rural to Sub-Outlying Suburban. It also requests to create Policy 5.1.11 to allow for shifting density from Conservation Uplands to contiguous uplands and to establish a cap in the number of allowable dwelling units on the River Hall development. The results of these proposed amendments would allow an additional 851 dwelling units to be permitted within the River Hall residential community. The additional units will be located in areas that have already been slated for development through the existing approved zoning Master Concept Plan.

C: STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the revised request, including the proposed text amendments and Table 1(b), staff recommended that the BoCC ***not transmit*** the proposed amendment for the reasons outlined in this staff report including:

- The amendment does not qualify as an overriding public necessity.
- The plan amendment causes the remaining River Hall Rural lands, which are not included in the amendment, to exceed their allowable density. This is inconsistent with their future land use category and with Lee Plan 5.1.10, which prohibits non-urban areas from exceeding their allowable density.
- The proposed amendment would increase residential density near the Hickey Creek Mitigation Park.
- The plan amendment would create enclaves of future land use categories within the development.
- The Caloosahatchee Shores community plan goal is to retain its' rural character and rural land use where it currently exists. The plan amendment would redesignate almost

27% of the Planning community's Rural category to an urban category. This could set a precedent for more intensive development requests in this and other rural areas.

- The addition of 851 more dwelling units on SR 80 will exacerbate the projected unacceptable condition of roadway segment failures.

The Staff's Findings and Recommendations are provided in the Staff Report dated October 8, 2014 and attached hereto as Attachment 9.

D. BACKGROUND INFORMATION

1. EXISTING CONDITIONS:

SIZE OF PROPERTY: 1,978 Acres.
SIZE OF AMENDMENT AREA: 1,287 Acres.
PROPERTY LOCATION: The subject property is located south of Palm Beach Boulevard (SR 80), approximately 6 miles east of I-75, east of Buckingham Road.
EXISTING USE OF LAND: The subject property is currently zoned for residential uses, including single-family and multi-family units. The subject property also contains indigenous preserve areas and recreational amenities, such as a golf course. Residential portions of the property are developed in a low density gated golf course community.
CURRENT ZONING: Residential Planned Development (RPD), and Commercial Planned Development (CPD).
CURRENT FUTURE LAND USE CATEGORY (AMENDMENT AREA): Rural future land use category (1,064 acres), and Wetlands future land use category (223 acres).

2. INFRASTRUCTURE AND SERVICES:

FIRE: Fort Myers Shores Fire and Rescue Service District.
EMS: Lee County EMS service area.
LAW ENFORCEMENT: Lee County Sheriff's Office.
SOLID WASTE: The subject site is located in solid waste Service Area 4.
MASS TRANSIT: LeeTran does not currently serve the subject site.
WATER AND SEWER: The subject site is within the Lee County utilities water and sewer service areas. The subject site is served by the Olga Water Treatment Plant and the City of Fort Myers Central Advanced Waste Water Treatment Plant.

3. SURROUNDING LAND USES AND FUTURE LAND USE DESIGNATIONS

The surrounding future land use categories consist of Urban Community, Suburban, Sub-Outlying Suburban, Commercial, Rural, Conservation Lands (Uplands and Wetlands), and Wetlands. The lands to the south of the subject property are designated Urban Community and are within Lehigh Acres. The Urban Community lands within Lehigh Acres have been subdivided into ¼ acre single-family parcels and are primarily zoned RS-1. There are intermittent single-family homes developed in the area adjacent to the proposed amendment.

The Suburban lands are located near the northwest corner of the subject property and consists of single-family homes in RPD and RS-1 zoning districts. The approved density of these

residential developments ranges between 2 and 4 units per acre. The Sub-Outlying Suburban lands are located near the southwest corner of the subject property and consist of vacant property that has been zoned for residential development (RPDs). These lands include two separate projects known as Buckingham 320 (DCI2004-00090) and Portico (DCI2004-00031). Buckingham 320 and Portico were approved with 2 dwelling units per acre.

The commercial lands are located on the north side of State Route 80, directly across from the River Hall entrance, River Hall Parkway. The property in the Commercial future land use category is vacant and was recently rezoned from AG-2 to Commercial Planned Development (CPD), DCI2012-00059, Olga Square. This rezoning approved approximately 371,000 square feet of various commercial uses. Also located to the north are Rural lands that are zoned AG-2 and are currently vacant or developed with single-family homes.

Lands in the Conservation Lands future land use category are located to the east in the Hickey's Creek Mitigation Park. It is anticipated that the Conservation Lands will remain substantially in their natural state.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

The subject property is located on Palm Beach Boulevard, State Route 80, approximately 0.8 miles east of Buckingham Road. The property is within the Caloosahatchee Shores Community Planning area, directly to the north of the Lehigh Acres Planning Community. The property is adjacent to the regionally significant Hickey's Creek Mitigation Park. These location attributes and others will be further discussed below.

The applicant is concurrently seeking an amendment to the existing zoning resolution and Master Concept Plan for the River Hall residential development. The proposed rezoning will result in a density that is inconsistent with the density permitted in the Rural future land use category, and is therefore inconsistent with the Lee Plan. To address these inconsistencies, the applicant has requested a privately initiated plan amendment. The proposed Lee Plan amendment, CPA2012-00001, consists of four modifications to the Lee Plan, as summarized at the beginning of this report. According to the May 12, 2014 application materials, the amendments would allow up to a maximum 2,850 residential dwelling units within the River Hall development (see Application Materials).

The applicant has provided in the application materials that the proposed additional units will be constructed within the development footprint that has already been approved, with no impacts to existing or approved conservation areas or community amenities. The applicant provides that "The existing development footprint will be utilized for the additional density promoting the clustering of residential density and uses to improve the efficient use of land and existing utilities." This assures that the existing development footprint will be utilized and that no additional direct impacts will be made to the development's environmental features.

Lee County Division of Environmental Sciences provided a staff report to the Lee County Planning Division on May 22, 2014. Environmental Sciences staff finds that the CPA application and corresponding RPD amendment application demonstrate that there are no

proposed impacts to the boundaries of the existing 465.2 acres of upland and wetland preserves that were required during the currently approved MCP for the River Hall development. While no impacts are proposed to the existing 465.2 acres of preserves, Environmental Sciences staff finds that the proposed Comprehensive Plan amendment "does not propose any additional protection of preserved habitat or protection of listed species then the current existing zoning approvals and conservation easements. Environmental Sciences staff is also concerned that the amendment will allow the applicant to add 851 residential units to areas that are adjacent to documented gopher tortoise, burrowing owl, American Alligator, Florida Sandhill Crane, listed wading birds and Florida Scrub Jays; and areas that have suitable habitat for the Florida Panther and Black Bear." Their concern is the increase in potential for negative human/wildlife interactions and is discussed in more detail in the "Environmental Considerations" section and in the Environmental Sciences memo attached to this staff report as Attachment 1.

Transportation Staff has concerns that the additional residential units, regardless of where they are constructed, will cause additional traffic/transportation issues. Additional units will generate additional vehicle trips, which will increase level of service deficiencies at the project entrance on S.R. 80, and could cause level of service deficiencies at nearby intersections such as Buckingham Road/S.R. 80 and S.R. 31/S.R. 80. To address some of these concerns, the Florida Department of Transportation permit for the already approved River Hall development includes a requirement for the installation of a traffic signal at the intersection of S.R. 80 and River Hall Parkway. The applicant has committed to accelerating the construction of the second, gated entrance to Ruth Avenue in Lehigh Acres. The Development Services Memo is attached to this staff report as Attachment 4.

LeeTran, which does not currently provide service to this area, has expressed concern that the designation of this land, as an urban future land use category, may necessitate that urban types of services, such as transit, are provided. LeeTran states that this would result in additional unfunded needs. Additional public improvements and services may be necessary for future residents if the amendment is approved.

Proposed Sub-Outlying Suburban Future Land Use category

The applicant is proposing to amend the future land use designation for 870 acres of the River Hall development from Rural to Sub-Outlying Suburban. The proposed amendment does not include the entirety of the River Hall planned development because the applicant does not have unified control over all of the lands. The tracts of land that are not included in the amendment will remain in the Rural category. The proposed amendment would create several enclaves of both Rural and Sub-Outlying Suburban land if the amendment is approved. The applicant's representatives have stated that the county could resolve this issue by amending these areas through a subsequent publicly sponsored amendment to the Plan.

Policy 1.1.11 is the descriptor policy for the Sub-Outlying Suburban future land use category. This policy provides that these areas contain predominately low-density residential development. It is intended that *"these areas will develop at lower residential densities than other Future Urban Areas and are placed within communities where higher densities are incompatible with the surrounding area and where there is a desire to retain a low-density community character."* The standard density range is between 1 and 2 dwelling units an acre. Within the Sub-Outlying

Suburban category commercial development greater than neighborhood centers and industrial land uses are not permitted.

Proposed Amendment to Policy 5.1.10

The second part of the applicant request seeks to allow density from the lands that are proposed to be re-designated to Conservation Lands at the density of the adjoining land use category. To accomplish this, the applicant originally proposed several text amendments to Policy 5.1.10. This portion of the request appears to be reasonable as these lands currently have an upland designation and could just as easily have been part of the request to re-designate the Rural lands to the Sub-Outlying Suburban category. Re-designating these lands to the Conservation Lands – Upland category affords them additional protection in the future. The result of the amendment is similar to the way wetland density is calculated for land designated in future urban categories.

There are 264 acres of Rural designated land that are proposed to be converted to Conservation Lands – Upland. Allowing density from the Conservation Lands-Uplands at the Sub-Outlying Suburban rate would provide an additional 528. The applicants proposed text amendment to Lee Plan Policy 5.1.10 is as follows:

POLICY 5.1.10: *In those Instances where land under single ownership is divided into two or more land use categories by the adoption or revision of the Future Land Use Map, the allowable density under this Plan will be the sum of the allowable densities for each land use category for each portion of the land. This density can be allocated across the property provided that:*

1. The Planned Development zoning is utilized; and

2. No density is allocated to lands designated as Non-Urban or Environmentally Critical that would cause the density to exceed that allowed on such areas; and

3. The land is ~~was~~ under single ownership or unified control at the time the Planned Development rezoning is adopted or amended ~~this policy was adopted~~ and is contiguous; in situations where land under single ownership or unified control is divided by roadways, railroads, streams (including secondary riparian systems and streams but excluding primary riparian systems and major flow ways such as the Caloosahatchee River and Six Mile Cypress Slough), or other similar barriers, the land will be deemed contiguous for purposes of this policy; and

4. The resultant Planned Development affords further protection to environmentally sensitive lands if they exist on the property. In the event uplands are preserved within the Planned Development and are designated as Upland Conservation Lands on the future land use map, density may be relocated from the Upland Conservation Lands to contiguous developable uplands at the same underlying density permitted for the developable uplands.

The amendment to the date of unified control will broaden the application of Policy 5.1.10. The application does not attempt to analyze the potential effect on other properties as a result of this proposed amendment. Staff does not know the effect this amendment will have on additional properties. Staff has several concerns with the text amendment as originally proposed by the applicant.

In the event that the plan amendment is transmitted, staff believes that the following language would be better in achieving the applicant's desire to cluster density from the proposed Conservation Lands, in a similar manner that has already occurred on the project site with the previous zoning approvals. This language could be utilized by other Future Urban Areas outside of the Coastal High Hazard area in the future. This is a way to incentivize the addition of Conservation Lands without public funding. Staff's proposed language is as follows:

> POLICY 5.1.11: Property that is in future urban areas and outside of the Coastal High Hazard Area, may receive density from lands that are designated to the Conservation Lands future land use category through a privately initiated amendment. The use of any density that is generated from this policy must be approved through the Planned Development zoning process and be used on the same property as the privately initiated amendment. Density from the Conservation Lands will be calculated at the same rate as the uplands immediately adjacent to the Conservation Lands within the planned development. The units from the Conservation Lands must be clustered on non-Conservation Lands within the planned development. A conservation easement, dedicated to the county, must be granted by the owner of the conservation lands. This easement must assign maintenance responsibility to a property owners' association, community development district, or similar acceptable entity. The conservation easement must be recorded prior to issuance of a development permit authorizing construction of the additional dwelling units generated from the Conservation Lands.

Table 1(b) & Map 16

The applicant has proposed an amendment to Table 1(b), the Year 2030 Allocations Table. Currently the subject property has 1,064 acres of land within the Rural future land use category and 223 acres of land within the Wetlands future land use category. The applicant is proposing an amendment to the Future Land Use Map to add 153 acres of Conservation Lands Wetlands, 264 acres of Conservation Lands Uplands, and 870 acres of Sub-Outlying Suburban. The applicant is also proposing an amendment to Table 1(b) so that sufficient acreage will be available to allow the build-out of the River Hall development should the proposed changes to the Future Land Use Map be adopted. The applicant originally proposed changes to Table 1(b) are as follows:

(Portion of) Table 1(b)
Fort Myers Shores Planning Community

Future Land Use Category	Remaining	Proposed
Sub-Outlying Suburban	~~367~~	851
Rural	~~1,061~~	0
Conservation Lands Uplands	~~0~~	274
Conservation Lands Wetlands	~~0~~	153

This proposed change would result in no Rural acres remaining in the accommodation table. Staff notes that there are several large vacant parcels that have potential to seek residential development in the planning horizon. Amending the Rural allocation to zero as proposed by the applicant would preclude these vacant parcels from being developed within the planning horizon as specified by Policy 1.7.6. This could potentially affect areas that are to remain in the Rural category within the River Hall development. Staff finds that the amendment to Table 1(b) as

proposed by the applicant is inappropriate. This is further explained within the attached Staff Report. If the Board of County Commissioners desires to transmit the proposed amendment, staff recommends an alternative amendment to Table 1(b) as shown on the following page.

TABLE 1(b)
Year 2030 Allocations

	Future Land Use Classification	Lee County Totals		Fort Myers Shores	
		Existing	Proposed	Existing	Proposed
Residential By Future Land Use Category	Intensive Development	~~1,367~~	1,352	~~20~~	5
	Central Urban	~~14,787~~	14,787	~~225~~	225
	Urban Community	~~18,425~~	18,425	~~637~~	637
	Suburban	~~16,623~~	16,623	~~1,810~~	1,810
	Outlying Suburban	~~4,105~~	4,105	~~40~~	40
	Sub-Outlying Suburban	~~1,548~~	1,728	~~367~~	547
	Industrial Development	~~79~~	79	~~0~~	0
	Public Facilities	~~1~~	1	~~0~~	0
	University Community	~~850~~	850	~~0~~	0
	Destination Resort Mixed Use Water Dependent	~~8~~	8	~~0~~	0
	Burnt Store Marina Village	~~4~~	4	~~0~~	0
	Industrial Interchange	~~0~~	0	~~0~~	0
	General Interchange	~~42~~	42	~~0~~	0
	General/Commercial Interchange	~~0~~	0	~~0~~	0
	Industrial/Commercial Interchange	~~0~~	0	~~0~~	0
	University Village Interchange	~~0~~	0	~~0~~	0
	New Community	~~900~~	900	~~0~~	0
	Airport	~~0~~	0	~~0~~	0
	Tradeport	~~9~~	9	~~0~~	0
	Rural	~~8,313~~	8,313	~~1,400~~	1,400
	Rural Community Preserve	~~3,100~~	3,100	~~0~~	0
	Coastal Rural	~~1,300~~	1,300	~~0~~	0
	Outer Islands	~~202~~	202	~~1~~	1
	Open Lands	~~2,805~~	2,805	~~0~~	0
	Density Reduction/Groundwater Resourse	~~6,905~~	6,905	~~0~~	0
	Conservation Lands Uplands	~~0~~	0	~~0~~	0
	Wetlands	~~0~~	0	~~0~~	0
	Conservation Lands Wetlands	~~0~~	0	~~0~~	0
Total Residential		~~81,373~~	81,538	~~4,500~~	4,665
Commercial		~~12,793~~	12,793	~~400~~	400
Industrial		~~13,801~~	13,801	~~400~~	400
Non Regulatory Allocations					
Public		~~82,252~~	82,252	~~2,000~~	2,000
Active Agriculture		~~17,027~~	17,027	~~550~~	550
Passive Agriculture		~~45,859~~	45,859	~~2,500~~	2,500
Conservation (wetlands)		~~81,948~~	81,948	~~1,142~~	1,142
Vacant		~~22,122~~	21,957	~~226~~	61
Total		~~357,175~~	357,175	~~11,718~~	11,718
Population Distribution*		~~495,000~~	495,000	~~30,861~~	30,861

* Population for Unincorporated Area of Lee County

Proposed Amendment to Policy 21.1.5
Lee Plan Objective 21.1 addresses Caloosahatchee Shores community character. This objective specifies that the community will draft and submit regulations, policies and discretionary actions affecting the character and aesthetic appearance of the community for Lee County to consider for adoption and enforcement to help create a visually attractive community. The community submitted a plan amendment on April 2, 2007 to add a policy restricting future map amendments to rural lands. This became CPA2007-01 which was unanimously adopted by the Board of County Commissioners on February 5, 2009. This amendment added Policy 21.1.5, reproduced below:

> ***POLICY 21.1.5:*** *One important aspect of the Caloosahatchee Shores Community Plan goal is to retain its' rural character and rural land use where it currently exists. Therefore no land use map amendments to the remaining rural lands category will be permitted after May 15, 2009, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners.*

The applicant has proposed a text amendment to Policy 21.1.5. In the application materials submitted, the applicant states that the redraft to Policy 21.1.5 "caps the number of dwelling units in River Hall to 2,850." The applicant's proposed revision is identified below:

> ***POLICY 21.1.5:*** *One important aspect of the Caloosahatchee Shores Community Plan goal is to retain its' rural character and rural land use where it currently exists. Therefore no land use map amendments to the remaining rural lands category will be permitted after May 15, 2009, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners. For the River Hall Development located in Sections 25, 26, 27, 34, 35, and 36, Township 43 South, Range 26 East, Lee County, Florida, total density for the development shall not exceed 2,850 dwelling units.*

Staff has concerns with the proposed amendment to Policy 21.1.5. These concerns are both from the potential interpretation of the new text, including its location in Policy 21.1.5, and the implementation of the new language. If the Board of County Commissioners desires to transmit the proposed amendment, staff recommends alternative language that clarifies the application of Policy 21.1.5 to the River Hall Development. The Overriding Public Necessity requirement of Policy 21.1.5 was addressed by the Board, the Applicant, and the County Attorney's Office. Due to the lack of a definition of the term "overriding public necessity" in the glossary and the specific language in Policy 21.1.5, the Board determined that the overriding public necessity requirement did not apply to the subject Plan Amendment due to the non-rural character of the River Hall development

SOILS
The applicant has provided a description of the soils that are found on site. For a detailed description please see the application materials.

NATURAL RESOURCES
Lee County Division of Natural Resources provided written comments to the Lee County Planning Division in a memorandum dated August 15, 2013. The applicant has agreed to

reinstate the groundwater level monitoring program of the Sandstone aquifer and share the collected data with the SFWMD and Lee County. Lee County Staff has coordinated with the staff of the SFWMD, and the District is amenable to reinstatement of the ground water monitoring program. The Division of Natural Resources has found that if this monitoring issue is addressed that they have no concerns with the proposed amendment. The complete Division of Natural Resources' correspondence is attached to this Staff Report as Attachment 5.

FEMA FLOODWAY ISSUE
County records show that the subject site is not located within a FEMA identified floodway.

HISTORIC RESOURCES
Portions of this site are within the level 2 sensitivity areas for archeological and historic resources.

SCHOOL IMPACTS
The Lee County School District provided correspondences to the Lee County Division of Planning dated August 31, 2013 and June 3, 2013. The Lee County School District has concluded that there are sufficient seats available to serve this need. Furthermore, the District provided that the proposed road access to the south of the River Hall development through Lehigh Acres would reduce the amount of time students spend on the bus as well as save the District fuel expense.

SOLID WASTE
The Lee County Solid Waste Division provided correspondence to the applicant on August 29, 2012 stating that they are capable of providing solid waste collection service for the additional 1,000 residents that would be allowed for by the proposed Lee Plan Amendment.

MASS TRANSIT
Lee County Transit provided the applicant a letter dated October 17, 2012 stating the Leetran does not currently provide service to the River Hall development as it lies outside of the ¼ mile transit service buffer. The closest transit route to the site is Route 100. The northwest section of the development, is eligible for ADA service through LeeTran. However, the remainder of the development lies outside of the ¾ mile ADA transit service buffer. The FY2012-2021 Transit Development Plan does not include the expansion of transit services beyond their current service area, for the Route 100. This also means that there are no plans to expand ADA services in this area. Lee Tran Staff indicated that the land-use designation from rural to a sub-urban land-use category could imply a need for services that are either found in urban setting or feed urban settings. The LeeTran Memo outlining their review of the Amendment is attached to this staff report as Attachment 6.

POLICE
The Lee County Sheriff's Office provided a letter to the applicant dated on November 28, 2012 stating that the proposed Lee Plan amendment "would not affect the ability of the Lee County Sheriff's Office to provide core levels of service at this time. We will provide law enforcement services primarily from our Fort Myers district office."

FIRE
The Fort Myers Shores Fire and Rescue District provided correspondence stamped Received November 28, 2012 to the applicant stating that "they could provide adequate service to the subject site with the proposed future land use category."

EMS
Lee County EMS provided an analysis of response times to serve the River Hall development on September 16, 2013. Lee County EMS raised a concern with the response time depending upon where in River Hall the call occurs for LCEMS to be able to respond in 8:59; the further from the entrance, the longer the response time. As build out and full occupation of River Hall is achieved, LCEMS will have difficulty of achieving the goal of 8:59. The Lee County Emergency Medical Services Memo is attached to this staff report as Attachment 7. The Applicant has donated property for the development of a new fire station near the entrance of the River Hall development. This station may be utilized for Fire and EMS services.

UTILITIES
Lee County Utilities provided that *Potable water and sanitary sewer lines are in operation adjacent to the property mentioned above. Lee County Utilities presently has sufficient capacity to provide potable water and sanitary sewer service as estimated for the River Hall Development. Developer funded system enhancements such as line extensions will be required.*

B. CONCLUSIONS

After weighing all of these factors, and the other issues that are discussed in the staff report, staff recommended that the Board of County Commissioners not transmit the proposed amendment. Also refer to the Recommendations and Findings of Fact the attached Staff Report.

PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

DATE OF PUBLIC HEARING: June 23, 2014

A. LOCAL PLANNING AGENCY REVIEW
Staff gave an overview of the proposed amendment, including the history of requested Lee Plan amendments for the River Hall property. Staff also identified the circumstances that led to the changes to the staff recommendation.

Mr. Schropp and Mr. Depew, the applicant's representatives, reviewed this project with the LPA along with a PowerPoint presentation. Russell Schropp addressed the LPA to identify concurrent requests that were also being made concerning the River Hall property, and the four proposed amendments that made up the requested Amendment to the Lee Plan. These include the amendments to the Future Land Use Map, a new Policy 5.1.11 that allows density from Conservation Lands to be clustered to other areas of the development, an amendment to Policy 21.1.5 that would give River Hall 2,850 dwelling units, and an amendment to Table 1B of the Lee Plan. Mr. Depew reviewed the River Hall Property, the surrounding properties, and

requested Lee Plan amendment in greater detail. Several members of the LPA asked questions of the applicant following the presentation.

Following the staff and applicant presentations, members the public addressed the LPA concerning the proposed Lee Plan Amendment. Each speaker was limited to 3 minutes. Approximately 20 people addressed the LPA, who were generally not in favor of the Lee Plan amendment.

Following public input several members of the LPA asked follow-up questions of the applicant. One member of the LPA also asked questions of the County Attorney's Office about the definition and interpretation of "Overriding Public Necessity." After all of the questions had been answered each member of the LPA discussed the proposed amendment.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

The LPA recommended (by a 4-3 vote) that the Lee County Board of County Commissioners ***not transmit*** the proposed Lee Plan amendment.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

The LPA accepted the basis and recommended findings of fact as advanced by staff.

PART IV - BOARD OF COUNTY COMMISSIONERS HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT

DATE OF TRANSMITTAL HEARING: October 22, 2014

A. BOARD REVIEW:

The County Attorney's Office opened the meeting by finding that it had been properly noticed. The County Attorney's Office also addressed a letter that the applicant had submitted which questioned the applicability of the Overriding Public Necessity requirement provided in Policy 21.1.5.

The Applicant highlighted a legal issue regarding the application of specific provisions within the Caloosahatchee Shores Plan, specifically the reference to protection of rural land under Policy 21.1.5. The Caloosahatchee Shores Community Plan provides "*One important aspect of the Caloosahatchee Shores Community Plan goal is to retain its' rural character and rural land use where it currently exist. Therefore no land use map amendments to the remaining rural lands category will be permitted after May 15, 2009, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners.*" The cited language created a specific distinction between land that is rural in character and the intent to protect that land from future Land Use amendments. The use of the terms rural land and rural land use category in the

provision are not the same. The use of "rural land" in the sentence refers to land that has rural character. On the other hand, the use of the term "rural lands category" refers to lands that are designated under the Rural Future Land Use Category on the Lee Plan's Future Land Use Map. The current Lee Plan does not define rural land. However, the Lee Plan does describe non-urban areas. Policy 1.4.1 describes non-urban areas as areas that are not programmed to receive urban-type capital improvements, and they can anticipate a continued level of public services below that of the urban areas.

In contrast with the description of non-urban areas in the Lee Plan, the River Hall development is approved for 1999 residential units on approximately 1978 acres, with an overall density in excess of 1 unit per acre. Residential home sites vary in sizes, with a low of 47.5' wide lots. The River Hall development consists of three separate residential communities, including 100 multi-family dwelling units. The development is served by a Community Development District and includes requisite services, facilities, capital improvements, and infrastructure necessary to support growth and development at levels at densities higher than 1 unit per acre, including underground water, sewer, power, and cable service. River Hall includes the River Hall Elementary School, a proposed fire station, an 18-hole golf course, clubhouse, fitness center, swimming pool, tennis courts, multi-sport playing field, a 5500 square foot permanent sales center, and 45,000 square feet of commercial development.

The River Hall Development is bordered by Urban Community, Suburban and Sub-Outlying Suburban, and other Rural, Conservation and Commercial land uses. To the immediate south of the development are the Urban Community lands within Lehigh Acres, which have been subdivided into ¼ acre single-family parcels.

Based on these findings, the County Attorney's office opined that the already approved development and pattern of development within River Hall exceeded the qualities described in Policy 1.4.1 and does not qualify as a rural development or rural lands designed to be protected under the overriding public necessity requirement. Consequently, the County Attorney's office opined that the River Hall development would not qualify as rural (non-urban); therefore, it was the County Attorney's office recommendation that the overriding public necessity requirement not be applied to the River Hall's amendment request.

During the Board's transmittal hearing, the Board bifurcated the proceedings to address the applicability of the overriding public necessity requirement to CPA2012-01. The applicants' representatives provided a presentation describing the character of the River Hall community and surrounding areas, stating that the character was not rural and therefore the Overriding Public Necessity requirement was not applicable. The applicant's presentation highlighted the existing and approved development for the River Hall Development. Following the applicant's presentation 12 members of the public addressed the Board concerning the character of the community. Following a brief rebuttal by the applicant's attorney, **the Board made a motion to follow the County Attorney's Recommendation and held that the Overriding Public Necessity requirement should not be applied because the River Hall development did not have a rural character. The motion passed 4 to 1.**

Following the motion and vote staff provided a brief summary of the proposed amendment. The staff summary provided a brief history of the development, the main concerns with the proposed amendment, and the LPA findings and recommendation to not transmit the proposed amendment. Following questions to staff from the Board the applicants' representatives provided a presentation. After the applicant's presentation, seventeen members of the public addressed the Board concerning the proposed amendment. Of these, fourteen were opposed, and three were in favor of the proposed amendments that would increase density on the River Hall property.

Following the public input and a brief rebuttal by the applicant's representative of some of the concerns raised by the public the Board discussed the proposed amendment.

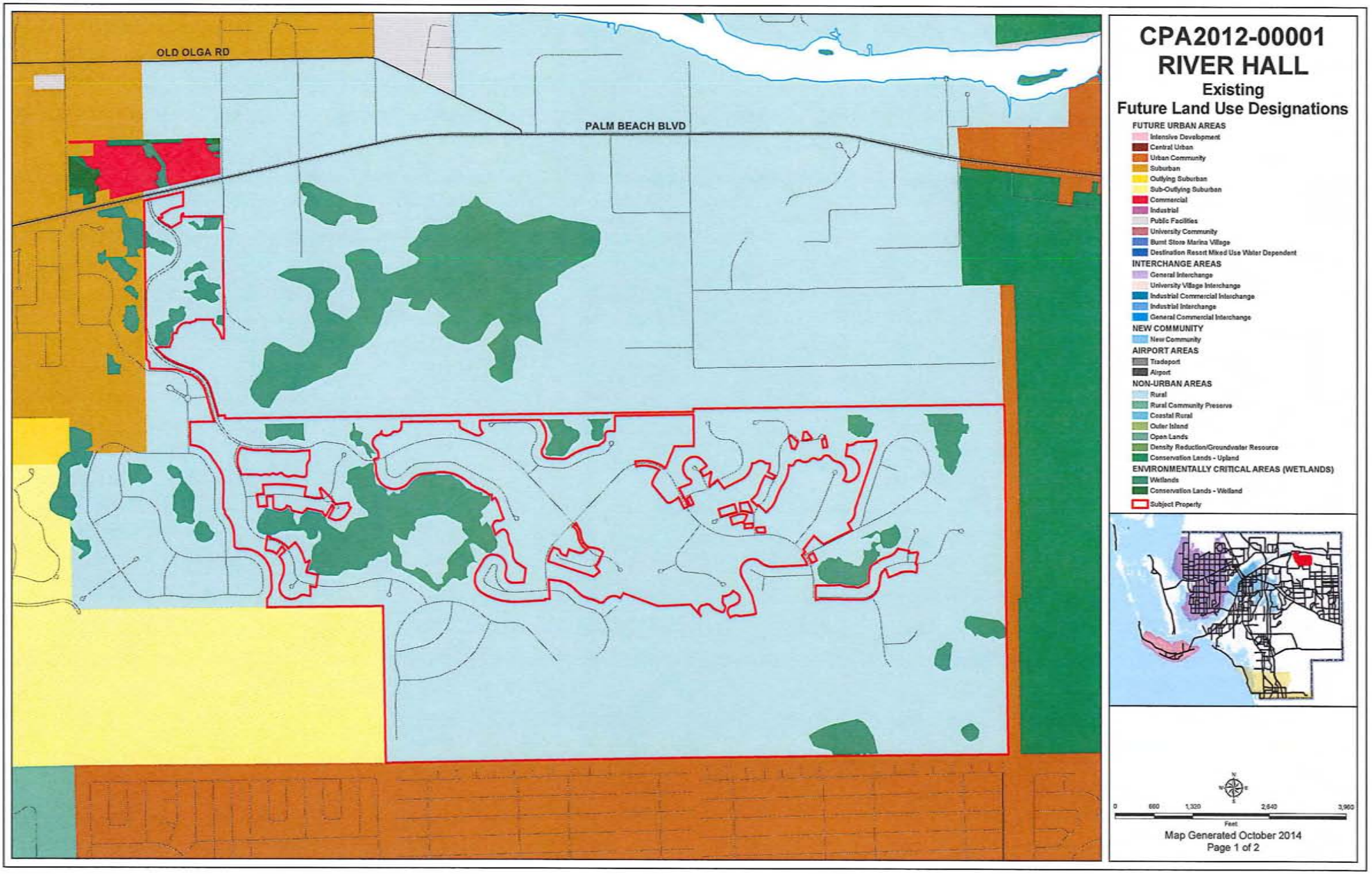
B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

The Board of County Commissioners voted 3-2 to transmit the proposed amendments. The motion included the Future Land Use Map amendment as proposed by Applicant; the proposed addition of Policy 5.1.11 proposed by staff in lieu of the amendments to Policy 5.1.10 originally proposed by the Applicant; the amendment to Policy 21.1.5 establishing a density cap for the River Hall development as proposed by the applicant; and the amendment to Table 1(b) as modified by staff.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

The Board of County Commissioners did not accept the findings of fact as advanced by staff.


OLD OLGA RD
PALM BEACH BLVD
CPA2012-00001
RIVER HALL
Existing
Future Land Use Designations
FUTURE URBAN AREAS
Intensive Development
Central Urban
Urban Community
Suburban
Outlying Suburban
Sub-Outlying Suburban
Commercial
Industrial
Public Facilities
University Community
Burnt Store Marina Village
Destination Resort Mixed Use Water Dependent
INTERCHANGE AREAS
General Interchange
University Village Interchange
Industrial Commercial Interchange
Industrial Interchange
General Commercial Interchange
NEW COMMUNITY
New Community
AIRPORT AREAS
Tradeport
Airport
NON-URBAN AREAS
Rural
Rural Community Preserve
Coastal Rural
Outer Island
Open Lands
Density Reduction/Groundwater Resource
Conservation Lands - Upland
ENVIRONMENTALLY CRITICAL AREAS (WETLANDS)
Wetlands
Conservation Lands - Wetland
Subject Property
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1,320
2,640
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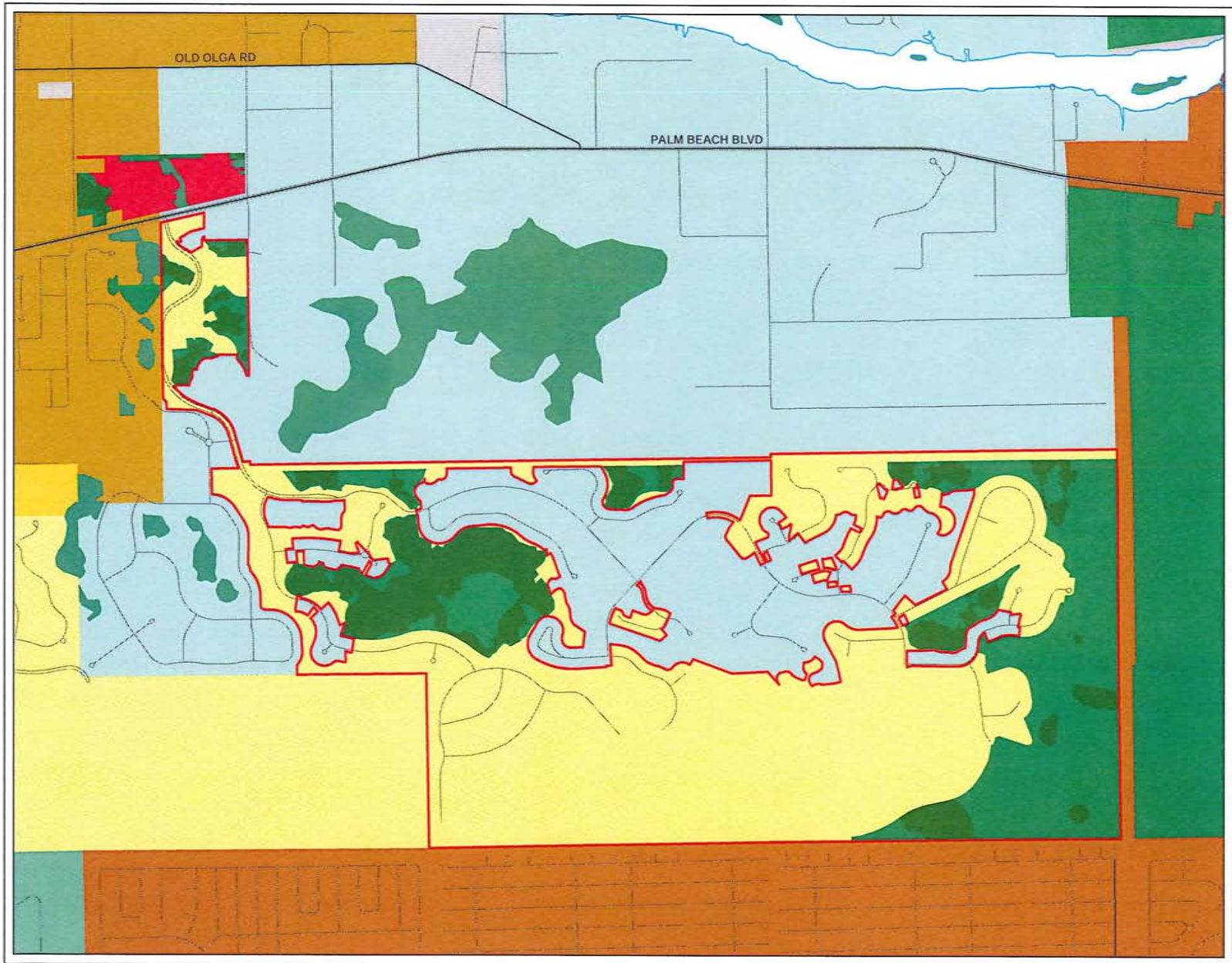
Feet
Map Generated October 2014
Page 1 of 2



CPA2012-00001
RIVER HALL

Proposed
Future Land Use Designations

FUTURE URBAN AREAS
- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Sub-Outlying Suburban
- Commercial
- Industrial
- Public Facilities
- University Community
- Burnt Store Marina Village
- Destination Resort Mixed Use Water Dependent

INTERCHANGE AREAS
- General Interchange
- University Village Interchange
- Industrial Commercial Interchange
- Industrial Interchange
- General Commercial Interchange

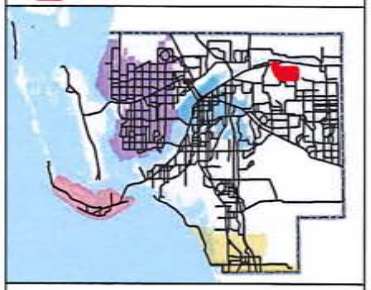
NEW COMMUNITY
- New Community

AIRPORT AREAS
- Tradeport
- Airport

NON-URBAN AREAS
- Rural
- Rural Community Preserve
- Coastal Rural
- Outer Island
- Open Lands
- Density Reduction/Groundwater Resource
- Conservation Lands - Upland

ENVIRONMENTALLY CRITICAL AREAS (WETLANDS)
- Wetlands
- Conservation Lands - Wetland

- Subject Property



N W E S

0 660 1,320 2,640 3,960
Feet

Map Generated October 2014
Page 2 of 2

Henderson|Franklin
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EXHIBIT
tabbies App. 9
DC12013-00003

Reply to
Russell P. Schropp
Direct Fax Number 239.344.1535
Direct Dial Number 239.344.1280
E-Mail: russell.schropp@henlaw.com

December 17, 2014

Mary Gibbs, Director
Lee County Community Development
1500 Monroe Street
Fort Myers, FL 33901

Re: CPA2012-00001 – River Hall

Dear Mary:

The above-referenced plan amendment was submitted by Greenpointe Communities, LLC (GreenPointe) on September 27, 2012, and was transmitted by Lee County to the Department of Economic Opportunity (DEO) after a "transmittal hearing" before the Lee County Commission on October 22, 2014. DEO issued its letter of review on December 4, 2014, and identified no comments that were within its scope of review.

On the same day that DEO issued its review letter, the River Hall Community Development District (CDD) adopted a resolution purporting to rescind its authorization to include lands owned by the CDD in the plan amendment application. The inclusion of the CDD's lands were previously authorized by resolution adopted by the CDD in 2013. GreenPointe relied upon this authorization in preparing, submitting, and processing the plan amendment, and has expended significant sums in doing so. While GreenPointe believes that the CDD is equitably estopped from rescinding its authorization at this late time, it is my understanding that the County's position is that the CDD's resolution of December 4, 2014, is presumptively valid and is considered effective in withdrawing the CDD lands from the plan amendment unless determined to be invalid by a court of competent jurisdiction. Accordingly, by email of December 12, 2014, you requested that we submit necessary modifications to the plan amendment application (and corresponding planned development amendment rezoning application) to reflect and accommodate the withdrawal of the CDD land.

In response to your request, GreenPointe submits the following modifications to CPA2012-00001:

1) The Future Land Use Map (FLUM) Amendment is modified to reflect the configuration identified in Attachment "A." The CDD lands have been removed

from the FLUM Amendment. All of the land remaining in the FLUM Amendment was included in the plan amendment transmitted to DEO, i.e., no land has been added to the FLUM Amendment that was not included in the transmittal to DEO. The revised FLUM Amendment shown in Attachment "A" results in the following land use parameters for the River Hall community:

Land Use Category	**Acreage**	**Density**	**DU Allowed**	**No. of DU's Already Permitted by Plat or DO**	**No. of DU's Remaining for Future Permitting**
Suburban	71.5	6 du/ac	429	186	243
Sub-O.S.	585.6	2 du/ac	1171	598	573
Rural	1140.3	1 du/ac	1140	1119	21
Wetlands	181.0	.05 du/ac	9	0	9
Total	**1978.4**		**2749**	**1903**	**846**

2) Proposed Policy 5.1.11 is no longer necessary and is hereby withdrawn. All lands originally proposed to be placed in the Conservation Wetlands and Conservation Uplands categories are owned by the CDD and have been removed from the FLUM Amendment; accordingly, no density is being transferred from CDD lands to those controlled by GreenPointe.

3) The proposed amendment to Policy 21.1.5 establishing a dwelling unit cap of 2,850 for River Hall is no longer necessary and is hereby withdrawn. As documented above, the maximum number of dwelling units achievable under the FLUM Amendment is 2,749.

4) The proposed amendment to Table 1(b) of the Lee Plan remains as transmitted to DEO.

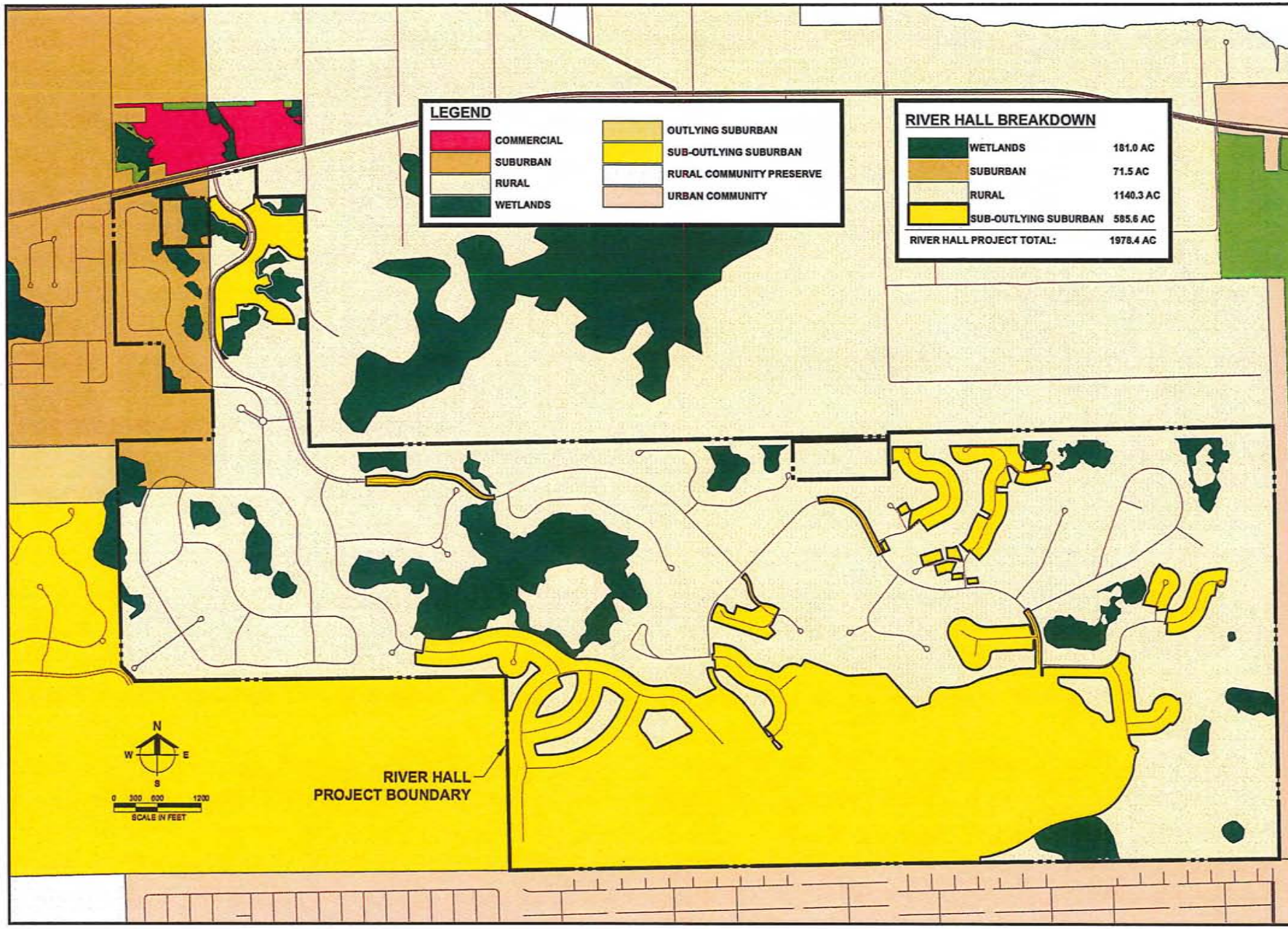
Attachment "B" includes legal descriptions and sketches for the FLUM amendment, as revised and described above. The lands described in these sketches and legal descriptions would be changed from the Rural land use classification to the Sub-Outlying Suburban land use classification.

Please contact me should you have any questions. Thank you.

Sincerely,

Russell P. Schropp

RPS/mls
cc (w/enc) Grady Miars
Dave Depew
Tina Ekblad
Carl Barraco
Stephen Leung
Ken Passarella
Tina Matte
Richard Wm. Wesch, Esq.
Michael Jacob, Esq.
Paul O'Connor
Brandon Dunn
Alvin "Chip" Block



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PREPARED FOR

GREENPOINTE COMMUNITIES, LLC
7807 BAYMEADOWS ROAD E
SUITE 205
JACKSONVILLE, FL 32256

PHONE (904) 502-1358
FAX (904) 996-2481

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS
HAWKS HAVEN

PART OF SECTIONS 27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND INTENDED FOR CONCEPTUAL PLANNING PURPOSES ONLY.

SITE LAYOUT AND LAND USE INTENSITIES OR DENSITIES MAY CHANGE SIGNIFICANTLY BASED UPON SURVEY, ENGINEERING, ENVIRONMENTAL AND / OR REGULATORY CONSTRAINTS AND / OR OPPORTUNITIES.

NOT FOR CONSTRUCTION

DRAWING NOT VALID WITHOUT SEAL, SIGNATURE AND DATE
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FILE NAME: PLU-PROPOSED.DWG
LOCATION: J:\21988\DWG\CIVIL\2014-EPAI
PLOT DATE: MON, 12-15-2014 - 4:02 PM
PLOT BY: JENNIFER BAREN

CROSS REFERENCED DRAWINGS

PLAN REVISIONS

1-2-13	NEW AMENDMENT BOUNDARY
3-27-13	REVISED AMENDMENT AREA
8-26-13	REVISED AMENDMENT AREA
12-17-14	REVISED AMENDMENT AREA

PLAN STATUS

EXHIBIT IV.A.3

PROPOSED FUTURE LAND USE MAP

PROJECT / FILE NO.	SHEET NUMBER
21988	

DESCRIPTION (AMENDMENT AREA)

Parcel in
Sections 25, 27, 34, 35 and 36, Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Section 25, 27, 34, 35 and 36, Township 43 South, Range 26 East Lee County, Florida, said tract or parcel of land being more particularly described as follows:

PARCEL 1:

A tract or parcel of land lying in Section 27, Township 43, Range 26, Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the North Quarter Corner of said Section 27 run S00°51'17"E along the East line of the West Half (W 1/2) of said Section 27 1,573.70 feet to the POINT OF BEGINNING.
From said Point of Beginning continue S00°51'17"E along said East line for 614.10 feet to an intersection with the Northerly line of Conservation Easement CE-5, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records; thence run along the Northerly and Westerly line of of said Conservation Easement the following thirty-seven (37) courses: S89°08'43"W for 93.44 feet to a point on a non-tangent curve; Westerly along an arc of a curve to the right of radius 66.36 feet (delta 16°50'32") (chord bearing N84°55'21"W) (chord 19.44 feet) for 19.51 feet; N71°01'07"W for 89.50 feet to a point of curvature; Northwesterly along an arc of a curve to the right of radius 70.00 feet (delta 23°16'07") (chord bearing N59°23'03"W) (chord 28.23 feet) for 28.43 feet to a point of tangency; N47°45'00"W for 184.10 feet to a point of curvature; Westerly along an arc of a curve to the left of radius 30.00 feet (delta 72°55'14") (chord bearing N84°12'37"W) (chord 35.66 feet) for 38.18 feet; S55°56'06"W for 16.37 feet to a point on a non-tangent curve; Southwesterly along an arc of a curve to the right of radius 26.40 feet (delta 05°46'39") (chord bearing S56°05'54"W) (chord 2.66 feet) for 2.66 feet to a point on a non-tangent curve; Westerly along an arc of a curve to the right of radius 70.00 feet (delta 89°33'57") (chord bearing N76°34'03"W) (chord 98.62 feet) for 109.43 feet; S28°40'01"W for 168.43 feet; S49°55'00"W for 120.21 feet; S08°34'30"W for 59.47 feet; S16°25'18"E for 53.01 feet; S10°53'06"W for 52.02 feet; S21°20'30"E for 68.84 feet; N62°54'21"E for 119.90 feet; S66°05'27"E for 32.67 feet; S15°30'06"E for 72.37 feet; S40°08'04"E for 34.02 feet; S03°40'51"E for 25.26 feet; S70°07'12"W for 69.86 feet; S61°26'29"W for 17.36 feet; S72°08'48"W for 19.92 feet; N60°51'22"W for 30.42 feet; N77°06'37"W for 44.10 feet; S64°52'29"W for 38.94 feet; S20°52'27"W for 43.82 feet; S31°30'37"E for 59.12 feet; N86°41'36"E for 84.58 feet; S63°46'58"E for 10.50 feet; S40°41'16"E for 40.28 feet; S42°43'38"E for 45.16 feet; S67°36'20"E for 23.72 feet; S41°52'34"E for 38.96 feet; S63°15'06"E for 38.14 feet; S89°23'27"E for 35.43 feet; N63°29'28"E for 1.44 feet to a point on a non-tangent curve and Southeasterly along an arc of a curve to the right of radius 294.98 feet (delta 79°24'50") (chord bearing S37°32'25"E) (chord 376.91 feet) for 408.86 feet to an intersection with the Northerly line of lands described

DESCRIPTION (CONTINUED)

in a deed recorded in Official Record Book 4326, at Page 2075, Lee County Records; thence run S89°59'57"W along said Northerly line for 290.94 feet to a point on a non-tangent curve and an intersection with the Northerly line of Conservation Easement CE-6, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Record; thence run along the Northerly and Westerly line of of said Conservation Easement the following nineteen (19) courses: Northerly along an arc of a curve to the right of radius 366.19 feet (delta 02°18'35") (chord bearing N06°14'13"E) (chord 14.76 feet) for 14.76 feet; N67°30'09"W for 128.15 feet; N22°29'51"E for 111.26 feet to a point on a non-tangent curve; Northwesterly along an arc of a curve to the right of radius 284.50 feet (delta 15°17'25") (chord bearing N54°28'27"W) (chord 75.70 feet) for 75.92 feet; Westerly along an arc of a curve to the left of radius 215.00 feet (delta 48°01'46") (chord bearing N70°51'26"W) (chord 175.00 feet) for 180.23 feet to a point to tangency; S85°07'41"W for 47.77 feet; S04°52'19"E for 25.00 feet; S85°07'41"W for 40.00 feet; N04°52'19"W for 25.00 feet; S85°07'41"W for 99.33 feet; S04°52'19"E for 84.36 feet; S00°40'13"E for 44.90 feet; S09°23'27"W for 21.52 feet; S85°07'41"W for 214.14 feet; S04°52'19"E for 195.19 feet to a point of curvature; Southerly along an arc of a curve to the right of radius 645.00 feet (delta 24°05'35") (chord bearing S07°10'29"W) (chord 269.23 feet) for 271.23 feet; S56°46'33"E for 5.45 feet; S22°03'38"E for 26.30 feet and S44°22'17"E for 89.18 feet to an intersection with said Northerly line of lands described in a deed recorded in Official Record Book 4326, at Page 2075, Lee County Records; thence run S84°07'47"W along said Northerly line for 35.31 feet to a point on a non-tangent curve and an intersection with the Easterly right of way line of River Hall Parkway described in a deed recorded in Official Record Book 4326, at Page 1851, Lee County Records; thence run along said Easterly right of way line the following five (5) courses: Northerly along an arc of a curve to the right of radius 700.00 feet (delta 35°18'45") (chord bearing N17°39'25"W) (chord 424.63 feet) for 431.42 feet to a point of tangency; N00°00'03"W for 514.62 feet to a point of curvature; Northeasterly along an arc of a curve to the right of radius 300.00 feet (delta 58°24'51") (chord bearing N29°12'23"E) (chord 292.78 feet) for 305.86 feet to a point of tangency; N58°24'48"E for 260.56 feet to a point of curvature; Northerly along an arc of a curve to the left of radius 430.00 feet (delta 113°16'07") (chord bearing N01°46'45"E) (chord 718.25 feet) for 850.07 feet to an intersection with the Southerly line of lands described in Instrument No. 2007000309267, Lee County Records; thence run the following three courses along said Southerly line: N59°14'31"E for 186.92 feet; N00°00'00"E for 85.63 feet to a point of tangency and Northeasterly along an arc of a curve to the right of radius 67.00 feet (delta 65°23'59") (chord bearing N32°42'00'E) (chord 72.39 feet) for 76.48 feet to an intersection with the West line of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 27 also being an intersection with the Westerly line of Conservation Easement CE-3, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records thence run along the Westerly and Southerly line of said Conservation Easement the following twelve (12) courses: S00°50'17"E for 60.93 feet; S34°56'26"E for 102.67 feet; S09°14'30"E for 48.67 feet; S67°52'13"E for 81.78 feet; S48°12'54"E for 71.57 feet; S01°01'22"W for 27.84 feet; S80°11'09"E for 57.75 feet; S87°52'40"E for 72.84 feet; N88°30'21"E for 65.61 feet; N87°58'32"E for 123.03 feet; N86°30'04"E for 86.75 feet and N89°08'44"E for 62.31 feet to the POINT OF BEGINNING.

DESCRIPTION (CONTINUED)

Containing 22.74 acres, more or less.

PARCEL 2:

A tract or parcel of land lying in Section 27, Township 43, Range 26, Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the North Quarter Corner of said Section 27 run S00°51'17"E along the East line of the West Half (W 1/2) of said Section 27 for 763.79 feet to an intersection with the Southerly right of way line of State Road 80, (F.D.O.T. right of way map, Section 1202-(106)202) (150 feet wide); thence run S77°10'14"W along said Southerly right of way line for 1,346.60 feet to an intersection with the West line of of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 27; thence run S00°49'17"E along said West line for 284.51 feet to the Southwest Corner of said Fraction and the POINT OF BEGINNING.
From said Point of Beginning run N88°54'52"E along the South line of said Fraction, along being the South line of lands described in Instrument No. 2013000006374, Lee County Records for 14.28 feet; thence run N70°31'00"E still along said South line of lands for 91.71 feet to a point on a non-tangent curve and an intersection with the Westerly right of way line of River Hall Parkway described in a deed recorded in Official Record Book 4326, at Page 1851, Lee County Records; thence run along said Westerly right of way line the following two (2) courses: thence run Southeasterly along an arc of a curve to the left of radius 550.00 feet (delta 38°10'13") (chord bearing S44°57'39"E) (chord 359.67 feet) for 366.41 feet to a point to reverse curvature; and Southerly along an arc of a curve to the right of radius 330.00 feet (delta 99°34'05") (chord bearing S14°15'43"E) (chord 503.99 feet) for 573.47 feet to an intersection with the Northerly line of lands described in Instrument No. 2005000189275, Lee County Records thence run N49°27'03"W along said Northerly line for 61.57 feet an intersection with the Easterly line of Conservation Easement CE-2, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records thence run along the Easterly and Northerly line of said Conservation Easement the following eighteen (18) courses: N45°39'05"E for 15.51 feet to a point on a non-tangent curve; Northeasterly along an arc of a curve to the left of radius 243.59 feet (delta 02°15'07") (chord bearing N44°10'13"E) (chord 9.57 feet) for 9.57 feet; N49°27'03"W for 6.01 feet to a point on a non-tangent curve; Northeasterly along an arc of a curve to the left of radius 237.59 feet (delta 38°59'14") (chord bearing N23°36'50"E) (chord 158.57 feet) for 161.67 feet; S54°38'48"E for 4.76 feet; S76°07'10"E for 1.94 feet to a point on a non-tangent curve; Northerly along an arc of a curve to the left of radius 243.59 feet (delta 06°53'49") (chord bearing N01°19'46"E) (chord 29.31 feet) for 29.32 feet; N54°38'48"W for 20.18 feet; N54°38'46"W for 62.62 feet; N56°19'59"W for 41.82 feet; N60°57'46"W for 41.20 feet; N58°35'37"W for 49.86 feet; N86°11'12"W for 74.80 feet; N28°14'18"W for 31.90 feet; N78°18'45"W for 52.55 feet; N74°02'56"W for 65.51 feet; N33°39'00"W for 113.45 feet and N67°25'04"W for 70.30 feet to an intersection with said West line of of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 27; thence run N00°49'17"W along sadi West line for 178.87 feet to the POINT OF BEGINNING.
Containing 2.46 acres, more or less.

PARCEL 3:

DESCRIPTION (CONTINUED)

A portion of Tract "A", RIVER HALL COUNTRY CLUB, PHASE ONE as recorded in Instrument Number 2005000153068, Lee County Records being more particularly described as follows:

Beginning at the Northeast Corner of said Tract "A" thence run along the Northerly line of said Tract "A" the following eleven (11) courses: N85°02'56"E for 136.40 feet to a point of curvature; thence run Easterly along an arc of a curve to the right of radius 1,026.00 feet (delta 04°58'05") (chord bearing N87°31'59"E) (chord 88.94 feet) for 88.96 feet to a point of tangency; S89°58'59"E for 44.15 feet to a point of curvature; Easterly along an arc of a curve to the right of radius 726.00 feet (delta 17°17'43") (chord bearing S81°20'07"E) (chord 218.32 feet) for 219.15 feet to a point of reverse curvature; Easterly along an arc of a curve to the left of radius 284.00 feet (delta 49°14'39") (chord bearing N82°41'25"E) (chord 236.65 feet) for 244.09 feet to a point of reverse curvature; Easterly along an arc of a curve to the right of radius 380.00 feet (delta 40°00'56") (chord bearing N78°04'34"E) (chord 260.03 feet) for 265.39 feet to a point of tangency; S81°54'58"E for 212.22 feet to a point of curvature; Southeasterly along an arc of a curve to the right of radius 340.00 feet (delta 31°27'37") (chord bearing S66°11'10"E) (chord 184.35 feet) for 186.69 feet to a point of tangency; S50°27'22"E for 284.60 feet to a point of curvature; Southeasterly along an arc of a curve to the left of radius 175.00 feet (delta 31°06'17") (chord bearing S66°00'30"E) (chord 93.84 feet) for 95.00 feet to a point of compound curvature; and Easterly along an arc of a curve to the left of radius 300.00 feet (delta 18°53'32") (chord bearing N88°59'36"E) (chord 98.47 feet) for 98.92 feet; thence run thence run along the Southerly and Westerly line of said Tract "A" the following sixteen (16) courses: S86°31'29"W for 80.17 feet to a point of curvature; thence run Westerly along an arc of a curve to the right of radius 300.00 feet (delta 43°01'09") (chord bearing N71°57'56"W) (chord 219.99 feet) for 225.25 feet to a point of tangency; N50°27'22"W for 226.84 feet to a point of curvature; Northwesterly along an arc of a curve to the left of radius 260.00 feet (delta 31°27'37") (chord bearing N66°11'10"W) (chord 140.98 feet) for 142.76 feet to a point of tangency; N81°54'58"W for 212.22 feet to a point of curvature; Westerly along an arc of a curve to the left of radius 300.00 feet (delta 40°00'56") (chord bearing S78°04'34"W) (chord 205.29 feet) for 209.52 feet to a point of reverse curvature; Westerly along an arc of a curve to the right of radius 364.00 feet (delta 31°56'56") (chord bearing S74°02'33"W) (chord 200.35 feet) for 202.97 feet to a point of tangency; N89°58'59"W for 41.35 feet to a point of curvature; Westerly along an arc of a curve to the left of radius 287.00 feet (delta 12°33'46") (chord bearing S83°44'09"W) (chord 62.80 feet) for 62.93 feet to a point of tangency; S77°27'16"W for 12.39 feet to a point on a non-tangent curve; Westerly along an arc of a curve to the right of radius 213.00 feet (delta 12°33'45") (chord bearing S83°44'09"W) (chord 46.61 feet) for 46.70 feet; N89°58'59"W for 79.52 feet to a point of curvature; Westerly along an arc of a curve to the right of radius 188.00 feet (delta 09°48'12") (chord bearing N85°04'53"W) (chord 32.13 feet) for 32.17 feet to a point of reverse curvature; Westerly along an arc of a curve to the left of radius 200.00 feet (delta 09°48'12") (chord bearing N85°04'53"W) (chord 34.18 feet) for 34.22 feet to a point of tangency; N89°58'59"W for 261.37 feet and N00°01'01"E for 119.00 feet to the POINT OF BEGINNING.
Containing 3.87 acres, more or less.

PARCEL 4:

DESCRIPTION (CONTINUED)

A tract or parcel of land lying in Sections 34, 35 and 36, Township 43, Range 26, Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Beginning at the Southeast corner of said Section 34 N00°59'34"W along the East line of the Southeast Quarter (SE 1/4) of said Section 34 for 2,198.67 feet to an intersection with the Southerly line of Tract "B" of HAMPTON LAKES AT RIVER HALL, PHASE ONE as recorded in Instrument Number 2005000153004, Lee County Records; thence run along the Southerly, Easterly and Northerly line of said Tract "B" the following ten (10) courses: S74°41'45"E for 60.29 feet to a point on a radial curve; Northeasterly along an arc of a curve to the right of radius 976.00 feet (delta 41°14'33") (chord bearing N35°55'32"E) (chord 687.47 feet) for 702.54 feet; N34°34'20"W for 34.83 feet to a point on a non-tangent curve; Northwesterly along an arc of a curve to the left of radius 678.00 feet (delta 12°08'58") (chord bearing N54°08'49"W) (chord 143.50 feet) for 143.77 feet; S29°46'42"W for 12.75 feet; S21°50'20"W for 82.45 feet to a point of curvaure; Westerly along an arc of a curve to the right of radius 208.00 feet (delta 153°15'26") (chord bearing N81°31'57"W) (chord 404.72 feet) for 556.37 feet to a point of tangency; N04°54'15"W for 46.12 feet to a point of curvature; Northwesterly along an arc of a curve to the left of radius 40.00 feet (delta 102°41'37") (chord bearing N56°15'03"W) (chord 62.48 feet) for 71.69 feet to a point of reverse curvature and Westerly along an arc of a curve to the right of radius 2,355.00 feet (delta 26°34'30") (chord bearing S85°41'24"W) (chord 1,082.54 feet) for 1,092.30 feet to an intersection with the Westerly line of Lot 281 of said record plat; thence run N00°44'30"W along said westerly line for 163.51 feet to a point on a non-tangent curve and an intersection with the Southerly line of Tract "A" of said record plat; thence run Easterly along said southerly line and along an arc of a curve to the left of radius 1,821.00 feet (delta 03°07'08") (chord bearing S79°41'29"E) (chord 99.12 feet) for 99.13 feet; thence run N08°44'57"E for 216.00 feet to an intersection with the Southerly line of Tract "M" of said record plat; thence run along the Southerly line said Tract "M" the following five (5) courses: Easterly along an arc of a curve to the left of radius 1,605.00 feet (delta 27°46'04") (chord bearing N84°51'55"E) (chord 770.25 feet) for 777.84 feet to a point; Easterly along an arc of a curve to the right of radius 1,045.00 feet (delta 45°55'36") (chord bearing S86°03'19"E) (chord 815.40 feet) for 837.64 feet to a point of tangency; Southeasterly along an arc of a curve to the right of radius 1,345.00 feet (delta 12°24'26") (chord bearing S56°53'18"E) (chord 290.69 feet) for 291.26 feet to a point of tangency; Southeasterly along an arc of a curve to the left of radius 980.00 feet (delta 17°20'44") (chord bearing S59°21'27"E) (chord 295.55 feet) for 296.68 feet and N86°46'52"E for 63.97 feet to an intersection with the Southerly line of, RIVER HALL COUNTRY CLUB, PHASE ONE as recorded in Instrument Number 2005000153068, Lee County Records; thence run along the Southerly line said record plat the following nine (9) courses: Easterly along an arc of a curve to the right of radius 1,060.00 feet (delta 42°49'43") (chord bearing S71°48'16"E) (chord 774.03 feet) for 792.35 feet to a point of tangency; S50°23'25"E for 72.19 feet to a point of curvature; Easterly along an arc of a curve to the left of radius 340.00 feet (delta 45°17'38") (chord bearing S73°02'14"E) (chord 261.84 feet) for 268.78 feet to a point of tangency; N84°18'57"E for 92.74 feet to a point of curvature; Easterly along an arc of a curve to the right of radius 511.00 feet (delta

DESCRIPTION (CONTINUED)

53°03'18") (chord bearing S69°09'24"E) (chord 456.45 feet) for 473.18 feet to a point of tangency; S42°37'45"E for 4.29 feet; N65°12'55"E for 304.89 feet to a point on a non-tangent curve; Northwesterly along an arc of a curve to the right of radius 440.00 feet (delta 40°02'00") (chord bearing N23°18'48"W) (chord 301.22 feet) for 307.43 feet and N86°42'12"E for 80.00 feet to an intersection with the Southerly line of, RIVER HALL COUNTRY CLUB, PHASE TWO as recorded in Instrument Number 2006000409514, Lee County Records; thence run along the Southerly line said record plat the following three (3) courses: Southeasterly along an arc of a curve to the left of radius 360.00 feet (delta 58°01'05") (chord bearing S32°18'21"E) (chord 349.16 feet) for 364.54 feet to a point to reverse curvature; Southeasterly along an arc of a curve to the right of radius 840.00 feet (delta 25°16'08") (chord bearing S48°40'49"E) (chord 367.47 feet) for 370.46 feet to a point of tangency and S36°02'45"E for 496.83 feet to an intersection with the Easterly line of Tract "D-2" of said record plat; thence run along the Easterly and Northerly line of said Tract D-2" the following three (3) courses: Easterly along an arc of a curve to the left of radius 10.00 feet (delta 90°48'06") (chord bearing S81°26'48"E) (chord 14.24 feet) for 15.85 feet to a point of reverse curvature; thence run Northeasterly along an arc of a curve to the right of radius 215.00 feet (delta 10°35'32") (chord bearing N58°26'55"E) (chord 39.69 feet) for 39.75 feet and N45°56'00"W for 148.18 feet to an intersection with the Easterly line of Tract "B-1" of said record plat; thence run along the Easterly and Northerly line of said Tract B-1" the following seven (7) courses: Northeasterly along an arc of a curve to the left of radius 250.00 feet (delta 52°44'51") (chord bearing N34°41'14"E) (chord 222.11 feet) for 230.15 feet to a point of compound curvature; Northwesterly along an arc of a curve to the left of radius 283.00 feet (delta 82°40'54") (chord bearing N33°01'39"W) (chord 373.86 feet) for 408.39 feet to a point of tangency; N74°22'05"W for 69.19 feet to a point of curvature; Northwesterly along an arc of a curve to the right of radius 667.00 feet (delta 28°18'26") (chord bearing N60°12'53"W) (chord 326.19 feet) for 329.53 feet to a point of tangency; N46°03'40"W for 110.97 feet to a point of curvature; Westerly along an arc of a curve to the left of radius 135.00 feet (delta 50°07'46") (chord bearing N71°07'33"W) (chord 114.38 feet) for 118.11 feet to a point of tangency and S83°48'35"W for 52.76 feet to an intersection with the Easterly line of Tract "D-3" of said record plat; thence run along the Easterly and Northerly line of said Tract D-2" the following three (3) courses: N03°17'48"W for 142.20 feet; Westerly along an arc of a curve to the right of radius 215.00 feet (delta 04°25'47") (chord bearing S85°17'24"W) (chord 16.62 feet) for 16.62 feet to a point of reverse curvature; and Southwesterly along an arc of a curve to the left of radius 10.00 feet (delta 90°48'06") (chord bearing S42°06'15"W) (chord 14.24 feet) for 15.85 feet to a point of cusp; thence run N03°17'48"W for 91.96 feet to point of cusp; thence run Southeasterly along an arc of a curve to the left of radius 10.00 feet (delta 90°48'06") (chord bearing S48°41'51"E) (chord 14.24 feet) for 15.85 feet to a point of tangency; thence run Easterly along an arc of a curve to the right of radius 215.00 feet (delta 03°57'42") (chord bearing N87°52'57"E) (chord 14.86 feet) for 14.87 feet to a point of tangency; thence run N03°17'48"W for 149.09 feet; thence run S82°56'00"E for 141.12 feet; thence run Southeasterly along an arc of a curve to the right of radius 467.00 feet (delta 36°52'20") (chord bearing S64°29'50"E) (chord 295.38 feet) for 300.53 feet to a point of tangency; thence run S46°03'40"E for 122.65 feet; thence run Southeasterly along an arc of a curve to the left of radius 333.00 feet (delta 28°18'26") (chord bearing S60°12'53"E) (chord 162.85 feet) for 164.52 feet to a point of tangency; thence run S74°22'05"E for 69.19 feet; thence run Easterly along an arc of a curve to the right of radius 617.00 feet (delta 12°05'13") (chord bearing S68°19'29"E) (chord 129.92 feet)

DESCRIPTION (CONTINUED)

for 130.16 feet to a point of tangency; thence run Easterly along an arc of a curve to the left of radius 80.00 feet (delta 80°21'13") (chord bearing N77°32'31"E) (chord 103.22 feet) for 112.19 feet to a point of tangency; thence run Easterly along an arc of a curve to the right of radius 199.00 feet (delta 85°50'24") (chord bearing N80°17'07"E) (chord 271.03 feet) for 298.14 feet to a point of tangency; thence run N33°12'19"E for 103.92 feet; thence run S69°21'19"E for 585.07 feet; thence run Easterly along an arc of a curve to the left of radius 175.00 feet (delta 23°42'43") (chord bearing S81°12'40"E) (chord 71.91 feet) for 72.42 feet to a point of tangency; thence run N86°55'59"E for 507.21 feet; thence run S42°30'21"E for 617.01 feet; thence run N72°42'51"E for 186.40 feet; thence run Northeasterly along an arc of a curve to the right of radius 190.00 feet (delta 110°19'44") (chord bearing N47°39'10"E) (chord 311.90 feet) for 365.86 feet to a point; thence run Easterly along an arc of a curve to the left of radius 90.00 feet (delta 17°01'46") (chord bearing S85°41'51"E) (chord 26.65 feet) for 26.75 feet to a point of tangency; thence run N85°47'16"E for 103.64 feet; thence run Easterly along an arc of a curve to the left of radius 640.00 feet (delta 24°16'20") (chord bearing N73°39'06"E) (chord 269.10 feet) for 271.12 feet to a point of tangency; thence run Easterly along an arc of a curve to the right of radius 560.00 feet (delta 12°52'56") (chord bearing N67°57'24"E) (chord 125.64 feet) for 125.91 feet to a point of tangency; thence run N74°23'52"E for 423.58 feet; thence run Easterly along an arc of a curve to the right of radius 560.00 feet (delta 14°41'42") (chord bearing N81°44'43"E) (chord 143.23 feet) for 143.63 feet to a point of tangency; thence run N89°05'34"E for 175.70 feet; thence run N00°28'09"E for 292.49 feet; thence run Northerly along an arc of a curve to the left of radius 770.00 feet (delta 06°48'29") (chord bearing N02°56'05"W) (chord 91.44 feet) for 91.49 feet to a point of tangency; thence run Northwesterly along an arc of a curve to the left of radius 10.00 feet (delta 87°49'13") (chord bearing N50°14'56"W) (chord 13.87 feet) for 15.33 feet to a point of tangency; thence run Westerly along an arc of a curve to the right of radius 215.00 feet (delta 04°07'59") (chord bearing S87°54'27"W) (chord 15.51 feet) for 15.51 feet to a point of tangency; thence run S00°01'33"E for 143.28 feet; thence run N86°35'19"W for 109.67 feet; thence run S87°12'03"W for 424.79 feet; thence run Southwesterly along an arc of a curve to the left of radius 65.00 feet (delta 83°51'37") (chord bearing S45°16'14"W) (chord 86.87 feet) for 95.14 feet to a point of tangency; thence run Westerly along an arc of a curve to the right of radius 207.00 feet (delta 148°35'59") (chord bearing S77°38'25"W) (chord 398.55 feet) for 536.87 feet to a point of tangency; thence run N28°03'35"W for 350.17 feet; thence run Northeasterly along an arc of a curve to the right of radius 201.00 feet (delta 159°46'46") (chord bearing N51°49'48"E) (chord 395.76 feet) for 560.52 feet to a point of tangency; thence run Easterly along an arc of a curve to the left of radius 305.00 feet (delta 44°31'08") (chord bearing S70°32'23"E) (chord 231.07 feet) for 236.99 feet to a point of tangency; thence run N87°12'03"E for 465.09 feet; thence run N83°37'00"E for 99.40 feet; thence run S17°18'48"E for 142.86 feet; thence run Easterly along an arc of a curve to the right of radius 215.00 feet (delta 04°14'04") (chord bearing N83°33'30"E) (chord 15.89 feet) for 15.89 feet to a point; thence run Northeasterly along an arc of a curve to the left of radius 10.00 feet (delta 98°59'46") (chord bearing N36°10'39"E) (chord 15.21 feet) for 17.28 feet to a point of tangency; thence run Northwesterly along an arc of a curve to the left of radius 770.00 feet (delta 24°14'07") (chord bearing N25°26'18"W) (chord 323.27 feet) for 325.70 feet to a point of tangency; thence run N52°26'39"E for 80.00 feet; thence run Southerly along an arc of a curve to the right of radius 850.00 feet (delta 38°01'30") (chord bearing S18°32'36"E) (chord 553.82 feet) for 564.11 feet to a point; thence run S00°28'09"W for 391.65 feet; thence run S89°31'51"E for 22.00 feet; thence run N00°28'09"E for 111.21 feet; thence run Easterly along an arc of a curve to the left of radius 215.00 feet (delta 10°39'19") (chord bearing N82°19'44"E) (chord 39.93 feet) for 39.98 feet to a point; thence

DESCRIPTION (CONTINUED)

run Easterly along an arc of a curve to the right of radius 185.00 feet (delta 13°28'05") (chord bearing N83°44'07"E) (chord 43.39 feet) for 43.49 feet to a point of tangency; thence run S89°31'51"E for 684.37 feet; thence run Easterly along an arc of a curve to the left of radius 307.36 feet (delta 37°43'03") (chord bearing N70°23'34"E) (chord 198.70 feet) for 202.33 feet to a point; thence run Northeasterly along an arc of a curve to the right of radius 20.00 feet (delta 18°41'19") (chord bearing N41°45'08"E) (chord 6.49 feet) for 6.52 feet to a point; thence run Northeasterly along an arc of a curve to the left of radius 300.00 feet (delta 30°26'47") (chord bearing N35°52'24"E) (chord 157.55 feet) for 159.42 feet to a point of tangency; thence run S69°21'00"E for 140.00 feet; thence run S01°16'06"W for 12.46 feet; thence run S02°11'01"E for 103.61 feet; thence run S71°47'24"W for 15.08 feet; thence run S18°12'36"E for 150.00 feet; thence run S27°04'48"W for 31.37 feet; thence run Southerly along an arc of a curve to the right of radius 757.00 feet (delta 11°01'36") (chord bearing S12°07'12"E) (chord 145.46 feet) for 145.69 feet to a point; thence run S06°36'24"E for 276.23 feet; thence run Southeasterly along an arc of a curve to the left of radius 43.00 feet (delta 85°40'09") (chord bearing S49°26'28"E) (chord 58.47 feet) for 64.29 feet to a point of tangency; thence run N87°43'27"E for 117.27 feet; thence run Northeasterly along an arc of a curve to the left of radius 80.00 feet (delta 78°21'12") (chord bearing N48°32'51"E) (chord 101.07 feet) for 109.40 feet to a point of tangency; thence run Easterly along an arc of a curve to the right of radius 193.00 feet (delta 133°46'45") (chord bearing N76°15'38"E) (chord 355.02 feet) for 450.63 feet to a point of tangency; thence run N53°09'00"E for 42.88 feet; thence run Southerly along an arc of a curve to the right of radius 2,202.18 feet (delta 02°16'47") (chord bearing S08°49'46"E) (chord 87.62 feet) for 87.62 feet to a point; thence run Southwesterly along an arc of a curve to the right of radius 300.00 feet (delta 61°40'28") (chord bearing S23°08'59"W) (chord 307.56 feet) for 322.93 feet to a point of tangency; thence run N43°05'38"W for 33.19 feet; thence run S49°32'15"W for 108.94 feet; thence run Westerly along an arc of a curve to the right of radius 307.00 feet (delta 38°11'12") (chord bearing S68°37'51"W) (chord 200.84 feet) for 204.61 feet to a point of tangency; thence run S87°43'27"W for 313.19 feet; thence run S06°36'24"E for 30.78 feet; thence run Southerly along an arc of a curve to the left of radius 230.00 feet (delta 20°17'02") (chord bearing S16°44'54"E) (chord 81.00 feet) for 81.42 feet to a point of tangency; thence run Southeasterly along an arc of a curve to the left of radius 90.00 feet (delta 49°40'47") (chord bearing S51°43'49"E) (chord 75.61 feet) for 78.04 feet to a point of tangency; thence run Southerly along an arc of a curve to the right of radius 55.00 feet (delta 139°00'23") (chord bearing S07°04'00"E) (chord 103.04 feet) for 133.44 feet to a point of tangency; thence run S12°09'00"W for 147.46 feet; thence run S01°39'32"W for 30.44 feet; thence run Southerly along an arc of a curve to the right of radius 350.00 feet (delta 23°11'32") (chord bearing S13°15'18"W) (chord 140.71 feet) for 141.67 feet to a point of tangency; thence run Southwesterly along an arc of a curve to the right of radius 1,651.75 feet (delta 11°33'08") (chord bearing S30°37'38"W) (chord 332.47 feet) for 333.04 feet to a point of tangency; thence run Southwesterly along an arc of a curve to the right of radius 690.00 feet (delta 41°50'09") (chord bearing S57°17'46"W) (chord 492.70 feet) for 503.82 feet to a point; thence run S78°12'50"W for 275.30 feet; thence run Southwesterly along an arc of a curve to the left of radius 1,335.00 feet (delta 22°43'21") (chord bearing S66°51'10"W) (chord 525.97 feet) for 529.44 feet to a point of tangency; thence run Southwesterly along an arc of a curve to the left of radius 132.56 feet (delta 12°16'24") (chord bearing S55°00'04"W) (chord 28.34 feet) for 28.39 feet to a point; thence run Southwesterly along an arc of a curve to the right of radius 1,665.00 feet (delta 16°51'25") (chord bearing S63°25'21"W) (chord 488.09 feet) for 489.86 feet to a point; thence run S71°51'03"W for 86.61 feet; thence run Westerly along an arc of a curve to the right of radius 665.00 feet (delta 17°20'35") (chord bearing

DESCRIPTION (CONTINUED)

S80°31'21"W) (chord 200.52 feet) for 201.29 feet to a point of tangency; thence run S00°48'22"E for 74.36 feet; thence run S89°11'43"W for 1,166.27 feet; thence run S88°54'06"W for 2,643.62 feet; thence run S88°53'41"W for 2,642.70 feet to the POINT OF BEGINNING.
Containing 525.57 acres, more or less.

LESS AND EXCEPT FROM PARCEL 4:

Tract "G" and Tract "H" of HAMPTON LAKES AT RIVER HALL, PHASE ONE as recorded in Instrument Number 2005000153004, Lee County Records.

Tract "B" of HAMPTON LAKES AT RIVER HALL, PHASE TWO as recorded in Instrument Number 200700059747, Lee County Records.

Tract "B-13" of RIVER HALL COUNTRY CLUB, PHASE TWO as recorded in Instrument Number 2006000409514, Lee County Records.

PARCEL 5:

A portion of Tract "A", RIVER HALL COUNTRY CLUB, PHASE ONE as recorded in Instrument Number 2005000153068, Lee County Records being more particularly described as follows:

Beginning at Easterly Most corner of Tract "C-2" of RIVER HALL COUNTRY CLUB, PHASE TWO as recorded in Instrument Number 2006000409514, Lee County Records, run Northwesterly along an arc of a curve to the right of radius 1,040.00 feet (delta 03°26'40") (chord bearing N28°22'09"W) (chord 62.51 feet) for 62.52 feet to a point; thence run N26°38'49"W for 433.02 feet; thence run Northwesterly along an arc of a curve to the left of radius 510.00 feet (delta 77°41'27") (chord bearing N65°29'33"W) (chord 639.76 feet) for 691.54 feet to a point of tangency; thence run N00°00'00"E for 0.00 feet; thence run N14°20'16"W for 80.00 feet; thence run Southeasterly along an arc of a curve to the right of radius 590.00 feet (delta 77°41'27") (chord bearing S65°29'33"E) (chord 740.12 feet) for 800.02 feet to a point; thence run S26°38'49"E for 433.02 feet; thence run Southeasterly along an arc of a curve to the left of radius 960.00 feet (delta 03°43'55") (chord bearing S28°30'47"E) (chord 62.52 feet) for 62.53 feet to a point of tangency; thence run S63°21'11"W for 80.16 feet to the POINT OF BEGINNING.
Containing 2.28 acres, more or less.

AND

Tract "A-2" and Tract "C-1"of RIVER HALL COUNTRY CLUB, PHASE TWO as recorded in Instrument Number 2006000409514, Lee County Records.

PARCEL 6:

DESCRIPTION (CONTINUED)

A portion of RIVER HALL COUNTRY CLUB, PHASE TWO as recorded in Instrument Number 2006000409514, Lee County Records being more particularly described as follows:

Beginning at Southerly Most corner of Lot 37, Block "D" of RIVER HALL COUNTRY CLUB, PHASE TWO as recorded in Instrument Number 2006000409514, Lee County Records, run N04°31'30"E for 92.00 feet; thence run N11°20'00"E for 149.99 feet; thence run Easterly along an arc of a curve to the left of radius 50.00 feet (delta 37°58'49") (chord bearing N82°20'35"E) (chord 32.54 feet) for 33.14 feet to a point; thence run N63°21'11"E for 299.18 feet; thence run N63°21'11"E for 41.51 feet; thence run Northeasterly along an arc of a curve to the left of radius 50.00 feet (delta 60°42'05") (chord bearing N33°00'08"E) (chord 50.53 feet) for 52.97 feet to a point of tangency; thence run Northerly along an arc of a curve to the left of radius 288.00 feet (delta 28°23'45") (chord bearing N11°32'46"W) (chord 141.28 feet) for 142.73 feet to a point of tangency; thence run Northwesterly along an arc of a curve to the left of radius 88.00 feet (delta 69°11'33") (chord bearing N60°20'25"W) (chord 99.93 feet) for 106.27 feet to a point of tangency; thence run Northwesterly along an arc of a curve to the right of radius 412.00 feet (delta 78°00'12") (chord bearing N55°56'06"W) (chord 518.58 feet) for 560.90 feet to a point of tangency; thence run S73°04'00"W for 82.17 feet; thence run N00°33'55"W for 218.95 feet; thence run N89°00'08"E for 395.36 feet; thence run S02°19'28"W for 77.97 feet; thence run Southeasterly along an arc of a curve to the left of radius 88.00 feet (delta 96°40'04") (chord bearing S46°00'33"E) (chord 131.48 feet) for 148.47 feet to a point of tangency; thence run Southeasterly along an arc of a curve to the right of radius 412.00 feet (delta 68°35'56") (chord bearing S60°02'37"E) (chord 464.34 feet) for 493.28 feet to a point of tangency; thence run Southerly along an arc of a curve to the right of radius 612.00 feet (delta 25°44'36") (chord bearing S12°52'21"E) (chord 272.67 feet) for 274.98 feet to a point of tangency; thence run S00°00'03"E for 18.29 feet; thence run Southwesterly along an arc of a curve to the right of radius 362.00 feet (delta 63°21'13") (chord bearing S31°40'34"W) (chord 380.19 feet) for 400.27 feet to a point of tangency; thence run S63°21'11"W for 244.60 feet; thence run Southwesterly along an arc of a curve to the left of radius 338.00 feet (delta 11°03'11") (chord bearing S57°49'35"W) (chord 65.10 feet) for 65.20 feet to a point of tangency; thence run N37°42'00"W for 187.00 feet; thence run Southwesterly along an arc of a curve to the left of radius 525.00 feet (delta 07°21'10") (chord bearing S48°37'25"W) (chord 67.33 feet) for 67.37 feet to a point; thence run Southwesterly along an arc of a curve to the right of radius 475.00 feet (delta 13°25'17") (chord bearing S51°39'28"W) (chord 111.01 feet) for 111.27 feet to a point of tangency; to the POINT OF BEGINNING.
Containing 12.45 acres, more or less.

AND

Lots 1, 39 and 40 of Block "D" of RIVER HALL COUNTRY CLUB, PHASE TWO as recorded in Instrument Number 2006000409514, Lee County Records.

PARCEL 7:

DESCRIPTION (CONTINUED)

A portion of RIVER HALL COUNTRY CLUB, PHASE TWO as recorded in Instrument Number 2006000409514, Lee County Records being more particularly described as follows:

Beginning at Southerly Most corner of Lot 39, Block "E" of RIVER HALL COUNTRY CLUB, PHASE TWO as recorded in Instrument Number 2006000409514, Lee County Records, run N46°03'48"W for 188.00 feet; thence run S43°56'12"W for 18.29 feet; thence run Southwesterly along an arc of a curve to the left of radius 325.00 feet (delta 01°26'27") (chord bearing S43°12'59"W) (chord 8.17 feet) for 8.17 feet to a point of tangency; thence run N47°30'15"W for 144.40 feet; thence run Northeasterly along an arc of a curve to the left of radius 298.00 feet (delta 12°39'49") (chord bearing N50°16'07"E) (chord 65.73 feet) for 65.86 feet to a point; thence run N43°56'12"E for 46.89 feet; thence run Northeasterly along an arc of a curve to the left of radius 100.00 feet (delta 22°40'27") (chord bearing N32°35'59"E) (chord 39.32 feet) for 39.57 feet to a point of tangency; thence run N21°15'45"E for 143.68 feet; thence run Northeasterly along an arc of a curve to the right of radius 967.00 feet (delta 11°36'37") (chord bearing N27°04'03"E) (chord 195.61 feet) for 195.95 feet to a point of tangency; thence run S63°40'00"E for 143.09 feet; thence run Northeasterly along an arc of a curve to the right of radius 825.00 feet (delta 01°27'39") (chord bearing N34°44'06"E) (chord 21.04 feet) for 21.04 feet to a point; thence run Northeasterly along an arc of a curve to the left of radius 375.00 feet (delta 07°28'56") (chord bearing N31°43'28"E) (chord 48.94 feet) for 48.97 feet to a point of tangency; thence run N62°01'00"W for 141.53 feet; thence run Northerly along an arc of a curve to the left of radius 250.00 feet (delta 29°56'16") (chord bearing N14°10'37"E) (chord 129.15 feet) for 130.63 feet to a point; thence run N00°47'31"W for 163.32 feet; thence run Northerly along an arc of a curve to the right of radius 462.00 feet (delta 29°03'17") (chord bearing N13°44'08"E) (chord 231.78 feet) for 234.28 feet to a point of tangency; thence run N28°15'47"E for 108.40 feet; thence run Northwesterly along an arc of a curve to the left of radius 60.00 feet (delta 132°15'04") (chord bearing N37°51'46"W) (chord 109.73 feet) for 138.49 feet to a point of tangency; thence run S76°00'42"W for 242.23 feet; thence run Northwesterly along an arc of a curve to the right of radius 192.00 feet (delta 90°48'01") (chord bearing N58°35'17"W) (chord 273.42 feet) for 304.27 feet to a point of tangency; thence run N13°11'17"W for 97.75 feet; thence run N89°00'08"E for 943.49 feet; thence run S00°59'52"E for 70.20 feet; thence run S12°17'00"E for 39.38 feet; thence run S28°53'00"E for 92.79 feet; thence run S50°17'33"E for 51.98 feet; thence run S09°05'00"W for 134.24 feet; thence run Easterly along an arc of a curve to the left of radius 175.00 feet (delta 20°49'49") (chord bearing N88°40'06"E) (chord 63.27 feet) for 63.62 feet to a point; thence run N78°15'11"E for 153.05 feet; thence run Northeasterly along an arc of a curve to the left of radius 90.00 feet (delta 54°06'42") (chord bearing N51°11'50"E) (chord 81.87 feet) for 85.00 feet to a point of tangency; thence run Southeasterly along an arc of a curve to the right of radius 55.00 feet (delta 234°06'42") (chord bearing S38°48'10"E) (chord 97.96 feet) for 224.73 feet to a point of tangency; thence run S78°15'11"W for 9.82 feet; thence run S11°44'49"E for 138.00 feet; thence run S78°15'11"W for 250.28 feet; thence run

DESCRIPTION (CONTINUED)

Westerly along an arc of a curve to the right of radius 383.00 feet (delta 36°15'37") (chord bearing N83°37'00"W) (chord 238.36 feet) for 242.39 feet to a point of tangency; thence run N21°33'00"E for 136.14 feet; thence run Northwesterly along an arc of a curve to the right of radius 225.00 feet (delta 23°15'28") (chord bearing N51°11'30"W) (chord 90.71 feet) for 91.33 feet to a point; thence run Northwesterly along an arc of a curve to the left of radius 125.00 feet (delta 38°18'07") (chord bearing N58°42'49"W) (chord 82.01 feet) for 83.56 feet to a point of tangency; thence run Southwesterly along an arc of a curve to the left of radius 10.00 feet (delta 86°52'24") (chord bearing S58°41'56"W) (chord 13.75 feet) for 15.16 feet to a point of tangency; thence run Southerly along an arc of a curve to the right of radius 225.00 feet (delta 05°08'13") (chord bearing S17°49'50"W) (chord 20.17 feet) for 20.17 feet to a point of tangency; thence run S15°35'00"E for 193.20 feet; thence run Southwesterly along an arc of a curve to the left of radius 57.00 feet (delta 42°57'39") (chord bearing S55°34'25"W) (chord 41.74 feet) for 42.74 feet to a point; thence run Southerly along an arc of a curve to the left of radius 137.00 feet (delta 28°52'06") (chord bearing S19°39'33"W) (chord 68.30 feet) for 69.03 feet to a point of tangency; thence run N84°46'30"W for 138.00 feet; thence run Southerly along an arc of a curve to the left of radius 275.00 feet (delta 06°01'01") (chord bearing S02°13'00"W) (chord 28.87 feet) for 28.88 feet to a point; thence run S00°47'31"E for 53.39 feet; thence run N89°12'29"E for 138.00 feet; thence run S00°47'31"E for 122.31 feet; thence run Southerly along an arc of a curve to the right of radius 563.00 feet (delta 36°15'27") (chord bearing S17°20'13"W) (chord 350.36 feet) for 356.27 feet to a point of tangency; thence run Southwesterly along an arc of a curve to the left of radius 637.00 feet (delta 14°12'11") (chord bearing S28°21'50"W) (chord 157.50 feet) for 157.91 feet to a point of tangency; thence run S21°15'45"W for 124.09 feet; thence run Southwesterly along an arc of a curve to the right of radius 463.00 feet (delta 22°40'27") (chord bearing S32°35'59"W) (chord 182.03 feet) for 183.23 feet to a point of tangency; thence run S43°56'12"W for 87.48 feet to the POINT OF BEGINNING.

Containing 16.80 acres, more or less.

AND

Lots 4 Though 7, 9, 10, 44, 46, 48 through 50 of Block "E" of RIVER HALL COUNTRY CLUB, PHASE TWO as recorded in Instrument Number 2006000409514, Lee County Records.

PARCEL 8:

A portion of RIVER HALL COUNTRY CLUB, PHASE TWO as recorded in Instrument Number 2006000409514, Lee County Records being more particularly described as follows:

Beginning at Northerly Most corner of Lot 99, Block "K" of RIVER HALL COUNTRY CLUB, PHASE TWO as recorded in Instrument Number 2006000409514, Lee

DESCRIPTION (CONTINUED)

County Records, run S48°20'23"E for 81.51 feet; thence run Southeasterly along an arc of a curve to the right of radius 193.00 feet (delta 143°45'09") (chord bearing S26°15'26"E) (chord 366.85 feet) for 484.23 feet to a point; thence run Southwesterly along an arc of a curve to the left of radius 315.00 feet (delta 21°41'59") (chord bearing S34°46'09"W) (chord 118.59 feet) for 119.30 feet to a point of tangency; thence run S23°55'09"W for 107.80 feet; thence run Southerly along an arc of a curve to the left of radius 43.00 feet (delta 42°31'14") (chord bearing S02°39'32"W) (chord 31.18 feet) for 31.91 feet to a point of tangency; thence run S84°06'00"W for 145.78 feet; thence run Northerly along an arc of a curve to the right of radius 230.00 feet (delta 10°55'34") (chord bearing N04°13'13"E) (chord 43.79 feet) for 43.86 feet to a point; thence run N80°19'00"W for 200.63 feet; thence run Northeasterly along an arc of a curve to the left of radius 285.00 feet (delta 09°31'36") (chord bearing N22°41'57"E) (chord 47.33 feet) for 47.39 feet to a point; thence run N17°56'09"E for 67.47 feet; thence run N26°22'53"E for 16.63 feet; thence run N29°56'44"E for 69.42 feet; thence run N05°37'45"W for 42.24 feet; thence run N17°56'09"E for 115.54 feet; thence run Northeasterly along an arc of a curve to the right of radius 541.52 feet (delta 25°54'46") (chord bearing N28°42'14"E) (chord 242.83 feet) for 244.91 feet to a point; to the POINT OF BEGINNING.

Containing 4.50 acres, more or less.

PARCEL 9:

A portion of RIVER HALL COUNTRY CLUB, PHASE TWO as recorded in Instrument Number 2006000409514, Lee County Records being more particularly described as follows:

Beginning at Easterly Most corner of Lot 77, Block "K" of RIVER HALL COUNTRY CLUB, PHASE TWO as recorded in Instrument Number 2006000409514, Lee County Records, run S05°31'00"W for 168.94 feet; thence run S75°15'00"W for 10.07 feet; thence run Southwesterly along an arc of a curve to the right of radius 55.00 feet (delta 153°38'05") (chord bearing S62°04'03"W) (chord 107.10 feet) for 147.48 feet to a point; thence run Northwesterly along an arc of a curve to the left of radius 90.00 feet (delta 15°27'44") (chord bearing N48°50'47"W) (chord 24.21 feet) for 24.29 feet to a point of tangency; thence run S11°49'00"W for 153.76 feet; thence run Southwesterly along an arc of a curve to the left of radius 48.00 feet (delta 81°30'58") (chord bearing S61°03'31"W) (chord 62.68 feet) for 68.29 feet to a point; thence run S20°18'02"W for 183.50 feet; thence run Southwesterly along an arc of a curve to the right of radius 507.00 feet (delta 77°48'10") (chord bearing S59°12'06"W) (chord 636.77 feet) for 688.46 feet to a point of tangency; thence run N04°08'00"E for 137.37 feet; thence run N81°39'21"W for 27.40 feet; thence run Westerly along an arc of a curve to the left of radius 775.00 feet (delta 00°14'21") (chord bearing N81°46'32"W) (chord 3.23 feet) for 3.23 feet to a point of tangency; thence run N12°58'00"E for 161.00 feet; thence run N36°09'00"E for 24.42 feet; thence run Easterly along an arc of a curve to the left of radius 43.00 feet (delta

DESCRIPTION (CONTINUED)

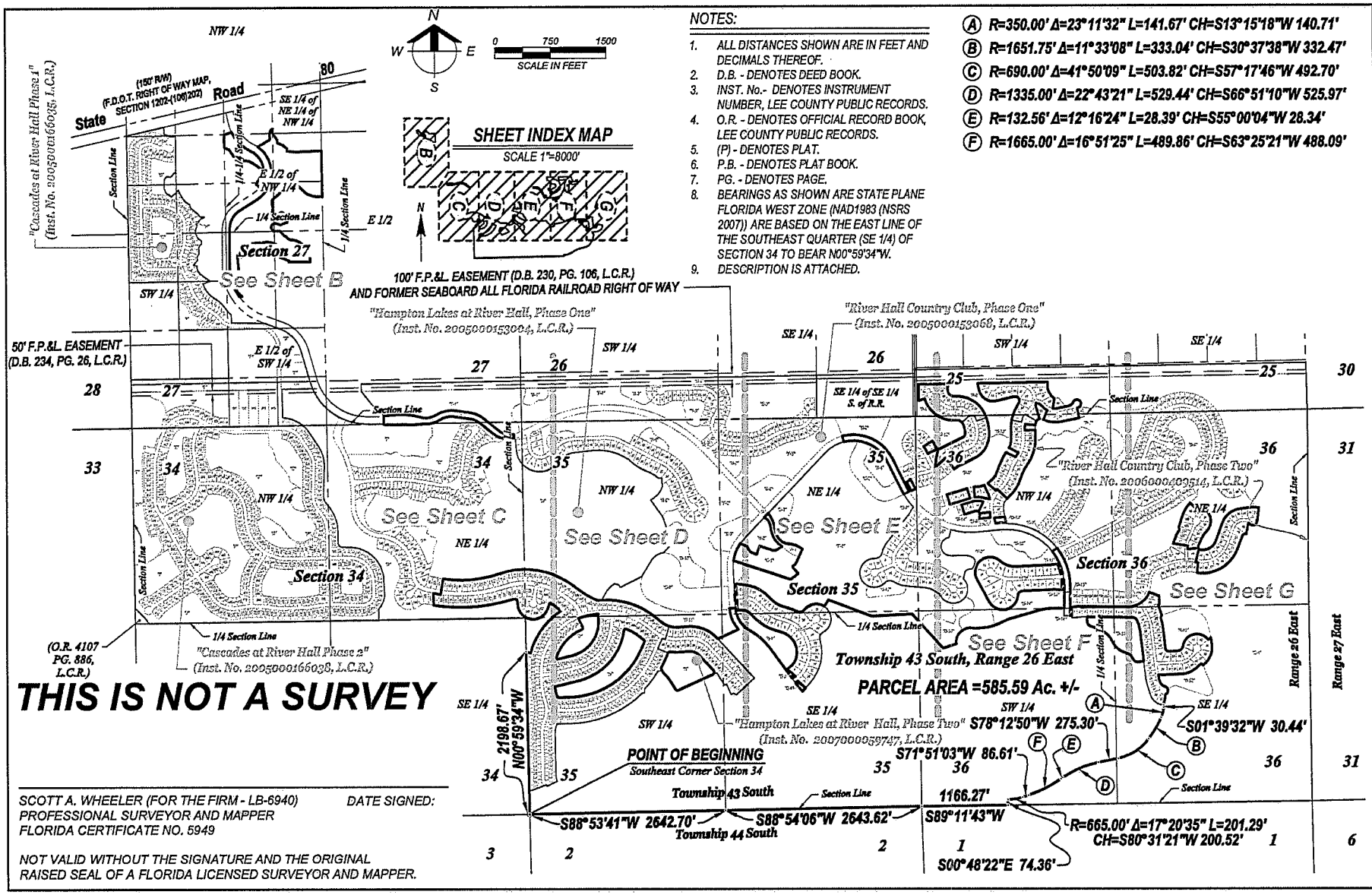
30°02'08") (chord bearing S68°52'04"E) (chord 22.28 feet) for 22.54 feet to a point; thence run Northeasterly along an arc of a curve to the left of radius 193.00 feet (delta 75°43'55") (chord bearing N58°14'55"E) (chord 236.93 feet) for 255.10 feet to a point of tangency; thence run N20°01'59"E for 252.49 feet; thence run Northeasterly along an arc of a curve to the right of radius 307.00 feet (delta 62°41'32") (chord bearing N51°22'45"E) (chord 319.41 feet) for 335.92 feet to a point of tangency; thence run N82°43'37"E for 164.26 feet; thence run S84°29'00"E for 84.83 feet to the POINT OF BEGINNING.
Containing 7.91 acres, more or less.

Total acres 585.59 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS 2007) and are based on the East line of the Southeast Quarter (SE ¼) of said Section 34 to bear N00°59'34"W.

Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955CPA01.doc



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
4. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
5. (P) - DENOTES PLAT.
6. P.B. - DENOTES PLAT BOOK.
7. PG. - DENOTES PAGE.
8. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) ARE BASED ON THE EAST LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 34 TO BEAR N00°59'34"W.
9. DESCRIPTION IS ATTACHED.

(A) R=350.00' Δ=23°11'32" L=141.67' CH=S13°15'18"W 140.71'
(B) R=1651.75' Δ=11°33'08" L=333.04' CH=S30°37'38"W 332.47'
(C) R=690.00' Δ=41°50'09" L=503.82' CH=S57°17'46"W 492.70'
(D) R=1335.00' Δ=22°43'21" L=529.44' CH=S66°51'10"W 525.97'
(E) R=132.56' Δ=12°16'24" L=28.39' CH=S55°00'04"W 28.34'
(F) R=1665.00' Δ=16°51'25" L=489.86' CH=S63°25'21"W 488.09'

SCOTT A. WHEELER (FOR THE FIRM - LB-6940)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5949

DATE SIGNED:

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

Barraco and Associates, Inc.
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FAX (239) 461-3180
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

LandMar GROUP, LLC
2401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0517

PROJECT DESCRIPTION

A Parcel of Land in Sections 25, 26, 27, 34, 35 & 36 Township 43 South, Range 26 East Lee County, Florida

PROJECT SURVEYOR

SCOTT A. WHEELER, P.S.M. No. 5949 STATE OF FLORIDA

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

FILE NAME	22965CPA01.DWG
LAYOUT	A
LOCATION	J:\22965\DWG\SURVEYING\SKETCH
PLOT DATE	WED, 12-17-2014 - 10:08 AM
PLOT BY	PETER OLSCH
DRAWING DATA	
SURVEY DATE	12-16-2014
DRAWN BY	P. OLSCH
CHECKED BY	SAW
SCALE	1"=1200'
FIELD BOOK	

PLAN REVISIONS

STAMP NUMBERS

COMPREHENSIVE PLAN AMENDMENT

SKETCH TO ACCOMPANY DESCRIPTION

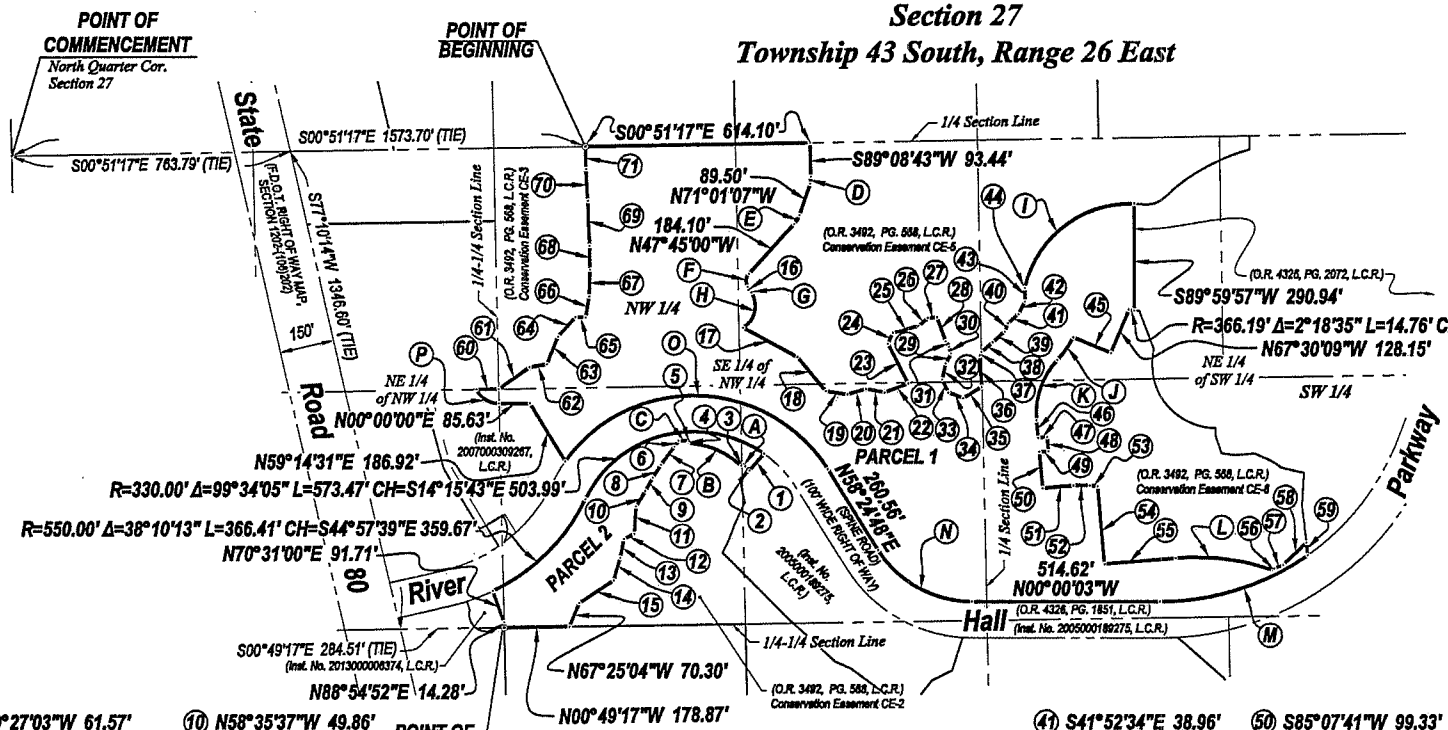
PROJECT / FILE NO.	SHEET NUMBER
22965 06-43-26	A OF XX

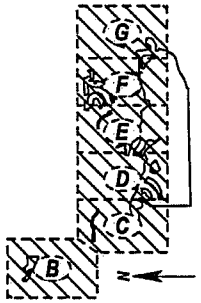
(A) R=243.59' Δ=2°15'07" L=9.57' CH=N44°10'13"E 9.57'
(B) R=237.59' Δ=38°59'14" L=161.67' CH=N23°36'50"E 158.57'
(C) R=243.59' Δ=6°53'49" L=29.32' CH=N01°19'46"E 29.31'
(D) R=66.36' Δ=16°50'32" L=19.51' CH=N84°55'21"W 19.44'
(E) R=70.00' Δ=23°16'07" L=28.43' CH=N59°23'03"W 28.23'
(F) R=30.00' Δ=72°55'14" L=38.18' CH=N84°12'37"W 35.66'
(G) R=26.40' Δ=5°46'39" L=2.66' CH=S56°05'54"W 2.66'
(H) R=70.00' Δ=89°33'57" L=109.43' CH=N76°34'03"W 98.62'
(I) R=294.98' Δ=79°24'50" L=408.86' CH=S37°32'25"E 376.91'
(J) R=284.50' Δ=15°17'25" L=75.92' CH=N54°28'27"W 75.70'
(K) R=215.00' Δ=48°01'46" L=180.23' CH=N70°51'26"W 175.00'
(L) R=645.00' Δ=21°47'32" L=245.32' CH=S06°01'27"W 243.85'
(M) R=700.00' Δ=35°18'45" L=431.42' CH=N17°39'25"W 424.63'
(N) R=300.00' Δ=58°24'51" L=305.86' CH=N29°12'23"E 292.78'
(O) R=430.00' Δ=113°16'07" L=850.07' CH=N01°46'45"E 718.25'
(P) R=67.00' Δ=65°23'59" L=76.48' CH=N32°42'00"E 72.39'

E N S W

0 200 400
SCALE IN FEET

Section 27
Township 43 South, Range 26 East





SHEET INDEX MAP
SCALE 1"=8000'

(1) N49°27'03"W 61.57'
(2) N45°39'05"E 15.51'
(3) N49°27'03"W 6.01'
(4) S54°38'48"E 4.76'
(5) S76°07'10"E 1.94'
(6) N54°38'48"W 20.18'
(7) N54°38'46"W 62.62'
(8) N56°19'59"W 41.82'
(9) N60°57'46"W 41.20'
(10) N58°35'37"W 49.86'
(11) N86°11'12"W 74.80'
(12) N28°14'18"W 31.90'
(13) N78°18'45"W 52.55'
(14) N74°02'56"W 65.51'
(15) N33°39'00"W 113.45'
(16) S55°56'06"W 16.37'
(17) S28°40'01"W 168.43'
(18) S49°55'00"W 120.21'
(19) S08°34'30"W 59.47'
(20) S16°25'18"E 53.01'
(21) S10°53'06"W 52.02'
(22) S21°20'30"E 68.84'
(23) N62°54'21"E 119.90'
(24) S66°05'27"E 32.67'
(25) S15°30'06"E 72.37'
(26) S40°08'04"E 34.02'
(27) S03°40'51"E 25.26'
(28) S70°07'12"W 69.86'
(29) S61°26'29"W 17.36'
(30) S72°08'48"W 19.92'
(31) N60°51'22"W 30.42'
(32) N77°06'37"W 44.10'
(33) S64°52'29"W 38.94'
(34) S20°52'27"W 43.82'
(35) S31°30'37"E 59.12'
(36) N86°41'36"E 84.58'
(37) S63°46'58"E 10.50'
(38) S40°41'16"E 40.28'
(39) S42°43'38"E 45.16'
(40) S67°36'20"E 23.72'
(41) S41°52'34"E 38.96'
(42) S63°15'06"E 38.14'
(43) S89°23'27"E 35.43'
(44) N63°29'28"E 1.44'
(45) N22°29'51"E 111.26'
(46) S85°07'41"W 47.77'
(47) S04°52'19"E 25.00'
(48) S85°07'41"W 40.00'
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(50) S85°07'41"W 99.33'
(51) S04°52'19"E 84.36'
(52) S00°40'13"E 44.90'
(53) S09°23'27"W 21.52'
(54) S85°07'41"W 214.14'
(55) S04°52'19"E 195.19'
(56) S56°46'33"E 5.45'
(57) S22°03'38"E 26.30'
(58) S44°22'17"E 89.18'
(59) S84°07'47"W 35.31'
(60) S00°50'17"E 60.93'
(61) S34°56'26"E 102.67'
(62) S09°14'30"E 48.67'
(63) S67°52'13"E 81.78'
(64) S48°12'54"E 71.57'
(65) S01°01'22"W 27.84'
(66) S80°11'09"E 57.75'
(67) S87°52'40"E 72.84'
(68) N88°30'21"E 65.61'
(69) N87°58'32"E 123.03'
(70) N86°30'04"E 86.75'
(71) N89°08'44"E 62.31'

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ENGINEERING 7966 - SURVEYING LB-4840

PREPARED FOR

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2401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0517

PROJECT DESCRIPTION

A Parcel of Land in Sections 25, 26, 27, 34, 35 & 36 Township 43 South, Range 26 East Lee County, Florida

PROJECT SURVEYOR

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

FILE NAME	23865PA01.DWG
LAYOUT	8
LOCATION	J:\23865\DWG\SURVEY\NEW\SKETCH
PLOT DATE	WED, 12-17-2014 - 10:09 AM
PLOT BY	PETER OLSCH
DRAWING DATA	
SURVEY DATE	12-16-2014
DRAWN BY	P. OLSCH
CHECKED BY	SAW
SCALE	1"=1500'
FIELD BOOK	

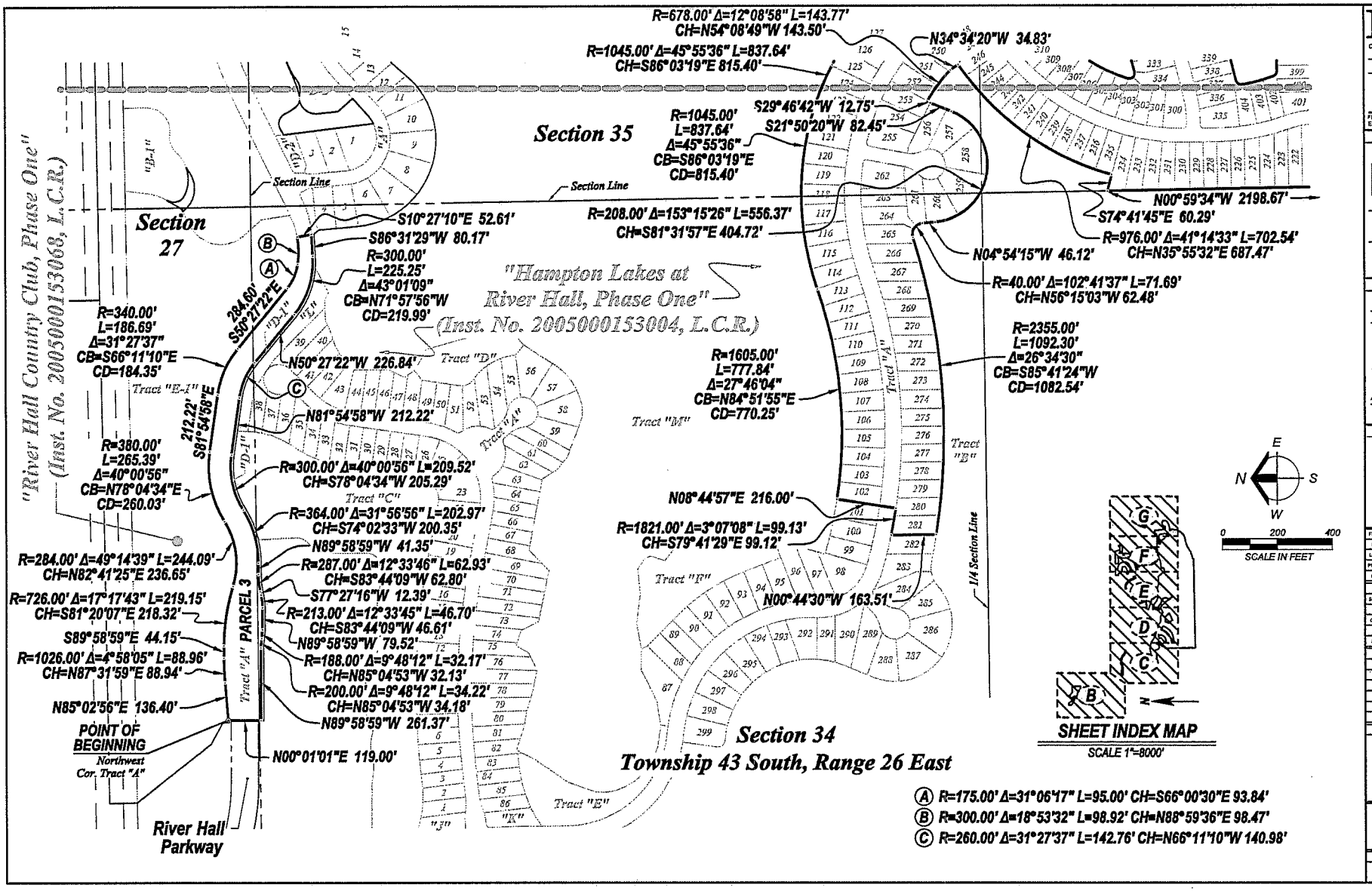
PLAN REVISIONS

STRAP NUMBERS

COMPREHENSIVE PLAN AMENDMENT

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
23865 36-43-26	B OF XX



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ENGINEERING 7995 - SURVEYING LB-4940

PREPARED FOR

LandMar GROUP, LLC

2401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920

PHONE (239) 274-0321
FAX (239) 274-0517

PROJECT DESCRIPTION

A Parcel of Land in Sections 25, 26, 27, 34, 35 & 36 Township 43 South, Range 26 East Lee County, Florida

PROJECT SURVEYOR

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

FILE NAME	23165CPA01.DWG
LAYOUT	C
LOCATION	J:\23XX\23XX\SURVEY\HG\SKETCH
PLOT DATE	WED, 12-17-2014 - 10:29 AM
PLOT BY	PETER OLSON

DRAWING DATA

SURVEY DATE	12-16-2014
DRAWN BY	P. OLSON
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

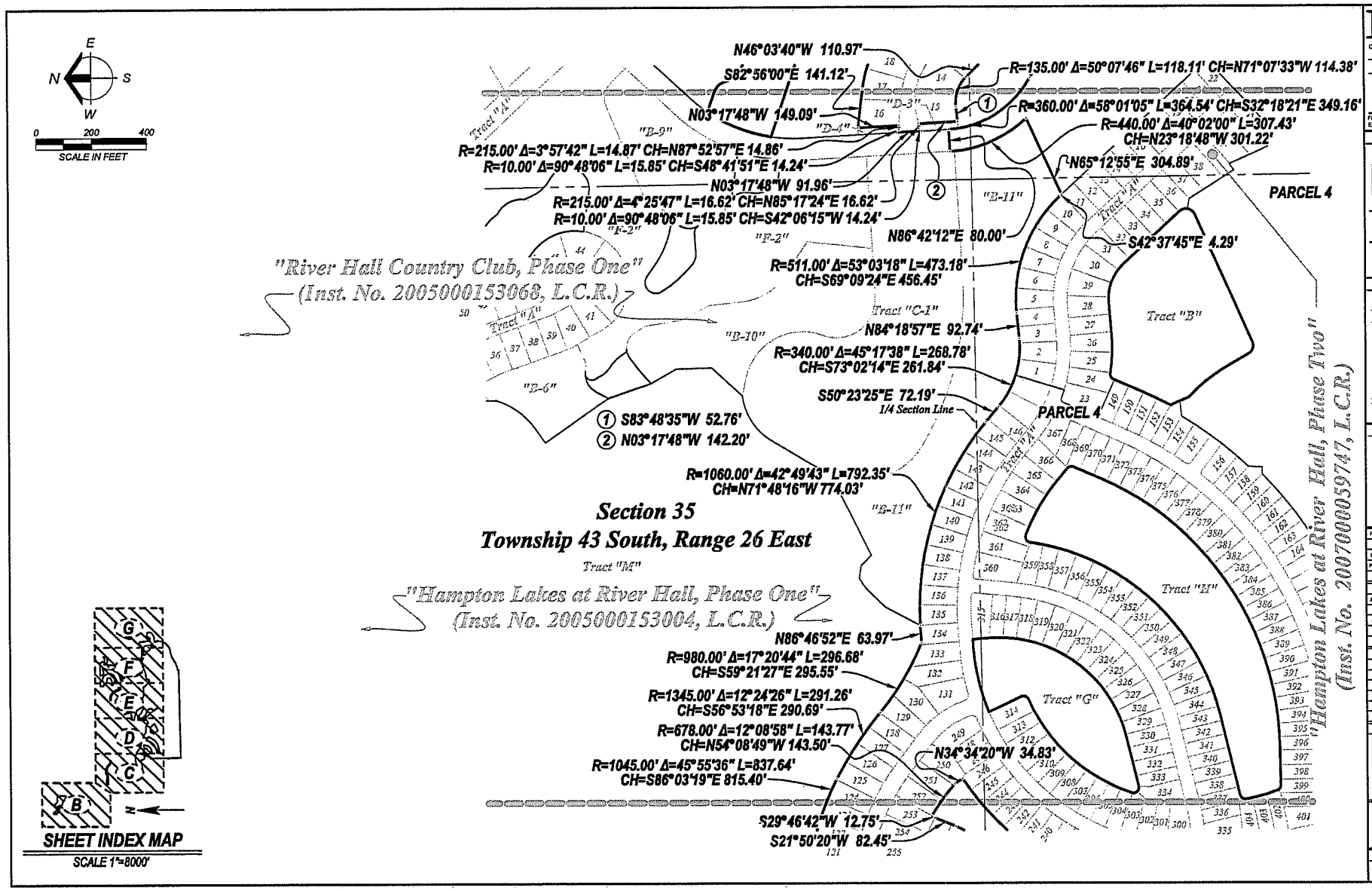
PLAN REVISIONS

STRAP NUMBERS

COMPREHENSIVE PLAN AMENDMENT

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
23165 26-43-26	C OF XX



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ENGINEERING 7995 - SURVEYING LB-4940

PREPARED FOR

LandMar GROUP, LLC
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PHONE (239) 274-0321
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PROJECT DESCRIPTION

A Parcel of Land in Sections 25, 26, 27, 34, 35 & 36 Township 43 South, Range 26 East Lee County, Florida

PROJECT SURVEYOR

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

FILE NAME	23965CP401.DWG
LAYOUT	D
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PLOT BY	PETER OLSON
DRAWING DATA	
SURVEY DATE	12-16-2014
DRAWN BY	P. OLSON
CHECKED BY	SAW
SCALE	1"=150'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

COMPREHENSIVE PLAN AMENDMENT

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
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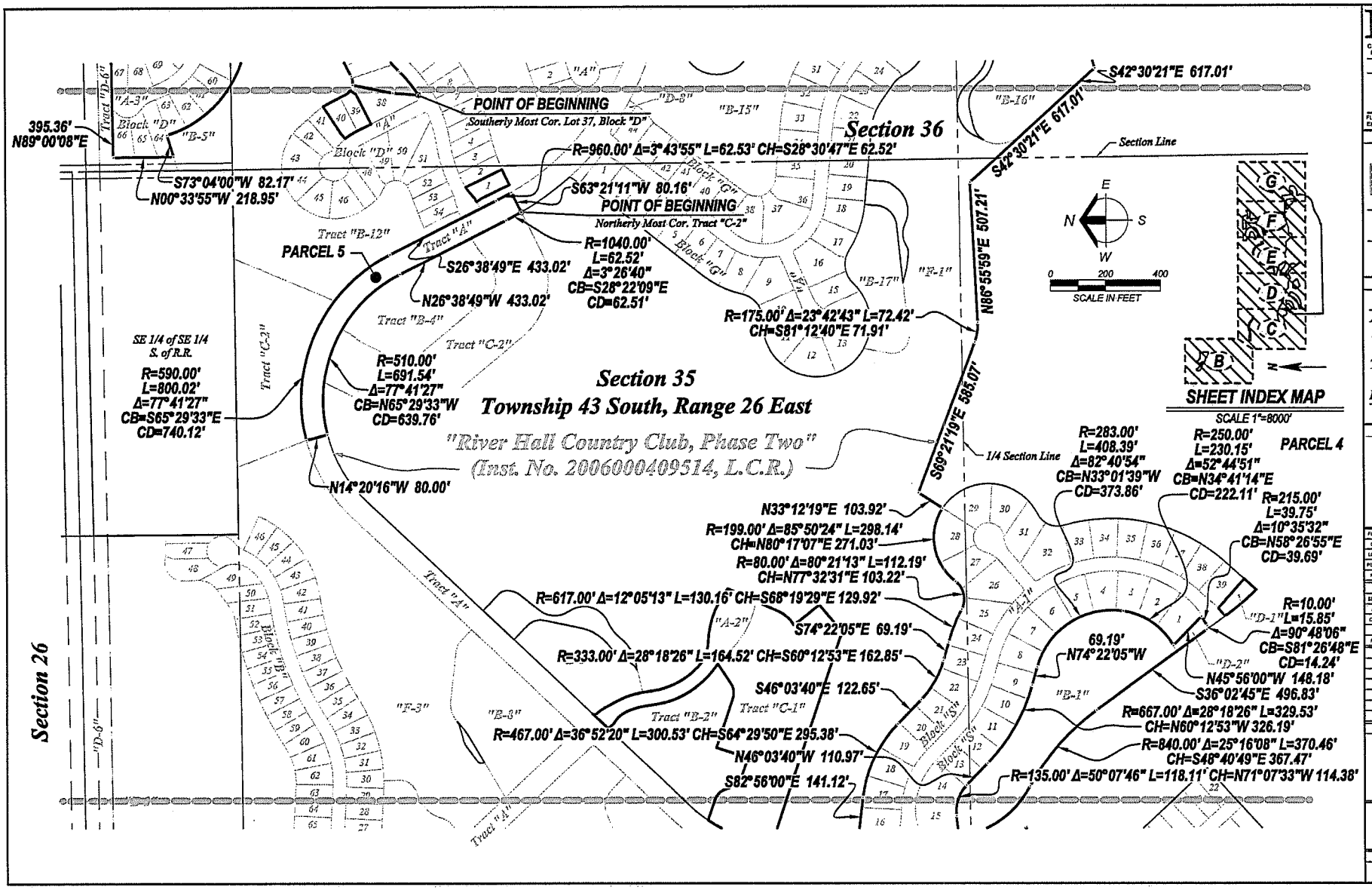

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ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

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PROJECT SURVEYOR

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

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PLOT BY	PETER OLSCH

DRAWING DATA

SURVEY DATE	12-16-2014
DRAWN BY	P. OLSCH
CHECKED BY	SAW
SCALE	1"=150'
FIELD BOOK	

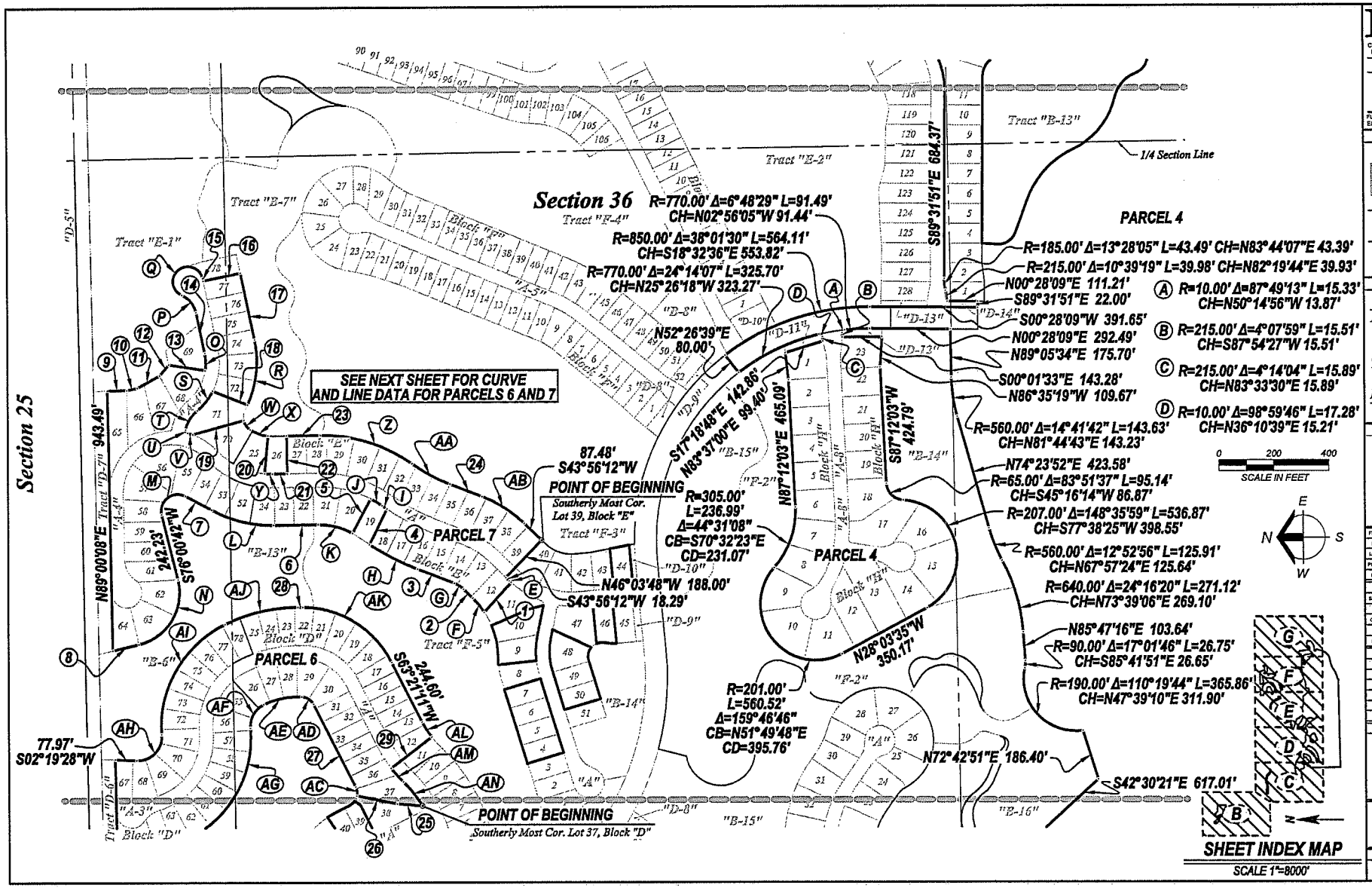
PLAN REVISIONS

STRAP NUMBERS

COMPREHENSIVE PLAN AMENDMENT

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
23963 36-43-26	E OF XX



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

FILE NAME	22966CPA01.DWG
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PLOT BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	12-16-2014
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=1000'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

COMPREHENSIVE PLAN AMENDMENT

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
22966 36-43-26	F OF XX

(E) R=325.00' Δ=1°26'27" L=8.17' CH=S43°12'59"W 8.17'
(F) R=298.00' Δ=12°39'49" L=65.86' CH=N50°16'07"E 65.73'
(G) R=100.00' Δ=22°40'27" L=39.57' CH=N32°35'59"E 39.32'
(H) R=967.00' Δ=11°36'37" L=195.95' CH=N27°04'03"E 195.61'
(I) R=825.00' Δ=1°27'39" L=21.04' CH=N34°44'06"E 21.04'
(J) R=375.00' Δ=7°28'56" L=48.97' CH=N31°43'28"E 48.94'
(K) R=250.00' Δ=29°56'16" L=130.63' CH=N14°10'37"E 129.15'
(L) R=462.00' Δ=29°03'17" L=234.28' CH=N13°44'08"E 231.78'
(M) R=60.00' Δ=132°15'04" L=138.49' CH=N37°51'46"W 109.73'
(N) R=192.00' Δ=90°48'01" L=304.27' CH=N58°35'17"W 273.42'
(O) R=175.00' Δ=20°49'49" L=63.62' CH=N88°40'06"E 63.27'
(P) R=90.00' Δ=54°06'42" L=85.00' CH=N51°11'50"E 81.87'
(Q) R=55.00' Δ=234°06'42" L=224.73' CH=S38°48'10"E 97.96'
(R) R=383.00' Δ=36°15'37" L=242.39' CH=N83°37'00"W 238.36'
(S) R=225.00' Δ=23°15'28" L=91.33' CH=N51°11'30"W 90.71'
(T) R=125.00' Δ=38°18'07" L=83.56' CH=N58°42'49"W 82.01'
(U) R=10.00' Δ=86°52'24" L=15.16' CH=S58°41'56"W 13.75'
(V) R=225.00' Δ=5°08'13" L=20.17' CH=S17°49'50"W 20.17'
(W) R=57.00' Δ=42°57'39" L=42.74' CH=S55°34'25"W 41.74'
(X) R=137.00' Δ=28°52'06" L=69.03' CH=S19°39'33"W 68.30'
(Y) R=275.00' Δ=6°01'01" L=28.88' CH=S02°13'00"W 28.87'
(Z) R=563.00' Δ=36°15'27" L=356.27' CH=S17°20'13"W 350.36'
(AA) R=637.00' Δ=14°12'11" L=157.91' CH=S28°21'50"W 157.50'
(AB) R=463.00' Δ=22°40'27" L=183.23' CH=S32°35'59"W 182.03'
(AC) R=50.00' Δ=37°58'49" L=33.14' CH=N82°20'35"E 32.54'
(AD) R=50.00' Δ=60°42'05" L=52.97' CH=N33°00'08"E 50.53'
(AE) R=288.00' Δ=28°23'45" L=142.73' CH=N11°32'46"W 141.28'
(AF) R=88.00' Δ=69°11'33" L=106.27' CH=N60°20'25"W 99.93'
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(6) N00°47'31"W 163.32'
(7) N28°15'47"E 108.40'
(8) N13°11'17"W 97.75'
(9) S00°59'52"E 70.20'
(10) S12°17'00"E 39.38'
(11) S28°53'00"E 92.79'
(12) S50°17'33"E 51.98'
(13) S09°05'00"W 134.24'
(14) N78°15'11"E 153.05'
(15) S78°15'11"W 9.82'
(16) S11°44'49"E 138.00'
(17) S78°15'11"W 250.28'
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(20) N84°46'30"W 138.00'
(21) S00°47'31"E 53.39'
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(23) S00°47'31"E 122.31'
(24) S21°15'45"W 124.09'
(25) N04°31'30"E 92.00'
(26) N11°20'00"E 149.99'
(27) N63°21'11"E 340.69'
(28) S00°00'03"E 18.29'
(29) N37°42'00"W 187.00'

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PREPARED FOR

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PROJECT DESCRIPTION

A Parcel of Land in Sections 25, 26, 27, 34, 35 & 36 Township 43 South, Range 26 East Lee County, Florida

PROJECT SURVEYOR

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

FILE NAME	22055CPA01.DWG
LAYOUT	F_A
LOCATION	J:\22055\DWG\SURVEY\KG\SKETCH
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PLOT BY	PETER OLSON

DRAWING DATA

SURVEY DATE	12-14-2014
DRAWN BY	P. OLSON
CHECKED BY	EAW
SCALE	1"=150'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

COMPREHENSIVE PLAN AMENDMENT

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
22055 36-43-26	FA OF XX

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(B) R=43.00' Δ=85°40'09" L=64.29' CH=S49°26'28"E 58.47'
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(G) R=307.00' Δ=38°11'12" L=204.61' CH=S68°37'51"W 200.84'
(H) R=230.00' Δ=20°17'02" L=81.42' CH=S16°44'54"E 81.00'
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(J) R=55.00' Δ=139°00'23" L=133.44' CH=S07°04'00"E 103.04'
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(M) R=43.00' Δ=42°31'14" L=31.91' CH=S02°39'32"W 31.18'
(N) R=230.00' Δ=10°55'34" L=43.86' CH=N04°13'13"E 43.79'
(O) R=541.52' Δ=25°54'46" L=244.91' CH=N28°42'14"E 242.83'
(P) R=775.00' Δ=0°14'21" L=3.23' CH=N81°46'32"W 3.23'
(Q) R=43.00' Δ=30°02'08" L=22.54' CH=S68°52'04"E 22.28'
(R) R=193.00' Δ=75°43'55" L=255.10' CH=N58°14'55"E 236.93'
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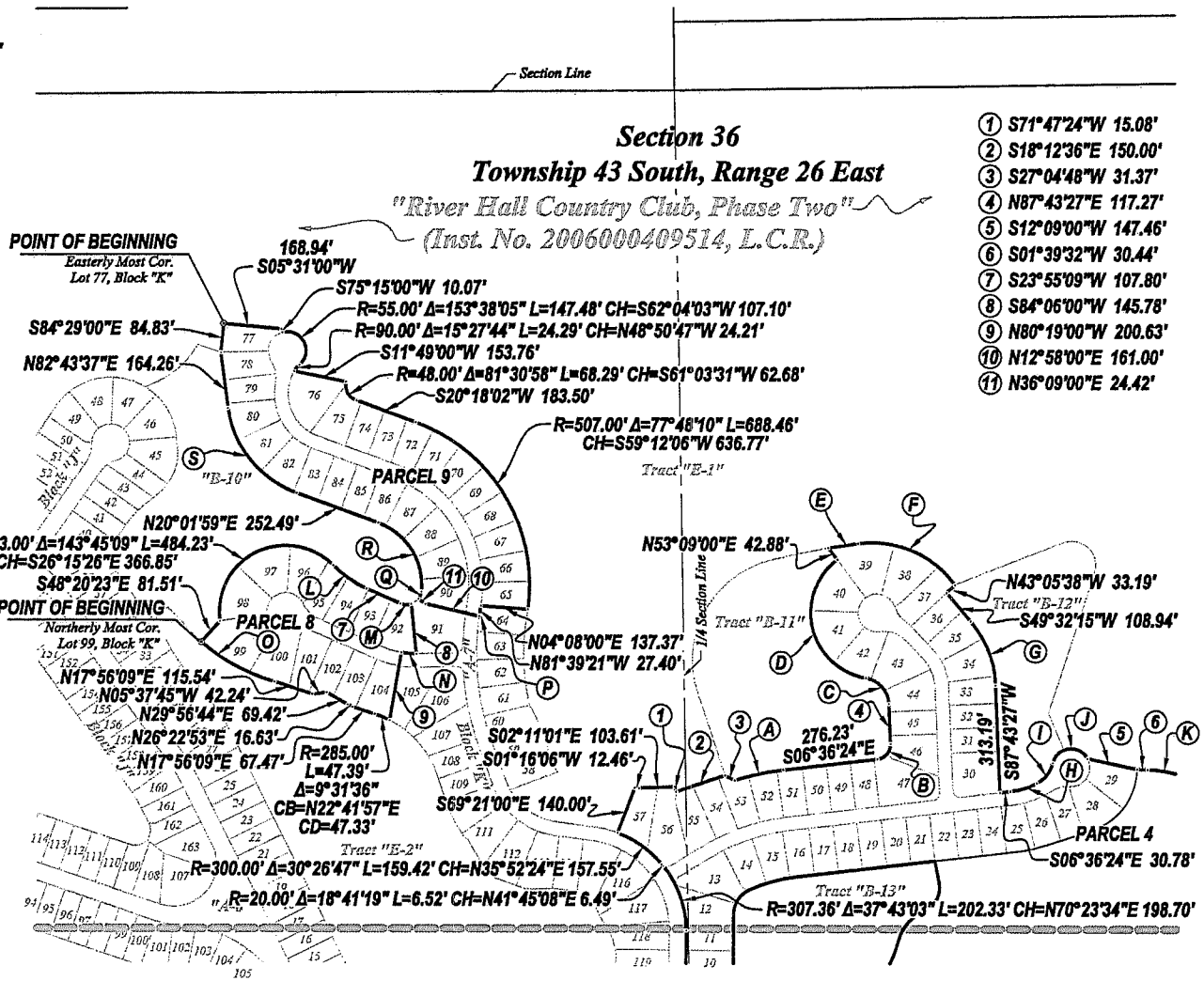

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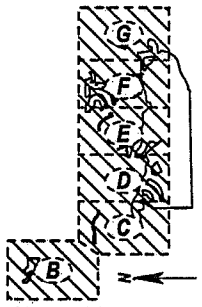
(11) N36°09'00"E 24.42'



SHEET INDEX MAP

SCALE 1"=8000'

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FILE NAME	23965PA01.DWG
LAYOUT	G
LOCATION	J:\23965\DWG\SURVEY\SKETCH
PLOT DATE	WED. 12-17-2014 - 10:31 AM
PLOT BY	PETER OLSON
DRAWING DATA	
SURVEY DATE	12-16-2014
DRAWN BY	P. OLSON
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

COMPREHENSIVE PLAN AMENDMENT

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT/FILE NO.	SHEET NUMBER
23965 26-43-26	G OF XX

DC12013-00003

EXHIBIT App. 10

(6) Estimated AM peak hour retail pass-by rate is less than 10% of passing traffic on SR 80.
(7) ITE estimated PM peak hour retail pass-by rate is less than 10% of passing traffic on SR 80.

c. The NCHRP Report 684 Enhancing Internal Trip Capture Estimation for Mixed-Use Developments rates were utilized to estimate the Project's internal trip capture (Appendix G). The internal capture rate has been estimated at 8.8% for the AM peak hour and 23.7% for the PM peak hour.

d. Retail pass-by trip rates of 10% and 30% for the AM and PM peak hours, respectively, were applied to the retail use (Appendix G). The assumed pass-by rates were much lower than the 55% estimated by the Institute of Transportation Engineers Trip Generation, 9th Edition and the resultant pass-by trips are significantly lower than the maximum 10% of the passing traffic on SR 80.

iii) Future Total Development Trips (Approved PD)

e. The resultant remaining development trips were then added to the 2014 existing driveway traffic volumes to derive the cumulative trip generation at buildout as shown below.

River Hall RPD/CPD
2021 Buildout Trip Generation Summary
Approved PD

AM Peak Hour

Trip Type	Existing (1) Development			Remaining (2) Development			Total (3) Development		
	In	Out	Total	In	Out	Total	In	Out	Total
Total	46	80	126	347	710	1,057	393	790	1,183
Internal	2	2	4	51	51	102	53	53	106
External	44	78	122	296	659	955	340	737	1,077
Pass-By	0	0	0	4	2	6	4	2	6
Net New	44	78	122	292	657	949	336	735	1,071
To/From River Hall Elementary School	0	0	0	0 (4)	0 (4)	0 (4)	0	0	0
SR 80 Access	44	78	122	293	648	941	337	726	1,063
Secondary Access	0	0	0	3	11	14	3	11	14
Total External Network	44	78	122	296	659	955	340	737	1,077

iii) Future Total Development Trips (PD Amendment)

e. The resultant remaining development trips were then added to the 2014 existing driveway traffic volumes to derive the cumulative trip generation at buildout.

River Hall RPD/CPD
Buildout Trip Generation Summary
2021 With PD Amendment

AM Peak Hour

Trip Type	Existing (1) Development			Remaining (2) Development			Total (3) Development		
	In	Out	Total	In	Out	Total	In	Out	Total
Total	46	80	126	469	1,075	1,544	515	1,155	1,670
Internal	2	2	4	52	52	104	54	54	108
External	44	78	122	417	1,023	1,440	461	1,101	1,562
Pass-By	0	0	0	4	2	6	4	2	6
Net New	44	78	122	413	1,021	1,434	457	1,099	1,556
To/From River Hall Elementary School	0	0	0	0 (4)	0 (4)	0 (4)	0	0	0
SR 80 Access	44	78	122	394	1,012	1,406	438	1,090	1,528
Secondary Access	0	0	0	23	11	34	23	11	34
Total External Network	44	78	122	417	1,023	1,440	461	1,101	1,562

PM Peak Hour

	Existing (1) Development			Remaining (2) Development			Total (3) Development		
	In	Out	Total	In	Out	Total	In	Out	Total
Total	81	118	199	1,129	807	1,936	1,210	925	2,135
Internal	1	1	2	209	209	418	210	210	420
External	80	117	197	920	598	1,518	1,000	715	1,715
Pass-By	0	0	0	25	14	39	25	14	39
Net New	80	117	197	895	584	1,479	1,975	701	1,676
To/From River Hall Elementary School	2	3	5	11 (4)	17 (4)	28 (4)	13	20	33

EXHIBIT
App. 11
DC12013-00003

RIVER HALL RPD/CPD
PLANNED DEVELOPMENT AMENDMENT
TRAFFIC IMPACT STATEMENT

Project #14552

December 20, 2012
Revised December 16, 2014

Prepared by:
DAVID PLUMMER & ASSOCIATES, INC.
2149 McGregor Boulevard
Fort Myers, Florida 33901

RIVER HALL RPD/CPD
PLANNED DEVELOPMENT AMENDMENT
TRAFFIC IMPACT STATEMENT

1.0 Introduction

River Hall RPD/CPD is an existing residential development located within unincorporated Lee County. The Project site is located on SR 80 in east Lee County, approximately three-fourths of a mile east of Buckingham Road at River Hall Parkway (Exhibit 1).

The River Hall community is currently zoned RPD/CPD and is identified as Suburban, Rural and Wetlands on the Lee Plan Future Land Use Map (FLUM). The existing FLUM and the RPD/CPD zoning for the River Hall community allows for 1,999 residential dwelling units and supporting amenities.

In 2012, the applicant initiated a Comprehensive Plan Amendment (CPA) to change the land use designation on a portion of the property from Rural to Sub-Outlying Suburban. The proposed CPA would potentially allow an increase of 1,000 dwelling units to a total of 2,999 dwelling units. For purposes of the rezoning, the proposal has been revised to reflect an increase of 696 dwelling units to a total of 2,695 dwelling units at buildout. The revised buildout year is anticipated to be year 2020.

The traffic assessment has been prepared consistent with the Lee County Guidelines for Zoning Traffic Studies and also consistent with the previous agreed-upon methodology established at the methodology meeting with Lee County Staff. In particular, the traffic assessment of SR 80 was prepared consistent with the standards established for Florida SIS (Strategic Intermodal System) facilities.

2.0 Development Parameters

A summary of the development parameters is presented in the table below. As shown, the "Existing-To-Date" represents the 307 single-family units plus amenities that are built and occupied in the community as of November, 2014.

The "Approved PD" parameters represent the 1,999 dwelling units plus amenities that are allowed under the current zoning. The Master Concept Plan of the approved PD is presented in Exhibit 2a.

The "PD Amendment" parameters allow the addition of 696 dwelling units to the Project to a total of 2,695 dwelling units plus amenities. The Master Concept Plan reflective of the PD amendment is provided in Exhibit 2b.

Development Parameters Summary

River Hall Land Use	Existing-To-Date (As of Nov./2014)	Approved PD	PD Amendment
Zoning	RPD/CPD	RPD/CPD	RPD/CPD
Buildout Year	Existing	2009	2020/2021
Single-Family (d.u.)	307	1,347	2,043
Multifamily (d.u.)	0	102	102
Active Adult (d.u.)		550	550
Total Residential (d.u.)	0	1,999	2,695
Office (sq. ft.)	0	15,000	15,000
Retail (sq. ft.)	0	30,000	30,000
Total Commercial (sq. ft.)	0	45,000	45,000
Golf w/Clubhouse (Holes)	18	36	36

The Project is anticipated to be built-out in year 2020. Consistent with Lee County guidelines, the future traffic conditions will reflect year 2021 (the year following the Project build-out).

3.0 Project Access

The Project is currently served by River Hall Parkway, the main entry road from SR 80. The current zoning resolution provides for a secondary access at the south property line. The connection of the secondary access is anticipated to be with Ruth Avenue in Lehigh Acres. It is anticipated that the secondary access will accommodate less than three percent of the future River Hall external traffic.

4.0 Study Methodology

The transportation methodology report dated October 18, 2012 was prepared by David Plummer and Associates, Inc. (DPA), Appendix A. The methodology report was presented and discussed with Lee County Development Services and DOT staff at the methodology meeting on October 25, 2012. This traffic study has been prepared consistent with the agreed upon methodology.

5.0 Study Area

As identified in the methodology report, the study area included the following major roadway segments.

Study Area - Major Roadway Segments

Roadway	From	To
SR 80	SR 31	Joel Boulevard
SR 31	From SR 80	SR 78
Buckingham Road	SR 80	Gunnery Road

The study area was subject to the "area of influence". The area of influence is defined as the area in that the Project traffic represents 10% or more of the maximum roadway service volume at Level-of-Service (LOS) "C".

In addition to the above roadway segments, the following intersections were identified within the study area and were analyzed as part of this traffic study.

Study Area - Intersections

Intersection
SR 80 and SR 31
SR 80 and Buckingham Road
SR 80 and River Hall Parkway (Project Entrance)

6.0 Area Roadway Network

The existing and future surrounding area roadway networks, assumed for purposes of the traffic analysis, are described below.

6.1 Existing Network

The existing roadway network in the vicinity of the Project is shown in Exhibit 1. As depicted, there are several major roadways in the vicinity of the Project including SR 80, SR 31 and Buckingham Road.

SR 80 is a State-maintained, east-west arterial connecting Lee County with Hendry County to the east. SR 80 west of SR 31 exists as six-lanes divided while east of SR 31 is four-lanes divided. SR 80 is part of the Florida Strategic Intermodal System (SIS).

SR 31 is a State-maintained, two-lane arterial that extends north from SR 80 into Charlotte and DeSoto County.

Buckingham Road is a County-maintained, two-lane, arterial that extends south from SR 80 into Lehigh Acres.

6.2 Future (Existing plus Committed) Network

Improvements that are scheduled for construction within the first three years of the current Lee County Capital Improvement Program and the Florida DOT Five-Year Work Program are considered to be committed improvements for purposes of Lee County traffic studies. With the exception of the on-going SR 31 PD&E Study between SR 80 and North River Road, there are currently no committed roadway improvements scheduled within the study area.

7.0 Data Collection

For purposes of this study, the traffic data were collected from following sources.

- Original 2014 intersection turning movement counts
- 2013 Lee County Traffic Count Report
- 2013 Lee County Traffic Concurrency Report
- FDOT Florida Traffic Online (2013)

7.1 Turning Movement Counts

The intersection tuning movement counts were conducted on November 19, 2014 at the following external intersections.

- SR 80 / SR 31
- SR 80 / Buckingham Road
- SR 80 / River Hall Parkway

Intersection turning movement counts were conducted at the following locations along River Hall Parkway within the River Hall community.

- Elementary School North Entrance
- Elementary School Middle Entrance
- Elementary School South Entrance / Paradise Palm Boulevard

The SR 80/River Hall Parkway intersection represented the controlling intersection that established the AM peak hour of between 7:00 to 8:00 and the PM peak hour of between 5:00 to 6:00 for the intersection analyses. To reflect peak season (K_{100}) traffic conditions, a peak season adjustment factor of 1.13 derived from the 2013 Lee County Traffic Count Report for PSC #5 was then applied to the raw counts. The complete intersection turning movement counts and adjustments are provided in Appendix B.

7.2 Roadway Volume Reports and Signal Operating Plans

The utilized traffic data information from the 2013 Lee County Traffic Count Report and the 2013 Lee County Concurrency Report are documented in Appendix C.

The signal operating plans (SOP) for the SR 80/SR 31 and SR 80/Buckingham Road intersections were obtained from the Lee County DOT and included as part of Appendix C.

8.0 Existing 2014 Traffic Volumes

The existing trip generation and resultant external roadway traffic volumes associated with the River Hall Elementary School and River Hall community are discussed below.

8.1 Existing 2014 River Hall Elementary School Trip Generation

The River Hall Elementary School (RHES) is located within the River Hall Community. The school is a public entity and is not part of the River Hall RPD/CPD development. The current 2014 enrollment is 922 students, Appendix D.

Based on the traffic counts conducted at the three school entrances along River Hall Parkway and documented as part of Appendix B, the existing trip generation of RHES coincident with the AM and PM peak hours of the adjacent street were calculated and presented below.

River Hall Elementary School
Trip Generation Summary
Existing Enrollment (1)

Trip Type	AM Peak Hour (2)			PM Peak Hour (3)		
	In	Out	Total	In	Out	Total
Total	94	27	121	60	88	148
Internal	0	0	0	0	0	0
External	94	27	121	60	88	148
Pass-By	0	0	0	0	0	0
Net New	94	27	121	60	88	148

To/From River Hall Residential	0	0	0	3	2	5
SR 80 Access	94	27	121	57	86	143

Footnotes:
(1) November 2014 Enrollment = 922 students.
(2) Based on AM peak hour (7:00 to 8:00 am) turning-movement counts conducted on November 19, 2014. Does not necessarily reflect the morning peak hour generation of the school.
(3) Based on PM peak hour (5:00 to 6:00 pm) turning-movement counts conducted on November 19, 2014. Does not necessarily reflect the afternoon peak hour generation of the school.

The existing turning movement volumes at the three school entrances along River Hall Parkway are depicted in Appendix E.

8.2 Existing 2014 River Hall Trip Generation

Based on the traffic counts conducted along River Hall Parkway, the existing trip generation of River Hall RPD/CPD coincident with the AM and PM peak hours of the adjacent street is summarized below and further documented in Appendix E.

River Hall RPD/CPD
Trip Generation Summary
Existing Development (1)

Trip Type	AM Peak Hour (2)			PM Peak Hour (3)		
	In	Out	Total	In	Out	Total
Total	46	80	126	81	118	199
Internal	2	2	4	1	1	2
External	44	78	122	80	117	197
Pass-By	0	0	0	0	0	0
Net New	44	78	122	80	117	197
To/From River Hall Elementary School	0	0	0	2	3	5
SR 80 Access	44	78	122	78	114	192

Footnotes:
(1) Existing Development reflects 307 single-family units and 18-hole golf course/clubhouse.
(2) Based on AM peak hour (7:00 to 8:00 am) turning-movement counts conducted on November 19, 2014.
(3) Based on PM peak hour (5:00 to 6:00 pm) turning-movement counts conducted on November 19, 2014.

9.0 Existing 2014 Traffic Conditions

Existing year (2014) traffic conditions for the roadway segments and intersections under study are presented in this section. All year 2013 existing traffic volumes from latest published databases were inflated to represent the existing traffic conditions, coincident with year 2014.

9.1 Existing 2014 Roadway Segment LOS

The "Estimated 2013 100th Highest Hr" peak directional volumes reported in the 2013 Lee County Concurrency Report were adjusted to represent 2014 roadway segment volumes. The adjustment factors were taken from the 2013 Lee County Traffic Count Report, based on historic growth rates from roadway traffic volumes reported between year 2004 and 2013.

Since the 2013 reported volumes also include the traffic from the existing River Hall development, the existing River Hall traffic was deducted from the total volumes before the 2014 inflation factor was applied. To be conservative, a minimum of 1 percent growth per year was applied where the calculated growth rates were negative or less than 1 percent. The relevant data from both the concurrency report and the traffic count report are provided in Appendix C.

The existing 2014 traffic conditions for the roadway segments under study are summarized in Exhibit 3. As shown in Exhibit 3, all the study area roadway segments currently operate better than the adopted LOS standard of The Lee Plan.

A map showing the River Hall external traffic assignment (as a percentage of Project traffic) on the area roadway network is depicted in Exhibit 4.

9.2 Existing 2014 Intersection LOS

Intersection turning movement counts were conducted at the study area intersections on November 19, 2014, Appendix B. Those counts were adjusted to reflect peak season conditions as discussed in the previous section of the report.

The existing peak season, AM and PM peak hour intersection turning movement volumes are depicted in Exhibits 5a and 5b, respectively. The complete existing 2014 intersection volumes are further documented in Appendix E.

Intersection capacity analyses were performed consistent with the methodologies of the Highway Capacity Manual 2010 (HCM 2010) and using the current version of Highway Capacity Software (HCS 2010).

The results of the HCM intersection capacity analyses under existing conditions are summarized below. The corresponding HCS worksheets (Appendix F) and signal operating plans obtained from the Lee County DOT are included as part of Appendix C.

Intersection Capacity Analysis - Existing 2014 LOS

	Level of Service	
Intersection	AM Peak Hour	PM Peak Hour
SR 80 and SR 31	E (1)	E (1)
SR 80 and Buckingham Road	D (1)	D (1)
SR 80 and River Hall Parkway (Project Entrance)	C/A (2)	F/B (2)

Footnotes:
(1) Signalized intersection, overall LOS reported.
Individual movements or approaches may experience delay.
(2) Unsignalized intersection, overall LOS/major-street left-turn LOS reported.

As shown above, the study area intersections generally operate at or better than acceptable LOS under existing conditions. However, some individual movements and/or approaches may experience delays under existing conditions.

10.0 Future 2021 Traffic with Approved PD

Future 2021 traffic volume estimates reflective of the approved planned development is described as follows.

10.1 Future 2021 General Background Traffic (Approved PD)

The future (2021) peak hour background traffic, coincident with the currently approved Project at buildout, was estimated by applying historic annual growth rates to the existing traffic volumes from the 2013 Lee County Concurrency Report, less the existing River Hall traffic.

Historic growth rates were derived based on available traffic counts (from 2004 to 2013) listed in the Lee County 2013 Traffic Count Report. To be conservative, a minimum of 1 percent growth per year was applied where the calculated growth rates were negative or less than 1 percent. The resultant annual growth rates were applied to the estimated 2013 100th Highest Hour Directional roadway segment volumes from the 2013 Lee County Concurrency Report. For SR 80 (SIS), the AADT, K and D factors and projected growth rates were derived from the FDOT Florida Traffic Online (2013) database.

Furthermore, the background traffic assumption also reflected the recently approved Olga Square CPD with over 370,000 square feet of commercial use in the study area. Olga Square is situated on the north side of SR 80, directly across from River Hall. The Olga Square main access point

will add a north leg to the existing SR 80/ River Hall Parkway T-intersection. It is anticipated that River Hall will represent the primary customer base for Olga Square.

Therefore, the future 2021 background traffic volumes were derived based on a combination of general traffic growth and the site-specific traffic generation from Olga Square (less River Hall traffic). The combined background volumes represent a minimum of 2% annual growth between 2014 and 2021 for all roadway segments within the study area.

The above background traffic growth assumptions are included as part of the roadway segment analysis presented in Exhibit 6 with documentation provided in Appendix C.

10.2 Future 2021 River Hall Elementary School Traffic (Approved PD)

As part of the background traffic and based on the student enrollment increase from 2006 (700 students) to 2014 (922 students), a simple growth rate of 28 students per year (between 2006 and 2014) was calculated. It was estimated that the RHES enrollment would be 1,118 (922 + (28*7)) students, coincident with year 2021 (Appendix D). A growth factor of 1.21 (1,118/922) reflective of the student enrollment increase from year 2014 to 2021 was applied to the existing 2014 RHES traffic to derive future 2021 RHES traffic along River Hall Parkway and the external traffic at the SR 80 entrance.

The resultant AM and PM peak hour trip generation of the school is summarized as follows:

River Hall Elementary School
Trip Generation Summary
2021 with Approved PD

Trip Type	AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total
Total (1)	114	33	147	73	106	179
Internal	0	0	0	0	0	0
External	114	33	147	73	106	179
Pass-By	0	0	0	0	0	0
Net New	114	33	147	73	106	179
To/From River Hall Residential (2)	0	0	0	13	9	22
SR 80 Access	114	33	147	60	97	157

Footnotes:
(1) Estimated 2021 Enrollment = 1,118 students.
Based on River Hall Elementary School enrollment data from 2006 and 2014.
(2006 = 700 students; 2014 = 922 students) = 222 added students/8 years = 28 added students/year.

Does not necessarily represent the peak hour of generation of the school.
(2) Estimated based on increase from existing 307 SF d.u. to 1,347 SF d.u. at 2021.
Growth factor of 4.3880 applied to existing SF school trips.
Does not necessarily represent the peak hour of generation of the school.

10.3 Future 2021 River Hall Trip Generation (Approved PD)

The River Hall RPD/CPD trip generation estimates reflective of the currently approved PD were derived using the Online Traffic Impact Study Software (OTISS) that incorporates the Institute of Transportation Engineers (ITE), Trip Generation, 9th Edition. In addition, OTISS enables the input of the mixed-use internal capture rates from NCHRP Report 684 – Enhancing Internal Trip Capture Estimation for Mixed-Use Developments. The output from OTISS summarizes the trip generation, internal trip capture and pass-by trip assumptions, Appendix G.

The components of the River Hall community trip generation include: i) existing development; ii) remaining development; and iii) total future development.

i) Existing Development Trips - Counted

The existing trip generation based on traffic counts were previously discussed and presented below.

River Hall RPD/CPD
Counted Trip Generation Summary
Existing Development (1)

	AM Peak Hour (2)			PM Peak Hour (3)		
	In	Out	Total	In	Out	Total
Total	46	80	126	81	118	199
Internal	2	2	4	1	1	2
External	44	78	122	80	117	197
Pass-By	0	0	0	0	0	0
Net New	44	78	122	80	117	197
To/From River Hall Elementary School	0	0	0	2	3	5
SR 80 Access	44	78	122	78	114	192

Footnotes:
(1) Existing Development reflects 307 single-family units and 18-hole golf course/clubhouse.
(2) Based on AM peak hour (7:00 to 8:00 am) turning-movement counts conducted on November 19, 2014.
(3) Based on PM peak hour (5:00 to 6:00 pm) turning-movement counts conducted on November 19, 2014.

ii) Remaining Development Trips (Approved PD) – ITE Estimates

As per the traffic methodology, the remaining development was calculated by the following:

a. The trips for the existing development parameters and the buildout development parameters were estimated using the equations/trip rates from the ITE Trip Generation, 9th Edition.

b. The trip generation estimates for the remaining to be built development were then estimated by subtracting the ITE estimated trips (AM and PM) for the existing development parameters from the ITE estimated trips for the Project buildout parameters. The difference in the trips represents the trip generation of the remaining to be built development, as summarized below.

River Hall RPD/CPD
ITE Trip Generation Summary (1)
Approved PD

AM Peak Hour

Trip Type	Total (2) Development			Existing (3) Development			Remaining (4) Development		
	In	Out	Total	In	Out	Total	In	Out	Total
Total	432	887	1,319	85	177	262	347	710	1,057
Internal (5)	58	58	116	7	7	14	51	51	102
External	374	829	1,203	78	170	248	296	659	955
Pass-By (6)	4	2	6	0	0	0	4	2	6
Net New	370	827	1,197	78	170	248	292	657	949

PM Peak Hour

Trip Type	Total (2) Development			Existing (3) Development			Remaining (4) Development		
	In	Out	Total	In	Out	Total	In	Out	Total
Total	1,024	756	1,780	208	133	341	816	623	1,439
Internal (5)	211	211	422	6	6	12	205	205	410
External	813	545	1,358	202	127	329	611	418	1,029
Pass-By (7)	25	14	39	0	0	0	25	14	39
Net New	788	531	1,319	202	127	329	586	404	990

Footnotes:
(1) OTISS based on ITE, Trip Generation, 9th Edition.
(2) Total Development = 1,999 residential units + amenities.
(3) Existing Development = 307 residential units + amenities.
(4) Remaining Development = 1,692 residential units + amenities.
(5) OTISS with NCHRP 684 Mixed-Use Internal Capture Rates applied.

(6) Estimated AM peak hour retail pass-by rate is less than 10% of passing traffic on SR 80.
(7) ITE estimated PM peak hour retail pass-by rate is less than 10% of passing traffic on SR 80.

c. The NCHRP Report 684 Enhancing Internal Trip Capture Estimation for Mixed-Use Developments rates were utilized to estimate the Project's internal trip capture (Appendix G). The internal capture rate has been estimated at 8.8% for the AM peak hour and 23.7% for the PM peak hour.

d. Retail pass-by trip rates of 10% and 30% for the AM and PM peak hours, respectively, were applied to the retail use (Appendix G). The assumed pass-by rates were much lower than the 55% estimated by the Institute of Transportation Engineers Trip Generation, 9th Edition and the resultant pass-by trips are significantly lower than the maximum 10% of the passing traffic on SR 80.

iii) Future Total Development Trips (Approved PD)

e. The resultant remaining development trips were then added to the 2014 existing driveway traffic volumes to derive the cumulative trip generation at buildout as shown below.

River Hall RPD/CPD
2021 Buildout Trip Generation Summary
Approved PD

AM Peak Hour

Trip Type	Existing (1) Development			Remaining (2) Development			Total (3) Development		
	In	Out	Total	In	Out	Total	In	Out	Total
Total	46	80	126	347	714	1,061	393	790	1,183
Internal	2	2	4	51	52	104	53	53	106
External	44	78	122	296	662	957	340	737	1,077
Pass-By	0	0	0	4	2	6	4	2	6
Net New	44	78	122	292	660	951	336	735	1,071
To/From River Hall Elementary School	0	0	0	0 (4)	0 (4)	47 (4)	48	13	61
SR 80 Access	44	78	122	293	648	941	337	726	1,063
Secondary Access	0	0	0	3	11	14	3	11	14
Total External Network	44	78	122	296	659	955	340	737	1,077

PM Peak Hour

Trip Type	Existing [1] Development			Remaining [2] Development			Total [3] Development		
	In	Out	Total	In	Out	Total	In	Out	Total
Total	81	118	199	816	623	1,439	897	741	1,638
Internal	1	1	2	205	205	410	206	206	412
External	80	117	197	611	418	1,029	691	535	1,226
Pass-By	0	0	0	25	14	39	25	14	39
Net New	80	117	197	586	404	990	666	521	1,187
To/From River Hall Elementary School	2	3	5	7 [4]	10 [4]	17 [4]	9	13	22
SR 80 Access [5]	78	114	192	591	398	989	669	512	1,181
Secondary Access	0	0	0	13	10	23	13	10	23
Total External Network	78	114	192	604	408	1,012	682	522	1,204

Footnotes:
(1) Existing Development trip generation based on existing counts.
(2) Remaining Development trip generation (ITE) = Total Development (ITE) – Existing Development (ITE).
(3) Total Development trip generation = Existing Development (Counts) + Remaining Development (ITE).
(4) School trip generation based on ratio of 1:3.3880 increase from existing 307 SF d.u. to remaining 1,040 SF d.u.
(5) Assigned trips to external roadway network.

11.0 Future 2021 Traffic Conditions with Approved PD

Future year 2021 traffic conditions reflective of the currently approved Project are discussed in this section.

11.1 Future 2021 Roadway Segment LOS (Approved PD)

The future (2021) traffic conditions, coincident with the currently approved Project at build-out, for the roadway segments under study were derived by adding the estimated peak hour Project trips to the projected background traffic. The resultant future (2021) traffic conditions, coincident with the currently approved Project at build-out, are presented in Exhibit 6.

For consistency, the Project's traffic volumes were assigned to the study area roadway network based on the roadway segment trip assignment percentages from the River Hall CPA traffic analysis that was previously submitted to Lee County. The CPA traffic analysis relied on the MPO FSUTMS travel model.

The resultant assignment percentages were "smoothed" to better reflect real-world behavior. As shown in Exhibits 6 and 7, the significantly impacted roadway segments (Project trips at 10% or more of the service volumes at LOS "C") are identified. The Project does not have a significant impact on any roadway segments outside of the study area.

All of the study area roadway segments operate at or better than County adopted LOS standard, coincident with the approved PD at buildout. As such, River Hall does not have significant and adverse impacts on the surrounding roadway network with the approved PD.

11.2 Future 2021 Intersection LOS (Approved PD)

Future (2021) traffic conditions at the intersections, coincident with the currently approved Project at build-out, were derived by adding the build-out trip generation estimates to the projected background traffic volumes as detailed in Appendix H. The resultant 2021 intersection turning volumes are summarized in Exhibit 8a and 8b for AM and PM peak hours, respectively.

Intersection capacity analyses (HCM/HCS) performed for future conditions with the currently approved Project are summarized below and presented in Appendix I.

Intersection Levels of Service (LOS)
Future (2021) Conditions with Approved PD

	Without Improvement		With Improvement (3)	
Intersection	AM Peak	PM Peak	AM Peak	PM Peak
SR 80 and SR 31	E (1)	E (1)	D (1)	E (1)
SR 80 and Buckingham Road (1)	D (1)	F (1)	D (1)	D (1)
SR 80 and River Hall Parkway (Project Entrance)	F/C (2)	F/F (2)	C (4)	D (4)

Footnotes:
(1) Signalized intersection, overall LOS reported.
Individual turn lanes or approaches may experience delay.
(2) Unsignalized intersection, overall LOS/major-street left LOS reported.
(3) Turn-lane improvements only.
(4) Signalization, if and when warranted.

As shown above, all of the study area intersections are expected to operate with delay due to the increase in the background traffic growth and with the approved Project. However, turn-lane improvements are recommended to allow the intersections to operate at acceptable levels of service. The recommended improvements are discussed later in the study.

12.0 Future 2021 Traffic with PD Amendment

Future 2021 traffic volume estimates with the proposed planned development amendment is presented below.

12.1 Future 2021 General Background Traffic (PD Amendment)

The future (2021) peak hour background traffic, coincident with the proposed PD amendment of the Project at buildout, was estimated by applying historic annual growth rates to the existing traffic volumes, less the River Hall development traffic.

Historic growth rates were derived based on available traffic counts (from 2004 to 2013) listed in the Lee County 2013 Traffic Count Report. To be conservative, a minimum of 1 percent growth per year was applied where the calculated growth rates were negative or less than 1 percent. The resultant annual growth rates were applied to the estimated 2013 100th Highest Hour Directional (K_{100}, D_{100}) roadway segment volume from the 2013 Lee County Concurrency Report. For SR 80 (SIS), the AADT, K and D factors and projected growth rates were derived from the FDOT Florida Traffic Online (2013) database.

Furthermore, the background traffic assumption also reflected the recently approved Olga Square CPD with over 370,000 square feet of commercial use in the study area. Olga Square is situated on the north side of SR 80, directly across from River Hall. The Olga Square main access point will add a north leg to the existing SR 80/ River Hall Parkway T-intersection. It is anticipated that the proposed additional dwelling units at River Hall will enhance the primary customer base for Olga Square.

Therefore, the future 2021 background traffic volumes were derived based on a combination of general traffic growth and the site-specific traffic generation from Olga Square (less River Hall traffic). The combined background volumes represent a minimum of 2% annual growth between 2014 and 2021 for all roadway segments within the study area.

The above background traffic growth assumptions are included as part of the roadway segment analysis in Exhibit 9 with documentation provided in Appendix C.

12.2 Future 2021 River Hall Elementary School Traffic (PD Amendment)

As part of the background traffic and based on the student enrollment increase from 2006 (700 students) to 2014 (922 students), a simple growth rate of 28 students per year (between 2006 and 2014) was calculated. It was estimated that the RHES enrollment would be 1,118 (922 + (28*7)) students, coincident with year 2021 (Appendix D). A growth factor of 1.21 (1,118/922) reflective of the student enrollment increase from year 2014 to 2021 was applied to the existing 2014 RHES traffic to derive future 2021 RHES traffic along River Hall Parkway and the external traffic at the SR 80 entrance.

The resultant AM and PM peak hour trip generation of the school is summarized as follows:

River Hall Elementary School
Trip Generation Summary
2021 with PD Amendment

Trip Type	AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total
Total (1)	114	33	147	73	106	179
Internal	0	0	0	0	0	0
External	114	33	147	73	106	179
Pass-By	0	0	0	0	0	0
Net New	114	33	147	73	106	179
To/From River Hall Residential (2)	0	0	0	20	13	33
SR 80 Access	114	33	147	53	93	146

Footnotes:
(1) Estimated 2021 Enrollment = 1,118 students.
Based on River Hall Elementary School enrollment data from 2006 to 2014.
(2006 = 700 students; 2014 = 922 students) = 222 added students/8 years = 28 added students/year.
Does not necessarily represent the peak hour of generation of the school.
(2) Estimated based on increase from existing 307 SF d.u. to 2,043 SF d.u. at 2021.
Growth factor of 6.6547 applied to existing SF school trips.
Does not necessarily represent the peak hour of generation of the school.

With the PD amendment, there is an increase in trip interaction between the River Hall Elementary School and the River Hall community that would result in a reduction of the number of school trips on SR 80.

12.3 Future 2021 River Hall Trip Generation (PD Amendment)

The River Hall RPD/CPD trip generation estimates reflective of the proposed PD amendment were derived using the Online Traffic Impact Study Software (OTISS) that incorporates the Institute of Transportation Engineers (ITE), Trip Generation, 9th Edition. In addition, OTISS enables the input of the mixed-use internal capture rates from NCHRP Report 684 – Enhancing Internal Trip Capture Estimation for Mixed-Use Developments. The output from OTISS summarizes the trip generation, internal trip capture and pass-by trip assumptions, Appendix J.

The components of the River Hall CPD/RPD trip generation include: i) existing development; ii) remaining development; and iii) total future development.

i) Existing Development Trips - Counted

The existing trip generation based on traffic counts were previously discussed and presented below.

River Hall RPD/CPD
Counted Trip Generation Summary
Existing Development [1]

	AM Peak Hour [2]			PM Peak Hour [3]		
	In	Out	Total	In	Out	Total
Total	46	80	126	81	118	199
Internal	2	2	4	1	1	2
External	44	78	122	80	117	197
Pass-By	0	0	0	0	0	0
Net New	44	78	122	80	117	197
To/From River Hall Elementary School	0	0	0	2	3	5
SR 80 Access	44	78	122	78	114	192

Footnotes:
(1) Existing Development reflects 307 single-family units and 18-hole golf course/clubhouse.
(2) Based on AM peak hour (7:00 to 8:00 am) turning-movement counts conducted on November 19, 2014.
(3) Based on PM peak hour (5:00 to 6:00 pm) turning-movement counts conducted on November 19, 2014.

ii) Remaining Development Trips (PD Amendment) – ITE Estimates

As per the traffic methodology, the remaining development was calculated by the following:

a. The trips for the existing development parameters and the buildout development parameters were estimated using the equations/trip rates from the ITE Trip Generation, 9th Edition.

b. The trip generation estimates for the remaining to be built development were then estimated by subtracting the ITE estimated trips (AM and PM) for the existing development parameters from the ITE estimated trips for the Project buildout parameters. The difference in the trips represent the trip generation for the proposed, remaining to be built development.

River Hall RPD/CPD
ITE Trip Generation Summary [1]
2021 With PD Amendment

AM Peak Hour

Trip Type	Total [2] Development			Existing [3] Development			Remaining [4] Development		
	In	Out	Total	In	Out	Total	In	Out	Total
Total	554	1,252	1,806	85	177	262	469	1,075	1,544
Internal [5]	59	59	118	7	7	14	52	52	104
External	495	1,193	1,688	78	170	248	417	1,023	1,440
Pass-By [6]	4	2	6	0	0	0	4	2	6
Net New	491	1,191	1,682	78	170	248	413	1,021	1,434

PM Peak Hour

Trip Type	Total [2] Development			Existing [3] Development			Remaining [4] Development		
	In	Out	Total	In	Out	Total	In	Out	Total
Total	1,337	940	2,277	208	133	341	1,129	807	1,936
Internal [5]	215	215	430	6	6	12	209	209	418
External	1,122	725	1,847	202	127	329	920	598	1,518
Pass-By [7]	25	14	39	0	0	0	25	14	39
Net New	1,097	711	1,808	202	127	329	895	584	1,479

Footnotes:
(1) OTISS based on ITE, Trip Generation, 9th Edition.
(2) Total Development = 2,695 residential units + amenities.
(3) Existing Development = 307 residential units + amenities.
(4) Remaining Development = 2,388 residential units + amenities.
(5) OTISS with NCHRP 684 Mixed-Use Internal Capture Rates applied.
(6) Estimated AM peak hour retail pass-by rate is less than 10% of passing traffic on SR 80.
(7) ITE estimated PM peak hour retail pass-by rate is less than 10% of passing traffic on SR 80.

c. The NCHRP Report 684 Enhancing Internal Trip Capture Estimation for Mixed-Use Developments rates were utilized to estimate the Project's internal trip capture (Appendix I). The internal capture rate has been estimated at 6.5% for the AM peak hour and 18.9% for the PM peak hour.

d. Retail pass-by trip rates of 10% and 30% for the AM and PM peak hours, respectively, were applied to the retail use (Appendix E). The assumed pass-by rates were much lower than the 55% estimated by the Institute of Transportation Engineers Trip Generation, 9th Edition and the resultant pass-by trips are significantly lower than the maximum 10% of the passing traffic on SR 80.

iii) Future Total Development Trips (PD Amendment)

e. The resultant remaining development trips were then added to the 2014 existing driveway traffic volumes to derive the cumulative trip generation at buildout.

River Hall RPD/CPD
Buildout Trip Generation Summary
2021 With PD Amendment

AM Peak Hour

Trip Type	Existing (1) Development			Remaining (2) Development			Total (3) Development		
	In	Out	Total	In	Out	Total	In	Out	Total
Total	46	80	126	469	1,075	1,544	515	1,155	1,670
Internal	2	2	4	52	52	104	54	54	108
External	44	78	122	417	1,023	1,440	461	1,101	1,562
Pass-By	0	0	0	4	2	6	4	2	6
Net New	44	78	122	413	1,021	1,434	457	1,099	1,556
To/From River Hall Elementary School	0	0	0	0 (4)	20 (4)	0 (4)	0	0	0
SR 80 Access	44	78	122	394	1,012	1,406	438	1,090	1,528
Secondary Access	0	0	0	23	11	34	23	11	34
Total External Network	44	78	122	417	1,023	1,440	461	1,101	1,562

PM Peak Hour

	Existing (1) Development			Remaining (2) Development			Total (3) Development		
	In	Out	Total	In	Out	Total	In	Out	Total
Total	81	118	199	1,129	807	1,936	1,210	925	2,135
Internal	1	1	2	209	209	418	210	210	420
External	80	117	197	920	598	1,518	1,000	715	1,715
Pass-By	0	0	0	25	14	39	25	14	39
Net New	80	117	197	895	584	1,479	1,975	701	1,676
To/From River Hall Elementary School	2	3	5	11 (4)	17 (4)	28 (4)	13	20	33

SR 80 Entrance (5)	78	114	192	884	574	1,458	962	688	1,650
Secondary Access	0	0	0	24	7	31	24	7	31
Total External Network	78	114	192	909	581	1,490	987	695	1,682

Footnotes:
(1) Existing Development trip generation based on existing counts.
(2) Remaining Development trip generation (ITE) = Total Development (ITE) – Existing Development (ITE).
(3) Total Development trip generation = Existing Development (Counts) + Remaining Development (ITE).
(4) School trip generation based on ratio of 1:5.6547 increase from existing 307 SF d.u. to remaining 1,736 SF d.u.
(5) Assigned trips to external roadway network.

13.0 Future 2021 Traffic Conditions with PD Amendment

Future year 2021 traffic conditions reflective of the proposed PD amendment are discussed in this section.

13.1 Future 2021 Roadway Segment LOS (PD Amendment)

The future (2021) traffic conditions, coincident with the PD amendment of the Project at build-out, for the roadway segments under study were derived by adding the estimated peak hour Project trips to the projected background traffic. The resultant future (2021) traffic conditions, coincident with the currently zoned Project at build-out, are presented in Exhibit 9.

For consistency, the Project's traffic volumes were assigned to the study area roadway network based on the roadway segment trip assignment percentages from the River Hall CPA traffic analysis that was previously submitted to Lee County. The CPA traffic analysis relied on the MPO FSUTMS travel model.

The resultant assignment percentages were "smoothed" to better reflect real-world behavior. As shown in Exhibits 9 and 10, the significantly impacted roadway segments (Project trips at 10% or more of the service volumes at LOS "C") are identified. The Project does not have a significant impact on any roadway segments outside of the study area.

All of the study area roadway segments operate at or better than County adopted LOS standard, coincident with the proposed PD amendment at buildout. As such, River Hall does not have significant and adverse impacts on the surrounding roadway network with the proposed PD amendment.

13.2 Future 2021 Intersection LOS (PD Amendment)

Future (2023) traffic conditions at the intersections, coincident with the PD amendment of the Project at build-out, were derived by adding the build-out trip generation estimates to the

projected background traffic volumes as detailed in Appendix K. The resultant 2023 intersection turning volumes are presented in Exhibit 11a and 11b for AM and PM peak hours, respectively.

Intersection capacity analyses (HCM/HCS) performed for future conditions with the PD Amendment of the Project are summarized below and presented in Appendix L.

Intersection Levels of Service (LOS)
Future (2021) Conditions with PD Amendment

	Without Improvement		With Improvement (3)	
Intersection	AM Peak	PM Peak	AM Peak	PM Peak
SR 80 / SR 31	D (1)	F (1)	D (1)	D (1)
SR 80 / Buckingham Road (1)	E (1)	F (1)	D (1)	D (1)
SR 80 / River Hall Parkway (Project Entrance)	F/B (2)	F/F (2)	C (4)	D (4)

Footnotes:
(1) Signalized intersection, overall LOS reported.
Individual turn lanes or approaches may experience delay.
(2) Unsignalized intersection, overall LOS/major-street left LOS reported.
(3) Turn-lane improvements only.
(4) Signalization, if and when warranted.

As shown above, all of the study area intersections are expected to operate with delay due to the increase in the background traffic growth and with the Project. However, turn-lane improvements are recommended to allow the intersections to operate at better than acceptable levels of service. The recommended improvements are discussed in the next section of the study.

14.0 Recommended Improvements

Based on the traffic analysis of the River Hall community under the current approved PD and the proposed PD amendment, and coincident with buildout year at 2021, the following improvements are recommended to maintain adopted level of service standards.

14.1 Roadway Improvements

Improvements including the widening of roadway segments within the study are not needed as summarized below.

Future (2021) Recommended Roadway Improvements

Roadway Improvements/Widening	Approved PD	PD Amendment
SR 80 from SR 31 to Joel Boulevard	None Needed	None Needed
SR 31 from SR 80 to North River Road	None Needed	None Needed
Buckingham Road from SR 80 to Gunnery Road	None Needed	None Needed

14.2 Intersection Improvements

Needed intersection turn-lane improvements are summarized below and depicted in Exhibits 12a, 12b and 12c.

Future (2021) Recommended Intersection Improvements

Intersection	Current Zoning	Proposed Rezoning
SR 80 / SR 31	SB – Delete Thru-LT Lane – Add Left-Turn Lane – Add Thru Lane WB – Add Thru Lane (Approach only)	SB – Delete Thru-LT Lane – Add Left-Turn Lane – Add Thru Lane WB – Add Thru Lane (Approach only)
SR 80/Buckingham Road	NB – Delete Thru-RT Lane – Add Left-Turn Lane – Add Thru Lane – Add Right-Turn Lane WB – Add Left-Turn Lane	NB – Delete Thru-RT Lane – Add Left-Turn Lane – Add Thru Lane – Add Right-Turn Lane WB – Add Left-Turn Lane
SR 80 / River Hall Parkway	NB – Add Left-Turn Lane – Add Thru Lane (1) SB – Add Left-Turn Lane (1) – Add Thru Lane (1) – Add Right-Turn Lane (1) EB – Add Dual Left-Turn Lane (1) WB – Add Left-Turn Lane – Add Right-Turn Lane (1) Signalization – If and when warranted (2)	NB – Add Left-Turn Lane – Add Thru Lane (1) SB – Add Left-Turn Lane (1) – Add Thru Lane (1) – Add Right-Turn Lane (1) EB – Add Dual Left-Turn Lane (1) WB – Add Left-Turn Lane – Add Right-Turn Lane (1) Signalization – If and when warranted (2)

Footnotes:
(1) Olga Square CPD Access Connection - Assumed for planning purposes only.
(2) Signal warranted as per FDOT Signal Warrant Analysis for SR 80 at River Hall Parkway, dated April 22, 2014.

15.0 Traffic Impact Mitigation Plan

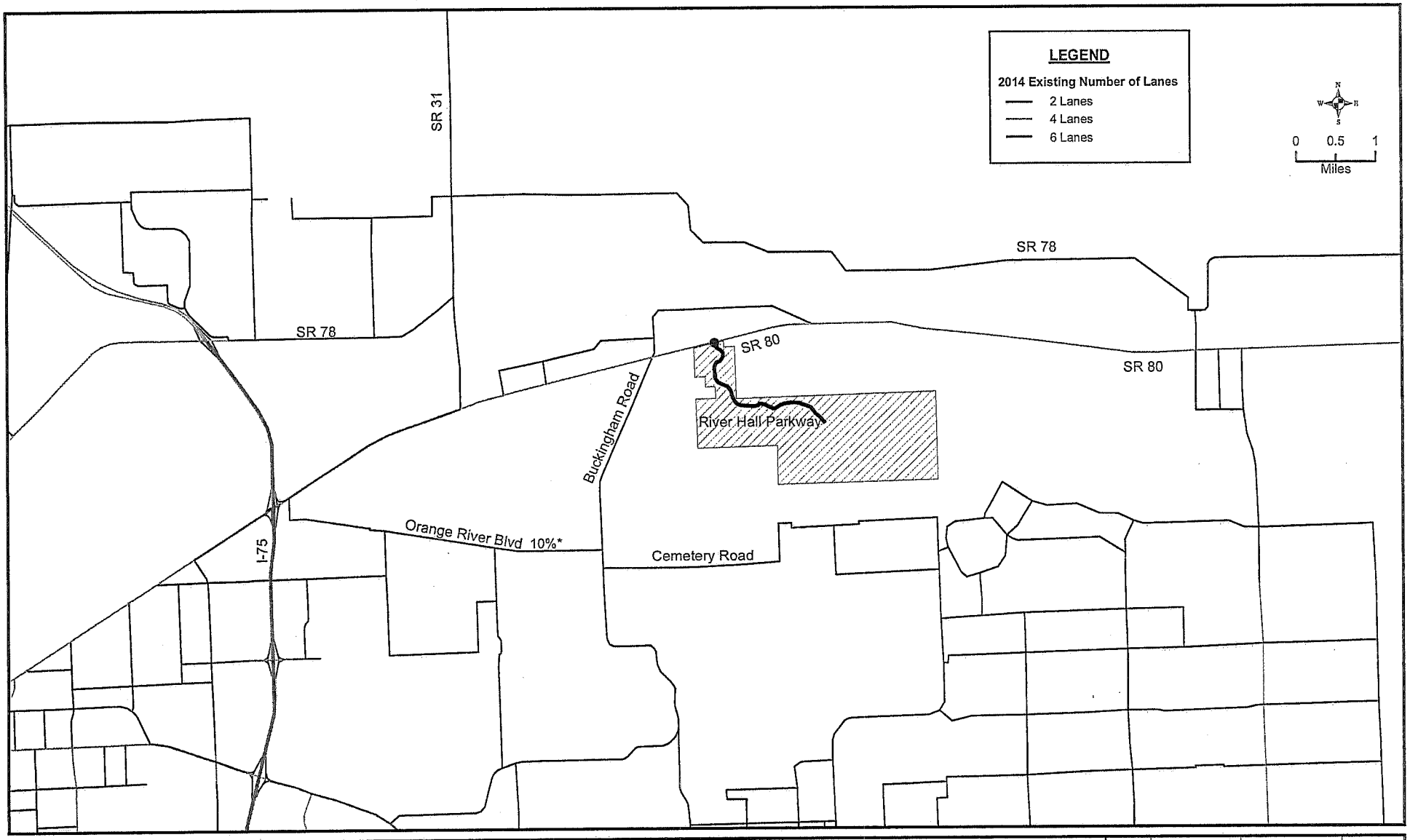
The Project will mitigate its impacts through the payment of roads impact fees. Based on the current Lee County RIF schedule and shown in Exhibit 13, it is estimated that the Project may generate an additional $4.7 million in road impact fees as a result of the PD amendment.

The County may use the impact fee monies towards addressing any future deficiencies, including turn-lane improvements at the SR 80/SR 31 and SR 80/Buckingham Road intersections, as deemed necessary by the Lee County DOT. In addition, the Project will be responsible for any additional site-related improvements at the two Project entrances attributed to the PD amendment, including turn-lane improvements and its share for the signalization of the SR 80/River Hall Parkway intersection.

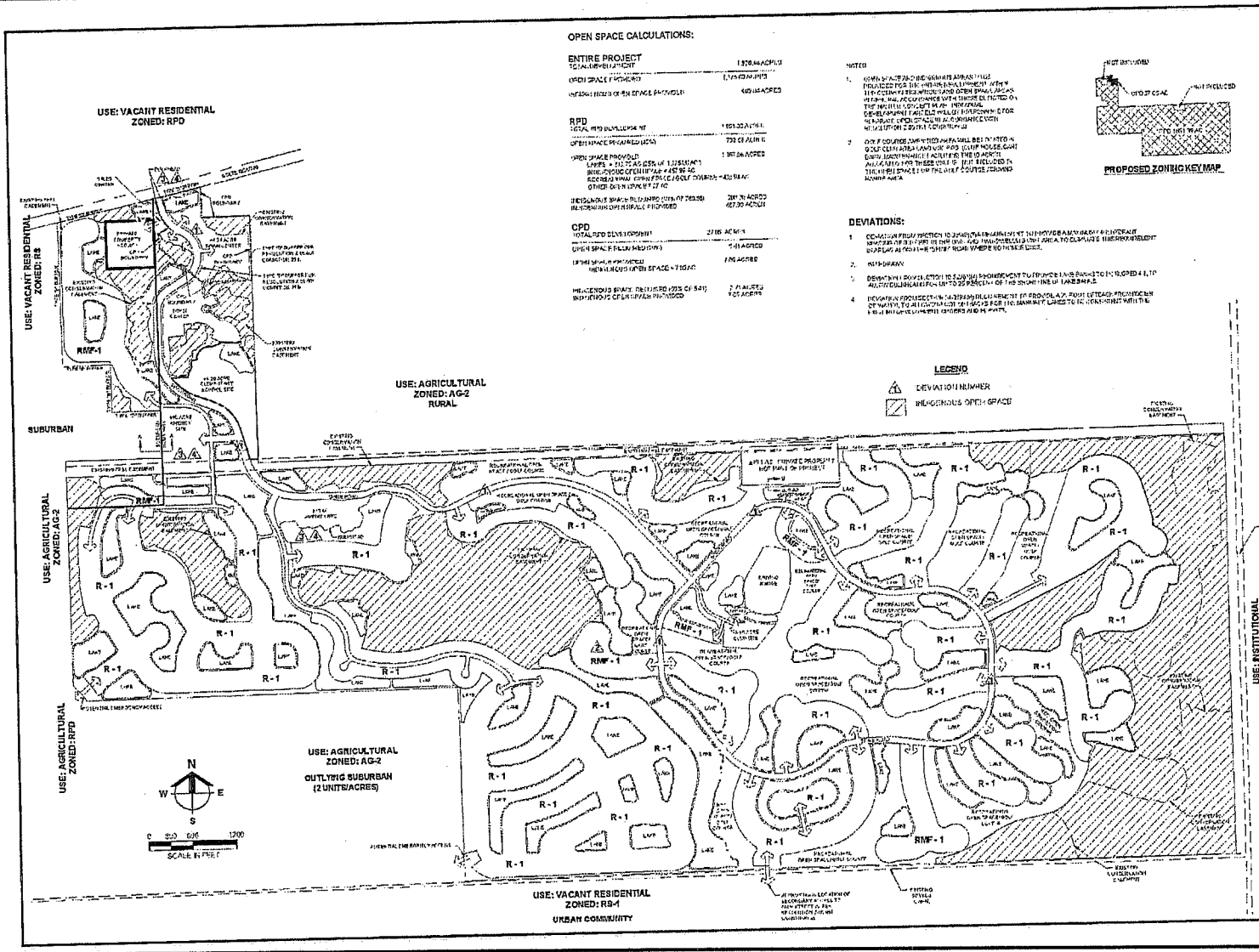
16.0 Conclusions

The conclusions of the traffic study are as follows.

- The PD amendment of River Hall will not create any adverse impacts on the surrounding roadway network.
- The PD amendment of River Hall will not require any additional roadway or intersection improvements as compared to the currently approved Project.
- The PD amendment of River Hall may generate an additional $4.7 million in road impact fees for Lee County to apply towards the funding of the same needed improvements anticipated for future background traffic growth and the currently approved Project.



dpa	RIVER HALL PD AMENDMENT	PROJECT LOCATION AND EXISTING ROAD NETWORK	DATE	PROJECT NO.	FILE NO.	EXHIBIT
			12/14	14552	1A/1214	1 (Revised)



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PREPARED FOR
GREENPOINTE COMMUNITIES, LLC

PRE-NOT DESCRIPTION
RIVER HALL
FORMERLY KNOWN AS HAWKS HAVEN

PART OF SECTIONS 27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND INTENDED FOR CONCEPTUAL PLANNING PURPOSES ONLY. THE LAYOUT AND USE INTENSITIES OF CENTERS MAY CHANGE SIGNIFICANTLY BASED UPON SURVEY, ENVIRONMENTAL, ENGINEERING AND REGULATORY CONSTRAINTS AND DEVELOPMENT OPPORTUNITIES.
* NOT FOR CONSTRUCTION *

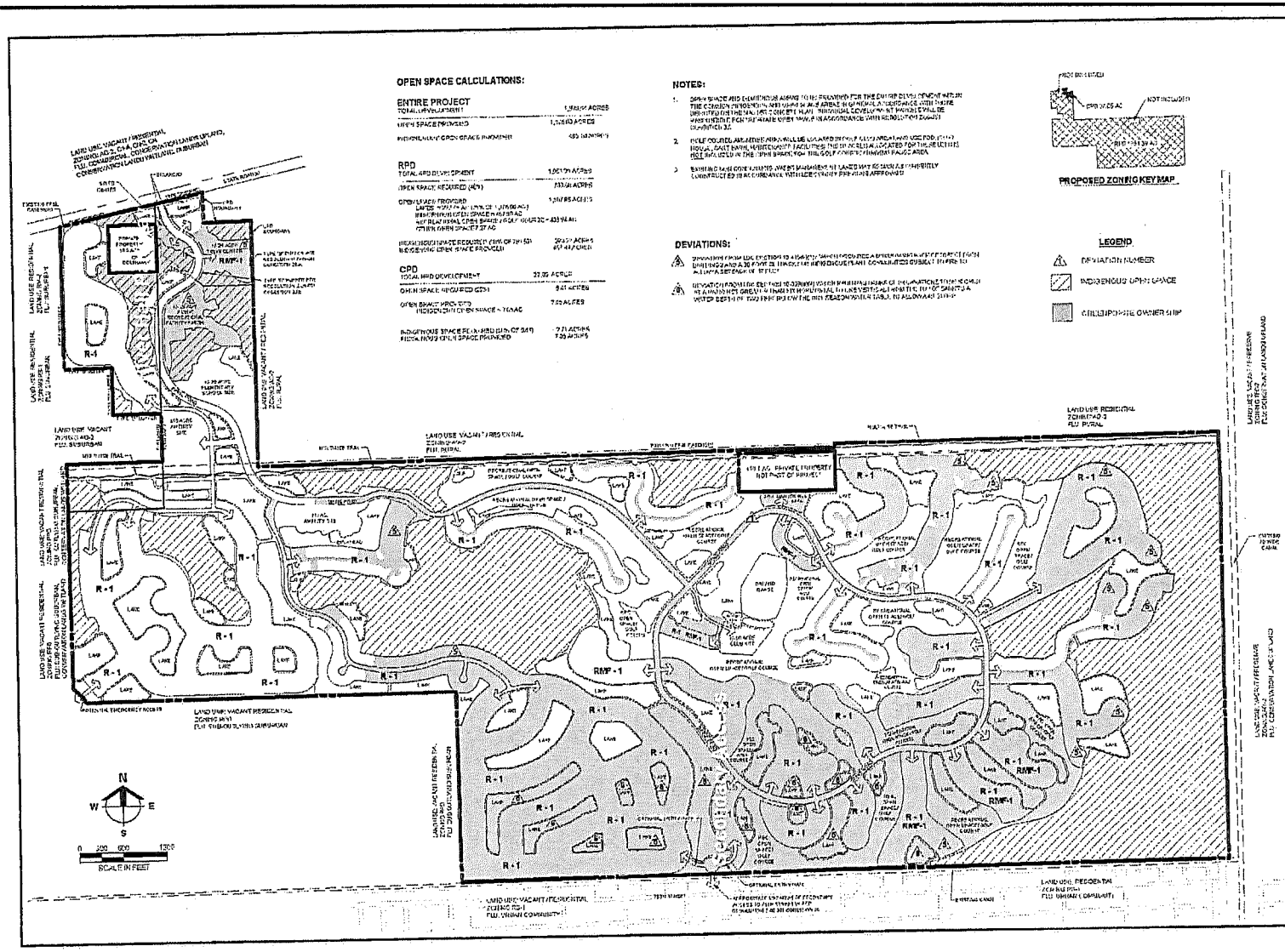
PLANNING
LANDSCAPE
ENGINEERING
PLOT DATE
DESIGN BY

PLAN REVISIONS

PREPARED FOR
PREVIOUSLY APPROVED MASTER CONCEPT PLAN

PROJECT NO.	SHEET NUMBER
21988	2

dpa	RIVER HALL PD AMENDMENT	APPROVED MASTER CONCEPT PLAN	DATE	PROJECT NO.	FILE NO.	EXHIBIT
			12/12	12570	9A/1212	2a



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JACKSONVILLE, FL 32256
PHONE (904) 521-1333
FAX (904) 570-0101

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS HAWKS HAVEN

PART OF SECTIONS 22, 34, 35 AND 36
TOWNSHIP 42 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND INTENDED FOR CONCEPTUAL PLANNING PURPOSES ONLY. SITE LAYOUT AND LAND USE FUNCTIONS ON THIS PLAN MAY CHANGE SIGNIFICANTLY BASED UPON SURVEY, ENVIRONMENTAL, ENGINEERING AND REGULATORY CONSTRAINTS AND FOR OPPORTUNITY.
"NOT FOR CONSTRUCTION"

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LAYOUT	LAYOUT
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PLOT DATE	[illegible]
PLOTTED	[illegible]
LEGEND NO.	[illegible]

CROSS REFERENCE DRAWINGS
BASELINE = 2006-PD-1.DWG

PLOTTED FOR

TITLE BLOCK
EXHIBIT
D-TM 1.8 (NOV 73)

MASTER CONCEPT PLAN

PROJECT FILE NO.	SHEET NUMBER
21988	4

dpa	RIVER HALL PD AMENDMENT	AMENDED MASTER CONCEPT PLAN	DATE	PROJECT NO.	FILE NO.	EXHIBIT
			12/12	12570	3A/1212	2b

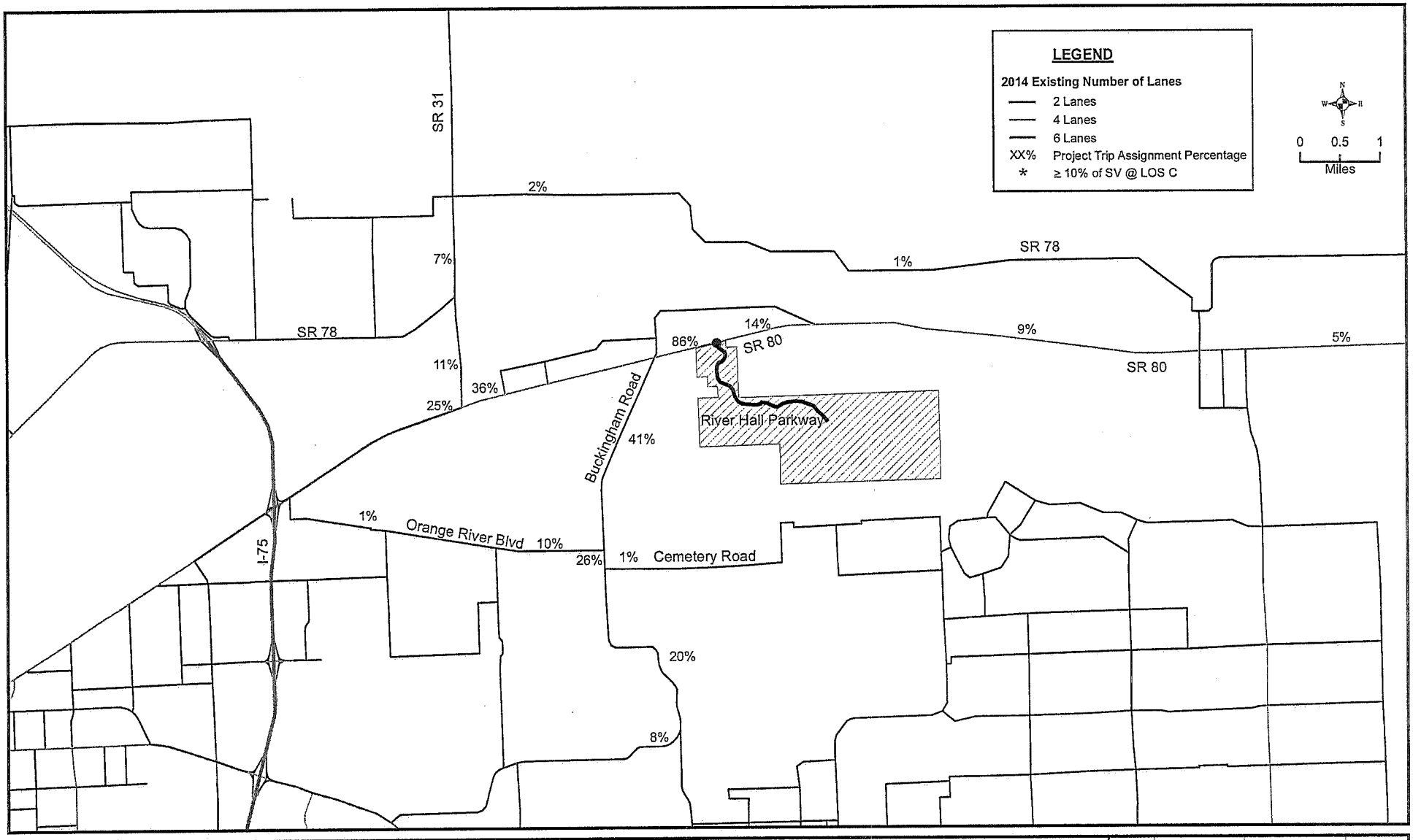
EXHIBIT 3 (Revised)
RIVER HALL PD AMENDMENT
EXISTING 2014 TRAFFIC CONDITIONS
DIRECTIONAL PEAK HOUR, PEAK SEASON

LEE COUNTY

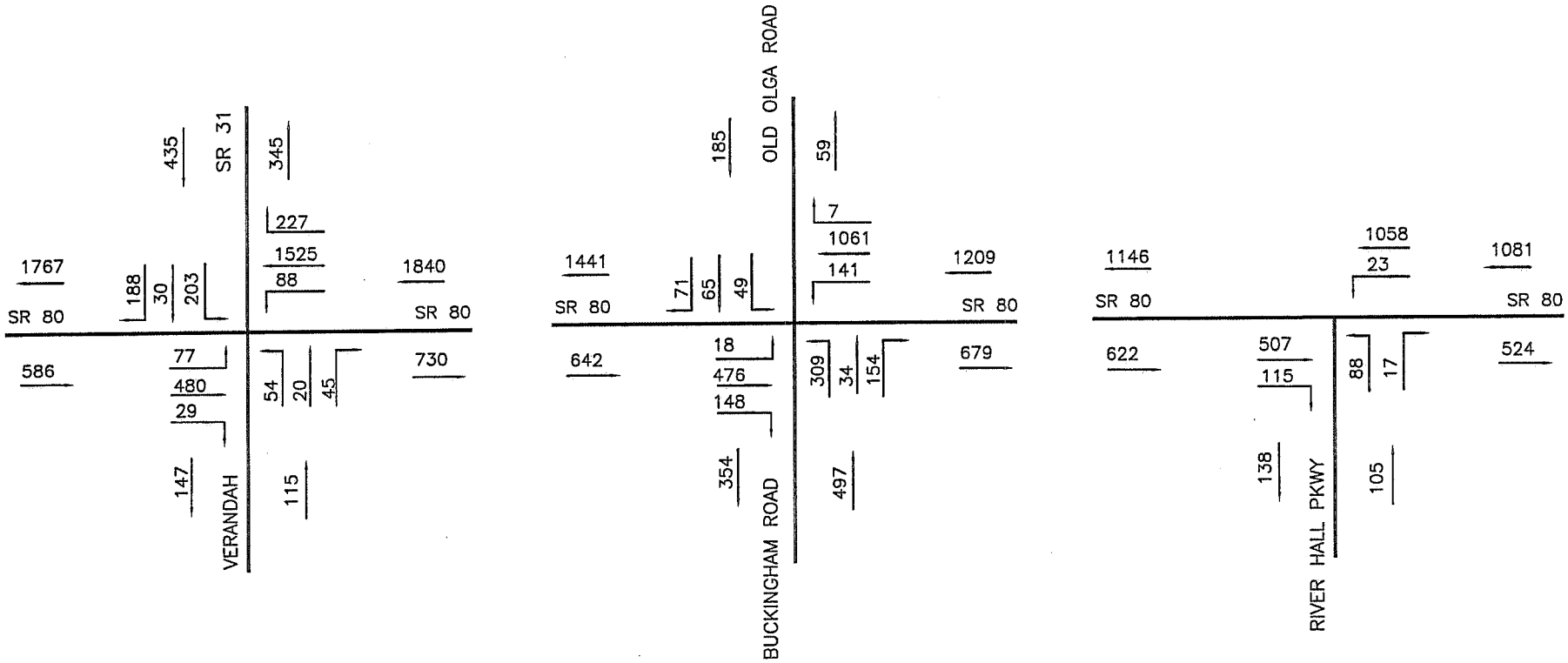
ROADWAY	FROM	TO	(1) # of Lanes	(2) LOS Std	Lee County Station #/ PCS #		BACKGROUND TRAFFIC: (3) AADT Count 2004 Beginning Year	2013 End Year	(6) Annual Growth Rate	(7) 2013-2014 Growth Factor	(2) 2013 Peak Dir. Volume		(9) 2013 BG w/o River Hall Peak Dir. Volume	(12) 2014 K(100) Total BG Peak Dir. Volume	Final Annual Growth Rate	RIVER HALL TRAFFIC: Existing Development (13) Net New External Trip Assign. %	(14) Existing In/Out Split	(15) Existing Peak Dir. Volume	TOTAL TRAFFIC: (20) 2014 K(100) Peak Dir. Volume	(2) (21) Directional Service Volume @ LOS C	Project Traffic as % of SV @ LOS C	(22) Project Significant Impact (=/> 10%) (Y/N?)	LEVEL OF SERVICE: (2) Directional Service Volume @ LOS Standard	2021 K(100) D(100) V/C Dir1	LOS Dir1	Needed # of Lanes	Needed Improve-ment
									9	1							197										
BUCKINGHAM RD.	Immokalee Rd. (SR 82)	Gunnery Rd.	2LU	E	232 / 11		4500	5700	2.96%	1.05963	315		299	320	2%	20%	0.41	16	340	570	2.8%	N	970	0.35	C	2	Add 0 L
	Gunnery Rd.	Orange River Blvd.	2LU	E	11 / 11		6000	8800	1.11%	1.07111	372		351	380	2%	28%	0.41	21	400	570	3.7%	N	970	0.41	C	2	Add 0 L
	Orange River Blvd.	Palm Beach Blvd. (SR 80)	2LU	E	11 / 11		6000	8800	1.11%	1.09111	481		448	490	2%	41%	0.41	33	520	570	5.8%	N	970	0.54	D	2	Add 0 L
CEMETERY RD.	Buckingham Rd.	Higgins Ave.	2LC	E	486 / 11		3800	5400	4.68%	1.04678	258		257	270	5%	1%	0.41	1	270	800	0.1%	N	860	0.31	C	2	Add 0 L
NORTH RIVER RD.	SR 31	Franklin Lock Rd.	2LN	E	348 / 5		3100	2700	-1.43%	1.03800	142		140	150	6%	2%	0.59	2	150	610	0.3%	N	1120	0.13	A	2	Add 0 L
	Franklin Lock Rd.	Broadway	2LN	E	346 / 5		1700	1300	-2.61%	1.03000	142		141	150	6%	1%	0.59	1	150	610	0.2%	N	1120	0.13	A	2	Add 0 L
ORANGE RIVER BLVD.	Palm Beach Blvd. (SR 80)	Staley Rd.	2LU	E	353 / 11		7400	7300	-0.15%	1.03000	404		403	420	4%	1%	0.59	1	420	430	0.2%	N	970	0.43	C	2	Add 0 L
	Staley Rd.	Buckingham Rd.	2LU	E	352 / 11		5900	7300	2.64%	1.05637	349		337	360	3%	10%	0.59	12	370	430	2.8%	N	970	0.38	C	2	Add 0 L
68TH ST. W.	Cemetery Rd.	Project Entrance	2LC	E	n/a	(4)	3800	5400	4.68%	1.04678	50	(23)	50	50	0%	0%	0.41	0	50	800	0.0%	N	860	0.06	B	2	Add 0 L
	Project Entrance	East	2LC	E	n/a	(4)	3800	5400	4.68%	1.04678	10	(23)	10	10	0%	0%	0.59	0	10	800	0.0%	N	860	0.01	B	2	Add 0 L
SR 31	Palm Beach Blvd. (SR 80)	Bayshore Rd. (SR 78)	2LN	E	FDOT 120030		9800	8500	-1.47%	1.06000	378		365	390	3%	11%	0.59	13	400	730	1.8%	N	1320	0.30	B	2	Add 0 L
	Bayshore Rd. (SR 78)	Charlotte County Line	2LN	E	FDOT 121001		8500	7000	-2.92%	1.06000	165		157	170	3%	7%	0.59	8	180	730	1.1%	N	1320	0.14	B	2	Add 0 L
SR 80	I-75	SR 31	6LD	D	FDOT 120104	(5)	25000	27000	0.89%	1.06778	1370	(8)	1350	1440	5%	25%	0.41	20	1,460	2940	0.7%	N	3020	0.48	C	4	Add 0 L
	SR 31	Buckingham Rd.	4LD	D	FDOT 120085	(5)	29500	28500	-0.38%	1.04000	1450	(8)	1421	1480	2%	36%	0.41	29	1,510	1910	1.5%	N	2000	0.76	C	4	Add 0 L
	Buckingham Rd.	Werner Blvd.	4LD	D	FDOT 120012	(5)	19200	17800	-0.81%	1.10000	910	(8)	841	930	2%	86%	0.41	69	1,000	2120	3.3%	N	2730	0.37	B	2	Add 0 L
	Werner Blvd.	Joel Blvd.	4LD	C	FDOT 120006	(5)	16300	15200	-0.75%	1.05000	770	(8)	753	790	3%	14%	0.59	17	810	2120	0.8%	N	2120	0.38	B	2	Add 0 L

FOOTNOTES:

(1) Existing plus Committed number of lanes as of FY 2014-2016.
(2) LOS standard per 2013 Lee County Concurrency Report.
(3) AADT volumes form 2013 Lee County Traffic Count Report, where available. AADT volumes for Florida SIS facilites based on FDOT Florida Traffic Online (2013) database.
(4) Traffic data not available - Cemetary Road traffic data assumed.
(5) Florida Strategic Intermodal System (SIS) Facility.
(6) Linear growth rate calculated for data between 2004 and 2013.
(7) Growth factor reflects linear growth between 2013 and 2014 - Adjusted to reflect positive growth and to ensure overall background growth growth rate of a minimum of 1%.
(8) FDOT K100 and D100 applied to AADT count per FDOT Florida Traffic Online (2013).
(9) Existing 2013 Background Traffic Without River Hall = Lee County 2013 Concurrenty Report/FDOT Florida Traffic Online (2013) 100th Highest Hour Volume (2) minus Existing Development Traffic (15).
(10) Intentionally left blank.
(11) Intentionally left blank.
(12) Total 2014 Background Traffic.
(13) Estimated net new external Project trip assignment percentage reflective of : (a) 2014 TM Counts at River Hall Parkway; and (b) 2035 FSUTMS trip assignment per River Hall CPA analysis
(14) Inbound and Outbound split based on River Hall TM Counts conducted on November 19, 2014.
(15) Future net new external Project trips of existing development. - Reflective of existing 307 single-family homes and 18-hole golf course/club house.
(16) Intentionally left blank.
(17) Intentionally left blank.
(18) Intentionally left blank.
(19) Intentionally left blank.
(20) Existing 2014 Total Traffic = 2014 Total Background Traffic (12) + 2014 Total River Hall Traffic (15)
(21) Link-Specific Service Volumes on Arterials in Lee County (2013 Data) - May, 2014. Florida SIS facilities based on FDOT Generalized Peak Hour Directional Volumes, 12/18/12.
(22) Significant Impact determination of Project traffic at 10% SV consumption at LOS C per Lee County ZTIS requirements.
(23) Local Road - Traffic data not available. Estimated traffic volume shown.



dpa	RIVER HALL PD AMENDMENT	EXISTING PROJECT TRIP ASSIGNMENT PERCENTAGE	DATE	PROJECT NO.	FILE NO.	EXHIBIT
			12/14	14552	10A/1214	4 (Revised)



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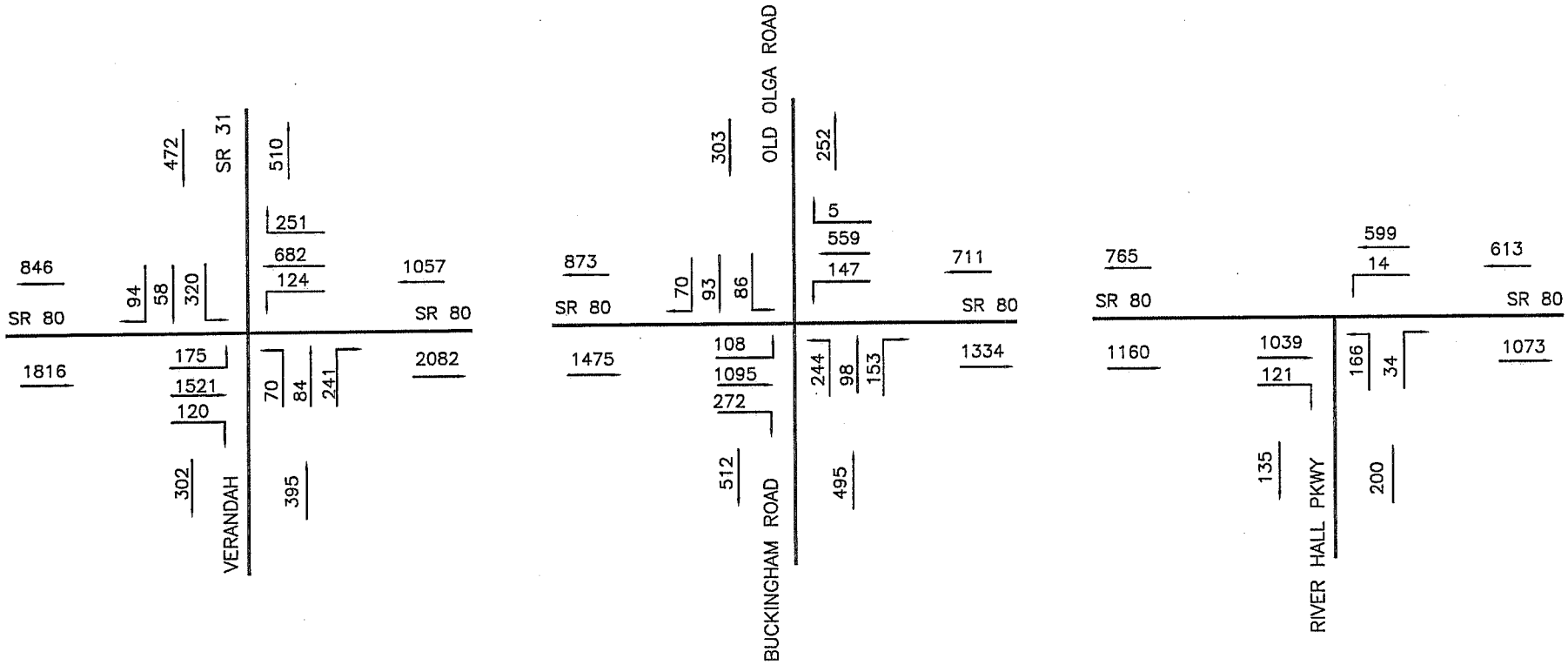
RIVER HALL PD AMENDMENT

EXISTING 2014 TRAFFIC VOLUMES
AM PEAK HOUR

14552/04A/1214

5a
(Revised)



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RIVER HALL PD AMENDMENT

EXISTING 2014 TRAFFIC VOLUMES
PM PEAK HOUR

14552/05A/1214

5b
(Revised)

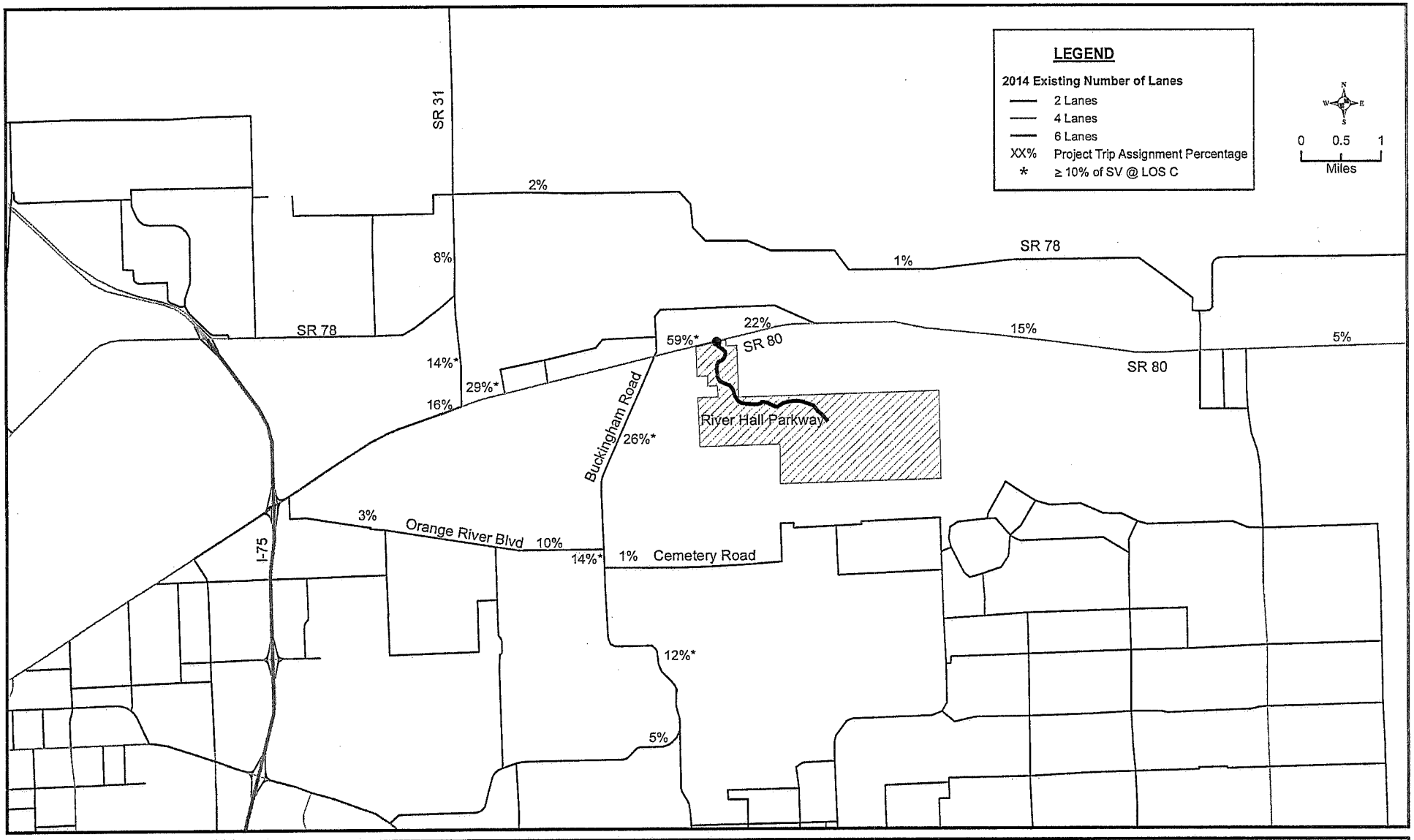
EXHIBIT 6 (Revised)
RIVER HALL PD AMENDMENT
FUTURE 2021 TRAFFIC CONDITIONS WITH APPROVED PD
DIRECTIONAL PEAK HOUR, PEAK SEASON

LEE COUNTY

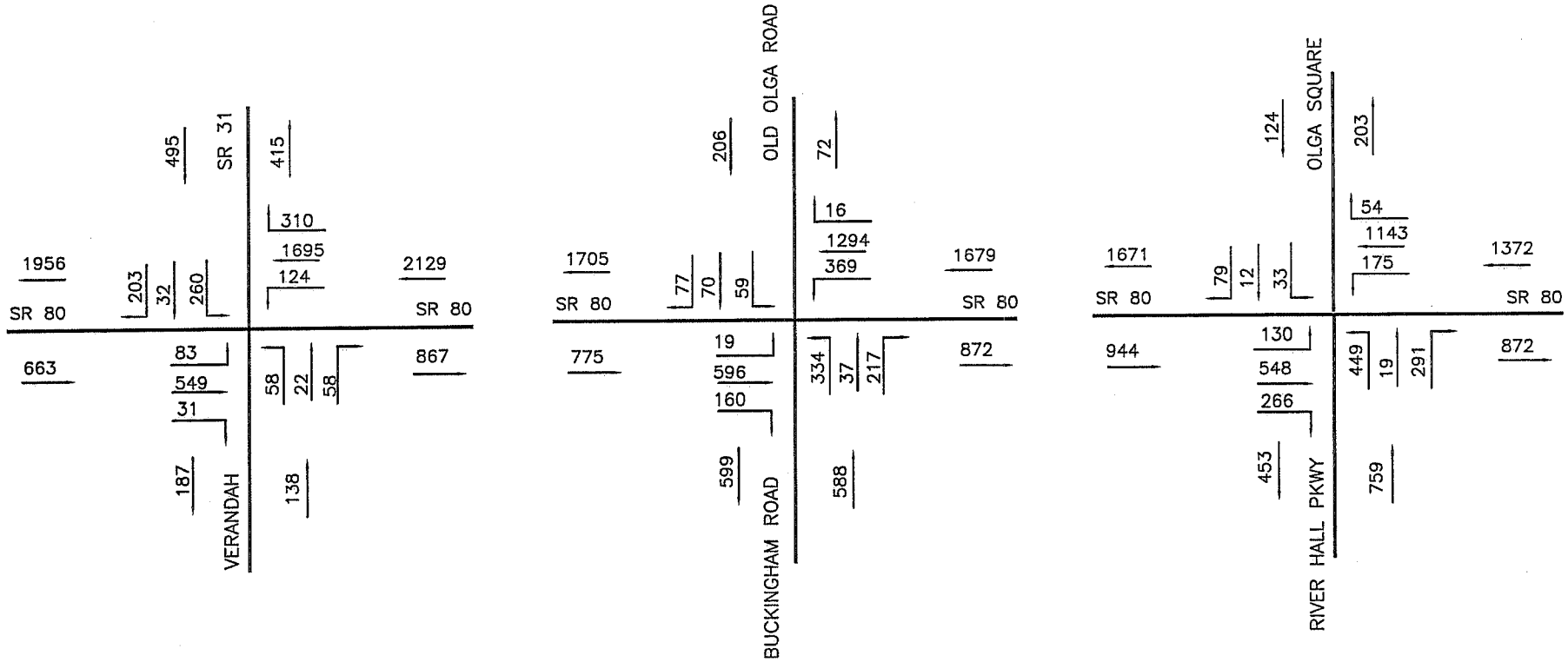
ROADWAY	FROM	TO	(1) # of Lanes	(2) LOS Std	Lee County Station #/ PCS #		(3) AADT Count 2004 Beginning Year	2013 End Year	(6) Annual Growth Rate	(7) 2013-2021 Growth Factor	(2) 2013 Peak Dir. Volume		(9) 2013 BG w/o River Hall Peak Dir. Volume	(10) 2021 General BG Peak Dir. Volume	(11) Olga Square 2021 Peak Dir. Volume	(12) 2021 K(100) Total BG Peak Dir. Volume	Final BG Traffic Annual Growth Rate	Existing Development (13) External Trip Assign. %	(14) Existing In/Out Split	(15) Existing Peak Dir. Volume	Future Remaining Development (16) Future Net New Trip Assign. %	(17) Future Net New In/Out Split	(18) Future Peak Dir. Volume	Total Development (19) 2021 Peak Dir. Volume	2021 External Trip Assign. %	(20) 2021 K(100) Peak Dir. Volume	(2) (21) Directional Service Volume @ LOS C	Project Traffic as % of SV @ LOS C	(22) Project Significant Impact (+/> 10%) (Y/N?)	(2) Directional Service Volume @ LOS Standard	2021 K(100) D(100) V/C Dir1	LOS Dir1	Needed # of Lanes	Needed Improve-ment
									BACKGROUND TRAFFIC									RIVER HALL TRAFFIC								TOTAL TRAFFIC					LEVEL OF SERVICE			
																							990		1,187										
									9	0									197																
BUCKINGHAM RD.	Immokalee Rd. (SR 82)	Gunnery Rd.	2LU	E	232 / 11		4500	5700	2.95%	1.23704	315		308	379	55	430	5%	12%	0.41	9	12%	0.59	69	78	12%	510	570	13.7%	Y	970	0.53	D	2	Add 0 L
	Gunnery Rd.	Orange River Blvd.	2LU	E	11 / 11		6000	8800	1.11%	1.08889	372		361	393	55	450	3%	14%	0.41	11	14%	0.59	80	91	14%	540	570	16.0%	Y	970	0.56	D	2	Add 0 L
	Orange River Blvd.	Palm Beach Blvd. (SR 80)	2LU	E	11 / 11		8000	8800	1.11%	1.08889	461		460	501	110	610	3%	25%	0.41	21	25%	0.59	151	172	26%	760	570	30.2%	Y	970	0.80	E	2	Add 0 L
CEMETERY RD.	Buckingham Rd.	Higgins Ave.	2LC	E	486 / 11		3600	5400	4.68%	1.37427	258		257	353	20	370	5%	1%	0.41	1	1%	0.59	6	7	1%	360	800	0.9%	N	860	0.44	C	2	Add 0 L
NORTH RIVER RD.	SR 31	Franklin Lock Rd.	2LN	E	346 / 5		3100	2700	-1.43%	1.08000	142		140	151	20	170	2%	2%	0.59	2	2%	0.41	8	10	2%	160	610	1.6%	N	1120	0.16	B	2	Add 0 L
	Franklin Lock Rd.	Broadway	2LN	E	346 / 5		1700	1300	-2.61%	1.08000	142		141	152	10	160	2%	1%	0.59	1	1%	0.41	4	5	1%	170	610	0.8%	N	1120	0.15	B	2	Add 0 L
ORANGE RIVER BLVD.	Palm Beach Blvd. (SR 80)	Staley Rd.	2LU	E	353 / 11		7400	7300	-0.15%	1.08000	404		400	432	30	460	2%	3%	0.59	4	3%	0.41	12	16	3%	460	430	3.7%	N	970	0.48	D	2	Add 0 L
	Staley Rd.	Buckingham Rd.	2LU	E	352 / 11		5900	7300	2.64%	1.21092	348		337	406	20	430	3%	10%	0.59	12	10%	0.41	40	52	10%	460	430	12.1%	Y	970	0.49	D	2	Add 0 L
66TH ST. W.	Cemetery Rd.	Project Entrance	2LC	E	n/a	(4)	3800	5400	4.68%	1.37427	50	(23)	50	69	10	80	8%	0%	0.41	0	3%	0.59	15	15	2%	100	800	1.9%	N	860	0.12	B	2	Add 0 L
	Project Entrance	East	2LC	E	n/a	(4)	3800	5400	4.68%	1.37427	10	(23)	10	14	10	20	13%	0%	0.59	0	1%	0.41	2	2	0%	20	800	0.3%	N	860	0.02	B	2	Add 0 L
SR 31	Palm Beach Blvd. (SR 80)	Bayshore Rd. (SR 78)	2LN	E	FDOT 120009		9000	8500	-1.47%	1.10000	378		361	400	30	430	2%	14%	0.59	17	14%	0.41	58	75	14%	510	730	10.3%	Y	1320	0.39	C	2	Add 0 L
	Bayshore Rd. (SR 78)	Charlotte County Line	2LN	E	FDOT 121001		9500	7000	-2.92%	1.13000	165		155	180	10	190	2%	8%	0.59	10	8%	0.41	34	44	8%	230	730	6.0%	N	1320	0.17	B	2	Add 0 L
SR 80	I-75	SR 31	6LD	D	FDOT 120104	(5)	25000	27000	0.89%	1.13000	1370	(6)	1358	1530	85	1620	2%	14%	0.41	12	14%	0.59	84	96	14%	1,720	2940	3.3%	N	3020	0.57	C	4	Add 0 L
	SR 31	Buckingham Rd.	4LD	D	FDOT 120085	(5)	29500	28500	-0.38%	1.08000	1450	(6)	1427	1540	140	1680	2%	29%	0.41	23	29%	0.59	169	192	29%	1,870	1910	10.1%	Y	2000	0.94	C	4	Add 0 L
	Buckingham Rd.	Werner Blvd.	4LD	D	FDOT 120012	(5)	19200	17800	-0.81%	1.08000	910	(6)	862	930	250	1180	4%	61%	0.41	46	59%	0.59	345	393	59%	1,570	2120	18.5%	Y	2730	0.58	C	4	Add 0 L
	Werner Blvd.	Joel Blvd.	4LD	C	FDOT 120009	(5)	16300	15200	-0.75%	1.08000	770	(6)	744	800	135	940	3%	22%	0.59	26	22%	0.41	89	115	22%	1,060	2120	5.4%	N	2120	0.50	B	2	Add 0 L

FOOTNOTES:

(1) Existing plus Committed number of lanes as of FY 2014-2016.
(2) LOS standard per 2013 Lee County Concurrency Report.
(3) AADT volumes form 2013 Lee County Traffic Count Report, where available. AADT volumes for Florida SIS facilities based on FDOT Florida Traffic Online (2013) database.
(4) Traffic data not available - Cemetery Road traffic data assumed.
(5) Florida Strategic Intermodal System (SIS) Facility.
(6) Linear growth rate calculated for data between 2004 and 2013.
(7) Growth factor reflects linear growth between 2013 and 2021 - Adjusted to reflect positive growth and to ensure overall background growth growth rate of a minimum of 1% for county & non-SIS facilities and 2% for Florida SIS facilities.
(8) FDOT K100 and D100 applied to AADT count per FDOT Florida Traffic Online (2013).
(9) Existing 2013 Background Traffic Without River Hall = Lee County 2013 Concurrenly Report/FDOT Florida Traffic Online (2013) 100th Highest Hour Volume (2) minus Existing Development Traffic (15).
(10) Future 2021 General Background Traffic = 2013 BG traffic without River Hall (9) x 2013-2021 Growth Factor (7).
(11) Per Olga Square TIS (Revised April 8, 2014), JMB Transportation Engineering, Inc. minus Future Olga Square to/from River Hall.
(12) Total 2021 Background Traffic = 2021 General Background Traffic (10) + 2021 Olga Square Traffic (less River Hall's distribution) (11).
(13) Estimated net new external Project trip assignment percentage reflective of : (a) 2014 TM Counts at River Hall Parkway; (b) 2035 FSUTMS trip assignment per River Hall CPA analysis; and (c) Olga Square of 15%.
(14) Inbound and Outbound split based on River Hall TM Counts conducted on November 19, 2014.
(15) Future net new external Project trips of existing development. - Reflective of existing 307 single-family homes and 18-hole golf course/club house.
(16) Estimated net new external Project trip assignment percentage reflective of : (a) 2014 TM Counts at River Hall Parkway; (b) 2035 FSUTMS trip assignment per River Hall CPA analysis; (c) Secondary access of 2.5% and (d) Olga Square of 15%..
(17) Inbound and Outbound split based ITE Trip Generation/NCHRP 684 at buildout using OTISS sotware.
(18) Future net new external Project trips of remaining development - Reflective of remaining-to-be- built 1,692 units and retail/office/amenities.
(19) Total River Hall Net New External Trips = Existing Development Trips (15) + Remaining Development Trips (18).
(20) Future 2021 Total Traffic = 2021 Total Background Traffic (12) + 2021 Total River Hall Traffic (19)
(21) Link-Specific Service Volumes on Arterials in Lee County (2013 Data) - May, 2014. Florida SIS facilities based on FDOT Generalized Peak Hour Directional Volumes, 12/18/12.
(22) Significant impact determination of Project traffic at 10% SV consumption at LOS C per Lee County ZTIS requirements.
(23) Local Road - Traffic data not available. Estimated traffic volume shown.



dpa	RIVER HALL PD AMENDMENT	APPROVED PD PROJECT TRIP ASSIGNMENT PERCENTAGE	DATE	PROJECT NO.	FILE NO.	EXHIBIT
			12/14	14552	11A/1214	7 (Revised)



N.T.S.

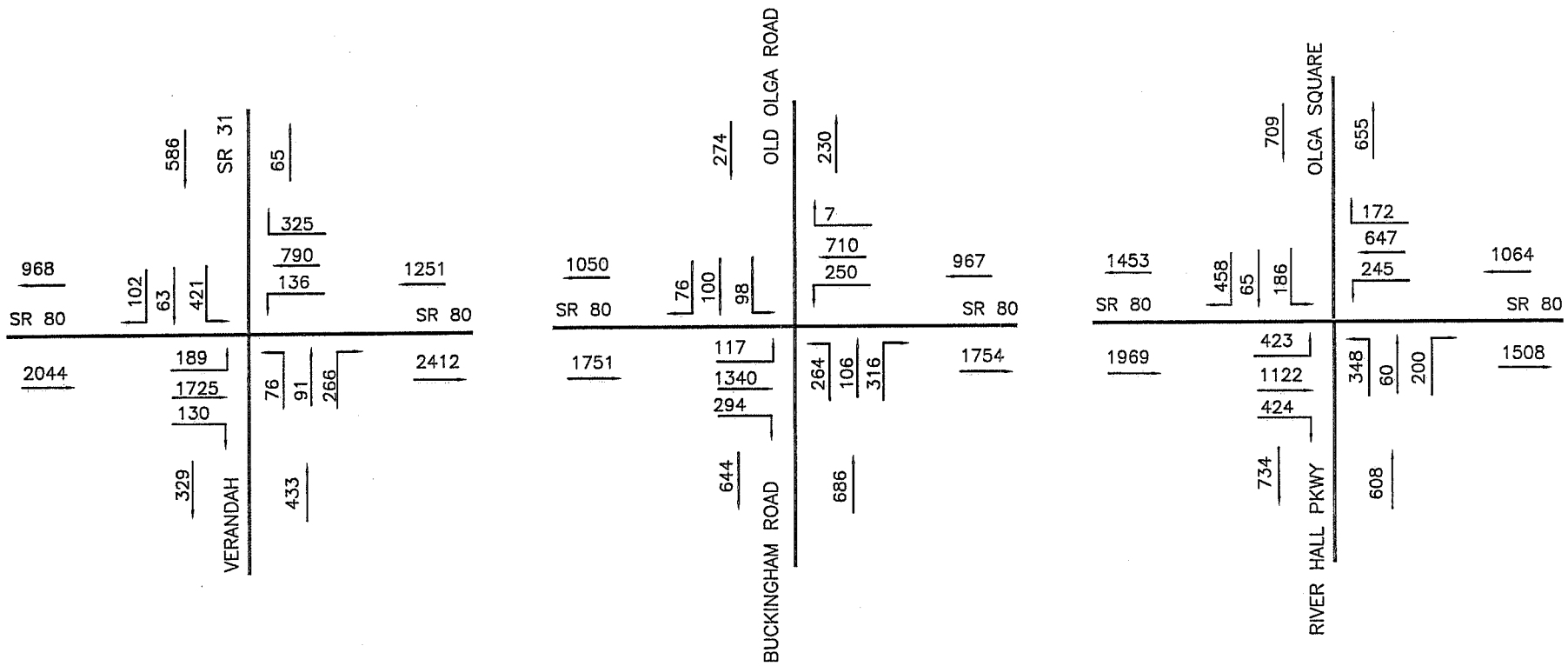
dpa

RIVER HALL PD AMENDMENT

FUTURE 2021 TRAFFIC VOLUMES
WITH APPROVED PD
AM PEAK HOUR

14552/06A/1214

8a
(Revised)



dpa	RIVER HALL PD AMENDMENT	FUTURE 2021 TRAFFIC VOLUMES WITH APPROVED PD PM PEAK HOUR	14552/07A/1214 8b (Revised)

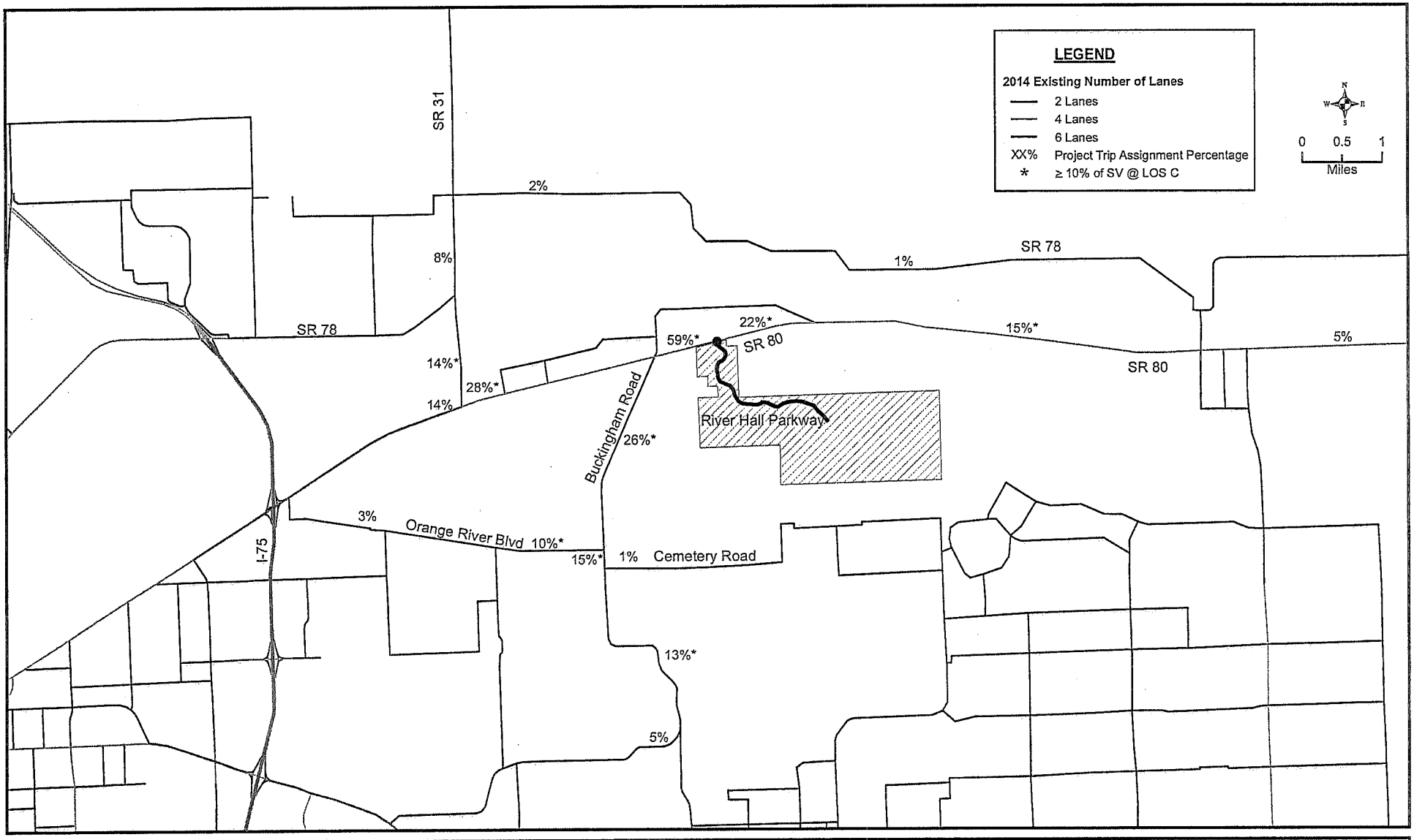
EXHIBIT 9 (Revised)
RIVER HALL PD AMENDMENT
FUTURE 2021 TRAFFIC CONDITIONS WITH PD AMENDMENT
DIRECTIONAL PEAK HOUR, PEAK SEASON

LEE COUNTY

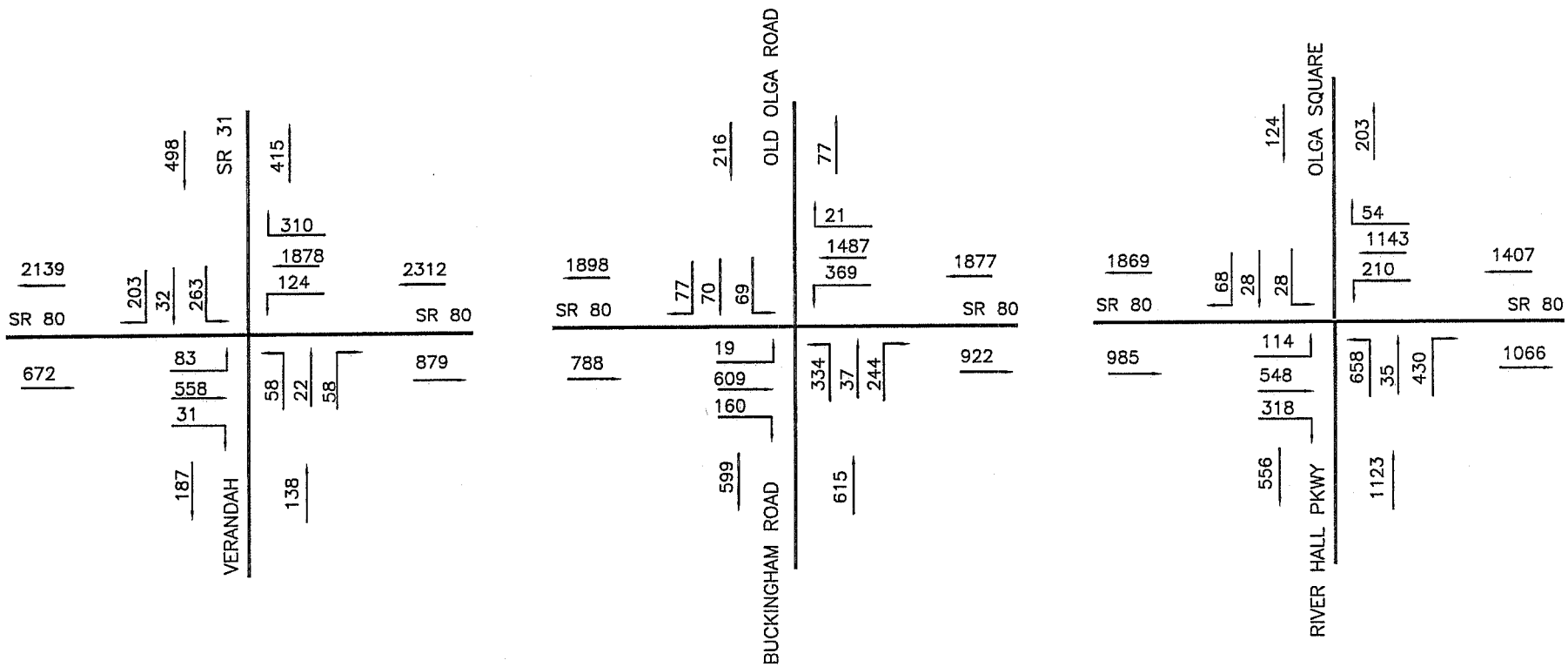
ROADWAY	FROM	TO	(1) # of Lanes	(2) LOS Std	Lee County Station #/ PCS #	BACKGROUND TRAFFIC (3) AADT Count 2004 Beginning Year	2013 End Year	(8) Annual Growth Rate	(7) 2013-2021 Growth Factor	(2) 2013 Peak Dir. Volume	(9) 2013 BG w/o River Hall Peak Dir. Volume	(10) 2021 General BG Peak Dir. Volume	(11) Olga Square 2021 Peak Dir. Volume	(12) 2021 Total BG Peak Dir. Volume	Final BG Traffic Annual Growth Rate	RIVER HALL TRAFFIC Existing Development (13) Net New External Trip Assign. %	(14) Existing In/Out Split	(15) Existing Peak Dir. Volume	Future Remaining Development (16) Future Net New Trip Assign. %	(17) Future Net New In/Out Split	(18) Future Peak Dir. Volume	Total Development (19) 2021 Peak Dir. Volume	2021 External Trip Assign. %	TOTAL TRAFFIC (20) 2021 K(100) Peak Dir. Volume	(2) (21) Directional Service Volume @ LOS C	Project Traffic as % of SV @ LOS C	(22) Project Significant Impact (+/> 10%) (Y/N?)	LEVEL OF SERVICE (2) Directional Service Volume @ LOS Standard	2021 K(100) D(100) V/C Dir1	LOS Dir1	Needed # of Lanes	Needed Improvement
								9	8								157			1,479			1,636									
BUCKINGHAM RD.	Immokalee Rd. (SR 82)	Gunnery Rd.	2LU	E	232 / 11	4500	5700	2.66%	1.23764	315	305	377	55	430	5%	13%	0.41	10	13%	0.61	112	122	13%	550	570	21.4%	Y	970	0.57	D	2	Add 0 L
	Gunnery Rd.	Orange River Blvd.	2LU	E	11 / 11	6000	6600	1.11%	1.08889	372	360	392	55	450	3%	15%	0.41	12	15%	0.61	130	142	15%	590	570	24.9%	Y	970	0.61	D	2	Add 0 L
	Orange River Blvd.	Palm Beach Blvd. (SR 80)	2LU	E	11 / 11	6000	6600	1.11%	1.08889	481	469	501	110	610	3%	27%	0.41	21	26%	0.61	228	249	26%	860	570	43.7%	Y	970	0.89	E	2	Add 0 L
CEMETERY RD.	Buckingham Rd.	Higgins Ave.	2LC	E	486 / 11	3600	5400	4.68%	1.37427	258	257	353	20	370	5%	1%	0.41	1	1%	0.61	9	10	1%	380	800	1.3%	N	860	0.44	C	2	Add 0 L
NORTH RIVER RD.	SR 31	Franklin Lock Rd.	2LN	E	348 / 5	3100	2700	-1.43%	1.08000	142	140	151	20	170	2%	2%	0.59	2	2%	0.39	12	14	2%	160	810	2.3%	N	1120	0.16	B	2	Add 0 L
	Franklin Lock Rd.	Broadway	2LN	E	346 / 5	1700	1300	-2.61%	1.08000	142	141	152	10	160	2%	1%	0.59	1	1%	0.39	6	7	1%	170	810	1.1%	N	1120	0.15	B	2	Add 0 L
ORANGE RIVER BLVD.	Palm Beach Blvd. (SR 80)	Slaley Rd.	2LU	E	353 / 11	7400	7300	-0.15%	1.08000	464	400	432	30	460	2%	3%	0.59	4	3%	0.39	18	22	3%	460	430	5.1%	N	970	0.49	D	2	Add 0 L
	Slaley Rd.	Buckingham Rd.	2LU	E	352 / 11	5900	7300	2.04%	1.21092	348	337	408	20	430	3%	10%	0.59	12	10%	0.39	58	70	10%	500	430	16.3%	Y	970	0.52	D	2	Add 0 L
68TH ST. W.	Cemetery Rd.	Project Entrance	2LC	E	n/a	(4) 3800	5400	4.68%	1.37427	50 (23)	50	68	10	80	8%	0%	0.41	0	1%	0.61	22	22	2%	100	800	2.8%	N	860	0.12	B	2	Add 0 L
	Project Entrance	East	2LC	E	n/a	(4) 3800	5400	4.68%	1.37427	10 (23)	10	14	10	20	13%	0%	0.59	0	1%	0.39	3	3	0%	20	800	0.4%	N	860	0.02	B	2	Add 0 L
SR 31	Palm Beach Blvd. (SR 80)	Bayshore Rd. (SR 78)	2LN	E	FDOT 120030	9800	8500	-1.47%	1.10000	378	361	400	30	430	2%	14%	0.59	17	14%	0.39	84	101	14%	530	730	13.8%	Y	1320	0.40	C	2	Add 0 L
	Bayshore Rd. (SR 78)	Charlotte County Line	2LN	E	FDOT 121001	9500	7600	-2.92%	1.13000	165	155	180	10	190	2%	8%	0.59	10	8%	0.39	49	59	8%	250	730	8.1%	N	1320	0.19	B	2	Add 0 L
SR 80	I-75	SR 31	6LD	D	FDOT 120104 (5)	25000	27000	0.89%	1.13000	1370 (8)	1359	1540	85	1630	2%	14%	0.41	11	14%	0.61	122	133	14%	1,760	2940	4.5%	N	3020	0.58	C	4	Add 0 L
	SR 31	Buckingham Rd.	4LD	D	FDOT 120065 (5)	29500	26500	-0.38%	1.08000	1450 (8)	1428	1540	140	1680	2%	28%	0.41	22	28%	0.61	251	273	28%	1,950	1910	14.3%	Y	2000	0.98	D	4	Add 0 L
	Buckingham Rd.	Werner Blvd.	4LD	D	FDOT 120012 (5)	19200	17800	-0.81%	1.08000	910 (8)	862	930	250	1180	4%	61%	0.41	48	59%	0.61	524	572	59%	1,750	2120	27.0%	Y	2730	0.64	C	4	Add 0 L
	Werner Blvd.	Joel Blvd.	4LD	C	FDOT 120006 (5)	16300	15200	-0.75%	1.08000	770 (8)	744	803	135	940	3%	22%	0.59	26	22%	0.39	128	154	22%	1,090	2120	7.3%	N	2120	0.51	B	2	Add 0 L

FOOTNOTES:

(1) Existing plus Committed number of lanes as of FY 2014-2018.
(2) LOS standard per 2013 Lee County Concurrency Report.
(3) AADT volumes form 2013 Lee County Traffic Count Report, where available. AADT volumes for Florida SIS facilities based on FDOT Florida Traffic Online (2013) database.
(4) Traffic data not available - Cemetary Road traffic data assumed.
(5) Florida Strategic Intermodal System (SIS) Facility.
(6) Linear growth rate calculated for data between 2004 and 2013.
(7) Growth factor reflects linear growth between 2013 and 2021 - Adjusted to reflect positive growth and to ensure overall background growth growth rate of a minimum of 1% for county & non-SIS facilities and 2% for Florida SIS facilities.
(8) FDOT K100 and D100 applied to AADT count per FDOT Florida Traffic Online (2013).
(9) Existing 2013 Background Traffic Without River Hall = Lee County 2013 Concurrenty Report/FDOT Florida Traffic Online (2013) 100th Highest Hour Volume (2) minus Existing Development Traffic (15).
(10) Future 2021 General Background Traffic = 2013 BG traffic without River Hall (9) x 2013-2021 Growth Factor (7).
(11) Per Olga Square TIS (Revised April 6, 2014), JMB Transportation Engineering, Inc. minus Future Olga Square to/from River Hall.
(12) Total 2021 Background Traffic = 2021 General Background Traffic (10) + 2021 Olga Square Traffic (less River Hall's distribution) (11).
(13) Estimated net new external Project trip assignment percentage reflective of : (a) 2014 TM Counts at River Hall Parkway; (b) 2035 FSUTMS trip assignment per River Hall CPA analysis; and (c) Olga Square of 15%.
(14) Inbound and Outbound split based on River Hall TM Counts conducted on November 19, 2014.
(15) Future net new external Project trips of existing development. - Reflective of existing 207 single-family homes and 18-hole golf course/club house.
(16) Estimated net new external Project trip assignment percentage reflective of : (a) 2014 TM Counts at River Hall Parkway; (b) 2035 FSUTMS trip assignment per River Hall CPA analysis; (c) Secondary access of 2.5% and (d) Olga Square of 15%..
(17) Inbound and Outbound split based ITE Trip Generation/NCHRP 684 at buildout using OTISS software.
(18) Future net new external Project rips of remaining development - Reflective of remaining-to-be- built 2,388 units and retail/office/amenities.
(19) Total River Hall Net New External Trips = Existing Development Trips (15) + Remaining Development Trips (18).
(20) Future 2021 Total Traffic = 2021 Total Background Traffic (12) + 2021 Total River Hall Traffic (19)
(21) Link-Specific Service Volumes on Arterials in Lee County (2013 Data) - May, 2014. Florida SIS facilities based on FDOT Generalized Peak Hour Directional Volumes, 12/18/12.
(22) Significant Impact determination of Project traffic at 10% SV consumption at LOS C per Lee County ZTIS requirements.
(23) Local Road - Traffic data not available. Estimated traffic volume shown.



dpa	RIVER HALL PD AMENDMENT	PD AMENDMENT PROJECT TRIP ASSIGNMENT PERCENTAGE	DATE	PROJECT NO.	FILE NO.	EXHIBIT
			12/14	14552	12A/1214	10 (Revised)



N.T.S.

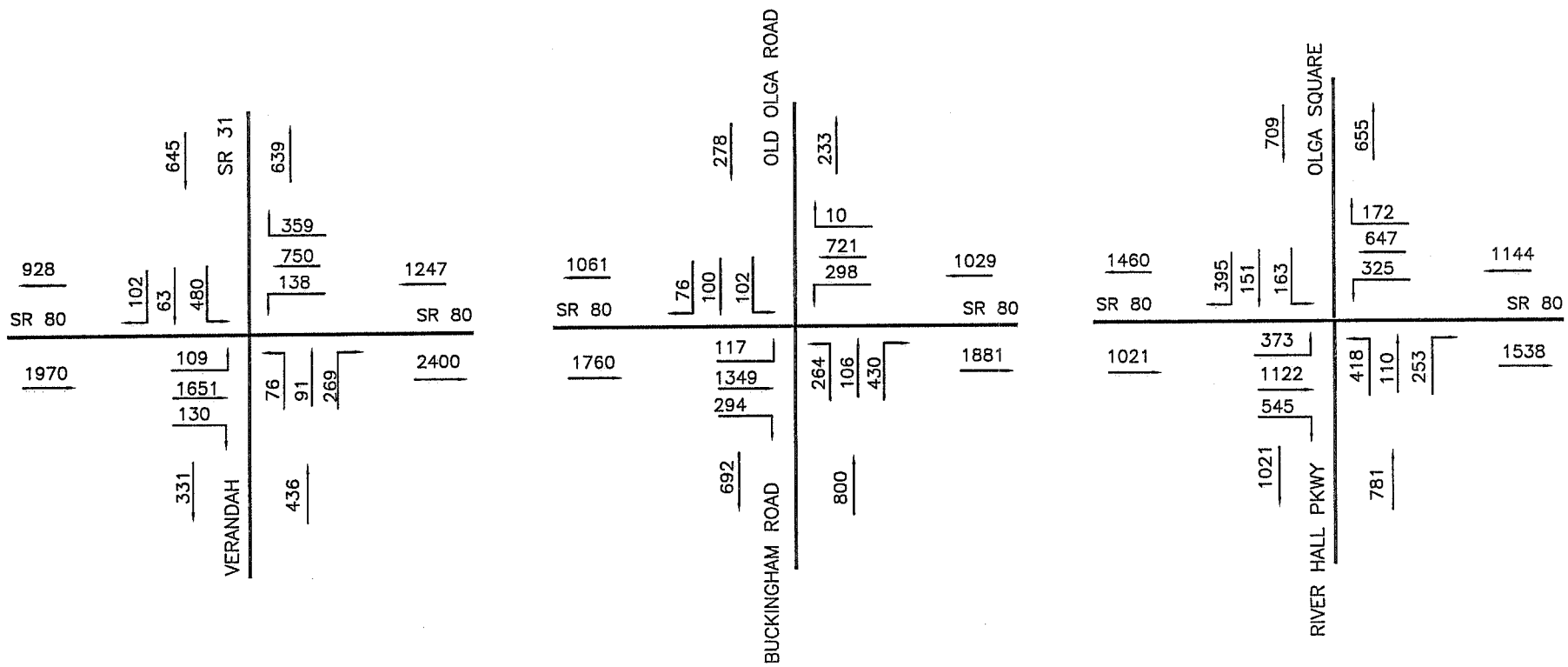
dpa

RIVER HALL PD AMENDMENT

FUTURE 2021 TRAFFIC VOLUMES
WITH PD AMENDMENT
AM PEAK HOUR

14552/08A/1214

11a
(Revised)



N.T.S.

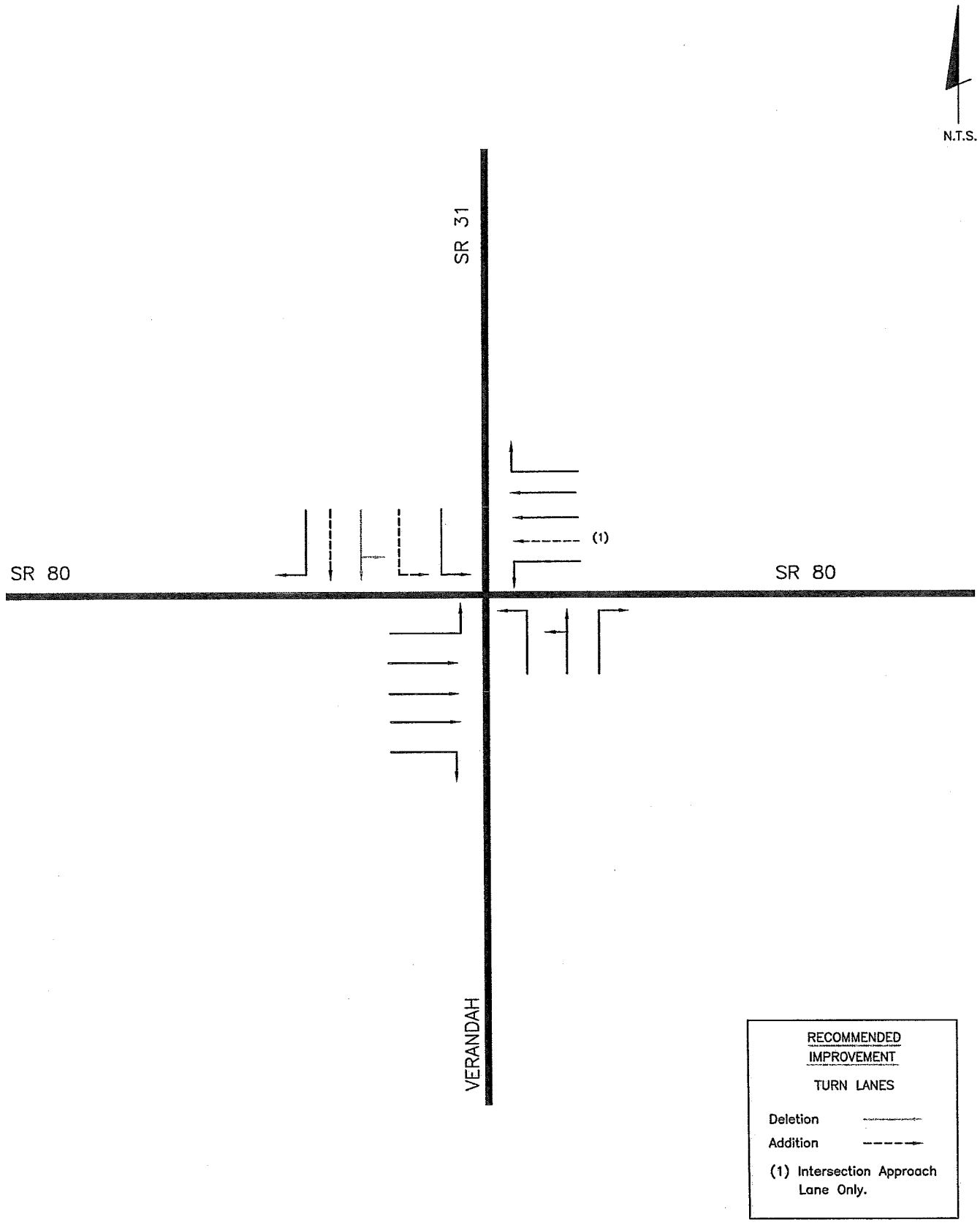
dpa

RIVER HALL PD AMENDMENT

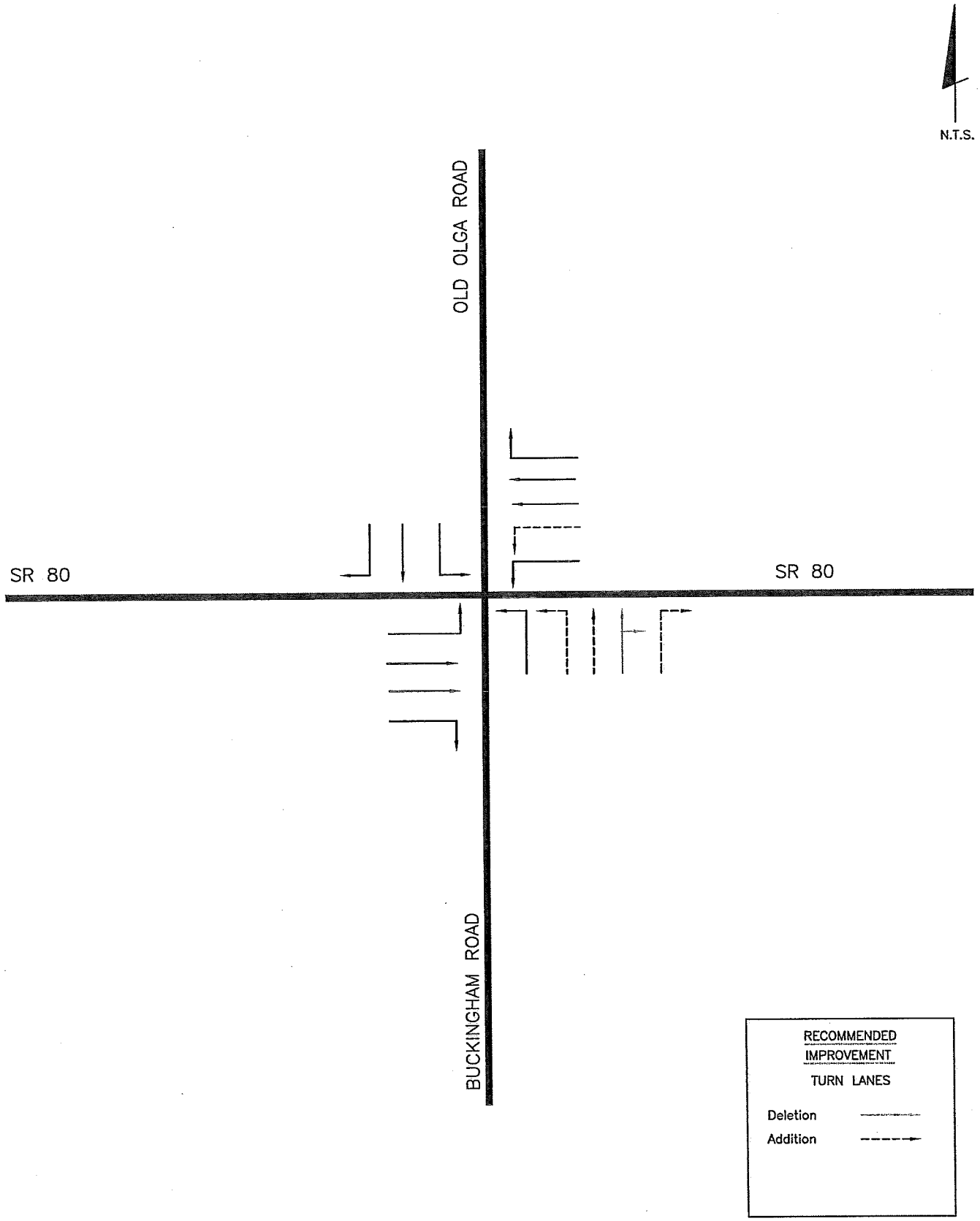
FUTURE 2021 TRAFFIC VOLUMES
WITH PD AMENDMENT
PM PEAK HOUR

14552/09A/1214

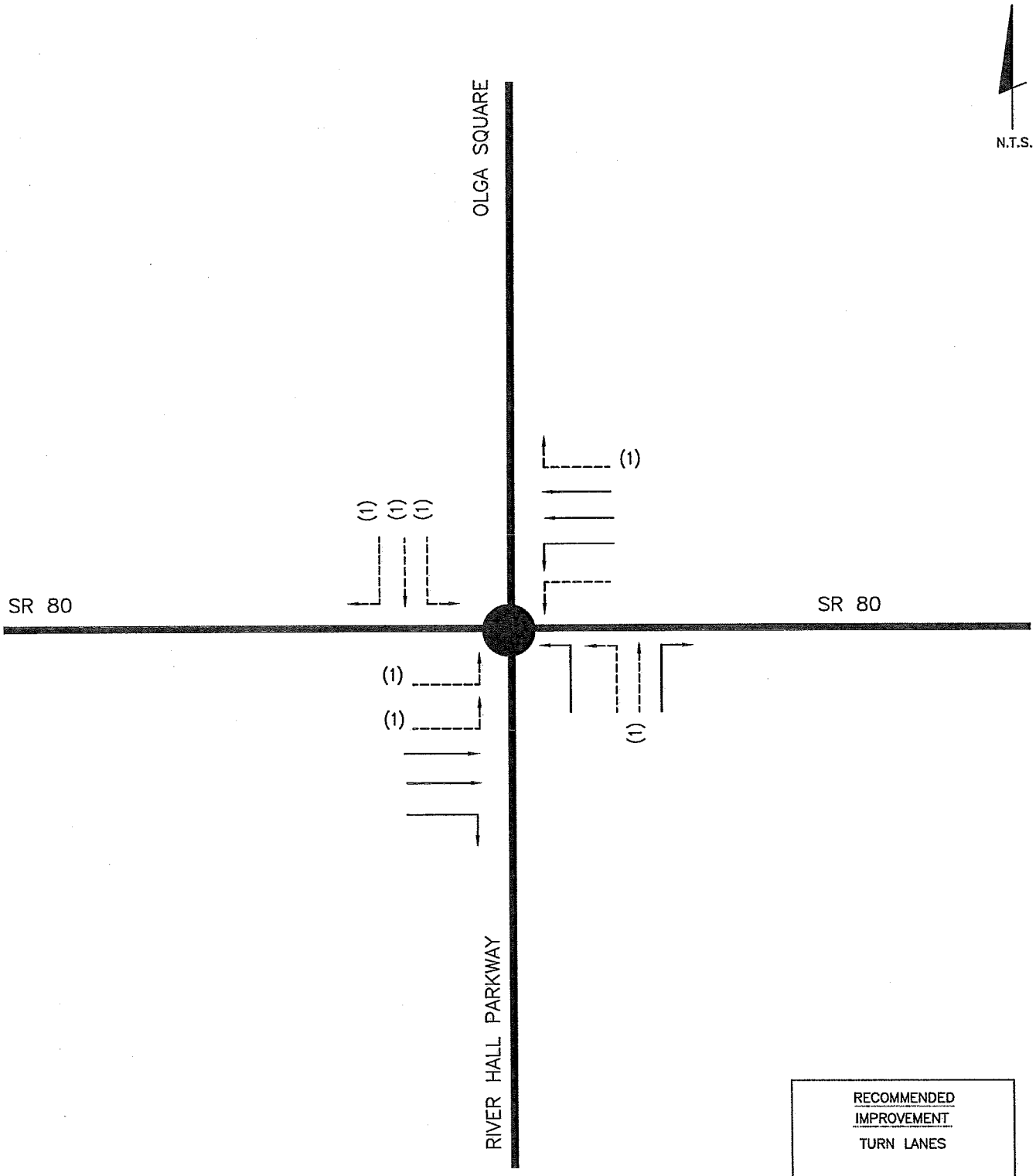
11b
(Revised)



dpa	RIVER HALL PD AMENDMENT	RECOMMENDED IMPROVEMENTS WITH APPROVED PD AND WITH AMENDMENT	12570/01A/1112
			12a



dpa	RIVER HALL PD AMENDMENT	RECOMMENDED IMPROVEMENTS WITH APPROVED PD AND WITH AMENDMENT	12570/02A/1112 12b



RECOMMENDED IMPROVEMENT
TURN LANES

Deletion
Addition
Signal

Note:
(1) Assumed for planning purposes only.

dpa	RIVER HALL PD AMENDMENT	RECOMMENDED IMPROVEMENTS WITH APPROVED PD AND WITH AMENDMENT	14552/03A/1214 12c (Revised)

EXHIBIT 13
RIVER HALL PD AMENDMENT
LEE COUNTY ROADS IMPACT FEE CALCULATION
Fee Schedule as of 09-2012

Project:	RIVER HALL CPD/RPD

		Description (1)	Size	Fee Rate	/Unit	Amount
Residential	Single-Family - Detached	Approved PD	1,347	$6,701	/d.u.	$9,026,247
		PD Amendment	2,043	$6,701	/d.u.	$13,690,143
		Difference	696	**Total**		$4,663,896

Footnote:

(1) Example Only - Non-residential land uses not reflected.
- Actual RIF collected may be different at the time of D.O.

APPENDIX A

METHODOLOGY REPORT

RIVER HALL REZONING

TRANSPORTATION METHODOLOGY REPORT

Project No. 12570

October 18, 2012

Prepared by:
DAVID PLUMMER & ASSOCIATES, INC.
2149 McGregor Boulevard
Fort Myers, Florida 33901

RIVER HALL REZONING

TRANSPORTATION METHODOLOGY REPORT

Introduction

The River Hall Community is a mixed use, residential development located on SR 80, east of Buckingham Road in Lee County. The Community is an approved residential development, currently under construction. A recent amendment to The Lee Plan will allow increased residential densities, up to a total of 2,999 residential units. The purpose of the rezoning traffic impact statement is to support the rezoning of the property to allow higher residential densities.

The buildout development parameters remain to be finalized. The anticipated build-out year for the Community is the year 2020.

Methodology Meeting

A transportation methodology meeting will be held with Lee County. The transportation methodology report will be distributed prior to the meeting and reviewed during the meeting. The methodology report will be subsequently updated, as needed, based on the discussion during the methodology meeting.

Methodology Outline

This methodology report will be updated to reflect recommendations from the review agency during the transportation methodology meeting.

1. The study area major collector and arterial road segments will be analyzed coincident with Project buildout. Levels of service (LOS) on the study area road segments will be estimated for the peak season, peak hour (K_{100}), peak direction. The roadways are anticipated to include the following.

   Potential Road Segments Under Study

SR 80	River Hall Parkway to Joel Boulevard
SR 80	River Hall Parkway to SR 31
Buckingham Road	SR 80 to Orange River Boulevard
SR 31	SR 80 to SR 78

2. The following study area intersections will be analyzed in the AM and PM peak hours coincident with Project buildout. Levels of service (LOS) for the intersections under study will be estimated based on peak season, peak hour traffic using HCS 2010 software.

Potential Intersections Under Study

SR 80 / River Hall Parkway
SR 80 / Buckingham Road
SR 80 / SR 31

3. As indicated in the current zoning resolution, a secondary access point will be reflected in the ZTIS. A low number of trips associated with the remaining to be built development will be distributed to the secondary access. Due to the low utilization of this access, intersection and local roadway segment levels of service will not be performed.

4. The existing trip generation associated with the existing development at River Hall will be established from turning movement counts conducted at the intersection of SR 80 / River Hall Parkway and at the intersection of River Hall Parkway / River Hall Elementary School. The traffic counts at the intersection of SR 80 and River Hall Parkway (inbound left and right and outbound left and right) less the River Hall Elementary School volume will represent the existing-to-date trip generation for River Hall. The River Hall Elementary School traffic volumes will be derived from AM and PM peak hour (7 am to 9 am and 4 pm to 6 pm) turning movement counts at three intersections: River Hall Parkway / River Hall Elementary School West Entrance; River Hall Parkway / River Hall Elementary School Main Entrance; and River Hall Parkway / Paradise Palm Boulevard.

5. The estimated trip generation for River Hall at year 2020 (buildout) will be calculated based on the following method.

    a. The trips for the existing development parameters (less the River Hall Elementary School) and the buildout development parameters will be estimated using the equations/trip rates from the ITE Trip Generation, (9th Edition).
    b. The trip generation for the proposed, remaining to be built uses will be estimated by subtracting the ITE estimated trips (AM and PM) for the existing development parameters from the ITE estimated trips for the Project buildout parameters. The difference in the trips will represent the trip generation for the proposed, remaining to be built uses. These trips will then be added to the 2012 existing driveway traffic volumes (less the River Hall Elementary School) to derive the cumulative trip generation at buildout.
    c. The NCHRP Report 684/8-51 Internal Trip Capture Estimation Tool will be utilized to estimate the Project's internal trip capture.
    d. The retail pass-by trips, if any, will be estimated using the Institute of Transportation Engineers Trip Generation, 9th Edition, and should not exceed 10% of the passing traffic on the external roadway(s).

6. The trips associated with the proposed remaining to be built uses will be assigned to the SR 80 / River Hall Parkway entrance. The combination of the existing driveway turn volumes and the trips from the proposed, remaining to be built uses will represent the total turn lane volumes at Project buildout in 2020.

7. Future 2020 peak hour, peak season background traffic volumes will be derived by applying an historic growth rate to the existing traffic volumes. The growth rate(s) will be calculated based on historic growth trends as derived from the Lee County 2011 Traffic Count Report and / or the FDOT 2010 Traffic Information DVD. The historic growth rate(s) will be applied to the existing intersection turn volumes and roadway segment volumes after deducting out the existing Project volumes. The adjusted background traffic, existing Project traffic and proposed Project traffic will represent total traffic volumes with the Project.

8. AM and PM peak hour levels of service (LOS) analyses will be conducted for the intersections under study and a peak hour, peak season (K_{100}) roadway segment evaluation will be provided for the roadway segments under study. LOS standards consistent with the County's comprehensive plan will be used. Current Lee County service volumes will be used for the roadway segments under study.

9. The Project's proposed mitigation of its traffic impacts will be summarized. Estimates of the roads impact fees paid to date for the existing development and expected to be paid for the proposed buildout development will be.

The rezoning traffic analysis, findings and supporting documentation will be included as part of the rezoning application and submitted to the review agencies. The traffic impact statement will, of course, be subject to review and acceptance by the review agency.

APPENDIX B

INTERSECTION TURNING MOVEMENT COUNTS

DAVID PLUMMER & ASSOCIATES
SUMMARY OF VEHICLE MOVEMENTS

TRAFFIC COUNT ADJUSTMENT FACTORS

CPH

File# _____

Job # 14552

Project name:	River Hall Rezoning TIS Update
Job number:	14552
Count location:	SR 80 @ SR 31
County:	Lee
City:	
Date:	11/19/2014
Day of Week:	Wednesday
Weather:	Good
Road Condition:	Good
Observer:	DD/TH
Remark:	

Intersection Description:

From North (SB):	SR 31
From South (NB):	Verandah
From East (WB)	SR 80
From West (EB)	SR 80

AM Peak Hour:	7:00 AM	to	8:00 AM
PM Peak Hour:	5:00 PM	to	6:00 PM

LEE COUNTY ADJUSTMENT FACTOR

Traffic count report:	2013
Permanent count station:	5
Month of count AADT:	1.01
AADT to peak season	1.14

Factor = 1.00 ÷ 1.01 x 1.14 = 1.13

David Plummer & Associates
Based On
MSHA Highway Information Services Division
Turning Counts Study - Field Sheet

Request No.: River Hall Rezoning TIS Update
Job No.: 14552

Location: SR 80 @ SR 31
Date: 11/19/201 Wednesday
Recorder: DD/TH
Interval (dd) : 15
(In Minutes)

County: Lee
Town: 0
Weather: Good

PEAK HOURS	AM PERIOD 6:00AM-12:00PM	Start	End	Volume	PM PERIOD 12:00PM-7:00PM	Start	End	Volume
		7:00 AM	8:00 AM	2634		5:00 PM	6:00 PM	3316

Street Name-->	SR 31				Verandah				SR 80				SR 80				GRAND TOTAL
HOUR	Southbound				Northbound				Westbound				Eastbound				
ENDING	L	T	R	TOT	L	T	R	TOT	L	T	R	TOT	L	T	R	TOT	
7:15 AM	47	6	35	88	12	3	13	28	18	346	48	412	13	97	8	118	646
7:30 AM	50	12	49	111	18	5	10	33	24	318	43	385	19	93	7	119	648
7:45 AM	44	2	48	94	7	5	7	19	17	357	67	441	21	125	7	153	707
8:00 AM	41	7	35	83	11	5	10	26	19	331	43	393	15	112	4	131	633
8:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:15 AM				0				0				0				0	0
9:30 AM				0				0				0				0	0
9:45 AM				0				0				0				0	0
10:00 AM				0				0				0				0	0
10:15 AM				0				0				0				0	0
10:30 AM				0				0				0				0	0
10:45 AM				0				0				0				0	0
11:00 AM				0				0				0				0	0
11:15 AM				0				0				0				0	0
11:30 AM				0				0				0				0	0
11:45 AM				0				0				0				0	0
12:00 PM				0				0				0				0	0
12:15 PM				0				0				0				0	0
12:30 PM				0				0				0				0	0
12:45 PM				0				0				0				0	0
1:00 PM				0				0				0				0	0
1:15 PM				0				0				0				0	0
1:30 PM				0				0				0				0	0
1:45 PM				0				0				0				0	0
2:00 PM				0				0				0				0	0
2:15 PM				0				0				0				0	0
2:30 PM				0				0				0				0	0
2:45 PM				0				0				0				0	0
3:00 PM				0				0				0				0	0
3:15 PM				0				0				0				0	0
3:30 PM				0				0				0				0	0
3:45 PM				0				0				0				0	0
4:00 PM				0				0				0		0		0	0
4:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:15 PM	90	12	23	125	14	21	52	87	32	151	51	234	27	312	15	354	800
5:30 PM	67	15	13	95	15	13	52	80	26	151	61	238	37	437	24	498	911
5:45 PM	79	15	26	120	16	18	67	101	29	150	68	247	51	298	25	374	842
6:00 PM	48	9	21	78	17	22	43	82	23	153	43	219	40	302	42	384	763
TOTAL	466	78	250	794	110	92	254	456	188	1957	424	2569	223	1776	132	2131	5950
AM Peak Vol	182	27	167	376	48	18	40	106	78	1352	201	1631	68	427	26	521	2634
PM Peak Vol	284	51	83	418	62	74	214	350	110	605	223	938	155	1349	106	1610	3316

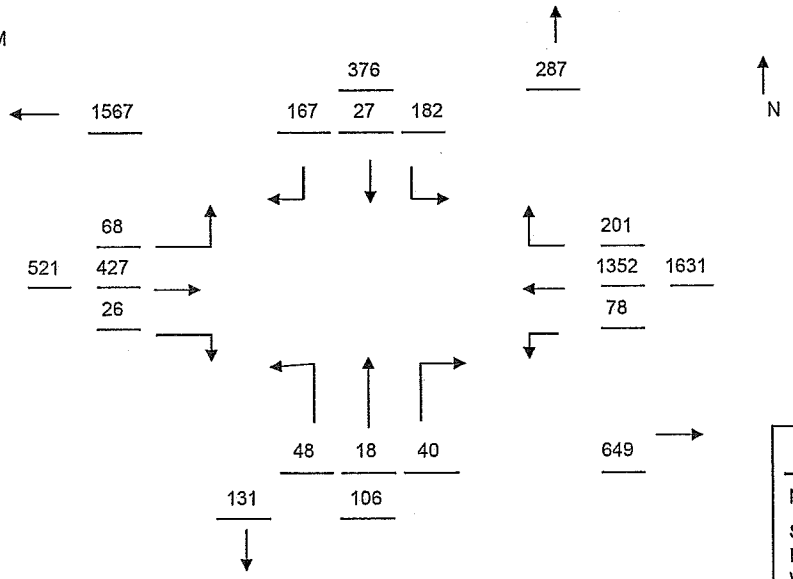
Peak Hour Factor (PHF)

AM Peak Hour	0.85	0.80	0.92	0.85	0.93
PM Peak Hour	0.84	0.87	0.95	0.81	0.91

DPA
RAW TURNING MOVEMENT DIAGRAM

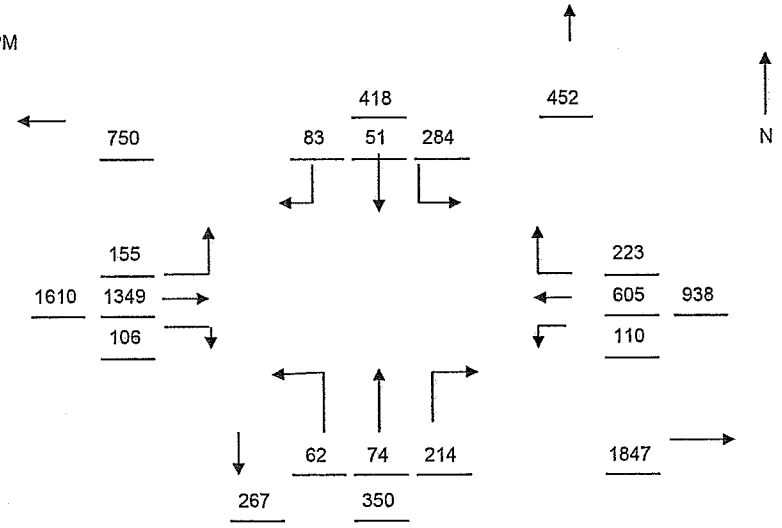
LOCATION:	SR 80 @ SR 31		
COUNTY :	Lee	CITY:	0
OBSERVER:	DD/TH	DATE:	11/19/2014 Wednesday

AM Peak Hour
7:00 AM 8:00 AM



TRUCK %	
NB =	15 %
SB =	16 %
EB =	16 %
WB =	7 %

PM Peak Hour
5:00 PM 6:00 PM

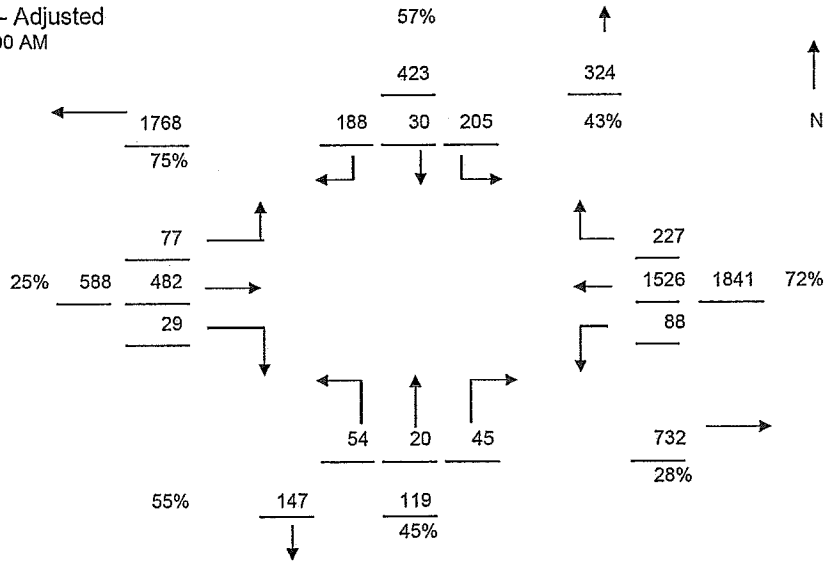


TRUCK %	
NB =	2 %
SB =	10 %
EB =	5 %
WB =	6 %

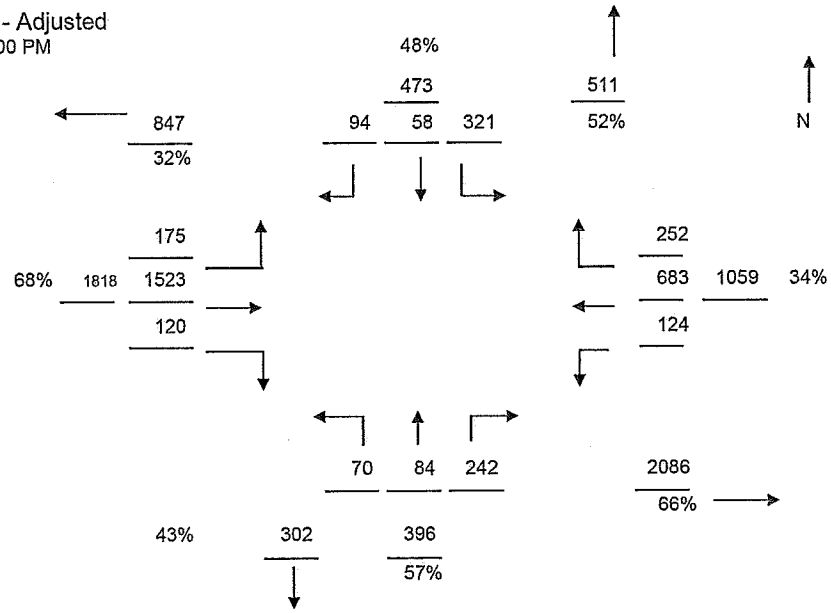
DPA
ADJUSTED TURNING MOVMEMENT DIAGRAM

LOCATION:	SR 80 @ SR 31	REPORT:	2013
COUNTY :	Lee	STATION:	5
OBSERVER:	DD/TH	MONTHLY:	1.01
		ANNUAL:	1.14
		ADJUSTMENT FACTOR:	1.13

AM Peak Hour - Adjusted
7:00 AM 8:00 AM



PM Peak Hour - Adjusted
5:00 PM 6:00 PM



DAVID PLUMMER & ASSOCIATES
SUMMARY OF VEHICLE MOVEMENTS

TRAFFIC COUNT ADJUSTMENT FACTORS

CPH

File# _____

Job # 14552

Project name:	River Hall Rezoning TIS Update
Job number:	14552
Count location:	SR 80 @ Buckingham Road
County:	Lee
City:	
Date:	11/18/2014
Day of Week:	Tuesday
Weather:	Rain AM / Clear PM
Road Condition:	Good
Observer:	DD/TH/GG
Remark:	

Intersection Description:

From North (SB):	Old Olga Road
From South (NB):	Buckingham Road
From East (WB)	SR 80
From West (EB)	SR 80

AM Peak Hour:	7:00 AM	to	8:00 AM
PM Peak Hour:	5:00 PM	to	6:00 PM

LEE COUNTY ADJUSTMENT FACTOR

Traffic count report:	2013
Permanent count station:	5
Month of count AADT:	1.01
AADT to peak season	1.14

Factor = 1.00 ÷ 1.01 x 1.14 = 1.13

David Plummer & Associates
Based On
MSHA Highway Information Services Division
Turning Counts Study - Field Sheet

Request No.: River Hall Rezoning TIS Update
Job No.: 14552

Location: SR 80 @ Buckingham Road
Date: 11/18/2014 Tuesday
Recorder: DD/TH/GG
Interval (dd) : 15
(In Minutes)

County: Lee
Town: 0
Weather: Rain AM / Clear PM

PEAK HOURS	AM PERIOD 6:00AM-12:00PM	Start	End	Volume	PM PERIOD 12:00PM-7:00PM	Start	End	Volume
		7:00 AM	8:00 AM	2252		5:00 PM	6:00 PM	2607

Street Name-->	Old Olga Road				Buckingham Road				SR 80				SR 80				GRAND TOTAL
HOUR	Southbound				Northbound				Westbound				Eastbound				
ENDING	L	T	R	TOT	L	T	R	TOT	L	T	R	TOT	L	T	R	TOT	
7:15 AM	12	16	19	47	93	9	49	151	44	237	1	282	7	97	49	153	633
7:30 AM	7	21	15	43	64	3	39	106	23	259	1	283	3	112	31	146	578
7:45 AM	12	13	17	42	50	9	31	90	39	237	1	277	1	108	24	133	542
8:00 AM	13	8	12	33	67	9	19	95	20	209	3	232	5	107	27	139	499
8:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:15 AM				0				0				0				0	0
9:30 AM				0				0				0				0	0
9:45 AM				0				0				0				0	0
10:00 AM				0				0				0				0	0
10:15 AM				0				0				0				0	0
10:30 AM				0				0				0				0	0
10:45 AM				0				0				0				0	0
11:00 AM				0				0				0				0	0
11:15 AM				0				0				0				0	0
11:30 AM				0				0				0				0	0
11:45 AM				0				0				0				0	0
12:00 PM				0				0				0				0	0
12:15 PM				0				0				0				0	0
12:30 PM				0				0				0				0	0
12:45 PM				0				0				0				0	0
1:00 PM				0				0				0				0	0
1:15 PM				0				0				0				0	0
1:30 PM				0				0				0				0	0
1:45 PM				0				0				0				0	0
2:00 PM				0				0				0				0	0
2:15 PM				0				0				0				0	0
2:30 PM				0				0				0				0	0
2:45 PM				0				0				0				0	0
3:00 PM				0				0				0				0	0
3:15 PM				0				0				0				0	0
3:30 PM				0				0				0				0	0
3:45 PM				0				0				0				0	0
4:00 PM				0				0				0				0	0
4:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:15 PM	14	24	18	56	50	19	25	94	30	123	3	156	15	213	93	321	627
5:30 PM	22	13	9	44	44	23	41	108	27	124	1	152	31	271	49	351	655
5:45 PM	14	23	14	51	62	20	46	128	40	130	1	171	30	256	51	337	687
6:00 PM	26	22	21	69	60	25	26	111	36	121	0	157	20	233	48	301	638
TOTAL	120	140	125	385	490	117	276	883	259	1440	11	1710	112	1397	372	1881	4859
AM Peak Vol	44	58	63	165	274	30	138	442	126	942	6	1074	16	424	131	571	2252
PM Peak Vol	76	82	62	220	216	87	138	441	133	498	5	636	96	973	241	1310	2607

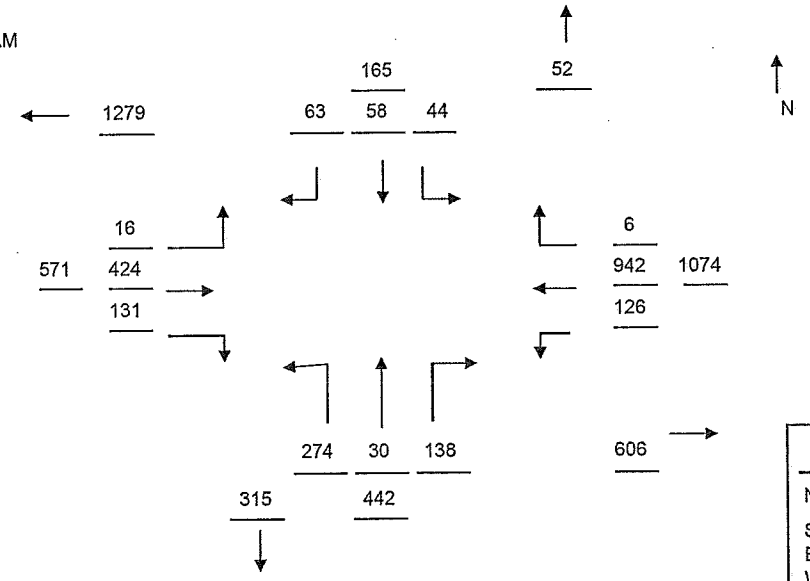
Peak Hour Factor (PHF)

AM Peak Hour	0.88	0.73	0.95	0.98	0.97
PM Peak Hour	0.80	0.86	0.93	0.93	0.95

DPA
RAW TURNING MOVEMENT DIAGRAM

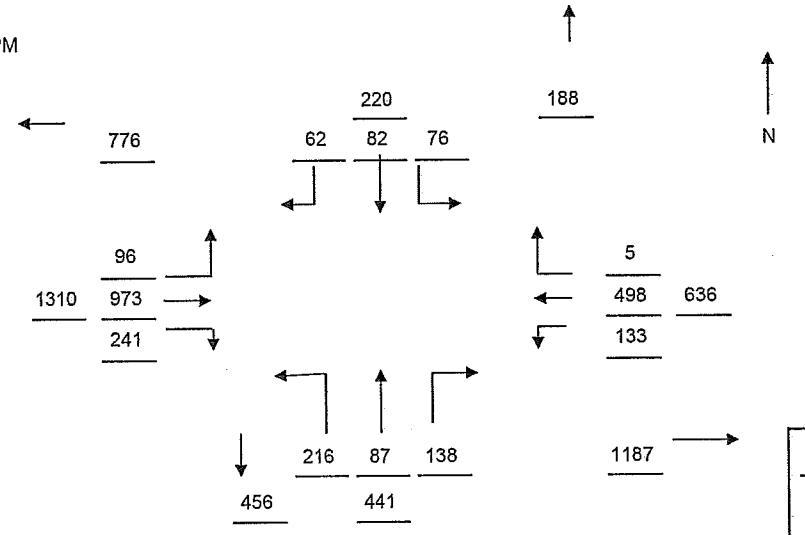
LOCATION:	SR 80 @ Buckingham Road	CITY:	0
COUNTY :	Lee	DATE:	11/18/2014 Tuesday
OBSERVER:	DD/TH/GG		

AM Peak Hour
7:00 AM 8:00 AM



TRUCK %	
NB =	7 %
SB =	10 %
EB =	12 %
WB =	6 %

PM Peak Hour
5:00 PM 6:00 PM

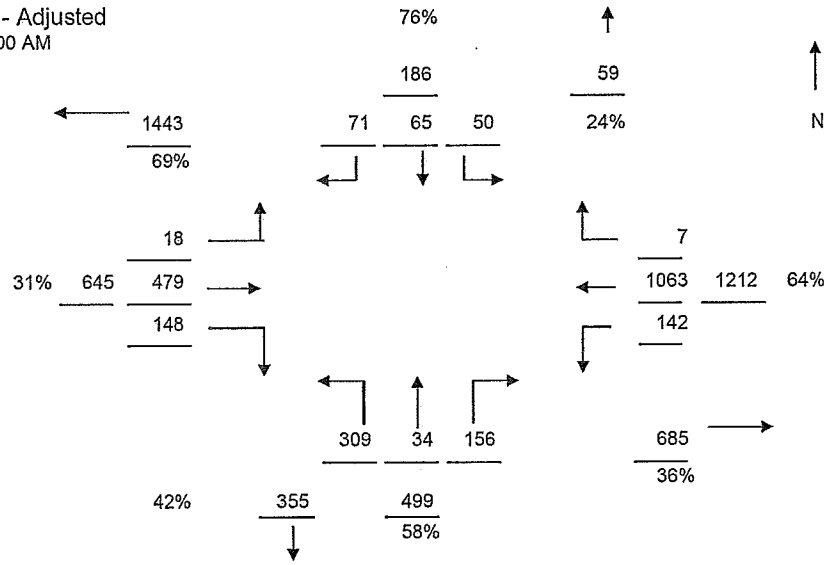


TRUCK %	
NB =	5 %
SB =	3 %
EB =	7 %
WB =	8 %

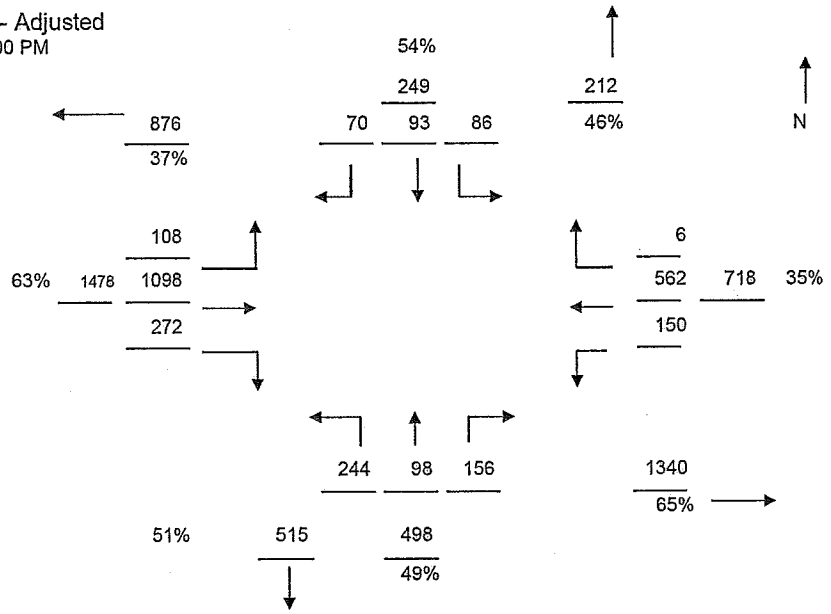
DPA
ADJUSTED TURNING MOVMEMENT DIAGRAM

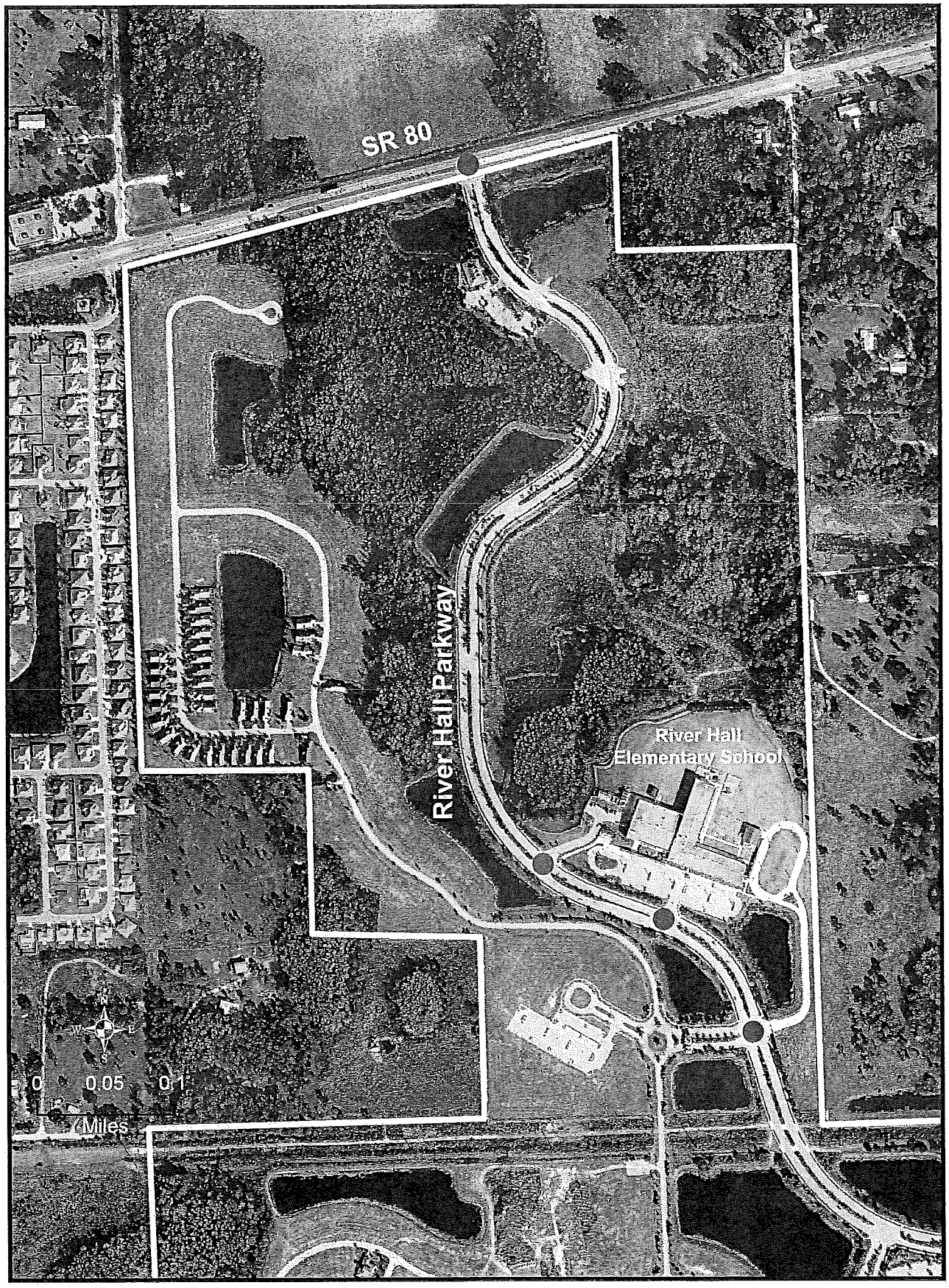
LOCATION:	SR 80 @ Buckingham Road	REPORT:	2013
COUNTY :	Lee	STATION:	5
OBSERVER:	DD/TH/GG	MONTHLY:	1.01
		ANNUAL:	1.14
		ADJUSTMENT FACTOR:	1.13

AM Peak Hour - Adjusted
7:00 AM 8:00 AM



PM Peak Hour - Adjusted
5:00 PM 6:00 PM





dpe	RIVER HALL PARKWAY	TRAFFC COUNT LOCATIONS	DATE	PROJ NO.	FILE NO.	EK.
			12/12	12570	84/1212	KEY MAP

DAVID PLUMMER & ASSOCIATES
SUMMARY OF VEHICLE MOVEMENTS

TRAFFIC COUNT ADJUSTMENT FACTORS

CPH

File# _____

Job # 14552

Project name:	River Hall Rezoning TIS Update
Job number:	14552
Count location:	SR 80 @ River Hall Parkway
County:	Lee
City:	
Date:	11/19/2014
Day of Week:	Wednesday
Weather:	Cloudy
Road Condition:	Good
Observer:	DC/RC
Remark:	

Intersection Description:

From North (SB):	None
From South (NB):	River Hall Parkway
From East (WB)	SR 80
From West (EB)	SR 80

AM Peak Hour:	7:00 AM	to	8:00 AM
PM Peak Hour:	5:00 PM	to	6:00 PM

LEE COUNTY ADJUSTMENT FACTOR

Traffic count report:	2013
Permanent count station:	5
Month of count AADT:	1.01
AADT to peak season	1.14

Factor = 1.00 ÷ 1.01 x 1.14 = 1.13

David Plummer & Associates
Based On
MSHA Highway Information Services Division
Turning Counts Study - Field Sheet

Request No.: River Hall Rezoning TIS Update
Job No.: 14552

Location: SR 80 @ River Hall Parkway
Date: 11/19/2014 Wednesday
Recorder: DC/RC
Interval (dd) : 15
(In Minutes)

County: Lee
Town: 0
Weather: Cloudy

PEAK HOURS	AM PERIOD 6:00AM-12:00PM	Start	End	Volume	PM PERIOD 12:00PM-7:00PM	Start	End	Volume
		7:00 AM	8:00 AM	1808		5:00 PM	6:00 PM	1973

Street Name-->	None				River Hall Parkway				SR 80				SR 80				GRAND TOTAL
HOUR	Southbound				Northbound				Westbound				Eastbound				
ENDING	L	T	R	TOT	L	T	R	TOT	L	T	R	TOT	L	T	R	TOT	
7:15 AM	0	0	0	0	31	0	4	35	3	219	0	222	0	147	29	176	433
7:30 AM	0	0	0	0	21	0	3	24	9	257	0	266	0	137	45	182	472
7:45 AM	0	0	0	0	18	0	6	24	5	298	0	303	0	106	23	129	456
8:00 AM	0	0	0	0	18	0	4	22	6	284	0	290	0	117	18	135	447
8:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:15 AM				0				0				0				0	0
9:30 AM				0				0				0				0	0
9:45 AM				0				0				0				0	0
10:00 AM				0				0				0				0	0
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10:45 AM				0				0				0				0	0
11:00 AM				0				0				0				0	0
11:15 AM				0				0				0				0	0
11:30 AM				0				0				0				0	0
11:45 AM				0				0				0				0	0
12:00 PM				0				0				0				0	0
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12:30 PM				0				0				0				0	0
12:45 PM				0				0				0				0	0
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4:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:15 PM	0	0	0	0	20	0	7	27	5	136	0	141	0	230	37	267	435
5:30 PM	0	0	0	0	37	0	9	46	3	179	0	182	0	262	34	296	524
5:45 PM	0	0	0	0	45	0	4	49	3	144	0	147	0	257	24	281	477
6:00 PM	0	0	0	0	64	0	14	78	3	140	0	143	0	290	26	316	537
TOTAL	0	0	0	0	254	0	51	305	37	1657	0	1694	0	1546	236	1782	3781
AM Peak Vol	0	0	0	0	88	0	17	105	23	1058	0	1081	0	507	115	622	1808
PM Peak Vol	0	0	0	0	166	0	34	200	14	599	0	613	0	1039	121	1160	1973

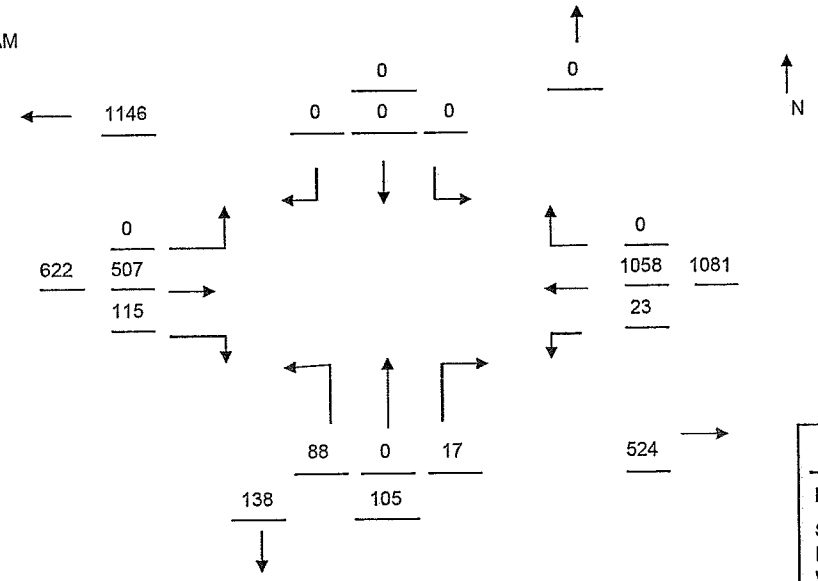
Peak Hour Factor (PHF)

AM Peak Hour	0.00	0.75	0.89	0.85	0.96
PM Peak Hour	0.00	0.64	0.84	0.92	0.92

DPA
RAW TURNING MOVEMENT DIAGRAM

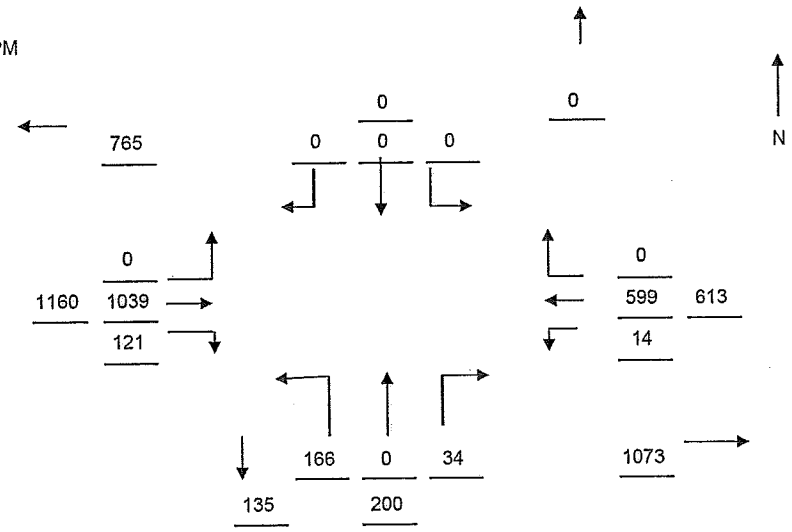
LOCATION:	SR 80 @ River Hall Parkway	CITY:	0
COUNTY :	Lee	DATE:	11/19/2014 Wednesday
OBSERVER:	DC/RC		

AM Peak Hour
7:00 AM 8:00 AM



TRUCK %	
NB =	5 %
SB =	0 %
EB =	17 %
WB =	15 %

PM Peak Hour
5:00 PM 6:00 PM

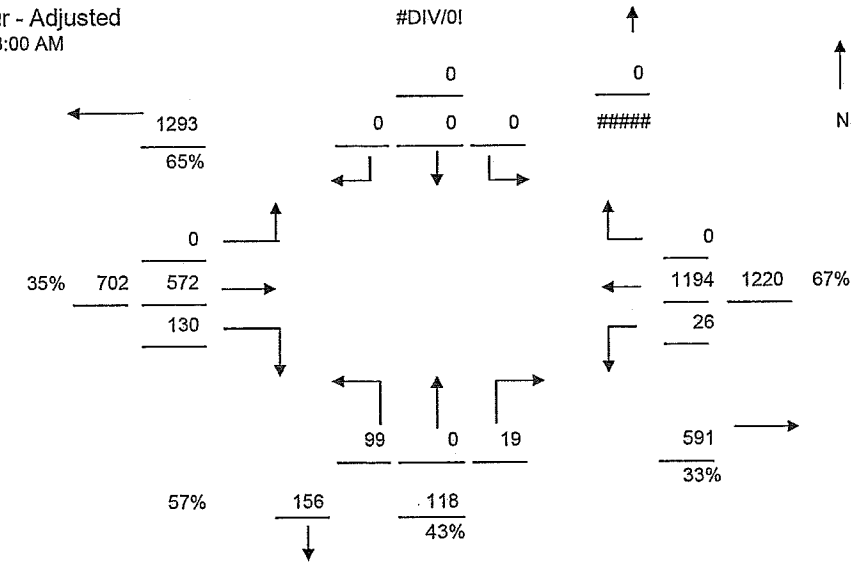


TRUCK %	
NB =	5 %
SB =	0 %
EB =	10 %
WB =	15 %

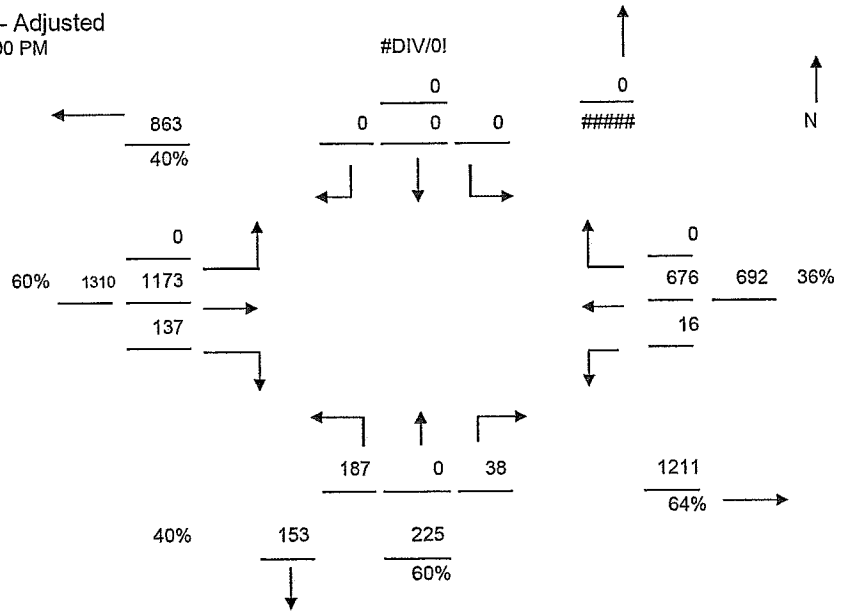
DPA
ADJUSTED TURNING MOVMEMENT DIAGRAM

LOCATION:	SR 80 @ River Hall Parkway	REPORT:	2013
COUNTY :	Lee	STATION:	5
OBSERVER:	DC/RC	MONTHLY:	1.01
		ANNUAL:	1.14
		ADJUSTMENT FACTOR:	1.13

AM Peak Hour - Adjusted
7:00 AM 8:00 AM



PM Peak Hour - Adjusted
5:00 PM 6:00 PM



DAVID PLUMMER & ASSOCIATES
SUMMARY OF VEHICLE MOVEMENTS

TRAFFIC COUNT ADJUSTMENT FACTORS

CPH

File# _____

Job # 14552

Project name:	River Hall Rezoning TIS Update
Job number:	14552
Count location:	River Hall Parkway @ River Hall School Entrance #1
County:	Lee
City:	
Date:	11/19/2014
Day of Week:	Wednesday
Weather:	Cloudy
Road Condition:	Good
Observer:	JW
Remark:	

Intersection Description:

From North (SB):	River Hall Parkway
From South (NB):	River Hall Parkway
From East (WB)	River Hall School Ent. #1
From West (EB)	None

AM Peak Hour:	7:00 AM	to	8:00 AM
PM Peak Hour:	5:00 PM	to	6:00 PM

LEE COUNTY ADJUSTMENT FACTOR

Traffic count report:	2013
Permanent count station:	5
Month of count AADT:	1.01
AADT to peak season	1.14

Factor = 1.00 ÷ 1.01 x 1.14 = 1.13

David Plummer & Associates
Based On
MSHA Highway Information Services Division
Turning Counts Study - Field Sheet

Request No.: River Hall Rezoning TIS Update
Job No.: 14552

Location: River Hall Parkway @ River Hall School E
Date: 11/19/2014 Wednesday
Recorder: JW
Interval (dd) : 15
(In Minutes)

County: Lee
Town: 0
Weather: Cloudy

PEAK HOURS	AM PERIOD 6:00AM-12:00PM	Start	End	Volume	PM PERIOD 12:00PM-7:00PM	Start	End	Volume
		7:00 AM	8:00 AM	210		5:00 PM	6:00 PM	239

Street Name-->	River Hall Parkway				River Hall Parkway				River Hall School Ent. #1				None				GRAND TOTAL
HOUR	Southbound				Northbound				Westbound				Eastbound				
ENDING	L	T	R	TOT	L	T	R	TOT	L	T	R	TOT	L	T	R	TOT	
7:15 AM	2	32	0	34	0	28	0	28	0	0	0	0	0	0	0	0	62
7:30 AM	0	42	0	42	0	18	0	18	0	0	0	0	0	0	0	0	60
7:45 AM	0	28	0	28	0	24	0	24	0	0	0	0	0	0	0	0	52
8:00 AM	1	17	0	18	0	17	0	17	0	0	1	1	0	0	0	0	36
8:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:15 AM				0				0				0				0	0
9:30 AM				0				0				0				0	0
9:45 AM				0				0				0				0	0
10:00 AM				0				0				0				0	0
10:15 AM				0				0				0				0	0
10:30 AM				0				0				0				0	0
10:45 AM				0				0				0				0	0
11:00 AM				0				0				0				0	0
11:15 AM				0				0				0				0	0
11:30 AM				0				0				0				0	0
11:45 AM				0				0				0				0	0
12:00 PM				0				0				0				0	0
12:15 PM				0				0				0				0	0
12:30 PM				0				0				0				0	0
12:45 PM				0				0				0				0	0
1:00 PM				0				0				0				0	0
1:15 PM				0				0				0				0	0
1:30 PM				0				0				0				0	0
1:45 PM				0				0				0				0	0
2:00 PM				0				0				0				0	0
2:15 PM				0				0				0				0	0
2:30 PM				0				0				0				0	0
2:45 PM				0				0				0				0	0
3:00 PM				0				0				0				0	0
3:15 PM				0				0				0				0	0
3:30 PM				0				0				0				0	0
3:45 PM				0				0				0				0	0
4:00 PM				0				0				0				0	0
4:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:15 PM	0	35	0	35	0	28	0	28	0	0	0	0	0	0	0	0	63
5:30 PM	0	34	0	34	0	35	0	35	0	0	0	0	0	0	0	0	69
5:45 PM	0	25	0	25	0	29	0	29	0	0	1	1	0	0	0	0	55
6:00 PM	0	30	0	30	0	22	0	22	0	0	0	0	0	0	0	0	52
TOTAL	3	243	0	246	0	201	0	201	0	0	2	2	0	0	0	0	449
AM Peak Vol	3	119	0	122	0	87	0	87	0	0	1	1	0	0	0	0	210
PM Peak Vol	0	124	0	124	0	114	0	114	0	0	1	1	0	0	0	0	239

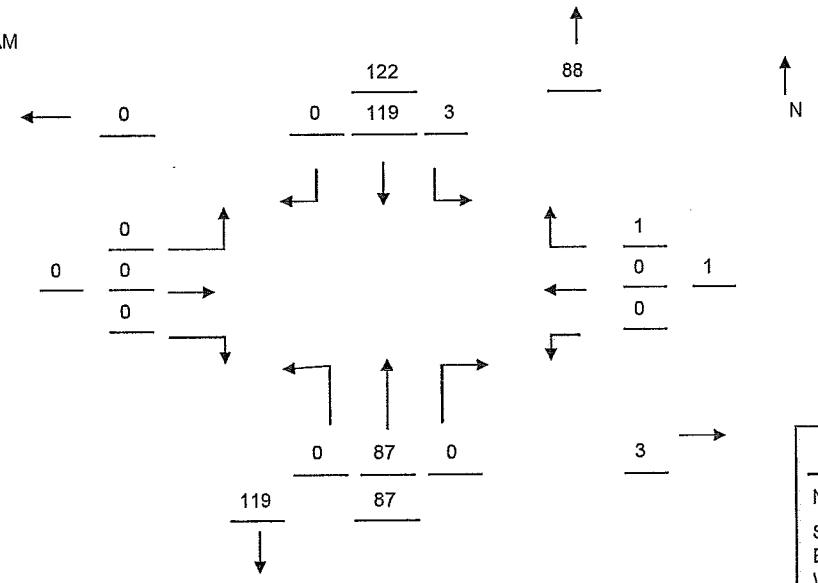
Peak Hour Factor (PHF)

AM Peak Hour	0.73	0.78	0.25	0.00	0.88
PM Peak Hour	0.89	0.81	0.25	0.00	0.87

DPA
RAW TURNING MOVEMENT DIAGRAM

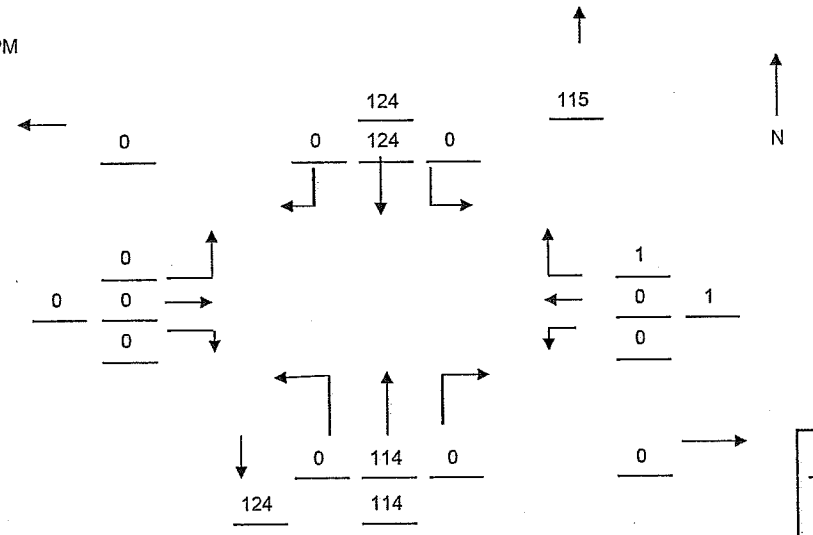
LOCATION:	River Hall Parkway @ River Hall School Entrance #1		
COUNTY :	Lee	CITY:	0
OBSERVER:	JW	DATE:	11/19/2014 Wednesday

AM Peak Hour
7:00 AM 8:00 AM



TRUCK %	
NB =	6 %
SB =	3 %
EB =	0 %
WB =	0 %

PM Peak Hour
5:00 PM 6:00 PM

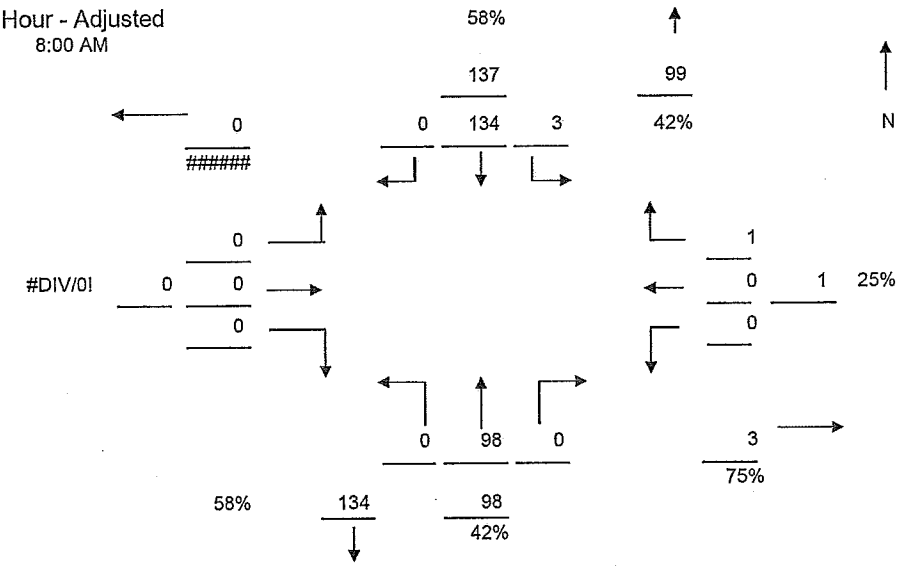


TRUCK %	
NB =	3 %
SB =	2 %
EB =	0 %
WB =	0 %

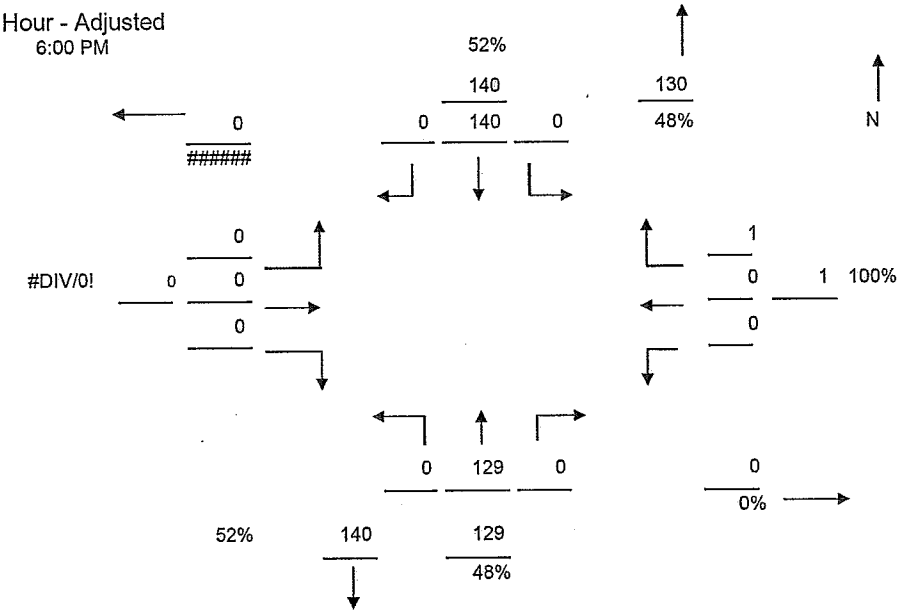
DPA
ADJUSTED TURNING MOVMEMENT DIAGRAM

LOCATION:	River Hall Parkway @ River Hall School Entrance #1	REPORT:	2013
COUNTY :	Lee	STATION:	5
OBSERVER:	JW	MONTHLY:	1.01
		ANNUAL:	1.14
		ADJUSTMENT FACTOR:	1.13

AM Peak Hour - Adjusted
7:00 AM 8:00 AM



PM Peak Hour - Adjusted
5:00 PM 6:00 PM



DAVID PLUMMER & ASSOCIATES
SUMMARY OF VEHICLE MOVEMENTS

TRAFFIC COUNT ADJUSTMENT FACTORS

CPH

File# _____

Job # 14552

Project name:	River Hall Rezoning TIS Update
Job number:	14552
Count location:	River Hall Parkway @ River Hall School Entrance #2
County:	Lee
City:	
Date:	11/19/2014
Day of Week:	Wednesday
Weather:	Cloudy
Road Condition:	Good
Observer:	GG/DR
Remark:	

Intersection Description:

From North (SB):	River Hall Parkway
From South (NB):	River Hall Parkway
From East (WB)	River Hall School Ent. #2
From West (EB)	None

AM Peak Hour:	7:00 AM	to	8:00 AM
PM Peak Hour:	5:00 PM	to	6:00 PM

LEE COUNTY ADJUSTMENT FACTOR

Traffic count report:	2013
Permanent count station:	5
Month of count AADT:	1.01
AADT to peak season	1.14

Factor = 1.00 ÷ 1.01 x 1.14 = 1.13

David Plummer & Associates
Based On
MSHA Highway Information Services Division
Turning Counts Study - Field Sheet

Request No.: River Hall Rezoning TIS Update
Job No.: 14552

Location: River Hall Parkway @ River Hall School E
Date: 11/19/2014 Wednesday
Recorder: GG/DR
Interval (dd) : 15
(In Minutes)

County: Lee
Town: 0
Weather: Cloudy

PEAK HOURS	AM PERIOD 6:00AM-12:00PM	Start	End	Volume	PM PERIOD 12:00PM-7:00PM	Start	End	Volume
		7:00 AM	8:00 AM	117		5:00 PM	6:00 PM	147

Street Name-->	River Hall Parkway				River Hall Parkway				River Hall School Ent. #2				None				GRAND TOTAL
HOUR	Southbound				Northbound				Westbound				Eastbound				
ENDING	L	T	R	TOT	L	T	R	TOT	L	T	R	TOT	L	T	R	TOT	
7:15 AM	23	0	0	23	0	0	0	0	0	0	8	8	0	0	0	0	31
7:30 AM	37	0	0	37	0	0	0	0	0	0	6	6	0	0	0	0	43
7:45 AM	21	0	0	21	0	0	0	0	0	0	7	7	0	0	0	0	28
8:00 AM	10	0	0	10	0	0	0	0	0	0	5	5	0	0	0	0	15
8:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:15 AM				0				0				0				0	0
9:30 AM				0				0				0				0	0
9:45 AM				0				0				0				0	0
10:00 AM				0				0				0				0	0
10:15 AM				0				0				0				0	0
10:30 AM				0				0				0				0	0
10:45 AM				0				0				0				0	0
11:00 AM				0				0				0				0	0
11:15 AM				0				0				0				0	0
11:30 AM				0				0				0				0	0
11:45 AM				0				0				0				0	0
12:00 PM				0				0				0				0	0
12:15 PM				0				0				0				0	0
12:30 PM				0				0				0				0	0
12:45 PM				0				0				0				0	0
1:00 PM				0				0				0				0	0
1:15 PM				0				0				0				0	0
1:30 PM				0				0				0				0	0
1:45 PM				0				0				0				0	0
2:00 PM				0				0				0				0	0
2:15 PM				0				0				0				0	0
2:30 PM				0				0				0				0	0
2:45 PM				0				0				0				0	0
3:00 PM				0				0				0				0	0
3:15 PM				0				0				0				0	0
3:30 PM				0				0				0				0	0
3:45 PM				0				0				0				0	0
4:00 PM				0				0				0				0	0
4:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:15 PM	16	0	0	16	0	0	2	2	0	0	21	21	0	0	0	0	39
5:30 PM	17	0	0	17	0	0	1	1	0	0	26	26	0	0	0	0	44
5:45 PM	16	0	0	16	0	0	0	0	2	0	21	23	0	0	0	0	39
6:00 PM	8	0	0	8	0	0	0	0	0	0	17	17	0	0	0	0	25
TOTAL	148	0	0	148	0	0	3	3	2	0	111	113	0	0	0	0	264
AM Peak Vol	91	0	0	91	0	0	0	0	0	0	26	26	0	0	0	0	117
PM Peak Vol	57	0	0	57	0	0	3	3	2	0	85	87	0	0	0	0	147

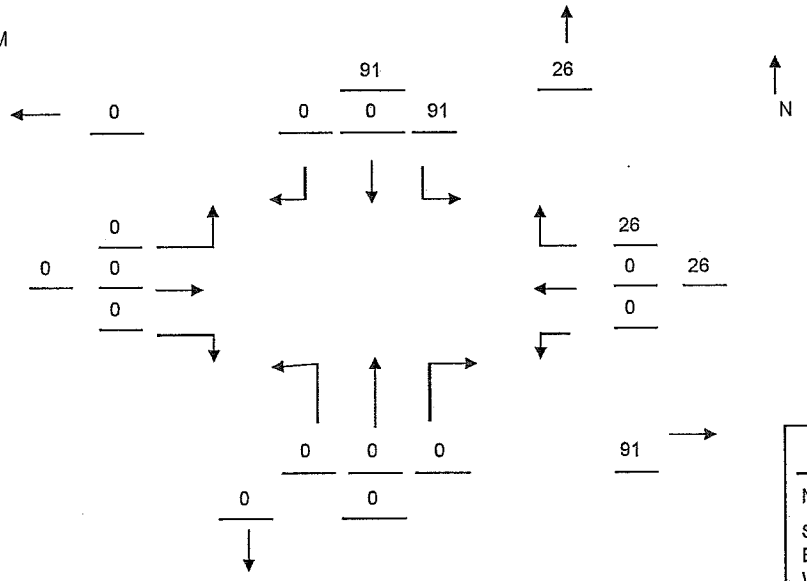
Peak Hour Factor (PHF)

AM Peak Hour	0.61	0.00	0.93	0.00	0.68
PM Peak Hour	0.84	0.38	0.84	0.00	0.84

DPA
RAW TURNING MOVEMENT DIAGRAM

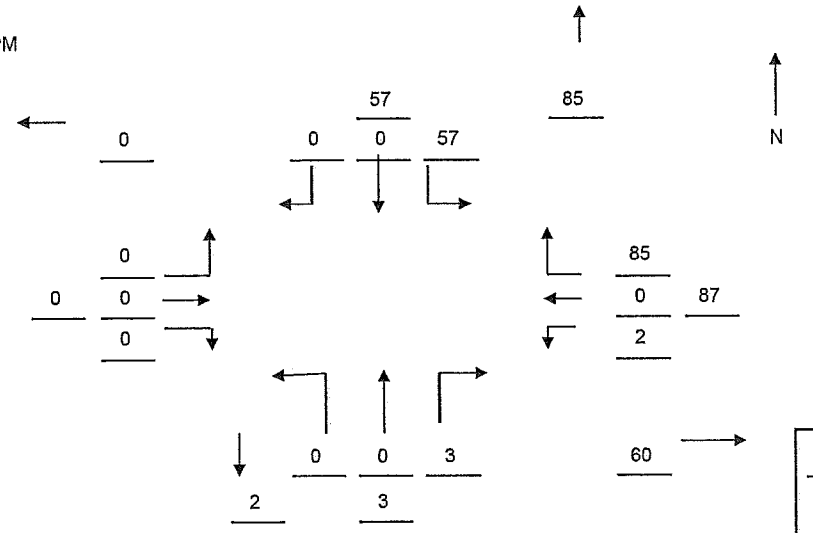
LOCATION:	River Hall Parkway @ River Hall School Entrance #2		
COUNTY :	Lee	CITY:	0
OBSERVER:	GG/DR	DATE:	11/19/2014 Wednesday

AM Peak Hour
7:00 AM 8:00 AM



TRUCK %	
NB =	0 %
SB =	0 %
EB =	0 %
WB =	0 %

PM Peak Hour
5:00 PM 6:00 PM

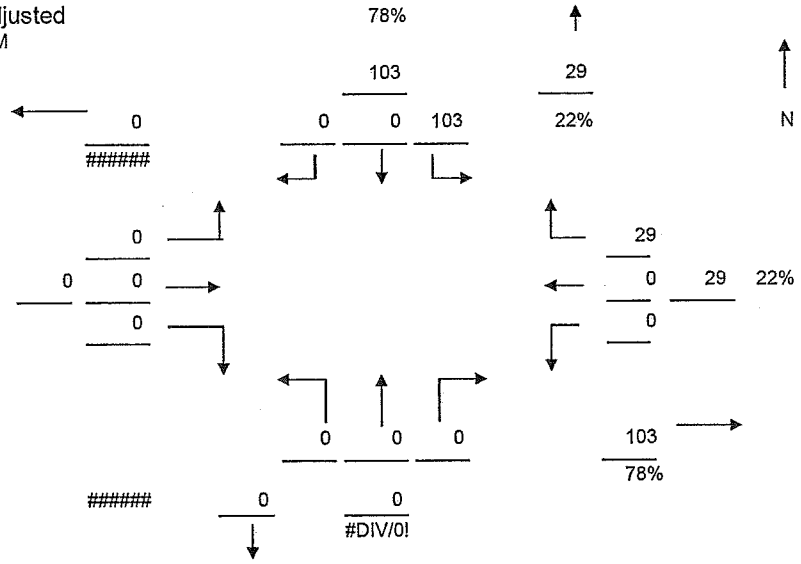


TRUCK %	
NB =	33 %
SB =	2 %
EB =	0 %
WB =	2 %

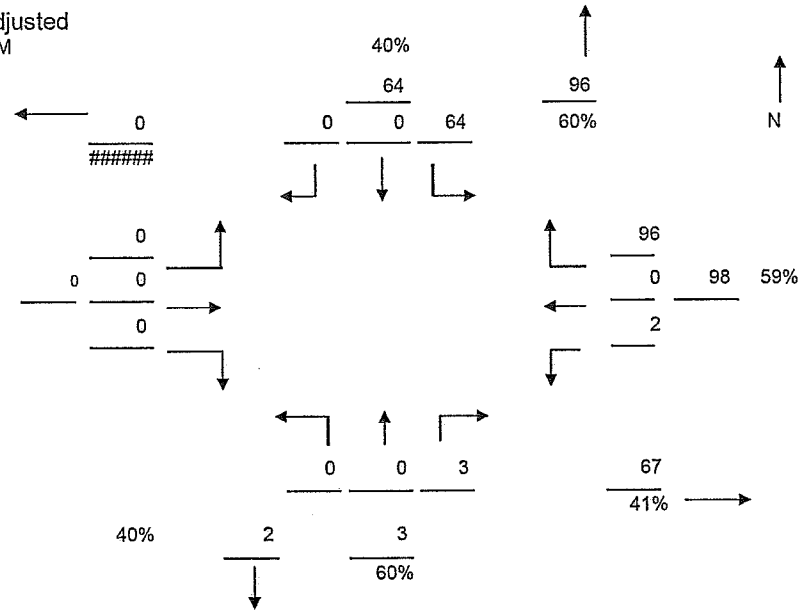
DPA
ADJUSTED TURNING MOVMEMENT DIAGRAM

LOCATION:	River Hall Parkway @ River Hall School Entrance #2	REPORT:	2013
COUNTY :	Lee	STATION:	5
OBSERVER:	GG/DR	MONTHLY:	1.01
		ANNUAL:	1.14
		ADJUSTMENT FACTOR:	1.13

AM Peak Hour - Adjusted
7:00 AM 8:00 AM



PM Peak Hour - Adjusted
5:00 PM 6:00 PM



DAVID PLUMMER & ASSOCIATES
SUMMARY OF VEHICLE MOVEMENTS

TRAFFIC COUNT ADJUSTMENT FACTORS

CPH

File# _____

Job # 14552

Project name:	River Hall Rezoning TIS Update
Job number:	14552
Count location:	River Hall Parkway @ River Hall School Entrance #3
County:	Lee
City:	
Date:	11/19/2014
Day of Week:	Wednesday
Weather:	Cloudy
Road Condition:	Good
Observer:	JH
Remark:	Bus drop-off entrance

Intersection Description:

From North (SB):	River Hall Parkway
From South (NB):	River Hall Parkway
From East (WB)	River Hall School Ent. #3
From West (EB)	Paradise Palm Blvd

AM Peak Hour:	7:00 AM	to	8:00 AM
PM Peak Hour:	5:00 PM	to	6:00 PM

LEE COUNTY ADJUSTMENT FACTOR

Traffic count report:	2013
Permanent count station:	5
Month of count AADT:	1.01
AADT to peak season	1.14

Factor = 1.00 ÷ 1.01 x 1.14 = 1.13

David Plummer & Associates
Based On
MSHA Highway Information Services Division
Turning Counts Study - Field Sheet

Request No.: River Hall Rezoning TIS Update
Job No.: 14552

Location: River Hall Parkway @ River Hall School E
Date: 11/19/2014 Wednesday
Recorder: JH
Interval (dd) : 15
(In Minutes)

County: Lee
Town: 0
Weather: Cloudy

PEAK HOURS	AM PERIOD 6:00AM-12:00PM	Start	End	Volume	PM PERIOD 12:00PM-7:00PM	Start	End	Volume
		7:00 AM	8:00 AM	99		5:00 PM	6:00 PM	74

Street Name-->	River Hall Parkway				River Hall Parkway				River Hall School Ent. #3				Paradise Palm Blvd				GRAND TOTAL
HOUR	Southbound				Northbound				Westbound				Eastbound				
ENDING	L	T	R	TOT	L	T	R	TOT	L	T	R	TOT	L	T	R	TOT	
7:15 AM	0	8	1	9	0	15	0	15	0	0	0	0	5	0	1	6	30
7:30 AM	0	7	0	7	0	8	0	8	0	0	0	0	6	0	0	6	21
7:45 AM	0	8	2	10	0	15	0	15	0	0	0	0	3	0	0	3	28
8:00 AM	0	6	1	7	0	10	0	10	0	0	0	0	2	0	1	3	20
8:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:15 AM				0				0				0				0	0
9:30 AM				0				0				0				0	0
9:45 AM				0				0				0				0	0
10:00 AM				0				0				0				0	0
10:15 AM				0				0				0				0	0
10:30 AM				0				0				0				0	0
10:45 AM				0				0				0				0	0
11:00 AM				0				0				0				0	0
11:15 AM				0				0				0				0	0
11:30 AM				0				0				0				0	0
11:45 AM				0				0				0				0	0
12:00 PM				0				0				0				0	0
12:15 PM				0				0				0				0	0
12:30 PM				0				0				0				0	0
12:45 PM				0				0				0				0	0
1:00 PM				0				0				0				0	0
1:15 PM				0				0				0				0	0
1:30 PM				0				0				0				0	0
1:45 PM				0				0				0				0	0
2:00 PM				0				0				0				0	0
2:15 PM				0				0				0				0	0
2:30 PM				0				0				0				0	0
2:45 PM				0				0				0				0	0
3:00 PM				0				0				0				0	0
3:15 PM				0				0				0				0	0
3:30 PM				0				0				0				0	0
3:45 PM				0				0				0				0	0
4:00 PM				0				0				0				0	0
4:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:15 PM	0	13	0	13	0	8	0	8	0	0	0	0	0	0	0	0	21
5:30 PM	0	16	0	16	0	10	0	10	0	0	0	0	0	0	0	0	26
5:45 PM	0	5	1	6	0	4	0	4	0	0	0	0	1	0	0	1	11
6:00 PM	0	10	0	10	0	5	0	5	0	0	0	0	0	0	1	1	16
TOTAL	0	73	5	78	0	75	0	75	0	0	0	0	17	0	3	20	173
AM Peak Vol	0	29	4	33	0	48	0	48	0	0	0	0	16	0	2	18	99
PM Peak Vol	0	44	1	45	0	27	0	27	0	0	0	0	1	0	1	2	74

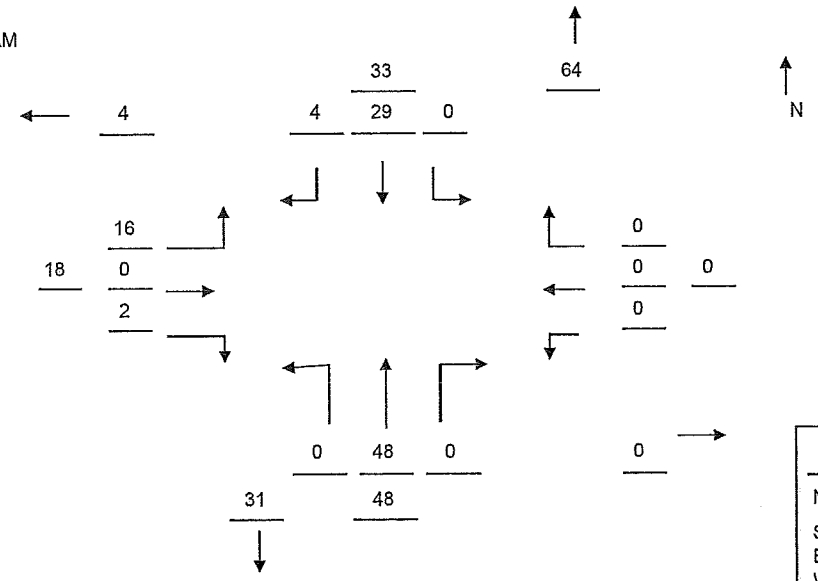
Peak Hour Factor (PHF)

AM Peak Hour	0.83	0.80	0.00	0.75	0.88
PM Peak Hour	0.70	0.68	0.00	0.50	0.71

DPA
RAW TURNING MOVEMENT DIAGRAM

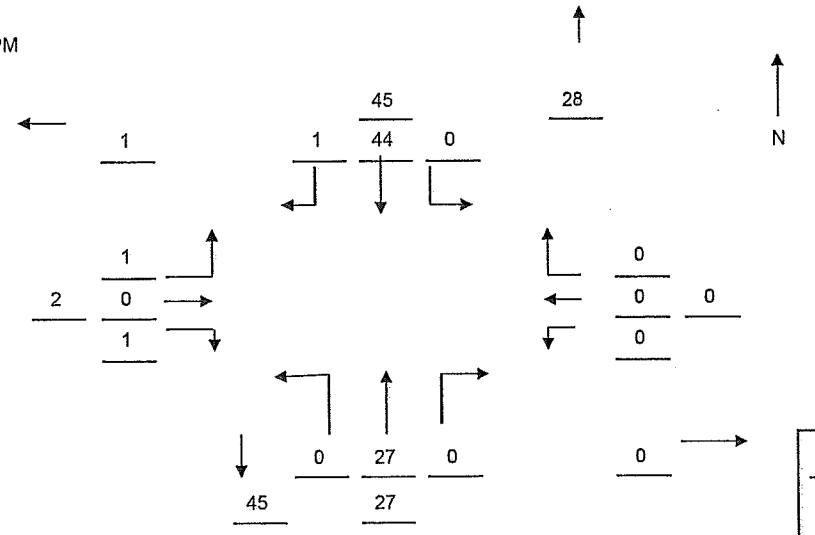
LOCATION:	River Hall Parkway @ River Hall School Entrance #3		
COUNTY :	Lee	CITY:	0
OBSERVER:	JH	DATE:	11/19/2014 Wednesday

AM Peak Hour
7:00 AM 8:00 AM



TRUCK %	
NB =	8 %
SB =	12 %
EB =	0 %
WB =	0 %

PM Peak Hour
5:00 PM 6:00 PM

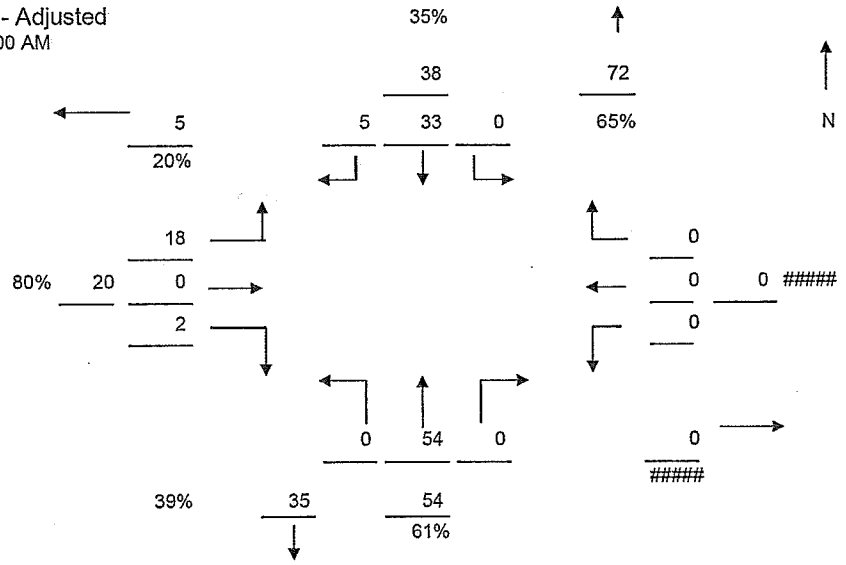


TRUCK %	
NB =	11 %
SB =	2 %
EB =	0 %
WB =	0 %

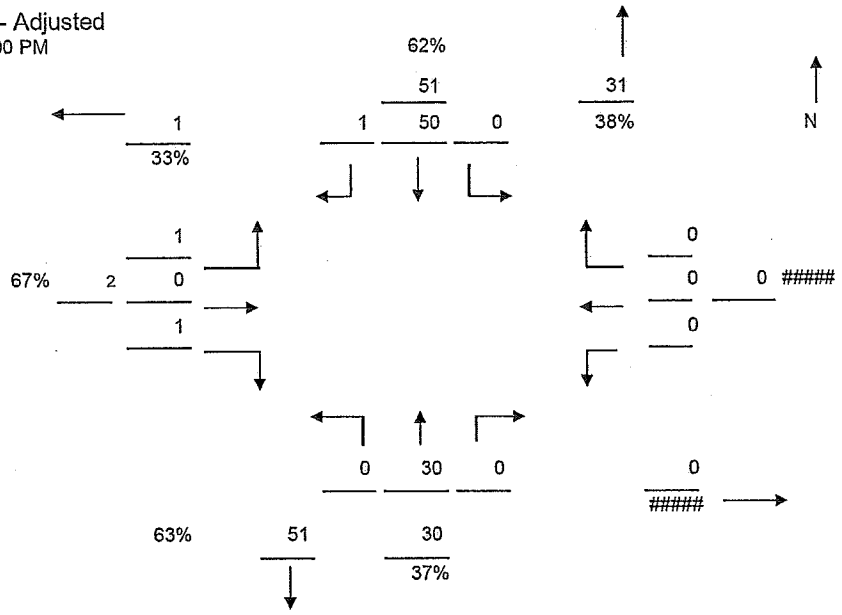
DPA
ADJUSTED TURNING MOVMEMENT DIAGRAM

LOCATION:	River Hall Parkway @ River Hall School Entrance #3	REPORT:	2013
COUNTY :	Lee	STATION:	5
OBSERVER:	JH	MONTHLY:	1.01
		ANNUAL:	1.14
		ADJUSTMENT FACTOR:	1.13

AM Peak Hour - Adjusted
7:00 AM 8:00 AM



PM Peak Hour - Adjusted
5:00 PM 6:00 PM



APPENDIX C

LEE COUNTY TRAFFIC COUNT REPORT DATA
LEE COUNTY CONCURRENCY REPORT DATA
LEE COUNTY SOP

FDOT FLORIDA TRAFFIC ONLINE (2013)
FDOT GENERALIZED SERVICE VOLUME