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2891 Center Pointe Drive Unit 100 | Fort Myers, Florida 33916

Phone (239) 337-3993 | Toll Free (866) 337-7341  
www.morris-depew.com

May 11, 2015

Brandon D. Dunn  
Principal Planner  
Lee County Division of Planning  
1500 Monroe Street  
Fort Myers, FL 33901

**RE: Dusty Metro CPA2015-00003  
Text/Map Amendment Application**

Dear Mr. Dunn:

The purpose of this letter is to provide a response to the County's review comments dated March 12, 2015 for the above referenced Text/Map Amendment application. We always appreciate interaction with Staff on matters related to this application and welcome additional calls and emails that will assist us to address all the concerns in the most efficient manner to the extent this request can be approved.

**III E. 2. b. Potential development of the Subject Property, Calculation of maximum allowable development under proposed FLUM, Commercial intensity**

*Comment/Condition:*

*Please see sufficiency response for Part IV (B) (1) and provide an updated calculation for the maximum allowable development under the proposed Urban Community future land use category.*

**Response:**

**Please see the attached Text Amendment, which limits commercial development within the subject property to Community Commercial as referenced in Lee Plan Policy 6.1.2.**

**IV A. 3. General Information and Maps, Proposed Future Land Use Map**

*Comment/Condition:*

*Please revise the proposed future land use map to include the Wetlands future land use category consistent with the existing land use map and the FLUCCS map submitted with the application materials that identifies wetland areas.*

**Response:**

**The applicant acknowledges this comment, however does not feel it is appropriate to include the Wetlands FLU. As a result a jurisdictional determination is being conducted. At the conclusion of that process, the proposed Future Land Use Map will be updated appropriately.**

**IV B. 1. Traffic Circulation Analysis**

*Comment/Condition:*

*The application indicates that the existing FLUM designation of Industrial Development, 3,900,000 square feet could be built in the subject property. The application states that the proposed Urban Community designation would allow 1,500 residential dwelling units and 450,000 square feet of commercial uses to be built in the subject property. The traffic study provided by the applicant is based on these land uses assumptions. However, the traffic analysis needs a worst case study to show what kind of land uses, such as all commercial uses allowed on the property, will generate the most trips from the subject property. The traffic study needs to provide Level of Service analysis for long term and short term with and without the proposed change based on the worst case land uses.*

**Response:**

**Please see the attached Text Amendment, which limits commercial development within the subject property to Community Commercial as referenced in Lee Plan Policy 6.1.2.**

**IV B. 2. a. Public Facilities Impacts, Provide an Existing and Future Conditions Analysis for, Sanitary Sewer**

*Comment/Condition:*

*Please provide a Letter of Service Availability for sewer services from Lee County Utilities.*

**Response:**

**Please see attached Letter of Availability from Lee County Utilities.**

**IV B. 2. b. Public Facilities Impacts, Provide an Existing and Future Conditions Analysis for, Potable Water**

*Comment/Condition:*

*Please provide a Letter of Service Availability for potable water services from Lee County Utilities.*

**Response:**

**Please see attached Letter of Availability from Lee County Utilities.**

*Please identify any other water conservation measures that will be applied to the site (See Lee Plan Goal 54).*

**Response:**

**In compliance with Goal 54 of the Lee Plan if a re-use system is available with adequate capacity to service the subject property, the future development will connect to the re-use water system.**

**IV C. 3. Environmental Impacts, A topographic map**

*Comment/Condition:*

*Please provide a topographic map.*

**Response:**

**Please see attached topographic map.**

**Miscellaneous Please see the following miscellaneous comments:**

*Comment/Condition:*

*1. Please see attached sufficiency checklist from Lee County Utilities.*

**Response:**

**Noted.**

*Comment/Condition:*

*2. Please note the legal description is still under review. Comments will be sent under separate cover if needed.*

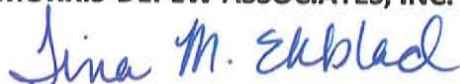
**Response:**

**Please see attached revised Legal description.**

Please let us know if there is anything else needed for the approval of this request.

Sincerely,

**MORRIS-DEPEW ASSOCIATES, INC.**



Tina M. Ekblad, MPA, AICP, LEED AP  
Planning Director



## **Metro/Dusty**

### **Comprehensive Plan Amendment**

### **Project Narrative & Lee Plan Consistency**

The subject property is a compilation of 23 parcels at the northeast corner of Metro Parkway and Alico Road intersection. The area that surrounds the 23 parcels is a diverse mix of existing residential, commercial and industrial uses. The property is or can be served with a full array of urban services. Only a small portion of the subject property has been developed for industrial uses, the remaining parcels are zoned AG-2 and are either vacant or have existing residential uses. The subject property is in a changing area with-in the County. The property was subject to airport noise zone restrictions that precluded new residential, however, in 2007, the Noise Zones for the Southwest Florida Regional Airport were revised and the subject property is no longer subject to restrictions on residential development due to the noise zone. In 2012, the extension of Michael G. Rippe Parkway, aka Metro Parkway, in front of the subject property was completed. The "Metro Extension" changed the access and the visibility of the property. The property is no longer in an obscure location with limited access, but occupies a prominent frontage on this newly constructed north-south corridor. These changing conditions, along with the existing surrounding residential uses, have altered the development circumstances of the subject property and surrounding area along Metro Parkway and Alico Road. Due to these changing conditions the proposed CPA seeks to amend the Future Land Use Map and Table 1(b) to permit a residential community with supporting commercial that will more properly fit within the area given the regulatory and access changes that have occurred in recent years.



**Figure 1. Subject Property**

The property is currently within the Industrial Development FLU category which is for “selective land use mixtures such as the combined uses of industrial, manufacturing, research, properly buffered recreational uses and office complex that constitute a growing part of Florida’s economic development sector.” according to Lee Plan Policy 1.1.7.

### Surrounding Development

Within the vicinity of the subject property are a variety of existing uses. To the north is Briarcliff, a single family residential subdivision, the east is an existing abandoned fill dirt operation and some residential. South are residential communities and industrial uses and west is Metro Parkway, light industrial uses and vacant lands.

	<b>Future Land Use</b>	<b>Zoning</b>	<b>Relevant Notes</b>
<b>North</b>	Rural, Wetland, Open Lands	AG-2	Single Family and Vacant Lots
<b>South</b>	Urban Community, Industrial	RV-2, IPD, AG-2, CPD	Industrial, Residential and RV Park
<b>East</b>	Industrial, Wetlands, Public Facility	IPD	Vacant, Residential
<b>West</b>	Industrial	IPD, IG, IL	Indoors Light Industrial, Vacant

The industrial zoned lands in proximity to the subject property were approved in the early 1990’s and many are still vacant. Those lands that have been developed are mostly indoor light industrial uses and properties with recent zoning actions include a commercial component and do not permit uses typically associated with Heavy Industrial. Within the general vicinity of the subject property, Zoning Actions that incorporated commercial and light industrial uses include Z-14-019, ADD2012-00043, Z-11-010, Z-10-015, Z-09-002, Z-09-014, Z-06-082, Z-06-095, Z-05-019, Z-04-055, and Z-04-023. Collectively these planned developments approve a maximum of 4,578,440 SF of Industrial uses and 1,000,000 SF of Commercial Uses, which will remain in the Industrial Future Land Use Category for development.

These nearby activities demonstrate an on-going shift in this area away from heavy industrial uses toward light industrial and commercial uses, often deemed more compatible with residential. The remaining uses in the vicinity are existing single family residential, mobile homes, and a recreational vehicle park. The proposed development would be consistent with the existing surrounding uses and would permit residential development in a more contiguous and compact form with connections to central utilities. The change in land use would also provide opportunities for commercial retail and office with convenient access to goods and services for the surrounding residential development units as well as the general public traveling Metro Parkway and Alico Road.

**Proposed Request**

The proposed Metro/Dusty Comprehensive Plan Amendment seeks to revise the Future Land Use Map to establish the Urban Community Future Land Use designation over the property. The new Future Land Use will permit the development of 450,000 SF of Commercial uses and 1,500 dwelling units. This limitation will ensure that the proposed amendment is consistent with the surrounding properties and reflects the future development of the property. An amendment to Table 1(b) will enforce this limitation, the 300 acres of the subject property will be removed from the Industrial acreage and reallocated to Residential acreage within the Urban Community Category and the Commercial Acreage available within the Gateway/Airport District. The final result increases the residential acreage of Urban Community FLU to 250 acres (supporting the proposed 1,500 dwelling units) and the commercial acreage has been increased by 50 acres to 1,150 (supporting the proposed commercial square footage). The amendment to Table 1(b) will not impact any industrial lands outside of the proposed amendment area. The adoption of the proposed Future Land Use Amendment will permit the proposed development, support the surrounding uses, traveling public and ensure traffic impacts are appropriately considered and addressed.

**Changing Conditions**

The Subject Property is currently located within the Industrial Development Future Land Use Category. Policy 1.1.7 describes this land use category as a category which is, to support the County's economy with stringent locational standards, access to transportation, urban services, and opportunities for economic development. Lands within this Future Land Use category are identified as future urban areas or locations with varying intensities that provide for a full range of urban activities. Industrial Land Uses are governed by Goal 7 of the Lee Plan which promotes opportunities for well-planned industrial development at suitable locations within Lee County. Policy 7.1.3 states that Industrial land uses must be located in areas appropriate to their special needs including flexibility in site selection, access by truck, air, deep water and rail, commuter access, and utilities, proximity to supportive and related land uses and compatibility with neighboring uses.

**Proximity and Access to Transportation supporting Industrial Uses**

The subject property has frontage along Alico Road and Metro Parkway. Metro Parkway is an arterial state roadway (SR 739) that was extended into this area of Lee County to provide a significant travel alternative to US 41. In front of the subject property Metro Parkway is 6 lanes and provides another choice for motorists traveling north and south within Lee County, relieving congestion on US 41. As part of the expansion, Alico Road was widened and is 4 lanes adjacent to the subject property. The property that is the subject of this application is located near the western edge of the existing Industrial Development Future Land Use Category. Due to its location being the farthest away from the Southwest Florida Regional Airport and I-75, it inhibits convenient truck and air access which is necessary to support viable industrial development. The expansion of Metro Parkway reconfigured the alignment of Alico Road and altered its connection with US 41. The access to Alico from the interstate has also changed and one must now exit on the collector distributor system in order to gain easy access to Alico from I-75. In connection with any industrial usage, trucks entering or leaving the existing industrial uses from James Whitehead Road are no longer able to turn left. When leaving the property trucks cannot take a direct route

toward the Interstate and the Airport. The trucks, which include large semi-trailer trucks, are forced, due to the lack of a full median on Alico Road, to travel west and turn onto Metro Parkway north toward Daniels or turn onto US 41. Large semi-trailer trucks do not navigate these movements easily. Both instances direct the industrial truck traffic away from the preferred roadway, Alico Road, and mix the Industrial truck traffic with residential and commuter traffic. In addition to the challenging traffic movement, and as noted previously, the mostly vacant subject property is also one of the furthest industrial properties from the Southwest Florida Regional Airport and I-75, making future industrial usage even less likely. Rather than the subject property, new industrial facilities are likely to select existing and/or vacant permitted sites within the Tradeport and Interchange Future Land Use Categories that are closer to the interstate or the airport, due to proximity to multiple transportation options, ease of access, and compatible with surrounding uses as compared to the conditions of the subject property.

*Future Land Use Categories Supporting Industrial Uses*

The Industrial Development, Tradeport and Industrial Interchange Future Land Use Categories support the development of industrial uses. Policy 7.1.6 of the Lee Plan specifically states “Land that is located outside of the Industrial Development, Tradeport and Industrial Interchange areas but within the designated Future Urban Areas may be developed for light industrial purposes so long as adequate services and facilities are available” and the use does not adversely impact surrounding land uses. This clearly indicates the forethought of the County that industrial uses permitted by a planned development could also be supported by the Future Land Use Categories identified as Future Urban Areas.

When considered together, these Future Land Use Categories have ample acreage to support the industrial needs of Lee County. Lee County’s published EAR Report includes a tally of lands within each Future Land Use Category. The table below represents the Future Land Use Categories that support industrial uses. According to the Evaluation and Appraisal Report there are 10,652 acres of lands that support Industrial and Industrial related development. This calculation does not include the Airport and its support related facilities.

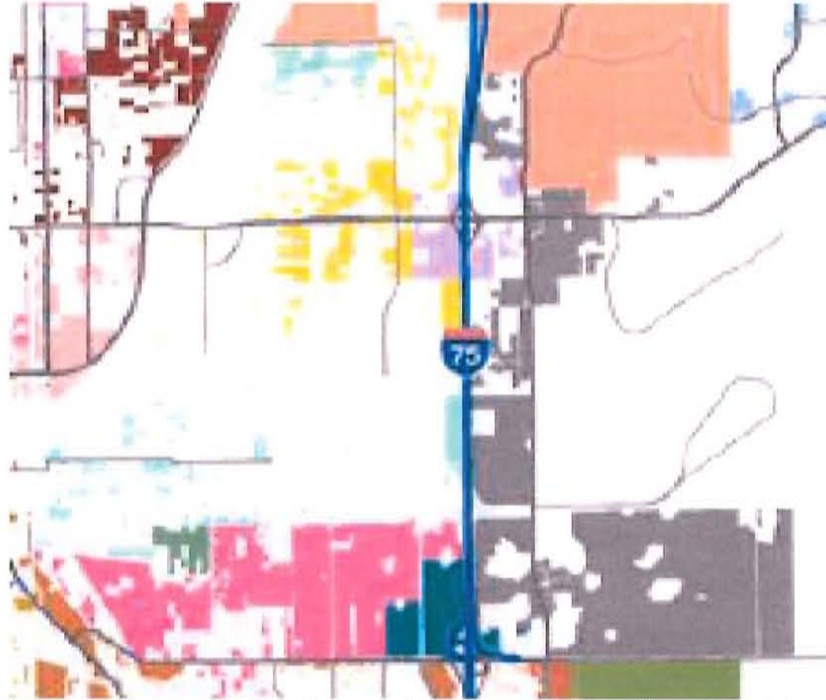
<b>Future Land Use</b>	<b>2010 Acreage</b>	<b>% of County</b>
Industrial Development	4,439	1.16
Tradeport	3,114	.81
General Interchange	2,500	.65
Industrial Commercial Interchange	377	.10
Industrial Interchange	159	.04
University Village Interchange	63	.02
<b>TOTAL</b>	<b>10,652</b>	<b>2.78</b>

**Table 1. Future Land Use Acreage**

A significant portion of these lands are also currently vacant. Lee County’s Evaluation and Appraisal Report includes a Vacant Lands Analysis and Map. As the clip of the Vacant Lands Map below demonstrates the properties in the vicinity of the subject property and along I-75 and



Treeline Boulevard are vacant, in spite of several of the properties having adequate existing infrastructure. These properties are within the Industrial Development, Tradeport, and Industrial Commercial Interchange Future Land Use Categories and available for future industrial development.



**Figure 2. Vacant Industrial, Tradeport, and Interchange FLU lands**

Lee County's Evaluation and Appraisal Report was adopted in March 2011, however the implementing Lee Plan Amendments have yet to be adopted. The acreage of lands available for Industrial uses are also calculated in Table 1(b) of the Lee Plan, most recently published in October 2014, which indicates across all Future Land Use Categories there are 13,801 acres available for Industrial Uses within Lee County. This acreage exceeds the amount identified to meet the County's future needs in all previous Industrial Land Use Reports prepared for Lee County.

#### The History of Industrial Land Use

Lee Plan policies 7.1.3 and 7.1.4 were developed as a result of a 1983 report by Thomas H. Roberts & Associates outlining the Industrial Land Use Needs of Lee County. The premise of the study was to enhance the County's role as a "regional headquarters" through the establishment of additional industrial sites. The report linked the County's manufacturing employment to the needed acres of industrial land. The report identified the projected percentage of manufacturing employment in 2005 based on different models projecting growth from 2.04 to 7.5%. The lowest range being minimum growth with no policy intervention and the highest being the maximum achievable goal. The study was updated in 1989 by a memo prepared by Thomas H. Roberts Associates to account for the population projections approved in 1989 adopted Lee Plan. The projected growth rates remained the same. Since the time of the Robert's studies, the County has not established itself as a regional headquarters for industrial uses. As a result the rate of



employment for manufacturing industries has only increased to 2.2%, the lowest increase projected by the Robert's Studies.

The Office of Economic and Demographic Research publishes an area profile for each county every 6 months. The report published in February 2014 considered employment by industry for 2012 and the December 2014 report considered Employment by Industry for 2013. As demonstrated by the table below, the industrial uses have not increased employment over the last two years within the County. As mentioned, even eight years after the time horizon projected in the Robert's Studies, the average employment percentage in manufacturing industries has only risen to the minimum growth projected.

<b>Industries</b>	<b>Lee County 2012</b>	<b>Lee County 2013</b>
Manufacturing	2.2%	2.2%
Natural Resource & Mining	1.2%	1.2%
Trade, Transportation and Utilities	21.4%	21.4%

Given the limited change in the percentage of manufacturing employment from the 1989 Thomas H. Roberts Memo and the recent area profile published by the Office of Economic and Demographic Research, it is unreasonable to assume that over 15,000 acres of Industrial Lands are needed to support Industrial Activities in Lee County as identified in the 1989 Roberts Memo. This projection was based on a high percentage of manufacturing employment, 7.5%, as well as additional factors to account for variations in statistical models and potential land speculation. It is evident by reviewing recent population and employment data that this high projection of growth has not occurred and is likely not to occur. The Robert's Studies are 25 years old and do not account for evolutions in technology, research and development, and other factors that have occurred and must be considered when evaluating current land needs for industrial activities.

In 2007, another study was conducted by BBP Associates, this time reviewing the Commercial and Industrial Lands within Lee County to determine if development needs could be met through 2025. The study assumed a 3% population growth rate for each year of the time horizon and reviewed industrially zoned lands to determine that a projected absorption rate for industrial of 375,000 SF for future development would be adequate. At the time of the study, BBP Associates determined that if this absorption rate was utilized based on the existing available land "Lee County will not exhaust its supply of land for industrial uses by the year 2025." BBP Associates also noted that within the Tradeport area "an additional 2,000 acres of land...is reserved for industrial use, thus giving the County a reserve for beyond 2030." Since the time of this analysis, the population growth of Lee County has not achieved the 3% per year as projected by BBP and the absorption rate of Industrial has dropped.

Commercial Real Estate Consultants produced an Industrial Market View Analysis in Mid-Year 2014. The analysis tracked Industrial Buildings over 20,000 SF, privately owned, and tenant occupied in Lee County. From this data, the study reports that approximately 1.7 million square feet, or 13.3%, of existing industrial buildings within the County are vacant. As of Mid-Year 2014,

only 350,000 SF of the available existing industrial buildings had been absorbed. This absorption rate is not high enough to warrant the full absorption of the existing 1.7 million square feet of available industrial buildings within the County in a reasonable time frame. The projected population growth of the County is also much lower than the projections provided by BBP Associates. According to the Office of Economic and Demographic Research, Lee County's population is only expected to increase between 1.0 and 1.1% from 2013 to 2040. The State of Florida's population is only expected to increase about 2% in the same timeframe. With a 3 fold reduction in population growth, it is unlikely that industrial absorption will occur at a rate high enough to deplete the County's current industrial resources.

The BBP Associates study also did not consider the available lands within the Future Land Use Categories that support industrial uses. As demonstrated by the Lee Plan Table 1(b), there are approximately 14,000 acres of lands available for industrial uses within the County. Zoning actions may be required, however these lands have been designated for industrial use. While the study's projections need to be reconsidered for application in today's economy, the study did accurately identify that the County should focus future industrial and commercial development efforts by identifying valuable corridors for business and industry.

Furthermore, a review of the approved Planned Developments east of the subject property along Alico Road demonstrates that ample square footage remains for future development of Industrial and Commercial Uses within the remaining Industrial Future Land Use Lands. Of the planned developments with Industrial and Commercial uses, over 4.5 million SF of Industrial Uses and 1 million SF of Commercial Uses are approved for future development without the subject property if the market demand and industrial absorption rates were to suddenly increase.

#### Research and Enterprise Diamond

The concept of creating an industrial and commercial corridor as presented in the 2007 BBP Associates study has been implemented by Lee County. The Research and Enterprise Diamond was first presented to the Board of County Commissioners on May 3, 2010 where the Board agreed with the overall approach to establishing a Research Diamond to promote economic development in an area with connectivity and supporting infrastructure. At the November 29, 2011 Board Meeting a motion was approved to initiate an amendment to the Lee Plan for the Research and Enterprise Diamond Area. On May 7, 2012, the Board agreed the plan amendment process should continue and a stakeholder charrette/workshop should occur to further refine the area's strategic plan. In June 25, 2013, the Board accepted a grant from the American Institute of Architects 2013 Sustainable Development Assessment Team to study the feasibility of incentivizing economic development and to identify strategic direction for the Research and Enterprise Diamond which was published in late 2013. The study provided a strategic direction for the Research and Enterprise Diamond area of the County and recommended a development pattern that includes the industrial, institutional and commercial uses East of I-75 between Daniels Road and Estero Parkway. This area includes existing and future developments that will continue to support the County's industrial and commercial needs surrounding the Regional Airport and Florida Gulf Coast University.



Figure 3. Research and Enterprise Diamond



The study also makes suggestions for linking the Research Diamond with existing commercial and institutional hubs. A detailed review of the maps and strategic planning materials demonstrates that the subject property and the existing surrounding industrial lands are not included within the Research Diamond or within the suggested links and hubs for future connections, thus rendering them even less crucial to the industrial needs of the county and much less likely to be developed for industrial usage.

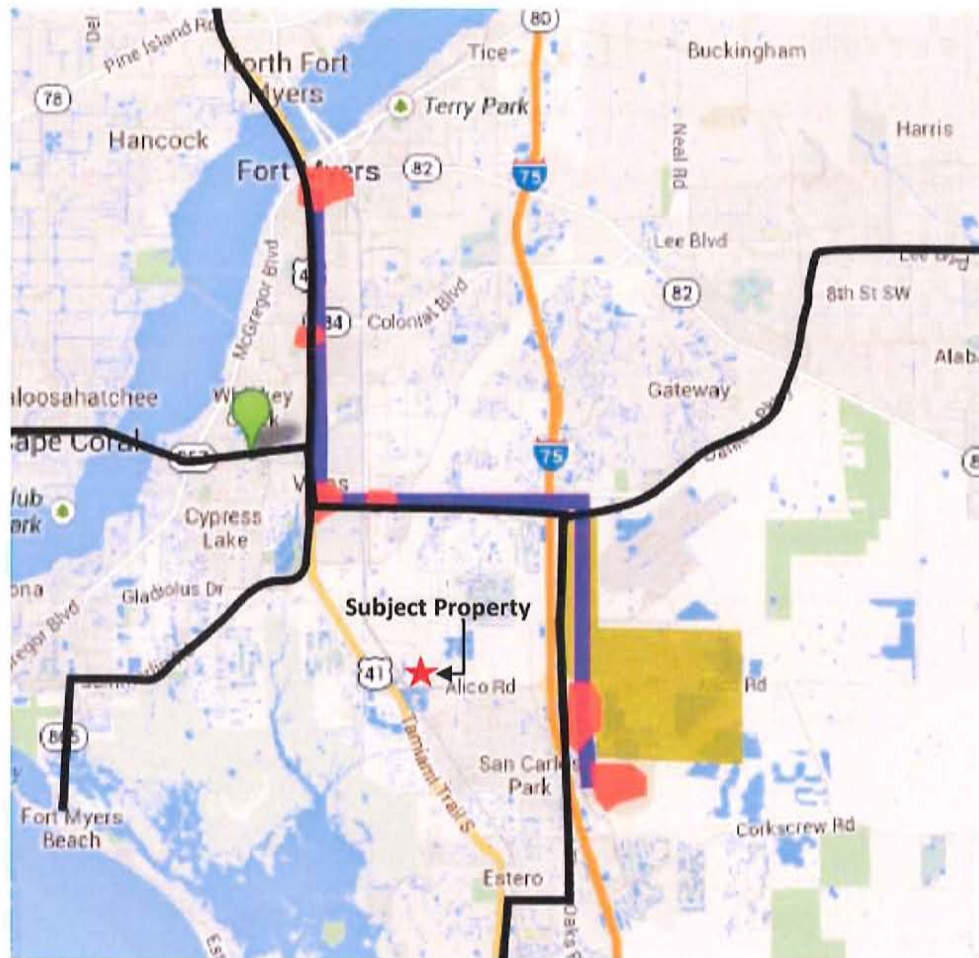


Figure 4. Proposed Future Connections & Hubs to Research Diamond

#### Existing Permitted Industrial Square Footage

Due to the focus and implementation of the Research and Enterprise Diamond as the County's business corridor, a review of the existing planned developments East of I-75 between Alico and Daniels Road was conducted. Many of the lands within this area have been approved for development through the County's planned development rezoning process. While not all are approved as Industrial Planned Developments, the approvals include industrial square footage and uses as promoted by the Tradeport and Industrial Commercial Interchange Future Land Use Categories. Currently, there are approvals for approximately **8.9** million square feet of industrial uses within this corridor. This analysis does not include industrial opportunities from pending applications, such as the 250,000 SF of Industrial Uses pending approval in DCI2014-00011, or



within the Airport's facilities. The Southwest Florida Regional Airport has over 1,150 acres of real estate zoned for aviation, commercial and industrial uses.<sup>1</sup>

The study published in 2013 by the AIA SDAT team reviewed existing developed properties within the Research Diamond which are experiencing a "glut of vacant space across commercial and industrial." The study indicates there is existing constructed industrial and commercial space within the Research Diamond that needs to be absorbed by the market prior to the existing vacant lands being considered for future development. Due to the area's proximity to the Regional Airport, University and I-75, it is likely that the existing lands within the Tradeport Future Land Use will be identified for development prior to the subject property near the western edge of the Industrial Development Future Land Use, much further removed from the Southwest Florida International Airport, I-75 and adjacent to existing residential.

The existing surrounding residential adjacent to the subject property make site selection for establishment or expansion of future industrial uses difficult due to incompatibility. While the property is included within the Industrial Future Land Use Category, it is unlikely due to surrounding uses and lack of proximity to regional transportation options that additional Industrial uses would develop on the subject property.

Removal of the 300 acre subject property from the Industrial Development FLU to the Urban Community FLU is only 2.1% of the approximately 14,000 acres listed in Table 1(b) as available for industrial development. The remaining acreage is adequate to meet the needs of the County and permit some additional growth. The 8.9 million SF of approved industrial uses within the Tradeport and Interchange Future Land Use would provide 25 years of absorption at 350,000 SF per year and 24 years of absorption at 375,000 SF per year. The absorption of this SF does not include the subject property or the existing industrial uses along Alico Road west of I-75 which would provide additional absorption even beyond these time frames. The requested amendment would be minimal and as demonstrated would not impact the future development of industrial related activities within Lee County. The prime development lands in the Tradeport Future Land Use and Research and Enterprise Diamond would remain to meet the County's needs beyond the existing planning horizon of 2030 and the proposed EAR horizon of 2035.

### **Lee Plan Consistency**

The property's location is consistent with Objective 2.1 and is in an area that has already experienced growth and development with adequate urban services. As established in Objective 2.1 and 2.2 desired locations and timing for development are those that promote infill, minimize energy and service costs and conserve land, water and natural resources. The proposed request accomplishes these development goals by utilizing a property that is surrounded by existing development, has existing development and impacts and access to existing public facilities that have adequate capacity to service the proposed development. A detailed analysis of the public facilities available is provided in the Public Facilities Impact Analysis included in the application materials.

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<sup>1</sup> Southwest Florida International Airport, Skyplex, pg. 3

Lee Plan Policy 2.2.2 requires that consideration be given to the following factors to balance the policies of the Future Land Use Element with the proposed development location.

- 1. Whether a given proposal would further burden already overwhelmed existing and committed public facilities such that the approval should be delayed until the facilities can be constructed; and*

The proposed plan amendment will not result in development that will further burden existing and committed public facilities. Public Services for utilities, solid waste, stormwater management, and emergency services exist within the area proposed for development and have adequate capacity to service the proposed development.

- 2. Whether a given proposal is for land so far beyond existing development or adequate public facilities that approval should be delayed in an effort to encourage compact and efficient growth patterns; and*

The proposed request is located in an area where growth and development have already occurred. The proposed plan amendment represents an infill parcel in a location that supports the existing, surrounding uses in a compact and efficient manner.

- 3. Whether a given proposal would result in unreasonable development expectations that may not be achievable because of acreage limitations contained in the Acreage Allocation Table (see Policy 1.7.6, Map 16 and Table 1(b)). Additional provisions related to mining are provided in Policy 33.1.4. In all cases where rezoning is approved, such approval does not constitute a determination that the minimum acceptable levels of service (see Policy 95.1.3) will be available concurrent with the impacts of the proposed development. Such a determination must be made prior to the issuance of additional development permits, based on conditions which exist at that time, as required by Lee County's concurrency management system. (Amended by Ordinance No. 94-30, 98-09, 10-20)*

A Text Amendment is proposed to address the acreage allocation Table 1(b). As previously demonstrated the 300 acres of the subject property are not needed to meet the Industrial Land Use needs of the County.

Goal 5 of the Lee Plan Future Land Use Element governs the development of Residential Land Uses, to provide sufficient land to accommodate the project population of the County. After the proposed Comprehensive Plan Amendment, the property will undergo a Planned Development rezoning to permit the proposed commercial and residential uses as required by policy 5.1.1. The subject property does not include any physical constraints or hazards that would prohibit residential development per policy 5.1.2. and the property is not located within an airport noise zone. Policy 5.1.5 seeks to protect residential areas from encroachment of uses that impact the character and integrity of the residential environment. The northern boundary of the subject property abuts an existing, established single family residential community. Due to this location and concerns regarding compatibility, it is unlikely that an industrial development could be constructed on the property under the current Industrial Development FLU. It is more appropriate for the subject property to be developed as proposed with residential uses and commercial to support the existing and proposed residential community. The extension of Metro

Parkway adjacent to the subject property provides convenient access to nearby employment, shopping centers, schools, mass transit and bicycle facilities consistent with the requirements of Policy 5.1.3.

Goal 6 of the Future Land Use Element of the Lee Plan governs the development of Commercial Land Uses to permit orderly and well-planned commercial development. Objective 6.1 requires that commercial development approvals be consistent with the supporting policies of Goal 6 and general standards of Goal 11. As required by Policy 6.1.2, the proposed 450,000 SF of commercial development proposed will meet the needs of the proposed and surrounding neighborhood while providing opportunities for the sale of retail goods. Further, the commercial uses will be located on the subject property to have access to Metro Parkway and Alico Road, both arterial roadways, and adequate site area will be provided for the proposed commercial floor area. After completion of the Comprehensive Plan Amendment, a planned development rezoning will be requested to establish the commercial uses on the subject property as required by policy 6.1.3. Policy 6.1.4 seeks to protect adjacent land uses from proposed commercial development. The subject property is located in an area with existing residential development and adjacent to two arterial roadways. Due to this location and concerns regarding compatibility, it is unlikely that and industrial development could be constructed on the property under the current Industrial Development FLU. It is more appropriate for the subject property to be developed as proposed, with, commercial uses that will support the existing and proposed residential uses and have adequate access to existing public services and facilities as required by policy 6.1.4. A traffic impact statement has been completed as part of this application and request, no additional improvements are necessary to the surrounding roadway to serve the proposed development consistent with policy 6.1.5. The subject property is located in an area of existing residential, commercial, and industrial development. Consistent with policy 6.1.7, 6.1.8, and 6.1.9 the proposed request is located in appropriate area of the County, away from existing schools, in a future Urban Category, and an existing developed area eliminating premature, scattered or strip development. The proposed development would support the existing and proposed residential as well as pass by traffic from Metro Parkway and Alico Road.

The availability of Community Facilities and Services for the proposed development supporting Goals 53, 56, 59, 62, 65, and 67 is provided in the Public Facilities Analysis included in the application materials.

Consistent with Goal 107, an Environmental Assessment was conducted for the subject property and is included in the attached application materials. The property includes 15 vegetative communities and land uses, however no wetlands currently existing on-site. During the Species Survey conducted on November 14, 2014, Gopher Tortoises were found on the subject property. Consistent with Objective 107.8 and policy 107.8.1, coordination will occur with Lee County and the Florida Game and Fresh Water Fish Commission to address the existing burrows on-site and develop a plan for any conflicts.

**Metro/Dusty**  
**Comprehensive Plan Amendment**  
**Text Amendment**

**POLICY 6.1.2:** Commercial development must be consistent with the location criteria in this policy except where specifically excepted by this policy or by Policy 6.1.7, or in Lehigh Acres by Policy 32.2.4 or located in the Mixed Use Overlay utilizing Chapter 32 – Compact Communities of the Land Development Code.

1. Minor Commercial
  - a. Major function: Provides for the sale of convenience goods and services.
  - b. Location: The entire retail use, including buildings and outdoor sales area, must be located as follows except where this plan provides specific exceptions (e.g., Policy 6.1.7):
    - (1) On or near the intersection (within 330 feet of the adjoining rights-of-way of the intersection roads) of local and collector, local and arterial, or collector and collector roads. In Commercial Planned Developments where future road improvements that are included in the Capital Improvement Program will enable the property to qualify for the higher level of commercial development specified in Subsection 2 below, and which are conditioned to allow the increased commercial intensity when the roadway actually functions at the higher level of a collector road, the Minor Commercial use may extend beyond 330 feet of such intersections provided the Master Concept plan specifically indicates the phasing of the development from Minor to Neighborhood Commercial use. Proposed interconnections of future internal access roads or driveways servicing only the subject parcel with an arterial or collector will not comply with the requirements of this section;
    - (2) At the intersection (as defined below) of collector and arterial or arterial and arterial roads; or
    - (3) Within a residential planned development provided it is located and designed primarily to meet the commercial needs of the residents of the development.
  - c. Site Area: Two acres or less.
  - d. Range of Gross Floor Area: Less than 30,000 square feet.
  - e. When developed as part of a mixed use planned development, and meeting the use limitations, modified setback standards, signage limitations and landscaping provisions, retail uses may deviate from the locational requirements and maximum square footage limitations, subject to conformance with the Estero Community Plan as outlined in Policies 19.2.3 and 19.2.4, and through approval by the Board of County Commissioners.
2. Neighborhood Commercial
  - a. Major function: Provide for the sale of convenience goods and personal services such as food, drugs, sundries, and hardware items.
  - b. Typical leading tenants: Supermarket and drug store.



- c. Location: Must be located as follows (except where this plan provides specific exceptions):

At the intersection of an arterial and a collector or two arterials so that direct access is provided to both intersecting roads. Such direct access may be provided via an internal access road to either intersecting road. On Lee County's islands where there is no intersecting network of collectors and arterials, neighborhood commercial centers may be located using the standards for minor commercial centers.

- c. Site Area: 2 to 10 acres

- d. Range of Gross Floor Area: 30,000 to 100,000 square feet

- e. In that portion of North Fort Myers lying between the Cape Coral city limits and the old S.A.L. railroad grade and north of the junction of the 41s, an exception to the strict adherence to the location standards in subsection (c) may be granted upon the approval of an application for Commercial Planned Development rezoning if the Board of County Commissioners makes a formal finding that the proposed project:

(1) is located on an existing arterial road;

(2) is located at the intersection of that arterial with a future collector or arterial that is indicated on the Official Trafficways Map; and (3) will provide (or at least not interfere with) an acceptable alignment for the future roadway which is the justification for the approval, relative to both extensions from the point of intersection with the existing road.

### 3. Community Commercial

- a. Major function: Some functions of neighborhood commercial, in addition to providing for the sale of retail goods such as clothing, variety items, appliances, and furniture.

- b. Typical leading tenants: Supermarket, drug store, minor department store, variety store, or discount center.

- c. Location: Must be located as follows (except where this plan provides specific exceptions):

At the intersection of two arterials so that direct access is provided to both intersecting roads. Such direct access may be provided by an internal access road to either intersecting road.

- d. Site Area: 10 to 35 acres

- e. Range of Gross Floor Area: 100,000 to 400,000 square feet

- f. Notwithstanding prohibitions contained elsewhere in this plan, community commercial development may be granted in a portion of the Suburban land use category in North Fort Myers lying between the Cape Coral city limits and the old S.A.L. railroad grade and north of the junction of the 41s upon the approval of an application for Commercial Planned Development rezoning if the Board of County Commissioners makes a formal finding that the proposed project:

(1) is located on an existing arterial road;

- (2) is located at the intersection of that arterial with a future arterial road that is indicated on the Official Trafficways Map; and
- (3) will provide (or at least not interfere with) an acceptable alignment for the future roadway which is the justification for the approval, relative to both extensions of that future roadway from the point of intersection with the existing road.

#### 4. Regional Commercial

- a. Major Function: Some functions of community commercial, in addition to providing a full range and variety of shopping goods for comparative shopping (such as general merchandise, apparel, furniture, and home furnishings).
  - b. Typical leading tenants: One or more full-line department stores.
  - c. Location: Must be located in such a manner as to provide direct access to two and preferably three arterial roads. Such direct access may be via an internal access road to one or more arterials.
  - d. Site Area: 35 to 100 acres
  - e. Range of Gross Floor Area: 400,000 to 1 million square feet or more.
  - f. The Commercial Site location standards described in this policy do not apply to Regional Commercial development approved as a single mixed-use Development of Regional Impact containing regional shopping opportunities on a 483-acre portion of Section 9, Township 47 South, Range 25 East, that is bounded on the west by U.S. 41, on the east by the Seminole Gulf Railroad tracks, on the south by Coconut Road, and on the north by a line located one half mile north of Coconut Road designated Urban Community, provided that the DRI specifically addresses:
    - 1) Impacts to flow-ways,
    - 2) Community and Regional Park levels of service,
    - 3) Roadway levels of service,
    - 4) Public Schools,
    - 5) Fire protection services, and
    - 6) Affordable housing.
  - g. The Range of Gross Floor Area and Maximum Site Area standards described for Regional Commercial do not apply to development approved on a 300 acre portion of Sections 5 & 6, Township 46 South and Range 25 East that is bounded by Michael G. Rippe Parkway on the west, Briarcliff canal to the north, and Alico Road and Bucks Lane on the south and subject to CPA2015-00003. Any commercial uses developed on this property may not exceed 400,000 SF of Gross Floor Area or 60 acres of Site Area.
5. Commercial development “at the intersection” will extend no more than one-quarter mile from the centerline of the intersection and must include proper spacing of access points, with the following exception: in a commercial development approved under the planned development rezoning process, “at the intersection” may extend beyond one-quarter mile from the intersection, provided that:
- a. direct access is provided to the development within one-quarter mile of the intersection;
  - b. an internal access road or frontage road provides access to the intersecting street prior to occupancy of the development; and

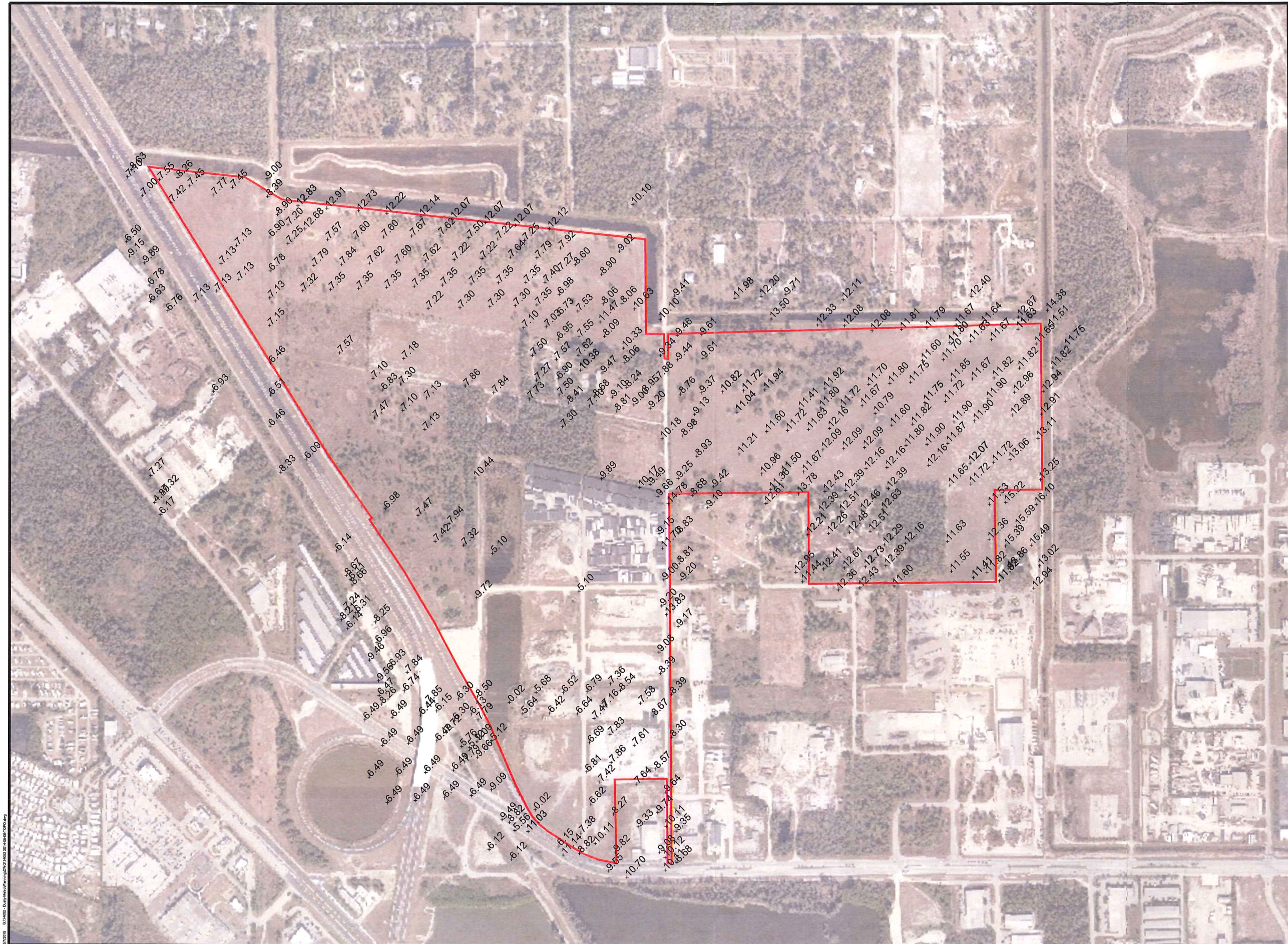
- c. all access points meet Land Development Code requirements for safety and spacing.
  - d. the retail commercial use, including any outdoor sales, does not extend beyond one-half mile from the centerline of the intersection.
6. Any contiguous property under one ownership may, at the discretion of the Board of County Commissioners, be developed as part of the interstate interchange, except in the Mixed Use Interchange district, provided the property under contiguous ownership to be developed as part of the interstate interchange does not extend beyond three-quarters of a mile from the interchange centerpoint. Applications seeking interstate uses outside of the interstate highway interchange area will be evaluated by the Board considering the following factors: percentage of the property within the interstate interchange; compatibility with existing adjacent land uses; and, compatibility with surrounding Future Land Use Categories. This is intended to promote planned developments under unified ownership and control, and to insure proper spacing of access points.
  7. The location standards specified in Subsections 1-4 will apply to the following commercial developments: shopping centers; free-standing retail or service establishments; restaurants; convenience food stores; automobile dealerships; gas stations; car washes; and other commercial development generating large volumes of traffic. These location standards will not apply to the following: banks and savings and loan establishments without drive-in facilities; hotels or motels; marinas; general, medical, or professional offices; industrial, warehouse, or wholesale development; clubs, as defined in Chapter 34 of the Land Development Code (commercial clubs excepted); and other similar development. The distinction in this subsection between these two major types of commercial uses does not apply in Lehigh Acres, where commercial uses are permitted in accordance with Policy 32.2.4. These location standards will not apply to property in the Mixed Use Overlay when Chapter 32 - Compact Communities of the Land Development Code is applied.
  8. The standards specified in Subsections 1-4 for location, floor area and site area will serve as guidelines during the rezoning process (allowing limited discretion by the Board of County Commissioners in special cases in which retail uses are the only reasonable use of the parcel in light of its size, its proximity to arterials and collectors, and the nature of the existing and projected surrounding uses, including but not limited to environmental factors) but are strict requirements during the development order process in the case of zoning that existed prior to the effective date of the Lee Plan (December 21, 1984). The other standards specified in Subsections 1-4 will serve generally to indicate the types of development which are likely to fall within each commercial category. Proposed rezonings to commercial zoning districts that include both uses that are subject to the standards in Subsections 1-4 and uses that are not (see Subsection 7) may be found consistent with the Lee Plan by the Board of County Commissioners even if the subject parcel does not comply with the applicable location standard; provided, however, that no development orders will be issued on any such parcel for any use to which the standards in Subsection 1-4 is applicable, and all such development orders must be consistent with the level of service requirements in Policy 95.1.3.
  9. The location standards in this policy are not applicable in the following areas:
    - a. In the Interchange land use category
    - b. In Lehigh Acres where commercial uses are permitted in accordance with Goal 32

- c. Within the Captiva community in the areas identified by Policy 13.2.1, in Area 9 of the University Community Conceptual Master Plan, or within the Mixed Use Overlay when utilizing Chapter 32 - Compact Communities of the Land Development Code
  - d. In the Density Reduction/Groundwater Resource land use category where some commercial development is permitted under Objective 33.3.
10. The Board of County Commissioners may approve applications for minor commercial centers that do not comply with the location standards for such centers but which are consistent with duly adopted CRA and Community plans.
  11. Uses that must comply with Subsections 1-4 may occur at the outside of a T-intersection so long as direct access is provided from at least two points on the adjacent intersecting road, one of which must be an extension of the other intersecting road.
  12. Map 19 illustrates the existing Lee County intersections that are deemed to be consistent with the standards in subsections 2 and 3. Neighborhood and community commercial centers must be located at one of the designated intersections, at another intersection utilizing the list of Functional Classification for Arterial and Collector Roads, or in accordance with one of the exceptions under Goal 6, or in Lehigh Acres in accordance with Policies 1.8.1 through 1.8.3. The map shows some intersections with half-circles and others with full circles. Half circles indicate that only the two intersection quadrants shown on the map are deemed to be consistent with the standards. All of the quadrants of intersections designated with full circles are deemed to be consistent with the standards. Proposed neighborhood and community commercial centers that are located at the designated intersections are subject to all of the other Goals, Objectives and Policies of this Plan.

Functional classifications of new or improved streets will be established in accordance with the definitions of —arterial and —collector roads in Rule 9J-5.003. A list of Functional Classification for Arterial and Collector Roads, consisting of roads that meet this criteria, will be maintained by the Department of Transportation, for county maintained roads, and the Division of Development Services, for privately maintained roads. These functional classification lists will be adopted by Administrative Code. For the purpose of determining compliance with the locational standards of Policy 6.1.2, only those roads identified as Major Collector roads will be considered collector roads. Roads identified as Minor Collector or not included on the list will be considered local roads. The map will be revised annually during the county's regular plan amendment cycle.

13. Freestanding single use commercial retail development of five (5) acres or more does not qualify as a Neighborhood Center as that term is used in the Suburban and Outlying Suburban Future Land Use Categories





PROJECT:  
**DUSTY / METRO**

ADDRESS:

DEVELOPER:

CONSULTANT:

**MORRIS DEPEW**  
ENGINEERS • PLANNERS • SURVEYORS  
LANDSCAPE ARCHITECTS

FL. CA. NO. 6532 / FL. CERT. NO. L58691 / LC26000330

**Fort Myers**  
2891 Center Pointe Drive  
Unit 100  
Fort Myers, Florida 33916  
(239) 337-3993  
Fax: (239) 337-3994  
Toll free: 888-337-7341

**Tallahassee**  
397 Office Plaza  
Suite 113  
Tallahassee, Florida 32301  
(905) 224-6666

**Gainesville**  
414 SW 140th Terrace  
Suite 100  
Newberry, FL 32669  
(352) 376-3450

**Destin**  
755 Grand Boulevard  
Suite B105-152  
Miramar Beach, FL 32550  
Toll free: 866-337-7341

SEAL:

REVISIONS	DATE

PROJECT MANAGER: TME  
DRAWING BY: ALR  
JURISDICTION: Lee County  
DATE: 08/06/2014

TITLE:  
**TOPOGRAPHY EXHIBIT**

SHEET NUMBER: P-1

SCALE 1"=300'

JOB/FILE NUMBER: 14052

D:\14052 - Dusty Metro\Drawings\DWG\14052-001-Topo.dwg





Writer's Direct Dial Number: (239) 533-8532

September 22, 2015

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

Danielle Grossenbaugh  
Morris-Depew Associates, Inc.  
2891 Center Pointe Drive, Unit 100  
Fort Myers, FL 33916

**RE: Potable Water and Wastewater Availability  
Dusty Metro  
Multiple STRAP #s in Sections 05 & 06, Township 46, Range 25**

Dear Ms. Grossenbaugh:

The subject property is located within Lee County Utilities Future Service Area as depicted on Maps 6 and 7 of the Lee County Comprehensive Land Use Plan. Potable water and sanitary sewer lines are in operation near the properties 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 1,798 single family residential units with an estimated flow demand of approximately 449,500 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 Green Meadows Water Treatment Plant.

Sanitary sewer service will be provided by Three Oaks Wastewater Treatment 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 Comprehensive Plan Amendment for this project Only. Individual letters of availability will be required to obtaining building permits.

Sincerely,

**LEE COUNTY UTILITIES**

A handwritten signature in black ink that reads "Mary McCormic".

Mary McCormic  
Technician Senior  
UTILITIES ENGINEERING

VIA EMAIL.



**DESCRIPTION**

PARCEL OF LAND IN SECTIONS 5 AND 6, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 6; THENCE S.89°16'57"W. ALONG THE SOUTH LINE OF SAID SECTION 6, A DISTANCE OF 390.00 FEET; THENCE N.0°56'58"E. A DISTANCE OF 73.89 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF MICHAEL G. RIPPE PARKWAY, AS SHOWN ON STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, ENTITLED "STATE ROAD NO 739, STATE PROJECT NO. 12014-2504, F.A. PROJECT NO. 3012 059 P", DATED 2-06-02, WITH LAST REVISION DATE OF 12-26-2013, SAID INTERSECTION POINT LYING ON THE WESTERLY BOUNDARY LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 2487, PAGE 2066, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND THE POINT-OF-BEGINNING OF THIS DESCRIPTION; THENCE NORTHWESTERLY, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF SAID MICHAEL G. RIPPE PARKWAY FOR THE NEXT FIFTEEN (15) COURSES; S.89°14'03"W. A DISTANCE OF 9.77 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 750.00 FEET; A CENTRAL ANGLE OF 23°52'55", AND WHOSE CHORD BEARS N.69°26'56"W. FOR A DISTANCE OF 310.40 FEET, HAVING AN ARC LENGTH OF 312.66 FEET; THENCE N.57°30'27"W. A DISTANCE OF 210.14 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 400.00 FEET, A CENTRAL ANGLE OF 30°48'48" AND WHOSE CHORD BEARS N.42°05'56"W. FOR A DISTANCE OF 212.54 FEET, HAVING AN ARC LENGTH OF 215.12 FEET; THENCE N.26°41'32"W. A DISTANCE OF 739.55 FEET; THENCE N.26°41'32"W. A DISTANCE OF 84.30 FEET; THENCE N.30°44'35"W. A DISTANCE OF 315.71 FEET; THENCE N.27°45'27"W. A DISTANCE OF 364.63 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 2915.00 FEET, A CENTRAL ANGLE OF 07°26'17", AND WHOSE CHORD BEARS N.31°28'35"W. A DISTANCE OF 378.15 FEET, HAVING AN ARC LENGTH OF 378.42 FEET; THENCE N.35°11'44"W. A DISTANCE OF 409.31 FEET; THENCE N.54°48'17"E. A DISTANCE OF 20.00 FEET; THENCE N.35°11'44"W. A DISTANCE OF 392.63 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 2795.00 FEET, A CENTRAL ANGLE OF 02°33'46" AND WHOSE CHORD BEARS N.33°54'51"W. A DISTANCE OF 125.00 FEET, HAVING AN ARC LENGTH OF 125.01 FEET; THENCE S.57°22'02"W. A DISTANCE OF 4.00 FEET; THENCE N.32°37'58"W. A DISTANCE OF 2392.79 FEET TO AN INTERSECTION WITH THE SOUTHERLY LINE OF "TRACT 2" OF THE CERTAIN LEE COUNTY DRAINAGE RIGHT-OF-WAY AS DESCRIBED IN OFFICIAL RECORDS BOOK 2950, PAGE 3201, OF THE SAID PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE ALONG THE SOUTHERLY BOUNDARY LINES OF SAID LEE COUNTY DRAINAGE RIGHT-OF-WAY, TRACTS 2, 3, 4, AND 5 FOR THE NEXT SEVEN (7) COURSES; S.84°28'55"E. A DISTANCE OF 745.82 FEET; THENCE S.54°20'21"E. A DISTANCE OF 248.83 FEET; THENCE S.84°29'17"E. A DISTANCE OF 47.61 FEET; THENCE S.84°59'33"E. A DISTANCE OF 2507.87 FEET; THENCE S.0°57'51"E. ALONG A LINE LYING 155.00 FEET WEST OF (AS MEASURED AT RIGHT ANGLES) AND PARALLEL TO THE EAST LINE OF SAID SECTION 6, A DISTANCE OF 637.14 FEET; THENCE N.88°59'21"E. A DISTANCE OF 125.00 FEET TO THE MOST SOUTHEASTERLY CORNER OF TRACT 5 OF SAID LEE COUNTY DRAINAGE RIGHT-OF-WAY; THENCE N.0°57'51"W. ALONG A LINE LYING 30.00 FEET WEST OF (AS MEASURED AT RIGHT ANGLES) AND PARALLEL TO THE SAID EAST LINE OF SECTION 6, A DISTANCE OF 749.64 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF THAT CERTAIN PARCEL OF LAND, LABELED AS "PARCEL 3", AS DESCRIBED IN INSTRUMENT NO. 2010000313160, SAID PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE S.84°59'24"E., LEAVING THE BOUNDARY OF TRACT 5 OF THE SAID LEE COUNTY DRAINAGE RIGHT-OF-WAY, AND GOING ALONG THE NORTHERLY BOUNDARY LINE OF SAID "PARCEL 3", FOR A DISTANCE OF 30.16 FEET TO AN INTERSECTION WITH THE SAID EASTERLY LINE OF SECTION 6, AND THE NORTHEASTERLY CORNER OF SAID "PARCEL 3" THENCE S.0°57'51"E. ALONG THE EASTERLY LINE OF SAID PARCEL 3, AND SECTION LINE, A DISTANCE OF 746.47 FEET TO THE SOUTHWESTERLY CORNER OF TRACT 6, OF SAID LEE COUNTY DRAINAGE RIGHT-OF-WAY RECORDED IN SAID OFFICIAL RECORDS BOOK 2950, PAGE 3201, THENCE N.88°59'21"E. CROSSING INTO SAID SECTION 5, ALONG THE SOUTHERLY LINE OF SAID LEE COUNTY DRAINAGE RIGHT-OF-WAY, A DISTANCE OF 2632.18 FEET TO AN INTERSECTION WITH THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 5, AND THE EASTERLY BOUNDARY LINE OF THAT CERTAIN PARCEL OF LAND LABELED AS "PARCEL 2" AS DESCRIBED IN SAID INSTRUMENT NO. 2010000313160, THENCE S.00°40'54"E. ALONG SAID EASTERLY BOUNDARY LINE A DISTANCE OF 1166.53 FEET TO THE SOUTHEAST CORNER OF SAID "PARCEL 2"; THENCE S.89°04'35"W. ALONG THE SOUTH LINE OF SAID "PARCEL 2" A DISTANCE OF 328.30 FEET TO THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND LABELED AS "PARCEL 1" IN SAID INSTRUMENT NO. 2010000313160; THENCE S.0°40'44"E. ALONG THE EAST LINE OF SAID "PARCEL 1" A DISTANCE OF 658.06 FEET TO THE SOUTHEAST CORNER OF SAID "PARCEL 1", THENCE S.88°54'56"W. ALONG THE SOUTH LINE OF SAID "PARCEL 1" AND ALSO THE SOUTH LINE OF PARCEL DESCRIBED IN INSTRUMENT NO. 2012000266964, AND THE SOUTH LINE OF PARCEL DESCRIBED IN INSTRUMENT NO. 2012000215732, A DISTANCE OF 1314.92 FEET TO THE SOUTHWEST CORNER OF PARCEL DESCRIBED IN SAID INSTRUMENT NO. 2012000215732; THENCE N.0°40'44"W. ALONG THE WEST LINE OF SAID PARCEL, A DISTANCE OF 661.76 FEET TO AN INTERSECTION WITH THE SOUTHERLY LINE OF SAID "PARCEL 2" AND THE EAST-WEST QUARTER LINE OF SAID SECTION 5; THENCE S.89°04'35"W. ALONG SAID QUARTER LINE, A DISTANCE OF 983.23 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 5; THENCE S.0°56'58"E. ALONG THE SECTION LINE, A DISTANCE OF 2017.96 FEET TO THE NORTHEAST CORNER OF SAID PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 2487, PAGE 2066; THENCE ALONG THE BOUNDARY OF SAID PARCEL FOR THE NEXT TWO COURSES; S.89°16'57"W. A DISTANCE OF 390.00 FEET; THENCE S.0°56'58"E. A DISTANCE OF 556.11 FEET TO THE SAID POINT-OF-BEGINNING OF THIS DESCRIPTION.  
CONTAINING 299.01 ACRES, MORE OR LESS.


PREPARED BY

*Mark A. Hatfield* 4-2-15  
MARK A. HATFIELD P.S.M. DATE  
FLORIDA CERT. NO. 4155

REVISED: 4-02-15, M.A.H., TYPOGRAPHICAL ERRORS.

MDA PROJECT: 14052	
CHECKED BY: MAH	DRAWN BY: BMH
DATE: 12-10-14	
SHEET 1 OF 6	

**SKETCH AND DESCRIPTION**  
PARCELS OF LAND IN SECTIONS 5 AND 6,  
T. 46 S., R. 25 E.,  
LEE COUNTY, FLORIDA

**MORRIS**  **DEPEW**

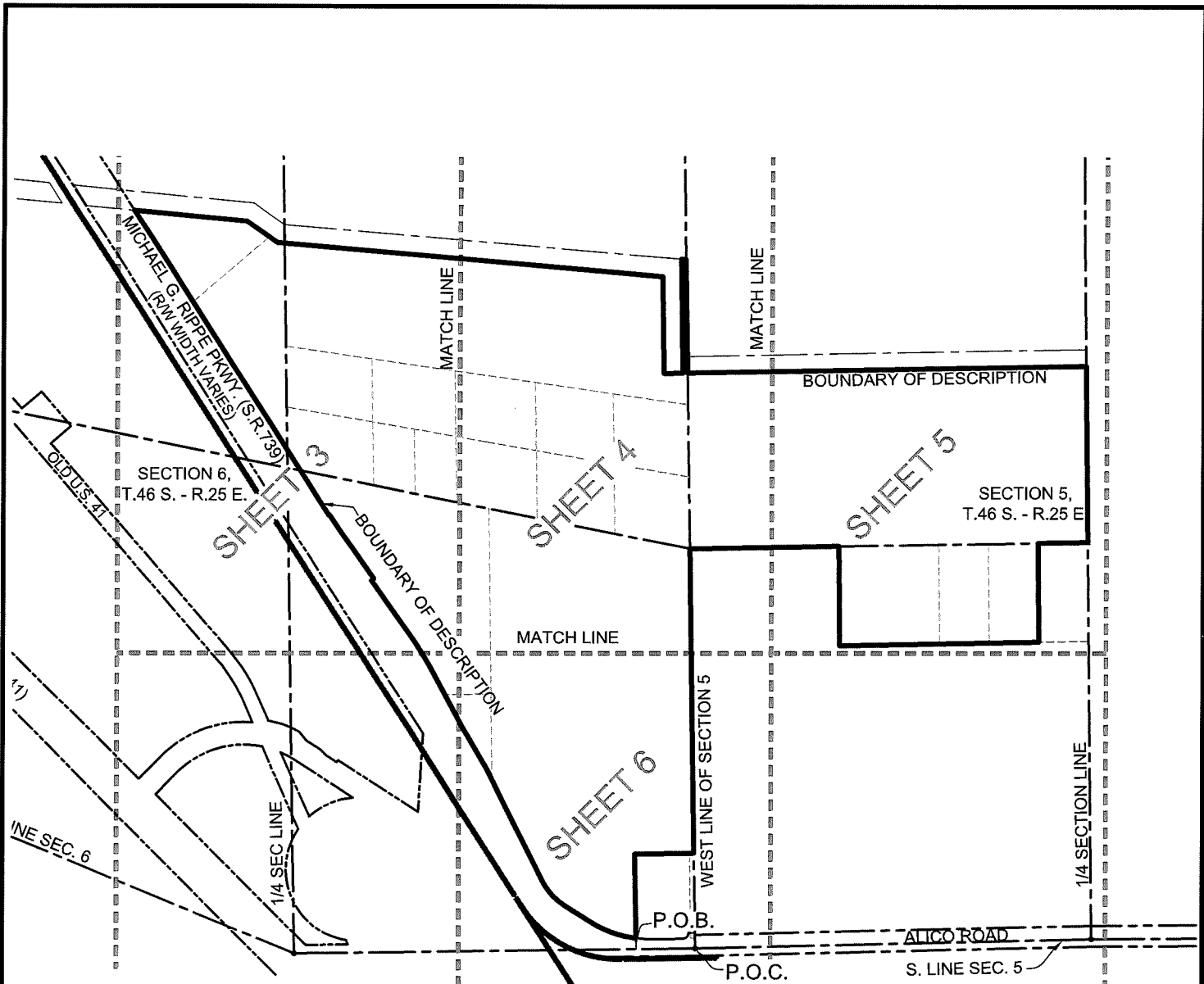
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LANDSCAPE ARCHITECTS

FL CA NO. 6532 / FL CERT NO. LB6891 / LC26000330

Fort Myers  
Tallahassee

Metro Center 1  
2891 Center Points Drive,  
Unit 100  
Fort Myers, Florida 33916  
(239) 337-3993  
Fax: (239) 337-3994  
Toll free: 866-337-7341





**ABBREVIATIONS**

- LB = LICENSED BUSINESS
- O.R. = OFFICIAL RECORDS
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- R/W = RIGHT OF WAY
- SEC. = SECTION
- W'LY = WESTERLY

**SURVEYOR'S NOTES:**

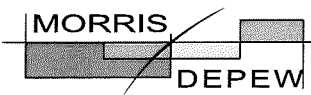
THE DESCRIPTION SHOWN HEREON IS NEW, BASED ON A COMPILATION OF CERTIFIED CORNER RECORDS FROM THE LABINS WEB-SITE, THE DEEDS FOR ALL INCLUDED PARCELS, AND RIGHT-OF-WAY MAPS PREPARED BY THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, ENTITLED "STATE ROAD NO 739, STATE PROJECT NO. 12014-2504, F.A. PROJECT NO. 3012 059 P", DATED 2-06-02, WITH LAST REVISION DATE OF 12-26-2013, FOR THE MICHAEL G. RIPPE PARKWAY. NO FIELD WORK HAS BEEN CONDUCTED TO CONFIRM EXACT DIMENSIONS SHOWN HEREON. ORIENTATION BASED ON THE SOUTH LINE OF SECTION 6 AS BEARING S.89°16'57"W. THE COORDINATES SHOWN HEREON ARE BASED ON STATE PLANE, FLORIDA GRID, WEST ZONE, NAD 83/90. UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, AND ALL SHEETS ARE INCLUDED, THIS MAP IS NOT VALID.

**THIS IS NOT A SURVEY!**

REVISED: 4-02-15, M.A.H., TYPOGRAPHICAL ERRORS.

MDA PROJECT: 14052	
CHECKED BY: MAH	DRAWN BY: BMH
DATE: 12-10-14	
SHEET 2 OF 6	

**SKETCH AND DESCRIPTION**  
 PARCELS OF LAND IN SECTIONS 5 AND 6,  
 T. 46 S., R. 25 E.,  
 LEE COUNTY, FLORIDA

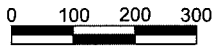
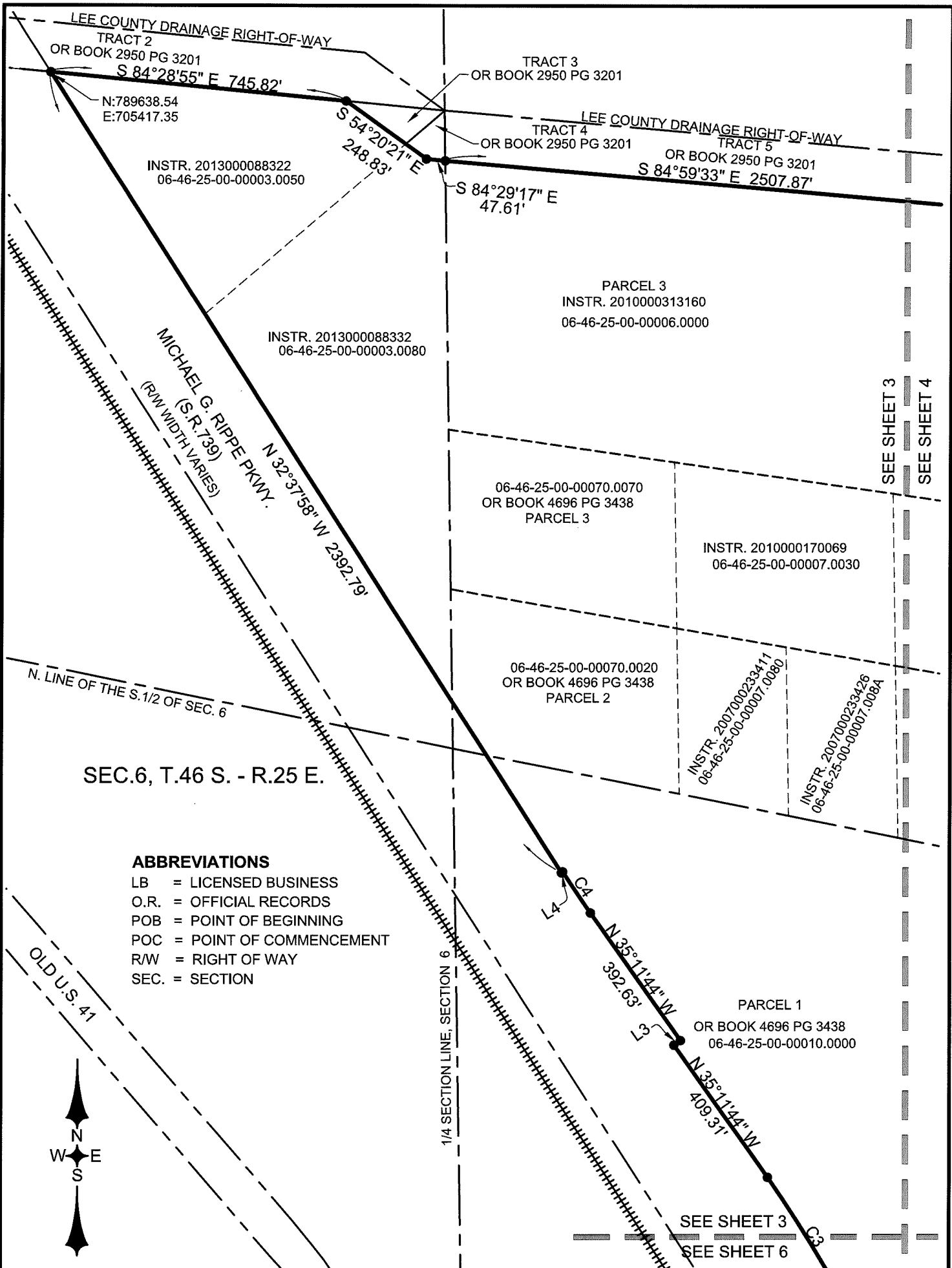
**MORRIS**  **DEPEU**

Fort Myers  
Tallahassee

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FL CA NO. 6532 / FL CERT NO. LB6891 / LC26000330





CURVE	RAD	CA	CB	CL	AL
C1	750.00'	23°52'55"	N 69°26'56" W	310.40'	312.66'
C2	400.00'	30°48'48"	N 42°05'56" W	212.54'	215.12'
C3	2915.00'	7°26'17"	N 31°28'35" W	378.15'	378.42'
C4	2795.00'	2°33'46"	N 33°54'51" W	125.00'	125.01'

LINE	BEARING	DISTANCE
L1	S 89°14'03" W	9.77'
L2	N 26°41'32" W	84.30'
L3	N 54°48'17" E	20.00'
L4	S 57°22'02" W	4.00'
L5	N 00°56'58" W	73.89'
L6	N 88°59'21" E	125.00'
L7	S 84°59'24" E	30.16'

MDA PROJECT:  
14052

CHECKED BY: MAH  
DRAWN BY: BMH

DATE:  
12-10-14

SHEET  
3 OF 6

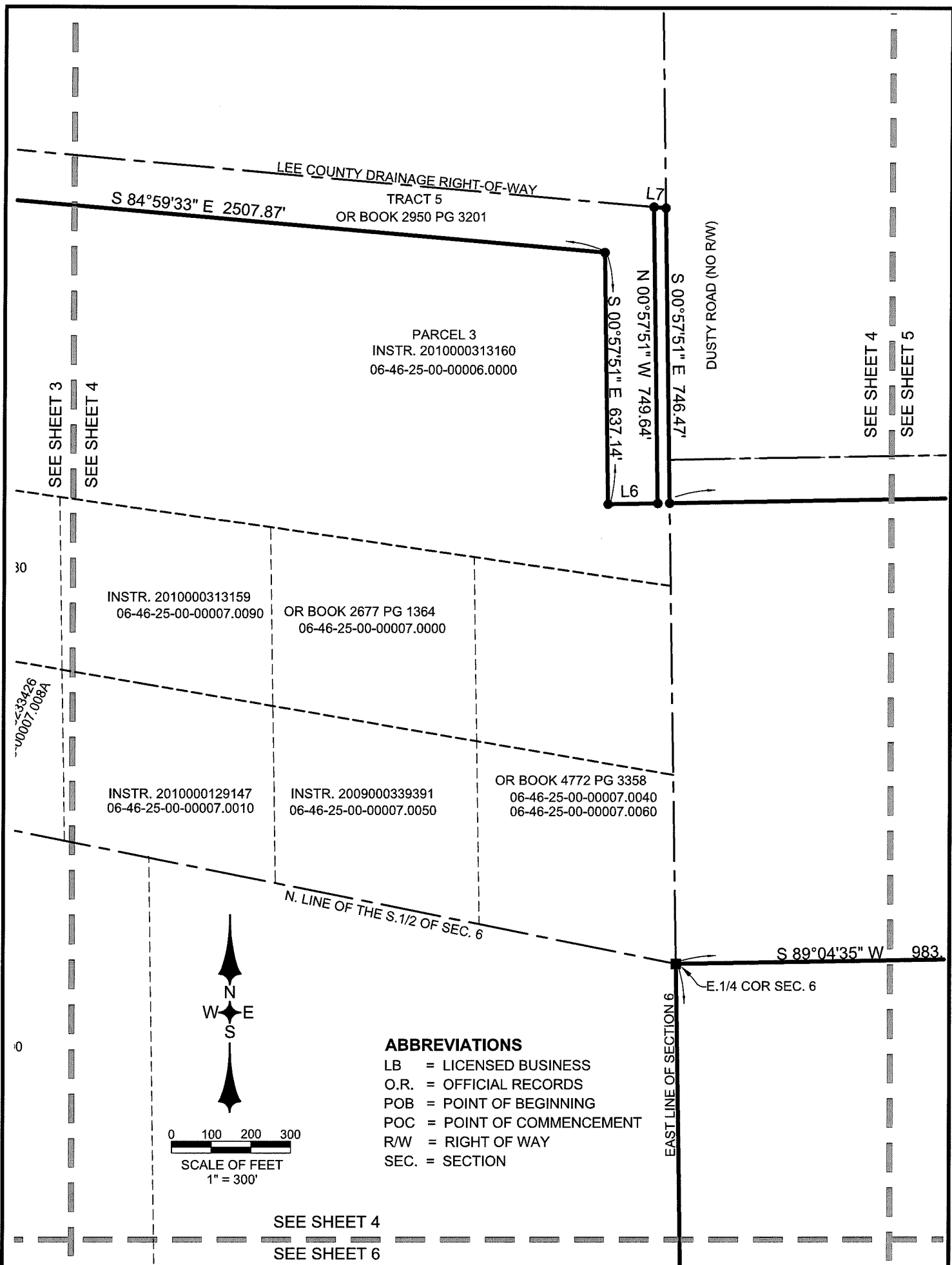
**SKETCH AND DESCRIPTION**  
PARCELS OF LAND IN SECTIONS 5 AND 6,  
T. 46 S., R. 25 E., LEE COUNTY, FLORIDA

**MORRIS DEPEW**

Fort Myers  
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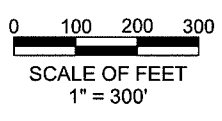
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- R/W = RIGHT OF WAY
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CURVE	RAD	CA	CB	CL	AL
C1	750.00'	23°52'55"	N 69°26'56" W	310.40'	312.66'
C2	400.00'	30°48'48"	N 42°05'56" W	212.54'	215.12'
C3	2915.00'	7°26'17"	N 31°28'35" W	378.15'	378.42'
C4	2795.00'	2°33'46"	N 33°54'51" W	125.00'	125.01'

LINE	BEARING	DISTANCE
L1	S 89°14'03" W	9.77'
L2	N 26°41'32" W	84.30'
L3	N 54°48'17" E	20.00'
L4	S 57°22'02" W	4.00'
L5	N 00°56'58" W	73.89'
L6	N 88°59'21" E	125.00'
L7	S 84°59'24" E	30.16'

MDA PROJECT:  
14052

CHECKED BY: MAH    DRAWN BY: BMH

DATE:  
12-10-14

SHEET  
4 OF 6

**SKETCH AND DESCRIPTION**  
**PARCELS OF LAND IN SECTIONS 5 AND 6,**  
**T. 46 S., R. 25 E., LEE COUNTY, FLORIDA**

**MORRIS DEPEW**

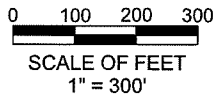
Fort Myers  
Tallahassee

Metro Center 1  
2891 Center Pointe Drive,  
Unit 100  
Fort Myers, Florida 33916  
(239) 337-3993  
Fax: (239) 337-3994  
Toll free: 866-337-7341

ENGINEERS • PLANNERS • SURVEYORS  
LANDSCAPE ARCHITECTS  
FL CA NO. 6532 / FL CERT NO. LB6891 / LC26000330

**ABBREVIATIONS**

- LB = LICENSED BUSINESS
- O.R. = OFFICIAL RECORDS
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- R/W = RIGHT OF WAY
- SEC. = SECTION



SEE SHEET 4  
SEE SHEET 5

1/4 SECTION LINE, SECTION 6

LEE COUNTY DRAINAGE RIGHT-OF-WAY

TRACT 6

N 88°59'21" E 2632.18' OR BOOK 2950 PG 3201

PARCEL 2  
INSTR. 2010000313160  
05-46-25-00-00003.0000

SEC.5, T.46 S. - R.25 E.

CENTER SEC. 5  
N:787444.50  
E:711718.58

S 00°40'54" E 1166.53'

5" W 983.23'

N. LINE OF THE S.W.1/4 OF SEC. 5

328.30'  
S 89°04'35" W

N 00°40'44" W 661.76'

INSTR. 2012000215732  
05-46-25-00-00004.0100

05-46-25-00-00004.012A  
INSTR. 201200266984

PARCEL  
INSTR. 20100003131601  
05-46-25-00-00004.0120

S 00°40'44" E 658.06'

S 88°54'56" W 1314.92'

CURVE	RAD	CA	CB	CL	AL
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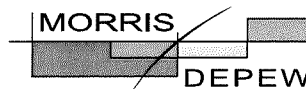
MDA PROJECT:  
14052

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12-10-14

SHEET  
5 OF 6

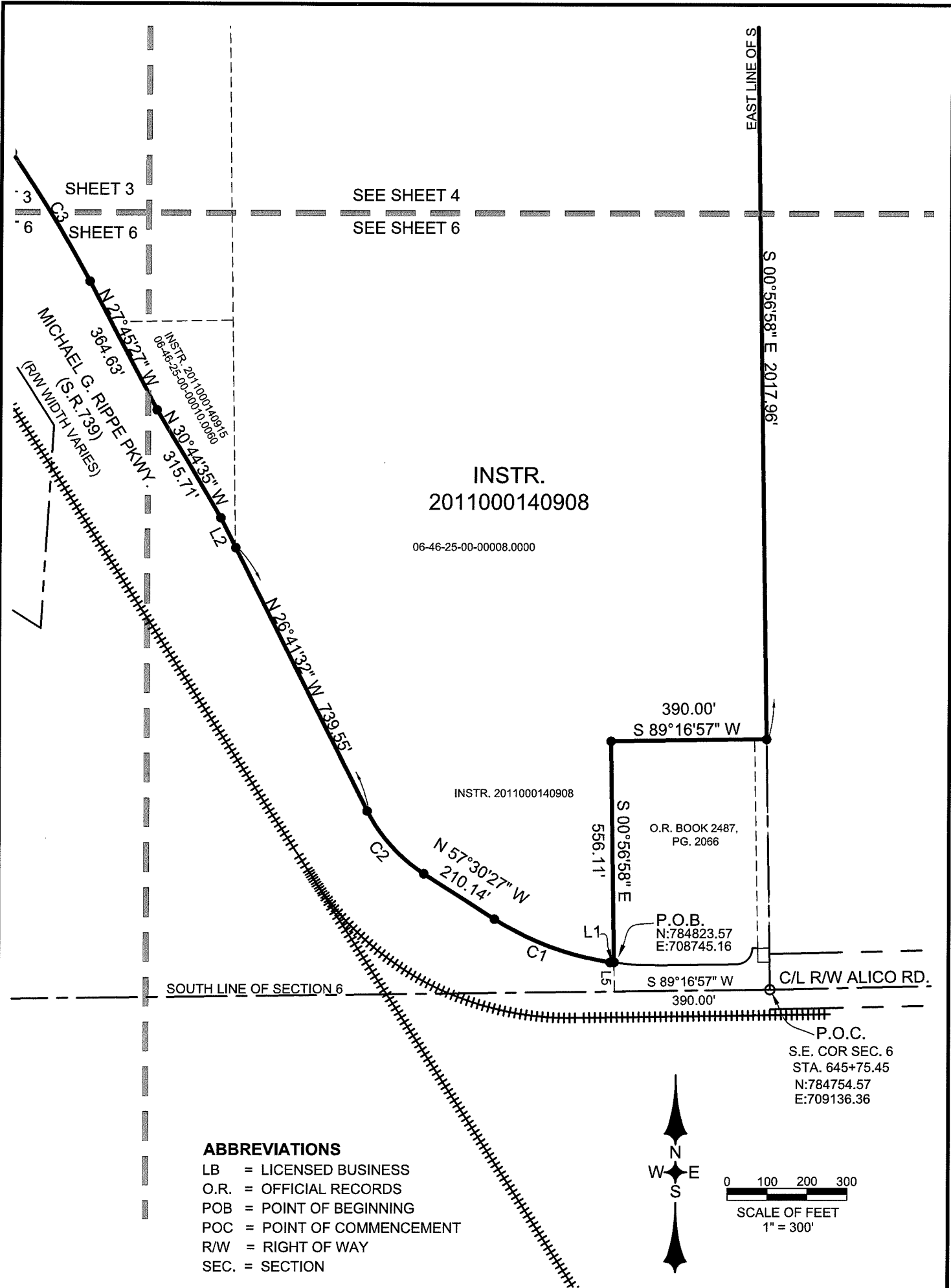
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INSTR.  
2011000140908  
06-46-25-00-00008.0000

SOUTH LINE OF SECTION 6

EAST LINE OF S

S 00°56'58" E 2017.96'

SHEET 3  
SHEET 6

SEE SHEET 4  
SEE SHEET 6

MICHAEL G. RIPPE PKWY.  
(S.R. 739)  
(R/W WIDTH VARIES)

INSTR. 2011000140908

390.00'  
S 89°16'57" W

S 00°56'58" E  
556.11'

O.R. BOOK 2487,  
PG. 2066

P.O.B.  
N:784823.57  
E:708745.16

N 57°30'27" W  
210.14'

S 89°16'57" W  
390.00'

P.O.C.  
S.E. COR SEC. 6  
STA. 645+75.45  
N:784754.57  
E:709136.36

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  - R/W = RIGHT OF WAY
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0 100 200 300  
SCALE OF FEET  
1" = 300'

CURVE	RAD	CA	CB	CL	AL
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DRAWN BY: BMH

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SHEET  
6 OF 6

**SKETCH AND DESCRIPTION**  
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