

GradyMinor

LETTER OF TRANSMITTAL

Lee County Development Services

1500 Monroe Street, 1st Floor Zoning Counter

Fort Myers, Florida 33901

DATE: November 28, 2018

JOB CODE: CRMALPDO

ATTENTION: 1st Floor Zoning County

RE: **Vintage Commerce Center PDA**

Sent by: ☒ **Courier**: ☐ Morning ☐ Afternoon ☐ Rush ☐ US Mail ☐ Pick-Up ☐ Hand -Delivery
☐ **Federal Express**: ☐ Morning ☐ Afternoon

WE ARE SENDING: ☐ Prints ☐ Plans (velum) ☐ Disk ☐ Shop drawings
☐ Specifications ☐ Copy of letter ☐ Permit Application ☒ Other

Copies	Description
3	Planned Development Amendment – Submittal 1
1	CD containing Planned Development Amendment Submittal 1

THESE ARE TRANSMITTED as checked below:

☐ Approved as submitted ☐ Approved as noted ☐ Returned for corrections
☐ For your use/records ☐ For approval ☐ For review and comment
☐ As requested ☐ For Signature and Return

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COMMUNITY DEVELOPMENT

SIGNED: _____

Sharon Umphenour

COPY TO:

Q. Grady Minor & Associates, P.A.

3800 Via Del Rey
Bonita Springs, FL 34134
239-947-1144
239-947-0375(fax)

11940 Fairway Lakes Dr., Ste. #6
Fort Myers, FL 33913
239-690-4380
239-768-0291(fax)

If enclosures are not as noted, kindly notify us at once.

Vintage Commerce Center CPD/RPD

**Planned Development Amendment
Fee Requirements**

Fee Description	Amount
PD Amendment	\$5,000.00
Total Fees Due	\$5,000.00

Application fees due at time of submittal.

Please make check payable to Lee Board of County Commissioners.

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APPLICATION FOR PLANNED DEVELOPMENT PUBLIC HEARING UNINCORPORATED AREAS ONLY

Project Name: Vintage Commerce Center CPD

Request: Rezone from: CPD

To: CPD/RPD

Type: ☐ Major PD ☐ Minor PD ☐ DRI w/Rezoning ☐ PRFPD
☒ Major PD Amendment ☐ Minor PD Amendment

Bonus Density included? ☐ NO ☒ YES¹ for: 183 Bonus Units

¹ If YES, submit additional fee required by LDC 2-147(A)(3)

Summary of Project:

Amend CPD to CPD/RPD to allow multi-family dwellings, commercial, and hotel/motel uses in addition to the previously approved commercial and office uses.

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PART 1 APPLICANT/AGENT INFORMATION

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A. Name of Applicant: CLE FL RE Investment I LLC

Address: 1100 Euclid Ave., Suite 300

City, State, Zip: Cleveland, OH 44115

Phone Number: 216.696.5442 x 444

E-mail Address: brintihar@crminc.us

B. Relationship of Applicant to owner (check one) and provide Affidavit of Authorization form:

- ☒ Applicant is the sole owner of the property. [34-201(a)(1)a.1.]
- ☐ Applicant has been authorized by the owner(s) to represent them for this action. [34-202(b)(1)b. & c.]
- ☐ Application is County initiated. Attach BOCC authorization.

C. Authorized Agent: (If different than applicant) Name of the person who is to receive all County-initiated correspondence regarding this application. [34-202(b)(1)c.]

1. Company Name: Q. Grady Minor & Associates, P.A.

Contact Person: D. Wayne Arnold, AICP

Address: 3800 Via Del Rey

City, State, Zip: Bonita Springs, FL 34134

Phone Number: 239-947-1144

Email: warnold@gradymenor.com

2. Additional Agent(s): Provide the names of other agents that the County may contact concerning this application. [34-202(b)(1)c.]

LEE COUNTY COMMUNITY DEVELOPMENT
PO BOX 398 (1500 MONROE STREET), FORT MYERS, FL 33902
PHONE (239) 533-8585

**PART 2
PROPERTY OWNERSHIP**

- A. **Property owner(s):** If multiple owners (corporation, partnership, trust, association), provide a list with owner interest. [34-201; 34-204]

Name: CLE FL RE Investment I LLC

Address: 1100 Euclid Ave., Suite 300

City, State, Zip: Cleveland, OH 44115

Phone Number: 216.696.5442 x 444

Email: brintihar@crminc.us

- B. **Disclosure of Interest** [34-201; 34-204]:

☒ Attach Disclosure of Interest Form. [34-201; 34-204]

- C. **Multiple parcels:**

☐ Property owners list. [34-202(a)(5)]

☐ Property owners map. [34-202(a)(5)]

- D. **Certification of Title and Encumbrances** [34-202(a)(3)]

1. Title certification document, no greater than 90 days old. [34-202(a)(3)]

2. Date property was acquired by present owner(s): 04/25/2018

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**PART 3
PROPERTY INFORMATION**

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- A. **STRAP Number(s):** [Attach extra sheets if additional space is needed.]

03-46-25-00-00001.1090

03-46-25-00-00001.1100

- B. **Street Address of Property:** 9401 Alico Road

- C. **Legal Description (must submit)** [34-202(a)(1)]:

☐ Legal description (metes and bounds) (8½"x11") and sealed sketch of the legal description.

OR

☐ Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. (Click here to see an example of a legal description with no metes and bounds.)

AND

Boundary Survey [34-202(a)(2); 34-373(a)(4)a.]:

☒ A Boundary survey, tied to the state plane coordinate system.

OR

☐ Not required if the property is located within a subdivision platted per F.S. Chapter 177.

- D. **Surrounding property owners** (within 500 feet of the perimeter of the subject parcel or portion thereof that is subject of the request):

1. ☒ List of surrounding property owners. [34-202(a)(6)]

2. ☒ Map of surrounding property owners. [34-202(a)(7)]

3. ☒ One set of mailing labels. [34-202(a)(6)]

Note: When the case is found complete/ sufficient, a new list and mailing labels must be submitted.

- E. **Current Zoning of Property:** Vintage Commerce Center CPD

☒ Provide a list of all Zoning Resolutions and Zoning Approvals applicable to the subject property. [34-202(a)(8)]

- F. **Use(s) of Property** [34-202(a)(8)]:

1. Current uses of property are: Undeveloped commercial

2. Intended uses of property are: Multi-family, hotel/motel and commercial

G. Future Land Use Classification (Lee Plan) [34-202(a)(8)]:

Industrial Commercial Interchange (existing)	<u>33.95</u>	Acres	<u>100</u>	% of Total
General Interchange (proposed)	<u>33.95</u>	Acres	<u>100</u>	% of Total
		Acres		% of Total

H. Property Dimensions [34-202(a)(8)]:

1. Width (average if irregular parcel):	<u>710±</u>	Feet		
2. Depth (average if irregular parcel):	<u>1,591±</u>	Feet		
3. Total area:	<u>33.95</u>	Acres or square feet		
4. Frontage on road or street:	<u>710±</u>	Feet on	<u>Alico</u>	Street
2 nd Frontage on road or street:		Feet on		Street

I. Planning Communities/Community Plan Area Requirements: If located in one of the following planning communities/community plan areas, provide a meeting summary document of the required public informational session. [34-202(a)(10)]

- ☒ Not Applicable
- ☐ Captiva Planning Community (Captiva Island). [33-1612(a)&(b); Lee Plan Policy 13.1.7]
- ☐ North (Upper) Captiva Community Plan area. [33-1711]
- ☐ Boca Grande Planning Community. [Lee Plan Policy 22.1.5]
- ☐ Caloosahatchee Shores Community Plan area. [33-1482(a)&(b); Lee Plan Policy 24.6.3]
- ☐ Page Park Community Plan area. [33-1203(a) & (b); Lee Plan Policy 27.11.2]
- ☐ Palm Beach Boulevard Community Plan area. [Lee Plan Policy 23.5.2]
- ☐ Buckingham Planning Community. [Lee Plan Policy 17.7.2]
- ☐ Pine Island Planning Community. [33-1004(a) & (b); Lee Plan Policy 14.7.1]
- ☐ Lehigh Acres Planning Community. [33-1401(a)&(b); Lee Plan Policy 32.12.2]
- ☐ North Fort Myers Planning Community. [33-1532(a)&(b)]
- ☐ North Olga Community Plan area. [33-1663(a)&(b)]



J. Waivers from Application Submission Requirements: Attach waivers, if any, approved by the Director of Zoning. [34-202(a)]

**PART 4
TYPES OF LAND AREA ON PROPERTY**

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A. Gross Acres (total area within described parcel)		<u>33.95</u>	Acres
1. Submerged land subject to tidal influence		<u>0</u>	Acres
2. a. Preserved freshwater wetlands	<u>0</u>	Acres	
b. Impacted wetlands	<u>0</u>	Acres	
c. Preserved saltwater wetlands	<u>0</u>	Acres	
d. Total wetlands (A.2.a. plus A.2.b. plus A.2.c.)		<u>0</u>	Acres
3. R-O-W providing access to non-residential uses		<u>0</u>	Acres
4. Non-residential use areas ^{(1) (2)}		<u>18.45</u>	Acres
B. Total area not eligible as gross residential acreage (Items A.1. + A.3. + A.4.)		<u>18.45</u>	Acres
C. Gross residential acres. (A minus B) ⁽³⁾		<u>15.5</u>	Acres
D. Gross residential acres (by Land Use Category)			
1. a. Intensive Development – upland		<u>15.5</u>	Acres
b. Intensive Development – preserved freshwater wetlands			Acres
c. Intensive Development – impacted wetlands			Acres
2. a. Central Urban – upland			Acres
b. Central Urban – preserved freshwater wetlands			Acres
c. Central Urban – impacted wetlands			Acres
3. a. Urban Community or Suburban – upland			Acres
b. Urban Community or Suburban – preserved freshwater wetlands			Acres
c. Urban Community or Suburban – impacted wetlands			Acres

4.	a.	Suburban – upland	_____	Acres
	b.	Suburban – preserved freshwater wetlands	_____	Acres
	c.	Suburban – impacted wetlands	_____	Acres
5.	a.	Outlying Suburban – upland	_____	Acres
	b.	Outlying Suburban – preserved freshwater wetlands	_____	Acres
	c.	Outlying Suburban – impacted wetlands	_____	Acres
6.	a.	Sub-Outlying Suburban – upland	_____	Acres
	b.	Sub-Outlying Suburban – preserved freshwater wetlands	_____	Acres
	c.	Sub-Outlying Suburban – impacted wetlands	_____	Acres
7.	a.	Rural, Outer Island, Rural Community Preserve – upland	_____	Acres
	b.	Rural, Outer Island, Rural Community Preserve – wetlands	_____	Acres
8.	a.	Open Lands – upland	_____	Acres
	b.	Open Lands – wetlands	_____	Acres
9.	a.	Resource – upland	_____	Acres
	b.	Resource – wetlands	_____	Acres
10.	a.	Wetlands	_____	Acres
11.	a.	New Community – upland	_____	Acres
	b.	New Community – wetlands	_____	Acres
12.	a.	University Community – upland	_____	Acres
	b.	University Community – wetlands	_____	Acres
13.	a.	Coastal Rural – upland	_____	Acres
	b.	Coastal Rural – wetlands	_____	Acres
TOTAL (should equal "C" above)			15.5	Acres

Notes:

- (1) Lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses must not be included except within the Mixed Use Overlay (see Note (2) below).
- (2) Within the Mixed Use Overlay, lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses may be included in density calculations (see Lee Plan Objective 4.3).
- (3) Lands to be used for residential uses including land within the development proposed to be used for streets & street rights of way, utility rights-of-way, public & private parks, recreation & open space, schools, community centers, & facilities such as police, fire & emergency services, sewage & water, drainage, and existing man-made waterbodies.

**PART 5
RESIDENTIAL DEVELOPMENT - PRELIMINARY DENSITY CALCULATIONS**

- i. Complete only if living units are proposed in a Future Land Use Category.
- ii. If more than one classification, calculations for each classification must be submitted. Attach extra sheets as necessary.
- iii. If wetlands are located on the property, density calculations are considered preliminary pending a wetlands jurisdictional determination.

A. Future Land Use Category: General Interchange

		Lee Plan Table 1(a)		
		Max. standard density		Units
1. Standard Units				
a.	Total upland acres (from Part 4, D.)	15.5	x 14 equals	217
b.	Total preserved freshwater wetlands acres (from Part 4, D.)	0	x 0 equals	0
c.	Total impacted wetlands acres (from Part 4, D.)	0	x 0 equals	0
d.	Total Allowed Standard Units ⁽¹⁾			217
2. Bonus Units [2-143]				
a.	Site-built Affordable Housing			
b.	Transferrable Dwelling Units			183
c.	Sub-total			183
3. Total Permitted Units ⁽¹⁾				400

Note:

- ⁽¹⁾ Subject to revision if wetlands jurisdictional determination indicates a different acreage of wetlands.

PART 6
COMMERCIAL, INDUSTRIAL, MINING, ASSISTED LIVING FACILITIES, HOTELS & MOTELS
PRELIMINARY INTENSITY CALCUATIONS

A.	Commercial	Height	Total Floor Area (Square Feet)
	1. Medical	85	
	2. General Office	85	
	3. Retail	85	
	4. Other: _____	85	
	5. TOTAL FLOOR AREA		350,000
B.	Industrial	Height	Total Floor Area (Square Feet)
	1. Under Roof		
	2. Not Under Roof		
	3. TOTAL FLOOR AREA		
C.	Mining	Depth	Total Acres
	1. Area to be excavated		
D.	Assisted Living Facilities	Height	Total Beds/Units
	1. Dependent Living Units		
	2. Independent Living Units		
	3. TOTAL BEDS/UNITS		
E.	Hotels/Motels (Room Size)	Height	Total Rental Units
	1. < 425 sq. ft.	85	300
	2. 426-725 sq. ft.	85	
	3. 725 < sq. ft.	85	
	4. TOTAL UNITS		300

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PART 7
ACTION REQUESTED

- A. Request Statement:** Provide a single narrative explaining the nature of the request and how the property qualifies for the rezoning to a planned development. This narrative should include how the proposed development complies with the Lee Plan, the Land Development Code, and the applicable findings/review criteria set forth in LDC section 34-145(d)(4). This narrative may be utilized by the Board of County Commissioners, Hearing Examiner and staff in establishing a factual basis for the granting or denial of the rezoning. [34-373(a)(5)]
- B. Traffic Impact Statement.** A traffic impact statement in a format and to the degree of detail required by the County and in conformance with the adopted Lee County Administrative Code. TIS is not required for an existing development. [34-373(a)(7)]
- C. Master Concept Plan:**
1. **Master Concept Plan, Non-PRFPD:** A graphic illustration (Master Concept Plan) of the proposed development, showing and identifying the information required by LCLDC Section 34-373(a)(6)a. Copies of the Master Concept Plan must be provided in two sizes, 24"x36" and 11"x17", and must be clearly legible and drawn at a scale sufficient to adequately show and identify the required information. In addition to the Master Concept Plan, an open space design plan delineating the indigenous preserves and/or native tree preservation areas as required by LDC Section 10-415(b) must be submitted. [34-373(a)(6)]
 2. **Schedule of Uses:** A schedule of uses keyed to the Master Concept Plan as well as a summary for the entire property including the information required by LCLDC Section 34-373(a)(8)]. [34-373(a)(8)]

3. **Schedule of Deviations and Written Justification:** A schedule of deviations and a written justification for each deviation requested as part of the Master Concept Plan accompanied by documentation including sample detail drawings illustrating how each deviation would enhance the achievement of the objectives of the planned development and will not cause a detriment to public interests. The location of each requested deviation must be located/shown on the Master Concept Plan. [34-373(a)(9)]

D. **Bonus Density:** [34-202(b)(5)]

- ☐ Not Applicable
☒ Bonus Density will be used. Provide the number of Bonus Density units being requested and a narrative of how the request meets the requirements of LDC Section 2-146.

**PART 8
ENVIRONMENTAL REQUIREMENTS**

- A. **Topography:** Describe the range of surface elevations of the property. Attach a county topographic map (if available) or a USGS quadrangle map showing the subject property. [34-373(a)(4)d.iv.]
The elevation of this site is from 14' to 15'
-
- B. **Sensitive Lands:** Identify any environmentally sensitive lands, including, but not limited to, wetlands (as defined in the LEE Plan Section XII), flowways, creek beds, sand dunes, other unique land forms [see LEE Plan Policy 77.1.1 (2)] or listed species occupied habitat [see LCLDC Section 10-473].
N.A.
-
- C. **Preservation/Conservation of Natural Features:** Describe how the lands listed in PART 6.B. above will be protected by the completed project:
N.A.
-
- D. **Shoreline Stabilization:** If the project is located adjacent to navigable natural waters, describe the method of shoreline stabilization, if any, being proposed:
N.A.
-
- E. **Soils Map:** Attach maps drawn at the same scale as the Master Concept Plan marked or overprinted to show the soils classified in accordance with the USDA/SCS System. [34-373(a)(4)b.i.]
- F. **FLUCCS Map:** A Florida Land Use, Cover and Classification System (FLUCCS) map, at the same scale as the Master Concept Plan, prepared by an environmental consultant. The FLUCCS map must clearly delineate any Federal and State jurisdictional wetlands and other surface waters, including the total acreage of Federal and State wetlands. [34-373(a)(4)c.]
- G. **Rare & Unique Upland Habitat Map:** Maps drawn at the same scale as the Master Concept Plan marked or overprinted to show significant areas of rare and unique upland habitat as defined in the LEE Plan Section XII. [34-373(a)(4)b.iii.]
- H. **Existing and Historic Flow-Ways Map:** Map(s) drawn at the same scale as the master concept plan marked or overprinted to show existing and historic flow-ways. [34-373(a)(4)b.v.]

**PART 9
SANITARY SEWER & POTABLE WATER FACILITIES**

- A. **Special Effluent:** If the discharge of any special effluent is anticipated, please specify what it is and what strategies will be used to deal with its' special characteristics:
N.A.
-
- B. **Private On-Site Facilities:** If a private on-site wastewater treatment and disposal facility is proposed, please provide a detailed description of the system including:
1. Method and degree of treatment:
N.A.
 2. Quality of the effluent:
N.A.

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3. Expected life of the facility:
N.A.

4. Who will operate and maintain the internal collection and treatment facilities:
N.A.

5. Receiving bodies or other means of effluent disposal:
N.A.

C. **Spray Irrigation:** If spray irrigation will be used, specify:

1. The location and approximate area of the spray fields:
N.A.

2. Current water table conditions:
N.A.

3. Proposed rate of application:
N.A.

4. Back-up system capacity:
N.A.

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PART 10
ADDITIONAL REQUIREMENTS

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A. **Major Planned Developments:**

1. **Surface Water Management Plan.** A written description of the surface water management plan as required by LCLDC Section 34-373(b)(1). [34-373(b)(1)]
2. **Phasing Program.** If the development is to be constructed in phases or if the Traffic Impact Statement utilized phasing, then a description of the phasing program must be submitted. [34-373(b)(3)]
3. **Protected Species Survey.** A protected species survey is required for large developments (as defined in LCLDC Section 10-1) as specified in LCLDC Section 10-473. [34-373(b)(2)]

B. **Amendments to Built Planned Developments:** The consent of the owners of the remainder of the original planned development is not required, but these owners must be given notice of the application and other proceedings as if they were owners of property abutting the subject property regardless of their actual proximity to the subject property. Attach proof of notice to other property. [34-373(c)]

C. **Development of Regional Impact:** Binding letter of interpretation from DCA or a complete and sufficient ADA. (See also Application for Public Hearing for DRI Form.) [34-373(d)(2)]

D. **Private Recreational Facility Planned Developments (PRFPDs):**

1. **Master Concept Plan, PRFPD.** Master Concept Plan showing and identifying information required by LDC Section 34-941(g)(1). Copies of the Master Concept Plan must be provided in two sizes, 24"x36" and 11"x17", and must be clearly legible and drawn at a scale sufficient to adequately show and identify the required information. [34-941(g)]
2. **Conceptual Surface Water Management Plan.** A Conceptual Surface Water Management Plan must be submitted. The plan must be viable and take into consideration any natural flowway corridors, cypress heads, natural lakes, and the restoration of impacted natural flowway corridors. [34-941(d)(3)b.i.1)]
3. **Well Drawdown Information.** If within an area identified as an anticipated drawdown area for existing or future well development, demonstration of compliance with LCLDC Section 34-941(d)(3)d.i & ii. must be provided. [34-941(d)(3)d.]
4. **Preliminary Indigenous Restoration Plan.** A Preliminary Indigenous Restoration Plan must be provided if on-site indigenous restoration is being used to meet the indigenous native plant community preservation requirement. [34-941(e)(5)f.iii.]

5. **Environmental Assessment.** An Environmental Assessment must be provided which includes, at a minimum, an analysis of the environment, historical and natural resources. [34-941(g)(2)]
6. **Demonstration of Compatibility.** Written statements concerning how the applicant will assure the compatibility of the proposed development with nearby land uses (by addressing such things as noise, odor, lighting and visual impacts), and the adequate provision of drainage, fire and safety, transportation, sewage disposal and solid waste disposal must be provided. [34-941(g)(4)]
- E. **Potable Water & Central Sewer.** Will the project be connected to potable water and central sewer as part of any development of the property?
- ☒ **YES** (Provide a letter from the appropriate Utility to which the connection(s) are proposed confirming availability of service.) [34-202(b)(8)]
- ☐ **NO** (Provide a narrative explaining why the connection is not planned and how the water and sewer needs of the project will be met.) [34-202(b)(8)]
- F. **Existing Agricultural Use:** If the property owner intends to continue an existing agricultural use on the property subsequent to the zoning approval, an Existing Agricultural Use Affidavit must be provided. Entitle as "Existing Agricultural Uses at Time of Zoning Application." [34-202(b)(7)]
- G. **Flood Hazard: [34-202(a)(8)]**
- ☒ Not applicable
- ☐ The property is within an Area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRM)s.
- ☐ The minimum elevation required for the first habitable floor is _____ NAVD (MSL)
- H. **Excavations/Blasting: [34-202(b)(6)]**
- ☒ No blasting will be used in the excavation of lakes or other site elements.
- ☐ If blasting is proposed, provide Information Regarding Proposed Blasting (including soil borings, a map indicating the location of the proposed blasting, and other required information).
- I. **Hazardous Materials Emergency Plan for Port Facilities: [34-202(b)(4)]**
- ☒ Not Applicable
- ☐ Provide a Hazardous materials emergency plan.
- J. **Mobile Home Park: [34-203(d)]**
- ☒ Not Applicable
- ☐ Request includes rezoning of a Mobile Home Park. Provide facts related to the relocation of dislocated owners that meets the requirements of F.S. § 723.083 (1995).
- K. **Airport Zones & Lee County Port Authority (LCPA) Requirements:**
- ☒ Not Applicable
- ☐ Property is located within _____ Airport Noise Zone: [34-1004]
- ☐ Property is located within Airport Protection Zone. Indicate which Zone below. [34-1005]
- ☐ Property is located within Airport Runway Clear Zone: [34-1006]
- ☐ Property is located within Airport School Protection Zone: [34-1007]
- ☐ Property is located within Airport Residential Protection Zone: [34-1009]
- ☐ Property is located in an Airport Obstruction Notification Zone and subject to LCPA regulations. [34-1009]
- ☐ A Tall Structures Permit is required. [34-1010]

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**PART 5
SUBMITTAL REQUIREMENT CHECKLIST**

Clearly label your attachments as noted in bold below

Copies Required		SUBMITTAL ITEMS
3	<input checked="" type="checkbox"/>	Completed application for Public Hearing [34-201(b)]
1	<input checked="" type="checkbox"/>	Filing Fee - [34-202(a)(9)]
1	<input type="checkbox"/>	Bonus Density Filing Fee - [2-147(A)3] (if applicable)
3	<input checked="" type="checkbox"/>	Notarized Affidavit of Authorization Form [34-202(b)(1)c]
3	<input checked="" type="checkbox"/>	Additional Agents [34-202(b)(1)c.]
3	<input type="checkbox"/>	Multiple Owners List (if applicable) [34-201; 34-204]
3	<input checked="" type="checkbox"/>	Disclosure of Interest Form (multiple owners) [34-201(b)(2)a]
3	<input checked="" type="checkbox"/>	Legal description (must submit) [34-202(a)(1)]
	<input type="checkbox"/>	Legal description (metes and bounds) and sealed sketch of legal description
		OR
	<input type="checkbox"/>	Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. (Click here to see an example of a legal description with no metes and bounds.)
3	<input checked="" type="checkbox"/>	Boundary Survey – not required if platted lot (2 originals required) [34-202(a)(2); 34-373(a)(4)a.]
3	<input type="checkbox"/>	Property Owners list (if applicable) [34-202(a)(5)]
3	<input type="checkbox"/>	Property Owners map (if applicable) [34-202(a)(5)]
3	<input checked="" type="checkbox"/>	Confirmation of Ownership/Title Certification [34-202(a)(3)]
3	<input type="checkbox"/>	STRAP Numbers (if additional sheet is required) [34-202(a)(1)]
1	<input checked="" type="checkbox"/>	List of Surrounding Property Owners [34-202(a)(6)]
1	<input checked="" type="checkbox"/>	Map of Surrounding Property Owners [34-202(a)(7)]
1	<input checked="" type="checkbox"/>	Mailing labels [34-202(a)(6)]
3	<input checked="" type="checkbox"/>	List of Zoning Resolutions and Approvals [34-202(a)(8)]
3	<input type="checkbox"/>	Summary of Public Informational Session (if applicable) [34-202(a)(10)]
3	<input type="checkbox"/>	Waivers from Application Submission Requirements (if applicable)
3	<input checked="" type="checkbox"/>	Preliminary Density Calculations (if applicable)
3	<input checked="" type="checkbox"/>	Request Statement
3	<input checked="" type="checkbox"/>	Traffic Impact Statement (TIS) (not required for existing development) [34-341(b)(2)d.1.]
3	<input checked="" type="checkbox"/>	Master Concept Plan (MCP), Non-PRFPD [34-373(a)(6)]
3	<input checked="" type="checkbox"/>	Schedule of Uses [34-373(a)(8)]
3	<input checked="" type="checkbox"/>	Schedule of Deviations and Written Justification [34-373(a)(9)]
3	<input type="checkbox"/>	Topography (if available) [34-373(a)(4)d.iv.]
3	<input checked="" type="checkbox"/>	Soils Map [34-373(a)(4)b.v.]
3	<input checked="" type="checkbox"/>	FLUCCS Map [34-373(a)(4)c.]
3	<input type="checkbox"/>	Rare & Unique Upland Habitat Map [34-373(a)(4)b.iii.]
3	<input type="checkbox"/>	Existing and Historic Flow-Ways Map [34-373(a)(4)b.v.]
3	<input checked="" type="checkbox"/>	Surface Water Management Plan (if applicable) [34-373(b)(1)]
3	<input type="checkbox"/>	Phasing Program (if applicable) [34-373(b)(3)]
3	<input checked="" type="checkbox"/>	Protected Species Survey (if applicable) [34-373(b)(2)]
3	<input type="checkbox"/>	Proof of Notice (if applicable) [34-373(e)]

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3	<input type="checkbox"/>	Binding Letter from DCA (if applicable) [34-373(d)(2)]
3	<input type="checkbox"/>	Master Concept Plan (MCP), PRFPD (if applicable) [34-941(g)]
3	<input type="checkbox"/>	Conceptual Surface Water Management Plan (if applicable) [34-941(d)(3)b.i.1)]
3	<input type="checkbox"/>	Well Drawdown Information (if applicable) [34-941(d)(3)d.]
3	<input type="checkbox"/>	Preliminary Indigenous Restoration Plan (if applicable) [34-941(e)(5)f.iii.]
3	<input checked="" type="checkbox"/>	Environmental Assessment (if applicable) [34-941(g)(2)]
3	<input checked="" type="checkbox"/>	Demonstration of Compatibility (if applicable) [34-941(g)(4)]
3	<input checked="" type="checkbox"/>	Potable Water & Sanitary Sewer. Letter from the appropriate utility entity indicating the utility entity or explanation of how water and sewer needs will be met if connection will not be made. [34-202(b)(8)]
3	<input type="checkbox"/>	Existing Agricultural Use Affidavit (if applicable) [34-202(b)(7)]
3	<input type="checkbox"/>	Information Regarding Proposed Blasting (if applicable). [34-202(b)(6)]
3	<input type="checkbox"/>	Hazardous Materials Emergency Plan (if applicable) [34-202(b)(4)]
3	<input type="checkbox"/>	Mobile Home Park Dislocated Owners Information (if applicable) [34-203(d)]
3	<input type="checkbox"/>	Tall Structures Permit (if applicable) [34-1001]

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AFFIDAVIT OF AUTHORIZATION

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APPLICATION IS SIGNED BY INDIVIDUAL OWNER, APPLICANT, CORPORATION, LIMITED
LIABILITY COMPANY (L.L.C.), LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED
PARTNERSHIP, OR TRUSTEE

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I, Brian M. Intihar (name), as Authorized Agent (owner/title) of CLE FL RE Investment I, LLC
(company/property), swear or affirm under oath, that I am the owner or the authorized representative of the
owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I do hereby authorize the staff of Lee County Community Development, with notice to the landowner, to enter upon the property during normal working hours for the limited purpose of evaluating this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

*Notes:

- If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.
- If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."
- If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.
- If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.
- If the applicant is a trustee, then they must include their title of "trustee."
- In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.

Under penalties of perjury, I declare that I have read the foregoing Affidavit of Authorization and that the facts stated in it are true.

Signature

Date

*****NOTE: NOTARY PUBLIC IS NOT REQUIRED FOR ADMINISTRATIVE APPROVALS*****
ALL OTHER APPLICATION TYPES MUST BE NOTARIZED

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me on 11/26/18 (date) by Brian M. Intihar as Authorized Agent for CLE FL RE Investment I, LLC (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

STAMP/SEAL

Signature of Notary Public

Rita K. Albridge

Notary Public, State of Ohio
My Commission Expires July 21, 2021

ADDITIONAL AGENTS

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Company Name:	Pavese Law		
Contact Person:	Neale Montgomery, Esq.		
Address:	1833 Hendry Street		
City, State, Zip:	Fort Myers, FL 33901		
Phone Number:	239.336.6235	Email:	NealeMontgomery@Paveselaw.com

Company Name:			
Contact Person:			
Address:			
City, State, Zip:			
Phone Number:		Email:	

Company Name:			
Contact Person:			
Address:			
City, State, Zip:			
Phone Number:		Email:	

Company Name:			
Contact Person:			
Address:			
City, State, Zip:			
Phone Number:		Email:	

Company Name:			
Contact Person:			
Address:			
City, State, Zip:			
Phone Number:		Email:	

Company Name:			
Contact Person:			
Address:			
City, State, Zip:			
Phone Number:		Email:	

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DISCLOSURE OF INTEREST
AFFIDAVIT

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BEFORE ME this day appeared Brian M. Intihar as Authorized Agent for CLE FL RE Investment I, LLC, who, being first duly sworn and deposed says:

1. That I am the record owner, or a legal representative of the record owner, of the property that is located at 9401 Alico Road (STRAP Numbers 03-46-25-00-00001.1090 and 03-46-25-00-00001.1100) and is the subject of an Application for zoning action (hereinafter the "Property").

2. That I am familiar with the legal ownership of the Property and have full knowledge of the names of all individuals that have an ownership interest in the Property or a legal entity owning an interest in the Property.

[OPTIONAL PROVISION IF APPLICANT IS CONTRACT PURCHASER: In addition, I am familiar with the individuals that have an ownership interest in the legal entity that is under contract to purchase the Property.]

3. That, unless otherwise specified in paragraph 6 below, no Lee County Employee, County Commissioner, or Hearing Examiner has an Ownership Interest in the Property or any legal entity (Corporation, Company, Partnership, Limited Partnership, Trust, etc.) that has an Ownership Interest in the Property or that has contracted to purchase the Property.

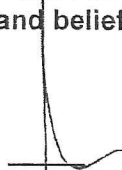
4. That the disclosure identified herein does not include any beneficial Ownership Interest that a Lee County Employee, County Commissioner, or Hearing Examiner may have in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, whose interest is for sale to the general public.

5. That, if the Ownership Interest in the Property changes and results in this affidavit no longer being accurate, the undersigned will file a supplemental Affidavit that identifies the name of any Lee County Employee, County Commissioner, or Hearing Examiner that subsequently acquires an interest in the Property.

6. Disclosure of Interest held by a Lee County Employee, County Commissioner, or Hearing Examiner.

Name and Address	Percentage of Ownership
N.A.	

Under penalty of perjury, I declare that I have read the foregoing and the facts alleged are true to the best of my knowledge and belief.


Property Owner

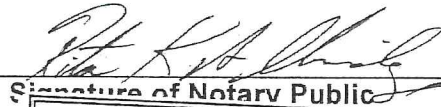
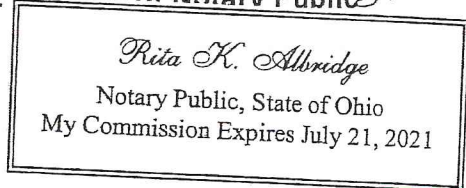
Brian M. Intihar as Authorized Agent for CLE FL RE
Investment I, LLC
Print Name

*****NOTE: NOTARY PUBLIC IS NOT REQUIRED FOR ADMINISTRATIVE APPROVALS*****
ALL OTHER APPLICATION TYPES MUST BE NOTARIZED

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me on 11/26/18 (date) by Brian M. Intihar as Authorized Agent for CLE FL RE Investment I, LLC (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

STAMP/SEAL


Signature of Notary Public


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First American

Commitment

Commitment for Title Insurance

ISSUED BY

First American Title Insurance Company

121 South 8th Street, Suite 1250

Minneapolis, MN 55402

Refer inquiries to:

5011612 - NCS-784297-MPLS

FIRST AMERICAN TITLE INSURANCE COMPANY, a Nebraska corporation (the "Company"), for a valuable consideration, commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest in the Land described or referred to in Schedule A, upon payment of the premiums and charges and compliance with the Requirements; all subject to the provisions of Schedules A and B and to the Conditions of this Commitment.

This Commitment shall be effective only when the identity of the proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A by the Company.

All liability and obligation under this Commitment shall cease and terminate six (6) months after the Effective Date or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue the policy or policies is not the fault of the Company.

The Company will provide a sample of the policy form upon request.

This Commitment shall not be valid or binding until countersigned by an authorized officer of the Company or an agent of the Company.

IN WITNESS WHEREOF, First American Title Insurance Company has caused its corporate name to be affixed by its duly authorized officers on the Effective Date shown in Schedule A.

First American Title Insurance Company

Dennis J. Gilmore
President

Jeffrey S. Robinson
Secretary

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(This Commitment is valid only when Schedules A and B are attached)

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CONDITIONS

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquired actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and Conditions and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. This Commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company whether or not based on negligence arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.
5. The policy to be issued will contain the following arbitration clause: Unless prohibited by applicable law, arbitration pursuant to the Title Insurance Arbitration Rules of the American Arbitration Association may be demanded if agreed to by both the Company and the Insured at the time of the controversy or claim. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Insured arising out of or relating to this policy, any service of the Company in connection with its issuance or the breach of a policy provision or other obligation. Arbitration pursuant to this policy and under the Rules in effect on the date the demand for arbitration is made or, at the option of the Insured, the Rules in effect at Date of Policy shall be binding upon the parties. The award may include attorneys' fees only if the laws of the state in which the land is located permit a court to award attorneys' fees to a prevailing party. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court having jurisdiction thereof.
The law of the situs of the land shall apply to an arbitration under the Title Insurance Arbitration Rules. A copy of the Rules may be obtained from the Company upon request.

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First American Title

ISSUED THROUGH THE OFFICE OF:

FIRST AMERICAN
TITLE INSURANCE
COMPANY

Corporate Office
1 First American Way
Santa Ana, CA 92707
(800) 854-3643



First American

Schedule A

Commitment for Title Insurance

ISSUED BY

First American Title Insurance Company

5011612 - NCS-784297-MPLS

Update and Revision: 08/07/2017

Schedule A: brought Effective Date forward; Schedule B-I: revised Tax Note;
Schedule B-II: revised Item 08.

Revision: 2/13/2018

Schedule A: revised legal description.

File No.: NCS-784297-MPLS / Customer Ref.: Alico and I-75

1. Effective Date: July 05, 2017 @ 8:00 A.M.

2. Policy or Policies to be issued: Proposed Amount of Insurance:

a. ALTA Owner's Policy of Title Insurance (6-17-06) (with Florida modifications) \$TBD

Proposed Insured: CLE FL RE INVESTMENT I, LLC, an Ohio limited liability company

b. ALTA Loan Policy of Title Insurance (6-17-06) (with Florida modifications) \$

Proposed Insured:

3. The estate or interest in the land described or referred to in this Commitment is Fee Simple.

4. Title to the Fee Simple estate or interest in the land is at the Effective Date vested in:

Alico Land, L.L.C., a Delaware limited liability company

5. The land referred to in this Commitment is described as follows:

See Exhibit "A" attached hereto and made a part hereof



**First American
Title Insurance Company**

NATIONAL COMMERCIAL SERVICES

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By: _____

as an Authorized Signatory of First American Title Insurance Company National Commercial Services
(This Schedule A valid only when Schedule BI & BII are attached)

2018-10022



First American

Exhibit A

Commitment for Title Insurance

ISSUED BY

First American Title Insurance Company

5011612 - NCS-784297-MPLS

File No.: NCS-784297-MPLS / Customer Ref.: Alico and I-75

The land referred to herein below is situated in the County of Lee, State of Florida, and is described as follows:

PARCEL 1:

DESCRIPTION OF A PARCEL OF LAND LYING IN SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA
(PHASE 18)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST AND BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE N. 01° 03' 27" W. ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER FOR 50.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF ALICO ROAD (100 FEET WIDE); THENCE N.89°23'05"E. ALONG SAID NORTH RIGHT-OF-WAY LINE FOR 122.95 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUE N.89°23'05"E. ALONG SAID NORTH RIGHT-OF-WAY FOR 710.95 FEET TO THE WEST RIGHT-OF-WAY LINE OF I-75 (INTERSTATE 75 - STATE ROAD NO. 93); THENCE N.00°38'02"W. ALONG SAID WEST RIGHT-OF-WAY LINE FOR 1353.32 FEET; THENCE N.04°48'48"E. ALONG SAID WEST RIGHT-OF-WAY LINE FOR 239.06 FEET; THENCE S.89°23'05"W. FOR 733.03 FEET; THENCE S.00°36'43"E. FOR 1591.31 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT:

(OR. 4272 PG. 1135)

F.P. NO. 2009661

SECTION 12075-000

PARCEL 101

THAT PORTION OF THE SOUTHEAST 1/4 OF SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA.

BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 3, ALSO BEING THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SECTION 10; THENCE ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 10, SOUTH 01°21'16" EAST A DISTANCE OF 18.86 FEET TO THE SURVEY BASE LINE OF ALICO ROAD; THENCE ALONG SAID SURVEY BASE LINE NORTH 89°17'23" EAST A DISTANCE OF 122.71 FEET; THENCE NORTH 00°38'30" WEST A DISTANCE OF 68.72 FEET TO THE NORTH EXISTING LIMITED ACCESS RIGHT OF WAY LINE OF SAID ALICO ROAD (PER SECTION 12075-2402) FOR A POINT OF BEGINNING; THENCE CONTINUE NORTH 00°38'30" WEST A DISTANCE OF 773.87 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 1,048.93 FEET; THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT A DISTANCE OF 206.75 FEET THROUGH A CENTRAL ANGLE OF 11°17'36" WITH A CHORD BEARING NORTH 27°30'50" EAST TO

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THE END OF SAID CURVE; THENCE NORTH 33°09'38" EAST A DISTANCE OF 550.05 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 1,668.95 FEET; THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT A DISTANCE OF 206.67 FEET THROUGH A CENTRAL ANGLE OF 07°05'42" WITH A CHORD BEARING NORTH 29°36'47" EAST TO THE END OF SAID CURVE; THENCE NORTH 89°21'19" EAST A DISTANCE OF 225.51 FEET TO THE WEST EXISTING LIMITED ACCESS RIGHT OF WAY LINE OF STATE ROAD 93 [(I-75) PER F.D.O.T. SECTION 12075-2402]; THENCE ALONG SAID WEST EXISTING LIMITED ACCESS RIGHT OF WAY LINE SOUTH 04°46'58" WEST A DISTANCE OF 239.14 FEET; THENCE CONTINUE ALONG SAID WEST EXISTING LIMITED ACCESS RIGHT OF WAY LINE SOUTH 00°38'39" EAST A DISTANCE OF 1,353.24 FEET TO SAID NORTH EXISTING LIMITED ACCESS RIGHT OF WAY LINE OF ALICO ROAD; THENCE ALONG SAID NORTH EXISTING LIMITED ACCESS RIGHT OF WAY LINE SOUTH 89°21'19" WEST A DISTANCE OF 710.44 FEET TO THE POINT OF BEGINNING.

PARCEL 2

DESCRIPTION OF A PARCEL OF LAND LYING IN SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY FLORIDA
(PHASE 1A)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST AND BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE N. 01° 03' 27" W. ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER FOR 50.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF ALICO ROAD (100 FEET WIDE) AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE N. 89° 23' 05" E. ALONG SAID NORTH RIGHT-OF-WAY LINE FOR 122.95 FEET; THENCE N. 00° 36' 43" W. FOR 1240.00 FEET; THENCE S. 89° 23' 15" W. FOR 1235.00 FEET; THENCE S. 00° 36' 43" E. FOR 1240.00 FEET TO SAID NORTH RIGHT-OF-WAY LINE; THENCE N. 89° 23' 17" E. ALONG SAID NORTH RIGHT-OF-WAY LINE FOR 1112.05 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT

(OR. 4164 PG. 547)

F.P. NO. 2009661

SECTION 12075-000

PARCEL 100

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THAT PORTION OF THE SOUTHWEST 1/4 OF SECTION 3 AND THAT PORTION OF THE SOUTHEAST 1/4 OF SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA.

BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 3, ALSO BEING THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SECTION 10; THENCE ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 10, SOUTH 01°21'16" EAST A DISTANCE OF 18.86 FEET TO THE SURVEY BASE LINE OF ALICO ROAD; THENCE ALONG SAID SURVEY BASE LINE NORTH 89°17'23" EAST A DISTANCE OF 122.71 FEET; THENCE NORTH 00°38'30" WEST A DISTANCE OF 68.72 FEET TO THE NORTH EXISTING LIMITED ACCESS RIGHT OF WAY LINE OF SAID ALICO ROAD (PER SECTION 12075-2402) FOR A POINT OF BEGINNING; THENCE ALONG SAID NORTH EXISTING LIMITED ACCESS RIGHT OF WAY LINE SOUTH 89°21'19" WEST A DISTANCE OF 122.95 FEET TO THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 3, ALSO BEING THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 3; THENCE CONTINUE ALONG SAID NORTH EXISTING LIMITED ACCESS RIGHT OF WAY LINE SOUTH 89°21'30" WEST A DISTANCE OF 1,037.17 FEET TO THE EAST EXISTING RIGHT OF WAY LINE OF FUTURE THREE OAKS PARKWAY (PER OFFICIAL RECORDS BOOK 3273, PAGE 3192, PUBLIC RECORDS OF LEE COUNTY, FLORIDA); THENCE ALONG SAID EAST EXISTING RIGHT OF WAY LINE

NORTH 00°38'30" WEST A DISTANCE OF 93.21 FEET; THENCE NORTH 88°59'50" EAST A DISTANCE OF 94.91 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 11,317.00 FEET; THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT A DISTANCE OF 375.24 FEET THROUGH A CENTRAL ANGLE OF 01°53'59" WITH A CHORD BEARING NORTH 88°02'51" EAST TO THE END OF SAID CURVE; THENCE SOUTH 89°41'58" EAST A DISTANCE OF 588.16 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 1,731.09 FEET; THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT A DISTANCE OF 565.81 FEET THROUGH A CENTRAL ANGLE OF 18°43'39" WITH A CHORD BEARING NORTH 05°30'09" EAST TO THE END OF SAID CURVE AND TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 1,048.93 FEET; THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT A DISTANCE OF 128.17 FEET THROUGH A CENTRAL ANGLE OF 07°00'03" WITH A CHORD BEARING NORTH 18°22'01" EAST TO END OF SAID CURVE; THENCE SOUTH 00°38'30" EAST A DISTANCE OF 773.87 FEET TO THE POINT OF BEGINNING.

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(OR. 3273 PG. 3192)

COMMUNITY DEVELOPMENT

DESCRIPTION OF A PARCEL OF LAND LYING IN SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST LEE COUNTY, FLORIDA
(ALICO DEVELOPMENT CORP.)

THE WESTERLY 75 FEET, AS MEASURED ON A PERPENDICULAR OF THE FOLLOWING DESCRIBED PARCEL OF LAND:

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST AND BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE N. 01° 03' 27" W. ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER FOR 50.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF ALICO ROAD (100 FEET WIDE) AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE N. 89° 23' 05" E. ALONG SAID NORTH RIGHT-OF-WAY LINE FOR 122.95 FEET; THENCE N. 00° 36' 43" W. FOR 1240.00 FEET; THENCE S. 89° 23' 15" W. FOR 1235.00 FEET; THENCE S. 00° 36' 43" E. FOR 1240.00 FEET TO SAID NORTH RIGHT-OF-WAY LINE; THENCE N. 89° 23' 17" E. ALONG SAID NORTH RIGHT-OF-WAY LINE FOR 1112.05 FEET TO THE POINT OF BEGINNING.

ALSO KNOWN AS:

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, BEING A PART OF THE PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 3136, PAGE 1614, LEE COUNTY PUBLIC RECORDS AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE N.01°03'27"W., ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 3, FOR 50.00 FEET TO THE NORTH RIGHT OF WAY LINE OF ALICO ROAD; THENCE S.89°23'15"W., ALONG SAID NORTH RIGHT OF WAY LINE, FOR 1037.05 FEET TO THE EAST LINE OF THREE OAKS PARKWAY (150 FEET WIDE), AS DESCRIBED IN OFFICIAL RECORDS BOOK 3273, PAGE 3192, SAID PUBLIC RECORDS; THENCE N.00°36'43"W., ALONG SAID EAST LINE, FOR 93.20 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.00°36'43"W., ALONG SAID EAST LINE, FOR 1146.79 FEET; THENCE N.89°23'15"E., FOR 1160.00 FEET; THENCE S.00°36'43"E., FOR 466.11, TO THE WESTERLY BOUNDARY OF FLORIDA DEPARTMENT OF TRANSPORTATION TAKING RECORDED IN OFFICIAL RECORDS BOOK 4164, PAGE 547, SAID LEE COUNTY PUBLIC RECORDS, SAID POINT ALSO BEING ON A CURVE TO THE LEFT, HAVING A RADIUS OF 1048.93 FEET, A CENTRAL ANGLE OF 07°00'06", A CHORD BEARING OF S.18°23'50"W. AND A CHORD LENGTH OF 128.10 FEET; THENCE ALONG SAID BOUNDARY AND THE ARC OF SAID CURVE, AN ARC LENGTH OF 128.18 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE LEFT, HAVING; A RADIUS OF 1731.09 FEET, A CENTRAL ANGLE OF 18°43'39", A CHORD BEARING OF S.05°31'56"W. AND A CHORD LENGTH OF 563.30 FEET; THENCE ALONG SAID BOUNDARY AND THE ARC OF SAID CURVE, AN ARC LENGTH OF 565.82 FEET TO THE END OF SAID CURVE; THENCE

N.89°40'11"W., ALONG SAID BOUNDARY, FOR 588.16 FEET TO A POINT ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 11317.00 FEET, A CENTRAL ANGLE OF 01°53'59", A CHORD BEARING OF S.88°04'38"W. AND A CHORD LENGTH OF 375.21 FEET; THENCE ALONG SAID BOUNDARY AND THE ARC OF SAID CURVE, AN ARC LENGTH OF 375.23 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S.89°01'37"W., ALONG SAID BOUNDARY, FOR 94.79 FEET TO THE POINT OF BEGINNING.

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First American

Schedule B-I

Commitment for Title Insurance

ISSUED BY

First American Title Insurance Company

5011612 - NCS-784297-MPLS

File No.: NCS-784297-MPLS / Customer Ref.: Alico and I-75

REQUIREMENTS

The following requirements must be met:

1. Pay and/or disburse the agreed amounts for the interest in the land and/or the mortgage to be insured.
2. Pay us the premiums, fees and charges for the policy.
3. Pay all taxes and/or assessments, levied and assessed against the land, which are due and payable.
4. The following documents, satisfactory to us, creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded:
 - (a) Warranty Deed conveying the land from Alico Land, L.L.C., a Delaware limited liability company to CLE FL RE INVESTMENT I, LLC, an Ohio limited liability company. In connection with said deed, we will further require:
 - 1) Production of a copy of the articles of organization and regulations, if adopted, with an affidavit affixed thereto that it is a true copy of the articles of organization and regulations, and all amendments thereto, and that the limited liability company has not been dissolved;
 - 2) That said deed shall be executed by all of the members, unless the articles of organization provides that the company shall be governed by managers; then said deed shall be executed by all of the managers, unless said articles of organization and regulations show no limitation on the authority of one member, or one manager, if applicable, to execute a conveyance;
 - 3) Should any member or manager, if applicable, be other than a natural person, we will require proof of good standing as well as documentation of authority of the person to execute documents on its behalf;
 - 4) Certificate of Organization from the Secretary of State, showing the limited liability company to have been formed as of the date of taking title, together with proof as to the current status of said limited liability company;
 - 5) Satisfactory evidence of compliance with all requirements regarding conveying company property contained in the articles of organization and regulations, if adopted; and
 - 6) The Company reserves the right to make such further requirements as it deems necessary after review of any of the documentation required above.
5. Evidence, satisfactory to the Company, furnished showing the legal existence of CLE FL RE INVESTMENT I, LLC, an Ohio limited liability company, under the laws of its domicile state.
6. Satisfactory evidence of payment of any municipal liens or assessments for public improvements or assessments, as provided for by Chapter 159, Florida Statutes, in favor of any city, town, village or port authority for unpaid service charges for service by any water, sewer or gas systems supplying the lands described herein. A municipal lien search will need to be ordered and will take 10 to 15 business days to complete. Suggested vendors are:

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5011612-10022

Abramowitz Tax & Lien Service, Inc.
816 South Military Trail
Deerfield Beach, FL 33442
phone: (954)480-6529

American Lien & Estoppel Services, LLC
6413 Congress Avenue, Ste 130
Boca Raton, FL 33487
phone: (561) 922-5305

7. Note: Items 1, 2, 3, 4, 5 and 6 of Schedule B, Section 2 of the Commitment, will be deleted from any policies issued pursuant thereto upon our review and acceptance of a survey acceptable to the Company, certified in accordance with Florida Statutes, or such other proof as may be acceptable to the Company, relating to any rights, interests or claims affecting the land which a correct survey would disclose, and an Affidavit of Possession and No Liens in accordance with Florida Statutes, and the Company's review of the potential exposure for construction liens. The Company reserves the right to include exceptions from coverage relating to matters disclosed by the survey or other proof, the Affidavit, or discovered in the Company's review of the potential exposure for construction liens, and to make such additional requirements as it may deem necessary.

8. Note: The Company reserves the right to make additional requirements as it may deem necessary.

Note: 2016 Taxes show **PAID** in the gross amount of \$2,642.15 for Tax Identification No. 03-46-25-00-00001.1090.

2016 Taxes show **PAID** in the gross amount of \$16,553.01 for Tax Identification No. 03-46-25-00-00001.1100.

FLORIDA RECORDING FEES:

Recording Fees: \$10.00 for the first page / \$8.50 each additional page
PLUS e-filing fee of \$4.00 per document
PLUS \$1.00 indexing fee for each name over 4

Deed Transfer Tax (called Documentary Stamp Tax): \$.70 per \$100 (rounded up to the nearest \$100)
for all FL counties EXCEPT Miami-Dade where the rate for all property except single family residences is \$10.50/\$1000 (rounded to the nearest \$100)

Mortgage Tax: Comprised of 2 taxes: Documentary Stamp Tax PLUS Intangible Tax
Documentary Stamp Tax: \$.35/\$100 (rounded up to the nearest \$100)
Intangible Tax: \$2.00/\$1000

In the case of taxes on Mortgage Modifications or Assumptions, please contact the assigned FL Underwriter.

FLORIDA RECORDING STANDARDS:

Margins - First Page: Leave 3" x 3" right hand top margin blank; place name and address of preparer and return-to address in left hand 3"; all other margins: 1"
Margins - Add'l Pages: 1"

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Paper Size: Either 8.5" x 11" or 8.5" x 14"

Tax Parcel No.: Must be present on the face of all deeds.

Signatures: Names must be legibly printed, typed or stamped immediately beneath the signatures.

Addresses: The post office address of Grantor and Grantee must be legibly printed, typed or stamped within the document.

Witnesses: Two (2) witnesses are required on all conveyances of an interest in land. The name of each witness must be legibly printed, typed or stamped beneath the signatures.

Preparer/Return-to: The name, title and address of the person who prepared the document must be legibly printed, typed or stamped after the words "This document prepared by:" Also include a return-to address on the first page.

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First American

Schedule B-II

Commitment for Title Insurance

ISSUED BY

First American Title Insurance Company

5011612 - NCS-784297-MPLS

File No.: NCS-784297-MPLS / Customer Ref.: Alico and I-75

EXCEPTIONS

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Any rights, interests, or claims of parties in possession of the land not shown by the public records.
3. Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the land.
4. Any lien, for services, labor, or materials in connection with improvements, repairs or renovations provided before, on, or after Date of Policy, not shown by the public records.
5. Any dispute as to the boundaries caused by a change in the location of any water body within or adjacent to the land prior to Date of Policy, and any adverse claim to all or part of the land that is, at Date of Policy, or was previously under water.
6. Taxes or special assessments not shown as liens in the public records or in the records of the local tax collecting authority, at Date of Policy.
7. This item has been intentionally deleted.
8. The lien of the taxes for the year 2017 and all subsequent years, which are not yet due and payable.
9. The terms, provisions and conditions contained in that certain Easement and Road Construction Agreement recorded in Book 2019, Page 1681.
10. The terms, provisions and conditions contained in that certain Easement and Road Construction Agreement recorded in Book 3136, Page 1619.
11. Notice of Temporary Median Opening recorded as Instrument No. 2007000339852.
12. Environmental Resource Permit Notice recorded as Instrument No. 2007000360401.
13. State of Florida Department of Transportation Project Resolution for State Highway Systems Projects recorded as Instrument No. 2008000012483.

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14. The terms, provisions and conditions contained in that certain Access Easement recorded in Instrument No. 2008000082083.
15. Rights of Cater-Pritchett Advertising, Inc, as Lessee, under unrecorded Lease Agreement dated October 4, 2002.
16. Rights of Ronnie C. Flint, as lessee
17. Terms and conditions of any existing unrecorded lease(s), and all rights of lessee(s) and any parties claiming through the lessee(s) under the lease(s).

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Note: All of the recording information contained herein refers to the Public Records of Lee County, Florida , unless otherwise indicated. Any reference herein to a Book and Page is a reference to the Official Record Books of said county, unless indicated to the contrary.

Notices - Where Sent

All notices required to be given the Company and any statement in writing required to be furnished the Company shall include the number of this policy and shall be addressed to the Company, Attention: Claims Department, 1 First American Way, Santa Ana, CA 92707.

Service, Quality and Availability

First American Title Insurance Company cares about its customers and their ability to obtain information and service on a convenient, timely and accurate basis. A qualified staff of service representatives is dedicated to serving you. A toll-free number is available for your convenience in obtaining information about coverage and to provide assistance in resolving complaints at 1-800-854-3643. Office hours are from 8:30 a.m. through 5:30 p.m. Monday through Friday.

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**First American
Title Insurance Company**

NATIONAL COMMERCIAL SERVICES

First American Title Insurance Company
121 South 8th Street, Suite 1250
Minneapolis, MN 55402
Phn - (612)305-2000
Fax - (612)305-2001

03/30/2016

Re: File # **NCS-784297-MPLS**

Property Address: **Interstate 75 and Alico Road, Ft Myers, FL**

YOU MAY BE ENTITLED TO A REDUCED PREMIUM FOR TITLE INSURANCE IF THIS OFFICE IS PROVIDED WITH A PRIOR OWNER'S POLICY INSURING THE SELLER OR MORTGAGOR IN THE CURRENT TRANSACTION.

An order has been placed with this company for a title insurance policy. The purpose of this letter is to provide you with important information regarding the title insurance premium that has been or will be charged in connection with this transaction.

Eligibility for a discounted title insurance premium will depend on :

REFINANCE TRANSACTIONS:

To qualify for a reduced premium for title insurance you must provide our office with a copy of your prior owner's policy of title insurance insuring your title to the above-referenced property.

SALES TRANSACTIONS:

To qualify for a reduced premium for title insurance you must provide our office with a copy of your (or your seller's) prior owner's policy of title insurance insuring your title to the above-referenced property. The effective date of the prior owner's policy must be less than three years old or the property insured by the policy must be unimproved (except roads, bridges, drainage facilities and utilities are not considered improvements for this purpose).

To qualify for the reduced rate, you or your representative may hand deliver, mail or fax a copy of the prior owner's policy of title insurance to the above address or fax number prior to closing, although we will accept the prior policy up to 5 working days after the closing date of your transaction.

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Privacy Information

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information - particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our subsidiaries we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information that you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its Fair Information Values.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's Fair Information Values. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

Information Obtained Through Our Web Site

First American Financial Corporation is sensitive to privacy issues on the Internet. We believe it is important you know how we treat the information about you we receive on the Internet.

In general, you can visit First American or its affiliates' Web sites on the World Wide Web without telling us who you are or revealing any information about yourself. Our Web servers collect the domain names, not the e-mail addresses, of visitors. This information is aggregated to measure the number of visits, average time spent on the site, pages viewed and similar information. First American uses this information to measure the use of our site and to develop ideas to improve the content of our site.

There are times, however, when we may need information from you, such as your name and email address. When information is needed, we will use our best efforts to let you know at the time of collection how we will use the personal information. Usually, the personal information we collect is used only by us to respond to your inquiry, process an order or allow you to access specific account/profile information. If you choose to share any personal information with us, we will only use it in accordance with the policies outlined above.

Business Relationships

First American Financial Corporation's site and its affiliates' sites may contain links to other Web sites. While we try to link only to sites that share our high standards and respect for privacy, we are not responsible for the content or the privacy practices employed by other sites.

Cookies

Some of First American's Web sites may make use of "cookie" technology to measure site activity and to customize information to your personal tastes. A cookie is an element of data that a Web site can send to your browser, which may then store the cookie on your hard drive.

FirstAm.com uses stored cookies. The goal of this technology is to better serve you when visiting our site, save you time when you are here and to provide you with a more meaningful and productive Web site experience.

Fair Information Values

Fairness We consider consumer expectations about their privacy in all our businesses. We only offer products and services that assure a favorable balance between consumer benefits and consumer privacy.

Public Record We believe that an open public record creates significant value for society, enhances consumer choice and creates consumer opportunity. We actively support an open public record and emphasize its importance and contribution to our economy.

Use We believe we should behave responsibly when we use information about a consumer in our business. We will obey the laws governing the collection, use and dissemination of data.

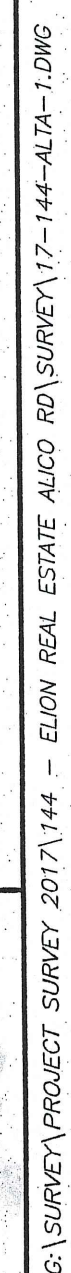
Accuracy We will take reasonable steps to help assure the accuracy of the data we collect, use and disseminate. Where possible, we will take reasonable steps to correct inaccurate information. When, as with the public record, we cannot correct inaccurate information, we will take all reasonable steps to assist consumers in identifying the source of the erroneous data so that the consumer can secure the required corrections.

Education We endeavor to educate the users of our products and services, our employees and others in our industry about the importance of consumer privacy. We will instruct our employees on our fair information values and on the responsible collection and use of data. We will encourage others in our industry to collect and use information in a responsible manner.

Security We will maintain appropriate facilities and systems to protect against unauthorized access to and corruption of the data we maintain.

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Date of Report: November 15, 2018

Buffer Distance: 750 feet

Parcels Affected: 20

Subject Parcels: 03-46-25-00-00001.1090, 03-46-25-00-00001.1100

Right-click the page to print this page or download the map and information by [clicking here](#).

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	MAP INDEX
YBFH REAL ESTATE LLC 15533 PINE RIDGE RD FORT MYERS FL 33908	03-46-25-00-00001.0000 9830 INTERSTATE COMMERCE DR FORT MYERS FL 33912	SEC 3 E OF I-75 DESC IN OR 3990 PG 3411 LESS ROW DESC IN OR 4355/2364 LESS INST #2008000156882	1
WEISS BRADLEY S TR 1840 WEST 49TH ST STE #410 HIALEAH FL 33012	03-46-25-00-00001.1000 ACCESS UNDETERMINED FORT MYERS FL	PARL W OF I-75 DESC IN OR 1754 PG 2803 LESS 1.101 THRU 1.1100 + RD R/W OR3273/3184	2
HOROWITZ SANDFORD I TR + 13891 JETPORT LOOP RD STE 9 FORT MYERS FL 33913	03-46-25-00-00001.1040 9151 ALICO RD FORT MYERS FL 33912	PARL IN SW 1/4 AS DESC OR 2025 PG 3772 LES R/W + 2909/2305 + RD R/W OR3273/3195	3
THREE OAKS LAND COMPANY LLC STOCK INVESTMENTS 1200 CENTENNIAL BLVD #400 HOBART WI 54155	03-46-25-00-00001.1080 16541 THREE OAKS PKWY FORT MYERS FL 33912	PARL W OF I-75 N OF ALICO DESC OR 3127 PG 2808 LES RD R/W OR3273/3187 + INST# 2008000104801	4
ALICO LAKES VILLAGE 1427 W SAGINAW ST STE 200 EAST LANSING MI 48823	03-46-25-01-0000E.00CE RIGHT OF WAY FORT MYERS FL 33913	ALICO LAKES VILLAGE AS DESC IN INST# 2008000077995 TRACT E	5
FREEMAN PAUL H TR 13691 PONDVIEW CIR NAPLES FL 34119	03-46-25-00-00001.1000 ACCESS UNDETERMINED FORT MYERS FL 33967	THAT PT N 1/2 SEC 10 LYING W OF I-75 LESS N 50 FT + R R/W LESS OR 3760/3452 LESS R/W OR 3975 PG 3124 + OR 4376/4012 + INST#2007-128717 LESS ROW OR 4695/3868 + LESS INST 2005-125244	6
REYES ABEL ORTIZ 9264 BEXLEY DR FORT MYERS FL 33967	10-46-25-L1-1100A.0270 9264 BEXLEY DR FORT MYERS FL 33967	WESTBROOK DESC IN INST#2017000170196 BLK A LOT 27	7

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PULTE HOME CORPORATION 24311 WALDEN CENTER DR STE 300 BONITA SPRINGS FL 34134	10-46-25-L1-1100A.0280 9274 BEXLEY DR FORT MYERS FL 33967	WESTBROOK DESC IN INST#2017000170196 BLK A LOT 28	8
WESTBROOK HOMEOWNERS ASSN INC 24311 WALDEN CENTER DR STE 300 BONITA SPRINGS FL 34134	10-46-25-L1-11003.00CE ACCESS UNDETERMINED FORT MYERS FL 33967	WESTBROOK DESC IN INST#2017000170196 TRACT O-3	9
WESTBROOK HOMEOWNERS ASSN INC 24311 WALDEN CENTER DR STE 300 BONITA SPRINGS FL 34134	10-46-25-L1-110R1.00CE RIGHT OF WAY FORT MYERS FL 33967	WESTBROOK DESC IN INST#2017000170196 TRACT R-1	10
PULTE HOME CORPORATION 24311 WALDEN CENTER DR STE 300 BONITA SPRINGS FL 34134	10-46-25-L1-1200A.0190 9184 BEXLEY DR FORT MYERS FL 33967	WESTBROOK PHASE 2 BLK A LOT 19 AS DESC IN INST# 2018-66313	11
PULTE HOME CORPORATION 24311 WALDEN CENTER DR STE 300 BONITA SPRINGS FL 34134	10-46-25-L1-1200A.0200 9194 BEXLEY DR FORT MYERS FL 33967	WESTBROOK PHASE 2 BLK A LOT 20 AS DESC IN INST# 2018-66313	12
PULTE HOME CORPORATION 24311 WALDEN CENTER DR STE 300 BONITA SPRINGS FL 34134	10-46-25-L1-1200A.0210 9204 BEXLEY DR FORT MYERS FL 33967	WESTBROOK PHASE 2 BLK A LOT 21 AS DESC IN INST# 2018-66313	13
PULTE HOME CORPORATION 24311 WALDEN CENTER DR STE 300 BONITA SPRINGS FL 34134	10-46-25-L1-1200A.0220 9214 BEXLEY DR FORT MYERS FL 33967	WESTBROOK PHASE 2 BLK A LOT 22 AS DESC IN INST# 2018-66313	14
PULTE HOME CORPORATION 24311 WALDEN CENTER DR STE 300 BONITA SPRINGS FL 34134	10-46-25-L1-1200A.0230 9224 BEXLEY DR FORT MYERS FL 33967	WESTBROOK PHASE 2 BLK A LOT 23 AS DESC IN INST# 2018-66313	15
HIGGINS JENNIFER S 9234 BEXLEY DR FORT MYERS FL 33967	10-46-25-L1-1200A.0240 9234 BEXLEY DR FORT MYERS FL 33967	WESTBROOK PHASE 2 BLK A LOT 24 AS DESC IN INST# 2018-66313	16
PULTE HOME CORPORATION 24311 WALDEN CENTER DR STE 300 BONITA SPRINGS FL 34134	10-46-25-L1-1200A.0250 9244 BEXLEY DR FORT MYERS FL 33967	WESTBROOK PHASE 2 BLK A LOT 25 AS DESC IN INST# 2018-66313	17
PULTE HOME CORPORATION 24311 WALDEN CENTER DR STE 300 BONITA SPRINGS FL 34134	10-46-25-L1-1200A.0260 9254 BEXLEY DR FORT MYERS FL 33967	WESTBROOK PHASE 2 BLK A LOT 26 AS DESC IN INST# 2018-66313	18
WESTBROOK HOMEOWNERS ASSOCIATI 24311 WALDEN CENTER DR SUITE 300 BONITA SPRINGS FL 34134	10-46-25-L1-1200L.00CE SUBMERGED FORT MYERS FL 33967	WESTBROOK PHASE 2 TRACT L AS DESC IN INST# 2018-66313	19
WESTBROOK HOMEOWNERS ASSOCIATI	10-46-25-L1-120R1.00CE	WESTBROOK PHASE 2	20

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24311 WALDEN CENTER DR SUITE 300
BONITA SPRINGS FL 34134

RIGHT OF WAY
FORT MYERS FL 33967

TRACT R-1
AS DESC IN INST# 2018-66313

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CLUB CENTER

APR 13 1972

100-443887-100

03-46-25-00-00001.1090
CLE FL RE INVESTMENT I LLC
1100 EUCLID AVE STE 300
CLEVELAND OH 44115

03-46-25-00-00001.1100
CLE FL RE INVESTMENT I LLC
1100 EUCLID AVE STE 300
CLEVELAND OH 44115

03-46-25-00-00001.0000
YBFH REAL ESTATE LLC
15533 PINE RIDGE RD
FORT MYERS FL 33908

03-46-25-00-00001.1000
WEISS BRADLEY S TR
1840 WEST 49TH ST STE #410
HIALEAH FL 33012

03-46-25-00-00001.1040
HOROWITZ SANDFORD I TR +
13891 JETPORT LOOP RD STE 9
FORT MYERS FL 33913

03-46-25-00-00001.1080
THREE OAKS LAND COMPANY LLC
STOCK INVESTMENTS
1200 CENTENNIAL BLVD #400
HOBART WI 54155

03-46-25-01-0000E.00CE
ALICO LAKES VILLAGE
1427 W SAGINAW ST STE 200
EAST LANSING MI 48823

10-46-25-00-00001.1000
FREEMAN PAUL H TR
13691 PONDVIEW CIR
NAPLES FL 34119

10-46-25-L1-1100A.0270
REYES ABEL ORTIZ
9264 BEXLEY DR
FORT MYERS FL 33967

10-46-25-L1-1100A.0280
PULTE HOME CORPORATION
24311 WALDEN CENTER DR STE 300
BONITA SPRINGS FL 34134

10-46-25-L1-11003.00CE
WESTBROOK HOMEOWNERS ASSN INC
24311 WALDEN CENTER DR STE 300
BONITA SPRINGS FL 34134

10-46-25-L1-110R1.00CE
WESTBROOK HOMEOWNERS ASSN INC
24311 WALDEN CENTER DR STE 300
BONITA SPRINGS FL 34134

10-46-25-L1-1200A.0190
PULTE HOME CORPORATION
24311 WALDEN CENTER DR STE 300
BONITA SPRINGS FL 34134

10-46-25-L1-1200A.0200
PULTE HOME CORPORATION
24311 WALDEN CENTER DR STE 300
BONITA SPRINGS FL 34134

10-46-25-L1-1200A.0210
PULTE HOME CORPORATION
24311 WALDEN CENTER DR STE 300
BONITA SPRINGS FL 34134

10-46-25-L1-1200A.0220
PULTE HOME CORPORATION
24311 WALDEN CENTER DR STE 300
BONITA SPRINGS FL 34134

10-46-25-L1-1200A.0230
PULTE HOME CORPORATION
24311 WALDEN CENTER DR STE 300
BONITA SPRINGS FL 34134

10-46-25-L1-1200A.0240
HIGGINS JENNIFER S
9234 BEXLEY DR
FORT MYERS FL 33967

10-46-25-L1-1200A.0250
PULTE HOME CORPORATION
24311 WALDEN CENTER DR STE 300
BONITA SPRINGS FL 34134

10-46-25-L1-1200A.0260
PULTE HOME CORPORATION
24311 WALDEN CENTER DR STE 300
BONITA SPRINGS FL 34134

10-46-25-L1-1200L.00CE
WESTBROOK HOMEOWNERS ASSOCIATI
24311 WALDEN CENTER DR
SUITE 300
BONITA SPRINGS FL 34134

10-46-25-L1-120R1.00CE
WESTBROOK HOMEOWNERS ASSOCIATI
24311 WALDEN CENTER DR
SUITE 300
BONITA SPRINGS FL 34134

03-46-25-00-00001.1090
 CLE FL RE INVESTMENT I LLC
 1100 EUCLID AVE STE 300
 CLEVELAND OH 44115

03-46-25-00-00001.1100
 CLE FL RE INVESTMENT I LLC
 1100 EUCLID AVE STE 300
 CLEVELAND OH 44115

03-46-25-00-00001.0000
 YBFH REAL ESTATE LLC
 15533 PINE RIDGE RD
 FORT MYERS FL 33908

03-46-25-00-00001.1000
 WEISS BRADLEY S TR
 1840 WEST 49TH ST STE #410
 HIALEAH FL 33012

03-46-25-00-00001.1040
 HOROWITZ SANDFORD I TR +
 13891 JETPORT LOOP RD STE 9
 FORT MYERS FL 33913

03-46-25-00-00001.1080
 THREE OAKS LAND COMPANY LLC
 STOCK INVESTMENTS
 1200 CENTENNIAL BLVD #400
 HOBART WI 54155

03-46-25-01-0000E.00CE
 ALICO LAKES VILLAGE
 1427 W SAGINAW ST STE 200
 EAST LANSING MI 48823

10-46-25-00-00001.1000
 FREEMAN PAUL H TR
 13691 PONDVIEW CIR
 NAPLES FL 34119

10-46-25-L1-1100A.0270
 REYES ABEL ORTIZ
 9264 BEXLEY DR
 FORT MYERS FL 33967

10-46-25-L1-1100A.0280
 PULTE HOME CORPORATION
 24311 WALDEN CENTER DR STE 300
 BONITA SPRINGS FL 34134

10-46-25-L1-11003.00CE
 WESTBROOK HOMEOWNERS ASSN INC
 24311 WALDEN CENTER DR STE 300
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10-46-25-L1-110R1.00CE
 WESTBROOK HOMEOWNERS ASSN INC
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RESOLUTION NUMBER Z-05-019

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

WHEREAS, an application was filed by the property owner, Alico Development Corporation, to rezone 4.69 acres from the Agricultural (AG-2) zoning district to the Commercial Planned Development (CPD) zoning district, in reference to Vintage Commerce Center CPD; and,

WHEREAS, a public hearing was advertised and held on February 24, 2004, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2004-00065; and

WHEREAS, a second public hearing was advertised and held on May 2, 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 4.69 acres from AG-2 to CPD and amend Resolution Z-99-097 to add the 4.69 acres to the Commercial Planned Development and increase the commercial square footage from 200,000 square feet to 300,000 square feet. The property is located in the Industrial Commercial Interchange Land Use Category and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

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

1. The development of this project must be consistent with the one-page Master Concept Plan (MCP) entitled "VINTAGE COMMERCE CENTER CPD" stamped received MAY 17 2005, except as modified by the conditions below. This development must comply with all requirements of the Lee County LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.
2. The terms and conditions of the original Resolution Z-99-097 have been incorporated into this zoning action. Upon approval of this zoning action, Resolution Z-99-097 will become null and void.

COPY

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

a. Schedule of Uses For Tracts A and B

Agricultural Uses (See Condition 4, below)
ATM
Auto Parts Store with or without installation service
Automobile Service Station
Auto Repair and Service, Groups I & II
Banks and Financial Establishments, Groups I & II
Bar or Cocktail Lounge
Boat Sales
Business Services, Groups I & II
Clothing Store, General
Contractor and Builders, Group I
Drive Through Facility for Any Permitted Use
Drugstore
Entrance Gates and Gatehouses
Essential Services
Essential Service Facilities, Group I
Excavation, Water Retention
Health Care Facility, Group III
Hobby, Toy and Game Shops
Household and Office Furnishings, Groups I & II
Insurance Companies
Laundromat
Laundry or Dry Cleaning, Group I
Lawn and Garden Supply Store
Medical Office
Non-Store Retailers, All Groups
Package Store
Paint, Glass and Wallpaper
Parking Lot, Accessory and Temporary
Personal Services, Groups I through III
Pet Services
Pet Shop
Pharmacy
Printing and Publishing
Rental or Leasing Establishments, Group II
Repair Shops, Groups I & II
Restaurants, Groups I through IV
Social Services, Group I
Specialty Retail, Groups I through IV
Studios
Temporary Uses
Used Merchandise Store, Group I

b. Schedule of Uses - Additional Uses Only Permitted On Tract A

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Building Material Sales
Department Store
Hardware Store
Supermarket

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c. Schedule of Uses - Additional Uses Only Permitted On Tract B

Car Wash

Convenience Food and Beverage Store, limited to one (1), having a maximum of 16 fuel pumps (Also, see Condition 7 below)

Restaurants, Fast Food

d. Site Development Regulations

- (1) The project may be developed with a maximum of 300,000 square feet of floor area. This can be comprised of all retail, or up to 30,000 square feet of office use--of which up to 15,000 square feet may be medical office use and the remainder retail floor area; and
- (2) This approval does not alleviate the need to comply with all federal, state and county development regulations for life safety and fire codes, open space, buffering and parking spaces, except as specifically modified by this approval. No deviations from any regulations that are not specifically stated are granted as part of this approval.
- (3) Any use that is specifically addressed in the LDC with special buffering, separation or other requirements must adhere to those requirements. No relief has been granted as part of this approval to allow a lessening of those requirements.

- (4) The property development limitations are:

Minimum Area Dimensions:

Lot Size	20,000 square feet
Lot Depth	100 feet
Lot Width	100 feet

Minimum Building Setbacks:

Street Internal or External	25 feet
Side	15 feet
Rear	20 feet

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Waterbody 25 feet
Maximum Building Height: 45 feet/three stories
Maximum Lot Coverage: 45 percent
Minimum Open Space: A minimum of 10.18 acres of general open space must be provided within the overall development site. Each development tract may contain a minimum of 20 percent open space per LDC §34-414(c) provided the developer demonstrates the overall open space requirement will be met with each local development order submittal.

Note: Tract A and B can be further subdivided using the Administrative Review Process consistent with the Property Development Regulations set forth in Condition A.3.d.(4).

4. Bona fide agricultural uses that are now in existence may continue until the first development order approval is granted. However, no development activity of any kind may occur on the property, including clearing of vegetation or cutting of trees, unless such activity is reviewed and approved in accordance with all applicable Lee County regulations as if no agricultural use existed on the property. The purpose of this condition is to eliminate any exemption or other special considerations or procedures that might otherwise be available under Lee County regulations by virtue of the existing agricultural uses on the property.
5. Buildings exceeding 35 feet in height must maintain additional building separation or additional building setbacks as regulated by LDC §34-2174(a) and LDC §34-935(e)4. However, maximum building height in this project is limited to 45 feet.
6. Environmental Conditions
 - a. Prior to approval of any local development order, the development order must delineate a minimum of 10.18 acres of Open Space for the project. Each parcel must indicate that a minimum of 20 percent of the individual parcel will be designated as Open Space. An open space table must be provided with the development orders for each parcel demonstrating that open space requirements for the entire CPD are being met.
 - b. Prior to approval of local development order, the development order must indicate a minimum of 5.1 acres of indigenous preservation, in significant compliance with the Master Concept Plan. The development order must also indicate the reforestation conditions set forth in the "Upland Indigenous Habitat Preserve Management

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Plan" dated October 2004 and revised November 2004, attached hereto as Attachment D.

- c. No portion of the 25-foot-wide drainage berm referenced on the MCP can be located within the boundaries of the northeast preservation area.
 - d. As indicated on the MCP, enhanced buffers are provided adjacent to Alico Road and Three Oaks Parkway. These buffers must be a minimum of 20 feet in width, include a 3-foot landscape berm, and contain, at a minimum, a double staggered hedgerow and five (5) canopy trees or seven (7) palm trees per 100 linear feet. All required vegetation within these buffers must be 100 percent native species and must meet all LDC plant material standards.
7. The roadway (Alico Road and/or Three Oaks Parkway) landscape standards for a convenience food and beverage store, with fuel pumps, will be a 25-foot-wide buffer, 3-foot-high berm, with three (3) tree clusters at 20 feet on center with a maximum of 25 feet between clusters; all trees will be planted at 14 feet tall with a 3-foot planted shrub hedge to be maintained at four (4) feet tall.
 8. Since the subject property is located in Noise Zone 3, the developer is encouraged to use sound insulating materials in the construction of the structures.
 9. No development blasting is permitted as part of this project.
 10. 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.
 11. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b).
 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 rezoning action or subsequent amendment approvals.

SECTION C. DEVIATIONS:

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1. Deviation (1) seeks relief from the LDC §10-329(d)(1)a.3 requirement to provide a 50-foot-wide setback from road rights-of-way and private property lines for water retention excavation, to allow a 25-foot-wide setback. This deviation is APPROVED with the following condition:

The developer must provide adequate protection for wayward vehicles along Alico Road and the east property line of the subject

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Z-05-019
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property. The elements of protection will be reviewed during the development order process and are subject to the approval of the Director of Development Services. Similarly, the setback along the eastern property line is approved with the condition the lake is adequately buffered from the adjoining property line with berms and/or landscaping to deter unauthorized access. These elements can also be reviewed during the development order process and subject to the approval of the Director.

2. Deviation (2) - WITHDRAWN AT PUBLIC HEARING
3. Deviation (3) seeks relief from the LDC §10-285(a) requirement to provide a 660-foot connection separation onto the future extension of Three Oaks Parkway, to allow access approximately 660 feet and 1,311 feet as measured from the centerline of Alico Road. This deviation is APPROVED with the following conditions:
 - a. The connection approximately 660 feet north of Alico Road is approved.
 - b. There will be no driveway connections on the internal east-west accessways between Three Oaks Parkway and the parallel internal frontage road. Parcels will only have driveway connections to the parallel internal frontage roadway.
 - c. A connection to Three Oaks Parkway will be shared with the property to the north, and a cross-access easement on the internal frontage roadway will be provided. The northern connection may be shifted administratively up to 200 feet based on LCDOT review of consistency with the median access management plan for Three Oaks Parkway.
4. Deviation (4) - WITHDRAWN AT PUBLIC HEARING
5. Deviation (5) seeks relief from the LDC §30-153(2)a.4. requirement that on-site identification signs be set back a minimum of 15 feet from any street right-of-way or easement, and 10 feet from any other property line, to allow project identification signs in a median within the project's internal road right-of-way. This deviation is APPROVED with the condition that the identification signs are placed and constructed in accordance with LDC §30-93, visibility triangle safe sight distance requirements.
6. Deviation (6) seeks relief from the LDC §10-296(k)(1), which requires dead-end streets to be closed at one end by a circular turnaround for vehicles, to allow the dead-end accessway as shown on the Master Concept Plan to be constructed without a cul-de-sac. This deviation is APPROVED with the following conditions:

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- a. Vehicles and emergency vehicles must be able to turn left and/or right into a parking lot and continue in a forward motion to the site exits.
- b. Prior to local development order approval, the developer must submit a letter to Development Services from the local fire authority approving this condition.

SECTION D. EXHIBITS AND STRAP NUMBER:

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

- Exhibit A: Legal description of the property
Exhibit B: Zoning Map (with the subject parcel indicated)
Exhibit C: The Master Concept Plan
Exhibit D: Upland Indigenous Habitat Preserve Management Plan

The applicant has indicated that the STRAP numbers for the subject property are:
03-46-25-00-00001.1100 and 03-46-25-00-00001.1090

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

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- 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 Albion, seconded by Commissioner Hall and, upon being put to a vote, the result was as follows:

Robert P. Janes	<u>AYE</u>
Douglas R. St. Cerny	<u>AYE</u>
Ray Judah	<u>NAY</u>
Tammy Hall	<u>AYE</u>
John E. Albion	<u>AYE</u>

DULY PASSED AND ADOPTED this 2nd day of May, 2005.

ATTEST:
CHARLIE GREEN, CLERK

BY:


Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY:


Chairman

Approved as to form by:


County Attorney's Office



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MINUTES OFFICE

2005 JUN 16 PM 1:21

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ CHARLOTTE ♦ NAPLES ♦ SARASOTA

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DESCRIPTION OF A PARCEL LYING IN SECTION 3, T-46-S, R-25-E, LEE COUNTY, FLORIDA.

COMMUNITY DEVELOPMENT

(ALICO DEVELOPMENT - SOUTH PARCEL COMBINED WITH FLECK PARCEL)

DCI 2018-10022

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, BEING A PART OF THE PARCELS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3136, PAGE 1614, AND OFFICIAL RECORDS BOOK 3136, PAGE 1644, LEE COUNTY PUBLIC RECORDS AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE N.01°03'27"W., ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 3, FOR 50.00 FEET TO THE NORTH RIGHT OF WAY LINE OF ALICO ROAD; THENCE N.89°23'05"E., FOR 122.95 FEET; THENCE N.00°36'43"W., FOR 773.89 FEET TO THE POINT OF BEGINNING ON THE WESTERLY LINE OF THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 4272, PAGE 1135, SAID PUBLIC RECORDS, BEING A CURVE TO THE RIGHT, HAVING: A RADIUS OF 1048.93 FEET, A CENTRAL ANGLE OF 11°18'37", A CHORD BEARING OF N.27°33'11"E. AND A CHORD LENGTH OF 206.72 FEET; THENCE ALONG SAID WESTERLY LINE AND THE ARC OF SAID CURVE, AN ARC LENGTH OF 207.06 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N.33°12'30"E., ALONG SAID WESTERLY LINE, FOR 548.70 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 1668.95 FEET, A CENTRAL ANGLE OF 07°07'58", A CHORD BEARING OF N.29°38'31"E. AND A CHORD LENGTH OF 207.63 FEET; THENCE ALONG SAID WESTERLY LINE AND THE ARC OF SAID CURVE, AN ARC LENGTH OF 207.77 FEET TO THE END OF SAID CURVE; THENCE S.89°23'05"W., FOR 507.59 FEET; THENCE S.00°36'43"E., FOR 351.31 FEET; THENCE S.89°23'15"W., FOR 1160.00 FEET; THENCE S.00°36'43"E., ALONG THE EAST RIGHT OF WAY LINE OF THREE OAKS PARKWAY, OFFICIAL RECORDS BOOK 3273, PAGE 3192, SAID PUBLIC RECORDS, FOR 1146.79 FEET; THENCE N.89°01'37"E., ALONG THE NORTHERLY LINE OF THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 4164, PAGE 547, SAID PUBLIC RECORDS, FOR 94.79 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 11317.00 FEET, A CENTRAL ANGLE OF 01°53'59", A CHORD BEARING OF N.88°04'38"E. AND A CHORD LENGTH OF 375.21 FEET; THENCE ALONG SAID NORTHERLY LINE AND THE ARC OF SAID CURVE, AN ARC LENGTH OF 375.23 FEET TO THE END OF SAID CURVE; THENCE S.89°40'11"E., ALONG SAID NORTHERLY LINE, FOR 588.16 FEET TO A POINT ON A CURVE TO THE RIGHT, HAVING: A RADIUS OF 1731.09 FEET, A CENTRAL ANGLE OF 18°43'39", A CHORD BEARING OF N.05°31'56"E. AND A CHORD LENGTH OF 563.30 FEET; THENCE ALONG THE WESTERLY LINE OF SAID RIGHT OF WAY PARCEL AND THE ARC OF SAID CURVE, AN ARC LENGTH OF 565.82 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 1048.93 FEET, A CENTRAL ANGLE OF 07°00'06", A CHORD BEARING OF N.18°23'50"E. AND A CHORD LENGTH OF 128.10 FEET; THENCE ALONG SAID WESTERLY LINE AND THE ARC OF SAID CURVE, AN ARC LENGTH OF 128.18 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 1479057 SQUARE FEET OR 33.95 ACRES, MORE OR LESS.

BEARINGS ARE ASSUMED BASED THE SOUTH LINE SOUTHWEST 1/4 AS BEARING S.89°23'17"W.

BANKS ENGINEERING, INC.
FLORIDA LICENSED BUSINESS NO. LB6690

OCTOBER 29, 2004

KENNETH E. TRASK
PROFESSIONAL LAND SURVEYOR
FLORIDA LICENSE NO. LE4684

Applicant's Legal Checked
by ES NOV 12, 2004.

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ZONING

NOV 29 2018

Applicant's Survey Checked

By GD NOV 12, 2004

A PARCEL OF LAND LYING IN
SECTION 2, TOWNSHIP 48 SOUTH, RANGE 28 WEST,
LEE COUNTY, FLORIDA

1. **ALL THE FOLLOWING**
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PRICE 6455 LANG COMPANY, INC.
R.R. 2071
P.O. 2534

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 PART OF
 G.S. 3739
 PG 1544
 POWER SOURCE TEST
 425 ACCT

VACANT

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P2 2019
127-404 JOURNAL PWT
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PERMIT COUNTER

[illegible]

Hunka Engineering, Inc.
 10000 15th Avenue, N.E., Seattle, Wash. 98105
 Phone: 276-1111

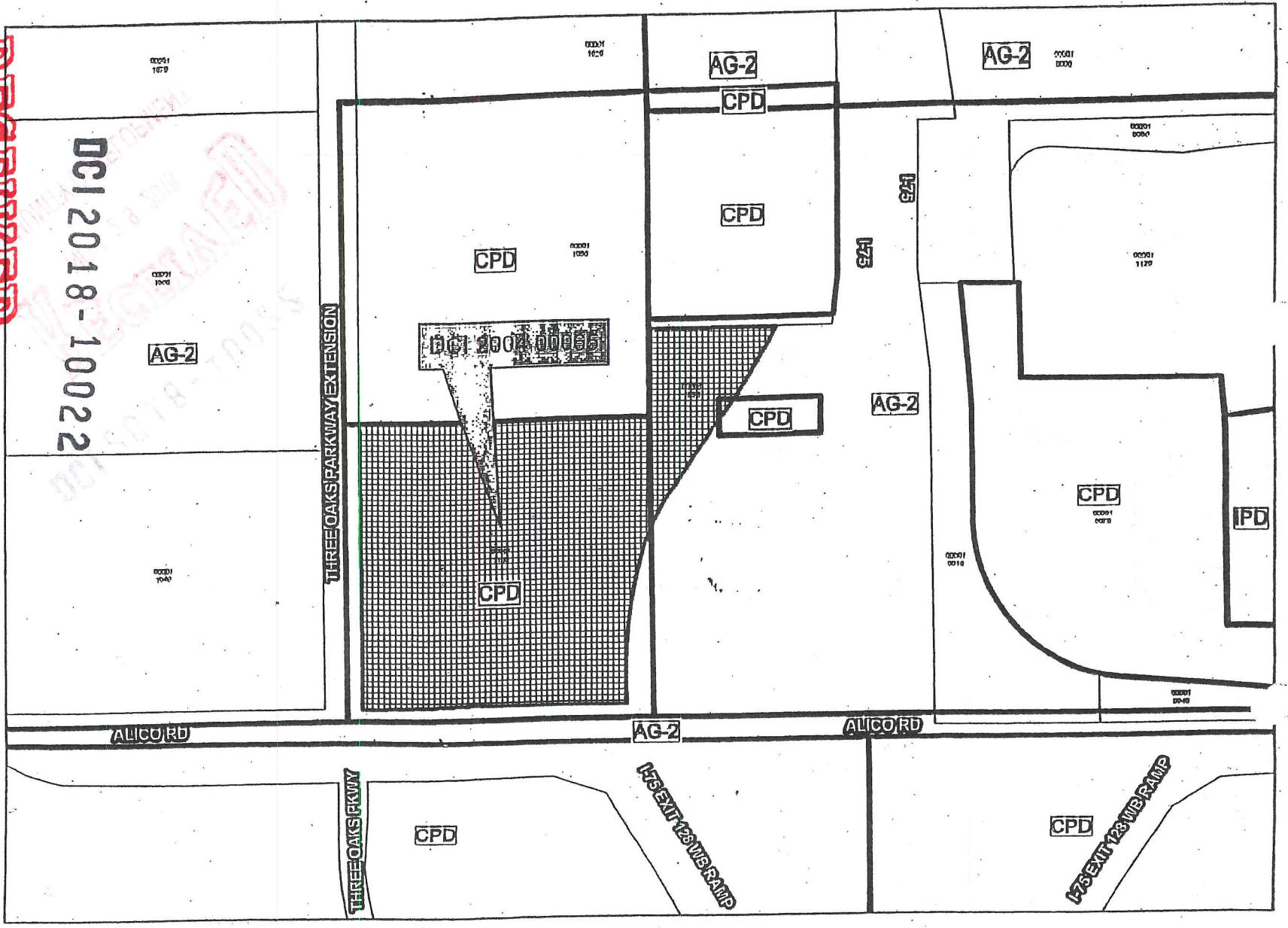
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EXHIBIT B



OPEN SPACE CALCULATIONS

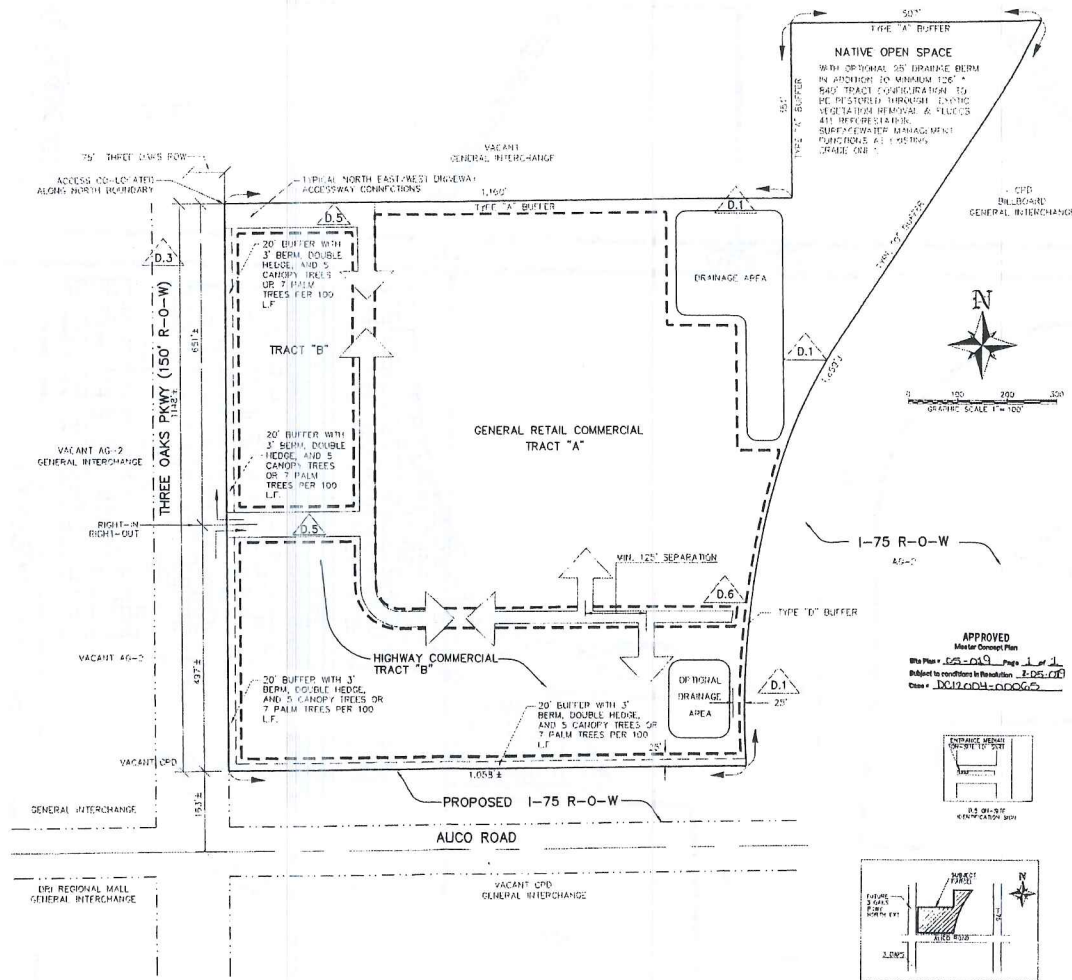
GENERAL PROJECT OPEN SPACE CALCULATIONS
 TOTAL OPEN SPACE REQUIRED: 100 AC.
 TOTAL NATURAL OPEN SPACE: 100 AC.
 NATURAL OPEN SPACE PROVIDED: 100 AC.
 NATURAL OPEN SPACE DEFICIT: 0 AC.
 TOTAL OPEN SPACE PROVIDED: 100 AC.
 TOTAL OPEN SPACE DEFICIT: 0 AC.
 TOTAL OPEN SPACE PROVIDED: 100 AC.
 TOTAL OPEN SPACE DEFICIT: 0 AC.

PROJECT NOTES AND GENERAL CONDITIONS

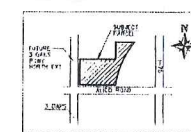
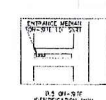
1. THIS PLAN SHALL BE CONSIDERED AS A PRELIMINARY DESIGN AND THE ENGINEER MAKES NO WARRANTY FOR ANY PART OF THE DESIGN. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS.

SCHEDULE OF DEVIATIONS

0.1
 0.2
 0.3
 0.4
 0.5
 0.6



APPROVED
 Master Control Plan
 Site Plan: 2018-0065 Page 1 of 1
 Subject to conditions in Resolution 2018-0065
 Case: 2018-0065



DATE: 05/10/18
 SCALE: 1" = 100'
 REVISION: 05/10/18
 JOB NO.: 04.001
 SHEET: 01

STAFF AND ASSOCIATES
 PLANNING & DESIGN
 1000 N. 10TH AVE., SUITE 100
 DENVER, CO 80202
 PHONE: (303) 733-7777 FAX: 303-733-7778

DESIGNED BY:
 Banks Engineering, Inc.
 Professional Engineers, Planners & Land Surveyors
 1001 N. 10TH AVE., SUITE 100
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 PHONE: (303) 733-7777 FAX: 303-733-7778

VINTAGE COMMERCE CENTER CPD
 PREPARED FOR:
 ALICO DEVELOPMENT CORPORATION

EXHIBIT C

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 OCT 2018 00065

**UPLAND INDIGENOUS HABITAT
PRESERVE MANAGEMENT PLAN**

**October 2004
Revised: November 2004**

Prepared for:

ALICO DEVELOPMENT CPD DCI 2018-10022

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Prepared By:

**W. Dexter Bender & Associates, Inc.
2052 Virginia Avenue
Fort Myers , FL 33901**

EXHIBIT D

INTRODUCTION

An Upland Indigenous Habitat Management Plan has been prepared for the Alico Development CPD in order to maintain the preserved native vegetation, which consists primarily of indigenous slash pine (*Pinus elliotti*) and saw palmetto (*Serenoa repens*) uplands. The Management Plan details management techniques including a maintenance program as approved by the Lee County Division of Environmental Sciences for all of the upland indigenous areas at the Alico Development CPD. The preserve area currently consists of pine and palmetto flatwoods which have been infested with Brazilian pepper (*Schinus terebinthifolius*) and melaleuca (*Melaleuca quinquenervia*).

Preserve Area Maintenance

- * No herbicide will be applied within the preserve areas except for the eradication of nuisance or exotic vegetation. This includes the eradication of non native turf grasses growing within the upland preserve areas.
- * No non-native vegetation may be planted within the upland indigenous areas.
- * Non-native vegetation that currently exists within the upland indigenous areas including Brazilian pepper and melaleuca as well as other exotic vegetation will be eradicated using best management practices.
- * Clearing or grubbing around the palmettos within the upland indigenous preserve areas is prohibited.

Native Grass, Shrub, and Tree Replanting

Bare areas within the upland preserve areas which have resulted from the removal of native vegetation will be replanted with native grasses including muhly grass and wiregrass and will be installed 1' on center with 12" or taller plants.

Native shrubs such as beauty berry, rusty lyonia and tar flower may also be installed. Shrub plantings will be 1 gallon or larger size and planted 3' on center.

In order to provide a more dense vegetative buffer along the highway/preserve area interface, laurel oaks (*Quercus laurifolia*) [6' or taller] and spaced 10' o.c. will be installed along the perimeter of the preserve area where it abuts to the highway. Wax myrtle (*Myrica cerifera*), 3 gallon size or larger, will be interspersed between the laurel oaks in clumps of 2 or 3, as needed.

Planted grasses, shrubs, and trees will be irrigated until the onset of the rainy season.

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Vintage Commerce Center CPD/RPD

Request Statement

Request Statement: Provide a single narrative explaining the nature of the request and how the property qualifies for the rezoning to a planned development. This narrative should include how the proposed development complies with the Lee Plan, the Land Development Code, and the applicable findings/review criteria set forth in LDC section 34-145(d)(4). This narrative may be utilized by the Board of County Commissioners, Hearing Examiner and staff in establishing a factual basis for the granting or denial of the rezoning. [34-373(a)(5)]

This PD amendment proposes to modify the Master Concept Plan and the Schedule of Uses in order to increase the allowable commercial and office square footage, add hotel/motel uses, and additional commercial uses, and add an option, which includes multi-family residential uses. A companion Lee Plan Amendment has been filed to change the Future Land Use (FLU) Category to General Interchange, which permits the proposed multi-family uses. Bonus densities have been requested in order to achieve a density above the 14 du/ac permitted in the General Interchange FLU Category.

The site is well suited for multi-family residential uses and for a variety of commercial land uses. Access to the site is via a signalized intersection at Three Oaks Parkway and Alico Road. The site provides good access to the arterial and interstate roadways, and is conveniently located within an area offering employment, education and entertainment.

LDC section 34-145(d)(4)

(4) Findings/review criteria.

a. Before recommending approval for:

1. Rezonings. The Hearing Examiner must find the request:

a) Complies with the Lee Plan;

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The project as proposed does comply with the companion Future Land Use Map amendment, which proposes to re-designate the property from Industrial Commercial Interchange to the General Interchange FLU Category. The principal difference between the two interchange categories is that the General Interchange FLU Category permits multi-family residential uses in addition to a wide variety of commercial land uses. The proposed CPD includes residential uses that may exceed 14 du/ac through the use of the Pine Island Bonus Density provisions, as provided for in the Chapter 2 of the LDC and the General Interchange FLU Category.





Vintage Commerce Center CPD/RPD

Request Statement

- b) Meets this Code and other applicable County regulations or qualifies for deviations;

The proposed uses are consistent with the Use Activity Groups identified in the LDC. Deviations have been requested for the CPD, consistent with the requirements in Chapter 34 of the LDC. CPD's permit residential dwellings provided a minimum of 50,000 square feet of commercial uses are developed.

- c) Is compatible with existing and planned uses in the surrounding area;

The property is zoned CPD and most of the uses were previously determined to be compatible with existing and planned surrounding uses. Additional commercial uses including hotel/motel and convention uses are consistent with uses often found at an I-75 interchange. Likewise, multi-family residential uses as proposed are compatible with surrounding land uses. There are multiple examples in Lee County where multi-family residential uses have been developed, and are compatible with nearby commercial and residential land uses. The CPD provides buffering consistent with that required for residential and commercial developments. The CPD provides for enhanced buffers adjacent to Alico and Three Oaks Parkway. The site is not within an airport noise contour, which prohibits residential dwellings.

- d) Will provide access sufficient to support the proposed development intensity;

Principal access to the CPD is from Three Oaks Parkway, which is signalized at Alico Road. An ingress only access is proposed on Alico Road and is subject to FDOT approval.

- e) The expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval;

A professional Traffic Analysis has been prepared in support of the CPD and concludes that adequate capacity exists on the surrounding network to support the proposed uses.

- f) Will not adversely affect environmentally critical or sensitive areas and natural resources; and

There is some indigenous vegetation existing on-site; however, it is not environmentally critical or sensitive. There are no listed species inhabiting the site.

- g) Will be served by urban services, defined in the Lee Plan, if located in a Future Urban area category.



Request Statement

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Urban services exist proximate to the site. Letters of availability have been submitted to various service providers. There are no known deficiencies in urban services including water, sewer, schools, etc.

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2. *Planned Development Rezoning*s. The Hearing Examiner must also find:

- a) The proposed use or mix of uses is appropriate at the proposed location;

The CPD includes a variety of general commercial, office, medical office, hotel/motel and high density residential uses. The uses proposed are consistent with the companion FLU Map amendment, which provides for a mix of commercial and residential land uses. The proposed mix of uses is consistent with development that has occurred at other I-75 interchanges in Lee County. The MCP identifies the two tracts where multi-family residential uses would be permitted.

- b) The recommended conditions provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development.

The conditions of approval provide sufficient safeguards to the public interest.

- c) If the application includes deviations pursuant to section 34-373(a)(9), that each requested deviation:
 - 1) Enhances the achievement of the objectives of the planned development; and
 - 2) Preserves and promotes the general intent of this Code to protect the public health, safety and welfare.

The previously approved deviations will result in development consistent with the MCP. The deviations as proposed promote the general intent of the LDC to protect public health, safety and welfare.

TRAFFIC IMPACT STATEMENT

FOR

VINTAGE COMMERCE CENTER CPD COMPREHENSIVE PLAN AMENDMENT & REZONING

(PROJECT NO. 1809.01)

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PREPARED BY:

TR Transportation Consultants, Inc.
Certificate of Authorization Number: 27003
2726 Oak Ridge Court, Suite 503
Fort Myers, Florida 33901-9356
(239) 278-3090

November 14, 2018

CONTENTS

- I. INTRODUCTION
- II. EXISTING CONDITIONS
- III. COMPREHENSIVE PLAN AMENDMENT ANALYSIS
- IV. ZONING ANALYSIS
- V. CONCLUSION

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I. INTRODUCTION **DOI 2018-10022**

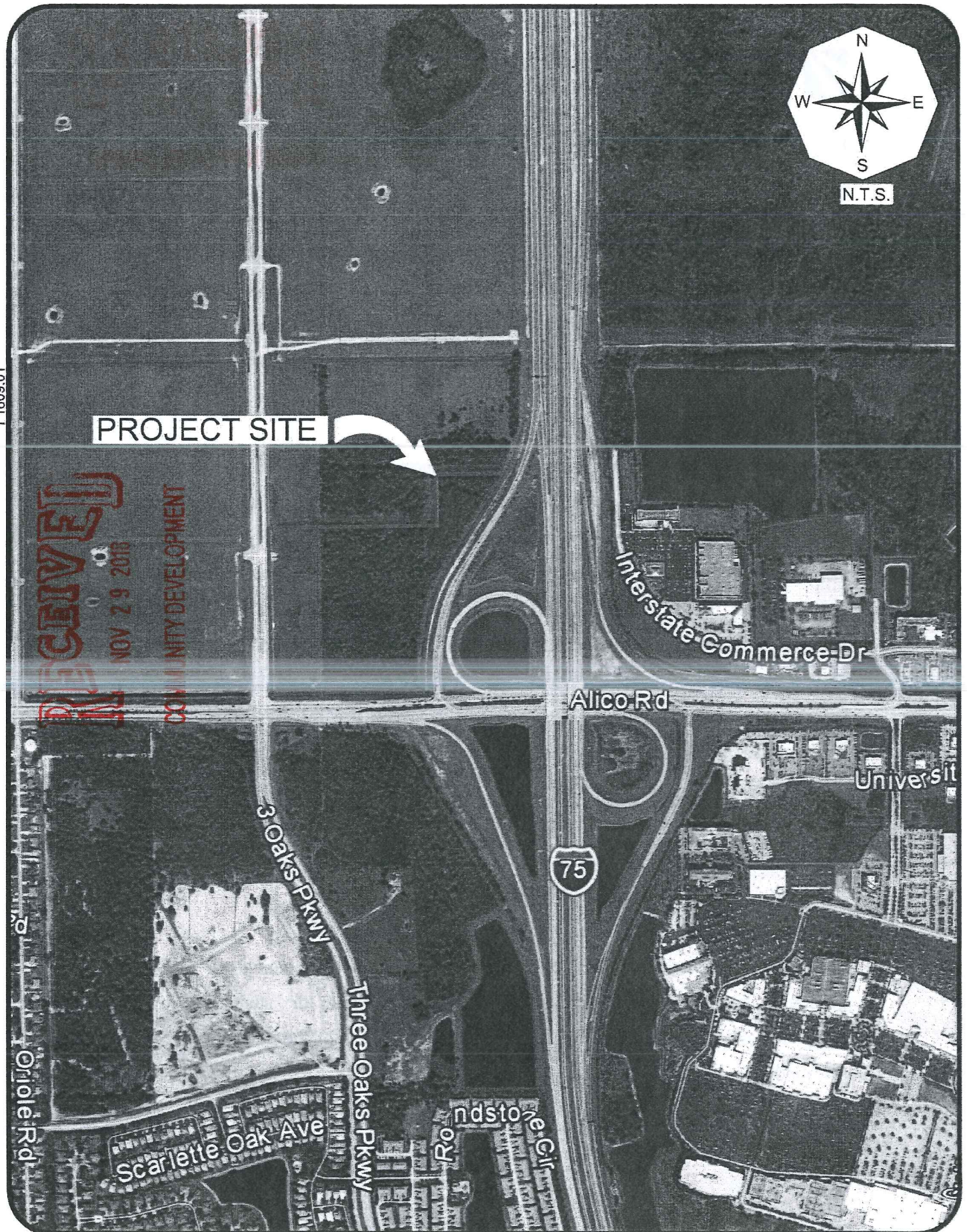
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TR Transportation Consultants, Inc. has conducted a traffic impact statement to fulfill requirements set forth by the Lee County Department of Community Development for projects seeking an amendment to the Comprehensive Land Use Plan and re-zoning approval. The subject site is located at the northeast corner of Alico Road and Three Oaks Parkway in Lee County, Florida. **Figure 1** illustrates the approximate location of the subject site.

The analysis in this report will determine the impacts of change in land use designation on the approximately 34 acre subject site from Industrial Commercial Interchange to General Interchange to permit the development of the site with up to 400 multi-family residential dwelling units. The analysis will also determine the impacts of the proposed rezoning from the permitted 300,000 square feet of commercial uses to the requested 350,000 square feet of commercial uses. The transportation related impacts of the proposed Comprehensive Plan amendment will be assessed based on the comparison between the currently allowed uses and the requested use on the subject site. The transportation related impacts of the proposed rezoning will be evaluated based on the estimated build-out year of the project and the impacts the proposed rezoning will have on the surrounding roadway infrastructure. Access to the subject site is proposed to be provided to Alico Road via a right-in only entrance and to Three Oaks Parkway via one right-in/right-out only site access drive and one full site access drive.

This report examines the impact of the development on the surrounding roadways. Trip generation and assignments to the various roadways within the study area will be completed and analysis conducted to determine the impacts of the development on the surrounding roadways.

F1809.01



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NOV 29 2018**II. EXISTING CONDITIONS****COMMUNITY DEVELOPMENT**

The subject site is currently vacant. This subject site is bordered by vacant land to the north, Three Oaks Parkway to the west, Alico Road to the south and by I-75 southbound ramp to the east.

Alico Road is an east/west six-lane divided arterial roadway that borders the subject site to the south. Alico Road has a posted speed limit of 45 mph. Alico Road is under the jurisdiction of the Lee County Department of Transportation to the west of Three Oaks Parkway and under the jurisdiction of Florida Department of Transportation (FDOT) to the east of Three Oaks Parkway.

Three Oaks Parkway is a four-lane divided arterial roadway adjacent to the subject site. Three Oaks Parkway, north of Alico Road currently extends for approximately 1.2 miles where it terminates. Lee County has future plans to extend Three Oaks Parkway to the north and intersect Daniels Parkway. This improvement is funded in the Lee County's Five Year Adopted Capital Improvement Plan. The intersection with Three Oaks Parkway and Alico Road currently operates under signalized conditions. Three Oaks Parkway, south of Alico Road is under the jurisdiction of the Lee County Department of Transportation and is being conveyed to Lee County north of Alico Road.

III. COMPREHENSIVE PLAN AMENDMENT ANALYSIS

The proposed Map Amendment would change the future land use designation on the approximate 34 acre subject site from Industrial Commercial Interchange to General Interchange to permit the development of the site with up to 400 multi-family residential dwelling units. In terms of roadway impacts, the existing future land use category of Industrial Commercial Interchange permits the development of other intense uses such as commercial and office uses. These permitted commercial uses on site are more intense in terms of trip generation potential than the proposed 400 multi-family residential units. Therefore, the existing 2040 Long Range Transportation Plan as adopted by the Lee

County Metropolitan Planning Organization (MPO), will not be impacted as a result of the requested change to the General Interchange land use designation to allow the development of the site with up to 400 multi-family residential dwelling units. Hence, no changes to the adopted long range transportation plan nor the Lee County's Five Year Capital Improvement Program (CIP) are required as result of the proposed land use change.

IV. ZONING ANALYSIS

The subject site is currently governed by Zoning Resolution No. Z-05-019 which permits the development of the overall Vintage Commerce Center CPD with up to 300,000 square feet of commercial uses. The proposed rezoning request would allow the approximately 34 acre subject site to be developed with up to 350,000 square feet of commercial uses. **Table 1** summarizes the land uses that could be constructed under the existing zoning designation and the intensity of uses under the proposed zoning request. Note, the Zoning Schedule of Uses also includes multi-family residential units. However, if the multi-family units were constructed, the amount of commercial floor area would be reduced. The "worst case" scenario in terms of trip generation is to analyze the site developed entirely as retail uses.

Table 1
Land Uses
Vintage Commerce Center CPD

Existing/ Proposed	Land Use Category	Intensity
Existing	Commercial	300,000 Square Feet
Proposed	Commercial	350,000 Square Feet

Access to the subject site is proposed to be provided to Alico Road via a right-in only entrance and to Three Oaks Parkway via one right-in/right-out only site access drive and one full site access drive.

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Trip Generation

The trip generation for the proposed rezoning request was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled *Trip Generation*, 10th Edition. Land Use Code 820 (Shopping Center) was utilized for the trip generation purposes of the proposed retail uses. **Table 2** outlines the anticipated weekday AM and PM peak hour trip generation based on the proposed rezoning request.

Table 2
Trip Generation Based on Rezoning Request
Vintage Commerce Center CPD

Land Use	Weekday AM Peak Hour			Weekday PM Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Shopping Center (350,000 Sq. Ft.)	203	124	327	659	714	1,373	14,092

The trips shown for the proposed retail use in Table 2 will not all be new trips added to the adjacent roadway system. ITE estimates that retail uses may attract a significant amount of its traffic from vehicles already traveling on the adjoining roadway system. This traffic, called "pass-by" traffic, reduces the development's overall impact on the surrounding roadway system but does not decrease the actual driveway volumes. The current version of the ITE *Trip Generation Handbook*, 3rd Edition, indicates that the weekday PM peak hour pass-by rate for Land Use Code 820 is thirty-four (34%). However, Lee County only permits a maximum reduction in trips due to "pass-by" traffic for shopping centers of thirty percent (30%) Therefore, thirty percent (30%) pass-by reduction was utilized for the proposed shopping center uses. **Table 3** summarizes the total external trips that will be generated by the site as a result of the proposed zoning request.

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Table 3
Trip Generation– New Trips
Vintage Commerce Center CPD

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Total Trips	203	124	327	659	714	1,373	14,092
Less 30% Pass-By Trips	-49	-49	-98	-206	-206	-412	-4,228
New Trips	154	75	229	453	508	961	9,864

Trip Distribution

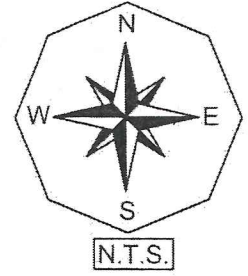
The trips the proposed development is anticipated to generate, as shown in the Table 3, were then assigned to the surrounding roadway network. The net new trips anticipated to be added to the surrounding roadway network were assigned based upon the routes drivers are anticipated to utilize to approach the subject site. **Figure A-1**, included in the Appendix of this report, illustrates the percent project traffic distribution and assignment of the net new project trips. **Figure A-2**, included in the Appendix of this report, illustrates the percent project traffic distribution and assignment of pass-by trips. **Figure 2** illustrates the resulting assignment of all project related trips (net new + pass-by).

There was no project traffic assigned to/from north of the subject site on Three Oaks Parkway as the extension of Three Oaks Parkway to Daniels Parkway will not to be completed within the next few years. Based on the discussion with the County Staff, the extension of Three Oaks Parkway will be divided into multiple phases. The initial phase will consist of constructing a crossing of the Fiddlesticks Canal for which the construction is projected to begin in 2019. The next phase will consist of the extension of Three Oaks Parkway from Fiddlesticks Canal to south of Indian Pony Drive for which the construction is projected to begin in 2021. The last phase will consist of the extension of Three Oaks Parkway from south of Indian Pony Drive to Daniels Parkway for which the construction is projected to begin in 2023.

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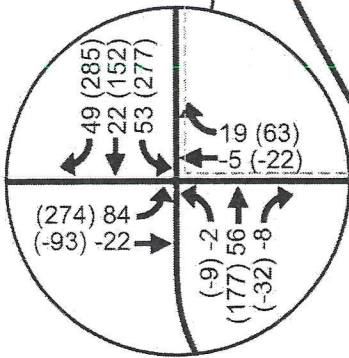


THREE OAKS PKWY.

SITE

ALICO RD.

I-75



LEGEND

- ← 000 WEEKDAY AM PEAK HOUR TRAFFIC
- ← (000) WEEKDAY PM PEAK HOUR TRAFFIC

In order to determine which roadway segments surrounding the site will be significantly impacted as outlined in the Lee County Traffic Impact Statement Guidelines, **Table 1A**, contained in the Appendix, was created. This table indicates which roadway links will experience a significant impact as a result of the added development traffic. Significant impact is defined as any roadway projected to experience greater than 10% of the Peak Hour – Peak Direction Level of Service “C” volumes.

The Level of Service Threshold volumes for I-75 were obtained from the Florida Department of Transportation *Generalized Peak Hour Directional Volumes for Florida’s Urbanized Areas*, Table 7. For all other roadways, the Level of Service Threshold volumes were obtained from the Lee County *Generalized Peak Hour Directional Service Volumes* table. Both aforementioned tables are attached to the Appendix of this report for reference. Based on the information contained within Table 1A, Oriole Road and Lee Road are shown to experience a significant impact due to the addition of the project traffic. Therefore, the Level of Service Analysis was conducted on Oriole Road and Lee Road as well as on the immediate adjacent roadways within the vicinity of the subject site.

Level of Service Analysis

The future Level of Service analysis was based on a 5-year horizon, or year 2023. Based on this horizon year analysis, the surrounding roadway network was analyzed under 2023 traffic conditions. A growth rate was applied to the existing traffic conditions for all roadway links and intersections that could be significantly impacted by this development. For the Alico Road and Three Oaks Parkway, the existing and historical traffic data was obtained from the 2017 *Lee County Traffic Count Report*. For Oriole Road and Lee Road, the existing and historical traffic data was obtained from the 2017 FDOT *Florida Traffic Online* webpage.

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Table 2A in the Appendix of the report indicates the methodology utilized to obtain the year 2023 build-out traffic volumes as well as the growth rate utilized for each roadway segment analyzed. The existing 2017 peak hour peak season peak direction volumes for all roadways were obtained from the 2018 *Lee County Public Facilities Level of Service and Concurrency Report*.

Figure 3 indicates the year 2023 peak hour – peak direction traffic volumes and Level of Service for the various roadway links within the study area. Noted on Figure 3 is the peak hour – peak direction volume and Level of Service of each link should no development occur on the subject site and the peak hour – peak direction volume and Level of Service for the weekday A.M and P.M. peak hours with the development traffic added to the roadways. Figure 3 is derived from Table 2A contained in the Appendix.

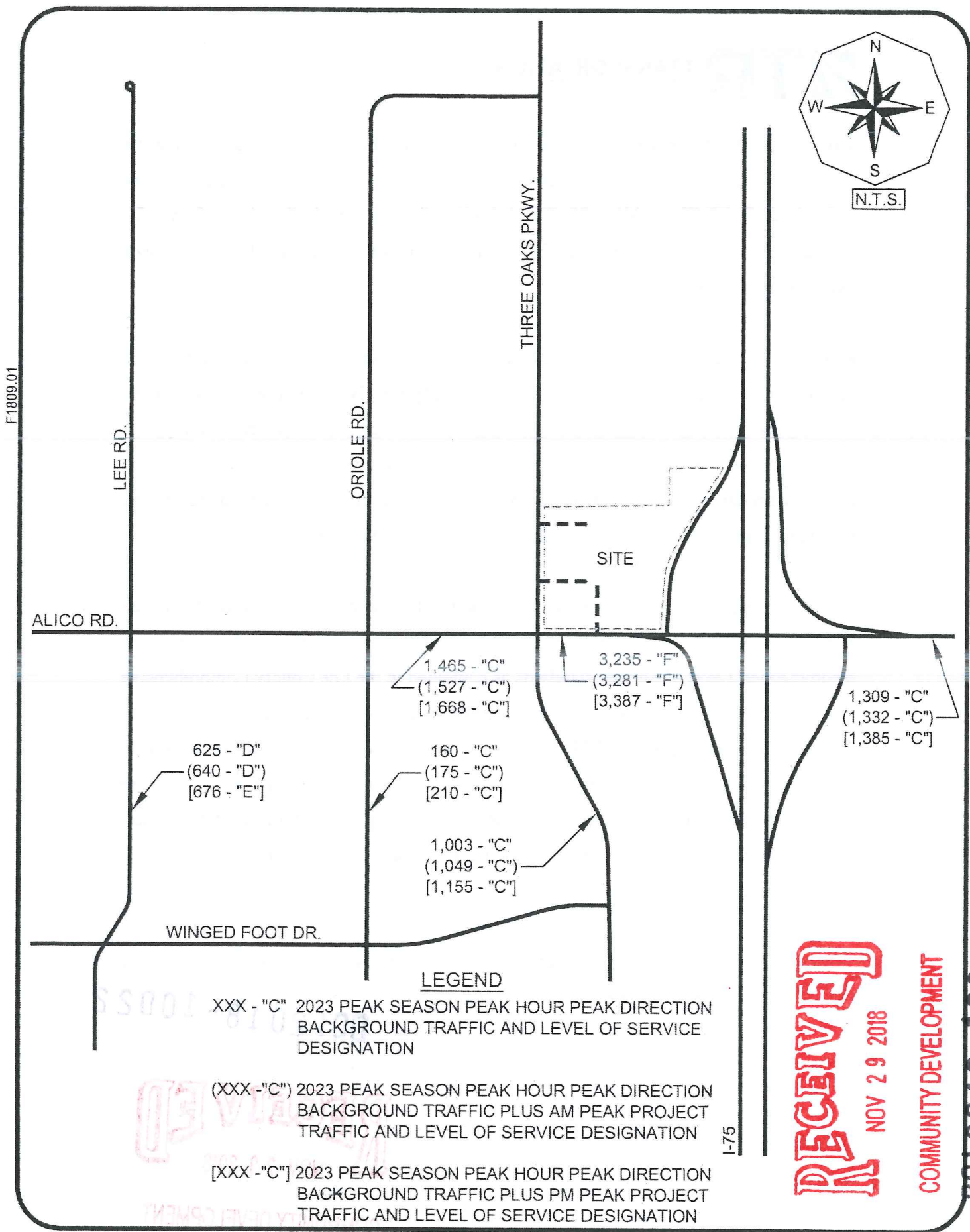
As can be seen from Figure 3, all analyzed roadway links except for Alico Road between Three Oaks Parkway and I-75 interchange, are anticipated to maintain their minimum recommended Level of Service standards as contained in the Lee County Comprehensive Plan. Alico Road, between Three Oaks Parkway and I-75 interchange, is shown to operate at a Level of Service “F” both with and without the addition of the project traffic in the year 2023. Therefore, this segment of Alico Road is considered as a future transportation deficiency that this project should not be responsible for mitigating. Hence, no roadway capacity improvements will be warranted as a result of the additional traffic to be generated by the proposed development.

Turn lane improvements at the site access drive intersections will be evaluated at the time the project seeks Local Development Order approval.

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VII. CONCLUSION

The proposed project is located at the northeast corner of Alico Road and Three Oaks Parkway in Lee County, Florida. As discussed in the report, the existing future land use category of Industrial Commercial Interchange permits more intense uses in terms of trip generation potential than the proposed 400 multi-family residential development option as part of the requested land use change to General Interchange. Therefore, the 2040 Financially Feasible Roadway network and the short term 5-year Capital Improvement Program currently in place in Lee County will not require modification in order to accommodate the proposed Land Use change.

Based upon the roadway link Level of Service analysis conducted as a part of the proposed rezoning, all roadway links except for Alico Road between Three Oaks Parkway and I-75 interchange, are anticipated to maintain their minimum recommended Level of Service standards as contained in the Lee County Comprehensive Plan. Alico Road, between Three Oaks Parkway and I-75 interchange, is shown to operate at a Level of Service "F" prior to the addition of the project traffic in the year 2023. Therefore, this segment of Alico Road is considered as a future transportation deficiency that this project should not be responsible for mitigating. Therefore, no roadway capacity improvements are necessary to accommodate the proposed development.

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APPENDIX

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TABLES 1A & 2A
2023 LOS ANALYSIS

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TABLE 1A
PEAK DIRECTION PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES
ALICO AND I-75

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 229 VPH IN= 154 OUT= 75
TOTAL PM PEAK HOUR PROJECT TRAFFIC = 961 VPH IN= 453 OUT= 508

ROADWAY	SEGMENT	ROADWAY CLASS	LOS A VOLUME	LOS B VOLUME	LOS C VOLUME	LOS D VOLUME	LOS E VOLUME	PERCENT		
								PROJECT TRAFFIC	PROJECT TRAFFIC	PROJ/ LOS C
Alico Rd.	W. of Lee Rd.	6LD	0	400	2,840	2,940	2,940	20%	102	3.6%
	W. of Oriole Rd.	6LD	0	400	2,840	2,940	2,940	30%	152	5.4%
	W. of Three Oaks Pkwy.	6LD	0	400	2,840	2,940	2,940	40%	203	7.2%
	E. of Three Oaks Pkwy.	6LD	0	400	2,840	2,940	2,940	30%	152	5.4%
	E. of I-75	6LD	0	400	2,840	2,940	2,940	15%	76	2.7%
	E. of Ben Hill Griffin Pkwy.	2LU	0	140	800	860	860	1%	5	0.6%
Three Oaks Pkwy.	S. of Alico Rd.	4LD	0	250	1,840	1,960	1,960	30%	152	8.3%
	S. of San Carlos Blvd.	4LD	0	250	1,840	1,960	1,960	20%	102	5.5%
I-75	N. of Alico Rd.	6LF	0	3,660	5,030	6,240	6,500	10%	51	1.0%
	S. of Alico Rd.	6LF	0	3,660	5,030	6,240	6,500	5%	25	0.5%
Ben Hill Griffin Pkwy.	N. of Alico Rd.	4LD	0	250	1,840	1,960	1,960	5%	25	1.4%
	S. of Alico Rd.	6LD	0	400	2,840	2,940	2,940	10%	51	1.8%
Oriole Rd.	S. of Alico Rd.	2LU	0	0	310	660	740	10%	51	16.4%
Lee Rd.	S. of Alico Rd.	2LU	0	0	310	660	740	10%	51	16.4%
U.S. 41	N. of Alico Rd.	6LD	0	400	2,840	2,940	2,940	5%	25	0.9%
	S. of Alico Rd.	6LD	0	400	2,840	2,940	2,940	10%	51	1.8%

* Level of Service thresholds were obtained from the Lee County Generalized Level of Service Volumes on Arterials
For I-75, FDOT Q/LOS Handbook, Table 7 (3/14/2018) service volumes were utilized

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TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
ALICO AND I-75

TOTAL PROJECT TRAFFIC AM = 229 VPH IN = 154 OUT = 75
TOTAL PROJECT TRAFFIC PM = 961 VPH IN = 453 OUT = 508

ROADWAY	SEGMENT	PCS#	BASE YR	2017 ADT	YRS OF GROWTH	ANNUAL RATE	2017	2023	PERCENT	PROJECT	AM PROJ	PM PROJ	2023	2023	LOS	LOS
							PK HR	PK HR PK SEASON					BCKGRND	BCKGRND		
							PEAK DIR. ¹	VOLUME			TRAFFIC	TRAFFIC	+ AM PROJ	+ PM PROJ		
Alico Rd.	W. of Three Oaks Pkwy.	10	26,600	44,800	9	5.96%	1,035	1,465	C	40%	62	203	1,527	C	1,668	C
	E. of Three Oaks Pkwy.	10	26,600	44,800	9	5.96%	2,285	3,235	F	30%	46	152	3,281	F	3,387	F
	E. of I-75	53	20,800	24,600	8	2.12%	1,154	1,309	C	15%	23	76	1,332	C	1,385	C
Three Oaks Pkwy.	S. of Alico Rd.	414	9,500	14,100	7	5.80%	715	1,003	C	30%	46	152	1,049	C	1,155	C
Oriole Rd.	S. of Alico Rd.	120181	3,100	2,900	3	2.00%	139	160	C	10%	15	51	175	C	210	C
Lee Rd.	S. of Alico Rd.	121219	7,100	7,100	3	2.00%	544	625	D	10%	15	51	640	D	676	E

¹ Current peak hour peak season peak direction traffic volumes for all roadways were obtained from the 2018 Lee County Public Facilities Level of Service and Concurrency Report.

* AGR for Alico Road and Three Oaks Parkway was calculated based the historical traffic data obtained from 2017 Lee County Traffic Count Report.

* AGR for Oriole Road and Lee Road was calculated based the historical traffic data obtained from Florida Traffic Online webpage.

SUPPLEMENTAL FIGURES A-1 & A-2

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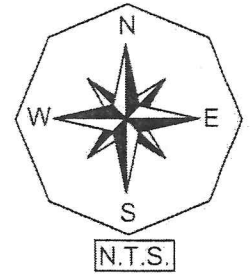
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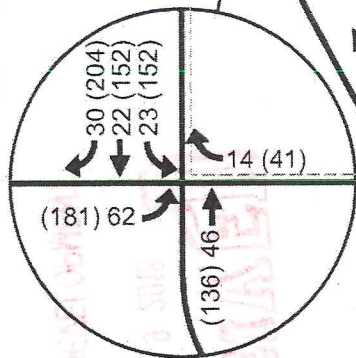
THREE OAKS PKWY.

SITE

ALICO RD.

← 40% →

← 30% →

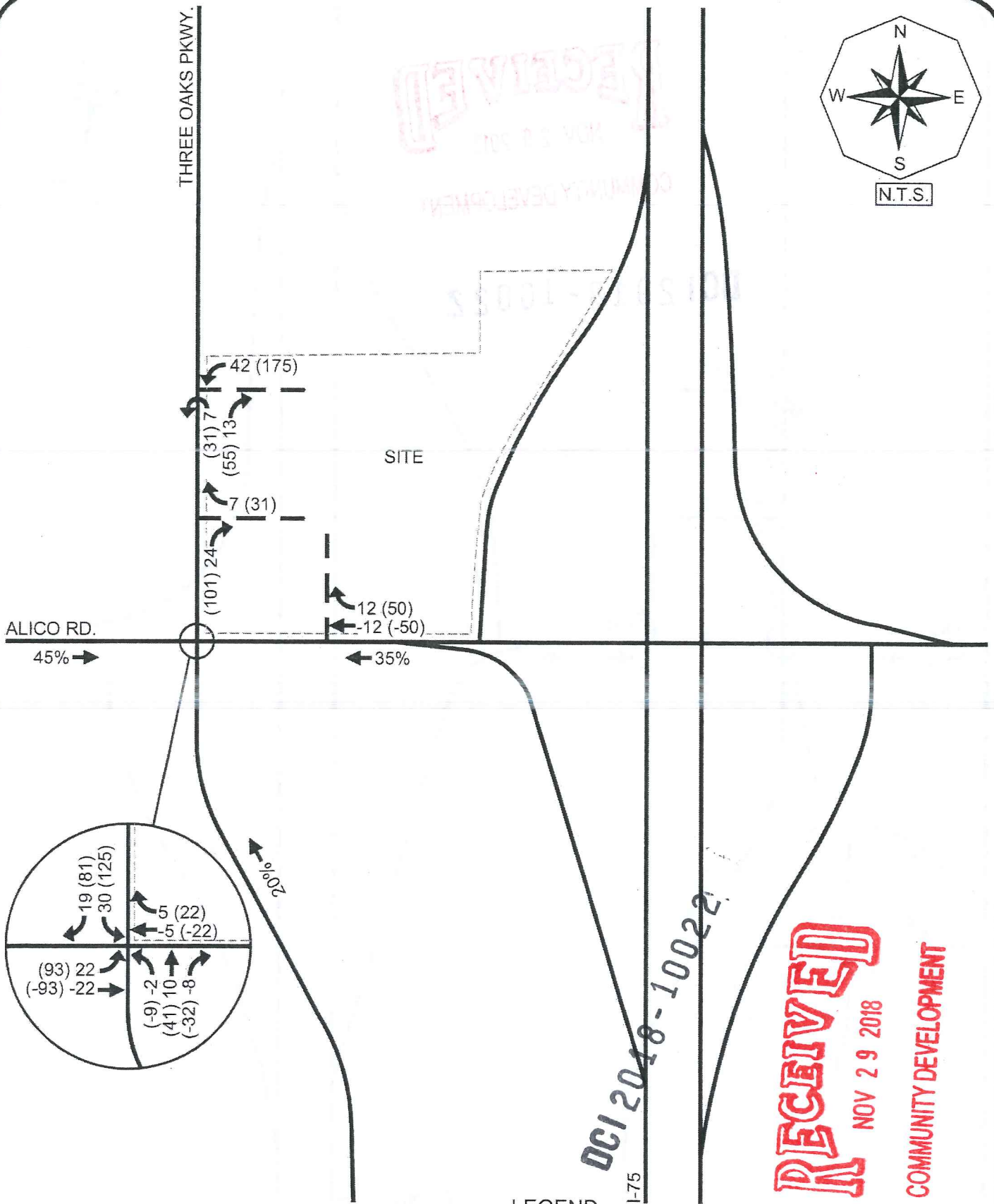
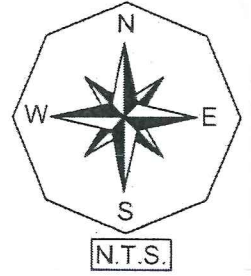


LEGEND

- ← 000 WEEKDAY AM PEAK HOUR TRAFFIC
- ← (000) WEEKDAY PM PEAK HOUR TRAFFIC
- ← 20% → PERCENT TRIP DISTRIBUTION

ASSIGNMENT & DISTRIBUTION OF
NET NEW PROJECT TRIPS
VINTAGE COMMERCE CENTER CPD Figure A-1

F1809.01



LEGEND

- ← 000 WEEKDAY AM PEAK HOUR TRAFFIC
- ← (000) WEEKDAY PM PEAK HOUR TRAFFIC
- ← 20% ONE-WAY TRIP DISTRIBUTION

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**FDOT GENERALIZED PEAK HOUR
DIRECTIONAL VOLUMES FOR
FLORIDA'S URBANIZED AREAS**

TABLE 7

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TABLE 7 Generalized **Peak Hour Directional Volumes** for Florida's
Urbanized Areas¹

03/14/2018

05/17/2018

INTERRUPTED FLOW FACILITIES

STATE SIGNALIZED ARTERIALS

Principal (1 signal per half mile)

Lanes	Median	B	C	D	E
1	Undivided	*	200	690	930
2	Divided	50	1,350	1,790	1,870
3	Divided	80	2,040	2,690	2,820

Minor (1 signal per quarter mile)

Lanes	Median	B	C	D	E
1	Undivided	*	*	210	710
2	Divided	*	470	1,390	1,840
3	Divided	*	880	2,190	2,780

Non-State Signalized Roadway Adjustments

(Alter corresponding state volumes
by the indicated percent.)

Non-State Signalized Roadways - 10%

Median & Turn Lane Adjustments

Lanes	Median	Exclusive Left Lanes	Exclusive Right Lanes	Adjustment Factors
1	Divided	Yes	No	+5%
1	Undivided	No	No	-20%
Multi	Undivided	Yes	No	-5%
Multi	Undivided	No	No	-25%
-	-	-	Yes	+ 5%

One-Way Facility Adjustment

Multiply the corresponding directional
volumes in this table by 1.2

BICYCLE MODE²

(Multiply motorized vehicle volumes shown below by number of
directional roadway lanes to determine two-way maximum service
volumes.)

Paved Shoulder/Bicycle

Lane Coverage	B	C	D	E
0-49%	*	150	390	1,000
50-84%	110	340	1,000	>1,000
85-100%	470	1,000	>1,000	**

PEDESTRIAN MODE²

(Multiply motorized vehicle volumes shown below by number of
directional roadway lanes to determine two-way maximum service
volumes.)

Sidewalk Coverage	B	C	D	E
0-49%	*	*	140	480
50-84%	*	80	440	800
85-100%	200	540	880	>1,000

BUS MODE (Scheduled Fixed Route)³

(Buses in peak hour in peak direction)

Sidewalk Coverage	B	C	D	E
0-84%	> 5	≥ 4	≥ 3	≥ 2
85-100%	> 4	≥ 3	≥ 2	≥ 1

UNINTERRUPTED FLOW FACILITIES

FREEWAYS

Lanes	B	C	D	E
2	2,510	3,410	4,230	4,330
3	3,660	5,030	6,240	6,500
4	4,820	6,670	8,310	8,670
5	6,580	9,240	10,840	**
6	8,150	10,990	13,000	**

Freeway Adjustments

Auxiliary Lane	Ramp Metering
+ 1,000	+ 5%

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**COMMUNITY DEVELOPMENT
UNINTERRUPTED FLOW HIGHWAYS**

Lanes	Median	B	C	D	E
1	Undivided	610	930	1,260	1,690
2	Divided	1,840	2,660	3,350	3,760
3	Divided	2,770	3,990	5,020	5,640

Uninterrupted Flow Highway Adjustments

Lanes	Median	Exclusive left lanes	Adjustment factors
1	Divided	Yes	+5%
Multi	Undivided	Yes	-5%
Multi	Undivided	No	-25%

¹ Values shown are presented as peak hour directional volumes for levels of service and are for the automobile/truck modes unless specifically stated. This table does not constitute a standard and should be used only for general planning applications. The computer models from which this table is derived should be used for more specific planning applications. The table and deriving computer models should not be used for corridor or intersection design, where more refined techniques exist. Calculations are based on planning applications of the Highway Capacity Manual and the Transit Capacity and Quality of Service Manual.

² Level of service for the bicycle and pedestrian modes in this table is based on number of motorized vehicles, not number of bicyclists or pedestrians using the facility.

³ Buses per hour shown are only for the peak hour in the single direction of the higher traffic flow.

* Cannot be achieved using table input value defaults.

** Not applicable for that level of service letter grade. For the automobile mode, volumes greater than level of service D become F because intersection capacities have been reached. For the bicycle mode, the level of service letter grade (including F) is not achievable because there is no maximum vehicle volume threshold using table input value defaults.

Source:

Florida Department of Transportation
Systems Planning Office

www.dot.state.fl.us/planning/systems/sm/ios/default.htm

¹ Values shown are presented as peak hour directional volumes for levels of service and are for the automobile/truck modes unless specifically stated. This table does not constitute a standard and should be used only for general planning applications. The computer models from which this table is derived should be used for more specific planning applications. The table and deriving computer models should not be used for corridor or intersection design, where more refined techniques exist. Calculations are based on planning applications of the Highway Capacity Manual and the Transit Capacity and Quality of Service Manual.

² Level of service for the bicycle and pedestrian modes in this table is based on number of motorized vehicles, not number of bicyclists or pedestrians using the facility.

³ Buses per hour shown are only for the peak hour in the single direction of the higher traffic flow.

* Cannot be achieved using table input value defaults.

** Not applicable for that level of service letter grade. For the automobile mode, volumes greater than level of service D become F because intersection capacities have been reached. For the bicycle mode, the level of service letter grade (including F) is not achievable because there is no maximum vehicle volume threshold using table input value defaults.

Source:
Florida Department of Transportation
Systems Planning Office
www.dot.state.fl.us/planning/systems.sm/los/default.shm

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**LEE COUNTY GENERALIZED PEAK
HOUR DIRECTIONAL SERVICE
VOLUMES TABLE**

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**Lee County
Generalized Peak Hour Directional Service Volumes
Urbanized Areas**

April 2016

c:\input5

Uninterrupted Flow Highway						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	130	420	850	1,210	1,640
2	Divided	1,060	1,810	2,560	3,240	3,590
3	Divided	1,600	2,720	3,840	4,860	5,380
Arterials						
Class I (40 mph or higher posted speed limit)						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	*	140	800	860	860
2	Divided	*	250	1,840	1,960	1,960
3	Divided	*	400	2,840	2,940	2,940
4	Divided	*	540	3,830	3,940	3,940
Class II (35 mph or slower posted speed limit)						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	*	*	330	710	780
2	Divided	*	*	710	1,590	1,660
3	Divided	*	*	1,150	2,450	2,500
4	Divided	*	*	1,580	3,310	3,340
Controlled Access Facilities						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	*	160	880	940	940
2	Divided	*	270	1,970	2,100	2,100
3	Divided	*	430	3,050	3,180	3,180
Collectors						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	*	*	310	660	740
1	Divided	*	*	330	700	780
2	Undivided	*	*	730	1,440	1,520
2	Divided	*	*	770	1,510	1,600
Note: the service volumes for I-75 (freeway), bicycle mode, pedestrian mode, and bus mode should be from FDOT's most current version of LOS Handbook.						

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FDOT FLORIDA TRAFFIC ONLINE

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FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2017 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 1219 - SANIBEL BLVD, BTWN PHLOX DR AND SUNFLOWER RD

YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2017	7100 S	N 3500	S 3600	9.00	53.20	7.40
2016	6900 F	N 3400	S 3500	9.00	55.50	7.00
2015	7100 C	N 3500	S 3600	9.00	55.50	5.90

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

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2017 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 0181 - ORIOLE RD, S OF ALICO RD

YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2017	2900 S	N 1400	S 1500	9.00	53.20	4.20
2016	2900 F	N 1400	S 1500	9.00	60.30	4.00
2015	3100 C	N 1500	S 1600	9.00	55.50	2.50

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

TRAFFIC DATA FROM THE 2017 LEE COUNTY TRAFFIC COUNT REPORT

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UPDATED 18-Apr-2018

Daily Traffic Volume (AADT)

STREET	LOCATION	Sta- tion #	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Area
A & W BULB RD	N OF GLADIOLUS DR	215			6400	7700		6800		6600		7100	37	
ALABAMA RD	N OF IMMOKALEE RD	201	6100	5700	5700					6800		7100	6	
ALABAMA RD	S OF HOMESTEAD RD	200	8800	9000	9100	8800	11100	9000	9300	10300	11000		6	
ALICO RD	E OF US 41	204	18100	19500	21400	21800	21700	23400	19900	21900	24100	22100	10	
ALICO RD	E OF LEE RD	207	20100	19900	22700								10	
ALICO RD	W OF I - 75	10	28300	26600	26100	25800	27200	29100	38400	41100	43600	44800		
ALICO RD	E OF I - 75	53	12300	20800	25700	26200	26000	26900	28400	25600	24300	24600		
ALICO RD	E OF BEN HILL GRIFFIN PKWAY	205	5800	3600	2600				7500		8500		53	
ALICO RD	N OF CORKSCREW RD	206	2000	1400	1500								53	
ARROYAL ST	N OF BONITA BEACH RD	496	4700	4000									42	
BABCOCK RD	E OF US 41	461	1400	1300	1200								25	
BALLARD RD	W OF ORTIZ AV	504	4100	3500	3400								20	
BARRETT RD	S OF PINE ISLAND RD	509	2600	2300									49	
BASS RD	N OF SUMMERLIN RD	216	9100	10400	10000	8200		8400		8200		11500	36	

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DCI 2018-10022

UPDATED 18-Apr-2018

Daily Traffic Volume (AADT)

STREET	LOCATION	Station #	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Area
SUNRISE BLVD	E OF BELL BLVD	480	800	700	900								6	
SUNSHINE BLVD	N OF IMMOKALEE RD	413	3600	2800	3000			3900	4000		3900		22	
SUNSHINE BLVD	S OF LEE BLVD	406	5300	5700	6500			6100	7100		7500		22	
SUNSHINE BLVD	N OF LEE BLVD (CR 884)	412	9100	8600	9600			10300	8300		10100		22	
SUNSHINE BLVD	N OF W 12TH ST	479	6200	5200									22	
TERMINAL ACCESS RD	E OF TREELINE AVE	59	23800	23400	23800	24000	23300	23500	26400					
THREE OAKS PKWY	S OF CORKSCREW RD	525	17700	15700	16700	16100	18700	18800		20900	21800	25100	25	
THREE OAKS PKWY	N OF CORKSCREW RD	415		15100	13200	14700	20200	19900					25	
THREE OAKS PKWY	S OF ESTERO PKWY	72						16000	16600	16500	16800	17900		
THREE OAKS PKWY	S OF ALICO RD	414			9500	9500	12700	13700	11800	12300	13100	14100	25	
TICE ST	W OF ORTIZ AV	417	2900	2500	2600								20	
TICE ST	W OF I 75	416	2600	2200	2400			3000			3500		20	
TREELINE AVE	S OF COLONIAL BLVD	453		8800	7300								61	
TREELINE AVE	S OF PELICAN COLONY BLVD	62	5600	6900	6600	7300	8200	8900	9700	10800	11600	11800		
TREELINE AVE	N OF DANIELS PKWY	454	5600	4500	5400								61	
TREELINE AVE	S OF DANIELS PKWY	502	23500	25900	22100								61	
TREELINE AVE	N OF AIRPORT TERMINAL	61	25500	25100	24000	23600	23800	24500	25500	23800	25000	23800		
12 ST W	E OF GUNNERY RD	472	3100	3200	3400					4100			22	
23RD ST SW	E OF GUNNERY RD	469	8700	9400	10100			10200	11000		11800	12700	22	

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**TRAFFIC DATA FROM 2018 LEE
COUNTY PUBLIC FACILITIES
LEVEL OF SERVICE AND
CONCURRENCY REPORT**

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evaluate future state highway system needs in the LRTP. ¹⁸ Modifications and capacity improvements to the state highway system are under the jurisdiction of FDOT.

Table 18: Existing and Future Roadway LOS on County-Maintained Arterials in Unincorporated Areas

ROADWAY LINK				100TH HIGHEST HOUR DIRECTIONAL VOLUMES						
				STANDARD		2017		2022		NOTES
NAME	FROM	TO	TYPE	LOS	MAX	LOS	EXIST ING	LOS	FUTURE	
ALABAMA RD	SR 82	MILWAUKEE BLVD	2LN	E	990	C	387	C	406	
	MILWAUKEE BLVD	HOMESTEAD RD	2LN	E	990	C	424	D	445	
ALEX- ANDER BELL BLVD	SR 82	MILWAUKEE BLVD	2LN	E	990	D	545	D	572	
	MILWAUKEE BLVD	LEELAND HEIGHTS	2LN	E	990	D	545	D	638	Shadow Lakes
ALICO RD	US 41	DUSTY RD	4LD	E	1,980	B	1,035	B	1,106	
	DUSTY RD	LEE RD	6LD	E	2,960	B	1,035	B	1,396	Alico Business Park
	LEE RD	THREE OAKS PKWY	6LD	E	2,960	B	1,035	B	1,283	Three Oaks Regional Center
	THREE OAKS PKWY	I-75	6LD	E	2,960	B	2,285	B	2,401	v/c = 0.77/0.81
	I-75	BEN HILL GRIFFIN BLVD	6LD	E	2,960	B	1,154	B	1,301	
	BEN HILL GRIFFIN BLVD	AIRPORT HAUL RD	2LN/ 4LD	E	1,100/ 1,840	C	366	C	770	4 Ln constr 2018
	AIRPORT HAUL RD	GREEN MEADOW DR	2LN	E	1,100	C	366	C	384	
	GREEN MEADOW DR									
		CORKSCREW RD	2LN	E	1,100	B	131	B	224	
BEN HILL GRIFFIN PKWY	ESTERO PKWY	FGCU ENTRANCE	4LD	E	2,000	B	1,169	B	1,228	
	FGCU ENTRANCE	COLLEGE CLUB DR	4LD	E	2,000	B	1,169	B	1,275	
	COLLEGE CLUB DR	ALICO RD	6LD	E	3,000	B	1,101	B	1,193	
	ALICO RD	TERMINAL ACCESS RD	4LD	E	1,980	A	1,033	A	1,086	
BUCKING- HAM RD	SR 82	GUNNERY RD	2LN	E	990	D	442	D	465	
	GUNNERY RD	ORANGE RIVER BLVD	2LN	E	990	D	490	D	515	
	ORANGE RIVER BLVD	SR 80	2LN	E	990	D	509	F	1,178	v/c = 0.51/1.19 Buckingham 345 & Portico
COLLEGE PKWY	MCGREGOR BLVD	WINKLER RD	6LD	E	2,980	D	2,292	D	2,409	v/c = 0.77/0.81
	WINKLER RD	WHISKEY CREEK DR	6LD	E	2,980	D	1,998	D	2,099	
	WHISKEY CREEK DR	SUMMERLIN RD	6LD	E	2,980	D	1,998	D	2,099	
	SUMMERLIN RD	US 41	6LD	E	2,980	D	1,772	D	1,862	
CORK- SCREW RD	BELLA TERRA BLVD	ALICO RD	2LN	E	1,140	B	235	E	628	Corkscrew Shores
	ALICO RD	6 L's FARMS RD	2LN	E	1,140	B	246	C	552	The Place
	6 L's FARMS RD	COUNTY LINE	2LN	E	1,140	B	182	C	509	

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Table 18 (cont.): Existing and Future Roadway LOS on County-Maintained Arterials in Unincorporated Areas

ROADWAY LINK				100TH HIGHEST HOUR DIRECTIONAL VOLUMES						NOTES
				STANDARD		2017		2022		
NAME	FROM	TO	TYPE	LOS	MAX	LOS	EXIST ING	LOS	FUTURE	
SUNSHINE BLVD	SR 82	23RD ST SW	2LN	E	1,010	C	314	C	330	
	23RD ST SW	LEE BLVD	2LN	E	1,010	C	314	C	330	
	LEE BLVD	W 12TH ST	2LN	E	1,010	D	633	D	666	
	W 12TH ST	W 75TH ST	2LN	E	860	D	633	D	666	
THREE OAKS PKWY	ESTERO PKWY	SAN CARLOS BLVD	4LD	E	1,940	B	1,127	B	1,236	
	SAN CARLOS BLVD	ALICO RD	4LD	E	1,940	B	715	B	1,058	
TREELINE AVE	TERMINAL ACCESS RD	DANIELS PKWY	4LD	E	1,980	A	1,385	B	1,623	v/c = 0.70/0.82 Harley Davidson
	DANIELS PKWY	AMBERWOOD RD	4LD	E	1,980	A	760	A	799	
WINKLER RD	SUMMERLIN RD	GLADIOLUS DR	4LD	E	1,520	C	348	C	366	
	GLADIOLUS DR	BRANDYWINE CIR	2LN	E	880	B	593	B	625	
	BRANDYWINE CIR	CYPRESS LAKE DR	2LN	E	880	B	666	B	700	
	CYPRESS LAKE DR	COLLEGE PKWY	4LD	E	1,780	D	759	D	798	old count projection
	COLLEGE PKWY	McGREGOR BLVD	2LN	E	800	B	350	B	395	old count projection

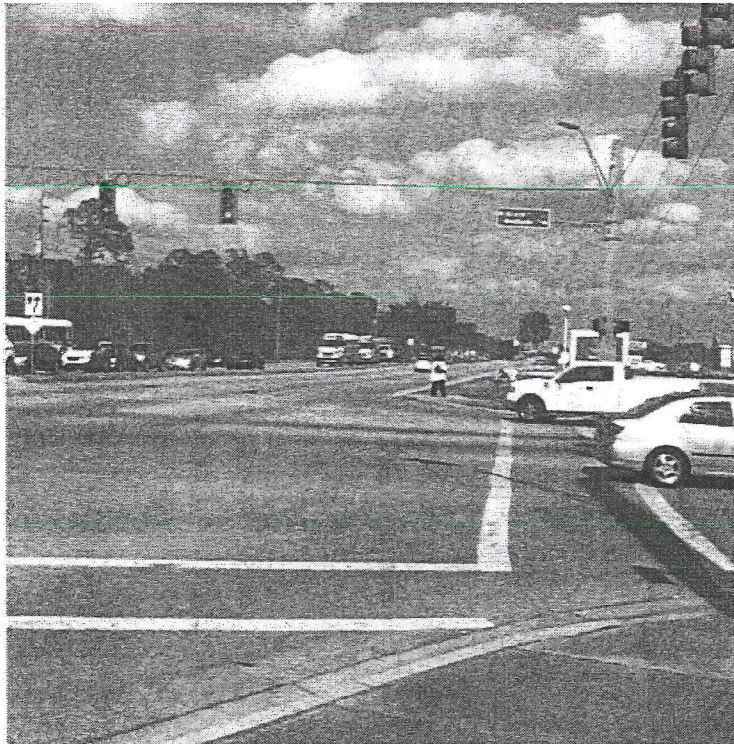
0.8 < v/c < 0.9

= 100th hour directional volume v/c ratio between 80 and 90 percent of capacity

0.9 < v/c < 1.0

= 100th hour directional volume v/c ratio between 90 and 100 percent of capacity

= Does not meet the County adopted LOS standard (NOTE: Below LOS standard is acceptable on constrained roads)



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Table 19: Existing and Future Roadway LOS on County-Maintained Collectors in Unincorporated Areas

ROADWAY LINK				100TH HIGHEST HOUR DIRECTIONAL VOLUMES						NOTES
				STANDARD		2017		2022		
NAME	FROM	TO	TYPE	LOS	MAX	LOS	EXIST ING	LOS	FUTURE	
A & W BULB RD	GLADIOLUS DR	McGREGOR BLVD	2LN	E	860	C	358	C	376	
BARRETT RD	PONDELLA RD	PINE ISLAND RD	2LN	E	860	C	103	C	116	old count projection
BASS RD	SUMMERLIN RD	GLADIOLUS DR	4LN	E	1,790	C	612	C	870	
BETH STACEY BLVD	23RD ST	HOMESTEAD RD	2LN	E	860	C	408	D	610	
BRANTLEY RD	SUMMERLIN RD	US 41	2LN	E	860	C	249	C	262	
BRIARCLIFF RD	US 41	TRIPLE CROWN CT	2LN	E	860	C	148	C	169	
BROADWAY RD (ALVA)	SR 80	N. RIVER RD	2LN	E	860	C	181	C	204	old count projection
BROADWAY RD (FT MYERS)	CARRELL RD	HANSON ST	2LN	E	860	C	217	C	228	
CAPTIVA DR	BLIND PASS	SOUTH SEAS	2LN	E	860	C	267	C	302	Constrained, old count
CEMETERY RD	BUCKINGHAM RD	HIGGINS AVE	2LN	E	860	C	284	C	298	
CHAMBERLIN PKWY	AIRPORT ENT	DANIELS PKWY	4LN	E	1,790	C	105	C	150	Port Authority maintained
CONSTITUTION BLVD	US 41	CONSTITUTION CIR	2LN	E	860	C	217	C	245	old count projection
COUNTRY LAKES BLVD	LUCKETT RD	TICE ST	2LN	E	860	C	143	C	162	old count projection
CRYSTAL DR	US 41	METRO PKWY	2LN	E	860	F	889	F	935	v/c = 1.03/1.09
	METRO PKWY	PLANTATION RD	2LN	E	860	C	345	C	362	
DANLEY DR	US 41	METRO PKWY	2LN	E	860	C	346	C	377	
DAVIS RD	McGREGOR BLVD	IONA RD	2LN	E	860	C	15	C	29	old count projection
EAST 21ST ST	JOEL BLVD	GRANT AVE	2LN	E	860	C	20	C	21	
FIDDLESTICKS BLVD	GUARDHOUSE	DANIELS PKWY	2LN	E	860	C	321	C	354	
GASPARILLA BLVD	FIFTH ST	COUNTY LINE	2LN	E	860	C	264	C	292	Constrained
GREENBRIAR BLVD	RICHMOND AVE	JOEL BLVD	2LN	E	860	C	60	C	68	
HART RD	SR 78	TUCKER LANE	2LN	E	860	C	347	C	364	
IDLEWILD ST	METRO PKWY	RANCHETTE RD	2LN	E	860	C	196	C	206	
IONA RD	DAVIS RD	McGREGOR BLVD	2LN	E	860	C	366	C	445	
ISLAND PARK RD	PARK RD	US 41	2LN	E	860	C	89	C	261	
JOHN MORRIS RD	SUMMERLIN RD	IONA RD	2LN	E	860	C	250	C	263	
KELLY RD	McGREGOR BLVD	SAN CARLOS BLVD	2LN	E	860	C	255	C	268	
	SAN CARLOS BLVD	PINE RIDGE RD	2LN	E	860	C	106	C	120	old count projection
LAUREL DR	BUS 41	BREEZE DR	2LN	E	860	C	324	C	340	
LEE RD	SAN CARLOS BLVD	ALICO RD	2LN	E	860	C	544	C	614	old count projection
LEONARD BLVD	GUNNERY RD	WESTGATE BLVD	2LN	E	860	C	655	C	711	v/c = 0.76/0.83
LUCKETT RD	I-75	COUNTRY LAKES DR	2LN	E	860	C	318	C	334	old count projection
MILWAUKEE BLVD	ALABAMA BLVD	BELL BLVD	2LN	E	860	C	201	C	212	
	BELL BLVD	COLUMBUS BLVD	2LN	E	860	C	201	C	214	
MOODY RD	HANCOCK B. PKWY	PONDELLA RD	2LN	E	860	C	182	C	206	old count projection
NALLE GRADE RD	SLATER RD	NALLE RD	2LN	E	860	C	73	C	77	
NALLE RD	SR 78	NALLE GRADE RD	2LN	E	860	C	141	C	161	old count projection
NEAL RD	ORANGE RIVER BLVD	BUCKINGHAM RD	2LN	E	860	C	130	C	136	

Table 19 (cont.): Existing and Future Roadway LOS on County-Maintained Collectors in Unincorporated Areas

ROADWAY LINK				100TH HIGHEST HOUR DIRECTIONAL VOLUMES						
				STANDARD		2017		2022		NOTES
NAME	FROM	TO	TYPE	LOS	MAX	LOS	EXIST ING	LOS	FUTURE	
ORANGE GROVE BLVD	CLUB ENTR.	4 LANE END	2LN	E	860	C	393	C	488	old count
	4 LANE END	HANCOCK B. PKWY	4LN	E	1,790	C	393	C	488	old count
	HANCOCK B. PKWY	PONDELLA RD	4LN	E	1,790	C	506	C	532	
ORIOLE RD	SAN CARLOS BLVD	ALICO RD	2LN	E	860	C	139	C	146	
PALOMINO LN	DANIELS PKWY	PENZANCE BLVD	2LN	E	860	C	393	C	416	
PARK MEADOWS DR	SUMMERLIN RD	US 41	2LN	E	860	C	206	C	216	
PENZANCE BLVD	RANCHETTE RD	SIX MILE PKWY	2LN	E	860	C	124	C	136	
PINE RIDGE RD	SAN CARLOS BLVD	SUMMERLIN RD	2LN	E	860	C	593	D	639	
	SUMMERLIN RD	GLADIOLUS DR	2LN	E	860	C	282	C	541	Heritage Isle
	GLADIOLUS DR	McGREGOR BLVD	2LN	E	860	C	262	C	276	
PLANTATION RD	SIX MILE PKWY	DANIELS PKWY	2LN	E	860	C	350	C	479	Intermed Park
	DANIELS PKWY	IDLEWILD ST	2LN	E	860	D	723	D	760	v/c = 0.83/0.88 FDOT Metro Pkwy 6-laning
	IDLEWILD ST	COLONIAL BLVD	4LN	E	1,790	C	760	C	799	
PRITCHETT PKWY	SR 78	RICH RD	2LN	E	860	C	73	C	541	old count, Stoneybrook North
RICH RD	SLATER RD	PRITCHETT PKWY	2LN	E	860	C	55	C	62	old count projection
RICHMOND AVE	LEELAND HEIGHTS	E 12TH ST	2LN	E	860	C	74	C	86	
	E 12TH ST	GREENBRIAR BLVD	2LN	E	860	C	74	C	78	
SAN CARLOS BLVD	US 41	THREE OAKS PKWY	2LN	E	860	C	421	C	443	
SANIBEL BLVD	US 41	LEE RD	2LN	E	860	C	340	C	357	
SHELL POINT BLVD	McGREGOR BLVD	PALM ACRES	2LN	E	860	C	269	C	283	
SOUTH POINTE BLVD	CYPRESS LAKE DR	COLLEGE PKWY	2LD	E	910	C	565	C	594	
STALEY RD	TICE	ORANGE RIVER BLVD	2LN	E	860	C	189	C	215	
SW 23RD ST	GUNNERY RD	SUNSHINE BLVD	2LN	E	860	D	655	D	688	v/c = 0.76/0.80
TICE ST	SR 80	ORTIZ AVE	2LN	E	860	C	163	C	171	old count
	ORTIZ AVE	STALEY RD	2LN	E	860	C	198	D	711	Elementary U.
WESTGATE BLVD	SW 23RD ST	LEE BLVD	2LN	E	860	C	618	C	674	
WHISKEY CREEK DR	COLLEGE PKWY	SAUTERN DR	2LD	E	910	C	340	C	357	
	SAUTERN DR	McGREGOR BLVD	2LD	E	910	C	340	C	357	
WILLIAMS AVE	LEE BLVD	W. 6TH ST	2LN	E	860	D	763	D	802	v/c = 0.89/0.93
WINKLER RD	STOCKBRIDGE DR	SUMMERLIN RD	2LN	E	860	C	461	D	537	old count
WOODLAND BLVD	US 41	AUSTIN ST	2LN	E	860	C	266	C	300	old count projection
W. 6TH ST	WILLIAMS AVE	JOEL BLVD	2LN	E	860	C	196	C	206	old count projection
W. 12TH ST	GUNNERY RD	SUNSHINE BLVD	2LN	E	860	C	239	C	252	
	SUNSHINE BLVD	WILLIAMS AVE	2LN	E	860	C	76	C	168	old count projection
	WILLIAMS AVE	JOEL BLVD	2LN	E	860	C	92	C	104	old count projection
W. 14TH ST	SUNSHINE BLVD	RICHMOND AVE	2LN	E	860	C	48	C	54	old count projection

0.8 < v/c < 0.9

= 100th hour directional volume v/c ratio between 80 and 90 percent of capacity

0.9 < v/c < 1.0

= 100th hour directional volume v/c ratio between 90 and 100 percent of capacity

= Does not meet the County adopted LOS standard (NOTE: Below LOS standard is acceptable on constrained roads)

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TRIP GENERATION EQUATIONS

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Shopping Center (820)

Vehicle Trip Ends vs: 1000 Sq. Ft. GLA
On a: Weekday

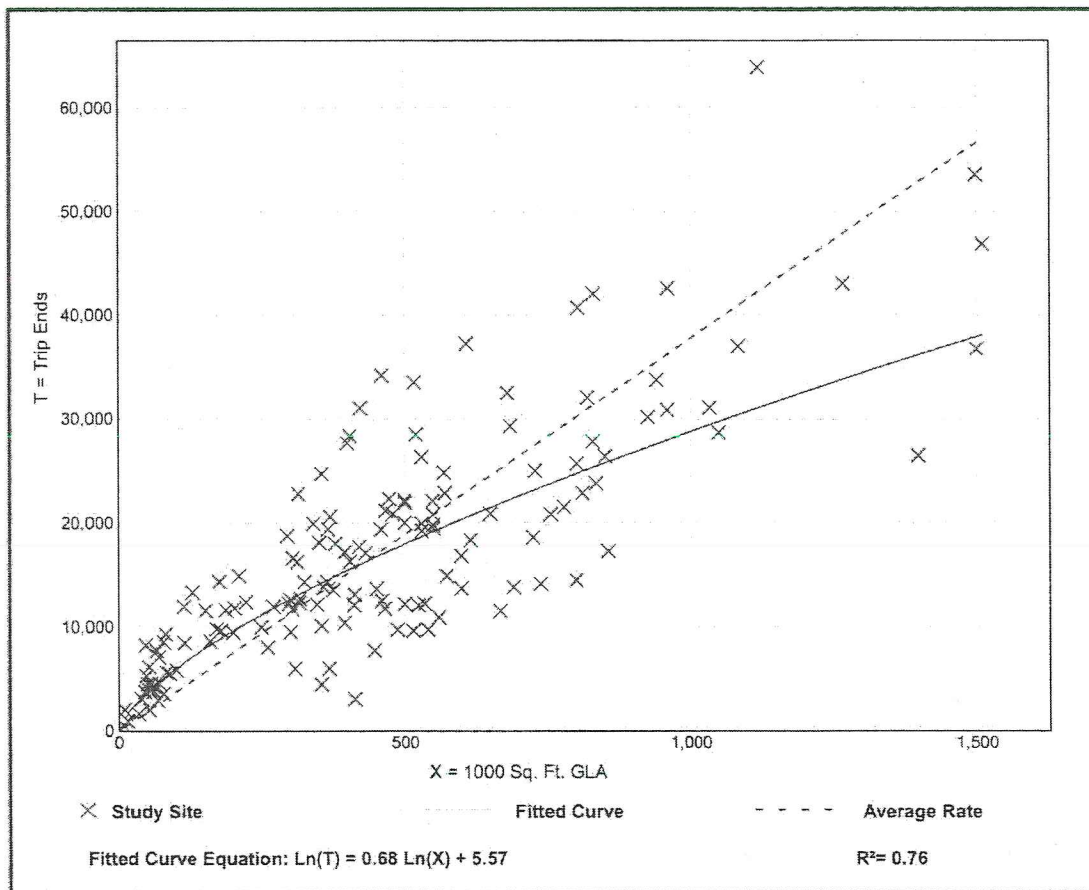
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Setting/Location: General Urban/Suburban
Number of Studies: 147
1000 Sq. Ft. GLA: 453
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
37.75	7.42 - 207.98	16.41

Data Plot and Equation



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Shopping Center (820)

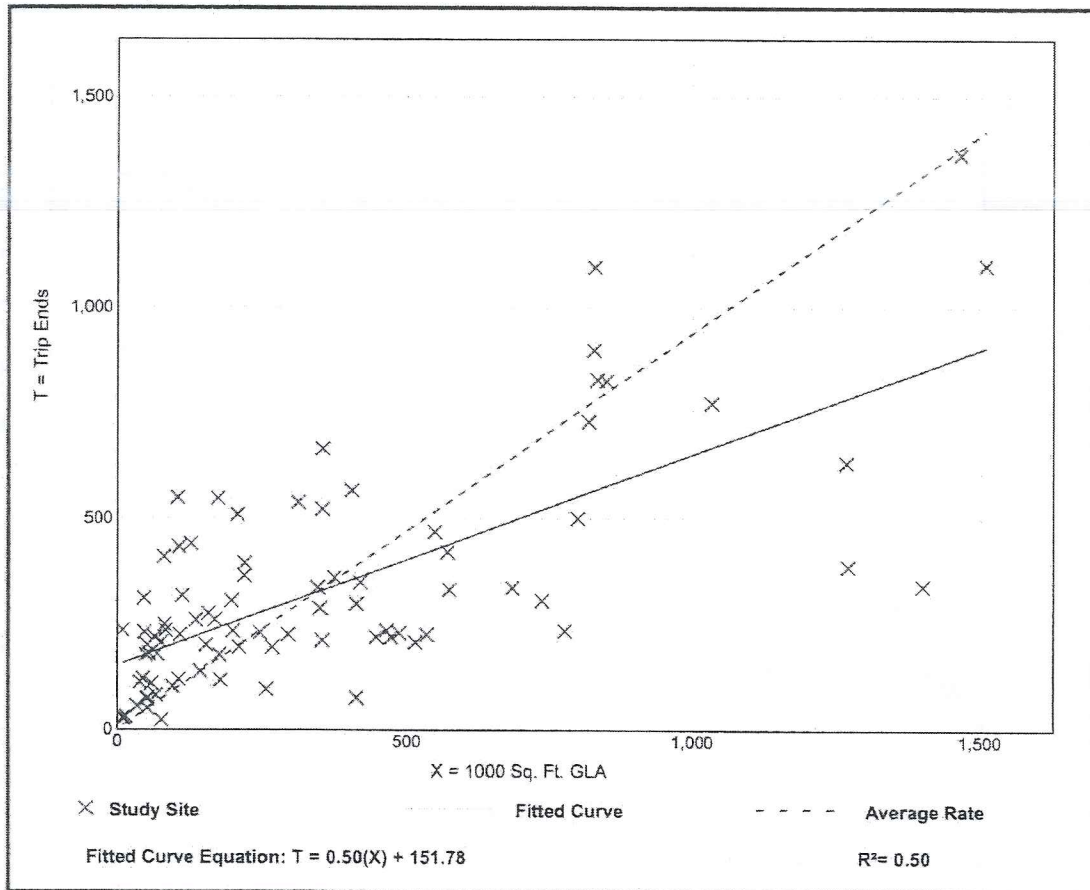
Vehicle Trip Ends vs: 1000 Sq. Ft. GLA
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.
Setting/Location: General Urban/Suburban
Number of Studies: 84
1000 Sq. Ft. GLA: 351
Directional Distribution: 62% entering, 38% exiting

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Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
0.94	0.18 - 23.74	0.87

Data Plot and Equation



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Shopping Center (820)

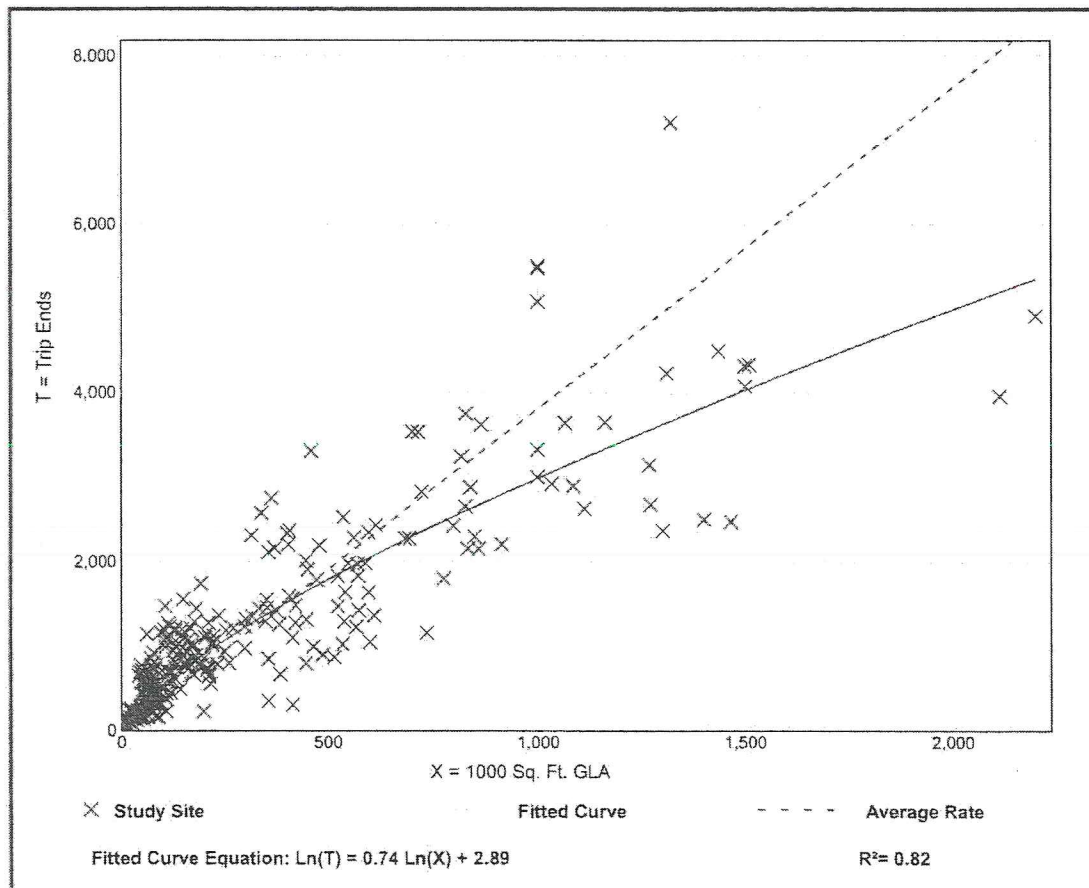
COMMUNITY DEVELOPMENT

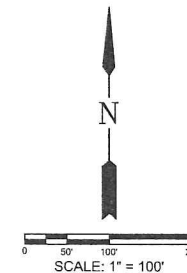
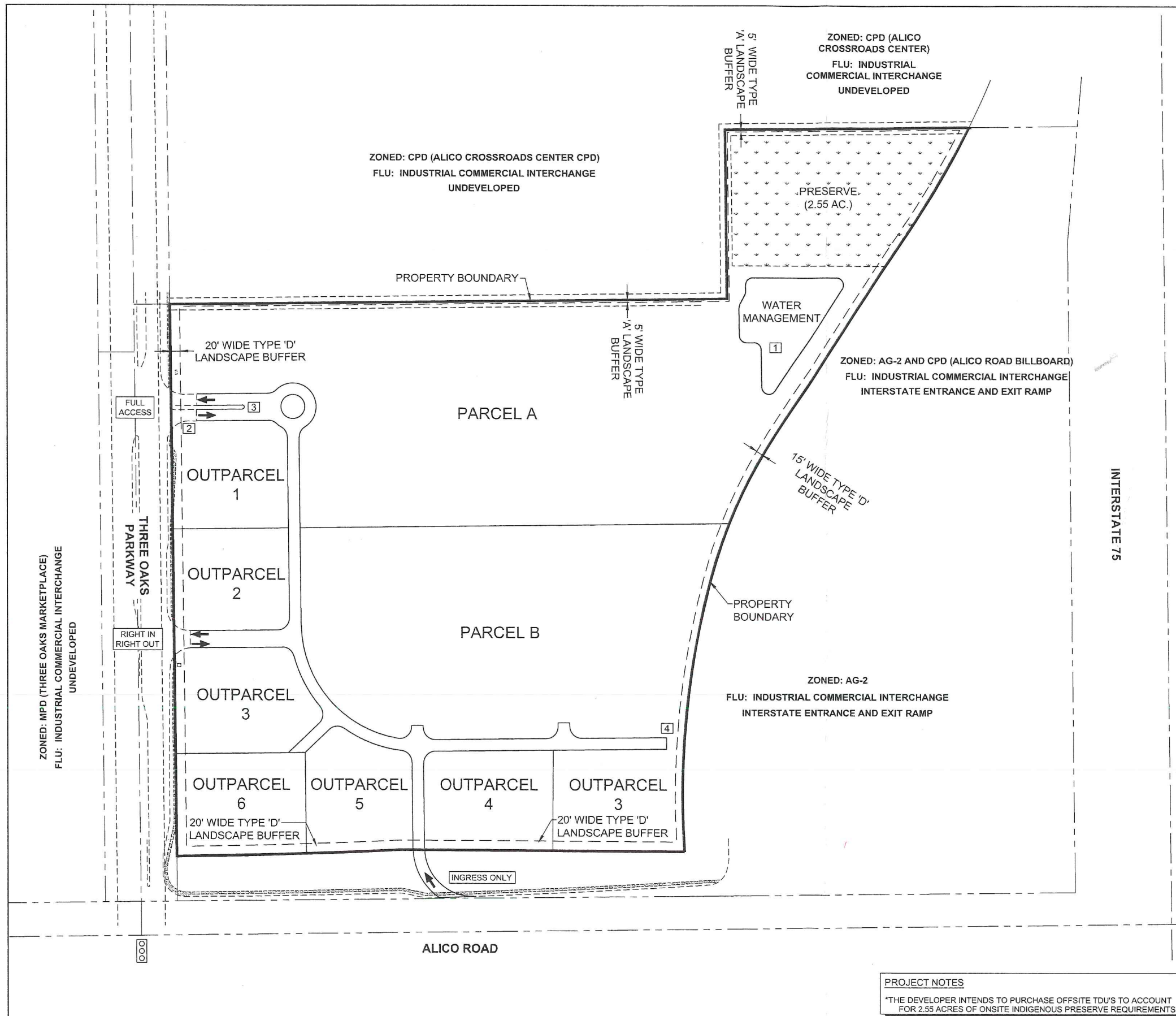
Vehicle Trip Ends vs: 1000 Sq. Ft. GLA
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: General Urban/Suburban
Number of Studies: 261
1000 Sq. Ft. GLA: 327
Directional Distribution: 48% entering, 52% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
3.81	0.74 - 18.69	2.04

Data Plot and Equation





SITE SUMMARY

PLAN DESIGNATION: GENERAL INTERCHANGE
EXISTING ZONING: VINTAGE COMMERCE CENTER CPD
PROPOSED ZONING: VINTAGE COMMERCE CENTER CPD
EXISTING LAND USE: UNDEVELOPED
GROSS AREA: ± 33.93
STRAP NUMBER: 03-46-25-00-00001.1100, 03-46-25-00-00001.1090
STREET ADDRESS: 9401 ALICO ROAD, FT MYERS, FL

PROPERTY DEVELOPMENT REGULATIONS

COMMERCIAL/RETAIL: 350,000 SF (THIS CAN BE COMPRISE OF ALL RETAIL, OR UP TO 30,000 SF OF OFFICE USE OF WHICH UP TO 15,000 SF MAY BE MEDICAL OFFICE USE AND THE REMAINDER RETAIL FLOOR AREA)
HOTEL: 300,000 SF
MULTI-FAMILY RESIDENTIAL: 400 UNITS

MINIMUM AREA DIMENSIONS:
LOT SIZE 20,000 SQUARE FEET
LOT DEPTH 100 FEET
LOT WIDTH 100 FEET

MINIMUM SETBACKS:
STREETS INTERNAL OR EXTERNAL: 25 FEET
SIDE: 15 FEET
REAR: 20 FEET
WATERBODY: 25 FEET
MAXIMUM BUILDING HEIGHT: 85 FEET
MINIMUM LOT COVERAGE: 45 PERCENT
MINIMUM OPEN SPACE: A MINIMUM OF 10.18 X 0.35 = 3.56 ACRES OF GENERAL OPEN SPACE MUST BE PROVIDED WITHIN THE OVERALL DEVELOPMENT SITE. EACH DEVELOPMENT TRACT MAY CONTAIN A MINIMUM OF 10 PERCENT OPEN SPACE PER LDC §34-414(C) PROVIDED THE DEVELOPER DEMONSTRATES THE OVERALL OPEN SPACE REQUIREMENT WILL BE MET WITH EACH LOCAL DEVELOPMENT ORDER SUBMITTAL. 35% REDUCTION PER USE OF PINE ISLAND TDU'S PER LDC 2-152

SCHEDULE OF DEVIATIONS

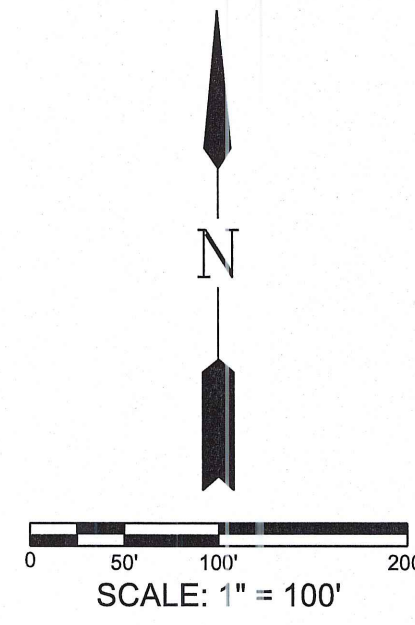
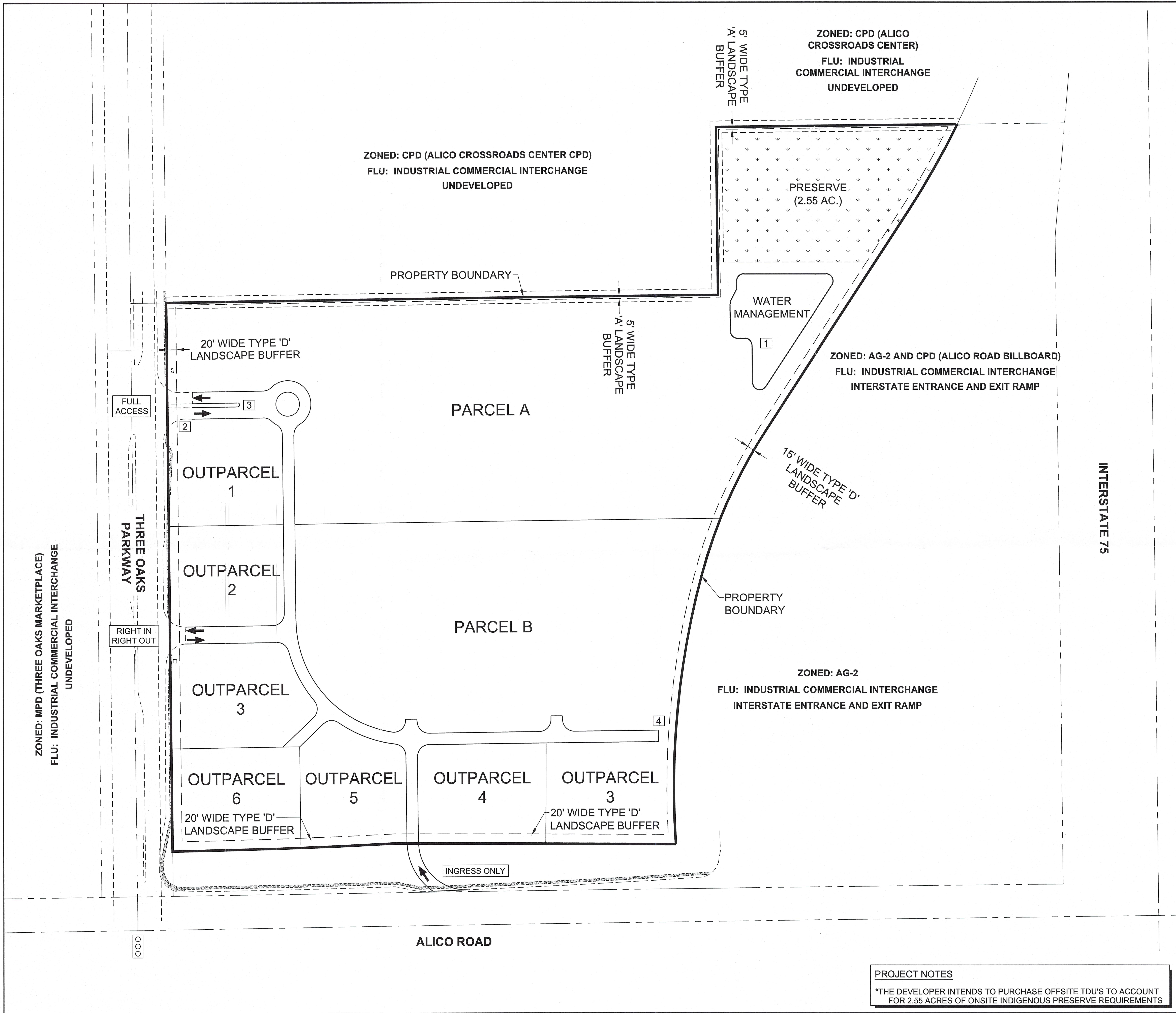
- RELIEF FROM THE LDC §10-329(D)(1)A.3 REQUIREMENT TO PROVIDE A 50-FOOT-WIDE SETBACK FROM ROAD RIGHTS-OF-WAY AND PRIVATE PROPERTY LINES FOR WATER RETENTION EXCAVATION, TO ALLOW A 25-FOOT-WIDE SETBACK.
- RELIEF FROM THE LDC §10-285(A) REQUIREMENT TO PROVIDE A 660-FOOT CONNECTION SEPARATION ONTO THE FUTURE EXTENSION OF THREE OAKS PARKWAY, TO ALLOW ACCESS APPROXIMATELY 660 FEET AND 1,311 FEET AS MEASURED FROM THE CENTERLINE OF ALICO ROAD.
- RELIEF FROM THE LDC §30-153(2)A.4. REQUIREMENT THAT ON-SITE IDENTIFICATION SIGNS BE SET BACK A MINIMUM OF 15 FEET FROM ANY STREET RIGHT-OF-WAY OR EASEMENT, AND 10 FEET FROM ANY OTHER PROPERTY LINE, TO ALLOW PROJECT IDENTIFICATION SIGNS IN A MEDIAN WITHIN THE PROJECT'S INTERNAL ROAD RIGHT-OF-WAY. THIS DEVIATION IS APPROVED WITH THE CONDITION THAT THE IDENTIFICATION SIGNS ARE PLACED AND CONSTRUCTED IN ACCORDANCE WITH LDC §30-93, VISIBILITY TRIANGLE SAFE SIGHT DISTANCE REQUIREMENTS.
- RELIEF FROM THE LDC §10-296(K)(1), WHICH REQUIRES DEAD-END STREETS TO BE CLOSED AT ONE END BY A CIRCULAR TURNAROUND FOR VEHICLES, TO ALLOW THE DEAD-END ACCESSWAY AS SHOWN ON THE MASTER CONCEPT PLAN TO BE CONSTRUCTED WITHOUT A CUL-DE-SAC.

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SITE SUMMARY

PLAN DESIGNATION: GENERAL INTERCHANGE

EXISTING ZONING: VINTAGE COMMERCE CENTER CPD

PROPOSED ZONING: VINTAGE COMMERCE CENTER CPD

EXISTING LAND USE: UNDEVELOPED

GROSS AREA: ± 33.93

STRAP NUMBER: 03-46-25-00-00001.1100, 03-46-25-00-00001.1090

STREET ADDRESS: 9401 ALICO ROAD, FT MYERS, FL

PROPERTY DEVELOPMENT REGULATIONS

COMMERCIAL/RETAIL: 350,000 SF (THIS CAN BE COMPRISE OF ALL RETAIL, OR UP TO 30,000 SF OF OFFICE USE OF WHICH UP TO 15,000 SF MAY BE MEDICAL OFFICE USE AND THE REMAINDER RETAIL FLOOR AREA)

HOTEL: 300,000 SF

MULTI-FAMILY RESIDENTIAL: 400 UNITS

MINIMUM AREA DIMENSIONS:

LOT SIZE: 20,000 SQUARE FEET

LOT DEPTH: 100 FEET

LOT WIDTH: 100 FEET

MINIMUM SETBACKS:

STREETS INTERNAL OR EXTERNAL: 25 FEET

SIDE: 15 FEET

REAR: 20 FEET

WATERBODY: 25 FEET

MAXIMUM BUILDING HEIGHT: 85 FEET

MINIMUM LOT COVERAGE: 45 PERCENT

MINIMUM OPEN SPACE: A MINIMUM OF 10.18 X 0.35 = 3.56 ACRES OF GENERAL OPEN SPACE MUST BE PROVIDED WITHIN THE OVERALL DEVELOPMENT SITE. EACH DEVELOPMENT TRACT MAY CONTAIN A MINIMUM OF 10 PERCENT OPEN SPACE PER LDC §34-414(C) PROVIDED THE DEVELOPER DEMONSTRATES THE OVERALL OPEN SPACE REQUIREMENT WILL BE MET WITH EACH LOCAL DEVELOPMENT ORDER SUBMITTAL. 35% REDUCTION PER USE OF PINE ISLAND TDU'S PER LDC 2-152

SCHEDULE OF DEVIATIONS

- RELIEF FROM THE LDC §10-329(D)(1)A.3 REQUIREMENT TO PROVIDE A 50-FOOT-WIDE SETBACK FROM ROAD RIGHTS-OF-WAY AND PRIVATE PROPERTY LINES FOR WATER RETENTION EXCAVATION, TO ALLOW A 25-FOOT-WIDE SETBACK.
- RELIEF FROM THE LDC §10-285(A) REQUIREMENT TO PROVIDE A 660-FOOT CONNECTION SEPARATION ONTO THE FUTURE EXTENSION OF THREE OAKS PARKWAY, TO ALLOW ACCESS APPROXIMATELY 660 FEET AND 1,311 FEET AS MEASURED FROM THE CENTERLINE OF ALICO ROAD.
- RELIEF FROM THE LDC §30-153(2)A.4. REQUIREMENT THAT ON-SITE IDENTIFICATION SIGNS BE SET BACK A MINIMUM OF 15 FEET FROM ANY STREET RIGHT-OF-WAY OR EASEMENT, AND 10 FEET FROM ANY OTHER PROPERTY LINE, TO ALLOW PROJECT IDENTIFICATION SIGNS IN A MEDIAN WITHIN THE PROJECT'S INTERNAL ROAD RIGHT-OF-WAY. THIS DEVIATION IS APPROVED WITH THE CONDITION THAT THE IDENTIFICATION SIGNS ARE PLACED AND CONSTRUCTED IN ACCORDANCE WITH LDC §30-93, VISIBILITY TRIANGLE SAFE SIGHT DISTANCE REQUIREMENTS.
- RELIEF FROM THE LDC §10-296(K)(1), WHICH REQUIRES DEAD-END STREETS TO BE CLOSED AT ONE END BY A CIRCULAR TURNAROUND FOR VEHICLES, TO ALLOW THE DEAD-END ACCESSWAY AS SHOWN ON THE MASTER CONCEPT PLAN TO BE CONSTRUCTED WITHOUT A CUL-DE-SAC.

PROJECT NOTES

*THE DEVELOPER INTENDS TO PURCHASE OFFSITE TDU'S TO ACCOUNT FOR 2.55 ACRES OF ONSITE INDIGENOUS PRESERVE REQUIREMENTS



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# DEVIATION PRESERVE	LEGEND			DESIGNED BY: Q.G.M.A. DRAWN BY: D.C.R. APPROVED: D.W.A. JOB CODE: CRMALPDO SCALE: 1" = 100'	 Civil Engineers • Land Surveyors • Planners • Landscape Architects Cert. of Auth. EB 0005151 Cert. of Auth. LB 0005151 Business LC 26000266 Bonita Springs: 239.947.1144 www.GradyMinor.com Fort Myers: 239.690.4380	VINTAGE COMMERCE CENTER CPD MASTER CONCEPT PLAN	MUNICIPALITY: LEE COUNTY SEC/TWNSHIP/RNG: 03/46S/25E DATE: SEPTEMBER 2018 SUBMITTAL TYPE: PD AMENDMENT SHEET 1 OF 1
	Revision Date Description By						

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Vintage Commerce Center CPD

Schedule of Uses

a. Schedule of Uses For Tracts A and B

1. Agricultural Uses (See Condition 4, below)
2. ATM
3. Auto Parts Store with or without installation service
4. Automobile Service Station
5. Auto Repair and Service, Groups I & II
6. Banks and Financial Establishments, Groups I & II
7. Bar or Cocktail Lounge
8. Boat Sales
- 8.9. Building Material Sales
10. Business Services, Groups I & II
- 9.11. Car Wash Convenience Food and Beverage Store, limited to one(1), having a maximum of 16 fuel pumps (Also, see Condition 7 below)
12. Clothing Store, General
- 10.13. Consumption on premises, indoor and outdoor
14. Contractor and Builders, Group I
- 11.15. Department Store
- 12.16. Drive Through Facility for Any Permitted Use
17. Drugstore
- 13.18. Dwelling units, multiple family (Tracts A and B only)
- 14.19. Entrance Gates and Gatehouses
- 15.20. Essential Services
- 16.21. Essential Service Facilities, Group I
22. Excavation, Water Retention
23. Food stores, Group I
17. Hardware Store
- 18.24. Health Care Facility, Group III
25. Hobby, Toy and Game Shops
26. Hotel/motel
- 19.27. House of worship
- 20.28. Household and Office Furnishings, Groups I & II
- 21.29. Insurance Companies
- 22.30. Laundromat
- 23.31. Laundry or Dry Cleaning, Group I
- 24.32. Lawn and Garden Supply Store

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Vintage Commerce Center CPD

Schedule of Uses

- 33. Medical Office
- ~~25.34. Night clubs~~
- ~~26.35. Non-Store Retailers, All Groups~~
- ~~27.36. Package Store~~
- ~~28.37. Paint, Glass and Wallpaper~~
- ~~29.38. Parking Lot, Accessory and Temporary~~
- ~~30.39. Personal Services, Groups I through III~~
- ~~31.40. Pet Services~~
- ~~32.41. Pet Shop~~
- ~~33.42. Pharmacy~~
- 43. Printing and Publishing
- 44. Recreational facilities, commercial, Groups I through V
- ~~34.45. Religious facilities~~
- ~~35.46. Rental or Leasing Establishments, Group II and III~~
- 47. Repair Shops, Groups I & II
- ~~36.48. Restaurants, Fast Food~~
- 49. Restaurants, Groups I through IV
- ~~37.50. Schools commercial~~
- ~~38.51. Social Services, Group I~~
- ~~39.52. Specialty Retail, Groups I through IV~~
- 53. Studios
- ~~40.54. Supermarket~~
- ~~41.55. Temporary Uses~~
- 56. Used Merchandise Store, Group I
- ~~42.57. Vehicle and equipment dealers, Groups I through V~~

b. Schedule of Uses—Additional Uses Only Permitted on Tract A

~~Building Material Sales~~
~~Department Store~~
~~Hardware Store~~
~~Supermarket~~

c. Schedule of Uses—Additional Uses Only Permitted on Tract B

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Vintage Commerce Center CPD

Schedule of Uses

~~Car Wash Convenience Food and Beverage Store, limited to one(1), having a maximum of 16 fuel pumps (Also, see Condition 7 below)~~

~~Restaurants, Fast Food~~

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Vintage Commerce Center CPD

Site Development Regulations

- (1) The project may be developed with a maximum of ~~30~~350,000 square feet of floor area, 300 hotel rooms, and 400 dwelling units. ~~This can be comprised of all retail, or up to 30,000 square feet of office use of which up to 15,000 square feet may be medical office use and the remainder retail floor area; and~~
- (2) This approval does not alleviate the need to comply with all federal, state and county development regulations for life safety and fire codes, open space, buffering and parking spaces, except as specifically modified by this approval. No deviations from any regulations that are not specifically stated are granted as part of this approval.
- (3) Any use that is specifically addressed in the LDC with special buffering, separation or other requirements must adhere to those requirements. No relief has been granted as part of this approval to allow a lessening of those requirements.
- (4) The property development limitations are:

Minimum Area Dimensions:

Lot Size	20,000 square feet
Lot Depth	100 feet
Lot Width	100 feet

Minimum Building Setbacks:

Street Internal or External	25 feet
Side	15 feet
Rear	20 feet

Waterbody	25 feet
-----------	---------

Maximum Building Height:	45 <u>85</u> feet/ three stories
--------------------------	--

Maximum Lot Coverage:	45 percent
-----------------------	------------

Minimum Open Space:	A minimum of $10.18 \times 0.35 = 3.56$ acres of general open space must be provided within the overall development site. Each development tract may contain a minimum of 20 <u>10</u> percent open space per LDC §34-414(c) provided the developer demonstrates the overall open space requirement will be met
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Site Development Regulations

with each local development order submittal. 35% reduction per use of Pine Island TDU's per LDC 2-152.

Indigenous Preserve: 3.56 acres x 0.5 = 1.78 acres

Note: Tract A and B can be further subdivided using the Administrative Review Process consistent with the Property Development Regulations set forth in Condition A.3.d.(4).

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Deviations and Justifications

COMMUNITY DEVELOPMENT

1. Deviation (1) seeks relief from LDC §10-329(d)(1)a.3 requirement to provide a 50-foot-wide setback from road rights-of-way and private property lines for water retention excavation, to allow a 25-foot-wide setback. This deviation is APPROVED with the following condition:

The developer must provide adequate protection for wayward vehicles along Alico Road and the east property line of the subject property. The elements of protection will be reviewed during the development order process and are subject to the approval of the Director of Development Services. Similarly, the setback along the eastern property line is approved with the condition the lake is adequately buffered from the adjoining property line with berms and/or landscaping to deter unauthorized access. These elements can also be reviewed during the development order process and subject to the approval of the Director.

~~2. Deviation (2) WITHDRAWN AT PUBLIC HEARING~~

- ~~3.2.~~ Deviation (32) seeks relief from LDC §10-285(a) requirement to provide a 660-foot connection separation onto the future extension of Three Oaks Parkway, to allow access approximately 660 feet and 1,311 feet as measured from the centerline of Alico Road. This deviation is APPROVED with the following conditions:

- a. The connection approximately 660 feet north of Alico Road is approved.
- b. There will be no driveway connections on the internal east-west accessways between Three Oaks Parkway and the parallel internal frontage road. Parcels will only have driveway connections to the parallel internal frontage roadway.
- c. A connection to Three Oaks Parkway will be shared with the property to the north, and a cross-access easement on the internal frontage roadway will be provided. The northern connection may be shifted administratively up to 200 feet based on LCDOT review of consistency with the median access management plan for Three Oaks Parkway.

~~4. Deviation (4) WITHDRAWN AT PUBLIC HEARING~~

- ~~5.3.~~ Deviation (53) seeks relief from LDC §30-153(2)a.4. requirement that on-site identification signs be set back a minimum of 15 feet from any street right-of-way or easement, and 10 feet from any other property line, to allow project identification signs in a median within



Vintage Commerce Center CPD

Deviations and Justifications

the project's internal road right-of-way. This deviation is APPROVED with the condition that the identification signs are placed and constructed in accordance with LDC §30-93, visibility triangle safe sight distance requirements.

6.4. _____ Deviation (~~64~~) seeks relief from LDC §10-296(k)(1), which requires dead-end streets to be closed at one end by a circular turnaround for vehicles, to allow the dead-end accessway as shown on the Master Concept Plan to be constructed without a cul-de-sac. This deviation is APPROVED with the following conditions:

- a. Vehicles and emergency vehicles must be able to turn left and/or right into a parking lot and continue in a forward motion to the site exits.
- b. Prior to local development order approval, the developer must submit a letter to Development Services from the local fire authority approving this condition.

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Section 3, Township 46 South, Range 25 East
Lee County, Florida

Protected Species Assessment

October 2018

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Prepared for:

**CRM Real Estate Services
1110 Euclid Avenue #300
Cleveland, OH 44115**

Prepared by:

***DexBender*
4470 Camino Real Way, Suite 101
Fort Myers, FL 33966
(239) 334-3680**

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INTRODUCTION

COMMUNITY DEVELOPMENT

The 33.95± acre project is located within a portion of Section 3, Township 46 South, Range 25 East, Lee County, Florida. The parcel is bordered to the north by undeveloped land and pasture, to the west by Three Oaks Parkway, to the south by Alico Road, and to the east by I-75.

SITE CONDITIONS

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The majority of this site consists of exotic invaded pine flatwoods and fallow pasture.

VEGETATIVE CLASSIFICATIONS

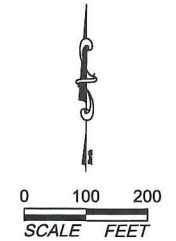
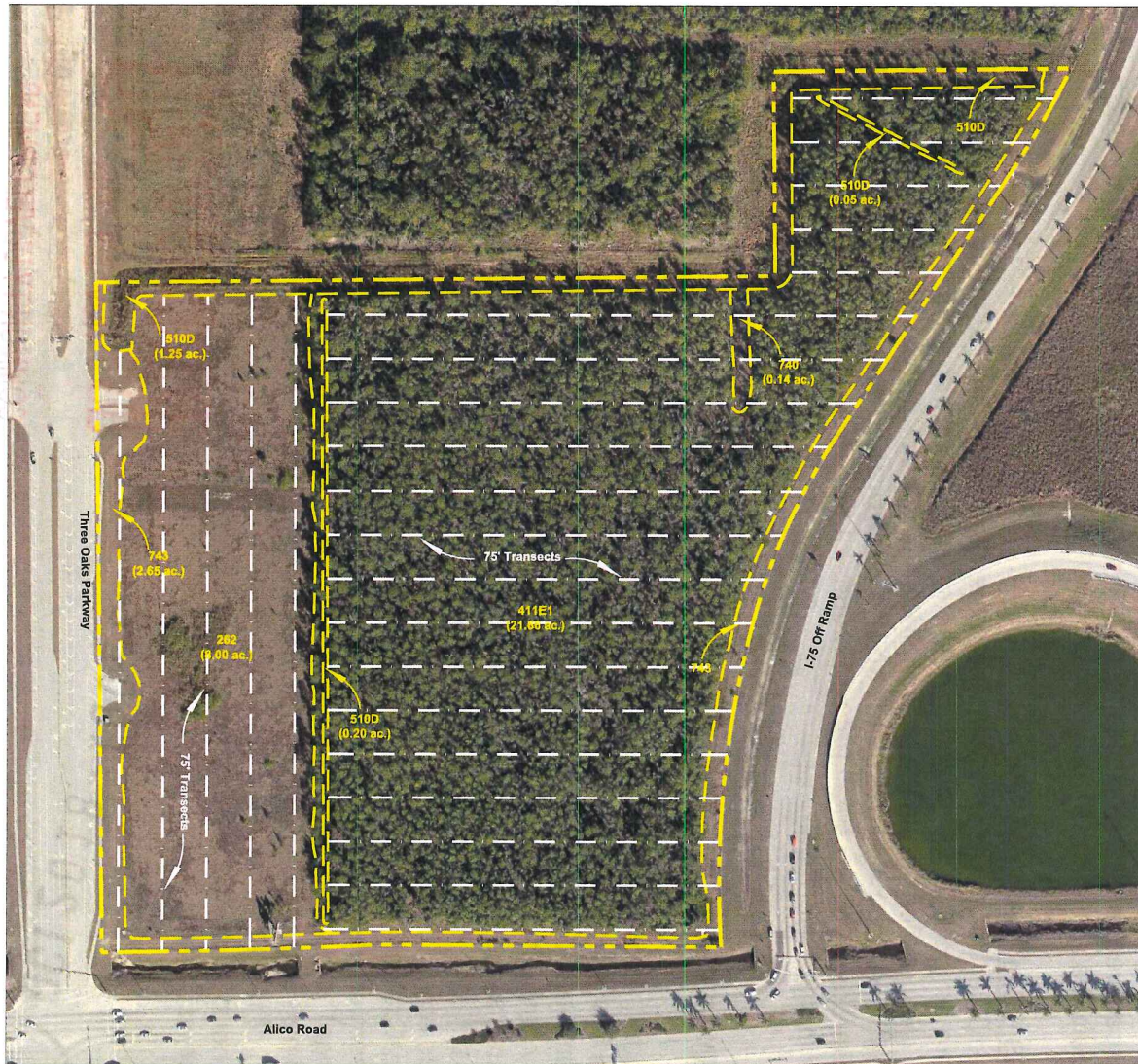
The predominant vegetation associations were mapped in the field on 2018 digital 1" = 200' scale aerial photography. The property boundary was provided by Grady Minor and inserted into the digital aerial. The property boundary was not staked in the field at the time of our site inspection and was, therefore, estimated based on the overlay of the approximate boundary on the aerial photography. Five vegetation associations were identified using the Florida Land Use, Cover and Forms Classification System (FLUCCS). The Protected Species Assessment Map (Appendix A) depicts the approximate location and configuration of these vegetation associations and Table 1 summarizes the acreages by FLUCCS Code. A brief description of each FLUCCS Code is also provided below.

Table 1. Acreage Summary by FLUCCS Code

FLUCCS CODE	DESCRIPTION	ACREAGE
262	Fallow Pasture	8.00
411E1	Pine Flatwoods Invaded by Exotics (10-25%)	21.66
510D	Ditches	1.50
740	Disturbed Land	0.14
743	Spoil Areas	2.65
Total		33.95

FLUCCS Code 262, Fallow Pasture

The western portion of the site includes remnant improved pasture which is no longer being actively grazed. Vegetation consist primarily of Bahia grass (*Paspalum notatum*) and smutgrass (*Sporobolus indicus*). Scattered Caesarweed (*Urena lobata*), ragweed (*Ambrosia artemisiifolia*), whitehead broom (*Spermacoce verticillata*), and guinea grass (*Panicum maximum*) are also present.



SECTION: 3
TOWNSHIP: 46 S
RANGE: 25 E

FLUCCS	Description	Acreage
262	Fallow Pasture	8.00 ac.
411E1	Pine Flatwoods Invaded by Exotics (10-25%)	21.66 ac.
510D	Ditches	1.50 ac.
740	Disturbed Land	0.14 ac.
743	Spoil Areas	2.65 ac.
Total		33.95 ac.

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November 01, 2018 2:41:30 p.m.
Drawing: CRM1PSA.DWG

Figure 1. Protected Species Assessment Map

Vintage Commerce Center CPD

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

This association is characterized by a canopy dominated by slash pine (*Pinus elliottii*) and groundcover dominated by saw palmetto (*Serenoa repens*). Additional vegetative species include grapevine (*Vitis rotundifolia*), scattered dahoon holly (*Ilex cassine*), wax myrtle (*Myrica cerifera*), widely scattered cabbage palm (*Sabal palmetto*), and myrsine (*Rapanea punctata*). This area has been invaded by exotic vegetation including ear leaf acacia (*Acacia auriculiformes*), Brazilian pepper (*Schinus terebinthifolius*), melaleuca (*Melaleuca quinquenervia*), cogon grass (*Imperata cylindrica*), and downy rose-myrtle (*Rhodomyrtus tomentosa*).

FLUCCS Code 510D, Ditch

These man-made drainage features are vegetated by species such as pickerelweed (*Pontedaria cordata*), willow (*Salix caroliniana*), cattail (*Typha* sp.), hempvine (*Mikania scandens*), Brazilian pepper, and alligator weed (*Alternanthera philoxeroides*).

FLUCCS Code 740, Disturbed Land

A small area of previously disturbed pine flatwoods is present in the northern end of the site and is vegetated by species such as Bahia grass, broomsedge (*Andropogon* sp.), widely scattered little blue maidencane (*Amphicarpum muhlenbergianum*), slash pine, and melaleuca.

FLUCCS Code 743, Spoil Areas

This FLUCCS Code was used to denote the filled areas around the perimeter of the site which are associated with portions of the existing stormwater management system and roads. Vegetation in these areas includes Bahia grass, ragweed, Caesarweed, whitehead broom, pusley (*Richardia* sp.), torpedo grass (*Panicum repens*), and goatweed (*Scoparia dulcis*). Two small paved portions of the Three Oaks Parkway extension are present in this association.

SURVEY METHOD

Lee County Protected Species Ordinance No. 89-34 lists several protected species of animals that could potentially occur on-site based on the general vegetative associations found on the subject parcel. Each habitat type was surveyed for the occurrence of these and any other listed species likely to occur in the specific habitat types. The survey was conducted using meandering linear pedestrian belt transects. This survey methodology is based on the Lee County administratively approved Meandering Transect Methodology. In order to provide at least 80 percent visual coverage of habitat types listed in Ordinance No. 89-34, the transects were spaced approximately 75 feet apart. The approximate locations of all direct sighting or signs (such as tracks, nests, and droppings) of a listed species were denoted on the aerial photography. The 1" = 200' scale aerial Protected Species Assessment map (Appendix A) depicts the approximate location of the survey transects and the results of the survey. The listed species survey was conducted during the morning hours of September 25, 2018. During the survey the weather was warm, sunny, and calm.

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Species listed as endangered, threatened, or species of special concern by the Florida Fish and Wildlife Conservation Commission (FWC) or the United States Fish and Wildlife Service (FWS) that could potentially occur on the subject parcel according to the Lee County Protected Species Ordinance are shown in Table 2. This list from the Lee County Protected Species Ordinance is general in nature, does not necessarily reflect existing conditions within or adjacent to the 33.95± acre property, and is provided for general informational purposes only. The bald eagle (*Haliaeetus leucocephalus*) (which has been delisted by the FWC and FWS but is still protected by other regulations), burrowing Owl (*Athene cunicularia floridana*), the Florida black bear (*Ursus americanus floridanus*) (delisted in 2012 and still protected by the Florida Black Bear Management Plan), and the Florida bonneted bat (*Eumops floridanus*) (which was listed by the FWS after Ordinance No. 89-34 was adopted by Lee County) were also included in the survey.

Prior to conducting the protected species survey, a search of the FWC listed species database (updated in June 2018) was conducted to determine the known occurrence of listed species in the project area. This search revealed no known protected species occurring on or immediately adjacent to the site.

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

FLUCCS CODE	Percent Survey Coverage	Species Name	Present	Absent
262	80	None		
411E1	80	Gopher Frog (<i>Rana areolata</i>)		✓
		Eastern Indigo Snake (<i>Drymarchon corais couperi</i>)		✓
		Gopher Tortoise (<i>Gopherus polyphemus</i>)		✓
		Red-cockaded Woodpecker (<i>Picoides borealis</i>)		✓
		Southeastern American Kestrel (<i>Falco sparverius paulus</i>)		✓
		Big Cypress Fox Squirrel (<i>Sciurus niger avicennia</i>)		✓
		Florida Black Bear (<i>Ursus americanus floridanus</i>)		✓
		Florida Panther (<i>Felis concolor coryi</i>)		✓
		Beautiful Pawpaw (<i>Deeringothamnus pulchellus</i>)		✓
		Fakahatchee Burmannia (<i>Burmannia flava</i>)		✓
		Florida Coontie (<i>Zamia floridana</i>)		✓
		Satinleaf (<i>Chrysophyllum olivaeforme</i>)		✓

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FLUCCS CODE	Percent Survey Coverage	Species Name	Present	Absent
510D	80	American Alligator (<i>Alligator mississippiensis</i>) Limpkin (<i>Aramus guarauna</i>) Little Blue Heron (<i>Egretta caerulea</i>) Reddish Egret (<i>Egretta rufescens</i>) Roseate Spoonbill (<i>Ajaia ajaja</i>) Snowy Egret (<i>Egretta thula</i>) Tricolored Heron (<i>Egretta tricolor</i>) Everglades Mink (<i>Mustela vison evergladensis</i>)		√ √ √ √ √ √ √ √
740	80	None		
743	80	Gopher Tortoise (<i>Gopherus polyphemus</i>)		√

SURVEY RESULTS

No species listed by either the FWS or the FWC were observed on the site during the protected species survey. In addition to the site inspection, a search of the FWC species database (updated in June 2018) revealed no known protected species within or immediately adjacent to the project limits. No live trees with cavities or artificial structures were observed on-site.

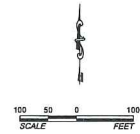
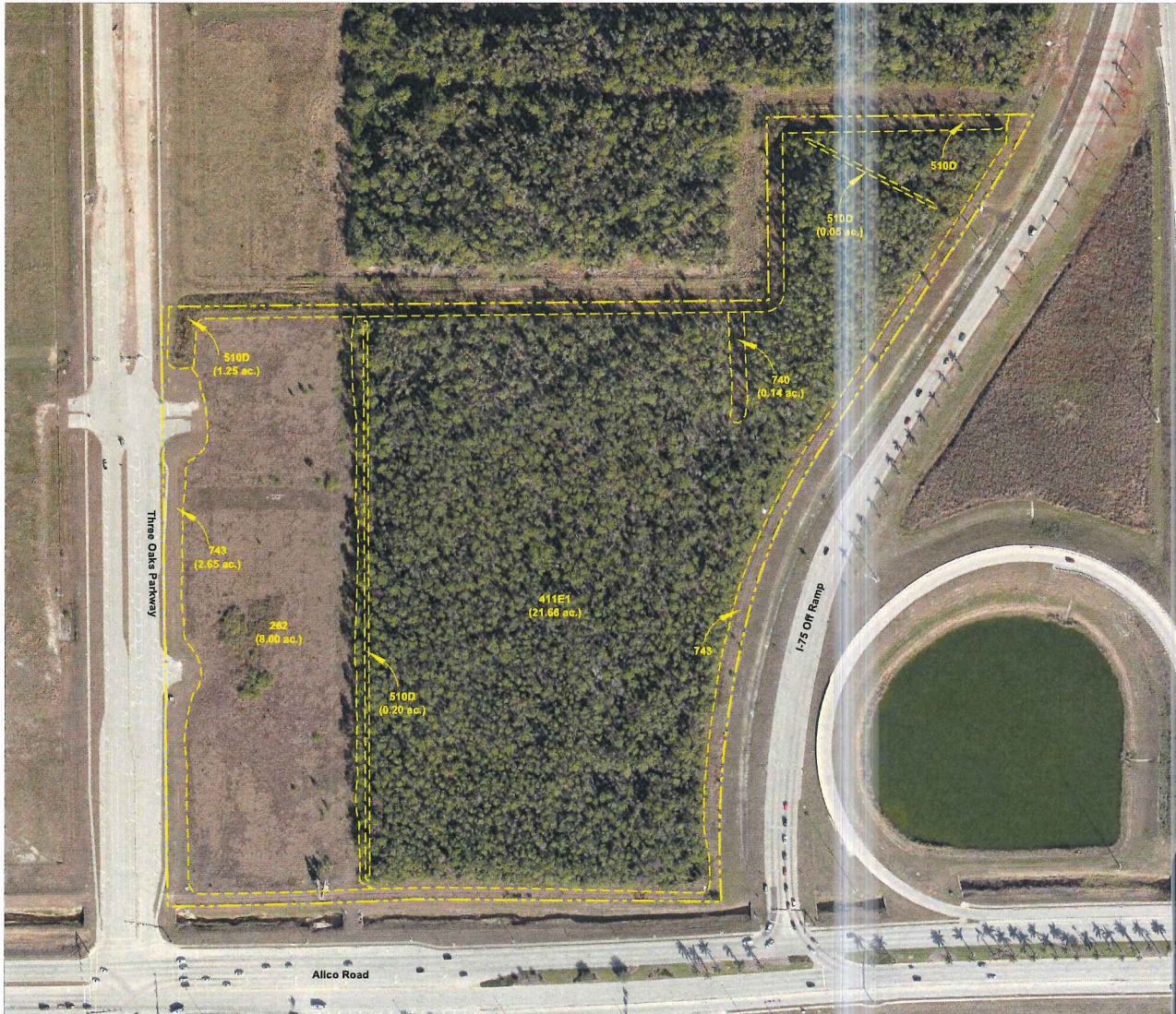
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SECTION 3
TOWNSHIP 48 S
RANGE 25 E



FLUCCS	Description	Acreage
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411E1	Pine Flatwoods Invaded by Exotics (10-25%)	21.66 ac.
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743	Spill Areas	2.65 ac.
		Total 33.95 ac.

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Notes:
1. Property boundary and top of bank lines provided by Grady/Kinor.
2. Mapping based on photointerpretation of 2018 aerial photography and ground truthing in September 2018.
3. Determination of jurisdictional wetlands is preliminary and subject to field review/approval by applicable regulatory agencies.

Sheet 25, 2018 12:24 PM
Brynn Brinkman

B. DEWBENDER
ENVIRONMENTAL CONSULTING
FORT MYERS 239-334-3800

Vintage Commerce Center CPD

Vegetation Map

SHEET

Vintage Commerce Center CPD/RPD

Demonstration of Compatibility

Demonstration of Compatibility

Written statements concerning how the applicant will assure the compatibility of the proposed development with nearby land uses (by addressing such things as noise, odor, lighting and visual impacts), and the adequate provision of drainage, fire and safety, transportation, sewage disposal and solid waste disposal must be provided. [34-491(g)(4)]

This PD amendment proposes to modify the commercial uses to increase the allowable square footage from 300,000 to 350,000 and to modify the Schedule of Uses to include additional commercial uses, including hotel/motel, and to provide for a maximum of 400 multi-family dwelling units. Commercial uses have been previously approved by Resolution No. Z -05-19, and the commercial uses were deemed compatible at this location. The proposed residential use is compatible at this location and is consistent with development at other I-75 interchanges in Lee County. If residential dwellings are constructed within the PD, appropriate landscape buffers will be provided internally to insure the commercial and residential uses are compatible. Building setbacks and development standards have been proposed in the PD to further insure that the mix of uses are compatible. There are no immediate external neighbors; however, lighting will be provided for safety of residents and customers. The project will be required to obtain an Environmental Resource Permit to insure drainage is appropriately managed. Adequate facilities for waste disposal and fire safety will be provided at the time of development order approval.

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Via E-Mail

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
County Chief
Hearing Examiner

November 8, 2018

Frank J. Feeney, P.E.
Q. Grady Minor & Assoc., P.A.
3800 Via Del Rey
Bonita Springs, FL 34134

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**RE: Potable Water and Wastewater Availability
Vintage Commerce Center, 9401 Alico Road
STRAP #s: 03-46-25-00-00001.1100 and 03-46-25-00-00001.1090**

Dear Mr. Feeney:

The subject property is located within the 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 have been installed along Three Oaks Extension adjacent to the property mentioned above; however, those lines have not yet been conveyed to, or accepted by, Lee County Utilities. As a result, service at the subject property is unavailable. To provide service to the subject parcels, the developer constructed system enhancements, e.g., potable water and sanitary sewer lines along Three Oaks Extension, must be conveyed to, and accepted by, Lee County Utilities.

Your firm has indicated that this project will consist of 400 multi-family units, a 300-room hotel, and 350,000 sq. ft. of commercial uses, with an estimated flow demand of approximately 145,000 gallons per day. While it appears Lee County Utilities may presently have sufficient capacity to provide potable water and sanitary sewer service as estimated above; however, insofar as the necessary services lines, although constructed, have not yet been conveyed to, and accepted by, Lee County Utilities, service at the subject property will remain unavailable.

Availability of potable water and sanitary sewer service is contingent upon final acceptance of the infrastructure that has been constructed by the developer to serve the subject property. Upon completion and final acceptance of this project, potable water service will be provided through our Green Meadows Water Treatment Plant.

Sanitary sewer service may subsequently be provided by our 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.

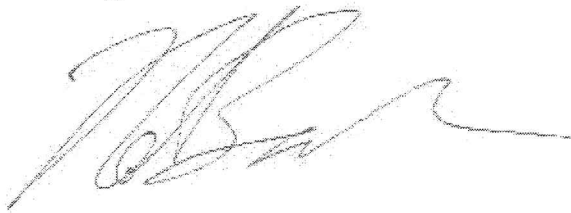
November 8, 2018

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This letter should not be construed as 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 potable water and sanitary sewer service is to be utilized for CPD only. Individual letters of availability will be required for the purpose of obtaining building permits.

Sincerely,



Nathan Beals, PMP
Senior Manager
(239) 533-8157
LEE COUNTY UTILITIES

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