EXHIBITS

CASE # DCI2018-00007

CASE NAME: TREELINE 115 MPD

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

ARE THERE ANY BOARD EXHIBITS? X YES ____ NO

LOCATION OF BOARDS

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

EXHIBITS

Case # DCI2018-00007

APPLICANT	STAFF
a. 45-Hour b. Second 46-Hour w/ EXHIBIT LIST	
#1 Resumes	#1 Staff Report
#2 Corresp w/ South Trail Fire Dist	#2 Staff 48 hour letter
#3 New MCP	#3 Composite Exh 3 CPA 2017-00004 Package
#4 MCP superimposed on aerial	#4 Planning Staff Report and Adopted Ordinance amending Lee Plan Future Land Use Map
#5 Urban Serves Map	#5
#6 Powerpoint	#6 3. TIS supplement to Staff Report Attachment "N"
#7	#7
#8	#8
#9	#9
#10	#10

OTHER EXHIBITS

NAME	NUMBER	DESCRIPTION
David Knust, President of ~~Ft~~ Airport Woods IPD	# 1	Poster board
	#	
	#	
	#	
	#	
	#	

ROETZEL

2320 First Street
Suite 1000
Fort Myers, FL 33901
DIRECT DIAL 239.338.4213
PHONE 239.337.3850 FAX 239.337.0970
sspector@ralaw.com

WWW.RALAW.COM

February 8, 2019

LEE COUNTY
HEARING EXAMINER
2019 FEB -8 PM 3:23

VIA HAND DELIVERY

Office of the Lee County Hearing Examiner
Lee County Department of Community Development
1500 Monroe Street, Room 218
Fort Myers, FL 33901

Re: 48-Hour Notice for Case Number DCI2018-00007

Dear Hearing Examiner Collins:

Please be advised that this Firm represents BJ Holdings of Fort Myers, LLC (the "Applicant"), the applicant on Case Number DCI2018-00007 requesting approval to rezone the 115+/- acre site (the "Property") from Agricultural (AG-2) and Light Industrial (IL) to Mixed-Use Planned Development (MPD). The rezone will allow for a maximum of 487 dwelling units and 100,000 SF of commercial uses. This information is provided pursuant to Section 2.2(B)(1) of Administrative Code 2-6.

The Applicant has reviewed the Staff Report for the above-referenced case and has the following outstanding issues with the conditions set forth in Attachment C to the Staff Report:

1. Condition 1 provides that the development of the project shall be consistent with the one-page Master Concept Plan stamped received October 5, 2016, last revised October 5, 2016. The Applicant requests that this reference to the Master Concept Plan be to the one page Master Concept Plan dated October 5, 2016, last revised **November 13, 2018**.

2. Condition 2(b), under "Two-Family Attached" provides for a minimum lot width of forty feet (40'). The Applicant had requested a minimum lot width of thirty-five feet (35') and staff did not object. Accordingly, the Applicant requests that the minimum lot width for Two-Family Attached be set at thirty-five feet (35').

3. Condition 2(b), under "Retail/Office, and Mixed Use Buildings" provides for a maximum building height of forty-five feet (45'). The Applicant had requested a maximum building height of sixty-five feet (65') and staff did not object. Accordingly, the Applicant requests that maximum building height for Retail/Office, and Mixed Use Buildings be set at sixty-five feet (65').

Applicant's Exhibit # 2

4. We would request that the following revised language be used in place of Subparagraphs C and D of Condition 7 for purposes of clarity:

Open Space and Indigenous Management

Prior to the issuance of the first development order, the following must be provided:

A. The plans must depict 22.5 acres of indigenous open space;

B. An indigenous management plan with five year monitoring post issuance of first Certificate of Compliance;

C. If the first development order includes the commercial component, the plans must depict 30% open space based upon the actual acreage of commercial development. A minimum of 10% of the required open space must be provided in the commercial tracts; and

D. If the first development order includes the residential component, the plans must depict 40% open space based upon the actual acreage of residential development.

Staff has agreed to this change, as noted in the attached February 8, 2019 e-mail from Beth Workman.

5. We would request that the following revised language be used in place of proposed Condition 8 for purposes of clarity:

Development Phasing

With every local development order application, the developer must submit a report or tabulation itemizing:

A. The intensity of non-residential (expressed as square footages), and the number of dwelling units, proposed by the development order application;

B. The cumulative total intensity and number of dwelling units permitted by previous development order approvals; and

C. The remaining intensity and number of dwelling units available for future development.

6. Additionally, the Applicant has the following outstanding issue with the recommendation of denial of Deviation #3, Ingress/Egress Points, set forth in Attachment C to the Staff Report. The Applicant requested a deviation to allow for one point of access on Treeline Avenue and one emergency only access to Matterhorn Road. The Applicant suggests a

revised Deviation #3 to allow for one point of access on Treeline Avenue and one resident only/exit only gated access to Matterhorn Road and requests staffs support of this revision.

Thank you for your consideration relative to the foregoing.

Very truly yours,

ROETZEL & ANDRESS, LPA

Sarah E. Spector

Enclosure (as stated)
cc: Dirk A. Danley, Jr. (via e-mail only w/ enc.: DDanley2@leegov.com)
John Fredyma, Esq. (via e-mail only w/ enc.: JFredyma@leegov.com)
13496387_1

Spector, Sarah

From: Workman, Elizabeth <EWorkman@leegov.com>
Sent: Friday, February 08, 2019 2:17 PM
To: Alexis Crespo
Cc: Danley Jr, Dirk; Spector, Sarah
Subject: RE: Treeline 115 - Environmental conditions

EXT:

Alexis,
I appreciate the heads up. Yes, I agree with the highlighted language.

Beth Workman
Environmental Planner
Department of Community Development
Zoning Section
239.533.8793 (office) 239.485.8344 (fax)

From: Alexis Crespo [mailto:Alexis.Crespo@waldropengineering.com]
Sent: Friday, February 08, 2019 2:11 PM
To: Workman, Elizabeth
Cc: Danley Jr, Dirk; SSpector@ralaw.com
Subject: [EXTERNAL] Treeline 115 - Environmental conditions

Hi Beth –

We are prepping the 48 hour letter and I wanted to run the following tweaks to the environmental conditions by you. What do you think about highlighted additions? Thanks!

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D. If the first development order includes the residential component, the plans must depict 40% open space based upon the actual acreage of residential development.

Thanks,

Alexis V. Crespo, AICP, LEED AP
Senior Vice President - Planning

WALDROP ENGINEERING
CIVIL ENGINEERING PLANNING LANDSCAPE ARCHITECTURE

Direct: E: alexisc@waldropengineering.com | C: (239) 850-8525
Office: P: (239) 405-7777 | F: (239) 405-7899

www.waldropengineering.com

NOTICE: Upon receipt of any electronic file/data from Waldrop Engineering, P.A., you are agreeing to the following: This file/data is for informational purposes only. It is the responsibility of the recipient to reconcile this electronic file/data with the actual project site conditions. Recipient agrees to indemnify and hold harmless Waldrop Engineering, P.A. for any defects or errors in this file/data.

Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure.

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

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February 8, 2019

VIA HAND DELIVERY

Office of the Lee County Hearing Examiner
Lee County Department of Community Development
1500 Monroe Street, Room 218
Fort Myers, FL 33901

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revised Deviation #3 to allow for one point of access on Treeline Avenue and one resident only/exit only gated access to Matterhorn Road and requests staffs support of this revision.

Thank you for your consideration relative to the foregoing.

Very truly yours,

ROETZEL & ANDRESS, LPA

Sarah E. Spector

Enclosure (as stated)
cc: Dirk A. Danley, Jr. (via e-mail only w/ enc.: DDanley2@leegov.com)
John Fredyma, Esq. (via e-mail only w/ enc.: JFredyma@leegov.com)
13496387 _1

Senior Vice President - Planning

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sspector@ralaw.com

WWW.RALAW.COM

February 12, 2019

LEE COUNTY
HEARING EXAMINER
2019 FEB 12 PM 4:19

VIA HAND DELIVERY

Office of the Lee County Hearing Examiner
Lee County Department of Community Development
1500 Monroe Street, Room 218
Fort Myers, FL 33901

Re: Exhibit List for Case Number DCI2018-00007

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Pursuant to your January 29, 2016 memorandum, please find enclosed herewith a list of the exhibits that will be presented at the February 14, 2019 hearing on the above-referenced case. The exhibits are identified by the exhibit number each will be labeled with when entered into evidence at the hearing.

Very truly yours,

ROETZEL & ANDRESS, LPA

Sarah E. Spector

Enclosure (as stated)
cc: Dirk A. Danley, Jr. (via e-mail only w/ enc.: DDanley2@leegov.com)
John Fredyma, Esq. (via e-mail only w/ enc.: JFredyma@leegov.com)

APPLICANT'S EXHIBIT # 63

EXHIBIT LIST FOR

CASE NUMBER DCI2018-00007

Exhibit 1	(Composite) Resumes of Experts Testifying at the Hearing
Exhibit 2	Waldrop Engineering PowerPoint
Exhibit 3	Master Concept Plan (November 13, 2018)
Exhibit 4	May 25, 2018 E-mail from South Trail Fire District Fire Chief Ben Bengston regarding emergency only access via Matterhorn

Weigel, Zsuzsanna

From: Spector, Sarah <SSpector@ralaw.com>
Sent: Tuesday, February 12, 2019 3:13 PM
To: Hearing Examiner
Cc: Danley Jr, Dirk; Fredyma, John
Subject: [EXTERNAL] Treeline 115 MPD (DCI 2018-0007) Exhibit List
Attachments: Exhibit List_Treeline MPD - BJ Holdings(13513231_1).pdf

Please find attached an electronic copy of the 48 hour letter that was hand-delivered to your office this afternoon.

Thank you.

Sarah E. Spector, Esq.
Roetzel & Andress, LPA
2320 First Street, Suite 1000
Ft. Myers, FL 33901
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Main: 239.337.3850
Fax: 239.337.0970
E-mail: sspector@ralaw.com
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February 12, 2019

VIA HAND DELIVERY

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Lee County Department of Community Development
1500 Monroe Street, Room 218
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Very truly yours,

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Sarah E. Spector

Enclosure (as stated)
cc: Dirk A. Danley, Jr. (via e-mail only w/ enc.: DDanley2@leegov.com)
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resume

ALEXIS CRESPO AICP, LEED AP

Vice President of Planning



education

Bachelor of Urban and Regional Planning
Ryerson University

licensure

American Institute of Certified Planners (AICP)
Leadership in Energy and Environmental Design Accredited Professional (LEED AP)

professional experience

12 years

professional affiliations

- *American Planning Association (APA)*
- *Florida Planning and Zoning Association (FPZA)*
- *Urban Land Institute (ULI)*
- *Real Estate Investment Society (REIS)*
- *Tiger Bay Club of Southwest Florida*
- *Collier County Building Industry Association (CBIA)*

community involvement

- *Board of Directors, Big Brothers Big Sisters of the Sun Coast*
- *Board of Governors, REIS*
- *Vice President of Financial Affairs, FPZA*
- *Immediate Past Chair, Promised Lands Section of APA Florida*

Biography

Alexis Crespo has over twelve years of professional planning experience in Southwest Florida, and is certified with the American Institute of Certified Planners (AICP). Since joining Waldrop Engineering in 2011 she has led the Planning Staff in the successful completion of numerous privately initiated rezoning petitions, comprehensive plan amendments, annexations, variances, special exceptions and other planning and zoning actions relating to residential, commercial, institutional, and mixed-use development. Alexis regularly assists local governments with the formulation of Land Development Code amendments, Comprehensive Plan updates, review of privately initiated development applications, and other special projects. She also provides expert witness testimony and planning analysis relating to a variety of litigation matters, including Bert Harris actions and eminent domain proceedings. Alexis is a Leadership in Energy and Environmental Design Accredited Professional (LEED AP).

Project Experience

Hill Tides Estates - *Lee County*
Lead planner for this 20-acre redevelopment project at the southern terminus of Gasparilla Island in Boca Grande, Florida. In this role, Alexis prepared a Comprehensive Plan Amendment application and Residential Planned Development rezoning petition to allow for redevelopment of the site as a residential community with private amenities, dock facilities and beach access. Alexis also directed all aspects of community outreach and civic engagement associated with the project, including presentations to neighboring property owners and the Gasparilla Island Conservation & Improvement Association.

Land Development Code Amendments - *Bonita Springs, Florida*
Lead planner assisting the City of Bonita Springs with the preparation of land development code amendments to address aesthetics and community-specific design standards, redevelopment overlay districts, and supplementary regulations for intensive uses, such as automobile service stations, "big box" retail, and homeless shelters.

Greater Pine Island Community Plan Update - *Lee County, Florida*
Lead planning consultant for the preparation and processing of updates to the Greater Pine Island Community Plan and community-specific land development code regulations. The project also involved planning consultation in defense of eight (8) Bert Harris suits.

The Loop - *Punta Gorda, Florida*
Principal-in-Charge of the annexation, large-scale Comprehensive Plan Amendment, and rezoning of this 200+/-acre property at the I-75 and Jones Loop Interchange. The project entailed the drafting of a new Future Land Use Category and zoning district to accommodate intensive employment centers uses near the Jones Loop Road/I-75 Interchange.

North Olga Community Plan - *Lee County, Florida*
Coordinated all aspects of community facilitation, policy writing, and representation at public hearings on behalf of the North Olga Community Planning Panel for preparation of their first community plan. The community plan was adopted by the Lee County Board of County Commissioners in October 2011, following over two (2) years of public input and consensus building efforts. Ms. Crespo also developed land development code regulations to implement the community's long-range plan.

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Tampa Orlando Sarasota **BONITA SPRINGS**

p. (239) 405-7777 f. (239) 405-7899 e. alexis.crespo@waldropengineering.com
28100 Bonita Grande Dr. #305 Bonita Springs, FL 34135

APPLICANT'S EXHIBIT # 4
DCI2018-00007

TR TRANSPORTATION CONSULTANTS, INC

RÉSUMÉ

YURY BYKAU, E.I.
Project Consultant

EXPERIENCE

Traffic Impact Studies:

Performed and assisted in the preparation of traffic impact studies for various land uses and development intensities. Land uses analyzed include, but are not limited to, shopping centers, medical buildings, office buildings, residential developments, industrial developments, schools, and mixed uses. Development intensities analyzed range from several hundred square feet up to over one million square feet. Determined projected site traffic volumes using ITE Trip Generation Manual and conducted capacity analyses of critical intersections using the Highway Capacity Software (HCS) and SYNCHRO©9 software. Evaluations of development plans in terms of traffic circulation to safely accommodate existing and proposed development traffic were conducted. Completed traffic impact studies for Development Order and Zoning applications, as well as for Comprehensive Plan Amendments, Special Exceptions and Development of Regional Impact reviews (DRI's). Accepted as an expert witness in transportation planning in Lee County.

Traffic Signal Justification Studies:

Performed traffic signal warrant studies based on the warrants contains within the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD).

Mechanical Traffic Counts:

Performed and managed mechanical traffic count operations, which utilize JAMAR count boards and PETRA software. This includes pedestrian counts as well as turning movement counts. Utilized the new COUNTpro video integrated manual traffic counting system to complete traffic counts between two-to-twelve hours in length. The use of the COUNTpro counting system included, ensuring the manual placement and installation of the cameras over intersections was visually observable and apparent. Generated suitable reports and tables utilizing the new COUNTpad 2 software. This included modifications to video files using COUNTcam Video Uploader to be suitable for the use in the traffic count software.

PROFESSIONAL POSITIONS

TR Transportation Consultants, Inc.
Project Consultant
July 2017 – Present

EDUCATION

Florida Gulf Coast University
Fort Myers, Florida
Bachelor of Science - Civil Engineering

AFFILIATIONS

Institute of Transportation Engineers,
Associate Member

American Society of Civil Engineers,
Member

SYNECOLOGICAL ANALYSTS®

Environmental Evaluation and Advocacy

www.synecol.com



BROWN COLLINS

EDUCATION
B.S., Range Science - Texas A&M University, 1969
M.S. Plant Ecology/Soils - Texas A&M University, 1972

CERTIFICATIONS
Ecological Society of America Professional Ecologist - 1981
American Soc. Of Agronomy - Certified Prof. Soil Scientist # 762 - 1983

SUMMARY
Brown Collins has a B.S. and graduate degree in ecology and more than 40 years of southwest Florida experience. He brings realism founded on a firm technical base to the process of environmental evaluation and permitting. He has permitted hundreds of projects with many degrees of ecological complexity. He has done environmental consulting work on every continent except Antarctica. Representative projects include RMC South Florida Materials Corkscrew Road Mine, University Lakes, University Lakes West, Willow Run Mine and Livingston Lakes residential. Historic projects include the Turkey Point Nuclear Generating Station, Miami Jetport, initial IFC Phosphate mine and the first drilling pad in the Big Cypress Natl. Preserve. Other representative projects include mapping several thousand acres of wetlands in the STA 3/4 Area of the Everglades Restoration Project, permitting State Road 29 improvements from I-75 to Copeland and all Florida Department of Transportation mitigation site monitoring from Polk County to Collier County. An overview of Mr. Collins experience includes:

- Obtained over 500 permit approvals for projects impacting wetlands in SW Florida.
- Mapped more than 500,000 acres of Florida plant communities, primarily wetlands.
- Sampled and quantitatively analyzed more than 50,000 acres.
- Mapped more than 100,000 acres of soils and technically edited NRCS county Soil Surveys for the NRCS national offices

As president and founder of Synecological Analysts® in 1993 his focus has been primarily on wetland jurisdictional determinations, protected species issues, project permitting, violation resolution, client advocacy and wetland negotiations such as mitigation and enhancement.

Suite 200 2159 Morning Sun Lane, Naples, FL 34119
239-514-3998 Fax: 305-900-4878
brown@synecol.com

resume

JACK MORRIS P.E.

Project Manager

education
Bachelor of Science in Civil Engineering
Lawrence Technological University

licensure
Professional Engineer FL #83867
MI #54205

professional experience
17 Years

professional affiliations
- *Chi Epsilon National Engineering Honor Society*

Biography

As a project manager and a licensed professional engineer at Waldrop Engineering, Jack Morris, P.E. manages an array of residential and commercial projects from concept through construction. He begun his career in Michigan at a private design firm and gained licensure in 2006, where he continued to practice civil engineering design, permitting and construction management until 2017 when he joined Waldrop Engineering at the Bonita Springs office. His daily activities include managing project contracts and schedules, coordinating with clients and permitting authorities, overseeing project design and training personnel.

Project Experience

Residential Development

Jack has extensive residential experience from Michigan and is building a portfolio in South Florida with single and multi-family residential development. This experience ranges from infill projects to large scale master planned communities. Responsibilities include project management, due diligence, watershed analysis and modeling, budgeting, civil engineering design, and construction oversight. Southwest Florida Examples Include:

- *Isola Bella in Talis Park Single family*
- *Parkside of Estero Grande Multi-family*
- *Quail West Storm Water Management System Upgrades*

Commerical and Non-Residential Development

Jack has designed, engineered, permitted and provided construction oversight on numerous non-residential developments in Michigan and throughout Lee and Collier County, Florida. Responsibilities included preliminary budgets, surface water management design, grading, utility design, site design, vehicular and pedestrian routing. Southwest Florida project examples include:

- *Lely Resort Restaurant Row*
- *Youngquist Trade Center*
- *Arthrex in Ave Maria Parking Expansion*
- *Shoppes at Estero Grande*
- *Tire Choice of Lehigh Acres*
- *Texas Roadhouse of Estero Grande*

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Tampa Orlando Sarasota **BONITA SPRINGS**

p. (239) 405-7777 f. (239) 405-7899 e. jack.morris@waldropengineering.com
28100 Bonita Grande Dr., Suite 305 Bonita Springs, FL 34135

RE: Treeline 115 Project - Emergency Access

Ben Bengston <bbengston@southtrailfire.org>

Fri 5/25/2018 1:12 PM

To:Alexis Crespo <Alexis.Crespo@waldropengineering.com>;

Cc:Ben Bengston <bbengston@southtrailfire.org>;

Good Afternoon Alexis:
After further review of the zoning for the ingress/egress from Treeline Avenue and the emergency secondary egress/ingress I am confident with sending this email to approve the access shown in the aerial.

I apologize for the brief email, but meetings today have me extremely busy. I did not want to hold up your process any longer. If you need more info on letterhead I will not be able to complete it until next week.

Have a great and safe weekend!!

Ben Bengston
South Trail Fire District
Fire Chief

Matthew 7:3
"Why do you look at the speck of sawdust in your brother's eye and pay no attention to the plank in your own eye?"

5531 Halifax Ave.
Fort Myers, FL. 33912
239-433-0080 (work)
239-848-6913 (mobile)

From: Alexis Crespo <Alexis.Crespo@waldropengineering.com>
Sent: Thursday, May 24, 2018 9:09 AM
To: Ben Bengston <bbengston@southtrailfire.org>
Subject: Re: Treeline 115 Project - Emergency Access

That sounds great - thank you so much!
Alexis V. Crespo, AICP, LEED AP
Vice President of Planning

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APPLICANT'S EXHIBIT #8
DC12018-00007

From: Ben Bengston <bbengston@southtrailfire.org>
Sent: Thursday, May 24, 2018 9:02 AM
To: Alexis Crespo
Cc: Ben Bengston
Subject: Re: Treeline 115 Project - Emergency Access

Good Morning!!
Thank you for your email and the attachments. Overviewing the zoning plans I'm excited about the build. I have forwarded this email to my Fire Marshal and Plans Reviewer to gather their input as well. I assure you I will have an answer before mid next week. If I receive their input today or tomorrow I will develop the needed correspondence for you. Thanks Alexis.

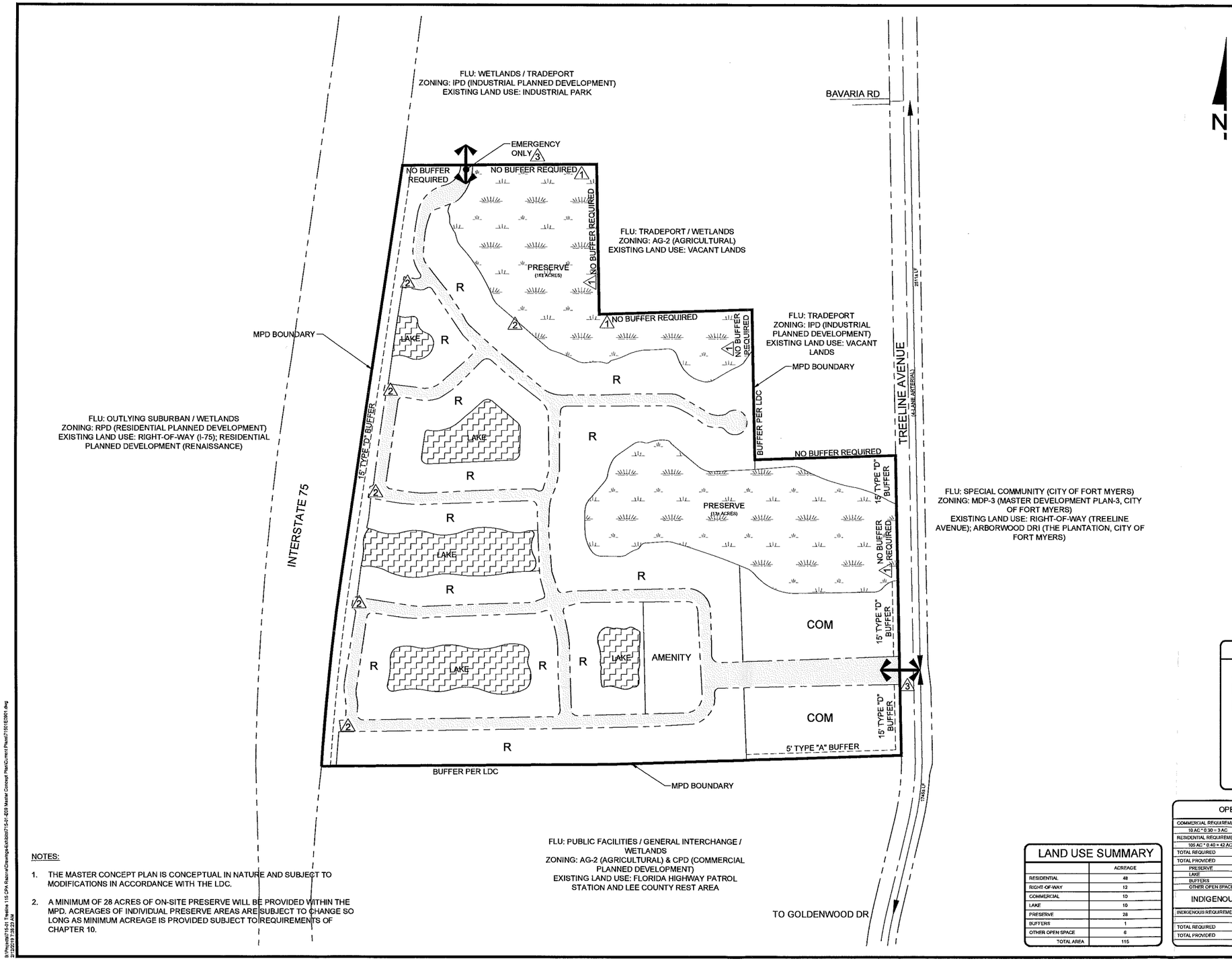
South Trail Fire District
Fire Chief
Ben Bengston

This email has been sent from a mobile device. Please excuse spelling, and grammatical errors which may occur, and not identified.

On May 23, 2018, at 8:18 AM, Alexis Crespo <Alexis.Crespo@waldropengineering.com> wrote:

> Good Morning, Chief -
>
> I am working on a new development on Treeline Avenue, about 1/2 mile north of Daniels. I have attached an aerial location map for your use. We had the former chief provide an availability letter for the comprehensive plan amendment.
>
> For the zoning application, I am hoping you can provide an email confirming the fire district is comfortable with the proposed access shown on the aerial. We are proposing one full ingress/egress directly from Treeline Avenue, and a secondary emergency only at the north end of the project from the industrial park.
>
> The community will be a mix of residential uses (up to 487 multi-family units OR 275 single-family), with commercial uses on the Treeline frontage.
>
> I appreciate your consideration. We understand your correspondence would indicate further review of access, and the site plan in general, would be reviewed by the fire district at the time of local development order/construction plan permitting.
>
> Thanks very much!
> **Alexis V. Crespo, AICP, LEED AP**
> Vice President of Planning
>
> **NOTICE: Upon receipt of any electronic file/data from Waldrop Engineering, P.A., you are agreeing to the following: This file/data is for informational purposes only. It is the responsibility of the recipient to reconcile this electronic file/data with the actual project site conditions. Recipient agrees to indemnify and hold harmless Waldrop Engineering, P.A. for any defects or errors in this file/data.**
>
> <Treeline 115 Aerial.pdf>

<71501E0901.pdf>



NOTES:

1. THE MASTER CONCEPT PLAN IS CONCEPTUAL IN NATURE AND SUBJECT TO MODIFICATIONS IN ACCORDANCE WITH THE LDC.
2. A MINIMUM OF 28 ACRES OF ON-SITE PRESERVE WILL BE PROVIDED WITHIN THE MPD. ACREAGES OF INDIVIDUAL PRESERVE AREAS ARE SUBJECT TO CHANGE SO LONG AS MINIMUM ACREAGE IS PROVIDED SUBJECT TO REQUIREMENTS OF CHAPTER 10.

LAND USE SUMMARY

	ACREAGE
RESIDENTIAL	48
RIGHT-OF-WAY	12
COMMERCIAL	10
LAKE	10
PRESERVE	28
BUFFERS	1
OTHER OPEN SPACE	6
TOTAL AREA	115

OPEN SPACE SUMMARY

COMMERCIAL REQUIREMENT	
10 AC * 0.30 = 3 AC	30%
RESIDENTIAL REQUIREMENT	
105 AC * 0.40 = 42 AC	40%
TOTAL REQUIRED	45 AC
TOTAL PROVIDED	45 AC
PRESERVE	28 AC
LAKE	10 AC
BUFFERS	1 AC
OTHER OPEN SPACE	6 AC

INDIGENOUS PRESERVE CALCULATION

INDIGENOUS REQUIREMENT	
45 AC * 0.50	
TOTAL REQUIRED	22.5 AC
TOTAL PROVIDED	22.5 AC

LEGEND

- RIGHT-OF-WAY
- LAKE
- PRESERVE
- R — RESIDENTIAL
- COM — COMMERCIAL
- DEVIATION
- INGRESS / EGRESS

WALDROP ENGINEERING
CIVIL ENGINEERING & LAND DEVELOPMENT CONSULTANTS
25100 BONITA GRANDE DRIVE - SUITE 305 BONITA SPRINGS, FL 34135
P: 239-405-7777 F: 239-405-7699 EMAIL: info@waldropengineering.com

115-ACRE TREELINE AVENUE

MASTER CONCEPT PLAN

PLAN REVISIONS
1 7/10/18 REVISED PER COUNTY COMMENT
2 10/5/18 REVISED PER COUNTY COMMENT
3 10/19/18 REVISED PER COUNTY COMMENT

0 100 200 400
SCALE IN FEET

PREPARED FOR:

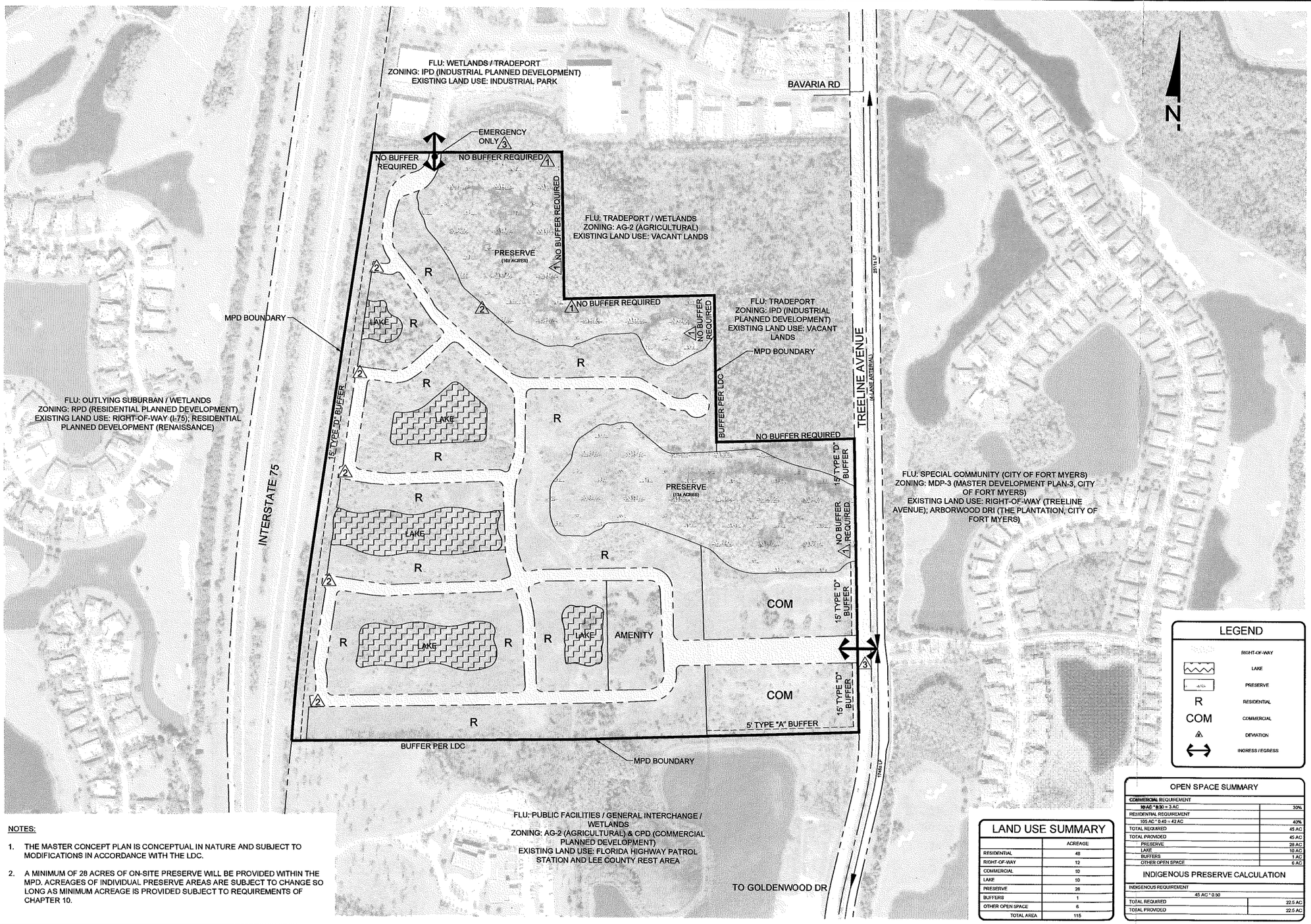
BJ HOLDINGS OF FORT MYERS

SET NUMBER: 715-01-E0901

SHEET : 1

APPLICANT'S EXHIBIT #
DC12018-3
60007

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2/12/2019 7:39:23 AM



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LEGEND

- RIGHT-OF-WAY
- LAKE
- PRESERVE
- R — RESIDENTIAL
- COM — COMMERCIAL
- DEVIATION
- INGRESS / EGRESS

WALDROP ENGINEERING
CIVIL ENGINEERING & LAND DEVELOPMENT CONSULTANTS
28100 BONITA GRANDE DRIVE, SUITE 305 BONITA SPRINGS, FL 34135
P: 239.405.7777 F: 239.405.7899 EMAIL: info@waldropengineering.com

115-ACRE TREELINE AVENUE

MASTER CONCEPT PLAN WITH AERIAL

PLAN REVISIONS
1 7/10/19 REVISED PER COUNTY COMMENT
2 10/9/18 REVISED PER COUNTY COMMENT
3 11/13/18 REVISED PER COUNTY COMMENT

0 100 200 400
SCALE IN FEET

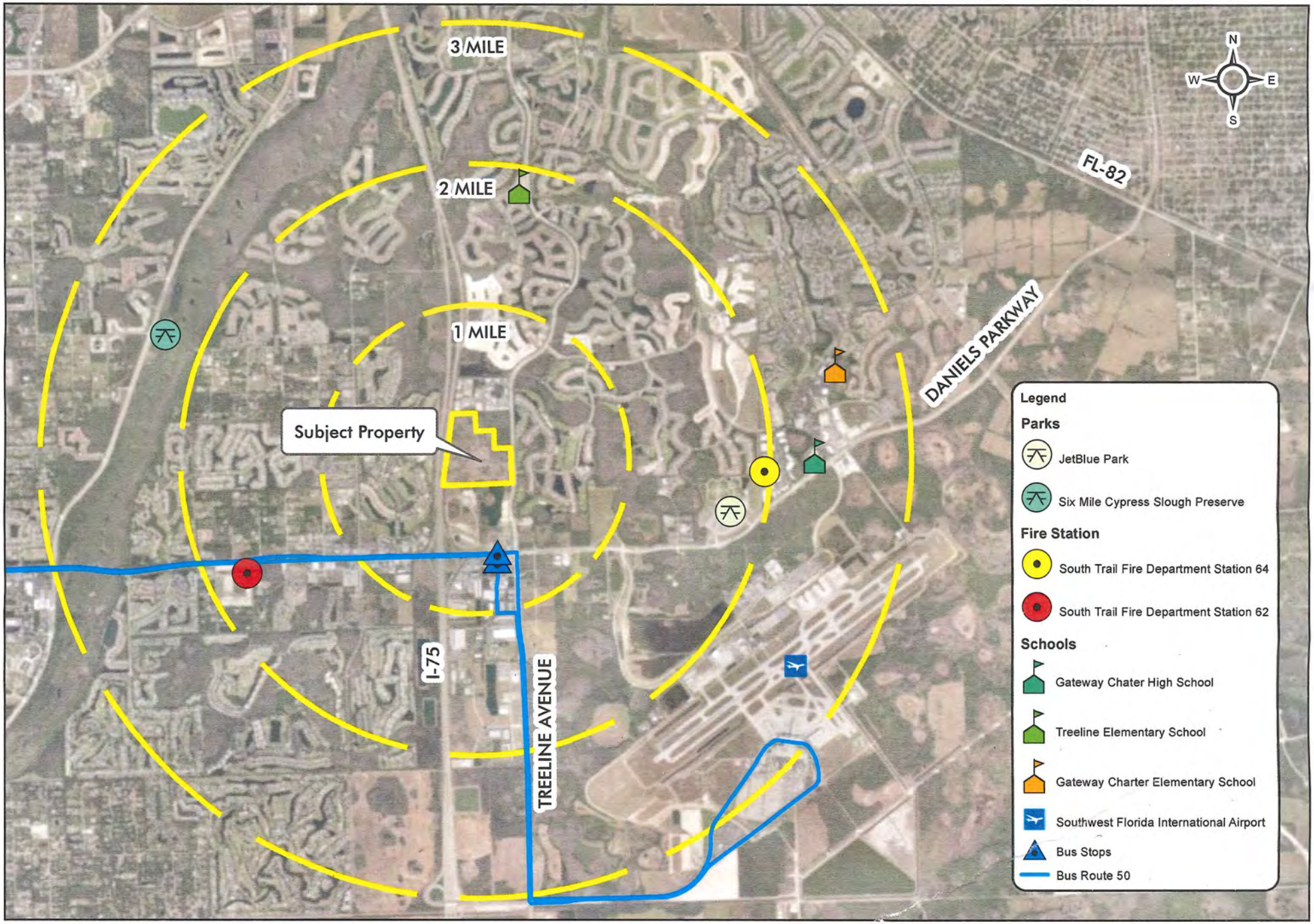
PREPARED FOR:

BJ HOLDINGS OF FORT MYERS

SET NUMBER: 715-01-E0901
SHEET: 1

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2/12/2019 7:58:37 AM

APPLICANT'S EXHIBIT #4
DC12018-00007



WALDROP ENGINEERING

Treeline 115

URBAN SERVICE MAP
LEE COUNTY, FLORIDA

BJ HOLDINGS OF FORT MYERS, LLC

0 1.25 2.5 Miles

APPLICANT'S EXHIBIT #5

DC12018-00007 Urban Servcs Exh

14 February 2019

DCI2018-00007

HEARING EXAMINER PRESENTATION

TREELINE 115

MIXED USE PLANNED DEVELOPMENT

DCI2018-00007

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PLANNING | CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE

APPLICANT'S EXHIBIT # 6

PowerPoint

DCI2018-00007

PRESENTATION OUTLINE

- Introductions & 48 Hour Letter Overview
- Planning Framework & Rezone Request
- Stormwater Management & Utilities
- Transportation
- Compatibility, Lee Plan Compliance & Planning Conclusions

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DCI2018-00007

PROJECT TEAM

- Brian Freeman & Ron Zul
  Applicant - BJ Holdings of Fort Myers, LLC
- Sarah Spector, Esq.
  Land Use Attorney - ROETZEL
- Alexis Crespo, AICP
  Land Use Planner - Waldrop Engineering, P.A.
- Jack Morris, P.E.
  Civil Engineer - Waldrop Engineering, P.A.
- Yury Bykau, E.I.
  Traffic Engineer - TR Transportation Consultants, Inc.
- Brown Collins
  Environmental Consultant - Synecological Analysts, Inc.

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DCI2018-00007

REQUEST

Rezone the115+/- acre Subject Property from Agricultural (AG-2) and Light Industrial (IL) to Mixed Use Planned Development to allow for a maximum of 487 dwelling units &100,000 SF of commercial uses

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AERIAL LOCATION MAP



WALDROP ENGINEERING

Treeline 115

AERIAL MAP
LEE COUNTY, FLORIDA

BJ HOLDINGS OF FORT MYERS, LLC

0 500 1,000 2,000 3,000 Feet

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DCI2018-00007

48 Hour Letter

1. Amend Condition 1 to reference Master Concept Plan last revised November 13, 2018.

2. Amend Condition 2(b) to modify Two-Family Attached minimum lot width from 40 feet to 35 feet.

3. Amend Condition 2(b) to modify maximum building height for Retail/Office and Mixed Use Buildings from 45 feet to 65 feet.

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DCI2018-00007

48 Hour Letter

4. Amend Condition 4. C & D for clarity:

C. If the first development order includes the commercial component, the plans must depict 30% open space based upon the actual acreage of commercial development. A minimum of 10% of the required open space must be provided in the commercial tracts; and

D. If the first development order includes the residential component, the plans must depict 40% open space based upon the actual acreage of residential development.

DCI2018-00007

48 Hour Letter

4. Alternative wording in Condition 5 for clarity:

8. With every local development order application, the developer must submit a report or tabulation itemizing:

A. *The intensity of non-residential (expressed as square footages), and the number of dwelling units, proposed by the development order application;*

B. *The cumulative total intensity and number of dwelling units permitted by previous development order approvals; and*

C. *The remaining intensity and number of dwelling units available for future development.*

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48 Hour Letter

Deviation #3 – Withdrawn.

Applicant agrees to provide resident only/egress only access to Matterhorn Road.

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PLANNING OVERVIEW

Alexis Crespo, AICP – Waldrop Engineering, P.A.

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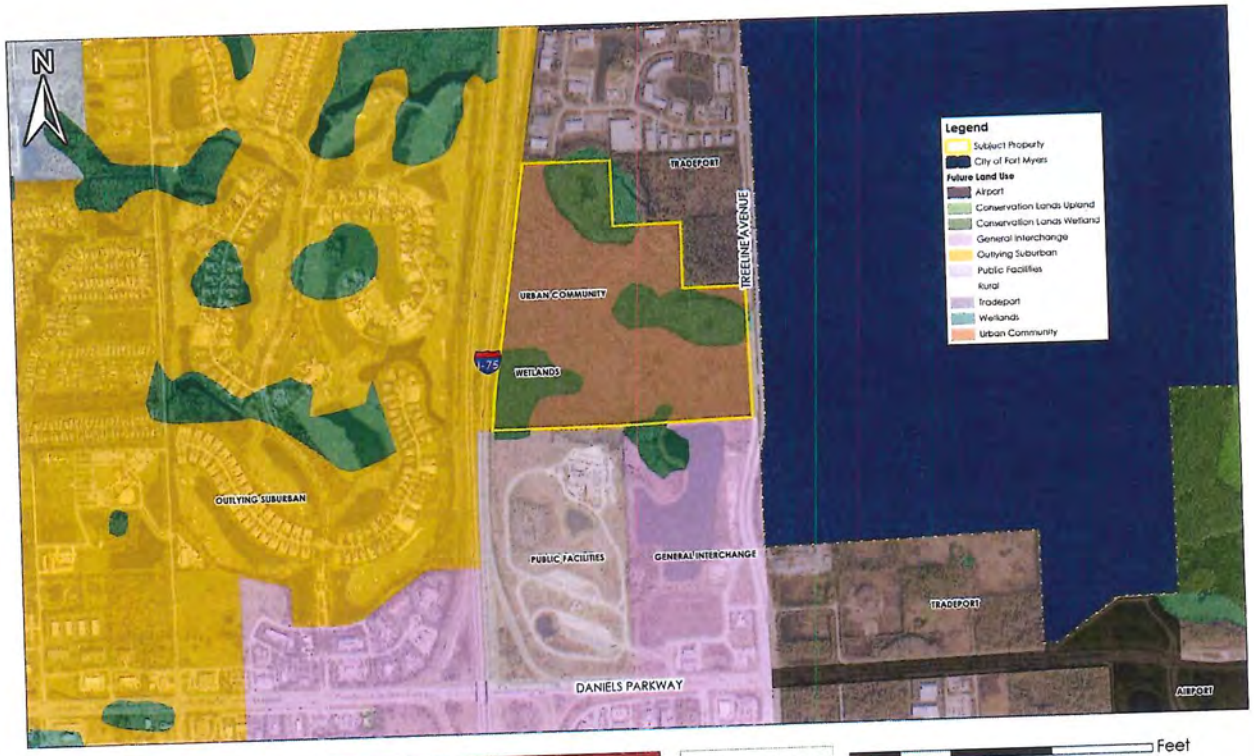
PROPERTY OVERVIEW



- 115+/-acres
- West of Treeline Avenue & ½ mile north of Daniels Parkway
- Gateway/Airport Planning Community
- Pastureland under agricultural usage
- Urban Community & Wetlands Future Land Use Category
- Light Industrial (IL) and Agricultural (AG-2) Zoning

DCI2018-00007

FUTURE LAND USE MAP



WALDROP ENGINEERING

Treeline 115

PROPOSED FUTURE LAND USE MAP
LEE COUNTY, FLORIDA

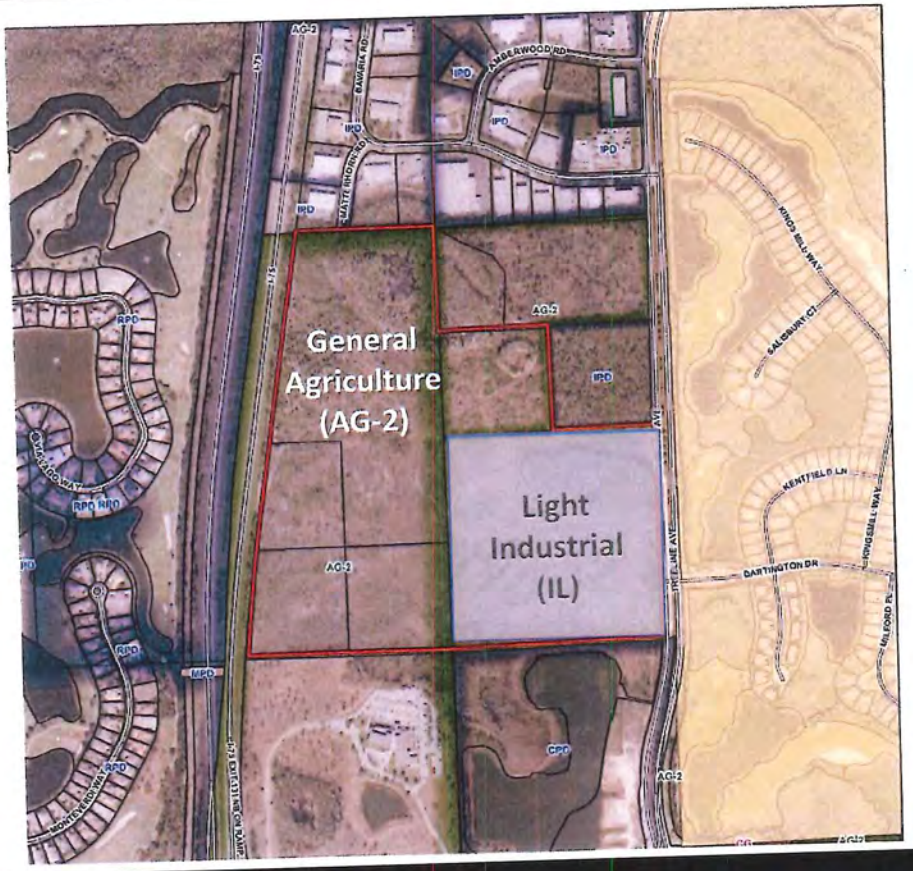
BJ HOLDINGS OF FORT MYERS, LLC

0 500 1,000 2,000 3,000 Feet

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ZONING MAP



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Surrounding Land Uses



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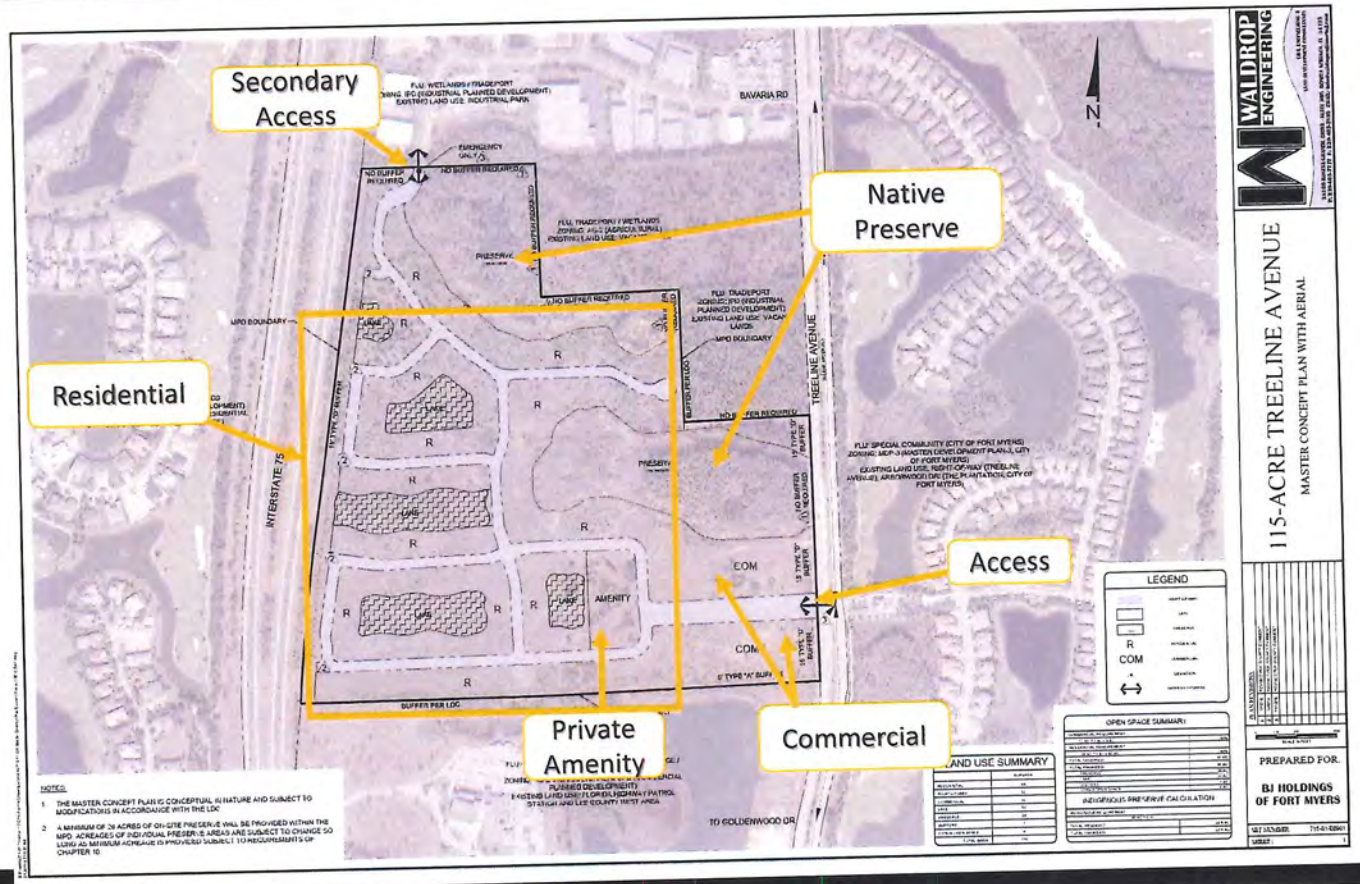
REQUEST SUMMARY

- Rezone 115+/-acres from IL & AG-2 to MPD
- 487 dwelling units (275 single-family OR 487 multi-family)
- 100,000 SF commercial uses oriented to Treeline frontage
- Private recreational amenity
- Direct access from Treeline Ave
- Clustered open space consistent with LDC
- 28 acres of native preserve consistent with LDC

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PLANNING | CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE

DCI2018-00007

MASTER CONCEPT PLAN



WALDROP ENGINEERING
PLANNING | CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE

DCI2018-00007

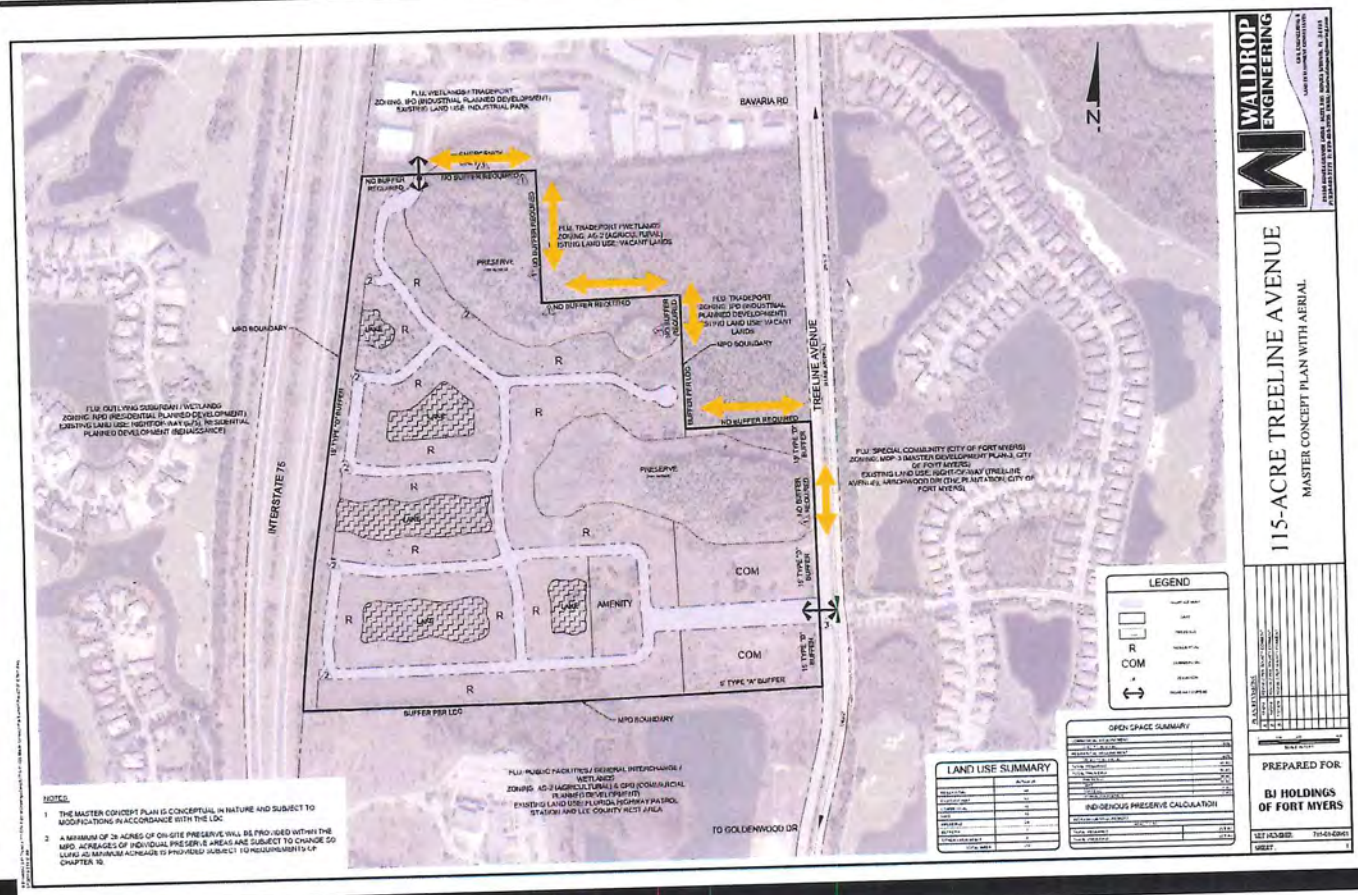
DEVIATION 1 - BUFFERS

Deviation (1) from LDC 10-416(d)(1), which requires a buffer area along the entire perimeter of the proposed development whenever the proposed development abuts a different use; to allow for no perimeter buffers where onsite preserve areas abut the MPD perimeter.

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DEVIATION 1 - BUFFERS



DCI2018-00007

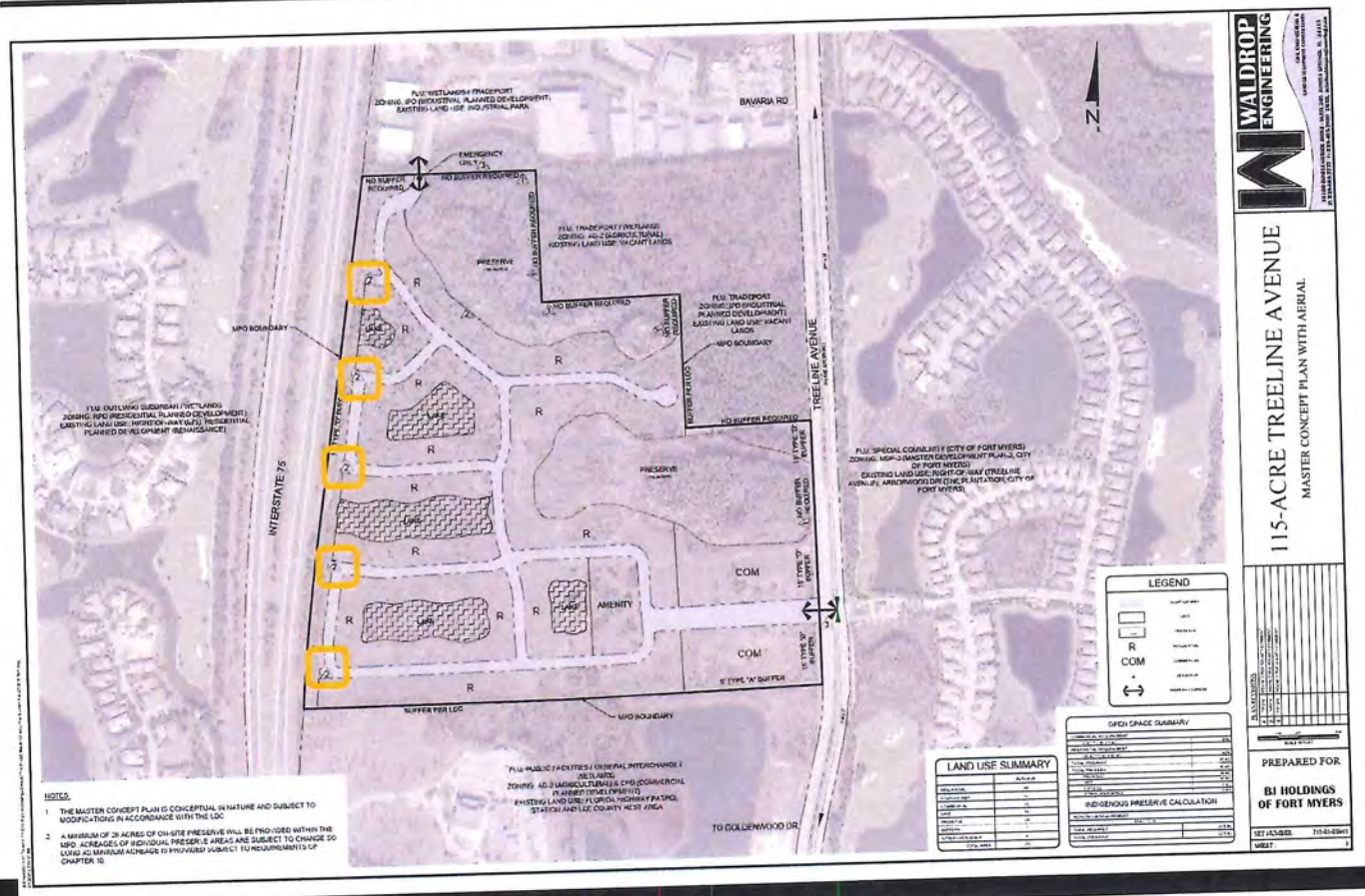
DEVIATION 2 – STREET DESIGN

Deviation (2) from LDC 10-296(k)(1), which requires that dead-end streets be closed at one end by a circular turnaround for vehicles; to allow for five (5) dead-end streets.

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DCI2018-00007

DEVIATION 2 – STREET DESIGN



DCI2018-00007

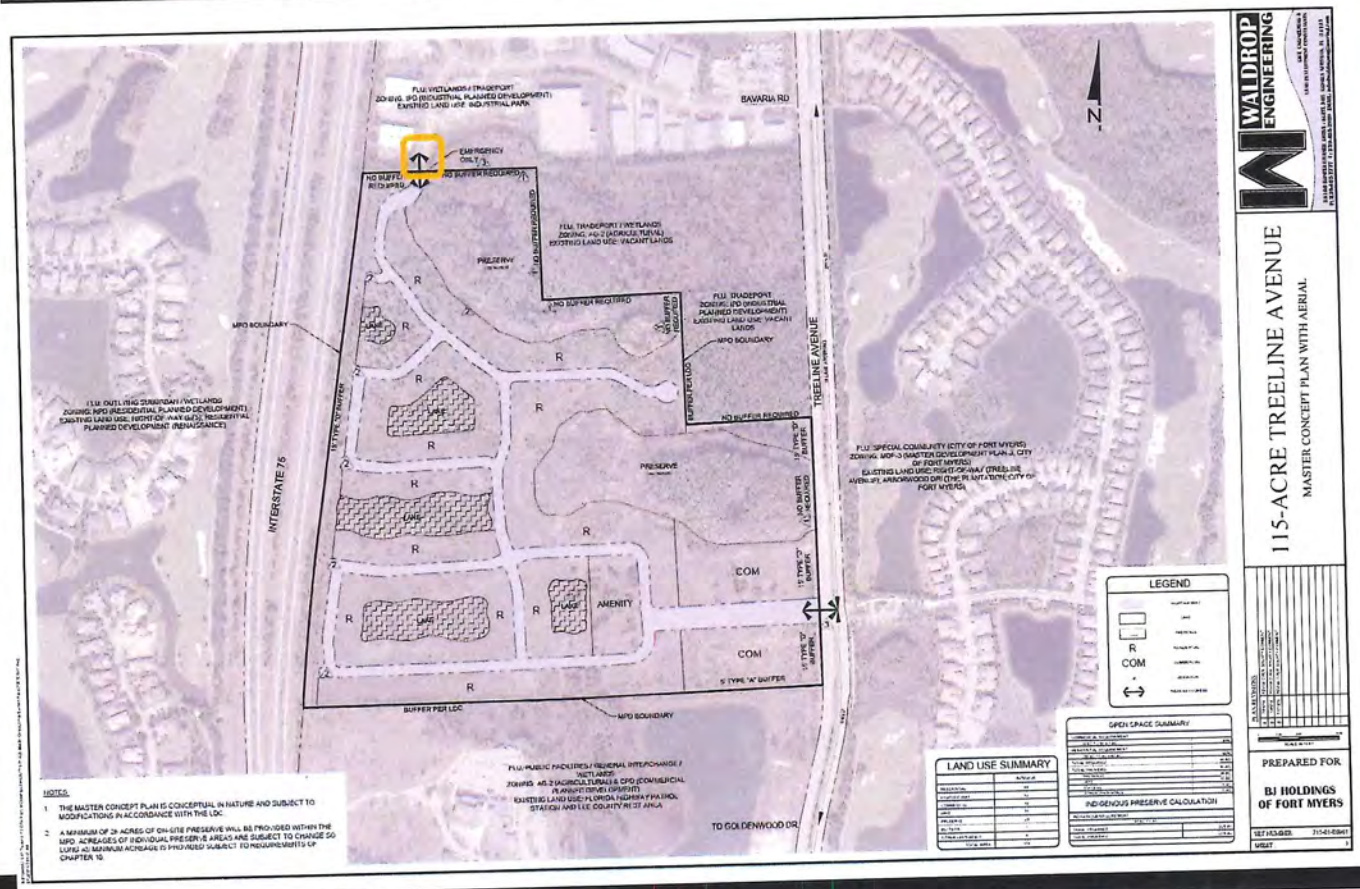
DEVIATION 3 – ACCESS

Deviation (3) from LDC 10-291(3), which requires residential developments over 5 acres to provide two (2) points of ingress/egress, to allow for one (1) point of access to Treeline Avenue and one (1) emergency only access to the north.

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DCI2018-00007

DEVIATION 3 – ACCESS



NOTES:
1. THE MASTER CONCEPT PLAN IS CONCEPTUAL IN NATURE AND SUBJECT TO MODIFICATIONS IN ACCORDANCE WITH THE LDC.
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PLANNING | CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE

DCI2018-00007

DEVIATION 3 – ACCESS



RE: Treeline 115 Project - Emergency Access

Ben Bengston <bbengston@southtrailfire.org>

Fri 5/25/2018 1:12 PM

To: Alexis Crespo <Alexis.Crespo@waldropengineering.com>;

Cc: Ben Bengston <bbengston@southtrailfire.org>;

Good Afternoon Alexis:
After further review of the zoning for the ingress/egress from Treeline Avenue and the emergency secondary egress/ingress I am confident with sending this email to approve the access shown in the aerial.

I apologize for the brief email, but meetings today have me extremely busy. I did not want to hold up your process any longer. If you need more info on letterhead I will not be able to complete it until next week.

Have a great and safe weekend!!

Ben Bengston
South Trail Fire District
Fire Chief

Matthew 7:3
"Why do you look at the speck of sawdust in your brother's eye and pay no attention to the plank in your own eye?"

5531 Halifax Ave.
Fort Myers, FL. 33912
239-433-0050 (work)
239-845-6913 (mobile)

WALDROP ENGINEERING
PLANNING | CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE

DCI2018-00007

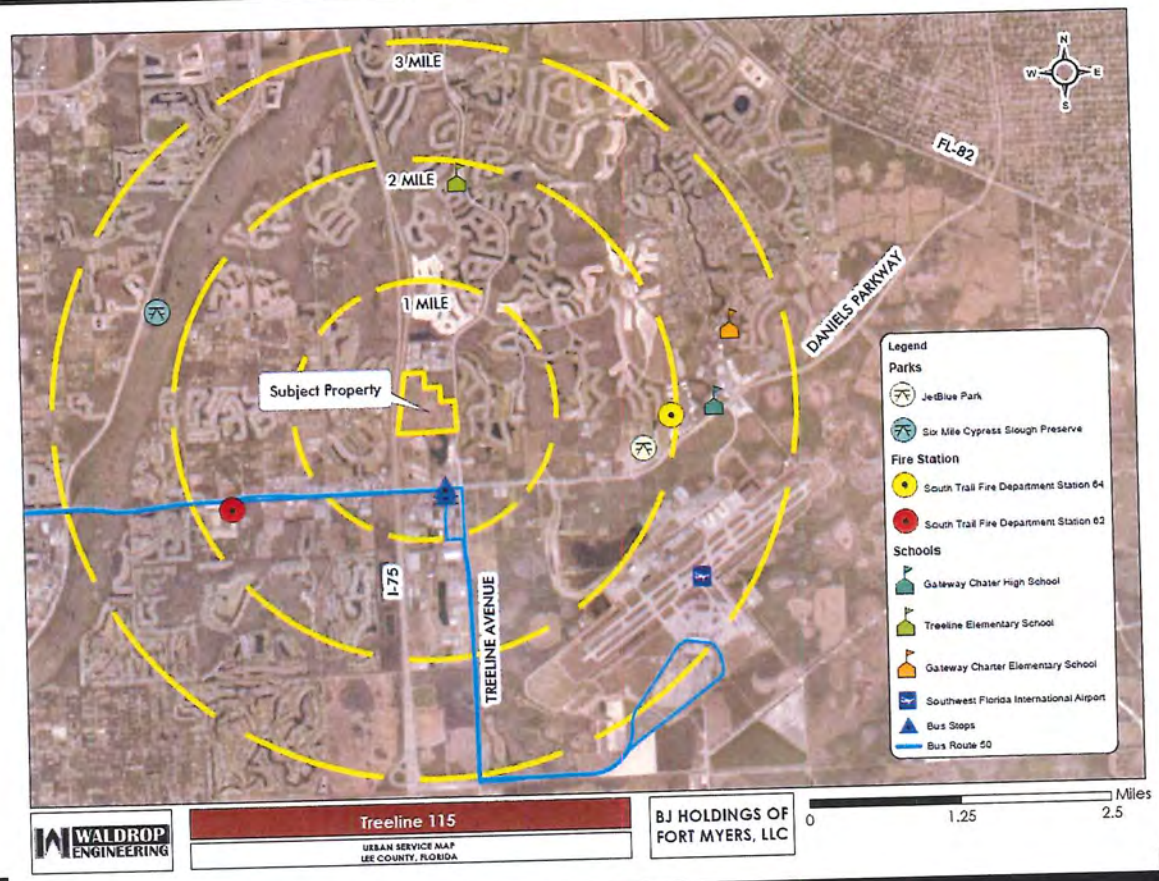
PUBLIC INFRASTRUCTURE

- Within Lee County Utilities Future Service Area
- Water and sewer services available to serve the project
- Fire, EMS, & Schools in immediate area
- Accessed from arterial roadway network

WALDROP ENGINEERING
PLANNING | CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE

DCI2018-00007

PUBLIC INFRASTRUCTURE



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DCI2018-00007

STORMWATER/CIVIL ENGINEERING

Jack Morris, P.E. – Waldrop Engineering, P.A.

WALDROP ENGINEERING
PLANNING | CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE

DCI2018-00007

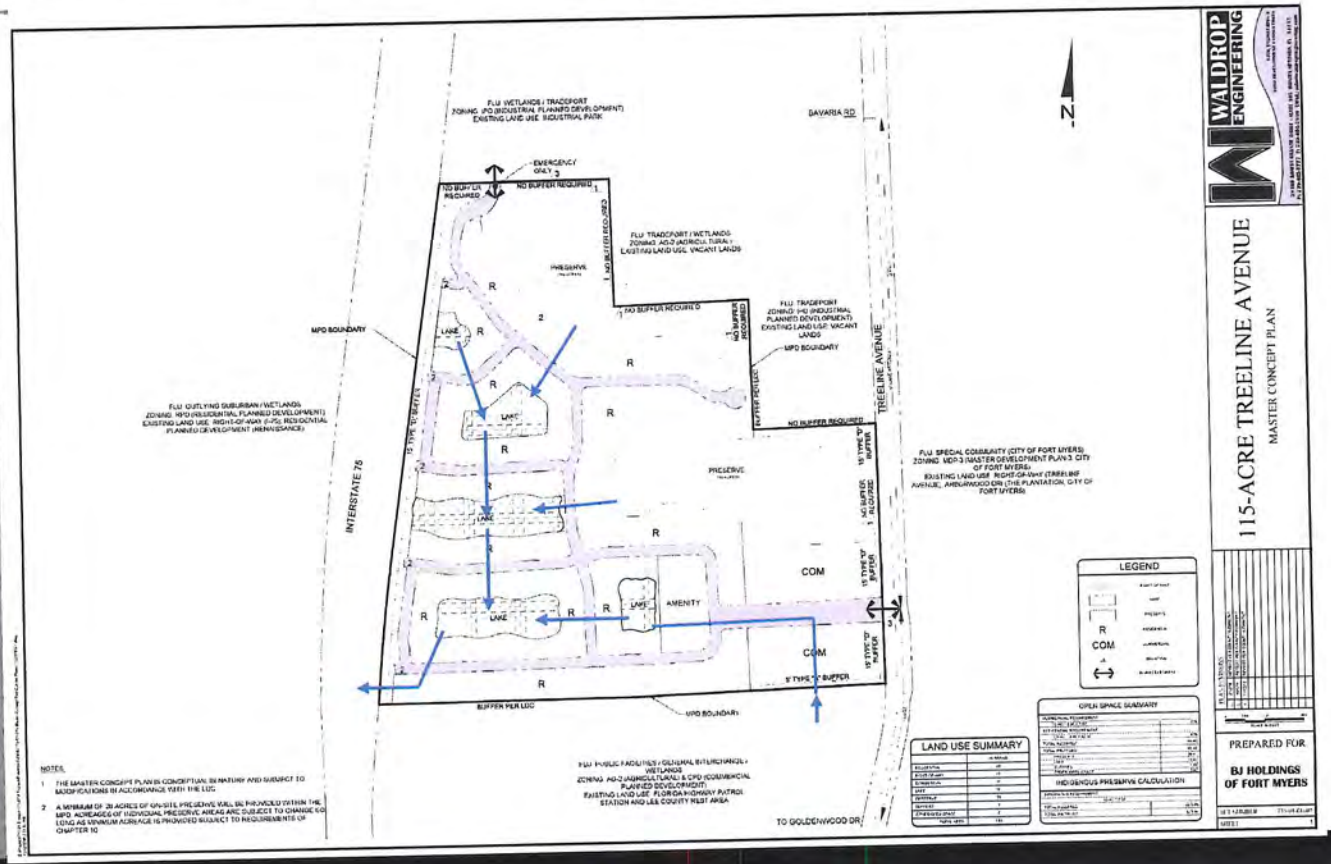
OVERALL DRAINAGE PATTERNS



WALDROP ENGINEERING
PLANNING | CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE

DCI2018-00007

MASTER CONCEPT PLAN



DCI2018-00007

STORMWATER MANAGEMENT

- All on-site generated stormwater to be attenuated and treated per Lee County and SFWMD design standards
- Existing offsite flows entering the site from the south and east will be routed through the site
- No flow interaction with site to the North
- Existing outfall across I-75 at the SW corner of site
- Discharge to Six Mile Cypress Slough via Renaissance Community Development

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DCI2018-00007

STORMWATER MANAGEMENT

- Additional Condition for HEX Consideration:

"Development order plans must demonstrate the project's outfall generally to the south and west, and that the stormwater management system will not be designed to discharge water runoff to the Airport Woods IPD to the north."

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PLANNING | CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE

DCI2018-00007

TRANSPORTATION

Yury Bykau, E.I. – TR Transportation

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DCI2018-00007

TRANSPORTATION OVERVIEW

- Traffic Impact Study Based Upon:
  - 50,000 SF of Retail
  - 25,000 SF of General Office
  - 25,000 SF of Medical Office
  - Residential (487 MF Units or 275 SF Units)
- Level of Service (LOS) Analysis:
  - Treeline Avenue – LOS "C", existing and future with project traffic conditions
  - Daniels Parkway – LOS "F", existing traffic condition with or without project
- The project is consistent with the Land Development Code and Lee County Comprehensive Plan

WALDROP ENGINEERING
PLANNING | CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE

DCI2018-00007

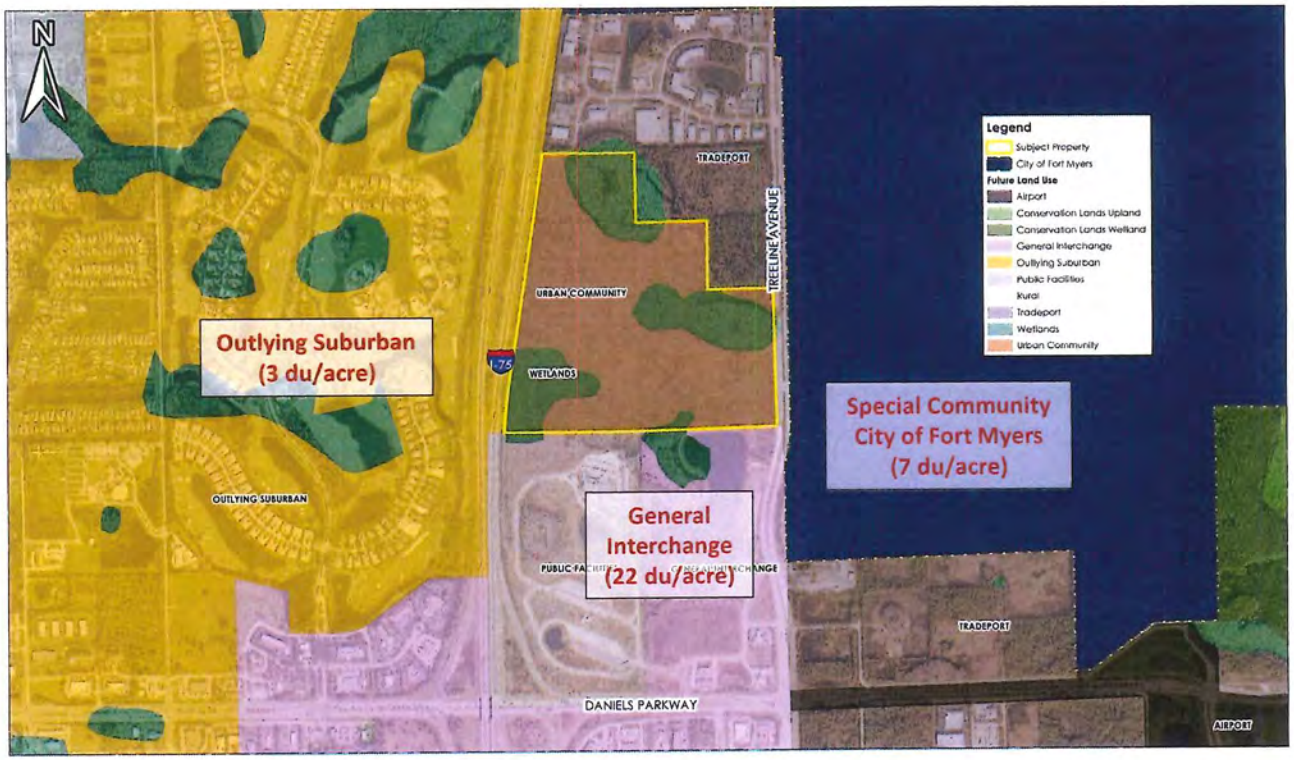
PLANNING CONCLUSIONS

Alexis Crespo, AICP – Waldrop Engineering, P.A.

WALDROP ENGINEERING
PLANNING | CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE

DCI2018-00007

DENSITY & COMPATIBILITY



WALDROP ENGINEERING

Treeline 115

PROPOSED FUTURE LAND USE MAP
LEE COUNTY, FLORIDA

BJ HOLDINGS OF FORT MYERS, LLC

0 500 1,000 2,000 3,000 Feet

WALDROP ENGINEERING
PLANNING | CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE

DCI2018-00007

LEE PLAN COMPLIANCE

- Policy 1.1.4: Urban Community
- Policy 1.5.1: Wetlands
- Objective 2.2: Development Timing
- Policy 5.1.5: Protect Residential Character
- Goal 6: Well-Planned Commercial Development
- Policy 61.3.6: Surface Water Management & Quality
- Policy 107.2.4: Protection of High Quality Native Plants

WALDROP ENGINEERING
PLANNING | CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE

DCI2018-00007

LEE PLAN COMPLIANCE

- **The Proposed Mixed Use Planned Development rezoning request meets the following review criteria set forth in LDC Section 34-145(a)(1):**

  a) Complies with the Lee Plan;
  b) Meets this Code and other applicable County regulations or qualifies for deviations;
  c) Is compatible with existing and planned uses in the surrounding area;
  d) Will provide access sufficient to support the proposed development intensity;
  e) The expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval;
  f) Will not adversely affect environmentally critical or sensitive areas and natural resources; and
  g) Will be served by urban services, defined in the Lee Plan, if located in a Future Urban area category.

DCI2018-00007

LEE PLAN COMPLIANCE

The Proposed MPD rezoning request meets the additional PD review criteria set forth in LDC Section 34-145(a)(2):

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

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.

c) If the application includes deviations, each requested deviation:

1) Enhances the achievement of the objectives of the planned development; and

1) Preserves and promotes the general intent of this Code to protect the public health, safety and welfare

DCI2018-00007

STAFF REPORT & CONCLUSIONS

- Staff recommendation of APPROVAL
- In agreement with Staff Conditions with changes noted in 48 hour letter
- MPD will allow for logical expansion of infill, mixed-use development in urbanized area with adequate services and infrastructure
- Proposed density and intensity is appropriate and compatible with the surrounding land use pattern
- Proposed amendment is consistent with the existing Lee Plan Goals, Objectives & Policies and criteria in LDC

STAFF'S
EXHIBIT # 1

LEE COUNTY
HEARING EXAMINER

2019 JAN 31 PM 3:07

Lee County, Florida
DEPARTMENT OF COMMUNITY DEVELOPMENT
ZONING SECTION
STAFF REPORT

CASE NUMBER: DCI2018-00007
TYPE OF CASE: MAJOR PLANNED DEVELOPMENT
HEARING EXAMINER DATE: February 14, 2019

REQUEST:

An application has been submitted by Alexis Crespo, AICP of Waldrop Engineering on behalf BJ holdings of Fort Myers LLC C/O Brian Freeman to rezone approximately 115 acres from Agricultural (AG-2) and Light Industrial (IL) to Mixed-Use Planned Development to allow for a maximum of 487 dwelling units and 100,000 sq. ft. of commercial uses.

The subject property is located at 12850 Treeline Avenue, Gateway/Airport Planning Community, Lee County, FL. (District #2), STRAP Numbers 14-45-25-00-00008.0000.

SUMMARY:

Staff recommends APPROVAL of the applicant's request, with the Conditions found in Attachment C.

Deviations have been requested as part of this application. As described in this report, staff recommends approval of deviation #1 and #2, but recommends denial for deviation #3.

HISTORY OF PARCEL:

The subject property is approximately 115 acres and is zoned Light Industrial (IL) and Agricultural (AG-2). Currently the site is undeveloped. The portion that is zoned Light Industrial (IL) was done so as part of resolution Z– 81 – 110, which approved the rezoning from agricultural to Light Industrial (IL) with a variance from the section line setback from 75 feet to zero feet (Attachment H). The industrial portion was never developed, but has been used for agricultural uses.

The subject parcel this part of the 6 Mile Cypress watershed basin as described in ordinance 83 – 5 (Attachment I).

The subject parcel was recently part of a Comprehensive Plan Amendment under Case Number CPA2017– 00009 (Attachment J). This plan amendment has been adopted, which converted the property from Tradeport and Wetlands to Urban Community and Wetlands. Without this comprehensive plan amendment, this application would be inconsistent with the future land-use category.

There are no active Code Enforcement violations on the property.

CHARACTER OF THE AREA:

The subject property is located on the west side of Treeline Avenue approximately 2600 feet north of Daniels Parkway. The western boundary the subject parcel is adjacent to Interstate 75. To the north, the nearest road is Bavaria Road, which accesses an Industrial Planned Development (IPD). Treeline Avenue is a county maintained arterial road way. Access for the subject property is proposed on Treeline Avenue which extends north to south, providing access to major residential developments and other commercial and industrial centers. The subject property is in the Urban Community and Wetlands future land use category as defined in Lee Plan Policy 1.1.4 and Objective 1.5, and is located in the Gateway/Airport planning community.

The following are the zoning districts and existing land uses that surround the subject property:

North:

Property to the north is zoned Industrial Planned Development (IPD) and is primarily developed with single tenant industrial buildings.

East:

Property to the east is separated by Treeline Avenue, and is part of the Arborwood Village. This property is located within the limits of the City of Fort Myers.

South:

Property to the south is owned Agricultural (AG-2), and Commercial Planned Development (CPD). The portion zoned Agricultural (AG-2) is developed with a traveler rest area, and a government office building, Which is owned and operated by the state of Florida. The portion that is zoned Commercial Planned
Development (CPD) is largely undeveloped except for three outparcels which include two banks and a convenience food and beverage store.

West:

Property to the west is separated by Interstate 75, and it is zoned Residential Planned Development (RPD). This development has been largely built out with single-family dwelling units and a golf course.

ANALYSIS

This planned development rezoning request from Agricultural (AG-2) and Light Industrial (IL) to Mixed Use Planned Development (MPD), as conditioned, will allow for a maximum of 487 dwelling units and 100,000 square feet of commercial uses. Deviations have been requested by the applicant and will be reviewed as part of this staff report.

Planned Development:

Section 34 – 341 through section 34 – 440 establishes regulations for zoning requests that result in new planned developments. LDC Sec. 34-145(d)(4)a. establishes the decision making criteria the Hearing Examiner uses when considering approval for planned development rezonings.

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

a) Complies with the Lee Plan;

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

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

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

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

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

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

"2. Planned Development Rezonings. The Hearing Examiner must also find:

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

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.

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 applicant has provided a request statement as a response to each of those decision-making criteria (Attachment D). As part of the application process the applicant must also demonstrate consistency with section 34 – 341 through section 34– 440.

Master Concept Plan:

The applicant has provided a one page master concept plan titled "Master Concept Plan" received October 5, 2018. The master concept plan describes the location of commercial and residential areas as well as access points, lakes/detention, preserves/wetlands, and open space (Attachment R). Deviations have been referenced on the master concept plan.

Development Pattern Considerations:

The subject property is located in the Urban Community land use category as described in policy 1.1.4 and in the wetlands future land-use as described in Objective 1.5. Portions of the property located in the

Urban Community land use category are characterized by relatively intense commercial and residential uses. The portions of the property that are designated as wetlands are limited to very low density residential and passive recreational uses that will not adversely affect the function of the wetland. All development in the Wetlands land use category must be consistent with Goal 114 of the Lee Plan. The applicant has stated in their request statement that the subject property contains approximately 62 acres of wetlands and 53 acres of uplands. Of the wetland portions of the property 28 are proposed to be used for preservation and 34 acres are proposed to be impacted as part of this development. The applicant has provided an calculation for density for the development which separates out density calculations for wetland areas and upland areas. Staff finds that the proposed rezoning is consistent with policy 1.1.4 and objective 1.5.

Land Use	**Acreage**
Residential (Including right-of-way)	105 AC
Commercial (Including right-of-way)	10 AC
TOTAL SITE ACREAGE	**115 AC**

	Acreage	**Maximum Density**	**Density Yield/ Unit Count**
Residential (Uplands)	53 AC	6 du/AC	318 du
Residential (Preserved Wetlands)	28 AC	6 du/AC	168 du
Impacted Wetlands	34 AC	1 du/20 AC	1.7 du
		MAXIMUM DENSITY	**488 du**

Objective 2.2 of the Lee plan intends to direct new growth to future urban areas when adequate public facilities exists. The applicant has provided a letter of utility availability to support the future development of this parcel as proposed in this request (Attachment K). Additionally the proposed development is considered to be in infill development, as properties to the north, south, and west are all developed. Staff finds the proposed rezoning is consistent with Objective 2.1, Objective 2.2., and Policy 2.2.1.

Policy 5.1.5 of the Lee Plan intends to protect the existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of residential development. The proposed development pattern does not negatively impact surrounding residential communities. The proposed residential density is similar to the residential uses surrounding the subject parcel. The commercial uses proposed by the applicant are adjacent to Treeline Avenue. Staff finds the proposed rezoning consistent with policy 5.1.5.

Goal 6 of the Lee plan provides policy guidance for well-planned and orderly commercial development at appropriate locations within the County. Policy 6.1.4 allows commercial development to be approved only when compatible with existing and proposed land uses, and Policy 6.1.6 requires an adequate

landscaping open space in buffering. Staff finds the proposed development consistent with Goal 6 including Policies 6.1.4 and 6.1.6.

Policy 61.3.6 requires developments to have and maintain an adequate service water management system and provide for post development runoff conditions which reflect the natural surface water flow. The applicant has stated that storm water runoff will be conveyed to ponds, and then treated and attenuated prior to discharging offsite at an acceptable rate per the South Florida Water Management District (Attachment L). Staff finds proposed development consistent with Policy 61.3.6.

As previously stated, the subject property is located in the Gateway/Airport planning community. There are three main portions of this planning community, and the property is located in the portion most directly correlated to gateway. Gateway is defined as a thriving nearly built out mixed-use community. The proposed rezoning by the applicant is consistent with this community planning area.

Transportation Considerations:

The applicant has provided the traffic impact statement for the proposed development intensity and density, and provided analysis on the surrounding transportation system (Attachment N). Development Services and Infrastructure Planning staff have provided analysis of the applicant's traffic impact statement (Attachment P and O).

Development services analysis states that no arterial or collector roadway sections are expected to be significantly impacted by the proposed rezoning. The principal access point for this development is proposed to be at the location of Treeline Avenue and Dartington Drive. As a result of the proposed development, this intersection will likely see significant impact and future improvements may be required to provide extra traffic control measures at this location. These improvements will be considered at time of development order review. Additionally, as part of the development services analysis, conditions were recommended as described below:

A.) "The development is permitted a maximum of 275 single-family or 487 multi-family residential dwelling units, and a maximum total gross floor area of 50,000 square feet of commercial non-office use, 25,000 square feet of medical office use, and 25,000 square feet of non-medical office use."

B.) "Permitted restaurant gross floor area includes restaurant outdoor seating areas."

C.) "If the development is developed in phases, each local development order must contain a tabulation that at minimum itemizes:

(1) The density of residential uses expressed in number of units for each use proposed by the development order application;
(2) The intensity of non-residential uses expressed in gross floor area for each use proposed by the development order application;
(3) The cumulative total density and intensity for each use permitted by previous development order approvals;

(4) The cumulative total density and intensity for each use permitted by previous building permits; and
(5) The remaining density and intensity for each use available for future development."

D.) "Unless deviations from the requirements of the Lee County Land Development Code are specifically requested and formally granted by authorized Lee County action, any description and/or depiction of possible deviations in the application materials are assumed to be for informational purposes only."

Bicycle and Pedestrian Facilities:

The subject property fronts Treeline Avenue, which is designated as a future bike/pedestrian way in the Lee Plan Map 3D. Currently bicycle and pedestrian facilities do exist along Treeline Avenue. At the time of local development order approval, development extending into this property must comply with chapter 10 of the Land Development Code. No deviations have been requested from the bicycle and pedestrian facility requirements.

Environmental Considerations:

Environmental staff provided a memorandum based upon the information provided by the applicant (Attachment M). In the memorandum, staff reviewed the FLUCCS Map of the property, protected species survey, and the proposed open space for the MPD. Environmental Staff recommends the following conditions as part of approval of this Planned Development rezoning:

"Prior to the issuance of the first development order, the following must be provided:

- The plans must depict 22.5 acres of indigenous open space;
- An indigenous management plan with five year monitoring post issuance of first Certificate of Compliance;
- If the first development order includes the commercial component, the plans must depict 30% open space; and
- If the first development order includes the residential component, the plans must depict 40% open space."

Transit Facilities:

The subject property is not located within a ¼ mile radius of a Lee Tran route.

Urban Services:

The subject property is serviced by a Fire and EMS Station that is approximately 2.5 miles west, and the Sheriff's station 6.45 miles to the west of the property. The proposed development will have access to the Lee County Utilities for both water and wastewater. The applicant is consistent with Lee Plan Standards 11.1 and 11.2. Other urban services are available to this proposed development, but were not considered during the review of this Planned Development Amendment, due to no residential component of the development.

Deviation Requests:

The applicant has requested three deviations and provided an analysis and justification for the requested deviations is attached (Attachment G). Below is staff analysis of the proposed schedule of deviations and recommendation for each request.

1. Deviation(1) from LDC Sec. 10 – 416(D)(1), which requires a buffer area along the entire perimeter of the proposed development whenever the proposed development abut a different use; to allow for no perimeter buffers where on-site preserves areas abut the MPD perimeter.

   Environmental Staff has provided an analysis of the deviation request as part of the environmental review. Because the only area that this deviation is requested is the where preserve areas abut the MPD perimeter, staff recommends approval of the deviation, subject to the following condition:

   1. *The development order landscape plans must demonstrate that the indigenous preserve meets the LDC Section 10-416 (d) for buffering abutting properties*.

2. Deviation (2) from LDC Sec. 10 – 296(K)(1), which requires the dead end streets be closed at one end by a circular turnaround for vehicles; to allow for five Dead end streets.

   Based upon the location of the deviation request provided by the applicant, staff recommends approval of the deviation request subject to the following conditions:

   1. Staff recommends receipt of a Fire District sign-off on the dead end roads, prior to DCI approval. A cul-de-sac should be shown prior to the "emergency only" egress point.
   2. This deviation request is approved for the five locations referenced on the master concept plan. Any additional locations will require additional zoning approval.

3. Deviation (3) from LDC Sec. 10 – 291(3), which requires residential developments over 5 acres to provide two points of ingress/egress, to allow for one point of access on Treeline Avenue and one emergency only access to the Matterhorn Road.

   As stated by the deviation request justification provided by the applicant, this deviation will limit the northern access point to Matternhorn Road for emergency access only. The reduction of access points provides a minimization of impact to wetlands that are located along the northern and eastern boundary lines. The property does not have access due to location of I-75 and has minimal frontage along Treeline Avenue. The applicant has requested that the northern access point be emergency only due to compatibility concerns with the industrial planned development, only allow emergency vehicles through this ingress and egress.

   Infrastructure planning provided comment on this deviation request and a memo that expresses concern over the potential for delaying congestion when only having a single ingress and egress

point for the proposed development. By providing multiple usable points of access, motorists can spread out their impact on the transportation network.

Although compatibility may be considered an issue what are reviewing this deviation requests, it is staff's opinion that the northern access point be open for access to the residents and the traveling public, and therefore recommends **denial** of this deviation.

CONCLUSION:

The proposed rezoning to Mixed Use Planned Development (MPD), as conditioned, is consistent with the Lee Plan. Staff has found deviation requests #1 and #2 consistent with the Lee Plan and compatible with the surrounding land uses. Staff does not recommend approval of deviation request #3. As conditioned, the requested Planned Development rezoning is compatible with the uses surrounding the subject property. As conditioned, this application meets all the criteria for rezoning including compliance with the Land Development Code. The request will not adversely affect environmentally critical areas or natural resources as conditioned. Approval of the request, as conditioned, will not place an undue burden upon existing transportation or planned infrastructure facilities. Urban services, as defined in the Lee Plan, as conditioned, will be available and adequate to serve the proposed development. Staff recommends approval, as conditioned, including deviation requests of this Mixed Use Planned Development (MPD) rezoning.

ATTACHMENTS:

A. Expert Witness Information
B. Maps: surrounding zoning, future land use and aerial photograph
C. Recommended Conditions and Deviations
D. Request Statement
E. Legal Description
F. Proposed Schedule of Uses
G. Proposed Schedule of Deviations
H. Resolution Z-81-110
I. Ordinance 83-5
J. CPA2017-00009
K. Utility Letter of Availability
L. Surface Water Management Plan
M. Environmental Staff Comments
N. Traffic Impact Statement
O. Infrastructure Planning Comments
P. Development Services (Transportation Engineering) Comments
Q. Agricultural Affidavit
R. Master Concept Plan

ATTACHMENT A

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

Dirk Danley, Planner, Senior, Zoning, 1500 Monroe Street, Fort Myers, FL 33901

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

Beth Workman, Environmental Planner, Zoning, 1500 Monroe Street, Fort Myers, FL 33901

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

Marcus Evans, Senior Engineer, Development Services, 1500 Monroe Street, Fort Myers, FL 33901

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

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

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



DCI2018-00007
Aerial

Legend

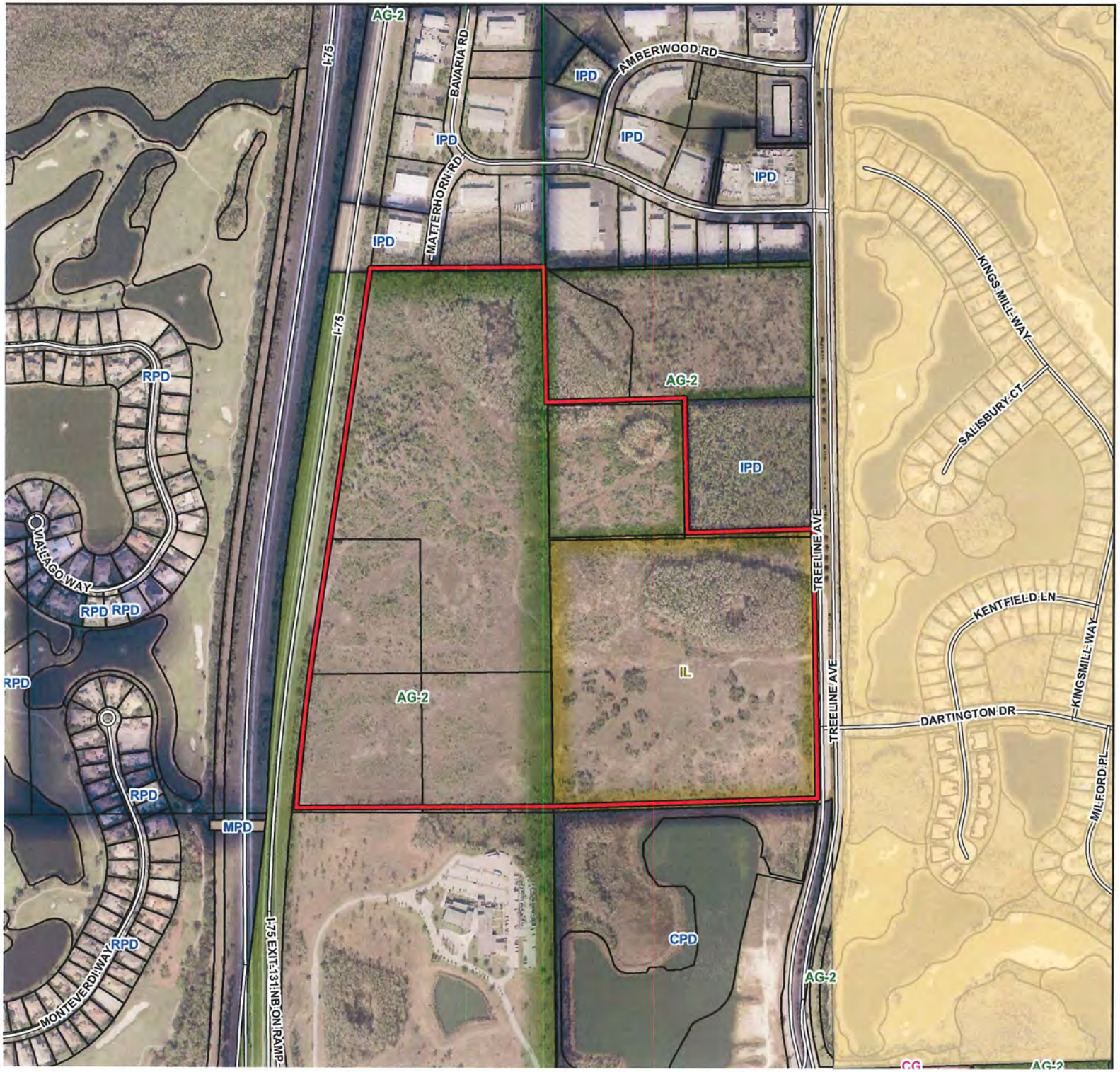
- Subject Parcel
- City Limits
- Parcel Boundary

N

0 1,000
Feet

Lee County
Southwest Florida

ATTACHMENT B



DCI2018-00007
Zoning

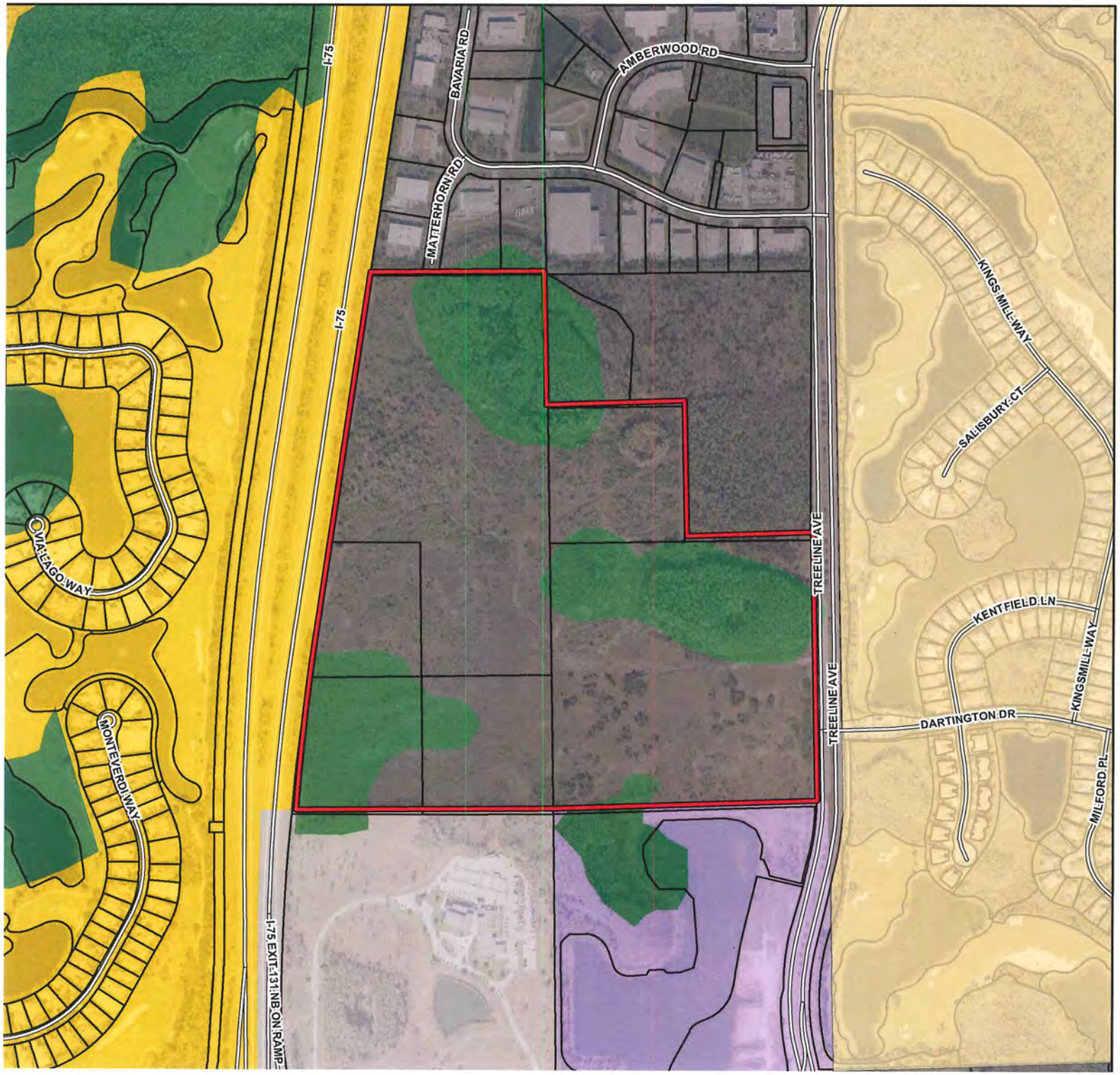
Legend

- Subject Parcel
- City Limits
- Parcel Boundary

N

0 1,000
Feet

Lee County
Southwest Florida



DCI2018-00007
Future Land Use

Legend

- Subject Parcel
- City Limits
- Parcel Boundary
- Outlying Suburban
- Public Facilities
- General Interchange
- Tradeport
- Wetlands

N

0 1,000
Feet

Lee County
Southwest Florida

ATTACHMENT C

A. Conditions:

1. Master Concept Plan/Development Parameters

The development of this project must be consistent with the one page Master Concept Plan entitled "Master Concept Plan," stamped received October 05, 2018, last revised October 05, 2018, except as modified by the conditions below. This development must comply with all requirements of the Lee county Land Development Code at time of local Development Order Approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursuant, appropriate approvals will be necessary.

Project intensity is limited to a maximum of 487 dwelling units and a maximum total gross floor area of 50,000 square feet of commercial non-office use, 25,000 square feet of medical office use, and 25,000 square feet of non-medical office use

2. Uses and Site Development Regulations

The following Limits apply to the project and uses:

a. Schedule of Uses

The following schedule of uses is permitted as described in the Land Development Code:

Commercial tract:
Accessory uses and structures
Accessory apartment
Administrative offices
Agricultural uses, as limited by conditions
Animal, clinic or kennel
ATM (automatic teller machine)
Auto parts store
Automobile repair and service
Automobile service station
Bar or cocktail lounge (subject to the provisions of LDC section 34 – 1264)
Bed and breakfast
Business services, Group I
Car wash
Caretakers residence
Cleaning and maintenance services
Clothing stores, general
Clubs:
Fraternal, membership organizations

Private
Community gardens
Consumption on premises, as limited by conditions (In accordance with LDC Sec. 34-1261 thru 34-1265)
Convenience food and beverage store
Cultural facilities
Day care center, child and adult
Drive-through facility for any permitted use
Drugstore, pharmacy
Dwelling units– a maximum of 275 single family units or 487 multifamily units
Live work
Single family
Two family attached
Townhouse
Multiple family building
Zero lot line
Entrance gates and gatehouses
Essential services
Essential service facilities, Group I
Excavation – water detention and retention
Fences, walls
Food and beverage service, Limited
Food stores Group I
Gift and souvenir shop
Hardware store
Healthcare facilities, groups I- III
Hobby, toy and game shop
Home occupation
Insurance company
Lawn and garden supply store
Manufacturing of food in kindred products, Group II (brewery), in accordance with the provisions of LDC Sec. 34-1264
Medical office– limited to a maximum of 25,000 ft.²
Model homes, model display center
Non-store retailers, Group I
Paint, glass and wallpaper stores
Parts, Groups I and II
Parking lot, accessory
Personal services, Groups I and II (Excluding massage parlors and steam or Turkish bath)
Pet services
Pet shops
Pharmacy
Post office
Real estate sales office
Recreational facilities, commercial
Recreational facilities, personal, private on-site, private offsite
Religious facilities
Rental or leasing establishments, Group I-III
Residential accessory uses

Restaurant, fast food
Restaurants, all groups
Schools, commercial and noncommercial
Self-service fuel pumps
Signs, in accordance with Chapter 30
Specialty retail shops, all groups
Storage, indoor and open
Studios
Supermarket
Temporary uses
Transportation services, Groups II-III
Used merchandise stores, Group I
Variety store
Vehicle and equipment dealers, Groups I- III

Residential tract:
Accessory uses, as defined by the LDC
Clubs, private
Administrative office
Community gardens
Consumption on premises in conjunction with recreational facilities, as limited by conditions (In accordance with LDC Sec. 34-1261 thru 34-1265)
Dwelling units– limited to 487 dwelling units in MPD
Live work
Single family
Two family attached
Townhouse
Multiple family building
Zero lot line
Entrance gates and gatehouses
Essential services
Essential service facilities, Group I
Excavation – water detention and retention
Fences, walls
Home occupation
Models, model homes, display center, sales center
Parking lot, Accessory, temporary
Real estate sales office
Residential accessory uses and structures
Signs – in accordance with Chapter 30 of LDC
Temporary uses

b. Site Development Regulations

Minimum lot area and dimensions:

Single – Family Detached

Minimum lot size	4,500 square feet
Minimum lot with	40 feet
Minimum lot depth	100 feet
Minimum street setback	20 feet street setback for front loaded

	garages 15 feet Street setback four side loaded garages 10 feet Street setback for rear loaded/alley lots and secondary Street set back on corner lot's
Side setback	5 feet
Rear setback	10 feet
Accessory structure setback	5 feet or 0 feet where the property line abuts a lake maintenance easement or landscape buffer easement
Max building height	35 feet
Min. building separation	10 feet
Maximum lot coverage	55%
Waterbody setback	20 feet, except for accessory structures
Preserve setback	per LDC

Zero lot line:

Minimum lot size	4,000 square feet
Minimum lot with	40 feet
Minimum lot depth	100 feet
Minimum street setback	20 feet street setback for front loaded garages 15 feet Street setback four side loaded garages 10 feet Street setback for rear loaded/alley lots and secondary Street set back on corner lot's
Side setback	0 feet, unless a setback is provided greater than 0 feet then a minimum of 10 feet is required
Rear setback	10 feet
Accessory structure setback	5 feet or 0 feet where the property line abuts a lake maintenance easement or landscape buffer easement
Max building height	35 feet
Min. building separation	10 feet
Maximum lot coverage	60%
Waterbody setback	20 feet, except for accessory structures
Preserve setback	per LDC

Two- Family Attached:

Minimum lot size	3,500 square feet
Minimum lot with	40 feet
Minimum lot depth	100 feet
Minimum street setback	20 feet street setback for front loaded garages 10 feet Street setback for rear loaded/alley lots and secondary Street set back on corner lot's
Side setback	5 feet

Rear setback	10 feet
Accessory structure setback	5 feet or 0 feet where the property line abuts a lake maintenance easement or landscape buffer easement
Max building height	35 feet
Min. building separation	10 feet
Maximum lot coverage	60%
Waterbody setback	20 feet, except for accessory structures
Preserve setback	per LDC

Townhouse:

Minimum lot size	1,800 Square feet
Minimum lot with	18 feet
Minimum lot depth	100 feet
Minimum street setback	20 feet street setback for front loaded garages 10 feet Street setback for rear loaded/alley lots and secondary Street set back on corner lot's
Side setback	0 feet, unless a setback is provided greater than 0 feet then a minimum of 10 feet is required
Rear setback	10 feet
Accessory structure setback	5 feet or 0 feet where the property line abuts apply to late maintenance easement or landscape buffer easement
Max building height	45 feet
Min. building separation	15 feet
Maximum lot coverage	65%
Waterbody setback	20 feet, except for accessory structures
Preserve setback	per LDC

Multiple-Family Building:

Minimum lot size	7,500 Square feet
Minimum lot with	75 feet
Minimum lot depth	100 feet
Minimum street setback	20 feet street setback for front loaded garages
Rear setback	10 feet
Accessory structure setback	5 feet or 0 feet where the property line abuts a lake maintenance easement or landscape buffer easement
Max building height	65 feet
Min. building separation	15 feet
Maximum lot coverage	50%
Waterbody setback	20 feet, except for accessory structures
Preserve setback	per LDC

Retail/Office, and Mixed Use Buildings:

Minimum lot size	10,000 Square feet

Minimum lot with	100 feet
Minimum lot depth	100 feet
Minimum street setback	25 feet
Side setback	0 feet, unless a setback is provided greater than 0 feet then a minimum of 10 feet is required
Rear setback	0 feet, unless a setback is provided greater than 0 feet then a minimum of 10 feet is required
Accessory structure setback	5 feet or 0 feet where the property line abuts apply to late maintenance easement or landscape buffer easement
Max building height	45 feet
Min. building separation	15 feet
Maximum lot coverage	50%
Waterbody setback	20 feet, except for accessory structures
Preserve setback	per LDC

3. Vehicular/Pedestrian Impacts

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.

4. Lee Plan Consistency

Approval of this zoning request 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), be reviewed for, and found consistent with, the retail commercial standards for site area, including range of gross floor area, location, tenant mix and general function, as well as all other Lee Plan provisions.

5. Concurrency

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

6. Development Permits

Issuance of a development permit by Lee County does not in any way create any rights on the part of the applicant to obtain a permit from a state of federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertake actions that result in a violation of state or federal law.

7. Open Space and Indigenous Management

Prior to the issuance of the first development order, the following must be provided:

A. The plans must depict 22.5 acres of indigenous open space;
B. An indigenous management plan with five year monitoring post issuance of first Certificate of Compliance;

C. If the first development order includes the commercial component, the plans must depict 30% open space; and
D. If the first development order includes the residential component, the plans must depict 40% open space.

8. Development Phasing
If the development is developed in phases, each local development order site development plan must contain a tabulation that at minimum itemizes:

A. The density of residential uses expressed in number of units for each use proposed by the development order application;
B. The intensity of non-residential uses expressed in gross floor area for each use proposed by the development order application;
C. The cumulative total density and intensity for each use permitted by previous development order approvals;
D. The cumulative total density and intensity for each use permitted by previous building permits; and
E. The remaining density and intensity for each use available for future development.

9. Restaurant Area Calculation
Permitted restaurant gross floor area includes restaurant outdoor seating areas.

10. Consumption on Premises
Consumption on Premises, or the sale of alcoholic beverages is prohibited within 500 feet of the Lee County School Board property located at 12690 Treeline Avenue.

11. Commercial Uses Condition for Wetlands
Once Wetlands have been formally identified consistent with the Lee Plan uses may be further limited, in areas identified as impacted Wetlands, to those uses identified in Policy 1.5.1.

12. Residential Density Condition for Wetlands
If the developer secures an Environmental Resource Permit (ERP) that allows impacts to on-site freshwater wetlands, it may be necessary to recalculate the maximum number of dwelling units permitted consistent with Wetlands density calculations identified in Policy 124.1.1 of the Lee Plan and the impacted and preserved freshwater wetlands approved in the ERP. The maximum number of dwelling units may not exceed 487 units.

B. Deviations

Deviation #1: Landscape Buffer
Deviation(1) from LDC Sec. 10 – 416(D)(1), which requires a buffer area along the entire perimeter of the proposed development whenever the proposed development about a different use; To allow for no perimeter buffers were on-site preserves areas abut the MPD perimeter.

Staff recommends **approval** of this deviation.

Deviation #2: Dead End Streets
Deviation (2) from LDC Sec. 10 – 296(K)(1), which requires the dead end street's be closed at one and by circular turnaround vehicles; to allow for five Dead end street.

Staff recommends **approval** of this deviation, subject to the following conditions:

1. A Fire District sign-off on the dead end roads is required, prior to DCI approval. A cul-de-sac should be shown prior to the "emergency only" egress point.
2. This deviation request is approved for the five locations referenced on the master concept plan. Any additional locations will require additional zoning approval.

Deviation #3: Ingress/Egress Points
Deviation (3) from LDC Sec. 10 – 291(3), which requires residential developments over 5 acres to provide two points of ingress/egress, to allow for one point of access on Treeline Avenue and one emergency only access to the Matterhorn Road.

Staff recommends **denial** of this deviation.

ATTACHMENT D

WALDROP ENGINEERING
PLANNING | CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE
BONITA SPRINGS Tampa Orlando Sarasota
28100 Bonita Grande Dr., Suite 305, Bonita Springs, FL 34135
p. (239) 405-7777 f. (239) 405-7899

Treeline 115 Mixed Use Planned Development
Request Statement and Lee Plan Compliance Narrative

REVISED OCTOBER 2018

I. Request

BJ Holdings of Fort Myers, LLC ("Applicant") is requesting approval to rezone the 115+/- acre site ("Property") from Agricultural (AG-2) and Light Industrial (IL) to Mixed-Use Planned Development (MPD). The rezone will allow for a maximum of 487 dwelling units and 100,000 SF of commercial uses.

II. Existing Conditions & Property History

The Property is located west of Treeline Avenue at the northeast corner of Daniels Parkway and Interstate-75. The Property is zoned AG-2 (Agricultural) & IL (Light Industrial) and is located within the Gateway/Airport Planning Community. The Property is subject to a companion Comprehensive Plan Amendment (CPA2017-00009) to re-designate the uplands from Tradeport to Urban Community. The Property is currently utilized as grazing land for agricultural operations.

III. Surrounding Land Use Pattern

The Property is an infill site, surrounded on all sides by existing development and public lands. The surrounding land use pattern consists of public rights-of-way to the east and west; single-family detached, two-family attached, and multi-family residential uses to the west of I-75; single-family detached residential uses to the east of Treeline Avenue; industrial/commercial uses and a future public school site to the north; and mixed-use and public uses to the south.

In terms of surrounding densities, the Arborwood DRI to the east of Treeline Avenue has a density of 2.57 du/acre, and a mix of dwelling types ranging from single-family detached to multi-family buildings. South of the Property is the Arborwood Village CPD, which has a density of 10 du/acre approved for Tract 1, consisting of multi-family units. Across I-75 to the west are the Renaissance RPDs; the Renaissance North RPD has a density of 2.57 du/acre and the Renaissance South RPD has a density of 1.6 du/acre. Please refer to the enclosed Surrounding Densities Map, Exhibit III.E, for a comprehensive inventory of densities as spatially related to the Property.

Table 1 below further defines the surrounding Future Land Use designations, zoning districts and adjacent land uses.

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Table 1: Inventory of Surrounding Lands

	FUTURE LAND USE	ZONING DISTRICT	EXISTING LAND USE
NORTH	Tradeport & Wetlands	IPD (Industrial Planned Development) & AG-2 (Agricultural)	Industrial/Commercial Park & Vacant Agricultural Lands
SOUTH	Public Facilities, General Interchange, & Wetlands	AG-2 (Agricultural) & CPD (Commercial Planned Development)	Florida Highway Patrol Station & Lee County Rest Area
EAST	Special Community (City of Fort Myers)	MDP-3 (Master Development Plan-3, City of Fort Myers)	Right-of-Way (Treeline Avenue); Arborwood DRI (The Plantation – City of Fort Myers)
WEST	Outlying Suburban & Wetlands	RPD (Residential Planned Development)	Right-of-Way (I-75); and Residential Planned Development (Renaissance)

The immediate area contains a dynamic mix of higher density multi-family development, lower density suburban-style communities, public and institutional uses, arterial-level roadways, and non-residential uses. The surrounding development pattern is evidence of the appropriateness of the proposed mix of non-residential and residential uses in the form of a compact Mixed Use Planned Development.

IV. Public Infrastructure

As outlined in the companion Comprehensive Plan Amendment application, the subject property is serviced by existing public infrastructure that can accommodate the proposed residential uses at the maximum density of 6 du/acre. Potable water and sanitary sewer services are available to the subject property by Lee County Utilities and City of Fort Myers Utilities. The surrounding roadway network has adequate capacity as set forth in the accompanying Traffic Circulation Analysis prepared by TR Transportation Consultants, Inc. There are also adequate community facilities and services in the immediate vicinity of the project, including Fire, EMS, a public library, and Parks.

V. Proposed Uses/Design Standards

Through this rezoning application, the Applicant proposes a mixed-use development program consisting of 487 multi-family dwelling units on approximately 105 acres of the site, and 100,000 square feet of commercial uses on 10 acres along the Treeline Avenue frontage.

The proposed mix of commercial and residential uses will complement the surrounding development pattern and provide for infill development in an area well-served by existing public infrastructure. It important to emphasize that the commercial and multi-family uses proposed through this MPD application represent a logical transition of the development pattern along Treeline Avenue, from the intensive General Interchange future land use category to the south, and the residential development to the north in the City of Fort Myers.

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The enclosed Master Concept Plan (MCP) delineates the location of residential uses towards the northern and western limits of the Property, while directing commercial uses along the Treeline Avenue frontage for easy access by future residents of the development, as well as the travelling public. Access to the Property is from Treeline Avenue. Emergency-only access is also provided to the industrial park to the north to provide for safe ingress/egress to the site.

Buffers are provided per the LDC along the perimeter property boundaries where required, including 15-foot wide buffers to the east and west where development abuts existing public rights-of-way. In addition to the buffers, the MCP proposes open space in compliance with the LDC, and 28 acres of wetland preservation areas. This on-site preserve acreage far exceeds the minimum requirements of the LDC, and will screen views of the development areas from adjacent properties.

The full details of the proposed development program are provided in the enclosed Master Concept Plan, Schedule of Uses, Site Development Regulations, and proposed conditions.

VI. Lee Plan Compliance

The following is an analysis of how the proposed amendment is consistent with the goals, policies and objectives of the Lee Plan.

POLICY 1.1.4: The Urban Community areas are areas outside of Fort Myers and Cape Coral that are characterized by a mixture of relatively intense commercial and residential uses. Included among them, for example, are parts of Lehigh Acres, San Carlos Park, South Fort Myers, Iona/McGregor, Pine Island, and Gasparilla Island. Although the Urban Communities have a distinctly urban character, they should be developed at slightly lower densities. As the vacant portions of these communities are urbanized, they will need to maintain their existing bases of urban services and expand and strengthen them accordingly. As in the Central Urban area, predominant land uses in the Urban Communities will be residential, commercial, public and quasi-public, and limited light industry (see Policy 7.1.6) with future development in this category encouraged to be developed as a mixed-use, as described in Policy 2.12.3., where appropriate. Standard density ranges from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre), with a maximum total density of ten dwelling units per acre (10 du/acre).

In compliance with this policy, the subject property is located in an urbanized area of the Lee County, as evidenced by the surrounding land use pattern, existing densities/intensities, and available public infrastructure. As outlined above, the general area is developed with a mix of residential communities, public uses, and commercial development associated with the I-75 interchange. The proposed mixed-use development at a maximum density of 6 du/acre is consistent with the range of uses and densities permitted in the Urban Community future land use category and Lee Plan Table 1(a). The amendment will allow for the continuation of the mixed-use and residential development pattern along Treeline Avenue, and will direct new development to an area with an existing base of urban services.

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POLICY 1.5. Permitted land uses in Wetlands consist of very low density residential uses and recreational uses that will not adversely affect the ecological functions of wetlands. All development in Wetlands must be consistent with Goal 114 of this plan. The maximum density is one dwelling unit per twenty acres (1 du/20 acre) except as otherwise provided in Table 1(a) and Chapter XIII of this plan.

The subject property contains approximately 62 acres of wetlands, and 53 acres of uplands. Of the 62 acres of freshwater wetlands, 28 are proposed for preservation, and 34 are proposed for impact. The density calculation reflects 1 du/20 acres for those wetland impact areas, while the preserved wetland and uplands are calculated at a density of 6 du/acre in accordance with the Urban Community future land use category. Therefore, the density calculation is consistent with this policy. The wetlands proposed for impact by the MCP are lower quality, isolated wetlands, while the larger wetlands that connect to larger wetland systems off-site are proposed for permanent preservation.

Permitted land uses in this category consist of low density residential uses and recreational uses. The proposed MPD complies with the allowable uses by limiting density to 1 du/20 acres for wetland areas, in accordance with Table 1(a).

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

The Applicant has provided letters of availability and a detailed explanation of the public facilities and services available to support future development of the property at the maximum allowable density. The proposed amendment fully complies with the above policy's intent to direct new growth to appropriate Future Urban Areas of the county.

POLICY 5.1.5: Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. Requests for conventional rezonings will be denied in the event that the buffers provided in Chapter 10 of the Land Development Code are not adequate to address potentially incompatible uses in a satisfactory manner. If such uses are proposed in the form of a planned development or special exception and generally applicable development regulations are deemed to be inadequate, conditions will be attached to minimize or eliminate the potential impacts or, where no adequate conditions can be devised, the application will be denied altogether. The Land Development Code will continue to require appropriate buffers for new developments.

The proposed rezoning will significantly enhance the site's compatibility with the surrounding residential uses, and prevent the encroachment of intensive industrial uses permitted by the underlying Tradeport future land use category. Pursuant to Policy 1.2.2,

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the Tradeport category allows for a wide range of public uses, including terminals, laboratories, limerock mines, transfer facilities, and other higher intensity government-operated facilities. This category would allow for development of intensive industrial uses. For these reasons, bringing the property to the Urban Community future land use category and allowing for a mix of residential and commercial uses is directly in compliance with this policy.

From a density standpoint, the proposed amendment will allow for the development of a residential community that has densities similar to, or lower than the surrounding developments. The density will be further restricted via the companion MPD rezone to 487 dwelling units, or 4.2 du/acre, which is a lower density than the adjacent residential projects (including Arborwood CPD to the south). The MPD will also address the location of proposed lots, perimeter buffers, and other site design standards to ensure the development will be compatible and complimentary to the surrounding neighborhood.

STANDARD 11.1 & 11.2: WATER & SEWER

Potable water and sanitary sewer services are available to service the development as outlined in the attached Availability Letter provided by Lee County Utilities.

STANDARD 11.3. TRANSPORTATION

TR Transportation Consultants has prepared the enclosed Traffic Impact Statement (TIS) in accordance with the county requirements. Per this analysis, all roadways within the project's area of impact have sufficient capacity to accommodate the traffic associated with the 487 dwelling units. The report also concludes that the project will not create any transportation deficiencies that need to be mitigated.

POLICY 61.3.6: Developments must have and maintain an adequate surface water management system, provision for acceptable programs for operation and maintenance, and post-development runoff conditions which reflect the natural surface water flow in terms of rate, direction, quality, hydroperiod, and drainage basin. Detailed regulations will continue to be integrated with other county development regulations.

Stormwater runoff from the subject property generally flows from east to west toward I-75. Water is directed under I-75 through a 6' x 4' box culvert located near the southwest corner of the subject property.

Onsite stormwater runoff will be conveyed to stormwater ponds where it will be treated and attenuated prior to discharging offsite. The peak discharge rate will be limited to 37 csm, the basin allowable discharge rate. Stormwater treatment will be provided in accordance with SFWMD requirements.

POLICY 107.2.4: Encourage the protection of viable tracts of sensitive or high-quality natural plant communities within developments.

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The subject property will contain contiguous wetland areas throughout the property. The northern wetland not only exists within the subject property, but also extends offsite to maximize the possibility of high-quality ecological communities.

POLICY 115.1.2: New development and additions to existing development must not degrade surface and ground water quality.

Prior to future development activities on the Property, the Applicant will obtain the requisite Environmental Resource Permit (ERP) from the South Florida Water Management District, and all other applicable state agencies. The site design will ensure pretreatment of stormwater prior to discharge off-site.

VII. Review Criteria

Per LDC Sec. 34-145(d)(4)(a)1 the following review criteria is met through this request:

a. The application is consistent with the uses and densities set forth for Urban Community Future Land Use Designation as outlined in the companion Comprehensive Plan Amendment application. Additionally, the project will meet or exceed the performance standards set forth in the Land Development Code for planned development zoning districts.
b. The request will meet or exceed all performance and locational standards set forth for the proposed 487-unit residential community, except where a deviation is requested and demonstrates the protection of public health, safety and welfare.
c. The proposed density is 6 dwelling units per acre is consistent with allowable densities in the Urban Community Future Land Use Category and will direct higher densities to infill sites in urban-designated areas of the County. Bonus Density is not being requested as part of this application. The proposed MPD is compatible with the single-family uses to the north and northwest, and provides a logical extension of the residential development pattern on Treeline Ave.
d. Access will be provided from Treeline Ave, a secondary access point to the north will provide emergency access to the development.
e. Approval of the request will not have a significant impact upon the surrounding roadway network. As outlined in the enclosed Traffic Impact Statement (TIS) prepared by TR Transportation Consultants, Inc., all impacted roadways can accommodate the traffic associated with the 487 dwelling units.
f. This request will not adversely affect environmentally critical areas and natural resources. The project will be preserving approximately 28 AC of wetlands. Gopher tortoises located on-site will be relocated according to the Florida Fish and Wildlife Conservation (FWC) regulations. Open space will be provided as required in LDC Chapters 10 and 34.
g. The Project be served by urban services, as defined in the Lee Plan, as it is located within a Future Urban area category. Public infrastructure and services are available to service the proposed development.

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VIII. Conclusion

The proposed MPD will address several sound planning principles that are currently of interest to Lee County. In direct compliance with the Lee Plan, the amendment will allow for infill development within an urbanized portion of the County that is currently serviced by public infrastructure, as presented above, the Property is adjacent to existing development on all sides, ranging from low and medium density single-family communities to higher density multi-family development to the south of the Property. Approval of this amendment will accommodate population growth within an appropriate area of the County with the requisite level of public services, and prevent intrusion of the new development into designated rural areas.

In summary, approval of this request will allow the Property to be developed in a manner that is consistent with the underlying Future Land Use category (upon approval of the companion CPA2017-00009), and is compatible with the surrounding land use pattern. The request directly supports the County's desire to direct new growth to infill locations in urban areas, and appropriately utilize public investment in infrastructure and services. The proposed rezoning will meet or exceed the standards set forth in the LDC for planned developments, except where a deviation has been requested. For these reasons, the Applicant respectfully requests approval of this rezone as proposed.

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ATTACHMENT E

DESCRIPTION
OF A PARCEL LYING IN
SECCTION 14&15, TOWNSHIP 45 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

DESCRIPTION

A TRACT OR PARCEL OF LAND IN SECTIONS 14 & 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA AND FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 15, WHICH IS THE POINT OF BEGINNING OF THE PARCEL HEREIN BEING DESCRIBED:
THENCE S 01°12'06" E A DISTANCE OF 661.75'
THENCE N 88°14'25" E A DISTANCE OF 679.02'
THENCE S 01°08'17" E A DISTANCE OF 661.48'
THENCE N 88°13'00" E A DISTANCE OF 618.28' TO THE WESTERLY RIGHT OF WAY LINE
OF TREELINE AVENUE,
THENCE S 01°04'28" E ALONG SAID LINE A DISTANCE OF 1322.47'
THENCE LEAVING SAID LINE S 88°10'10" W A DISTANCE OF 1293.64'
THENCE S 89°33'43" W A DISTANCE OF 1266.13' TO THE EASTERLY RIGHT OF WAY LINE OF INTERSTATE 75
THENCE ALONG SAID LINE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 856.47',
WITH A DELTA OF 04°20'37", WITH A RADIUS OF 11297.16', WITH A CHORD BEARING OF N 06°10'57" E, WITH A CHORD LENGTH OF 856.26';
THENCE N 08°21'16" E A DISTANCE OF 1817.95'
THENCE N 89°35'14" E A DISTANCE OF 854.24' TO THE POINT OF BEGINNING,
HAVING AN AREA OF 114.8 ACRES+/_

Applicant's Legal Checked by DM 10/18/18

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*** THIS IS NOT A SURVEY***

REVISIONS:

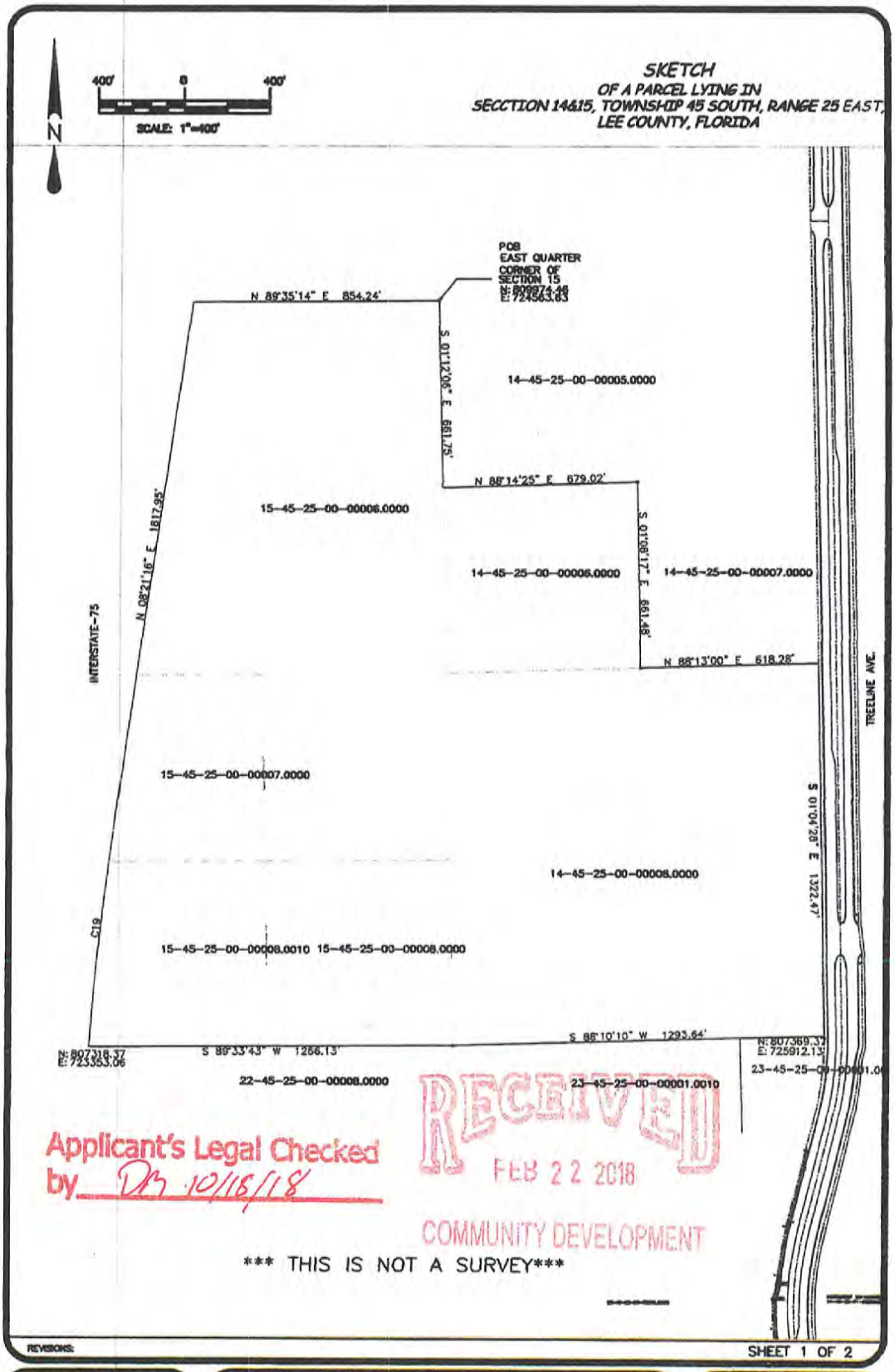
SHEET 2 OF 2

PROJECT NO: TREELINE
SCALE: 1"= 100'
DRAWN BY: CDY
CHECKED BY: MDM
DATE DRAWN: 03/10/16
FIELD BOOK/PAGE:

AE Site, LLC
EB-30108 LB-7995
13200 Fiddlesticks Boulevard, Suite 202-309
Fort Myers, Florida 33912
Telephone (239) 936-0777

THIS MAP IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER.

MARK D. RAGLEARY, P.S.M.
FLORIDA REGISTRATION NO 1957
FOR THE FIRM LB 4371
DATE SIGNED: 10/14/17



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BOUNDARY SURVEY
OF A PARCEL LYING IN SECTIONS 14 & 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA

DESCRIPTION:
14-45-25-00-00006.0000 (OFFICIAL RECORD 4212, PAGE 708)

THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SW 1/4) OF SECTION 14, TOWNSHIP 45 SOUTH, RANGE 25 EAST,

AND

14-45-25-00-00008.0000 (OFFICIAL RECORD BOOK 4164, PAGE 1508)

THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 14, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LESS THE EAST 60 FEET FOR THE ROAD RIGHT OF WAY, SITUATED IN LEE COUNTY, FLORIDA.

AND

15-45-25-00-00006.0000 (OFFICIAL RECORD BOOK 4212, PAGE 708)

THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) AND THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LESS AND EXCEPT A PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 15 AS DESCRIBED IN THAT CERTAIN DEED RECORDED IN O.R. BOOK 1074, PAGE 748, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

AND

15-45-25-00-00007.0000 (OFFICIAL RECORD BOOK 4562, PAGE 1378)

THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA LYING EAST OF THE RIGHT OF WAY OF INTERSTATE 75.

AND

15-45-25-00-00008.0000
15-45-25-00-00008.0010 (OFFICIAL RECORD BOOK 4562, PAGE 1333)

THE SOUTH HALF (S 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, LESS AND EXCEPT THAT PARCEL DESCRIBED IN THAT CERTAIN DEED DATED AUGUST 13, 1974, GIVEN BY VELMA CANNON MCDONALD TO THE STATE OF FLORIDA, FOR I-75 RECORDED IN O.R. BOOK 1050, PAGE 257, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

DESCRIPTION (PER NOTE 9. BELOW)

A TRACT OR PARCEL OF LAND IN SECTIONS 14 & 15, TOWNSHIP 45 SOUT-I, RANGE 25 EAST, LEE COUNTY, FLORIDA AND FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 15, WHICH IS THE POINT OF BEGINNING OF THE PARCEL HEREIN BEING DESCRIBED:
THENCE S 01°12'06" E A DISTANCE OF 661.75'
THENCE N 88°14'25" E A DISTANCE OF 679.02'
THENCE S 01°08'17" E A DISTANCE OF 661.48'
THENCE N 88°13'00" E A DISTANCE OF 618.28' TO THE WESTERLY RIGHT OF WAY LINE OF TREELINE AVENUE,
THENCE S 01°04'28" E ALONG SAID LINE A DISTANCE OF 1322.47'
THENCE LEAVING SAID LINE S 88°10'10" W A DISTANCE OF 1293.64'
THENCE S 89°33'43" W A DISTANCE OF 1266.13' TO THE EASTERLY RIGHT OF WAY LINE OF INTERSTATE 75
THENCE ALONG SAID LINE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 856.47', WITH A DELTA OF 04°20'37", WITH A RADIUS OF 11297.16', WITH A CHORD BEARING OF N 06°10'57" E, WITH A CHORD LENGTH OF 856.26';
THENCE N 08°21'16" E A DISTANCE OF 1817.95'
THENCE N 89°35'14" E A DISTANCE OF 854.24' TO THE POINT OF BEGINNING,
HAVING AN AREA OF 114.8 ACRES+/-

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Applicant's Survey Checked by VM 10/18/18

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C19	11297.16'	856.47'	856.26'	N 06°10'57" E	4°21'37"

LEGEND
□ = FOUND PRM/PCP AS NOTED
● = SET IRON ROD AND CAP
○ = FOUND IRONR ROD AND CAP AS NOTED
⊠ = FPL BOX
Ø = WOOD POWER POLE
⊢ = GUY WIRE
⋈ = WATER VALVE
⊕ = FIRE HYDRANT
☼ = STREET LIGHT
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
PRM = PERMANENT REFERENCE MARKER
PCP = PERMANENT CONTROL POINT

NOTES:
1. PREPARED AS A BOUNDARY SURVEY. DATE OF LAST FIELDWORK: 06-24-17
2. PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD. (RECORDED, UNRECORDED, WRITTEN AND UNWRITTEN).
3. IMPROVEMENTS OTHER THAN THOSE SHOWN NOT LOCATED.
4. MAP BASED ON SURVEY PREPARED BY METRON DATED MARCH 11, 2005
5. THIS SURVEY WAS NOT INTENDED TO DELINEATE OR DEFINE ANY WETLANDS, ENVIRONMENTALLY SENSITIVE AREAS, WILDLIFE HABITATS OR JURISDICTIONAL LINES OF ANY FEDERAL, STATE, REGIONAL OR LOCAL AGENCY, BOARD, COMMISSION OR OTHER ENTITY.
6. THIS PARCEL LIES IN ZONE "X", THIS INFORMATION WAS TAKEN FROM FEDERAL INSURANCE RATE MAP 12071C0445F, DATED AUG. 28, 2008.
7. DIMENSIONS OF IMPROVEMENTS SHOWN SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES.
8. ALL ELEVATIONS ARE IN N.A.V.D. 88.

NOTES UPDATE:
9. THIS BOUNDARY SURVEY TIES TO THE STATE PLANE COORDINATE SYSTEM FOR THE FLORIDA WEST ZONE AND HAS BEEN UPDATE TO REFLECT TITLE CERTIFICATION REPORT ORDER NO. 6686871 BY FIDELITY NATIONAL TITLE INSURANCE COMPANY DATED FROM 12/27/2012 THROUGH 03/19/2018.

I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.051, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE LAND SURVEYOR LISTED, THIS MAP/PLAN IS NOT VALID AND IS FOR INFORMATIONAL PURPOSES ONLY.

DATE: 6/26/17

REVISIONS: DATE:

CERTIFIED TO: LEE COUNTY
AV HOLDINGS OF FORT MYERS LLC

AE SITE
AE Site, LLC
EB-33165 - LB-7988
6660 Daniels Parkway, Suite 130
Fort Myers, FL 33912

community engineering services, inc.
13650 Fiddlesticks Blvd., #682202-389
Fort Myers, Florida 33912
Telephone: (239) 362-2777

PROJECT NO. 17-103
SCALE: 1"=150'
DRAWN BY: AM
CHECKED BY: AM
DATE OF FIELD SURVEY: 06/24/2017
FIELD BOOK/PAGE:

ATTACHMENT F

WALDROP ENGINEERING
PLANNING CIVIL ENGINEERING LANDSCAPE ARCHITECTURE
BONITA SPRINGS Tampa Orlando Sarasota
28100 Bonita Grande Dr., Suite 305, Bonita Springs, FL 34135
p. (239) 405-7777 f. (239) 405-7899

Treeline 115 Mixed Use Planned Development – Schedule of Uses

REVISED OCTOBER 2018

Commercial Tract:

Accessory uses and structures
Accessory apartment
Administrative offices
Agricultural uses, as limited by Conditions
Animals, clinic or kennel
ATM (Automatic Teller Machine)
Auto parts store
Automobile repair and service
Automobile service station
Bar or cocktail lounge subject to the provisions of LDC Section 34-1264.
Bed and breakfast
Business services, Group I
Car wash
Caretaker's residence
Cleaning and maintenance services
Clothing stores, general
Clubs:
- Fraternal, membership organization
- Private

Community gardens
Consumption on premises
Convenience food and beverage store
Cultural facilities
Day care center, child and adult
Drive-through facility for any permitted use
Drugstore, pharmacy
Dwelling units - A maximum of 275 single-family units or 487 multi-family units
- Single-family
- Two-family attached
- Townhouse
- Multiple-family building
- Zero lot line

Entrance gates and gatehouse
Essential services
Essential service facilities, Group I
Excavation – water detention and retention
Fences, walls
Food and beverage service, limited
Food stores, Group I

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Gift and souvenir shop
Hardware store
Healthcare facilities, Groups I-III
Hobby, toy and game shops
Home occupation
Insurance company
Lawn and garden supply store
Manufacturing of food and kindred products, Group II (brewery), in accordance to the provisions of LDC Section 34-1264.
Medical office – limited to a maximum of 25,000 square feet
Model homes, model display center
Nonstore retailers, Group I
Paint, glass and wallpaper stores
Parks, Groups I and II
Parking lot, accessory
Personal Services, Groups I and II (excluding massage parlors and steam or Turkish bath)
Pet services
Pet shops
Pharmacy
Post office
Real estate sales office
Recreation facilities, commercial
Recreational facilities, personal, private on-site, private off-site
Religious facilities
Rental or leasing establishments, Group I-III
Residential accessory uses
Restaurant, fast food
Restaurants, all groups
Schools, commercial and non-commercial
Self-service fuel pumps
Signs, in accordance with Chapter 30
Specialty retail shops, all groups
Storage, indoor and open
Studios
Supermarket
Temporary Uses
Transportation services, Groups II-III
Used merchandise stores, Group I
Variety Store
Vehicle and equipment dealers, Groups I-III

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Residential Tract:
Accessory uses, as defined by the LDC
Clubs, private
Community administrative office
Community gardens
Consumption on Premises in conjunction with recreational facilities
Dwelling units – Limited to 487 dwelling units in MPD:

- Live-work
- Single-family
- Two-family attached
- Townhouse
- Multiple-family building
- Zero lot line

Entrance gates and gatehouses
Essential services
Essential service facilities, Group I
Excavation – water detention and retention
Fences, walls
Home occupation
Models, model home, display center, sales center
Parking lot, accessory, temporary
Real estate sales office
Residential accessory uses and structures
Signs – in accordance with Chapter 30 and 33 of LDC
Temporary Uses

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DCI 2018-00007

ATTACHMENT G

WALDROP ENGINEERING
PLANNING | CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE
BONITA SPRINGS Tampa Orlando Sarasota
28100 Bonita Grande Dr., Suite 305, Bonita Springs, FL 34135
p. (239) 405-7777 f. (239) 405-7899

Treeline 115 Mixed Use Planned Development
Schedule of Deviations & Justifications

Deviation (1) from LDC 10-416(d)(1), which requires a buffer area along the entire perimeter of the proposed development whenever the proposed development abuts a different use; to allow for no perimeter buffers where onsite preserve areas abut the MPD perimeter.

JUSTIFICATION: The requested deviation will allow for the northern and eastern limits of the MPD to retain their natural preserve views. The MCP and FLUCCS Map submitted within this application demonstrate permanent native preserve areas along portions of the MPD boundary. These preserve areas are expansive and significantly exceed the minimum buffer requirement. The existing vegetation consists native plants that exceed the minimum required number of trees per 100 linear feet set forth in LDC Section 10-416 (as clustered in existing conditions). Therefore, the proposed deviation will serve as an enhancement to the project, and to the surrounding community by maintaining the natural conditions along the roadway. The deviation will not negatively impact public health, safety or welfare. This deviation only applies to the northern and eastern boundaries of the MPD. All other perimeter buffers will meet or exceed the LDC standards.

Deviation (2) from LDC 10-296(k)(1), which requires that dead-end streets be closed at one end by a circular turnaround for vehicles; to allow for five (5) dead-end streets.

JUSTIFICATION: The requested deviation will allow for five (5) dead-end streets at the terminus of private, local streets as shown on the Master Concept Plan in order to efficiently utilize the property's developable area. The maximum length of the proposed dead-end street will not exceed 150 feet. The proposed design is in compliance with state and local fire safety standards. Therefore, the requested deviation will not negatively impact public health, safety or welfare and will provide for design flexibility within the parcel.

Deviation (3) from LDC 10-291(3), which requires residential developments over 5 acres to provide two (2) points of ingress/egress, to allow for one (1) point of access to Treeline Avenue and one (1) emergency only access to the north.

JUSTIFICATION: The requested deviation will allow for one (1) point of access to Treeline Avenue and one (1) emergency only access to the north via an extension of Matterhorn Road. By reducing the number of access points the development minimizes impacts to wetlands which are located along the northern and eastern Property boundaries. Furthermore, the Property does not have access to the west due to the location of I-75 and only has approximately 1,300 FT of frontage along Treeline Avenue which limits the internal development pattern. To ameliorate any concerns regarding emergency services to the Property the Applicant proposes an emergency only access through Matterhorn Road to the north. Therefore, the requested deviation will not negatively impact public health, safety or welfare and will provide for design flexibility within the parcel.

ATTACHMENT H

RESOLUTION NUMBER Z-81-110

The following resolution was adopted by the Lee County Zoning Board upon motion by Zoning Board Member Terrell, and seconded by Zoning Board Member Bishop, and upon poll of the members present the vote was as follows:

Thomas C. Smith	AYE	Robert Terrell	AYE
Thad Taylor	AYE	Truman A. Morris	AYE
Chuck Ross	AYE	CLYDE BOWLES	AYE
Monty Bishop	AYE		

WHEREAS Dan Port, Ltd. has requested a change in zoning from AG to IL with a variance from the section and 1/4 section line setback.

SUBJECT PROPERTY: (SEE ATTACHED)

WHEREAS, A Public Hearing of the Lee County Zoning Board was duly advertised and held as required by law, and after hearing all interested parties, after being duly sworn, and upon due and proper consideration having been given to the matter,

NOW THEREFORE BE IT RESOLVED by the Lee County Zoning Board, Lee County, Florida, that the petition be approved with the stipulation the stipulation the recommendation of the administrative be complied with.

UPON APPEAL, the following resolution was offered by Commissioner _____, and seconded by Commissioner _____, and upon poll of the members present the vote was as follows:

Mike Roeder
Harry Rodda
Roland Q. Roberts
Wade H. Scaffe
Ernest Averill

WHEREAS, an appeal was filed by an aggrieved person and a Public Hearing of the Lee County Commissioners was duly advertised and held, as required by law, this Board after reviewing the records and the motion made by the Zoning Board and having given an opportunity to all interested persons to be heard, after being duly sworn, and upon due and proper consideration having been given to this matter, NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Lee County, Florida, that the motion of the Zoning Board ~~(No appeal filed)~~

PASSED AND ADOPTED THIS 23 DAY OF March, 1981 by the Lee County Zoning Board.

PASSED AND ADOPTED THIS _____ DAY OF _____, 19___ by the Lee County Commissioner.

APPROVED AS TO FORM
By Thomas M. Brandstetter
OFFICE OF COUNTY ATTORNEY

LEGAL DESCRIPTION
DAN PORT, LTD.
81-3-32 (DCI)
Z-81-110

SUBJECT PROPERTY: SW 1/4 of the SW 1/4 of Sec. 14, Twp. 45 S, Rge. 25E, Lee County, Florida.

ATTACHMENT I

LEE COUNTY ORDINANCE NO. 83-5

AN ORDINANCE ESTABLISHING THE SIX MILE CYPRESS WATERSHED BASIN AS AN AREA OF COUNTY CONCERN; STATING THE PURPOSE OF THE ORDINANCE; REQUIRING A SPECIAL DEVELOPMENT PERMIT FOR ALL DEVELOPMENT IN THE AREA SUBJECT TO THE ORDINANCE; PROVIDING FOR DEFINITIONS: ESTABLISHING THE BOUNDARIES OF THE AREA SUBJECT TO THE ORDINANCE; PROVIDING FOR A NATURAL RESOURCES SYSTEMS MAP; ESTABLISHING OBJECTIVES FOR THE MAINTENANCE OF THE SIX MILE BASIN NATURAL WATER MANAGEMENT SYSTEM; ESTABLISHING A PROCEDURE AND REQUIREMENTS IN APPLYING FOR A SPECIAL DEVELOPMENT PERMIT PURSUANT TO THE ORDINANCE; ESTABLISHING DESIGN STANDARDS TO INSURE ATTAINMENT OF THE OBJECTIVES OF THE ORDINANCE; PROVIDING FOR VIOLATIONS AND ENFORCEMENT OF THE ORDINANCE PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Whereas, there is a specially designated area in Lee County identified as the Six Mile Cypress Strand which Lee County is seeking to protect in order to preserve the water resource and biological functions performed by this natural resource area; and

Whereas, those water resource and biological functions performed by the Six Mile Cypress Strand include the improvement of water quality through natural filtration, natural water storage for storm runoff and floodwaters, freshwater retention and aquifer recharge, freshwater stablization of the Estero Bay Estuary, marine food chain production, wildlife habitat, and scenic and recreational opportunities; and

Whereas, the ability of the Six Mile Cypress Strand to perform these vital functions is dependent upon the quality, quantity and timing of water that the Cypress Strand receives from its watershed area which is referred to as the Six Mile Cypress Watershed Basin; and

Whereas, the entire Six Mile Cypress Watershed Basin with its interconnected cypress ponds, grass flats, and other wetland areas constitutes a natural water management system which contributes to and performs the same water resource and biological functions, including freshwater retention and aquifer recharge for public water supply, as does the Six Mile Cypress Strand; and

Whereas, the protection and maintenance of the natural water management system and water quality and quantity (both surface and subsurface) which exists in the Six Mile Cypress Watershed Basin is vital to the health, safety, welfare and economic vitality of the present and future residents of Lee County; and

Whereas, there is the potential for public harm caused by degradation and deterioration of water and other natural re sources within the Six Mile Cypress Watershed Basin if development in this area is not adequately monitored and controlled.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, that:

SECTION I: PURPOSE

In order to protect, enhance and preserve the public and private resources of the Six Mile Cypress Watershed Basin it is necessary and appropriate to identify this area as an area of critical County concern and create a system of land management and development regulation. With proper control of the development within the Watershed Basin, both economic utilization and resource conservation can be accomplished. This ordinance is intended to protect the natural resources of the area and the public health, safety and welfare by requiring that a special development permit be obtained, in accordance with the provisions herein, for all development within the boundaries of this area of critical County concern.

SECTION II: DEFINITIONS

For purposes of the ordinance, the following words and phrases shall have the following meanings:

A. "Developer" means any individual, firm, association, syndicate, partnership, corporation, trust or any other legal entity undertaking or seeking to undertake the development of real property.

B. "Development" means any improvement to land with the exception of the construction and maintenance of fences for livestock grazing.

C. "Director" means the Director of the Division of Community Development or his or her designee.

D. "Flow-way" means a shallow surface water conveyance system resulting from topographical features, which during periods of surface water inundation moves water to a point of discharge. Flow-ways may take various forms such as, but not limited to, natural cypress sloughs and wet prairies, or shallow human created swales.

E. "Land" means the earth, water and air above, below or on the surface.

F. "Owner" means the person with legal and/or equitable title to the land.

G. "Parcel of land" means any quantity of land capable of being described with such definiteness that its location and boundaries may be established which is designated by its owner or developer as land to be used as a unit.

H. "Person" means any and all persons, including but not limited to an individual, firm, association, organization, partnership, business trust, trust, corporation or company.

I. "Six Mile Cypress Basin Development Review Board" - The Board of County Commissioners shall appoint 5 persons who are residents of Lee County as members of the Six Mile Cypress Basin Development Review Board. This Review Board shall be incorporated into the Staff Review Committee and shall be included as part of the review process under the Lee County Development Standards Regulations. Each member shall serve for two (2) years or until his or her successor is appointed and must be qualified by either training or experience to render judgment regarding the ecological, biological, hydrological and/or geohydrological function of the Six Mile Cypress Strand and Watershed Basin. A member shall be eligible for reappointment. All potential candidates for appointment to the Six Mile Cypress Basin Development Review Board who have in the past or may have in the future a private or professional interest in a development which is subject to review under this ordinance shall, prior to appointment, disclose the nature of his or her interest as matter of public record in a memorandum filed with the Lee County Board of County Commissioners. Any member of the Six Mile Cypress Basin Development Review Board who, subsequent to their appointment, acquires a private or professional interest in a development subject to review herein, shall also disclose his or her interest as a matter of public record in a memorandum filed with the Lee County Board of County Commissioners.

J. "S. T. Lands" - Special treatment lands which constitute a part of the natural water management system of the Six Mile Cypress Watershed Basin, the approximate boundaries of which are shown on the Natural Resources Map. The boundaries of the S. T. Lands may be subject to modification pending specific information presented by the applicant.

SECTION III: BOUNDARIES

The lands subject to this ordinance are as shown on EXHIBIT A attached hereto and made a part hereof.

SECTION IV: NATURAL RESOURCES SYSTEMS MAP

The Lee County Board of County Commissioners hereby adopts the Natural Resources Map dated the 23rd day of February, 1982. This map, a copy of which is on file with the Division of Community Development and the Clerk of the Board of County Commissioners, delineates those areas designated as and presumed to be the S. T. Lands and Flow-ways within the Basin which are incompatible for development. The boundaries of the S. T. Lands and the location of Flow-ways as designated may be subject to modification pending specific information presented by the applicant.

SECTION V: OBJECTIVES FOR THE MAINTENANCE OF THE SIX MILE BASIN NATURAL WATER MANAGEMENT SYSTEM

Lee County, in fulfilling its intent to protect, enhance and preserve the public and private resources of the Basin, establishes the following standards and objectives to be used in deciding whether to grant a special development permit:

A. To maintain in their natural state the S. T. Lands, the precise boundaries of which are determined by County staff in consultation with the landowner or applicant, and to perpetuate, recreate or restore the flow-ways.

B. To prohibit the permanent lowering of the groundwater table within the Six Mile Cypress Watershed Basin as a whole.

C. To prohibit the further channelization of drainage anywhere in the Six Mile Cypress Watershed Basin except for the restoration of flow-ways.

D. To require that all development within the Six Mile Cypress Watershed Basin be designed so as to maintain the predevelopment volume, general direction, distribution and hydroperiod of surface water.

E. To require that all development within the Six Mile Watershed Basin be accomplished through development plans which encourage the clustering of structures, impervious surfaces and utilities in order to enhance groundwater/aquifer recharge values and native vegetation.

F. To prohibit the location of land uses within the Six Mile Cypress Watershed Basin which would have measurable adverse effects on ground water.

A Special Development Permit shall be issued only if the staff review committee, as defined in the Lee County Development Standards Regulations (Division B), finds that the development complies with standards and objectives set forth herein.

SECTION VI: PROCEDURE AND REQUIREMENTS IN APPLYING FOR A SPECIAL DEVELOPMENT PERMIT PURSUANT TO THIS ORDINANCE

If a development is proposed within the boudaries of the Six Mile Watershed Basin, the following requirements shall be met:

A. Procedure

1. Prior to filing an application for a Special Development Permit, the applicant may request and hold a pre-application conference with the Director and the County Staff to review the proposed project and any special county or developer concerns. The pre-application conference should include a determination of the boundaries of the S. T. Lands and flow-ways for the proposed project.

2. The remaining procedure for obtaining a Special Development Permit, along with the Permit Application Requirements outlined herein, shall be incorporated within the General Procedure to Obtain a Development Order as required in the Lee County Development Standards Regulations (Division B). If there is any conflict between Division B, Lee County Development Standards Ordinance and this ordinance, the most restrictive shall apply.

B. Permit Requirements

The following information shall be submitted with all applications for a Special Development Permit, provided however that these requirements are not intended to require a duplication of any information submitted with an application for a Development Order pursuant to the Lee County Development Standards Ordinance.

1. General Project Description.

a. The title of the proposed development.

b. The name, addresses and telephone numbers of all owners, the planners, architects, engineers, environmental consultants, surveyors, the developer and all other consultants involved in the application.

c. Zoning classifications within the development.

d. Total acreage of development area and the percentage proposed to be devoted to the various uses, total ground coverage by structures and total ground coverage by impervious surfaces.

2. A legal description of the site and a map showing the location of the site.

3. A map showing existing conditions on the site including existing water management facilities, areas of vegetation, wetlands, and their interface with adjacent systems, impervious surfaces and dimensions and elevations of all structures located on the site.

4. A map showing the proposed alterations of the site including proposed excavations, dredging, grading, filling, or clearing.

5. A detailed description of the existing environmental and hydrologic conditions on the site, including:

a. Topography mapped to one foot contour intervals with elevations referenced to mean sea level datum (NGVD).

b. Soils and vegetation maps.

c. A description of surface and subsurface water quality information.

6. A detailed description of proposed alterations of existing conditions to include:

a. Changes in topography by grading, filling or excavating.

b. Areas where vegetation will be cleared.

c. Areas where impervious surfaces will be constructed.

7. A description of the proposed water management system and any measure for the detention, retention, or infiltration of water and the maintenance of water quality to include:

a. the distribution of surface water inflow from and outflow to off-site areas along with the direction, rate of flow, volume and quality of inflow and outflow with a comparison to pre-development conditions. This information should be shown as a monthly average and figures should be provided for each month of the year.

b. Detention and retention areas including plans for the discharge of contained waters, maintenance plans and predictions of water quality in those areas.

8. A detailed description of the effects on hydraulic and hydrogeological conditions and natural resources to include changes in ground water levels, ground water recharge, ground water and surface water quality and impacts on wetlands and vegetation.

9. A landscape plan showing native vegetation and control of exotic vegetation to include:

a. Identification of the dominant species and other unusual or unique features of the vegetation associations delineated on the landscaped plan and specify their ecological function, health and conditions.

b. Location of any rare, threatened or endangered plants found on the site, and what measures will be taken to protect these species.

10. A description of the wildlife which nest, feed, reside, or migrate to the site and what measures will be taken to protect this wildlife and their habitat. If any wildlife listed

is considered a rare, threatened or endangered species (according to Chapter 39-27, Florida Administrative Code) then provide a detailed statement of what steps will be taken to protect them in their breeding, nesting and feeding areas.

If the staff review committee determines that the application for a Special Development Permit is insufficient to provide assurance that the development will not interfere with achieving the standards and objectives set forth in this Ordinance, then the permit application shall be rejected and the applicant given a list of changes required to make the application acceptable.

SECTION VII: DESIGN STANDARDS

To insure attainment of the objectives of this ordinance, any proposed development within the Six Mile Cypress Watershed Basin shall be consistent with the following standards:

A. The area of land disturbed by development shall be minimized. Those areas which are not to be disturbed shall be protected by an adequate barrier from construction activity. Whenever possible, natural vegetation shall be retained and protected.

B. Vegetated buffer strips shall be created or retained in their natural state along the banks of all watercourses, water bodies or wetlands. The width of the buffer shall be sufficient to prevent erosion, trap the sediment in overland run-off, provide access to the water body and allow for periodic flooding without damage to buildings, roads or other structures.

C. Drainage facilities and vegetated buffer areas shall be used as open space, or recreation and conservation areas.

D. Although the use of wetlands for storing and purifying water is encouraged, care shall be taken not to overload their capacity thereby harming the wetland transitional vegetation. Wetlands shall not be damaged or replaced by the construction of detention ponds.

E. Land which has been cleared for development and upon which construction has not commenced shall be protected from erosion by appropriate techniques designed to stablize soil and revegetate the area.

F. S. T. lands, the boundaries of which may be subject to modification pending specific information presented by the applicant, shall not be cleared or changed in any way except for approved plans which enhance the appreciation of such lands such as elevated nature boardwalks and canoe trails.

G. Wetlands and other natural water bodies shall not be used as sediment traps during development.

H. Erosion and sedimentation facilities shall be maintained so as to insure they continue to function properly at all times.

SECTION VIII: VIOLATIONS AND ENFORCEMENT

A. It is a violation of this ordinance to commence any development without first obtaining development approval.

B. Written Notice of Violation - The County shall issue a written notice of violation to the owner of the property. The notice shall contain:

1. The name and address of the owner.

2. A statement specifying the nature of the violation.

3. A description of the remedial action necessary to bring the development activity into compliance and a time schedule for completion of such remedial action.

4. A notice of the violation shall be served upon the person or persons to whom it is directed either personally, in the manner provided for personal service of notice by the Court of local jurisdiction, or by mailing a copy of the notice of violation by certified mail, postage prepaid, return receipt requested to such person or persons at his or her last known address.

C. Civil Enforcement - The Board or any person with standing may have recourse to such remedies in law and equity as may be necessary to insure compliance with the provisions of these Regulations, including injunctive relief to enjoin and restrain any person from violating these Regulations.

D. Criminal Enforcement - Violation of the provisions of this regulation or failure to comply with any of its requirements

shall constitute a misdemeanor. Any person who violates this Ordinance or fails to comply with any of the requirements herein shall be guilty of a misdemeanor and, upon conviction thereof, may be fined not more than Five Hundred Dollars ($500.00) or imprisoned for not more than sixty (60) days, or both, and, in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.

E. Restoration - Any violator may be required to restore land to its undisturbed condition. In the event restoration is not undertaken within a reasonable time after notice, Lee County may take necessary corrective action, the cost of which shall become a lien upon the property until paid.

SECTION IX: SEVERABILITY

Each separate provision of this ordinance is deemed independent of all other provisions, so that if any section, sentence, clause, phrase or work of this ordiance is held to be invalid or unconstitutional by any Court of competent jurisdiction, such section, sentence, clause, phrase or work shall be deemed a separate, distinct, independent provision and such holding shall not effect the validity of the remaining portion thereof.

SECTION X: EFFECTIVE DATE

This ordinance shall take effect immediately upon action from the Secretary of State that the ordinance has been duly filed.

DULY PASSED AND ADOPTED THIS 23rd day of February, 1983.

BOARD OF COUNTY COMMISSIONER
OF LEE COUNTY, FLORIDA

BY: Ernest Cowell
Chairman

ATTEST:
SAL GERACI, CLERK

BY: Lois Kurtz
Deputy Clerk

APPROVED AS TO FORM

By Marilyn Miller
OFFICE OF COUNTY ATTORNEY

(121-K)

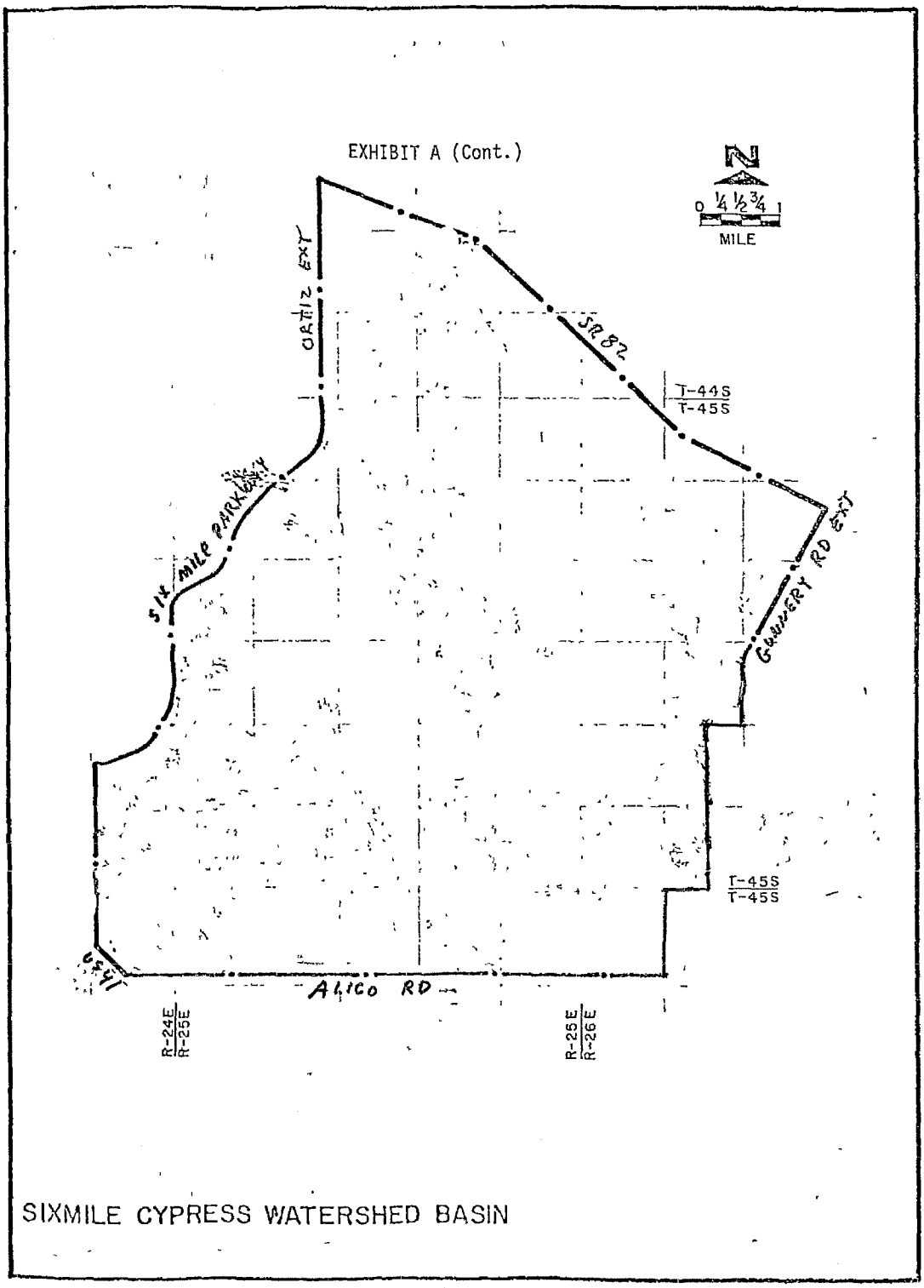
EXHIBIT A

SIX MILE CYPRESS WATERSHED BASIN

A tract of land situated in Township 44 South, Range 25 East; Township 44 South, Range 26 East; Township 45 South, Range 25 East; Township 45 South, Range 26 East; Township 46 South, Range 25 East and Township 46 South, Range 26 East, Lee County, Florida. Said tract more particularly described as follows:

Beginning at the intersection of Alico Road and State Road 45 (U.S. 41) thence Northwesterly along centerline of said State Road 45 to point of intersection with West line of Section 6, Township 46 South, Range 25 East; thence North along said West line of Section 6 and North along West line of Sections 31 and 30, Township 45 South, Range 25 East to point of intersection with the centerline of Six Mile Parkway (also known as Loop Road); tence Easterly and Northeasterly along the centerline of said Six Mile Parkway to point of intersection with the centerline of Colonial Blvd. and the centerline of Ortiz Avenue; thence North along the centerline of Ortiz Avenue to point of intersection with the centerline of State Road 82 (Immokalee Road); thence Southeasterly along the centerline of State Road 82 to the point of intersection with the centerline of Gunnery Road; thence Southerly and Southwesterly along the centerline of Gunnery Road Extension and Southwesterly along a Southwesterly prolongation of the centerline of Gunnery Road Extension to the point of intersection with the West line of Section 21, Township 45 South, Range 25 East; thence South along said West line to Southwest corner of said Section 21; thence West along the South line of the Southeast quarter of Section 20; thence South along the North-South quarter lines of Sections 29 and 32 to the South line of said Section 32; thence West along the South line of the Southwest quarter of Section 32 to the Southwest corner said section; thence South along the West line of Sections 5 and 8, Township 46 South, Range 26 East to point of intersection with the centerline of Alico Road; thence Westerly along the centerline of Alico Road to point of intersection with the centerline of State Road 45 and the Point of Beginning.

EXHIBIT A (Cont.)



SIXMILE CYPRESS WATERSHED BASIN

ATTACHMENT J

LEE COUNTY ORDINANCE NO. 18-23
115 Treeline
(CPA2017-00009)

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENT PERTAINING TO 115 TREELINE (CPA2017-00009) APPROVED DURING A PUBLIC HEARING; PROVIDING FOR PURPOSE, INTENT, AND SHORT TITLE; AMENDMENTS TO ADOPTED MAP; LEGAL EFFECT OF "THE LEE PLAN"; PERTAINING TO MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, the Lee County Comprehensive Plan ("Lee Plan") and Chapter XIII, provides for adoption of amendments to the Plan in compliance with State statutes and in accordance with administrative procedures adopted by the Board of County Commissioners ("Board"); and,

WHEREAS, the Board, in accordance with Section 163.3181, Florida Statutes, and Lee County Administrative Code AC-13-6 provide an opportunity for the public to participate in the plan amendment public hearing process; and,

WHEREAS, the Lee County Local Planning Agency ("LPA") held a public hearing on the proposed amendment in accordance with Florida Statutes and the Lee County Administrative Code on May 21, 2018; and,

WHEREAS, the Board held a public hearing for the transmittal of the proposed amendment on August 8, 2018. At that hearing, the Board approved a motion to send, and did later send, proposed amendment pertaining to 115 Treeline (CPA2017-00009) to the reviewing agencies set forth in Section 163.3184(1)(c), F.S. for review and comment; and,

WHEREAS, at the August 8, 2018 meeting, the Board announced its intention to hold a public hearing after the receipt of the reviewing agencies' written comments; and,

WHEREAS, on October 17, 2018, the Board held a public hearing and adopted the proposed amendment to the Lee Plan set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, THAT:

SECTION ONE: PURPOSE, INTENT AND SHORT TITLE

The Board of County Commissioners of Lee County, Florida, in compliance with Chapter 163, Part II, Florida Statutes, and with Lee County Administrative Code AC-13-6, conducted public hearings to review proposed amendments to the Lee Plan. The purpose of this ordinance is to adopt map and text amendments to the Lee Plan discussed at those meetings and approved by a majority of the Board of County Commissioners. The short title and proper reference for the Lee County Comprehensive Land Use Plan, as hereby amended, will continue to be the "Lee Plan." **This amending ordinance may be referred to as the "115 Treeline Ordinance (CPA2017-00009)."**

SECTION TWO: ADOPTION OF COMPREHENSIVE PLAN AMENDMENT

The Lee County Board of County Commissioners amends the existing Lee Plan, adopted by Ordinance Number 89-02, as amended, by adopting an amendment, which amends the Future Land Use Map from Tradeport and Wetlands to Urban Community and Wetlands on 115± acres located west of Treeline Avenue and south of Bavaria Road, known as 115 Treeline (CPA2017-00009.

The corresponding Staff Reports and Analysis, along with all attachments and application submittals for this amendment are adopted as "Support Documentation" for the Lee Plan. Proposed amendments adopted by this Ordinance are attached as Exhibit A.

SECTION THREE: LEGAL EFFECT OF THE "LEE PLAN"

No public or private development will be permitted except in conformity with the Lee Plan. All land development regulations and land development orders must be consistent with the Lee Plan as amended.

SECTION FOUR: MODIFICATION

It is the intent of the Board of County Commissioners that the provisions of this Ordinance may be modified as a result of consideration that may arise during Public Hearing(s). Such modifications shall be incorporated into the final version.

SECTION FIVE: GEOGRAPHIC APPLICABILITY

The Lee Plan is applicable throughout the unincorporated area of Lee County, Florida, except in those unincorporated areas included in joint or interlocal agreements with other local governments that specifically provide otherwise.

SECTION SIX: SEVERABILITY

The provisions of this ordinance are severable and it is the intention of the Board of County Commissioners of Lee County, Florida, to confer the whole or any part of the powers herein provided. If any of the provisions of this ordinance are held unconstitutional by a court of competent jurisdiction, the decision of that court will not affect or impair the remaining provisions of this ordinance. It is hereby declared to be the legislative intent of the Board that this ordinance would have been adopted had the unconstitutional provisions not been included therein.

SECTION SEVEN: INCLUSION IN CODE, CODIFICATION, SCRIVENERS' ERROR

It is the intention of the Board of County Commissioners that the provisions of this ordinance will become and be made a part of the Lee County Code. Sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or other appropriate word or phrase in order to accomplish this intention; and regardless of whether inclusion in the code is accomplished, sections of this ordinance may be renumbered or relettered. The correction of typographical errors that do not affect the intent, may be authorized by the County Manager, or his designee, without need of public hearing, by filing a corrected or recodified copy with the Clerk of the Circuit Court.

SECTION EIGHT: EFFECTIVE DATE

The plan amendments adopted herein are not effective until 31 days after the State Land Planning Agency notifies the County that the plan amendment package is complete. If timely challenged, an amendment does not become effective until the State Land Planning Agency or the Administrative Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before the amendment has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status.

THE FOREGOING ORDINANCE was offered by Commissioner Manning, who moved its adoption. The motion was seconded by Commissioner Hamman. The vote was as follows:

John Manning	Aye
Cecil Pendergrass	Aye
Larry Kiker	Aye
Brian Hamman	Aye
Frank Mann	Absent

DONE AND ADOPTED this 17th day of October 2018.

ATTEST:
LINDA DOGGETT, CLERK

BY: _____
Deputy Clerk

LEE COUNTY BOARD OF
COUNTY COMMISSIONERS

BY: _____
Cecil Pendergrass, Chair

BOARD OF COUNTY COMMISSIONERS
SEAL
LEE COUNTY, FLORIDA

DATE: 10/17/2018

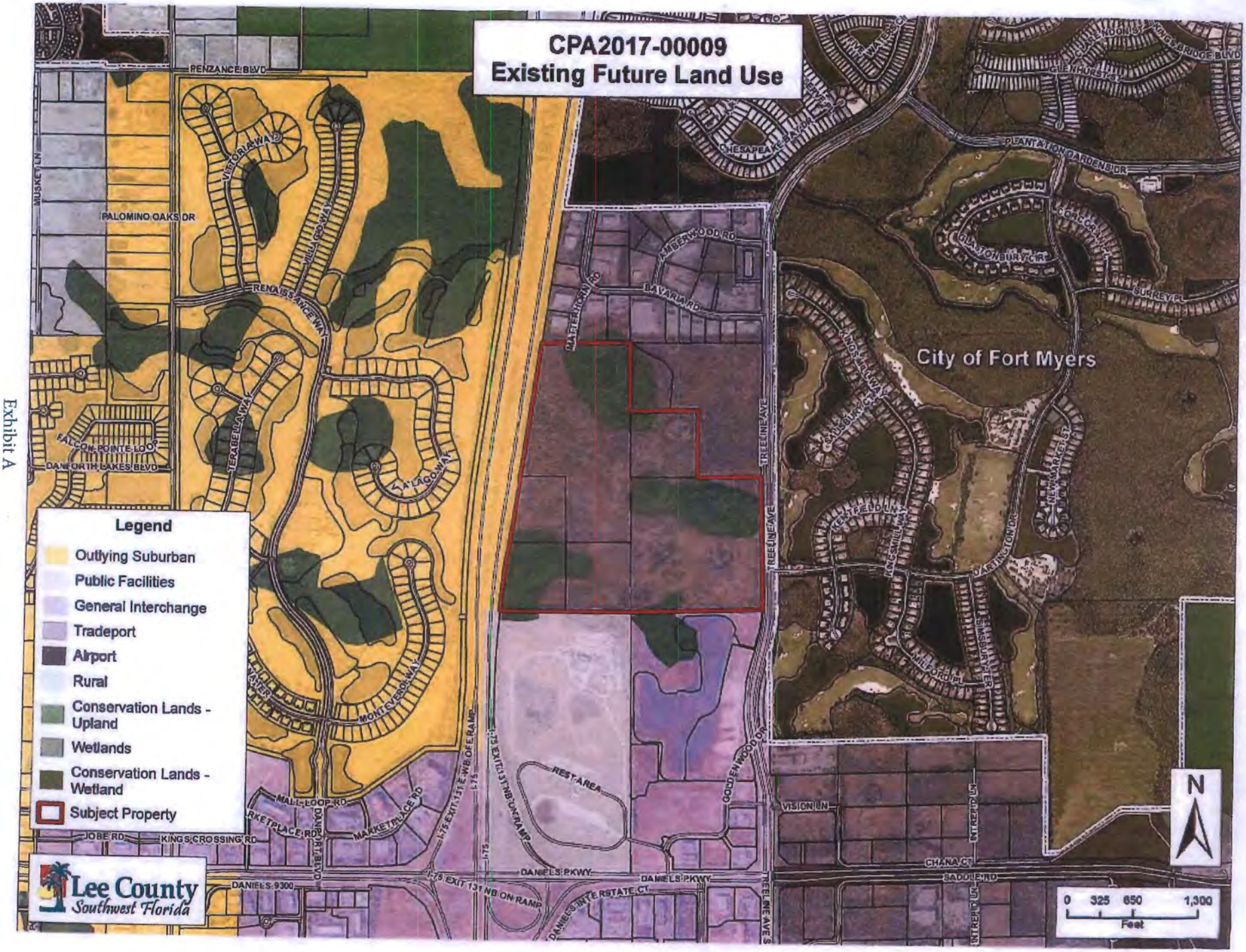
APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

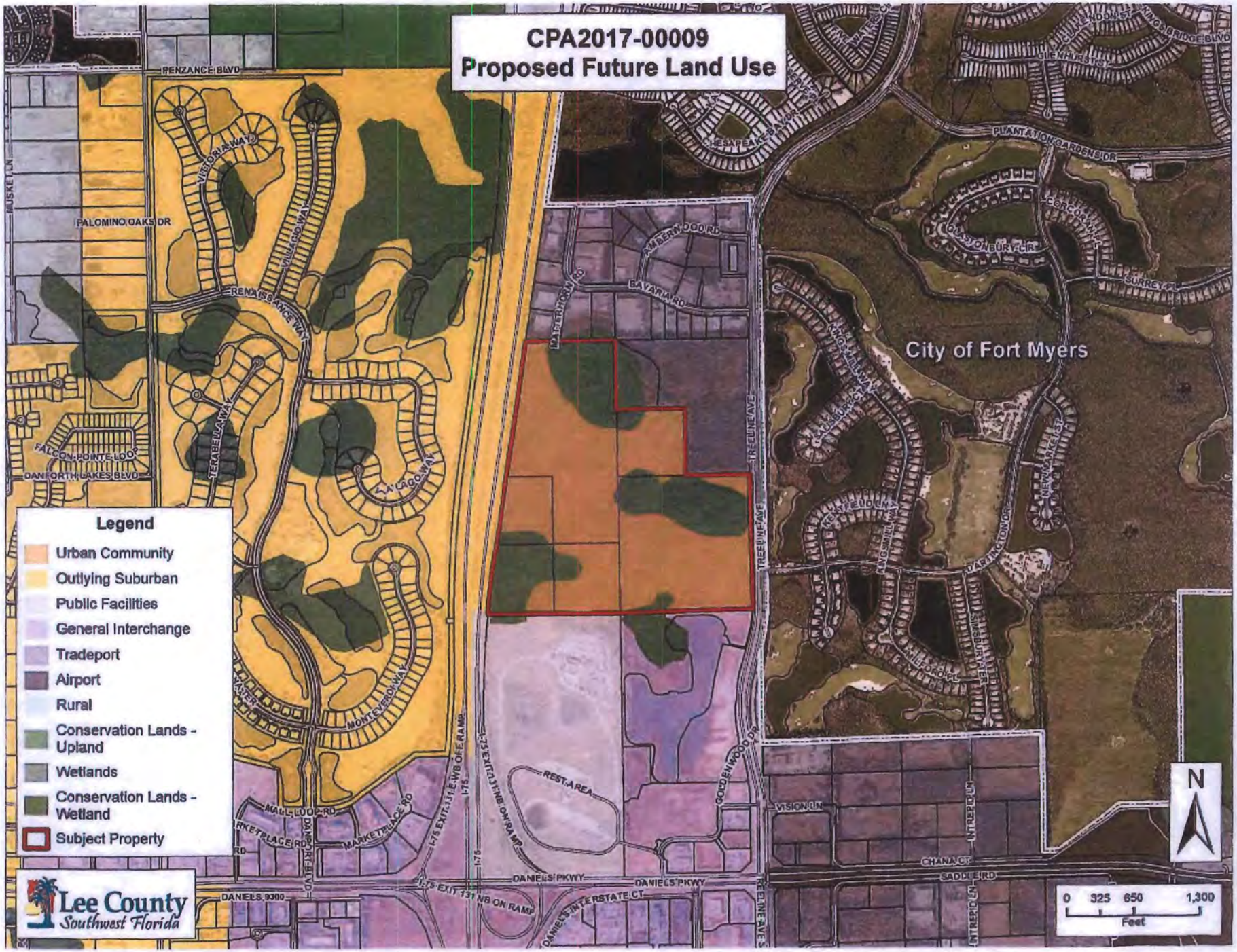
_____
County Attorney's Office

Exhibit A: Adopted revisions to Future Land Use Map (Adopted by BOCC October 17, 2018)
Existing Future Land Use Map
Proposed Future Land Use Map

EXHIBIT A

Exhibit A


CPA2017-00009
Existing Future Land Use
City of Fort Myers
Legend
Outlying Suburban
Public Facilities
General Interchange
Tradeport
Airport
Rural
Conservation Lands - Upland
Wetlands
Conservation Lands - Wetland
Subject Property
Lee County
Southwest Florida
N
0 325 650 1,300
Feet
PENZANCE BLVD
PALOMINO OAKS DR
MUSKEY LN
VICTORIA WAY
RENAISSANCE WAY
TERABELLA WAY
FALCON POINTE LOOP
DANFORTH LAKES BLVD
LAGO WAY
MONTEVERDE WAY
MALL LOOP RD
MARKETPLACE RD
DANFORTH BLVD
JOBE RD
KINGS CROSSING RD
DANIELS 9300
DANIELS PKWY
I-75 EXIT 131 NB ON RAMP
I-75 EXIT 131 EB OFF RAMP
I-75
REST AREA
DANIELS INTERSTATE CT
AMBERWOOD RD
BAYARD RD
MARIETTA RD
TREELINE AVE
GOODENWOOD DR
VISION LN
INTREPID LN
CHANA CT
SADDLE RD
PLANTATION GARDENS DR
CHESAPEAKE BAY DR
KINGSBRIDGE BLVD
GLENHURST CIR
GLASTONBURY CIR
SURREY PL
KNOLLWAY
CASBURY CT
NEWMARKET ST
KENTFIELD LN
ARLINGTON DR
MILFORD PL
CHESHIRE PL


CPA2017-00009
Proposed Future Land Use
City of Fort Myers
Legend
Urban Community
Outlying Suburban
Public Facilities
General Interchange
Tradeport
Airport
Rural
Conservation Lands - Upland
Wetlands
Conservation Lands - Wetland
Subject Property
Lee County
Southwest Florida
PENZANCE BLVD
PALOMINO OAKS DR
RENAISSANCE WAY
DANFORTH LAKES BLVD
AMBERWOOD RD
BAYARIA RD
TREELINE AVE
PLANTATION GARDENS DR
SURREY PL
DARLINGTON DR
VISION LN
CHANA CT
SADDLE RD
DANIELS PKWY
DANIELS INTERSTATE CT
REST AREA
MALL LOOP RD
MARKETPLACE RD
I-75
0 325 650 1,300
Feet
N

FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM
CODRS CODING FORM

COUNTY: Lee **COUNTY ORDINANCE #:** 18-23

(e.g.,93-001)

PRIMARY KEYFIELD DESCRIPTOR: Comprehensive Planning

SECONDARY KEYFIELD DESCRIPTOR: Planning

OTHER KEYFIELD DESCRIPTOR: Land Use Planning

ORDINANCE DESCRIPTION: 115 Treeline

(25 Characters Maximum Including Spaces)

ORDINANCES AMENDED: (List below the ordinances that are amended by this legislation. If more than two, list the most recent two.)

AMENDMENT #1: 89-02 **AMENDMENT #2:** _____

ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)

REPEAL #1: _____ ; **REPEAL #3:** _____

REPEAL #2: _____ ; **REPEAL #4:** _____

(Others Repealed: List All That Apply): _____

(FOR OFFICE USE ONLY): **COUNTY CODE NUMBER:** _____

KEYFIELD 1 CODE: _____ **KEYFIELD 2 CODE:** _____

KEYFIELD 3 CODE: _____

Rev. 09/11/02
CODING

FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

October 18, 2018

Honorable Linda Doggett
Clerk of the Circuit Courts
Lee County
Post Office Box 2469
Fort Myers, Florida 33902-2469

Attention: Joyce Townsend

Dear Ms. Doggett:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Ordinance No. 18-23, which was filed in this office on October 18, 2018.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

RECEIVED
By Joyce Townsend at 1:04 pm, Oct 18, 2018

ATTACHMENT K

Lee County
Southwest Florida

BOARD OF COUNTY COMMISSIONERS

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

September 25, 2017 Via E-Mail

Cindy Brizuela
Waldrop Engineering
28100 Bonita Grande Dr., Suite 305
Bonita Springs, FL 34135

RE: Potable Water and Wastewater Availability
Treeline 115, 12850 Treeline Avenue
STRAP #s: 15-45-25-00-00006.0000, 14-45-25-00-00006.0000, 14-45-25-00-00008.0000, 15-45-25-00-00008.0000, 15-45-25-00-00008.0010, and 15-45-25-00-00007.0000

Dear Ms. Brizuela:

The subject parcels are located within Lee County Utilities Future Service Area as depicted on Maps 6 and 7 of the Lee County Comprehensive Land Use Plan. Potable water lines are in operation adjacent to the parcels mentioned above on Treeline Avenue. Wastewater lines are in operation along Daniels and Treeline south of Daniels, please schedule a pre-design meeting. However, in order to provide service to them, developer funded system enhancements such as line extensions will be required.

Your firm has indicated that this project will consist of 487 single family residential units with an estimated flow demand of approximately 125,500 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water and wastewater service as estimated above.

Availability of potable water and wastewater service is contingent upon final acceptance of the infrastructure to be constructed by the developer. Upon completion and final acceptance of this project, potable water service will be provided through the Corkscrew Water Treatment Plant.

Wastewater service will be provided by the Gateway 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.

With regard to effluent reuse service; there are currently no reuse facilities available in the vicinity of the project site and therefore, Lee County does not have the capability of providing service at this time.

ATTACHMENT L

WALDROP ENGINEERING
PLANNING | CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE
BONITA SPRINGS Tampa Orlando Sarasota
28100 Bonita Grande Dr., Suite 305, Bonita Springs, FL 34135
p. (239) 405-7777 f. (239) 405-7899

Treeline 115 Mixed Use Planned Development
Surface Water Management Plan

The subject property is surrounded by development. Treeline Avenue is located directly east of the subject property, effectively blocking all flow from the east toward the subject property. All stormwater from the east is directed around the subject property. A commercial/industrial subdivision is located to the north. All stormwater from this subdivision is direct to an internal lake system which discharges to the north, away from the subject property. The FDOT rest area and office building located to the southwest discharges east to the I-75 right of way. Commercial subdivision located to the southeast discharged into a wetland that flow north toward the subject property. Flows from this development will be directed around the subject property to I-75.

Stormwater runoff from the subject property generally flows from east to west toward I-75. Water is directed under I-75 through a 6' x 4' box culvert located near the southwest corner of the subject property.

Onsite stormwater runoff will be conveyed to stormwater ponds where it will be treated and attenuated prior to discharging offsite. The peak discharge rate will be limited to 37 csm, the basin allowable discharge rate. Stormwater treatment will be provided in accordance with SFWMD requirements.

ATTACHMENT M

Lee County
Southwest Florida

Department of Community Development
Zoning Division
Environmental Review

MEMORANDUM

Date: **January 15, 2019**

To: **Dirk Danley, Jr, Senior Planner**

From: **Beth Workman, Environmental Planner**
239.533.8793
EWorkman@leegov.com

Subject: **Treeline 115**
DCI2018-00007

The applicant has requested to rezone approximately 115 acres currently zoned Agricultural (AG-2) and Light Industrial (IL to Mixed Use Planned Development (MPD). The following is the environmental zoning review for approval with conditions:

FLUCCS
The applicant submitted an updated FLUCCS map and supporting Environmental Assessment to the Lee County Zoning section on January 10, 2019. The documents depicted Cypress Hammocks (FLUCCS 621) and Hydric Palmetto Prairie (FLUCCS 321) on the site. These areas are proposed to be preserve areas to meet the indigenous open space requirement as well as State and Federal permit compliance. The site also has existing Pine Flatwood (FLUCCS 411) that has been highly degraded by the past agricultural uses on the property.

County staff verified the FLUCCS on the site December 20, 2018 which prompted revisions to the environmental documents. The Cypress Hammocks in the northwest and the eastern portion of the property are proposed to be preserved. These areas contain less than 25% exotic vegetation and meet the indigenous open space definition in Land Development Code Section 10-1. The Pine Flatwoods (FLUCCS 411) are struggling to recover from the past agricultural use on the site. Invasive exotics have migrated into the disturbed areas and do not meet the indigenous open space definition.

PROTECTED SPECIES
The documentation provided by the applicant indicated that no protected species were located on site. Staff concurs that no protected species are on the site per the site inspection on December 20, 2018.

OPEN SPACE
The request is to rezone to an MPD. Per LDC Section 10-415, large commercial developments must provide 30% of the total commercial area as open space with half of the requirement being met by indigenous areas on the site. Large residential developments not meeting the minimum lot size requirements per LDC Section 10-415

must provide 40% open space with half of the open space being met through onsite indigenous preservation. The applicant has designed the site so that the indigenous open space will be under unified control. The Master Concept Plan stamped received on November 16, 2018 states that the indigenous open space is half of the overall open space being provided to meet the LDC Section 10-415. The commercial portion is required to provide 3 acres of open space (30% of 10 acres) and the residential portion is required to provide 42 acres of open space (40% of 105 acres). Therefore the 22.5 acres of indigenous will be provided under common ownership and must be completed as part of the first development order.

Environmental Sciences zoning staff provide the following conditions for approval:

Prior to the issuance of the first development order, the following must be provided:

- *The plans must depict 22.5 acres of indigenous open space; and*
- *an indigenous management plan with five year monitoring post issuance of first Certificate of Compliance; and*
- *if the first development order includes the commercial component, the plans must depict 30% open space; and*
- *if the first development order includes the residential component, the plans must depict 40% open space.*

BUFFERS

Per the Lee Plan Goal 4 and subsequent Objectives and Policies, general development standards must include creative site designs and a balancing of the development in order to protect the natural resources and provide buffering to protect the public health, safety and welfare. More specifically, Lee Plan Goals 5 (residential land uses) and Goal 6 (commercial land uses) and the subsequent Objectives and Policies encourage open space, buffering, and landscaping. The applicant has depicted on the master concept plan the code required buffers per LDC Section 10-416 (d). The only area the applicant is requesting to deviate from the code is the areas where the indigenous preserve areas abut the property line. In this instance, the preserve will provide the screening to meet the LDC.

Environmental Sciences zoning staff provide the following condition for approval of Deviation #1:

The development order landscape plans must demonstrate that the indigenous preserve meets the LDC Section 10-416 (d) for buffering abutting properties.

ATTACHMENT N

TR TRANSPORTATION CONSULTANTS, INC

2726 OAK RIDGE COURT, SUITE 503
FORT MYERS, FL 33901-9356
OFFICE 239.278.3090
FAX 239.278.1906

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

August 20, 2018

Alexis V. Crespo, AICP
Waldrop Engineering, P.A.
28100 Bonita Grande Drive, Suite 305
Bonita Springs, FL 34135

RE: Treeline 115 MPD
DCI2018-00007

Dear Ms. Crespo:

TR Transportation Consultants, Inc. has reviewed the Traffic Impact Statement (TIS) comments issued by the Lee County Department of Community Development regarding the proposed rezoning for a 115 acre property located on the west side of Treeline Avenue just north of Daniels Parkway in Lee County, Florida. The comments and TR Transportation's response to those comments are listed below for reference.

LC T.I.S. Application Sufficiency Checklist:

1) The site design parameters that are stated in the TIS do not appear to correspond to the parameters that are stated and/or depicted in the non-TIS submittals. The TIS appears to describe limitations on the number of single family dwelling units and medical office gross floor area, whereas other submittals (including the application and narrative) do not. Please review and revise the TIS (or other submittals) accordingly.

Other non-TIS submittals have been revised to match the design parameters that were used in the previously submitted TIS.

2) -The TIS does not appear to identify and use the correct existing traffic volume on at least one link in the analysis. See Treeline Avenue. Please review and revise the TIS accordingly.

-The TIS does not appear to provide the raw unadjusted turning movement counts at the site access to Treeline Avenue, including westbound Dartington Drive trips. Please review and revise the TIS accordingly.

Attached to this response are the updated Table 2A and Figure 3 which have been revised based on the correct existing traffic volume on Treeline Avenue.

A raw PM peak hour traffic count was conducted at the intersection of Treeline Avenue and Dartington Drive on August 15 of 2018. The traffic count movements were then adjusted by the peak season factor and grown to the projected build-out year. The project

DCI 2018-00007

OCT 05 2018

COMMUNITY DEVELOPMENT

traffic from the attached Figure 2 was then added to the intersection. The intersection analysis was then completed utilizing ***SYNCHRO®***. The results of the intersection analysis and the peak season factor utilized are attached to this response. Also attached is the *Development of Future Year Background Turning Volumes* table.

If you have any additional questions, please do not hesitate to contact us.

Sincerely,

Yury Bykau, E.I.
Transportation Consultant

Attachments

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TABLE 1A & 2A

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TABLE 1A
PEAK DIRECTION PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES
TREELINE 115 - REZONING

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 408 VPH IN= 211 OUT= 197

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 472 VPH IN= 235 OUT= 237

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
Daniels Pkwy	E. of Palomino Ln.	6LD	0	400	2840	2940	2940	25%	59	2.1%
	E. of I-75	6LD	0	400	2840	2940	2940	40%	95	3.3%
	E. of Treeline Ave.	6LD	0	400	2840	2940	2940	20%	47	1.7%
Treeline Ave.	N. of Site	4LD	0	250	1,840	1,960	1,960	25%	59	3.2%
	N. of Daniels Pkwy	4LD	0	250	1,840	1,960	1,960	75%	178	9.7%
	S. of Daniels Pwky	4LD	0	250	1,840	1,960	1,960	15%	36	1.9%

* The Level of Service thresholds were for all roadways were obtained from the Lee County Generalized Service Volume Table.

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TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
TREELINE 115 - REZONING

TOTAL PROJECT TRAFFIC AM = 408 VPH IN = 211 OUT= 197
TOTAL PROJECT TRAFFIC PM = 472 VPH IN= 235 OUT= 237

ROADWAY	SEGMENT	SITE/ STATION	BASE YR ADT	LATEST ADT	YRS OF GROWTH.[1]	ANNUAL RATE	2016 PK HR PK SEASON PEAK DIR.[2]	2023 PK HR PK SEASON PEAK DIRECTION VOLUME	LOS	V/C Ratio	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2023 BCKGRND + AM PROJ VOLUME	LOS	V/C Ratio	2023 BCKGRND + PM PROJ VOLUME	LOS	V/C Ratio
Daniels Pkwy	E. of Palomino Ln.	264	52,000	52,400	8	2.00%	3,060	3,515	F	1.20	25%	53	59	3,568	F	1.21	3,574	F	1.22
	E. of I-75	52	48,000	52,600	8	2.00%	2,656	3,051	F	1.04	40%	84	95	3,135	F	1.07	3,146	F	1.07
	E. of Treeline Ave.	52	48,000	52,600	8	2.00%	2,656	3,051	F	1.04	20%	42	47	3,093	F	1.05	3,098	F	1.05
Treeline Ave.	N. of Site	62	6,900	11,800	8	6.94%	754	1,206	C	0.62	25%	53	59	1,259	C	0.64	1,265	C	0.65
	N. of Daniels Pkwy	62	6,900	11,800	8	6.94%	754	1,206	C	0.62	75%	158	178	1,364	C	0.70	1,384	C	0.71
	S. of Daniels Pwky	61	25,100	23,800	8	2.00%	1,455	1,671	C	0.85	15%	32	36	1,703	C	0.87	1,707	C	0.87

1 Annual Growth Rate was calculated utilizing AADT data from 2017 Lee County Traffic Count Report.

2 2016 peak hour peak season peak direction traffic volumes were obtained from the 2017 Public Facilities Level of Service and Concurrency Report.

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FIGURES 1, 2 & 3

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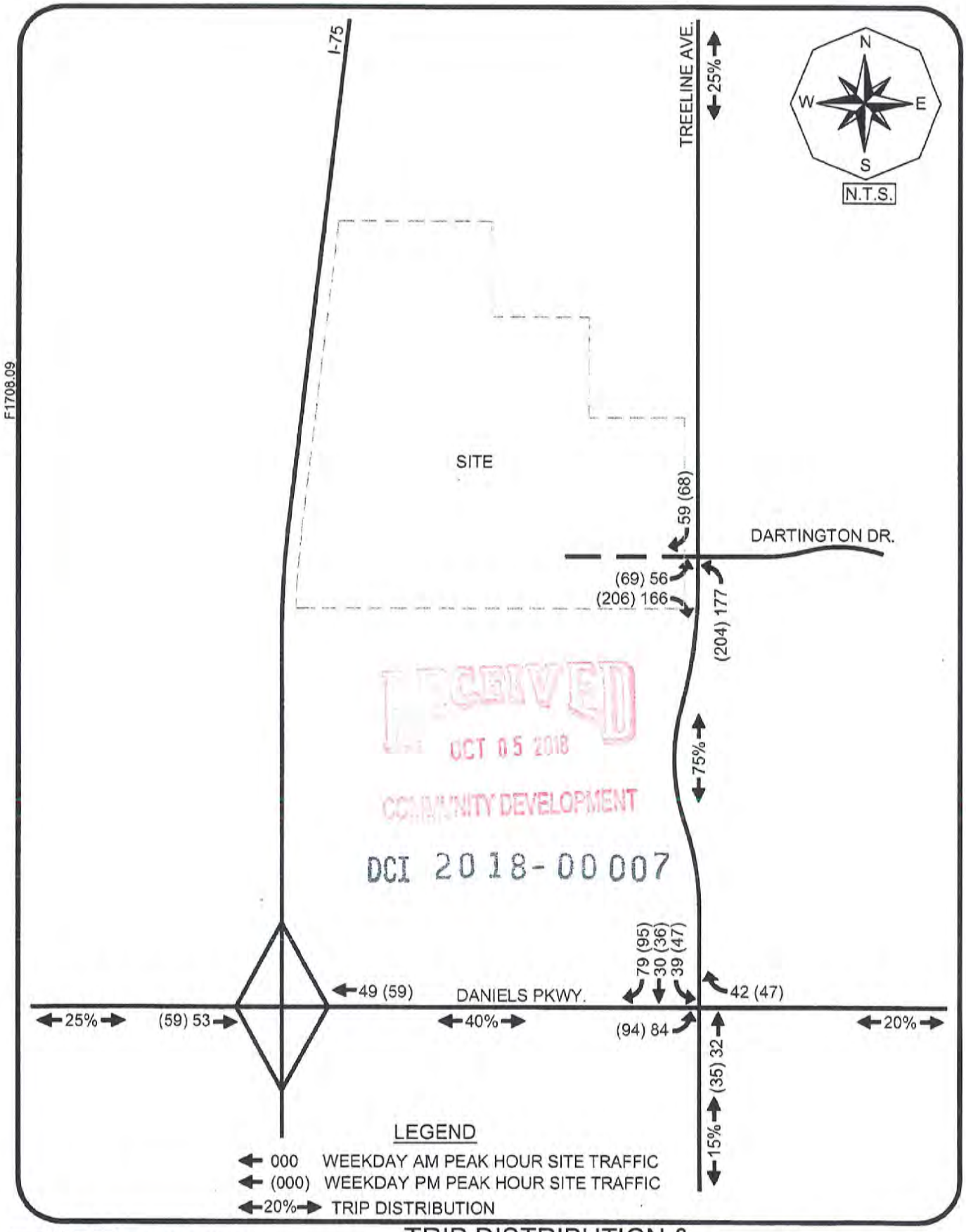
PROJECT LOCATION MAP
TREELINE 115 MPD

Figure 1

DCI 2018-00007

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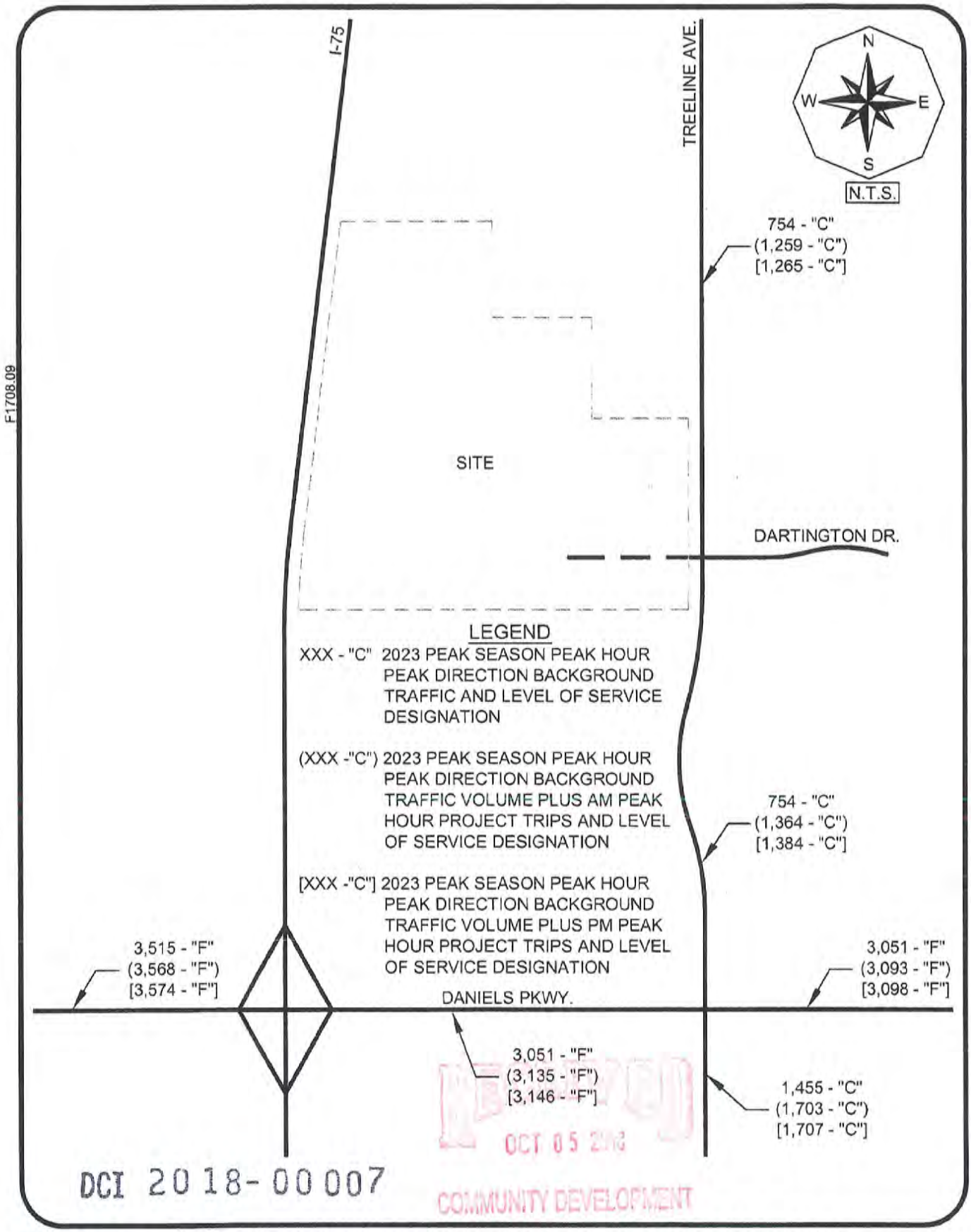
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TR TRANSPORTATION CONSULTANTS, INC

TRIP DISTRIBUTION &
SITE TRAFFIC ASSIGNMENT
TREELINE 115 MPD

Figure 2



TR TRANSPORTATION CONSULTANTS, INC

PROJECTED 2023 LEVEL OF SERVICE ANALYSIS
TREELINE 115 MPD

Figure 3

TRAFFIC DATA FROM THE 2017 LEE COUNTY PUBLIC FACILITIES LEVEL OF SERVICE AND CONCURRENCY REPORT

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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						
				STANDARD		2016		2021		
NAME	FROM	TO	TYPE	LOS	MAX	LOS	EXISTING	LOS	FUTURE	NOTES
CYPRESS LAKE DR	McGREGOR BLVD	SOUTH POINT BLVD	4LD	E	1,940	D	1,249	D	1,313	
	SOUTH POINT BLVD	WINKLER RD	4LD	E	1,940	D	1,249	D	1,313	
	WINKLER RD	SUMMERLIN RD	4LD	E	1,940	D	1,315	D	1,382	
	SUMMERLIN RD	US 41	6LD	E	2,940	D	2,101	D	2,208	
DANIELS PKWY	US 41	METRO PKWY	6LD	E	2,680	D	2,291	D	2,408	
	METRO PKWY	SIX MILE PKWY	6LD	E	2,680	D	2,109	D	2,381	Constrained
	SIX MILE PKWY	PALOMINO LN	6LD	E	3,040	F	3,060	F	3,359	Constrained
	PALOMINO LN	I-75	6LD	E	3,040	F	3,060	F	3,216	Constrained
	I-75	TREELINE AVE	6LD	E	3,260	B	2,656	B	2,791	
	TREELINE AVE	CHAMBERLIN PKWY	6LD	E	3,260	B	2,656	B	2,791	
	CHAMBERLIN PKWY	GATEWAY BLVD	6LD	E	3,260	B	2,589	B	2,721	
	GATEWAY BLVD	SR 82	4LD	E	2,160	B	1,928	B	2,108	SKY Walk
DEL PRADO BLVD	US 41	SLATER RD	2LN	E	860	C	380	F	878	old count, Crane Landing
GLADIOLUS DR	McGREGOR BLVD	PINE RIDGE RD	4LD	E	1,840	C	634	C	666	
	PINE RIDGE RD	BASS RD	4LD	E	1,840	C	1,233	C	1,337	
	BASS RD	WINKLER RD	6LD	E	2,780	C	1,233	C	1,296	
	WINKLER RD	SUMMERLIN RD	6LD	E	2,780	C	1,233	C	1,296	
	SUMMERLIN RD	US 41	6LD	E	2,780	B	2,026	C	2,171	
GUNNERY RD	SR 82	23RD ST SW	4LD	E	1,920	B	1,017	B	1,086	
	23RD ST SW	LEE BLVD	4LD	E	1,920	B	1,017	B	1,086	
	LEE BLVD	BUCKINGHAM RD	2LN	E	1,020	C	763	C	896	
HANCOCK BRIDGE PKWY	NE 24TH AVE	ORANGE GROVE BLVD	4LD	E	1,880	B	1,397	B	1,468	
	ORANGE GROVE BLVD	MOODY RD	4LD	E	1,880	B	1,382	B	1,452	
	MOODY RD	US 41	4LD	E	1,880	B	1,382	B	1,452	
HOMESTEAD RD	SR 82	MILWAUKEE BLVD	2LN	E	1,010	D	506	E	532	
	MILWAUKEE BLVD	SUNRISE BLVD	2LN	E	1,010	D	506	E	532	
	SUNRISE BLVD	LEELAND HEIGHTS	4LN	E	2,960	D	1,239	D	1,302	4 lane under construction
	LEELAND HEIGHTS	LEE BLVD	4LN	E	2,960	D	1,239	D	1,302	
JOEL BLVD	BELL BLVD	18TH ST	4LN	E	2,120	B	622	B	831	Joel Blvd CPD
	18TH ST	SR 80	2LN	E	1,010	C	377	C	396	
LEE BLVD	SR 82	ALVIN AVE	6LD	E	2,840	B	2,552	B	2,682	
	ALVIN AVE	GUNNERY RD	6LD	E	2,840	B	2,064	B	2,184	
	GUNNERY RD	HOMESTEAD RD	6LD	E	2,840	B	2,364	B	2,485	
	HOMESTEAD RD	WILLIAMS AVE	4LD	E	1,980	B	649	B	682	
	WILLIAMS AVE	LEELAND HEIGHTS	2LN	E	1,020	B	649	B	682	
LEELAND HEIGHTS	HOMESTEAD RD	JOEL BLVD	4LN	E	1,800	B	832	B	853	
LITTLETON RD	CORBETT RD	US 41	2LN	E	860	C	393	C	413	
	US 41	BUS 41	2LN	E	860	C	431	C	453	
LUCKETT RD	ORTIZ AVE	I-75	2LN	E	880	B	357	B	439	4 Ln design & ROW

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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		2016		2021		
NAME	FROM	TO	TYPE	LOS	MAX	LOS	EXISTING	LOS	FUTURE	
THREE OAKS PKWY	ESTERO PKWY	SAN CARLOS BLVD	4LD	E	1,940	B	1,120	B	1,221	
	SAN CARLOS BLVD	ALICO RD	4LD	E	1,940	B	665	B	838	
TREELINE AVE	TERMIMAL ACCESS RD	DANIELS PKWY	4LD	E	1,980	B	1,455	B	1,673	Harley Davidson
	DANIELS PKWY	AMBERWOOD RD	4LD	E	1,980	A	754	A	792	
WINKLER RD	SUMMERLIN RD	GLADIOLUS DR	4LD	E	1,520	D	469	D	495	
	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	669	D	756	old count projection
	COLLEGE PKWY	McGREGOR BLVD	2LN	E	800	B	350	B	395	old count projection

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

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TURNING MOVEMENT COUNT

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TRANSPORTATION CONSULTANTS, INC.

DATE: August 15, 2018
DAY: WEDNESDAY
COUNT TIME: 4:00 PM - 6:00 PM
TRAFFIC: ALL TRIPS

15 MINUTE SUMMARY OF INDIVIDUAL MOVEMENTS

Treeline Ave & Dartington Drive

15 MIN BEGIN	Treeline Ave								Dartington Drive								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
4:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:00 PM	0	202	14	216	2	133	0	135	0	0	0	0	1	0	1	2	353
5:15 PM	0	232	14	246	0	100	0	100	0	0	0	0	8	0	1	9	355
5:30 PM	0	204	10	214	1	106	0	107	0	0	0	0	8	0	1	9	330
5:45 PM	0	154	9	163	3	65	0	68	0	0	0	0	9	0	2	11	242
TOTAL:	0	792	47	839	6	404	0	410	0	0	0	0	26	0	5	31	1,280

HOURLY SUMMARY OF INDIVIDUAL MOVEMENTS

Treeline Ave & Dartington Drive

HOUR BEGIN	Treeline Ave								Dartington Drive								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
4:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:15 PM	0	202	14	216	2	133	0	135	0	0	0	0	1	0	1	2	353
4:30 PM	0	434	28	462	2	233	0	235	0	0	0	0	9	0	2	11	708
4:45 PM	0	638	38	676	3	339	0	342	0	0	0	0	17	0	3	20	1,038
5:00 PM	0	792	47	839	6	404	0	410	0	0	0	0	26	0	5	31	1,280

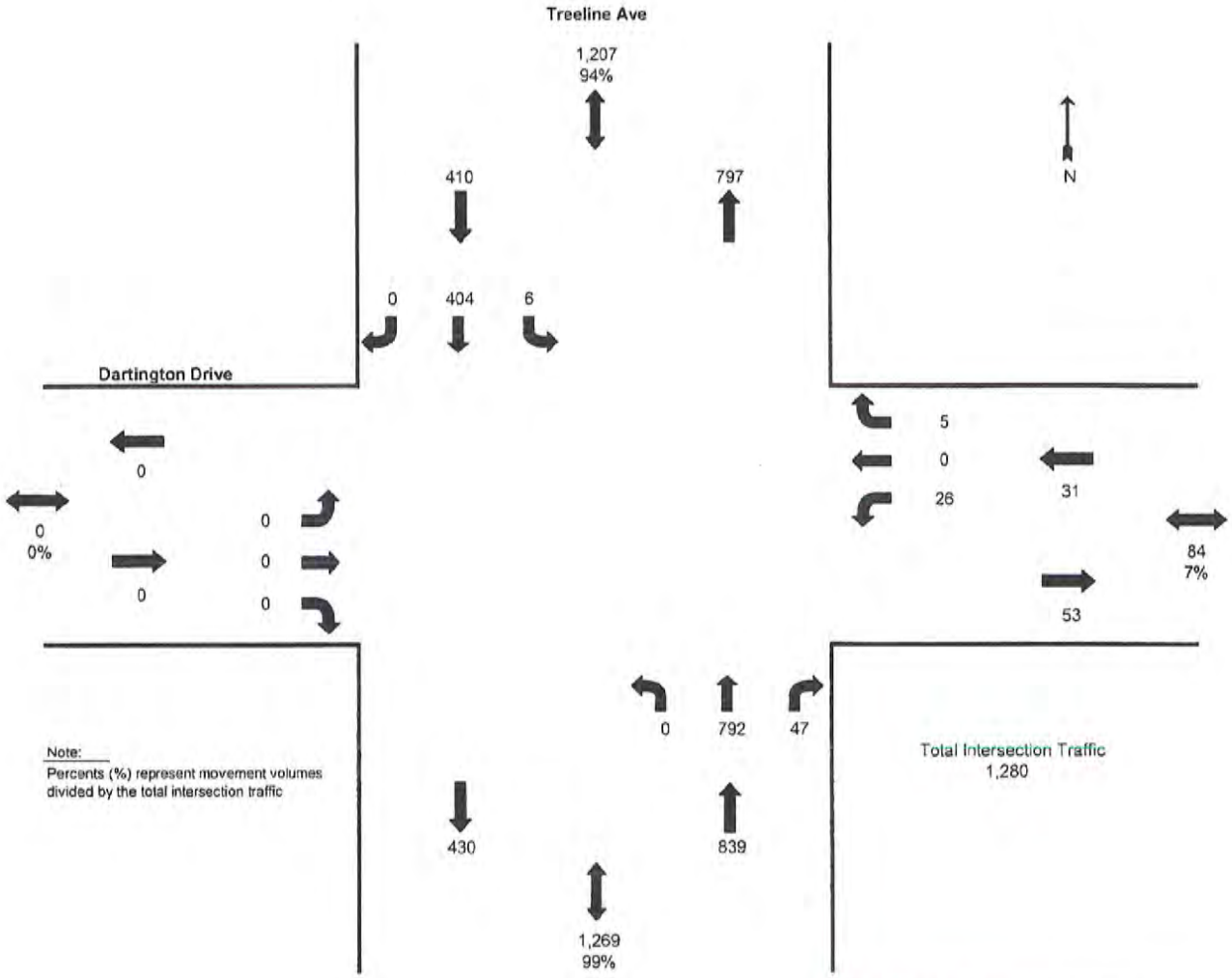
PEAK HOUR SUMMARY

HOUR BEGIN	Treeline Ave								Dartington Drive								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
5:00 PM	0	792	47	839	6	404	0	410	0	0	0	0	26	0	5	31	1,280

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TRANSPORTATION CONSULTANTS, INC.

DATE: August 15, 2018
DAY: WEDNESDAY
COUNT TIME: 5:00 PM - 6:00 PM
PEAK HOUR: 5:00 PM - 6:00 PM
TRAFFIC: ALL TRIPS
INTERSECTION: Treeline Ave & Dartington Drive



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FDOT PEAK SEASON FACTOR

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2017 PEAK SEASON FACTOR CATEGORY REPORT - REPORT TYPE: ALL

CATEGORY: 1200 LEE COUNTYWIDE

MOCF: 0.91

WEEK	DATES	SF	PSCF
1	01/01/2017 - 01/07/2017	1.05	1.15
2	01/08/2017 - 01/14/2017	1.01	1.11
3	01/15/2017 - 01/21/2017	0.96	1.05
* 4	01/22/2017 - 01/28/2017	0.95	1.04
* 5	01/29/2017 - 02/04/2017	0.93	1.02
* 6	02/05/2017 - 02/11/2017	0.91	1.00
* 7	02/12/2017 - 02/18/2017	0.90	0.99
* 8	02/19/2017 - 02/25/2017	0.89	0.98
* 9	02/26/2017 - 03/04/2017	0.89	0.98
*10	03/05/2017 - 03/11/2017	0.88	0.97
*11	03/12/2017 - 03/18/2017	0.87	0.96
*12	03/19/2017 - 03/25/2017	0.89	0.98
*13	03/26/2017 - 04/01/2017	0.90	0.99
*14	04/02/2017 - 04/08/2017	0.91	1.00
*15	04/09/2017 - 04/15/2017	0.93	1.02
*16	04/16/2017 - 04/22/2017	0.94	1.03
17	04/23/2017 - 04/29/2017	0.96	1.05
18	04/30/2017 - 05/06/2017	0.97	1.07
19	05/07/2017 - 05/13/2017	0.99	1.09
20	05/14/2017 - 05/20/2017	1.00	1.10
21	05/21/2017 - 05/27/2017	1.02	1.12
22	05/28/2017 - 06/03/2017	1.04	1.14
23	06/04/2017 - 06/10/2017	1.07	1.18
24	06/11/2017 - 06/17/2017	1.09	1.20
25	06/18/2017 - 06/24/2017	1.08	1.19
26	06/25/2017 - 07/01/2017	1.08	1.19
27	07/02/2017 - 07/08/2017	1.08	1.19
28	07/09/2017 - 07/15/2017	1.08	1.19
29	07/16/2017 - 07/22/2017	1.08	1.19
30	07/23/2017 - 07/29/2017	1.08	1.19
31	07/30/2017 - 08/05/2017	1.08	1.19
32	08/06/2017 - 08/12/2017	1.08	1.19
33	08/13/2017 - 08/19/2017	1.08	1.19
34	08/20/2017 - 08/26/2017	1.13	1.24
35	08/27/2017 - 09/02/2017	1.19	1.31
36	09/03/2017 - 09/09/2017	1.24	1.36
37	09/10/2017 - 09/16/2017	1.29	1.42
38	09/17/2017 - 09/23/2017	1.25	1.37
39	09/24/2017 - 09/30/2017	1.22	1.34
40	10/01/2017 - 10/07/2017	1.18	1.30
41	10/08/2017 - 10/14/2017	1.15	1.26
42	10/15/2017 - 10/21/2017	1.11	1.22
43	10/22/2017 - 10/28/2017	1.10	1.21
44	10/29/2017 - 11/04/2017	1.09	1.20
45	11/05/2017 - 11/11/2017	1.07	1.18
46	11/12/2017 - 11/18/2017	1.06	1.16
47	11/19/2017 - 11/25/2017	1.06	1.16
48	11/26/2017 - 12/02/2017	1.06	1.16
49	12/03/2017 - 12/09/2017	1.05	1.15
50	12/10/2017 - 12/16/2017	1.05	1.15
51	12/17/2017 - 12/23/2017	1.02	1.12
52	12/24/2017 - 12/30/2017	0.99	1.09
53	12/31/2017 - 12/31/2017	0.96	1.05

* PEAK SEASON

02-MAR-2018 15:35:04 830UPD 1_1200_PKSEASON.TXT

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DEVELOPMENT OF FUTURE YEAR BACKGROUND TURNING VOLUMES

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Development of Future Year Background Turning Volumes

Intersection	**Treeline Ave @ Dartington Dr**
Count Date	August 15, 2018
Build-Out Year	2023

	PM Peak Hour											
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	0	792	47	6	404	0	0	0	0	26	0	5
Peak Season Correction Factor	0.00	1.19	1.19	1.19	1.19	0.00	0.00	0.00	0.00	1.19	0.00	1.19
Current Peak Season Volumes	0	942	56	7	481	0	0	0	0	31	0	6
Growth Rate	0.00%	6.94%	0.00%	0.00%	6.94%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Years to Build-out	5	5	5	5	5	5	5	5	5	5	5	5
2023 Background Turning Volumes	**0**	**1,318**	**56**	**7**	**673**	**0**	**0**	**0**	**0**	**31**	**0**	**6**
Project Turning Volumes	204	0	0	0	0	68	69	0	206	0	0	0
2023 Background + Project	**204**	**1,318**	**56**	**7**	**673**	**68**	**69**	**0**	**206**	**31**	**0**	**6**

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SYNCHRO SUMMARY SHEETS
TREELINE AVENUE @ SITE ACCESS

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Intersection												
Int Delay, s/veh	2.1											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	69	0	206	31	0	6	204	1318	56	7	673	68
Future Vol, veh/h	69	0	206	31	0	6	204	1318	56	7	673	68
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	0	-	0	0	-	0	-	-	365	630	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	75	0	224	34	0	7	222	1433	61	8	732	74

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1944	-	403	2257	-	716	805	0	0	1433	0	0
Stage 1	784	-	-	1876	-	-	-	-	-	-	-	-
Stage 2	1160	-	-	381	-	-	-	-	-	-	-	-
Critical Hdwy	7.54	-	6.94	7.54	-	6.94	4.14	-	-	4.14	-	-
Critical Hdwy Stg 1	6.54	-	-	6.54	-	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.54	-	-	6.54	-	-	-	-	-	-	-	-
Follow-up Hdwy	3.52	-	3.32	3.52	-	3.32	2.22	-	-	2.22	-	-
Pot Cap-1 Maneuver	~ 39	0	597	~ 22	0	373	815	-	-	470	-	-
Stage 1	352	0	-	74	0	-	-	-	-	-	-	-
Stage 2	208	0	-	613	0	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	-	-	597	-	-	373	815	-	-	470	-	-
Mov Cap-2 Maneuver	-	-	-	-	-	-	-	-	-	-	-	-
Stage 1	352	-	-	74	-	-	-	-	-	-	-	-
Stage 2	-	-	-	377	-	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s			3.5	0.1
HCM LOS	-	-		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	EBLn2	WBLn1	WBLn2	SBL	SBT	SBR
Capacity (veh/h)	815	-	-	-	597	-	373	470	-	-
HCM Lane V/C Ratio	0.272	-	-	-	0.375	-	0.017	0.016	-	-
HCM Control Delay (s)	11.1	2.5	-	-	14.6	-	14.8	12.8	-	-
HCM Lane LOS	B	A	-	-	B	-	B	B	-	-
HCM 95th %tile Q(veh)	1.1	-	-	-	1.7	-	0.1	0	-	-

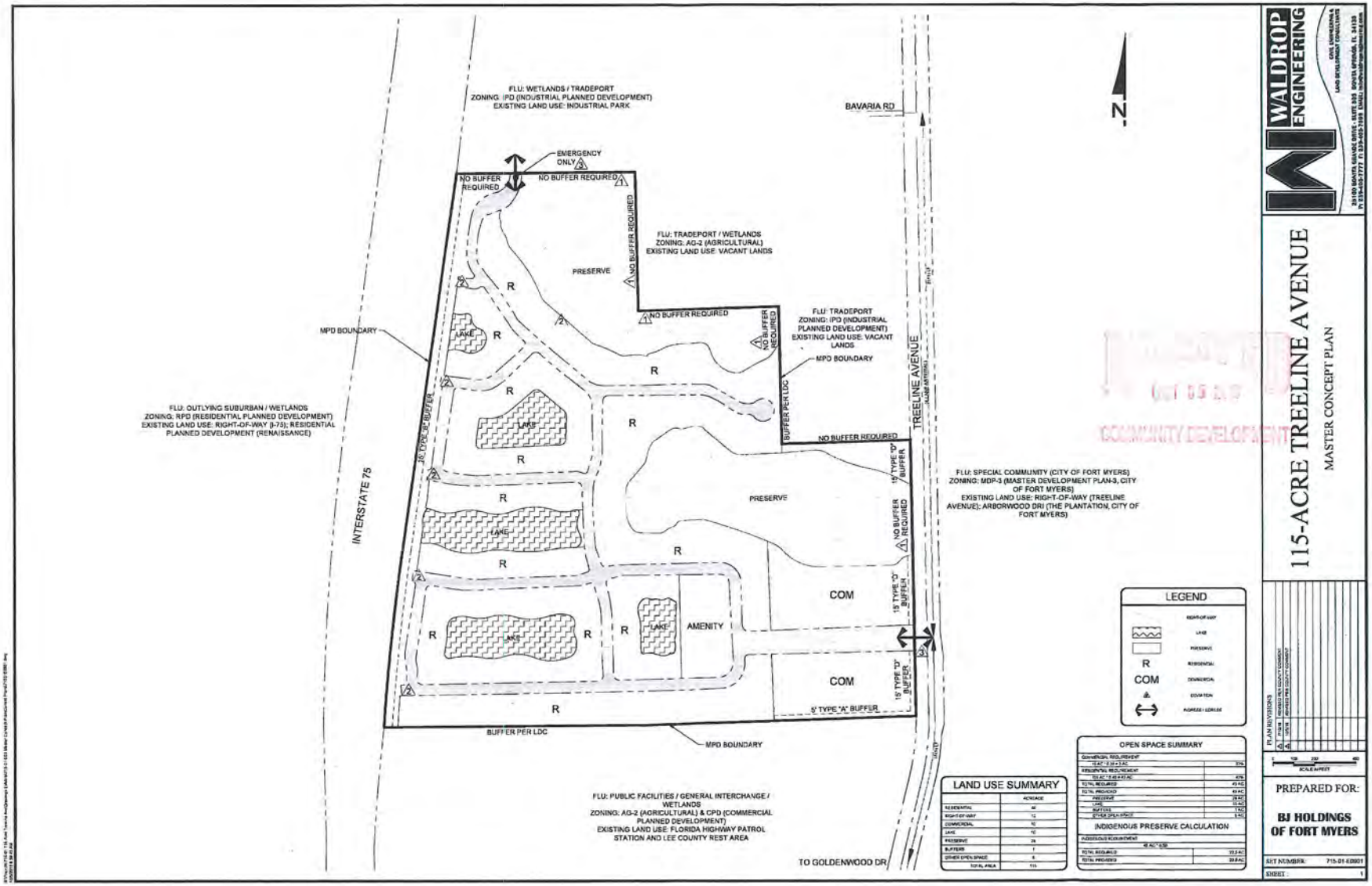
Notes

~: Volume exceeds capacity $: Delay exceeds 300s +: Computation Not Defined *: All major volume in platoon

DCI 2018-00007

OCT 05 2018

COMMUNITY DEVELOPMENT



DCI 2018-00007

ATTACHMENT O

Lee County
Southwest Florida

DEPARTMENT OF COMMUNITY DEVELOPMENT

Memo

To: Dirk Danley, Planner, Senior

From: Lili Wu, Planner, Senior

Date: Jan. 2, 2019

Subject: Treeline 115 MPD (DCI2018-00007)

Infrastructure Planning staff has reviewed the application for public hearing. This project is located on the west site of Treeline Ave approximately 0.5 mile north of Daniels Pkwy. Access to the project is proposed by the applicant to Treeline Ave via a full access drive opposite of Dartington Dr. This access point is a full or non-full access point shall be determined by Lee County DOT at Development Order review stage. Infrastructure Planning staff has objection to the Deviation #3 which requests to allow for one point of access to Treeline Ave and one emergency only access to connect Matterhorn Rd from two points of ingress/egress requirements because limiting access to a site of this size to a single drive may result in excessive delays for residents and customers of the development. By providing two usable accesses, motorists can spread out their impacts on the transportation network.

ATTACHMENT P

Lee County
Southwest Florida

Department of Community Development
Development Services Section

MEMORANDUM

Date: January 8, 2019

To: D. Danley
Senior Planner

From: M. Evans *ME*
Senior Engineer

Subject: **Treeline 115 MPD Mixed-Use Planned Development (MPD)**
Transportation-Related Analysis and Recommendations
Case No. DCI2018-00007
STRAP No. 14-45-25-00-00006.0000 (lowest)

Purpose

The purpose of this memorandum is to provide substantive comments related to Development Services Section staff review of subject-case documents that relate to transportation elements received to date by Lee County through formal written submittals from the applicant.

As noted in Lee County Administrative Code AC-13-17 "Traffic Study Guidelines for Planned Development Rezonings", zoning traffic studies (i.e. traffic impact statements) such as the study associated with the subject case are not applicable for determining traffic-related impacts for local development orders. Since the specific requirements and scope of a development order traffic study may differ from that of a zoning traffic study, staff recommends that the applicant or successors discuss proposed development order traffic impact statement (TIS) assumptions and methodology prior to submitting a local development order TIS for staff review.

Traffic Study Methodology

Development Services Section staff reviewed the traffic study associated with the subject case. Although required by Lee County Administrative Code AC-13-17 "Traffic Study Guidelines for Planned Development Rezonings", the applicant did not meet with staff to discuss the traffic study methodology prior to submitting the initial traffic impact statement for staff review.

Site Location

The approximately 115-acre subject site is located on the west side of Treeline Avenue between Goldenwood Drive and Bavaria Road. Current planning/zoning information applicable to the subject site is described in **Table 1**.

Table 1
Site-Related Planning/Zoning Information

Future Land Use Category[1]	Mixed Use Overlay Area?[1]	Planning Community[2]	Zoning District	
			Current	Proposed
Tradeport	no	Gateway/Airport	AG-2[3]	MPD[4]

[1] see *The Lee Plan* Map 1 and related policies
[2] see *The Lee Plan* Map 16 and related policies
[3] agricultural district
[4] mixed-use planned development district

Proposed Site Access

The roadway proposed to directly service the subject site as depicted on the applicant's master concept plan (MCP) is described in **Table 2A**.

Table 2A
Site Access Intersecting Roadway Information

Roadway	Maintenance Authority[1]	Functional Class[1]	2-Way Lane Configuration	Controlled Access?	Constrained?[2]	Right-of-Way Width (ft)[3]	Speed Limit (mph)
Treeline Avenue	Lee County	arterial	4-lane divided	no	no	130-140	50

[1] see Lee County Administrative Code AC-11-1 "Functional Classification of Roadways" for Lee County classification as related to the Lee County *Land Development Code*; see also http://www.fdot.gov/statistics/hwysys/cubfc.shtm (Lee County map approved April 29, 2014) for Federal Highway Administration classification information
[2] see *The Lee Plan* Objective 37.2 and related policies
[3] approximate widths described based upon limited staff research; information must be validated by qualified professionals

Access to the subject site is proposed on the applicant's MCP as described in **Table 2B**.

Table 2B
Site Access Location(s)

Roadway	Proposed Location[1]	Access Type (assumed)
Treeline Avenue	approximately 1,745 feet north of Goldenwood Drive at Dartington Drive and 2,780 feet south of Bavaria Road	direct full access

[1] distance approximate from site access/roadway centerlines

Elements associated with proposed project access, including but not limited to permissible access movements, will be further considered at time of local development order review. See *Lee County Land Development Code*, Sections 10-285(g) and 34-378(g) as applicable and noted in **Table 7**.

Proposed Residential Density/Non-Residential Intensity of Use

The subject site is undeveloped. With the subject case, the applicant proposes to rezone the site to permit a maximum density/intensity in terms of new vehicular trips with respect to the proposed schedule of uses as described in **Table 3**.

Table 3
Development Parameters

Land Use	Proposed Zoning Density/Intensity
residential	275 single-family units
office	25,000 ft² general office use
office	25,000 ft² medical-dental office use
retail	50,000 ft² shopping center

Trip Generation Review

The applicant analyzed traffic-related impacts assuming full site build-out with the density/intensity described in **Table 3**. As part of the analysis, the applicant reviewed the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 10th Edition*, and estimated generated trips in order to assess traffic impacts of the proposed zoning. Applicant trip generation results are described in **Table 4**. Traffic volumes shown in this table are assumed to be new traffic volumes on the surrounding roadway network, and may reflect a reduction for internal capture traffic (traffic concurrently utilizing multiple site uses) and/or pass-by traffic (non-newly generated traffic already utilizing the roadway network) if applicable.

Table 4
New Weekday Trip Generation

Zoning Description	AM Peak Hour(1)			PM Peak Hour(1)			Daily (2-way)
	In	Out	Total	In	Out	Total	
proposed zoning	254	238	492	354	357	711	7,539

(1) weekday peak hour of the adjacent street

Total estimated new trips associated with development orders located within the boundaries of the approved planned development will be assumed to not exceed the values described in **Table 4** as this is the proposed maximum density/intensity in terms of trip generation "specifically reviewed...during the planned development process". See *Lee County Land Development Code*, Section 34-378(b) as noted in **Table 7**.

Roadway Section Traffic Operations Level of Service Analysis

New trips associated with the subject case were assigned to the surrounding road network in order to assess level of service (LOS) impacts on arterial/collector roadway sections expected to be most impacted by the proposed development. Per Administrative Code AC-13-17 *Traffic Study Guidelines for Planned Development*

Rezonings, "significant impact is defined as 10%....of the LOS "C" service volumes for the links at build out."

In the subject case, using the trip assignments described in the applicant's final traffic impact statement, no arterial/collector roadway sections are expected to be significantly impacted by the proposed zoning.

Table 5 describes the arterial/collector roadway sections in proximity to the subject site that are expected to be most impacted by the proposed development along with corresponding pre- and post-project build-out level of service estimates with respect to the proposed zoning.

Table 5
Arterial/Collector Roadway Section(s) Adjacent to Site
Expected to be Most Impacted by Proposed Rezoned Development

Roadway	Location	Significant Impact Expected?	Constrained?(2)	Level of Service (v/c)(1)		
				Existing	Future	Future + Project
Daniels Parkway	Palomino Lane to I-75	no	yes	F (1.16)	F	F
"	I-75 to Treeline Avenue	no	no	F (1.16)	F	F
"	Treeline Avenue to Chamberlin Parkway	no	no	C (0.90)	F	F
Treeline Avenue	Terminal Access Road to Daniels Parkway	no	no	C (0.71)	C	C
"	Daniels Parkway to Amberwood Road	no	no	C (0.39)	C	C

(1) AM/PM worse case; v/c is defined as traffic volume/capacity ratio; future year 2023
(2) see *The Lee Plan* Objective 37.2 and related policies

Based on a review of applicable traffic volumes in the Lee County "Public Facilities Level of Service and Concurrency 2018 Report Inventory and Projections, and the most current "Lee County Link Specific Service Volumes" tables (for short-term analyses of 5 years or less from table date) or the most current "Lee County Generalized Peak Hour Directional Service Volumes" tables (for long-term analyses of more than 5 years from table date), the roadway sections described in **Table 5** currently operate at LOS "E" or better. Utilizing the 2017 Lee County Traffic Count Report and assuming a project build-out year of 2023, the roadway sections described in **Table 5** except for the section of Daniels Parkway between Palomino Lane and Chamberlin Parkway are estimated to operate at LOS "E" or better with and without future background traffic volumes.

Based on the LOS standards for "unconstrained" county-maintained arterial/collector roadway sections set forth in *The Lee Plan* Policy 95.1.3.7, LOS "A" through "E" are acceptable levels of service. For state-maintained roadway sections, LOS "A" through "D" are acceptable levels of service in urbanized areas and LOS "A" through "C" are acceptable levels of service in non-urbanized areas.

At the time of local development order review, proposed projects will be further reviewed to determine required site-related traffic improvements to the nearby roadway(s).

Roadway Intersection Traffic Operations Level of Service Analysis

New trips were assigned to the surrounding road network in order to assess LOS impacts as necessary at site accesses, intersections within one-quarter mile of site accesses, and/or intersections expected to be most impacted by the proposed development. Per Administrative Code AC-13-17 *Traffic Study Guidelines for Planned Development Rezonings*, "significant impact is defined as 10% or more of the total peak hour intersection volume (the summation of all four approaches)....at build out."

In the subject case, using trip assignments described in the applicant's final traffic impact statement, the following intersection is expected to be significantly impacted by the proposed subject site zoning:

- Dartington Drive at Treeline Avenue.

Table 6 describes subject site accesses and nearby roadway intersections that are expected to be most impacted by the proposed zoning along with their corresponding pre- and post-project build-out levels of service.

Table 6
Roadway Intersection(s) Immediately Adjacent to Subject Site
Expected to be Most Impacted by Proposed Rezoned Development

Intersection		Significant Impact Expected?	Existing Traffic Control	Peak Hour	Level of Service[1]		
Roadway A	Roadway B				Existing	Future	Future + Project
Dartington Drive	Treeline Avenue	yes	2-way stop control	AM	--	--	--
				PM	--	--	C[2]

[1] future year 2023
[2] staff's review of this intersection indicated that it will operate at an estimated LOS "F"; see below for additional related discussion

Of note, staff's review of the intersection of Dartington Drive at Treeline Avenue under post-development conditions indicated that it will operate at an estimated LOS "F" during the afternoon peak hour primarily due to the delay associated with the eastbound and westbound left-turn movements. This condition may be improved by

installing/constructing additional traffic control measures at this location, although further analysis is required to determine the overall most reasonable and cost-effective improvement. The condition may also be improved by reducing permitted development intensity for the subject site or by providing additional site access connections to the surrounding roadway network to improve traffic circulation as encouraged by LDC Sections 10-294 and 10-295. Regardless, intersection traffic operations will likely further degrade with future traffic volume growth on Treeline Avenue.

At the time of local development order review, proposed projects will be further reviewed to determine required site-related traffic improvements to nearby roadway intersections.

Future Transportation Capital Improvement Projects

No Lee County transportation capital improvement projects are currently planned in close proximity to the subject site for fiscal years 2018-2021.

Lee County Land Development Code Proposed Site-Related Review

Development Services Section staff reviewed subject-case documents with respect to transportation-related sections of the *Lee County Land Development Code* (LDC). Related comments are described in **Table 7**.

Table 7
Lee County *Land Development Code*-Related Review Comments [1]

Land Development Code Chapter/Section Reference	Subject	Comments
Chapter 10, Section 10-281	Lee Plan Map 3A.	roadway sections proposed to directly service the subject site as depicted on *The Lee Plan* Map 3A are not planned for future widening
Chapter 10, Section 10-285(g)	Connection separation.	this section states that the County may restrict access, turning movements, median openings, and use of traffic control devices on or affecting County rights-of-way in order to address traffic safety and/or operational issues
Chapter 10, Section 10-291(3)	Required street access.	this section requires the subject site to establish more than one means of ingress/egress
Chapter 10, Section 10-291(4)	Required street access.	subject site accessibility may be improved by roadway access connections to adjoining parcels north and

		south of the subject site
Chapter 10, Section 10-294	Continuation of existing street pattern.	subject site accessibility may be improved by roadway access connections to adjoining parcels north and south of the subject site
Chapter 10, Section 10-295	Street stubs to adjoining property.	interconnections to adjoining parcels should be considered in order to reduce new trips onto the nearby arterial roadway
Chapter 10, Section 10-296(d)(6)	Street design and construction standards.	all streets and intersections within the development must operate at not less than a level of service C
Chapter 33	Planning Community Regulations	no access location requirements related to the local planning community specifically apply to the subject site
Chapter 34, Section 34-378(b)	Effect of planned development zoning.	"no approved use will be vested as to density or intensity unless the proposed density or intensity is specifically reviewed and approved during the planned development process"
Chapter 34, Section 34-378(g)	Effect of planned development zoning.	this section states that turning movements other than right-in/-out at approved locations depicted on the master concept plan (MCP), median openings, and traffic control devices depicted on the MCP are not guaranteed or vested and that approval for construction of access points, median openings, turning movements, and traffic control devices (i.e. traffic signals) reside with the County and will be considered at time of development order or permit application
Chapter 34, Section 34-411(d)	General standards.	this section states that the subject site is required to access existing or proposed roadways that have either sufficient existing or potential future expanded capacity to accommodate both background trips and those

		associated with the subject site at not less than a level of service E during the peak season; subject site-related industrial traffic must not be required to travel through predominantly residential areas

(1) review comments do not consider all transportation-related requirements contained in the LDC; it is the applicant's responsibility to comply with all county code and policy requirements as the subject site is developed

Applicant Proposed Deviation Review and Conditions

Development Services Section staff considered the applicant's proposed *Land Development Code* deviations for the subject case and identified no specific transportation-related deviations requiring further review and/or comment.

Based upon a review of the subject case, **Development Services Section staff recommends that the following conditions be incorporated into the subject case's zoning resolution:**

A.) ***"The development is permitted a maximum of 275 single-family or 487 multi-family residential dwelling units, and a maximum total gross floor area of 50,000 square feet of commercial non-office use, 25,000 square feet of medical office use, and 25,000 square feet of non-medical office use."***

B.) ***"Permitted restaurant gross floor area includes restaurant outdoor seating areas."***

C.) ***"If the development is developed in phases, each local development order site development plan must contain a tabulation that at minimum itemizes:***

(1) the density of residential uses expressed in number of units for each use proposed by the development order application;
(2) the intensity of non-residential uses expressed in gross floor area for each use proposed by the development order application;
(3) the cumulative total density and intensity for each use permitted by previous development order approvals;
(4) the cumulative total density and intensity for each use permitted by previous building permits; and
(5) the remaining density and intensity for each use available for future development."

D.) ***"Unless deviations from the requirements of the Lee County Land Development Code are specifically requested and formally granted by authorized Lee County action, any description and/or depiction of possible deviations in the application materials are assumed to be for informational purposes only."***

MJE:mje

Copy: S. Jansen – Lee County Department of Transportation
E. Sawtell – Lee County Department of Community Development
L. Wu – Lee County Department of Community Development
file

ATTACHMENT Q

AGRICULTURAL USES AT TIME OF ZONING APPLICATION
AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LEE

BEFORE ME, the undersigned authority, on this 9th day of November, 2017, personally appeared Brian Freeman, who is personally known to me or who produced _____ as identification and who did take an oath, who deposes and says as follows:

1. That I am the Authorized Representative of the following described property, to wit:

   See attached Exhibit "A"

2. That the above described property was used for bona fide agricultural purposes, to wit pasture/cattle grazing, sod farming, and row crops, at the time of the Lee County Board of County Commissioners review and consideration of the rezoning of the property described in the attached Exhibit "A".

3. The agricultural use of the property is an existing bona fide agricultural use.

4. The agricultural use is being conducted on the entire 115+/- acres. The entire property described on the attached Exhibit "A" is being used for the pasture/cattle grazing, sod farming and row crops.

5. Affiant further states that he is familiar with the nature of an oath; and with the penalties as provided by the laws of the State of aforesaid for falsely swearing to statements made in an instrument of this nature. Affiant further certifies that he has read, or has heard and read to him, the full facts of this affidavit and understands its meaning and context.

FURTHER AFFIANT SAYETH NAUGHT.

Managing Member

Authorized Agent for BJ Holdings of Fort Myers, LLC

SWORN TO and subscribed before me on the date and year first above written.

(Notary Seal)

ALEXANDRA PARSONS
MY COMMISSION #FF145559
EXPIRES July 27, 2018
(407) 398-0153 FloridaNotaryService.com

Commission No.

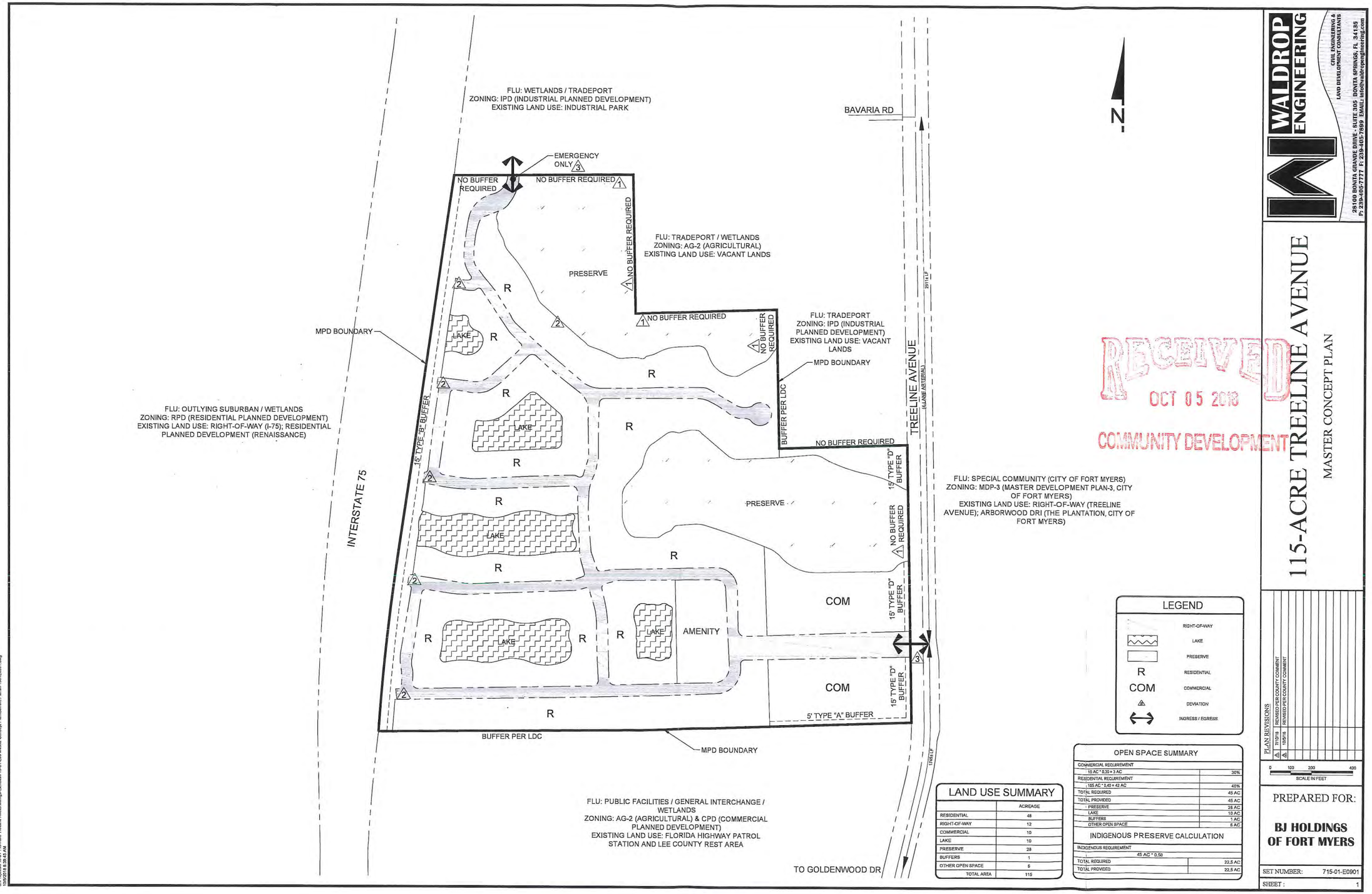
Signature of Notary Public

Alexandra Parsons
(Print, type or stamp commissioned name of Notary Public)

DCI 2018-00007

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

ATTACHMENT R



LAND USE SUMMARY	
	ACREAGE
RESIDENTIAL	48
RIGHT-OF-WAY	12
COMMERCIAL	10
LAKE	10
PRESERVE	28
BUFFERS	1
OTHER OPEN SPACE	6
TOTAL AREA	115

OPEN SPACE SUMMARY	
COMMERCIAL REQUIREMENT	
- 10 AC * 0.30 = 3 AC	30%
RESIDENTIAL REQUIREMENT	
- 105 AC * 0.40 = 42 AC	40%
TOTAL REQUIRED	45 AC
TOTAL PROVIDED	45 AC
- PRESERVE	28 AC
- LAKE	10 AC
- BUFFERS	1 AC
- OTHER OPEN SPACE	6 AC
INDIGENOUS PRESERVE CALCULATION	
INDIGENOUS REQUIREMENT	
- 45 AC * 0.50	
TOTAL REQUIRED	22.5 AC
TOTAL PROVIDED	22.5 AC

LEGEND

- RIGHT-OF-WAY
- LAKE
- PRESERVE
- R — RESIDENTIAL
- COM — COMMERCIAL
- DEVIATION
- INGRESS / EGRESS

RECEIVED
OCT 05 2018
COMMUNITY DEVELOPMENT

WALDROP ENGINEERING
CIVIL ENGINEERING & LAND DEVELOPMENT CONSULTANTS
28100 BONITA GRANDE DRIVE - SUITE 305 BONITA SPRINGS, FL 34135
P: 239-405-7777 F: 239-405-7899 EMAIL: info@waldropengineering.com

115-ACRE TREELINE AVENUE

MASTER CONCEPT PLAN

PLAN REVISIONS
- 2/10/16 — REVISED PER COUNTY COMMENT
- 05/8/16 — REVISED PER COUNTY COMMENT

0 100 200 400
SCALE IN FEET

PREPARED FOR:

BJ HOLDINGS OF FORT MYERS

SET NUMBER: 715-01-E0901
SHEET : 1

B:\Projects\715-01 115-Acre Treeline Ave\Drawings-Exhibits\715-01-E09 Master Concept Plan\10/5/2018 8:39:43 AM

DCI 2018-00007

48-Hour
STAFF'S EXHIBIT
2

MEMORANDUM
FROM THE
DEPARTMENT OF COMMUNITY DEVELOPMENT
ZONING SECTION

DATE: February 13, 2019

TO: Ms. Donna Marie Collins
Hearing Examiner

FROM: Dirk Danley, Jr.
Planner, Senior

SUBJECT: 48- Hour Letter Response DCI2018-00007– Treeline 115 MPD

In response to the 48-hour letter prepared by the applicant, staff recommends the following responses:

1. Items 1-4 of the applicant's letter, staff does not object to the proposed changes.
2. The proposed language in Item Number 5 fails to address the specificity of the accounting contemplated under staff proposed language, and therefore staff does not recommend adopting the amended language provided by the applicant.
3. In regards to the amended deviation language in Item Number 6, the Land Development Code would allow egress only access without the need for a deviation. Staff therefore recommends **withdrawal** of Deviation 3.

LEE COUNTY
HEARING EXAMINER
2019 FEB 13 PM 3:45

TR TRANSPORTATION CONSULTANTS, INC

2726 OAK RIDGE COURT, SUITE 503
FORT MYERS, FL 33901-9356
OFFICE 239.278.3090
FAX 239.278.1906

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

TRAFFIC IMPACT STATEMENT

FOR

TREELINE 115 MPD

(PROJECT NO. F1708.09)

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 27, 2017

DC12018-00007
STAFF'S EXHIBIT # 3
Supplement to
Attachment N

TRANSPORTATION CONSULTANTS, INC

CONTENTS

I. INTRODUCTION

II. EXISTING CONDITIONS

III. PROPOSED DEVELOPMENT

IV. TRIP GENERATION

V. TRIP DISTRIBUTION

VI. FUTURE TRAFFIC CONDITIONS

VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS

VIII. CONCLUSION

TR TRANSPORTATION CONSULTANTS, INC

I. INTRODUCTION

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 rezoning approval. The subject site is located on the west site of Treeline Avenue approximately ½ of a mile north of Daniels Parkway in Lee County, Florida. The approximate location of the subject site is illustrated on **Figure 1**.

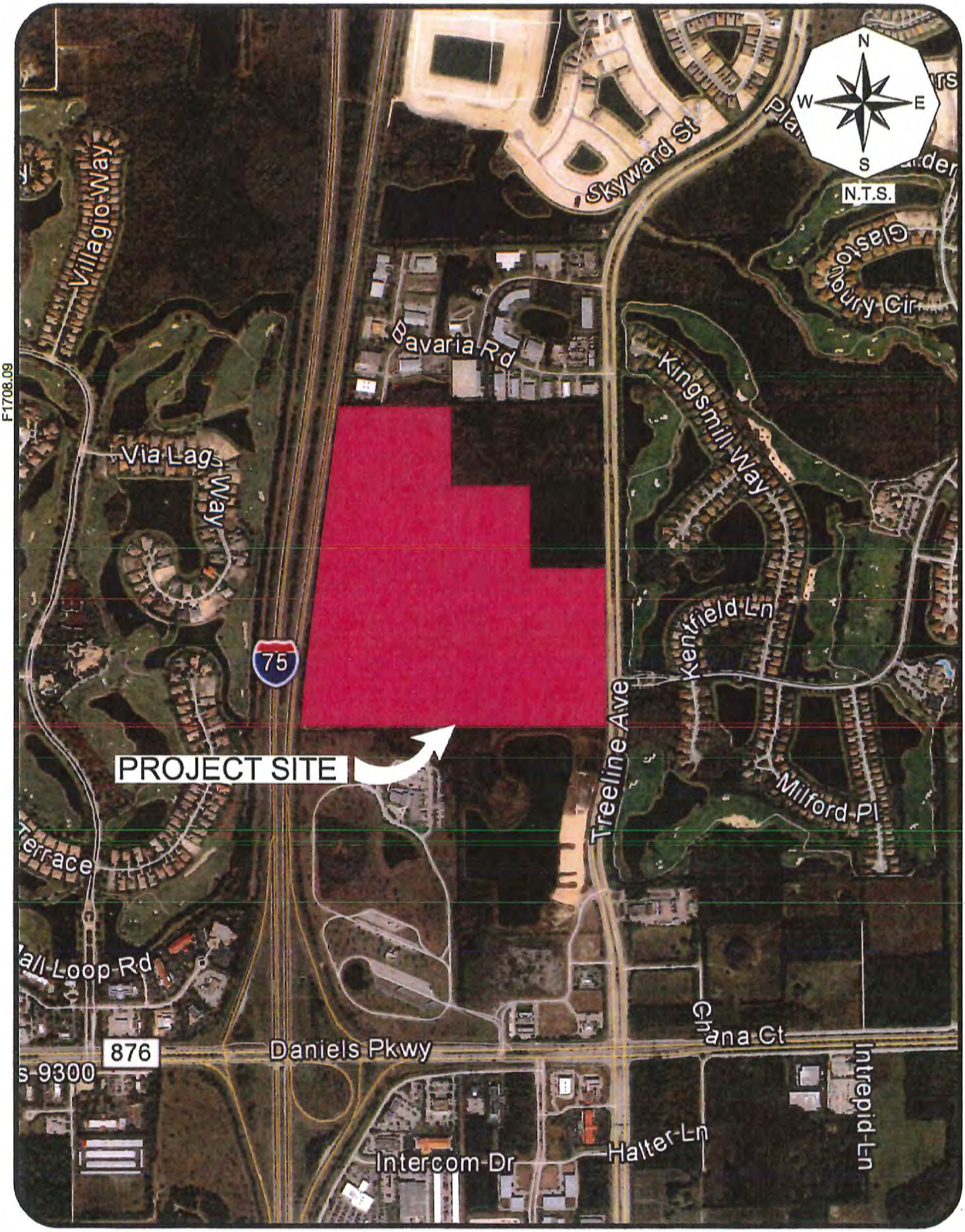
The applicant is requesting a rezoning of the subject site from Agricultural (AG-2) and Light Industrial (IL) to Mixed Use Planned Development (MPD) to accommodate a future development of a mix of retail, office and residential uses. The proposed rezoning would allow the approximate 115 acre subject site to be developed with up to 50,000 square feet of retail and 50,000 square feet of office uses, as well as 487 multi-family units. Access to the subject site is proposed to Treeline Avenue via a full site access drive opposite of Dartington Drive.

This report examines the impact of the development on the surrounding roadways and intersections. Trip generation and assignments to the various site access drives were completed and an analysis conducted to determine the impacts of the development on the surrounding streets and intersections.

II. EXISTING CONDITIONS

The site is currently vacant. The site is bordered by I-75 to the west, Treeline Center to the north, Treeline Avenue to the east and by Florida Highway Patrol and a retention pond to the south.

Treeline Avenue is a north/south four lane divided arterial that borders the subject site to the east. Treeline Avenue has a posted speed limit of 50 mph and is under the jurisdiction of the Lee County Department of Transportation.



F1708.09

TR TRANSPORTATION CONSULTANTS, INC

PROJECT LOCATION MAP
TREELINE 115 MPD

Figure 1

Daniels Parkway is an east/west six lane divided arterial within the vicinity of the subject site. Daniels Parkway has a posted speed limit of 50 mph and is under the jurisdiction of the Lee County Department of Transportation.

III. PROPOSED DEVELOPMENT

The applicant is proposing to rezone the subject site from Agricultural (AG-2) and Light Industrial (IL) to Mixed Use Planned Development (MPD) to accommodate a future development of a mix of retail, office and residential uses. The proposed rezoning would allow the approximate 115 acre subject site to be developed with up to 50,000 square feet of retail uses, 50,000 square feet of office uses and 487 multi-family units. The land uses utilized for the purpose of this analysis are outlined within **Table 1** below.

Table 1
Land Uses
Treeline 115 MPD

Land Use	Size
Shopping Center (LUC 820)	50,000 square feet
General Office (LUC 710)	50,000 square feet
Multifamily Housing (Low Rise) (LUC 220)	487 dwelling units

Access to the subject site is proposed to Treeline Avenue via a full site access drive opposite of Dartington Drive.

IV. TRIP GENERATION

The trip generation for the proposed development 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 retail uses, Land Use Code 710 (General Office Building) was utilized for the trip

generation purposes of the office uses and Land Use Code 220 (Multifamily Housing Low-Rise) was utilized for the trip generation purposes of the multi-family uses. The equations for these land uses are contained in the Appendix of this report for reference. **Table 2** indicates the anticipated weekday A.M. and P.M. peak hour trip generation of the subject site. The anticipated daily trip generation of the subject site is also indicated within Table 2.

Table 2
Trip Generation – Total Trips
Treeline 115 MPD

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Shopping Center (50,000 Sq. Ft.)	110	67	177	156	169	325	3,752
General Office (50,000 Sq. Ft.)	63	10	73	9	50	59	542
Multifamily Housing (Low-Rise) (487 dwelling units)	49	166	215	152	90	242	3,641
Total Trips	**222**	**243**	**465**	**317**	**309**	**626**	**7,935**

However, with mixed use projects, ITE estimates that there will be a certain amount of interaction between uses that will reduce the overall trip generation of the project. This interaction is called "internal capture". In other words, trips that would normally come from external sources would come from uses that are within the project, thus reducing the overall impact the development has on the surrounding roadways. ITE, in conjunction with a study conducted by the ***NCHRP*** (National Cooperative Highway Research Program), has summarized the internal trip capture reductions between various land uses. For this project, there is data in the ITE report for interaction between the hotel, residential and retail uses.

An internal capture calculation was completed consistent with the methodologies in the NCHRP Report and published in the ITE ***Trip Generation Handbook***, 3rd Edition, dated September 2017. The resultant analysis indicates that there will be an internal trip capture reduction of five percent (5%) in the A.M. peak hour and twenty-five percent (25%) in

the P.M. peak hour between the retail, office and residential uses. The summary sheets utilized to calculate this internal capture rate for the weekday A.M. peak hour and P.M. peak hour are included in the Appendix of this report for reference. Additionally, pass-by traffic was taken into account based on the retail uses of the proposed development. 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, consistent with previous analysis approved by the Lee County, thirty percent (30%) of the project traffic being generated by the retail uses was assumed to be pass-by traffic. **Table 3** indicates the total external trips that will access the proposed development.

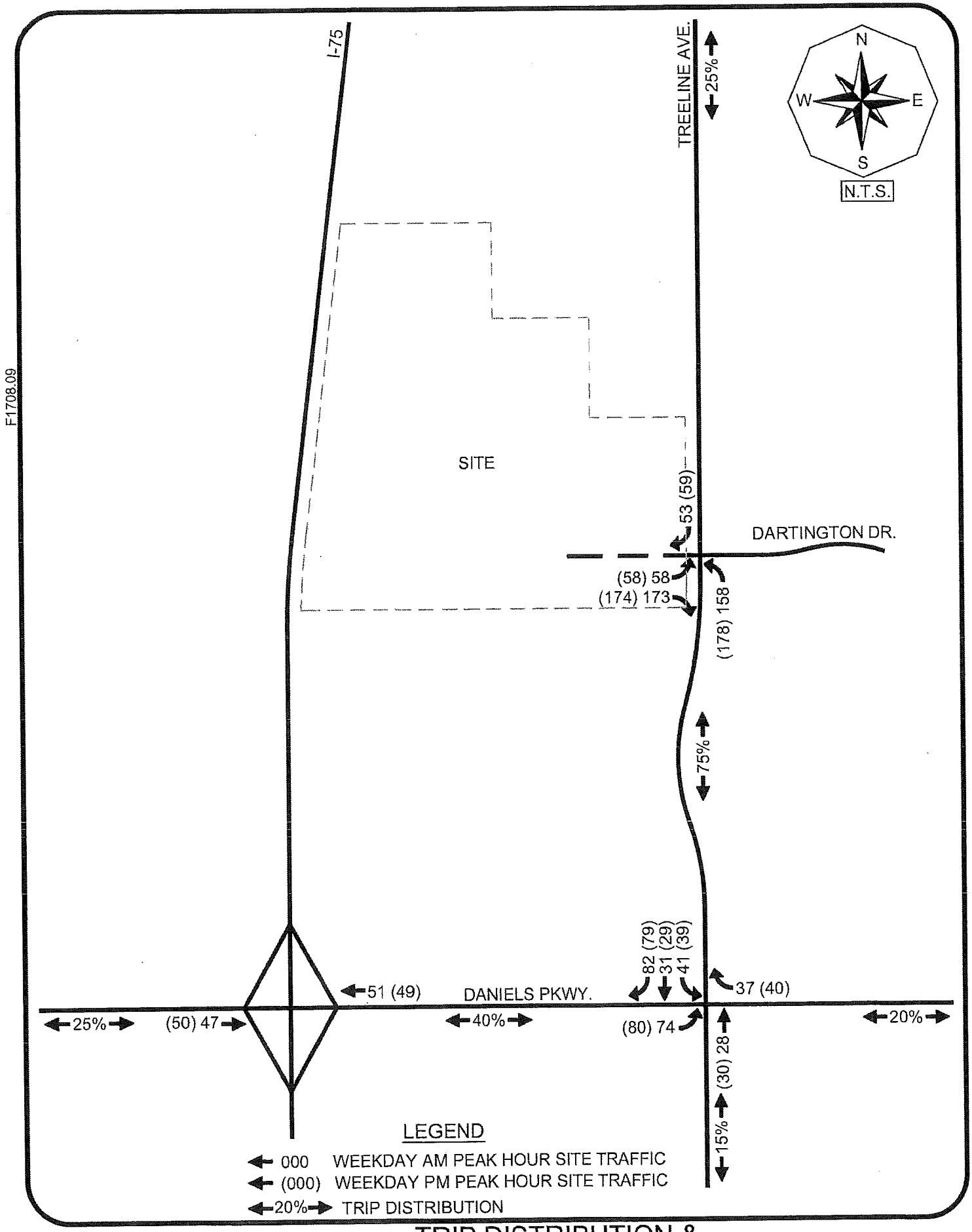
Table 3
Trip Generation – Net New Trips
Treeline 115 MPD

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Total Trips	222	243	465	317	309	626	7,935
Less Internal Capture 5% AM / 25% PM	-11	-12	-23	-80	-77	-157	-1,984
Less LUC 820 Pass-By Trips	-25	-25	-50	-37	-36	-73	-844
Net New Trips	**186**	**206**	**392**	**200**	**196**	**396**	**5,107**

Note – Internal Capture reduction only applies to retail, office and residential uses.

V. TRIP DISTRIBUTION

The trips generated by the new development which are shown in Table 3, were then assigned to the surrounding roadway system based on the anticipated routes the drivers will utilize to approach the site. 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 2** illustrates the percent project traffic distribution and assignment of the net new project trips.



TRANSPORTATION CONSULTANTS, INC

TRIP DISTRIBUTION & SITE TRAFFIC ASSIGNMENT TREELINE 115 MPD

Figure 2

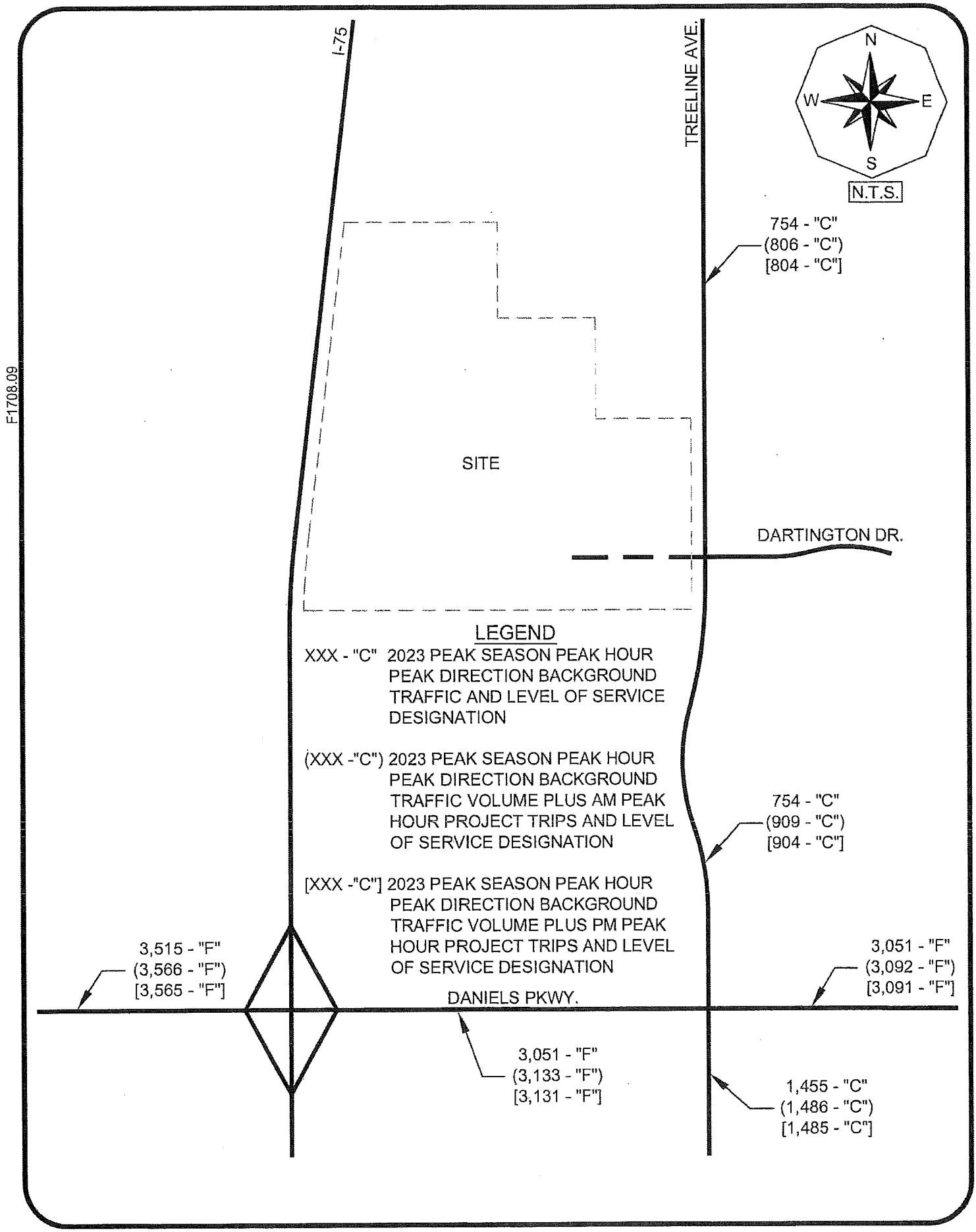
In order to determine which roadway segments surrounding the site will be significantly impacted as outlined in the Lee County Traffic Impact Statement Guidelines **Table 1A**, contained in the Appendix, was created. This table indicates which roadway links in the vicinity of the subject site will accommodate greater than 10% of the Peak Hour – Peak Direction Level of Service "C" volumes, as defined by the Lee County Generalized Peak Hour Directional Service Volume Tables. From Table 1A, none of the roadway segments analyzed are anticipated to be significantly impacted by the proposed development. A copy of the Generalized Service Volume Table is located in the Appendix of this report for reference.

VI. FUTURE TRAFFIC CONDITIONS

A horizon year analysis of 2023 was selected as the analysis year to evaluate the future impacts this project will have on the surrounding roadway network. Based on this horizon year, a growth rate was applied to the existing traffic conditions for all roadway links that could be significantly impacted by this development. The growth rates were obtained through comparisons of annual traffic data obtained from 2016 Lee County Traffic Count Report. Based on the project distribution illustrated on Figure 2, the link data was analyzed for the year 2023 without the development and year 2023 with the development.

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. The base year traffic volumes were obtained from the 2017 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



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TR TRANSPORTATION CONSULTANTS, INC

PROJECTED 2023 LEVEL OF SERVICE ANALYSIS
TREELINE 115 MPD

Figure 3

for the weekday A.M. and P.M. peak hours with the development traffic added to the roadways. This figure was derived from Table 2A contained in the Appendix.

VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS

Figure 3 details the Level of Service for all links inside the project's area of influence based on this analysis. In comparing the links' functional classification and calculated 2023 traffic volumes to the Service Volume Tables, it was determined that all roadway links except for Daniels Parkway, will continue to operate at an acceptable Level of Service in 2023 both with and without the proposed development. All analyzed segments of Daniels Parkway are shown to operate at a LOS "F" both with and without the project in the year 2023. Therefore, Daniels Parkway is considered as future transportation deficiency that this project should not be responsible for mitigating. All other roadway links analyzed are shown to operate at a LOS "C" both with and without the proposed development in the year 2023. Therefore roadway capacity improvements will not 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.

VIII. CONCLUSION

The development of the subject property with approximately 50,000 square feet of retail uses, 50,000 square feet of retail uses and 487 multi-family units on the west site of Treeline Avenue approximately ½ of a mile north of Daniels Parkway in Lee County, Florida will not degrade the roadway Level of Service on the roadways within the study area. All of the roadway links except for Daniels Parkway, will continue to operate at an acceptable Level of Service pursuant to the Lee County Comprehensive Plan in 2023 both with and without the proposed development. Daniels Parkway is shown to operate

below the minimum acceptable Level of Service in 2023 both with and without the proposed Treeline 115 MPD development. For this reason, Daniels Parkway is considered as future transportation deficiency that this project should not be responsible for mitigating. Therefore, the existing roadway networks can accommodate the additional new vehicle trips the development is anticipated to generate. Site specific turn lane improvements will be warranted based on the Lee County Turn Lane Policy and will be further defined in the Development Order process.

APPENDIX

TABLE 1A & 2A

TABLE 1A
PEAK DIRECTION PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES
TREELINE 115 - REZONING

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 392 VPH IN= 186 OUT= 206

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 396 VPH IN= 200 OUT= 196

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
Daniels Pkwy	E. of Palomino Ln.	6LD	0	400	2840	2940	2940	25%	52	1.8%
	E. of I-75	6LD	0	400	2840	2940	2940	40%	82	2.9%
	E. of Treeline Ave.	6LD	0	400	2840	2940	2940	20%	41	1.5%
Treeline Ave.	N. of Site	4LD	0	250	1,840	1,960	1,960	25%	52	2.8%
	N. of Daniels Pkwy	4LD	0	250	1,840	1,960	1,960	75%	155	8.4%
	S. of Daniels Pwky	4LD	0	250	1,840	1,960	1,960	15%	31	1.7%

* The Level of Service thresholds were for all roadways were obtained from the Lee County Generalized Service Volume Table.

TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
TREELINE 115 - REZONING

TOTAL PROJECT TRAFFIC AM =	392	VPH	IN = 186	OUT=	206
TOTAL PROJECT TRAFFIC PM =	396	VPH	IN= 200	OUT=	196

ROADWAY	SEGMENT	SITE/ STATION	BASE YR ADT	LATEST ADT	YRS OF GROWTH.[1]	ANNUAL RATE	2016 PK HR PK SEASON PEAK DIR.[2]	2023 PK HR PK SEASON PEAK DIRECTION VOLUME	LOS	V/C Ratio	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2023 BCKGRND + AM PROJ VOLUME	LOS	V/C Ratio	2023 BCKGRND + PM PROJ VOLUME	LOS	V/C Ratio
Daniels Pkwy	E. of Palomino Ln.	264	59,300	60,600	8	2.00%	3,060	3,515	F	1.20	25%	52	50	3,566	F	1.21	3,565	F	1.21
	E. of I-75	52	45,400	44,200	8	2.00%	2,656	3,051	F	1.04	40%	82	80	3,133	F	1.07	3,131	F	1.06
	E. of Treeline Ave.	52	45,400	44,200	8	2.00%	2,656	3,051	F	1.04	20%	41	40	3,092	F	1.05	3,091	F	1.05
Treeline Ave.	N. of Site	454	5,100	5,400	3	2.00%	696	754	C	0.38	25%	52	50	806	C	0.41	804	C	0.41
	N. of Daniels Pkwy	454	5,100	5,400	3	2.00%	696	754	C	0.38	75%	155	150	909	C	0.46	904	C	0.46
	S. of Daniels Pwky	502	27,600	22,100	3	2.00%	1,390	1,455	C	0.74	15%	31	30	1,486	C	0.76	1,485	C	0.76

1 Annual Growth Rate was calculated utilizing AADT data from 2016 Lee County Traffic Count Report.

2 2016 peak hour peak season peak direction traffic volumes were obtained from the 2017 Public Facilities Level of Service and Concurrency Report.

LEE COUNTY GENERALIZED SERVICE VOLUMES TABLE

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.

TRAFFIC DATA FROM THE 2017 LEE COUNTY PUBLIC FACILITIES LEVEL OF SERVICE AND CONCURRENCY REPORT

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

ROADWAY LINK				100TH HIGHEST HOUR DIRECTIONAL VOLUMES						
				STANDARD		2016		2021		
NAME	FROM	TO	TYPE	LOS	MAX	LOS	EXISTING	LOS	FUTURE	NOTES
CYPRESS LAKE DR	McGREGOR BLVD	SOUTH POINT BLVD	4LD	E	1,940	D	1,249	D	1,313	
	SOUTH POINT BLVD	WINKLER RD	4LD	E	1,940	D	1,249	D	1,313	
	WINKLER RD	SUMMERLIN RD	4LD	E	1,940	D	1,315	D	1,382	
	SUMMERLIN RD	US 41	6LD	E	2,940	D	2,101	D	2,208	
DANIELS PKWY	US 41	METRO PKWY	6LD	E	2,680	D	2,291	D	2,408	
	METRO PKWY	SIX MILE PKWY	6LD	E	2,680	D	2,109	D	2,381	Constrained
	SIX MILE PKWY	PALOMINO LN	6LD	E	3,040	F	3,060	F	3,359	Constrained
	PALOMINO LN	I-75	6LD	E	3,040	F	3,060	F	3,216	Constrained
	I-75	TREELINE AVE	6LD	E	3,260	B	2,656	B	2,791	
	TREELINE AVE	CHAMBERLIN PKWY	6LD	E	3,260	B	2,656	B	2,791	
	CHAMBERLIN PKWY	GATEWAY BLVD	6LD	E	3,260	B	2,589	B	2,721	
	GATEWAY BLVD	SR 82	4LD	E	2,160	B	1,928	B	2,108	SKY Walk
DEL PRADO BLVD	US 41	SLATER RD	2LN	E	860	C	380	F	878	old count, Crane Landing
GLADIOLUS DR	McGREGOR BLVD	PINE RIDGE RD	4LD	E	1,840	C	634	C	666	
	PINE RIDGE RD	BASS RD	4LD	E	1,840	C	1,233	C	1,337	
	BASS RD	WINKLER RD	6LD	E	2,780	C	1,233	C	1,296	
	WINKLER RD	SUMMERLIN RD	6LD	E	2,780	C	1,233	C	1,296	
	SUMMERLIN RD	US 41	6LD	E	2,780	B	2,026	C	2,171	
GUNNERY RD	SR 82	23RD ST SW	4LD	E	1,920	B	1,017	B	1,086	
	23RD ST SW	LEE BLVD	4LD	E	1,920	B	1,017	B	1,086	
	LEE BLVD	BUCKINGHAM RD	2LN	E	1,020	C	763	C	896	
HANCOCK BRIDGE PKWY	NE 24TH AVE	ORANGE GROVE BLVD	4LD	E	1,880	B	1,397	B	1,468	
	ORANGE GROVE BLVD	MOODY RD	4LD	E	1,880	B	1,382	B	1,452	
	MOODY RD	US 41	4LD	E	1,880	B	1,382	B	1,452	
HOMESTEAD RD	SR 82	MILWAUKEE BLVD	2LN	E	1,010	D	506	E	532	
	MILWAUKEE BLVD	SUNRISE BLVD	2LN	E	1,010	D	506	E	532	
	SUNRISE BLVD	LEELAND HEIGHTS	4LN	E	2,960	D	1,239	D	1,302	4 lane under construction
	LEELAND HEIGHTS	LEE BLVD	4LN	E	2,960	D	1,239	D	1,302	
JOEL BLVD	BELL BLVD	18TH ST	4LN	E	2,120	B	622	B	831	Joel Blvd CPD
	18TH ST	SR 80	2LN	E	1,010	C	377	C	396	
LEE BLVD	SR 82	ALVIN AVE	6LD	E	2,840	B	2,552	B	2,682	
	ALVIN AVE	GUNNERY RD	6LD	E	2,840	B	2,064	B	2,184	
	GUNNERY RD	HOMESTEAD RD	6LD	E	2,840	B	2,364	B	2,485	
	HOMESTEAD RD	WILLIAMS AVE	4LD	E	1,980	B	649	B	682	
	WILLIAMS AVE	LEELAND HEIGHTS	2LN	E	1,020	B	649	B	682	
LEELAND HEIGHTS	HOMESTEAD RD	JOEL BLVD	4LN	E	1,800	B	832	B	853	
LITTLETON RD	CORBETT RD	US 41	2LN	E	860	C	393	C	413	
	US 41	BUS 41	2LN	E	860	C	431	C	453	
LUCKETT RD	ORTIZ AVE	I-75	2LN	E	880	B	357	B	439	4 Ln design & ROW

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

ROADWAY LINK				100TH HIGHEST HOUR DIRECTIONAL VOLUMES						NOTES
				STANDARD		2016		2021		
NAME	FROM	TO	TYPE	LOS	MAX	LOS	EXIST ING	LOS	FUTURE	
THREE OAKS PKWY	ESTERO PKWY	SAN CARLOS BLVD	4LD	E	1,940	B	1,120	B	1,221	
	SAN CARLOS BLVD	ALICO RD	4LD	E	1,940	B	665	B	838	
TREELINE AVE	TERMIMAL ACCESS RD	DANIELS PKWY	4LD	E	1,980	B	1,455	B	1,673	Harley Davidson
	DANIELS PKWY	AMBERWOOD RD	4LD	E	1,980	A	754	A	792	
WINKLER RD	SUMMERLIN RD	GLADIOLUS DR	4LD	E	1,520	D	469	D	495	
	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	669	D	756	old count projection
	COLLEGE PKWY	McGREGOR BLVD	2LN	E	800	B	350	B	395	old count projection

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

TRAFFIC DATA FROM THE 2016 LEE COUNTY TRAFFIC COUNT REPORT

Daily Traffic Volume (AADT)

STREET	LOCATION	Station #	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	PCS	Area
SUNRISE BLVD	E OF BELL BLVD	480	900	800	700	900							6	5
SUNSHINE BLVD	N OF IMMOKALEE RD	413	3600	3600	2800	3000			3900	4000		3900	22	5
SUNSHINE BLVD	S OF LEE BLVD	406	6300	5300	5700	6500			6100	7100		7500	22	5
SUNSHINE BLVD	N OF LEE BLVD (CR 884)	412	10200	9100	8600	9600			10300	8300		10100	22	5
SUNSHINE BLVD	N OF W 12TH ST	479	6200	6200	5200								22	5
TERMINAL ACCESS RD	E OF TREELINE AVE	59	25000	23800	23400	23800	24000	23300	23500	26400				4
THREE OAKS PKWY	S OF CORKSCREW RD	525	14000	17700	15700	16700	16100	18700	18800		20900	21800	25	4
THREE OAKS PKWY	N OF CORKSCREW RD	415	18000		15100	13200	14700	20200	19900				25	4
THREE OAKS PKWY	S OF ESTERO PKWY	72							16000	16600	16500	16800		
THREE OAKS PKWY	S OF ALICO RD	414	9900			9500	9500	12700	13700	11800	12300	13100	25	4
TICE ST	W OF ORTIZ AV	417	3400	2900	2500	2600							20	3
TICE ST	W OF I 75	416	3400	2600	2200	2400				3000		3500	20	3
TREELINE AVE	S OF COLONIAL BLVD	453	7100		8800	7300							61	3
TREELINE AVE	S OF PELICAN COLONY BLVD	62		5600	6900	6600	7300	8200	8900	9700	10800	11600		3
TREELINE AVE	N OF DANIELS PKWY	454	5100	5600	4500	5400							61	3
TREELINE AVE	S OF DANIELS PKWY	502	27600	23500	25900	22100							61	4
TREELINE AVE	N OF AIRPORT TERMINAL	61	27700	25500	25100	24000	23600	23800	24500	25500	23800	25000		4
12 ST W	E OF GUNNERY RD	472	5100	3100	3200	3400					4100		22	5
23RD ST SW	E OF GUNNERY RD	469	10000	8700	9400	10100			10200	11000		11800	22	5

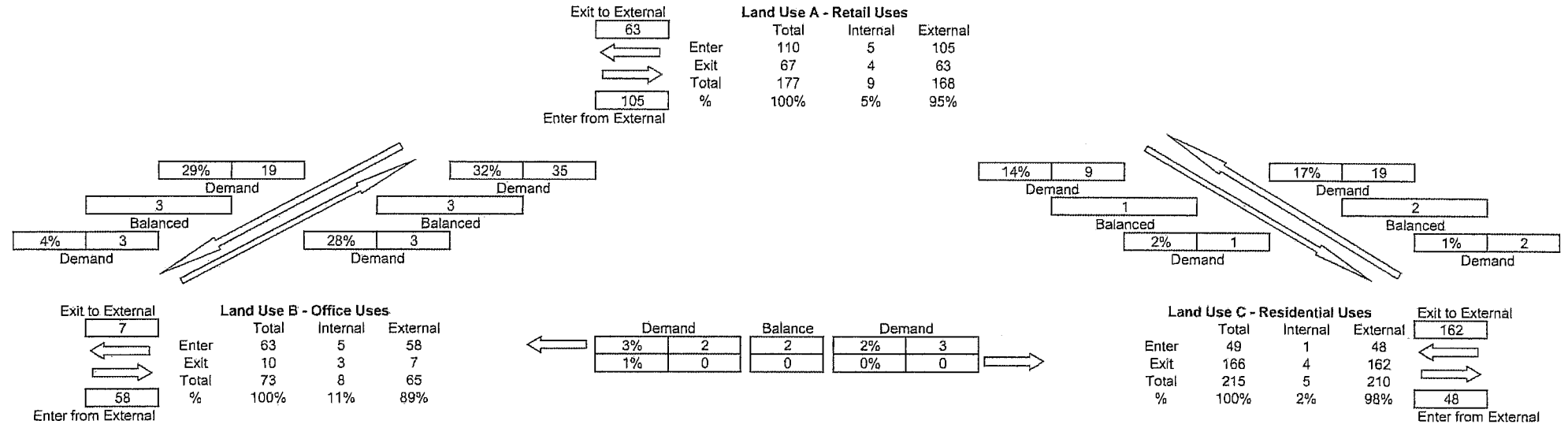
Daily Traffic Volume (AADT)

STREET	LOCATION	Station #	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	PCS	Area
DANIELS PKWY	E OF SIX MILE PKWY	31	65300	58600	56100	55600	53600	52200	53200	51800	53200	59700		4
DANIELS PKWY	W OF I - 75	264	59300	49300	52000	47900	58400	60900	48700	51500	60600		31	4
DANIELS PKWY	E OF I - 75	52	45400	33400	48000	49000	48000	49500	44800	47100	44200			4
DANIELS PKWY	E OF CHAMBERLIN PKWY	48	38100	35100	34200	36100	35700		35800	38100	37300	41900	31	
DANIELS PKWY	W OF GATEWAY BLVD	89									35800	34500		
DANIELS PKWY	S OF IMMOKALEE RD	524	22000	17400	23400	25800	24400	29800	20600	28200	29000	33400	48	5
DANLEY RD	W OF METRO PKWY	518	6400	4300	4900	4500				4900		6300	45	3
DAVIS RD	N OF McGREGOR BLVD	265	2300	1900	2200	2000							36	7
DEL PRADO BLVD	S OF SE 46TH LN	266	29600	26400	28100								2	1
DEL PRADO BLVD	S OF CORONADO PKWY	268	30100	32200	30000								2	1
DEL PRADO BLVD	S OF CORNWALLIS PKWY	2	42800	39700	38600	37800	37400	36600	37100	37800	38300			1
DEL PRADO BLVD	S OF EVEREST PKWY	515	47700	46700	49000								2	1
DEL PRADO BLVD	N OF VETERANS PKWY	516	56000	49600	51300								40	1
DEL PRADO BLVD	AT FOUR MILE COVE RD	40	53000	50000	47100	48600	48300	45200	45800	46500	45600	46500		1
DEL PRADO BLVD	S OF HANCOCK PKWY	270	42900	46500	42600								40	1
DEL PRADO BLVD	S OF PINE ISLAND RD	267	30600	35500	29600	29000							40	1
DEL PRADO BLVD	N OF PINE ISLAND RD	24	23200											1
DEL PRADO BLVD	E OF US 41	443	5900	5000	4900				4700	5400	6000	6600	34	1
E 21ST ST	E OF JOEL BLVD	475	800	500	500								22	5
EAST TERRY ST	E OF OLD 41	271	10000	13000	11900								42	6
EDGEWOOD AVE	W OF SHOEMAKER BLVD	632	1500	1500	1100								11	3

INTERNAL CAPTURE WORKSHEETS

Internal Capture Calculation Summary Sheet

Weekday AM Peak Hour



Net External Trips for Multi-Use Development

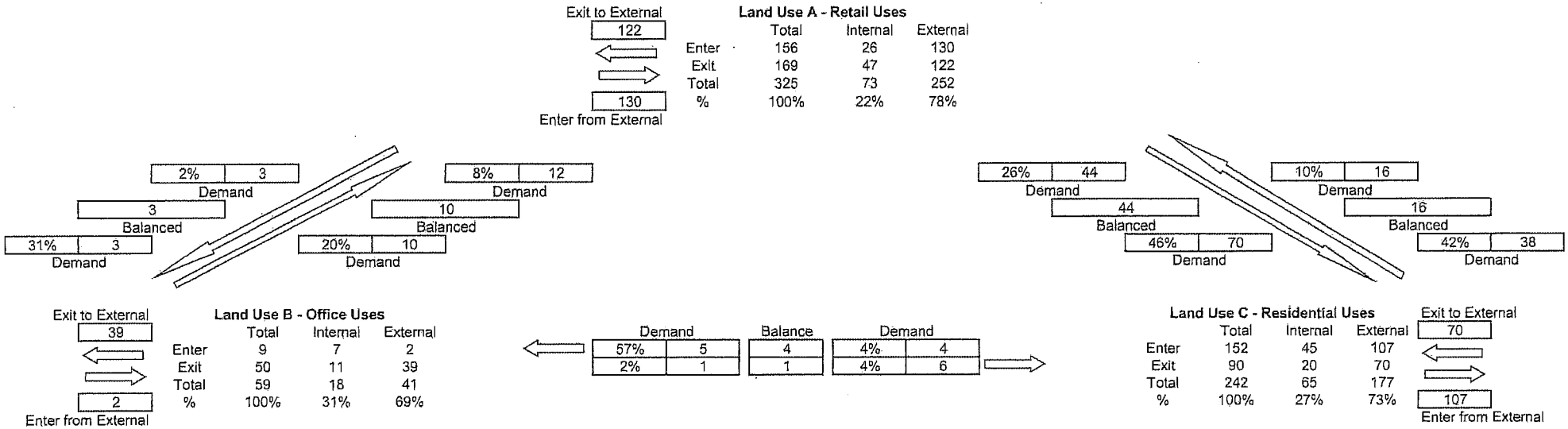
	Land Use A	Land Use B	Land Use C	Total
Enter	105	58	48	211
Exit	63	7	162	232
Total	168	65	210	443
Single-Use Trip Gen. Est.	177	73	215	465

Internal Capture Rate

5%

Internal Capture Calculation Summary Sheet

WEEKDAY PM PEAK HOUR



Net External Trips for Multi-Use Development

	Land Use A	Land Use B	Land Use C	Total
Enter	130	2	107	239
Exit	122	39	70	231
Total	252	41	177	470
Single-Use Trip Gen. Est.	325	59	242	626

Internal Capture Rate

25%

TRIP GENERATION EQUATIONS

TRIP GENERATION EQUATIONS

TREELINE 115 MPD

ITE TRIP GENERATION REPORT, 10th EDITION
50,000 SQ.FT. RETAIL USES
50,000 SQ.FT. OFFICE USES
487 MULTI-FAMILY DWELLING UNITS

Land Use	Weekday AM Peak Hour	Weekday PM Peak Hour	Daily (2-way)
Shopping Center (LUC 820)	T = 0.50 (X) + 151.78 (62% In/38% Out)	Ln (T) = 0.74 Ln (X) + 2.89 (48% In/52% Out)	Ln (T) = 0.68 Ln (X) + 5.57
T = Trips, X = 1,000's of square feet GLA			
General Office (LUC 710)	T = 0.94 (X) + 26.49 (86% In/14% Out)	Ln (T) = 0.95 Ln (X) + 0.36 (16% In/84% Out)	Ln (T) = 0.97 Ln (X) + 2.50
T = Trips, X = 1,000's of square feet of Gross Floor Area (GFA)			
Multifamily Housing (Low-Rise) (LUC 220)	Ln (T) = 0.95 Ln (X) – 0.51 (23% In/77% Out)	Ln (T) = 0.89 Ln (X) – 0.02 (63% In/37% Out)	T = 7.56 (X) – 40.86
T = Trips, X = Number of Dwelling Units			

MASTER CONCEPT PLAN
(24x36)

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2726 OAK RIDGE COURT, SUITE 503
FORT MYERS, FL 33901-9356
OFFICE 239.278.3090
FAX 239.278.1906

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

TRAFFIC IMPACT STATEMENT

FOR

TREELINE 115 MPD

(PROJECT NO. F1708.09)

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

Revised: April 13, 2017

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TR TRANSPORTATION CONSULTANTS, INC

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III. PROPOSED DEVELOPMENT

IV. TRIP GENERATION

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VI. FUTURE TRAFFIC CONDITIONS

VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS

VIII. CONCLUSION

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TR TRANSPORTATION CONSULTANTS, INC

I. INTRODUCTION

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 rezoning approval. The subject site is located on the west site of Treeline Avenue approximately ½ of a mile north of Daniels Parkway in Lee County, Florida. The approximate location of the subject site is illustrated on **Figure 1**.

The applicant is requesting a rezoning of the subject site from Agricultural (AG-2) and Light Industrial (IL) to Mixed Use Planned Development (MPD) to accommodate a future development of a mix of retail, office and residential uses. The proposed rezoning would allow the approximate 115 acre subject site to be developed with up to 50,000 square feet of retail uses, 25,000 square feet of general office uses, 25,000 square feet medical office uses as well as an option to develop the residential portion of the site with either 487 multi-family units or 275 single-family units. Access to the subject site is proposed to Treeline Avenue via a full site access drive opposite of Dartington Drive.

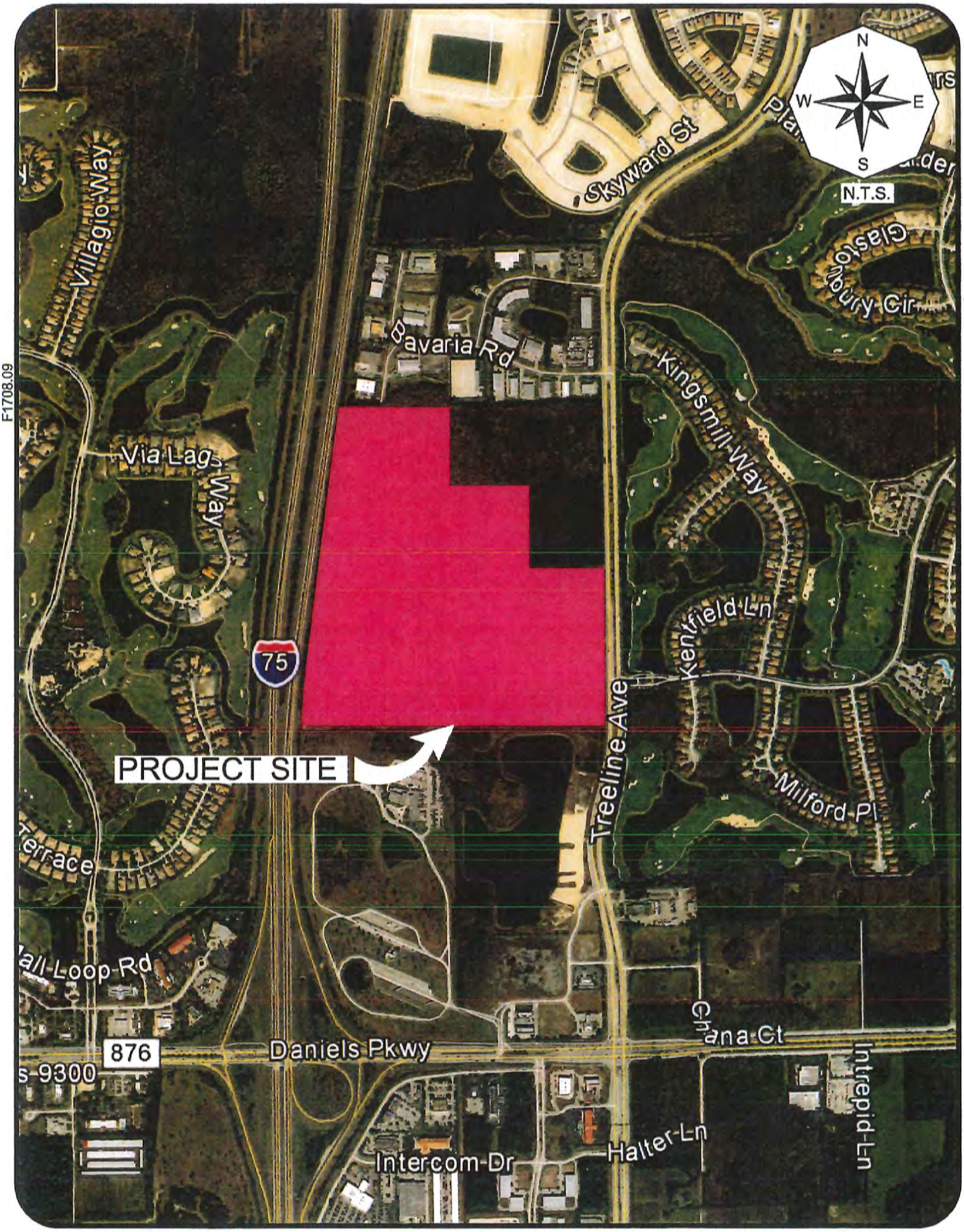
This report examines the impact of the development on the surrounding roadways and intersections. Trip generation and assignments to the various site access drives were completed and an analysis conducted to determine the impacts of the development on the surrounding streets and intersections.

II. EXISTING CONDITIONS

The site is currently vacant. The site is bordered by I-75 to the west, Treeline Center to the north, Treeline Avenue to the east and by Florida Highway Patrol and a retention pond to the south.

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PROJECT LOCATION MAP
TREELINE 115 MPD

Figure 1

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Treeline Avenue is a north/south four lane divided arterial that borders the subject site to the east. Treeline Avenue has a posted speed limit of 50 mph and is under the jurisdiction of the Lee County Department of Transportation.

Daniels Parkway is an east/west six lane divided arterial within the vicinity of the subject site. Daniels Parkway has a posted speed limit of 50 mph and is under the jurisdiction of the Lee County Department of Transportation.

III. PROPOSED DEVELOPMENT

The applicant is proposing to rezone the subject site from Agricultural (AG-2) and Light Industrial (IL) to Mixed Use Planned Development (MPD) to accommodate a future development of a mix of retail, office and residential uses. The proposed rezoning would allow the approximate 115 acre subject site to be developed up to 50,000 square feet of retail uses, 25,000 square feet of general office uses, 25,000 square feet medical office uses as well as an option to develop the residential portion of the site with either 487 multi-family units or 275 single-family units. The land uses utilized for the purpose of this analysis are outlined within **Table 1** below.

Table 1
Land Uses
Treeline 115 MPD

Land Use	Size
Shopping Center (LUC 820)	50,000 square feet
General Office (LUC 710)	25,000 square feet
Medical-Dental Office (LUC 720)	25,000 square feet
Multifamily Housing (Low Rise) (LUC 220) **OR** Single-Family Detached Housing (LUC 210)	487 MF dwelling units **OR** 275 SF dwelling units

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Access to the subject site is proposed to Treeline Avenue via a full site access drive opposite of Dartington Drive.

IV. TRIP GENERATION

The trip generation for the proposed development 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 retail uses, Land Use Code 710 (General Office Building) was utilized for the trip generation purposes of the general office uses, Land Use Code 720 (Medical-Dental Office Building) was utilized for the trip generation purposes of the medical office uses, Land Use Code 220 (Multifamily Housing Low-Rise) was utilized for the trip generation purposes of the multi-family residential uses and Use Code 210 (Single-Family Detached Housing) was utilized for the trip generation purposes of the single-family residential uses. The equations for these land uses are contained in the Appendix of this report for reference.

Since the residential portion of the subject site has an option to be developed with either 487 multi-family uses or 275 single-family uses, a trip generation comparison was conducted in order to determine which option yields the most conservative results in terms of trip generation potential. Based upon the results of the trip generation comparison, developing the subject site with 275 single-family uses yields the most conservative results. The trip generation comparison is attached to the Appendix of this report for reference. **Table 2** indicates the anticipated weekday A.M. and P.M. peak hour trip generation of the subject site. The anticipated daily trip generation of the subject site is also indicated within Table 2.

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Table 2
Trip Generation – Total Trips
Treeline 115 MPD

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Shopping Center (50,000 Sq. Ft.)	110	67	177	156	169	325	3,752
General Office (25,000 Sq. Ft.)	43	7	50	5	26	31	277
Medical-Dental Office (25,000 Sq. Ft.)	51	14	65	24	63	87	873
Single-Family Detached Housing (275 dwelling units)	50	150	200	169	99	268	2,637
Total Trips	**254**	**238**	**492**	**354**	**357**	**711**	**7,539**

However, with mixed use projects, ITE estimates that there will be a certain amount of interaction between uses that will reduce the overall trip generation of the project. This interaction is called "internal capture". In other words, trips that would normally come from external sources would come from uses that are within the project, thus reducing the overall impact the development has on the surrounding roadways. ITE, in conjunction with a study conducted by the ***NCHRP*** (National Cooperative Highway Research Program), has summarized the internal trip capture reductions between various land uses. For this project, there is data in the ITE report for interaction between the hotel, residential and retail uses.

An internal capture calculation was completed consistent with the methodologies in the NCHRP Report and published in the ITE ***Trip Generation Handbook***, 3rd Edition, dated September 2017. The resultant analysis indicates that there will be an internal trip capture reduction of five percent (7%) in the A.M. peak hour and twenty-five percent (23%) in the P.M. peak hour between the retail, office and residential uses. The summary sheets utilized to calculate this internal capture rate for the weekday A.M. peak hour and P.M. peak hour are included in the Appendix of this report for reference. Additionally, pass-by traffic was taken into account based on the retail uses of the proposed development. The current version of the ITE ***Trip Generation Handbook***, 3rd Edition, indicates that the

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weekday PM peak hour pass-by rate for Land Use Code 820 is thirty-four (34%). However, consistent with previous analysis approved by the Lee County, thirty percent (30%) of the project traffic being generated by the retail uses was assumed to be pass-by traffic. **Table 3** indicates the total external trips that will access the proposed development.

Table 3
Trip Generation – Net New Trips
Treeline 115 MPD

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Total Trips	254	238	492	354	357	711	7,539
Less Internal Capture 7% AM / 23% PM	-18	-16	-34	-82	-82	-164	-1,734
Less LUC 820 Pass-By Trips	-25	-25	-50	-37	-38	-75	-867
Net New Trips	**211**	**197**	**408**	**235**	**237**	**472**	**4,938**

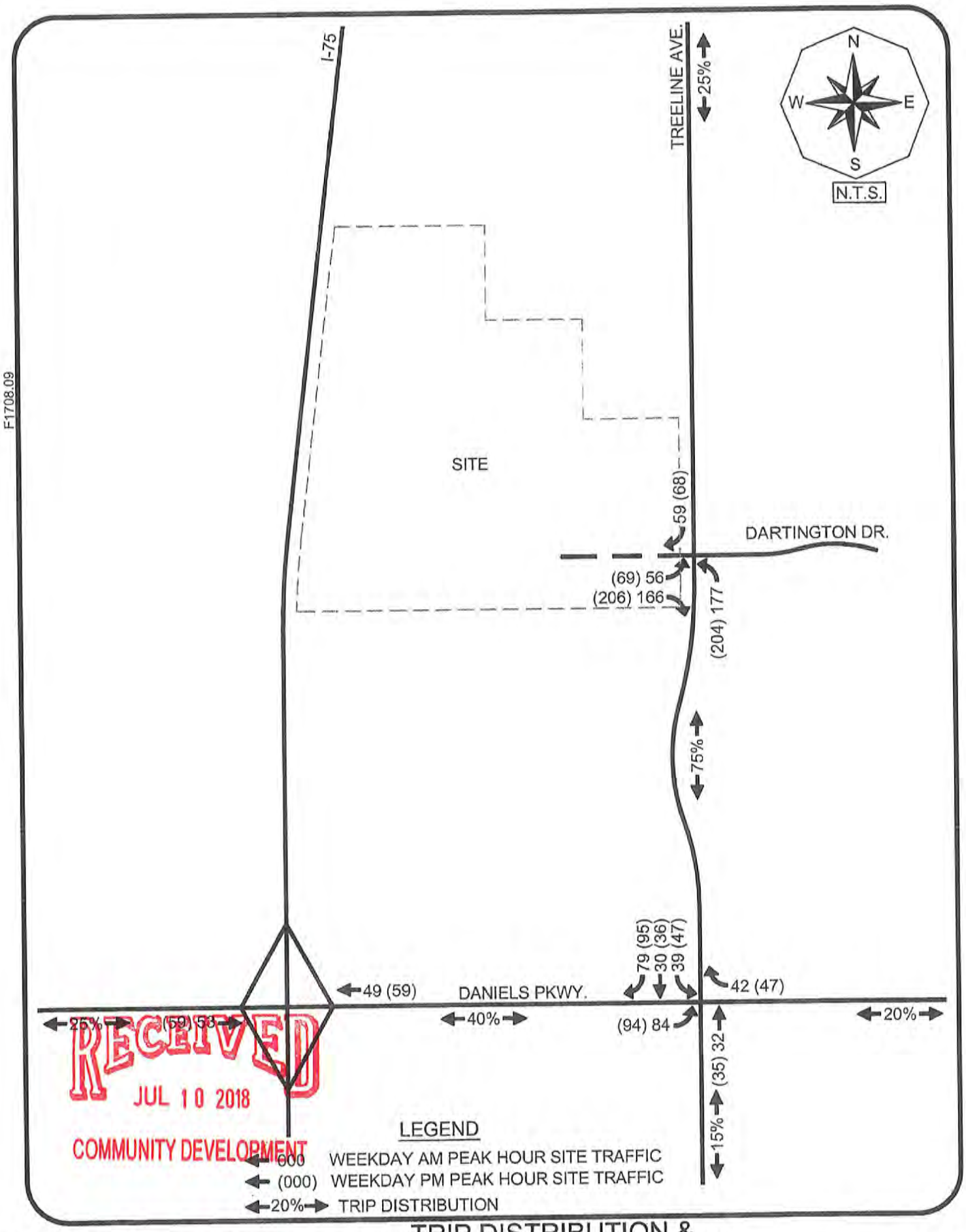
Note – Internal Capture reduction only applies to retail, office and residential uses.

V. TRIP DISTRIBUTION

The trips generated by the new development which are shown in Table 3, were then assigned to the surrounding roadway system based on the anticipated routes the drivers will utilize to approach the site. 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 2** illustrates the percent project traffic distribution and assignment of the net new project trips.

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 in the vicinity of the subject site will accommodate greater than 10% of the Peak Hour – Peak Direction Level of Service "C" volumes, as defined by the Lee County Generalized Peak Hour Directional Service Volume Tables. From Table 1A, none of the roadway segments analyzed are anticipated to be significantly impacted by the proposed development.

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TRIP DISTRIBUTION & SITE TRAFFIC ASSIGNMENT TREELINE 115 MPD

Figure 2

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VI. FUTURE TRAFFIC CONDITIONS

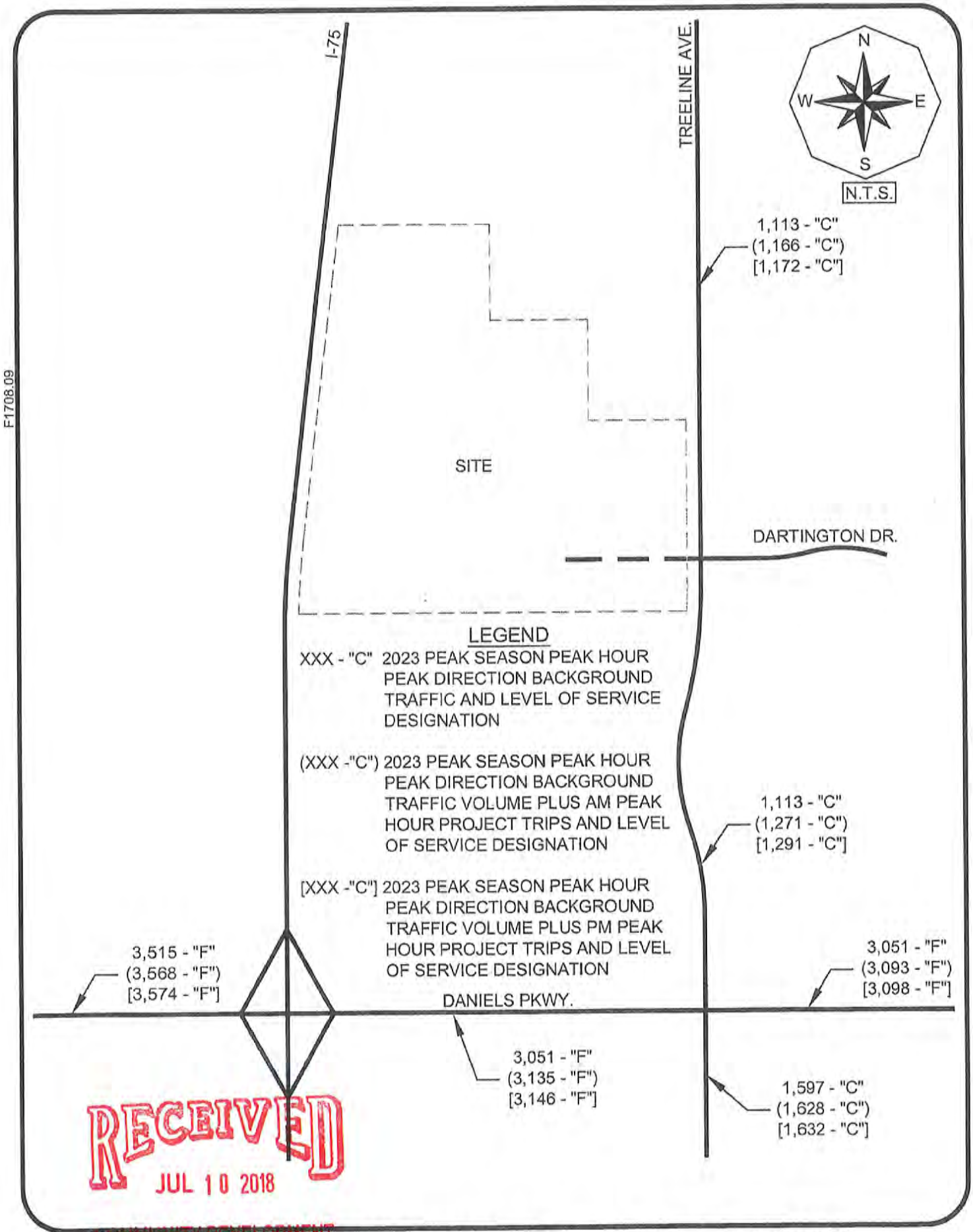
A horizon year analysis of 2023 was selected as the analysis year to evaluate the future impacts this project will have on the surrounding roadway network. Based on this horizon year, a growth rate was applied to the existing traffic conditions for all roadway links that could be significantly impacted by this development. The growth rates were obtained through comparisons of annual traffic data obtained from 2017 Lee County Traffic Count Report. Based on the project distribution illustrated on Figure 2, the link data was analyzed for the year 2023 without the development and year 2023 with the development.

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. The base year traffic volumes were obtained from the 2017 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. This figure was derived from Table 2A contained in the Appendix.

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PROJECTED 2023 LEVEL OF SERVICE ANALYSIS
TREELINE 115 MPD

Figure 3

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VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS

Figure 3 details the Level of Service for all links inside the project's area of influence based on this analysis. In comparing the links' functional classification and calculated 2023 traffic volumes to the Service Volume Tables, it was determined that all roadway links except for Daniels Parkway, will continue to operate at an acceptable Level of Service in 2023 both with and without the proposed development. All analyzed segments of Daniels Parkway are shown to operate at a LOS "F" both with and without the project in the year 2023. Therefore, Daniels Parkway is considered as future transportation deficiency that this project should not be responsible for mitigating. All other roadway links analyzed are shown to operate at a LOS "C" both with and without the proposed development in the year 2023. Therefore roadway capacity improvements will not be warranted as a result of the additional traffic to be generated by the proposed development.

Intersection analysis was performed at the unsignalized intersection of Treeline Avenue and project's access point under the AM and PM peak hour traffic conditions. Analysis of this intersection was completed based on the projected 2023 traffic conditions with the project trips added to the intersection. The through volumes on Treeline Avenue were obtained by growing the 2017 AADT volume by the appropriate annual growth rate as determined in Table 2A. The projected 2023 AADT volume was then factored by appropriate K and D factors in order to obtain the projected 2023 AM and PM peak hour peak season directional volumes. The Highway Capacity Software **HCS®** was then utilized to determine the operational characteristics of the intersection. The analysis indicates that all approaches on Treeline Avenue will operate at an acceptable Level of Service in both AM and PM peak hours in 2023 with the development traffic added to the intersection. Therefore, no improvements are recommended to the unsignalized intersection of Treeline Avenue and project's access point. The HCS results are attached to this response for reference.

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

VIII. CONCLUSION

The development of the subject property with approximately 50,000 square feet of retail uses, 25,000 square feet of general office uses, 25,000 square feet of medical office uses as well as with an option of 487 multi-family units or 275 single-family units on the west site of Treeline Avenue approximately ½ of a mile north of Daniels Parkway in Lee County, Florida will not degrade the roadway Level of Service on the roadways within the study area. All of the roadway links except for Daniels Parkway, will continue to operate at an acceptable Level of Service pursuant to the Lee County Comprehensive Plan in 2023 both with and without the proposed development. Daniels Parkway is shown to operate below the minimum acceptable Level of Service in 2023 both with and without the proposed Treeline 115 MPD development. For this reason, Daniels Parkway is considered as future transportation deficiency that this project should not be responsible for mitigating. Therefore, the existing roadway networks can accommodate the additional new vehicle trips the development is anticipated to generate.

Intersection analysis was conducted at the intersection of Treeline Avenue with the proposed site access. The analysis indicates that all approaches on Treeline Avenue will operate at an acceptable Level of Service in both AM and PM peak hours in 2023 with the development traffic added to the intersection. Therefore, no improvements are recommended to the unsignalized intersection of Treeline Avenue and project's access point. Site specific turn lane improvements will be warranted based on the Lee County Turn Lane Policy and will be further defined in the Development Order process.

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APPENDIX

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TABLE 1A & 2A

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TABLE 1A
PEAK DIRECTION PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES
TREELINE 115 - REZONING

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 408 VPH IN= 211 OUT= 197

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 472 VPH IN= 235 OUT= 237

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
Daniels Pkwy	E. of Palomino Ln.	6LD	0	400	2840	2940	2940	25%	59	2.1%
	E. of I-75	6LD	0	400	2840	2940	2940	40%	95	3.3%
	E. of Treeline Ave.	6LD	0	400	2840	2940	2940	20%	47	1.7%
Treeline Ave.	N. of Site	4LD	0	250	1,840	1,960	1,960	25%	59	3.2%
	N. of Daniels Pkwy	4LD	0	250	1,840	1,960	1,960	75%	178	9.7%
	S. of Daniels Pwky	4LD	0	250	1,840	1,960	1,960	15%	36	1.9%

* The Level of Service thresholds were for all roadways were obtained from the Lee County Generalized Service Volume Table.

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TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
TREELINE 115 - REZONING

TOTAL PROJECT TRAFFIC AM = 408 VPH IN = 211 OUT= 197
TOTAL PROJECT TRAFFIC PM = 472 VPH IN= 235 OUT= 237

ROADWAY	SEGMENT	SITE/ STATION	BASE YR ADT	LATEST ADT	YRS OF GROWTH.[1]	ANNUAL RATE	2016 PK HR PK SEASON PEAK DIR.[2]	2023 PK HR PK SEASON PEAK DIRECTION VOLUME	LOS	V/C Ratio	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2023 BCKGRND + AM PROJ VOLUME	LOS	V/C Ratio	2023 BCKGRND + PM PROJ VOLUME	LOS	V/C Ratio
Daniels Pkwy	E. of Palomino Ln.	264	52,000	52,400	8	2.00%	3,060	3,515	F	1.20	25%	53	59	3,568	F	1.21	3,574	F	1.22
	E. of I-75	52	48,000	52,600	8	2.00%	2,656	3,051	F	1.04	40%	84	95	3,135	F	1.07	3,146	F	1.07
	E. of Treeline Ave.	52	48,000	52,600	8	2.00%	2,656	3,051	F	1.04	20%	42	47	3,093	F	1.05	3,098	F	1.05
Treeline Ave.	N. of Site	62	6,900	11,800	8	6.94%	696	1,113	C	0.57	25%	53	59	1,166	C	0.59	1,172	C	0.60
	N. of Daniels Pkwy	62	6,900	11,800	8	6.94%	696	1,113	C	0.57	75%	158	178	1,271	C	0.65	1,291	C	0.66
	S. of Daniels Pwky	61	25,100	23,800	8	2.00%	1,390	1,597	C	0.81	15%	32	36	1,628	C	0.83	1,632	C	0.83

1 Annual Growth Rate was calculated utilizing AADT data from 2017 Lee County Traffic Count Report.

2 2016 peak hour peak season peak direction traffic volumes were obtained from the 2017 Public Facilities Level of Service and Concurrency Report.

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LEE COUNTY GENERALIZED 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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TRAFFIC DATA FROM THE 2017 LEE COUNTY PUBLIC FACILITIES LEVEL OF SERVICE AND CONCURRENCY REPORT

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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						
				STANDARD		2016		2021		
NAME	FROM	TO	TYPE	LOS	MAX	LOS	EXISTING	LOS	FUTURE	NOTES
CYPRESS LAKE DR	McGREGOR BLVD	SOUTH POINT BLVD	4LD	E	1,940	D	1,249	D	1,313	
	SOUTH POINT BLVD	WINKLER RD	4LD	E	1,940	D	1,249	D	1,313	
	WINKLER RD	SUMMERLIN RD	4LD	E	1,940	D	1,315	D	1,382	
	SUMMERLIN RD	US 41	6LD	E	2,940	D	2,101	D	2,208	
DANIELS PKWY	US 41	METRO PKWY	6LD	E	2,680	D	2,291	D	2,408	
	METRO PKWY	SIX MILE PKWY	6LD	E	2,680	D	2,109	D	2,381	Constrained
	SIX MILE PKWY	PALOMINO LN	6LD	E	3,040	F	3,060	F	3,359	Constrained
	PALOMINO LN	I-75	6LD	E	3,040	F	3,060	F	3,216	Constrained
	I-75	TREELINE AVE	6LD	E	3,260	B	2,656	B	2,791	
	TREELINE AVE	CHAMBERLIN PKWY	6LD	E	3,260	B	2,656	B	2,791	
	CHAMBERLIN PKWY	GATEWAY BLVD	6LD	E	3,260	B	2,589	B	2,721	
	GATEWAY BLVD	SR 82	4LD	E	2,160	B	1,928	B	2,108	SKY Walk
DEL PRADO BLVD	US 41	SLATER RD	2LN	E	860	C	380	F	878	old count, Crane Landing
GLADIOLUS DR	McGREGOR BLVD	PINE RIDGE RD	4LD	E	1,840	C	634	C	666	
	PINE RIDGE RD	BASS RD	4LD	E	1,840	C	1,233	C	1,337	
	BASS RD	WINKLER RD	6LD	E	2,780	C	1,233	C	1,296	
	WINKLER RD	SUMMERLIN RD	6LD	E	2,780	C	1,233	C	1,296	
	SUMMERLIN RD	US 41	6LD	E	2,780	B	2,026	C	2,171	
GUNNERY RD	SR 82	23RD ST SW	4LD	E	1,920	B	1,017	B	1,086	
	23RD ST SW	LEE BLVD	4LD	E	1,920	B	1,017	B	1,086	
	LEE BLVD	BUCKINGHAM RD	2LN	E	1,020	C	763	C	896	
HANCOCK BRIDGE PKWY	NE 24TH AVE	ORANGE GROVE BLVD	4LD	E	1,880	B	1,397	B	1,468	
	ORANGE GROVE BLVD	MOODY RD	4LD	E	1,880	B	1,382	B	1,452	
	MOODY RD	US 41	4LD	E	1,880	B	1,382	B	1,452	
HOMESTEAD RD	SR 82	MILWAUKEE BLVD	2LN	E	1,010	D	506	E	532	
	MILWAUKEE BLVD	SUNRISE BLVD	2LN	E	1,010	D	506	E	532	
	SUNRISE BLVD	LEELAND HEIGHTS	4LN	E	2,960	D	1,239	D	1,302	4 lane under construction
	LEELAND HEIGHTS	LEE BLVD	4LN	E	2,960	D	1,239	D	1,302	
JOEL BLVD	BELL BLVD	18TH ST	4LN	E	2,120	B	622	B	831	Joel Blvd CPD
	18TH ST	SR 80	2LN	E	1,010	C	377	C	396	
LEE BLVD	SR 82	ALVIN AVE	6LD	E	2,840	B	2,552	B	2,682	
	ALVIN AVE	GUNNERY RD	6LD	E	2,840	B	2,064	B	2,184	
	GUNNERY RD	HOMESTEAD RD	6LD	E	2,840	B	2,364	B	2,485	
	HOMESTEAD RD	WILLIAMS AVE	4LD	E	1,980	B	649	B	682	
	WILLIAMS AVE	LEELAND HEIGHTS	2LN	E	1,020	B	649	B	682	
LEELAND HEIGHTS	HOMESTEAD RD	JOEL BLVD	4LN	E	1,800	B	832	B	853	
LITTLETON RD	CORBETT RD	US 41	2LN	E	860	C	393	C	413	
	US 41	BUS 41	2LN	E	860	C	431	C	453	
LUCKETT RD	ORTIZ AVE	I-75	2LN	E	880	B	357	B	439	4 Ln design & ROW

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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		2016		2021		
NAME	FROM	TO	TYPE	LOS	MAX	LOS	EXIST ING	LOS	FUTURE	
THREE OAKS PKWY	ESTERO PKWY	SAN CARLOS BLVD	4LD	E	1,940	B	1,120	B	1,221	
	SAN CARLOS BLVD	ALICO RD	4LD	E	1,940	B	665	B	838	
TREELINE AVE	TERMIMAL ACCESS RD	DANIELS PKWY	4LD	E	1,980	B	1,455	B	1,673	Harley Davidson
	DANIELS PKWY	AMBERWOOD RD	4LD	E	1,980	A	754	A	792	
WINKLER RD	SUMMERLIN RD	GLADIOLUS DR	4LD	E	1,520	D	469	D	495	
	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	669	D	756	old count projection
	COLLEGE PKWY	McGREGOR BLVD	2LN	E	800	B	350	B	395	old count projection

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

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TRAFFIC DATA FROM THE 2017 LEE COUNTY TRAFFIC COUNT REPORT

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Daily Traffic Volume (AADT)

STREET	LOCATION	Station #	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	PCS	Area
DANIELS PKWY	E OF SIX MILE PKWY	31	58600	56100	55600	53600	52200	53200	51800	53200	59700			
DANIELS PKWY	W OF I - 75	264	49300	52000	47900	58400	60900	48700	51500	60600		52400	31	
DANIELS PKWY	E OF I - 75	52	33400	48000	49000	48000	49500	44800	47100	44200		52600		
DANIELS PKWY	E OF CHAMBERLIN PKWY	48	35100	34200	36100	35700		35800	38100	37300	41900		31	
DANIELS PKWY	W OF GATEWAY BLVD	89								35800	34500			
DANIELS PKWY	S OF IMMOKALEE RD	524	17400	23400	25800	24400	29800	20600	28200	29000	33400	32100	48	
DANLEY RD	W OF METRO PKWY	518	4300	4900	4500				4900		6300		45	
DAVIS RD	N OF McGREGOR BLVD	265	1900	2200	2000								36	
DEL PRADO BLVD	S OF SE 46TH LN	266	26400	28100									2	
DEL PRADO BLVD	S OF CORONADO PKWY	268	32200	30000									2	
DEL PRADO BLVD	S OF CORNWALLIS PKWY	2	39700	38600	37800	37400	36600	37100	37800	38300				
DEL PRADO BLVD	S OF EVEREST PKWY	515	46700	49000									2	
DEL PRADO BLVD	N OF VETERANS PKWY	516	49600	51300									40	
DEL PRADO BLVD	AT FOUR MILE COVE RD	40	50000	47100	48600	48300	45200	45800	46500	45600	46500	46400		
DEL PRADO BLVD	S OF HANCOCK PKWY	270	46500	42600									40	
DEL PRADO BLVD	S OF PINE ISLAND RD	267	35500	29600	29000								40	
DEL PRADO BLVD	E OF US 41	443	5000	4900				4700	5400	6000	6600	7200	34	
E 21ST ST	E OF JOEL BLVD	475	500	500									22	
EAST TERRY ST	E OF OLD 41	271	13000	11900									42	
EDGEWOOD AVE	W OF SHOEMAKER BLVD	632	1500	1100									11	

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STREET	LOCATION	Station #	Daily Traffic Volume (AADT) 2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	PCS	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	16900		
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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PCS 62 - Treeline Ave south of Pelican Preserve Blvd

2017 AADT = 11,800 VPD

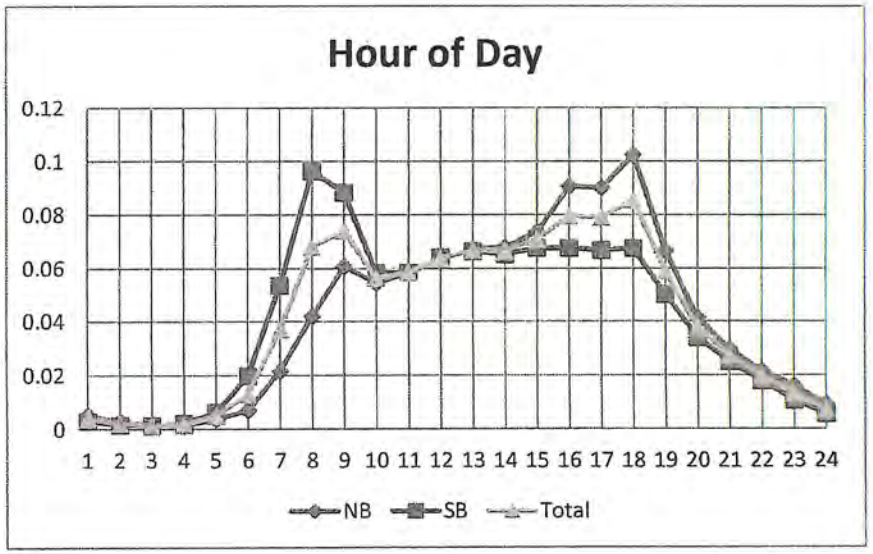
Hour	NB	SB	Total
0	0.53%	0.32%	0.43%
1	0.29%	0.18%	0.24%
2	0.17%	0.15%	0.16%
3	0.15%	0.24%	0.19%
4	0.38%	0.65%	0.51%
5	0.72%	1.99%	1.33%
6	2.17%	5.37%	3.70%
7	4.20%	9.64%	6.81%
8	6.08%	8.84%	7.40%
9	5.45%	5.84%	5.63%
10	5.84%	5.86%	5.85%
11	6.35%	6.42%	6.38%
12	6.72%	6.64%	6.68%
13	6.78%	6.53%	6.66%
14	7.37%	6.76%	7.08%
15	9.07%	6.76%	7.96%
16	9.02%	6.69%	7.90%
17	10.26%	6.75%	8.58%
18	6.66%	5.02%	5.88%
19	4.13%	3.39%	3.78%
20	2.97%	2.51%	2.75%
21	2.16%	1.80%	1.98%
22	1.61%	1.07%	1.35%
23	0.92%	0.58%	0.75%

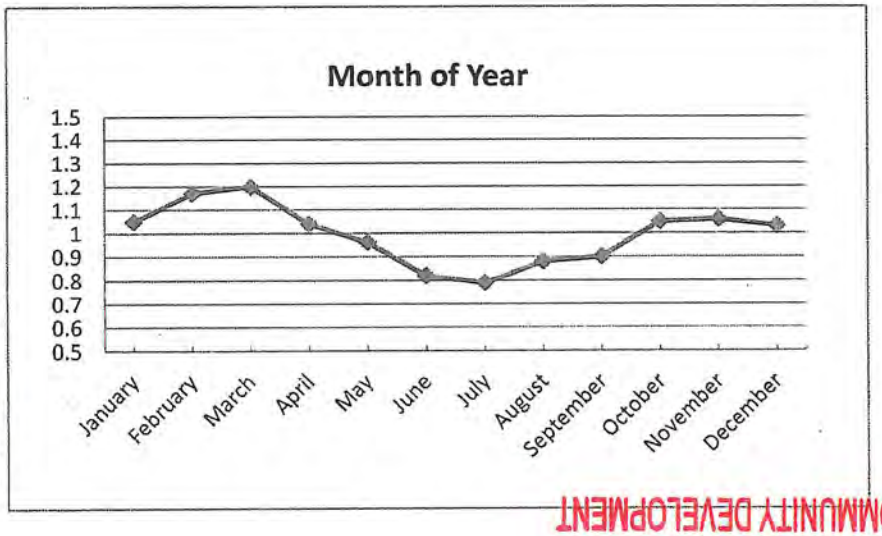
Month of Year	Fraction
January	1.05
February	1.17
March	1.2
April	1.04
May	0.96
June	0.82
July	0.79
August	0.88
September	0.9
October	1.05
November	1.06
December	1.03

Directional Factor		
AM	0.71	SB
PM	0.57	NB

Day of Week	Fraction
Sunday	0.63
Monday	1.04
Tuesday	1.13
Wednesday	1.13
Thursday	1.13
Friday	1.15
Saturday	0.79

Design Hour Volume		
#	Volume	Factor
5	1764	0.149
10	1694	0.144
20	1596	0.135
30	1492	0.126
50	1401	0.119
100	1335	0.113
150	1298	0.110
200	1273	0.108





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INTERNAL CAPTURE WORKSHEETS

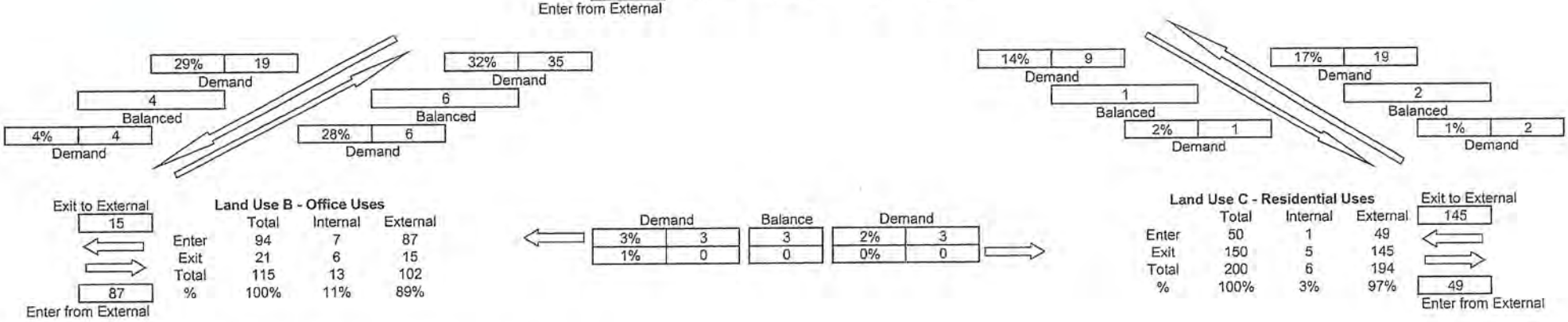
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Internal Capture Calculation Summary Sheet

Weekday AM Peak Hour



Net External Trips for Multi-Use Development

	Land Use A	Land Use B	Land Use C	Total
Enter	102	87	49	238
Exit	62	15	145	222
Total	164	102	194	460
Single-Use Trip Gen. Est.	177	115	200	492

Internal Capture Rate

7%

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Internal Capture Calculation Summary Sheet

WEEKDAY PM PEAK HOUR

Land Use A - Retail Uses

	Total	Internal	External
Enter	156	28	128
Exit	169	47	122
Total	325	75	250
%	100%	23%	77%

Exit to External: 122
Enter from External: 128

2% | 3 Demand
3 Balanced
31% | 9 Demand

8% | 12 Demand
12 Balanced
20% | 18 Demand

26% | 44 Demand
44 Balanced
46% | 78 Demand

10% | 16 Demand
16 Balanced
42% | 42 Demand

Land Use B - Office Uses

	Total	Internal	External
Enter	29	7	22
Exit	89	14	75
Total	118	21	97
%	100%	18%	82%

Exit to External: 75
Enter from External: 22

	Demand		Balance	Demand	
	57%	17	4	4%	4
	2%	2	2	4%	7

Land Use C - Residential Uses

	Total	Internal	External
Enter	169	46	123
Exit	99	20	79
Total	268	66	202
%	100%	25%	75%

Exit to External: 79
Enter from External: 123

Net External Trips for Multi-Use Development

	Land Use A	Land Use B	Land Use C	Total
Enter	128	22	123	273
Exit	122	75	79	276
Total	250	97	202	549
Single-Use Trip Gen. Est.	325	118	268	711

Internal Capture Rate: 23%

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HCS SUMMARY SHEETS

TREELINE AVENUE @ SITE ACCESS

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HCS7 Two-Way Stop-Control Report

General Information

Analyst	YB
Agency/Co.	TR Transportation Consul.
Date Performed	4/12/2018
Analysis Year	2023
Time Analyzed	AM Peak Hour W/ Project
Intersection Orientation	North-South
Project Description	Treeline 115

Site Information

Intersection	Treeline Ave/Site Access
Jurisdiction	Lee County
East/West Street	Site Access
North/South Street	Treeline Ave
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Major Street: North-South

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	1	0		0	0	0	0	0	2	0	0	0	2	0
Configuration			LR							LT	T				T	TR
Volume, V (veh/h)		56		166						177	579				1415	59
Percent Heavy Vehicles (%)		3		3						3						
Proportion Time Blocked																
Percent Grade (%)		0														
Right Turn Channelized		No				No				No				No		
Median Type/Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)		7.5		6.9						4.1						
Critical Headway (sec)		6.86		6.96						4.16						
Base Follow-Up Headway (sec)		3.5		3.3						2.2						
Follow-Up Headway (sec)		3.53		3.33						2.23						

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)			241							192						
Capacity, c (veh/h)			60							400						
v/c Ratio			4.03							0.48						
95% Queue Length, Q_{95} (veh)			26.1							2.5						
Control Delay (s/veh)			1503.0							22.0						
Level of Service, LOS			F							C						
Approach Delay (s/veh)		1503.0								9.0						
Approach LOS		F														

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HCS7 Two-Way Stop-Control Report

General Information

Analyst	YB
Agency/Co.	TR Transportation Consul.
Date Performed	4/12/2018
Analysis Year	2023
Time Analyzed	PM Peak Hour W/ Project
Intersection Orientation	North-South
Project Description	Treeline 115

Site Information

Intersection	Treeline Ave/Site Access
Jurisdiction	Lee County
East/West Street	Site Access
North/South Street	Treeline Ave
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Major Street: North-South

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	1	0		0	0	0	0	0	2	0	0	0	2	0
Configuration			LR							LT	T				T	TR
Volume, V (veh/h)		69		206						204	1137				857	68
Percent Heavy Vehicles (%)		3		3						3						
Proportion Time Blocked																
Percent Grade (%)		0														
Right Turn Channelized		No				No				No				No		
Median Type/Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)		7.5		6.9						4.1						
Critical Headway (sec)		6.86		6.96						4.16						
Base Follow-Up Headway (sec)		3.5		3.3						2.2						
Follow-Up Headway (sec)		3.53		3.33						2.23						

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)			299							222						
Capacity, c (veh/h)			110							678						
v/c Ratio			2.71							0.33						
95% Queue Length, Q_{95} (veh)			27.6							1.4						
Control Delay (s/veh)			855.6							12.9						
Level of Service, LOS			F							B						
Approach Delay (s/veh)		855.6								6.1						
Approach LOS		F														

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TRIP GENERATION EQUATIONS

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JUL 10 2018
COMMUNITY DEVELOPMENT

DCI 2018-00007

TRIP GENERATION EQUATIONS

TREELINE 115 MPD
ITE TRIP GENERATION REPORT, 10th EDITION
50,000 SQ.FT. RETAIL USES
25,000 SQ.FT. GENERAL OFFICE USES
25,000 SQ.FT. MEDICAL-DENTAL OFFICE USES
487 MULTI-FAMILY OR 275 SINGLE-FAMILY DWELLING UNITS

Land Use	Weekday AM Peak Hour	Weekday PM Peak Hour	Daily (2-way)
Shopping Center (LUC 820)	T = 0.50 (X) + 151.78 (62% In/38% Out)	Ln (T) = 0.74 Ln (X) + 2.89 (48% In/52% Out)	Ln (T) = 0.68 Ln (X) + 5.57
T = Trips, X = 1,000's of square feet GLA			
General Office (LUC 710)	T = 0.94 (X) + 26.49 (86% In/14% Out)	Ln (T) = 0.95 Ln (X) + 0.36 (16% In/84% Out)	Ln (T) = 0.97 Ln (X) + 2.50
T = Trips, X = 1,000's of square feet of Gross Floor Area (GFA)			
Medical-Dental Office (LUC 720)	Ln (T) = 0.89 Ln (X) + 1.31 (78% In/22% Out)	T = 3.39 (X) + 2.02 (28% In/72% Out)	T = 38.42 (X) – 87.62
T = Trips, X = 1,000's of square feet of Gross Floor Area (GFA)			
Multifamily Housing (Low-Rise) (LUC 220)	Ln (T) = 0.95 Ln (X) – 0.51 (23% In/77% Out)	Ln (T) = 0.89 Ln (X) – 0.02 (63% In/37% Out)	T = 7.56 (X) – 40.86
T = Trips, X = Number of Dwelling Units			
Single-Family Detached Housing (LUC 210)	T = 0.71 (X) + 4.80 (25% In/75% Out)	Ln (T) = 0.96 Ln (X) + 0.20 (63% In/37% Out)	Ln (T) = 0.92 Ln (X) + 2.71
T = Trips, X = Number of Dwelling Units			

Trip Generation based on 487 MF Dwelling Units (LUC 220)

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Multifamily Housing (Low-Rise) (487 Dwelling Units)	49	166	215	152	90	242	3,641

Trip Generation based on 275 SF Dwelling Units (LUC 210)

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Single-Family Detached Housing (275 Dwelling Units)	50	150	200	169	99	268	2,637

RECEIVED
JUL 10 2018
COMMUNITY DEVELOPMENT
DCI 2018-00007

Lee County
Southwest Florida
BOARD OF COUNTY COMMISSIONERS

John Manning
District One

Cecil L Pendergrass
District Two

Larry Kiker
District Three

Brian Hamman
District Four

Frank Mann
District Five

Roger Desjarlais
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
Hearing Examiner

October 19, 2018

Via E-Mail

Ray Eubanks, Plan Processing Administrator
State Land Planning Agency
Caldwell Building
107 East Madison – MSC 160
Tallahassee, FL 32399-0800

Re: Amendment 18-05ESR
Adoption Submission Package

Dear Mr. Eubanks:

In accordance with the provisions of F.S. Chapter 163, this submission package constitutes the adoption of Comprehensive Plan Amendment known locally as CPA2017-09. This amendment packet includes the final action and adopting ordinance for the following amendment:

CPA2017-00009: Amend Lee Plan Future Land Use Map to designate 115 acres from Tradeport and Wetlands to Urban Community and Wetlands. (Adopted by Ordinance #18-23)

The Lee County Board of County Commissioners held an adoption hearing to adopt the above identified ordinance for the plan amendment on October 17, 2018. As required by F.S. 163.3184, the final action on this amendment was completed within 180 days of the receipt of the State Land Planning Agency's review letter.

No additional changes were made to the adopted amendment that the State Land Planning Agency did not previously review.

The name of the local newspaper in which the Adoption Hearing was published is The News-Press, Fort Myers, Florida.

The name, title, address, telephone number, and E-Mail address of the person for the local government who is most familiar with the proposed amendments is as follows:

Mr. Brandon Dunn, Principal Planner
Lee County Planning Section
P.O. Box 398
Fort Myers, Florida 33902-0398
(239) 533-8585
bdunn@leegov.com

DC12018-00007
STAFF'S EXHIBIT
4
CPA2017-00009
State Report + Ordinance

Included with this package are one paper copy and two CD ROM copies, in PDF format, of the proposed amendments and supporting data and analysis. All documents and reports attendant to this submission are also being sent, by copy of this cover, to:

Comprehensive Plan Review
Department of Agriculture and Consumer Services

Tracy D. Suber
Department of Education

Plan Review
Department of Environmental Protection

Deena Woodward
Florida Department of State

Scott Sanders
Florida Fish and Wildlife Conservation Commission

Sarah Catala
FDOT District One

Margaret Wuerstle
Southwest Florida Regional Planning Council

Terry Manning, A.I.C.P., Senior Planner, Intergovernmental Coordination Section
South Florida Water Management District

Sincerely,
Lee County Department of Community Development
Planning Section

Mikki Rozdolski
Manager, Community Development Operations

0003058604 / FNP-586653

The News-Press
media group
news-press.com A GANNETT COMPANY

Attn:
LCBC-DEPT OF COMM DEVELOPMENT-
1500 MONROE ST
FORT MYERS, FL 33902

STATE OF FLORIDA COUNTY OF LEE:
Before the undersigned authority personally appeared Cheryl Eller, who on oath says that he or she is a Legal Assistant of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of

Notice Public Hearing

In the Twentieth Judicial Circuit Court was published in said newspaper in the issues of:

07/27/18

Affiant further says that the said News-Press is a paper of general circulation daily in Lee County and published at Fort Myers, in said Lee County, Florida, and that the said newspaper has heretofore been continuously published in said Lee County, Florida each day and has been entered as periodicals matter at the post office in Fort Myers, in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 27th of July 2018, by Cheryl Eller who is personally known to me.

Milagros A. Isberto
Notary Public for the State of Florida
My Commission expires July 11, 2020

MILAGROS A. ISBERTO
Notary Public - State of Florida
Commission # FF 997151
My Comm. Expires Jul 11, 2020
Bonded through National Notary Assn.

NOTICE OF PROPOSED AMENDMENT TO THE LEE COUNTY COMPREHENSIVE LAND USE PLAN (TRANSMITTAL HEARING)

The Lee County Board of County Commissioners will hold a public hearing to consider proposed amendments to the Lee County Comprehensive Land Use Plan (Lee Plan) on Wednesday, August 8, 2018. The hearing will commence at 9:30 a.m., or as soon thereafter as can be heard, in the Board Chambers at 2120 Main Street in Downtown Fort Myers. At the hearing, the Board will consider the proposed amendments for transmittal to the Florida Department of Economic Opportunity:

CPA2017-00009, 115 Treeline: Amend the future land use map from Tradeport and Wetlands to Urban Community and Wetlands on 115+/- acres located west of Treeline Avenue and south of Bavaria Road.

This transmittal hearing is the first step in a two step public hearing process to amend the Lee Plan. A second hearing will follow the Department of Economic Opportunity's review of the application.

Documentation for the Proposed Comprehensive Plan Amendment is available at https://www.leegov.com/dcd/planning/cpa. This meeting is open to the public. Interested parties may appear at the meeting and be heard with respect to the proposed plan amendment. A verbatim record of the proceeding will be necessary to appeal a decision made at this hearing.

It is the intent of the Board of County Commissioners that the provisions of this Comprehensive Plan Amendment may be modified as a result of consideration that may arise during Public Hearing(s). Such modifications shall be incorporated into the final version.

Lee County will not discriminate against individuals with disabilities. To request an accommodation, contact Joan LaGuardia, (239) 533-2314, Florida Relay Service 711, or jlaguardia@leegov.com, at least five business days in advance.
AD# 3058604 July 27, 2018

RECEIVED
JUL 30 2018
COMMUNITY DEVELOPMENT

0003177571 / FNP-586653

The News-Press
media group
news-press.com A GANNETT COMPANY

Attn:
LCBC-DEPT OF COMM DEVELOPMENT-
1500 MONROE ST
FORT MYERS, FL 33902

STATE OF FLORIDA COUNTY OF LEE:
Before the undersigned authority personally appeared Cheryl Eller, who on oath says that he or she is a Legal Assistant of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of

Notice Public Hearing

In the Twentieth Judicial Circuit Court was published in said newspaper in the issues of:

10/05/18

Affiant further says that the said News-Press is a paper of general circulation daily in Lee County and published at Fort Myers, in said Lee County, Florida, and that the said newspaper has heretofore been continuously published in said Lee County, Florida each day and has been entered as periodicals matter at the post office in Fort Myers, in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 5th of October 2018, by Cheryl Eller who is personally known to me.

Milagros A. Isberto
Notary Public for the State of Florida
My Commission expires July 11, 2020

MILAGROS A. ISBERTO
Notary Public - State of Florida
Commission # FF 997151
My Comm. Expires Jul 11, 2020
Bonded through National Notary Assn

NOTICE OF PROPOSED AMENDMENT TO THE LEE COUNTY COMPREHENSIVE LAND USE PLAN (ADOPTION HEARING)

The Lee County Board of County Commissioners will hold a public hearing to consider the adoption of proposed amendments to the Lee County Comprehensive Land Use Plan (Lee Plan) on Wednesday, October 17, 2018. The hearing will commence at 9:30 a.m., or as soon thereafter as can be heard, in the Board Chambers, 2120 Main Street in Downtown Fort Myers.

The Board proposes to adopt an ordinance amending the Lee Plan as follows:

CPA2017-00009, 115 Treeline: Amend the future land use map from Tradeport and Wetlands to Urban Community and Wetlands on 115+/- acres located west of Treeline Avenue and south of Bavaria Road.

Copies of this Notice and the proposed ordinance are available for inspection or copying during regular business hours at the Minutes Office of the Clerk of Courts of Lee County, located in the Courthouse Administration Building, 2115 Second Street, Fort Myers, Florida. This meeting is open to the public. Interested parties may appear at the meeting and be heard with respect to the proposed plan amendment. A verbatim record of the proceeding will be necessary to appeal a decision made at this hearing.

It is the intent of the Board of County Commissioners that the provisions of this Ordinance may be modified as a result of consideration that may arise during Public Hearing(s). Such modifications shall be incorporated into the final version.

Lee County will not discriminate against individuals with disabilities. To request an accommodation, contact Joan LaGuardia, (239) 533-2314, Florida Relay Service 711, or ADArequests@leegov.com, at least five business days in advance.
AD# 3177571 Oct. 5, 2018

RECEIVED
OCT 09 2018
COMMUNITY DEVELOPMENT

LEE COUNTY ORDINANCE NO. 18-23
115 Treeline
(CPA2017-00009)

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENT PERTAINING TO 115 TREELINE (CPA2017-00009) APPROVED DURING A PUBLIC HEARING; PROVIDING FOR PURPOSE, INTENT, AND SHORT TITLE; AMENDMENTS TO ADOPTED MAP; LEGAL EFFECT OF "THE LEE PLAN"; PERTAINING TO MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, the Lee County Comprehensive Plan ("Lee Plan") and Chapter XIII, provides for adoption of amendments to the Plan in compliance with State statutes and in accordance with administrative procedures adopted by the Board of County Commissioners ("Board"); and,

WHEREAS, the Board, in accordance with Section 163.3181, Florida Statutes, and Lee County Administrative Code AC-13-6 provide an opportunity for the public to participate in the plan amendment public hearing process; and,

WHEREAS, the Lee County Local Planning Agency ("LPA") held a public hearing on the proposed amendment in accordance with Florida Statutes and the Lee County Administrative Code on May 21, 2018; and,

WHEREAS, the Board held a public hearing for the transmittal of the proposed amendment on August 8, 2018. At that hearing, the Board approved a motion to send, and did later send, proposed amendment pertaining to 115 Treeline (CPA2017-00009) to the reviewing agencies set forth in Section 163.3184(1)(c), F.S. for review and comment; and,

WHEREAS, at the August 8, 2018 meeting, the Board announced its intention to hold a public hearing after the receipt of the reviewing agencies' written comments; and,

WHEREAS, on October 17, 2018, the Board held a public hearing and adopted the proposed amendment to the Lee Plan set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, THAT:

SECTION ONE: PURPOSE, INTENT AND SHORT TITLE

The Board of County Commissioners of Lee County, Florida, in compliance with Chapter 163, Part II, Florida Statutes, and with Lee County Administrative Code AC-13-6, conducted public hearings to review proposed amendments to the Lee Plan. The purpose of this ordinance is to adopt map and text amendments to the Lee Plan discussed at those meetings and approved by a majority of the Board of County Commissioners. The short title and proper reference for the Lee County Comprehensive Land Use Plan, as hereby amended, will continue to be the "Lee Plan." **This amending ordinance may be referred to as the "115 Treeline Ordinance (CPA2017-00009)."**

SECTION TWO: ADOPTION OF COMPREHENSIVE PLAN AMENDMENT

The Lee County Board of County Commissioners amends the existing Lee Plan, adopted by Ordinance Number 89-02, as amended, by adopting an amendment, which amends the Future Land Use Map from Tradeport and Wetlands to Urban Community and Wetlands on 115± acres located west of Treeline Avenue and south of Bavaria Road, known as 115 Treeline (CPA2017-00009.

The corresponding Staff Reports and Analysis, along with all attachments and application submittals for this amendment are adopted as "Support Documentation" for the Lee Plan. Proposed amendments adopted by this Ordinance are attached as Exhibit A.

SECTION THREE: LEGAL EFFECT OF THE "LEE PLAN"

No public or private development will be permitted except in conformity with the Lee Plan. All land development regulations and land development orders must be consistent with the Lee Plan as amended.

SECTION FOUR: MODIFICATION

It is the intent of the Board of County Commissioners that the provisions of this Ordinance may be modified as a result of consideration that may arise during Public Hearing(s). Such modifications shall be incorporated into the final version.

SECTION FIVE: GEOGRAPHIC APPLICABILITY

The Lee Plan is applicable throughout the unincorporated area of Lee County, Florida, except in those unincorporated areas included in joint or interlocal agreements with other local governments that specifically provide otherwise.

SECTION SIX: SEVERABILITY

The provisions of this ordinance are severable and it is the intention of the Board of County Commissioners of Lee County, Florida, to confer the whole or any part of the powers herein provided. If any of the provisions of this ordinance are held unconstitutional by a court of competent jurisdiction, the decision of that court will not affect or impair the remaining provisions of this ordinance. It is hereby declared to be the legislative intent of the Board that this ordinance would have been adopted had the unconstitutional provisions not been included therein.

SECTION SEVEN: INCLUSION IN CODE, CODIFICATION, SCRIVENERS' ERROR

It is the intention of the Board of County Commissioners that the provisions of this ordinance will become and be made a part of the Lee County Code. Sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or other appropriate word or phrase in order to accomplish this intention; and regardless of whether inclusion in the code is accomplished, sections of this ordinance may be renumbered or relettered. The correction of typographical errors that do not affect the intent, may be authorized by the County Manager, or his designee, without need of public hearing, by filing a corrected or recodified copy with the Clerk of the Circuit Court.

SECTION EIGHT: EFFECTIVE DATE

The plan amendments adopted herein are not effective until 31 days after the State Land Planning Agency notifies the County that the plan amendment package is complete. If timely challenged, an amendment does not become effective until the State Land Planning Agency or the Administrative Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before the amendment has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status.

THE FOREGOING ORDINANCE was offered by Commissioner Manning, who moved its adoption. The motion was seconded by Commissioner Hamman. The vote was as follows:

John Manning	Aye
Cecil Pendergrass	Aye
Larry Kiker	Aye
Brian Hamman	Aye
Frank Mann	Absent

DONE AND ADOPTED this 17th day of October 2018.

ATTEST:
LINDA DOGGETT, CLERK

BY: _____
Deputy Clerk

LEE COUNTY BOARD OF
COUNTY COMMISSIONERS

BY: _____
Cecil Pendergrass, Chair

BOARD OF COUNTY COMMISSIONERS
SEAL
LEE COUNTY, FLORIDA

DATE: 10/17/2018

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

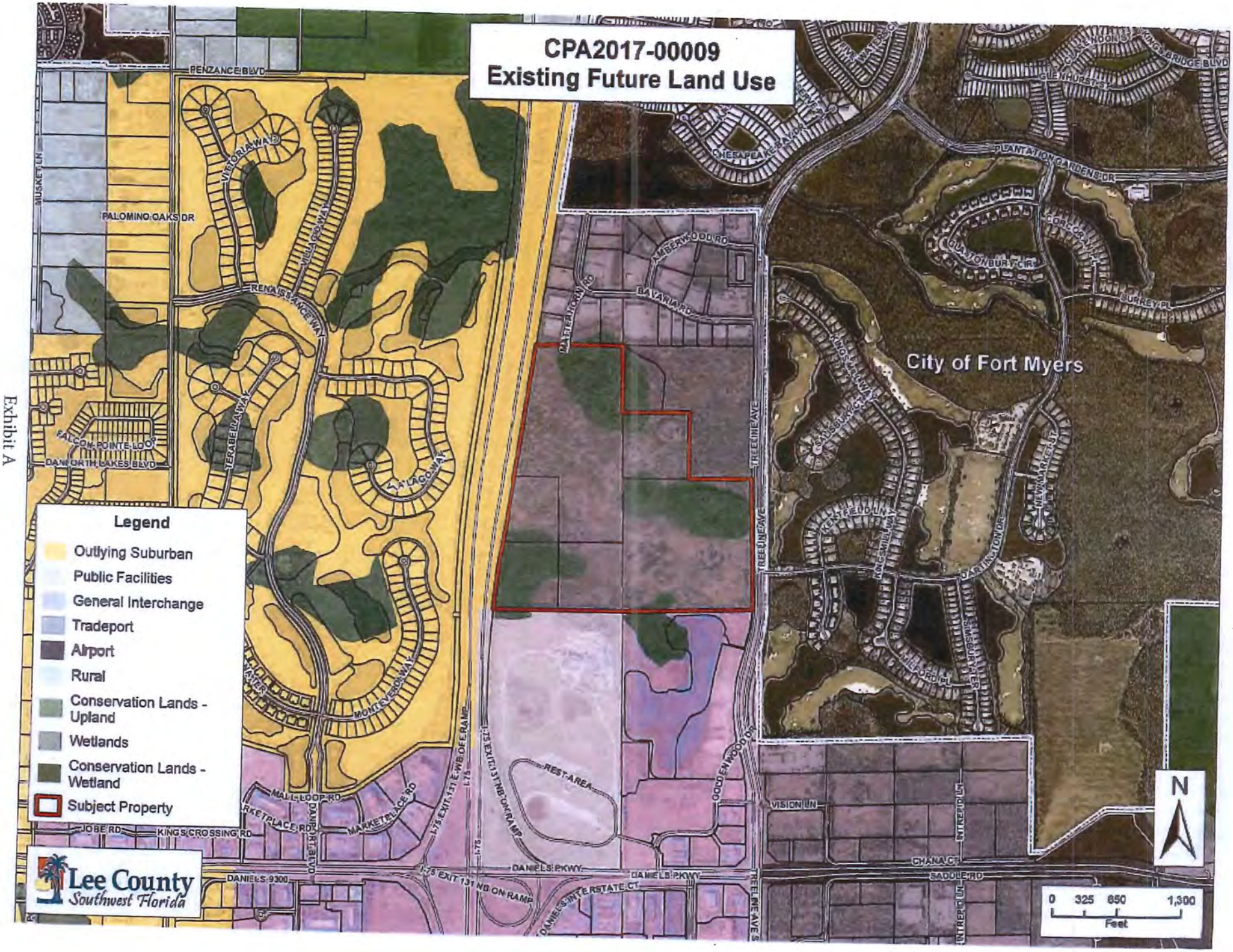
_____
County Attorney's Office

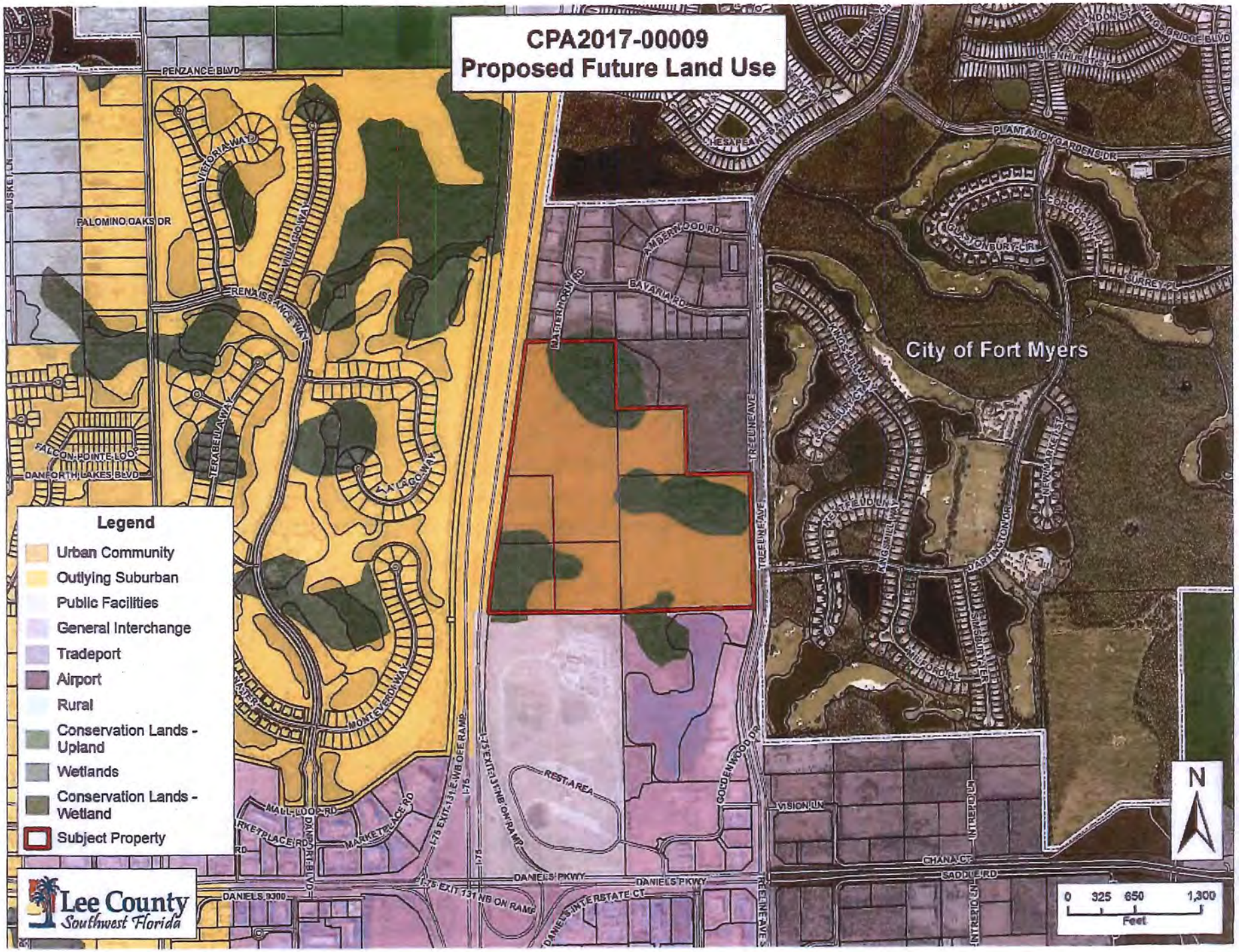
Exhibit A: Adopted revisions to Future Land Use Map (Adopted by BOCC October 17, 2018)

Existing Future Land Use Map
Proposed Future Land Use Map

EXHIBIT A

Exhibit A


CPA2017-00009
Existing Future Land Use
City of Fort Myers
Legend
Outlying Suburban
Public Facilities
General Interchange
Tradeport
Airport
Rural
Conservation Lands - Upland
Wetlands
Conservation Lands - Wetland
Subject Property
Lee County
Southwest Florida
N
0 325 650 1,300
Feet
PENZANCE BLVD
PALOMINO OAKS DR
VICTORIA WAY
VILLA GROVE WAY
RENAISSANCE WAY
TERABELLA WAY
LA LAGO WAY
FALCON POINTE LOOP
DANFORTH LAKES BLVD
MONTEVERDE WAY
MALL LOOP RD
MARKETPLACE RD
JOBE RD
KINGS CROSSING RD
DANIELS PKWY
DANIELS INTERSTATE CT
I-75 EXIT 131 NB ON RAMP
I-75 EXIT 131 EB OFF RAMP
REST AREA
MARIEMONT WAY
AMBERWOOD RD
BAVARIA RD
TREELINE AVE
GODDEN WOOD DR
VISION LN
CHANA CT
SADDLE RD
INTREPID LN
PLANTATION GARDENS DR
GOLDSTONBURY CIR
SURREY PL
NEWMARKET ST
OAKRIDGE DR
KENSINGTON DR
CHESAPEAKE PARK DR
KINGS BRIDGE BLVD


CPA2017-00009
Proposed Future Land Use
City of Fort Myers
PENZANCE BLVD
PALOMINO OAKS DR
VICTORIA WAY
RENAISSANCE TER
TERABELLA WAY
FALCON POINTE LOOP
DANFORTH LAKES BLVD
LA LAGO WAY
MONTEVERDE WAY
MARKETPLACE RD
MALL LOOP RD
DANFORTH BLVD
DANIELS PKWY
DANIELS INTERSTATE CT
I-75 EXIT 131 NB ON RAMP
I-75 EXIT 131 SB OFF RAMP
I-75
REST AREA
AMBERWOOD RD
BAYARA RD
MARTINTOWN RD
TREELINE AVE
GOODENWOOD DR
PLANTATION GARDENS DR
GLASTONBURY CIR
SURREY PL
KINGSLEY WAY
KINGSLEY CT
NEWMARKET ST
DARTMOOR DR
AMESBURY PL
VISION LN
INTREPID LN
CHANA CT
SADDLE RD
Legend
Urban Community
Outlying Suburban
Public Facilities
General Interchange
Tradeport
Airport
Rural
Conservation Lands - Upland
Wetlands
Conservation Lands - Wetland
Subject Property
Lee County
Southwest Florida
N
0 325 650 1,300
Feet

FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM
CODRS CODING FORM

COUNTY: Lee COUNTY ORDINANCE #: 18-23

(e.g.,93-001)

PRIMARY KEYFIELD
DESCRIPTOR: Comprehensive Planning

SECONDARY KEYFIELD
DESCRIPTOR: Planning

OTHER KEYFIELD
DESCRIPTOR: Land Use Planning

ORDINANCE DESCRIPTION: 115 Treeline

(25 Characters Maximum Including Spaces)

ORDINANCES AMENDED: (List below the ordinances that are amended by this legislation. If more than two, list the most recent two.)

AMENDMENT #1: 89-02 AMENDMENT #2: _____

ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)

REPEAL #1: _____ ; REPEAL #3: _____

REPEAL #2: _____ ; REPEAL #4: _____

(Others Repealed: List All That Apply): _____

(FOR OFFICE USE ONLY): COUNTY CODE NUMBER: _____

KEYFIELD 1 CODE: _____ KEYFIELD 2 CODE: _____

KEYFIELD 3 CODE: _____

Rev. 09/11/02
CODING

FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

October 18, 2018

Honorable Linda Doggett
Clerk of the Circuit Courts
Lee County
Post Office Box 2469
Fort Myers, Florida 33902-2469

Attention: Joyce Townsend

Dear Ms. Doggett:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Ordinance No. 18-23, which was filed in this office on October 18, 2018.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

RECEIVED
By Joyce Townsend at 1:04 pm, Oct 18, 2018

R. A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
Telephone: (850) 245-6270
www.dos.state.fl.us

STAFF REPORT FOR
CPA2017-09: 115 TREELINE
Privately Initiated Map Amendment to the Lee Plan

Applicant:
BJ Holdings of Fort Myers LLC

Representative:
Waldrop Engineering

Size:
115± acres

Location:
Gateway/Airport Planning Community

Commissioner District: #2

Attachments:
FLUM Existing
FLUM Proposed

Hearing Dates:
LPA: 5/21/2018
BoCC: 8/08/2018
BoCC: 10/17/2018

REQUEST

Amend Lee Plan Future Land Use Map to designate 115 acres from Tradeport and Wetlands to Urban Community and Wetlands.

PROJECT LOCATION

The subject property is located on the west side of Treeline Avenue, about a half-mile north of Daniels Parkway and approximately 1,600 feet south of Bavaria Road.

FIGURE A: AERIAL LOCATION MAP



RECOMMENDATION

Staff recommends that the Board of County Commissioners ***adopt*** the amendment to designate the subject property to Urban Community and Wetlands based on the analysis and findings in this staff report.

FIGURE B: EXISTING FUTURE LAND USE MAP

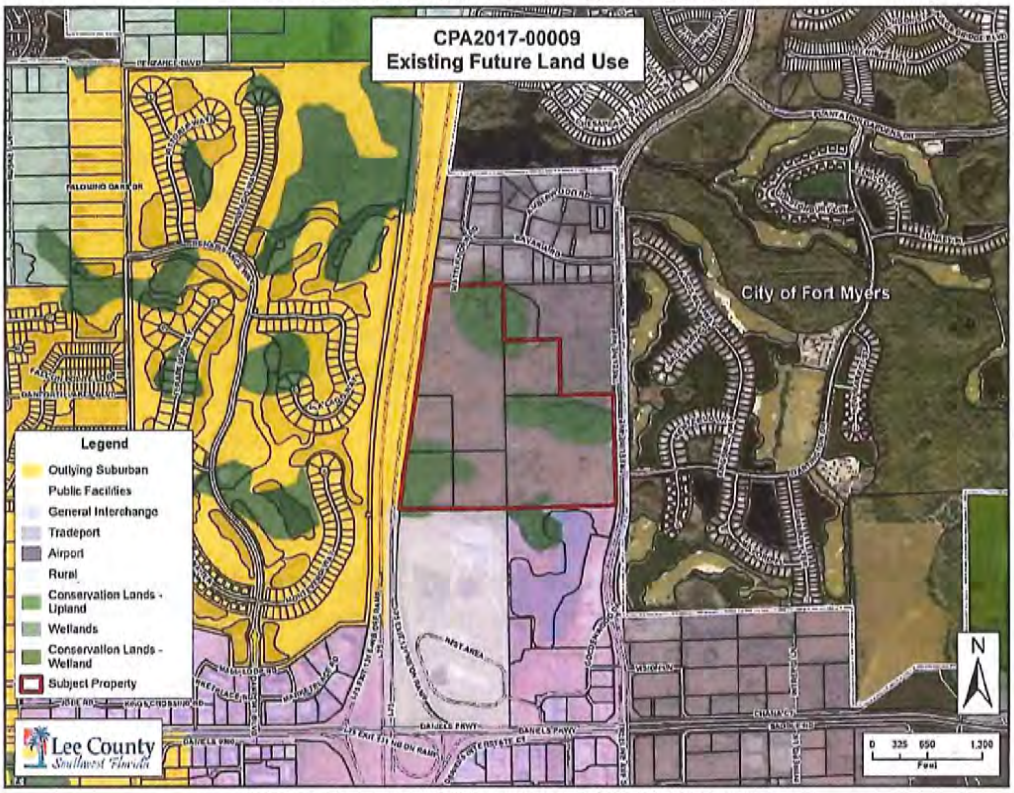
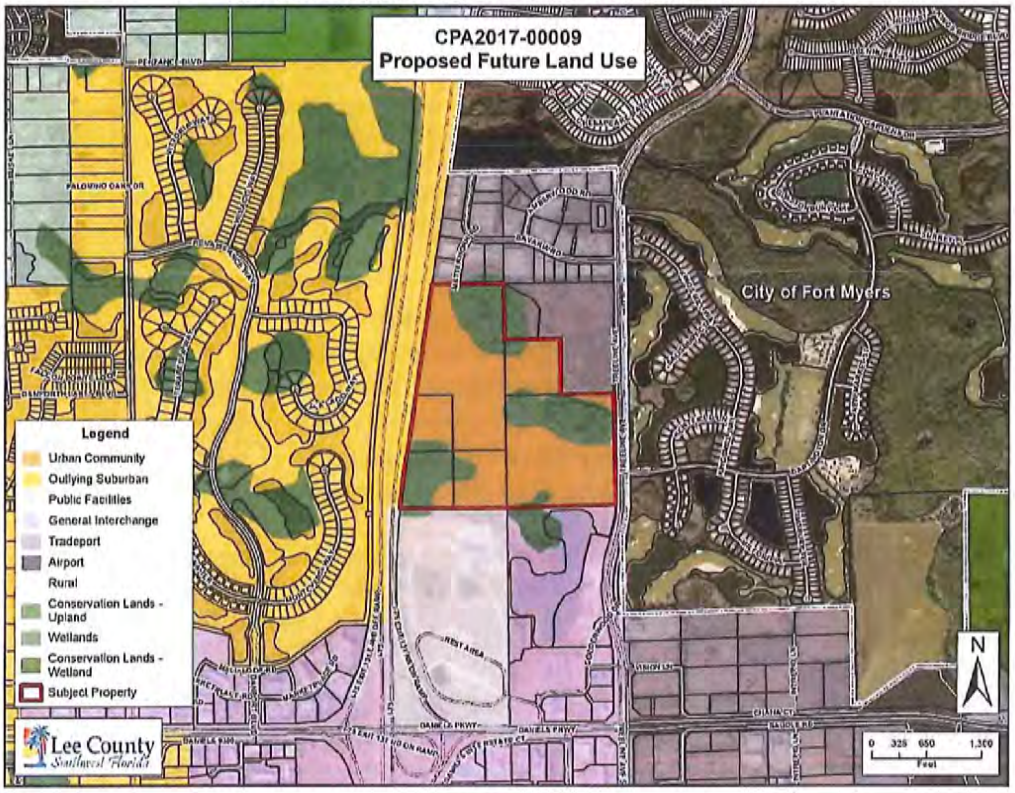


FIGURE C: PROPOSED FUTURE LAND USE MAP



Concurrent Application Review: The applicant has also filed a companion rezoning application (DCI2018-00007) that is being reviewed concurrently with the plan amendment application. The applicant is seeking to rezone the subject property from Agricultural (AG-2) and Light Industrial (IL), to Mixed Use Planned Development (MPD).

Florida Statutes Chapter 163.3184(12) provides that "At the request of an applicant, a local government shall consider an application for zoning changes that would be required to properly enact any proposed plan amendment transmitted pursuant to this subsection." This requires Lee County provide concurrent review of the rezoning request.

Staff notes that even with the recommended adoption of the proposed map amendment, the applicant must demonstrate consistency with the Lee Plan, including the proposed amendments, in order for the companion rezoning to receive a favorable recommendation.

PART 1
PROPERTY INFORMATION

The subject property is composed of six parcels containing approximately 115± acres. It is located on the west side of Treeline Avenue, about a half-mile north of Daniels Parkway and 1,600 ± feet south of Bavaria Road. The City of Fort Myers' city limits is located to the east of the subject property, on the other side of Treeline Avenue. The subject property is located in the Gateway/Airport Planning Community and is currently in the Tradeport and Wetlands future land use categories.

Gateway/Airport Vision Statement:
The Gateway/Airport Planning Community has three components; the subject property is within the area anticipated to develop with high tech/clean industry businesses.

> *The airport expansion and the completion of Florida Gulf Coast University are expected to energize the remaining area in this community, including the commercial and industrial components. This portion of the community is to the south and west of Gateway and the airport and extends west of I-75 along Alico Road. While this segment of the community is not expected to build out during the timeframe of this plan, the area will be much more urbanized with hi-tech/clean industry businesses. (Amended by Ordinance No. 04-16, 07-12, 09-14, 10-20)*

Current Future Land Use Categories – Tradeport and Wetlands:
Fifty-three acres of the subject property is designated as Tradeport on the future land use map. Sixty-two acres are in the Wetlands future land use category. The Tradeport future land use category is limited to light manufacturing or assembly, warehousing, and distribution facilities; research and development activities; laboratories; ground transportation and airport related terminals or transfer facilities; hotels/motels, meeting facilities; and office uses. It does not allow residential land uses.

> ***POLICY 1.2.2:*** *The Tradeport areas are commercial and industrial lands adjacent to the airport needed to accommodate projected growth through the year 2030. These areas will include developments consisting of light manufacturing or assembly, warehousing, and distribution facilities; research and development activities; laboratories; ground transportation and airport related terminals or transfer facilities; hotels/motels, meeting facilities; and office uses. Stand alone retail commercial uses intended to support and compliment the surrounding business and industrial land uses are permitted if they are approved as part of a Development of Regional Impact (DRI) or Planned Development rezoning. Stand alone retail commercial uses are limited to 1 acre out of every 10 Tradeport and preserved wetland acres within the*

project. To provide an incentive to preserve upland habitat, Developments of Regional Impact or Planned Developments may also receive additional stand alone retail acres at the rate of 1 additional acre out of every 10 acres of preserved and enhanced uplands within the project that protect wetlands, flowways or occupied listed species habitat. Ancillary retail commercial uses, related directly to the sale of products manufactured or services provided in the Tradeport, are allowed if they are part of a Planned Development. Residential uses, other than bona fide caretaker residences, are not permitted in this category. Caretaker residences are not permitted in the Airport Noise Zone B. Limerock mining may be approved through the Mine Excavation Planned Development rezoning process for the land designated Tradeport on the Future Limerock Mining map (Map 14.) Because this area is located within the Six Mile Cypress Basin and is also a primary point of entry into Lee County, special environmental and design review guidelines will be applied to its development to maintain the appearance of this area as a primary point of entry into Lee County. Property in Section 1 and the east ½ of Section 2, Township 46 South, Range 25 East, and in Section 6, Township 46 South, Range 26 East, must be rezoned to a planned development zoning category prior to any development other than the construction of essential public services. During the rezoning process, the best environmental management practices identified on pages 43 and 44 of the July 28, 1993 Henigar & Ray study entitled, "Groundwater Resource Protection Study" will be rebuttably presumed to be necessary to protect potential groundwater resources in the area. (Amended by Ordinance No. 94-30, 02-02, 03-04, 04-16, 07-09, 09-06, 10-14, 10-20, 10-3, 18-05)

Development in Wetlands future land use category is limited to low density residential, limited recreation, open space and conservation. The wetlands onsite will remain designated in the Wetlands future land use category.

***OBJECTIVE 1.5: WETLANDS**. Designate on the Future Land Use Map those lands that are identified as Wetlands in accordance with F.S. 373.019(17) through the use of the unified state delineation methodology described in FAC Chapter 17-340, as ratified and amended in F.S. 373.4211. (Ordinance No. 94-30)*

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

Existing Land Use:
The subject property contains six undeveloped parcels zoned Light Industrial IL and Agricultural AG-2.

Property History:
Six Mile Cypress Watershed:
The subject property is within the Six Mile Cypress Watershed Basin area (Ordinance # 83-5). The County relies on SFWMD requirements that regulate post development discharge rates to ensure post-development rates remain at or below pre-development discharge rates. Project specific information would be required during the local development order process to allow for a thorough analysis of the site's stormwater management. SFWMD issues water management permits for projects with 2 acres of impervious surface or for projects over 10 acres in size. The permit limits the post development surface water discharge rate to no more than the pre-development rate. Similarly, Lee County reviews stormwater management for projects containing less than 10 acres or 2 acres impervious for consistency with LDC Section 10-321(f).

Surrounding Properties:
The surrounding properties are within the Tradeport, Wetlands, General Interchange, Public Facilities and Special Community/Conservation (City of Fort Myers) future land use categories and are zoned Industrial Planned Development (IPD), Commercial Planned Development (CPD), Residential Planned

Development (RPD), Agriculture (AG-2), and in the City of Fort Myers, Mixed Use Development Plan/Conservation (MDP-3/CON). Table 1 provides detailed information on the surrounding properties. Please also refer to the aerial map, Figure B, that provides the location and densities associated with the surrounding neighborhoods.

TABLE 1
SURROUNDING PROPERTIES INFORMATION

	Future Land Use/ Maximum Density	Zoning	Existing Use
North	Tradeport & Wetlands	IPD	Airport Woods Commerce Center -Airport Woods IPD approved for 150,000 SF offices and retail & 520,000 SF of industrial. The following uses are located along the southern portion of the commerce center: Schwing Bioset, Sanders Laboratories Inc., American Tractor Systems, South Point Auto Body, Clive Daniel Warehouse, Marble/Tile Warehouse, Ardaman & Associates, Good Wheels, Fields Door & Hardware and a wireless communication tower.
North (City of Fort Myers)	Special Community & Conservation / 3 units an acre	Eastwood MDP-3 Conservation	Marina Bay residential community (Part of 6,500-unit Arborwood DRI with a gross density of 2.6 units an acre)
Northeast	Tradeport	IPD & AG-2	Vacant land owned by School Board; approved for 33,600 SF Commercial Retail & 64,800 SF of Industrial
South	General Interchange/ 22 units per acre	CPD	Vacant land; approved Arborwood Village CPD for 250,000 SF retail, 42,000 SF office, 10,000 SF essential services, 120 hotel rooms, 153 multi-family units/612 bed ALF. The density is 7 units an acre.
South	Public Facilities & Wetlands	AG-2	Rest area & FDOT office
East (City of Fort Myers)	Special Community/ Conservation 3 units an acre	MDP-3 Conservation	Treeline Avenue; Somerset at the Plantation and Islands at Somerset residential communities (Part of 6,500-unit Arborwood DRI with a gross density of 2.6 units an acre)
West	Outlying Suburban & Wetlands/ 3 units an acre & 1 unit per 20 acres	RPD	Interstate I-75; Renaissance Phase 2 260-unit residential community with density of 1.6 units an acre.

FIGURE B
SURROUNDING PROPERTIES AND DENSITIES MAP



PART 2
STAFF DISCUSSION AND ANALYSIS OF PROPOSED AMENDMENTS

The applicant has proposed to amend the future land use classification of the subject property to Urban Community and Wetlands to allow for mixed residential uses.

The Urban Community future land Use designation allows residential, commercial, public and quasi-public, and limited light industry. Mixed use developments are encouraged. A maximum of 6 dwelling units an acre is permitted. Up to 15 dwelling units per acre would be allowed utilizing Greater Pine Island Transfer Development Units (TDUs).

> ***POLICY 1.1.4:*** *The Urban Community areas are areas outside of Fort Myers and Cape Coral that are characterized by a mixture of relatively intense commercial and residential uses. Included among them, for example, are parts of Lehigh Acres, San Carlos Park, South Fort Myers, Iona/McGregor, Pine Island, and Gasparilla Island. Although the Urban Communities have a distinctly urban character, they should be developed at slightly lower densities. As the vacant portions of these communities are urbanized, they will need to maintain their existing bases of urban services and expand and strengthen them accordingly. As in the Central Urban area, predominant land uses in the Urban Communities will be residential, commercial, public and quasi-public, and limited light industry (see Policy 7.1.6) with future development in this category encouraged to be developed as a mixed-use, as described in Objective 11.1, where appropriate. Standard density ranges from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre), with a maximum total density of ten dwelling units per acre (10 du/acre). The maximum total density may be increased to fifteen dwelling units per acre (15 du/acre) utilizing Greater Pine Island Transfer of Development Units. (Ordinance No. 94-30, 02-02, 09-06, 10-10, 10-33, 16-07)*

Lands located to the south are in the General Interchange future land use category and lands located to the north are in the Tradeport future land use category. Approving the amendment to designate the subject property as Urban Community will allow similar commercial and industrial uses as allowed on the lands to the north and south in addition to residential uses.

The allowed residential densities in the area would transition from high to low from Daniels Parkway north. The maximum allowable density on the subject property would be less than the General Interchange area located to the south that allows up to a standard maximum density of 14 units an acre and up to 22 units an acre using bonus density (Policy 1.3.2). The maximum property density on the subject property (6-15 units an acre) would be higher than the golf course communities located to the east, west and north as provided in Table 1. Residential development on the subject property would be consistent with Objective 2.2 that encourages compact development where services exist and Policy 5.1.5 that protect residential areas from any encroachment of uses that would be destructive to the character and integrity of the area.

The Tradeport future land use category areas were designated based on their proximity to the Southwest Florida International Airport and to provide the commercial and industrial needs to support the airport. If approved, 53 acres would be removed from the Tradeport future land use category into the Urban Community category.

Conditions in the surrounding area have changed since the property was originally designated as Tradeport.

- The subject property is nestled between a mix of residential, commercial and industrial uses creating an infill parcel. Commercial interchange uses are to the south on Daniels Parkway including a gas station and a bank. Also to the south is a public rest area and FDOT office. The Airport Woods Commerce Center located to the north contains industrial warehouse and office uses. The vacant land owned by the School Board to the east of the subject property is approved for commercial and industrial uses and Somerset at the Plantation and Marina Village are residential. The developing land use pattern progresses from higher intensity to lower intensity from Daniels Parkway north. Allowing commercial, industrial and residential uses would allow the subject property to develop in keeping with the area's development pattern.

The Gateway/Airport community has approximately 5,349 acres of land in the Tradeport and Industrial Development future land use categories. Of the Tradeport and Industrial Development lands approximately 536 acres developed with more than 75 percent of that being for industrial uses. In addition, light industrial uses are also permitted within the Airport, General Interchange, Industrial Commercial Interchange, and New Community future land use categories which are found within the Gateway/Airport planning community. There is adequate industrial acreage available to accommodate growth up to the year 2030.

Transportation:

Access to the property is from Treeline Avenue which is a paved four-lane median divided arterial roadway. To the south, Treeline Avenue links with Daniels Parkway which is a paved six-lane median divided arterial. Daniels Parkway is a controlled access roadway maintained by County. Daniels Parkway links to I-75. I-75 is a six-lane median divided freeway maintained by State.

The Transportation Circulation Analysis was reviewed based on a maximum of 487 multi-family dwelling units and 100,000 square feet of commercial uses. Approving the Lee Plan amendment request to designate the subject property to Urban Community and Wetlands will result in a **decrease** of 1,148 vehicles during the P.M. peak hour; however, Daniels Parkway will still fail with or without development on the subject property.

- The 5 year analysis indicates that Daniels Parkway from Palomino Lane to I-75, from Gateway Blvd to SR 82, and I-75 north and south Daniels Parkway are projected to operate at LOS "F" with and without the project in Year 2022.

- The Long Range 2040 Horizon LOS analysis indicates that Daniels Parkway from Palomino Lane to SR 82 is projected to operate at LOS "F" with and without the project in Year 2040. I-75 south of Daniels Parkway is projected to operate at LOS "E" with and without the project in Year 2040.

Transportation concurrency is not required per Florida Statutes Section 163.3180. Therefore, the request is consistent with Objectives 2.1, 2.2 and Policy 39.2.1.

Environmental:

A South Florida Water Management District Wetland jurisdiction obtained for the subject property identifies approximately 62 acres of Wetlands located within the subject property. The aforementioned jurisdictional determination supersedes the wetlands identified on the Future Land Use Map and their corresponding acreage for the subject property. Development within the Wetland future land use category may consist of very low density residential uses, with the maximum density being one dwelling

unit per twenty acres. If the wetlands are not impacted; density may be relocated to the upland areas at the same density as permitted within those uplands (per footnote 8 in Table 1a) if wetlands are preserved.

Service Availability

There are adequate potable water, sanitary sewers, solid waste, police, fire/EMS, schools and mass transit services to accommodate the proposed amendment.

Mass Transit: The closest bus route is Route 50 along Daniels Parkway approximately ½ mile south of the property. The property is not within ¼ mile of a fixed route corridor, but is within the ¾ mile ADA corridor.

Utilities: The subject property has access to water and sewer services. It is within the Lee County Utilities future services area. Potable water lines are in operation adjacent to the property on Treeline Avenue. Wastewater lines are in operation along Daniels Parkway and Treeline Avenue South of Daniels. Potable water is available from the Corkscrew Water Treatment Plant. Sanitary sewer service is available from the Gateway Wastewater Treatment Plant.

Solid Waste: The subject property has access to solid waste services. Solid waste collection services will be provided by Lee County using the Lee County Resources Recovery Facility and the Lee-Hendry Regional Landfill.

Fire: Fire service will be provided by the South Trail Fire Protection & Rescue Service District. In a letter dated September 6, 2017, South Trail Fire Protection indicated they are capable of providing fire protection.

EMS: The subject property has access to EMS services. In a letter dated October 2, 2017, Lee County Emergency Medical Services indicates they will be able to serve the property from Medic 35, located 2.4 miles west of the property, and a second EMS facility located 5 miles from the property.

Police: The Lee County Sheriff will provide law enforcement services primarily from the Central District office in Fort Myers. The Sheriff indicated in a letter dated September 27, 2017 that the development of the subject property will not affect the ability of the Lee County Sheriff's Office to provide core services at this time.

Schools: There is adequate elementary school seat capacity to serve the subject property and the project's generation of middle and high school students can be served by the contiguous Concurrency Service area.

PART 3
CONCLUSIONS

The Urban Community and Wetlands future land use categories on the subject property are consistent with the residential uses developing in the area. Commercial and light industrial uses would continue to be allowed under the Urban Community future land use category. If the property develops residentially, there is adequate industrial lands designated to accommodate growth up to the year 2030. Density,

design and mitigation are guided by Lee Plan policies that will be enforced by the planned development rezoning.

The property has access to water, sewer, solid waste, fire, EMS, schools and transit. There are adequate services available to serve the property to accommodate the density and intensity allowed under the Urban Community future land use category. Transportation is an issue with or without the amendment; however approval of this amendment would result in a decrease of 1,148 vehicles during the P.M. peak hour.

The Urban Community and Wetlands future land use classifications on the subject property are consistent with the Lee Plan. For the reasons discussed in this staff report, Staff recommends that the Board of County Commissioners ***transmit*** the map amendment to designate the subject property to Urban Community.

PART 4
ATTACHMENTS

Attachment 1:

- Existing Future Land Use Map
- Proposed Future Land Use Map

Electronic File: https://www.leegov.com/dcd/planning/cpa/compplansearch?case=CPA2017-00009

PART 5
LOCAL PLANNING AGENCY
REVIEW AND RECOMMENDATION

DATE OF PUBLIC HEARING: May 21, 2018

A. LOCAL PLANNING AGENCY REVIEW:

The Applicant presented an overview of their map amendment request and consistency with the Lee Plan. Staff provided a brief presentation for the proposed amendment which covered consistency with the Lee Plan and the staff recommendation.

One member of the public raised concerns about drainage issues that were caused by the construction of Treeline Avenue and would like the applicant to help resolve the problem as construction moves forward.

Members of the LPA asked questions about the availability and need of industrial acreage, the changing conditions in the area since the original designation, infill, highest and best use of the land, proximity to I-75, airport, arterial roadways and transportation issues on Daniels Parkway.

B. LOCAL PLANNING AGENCY RECOMMENDATION:

A motion was made to find the request consistent with the Lee Plan and to recommend that the Board of County Commissioners ***transmit*** CPA2017-00009 as proposed by Staff. The motion passed 4 to 2.

VOTE:

DENNIS CHURCH	**NAY**
FRANK FEENEY	**ABSENT**
JAMES INK	**AYE**
KRISTINE SMALE	**AYE**
STAN STOUDER	**NAY**
JUSTIN THIBAUT	**AYE**
HENRY ZUBA	**AYE**

PART 6
BOARD OF COUNTY COMMISSIONERS
TRANSMITTAL HEARING FOR PROPOSED AMENDMENT

DATE OF PUBLIC HEARING: August 8, 2018

A. BOARD REVIEW:

Staff provided a brief presentation for the proposed amendment which covered consistency with the Lee Plan and the LPA and staff recommendation. The applicant offered to provide a detailed presentation. One member of the public addressed the Board concerning drainage issues caused by the construction of Treeline Avenue and requested that the applicant help resolve the water management issue as construction moves forward. The Board asked questions about water management permitting and timing. Staff and the applicant responded that the ERP applications would be reviewed concurrent with the zoning and development order applications.

B. BOARD ACTION:

A motion was made to transmit CPA2017-00009 as recommended by staff. The motion was passed 5 to 0.

VOTE:

BRIAN HAMMAN	**AYE**
LARRY KIKER	**AYE**
FRANK MANN	**AYE**
JOHN MANNING	**AYE**
CECIL L. PENDERGRASS	**AYE**

PART 7
STATE REVIEWING AGENCIES' OBJECTIONS, RECOMMENDATIONS, AND COMMENTS

Comments from the State Reviewing Agencies were due to Lee County by September 19, 2018.

A. OBJECTIONS, RECOMMENDATIONS AND COMMENTS:

Lee County received responses from the following review agencies addressing the transmitted amendment:

- Florida Department of Economic Opportunity (DEO)
- South Florida Water Management District (SFWMD)
- Florida Department of Environmental Protection (DEP)
- Florida Department of Agriculture and Consumer Services
- Florida Fish and Wildlife Conservation Commission (FWC)
- Florida Department of Transportation (FDOT)

There were **no objections** concerning the proposed amendments.

The Florida Fish and Wildlife Conservation Commission provided comments and recommendations in a letter to Florida DEP on September 12, 2018. This letter was attached to the comments provided to Lee County as part of the Expedited Review Process. The comments from September 12, 2018 were specific to the subject site and addressed protected species that have been found offsite but within the area. The Florida Department of Transportation offered technical assistance regarding a multi-modal strategy and coordination with LeeTran in a letter dated October 9, 2018. A copy of the letter is located in the Appendix.

Lee County staff appreciates the recommendations provided by the Florida Fish and Wildlife Conservation Commission and the Florida Department of Transportation and will consider their recommendations through zoning conditions.

B. STAFF RECOMMENDATION

Staff recommends that the Board of County Commissioners ***adopt*** the amendment to the Lee Plan as transmitted to the State Reviewing Agencies as provided in Attachment 1.

PART 8
BOARD OF COUNTY COMMISSIONERS
ADOPTION HEARING FOR PROPOSED AMENDMENT

DATE OF PUBLIC HEARING: October 17, 2018

A. BOARD REVIEW:

Staff provided a brief presentation for the proposed amendment which covered consistency with the Lee Plan, state agency review and the staff recommendation.

One member of the public addressed the Board concerning drainage issues caused by the construction of Treeline Avenue and requested that the applicant help resolve the water management issue as construction moves forward. The Board asked a question about water management permitting. The applicant responded that the ERP applications would be reviewed concurrent with the zoning and development order applications.

B. BOARD ACTION:

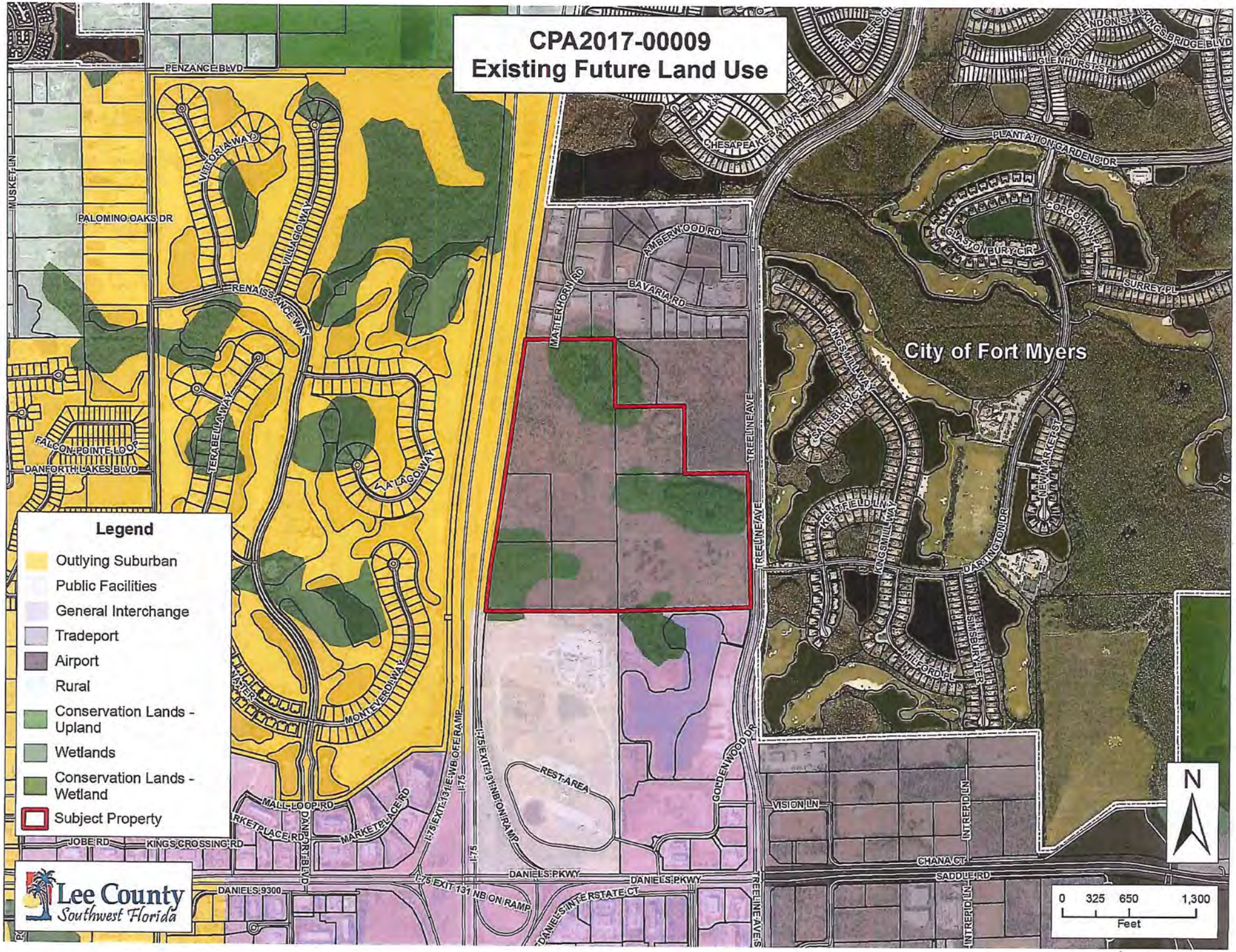
A motion was made to adopt CPA2017-00009 as recommended by staff. The motion was passed 4 to 0.

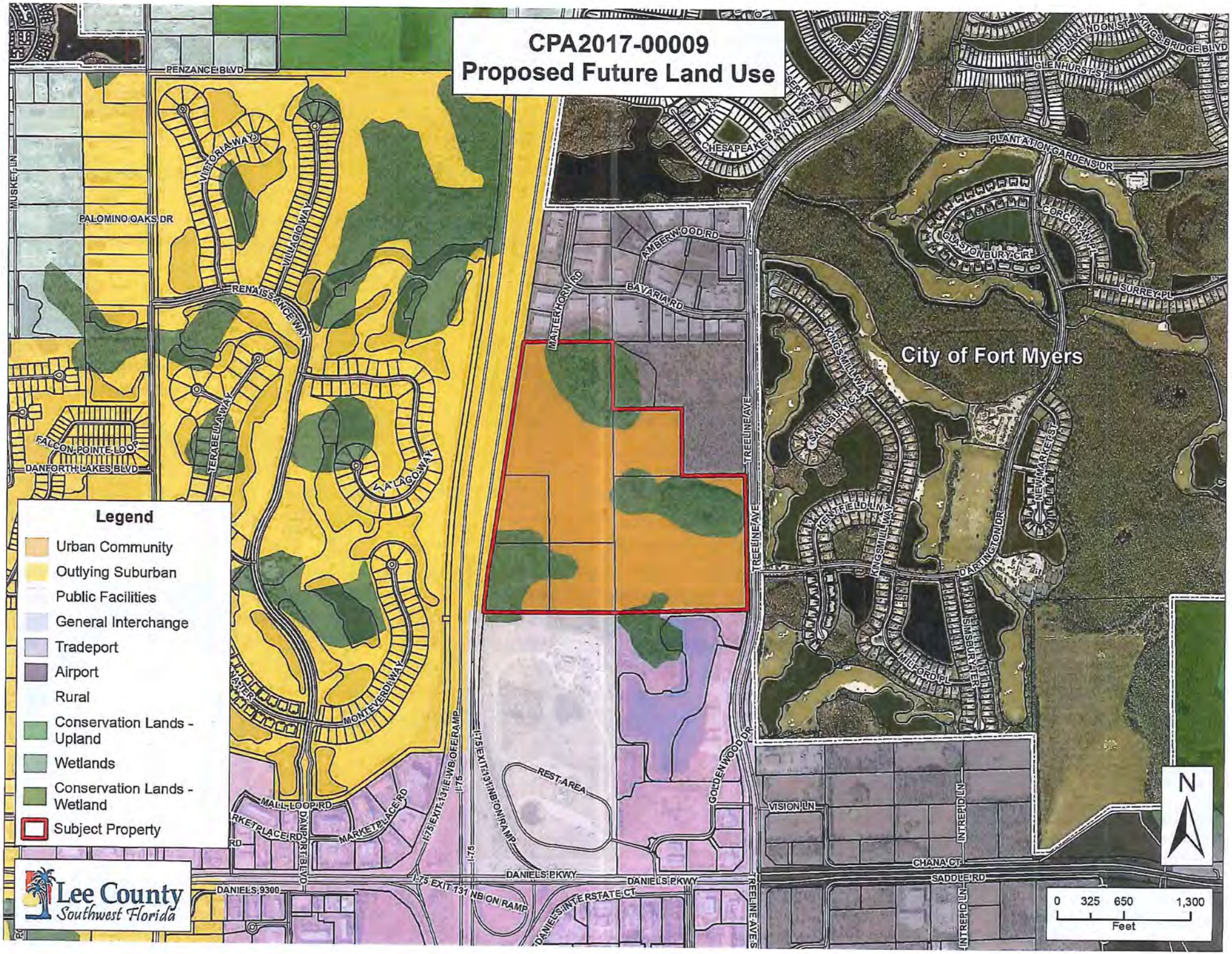
VOTE:

BRIAN HAMMAN	**AYE**
LARRY KIKER	**AYE**
FRANK MANN	**ABSENT**
JOHN MANNING	**AYE**
CECIL L. PENDERGRASS	**AYE**

ATTACHMENT 1:

Existing Future Land Use Map
Proposed Future Land Use Map


CPA2017-00009
Existing Future Land Use
City of Fort Myers
Legend
Outlying Suburban
Public Facilities
General Interchange
Tradeport
Airport
Rural
Conservation Lands - Upland
Wetlands
Conservation Lands - Wetland
Subject Property
Lee County
Southwest Florida
PENZANCE BLVD
MUSKET LN
PALOMINO OAKS DR
VICTORIA WAY
VILLAGO WAY
RENAISSANCE WAY
TERABELLA WAY
FALCON POINTE LOOP
DANFORTH LAKES BLVD
LA LAGO WAY
MONTEVERDI WAY
MALL LOOP RD
MARKETPLACE RD
JOBE RD
KINGS CROSSING RD
DANFORTH BLVD
DANIELS 9300
I-75
I-75 EXIT 131 E WB OFF RAMP
I-75 EXIT 131 NB ON RAMP
REST AREA
DANIELS PKWY
DANIELS INTERSTATE CT
MATTERHORN RD
AMBERWOOD RD
BAVARIA RD
TREELINE AVE
GOLDENWOOD DR
VISION LN
CHANA CT
SADDLE RD
INTREPID LN
CHESAPEAKE BAY DR
FIVE WATERS CT
PLANTATION GARDENS DR
GLENHURST ST
CLAREDON ST
KINGSBRIDGE BLVD
CORCORAN PL
GUASTON BURY CIR
SURREY PL
KINGSMILL WAY
SALISBURY CT
NEWMARKET ST
KENTFIELD LN
DARLINGTON DR
MILFORD PL
N
0 325 650 1,300
Feet


CPA2017-00009
Proposed Future Land Use
City of Fort Myers
Legend
Urban Community
Outlying Suburban
Public Facilities
General Interchange
Tradeport
Airport
Rural
Conservation Lands - Upland
Wetlands
Conservation Lands - Wetland
Subject Property
Lee County
Southwest Florida
PENZANCE BLVD
MUSKET LN
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VILLAGIO WAY
RENAISSANCE WAY
TERABELLA WAY
FALCON POINTE LOOP
DANFORTH LAKES BLVD
LA LAGO WAY
MONTEVERDI WAY
MALL LOOP RD
MARKETPLACE RD
DANFORTH BLVD
DANIELS 9300
DANIELS PKWY
I-75 EXIT 131 NB ON RAMP
I-75 EXIT 131 EB WB OFF RAMP
I-75
REST AREA
DANIELS INTERSTATE CT
GOLDENWOOD DR
VISION LN
CHANA CT
SADDLE RD
INTREPID LN
TREELINE AVE
MATTERHORN RD
AMBERWOOD RD
BAVARIA RD
CHESAPEAKE BAY DR
FIVE WATERS CIR
PLANTATION GARDENS DR
GLASTONBURY CIR
CORCORAN PL
SURREY PL
LAKE NDON ST
KINGS BRIDGE BLVD
LENHURST ST
KINGSMILL WAY
SALISBURY CT
KENTFIELD LN
DARLINGTON DR
NEWMARKET ST
MILFORD PL
SHERBORNE CT
N
0 325 650 1,300
Feet

AGENCY COMMENTS

Rick Scott
GOVERNOR

FLORIDA DEPARTMENT of ECONOMIC OPPORTUNITY

Cissy Proctor
EXECUTIVE DIRECTOR

September 19, 2018

The Honorable Cecil Pendergrass
Chairman, Lee County
Board of County Commissioners
Post Office Box 398
Fort Myers, Florida 33902-0398

Dear Chairman Pendergrass:

The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendment for Lee County (Amendment 18-5ESR), which was received on July 16, 2018. We have reviewed the proposed amendment in accordance with the expedited state review process set forth in Sections 163.3184(2) and (3), Florida Statutes (F.S.), for compliance and identified no comments related to important state resources and facilities within the Department of Economic Opportunity's authorized scope of review that will be adversely impacted by the amendment if adopted.

The County is reminded that pursuant to Section 163.3184(3) (b), F.S., other reviewing agencies have the authority to provide comments directly to the County. If other reviewing agencies provide comments, we recommend the County consider appropriate changes to the amendment based on those comments. If unresolved, such reviewing agency comments could form the basis for a challenge to the amendment after adoption.

The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Also, please note that Section 163.3184(3)(c)1, F.S., provides that if the second public hearing is not held within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department of Economic Opportunity and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment.

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

We appreciate the opportunity to work with Lee County's staff in the review of the amendment. If you have any questions related to this review, please contact Beau Scott, at (850) 717-8515, or by email at Beau.Scott@deo.myflorida.com.

Sincerely,

James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/bs

Enclosure(s): Procedures for Adoption

cc: Mr. David Loveland, Director, Department of Community Development, Lee County
Ms. Margaret Wuerstle, Executive Director, Southwest Florida Regional Planning Council

SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR EXPEDITED STATE REVIEW

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, **in color format,** clearly depicting the parcel, its future land use designation, and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

> "The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or development dependent on this amendment may be issued or commence before it has become effective. "

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.

Rick Scott
GOVERNOR

FLORIDA DEPARTMENT of ECONOMIC OPPORTUNITY

Cissy Proctor
EXECUTIVE DIRECTOR

RECEIVED
AUG 24 2018
COMMUNITY DEVELOPMENT

August 21, 2018

Mr. Brandon Dunn, Principal Planner
Lee County Planning Section
Post Office Box 398
Fort Myers, Florida 33902-0398

Dear Mr. Dunn:

Thank you for submitting Lee County's proposed comprehensive plan amendment submitted for our review pursuant to the Expedited State Review process. The reference number for this amendment package is 18-05ESR.

The proposed submission package will be reviewed pursuant to Section 163.3184(3), Florida Statutes. Once the review is underway, you may be asked to provide additional supporting documentation by the review team to ensure a thorough review. You will receive the Department's Comment Letter no later than September 19, 2018.

If you have any questions please contact Anita Franklin, Senior Plan Processor at (850)717-8486 or Brenda Winningham, Regional Planning Administrator, whom will be overseeing the review of the amendments, at (850)717-8516.

Sincerely,

D. Ray Eubanks, Administrator
Plan Review and Processing

DRE/me

cc: External Agencies

Dunn, Brandon

From: Oblaczynski, Deborah [doblaczy@sfwmd.gov]
Sent: Thursday, September 06, 2018 8:03 AM
To: Rozdolski, Mikki
Cc: Dunn, Brandon; Ray Eubanks (DCPexternalagencycomments@deo.myflorida.com); Brenda Winningham (brenda.winningham@deo.myflorida.com); ext-Wuerstle, Margaret (swfrpc.org)
Subject: [EXTERNAL] Lee County, DEO #18-5ESR Comments on Proposed Comprehensive Plan Amendment Package

Dear Ms. Rozdolski:

The South Florida Water Management District (District) has completed its review of the proposed amendment package from Lee County (County). The amendment changes the land use designation on 115 acres from Tradeport and Wetlands to Urban Community and Wetlands. The proposed changes do not appear to adversely impact the water resources within the South Florida Water Management District. However, the District offers the following technical guidance regarding Regional Water Supply Planning:

- The County is required to revise its Water Supply Facilities Work Plan (Work Plan) within 18 months after approval of the Lower West Coast (LWC) Water Supply Plan Update by the District's Governing Board. The District's Governing Board approved the LWC Water Supply Plan Update on December 11, 2017. Therefore, the County's Work Plan needs to be updated and adopted by June 14, 2019. The Work Plan must cover at least a 10-year planning period, include updated water demand projections, identify alternative and traditional water supply projects, and describe conservation and reuse activities needed to meet the projected future demands. Planning tools are available on the District's website for your use and District Staff are available to provide technical assistance to update the Work Plan, including reviewing draft Work Plans prior to formal plan amendment submittal. The planning tools are located at this link: https://www.sfwmd.gov/our-work/water-supply/work-plans.

The District offers its technical assistance to the County in developing sound, sustainable solutions to meet the County's future water supply needs and to protect the region's water resources. Please forward a copy of the adopted amendments to the District. Please contact me if you need assistance or additional information.

Sincerely,

Deb Oblaczynski
Policy & Planning Analyst
Water Supply Implementation Unit
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33406
(561) 682-2544 or email: doblaczy@sfwmd.gov

Florida Fish and Wildlife Conservation Commission

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Robert A. Spottswood
Vice Chairman
Key West

Joshua Kellam
Palm Beach Gardens

Gary Lester
Oxford

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Sonya Rood
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Michael W. Sole
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Office of the
Executive Director
Eric Sutton
Executive Director

Thomas H. Eason, Ph.D.
Assistant Executive Director

Jennifer Fitzwater
Chief of Staff

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800 955-8770 (V)

MyFWC.com

September 12, 2018

Brandon Dunn
Principal Planner
Lee County Planning Section
P.O. Box 398
Fort Myers, FL 33902-0398
bdunn@leegov.com

Re: Lee County 18-5ESR, Treeline 115, Comprehensive Plan Amendment (CPA) No. CPA2017-00009

Dear Mr. Dunn:

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed the above-referenced comprehensive plan amendment package and provides the following comments and recommendations for your consideration in accordance with Chapter 163.3184, Florida Statutes. While we have no objections to the amendment, we offer the following information as technical assistance during your review.

Project Description

The applicant, BJ Holdings of Fort Myers, LLC, requests to amend the Future Land Use Map from Tradeport and Wetlands future land use designations to Urban Community and Wetlands that would allow for the development of a maximum of 487 multi-family dwelling units and 100,000 square feet of commercial uses on a 115-acre (ac) property located approximately one-half mile north of Daniels Parkway lying between Treeline Avenue and I-75. The applicant has concurrently filed a local rezoning application (DCI2018-00007). The site contains approximately 62 acres of very low-quality wetlands according to the applicant's environmental consultant. If approved, the site development plan would need to impact 24 ac of wetlands to obtain the maximum 487 dwelling units according to land use acreage calculations included in the application. The amendment request did not include a site plan, wetland impact acreages, or a wetland mitigation plan.

Potentially Affected Resources

An *Environmental Assessment* was provided by the applicant's environmental consultant, Synecological Analysts, Inc., dated June 26, 2017, stating species surveys have been conducted over a period of five years with the most recent in May and June 2017. The most recent survey focused on potentially occurring listed species including eastern indigo snake (*Drymarchon corais couperi,* Federally Threatened [FT]), gopher tortoise (*Gopherus polyphemus*, State Threatened [ST]), wood stork (*Mycteria americana*, FT), roseate spoonbill (*Platalea ajaja,* ST), little blue heron (*Egretta caerulea,* ST), tricolored heron (*Egretta tricolor,* ST), Everglade snail kite (*Rostrhamus sociabilis plumbeus,* Federally Endangered [FE]), southeastern American kestrel (*Falco sparverius paulus*, ST), Big Cypress fox squirrel (*Sciurus niger avicennia*, ST), and Florida bonneted bat

(*Eumops floridanus,* FE). According to the applicant's environmental consultant, the habitat quality of the site is not suitable for potential listed species and there were no signs, calls, tracks, or other indications of listed animal species encountered onsite. Two squirrel nests were identified but were not believed to be Big Cypress fox squirrel nests.

FWC staff conducted a geographic information system (GIS) analysis of the project site confirming that the project site contains potential habitat for the above-mentioned listed species. In addition, our GIS analysis of the project site found that the project site contains, is adjacent to, or occurs near:

- Potential habitat for state-listed species:
  - Least tern (*Sternula antillarum,* ST)
  - Florida sandhill crane (*Antigone canadensis pratensis,* ST)

- U.S. Fish and Wildlife Service (USFWS) consultation area for:
  - Florida scrub-jay (*Aphelocoma coerulescens*, FT)
  - Red-cockaded woodpecker *(Picoides borealis,* FE)
  - Florida panther *(Puma concolor coryi,* FE)

- Potential habitat for the Florida black bear *(Ursus americanus floridanus* – South Bear Management Unit)

Comments and Recommendations

General Wildlife Surveys

To better identify the potential for impacts, listed species-specific surveys should be completed prior to any clearing or development. Species-specific wildlife surveys are time sensitive and FWC staff recommends that all wildlife surveys follow established survey protocols approved by the U.S. Fish and Wildlife Service and the FWC. Surveys should also be conducted by qualified biologists with recent documented experience for each potential species. Basic guidance for conducting wildlife surveys may be found within the Imperiled Species Management Plan's species-specific Permitting Guidelines (http://myfwc.com/wildlifehabitats/imperiled/plan/) or in the Florida Wildlife Conservation Guide (FWCG) (http://myfwc.com/conservation/value/fwcg/).

Florida Black Bear

FWC has received 71 reports of human-bear conflicts within roughly a five-mile radius of the project site since 1984 including 69 since 2000. Florida black bears are common in this area which is within the South Bear Management Unit identified in the 2012 Bear Management Plan. While black bears tend to shy away from people, they are adaptable and will take advantage of human-provided food sources, such as unsecured garbage, pet food, or bird seed. Once bears become accustomed to finding food around people, their natural wariness is reduced to the point that there can be an increased risk to public safety or private property. There are measures that can be taken to prevent or reduce conflicts with bears during planning and development activities, including:

- Locating conservation areas along the borders of, rather than through, developed areas to avoid encouraging bears to forage in developed areas (http://myfwc.com/wildlifehabitats/managed/bear/crossings/);
- Requiring clean construction sites with wildlife-resistant containers for any wildlife-attractant refuse; and
- Requiring frequent trash removal and the use of proper food storage and removal on work sites.

In addition, once the development is completed, residents should be provided with bear-resistant garbage cans as part of their regular waste service. If a homeowners' association is established, we recommend bylaws be enacted to require residents to take measures to prevent attracting bears into the neighborhood. Sample bylaw language is available at the bear management website (http://myfwc.com/wildlifehabitats/managed/bear/living/community-group/bylaw/). We also encourage the property owner to provide residents with information on how to avoid human-bear conflicts, which is also found on the bear management website. This information can include:

- Options for keeping garbage secure which can include using bear-resistant garbage containers, modifying regular cans to be bear-resistant, or keeping cans secure in a garage or sturdy shed and then placing garbage on the curb the morning of pick-up rather than the night before (http://myfwc.com/wildlifehabitats/managed/bear/living/attractants/);
- Removing bird and wildlife feeders, or modifying them to exclude bears (http://myfwc.com/wildlifehabitats/managed/bear/wildlife-feeders/);
- Using electric fencing to secure outdoor attractants like fruiting trees/shrubs, gardens, compost, and small livestock (http://myfwc.com/media/1333878/ElectricFence.pdf);
- Proper methods to compost in bear range;
- Securing pet food; and
- Cleaning and securing barbeque grills.

Information should also include guidelines for how residents should respond to bears in the area, such as:

- What to do if they encounter a bear, whether from a distance or at close range,
- How to keep pets and livestock safe in bear range, and
- When and how to contact the FWC regarding a bear issue.

FWC staff is available to assist with residential planning to incorporate the above features. Additional information about Florida black bears can be found on our website at http://www.myfwc.com/wildlifehabitats/managed/bear.

Least Tern

While the existing conditions onsite likely do not support least tern nesting activity, clearing associated with construction may create conditions conducive for beach-nesting bird nesting and there are multiple historic rooftop nesting sites within 10 miles, the

closest being 4.7 miles south and significant beach nesting areas 11 miles southwest of the project location. Cleared sites such as areas that have undergone surface scraping may attract ground nesting species such as least terns or other imperiled beach-nesting birds (IBNB) during nesting season. IBNB nests have been documented on a variety of disturbed sites, including construction sites (FWC 2013). Least terns deposit their eggs in shallow depressions or scrapes in the substrate, possibly lined with pebbles, grasses, or coquina shells (FWC 2013). Egg-laying usually begins in late April or early May and colonies may range in size from a few breeding pairs to many hundreds (FWC 2013). FWC staff recommends the following measures to reduce nesting potential during construction:

- Conduct construction activities outside of the breeding season (generally April through August) if feasible, or
- If the site is cleared during the breeding season, clear the site only when ready to build, and
- Avoid leaving cleared areas with little to no activity for an extended amount of time.

If nesting is observed, we recommend contacting FWC staff to discuss necessary nest buffers and potential permitting alternatives. For additional information, please refer to FWC's Breeding Bird Protocol for Florida's Seabirds and Shorebirds located at the following web address: https://public.myfwc.com/crossdoi/shorebirds/PDF-files/BreedingBirdProtocolForFloridasSeabirdsAndShorebirds.pdf.

Big Cypress Fox Squirrel

This site appears to have suitable habitat for the Big Cypress fox squirrel with open canopy and mature trees scattered throughout the property. Additionally, the neighboring parcels appear to contain suitable habitat. If a Big Cypress fox squirrel or nest is observed onsite, please contact FWC for guidance. Final Species Conservation Measures and Permitting Guidelines for the Big Cypress fox squirrels can be found on the FWC website: http://myfwc.com/media/2738253/Big-Cypress-Fox-Squirrel-Species-Action-Plan-Final-Draft.pdf.

Florida Sandhill Crane

The site may provide foraging habitat for the Florida sandhill crane and the open agriculture lands appear to hold enough water to provide potential nesting habitat for this species. FWC staff recommends that surveys for nesting sandhill cranes be conducted prior to construction activities and during the December through August breeding season. If there is evidence of nesting during this period, we recommend that the nest site be buffered by 400 feet to avoid disturbance by human activities. If nesting is discovered after construction has begun or if maintaining the recommended buffer is not possible, we recommend that the applicant contact FWC staff identified below to discuss potential permitting needs. Basic guidance for conducting wildlife surveys may be found in the Sandhill Crane Species Conservation Measures and Permitting Guidelines (http://www.myfwc.com/media/4105886/Final-Florida-Sandhill-Crane-Species-Guidelines-2016.pdf). FWC staff would also like to note that Florida sandhill cranes do

not nest in the same location every year, so if construction occurs over several years, it may be necessary to determine if nesting is occurring each year.

Southeastern American Kestrel

Southeastern American kestrels may be found nesting in the scattered slash pine within the open agriculture lands. FWC staff recommends that the applicant conduct kestrel surveys during their nesting season (April to August) within suitable habitat areas. Surveys from May to July are ideal to avoid confusion with the migratory subspecies of American kestrel (*Falco sparverius*). Survey guidelines, reporting criteria, and habitat needs for the southeastern American kestrel can be found at the following website: http://fwcg.myfwc.com/docs/American_Kestrel_Technical_Report.pdf. If surveys encounter active nest cavities, we recommend avoiding project activities within 150 meters (492 feet) of the nest tree during the breeding season (mid-March to mid-June). If nesting is discovered after construction has begun or if maintaining the recommended buffer is not possible, we recommend that the applicant contact FWC staff identified below to discuss potential permitting needs. In areas of suitable kestrel habitat, we recommend retaining snags whenever possible.

Federal Species

This site may also contain habitat suitable for the federally listed species identified above. We recommend the applicant coordinate with USFWS South Florida Ecological Services Office (ESO) as necessary for information regarding potential impacts to these species. The USFWS South Florida ESO can be contacted at (561) 562-3909.

We appreciate the opportunity to review the proposed project and look forward to working more closely with the applicant during the permitting process. If you need any further assistance, please do not hesitate to contact our office by email at FWCConservationPlanningServices@MyFWC.com. If you have specific technical questions, please contact Jim Keltner at (239) 332-6972 x9209 or by email at James.Keltner@MyFWC.com.

Sincerely,

Fritz Wettstein

Fritz Wettstein
Land Use Planning Program Administrator
Office of Conservation Planning Services

fw/jdk
ENV 2-3-3
Lee County 18-5ESR_37024_091218

cc: Ray Eubanks, Florida Department of Economic Opportunity,
DCPexternalagencycomments@deo.myflorida.com
Brian Freeman, BJ Holdings of Fort Myers, LLC,
bfreeman@thefreemanlawfirmpa.com

Alexis Crespo, Waldrop Engineering, alexis.crespo@waldropengineering.com
Brown Collins, Synecological Analysts, Inc., brown@synecol.com

Citations:

[FWC] Fish and Wildlife Conservation Commission. 2013. A species action plan for four imperiled beach-nesting birds: American oystercatcher (*Haematopus palliatus*), snowy plover (*Charadrius nivosus*), least tern (*Sternula antillarum*), black skimmer (*Rynchops niger*). Tallahassee, FL.

O'Mears, T.E., and J.A. Gore. 1988. Guidelines for Conservation and Management of Least Tern colonies in Florida. Non-Game Wildlife Program, Florida Game and Fresh Water Fish Commission, Tallahassee, FL.

Miller, Janet

From: Dunn, Brandon
Sent: Thursday, September 13, 2018 8:58 AM
To: Miller, Janet; Rozdolski, Mikki; Jenkins-Owen, Sharon
Subject: FW: Lee County 18-5ESR Proposed

Please see correspondence for Treeline 115 (CPA2017-00009) below:

Brandon D. Dunn, Principal Planner
Lee County Department of Community Development
Planning Section
bdunn@leegov.com
239.533.8585

From: Plan_Review [mailto:Plan.Review@dep.state.fl.us]
Sent: Thursday, September 13, 2018 8:49 AM
To: Dunn, Brandon; DCPexternalagencycomments@deo.myflorida.com
Cc: Plan_Review
Subject: [EXTERNAL] Lee County 18-5ESR Proposed

To: Brandon Dunn, Principal Planner

Re: Lee County 18-5ESR – Expedited State Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please submit all future amendments by email to plan.review@dep.state.fl.us. If your submittal is too large to send via email or if you need other assistance, contact Lindsay Weaver at (850) 717-9037.

Office of the Commissioner
(850) 617-7700

The Capitol
400 South Monroe Street
Tallahassee, Florida 32399-0800

Florida Department of Agriculture and Consumer Services
Commissioner Adam H. Putnam

September 18, 2018

VIA EMAIL (bdunn@leegov.com)

Mr. Brandon Dunn
Lee County Planning Section
P.O. Box 398
Fort Myers, Florida 33902-0398

Re: DACS Docket # -- 20180815-1155
Lee County CPA2017-00009
Submission dated August 15, 2018

Dear Mr. Dunn:

The Florida Department of Agriculture and Consumer Services (the "Department") received the above-referenced proposed comprehensive plan amendment on August 15, 2018 and has reviewed it pursuant to the provisions of Chapter 163, Florida Statutes to address any potential adverse impacts to important state resources or facilities related to agricultural, aquacultural, or forestry resources in Florida if the proposed amendment(s) are adopted. Based on our review of your county's submission, the Department has no comment on the proposal.

If we may be of further assistance, please do not hesitate to contact me at 850-245-1000.

Sincerely,

Joan Matthews
Senior Attorney

cc: Florida Department of Economic Opportunity
(SLPA #: Lee County 18-05 ESR)

FDOT

Florida Department of Transportation

RICK SCOTT
GOVERNOR

10041 Daniels Parkway
Fort Myers, FL 33913

MIKE DEW
SECRETARY

October 9, 2018

Mr. Brandon Dunn, Principal Planner
Lee County Department of Community Planning
Planning Section
P.O. Box 398
Fort Myers, Florida 33902-0398

RE: Lee County 18-5ESR Proposed Comprehensive Plan Amendment (CPA) Expedited State Review Process – FDOT Review Letter

Dear Mr. Dunn:

The Florida Department of Transportation (FDOT), District One, has reviewed the Lee County 18-5ESR Proposed Comprehensive Plan Amendment, CPA (locally known as CPA2017-00009 (115 Treeline). The CPA package was transmitted under the Expedited State Review process by the Board of County Commissioners, in accordance with the requirements of Florida Statutes Chapter 163. Below is a description of the CPA followed by FDOT's review.

CPA2017-00009 (115 Treeline) proposes to amend the Lee Plan Future Land Use (FLU) Map to designate 115± acres (made up of six parcels) from the Tradeport (53± acres) and Wetlands (62± acres) FLU categories to Urban Community and Wetlands. The subject property is generally located east of I-75, west of Treeline Avenue, about a half-mile north of Daniels Parkway and approximately 1,600 feet south of Bavaria Road, in Lee County, Florida.



The applicant has also filed a companion rezoning application (DCI2018-00007) that is being reviewed concurrently with the plan amendment application. The applicant is seeking to rezone the subject property from Agricultural (AG-2) and Light Industrial (IL), to Mixed Use Planned Development (MPD).

As noted in the staff report and accompanying Traffic Impact Statement (TIS), the applicant is proposing a maximum of 487 multi-family dwelling units and 100,000 square feet of commercial uses.

According to the trip generation analysis, included at the end of this letter, the proposed amendment would result in a net decrease of 8,372 daily trips or 1,009 p.m. peak hour trips.

Based on the planning level analysis, FDOT offers technical assistance in the following statements.

FDOT Technical Assistance Statement #1:
Even though the Map Amendment would result in a decrease in overall trips from the existing Land Use category, there will be an increase of new trips onto Daniels Parkway and I-75 [a Strategic Intermodal Systems (SIS) facility]. There continues to be a growing demand on a maturing system (I-75).

Daniels Parkway is a primary east-west commuter route from the predominantly residential Lehigh Acres and the Gateway communities.

FDOT encourages the planning and development of connected communities that promote the use of multimodal alternatives which aid in mitigating automobile transportation impacts, promote safety and economic development, and improve quality of life in the County.

FDOT encourages the development of a multimodal strategy to facilitate the use of alternative local transportation systems (pedestrian, bicycle and transit use) that connect residential and non-residential uses without affecting the larger network. The use of multimodal transportation alternatives such as pedestrian and bicycle paths/trails and a robust transit network can help to decrease overall passenger vehicle trips on local and State/SIS roadways

FDOT Technical Assistance Statement #2:
As noted in the CPA package, there is one transit route that could potentially serve this development. The closest bus route (Route #50) runs along Daniels Parkway, approximately half-mile south of the property. In an effort to promote multimodal connectivity between existing and future development areas, FDOT encourages coordination with LeeTran to assess the demand for transit near the proposed development. FDOT supports this type of collaboration, as enhanced multi-modal facilities help with the reduction of automobile dependency on the local and regional roadway network.

Thank you for providing FDOT with the opportunity to review the proposed amendment. If you have any questions or need to discuss this letter further, please contact me at (239) 225-1981 or sarah.catala@dot.state.fl.us.

Sincerely,

Sarah Catala
SIS/Growth Management Coordinator
FDOT District One

CC: Mr. Ray Eubanks, Florida Department of Economic Opportunity

TRIP GENERATION ANALYSIS

According to the adopted FLU designation of Tradeport and Wetlands, the maximum development that could occur on the 115.0± acres is approximately 18,025 daily trips or 1,794 p.m. peak hour trips. According to the proposed FLU designation of UC and Wetland, the development that could occur on the 115.0± acres is approximately 9,653 daily trips or 785 p.m. peak hour trips. The proposed amendment would result in a net decrease of 8,372 daily trips or 1,009 p.m. peak hour trips. The following table summarizes the trip generation for the adopted and proposed FLU designations.

TRIP GENERATION COMPARISON

Scenario	Land Use Designation	Maximum Allowed Density / Intensity	Land Use Code	Size of Development		Daily Trips[1]	PM Peak Hour Trips[1]
				Acres	Allowed Development		
Adopted	Wetlands RES	1 DU/20 Acres	210	62.0	3 DUs	41	4
Adopted	Tradeport COM	1.0 FAR[2]	820	11.5	500,940 sf	17,984	1,790
Subtotal						*18,025*	*1,794*
Proposed	Wetlands and UC RES	N/A	220	115.0	487 DUs[3]	3,641	242
Proposed	UC COM	N/A	820	10.0	100,000 sf[3]	6,012	543
Subtotal						*9,653*	*785*
Total						**-8,372**	**-1,009**

1. *Trip generation based on the rates and equations obtained in the ITE Trip Generation Manual (10th Edition).*
2. *Stand alone retail commercial uses are limited to 1 acre out of every 10 Tradeport and preserved wetland acres.*
3. *Based on the development proposed in the TIS provided by the applicant.*

To view the 115 Treeline application materials, please click on link below:

Click Here

LEE COUNTY ORDINANCE NO. 18-23
115 Treeline
(CPA2017-00009)

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENT PERTAINING TO 115 TREELINE (CPA2017-00009) APPROVED DURING A PUBLIC HEARING; PROVIDING FOR PURPOSE, INTENT, AND SHORT TITLE; AMENDMENTS TO ADOPTED MAP; LEGAL EFFECT OF "THE LEE PLAN"; PERTAINING TO MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, the Lee County Comprehensive Plan ("Lee Plan") and Chapter XIII, provides for adoption of amendments to the Plan in compliance with State statutes and in accordance with administrative procedures adopted by the Board of County Commissioners ("Board"); and,

WHEREAS, the Board, in accordance with Section 163.3181, Florida Statutes, and Lee County Administrative Code AC-13-6 provide an opportunity for the public to participate in the plan amendment public hearing process; and,

WHEREAS, the Lee County Local Planning Agency ("LPA") held a public hearing on the proposed amendment in accordance with Florida Statutes and the Lee County Administrative Code on May 21, 2018; and,

WHEREAS, the Board held a public hearing for the transmittal of the proposed amendment on August 8, 2018. At that hearing, the Board approved a motion to send, and did later send, proposed amendment pertaining to 115 Treeline (CPA2017-00009) to the reviewing agencies set forth in Section 163.3184(1)(c), F.S. for review and comment; and,

WHEREAS, at the August 8, 2018 meeting, the Board announced its intention to hold a public hearing after the receipt of the reviewing agencies' written comments; and,

WHEREAS, on October 17, 2018, the Board held a public hearing and adopted the proposed amendment to the Lee Plan set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, THAT:

SECTION ONE: PURPOSE, INTENT AND SHORT TITLE

The Board of County Commissioners of Lee County, Florida, in compliance with Chapter 163, Part II, Florida Statutes, and with Lee County Administrative Code AC-13-6, conducted public hearings to review proposed amendments to the Lee Plan. The purpose of this ordinance is to adopt map and text amendments to the Lee Plan discussed at those meetings and approved by a majority of the Board of County Commissioners. The short title and proper reference for the Lee County Comprehensive Land Use Plan, as hereby amended, will continue to be the "Lee Plan." **This amending ordinance may be referred to as the "115 Treeline Ordinance (CPA2017-00009)."**

SECTION TWO: ADOPTION OF COMPREHENSIVE PLAN AMENDMENT

The Lee County Board of County Commissioners amends the existing Lee Plan, adopted by Ordinance Number 89-02, as amended, by adopting an amendment, which amends the Future Land Use Map from Tradeport and Wetlands to Urban Community and Wetlands on 115± acres located west of Treeline Avenue and south of Bavaria Road, known as 115 Treeline (CPA2017-00009.

The corresponding Staff Reports and Analysis, along with all attachments and application submittals for this amendment are adopted as "Support Documentation" for the Lee Plan. Proposed amendments adopted by this Ordinance are attached as Exhibit A.

SECTION THREE: LEGAL EFFECT OF THE "LEE PLAN"

No public or private development will be permitted except in conformity with the Lee Plan. All land development regulations and land development orders must be consistent with the Lee Plan as amended.

SECTION FOUR: MODIFICATION

It is the intent of the Board of County Commissioners that the provisions of this Ordinance may be modified as a result of consideration that may arise during Public Hearing(s). Such modifications shall be incorporated into the final version.

SECTION FIVE: GEOGRAPHIC APPLICABILITY

The Lee Plan is applicable throughout the unincorporated area of Lee County, Florida, except in those unincorporated areas included in joint or interlocal agreements with other local governments that specifically provide otherwise.

SECTION SIX: SEVERABILITY

The provisions of this ordinance are severable and it is the intention of the Board of County Commissioners of Lee County, Florida, to confer the whole or any part of the powers herein provided. If any of the provisions of this ordinance are held unconstitutional by a court of competent jurisdiction, the decision of that court will not affect or impair the remaining provisions of this ordinance. It is hereby declared to be the legislative intent of the Board that this ordinance would have been adopted had the unconstitutional provisions not been included therein.

SECTION SEVEN: INCLUSION IN CODE, CODIFICATION, SCRIVENERS' ERROR

It is the intention of the Board of County Commissioners that the provisions of this ordinance will become and be made a part of the Lee County Code. Sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or other appropriate word or phrase in order to accomplish this intention; and regardless of whether inclusion in the code is accomplished, sections of this ordinance may be renumbered or relettered. The correction of typographical errors that do not affect the intent, may be authorized by the County Manager, or his designee, without need of public hearing, by filing a corrected or recodified copy with the Clerk of the Circuit Court.

SECTION EIGHT: EFFECTIVE DATE

The plan amendments adopted herein are not effective until 31 days after the State Land Planning Agency notifies the County that the plan amendment package is complete. If timely challenged, an amendment does not become effective until the State Land Planning Agency or the Administrative Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before the amendment has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status.

THE FOREGOING ORDINANCE was offered by Commissioner Manning, who moved its adoption. The motion was seconded by Commissioner Hamman. The vote was as follows:

John Manning	Aye
Cecil Pendergrass	Aye
Larry Kiker	Aye
Brian Hamman	Aye
Frank Mann	Absent

DONE AND ADOPTED this 17th day of October 2018.

ATTEST:
LINDA DOGGETT, CLERK

BY: _____
Deputy Clerk

LEE COUNTY BOARD OF
COUNTY COMMISSIONERS

BY: _____
Cecil Pendergrass, Chair

BOARD of COUNTY COMMISSIONERS
SEAL
LEE COUNTY, FLORIDA

DATE: 10/17/2018

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

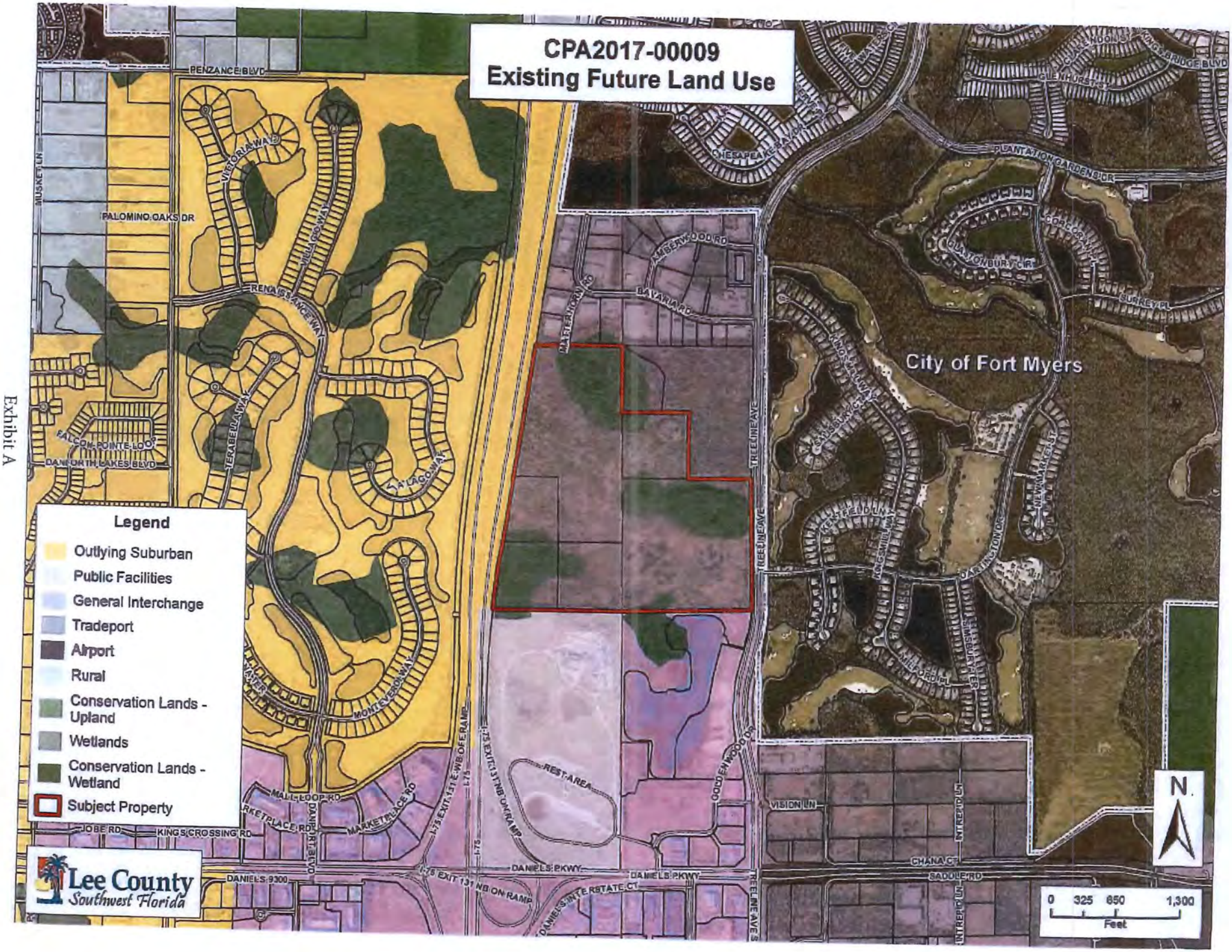
_____
County Attorney's Office

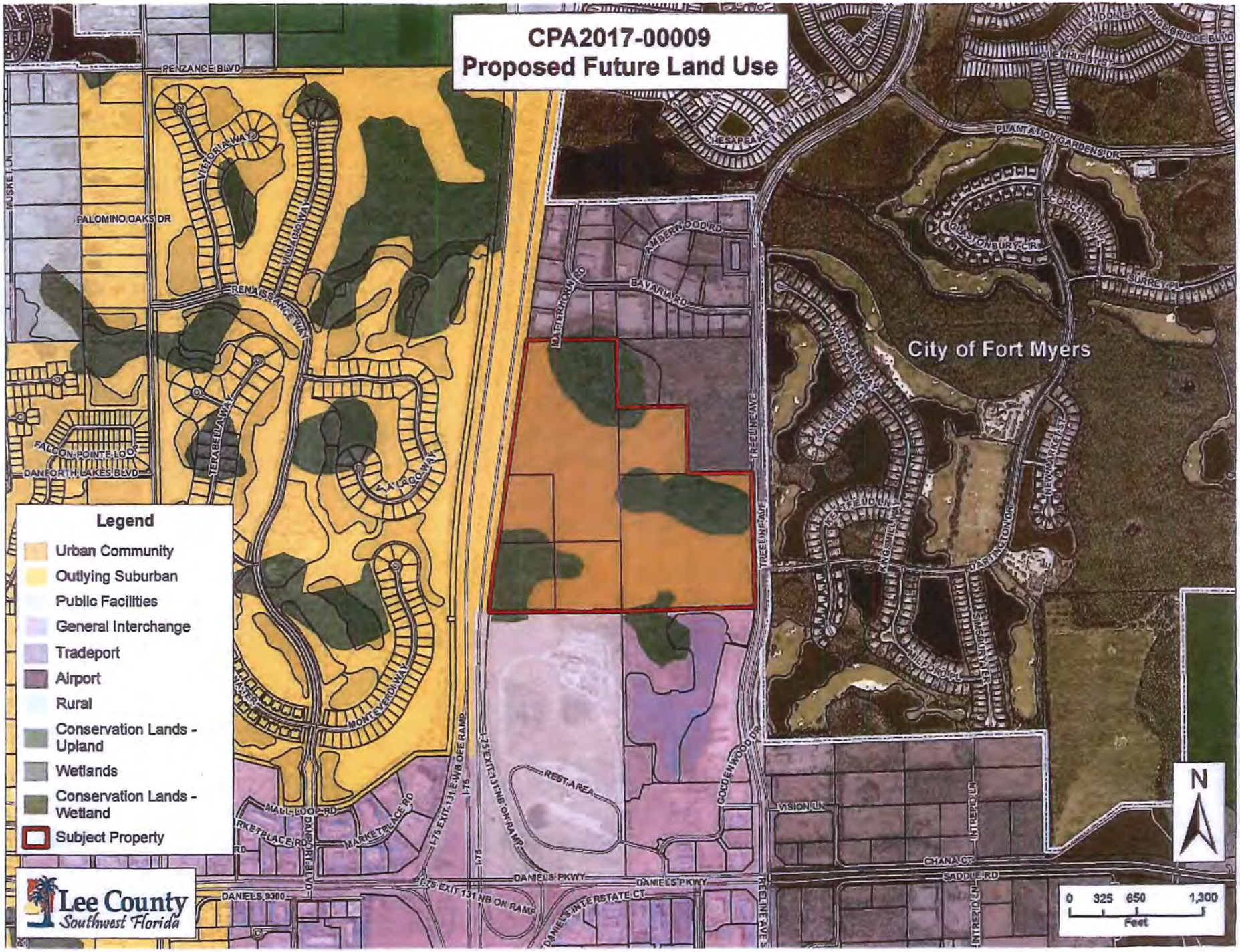
Exhibit A: Adopted revisions to Future Land Use Map (Adopted by BOCC October 17, 2018)

Existing Future Land Use Map
Proposed Future Land Use Map

EXHIBIT A

Exhibit A


CPA2017-00009
Existing Future Land Use
City of Fort Myers
Legend
Outlying Suburban
Public Facilities
General Interchange
Tradeport
Airport
Rural
Conservation Lands - Upland
Wetlands
Conservation Lands - Wetland
Subject Property
Lee County
Southwest Florida
N
0 325 650 1,300
Feet
PENZANCE BLVD
PALOMINO OAKS DR
VICTORIA WAY
RENAISSANCE WAY
TERABELLA WAY
LA LAGO WAY
FALCON POINTE LOOP
DANFORTH LAKES BLVD
MONTEVERDE WAY
MALL LOOP RD
MARKETPLACE RD
DANFORTH BLVD
JOBE RD
KINGS CROSSING RD
DANIELS PKWY
DANIELS INTERSTATE CT
I-75 EXIT 131 EB ON RAMP
I-75 EXIT 131 WB OFF RAMP
I-75 EXIT 131 NB ON RAMP
REST AREA
I-75
AMBERWOOD RD
BAYVIEW RD
MARBLEHORN RD
TREELINE AVE
GOODENWOOD DR
PLANTATION GARDENS DR
CHESAPEAKE BAY DR
CLARENDON DR
KINGSBRIDGE BLVD
GUILFORD GREEN
GOOD DR
DARTINGTON DR
SURREY PL
KINGSWAY DR
KINGS BAY CT
WESTFIELD LN
NEWMARKET CT
OXFORD DR
CAMBRIDGE DR
WINCHESTER DR
VISION LN
INTREPID LN
CHANA CT
SADDLE RD


CPA2017-00009
Proposed Future Land Use
City of Fort Myers
Legend
Urban Community
Outlying Suburban
Public Facilities
General Interchange
Tradeport
Airport
Rural
Conservation Lands - Upland
Wetlands
Conservation Lands - Wetland
Subject Property
Lee County
Southwest Florida
PENZANCE BLVD
PALOMINO OAKS DR
VICTORIA WAY
RENAISSANCE WAY
TERABELLA WAY
LA LAGO WAY
FALCON POINTE LOOP
DANFORTH LAKES BLVD
AMBERWOOD RD
BAVARIA RD
TREELINE AVE
PLANTATION GARDENS DR
SURREY PL
NEWMARKET ST
DARTINGTON DR
MONTEVERDI WAY
MARKETPLACE RD
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I-75 EXIT 131 EB OFF RAMP
I-75 EXIT 131 NB ON RAMP
I-75
REST AREA
GOODENWOOD DR
VISION LN
CHANA CT
SADDLE RD
INTREPID LN
N
0 325 650 1,300
Feet

FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM
CODRS CODING FORM

COUNTY: Lee COUNTY ORDINANCE #: 18-23

(e.g.,93-001)

PRIMARY KEYFIELD
DESCRIPTOR: Comprehensive Planning

SECONDARY KEYFIELD
DESCRIPTOR: Planning

OTHER KEYFIELD
DESCRIPTOR: Land Use Planning

ORDINANCE DESCRIPTION: 115 Treeline

(25 Characters Maximum Including Spaces)

ORDINANCES AMENDED: (List below the ordinances that are amended by this legislation. If more than two, list the most recent two.)

AMENDMENT #1: 89-02 AMENDMENT #2: _____

ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)

REPEAL #1: _____ ; REPEAL #3: _____

REPEAL #2: _____ ; REPEAL #4: _____

(Others Repealed: List All That Apply): _____

(FOR OFFICE USE ONLY): COUNTY CODE NUMBER: _____

KEYFIELD 1 CODE: _____ KEYFIELD 2 CODE: _____

KEYFIELD 3 CODE: _____

Rev. 09/11/02
CODING

FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

October 18, 2018

Honorable Linda Doggett
Clerk of the Circuit Courts
Lee County
Post Office Box 2469
Fort Myers, Florida 33902-2469

Attention: Joyce Townsend

Dear Ms. Doggett:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Ordinance No. 18-23, which was filed in this office on October 18, 2018.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

RECEIVED
By Joyce Townsend at 1:04 pm, Oct 18, 2018