CPA2020-00004

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

# OWL CREEK
## Comprehensive Plan Amendment
### List of Exhibits by Application Section

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COMMUNITY DEVELOPMENT

1. Exhibit M1 - Application
2. Exhibit M2 - Filing Fee
3. Exhibit M3 - Disclosure of Interest
    a. Talon Ventures, LLC
    b. D.R. Horton, Inc.
4. Exhibit M3 - Variance Report
    a. Surrounding Property Owners List
    b. Mailing Labels
    c. Map of Parcels within 500 Feet
5. Exhibit M4 - Future Land Use Map
    a. Existing
    b. Proposed
6. Exhibit M5 & M6 - Map & Designation of Existing Land Uses & Zoning, including
    a. Map of Existing Land Uses
    b. Map of Existing Zoning
    c. Description Narrative of Existing Land Uses & Zoning
    d. Partial Release of Conservation Easement – parcel adjacent to west
7. Exhibit M7 - Signed/Sealed Legal Description & Sketch for each FLUC Proposed
    a. Legal Descriptions
    b. Boundary Survey
8. Exhibit M8 - Deed of Subject Property
9. Exhibit M9 - Aerial Map Showing the Subject Property & Surrounding Properties
10. Exhibit M10 - Authorization Letter from the Property Owner, including
    a. Talon Ventures, LLC
    b. D.R Horton, Inc.
11. Exhibit M11 & M18 - Lee Plan Consistency & State-Regional Plans
12. Exhibit M12 - Environmental Impacts Analysis
13. Exhibit M13 - Historical Resources Impact Analysis, including
    a. Archaeological Sensitivity Map
    b. Analysis of Potential Impacts to Cultural Resources Report
14. Exhibit M14 & M16 - Public Facilities Impact Analysis & Existing & Future Conditions Analysis
15. Exhibit M15 - Traffic Circulation Analysis
16. Exhibit M17 - Letters of Determination for Adequacy and copies of requests
    a. Bayshore Fire Protection & Rescue Service District
    b. Division of Emergency Medical Services
    c. Lee County Utilities
    d. Lee County Transit
    e. School District of Lee County
    f. Lee County Sheriff's Office



10511 Six Mile Cypress Parkway • Suite 101 • Fort Myers, Florida 33966
Phone 239-939-5490 • www.bankseng.com • Fax 239-939-2523
Engineering License No. EB 6469 • Surveying License No. LB 6690

   g. Lee County Solid Waste Department
   h. FGUA Wastewater
17. Exhibit M19 - Justification of Proposed Amendment
18. Exhibit M20 - Planning Community Requirements
19. Additional Support Document:
   a. Amendment to Lee Plan Map 6 - Future Water Service Areas
   b. Preliminary Development Footprint
   c. Proposed Text Amendment Language
      i. North Olga Community Plan New Objectives and Policies
      ii. Table 1(a)
      iii. Table 1(b)

# Application
## (Exhibit M1)

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# APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT - MAP

**Project Name:** Owl Creek

**Project Description:** FLUM amendment from Rural/Wetlands to Sub-Outlying Suburban with associated text amendments to accommodate up to 440 residential dwelling units (increase of 219 dwelling units) and include within Lee County Utilities Future Water Service area.

**Map(s) to Be Amended:** Map 1, Page 1 (FLUM), Map 6 – Lee County Utilities Future Water Service Area

**State Review Process:** ☐ Small-Scale Review ☐ State Coordinated Review [X] Expedited State Review

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1. **Name of Applicant:** D.R. Horton, Inc.
   Address: 10541 Six Mile Cypress Pkwy
   City, State, Zip: Fort Myers, FL 33966
   Phone Number: 239-225-2600 E-mail: JWEverett@drhorton.com

2. **Name of Contact:** Stacy Ellis Hewitt, AICP – Banks Engineering
   Address: 10511 Six Mile Cypress Pkwy
   City, State, Zip: Fort Myers, FL 33966
   Phone Number: (239) 770-2527/(239) 939-5490 E-mail: SHewitt@bankseng.com

3. **Owner(s) of Record:** Talon Ventures, LLC
   Address: 10 Wimbledon Court
   City, State, Zip: Frisco, TX 75034
   Phone Number: E-mail:

4. **Property Location:**
   1. Site Address: 12850 N. River Road, 18420 & 17900 Owl Creek Drive
   2. STRAP(s): 18-43-26-00-00002.0020; 18-43-26-00-00002.0000 & 19-43-26-00-00002.1020

5. **Property Information:**
   Total Acreage of Property: ±342.68 Total Acreage Included in Request: ±342.68
   Total Uplands: ±221.04 Total Wetlands: ±121.64* Current Zoning: AG-2
   Current Future Land Use Category(ies): Rural & Wetlands
   Area in Each Future Land Use Category: Rural: ±221.04 Wetlands: ±121.64* (*includes surface waters)
   Existing Land Use: Agricultural Grazing Lands

6. **Calculation of maximum allowable development under current Lee Plan:**
   Residential Units/Density: 221 Commercial Intensity: Industrial Intensity:

7. **Calculation of maximum allowable development with proposed amendments:**
   Residential Units/Density: 440 Commercial Intensity: Industrial Intensity:

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**Public Facilities Impacts**

NOTE: The applicant must calculate public facilities impacts based on the maximum development.

1. **Traffic Circulation Analysis**: The analysis is intended to determine the affect of the land use change on the Financially Feasible Highway Plan Map 3A (20-year plus horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit a Traffic Impact Statement (TIS) consistent with Lee County Administrative Code (AC)13-17.

   **a.** Proposals affecting less than 10 acres, where development parameters are contained within the Traffic Analysis Zone (TAZ) or zones planned population and employment, or where there is no change in allowable density/ intensity, may be eligible for a TIS requirement waiver as outlined in the Lee County TIS Guidelines and AC-13-17. Identification of allowable density/intensity in order to determine socio-economic data for affected TAZ(s) must be coordinated with Lee County Planning staff. Otherwise a calculation of trip generation is required consistent with AC-13-17 and the Lee County TIS Guidelines to determine required components of analysis for:

      i. Total peak hour trip generation less than 50 total trip ends – trip generation.

      ii. Total peak hour trip generation from 50 to 300 total trip ends – trip generation, trip distribution and trip assignment (manual or Florida Standard Urban Transportation Modeling Structure (FSUTMS) analysis consistent with AC-13-17 and TIS Guidelines), short-term (5 year) and long-range (to current Lee Plan horizon year) segment LOS analysis of the nearest or abutting arterial and major collector segment(s) identified in the Transportation Inventory based on the trip generation and roadway segment LOS analysis criteria in AC-13-17. A methodology meeting is recommended prior to submittal of the application to discuss use of FSUTMS, any changes to analysis requirements, or a combined CPA and Zoning TIS short term analysis.

      iii. Total peak hour trip generation is over 300 total trip ends - trip generation, mode split, trip distribution and trip assignment (manual or FSUTMS analysis consistent with AC-13-17 and TIS Guidelines), short-term (five-year) and long-range (to current Lee Plan horizon year) segment LOS analysis of arterial and collector segments listed in the Transportation Inventory. LOS analysis will include any portion of roadway segments within an area three miles offset from the boundary of the application legal description metes and bounds survey. LOS analysis will also include any additional segments in the study area based on the roadway segment LOS analysis criteria in AC-13-17. A methodology meeting is required prior to submittal of the application.

   **b.** Map amendment - greater than 10 acres -Allowable density/intensity will be determined by Lee County Planning staff.

2. **Provide an existing and future conditions analysis for the following (see Policy 95.1.3):**
   **a.** Sanitary Sewer
   **b.** Potable Water
   **c.** Surface Water/Drainage Basins
   **d.** Parks, Recreation, and Open Space
   **e.** Public Schools

   **Analysis for each of the above should include (but is not limited to) the following (see the Lee County Concurrency Management Report):**

   a Franchise Area, Basin, or District in which the property is located
   b Current LOS, and LOS standard of facilities serving the site
   c Projected 2030 LOS under existing designation
   d Projected 2030 LOS under proposed designation
   e Existing infrastructure, if any, in the immediate area with the potential to serve the subject property
   f Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long range improvements
   g Provide a letter of service availability from the appropriate utility for sanitary sewer and potable water

**In addition to the above analysis, provide the following for potable water:**

a. Determine the availability of water supply within the franchise area using the current water use allocation (Consumptive Use Permit) based on the annual average daily withdrawal rate.
b. Include the current demand and the projected demand under the existing designation, and the projected demand under the proposed designation.
c. Include the availability of treatment facilities and transmission lines for reclaimed water for irrigation.
d. Include any other water conservation measures that will be applied to the site (see Goal 54).

**3. Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including:**

**a.** Fire protection with adequate response times
**b.** Emergency medical service (EMS) provisions
**c.** Law enforcement
**d.** Solid Waste
**e.** Mass Transit
**f.** Schools

In reference to above, the applicant must supply the responding agency with the information from application items 5, 6, and 7 for their evaluation. This application must include the applicant's correspondence/request to the responding agency.

**Environmental Impacts**

Provide an overall analysis of the character of the subject property and surrounding properties, and assess the site's suitability for the proposed change based upon the following:

1. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCCS).
2. A map and description of the soils found on the property (identify the source of the information).
3. A topographic map depicting the property boundaries and 100-year flood prone areas indicated (as identified by FEMA).
4. A map delineating the property boundaries on the most recent Flood Insurance Rate Map.
5. A map delineating wetlands, aquifer recharge areas, and rare & unique uplands.
6. A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern. The table must include the listed species by FLUCCS and the species status (same as FLUCCS map).

**Impacts on Historic Resources**

List all historic resources (including structure, districts, and/or archaeologically sensitive areas) and provide an analysis of the proposed change's impact on these resources. The following should be included with the analysis:

1. A map of any historic districts and/or sites listed on the Florida Master Site File which are located on the subject property or adjacent properties.
2. A map showing the subject property location on the archaeological sensitivity map for Lee County.

**Internal Consistency with the Lee Plan**

1. Discuss how the proposal affects established Lee County population projections, Lee Plan Table 1(b) and the total population capacity of the Lee Plan Future Land Use Map.
2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment or that affect the subject property. This analysis should include an evaluation of all relevant policies under each goal and objective.
3. Describe how the proposal affects adjacent local governments and their comprehensive plans.

**State Policy Plan and Regional Policy Plan**

List State Policy Plan and Regional Policy Plan goals, strategies and actions, and policies which are relevant to this plan amendment.

**Justify the proposed amendment based upon sound planning principles**

Support all conclusions made in this justification with adequate data and analysis.

**Planning Communities/Community Plan Area Requirements**

If located within a planning community/community plan area, provide a meeting summary document of the required public informational session [Lee Plan Goal 17].

**Sketch and Legal Description**

The certified legal description(s) and certified sketch of the description for the property subject to the requested change. A metes and bounds legal description must be submitted specifically describing the entire perimeter boundary of the property with accurate bearings and distances for every line. The sketch must be tied to the state plane coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment) with two coordinates, one coordinate being the point of beginning and the other an opposing corner. If the subject property contains wetlands or the proposed amendment includes more than one land use category a metes and bounds legal description, as described above, must be submitted in addition to the perimeter boundary of the property for each wetland or future land use category.

## SUBMITTAL REQUIREMENTS

***Clearly label all submittal documents with the exhibit name indicated below.***

***For each map submitted, the applicant will be required to submit a 24"x36" version and 8.5"x11" reduced map for inclusion in public hearing packets.***

### MINIMUM SUBMITTAL ITEMS (3 Copies)

| | |
|---|---|
| x | Completed Application (Exhibit – M1) |
| x | Filing Fee (Exhibit – M2) |
| x | Disclosure of Interest (Exhibit – M3) |
| x | Surrounding Property Owners List, Mailing Labels, and Map For All Parcels Within 500 Feet of the Subject Property (Exhibit – M3) |
| x | Future Land Use Map - Existing and Proposed (Exhibit – M4) |
| x | Map and Description of Existing Land Uses (Not Designations) of the Subject Property and Surrounding Properties (Exhibit – M5) |
| x | Map and Description of Existing Zoning of the Subject Property and Surrounding Properties (Exhibit – M6) |
| x | Signed/Sealed Legal Description and Sketch of the Description for Each FLUC Proposed (Exhibit – M7) |
| x | Copy of the Deed(s) of the Subject Property (Exhibit – M8) |
| x | Aerial Map Showing the Subject Property and Surrounding Properties (Exhibit – M9) |
| x | Authorization Letter From the Property Owner(s) Authorizing the Applicant to Represent the Owner (Exhibit – M10) |
| x | Lee Plan Analysis (Exhibit – M11) |
| x | Environmental Impacts Analysis (Exhibit – M12) |
| x | Historic Resources Impact Analysis (Exhibit – M13) |
| x | Public Facilities Impacts Analysis (Exhibit – M14) |
| x | Traffic Circulation Analysis (Exhibit – M15) |
| x | Existing and Future Conditions Analysis - Sanitary Sewer, Potable Water, Surface Water/Drainage Basins, Parks and Rec, Open Space, Public Schools (Exhibit – M16) |
| x | Letter of Determination For the Adequacy/Provision of Existing/Proposed Support Facilities - Fire Protection, Emergency Medical Service, Law Enforcement, Solid Waste, Mass Transit, Schools (Exhibit – M17) |
| x | State Policy Plan and Regional Policy Plan (Exhibit – M18) |
| x | Justification of Proposed Amendment (Exhibit – M19) |
| x | Planning Communities/Community Plan Area Requirements (Exhibit – M20) |

**APPLICANT – PLEASE NOTE:**

Once staff has determined the application is sufficient for review, 15 complete copies will be required to be submitted to staff. These copies will be used for Local Planning Agency hearings, Board of County Commissioners hearings, and State Reviewing Agencies. Staff will notify the applicant prior to each hearing or mail out to obtain the required copies.

If you have any questions regarding this application, please contact the Planning Section at (239)533-8585.

AFFIDAVIT

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

Signature of Applicant 8/20/20 Date

Justin Robbins - Division President/VP of D.R. Horton, Inc.
Printed Name of Applicant

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization on 8/20/2020 (date) by (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

Signature of Notary Public

RINA PATEL
(Name typed, printed or stamped)

RINA PATEL
Notary Public - State of Florida
Commission # GG 964221
My Comm. Expires May 7, 2024
Bonded through National Notary Assn.

# Disclosure of Interest
## (Exhibit M3)

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SEP 2 1 2020
COMMUNITY DEVELOPMENT

# DISCLOSURE OF INTEREST AFFIDAVIT

BEFORE ME this day appeared Belinda B. Ulrich, as Manager of Talon Ventures, LLC, a Florida limited liability company, who, being first duly sworn and deposed says:

1. That I am the record owner, or a legal representative of the record owner, of the property that is located at 12850 N River Road (18-43-26-00-00002.0020), 18420 Owl Creek Dr (18-43-26-00-00002.0000) & 17900 Owl Creek Dr (19-43-26-00-00002.1020) and is the subject of an Application for zoning action (hereinafter the "Property").

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

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

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

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

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

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

| Name and Address | Percentage of Ownership |
|---|---|
| N/A | |
| | |
| | |
| | |
| | |
| | |

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

Belinda B Ulrich
Property Owner

Belinda B. Ulrich, as Manager of Talon Ventures, LLC, a Florida limited liability company
Print Name

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

STATE OF ~~FLORIDA~~ TEXAS
COUNTY OF ~~LEE~~ COLLIN

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of [X] physical presence or [ ] online notarization, on July 13, 2020 (date) by Belinda Ulrich (name of person providing oath or affirmation), who is personally known to me or who has produced TEXAS Driver License (type of identification) as identification.

Desiree J Vance
**Signature of Notary Public**

**STAMP/SEAL**

DESIREE J VANCE
Notary Public
STATE OF TEXAS
ID# 12542796-5
My Comm. Exp. June 20, 2021

**DISCLOSURE OF INTEREST**
**AFFIDAVIT**

BEFORE ME this day appeared Justin Robbins, as Division President/VP of D.R. Horton, Inc., who, being first duly sworn and deposed says:

1. That I am the record owner, or a legal representative of the record owner, of the property that is located at 12850 N River Road (18-43-26-00-00002.0020), 18420 Owl Creek Dr (18-43-26-00-00002.0000) & 17900 Owl Creek Dr (19-43-26-00-00002.1020) and is the subject of an Application for zoning action (hereinafter the "Property").

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

| Name and Address | Percentage of Ownership |
|---|---|
| N/A | |
| | |
| | |
| | |
| | |
| | |

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

_____
Property Owner

Justin Robbins, as Division President/VP of D.R. Horton, Inc. as Authorized Legal Representative of Talon Ventures, LLC.
Print Name

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

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of [X] physical presence or [ ] online notarization, on 8/20/2020 (date) by Justin Robbins (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

**STAMP/SEAL**

RINA PATEL
Notary Public - State of Florida
Commission # GG 964221
My Comm. Expires May 7, 2024
Bonded through National Notary Assn.

**Signature of Notary Public**

# Surrounding Property Owners List, Mailing Labels & Map

(Exhibit M3)

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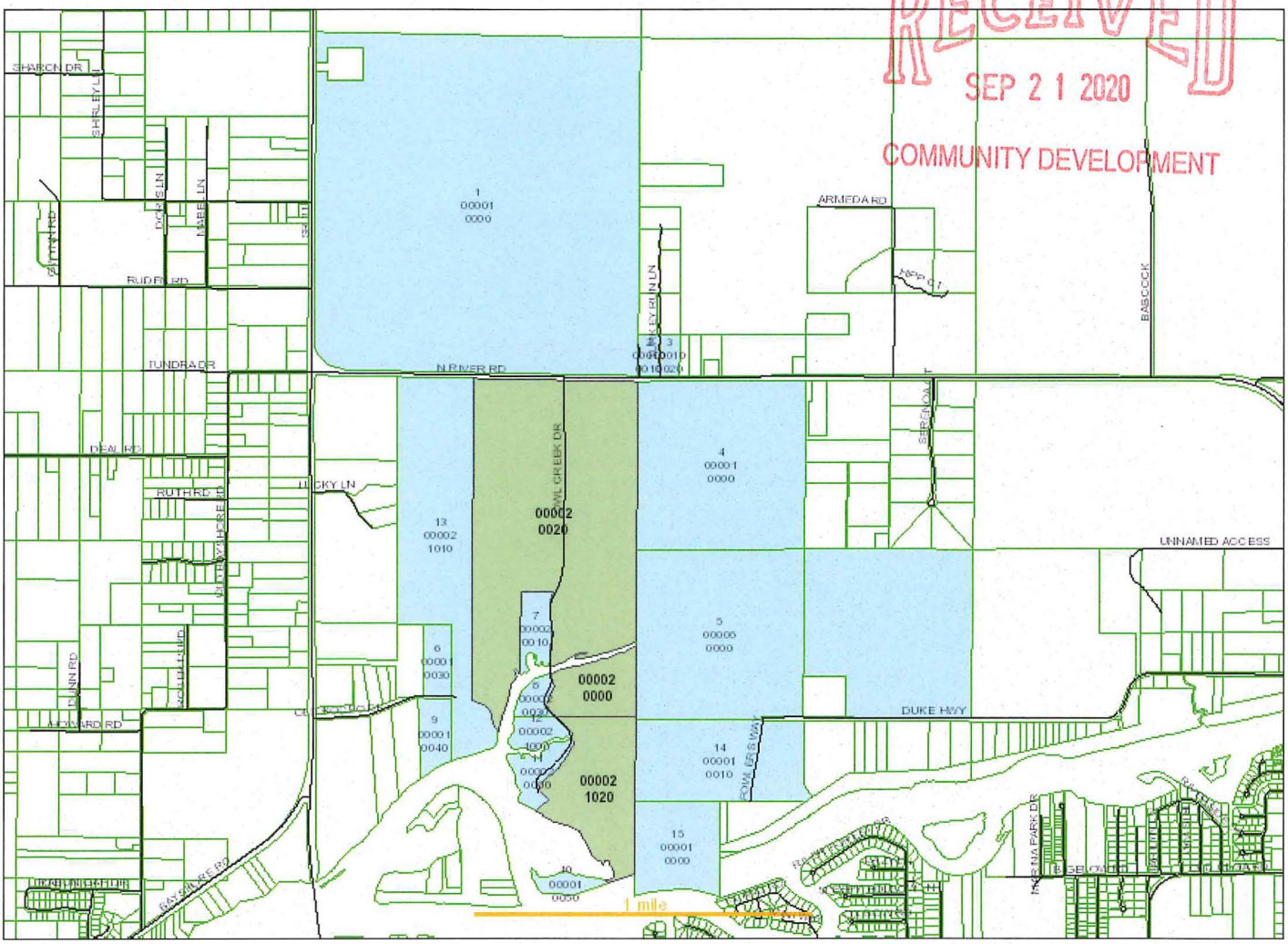
COMMUNITY DEVELOPMENT




Date of Report: August 27, 2020

Buffer Distance: 500 feet Rerun

Parcels Affected: 15

Subject Parcels: **18-43-26-00-00002.0000, 18-43-26-00-00002.0020, 19-43-26-00-00002.1020**

To change, add or remove subject parcels please change the parcel selection in GeoView

Click here to download the map image, mailing labels (Avery 5161) and CSV formatted information.

| OWNER NAME AND ADDRESS | STRAP AND LOCATION | LEGAL DESCRIPTION | MAP INDEX |
|---|---|---|---|
| BABCOCK PROPERTY HOLDINGS LLC<br>KITSON AND PARTNERS<br>4500 PGA BLVD STE 400<br>PALM BEACH GARDENS FL 33418 | **07-43-26-00-00001.0000**<br>19500 STATE ROAD 31<br>ALVA FL 33920 | ALL SEC 7 LESS W 50 FT FOR RD R/W AS DESC IN OR 13 PG 575 + LESS SR 78 AS DESC IN OR 439 PG 715<br>LESS 2018-233590 | 1 |
| ONEILL MICHAEL<br>13033 N RIVER RD<br>ALVA FL 33920 | **08-43-26-00-00010.0010**<br>13033 N RIVER RD<br>ALVA FL 33920 | W 1/2 OF S W 1/4 OF S W 1/4 OF S W 1/4<br>DESC IN OR 1432 PG 635 | 2 |
| PIPKINS DAVID S &<br>19100 TURKEY RUN LN<br>ALVA FL 33920 | **08-43-26-00-00010.0020**<br>19100 TURKEY RUN LN<br>ALVA FL 33920 | E1/2 OF SW1/4 OF SW1/4 OF SW1/4 DESC IN<br>OR 1505 PG 1868 | 3 |
| CARY + DUKE PROPERTIES LLC<br>PO BOX 718<br>FORT MYERS FL 33902 | **17-43-26-00-00001.0000**<br>13230 N RIVER RD<br>ALVA FL 33920 | NW 1/4 + SE 1/4 LESS SW 1/4 OF SW 1/4 OF SE 1/4<br>LESS R/W OR 2026/2985 | 4 |
| NORTH RIVER COMMUINITIES LLC<br>9990 COCONUT RD STE 200<br>BONITA SPRINGS FL 34135 | **17-43-26-00-00006.0000**<br>13231 DUKE HWY<br>ALVA FL 33920 | SW 1/4 LESS R/W OR 2026/2985 | 5 |
| WINTER RYAN G + | **18-43-26-00-00001.0030** | PARC IN S1/2 OF SE1/4 DESC | 6 |

| | | | |
|---|---|---|---|
| 12251 OLD RODEO DR<br>ALVA FL 33920 | 12251 OLD RODEO DR<br>ALVA FL 33920 | OR 2626/0083 LESS 2019-84518 +<br>2019-84519 | |
| OWL CREEK BOAT WORKS +<br>18251 OWL CREEK DR<br>ALVA FL 33920 | **18-43-26-00-00002.0010**<br>18251 OWL CREEK DR<br>ALVA FL 33920 | PARL IN SE 1/4 N OF CRK<br>AS DESC IN OR 1100 PG 0642 | 7 |
| VERSPEETEN RONALD<br>20 STUBBS CR<br>TILLSONBURG ON N4G 4P5<br>CANADA | **18-43-26-00-00002.0030**<br>OWL CREEK DR<br>ALVA FL 33920 | PARCEL IN SE 1/4 S OF TROUT<br>CREEK LESS OR 2619 PG 3907 | 8 |
| DILORETO THOMAS N & DIANA L<br>12290 OLD RODEO DR<br>ALVA FL 33920 | **19-43-26-00-00001.0040**<br>12290 OLD RODEO DR<br>ALVA FL 33920 | ALL FRAC W 1/2 OF RVR DESC<br>IN<br>OR 4830 PG 1310 + 2019-84519<br>LESS RD R/W + 1.0000 THRU<br>1.0030 | 9 |
| SOUTH FLA WATER MGMT DIST<br>LAND MANAGEMENT<br>PO BOX 24680<br>WEST PALM BEACH FL 33416 | **19-43-26-00-00001.0050**<br>ACCESS UNDETERMINED<br>ALVA FL | PARL IN 19-43-26<br>AS DESC IN OR 37 PG 220 | 10 |
| VERSPEETEN RONALD<br>20 STUBBS CR<br>TILLSONBURG ON N4G 4P5<br>CANADA | **19-43-26-00-00002.0000**<br>17891/901 OWL CREEK DR<br>ALVA FL 33920 | ALL FRAC E 1/2 N OF RVR<br>LESS PARCEL 2.001 + 2.1000 | 11 |
| VERSPEETEN RONALD<br>20 STUBBS CR<br>TILLSONBURG ON N4G 4P5<br>CANADA | **19-43-26-00-00002.1000**<br>18001 OWL CREEK DR<br>ALVA FL 33920 | E 1/2 OF SEC N OF RIVER<br>LESS 2.+ 2.001 + 2.1010<br>+ 2.1020 | 12 |
| LAWSON DONALD<br>SHUMAKER LOOP + KENDRICK LLP<br>240 S PINEAPPLE AVE<br>SARASOTA FL 34236 | **19-43-26-00-00002.1010**<br>12350 OLD RODEO DR<br>ALVA FL 33920 | PAR IN NW1/4 OF NW1/4 OF<br>NE1/4 OF SEC 19 + PORT IN<br>SE 1/4 OF SW 1/4 OF SW 1/4<br>AS DESC IN INST#2006-467705<br>PAR IN E 1/2 OF W 1/2<br>N OF RIVER AS DESC IN<br>INST#2006-467701 | 13 |
| SOUTH FLA WATER MGMT DIST<br>LAND MANAGEMENT<br>PO BOX 24680<br>WEST PALM BEACH FL 33416 | **20-43-26-00-00001.0010**<br>ACCESS UNDETERMINED<br>FORT MYERS FL | PARL IN NE 1/4 AS DESC IN<br>OR 484/407 | 14 |
| CLARE LAND LLC<br>PO BOX 131391<br>HOUSTON TX 77219 | **20-43-26-01-00001.0000**<br>ACCESS UNDETERMINED<br>FORT MYERS FL | HART + FOXWORTHYS S/D<br>PB 1 PG 44 NLY PT<br>LOTS 1 THRU 8 | 15 |

BABCOCK PROPERTY HOLDINGS LLC
KITSON AND PARTNERS
4500 PGA BLVD STE 400
PALM BEACH GARDENS FL 33418

PIPKINS DAVID S &
19100 TURKEY RUN LN
ALVA FL 33920

NORTH RIVER COMMUINITIES LLC
9990 COCONUT RD STE 200
BONITA SPRINGS FL 34135

OWL CREEK BOAT WORKS +
18251 OWL CREEK DR
ALVA FL 33920

DILORETO THOMAS N & DIANA L
12290 OLD RODEO DR
ALVA FL 33920

VERSPEETEN RONALD
20 STUBBS CR
TILLSONBURG ON N4G 4P5
CANADA

LAWSON DONALD
SHUMAKER LOOP + KENDRICK LLP
240 S PINEAPPLE AVE
SARASOTA FL 34236

CLARE LAND LLC
PO BOX 131391
HOUSTON TX 77219

ONEILL MICHAEL
13033 N RIVER RD
ALVA FL 33920

CARY + DUKE PROPERTIES LLC
PO BOX 718
FORT MYERS FL 33902

WINTER RYAN G +
12251 OLD RODEO DR
ALVA FL 33920

VERSPEETEN RONALD
20 STUBBS CR
TILLSONBURG ON N4G 4P5
CANADA

SOUTH FLA WATER MGMT DIST
LAND MANAGEMENT
PO BOX 24680
WEST PALM BEACH FL 33416

VERSPEETEN RONALD
20 STUBBS CR
TILLSONBURG ON N4G 4P5
CANADA

SOUTH FLA WATER MGMT DIST
LAND MANAGEMENT
PO BOX 24680
WEST PALM BEACH FL 33416

# Future Land Use Map - Existing & Proposed

(Exhibit M4)

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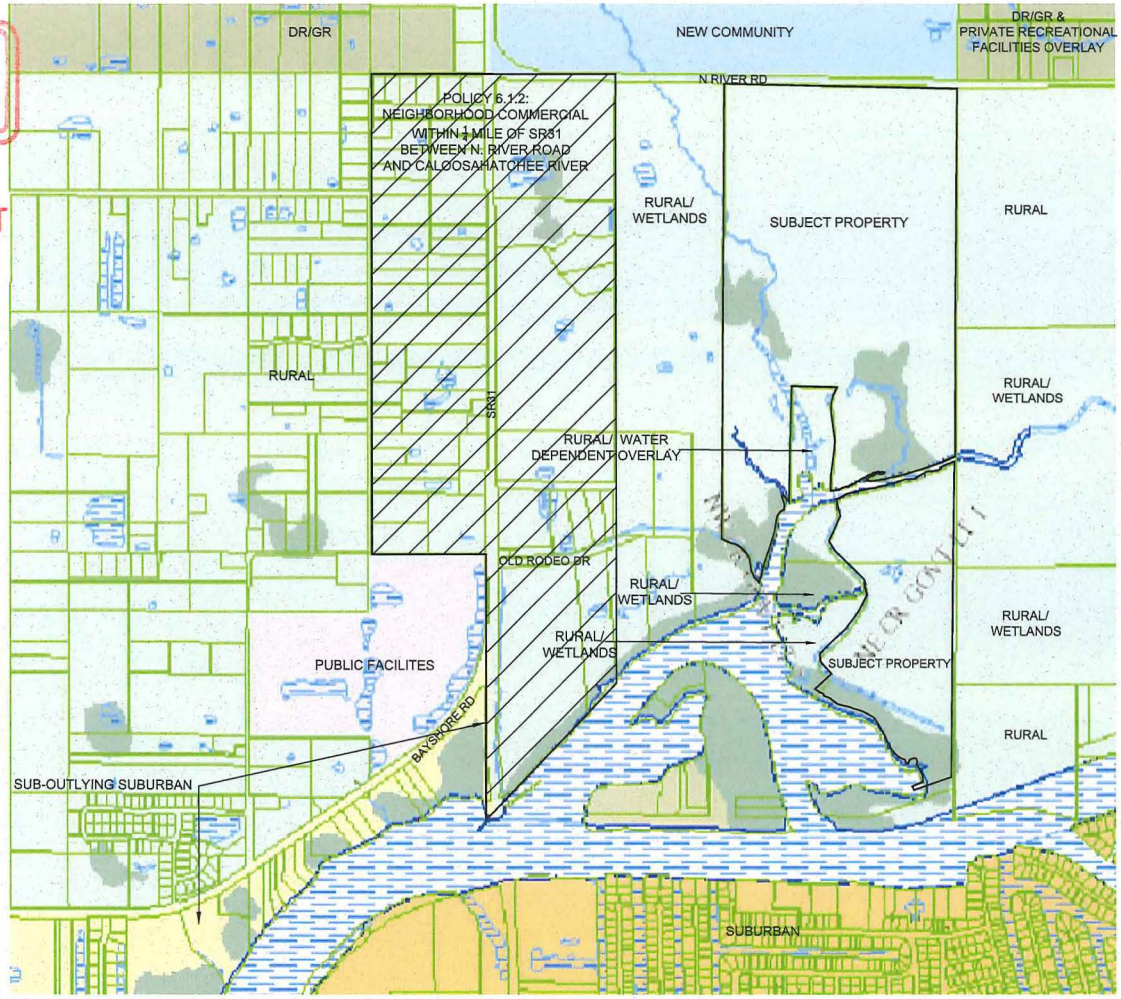

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Professional Engineers, Planners, & Land Surveyors
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FORT MYERS, FLORIDA 33966
PHONE: (239) 939-5490 FAX: (239) 939-2523
ENGINEERING LICENSE # EB 6489
SURVEY LICENSE # LB 6890
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EXISTING FUTURE LAND USE MAP EXHIBIT-M4

# OWL CREEK

LEE COUNTY, FLORIDA

| DATE | PROJECT | DRAWING | DESIGN | DRAWN | CHECKED | SCALE | SHEET |
|---|---|---|---|---|---|---|---|
| 08/24/2020 | 8504 | _EXHIBIT | KG | KG | DRU | N.T.S. | 01 |

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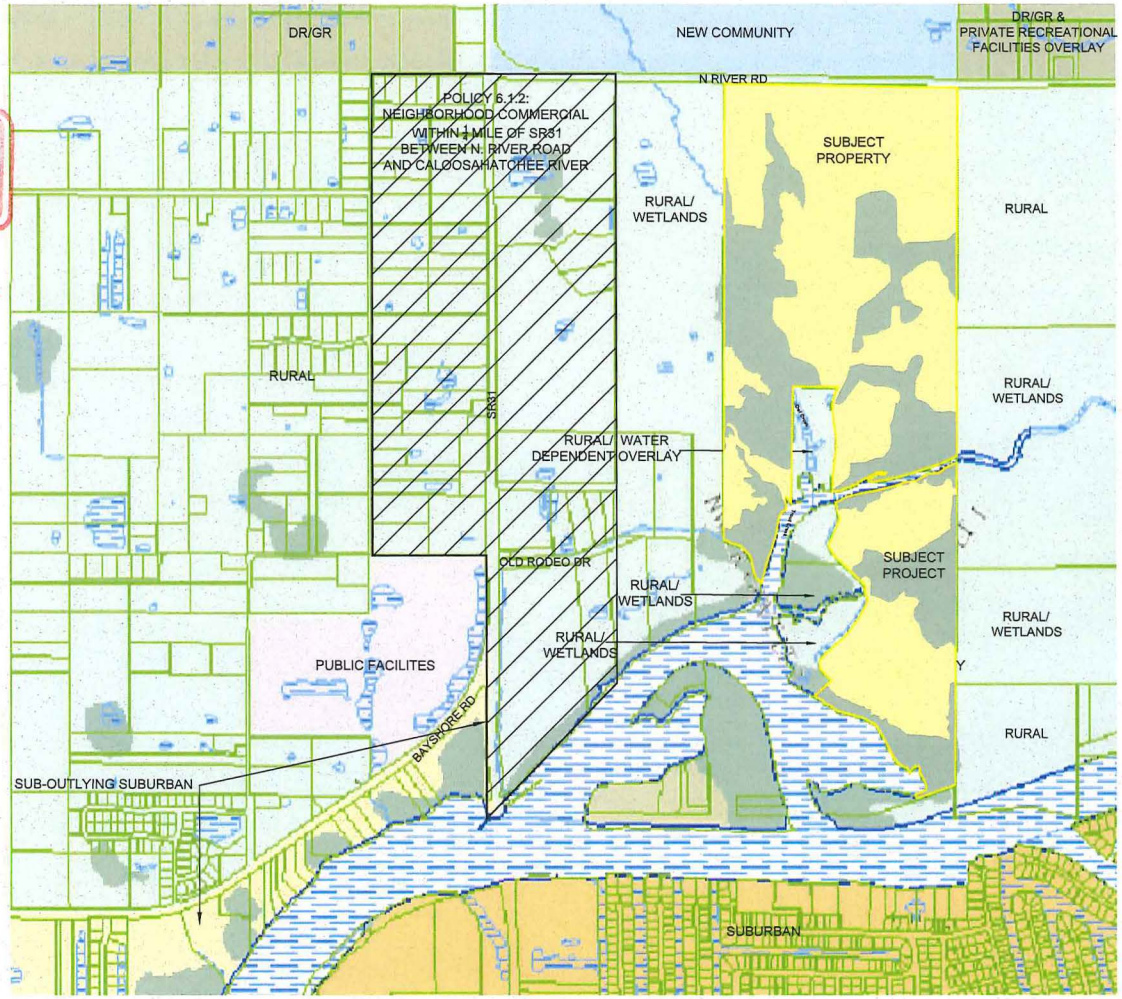

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SURVEY LICENSE # LB 6690
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PROPOSED FUTURE LAND USE MAP EXHIBIT-M4

# OWL CREEK

LEE COUNTY, FLORIDA

| DATE | PROJECT | DRAWING | DESIGN | DRAWN | CHECKED | SCALE | SHEET |
|---|---|---|---|---|---|---|---|
| 08/24/2020 | 8504 | _EXHIBIT | KG | KG | DRU | N.T.S. | 01 |

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# Map & Description of Existing Land Uses & Map & Description of Existing Zoning of the Subject Property & Surrounding Properties

(Exhibits M5 & M6)

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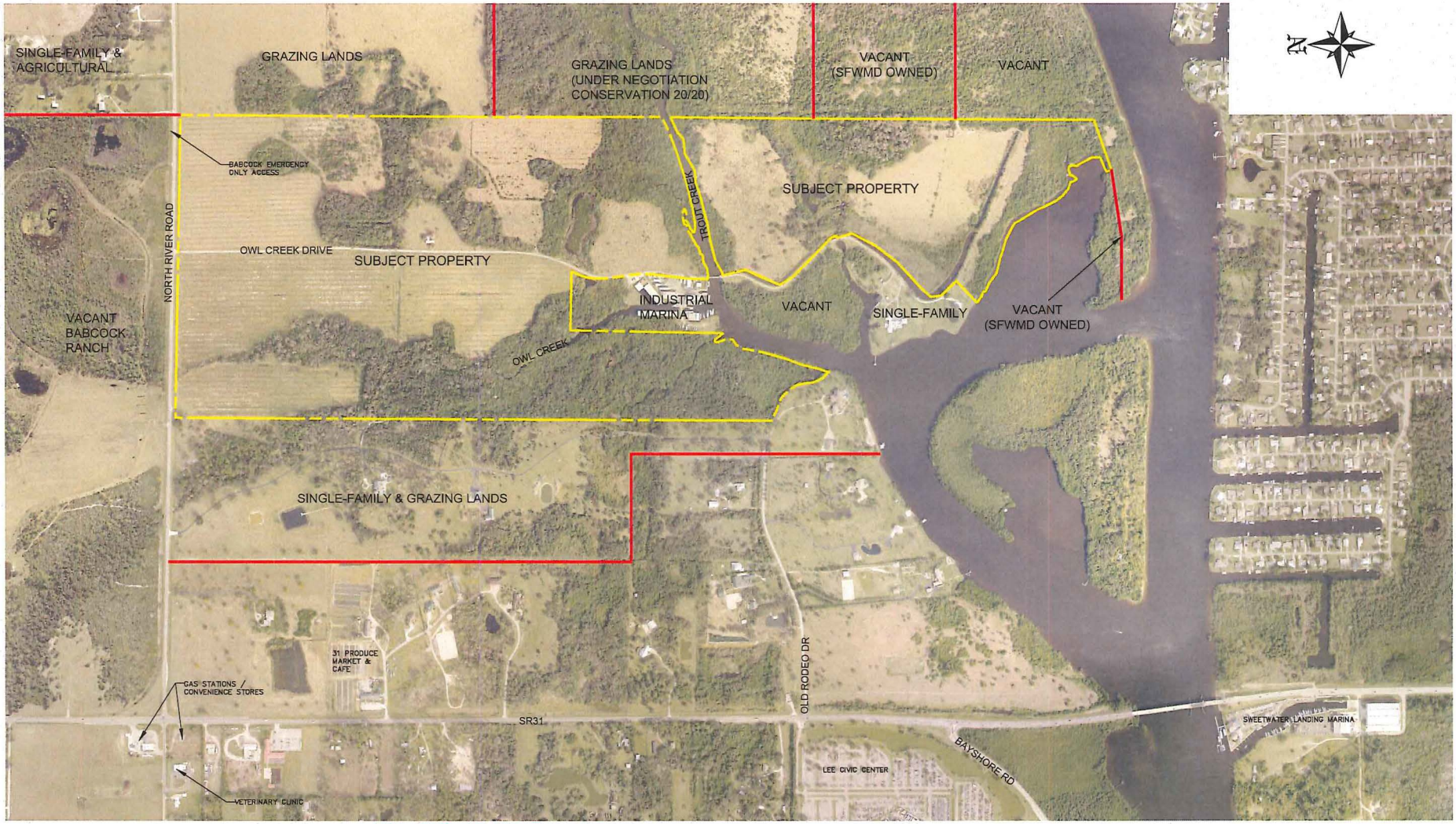


LEGEND:

= APPROXIMATE ADJACENT PROPERTY LINE

= SUBJECT PROPERTY

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MAP OF EXISTING LAND USES EXHIBIT-M5

OWL CREEK

LEE COUNTY, FLORIDA

| DATE | PROJECT | DRAWING | DESIGN | DRAWN | CHECKED | SCALE | SHEET |
|---|---|---|---|---|---|---|---|
| 08/24/2020 | 8504 | _EXHIBIT | KG | KG | DRU | N.T.S. | 01 |

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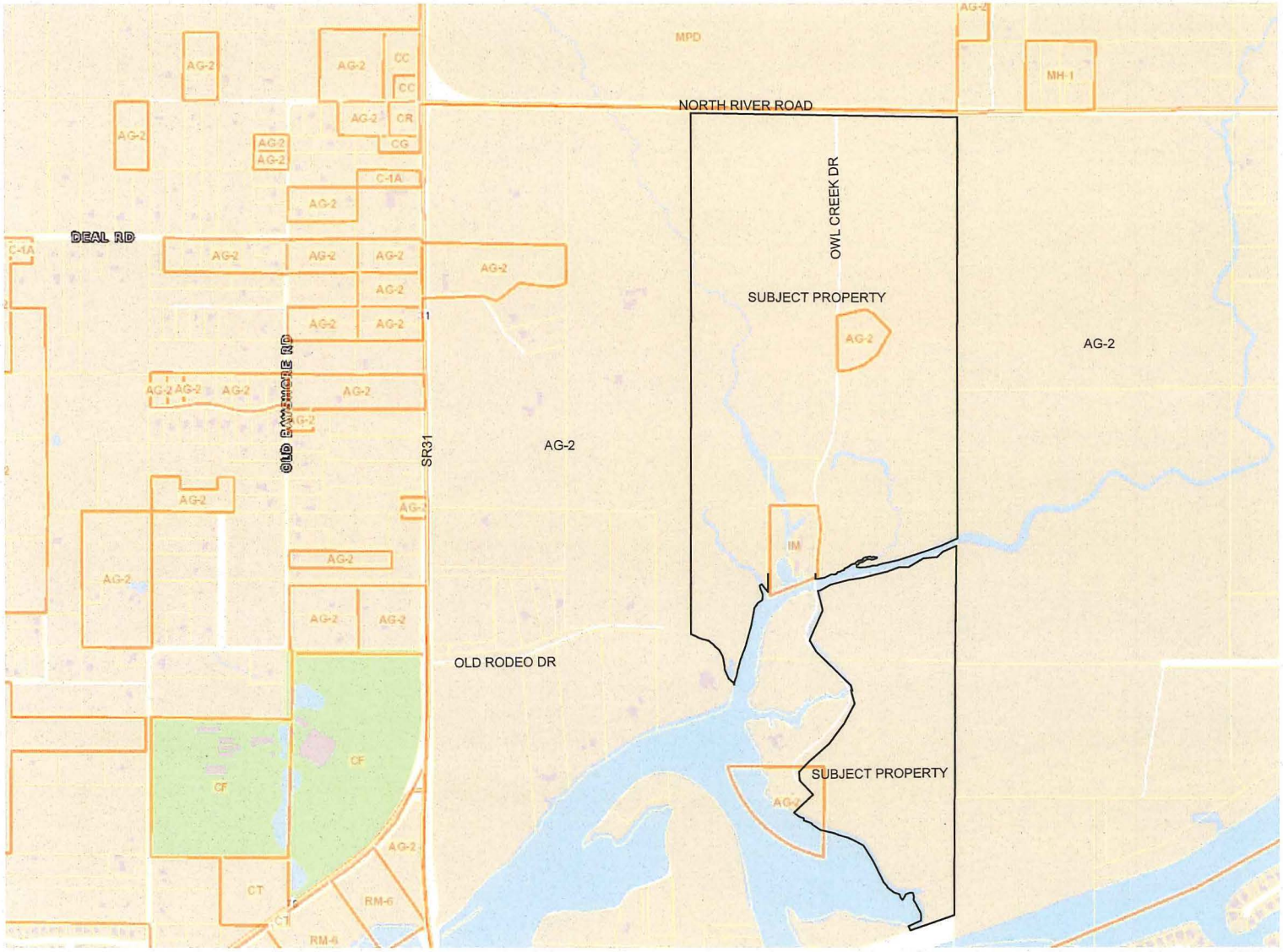


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ENGINEERING LICENSE # EB 6489
SURVEY LICENSE # LB 6930
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MAP OF EXISTING ZONING EXHIBIT-M6
OWL CREEK
LEE COUNTY, FLORIDA

| DATE | PROJECT | DRAWING | DESIGN | DRAWN | CHECKED | SCALE | SHEET |
|---|---|---|---|---|---|---|---|
| 08/24/2020 | 8504 | _EXHIBIT | KG | KG | DRU | N.T.S. | 01 |

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# OWL CREEK
# Comprehensive Plan Amendment
## Description of Existing Land Uses of Subject Property and Surrounding Properties
## Description of Existing Zoning of Subject Property and Surrounding Properties
## EXHIBITS "M5" & "M6"

*Subject Property*

The Owl Creek property is situated in an area of rapid change with fairly intensive existing and historic uses such as the Lee Civic Center to industrial marine uses such as Owl Creek Boat Works and Storage where individuals come from all over the region for yacht refinishing and Sweetwater Landing Marina. The property is located on the edge of the urban area. The rapid changes include the continuing development of the new Babcock Ranch community to the north and commercial development and redevelopment along the SR 31 corridor including the 31 Produce Market, café and attraction; Sweetwater Landing Marina's redevelopment in 2018 resulting in a 275-slip marina, boater lounge and restaurant and bar; a gas station and market development in 2017 at the northwest corner of SR 31 and North River Road and veterinary clinic in 2018 just west of this gas station; and a convenience store and gas station development in 2020 at the southwest corner of North River Road and SR 31.

The Owl Creek property is within the Rural and Wetlands future land use categories (FLU), is zoned Agricultural (AG-2) and consists of existing grazing lands and natural areas, including portions of Owl Creek and Trout Creek. The site has been partially cleared for agricultural activity since prior to 1953 and has historically been used for a variety of agricultural and farming uses such as citrus groves, row cropping, and cattle grazing. The submitted environmental analysis identifies the potential jurisdictional wetlands and rare/unique uplands that exist on site. The submitted historic analysis demonstrates four historic sites identified on the subject property, three of which are considered potentially eligible for listing on the National Register of Historic Places (NRHP).

*West*

The property immediately adjacent to the west is within the Rural and Wetlands FLU categories and zoned Agricultural (AG-2). Owl Creek crosses this property from N. River Road and continues onto the subject property. There is a conservation easement on the property but a partial release recorded in Instrument Number 2006000412915 (attached) has resulted in only a small portion being covered by this easement along the eastern property line. The site contains 3 single-family residences and agricultural grazing lands. Two houses are generally located in the center of the property: one setback ±515 feet and the other ±620 feet. The third house is located at the southern tip.

Further west there are existing agricultural and large single-family lots ±1.39 acres and larger. There is a commercial node within ¼ mile of SR 31 between North River Road and the Caloosahatchee River described in Lee Plan Policy 6.1.2 that connects the New Community area at SR 31 and North River Road to the Lee Civic Center, Sweetwater Landing Marina and the Sub-Outlying Suburban area to the south. This area contains several non-residential uses



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Engineering License No. EB 6469 • Surveying License No. LB 6690

such as the gas stations and convenience stores developed in 2017 and 2020, veterinarian office developed in 2018, feed store, church, SR 31 Produce market, u-pick and café developed around 2010 with continuing improvements. The Bayshore Community Planning area is west of SR 31 and contains large lot residential development as well as ¼-acre lot subdivisions west of the commercial node. Sub-Outlying Suburban FLU category is a little over ½ mile to the west of the Owl Creek property at the southwest corner of the intersection of Bayshore Road and SR 31 which allows a maximum density of 2 dwelling units per acre.

*North*

To the north is North River Road, a 2-lane county maintained arterial roadway then property within the New Community FLU category. This property is the southern portion of the Babcock Mixed Use Planned Development (MPD), approved by zoning resolution number Z-17-026/case number DCI2016-00022 which allows 1 dwelling unit per 2.5 gross acres up to 1,630 dwelling units, 600 hotel rooms and 1,170,000 square feet of commercial office and retail uses. There is an emergency only access planned across the street from the Owl Creek property. The entrance to the mixed-use areas of Babcock Ranch MPD is ±½ mile north of SR 31 and North River Road across from Shirley Lane. To the northeast is within the Density Reduction/Groundwater Resource (DR/GR) FLU and is within the Private Recreational Facilities Overlay, zoned AG-2 and Mobile Home residential MH-1 and developed with single-family lots ±2.12 acres and larger and agricultural uses.

*East*

The properties adjacent to the east are within the Rural and Wetlands FLU categories, zoned AG-2 and consist of existing agricultural grazing lands, a vacant parcel owned by South Florida Water Management District, then a vacant privately owned parcel along the Caloosahatchee River. A portion of the adjacent agricultural grazing lands that contain a portion of Trout Creek is currently under negotiation with Conservation 20/20 (nomination number 597). Further East are properties zoned AG-2 and developed with large agricultural tracts then some single-family lots ±4.45 acres and larger and agricultural uses.

*South*

Properties to the south are within the Rural and Wetlands FLU. Adjacent to the south and surrounded by the property is the existing Owl Creek Boat Works and Storage industrial marina and yacht refinishing which is within the Water Dependent Overlay and zoned Marine Industrial (IM). This industrial marine use was established in 1953 and is Southwest Florida's premiere yacht service center offering full service and specializing in yacht refinishing, repowering, customization and maintenance. They also offer in-water covered, uncovered and dry storage for yachts up to 100'. South across Trout Creek from Owl Creek Boat Works and Storage is a vacant parcel zoned AG-2 then a ±12.19-acre parcel developed with two single-family residences. South of the subject property is another SFWMD owned parcel that extends into the Caloosahatchee River. Fort Myers Shores within the Caloosahatchee Shores Community Plan area is located south across the Caloosahatchee River which is within the Suburban FLU category which allows a maximum density of 6 dwelling units per acre. Sweetwater Landing Marina is located at the Caloosahatchee River and SR 31 and offers boat storage, service, rental and sales and was redeveloped in 2018 resulting in a 275-slip marina, boater lounge and restaurant and bar.

INSTR # 2006000412915, Doc Type PR, Pages 6, Recorded 10/31/2006 at 03:16 PM, Charlie Green, Lee County Clerk of Circuit Court, Rec. Fee $52.50 Deputy Clerk NFERGUSON

Permit: _____
Tract: _____

## PARTIAL RELEASE OF CONSERVATION EASEMENT

This Partial Release of Conservation Easement ("Partial Release") is made this _____ day of October, 2006 by the **SOUTH FLORIDA WATER MANAGEMENT DISTRICT** ("District") having an address of 3301 Gun Club Road, West Palm Beach, Florida 33406 and a mailing address of Post Office Box 24680, West Palm Beach, Florida 33416-4680.

**WITNESSETH:**

**WHEREAS,** Michael L. Greenwell granted in favor of the District that certain Deed of Conservation Easement dated December 8, 1998 and recorded in Official Record Book 3046 at Page 3578 of the Public Records of Lee County, Florida (hereinafter referred to as the "Conservation Easement") encumbering the real property described on Exhibit "A" attached hereto and made a part hereof (hereinafter referred to as the "Original Premises"); and

**WHEREAS,** the District has been requested to release the Conservation Easement with respect to only that portion of the Original Premises described on Exhibit "B" attached hereto and made a part hereof (hereinafter referred to as the "Release Parcel"); and

**WHEREAS,** the District is amenable to releasing the Conservation Easement only with respect to the Release Parcel.

**NOW, THEREFORE,** for good and valuable consideration, the adequacy and receipt of which are hereby acknowledged, the District hereby discharges, terminates and releases the Conservation Easement with respect to only the Release Parcel, without impairing the operation and effect of the Conservation Easement as to the remainder of the original premises which are not contained within the Release Parcel, (the original Premises less and except the Release Parcel is hereinafter referred to as the "Remainder Premises"). The Conservation Easement shall remain in full force and effect with respect to the Remainder Premises and shall remain unaffected by this Partial Release. All references in the Conservation Easement to "Property" shall hereafter mean and refer to the Remainder Premises.

**IN WITNESS WHEREOF,** the South Florida Water Management District has caused this Partial Release of Conservation Easement to be executed in its name and its official seal affixed hereto by Chip Merriam, Deputy Exec Director and attested by its District Clerk, this 23 day of October, 2006.

BOARD OF SOUTH FLORIDA WATER MANAGEMENT DISTRICT • STATE OF FLORIDA SEAL Established 1949

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

**By:** _____, Deputy Executive Director

(Corporate Seal)

ATTEST:

Jacki McGorty
District Clerk

LEGAL FORM APPROVED
BY OFFICE OF COUNSEL,
APRIL 2003

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 23RD day of OCTOBER, 2006 by CHIP MERRIAN, Deputy Executive Director of the South Florida Water Management District, a public corporation of the State of Florida, on behalf of the corporation, who is personally known to me.

Paula Moree
Notary Public
PAULA MOREE
Print
My Commission Expires: 8/26/10

NOTARY PUBLIC STATE OF FLORIDA
Paula Moree
Commission # DD559957
Expires August 26, 2010
Bonded Troy Fain - Insurance, Inc. 800-385-7019

**OWNER:** _____
Michael L. Greenwell

**WITNESSES:**

Wendy M. Mattson
Print Name: WENDY M. MATTSON

_____
Print Name: Thomas H. Gunderson

STATE OF FLORIDA
COUNTY OF Lee

The foregoing instrument was acknowledged before me this 17 day of October, 2006 by Michael L. Greenwell, who is personally known to me or who has produced _____ as identification.

_____
Notary Public

Thomas H. Gunderson
MY COMMISSION # DD298549 EXPIRES
March 24, 2008
BONDED THRU TROY FAIN INSURANCE, INC.

_____
Print Name
My Commission Expires: _____

PREPARED BY:

Thomas H. Gunderson, Esq.
P.O. Box 280
Fort Myers, FL 33902-0280

EXHIBIT "A"

COMMENCING AT THE NORTHWEST CORNER OF SECTION 18, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE RUN S 88'52'38" E ALONG THE NORTH LINE OF SAID SECTION 18 AND THE CENTERLINE OF STATE ROAD 78, 1377.37 FEET, THENCE RUN S 00°16'25" W 50.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID STATE ROAD 78 AND THE POINT OF BEGINNING OF THE LANDS HEREIN DESCRIBED; THENCE CONTINUE S 00°16'25" W 3876.00 FEET; THENCE RUN S 88°52'38" E 869.73 FEET; THENCE RUN S 00°16'25" W1384.64 FEET TO THE SOUTH SECTION LINE OF SAID SECTION 18; THENCE RUN S 02°12'51" E 599.52 FEET TO THE APPROXIMATE TOP BANK OF THE CALOOSAHATCHEE RIVER; THENCE RUN N 72°34'28" E 341.66 FEET ALONG SAID TOP BANK TO THE EAST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 19; THENCE RUN N 02°12'51" W 490.06 FEET ALONG SAID EAST' LINE TO THE SOUTH QUARTER (S 1/4) CORNER OF SECTION 18; THENCE RUN ALONG THE NORTH SOUTH QUARTER LINE OF SAID SECTION 18, N 00°16'25" E 5261.22 FEET TO THE SOUTH RIGHT-OF-WAY OF STATE ROAD 78; THENCE RUN ALONG SAID RIGHT-OF-WAY OF STATE ROAD 78, PARALLEL TO THE NORTH LINE OF SECTION 18, 50 FOOT OFFSET N 88°52'38" W 1200.00 FEET TO THE POINT OF BEGINNING.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHT-OF-WAYS OF RECORD.

PARCEL CONTAINS 121.4 ACRES MORE OR LESS.

BEARING ARE BASED ON THE NORTH LINE OP SECTION 18 AS BEARING N 88°52'39" W.

EXHIBIT "B"

COMMENCING AT THE NORTHWEST CORNER OF SECTION 18, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE RUN S 88'52'38" E ALONG THE NORTH LINE OF SAID SECTION 18 AND THE CENTERLINE OF STATE ROAD 78, 1377.37 FEET, THENCE RUN S 00°16'25" W 50.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID STATE ROAD 78 AND THE POINT OF BEGINNING OF THE LANDS HEREIN DESCRIBED; THENCE CONTINUE S 00°16'25" W 3876.00 FEET; THENCE RUN S 88°52'38" E 869.73 FEET; THENCE RUN S 00°16'25" W1384.64 FEET TO THE SOUTH SECTION LINE OF SAID SECTION 18; THENCE RUN S 02°12'51" E 599.52 FEET TO THE APPROXIMATE TOP BANK OF THE CALOOSAHATCHEE RIVER; THENCE RUN N 72°34'28" E 341.66 FEET ALONG SAID TOP BANK TO THE EAST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 19; THENCE RUN N 02°12'51" W 490.06 FEET ALONG SAID EAST' LINE TO THE SOUTH QUARTER (S 1/4) CORNER OF SECTION 18; THENCE RUN ALONG THE NORTH SOUTH QUARTER LINE OF SAID SECTION 18, N 00°16'25" E 5261.22 FEET TO THE SOUTH RIGHT-OF-WAY OF STATE ROAD 78; THENCE RUN ALONG SAID RIGHT-OF-WAY OF STATE ROAD 78, PARALLEL TO THE NORTH LINE OF SECTION 18, 50 FOOT OFFSET N 88°52'38" W 1200.00 FEET TO THE POINT OF BEGINNING.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHT-OF-WAYS OF RECORD.

PARCEL CONTAINS 121.4 ACRES MORE OR LESS.

BEARING ARE BASED ON THE NORTH LINE OP SECTION 18 AS BEARING N 88°52'39" W.

LESS AND EXCEPT:

**A tract or parcel of land for conservation easement purposes lying in Section 18, Township 43 South, Range 26 East, Lee County, Florida, said tract or parcel being more particularly described as follows:**

**From the northeast corner of lands described in Official Record Book 2510 at Page 2122, Lee County Records, run S 00° 51' 00" E along the east line of said lands for 2818.99 feet to a point designated "A"; thence run S 89° 09' 00" W for 20.00 feet to the Point of Beginning.**

**From said Point of Beginning run the following courses: N 80° 49' 07" W for 75.42 feet; N 73° 25' 43" W for 79.36 feet; N 68° 24' 30" W for 70.66 feet; N 56° 20' 12" W for 50.82 feet; N 52° 40' 43" E for 86.35 feet; N 36° 32' 07" E for 32.28 feet; N 35° 22' 57" W for 40.33 feet; N 50° 54' 41" W for 55.15 feet; N 60° 39' 50" W for 48.91 feet; N 82° 40' 54" W for 53.21 feet; S 74° 50' 09" W for 49.59 feet; S 39° 16' 06" W for 58.88 feet; N 07° 21' 10" E for 108.30 feet; S 81° 43' 40" E for 142.60 feet; S 88° 23' 20" E for 100.42 feet; and S 77° 56' 16" E for 161.72 feet; thence run S 00° 51' 00" E parallel with and 20 feet westerly of the easterly line of said lands for 257.27 feet to the Point of Beginning.**

**Containing 1.45 acres, more or less.**

**AND**

**From the point designated as "A" continue along the east line of lands described in Official Record Book 2510 at Page 2122, Lee County Records, for 95.74 feet; thence run S 89° 09' 00" W for 242.95 feet to the Point of Beginning.**

**From said Point of Beginning run the following courses: N 86° 14' 49" W for 44.40 feet; S 72° 34' 39" W for 54.93 feet; S 63° 57' 07" W for 166.72 feet; N 07° 21' 10" E for 300.55 feet; S 27° 41' 10" E for 63.16 feet; S 35° 38' 26" E for 51.66 feet; S 47° 33' 57" E for 53.69 feet; S 49° 52' 26" E for 55.21 feet; and S 58° 03' 47" E for 78.65 feet to the Point of Beginning.**

**Containing 0.62 acres, more or less.**

**Bearings hereinabove mentioned are based on assuming the North-South Quarter section line of said Section 18 to bear S 00° 51' 00" E.**

AND LESS AND EXCEPT:

**A tract or parcel of land for conservation easement purposes lying in Section 18, Township 43 South, Range 26 East, Lee County, Florida, said tract or parcel being more particularly described as follows:**

**From the northeast corner of lands described in Official Record Book 2510 at Page 2122, Lee County Records, run S 00° 51' 00" E along the easterly line of said lands for 2180.93 feet; thence run S 89° 09' 00" W for 20.00 feet to the Point of Beginning.**

**From said Point of Beginning run the following courses: N 63° 30' 12" W for 58.59 feet; N 59° 17' 45" W for 48.91 feet; N 55° 44' 28" W for 49.72 feet; N 48° 06' 21" W for 51.58 feet; N 47° 11' 26" W for 50.42 feet; N 40° 31' 36" W for 48.36 feet; N 35° 19' 31" W for 47.82 feet; N 31° 23' 08" W for 69.48 feet; S 17° 52' 59" W for 51.61 feet; S 07° 21' 10" W for 296.97 feet; S 67° 27' 14" E for 112.40 feet; S 78° 11' 02" E for 150.07 feet; and N 87° 24' 43" E for 111.42 feet; thence run N 00° 51' 00" W parallel with and 20 feet westerly of the easterly line of said lands for 129.56 feet to the Point of Beginning.**

**Containing 1.87 acres, more or less.**

**Bearings hereinabove mentioned are based on assuming the North-South Quarter section line of said Section 18 to bear S 00° 51' 00" E.**

# Signed & Sealed Legal Description & Sketch for Each FLUC Proposed

(Exhibit M7)

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## LEGAL DESCRIPTION

EXHIBIT "A", CHICAGO TITLE INSURANCE COMPANY, SCHEDULE A, AMERICAN LAND TITLE ASSOCIATION COMMITMENT ORDER NUMBER 8432675, REVISION NUMBER: JULY 2, 2020, COMMITMENTS DATE: 05/01/2020 AT 11:00 PM

PARCEL 1

ALL THAT PART OF THE EAST HALF (E 1/2) OF SECTION 18 AND GOVERNMENT LOT 2, SECTION 19, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LYING SOUTHERLY OF STATE ROAD 78 (OFFICIAL RECORDS BOOK 354, PAGE 660) (50 FEET WIDE) AND NORTHERLY OF TROUT CREEK. LESS AND EXCEPT THE PARCEL DESCRIBED IN EXHIBIT "A" OF THE INSTRUMENT RECORDED IN OFFICIAL RECORDS BOOK 1100, PAGE 642, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

PARCEL 2

A TRACT OR PARCEL OF LAND LYING IN THE EAST HALF OF SECTION 18, AND PART OF GOVERNMENT LOTS 1 AND 2, SECTION 19, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT PART OF THE EAST HALF (E 1/2) OF SECTION 18 AND GOVERNMENT LOTS 1 AND 2, SECTION 19, TOWNSHIP 43 SOUTH, RANGE 26 EAST LYING SOUTHERLY OF TROUT CREEK, NORTHERLY OF THE WATERS OF THE CALOOSAHATCHEE RIVER AND NORTHWESTERLY OF THE NORTH RIGHT OF WAY LINE OF THE CALOOSAHATCHEE RIVER DESCRIBED IN THE DEED RECORDED IN OFFICIAL RECORDS BOOK 37 AT PAGE 220 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND BEING EASTERLY OF THE FOLLOWING DESCRIBED LINE: FROM THE NORTHEAST CORNER OF SAID SECTION 19, RUN NORTH 89° 53' 37" WEST ALONG THE LINE COMMON TO SAID SECTIONS 18 AND 19, TOWNSHIP 43 SOUTH, RANGE 26 EAST FOR 1,257.90 FEET TO AN INTERSECTION WITH A LINE 30 FEET EASTERLY FROM (AS MEASURED ON A PERPENDICULAR) AND PARALLEL WITH THE CENTERLINE OF AN EXISTING PAVED DRIVE DESCRIBED IN RESIDENCE PARCEL IN SCHEDULE "A" RECORDED IN OFFICIAL RECORDS BOOK 2290 AT PAGE 3479, OF SAID PUBLIC RECORDS; THENCE RUN THE FOLLOWING COURSES AND DISTANCES ALONG SAID PARALLEL LINE: NORTH 45° 45' 00" WEST FOR 134.63 FEET, NORTH 31° 00' 00" WEST FOR 128.59 FEET, NORTH 23° 43' 00" EAST FOR 318.05 FEET, NORTH 14° 36' 30" WEST FOR 189.78 FEET PASSING THROUGH A POINT DESIGNATED "A" AT 50.49 FEET ALONG SAID LINE AND NORTH 07° 11' 19" EAST FOR 93.02 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED LINE.

FROM SAID POINT OF BEGINNING RUN THE FOLLOWING COURSES AND DISTANCES ALONG SAID PARALLEL LINE: SOUTH 07° 11' 19" WEST FOR 93.02 FEET, SOUTH 14° 36' 30" EAST FOR 189.78 FEET, SOUTH 23° 43' 00" WEST FOR 318.05 FEET, SOUTH 31° 00' 00" EAST FOR 128.59 FEET, SOUTH 45° 45' 00" EAST FOR 466.55 FEET AND SOUTH 16° 08' 00" EAST FOR 53.03 FEET TO AN INTERSECTION WITH A LINE PARALLEL WITH AND 30 FEET EASTERLY FROM (AS MEASURED ON A PERPENDICULAR) THE EASTERLY LINE OF SAID RESIDENCE PARCEL DESCRIBED IN SAID SCHEDULE "A"; THENCE RUN THE FOLLOWING COURSES AND DISTANCES ALONG SAID PARALLEL LINE: NORTH 73° 52' 00" EAST FOR 18.55 FEET, SOUTH 16° 08' 00" EAST FOR 137.17 FEET, SOUTH 27° 42' 00" WEST FOR 219.46 FEET, SOUTH 36° 49' 00" WEST FOR 235.27 FEET, SOUTH 47° 46' 00" WEST FOR 266.81 FEET, SOUTH 43° 43' 00" WEST FOR 140.42 FEET, SOUTH 04° 48' 00" EAST FOR 86.00 FEET, SOUTH 43° 19' 00" EAST FOR 184.68 FEET AND SOUTH 46° 59' 00" WEST FOR 268 FEET, MORE OR LESS TO SAID WATERS OF THE CALOOSAHATCHEE RIVER AND THE END OF THE HEREIN DESCRIBED LINE.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL OF LAND LYING WITHIN PARCEL 1 AND PARCEL 2:

A PARCEL OF LAND LYING IN SECTIONS 18 AND 19, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, WHICH TRACT OR PARCEL IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 18 RUN NORTH 00° 16' 39" EAST ALONG THE WEST LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 18 FOR 208.26 FEET; THENCE RUN THE FOLLOWING COURSES AND DISTANCES ALONG THE APPROXIMATE TOP OF BANK OF AN APPARENT MAN-MADE DITCH: SOUTH 66° 57' 52" EAST FOR 51.84 FEET; RUN SOUTH 62° 43' 21" EAST FOR 34.22 FEET; RUN SOUTH 71° 07' 29" EAST FOR 40.46 FEET; RUN SOUTH 75° 06' 06" EAST FOR 54.64 FEET; RUN SOUTH 53° 48' 48" EAST FOR 60.20 FEET; RUN SOUTH 40° 54' 01" EAST FOR 33.01 FEET; RUN SOUTH 46° 00' 13" EAST FOR 43.84 FEET; RUN SOUTH 32° 06' 30" EAST FOR 30.67 FEET; RUN SOUTH 28° 21' 08" EAST FOR 39.90 FEET; RUN SOUTH 12° 44'14" EAST FOR 39.18 FEET; RUN SOUTH 08° 55' 07" EAST FOR 28.95 FEET; RUN SOUTH 06° 50' 33" EAST FOR 34.61 FEET; RUN SOUTH 03° 48' 34" EAST FOR 29.62 FEET; RUN SOUTH 24° 12' 33" EAST FOR 91.43 FEET; RUN SOUTH 47° 24'06" EAST FOR 64.61 FEET; THENCE RUN SOUTH 17° 16' 52" EAST DEPARTING SAID APPROXIMATE TOP OF BANK FOR 28.03 FEET TO THE MEAN HIGH WATER LINE OF AN OXBOW OF THE CALOOSAHATCHEE RIVER; THENCE RUN SOUTHWESTERLY ALONG THE SAID MEAN HIGH WATER LINE FOR 556 FEET, MORE OR LESS TO A LINE THAT BEARS SOUTH 02° 12' 33" EAST FROM THE POINT OF BEGINNING, ALSO BEING THE EAST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 19; THENCE RUN NORTH 02° 12' 33" WEST ALONG SAID EAST LINE FOR 591 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

BEARINGS HEREINABOVE MENTIONED ARE BASED ON THE WEST LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 18 TO BEAR SOUTH 00° 16' 39" WEST.

TOGETHER WITH THE FOLLOWING EASEMENTS FOR ROADWAY, UTILITIES AND DRAINAGE DESCRIBED AS FOLLOWS:

EASEMENT 1

A NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCELS 1 AND 2 FOR ROADWAY, UTILITIES AND DRAINAGE 60 FEET WIDE LYING 15 FEET EASTERLY AND 45 FEET WESTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE HEREINABOVE DESCRIBED POINT DESIGNATED "A", RUN THE FOLLOWING COURSES AND DISTANCES ALONG SAID LINE: SOUTH 14° 36' 30" EAST FOR 50.49 FEET, SOUTH 23° 43' 00" WEST FOR 318.05 FEET, SOUTH 31° 00' 00" EAST FOR 128.59 FEET, SOUTH 45° 45' 00" EAST FOR 466.55 FEET AND SOUTH 16° 08' 00" EAST FOR 53.03 FEET TO AN INTERSECTION WITH A LINE PARALLEL WITH AND 30 FEET EASTERLY FROM (AS MEASURED ON A PERPENDICULAR) THE EASTERLY LINE OF THE HEREINABOVE REFERENCED RESIDENCE PARCEL; THENCE RUN THE FOLLOWING COURSES AND DISTANCES ALONG SAID PARALLEL LINE: NORTH 73° 52' 00" EAST FOR 18.55 FEET, SOUTH 16° 08' 00" EAST FOR 137.17 FEET, SOUTH 27° 42' 00" WEST FOR 219.46 FEET, SOUTH 36° 49' 00" WEST FOR 235.27 FEET, SOUTH 47° 46' 00" WEST FOR 266.81 FEET, SOUTH 43° 43' 00" WEST FOR 140.42 FEET, SOUTH 04° 48' 00" EAST FOR 86.00 FEET, SOUTH 43° 19' 00" EAST FOR 184.68 FEET AND SOUTH 46° 59' 00" WEST FOR 268 FEET, MORE OR LESS TO SAID WATERS OF THE CALOOSAHATCHEE RIVER AND THE END OF THE HEREIN DESCRIBED LINE, WHEREIN THE NORTHERLY LIMITS OF THE SIDE LINES OF SAID EASEMENT WILL TERMINATE AT THE SOUTH LINE OF THE 60 FOOT ROADWAY, UTILITY AND DRAINAGE EASEMENT AS DESCRIBED IN EASEMENT 2 BELOW.

EASEMENT 2

A NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCELS 1 AND 2, SIXTY (60') FEET IN WIDTH, FOR ROADWAY, UTILITIES AND DRAINAGE PURPOSES LYING IN THE EAST ONE-HALF (E 1/2) OF SECTION 18, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

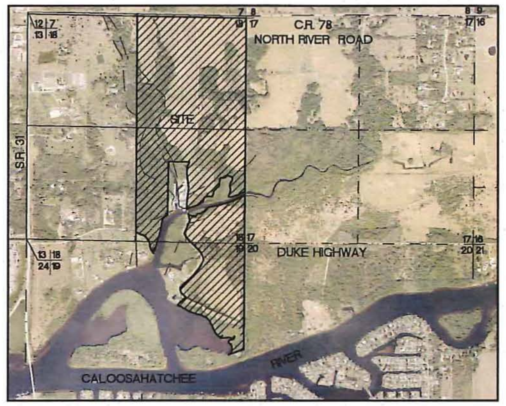
FROM THE NORTHEAST CORNER OF SAID SECTION 18 RUN WEST ALONG THE LINE COMMON TO SAID SECTION 18 AND SECTION 7, TOWNSHIP 43 SOUTH, RANGE 26 EAST FOR 1188.37 FEET, THENCE RUN SOUTH 01° 24' 15" EAST FOR 25.01 FEET TO SAID SOUTH LINE OF STATE ROAD 78 AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED ROADWAY EASEMENT. FROM SAID POINT OF BEGINNING RUN THE FOLLOWING COURSES AND DISTANCES ALONG THE WESTERLY LINE OF THE 30 FOOT WIDE ROADWAY EASEMENT DESCRIBED IN EXHIBIT "B" RECORDED IN OFFICIAL RECORDS BOOK 1100 AT PAGE 645; SOUTH 01° 24' 15" EAST FOR 731.11 FEET, SOUTH 03° 01' 45" EAST FOR 200.32 FEET, SOUTH 03° 51' 00" EAST FOR 399.60 FEET, SOUTH 00° 04' 15 EAST FOR 199.85 FEET, SOUTH 02° 42' 45" EAST FOR 200.06 FEET, SOUTH 00° 32' 08" EAST FOR 399.67 FEET, SOUTH 00° 11' 00" EAST FOR 200.07 FEET, SOUTH 01° 03' 00" EAST FOR 399.74 FEET, SOUTH 01° 48' 00" WEST FOR 199.13 FEET, SOUTH 05 °37' 30" WEST FOR 99.01 FEET, SOUTH 09° 23' 45" WEST FOR 98.59 FEET, SOUTH 16° 24' 15" WEST FOR 98.50 FEET, SOUTH 20° 50'15" WEST FOR 98.17 FEET, SOUTH 30° 20' 42" WEST FOR 113.33 FEET; THENCE RUN EAST FOR 2.38 FEET TO THE NORTHEAST CORNER OF PARCEL DESCRIBED IN EXHIBIT "A" OF THE INSTRUMENT RECORDED IN OFFICIAL RECORDS BOOK 1100, PAGE 645, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN THE FOLLOWING COURSES AND DISTANCES ALONG THE WESTERLY LINE OF SAID ROADWAY EASEMENT (30 FEET WIDE) BEING THE EAST LINE OF SAID PARCEL DESCRIBED IN SAID EXHIBIT "A": SOUTH 22° 34' 15" WEST FOR 99.22 FEET, SOUTH 12° 15' 15" WEST FOR 100.00 FEET, SOUTH 02° 31' 45" EAST FOR 100.00 FEET, SOUTH 08° 35' 25" EAST FOR 299.99 FEET, SOUTH 01° 09' 00" WEST FOR 100.00 FEET, SOUTH 05° 55' 50" WEST FOR 300.00 FEET, SOUTH 09° 25' 30" EAST FOR 118.06 FEET, AND SOUTH FOR 3.86 FEET; THENCE RUN THE FOLLOWING COURSES AND DISTANCES: SOUTH 07° 11' 19" WEST FOR 100.03 FEET, SOUTH 14° 36' 30" EAST FOR 136.11 FEET, NORTH 89° 42' 57" EAST FOR 61.93 FEET (PASSING THROUGH THE HEREINABOVE DESCRIBED POINT "A" AT 46.44 FEET), NORTH 14° 36' 30" WEST FOR 140.59 FEET, NORTH 07° 11' 19" EAST FOR 93.68 FEET; THENCE RUN THE FOLLOWING COURSES PARALLEL WITH THE WEST LINE OF SAID ROADWAY EASEMENT, 30 FEET WIDE: NORTH FOR 5.75 FEET, NORTH 00° 25' 30" WEST FOR 114.95 FEET, NORTH 05° 55' 50" EAST FOR 299.17 FEET, NORTH 01° 09' 00" EAST FOR 107.62 FEET, NORTH 08° 35' 25" WEST FOR 301.93 FEET, NORTH 02° 31' 45" WEST FOR 89.04 FEET, NORTH 12° 15' 15" EAST FOR 86.80 FEET, NORTH 22° 34' 15" EAST FOR 104.92 FEET, NORTH 30° 20' 42" EAST FOR 97.98 FEET, NORTH 20° 50' 15" EAST FOR 105.48 FEET, NORTH 16° 24' 15" EAST FOR 104.50 FEET, NORTH 09° 23' 45" EAST FOR 104.24 FEET, NORTH 05° 37' 30" EAST FOR 102.98 FEET, NORTH 01° 48' 00" EAST FOR 202.62 FEET, NORTH 01° 03' 00" WEST FOR 400.78 FEET, NORTH 00° 11' 00" WEST FOR 199.80 FEET, NORTH 00° 32' 08" WEST FOR 400.99 FEET, NORTH 02° 42' 45" WEST FOR 199.82 FEET, NORTH 00° 04' 15" WEST FOR 200.45 FEET, NORTH 03° 51' 00" WEST FOR 401.15 FEET, NORTH 03° 01' 45" WEST FOR 199.04 FEET AND NORTH 01° 24' 15" WEST FOR 728.79 FEET TO AN INTERSECTION WITH SAID SOUTHERLY LINE OF STATE ROAD NO. 78 (50 FEET WIDE); THENCE RUN WEST ALONG SAID SOUTH LINE OF STATE ROAD 78 FOR 60.02 FEET TO THE POINT OF BEGINNING.

BEARINGS HEREINABOVE MENTIONED ARE BASED ON THE NORTH LINE OF THE EAST HALF (E 1/2) OF SAID SECTION 18 TO BEAR WEST.

# Signed & Sealed Boundary Survey & Each FLUC Proposed

(Exhibit M7)

RECEIVED
SEP 2 1 2020
COMMUNITY DEVELOPMENT




RANGE 26, TOWNSHIP 43 SOUTH
VICINITY MAP
NOT TO SCALE

LINE TABLE

| LINE | BEARING | DISTANCE |
|---|---|---|
| L1 | S00°02'49"W | 30.00 |
| L2 | S66°57'30"E | 51.84 |
| L3 | N62°42'59"W | 34.22 |
| L4 | N71°07'07"W | 40.46 |
| L5 | N75°05'44"W | 54.64 |
| L6 | N53°48'26"W | 60.20 |
| L7 | N40°53'39"W | 33.01 |
| L8 | N45°59'51"W | 43.84 |
| L9 | N32°06'08"W | 30.67 |
| L10 | N28°20'46"W | 39.90 |
| L11 | N12°43'52"W | 39.18 |
| L12 | N08°54'45"W | 28.95 |
| L13 | N06°50'11"W | 34.61 |
| L14 | N03°48'12"W | 29.62 |
| L15 | N24°12'11"W | 91.43 |
| L16 | N47°23'44"W | 64.61 |
| L17 | N17°16'30"W | 22.73 |
| L18 | S13°28'44"E | 177.41 |
| L19 | S24°50'50"W | 318.05 |
| L20 | S29°52'10"E | 128.59 |
| L21 | S44°37'10"E | 466.55 |
| L22 | N15°00'10"W | 53.03 |
| L23 | N74°59'50"E | 18.55 |
| L24 | N15°00'10"W | 137.17 |
| L25 | N28°49'50"E | 219.46 |
| L26 | N37°56'50"E | 235.27 |
| L27 | N48°53'50"E | 266.81 |
| L28 | N44°50'41"E | 140.42 |
| L29 | N03°40'10"W | 86.00 |
| L30 | N42°11'10"W | 184.68 |
| L31 | N48°06'50"E | 270.39 |
| L32 | S89°23'44"W | 96.74 |
| L33 | N20°29'19"E | 11.60 |
| L34 | S00°23'49"W | 140.91 |
| L35 | N89°50'47"W | 134.38 |
| L36 | S15°01'01"E | 86.67 |

## LEGAL DESCRIPTION

EXHIBIT "A", CHICAGO TITLE INSURANCE COMPANY, SCHEDULE A, AMERICAN LAND TITLE ASSOCIATION COMMITMENT ORDER NUMBER 8432675, REVISION NUMBER: JULY 2, 2020, COMMITMENTS DATE: 05/01/2020 AT 11:00 PM

PARCEL 1

ALL THAT PART OF THE EAST HALF (E 1/2) OF SECTION 18 AND GOVERNMENT LOT 2, SECTION 19, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LYING SOUTHERLY OF STATE ROAD 78 (OFFICIAL RECORDS BOOK 354, PAGE 660) (50 FEET WIDE) AND NORTHERLY OF TROUT CREEK. LESS AND EXCEPT THE PARCEL DESCRIBED IN EXHIBIT "A" OF THE INSTRUMENT RECORDED IN OFFICIAL RECORDS BOOK 1100, PAGE 642, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

PARCEL 2

A TRACT OR PARCEL OF LAND LYING IN THE EAST HALF OF SECTION 18, AND PART OF GOVERNMENT LOTS 1 AND 2, SECTION 19, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT PART OF THE EAST HALF (E 1/2) OF SECTION 18 AND GOVERNMENT LOTS 1 AND 2, SECTION 19, TOWNSHIP 43 SOUTH, RANGE 26 EAST LYING SOUTHERLY OF TROUT CREEK, NORTHERLY OF THE WATERS OF THE CALOOSAHATCHEE RIVER AND NORTHWESTERLY OF THE NORTH RIGHT OF WAY LINE OF THE CALOOSAHATCHEE RIVER DESCRIBED IN THE DEED RECORDED IN OFFICIAL RECORDS BOOK 37 AT PAGE 220 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND BEING EASTERLY OF THE FOLLOWING DESCRIBED LINE: FROM THE NORTHEAST CORNER OF SAID SECTION 19, RUN NORTH 89° 53' 37" WEST ALONG THE LINE COMMON TO SAID SECTIONS 18 AND 19, TOWNSHIP 43 SOUTH, RANGE 26 EAST FOR 1,257.90 FEET TO AN INTERSECTION WITH A LINE 30 FEET EASTERLY FROM (AS MEASURED ON A PERPENDICULAR) AND PARALLEL WITH THE CENTERLINE OF AN EXISTING PAVED DRIVE DESCRIBED IN RESIDENCE PARCEL IN SCHEDULE "A" RECORDED IN OFFICIAL RECORDS BOOK 2290 AT PAGE 3479, OF SAID PUBLIC RECORDS; THENCE RUN THE FOLLOWING COURSES AND DISTANCES ALONG SAID PARALLEL LINE: NORTH 45° 45' 00" WEST FOR 134.63 FEET, NORTH 31° 00' 00" WEST FOR 128.59 FEET, NORTH 23° 43' 00" EAST FOR 318.05 FEET, NORTH 14° 36' 30" WEST FOR 189.78 FEET PASSING THROUGH A POINT DESIGNATED "A" AT 50.49 FEET ALONG SAID LINE AND NORTH 07° 11' 19" EAST FOR 93.02 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED LINE.

FROM SAID POINT OF BEGINNING RUN THE FOLLOWING COURSES AND DISTANCES ALONG SAID PARALLEL LINE: SOUTH 07° 11' 19" WEST FOR 93.02 FEET, SOUTH 14° 36' 30" EAST FOR 189.78 FEET, SOUTH 23° 43' 00" WEST FOR 318.05 FEET, SOUTH 31° 00' 00" EAST FOR 128.59 FEET, SOUTH 45° 45' 00" EAST FOR 466.55 FEET AND SOUTH 16° 08' 00" EAST FOR 53.03 FEET TO AN INTERSECTION WITH A LINE PARALLEL WITH AND 30 FEET EASTERLY FROM (AS MEASURED ON A PERPENDICULAR) THE EASTERLY LINE OF SAID RESIDENCE PARCEL DESCRIBED IN SAID SCHEDULE "A"; THENCE RUN THE FOLLOWING COURSES AND DISTANCES ALONG SAID PARALLEL LINE: NORTH 73° 52' 00" EAST FOR 18.55 FEET, SOUTH 16° 08' 00" EAST FOR 137.17 FEET, SOUTH 27° 42' 00" WEST FOR 219.46 FEET, SOUTH 36° 49' 00" WEST FOR 235.27 FEET, SOUTH 47° 46' 00" WEST FOR 266.81 FEET, SOUTH 43° 43' 00" WEST FOR 140.42 FEET, SOUTH 04° 48' 00" EAST FOR 86.00 FEET, SOUTH 43° 19' 00" EAST FOR 184.68 FEET AND SOUTH 46° 59' 00" WEST FOR 268 FEET, MORE OR LESS TO SAID WATERS OF THE CALOOSAHATCHEE RIVER AND THE END OF THE HEREIN DESCRIBED LINE.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL OF LAND LYING WITHIN PARCEL 1 AND PARCEL 2:

A PARCEL OF LAND LYING IN SECTIONS 18 AND 19, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, WHICH TRACT OR PARCEL IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 18 RUN NORTH 00° 16' 39" EAST ALONG THE WEST LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 18 FOR 208.26 FEET; THENCE RUN THE FOLLOWING COURSES AND DISTANCES ALONG THE APPROXIMATE TOP OF BANK OF AN APPARENT MAN-MADE DITCH: SOUTH 66° 57' 52" EAST FOR 51.84 FEET; RUN SOUTH 62° 43' 21" EAST FOR 34.22 FEET; RUN SOUTH 71° 07' 29" EAST FOR 40.46 FEET; RUN SOUTH 75° 06' 06" EAST FOR 54.64 FEET; RUN SOUTH 53° 48' 48" EAST FOR 60.20 FEET; RUN SOUTH 40° 54' 01" EAST FOR 33.01 FEET; RUN SOUTH 46° 00' 13" EAST FOR 43.84 FEET; RUN SOUTH 32° 06' 30" EAST FOR 30.67 FEET; RUN SOUTH 28° 21' 08" EAST FOR 39.90 FEET; RUN SOUTH 12° 44'14" EAST FOR 39.18 FEET; RUN SOUTH 08° 55' 07" EAST FOR 28.95 FEET; RUN SOUTH 06° 50' 33" EAST FOR 34.61 FEET; RUN SOUTH 03° 48' 34" EAST FOR 29.62 FEET; RUN SOUTH 24° 12' 33" EAST FOR 91.43 FEET; RUN SOUTH 47° 24'06" EAST FOR 64.61 FEET; THENCE RUN SOUTH 17° 16' 52" EAST DEPARTING SAID APPROXIMATE TOP OF BANK FOR 28.03 FEET TO THE MEAN HIGH WATER LINE OF AN OXBOW OF THE CALOOSAHATCHEE RIVER; THENCE RUN SOUTHWESTERLY ALONG THE SAID MEAN HIGH WATER LINE FOR 556 FEET, MORE OR LESS TO A LINE THAT BEARS SOUTH 02° 12' 33" EAST FROM THE POINT OF BEGINNING, ALSO BEING THE EAST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 19; THENCE RUN NORTH 02° 12' 33" WEST ALONG SAID EAST LINE FOR 591 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

BEARINGS HEREINABOVE MENTIONED ARE BASED ON THE WEST LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 18 TO BEAR SOUTH 00° 16' 39" WEST.

TOGETHER WITH THE FOLLOWING EASEMENTS FOR ROADWAY, UTILITIES AND DRAINAGE DESCRIBED AS FOLLOWS:

EASEMENT 1

A NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCELS 1 AND 2 FOR ROADWAY, UTILITIES AND DRAINAGE 60 FEET WIDE LYING 15 FEET EASTERLY AND 45 FEET WESTERLY OF THE FOLLOWING DESCRIBED LINE:

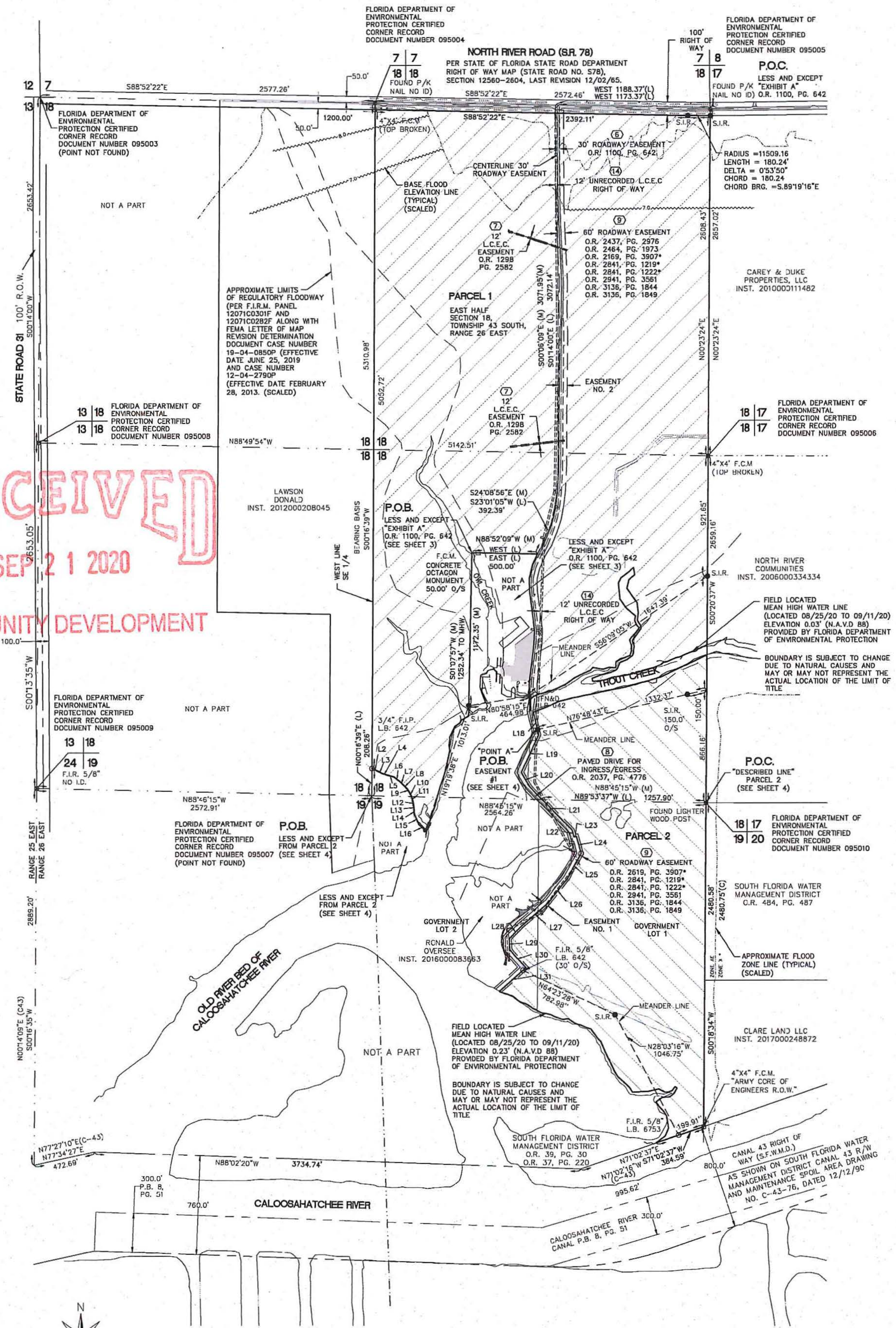
BEGINNING AT THE HEREINABOVE DESCRIBED POINT DESIGNATED "A", RUN THE FOLLOWING COURSES AND DISTANCES ALONG SAID LINE: SOUTH 14° 36' 30" EAST FOR 50.49 FEET, SOUTH 23° 43' 00" WEST FOR 318.05 FEET, SOUTH 31° 00' 00" EAST FOR 128.59 FEET, SOUTH 45° 45' 00" EAST FOR 466.55 FEET AND SOUTH 16° 08' 00" EAST FOR 53.03 FEET TO AN INTERSECTION WITH A LINE PARALLEL WITH AND 30 FEET EASTERLY FROM (AS MEASURED ON A PERPENDICULAR) THE EASTERLY LINE OF THE HEREINABOVE REFERENCED RESIDENCE PARCEL; THENCE RUN THE FOLLOWING COURSES AND DISTANCES ALONG SAID PARALLEL LINE: NORTH 73° 52' 00" EAST FOR 18.55 FEET, SOUTH 16° 08' 00" EAST FOR 137.17 FEET, SOUTH 27° 42' 00" WEST FOR 219.46 FEET, SOUTH 36° 49' 00" WEST FOR 235.27 FEET, SOUTH 47° 46' 00" WEST FOR 266.81 FEET, SOUTH 43° 43' 00" WEST FOR 140.42 FEET, SOUTH 04° 48' 00" EAST FOR 86.00 FEET, SOUTH 43° 19' 00" EAST FOR 184.68 FEET AND SOUTH 46° 59' 00" WEST FOR 268 FEET, MORE OR LESS TO SAID WATERS OF THE CALOOSAHATCHEE RIVER AND THE END OF THE HEREIN DESCRIBED LINE, WHEREIN THE NORTHERLY LIMITS OF THE SIDE LINES OF SAID EASEMENT WILL TERMINATE AT THE SOUTH LINE OF THE 60 FOOT ROADWAY, UTILITY AND DRAINAGE EASEMENT AS DESCRIBED IN EASEMENT 2 BELOW.

EASEMENT 2

A NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCELS 1 AND 2, SIXTY (60') FEET IN WIDTH, FOR ROADWAY, UTILITIES AND DRAINAGE PURPOSES LYING IN THE EAST ONE-HALF (E 1/2) OF SECTION 18, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE NORTHEAST CORNER OF SAID SECTION 18 RUN WEST ALONG THE LINE COMMON TO SAID SECTION 18 AND SECTION 7, TOWNSHIP 43 SOUTH, RANGE 26 EAST FOR 1188.37 FEET; THENCE RUN SOUTH 01° 24' 15" EAST FOR 25.01 FEET TO SAID SOUTH LINE OF STATE ROAD 78 AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED ROADWAY EASEMENT. FROM SAID POINT OF BEGINNING RUN THE FOLLOWING COURSES AND DISTANCES ALONG THE WESTERLY LINE OF THE 30 FOOT WIDE ROADWAY EASEMENT DESCRIBED IN EXHIBIT "B" RECORDED IN OFFICIAL RECORDS BOOK 1100 AT PAGE 645; SOUTH 01° 24' 15" EAST FOR 731.11 FEET, SOUTH 03° 01' 45" EAST FOR 200.32 FEET, SOUTH 03° 51' 00" EAST FOR 399.60 FEET, SOUTH 00° 04' 15 EAST FOR 199.85 FEET, SOUTH 02° 42' 45" EAST FOR 200.06 FEET, SOUTH 00° 32' 08" EAST FOR 399.67 FEET, SOUTH 00° 11' 00" EAST FOR 200.07 FEET, SOUTH 01° 03' 00" EAST FOR 399.74 FEET, SOUTH 01° 48' 00" WEST FOR 199.13 FEET, SOUTH 05 '37' 30" WEST FOR 99.01 FEET, SOUTH 09° 23' 45" WEST FOR 98.59 FEET, SOUTH 16° 24' 15" WEST FOR 98.50 FEET, SOUTH 20° 50'15" WEST FOR 98.17 FEET, SOUTH 30° 20' 42" WEST FOR 113.33 FEET; THENCE RUN EAST FOR 2.38 FEET TO THE NORTHEAST CORNER OF PARCEL DESCRIBED IN EXHIBIT "A" OF THE INSTRUMENT RECORDED IN OFFICIAL RECORDS BOOK 1100, PAGE 645, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN THE FOLLOWING COURSES AND DISTANCES ALONG THE WESTERLY LINE OF SAID ROADWAY EASEMENT (30 FEET WIDE) BEING THE EAST LINE OF SAID PARCEL DESCRIBED IN SAID EXHIBIT "A": SOUTH 22° 34' 15" WEST FOR 99.22 FEET, SOUTH 12° 15' 15" WEST FOR 100.00 FEET, SOUTH 02° 31' 45" EAST FOR 100.00 FEET, SOUTH 08° 35' 25" EAST FOR 299.99 FEET, SOUTH 01° 09' 00" WEST FOR 100.00 FEET, SOUTH 05° 55' 50" WEST FOR 300.00 FEET, SOUTH 00° 25' 30" EAST FOR 118.06 FEET, AND SOUTH FOR 3.86 FEET; THENCE RUN THE FOLLOWING COURSES AND DISTANCES: SOUTH 07° 11' 19" WEST FOR 100.03 FEET, SOUTH 14° 36' 30" EAST FOR 136.11 FEET, NORTH 89° 42' 57" EAST FOR 61.93 FEET (PASSING THROUGH THE HEREINABOVE DESCRIBED POINT "A" AT 46.44 FEET), NORTH 14° 36' 30" WEST FOR 140.59 FEET, NORTH 07° 11' 19" EAST FOR 93.68 FEET; THENCE RUN THE FOLLOWING COURSES PARALLEL WITH THE WEST LINE OF SAID ROADWAY EASEMENT, 30 FEET WIDE: NORTH FOR 5.75 FEET, NORTH 00° 25' 30" WEST FOR 114.95 FEET, NORTH 05° 55' 50" EAST FOR 299.17 FEET, NORTH 01° 09' 00" EAST FOR 107.62 FEET, NORTH 08° 35' 25" WEST FOR 301.93 FEET, NORTH 02° 31' 45" WEST FOR 89.04 FEET, NORTH 12° 15' 15" EAST FOR 86.80 FEET, NORTH 22° 34' 15" EAST FOR 104.92 FEET, NORTH 30° 20' 42" EAST FOR 97.98 FEET, NORTH 20° 50' 15" EAST FOR 105.48 FEET, NORTH 16° 24' 15" EAST FOR 104.50 FEET, NORTH 09° 23' 45" EAST FOR 104.24 FEET, NORTH 05° 37' 30" EAST FOR 102.98 FEET, NORTH 01° 48' 00" EAST FOR 202.62 FEET, NORTH 01° 03' 00" WEST FOR 400.78 FEET, NORTH 00° 11' 00" WEST FOR 199.80 FEET, NORTH 00° 32' 08" WEST FOR 400.99 FEET, NORTH 02° 42' 45" WEST FOR 199.82 FEET, NORTH 00° 04' 15" WEST FOR 200.45 FEET, NORTH 03° 51' 00" WEST FOR 401.15 FEET, NORTH 03° 01' 45" WEST FOR 199.04 FEET AND NORTH 01° 24' 15" WEST FOR 728.79 FEET TO AN INTERSECTION WITH SAID SOUTHERLY LINE OF STATE ROAD NO. 78 (50 FEET WIDE); THENCE RUN WEST ALONG SAID SOUTH LINE OF STATE ROAD 78 FOR 60.02 FEET TO THE POINT OF BEGINNING.

BEARINGS HEREINABOVE MENTIONED ARE BASED ON THE NORTH LINE OF THE EAST HALF (E 1/2) OF SAID SECTION 18 TO BEAR WEST.



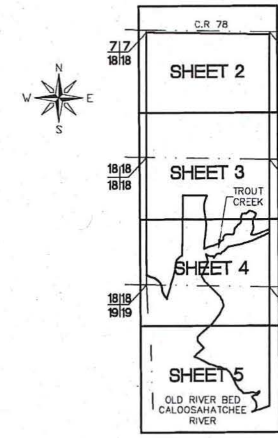

AREA SUMMARY

PARCEL 1
11,154,930 S.F. +/-
(256.08 ACRES +/-)

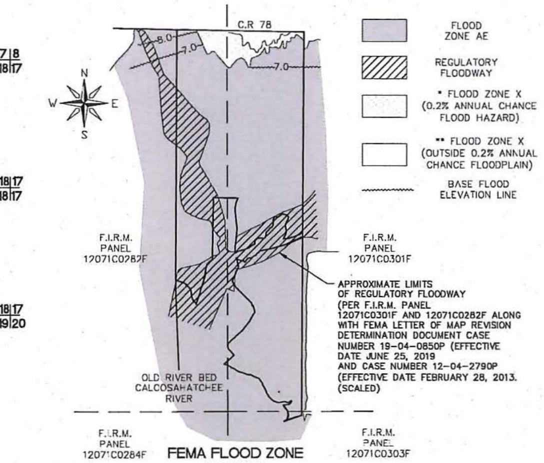
PARCEL 2
3,772,179 S.F. +/-
(86.60 ACRES +/-)

SCALE: 1" = 500'

* LEGAL DESCRIPTION IN DOCUMENT INCOMPLETE




SHEET KEY MAP
NOT TO SCALE




FEMA FLOOD ZONE KEY MAP
NOT TO SCALE

## NOTE

PER SCHEDULE B, SECTION II, CHICAGO TITLE INSURANCE COMPANY, SCHEDULE A, AMERICAN LAND TITLE ASSOCIATION COMMITMENT ORDER NUMBER 8432675, REVISION NUMBER: JULY 2, 2020, COMMITMENT DATE: 05/01/2020 AT 11:00 PM, THE PROPERTY SURVEYED HEREON IS SUBJECT TO THE FOLLOWING MATTERS OF RECORD.

(#) INDICATES EXCEPTION NUMBER

6.) EASEMENT FOR INGRESS AND EGRESS GRANTED TO OWL CREEK BOAT WORKS & STORAGE, INC. BY THE WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1087, PAGE 233, AS CORRECTED IN OFFICIAL RECORDS BOOK 1100, PAGE 642. (AFFECTS THE PROPERTY SURVEYED HEREON AND IS PLOTTED AS SHOWN.)

7.) RIGHT-OF-WAY EASEMENT GRANTED TO LEE COUNTY ELECTRIC CO-OPERATIVE, INC., RECORDED IN OFFICIAL RECORDS BOOK 1928, PAGE 2582. (AFFECTS THE PROPERTY SURVEYED HEREON AND IS PLOTTED AS SHOWN.)

8.) EASEMENTS FOR INGRESS AND EGRESS GRANTED BY THE WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 2037, PAGE 4776. (AFFECTS THE PROPERTY SURVEYED HEREON AND IS PLOTTED AS SHOWN.)

9.) EASEMENTS FOR ROADWAY, UTILITIES AND DRAINAGE PURPOSES GRANTED AND/OR RESERVED BY THE DEEDS RECORDED IN OFFICIAL RECORDS BOOK 2437, PAGE 2976, OFFICIAL RECORDS BOOK 2464, PAGE 1973, OFFICIAL RECORDS BOOK 2619, PAGE 3907, OFFICIAL RECORDS BOOK 2841, PAGE 1219, OFFICIAL RECORDS BOOK 2841, PAGE 1222, OFFICIAL RECORDS BOOK 2941, PAGE 3561, OFFICIAL RECORDS BOOK 3136, PAGE 1844 AND OFFICIAL RECORDS BOOK 3136, PAGE 1849. (AFFECTS THE PROPERTY SURVEYED HEREON AND IS PLOTTED AS SHOWN.)

10.) THIS POLICY DOES NOT INSURE THE NATURE OR EXTENT OF RIPARIAN OR LITTORAL RIGHTS.

11.) TITLE IS NOT INSURED TO ANY PORTION OF THE LAND DESCRIBED IN SCHEDULE A WHICH LIES BELOW THE MEAN HIGH WATER LINE OF CALOOSAHATCHEE RIVER, TROUT CREEK, OWL CREEK OR TRIBUTARIES OR BRANCHES THEREOF.

12.) AS TO ANY PORTION OF THE PREMISES HEREIN DESCRIBED WHICH IS (A) SUBMERGED LAND OR IS (B) ARTIFICIALLY FILLED IN LAND, ARTIFICIALLY EXPOSED LAND, OR ANY LAND ACCRETED THERETO, IN WHAT WAS FORMERLY NAVIGABLE WATERS, THIS COMMITMENT OR POLICY IS SUBJECT TO THE RIGHT OF THE UNITED STATES GOVERNMENT ARISING BY REASON OF ITS CONTROL OVER NAVIGABLE WATERS IN THE INTEREST OF NAVIGATION AND COMMERCE.

13.) LEGAL ACCESS TO AND FROM PARCEL 2 IS LIMITED EXCLUSIVELY TO THE BRIDGE CURRENTLY CONSTRUCTED OVER TROUT CREEK AS SHOWN ON THE MAP OF SURVEY BY DBS CONSULTING INC., DATED MAY 14, 2006, UNDER JOB NO. 1001-07. THIS COMMITMENT/POLICY DOES NOT INSURE THE ABILITY TO WIDEN OR RELOCATE SAID BRIDGE.

14.) UNRECORDED RIGHT-OF-WAY EASEMENT GRANTED BY GRANVILLE W. KELLER TO LEE COUNTY ELECTRIC CO-OPERATIVE, INC. DATED JULY 7, 1969. (AFFECTS THE PROPERTY SURVEYED HEREON AND IS PLOTTED AS SHOWN.)

## NOTES:

1.) BEARINGS SHOWN HEREON REFER TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, AS BEING S00°16'39"W.

2.) DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.

3.) THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR VALID ELECTRONIC SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

4.) THIS PROPERTY IS LOCATED IN FLOOD ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% CHANCE FLOODPLAIN), FLOOD ZONE X (0.2% ANNUAL CHANCE FLOOD HAZARD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTH LESS THAN ONE FOOT OR WITH DRAINAGE AREAS OF LESS THAN ONE SQUARE MILE) AND FLOOD ZONE AE (HAVING A BASE FLOOD ELEVATION OF 7.0 & 8.0). A PORTION OF THE PROPERTY LIES WITHIN A REGULATORY FLOODWAY (AS DEPICTED HEREON).

5.) THE TOTAL AREA OF THE PROPERTY SURVEYED IS 14,927,109 SQUARE FEET +/- (342.68 ACRES +/-)

6.) IMPROVEMENTS CONSISTING OF BUILDING STRUCTURES, PERIMETER FENCES, PAVING AND ABOVE GROUND VISIBLE UTILITIES LOCATED ON AND ADJACENT TO THE PROPERTY HAVE BEEN LOCATED HEREON AS SHOWN. INTERIOR FENCES HAVE NOT BEEN LOCATED WITHIN THE SCOPE OF THIS SURVEY.

7.) THE ELEVATION OF THE MEAN HIGH WATER LINE ALONG OWL CREEK AND TROUT CREEK IS ELEVATION 0.03 (NAVD 88) DATUM, PROVIDED BY FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION 08/19/20.

8.) THE ELEVATION OF THE MEAN HIGH WATER LINE ALONG CALOOSAHATCHEE RIVER IS ELEVATION 0.23 (NAVD 88) DATUM, PROVIDED BY FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION 08/19/20.

9.) THE HORIZONTAL LOCATION OF THE MEAN HIGH WATER LINE DEPICTED HEREON WAS LOCATED BY A COMBINATION OF REAL TIME KINEMATIC GLOBAL POSITIONING SYSTEM OBSERVATIONS, WHICH WERE TIED TO A CLOSED BOUNDARY TRAVERSE AND WITNESS LINE.

12.) ELEVATIONS SHOWN HEREON REFER TO NORTH AMERICAN VERTICAL DATUM OF 1988 (N.A.V.D. 88), AS THEY RELATE TO NATIONAL GEODETIC SURVEY BENCHMARK J 580 (POINT IDENTIFICATION NUMBER DJ5240)

13.) THERE ARE NO GAPS OR OVERLAPS.

14.) LAST DATE OF FIELD WORK WAS 09/11/20.

15.) THE INTENDED USE OF THIS SURVEY IS TO BE USED FOR DESIGN PURPOSES.

16.) SEE SHEETS 4 THROUGH 5 FOR LEGEND.

## CERTIFICATION:

I HEREBY CERTIFY TO:

D.R. HORTON, INC., A DELAWARE CORPORATION

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 3, 4, 8, 11 (OBSERVED EVIDENCE ONLY), AND 13 OF TABLE "A" THEREOF. THE FIELD WORK WAS COMPLETED ON 09/11/20. I FURTHER CERTIFY THAT THIS SURVEY OF THE HEREIN DESCRIBED PROPERTY WAS SURVEYED UNDER MY RESPONSIBLE CHARGE BETWEEN 08/06/2020 AND 09/11/20, AND MEETS THE MINIMUM STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.5, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

STEPHEN E. BERRY License Number 5296 STATE OF FLORIDA Professional Surveyor and Mapper

STEPHEN E. BERRY, STATE OF FLORIDA, (L.S. #5296) DATE:
BBLS SURVEYORS INC. (L.B. #8033)

SHEET 1 OF 5

\\ras\data\Projects\2020\20.30 Owl Creek\20.30 OWL CREEK BNDY 09 14 20.dwg

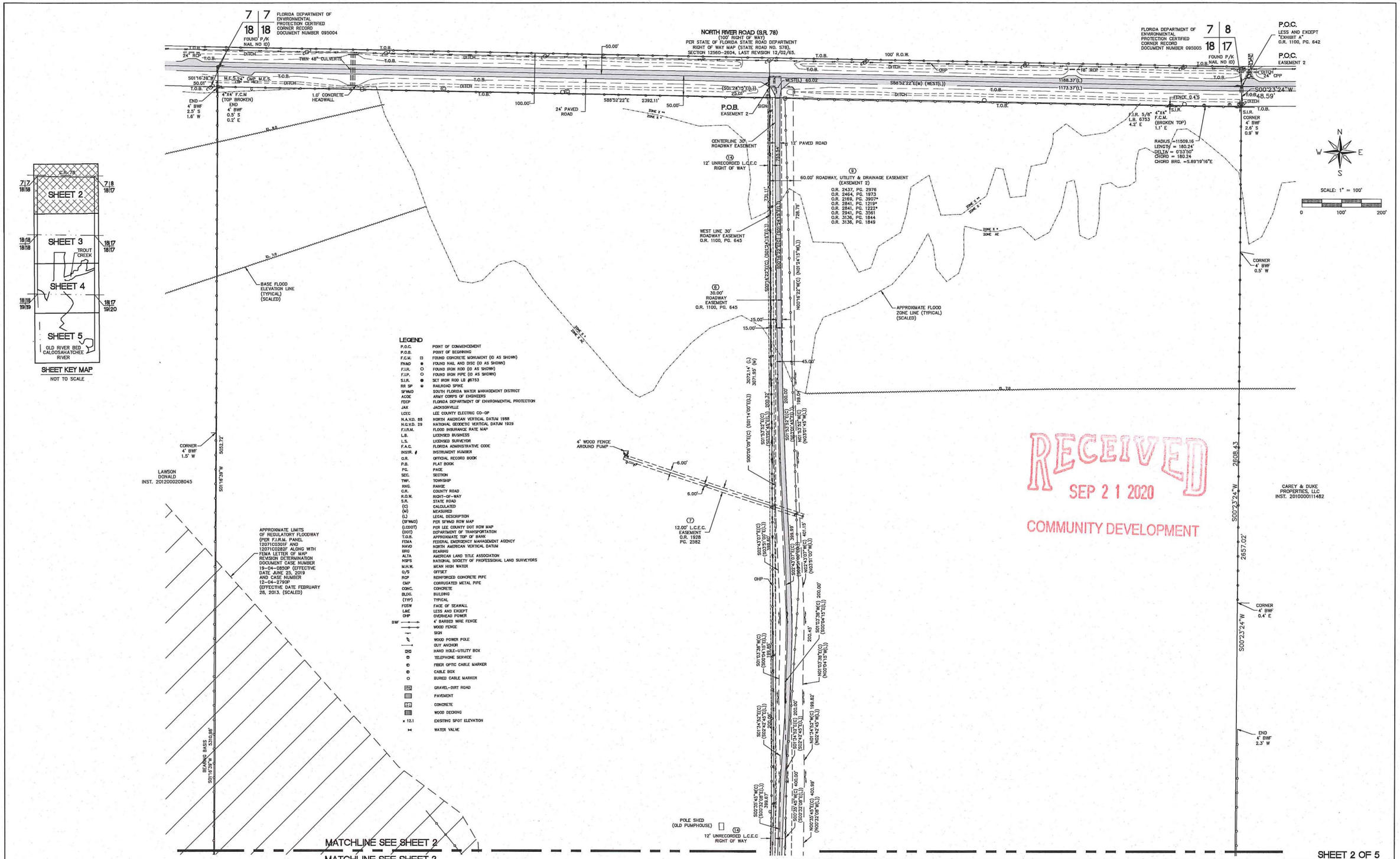
| | |
|---|---|
| DATE: 08/06/20 | |
| FIELD BOOK AND PAGE: 662/31-33 | |
| DRAWN BY: BUD, MAC, SEB | |
| APPROVED: BAB, SEB | |
| SCALE: AS NOTED | |

# BOUNDARY SURVEY (ALTA/NSPS LAND TITLE SURVEY)

OWL CREEK

A PORTION OF SECTIONS 18 AND 19, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA


BBLS SURVEYORS INC.
8860 TERRENE COURT,
BONITA SPRINGS,
FLORIDA 34135
(239) 597-1315



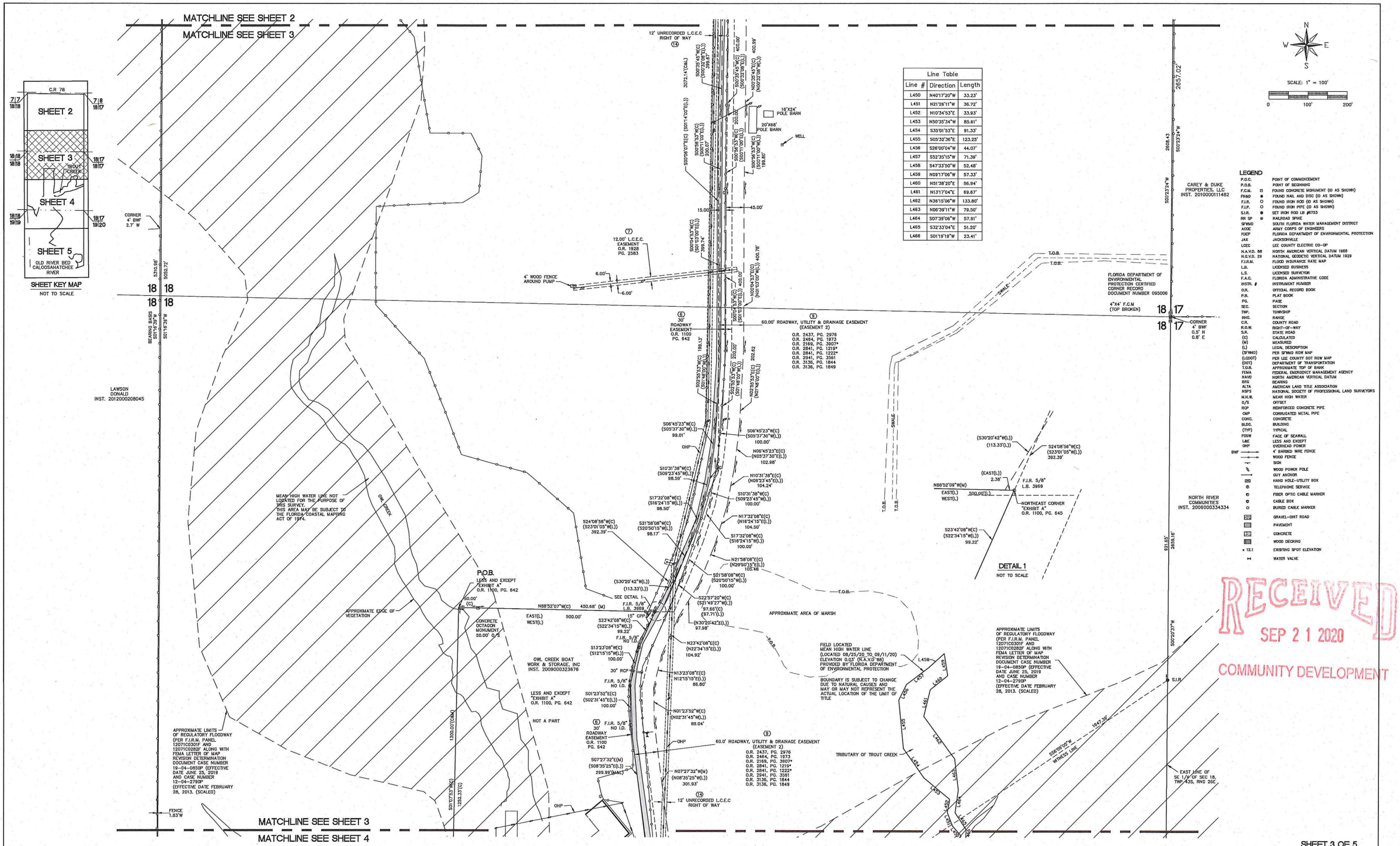

## LEGEND

| | |
|---|---|
| P.O.C. | POINT OF COMMENCEMENT |
| P.O.B. | POINT OF BEGINNING |
| F.C.M. | FOUND CONCRETE MONUMENT (ID AS SHOWN) |
| FNAD | FOUND NAIL AND DISC (ID AS SHOWN) |
| F.I.R. | FOUND IRON ROD (ID AS SHOWN) |
| F.I.P. | FOUND IRON PIPE (ID AS SHOWN) |
| S.I.R. | SET IRON ROD LB #6753 |
| RR SP | RAILROAD SPIKE |
| SFWMD | SOUTH FLORIDA WATER MANAGEMENT DISTRICT |
| ACOE | ARMY CORPS OF ENGINEERS |
| FDEP | FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION |
| JAX | JACKSONVILLE |
| LCEC | LEE COUNTY ELECTRIC CO-OP |
| N.A.V.D. 88 | NORTH AMERICAN VERTICAL DATUM 1988 |
| N.G.V.D. 29 | NATIONAL GEODETIC VERTICAL DATUM 1929 |
| F.I.R.M. | FLOOD INSURANCE RATE MAP |
| L.B. | LICENSED BUSINESS |
| L.S. | LICENSED SURVEYOR |
| F.A.C. | FLORIDA ADMINISTRATIVE CODE |
| INSTR. # | INSTRUMENT NUMBER |
| O.R. | OFFICIAL RECORD BOOK |
| P.B. | PLAT BOOK |
| PG. | PAGE |
| SEC. | SECTION |
| TWP. | TOWNSHIP |
| RNG. | RANGE |
| C.R. | COUNTY ROAD |
| R.O.W. | RIGHT-OF-WAY |
| S.R. | STATE ROAD |
| (C) | CALCULATED |
| (M) | MEASURED |
| (L) | LEGAL DESCRIPTION |
| (SFWMD) | PER SFWMD ROW MAP |
| (LCDOT) | PER LEE COUNTY DOT ROW MAP |
| (DOT) | DEPARTMENT OF TRANSPORTATION |
| T.O.B. | APPROXIMATE TOP OF BANK |
| FEMA | FEDERAL EMERGENCY MANAGEMENT AGENCY |
| NAVD | NORTH AMERICAN VERTICAL DATUM |
| BRG | BEARING |
| ALTA | AMERICAN LAND TITLE ASSOCIATION |
| NSPS | NATIONAL SOCIETY OF PROFESSIONAL LAND SURVEYORS |
| M.H.W. | MEAN HIGH WATER |
| O/S | OFFSET |
| RCP | REINFORCED CONCRETE PIPE |
| CMP | CORRUGATED METAL PIPE |
| CONC. | CONCRETE |
| BLDG. | BUILDING |
| (TYP) | TYPICAL |
| FOSW | FACE OF SEAWALL |
| L&E | LESS AND EXCEPT |
| OHP | OVERHEAD POWER |
| BWF | 4' BARBED WIRE FENCE |
| | WOOD FENCE |
| | SIGN |
| | WOOD POWER POLE |
| | GUY ANCHOR |
| | HAND HOLE-UTILITY BOX |
| | TELEPHONE SERVICE |
| | FIBER OPTIC CABLE MARKER |
| | CABLE BOX |
| | BURIED CABLE MARKER |
| | GRAVEL-DIRT ROAD |
| | PAVEMENT |
| | CONCRETE |
| | WOOD DECKING |
| x 12.1 | EXISTING SPOT ELEVATION |
| | WATER VALVE |

SHEET 2 OF 5

| | |
|---|---|
| DATE: 08/06/20 | BOUNDARY SURVEY (ALTA/NSPS LAND TITLE SURVEY) |
| FIELD BOOK AND PAGE: 662/31-33 | OWL CREEK |
| DRAWN BY: BJD, MAC, SEB | A PORTION OF SECTIONS 18 AND 19, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA |
| APPROVED: BAB, SEB | |
| SCALE: AS NOTED | |

BBLS SURVEYORS INC.
8860 TERRENE COURT,
BONITA SPRINGS,
FLORIDA 34135
(239) 597-1315




| Line # | Direction | Length |
|---|---|---|
| L450 | N40°17'20"W | 33.23' |
| L451 | N21°26'11"W | 36.72' |
| L452 | N10°34'53"E | 33.93' |
| L453 | N50°35'34"W | 85.61' |
| L454 | S35°01'53"E | 91.33' |
| L455 | S05°32'36"E | 123.25' |
| L456 | S26°00'04"W | 44.07' |
| L457 | S52°35'15"W | 71.39' |
| L458 | S47°33'50"W | 52.48' |
| L459 | N09°17'06"W | 57.33' |
| L460 | N51°38'20"E | 56.94' |
| L461 | N13°17'04"E | 69.67' |
| L462 | N38°15'06"W | 133.80' |
| L463 | N06°39'11"W | 79.50' |
| L464 | S07°39'06"W | 57.91' |
| L465 | S32°33'04"E | 51.20' |
| L466 | S01°19'19"W | 23.41' |

| | | |
|---|---|---|
| P.O.C. | | POINT OF COMMENCEMENT |
| P.O.B. | | POINT OF BEGINNING |
| F.C.M. | ⊡ | FOUND CONCRETE MONUMENT (ID AS SHOWN) |
| FNAD | ● | FOUND NAIL AND DISC (ID AS SHOWN) |
| F.I.R. | O | FOUND IRON ROD (ID AS SHOWN) |
| F.I.P. | O | FOUND IRON PIPE (ID AS SHOWN) |
| S.I.R. | ● | SET IRON ROD LB #3753 |
| RR SP | ● | RAILROAD SPIKE |
| SFWMD | | SOUTH FLORIDA WATER MANAGEMENT DISTRICT |
| ACOE | | ARMY CORPS OF ENGINEERS |
| FDEP | | FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION |
| JAX | | JACKSONVILLE |
| LCEC | | LEE COUNTY ELECTRIC CO-OP |
| N.A.V.D. 88 | | NORTH AMERICAN VERTICAL DATUM 1988 |
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| SEC. | | SECTION |
| TWP. | | TOWNSHIP |
| RNG. | | RANGE |
| C.R. | | COUNTY ROAD |
| R.O.W. | | RIGHT-OF-WAY |
| S.R. | | STATE ROAD |
| (C) | | CALCULATED |
| (M) | | MEASURED |
| (L) | | LEGAL DESCRIPTION |
| (SFWMD) | | PER SFWMD ROW MAP |
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| (DOT) | | DEPARTMENT OF TRANSPORTATION |
| T.O.B. | | APPROXIMATE TOP OF BANK |
| FEMA | | FEDERAL EMERGENCY MANAGEMENT AGENCY |
| NAVD | | NORTH AMERICAN VERTICAL DATUM |
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| FOSW | | FACE OF SEAWALL |
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| | | TELEPHONE SERVICE |
| | | FIBER OPTIC CABLE MARKER |
| | | CABLE BOX |
| | | BURIED CABLE MARKER |
| | | GRAVEL-DIRT ROAD |
| | | PAVEMENT |
| | | CONCRETE |
| | | WOOD DECKING |
| x 12.1 | | EXISTING SPOT ELEVATION |
| | | WATER VALVE |

RECEIVED
SEP 21 2020
COMMUNITY DEVELOPMENT

SHEET 3 OF 5

| | |
|---|---|
| DATE: 08/06/20 | BOUNDARY SURVEY (ALTA/NSPS LAND TITLE SURVEY) |
| FIELD BOOK AND PAGE: 662/21-33 | OWL CREEK |
| DRAWN BY: BJD, MAC, SEB | A PORTION OF SECTIONS 18 AND 19, TOWNSHIP 43 |
| APPROVED: BAB, SEB | SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA |
| SCALE: AS NOTED | |

BBLS SURVEYORS INC.
8860 TERRENE COURT,
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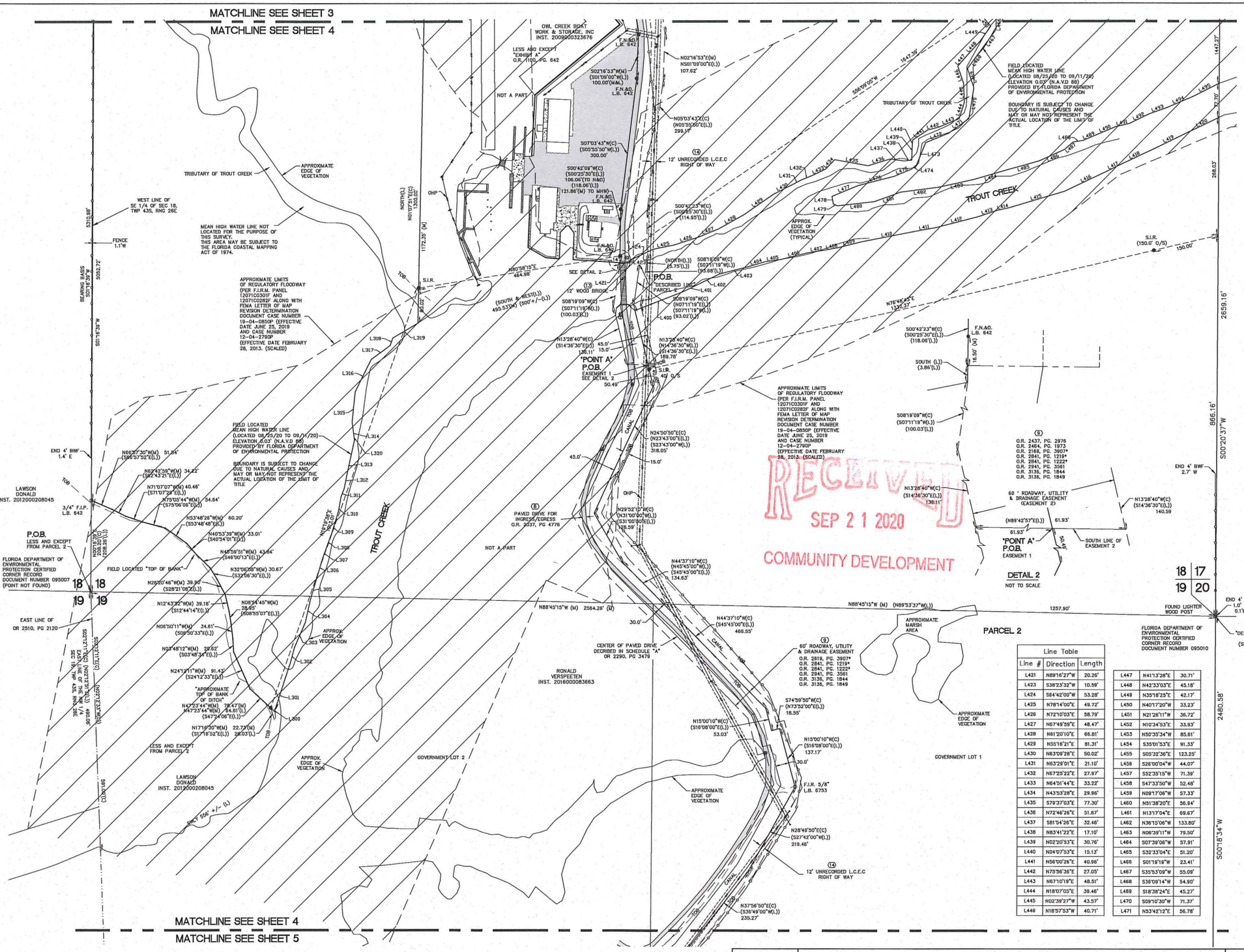
(239) 597-1315




| Line Table | | |
|---|---|---|
| Line # | Direction | Length |
| L300 | N03°19'16"W | 4.78' |
| L301 | N18°12'29"E | 115.02' |
| L302 | S15°16'02"W | 33.53' |
| L303 | S23°08'17"W | 62.09' |
| L304 | S12°32'34"W | 53.60' |
| L305 | S16°28'28"W | 59.42' |
| L306 | S15°47'44"W | 34.13' |
| L307 | S18°57'28"W | 36.38' |
| L308 | S20°15'30"W | 28.82' |
| L309 | S16°26'09"W | 51.67' |
| L310 | S10°05'07"W | 34.32' |
| L311 | S21°15'12"W | 20.19' |
| L312 | S10°40'48"W | 33.89' |
| L313 | N12°21'57"E | 78.12' |
| L314 | N07°11'04"W | 29.90' |
| L315 | N05°34'19"E | 68.70' |
| L316 | N26°06'00"E | 82.56' |
| L317 | N53°18'35"E | 53.47' |
| L318 | N19°55'43"E | 17.98' |
| L319 | N59°33'49"E | 66.58' |
| L320 | N07°54'16"W | 11.85' |

| Line Table | | |
|---|---|---|
| Line # | Direction | Length |
| L400 | S68°39'37"W | 118.44' |
| L401 | N64°26'22"E | 31.89' |
| L402 | N84°03'20"E | 59.04' |
| L403 | N75°59'50"E | 70.51' |
| L404 | N73°32'12"E | 36.64' |
| L405 | N81°37'22"E | 38.71' |
| L406 | N76°10'56"E | 61.09' |
| L407 | N81°10'49"E | 43.63' |
| L408 | N79°19'30"E | 27.70' |
| L409 | N76°16'15"E | 54.20' |
| L410 | N78°48'20"E | 120.20' |
| L411 | N79°41'31"E | 52.54' |
| L412 | N75°23'35"E | 89.29' |
| L413 | N71°46'47"E | 45.73' |
| L414 | N77°14'48"E | 27.77' |
| L415 | N73°38'17"E | 131.49' |
| L416 | N64°38'32"E | 113.85' |
| L417 | N64°07'37"E | 23.99' |
| L418 | N64°53'28"E | 84.52' |
| L419 | N64°11'02"E | 86.91' |
| L420 | N64°11'54"E | 80.89' |

| Line Table | | |
|---|---|---|
| Line # | Direction | Length |
| L421 | N89°16'27"W | 20.26' |
| L423 | S38°23'32"W | 10.59' |
| L424 | S64°42'00"W | 53.26' |
| L425 | N78°14'00"E | 49.72' |
| L426 | N72°10'03"E | 58.79' |
| L427 | N67°49'59"E | 48.47' |
| L428 | N61°20'10"E | 66.81' |
| L429 | N55°16'21"E | 81.31' |
| L430 | N63°09'28"E | 50.02' |
| L431 | N63°29'01"E | 21.10' |
| L432 | N67°25'22"E | 27.97' |
| L433 | N64°51'44"E | 33.22' |
| L434 | N43°53'28"E | 29.96' |
| L435 | S79°37'03"E | 77.30' |
| L436 | N72°46'26"E | 51.87' |
| L437 | S81°54'26"E | 32.46' |
| L438 | N83°41'22"E | 17.10' |
| L439 | N02°20'53"E | 30.76' |
| L440 | N04°07'53"E | 15.13' |
| L441 | N56°00'26"E | 40.95' |
| L442 | N75°56'36"E | 27.05' |
| L443 | N67°10'19"E | 48.51' |
| L444 | N18°07'05"E | 39.46' |
| L445 | N02°39'27"W | 43.57' |
| L446 | N18°57'53"W | 40.71' |

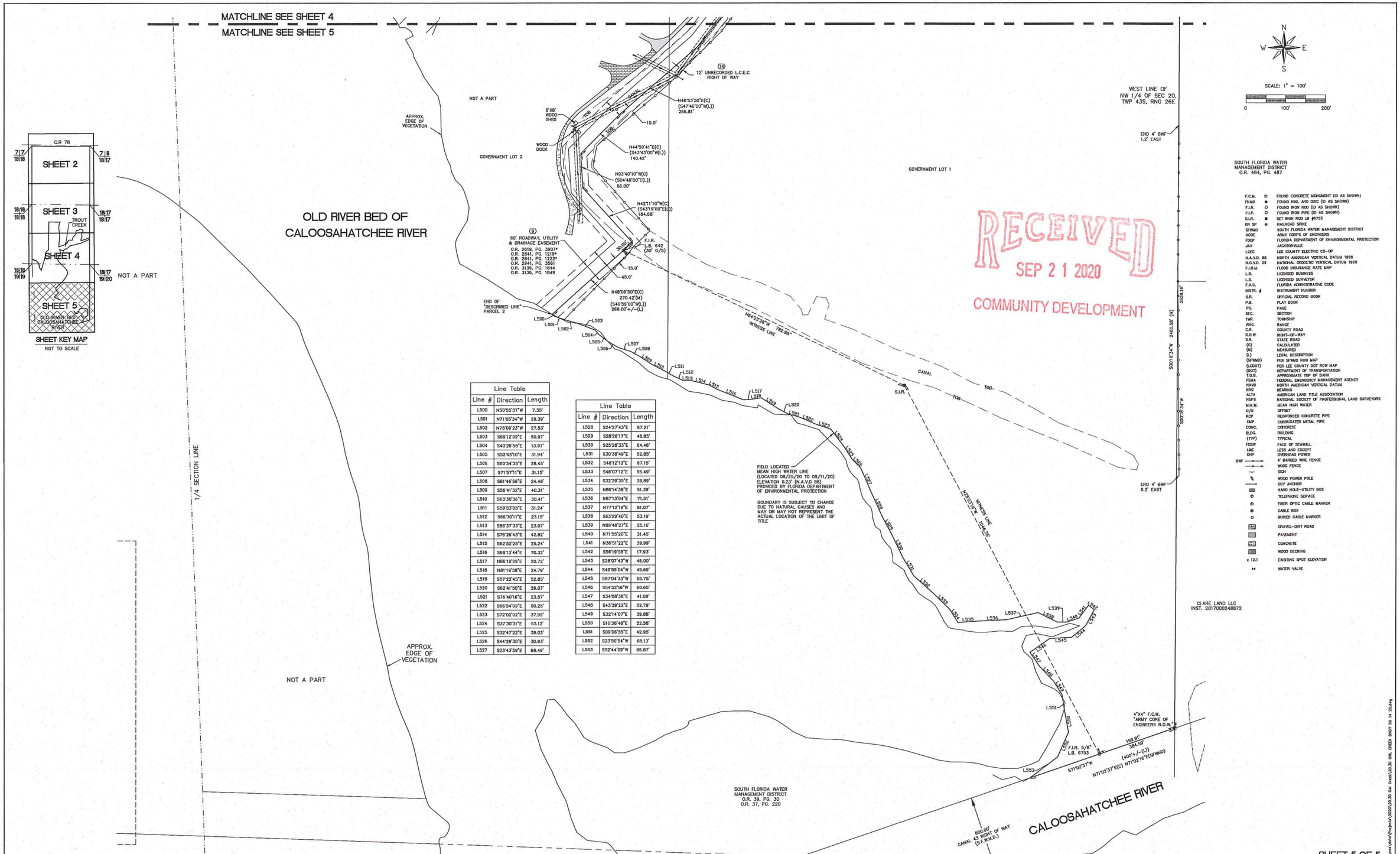
| Line Table | | |
|---|---|---|
| Line # | Direction | Length |
| L447 | N41°13'28"E | 30.71' |
| L448 | N42°33'03"E | 45.18' |
| L449 | N35°18'25"E | 42.17' |
| L450 | N40°17'20"W | 33.23' |
| L451 | N21°26'11"W | 36.72' |
| L452 | N10°34'53"E | 33.93' |
| L453 | N50°35'34"W | 85.61' |
| L454 | S35°01'53"E | 91.33' |
| L455 | S05°32'36"E | 123.25' |
| L456 | S26°00'04"W | 44.07' |
| L457 | S52°35'15"W | 71.39' |
| L458 | S47°33'50"W | 52.48' |
| L459 | N09°17'06"W | 57.33' |
| L460 | N51°38'20"E | 56.94' |
| L461 | N13°17'04"E | 69.67' |
| L462 | N36°15'06"W | 133.80' |
| L463 | N06°39'11"W | 79.50' |
| L464 | S07°39'06"W | 57.91' |
| L465 | S32°33'04"E | 51.20' |
| L466 | S01°18'19"W | 23.41' |
| L467 | S35°53'09"W | 55.09' |
| L468 | S36°09'14"W | 54.90' |
| L469 | S18°38'24"E | 45.27' |
| L470 | S09°10'30"W | 71.37' |
| L471 | N53°42'12"E | 56.78' |

| Line Table | | |
|---|---|---|
| Line # | Direction | Length |
| L472 | N67°46'02"E | 56.48' |
| L473 | N22°03'58"E | 53.88' |
| L474 | N48°46'12"E | 15.77' |
| L475 | N67°43'57"E | 42.46' |
| L476 | N75°31'42"E | 84.91' |
| L477 | N67°36'56"E | 63.76' |
| L478 | S10°04'22"E | 17.28' |
| L479 | S64°43'19"E | 10.65' |
| L480 | S83°38'00"W | 84.05' |
| L481 | S69°49'00"W | 63.53' |
| L482 | S82°44'45"W | 86.96' |
| L483 | S77°28'30"W | 81.85' |
| L484 | S73°49'33"W | 76.39' |
| L485 | S74°36'11"W | 79.06' |
| L486 | S65°48'12"W | 63.16' |
| L487 | S49°00'39"W | 25.62' |
| L488 | N80°37'35"E | 23.70' |
| L489 | N66°42'36"E | 31.31' |
| L490 | N67°19'24"E | 49.00' |
| L491 | N77°10'24"E | 31.94' |
| L492 | N64°37'58"E | 53.06' |
| L493 | N70°27'15"E | 39.63' |
| L494 | N66°53'17"E | 63.33' |
| L495 | N63°09'11"E | 68.13' |

SHEET 4 OF 5

| | |
|---|---|
| DATE: 08/06/20 | BOUNDARY SURVEY (ALTA/NSPS LAND TITLE SURVEY) |
| FIELD BOOK AND PAGE: 662/31-33 | OWL CREEK |
| DRAWN BY: BUD, MAC, SEB | A PORTION OF SECTIONS 18 AND 19, TOWNSHIP 43 |
| APPROVED: BAB, SEB | SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA |
| SCALE: AS NOTED | |

BBLS SURVEYORS INC.
8860 TERRENE COURT,
BONITA SPRINGS,
FLORIDA 34135
(239) 597-1315




| Line Table | | |
|---|---|---|
| Line # | Direction | Length |
| L500 | N50°55'57"W | 7.35' |
| L501 | N71°05'34"W | 29.39' |
| L502 | N75°09'23"W | 27.53' |
| L503 | S69°12'09"E | 50.97' |
| L504 | S40°26'58"E | 13.97' |
| L505 | S52°43'10"E | 31.94' |
| L506 | S60°34'35"E | 28.45' |
| L507 | S71°57'11"E | 31.15' |
| L508 | S61°46'56"E | 24.48' |
| L509 | S56°41'32"E | 40.31' |
| L510 | S63°35'36"E | 30.41' |
| L511 | S59°53'05"E | 31.24' |
| L512 | S66°30'11"E | 23.15' |
| L513 | S86°37'33"E | 23.07' |
| L514 | S76°26'43"E | 42.82' |
| L515 | S62°52'25"E | 25.24' |
| L516 | S68°13'44"E | 70.32' |
| L517 | N86°10'29"E | 20.72' |
| L518 | N81°19'58"E | 24.79' |
| L519 | S57°22'45"E | 52.85' |
| L520 | S62°41'50"E | 29.07' |
| L521 | S76°40'16"E | 23.57' |
| L522 | S66°34'09"E | 50.23' |
| L523 | S72°02'02"E | 37.99' |
| L524 | S37°30'31"E | 53.12' |
| L525 | S32°47'22"E | 39.03' |
| L526 | S44°29'30"E | 30.93' |
| L527 | S23°43'59"E | 68.49' |

| Line Table | | |
|---|---|---|
| Line # | Direction | Length |
| L528 | S24°27'43"E | 67.21' |
| L529 | S28°26'17"E | 48.85' |
| L530 | S25°28'33"E | 64.46' |
| L531 | S30°38'49"E | 52.85' |
| L532 | S48°12'13"E | 67.15' |
| L533 | S46°07'12"E | 55.49' |
| L534 | S32°39'35"E | 39.89' |
| L535 | N86°14'38"E | 51.39' |
| L536 | N87°13'04"E | 71.51' |
| L537 | N77°12'19"E | 81.07' |
| L538 | S63°29'40"E | 53.19' |
| L539 | N89°48'27"E | 25.16' |
| L540 | N71°55'20"E | 31.45' |
| L541 | N36°51'22"E | 39.99' |
| L542 | S56°19'58"E | 17.93' |
| L543 | S28°07'43"W | 46.00' |
| L544 | S49°55'04"W | 45.69' |
| L545 | S87°04'33"W | 55.75' |
| L546 | S54°52'16"W | 60.65' |
| L547 | S34°08'38"E | 41.08' |
| L548 | S43°39'22"E | 52.79' |
| L549 | S32°14'07"E | 39.88' |
| L550 | S10°38'48"E | 52.58' |
| L551 | S09°06'55"E | 42.95' |
| L552 | S23°50'54"W | 68.13' |
| L553 | S52°44'09"W | 86.87' |

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COMMUNITY DEVELOPMENT

SHEET 5 OF 5

| | |
|---|---|
| DATE: 08/06/20 | |
| FIELD BOOK AND PAGE: 662/31-33 | |
| DRAWN BY: BUD, MAC, SEB | |
| APPROVED: BAB, SEB | |
| SCALE: AS NOTED | |

# BOUNDARY SURVEY (ALTA/NSPS LAND TITLE SURVEY)

OWL CREEK

A PORTION OF SECTIONS 18 AND 19, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

BBLS SURVEYORS INC.
8860 TERRENE COURT,
BONITA SPRINGS,
FLORIDA 34135
(239) 597-1315

\\nas\data\Projects\2020\20.30 Owl Creek\20.30 OWL CREEK BND7 09 14 20.dwg

# Deed of Subject Property
(Exhibit M8)

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COMMUNITY DEVELOPMENT

INSTR # 2009000343334, Doc Type CT, Pages 4, Recorded 12/29/2009 at 12:24 PM, Charlie Green, Lee County Clerk of Circuit Court, Deed Doc. D $0.70 Deputy Clerk BHANZEVACK

(4)
$100.00
.70¢ D.S.

pedpmt

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT
IN AND FOR LEE COUNTY, FLORIDA
CIVIL ACTION

RECEIVED
SEP 21 2020
COMMUNITY DEVELOPMENT

Talon Ventures LLC
Plaintiff
vs
North River Communities LLC etal
Defendant

Case No. 09-CA-062726

**CERTIFICATE OF TITLE**

The undersigned clerk of the court certifies that he or she executed and filed a certificate of sale in this action on December 04, 2009 for the property described herein and that no objections to the sale have been filed within the time allowed for filing objections.

The following property in Lee County, Florida:

FILED
DEC 15 2009
Charlie Green, Clerk Circuit Court Lee County, Florida
BY: _____ D.C.

See Exhibit "A" attached hereto.

Was sold to: Talon Ventures LLC., a Florida Limited Liability Company,
Address: 10 Wimbledon Court, Frisco, TX 75034

WITNESS my hand and the seal of the court on December 15, 2009

Charlie Green, Clerk of Court

By: M Parker
Deputy Clerk

Copies furnished to all parties

Charlie Green
Clerk of Circuit Court

By: Michele Parker
Deputy Clerk

## LEGAL DESCRIPTION

PARCEL 1:

All that part of the East half (E 1/2) of Section 18 and Government Lot 2, Section 19, Township 43 South, Range 26 East, lying southerly of State Road 78 (O.R. Book 354, Page 660) (50 feet wide) and northerly of Trout Creek. LESS AND EXCEPT that parcel described in Exhibit "A" of the instrument recorded in O.R. Book 1100, Page 642, Public Records of Lee County, Florida.

Subject to easements granted or reserved in Deeds recorded in: O.R. Book 1100, Page 642; O.R. Book 2437, Page 2976; O.R. Book 2464, Page 1973; O.R. Book 2619, Page 3907; O.R. Book 2841, Page 1222; O.R. Book 2941, Page 3561; O.R. Book 3136, Page 1844; and O.R. Book 3136, Page 1849, all of the Public Records of Lee County, Florida.

PARCEL 2:

A tract or parcel of land lying in the East half of Section 18, and part of Government Lots 1 and 2, Section 19, Township 43 South, Range 26 East, Lee County, Florida more particularly described as follows:

All that part of the East half (E 1/2) of Section 18 and Government Lots 1 and 2, Section 19, Township 43 South, Range 26 East lying Southerly of Trout Creek, Northerly of the waters of the Caloosahatchee River and Northwesterly of the North right-of-way line of the Caloosahatchee River described in deed recorded in O.R. Book 37 at page 220 of the Public Records of Lee County, Florida and being Easterly of the following described line: From the Northeast corner of said Section 19, run N 89° 53'37" W along the line common to said Sections 18 and 19, Township 43 South, Range 26 East for 1,257.90 feet to an intersection with a line 30 feet Easterly from (as measured on a perpendicular) and parallel with the centerline of an existing paved drive described in Residence Parcel in Schedule "A" recorded in O.R. Book 2290 at page 3479, of said Public Records; thence run the following courses and distances along said parallel line: N 45° 45'00" W for 134.63 feet, N 31° 00'00" W for 128.59 feet, N 23° 43'00" E for 318.05 feet, N 14° 36'30" W for 189.78 feet passing through a point designated "A" at 50.49 feet along said line and N 07° 11'19" E for 93.02 feet to the Point of Beginning of the herein described line.

From said Point of Beginning run the following courses and distances along said parallel line: S 07° 11'19" W for 93.02 feet, S 14° 36'30" E for 189.78 feet, S 23° 43'00" W for 318.05 feet, S 31° 00'00" E for 128.59 feet, S 45° 45'00" E for 466.55 feet and S 16° 08'00" E for 53.03 feet to an intersection with a line parallel with and 30 feet Easterly from (as measured on a perpendicular) the Easterly line of said Residence Parcel described in said Schedule "A"; thence run the following courses and distances along said parallel line: N 73° 52'00" E for 18.55 feet, S 16° 08'00" E for 137.17 feet, S 27° 42'00" W for 219.46 feet, S 36° 49'00" W for 235.27 feet, S 47° 46'00" W for 266.81 feet, S 43° 43'00" W for 140.42 feet, S 04° 48'00" E for 86.00 feet, S 43° 19'00" E for 184.68 feet and S 46° 59'00" W for 268 feet, more or less to said waters of the Caloosahatchee River and the end of the herein described line.

LESS AND EXCEPT the following described parcel of land lying within Parcel 1 and Parcel 2:

A parcel of land lying in Sections 18 and 19, Township 43 South, Range 26 East, Lee County, Florida, which tract or parcel is described as follows:

**Exhibit "A"**

(Continued)

Beginning at the Southwest corner of the Southeast quarter (SE 1/4) of Section 18 run North 00° 16' 39" East along the west line of the Southeast Quarter (SE-1/4) of Section 18 for 208.26 feet; thence run the following courses and distances along the approximate top of bank of an apparent man-made ditch: South 66° 57' 52" East for 51.84 feet; run South 62° 43' 21" East for 34.22 feet; run South 71° 07'29" East for 40.46 feet; run South 75° 06' 06" East for 54.64 feet; run South 53° 48'48" East for 60.20 feet; run South 40° 54' 01" East for 33.01 feet; run South 46° 00'13" East for 43.84 feet; run South 32° 06' 30" East for 30.67 feet; run South 28° 21' 08" East for 39.90 feet; run South 12° 44'14" East for 39.18 feet; run South 08° 55' 07" East for 28.95 feet; run South 06° 50' 33" East for 34.61 feet; run South 03° 48' 34" East for 29.62 feet; run South 24° 12' 33" East for 91.43 feet; run South 47° 24'06" East for 64.61 feet; thence run South 17° 16' 52" East departing said approximate top of bank for 28.03 feet to the mean high water line of an oxbow of the Caloosahatchee River; thence run southwesterly along the said mean high water line for 556 feet, more or less to a line that bears South 02° 12' 33" East from the Point of Beginning, also being the east line of the Northwest Quarter (NW-1/4) of Section 19; thence run North 02° 12' 33" West along said east line for 591 feet, more or less, to the Point of Beginning.

Bearings hereinabove mentioned are based on the west line of the Southeast Quarter (SE-1/4) of Section 18 to bear South 00° 16' 39" West.

SUBJECT TO AND TOGETHER WITH the following easements for roadway, utilities and drainage described as follows:

EASEMENT 1:

A Non-Exclusive Easement for the benefit of Parcels 1 and 2 for roadway, utilities and drainage 60 feet wide lying 15 feet easterly and 45 feet westerly of the following described line:

Beginning at the hereinabove described point designated "A", run the following courses and distances along said line: S 14° 36'30" E for 50.49 feet, S 23° 43'00" W for 318.05 feet, S 31° 00'00" E for 128.59 feet, S 45° 45'00" E for 466.55 feet and S 16° 08'00" E for 53.03 feet to an intersection with a line parallel with and 30 feet Easterly from (as measured on a perpendicular) the Easterly line of the hereinabove referenced Residence Parcel; thence run the following courses and distances along said parallel line: N 73° 52'00" E for 18.55 feet, S 16° 08'00" E for 137.17 feet, S 27° 42'00" W for 219.46 feet, S 36° 49'00" W for 235.27 feet, S 47° 46'00" W for 266.81 feet, S 43° 43'00" W for 140.42 feet, S 04° 48'00" E for 86.00 feet, S 43° 19'00" E for 184.68 feet and S 46° 59'00" W for 268 feet, more or less to said waters of the Caloosahatchee River and the end of the herein described line, wherein the Northerly limits of the side lines of said easement will terminate at the South line of the 60' Roadway, Utility and Drainage Easement as described in Easement 2 below.

EASEMENT 2:

A Non-Exclusive Easement for the benefit of Parcels 1 and 2, sixty (60') feet in width, for roadway, utilities and drainage purposes lying in the East one-half (E 1/2) of Section 18, Township 43 South, Range 26 East, Lee County, Florida, more particularly described as follows:

From the Northeast corner of said Section 18 run West along the line common to said Section 18 and Section 7, Township 43 South, Range 26 East for 1188.37 feet; thence run S 01° 24'15" E for 25.01 feet to said South line of State Road 78 and the Point of Beginning of the herein described roadway easement. From said Point of Beginning run the following courses and distances along the Westerly line of the 30 foot wide roadway easement described in Exhibit "B" recorded in O.R. Book 1100 at page 645; S 01° 24'15" E for 731.11 feet, S 03° 01'45" E for 200.32 feet, S 03° 51'00" E for 399.60 feet, S 00° 04'15 E for 199.85 feet, S 02° 42'45" E for 200.06 feet, S 00° 32'08" E for 399.67 feet, S 00° 11'00" E for 200.07 feet, S 01° 03'00" E for 399.74 feet, S 01° 48'00" W for 199.13 feet, S 05° 37'30" W for 99.01 feet, S 09° 23'45" W for 98.59 feet, S 16° 24'15" W for 98.59

(Continued)

feet, S 20° 50'15" W for 98.17 feet, S 30° 20'42" W for 113.33 feet; thence run East for 2.38 feet to the Northeast corner of parcel described in Exhibit "A" of the instrument recorded in O.R. Book 1100, page 645, Public Records of Lee County, Florida; thence run the following courses and distances along the Westerly line of said roadway easement (30 feet wide) being the East line of said parcel described in said Exhibit "A": S 22° 34'15" W for 99.22 feet, S 12° 15'15" W for 100.00 feet, S 02° 31'45" E for 100.00 feet, S 08° 35'25" E for 299.99 feet, S 01° 09'00" W for 100.00 feet, S 05° 55'50" W for 300.00 feet, S 00° 25'30" E for 118.06 feet, and South for 3.86 feet; thence run the following courses and distances: S 07° 11'19" W for 100.03 feet, S 14° 36'30" E for 136.11 feet, N 89° 42'57" E for 61.93 feet (passing through the hereinabove described point "A" at 46.44 feet), N 14° 36'30" W for 140.59 feet, N 07° 11'19" E for 93.68 feet; thence run the following courses parallel with the West line of said roadway easement, 30 feet wide: North for 5.75 feet, N 00° 25'30" W for 114.95 feet, N 05° 55'50" E for 299.17 feet, N 01° 09'00" E for 107.62 feet, N 08° 35'25" W for 301.93 feet, N 02° 31'45" W for 89.04 feet, N 12° 15'15" E for 86.80 feet, N 22° 34'15" E for 104.92 feet, N 30° 20'42" E for 97.98 feet, N 20° 50'15" E for 105.48 feet, N 16° 24'15" E for 104.50 feet, N 09° 23'45" E for 104.24 feet, N 05° 37'30" E for 102.98 feet, N 01° 48'00" E for 202.62 feet, N 01° 03'00" W for 400.78 feet, N 00° 11'00" W for 199.80 feet, N 00° 32'08" W for 400.99 feet, N 02° 42'45" W for 199.82 feet, N 00° 04'15" W for 200.45 feet, N 03° 51'00" W for 401.15 feet, N 03° 01'45" W for 199.04 feet and N 01° 24'15" W for 728.79 feet to an intersection with said Southerly line of State Road No. 78 (50 feet wide); thence run West along said South line of State Road 78 for 60.02 feet to the Point of Beginning.

Bearings hereinabove mentioned are based on the North line of the East half (E 1/2) of said Section 18 to bear West.

# Aerial Map Showing the Subject Property & Surrounding Properties

(Exhibit M9)

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SEP 2 1 2020
COMMUNITY DEVELOPMENT

BANKS ENGINEERING
Professional Engineers, Planners, & Land Surveyors
Serving The State Of Florida
10511 SIX MILE CYPRESS PARKWAY
FORT MYERS, FLORIDA 33966
PHONE: (239) 939-5490 FAX: (239) 939-2523
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690
WWW.BANKSENG.COM

AERIAL MAP EXHIBIT-M9

# OWL CREEK

LEE COUNTY, FLORIDA

| DATE | PROJECT | DRAWING | DESIGN | DRAWN | CHECKED | SCALE | SHEET |
|---|---|---|---|---|---|---|---|
| 08/24/2020 | 8504 | _EXHIBIT | KG | KG | DRU | N.T.S. | 01 |

S:\JOBS\85XX\8504\EXHIBITS\8504_FUTURE LAND USE.DWG 9/2/2020 1:32 PM KEVIN GONZALEZ

# Authorization Letter from the Property Owner

(Exhibit M10)

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COMMUNITY DEVELOPMENT

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SEP 21 2020
COMMUNITY DEVELOPMENT

LETTER OF AUTHORIZATION

I, Belinda B. Ulrich, as Manager of Talon Ventures, LLC, a Florida limited liability company, being first duly sworn, depose and say that Talon Ventures, LLC, a Florida limited liability company, is the owner of the property described as:

Address: 12850 N River Road, 18420 Owl Creek Dr & 17900 Owl Creek Dr;

STRAP: 18-43-26-00-00002.0020, 18-43-26-00-00002.0000 & 19-43-26-00-00002.1020 (the "Property").

The Property described herein is the subject of an application for zoning or development. I have the requisite authority to act on behalf of Talon Ventures, LLC, a Florida limited liability company, and hereby designate D.R. Horton, Inc. ("Contract Purchaser"), as the legal representative of the Property and as such, the Contract Purchaser and its designated agents are authorized to legally bind the owner of the Property in the course of seeking the necessary approvals for zoning and development. This authorization includes but is not limited to the Contract Purchaser hiring and authorizing agents to assist in the preparation of applications, plans, surveys and studies necessary to obtain zoning and development on the Property.

Name of Owner:
Talon Ventures, LLC, a Florida limited liability company

By: Belinda B Ulrich

Belinda B. Ulrich, Manager
Printed or Typed Name and Title

STATE OF Texas
COUNTY OF Collin

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 7-13-2020 (date) by Belinda Ulrich Manager (name of member, manager, officer or agent, title of member, manager, officer or agent), of Talon Ventures (name of company acknowledging), a Florida (state or place of formation) limited liability company, on behalf of the company, who is personally known to me or has produced Texas Driver License (type of identification) as identification.

DESIREE J VANCE
Notary Public
STATE OF TEXAS
ID# 12542798-5
My Comm. Exp. June 20, 2021

Desiree J Vance
(Signature of person taking acknowledgment)

Desiree J Vance
(Name typed, printed or stamped)

Notary Public
(Title or rank)

# AFFIDAVIT OF AUTHORIZATION

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

I, Justin Robbins (name), as Division President/VP (owner/title) of D.R. Horton, Inc. (company/property), swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

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

**Notes:*

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

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

_____ **Signature**

8/20/20 **Date**

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

**STATE OF FLORIDA**
**COUNTY OF LEE**

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 20th day of August, 20 20, by Justin A. Robbins (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

**STAMP/SEAL**

RINA PATEL
Notary Public - State of Florida
Commission # GG 964221
My Comm. Expires May 7, 2024
Bonded through National Notary Assn.

**Signature of Notary Public**



RINA PATEL
Notary Public - State of Florida
Commission # GG 964221
My Comm. Expires May 7, 2024
Bonded through National Notary Assn.

# Lee Plan Consistency & State-Regional Plans

## (Exhibits M11 & M18)

RECEIVED
SEP 2 1 2020
COMMUNITY DEVELOPMENT

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

RECEIVED
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COMMUNITY DEVELOPMENT

# OWL CREEK
# Comprehensive Plan Map Amendment
### Lee Plan Consistency
### State & Regional Policy Plan Compliance
### EXHIBITS "M11 & M18"

## INTRODUCTION

The Owl Creek property is ±342.68 acres located on the south side of N. River Road approximately ½ mile east of its intersection with SR 31 within the North Olga area of the Northeast Lee County Planning Community. The property is zoned Agricultural (AG-2) and is used for agricultural/grazing purposes. Lee Plan Map 1, Page 1 of 7 identifies the property as Rural and Wetlands Future Land Use Categories (FLU).

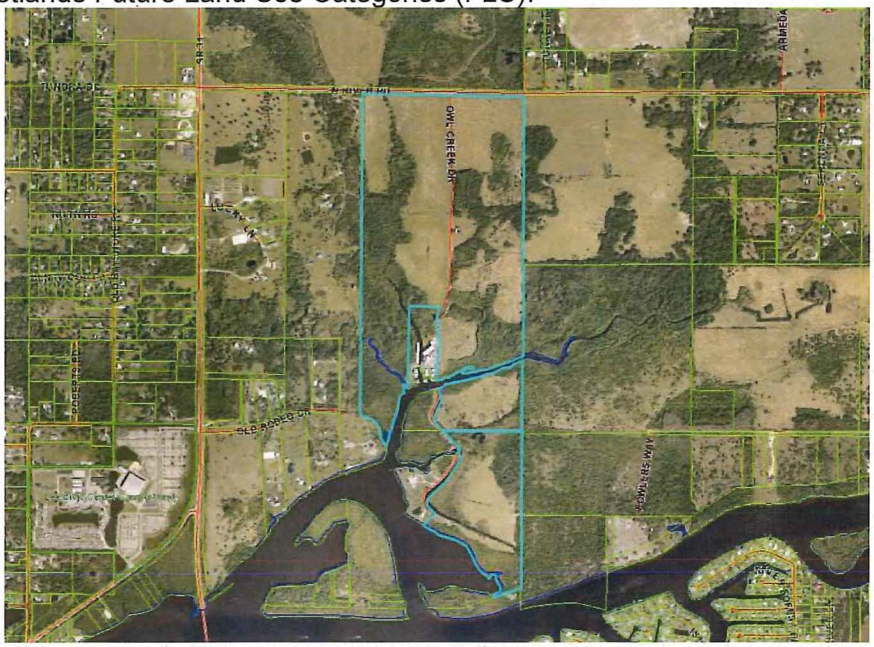


Figure 1. Location of Subject Property

This amendment proposes to change the FLU category from Rural and Wetlands to Sub-Outlying Suburban to accommodate the clustered development of up to 440 single-family dwelling units and internal amenities while providing for significant environmental, historical, storm water, water quality and infrastructure enhancements. This request will allow an increase of 219 dwelling units from the 221 dwelling units that could be developed under the existing FLU categories. The Owl Creek application includes the following requests:

- Amendment to the Future Land Use Map (Lee Plan Map 1, Page 1 of 7) to change the FLU category from Rural and Wetlands to Sub-Outlying Suburban and Wetlands
- Amendment to Future Water Service Areas, Lee County Utilities (Lee Plan Map 6) to place the property within the Lee County Utilities Future Water Service Area to allow for privately funded expansion of water service.
    - Note: Wastewater will be provided by Florida Governmental Utility Authority



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(FGUA) with privately funded expansion of sewer service.

- Associated Text Amendment to following:
  - North Olga Community Plan – New Objective 29.10 and Policies 29.10.1 and 29.10.2 to provide requirements for development with Sub-Outlying Suburban areas within North Olga Planning Community including a maximum of 440 dwelling units.
  - Table 1(a) – add footnote 20 to Sub-Outlying Suburban to limit density to 2 dwelling units per 1 acre of uplands or a gross density of 1.28 dwelling units per gross acre within the North Olga Planning Community
  - Table 1(b) – revise Northeast Lee County to remove 343 acres from the Rural category and add 343 acres to the Sub-Outlying Suburban category

The following summarizes benefits that will be accomplished by approval of this request through compliance with the proposed text amendment:

1. Provide a connection between the existing New Community FLU to the north and Caloosahatchee River to the south that will continue the environmental preservation and enhanced drainage ways that will be improved by reduced runoff rate and reduced nutrient runoff
2. Amendment will result in clustered development as encouraged in area as demonstrated by the Preliminary Development Footprint exhibit
3. Provide Wetland Protection and Enhancements including exotic removal and maintenance
4. Historical Resource preservation of the 3 recommended sites
5. ±165.6 acres (48% of property) placed into conservation easement including the convergence of two natural waterways on the Great Calusa Blueway (Owl Creek and Trout Creek) where they connect to the Caloosahatchee River
6. Wildlife/recreation connection from portion of Trout Creek located on potential Conservation 20/20 lands to Caloosahatchee River
7. Connection to adjacent SFWMD owned lands to the east and south
8. Potential public canoe/kayak launch area to Trout Creek
9. Wildlife management and co-existence plans
10. Enhanced lake management plan
11. Florida Friendly Landscaping with the low irrigation requirements in common areas
12. 60% open space
13. Preserve 93% of wetlands
14. Water Quality enhancements and monitoring
15. Remove potential for up to 221 potential septic tanks and wells
16. Removal of cattle grazing will significantly reduce onsite nutrient generation
17. Additional 50% water quality treatment
18. Reduced rate of run-off and associated nutrient loads
19. Stormwater enhancements
20. Remove potential for additional single-family driveways along Owl Creek
21. Green infrastructure
22. Privately funded expansion of water and sewer to the area (as encouraged/anticipated by existing Lee Plan policies)
23. Minimum 50' perimeter setback/buffer
24. Minimum 100' setback from Owl Creek Boat Works property line to single-family lots
25. Provide area for multi-use path along North River Road
26. Protect existing groundwater levels and improve existing wetland hydroperiods in onsite preserve areas

**VISION STATEMENT**

A concurrent Planned Development Application will be filed for the Owl Creek property to incorporate a specific development plan with conditions of approval to ensure compliance with environmental stewardship, enhancement of the area's historic heritage and rural character, and

proactively and appropriately plan for future growth within the area consistent with the Vision Statements for Northeast Lee County and North Olga and the implemented Goals, Objectives and Policies for these areas, including the proposed text amendments. The subject property abuts the existing Owl Creek Boat Works facility and will provide for compatible adjacent development to protect this identifying feature of the community.

## FUTURE LAND USE

The 342.68± acre subject property is currently within the Rural and Wetlands FLU categories. Policy 1.4.1 provides that maximum density in the Rural category is 1 dwelling unit per acre. Policy 1.5.1 provides that the Wetlands category has a maximum density of 1 dwelling unit per 20 acres.

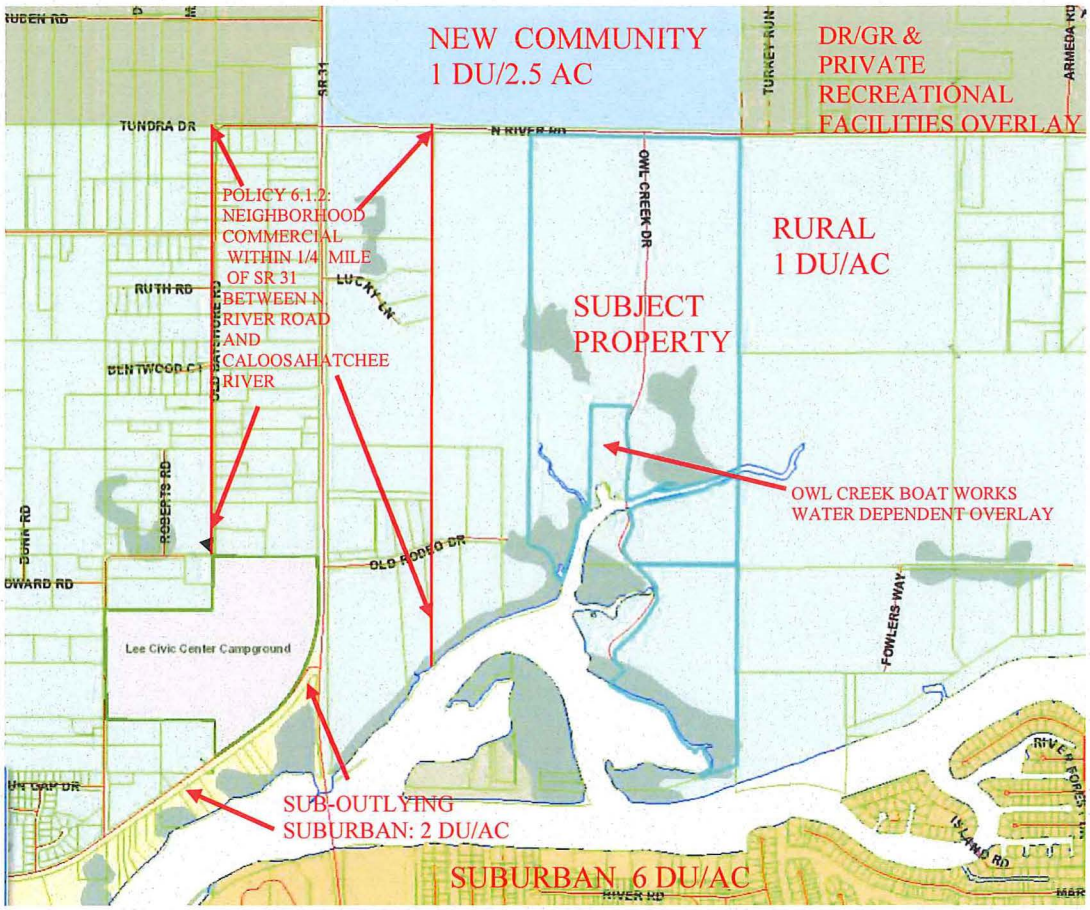


Figure 3. Existing Future Land Use Designation

The property adjacent to the west and properties adjacent to the east are also within the Rural and Wetlands FLU categories. The property to the north across North River Road is within the New Community FLU category (Babcock Mixed Use Planned Development) which allows 1 dwelling unit per 2.5 gross acres up to 1,630 dwelling units, 600 hotel rooms and 1,170,000 square feet of commercial office and retail uses. To the northeast is within the Density Reduction/Groundwater Resource (DR/GR) FLU and is within the Private Recreational Facilities Overlay. Adjacent to the south and surrounded by the property is the existing Owl Creek Boat Works and Storage marina and yacht refinishing which is within the Water Dependent Overlay. This industrial marine use was established in 1953 and is Southwest Florida's premiere yacht service center offering full service and specializing in yacht refinishing, repowering, customization and maintenance. They also offer in-water covered, uncovered and dry storage for yachts up to 100'. Individuals come from all over the region for yacht refinishing at this location. South across the Caloosahatchee River is within the Suburban FLU category which

allows a maximum density of 6 dwelling units per acre. Sub-Outlying Suburban FLU category is a little over ½ mile to the west of the property at the southwest corner of the intersection of Bayshore Road and SR 31 which allows a maximum density of 2 dwelling units per acre. There is a commercial node within ¼ mile of SR 31 between North River Road and the Caloosahatchee River described in Policy 6.1.2 that connects the New Community area at SR 31 and North River Road to the Lee Civic Center and the Sub-Outlying Suburban area. This area contains several non-residential uses such as a gas station, veterinarian office, feed store, church, SR 31 Produce market, u-pick and café. See attached Exhibits M5 and M6 for further description of the subject property and surrounding properties.

The Owl Creek property's proximity to the New Community FLU category to the north (Babcock Mixed Use Planned Development) and the commercial node to the west and the adjacent industrial marine facility furthers the appropriateness of the request which will accommodate clustered development with ample view of wooded areas, open spaces, and river fronts and will allow for the protection of environmentally sensitive lands and historic heritage. The proposed clustered project will provide a connection between the Babcock Ranch MPD to the north and the Caloosahatchee River to the south, expanding the significant environmental, historical, storm water, water quality and infrastructure enhancements required in the North Olga Community Plan New Community area. A concurrent Planned Development Application will be submitted to provide additional details regarding the development of the requested units and provide conditions of approval to ensure compliance with the stringent requirements provided in the concurrent Text Amendment for this request within the North Olga Community Plan area.

The Owl Creek property will be consistent with Sub-Outlying Suburban Policy 1.1.11 upon approval of the proposed map amendment. The forthcoming concurrent Planned Development zoning application will allow conditions to be included to ensure that the subject property is developed at a low residential density in the North Olga Community Plan area where there is a desire to retain a low-density community character. Although the Sub-Outlying Suburban FLU allows up to two dwelling units per acre, the associated Text Amendment will add further limitations to the density including a Text Amendment to Table 1(a) – add footnote 20 to Sub-Outlying Suburban to limit density to 2 dwelling units per 1 acre of uplands or a gross density of 1.28 dwelling units per gross acre within the North Olga Planning Community and new Objective 29.10 and Policies 29.10.1 and 29.10.2 to provide requirements for development with Sub-Outlying Suburban areas within North Olga Planning Community.

## POPULATION PROJECTIONS & TABLE 1(B) DISCUSSION

The Owl Creek project could develop 221 dwelling units under its current land use designations. Utilizing 2.35 persons per household, the site could currently accommodate a population of approximately 519 people. The proposed plan amendment would result in a total of 440 dwelling units, an increase of 219 units or a theoretical additional 515 people.

Lee County had a population of 618,754, according to the 2010 U.S. Census. The Florida Office of Economic and Demographic Research (OEDR) projected a countywide population of 892,108 in 2030 and 999,851 in 2040. In the context of the existing and projected population for the subject property, the population increase of approximately 515 people is the minimum. The proposed population increase is estimated at less than a 1% increase beyond the OEDR projected population for Lee County. This is well within accepted error ranges and represents no real additional population increase for the Lee Plan's Future Land Use Map. The proposed amendment is consistent with the most recent growth management legislation which suggests that establishment of minimum development intensity is appropriate methodology for local government planning efforts. The development footprint for the Owl Creek property, including lots, roads, and water management lakes would be limited to ±179.81 acres.

The proposed plan amendment includes a proposed amendment to Table 1(b) for Northeast Lee County to remove 343 acres from the Rural category and add 343 acres to the Sub-

Outlying Suburban category. These revisions are demonstrated in strike-through/underline below.

TABLE 1(b) Year 2030 Allocation

| Future Land Use Category | | Lee County Totals | Northeast Lee County | Boca Grande | Bonita Springs | Fort Myers Shores | Burnt Store |
|---|---|---|---|---|---|---|---|
| Residential By Future Land Use Category | Intensive Development | 1,361 | | | | 5 | |
| | Central Urban | 14,766 | | | | 225 | |
| | Urban Community | 16,515 | 520 | 485 | | 637 | |
| | Suburban | 16,623 | | | | 1,810 | |
| | Outlying Suburban | 4,113 | 30 | | | 310 | 20 |
| | Sub-Outlying Suburban | ~~1,880~~2,223 | 343 | | | 472 | |
| | Commercial | | | | | | |
| | Industrial | 79 | | | | | |
| | Public Facilities | 1 | | | | | |
| | University Community | 850 | | | | | |
| | Destination Resort Mixed Use Water Dependent | 8 | | | | | |
| | Burnt Store Marina Village | 4 | | | | | 4 |
| | Industrial Interchange | | | | | | |
| | General Interchange | 169 | | | | | |
| | General Commercial Interchange | | | | | | |
| | Industrial Commercial Interchange | | | | | | |
| | University Village Interchange | | | | | | |
| | Mixed Use Interchange | | | | | | |
| | New Community | 2,100 | 1,200 | | | | |
| | Airport | | | | | | |
| | Tradeport | 9 | | | | | |
| | Rural | ~~8,313~~7,970 | ~~1,948~~1,605 | | | 1,400 | 636 |
| | Rural Community Preserve | 3,100 | | | | | |
| | Coastal Rural | 1,300 | | | | | |
| | Outer Island | 202 | 5 | | | 1 | |
| | Open Lands | 2,805 | 250 | | | | 590 |
| | Density Reduction/ Groundwater Resource | 6,905 | 711 | | | | |
| | Conservation Lands Upland | | | | | | |
| | Wetlands | | | | | | |
| | Conservation Lands Wetland | | | | | | |
| Unincorporated County Total Residential | | 81,103 | 4,664 | 485 | | 4,860 | 1,250 |
| Commercial | | 12,793 | 177 | 52 | | 400 | 50 |
| Industrial | | 7,527 | 26 | 3 | | 400 | 5 |

Figure 2. Proposed Revisions to Lee Plan Table 1(b)

## GROWTH MANAGEMENT

The request is consistent with Development Location Objective 2.1, Policies 2.1.1 and 2.1.2. The Owl Creek property is located in a transitioning area as evidenced by recent changes to the Lee Plan for New Community FLU in the North Olga Community Plan area and the commercial node along S.R. 31 encouraging privately funded utility expansion to the area. Approval of the request will result in the privately funded expansion of water and sewer to the property, minimizing the public cost of services. The proposed project promotes contiguous and compact growth pattern by providing a connection between the approved Babcock Ranch MPD to the north and the Caloosahatchee River to the south, extending the conservation of land and natural resources required in the North Olga Community Plan. The proposed project does not constitute urban sprawl which is defined in the Lee Plan Glossary as "*The uncontrolled, premature, or untimely expansion and spreading out of urban levels of density or intensity into outlying non-urban areas.*" The development will be required to be controlled by Planned Development zoning approval with conditions to ensure compliance with the stringent requirements proposed with the requested Text Amendment and compliance with the goals, objectives policies, and standards of the Lee Plan.

The request is consistent with Development Timing Objective 2.2, Policy 2.2.1. The Owl Creek development will have or assure access to all required public facilities. Please see attached

separate Public Facilities Impacts Analysis (Exhibit – M14) and Letters of Determination of the Adequacy/Provision of Existing/Proposed Support Facilities - Fire Protection, Emergency Medical Service, Law Enforcement, Solid Waste, Mass Transit, Schools (Exhibit – M17). These exhibits demonstrate that there is adequate capacity to accommodate the additional 219 dwelling units associated with this request. The proposed privately funded expansion of utilities to the area is already encouraged and anticipated by existing Lee Plan policies.

The project will comply with Historic Resources Objective 2.7. Please see attached separate Historic Resources Impact Analysis (Exhibit – M13). There are three archaeological sites in good to excellent condition (8LL2397, 8LL2398 and 8LL2399) that are eligible for listing in the National Register of Historic Places (NRHP) and should and will be avoided by future development by preserving within a minimum 25 foot buffer. A fourth site (8LL2825) that, based on the level of intense disturbance and lack of significant cultural materials or context, is not regarded as eligible for listing on the NRHP and will not be preserved.

**GENERAL DEVELOPMENT STANDARDS**

The request is consistent with Standard 4.1.1: Water as well as Policies 53.1.2 and 95.1.3. The Owl Creek property's existing and proposed density does not meet those required for connection and is not located within a franchised service area. The property could be developed today with up to 221 private well systems. An amendment to Lee Plan Map 6 is proposed to place the property within the Lee County Utilities Future Water Service Area to allow for privately funded expansion of water service. A letter of availability from Lee County Utilities is attached demonstrating sufficient capacity exists and that the site will be serviced by North Lee County Water Treatment Plant.

The request is consistent with Standard 4.1.2: Sewer. The Owl Creek property's existing and proposed density does not meet those required for connection and the site is not located within a franchised service area. The property could be developed today with up to 221 private septic systems. The project proposes wastewater to be provided by Florida Governmental Utility Authority (FGUA) with privately funded expansion of sewer service. A letter of availability has been submitted with the application.

The request is consistent with Standard 4.1.4: Environmental Factors. Please see attached Environmental Impacts Analysis (Exhibit – M12) demonstrating the environmentally sensitive areas of the site. The concurrent Planned Development Application will ensure that the clustered development is well integrated, properly oriented and functionally related to the natural features of the site.

**RESIDENTIAL LAND USES**

The northern ±51 acres of the Owl Creek property are outside of the Coastal High Hazard Area and the southern ±292 acres are within. This amendment provides Text Amendments with stringent development criteria that will allow a concurrent Planned Development application to be filed including conditions ensuring the adjusted site design and clustered density development with environmental, historical, water quality and infrastructure enhancements. Letters of Determination are attached demonstrating provision of support facilities. The site proposes to place a minimum of 48% of the site into conservation easements and provide a minimum perimeter setback/buffer of 50 feet to ensure compatibility with adjacent agricultural, single-family, preservation and marina uses. The request will be consistent with Policies 5.1.2 and 5.1.5.

The request will be consistent with Policies 5.1.6 and 5.1.7. The proposed Text Amendments included with the application and forthcoming concurrent Owl Creek Planned Development application conditions of approval will include development regulations for the clustered development to provide open space, preservation areas and recreation areas. These areas will

be appropriate for the density and design and will be functionally related to all dwelling units. No multi-family residential is proposed for the site.

**GOAL 27: NORTHEAST LEE COUNTY COMMUNITY PLAN**

The Owl Creek property is located in Northeast Lee County. Goal 27 of the Lee Plan is specific to this area of Lee County and represents Lee County's goal to maintain, enhance, and support the heritage and rural character and natural resources. Alva and North Olga work cooperatively toward this goal through the objectives and policies of Goal 27 and through their individual community plans.

The Owl Creek property proposes to preserve large open space areas and will retain the rural character by proposing clustered development with ample views of wooded areas, open spaces and river fronts, while balancing the removal of agricultural grazing lands and the enhancement and protection of environmentally sensitive lands, historic resources water quality and connectivity. These enhancements are required by the proposed Text Amendments and will be conditioned as part of the forthcoming concurrent Planned Development Application, consistent with Objective 27.1 and Policies 27.1.1, 27.1.5 and 27.1.6.

The Owl Creek property is located within the Northeast Lee County community plan area and is in the process of scheduling a public information meeting within both the Alva and North Olga community plan area boundaries. A meeting summary document will be submitted containing the date, time and location of each meeting, a list of attendees, a summary of any concerns raised and the applicant's response prior to the application being found complete. The applicant will comply with Objective 17.3, Policies 17.3.1, 17.3.2, 17.3.3, 17.3.4 and Policy 27.1.8.

Objective 27.2 and its attendant polices direct Lee County to work with Alva and North Olga to develop and use a rural planning toolbox of incentives, programs and regulations that enhance and maintain the sense of place and provide for long-term preservation of contiguous natural resource and open space areas. The Owl Creek property will be required to provide long-term preservation areas by placing a minimum of 48% of the site into a conservation easement.

The Owl Creek property is situated at the convergence of two waterways: Owl Creek and Trout Creek where they join the Caloosahatchee River. Although there are existing agricultural uses of cattle grazing on site, the Owl Creek amendment proposes to preserve large open space areas by proposing clustered development with ample views of wooded areas, open spaces and river fronts, while balancing the removal of agricultural grazing lands and the enhancement and protection of environmentally sensitive lands, historic resources water quality and connectivity. The request is consistent with Objective 27.3 and Policies 27.3.2 by balancing efforts to protect and enhance the community's water quality and will not preclude potential uses listed in Policy 27.3.3 from the preservation areas on site.

The Owl Creek amendment includes stringent development criteria in the proposed Text Amendments and will incorporate conditions of approval in the forthcoming concurrent Planned Development Application that accommodate the location of a multipurpose path along North River Road, consistent with Objective 27.4, Policies 27.4.1 and 27.4.4. The two creeks on the subject property are included on the blueways map and conditions of the zoning approval will not preclude potential access as part of the preservation, consistent with Policy 27.4.2.

**GOAL 29: NORTH OLGA COMMUNITY PLAN**

The request protects and enhances the rural character and aesthetic qualities of the area, preserves natural and historic resources and promotes clustered development areas that preserves large, contiguous tracts of open space and preservation areas, consistent with Objective 29.1 and Policy 29.1.1. The Owl Creek property is situated at the convergence of two natural waterways: Owl Creek and Trout Creek where they join the Caloosahatchee River. Although there are existing agricultural uses of cattle grazing on site, the Owl Creek property proposes to preserve large open space areas by proposing clustered development, balancing

efforts to protect and enhance the community's water quality.

The Owl Creek amendment will accommodate clustered development with ample views of wooded areas, open spaces and river fronts, offsite agricultural uses and will allow for the protection of environmentally sensitive lands and historic heritage. The proposed clustered project will provide a connection between the Babcock Ranch Mixed Use Planned Development to the north and the Caloosahatchee River to the south, expanding the significant environmental, historical, water quality and infrastructure enhancements required for this area. A concurrent Planned Development application will be submitted to provide additional details regarding the development of the requested units and provide conditions of approval to ensure compliance with the stringent development requirements included with the proposed Text Amendments within the North Olga Community Plan. There will be a minimum 50-foot perimeter setback/buffer providing separation to adjacent uses. Community gardens will be included in the schedule of uses for the forthcoming concurrent Planned Development application. The request is consistent with Objective 29.2 and Policies 29.2.1, 29.2.2 and 29.2.3 as well as Policies 29.5.1 and 29.5.2.

The Greenways Master Plan depicts a multipurpose path along North River Road and depicts Owl Creek and Trout Creek on the Great Calusa Blueway. The Owl Creek property will incorporate conditions of approval in the forthcoming concurrent Planned Development Application that accommodate the location of a multipurpose path along North River Road and a potential public kayak/canoe launch area, consistent with Objective 29.6, Policies 29.6.1, 29.6.2, 29.6.3, 29.6.4 and 29.6.6.

Through the stringent requirements associated with this request and conditioning of the forthcoming planned development, the Owl Creek project will preserve 93% of the onsite wetlands providing protection and enhancements through exotic removal and maintenance and upland buffers. A minimum of 48 percent of the property (±165.58 acres) will be placed into a conservation easement including the convergence of two natural waterways on the Great Calusa Blueway (Owl Creek and Trout Creek) where they connect to the Caloosahatchee River. The conservation area will include preservation of 3 recommended historical sites and the project will provide a potential public canoe/kayak launch area to Trout Creek. The request is consistent with Objective 29.7 and Policies 29.7.1 and 29.7.2.

The request is consistent with Objective 29.8 and the Water Dependent Overlay as the project proposes a minimum 100-foot setback from Owl Creek Boat Works property line to single-family lots within the development.

The proposed Text Amendment associated with this request are attached in Exhibit T4 and provide a new Objective 29.10 and Policies 29.10.1 and 29.10.2 to provide stringent requirements for development within Sub-Outlying Suburban areas within North Olga Community Plan area.

**TRANSPORTATION AND WATERWAYS**

A Traffic Impact Statement prepared by TR Transportation Consultants, Inc. is attached to the request as Exhibit M15. This analysis demonstrates that the proposed land use change will not impact the results of the Level of Service analysis as reported in the adopted 2040 travel model. Therefore, no changes to the adopted long-range transportation plan are required as a result of the proposed land use change. The additional trips caused by the request to the projected 2025 volumes will not cause any roadway link to fall below the minimum acceptable Level of Service standards. No modifications will be necessary to the Lee County or FDOT short term capital improvement programs.

Map 3D-Lee County Walkways & Bikeways shows an on-road bikeway and a multi-use path

along North River Road. The request includes providing an area for a multi-use path along North River Road as shown on Maps 3D and 22 which will accommodate pedestrian and bicycle usage consistent with Objective 39.2 and Policy 39.2.3 as well as Objective 39.6 and Policies 39.6.1, 39.6.2 and 39.6.3.

Map 22-Lee County Greenways Master Plan shows a shared use path along North River Road and Owl Creek and Trout Creek are shown on the Great Calusa Blueway. The Owl Creek Text Amendment provides development criteria required to be incorporated into conditions of approval in the forthcoming concurrent Planned Development Application that accommodate a potential public canoe/kayak launch area to Trout Creek which connects to the Caloosahatchee River, furthering Goal 80, Objective 80.1, Policies 80.1.1 and 80.1.2.

**SURFACE WATER MANAGEMENT**

The Owl Creek project furthers Lee County's efforts in coordinating land use on a watershed basis contained in Goal 60, Objective 60.1 and implementing Policies. The proposed clustered development provides for preservation of natural waterways and associated wetland habitats, in furtherance of Policy 60.1.2. The requirements contained in the language associated with the request and in the conditions in the forthcoming planned development will protect existing groundwater levels and improve existing wetland hydroperiods in onsite preserve areas, provide an additional 50% water quality treatment, water quality monitoring, reduced rate of runoff, remove nutrient producing grazing lands adjacent to waterways, preserve 93% of on-site wetlands, and replacing the potential 221 private well and septic systems with privately funded extensions and connection to public water and sewer.

**GREEN INFRASTRUCTURE**

The Lee Plan includes an objective and policies that encourage development to incorporate green infrastructure in the surface water management systems. The Owl Creek project will incorporate green infrastructure by utilizing vegetated swales and treatment areas, Florida Friendly Landscaping with the low irrigation requirements in common areas, retention/detention lakes, and preserved and enhanced wetlands. These requirements will be required as conditions of the forthcoming concurrent Planned Development application. The request is consistent with Objective 60.4, Policies 60.4.1 and 60.4.2.

**CONSERVATION AND COASTAL MANAGEMENT ELEMENT**

The northern ±51 acres of the Owl Creek property are outside of the Coastal High Hazard Area and the southern ±292 acres are within. This amendment provides Text Amendments with stringent development criteria that will allow a concurrent Planned Development application to be filed including conditions ensuring the adjusted site design and clustered density development with environmental, historical, water quality and infrastructure enhancements. The applicant will enter into a development agreement prior to adoption of the plan amendment to memorialize appropriate mitigation as determined by Lee County Public Safety, which may include the payment of money or construction of hurricane shelters and transportation facilities in accordance with Lee Plan Policy 101.1.4.3.

**RESOURCE PROTECTION, WETLANDS AND WATER QUALITY**

The Owl Creek project will further Goal 123, which seeks to manage Lee County's wetland and upland ecosystems to protect habitats, floral and faunal species, water quality and natural surface water characteristics. As previously stated, through the stringent requirements associated with this request and conditioning of the forthcoming planned development, the Owl Creek project will preserve 93% of the onsite wetlands providing protection and enhancements. A minimum of 48 percent of the property (±165.58 acres) will be placed into a conservation easement including the convergence of two natural waterways on the Great Calusa Blueway

(Owl Creek and Trout Creek) where they connect to the Caloosahatchee River. The request will provide a connection between the Babcock Ranch Mixed Use Planned Development to the north and the Caloosahatchee River to the south, consistent with Policies 123.1.5 and 123.1.7. It will also provide a connection from the adjacent SFWMD owned lands to the east and south as well as the potential Conservation 20/20 lands to the east that contain a portion of Trout Creek which will provide a connection through the subject property to the Caloosahatchee River.

The Lee Plan also seeks to preserve native plant communities in the County. The request will be consistent with Lee Plan Objective 123.2 and Policy 123.2.2. The restrictive language associated with this request as well as conditions in the forthcoming Planned Development application will protect, enhance and preserve environmentally sensitive lands and plant communities and will result in a compatible clustered development.

The Owl Creek project will preserve high-quality natural plant communities in the conservation and open space area outside of the development footprint. Please see attached Environmental Impact Analysis (Exhibit M12). The project will provide enhancement of natural systems of the property and a conservation easement will be placed over 48% of the property. The pasture areas and most heavily altered nonnative plant communities are targeted for the clustered development. The project is consistent with Policies 123.2.4, 123.2.5, 123.2.7 and 123.2.8. Long-term management (e.g., exotic vegetation removal, trash/refuse removal, signage, etc.) of the preservation areas will be in accordance with Lee County-approved plans and the conservation easement. Long-term management of the conservation areas will occur in perpetuity. Invasive exotic plants will be removed from the property, prohibited from being planted and controlled in perpetuity, consistent with Policies 123.2.9 and 123.2.11.

The Owl Creek project will minimize impacts to on-site wetlands by clustering development and limiting impacts to 7% or less and will protect, enhance and preserve the remaining 93%. The project will be permitted though the South Florida Water Management District and will be consistent with Goal 124, Objective 124.1 and Policies 124.1.1 and 124.1.2.

The proposed project will be consistent with Goal 125, Objective 125.1, and Policies 125.1.1 and 125.1.2. The stringent requirements associated with this application and the forthcoming concurrent Planned Development application conditions will provide an additional 50% water quality treatment, water quality monitoring, reduced rate of runoff, remove nutrient producing grazing lands adjacent to waterways, preserve 93% of on-site wetlands, and replacing the potential 221 private well and septic systems with privately funded extensions and connection to public water and sewer.

## HOUSING

Goal 135 addresses meeting housing needs of the present and future residents of the county. Objective 135.1 provides that Lee County will work with private and public housing providers to ensure that there is an adequate supply of housing in the future in a variety of types, costs, and locations to meet the needs of the Lee County population. The Objective provides that Lee County will need 114,927 additional dwelling units, 39,637 of these units will be needed in unincorporated Lee County. The proposed amendment helps, in part, to fulfill this identified housing need. The proposed clustered development will utilize the planned development process. The proposed plan amendment for Owl Creek is consistent and furthers Goal 135, Objective 135.1 and Policy 135.1.9.

## CONCLUSIONS

The plan amendment is consistent with and in furtherance of the intent of the Lee Plan as discussed in this analysis. The plan amendment for Owl Creek represents an opportunity to incentivize the preservation of significant on-site natural resources such as natural waterways

and adjacent wetlands, rare and unique upland habitat and historical resources on the property by providing a clustered development that incorporates potential public access to the Caloosahatchee River via access to Trout Creek.

**ADJACENT LOCAL GOVERNMENTS & THEIR COMPREHENSIVE PLANS**

The plan amendment for Owl Creek will have no affect on existing adjacent local governments and their comprehensive plans. The closest adjacent local government to the subject property is Charlotte County.

**REQUESTS MOVING LANDS FROM A NON-URBAN AREA TO A SUBURBAN AREA URBAN SPRAWL**

In accordance with 163.3177(6)(a)9.b, Florida Statutes, the proposed Owl Creek plan discourages the proliferation of urban sprawl by achieving the following criteria:

(I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.
(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.
(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.
(IV) Promotes conservation of water and energy.
(VI) Preserves open space and natural lands and provides for public open space and recreation needs.
(VII) Creates a balance of land uses based upon demands of residential population for the nonresidential needs of an area.

The proposed Owl Creek clustered development will not have an adverse impact on and protects natural resources and ecosystems and preserves open space and natural lands and provides for public open space and recreation needs. The project will remove nutrient producing cattle grazing and the potential for 221 private septic systems while preserving and enhancing the majority of the onsite wetlands, placing a minimum of 48% of the property into a conservation easement including the convergence of two natural waterways on the Great Calusa Blueway (Owl Creek and Trout Creek) where they connect to the Caloosahatchee River. The request will also provide a connection from the adjacent SFWMD owned lands to the east and south as well as the potential Conservation 20/20 lands to the east that contain a portion of Trout Creek which will provide a connection through the subject property to the Caloosahatchee River. The project will provide an area for the multi-use path along North River Road as well as a potential public canoe/kayak launch area to Trout Creek, providing public open space and recreation needs. The multi-use path along North River Road promotes walkable and connected communities and promotes multimodal transportation including pedestrian and bicycle opportunities since transit is not available in this location. The proposal provides compact development providing an alternate single-family housing choice than the existing large lots in the area. The development will promote conservation of water and energy by incorporating energy efficiency or other low impact development (LID) performance standards within the development. The amendment promotes efficient and cost-effective provision for public infrastructure by proposed privately funded expansion of water and sewer to the area which is already encouraged and anticipated by existing Lee Plan policies. The project is located in an area that provides for a balance of residential, industrial marine and commercial land uses to the west along S.R. 31 and planned to the north within the Babcock MPD, continuing to prevent urban sprawl.

## STATE POLICY PLAN AND REGIONAL POLICY PLAN

### State Comprehensive Plan

Although the Community Planning Act of 2011 eliminated the requirement for consistency of the local comprehensive plan with the state comprehensive plan, the following analysis is included for further justification of the request. The plan amendment for Owl Creek is consistent and furthers the adopted State Comprehensive Plan. Relevant portions are discussed below.

### 187.201(4) Housing

*(a) Goal – The public and private sectors shall increase the affordability and availability of housing for low-income and moderate-income persons, including citizens in rural areas, while at the same time encouraging self-sufficiency of the individual and assuring environmental and structural quality and cost-effective operations.*

*(b) Policies – 3. Increase the supply of safe, affordable, and sanitary housing for low-income and moderate-income persons and elderly persons by alleviating housing shortages, recycling older houses and redeveloping residential neighborhoods, identifying housing needs, providing incentives to the private sector to build affordable housing, encouraging public-private partnerships to maximize the creation of affordable housing, and encouraging research into low-cost housing construction techniques, considering life-cycle operating costs.*

The Owl Creek project will increase the availability of moderate-income single-family housing in this area of Lee County. The plan amendment includes stringent development criteria assuring environmental quality through significant onsite preservation of land including wetlands, rare and unique uplands and historical sites. The plan amendment seeks to incentivize these preservation activities to allow the appropriately clustered residential development to offset the cost of preservation of the property.

### 187.201(6) Public Safety

*(a) Goal – Florida shall protect the public by preventing, discouraging, and punishing criminal behavior, lowering the highway death rate, and protecting lives and property from natural and manmade disasters.*

*(b) Policies –*

9. *Increase crime prevention efforts to enhance the protection of individual personal safety and property.*

The Lee County Sheriff's Office, Bayshore Fire Rescue and Lee County Emergency Medical Services have reviewed the request and provided letters which are included in attached Exhibit M17. These exhibits demonstrate that there is adequate capacity to accommodate the additional 219 dwelling units associated with this request.

### 187.201(9) Natural Systems and Recreational Lands

*(a) Goal - Florida shall protect and acquire unique natural habitats and ecological systems, such as wetlands, tropical hardwood hammocks, palm hammocks, and virgin longleaf pine forests, and restore degraded natural systems to a functional condition.*

*(b) Policies -*

1. *Conserve forests, wetlands, fish, marine life, and wildlife to maintain their environmental, economic, aesthetic, and recreational values.*
3. *Prohibit the destruction of endangered species and protect their habitats.*
4. *Establish an integrated regulatory program to assure the survival of endangered*

*and threatened species within the state.*

6. *Encourage multiple use of forest resources, where appropriate, to provide for timber production, recreation, wildlife habitat, watershed protection, erosion control, and maintenance of water quality.*
7. *Protect and restore the ecological functions of wetlands systems to ensure their long- term environmental, economic, and recreational value.*
8. *Promote restoration of the Everglades system and of the hydrological and ecological functions of degraded or substantially disrupted surface waters.*
10. *Emphasize the acquisition and maintenance of ecologically intact systems in all land and water planning, management, and regulation.*

Through the stringent requirements associated with this request and conditioning of the forthcoming planned development, the Owl Creek project will preserve 93% of the onsite wetlands providing protection and enhancements. A minimum of 48 percent of the property (±165.58 acres) will be placed into a conservation easement including the convergence of two natural waterways on the Great Calusa Blueway (Owl Creek and Trout Creek) where they connect to the Caloosahatchee River. The conservation area will include preservation of 3 recommended historical sites and the project will provide a potential public canoe/kayak launch area to Trout Creek. The Owl Creek project furthers these provisions of the State Comprehensive Plan.

**187.201(12) Hazardous and Nonhazardous Materials and Waste**

*(a) Goal. - All solid waste, including hazardous waste, wastewater, and all hazardous materials, shall be properly managed, and the use of landfills shall be eventually eliminated.*

*(b) Policies. -*

2. *By 1994, provide in all counties a countywide solid waste collection system to discourage littering and the illegal dumping of solid waste.*

The Owl Creek project has been reviewed by the Lee County Solid Waste Division and they have provided a review letter dated August 10, 2020. This letter provides that Lee County Solid Waste Division is capable of providing solid waste collection service for the Owl Creek project.

**187.201(14) Property Rights**

*Goal. - Florida shall protect private property rights and recognize the existence of legitimate and often competing public and private interests in land use regulations and other government action.*

*Policies. -*

1. *Provide compensation, or other appropriate relief as provided by law, to a landowner for any governmental action that is determined to be an unreasonable exercise of the state's police power so as to constitute a taking.*
2. *Determine compensation or other relief by judicial proceeding rather than by administrative proceeding.*
3. *Encourage acquisition of lands by state or local government in cases where regulation will severely limit practical use of real property.*

The proposed preservation and conservation areas and associated comprehensive plan amendment represents a balancing of public and private interests concerning the use of the Owl Creek property. Approval of the amendment will result in significant preservation of the Owl Creek property at no cost to the public.

**187.201(15) Land Use**

*Goal. - In recognition of the importance of preserving the natural resources and enhancing the quality of life of the state, development shall be directed to those areas which have in place, or have agreements to provide, the land and water resources, fiscal abilities, and service capacity to accommodate growth in an environmentally acceptable manner.*

*Policies. -*

1. *Promote state programs, investments, and development and redevelopment activities which encourage efficient development and occur in areas which will have the capacity to service new population and commerce.*
2. *Develop a system of incentives and disincentives which encourages a separation of urban and rural land uses while protecting water supplies, resource development, and fish and wildlife habitats.*

There are, or will be by privately funded extensions, adequate services available to the Owl Creek property to accommodate the proposed clustered development in an environmentally acceptable manner, preserving natural resources such as wetlands, rare and unique uplands, and 3 historical sites in conservation easements. The clustered development will provide for preservation, enhancement and conservation of fish and wildlife habitats while providing perimeter separation to adjacent rural land uses.

**187.201(17) Public Facilities**

*Goal. - Florida shall protect the substantial investments in public facilities that already exist and shall plan for and finance new facilities to serve residents in a timely, orderly, and efficient manner.*

*Policies. -*

1. *Provide incentives for developing land in a way that maximizes the uses of existing public facilities.*
2. *Promote rehabilitation and reuse of existing facilities, structures, and buildings as an alternative to new construction.*
3. *Allocate the costs of new public facilities on the basis of the benefits received by existing and future residents.*

There are or will be adequate public facilities to provide service to the Owl Creek project. The Owl Creek project will pay all required permit and impact fees, as well as all utility connection fees. Privately funded water and sewer extensions are proposed to the property which will provide fire protection to the existing and future residents and properties, including the Owl Creek project. The plan amendment for Owl Creek is consistent with these provisions of the State Comprehensive Plan.

**Conclusion**

The proposed plan amendment for Owl Creek is consistent with and generally furthers the State Comprehensive Plan.

**Strategic Regional Policy Plan (SRPP)**

The following Strategic Regional Policy Plan goals, strategies and actions are relevant to this plan amendment.

**Affordable Housing Element**

*Goal 1: Supply a variety of housing types in various price ranges to ensure that all residents have access to decent and affordable housing.*

The proposed development will increase the supply of housing and provide additional housing type options to the area, furthering this goal.

**Economic Development**

*Goal 2: A well-educated, well-trained work force.*

*Strategy: Ensure a wide range of employment for all Southwest Floridians.*

*Actions:*

1. *Identify employment sectors that create jobs appropriate to this Region.*

Approval of the plan amendment and clustered development for Owl Creek will increase employment opportunities in the housing construction industry which is an important component of the local employment sector. The plan amendment will also result in significant environmental enhancement of the property and privately funded extension of utilities which will result in additional employment opportunities during the construction of the project.

*Strategy: To identify and include within a land conservation or acquisition program, those lands identified as being necessary for the sustainability of Southwest Florida, utilizing all land preservation tools available.*

*Strategy: Maintain and improve the natural, historic, cultural and tourist-related resources as primary regional economic assets.*

*Strategy: Ensure sustainable volumes of natural resources for economic productivity.*

*Goal 4: Livable communities designed to improve quality of life and provide for the sustainability of our natural resources.*

*Strategy: Promote through the Council's review roles community design and development principles that protect the Region's natural resources and provide for an improved quality of life.*

*Actions:*

9. *Insure that opportunities for governmental partnerships and public/private partnerships in preserving wildlife habitats are maximized.*

Through the stringent requirements associated with this request and conditioning of the forthcoming planned development, the Owl Creek project will preserve 93% of the onsite wetlands providing protection and enhancements. A minimum of 48 percent of the property (±165.58 acres) will be placed into a conservation easement including the convergence of two natural waterways on the Great Calusa Blueway (Owl Creek and Trout Creek) where they connect to the Caloosahatchee River. The conservation area will include preservation of 3 recommended historical sites and the project will provide a potential public canoe/kayak launch area to Trout Creek. The proposed preservation and conservation areas and associated comprehensive plan amendment represents a balancing of public and private interests concerning the use of the Owl Creek property. Approval of the amendment will result in significant preservation of the Owl Creek property at no cost to the public.

**Conclusion**

The plan amendment for Owl Creek is consistent with and generally furthers the Strategic Regional Policy Plan.

# Environmental Impacts Analysis
## (Exhibit M12)

RECEIVED
SEP 21 2020
COMMUNITY DEVELOPMENT

RECEIVED
SEP 2 1 2020
COMMUNITY DEVELOPMENT

# Owl Creek Parcel

# Environmental Assessment

Sections 18 & 19, Township 43 South, Range 26 East
Lee County, Florida

**September 2020**

Prepared for:

**D.R. Horton Homes**
**10541 Six Mile Cypress Pkwy., Suite 100**
**Fort Myers, FL 33966**

Prepared by:

***DexBender***
**4470 Camino Real Way, Suite 101**
**Fort Myers, FL 33966**

## Introduction

The 342.68± acre Owl Creek property consists of Strap Numbers 18-43-26-00-00002.0020, 18-43-26-00-00002.0000, and 19-43-26-00-00002.1020. The parcel is located within a portion of Sections 18 & 19, Township 43 South, Range 26 East, Lee County, Florida (Exhibit A). The property is bisected by Trout Creek.

This project consists of three separate parcels. Based on a review of historic aerial photography, the property had been primarily used for row crop farming. By early 2014 farming operations had ceased. This area is currently being used as improved pasture by cattle.

The proposed residential development would be primarily located on the previously farmed and disturbed areas with approximately 39.9 acres of the indigenous habitats preserved out of approximately 41.6 existing indigenous habitats which is approximately 96%.

The analysis below addresses the character of the proposed project for residential use in light of the proposed enhancement and preservation onsite.

## Existing Vegetative Communities

The predominant upland and wetland vegetation associations were mapped in the field on 2019 digital color 1" = 500' scale aerial photography. The approximate property boundary was obtained from the Lee County Property Appraiser's web site and inserted into the digital aerial. The property boundary was not staked in the field at the time of our site inspection and was, therefore, estimated based on the overlay of the approximate boundary on the aerial photography. Twenty-five vegetation associations were identified using the Florida Land Use, Cover and Forms Classification System (FLUCCS). Exhibit B depicts the approximate location and configuration of these vegetation associations and Table 1 summarizes the acreages by FLUCCS Code. A brief description of each FLUCCS Code is also provided below.

Table 1. Acreage Summary by FLUCCS Code

| FLUCCS CODE | DESCRIPTION | ACREAGE |
|---|---|---|
| 211 | Improved Pastures | 183.38 |
| ***211H | Improved Pastures – hydric | 1.87 |
| 422 | Brazilian pepper | 1.18 |
| 427DE1 | Live Oak, Disturbed, Invaded by Exotics (10-25%) | 2.98 |
| 427DE2 | Live Oak, Disturbed, Invaded by Exotics (26-50%) | 6.98 |
| 427DE3 | Live Oak, Disturbed, Invaded by Exotics (51-75%) | 7.81 |
| 427DE4 | Live Oak, Disturbed, Invaded by Exotics (76-90%) | 6.68 |
| 428DE4 | Cabbage Palm, Disturbed, Invaded by Exotics (76-90%) | 0.74 |
| 429E | Wax Myrtle, Invaded by Exotics (5-9%) | 1.88 |

| | | |
|---|---|---|
| 434DE4 | Hardwood – Coniferous Mixed, Disturbed, Invaded by Exotics (76-90%) | 1.59 |
| *510 | Streams and Waterways | 5.49 |
| **510D | Ditches | 3.69 |
| **524 | Lakes less than 10 acres which are dominant features | 0.71 |
| ***618DE1 | Willow, Disturbed, Invaded by Exotics (10-25%) | 1.19 |
| ***618DE2 | Willow, Disturbed, Invaded by Exotics (26-50%) | 0.20 |
| ***618DE3 | Willow, Disturbed, Invaded by Exotics (51-75%) | 0.07 |
| ***618DE4 | Willow, Disturbed, Invaded by Exotics (76-90%) | 8.56 |
| ***619BP | Hydric Brazilian Pepper | 32.55 |
| ***630DE3 | Wetland Forested Mixed, Disturbed, Invaded by Exotics (51-75%) | 20.52 |
| ***630DE4 | Wetland Forested Mixed, Disturbed, Invaded by Exotics (76-90%) | 43.88 |
| ***641DE4 | Freshwater Marsh, Disturbed, Invaded by Exotics (76-90%) | 2.91 |
| 740 | Disturbed Land | 5.93 |
| 743 | Spoil Area | 0.52 |
| 747 | Dike | 0.35 |
| 814 | Roads and Highways | 1.02 |
| **Upland Subtotal** | | **221.04** |
| **Wetland Subtotal** | | **111.75** |
| **Surface Waters** | | **5.49** |
| **Other Surface Waters Subtotal** | | **4.4** |
| **Total** | | **342.68** |

* Surface Waters
** Potential jurisdictional other surface waters
*** Potential jurisdictional wetland

**Surrounding Land**

The lands to the east of the site consist of privately owned agricultural and undeveloped land and an undeveloped parcel owned by the South Florida Water Management District (SFWMD). These lands have large components that have been improved for crops and pasture. Much of these habitats are infested with exotic vegetation. The land to the north, across North River Road, is owned by Babcock Property Holdings LLC and also consists of agricultural and undeveloped land. The land adjacent to the northwest portion of the site is privately owned, has been improved, and appears to include residential and agricultural uses. The property to the south is occupied by Owl Creek Boat Works. See Exhibit C for the Surrounding Land Map.

**Soils**

**6. Hallandale Fine Sand -** This is a nearly level, poorly drained soil on low, broad flatwoods areas. Slopes are smooth and range from 0 to 2 percent. Typically, the surface layer is gray fine sand about 2 inches thick. The subsurface layer is light gray fine sand about 5 inches thick. The substratum is very pale brown fine sand about 5 inches thick. At a depth of 12 inches is fractured limestone bedrock that has solution holes extending to a depth of 25 inches. These solution holes contain mildly alkaline, loamy material. Included with this soil in mapping are small areas of Boca soils and soils that have yellowish horizons or a brownish stain between the subsurface layer and limestone. Also included are scattered areas of rock outcrop, which are less than 1 acre, and soils that have hard calcareous material at a depth of less than 20 inches. Included soils generally make up about 5 to 10 percent of any mapped area. In most years, under natural conditions, the water table is less than 10 inches below the surface for 1 to 3 months. It recedes below the limestone for about 7 months. The available water capacity is low. Natural fertility is low. Permeability is moderate or moderately rapid. Natural vegetation consists of saw palmetto, pineland threeawn, bluestem, panicums, and South Florida slash pine. This soil is poorly suited to cultivated crops because of wetness, shallow depth, and sandy texture.

**12. Felda Fine Sand -** This is a nearly level, poorly drained soil on broad, nearly level sloughs. Slopes are smooth to concave and range from O to 2 percent. Typically, the surface layer is dark gray fine sand about 8 inches thick. The subsurface layer is light gray and light brownish gray fine sand about 14 inches thick. The subsoil is light gray loamy fine sand about 16 inches thick and is underlain by gray and light gray fine sand that extends to a depth of 80 inches or more. Included with this soil in mapping are small areas of Boca, Malabar, Oldsmar, Pineda, and Wabasso soils. These inclusions rarely exceed 15 percent of any mapped area. In most years, under natural conditions, this soil has a water table within 10 inches of the surface for 2 to 4 months. The water table is 10 to 40 inches below the surface for about 6 months. It is more than 40 inches below the surface for about 2 months. During periods of high rainfall, the soil is covered by a shallow layer of slowly moving water for periods of about 7 to 30 days or more. The available water capacity is low in the surface and subsurface layers and medium in the subsoil. Natural fertility is low. Permeability is rapid in the surface and subsurface layers, moderate or moderately rapid in the subsoil, and rapid in the substratum. Natural vegetation consists of cabbage palm, pineland threeawn, South Florida slash pine, wax myrtle, and maidencane. This soil is poorly suited to cultivated crops because of wetness.

**13. Boca Fine Sand -** This is a nearly level, poorly drained soil on flatwoods. Slopes are smooth and range from O to 2 percent. Typically, the surface layer is gray fine sand about 3 inches thick. The subsurface layer is fine sand about 22 inches thick. The upper 11 inches is light gray and the lower 11 inches is very pale brown. The subsoil, about 5 inches thick, is gray fine sandy loam with brownish yellow mottles and calcareous nodules. At a depth of 30 inches is a layer of fractured limestone. Included with this soil in mapping are small areas of Hallandale, Wabasso, and Felda soils that have a yellowish horizon between the subsurface layer and subsoil. Also included are soils with limestone

at a depth of 40 to 72 inches and small areas where the soil is better drained than is typical. Included soils make up about 15 percent of any mapped area. In most years, under natural conditions, the water table is within 10 inches of the surface for 2 to 4 months. It recedes below the limestone for about 6 months. The available water capacity is low in the surface and subsurface layers and medium in the subsoil. Natural fertility is low. Permeability is rapid in the surface and subsurface layers and moderate in the subsoil. Natural vegetation consists of saw palmetto, pineland threeawn, South Florida slash pine, and wax myrtle. This soil is poorly suited to cultivated crops because of wetness.

**33. Oldsmar Sand** - This is a nearly level, poorly drained soil on low, broad flatwoods areas. Slopes are smooth to slightly convex and range from 0 to 2 percent. Typically, the surface layer is black sand about 3 inches thick. The subsurface layer is gray and light gray sand about 39 inches thick. The upper part of the subsoil is very dark gray sand about 5 inches thick. The lower part of the subsoil is yellowish brown and mixed light brownish gray and brown fine sandy loam about 11 inches thick. Pale brown sand extends to a depth of 80 inches or more. Included with this soil in mapping are small areas of Wabasso, Immokalee, and EauGallie soils. Some areas also have limestone at a depth of 70 to 80 inches below the surface. Included soils make up about 10 to 15 percent of any mapped area. In most years, under natural conditions, the water table is at a depth of less than 10 inches for 1 to 3 months. It is at a depth of 10 to 40 inches for more than 6 months, and it recedes to a depth of more than 40 inches during extended dry periods. The available water capacity is low in the surface layer and medium in the subsoil. Natural fertility is low. Permeability is rapid in the surface and subsurface layers, moderate in the upper part of the subsoil, and slow or very slow in the lower part of the subsoil. Natural vegetation consists of saw palmetto, South Florida slash pine, pineland threeawn, and meadow beauty. This soil is poorly suited to cultivated crops primarily because of wetness.

**35. Wabasso Sand -** This is a nearly level, poorly drained soil on flatwoods. Slopes are smooth to slightly convex and range from 0 to 2 percent. Typically, the surface layer is dark gray sand about 6 inches thick. The subsurface layer is sand to a depth of 24 inches. The upper 11 inches is light brownish gray with dark grayish brown stains along root channels, and the lower 7 inches is light gray with dark grayish brown stains. The subsoil is about 38 inches thick. The upper 4 inches is dark brown sand with few iron concretions. The next 8 inches is brownish yellow sandy clay loam with light brownish gray, light gray, and reddish-brown mottles. The lower 26 inches is light gray sandy clay loam with pale olive and olive mottles and stains along root channels. Below is light gray fine sandy loam with olive mottles extending to a depth of 80 inches *or more.* Included with this soil in mapping *are* small areas of Boca, EauGallie, Hallandale, Felda, Myakka, and Oldsmar soils. Also included *are* soils, similar to this Wabasso soil, with a surface layer that is *more* than 8 inches thick. Included soils make up about 10 to 15 percent of any mapped *area.* In most years, under natural conditions, the water table is less than 10 inches below the surface for 2 to 4 months. It is 10 to 40 inches below the surface for more than 6 months. It recedes to a depth of more than 40 inches during extended dry periods. The available water capacity is low in the surface and subsurface layers and medium in the subsoil.

Natural fertility is low. Permeability is rapid in the surface and subsurface layers, moderate in the upper part of the subsoil, and slow *or very* slow in the lower part of the subsoil. Natural vegetation consists of saw palmetto, South Florida slash pine, pineland threeawn, cabbage palm, and bluestem. This soil is poorly suited to cultivated crops because of wetness.

**40. Anclote Sand, Depressional -** This is a nearly level, very poorly drained soil in isolated depressions. Slopes are smooth to concave and less than 1 percent. Typically, the surface layer is about 22 inches thick. The upper 8 inches is black sand, and the lower 14 inches is black sand with common light gray pockets and streaks throughout. The substratum is sand to a depth of 80 inches or more. The upper 18 inches is light brownish gray, and the lower 40 inches is light gray. Included with this soil in mapping are small areas of Pompano and Floridiana soils. Included soils make up about 10 to 15 percent of any mapped area. In most years, under natural conditions, the soil is ponded for more than 6 months. The available water capacity is medium in the surface layer and low in the substratum. Natural fertility is medium. Permeability is rapid. A large part of the acreage is in natural vegetation consisting of cypress, leatherleaf fern, wax myrtle, pickerelweed, and greenbrier.

**45. Copeland Sandy Loam, Depressional -** This is a low, nearly level, very poorly drained soil in depressions. Slopes are concave and less than 1 percent. Typically, the surface layer is about 8 inches of very dark gray sandy loam. The subsoil is very dark gray sandy loam about 12 inches thick. It is underlain by 8 inches of light brownish gray sandy clay loam with soft calcium carbonate throughout. Fractured limestone bedrock is at a depth of 28 inches. Included with this soil in mapping are small areas of Chobee, Anclote, Boca, Felda, Floridana, and Pompano soils. In addition, soils similar to Copeland soils but with a mixture of fine sand and shell fragments to a depth of 60 inches or more are included. Areas with limestone at a depth of more than 40 inches are also included. Included soils generally make up less than 15 percent of any mapped area. Under natural conditions, the water table is above the surface for 3 to 6 months. It is 10 to 40 inches below the surface for about 3 to 6 months. The available water capacity is medium. Natural fertility is medium. Permeability is rapid in the surface layer and moderate in the subsoil. Natural vegetation is cypress, wax myrtle, cabbage palm, fern, redroot, and other water-tolerant plants. This soil has moderate potential for desirable range plant production. The dominant forage is maidencane and cutgrass. The depth to the water table fluctuates throughout the year.

**49. Felda Fine Sand, Depressional -** This is a nearly level, poorly drained soil in depressions. Slopes are concave and less than 1 percent. Typically, the surface layer is gray fine sand about 4 inches thick. The subsurface layers extend to a depth of 35 inches. The upper 13 inches is grayish brown fine sand and the lower 18 inches is light gray fine sand with yellowish brown mottles. The subsoil is about 17 inches thick. The upper 6 inches is gray sandy loam and the lower 11 inches is sandy clay loam with many yellowish brown and strong brown mottles. Below this is light gray fine sand to a depth of 80 inches or more. Included with this soil in mapping are small areas of Anclote, Boca, Malabar, Pineda, Pompano, Winder, and Floridiana soils. Included soils make up about 10 to 15

percent of any mapped area. In most years, under natural conditions, the soil is ponded for about 3 to 6 months or more. The water table is within a depth of 10 to 40 inches for 4 to 6 months. The available water capacity is low in the surface and subsurface layers and medium in the subsoil. Natural fertility is low. Permeability is rapid in the surface and subsurface layers and moderate or moderately rapid in the subsoil. Natural vegetation consists of bald cypress, wax myrtle, and water-tolerant grasses and weeds.

**51. Floridiana Sand, Depressional -** This is a nearly level, very poorly drained soil in depressions. Slopes are concave and less than 1 percent. Typically, the surface layer is black sand about 22 inches thick. The subsurface layer is light brownish gray sand about 17 inches thick. The subsoil is olive gray fine sandy loam to a depth of 54 inches. Below the subsoil there is light brownish gray sand with pockets of olive gray loamy sand. Included with this soil in mapping are small areas of Anclote, Felda, and Winder soils. Also included are soils similar to the Floridiana soil but with a black surface layer thicker than 24 inches or with the upper boundary of the subsoil below a depth of 40 inches. Included soils make up about 10 to 15 percent of any mapped area. In most years, under natural conditions, the water table is above the surface for 3 to 6 months. It is 10 to 40 inches below the surface during extended dry periods. The available capacity is medium in the surface layer and subsoil and low in the subsurface layer. Natural fertility is medium. Permeability is rapid in the surface and subsurface layers and slow or very slow in the subsoil. Natural vegetation is St.-Johns wort, pickerelweed, cypress, sedges, weeds, and other water tolerant plants.

**144. Caloosa Fine Sand -** This is a nearly level, somewhat poorly drained soil formed by dredging and filling and by earthmoving operations. Slopes are smooth to slightly convex and range from 0 to 2 percent. Typically, the surface layer is about 10 inches of light brownish gray, mixed mineral material of fine sand and lenses of silt loam with about 10 percent shell fragments. The next 17 inches is pale brown and gray, mixed mineral material of fine sand and lenses of silty clay loam. The next 11 inches is light gray silty clay with brownish yellow mottles. Below this to a depth of 80 inches or more is gray silty clay with dark gray streaks and brownish yellow mottles. Included with this soil in mapping are areas of Matlacha and St. Augustine soils and soils that are similar to Caloosa soils but that contain 10 to 35 percent limestone and shell fragments less than 3 inches in diameter or 10 percent limestone and shell fragments larger than 3 inches. In addition, there are scattered areas of soils that are sandy to a depth of 80 inches or more. Also included are areas of fill that is less than 20 inches thick over undisturbed soils. Included soils make up about 10 to 20 percent of any mapped area. The depth to the water table varies with the amount of fill material and the extent of artificial drainage within any mapped area. However, in most years, the water table is 30 to 42 inches below the surface of the fill material for 2 to 4 months. The available water capacity is variable, but it is estimated to be low to medium in the upper part of the fill material and medium to high in the lower part. Permeability is variable within short distances, but it is estimated to range from rapid to very slow depending on the soil material.

Please see Exhibit D for the Soils Map.

## FEMA Flood Narrative

The Owl Creek project is shown on Firm Map 12071C0301F and 12701C0282F per community panel 125124. The site is located in flood zone AE with a base flood elevation of 7' NAVD. A portion of the project area is within the regulatory floodway. The floodway areas generally follow the tidal creeks of Owl Creek and Trout Creek. A LOMR was approved in 2019 that reduced the size of the floodway compared to what is shown on the FIRM map. The floodway has been shown on the attached map consistent with the 2019 LOMR. The current FEMA flood map with the site area shown is provided as Exhibit G - M12-4. The project will not fill within any regulatory floodway and all homes will be constructed a minimum of one foot above the base flood elevation in effect at the time of construction.

## Wetlands and Rare and Unique Uplands

The property contains areas that meet the criteria to be SFWMD jurisdictional wetlands, surface waters, and other surface waters. Areas mapped as FLUCCS Codes 211H, 618DE1-4, 619BP, 630DE3&4, and 641DE4 (111.75± acres) are likely to be claimed as jurisdictional wetland by the SFWMD (Exhibit F). The areas mapped as FLUCCS Code 510 (5.49± acres) are likely to be claimed as surface waters and 510D and 524 (4.4± acres) are likely to be claimed as jurisdictional other surface waters by the SFWMD.

The wetland areas on site range from moderate quality (FLUCCS Codes 618DE1, 618DE2, 618DE3 and 630DE3) to very low quality (FLUCCS Code 211H, 618DE4, 619BP, 630DE4, and 641DE4). Almost all of the wetlands onsite are associated with natural creeks and man-made ditches that drain into Owl and Trout Creeks. The quality of the wetlands depends on the level of disturbance and infestation by exotic vegetation.

There are 0.74 acres of Rare and Unique Uplands on the subject property (FLUCCS 428DE4). Because these areas are infested with exotic vegetation at a 76-90% coverage, these areas are not considered Indigenous Habitat.

## Potential Listed Species

The property has been evaluated for the potential presence of listed species. A review of the Florida Fish and Wildlife Conservation Commission (FWC) listed species occurrence database (updated June 2019) shows that there are no known state or federally listed species either on or immediately adjacent to the project area (Exhibit G).

This assessment focuses on identifying the federal and state listed species that potentially could be found within the various vegetative habitats on the project site (Table 2). Although habitat conditions are disturbed from agricultural activity, there remains suitable foraging areas for listed avian (e.g., wood stork, limpkin, sandhill crane) species.

Table 2. Listed Species That Could Potentially Occur Onsite

| FLUCCS CODE | Species Name | Status |
|---|---|---|
| 211 | Florida Sandhill Crane (*Grus canadensis pratensis*) | ST |
| | Florida Panther (*Felis concolor coryi*) | FE |
| 427 | Eastern Indigo Snake (*Drymarchon corais couperi*) | FT |
| | Gopher Tortoise (*Gopherus polyphemus*) | ST |
| | Florida Panther (*Felis concolor coryi*) | FE |
| | Hand Adder's Tongue Fern (*Ophioglossum palmatum*) | FE |
| | Simpson's Stopper (*Myrcianthes frangrans* var. *simpsonii*) | ST |
| | Twisted Air Plant (*Tillandsia flexuosa*) | ST |
| | Florida Bonneted Bat (*Eumops floridanus*) | FE |
| 428 | Eastern Indigo Snake (*Drymarchon corais couperi*) | FT |
| | Audubon's Crested Caracara (*Polyborus plancus audubonii*) | FT |
| | Florida Panther (*Felis concolor coryi*) | FE |
| | Simpson's Stopper (*Myrcianthes frangrans* var. *simpsonii*) | ST |
| 429 | None | FE |
| 434 | Florida Panther (*Felis concolor coryi*) | FE |
| 510 | American Alligator (*Alligator mississippiensis*) | FT |
| | Little Blue Heron (*Egretta caerulea*) | ST |
| | Reddish Egret (*Egretta rufescens*) | ST |
| | Roseate Spoonbill (*Ajaia ajaja*) | ST |
| | Tricolored Heron (*Egretta tricolor*) | ST |
| | Everglades Mink (*Mustela vison evergladensis*) | ST |
| 524 | American Alligator (*Alligator mississippiensis*) | FT |
| | Little Blue Heron (*Egretta caerulea*) | ST |
| | Reddish Egret (*Egretta rufescens*) | ST |
| | Roseate Spoonbill (*Ajaia ajaja*) | ST |
| | Tricolored Heron (*Egretta tricolor*) | ST |
| | Everglades Mink (*Mustela vison evergladensis*) | ST |
| 618 | American Alligator (*Alligator mississippiensis*) | FT |
| | Little Blue Heron (*Egretta caerulea*) | ST |
| | Reddish Egret (*Egretta rufescens*) | ST |
| | Tricolored Heron (*Egretta tricolor*) | ST |
| | Wood Stork (*Mycteria americana*) | FT |
| | Big Cypress Fox Squirrel (*Sciurus niger avicennia*) | ST |
| | Everglades Mink (*Mustela vison evergladensis*) | ST |

| FLUCCS CODE | Species Name | Status |
|---|---|---|
| 619BP | None | |
| 630 | American Alligator (*Alligator mississippiensis*)<br>Little Blue Heron (*Egretta caerulea*)<br>Tricolored Heron (*Egretta tricolor*)<br>Wood Stork (*Mycteria americana*)<br>Everglades Mink (*Mustela vison evergladensis*)<br>Florida Panther (*Felis concolor coryi*)<br>Florida Bonneted Bat (*Eumops floridanus*) | FT<br>ST<br>ST<br>FT<br>ST<br>FE<br>FE |
| 641 | American Alligator (*Alligator mississippiensis*)<br>Florida Sandhill Crane (*Grus canadensis pratensis*)<br>Little Blue Heron (*Egretta caerulea*)<br>Reddish Egret (*Egretta rufescens*)<br>Snail Kite (*Rostrhamus sociabilis*)<br>Tricolored Heron (*Egretta tricolor*)<br>Wood Stork (*Mycteria americana*)<br>Everglades Mink (*Mustela vison evergladensis*) | FT<br>ST<br>ST<br>ST<br>FE<br>ST<br>FT<br>ST |
| 740 | None | |
| 743 | None | |
| 747 | None | |
| 814 | None | |

ST – State designated Threatened
FT – Federally designated Threatened
FE – Federally designated Endangered

The Audubon's crested caracara (*Polyborus plancus audubonii*) is a raptor that typically nests in solitary or small groups of cabbage palms within larger areas of open grasslands. This species is listed as threatened by both the FWC and FWS. While no Audubon's crested caracara or their nests were observed and the quality of the potential habitat on-site is poor, the property is located within the known breeding range of this species.

Nesting habitat for the bald eagle does occur within the property but there are no nests onsite or near the site. The closest bald eagle nest (LE-039 last active 2020) is located approximately 1,800' east of the property.

According to the FWC listed species occurrence database the property is located within the FWS designated Core Foraging Area of a wood stork colony. The wood stork (*Mycteria americana*) is listed as threatened by both the FWC and the FWS. No wood storks have been observed onsite. Colony locations provided by FWS show several

colonies within a 25 mile radius of the property, the closest being three miles away.

The property is not located within a primary or secondary zone of the 2007 Florida Panther Focus Area and is not within the 2003 Panther Consultation Area identified by the FWS. The Florida panther (*Felis concolor coryi*) is listed as endangered by both the FWS and FWC. There are no telemetry points on or near the subject property.

The Florida bonneted bat (*Eumops floridanus*) is listed as endangered by the FWS and the FWC. The FWS established a Consultation Area for this species in its October 22, 2019 letter to the COE. This letter also establishes survey protocols for determining both potential roosting and foraging activities on proposed development sites and potential Best Management Practices (BMP) to lessen the potential impacts of development on the species. The property is located within the Consultation Area. This bat typically roosts in cavities within large live or dead trees but may also roost in abandoned buildings and under bridges. Florida bonneted bats forage in a variety of upland, wetland, and open water habitats preferring open areas.

It is likely that a variety of both listed and non-listed wading bird species forage within the wetlands onsite. This foraging activity is likely concentrated in the ditches and cypress-pine habitats. The wetland areas that are heavily invaded by exotics and/or that are hydrologically altered provide reduced quality habitat for potential foraging by these species.

**Proposed Site Conditions**

The proposed impacts to SFWMD jurisdictional wetlands include 7.7 acres. To mitigate for these impacts a total of 165.6+/- acres of wetlands and uplands will be enhanced by the removal of exotic vegetation and preserved by the placement of a conservation easement (Exhibit H).

The proposed impacts to indigenous habitats include approximately 1.7 acres. The proposed preservation of 39.9 acres of indigenous habitats represents 93% of the existing indigenous habitat areas. Additionally, all of the existing Rare and Unique Uplands onsite (FLUCCS 428DE4) will be preserved (0.74 acres).

The habitat improvements and preservation resulting from implementation of the wetland enhancement and preservation plan are expected to encourage native species to thrive in the preserve areas onsite as well as reduce the exotic vegetation seed source for the surrounding properties.

**Conclusions**

If the proposed future land use map change is approved, the proposed onsite wetland enhancement and preservation will provide long-term viability for a myriad of fish and wildlife species, including potential county, state and federally listed species located onsite and on the surrounding properties.

It is expected that existing prey and forage habitat for listed and non-listed species will be enhanced through removal and maintenance of invasive exotic plants and protected by implementation of the proposed enhancement and preservation of onsite wetlands.

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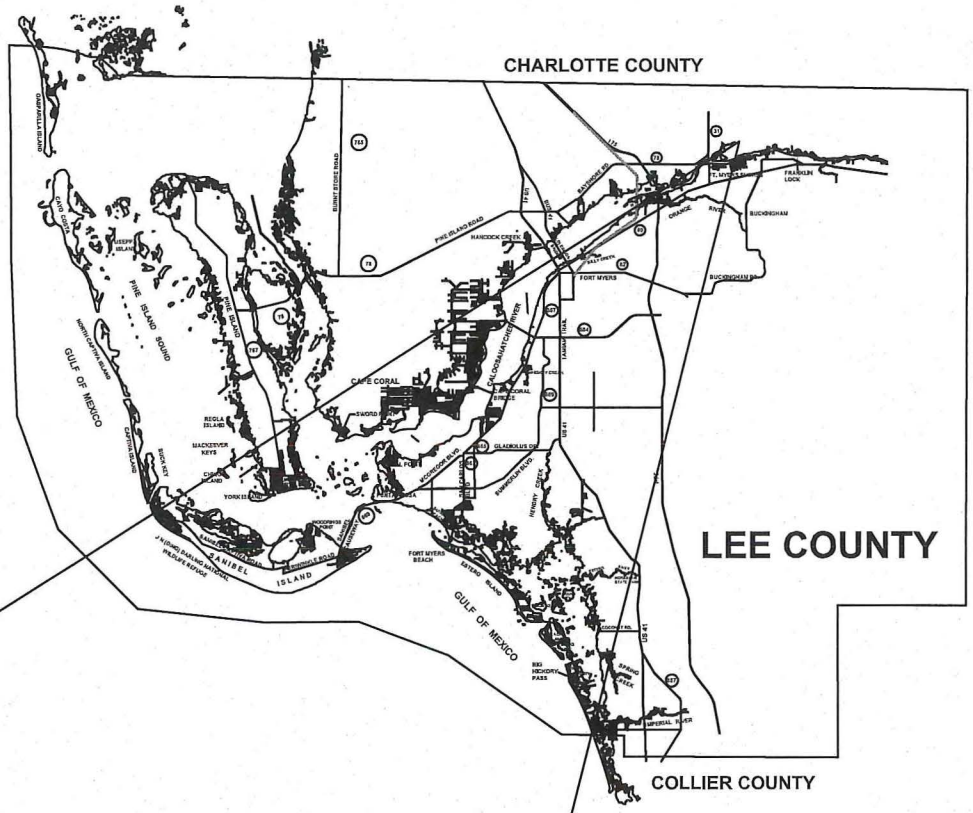
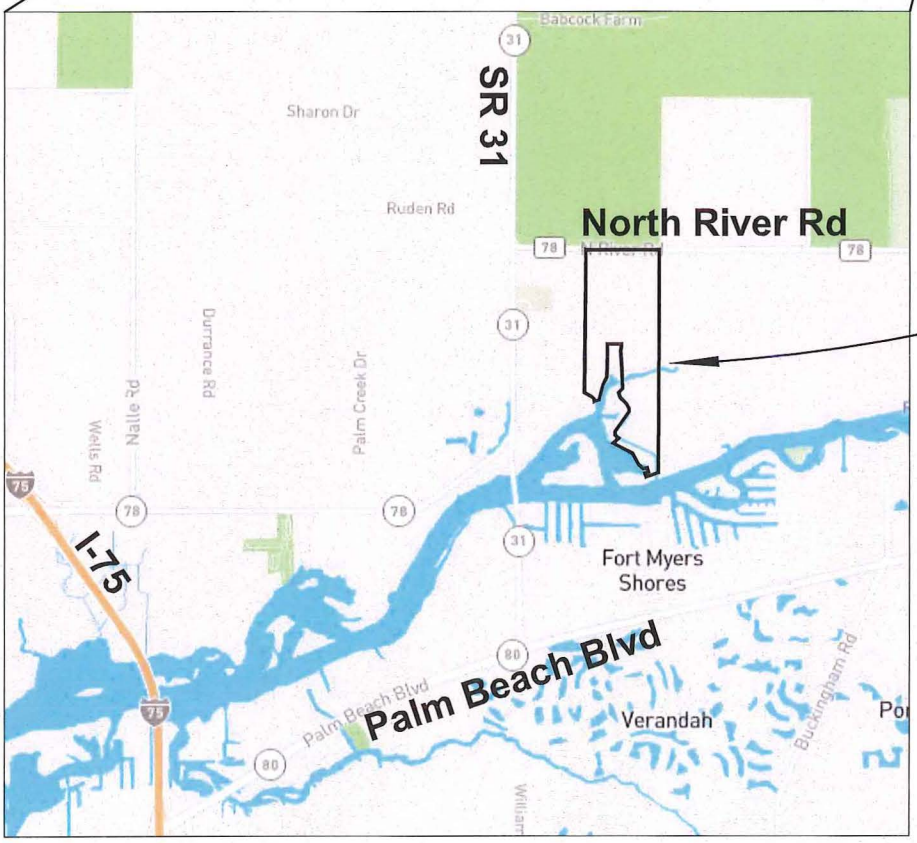
# Exhibit A

# Location Map

SECTION: 18 & 19
TOWNSHIP: 43 S
RANGE: 26 E

# Owl Creek Parcel




## Project Location

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September 09, 2020 4:00:00 p.m.
Drawing: DRHOR455LOCATION.DWG

## Location Map

DEXBENDER
ENVIRONMENTAL CONSULTING
FORT MYERS 239-334-3680

# Exhibit B

# Vegetation Map

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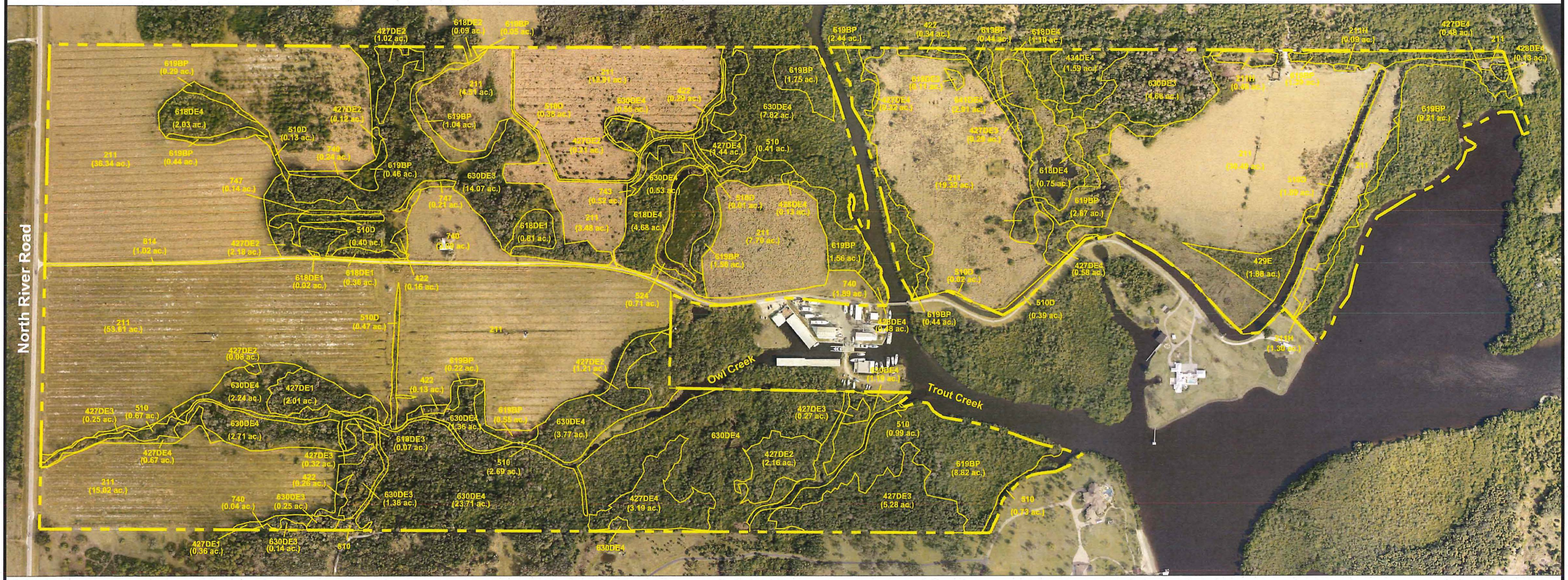
**SECTIONS: 18 & 19**
**TOWNSHIP: 43 S**
**RANGE: 26 E**

0 250 500
SCALE FEET




| | FLUCCS | Description | Acreage |
|---|---|---|---|
| | 211 | Improved Pastures | 183.38 ac. |
| | ***211H | Improved Pastures - hydric | 1.87 ac. |
| | 422 | Brazilian Pepper | 1.18 ac. |
| | 427DE1 | Live Oak, Disturbed, Invaded by Exotics (10-25%) | 2.98 ac. |
| | 427DE2 | Live Oak, Disturbed, Invaded by Exotics (26-50%) | 6.98 ac. |
| | 427DE3 | Live Oak, Disturbed, Invaded by Exotics (51-75%) | 7.81 ac. |
| | 427DE4 | Live Oak, Disturbed, Invaded by Exotics (76-90%) | 6.68 ac. |
| | 428DE4 | Cabbage Palm, Disturbed, Invaded by Exotics (76-90%) | 0.74 ac. |
| | 429E | Wax Myrtle, Invaded by Exotics (5-9%) | 1.88 ac. |
| | 434DE4 | Hardwood- Coniferous Mixed, Disturbed, Invaded by Exotics (76-90%) | 1.59 ac. |
| | *510 | Streams and Waterways | 5.49 ac. |
| | **510D | Ditches | 3.69 ac. |
| | **524 | Lakes less than 10 acres which are dominant features | 0.71 ac. |

| | FLUCCS | Description | Acreage |
|---|---|---|---|
| | ***618DE1 | Willow, Disturbed, Invaded by Exotics (10-25%) | 1.19 ac. |
| | ***618DE2 | Willow, Disturbed, Invaded by Exotics (26-50%) | 0.20 ac. |
| | ***618DE3 | Willow, Disturbed, Invaded by Exotics (51-75%) | 0.07 ac. |
| | ***618DE4 | Willow, Disturbed, Invaded by Exotics (75-90%) | 8.56 ac. |
| | ***619BP | Hydric Brazilian Pepper | 32.55 ac. |
| | ***630DE3 | Wetland Forested Mixed, Disturbed, Invaded by Exotics (51-75%) | 20.52 ac. |
| | ***630DE4 | Wetland Forested Mixed, Disturbed, Invaded by Exotics (76-90%) | 43.88 ac. |
| | ***641DE4 | Freshwater Marsh, Disturbed, Invaded by Exotics (76-90%) | 2.91 ac. |
| | 740 | Disturbed Land | |
| | 743 | Spoil Area | 5.93 ac. |
| | 747 | Dike | 0.52 ac. |
| | 814 | Roads and Highways | 0.35 ac. |
| | | | 1.02 ac. |
| | | Total | 342.68 ac. |

* Surface Waters
** Potential jurisdictional other surface waters
*** Potential jurisdictional wetland

Notes:
1. Property boundary is approximate and was obtained from the Lee County Property Appraiser's Website.
2. Mapping based on photointerpretation of 2019 aerial photography and ground truthing in February 2020.
3. Delineation of jurisdictional wetlands is preliminary and subject to field review/approval by applicable regulatory agencies.

*FOR CONCEPTUAL PLANNING PURPOSES ONLY*

September 17, 2020 2:43:03 p.m.
Drawing: DRHOR455PLAN.DWG

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**Vegetation Map** | **Owl Creek Parcel**

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# Exhibit C

# Surrounding Land Map

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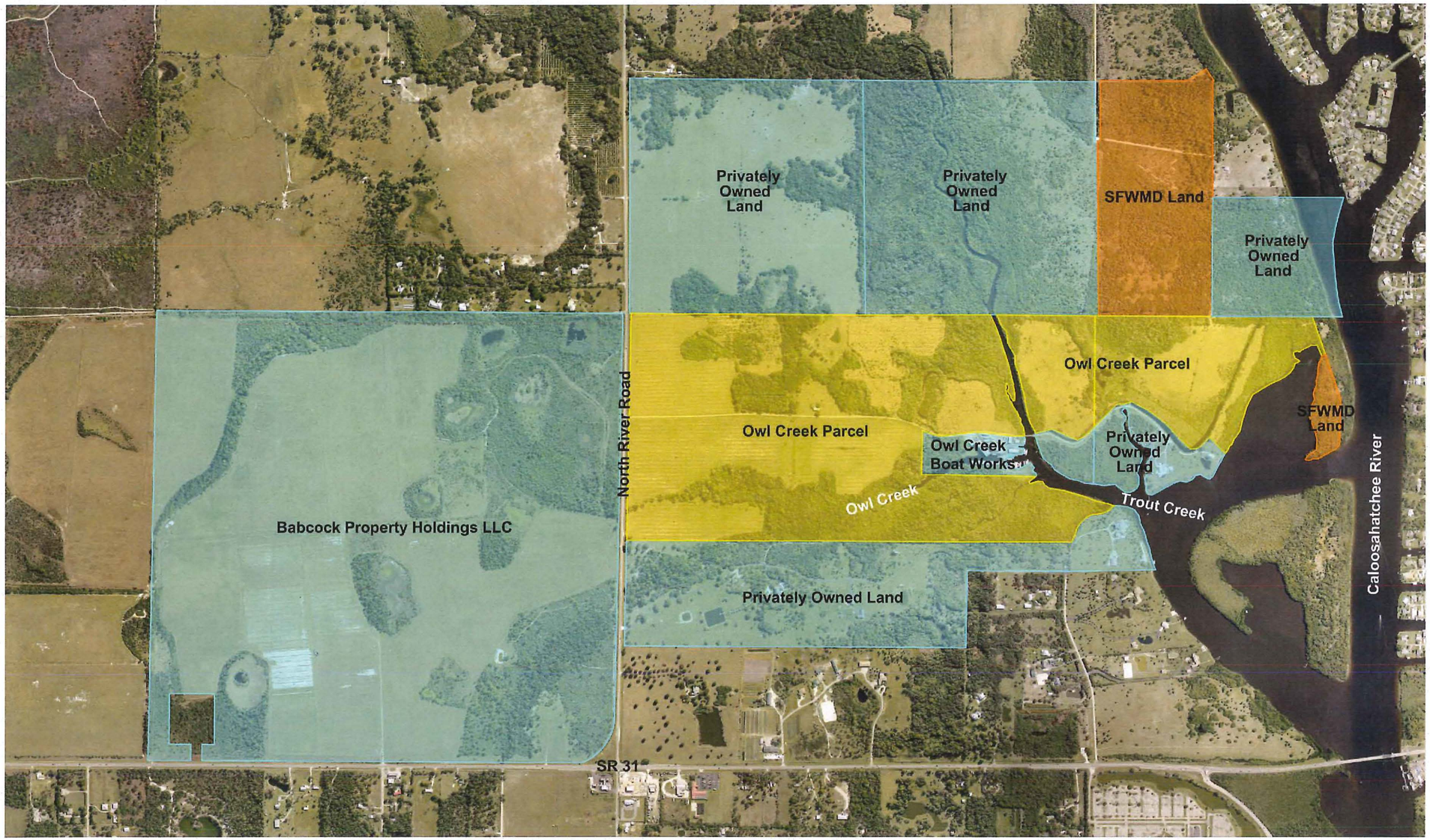
SECTION: 18 & 19
TOWNSHIP: 43 S
RANGE: 26 E

0 625 1250
SCALE FEET




Owl Creek Parcel

Privately Owned Land

SFWMD Land

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Notes:
1. Property boundaries are approximate and were obtained from the Lee County Property Appraiser's Website.

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September 16, 2020 10:36:19 a.m.
Drawing: DRHOR455_SURROUNDING LANDS.DWG

| Surrounding Land Map | Owl Creek Parcel | DEXBENDER ENVIRONMENTAL CONSULTING FORT MYERS 239-334-3680 |
|---|---|---|

# Exhibit D

# Soils Map

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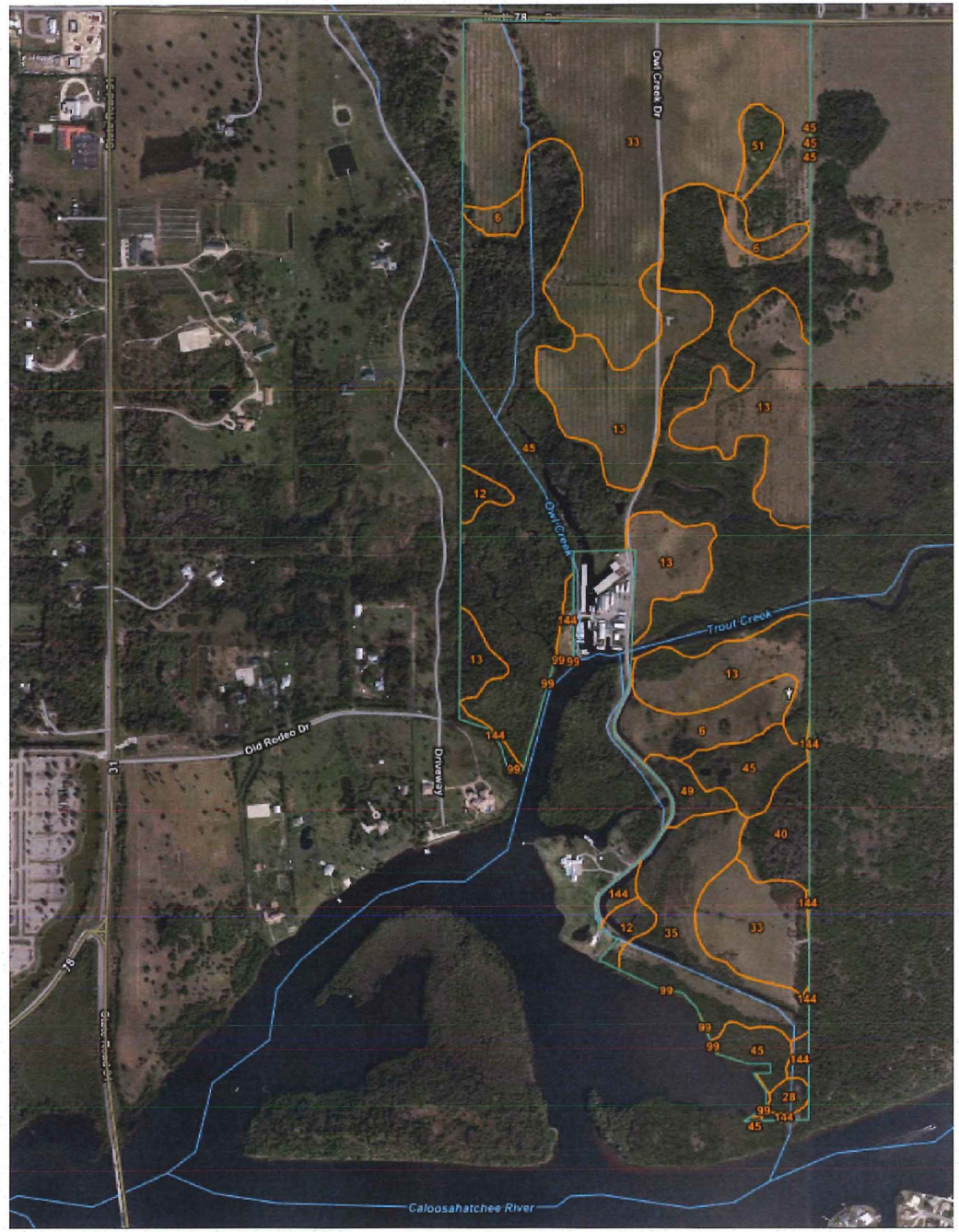


Lee County, Florida (FL071)

Lee County, Florida (FL071)

| Map Unit Symbol | Map Unit Name | Acres in AOI | Percent of AOI |
|---|---|---|---|
| 6 | Hallandale fine sand, wet, 0 to 2 percent slopes | 14.5 | 4.1% |
| 12 | Felda fine sand, 0 to 2 percent slopes | 4.2 | 1.2% |
| 13 | Boca fine sand, 0 to 2 percent slopes | 64.7 | 18.4% |
| 28 | Immokalee sand, 0 to 2 percent slopes | 1.4 | 0.4% |
| 33 | Oldsmar sand, 0 to 2 percent slopes | 99.5 | 28.3% |
| 35 | Wabasso sand, 0 to 2 percent slopes | 22.0 | 6.2% |
| 40 | Anclote sand, frequently ponded, 0 to 1 percent slopes | 7.4 | 2.1% |
| 45 | Copeland fine sandy loam, frequently ponded, 0 to 1 percent slopes | 126.2 | 35.8% |
| 49 | Felda fine sand, frequently ponded, 0 to 1 percent slopes | 3.6 | 1.0% |
| 51 | Floridana sand, frequently ponded, 0 to 2 percent slopes | 3.3 | 0.9% |
| 99 | Water | 0.2 | 0.1% |
| 144 | Caloosa fine sand, 0 to 2 percent slopes | 5.2 | 1.5% |
| **Totals for Area of Interest** | | **352.2** | **100.0%** |

NOTES:
*SOILS INFORMATION IS FROM THE USDA WEB SOIL SURVEY WEBSITE. ACREAGE IS APPROXIMATED AND INCLUDES THE SUBMERGED LANDS IN THE CREEKS THAT ARE NOT PART OF THE PROJECT SITE.

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SOILS MAP AND DESCRIPTION OF SOILS EXHIBIT-M12-2

OWL CREEK

LEE COUNTY, FLORIDA

| DATE | PROJECT | DRAWING | DESIGN | DRAWN | CHECKED | SCALE | SHEET |
|---|---|---|---|---|---|---|---|
| 08/31/2020 | 8504 | _EXHIBIT | KG | KG | DRU | N.T.S. | 01 |

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# Exhibit E

# FEMA Map

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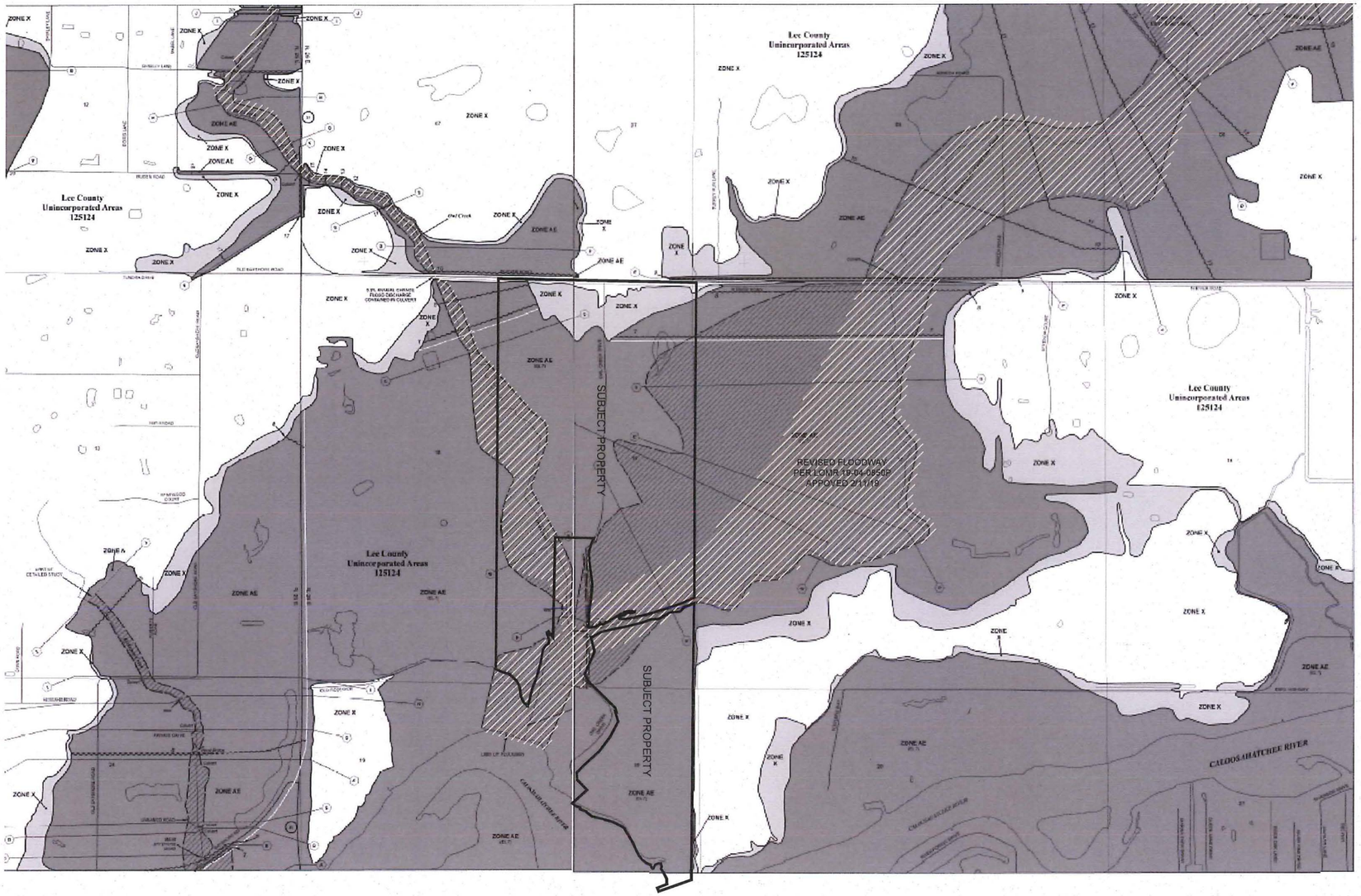


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## LEGEND

SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

| | |
|---|---|
| ZONE A | No Base Flood Elevations determined. |
| ZONE AE | Base Flood Elevations determined. |
| ZONE AH | Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined. |
| ZONE AO | Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined. |
| ZONE AR | Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood. |
| ZONE A99 | Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined. |
| ZONE V | Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined. |
| ZONE VE | Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined. |

FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS

| | |
|---|---|
| ZONE X | Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood. |

OTHER AREAS

| | |
|---|---|
| ZONE X | Areas determined to be outside the 0.2% annual chance floodplain. |
| ZONE D | Areas in which flood hazards are undetermined, but possible. |

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

| | |
|---|---|
| | Floodplain boundary |
| | Floodway boundary |
| | Zone D boundary |
| | CBRS and OPA boundary |
| | Boundary dividing Special Flood Hazard Area zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities. |
| 513 | Base Flood Elevation line and value; elevation in feet* |
| (EL 987) | Base Flood Elevation value where uniform within zone; elevation in feet* |

* Referenced to the North American Vertical Datum of 1988

| | |
|---|---|
| (A)———(A) | Cross section Line |
| (B)- - - - - -(B) | Transect line |
| 87°07'45", 32°22'30" | Geographic coordinates referenced to the North American Datum of 1983 (NAD 83), Western Hemisphere |
| 7876000 FT N | 1000-meter Universal Transverse Mercator grid values, zone 17 |
| 600000 FT | 5000-foot grid ticks: Florida State Plane coordinate system, West zone (FIPSZONE 0902), Transverse Mercator projection |
| DX5510 x | Bench mark (see explanation in Notes to Users section of this FIRM panel) |
| •M1.6 | River Mile |

S:\JOBS\85XX\8504\EXHIBITS\8504_EXISTING FEMA.DWG 9/8/2020 11:21 AM KEVIN GONZALEZ

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MAP DELINEATING MOST RECENT FLOOD INSURANCE EXHIBIT-M-12-4

# OWL CREEK

LEE COUNTY, FLORIDA

| DATE | PROJECT | DRAWING | DESIGN | DRAWN | CHECKED | SCALE | SHEET |
|---|---|---|---|---|---|---|---|
| 08/24/2020 | 8504 | _EXHIBIT | KG | KG | DRU | N.T.S. | 01 |

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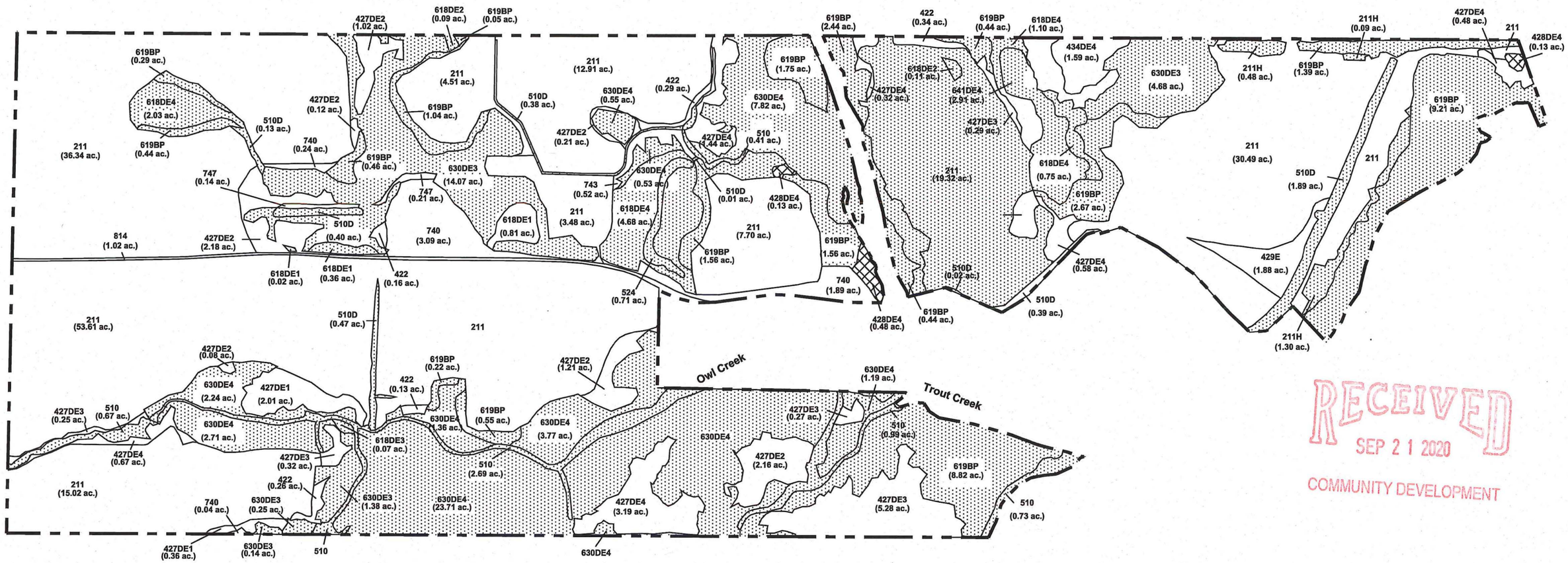
# Exhibit F

# Wetland Map

**SECTIONS: 18 & 19**
**TOWNSHIP: 43 S**
**RANGE: 26 E**

0 250 500
SCALE FEET

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SEP 21 2020
COMMUNITY DEVELOPMENT

Potential Jurisdictional Wetland Surface Waters and Other Surface Waters (121.64 ac.)

Rare and Unique Uplands (0.74 ac.)

* Surface Waters
** Potential jurisdictional other surface waters
*** Potential jurisdictional wetland

| FLUCCS | Description | Acreage |
|---|---|---|
| 211 | Improved Pastures | 183.38 ac. |
| ***211H | Improved Pastures - hydric | 1.87 ac. |
| 422 | Brazilian Pepper | 1.18 ac. |
| 427DE1 | Live Oak, Disturbed, Invaded by Exotics (10-25%) | 2.98 ac. |
| 427DE2 | Live Oak, Disturbed, Invaded by Exotics (26-50%) | 6.98 ac. |
| 427DE3 | Live Oak, Disturbed, Invaded by Exotics (51-75%) | 7.81 ac. |
| 427DE4 | Live Oak, Disturbed, Invaded by Exotics (76-90%) | 6.68 ac. |
| 428DE4 | Cabbage Palm, Disturbed, Invaded by Exotics (76-90%) | 0.74 ac. |
| 429E | Wax Myrtle, Invaded by Exotics (5-9%) | 1.88 ac. |
| 434DE4 | Hardwood- Coniferous Mixed, Disturbed, Invaded by Exotics (76-90%) | 1.59 ac. |
| *510 | Streams and Waterways | 5.49 ac. |
| **510D | Ditches | 3.69 ac. |
| **524 | Lakes less than 10 acres which are dominant features | 0.71 ac. |

| FLUCCS | Description | Acreage |
|---|---|---|
| ***618DE1 | Willow, Disturbed, Invaded by Exotics (10-25%) | 1.19 ac. |
| ***618DE2 | Willow, Disturbed, Invaded by Exotics (26-50%) | 0.20 ac. |
| ***618DE3 | Willow, Disturbed, Invaded by Exotics (51-75%) | 0.07 ac. |
| ***618DE4 | Willow, Disturbed, Invaded by Exotics (75-90%) | 8.56 ac. |
| ***619BP | Hydric Brazilian Pepper | 32.55 ac. |
| ***630DE3 | Wetland Forested Mixed, Disturbed, Invaded by Exotics (51-75%) | 20.52 ac. |
| ***630DE4 | Wetland Forested Mixed, Disturbed, Invaded by Exotics (76-90%) | 43.88 ac. |
| ***641DE4 | Freshwater Marsh, Disturbed, Invaded by Exotics (76-90%) | 2.91 ac. |
| 740 | Disturbed Land | 5.93 ac. |
| 743 | Spoil Area | 0.52 ac. |
| 747 | Dike | 0.35 ac. |
| 814 | Roads and Highways | 1.02 ac. |
| | Total | 342.68 ac. |

Notes:
1. Property boundary is approximate and was obtained from the Lee County Property Appraiser's Website.
2. Mapping based on photointerpretation of 2019 aerial photography and ground truthing in February 2020.
3. Delineation of jurisdictional wetlands is preliminary and subject to field review/approval by applicable regulatory agencies.

*FOR CONCEPTUAL PLANNING PURPOSES ONLY*

September 17, 2020 2:43:03 p.m.
Drawing: DRHOR455PLAN.DWG

**Wetland Map** | **Owl Creek Parcel**

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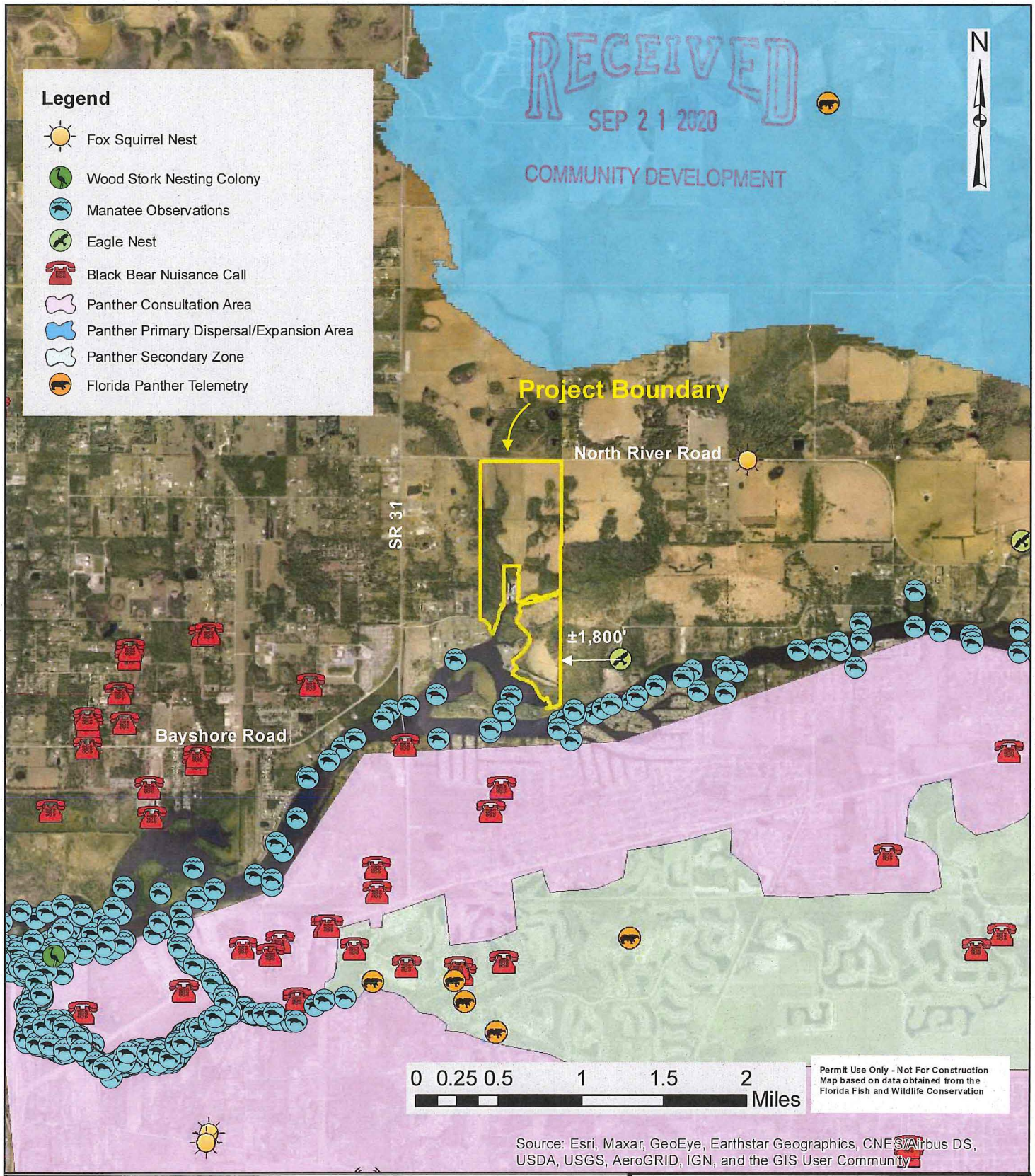
# Exhibit G

# Protected Species Database Map

Sections: 18 and 19
Township: 43
Range: 26

# Owl Creek Parcel




***Listed Species Database Map***

DEXBENDER ENVIRONMENTAL CONSULTING
Fort Myers (239) 334-3680

Document Path: Y:\DRHOR-455\GIS_GPS\Listed Species Map.mxd

# Exhibit H

# Enhancement and Preservation Map

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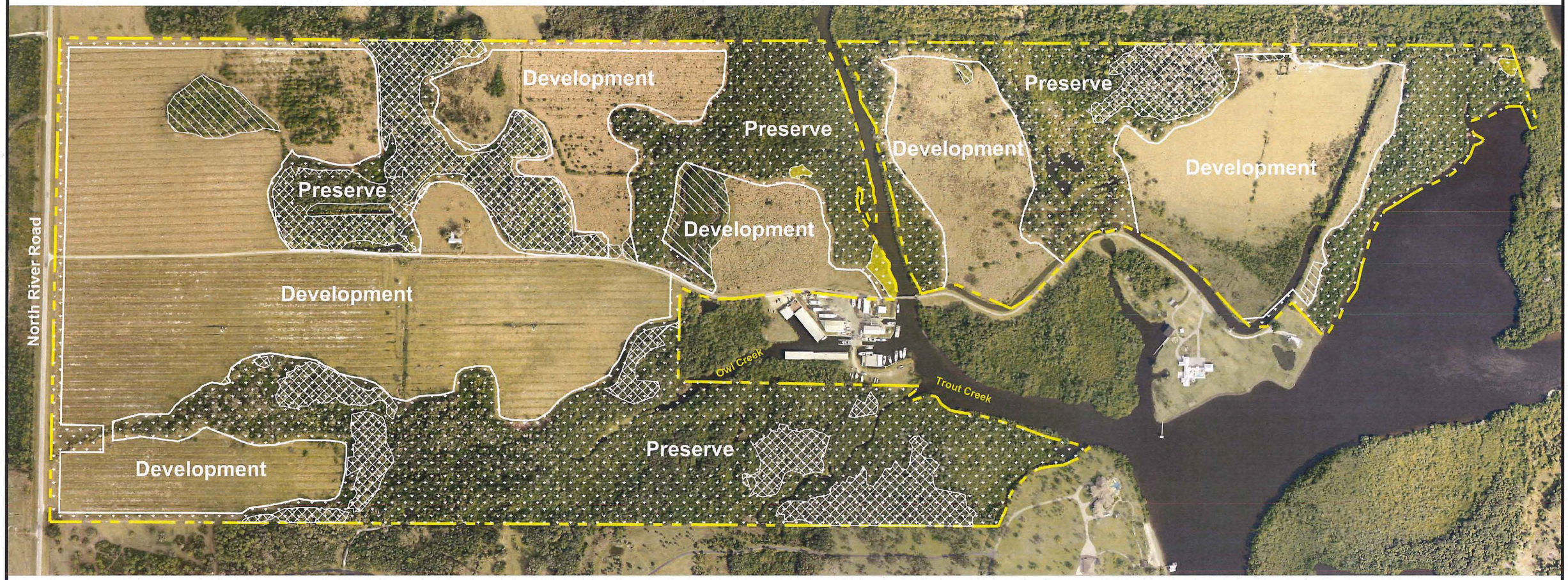
SECTIONS: 18 & 19
TOWNSHIP: 43 S
RANGE: 26 E

0 250 500
SCALE FEET




Development Footprint (179.81 ac.)

Upland & Wetland Preservation Footprint (165.58 ac.)

Wetland Impact Footprint (7.69 ac.)

Indigenous Habitat Preservation (39.92 ac.)

Rare and Unique Uplands Preservation (0.74 ac.)

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Notes:
1. Property boundary is approximate and was obtained from the Lee County Property Appraiser's Website.
2. Development footprint provided by Banks Engineering.

*FOR CONCEPTUAL PLANNING PURPOSES ONLY*

September 17, 2020 2:43:03 p.m.
Drawing: DRHOR455PLAN.DWG

**Enhancement & Preservation Map**

**Owl Creek Parcel**

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# Historic Resources Impact Analysis
## (Exhibit M13)

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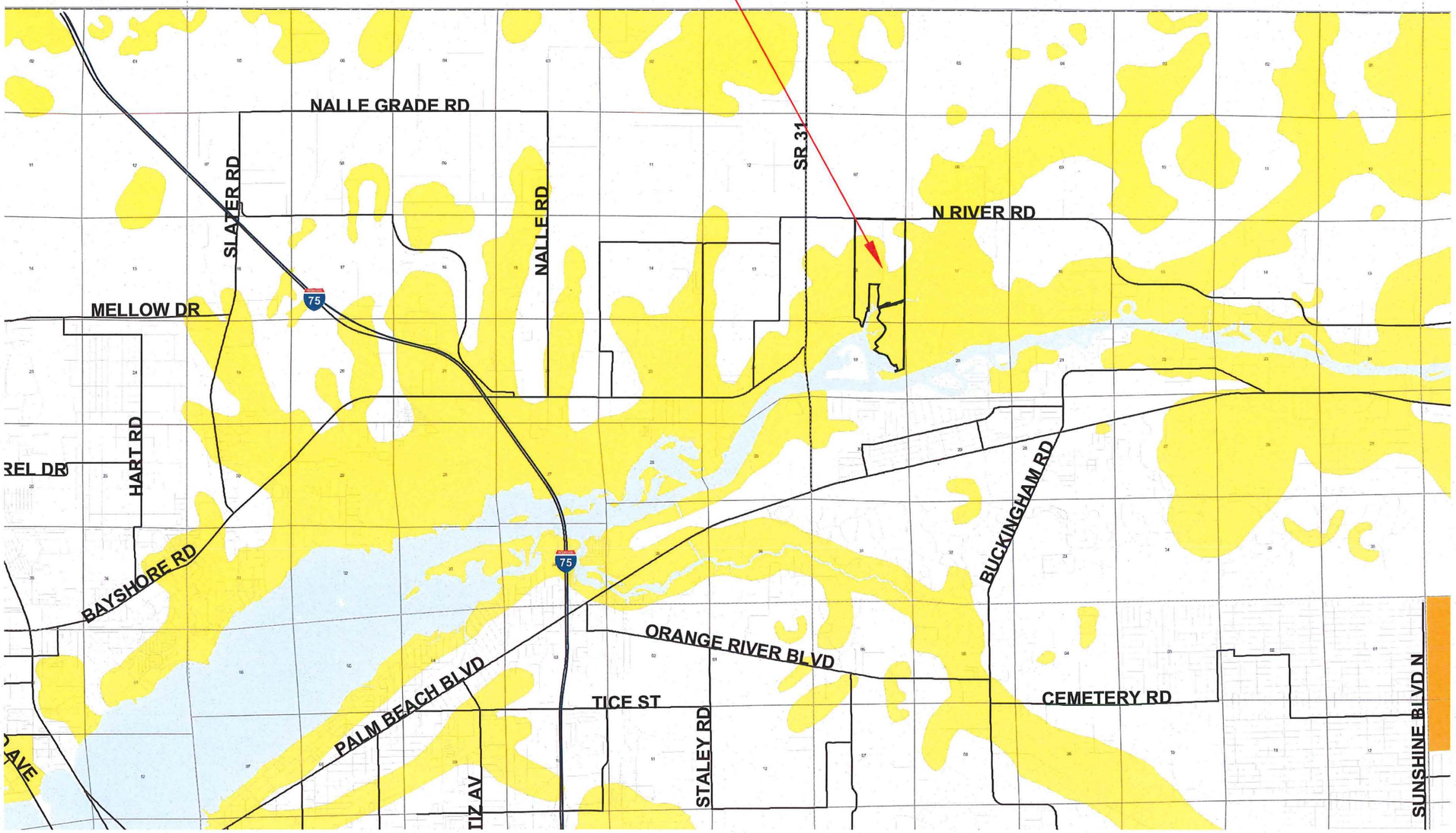


# Lee County Archaeological Sensitivity Map

**Legend**

- Sensitivity Level 1
- Sensitivity Level 2
- Previously Surveyed

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S:\JOBS\85XX\8504\EXHIBITS\8504_FUTURE LAND USE.DWG 9/8/2020 11:24 AM KEVIN GONZALEZ

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ARCHAEOLOGICAL SENSITIVITY MAP EXHIBIT-M13-2

OWL CREEK

LEE COUNTY, FLORIDA

| DATE | PROJECT | DRAWING | DESIGN | DRAWN | CHECKED | SCALE | SHEET |
|---|---|---|---|---|---|---|---|
| 08/31/2020 | 8504 | _EXHIBIT | KG | KG | DRU | N.T.S. | 01 |

# AN ANALYSIS OF POTENTIAL IMPACTS TO CULTURAL RESOURCES ON THE OWL CREEK PARCEL, LEE COUNTY, FLORIDA

RECEIVED
SEP 21 2020
COMMUNITY DEVELOPMENT

By:
Robert S. Carr, M.S.
John Wesley White, B.A.

**ARCHAEOLOGICAL AND HISTORICAL CONSERVANCY, INC.**
4800 SW 64th Avenue, Suite 107
Davie, Florida 33314
archlgcl@bellsouth.net
(954) 792-9776

For:

BANKS ENGINEERING

AHC PROJECT NO. 2020.94
AHC TECHNICAL REPORT NO. 1294
AUGUST, 2020

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# CONSULTANT SUMMARY

In August, 2020, the Archaeological & Historical Conservancy, Inc. (AHC) conducted an analysis of potential impacts to any known or potential cultural resources on the Owl Creek parcel. The 350 acre parcel is located in Sections 18 and 19 in Township 43S, Range 26E immediately south of County Road 78 in north central Lee County (Figure 1).

The Owl Creek parcel is located within what was once called the North River Assemblage Parcel (NRAP). The NRAP was much larger (1300-acres) and was first subject to a phase I cultural resource assessment in 2007 (Carr et al. 2007), resulting in the discovery of three archaeological sites within what is now the Owl Creek parcel boundaries, 8LL2397, 8LL2398, and 8LL2399.

Sites 8LL2397 and 8LL2398 were described as prehistoric midden sites, containing a mixture of prehistoric ceramics, faunal bone, and marine shell. Site 8LL2399 was identified as a constructed mound, 60-70cm above surrounding grade. Some oyster shell was found, but the site was considered a possible burial mound.

All three archaeological sites were considered potentially eligible for listing on the National Register of Historic Places (NRHP) under Criterion D, and were recommended for preservation.

This analysis concludes that all of the previously recorded archaeological sites: 8LL2397, 8LL2398, and 8LL2399 have not changed in their preservation quality nor have been altered by any development activities. The sites remain eligible for listing in the NRHP and should be avoided by future development.

In addition to the review of the previously recorded sites, one newly recorded prehistoric site, 8LL2825 was discovered during the course of this assessment. Site 8LL2825 is located in a plowed agricultural field, and has been intensely disturbed and is not regarded as eligible for listing on the National Register of Historic Places.

The developer proposes to preserve sites 8LL2397, 8LL2398, and 8LL2399. It is recommended that each of the sites be preserved within a minimum 25 foot buffer, and that a temporary silt fence be placed around each site prior to any ground disturbing activities. An archaeological monitor should confirm the location of the buffer/fencing and should confirm that the sites are avoided during construction activities.

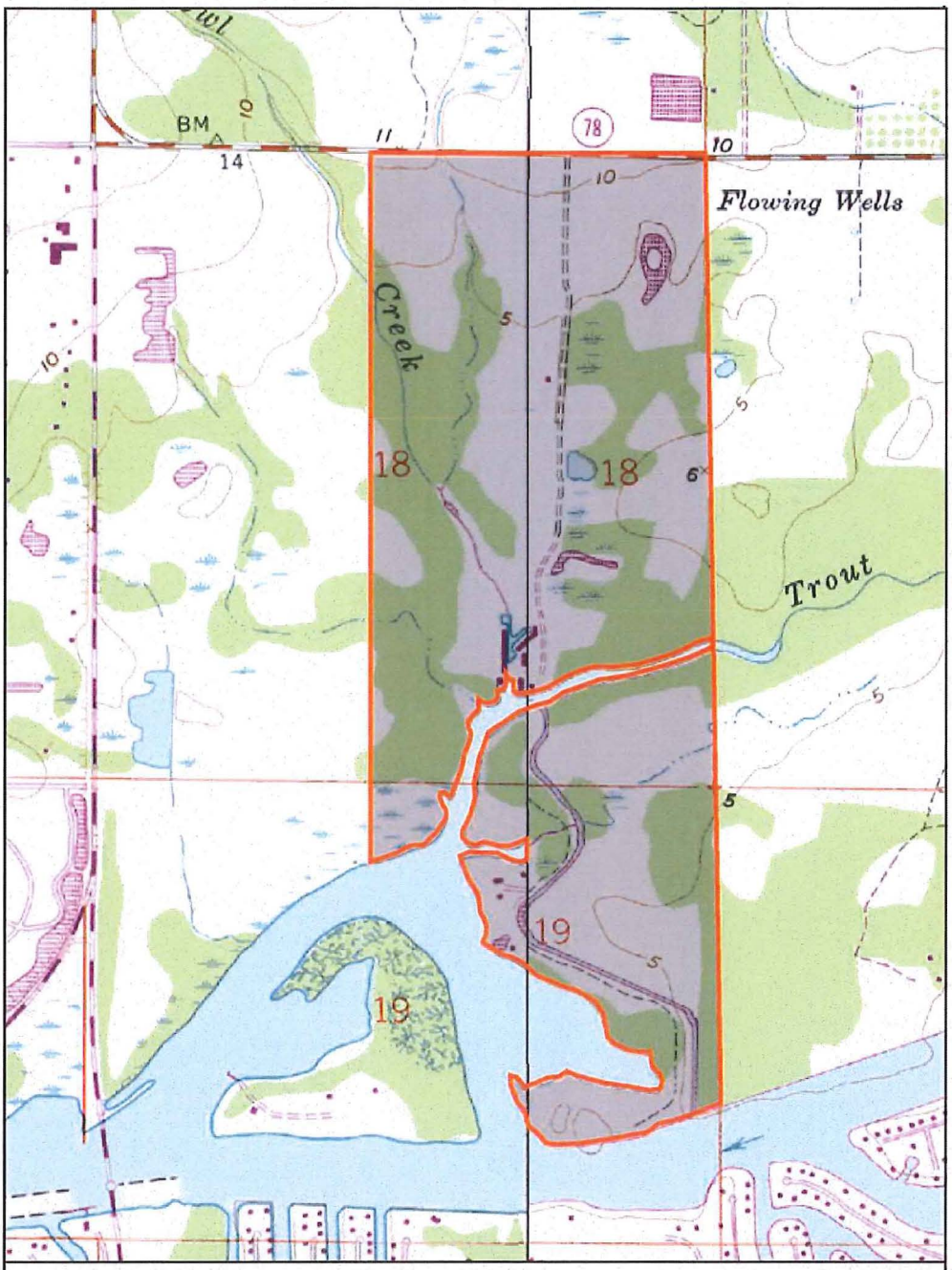



Figure 1. USGS Map of the Owl Creek parcel.

N

TOWNSHIP 43S, RANGE 26E, SECTION 18. 19

USGS Map: FORT MYERS, REV. 1991

| | | | |
|---|---|---|---|
| 0 | 750 | 1500 | 3000 Feet |
| 0 | 270 | 450 | 900 Meters |

# PROJECT SETTING

The Owl Creek Parcel is located in parts of Sections 18 and 19 in Township 43S, Range 26E immediately south of County Road 78 in north central Lee County (Figure 1). The ±141.6 hectare (±350 acre) project area is bordered by State Road 78 to the north, and on the other sides by cleared fields, undeveloped woodland, the Caloosahatchee River and Trout and Owl Creeks. The relevant USGS maps are Olga and Fort Myers, Fla.

The subject parcel encompasses portions of both the Trout and Owl Creeks. It includes improved areas such as citrus groves and cattle range as well as natural areas of palmetto and slash pine flat woods, oak/cabbage palm hammocks, and several creeks that drain southward into the Caloosahatchee River. Prior land alterations include clearing, grading and ditching. Many portions of the parcel have been previously farmed with winter vegetables and are currently citrus groves.

The project area is low-lying to moderately elevated (5-10 feet, NGVD) vegetated in slash pine/saw palmetto flatwoods with grassy marshes. Slash pine flatwoods communities are usually situated on high ground in much of western Lee County. Historically, floral communities that contain a dense, often head-high understory of saw palmetto, were subject to and maintained by periodic forest fires. Fires either began naturally through lightning strikes or were started by prehistoric Indians or by early settlers to aid hunting or cattle grazing. Among the plants typically found in the slash pine/saw palmetto flatland/prairie environments are: slash pine, saw palmetto, gallberry, shiny lyonia, rusty lyonia, staggerbush, dahoon holly, ground oak, wire grass, broom sedges, shiny blueberry, xyris, and a variety of annual and perennial herbs and wildflowers blooming seasonally.

The geology of the central Lee County area is characterized fine-grained wind and wave born sands overlying shelly marls. Most of the surfacial sands are characterized in the *Lee County Soil Survey* as "hydric, level, poorly drained" and are fine-grained wind and water-born deposits from the late Pleistocene/early Holocene. Among the soils present on the subject parcel are: Myakka fine sand, Pompano Fine Sand, Hallandale Fine Sand, Isles Fine Sand and Immokalee sands. A soil category designed as Peckish Mucky Fine Sand is a mangrove sand/peat formation present in tidally flooded mangrove swamps.

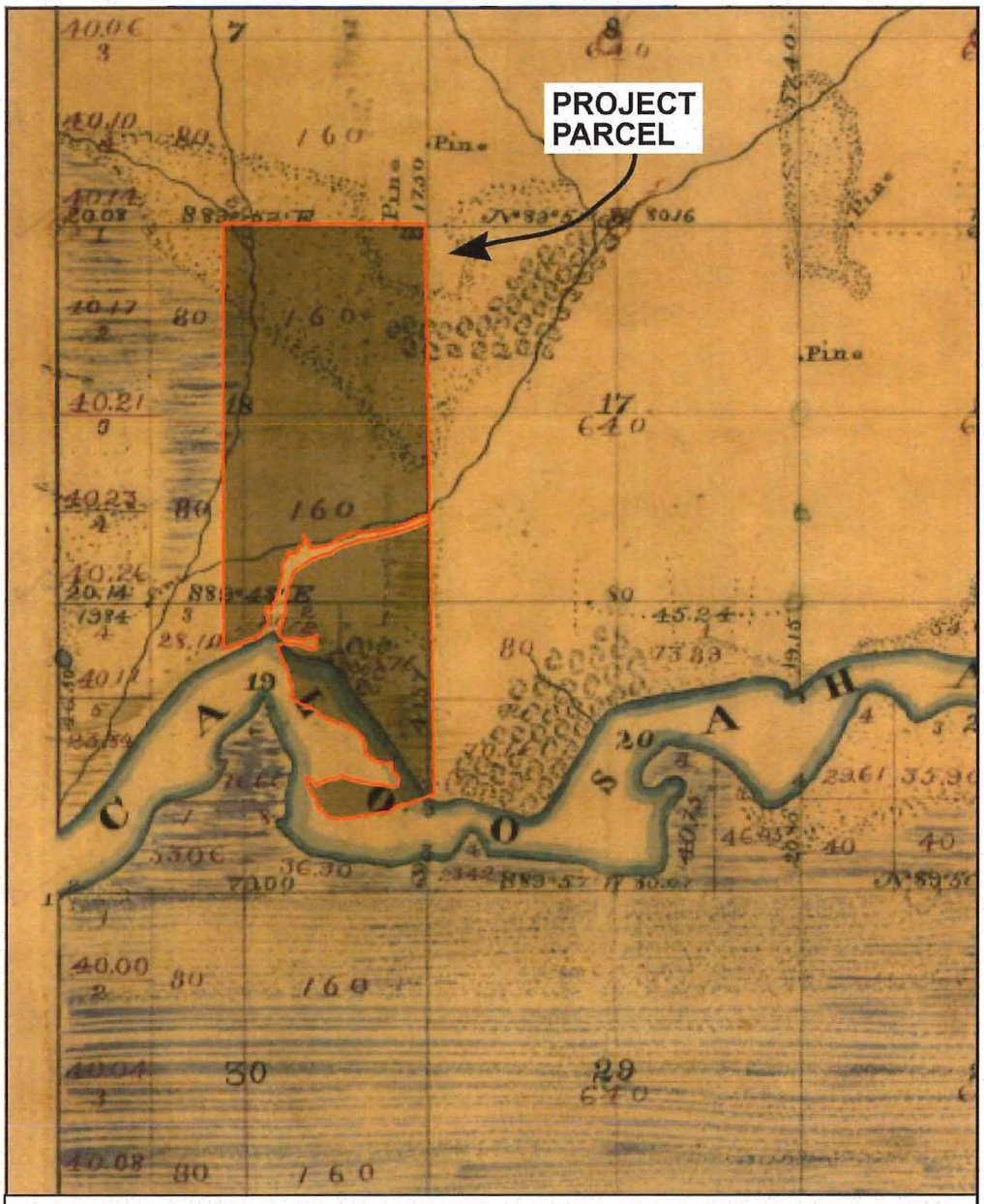



Figure 2. Portion of the 1873 plat map for Township 43S, Range 26E with the project parcel boundaries superimposed.

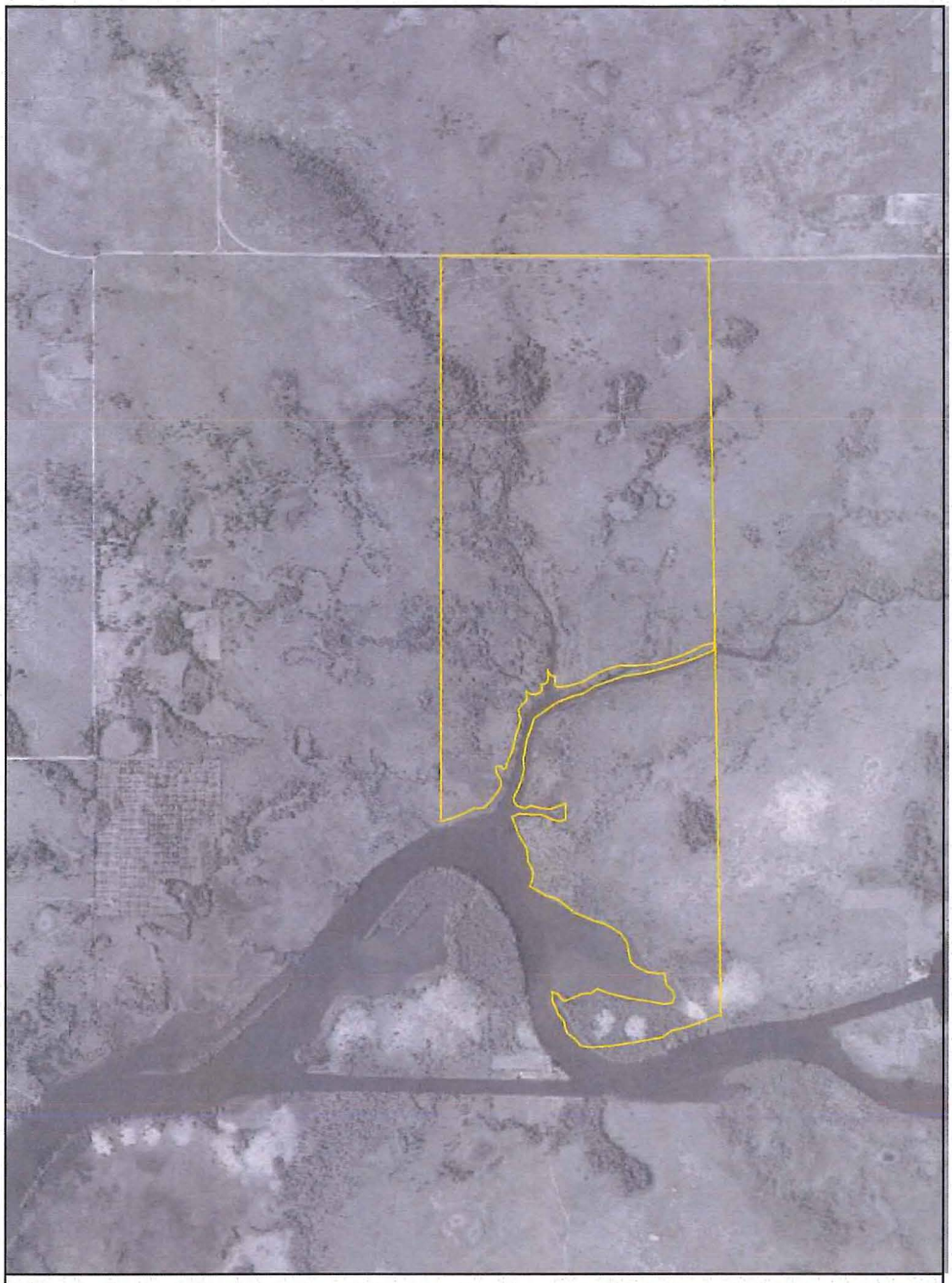


Figure 3. 1944 black and white aerial photograph of the project parcel.

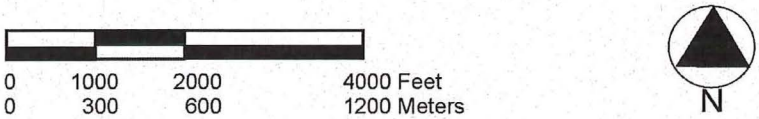


Figure 4. 1953 black and white aerial photograph of the project parcel.

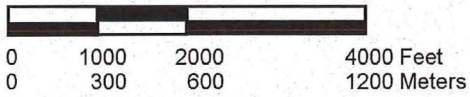
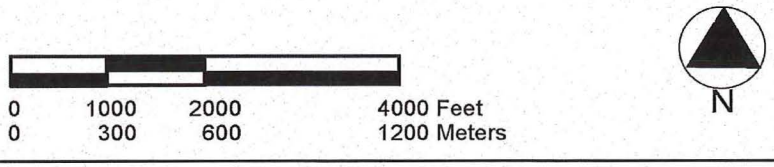


Figure 5. 2019 color aerial orthophotograph of the project parcel.



# METHODOLOGY

## ARCHIVAL REVIEW

Prior to conducting fieldwork, relevant archives and literature were reviewed. This included, but was not limited to, studying the previous archaeological reports for sites in Lee County, reviewing information from the Master Site File in Tallahassee concerning nearby sites, and examining USGS maps of the project area.

## RESEARCH DESIGN

This assessment was conducted primarily to assess the site integrity of three previously recorded NRHP eligible sites on the subject parcel, and to document any changes to the sites since their discovery in 2007. Additionally, the assessment included due diligence testing to determine if any previously unrecorded cultural resources occur within the Owl Creek parcel. This incorporated the use of certain predictive archaeological site models. These models postulate that elevated hammocks adjacent to wetlands (i.e. creeks an rivers) and elevated sand hill features are medium- to high-probability areas for being associated with prehistoric archaeological sites. These features can be identified by examining vintage aerial photographs taken prior to modern development.

## FIELDWORK

The three known archaeological sites were revisited and documented. No additional testing was conducted within the known resources. A pedestrian survey was conducted on the rest of the parcel with judgmental shovel tests dug in any higher probability areas. All test holes were 50cm in diameter and dug to a one meter depth. All sediments were screened through ¼"-mesh hardware cloth and all cultural materials were collected. Shovel test forms were completed and a handheld GPS unit was used to record the location of all test holes and surface finds. A single test was positive for prehistoric material and was delineated in cardinal directions at __m intervals.

## COLLECTIONS

Recovered cultural materials were bagged in self-sealing bags. Field notes and maps repose at the AHC offices.

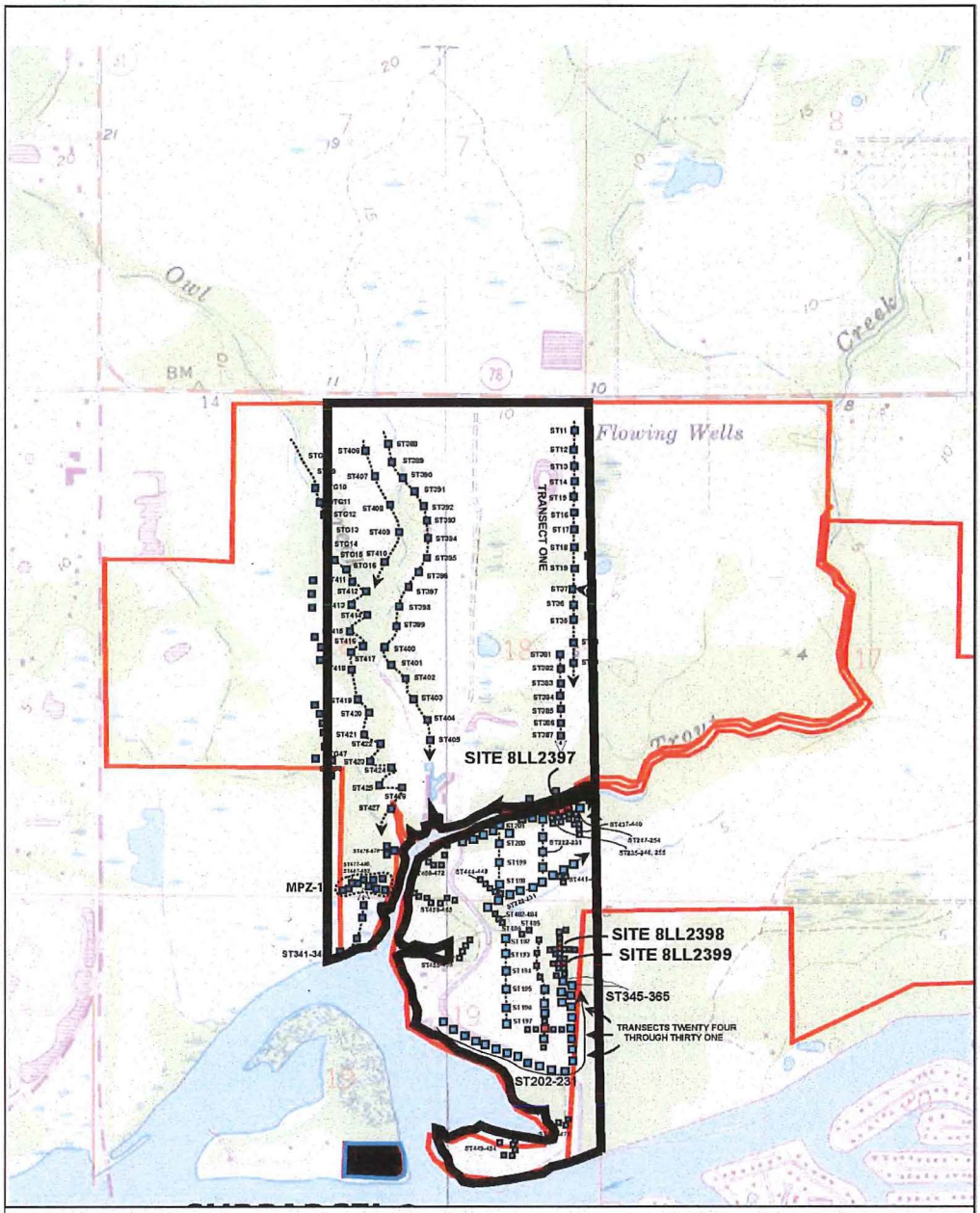



Figure 6. USGS map showing 2007 shovel testing within the Owl Creek Parcel (black outline), within the overall North River Assemblage Parcels (red outline)

= POSITIVE SHOVEL TEST

= NEGATIVE SHOVEL TEST

USGS MAPS: FORT MYERS, REV. 1991
OLGA, REV. 1987
TOWNSHIP 43S, RANGE 26E, SECTIONS 16, 17, 18, 19, 20

0 660 1320 2640 Feet approx.
0 400 800 800 Meters approx.

N

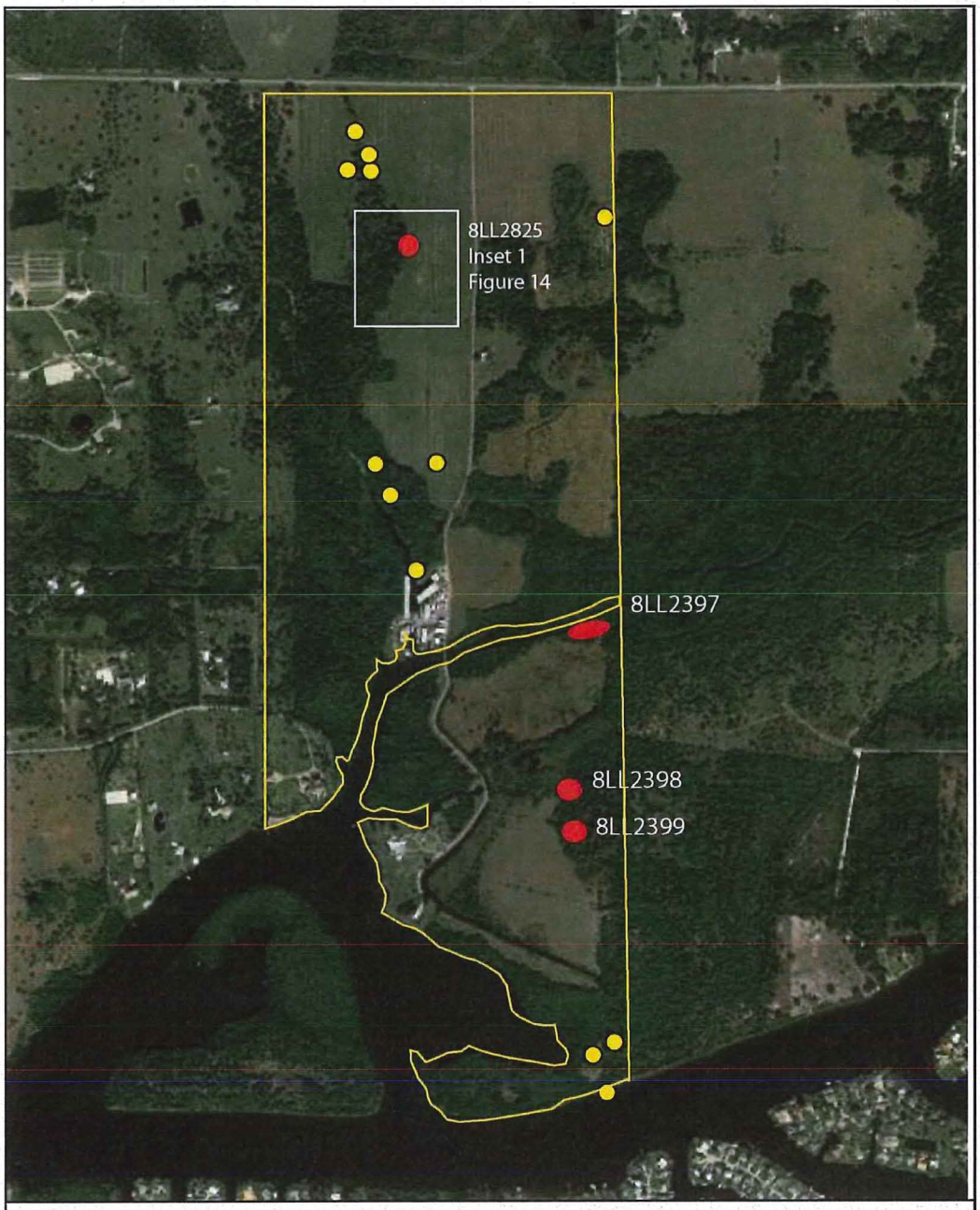



Figure 7. Aerial photograph showing archaeological site locations and 2020 shovel test locations.

= Archaeological Site

= Negative shovel test

0 305 609 1220 Meters

0 1000 2000 4000 Feet

N

## SUMMARY OF SITES

| | |
|---|---|
| **Site Name:** | Trout Creek Hunt Camp |
| **Site Number:** | 8LL2397 |
| **Location:** | T. 43S., R. 26E., Section 18 |
| **Environmental Setting:** | Cleared field / live oak grove near lower course of Trout Creek |
| **Site Type:** | Midden |
| **Site Function:** | Habitation, resource extraction |
| **Description:** | This small site occupies a slightly elevated but distinct linear ridge south of and paralleling Trout Creek. The flood plain near the lower course of Trout Creek is an extensive low-lying brackish marsh/swamp, and the site occupies the high ground interface on the south bank of the creek. The site area is located in a live oak grove with open understory. The site is characterized as a 20 to 30 cm thick lens of cultural material beginning at surface. Material recovered includes a sparse amount of ceramics, faunal bone (including deer antler and tooth), lithic debitage and abundant Carolina marsh clams. Site size is estimated at 100 feet on an east-west axis and 50 feet on a north-south axis. The site tends to center on a small elevated ridge. |
| **Chronology:** | Prehistoric: Late Archaic Period to Glades I-II |
| **Collections (2007):** | Faunal bone, sand tempered plain ceramics, marine shell |
| **Ownership:** | Private |
| **Preservation Quality 2007:** | Good to excellent. The site is near a cleared field, but there is little disturbance of the site's cultural strata. |
| **Preservation Quality 2020:** | Unchanged |
| **Significance:** | Based on available data the site appears to meet criteria for listing on the NRHP based on Criterion D. |

Figure 8. View of site 8LL2397 (2020).

Figure 9. Interior of site 8LL2397 (2020).

| | |
|---|---|
| **Site Name:** | Intrigue |
| **Site Number:** | 8CH2398 |
| **Location:** | T. 43S., R. 26E., Section 19 |
| **Environmental Setting:** | Tropical hardwood hammock within tall cypress head / slough feature |
| **Site Type:** | Midden |
| **Site Function:** | Habitation, resource extraction |
| **Description:** | The site occupies a slightly elevated linear ridge within the western area of a climax cypress head. The site is west of the central depressional pond of the cypress head. The site is characterized by a 30 cm thick deposit of shell refuse largely consisting of oyster that begins at the surface. Material recovered includes oyster shell and a sparse amount of ceramics and faunal bone. Site size is estimated at 18 meters on an east-west axis and 50 meters on a north-south axis. The site tends to center on the small elevated ridge. This is an unusual site both in terms of the marine shell content and its location in a cypress head feature. The site is heavily vegetated in camphorwood with some moderate-sized gumbo-limbos. |
| **Chronology:** | Prehistoric: Glades I-II |
| **Collections (2007):** | Faunal bone, marine shell |
| **Ownership:** | Private |
| **Preservation Quality 2007:** | Excellent. The site is undisturbed. |
| **Preservation Quality 2020:** | Unchanged |
| **Significance:** | Based on available data the site appears to meet criteria for listing on the NRHP based on Criterion D. |

Figure 10. View of site 8LL2398 (2020).

Figure 11. Interior of site 8LL2398 (2020).

| | |
|---|---|
| **Site Name:** | Majestic Gumbo-Limbo |
| **Site Number:** | 8LL2399 |
| **Location:** | T. 43S., R. 26E., Section 19 |
| **Environmental Setting:** | Tropical hardwood hammock within western area of tall cypress head |
| **Site Type:** | Constructed mound, possibly burial mound |
| **Site Function:** | Habitation, possible mortuary |
| **Description:** | The site is characterized by a moderately elevated knoll or mound well within the western area of a climax cypress head/slough. The site area is located west of the central depressional area of the cypress head and approximately 200 feet south of the Intrigue Site, 8LL2398. Site elevation is approximately 60-70cm above the surrounding low marshy cypress swamp. Site size is estimated at 15 meters (50 feet) on an east-west axis and 25 meters (80 feet) on a north-south axis. The site likely centers on the elevated knoll. It is possible the mound is constructed and may represent a burial area or house mound. One piece of oyster shell was recovered from a shovel test. This is an unusual site both in terms of the configuration and location in a cypress head feature. The site is heavily vegetated in camphorwood with one large gumbo-limbo at the south end of the site. |
| **Chronology:** | Prehistoric: unknown |
| **Collections:** | Marine shell |
| **Ownership:** | Private |
| **Preservation Quality 2007:** | Excellent |
| **Preservation Quality 2020:** | Unchanged |
| **Significance:** | Based on available data the site appears to meet criteria for listing on the NRHP based on Criterion D. |

Figure 12. View of site 8LL2399 (2020).

Figure 13. Interior of site 8LL2399 (2020).

| | |
|---|---|
| **Site Name:** | Owl Creek 1 |
| **Site Number:** | 8LL2825 |
| **Location:** | T. 43S., R. 26E., Section 18 |
| **Environmental Setting:** | Tropical hardwood hammock within western area of tall cypress head |
| **Site Type:** | Midden |
| **Site Function:** | Habitation, resource extraction |
| **Description:** | The site is characterized by a slightly elevated sandy knoll abutting the bend in a small tributary to Owl Creek. The site is small, measuring approximately 25m in diameter, and has been cleared for agriculture. Four shovel tests were poisitive for sand tempered plain ceramics and one angular chert flake. All cultural material was recovered from 0-50cmbs. |
| **Chronology:** | Prehistoric: Period unknown |
| **Collections:** | Sand tempered plain ceramics, chert flake |
| **Ownership:** | Private |
| **Preservation Quality:** | Poor |
| **Significance:** | Based on available data the site does not appear to meet eligibility criteria for listing on the NRHP due to disturbances and lack of significant cultural material or context. |

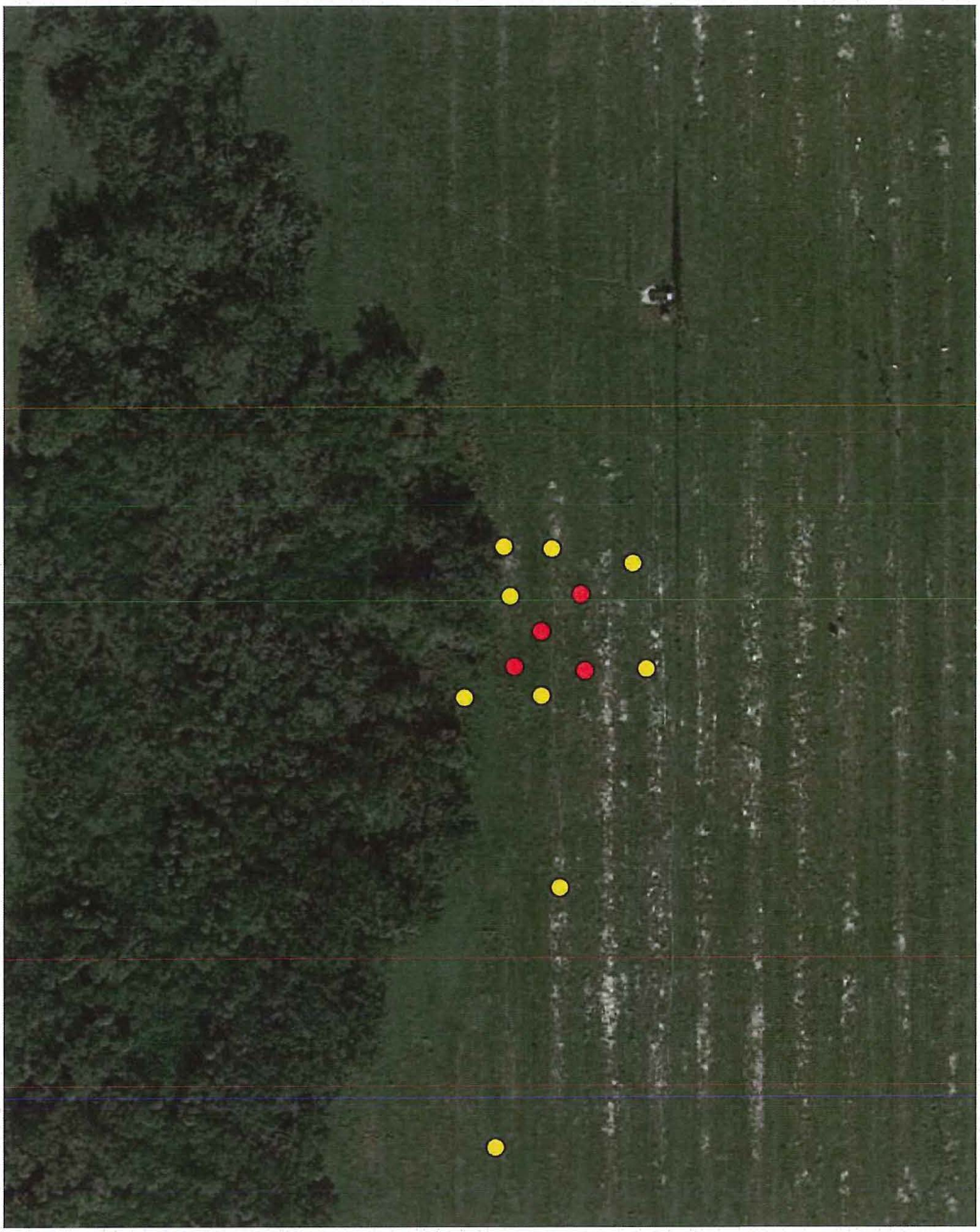


Figure 14. Aerial photograph showing 8LL2825 shovel test locations.

= Positive shovel test

= Negative shovel test

0 25 50 100 Meters
0 82 164 328 Feet

N

Figure 15. Site 8LL2825, looking north.

Figure 16. Sample of cultural material recovered from 8LL2825. Left - Sand tempered plain ceramic sherds; Right - lithic flake.

# RESULTS AND RECOMMENDATIONS

The three previously recorded archaeological sites were successfully relocated and subject to pedestrian survey and assessment of current conditions. It was determined that all of the previously recorded archaeological sites: 8LL2397, 8LL2398, and 8LL2399 have not changed in their preservation quality nor have they been altered by any development activities. The sites retain their integrity in good to excellent condition and remain eligible for listing in the NRHP and should be avoided by future development.

In addition to the review of the previously recorded sites, one newly recorded prehistoric site, 8LL2825 was discovered during the course of this assessment. Site 8LL2825 is located in a plowed agricultural field (figure 15), and has been intensely disturbed. Cultural materials were sparse, and included very small ceramic sherds and a lithic flake (Figure 16). Based on the level of disturbance and lack of significant cultural materials or context, the site is not regarded as eligible for listing on the National Register of Historic Places.

The developer proposes to preserve sites 8LL2397, 8LL2398, and 8LL2399. It is recommended that each of the sites be preserved within a minimum 25 foot buffer, and that a temporary silt fence be placed around each site. An archaeological monitor should confirm the location of the buffer/fencing and confirm that the sites are avoided during construction activities.

## REFERENCES CITED

Carr, Robert S., Beriault, John, G.,and J. F. Mankowski
2007 A Phase I Cultural Resource Assessment of the North River Assemblage Parcels, Lee County, Florida. *AHC Technical Report # 814*

Ent D (FMSF only) _____

# Survey Log Sheet

**Florida Master Site File**
**Version 4.1 1/07**

Survey # (FMSF only) _____

**Consult *Guide to the Survey Log Sheet* for detailed instructions.**

## Identification and Bibliographic Information

**Survey Project** (name and project phase) Owl Creek Parcel - Analysis of Potential Impacts 2020.94

**Report Title** (exactly as on title page) An Analysis of Potential Impacts to Cultural Resources on the Owl Creek Parcel, Lee County, Florida

**Report Authors** (as on title page, last names first) 1. Carr, Robert S. 2. White, John wesley 3. _____ 4. _____

**Publication Date** (year) 2020 **Total Number of Pages in Report** (count text, figures, tables, not site forms) 22

**Publication Information** (Give series, number in series, publisher and city. For article or chapter, cite page numbers. Use the style of *American Antiquity*.)
AHC Technical Report #1294

**Supervisors of Fieldwork** (even if same as author) Names Robert S. Carr

**Affiliation of Fieldworkers:** Organization Archaeological and Historical Conservancy, Inc. City Davie, Florida

**Key Words/Phrases** (Don't use county name, or common words like *archaeology, structure, survey, architecture, etc.*)
1. Owl Creek 2. _____ 3. _____ 4. _____ 5. _____ 6. _____ 7. _____ 8. _____

**Survey Sponsors** (corporation, government unit, organization or person directly funding fieldwork)
Name _____ Organization _____
Address/Phone/E-mail _____

**Recorder of Log Sheet** Ryan Franklin **Date Log Sheet Completed** 8-20-2020

**Is this survey or project a continuation of a previous project?** ☒ No ☐ Yes: Previous survey #s (FMSF only) _____

## Mapping

**Counties** (List each one in which field survey was done; attach additional sheet if necessary)
1. Lee 2. _____ 3. _____ 4. _____ 5. _____ 6. _____

**USGS 1:24,000 Map Names/Year of Latest Revision** (attach additional sheet if necessary)
1. Name FORT MYERS Year 1991
2. Name _____ Year _____
3. Name _____ Year _____
4. Name _____ Year _____
5. Name _____ Year _____
6. Name _____ Year _____

## Description of Survey Area

**Dates for Fieldwork:** Start 7-29-2020 End 7-31-2020 **Total Area Surveyed** (fill in one) _____ hectares 350 acres

**Number of Distinct Tracts or Areas Surveyed** 1

**If Corridor** (fill in one for each) **Width:** _____ meters _____ feet **Length:** _____ kilometers _____ miles

# Survey Log Sheet

Survey #_____

## Research and Field Methods

**Types of Survey** (check all that apply): ☒archaeological ☐architectural ☐historical/archival ☐underwater ☐damage assessment ☐monitoring report ☐other(describe): _____

**Scope/Intensity/Procedures** A total of 25 judgmental shovel tests were dug within higher probability areas and as delineations of a positive test.

**Preliminary Methods** (check as many as apply to the project as a whole)

☒Florida Archives (Gray Building)
☐Florida Photo Archives (Gray Building)
☒Site File property search
☒Site File survey search
☐library research- *local public*
☐library-special collection - *nonlocal*
☒Public Lands Survey (maps at DEP)
☐local informant(s)
☐local property or tax records
☐newspaper files
☒literature search
☐Sanborn Insurance maps
☐other historic maps
☒soils maps or data
☐windshield survey
☒aerial photography
☐other (describe): _____

**Archaeological Methods** (check as many as apply to the project as a whole)

☐Check here if **NO** archaeological methods were used.

☐surface collection, controlled
☐surface collection, **un**controlled
☒shovel test-1/4"screen
☐shovel test-1/8" screen
☐shovel test 1/16"screen
☐shovel test-unscreened
☐shovel test-other screen size
☐water screen
☐posthole tests
☐auger tests
☐coring
☐test excavation (at least 1x2 m)
☐block excavation (at least 2x2 m)
☐soil resistivity
☐magnetometer
☐side scan sonar
☐pedestrian survey
☐unknown
☐other (describe): _____

**Historical/Architectural Methods** (check as many as apply to the project as a whole)

☒Check here if **NO** historical/architectural methods were used.

☐building permits
☐commercial permits
☐interior documentation
☐demolition permits
☐exposed ground inspected
☐local property records
☐neighbor interview
☐occupant interview
☐occupation permits
☐subdivision maps
☐tax records
☐unknown
☐other (describe): _____

## Survey Results (cultural resources recorded)

**Site Significance Evaluated?** ☒Yes ☐No

**Count of Previously Recorded Sites** 3 **Count of Newly Recorded Sites** 1

**Previously Recorded Site #'s with Site File Update Forms** (List site #'s without "8". Attach additional pages if necessary.) LL2397, LL2398, LL2399

**Newly Recorded Site #'s** (Are all originals and not updates? List site #'s without "8". Attach additional pages if necessary.) LL2825

**Site Forms Used:** ☒Site File Paper Form ☐Site File Electronic Recording Form

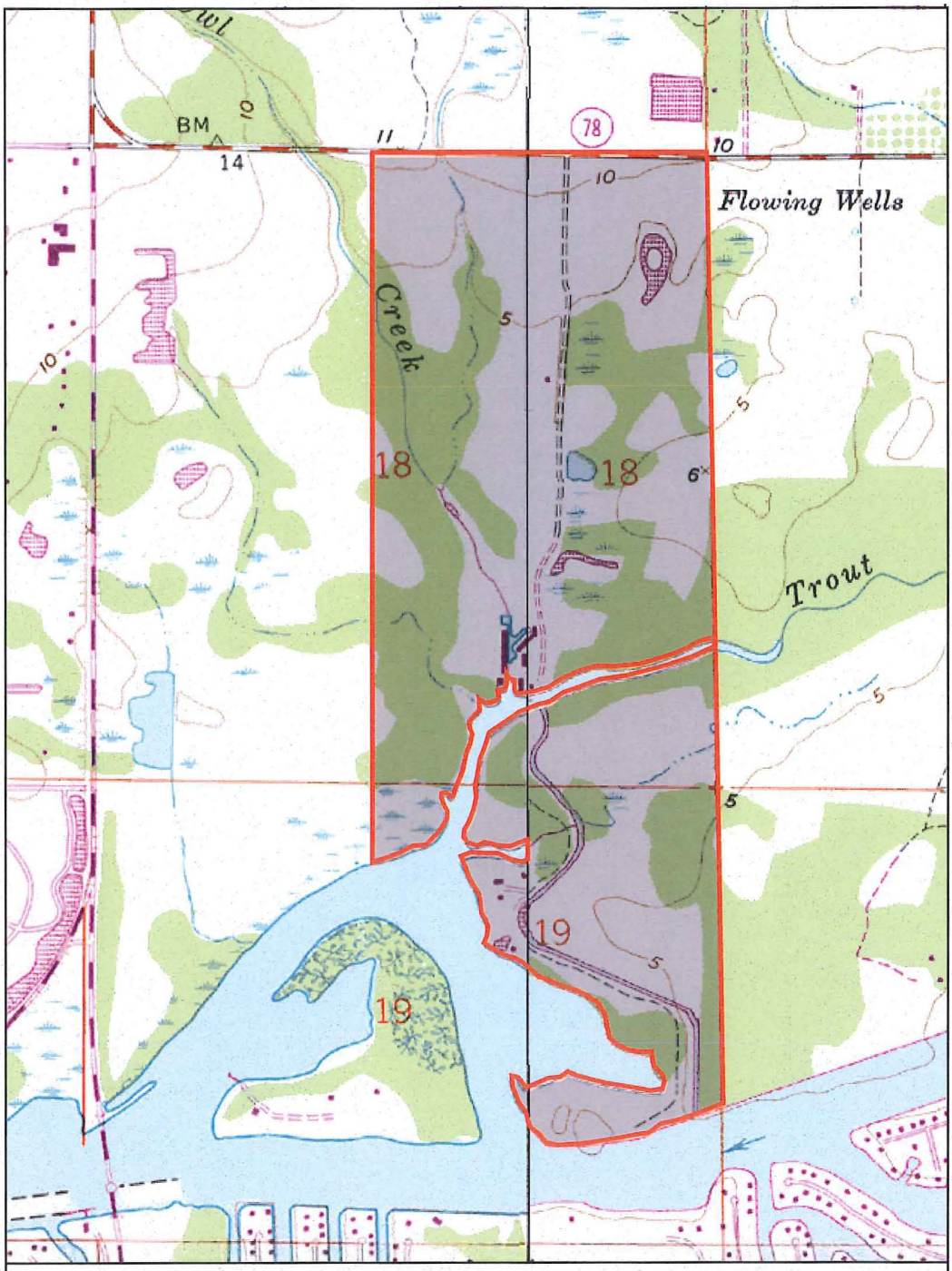
*****REQUIRED: ATTACH PLOT OF SURVEY AREA ON PHOTOCOPY OF USGS 1:24,000 MAP(S)*****

**SHPO USE ONLY** **SHPO USE ONLY** **SHPO USE ONLY**

**Origin of Report:** ☐872 ☐CARL ☐UW ☐1A32 # _____ ☐Academic ☐Contract ☐Avocational
☐Grant Project # _____ ☐Compliance Review: CRAT # _____

**Type of Document:** ☐Archaeological Survey ☐Historical/Architectural Survey ☐Marine Survey ☐Cell Tower CRAS ☐Monitoring Report
☐Overview ☐Excavation Report ☐Multi-Site Excavation Report ☐Structure Detailed Report ☐Library, Hist. or Archival Doc
☐MPS ☐MRA ☐TG ☐Other: _____

**Document Destination:** _____ **Plotability:** _____




USGS Map of the Owl Creek parcel.

N

TOWNSHIP 43S, RANGE 26E, SECTION 18. 19

USGS Map: FORT MYERS, REV. 1991

| | | | |
|---|---|---|---|
| 0 | 750 | 1500 | 3000 Feet |
| 0 | 270 | 450 | 900 Meters |

☒Original
☐Update

# ARCHAEOLOGICAL SITE FORM
## FLORIDA MASTER SITE FILE
Version 5.0 3/19

Consult *Guide to Archaeological Site Form* for detailed instructions

Site #8 LL02825
Field Date 7-29-2020
Form Date 9-7-2020
Recorder # _____

Site Name(s) Owl Creek - 1 Multiple Listing (DHR only) _____
Project Name Owl Creek Analysis of Potential Impacts Survey # (DHR only) _____
Ownership: ☒private-profit ☐private-nonprofit ☐private-individual ☐private-nonspecific ☐city ☐county ☐state ☐federal ☐Native American ☐foreign ☐unknown

## LOCATION & MAPPING

USGS 7.5 Map Name FORT MYERS USGS Date 1991 Plat or Other Map _____
City/Town (within 3 miles) N/A In City Limits? ☐yes ☐no ☐unknown County _____
Township 43S Range 26E Section 18 ¼ section: ☐NW ☐SW ☐SE ☐NE Irregular-name: _____
Township _____ Range _____ Section _____ ¼ section: ☐NW ☐SW ☐SE ☐NE
Landgrant _____ Tax Parcel # _____
UTM Coordinates: Zone ☐16 ☐17 Easting ☐☐☐☐☐☐ Northing ☐☐☐☐☐☐☐
Other Coordinates: X: 81°45'1.07" Y: 26°44'12.26" Coordinate System & Datum _____
Address / Vicinity / Route to:

345m south and 145m west on Owl Creek Drive, south of N River Road.

Name of Public Tract (e.g., park) _____

## TYPE OF SITE (select all that apply)

**SETTING**
- ☒Land (*terrestrial*)
- ☐Lake/Pond (*lacustrine*)
- ☐River/Stream/Creek (*riverine*)
- ☐Tidal (*estuarine*)
- ☐Saltwater (*marine*)
- ☐Wetland (*palustrine*)
  - ☐usually flooded
  - ☐usually dry
- ☐Cave/Sink (*subterranean*)
  - ☐terrestrial
  - ☐aquatic

**STRUCTURES OR FEATURES**
- ☐log boat
- ☐agric/farm building
- ☐burial mound
- ☐building remains
- ☐cemetery/grave
- ☐dump/refuse
- ☐earthworks (historic)
- ☐fort
- ☒midden
- ☐mill
- ☐mission
- ☐mound, nonspecific
- ☐plantation
- ☐platform mound
- ☐road segment
- ☐shell midden
- ☐shell mound
- ☐shipwreck
- ☐subsurface features
- ☐surface scatter
- ☐well

**FUNCTION**
- ☐campsite
- ☐extractive site
- ☒habitation (prehistoric)
- ☐homestead (historic)
- ☐farmstead
- ☐village (prehistoric)
- ☐town (historic)
- ☐quarry (prehistoric)

Other Features or Functions (Choose from the list or type a response.)
1. _____ 2. _____

## CULTURE PERIODS (select all that apply)

**ABORIGINAL**
- ☐Alachua
- ☐Archaic (nonspecific)
- ☐Archaic, Early
- ☐Archaic, Middle
- ☐Archaic, Late
- ☐Belle Glade
- ☐Cades Pond
- ☐Caloosahatchee
- ☐Deptford
- ☐Englewood
- ☐Fort Walton
- ☐Glades (nonspecific)
- ☐Glades I
- ☐Glades II
- ☐Glades III
- ☐Hickory Pond
- ☐Leon-Jefferson
- ☐Malabar I
- ☐Malabar II
- ☐Manasota
- ☐Mississippian
- ☐Mount Taylor
- ☐Norwood
- ☐Orange
- ☐Paleoindian
- ☐Pensacola
- ☐Perico Island
- ☐Safety Harbor
- ☐St. Augustine
- ☐St. Johns (nonspecific)
- ☐St. Johns I
- ☐St. Johns II
- ☐Santa Rosa
- ☐Santa Rosa-Swift Creek
- ☐Seminole (nonspecific)
- ☐Seminole: Colonization
- ☐Seminole: 1st War To 2nd
- ☐Seminole: 2nd War To 3rd
- ☐Seminole: 3rd War & After
- ☐Swift Creek (nonspecific)
- ☐Swift Creek, Early
- ☐Swift Creek, Late
- ☐Transitional
- ☐Weeden Island (nonspecific)
- ☐Weeden Island I
- ☐Weeden Island II
- ☒Prehistoric (nonspecific)
- ☐Prehistoric non-ceramic
- ☐Prehistoric ceramic

**NON-ABORIGINAL**
- ☐First Spanish 1513-99
- ☐First Spanish 1600-99
- ☐First Spanish 1700-1763
- ☐First Spanish (nonspecific)
- ☐British 1763-1783
- ☐Second Spanish 1783-1821
- ☐American Territorial 1821-45
- ☐American Civil War 1861-65
- ☐American 19th Century
- ☐American 20th Century
- ☐American (nonspecific)
- ☐African-American

Other Cultures (Choose from the list or type a response. For historic sites, give specific dates.)
1. _____ 3. _____
2. _____ 4. _____

## OPINION OF RESOURCE SIGNIFICANCE

Potentially eligible individually for National Register of Historic Places? ☐yes ☒no ☐insufficient information
Potentially eligible as contributor to a National Register district? ☐yes ☒no ☐insufficient information
Explanation of Evaluation (required if evaluated; use separate sheet if needed)

The site is very disturbed by agriculture and lacks significant cultural materials or context.

Recommendations for Owner or SHPO Action

No additional actions.

| DHR USE ONLY | OFFICIAL EVALUATION | DHR USE ONLY |
|---|---|---|
| NR List Date _____ ☐Owner Objection | SHPO – Appears to meet criteria for NR listing: ☐yes ☐no ☐insufficient info Date _____ Init. _____<br>KEEPER – Determined eligible: ☐yes ☐no Date _____<br>NR Criteria for Evaluation: ☐a ☐b ☐c ☐d (see *National Register Bulletin 15*, p. 2) | |



Florida Master Site File / Div. of Historical Resources / R. A. Gray Bldg / 500 S Bronough St., Tallahassee, FL 32399-0250
Phone 850.245.6440 / Fax 850.245.6439 / E-mail SiteFile@dos.myflorida.com

# ARCHAEOLOGICAL SITE FORM

Site #8 LL02825

## FIELD METHODS (select all that apply)

**SITE DETECTION**

- ☐ no field check
- ☐ literature search
- ☐ informant report
- ☐ remote sensing
- ☐ exposed ground
- ☐ posthole tests
- ☐ auger tests
- ☐ unscreened shovel
- ☐ screened shovel
- ☒ screened shovel-1/4"
- ☐ screened shovel-1/8"
- ☐ screened shovel-1/16"

**SITE BOUNDARY**

- ☐ bounds unknown
- ☐ none by recorder
- ☐ literature search
- ☐ informant report
- ☐ remote sensing
- ☐ exposed ground
- ☐ posthole tests
- ☐ auger tests
- ☐ unscreened shovel
- ☒ screened shovel
- ☐ block excavations
- ☐ estimate or guess

Other methods; number, size, depth, pattern of units; screen size (attach site plan)

Total of four (4) positive shovel tests.

## SITE DESCRIPTION

Extent/Size ($m^2$) 490 Depth/stratigraphy of cultural deposit (describe below)

Average assemblage depth is 0 to ~50cm below surface

Temporal Interpretation - Components (check one): ☐ single component ☐ multiple component ☒ uncertain

Describe each occupation in plan (refer to attached large scale map) and stratigraphically. Discuss temporal and functional interpretations:

Integrity - Overall disturbance: ☐ none seen ☐ minor ☐ substantial ☒ major ☐ redeposited ☐ destroyed-**document!** ☐ unknown

Disturbances / threats / protective measures

Cleared for agriculture. some site soils are preserved but cultural materials are fragmented and poorly preserved.

Surface collection: area collected _____ $m^2$ # collection units _____ | Excavation: # noncontiguous blocks _____

## ARTIFACTS

Total Artifacts # 7 ⊙ count ○ estimate | Surface # _____ | Subsurface # _____

**COLLECTION SELECTIVITY**

- ☐ unknown
- ☒ unselective (all artifacts)
- ☐ selective (some artifacts)
- ☐ mixed selectivity

**SPATIAL CONTROL**

- ☐ uncollected
- ☐ unknown
- ☐ general (not by subarea)
- ☒ controlled (by subarea)
- ☐ variable spatial control
- ☐ other (describe in comments below)

**ARTIFACT CATEGORIES and DISPOSITIONS**

- A - Lithics
- A - Aboriginal ceramics
- ___ - _____
- ___ - _____
- ___ - _____
- ___ - _____
- ___ - _____
- ___ - _____

**select a disposition from the list below for each artifact category selected at left**

- A - category always collected
- S - some items in category collected
- O - observed first hand, but not collected
- R - collected and subsequently left at site
- I - informant reported category present
- U - unknown

Artifact Comments

artifacts were sparse and highly fragmented and contained small Sant Tempered Plain crumb flakes and a single chert flake.

**DIAGNOSTICS** (type or mode, and frequency: e.g., *Suwanee ppk, heat-treated chert, Deptford Check-stamped, ironstone/whiteware*)

1. _____ N=____ 4. _____ N=____ 7. _____ N=____
2. _____ N=____ 5. _____ N=____ 8. _____ N=____
3. _____ N=____ 6. _____ N=____ 9. _____ N=____

## ENVIRONMENT

Nearest fresh water: Type Small Stream Name Owl Creek Distance from site (m) 60

Natural community MESIC FLATWOODS Topography Stream shore Elevation: Min ____m Max 2 m

Local vegetation _____

Present land use Cattle grazing

SCS soil series _____ Soil association _____

## DOCUMENTATION

Accessible Documentation Not Filed with the Site File - including field notes, analysis notes, photos, plans and other important documents

1) Document type _____ Maintaining organization _____
Document description _____ File or accession #'s _____

2) Document type _____ Maintaining organization _____
Document description _____ File or accession #'s _____

## RECORDER & INFORMANT INFORMATION

Informant Information: Name _____

Address / Phone / E-mail _____

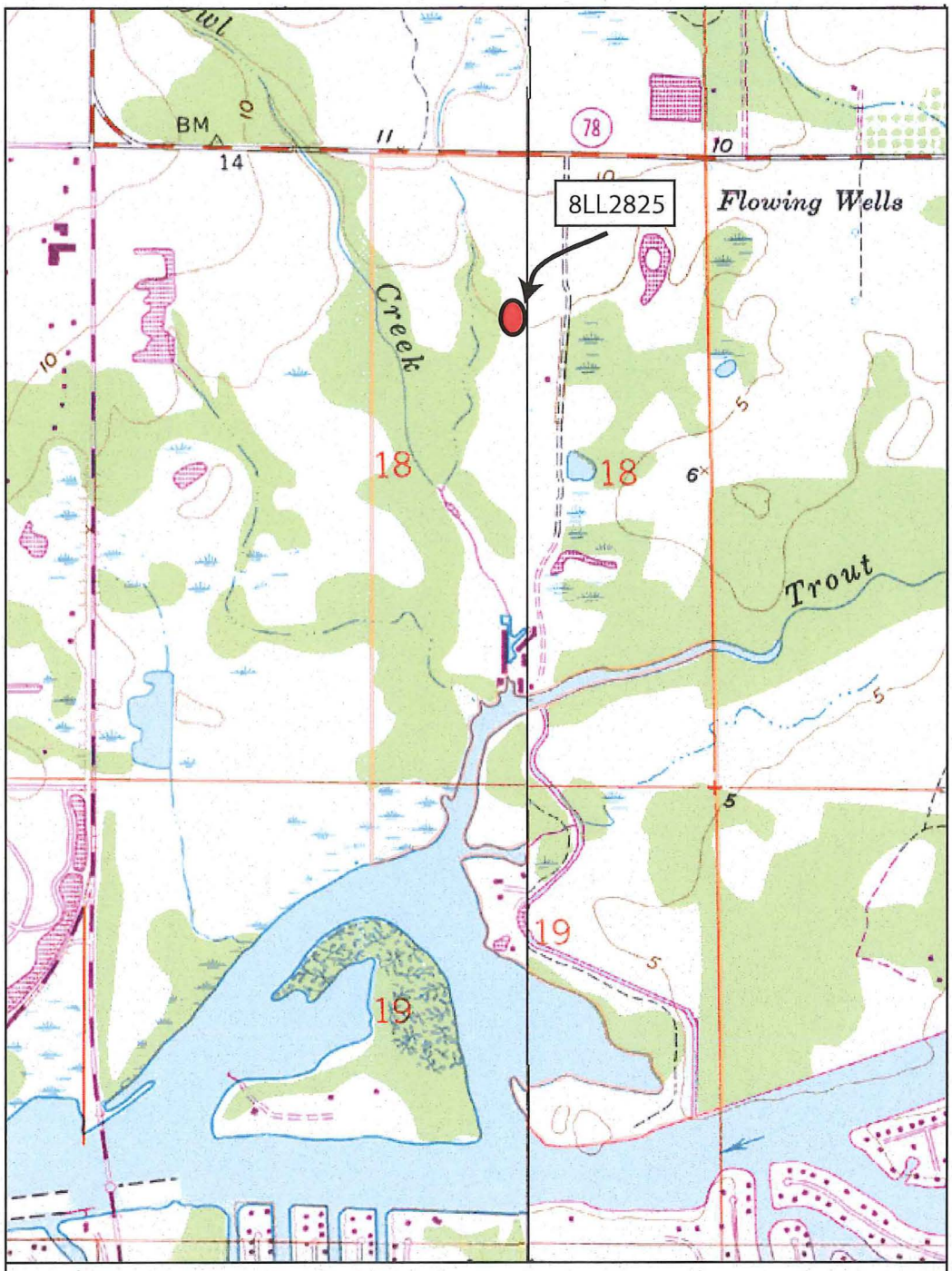
Recorder Information: Name Alan Noe, Wes White Affiliation Archaeological & Historical Conservancy, Inc.

Address / Phone / E-mail 4800 SW 64th Ave Suite 107, Davie, Fl 33314 / (954) 792-9776 / archgcl@bellsouth.net

**Required Attachments**

❶ **PHOTOCOPY OF 7.5' USGS QUAD MAP WITH SITE BOUNDARIES MARKED *and* SITE PLAN**

Plan at 1:3,600 or larger. Show boundaries, scale, north arrow, test/collection units, landmarks and date.




USGS Map showing the location of 8LL2825.

N

TOWNSHIP 43S, RANGE 26E, SECTION 18. 19

USGS Map: FORT MYERS, REV. 1991

| | | | |
|---|---|---|---|
| 0 | 750 | 1500 | 3000 Feet |
| 0 | 270 | 450 | 900 Meters |

# Public Facilities Impact Narrative

## (Exhibit M14 & M16)

RECEIVED
SEP 2 1 2020
COMMUNITY DEVELOPMENT

BANKS ENGINEERING
Professional Engineers, Planners & Land Surveyors

RECEIVED
SEP 21 2020
COMMUNITY DEVELOPMENT

# OWL CREEK
# Comprehensive Plan Amendment
## Public Facilities Impacts Narrative
## EXHIBIT "M14 & 16"

This analysis utilizes the data provided in the 2019 Lee County Public Facilities Level of Service and Concurrency Report.

The Owl Creek property is located on the south side of N. River Road approximately ½ mile east of the intersection of SR 31 and N. River Road within the North Olga area of the Northeast Lee County Planning Community. The plan amendment for Owl Creek proposes to remove the property from the existing future land use map designation of Rural and Wetlands and adopt the Sub-Outlying Suburban future land use designation and associated text amendment for properties located within the North Olga Community Plan area within this designation. The resultant density for the subject property will be a maximum of 440 single-family dwelling units which is an increase of 219 dwelling units that could be developed under the existing classifications. A concurrent Planned Development application will be filed to allow for conditions of approval. The following analysis establishes that the additional proposal will not adversely impact public services.

**Sanitary Sewer**

The Owl Creek property's existing and proposed density does not meet those required for connection and the site is not located within a franchised service area. Placing the Owl Creek property on centralized sanitary sewer service is a benefit to the public given the location of the adjacent waterways. Given that the Owl Creek property is not currently in a sanitary sewer service area, if single-family residences were developed on the property, each unit would have to be on an individual septic system that would be subject to individual maintenance or lack of maintenance at the whim of the individual homeowner.

The project proposes that the project area be added to the Florida Governmental Utility Authority (FGUA) service area with privately funded expansion of sewer infrastructure to serve the project. A letter of availability dated September 3, 2020 is attached demonstrating that FGUA presently has sufficient treatment capacity to accommodate the proposed flows. The letter further indicated that FGUA has wastewater lines in operation in the vicinity of the site, however, developer funded system enhancements such as line extensions may be required. The closest sewer forcemain is 16" located approximately 2.75 miles away at Bayshore Rd. & Bay Point Blvd. A letter of no objection from Lee County Utilities will be required. During design, the FGUA Utilities Operations Manual requires the project engineer to perform hydraulic computations to determine what impact, if any, this project will have on their existing water and wastewater systems.

Although Lee County Utilities has indicated in the submitted letter of availability that it presently has sufficient capacity to provide sanitary sewer service which would be provided by the City of Fort Myers North Water Reclamation Facility, the nearest wastewater mains are located on the



10511 Six Mile Cypress Parkway • Suite 101 • Fort Myers, Florida 33966
Phone 239-939-5490 • www.bankseng.com • Fax 239-939-2523
Engineering License No. EB 6469 • Surveying License No. LB 6690

south side of the Caloosahatchee River along S.R. 80 (Palm Beach Blvd). Connection to the Lee County system would require constructing facilities on the existing SR 31 bridge which is not desired by LCU. Since FGUA's wastewater facilities are located in the same vicinity of the nearest Lee County Utilities water facilities, connection to FGUA is the most economically viable option. The 2019 Concurrency Report states that all systems are operating within capacity and meet the LOS standard for unincorporated Lee County.

The plant has a permitted treatment capacity of 4.25 million gallons per day (MGD). The Level of Service (LOS) Standard, per Lee Plan Policy 95.1.3, is 200 gallons per day per Equivalent Residential Connection (ERC) or for the purposes of this analysis, per each residential dwelling unit that is connected to the system. The Owl Creek project proposes to connect a maximum of 440 residential dwelling units to the FGUA sewer system.

Existing Development Potential: 221 maximum residential
221 ERC x 200 GPD = 44,200 GPD

Proposed Development Potential: 219 additional (440 maximum residential):
219 ERC x 200 GPD = 43,800 GPD

Total: 88,000 GPD

According to the 2019 Lee County Concurrency Report, major regional central systems providing service in unincorporated Lee County includes BSU, FGUA, City of Fort Myers (FM), GIWA, and LCU and all systems are operating within capacity and meet the LOS standard for unincorporated Lee County.

The Del Prado Wastewater Treatment Plant had an actual average daily flow of 5,205,000 GPD in 2019. FGUA has programmed plant expansions and expansion of the disposal of treated effluent, including providing effluent to the City of Cape Coral for irrigation uses. These plant expansions will allow FGUA to continue to expand the sewer service they provide to North Fort Myers, including to the Owl Creek project.

**Potable Water**

The Owl Creek property's existing and proposed density does not meet those required for connection and the site is not located within a franchised service area. Placing the Owl Creek project on centralized potable water service is a public benefit given it would eliminate individual wells with their associated impacts. An amendment to Lee Plan Map 6 is proposed to place the property within the Lee County Utilities Future Water Service Area to allow for privately funded expansion of water infrastructure to serve the project. A letter of availability from Lee County Utilities is attached demonstrating sufficient capacity exists and that the site will be serviced by North Lee County Water Treatment Plant. The LOS standard for Potable Water is 250 gallons (per Policy 95.1.3) per residential connection or unit.

Existing Development Potential: 221 maximum residential
221 ERC x 250 GPD = 55,250 GPD

Proposed Development Potential: 219 additional (440 maximum residential):
219 ERC x 250 GPD = 54,750 GPD

Total: 110,000 GPD

According to the 2019 Concurrency report, Lee County Utilities has a capacity of 50.9 MGD and planned capacity of 55.3 MGD. In 2016, 158,611 ERCs were served by LCU. The number of ERCs projected for 2023 are 177,652 units with 223,893 units projected for 2040. Lee County

Utilities has excess capacity to accommodate the currently approved maximum dwelling units and the additional proposed 440 dwelling units. The additional units are well within the projected growth of 177,652 ERCs to be served by 2023 and 223,893 ERCs to be served by 2040. Therefore, Lee County Utilities has adequate capacity to service the proposed development.

**Surface Water/Drainage Basins**

Lee Plan Map 18 identifies the subject property as being within the Trout Creek and Owl Creek Watershed areas. These creeks traverse the property and are tidally influenced in the area of the project. These creeks connect to the Caloosahatchee River just south of the project area. LOS standards for surface water management are contained in Lee Plan Policy 95.1.3 which provides a system requirement to prevent the flooding of designated evacuation routes on Lee Plan Map 15 from the 25-year, 3-day storm event (rainfall) for more than 24 hours. Runoff from the developed site will continue to discharge to tidal creeks and rivers and will not cross any public road or evacuation route. The developed site will contain increased site storage and decreased discharge compared to the current site conditions. The 2019 Concurrency Report confirms that none of the evacuation routes in the studied watersheds are anticipated to be flooded for more than 24 hours, and that new developments that receive approval from the South Florida Water Management District will be deemed concurrent with the Lee Plan's surface water management LOS. The Owl Creek project will receive approval for an Environmental Resource Permit from the South Florida Water Management District and, as such, will be concurrent with the surface water management Level of Service standards of the Lee Plan.

**Parks, Recreation, and Open Space**

The Lee Plan measures the minimum acceptable Level of Service for Parks, Recreation, and Open Space by two standards, Regional Parks and Community Parks. Policy 95.1.3 provides the minimum acceptable levels of service. For Regional Parks, it is 6 acres of developed regional park land open for public use per 1,000 total seasonal county population. For Community Parks, it is .8 acres of developed standard community parks open for public use per 1,000 permanent population, unincorporated Lee County. The non-regulatory Desired Future Level of Service for Community Parks is two (2) acres per 1,000 permanent population.

Regional Parks

The 2019 Lee County Concurrency report states there are 3,029 acres of existing Regional Parks by Lee County, representing roughly 43% of the existing regional park acreage when considering all jurisdictions. The inventory of existing regional parks operated by local, state and federal governments totals 7,051 acres which is sufficient to meet the required standard of 6 acres per 1,000 total seasonal county population:

842,000 [seasonal county population] (6 acres/1,000) = 5,052 acres

The report further states that the existing inventory meets the regional park level of service standard in the county for the year 2018 and will continue to do so at least through the next five years of the CIP.

The requested 440 dwelling units (increase of 219 units) will not negatively impact the regional parks level of service. The non-regulatory level of service standard is 5,052 acres of Regional Parks is far exceeded with the existing 7,051 acres. There is adequate acreage within the existing Regional Parks to meet the needs of the additional 440 dwelling units.

Community Parks

The non-regulatory Level of Service Standard for Community Parks is currently eight-tenths (0.8) acres of developed standard Community Parks open for public use per 1,000 permanent population in the unincorporated area of each district. The 2019 Concurrency Report states that there are 743 acres of existing Community Parks within

unincorporated Lee County. The capacity needed to meet the Lee Plan non-regulatory level of service standard is equal to:

355,737 [permanent county population/unincorporated areas only] (0.8 acres/1,000) = 285 acres

The report further states that the existing inventory exceeds the community park level of service standard in the county for the year 2018 and will continue to do so at least through the next five years of the CIP.

The requested 440 dwelling units (increase of 219 units) will not negatively impact the community parks level of service. The non-regulatory level of service standard of 285 acres of Community Parks is far exceeded with the existing 743 acres. There is adequate acreage within the existing Community Parks to meet the needs of the additional 440 dwelling units.

**Public Schools**

The Owl Creek project is located within the East Zone, E2. Lee Plan Policy 67.1.1 and Policy 95.1.3(6) provide that the level of service standards for Elementary School, Middle School, High School and Special Purpose Facilities is 100% of Permanent FISH Capacity as adjusted by the School Board annually to account for measurable programmatic changes.

The 2019 Concurrency Report shows the following for the east zone: elementary schools: 448 total available capacity, middle schools: 439 deficit in available capacity, high schools: 524 deficit in available capacity on January 23, 2019 and projected capacity for 2019-2020 shows the same capacity for elementary schools, a deficit of 219 for middle schools and a deficit of 28 for high schools. Interim deficits are met by adding 220 portable middle school seats and an addition at Lehigh High which added 496 high school seats. LOS standards will be met by the construction of a new middle school to open in 2021-2022 which will add 1,210 seats and new high school to open portables in 2020-2021 with 380 freshman seats followed by opening in 2021-2022 creating 1,520 additional seats. This will result in all zones meeting the adopted LOS standard.

The School District of Lee County uses a generation rate of .297 students per each single-family dwelling unit. This rate is further broken down by school type, with a rate of .149 for elementary, .071 for middle school, and .077 for high school. Utilizing these rates results in a demand of 131 school-aged children, 66 elementary students, 31 middle school students, and 34 high school students for the Owl Creek project. The attached letter from The School District of Lee County demonstrates that although capacity is an issue within the Concurrency Service Area (CSA) at the high school level, capacity is available in the adjacent CSA. The concurrency system allows contiguous districts to provide capacity when capacity in the project's District is not available.

**Solid Waste**

Solid waste services for the property will be accomplished at the Lee County Resource Recovery Facility and the Lee-Hendry Regional Landfill.

LOS Standard: 7 pounds per day per capita
Current Available Capacity: 8.3 pounds per day per capita

<u>Existing Development Potential: 221 maximum residential</u>
221 dwelling units x 2.35 persons per unit = 519 persons
519 persons x 7 lbs/day = 3,633 lbs

Proposed Development Potential: 219 additional (440 maximum residential):
219 dwelling units x 2.35 persons per unit = 515 persons
515 persons x 7 lbs/day = 3,605 lbs

Total: 7,238 lbs

The 2019 Concurrency Report provides that all unincorporated areas of Lee County are concurrent with the Level of Service standard set forth in the Lee Plan for solid waste The report further states, "*At the total available system capacity of 1,134,667 tons per year, the Lee County IWMS would be capable of providing a 7.0 lb/capita/day level of service to a full-time combined Lee and Hendry County population of 888,000.*" The proposed increase in density will result in the generation of an additional 3,605 pounds per day which can be accommodated by the capacity of the Lee County Resource Recovery Facility and the Lee-Hendry Regional Landfill.

**Conclusions**

As this analysis demonstrates, there are adequate public facilities to support the development of the Owl Creek property as proposed. The plan amendment for Owl Creek will not cause any public facility deficiencies.

# Traffic Circulation Analysis
## (Exhibit M15)

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TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

# TRAFFIC IMPACT STATEMENT

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FOR

# OWL CREEK COMPREHENSIVE PLAN AMENDMENT & REZONING

**(PROJECT NO. F2006.14)**

**PREPARED BY:**
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**July 29, 2020**

TRANSPORTATION CONSULTANTS, INC

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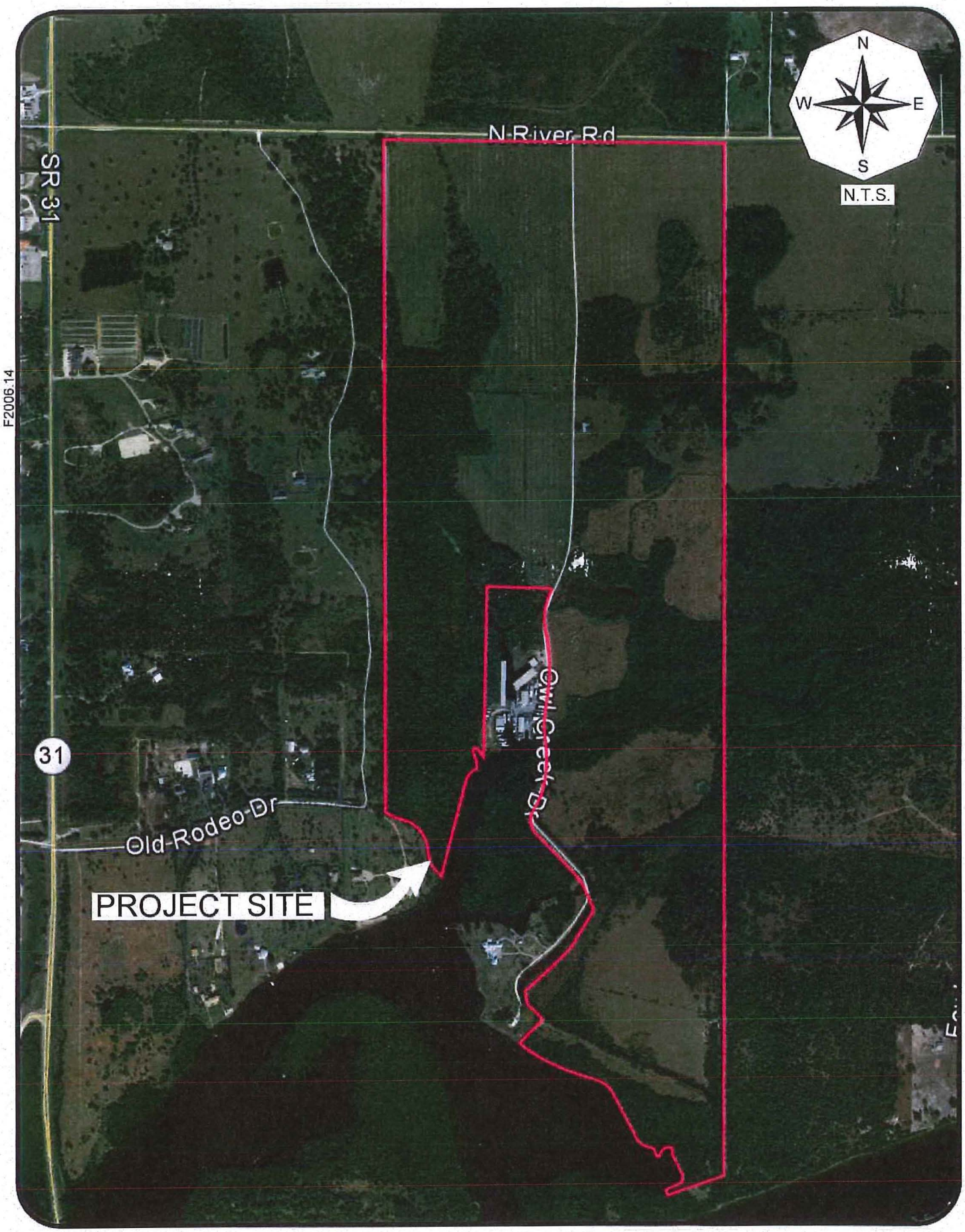
# I. INTRODUCTION

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 amendment to the Comprehensive Land Use Plan and re-zoning approval. The subject site is located along the south side of North River Road and approximately ½ mile to the east of SR 31 in Lee County, Florida. **Figure 1** illustrates the approximate location of the subject site.

The analysis in this report will determine the impacts of change in land use designation on the approximately 348.8 acre subject site from Rural and Wetlands to a Sub-Outlying Suburban land use category to permit the development of the subject site with up to 440 single-family residential dwelling units. The analysis will also determine the impacts of the proposed rezoning from Agricultural-2 (AG-2) to a Residential Planned Development (RPD) to allow the subject site to be developed with up to 440 single-family residential dwelling units. The transportation related impacts of the proposed Comprehensive Plan Amendment will be assessed based on evaluation of the long range impact (20-year horizon) and short range impact (5-year horizon) the proposed amendment would have on the existing and future roadway infrastructure. The transportation related impacts of the proposed rezoning will be evaluated based on the estimated build-out year of the project and the impacts the proposed rezoning will have on the surrounding roadway infrastructure. Access to the subject site is proposed to North River Road and to Owl Creek Drive via multiple connections as shown on the site plan.

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

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PROJECT LOCATION MAP
OWL CREEK

Figure 1

## II. EXISTING CONDITIONS

The subject site is bisected by Owl Creek Drive and is currently vacant. The site is generally bordered by North River Road to the north, vacant land to the east, Caloosahatchee River and a boat storage facility to the south, and by residential uses and vacant land to the west.

**North River Road** is a two lane undivided arterial that borders the subject site to the north. North River Road has a posted speed limit of 55 mph and is under the jurisdiction of the Lee County Department of Transportation.

**Owl Creek Drive** is a two lane undivided local roadway that bisects the subject site. Based on the Lee County's ***Find My Road*** GIS webpage, Owl Creek Drive has a speed limit of 25 mph and is privately maintained.

## III. COMPREHENSIVE PLAN AMENDMENT

The Comprehensive Plan Amendment would change the future land use designation on the approximate 348.8 acre subject site from Rural and Wetlands to a Sub-Outlying Suburban land use category to permit the development of the subject site with up to 440 single-family residential dwelling units. Under the existing Rural land use category, approximately 213.2 acres of property can be developed with up to 213 residential dwelling units (1 dwelling unit/acre). The remaining of the property (135.6 acres) is under the Wetlands land use category and can be developed with up to 7 residential dwelling units (1 dwelling unit/20 acres). Therefore, under the existing Rural and Wetlands land use categories the subject site can be developed with a total of 220 residential dwelling units. **Table 1** summarizes the land uses that could be constructed under the existing land use designations and the intensity of uses under the proposed land use designation.

**Table 1**
**Land Uses**
**Owl Creek**

| Existing/ Proposed | Land Use Category | Intensity |
|---|---|---|
| Existing | Rural & Wetlands | 220 Dwelling Units (Rural ≈ 213.2 acres @ 1 DU/Acre & Wetlands ≈ 135.6 acres @ 1 DU/20 Acres) |
| Proposed | Sub-Outlying Suburban | 440 Dwelling Units |

## IV. TRIP GENERATION

The trip generation for the permitted and proposed development was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled ***Trip Generation***, 10th Edition. Land Use Code 210 (Single-Family Detached Housing) was utilized for the trip generation purposes of the permitted and proposed residential uses on the subject site. The trip generation equations utilized for from this land use are attached to the Appendix of this report for reference. **Table 2** and **Table 3** outline the anticipated weekday AM and PM peak hour trip generation based on the existing and proposed future land use category, respectively.

**Table 2**
**Trip Generation**
**Based on Existing Land Use Category**
**Owl Creek**

| Land Use | Weekday AM Peak Hour | | | Weekday PM Peak Hour | | | Daily (2-way) |
|---|---|---|---|---|---|---|---|
| | In | Out | Total | In | Out | Total | |
| Single-Family Detached Housing (220 Dwelling Units) | 40 | 121 | 161 | 137 | 80 | 217 | 2,148 |

**Table 3**
**Trip Generation**
**Based on Proposed Land Use Category**
**Owl Creek**

| Land Use | Weekday AM Peak Hour | | | Weekday PM Peak Hour | | | Daily (2-way) |
|---|---|---|---|---|---|---|---|
| | In | Out | Total | In | Out | Total | |
| Single-Family Detached Housing (440 Dwelling Units) | 79 | 238 | 317 | 265 | 156 | 421 | 4,064 |

**Table 4** indicates the trip generation difference between the proposed and existing land use categories. The long range transportation impact (20-year horizon) and the short range transportation impact (5-year horizon) will be evaluated based on the resultant trip change illustrated in Table 4.

**Table 4**
**Trip Generation – Resultant Trip Change**
**Owl Creek**

| Land Use | A.M. Peak Hour | | | P.M. Peak Hour | | | Daily (2-way) |
|---|---|---|---|---|---|---|---|
| | In | Out | Total | In | Out | Total | |
| Proposed Land Use Designation (440 Dwelling Units) | 79 | 238 | 317 | 265 | 156 | 421 | 4,064 |
| Existing Land Use Designation (220 Dwelling Units) | -40 | -121 | -161 | -137 | -80 | -217 | -2,148 |
| **Resultant Trip Change** | **+39** | **+117** | **+156** | **+128** | **+76** | **+204** | **+1,916** |

The resultant trip change in Table 4 indicates that the trip generation will be **increased** in the AM and PM peak hour conditions as a result of this land use change.

## V. COMPREHENSIVE PLAN AMENDMENT ANALYSIS

The Comprehensive Plan Amendment would change the future land use designation on the approximately 348.8 acre subject site from Rural and Wetlands to a Sub-Outlying Suburban land use category to permit the development of the subject site with up to 440 single-family residential dwelling units. The transportation related impacts of the

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

**Long Range Impacts (20-year horizon)**

The Lee County Metropolitan Planning Organization's (MPO) 2040 Long Range Transportation Plan was reviewed to determine if any future roadway improvements were planned in the vicinity of the subject site. Based on the review, the only roadway improvement within the vicinity of the subject site shown on the 2040 Cost Feasible Plan is the widening of SR 31 to a four lane facility from SR 80 (Palm Beach Boulevard) to Lee/Charlotte County line. There are no other programmed improvements within the vicinity of the subject site. The 2040 Lee County MPO Highway Cost Feasible Plan is attached the Appendix of this report for reference.

The Lee County Metropolitan Planning Organization's (MPO) long range transportation plan along with the FDOT District One travel model were also reviewed in order to determine the impacts the amendment would have on the surrounding area. The base 2040 loaded network volumes were determined for the roadways within the study area and then the PM peak hour trips to be generated by additional trips shown in Table 4 were then added to the projected 2040 volumes. The Level of Service for the surrounding roadways was then evaluated. The Level of Service threshold volumes were derived based on the Lee County's *Generalized Peak Hour Directional Service Volumes* table as well as FDOT's *Generalized Peak Hour Directional Volumes*, Table 7.

The results of the analysis indicate that the addition of the trips as a result of the proposed amendment to the projected 2040 volumes will not cause any roadway links to fall below the recommended minimum acceptable Level of Service standards. Buckingham Road to the south of SR 31 was shown to operate at a poor Level of Service in the 2040 background (without project traffic) conditions. However, Buckingham Road is shown to be widened to a four-lane facility on the Lee County's 2040 Needs Plan. Buckingham

Road would to operate at acceptable Level of Service as a four-lane facility. All other roadways are shown to operate at or above the minimum recommended Level of Service in 2040 both with and without the project traffic added to the surrounding roadway segments.

A Level of Service analysis for the 2040 Existing plus Committed (E + C) roadway network is attached to this report for reference. **Table 1A** and **Table 2A** reflect the Level of Service analysis based on the 2040 conditions. The resultant land use change will not impact the results of the Level of Service analysis as reported in the adopted 2040 travel model. Therefore, no changes to the adopted long range transportation plan are required as result of the proposed land use change.

**Short Range Impacts (5-year horizon)**

The 2020 – 2024 Lee County Five Year Capital Improvement Programs (CIP) as well as the Florida Department of Transportation Adopted Work Programs were reviewed to determine the short term impacts the proposed land use change would have on the surrounding roadways. Based on the review, the only roadway improvement funded within the vicinity of the subject site is the widening of SR 31 to a four lane facility from SR 78 (Bayshore Road) to Cook Brown Road. There are no other programmed improvements to the roadway network identified in either work program within the vicinity of the subject site.

As can be depicted from Table 4 of this report, the proposed map amendment will increase the overall trip generation potential of the subject site by approximately 156 vehicles during the A.M. peak hour and 204 vehicles during the P.M. peak hour. **Table 3A** and **Table 4A** attached to this report indicate the projected 5-year planning Level of Service on the area roadways based on the additional trips shown in Table 4. The existing peak hour, peak season, peak direction traffic volumes on the various roadway links maintained by Lee County were obtained from the most recent Lee County ***Public Facilities Level of Service and Concurrency Report.*** The existing peak hour, peak season, peak direction traffic volumes for state maintained roadways were derived by

factoring the latest AADT volumes by appropriate K & D factors. The existing peak hour, peak season, peak direction traffic volumes were then factored by the appropriate annual growth rates in order to obtain the 2025 background traffic conditions on the area roadway network. The growth rates for each roadway were calculated based on historical traffic data obtained from the FDOT's ***Florida Traffic Online*** resource as well as the traffic data from the latest ***Lee County Traffic Count Report***. Based on the projected traffic distribution, the roadway link data was analyzed for the year 2025 without the proposed amendment and year 2025 with the proposed amendment. Traffic data obtained from the aforementioned Lee County and FDOT resources is attached to the Appendix of this report for reference.

The results of the analysis indicate that the addition of the trips as a result of the proposed amendment to the projected 2025 volumes will not cause any roadway link to fall below the minimum acceptable Level of Service standards. All analyzed roadways were shown operate within their recommended minimum Level of Service standards.

The proposed Comprehensive Plan Amendment is to change the future land use designation on the approximately 348.8 acre subject site from Rural and Wetlands to a Sub-Outlying Suburban land use category to permit the development of the subject site with up to 440 single-family residential dwelling units. Based on the analysis, no modifications will be necessary to the Lee County or FDOT short term capital improvement programs.

## VI. ZONING ANALYSIS

An analysis was also completed to support the rezoning of the subject from Agricultural-2 (AG-2) to a Residential Planned Development (RPD) to allow the subject site to be developed with up to 440 single-family residential dwelling units. The zoning analysis was completed based on the trip generation shown in Table 3 of this report.

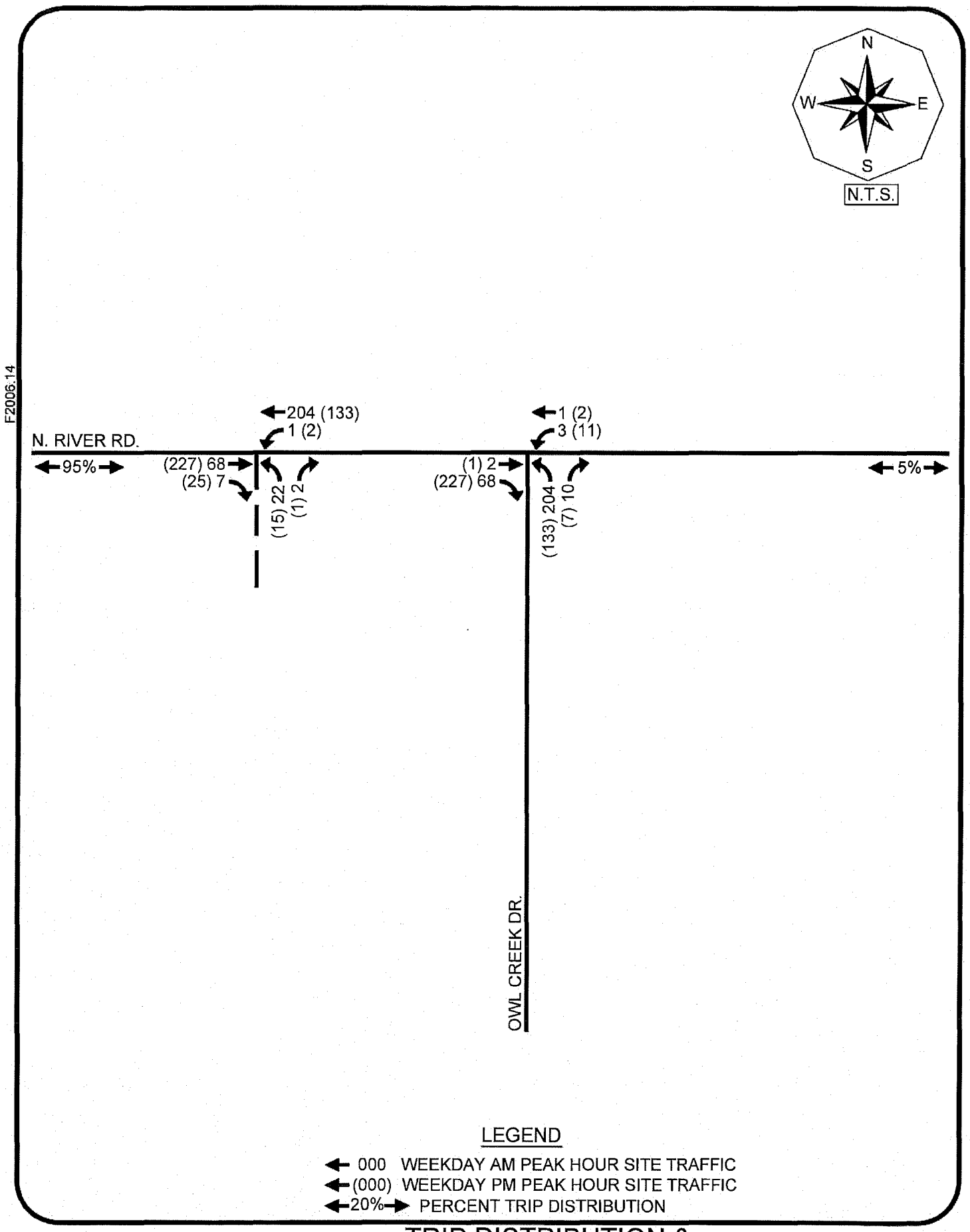
The trips the proposed development is anticipated to generate, as shown in the Table 3, were assigned to the surrounding roadway network based upon the routes drivers are anticipated to utilize to approach the subject site. Based on the current and projected population in the area and other existing or planned competing/complementary uses in the area, a distribution of the site traffic was formulated. **Figure 2** illustrates the anticipated trip distribution on North River Road as well as the assignment of the project related trips to the site access drive on North River Road and adjacent intersections.

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 5A**, contained in the Appendix, was created. This table indicates which roadway links will experience a significant impact as a result of the added development traffic. Significant impact is defined as any roadway projected to experience greater than 10% of the Peak Hour – Peak Direction Level of Service "C" volumes.

The Level of Service threshold volumes were derived based on the Lee County's *Generalized Peak Hour Directional Service Volumes* table as well as FDOT's *Generalized Peak Hour Directional Volumes*, Table 7. Based on the information contained within Table 5A, North River Road west of Owl Creek Drive as well as SR 31 between SR 80 (Palm Beach Boulevard) and North River Road are shown to be significantly impacted due to the addition of the project traffic.

**Level of Service Analysis**

A horizon year analysis of 2025 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 in the study area. Based on the project distribution illustrated on Table 5A, the link data was analyzed for the year 2025 without the development and year 2025 with the development.

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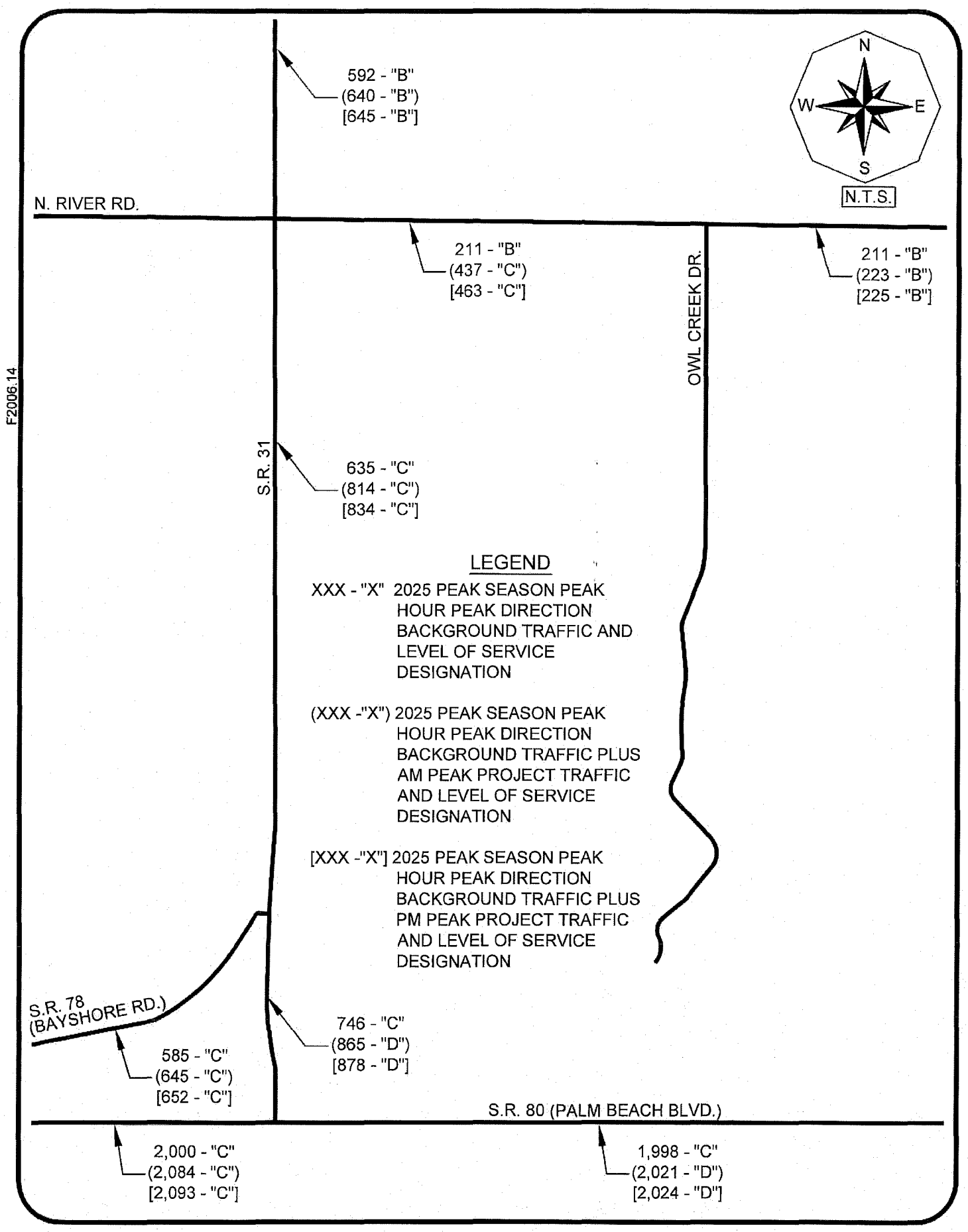
TRIP DISTRIBUTION &
SITE TRAFFIC ASSIGNMENT
OWL CREEK

Figure 2

**Table 6A** in the Appendix of the report indicates the methodology utilized to obtain the year 2025 background and build-out traffic volumes. The existing peak hour, peak season, peak direction traffic volumes on the roadway links maintained by the Lee County were obtained from the most recent Lee County ***Public Facilities Level of Service and Concurrency Report***. The existing peak hour, peak season, peak direction traffic volumes for state maintained roadways were derived by factoring the latest AADT volumes by appropriate K & D factors. The existing peak hour, peak season, peak direction traffic volumes were then factored by the appropriate annual growth rates in order to obtain the 2025 background traffic conditions on the area roadway network. The growth rates for each roadway were calculated based on historical traffic data obtained from the FDOT's ***Florida Traffic Online*** resource as well as the traffic data from the latest ***Lee County Traffic Count Report***.

**Figure 3** indicates the year 2025 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 is derived from Table 2A contained in the Appendix.

As can be seen from Figure 3, the roadway links analyzed as part of this report will not be adversely impacted as a result of the proposed rezoning request. All roadway segments analyzed will maintain the minimum recommended Level of Service. Therefore, roadway capacity improvements will not be warranted as a result of the additional traffic to be generated by the proposed rezoning request.

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2025 LEVEL OF SERVICE ANALYSIS
OWL CREEK

Figure 3

**Intersection Analysis**

Intersection analysis was performed at the unsignalized intersection of North River Road and Owl Creek Road as well as at the proposed western project's access driveway to North River Road based on the latest version of the ***Highway Capacity Software (HCS™)***. The analysis was based on the projected 2025 weekday AM and PM peak hour traffic with the project traffic conditions. The weekday AM and PM peak hour peak season through volumes on North River Road were determined from the traffic counts obtained from Lee County ***Transportation Data Management System*** webpage. The existing through traffic volumes were then increased by a growth rate factor to determine the projected 2025 background turning movement volumes. The projected project traffic volume from Figure 2 was then added to the intersections. The volumes utilized for the intersection analysis can be found in the Appendix of this report in the *Development of Future Year Background Turning Movement* volumes spreadsheets.

Based upon the results of the capacity analysis at the unsignalized intersection of North River Road and Owl Creek Road as well as at the proposed western project's access driveway to North River Road, all movements were shown to operate at acceptable Level of Service in 2025 with the proposed development traffic added to the intersections in the AM and PM peak hour conditions. Therefore, no intersection improvements are warranted as a result of this analysis.

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

## VII. CONCLUSION

The proposed development is located along the south side of North River Road and approximately ½ mile to the east of SR 31 in Lee County, Florida. Based upon the roadway link Level of Service analysis conducted as a part of this report for both a Comprehensive Plan amendment and rezoning request, the development of the subject site meets the requirements set forth by the Lee County Comprehensive Plan and Land

Development Code in that there is sufficient capacity available to accommodate the new trips that will be generated by the proposed development. Therefore, no roadway capacity improvements will be warranted as a result of the additional traffic to be generated by the proposed Comprehensive Plan amendment and rezoning requests.

The 2040 Financially Feasible Roadway network and the short term 5-year Capital Improvement Program currently in place in the Lee County will not require any modification in order to accommodate the proposed Land Use Change. The rezoning analysis also indicates that the subject site will not have an adverse impact on the surrounding roadway network. Therefore, no roadway capacity improvements are necessary to accommodate the proposed development.

Based upon the results of the capacity analysis at the unsignalized intersection of North River Road and Owl Creek Road as well as at the proposed western project's access driveway to North River Road, all movements were shown to operate at acceptable Level of Service in 2025 with the proposed development traffic added to the intersections in the AM and PM peak hour conditions. Therefore, no intersection improvements are warranted as a result of this analysis.

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# APPENDIX

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# TABLES 1A & 2A

# 2040 LOS ANALYSIS

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# TABLE 1A
## LEVEL OF SERVICE THRESHOLDS
## 2040 LONG RANGE TRANSPORTATION ANALYSIS - OWL CREEK

| | | 2040 E + C NETWORK LANES | | GENERALIZED SERVICE VOLUMES | | | | |
|---|---|---|---|---|---|---|---|---|
| | | | | LOS A | LOS B | LOS C | LOS D | LOS E |
| ROADWAY | ROADWAY SEGMENT | # Lanes | Roadway Designation | VOLUME | VOLUME | VOLUME | VOLUME | VOLUME |
| N. River Rd | E. of Owl Creek Dr | 2LU | Uninterrupted Flow Highway | 130 | 420 | 850 | 1,210 | 1,640 |
| | W. of Owl Creek Dr | 2LU | Uninterrupted Flow Highway | 130 | 420 | 850 | 1,210 | 1,640 |
| SR 31 | N. of N. River Rd. | 4LD | Uninterrupted Flow Highway | 0 | 1,800 | 2,600 | 3,280 | 3,730 |
| | S.. of N. River Rd. | 4LD | Arterial | 0 | 0 | 1,910 | 2,000 | 2,000 |
| | S.. of SR 78 | 4LD | Arterial | 0 | 0 | 1,910 | 2,000 | 2,000 |
| SR 78 (Bayshore Rd) | W. of SR 31 | 2LU | Arterial | 0 | 0 | 872 | 924 | 924 |
| SR 80 (Palm Beach Blvd) | W. of SR 31 | 6LD | Arterial | 0 | 0 | 3,087 | 3,171 | 3,171 |
| | E. of SR 31 | 4LD | Arterial | 0 | 0 | 2,006 | 2,100 | 2,100 |
| | E. of Buckingham Rd | 4LD | Uninterrupted Flow Highway | 0 | 1,800 | 2,600 | 3,280 | 3,730 |
| Buckingham Rd | S. of SR 31 | 2LU | Arterial | 0 | 140 | 800 | 860 | 860 |

[ ] - Denotes the LOS Standard for each roadway segment

* Level of Service Thresholds for Lee County arterials were taken from the Generalized Peak Hour Directional Service Volume tables for Urbanized Areas (dated April 2016)
* Level of Service Thresholds for state mantained roadways were taken from FDOT's Generalized Peak Hour Directional Volumes for Florida's Urbanized Areas Table 7.

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# TABLE 2A
## 2040 ROADWAY LINK LEVEL OF SERVICE CALCULATIONS
## OWL CREEK

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 204 VPH IN= 128 OUT= 76

| ROADWAY | ROADWAY SEGMENT | 2040 FSUTMS PSWDT | COUNTY PCS / FDOT SITE # | MOCF FACTOR [1] | AADT BACKGROUND TRAFFIC | K-100 FACTOR | 100TH HIGHEST HOUR PK DIR 2-WAY VOLUME | D FACTOR | PM PK HR PEAK DIRECTION | 2040 PEAK DIRECTION TRAFFIC VOLUMES & LOS VOLUME | LOS | PROJECT TRAFFIC DIST. | PK DIR PM PROJ TRAFFIC | 2040 BACKGROUND PLUS PROJ PEAK DIRECTION TRAFFIC VOLUMES & LOS VOLUME | LOS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| N. River Rd | E. of Owl Creek Dr | 5,548 | 124650 | 0.93 | 5,160 | 0.095 | 490 | 0.549 | EAST | 269 | B | 5% | 6 | 275 | B |
| | W. of Owl Creek Dr | 5,568 | 124650 | 0.93 | 5,178 | 0.095 | 492 | 0.549 | EAST | 270 | B | 95% | 122 | 392 | B |
| SR 31 | N. of N. River Rd. | 36,889 | 120273 | 0.94 | 34,676 | 0.095 | 3,294 | 0.521 | NORTH | 1,716 | B | 20% | 26 | 1,742 | B |
| | S.. of N. River Rd. | 35,534 | 121001 | 0.94 | 33,402 | 0.095 | 3,173 | 0.54 | NORTH | 1,713 | C | 75% | 96 | 1,809 | C |
| | S.. of SR 78 | 29,867 | 120030 | 0.94 | 28,075 | 0.090 | 2,527 | 0.54 | NORTH | 1,365 | C | 50% | 64 | 1,429 | C |
| SR 78 | W. of SR 31 | 15,365 | 121002 | 0.94 | 14,443 | 0.090 | 1,300 | 0.54 | EAST | 702 | C | 25% | 32 | 734 | C |
| SR 80 | W. of SR 31 | 54,543 | 126005 | 0.94 | 51,270 | 0.090 | 4,614 | 0.54 | EAST | 2,492 | C | 35% | 45 | 2,537 | C |
| | E. of SR 31 | 30,577 | 120085 | 0.94 | 28,742 | 0.090 | 2,587 | 0.54 | EAST | 1,397 | C | 10% | 13 | 1,410 | C |
| | E. of Buckingham Rd | 19,690 | 120012 | 0.94 | 18,509 | 0.090 | 1,666 | 0.54 | EAST | 900 | B | 3% | 4 | 904 | B |
| Buckingham Rd | S. of SR 31 | 21,036 | 11 | 0.93 | 19,563 | 0.089 | 1,741 | 0.53 | NORTH | 923 | F | 4% | 5 | 928 | F |

1 Model Output Conversion Factor was utilized to obtain the AADT Volumes for all roadways.
* The K-100 and D factors for County mantained roadways were obtained from Lee County Traffic Count Report.
Note Due to insufficient traffic data in the Lee County Traffic Count Report, the K-100 and D factors for North River Road were obtained from Florida Traffic Online resource.
* The K-100 and D factors for FDOT mantained roadways were obtained from Florida Traffic Online resource.

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# TABLES 3A & 4A

# 5-YEAR LOS ANALYSIS

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# TABLE 3A
# LEVEL OF SERVICE THRESHOLDS
# OWL CREEK

| ROADWAY | ROADWAY SEGMENT | # LANES | ROADWAY DESIGNATION | LOS A VOLUME | LOS B VOLUME | LOS C VOLUME | LOS D VOLUME | LOS E VOLUME |
|---|---|---|---|---|---|---|---|---|
| N. River Rd | E. of Owl Creek Dr | 2LU | Uninterrupted Flow Highway | 130 | 420 | 850 | 1,210 | 1,640 |
| | W. of Owl Creek Dr | 2LU | Uninterrupted Flow Highway | 130 | 420 | 850 | 1,210 | 1,640 |
| SR 31 | N. of N. River Rd. | 4LD | Uninterrupted Flow Highway | 0 | 1,800 | 2,600 | 3,280 | 3,730 |
| | S.. of N. River Rd. | 4LD | Arterial | 0 | 0 | 1,910 | 2,000 | 2,000 |
| | S.. of SR 78 | 2LU | Arterial | 0 | 0 | 830 | 880 | 880 |
| SR 78 (Bayshore Rd) | W. of SR 31 | 2LU | Arterial | 0 | 0 | 872 | 924 | 924 |
| SR 80 (Palm Beach Blvd) | W. of SR 31 | 6LD | Arterial | 0 | 0 | 3,087 | 3,171 | 3,171 |
| | E. of SR 31 | 4LD | Arterial | 0 | 0 | 2,006 | 2,100 | 2,100 |
| | E. of Buckingham Rd | 4LD | Uninterrupted Flow Highway | 0 | 1,800 | 2,600 | 3,280 | 3,730 |
| Buckingham Rd | S. of SR 31 | 2LU | Arterial | 0 | 140 | 800 | 860 | 860 |

- Denotes the LOS Standard for each roadway segment

* Level of Service Thresholds for Lee County arterials/collectors taken from the Generalized Peak Hour Directional Service Volume tables for Urbanized Areas (dated April 2016)
* Level of Service Thresholds for State mantained roadways were taken from FDOT's Generalized Peak Hour Directional Volumes for Florida's Urbanized Areas Table 7.

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# TABLE 4A
## LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
## OWL CREEK

| | | | | | | |
|---|---|---|---|---|---|---|
| TOTAL PROJECT TRAFFIC AM = | 156 | VPH | IN = | 39 | OUT= | 117 |
| TOTAL PROJECT TRAFFIC PM = | 204 | VPH | IN= | 128 | OUT= | 76 |

| FDOT Sta. # | K | D |
|---|---|---|
| 120273 | 0.095 | 0.521 |
| 121001 | 0.095 | 0.540 |
| 120030 | 0.090 | 0.540 |
| 121002 | 0.090 | 0.540 |
| 126005 | 0.090 | 0.540 |
| 120085 | 0.090 | 0.540 |
| 120012 | 0.090 | 0.540 |

| ROADWAY | ROADWAY SEGMENT | LCDOT PCS OR FDOT SITE # | BASE YR ADT | 2018/2019 ADT | YRS OF GROWTH. [1] | ANNUAL RATE | 2018/2019 PK HR PK SEASON PEAK DIR.[2] | 2025 PK HR PK SEASON PEAK DIRECTION VOLUME | LOS | V/C Ratio | PERCENT PROJECT TRAFFIC | AM PROJ TRAFFIC | PM PROJ TRAFFIC | 2025 BCKGRND + AM PROJ VOLUME | LOS | V/C Ratio | 2025 BCKGRND + PM PROJ VOLUME | LOS | V/C Ratio |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| N. River Rd | E. of Owl Creek Dr | 348 | 2,200 | 2,900 | 8 | 3.51% | 166 | 211 | B | 0.13 | 5% | 6 | 6 | 217 | B | 0.13 | 218 | B | 0.13 |
| | W. of Owl Creek Dr | 348 | 2,200 | 2,900 | 8 | 3.51% | 166 | 211 | B | 0.13 | 95% | 111 | 122 | 323 | B | 0.20 | 333 | B | 0.20 |
| SR 31 | N. of N. River Rd. | 120273 | 4,937 | 9,292 | 15 | 4.31% | 460 | 592 | B | 0.23 | 20% | 23 | 26 | 616 | B | 0.24 | 618 | B | 0.24 |
| | S.. of N. River Rd. | 121001 | 9,500 | 11,000 | 15 | 2.00% | 564 | 635 | C | 0.33 | 75% | 86 | 96 | 723 | C | 0.38 | 731 | C | 0.38 |
| | S.. of SR 78 | 120030 | 9,800 | 13,500 | 15 | 2.16% | 656 | 746 | C | 0.85 | 50% | 59 | 64 | 804 | C | 0.91 | 810 | C | 0.92 |
| SR 78 (Bayshore Rd) | W. of SR 31 | 121002 | 7,700 | 10,600 | 15 | 2.15% | 515 | 585 | C | 0.63 | 25% | 29 | 32 | 615 | C | 0.67 | 617 | C | 0.67 |
| SR 80 (Palm Beach Blvd) | W. of SR 31 | 126005 | 26,004 | 35,000 | 11 | 2.74% | 1,701 | 2,000 | C | 0.63 | 35% | 41 | 45 | 2,041 | C | 0.64 | 2,045 | C | 0.64 |
| | E. of SR 31 | 120085 | 29,500 | 36,500 | 15 | 2.00% | 1,774 | 1,998 | C | 0.95 | 10% | 12 | 13 | 2,009 | D | 0.96 | 2,010 | D | 0.96 |
| | E. of Buckingham Rd | 120012 | 19,200 | 28,000 | 15 | 2.55% | 1,361 | 1,582 | B | 0.48 | 3% | 4 | 4 | 1,586 | B | 0.48 | 1,586 | B | 0.48 |
| Buckingham Rd | S. of SR 31 | 11 | 8,400 | 11,400 | 9 | 3.45% | 529 | 671 | C | 0.78 | 4% | 5 | 5 | 676 | C | 0.79 | 676 | C | 0.79 |

1 AGR for all roadways was calculated based the historical traffic data obtained from Lee County Traffic Count Report and Florida Traffic Online webpage.

2 Current peak hour peak season peak direction traffic volumes for all County roadways were obtained from the 2019 Lee County Public Facilities Level of Service and Concurrency Report.

2 Current peak hour peak season peak direction traffic volumes for state mantained roadways were obtained by adjusting the 2019 AADT by the appropriate K and D factors.

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# TABLES 5A & 6A

# REZONING ANALYSIS

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# TABLE 5A
# LEVEL OF SERVICE THRESHOLDS
# OWL CREEK

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 317 VPH IN= 79 OUT= 238

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 421 VPH IN= 265 OUT= 156

| ROADWAY | ROADWAY SEGMENT | # LANES | ROADWAY DESIGNATION | LOS A VOLUME | LOS B VOLUME | LOS C VOLUME | LOS D VOLUME | LOS E VOLUME | PERCENT PROJECT TRAFFIC | PROJECT TRAFFIC | PROJ/ LOS C |
|---|---|---|---|---|---|---|---|---|---|---|---|
| N. River Rd | E. of Owl Creek Dr | 2LU | Uninterrupted Flow Highway | 130 | 420 | 850 | 1,210 | 1,640 | 5% | 13 | 1.6% |
| | W. of Owl Creek Dr | 2LU | Uninterrupted Flow Highway | 130 | 420 | 850 | 1,210 | 1,640 | 95% | 252 | 29.6% |
| SR 31 | N. of N. River Rd. | 4LD | Uninterrupted Flow Highway | 0 | 1,800 | 2,600 | 3,280 | 3,730 | 20% | 53 | 2.0% |
| | S.. of N. River Rd. | 4LD | Arterial | 0 | 0 | 1,910 | 2,000 | 2,000 | 75% | 199 | 10.4% |
| | S.. of SR 78 | 2LU | Arterial | 0 | 0 | 830 | 880 | 880 | 50% | 133 | 16.0% |
| SR 78 (Bayshore Rd) | W. of SR 31 | 2LU | Arterial | 0 | 0 | 872 | 924 | 924 | 25% | 66 | 7.6% |
| SR 80 (Palm Beach Blvd) | W. of SR 31 | 6LD | Arterial | 0 | 0 | 3,087 | 3,171 | 3,171 | 35% | 93 | 3.0% |
| | E. of SR 31 | 4LD | Arterial | 0 | 0 | 2,006 | 2,100 | 2,100 | 10% | 27 | 1.3% |

☐ - Denotes the LOS Standard for each roadway segment

* Level of Service Thresholds for Lee County arterials/collectors taken from the Generalized Peak Hour Directional Service Volume tables for Urbanized Areas (dated April 2016)
* Level of Service Thresholds for State mantained roadways were taken from FDOT's Generalized Peak Hour Directional Volumes for Florida's Urbanized Areas Table 7.

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# TABLE 6A
## LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
## OWL CREEK

| | | | | | | |
|---|---|---|---|---|---|---|
| TOTAL PROJECT TRAFFIC AM = | 317 | VPH | IN = | 79 | OUT= | 238 |
| TOTAL PROJECT TRAFFIC PM = | 421 | VPH | IN= | 265 | OUT= | 156 |

| FDOT Sta. # | K | D |
|---|---|---|
| 120273 | 0.095 | 0.521 |
| 121001 | 0.095 | 0.540 |
| 120030 | 0.090 | 0.540 |
| 121002 | 0.090 | 0.540 |
| 126005 | 0.090 | 0.540 |
| 120085 | 0.090 | 0.540 |

| ROADWAY | ROADWAY SEGMENT | LCDOT PCS OR FDOT SITE # | BASE YR ADT | 2018/2019 ADT | YRS OF GROWTH.[1] | ANNUAL RATE | 2018/2019 PK HR PK SEASON PEAK DIR.[2] | 2025 PK HR PK SEASON PEAK DIRECTION VOLUME | LOS | V/C Ratio | PERCENT PROJECT TRAFFIC | AM PROJ TRAFFIC | PM PROJ TRAFFIC | 2025 BCKGRND + AM PROJ VOLUME | LOS | V/C Ratio | 2025 BCKGRND + PM PROJ VOLUME | LOS | V/C Ratio |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| N. River Rd | E. of Owl Creek Dr | 348 | 2,200 | 2,900 | 8 | 3.51% | 166 | 211 | B | 0.13 | 5% | 12 | 13 | 223 | B | 0.14 | 225 | B | 0.14 |
| | W. of Owl Creek Dr | 348 | 2,200 | 2,900 | 8 | 3.51% | 166 | 211 | B | 0.13 | 95% | 226 | 252 | 437 | C | 0.27 | 463 | C | 0.28 |
| SR 31 | N. of N. River Rd. | 120273 | 4,937 | 9,292 | 15 | 4.31% | 460 | 592 | B | 0.23 | 20% | 48 | 53 | 640 | B | 0.25 | 645 | B | 0.25 |
| | S.. of N. River Rd. | 121001 | 9,500 | 11,000 | 15 | 2.00% | 564 | 635 | C | 0.33 | 75% | 179 | 199 | 814 | C | 0.43 | 834 | C | 0.44 |
| | S.. of SR 78 | 120030 | 9,800 | 13,500 | 15 | 2.16% | 656 | 746 | C | 0.85 | 50% | 119 | 133 | 865 | D | 0.98 | 878 | D | 1.00 |
| SR 78 (Bayshore Rd) | W. of SR 31 | 121002 | 7,700 | 10,600 | 15 | 2.15% | 515 | 585 | C | 0.63 | 25% | 60 | 66 | 645 | C | 0.70 | 652 | C | 0.71 |
| SR 80 (Palm Beach Blvd) | W. of SR 31 | 126005 | 26,004 | 35,000 | 11 | 2.74% | 1,701 | 2,000 | C | 0.63 | 35% | 83 | 93 | 2,084 | C | 0.66 | 2,093 | C | 0.66 |
| | E. of SR 31 | 120085 | 29,500 | 36,500 | 15 | 2.00% | 1,774 | 1,998 | C | 0.95 | 10% | 24 | 27 | 2,021 | D | 0.96 | 2,024 | D | 0.96 |

1 AGR for all roadways was calculated based the historical traffic data obtained from Lee County Traffic Count Report and Florida Traffic Online webpage.

2 Current peak hour peak season peak direction traffic volumes for all County roadways were obtained from the 2019 Lee County Public Facilities Level of Service and Concurrency Report.

2 Current peak hour peak season peak direction traffic volumes for state mantained roadways were obtained by adjusting the 2019 AADT by the appropriate K and D factors.

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# LEE COUNTY GENERALIZED PEAK HOUR DIRECTIONAL SERVICE VOLUMES TABLE

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

April 2016 c:\input5

**Uninterrupted Flow Highway**
Level of Service

| Lane | Divided | A | B | C | D | E |
|---|---|---|---|---|---|---|
| 1 | Undivided | 130 | 420 | 850 | 1,210 | 1,640 |
| 2 | Divided | 1,060 | 1,810 | 2,560 | 3,240 | 3,590 |
| 3 | Divided | 1,600 | 2,720 | 3,840 | 4,860 | 5,380 |

**Arterials**
Class I (40 mph or higher posted speed limit)
Level of Service

| Lane | Divided | A | B | C | D | E |
|---|---|---|---|---|---|---|
| 1 | Undivided | * | 140 | 800 | 860 | 860 |
| 2 | Divided | * | 250 | 1,840 | 1,960 | 1,960 |
| 3 | Divided | * | 400 | 2,840 | 2,940 | 2,940 |
| 4 | Divided | * | 540 | 3,830 | 3,940 | 3,940 |

Class II (35 mph or slower posted speed limit)
Level of Service

| Lane | Divided | A | B | C | D | E |
|---|---|---|---|---|---|---|
| 1 | Undivided | * | * | 330 | 710 | 780 |
| 2 | Divided | * | * | 710 | 1,590 | 1,660 |
| 3 | Divided | * | * | 1,150 | 2,450 | 2,500 |
| 4 | Divided | * | * | 1,580 | 3,310 | 3,340 |

**Controlled Access Facilities**
Level of Service

| Lane | Divided | A | B | C | D | E |
|---|---|---|---|---|---|---|
| 1 | Undivided | * | 160 | 880 | 940 | 940 |
| 2 | Divided | * | 270 | 1,970 | 2,100 | 2,100 |
| 3 | Divided | * | 430 | 3,050 | 3,180 | 3,180 |

**Collectors**
Level of Service

| Lane | Divided | A | B | C | D | E |
|---|---|---|---|---|---|---|
| 1 | Undivided | * | * | 310 | 660 | 740 |
| 1 | Divided | * | * | 330 | 700 | 780 |
| 2 | Undivided | * | * | 730 | 1,440 | 1,520 |
| 2 | Divided | * | * | 770 | 1,510 | 1,600 |

Note: the service volumes for I-75 (freeway), bicycle mode, pedestrian mode, and bus mode should be from FDOT's most current version of LOS Handbook.

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# LEE COUNTY PUBLIC FACILITIES LEVEL OF SERVICE AND CONCURRENCY REPORT

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

| ROADWAY LINK | | | | 100TH HIGHEST HOUR DIRECTIONAL VOLUMES | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | | STANDARD | | 2018 | | 2023 | | |
| NAME | FROM | TO | TYPE | LOS | MAX | LOS | EXISTING | LOS | FUTURE | NOTES |
| ALABAMA RD | SR 82 | MILWAUKEE BLVD | 2LN | E | 990 | C | 459 | C | 482 | |
| | MILWAUKEE BLVD | HOMESTEAD RD | 2LN | E | 990 | C | 459 | D | 482 | |
| ALEXANDER BELL BLVD | SR 82 | MILWAUKEE BLVD | 2LN | E | 990 | D | 486 | D | 511 | |
| | MILWAUKEE BLVD | LEELAND HEIGHTS | 2LN | E | 990 | D | 486 | D | 579 | Shadow Lakes |
| ALICO RD | US 41 | DUSTY RD | 4LD | E | 1,980 | B | 1,043 | B | 1,096 | |
| | DUSTY RD | LEE RD | 6LD | E | 2,960 | B | 1,043 | B | 1,484 | Alico Business Park |
| | LEE RD | THREE OAKS PKWY | 6LD | E | 2,960 | B | 1,043 | B | 1,209 | Three Oaks Regional Center |
| | THREE OAKS PKWY | I-75 | 6LD | E | 2,960 | B | 2,345 | B | 2,465 | v/c = 0.79/0.83 |
| | I-75 | BEN HILL GRIFFIN BLVD | 6LD | E | 2,960 | B | 1,243 | B | 1,390 | |
| | BEN HILL GRIFFIN BLVD | AIRPORT HAUL RD | 2LN/ 4LD | E | 1,100/ 1,840 | C | 366 | C | 770 | 4 Ln constr 2018, 2017 count |
| | AIRPORT HAUL RD | GREEN MEADOW DR | 2LN | E | 1,100 | C | 366 | C | 384 | 2017 count |
| | GREEN MEADOW DR | CORKSCREW RD | 2LN | E | 1,100 | B | 131 | B | 224 | EEPCO study |
| BEN HILL GRIFFIN PKWY | ESTERO PKWY | FGCU ENTRANCE | 4LD | E | 2,000 | B | 1,224 | B | 1,287 | |
| | FGCU ENTRANCE | COLLEGE CLUB DR | 4LD | E | 2,000 | B | 1,224 | B | 1,330 | |
| | COLLEGE CLUB DR | ALICO RD | 6LD | E | 3,000 | B | 1,101 | B | 1,193 | 2017 count |
| | ALICO RD | TERMINAL ACCESS RD | 4LD | E | 1,980 | A | 1,033 | A | 1,086 | 2017 count |
| BUCKINGHAM RD | SR 82 | GUNNERY RD | 2LN | E | 990 | D | 468 | D | 492 | |
| | GUNNERY RD | ORANGE RIVER BLVD | 2LN | E | 990 | D | 488 | D | 508 | |
| | ORANGE RIVER BLVD | SR 80 | 2LN | E | 990 | D | 529 | F | 1,198 | v/c = 0.53/1.21 Buckingham 345 & Portico |
| COLLEGE PKWY | McGREGOR BLVD | WINKLER RD | 6LD | E | 2,980 | D | 2,292 | D | 2,409 | v/c = 0.77/0.81, 2016 count |
| | WINKLER RD | WHISKEY CREEK DR | 6LD | E | 2,980 | D | 2,031 | D | 2,135 | |
| | WHISKEY CREEK DR | SUMMERLIN RD | 6LD | E | 2,980 | D | 2,031 | D | 2,135 | |
| | SUMMERLIN RD | US 41 | 6LD | E | 2,980 | D | 1,772 | D | 1,862 | |
| CORKSCREW RD | BELLA TERRA BLVD | ALICO RD | 2LN/ 4LD | E | 1,140/ 1,960 | B | 235 | C | 628 | 4L CST FY 22/23, Corkscrew Shores, 2017 count |
| | ALICO RD | 6 L's FARMS RD | 2LN | E | 1,140 | B | 246 | C | 552 | The Place, 2017 count |
| | 6 L's FARMS RD | COUNTY LINE | 2LN | E | 1,140 | B | 182 | C | 509 | 2017 count |

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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 | | 2018 | | 2023 | | |
| NAME | FROM | TO | TYPE | LOS | MAX | LOS | EXISTING | LOS | FUTURE | NOTES |
| LEELAND HEIGHTS | HOMESTEAD RD | JOEL BLVD | 4LN | E | 1,800 | B | 832 | B | 867 | 2017 count |
| LITTLETON RD | CORBETT RD | US 41 | 2LN | E | 860 | C | 451 | C | 474 | 2017 count |
| | US 41 | BUS 41 | 2LN | E | 860 | C | 417 | C | 439 | 2017 count |
| LUCKETT RD | ORTIZ AVE | I-75 | 2LN | E | 880 | B | 352 | B | 427 | 4 Ln design & ROW |
| Mc-GREGOR BLVD | SANIBEL T PLAZA | HARBOR DR | 4LD | E | 1,960 | B | 1,145 | B | 1,204 | |
| | HARBOR DR | SUMMERLIN RD | 4LD | E | 1,960 | B | 1,192 | B | 1,253 | 2017 count |
| | SUMMERLIN RD | KELLY RD | 4LD | E | 1,960 | A | 980 | B | 1,030 | |
| | KELLY RD | GLADIOLUS DR | 4LD | E | 1,960 | A | 980 | B | 1,030 | |
| N RIVER RD | SR 31 | FRANKLIN LOCK RD | 2LN | E | 1,140 | A | 166 | B | 285 | 2017 count |
| | FRANKLIN LOCK RD | BROADWAY RD | 2LN | E | 1,140 | A | 80 | B | 225 | 2017 count |
| | BROADWAY RD | COUNTY LINE | 2LN | E | 1,140 | A | 80 | A | 113 | 2017 count |
| ORANGE RIVER BLVD | SR 80 | STALEY RD | 2LN | E | 1,000 | C | 418 | C | 440 | |
| | STALEY RD | BUCKINGHAM RD | 2LN | E | 1,000 | C | 418 | C | 452 | |
| ORTIZ AVE | SR 82 | LUCKETT RD | 2LN | E | 900 | B | 787 | C | 828 | v/c = 0.87/0.92 4 Ln design & ROW |
| | LUCKETT RD | SR 80 | 2LN | E | 900 | B | 364 | B | 383 | 4 Ln design & ROW |
| PINE ISLAND RD | STRINGFELLOW RD | BURNT STORE RD | 2LN | E | 950 | E | 609 | E | 659 | Constrained |
| PONDELLA RD | SR 78 | ORANGE GROVE BLVD | 4LD | E | 1,890 | B | 840 | B | 883 | 2017 count |
| | ORANGE GROVE BLVD | US 41 | 4LD | E | 1,890 | B | 1,331 | B | 1,399 | |
| | US 41 | BUS 41 | 4LD | E | 1,890 | B | 1,018 | B | 1,070 | 2017 count |
| SANIBEL CAUSEWAY | SANIBEL SHORELINE | TOLL PLAZA | 2LN | E | 1,140 | E | 979 | E | 1,029 | v/c = 0.86/0.90, 2017 count |
| SIX MILE CYPRESS | METRO PKWY | DANIELS PKWY | 4LD | E | 2,000 | B | 1,461 | B | 1,536 | |
| | DANIELS PKWY | WINKLER EXT. | 4LD | E | 1,900 | B | 1,134 | B | 1,337 | |
| SLATER RD | SR 78 | NALLE GRADE RD | 2LN | E | 1,010 | C | 388 | C | 407 | 2017 count |
| STRING-FELLOW RD | 1ST AVE | BERKSHIRE RD | 2LN | E | 1,060 | B | 315 | D | 672 | Constrained |
| | BERKSHIRE RD | PINE ISLAND RD | 2LN | E | 1,060 | B | 315 | C | 448 | Constrained |
| | PINE ISLAND RD | PINELAND RD | 2LN | E | 1,060 | C | 602 | C | 703 | Constrained |
| | PINELAND RD | MAIN ST | 2LN | E | 1,060 | C | 602 | C | 699 | |
| SUM-MERLIN RD | McGREGOR BLVD | KELLY COVE RD | 4LD | E | 1,980 | A | 1,243 | A | 1,306 | |
| | KELLY COVE RD | SAN CARLOS BLVD | 4LD | E | 1,980 | A | 1,243 | A | 1,306 | |
| | SAN CARLOS BLVD | PINE RIDGE RD | 6LD | E | 3,000 | A | 1,964 | A | 2,194 | |
| | PINE RIDGE RD | BASS RD | 6LD | E | 3,000 | A | 1,964 | A | 2,064 | |
| | BASS RD | GLADIOLUS DR | 6LD | E | 3,000 | A | 1,964 | A | 2,064 | |
| | GLADIOLUS DR | CYPRESS LAKE DR | 4LD | E | 1,900 | B | 1,454 | B | 1,555 | |
| | CYPRESS LAKE DR | COLLEGE PKWY | 6LD | E | 2,880 | B | 1,780 | B | 1,871 | |
| | COLLEGE PKWY | PARK MEADOW DR | 6LD | E | 2,880 | B | 1,908 | B | 2,005 | |
| | PARK MEADOW DR | BOY SCOUT | 6LD | E | 2,880 | B | 1,908 | B | 2,005 | |

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# FDOT GENERALIZED PEAK HOUR DIRECTIONAL VOLUMES

# TABLE 7

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TABLE 7

# Generalized **Peak Hour Directional** Volumes for Florida's Urbanized Areas

January 2020

## INTERRUPTED FLOW FACILITIES

### STATE SIGNALIZED ARTERIALS

**Class I** (40 mph or higher posted speed limit)

| Lanes | Median | B | C | D | E |
|---|---|---|---|---|---|
| 1 | Undivided | * | 830 | 880 | ** |
| 2 | Divided | * | 1,910 | 2,000 | ** |
| 3 | Divided | * | 2,940 | 3,020 | ** |
| 4 | Divided | * | 3,970 | 4,040 | ** |

**Class II** (35 mph or slower posted speed limit)

| Lanes | Median | B | C | D | E |
|---|---|---|---|---|---|
| 1 | Undivided | * | 370 | 750 | 800 |
| 2 | Divided | * | 730 | 1,630 | 1,700 |
| 3 | Divided | * | 1,170 | 2,520 | 2,560 |
| 4 | Divided | * | 1,610 | 3,390 | 3,420 |

**Non-State Signalized Roadway Adjustments**

(Alter corresponding state volumes by the indicated percent.)

Non-State Signalized Roadways - 10%

**Median & Turn Lane Adjustments**

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

**One-Way Facility Adjustment**

Multiply the corresponding directional volumes in this table by 1.2

### BICYCLE MODE[2]

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

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

### PEDESTRIAN MODE[2]

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

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

### BUS MODE (Scheduled Fixed Route)[3]

(Buses in peak hour in peak direction)

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

## UNINTERRUPTED FLOW FACILITIES

### FREEWAYS

**Core Urbanized**

| Lanes | B | C | D | E |
|---|---|---|---|---|
| 2 | 2,230 | 3,100 | 3,740 | 4,080 |
| 3 | 3,280 | 4,570 | 5,620 | 6,130 |
| 4 | 4,310 | 6,030 | 7,490 | 8,170 |
| 5 | 5,390 | 7,430 | 9,370 | 10,220 |
| 6 | 6,380 | 8,990 | 11,510 | 12,760 |

**Urbanized**

| Lanes | B | C | D | E |
|---|---|---|---|---|
| 2 | 2,270 | 3,100 | 3,890 | 4,230 |
| 3 | 3,410 | 4,650 | 5,780 | 6,340 |
| 4 | 4,550 | 6,200 | 7,680 | 8,460 |
| 5 | 5,690 | 7,760 | 9,520 | 10,570 |

**Freeway Adjustments**

| Auxiliary Lane | Ramp Metering |
|---|---|
| + 1,000 | + 5% |

### UNINTERRUPTED FLOW HIGHWAYS

| Lanes | Median | B | C | D | E |
|---|---|---|---|---|---|
| 1 | Undivided | 580 | 890 | 1,200 | 1,610 |
| 2 | Divided | 1,800 | 2,600 | 3,280 | 3,730 |
| 3 | Divided | 2,700 | 3,900 | 4,920 | 5,600 |

**Uninterrupted Flow Highway Adjustments**

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

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

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

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

* Cannot be achieved using table input value defaults.

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

*Source:*
Florida Department of Transportation
Systems Implementation Office
https://www.fdot.gov/planning/systems/

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# TRAFFIC DATA

# FDOT FLORIDA TRAFFIC ONLINE

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2019 HISTORICAL AADT REPORT

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COUNTY: 12 - LEE

SITE: 4650 - NORTH RIVER ROAD, EAST OF S.R. 31

| YEAR | AADT | DIRECTION 1 | DIRECTION 2 | *K FACTOR | D FACTOR | T FACTOR |
|---|---|---|---|---|---|---|
| 2019 | 3400 F | E 1700 | W 1700 | 9.50 | 54.90 | 12.50 |
| 2018 | 3200 C | E 1600 | W 1600 | 9.50 | 55.20 | 12.50 |
| 2017 | 3200 T | E 1600 | W 1600 | 9.50 | 54.90 | 12.20 |
| 2016 | 3000 S | E 1500 | W 1500 | 9.50 | 54.80 | 15.00 |
| 2015 | 2800 F | E 1400 | W 1400 | 9.50 | 55.50 | 15.00 |
| 2014 | 2600 C | E 1300 | W 1300 | 9.50 | 55.20 | 15.00 |
| 2013 | 1000 S | 0 | 0 | 9.50 | 55.00 | 12.20 |
| 2012 | 1000 F | 0 | 0 | 9.50 | 55.30 | 11.50 |
| 2011 | 1000 C | E 0 | W 0 | 9.50 | 55.20 | 11.70 |

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

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2019 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 0273 - SR-31,202' NORTH OF FOXHILL ROAD,LEE CO.

| YEAR | AADT | DIRECTION 1 | | DIRECTION 2 | | *K FACTOR | D FACTOR | T FACTOR |
|---|---|---|---|---|---|---|---|---|
| 2019 | 9292 C | N | 4645 | S | 4647 | 9.50 | 52.10 | 25.30 |
| 2018 | 7959 C | N | 4032 | S | 3927 | 9.50 | 54.10 | 26.90 |
| 2017 | 7337 C | N | 3712 | S | 3625 | 9.50 | 53.40 | 28.20 |
| 2016 | 6620 C | N | 3338 | S | 3282 | 9.50 | 53.90 | 26.60 |
| 2015 | 5216 C | N | 2618 | S | 2598 | 9.50 | 55.60 | 28.00 |
| 2014 | 4653 C | N | 2325 | S | 2328 | 9.50 | 55.60 | 27.00 |
| 2013 | 4195 C | N | 2099 | S | 2096 | 9.50 | 55.90 | 29.00 |
| 2012 | 4217 C | N | 2149 | S | 2068 | 9.50 | 56.40 | 26.90 |
| 2011 | 4126 C | N | 2094 | S | 2032 | 9.50 | 55.10 | 25.60 |
| 2010 | 4034 C | N | 2041 | S | 1993 | 9.79 | 54.46 | 26.00 |
| 2009 | 3964 C | N | 1994 | S | 1970 | 9.81 | 52.26 | 25.10 |
| 2008 | 4232 C | N | 2124 | S | 2108 | 9.88 | 55.53 | 23.50 |
| 2007 | 6039 C | N | 3027 | S | 3012 | 10.95 | 51.84 | 43.50 |
| 2006 | 5719 C | N | 2850 | S | 2869 | 10.95 | 51.84 | 43.50 |
| 2005 | 5532 C | N | 2773 | S | 2759 | 10.30 | 51.10 | 43.80 |
| 2004 | 4937 C | N | 2483 | S | 2454 | 9.50 | 53.00 | 34.00 |

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

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2019 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 1001 - SR 31, SOUTH OF CR 78/NORTH RIVER ROAD (LC393)

| YEAR | AADT | DIRECTION 1 | DIRECTION 2 | *K FACTOR | D FACTOR | T FACTOR |
|---|---|---|---|---|---|---|
| 2019 | 11000 C | N 5500 | S 5500 | 9.50 | 54.00 | 25.30 |
| 2018 | 9400 C | N 4700 | S 4700 | 9.50 | 55.20 | 26.90 |
| 2017 | 8800 C | N 4500 | S 4300 | 9.50 | 54.40 | 20.20 |
| 2016 | 8600 F | N 4200 | S 4400 | 9.50 | 57.70 | 20.20 |
| 2015 | 7800 C | N 3800 | S 4000 | 9.50 | 57.50 | 20.20 |
| 2014 | 7200 F | N 3600 | S 3600 | 9.50 | 56.80 | 20.50 |
| 2013 | 7000 C | N 3500 | S 3500 | 9.50 | 56.50 | 20.50 |
| 2012 | 7500 C | N 3800 | S 3700 | 9.50 | 54.20 | 22.60 |
| 2011 | 7300 F | N 3700 | S 3600 | 9.50 | 56.20 | 17.60 |
| 2010 | 7300 C | N 3700 | S 3600 | 9.91 | 56.34 | 17.60 |
| 2009 | 7100 C | N 3600 | S 3500 | 9.98 | 55.90 | 19.70 |
| 2008 | 7700 C | N 3900 | S 3800 | 10.16 | 57.01 | 23.50 |
| 2007 | 9200 C | N 4600 | S 4600 | 10.16 | 54.76 | 32.60 |
| 2006 | 11100 C | N 5500 | S 5600 | 8.81 | 55.95 | 43.90 |
| 2005 | 10400 C | N 5200 | S 5200 | 9.60 | 53.80 | 33.40 |
| 2004 | 9500 C | N 4900 | S 4600 | 10.00 | 55.10 | 33.40 |

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

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2019 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 0030 - SR 31, NORTH OF SR 80/PALM BEACH BOULEVARD LC391

| YEAR | AADT | DIRECTION 1 | DIRECTION 2 | *K FACTOR | D FACTOR | T FACTOR |
|---|---|---|---|---|---|---|
| 2019 | 13500 C | N 6600 | S 6900 | 9.00 | 54.00 | 20.80 |
| 2018 | 11500 C | N 5600 | S 5900 | 9.00 | 55.20 | 18.60 |
| 2017 | 11200 C | N 5500 | S 5700 | 9.00 | 54.40 | 19.00 |
| 2016 | 11100 F | N 5500 | S 5600 | 9.00 | 57.70 | 12.50 |
| 2015 | 10100 C | N 5000 | S 5100 | 9.00 | 57.50 | 12.50 |
| 2014 | 8700 F | N 4300 | S 4400 | 9.00 | 56.80 | 14.90 |
| 2013 | 8500 C | N 4200 | S 4300 | 9.00 | 56.50 | 14.90 |
| 2012 | 8700 C | N 4400 | S 4300 | 9.00 | 54.20 | 13.80 |
| 2011 | 8500 F | N 4200 | S 4300 | 9.00 | 56.20 | 13.70 |
| 2010 | 8500 C | N 4200 | S 4300 | 9.91 | 56.34 | 13.70 |
| 2009 | 7800 C | N 3800 | S 4000 | 9.98 | 55.90 | 13.40 |
| 2008 | 8500 C | N 4200 | S 4300 | 10.16 | 57.01 | 12.80 |
| 2007 | 8700 C | N 4300 | S 4400 | 10.16 | 54.76 | 10.80 |
| 2006 | 12500 C | N 6100 | S 6400 | 10.23 | 54.38 | 33.20 |
| 2005 | 10500 C | N 5200 | S 5300 | 10.30 | 54.10 | 23.30 |
| 2004 | 9800 C | N 4800 | S 5000 | 9.90 | 54.30 | 23.30 |

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

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2019 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 1002 - SR 78/BAYSHORE ROAD, SOUTHWEST OF SR 31

| YEAR | AADT | DIRECTION 1 | DIRECTION 2 | *K FACTOR | D FACTOR | T FACTOR |
|---|---|---|---|---|---|---|
| 2019 | 10600 C | E 5500 | W 5100 | 9.00 | 54.00 | 22.00 |
| 2018 | 9600 C | E 5000 | W 4600 | 9.00 | 55.20 | 21.60 |
| 2017 | 9200 C | E 4600 | W 4600 | 9.00 | 54.40 | 13.00 |
| 2016 | 8600 F | E 4300 | W 4300 | 9.00 | 57.70 | 13.00 |
| 2015 | 7800 C | E 3900 | W 3900 | 9.00 | 57.50 | 13.00 |
| 2014 | 7300 F | E 3700 | W 3600 | 9.00 | 56.80 | 14.00 |
| 2013 | 7100 C | E 3600 | W 3500 | 9.00 | 56.50 | 14.00 |
| 2012 | 7500 C | E 3800 | W 3700 | 9.00 | 54.20 | 16.40 |
| 2011 | 6800 F | E 3500 | W 3300 | 9.00 | 56.20 | 14.90 |
| 2010 | 6800 C | E 3500 | W 3300 | 9.91 | 56.34 | 14.90 |
| 2009 | 6900 C | E 3500 | W 3400 | 9.98 | 55.90 | 17.00 |
| 2008 | 7500 C | E 3800 | W 3700 | 10.16 | 57.01 | 19.30 |
| 2007 | 8400 C | E 4300 | W 4100 | 10.16 | 54.76 | 23.30 |
| 2006 | 8400 C | E 4300 | W 4100 | 10.23 | 54.38 | 21.60 |
| 2005 | 8600 C | E 4400 | W 4200 | 10.30 | 54.10 | 25.10 |
| 2004 | 7700 C | E 4000 | W 3700 | 9.90 | 54.30 | 25.10 |

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

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2019 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 6005 - SR 80/PALM BEACH BLVD, 0.25 MI W OF SR 31. PTMS 104, LCPR 05

| YEAR | AADT | DIRECTION 1 | DIRECTION 2 | *K FACTOR | D FACTOR | T FACTOR |
|---|---|---|---|---|---|---|
| 2019 | 35000 F | 0 | 0 | 9.00 | 54.00 | 12.30 |
| 2018 | 35091 C | 0 | 0 | 9.00 | 64.90 | 12.60 |
| 2017 | 34000 F | 0 | 0 | 9.00 | 64.90 | 11.10 |
| 2016 | 32970 C | E 16326 | W 16644 | 9.00 | 64.90 | 10.40 |
| 2015 | 30167 C | E 14945 | W 15222 | 9.00 | 63.20 | 11.00 |
| 2014 | 27785 C | E 13885 | W 13900 | 9.00 | 62.60 | 5.90 |
| 2013 | 26228 C | E 12981 | W 13247 | 9.00 | 61.80 | 9.50 |
| 2012 | 25563 C | E 12791 | W 12772 | 9.00 | 61.60 | 10.80 |
| 2011 | 26888 C | E 13397 | W 13491 | 9.00 | 61.60 | 12.40 |
| 2010 | 26743 C | E 13334 | W 13409 | 9.89 | 61.01 | 8.90 |
| 2009 | 25939 C | E 12914 | W 13025 | 9.90 | 62.73 | 9.60 |
| 2008 | 26004 C | E 12909 | W 13095 | 10.24 | 63.18 | 9.20 |

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

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2019 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 0085 - SR 80/PALM BEACH BLVD, EAST OF SR 31 LC360

| YEAR | AADT | DIRECTION 1 | DIRECTION 2 | *K FACTOR | D FACTOR | T FACTOR |
|---|---|---|---|---|---|---|
| 2019 | 36500 C | E 18000 | W 18500 | 9.00 | 54.00 | 9.00 |
| 2018 | 33500 C | E 16500 | W 17000 | 9.00 | 55.20 | 9.30 |
| 2017 | 33500 C | E 16500 | W 17000 | 9.00 | 54.40 | 8.50 |
| 2016 | 35000 C | E 17500 | W 17500 | 9.00 | 57.70 | 8.20 |
| 2015 | 32000 C | E 16000 | W 16000 | 9.00 | 57.50 | 9.00 |
| 2014 | 29500 S | E 15000 | W 14500 | 9.00 | 56.80 | 9.20 |
| 2013 | 28500 F | E 14500 | W 14000 | 9.00 | 56.50 | 9.20 |
| 2012 | 28500 C | E 14500 | W 14000 | 9.00 | 54.20 | 9.20 |
| 2011 | 29500 F | E 14500 | W 15000 | 9.00 | 56.20 | 9.40 |
| 2010 | 29500 C | E 14500 | W 15000 | 9.91 | 56.34 | 9.40 |
| 2009 | 29500 C | E 14500 | W 15000 | 9.98 | 55.90 | 9.50 |
| 2008 | 30000 C | E 15000 | W 15000 | 10.16 | 57.01 | 8.10 |
| 2007 | 34000 C | E 17000 | W 17000 | 10.16 | 54.76 | 8.50 |
| 2006 | 36000 C | E 18000 | W 18000 | 10.23 | 54.38 | 11.00 |
| 2005 | 31500 C | E 15500 | W 16000 | 10.30 | 54.10 | 12.10 |
| 2004 | 29500 C | E 14500 | W 15000 | 9.90 | 54.30 | 12.10 |

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

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2019 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 0012 - SR 80, EAST OF OLD OLGA ROAD/BUCKINGHAM ROAD LC362

| YEAR | AADT | DIRECTION 1 | DIRECTION 2 | *K FACTOR | D FACTOR | T FACTOR |
|---|---|---|---|---|---|---|
| 2019 | 28000 C | E 14000 | W 14000 | 9.00 | 54.00 | 12.40 |
| 2018 | 26000 C | E 13000 | W 13000 | 9.00 | 55.20 | 12.40 |
| 2017 | 24000 C | E 12000 | W 12000 | 9.00 | 54.40 | 11.80 |
| 2016 | 23500 C | E 11500 | W 12000 | 9.00 | 57.70 | 10.30 |
| 2015 | 21000 C | E 10500 | W 10500 | 9.00 | 57.50 | 10.20 |
| 2014 | 18200 S | E 9100 | W 9100 | 9.00 | 56.80 | 12.00 |
| 2013 | 17800 F | E 8900 | W 8900 | 9.00 | 56.50 | 12.00 |
| 2012 | 17800 C | E 8900 | W 8900 | 9.00 | 54.20 | 12.00 |
| 2011 | 21000 F | E 10500 | W 10500 | 9.00 | 56.20 | 12.50 |
| 2010 | 21000 C | E 10500 | W 10500 | 9.91 | 56.34 | 12.50 |
| 2009 | 21000 C | E 10500 | W 10500 | 9.98 | 55.90 | 13.70 |
| 2008 | 21000 C | E 10500 | W 10500 | 10.16 | 57.01 | 11.20 |
| 2007 | 23000 C | E 11500 | W 11500 | 10.16 | 54.76 | 15.60 |
| 2006 | 21000 C | E 10500 | W 10500 | 10.23 | 54.38 | 14.00 |
| 2005 | 21500 C | E 10500 | W 11000 | 10.30 | 54.10 | 14.00 |
| 2004 | 19200 C | E 9500 | W 9700 | 9.90 | 54.30 | 14.00 |

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

2019 PEAK SEASON FACTOR CATEGORY REPORT - REPORT TYPE: ALL
CATEGORY: 1203 SR80, 31 & 78 E OF I-75

MOCF: 0.94

| WEEK | DATES | SF | PSCF |
|---|---|---|---|
| 1 | 01/01/2019 - 01/05/2019 | 0.96 | 1.02 |
| 2 | 01/06/2019 - 01/12/2019 | 0.98 | 1.04 |
| 3 | 01/13/2019 - 01/19/2019 | 1.01 | 1.07 |
| 4 | 01/20/2019 - 01/26/2019 | 0.99 | 1.05 |
| * 5 | 01/27/2019 - 02/02/2019 | 0.97 | 1.03 |
| * 6 | 02/03/2019 - 02/09/2019 | 0.95 | 1.01 |
| * 7 | 02/10/2019 - 02/16/2019 | 0.94 | 1.00 |
| * 8 | 02/17/2019 - 02/23/2019 | 0.93 | 0.99 |
| * 9 | 02/24/2019 - 03/02/2019 | 0.92 | 0.98 |
| *10 | 03/03/2019 - 03/09/2019 | 0.92 | 0.98 |
| *11 | 03/10/2019 - 03/16/2019 | 0.91 | 0.97 |
| *12 | 03/17/2019 - 03/23/2019 | 0.92 | 0.98 |
| *13 | 03/24/2019 - 03/30/2019 | 0.93 | 0.99 |
| *14 | 03/31/2019 - 04/06/2019 | 0.94 | 1.00 |
| *15 | 04/07/2019 - 04/13/2019 | 0.95 | 1.01 |
| *16 | 04/14/2019 - 04/20/2019 | 0.97 | 1.03 |
| *17 | 04/21/2019 - 04/27/2019 | 0.98 | 1.04 |
| 18 | 04/28/2019 - 05/04/2019 | 0.99 | 1.05 |
| 19 | 05/05/2019 - 05/11/2019 | 1.00 | 1.06 |
| 20 | 05/12/2019 - 05/18/2019 | 1.02 | 1.09 |
| 21 | 05/19/2019 - 05/25/2019 | 1.03 | 1.10 |
| 22 | 05/26/2019 - 06/01/2019 | 1.05 | 1.12 |
| 23 | 06/02/2019 - 06/08/2019 | 1.07 | 1.14 |
| 24 | 06/09/2019 - 06/15/2019 | 1.09 | 1.16 |
| 25 | 06/16/2019 - 06/22/2019 | 1.09 | 1.16 |
| 26 | 06/23/2019 - 06/29/2019 | 1.09 | 1.16 |
| 27 | 06/30/2019 - 07/06/2019 | 1.09 | 1.16 |
| 28 | 07/07/2019 - 07/13/2019 | 1.10 | 1.17 |
| 29 | 07/14/2019 - 07/20/2019 | 1.10 | 1.17 |
| 30 | 07/21/2019 - 07/27/2019 | 1.09 | 1.16 |
| 31 | 07/28/2019 - 08/03/2019 | 1.08 | 1.15 |
| 32 | 08/04/2019 - 08/10/2019 | 1.07 | 1.14 |
| 33 | 08/11/2019 - 08/17/2019 | 1.06 | 1.13 |
| 34 | 08/18/2019 - 08/24/2019 | 1.06 | 1.13 |
| 35 | 08/25/2019 - 08/31/2019 | 1.06 | 1.13 |
| 36 | 09/01/2019 - 09/07/2019 | 1.06 | 1.13 |
| 37 | 09/08/2019 - 09/14/2019 | 1.06 | 1.13 |
| 38 | 09/15/2019 - 09/21/2019 | 1.07 | 1.14 |
| 39 | 09/22/2019 - 09/28/2019 | 1.05 | 1.12 |
| 40 | 09/29/2019 - 10/05/2019 | 1.04 | 1.11 |
| 41 | 10/06/2019 - 10/12/2019 | 1.03 | 1.10 |
| 42 | 10/13/2019 - 10/19/2019 | 1.02 | 1.09 |
| 43 | 10/20/2019 - 10/26/2019 | 1.00 | 1.06 |
| 44 | 10/27/2019 - 11/02/2019 | 0.99 | 1.05 |
| 45 | 11/03/2019 - 11/09/2019 | 0.98 | 1.04 |
| 46 | 11/10/2019 - 11/16/2019 | 0.97 | 1.03 |
| 47 | 11/17/2019 - 11/23/2019 | 0.96 | 1.02 |
| 48 | 11/24/2019 - 11/30/2019 | 0.96 | 1.02 |
| 49 | 12/01/2019 - 12/07/2019 | 0.96 | 1.02 |
| 50 | 12/08/2019 - 12/14/2019 | 0.96 | 1.02 |
| 51 | 12/15/2019 - 12/21/2019 | 0.96 | 1.02 |
| 52 | 12/22/2019 - 12/28/2019 | 0.98 | 1.04 |
| 53 | 12/29/2019 - 12/31/2019 | 1.01 | 1.07 |

* PEAK SEASON

2019 PEAK SEASON FACTOR CATEGORY REPORT - REPORT TYPE: ALL
CATEGORY: 1200 LEE COUNTYWIDE

MOCF: 0.93

| WEEK | DATES | SF | PSCF |
|---|---|---|---|
| 1 | 01/01/2019 - 01/05/2019 | 0.97 | 1.04 |
| 2 | 01/06/2019 - 01/12/2019 | 0.97 | 1.04 |
| 3 | 01/13/2019 - 01/19/2019 | 0.98 | 1.05 |
| * 4 | 01/20/2019 - 01/26/2019 | 0.96 | 1.03 |
| * 5 | 01/27/2019 - 02/02/2019 | 0.95 | 1.02 |
| * 6 | 02/03/2019 - 02/09/2019 | 0.94 | 1.01 |
| * 7 | 02/10/2019 - 02/16/2019 | 0.92 | 0.99 |
| * 8 | 02/17/2019 - 02/23/2019 | 0.92 | 0.99 |
| * 9 | 02/24/2019 - 03/02/2019 | 0.92 | 0.99 |
| *10 | 03/03/2019 - 03/09/2019 | 0.91 | 0.98 |
| *11 | 03/10/2019 - 03/16/2019 | 0.91 | 0.98 |
| *12 | 03/17/2019 - 03/23/2019 | 0.92 | 0.99 |
| *13 | 03/24/2019 - 03/30/2019 | 0.93 | 1.00 |
| *14 | 03/31/2019 - 04/06/2019 | 0.94 | 1.01 |
| *15 | 04/07/2019 - 04/13/2019 | 0.94 | 1.01 |
| *16 | 04/14/2019 - 04/20/2019 | 0.95 | 1.02 |
| 17 | 04/21/2019 - 04/27/2019 | 0.97 | 1.04 |
| 18 | 04/28/2019 - 05/04/2019 | 0.99 | 1.06 |
| 19 | 05/05/2019 - 05/11/2019 | 1.00 | 1.08 |
| 20 | 05/12/2019 - 05/18/2019 | 1.02 | 1.10 |
| 21 | 05/19/2019 - 05/25/2019 | 1.04 | 1.12 |
| 22 | 05/26/2019 - 06/01/2019 | 1.06 | 1.14 |
| 23 | 06/02/2019 - 06/08/2019 | 1.07 | 1.15 |
| 24 | 06/09/2019 - 06/15/2019 | 1.09 | 1.17 |
| 25 | 06/16/2019 - 06/22/2019 | 1.10 | 1.18 |
| 26 | 06/23/2019 - 06/29/2019 | 1.10 | 1.18 |
| 27 | 06/30/2019 - 07/06/2019 | 1.11 | 1.19 |
| 28 | 07/07/2019 - 07/13/2019 | 1.11 | 1.19 |
| 29 | 07/14/2019 - 07/20/2019 | 1.12 | 1.20 |
| 30 | 07/21/2019 - 07/27/2019 | 1.10 | 1.18 |
| 31 | 07/28/2019 - 08/03/2019 | 1.09 | 1.17 |
| 32 | 08/04/2019 - 08/10/2019 | 1.07 | 1.15 |
| 33 | 08/11/2019 - 08/17/2019 | 1.06 | 1.14 |
| 34 | 08/18/2019 - 08/24/2019 | 1.06 | 1.14 |
| 35 | 08/25/2019 - 08/31/2019 | 1.07 | 1.15 |
| 36 | 09/01/2019 - 09/07/2019 | 1.07 | 1.15 |
| 37 | 09/08/2019 - 09/14/2019 | 1.07 | 1.15 |
| 38 | 09/15/2019 - 09/21/2019 | 1.08 | 1.16 |
| 39 | 09/22/2019 - 09/28/2019 | 1.06 | 1.14 |
| 40 | 09/29/2019 - 10/05/2019 | 1.05 | 1.13 |
| 41 | 10/06/2019 - 10/12/2019 | 1.03 | 1.11 |
| 42 | 10/13/2019 - 10/19/2019 | 1.02 | 1.10 |
| 43 | 10/20/2019 - 10/26/2019 | 1.01 | 1.09 |
| 44 | 10/27/2019 - 11/02/2019 | 1.00 | 1.08 |
| 45 | 11/03/2019 - 11/09/2019 | 0.99 | 1.06 |
| 46 | 11/10/2019 - 11/16/2019 | 0.98 | 1.05 |
| 47 | 11/17/2019 - 11/23/2019 | 0.97 | 1.04 |
| 48 | 11/24/2019 - 11/30/2019 | 0.97 | 1.04 |
| 49 | 12/01/2019 - 12/07/2019 | 0.97 | 1.04 |
| 50 | 12/08/2019 - 12/14/2019 | 0.97 | 1.04 |
| 51 | 12/15/2019 - 12/21/2019 | 0.97 | 1.04 |
| 52 | 12/22/2019 - 12/28/2019 | 0.97 | 1.04 |
| 53 | 12/29/2019 - 12/31/2019 | 0.98 | 1.05 |

* PEAK SEASON

RECEIVED
SEP 21 2020
COMMUNITY DEVELOPMENT

# TRAFFIC DATA FROM LEE COUNTY TRAFFIC COUNT REPORT

| Updated 3/13/20 | | | Daily Traffic Volume (AADT) | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| STREET | LOCATION | Sta-tion # | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 |
| BRANTLEY RD | W OF US 41 | 230 | 2700 | | | | | | | | | |
| BROADWAY (ESTERO) | W OF US 41 | 463 | 5300 | 3500 | | 5200 | | 5700 | | 6200 | | 6300 |
| BROADWAY RD | S OF ALVA BRIDGE | 231 | | | | | | | | | | 6100 |
| BUCKINGHAM RD | S OF PALM BEACH BLVD | 11 | 8400 | 8400 | 8900 | 8800 | 9000 | 9300 | 9800 | 9800 | 10400 | 11400 |
| BUCKINGHAM RD | S OF CEMETERY RD | 227 | | | | | 10600 | | 9800 | | 9600 | |
| BUCKINGHAM RD | E OF ALVIN AVE | 232 | 5700 | | | | 7000 | | 8600 | | 9200 | |
| BURNT STORE RD | N OF PINE ISLAND RD | 233 | 11700 | 11100 | | 12600 | 12600 | 13600 | 14800 | 15300 | 15100 | 19100 |
| BURNT STORE RD | S OF CHARLOTTE CO. LINE | 12 | 5600 | 5300 | 5000 | 5200 | 6300 | 7000 | 7700 | 8000 | 8300 | 8800 |
| BUSINESS 41 (SR 739) | N OF EDISON BRIDGE | 41 | 26100 | 25500 | 24800 | 25100 | 27200 | 28000 | | | | 35600 |
| BUSINESS 41 (SR 739) | S OF PINE ISLAND RD | 77 | | | | | | 22000 | 25500 | | | |
| BUSINESS 41 (SR 739) | N OF PONDELLA RD | 397 | | | | | | | | | | |
| BUSINESS 41 (SR 739) | N OF POWELL DR | 394 | | | | | | | | | | |
| BUSINESS 41 (SR 739) | N OF LITTLETON RD | 76 | | | | | | 11500 | 12800 | 13200 | | |
| BUSINESS 41 (SR 739) | N OF LAUREL DR | 396 | | | | | | | | | | |
| CAPE CORAL PKWY | E OF SKYLINE BLVD | 13 | 26200 | 26700 | 25000 | 26400 | 27700 | 28800 | 29700 | 28200 | 29600 | 30400 |
| CAPE CORAL BRIDGE | W OF BRIDGE | 234 | 39700 | | | 45600 | 51600 | | | | | |
| CAPE CORAL BRIDGE | AT TOLL PLAZA | 122 | | | | | | 44000 | 42600 | 42000 | 43100 | 47800 |

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| Updated 3/13/20 | | | Daily Traffic Volume (AADT) | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| STREET | LOCATION | Sta-tion # | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 |
| NALLE RD | N OF BAYSHORE RD | 344 | | 2100 | | 2600 | | 2500 | | 2500 | | 2300 |
| NEAL RD | S OF ORANGE RIVER BLVD | 485 | 1800 | | | 2000 | | | | | | |
| NORTH RIVER RD | E OF SR 31 | 348 | 1400 | 2200 | | 2700 | | 2900 | | 3100 | | 2900 |
| NORTH RIVER RD | W OF PARKINSON RD | 346 | | | | 1300 | | | | | | |
| NORTH RIVER RD | W OF HENDRY CO LINE | 347 | 1600 | 1400 | | 1400 | | 1500 | | 1500 | | 2000 |
| OLD 41 RD | N OF COLLIER CO LINE | 16 | 11500 | 11700 | 11500 | 12000 | 13000 | 13700 | 13600 | 14000 | 14700 | 14900 |
| ORANGE RIVER BLVD | S OF PALM BEACH BLVD | 353 | 8000 | 7700 | 8000 | 7300 | 5800 | 8100 | 8400 | 8600 | 8800 | 9700 |
| ORANGE RIVER BLVD | E OF STALEY RD | 352 | 7300 | | | | | | | | | |
| ORIOLE RD | S OF ALICO RD | 462 | 2000 | | | | | | | | | |

## Year 2019 K-100 Factors, D-Factors and Peak Season Factors

| Station # | K-100 | D-Factors | P.S Factors |
|---|---|---|---|
| 1 | 0.090 | 0.62 | 1.067 |
| 2 | 0.091 | 0.54 | 1.083 |
| 3 | 0.099 | 0.52 | 1.187 |
| 5 | 0.093 | 0.62 | 1.100 |
| 6* | 0.086 | 0.56 | 1.047 |
| 7 | 0.115 | 0.53 | 1.323 |
| 8 | 0.084 | 0.51 | 1.143 |
| 9* | 0.086 | 0.51 | 1.057 |
| 10* | 0.096 | 0.51 | 1.080 |
| 11 | 0.089 | 0.53 | 1.043 |
| 12 | 0.088 | 0.60 | 1.147 |
| 13 | 0.087 | 0.59 | 1.097 |
| 14 | 0.085 | 0.60 | 1.043 |
| 15* | 0.098 | 0.55 | 1.157 |
| 16 | 0.102 | 0.63 | 1.143 |
| 17 | 0.106* | 0.63 | 1.063 |
| 18 | 0.091 | 0.58 | 1.093 |
| 19* | 0.102 | 0.55 | 1.240 |
| 20 | 0.097 | 0.59 | 1.060 |
| 21* | 0.083 | 0.61 | 1.037 |
| 22 | 0.085 | 0.62 | 1.067 |
| 23 | 0.103* | 0.58 | 1.177 |
| 25 | 0.095 | 0.58 | 1.097 |
| 27 | 0.127 | 0.54 | 1.343 |
| 28 | 0.081 | 0.56 | 1.067* |
| 29 | 0.082 | 0.52 | 1.093 |
| 30 | 0.092 | 0.51 | 1.090 |
| 31 | 0.088 | 0.54 | 1.090 |
| 34 | 0.098 | 0.54 | 1.090 |
| 35 | 0.104 | 0.56 | 1.100 |
| 36* | 0.100 | 0.57 | 1.187 |
| 37* | 0.088 | 0.60 | 1.130 |
| 38 | 0.101* | 0.60 | 1.163 |
| 39 | 0.100 | 0.53 | 1.107 |
| 40 | 0.090 | 0.52 | 1.023 |
| 42 | 0.094 | 0.56 | 1.180 |
| 43 | 0.090 | 0.61 | 1.100* |
| 44* | 0.085 | 0.51 | 1.083 |
| 45 | 0.106 | 0.57 | 1.067 |

| Station # | K-100 | D-Factors | P.S Factors |
|---|---|---|---|
| 46 | 0.088 | 0.52 | 1.177 |
| 47 | 0.098 | 0.56 | 1.123 |
| 48 | 0.101 | 0.57 | 1.097 |
| 49 | 0.086 | 0.53 | 1.073 |
| 50 | 0.083 | 0.61 | 1.050 |
| 51* | 0.082 | 0.71 | 1.107 |
| 52 | 0.090 | 0.55 | 1.057 |
| 53 | 0.099 | 0.52 | 1.260 |
| 54* | 0.095 | 0.51 | 1.163 |
| 55 | 0.088 | 0.53 | 1.093 |
| 57* | 0.100 | 0.52 | 1.130 |
| 59 | 0.103 | 0.51 | 1.330 |
| 60* | 0.132 | 0.57 | 1.543 |
| 61 | 0.095 | 0.59 | 1.230 |
| 62 | 0.107 | 0.60 | 1.157 |
| 63 | 0.123 | 0.55 | 1.210 |
| 64 | 0.104 | 0.54 | 1.090 |
| 66 | 0.101 | 0.54 | 1.120 |
| 68 | 0.095 | 0.60 | 1.030 |
| 69 | 0.090 | 0.55 | 1.057 |
| 70 | 0.105 | 0.56 | 1.213 |
| 71* | 0.105 | 0.53 | 1.150 |
| 72 | 0.105 | 0.60 | 1.253 |
| 73* | 0.097 | 0.56 | 1.143 |
| 74 | 0.105* | 0.60 | 1.037 |
| 76* | 0.097 | 0.55 | 1.130 |
| 81* | 0.100 | 0.56 | 1.133 |
| 82* | 0.100 | 0.54 | 1.073 |
| 84* | 0.094 | 0.51 | 1.107 |
| 89* | 0.098 | 0.60 | 1.030 |
| 92 | 0.103 | 0.57 | 1.090 |
| 93 | 0.101 | 0.60 | 1.063 |
| 96 | 0.109 | 0.54 | 1.093 |
| 97* | 0.086 | 0.52 | 1.030 |
| 98* | 0.088 | 0.58 | 1.117 |
| 103* | 0.092 | 0.52 | 1.177 |
| 104 | 0.101 | 0.52 | 1.103 |
| 108 | 0.093 | 0.52 | 1.040 |
| 120 | 0.099 | 0.64 | 1.267 |
| 121 | 0.095* | 0.64 | 1.053 |
| 122* | 0.096 | 0.67 | 1.070 |

* Previous Year Data

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# TRAFFIC DATA FROM LEE COUNTY TRANSPORTATION DATA MANAGEMENT SYSTEM

| Location Info | |
|---|---|
| Location ID | 348 |
| Type | I-SECTION |
| Functional Class | - |
| Located On | N River Rd |
| Between | AND |
| Direction | 2-WAY |
| Community | - |
| MPO_ID | |
| HPMS ID | |
| Agency | Lee County |
| | |
| | |

| Count Data Info | |
|---|---|
| Start Date | 2/13/2019 |
| End Date | 2/14/2019 |
| Start Time | 12:00 AM |
| End Time | 12:00 AM |
| Direction | |
| Notes | lee |
| Count Source | 348 |
| File Name | qrtlyD021319.348.PRN |
| Weather | |
| Study | |
| Owner | LeeAuto |
| QC Status | Accepted |

FDOT # 124650

* Using D-factor of 0.549

| Interval: 15 mins | | | | | |
|---|---|---|---|---|---|
| Time | 15 Min | | | | Hourly Count |
| | 1st | 2nd | 3rd | 4th | |
| 00:00 - 01:00 | 3 | 3 | 3 | 0 | 9 |
| 01:00 - 02:00 | 1 | 1 | 4 | 0 | 6 |
| 02:00 - 03:00 | 2 | 5 | 3 | 2 | 12 |
| 03:00 - 04:00 | 4 | 1 | 0 | 0 | 5 |
| 04:00 - 05:00 | 0 | 3 | 2 | 3 | 8 |
| 05:00 - 06:00 | 4 | 9 | 17 | 28 | 58 |
| 06:00 - 07:00 | 34 | 41 | 79 | 65 | 219 |
| 07:00 - 08:00 | 81 | 96 | 81 | 74 | 332 |
| 08:00 - 09:00 | 58 | 52 | 47 | 50 | 207 |
| 09:00 - 10:00 | 46 | 40 | 47 | 40 | 173 |
| 10:00 - 11:00 | 48 | 46 | 51 | 44 | 189 |
| 11:00 - 12:00 | 37 | 35 | 53 | 51 | 176 |
| 12:00 - 13:00 | 50 | 60 | 49 | 34 | 193 |
| 13:00 - 14:00 | 53 | 50 | 48 | 44 | 195 |
| 14:00 - 15:00 | 55 | 61 | 45 | 58 | 219 |
| 15:00 - 16:00 | 57 | 52 | 75 | 68 | 252 |
| 16:00 - 17:00 | 61 | 80 | 53 | 60 | 254 |
| 17:00 - 18:00 | 74 | 68 | 91 | 64 | 297 |
| 18:00 - 19:00 | 54 | 55 | 39 | 38 | 186 |
| 19:00 - 20:00 | 26 | 20 | 29 | 24 | 99 |
| 20:00 - 21:00 | 21 | 19 | 22 | 20 | 82 |
| 21:00 - 22:00 | 14 | 18 | 9 | 15 | 56 |
| 22:00 - 23:00 | 4 | 9 | 4 | 1 | 18 |
| 23:00 - 24:00 | 4 | 5 | 6 | 2 | 17 |
| TOTAL | | | | | 3262 |

AM Pk Hr

← 182 N. River Rd

150 →

PM Pk Hr

← 134 N. River Rd

163 →

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# 2040 E+C NETWORK VOLUMES

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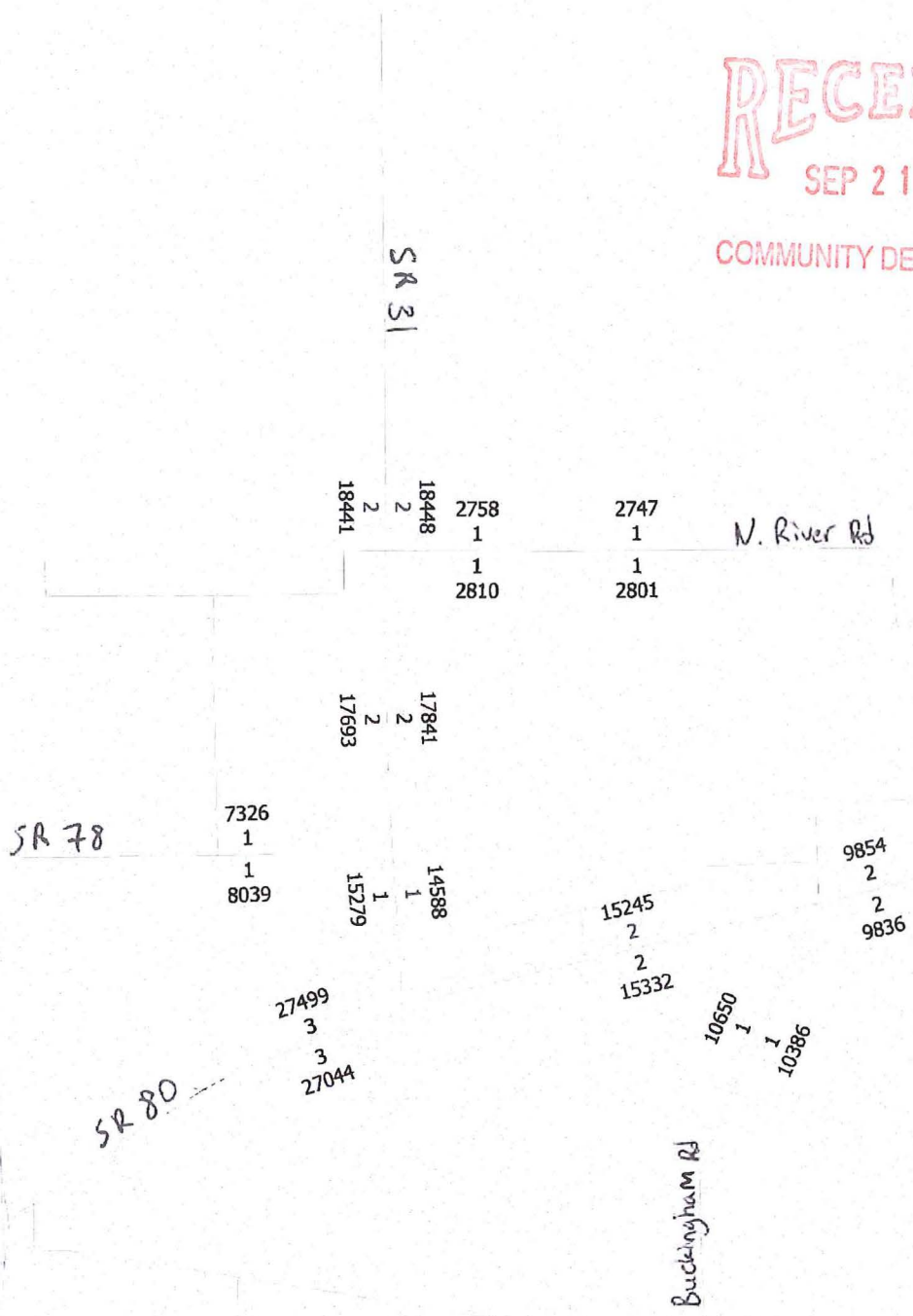


2040 LRTP COST FEASIBLE ROADWAY NETWORK LANES AND VOLUMES

cube (Licensed to TR Transportation Consultants Inc)

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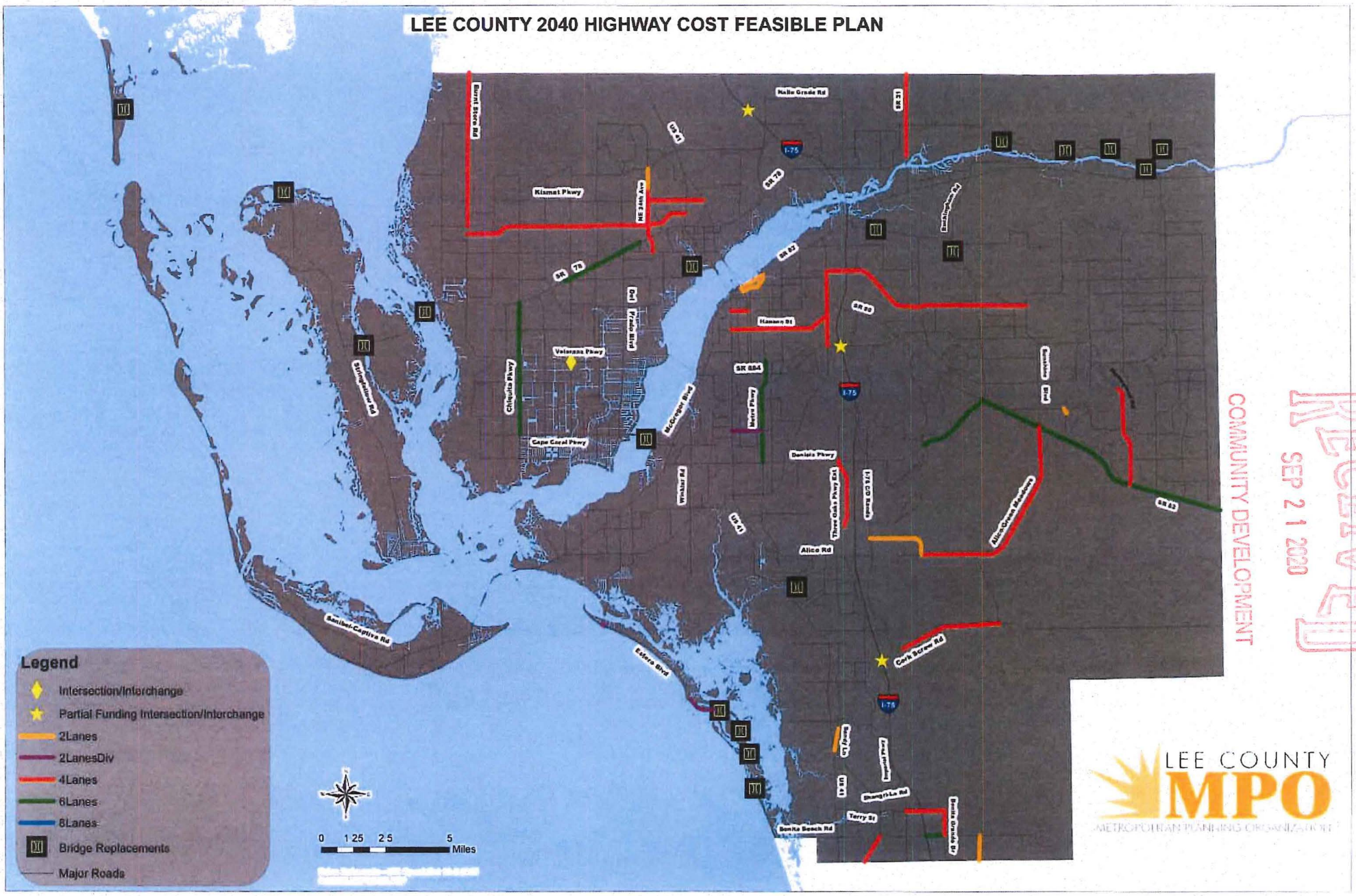
# LEE COUNTY MPO 2040 COST FEASIBLE HIGHWAY PLAN

# LEE COUNTY 2040 HIGHWAY COST FEASIBLE PLAN

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METROPOLITAN PLANNING ORGANIZATION

Table 6-2: Cost Feasible Projects: Road Projects - State/Other Arterial/SU

(in $1,000)

| Road Name | From | To | Improvement | Phase | 2021-2025 | 2026-2030 | 2031-2040 | Total Cost (YOE) | Total Cost (PDC) |
|---|---|---|---|---|---|---|---|---|---|
| Countywide Signal System Updates, | | | ITS | CST | $10,160 | $0 | $0 | $10,160 | $8,000 |
| Metro Parkway | Daniels Parkway | south of Winkler Avenue | Widen 4L to 6L | CST | $0 | $67,370 | $0 | $67,370 | $44,920 |
| Big Carlos Bridge Replacement | | | Reconstruct Bridge | PE | $1,530 | $0 | $0 | $1,530 | $1,250 |
| Big Carlos Bridge Replacement | | | Reconstruct Bridge | CST | $32,260 | $0 | $0 | $32,260 | $25,040 |
| I-75/Corkscrew Road Interchange | Interim Interchange Improvements | | Interchange | PE/CST | $4,880 | $0 | $0 | $4,880 | $4,270 |
| San Carlos Boulevard | Summerlin Road | Crescent Street | TBD in PD&E | ROW | $10,000 | $0 | $0 | $10,000 | $8,200 |
| San Carlos Boulevard | Summerlin Road | Crescent Street | TBD in PD&E | CST | $10,000 | $0 | $0 | $10,000 | $8,200 |
| Old US 41 | Collier County Line | Bonita Beach Road | Add Lanes & Reconstruct | PE | $2,160 | $0 | $0 | $2,160 | $1,770 |
| Old US 41 | Collier County Line | Bonita Beach Road | Add Lanes & Reconstruct | ROW | $0 | $8,820 | $0 | $8,820 | $4,800 |
| Old US 41 | Collier County Line | Bonita Beach Road | Add Lanes & Reconstruct | CST | $0 | $17,730 | $0 | $17,730 | $11,820 |
| SR 78 | Santa Barbara Boulevard | east of Pondella | Widen 4L to 6L | PE | $0 | $0 | $7,490 | $7,490 | $4,800 |
| SR 78 | Santa Barbara Boulevard | east of Pondella | Widen 4L to 6L | CST | $0 | $0 | $61,130 | $61,130 | $32,000 |
| Burnt Store Road | Van Buren Parkway | Charlotte County Line | Widen 2L to 4L | PE | $0 | $11,480 | $0 | $11,480 | $8,320 |
| Burnt Store Road | Van Buren Parkway | Charlotte County Line | Widen 2L to 4L | ROW/CST | $0 | $0 | $70,000 | $70,000 | $78,370 |
| First and Second Streets | Fowler Street | Seaboard Street | 1 way to 2 way | PD&E/PE | $1,820 | $0 | $0 | $1,820 | $1,500 |
| First and Second Streets | Fowler Street | Seaboard Street | 1 way to 2 way | CST | $0 | $3,000 | $0 | $3,000 | $2,000 |
| Fowler Street | Metro Parkway/Fowler Street | Dr Martin Luther King Jr | 4LUD to 4LD | PD&E | $2,440 | $0 | $0 | $2,440 | $2,000 |
| Fowler Street | Metro Parkway/Fowler Street | Dr Martin Luther King Jr | 4LUD to 4LD | PE | $0 | $4,830 | $0 | $4,830 | $3,500 |
| SR 31 | SR 80 | SR 78 | Widen 2L to 4L | PD&E | $2,000 | $0 | $0 | $2,000 | $1,640 |
| SR 31 | SR 80 | SR 78 | Widen 2L to 4L | PE | $2,660 | $0 | $0 | $2,660 | $2,180 |
| Cape Coral Evacuation Study | | | Access | Planning | $300 | $0 | $0 | $300 | $250 |
| Del Prado Boulevard Interchange | | | New Interchange | IJR | $1,250 | $0 | $0 | $1,250 | $1,020 |
| Major Intersections | | | Operational Studies | P/R/CST | $2,450 | $12,000 | $55,000 | $69,450 | $38,740 |
| | | | | Total Cost: | $83,910 | $133,930 | $193,620 | $402,760 | $259,920 |
| | | | | Revenues: | $100,200 | $95,400 | $206,640 | $402,240 | N/A |

Project Phases - PD&E Project Development and Environment; PE: Project Engineering and Design; ROW: Right-of-way Acquisition; CST: Project Construction

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# LEE COUNTY MPO
# 2040 NEEDS PLAN

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Table C-1: 2040 Needs Plan Projects: Road Projects

| Road Name | From | To | Improvement From (# of Lanes) | Improvement To (# of Lanes) | Total Cost (PDC, in millions) |
|---|---|---|---|---|---|
| 1st Street | Fowler Street | Palm Beach Boulevard | Two way | | $5.50 |
| 23rd Street SW | Gunnery Road | Beth Stacey Boulevard | 2 | 4 | $85.70 |
| 2nd Street | Fowler Street | Palm Beach Boulevard | Two way | | $5.50 |
| 40th Street | End of 40th Street | Alabama Road | New 2 Lanes | | $4.51 |
| Alabama Road | SR 82 | Homestead Road | 2 | 4 | $70.10 |
| SR 78 | w/o Santa Barbara Boulevard | e/o Pondella Road | 4 | 6 | $36.80 |
| Alico Connector | Alico Road | SR 82 | New 4 Lanes | | $51.70 |
| Alico Road | Ben Hill Griffin Parkway | Airport Haul Road | 2 | 4 | Committed |
| Alico Road | Airport Haul Road | Alico Connector | 2 | 4 | $33.10 |
| Alva Drawbridge | Bridge Replacement | | Reconstruct Bridge | | $26.00 |
| Andalusia Boulevard | Pine Island Road | Tropicana Parkway | 4 | 6 | $6.90 |
| Andalusia Boulevard | Jacaranda Parkway | Kismet Parkway | New 4 Lanes | | $26.30 |
| Bell Boulevard | SR 82 | Leeland Heights Boulevard | 2 | 4 | $112.20 |
| Beth Stacey Boulevard | 23rd Street SW | Homestead Road | 2 | 4 | $21.80 |
| Big Carlos Bridge | Bridge Replacement | | Reconstruct Bridge | | $30.10 |
| Big Hickory Pass Bridge | Bridge Replacement | | Reconstruct Bridge | | $12.10 |
| Bonita Beach Road | I-75 | Bonita Grande Drive | 4 | 6 | $19.00 |
| Bonita Grande Drive | Terry Street | Bonita Beach Road | 2 | 4 | $20.40 |
| Buckingham Road | Orange River Boulevard | SR 80 | 2 | 4 | $82.30 |
| Buckingham Road Bridge | over Orange River | | Reconstruct Bridge | | $3.00 |
| Burnt Store Road | Pine Island Road | Van Buren Parkway | 2 | 4 | Committed |
| Burnt Store Road | Van Buren Parkway | Charlotte County Line | 2 | 4 | $89.50 |
| Cape Coral Bridge | Bridge Replacement | | Reconstruct Bridge | | $85.40 |
| Chiquita Boulevard | Pine Island Road | Cape Coral Parkway | 4 | 6 | $72.60 |
| Colonial Boulevard | at Summerlin Road | | Intersection | | Unknown |
| Constitution Circle Bridge | over Mullock Creek | | Reconstruct Bridge | | $1.00 |
| Corkscrew Road | US 41 | e/o Ben Hill Griffin Parkway | 4 | 6 | $62.60 |
| Corkscrew Road | Ben Hill Griffin Parkway | Alico Road | 2 | 4 | $76.40 |

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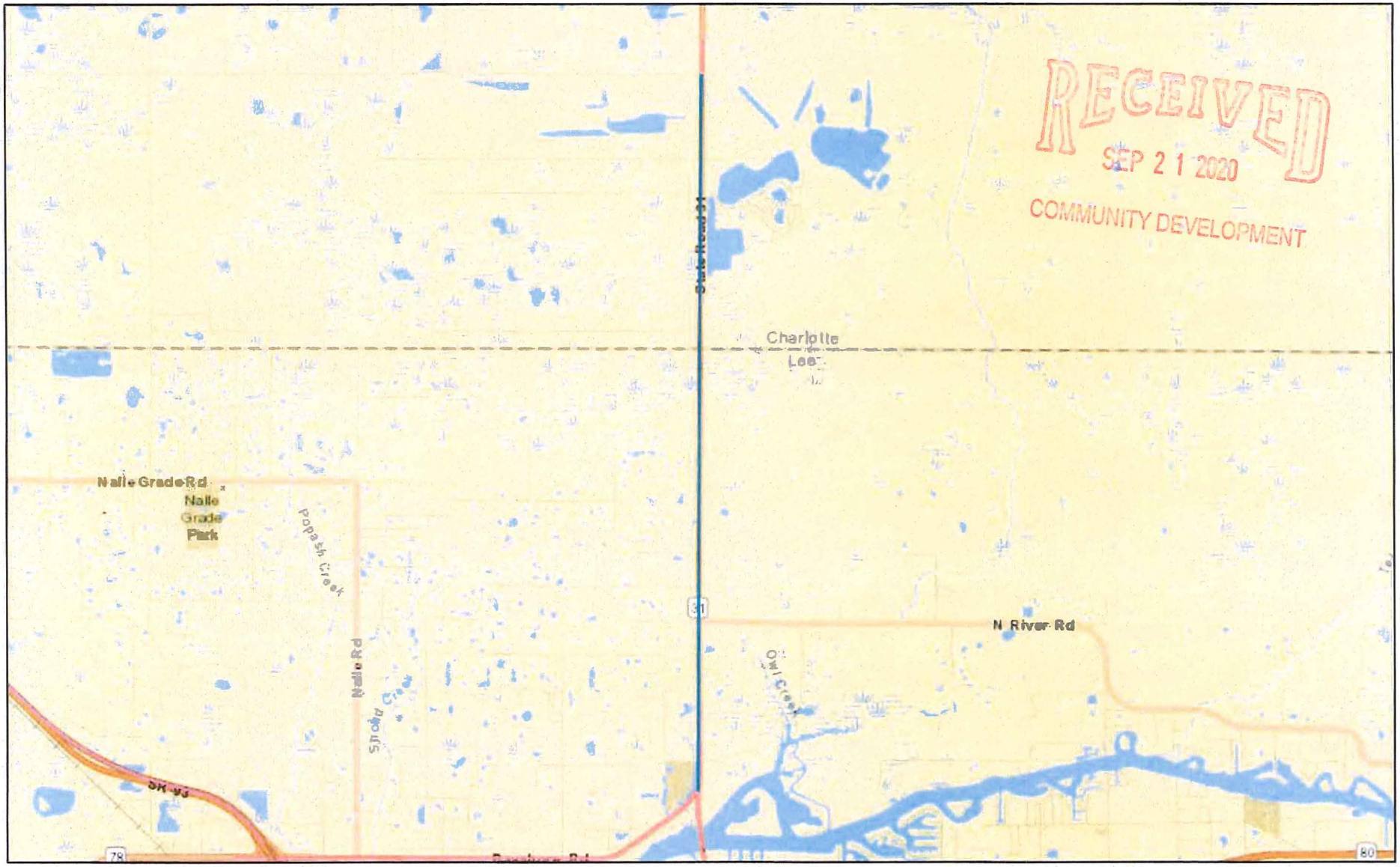
# FDOT 5-YEAR ADOPTED WORK PROGRAM

# ArcGIS Web Map

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7/27/2020, 11:36:20 AM

1:72,224

0 0.5 1 2 mi

0 0.75 1.5 3 km

2019 Work Program: 2019 Adopted

- CST CONSTRUCTION
- ENV ENVIRONMENTAL
- PDE P D & E
- PE PRELIMINARY ENGINEERING
- PLN PLANNING

2019 Work Program: 2020 Adopted

- CAP CAPITAL
- CST CONSTRUCTION

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan,

ArcGIS Web AppBuilder

University of South Florida, County of Lee, FL, Esri, HERE, Garmin, INCREMENT P, NGA, USGS |

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# DEVELOPMENT OF FUTURE YEAR BACKGROUND TURNING VOLUMES

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# Development of Future Year Background Turning Volumes

| | |
|---|---|
| Intersection | **North River Rd @ Owl Creek Dr** |
| Count Date | February 2019 |
| Build-Out Year | 2025 |

**AM Peak Hour**

| | NBL | NBT | NBR | SBL | SBT | SBR | EBL | EBT | EBR | WBL | WBT | WBR |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| RAW Turning Movement Counts | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 150 | 0 | 0 | 182 | 0 |
| Peak Season Correction Factor | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 |
| Current Peak Season Volumes | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 150 | 0 | 0 | 182 | 0 |
| Growth Rate | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 3.51% | 0.00% | 0.00% | 3.51% | 0.00% |
| Years to Build-out | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 |
| 2025 Background Turning Volumes | **0** | **0** | **0** | **0** | **0** | **0** | **0** | **184** | **0** | **0** | **224** | **0** |
| Project Turning Volumes | 204 | 0 | 10 | 0 | 0 | 0 | 0 | 2 | 68 | 3 | 1 | 0 |
| 2025 Background + Project | **204** | **0** | **10** | **0** | **0** | **0** | **0** | **186** | **68** | **3** | **225** | **0** |

**PM Peak Hour**

| | NBL | NBT | NBR | SBL | SBT | SBR | EBL | EBT | EBR | WBL | WBT | WBR |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| RAW Turning Movement Counts | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 163 | 0 | 0 | 134 | 0 |
| Peak Season Correction Factor | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 |
| Current Peak Season Volumes | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 163 | 0 | 0 | 134 | 0 |
| Growth Rate | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 3.51% | 0.00% | 0.00% | 3.51% | 0.00% |
| Years to Build-out | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 |
| 2025 Background Turning Volumes | **0** | **0** | **0** | **0** | **0** | **0** | **0** | **200** | **0** | **0** | **165** | **0** |
| Project Turning Volumes | 133 | 0 | 7 | 0 | 0 | 0 | 0 | 1 | 227 | 11 | 2 | 0 |
| 2025 Background + Project | **133** | **0** | **7** | **0** | **0** | **0** | **0** | **201** | **227** | **11** | **167** | **0** |

# Development of Future Year Background Turning Volumes

| | |
|---|---|
| Intersection | **N. River Rd @ W. Site Access** |
| Count Date | February 2019 |
| Build-Out Year | 2025 |

**AM Peak Hour**

| | NBL | NBT | NBR | SBL | SBT | SBR | EBL | EBT | EBR | WBL | WBT | WBR |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| RAW Turning Movement Counts | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 150 | 0 | 0 | 182 | 0 |
| Peak Season Correction Factor | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 |
| Current Peak Season Volumes | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 150 | 0 | 0 | 182 | 0 |
| Growth Rate | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 3.51% | 0.00% | 0.00% | 3.51% | 0.00% |
| Years to Build-out | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 |
| 2025 Background Turning Volumes | **0** | **0** | **0** | **0** | **0** | **0** | **0** | **184** | **0** | **0** | **224** | **0** |
| Project Turning Volumes | 22 | 0 | 2 | 0 | 0 | 0 | 0 | 68 | 7 | 1 | 204 | 0 |
| 2025 Background + Project | **22** | **0** | **2** | **0** | **0** | **0** | **0** | **252** | **7** | **1** | **428** | **0** |

**PM Peak Hour**

| | NBL | NBT | NBR | SBL | SBT | SBR | EBL | EBT | EBR | WBL | WBT | WBR |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| RAW Turning Movement Counts | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 163 | 0 | 0 | 134 | 0 |
| Peak Season Correction Factor | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 |
| Current Peak Season Volumes | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 163 | 0 | 0 | 134 | 0 |
| Growth Rate | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 3.51% | 0.00% | 0.00% | 3.51% | 0.00% |
| Years to Build-out | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 7 | 7 | 7 |
| 2025 Background Turning Volumes | **0** | **0** | **0** | **0** | **0** | **0** | **0** | **200** | **0** | **0** | **171** | **0** |
| Project Turning Volumes | 15 | 0 | 1 | 0 | 0 | 0 | 0 | 227 | 25 | 2 | 133 | 0 |
| 2025 Background + Project | **15** | **0** | **1** | **0** | **0** | **0** | **0** | **427** | **25** | **2** | **304** | **0** |

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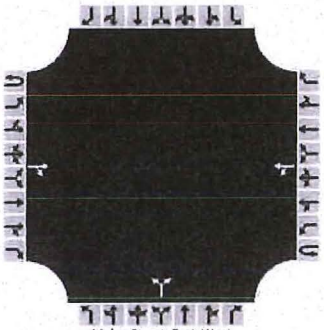
# HCS RESULTS
# NORTH RIVER RD @
# OWL CREEK DR

# HCS7 Two-Way Stop-Control Report

## General Information

| | | | |
|---|---|---|---|
| Analyst | | Intersection | N. Rriver Rd/Owl Creek Dr |
| Agency/Co. | TR Transportation Consult | Jurisdiction | Lee County |
| Date Performed | 7/27/2020 | East/West Street | N. River Rd |
| Analysis Year | 2025 | North/South Street | Owl Creek Dr |
| Time Analyzed | AM Pk Hr | Peak Hour Factor | 0.92 |
| Intersection Orientation | East-West | Analysis Time Period (hrs) | 0.25 |
| Project Description | F2006.14 | | |

## Lanes

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## 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 | 1U | 1 | 2 | 3 | 4U | 4 | 5 | 6 | | 7 | 8 | 9 | | 10 | 11 | 12 |
| Number of Lanes | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 0 | | 0 | 1 | 0 | | 0 | 0 | 0 |
| Configuration | | | | TR | | LT | | | | | LR | | | | | |
| Volume (veh/h) | | | 186 | 68 | | 3 | 225 | | | 204 | | 10 | | | | |
| Percent Heavy Vehicles (%) | | | | | | 3 | | | | 3 | | 3 | | | | |
| Proportion Time Blocked | | | | | | | | | | | | | | | | |
| Percent Grade (%) | | | | | | | | | 0 | | | | | | | |
| Right Turn Channelized | | | | | | | | | | | | | | | | |
| Median Type \| Storage | Undivided | | | | | | | | | | | | | | | |

## Critical and Follow-up Headways

| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Base Critical Headway (sec) | | | | | | 4.1 | | | | 7.1 | | 6.2 | | | | |
| Critical Headway (sec) | | | | | | 4.13 | | | | 6.43 | | 6.23 | | | | |
| Base Follow-Up Headway (sec) | | | | | | 2.2 | | | | 3.5 | | 3.3 | | | | |
| Follow-Up Headway (sec) | | | | | | 2.23 | | | | 3.53 | | 3.33 | | | | |

## Delay, Queue Length, and Level of Service

| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Flow Rate, v (veh/h) | | | | | | 3 | | | | | 233 | | | | | |
| Capacity, c (veh/h) | | | | | | 1281 | | | | | 542 | | | | | |
| v/c Ratio | | | | | | 0.00 | | | | | 0.43 | | | | | |
| 95% Queue Length, $Q_{95}$ (veh) | | | | | | 0.0 | | | | | 2.1 | | | | | |
| Control Delay (s/veh) | | | | | | 7.8 | | | | | 16.5 | | | | | |
| Level of Service (LOS) | | | | | | A | | | | | C | | | | | |
| Approach Delay (s/veh) | | | | | 0.1 | | | | 16.5 | | | | | | | |
| Approach LOS | | | | | | | | | C | | | | | | | |

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# HCS7 Two-Way Stop-Control Report

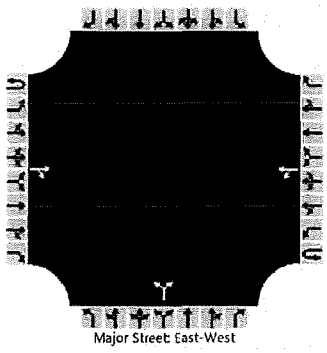
## General Information

| | |
|---|---|
| Analyst | |
| Agency/Co. | TR Transportation Consult |
| Date Performed | 7/27/2020 |
| Analysis Year | 2025 |
| Time Analyzed | PM Pk Hr |
| Intersection Orientation | East-West |
| Project Description | F2006.14 |

## Site Information

| | |
|---|---|
| Intersection | N. Rriver Rd/Owl Creek Dr |
| Jurisdiction | Lee County |
| East/West Street | N. River Rd |
| North/South Street | Owl Creek Dr |
| Peak Hour Factor | 0.92 |
| Analysis Time Period (hrs) | 0.25 |

## Lanes



Major Street: East-West

## 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 | 1U | 1 | 2 | 3 | 4U | 4 | 5 | 6 | | 7 | 8 | 9 | | 10 | 11 | 12 |
| Number of Lanes | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 0 | | 0 | 1 | 0 | | 0 | 0 | 0 |
| Configuration | | | | TR | | LT | | | | | LR | | | | | |
| Volume (veh/h) | | | 201 | 227 | | 11 | 167 | | | 133 | | 7 | | | | |
| Percent Heavy Vehicles (%) | | | | | | 3 | | | | 3 | | 3 | | | | |
| Proportion Time Blocked | | | | | | | | | | | | | | | | |
| Percent Grade (%) | | | | | | | | | 0 | | | | | | | |
| Right Turn Channelized | | | | | | | | | | | | | | | | |
| Median Type \| Storage | Undivided | | | | | | | | | | | | | | | |

## Critical and Follow-up Headways

| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Base Critical Headway (sec) | | | | | | 4.1 | | | | 7.1 | | 6.2 | | | | |
| Critical Headway (sec) | | | | | | 4.13 | | | | 6.43 | | 6.23 | | | | |
| Base Follow-Up Headway (sec) | | | | | | 2.2 | | | | 3.5 | | 3.3 | | | | |
| Follow-Up Headway (sec) | | | | | | 2.23 | | | | 3.53 | | 3.33 | | | | |

## Delay, Queue Length, and Level of Service

| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Flow Rate, v (veh/h) | | | | | | 12 | | | | | 152 | | | | | |
| Capacity, c (veh/h) | | | | | | 1091 | | | | | 498 | | | | | |
| v/c Ratio | | | | | | 0.01 | | | | | 0.31 | | | | | |
| 95% Queue Length, $Q_{95}$ (veh) | | | | | | 0.0 | | | | | 1.3 | | | | | |
| Control Delay (s/veh) | | | | | | 8.3 | | | | | 15.4 | | | | | |
| Level of Service (LOS) | | | | | | A | | | | | C | | | | | |
| Approach Delay (s/veh) | | | | | 0.6 | | | | 15.4 | | | | | | | |
| Approach LOS | | | | | | | | | C | | | | | | | |

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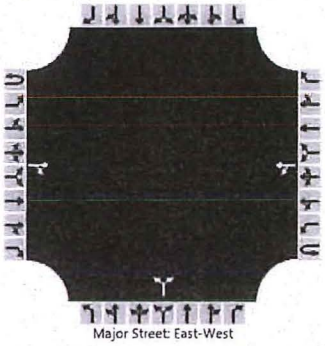
# HCS RESULTS
# NORTH RIVER RD @
# W. SITE ACCESS

# HCS7 Two-Way Stop-Control Report

## General Information

| | | | |
|---|---|---|---|
| Analyst | | Intersection | N. Rriver Rd/Site Access |
| Agency/Co. | TR Transportation Consult | Jurisdiction | Lee County |
| Date Performed | 7/27/2020 | East/West Street | N. River Rd |
| Analysis Year | 2025 | North/South Street | Site Access |
| Time Analyzed | AM Pk Hr | Peak Hour Factor | 0.92 |
| Intersection Orientation | East-West | Analysis Time Period (hrs) | 0.25 |
| Project Description | F2006.14 | | |

## Lanes



Major Street: East-West

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## 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 | 1U | 1 | 2 | 3 | 4U | 4 | 5 | 6 | | 7 | 8 | 9 | | 10 | 11 | 12 |
| Number of Lanes | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 0 | | 0 | 1 | 0 | | 0 | 0 | 0 |
| Configuration | | | | TR | | LT | | | | | LR | | | | | |
| Volume (veh/h) | | | 252 | 7 | | 1 | 428 | | | 22 | | 2 | | | | |
| Percent Heavy Vehicles (%) | | | | | | 3 | | | | 3 | | 3 | | | | |
| Proportion Time Blocked | | | | | | | | | | | | | | | | |
| Percent Grade (%) | | | | | | | | | 0 | | | | | | | |
| Right Turn Channelized | | | | | | | | | | | | | | | | |
| Median Type \| Storage | Undivided | | | | | | | | | | | | | | | |

## Critical and Follow-up Headways

| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Base Critical Headway (sec) | | | | | | 4.1 | | | | 7.1 | | 6.2 | | | | |
| Critical Headway (sec) | | | | | | 4.13 | | | | 6.43 | | 6.23 | | | | |
| Base Follow-Up Headway (sec) | | | | | | 2.2 | | | | 3.5 | | 3.3 | | | | |
| Follow-Up Headway (sec) | | | | | | 2.23 | | | | 3.53 | | 3.33 | | | | |

## Delay, Queue Length, and Level of Service

| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Flow Rate, v (veh/h) | | | | | | 1 | | | | | 26 | | | | | |
| Capacity, c (veh/h) | | | | | | 1275 | | | | | 396 | | | | | |
| v/c Ratio | | | | | | 0.00 | | | | | 0.07 | | | | | |
| 95% Queue Length, $Q_{95}$ (veh) | | | | | | 0.0 | | | | | 0.2 | | | | | |
| Control Delay (s/veh) | | | | | | 7.8 | | | | | 14.7 | | | | | |
| Level of Service (LOS) | | | | | | A | | | | | B | | | | | |
| Approach Delay (s/veh) | | | | | 0.0 | | | | 14.7 | | | | | | | |
| Approach LOS | | | | | | | | | B | | | | | | | |

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# HCS7 Two-Way Stop-Control Report

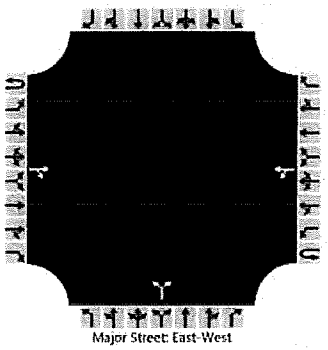
## General Information

| | |
|---|---|
| Analyst | |
| Agency/Co. | TR Transportation Consult |
| Date Performed | 7/27/2020 |
| Analysis Year | 2025 |
| Time Analyzed | PM Pk Hr |
| Intersection Orientation | East-West |
| Project Description | F2006.14 |

## Site Information

| | |
|---|---|
| Intersection | N. Rriver Rd/Site Access |
| Jurisdiction | Lee County |
| East/West Street | N. River Rd |
| North/South Street | Site Access |
| Peak Hour Factor | 0.92 |
| Analysis Time Period (hrs) | 0.25 |

## Lanes




## 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 | 1U | 1 | 2 | 3 | 4U | 4 | 5 | 6 | | 7 | 8 | 9 | | 10 | 11 | 12 |
| Number of Lanes | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 0 | | 0 | 1 | 0 | | 0 | 0 | 0 |
| Configuration | | | | TR | | LT | | | | | LR | | | | | |
| Volume (veh/h) | | | 427 | 25 | | 2 | 304 | | | 15 | | 1 | | | | |
| Percent Heavy Vehicles (%) | | | | | | 3 | | | | 3 | | 3 | | | | |
| Proportion Time Blocked | | | | | | | | | | | | | | | | |
| Percent Grade (%) | | | | | | | | | 0 | | | | | | | |
| Right Turn Channelized | | | | | | | | | | | | | | | | |
| Median Type \| Storage | Undivided | | | | | | | | | | | | | | | |

## Critical and Follow-up Headways

| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Base Critical Headway (sec) | | | | | | 4.1 | | | | 7.1 | | 6.2 | | | | |
| Critical Headway (sec) | | | | | | 4.13 | | | | 6.43 | | 6.23 | | | | |
| Base Follow-Up Headway (sec) | | | | | | 2.2 | | | | 3.5 | | 3.3 | | | | |
| Follow-Up Headway (sec) | | | | | | 2.23 | | | | 3.53 | | 3.33 | | | | |

## Delay, Queue Length, and Level of Service

| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Flow Rate, v (veh/h) | | | | | | 2 | | | | | 17 | | | | | |
| Capacity, c (veh/h) | | | | | | 1067 | | | | | 355 | | | | | |
| v/c Ratio | | | | | | 0.00 | | | | | 0.05 | | | | | |
| 95% Queue Length, $Q_{95}$ (veh) | | | | | | 0.0 | | | | | 0.2 | | | | | |
| Control Delay (s/veh) | | | | | | 8.4 | | | | | 15.7 | | | | | |
| Level of Service (LOS) | | | | | | A | | | | | C | | | | | |
| Approach Delay (s/veh) | | | | | 0.1 | | | | 15.7 | | | | | | | |
| Approach LOS | | | | | | | | | C | | | | | | | |

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# TRIP GENERATION EQUATIONS

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# Single-Family Detached Housing
(210)

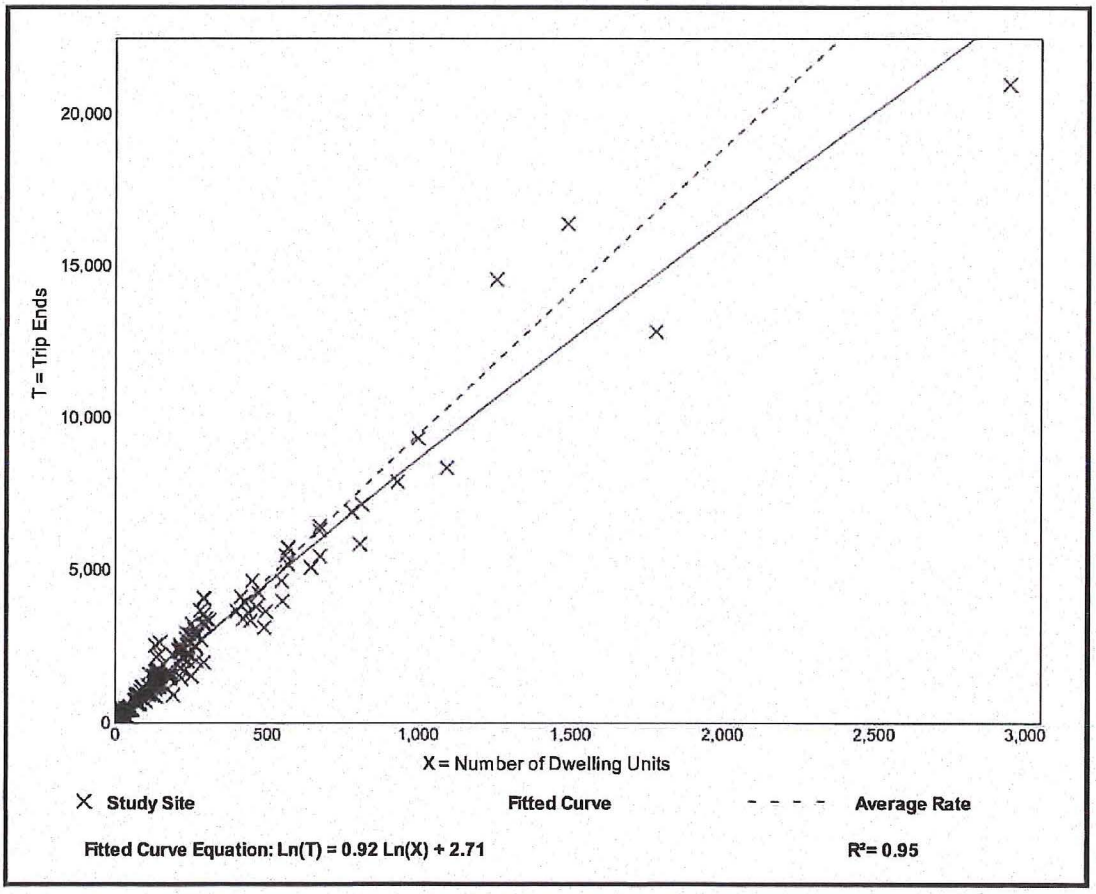
**Vehicle Trip Ends vs: Dwelling Units**
**On a: Weekday**

**Setting/Location: General Urban/Suburban**
Number of Studies: 159
Avg. Num. of Dwelling Units: 264
Directional Distribution: 50% entering, 50% exiting

## Vehicle Trip Generation per Dwelling Unit

| Average Rate | Range of Rates | Standard Deviation |
|---|---|---|
| 9.44 | 4.81 - 19.39 | 2.10 |

## Data Plot and Equation



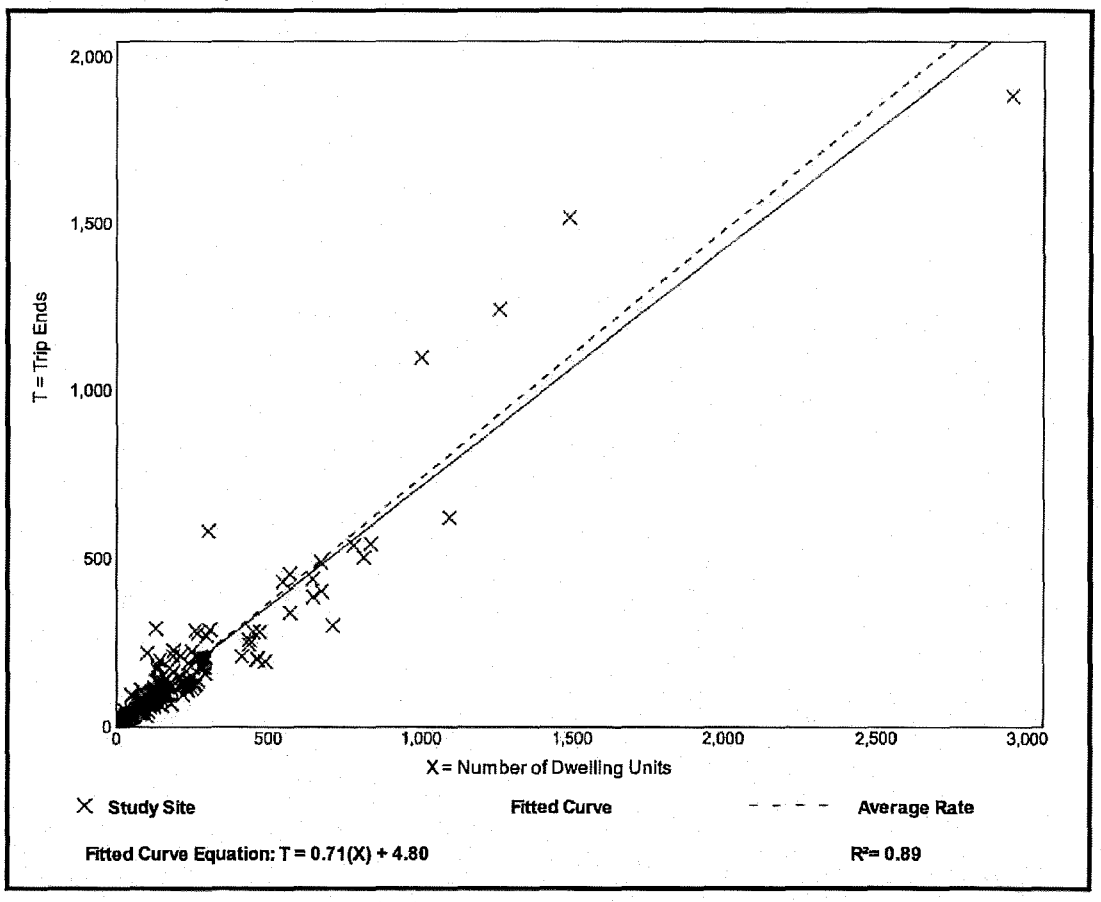
# Single-Family Detached Housing
(210)

| | |
|---|---|
| **Vehicle Trip Ends vs:** | **Dwelling Units** |
| **On a:** | **Weekday,** |
| | **Peak Hour of Adjacent Street Traffic,** |
| | **One Hour Between 7 and 9 a.m.** |
| **Setting/Location:** | **General Urban/Suburban** |
| Number of Studies: | 173 |
| Avg. Num. of Dwelling Units: | 219 |
| Directional Distribution: | 25% entering, 75% exiting |

## Vehicle Trip Generation per Dwelling Unit

| Average Rate | Range of Rates | Standard Deviation |
|---|---|---|
| 0.74 | 0.33 - 2.27 | 0.27 |

## Data Plot and Equation



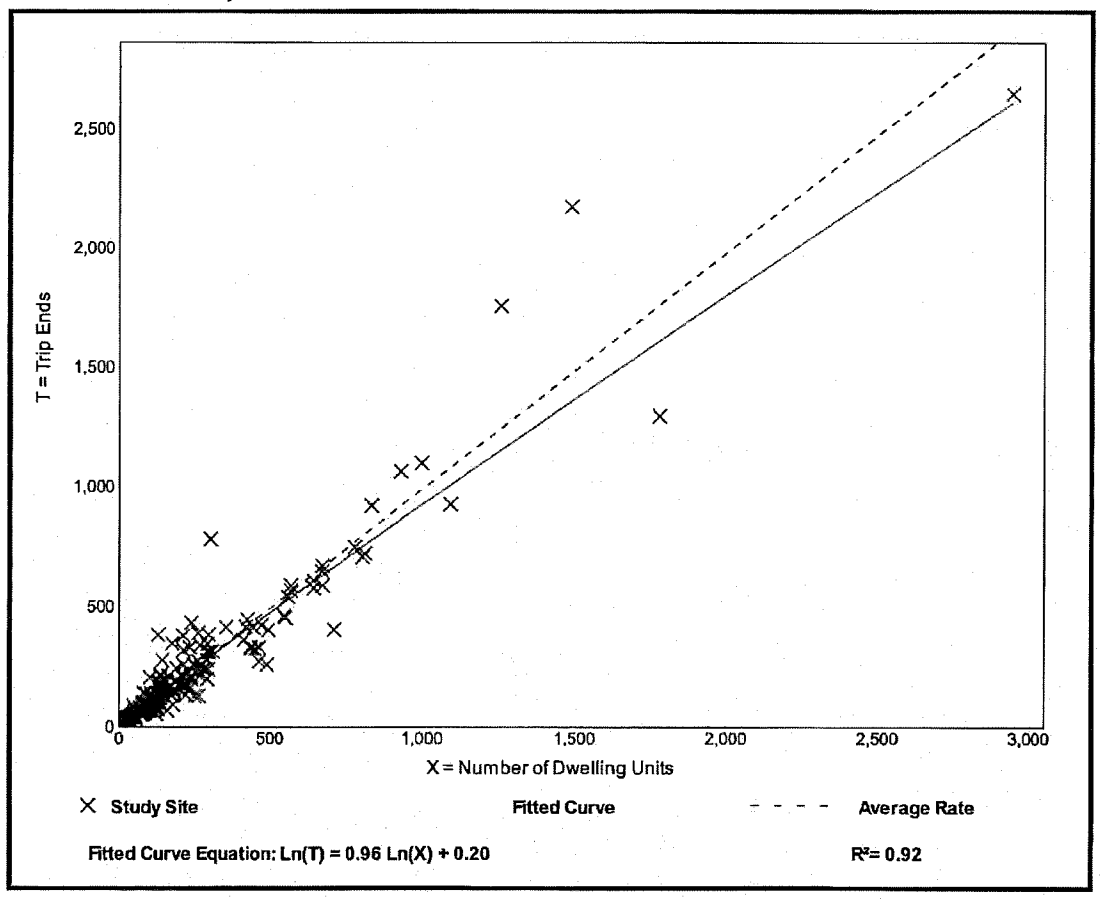
# Single-Family Detached Housing
(210)

| | |
|---|---|
| **Vehicle Trip Ends vs:** | **Dwelling Units** |
| **On a:** | **Weekday,** |
| | **Peak Hour of Adjacent Street Traffic,** |
| | **One Hour Between 4 and 6 p.m.** |
| **Setting/Location:** | **General Urban/Suburban** |
| Number of Studies: | 190 |
| Avg. Num. of Dwelling Units: | 242 |
| Directional Distribution: | 63% entering, 37% exiting |

## Vehicle Trip Generation per Dwelling Unit

| Average Rate | Range of Rates | Standard Deviation |
|---|---|---|
| 0.99 | 0.44 - 2.98 | 0.31 |

## Data Plot and Equation



# Letters of Determination for the Adequacy/Provision of Existing/Proposed Support Facilities

(Exhibit M17)

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**BAYSHORE FIRE PROTECTION AND RESCUE SERVICE DISTRICT**

*17350 Nalle Road, North Fort Myers, Florida 33917*

*Business: 239-543-3443 Fax: 239-543-7075*

*"Serving With Pride"*

August 11, 2020

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To: Jennifer M. Sheppard

Banks Engineering

10511 Six Mile Cypress Parkway, suite 101

Fort Myers, Florida 33966

From: Lawrence Nisbet

Fire Chief

Regarding: Owl Creek

Jennifer,

Bayshore Fire Rescue has reviewed the comprehensive plan amendment proposal for the Owl Creek property. In reference the ability to provide service to the proposed project, Bayshore Fire Rescue will be able to adequately serve the development as proposed. However, the District will require residential sprinklers within the homes if the area is not serviced by an adequate pressurized fire hydrant system. Furthermore, the District reserves the right to enforce all applicable fire codes and ordinances. Please feel free to contact us if we can be of any further assistance.

Sincerely,

Lawrence Nisbet

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

August 3, 2020

Mr. Larry Nisbet, Fire Chief
Bayshore Fire & Rescue
17350 Nalle Road
North Fort Myers, Florida 33917

**REFERENCE:** **OWL CREEK - LETTER OF AVAILABILITY**
**PROPERTY ADDRESS: 12850 N. RIVER ROAD; 18420 & 17900 OWL CREEK DRIVE**
**STRAP NO.: 18-43-26-00-00002.0020; 18-43-26-00-00002.0000 19-43-26-00-00002.1020**

Dear Chief Nisbet:

We are seeking an amendment to the Lee County Comprehensive Plan for a 348.8± acre site at the proposed Owl Creek Development. The application is intended to amend the Future Land Use Map (FLUM) from Rural and Wetlands to New Community with an associated text amendment. If approved, the request will result in a maximum increase of 220 residential dwelling units. Please find below the property information, including a property location map, for your use:

**Property Information:**
Total Acreage of Property: **±348.8** Total Acreage Included in Request: **±348.8**
Total Uplands: **±213.2** Total Wetlands: **±135.6**
Current Zoning: **AG-2** Current Future Land Use Category(ies): **Rural & Wetlands**
Area in Each Future Land Use Category: **Rural: ±213.2 Wetlands: ±135.6**
Existing Land Use: **Agricultural Grazing Lands**

**Calculation of maximum allowable development under current Lee Plan:**
Residential Units/Density: **220**

**Calculation of maximum allowable development with proposed amendments:**
Residential Units/Density: **440**

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Phone 239-939-5490 • www.bankseng.com • Fax 239-939-2523
Engineering License No. EB 6469 • Surveying License No. LB 6690

As part of the approval process, Lee County requires a letter from your agency determining the adequacy/provision of existing/proposed support facilities, including fire protection with adequate response times to serve the increase in demand.

At your earliest convenience, please forward a letter verifying that the increase in demand will be adequately served. If you have any questions or I may be of further assistance, please feel free to contact me at our Fort Myers office.

Sincerely,
**BANKS ENGINEERING**

Jennifer M. Sheppard
Permitting Manager & Planner

:jms

# 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
*Hearing Examiner*

August 19, 2020

Stacy Ellis Hewitt, AICP
Director of Planning
10511 Six Mile Cypress Parkway
Fort Myers, Florida 33966

Re: Letter of Service Availability

Ms. Hewitt,

I am in receipt of your letter requesting a Letter of Service Availability for STRAP 18-43-26-00-00002.0020; 18-43-26-00-00002.0000 19-43-26-00-00002.1020.

Lee County Emergency Medical Services is the primary EMS transport agency responsible for coverage at the address you have provided. Because we currently serve this area and have a sufficient response data sample, we evaluated response times in this vicinity to simulate the anticipated demand and response.

The primary ambulance for this location is Medic 11, located 5.1 miles southwest; there is a second EMS station within six miles of the proposed location. These locations are projected to be able to meet existing service standards, as required in County Ordinance 08-16, and no additional impacts are anticipated at this time.

It is our opinion that the service availability for the proposed development of this property is adequate at this time. Should the plans change, especially the density, a new analysis of this impact would be required.

Sincerely,

Benjamin Abes
Chief
Division of Emergency Medical Services

P.O. Box 398, Fort Myers, Florida 33902-0398 (239) 533-2111
Internet address http://www.lee-county.com
AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

August 19, 2020

Lee County Department of Public Safety
Emergency Management
Lee Mayfield, Public Safety Director, EM
2000 Main Street, Suite 100
Fort Myers, FL 33901

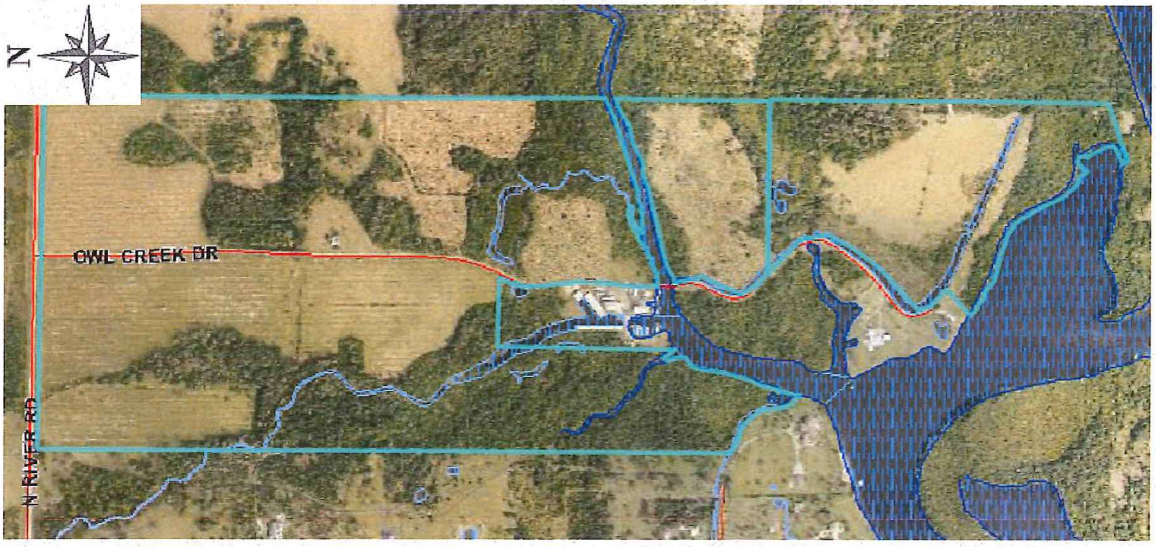
**REFERENCE:** **OWL CREEK - LETTER OF AVAILABILITY**
**PROPERTY ADDRESS: 12850 N. RIVER ROAD; 18420 & 17900 OWL CREEK DRIVE**
**STRAP NO.: 18-43-26-00-00002.0020; 18-43-26-00-00002.0000 19-43-26-00-00002.1020**

Dear Mr. Mayfield:

We are seeking an amendment to the Lee County Comprehensive Plan for a 348.8± acre site at the proposed Owl Creek Development. The application is intended to amend the Future Land Use Map (FLUM) from Rural and Wetlands to New Community with an associated text amendment. If approved, the request will result in a maximum increase of 220 residential dwelling units. Please find below the property information, including a property location map, for your use:

**Property Information:**
Total Acreage of Property: **±348.8** Total Acreage Included in Request: **±348.8**
Total Uplands: **±213.2** Total Wetlands: **±135.6**
Current Zoning: **AG-2** Current Future Land Use Category(ies): **Rural & Wetlands**
Area in Each Future Land Use Category: **Rural: ±213.2 Wetlands: ±135.6**
Existing Land Use: **Agricultural Grazing Lands**

**Calculation of maximum allowable development under current Lee Plan:**
Residential Units/Density: **220**
**Calculation of maximum allowable development with proposed amendments:**
Residential Units/Density: **440**

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Engineering License No. EB 6469 • Surveying License No. LB 6690

As part of the approval process, Lee County requires a letter from your agency determining the adequacy/provision of existing/proposed support facilities, including emergency management (EM) provisions to serve the increase in demand. Since most of the site is located within the Coastal High Hazard Area, the determination must demonstrate that the amendment meets one of the following criteria:

1. Will not result in an out of county hurricane evacuation time that exceeds 16 hours for a Category 5 storm event (Level E storm surge threat); or
2. Will maintain a 12-hour evacuation time to shelter for a Category 5 storm event (Level E storm surge threat) and ensure shelter space is available to accommodate the additional population; or
3. Will provide appropriate mitigation as determined by Lee County Public Safety to satisfy both criteria above, which may include the payment of money or construction of hurricane shelters and transportation facilities. The applicant must enter into a development agreement to memorialize the mitigation plan prior to adoption of the plan amendment.

If the determination finds that criteria 1 or 2 above cannot be met, the applicant will enter into a development agreement prior to adoption of the plan amendment in accordance with Lee Plan Policy 101.1.4.3. At your earliest convenience, please forward a letter verifying that the increase in demand will be adequately served. If you have any questions or I may be of further assistance, please feel free to contact me at our Fort Myers office.

Sincerely,
**BANKS ENGINEERING**

Jennifer M. Sheppard
Permitting Manager & Planner

:jms

Lee County
Southwest Florida

**BOARD OF COUNTY COMMISSIONERS**

John E. Manning
*District One*

Cecil L Pendergrass
*District Two*

Raymond Sandelli
*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*

August 7, 2020 Via E-Mail

Jennifer Sheppard
Banks Engineering
10511 Six Mile Cypress Parkway
Fort Myers, FL 33066

RE: **Potable Water and Wastewater Availability**
**Owl Creek, 12850 N. River Road, 18420 and 17900 Owl Creek Drive**
**STRAP # 18-43-26-00-00002.0020; .0000 & 19-43-26-00-00002.1020**

Dear Ms. Sheppard:

The subject property is not located within Lee County Utilities Future Service Area as depicted on Maps 6 and 7 of the Lee County Comprehensive Land Use Plan. Potable water and sanitary sewer lines are not in operation in the vicinity to the property mentioned above. The nearest water main is located on Bayshore Road approximately 1 mile west of S.R.31 and the nearest wastewater mains are located on the south side of the Caloosahatchee River along S.R. 80 (Palm Beach Blvd).

In order to provide service to the subject parcels, developer funded system enhancements such as line extensions will be required along with a Map 6 and 7 Comprehensive Plan Amendment.

Your firm has indicated that this project will consist of 440 single family residential units with an estimated flow demand of approximately 110,000 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water and sanitary sewer service as estimated above.

Availability of potable water and sanitary sewer service is contingent upon final acceptance of the infrastructure to be constructed by the developer. Upon completion and final acceptance of this project, potable water service will be provided through our North Lee County Water Treatment Plant.

Sanitary sewer service will be provided by the City of Fort Myers North Water Reclamation Facility. The Lee County Utilities' Design Manual requires the project engineer to perform hydraulic computations to determine what impact this project will have on the existing system.

Prior to beginning design work on this project, please meet with LCU Staff to determine the best point of connection and discuss requirements for construction.

This letter should not be construed as a commitment to serve, but only as to the availability of service. Lee County Utilities will commit to serve only upon receipt of all appropriate connection fees, a signed request for service and/or an executed service agreement, and the approval of all State and local regulatory agencies.

Further, this letter of availability of potable water and sanitary sewer service is to be utilized for Comprehensive Plan Amendment only. Individual letters of availability will be required for the purpose of obtaining building permits.

Sincerely,

**LEE COUNTY UTILITIES**

Mary McCormic

Mary McCormic
Technician Senior
239-533-8532
UTILITIES ENGINEERING

**LEE COUNTY UTILITIES**
**REQUEST FOR LETTERS OF AVAILABILITY**

**DATE:** SEPTEMBER 3, 2020

**TO:** Nathan Beals, PMP
Principal Planner

**FROM:** JENNIFER SHEPPARD
**FIRM:** BANKS ENGINEERING
**ADDRESS:** 10511 SIX MILE CYPRESS PKWY
**ADDRESS:** FORT MYERS, FL 33966 -
**PHONE#:** (239)939-5490 **FAX:** (239)939-2523
**E-MAIL ADDRESS:** JSHEPPARD@BANKSENG.COM

**PROJECT NAME:** OWL CREEK

**PREVIOUS PROJECT NAME(S):**

**STRAP NUMBER(S):** 18-43-26-00-00002.0020; .0000 & 19-43-26-00-00002.1020

**PRIOR STRAP NUMBER(S) (IF ANY):**

**LOCATION/SITE ADDRESS:** 12850 N. RIVER RD AND 18420 & 17900 OWL CREEK DR

**PURPOSE OF LETTER:**

☐ DEVELOPMENT ORDER SUBMITTAL ☐ FINANCING ☐ EFFLUENT REUSE
☐ PERMITTING OF SURFACE WATER MANAGEMENT (SOUTH FLORIDA WATER MANAGEMENT DISTRICT)
☒ OTHER: (PLEASE SPECIFY) COMP PLAN AMENDMENT

**PLANNED USE:**

☐ COMMERCIAL ☐ INDUSTRIAL ☒ RESIDENTIAL - (☒SINGLE-FAMILY ☐ MULTI-FAMILY)
☐ OTHER: (PLEASE SPECIFY) _____

**PLANNED # OF COMMERCIAL/INDUSTRIAL BUILDINGS:** _____ **TOTAL SQUARE FOOTAGE:** _____

**RESIDENTIAL UNITS: SINGLE-FAMILY:** 440 **MULTI-FAMILY:** _____

**AVERAGE ESTIMATED DAILY FLOW (GPD):** 110000 (☒ WATER ☒ WASTE-WATER) (GPD): ___ ☐ REUSE

**PLEASE SHOW CALCULATION USED TO DETERMINE AVERAGE ESTIMATED DAILY FLOW (GPD) PER CRITERIA SET FORTH IN LEE COUNTY UTILITIES DESIGN MANUAL:** _____

**440 Sf Units X 250 Gpd = 110,000 Gpd**

_____

_____

Please e-mail the completed form at Nbeals@leegov.com . If you are unable to e-mail the completed form, please fax to (239) 485-8385. If you should have any questions or require assistance, please feel free to call our office at (239) 533-8157.

Lee County
Southwest Florida
BOARD OF COUNTY COMMISSIONERS

3401 Metro Parkway
Fort Myers, FL 33901
Phone: (239) 533-0340

John E. Manning
*District One*

Cecil L. Pendergrass
*District Two*

Ray Sandelli
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Brian Hamman
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Frank Mann
*District Five*

Roger Desjarlais
*County Manager*

Richard Wesch
*County Attorney*

Donna Marie Collins
*County Hearing Examiner*

August 3, 2020

Jennifer M. Sheppard
Banks Engineering
10511 Six Mile Cypress Parkway
Fort Myers, FL 33966

RE: Request for Mass Transit Letter of Availability for Future Land Use Map & Text Amendment

Dear Ms. Sheppard,

LeeTran has reviewed your request for service availability in regards to a Comprehensive Plan Amendment intended to amend the Future Land Use Map (FLUM) from Rural and Wetlands to new Community with an associated text amendment, on the referenced subject area located approximately at 12850 N River Rd, Alva. After reviewing the site and comparing the location with our existing and planned route locations according to the 2016 Transit Development Plan (TDP), the following has been determined:

- Subject area is not within one-quarter mile of a fixed-route corridor
- Closest fixed-route corridor is the route 100 along Palm Beach Boulevard
- The 2016 TDP does not identify the need for enhanced or additional transit services in the area

Proposed future development does not currently meet applicability outlined in Sec. 10-442 and Sec. 10-443. Developer will not be required to connect to and improve transit facilities because pedestrian access from subject parcels to closest stop is greater than one-quarter mile.

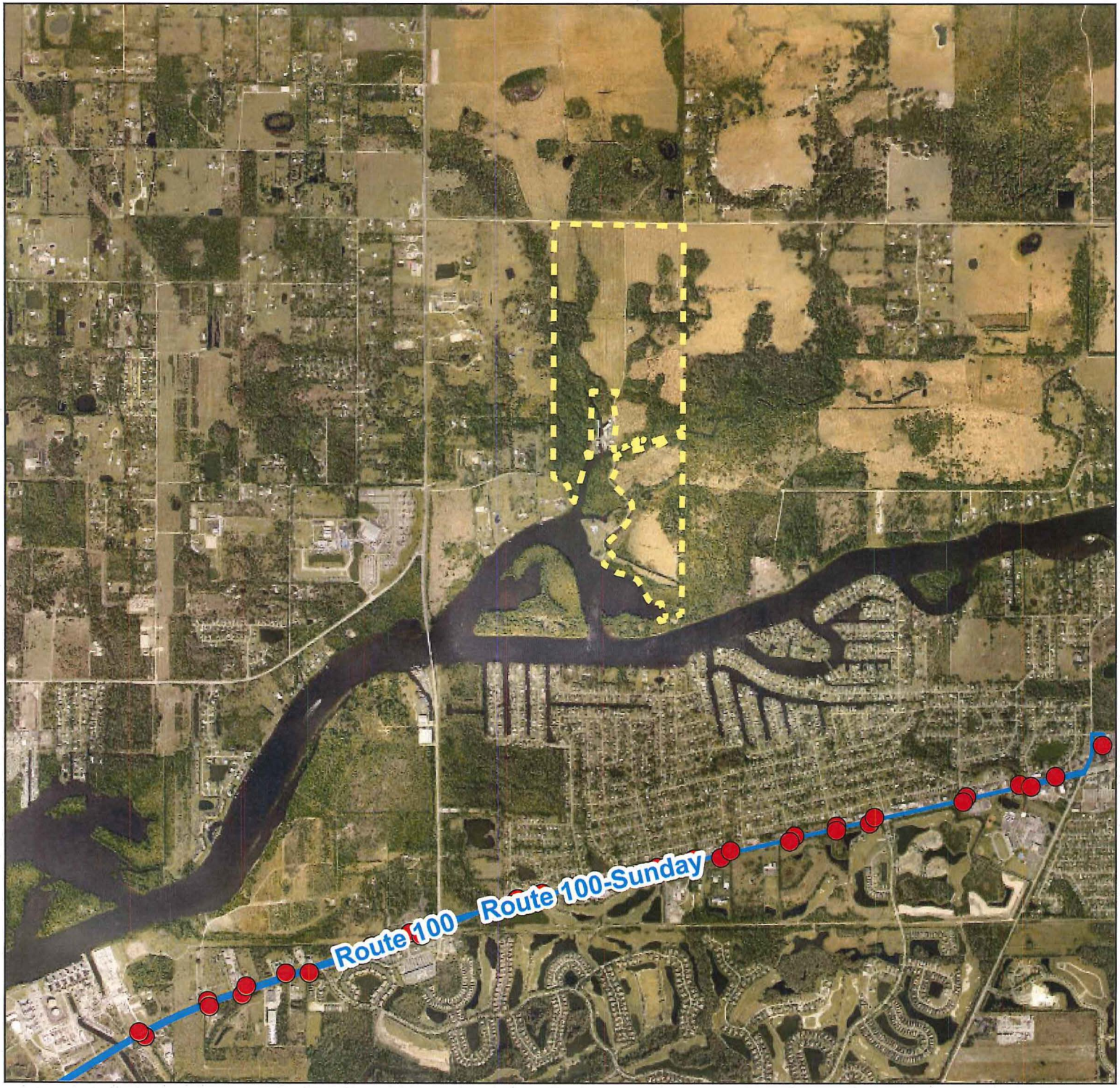
If transit services have been modified within one-quarter mile of the subject parcels at time of a DO or LDO type D submittal, necessary improvements will be determined at that time.

Attached is a map of our route serves in relation to the subject parcels. If you have any questions or require further information, please do not hesitate to contact me at (239) 533-0340 or jpuente@leegov.com.

Sincerely,

*Jorge J Puente*

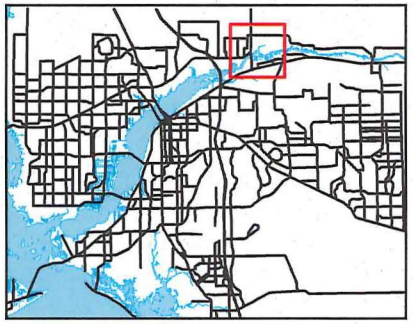
Jorge J Puente, Transit Service Planner
Lee County Transit




# Development Review

**LOSA Proposed Development Owl Creek**

- Bus Stops
- Bus Routes
- Development Review



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Prepared by LeeTran Planning Department

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

August 3, 2020

Mr. Jorge Puente, Transit Service Planner
LeeTran
3401 Metro Parkway
Fort Myers, Florida 33901

**REFERENCE:** **OWL CREEK - LETTER OF AVAILABILITY**
**PROPERTY ADDRESS: 12850 N. RIVER ROAD; 18420 & 17900 OWL CREEK DRIVE**
**STRAP NO.: 18-43-26-00-00002.0020; 18-43-26-00-00002.0000 19-43-26-00-00002.1020**

Dear Mr. Puente:

We are seeking an amendment to the Lee County Comprehensive Plan for a 348.8± acre site at the proposed Owl Creek Development. The application is intended to amend the Future Land Use Map (FLUM) from Rural and Wetlands to New Community with an associated text amendment. If approved, the request will result in a maximum increase of 220 residential dwelling units. Please find below the property information, including a property location map, for your use:

**Property Information:**
Total Acreage of Property: **±348.8** Total Acreage Included in Request: **±348.8**
Total Uplands: **±213.2** Total Wetlands: **±135.6**
Current Zoning: **AG-2** Current Future Land Use Category(ies): **Rural & Wetlands**
Area in Each Future Land Use Category: **Rural: ±213.2 Wetlands: ±135.6**
Existing Land Use: **Agricultural Grazing Lands**

**Calculation of maximum allowable development under current Lee Plan:**
Residential Units/Density: **220**

**Calculation of maximum allowable development with proposed amendments:**
Residential Units/Density: **440**

• SERVING THE STATE OF FLORIDA •

10511 Six Mile Cypress Parkway • Suite 101 • Fort Myers, Florida 33966
Phone 239-939-5490 • www.bankseng.com • Fax 239-939-2523
Engineering License No. EB 6469 • Surveying License No. LB 6690

As part of the approval process, Lee County requires a letter from your agency determining the adequacy/provision of existing/proposed mass transit support facilities to serve the increase in demand.

At your earliest convenience, please forward a letter with the results of your review. If you have any questions or I may be of further assistance, please feel free to contact me at our Fort Myers office.

Sincerely,
**BANKS ENGINEERING**

Jennifer M. Sheppard
Permitting Manager & Planner

:jms

**THE SCHOOL DISTRICT OF LEE COUNTY**

**Cindy Leal Brizuela**
Senior Planner
2855 Colonial Boulevard, Fort Myers, FL 33966 | **O:** 239.335.1432

August 7, 2020

Jennifer M. Sheppard
Permitting Manager & Planner
Banks Engineering
10511 Six Mile Cypress Parkway, Suite 101
Fort Myers, FL 33966

RE: Owl Creek Comprehensive Plan Amendment

Dear Ms. Sheppard:

This letter is in response to your request for concurrency review dated August 3, 2020 for the subject property in unincorporated Lee County in regard to educational impact. The project is located in the East Choice Zone, E2.

This development is a request for 440 single-family housing units. With regard to the inter-local agreement for school concurrency the generation rates are created from the type of dwelling unit and further broken down by grade level.

For single-family homes, the generation rate is .297 and further broken down by grade level into the following, .149 for elementary, .071 for middle and .077 for high. A total of 131 school-aged children would be generated and utilized for the purpose of determining sufficient capacity to serve the development.

The Concurrency Analysis attached, displays the impact of this development. Capacity is an issue within the Concurrency Service Area (CSA) at the high school level, however, capacity is available in the adjacent CSA.

Thank you and if I may be of further assistance, please contact me at 239-335-1432

Sincerely,

Cindy Leal Brizuela, Senior Planner

**BOARD MEMBERS** **MARY FISCHER,** Chair, District 1 | **DEBBIE JORDAN,** Vice Chair, District 4 | **GWYNETTA S. GITTENS,** District 5
**CHRIS N. PATRICCA,** District 3 | **MELISA W. GIOVANNELLI,** District 2 | **BETSY VAUGHN,** District 6 | **CATHLEEN O'DANIEL MORGAN,** District 7
**GREGORY K. ADKINS,** Ed.D., Superintendent | **ALAN L. GABRIEL, ESQ.,** Board Attorney

# LEE COUNTY SCHOOL DISTRICT'S SCHOOL CONCURRENCY ANALYSIS

| | |
|---|---|
| **REVIEWING AUTHORITY** | Lee County School District |
| **NAME/CASE NUMBER** | Owl Creek CPA |
| **OWNER/AGENT** | Banks Engineering |
| **ITEM DESCRIPTION** | All impacts in East CSA, sub area E2 |
| **PROPOSED DENSITY** | 440 units |
| **LOCATION** | NE Lee County (South of N. River Road, East of SR 31) |
| **ACRES** | 348.80 |
| **CURRENT FLU** | Rural & Wetlands |
| **CURRENT ZONING** | AG-2 |

**PROPOSED DWELLING UNITS BY TYPE**

| Single Family | Multi Family | Mobile Home |
|---|---|---|
| 440 | 0 | 0 |

| | Student Generation Rates | | | |
|---|---|---|---|---|
| **STUDENT GENERATION** | **SF** | **MF** | **MH** | **Projected Students** |
| Elementary School | 0.149 | | | 65.56 |
| Middle School | 0.071 | | | 31.24 |
| High School | 0.077 | | | 33.88 |

Source: Lee County School District, September 7, 2018 letter

| **CSA SCHOOL NAME 2022/23** | **CSA Capacity (1)** | **CSA Projected Enrollment (2)** | **CSA Available Capacity** | **Projected Impact of Project** | **Available Capacity W/Impact** | **LOS is 100% Perm FISH Capacity** | **Adjacent CSA Available Capacity w/Impact** |
|---|---|---|---|---|---|---|---|
| West CSA, Elementary | 13,328 | 11,648 | 1,680 | 66 | 1614 | 88% | |
| West CSA, Middle | 7,030 | 6,668 | 362 | 31 | 331 | 95% | |
| West CSA, High | 8,920 | 9,629 | -709 | 34 | -743 | 108% | Yes |

(1) Permanent Capacity as defined in the Interlocal Agreement and adopted in the five (5) years of the School District's Five Year Plan

(2) Projected Enrollment per the five (5) years of the School District's Five Year Plan plus any reserved capacity (development has a valid finding of capacity )

(3) Available Adjacent CSA capacity is subject to adjacency criteria as outlined in the Interlocal Agreement and the School District's School Concurrency Manual

Prepared by: Cindy Leal Brizuela, Senior Planner

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

August 3, 2020

Mr. Dominic Gemelli, Project Manager
The School District of Lee County
2855 Colonial Boulevard
Fort Myers, Florida 33966

**REFERENCE:** **OWL CREEK - LETTER OF AVAILABILITY**
**PROPERTY ADDRESS: 12850 N. RIVER ROAD; 18420 & 17900 OWL CREEK DRIVE**
**STRAP NO.: 18-43-26-00-00002.0020; 18-43-26-00-00002.0000 19-43-26-00-00002.1020**

Dear Mr. Gemelli:

We are seeking an amendment to the Lee County Comprehensive Plan for a 348.8± acre site at the proposed Owl Creek Development. The application is intended to amend the Future Land Use Map (FLUM) from Rural and Wetlands to New Community with an associated text amendment. If approved, the request will result in a maximum increase of 220 residential dwelling units. Please find below the property information, including a property location map, for your use:

**Property Information:**
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Phone 239-939-5490 • www.bankseng.com • Fax 239-939-2523
Engineering License No. EB 6469 • Surveying License No. LB 6690

As part of the approval process, Lee County requires a letter from your agency determining the adequacy/provision of existing/proposed support facilities including schools to serve the increase in demand.

At your earliest convenience, please forward a letter verifying that the increase in demand will be adequately served. If you have any questions or I may be of further assistance, please feel free to contact me at our Fort Myers office.

Sincerely,
**BANKS ENGINEERING**

Jennifer M. Sheppard
Permitting Manager & Planner

:jms

*Carmine Marceno*
**Sheriff**

*"Proud to Serve"*

**State of Florida**
**County of Lee**

August 4, 2020

Jennifer M. Sheppard
Banks Engineering
10511 Six Mile Cypress Parkway Suite 101
Fort Myers, Florida 33966

Ms. Sheppard,

The requested Comprehensive Plan Amendment for a 348.8 +- acre site at the proposed Owl Creek Development (STRAP No. 18-43-26-00-00002.0020, 18-43-26-00-00002.0000 and 19-43-26-00-00002.1020) does not affect the ability of the Lee County Sheriff's Office to provide core services at this time. Therefore, we have no objections to increasing housing density to a maximum of 440 residential units and changing the property's land use designation from Rural and Wetlands to New Community.

This agency will provide law enforcement services from our North District substation in North Fort Myers. At the time of application for new development orders or building permits, the applicant shall provide a Crime Prevention Through Environmental Design (CPTED) report done by the applicant and given to the Lee County Sheriff's Office for review and comments. Please contact Community Relations Supervisor Beth Schell at (239) 258-3287 with any questions regarding the CPTED study.

Respectfully,

MAJ. R. Snyder 8-6-20

Rich Snyder
Major, Patrol Bureau

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

August 3, 2020

Lee County Sheriff's Office
Mr. Stan Nelson, Director, Planning & Research
14750 Six Mile Cypress Parkway
Fort Myers, FL 33912

**REFERENCE:** **OWL CREEK - LETTER OF AVAILABILITY**
**PROPERTY ADDRESS: 12850 N. RIVER ROAD; 18420 & 17900 OWL CREEK DRIVE**
**STRAP NO.: 18-43-26-00-00002.0020; 18-43-26-00-00002.0000 19-43-26-00-00002.1020**

Dear Mr. Nelson:

We are seeking an amendment to the Lee County Comprehensive Plan for a 348.8± acre site at the proposed Owl Creek Development. The application is intended to amend the Future Land Use Map (FLUM) from Rural and Wetlands to New Community with an associated text amendment. If approved, the request will result in a maximum increase of 220 residential dwelling units. Please find below the property information, including a property location map, for your use:

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Residential Units/Density: **440**

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Phone 239-939-5490 • www.bankseng.com • Fax 239-939-2523
Engineering License No. EB 6469 • Surveying License No. LB 6690

As part of the approval process, Lee County requires a letter from your agency determining the adequacy/provision of existing/proposed support facilities, including law enforcement to serve the increase in demand.

At your earliest convenience, please forward a letter verifying that the increase in demand will be adequately served. If you have any questions or I may be of further assistance, please feel free to contact me at our Fort Myers office.

Sincerely,
**BANKS ENGINEERING**

Jennifer M. Sheppard
Permitting Manager & Planner

:jms

# LEE COUNTY
SOUTHWEST FLORIDA
**BOARD OF COUNTY COMMISSIONERS**

John E. Manning
*District One*

Cecil L Pendergrass
*District Two*

Ray Sandelli
*District Three*

Brian Hamman
*District Four*

Frank Mann
*District Five*

Roger Desjarlais
*County Manager*

Richard Wm. Wesch
*County Attorney*

Donna Marie Collins
*Hearing Examiner*

August 10, 2020

Ms. Jennifer M. Sheppard
Permitting Manager & Planner
Banks Engineering
10511 Six Mile Cypress Parkway • Suite 101
Fort Myers, Florida 33966

**SUBJECT: Request for Solid Waste Letter of Availability**
**Owl Creek, N. River Road & 18420 & 17900 Owl Creek Drive**

Dear Ms. Sheppard,

Lee County Solid Waste is capable of providing solid waste collection service for the proposed Owl Creek development through our franchised hauling contractors. Disposal of the solid waste generated from the approx. 220 residential dwelling units will be accomplished at the Lee County Resource Recovery Facility and the Lee-Hendry Regional Landfill. Plans have been made, allowing for growth, to maintain long-term disposal capacity at these facilities.

Solid Waste Ordinance (11-27) defines those residential dwelling units that are eligible to receive curbside residential collection service. It further establishes that Property Owners will be responsible for all future applicable solid waste assessments and fees.

If you have any questions, please call me at (239) 533-8000.

Sincerely,

*Brigitte Kantor*

Brigitte Kantor
Public Utilities Manager
Solid Waste Department

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

August 3, 2020

Mrs. Brigitte Kantor, Public Utilities Manager
Lee County Solid Waste Division
P.O Box 398
Fort Myers, Florida 33902-0398

**REFERENCE:** **OWL CREEK - LETTER OF AVAILABILITY**
**PROPERTY ADDRESS: 12850 N. RIVER ROAD; 18420 & 17900 OWL CREEK DRIVE**
**STRAP NO.: 18-43-26-00-00002.0020; 18-43-26-00-00002.0000 19-43-26-00-00002.1020**

Dear Mrs. Kantor:

We are seeking an amendment to the Lee County Comprehensive Plan for a 348.8± acre site at the proposed Owl Creek Development. The application is intended to amend the Future Land Use Map (FLUM) from Rural and Wetlands to New Community with an associated text amendment. If approved, the request will result in a maximum increase of 220 residential dwelling units. Please find below the property information, including a property location map, for your use:

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Existing Land Use: **Agricultural Grazing Lands**

**Calculation of maximum allowable development under current Lee Plan:**
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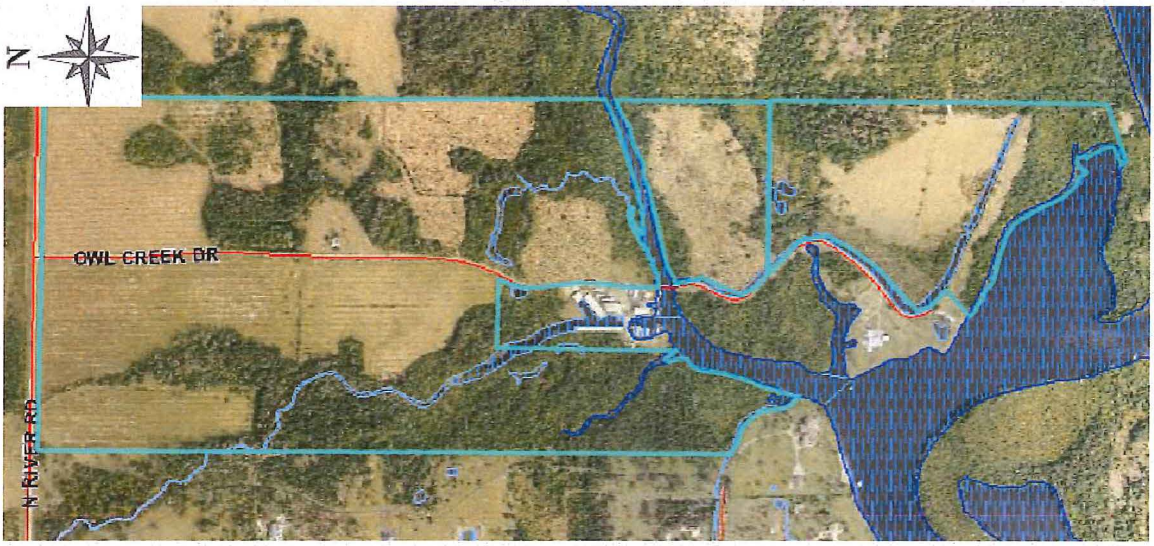
**Calculation of maximum allowable development with proposed amendments:**
Residential Units/Density: **440**

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Phone 239-939-5490 • www.bankseng.com • Fax 239-939-2523
Engineering License No. EB 6469 • Surveying License No. LB 6690

As part of the approval process, Lee County requires a letter from your agency determining the adequacy/provision of existing/proposed support facilities for solid waste to serve the increase in demand.

At your earliest convenience, please forward a letter verifying that the increase in demand will be adequately served. If you have any questions or I may be of further assistance, please feel free to contact me at our Fort Myers office.

Sincerely,
**BANKS ENGINEERING**

Jennifer M. Sheppard
Permitting Manager & Planner

:jms

**FGUA Operations Office**

Government Services Group, Inc.
280 Wekiva Springs Rd., Ste 2070
Longwood, FL 32779-6026

(877) 552-3482 Toll Free
(407) 629-6900 Tel
(407) 629-6963 Fax

September 3, 2020

Jennifer Sheppard
Banks Engineering
10511 Six Mile Cypress Parkway, Suite 101
Fort Myers, FL 33966
jsheppard@bankseng.com

**RE: Wastewater Availability – LOA ID#: 20-56 NFMD**

**Parcel ID No.: 18-43-26-00-00002.0020, 18-43-26-00-00002.0000, & 19-43-26-00-00002.1020**

**12850 N. River Rd, 18420 OwlCreek Dr., & 17900 Owl Creek Dr., North Fort Myers, FL 33903**

**Owl Creek**

Dear Ms, Sheppard:

Pursuant to the submitted Application for Service Availability, please be advised that wastewater lines are in operation in the vicinity of the address mentioned above, and a site map showing the approximate location of the utilities is included for your reference. However, in order to provide service to the subject parcel(s), developer funded system enhancements such as line extensions may be required. A letter of no objection will also need to be obtained from the current utility provider in that service area for FGUA to provide service to this property.

Your firm has indicated that this project will consist of 440 residential homes with estimated wastewater flows of 110,000 GPD. FGUA presently has sufficient treatment capacity to accommodate these flows. Please note that during design, the FGUA Utilities Operations Manual requires the project engineer to perform hydraulic computations to determine what impact, if any, this project will have on our existing water and wastewater systems.

**This letter should not be construed as a commitment to serve, but only as a statement of the availability of service and is effective for twelve (12) months from the date hereof.** The FGUA will commit to serve only upon final acceptance of the utility infrastructure constructed by the developer, receipt of all appropriate capacity (impact) and project fees, an executed Utility Infrastructure Conveyance and Service Agreement (CSA), the approval of all state and local regulatory agencies and proper project closeout. Further, this Letter of Availability is to be utilized for development review for this project only.

**FGUA Board of Directors**
LEA ANN THOMAS, Chair, Polk County / CHRISTINE BRADY, Lee County / KEN CHEEK, P.E., Citrus County
SHANE PARKER, P.E., Hendry County / MICHAEL CARBALLA, P.E., BCEE, Pasco County / ANGEL ROUSSEL, P.E., Marion County

When you are ready to move forward with your project, please contact Paul Arnett, Development Review Utility Connection Coordinator at 407-629-6900 ext. 109 or via email at PArnett@govmserv.com to schedule a pre-development meeting. Please note that this meeting is **MANDATORY** prior to submitting construction plans for review by the FGUA.

Sincerely,

**FLORIDA GOVERNMENTAL UTILITY AUTHORITY**

Douglas W. Black, PSM, PLS
Property & Development Manager

CC: Mike Currier, South Region Area Manager

Encl.

1. Mandatory Pre-Development Meeting Information
2. Utility Locates
3. Fee Statement/Receipt

## Development Services Division

## Mandatory Pre-Development Meeting Request

**Purpose:**

The mandatory pre-development meeting is designed to be an informative discussion, specifically geared toward assisting the applicant (owner/developer/engineer) understand the FGUA's policies and development process. A pre-development meeting is required prior to the formal submission and review of any utility construction plans by the Development Division.

It is our goal to assist you through the FGUA development process as smoothly as possible, and for your development to be a success. This mandatory pre-development meeting will provide you with the details you need to make this a successful and stress-free process.

**What to Expect:**

At the meeting, you will be provided with a variety of both general and specific information regarding the FGUA's development process. This will include, but not be limited to staff contact information, plan review guidelines, current fees, conveyance and closeout procedures.

**Who Should Attend:**

It is encouraged that a representative from the property owner, developer and engineer, at a minimum, attend this meeting. Representatives of the FGUA's Development Division, including the project coordinator, real property coordinator and utility system service area manager will also be in attendance as required.

In an effort to accommodate the potential long-distance commute between the FGUA's Operations Office in Longwood, Florida and the FGUA system areas, these meetings may take place at the local office and/or via video conference call.

**Meeting Requests:**

Please call or e-mail Paul Arnett, Utility Connection Coordinator to request a meeting at PArnett@govmserv.com, office: (407) 629-6900, or cell: (407) 885-1756.

Please have your FGUA Letter of Availability (LOA) Number (included on the first page of your previously issued Letter of Availability) ready when you call or email to schedule this meeting.

You will also be requested to provide a preliminary site utility plan for staff review.

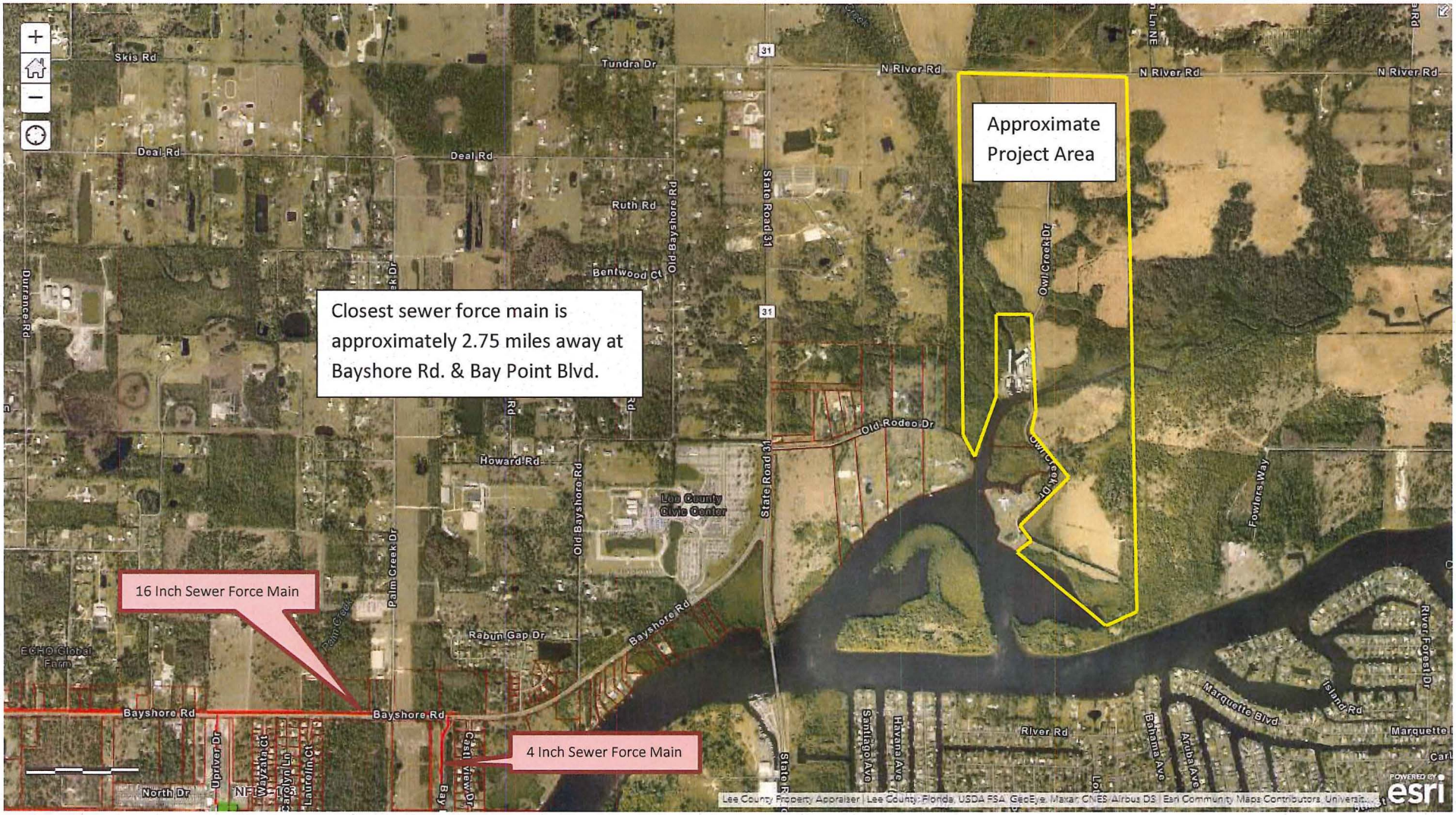
**Prior to submitting utility construction plans for approval, you MUST request a pre-development meeting. Plans submitted to the FGUA without scheduling and attending this meeting will not be reviewed until this meeting takes place.**

8/5/2020

**STRAP #:** 18-43-26-00-00002.0020, 18-43-26-00-00002.0000, & 19-43-26-00-00002.1020

**Project Name:** 20-56 NFMD N River Rd and Owl Creek Dr

**Property Address:** 12850 N. River Rd., 18420 & 17900 Owl Creek Rd.




**ALL UTILITY LOCATIONS SHOWN HERE ARE APPROXIMATE. THE DEVELOPER IS SOLELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS VIA POTHOLING OR OTHER ACCEPTABLE MEANS.**

**LOA ID:** 20-56 NFMD

# FLORIDA GOVERNMENTAL UTILITY AUTHORITY

## Development Services Department

## APPLICATION FOR DEVELOPER/COMMERCIAL UTILITY SERVICE AVAILABILITY

## (FORM A)

The following application package should be completed and submitted to the FGUA's Development Services Department as instructed below if an applicant is looking for utility locations and a statement of availability related to the prospective development of a parcel of land that is not currently connected to public utilities.

Effective October 1, 2012 the following fees are associated with a Commercial Service Availability Request

**Section 1 - UTILITY LOCATE MAP ONLY: $75**

**Section 2 - LETTER OF UTILITY LOCATION AVAILABILITY AND LOCATE MAP: $100**
*(Please note that an LOA cannot be issued without the locate map, unless a locate map was previously issued for the property by the FGUA.)*

Please return the completed application package and payment to:

FGUA Operations Office
280 Wekiva Springs Road, Suite 2070
Longwood, FL 32779

Phone: 407-629-6900
Fax: 407-629-6963

A **complete application and remittance of payment** are required prior to the FGUA processing this application. Providing the required information expedites the review process and enables a response within **20-working days** from the date of receipt of a completed application and payment.

**Please make checks payable to Florida Governmental Utility Authority (FGUA)**

# FLORIDA GOVERNMENTAL UTILITY AUTHORITY

## Development Services Department

## APPLICATION FOR DEVELOPER/COMMERCIAL UTILITY SERVICE AVAILABILITY

## (FORM A)

### *UTILITY LOCATES*

By completing Section 1 of the application, you will be provided with approximate utility locations only in the vicinity of the listed property. Should you need a project specific Letter of Availability, please complete Sections 1 & 2.

**SECTION 1.**

1) Property Information: **This information is available on the county property appraiser's website**

a) PROPERTY ID (Folio/STRAP NO.): 18-43-26-00-00002.0020; 18-43-26-00-00002.0000 & 19-43-26-00-00002.1020

b) PROPERTY PHYSICAL ADDRESS: 12850 N. River Road; 18420 & 17900 Owl Creek Drive

2) **ATTACH** a copy of the property appraiser information/map with the completed application

3) **Design Professional** contact information for FGUA Response:

Name: David R. Underhill, Jr. Date: 7/28/20

Company Name: Banks Engineering Title: Vice President

Full Address (including city, state and zip code): 10511 Six Mile Cypress Parkway, Ft. Myers, FL 33966

Email: dunderhill@bankseng.com & jsheppard@bankseng.com Telephone: 239-939-5490

**CONTACT INFORMATION MUST BE PROVIDED FOR ALL INQUIRIES**

## SECTION 2.

### DO YOU NEED A FORMAL LETTER OF AVAILABILITY?

By completing Sections 1 & 2 of the application, you will be provided with approximate utility locations in the vicinity of the listed property AND a formal LOA. The following information is required if further permitting with FGUA is desired (i.e. if project is contemplated for construction).

Incomplete Applications Will Not Be Processed

4) Name and address of **APPLICANT**:

a) NAME and COMPANY NAME (if applicable):

Jennifer Sheppard - Banks Engineering

b) MAILING ADDRESS (including city, state and zip code):

10511 Six Mile Cypress Parkway, Suite 101

Fort Myers, FL 33966

c) PHONE NUMBER and EMAIL ADDRESS:

239-939-5490 jsheppard@banskeng.com

d) Is the **APPLICANT**: ◯ Property Owner ◯ Developer ◯ Prospective Buyer
*Mark all that apply*
◯ Other: Consultant (please specify)

5) Service(s) requested: ☒ Water ☒ Wastewater ☐ Reclaim ☐ Fire Protection

6) Project Information:

a) PROJECT NAME: Owl Creek

b) PROPOSED USAGE (i.e. retail, offices, residential subdivision, etc.) residential subdivision

c) SIZE (square footage or number of homes): 440

d) PHASES (if applicable): _____

7) Engineer's estimate of average daily flows:

WATER: 110,000 GPD WASTEWATER: 110,000 GPD

RECLAIMED WATER: _____ GPD FIRE PROTECTION: _____ GPM

# Justification of Proposed Amendment

(Exhibit M19)

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# OWL CREEK
# Comprehensive Plan Amendment
## Justification of Proposed Amendment
## EXHIBIT "M19"

The plan amendment and the environmental, water quality, hydrological, infrastructure, and community character enhancement criteria to allow for the clustered development of the Owl Creek property represents sound planning principles.

The following summarizes benefits that will be accomplished by approval of this request through compliance with the proposed text amendment:

1. Provide a connection between the existing New Community FLU to the north and Caloosahatchee River to the south that will continue the environmental preservation and enhanced drainage ways that will be improved by reduced runoff rate and reduced nutrient runoff
2. Amendment will result in clustered development as encouraged in area as demonstrated by the Preliminary Development Footprint exhibit
3. Provide Wetland Protection and Enhancements including exotic removal and maintenance
4. Historical Resource preservation of the 3 recommended sites
5. ±165.6 acres (48% of property) placed into conservation easement including the convergence of two natural waterways on the Great Calusa Blueway (Owl Creek and Trout Creek) where they connect to the Caloosahatchee River
6. Wildlife/recreation connection from portion of Trout Creek located on potential Conservation 20/20 lands to Caloosahatchee River
7. Connection to adjacent SFWMD owned lands to the east and south
8. Potential public canoe/kayak launch area to Trout Creek
9. Wildlife management and co-existence plans
10. Enhanced lake management plan
11. Florida Friendly Landscaping with the low irrigation requirements in common areas
12. 60% open space
13. Preserve 93% of wetlands
14. Water Quality enhancements and monitoring
15. Remove potential for up to 221 potential septic tanks and wells
16. Removal of cattle grazing will significantly reduce onsite nutrient generation
17. Additional 50% water quality treatment
18. Reduced rate of run-off and associated nutrient loads
19. Stormwater enhancements
20. Remove potential for additional single-family driveways along Owl Creek
21. Green infrastructure
22. Privately funded expansion of water and sewer to the area (as encouraged/anticipated by existing Lee Plan policies)
23. Minimum 50' perimeter setback/buffer
24. Minimum 100' setback from Owl Creek Boat Works property line to single-family lots
25. Provide area for multi-use path along North River Road



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26. Protect existing groundwater levels and improve existing wetland hydroperiods in onsite preserve areas

The Lee Plan recognizes that enhancement and conservation of environmental, historical, stormwater, public water access and enhanced water quality is a public priority. The plan amendment balances this public interest with those of the property owner. The plan amendment represents a kind of public-private partnership. The public interests for Owl Creek outlined above will be conditioned in the concurrent Planned Development Zoning application. The private interest in utilizing and developing the property is satisfied in a responsible environmental manner. This represents sound planning.

The plan amendment utilizes the planning principle of clustered development. Clustered development is a development arrangement that stresses people living in harmony with nature and locates buildings in concentrated portions of a site, leaving the remainder of the site undeveloped. Typically this form of development is utilized to limit sprawling development patterns while protecting such things as open space, environmentally sensitive areas and natural resources. The project design protects a least 93% of the wetlands, provides preservation of a minimum of 48% of the site including areas along Owl Creek and Trout Creek and provides enhanced setbacks to adjacent uses.

The Owl Creek project also utilizes the planning principle of conservation design or designing with nature. The process of selecting the appropriate preservation and development scenario for the property utilized an analysis of the property's attributes such as property location and location of adjacent uses, soils, topography, previous uses and associated impacts and natural resources. One guiding principle of conservation design is that environmentally sensitive areas must be first identified and designated as non-buildable. The analysis of the property identified the location of wetlands, rare and unique uplands and 3 historical sites recommended for listing and preservation on the property and incorporated these areas into the project's preservation and open space plan. Through the stringent requirements associated with this request and conditioning of the forthcoming planned development, the Owl Creek project will preserve 93% of the onsite wetlands providing protection and enhancements through exotic removal and upland buffers. A minimum of 48 percent of the property (±165.6 acres) will be placed into a conservation easement including the convergence of two natural waterways on the Great Calusa Blueway (Owl Creek and Trout Creek) where they connect to the Caloosahatchee River. The conservation area will include preservation of 3 recommended historical sites and the project will provide a potential public canoe/kayak launch area to Trout Creek. This process represents sound planning for the subject site, its natural resources and existing surrounding uses.

The Owl Creek project represents compatible land uses with existing surrounding uses which include agricultural uses, preservation and single family uses. The project's residential uses will be clustered inside the property with enhanced setbacks/buffers to adjacent uses and properties. The project's open spaces and preservation areas compliment and enhance adjacent existing and pending public and private preserve areas. The Owl Creek project residential uses are clustered and separated from the perimeter by a minimum 50 foot setback/buffer area. The project's compatibility with nearby land uses represents sound planning for the region in which the property is located.

The Owl Creek project will be connected to and serviced by a centralized water and sewer system via privately funded extensions. Connecting this property to a centralized water and sewer system represents sound planning with the removal of potential for 221 septic systems and private wells will provide fire protection to the existing and future residents and properties, including the Owl Creek project. The proposed privately funded expansion of utilities to the area is already encouraged and anticipated by existing Lee Plan policies.

The Owl Creek project represents a high quality master planned project. The applicant respectively asks that the proposed plan amendment for the Owl Creek property be approved to realize these regional benefits.

The Lee County Sheriff's Office has reviewed the request and has provided a review letter dated August 4, 2020 that provides that the proposed development does not affect their ability to provide core services and that they have no objection to the requested increase in density. The Sheriff's Office letter states that law enforcement services will be provided from their North District substation in North Fort Myers. This letter also provides that the applicant provide a Crime Prevention Through Environmental Design (CPTED) report at the time of application for a development order.

Bayshore Fire Rescue reviewed the request and provided a letter dated August 11, 2020. This letter provides that Bayshore Fire Rescue will be able to adequately serve the development as proposed and that the District will require residential sprinklers within homes if the area is not serviced by an adequate pressurized fire hydrant system. Privately funded potable water will be extended to the site to provide adequate pressurized fire hydrant system.

The Lee County Division of Emergency Medical Services reviewed the request and provided a review letter dated August 19, 2020 indicating that the service availability for the proposed development of this property is adequate at this time. Lee County Emergency Medical Services is the primary EMS transport agency responsible for coverage at the address you have provided. Because we currently serve this area and have a sufficient response data sample, we evaluated response times in this vicinity to simulate the anticipated demand and response. The primary ambulance for this location is Medic 11, located 5.1 miles southwest; there is a second EMS station within six miles of the proposed location. These locations are projected to be able to meet existing service standards, as required in County Ordinance 08-16, and no additional impacts are anticipated at this time.

The Owl Creek project represents a high quality master planned project. The applicant respectively asks that the proposed plan amendment for the Owl Creek property be approved to realize these regional benefits.

# Planning Community Requirements
## (Exhibit M20)

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# OWL CREEK
## Comprehensive Plan Amendment
### Planning Community Area Requirements
### EXHIBIT "M20"

The Owl Creek property is located within the Northeast Lee County community plan area and as such will hold the required public information meetings within both the Alva and North Olga community plan area boundaries. The application is tentatively scheduled to be presented to the North Olga Community Planning Panel on October 15, 2020 at 6:00 p.m. The applicant is actively coordinating the meeting to be located in the Alva community plan area boundary. A meeting summary document will be submitted containing the date, time and location of each meeting, a list of attendees, a summary of any concerns raised and the applicant's response prior to the application being found complete.

S:\Jobs\85XX\8504\Documents\Comp Plan Amendment\8504_Planning Community Requirements-M20.doc



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# Amendment to Lee Plan Map 6 – Future Water Service Areas

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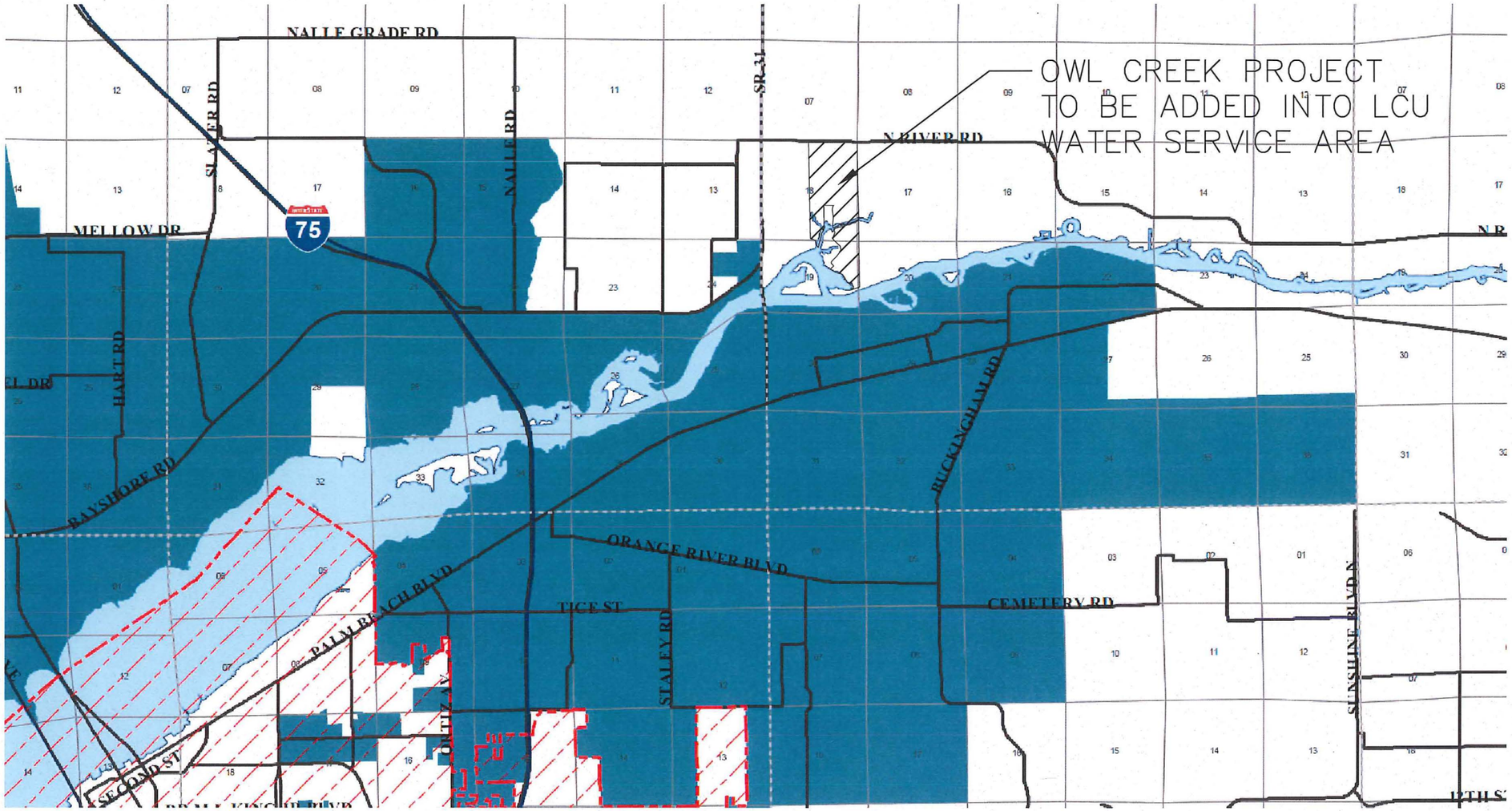


**Legend**

- Future Water Service Areas Map
- City Limits

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S:\JOBS\85XX\8504\EXHIBITS\8504_LEE MAP 6.DWG 9/8/2020 8:03 AM KEVIN GONZALEZ

| NO. | DATE | REVISION DESCRIPTION | BY |
|---|---|---|---|

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LEE PLAN MAP 6 - FUTURE WATER SERVICE AREAS

# OWL CREEK

LEE COUNTY, FLORIDA

| DATE | PROJECT | DRAWING | DESIGN | DRAWN | CHECKED | SCALE | SHEET |
|---|---|---|---|---|---|---|---|
| 09/08/2020 | 8504 | _EXHIBIT | KG | KG | DRU | N.T.S. | 01 |

# Preliminary Development Footprint

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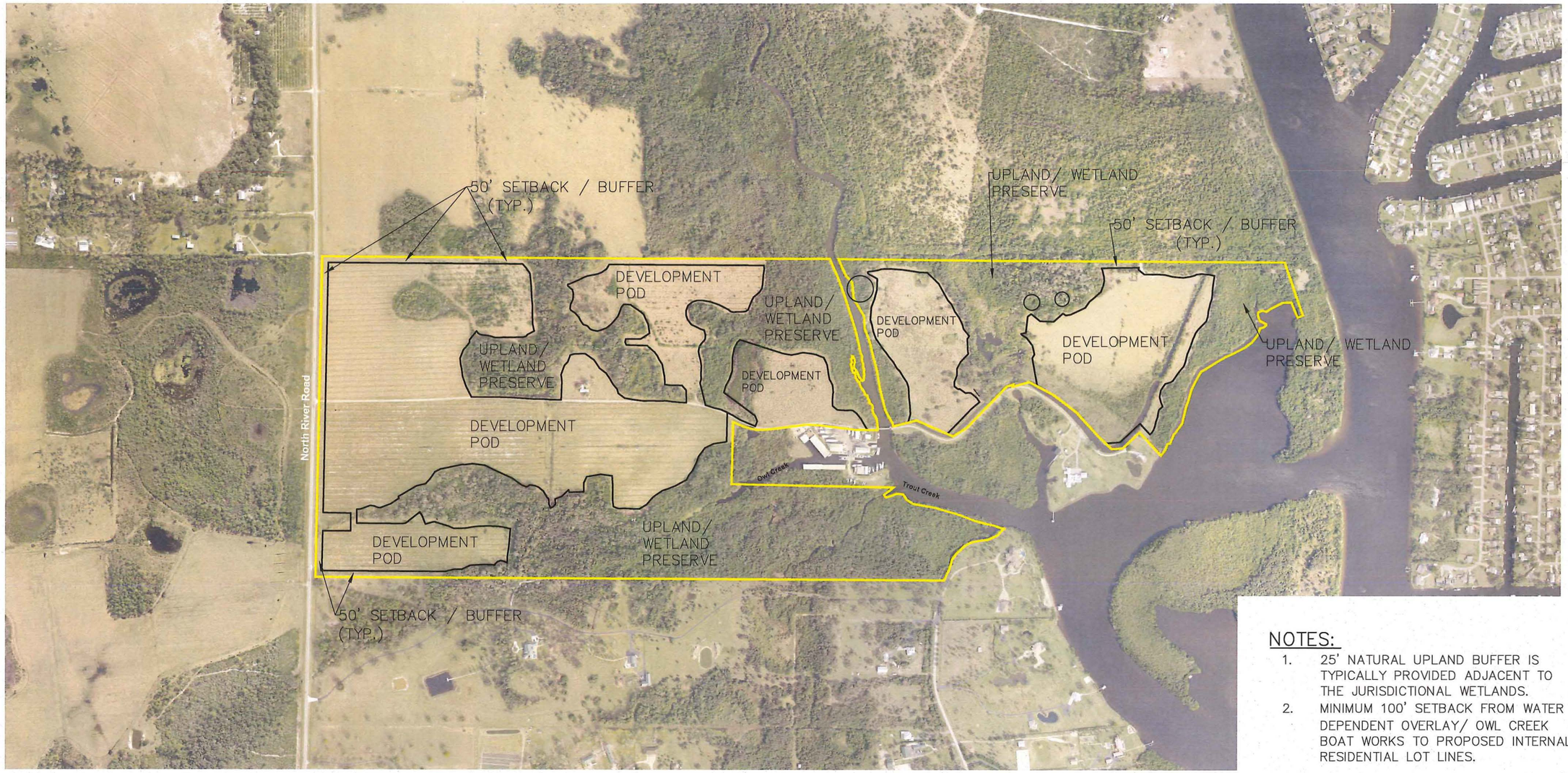


NOTES:

1. 25' NATURAL UPLAND BUFFER IS TYPICALLY PROVIDED ADJACENT TO THE JURISDICTIONAL WETLANDS.
2. MINIMUM 100' SETBACK FROM WATER DEPENDENT OVERLAY/ OWL CREEK BOAT WORKS TO PROPOSED INTERNAL RESIDENTIAL LOT LINES.

APPROXIMATE PRESERVED HISTORICAL SITE

DEVELOPMENT BOUNDARY

PROPERTY LINE

| NO. | DATE | REVISION DESCRIPTION | BY |
|---|---|---|---|

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PRELIMINARY DEVELOPMENT FOOTPRINT

# OWL CREEK

LEE COUNTY, FLORIDA

| DATE | PROJECT | DRAWING | DESIGN | DRAWN | CHECKED | SCALE | SHEET |
|---|---|---|---|---|---|---|---|
| 09/08/2020 | 8504 | _EXHIBIT | KG | KG | DRU | N.T.S. | 01 |

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# Proposed Text Changes
## (Exhibit T4)

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# OWL CREEK
# Comprehensive Plan Amendment
### Proposed Text Changes
### Exhibit T4

The Owl Creek application includes the following requests:

- Amendment to the Future Land Use Map (Lee Plan Map 1, Page 1 of 7) to change the FLU category from Rural and Wetlands to Sub-Outlying Suburban
- Amendment to Future Water Service Areas, Lee County Utilities (Lee Plan Map 6) to place the property within the Lee County Utilities Future Water Service Area to allow for privately funded expansion of water service.
    - Note: Wastewater will be provided by Florida Governmental Utility Authority (FGUA) with privately funded expansion of sewer service.
- Associated Text Amendment to following:
    - North Olga Community Plan – New Objective 29.10 and Policies 29.10.1 and 29.10.2 to provide requirements for development with Sub-Outlying Suburban areas within North Olga Planning Community
    - Table 1(a) – add footnote 20 to Sub-Outlying Suburban to limit density to 2 dwelling units per 1 acre of uplands or a gross density of 1.28 dwelling units per gross acre within the North Olga Planning Community
    - Table 1(b) for Northeast Lee County to remove 343 acres from the Rural category and add 343 acres to the Sub-Outlying Suburban category

**OBJECTIVE 29.10: SUB-OUTLYING SUBURBAN. Land designated as Sub-Outlying Suburban on the Future Land Use Map within the North Olga Community Plan area will be developed utilizing the planned development process in order to achieve conservation and enhancement of important environmental resources; initiate areawide surface water management; prevent sprawling land use patterns through clustered development; create critical hydrological and wildlife corridors and connections; and protect rural character of the surrounding community.**

**POLICY 29.10.1: Residential densities for land within the Sub-Outlying Suburban future land use category may be permitted up to a maximum of 2 dwelling units per upland acre or a gross density of 1.28 dwelling units per acre. In no case shall the unit count in the Sub-Outlying Suburban future land use category in North Olga exceed 440 dwelling units.**

**POLICY 29.10.2: Prior to development, a planned development rezoning must be approved, and include conditions and requirements that demonstrate the following:**

**a. Environmental Enhancements.**

**1. A minimum of 60% open space, inclusive of onsite preserve, to accommodate the following:**



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i. Water quality enhancement areas, including but not limited to natural systems-based stormwater management facilities, filter marshes, and wetland buffers to reduce the rate of run-off and associated nutrient loads;
ii. Existing regional flow-ways;
iii. Preservation of 93% of the onsite wetlands with exotic vegetation removal;
iv. Critical wildlife connection(s) through on-site preserve areas where adjacent to conservation areas
v. Roadway setbacks and perimeter buffers or preserves; and
vi. Passive recreational areas that comply with the definition of open space, as set forth in the Land Development Code.

2. Open space areas must be platted in separate tracts, outside of privately owned lots, and dedicated to an appropriate maintenance entity. A Community Development District (CDD), Independent Special District (ISD), or a master property owners association must be created to accept responsibility for perpetually maintaining the open space areas identified in the planned development.
3. Record a conservation easement for a minimum of 48% of the planned development area benefiting a public agency acceptable to Lee County, or Lee County itself, and dedicated to an appropriate maintenance entity. Land subject to conservation easement(s) can be used for on-site mitigation and will be recorded as development orders are issued. The timing of conservation easement(s) and restoration may be phased so long as the area dedicated to conservation easement is equal to or greater than the area of land approved for development on a cumulative basis.
4. Provide a protected species management plan to address human wildlife coexistence, including educational programs and development standards.
6. Not preclude recreational connections to adjacent public and private conservation and preserve land, subject to approval by the appropriate agencies,
7. Incorporate Florida Friendly Landscaping with the low irrigation requirements in common areas.
9. Incorporate energy efficiency or other low impact development (LID) performance standards within the development.
10. Minimize impacts to natural areas and native habitat by clustering development primarily in areas previously impacted by agricultural uses and other development activities.

b. Water Quality & Hydrological Enhancements.

1. The stormwater management system must demonstrate through design or other means that water leaving the development meets current state and federal water quality standards. Outfall monitoring will be required on a quarterly basis for a minimum of 5 years from the date of acceptance of construction of the water management system by the South Florida Water Management District. Monitoring may be eliminated after 5 years if the water quality standards are met.
2. Demonstrate an additional 50% water quality treatment beyond the treatment required by the SFWMD for the on-site stormwater management basins.
3. Protect existing groundwater levels and improve existing wetland hydroperiods in onsite preserve areas, as applicable by SFWMD permits.
4. Provide a lake management plan that requires best management practices for the following:
   i. fertilizers and pesticides;
   ii. erosion control and bank stabilization; and

iii. lake maintenance requirements and deep lake management for lakes exceeding 12 feet below lake surface (BLS).

5. Provide a site-specific ecological and hydrological plan, which includes at a minimum the following: preliminary excavation and grading plans, exotic removal and maintenance plan, supplemental planting plan, and success criteria for meeting established goals.
6. Provide site-specific mitigation and enhancements to reduce discharge rates.
7. Utilize reuse and surface water generated by the development to meet the irrigation demands of the recreation and development areas, to the extent such reuse is available.
8. Demonstrate that the proposed planned development will not result in significant detrimental impacts on present or future water resources.

c. Infrastructure Enhancements.

1. All development within the planned development must connect to centralized water and sewer services, with the exception of interim facilities used on a temporary basis during construction, and for unmanned essential services on a temporary basis until water and sewer service is extended to the development.
2. Written verification as to adequate public services for the planned development from the sheriff, EMS, fire district, and Lee County School District, or via interlocal agreements with adjacent jurisdictions and/or special districts.
3. Civic space or recreational area such as a canoe/kayak launch, boardwalk, jogging path, fishing platform, or waterside park for use by the general public, to be maintained by the property owners' association or similar entity.
4. Sufficient right-of-way to accommodate an 8-foot wide multi-purpose pathway along the roadway frontages, where the planned development abuts SR 31 and CR 78.

d. Community Character.

1. Provide minimum 50 foot perimeter setback/buffer area
2. Enhanced buffers and setbacks along external roadways to preserve rural vistas and viewsheds that are at least 50% wider than the Land Development Code requirements.
3. Locate access points onto adjacent arterial roadways to minimize impact to the surrounding rural community.
4. Preservation of archaeological sites in good to excellent condition that are regarded as eligible for listing on the National Register of Historic Places within a minimum 25-foot buffer. An archaeological monitor should confirm the location of the buffer/temporary silt fencing placed around each site and confirm that the sites are avoided during construction activities.
5. Provide a minimum 100' setback from Water Dependent Overlay to proposed internal residential lot lines.

## TABLE 1(a)

## SUMMARY OF RESIDENTIAL DENSITIES[1]

| FUTURE LAND USE CATEGORY | STANDARD OR BASE DENSITY RANGE | | BONUS DENSITY |
|---|---|---|---|
| | MINIMUM[2] (Dwelling Units per Gross Acre) | MAXIMUM (Dwelling Units per Gross Acre) | MAXIMUM TOTAL DENSITY[3] (Dwelling Units per Gross Acre) |
| Intensive Development[14] | 8 | 14 | 22 |
| General Interchange[2] | 8 | 14 | 22 |
| Central Urban[15] | 4 | 10 | 15 |
| Urban Community[4,5,16] | 1 | 6 | 10 |
| Suburban[17] | 1 | 6 | No Bonus |
| Outlying Suburban | 1 | 3 | No Bonus |
| Sub-Outlying Suburban[20] | 1 | 2 | No Bonus |
| Rural[10] | No Minimum | 1 | No Bonus |
| Outer Islands | No Minimum | 1 | No Bonus |
| Rural Community Preserve[6] | No Minimum | 1 | No Bonus |
| Open Lands[7] | No Minimum | 1 du/5 acres | No Bonus |
| Density Reduction/Groundwater Resource[13] | No Minimum | 1 du/10 acres | No Bonus |
| Wetlands[8] | No Minimum | 1 du/20 acres | No Bonus |
| New Community[19] | No Minimum | 6 | No Bonus |
| University Community[9] | 1 | 2.5 | No Bonus |
| Destination Resort Mixed Use Water Dependent[11] | 6 | 9.36 | No Bonus |
| Burnt Store Marina Village[12] | No Minimum | 160 Dwelling Units; 145 Hotel Units | No Bonus |
| Coastal Rural[18] | No Minimum | 1 du/2.7 acres | No Bonus |

## CLARIFICATIONS AND EXCEPTIONS

[1]See the glossary in Chapter XII for the full definition of "density".

[2]Except in the General Interchange future land use category adherence to minimum densities is not mandatory but is recommended to promote compact development.

[3]These maximum densities may be permitted by transferring density from non-contiguous land through the provisions of the Bonus Density Program identified in Chapter 2 of the Land Development Code.

[4]Within the Future Urban Areas of Pine Island Center, rezonings that will allow in excess of 3 dwelling units per gross acre must "acquire" the density above 3 dwelling units per gross acre utilizing TDUs that were created from Greater Pine Island (see Objective 24.6), or transfer dwelling units in accordance with Policy 24.3.4.

[5]In all cases on Gasparilla Island, the maximum density must not exceed 3 du/acre.

[6]Within the Buckingham area, new residential lots must have a minimum of 43,560 square feet.

[7]The maximum density of 1 unit per 5 acres can only be approved through the planned development process (see Policy 1.4.4), except in the approximately 135 acres of land lying east of US41 and north of Alico Road in the northwest corner of Section 5, Township 46, Range 25.

[8]Higher densities may be allowed under the following circumstances where wetlands are preserved on the subject site:

(a) If the dwelling units are relocated off-site through the provision of Transfer of Development Rights Ordinance 86-18, as amended or replaced; or

(b) Dwelling units may be relocated to developable contiguous uplands designated Intensive Development, General Interchange, Central Urban, Urban Community, Suburban, Outlying Suburban, Sub-Outlying Suburban, and New Community from preserved freshwater wetlands at the same underlying density as permitted for those uplands. Impacted wetlands will be calculated at the standard Wetlands density of 1 dwelling units per 20 acres. Planned Developments or Development Orders approved prior to October 20, 2010 are permitted the density approved prior to the adoption of CPA2008-18.

[9]Overall average density for the University Village sub-district must not exceed 2.5 du/acre.

[10]In the Rural category located in Section 24, Township 43 South, Range 23 East and south of Gator Slough, the maximum density is 1 du/2.25 acres.

[11]Overall number of residential dwelling units is limited to 271 units in the Destination Resort Mixed Use Water Dependent district.

[12]The residential dwelling units and hotel development portions of this redevelopment project must be located outside of the designated Coastal High Hazard Area in accordance with Lee Plan, Map 5.

[13]See Policies 33.3.2, 33.3.3, and 33.3.4 for potential density adjustments resulting from concentration or transfer of development rights.

[14]The maximum total density may be increased to 30 du/acre utilizing Greater Pine Island TDUs.

[15]The maximum total density may be increased to 20 du/acre utilizing Greater Pine Island TDUs.

[16]The maximum total density may be increased to 15 du/acre utilizing Greater Pine Island TDUs.

[17]The maximum total density may be increased to 8 du/acre utilizing Greater Pine Island TDUs.

[18] The standard maximum density is 1 du/2.7 acres unless the "Adjusted Maximum Density" of 1 du/acre is achieved in accordance with requirements of Policy 1.4.7 and Chapter 33 of the Land Development Code.

[19]Maximum density in the New Community future land use category is limited to 1 du/2.5 acres in the North Olga Community Plan area in accordance with Policy 1.6.1.

[20]Maximum density in the Sub-Outlying Suburban future land use category is limited to 2 du/1 acre of uplands or a gross density of 1.28 dwelling units per acre in the North Olga Community Plan area in accordance with Policy 29.10.1.

## TABLE 1(b) Year 2030 Allocation

| Future Land Use Category | Lee County Totals | Northeast Lee County | Boca Grande | Bonita Springs | Fort Myers Shores | Burnt Store | Cape Coral | Captiva | Fort Myers | Fort Myers Beach | Gateway/ Airport | Daniels Parkway |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Residential By Future Land Use Category* | | | | | | | | | | | | |
| Intensive Development | 1,361 | | | | 5 | | 27 | | 250 | | | |
| Central Urban | 14,766 | | | | 225 | | | | 230 | | | |
| Urban Community | 16,515 | 520 | 485 | | 637 | | | | | | 250 | |
| Suburban | 16,623 | | | | 1,810 | | | | 85 | | | |
| Outlying Suburban | 4,113 | 30 | | | 310 | 20 | 2 | 500 | | | | 1,438 |
| Sub-Outlying Suburban | ~~1,880~~2,223 | 343 | | | 472 | | | | | | 227 | |
| Commercial | | | | | | | | | | | | |
| Industrial | 79 | | | | | | | | 39 | | 20 | |
| Public Facilities | 1 | | | | | | | 1 | | | | |
| University Community | 850 | | | | | | | | | | | |
| Destination Resort Mixed Use Water Dependent | 8 | | | | | | | | | | | |
| Burnt Store Marina Village | 4 | | | | | 4 | | | | | | |
| Industrial Interchange | | | | | | | | | | | | |
| General Interchange | 169 | | | | | | | | | | 29 | 58 |
| General Commercial Interchange | | | | | | | | | | | | |
| Industrial Commercial Interchange | | | | | | | | | | | | |
| University Village Interchange | | | | | | | | | | | | |
| Mixed Use Interchange | | | | | | | | | | | | |
| New Community | 2,100 | 1,200 | | | | | | | | | 900 | |
| Airport | | | | | | | | | | | | |
| Tradeport | 9 | | | | | | | | | | 9 | |
| Rural | ~~8,313~~7,970 | ~~1,948~~1,605 | | | 1,400 | 636 | | | | | | 1,500 |
| Rural Community Preserve | 3,100 | | | | | | | | | | | |
| Coastal Rural | 1,300 | | | | | | | | | | | |
| Outer Island | 202 | 5 | | | 1 | | | 150 | | | | |
| Open Lands | 2,805 | 250 | | | | 590 | | | | | | 120 |
| Density Reduction/ Groundwater Resource | 6,905 | 711 | | | | | | | | | 94 | |
| Conservation Lands Upland | | | | | | | | | | | | |
| Wetlands | | | | | | | | | | | | |
| Conservation Lands Wetland | | | | | | | | | | | | |
| Unincorporated County Total Residential | 81,103 | 4,664 | 485 | | 4,860 | 1,250 | 29 | 651 | 604 | | 1,529 | 3,116 |
| Commercial | 12,793 | 177 | 52 | | 400 | 50 | 17 | 125 | 150 | | 1,100 | 440 |
| Industrial | 7,527 | 26 | 3 | | 400 | 5 | 26 | | 300 | | 3,100 | 10 |
| **Non Regulatory Allocations** | | | | | | | | | | | | |
| Public | 82,565 | 7,100 | 421 | | 2,000 | 7,000 | 20 | 1,961 | 350 | | 7,752 | 2,477 |
| Active AG | 23,301 | 5,100 | | | 550 | 150 | | | | | | 20 |
| Passive AG | 43,591 | 12,229 | | | 2,305 | 109 | | | | | 1,241 | 20 |
| Conservation | 81,933 | 2,214 | 611 | | 1,142 | 3,236 | 133 | 1,603 | 748 | | 2,947 | 1,733 |
| Vacant | 24,361 | 1,953 | | | 61 | 931 | 34 | | 45 | | 282 | 151 |
| Total | 357,174 | 33,463 | 1,572 | | 11,718 | 12,731 | 259 | 4,340 | 2,197 | | 17,951 | 7,967 |
| Population Distribution (unincorporated Lee County) | 495,000 | 9,266 | 1,531 | | 33,348 | 3,270 | 225 | 530 | 5,744 | | 19,358 | 16,375 |

(Amended by Ordinance No. 02-02, 03-19, 05-19, 07-13, 09-15, 09-16, 10-15, 10-16, 10-40, 10-43, 14-14, 15-10, 16-02, 16-17, 17-12, 17-23, 18-06, 19-14, 20-05)
Printed 5/28/2020

## TABLE 1(b) Year 2030 Allocation

| Future Land Use Category | Iona/ McGregor | San Carlos | Sanibel | South Fort Myers | Pine Island | Lehigh Acres | Southeast Lee County | North Fort Myers | Buckingham | Estero | Bayshore |
|---|---|---|---|---|---|---|---|---|---|---|---|
| *Residential By Future Land Use Category* | | | | | | | | | | | |
| Intensive Development | | | | 660 | 3 | 42 | | 365 | | 9 | |
| Central Urban | 375 | 17 | | 3,140 | | 8,179 | | 2,600 | | | |
| Urban Community | 850 | 1,000 | | 860 | 500 | 10,854 | | | 110 | 450 | |
| Suburban | 2,488 | 1,975 | | 1,200 | 675 | | | 6,690 | | 1,700 | |
| Outlying Suburban | 377 | | | | 600 | | | 382 | | 454 | |
| Sub-Outlying Suburban | | 25 | | | | | | 140 | 66 | | 950 |
| Commercial | | | | | | | | | | | |
| Industrial | 5 | 5 | | 10 | | | | | | | |
| Public Facilities | | | | | | | | | | | |
| University Community | | 850 | | | | | | | | | |
| Destination Resort Mixed Use Water Dependent | 8 | | | | | | | | | | |
| Burnt Store Marina Village | | | | | | | | | | | |
| Industrial Interchange | | | | | | | | | | | |
| General Interchange | | | | | | | 15 | 31 | | 6 | 30 |
| General Commercial Interchange | | | | | | | | | | | |
| Industrial Commercial Interchange | | | | | | | | | | | |
| University Village Interchange | | | | | | | | | | | |
| Mixed Use Interchange | | | | | | | | | | | |
| New Community | | | | | | | | | | | |
| Airport | | | | | | | | | | | |
| Tradeport | | | | | | | | | | | |
| Rural | | 90 | | | 190 | 14 | | 500 | 50 | 635 | 1,350 |
| Rural Community Preserve | | | | | | | | | 3,100 | | |
| Coastal Rural | | | | | 1,300 | | | | | | |
| Outer Island | 1 | | | | 45 | | | | | | |
| Open Lands | | | | | | | | 45 | | | 1,800 |
| Density Reduction/ Groundwater Resource | | | | | | | 4,000 | | | | 2,100 |
| Conservation Lands Upland | | | | | | | | | | | |
| Wetlands | | | | | | | | | | | |
| Conservation Lands Wetland | | | | | | | | | | | |
| Unincorporated County Total Residential | 4,104 | 3,962 | | 5,870 | 3,313 | 19,088 | 4,015 | 10,753 | 3,326 | 3,254 | 6,230 |
| Commercial | 1,100 | 1,944 | | 2,100 | 226 | 1,300 | 68 | 1,687 | 18 | 1,700 | 139 |
| Industrial | 320 | 450 | | 900 | 64 | 300 | 972 | 554 | 5 | 87 | 5 |
| **Non Regulatory Allocations** | | | | | | | | | | | |
| Public | 3,550 | 3,059 | | 3,500 | 2,100 | 15,289 | 12,000 | 4,000 | 1,486 | 7,000 | 1,500 |
| Active AG | | | | | 2,400 | | 13,445 | 200 | 411 | 125 | 900 |
| Passive AG | | | | | 815 | | 17,521 | 1,532 | 3,619 | 200 | 4,000 |
| Conservation | 9,306 | 2,969 | | 188 | 14,767 | 1,541 | 31,210 | 1,317 | 336 | 5,068 | 864 |
| Vacant | 975 | 594 | | 309 | 3,781 | 10,385 | 470 | 2,060 | 1,000 | 800 | 530 |
| Total | 19,355 | 12,978 | | 12,867 | 27,466 | 47,904 | 79,701 | 22,103 | 10,201 | 18,234 | 14,168 |
| Population Distribution (unincorporated Lee County) | 34,538 | 36,963 | | 58,363 | 13,265 | 149,500 | 1,270 | 71,001 | 6,117 | 25,577 | 8,760 |

(Amended by Ordinance No. 02-02, 03-19, 05-19, 07-13, 09-15, 09-16, 10-15, 10-16, 10-40, 10-43, 14-14, 15-10, 16-02, 16-17, 17-12, 17-23, 18-06, 19-14, 20-05)
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