



APPLICATION FOR PLANNED DEVELOPMENT PUBLIC HEARING UNINCORPORATED AREAS ONLY

Project Name: Owl Creek Minor RPD

Request: Rezone from: AG-2 To: RPD

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

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

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

Summary of Project:

Rezoning of ±342.68 acres from Agricultural (AG-2) to minor Residential Planned Development (RPD) to allow development of a clustered residential community containing up to 440 dwelling units consisting of single-family and two-family attached with associated amenities while providing for significant environmental, historical, storm water, water quality and infrastructure enhancements. Maximum building height is 35 feet.

PART 1

APPLICANT/AGENT INFORMATION

A. Name of Applicant: D.R. Horton, Inc.

Address: 10541 Six Mile Cypress Parkway, Suite 101

City, State, Zip: Fort Myers, FL 33966

Phone Number: 239-225-2600

E-mail Address: jweverett@drhorton.com

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

☐ Applicant is the sole owner of the property. [34-201(a)(1)a.1.]

☒ Applicant has been authorized by the owner(s) to represent them for this action. [34-202(a)(3)]

☐ Application is County initiated. Attach BOCC authorization.

C. Authorized Agent: (If different than applicant) Name of the person who is to receive all County-initiated correspondence regarding this application. [34-202(a)(4)]

1. Company Name: Banks Engineering

Contact Person: Stacy Ellis Hewitt, AICP

Address: 10511 Six Mile Cypress Parkway, Suite 101

City, State, Zip: Fort Myers, FL 33966

Phone Number: 239-770-2527/239-939-5490

Email: SHewitt@bankseng.com

2. **[Additional Agent\(s\)](#):** Provide the names of other agents that the County may contact concerning this application. [34-202(a)(4)]

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

PART 2
PROPERTY OWNERSHIP

A. Property owner(s): If multiple owners (corporation, partnership, trust, association), provide a list with owner interest. [34-202(a)(2)]

Name: Talon Ventures, LLC

Address: 10 Wimbledon Court

City, State, Zip: Frisco, Texas 75034

Phone Number: _____ **Email:** _____

B. Disclosure of Interest [34-202(a)(2)]:

☒ Attach [Disclosure of Interest](#) Form.

C. Multiple parcels:

☐ Property owners list. [34-202(a)(8)]

☐ Property owners map. [34-202(a)(8)]

D. Certification of Title and Encumbrances [34-202(a)(7)]

1. Title certification document, no greater than 90 days old.

2. Date property was acquired by present owner(s): 12/15/2009

PART 3
PROPERTY INFORMATION

A. STRAP Number(s): [Attach extra sheets if additional space is needed.] [34-203(a)(5)]

18-43-26-00-00002.0020; 18-43-26-00-00002.0000 & 19-43-26-00-00002.1020

B. Street Address of Property: 12850 N. River Road; 18420 Owl Creek Drive & 17900 Owl Creek Drive

C. Legal Description (must submit) [34-202(a)(5)]:

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

OR

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

AND

Boundary Survey [34-202(a)(6)]:

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

OR

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

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

1. ☒ List of surrounding property owners. [34-202(a)(9)]

2. ☒ Map of surrounding property owners. [34-202(a)(9)]

3. ☒ One set of mailing labels. [34-202(a)(9)]

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

E. Current Zoning of Property: AG-2

☐ Provide a list of all Zoning Resolutions and Zoning Approvals applicable to the subject property.

F. Use(s) of Property:

1. Current uses of property are: Agricultural grazing lands

2. Intended uses of property are: Residential

G. Future Land Use Classification (Lee Plan):

Rural/Pending Sub-Outlying Suburban*	<u>±221.34*</u>	Acres	<u>±64.6</u>	% of Total
Wetlands	<u>±121.34**</u>	Acres	<u>±35.4</u>	% of Total
		Acres		% of Total

*CPA2020-00004 & CPA2020-00005 and includes ±3.69 ac artificial ditches/OSW

**±114.84 ac & ±6.5 ac SW/OSW

H. Property Dimensions:

1. Width (average if irregular parcel):	<u>±2,392</u>	Feet		
2. Depth (average if irregular parcel):	<u>±5,800</u>	Feet		
	(avg)			
3. Total area:	<u>±342.68</u>	Acres or square feet		
4. Frontage on road or street:	<u>±2,392.11</u>	Feet on	<u>North River Road (S.R. 78)</u>	Street
2 nd Frontage on road or street:	Entire	Feet on	<u>Owl Creek Drive</u>	Street
	length			

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

- ☐ Not Applicable
- ☐ Captiva Planning Community (Captiva Island). [33-1612(a)&(b); Lee Plan Policy 13.1.7]
- ☐ North (Upper) Captiva Community Plan area. [33-1711]
- ☐ Boca Grande Planning Community. [Lee Plan Policy 22.1.5]
- ☐ Caloosahatchee Shores Community Plan area. [33-1482(a)&(b); Lee Plan Policy 21.6.3]
- ☐ Page Park Community Plan area. [33-1203(a) & (b); Lee Plan Policy 27.11.2]
- ☐ Palm Beach Boulevard Community Plan area. [Lee Plan Policy 23.5.2]
- ☐ Buckingham Planning Community. [Lee Plan Policy 17.7.2]
- ☐ Pine Island Planning Community. [33-1004(a) & (b); Lee Plan Policy 14.7.1]
- ☐ Lehigh Acres Planning Community. [33-1401(a)&(b); Lee Plan Policy 32.12.2]
- ☐ North Fort Myers Planning Community. [33-1532(a)&(b)]
- ☒ North Olga Community Plan area. [33-1663(a)&(b)]

J. Waivers from Application Submission Requirements: Attach waivers, if any, approved by the Director of Zoning. [34-201(c)]

PART 4 TYPES OF LAND AREA ON PROPERTY

A. Gross Acres (total area within described parcel)		342.68	Acres
1. Submerged land subject to tidal influence		<u>0</u>	Acres
2. a. Preserved freshwater wetlands	<u>±107.15</u>	Acres	<u>±6.5 AC</u> SW/OSW
b. Impacted wetlands	<u>±7.69</u>	Acres	
c. Preserved saltwater wetlands	<u>0</u>	Acres	
d. Total wetlands (A.2.a. plus A.2.b. plus A.2.c.)		<u>±114.84</u>	Acres
3. R-O-W providing access to non-residential uses		<u>0</u>	Acres
4. Non-residential use areas ^{(1) (2)}		<u>0</u>	Acres
B. Total area not eligible as gross residential acreage (Items A.1. + A.3. + A.4.).		0	Acres
C. Gross residential acres. (A minus B) ⁽³⁾		342.68	Acres
D. Gross residential acres (by Land Use Category)			
1. a. Intensive Development – upland			Acres
b. Intensive Development – preserved freshwater wetlands			Acres
c. Intensive Development – impacted wetlands			Acres
2. a. Central Urban – upland			Acres
b. Central Urban – preserved freshwater wetlands			Acres
c. Central Urban – impacted wetlands			Acres
3. a. Urban Community or Suburban – upland			Acres
b. Urban Community or Suburban – preserved freshwater wetlands			Acres
c. Urban Community or Suburban – impacted wetlands			Acres

4.	a.	Suburban – upland	_____	Acres
	b.	Suburban – preserved freshwater wetlands	_____	Acres
	c.	Suburban – impacted wetlands	_____	Acres
5.	a.	Outlying Suburban – upland	_____	Acres
	b.	Outlying Suburban – preserved freshwater wetlands	_____	Acres
	c.	Outlying Suburban – impacted wetlands	_____	Acres
6.	a.	Sub-Outlying Suburban – upland	<u>±221.34*</u>	Acres
	b.	Sub-Outlying Suburban – preserved freshwater wetlands	<u>±107.15</u>	Acres
	c.	Sub-Outlying Suburban – impacted wetlands	<u>±7.69</u>	Acres
7.	a.	Rural, Outer Island, Rural Community Preserve – upland	_____	Acres
	b.	Rural, Outer Island, Rural Community Preserve – wetlands	_____	Acres
8.	a.	Open Lands – upland	_____	Acres
	b.	Open Lands – wetlands	_____	Acres
9.	a.	Resource – upland	_____	Acres
	b.	Resource – wetlands	_____	Acres
10.	a.	Wetlands	_____	Acres
11.	a.	New Community – upland	_____	Acres
	b.	New Community – wetlands	_____	Acres
12.	a.	University Community – upland	_____	Acres
	b.	University Community – wetlands	_____	Acres
13.	a.	Coastal Rural – upland	_____	Acres
	b.	Coastal Rural – wetlands	_____	Acres
TOTAL (should equal “C” above)			<u>±6.5 AC SW/OSW</u>	
			342.68	Acres

Notes:

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

***±217.65 ac uplands & ±3.69 ac existing man-made ditches/OSW**

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

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

A. Future Land Use Category: Sub outlying suburban (proposed – CPA2020-00005; CPA2020-00004)

		Lee Plan Table 1(a)		
		Max. standard density		Units
1.	Standard Units			
	a. Total upland acres (from Part 4, D.)	<u>342.68</u>	x <u>1.283</u> equals	<u>440</u>
	b. Total preserved freshwater wetlands acres (from Part 4, D.)	_____	x _____ equals	_____
	c. Total impacted wetlands acres (from Part 4, D.)	_____	x _____ equals	_____
	d. Total Allowed Standard Units ⁽¹⁾			<u>440</u>
2.	Bonus Units [2-143]			
	a. Site-built Affordable Housing			_____
	b. Transferrable Dwelling Units			_____
	c. Sub-total			_____
3.	Total Permitted Units ⁽¹⁾			<u>440</u>

Note:

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

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

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

PART 7
ACTION REQUESTED

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

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

D. Bonus Density: [34-202(a)(11)]

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

PART 8

ENVIRONMENTAL REQUIREMENTS

- A. Topography:** Describe the range of surface elevations of the property. Attach a county topographic map (if available) or a USGS quadrangle map showing the subject property. **[34-373(a)(4)b.iv.]**
 Elevation varies significantly across the property and ranges up near N. River Road approximately elevation ± 8 and drops down to elevation ± 2 by the river.
-
- B. Sensitive Lands:** Identify any environmentally sensitive lands, including, but not limited to, wetlands (as defined in the LEE Plan Section XII), flowways, creek beds, sand dunes, other unique land forms [see LEE Plan Policy 77.1.1 (2)] or listed species occupied habitat [see LCLDC Section 10-473(f)].
 See attached Environmental Assessment
-
- C. Preservation/Conservation of Natural Features:** Describe how the lands listed in PART 6.B. above will be protected by the completed project:
 See attached Environmental Assessment
-
- D. Shoreline Stabilization:** If the project is located adjacent to navigable natural waters, describe the method of shoreline stabilization, if any, being proposed:
 Shorelines will be left in natural state with required setback and natural waterway buffer except where docks and canoe launch will be permitted which will follow permitting guidelines.
-
- E. Soils Map:** Attach maps drawn at the same scale as the Master Concept Plan marked or overprinted to show the soils classified in accordance with the USDA/SCS System. **[34-373(a)(4)b.i.]**
- F. FLUCCS Map:** A Florida Land Use, Cover and Classification System (FLUCCS) map, at the same scale as the Master Concept Plan, prepared by an environmental consultant. The FLUCCS map must clearly delineate any Federal and State jurisdictional wetlands and other surface waters, including the total acreage of Federal and State wetlands. **[34-373(a)(4)c.]**
- G. Rare & Unique Upland Habitat Map:** Maps drawn at the same scale as the Master Concept Plan marked or overprinted to show significant areas of rare and unique upland habitat as defined in the LEE Plan Section XII. **[34-373(a)(4)b.iii.]**
- H. Existing and Historic Flow-Ways Map:** Map(s) drawn at the same scale as the master concept plan marked or overprinted to show existing and historic flow-ways. **[34-373(a)(4)b.v.]**

PART 9

SANITARY SEWER & POTABLE WATER FACILITIES

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

3. Expected life of the facility:

N/A

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

N/A

5. Receiving bodies or other means of effluent disposal:

N/A

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

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

N/A

2. Current water table conditions:

N/A

3. Proposed rate of application:

N/A

4. Back-up system capacity:

N/A

**PART 10
ADDITIONAL REQUIREMENTS**

A. Major Planned Developments:

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

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

C. Development of Regional Impact: Binding letter of interpretation from DCA or a complete and sufficient ADA. (See also Application for Public Hearing for DRI Form.) **[34-373(d)(9)]**

D. Private Recreational Facility Planned Developments (PRFPDs):

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

5. **Environmental Assessment.** An Environmental Assessment must be provided which includes, at a minimum, an analysis of the environment, historical and natural resources. **[34-941(g)(2)]**
6. **Demonstration of Compatibility.** Written statements concerning how the applicant will assure the compatibility of the proposed development with nearby land uses (by addressing such things as noise, odor, lighting and visual impacts), and the adequate provision of drainage, fire and safety, transportation, sewage disposal and solid waste disposal must be provided. **[34-941(g)(4)]**
- E. **Potable Water & Central Sewer.** Will the project be connected to potable water and central sewer as part of any development of the property?
- ☒ **YES** (Provide a letter from the appropriate Utility to which the connection(s) are proposed confirming availability of service.) **[34-202(a)(10)]**
- ☐ **NO** (Provide a narrative explaining why the connection is not planned and how the water and sewer needs of the project will be met.) **[34-202(a)(10)]**
- F. **Existing Agricultural Use:** If the property owner intends to continue an existing agricultural use on the property subsequent to the zoning approval, an Existing Agricultural Use Affidavit must be provided. Entitle as "Existing Agricultural Uses at Time of Zoning Application." **[34-202(a)(12)]**
- G. **Flood Hazard:**
- ☐ Not applicable
- ☐ The property is within an Area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRM)s.
- ☒ The minimum elevation required for the first habitable floor is varies 7' & 8' NAVD (MSL)
- H. **Excavations/Blasting:**
- ☒ No blasting will be used in the excavation of lakes or other site elements.
- ☐ If blasting is proposed, provide Information Regarding Proposed Blasting (including soil borings, a map indicating the location of the proposed blasting, and other required information).
- I. **Hazardous Materials Emergency Plan for Port Facilities:** **[12-110(a)(16)]**
- ☒ Not Applicable
- ☐ Provide a Hazardous materials emergency plan.
- J. **Mobile Home Park:** **[34-174(h)]**
- ☒ Not Applicable
- ☐ Request includes rezoning of a Mobile Home Park. Provide facts related to the relocation of dislocated owners that meets the requirements of F.S. § 723.083 (1995).
- K. **Airport Zones & Lee County Port Authority (LCPA) Requirements:**
- ☒ Not Applicable
- ☐ Property is located within _____ Airport Noise Zone: **[34-1104]**
- ☐ Property is located within Airport Runway Protection Zone. Indicate which Zone below. **[34-1105]**
- ☐ Property is located within Airport Residential and Educational Protection Zone: **[34-1106]**
- ☐ Property is located in an Airport Obstruction Notification Zone and subject to LCPA regulations. **[34-1107]**
- ☐ A Tall Structures Permit is required. **[34-1108]**

PART 5 SUBMITTAL REQUIREMENT CHECKLIST		
<i>Clearly label your attachments as noted in bold below</i>		
Copies Required		SUBMITTAL ITEMS
3	☒	Completed application for Public Hearing [34-202(a)(1)]
1	☒	Filing Fee - [34-201(d)]
1	☐	Bonus Density Filing Fee - (if applicable) [34-202(a)(11)]
3	☒	<u>Affidavit of Authorization</u> (notarized) Form [34-202(a)(3)]
3	☒	<u>Additional Agents</u> [34-202(a)(4)]
3	☐	Multiple Owners List (if applicable) [34-202(a)(2)]
3	☒	<u>Disclosure of Interest</u> Form (multiple owners) [34-202(a)(2)]
3	☒	Legal description (must submit) [34-202(a)(5)]
	☒	Legal description (metes and bounds) and sealed sketch of legal description
		OR
	☐	Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. (Click here to see an example of a legal description with no metes and bounds.)
3	☒	Boundary Survey – not required if platted lot (2 originals required) [34-202(a)(6)]
3	☐	Property Owners list (if applicable) [34-202(a)(8)]
3	☐	Property Owners map (if applicable) [34-202(a)(8)]
3	☒	Confirmation of Ownership/Title Certification [34-202(a)(7)]
3	☐	STRAP Numbers (if additional sheet is required) [34-202(a)(5)]
1	☒	List of Surrounding Property Owners [34-202(a)(9)]
1	☒	Map of Surrounding Property Owners [34-202(a)(9)]
1	☒	Mailing labels [34-202(a)(9)]
3	☐	List of Zoning Resolutions and Approvals
3	☒	Summary of Public Informational Session (if applicable)
3	☐	Waivers from Application Submission Requirements (if applicable) [34-201(c)]
3	☐	Preliminary Density Calculations (if applicable)
3	☒	Request Statement [34-373(a)(5)]
3	☒	Traffic Impact Statement (TIS) (not required for existing development) [34-373(a)(7)]
3	☒	Master Concept Plan (MCP), Non-PRFPD [34-373(a)(6)]
3	☒	Schedule of Uses [34-373(a)(8)]
3	☐	Schedule of Deviations and Written Justification [34-373(a)(9)]
3	☒	Topography (if available) [34-373(a)(4)b.iv.]
3	☒	Soils Map [34-373(a)(4)b.9.]
3	☒	FLUCCS Map [34-373(a)(4)c.]
3	☒	Rare & Unique Upland Habitat Map [34-373(a)(4)b.iii.]
3	☒	Existing and Historic Flow-Ways Map [34-373(a)(4)b.v.]
3	☒	Surface Water Management Plan (if applicable) [34-373(b)(1)]
3	☐	Phasing Program (if applicable) [34-373(b)(3)]
3	☒	Protected Species Survey (if applicable) [34-373(b)(2)]
3	☐	Proof of Notice (if applicable) [34-373(c)]

3	☐	Binding Letter from DCA (if applicable) [34-373(d)(9)]
3	☐	Master Concept Plan (MCP), PRFPD (if applicable) [34-941(g)(1)]
3	☐	Conceptual Surface Water Management Plan (if applicable) [34-941(d)(3)b.i.1)]
3	☐	Well Drawdown Information (if applicable) [34-941(d)(3)d.]
3	☐	Preliminary Indigenous Restoration Plan (if applicable) [34-941(e)(5)f.iii.]
3	☐	Environmental Assessment (if applicable) [34-941(g)(2)]
3	☐	Demonstration of Compatibility (if applicable) [34-941(g)(4)]
3	☒	Potable Water & Sanitary Sewer. Letter from the appropriate utility entity indicating the utility entity or explanation of how water and sewer needs will be met if connection will not be made. [34-202(a)(10)]
3	☐	Existing Agricultural Use Affidavit (if applicable) [34-202(a)(12)]
3	☐	Information Regarding Proposed Blasting (if applicable).
3	☐	Hazardous Materials Emergency Plan (if applicable)
3	☐	Mobile Home Park Dislocated Owners Information (if applicable) [34-202(b)(4)]
3	☐	Tall Structures Permit (if applicable) [34-1108]

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

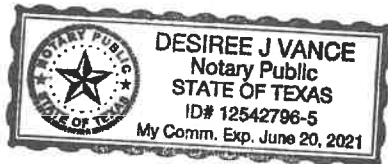
Belinda B. Ulrich, as Manager of Talon Ventures, LLC, a
Florida limited liability company
Print Name

*****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 ☒ 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.

STAMP/SEAL



Desiree J Vance
Signature of Notary Public

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").

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

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

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

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

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

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

Name and Address	Percentage of Ownership
N/A	

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



Property Owner

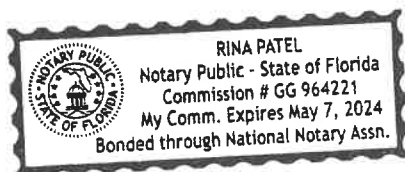
Justin Robbins, as Division President/VP of D.R.
Horton, Inc. as Authorized Legal Representative of
Talon Ventures, LLC.
Print Name

*****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 ☒ 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



Signature of Notary Public

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

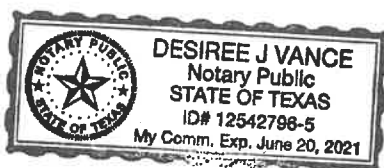
By: Belinda B Ulrich

Belinda B. Ulrich, Manager

Printed or Typed Name and Title

STATE OF Texas
COUNTY OF Collier

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 7-13-2020 (date) by Belinda Ulrich (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
(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**

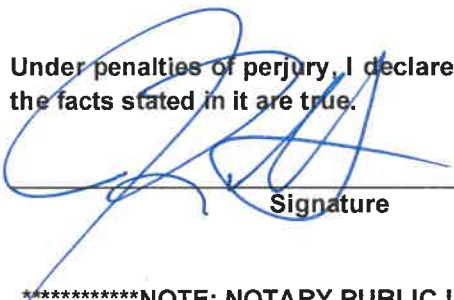
I, Justin Robbins (name), as Division President/VP (owner/title) of D.R. Horton, Inc. (company/property), swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

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

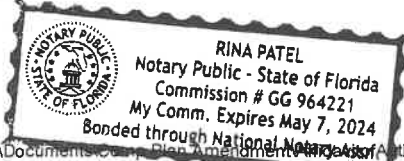
8/20/20
Date

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

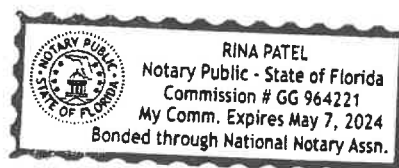
STATE OF FLORIDA
COUNTY OF LEE

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




Signature of Notary Public



ADDITIONAL AGENTS

Company Name:	Henderson, Franklin, Starnes & Holt, P.A.		
Contact Person:	Russell Schropp, Attorney at Law		
Address:	1715 Monroe Street		
City, State, Zip:	Fort Myers, FL 33901		
Phone Number:	239-344-1280	Email:	Russell.Schropp@henlaw.com

Company Name:	TR Transportation Consultants, Inc.		
Contact Person:	Ted Treesh		
Address:	2726 Oak Ridge Ct. STE 503		
City, State, Zip:	Fort Myers, FL 33901		
Phone Number:	239-278-3090	Email:	tbt@trtrans.net

Company Name:	Dex Bender Environmental Consulting		
Contact Person:	Paul K. Owen, M.S., P.W.S.		
Address:	4470 Camino Real Way, Suite 101		
City, State, Zip:	Fort Myers, FL 33966		
Phone Number:	(239) 334-3680	Email:	powen@dexbender.com

Company Name:	Water Science Associates		
Contact Person:	W. Kirk Martin, P.G.		
Address:	13620 Metropolis Avenue, Suite 110		
City, State, Zip:	Fort Myers, Florida 33912		
Phone Number:	239.204.5301	Email:	kirk@wsaconsult.com

Company Name:	Hans Wilson & Associates		
Contact Person:	Hans Wilson, P.E.		
Address:	1938 Hill Ave.		
City, State, Zip:	Ft. Myers, FL 33901		
Phone Number:	239.334.6870	Email:	hans@hanswilson.com

Company Name:	Trescott Planning Solutions, LLC		
Contact Person:	Daniel L. Trescott, MSP		
Address:	421 Norwood Court		
City, State, Zip:	Fort Myers, Florida 33919		
Phone Number:	239-433-4067	Email:	trescottplanningsolutions@gmail.com

Company Name:	BBLs Surveyors, Inc.		
Contact Person:	Stephen E. Berry, PSM		
Address:	8860 Terrene Court		
City, State, Zip:	Bonita Springs, FL 34135		
Phone Number:	239-597-1315	Email:	sberry@bblsinc.net



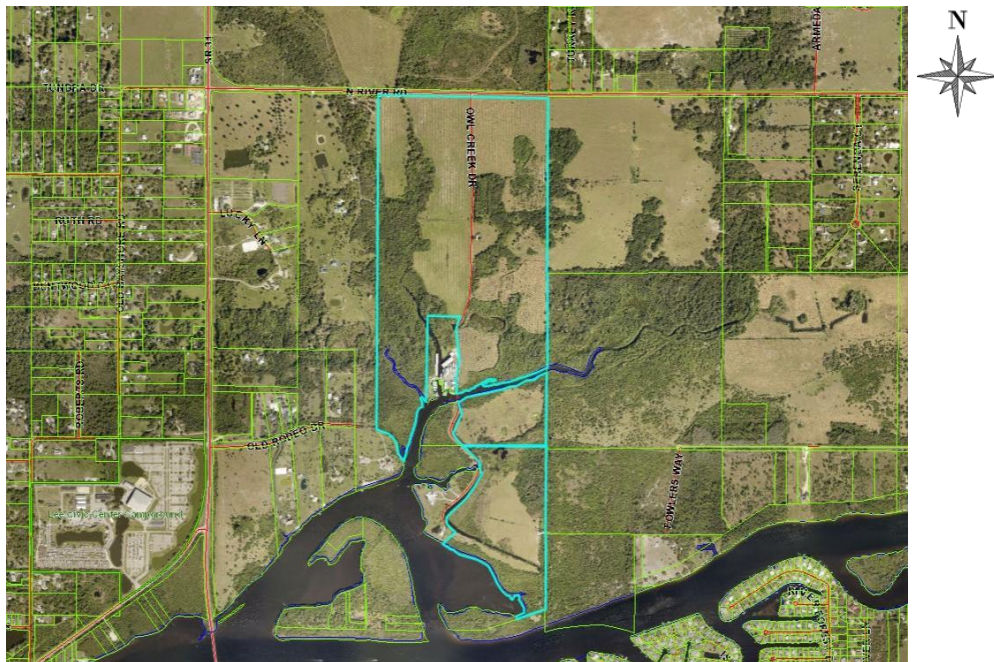
Professional Engineers, Planners & Land Surveyors

Owl Creek Minor RPD

Narrative of Request

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). There are concurrent Comprehensive Plan Map and Text amendments under review (CPA2020-00004 & CPA2020-00005) to amend the Future Land Use category to Sub Outlying Suburban with proposed text to place restrictions and requirements on the development.



The following summarizes benefits that will be accomplished by approval of this request through compliance with the proposed concurrent text amendment and conditions of approval to be contained in the Planned Development:

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
 - **SERVING THE STATE OF FLORIDA** •

- by the Master Concept Plan (MCP)
3. Provide Wetland Protection and Enhancements including exotic removal and maintenance
 4. Historical Resource preservation of the 3 recommended sites
 5. ±165.58 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 227 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. Green infrastructure
 21. Privately funded expansion of water and sewer to the area (as encouraged/anticipated by existing Lee Plan policies)
 22. Minimum 50' perimeter setback/buffer
 23. Minimum 100' setback from Owl Creek Boat Works property line to single-family lots
 24. Provide area for multi-use path along North River Road
 25. Protect existing groundwater levels and improve existing wetland hydroperiods in onsite preserve areas

Request

The applicant requests to rezone ±342.68 acres from Agricultural (AG-2) to minor Residential Planned Development (RPD) to allow development of a clustered residential community containing up to 440 dwelling units consisting of single-family and two-family attached with associated amenities while providing for significant environmental, historical, storm water, water quality and infrastructure enhancements. Maximum building height is 35 feet.

Background

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 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 $\frac{1}{4}$ 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 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 $\frac{1}{4}$ -acre lot subdivisions west of the commercial node. Sub-Outlying Suburban FLU category is a little over $\frac{1}{2}$ 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 $\pm \frac{1}{2}$ 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.

Comprehensive Plan Consistency Analysis

VISION STATEMENT

The requested rezoning and Master Concept Plan will comply with the concurrent comprehensive plan amendment conditions regarding environmental stewardship and enhancement of the area's historic heritage and rural character and will 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. 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 $\pm$ 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 for

the ± 217.65 acres of uplands plus ± 3.69 acres of ditches allowing 221 dwelling units. Policy 1.5.1 provides that the Wetlands category has a maximum density of 1 dwelling unit per 20 acres for the ± 114.84 acres of wetlands allowing an additional 6 dwelling units for a total maximum density of 227 dwelling units. The remaining ± 6.5 acres of surface waters and other surface waters consisting of natural bodies of water were not included for density calculations. The concurrent comprehensive plan amendments (CPA2020-00004 & 00005) proposed to amend the Rural Future Land Use category portion of the property to Sub Outlying Suburban with proposed text to place restrictions and requirements on the development and limit the development to 440 dwelling units.

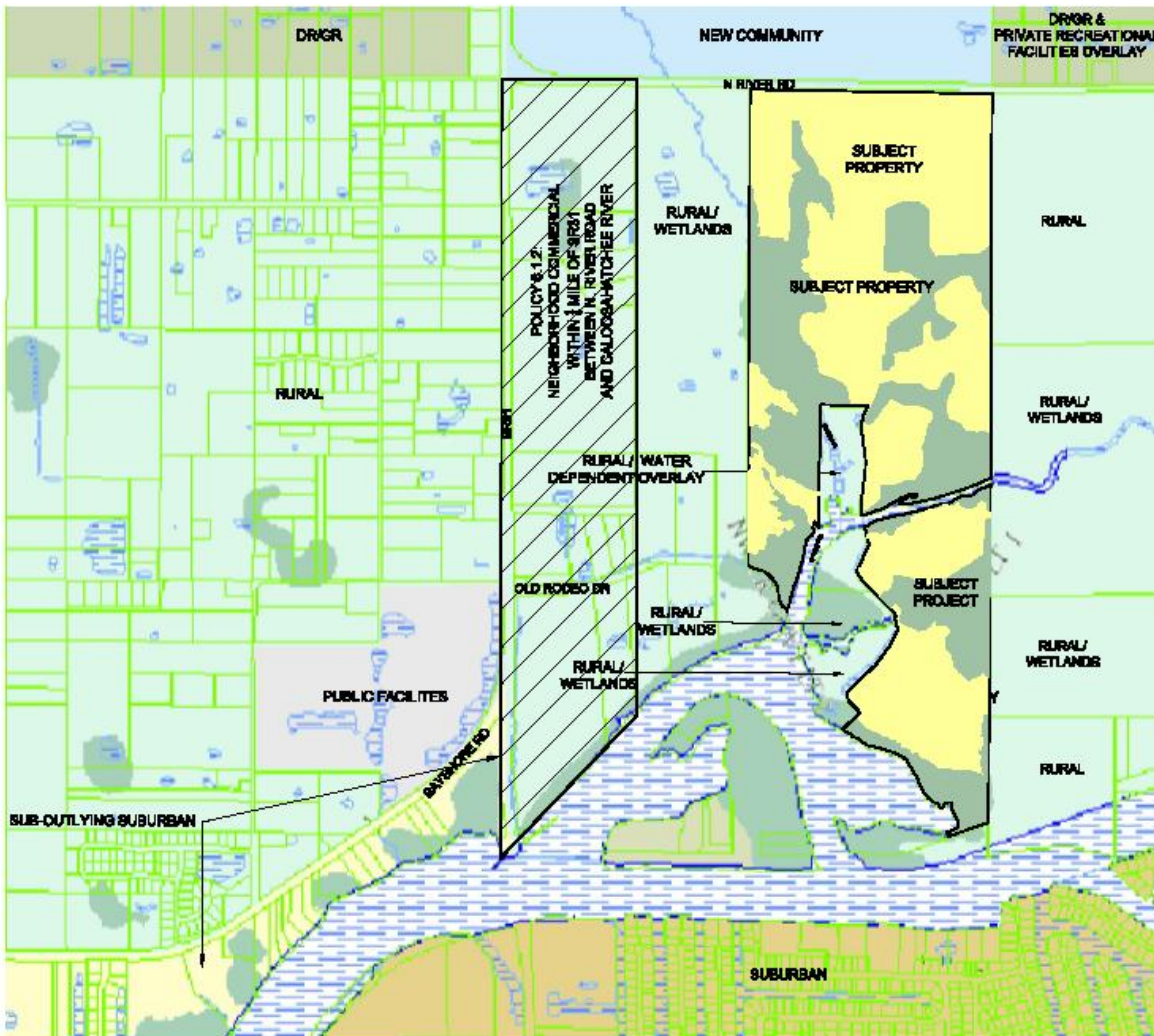


Figure 3. Proposed Future Land Use Designation

The property adjacent to the west and properties adjacent to the east are 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.

The Owl Creek property will be consistent with Sub-Outlying Suburban Policy 1.1.11 upon approval of the concurrent map amendment. Conditions of approval will 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 a gross density of 1.283 dwelling units per 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.

TABLE 1(B) DISCUSSION

The concurrent comprehensive plan amendment includes a proposed amendment to Table 1(b) for Northeast Lee County to remove the 80 acres of residential lots from the Rural category and add 80 acres of residential lots to the Sub-Outlying Suburban category. These revisions are demonstrated in strike-through/underline below. Upon approval of the concurrent plan amendment, the request will be consistent with Policy 1.7.6.

Future Land Use Category		Lee County Totals	Northeast Lee County
Residential By Future Land Use Category	Intensive Development	1,361	
	Central Urban	14,766	
	Urban Community	16,515	520
	Suburban	16,623	
	Outlying Suburban	4,113	30
	Sub-Outlying Suburban	1,880 1,960	80
	Commercial		
	Industrial	79	
	Public Facilities	1	
	University Community	850	
	Destination Resort Mixed Use Water Dependent	8	
	Burnt Store Marina Village	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 8,233	1,948 1,868
	Rural Community Preserve	3,100	
	Coastal Rural	1,300	
	Outer Island	202	5
	Open Lands	2,805	250
	Density Reduction/ Groundwater Resource	6,905	711
	Conservation Lands Upland		
	Wetlands		
	Conservation Lands Wetland		
	Unincorporated County Total Residential	81,103	4,664
	Commercial	12,793	177
	Industrial	7,527	26

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."* Conditions of approval will ensure compliance with the stringent requirements proposed with the concurrent 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. Letters of Determination of the Adequacy/Provision of Existing/Proposed Support Facilities from Fire Protection, Emergency Medical Service, Law Enforcement, Solid Waste, Mass Transit and Schools are attached. These exhibits demonstrated that there is adequate capacity to accommodate the proposed 330 dwelling units. 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. 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 227 private well systems. A concurrent 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 227 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 is attached with the application.

The request is consistent with Standard 4.1.4: Environmental Factors. The Master Concept Plan demonstrates that only ± 7.69 acres of the existing ± 114.84 acres of pending jurisdictional wetlands and ± 2.86 acres of the existing ± 10.19 acres of pending surface waters and other surface waters will be impacted for public facilities such as transportation or storm water

management areas. To mitigate these impacts, ±165.58 acres of wetlands and uplands will be enhanced by removal of exotic vegetation and preserved by the placement of a conservation easement. The habitat improvements and preservation resulting from implementation of a 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 resulting in improvements. Although the property development regulations require lot sizes that do not require open space pursuant to the Land Development Code, 60% open space is proposed and 48% of the site will be placed into conservation easement. Conditions of approval 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. The site design provides for clustered density with environmental, historical, water quality and infrastructure enhancements. Letters of Determination were submitted with the concurrent comprehensive plan amendment demonstrating provision of support facilities and a hurricane evacuation analysis is attached. 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 complement and enhance adjacent existing and pending public and private preserve areas. 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 is consistent with Policies 5.1.2 and 5.1.5.

The request is consistent with Policies 5.1.6 and 5.1.7. The proposed Master Concept Plan and property development regulations for the clustered development provide open space, preservation areas and recreation areas. These areas are appropriate for the density and design and are 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. The provided Water Resources Report demonstrates the subject property's strategic location proximate to the Caloosahatchee Estuary watershed and its ability to implement and further the County's long-term goals of protecting groundwater and improving surface water

management in northern Lee County. These enhancements are required by concurrent Text Amendments and will be conditioned as part of approval of this rezoning request, 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 has held public information meetings within both the Alva and North Olga community plan area boundaries. A meeting summary document has been 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. The applicant has complied with Policies 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 proposes 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 rezoning 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 rezoning proposes conditions of approval that include stringent development criteria consistent with the concurrent Text Amendments 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 proposed 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 rezoning 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. The proposed conditions of approval ensure compliance with the stringent development requirements included with the concurrent 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 are included in the schedule of uses. 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 request proposes conditions of approval 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 the proposed conditions of approval and the concurrent Text Amendment, 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 concurrent proposed Text Amendment associated with this request provides 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. Conditions of approval are proposed to ensure compliance with these requirements.

TRANSPORTATION AND WATERWAYS

A Traffic Impact Statement prepared by TR Transportation Consultants, Inc. is attached to the request. This analysis demonstrates that the roadway links analyzed will not be adversely impacted as a result of the 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 generated by the request.

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 concurrent Text

Amendment provides development criteria and the proposed conditions of approval 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 proposed conditions of approval 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 227 private well and septic systems with privately funded extensions and connection to public water and sewer. Please see submitted Water Resources Report.

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 are proposed to be conditioned as part of approval of this request. 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. The concurrent Text Amendments provide stringent development criteria and proposed conditions of approval ensure 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.

The request is consistent with Policy 101.3.2. The proposed development plan restricts development in the Coastal High Hazard Area to uplands except as needed for the provision of public facilities such as stormwater management or transportation. Minor wetland impacts for the provision of these public facilities is limited to a maximum of 7% and surface water/other surface water impacts are limited to a maximum of 29%.

Please refer to attached Hurricane Evacuation Analysis for further compliance with the following Goals, Objectives and Policies: Goals 73, 95, 101, Objectives 73.1, 101.1 and 101.3 and Policies 5.1.2, 72.2.2, 73.2.2, 101.1.1, 101.1.4, 101.3.2, 101.3.4, 101.3.5 and 128.6.6.

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 the concurrent Text Amendment and the proposed conditions of approval with this request, the Owl Creek project will preserve 93% of the onsite wetlands providing protection and enhancements. A minimum of 48% 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 the concurrent Text Amendment and the proposed conditions of approval with this request 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 through the South Florida Water Management District and is consistent with Goal 124, Objective 124.1 and Policies 124.1.1 and 124.1.2.

The proposed project is consistent with Goal 125, Objective 125.1, and Policies 125.1.1 and 125.1.2. The stringent requirements associated with the concurrent Text Amendment and the proposed conditions of approval 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 227 private well and

septic systems with privately funded extensions and connection to public water and sewer. Please see attached Water Resources Report.

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 is utilizing the planned development process. The proposed rezoning is consistent with and furthers Goal 135, Objective 135.1 and Policy 135.1.9.

CONCLUSIONS

The rezoning request is consistent with and in furtherance of the intent of the Lee Plan as discussed in this analysis. The Owl Creek project 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.

Land Development Code Analysis

The proposed amendment complies with the findings provided in the Land Development Code Section 34-145(d)(4)a.1 as follows:

a. Complies with the Lee Plan;

The request complies with the Lee Plan as demonstrated in the above analysis.

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

The proposed minor RPD is in compliance with the Lee Plan, the Land Development Code and any other applicable County regulations. No deviations are included with the request.

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

The proposed rezoning is compatible with existing and planned uses in the surrounding area. 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 complement

and enhance adjacent existing and pending public and private preserve areas. 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.

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

Please see Traffic Impact Statement submitted with the application. This analysis demonstrates that the roadway links analyzed will not be adversely impacted as a result of the 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 generated by the request.

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

Please see Traffic Impact Statement provided with the application. The expected impacts will be addressed by existing County regulations by payment of impact fees.

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

The proposed rezoning will not adversely affect environmentally critical or sensitive areas and will provide further enhancements. The Master Concept Plan demonstrates that only ± 7.69 acres of the existing ± 114.84 acres of pending jurisdictional wetlands and ± 2.86 acres of the existing ± 10.19 acres of pending surface waters and other surface waters will be impacted for public facilities such as transportation or storm water management areas. To mitigate these impacts, ± 165.58 acres of wetlands and uplands will be enhanced by removal of exotic vegetation and preserved by the placement of a conservation easement. The habitat improvements and preservation resulting from implementation of a 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 resulting in improvements. Although the property development regulations require lot sizes that do not require open space pursuant to the Land Development Code, 60% open space is proposed and 48% of the site will be placed into conservation easement. Conditions of approval will ensure that the clustered development is well integrated, properly oriented and functionally related to the natural features of the site.

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

Although the subject property is not located within a Future Urban area, it will be located within a Future Suburban Area upon adoption of the concurrent comprehensive plan amendment and will be served by adequate urban services. Bayshore Fire Rescue is located ± 4.8 miles from the site and has 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 and has a sufficient response data sample. 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 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. River Hall Elementary is ± 7.5 miles from the property and Riverdale High School is ± 6.2 miles from the property.

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

- a) The proposed use or mix of uses is appropriate at the proposed location;*
- b) The recommended conditions provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development.*
- c) If the application includes deviations pursuant to section 34-373(a)(9), that each requested deviation:*
 - 1) Enhances the achievement of the objectives of the planned development; and*
 - 2) Preserves and promotes the general intent of this Code to protect the public health, safety and welfare.*

The proposed mix of uses is appropriate at the subject location. The application does not include any deviation requests. The proposed single-family and two-family attached uses are appropriate for the area located between the Babcock Ranch MPD and the Owl Creek Boat Works and the Caloosahatchee River. The proposed conditions of approval include several stringent requirements that provide sufficient safeguards to the public interest and are reasonable related to any potential impacts on the public's interest expected from the proposed development and result in a high-quality development providing for significant environmental, historical, storm water, water quality and infrastructure enhancements as part of development of the clustered residential development.

In conclusion, the requested rezoning from Agricultural (AG-2) to the Owl Creek Minor RPD is in compliance with the Lee Plan, the Land Development Code, and other applicable codes and regulations; is compatible with existing and planned uses in the surrounding area; will provide access sufficient to support the proposed development intensity; the expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval; will not adversely affect environmentally critical or sensitive areas and natural resources; efficiently uses and will be served by existing urban services, defined in the Lee Plan. The proposed use or mix of uses is appropriate at the proposed location; proposed conditions provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development. For these reasons, the applicant respectfully submits that the requested rezoning to RPD should be approved.



Professional Engineers, Planners & Land Surveyors

Owl Creek Minor RPD

Property Development Regulations

Development Perimeter Building Setback: 50 feet

Minimum Open Space No open space or indigenous open space required per LDC
60% common open space provided

Single Family

Minimum lot size: 6,500 square feet
Minimum lot width: 50 feet
Minimum lot depth: 130 feet

Minimum Setbacks:

Private Street: 20 feet (15 feet for side-loading garage)
Public Street: 20 feet
Side: 5 feet
Rear: 20 feet (5 feet for accessory structure)
Waterbody: 25 feet
Preserve: 20 feet (10 feet for accessory structure), 30 feet for communities subject to fire

Maximum building height: 35 feet
Maximum lot coverage: 55 percent
Setback for property line from Owl Creek Boat Works: 100 feet

Two-Family Attached

Minimum lot size: 4,160 square feet
Minimum lot width: 32 feet
Minimum lot depth: 130 feet

Minimum Setbacks:

Private Street: 20 feet (15 feet for side-loading garage)
Public Street: 20 feet
Side: 5 feet (0 feet for common wall unit)
Rear: 20 feet (5 feet for accessory structure)
Waterbody: 25 feet

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Preserve: 20 feet (10 feet for accessory structure), 30 feet for communities subject to fire

Maximum building height: 35 feet

Maximum lot coverage: 55 percent

Setback for property line from Owl Creek Boat Works: 100 feet

Recreation Area

Minimum lot size: N/A

Minimum lot width: N/A

Minimum lot depth: N/A

Minimum Setbacks:

Private Street: 20 feet (15 feet for side-loading garage)

Public Street: 20 feet

Side: 5 feet

Rear: 20 feet (5 feet for accessory structure)

Waterbody: 25 feet

Preserve: 20 feet (10 feet for accessory structure), 30 feet for communities subject to fire

Maximum building height: 35 feet

Maximum lot coverage: 55 percent



Professional Engineers, Planners & Land Surveyors

Owl Creek Minor RPD

Schedule of Uses

Accessory Uses and Structures
Administrative Offices
Agricultural uses, existing only until time of DO
Boat ramps and dockage
Clubs, private
Community Gardens
Community Residential Home
Consumption on Premises, clubhouse
Dwelling Unit
 Single-Family
 Two-Family Attached
Entrance Gate and Gatehouse
Essential Services
Essential Service Facilities, Group I only.
Excavation, Water Retention.
Fences, Walls
Fishing piers
Home care facility
Home occupation
Marina: Private Multi-slip docking facility
Models: Display center, display group, model home
Parks, Group I
Parking Lot: Accessory
Real Estate Sales Office
Recreational Facilities: Personal, Private-on-site
Residential accessory uses
Signs, in accordance with Chapter 30
Stable: Boarding, Private, limited to lots 40,000 SF or greater in area
Temporary Uses, temporary construction trailers and equipment storage sheds

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**Owl Creek
Comprehensive Plan Amendment
Case Nos. CPA2020-00004 & CPA2020-00005
Exhibit "M20" and
Summary of Alva Planning Community Public Information Meeting**

In compliance with Lee County Comprehensive Plan Policies 17.3.2, 17.3.3, 17.3.4 and 27.1.8, two Public Information Meetings have been held to provide a general overview of the map and text amendment and effect thereof as well as the proposed planned development rezoning application (in compliance with Lee County Land Development Code Section 33-1663). The Public Information Meeting within the Alva Planning Community was held on Tuesday, October 6, 2020 at 5:30 pm at the First Baptist Church of Alva, 2790 Joel Boulevard, Alva, FL 33920. Due to the COVID-19 pandemic, special accommodations were made to allow attendance in person or remotely by streaming online via Microsoft Teams. The development proposal was described in detail including but not limited to the existing conditions, proposed map amendment and proposed text amendment with proposed uses, intensity and preliminary master concept plan. There were members of the public present for the meeting in person and online and a copy of the sign-in sheet and online attendance documentation is attached for the record.

Attached please find the following items for reference:

- Sign-in Sheet
- Affidavit of Notice
- Public Notice mailed on September 25, 2020
- List of property owners within 500 feet of the property that were mailed the notice and interested parties on file with Lee County for notice of applications filed within Northeast Lee County Planning Community
- Exhibits and Handouts at the meeting

The following meeting minutes summarize comments received by those in attendance about the development proposal, and applicant's responses.

Question: How long will development permits take?

- Responded with 9-12 months to complete Comprehensive Plan Amendment and Rezoning. Development permits would be approximately 6 months.

Question: Have studies been done for the historic drainage through area, sheet flow across land? Creeks flood with excessive rain events.

- Responded that part of permitting through South Florida Water Management District will be looking at historic drainage patterns and accommodate any offsite flows and review creeks which are tidal.

Question: What is the elevation of property?

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- Responded that elevation varies significantly across the property and ranges up near N. River Road approximately elevation ± 8 and drops down to elevation ± 2 by the river.

Question: Who is Developer? Do they own the property yet?

- Responded that DR Horton, Inc. is the applicant and the property is under contract to purchase pending entitlements.

Question: Aren't there concerns about increasing density in Coastal High Hazard flood areas with hurricanes? In other areas around gulf coast think they have regretted all the development in low lying areas. Keep making same mistakes.

- Responded that an analysis and review of increase and have received letters of support and review and recommendation demonstrating adequate public facilities exist. Increased changes and development patterns in the area make the request appropriate.

Question: Will product be 2-story

- Responded with maximum height is 35', which could accommodate 2-story.

Question: Owl Creek very polluted, have waters been cleaned up?

- Responded that request will be removing existing cattle grazing and remove potential for future septic tanks since utilities brought to area and the onsite wetlands will have exotics removed which will result in improved water quality discharge from the site than what exists today.

Question: Are we open to more meetings with Alva community? Would like more time to go over information on project.

- Responded Yes. Contact information has been provided and would like to keep communication open. Have tried to reach out to Alva contacts and would like better communication line.

Question: What effect on Owl Creek boat works?

- Responded that not proposing any impacts to Owl Creek Boat Works. Minimum 100' separation between any proposed single-family lots and Owl Creek Boat works. Access will be semi-public and may or may not have a gate house but being that it is public facilities access will not be prevented for individuals traveling to Owl Creek Boat Works within reasonable hours such as 9 to 6 or so.

Question: What are the historical locations onsite?

- Responded primarily places where previous populations had stopped to eat there were oyster shells and small pieces of bone. Prehistoric sites and 3 will be preserved within 25 foot buffer.

Question: What is happening with 7% of wetland impacts? What is acreage being impacted? How will mitigation be handled? What are total wetlands on site?

- Responded that 7% will be impacted as part of the development of the site. Primarily existing wetlands being preserved will be enhanced and mitigated as negotiated through SFWMD and ACOE by removing exotic vegetation and placing in conservation easement. Impacts are limited to exotic infested low quality wetlands. Total wetlands on site are 101.7 $\pm$ acres.

Question: Questions on wetlands category on FLUM. Usually from Rural and Wetlands to Sub-Outlying Suburban and Wetlands

- Responded that the request will provide Sub-Outlying Suburban and Wetlands Future Land Use Categories once jurisdictional lines and conservation easement lines are defined through development permitting process.

Question: Will this be multi-family/condos? Price point yet?

- Responded no – limited to single-family and two-family attached. No townhomes. Price has not yet been determined.

Question: Water & Sewer improvements - who is paying? Where will it connect to?

- Responded that developer will be paying for utility extensions then turn them over to public utilities. We are exploring all options possibly from Lee Civic Center area up SR 31 and N River Road, possibly Old Rodeo Drive boring under wetlands – still looking at design.

Question: 29.10.1 - Written specific for this property, but does not mention it? Will the 440 units be for all other future developments?

- Responded the Policy is within North Olga Community Plan. The 2 dwelling units per upland acre or 1.28 per gross acre and 440 unit limitation is specifically for Sub-Outlying Suburban within North Olga Community Plan. The 440 accommodates this property and an amendment would be required if another property desired to add dwelling units in Sub-Outlying Suburban in North Olga.

Question: Where will stormwater retention areas be located?

- Responded that the preliminary site plan/MCP demonstrates the proposed lakes.

Question: Where will stormwater discharge go to?

- Responded that each development pod will discharge where it discharges today – maintain water that is currently naturally draining to each area to keep wetlands and creeks functioning per permitting requirements.

Question: How many outfalls will the development have?

- Responded there will be 1 or 2 or more per 5 or 6 development pods, approximately 10-12 discharge points.

Question: Will retention ponds be manmade?

- Responded there are no existing lakes all will be manmade lakes and also pre-treatment measures such as dry detention to further treat the runoff before the lakes.

Question: Asked for case numbers for amendment

- Responded CPA2020-00004 – map amendment, CPA2020-00005-text amendment.

Question: Regarding the minimum perimeter setback - what will it be constructed of? Asked not to be too high - no building a large berm and planting on top of it. Desire natural rural view for public driving past.

- Responded that some areas are within conservation and remaining may have required SFWMD perimeter berm, but do not anticipate a large berm.

Comment: Desire view to stay rural view setting. Do not want Cape Coral.

- Responded that we appreciate feedback and understand desire.

Question: Who is the reviewer at Lee County.

- Responded that we did not have this information readily available.

Question: Can unpaved area within roadways be counted as part of 60% open space.

- Responded that yes areas that meet the definition of open space will count towards the requirement. Typical residential developments require 40% open space so we are proposing 150% of the typical requirement.

Public Information Meeting: October 6, 2020 @ 5:30 PM

Thank you for coming! Please leave your name and contact information.

[illegible]

The News-Press media group

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Attn:

**BANKS ENGINEERING
10511 BEN C PRATT/6 MILE
FORT MYERS, FL 33966**

STATE OF FLORIDA COUNTY OF LEE:

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

PUBLIC INFORMATION MEETING Alva Planning Communi

The public is invited to attend a Public Information Meeting held by Banks Engineering, on: Tuesday, October

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

09/26/2020

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

Sworn to and Subscribed before me this 26th of September 2020, by legal clerk who is personally known to me.

Affiant

Notary State of Wisconsin, County of Brown

My commission expires

PUBLIC INFORMATION MEETING Alva Planning Community

The public is invited to attend a Public Information Meeting held by Banks Engineering, on: Tuesday, October 6, 2020 at 5:30 pm at the First Baptist Church of Alva, 2790 Joel Boulevard, Alva, FL 33920

The 342.68 acre± subject property is located at 12850 N. River Road, 18420 & 17900 Owl Creek Drive on the south side of N. River Road approximately ½ mile east of S.R. 31. (Babcock Ranch Road) within the North Olga Community Plan Area.

Owl Creek is a proposed Future Land Use Map amendment from Rural/Wetlands to Sub-Outlying Suburban with associated text amendment to accommodate up to 440 residential dwelling units (increase of 219 dwelling units), include in Lee County Future Water Service Area, and a concurrent Planned Development Zoning application.

WE VALUE YOUR INPUT

Business and property owners, residents and visitors are welcome to attend the presentation and discuss the project with the owner's representatives. Due to the COVID-19 pandemic, special accommodations will be made to allow you to attend in person or remotely. The meeting will allow social distancing and will also be streamed online via Microsoft Teams. Should you like to attend and participate in the Microsoft Teams meeting, please notify us by October 2nd via email at shewitt@bankseng.com to register and to allow us to send you login instructions. Should you be unable to attend this meeting, but have questions or comments, they can be directed by mail, phone, or e-mail to: 10511 Six Mile Cypress Pkwy, Fort Myers, FL 33966, (239) 770-2527, shewitt@bankseng.com.

AD#4390123

9/26/2020

of Affidavits 1

This is not an invoice

NANCY HEYRMAN
Notary Public
State of Wisconsin

**PUBLIC INFORMATION MEETING
Alva Planning Community**

You are invited to attend a Public Information Meeting held by Banks Engineering, on:

Tuesday, October 6, 2020 at 5:30 pm at the First Baptist Church of Alva,
2790 Joel Boulevard, Alva, FL 33920

The 342.68 acre± subject property is located at 12850 N. River Road, 18420 & 17900 Owl Creek Drive on the south side of N. River Road approximately ½ mile east of S.R. 31. (Babcock Ranch Road) within the North Olga Community Plan Area.

Owl Creek is a proposed Future Land Use Map amendment from Rural/Wetlands to Sub-Outlying Suburban with associated text amendment to accommodate up to 440 residential dwelling units (increase of 219 dwelling units), include in Lee County Future Water Service Area, and a concurrent Planned Development Zoning application.

WE VALUE YOUR INPUT

Business and property owners, residents and visitors are welcome to attend the presentation and discuss the project with the owner's representatives. Due to the COVID-19 pandemic, special accommodations will be made to allow you to attend in person or remotely. The meeting will allow social distancing and will also be streamed online via Microsoft Teams. Should you like to attend and participate in the Microsoft Teams meeting, please notify us by October 2nd via email at shewitt@bankseng.com to register and to allow us to send you login instructions. Should you be unable to attend this meeting, but have questions or comments, they can be directed by mail, phone, or e-mail to: 10511 Six Mile Cypress Pkwy, Fort Myers, FL 33966, (239) 770-2527, shewitt@bankseng.com.

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

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 attached.
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.



Professional Engineers, Planners & Land Surveyors

MEMO TO FILE

Owl Creek - Comprehensive Plan Amendment

Notice of Meeting for the Alva Community were sent out 9/25/20 via USPS to the following persons:

ONEILL MICHAEL
13033 N RIVER RD
ALVA FL 33920

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

Debbie Jackow
Concerned Citizens of Bayshore Community
19450 Meredith Drive
N. Fort Myers, FL 33917

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

PIPKINS DAVID S &
19100 TURKEY RUN LN
ALVA FL 33920

Mitch Hutchcraft
Consolidated Citrus/King Ranch, Inc.
3602 Colonial Court
Fort Myers, FL 33913

WINTER RYAN G +
12251 OLD RODEO DR
ALVA FL 33920

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

Ruby Daniels, President
Alva, Inc.
P.O. Box 2022
Alva, FL 33920

VERSPEETEN RONALD
20 STUBBS CR
TILLSONBURG ON N4G 4P5
CANADA

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

Steven Brodtkin
Concerned Citizens of Bayshore Community
17720 Durrance Road
N. Fort Myers, FL 33917

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

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

Emily Smith, Treasurer
Alva, Inc.
P.O. Box 2022
Alva, FL 33920

VERSPEETEN RONALD
20 STUBBS CR
TILLSONBURG ON N4G 4P5
CANADA

VERSPEETEN RONALD
20 STUBBS CR
TILLSONBURG ON N4G 4P5
CANADA

Ron Inge
Inge & Associates, Inc.
5571 Halifax Avenue
Fort Myers, FL 33912

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

CLARE LAND LLC
PO BOX 131391
HOUSTON TX 77219

Karen Kamener
Concerned Citizens of Bayshore Community
20777 Bradley Road
N. Fort Myers, FL 33917

S:\Jobs\85XX\8504\Documents\Comp Plan Amendment\8504_Memo-NIM Mailings.docx

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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



Professional Engineers, Planners & Land Surveyors

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 DENSITIES¹

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

¹See the glossary in Chapter XII for the full definition of “density”.

²Except in the General Interchange future land use category adherence to minimum densities is not mandatory but is recommended to promote compact development.

³These 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.

⁴Within 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.

⁵In all cases on Gasparilla Island, the maximum density must not exceed 3 du/acre.

⁶Within the Buckingham area, new residential lots must have a minimum of 43,560 square feet.

⁷The 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.

⁸Higher 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.

⁹Overall average density for the University Village sub-district must not exceed 2.5 du/acre.

¹⁰In 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.

¹¹Overall number of residential dwelling units is limited to 271 units in the Destination Resort Mixed Use Water Dependent district.

¹²The 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.

¹³See Policies 33.3.2, 33.3.3, and 33.3.4 for potential density adjustments resulting from concentration or transfer of development rights.

¹⁴The maximum total density may be increased to 30 du/acre utilizing Greater Pine Island TDUs.

¹⁵The maximum total density may be increased to 20 du/acre utilizing Greater Pine Island TDUs.

¹⁶The maximum total density may be increased to 15 du/acre utilizing Greater Pine Island TDUs.

¹⁷The maximum total density may be increased to 8 du/acre utilizing Greater Pine Island TDUs.

¹⁸The 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.

¹⁹Maximum 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.

²⁰Maximum 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

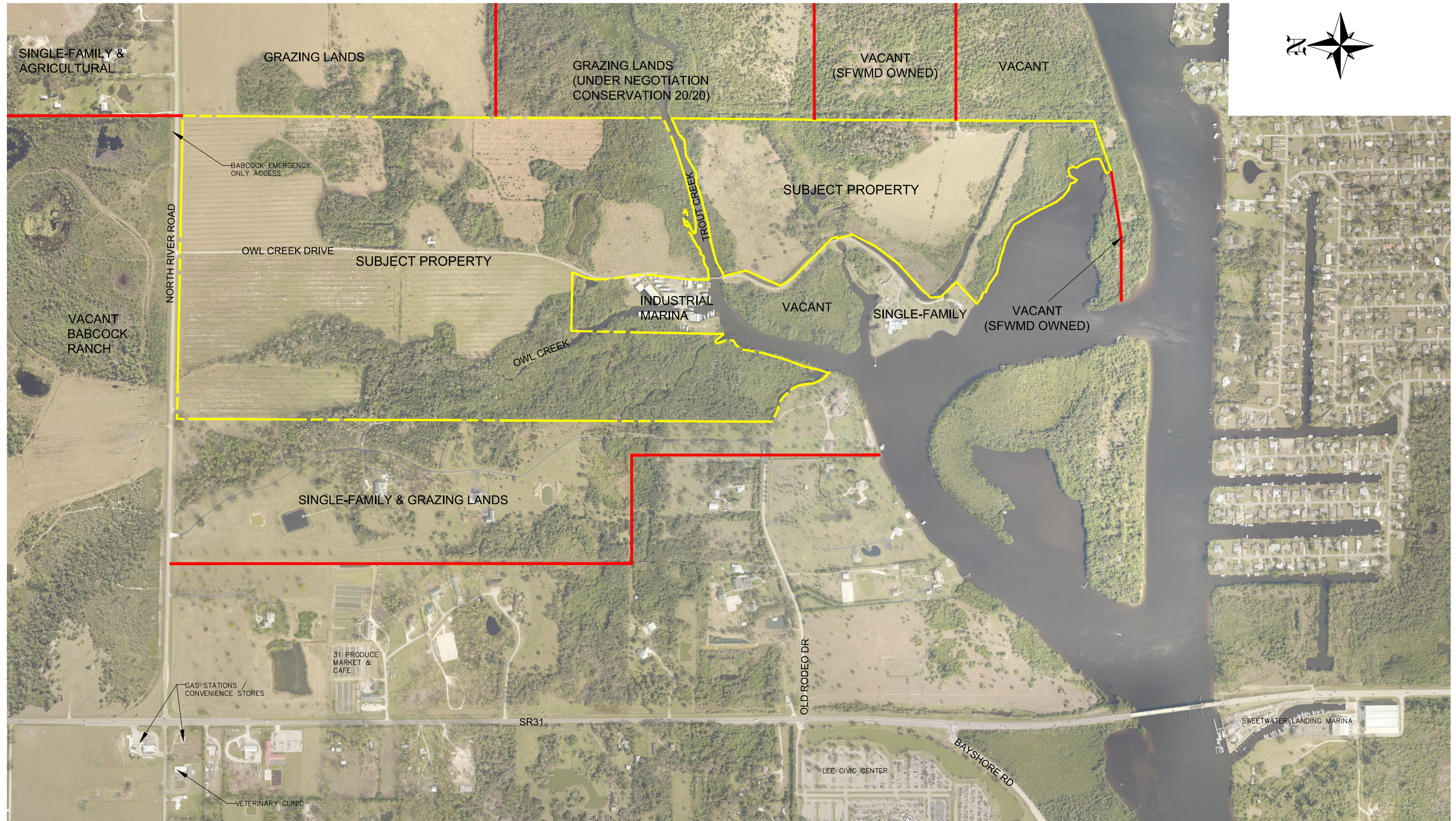
Future Land Use Category		Lee County Totals	Northeast Lee County	Boca Grande	Bonita Springs	Fort Myers Shores	Burnt Store	Cape Coral	Captiva	Fort Myers	Fort Myers Beach	Gateway/ Airport	Daniels Parkway
Residential By Future Land Use Category	Intensive Development	1,361				5		27		250			
	Central Urban	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	<u>1,880,223</u>	<u>343</u>			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	<u>8,313,970</u>	<u>1,948,605</u>			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

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

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

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 attached.
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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.



LEGEND:

- = APPROXIMATE ADJACENT PROPERTY LINE
- = SUBJECT PROPERTY

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Professional Engineers, Planners, & Land Surveyors
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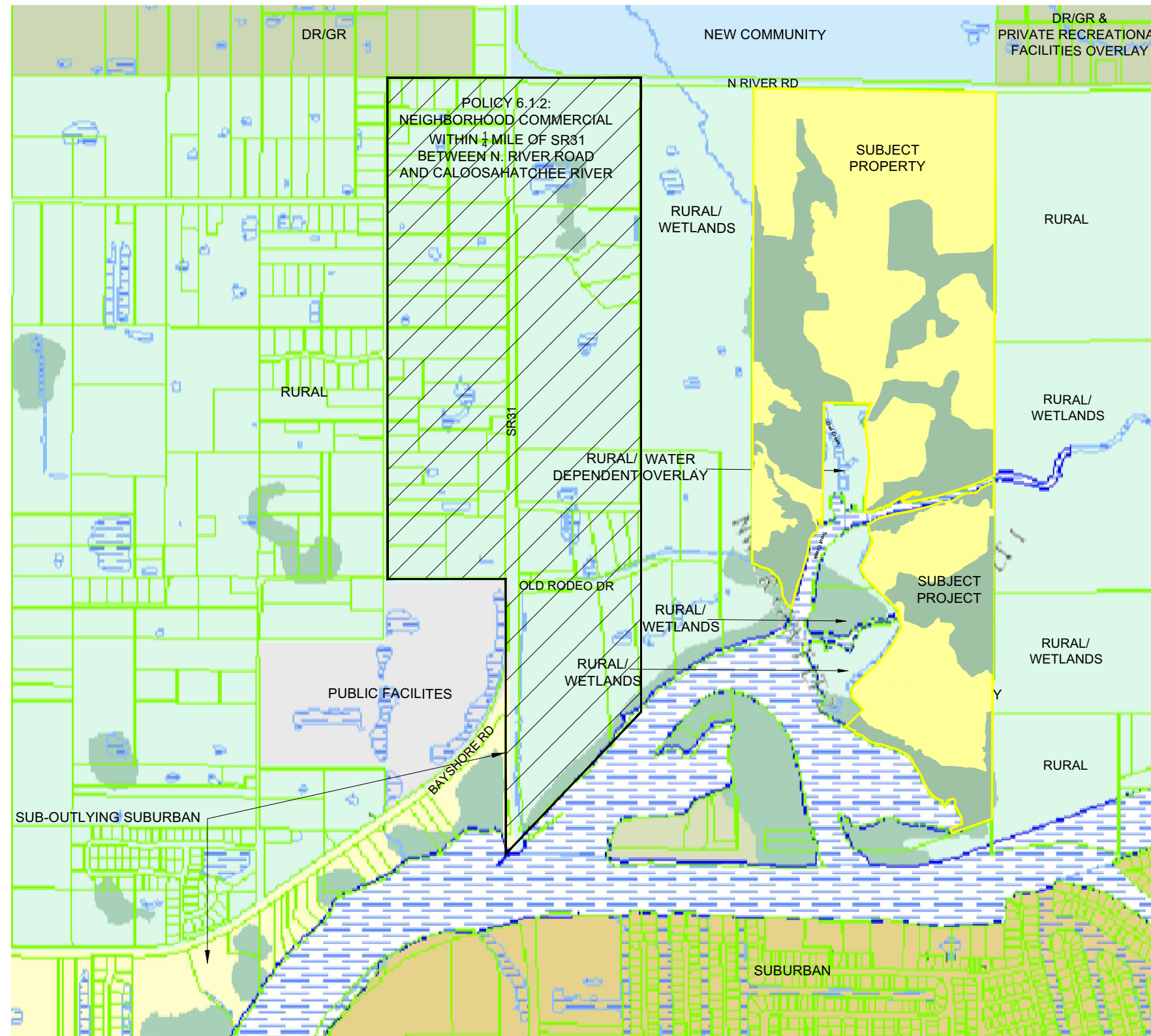
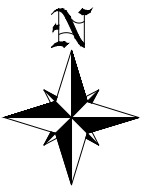
MAP OF EXISTING LAND USES EXHIBIT-M5
OWL CREEK
LEE COUNTY, FLORIDA

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

OWL CREEK

Comprehensive Plan Amendment & Planned Development Zoning

- 342.68 acre± amendment to Future Land Use Map category from Rural and Wetlands to Sub-Outlying Suburban
- Amendment to place within the Lee County Utilities Future Water Service Area
 - 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
 - Table 1(a) –footnote 20 to further limit density within North Olga Planning Community
 - Table 1(b) - NE Lee County move 343-ac from Rural to Sub-Outlying Suburban
- Connection between New Community and Caloosahatchee continuing environmental preservation and enhanced drainage ways
- OBJECTIVE 29.10 – Require Planned Development process for Sub-Outlying Suburban in North Olga
- POLICY 29.10.1: Residential densities maximum of 2 DU per upland acre or 1.28 DU per gross acre - maximum 440 DU (increase of 219 DU – PD will contain single-family and two-family attached)
- POLICY 29.10.2: Planned development conditions must demonstrate:
 - a. Environmental Enhancements
 - 1. Min. 60% open space, inclusive of onsite preserve
 - i. Water quality enhancement areas to reduce the rate of run-off and associated nutrient loads (natural systems-based, filter marshes, wetland buffers, removal of cattle grazing)
 - ii. Existing regional flow-ways;
 - iii. Preserve 93% of wetlands with exotic vegetation removal & maintenance
 - 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 (PD will include private and public amenities)
 - 2. Open space areas platted/dedicated for perpetual maintenance
 - 3. Conservation easement min. 48% of site benefiting public agency (±165.6 AC- portions of Owl & Trout creeks on Great Calusa Blueway to Caloosahatchee)
 - 4. Protected species management plan/co-existence plan
 - 6. Not preclude recreational connections to adjacent preserves (potential 20/20 lands to east with portion of Trout creek & SFWMD lands to east and south)
 - 7. Florida Friendly Landscaping/low irrigation requirements in common areas.
 - 9. Energy efficiency or other low impact development (LID) performance standards
 - 10. Clustering development primarily previously impacted areas (as encouraged in area)
 - b. Water Quality & Hydrological Enhancements.
 - 1. Outfall monitoring quarterly for a minimum of 5 years
 - 2. Additional 50% water quality treatment beyond SFWMD requirements
 - 3. Protect existing groundwater levels and improve existing wetland hydroperiods in onsite preserve areas
 - 4. Lake management plan with best management practices:
 - 5. Ecological and hydrological plan
 - 6. Mitigation & enhancements to reduce discharge rates.
 - 7. Reuse and surface water to meet irrigation demands to extent available
 - 8. Demonstrate that will not result in significant detrimental impacts on present or future water resources.
 - c. Infrastructure Enhancements.
 - 1. Connect to centralized water and sewer services already encouraged by Lee Plan (privately funded - will remove 221 potential wells/septic tanks & provide fire protection to existing and proposed residences)
 - 2. Verification as to adequate public services (Sheriff, EMS, Fire, School)
 - 3. Civic space or recreational area such as a canoe/kayak launch (Trout Creek), boardwalk, jogging path, fishing platform, or waterside park for use by general public
 - 4. Right-of-way for 8-foot multi-purpose pathway along CR 78/North River Road
 - d. Community Character.
 - 1. Min.50 foot perimeter setback/buffer area
 - 2. Enhanced buffers (50% wider than LDC) along external roadways to preserve rural vistas and viewsheds
 - 3. Access points onto arterial roadways minimize impact to rural community.
 - 4. Preservation of archaeological sites regarded as eligible for listing within min. 25-foot buffer (3 recommended sites)
 - 5. Min. 100' setback from Water Dependent Overlay (Owl Creek Boat Works) to internal residential lot lines.
- Traffic - Sufficient capacity and no adverse impacts to surrounding roadways, acceptable level of service



- ☒ Future Urban Areas
- ☒ Intensive Development
 - ☒ Central Urban
 - ☒ Urban Community
 - ☒ Suburban
 - ☒ Outlying Suburban
 - ☒ Sub-Outlying Suburban
 - ☒ Commercial
 - ☒ Industrial
 - ☒ Public Facilities
 - ☒ University Community
 - ☒ Burnt Store Marina Village

- ☒ Non-Urban Areas
- ☒ Rural
 - ☒ Rural Community Preserve
 - ☒ Coastal Rural
 - ☒ Outer Island
 - ☒ Open Lands
 - ☒ Density Reduction/Groundwater Resour
 - ☒ Conservation Lands - Upland
 - ☒ Wetlands
 - ☒ Conservation Lands - Wetland

- ☒ Special Urban Areas
- ☒ Industrial Interchange
 - ☒ General Interchange
 - ☒ General Commercial Interchange
 - ☒ Industrial Commercial Interchange
 - ☒ University Village Interchange
 - ☒ New Community
 - ☒ Tradeport
 - ☒ Airport

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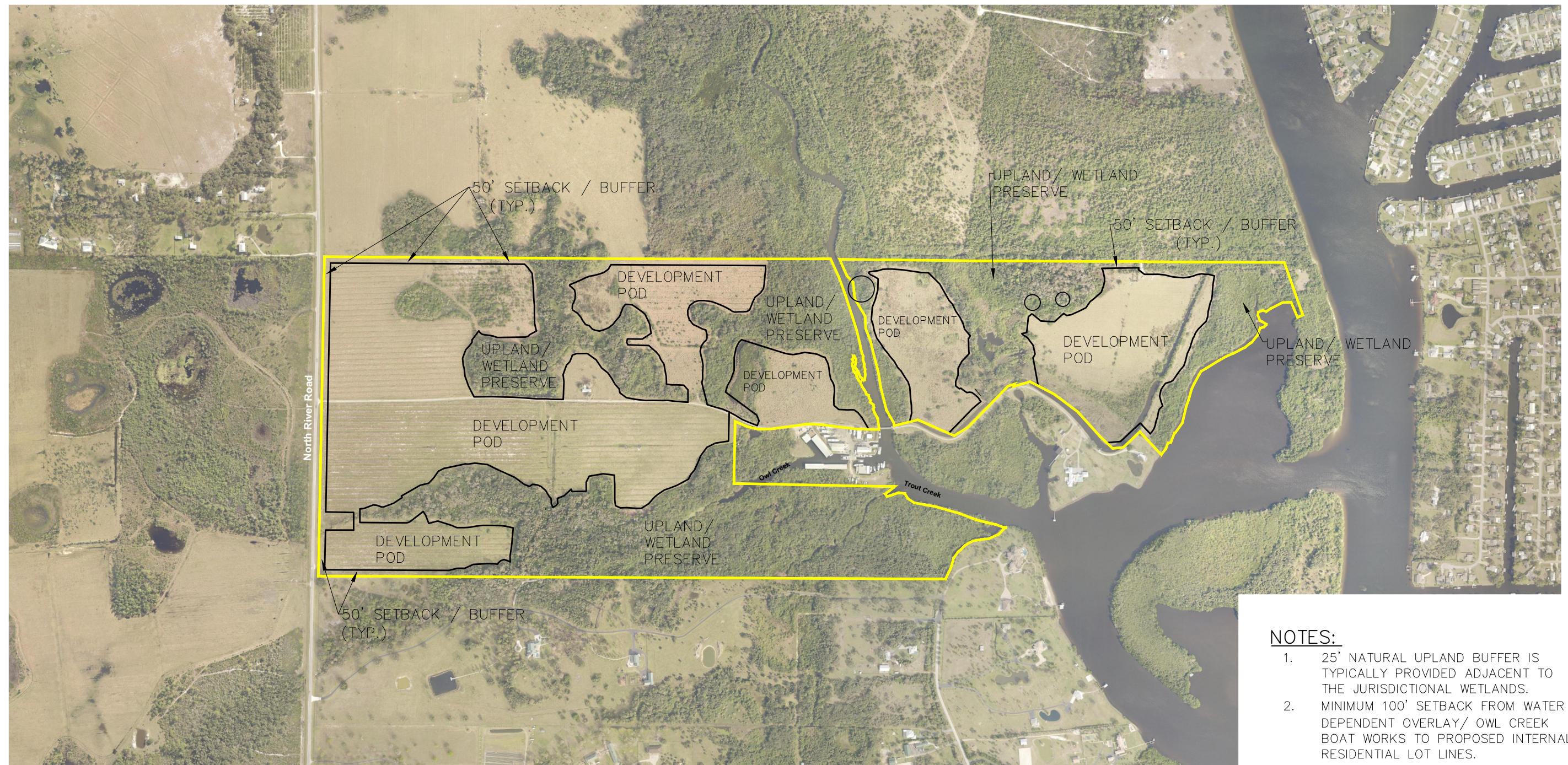
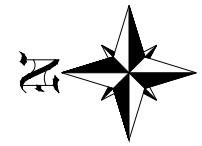
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PROPOSED FUTURE LAND USE MAP EXHIBIT-M4							
OWL CREEK							
LEE COUNTY, FLORIDA							
DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
08/24/2020	8504	_EXHIBIT	KG	KG	DRU	N.T.S.	01



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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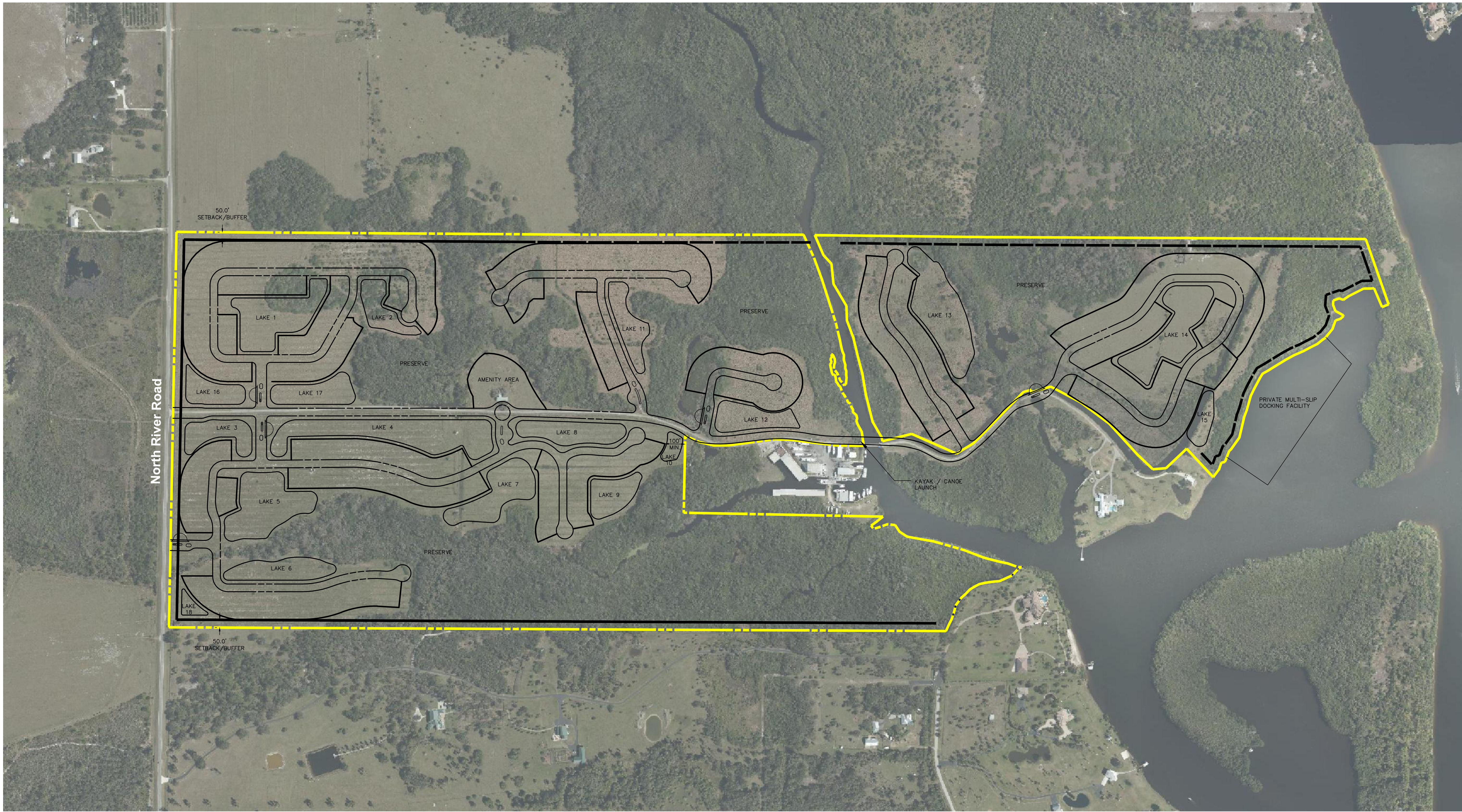
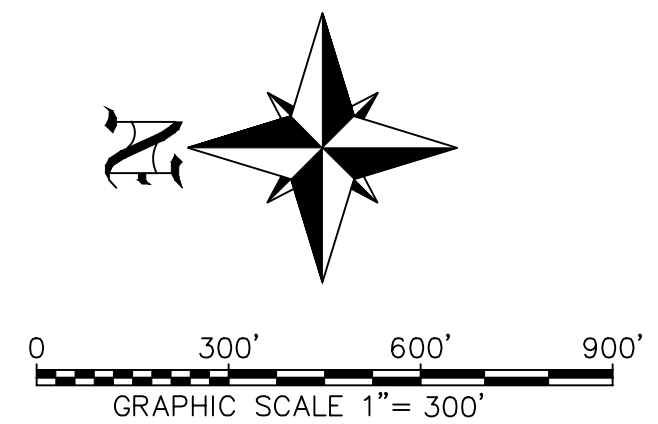
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PRELIMINARY DEVELOPMENT FOOTPRINT

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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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		PRELIMINARY SITE PLAN OWL CREEK LEE COUNTY, FLORIDA					
				DATE 06/26/2020	PROJECT 8504	DRAWING	DESIGN	DRAWN	CHECKED



Professional Engineers, Planners & Land Surveyors

**Owl Creek
Comprehensive Plan Amendment
Case Nos. CPA2020-00004 & CPA2020-00005
Exhibit "M20" and
Summary of North Olga Planning Community Public Information
Meeting**

In compliance with Lee County Comprehensive Plan Policies 17.3.2, 17.3.3, 17.3.4 and 27.1.8, two Public Information Meetings have been held to provide a general overview of the map and text amendment and effect thereof as well as the proposed planned development rezoning application (in compliance with Lee County Land Development Code Section 33-1663). The Public Information Meeting within the North Olga Planning Community was held on Thursday, October 15, 2020 at 6:00 pm at the North Olga Planning Panel meeting held at the Bayshore Fire Station, 17350 Nalle Rd., Fort Myers, FL 33917. The development proposal was described in detail including but not limited to the existing conditions, proposed map amendment and proposed text amendment with proposed uses, intensity and preliminary master concept plan. There were members of the public present for the meeting.

Attached please find the following items for reference:

- Sign-in Sheet
- Affidavit of Notice
- Exhibits and Handouts at the meeting

The following meeting minutes summarize comments received by those in attendance about the development proposal, and applicant's responses.

Question: What happens to Owl Creek? Does it stay Owl Creek?

- Response: Yes it stays Owl Creek.

Question: What are the historic sites?

- Response: Prehistoric sites where prior civilizations had eaten and pieces of bone and shell were found showing activity in these areas.

Question: So, you are going through this process and you're really only increasing the density from 1-unit acre to 1.28 acre, so you really aren't asking for 2 units?

- Response: That is correct. The request is limited to 2 du per upland acre or 1.28 du per gross acre.

Comment: Looking at this for the first time, they basically took Babcock high criteria and applying to a much smaller property and surprised able to do all of it.

Question: No commercial in here?

- Response: No commercial with the request. Adjacent Owl Creek Boat Works will remain.

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Question: How many units in the Intensive Development future land use.

- Response: Not within the Intensive Development future land use designation – the handout of Table 1(a) was only to demonstrate the proposed limitation language in red.

Question: They are all single-family homes?

- Response: Single-family and two-family attached.

Question: And it's 440?

- Response: 440 is the maximum dwelling units for request.

Question: Did you go to Alva?

- Response: Yes, we held a meeting in Alva and mailed notices to the surrounding properties within 500 feet and interested parties listed with Lee County.

Question: How did it go?

- Response: We received a lot of good feedback from the community and desire to maintain communication.

Question: Does it say in here how many dwellings will be in there?

- Response: Yes, the maximum is 440 dwelling units.

Question: Is the 440 dwelling units based on the proposed amendment or original limit?

- Response: Yes, the amendment is for 440 dwelling units as there can be 221 today under current designation

Question: Is that specific to this piece of land?

- Response: Yes the request is for just this property.

Question: This is not a gated community, correct?

- Response: It could be, but it would have to be semi-public since there are public facilities possibly 9am to 6 in evening and a guard would let you in.

Question: Is the Owl Creek Boat Works part of this or are they separate?

- Response: They are existing and separate.

Question: You will have public access to the river?

- Response: We are proposing a potential canoe/kayak launch on Trout Creek.

Question: So everybody in there would be using North River Road to get to 31 with no other access?

- Response: Correct, there is no other access to SR 31.

Question: Do you have turning lanes?

- Response: Something that we will look at during the Development Order stage when we know exact number of units

Comment: Could mean we get that stop light.

Question: Where are you at in the process?

- Response: We have filed the comprehensive plan amendment and awaiting comments and will file planned development zoning when we respond.

Comment: So by time it goes to the Board of County Commissioners, the zoning will be filed so everyone can see the development plan.

- Response: That is correct, the applications will run concurrently.

North Olga Community Planning Panel

Sign-in October 15, 2020

#	Name	Address	E-mail	Phone #
	Dean Mont	17160 WaterEdge Cir ³³⁹¹⁷	Gdeanwiant@ ^{AD.com}	239-565-3091
	Wayne Everett	10541 6 mile Cypress Pkwy	jweverett@drhutton.com	239-225-2631
	Stacy Hewitt	10511 SIX MILE CYPRESS PKWY, Fort Myers, FL 33906	shewitt@bankseng.com	239-770-2527
	Megan Bishop	10511 Six mile Cypress Pkwy, ³³⁹⁰⁶ Fort Myers, FL	mbishop@bankseng.com	239-939-5490
	Suzanne Armeda			
	Yury Bykov		yury@trtrans.net	
	Clark Cary			
	Russell Schropp	PO Box 280 Ft. Myers 33902	russell.schropp@ henlaw.com	339-344-1100
	Dennis VanRackel			
	Walter VanRackel			
	Justin Thibaut		jthibaut@lsicompanies.com	239-489-4066

Also noted present per email but not signed in: Mary Povia, Adele Smith, John Brodrick, Deana Armeda

The News-Press media group

news-press.com A GANNETT COMPANY

Attn:

**BANKS ENGINEERING
10511 BEN C PRATT/6 MILE
FORT MYERS, FL 33966**

STATE OF FLORIDA COUNTY OF LEE:

Before the undersigned authority personally appeared

Nicholas Penstrom, who on oath says that he or she is a Legal Assistant of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of

PUBLIC INFORMATION MEETING North Olga Planning Community The public is invited to attend a Public Information Meeting presentation to the North Olga Planning P

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

10/05/2020

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

Sworn to and Subscribed before me this 5th of October 2020, by legal clerk who is personally known to me.

Affiant

Nancy Heyrman
Notary State of Wisconsin, County of Brown

10.15.23
My commission expires

of Affidavits 1

This is not an invoice

NANCY HEYRMAN
Notary Public
State of Wisconsin

PUBLIC INFORMATION MEETING North Olga Planning Community

The public is invited to attend a Public Information Meeting presentation to the North Olga Planning Panel by Banks Engineering, at their meeting held on:

Thursday, October 15, 2020 at 6:00 pm at the Bayshore Fire Station, 17350 Nalle Rd, Fort Myers, FL 33917

The 342.68 acre± subject property is located at 12850 N. River Road, 18420 & 17900 Owl Creek Drive on the south side of N. River Road approximately ½ mile east of S.R. 31. (Babcock Ranch Road) within the North Olga Community Plan Area.

Owl Creek is a proposed Future Land Use Map amendment from Rural/Wetlands to Sub-Outlying Suburban with associated text amendment to accommodate up to 440 residential dwelling units (increase of 219 dwelling units), include in Lee County Future Water Service Area, and a concurrent Planned Development Zoning application.

During the meeting, the agent will provide a general overview of the project for any interested citizens. Should you have questions or comments, they can be directed by mail, phone, or e-mail to: Stacy Ellis Hewitt, Banks Engineering, 10511 Six Mile Cypress Pkwy, Fort Myers, FL 33966, (239) 770-2527, shewitt@bankseng.com. AD# 4400357 10/5/2020



Professional Engineers, Planners & Land Surveyors

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 DENSITIES¹

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

¹See the glossary in Chapter XII for the full definition of “density”.

²Except in the General Interchange future land use category adherence to minimum densities is not mandatory but is recommended to promote compact development.

³These 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.

⁴Within 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.

⁵In all cases on Gasparilla Island, the maximum density must not exceed 3 du/acre.

⁶Within the Buckingham area, new residential lots must have a minimum of 43,560 square feet.

⁷The 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.

⁸Higher 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.

⁹Overall average density for the University Village sub-district must not exceed 2.5 du/acre.

¹⁰In 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.

¹¹Overall number of residential dwelling units is limited to 271 units in the Destination Resort Mixed Use Water Dependent district.

¹²The 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.

¹³See Policies 33.3.2, 33.3.3, and 33.3.4 for potential density adjustments resulting from concentration or transfer of development rights.

¹⁴The maximum total density may be increased to 30 du/acre utilizing Greater Pine Island TDUs.

¹⁵The maximum total density may be increased to 20 du/acre utilizing Greater Pine Island TDUs.

¹⁶The maximum total density may be increased to 15 du/acre utilizing Greater Pine Island TDUs.

¹⁷The maximum total density may be increased to 8 du/acre utilizing Greater Pine Island TDUs.

¹⁸The 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.

¹⁹Maximum 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.

²⁰Maximum 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

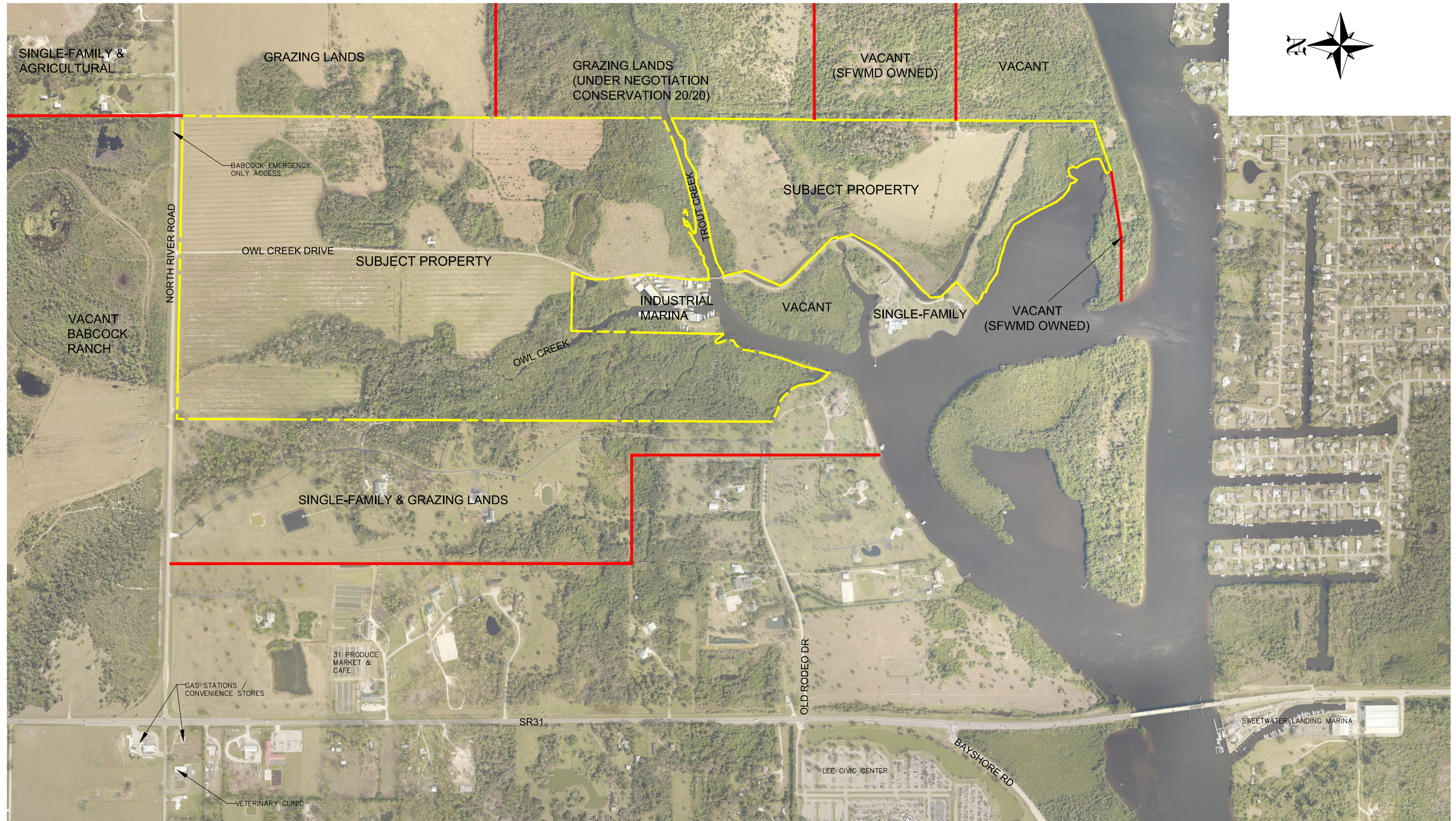
Future Land Use Category		Lee County Totals	Northeast Lee County	Boca Grande	Bonita Springs	Fort Myers Shores	Burnt Store	Cape Coral	Captiva	Fort Myers	Fort Myers Beach	Gateway/ Airport	Daniels Parkway
Residential By Future Land Use Category	Intensive Development	1,361				5		27		250			
	Central Urban	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	1,880,223	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	8,313,970	1,948,605			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

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

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

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 attached.
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.



LEGEND:

- = APPROXIMATE ADJACENT PROPERTY LINE
- = SUBJECT PROPERTY

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MAP OF EXISTING LAND USES EXHIBIT-M5

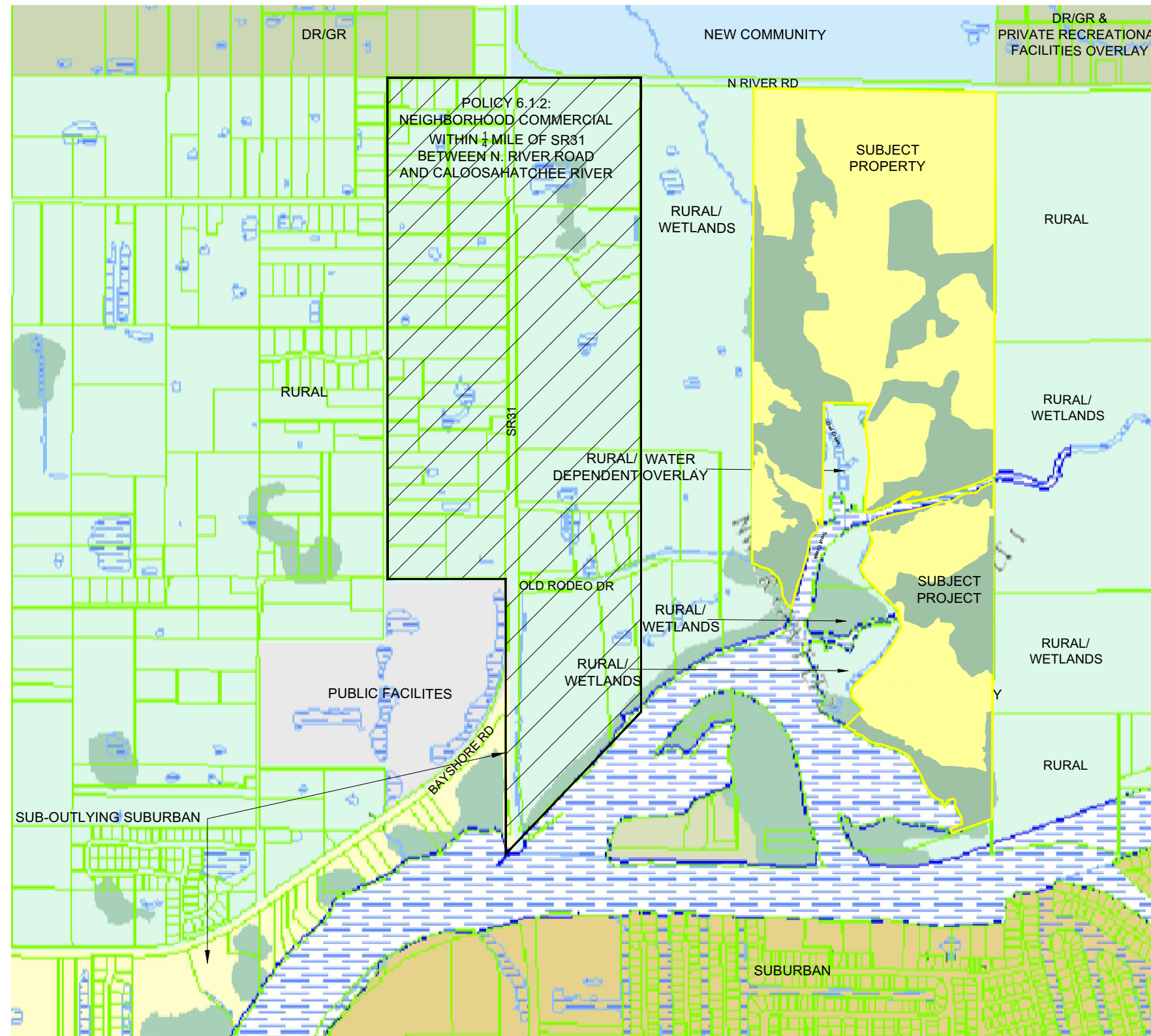
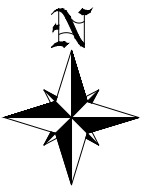
OWL CREEK
LEE COUNTY, FLORIDA

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

OWL CREEK

Comprehensive Plan Amendment & Planned Development Zoning

- 342.68 acre± amendment to Future Land Use Map category from Rural and Wetlands to Sub-Outlying Suburban
- Amendment to place within the Lee County Utilities Future Water Service Area
 - 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
 - Table 1(a) –footnote 20 to further limit density within North Olga Planning Community
 - Table 1(b) - NE Lee County move 343-ac from Rural to Sub-Outlying Suburban
- Connection between New Community and Caloosahatchee continuing environmental preservation and enhanced drainage ways
- OBJECTIVE 29.10 – Require Planned Development process for Sub-Outlying Suburban in North Olga
- POLICY 29.10.1: Residential densities maximum of 2 DU per upland acre or 1.28 DU per gross acre - maximum 440 DU (increase of 219 DU – PD will contain single-family and two-family attached)
- POLICY 29.10.2: Planned development conditions must demonstrate:
 - a. Environmental Enhancements
 - 1. Min. 60% open space, inclusive of onsite preserve
 - i. Water quality enhancement areas to reduce the rate of run-off and associated nutrient loads (natural systems-based, filter marshes, wetland buffers, removal of cattle grazing)
 - ii. Existing regional flow-ways;
 - iii. Preserve 93% of wetlands with exotic vegetation removal & maintenance
 - 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 (PD will include private and public amenities)
 - 2. Open space areas platted/dedicated for perpetual maintenance
 - 3. Conservation easement min. 48% of site benefiting public agency (±165.6 AC- portions of Owl & Trout creeks on Great Calusa Blueway to Caloosahatchee)
 - 4. Protected species management plan/co-existence plan
 - 6. Not preclude recreational connections to adjacent preserves (potential 20/20 lands to east with portion of Trout creek & SFWMD lands to east and south)
 - 7. Florida Friendly Landscaping/low irrigation requirements in common areas.
 - 9. Energy efficiency or other low impact development (LID) performance standards
 - 10. Clustering development primarily previously impacted areas (as encouraged in area)
 - b. Water Quality & Hydrological Enhancements.
 - 1. Outfall monitoring quarterly for a minimum of 5 years
 - 2. Additional 50% water quality treatment beyond SFWMD requirements
 - 3. Protect existing groundwater levels and improve existing wetland hydroperiods in onsite preserve areas
 - 4. Lake management plan with best management practices:
 - 5. Ecological and hydrological plan
 - 6. Mitigation & enhancements to reduce discharge rates.
 - 7. Reuse and surface water to meet irrigation demands to extent available
 - 8. Demonstrate that will not result in significant detrimental impacts on present or future water resources.
 - c. Infrastructure Enhancements.
 - 1. Connect to centralized water and sewer services already encouraged by Lee Plan (privately funded - will remove 221 potential wells/septic tanks & provide fire protection to existing and proposed residences)
 - 2. Verification as to adequate public services (Sheriff, EMS, Fire, School)
 - 3. Civic space or recreational area such as a canoe/kayak launch (Trout Creek), boardwalk, jogging path, fishing platform, or waterside park for use by general public
 - 4. Right-of-way for 8-foot multi-purpose pathway along CR 78/North River Road
 - d. Community Character.
 - 1. Min.50 foot perimeter setback/buffer area
 - 2. Enhanced buffers (50% wider than LDC) along external roadways to preserve rural vistas and viewsheds
 - 3. Access points onto arterial roadways minimize impact to rural community.
 - 4. Preservation of archaeological sites regarded as eligible for listing within min. 25-foot buffer (3 recommended sites)
 - 5. Min. 100' setback from Water Dependent Overlay (Owl Creek Boat Works) to internal residential lot lines.
- Traffic - Sufficient capacity and no adverse impacts to surrounding roadways, acceptable level of service



☒ Future Urban Areas

- ☐ Intensive Development
- ☐ Central Urban
- ☐ Urban Community
- ☐ Suburban
- ☐ Outlying Suburban
- ☐ Sub-Outlying Suburban
- ☐ Commercial
- ☐ Industrial
- ☐ Public Facilities
- ☐ University Community
- ☐ Burnt Store Marina Village

☒ Non-Urban Areas

- ☐ Rural
- ☐ Rural Community Preserve
- ☐ Coastal Rural
- ☐ Outer Island
- ☐ Open Lands
- ☐ Density Reduction/Groundwater Resour
- ☐ Conservation Lands - Upland
- ☐ Wetlands
- ☐ Conservation Lands - Wetland

☒ Special Urban Areas

- ☐ Industrial Interchange
- ☐ General Interchange
- ☐ General Commercial Interchange
- ☐ Industrial Commercial Interchange
- ☐ University Village Interchange
- ☐ New Community
- ☐ Tradeport
- ☐ Airport

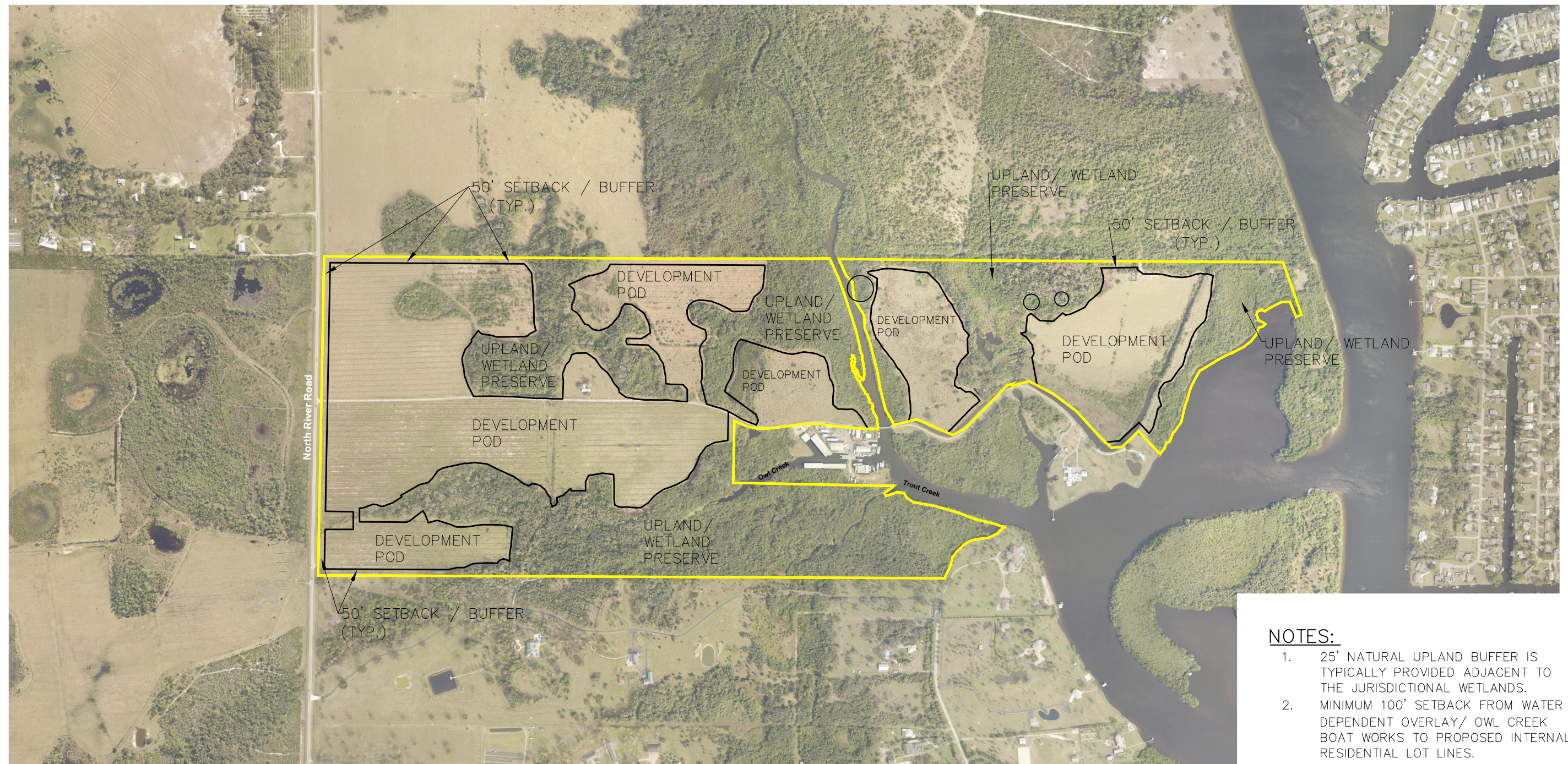
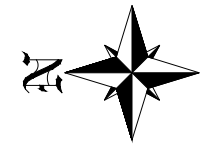
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PROPOSED FUTURE LAND USE MAP EXHIBIT-M4
OWL CREEK
LEE COUNTY, FLORIDA

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



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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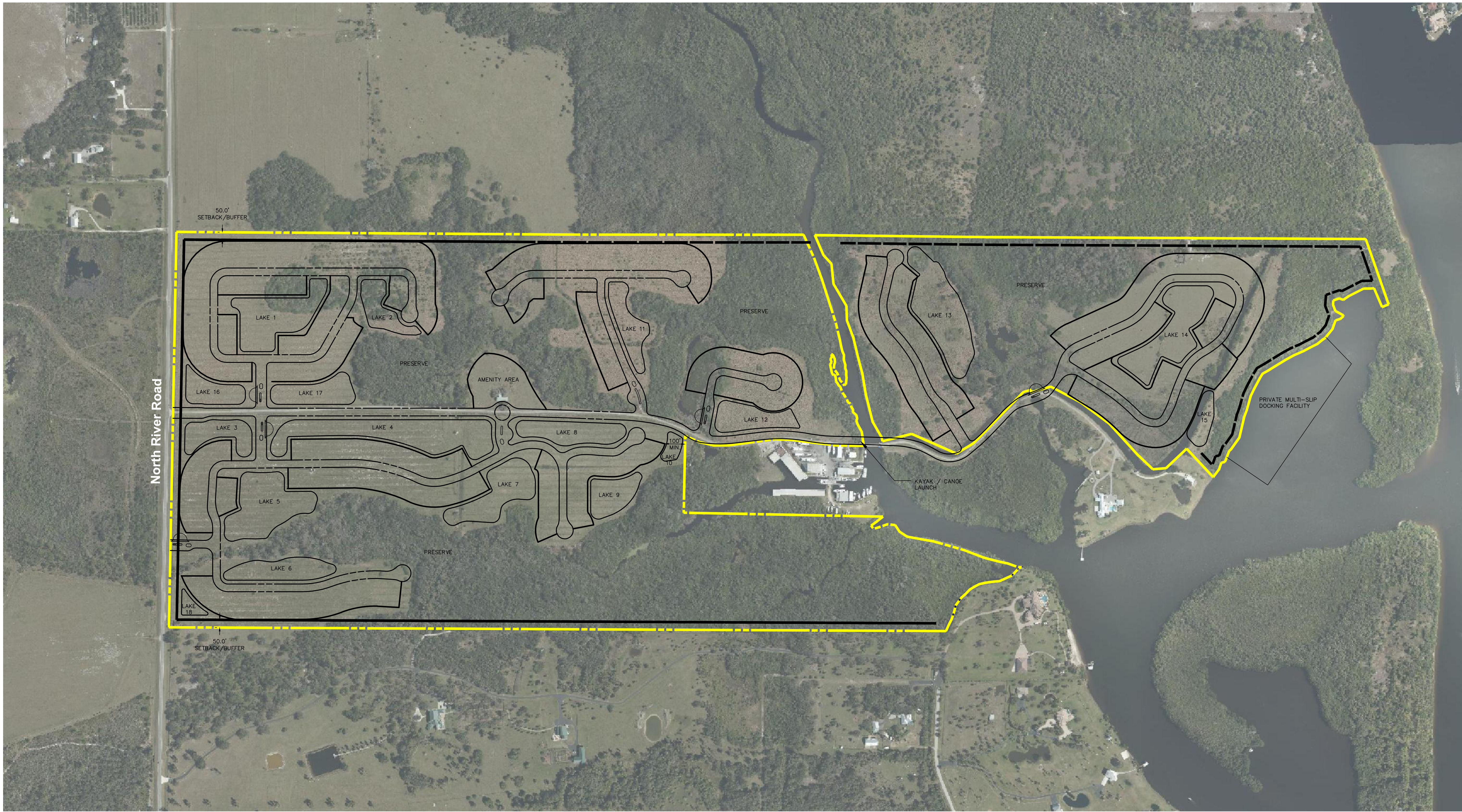
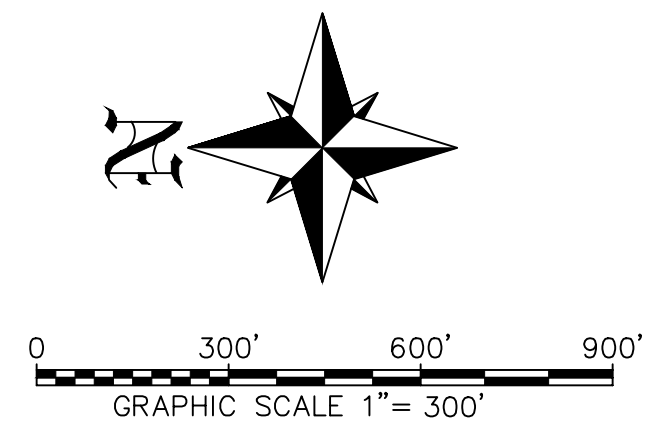
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PRELIMINARY DEVELOPMENT FOOTPRINT

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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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		PRELIMINARY SITE PLAN OWL CREEK LEE COUNTY, FLORIDA					
				DATE 06/26/2020	PROJECT 8504	DRAWING	DESIGN	DRAWN	CHECKED



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

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,

A handwritten signature in blue ink, appearing to read "L. Nisbet".

Lawrence Nisbet



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,

A handwritten signature in blue ink, appearing to read "Benjamin Abes", with a stylized flourish extending to the right.

Benjamin Abes
Chief
Division of Emergency Medical Services



PERSONAL | PASSIONATE | PROGRESSIVE

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

Student Generation Rates			
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

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 86-013

Rich Snyder
Major, Patrol Bureau



"The Lee County Sheriff's Office is an Equal Opportunity Employer"
14750 Six Mile Cypress Parkway • Fort Myers, Florida 33912-4406 • (239) 477-1000



Order Number: 9224174
Customer Reference: 18621-47

February 18, 2021

Addressee: Lee County Board of County Commissioners

TITLE CERTIFICATION

Proposed Plat of: Owl Creek

In accordance with Section 177.041, Florida Statutes this will certify that Chicago Title Insurance Company has made a search of the Public Records of Lee County, Florida, through February 12, 2021 at 8:00 AM on real property described and shown on the proposed plat which description reads as follows:

See Exhibit A attached hereto for Legal Description

As of the effective date of this report, the record title to the land described and shown on the proposed plat is in the name of Talon Ventures LLC, a Florida limited liability company by virtue of that Certificate of Title recorded in Instrument Number 2009000343334.

The search has revealed the following:

Said search discloses the following mortgages not satisfied or released of record nor otherwise terminated by law:

None

The following restrictions, easements and other encumbrances, with the exception of mortgages and liens, against the said real property recorded in the aforesaid Public Records have been found:

1. 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.
2. Right-of-Way Easement granted to Lee County Electric Co-Operative, Inc., recorded in Official Records Book 1928, page 2582.
3. Easements for ingress and egress granted by the Warranty Deed recorded in Official Records Book 2037, page 4776.
4. 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.
5. Unrecorded Right-of-Way Easement granted by Granville W. Keller to Lee County Electric Co-Operative, Inc. dated July 7, 1969.



Public Records shall be defined herein as those records currently established under the Florida Statutes for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge.

This Report is not title insurance. Pursuant to s. 627.7843, Florida Statutes, the maximum liability of the issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for this property information report, and is further limited to the person(s) expressly identified by name in the property information report as the recipient(s) of the property information report.

File No.: 9224174

By: Greg R. Hill

Authorized Signature



Order Number: 9224174
Customer Reference: 18621-47

Exhibit "A"

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.

BBL SURVEYORS, INC.
8860 TERRENE COURT,
BONITA SPRINGS, FLORIDA 34135
TELEPHONE: (239) 597-1315
FAX: (239) 597-5207

LEGAL DESCRIPTION

OWL CREEK

A PORTION OF SECTIONS 18 AND 19, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 18, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE RUN S.01°16'39"W., ALONG THE WEST LINE OF SAID NORTHEAST QUARTER, FOR A DISTANCE OF 50.01 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF NORTH RIVER ROAD (STATE ROAD 78), A 100 FOOT WIDE RIGHT OF WAY, THE SAME BEING THE **POINT OF BEGINNING** OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE RUN S.88°52'22"E., ALONG SAID SOUTHERLY RIGHT OF WAY LINE, FOR A DISTANCE OF 2,392.11 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 11,509.16 FEET AND A CENTRAL ANGLE OF 00°53'50"; THENCE RUN EASTERLY, ALONG SAID SOUTHERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE, A DISTANCE OF 180.24 FEET TO THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE RUN S.00°23'24"W., ALONG SAID EAST LINE, FOR A DISTANCE OF 2,608.43 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 18; THENCE RUN S.00°20'37"W., ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, FOR A DISTANCE OF 1,447.29 FEET TO A POINT HEREINAFTER REFERED TO AS **POINT "A"**, THE SAME BEING A POINT ON THE MEAN HIGH WATER LINE OF TROUT CREEK (ELEVATION 0.03 FEET-NORTH AMERICAN VERTICAL DATUM OF 1988); THENCE RUN S.63°09'11"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 68.12 FEET; THENCE RUN S.66°53'17"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 63.33 FEET; THENCE RUN S.70°27'15"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 39.63 FEET; THENCE RUN S.64°37'58"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 53.06 FEET; THENCE RUN S.77°10'24"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 31.94 FEET; THENCE RUN S.67°19'24"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 49.00 FEET; THENCE RUN S.66°42'36"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF

31.31 FEET; THENCE RUN S.80°37'35"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 23.70 FEET; THENCE RUN S.49°00'39"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 25.62 FEET; THENCE RUN S.65°48'12"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 63.16 FEET; THENCE RUN S.74°36'11"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 79.06 FEET; THENCE RUN S.73°49'33"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 76.39 FEET; THENCE RUN S.77°28'30"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 81.85 FEET; THENCE RUN S.82°44'45"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 86.96 FEET; THENCE RUN S.69°49'00"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 63.53 FEET; THENCE RUN S.83°38'00"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 84.05 FEET; THENCE RUN N.64°43'19"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 10.65 FEET; THENCE RUN N.10°04'22"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 17.28 FEET; THENCE RUN N.67°36'56"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 63.76 FEET; THENCE RUN N.75°31'42"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 84.91 FEET; THENCE RUN N.67°43'57"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 42.46 FEET; THENCE RUN N.48°46'12"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 15.77 FEET; THENCE RUN N.22°03'58"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 53.88 FEET; THENCE RUN N.67°46'02"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 56.48 FEET; THENCE RUN N.53°42'12"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 56.78 FEET; THENCE RUN N.09°10'30"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 71.37 FEET; THENCE RUN N.18°38'24"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 45.27 FEET; THENCE RUN N.36°09'14"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 54.90 FEET; THENCE RUN N.35°53'09"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 55.09 FEET; THENCE RUN N.01°19'19"E. ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 23.41 FEET; THENCE RUN N.32°33'04"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 51.20 FEET; THENCE RUN N.07°39'06"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 57.91 FEET; THENCE RUN N.06°39'11"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 79.50 FEET; THENCE RUN N.36°15'06"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 133.80 FEET; THENCE RUN N.13°17'04"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 69.67 FEET; THENCE RUN N.51°38'20"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 56.94 FEET; THENCE RUN N.09°17'06"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 57.33 FEET; THENCE RUN S.47°33'50"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 52.48 FEET; THENCE RUN S.52°35'15"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 71.39 FEET; THENCE RUN S.26°00'04"W., ALONG SAID MEAN HIGH WATER LINE, FOR A

DISTANCE OF 44.07 FEET; THENCE RUN S.05°32'36"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 123.25 FEET; THENCE RUN S.35°01'53"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 91.33 FEET; THENCE RUN S.50°35'34"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 85.61 FEET; THENCE RUN S.10°34'53"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 33.93 FEET; THENCE RUN S.21°26'11"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 36.72 FEET; THENCE RUN S.40°17'20"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 33.23 FEET; THENCE RUN S.35°18'25"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 42.17 FEET; THENCE RUN S.42°33'03"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 45.18 FEET; THENCE RUN S.41°13'28"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 30.71 FEET; THENCE RUN S.18°57'53"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 40.71 FEET; THENCE RUN S.02°39'27"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 43.57 FEET; THENCE RUN S.18°07'05"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 39.46 FEET; THENCE RUN S.67°10'19"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 48.51 FEET; THENCE RUN S.75°56'36"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 27.05 FEET; THENCE RUN S.56°00'26"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 40.96 FEET; THENCE RUN S.04°07'53"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 15.13 FEET; THENCE RUN S.02°20'53"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 30.76 FEET; THENCE RUN S.83°41'22"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 17.10 FEET; THENCE RUN N.81°54'26"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 32.46 FEET; THENCE RUN S.72°46'26"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 51.87 FEET; THENCE RUN N.79°37'03"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 77.30 FEET; THENCE RUN S.43°53'28"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 29.96 FEET; THENCE RUN S.64°51'44"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 33.22 FEET; THENCE RUN S.67°25'22"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 27.97 FEET; THENCE RUN S.63°29'01"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 21.10 FEET; THENCE RUN S.63°09'28"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 50.02 FEET; THENCE RUN S.55°16'21"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 81.31 FEET; THENCE RUN S.61°20'10"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 66.81 FEET; THENCE RUN S.67°49'59"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 48.47 FEET; THENCE RUN S.72°10'03"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 58.79 FEET; THENCE RUN S.78°14'00"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 49.72 FEET; THENCE RUN S.64°42'00"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 53.28 FEET; THENCE RUN S.38°23'32"W., ALONG SAID MEAN HIGH WATER

LINE, FOR A DISTANCE OF 10.59 FEET; THENCE RUN N.89°16'27"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 20.26 FEET; THENCE LEAVING SAID MEAN HIGH WATER LINE, RUN N.00°43'09"E., FOR A DISTANCE OF 121.86 FEET; THENCE RUN N.07°03'43"E., FOR A DISTANCE OF 300.00 FEET; THENCE RUN N.02°16'53"E., FOR A DISTANCE OF 100.00 FEET; THENCE RUN N.07°27'32"W., FOR A DISTANCE OF 299.99 FEET; THENCE RUN N.01°23'52"W., FOR A DISTANCE OF 100.00 FEET; THENCE RUN N.13°23'08"E., FOR A DISTANCE OF 100.00 FEET; THENCE RUN N.23°42'08"E., FOR A DISTANCE OF 99.22 FEET; THENCE RUN N.88°52'07"W., FOR A DISTANCE OF 500.00 FEET; THENCE RUN S.01°07'53"W., FOR A DISTANCE OF 1,252.34 FEET TO SAID MEAN HIGH WATER LINE OF TROUT CREEK (ELEVATION 0.03 FEET-NORTH AMERICAN VERTICAL DATUM OF 1988); THENCE RUN S.59°33'49"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 66.58 FEET; THENCE RUN S.19°55'43"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 17.96 FEET; THENCE RUN S.53°18'36"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 53.47 FEET; THENCE RUN S.26°06'00"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 82.56 FEET; THENCE RUN S.05°34'19"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 68.70 FEET; THENCE RUN S.07°11'04"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 29.90 FEET; THENCE RUN S.07°54'16"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 11.85 FEET; THENCE RUN S.12°21'57"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 78.12 FEET; THENCE RUN S.10°40'48"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 33.89 FEET; THENCE RUN S.21°15'12"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 20.19 FEET; THENCE RUN S.10°05'07"W. ALONG SAID MEAN HIGH WATER LINE,, FOR A DISTANCE OF 34.32 FEET; THENCE RUN S.16°26'09"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 51.67 FEET; THENCE RUN S.20°15'30"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 28.82 FEET; THENCE RUN S.18°57'28"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 36.38 FEET; THENCE RUN S.15°47'44"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 34.13 FEET; THENCE RUN S.16°28'26"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 59.42 FEET; THENCE RUN S.12°32'34"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 53.60 FEET; THENCE RUN S.23°08'17"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 62.09 FEET; THENCE RUN S.15°16'02"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 33.53 FEET; THENCE RUN S.18°12'29"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 115.02 FEET; THENCE RUN S.03°19'16"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 4.78 FEET; THENCE LEAVING SAID MEAN HIGH WATER LINE, RUN N.47°23'44"W., FOR A DISTANCE OF 78.47 FEET; THENCE RUN N.24°12'11"W., FOR A DISTANCE OF 91.43 FEET; THENCE RUN N.03°48'12"W., FOR A DISTANCE OF 29.62 FEET; THENCE RUN N.06°50'11"W., FOR A DISTANCE OF 34.61 FEET; THENCE RUN N.08°54'45"W., FOR A DISTANCE OF 28.95 FEET;

THENCE RUN N.12°43'52"W., FOR A DISTANCE OF 39.18 FEET; THENCE RUN N.28°20'46"W., FOR A DISTANCE OF 39.90 FEET; THENCE RUN N.32°06'08"W., FOR A DISTANCE OF 30.67 FEET; THENCE RUN N.45°59'51"W., FOR A DISTANCE OF 43.84 FEET; THENCE RUN N.40°53'39"W., FOR A DISTANCE OF 33.01 FEET; THENCE RUN N.53°48'26"W., FOR A DISTANCE OF 60.20 FEET; THENCE RUN N.75°05'44"W., FOR A DISTANCE OF 54.64 FEET; THENCE RUN N.71°07'07"W., FOR A DISTANCE OF 40.46 FEET; THENCE RUN N.62°42'59"W., FOR A DISTANCE OF 34.22 FEET; THENCE RUN N.66°57'30"W., FOR A DISTANCE OF 51.84 FEET TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 18; THENCE RUN N.00°16'39"E., ALONG SAID WEST LINE, AND THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 18, FOR A DISTANCE OF 5,052.72 FEET TO THE **POINT OF BEGINNING**. CONTAINING 11,154,906 SQUARE FEET OR 256.083 ACRES, MORE OR LESS.

AND

COMMENCE AT THE AFOREMENTIONED **POINT "A"**; THENCE RUN S.00°20'37"W., ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 18, FOR A DISTANCE OF 77.70 FEET TO THE **POINT OF BEGINNING** OF THE PARCEL OF LAND HEREIN DESCRIBED, THE SAME BEING A POINT ON THE MEAN HIGH WATER LINE OF TROUT CREEK (ELEVATION 0.03 FEET-NORTH AMERICAN VERTICAL DATUM OF 1988) ;THENCE LEAVING SAID MEAN HIGH WATER LINE RUN S.00°20'37"W., FOR A DISTANCE OF 1,134.17 FEET TO THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE RUN S.00°18'34"W., ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 19, FOR A DISTANCE OF 2,480.58 FEET TO THE NORTHERLY LINE OF SOUTH FLORIDA WATER MANAGEMENT DISTRICT CANAL 43 RIGHT OF WAY (A 800.00 FOOT WIDE RIGHT OF WAY); THENCE RUN S.71°02'37"W., ALONG SAID NORTHERLY LINE, FOR A DISTANCE OF 384.61 FEET TO THE MEAN HIGH WATER LINE OF THE CALOOSAHATCHEE RIVER (ELEVATION 0.23 FEET-NORTH AMERICAN VERTICAL DATUM OF 1988); THENCE RUN N.52°44'09"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 86.87 FEET; THENCE RUN N.23°50'54"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 68.13 FEET; THENCE RUN N.10°38'48"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 52.58 FEET; THENCE RUN N.09°06'55"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 42.95 FEET; THENCE RUN N.32°14'07"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 39.88 FEET; THENCE RUN N.43°39'22"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 52.79 FEET; THENCE RUN N.34°08'38"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 41.08 FEET; THENCE RUN N.54°52'16"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 60.65 FEET; THENCE RUN N.87°04'33"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 55.75 FEET; THENCE RUN N.49°55'04"E., ALONG SAID MEAN

HIGH WATER LINE, FOR A DISTANCE OF 45.69 FEET; THENCE RUN N.28°07'43"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 46.00 FEET; THENCE RUN N.56°19'58"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 17.93 FEET; THENCE RUN S.36°51'22"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 39.99 FEET; THENCE RUN S.71°55'20"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 31.45 FEET; THENCE RUN S.89°48'27"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 25.16 FEET; THENCE RUN N.63°29'40"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 53.19 FEET; THENCE RUN S.77°12'19"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 81.07 FEET; THENCE RUN S.87°13'04"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 71.51 FEET; THENCE RUN S.86°14'38"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 51.39 FEET; THENCE RUN N.32°39'35"W. ALONG SAID MEAN HIGH WATER LINE,, FOR A DISTANCE OF 39.89 FEET; THENCE RUN N.46°07'12"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 55.49 FEET; THENCE RUN N.48°12'13"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 67.15 FEET; THENCE RUN N.30°38'49"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 52.85 FEET; THENCE RUN N.25°28'33"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 64.46 FEET; THENCE RUN N.28°26'17"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 48.85 FEET; THENCE RUN N.24°27'43"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 67.21 FEET; THENCE RUN N.23°43'59"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 68.49 FEET; THENCE RUN N.44°29'30"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 30.93 FEET; THENCE RUN N.32°47'22"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 39.03 FEET; THENCE RUN N.37°30'31"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 53.12 FEET; THENCE RUN N.72°02'02"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 37.99 FEET; THENCE RUN N.66°54'09"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 50.25 FEET; THENCE RUN N.76°40'16"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 23.57 FEET; THENCE RUN N.62°41'50"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 29.07 FEET; THENCE RUN N.57°22'45"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 52.85 FEET; THENCE RUN S.81°19'58"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 24.79 FEET; THENCE RUN S.86°10'29"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 20.72 FEET; THENCE RUN N.68°13'44"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 70.32 FEET; THENCE RUN N.62°52'25"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 25.24 FEET; THENCE RUN N.76°26'43"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 42.82 FEET; THENCE RUN N.86°37'33"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 23.07 FEET; THENCE RUN N.66°30'11"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 23.15 FEET; THENCE RUN N.59°53'05"W.,

ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 31.24 FEET; THENCE RUN N.63°30'36"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 30.41 FEET; THENCE RUN N.56°41'32"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 40.31 FEET; THENCE RUN N.61°46'56"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 24.48 FEET; THENCE RUN N.71°57'11"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 31.15 FEET; THENCE RUN N.60°34'35"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 28.45 FEET; THENCE RUN N.52°43'10"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 31.94 FEET; THENCE RUN N.40°26'58"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 13.97 FEET; THENCE RUN N.69°12'09"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 50.97 FEET; THENCE RUN N.75°09'23"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 27.53 FEET; THENCE RUN N.71°05'34"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 29.39 FEET; THENCE RUN N.50°55'57"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 7.35 FEET; THENCE LEAVING SAID MEAN HIGH WATER LINE, RUN N.48°06'50"E., FOR A DISTANCE OF 270.43 FEET; THENCE RUN N.42°11'10"W., FOR A DISTANCE OF 184.68 FEET; THENCE RUN N.03°40'10"W., FOR A DISTANCE OF 86.00 FEET; THENCE RUN N.44°50'41"E., FOR A DISTANCE OF 140.43 FEET; THENCE RUN N.48°53'50"E., FOR A DISTANCE OF 266.81 FEET; THENCE RUN N.37°56'50"E., FOR A DISTANCE OF 235.27 FEET; THENCE RUN N.28°49'50"E., FOR A DISTANCE OF 219.46 FEET; THENCE RUN N.15°00'10"W., FOR A DISTANCE OF 137.17 FEET; THENCE RUN S.74°59'50"W., FOR A DISTANCE OF 18.55 FEET; THENCE RUN N.15°00'10"W., FOR A DISTANCE OF 53.03 FEET; THENCE RUN N.44°37'10"W., FOR A DISTANCE OF 466.55 FEET; THENCE RUN N.29°52'10"W., FOR A DISTANCE OF 128.59 FEET; THENCE RUN N.24°50'50"E., FOR A DISTANCE OF 318.05 FEET; THENCE RUN N.13°28'44"W., FOR A DISTANCE OF 177.41 FEET TO SAID MEAN HIGH WATER LINE OF TROUT CREEK (ELEVATION 0.03 FEET-NORTH AMERICAN VERTICAL DATUM OF 1988); THENCE RUN N.68°36'37"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 118.44 FEET; THENCE RUN N.64°26'22"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 31.89 FEET; THENCE RUN N.64°03'20"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 59.04 FEET; THENCE RUN N.75°59'50"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 70.51 FEET; THENCE RUN N.73°52'12"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 36.64 FEET; THENCE RUN N.81°37'22"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 38.71 FEET; THENCE RUN N.76°10'56"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 61.09 FEET; THENCE RUN N.81°10'49"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 43.63 FEET; THENCE RUN N.79°19'30"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 27.70 FEET; THENCE RUN N.76°16'15"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 54.20 FEET; THENCE RUN N.78°48'20"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF

120.20 FEET; THENCE RUN N.79°41'31"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 52.54 FEET; THENCE RUN N.75°23'35"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 99.29 FEET; THENCE RUN N.71°46'47"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 45.73 FEET; THENCE RUN N.77°14'48"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 27.77 FEET; THENCE RUN N.73°38'17"E. ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 131.49 FEET; THENCE RUN N.64°38'32"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 113.85 FEET; THENCE RUN N.64°07'37"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 23.99 FEET; THENCE RUN N.64°53'28"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 84.52 FEET; THENCE RUN N.64°11'02"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 86.91 FEET; THENCE RUN N.64°11'54"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 80.97 FEET TO **THE POINT OF BEGINNING.**

CONTAINING 3,772,203 SQUARE FEET OR 86.598 ACRES, MORE OR LESS.

TOTAL AREA OR PROPERTY DESCRIBED HEREIN IS 14,927,109 SQUARE FEET OR 342.68 ACRES, MORE OR LESS.

BEARINGS REFER TO THE WEST LINE THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, HAVING A BEARING OF S.00°16'39"W.

THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.

Stephen
E. Berry

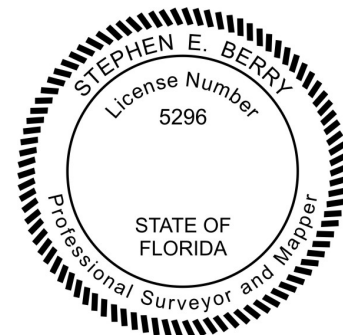
Digitally signed by Stephen E.
Berry
DN: cn=Stephen E. Berry, o=BBLS
SURVEYORS, INC., ou=L.S. 5296,
email=Sberry@bbbsinc.net, c=US
Date: 2021.01.25 08:41:43 -05'00'

01/25/21

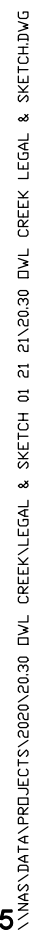
STEPHEN E. BERRY, STATE OF FLORIDA, (L.S. #5296)

BBLS SURVEYORS, INC., (L.B. #8033)

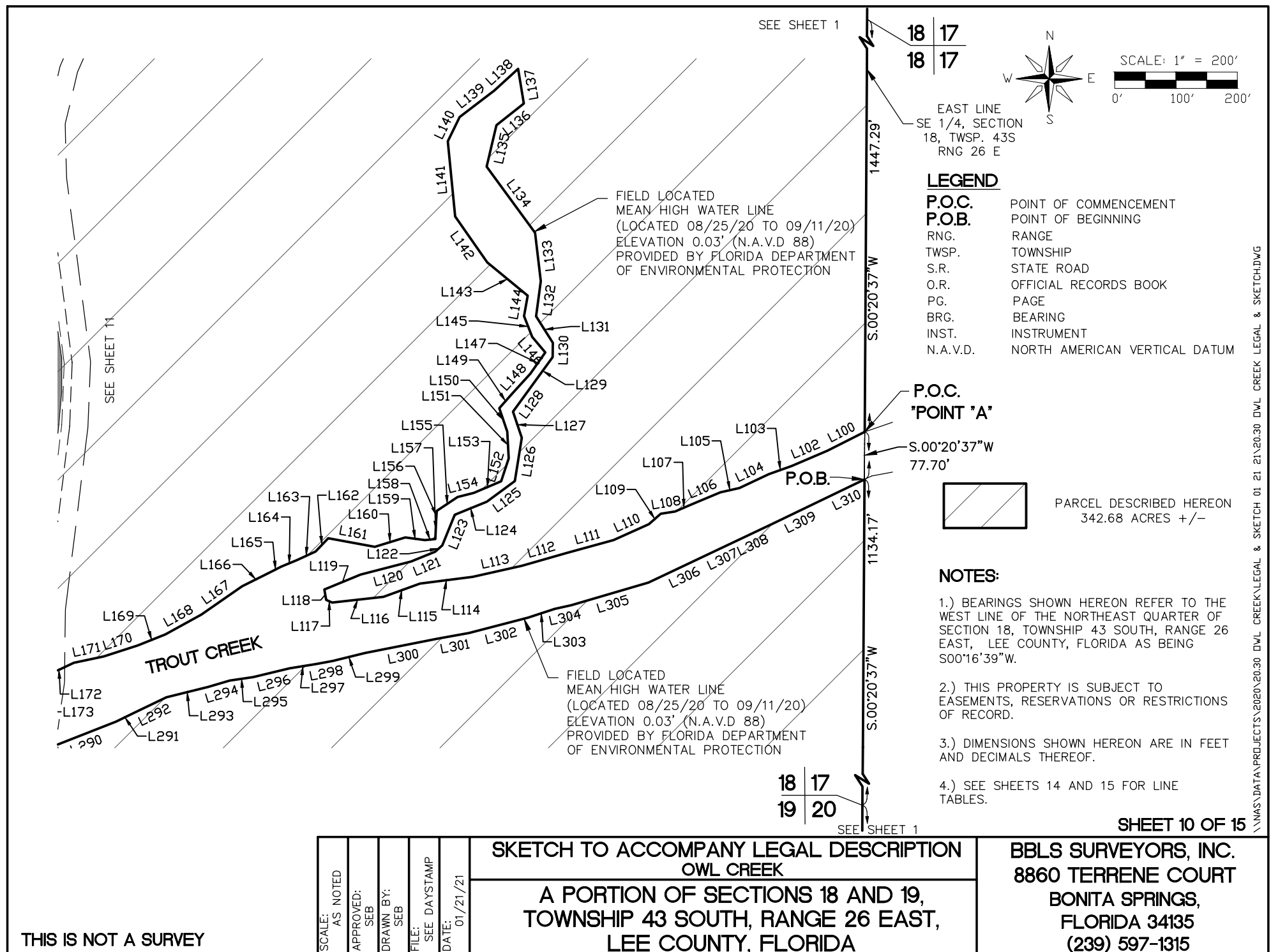
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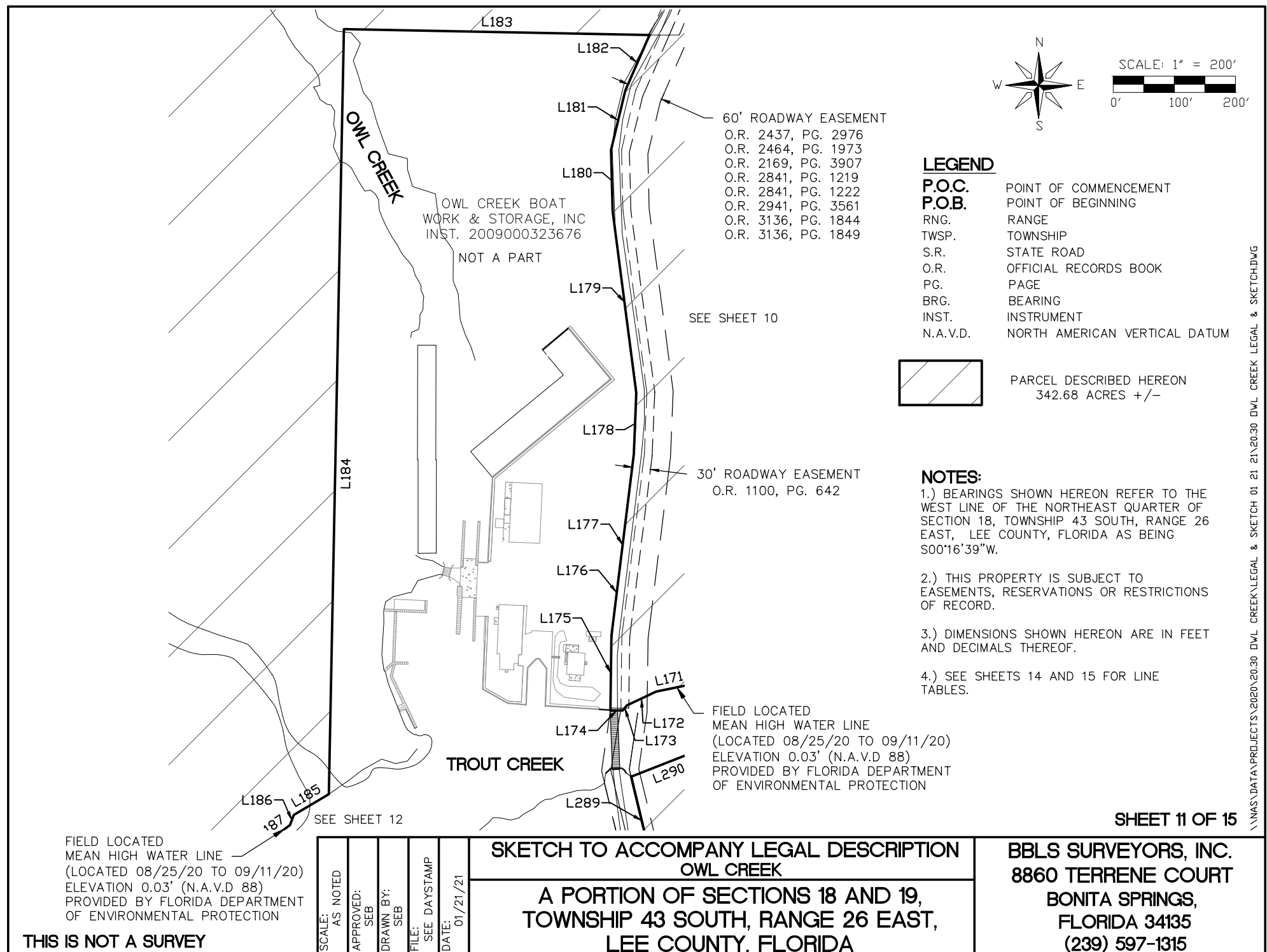


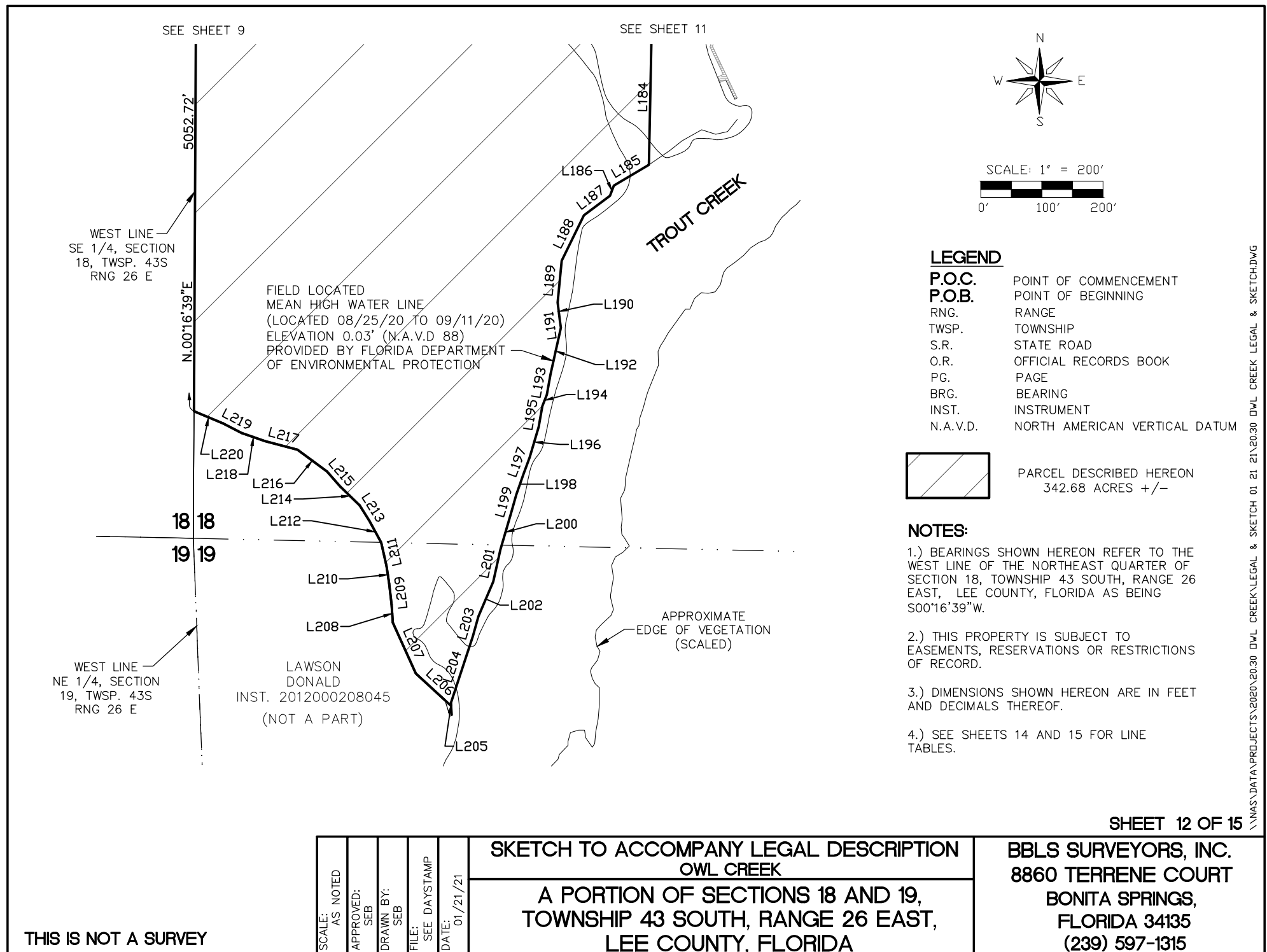
SEE ATTACHED SKETCH (SHEET 9 OF 15 THROUGH SHEET 15 OF 15)

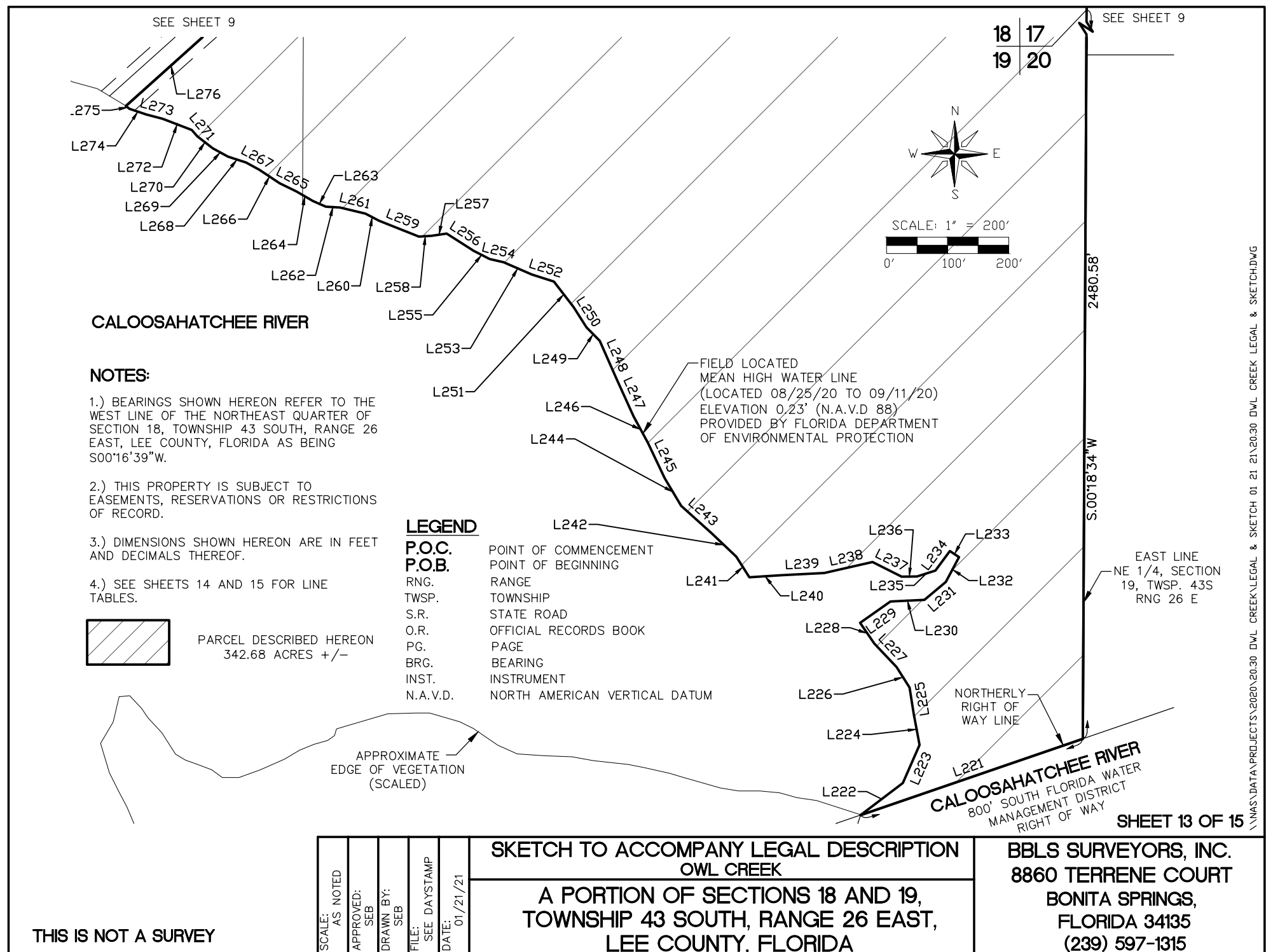
SHEET 9 OF 15 

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









Parcel Table		
Line #	Line Direction	Length
L100	S63° 09' 11"W	68.12
L102	S66° 53' 17"W	63.33
L103	S70° 27' 15"W	39.63
L104	S64° 37' 58"W	53.06
L105	S77° 10' 24"W	31.94
L106	S67° 19' 24"W	49.00
L107	S66° 42' 36"W	31.31
L108	S80° 37' 35"W	23.70
L109	S49° 00' 39"W	25.62
L110	S65° 48' 12"W	63.16
L111	S74° 36' 11"W	79.06
L112	S73° 49' 33"W	76.39
L113	S77° 28' 30"W	81.85
L114	S82° 44' 45"W	86.96
L115	S69° 49' 00"W	63.53
L116	S83° 38' 00"W	84.05
L117	N64° 43' 19"W	10.65
L118	N10° 04' 22"W	17.28
L119	N67° 36' 56"E	63.76
L120	N75° 31' 42"E	84.91

Parcel Table		
Line #	Line Direction	Length
L121	N67° 43' 57"E	42.46
L122	N48° 46' 12"E	15.77
L123	N22° 03' 58"E	53.88
L124	N67° 46' 02"E	56.48
L125	N53° 42' 12"E	56.78
L126	N09° 10' 30"E	71.37
L127	N18° 38' 24"W	45.27
L128	N36° 09' 14"E	54.90
L129	N35° 53' 09"E	55.09
L130	N01° 19' 19"E	23.41
L131	N32° 33' 04"W	51.20
L132	N07° 39' 06"E	57.91
L133	N06° 39' 11"W	79.50
L134	N36° 15' 06"W	133.80
L135	N13° 17' 04"E	69.67
L136	N51° 38' 20"E	56.94
L137	N09° 17' 06"W	57.33
L138	S47° 33' 50"W	52.48
L139	S52° 35' 15"W	71.39
L140	S26° 00' 04"W	44.07

Parcel Table		
Line #	Line Direction	Length
L141	S05° 32' 36"E	123.25
L142	S35° 01' 53"E	91.33
L143	S50° 35' 34"E	85.61
L144	S10° 34' 53"W	33.93
L145	S21° 26' 11"E	36.72
L146	S40° 17' 20"E	33.23
L147	S35° 18' 25"W	42.17
L148	S42° 33' 03"W	45.18
L149	S41° 13' 28"W	30.71
L150	S18° 57' 53"E	40.71
L151	S02° 39' 27"E	43.57
L152	S18° 07' 05"W	39.46
L153	S67° 10' 19"W	48.51
L154	S75° 56' 36"W	27.05
L155	S56° 00' 26"W	40.96
L156	S04° 07' 53"W	15.13
L157	S02° 20' 53"W	30.76
L158	S83° 41' 22"W	17.10
L159	N81° 54' 26"W	32.46
L160	S72° 46' 26"W	51.87

Parcel Table		
Line #	Line Direction	Length
L161	N79° 37' 03"W	77.30
L162	S43° 53' 28"W	29.96
L163	S64° 51' 44"W	33.22
L164	S67° 25' 22"E	27.97
L165	S63° 29' 01"W	21.10
L166	S63° 09' 28"W	50.02
L167	S55° 16' 21"W	81.31
L168	S61° 20' 10"W	66.81
L169	S67° 49' 59"W	48.47
L170	S72° 10' 03"W	58.79
L171	S78° 14' 00"W	49.72
L172	S64° 42' 00"W	53.28
L173	S38° 23' 32"W	10.59
L174	N89° 16' 27"W	20.26
L175	N00° 43' 09"E	121.86
L176	N07° 03' 43"E	300.00
L178	N02° 16' 53"E	100.00
L179	N07° 27' 32"W	299.99

Parcel Table		
Line #	Line Direction	Length
L180	N01° 23' 52"W	100.00
L181	N13° 23' 08"E	100.00
L182	N23° 42' 08"E	99.22
L183	N88° 52' 07"W	500.00
L184	S01° 07' 53"W	1252.34
L185	S59° 33' 49"W	66.58
L186	S19° 55' 43"W	17.96
L187	S53° 18' 36"W	53.47
L188	S26° 06' 00"W	82.56
L189	S05° 34' 19"W	68.70
L190	S07° 11' 04"E	29.90
L191	S07° 54' 16"E	11.85
L192	S12° 21' 57"W	78.12
L193	S10° 40' 48"W	33.89
L194	S21° 15' 12"W	20.19
L195	S10° 05' 07"W	34.32
L196	S16° 26' 09"W	51.67
L197	S20° 15' 30"W	28.82
L198	S18° 57' 28"W	36.38
L199	S15° 47' 44"W	34.13

NOTES:

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

2.) THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.

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

THIS IS NOT A SURVEY

SCALE: AS NOTED	APPROVED: SEB	DRAWN BY: SEB	FILE: SEE DAYSTAMP	DATE: 01/21/21
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**SKETCH TO ACCOMPANY LEGAL DESCRIPTION
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**

SHEET 14 OF 15

\\NAS\DATA\PROJECTS\2020\20.30 OWL CREEK\LEGAL & SKETCH 01 21\20.30 OWL CREEK LEGAL & SKETCH.DWG

Parcel Table		
Line #	Line Direction	Length
L200	S16° 28' 26"W	59.42
L201	S12° 32' 34"W	53.60
L202	S23° 08' 17"W	62.09
L203	S15° 16' 02"W	33.53
L204	S18° 12' 29"W	115.02
L205	S03° 19' 16"E	4.78
L206	N47° 23' 44"W	78.47
L207	N24° 12' 11"W	91.43
L208	N03° 48' 12"W	29.62
L209	N06° 50' 11"W	34.61
L210	N08° 54' 45"W	28.95
L211	N12° 43' 52"W	39.18
L212	N28° 20' 46"W	39.90
L213	N32° 06' 08"W	30.67
L214	N45° 59' 51"W	43.84
L215	N40° 53' 39"W	33.01
L216	N53° 48' 26"W	60.20
L217	N75° 05' 44"W	54.64
L218	N71° 07' 07"W	40.46
L219	N62° 42' 59"W	34.22

Parcel Table		
Line #	Line Direction	Length
L220	N66° 57' 30"W	51.84
L221	S71° 02' 37"W	384.61
L222	N52° 44' 09"E	86.87
L223	N23° 50' 54"E	68.13
L224	N10° 38' 48"W	52.58
L225	N09° 06' 55"W	42.95
L226	N32° 14' 07"W	39.88
L227	N43° 39' 22"W	52.79
L228	N34° 08' 38"W	41.08
L229	N54° 52' 16"E	60.65
L230	N87° 04' 33"E	55.75
L231	N49° 55' 04"E	45.69
L232	N28° 07' 43"E	46.00
L233	N56° 19' 58"W	17.93
L234	S36° 51' 22"W	39.99
L235	S71° 55' 20"W	31.45
L236	S89° 48' 27"W	25.16
L237	N63° 29' 40"W	53.19
L238	S77° 12' 19"W	81.07
L239	S87° 13' 04"W	71.51

Parcel Table		
Line #	Line Direction	Length
L240	S86° 14' 38"W	51.39
L241	N32° 39' 35"W	39.89
L242	N46° 07' 12"W	55.49
L243	N48° 12' 13"W	67.15
L244	N30° 38' 49"W	52.85
L245	N25° 28' 33"W	64.46
L246	N28° 26' 17"W	48.85
L247	N24° 27' 43"W	67.21
L248	N23° 43' 59"W	68.49
L249	N44° 29' 30"W	30.93
L250	N32° 47' 22"W	39.03
L251	N37° 30' 31"W	53.12
L252	N72° 02' 02"W	37.99
L253	N66° 54' 09"W	50.25
L254	N76° 40' 16"W	23.57
L255	N62° 41' 50"W	29.07
L256	N57° 22' 45"W	52.85
L257	S81° 19' 58"W	24.79

Parcel Table		
Line #	Line Direction	Length
L258	S86° 10' 29"W	20.72
L259	N68° 13' 44"W	70.32
L260	N62° 52' 25"W	25.24
L261	N76° 26' 43"W	42.82
L262	N86° 37' 33"W	23.07
L263	N66° 30' 11"W	23.15
L264	N59° 53' 05"W	31.24
L265	N63° 30' 36"W	30.41
L266	N56° 41' 32"W	40.31
L267	N61° 46' 56"W	24.48
L268	N71° 57' 11"W	31.15
L269	N60° 34' 35"W	28.45
L270	N52° 43' 10"W	31.94
L271	N40° 26' 58"W	13.97
L272	N69° 12' 09"W	50.97
L273	N75° 09' 23"W	27.53
L274	N71° 05' 34"W	29.39
L275	N50° 55' 57"W	7.35
L276	N48° 06' 50"E	270.43
L277	N42° 11' 10"W	184.68

Parcel Table		
Line #	Line Direction	Length
L278	N03° 40' 10"W	86.00
L279	N44° 50' 41"E	140.43
L280	N48° 53' 50"E	266.81
L281	N37° 56' 50"E	235.27
L282	N28° 49' 50"E	219.46
L283	N15° 00' 10"W	137.17
L284	S74° 59' 50"W	18.55
L285	N15° 00' 10"W	53.03
L286	N44° 37' 10"W	466.55
L287	N29° 52' 10"W	128.59
L288	N24° 50' 50"E	318.05
L289	N13° 28' 44"W	177.41
L290	N68° 36' 37"E	118.44
L291	N64° 26' 22"E	31.89
L292	N64° 03' 20"E	59.04
L293	N75° 59' 50"E	70.51
L294	N73° 52' 12"E	36.64
L295	N81° 37' 22"E	38.71
L296	N76° 10' 56"E	61.09
L297	N81° 10' 49"E	43.63

Parcel Table		
Line #	Line Direction	Length
L298	N79° 19' 30"E	27.70
L299	N76° 16' 15"E	54.20
L300	N78° 48' 20"E	120.20
L301	N79° 41' 31"E	52.54
L302	N75° 23' 35"E	99.29
L303	N71° 46' 47"E	45.73
L304	N77° 14' 48"E	27.77
L305	N73° 38' 17"E	131.49
L306	N64° 38' 32"E	113.85

Parcel Table		
Line #	Line Direction	Length
L307	N64° 07' 37"E	23.99
L308	N64° 53' 28"E	84.52
L309	N64° 11' 02"E	86.91
L310	N64° 11' 54"E	80.97

THIS IS NOT A SURVEY

SCALE: AS NOTED	APPROVED: SEB	DRAWN BY: SEB	FILE: SEE DAYSTAMP	DATE: 01/21/21
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SKETCH TO ACCOMPANY LEGAL DESCRIPTION
OWL CREEKA PORTION OF SECTIONS 18 AND 19,
TOWNSHIP 43 SOUTH, RANGE 26 EAST,
LEE COUNTY, FLORIDA

NOTES:

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

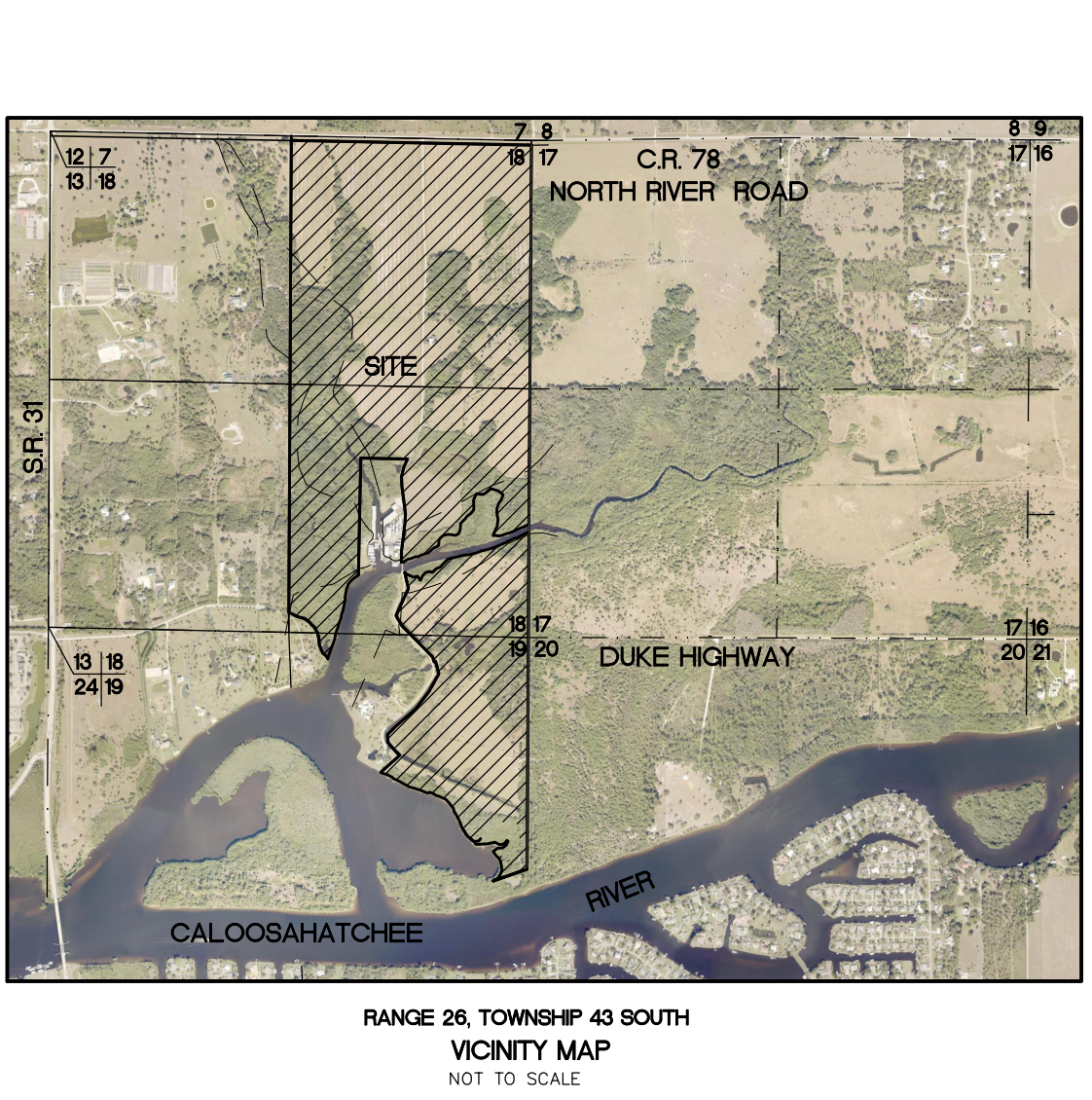
2.) THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.

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

SHEET 15 OF 15

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

**Signed & Sealed
Boundary Survey &
Each FLUC Proposed
(Exhibit M7)**



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	235.27
L26	N37°56'50"E	219.46
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	116.60
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, SOUTHERLY OF STATE ROAD 78 (OFFICIAL RECORDS BOOK 354, PAGE 860) (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, SOUTHERLY OF TROUT CREEK, NORTHERLY OF THE WATERS OF THE CALOOSAHAATCHEE RIVER AND NORTHWESTERLY OF THE RIGHT OF WAY LINE OF THE CALOOSAHAATCHEE 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 18, 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, 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' 26" EAST FOR 60.20 FEET; RUN SOUTH 40° 54' 01" EAST FOR 33.01 FEET; RUN SOUTH 45° 00' 13" EAST FOR 43.84 FEET; RUN SOUTH 32° 06' 08" 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' 11" WEST FOR 91.43 FEET; RUN SOUTH 47° 23' 44" WEST FOR 64.61 FEET; THENCE RUN SOUTH 17° 16' 30" EAST FOR 22.73 FEET, DEPARTING SAID APPROXIMATE TOP OF BANK FOR 280.07 FEET TO THE MEAN HIGH WATER LINE OF AN OMB OF THE CALOOSAHAATCHEE 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.

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' 26" EAST FOR 60.20 FEET; RUN SOUTH 40° 54' 01" EAST FOR 33.01 FEET; RUN SOUTH 45° 00' 13" EAST FOR 43.84 FEET; RUN SOUTH 32° 06' 08" 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' 11" WEST FOR 91.43 FEET; RUN SOUTH 47° 23' 44" WEST FOR 64.61 FEET; THENCE RUN SOUTH 17° 16' 30" EAST FOR 22.73 FEET, DEPARTING SAID APPROXIMATE TOP OF BANK FOR 280.07 FEET TO THE MEAN HIGH WATER LINE OF AN OMB OF THE CALOOSAHAATCHEE 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 HEREINAFTER 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:

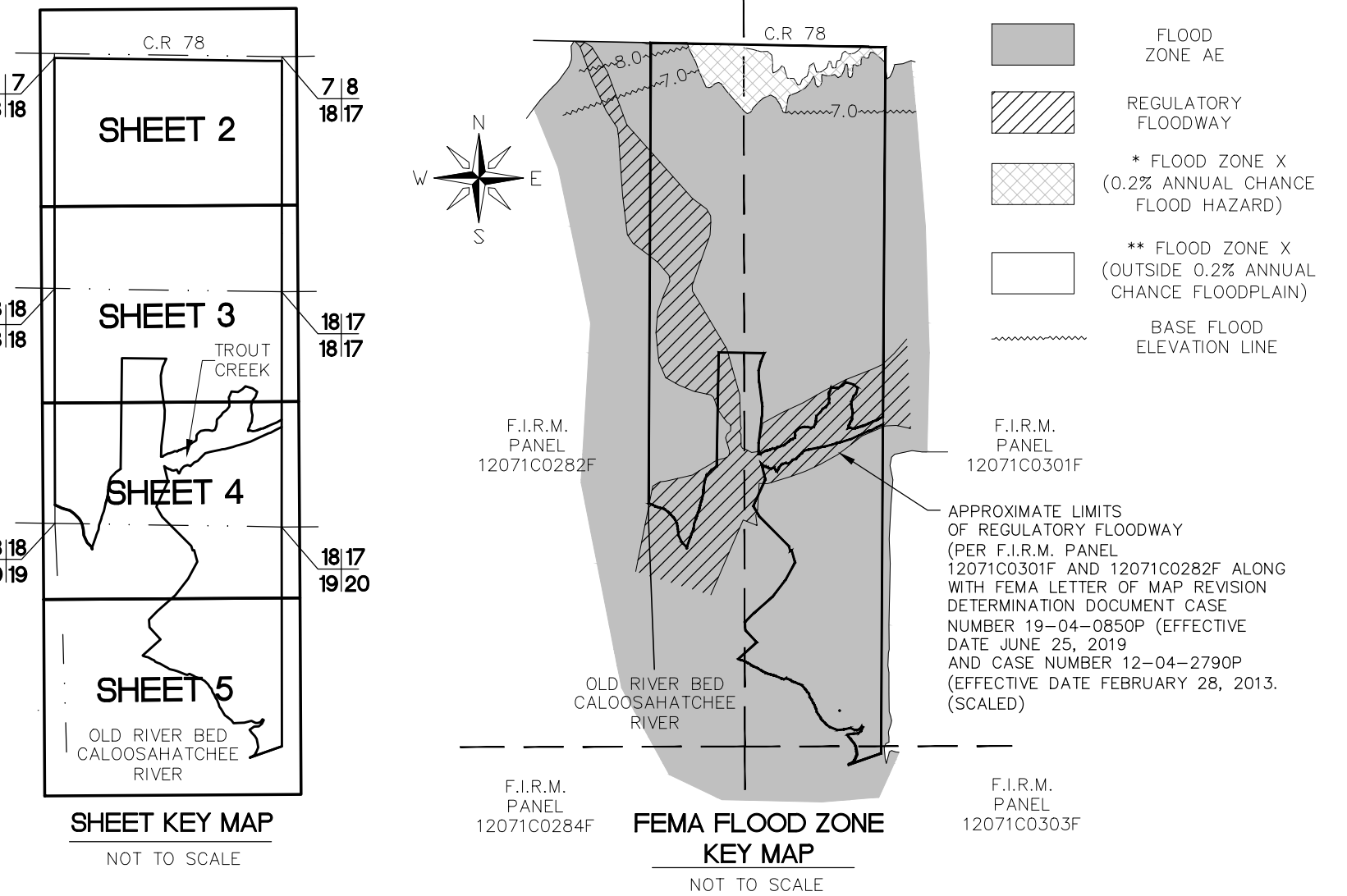
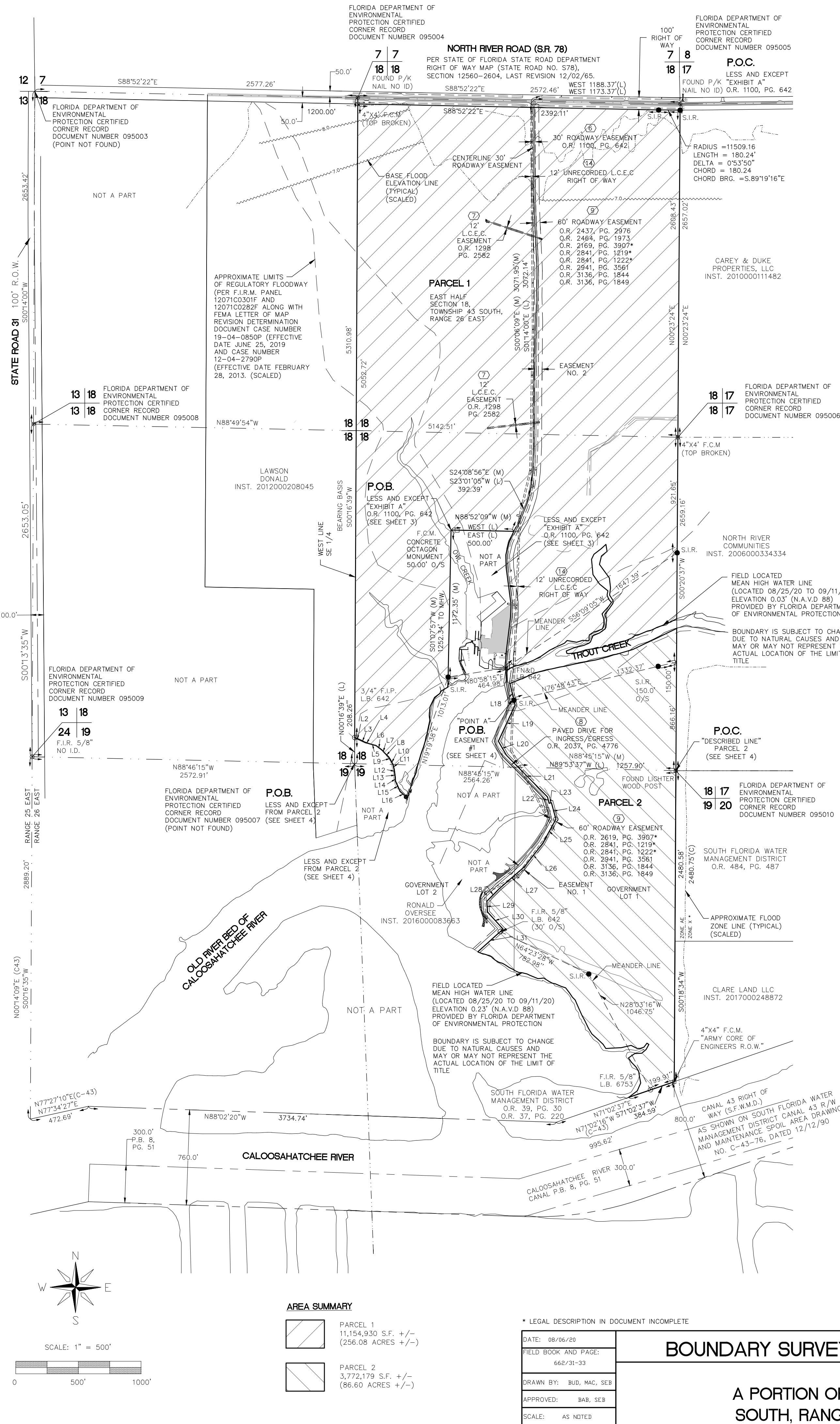
BEGINNING AT THE HEREINAFTER DESCRIBED POINT DESIGNATED "A", RUN THE FOLLOWING COURSES AND DISTANCES ALONG SAID LINE: SOUTH 14° 36' 30" EAST FOR 50.49 FEET, SOUTH 23° 43' 00" WEST FOR 318.05 FEET, SOUTH 31° 00' 00" EAST FOR 128.59 FEET, SOUTH 45° 45' 00" EAST FOR 134.63 FEET AND SOUTH 16° 08' 00" EAST 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 HEREINAFTER DESCRIBED 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" WEST FOR 137.17 FEET, SOUTH 27° 42' 00" WEST FOR 235.27 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 CALOOSAHAATCHEE 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 FEET 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 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 200.00 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, 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' 00" EAST FOR 61.93 FEET (PASSING THROUGH THE HEREINAFTER 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 97.98 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, SOUTH 03° 45' EAST FOR 104.24 FEET, NORTH 05° 37' 30" EAST FOR 102.38 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° 12' 08" EAST FOR 400.99 FEET, NORTH 00° 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 HEREINAFTER MENTIONED ARE BASED ON THE NORTH LINE OF THE EAST HALF (E 1/2) OF SAID SECTION 18 TO BEAR WEST.



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 2484, PAGE 1973, OFFICIAL RECORDS BOOK 2619, PAGE 3907, OFFICIAL RECORDS BOOK 2841, PAGE 1219, OFFICIAL RECORDS BOOK 2841, PAGE 1222, OFFICIAL RECORDS BOOK 2841, 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 CALOOSAHAATCHEE 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 FLOODED LAND, ARTIFICIALLY EXPLOSED 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 DES 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

- 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.
- DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
- THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR VALID ELECTRONIC SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- THIS PROPERTY IS LOCATED IN FLOOD ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL 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 (HARMFUL BASE FLOOD ELEVATION OF 7.0 & 8.0). A PORTION OF THE PROPERTY LIES WITHIN A REGULARITY FLOODWAY (AS DEPICTED HEREON).
- THE TOTAL AREA OF THE PROPERTY SURVEYED IS 14,927,109 SQUARE FEET +/- (342.68 ACRES +/-)
- 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.
- 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.
- THE ELEVATION OF THE MEAN HIGH WATER LINE ALONG CALOOSAHAATCHEE RIVER IS ELEVATION 0.23 (NAVD 88) DATUM, PROVIDED BY FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION 08/19/20.
- THE REAL LOCATION OF THE MEAN HIGH WATER LINE DEPICTED HEREON WAS LOCATED BY A COMBINATION OF LOCAL TIME KINEMATIC GLOBAL POSITIONING SYSTEM OBSERVATIONS, WHICH WERE TIED TO A CLOSED BOUNDARY TRAVERSE AND SURVEY LINE.
- 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)
- THERE ARE NO GAPS OR OVERLAPS.
- LAST DATE OF FIELD WORK WAS 09/11/20.
- THE INTENDED USE OF THIS SURVEY IS TO BE USED FOR DESIGN PURPOSES.
- 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 THE SURVEY OF THE HEREIN DESCRIBED PROPERTY WAS SURVEYED UNDER MY RESPONSIBLE CHARGE BETWEEN 08/06/2020 AND 09/11/2020, AND MEETS THE MINIMUM STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 55-17.5, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

Digitally signed by Stephen E. Berry
DN: cn=Stephen E. Berry, o=BBLs
SURVEYORS, INC., ou=L.S. 5296,
email=SBerry@bblsinc.net, c=US
Date: 2020.09.17 10:17:34 -0400

STEPHEN E. BERRY, STATE OF FLORIDA, (L.S. #5296) DATE:

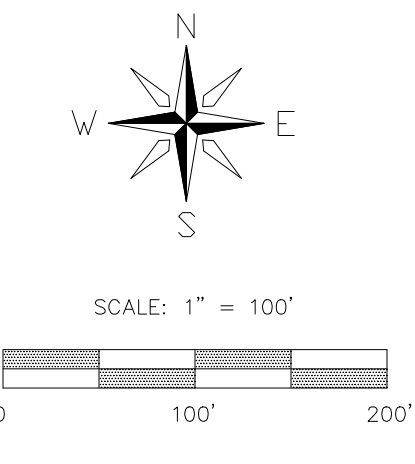
BBLs SURVEYORS INC. (L.S. #8033)

SHEET 1 OF 5

BOUNDARY SURVEY (ALTA/NSPS LAND TITLE SURVEY)
OWL CREEK

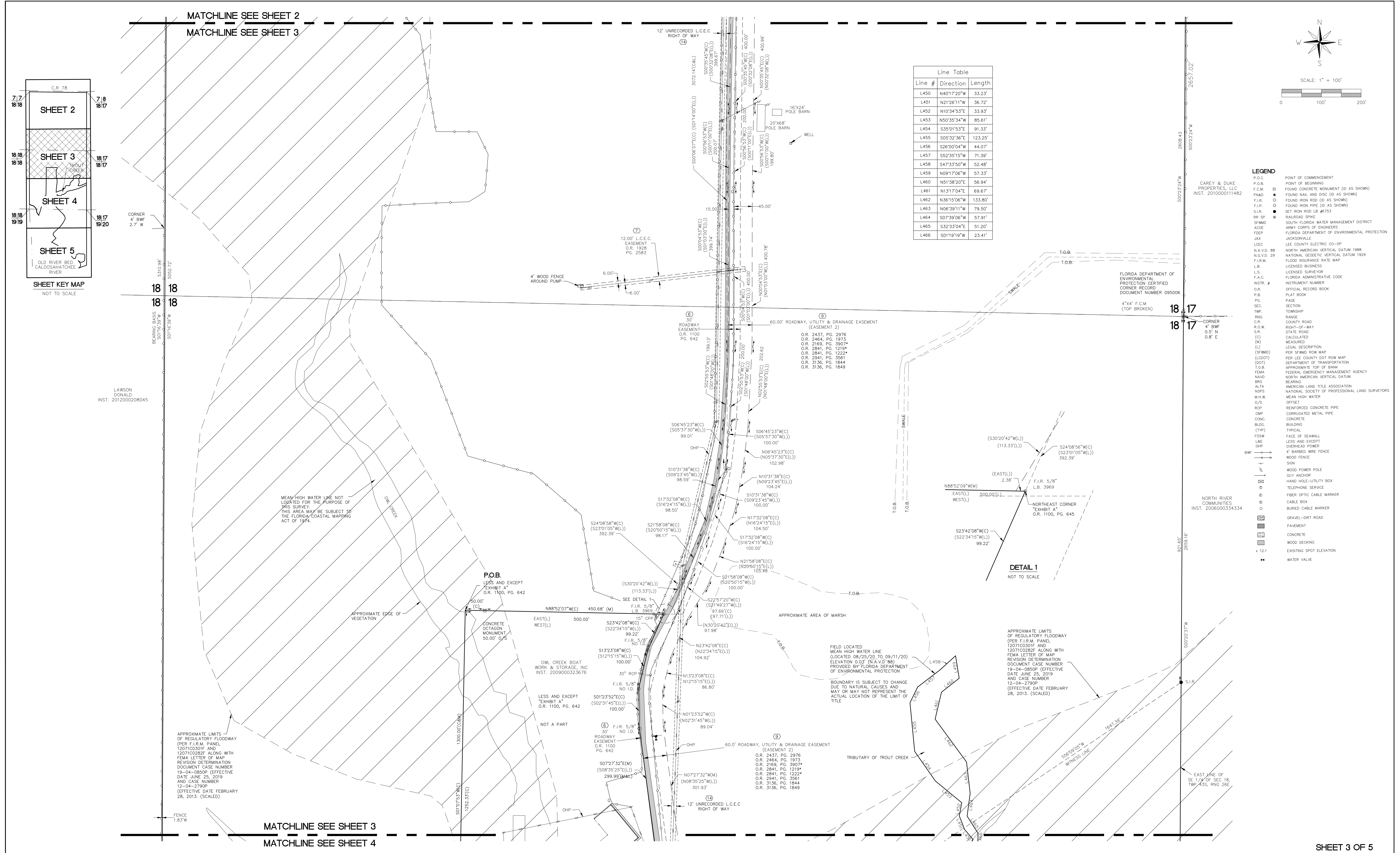
A PORTION OF SECTIONS 18 AND 19, TOWNSHIP 43
SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

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



SHEET 2 OF 5

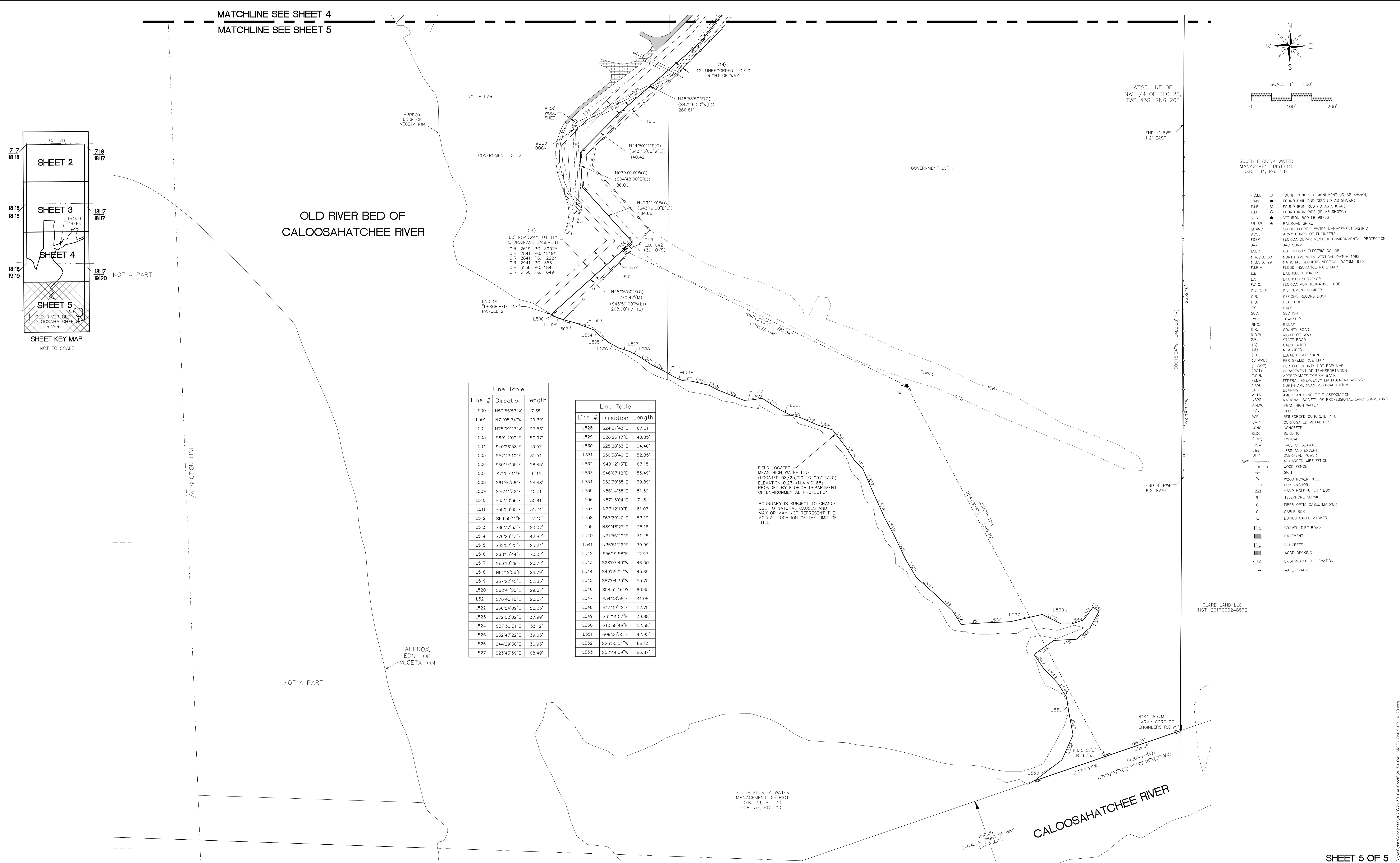
DATE: 08/06/09	BOUNDARY SURVEY (ALTA/NSPS LAND TITLE SURVEY) OWL CREEK A PORTION OF SECTIONS 18 AND 19, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA	BBL SURVEYORS INC. 8860 TERRENE COURT, BONITA SPRINGS, FLORIDA 34135 (239) 597-1315
FIELD BOOK AND PAGE: 662/31-33		
DRAWN BY: BUD, MAC, SEB		
APPROVED: BAB, SEB		
SCALE: AS NOTED		



Line Table		
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	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°19'19"W	23.41'

- LEGEND**
- P.O.C. POINT OF COMMENCEMENT
 - F.C.M. FOUND CONCRETE MONUMENT (ID AS SHOWN)
 - FN&D 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 #753
 - RR SP RAILROAD SPIKE
 - SFWMD SOUTH FLORIDA WATER MANAGEMENT DISTRICT
 - ADCE 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. FLORIDA 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
 - P.C. PAGE
 - SEC. SECTION
 - TWP. TOWNSHIP
 - RNG. RANGE
| C.R. COUNTY ROAD | RIGHT-OF-WAY | STATE ROAD |
| S.R. CALCULATED | MEASURED | (M) |
| (L) PER SFWMD ROW MAP | LEGAL DESCRIPTION | (SFWMD) |
| (LCDOT) PER LEE COUNTY DOT ROW MAP | DEPARTMENT OF TRANSPORTATION | (DOT) |
| (T.O.B.) APPROXIMATE TOP OF BANK | FEDERAL EMERGENCY MANAGEMENT AGENCY | (FEMA) |
| NAVD NORTH AMERICAN VERTICAL DATUM | BEARING | (BRG) |
| ALTA AMERICAN LAND TITLE ASSOCIATION | NATIONAL SOCIETY OF PROFESSIONAL LAND SURVEYORS | (NSPS) |
| M.H.W. MEAN HIGH WATER | OFFSET | (O/S) |
| RCP REINFORCED CONCRETE PIPE | CORRUGATED METAL PIPE | (CMP) |
| CONC. CONCRETE | BUILDING | (BLDG.) |
| (TYP) TYPICAL | FACE OF SEAWALL | (FSW) |
| L&E LESS AND EXCEPT | OVERHEAD POWER | (OHP) |
| W.F. WOOD FENCE | WOOD POWER POLE | (W.P.P.) |
| 4" 4" BARRIED WIRE FENCE | GUY ANCHOR | (GUY) |
| TELEPHONE SERVICE | HAND HOLE-UTILITY BOX | (H.H.U.B.) |
| FIBER OPTIC CABLE MARKER | CABLE BOX | (C.B.) |
| BURIED CABLE MARKER | GRAVEL-DIRT ROAD | (G.D.R.) |
| PAVEMENT | CONCRETE | (CONC.) |
| WOOD DECKING | EXISTING SPOT ELEVATION | (X.S.E.) |
| WATER VALVE | | |





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

BBL SURVEYORS INC.

8860 TERRENE COURT,

BONITA SPRINGS,

FLORIDA 34135

(239) 597-1315

Trescott Planning Solutions, LLC

Urban and Regional Planning



421 Norwood Court • Fort Myers, Florida 33919
Cell 239-850-7163 • Office 239-433-4067
Email: trescottplanningsolutions@gmail.com

February 13, 2021

Stacy Ellis Hewitt, AICP
Director of Planning
Banks Engineering
10511 Six Mile Cypress Parkway
Fort Myers, Florida 33966

Dear Stacy:

As requested, this document provides my consulting services to addressing Coastal High Hazard Area (CHHA) and Hurricane Preparedness/Mitigation for the Owl Creek Map and Text amendments to change the Future Land Use category from Rural and Wetlands to Sub-Outlying Suburban and Wetland to accommodate the clustered development of up to 440 single-family dwelling units and internal amenities. 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 property is ± 342.68 acres located on the south side of N. River Road approximately $\frac{1}{2}$ 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. It is my expert opinion the proposed Owl Creek project Map and Text Amendments are consistent with Lee Plan Goals, Policies and Objectives, Land Development Code (LDC) and state law relative to addressing the protection of human life along with current and future development from the impacts of coastal flooding.

Hurricane Storm Surge/Tide Analysis/Flood Insurance Rate Map Flood Level

The CHHA definition is found in Florida Statutes 163.3178(2)(h) and is as follows.

“Designation of coastal high-hazard areas and the criteria for mitigation for a comprehensive plan amendment in a coastal high-hazard area as defined in subsection (8). The coastal high-hazard area is the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model. Application of mitigation and the application of development and redevelopment policies, pursuant to s. 380.27(2), and any rules adopted thereunder, shall be at the discretion of local government.”

The Owl Creek project site is within the Hurricane Category 1 Storm Surge/Tide area (see Attachment I 10/23/2020 Lee SLOSH Map and Attachment II Map 5 CHHA in Lee Plan) and Lee County Evacuation Zone Level A (see Attachment III). The Lee SLOSH Map Category 1 red area defines the Coastal High Hazard Area as defined by state statute. Attachment II Map 5 CHHA in Lee Plan is not consistent with the most updated South Florida SLOSH Model in that a little less area is within the Category 1 area. Table I below shows the Category 1 Storm Surge/Tide Heights at mean and high tides for the project site and Attachment IV shows the South Florida SLOSH Model Display map.

Table I

Potential Storm Tide Heights* for Project Site (In feet above ground** and Sea Level***)

Category		
Hurricane	High Tide	Mean Tide
1**	5.7 – 6.7	4.8 – 5.8
1***	8.6	7.9

*2017 South Florida (SLOSH) Model Display Program (1.79) Category

Hurricane Based on the Saffir-Simpson Hurricane Wind Scale

Storm tide heights represents the maximum values from SLOSH
MOMs (Max of the Max tide heights)

Protection of Property Mitigation Measures

To mitigate the effects and impacts on loss of life, property and evacuation issues the new development including the residential units will have to elevate the first floor to 7 feet above means sea level to meet the Federal Flood Insurance 100-year floodplain requirement (See Attachment V FIRMs). The applicant has committed in the application to 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. The FIRM elevation is for flood insurance minimum floor elevation purposes to mitigate loss of property whereas, the SLOSH Model elevations are for mitigating the loss of life used for evacuation planning. The 7 feet first floor FIRM elevation requirement plus the one foot extra to 8 feet applicant commitment essentially elevates the residential units above of the CHHA storm surge elevation of 7.9 feet during a mean tide storm surge. This is a mitigation measure that protects property in the CHHA.

Another property protection mitigation measure is the applicant agreeing to place approximately ±165.6 acres (48% of 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 project will be 60% open space and will preserve 93% of the wetlands on site (See Attachment VI, Enhancement and Preservation Map). This adjusted site design and clustered density with the wetland preserves on the development site, protect the proposed project from the effects of velocity flooding and wave action associated with storm events. These wetland preserves will serve their function by dissipating wave energy and storm surge.

In Lee County the Florida Building Code 7th Edition (2020) is another property protection measure that now requires residential construction in this area to be designed to withstand 150 mph “ultimate design wind speed”, which is equivalent to Category 4 hurricane wind levels. Further, because the development proposal includes a multi-slip docking facility the applicant must prepare hurricane plans with the assistance of the county which describe measures to be taken to minimize damage to marina sites, neighboring properties, and the environment. This hurricane plan is subject to county approval as required in Policy 128.6.6.

The building elevation, strong wind code construction, protection of 165.6 acres of conservation easements (60% open space 93% of the wetlands preserved) and hurricane plan for marina are property mitigation measures that are **consistent with Goal 101, Objectives 101.1 and 101.3 and Policies 5.1.2, 101.1.1, 101.3.2, 101.3.5 and 128.6.6).**

Protection of Life Mitigation Measures

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.

POLICY 101.1.4: Require that comprehensive plan amendments which increase density within the Coastal High Hazard Area or on islands meet one of the following criteria in accordance with § 163.3178(8), F.S.:

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 Department of 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.

This policy permits plan amendments which increase density in the CHHA if one of three criteria are met which is also consistent with Florida Statutes 163.3178(8)(a) Coastal Management states the following.

“(8)(a) A proposed comprehensive plan amendment shall be found in compliance with state coastal high-hazard provisions if:

1. The adopted level of service for out-of-county hurricane evacuation is maintained for a category 5 storm event as measured on the Saffir-Simpson scale; or
2. A 12-hour evacuation time to shelter is maintained for a category 5 storm event as measured on the Saffir-Simpson scale and shelter space reasonably expected to accommodate the residents of the development contemplated by a proposed comprehensive plan amendment is available; or
3. Appropriate mitigation is provided that will satisfy subparagraph 1. or subparagraph 2. Appropriate mitigation shall include, without limitation, payment of money, contribution of land, and construction of hurricane shelters and transportation facilities. Required mitigation may not exceed the amount required for a developer to accommodate impacts reasonably attributable to development. A local government and a developer shall enter into a binding agreement to memorialize the mitigation plan.”

Lee County is not currently meeting two of the criteria in the Policy that out of County evacuation time will not exceed 16 hours, or to maintain a 12-hour evaluation time to shelter. Because Lee County cannot meet these Planning Standards, the applicant does have the option to provide appropriate mitigation to satisfy either option 1 or 2 as provide for in 163.3178(8)(a)3. The viable mitigation option is to provide mitigation for additional shelter space. LDC Article XI – Hurricane Preparedness Section 2-485(b)(3) provides the formula for calculating the appropriate mitigation for payment in lieu of physically creating additional sheltering space. Based on the LDC adopted methodology, the total shelter impact mitigation would be **\$33,264.38**. The project will also generate additional funding for hurricane preparedness mitigation by future residents providing yearly Ad Valorem tax funding to Lee County’s All Hazard MSTU fund, typically used to improve hurricane shelter capacity in the county.

Based on the LDC Article XI – Hurricane Preparedness Section 2-484(c) determining evacuation impacts, the assumption is that a total of 484 vehicles would result from the 440-unit development. The statewide

evacuation model does not measure less than half hour increases and as such is not designed to analyze the impact for a small 440 dwelling unit project as proposed. Based on the methodology I applied in previous Lee County cases I have worked on the 484 evacuating vehicles is de minimis and would have no consequential impact to countywide evacuation times (6.9-minute increase). Furthermore, because the project is close to the northern and eastern boundaries of the county and will have easy access to State Roads 31 (future 6 lanes), 78 and 80 to leave the county, residents will be able to evacuate the county quickly.

The applicant will provide evacuation route mitigation in accordance with LDC Article XI – Hurricane Preparedness Section(c) “Evacuation impacts. One or a combination of the following options may be used to address the impacts on hurricane evacuation routes with respect to evacuation timing and infrastructure precipitated by the proposed residential development. Acceptability and appropriateness of the type of mitigation proposed will be determined by the Division and the Lee County Department of Transportation (DOT).

(1) Roadway elevation or improvements. Acceptability and appropriateness of this option will be determined by the DOT based upon the residential development vulnerability conditions. Mitigation under this option may include one or more of the following:

- a. Construction of roads in the development or subdivision will be built to meet the same elevation of the nearest segment of a designated evacuation route. Determination as to the applicable route or segment will be made by the division in consultation with the Lee County DOT.
- b. Construction of the main access or spine road in the development or subdivision to an elevation meeting the one in ten to the one in 25-year storm event. The Lee County DOT will determine the applicable storm event standard.

The combination of a LDC shelter mitigation payment requirement, future residents paying yearly Ad Valorem tax funding to Lee County’s All Hazard MSTU fund, high evacuation route capacities in the project area and evacuation impact mitigation the community residents loss of life can be prevented. These losses of life mitigation measures will continue to protect the public’s health, safety and welfare in the surrounding area from the proposed development’s minor impact on hurricane shelter and evacuation. These loss of life mitigation measures are **consistent with Goals 73, 95, 101, Objectives 73.1, 101.3, Policies 72.2.2, 73.2.2, 101.1.4, 101.3.4 and 101.3.5.**

Conclusion

In conclusion, it is my expert opinion the proposed project is **consistent with the Lee Plan Goals 73, 95, 101, Objectives 73.1, 101.3, 101.3, Policies 5.1.2, 72.2.2, 73.2.2, 101.1.1, 101.1.4, 101.3.2, 101.3.4, 101.3.5, 128.6.6, LDC** and state law related to CHHAs and hurricane preparedness/mitigation. The Lee Plan or state law do not preclude development in the CHHA as long there is consistency with the Future Land Use Map, Goals, Objectives and Policies. The combination of loss of life and property mitigation measures listed below will ensure the protection of the public health, safety and welfare.

- FIRM elevation requirement plus one-foot applicant commitment for new construction at the CHHA mean tide SLOSH Model level of 8 feet (**consistent with Policy 5.1.2 Goal 101, Objectives 101.1 and 101.3 and Policies 101.1.1, 101.3.2 and 101.3.5.**
- Preservation of ±165.6 acres (48% of property) into a conservation easement. The project will be 60% open space and will preserve 93% of the wetlands on site that will dissipate wave energy and storm surge and protect the proposed project from the effects of velocity flooding and wave action associated with storm events (**consistent with Goal 101, Objectives 101.1 and 101.3 and Policies 5.1.2, 101.1.1**

and 101.3.2).

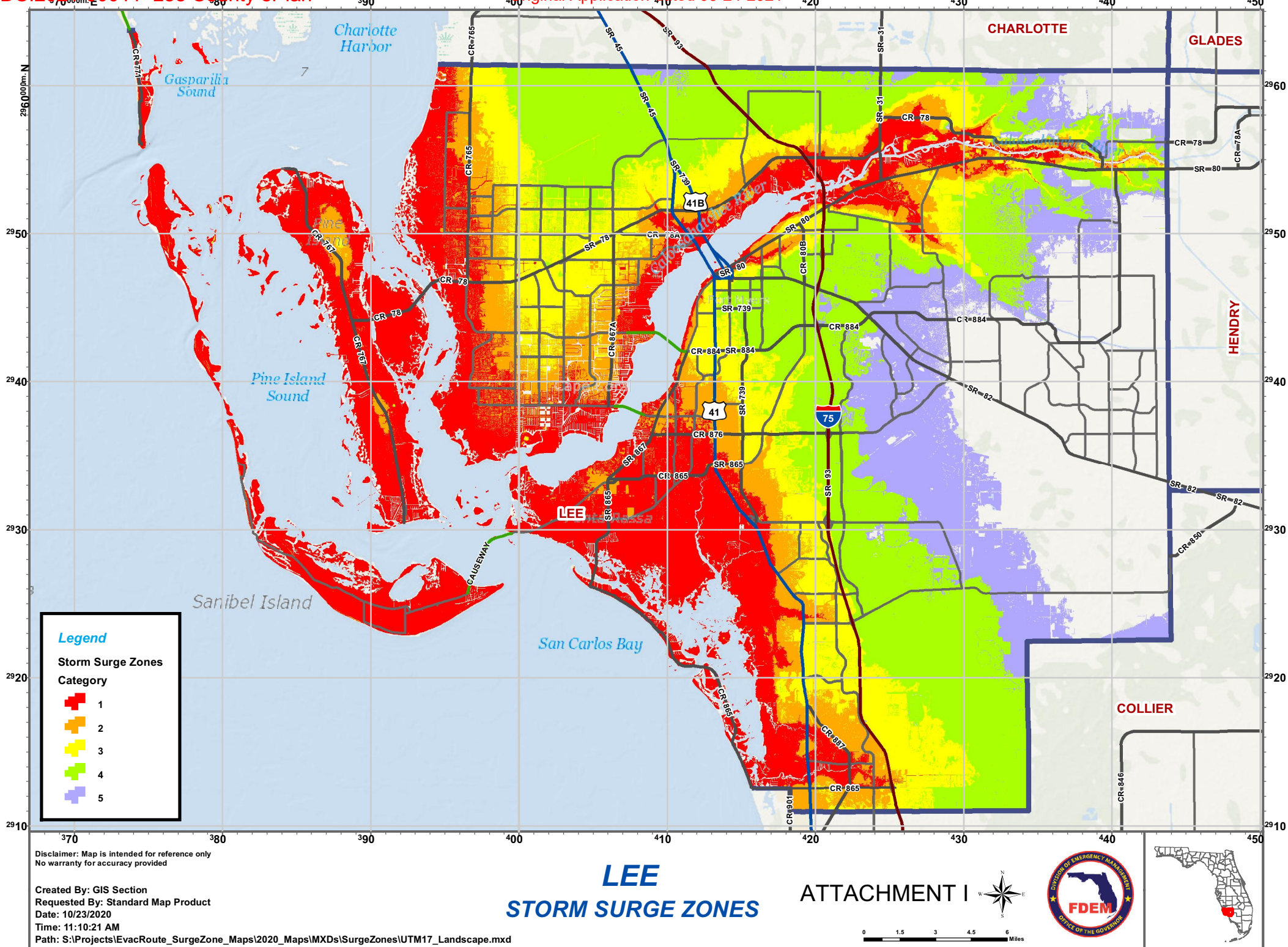
- Category 4 hurricane wind building code construction standards **(consistent with Goal 101 and Objective 101.3).**
- Development of a hurricane plan with county assistance for the multi-slip docking facility which describe measures to be taken to minimize damage to marina sites, neighboring properties, and the environment **(consistent with Goal 101, Objective 101.3 and Policies 101.1.1, 101.3.2, and 128.6.6).**
- De Minimis evacuation time increase where there is adequate evacuation road capacity in project area of the county to evacuate the storm surge area **(consistent with Goals 73, 101, Objectives 73.1, 101.3, Policies 72.2.2 and 101.1.4)**
- LDC shelter impact mitigation payment of \$33,264.38 **(consistent with LDC Article XI – Hurricane Preparedness Section 2-485(b)(3) and Lee Plan Goals 73, 95, 101, Objectives 73.1, 101.3, Policies 72.2.2, 73.2.2, 101.1.4, 101.3.4 and 101.3.5).**
- LDC evacuation impact mitigation **(consistent with LDC Article XI – Hurricane Preparedness Section 2-485(c)(1) and Lee Plan Goals 73, 101, Objectives 73.1, 101.3).**
- Future residents paying yearly Ad Valorem tax funding to Lee County’s All Hazard MSTU fund will mitigate for any additional demand on sheltering and evacuation in the county **(consistent with Goals 73, 95, 101, Objectives 73.1, 101.3, Policies 72.2.2, 73.2.2 and 101.3.4).**
- The project will comply with Florida Statutes Chapter 163.3178(8)(a)3. Coastal Management **(consistent with Goals 73, 95, 101, Objectives 73.1, 101.3, Policies 72.2.2, 73.2.2, 101.1.4 and 101.3.5).**

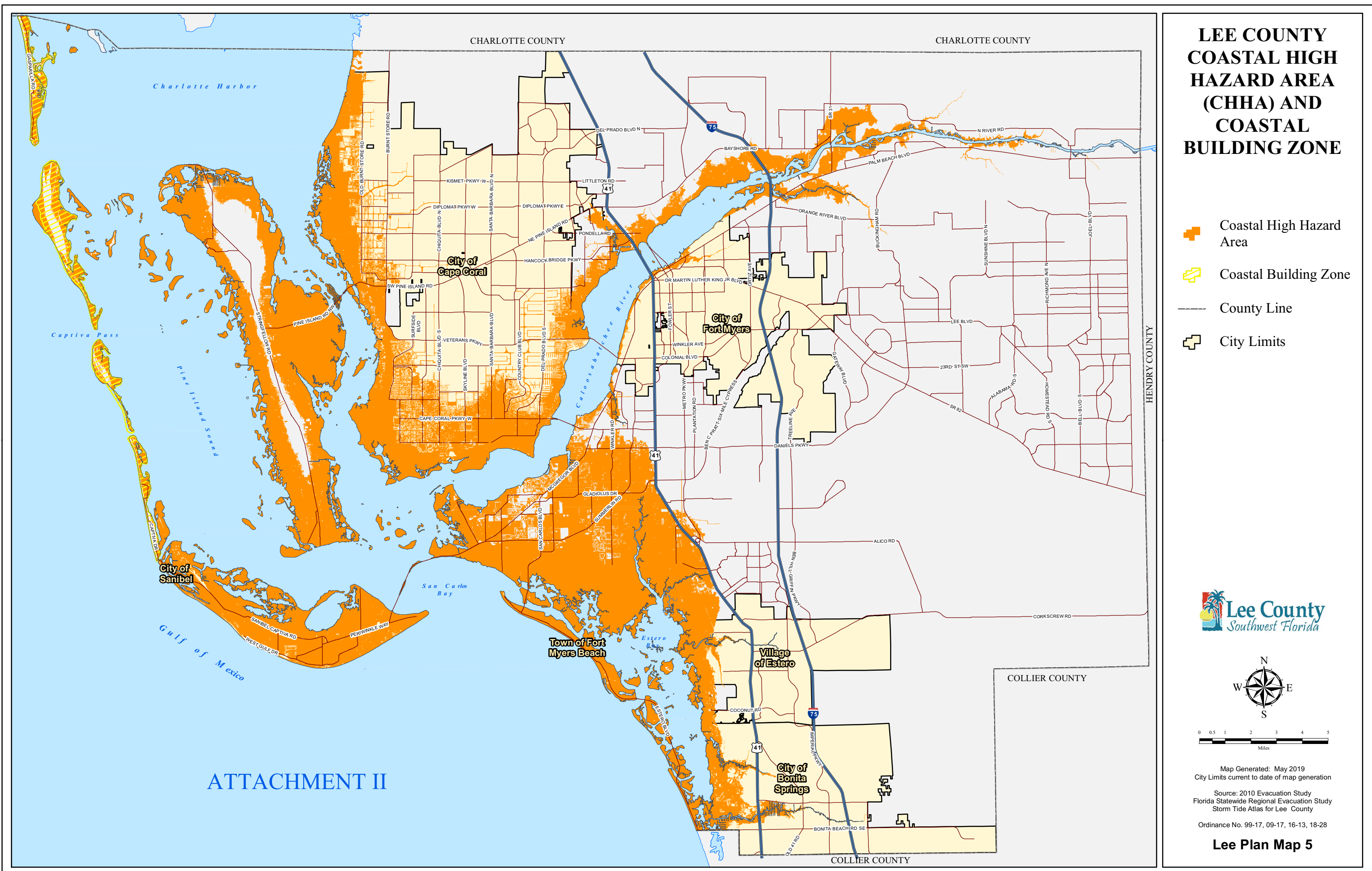
If you have any questions, please let me know.

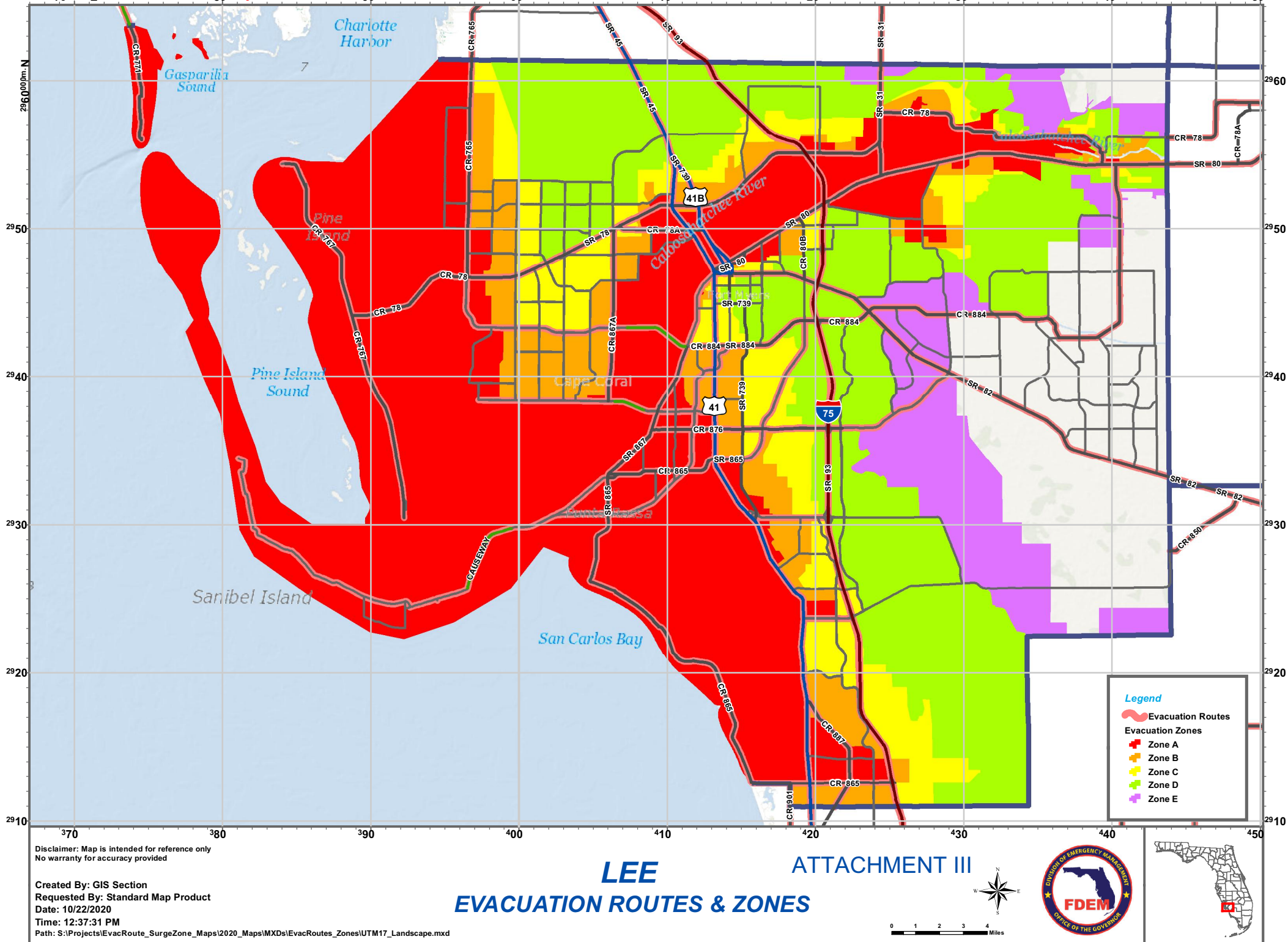
Sincerely,

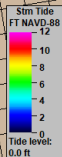


Daniel L. Trescott, MSP
President





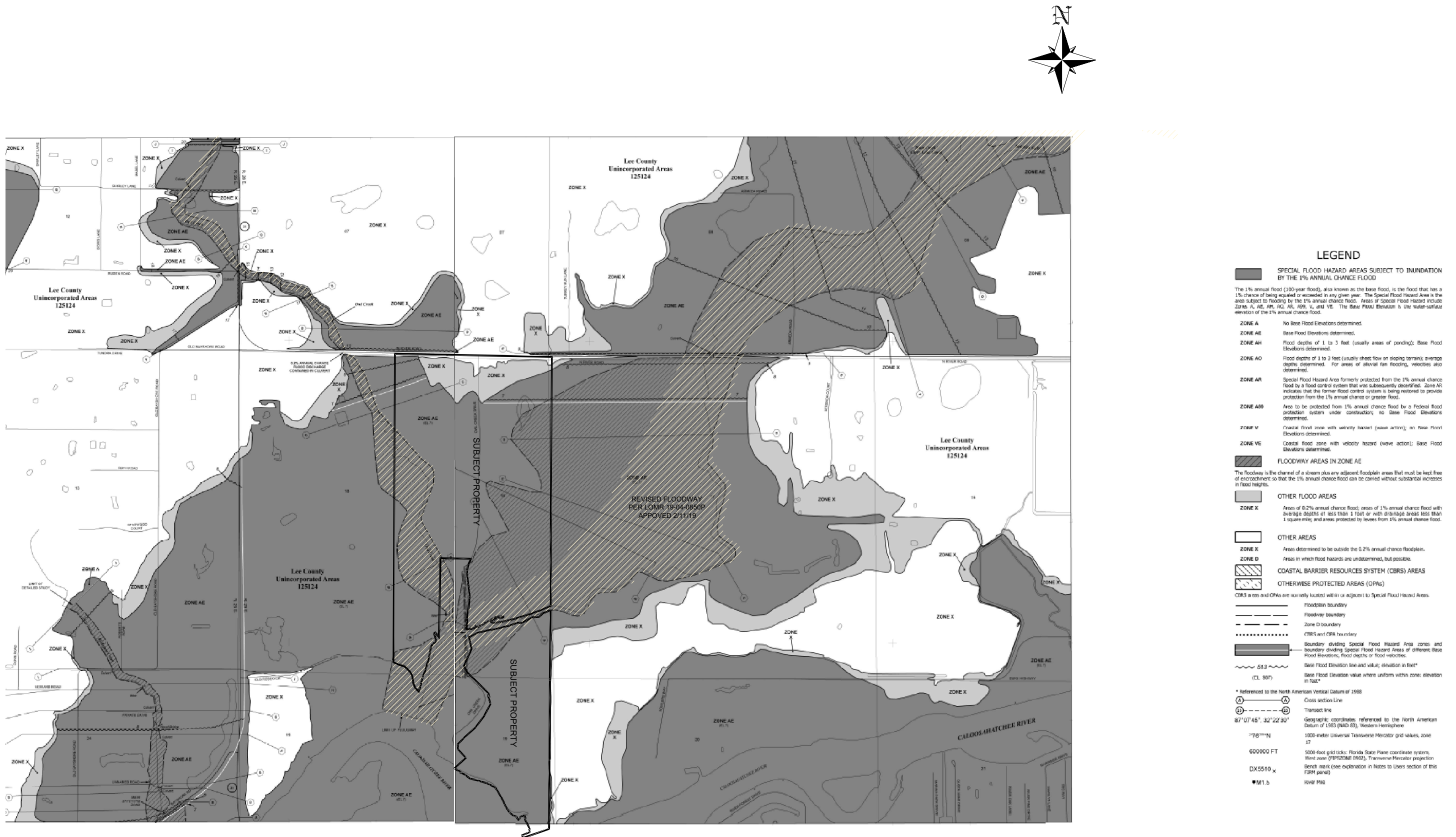




ATTACHMENT IV



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



BANKS
ENGINEERING

Professional Engineers, Planners, & Land Surveyors
Serving The State Of Florida

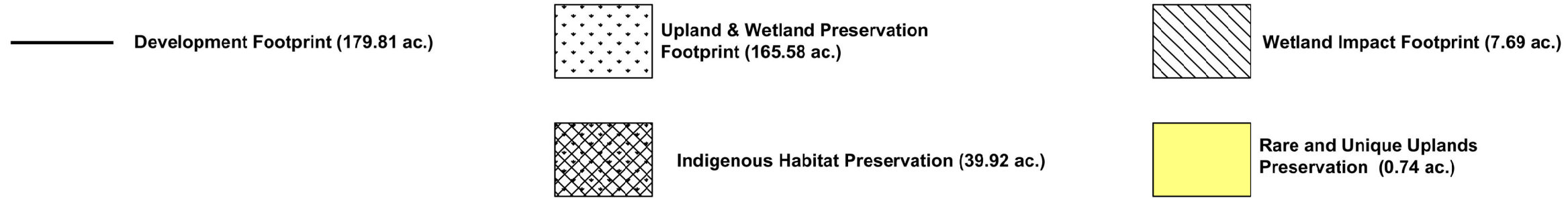
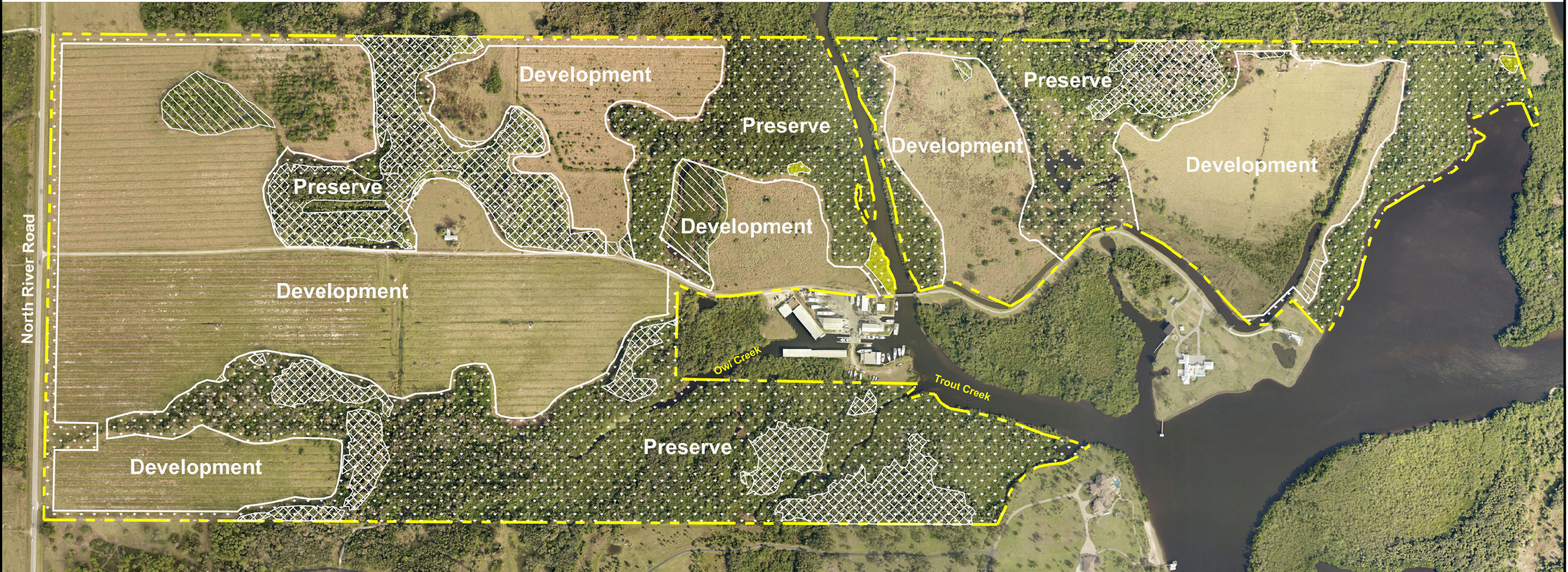
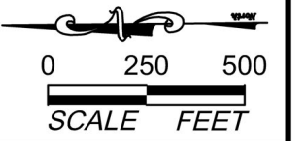
10511 SIX MILE CYPRESS PARKWAY
FORT MYERS, FLORIDA 33966
PHONE: (239) 939-5490 FAX: (239) 939-2523
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690
WWW.BANKSENG.COM

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

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



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

DEXBENDER
ENVIRONMENTAL CONSULTING
FORT MYERS 239-334-3680



John E. Manning
District One

August 7, 2020

Via E-Mail

Cecil L Pendergrass
District Two

Jennifer Sheppard

Raymond Sandelli
District Three

Banks Engineering

Brian Hamman
District Four

10511 Six Mile Cypress Parkway
Fort Myers, FL 33066

Frank Mann
District Five

RE: **Potable Water and Wastewater Availability**

Roger Desjarlais
County Manager

**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**

Richard Wm Wesch
County Attorney

Dear Ms. Sheppard:

Donna Marie Collins
*County Chief
Hearing Examiner*

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.

Owl Creek - Letter.Docx

August 7, 2020

Page 2

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
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.



Kevin Ruane
District One

January 25, 2021

Via E-Mail

Cecil L. Pendergrass
District Two

Ray Sandelli
District Three

Brian Hamman
District Four

Frank Mann
District Five

Roger Desjarlais
County Manager

Richard Wesch
County Attorney

Donna Marie Collins
County Hearing Examiner

Stacy Ellis Hewitt, AICP
Banks Engineering
10511 Six Mile Cypress Parkway
Fort Myers, FL 33966

**RE: Letter of No Objection for sewer service by FGUA
Owl Creek; 12850 N. River Road, 18420 and 17900 Owl Creek Drive
Strap #s: 18-43-26-00-00002.0020, 18-43-26-00-00002.0000, and 19-43-
26-00-00002.1020**

Dear Ms. Hewitt:

This letter is in response to your request for a Letter of No Objection to Florida Governmental Utility Authority (FGUA) providing sanitary sewer service to the above referenced addresses.

Please be advised that the subject addresses are not located within Lee County Utilities' (LCU) service area and we have no sanitary sewer lines in operation adjacent to the site.

Per Lee Plan Policy 56.1.1, LCU may object to sanitary sewer utilities applying to provide or expand service to areas within unincorporated Lee County that are not included in the areas illustrated on Map 7.

LCU has no objection to the FGUA providing sanitary sewer service to the subject addresses.

If you should have any questions, or require further assistance, please do not hesitate to contact our office at (239)533-8181.

Sincerely,

A handwritten signature in blue ink, appearing to read "N. Beals".

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

**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

Letter of Availability
Page 2 of 3

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.



ALL UTILITY LOCATIONS SHOWN HERE ARE APPROXIMATE. THE DEVELOPER IS SOLELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS VIA POTHOLING OR OTHER ACCEPTABLE MEANS.



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).

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@bankseng.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

Incomplete
Applications
Will Not Be
Processed

Water Resources Report Owl Creek Alva, Lee County, Florida

Banks Engineering, Inc.
10511 Six Mile Cypress Parkway, Suite 101
Fort Myers, Florida 33966



MARCH 2021



13620 Metropolis Avenue, Suite 110
Fort Myers, Florida 33912
O 239.204.5300 - F 866.398.2426
www.waterscienceassociates.com

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Figure 2.	Owl Creek Project Site, Regional Watershed Setting
Figure 3.	Aquifer System Underlying Owl Creek in North Lee County
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Table 2.	Summary of Surface Water and Groundwater Sampling Parameters

SECTION A

EXECUTIVE SUMMARY

The Owl Creek project is a proposed residential development located in Sections 18 and 19, Township 43 South, Range 26 East in Alva, Lee County Florida. The project is situated immediately south of State Road 78 and approximately 0.5 miles east of State Road 31 between the Caloosahatchee River to the south, Babcock Ranch Community to the north, and rural and agricultural areas to the east and west. The site consists of approximately 340 acres of predominantly farm fields and undisturbed areas. The fields have a historic agricultural irrigation water use extending from the 1950's through present with water use exceeding 700,000 gallons per day from the Sandstone Aquifer.

Projected irrigation water demands for the project are lower than the historic agricultural use and proposed irrigation supplies will be developed from a combination of stormwater harvesting of the project stormwater management system with supplements from the Sandstone Aquifer. Neither of the proposed irrigation water sources are currently used or projected to be used by Lee County Utilities in the vicinity of the project area. Potable water supplies will be provided by Lee County Utilities and wastewater utility services will be provided by Florida Governmental Utility Authority (FGUA) with the privately funded expansion of services to the project site.

The proposed Owl Creek development currently lies within the North Olga Community Planning area and is designated within the Future Land Use Map (Lee Plan Map 1, page 1 of 7) as Rural and Wetland categories. The North Olga Community Planning area provides protections to the rural character of the community through restrictions on residential density. A new Future Land Use Category called the Sub-Outlying Suburban use is proposed for the County's comprehensive plan. The proposed category recognizes that low-density residential development is appropriate for the area and can contribute to the County's water resource improvement initiatives through enhanced onsite water management design. The plan amendment has provisions of development that achieve conservation and enhancement of important environmental resources, including water quality, hydrological, and infrastructure enhancements, and protection of the rural character of the surrounding community. The Sub-Outlying Suburban category specifically recognizes the subject property's strategic location proximate to the Caloosahatchee Estuary watershed and its ability to implement and further the County's long-term goals of protecting groundwater and improving surface water management in northern Lee County.

SECTION B INTRODUCTION

Project Overview

The Owl Creek project is an approximately 340 acre proposed residential development located in Sections 18 and 19, Township 43 South, Range 26 East in Alva, Lee County Florida within the North Olga Community Planning area. The property was formerly used for agricultural purposes and consists of fallow farm fields and heavily impacted wetland areas. The project historically maintained an agricultural water use permit and currently maintains a livestock water use permit for the Blackburn Groves project.

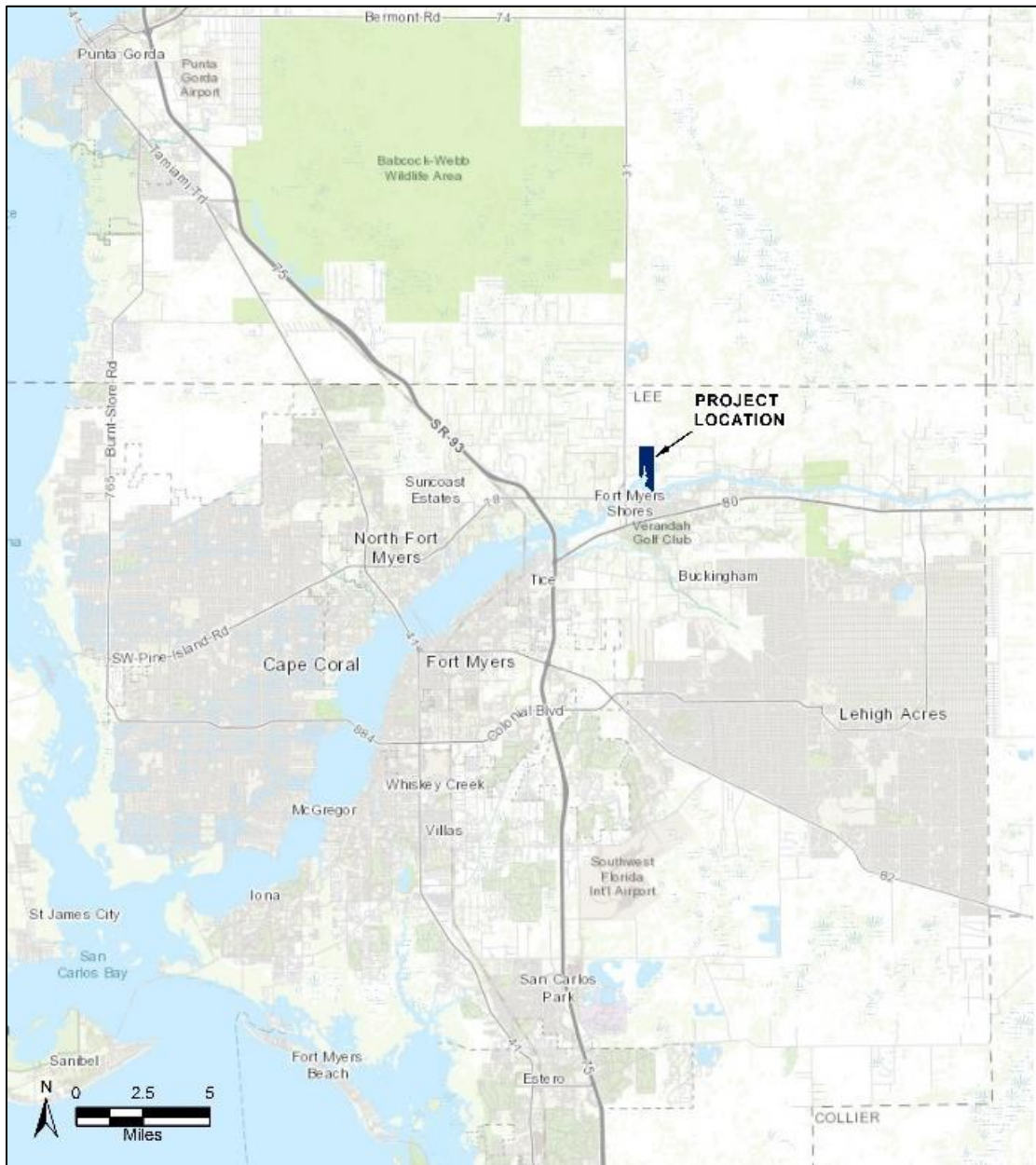


Figure 1. Location of the Owl Creek Project

The project is situated immediately south of State Road 78 and approximately 0.5 miles east of State Road 31 between the Caloosahatchee River to the south, Babcock Ranch Community to the north, and rural and agricultural areas to the east and west. The project lies within the Tidal North watershed and the Trout Creek sub-watershed of the Caloosahatchee Estuary. Tributaries of the Caloosahatchee Estuary watershed including Trout Creek and Owl Creek, flow through the project area from the north and northeast. The Owl Creek project will include a number of stormwater management lakes to provide improved flood management and water quality treatment of stormwater runoff. A number of onsite design and control features are planned to protect and enhance the water quality in the onsite lakes prior to leaving the development into the adjacent watersheds. The stormwater management system will be designed to meet or exceed state and local water quality standards.

Past Land Use and Water Use

The Owl Creek project falls within three parcels that have been used in the past for agricultural production. The project site was largely undisturbed land until the early 1950's when it was converted to agricultural use. Review of aerial photography indicates that active agricultural activity continued through the mid to late 2000's. The project site, known as Blackburn Groves, maintained a water use permit (WUP No. 36-00594-W) for irrigation through the South Florida Water Management District (SFWMD) since the mid 1980's. Information on file with the SFWMD indicates that the farm irrigated up to 115 acres of citrus groves until October 1996 where the permit was allowed to expire. The permit was renewed in 2008 for the continued agricultural operations and most recently modified in 2013 for the conversion of citrus grove irrigation to a livestock water supply. Permitted allocations are from the Sandstone Aquifer via two existing groundwater wells. Prior to the conversion to livestock water supply, the facility was permitted for a peak allocation of 22.6 million gallons per month (0.73 mgd) on a maximum monthly basis and 105 million gallons per year (0.29 mgd) on an annual average basis.

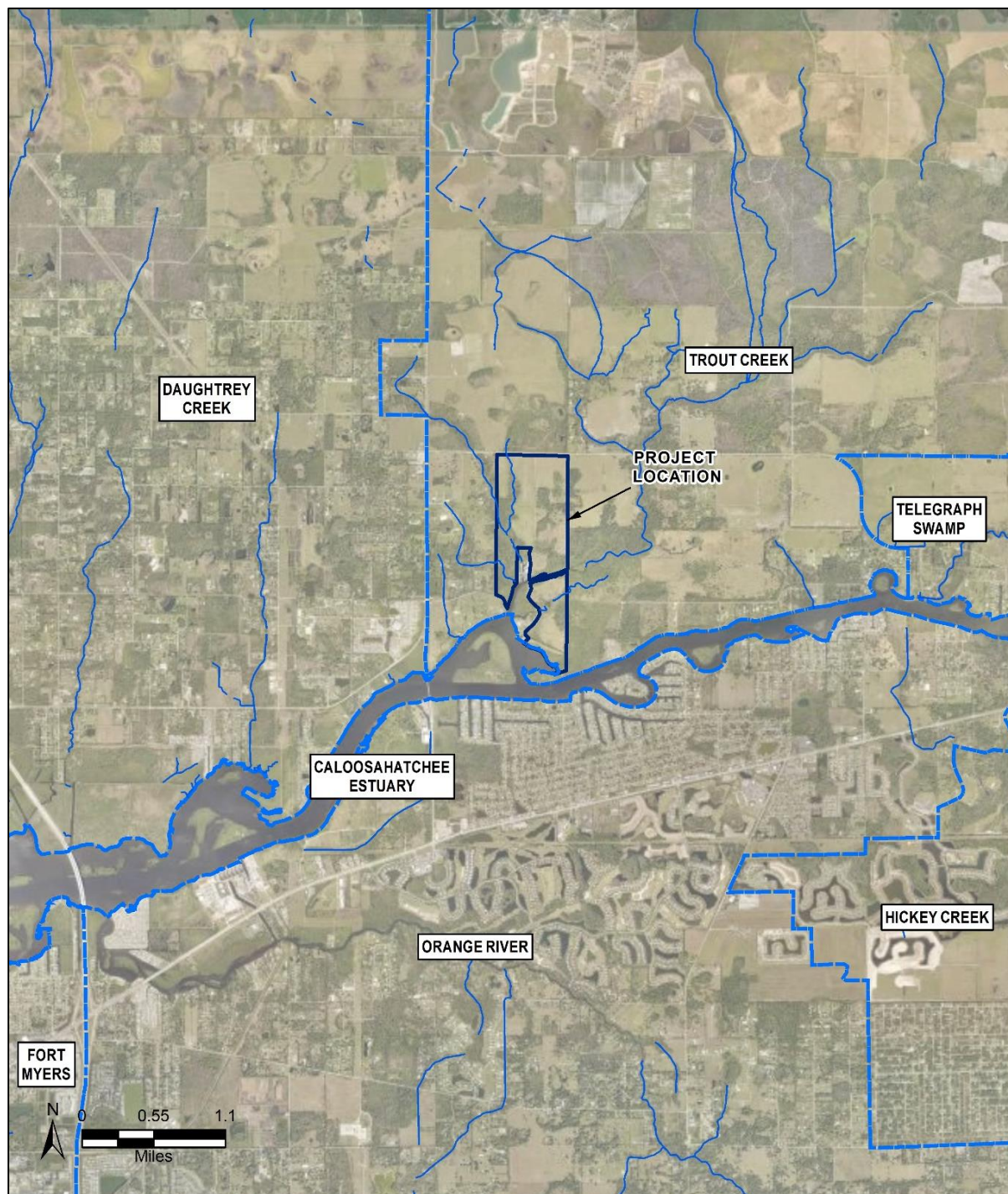


Figure 2. Owl Creek Project Site, Regional Watershed Setting

SECTION C

GROUNDWATER RESOURCES

Introduction

The hydrostratigraphy underlying the Owl Creek project is typical for northern Lee County with a series of aquifers and confining beds occupying the Surficial, Intermediate, and Floridan Aquifer Systems. Figure 3 provides a schematic showing the groundwater sources in north Lee County. In general, freshwater sources are the Water Table and the Sandstone Aquifers. The underlying Mid-Hawthorn Aquifer of the Intermediate Aquifer System is slightly to moderately brackish and generally low yielding and inconsistent in occurrence and continuity in the project area. Highly brackish and saline water sources include the Lower Hawthorn Aquifer and underlying zones of the Upper Floridan Aquifer.

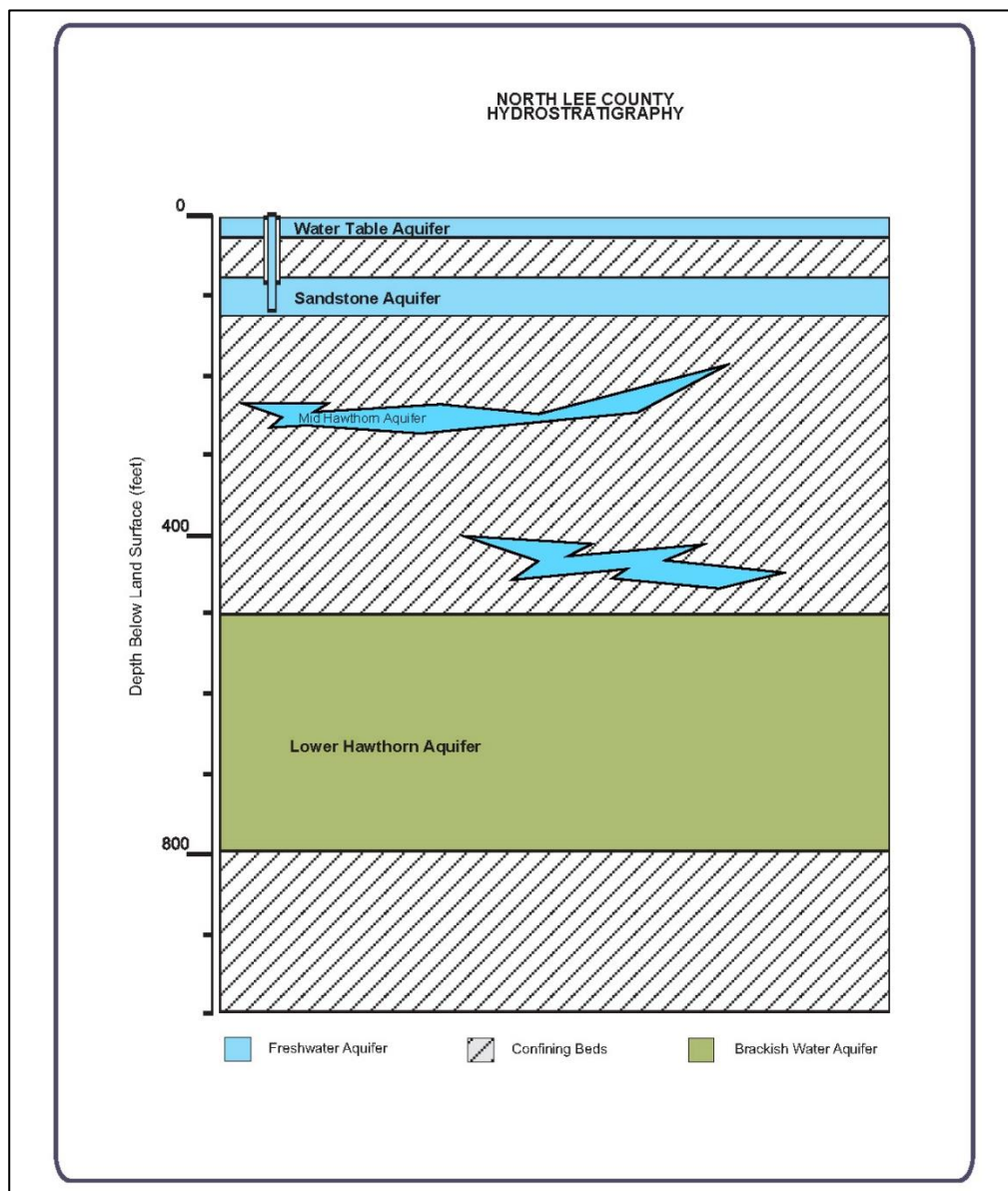


Figure 3. Aquifer System Underlying Owl Creek in North Lee County

Four primary aquifers are of significance beneath the Owl Creek project site and are described below in order of increasing depth. These are the Water Table, the Sandstone, the Mid-Hawthorn, and the Lower Hawthorn Aquifers. Deeper underlying aquifers are too saline for direct use at the site. The primary sources of information used to characterize the groundwater resources include information from Lee County, South Florida Water Management District, and U. S. Geological Society.

Water Table Aquifer

The Water Table aquifer is an unconfined aquifer that covers all of Lee County. The aquifer is defined as occurring at or near land surface downward to the top of the first regional confining bed. Beneath the Owl Creek project, the thickness of the aquifer is approximately 10 to 20 feet. The aquifer generally consists of sand and shell overlying porous limestone beneath the project site. The limestone portions of the aquifer typically have a moderate to low permeability and relatively thin in the project area making the aquifer unsuitable for medium to large capacity water production wells. Further the Water Table Aquifer in the vicinity of the project site is over drained by the influences of its topography and vicinity to the Caloosahatchee River. Use of the aquifer is typically limited by the potential for impacts to natural wetland areas from drawdown in the aquifer water level. The aquifer is recharged directly by rainfall with discharges occurring by way of natural or man-made surface drainage features, evaporation and transpiration, and by pumpage from wells. Groundwater flow and levels in the aquifer fluctuate seasonally in response to climatic conditions but are also impacted by local and regional drainage features. Water quality in the aquifer is generally very good and useful for both drinking water and irrigation water needs although high concentrations of naturally occurring iron and organic material are common. Lake extraction is the most efficient use of this aquifer for irrigation purposes, which also typically results in less iron and organic staining, as well as reduced impact to area water levels. Approximately 60-80 feet of confining beds consisting of low permeable clays and silts of the Upper Hawthorn Confining unit are encountered at the base of the Water Table Aquifer.

Sandstone Aquifer

The Sandstone Aquifer underlies the Hawthorn Confining unit and Water Table Aquifer in the northern portion of Lee County. Review of lithologic logs of nearby wells indicates that in the area of the project site, the top of the Sandstone is expected to occur approximately 100 feet below land surface. The Sandstone Aquifer is the uppermost aquifer in the Intermediate Aquifer System and consists of unconsolidated sands and poorly consolidated sandstone. The unit varies in thickness in the area of the project site, ranging from about 30 and 45 feet. The Sandstone aquifer is predominately fresh and can become slightly to moderately brackish closer to the Caloosahatchee River. Salinities however, are generally low enough for either general irrigation supply or blending with fresher water sources for irrigation supply. Productivity of the aquifer is moderate and is the typical water source used in the area of the Owl Creek project. The aquifer is recharged where overlying confining beds are thin or absent in Hendry and Glades County. Discharge from the aquifer generally occurs as pumpage from wells. Fluctuations in seasonal water levels are common near the Owl Creek project project site with wet season levels near their historic highs (near land surface) and dry season water levels often at depths of 10 feet. However, dry season water levels can be found at depths of excess of 30 feet in the Lehigh Acres area due to excessive usage. Use of the Sandstone Aquifer to supplement stormwater from the onsite lake system is proposed to meet irrigation demands at the Owl Creek project.

Mid Hawthorn Aquifer

The Mid-Hawthorn Aquifer is the lowermost aquifer in the Intermediate Aquifer System in Lee County. It consists of moderately permeable limestones of the Arcadia Formation and is separated from the overlying Sandstone Aquifer and underlying Lower Hawthorn Aquifer by thick clay confining beds of the Peace River and Arcadia Formations. It has moderate yield characteristics in western Lee County and exists as a sequence of interbedded limestones and marls that occur at depths between 200 and 300 feet below land surface. The interbedded limestone units generally thin moving eastward in north Lee County, making the aquifer unsuitable for medium to large capacity water production wells. This aquifer is recharged north of Charlotte County where the aquifer is much nearer to land surface and overlying confinement is thin or nonexistent.

Lower Hawthorn Aquifer

The Lower Hawthorn Aquifer is the uppermost water bearing unit in the Upper Floridan Aquifer System. The aquifer has good yield potential but contains brackish water that is only useful for irrigation if blended with other freshwater resources and is only useful for public water supply using reverse osmosis or other desalination technologies. The top of this aquifer is anticipated to be encountered at depths between about 500 and 600 feet below grade at the Owl Creek project site. The aquifer is separated from the overlying Mid-Hawthorn Aquifer by the Lower Hawthorn Confining Zone which consists of marine silts and clays of very low permeability. The Lower Hawthorn Confining Zone has a thickness of about 200 feet. The aquifer is recharged in the central Florida highlands area between Tampa and Orlando where the aquifer beds are near land surface and confining beds are thin or absent. In general, the South Florida Water Management District supports increased use of the Lower Hawthorn/Upper Floridan aquifer especially for public water supply use. Lee County Utilities uses the Lower Hawthorn Aquifer to feed a reverse osmosis water treatment plant for development of public water supply. The Owl Creek project proposes no use of the Lower Hawthorn Aquifer.

SECTION D

SURFACE WATER RESOURCES

Onsite Lakes

The development will include stormwater management lakes to provide flood control and water quality treatment. A number of design and control features are planned for the Owl Creek project to protect and enhance the quality of water in the lakes and adjacent watersheds and provide for hydrological improvements on the project site (refer to Figure 5 for a conceptual site plan). These elements include collection, treatment, and conveyance of stormwater within the project's water management system, the use of filter marshes, and other water treatment BMP's, and centralized control over the application of irrigation water.



Figure 4. Typical Stormwater Management Lake

The stormwater management system will include the collection and detention of all stormwater generated on the site and will provide stormwater treatment through various dry and wet detention elements within the development footprint that meet or exceed water quality requirements of the South Florida Water Management District, the Florida Department of Environmental Protection, and Lee County. The Owl Creek project will include a Lake Management Plan following BMP's for erosion control and bank stabilization; deep lake management; and fertilizer and pesticide use to reduce nitrogen and phosphorous loading to the stormwater management system. Additionally, the project will incorporate multiple required best management practices to ensure a maximum potential treatment stormwater including a water quality treatment train consisting of a combination of sediment traps, dry / wet detention, and planted filter marshes that provides a high level of treatment of both onsite generated stormwater and regional flow-through of surrounding area watersheds.

Centralized control of the operation of the irrigation system results in improved adherence to Best Management Practices and water use compliance than if individual homeowners have control of these functions or the ability to override irrigation programming. Application of fertilizers and pesticides within the common areas in the yards of lots/parcels will be controlled and managed by the Homeowners Association. Similarly, the irrigation of residential lots and common areas will be centrally controlled to meet conditions of applicable water use permits, local ordinances, and periodic water use restrictions. Individual homeowners will not have the ability to override irrigation times or quantities.

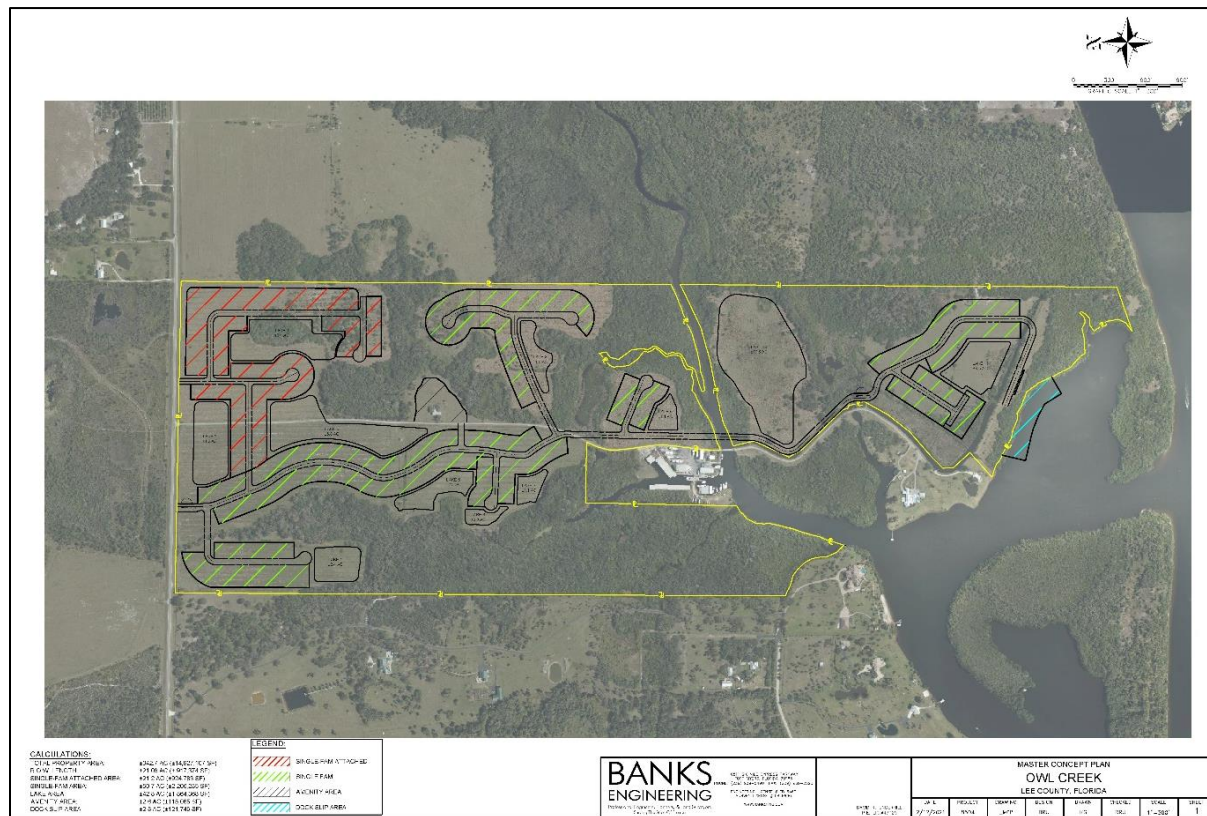


Figure 5. Conceptual Site Plan

SECTION E

WATER DEMANDS

Water demands at the proposed project will consist of in-house potable water and outside irrigation uses. An amendment to Lee County's Future Water Service Areas, Lee County Utilities (Lee Plan Map 6) is proposed to include the Owl Creek project to allow for privately funded expansion of water service to the development. Potable water service will be provided by Lee County Utilities and Wastewater service will be provided by Florida Governmental Utility Authority (FGUA) with privately funded expansion of the utility services. Irrigation demands will be met with onsite sources including harvesting stormwater from the onsite stormwater lake system with re-supply by groundwater withdrawals. The lake withdrawals will provide an efficient and low impact method for tapping the Water Table Aquifer underlying the project site and effectively harvest available stormwater supplies. Lake volume storage will minimize potential impacts to surface and groundwater levels. Recharge of the lakes from the Sandstone Aquifer will minimize the potential for wetland impacts and provide an effective blending system for slightly brackish water known to occur in the aquifer near the River. The project has a long history of permitted agricultural withdrawals from the Sandstone Aquifer that are larger than the proposed irrigation demands for the Owl Creek project.

Potable Water and Wastewater

Lee County Utilities and FGUA will provide potable water and wastewater services respectively to the project. This will eliminate the need for individual domestic self-supply wells and individual onsite sewage treatment and disposal systems (septic tanks) which are common for many rural areas of Lee County. Provision of central public utilities to the Owl Creek project will provide a number of desirable environmental and hydrological advantages. Supplying potable water to the project from the nearby water treatment facility will remove a potentially competing water use from the freshwater aquifers and allow for improved planning and control of area water resources. Similarly, provision of a central sewer system will eliminate septic tank discharges in the area providing a higher level of protection to the existing water resources.

Irrigation Water

The project was historically permitted for Sandstone Aquifer withdrawals for agricultural production. Water use permit WUP No. 36-00594-W was established in the mid 1980's and later modified in 2013 for the conversion of citrus grove irrigation to a livestock water supply. Permitted allocations are from the Sandstone Aquifer via two existing groundwater wells. Prior to the conversion to livestock water supply, the facility was permitted for 0.73 million gallons per day on a maximum monthly basis and 0.29 million gallons per day on an annual average basis.

The Owl Creek project will include stormwater management lakes that are hydraulically connected to the Water Table Aquifer. The proposed irrigation system will consist of stormwater harvesting from the stormwater lake management system with these withdrawals re-supplied by groundwater. The proposed source of groundwater to supplement lake withdrawals will be fresh to mildly brackish groundwater from the Sandstone Aquifer. Actual percentages of lake and groundwater withdrawals will be determined during the water use permitting process with the SFWMD. However, the combination of any use of mildly brackish

groundwater and fresh stormwater will maintain a chloride level of less than 200 mg/l in compliance with SFWMD policy. Use of stormwater as a primary irrigation resource reduces use of potable water supplies, provides additional stormwater treatment, reduces offsite discharges of stormwater, reduces nutrient levels of the stormwater outfalls, and reduces reliance on groundwater systems being used to supply potable water to Lee County Utilities and home sites on individual wells.

Irrigated area for the Owl Creek project is estimated to be 70 acres of turf grass and landscaping. Using standard Blaney-Criddle calculations used by the SFWMD for irrigation supply permitting, this acreage will result in irrigation water demands of 11.27 million gallons per month (MGM) on a maximum monthly basis (or about 0.36 million gallons per day) and 80.15 million gallons per year on an average annual basis (0.22 million gallons per day). Table 1 provides a summary of historic water use on the property and proposed allocations for the Owl Creek project. Projected irrigation demands for the Owl Creek project indicate a reduction in the historic maximum monthly use by approximately 50%.

Table 1. Summary of Historic and Proposed Allocations.

Allocation	Historically Permitted 36-00594-W	Proposed Total Allocations	Change form Historic Allocations
Maximum Monthly (MGM)	22.6 MG	11.27 MG	-11.33 MG
Annual Average (MGY)	105 MG	80.15 MG	-24.85 MG

The proposed project will also explore the use of computerized irrigation systems that incorporate onsite data and conditions to provide irrigation on an as-needed bases rather than simply on a scheduled basis. Such systems have been shown to result in reductions in irrigation water use by over 30% in Southwest Florida. In general, these systems operate based on computer software that takes into account soil moisture, rainfall, and elements that influence evaporation and transpiration to determine which locations require irrigation, how much irrigation is needed, and when to apply irrigation water.

SECTION F

IRRIGATION IMPACT ASSESSMENT

Water Levels

Water Science Associates reviewed hydrographs of nearby monitoring wells maintained by Lee County Division of Natural Resources (LCDNR) and surface water data maintained by the SFWMD for the Caloosahatchee River Station (S79_T), located approximately 3.5 miles east of the project and west of the Franklin Lock site shown on Figure 6. The nearest wells to the project site with long term water level data (1992 to present) are 27-GW2, located about 1.25 miles northwest of the project site in the Trout Creek sub-watershed and wells 26-GW2 and 26-GW1 located about 1.6 miles west and 1.1 miles southwest of the project site respectively in the Daughtrey Creek sub-watershed, was also reviewed.

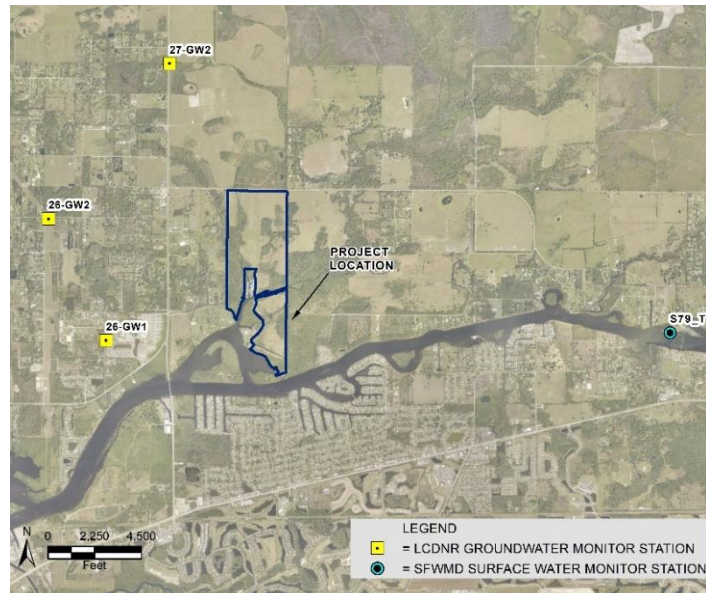


Figure 6. Location of Nearby Water Level Monitoring Stations

The topography in the area of the project site, which influences water elevations, drops significantly from north to south approaching the tidally influenced Caloosahatchee River. In the vicinity of the project site, water level elevations generally range between 0 and 5 feet below land surface depending upon season. The Caloosahatchee Estuary sub-watershed acts as a natural drainage feature for the surrounding areas including surface water from the Trout Creek and Owl Creek within the project area. Groundwater elevations in the upstream monitoring well (27-GW2) show water levels ranging seasonally between +18 and +23 feet NAVD88 with a slight decline trending over the period of record from 1992 to present. Groundwater elevations in well 26-GW2, located laterally to the west of the project site show season water levels ranging between +13 and +18 feet NAVD88 with a steady range over the period of record from 1996 to present. The downstream monitor well 26-GW-1 shows seasonal water levels ranging from 0 and +5 feet NAVD88 reflecting close proximity to regional drainage feature of the Caloosahatchee River. This data shows a steady range over the period of record from 1996 to present. Surface water elevations from the Caloosahatchee River Station S79_T show elevations ranging from -2 feet NAVD to +3 feet NAVD88 and a rising trend for the period of record from late 1990 to present.

One hundred percent of the irrigation withdrawals from the stormwater lake management system will be re-supplied with groundwater from the Sandstone Aquifer. Therefore, there is no impact on the water levels in the Water Table Aquifer from the proposed use. Additionally, the project's water management system will provide enhanced water quality treatment and storage thereby providing a positive impact to groundwater recharge and regional water quality.

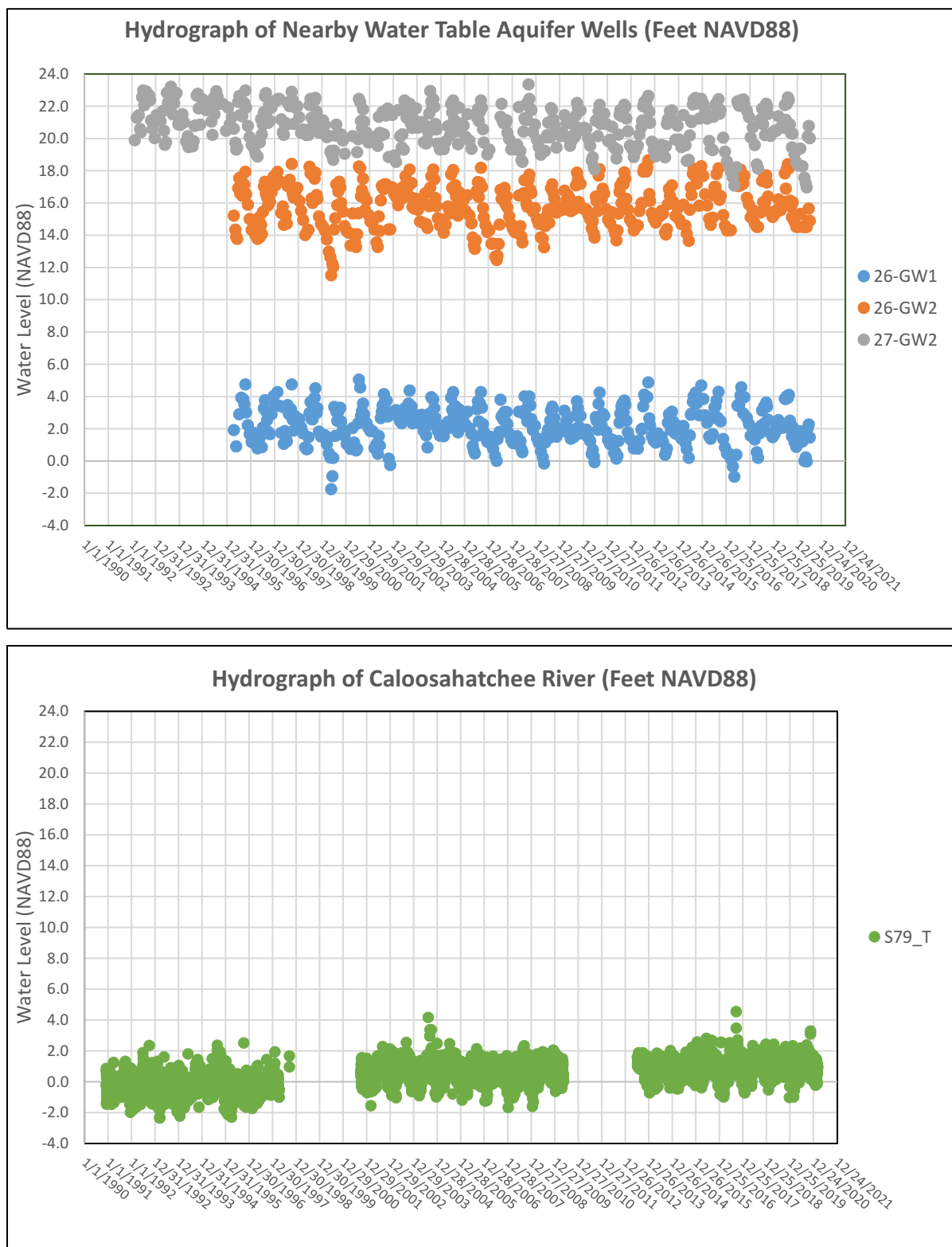


Figure 7. Hydrographs of Nearby Water Level Monitoring Stations

SECTION G

SURFACE WATER AND GROUNDWATER MONITORING PLAN

Purpose

This Surface Water and Groundwater Monitoring Plan will be initiated to establish baseline conditions for the project site and to quantify potential adverse impacts as a result of the proposed residential development. The Surface Water and Groundwater Monitoring Plan includes sampling locations, sampling frequency, reporting requirements, and evaluations of the water level and water quality within the Owl Creek project site. The proposed monitoring plan may be further refined during the Development Order process.

Monitoring

The Surface Water and Groundwater Monitoring Plan includes the installation of a shallow monitor well tapping the upper portion of the Water Table Aquifer (MW-1), a deeper monitor well tapping the upper portion of the Sandstone Aquifer (MW-1A), and one staff gauge installed within the outfall lake system (SG-1) upon operational completion. The locations of the groundwater monitoring wells will be between the proposed stormwater management outfall structure and nearest wetland area. Both monitor wells and the staff gauge will be equipped with electronic water level transducers set to record water levels every 24 hours. Surface water and groundwater monitoring parameters are provided in Table 2 and include contaminant target levels where applicable for surface water and groundwater.

The proposed Surface Water and Groundwater Monitor Plan includes a baseline sampling event followed by subsequent quarterly sampling events. Two quarterly sampling events will be performed during the wet season (June through September) and two sampling events will be performed during the dry season (October through May).

Quality Assurance

Water samples will be collected and handled following protocols contained in Florida Department of Environmental Protection (FDEP) Quality Assurance Rule F.A.C. 62-160 and adopted as the 2014 FDEP Standard Operating Procedures for Field Activities (DEP-SOP-001/01), effective 7/30/2014. Water Quality samples will be collected from both monitor wells and the staff gauge monitoring station. One field blank and a field duplicate will be collected during each sampling event for quality assurance purposes. Chain of custody forms and laboratory analysis reports will be provided in corresponding quarterly reports.

Water samples will be tested by a certified laboratory under the National Environmental Laboratory Accreditation Program (NELAP) using approved test methods and QA testing requirements (i.e. blanks, sample duplicates, surrogates, matrix spikes etc.) as contained in F.A.C 62-160 QA Rules.

Table 2. Summary of Surface Water and Groundwater Sampling Parameters

PARAMETER	UNITS	BASELINE	Quarterly	Groundwater Target Level	Surface Water Target Levels	ANALYSIS TYPE
Total Kjeldahl Nitrogen (TKN)	mg/L as N	x	x	NA	NON-NUMERIC	Laboratory
Ammonia (un-ionized)	mg/L as N	x	x	NA	0.02	Laboratory
Nitrite+Nitrate as Nitrogen (NOX)	mg/L as N	x	x	10	NON-NUMERIC	Laboratory
Nitrite	mg/L as N	x		1	NON-NUMERIC	Laboratory
Nitrate	mg/L as N	x		10	10	Laboratory
Total Phosphorus	mg/L as P	x	x	NA	NON-NUMERIC	Laboratory
Chloride	mg/L	x	x	250	250	Laboratory
Total Dissolved Solids (TDS)	mg/L	x	x	500	500 Average	Laboratory
Florida PRO (TRPH)	mg/L	x		5	5	Laboratory
Arsenic	mg/L	x		0.01	0.01	Laboratory
Copper	mg/L	x	x	1	NON-NUMERIC	Laboratory
Mercury	mg/L	x	x	0.002	0.012	Laboratory
Lead	mg/L	x	x	0.015	NON-NUMERIC	Laboratory
Fecal coliform	MPN	x		NA	200 Average	Laboratory
Temperature	C	x	x	NA	NA	Field
Specific Conductance	mhos/cm	x	x	NA	1275 or <50% Increase	Field
pH	pH units	x	x	6.5-8.5	1 unit from background	Field
Dissolved Oxygen (DO)	mg/L	x	x	NA	>5.0	Field
Lake Stage	ft NGVD	x	x	NA	NA	Field/Recorder
Water Table Aquifer Elevation	ft NGVD	x	x	NA	NA	Field/Recorder
Sandstone Aquifer Elevation	ft NGVD	x	x	NA	NA	Field/Recorder

NA=Not Applicable

Note - Groundwater Target Levels per Chapter 62-550 and Rule 62-520.420, FAC with exception of FL-PRO. FL-PRO is a petroleum screening parameter with a target level of 5 mg/l listed in Chapter 62-777, FAC. Surface Water Target Levels per Chapter 62-302.

Water Monitoring Reporting and Analysis

The Quarterly Surface Water and Groundwater Monitoring Reports will provide evaluation of the analytical results and include conclusions and recommendations. The Quarterly Reports will include a continuous hydrograph of the recorded water levels and updated tables of quarterly water quality sampling results. The data will be reported to the Lee County Department of Natural Resources (LCDNR) in their approved comma delimited electronic format within 30 days of receipt of results from the laboratory. Conclusions and recommendations will be based on applicable target levels and statistical analyses and trends of measured constituents.

Results of water sampling will be compared to applicable target levels, if listed. Parameters that do not have numeric target levels will be evaluated for trends. The surface water and groundwater laboratory results will undergo statistical analyses for the development of conclusions and recommendations within the Surface Water and Groundwater Monitoring Reports. Statistical methods to be used include determination of standard deviations, linear regressions, and calculation of confidence intervals. Once a sufficient data population of laboratory results of sample analyses has been compiled, these statistical tools will be employed to assist in analyzing the data to identify trends and aid in identifying potential concerns.

Once sufficient data is obtained, a 95% confidence interval and a standard deviation value will be calculated and updated with each sampling event. If an analytical result falls outside either the 95% confidence interval, or two standard deviations from the mean, the data will be further evaluated to aid in determining potential anomalous data. Additionally, a linear regression analysis will be performed on each data set to signify trends in the data. If the r^2 value of the regression analysis falls below 0.8, further investigation will be performed to determine the cause of the variability in the results. If the variability is due to seasonal variations, the data will be segregated into seasonal sets, and linear regression analysis will be performed separately on each set, with the above parameters followed.

Should indications of water level or water quality concerns be identified by exceeding target levels or through statistical trend analyses, site conditions will be reviewed and assessed and if indicated, additional samples will be collected. Following any re-sampling event, the LCDNR will be notified of necessary corrective actions. Should potential areas of concern be identified, the Applicant will coordinate with the LCDNR to aid in identifying potential causes and potential needs to modify monitoring parameters, frequency, and/or reporting.

Water Quality Monitoring will continue for a minimum of 5 years from the date of completion of the stormwater management system and may be discontinued if applicable water quality standards are met.

STORMWATER PLANNING REPORT

PREPARED FOR:

Owl Creek RPD

DR Horton
10541 Six Mile Cypress Pkwy
Fort Myers, FL 33966

PREPARED BY:



Professional Engineers, Planners & Land Surveyors

10511 Six Mile Cypress Parkway, Suite 101
Fort Myers, Florida 33966

Existing Conditions

The ***Owl Creek*** development is located in Lee County, Florida, between North River road and the Caloosahatchee River, approximately one mile east of SR 31. The project is located in Sections 18 and 19, Township 43 South, Range 26 East. The project area is located within the Owl Creek and Trout Creek Drainage Basins. These natural creeks traverse the project and connect to the Caloosahatchee River and are tidally influenced within the project. The site has historically been used for agriculture (cattle grazing) and has been partially cleared. The property slopes from North to South and the existing grade varies from elevation 8 in the north, to elevation 2 in the south. Offsite flows from the north cross North River Road and drain through Owl Creek through the project.

Proposed Water Management System

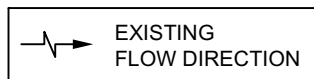
The proposed ***Owl Creek*** project will provide significant wetland and upland preservation and restoration areas and clustered residential development. The development areas will include lakes with residential tracts surrounding these lakes. An amenity area is also planned within the development. The development will primarily occur in the previously cleared areas with a majority of the existing vegetation being preserved. Owl Creek and Trout Creek and their adjacent wetland systems will be maintained as regional flow-ways.

The water management system will include both wet and dry detention areas. Runoff from the developed site will be routed to these detention areas for treatment and storage. Since the site elevation and therefore the wet season water table varies across the site from north to south, the water management system will be divided into several separated basins. These separate basins will be used to help maintain onsite water elevations within the wetland systems.

Runoff will first be routed to dry detention areas for initial treatment. These dry detention areas will overflow to the wet detention areas (lakes). This will maximize water treatment and nutrient removal, which will exceed SFWMD, FDEP and Lee County requirements. The Owl Creek Project will include a lake management plan following BMP's for erosion control and bank stabilization, deep lake management the includes native plantings and aeration of the lakes, and limitations on fertilizer and pesticide application. These features help to improve water quality in the lakes.

After treatment, runoff will be discharged at pre development rates to the onsite wetlands in order to help maintain wetland hydration and provided additional polishing and nutrient uptake.

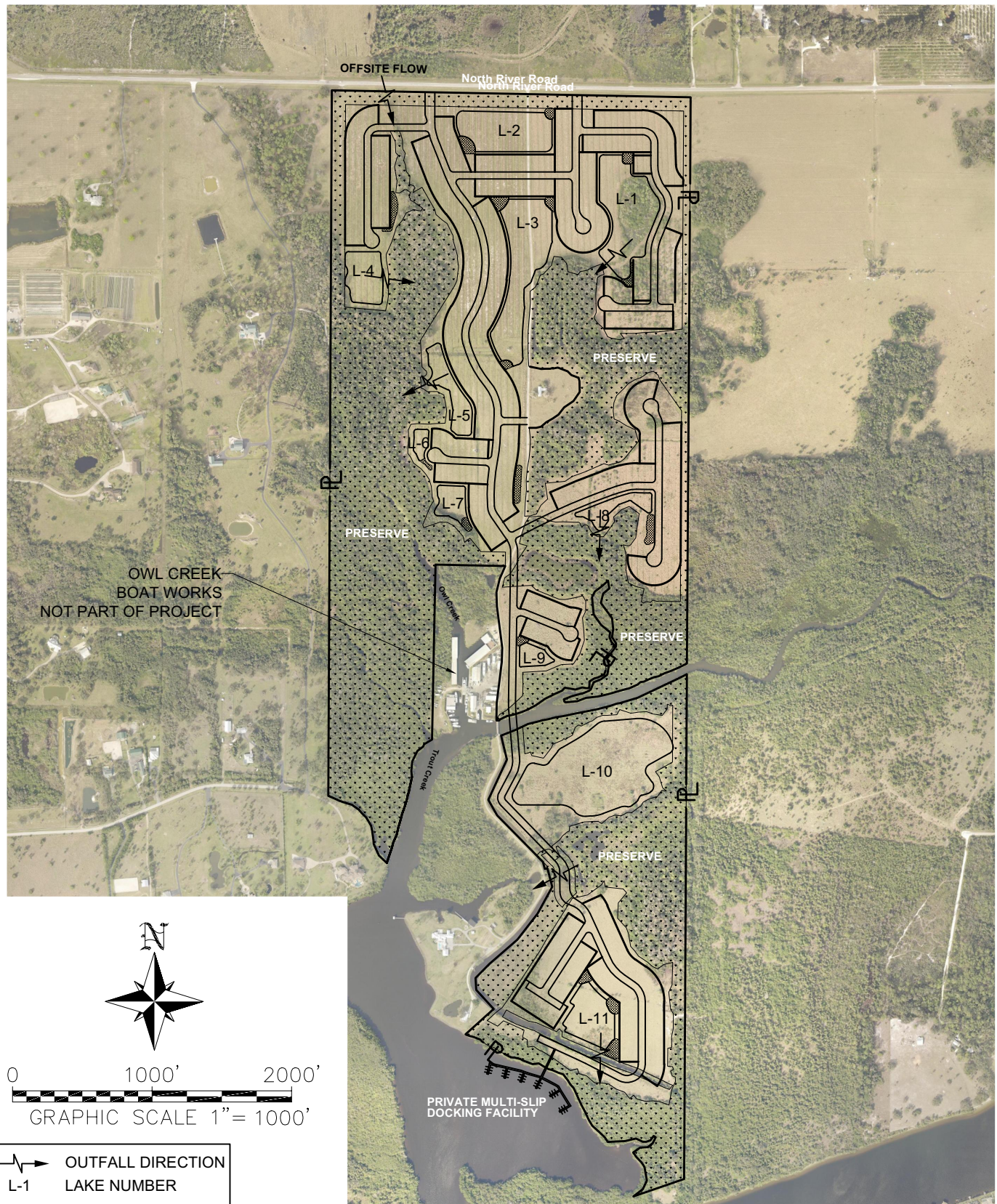
These wetland systems connect to Trout Creek and Owl Creek which discharge to the Caloosahatchee River and are tidally influenced in the project area.



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DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
03/23/2021	8504	_EXHIBIT	KG	KG	DRU	1"=1000'	1



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POST-DEVELOPMENT DRAINAGE MAP

OWL CREEK

LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
03/23/2021	8504	_EXHIBIT	KG	KG	DRU	1"=1000'	1

Owl Creek Parcel

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

Protected Species Assessment & Florida Bonneted Bat Roost Survey

November 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
(239) 334-3680**

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 (see Figure 1). 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 for cattle.

SITE CONDITIONS

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. Many of the forested areas have been disturbed by cattle and primitive surface water management.

VEGETATIVE CLASSIFICATIONS

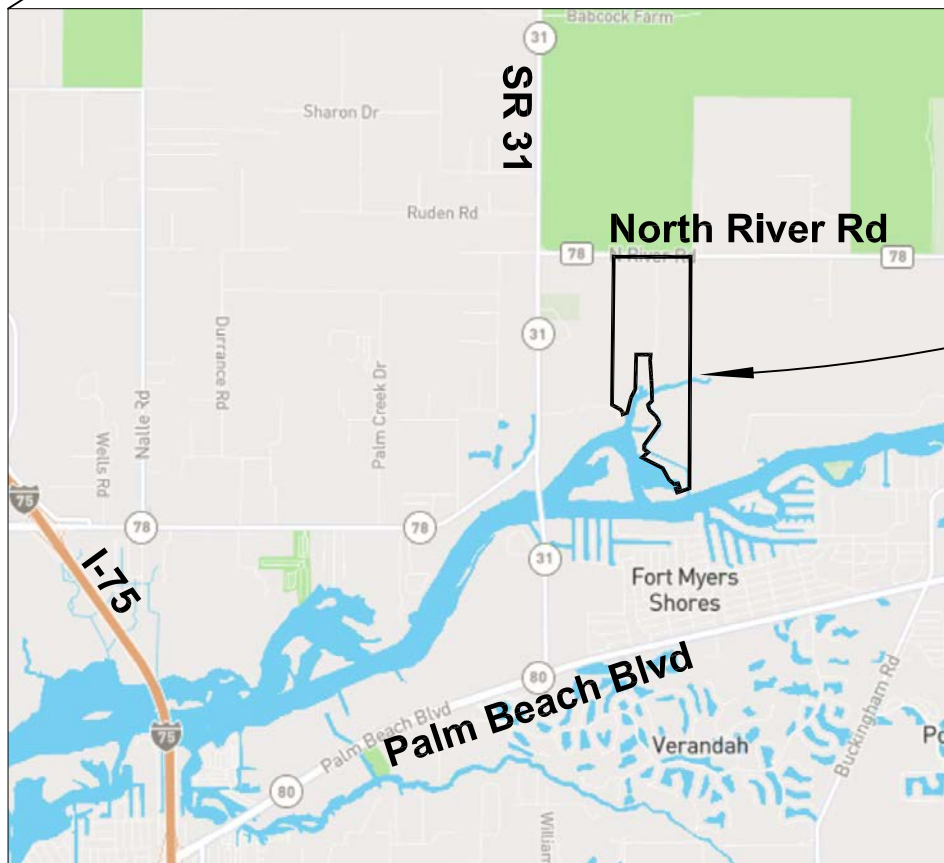
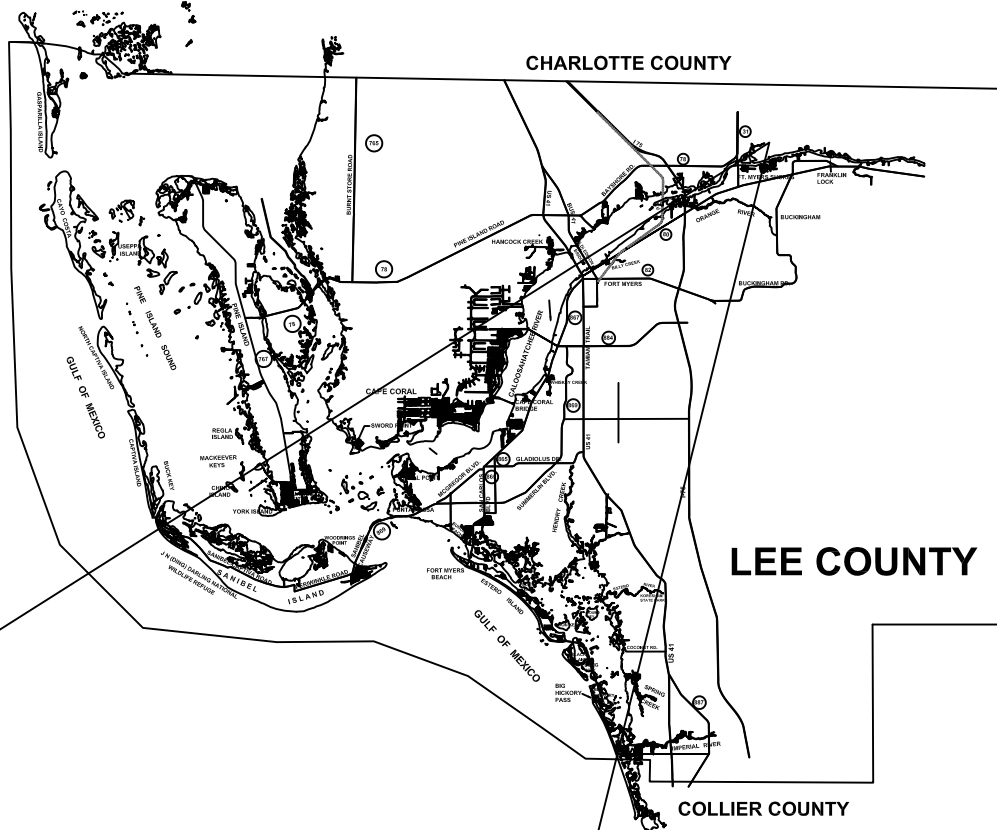
The predominant vegetation associations were mapped based on 2010 digital 1" = 120' scale aerial photography. In order to minimize redundancy only the base FLUCCS Codes are described (i.e. description provided for FLUCCS Code 427D but not for FLUCCS Codes 427DE1, 427DE2, 427DE3, and 427DE4). Twenty-five vegetation associations were identified using the Florida Land Use, Cover and Forms Classification System (FLUCCS). The attached map (see Figure 2) depicts the approximate location and configuration of these vegetation associations and the acreages are summarized by FLUCCS code in Table 1. A brief description of each FLUCCS code is also provided below.

Table 1. Acreage Summary by FLUCCS

FLUCCS CODE	DESCRIPTION	ACREAGE
211	Improved Pastures	183.28
***211H	Improved Pastures – hydric	1.94
422	Brazilian pepper	1.20
427DE1	Live Oak, Disturbed, Invaded by Exotics (10-25%)	3.03
427DE2	Live Oak, Disturbed, Invaded by Exotics (26-50%)	7.12
427DE3	Live Oak, Disturbed, Invaded by Exotics (51-75%)	7.97
427DE4	Live Oak, Disturbed, Invaded by Exotics (76-90%)	7.24
428DE4	Cabbage Palm, Disturbed, Invaded by Exotics (76-90%)	0.50
429E	Wax Myrtle, Invaded by Exotics (5-9%)	1.95
434DE4	Hardwood – Coniferous Mixed, Disturbed, Invaded by Exotics (76-90%)	1.62
*510	Streams and Waterways	5.97
**510D	Ditches	3.69
**524	Lakes less than 10 acres which are dominant features	0.73

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

Owl Creek Parcel



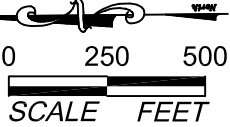
Project Location

*PERMIT USE ONLY,
NOT FOR CONSTRUCTION*

November 10, 2020 10:51:05 a.m.
Drawing: DRHOR455LOCATION.DWG

Figure 1. Location Map

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



- 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.
 - 4. Protected species assessment conducted on October 20, 27, and 29, 2020

FOR CONCEPTUAL PLANNING PURPOSES ONLY

November 10, 2020 10:14:26 a.m.
Drawing: DRHOR455 PSA.DWG

FLUCCS	Description	Acreage
211	Improved Pastures	183.28 ac.
211H	Improved Pastures - hydric	1.94 ac.
422	Brazilian Pepper	1.20 ac.
427DE1	Live Oak, Disturbed, Invaded by Exotics (10-25%)	3.03 ac.
427DE2	Live Oak, Disturbed, Invaded by Exotics (26-50%)	7.12 ac.
427DE3	Live Oak, Disturbed, Invaded by Exotics (51-75%)	7.97 ac.
427DE4	Live Oak, Disturbed, Invaded by Exotics (76-90%)	7.24 ac.
428DE4	Cabbage Palm, Disturbed, Invaded by Exotics (76-90%)	0.50 ac.
429E	Wax Myrtle, Invaded by Exotics (5-9%)	1.95 ac.
434DE4	Hardwood- Coniferous Mixed, Disturbed, Invaded by Exotics (76-90%)	1.62 ac.
510	Streams and Waterways	5.97 ac.
510D	Ditches	3.69 ac.
524	Lakes less than 10 acres which are dominant features	0.73 ac.

FLUCCS	Description	Acreage
618DE1	Willow, Disturbed, Invaded by Exotics (10-25%)	1.29 ac.
618DE2	Willow, Disturbed, Invaded by Exotics (26-50%)	0.23 ac.
618DE3	Willow, Disturbed, Invaded by Exotics (51-75%)	0.11 ac.
618DE4	Willow, Disturbed, Invaded by Exotics (75-90%)	8.70 ac.
619BP	Hydric Brazilian Pepper	30.97 ac.
630DE3	Wetland Forested Mixed, Disturbed, Invaded by Exotics (51-75%)	19.84 ac.
630DE4	Wetland Forested Mixed, Disturbed, Invaded by Exotics (76-90%)	43.30 ac.
641DE4	Freshwater Marsh, Disturbed, Invaded by Exotics (76-90%)	3.83 ac.
740	Disturbed Land	6.06 ac.
743	Spoil Area	0.99 ac.
814	Roads and Highways	1.12 ac.
Total		342.68 ac.

Figure 2. Protected Species Assessment Map

Owl Creek Parcel

***618DE1	Willow, Disturbed, Invaded by Exotics (10-25%)	1.29
***618DE2	Willow, Disturbed, Invaded by Exotics (26-50%)	0.23
***618DE3	Willow, Disturbed, Invaded by Exotics (51-75%)	0.11
***618DE4	Willow, Disturbed, Invaded by Exotics (76-90%)	8.70
***619BP	Hydric Brazilian Pepper	30.97
***630DE3	Wetland Forested Mixed, Disturbed, Invaded by Exotics (51-75%)	19.84
***630DE4	Wetland Forested Mixed, Disturbed, Invaded by Exotics (76-90%)	43.30
***641DE4	Freshwater Marsh, Disturbed, Invaded by Exotics (76-90%)	3.83
740	Disturbed Land	6.06
743	Spoil Area	0.99
814	Roads and Highways	1.12
Upland Subtotal		221.58
Wetland Subtotal		110.71
Surface Waters		5.97
Other Surface Waters Subtotal		4.42
Total		342.68

FLUCCS Code 211, Improved Pastures

These upland areas are currently being utilized for cattle grazing. Based on a review of historical aerial photography, it appears that the majority of these areas were once used for row crop farming. Areas mapped as this FLUCCS Code contain a greater percentage of upland species as compared to areas mapped as FLUCCS Code 211H described below. Vegetation present in this association includes bahia grass (*Paspalum notatum*), broomsedge (*Andropogon* spp.), smutgrass (*Sporobolus indicus*), false buttonweed (*Spermacoce verticillata*), and scattered wiregrass (*Aristida* sp.).

FLUCCS Code 211H, Improved Pastures – hydric

Areas mapped as this association contain greater coverage of wetland species and more significant signs of hydrology as compared to areas mapped as FLUCCS Code 211 described above. Beakrush (*Rhynchospora* sp.), lovegrass (*Eragrostis* sp.), red ludwigia (*Ludwigia repens*), frog-fruit (*Phyla* sp.), coinwort (*Centella asiatica*), scattered torpedo grass (*Panicum repens*), fringe-rush (*Fimbristylis* sp.), water hyssop (*Bacopa* sp.), scattered slash pine (*Pinus elliotii*), false buttonweed, bahia grass, Brazilian pepper (*Schinus terebinthifolius*), wax myrtle (*Myrica cerifera*), and cabbage palm (*Sabal palmetto*) are present.

FLUCCS Code 422, Brazilian Pepper

This upland is dominated by the exotic, Brazilian pepper and contains scattered cabbage palm and wax myrtle.

FLUCCS Code 427D, Live Oak, Disturbed

The canopy of this upland area contains live oak (*Quercus virginiana*), laurel oak (*Quercus laurifolia*), pop ash (*Fraxinus caroliniana*), and cabbage palm. The shrub and ground cover strata consist of wax myrtle, saw palmetto (*Serenoa repens*), beauty berry (*Callicarpa americana*), myrsine (*Rapanea punctata*), Spanish stopper (*Eugenia foetida*), Boston fern (*Nephrolepis* sp.), carpet grass (*Axonopus* sp.), wild coffee

(*Psychotria nervosa*), swamp bay (*Persea palustris*), grape vine (*Vitis* sp.), green briar (*Smilax* sp.), pepper-vine (*Ampelopsis arborea*), poison ivy (*Toxicodendron radicans*), Brazilian pepper, bahia grass and caesar weed (*Urena lobata*).

FLUCCS Code 428D, Cabbage Palm

These mesic wetlands are dominated by cabbage palm, with scattered live oak, saw palmetto, beggar tick (*Bidens* sp.), wax myrtle, wild coffee, dog fennel (*Eupatorium capillifolium*), guineagrass (*Panicum maximum*), foxtail grass (*Setaria* sp.), broomsedge, and swamp fern (*Blechnum serrulatum*) and Brazilian pepper.

FLUCCS Code 429, Wax Myrtle

This shrub community is dominated by wax myrtle. Scattered cabbage palm, melaleuca, saltbush (*Baccharis halimifolia*), willow (*Salix caroliniana*), and Brazilian pepper are also present. The ground cover consists of swamp fern, marsh pennywort (*Hydrocotyle umbellata*), coinwort, and water hyssop.

FLUCCS Code 434D, Hardwood – Coniferous Mixed, Disturbed

The canopy of this upland consists of live oak, slash pine, and cabbage palm. The shrub stratum includes saw palmetto, wax myrtle, Brazilian pepper, saltbush, beauty berry, and cabbage palm. Ground cover includes bahia grass, broomsedge, smutgrass, marsh pennywort, caesar weed, green briar, and dayflower (*Commelina diffusa*).

FLUCCS Code 510, Streams and Waterways

Owl and Trout Creeks are located along the southern portion of the site.

FLUCCS Code 510D, Ditches

Several ditches are present on the site. These ditches contained standing water approximately three feet below grade at the time of our site inspection. Scattered clumps of red mangrove (*Rhizophora mangle*) are located along the banks of the ditches.

FLUCCS Code 524, Lakes less than 10 acres which are dominant features

This open water area is located on the east side of Owl Creek Drive, north of Trout Creek. The banks are lined with willow and Brazilian pepper.

FLUCCS Code 618D, Willow, Disturbed

Willow is the predominant species in these wetlands with cabbage palm, Brazilian pepper, and wax myrtle in the canopy and sub-canopy. Ground cover includes smartweed (*Polygonum* sp.), cattail (*Typha* spp.), dayflower, primrose willow (*Ludwigia peruviana*), and white-top sedge (*Rhynchospora colorata*).

FLUCCS Code 619BP, Hydric Brazilian Pepper

This area is dominated by Brazilian pepper. Cordgrass (*Spartina bakeri*) and wax myrtle are also present. There is a fringe of red mangrove on the shoreline.

FLUCCS Code 630D, Wetland Forested Mixed, Disturbed

Live oak, laurel oak, pop ash, cabbage palm, slash pine, willow, and swamp bay are found within the canopy of these areas. The sub-canopy includes Brazilian pepper, myrsine, saltbush, cabbage palm, wild coffee, primrose willow, swamp dogwood, swamp bay, and buckthorn (*Sideroxylon* sp.). The ground cover consists of beauty

berry, swamp fern, royal fern (*Osmunda regalis*), shield fern (*Thelypteris* sp.), arrowhead (*Sagittaria* sp.), water hyssop, smartweed, caesar weed, torpedo grass, pepper-vine, grape vine, poison ivy, green briar, and cattail.

FLUCCS Code 641D, Freshwater Marsh, Disturbed

This wetland includes cattail, primrose willow, leather fern (*Acrostichum* sp.), wax myrtle, marsh pennywort, Brazilian pepper, saw-grass (*Cladium jamaicense*), and saltbush in the sub-canopy and herbaceous strata.

FLUCCS Code 740, Disturbed Land

These disturbed uplands include Brazilian pepper with scattered pop ash, live oak, buckthorn, swamp fern, grape vine, and green briar.

FLUCCS Code 743, Spoil Area

These upland areas consist of spoil material that was displaced during the creation of the adjacent ditches.

FLUCCS Code 814, Roads and Highways

Owl Creek Drive is centrally located in the northern parcel bisecting the property.

SURVEY METHOD

Lee County Protected Species Ordinance No. 89-34 lists several protected species of animals that could potentially occur on-site based on the general vegetative associations found on the subject parcel. Each habitat type was surveyed for the occurrence of these and any other listed species likely to occur in the specific habitat types. The survey was conducted using meandering linear pedestrian belt transects. This survey methodology is based on the Lee County administratively approved Meandering Transect Methodology and US Fish and Wildlife Service (FWS) guidance on Florida bonneted bat roost surveys. In order to provide at least 80 percent visual coverage of habitat types listed in Ordinance No. 89-34, the transects were spaced approximately 100 feet apart. The approximate location of all direct sighting or signs (such as tracks, nests, and droppings) of a listed species, were denoted on the aerial photography. The attached 1" = 500' scale aerial Protected Species Assessment Map depicts the approximate location of the survey transects and the results of the survey. The listed species survey was conducted during October 20, 27 and 29, 2020. During the survey the weather was mild and sunny.

Species listed as endangered, threatened, or species of special concern by the Florida Fish and Wildlife Conservation Commission (FWC) or the United States Fish and Wildlife Service (FWS) that could potentially occur on the subject parcel according to the Lee County Protected Species Ordinance are shown in Table 2. This list from the Lee County Protected Species Ordinance is general in nature, does not necessarily reflect existing conditions within or adjacent to the property, and is provided for general informational purposes only.

Prior to conducting the protected species survey, a search of the FWC species database (updated in 2019) was conducted to determine the known occurrence of listed species in the project area. This search revealed no known protected species occurring on or immediately adjacent to the site.

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

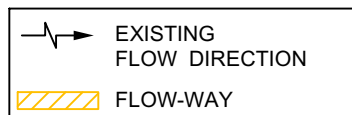
FLUCCS CODE	Percent Survey Coverage	Species Name	Present	Absent
211& 211H	80	Florida Sandhill Crane (<i>Grus canadensis pratensis</i>) Florida Panther (<i>Felis concolor coryi</i>)		√ √
422	20	none		
427	80	Eastern Indigo Snake (<i>Drymarchon corais couperi</i>) Gopher Tortoise (<i>Gopherus polyphemus</i>) Florida Panther (<i>Felis concolor coryi</i>) Hand Adder's Tongue Fern (<i>Ophioglossum palmatum</i>) Simpson's Stopper (<i>Myrcianthes frangrans</i> var. <i>simpsonii</i>) Twisted Air Plant (<i>Tillandsia flexuosa</i>) Florida Bonneted Bat (<i>Eumops floridanus</i>)		√ √ √ √ √ √ √
428	80	Eastern Indigo Snake (<i>Drymarchon corais couperi</i>) Audubon's Crested Caracara (<i>Polyborus plancus audubonii</i>) Florida Panther (<i>Felis concolor coryi</i>) Simpson's Stopper (<i>Myrcianthes frangrans</i> var. <i>simpsonii</i>)		√ √ √ √
429	80	None		
434	80	Florida Panther (<i>Felis concolor coryi</i>)		√
510, 510D, & 524	80	American Alligator (<i>Alligator mississippiensis</i>) Little Blue Heron (<i>Egretta caerulea</i>) Reddish Egret (<i>Egretta rufescens</i>) Roseate Spoonbill (<i>Ajaia ajaja</i>) Tricolored Heron (<i>Egretta tricolor</i>) Everglades Mink (<i>Mustela vison evergladensis</i>)		√ √ √ √ √ √
618	80	American Alligator (<i>Alligator mississippiensis</i>) Little Blue Heron (<i>Egretta caerulea</i>) Reddish Egret (<i>Egretta rufescens</i>) Tricolored Heron (<i>Egretta tricolor</i>) Wood Stork (<i>Mycteria americana</i>) Big Cypress Fox Squirrel (<i>Sciurus niger avicennia</i>) Everglades Mink (<i>Mustela vison evergladensis</i>)		√ √ √ √ √ √ √
619BP	20	None		

630	80	American Alligator (<i>Alligator mississippiensis</i>)		√
		Little Blue Heron (<i>Egretta caerulea</i>)		√
		Tricolored Heron (<i>Egretta tricolor</i>)		√
		Wood Stork (<i>Mycteria americana</i>)		√
		Everglades Mink (<i>Mustela vison evergladensis</i>)		√
		Florida Panther (<i>Felis concolor coryi</i>)		√
		Florida Bonneted Bat (<i>Eumops floridanus</i>)		√
641	80	American Alligator (<i>Alligator mississippiensis</i>)		√
		Florida Sandhill Crane (<i>Grus canadensis pratensis</i>)		√
		Little Blue Heron (<i>Egretta caerulea</i>)		√
		Reddish Egret (<i>Egretta rufescens</i>)		√
		Snail Kite (<i>Rostrhamus sociabilis</i>)		√
		Tricolored Heron (<i>Egretta tricolor</i>)		√
		Wood Stork (<i>Mycteria americana</i>)		√
		Everglades Mink (<i>Mustela vison evergladensis</i>)		√
740	80	None		
743	80	None		
747	80	None		
814	80	None		

SURVEY RESULTS

No species listed by either the FWS or the FWC were observed on the site during the protected species survey or during other site visits. There is the potential for periodic opportunistic foraging by both listed and non listed species of wading birds within the wetlands on-site. In addition to the site inspections, a search of the FWC species database (updated in 2019) revealed no additional known protected species within or immediately adjacent to the project limits.

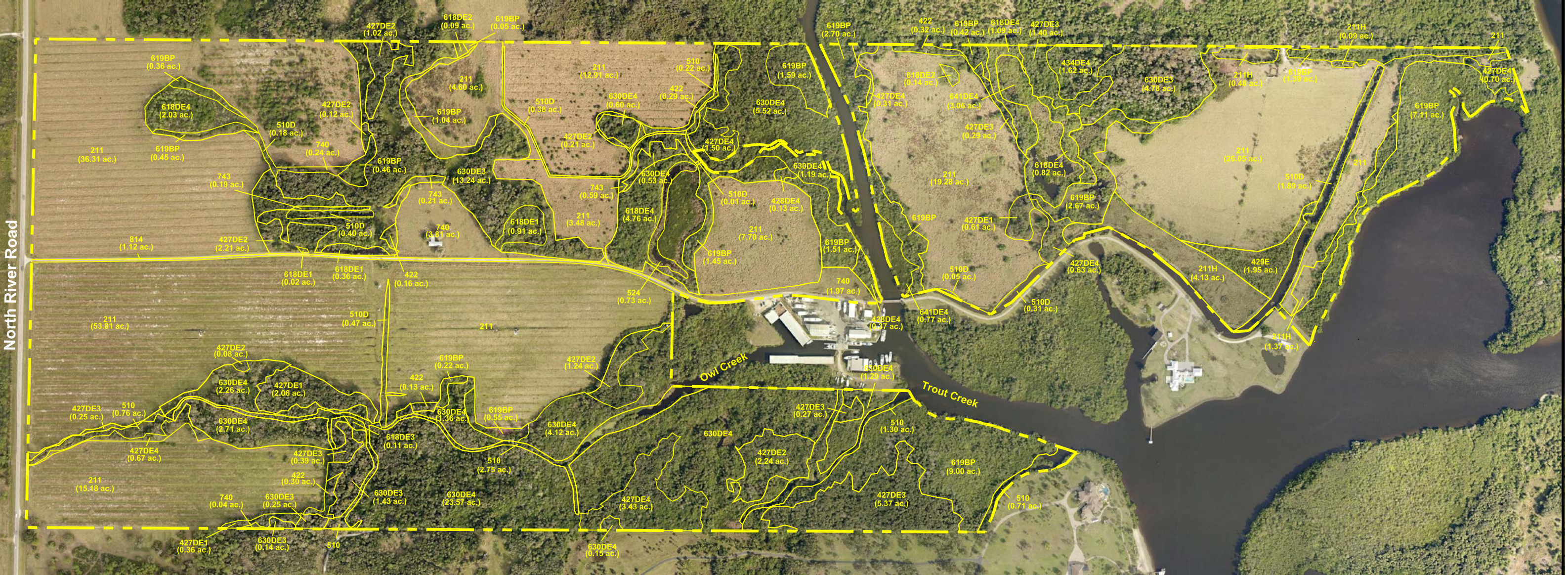
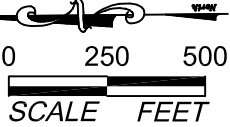
A total of 5 snags were identified containing potential roost cavities. No cavities were found in living trees. The snags with potential roost cavities were all dead cabbage palms. All potential trees on the site within and adjacent to the impact areas were surveyed for the presence of cavities. No evidence of Florida bonneted bats or their guano was observed in or around the base of any of the potential roost cavity trees on-site.



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

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
03/23/2021	8504	_EXHIBIT	KG	KG	DRU	1"=1000'	1

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



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

Notes:
1. Property boundary was obtained from Banks Engineering.
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

March 17, 2021 4:19:56 p.m.
Drawing: DRHOR455PLAN.DWG

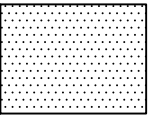
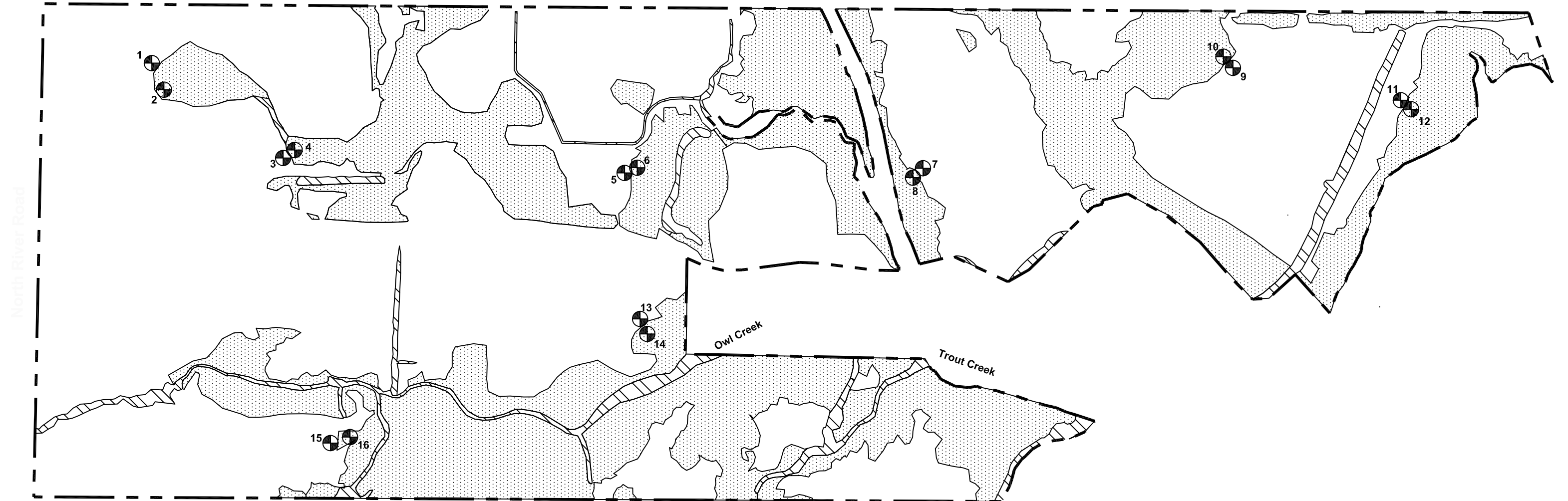
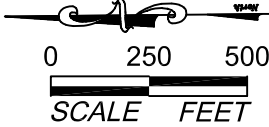
FLUCCS	Description	Acreage
211	Improved Pastures	179.35 ac.
***211H	Improved Pastures - hydric	6.07 ac.
422	Brazilian Pepper	1.20 ac.
427DE1	Live Oak, Disturbed, Invaded by Exotics (10-25%)	3.03 ac.
427DE2	Live Oak, Disturbed, Invaded by Exotics (26-50%)	7.12 ac.
427DE3	Live Oak, Disturbed, Invaded by Exotics (51-75%)	7.97 ac.
427DE4	Live Oak, Disturbed, Invaded by Exotics (76-90%)	7.24 ac.
***428DE4	Cabbage Palm, Disturbed, Invaded by Exotics (76-90%)	0.50 ac.
429E	Wax Myrtle, Invaded by Exotics (5-9%)	1.95 ac.
434DE4	Hardwood- Coniferous Mixed, Disturbed, Invaded by Exotics (76-90%)	1.62 ac.
*510	Streams and Waterways	5.77 ac.
**510D	Ditches	3.69 ac.
**524	Lakes less than 10 acres which are dominant features	0.73 ac.

FLUCCS	Description	Acreage
***618DE1	Willow, Disturbed, Invaded by Exotics (10-25%)	1.29 ac.
***618DE2	Willow, Disturbed, Invaded by Exotics (26-50%)	0.23 ac.
***618DE3	Willow, Disturbed, Invaded by Exotics (51-75%)	0.11 ac.
***618DE4	Willow, Disturbed, Invaded by Exotics (75-90%)	8.70 ac.
***619BP	Hydric Brazilian Pepper	30.97 ac.
***630DE3	Wetland Forested Mixed, Disturbed, Invaded by Exotics (51-75%)	19.84 ac.
***630DE4	Wetland Forested Mixed, Disturbed, Invaded by Exotics (76-90%)	43.30 ac.
***641DE4	Freshwater Marsh, Disturbed, Invaded by Exotics (76-90%)	3.83 ac.
740	Disturbed Land	6.06 ac.
743	Spoil Area	0.99 ac.
814	Roads and Highways	1.12 ac.
Total		342.68 ac.

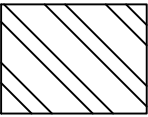
Vegetation Map

Owl Creek Parcel

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



Jurisdictional Wetlands (114.84 ac.)



Jurisdictional Surface Waters and Other
Surface Waters (10.19 ac.)



Uplands (217.65 ac.)



Data Sheet Point (16)(typ.)

Property Line

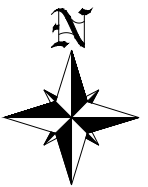
FOR CONCEPTUAL PLANNING PURPOSES ONLY

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Drawing: WETLAND JD MAP.DWG

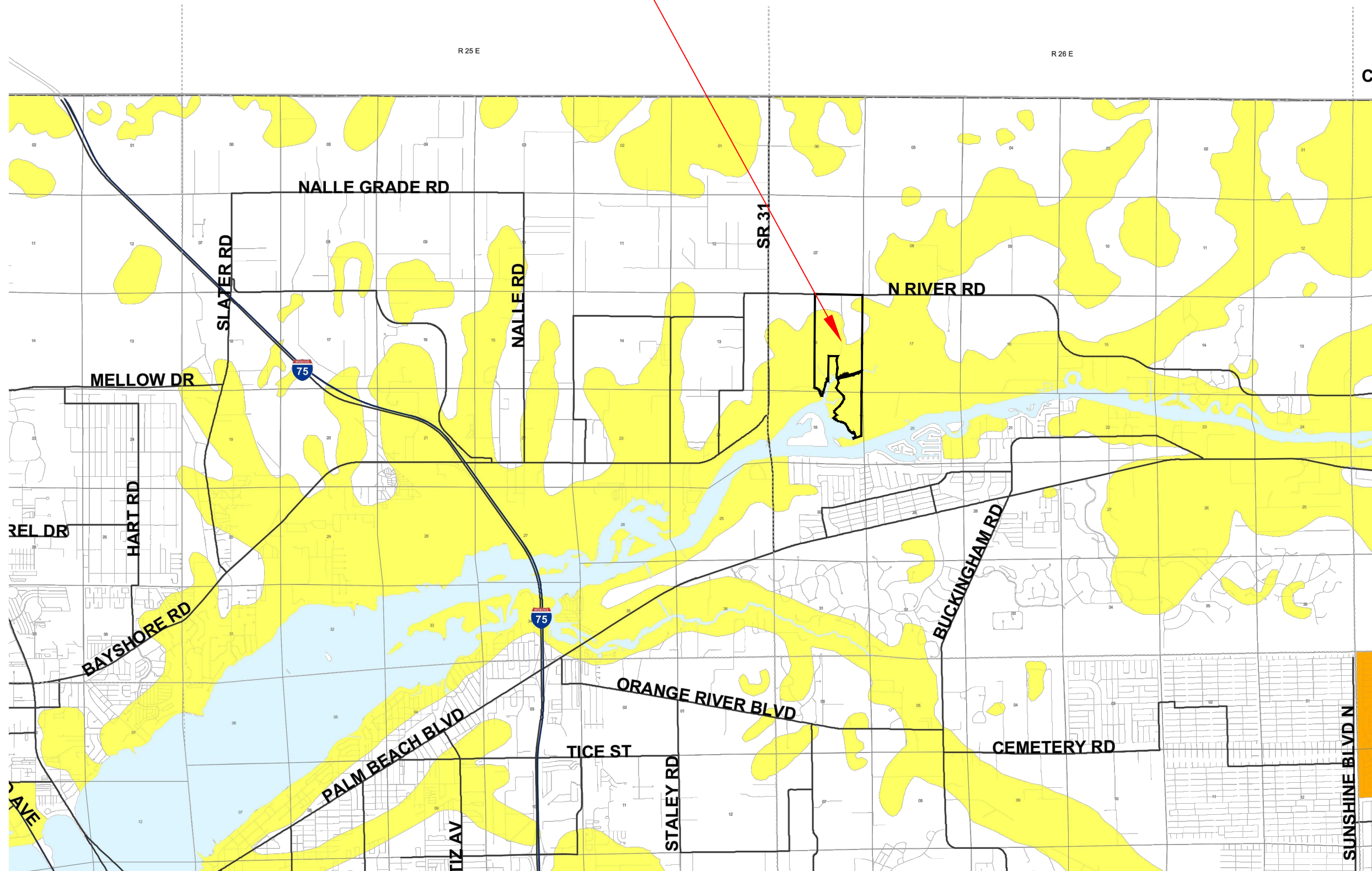
Owl Creek Parcel

DEXBENDER
ENVIRONMENTAL CONSULTING
FORT MYERS 239-334-3680

DCI2021-00041 Lee County ePlan



SUBJECT PROPERTY



Lee County Archaeological Sensitivity Map

Legend

-  Sensitivity Level 1
-  Sensitivity Level 2
-  Previously Surveyed

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SURVEY LICENSE # LB 6690
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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

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.



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.

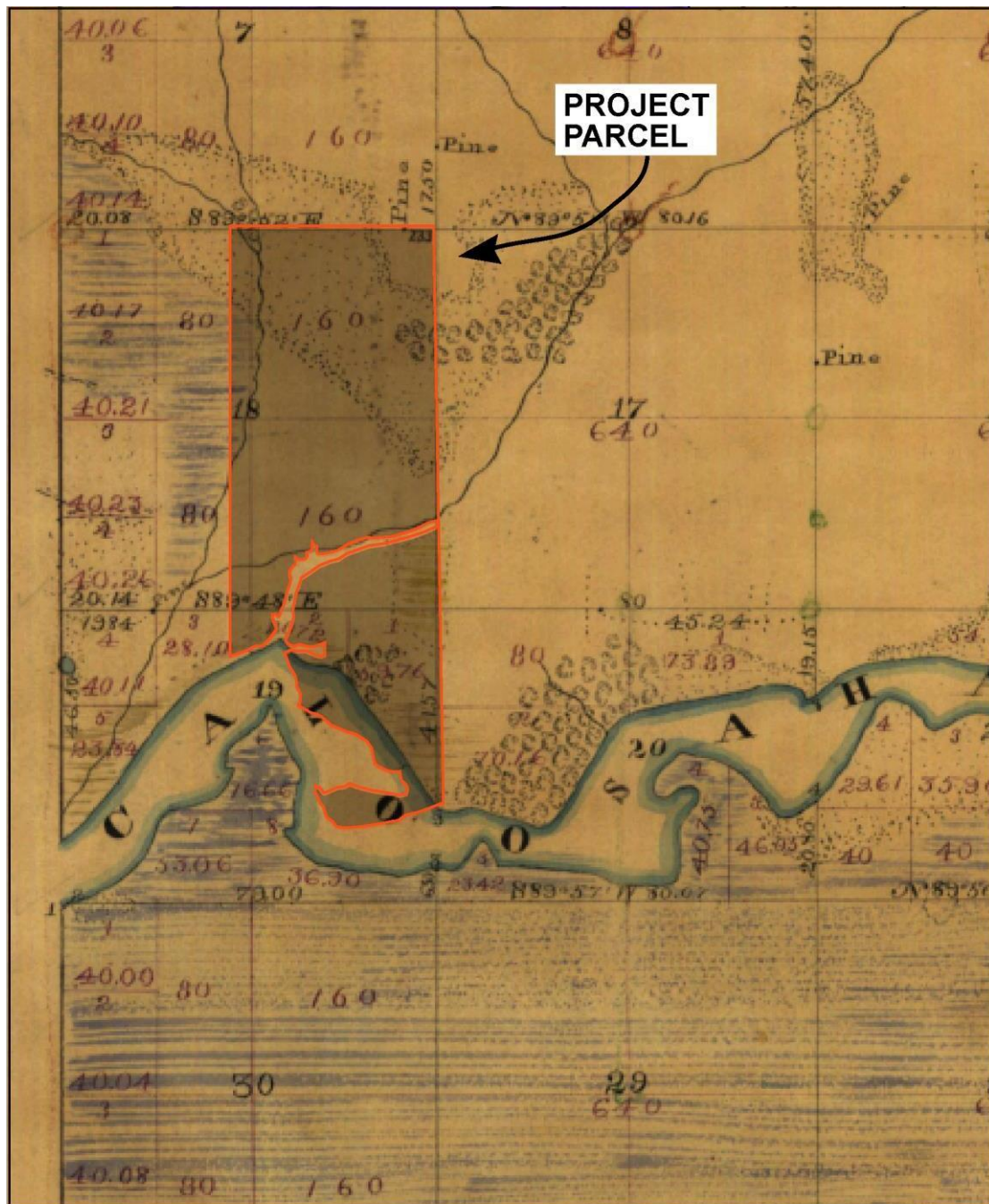


Figure 2. Portion of the 1873 plat map for Township 43S, Range 26E with the project parcel boundaries superimposed.



0	1500	3000	6000 Feet
0	450	900	1800 Meters





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

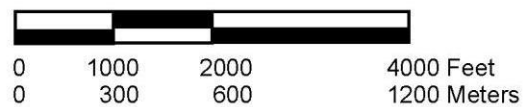




Figure 4. 1953 black and white aerial photograph of the project parcel.

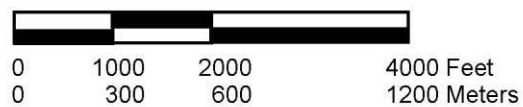
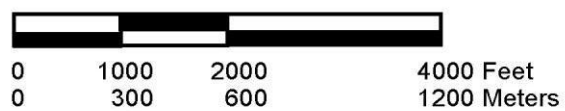




Figure 5. 2019 color aerial orthophotograph of the project parcel.



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

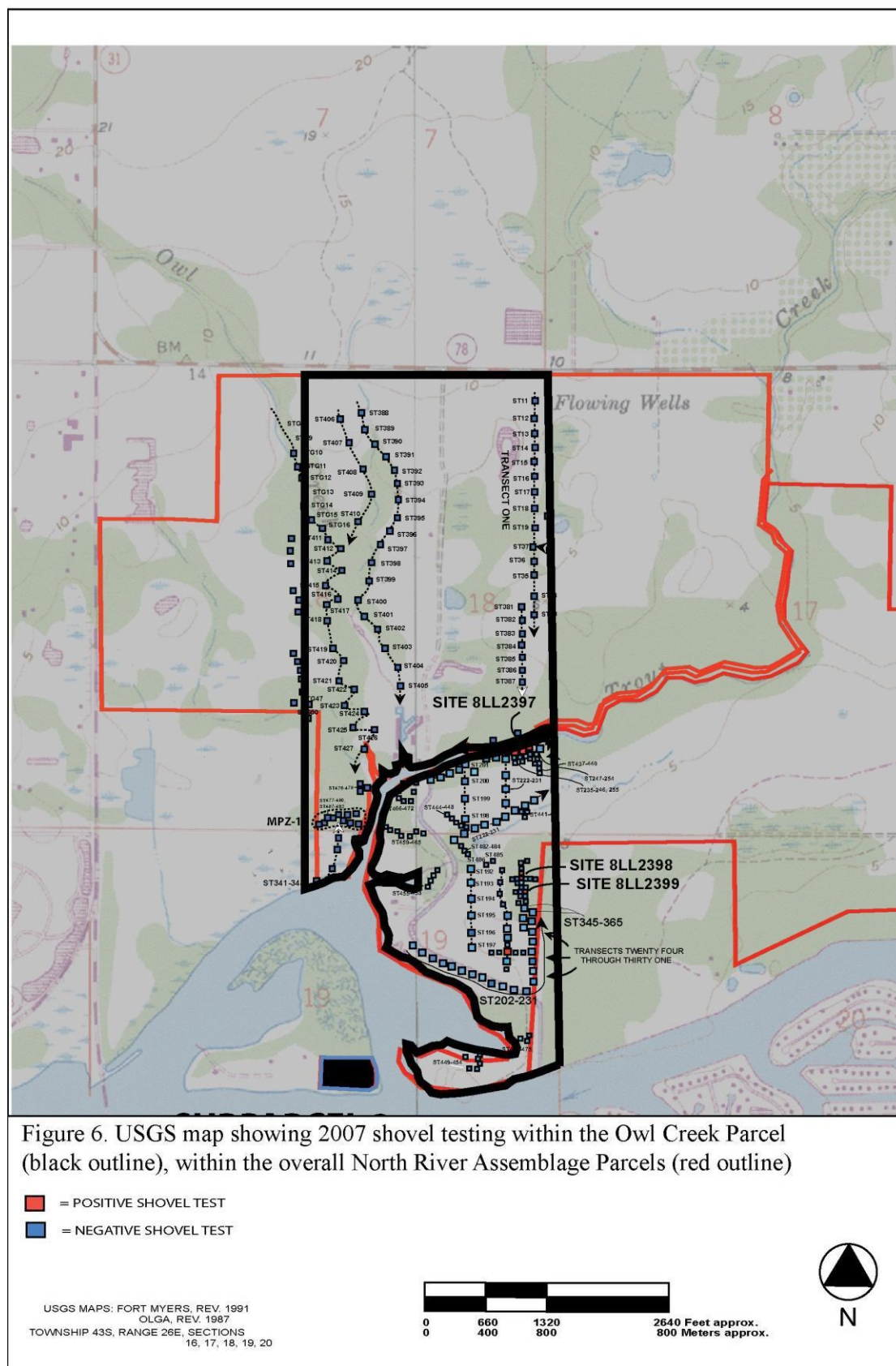
This assessment was conducted primarily to assess the site integrity of three previously recorded NRHP eligible sites on the subject parcel, and to document any changes to the sites since their discovery in 2007. Additionally, the assessment included due diligence testing to determine if any previously 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 and 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.

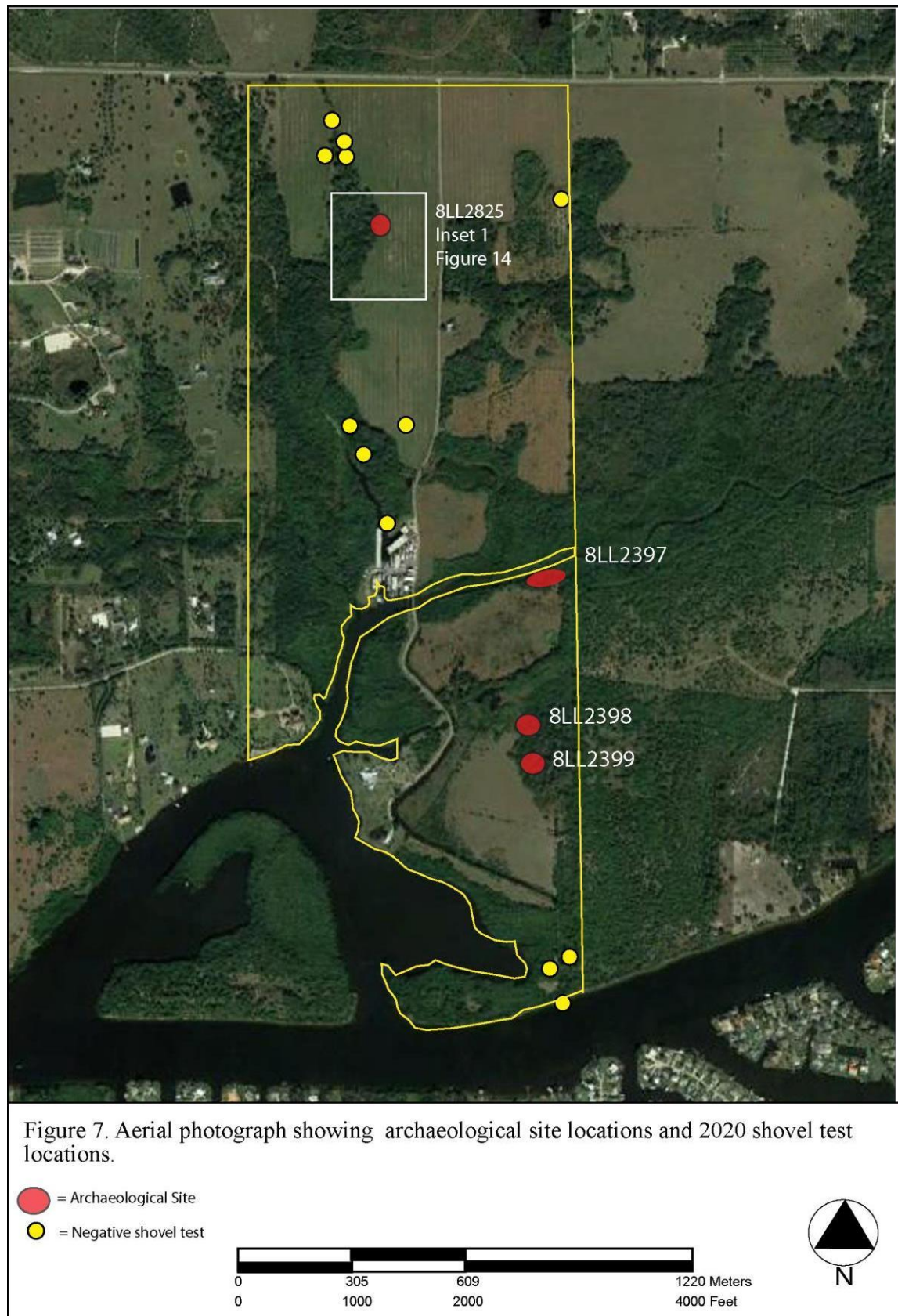
FIELDWORK

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.





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 positive 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.

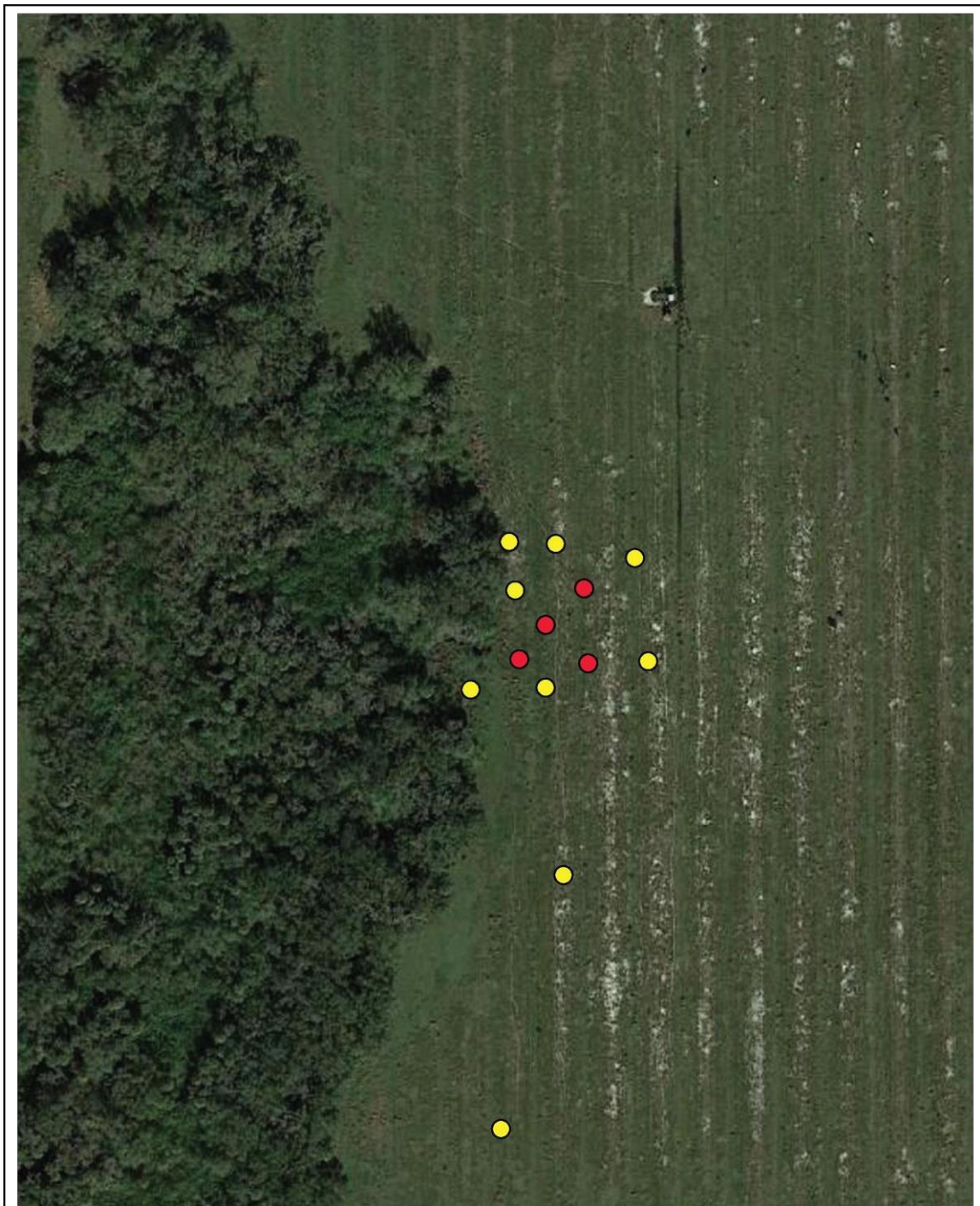


Figure 14. Aerial photograph showing 8LL2825 shovel test locations.

- = Positive shovel test
- = Negative shovel test





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 2020.94Report Title (exactly as on title page) An Analysis of Potential Impacts to Cultural Resources on the Owl Creek Parcel, Lee County, FloridaReport Authors (as on title page, last names first) 1. Carr, Robert S. 3. _____
2. White, John wesley 4. _____Publication Date (year) 2020 Total Number of Pages in Report (count text, figures, tables, not site forms) 22Publication 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 #1294Supervisors of Fieldwork (even if same as author) Names Robert S. CarrAffiliation of Fieldworkers: Organization Archaeological and Historical Conservancy, Inc. City Davie, FloridaKey Words/Phrases (Don't use county name, or common words like *archaeology, structure, survey, architecture, etc.*)1. Owl Creek 3. _____ 5. _____ 7. _____
2. _____ 4. _____ 6. _____ 8. _____

Survey Sponsors (corporation, government unit, organization or person directly funding fieldwork)

Name _____ Organization _____

Address/Phone/E-mail _____

Recorder of Log Sheet Ryan FranklinDate Log Sheet Completed 8-20-2020Is 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 3. _____ 5. _____
2. _____ 4. _____ 6. _____

USGS 1:24,000 Map Names/Year of Latest Revision (attach additional sheet if necessary)

1. Name FORT MYERS Year 1991 4. Name _____ Year _____
2. Name _____ Year _____ 5. Name _____ Year _____
3. 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 acresNumber of Distinct Tracts or Areas Surveyed 1

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

Page 2

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) ☐ library research- *local public* ☐ local property or tax records ☐ other historic maps
☐ Florida Photo Archives (Gray Building) ☐ library-special collection - *nonlocal* ☐ newspaper files ☒ soils maps or data
☒ Site File property search ☒ Public Lands Survey (maps at DEP) ☒ literature search ☐ windshield survey
☒ Site File survey search ☐ local informant(s) ☐ Sanborn Insurance maps ☒ 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 ☐ shovel test-other screen size ☐ block excavation (at least 2x2 m)
☐ surface collection, uncontrolled ☐ water screen ☐ soil resistivity
☒ shovel test-1/4" screen ☐ posthole tests ☐ magnetometer
☐ shovel test-1/8" screen ☐ auger tests ☐ side scan sonar
☐ shovel test 1/16" screen ☐ coring ☐ pedestrian survey
☐ shovel test-unscreened ☐ test excavation (at least 1x2 m) ☐ 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 ☐ demolition permits ☐ neighbor interview ☐ subdivision maps
☐ commercial permits ☐ exposed ground inspected ☐ occupant interview ☐ tax records
☐ interior documentation ☐ local property records ☐ occupation permits ☐ 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

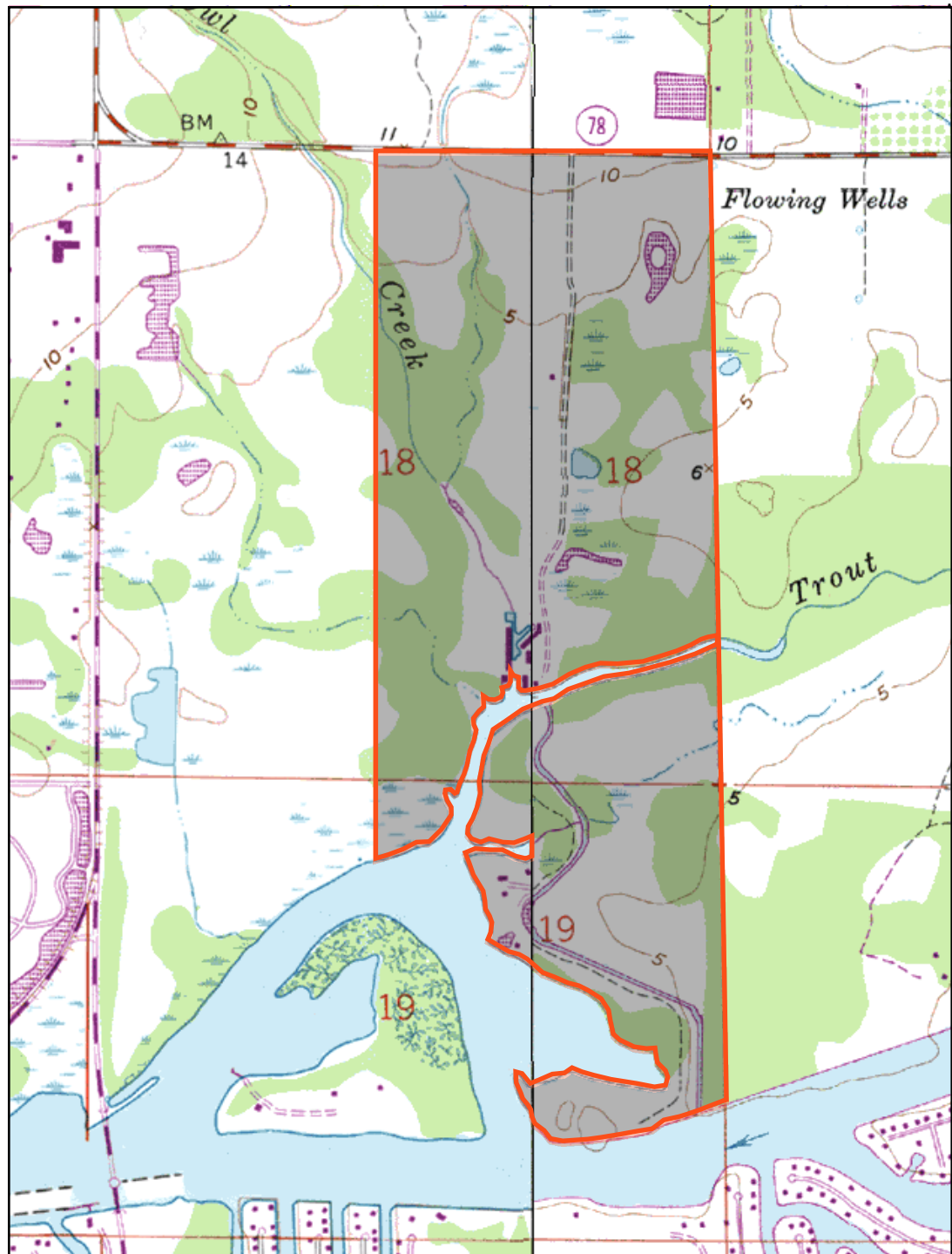
*****REQUIRED: ATTACH PLOT OF SURVEY AREA ON PHOTOCOPY OF USGS 1:24,000 MAP(S)*****

SHPO USE ONLY

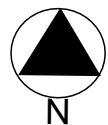
SHPO USE ONLY

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.



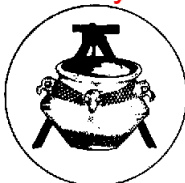
TOWNSHIP 43S, RANGE 26E, SECTION 18. 19

USGS Map: FORT MYERS, REV. 1991



0	750	1500	3000 Feet
0	270	450	900 Meters

Page 1

☒ Original
☐ Update


ARCHAEOLOGICAL SITE FORM

FLORIDA MASTER SITE FILE

Version 5.0 3/19

Consult Guide to Archaeological Site Form for detailed instructions

Site # 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	STRUCTURES OR FEATURES	FUNCTION
☒ Land (terrestrial) ☐ Lake/Pond (lacustrine) ☐ River/Stream/Creek (riverine) ☐ Tidal (estuarine) ☐ Saltwater (marine)	☐ log boat ☐ agric/farm building ☐ burial mound ☐ building remains ☐ cemetery/grave ☐ dump/refuse ☐ earthworks (historic)	☐ road segment ☐ shell midden ☐ shell mound ☐ shipwreck ☐ subsurface features ☐ surface scatter ☐ well
☐ Wetland (palustrine) ☐ usually flooded ☐ usually dry ☐ Cave/Sink (subterranean) ☐ terrestrial ☐ aquatic	☐ fort ☒ midden ☐ mill ☐ mission ☐ mound, nonspecific ☐ plantation ☐ platform mound	☐ 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	NON-ABORIGINAL
☐ Alachua ☐ Archaic (nonspecific) ☐ Archaic, Early ☐ Archaic, Middle ☐ Archaic, Late ☐ Belle Glade ☐ Cades Pond ☐ Caloosahatchee ☐ Deptford	☐ 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
☐ Englewood ☐ Fort Walton ☐ Glades (nonspecific) ☐ Glades I ☐ Glades II ☐ Glades III ☐ Hickory Pond ☐ Leon-Jefferson ☐ Malabar I ☐ Malabar II	☐ 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
☐ Manasota ☐ Mississippian ☐ Mount Taylor ☐ Norwood ☐ Orange ☐ Paleoindian ☐ Pensacola ☐ Perico Island ☐ Safety Harbor ☐ St. Augustine	☐ 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

Other Cultures (Choose from the list or type a response. For historic sites, give specific dates.)
 1. _____ 2. _____ 3. _____ 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 _____	SHPO – Appears to meet criteria for NR listing: ☐ yes ☐ no ☐ insufficient info	Date _____	Init. _____
☐ Owner Objection	KEEPER – Determined eligible: ☐ yes ☐ no	Date _____	
	NR Criteria for Evaluation: ☐ a ☐ b ☐ c ☐ d (see <i>National Register Bulletin</i> 15, p. 2)		

ARCHAEOLOGICAL SITE FORM

Site #8 LL02825

FIELD METHODS (select all that apply)

SITE DETECTION

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

- ☐ bounds unknown ☐ none by recorder
☐ literature search
☐ informant report

SITE BOUNDARY

- ☐ remote sensing ☐ unscreened shovel
☐ exposed ground ☒ screened shovel
☐ posthole tests ☐ block excavations
☐ auger tests ☐ 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 (m²) 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 _____ m² # 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 ☐ general (not by subarea)
☐ unknown ☒ 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

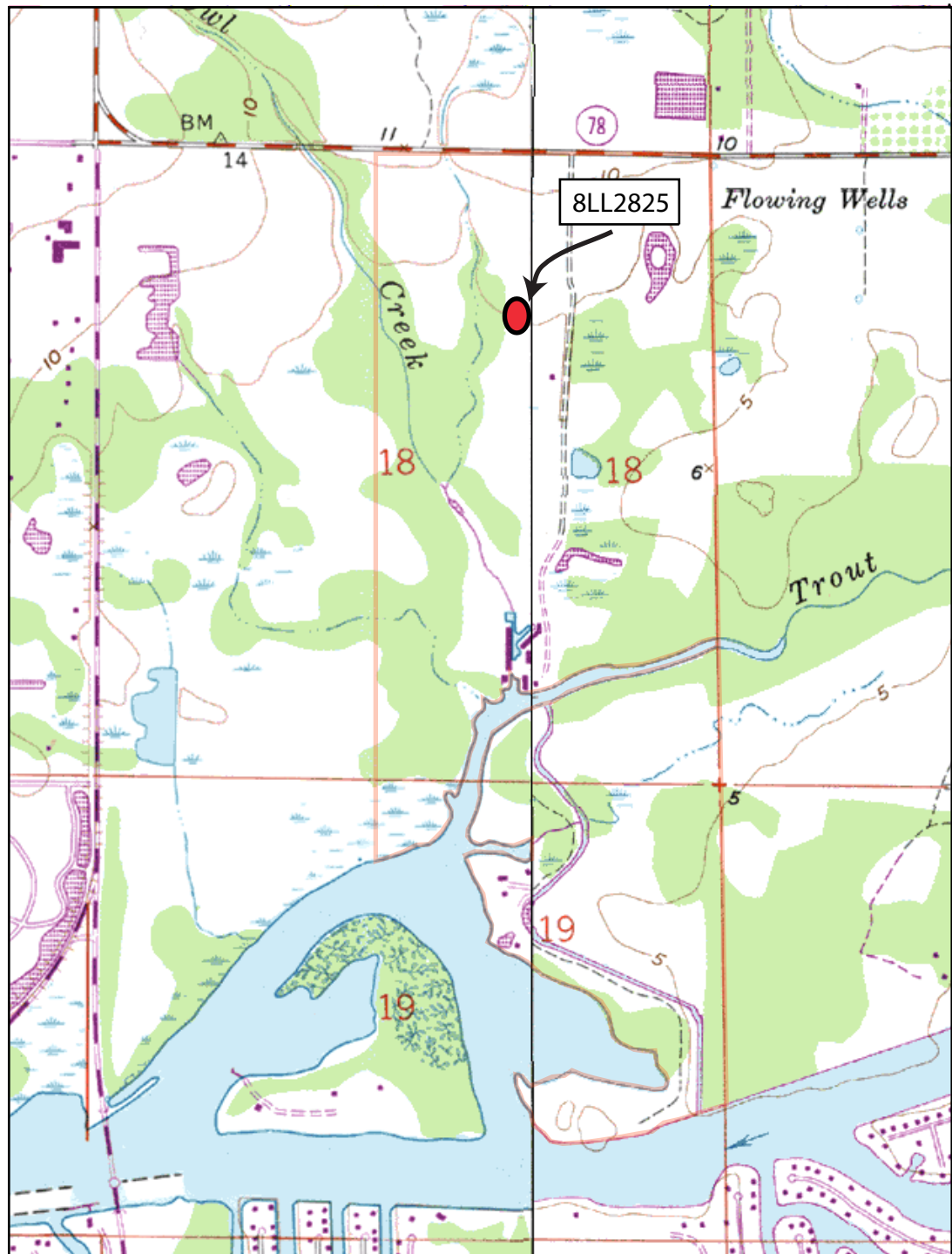
1) Document type _____ Maintaining organization _____
Document description _____ File or accession #'s _____
2) Document type _____ Maintaining organization _____
Document description _____ File or accession #'s _____

RECORDER & INFORMANT INFORMATION

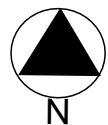
Informant Information: Name _____
Address / Phone / E-mail _____
Recorder Information: Name Alan Noe, Wes White Affiliation Archaeological & Historical Conservancy, Inc.
Address / Phone / E-mail 4800 SW 64th Ave Suite 107, Davie, FL 33314 / (954) 792-9776 / archgcl@bellsouth.net

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.



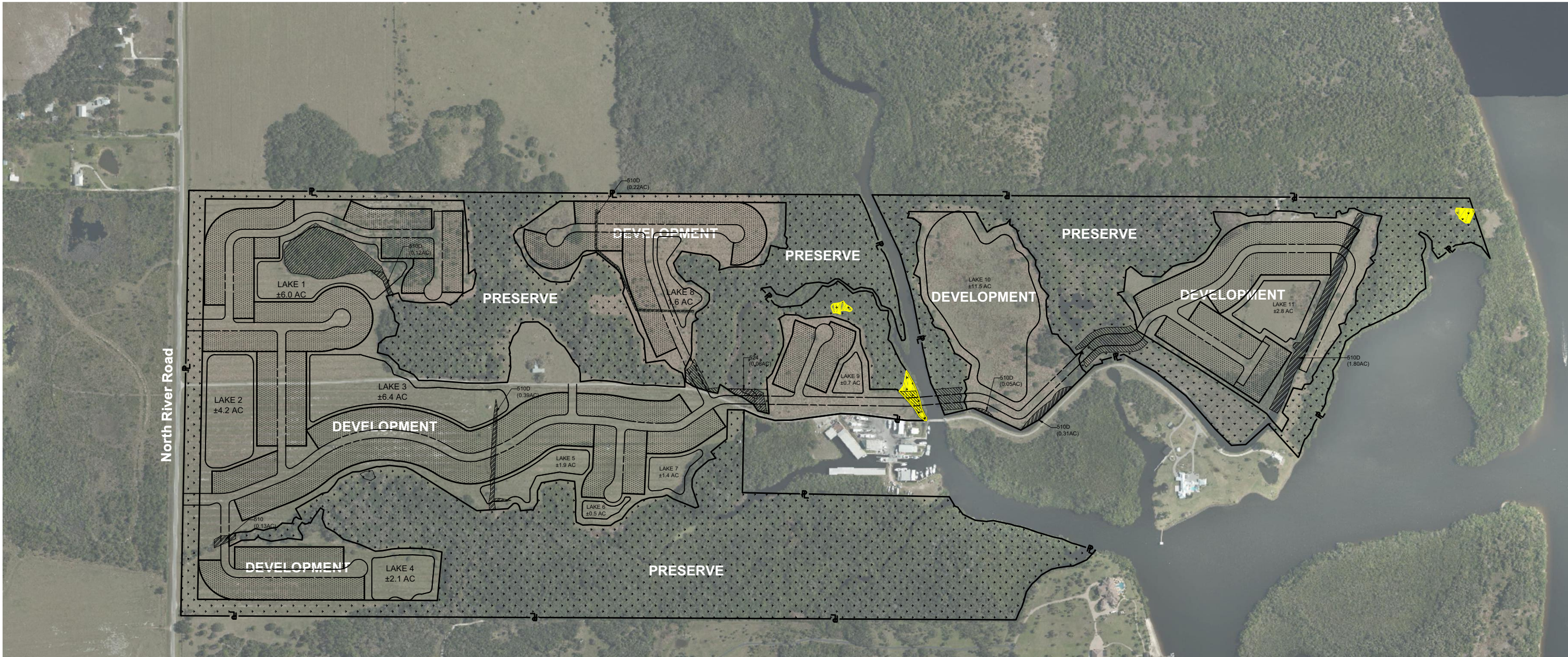
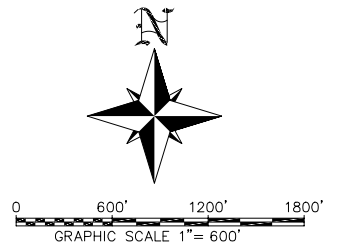
USGS Map showing the location of 8LL2825.



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

USGS Map: FORT MYERS, REV. 1991

0 750 1500 3000 Feet
0 270 450 900 Meters



AREAS:

-  UPLAND & WETLAND PRESERVATION: ±165.58AC
-  WETLAND IMPACT: ±7.69AC
-  SURFACE WATER IMPACT: ±2.86AC
(510=±0.13AC) (510D=±2.67AC) (524=±0.06AC)
-  LOTS: ±80AC
-  RARE AND UNIQUE UPLANDS PRESERVATION: ±0.74AC
-  RARE AND UNIQUE UPLANDS PRESERVATION IMPACTS: ±0.20AC
-  DEVELOPMENT FOOTPRINT: ±177.10AC
- TOTAL PROPERTY AREA: ±342.68AC

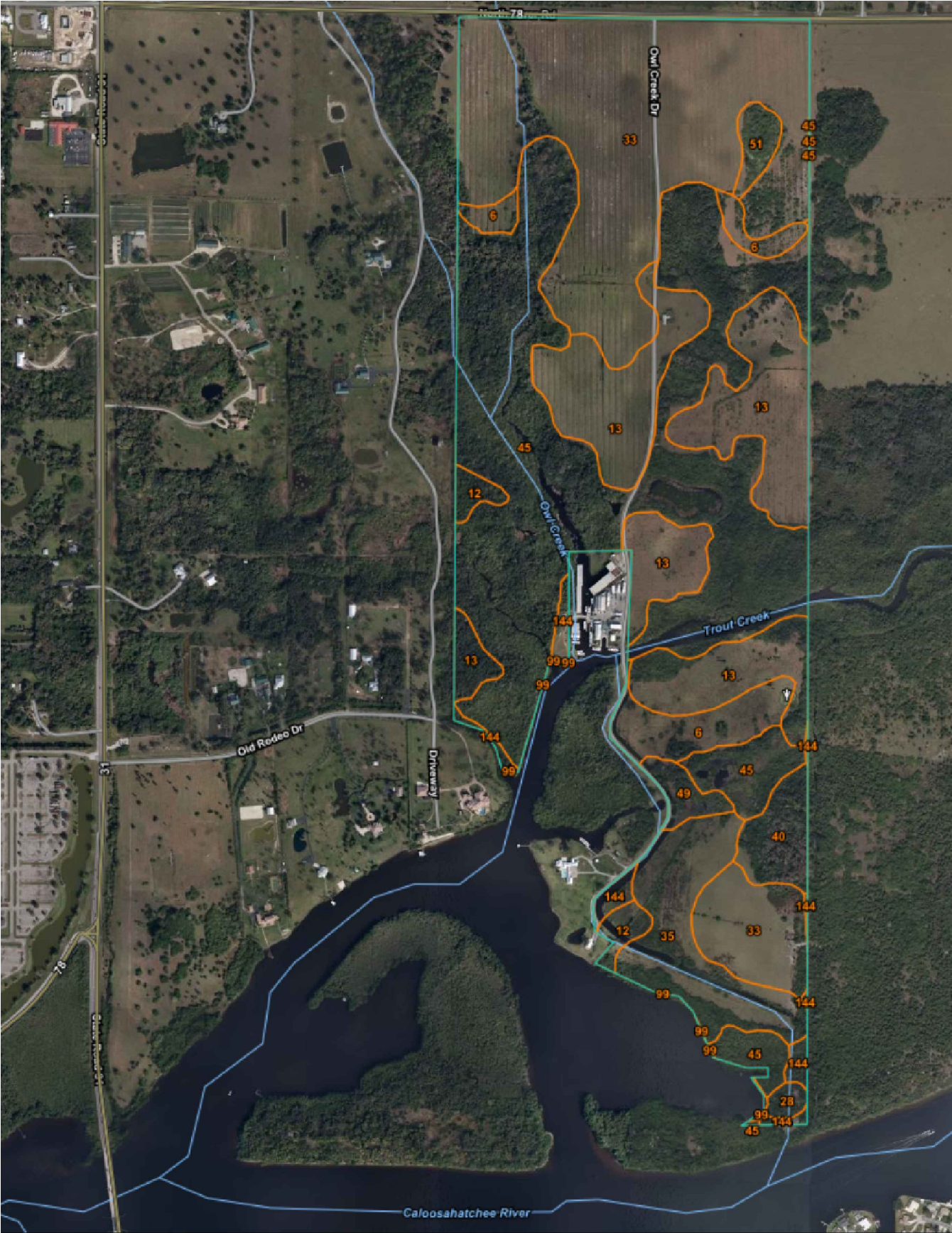
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ENGINEERING
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PHONE: (239) 939-5490 FAX: (239) 939-2523
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LP 6690
WWW.BANKSENG.COM

RARE & UNIQUE UPLANDS PRESERVATION
OWL CREEK
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
03/24/2021	8504	_EXHIBIT	KG	KG	DRU	AS SHOWN	01

S:\JOBS\85XX\8504\EXHIBITS\8504_FUTURE LAND USE.DWG 9/17/2020 10:58 AM KEVIN GONZALEZ



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.

BANKS

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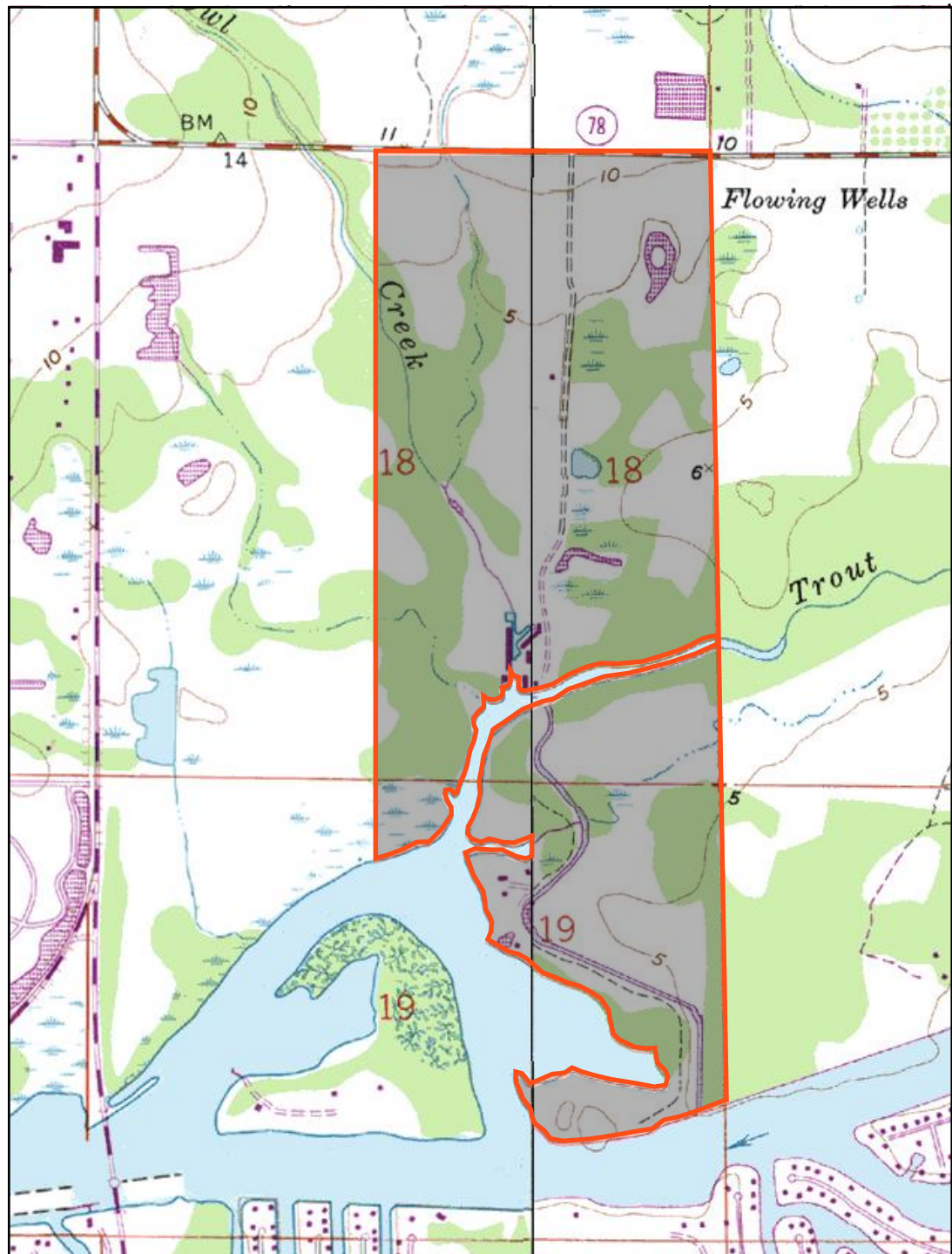
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ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690
WWW.BANKSENG.COM

SOILS MAP AND DESCRIPTION OF SOILS EXHIBIT-M12-2

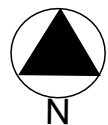
OWL CREEK

LEE COUNTY, FLORIDA

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



USGS Map of the Owl Creek parcel.



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

USGS Map: FORT MYERS, REV. 1991



0	750	1500	3000 Feet
0	270	450	900 Meters



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

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

TRAFFIC IMPACT STATEMENT

FOR

OWL CREEK COMPREHENSIVE PLAN AMENDMENT & REZONING

(PROJECT NO. F2006.14)

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

July 29, 2020



CONTENTS

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

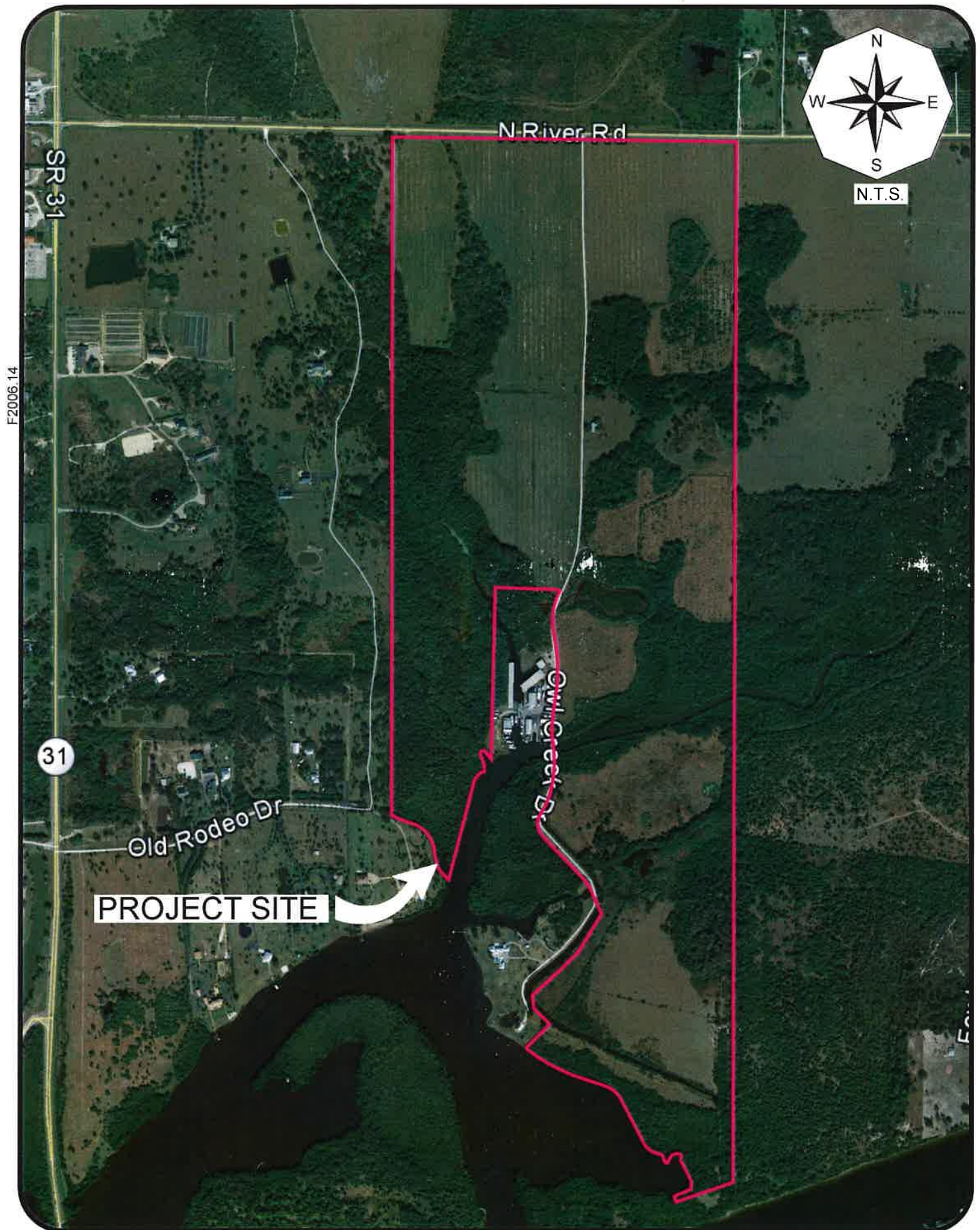


I. INTRODUCTION

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 New Community 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.





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 New Community 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 $\approx$ 213.2 acres @ 1 DU/Acre & Wetlands $\approx$ 135.6 acres @ 1 DU/20 Acres)
Proposed	New Community	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 New Community 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 New Community 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.

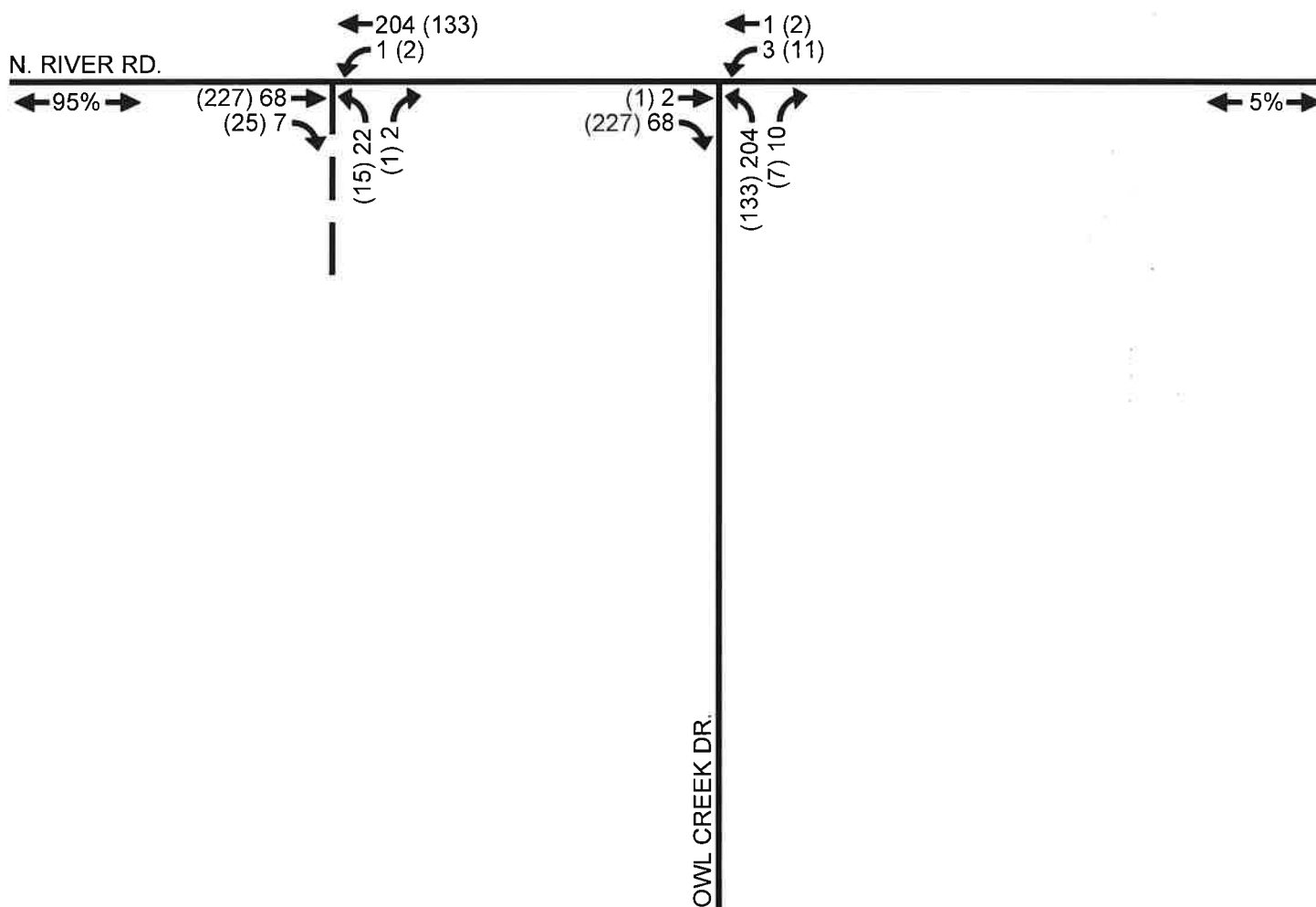
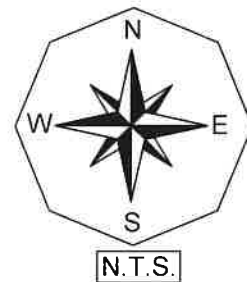
In order to determine which roadway segments surrounding the site will be significantly impacted as outlined in the Lee County Traffic Impact Statement Guidelines, **Table 5A**, contained in the Appendix, was created. This table indicates which roadway links will experience a significant impact as a 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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**LEGEND**

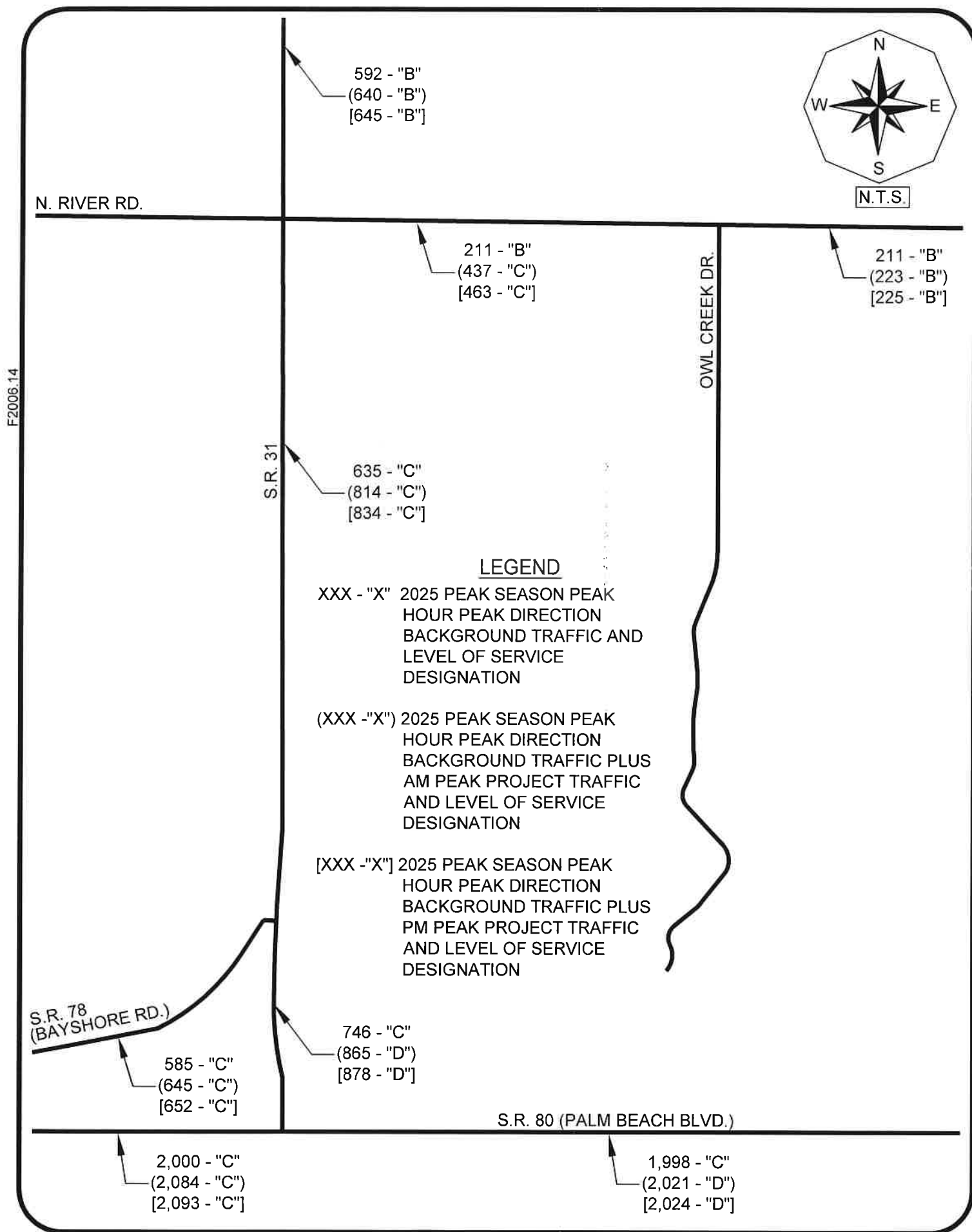
- ← 000 WEEKDAY AM PEAK HOUR SITE TRAFFIC
- ← (000) WEEKDAY PM PEAK HOUR SITE TRAFFIC
- ← 20% → PERCENT TRIP DISTRIBUTION



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.





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.

APPENDIX

TABLES 1A & 2A
2040 LOS ANALYSIS

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

<u>ROADWAY</u>	<u>ROADWAY SEGMENT</u>	<u>2040 E + C NETWORK LANES</u>		<u>GENERALIZED SERVICE VOLUMES</u>				
		<u># Lanes</u>	<u>Roadway Designation</u>	<u>LOS A</u>	<u>LOS B</u>	<u>LOS C</u>	<u>LOS D</u>	<u>LOS E</u>
				<u>VOLUME</u>	<u>VOLUME</u>	<u>VOLUME</u>	<u>VOLUME</u>	<u>VOLUME</u>
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 maintained roadways were taken from FDOT's Generalized Peak Hour Directional Volumes for Florida's Urbanized Areas Table 7.

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	COUNTY PCS / FDOT SITE #	MOCF FACTOR ¹	AADT	K-100 FACTOR	100TH HIGHEST	D	PM PK HR	2040		PROJECT TRAFFIC DIST.	PK DIR PM PROJ TRAFFIC	2040 BACKGROUND PLUS PROJ	
		FSUTMS PSWDT			BACKGROUND TRAFFIC		HOUR PK DIR 2-WAY VOLUME		PEAK DIRECTION	PEAK DIRECTION TRAFFIC VOLUMES & LOS	LOS			PEAK DIRECTION TRAFFIC VOLUMES & LOS	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 maintained 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 maintained roadways were obtained from Florida Traffic Online resource.

TABLES 3A & 4A
5-YEAR LOS ANALYSIS

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

<u>ROADWAY</u>	<u>ROADWAY SEGMENT</u>	<u># LANES</u>	<u>ROADWAY DESIGNATION</u>	<u>LOS A VOLUME</u>	<u>LOS B VOLUME</u>	<u>LOS C VOLUME</u>	<u>LOS D VOLUME</u>	<u>LOS E VOLUME</u>
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 maintained roadways were taken from FDOT's Generalized Peak Hour Directional Volumes for Florida's Urbanized Areas Table 7.

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

												FDOT Sta. #	K	D												
TOTAL PROJECT TRAFFIC AM =		156	VPH	IN =	39	OUT=	117					120273	0.095	0.521												
TOTAL PROJECT TRAFFIC PM =		204	VPH	IN=	128	OUT=	76					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												
												2018/2019			2025			2025			2025					
												PK HR			PK HR PK SEASON			PERCENT			BCKGRND			BCKGRND		
												LCDOT PCS OR	BASE YR	2018/2019	YRS OF	ANNUAL	PK SEASON	PEAK DIRECTION	V/C	PROJECT	AM PROJ	PM PROJ	+ AM PROJ	V/C	+ PM PROJ	V/C
ROADWAY	ROADWAY SEGMENT	FDOT SITE #	ADT	ADT	GROWTH. ¹	RATE	PEAK DIR. ²	VOLUME	LOS	Ratio	TRAFFIC	TRAFFIC	TRAFFIC	VOLUME	LOS	Ratio	VOLUME	LOS	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%	88	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 maintained roadways were obtained by adjusting the 2019 AADT by the appropriate K and D factors.

TABLES 5A & 6A
REZONING ANALYSIS

**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

<u>ROADWAY</u>	<u>ROADWAY SEGMENT</u>	<u># LANES</u>	<u>ROADWAY DESIGNATION</u>	PERCENT							
				<u>LOS A</u>	<u>LOS B</u>	<u>LOS C</u>	<u>LOS D</u>	<u>LOS E</u>	<u>PROJECT</u>	<u>PROJECT</u>	<u>PROJ/</u>
				<u>VOLUME</u>	<u>VOLUME</u>	<u>VOLUME</u>	<u>VOLUME</u>	<u>VOLUME</u>	<u>TRAFFIC</u>	<u>TRAFFIC</u>	<u>LOS C</u>
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 maintained roadways were taken from FDOT's Generalized Peak Hour Directional Volumes for Florida's Urbanized Areas Table 7.

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

											<u>FDOT Sta. #</u>	<u>K</u>	<u>D</u>				
TOTAL PROJECT TRAFFIC AM =		317	VPH	IN =	79	OUT=	238						120273	0.095	0.521		
TOTAL PROJECT TRAFFIC PM =		421	VPH	IN=	265	OUT=	156						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				
						2018/2019		2025						2025		2025	
								PK HR	PK HR	PK SEASON	PERCENT		BCKGRND		BCKGRND		
		LCDOT PCS OR	BASE YR	2018/2019	YRS OF	ANNUAL	PK SEASON	PEAK DIRECTION	V/C	PROJECT	AM PROJ	PM PROJ	+ AM PROJ	V/C	+ PM PROJ	V/C	
<u>ROADWAY</u>	<u>ROADWAY SEGMENT</u>	<u>FDOT SITE #</u>	<u>ADT</u>	<u>ADT</u>	<u>GROWTH. ¹</u>	<u>RATE</u>	<u>PEAK DIR. ²</u>	<u>VOLUME</u>	<u>LOS</u>	<u>Ratio</u>	<u>TRAFFIC</u>	<u>TRAFFIC</u>	<u>TRAFFIC</u>	<u>VOLUME</u>	<u>LOS</u>	<u>Ratio</u>	
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	
	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	
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	
	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	
	S.. of SR 78	120030	9,800	13,500	15	2.16%	656	746	C	0.85	50%	119	133	865	D	0.98	
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	
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	
	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	

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 maintained roadways were obtained by adjusting the 2019 AADT by the appropriate K and D factors.

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

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.

**LEE COUNTY PUBLIC FACILITIES
LEVEL OF SERVICE AND
CONCURRENCY REPORT**

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

ROADWAY LINK				100TH HIGHEST HOUR DIRECTIONAL VOLUMES						
				STANDARD		2018		2023		NOTES
NAME	FROM	TO	TYPE	LOS	MAX	LOS	EXIST ING	LOS	FUTURE	
ALABAMA RD	SR 82	MILWAUKEE BLVD	2LN	E	990	C	459	C	482	
	MILWAUKEE BLVD	HOMESTEAD RD	2LN	E	990	C	459	D	482	
ALEXAND- ER 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
	ESTERO PKWY	FGCU ENTRANCE	4LD	E	2,000	B	1,224	B	1,287	
BEN HILL GRIFFIN PKWY	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
BUCKING- HAM 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	
CORK- SCREW 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

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	EXIST ING	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	

**FDOT GENERALIZED PEAK HOUR
DIRECTIONAL VOLUMES
TABLE 7**

TABLE 7

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

January 2020

January 2018

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					

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%		

BICYCLE MODE²
(Multiply vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)

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

PEDESTRIAN MODE²
(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

¹Values 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.

²Level 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.

³Buses 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/>

TRAFFIC DATA
FDOT FLORIDA TRAFFIC ONLINE

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2019 HISTORICAL AADT REPORT

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

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FLORIDA DEPARTMENT OF TRANSPORTATION
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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

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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
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FLORIDA DEPARTMENT OF TRANSPORTATION
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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
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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
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FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
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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-75MOCF: 0.94
PSCF

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

14-FEB-2020 15:39:18

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2019 PEAK SEASON FACTOR CATEGORY REPORT - REPORT TYPE: ALL
CATEGORY: 1200 LEE COUNTYWIDEMOCF: 0.93
PSCF

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

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**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

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

**TRAFFIC DATA FROM LEE COUNTY
TRANSPORTATION DATA
MANAGEMENT SYSTEM**

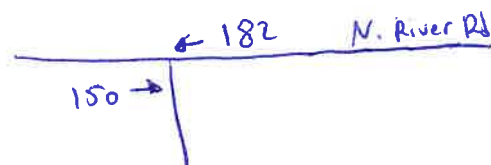
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Location ID	348				Start Date	2/13/2019
Type	I-SECTION				End Date	2/14/2019
Functional Class	-				Start Time	12:00 AM
Located On	N River Rd				End Time	12:00 AM
Between	AND				Direction	
Direction	2-WAY				Notes	lee
Community	-				Count Source	348
MPO_ID					File Name	qrtlYD021319.348.PRN
HPMS ID					Weather	
Agency	Lee County				Study	
					Owner	LeeAuto
					QC Status	Accepted

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

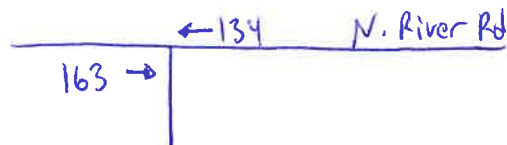
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FDOT # 124650

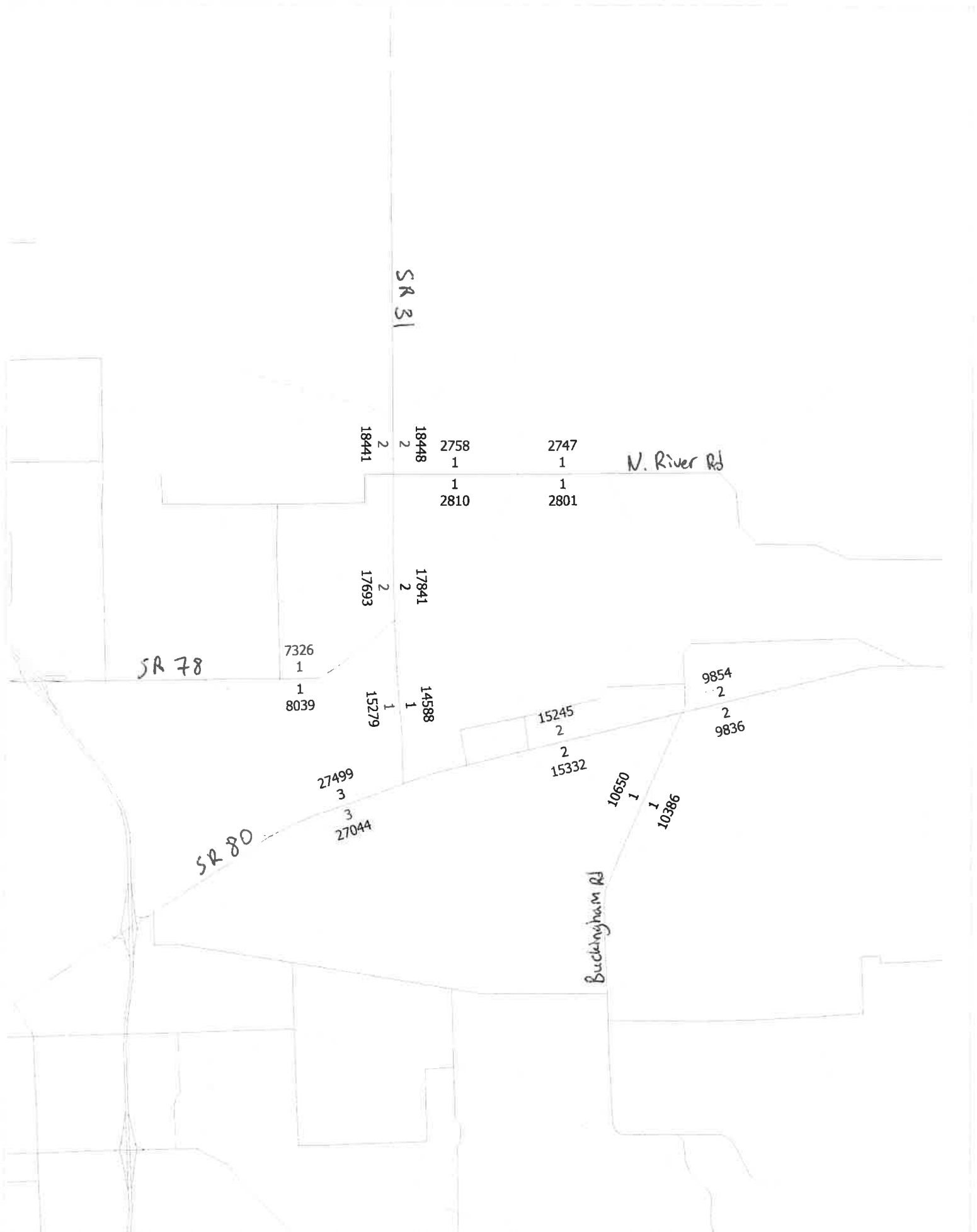
AM Pk Hr



PM Pk Hr



2040 E+C NETWORK VOLUMES

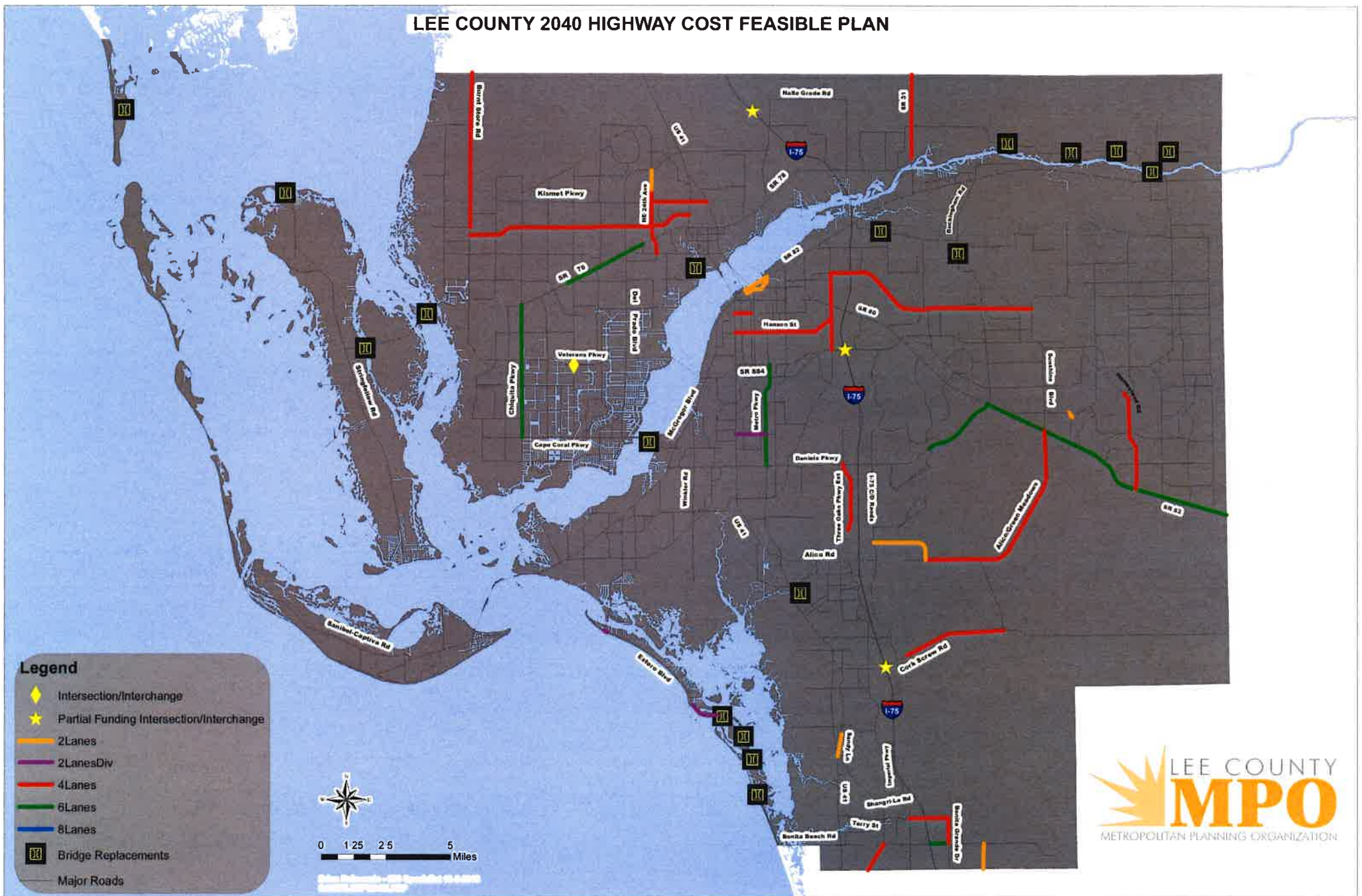


2040 LRTP COST FEASIBLE ROADWAY NETWORK LANES AND VOLUMES

LEE COUNTY MPO 2040 COST FEASIBLE HIGHWAY PLAN

DCI2021-00011 Lee County ePlan

Original Application dated 03-24-2021



2040 TRANSPORTATION PLAN

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

LEE COUNTY MPO 2040 NEEDS PLAN

2040 TRANSPORTATION PLAN

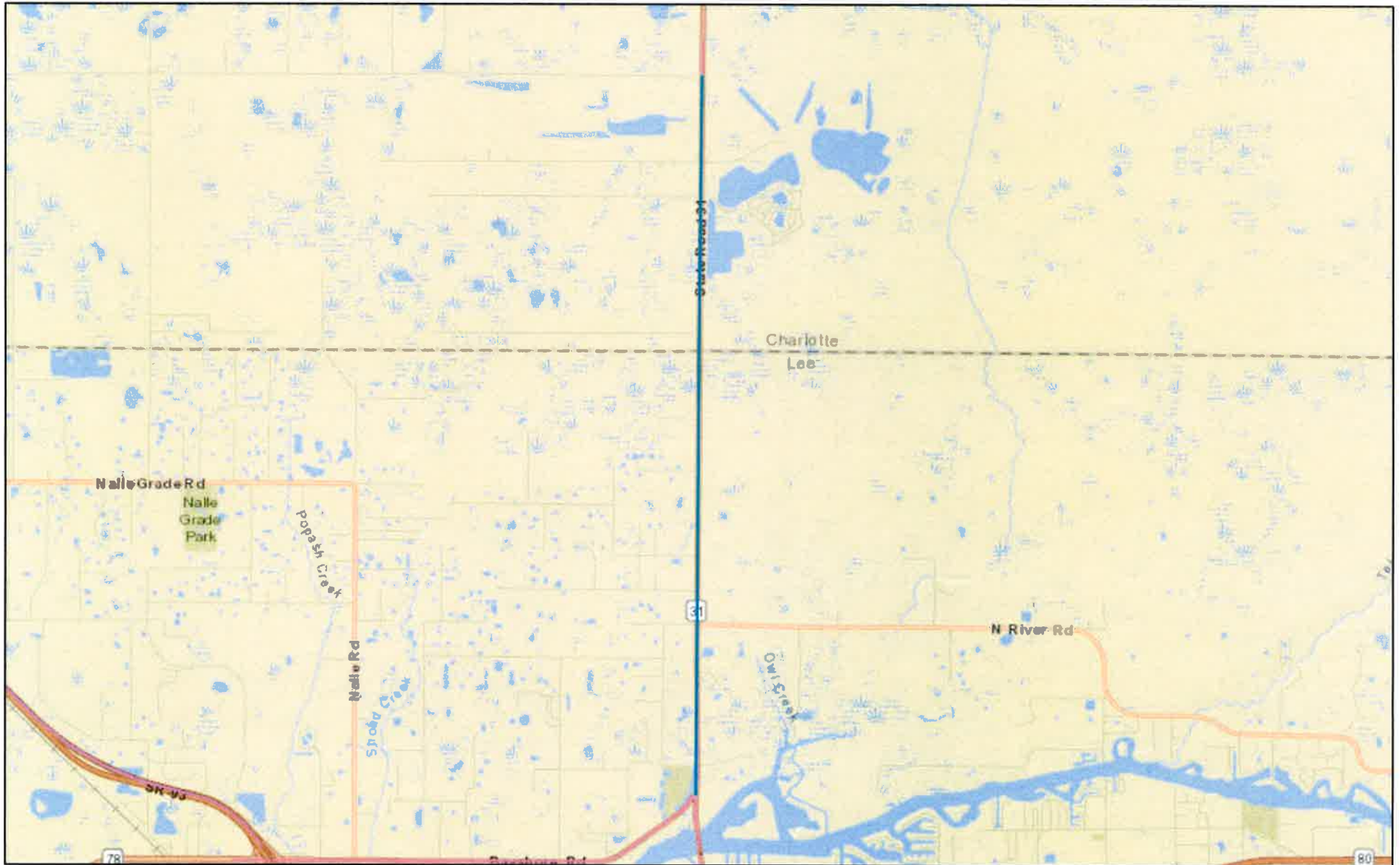
LEE COUNTY MPO

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

Road Name	From	To	Improvement		Total Cost (PDC, in millions)
			From (# of Lanes)	To (# of Lanes)	
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 Grde 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

FDOT 5-YEAR ADOPTED WORK PROGRAM

ArcGIS Web Map



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

2019 Work Program: 2019 Adopted

— CST CONSTRUCTION
— ENV ENVIRONMENTAL

— PDE P D & E

— PE PRELIMINARY ENGINEERING

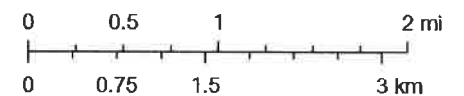
— PLN PLANNING

2019 Work Program: 2020 Adopted

— CAP CAPITAL

— CST CONSTRUCTION

1:72,224



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

DEVELOPMENT OF FUTURE YEAR BACKGROUND TURNING VOLUMES

Development of Future Year Background Turning Volumes

Intersection
Count Date
Build-Out Year

North River Rd @ Owl Creek Dr
February 2019
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

HCS RESULTS
NORTH RIVER RD @
OWL CREEK DR

HCS7 Two-Way Stop-Control Report

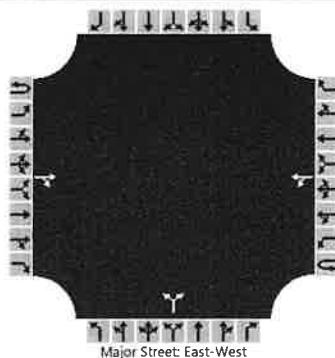
General Information

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

Site Information

Intersection	N. River 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



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							

HCS7 Two-Way Stop-Control Report

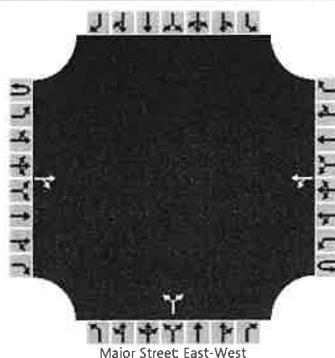
General Information

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. River 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



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							

HCS RESULTS
NORTH RIVER RD @
W. SITE ACCESS

HCS7 Two-Way Stop-Control Report

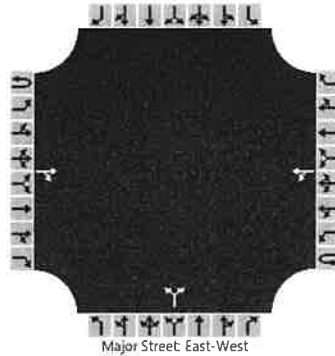
General Information

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

Site Information

Intersection	N. River 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)			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							

HCS7 Two-Way Stop-Control Report

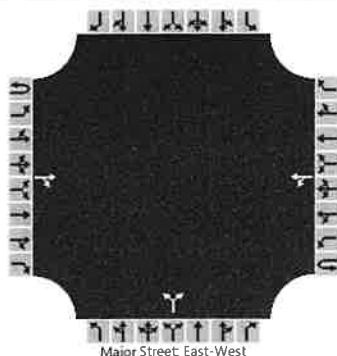
General Information

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. River 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							

TRIP GENERATION EQUATIONS

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

9.44

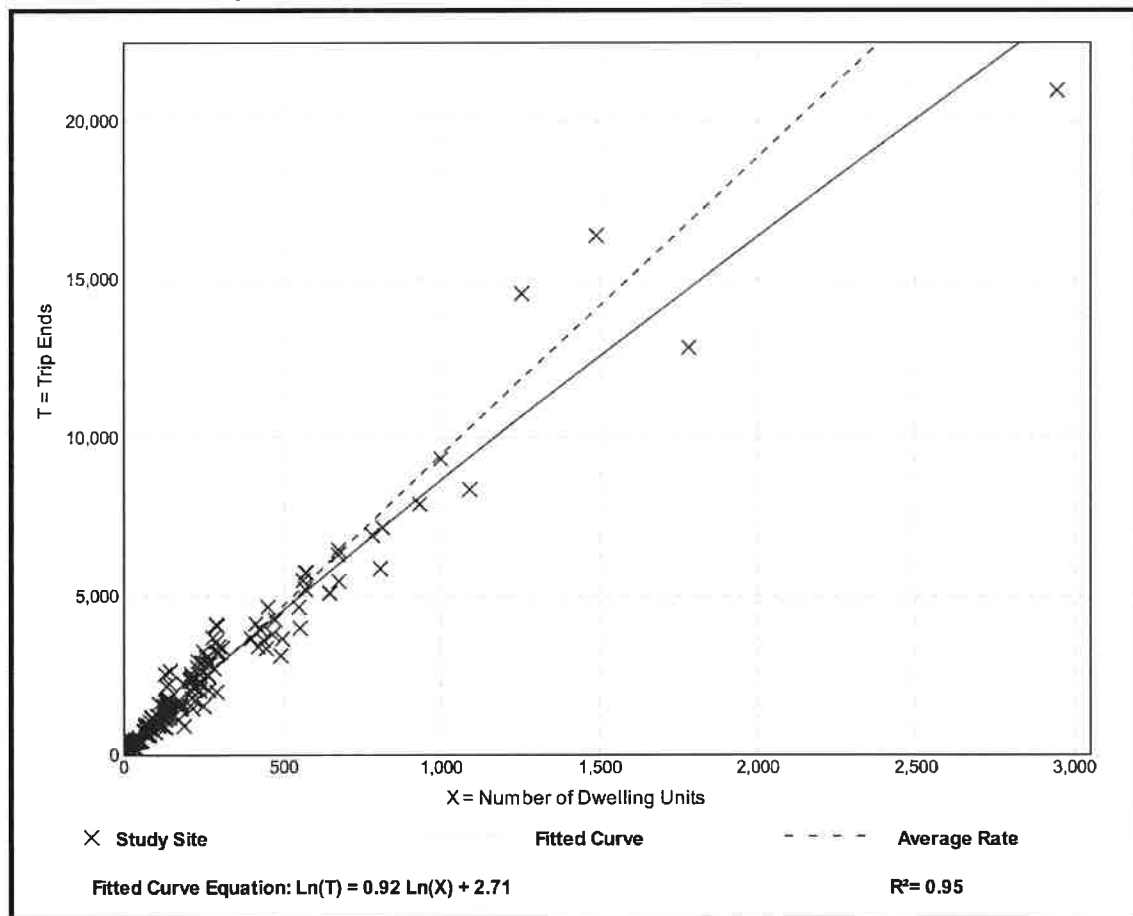
Range of Rates

4.81 - 19.39

Standard Deviation

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

0.74

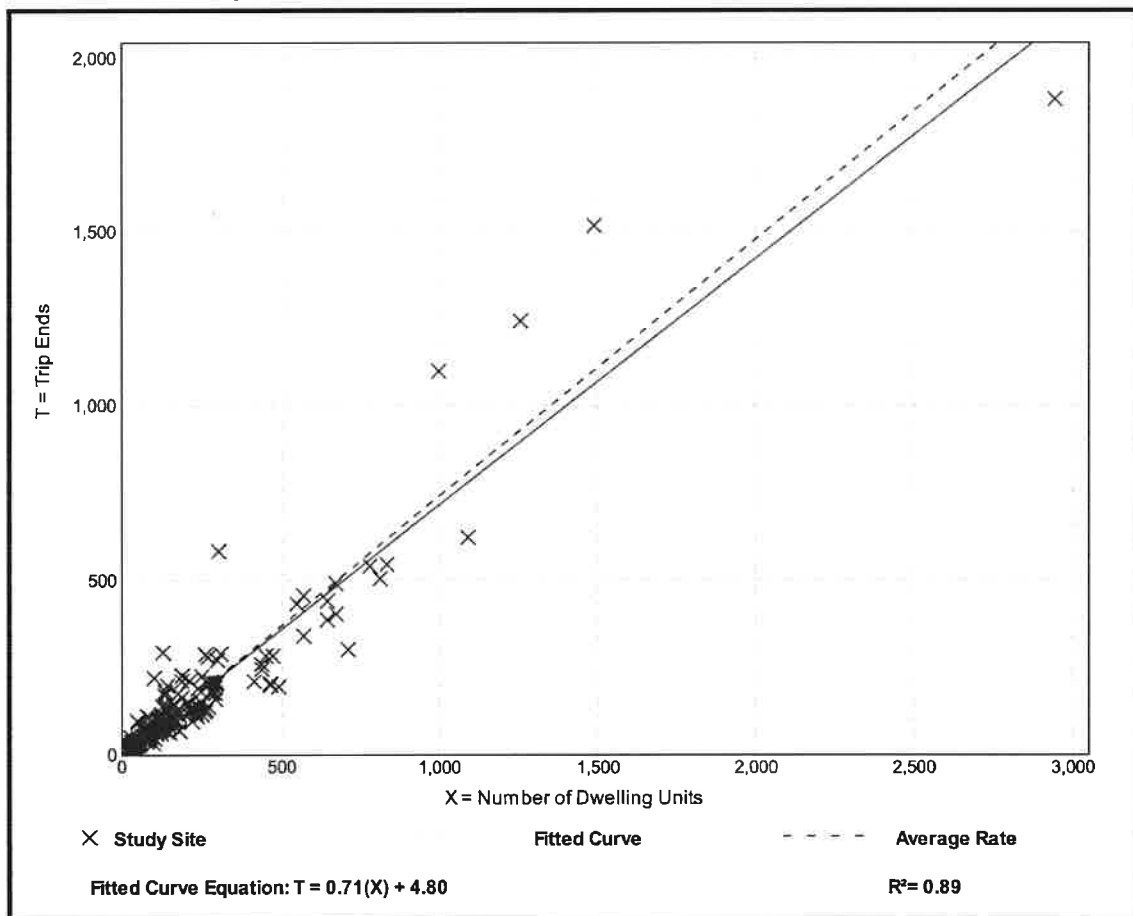
Range of Rates

0.33 - 2.27

Standard Deviation

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

0.99

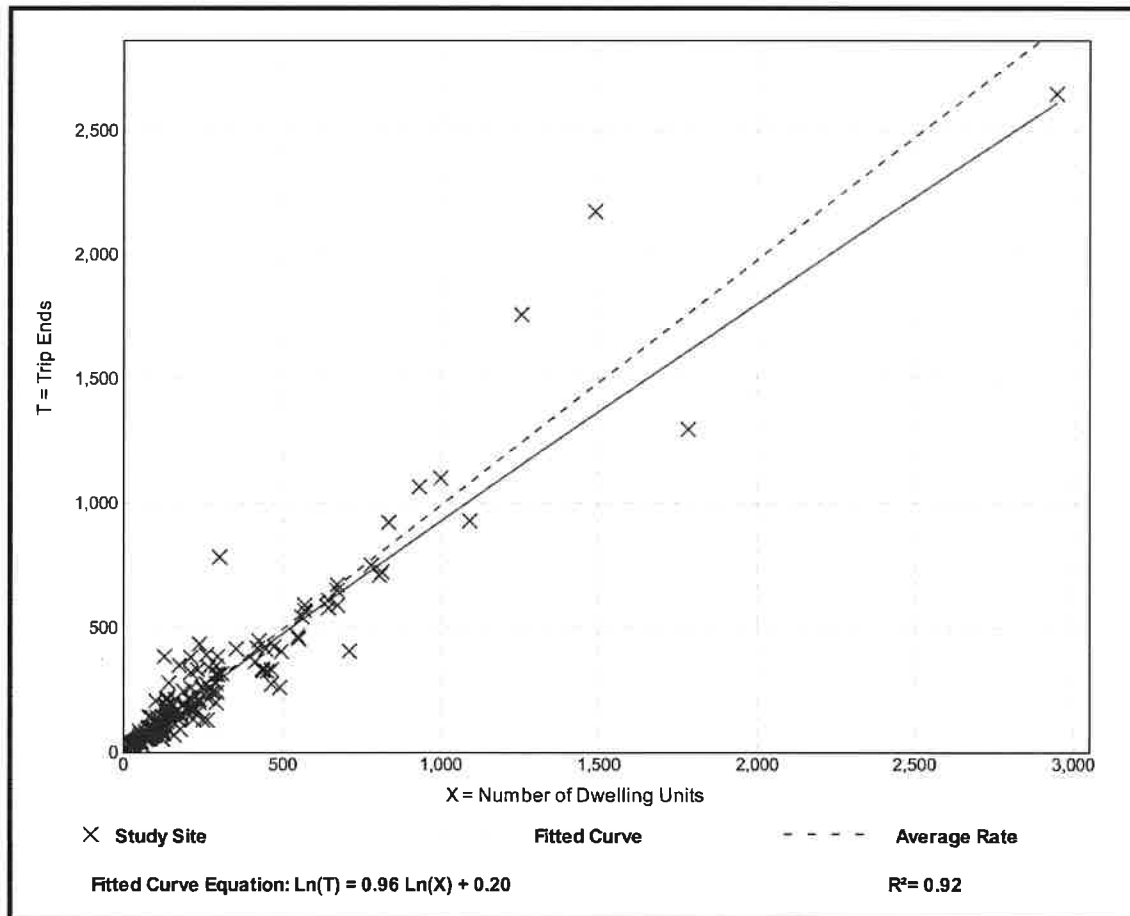
Range of Rates

0.44 - 2.98

Standard Deviation

0.31

Data Plot and Equation





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

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

October 27, 2020

Ms. Stacy Hewitt, AICP
Banks Engineering
10511 Six Mile Cypress Pkwy, Suite 101
Fort Myers, FL 33966

RE: Owl Creek Map & Text Amendment
CPA2020-00004 & CPA2020-00005

Dear Ms. Hewitt:

TR Transportation Consultants, Inc. has reviewed the Traffic Impact Statement (TIS) comments issued by the Lee County Department of Community Development regarding the above project. The comments and TR Transportation's response to those comments are listed below for reference.

LC T.I.S. Application Sufficiency Checklist:

4. *Table 2A: The trip generation for this project in PM peak hour will be 421 trips. This project is within TAZ3883 in the 2040 transportation model which is used for background traffic for the Year 2040. TAZ3883 only includes 17 single-family dwelling units and 2 multi-family units in the 2040 transportation model, and does not reflect the current land uses requested. Therefore, 421 trips shall be used for 2040 PM peak hour level of service analysis (Table 2A).*

Acknowledged. Attached Table 2A has been revised to satisfy this comment.

5. *Table 4A: 421 trips shall be also used for the 5 year level of service analysis.*

Acknowledged. Attached Table 4A has been revised to satisfy this comment.

6. *Table 2A and 4A: Buckingham Road needs to be revised to south of SR 80 in Tables 2A and 4A, not south of SR 31.*

Acknowledged. Attached Tables 1A-4A has been revised to satisfy this comment.

7. *Table 2A: A 0.62 D-factor (Permanent #5) shall be used for North River Road in Table 2A.*

Acknowledged. Attached Table 2A has been revised to satisfy this comment.



Ms. Stacy Hewitt, AICP
Owl Creek CPA
DOS2020-00004 & DOS2020-00005
October 27, 2020
Page 2

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

Sincerely,

Yury Bykau, E.I.
Transportation Consultant

Attachments

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

<u>ROADWAY</u>	<u>ROADWAY SEGMENT</u>	<u>2040 E + C NETWORK LANES</u>		<u>GENERALIZED SERVICE VOLUMES</u>				
		# Lanes	Roadway Designation	LOS A	LOS B	LOS C	LOS D	LOS E
				<u>VOLUME</u>	<u>VOLUME</u>	<u>VOLUME</u>	<u>VOLUME</u>	<u>VOLUME</u>
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 80	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 maintained roadways were taken from FDOT's Generalized Peak Hour Directional Volumes for Florida's Urbanized Areas Table 7.

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

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

2040														2040 BACKGROUND PLUS PROJ	
ROADWAY	ROADWAY SEGMENT	2040	COUNTY PCS /	MOCF	AADT	K-100	100TH HIGHEST	D	PM PK HR	PEAK DIRECTION		PROJECT	PK DIR	PEAK DIRECTION	
		FSUTMS			BACKGROUND		HOUR PK DIR		PEAK	TRAFFIC VOLUMES & LOS	TRAFFIC	PM PROJ	TRAFFIC VOLUMES & LOS		
		PSWDT	FDOT SITE #	FACTOR ¹	TRAFFIC	FACTOR	2-WAY VOLUME	FACTOR	DIRECTION	VOLUME	LOS	DIST.	TRAFFIC	VOLUME	LOS
N. River Rd	E. of Owl Creek Dr	5,548	124650	0.93	5,160	0.095	490	0.62	EAST	304	B	5%	13	317	B
	W. of Owl Creek Dr	5,568	124650	0.93	5,178	0.095	492	0.62	EAST	305	B	95%	252	557	C
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%	53	1,769	B
	S. of N. River Rd.	35,534	121001	0.94	33,402	0.095	3,173	0.54	NORTH	1,713	C	75%	199	1,912	D
	S. of SR 78	29,867	120030	0.94	28,075	0.090	2,527	0.54	NORTH	1,365	C	50%	133	1,498	C
SR 78	W. of SR 31	15,365	121002	0.94	14,443	0.090	1,300	0.54	EAST	702	C	25%	66	768	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%	93	2,585	C
	E. of SR 31	30,577	120085	0.94	28,742	0.090	2,587	0.54	EAST	1,397	C	10%	27	1,424	C
	E. of Buckingham Rd	19,690	120012	0.94	18,509	0.090	1,666	0.54	EAST	900	B	3%	8	908	B
Buckingham Rd	S. of SR 80	21,036	11	0.93	19,563	0.089	1,741	0.53	NORTH	923	F	4%	11	934	F

¹ Model Output Conversion Factor was utilized to obtain the AADT Volumes for all roadways.

* The K-100 and D factors for County maintained 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 maintained roadways were obtained from Florida Traffic Online resource.

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

<u>ROADWAY</u>	<u>ROADWAY SEGMENT</u>	<u># LANES</u>	<u>ROADWAY DESIGNATION</u>	<u>LOS A</u>	<u>LOS B</u>	<u>LOS C</u>	<u>LOS D</u>	<u>LOS E</u>
				<u>VOLUME</u>	<u>VOLUME</u>	<u>VOLUME</u>	<u>VOLUME</u>	<u>VOLUME</u>
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 80	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 maintained roadways were taken from FDOT's Generalized Peak Hour Directional Volumes for Florida's Urbanized Areas Table 7.

OWL CREEK

TOTAL PROJECT TRAFFIC AM =			VPH	IN =	79	OUT=	238				120273	0.095	0.521						
TOTAL PROJECT TRAFFIC PM =			VPH	IN=	265	OUT=	156				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						
		LCDOT PCS OR	BASE YR	2018/2019	YRS OF	ANNUAL	PK SEASON	PEAK DIRECTION	V/C	PERCENT				2025			2025		
		FDOT SITE #	ADT	ADT	GROWTH.	RATE	PK DIR. ¹	VOLUME	LOS	Ratio	TRAFFIC	AM PROJ	PM PROJ	BCKGRND			BCKGRND		
	ROADWAY	ROADWAY SEGMENT												+ AM PROJ	V/C		+ PM PROJ	V/C	
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			
	E. of Buckingham Rd	120012	19,200	28,000	15	2.55%	1,361	1,582 B	0.48	3%	7	8	1,590 B	0.48	1,590 B	0.48			
Buckingham Rd	S. of SR 80	11	8,400	11,400	9	3.45%	529	671 C	0.78	4%	10	11	680 C	0.79	681 C	0.79			

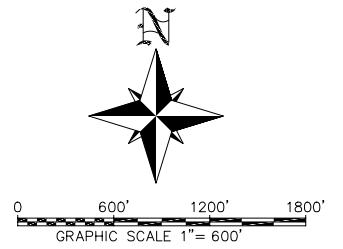
2 Current peak hour peak season peak direction traffic volumes for state maintained roadways were obtained by adjusting the 2019 AADT by the appropriate K and D factors.

NOTES:

SITE AREA: ±342.68 ACRES
LDC REQUIRED OPEN SPACE: NONE* SO NO INDIGENOUS OPEN SPACE REQUIRED
OPEN SPACE PROVIDED: MINIMUM 60% 342.68 X 0.6= ±205.6 ACRES
MAXIMUM 25% OR 51.4 AC OF OPEN SPACE AREAS PROVIDED BY LAKE: ±39.2 ACRES
PROPOSED CONSERVATION EASEMENT MINIMUM 48% = 342.68 X 0.48 = ±165.58 ACRES
OTHER OPEN SPACE: ±0.82 ACRES
OPEN SPACE PROVIDED: MINIMUM 205.6 ACRES

*NO OPEN SPACE REQUIRED FOR SINGLE-FAMILY LOTS MINIMUM 6,500 SF OR TWO-FAMILY ATTACHED LOTS MINIMUM 3,750 SF.

DENSITY: 342.68 X 1.283 DU/AC = MAXIMUM 440 DU PER PENDING CPA2020-00004 & CPA2020-00005



DR/GR &
PRIVATE RECREATIONAL
FACILITIES OVERLAY

RURAL
AG-2
GRAZING LANDS

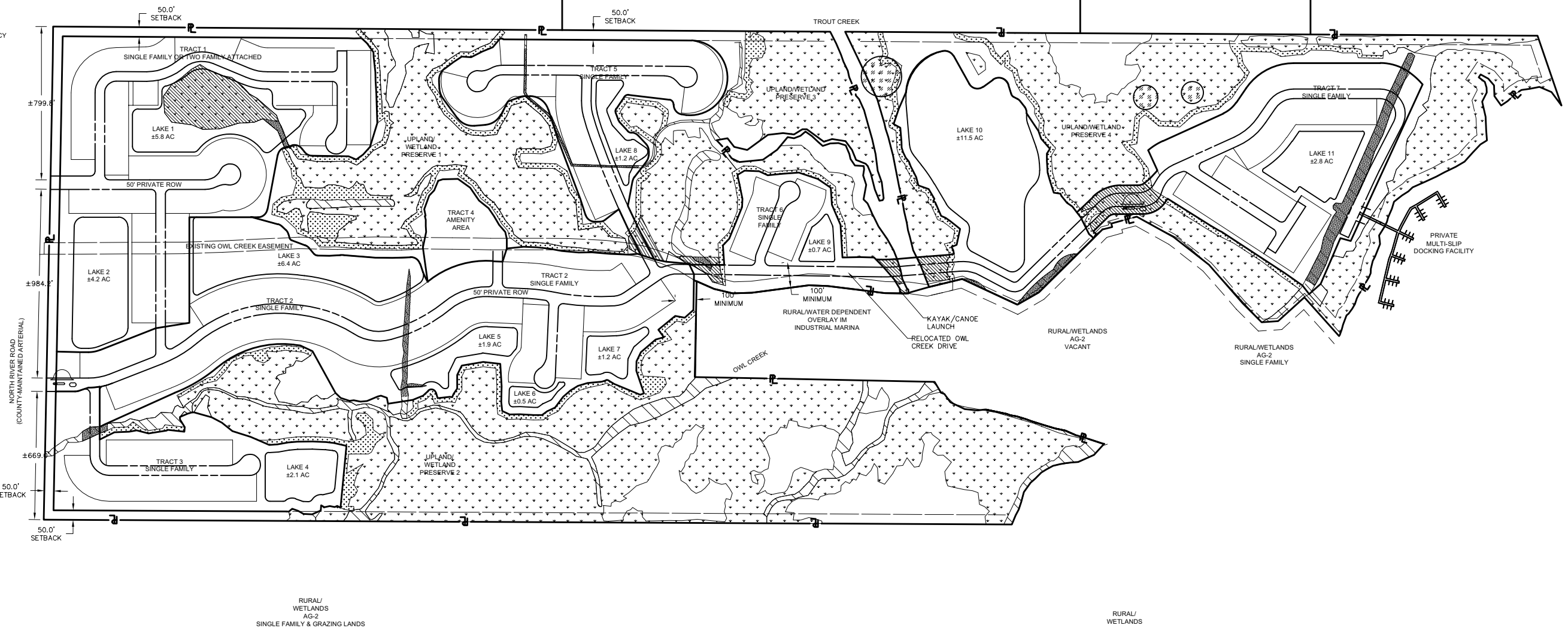
RURAL/
WETLANDS
AG-2
GRAZING LANDS
(UNDER NEGOTIATION CONSERVATION 2020)

RURAL/
WETLANDS
AG-2
VACANT
SFWMD OWNED

RURAL
AG-2
VACANT

AG-2
SINGLE FAMILY & AGRICULTURAL

BABCOCK EMERGENCY
ONLY ACCESS



LEGEND:

- UPLAND PRESERVE
- WETLAND PRESERVE
- PROPOSED WETLAND IMPACTS
- PROPOSED OTHER SURFACE WATERS IMPACTS
- OTHER SURFACE WATER
- APPROX. LOCATION OF PRESERVED HISTORIC SITE

TOTAL EXISTING JURISDICTIONAL WETLANDS: ±114.84 ACRES
WETLAND IMPACTS FOR PUBLIC FACILITIES MAXIMUM 7%:
TOTAL EXISTING JURISDICTIONAL SURFACE WATERS AND OTHER SURFACE WATERS: ±10.19 ACRES
SURFACE WATERS/OTHER SURFACE WATERS IMPACTS: MAXIMUM 29%
OWL CREEK FLOWS WILL BE ACCOMMODATED

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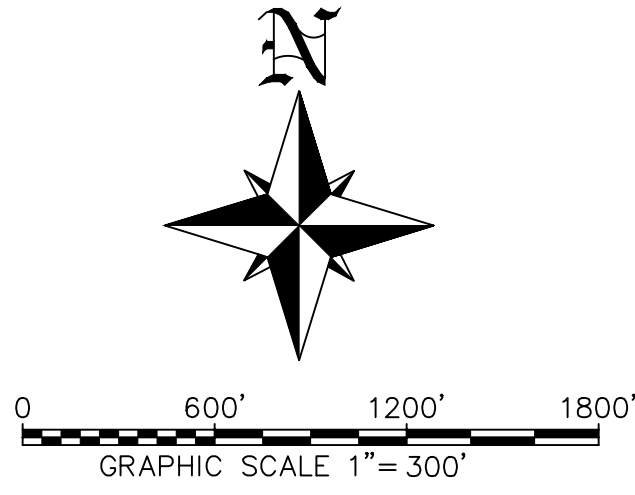
MASTER CONCEPT PLAN
OWL CREEK MINOR RPD
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
03/24/2021	8504	_MCP	KG	KG	DRU	AS SHOWN	01

NOTES:
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###

DRUG &
PRIVATE RECREATIONAL
FACILITIES OVERLAY

RURAL
AG-2
GRAZING LANDS

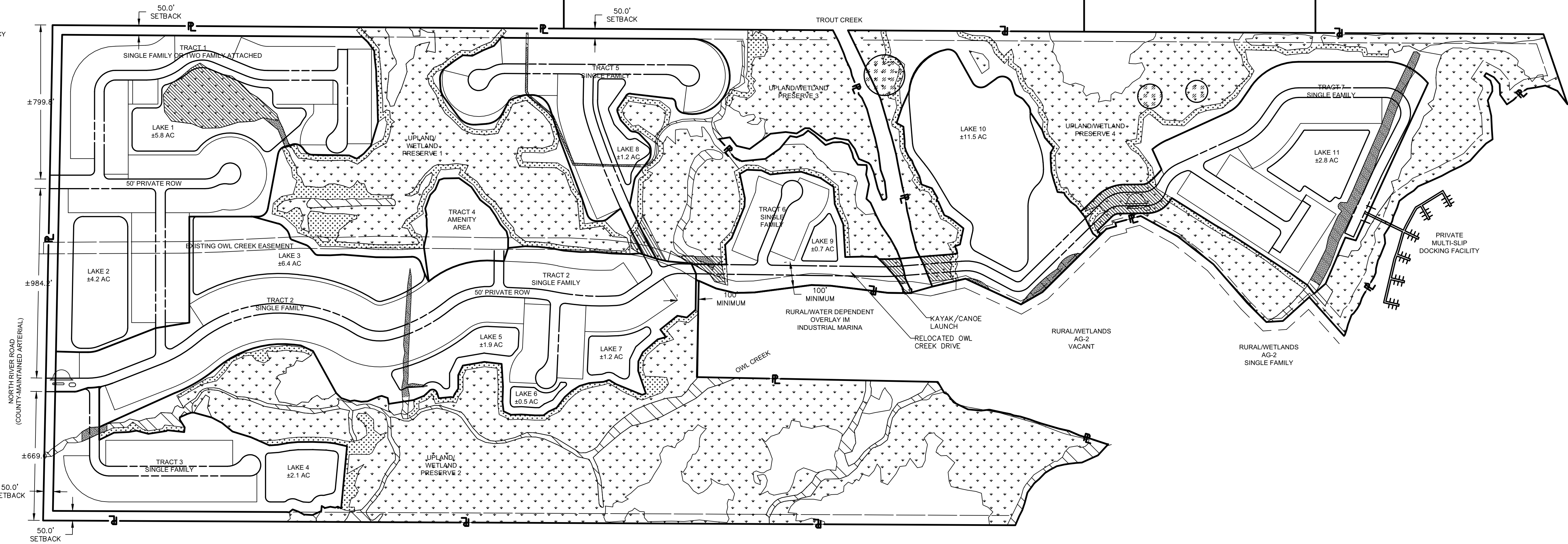
RURAL/
WETLANDS
AG-2
GRAZING LANDS
(UNDER NEGOTIATION CONSERVATION 2020)

RURAL/
WETLANDS
AG-2
VACANT
SF/WMO OWNED

RURAL
AG-2
VACANT

AG-2
SINGLE FAMILY & AGRICULTURAL

BABCOCK EMERGENCY
ONLY ACCESS



NEW COMMUNITY
MPD
BABCOCK RANCH

RURAL/
WETLANDS
AG-2
SINGLE FAMILY & GRAZING LANDS

RURAL/
WETLANDS

LEGEND:

- UPLAND PRESERVE
- WETLAND PRESERVE
- PROPOSED WETLAND IMPACTS
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OWL CREEK FLOWS WILL BE ACCOMMODATED

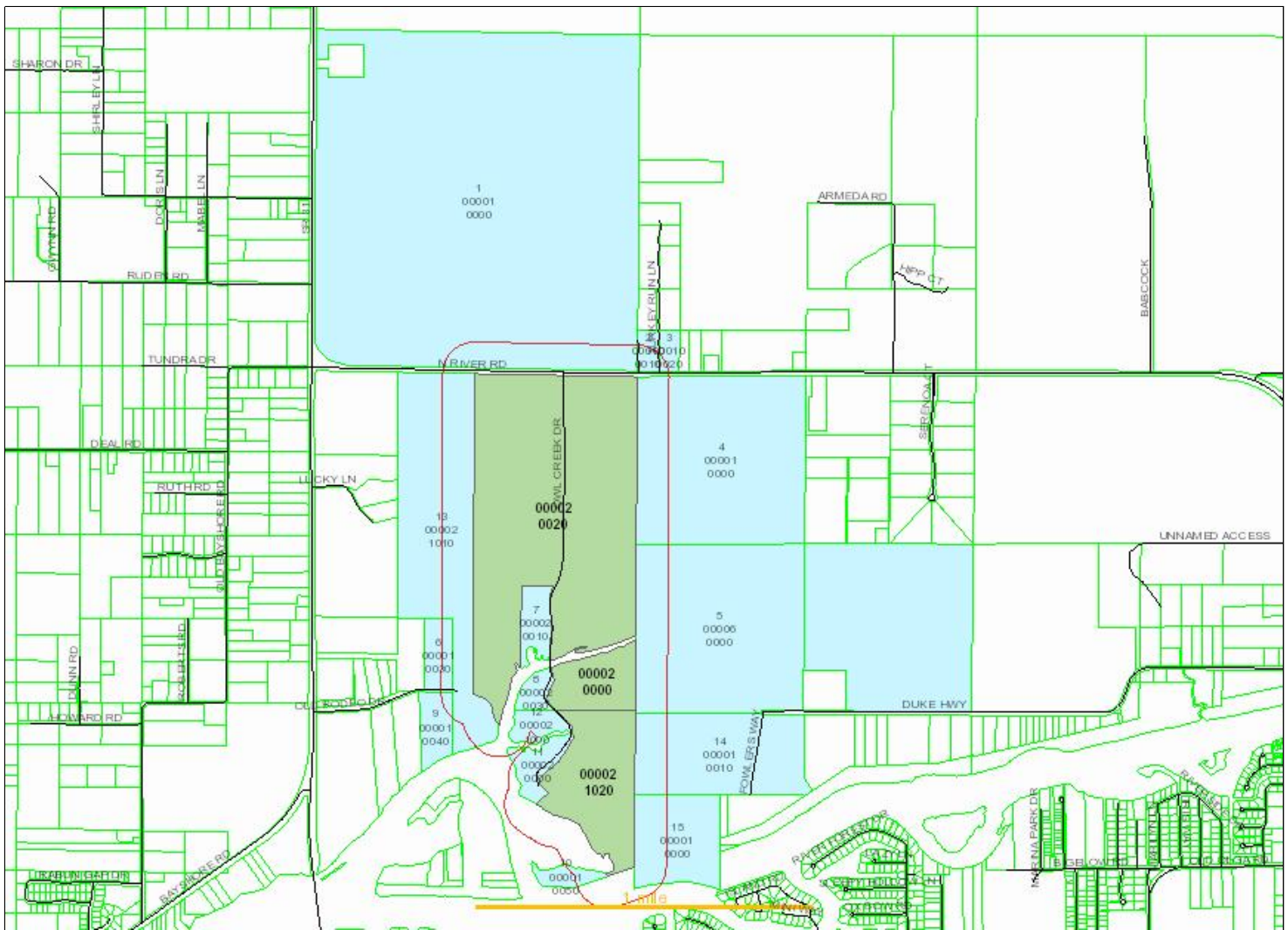
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MASTER CONCEPT PLAN
OWL CREEK MINOR RPD
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
03/24/2021	8504	_MCP	KG	KG	DRU	AS SHOWN	01



Date of Report: March 24, 2021

Buffer Distance: feet

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 KITSON AND PARTNERS 4500 PGA BLVD STE 400 PALM BEACH GARDENS FL 33418	07-43-26-00-00001.0000 19500 STATE ROAD 31 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 LESS 2018-233590	1
ONEILL MICHAEL 13033 N RIVER RD ALVA FL 33920	08-43-26-00-00010.0010 13033 N RIVER RD ALVA FL 33920	W 1/2 OF S W 1/4 OF S W 1/4 OF S W 1/4 DESC IN OR 1432 PG 635	2
PIPKINS DAVID S & 19100 TURKEY RUN LN ALVA FL 33920	08-43-26-00-00010.0020 19100 TURKEY RUN LN ALVA FL 33920	E1/2 OF SW1/4 OF SW1/4 OF SW1/4 DESC IN OR 1505 PG 1868	3
CARY + DUKE PROPERTIES LLC PO BOX 718 FORT MYERS FL 33902	17-43-26-00-00001.0000 13230 N RIVER RD ALVA FL 33920	NW 1/4 + SE 1/4 LESS SW 1/4 OF SW 1/4 OF SE 1/4 LESS R/W OR 2026/2985	4
NORTH RIVER COMMUNITIES LLC 9990 COCONUT RD STE 200 BONITA SPRINGS FL 34135	17-43-26-00-00006.0000 13231 DUKE HWY 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 ALVA FL 33920	12251 OLD RODEO DR ALVA FL 33920	OR 2626/0083 LESS 2019-84518 + 2019-84519	
OWL CREEK BOAT WORKS + 18251 OWL CREEK DR ALVA FL 33920	18-43-26-00-00002.0010 18251 OWL CREEK DR ALVA FL 33920	PARL IN SE 1/4 N OF CRK AS DESC IN OR 1100 PG 0642	7
VERSPEETEN RONALD L/E 20 STUBBS CR TILLSONBURG ON N4G 4P5 CANADA	18-43-26-00-00002.0030 OWL CREEK DR ALVA FL 33920	PARCEL IN SE 1/4 S OF TROUT CREEK LESS OR 2619 PG 3907	8
DILORETO THOMAS N & DIANA L 12290 OLD RODEO DR ALVA FL 33920	19-43-26-00-00001.0040 12290 OLD RODEO DR ALVA FL 33920	ALL FRAC W 1/2 OF RVR DESC IN OR 4830 PG 1310 + 2019-84519 LESS RD R/W + 1.0000 THRU 1.0030	9
SOUTH FLA WATER MGMT DIST LAND MANAGEMENT PO BOX 24680 WEST PALM BEACH FL 33416	19-43-26-00-00001.0050 ACCESS UNDETERMINED ALVA FL	PARL IN 19-43-26 AS DESC IN OR 37 PG 220	10
VERSPEETEN RONALD L/E 20 STUBBS CR TILLSONBURG ON N4G 4P5 CANADA	19-43-26-00-00002.0000 17891/901 OWL CREEK DR ALVA FL 33920	ALL FRAC E 1/2 N OF RVR LESS PARCEL 2.001 + 2.1000	11
VERSPEETEN RONALD L/E 20 STUBBS CR TILLSONBURG ON N4G 4P5 CANADA	19-43-26-00-00002.1000 18001 OWL CREEK DR ALVA FL 33920	E 1/2 OF SEC N OF RIVER LESS 2.+ 2.001 + 2.1010 + 2.1020	12
LAWSON DONALD SHUMAKER LOOP + KENDRICK LLP 240 S PINEAPPLE AVE SARASOTA FL 34236	19-43-26-00-00002.1010 12350 OLD RODEO DR ALVA FL 33920	PAR IN NW1/4 OF NW1/4 OF NE1/4 OF SEC 19 + PORT IN SE 1/4 OF SW 1/4 OF SW 1/4 AS DESC IN INST#2006-467705 PAR IN E 1/2 OF W 1/2 N OF RIVER AS DESC IN INST#2006-467701	13
SOUTH FLA WATER MGMT DIST LAND MANAGEMENT PO BOX 24680 WEST PALM BEACH FL 33416	20-43-26-00-00001.0010 ACCESS UNDETERMINED FORT MYERS FL	PARL IN NE 1/4 AS DESC IN OR 484/407	14
CLARE LAND LLC PO BOX 131391 HOUSTON TX 77219	20-43-26-01-00001.0000 ACCESS UNDETERMINED FORT MYERS FL	HART + FOXWORTHYS S/D PB 1 PG 44 NLY PT LOTS 1 THRU 8	15

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

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13033 N RIVER RD
ALVA FL 33920

PIPKINS DAVID S &
19100 TURKEY RUN LN
ALVA FL 33920

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

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

WINTER RYAN G +
12251 OLD RODEO DR
ALVA FL 33920

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

VERSPEETEN RONALD L/E
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CANADA

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ALVA FL 33920

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LAND MANAGEMENT
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WEST PALM BEACH FL 33416

VERSPEETEN RONALD L/E
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CANADA

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TILLSONBURG ON N4G 4P5
CANADA

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

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

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HOUSTON TX 77219