BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

August 13, 2021

Mr. Brandon Dunn, Principal Planner
Planning Section
Lee County Community Development
1500 Monroe Street
Fort Myers, Florida 33901

REFERENCE: OWL CREEK RESERVE - COMPREHENSIVE PLAN AMENDMENT
CPA2020-00004 (Map) & CPA2020-00005 (Text)
2nd Resubmittal

Dear Brandon:

Please accept this letter with attachments as a revised application submittal package for the above referenced cases. Pursuant to our discussions and meetings, the applicant is no longer proposing a future land use map amendment for the subject property.

The applications have been revised to propose an amendment to Map 6 to include ±342.68 acres within the Lee County Utilities Future Water Service Area to allow for privately funded expansion of water service and associated Text Amendments to provide incentives to encourage wetland preservation and rare and unique upland habitat preservation or restoration in the Rural future land use category for clustered developments utilizing the planned development process within the North Olga Planning Community. The request will facilitate the accompanying minor residential planned development application (DCI2021-00011) which proposes a minimum of 49% of the property to be placed into a conservation easement consisting of wetland, upland, flow-way/surface water preservation and restoration to accommodate up to 385 single-family and two-family attached dwelling units and associated amenities. Please note the total maximum dwelling units associated with the applications has been reduced from 440 to 385.

Attached please find a compilation of the full Map and Text amendment submittal package combined into one file which incorporates updated submittal items along with previously submitted items that remain unchanged. Please refer to the Comprehensive Plan Map and Text Amendment List of Exhibits for a summary of the submittal items.

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

If you have any questions or I may be of further assistance, please feel free to contact me at (239) 770-2527 or shewitt@bankseng.com.

Sincerely,
BANKS ENGINEERING



Stacy Ellis Hewitt, AICP
Director of Planning

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

OWL CREEK RESERVE
Comprehensive Plan Map & Text Amendment
List of Exhibits by Application Section
CPA2020-00004 & CPA2020-00005
Revised August 2021

Revisions this submittal shown in bold underline text.

Map Amendment:

1. Exhibit M1 – Application **(Revised August 2021)**
2. Exhibit M2 - Filing Fee
3. Exhibit M3 - Disclosure of Interest
    a. Talon Ventures, LLC
    b. D.R. Horton, Inc.
4. Exhibit M3 - Variance Report
    a. Surrounding Property Owners List
    b. Mailing Labels
    c. Map of Parcels within 500 Feet
5. Exhibit M4 - Future Land Use Map
    a. Existing (Revised March 2021)
    b. ~~Proposed~~ **N/A – no longer applicable**
6. Exhibit M5 & M6 - Map & Designation of Existing Land Uses & Zoning, including
    a. Map of Existing Land Uses
    b. Map of Existing Zoning
    c. Description Narrative of Existing Land Uses & Zoning
    d. Partial Release of Conservation Easement – parcel adjacent to west
7. Exhibit M7 - Signed/Sealed Legal Description & Sketch for each FLUC Proposed
    a. Legal Descriptions (Revised March 2021)
    b. Boundary Survey
8. Exhibit M8 - Deed of Subject Property
9. Exhibit M9 - Aerial Map Showing the Subject Property & Surrounding Properties
10. Exhibit M10 - Authorization Letter from the Property Owner, including
    a. Talon Ventures, LLC
    b. D.R Horton, Inc.
11. Exhibit M11 & M18/ T6, T9 & T10 - Lee Plan Consistency & State-Regional Plans **(Revised August 2021)**
12. Exhibit M12/T7 - Environmental Impacts Analysis **(Revised August 2021)**
13. Exhibit M13/T8 - Historical Resources Impact Analysis, including
    a. Archaeological Sensitivity Map
    b. Analysis of Potential Impacts to Cultural Resources Report
14. Exhibit M14 & M16/T5 - Public Facilities Impact Analysis & Existing & Future Conditions Analysis **(Revised August 2021)**
    a. Letter of no objection from LCU for sanitary sewer connection to FGUA
15. Exhibit M15/T5 - Traffic Circulation Analysis (Supplemented March 2021)
16. Exhibit M17 - Letters of Determination for Adequacy and copies of requests
    a. Bayshore Fire Protection & Rescue Service District

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   b. Division of Emergency Medical Services
   c. Lee County Utilities
   d. Lee County Transit
   e. School District of Lee County
   f. Lee County Sheriff's Office
   g. Lee County Solid Waste Department
   h. FGUA Wastewater
17. Exhibit M19 - Justification of Proposed Amendment **(Revised August 2021)**
18. Exhibit M20 - Planning Community Requirements (Revised March 2021)
   a. Summary of North Olga Planning Community Public Information Meeting
   b. Summary of Alva Planning Community Public Information Meeting
19. Additional Support Documents:
   a. Amendment to Lee Plan Map 6 - Future Water Service Areas
   b. Preliminary Development Footprint **(Revised August 2021)**
   c. Hurricane Evacuation Analysis **(Revised August 2021)**
   d. Water Resources Report **(Revised August 2021)**
   e. **Stormwater Planning Report**
   f. **Indigenous Habitat Management Plan**

Text Amendment:

1. Exhibit T1 - Text Amendment Application **(Revised August 2021)**
2. Exhibit T2 - Filing fee
3. Exhibit T3 - Pre-Application Meeting
4. Exhibit T4 - Proposed Text Changes **(Revised August 2021)**
   a. Table 1(a) **(Revised August 2021)**
   b. ~~Table 1(b)~~ **N/A – no longer applicable**

Application

(Exhibit M1)

CPA2020-00004
Revised August 2021

APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT - MAP

Project Name: **Owl Creek Reserve**

Project Description: **Amendment to Map 6 to include ±342.68 acres within the Lee County Utilities Future Water Service Area and associated Text Amendments to allow incentives for protection of environmentally sensitive lands within the Rural future land use category for clustered developments within the North Olga Planning Community area with accompanying planned development application to accommodate up to 385 residential dwelling units (increase of 157 dwelling units).**

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

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

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

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

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

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

5. **Property Information:**
   Total Acreage of Property: **±342.68** Total Acreage Included in Request: **±342.68**
   Total Uplands: **±217.68 ac & ±4.42 ac OSW** Total Wetlands: **±114.84 ac & ±5.74 ac natural SW** Current Zoning: **AG-2**
   Current Future Land Use Category(ies): **Rural & Wetlands**
   Area in Each Future Land Use Category: **Rural: ±217.68&±4.42 ac OSW±222.1 ac/Wetlands: ±114.84 ac & ±5.74 ac SW**
   Existing Land Use: **Agricultural Grazing Lands**

6. **Calculation of maximum allowable development under current Lee Plan:**
   Residential Units/Density: **228*** Commercial Intensity: Industrial Intensity:
   *Uplands including artificial ditches & lake @ 1du/ac & Wetlands @ 1du/20 ac (no density for natural SW)

7. **Calculation of maximum allowable development with proposed amendments:**
   Residential Units/Density: **385** Commercial Intensity: Industrial Intensity:

Public Facilities Impacts

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Environmental Impacts

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

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

Impacts on Historic Resources

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

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

Internal Consistency with the Lee Plan

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

State Policy Plan and Regional Policy Plan

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

Justify the proposed amendment based upon sound planning principles

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

Planning Communities/Community Plan Area Requirements

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

Sketch and Legal Description

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

SUBMITTAL REQUIREMENTS

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

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

MINIMUM SUBMITTAL ITEMS (3 Copies)

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

APPLICANT – PLEASE NOTE:

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

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

AFFIDAVIT

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

Signature of Applicant

8/20/20
Date

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

STATE OF FLORIDA
COUNTY OF LEE

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

Signature of Notary Public

Rina Patel
(Name typed, printed or stamped)

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

Disclosure of Interest
(Exhibit M3)

DISCLOSURE OF INTEREST
AFFIDAVIT

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

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

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

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

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

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

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

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

Name and Address	Percentage of Ownership
N/A	

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

Belinda B Ulrich
Property Owner

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

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

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

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

Desiree J Vance
Signature of Notary Public

STAMP/SEAL

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

DISCLOSURE OF INTEREST
AFFIDAVIT

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

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

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 [X] physical presence or [ ] online notarization, on 8/20/2020 (date) by Justin Robbins (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

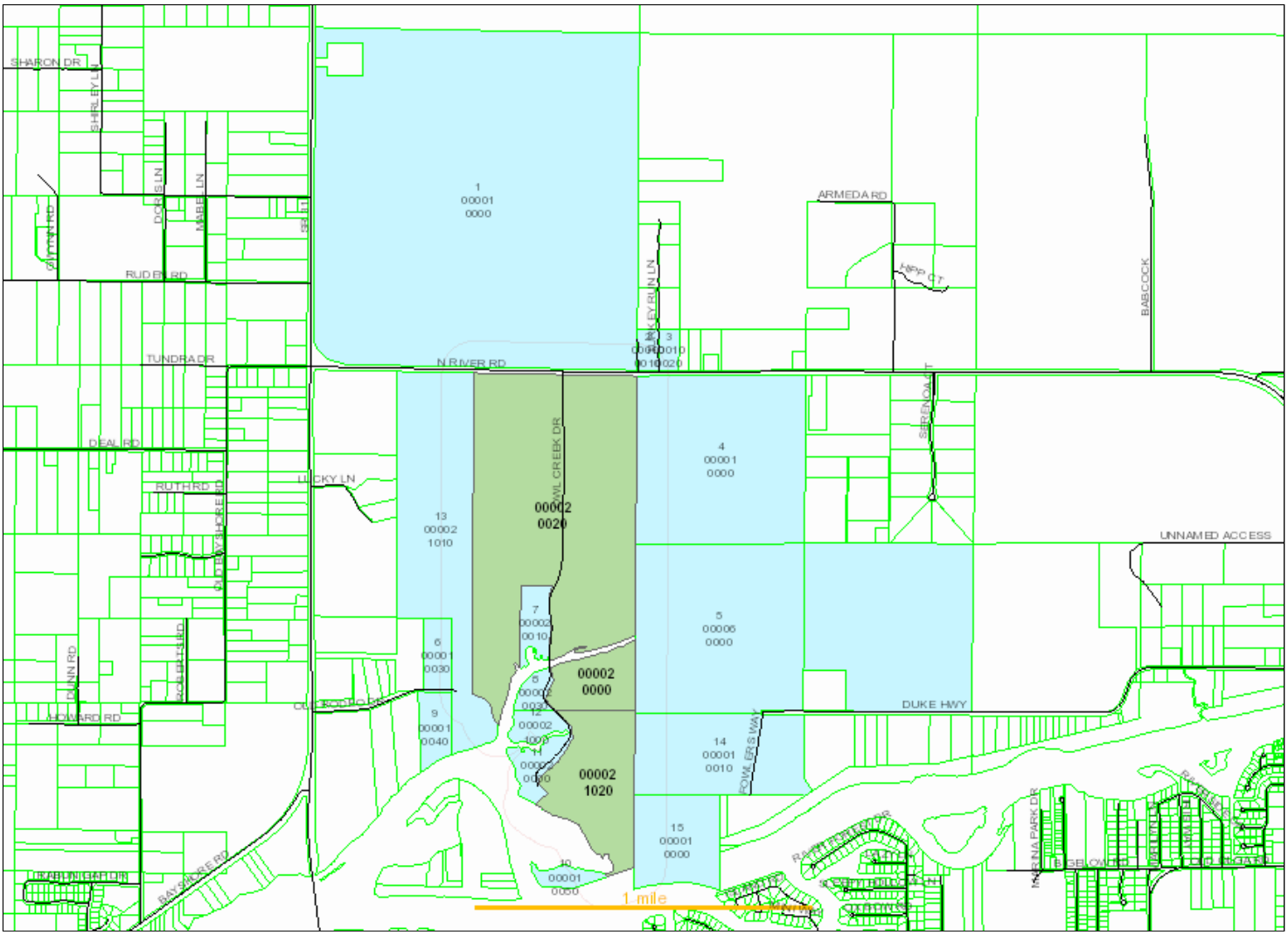
Signature of Notary Public

STAMP/SEAL

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

Surrounding Property Owners List, Mailing Labels & Map

(Exhibit M3)



Date of Report: August 27, 2020

Buffer Distance: 500 feet Rerun

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

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

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 COMMUINITIES 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 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 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 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

PIPKINS DAVID S &
19100 TURKEY RUN LN
ALVA FL 33920

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

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

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

VERSPEETEN RONALD
20 STUBBS CR
TILLSONBURG ON N4G 4P5
CANADA

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

CLARE LAND LLC
PO BOX 131391
HOUSTON TX 77219

ONEILL MICHAEL
13033 N RIVER RD
ALVA FL 33920

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

WINTER RYAN G +
12251 OLD RODEO DR
ALVA FL 33920

VERSPEETEN RONALD
20 STUBBS CR
TILLSONBURG ON N4G 4P5
CANADA

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

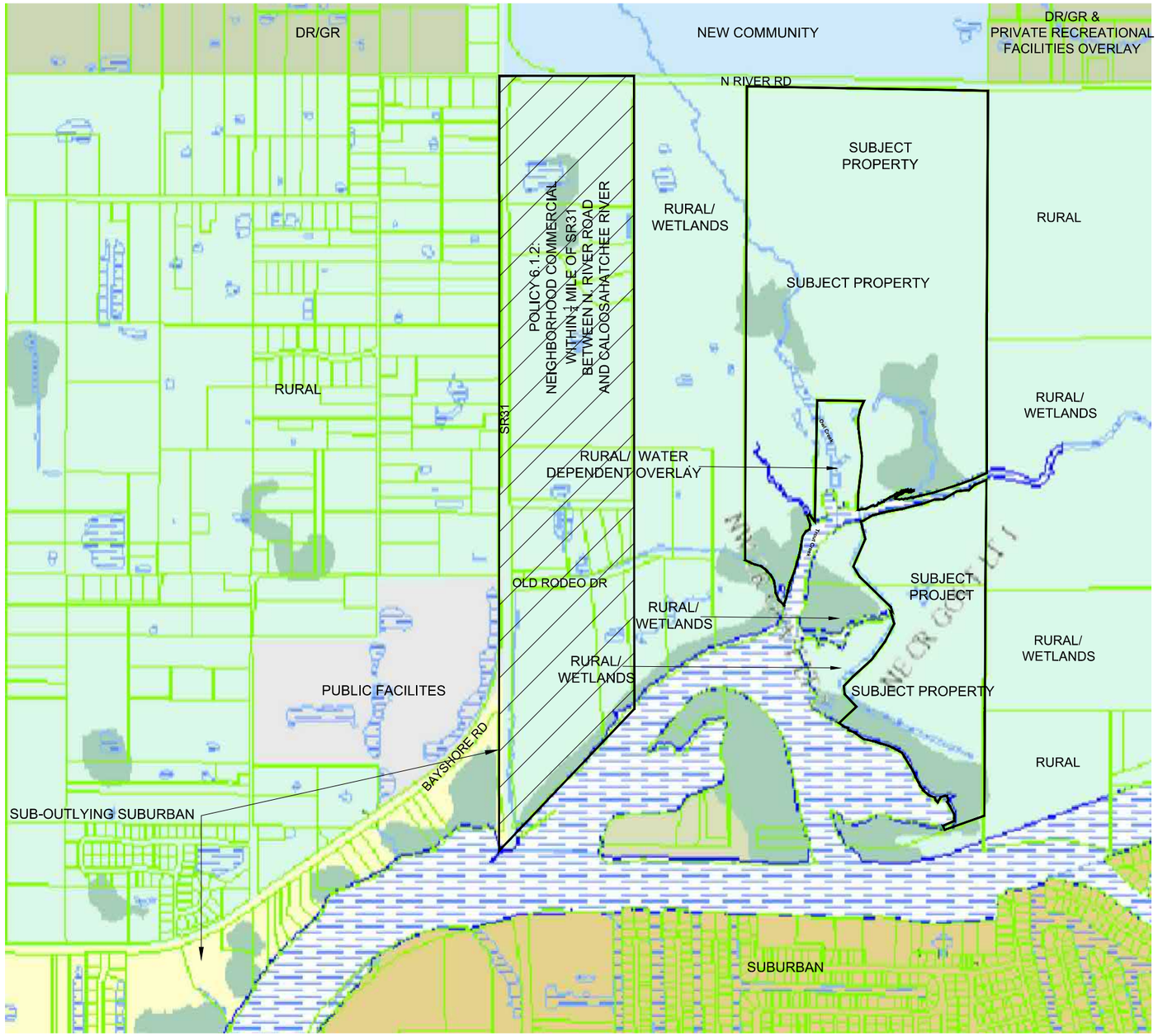
VERSPEETEN RONALD
20 STUBBS CR
TILLSONBURG ON N4G 4P5
CANADA

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

Future Land Use Map - Existing

(Exhibit M4)

CPA2020-00004
Revised August 2021



- 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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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

REVISED 01/05/2021

EXISTING FUTURE LAND USE MAP EXHIBIT-M4

OWL CREEK

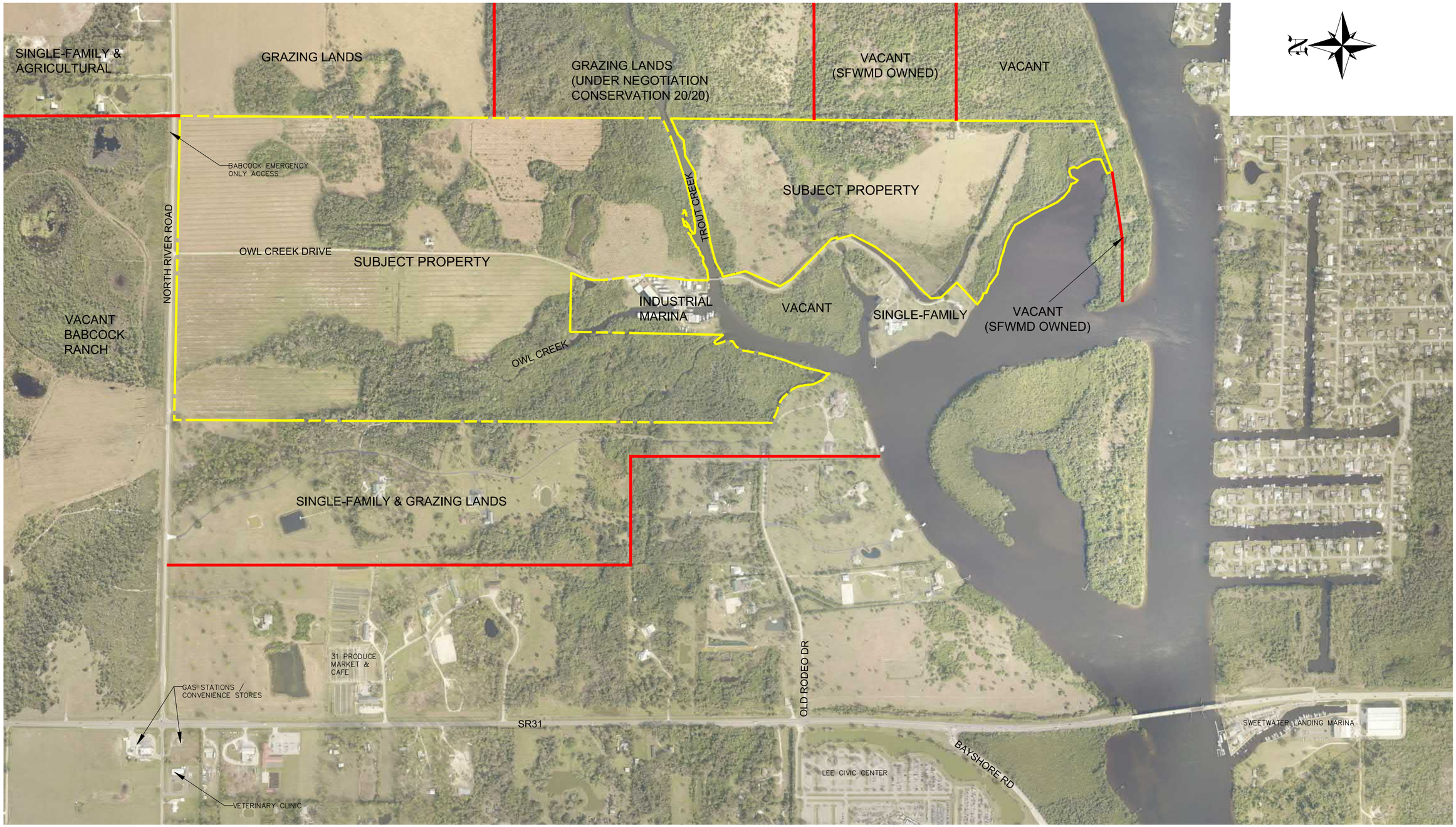
LEE COUNTY, FLORIDA

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

S:\JOBS\85XX\8504\EXHIBITS\8504_FUTURE LAND USE.DWG 1/6/2021 7:54 AM KEVIN GONZALEZ

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

(Exhibits M5 & M6)



LEGEND:

= APPROXIMATE ADJACENT PROPERTY LINE

= SUBJECT PROPERTY

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

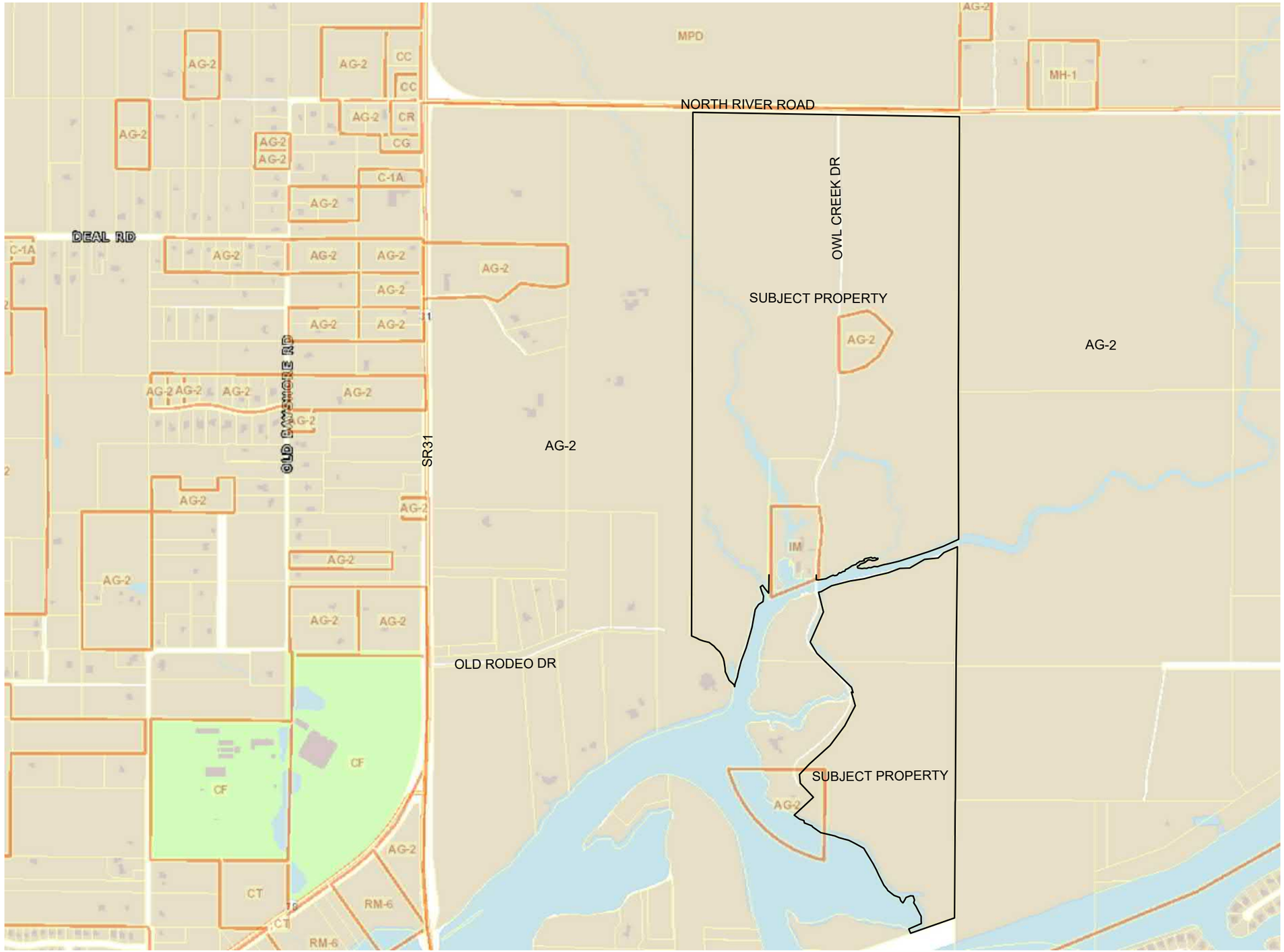
MAP OF EXISTING LAND USES EXHIBIT-M5

OWL CREEK

LEE COUNTY, FLORIDA

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

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FORT MYERS, FLORIDA 33966
PHONE: (239) 939-5490 FAX: (239) 939-2523

ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690

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MAP OF EXISTING ZONING EXHIBIT-M6

OWL CREEK

LEE COUNTY, FLORIDA

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

S:\JOBS\85XX\8504\EXHIBITS\8504_FUTURE LAND USE.DWG 9/8/2020 8:23 AM KEVIN GONZALEZ

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

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

Subject Property

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

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

West

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

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

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

North

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

East

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

South

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

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

Permit: _____
Tract: _____

PARTIAL RELEASE OF CONSERVATION EASEMENT

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

WITNESSETH:

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

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

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

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

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

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

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

By: _____, Deputy Executive Director

(Corporate Seal)

ATTEST:

Jacki McGorty
District Clerk

LEGAL FORM APPROVED
BY OFFICE OF COUNSEL,
APRIL 2003

STATE OF FLORIDA
COUNTY OF PALM BEACH

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

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

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

OWNER: _____
Michael L. Greenwell

WITNESSES:

Wendy M. Mattson
Print Name: WENDY M. MATTSON

_____
Print Name: Thomas H. Gunderson

STATE OF FLORIDA
COUNTY OF Lee

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

_____
Notary Public

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

_____
Print Name
My Commission Expires: _____

PREPARED BY:

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

EXHIBIT "A"

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

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

PARCEL CONTAINS 121.4 ACRES MORE OR LESS.

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

EXHIBIT "B"

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

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

PARCEL CONTAINS 121.4 ACRES MORE OR LESS.

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

LESS AND EXCEPT:

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

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

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

Containing 1.45 acres, more or less.

AND

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

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

Containing 0.62 acres, more or less.

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

AND LESS AND EXCEPT:

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

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

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

Containing 1.87 acres, more or less.

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

Signed & Sealed Legal Description & Sketch for Each FLUC Proposed

(Exhibit M7)

CPA2020-00004

M7-1 Legal Description & Sketch Revised March 2021

BBLS 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.,

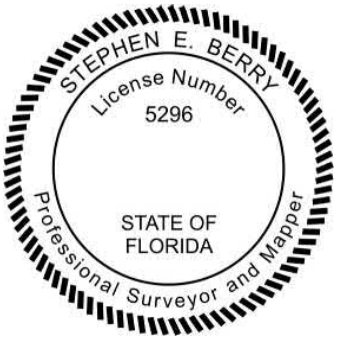
ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 31.24 FEET; THENCE RUN N.63°30'36"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 30.41 FEET; THENCE RUN N.56°41'32"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 40.31 FEET; THENCE RUN N.61°46'56"W., ALONG SAID MEAN HIGH WATER LINE, FOR 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.

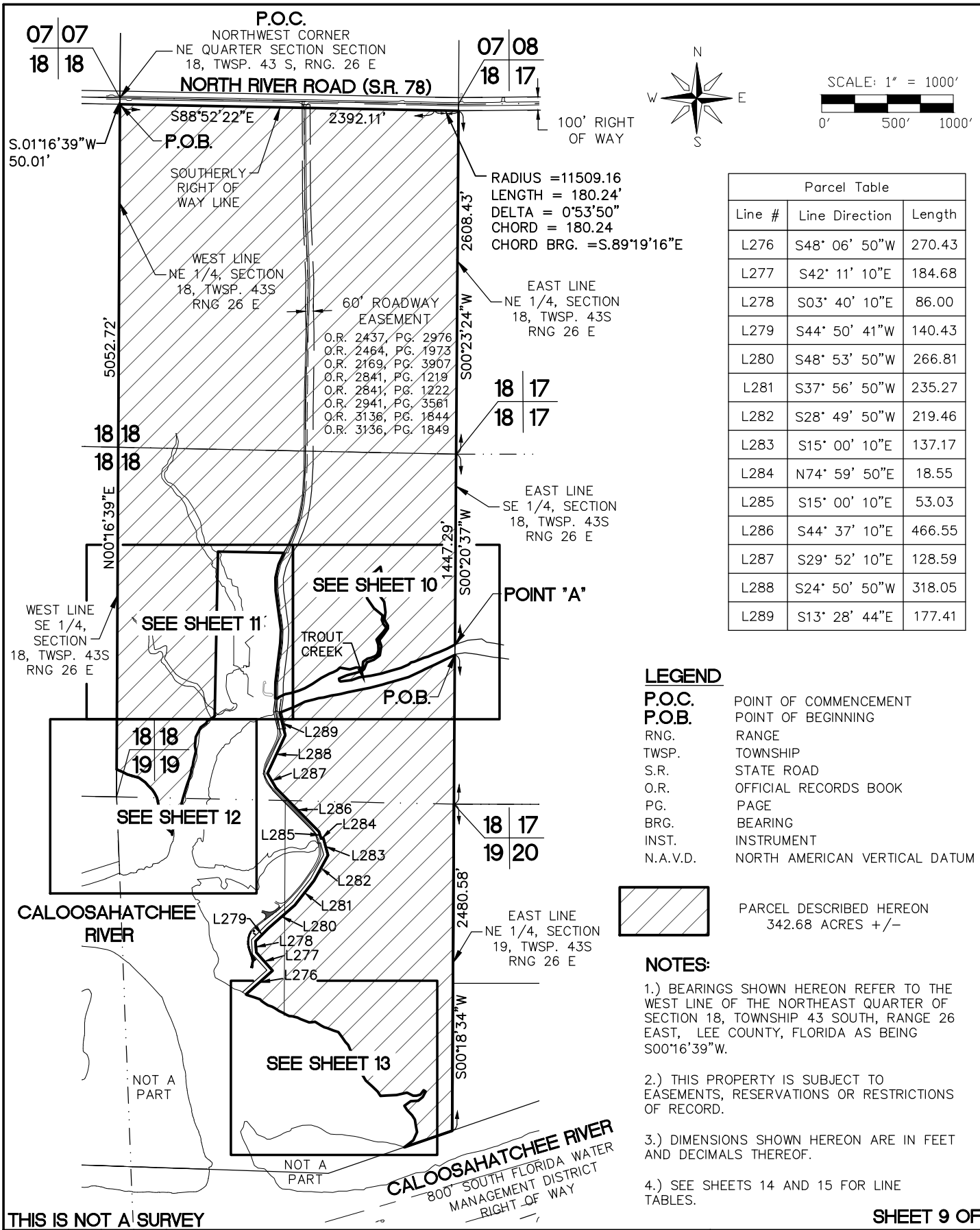
BEARINGS REFER TO THE WEST LINE THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, HAVING A BEARING OF S.00°16'39"W.

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



_____ 01/25/21
STEPHEN E. BERRY, STATE OF FLORIDA, (L.S. #5296)
BBLS SURVEYORS, INC., (L.B. #8033)
PROOFED BY SEB

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



Parcel Table		
Line #	Line Direction	Length
L276	S48° 06' 50"W	270.43
L277	S42° 11' 10"E	184.68
L278	S03° 40' 10"E	86.00
L279	S44° 50' 41"W	140.43
L280	S48° 53' 50"W	266.81
L281	S37° 56' 50"W	235.27
L282	S28° 49' 50"W	219.46
L283	S15° 00' 10"E	137.17
L284	N74° 59' 50"E	18.55
L285	S15° 00' 10"E	53.03
L286	S44° 37' 10"E	466.55
L287	S29° 52' 10"E	128.59
L288	S24° 50' 50"W	318.05
L289	S13° 28' 44"E	177.41

LEGEND

P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
RNG.	RANGE
TWSP.	TOWNSHIP
S.R.	STATE ROAD
O.R.	OFFICIAL RECORDS BOOK
PG.	PAGE
BRG.	BEARING
INST.	INSTRUMENT
N.A.V.D.	NORTH AMERICAN VERTICAL DATUM

PARCEL DESCRIBED HEREON
342.68 ACRES +/-

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.

4.) SEE SHEETS 14 AND 15 FOR LINE TABLES.

THIS IS NOT A SURVEY

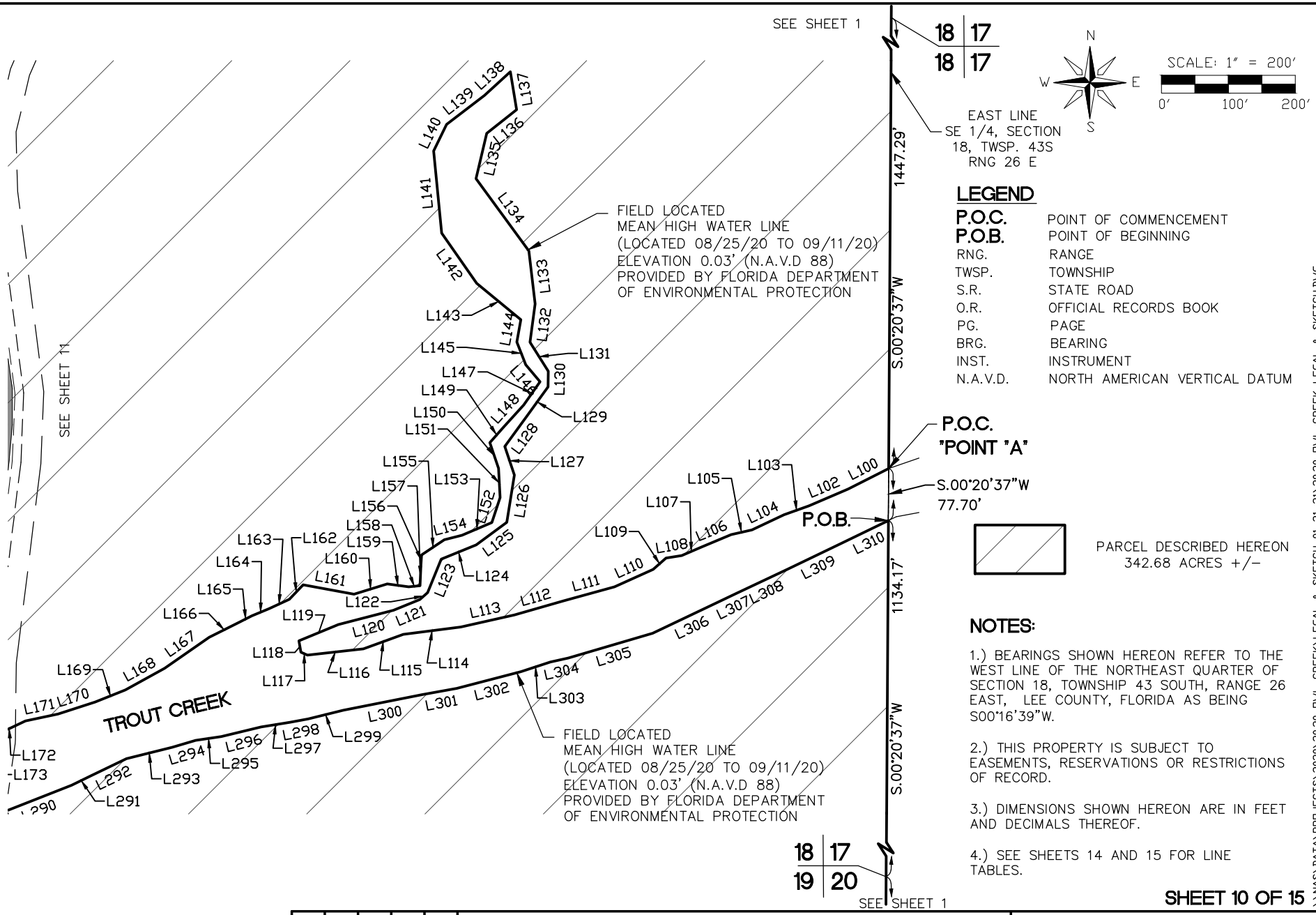
SHEET 9 OF 15

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

SCALE: AS NOTED
APPROVED: SEB
DRAWN BY: SEB
FILE: SEE DAYSTAMP
DATE: 01/21/21

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



LEGEND

P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
RNG.	RANGE
TWSP.	TOWNSHIP
S.R.	STATE ROAD
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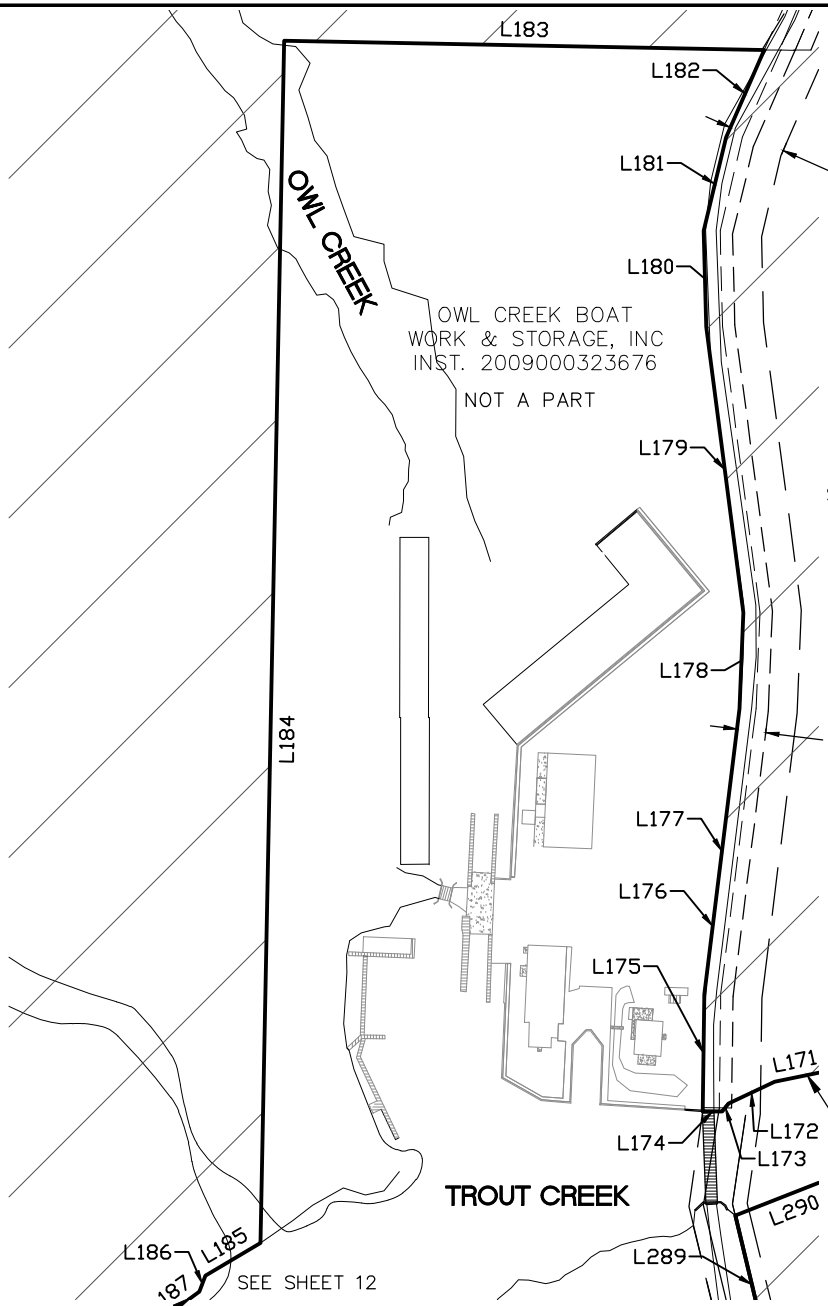
\\NAS\DATA\PROJECTS\2020\20.30 DWL CREEK\LEGAL & SKETCH\01 21 21\20.30 DWL CREEK LEGAL & SKETCH.DWG

THIS IS NOT A SURVEY

SCALE: AS NOTED	APPROVED: SEB	DRAWN BY: SEB	FILE: SEE DAYSTAMP	DATE: 01/21/21

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





SCALE: 1" = 200'

0' 100' 200'

LEGEND

P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
RNG.	RANGE
TWSP.	TOWNSHIP
S.R.	STATE ROAD
O.R.	OFFICIAL RECORDS BOOK
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FIELD LOCATED
MEAN HIGH WATER LINE
(LOCATED 08/25/20 TO 09/11/20)
ELEVATION 0.03' (N.A.V.D 88)
PROVIDED BY FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

THIS IS NOT A SURVEY

SHEET 11 OF 15

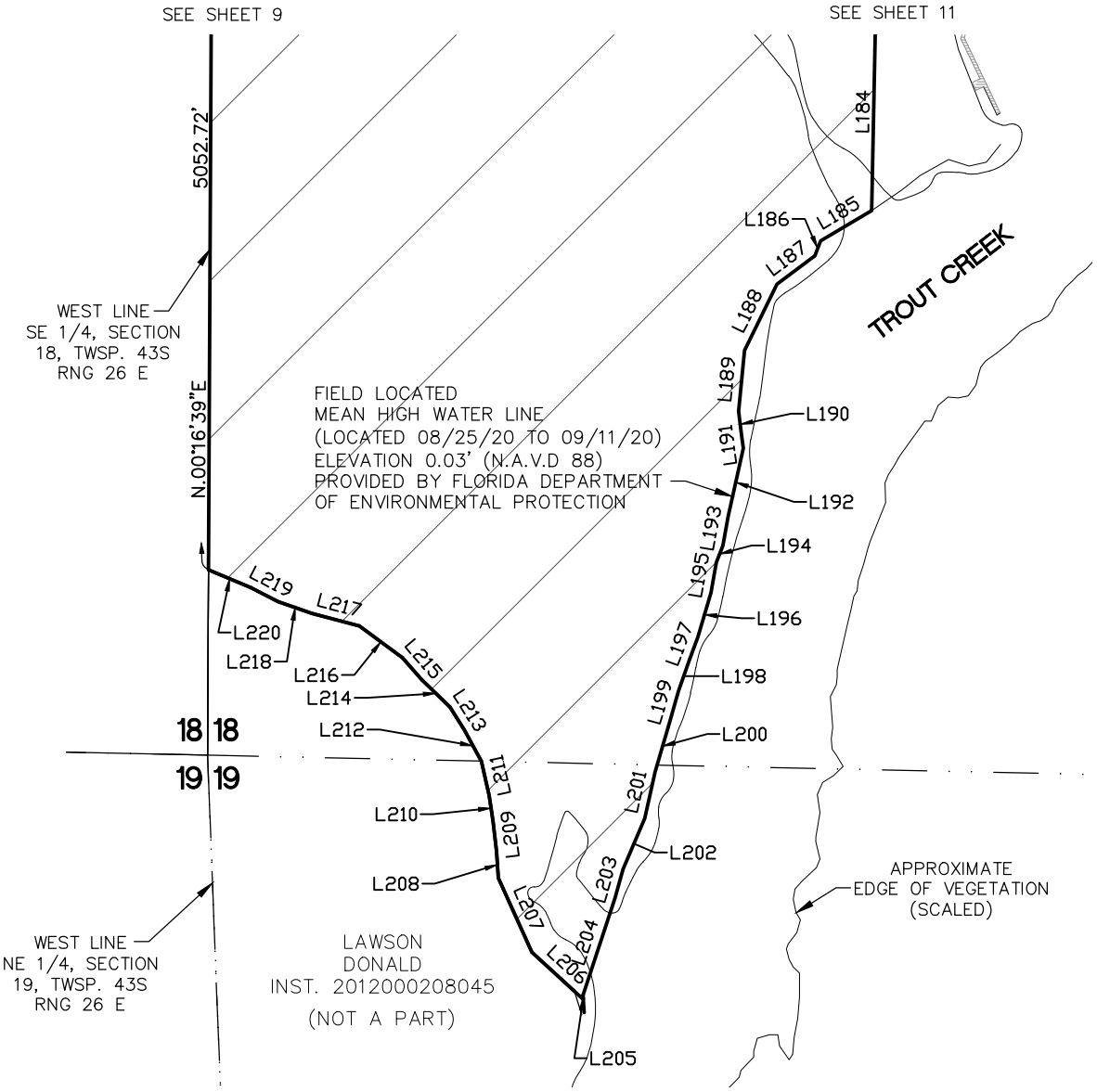
\\NAS\DATA\PROJECTS\2020\20.30 DWL CREEK\LEGAL & SKETCH 01 21 21\20.30 DWL CREEK LEGAL & SKETCH.DWG

SCALE:	AS NOTED
APPROVED:	SEB
DRAWN BY:	SEB
FILE:	SEE DAYSTAMP
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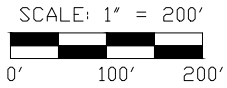
SKETCH TO ACCOMPANY LEGAL DESCRIPTION
OWL CREEK

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

BBLS SURVEYORS, INC.
8860 TERRENE COURT
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LEGEND

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PARCEL DESCRIBED HEREON
342.68 ACRES +/-

NOTES:

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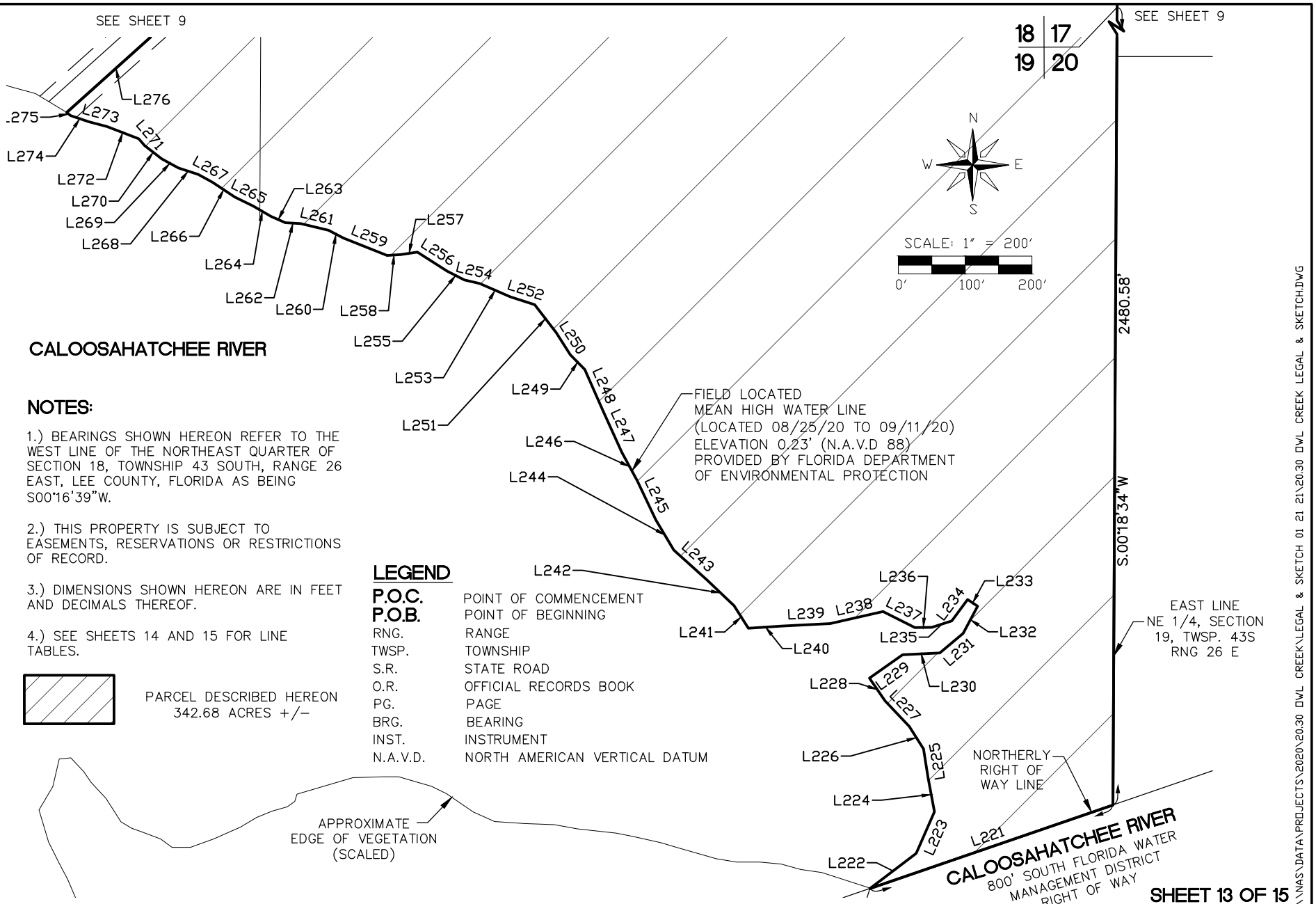
\\NAS\DATA\PROJECTS\2020\20.30 DWL CREEK\LEGAL & SKETCH 01 21 21\20.30 DWL CREEK LEGAL & SKETCH.DWG

THIS IS NOT A SURVEY

SCALE:	AS NOTED
APPROVED:	SEB
DRAWN BY:	SEB
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DATE:	01/21/21

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



CALOOSAHATCHEE RIVER

NOTES:

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4.) SEE SHEETS 14 AND 15 FOR LINE TABLES.

PARCEL DESCRIBED HEREON
342.68 ACRES +/-

LEGEND

P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
RNG.	RANGE
TWSP.	TOWNSHIP
S.R.	STATE ROAD
O.R.	OFFICIAL RECORDS BOOK
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SCALE:	AS NOTED
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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

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

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
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(239) 597-1315

\\NAS\DATA\PROJECTS\2020\20.30 DWL CREEK\LEGAL & SKETCH 01 21\20.30 DWL 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

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

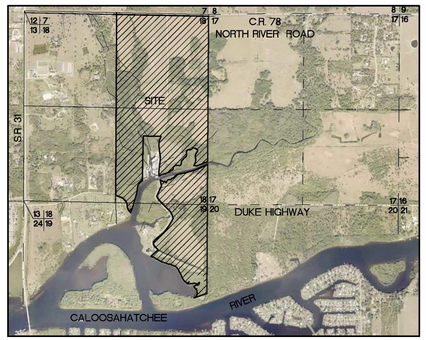
SKETCH TO ACCOMPANY LEGAL DESCRIPTION
OWL CREEK
A PORTION OF SECTIONS 18 AND 19, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

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

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

Signed & Sealed Boundary Survey & Each FLUC Proposed

(Exhibit M7)



RANGE 26, TOWNSHIP 43 SOUTH

VICINITY MAP

NOT TO SCALE

LINE TABLE

LINE	BEARING	DISTANCE
L1	S00°02'49"W	30.00
L2	S66°57'30"E	51.84
L3	N62°42'59"W	34.22
L4	N71°07'07"W	40.46
L5	N75°05'44"W	54.64
L6	N53°48'26"W	60.20
L7	N40°53'39"W	33.01
L8	N45°59'51"W	43.84
L9	N32°06'08"W	30.67
L10	N28°20'46"W	39.90
L11	N12°43'52"W	39.18
L12	N08°54'45"W	28.95
L13	N06°50'11"W	34.61
L14	N03°48'12"W	28.62
L15	N24°12'11"W	91.43
L16	N47°23'44"W	64.61
L17	N17°16'30"W	22.73
L18	S13°28'44"E	177.41
L19	S24°50'50"W	318.05
L20	S29°52'10"E	128.59
L21	S44°37'10"E	466.55
L22	N15°00'10"W	53.03
L23	N74°59'50"E	18.55
L24	N15°00'10"W	137.17
L25	N28°49'50"E	219.46
L26	N37°56'50"E	235.27
L27	N48°53'50"E	266.81
L28	N44°50'41"E	140.42
L29	N03°40'10"W	86.00
L30	N42°11'10"W	184.68
L31	N48°06'50"E	270.39
L32	S89°23'44"W	96.74
L33	N20°29'19"E	11.60
L34	S00°23'49"W	140.91
L35	N89°50'47"W	134.38
L36	S15°01'01"E	86.67

LEGAL DESCRIPTION

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

PARCEL 1

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

PARCEL 2

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

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

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

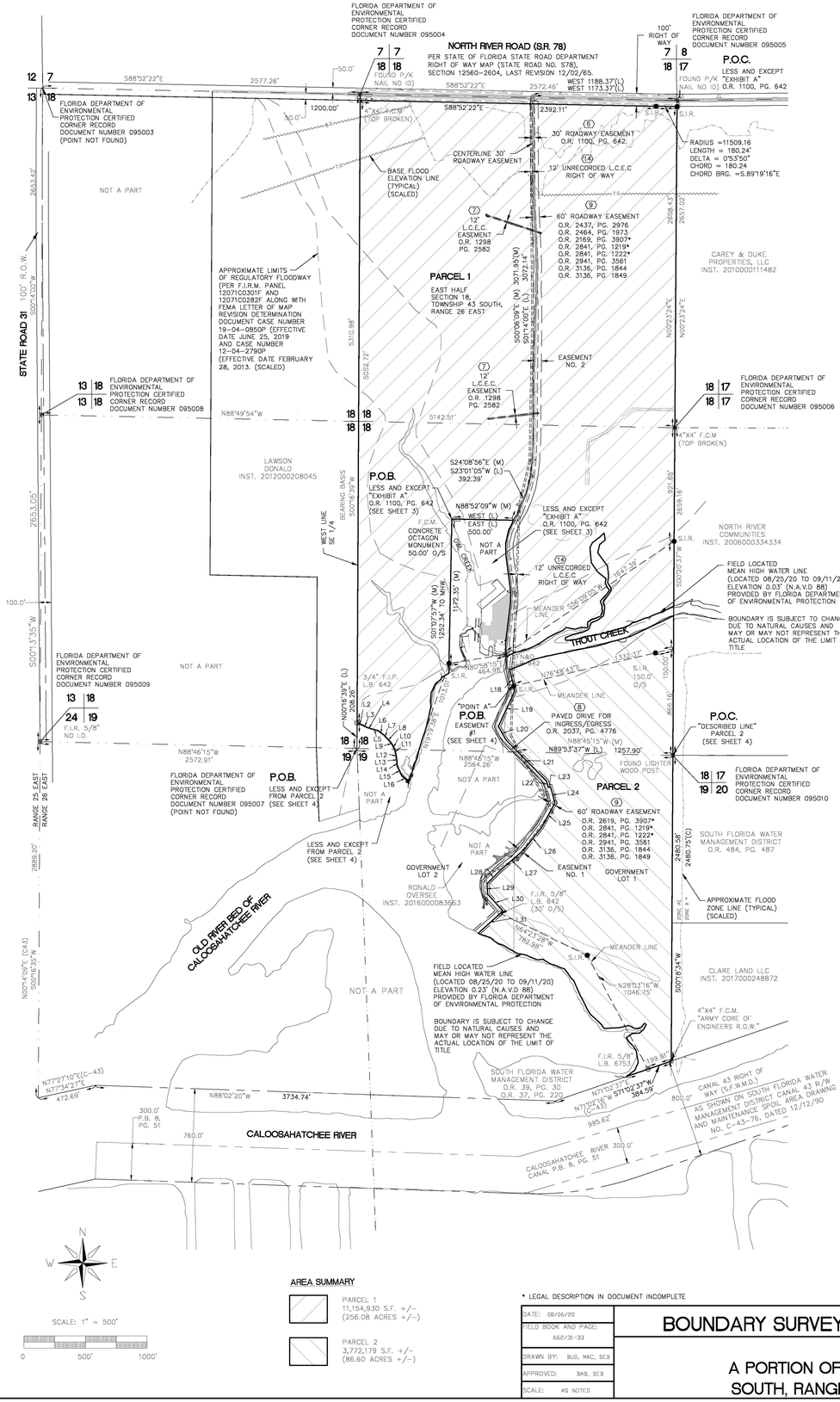
BEGINNING AT THE HEREINABOVE DESCRIBED POINT DESIGNATED "A", RUN THE FOLLOWING COURSES AND DISTANCES ALONG SAID LINE: SOUTH 14° 36' 30" EAST FOR 50.49 FEET, SOUTH 23° 43' 00" WEST FOR 318.05 FEET, SOUTH 31° 00' 00" EAST FOR 128.59 FEET, SOUTH 45° 45' 00" EAST FOR 466.55 FEET AND SOUTH 16° 08' 00" EAST 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 04° 48' 00" EAST FOR 140.42 FEET, SOUTH 43° 19' 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.

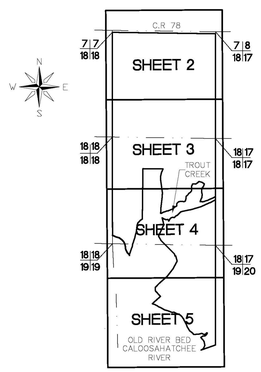
EASEMENT 2

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 1995.85 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.

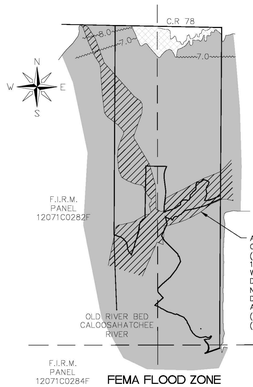
BEARINGS HEREINABOVE MENTIONED ARE BASED ON THE NORTH LINE OF THE EAST HALF (E 1/2) OF SAID SECTION 18 TO BEAR WEST.





SHEET KEY MAP

NOT TO SCALE



FEMA FLOOD ZONE KEY MAP

NOT TO SCALE

NOTE

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

(#) INDICATES EXCEPTION NUMBER

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

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

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

9.) EASEMENTS FOR ROADWAY, UTILITIES AND DRAINAGE PURPOSES GRANTED AND/OR RESERVED BY THE DEEDS RECORDED IN OFFICIAL RECORDS BOOK 2437, PAGE 2976, OFFICIAL RECORDS BOOK 2464, PAGE 1973, OFFICIAL RECORDS BOOK 2619, PAGE 3907, OFFICIAL RECORDS BOOK 2841, PAGE 1219, OFFICIAL RECORDS BOOK 2841, PAGE 1222, OFFICIAL RECORDS BOOK 2941, PAGE 3581, OFFICIAL RECORDS BOOK 3136, PAGE 1844 AND OFFICIAL RECORDS BOOK 3136, PAGE 1849. (AFFECTS THE PROPERTY SURVEYED HEREON AND IS PLOTTED AS SHOWN.)

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

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

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

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

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

NOTES:

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

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

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

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

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

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

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

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

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

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

13.) THERE ARE NO GAPS OR OVERLAPS.

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

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

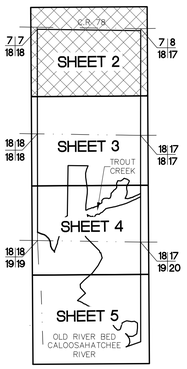
16.) SEE SHEETS 4 THROUGH 5 FOR LEGEND.

CERTIFICATION:

I HEREBY CERTIFY TO:

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

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



SHEET KEY MAP

NOT TO SCALE

7 | 7
18 | 18
FOUND P/K NAIL NO ID)

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION CERTIFIED CORNER RECORD DOCUMENT NUMBER 095004

NORTH RIVER ROAD (S.R. 78)

(100' RIGHT OF WAY)
PER STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT OF WAY MAP (STATE ROAD NO. S78), SECTION 12560-2604, LAST REVISION 12/02/65.

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION CERTIFIED CORNER RECORD DOCUMENT NUMBER 095005

7 | 8
18 | 17
FOUND P/K NAIL NO ID)

P.O.C.
LESS AND EXCEPT "EXHIBIT A" O.R. 1100, PG. 642

P.O.C.
EASEMENT 2

P.O.B.
EASEMENT 2

CENTERLINE 30' ROADWAY EASEMENT

12' PAVED ROAD

(14) 12' UNRECORDED L.C.E.C RIGHT OF WAY

(9) 60.00' ROADWAY, UTILITY & DRAINAGE EASEMENT (EASEMENT 2)
O.R. 2437, PG. 2976
O.R. 2464, PG. 1973
O.R. 2169, PG. 3907*
O.R. 2841, PG. 1219*
O.R. 2841, PG. 1222*
O.R. 2941, PG. 3561
O.R. 3136, PG. 1844
O.R. 3136, PG. 1849

WEST LINE 30' ROADWAY EASEMENT O.R. 1100, PG. 645

(6) 30.00' ROADWAY EASEMENT O.R. 1100, PG. 645

4" WOOD FENCE AROUND PUMP

(7) 12.00' L.C.E.C. EASEMENT O.R. 1928 PG. 2582

POLE SHED (OLD PUMPHOUSE)

(14) 12" UNRECORDED L.C.E.C RIGHT OF WAY

LAWSON DONALD INST. 2012000208045

CAREY & DUKE PROPERTIES, LLC INST. 2010000111482

APPROXIMATE LIMITS OF REGULATORY FLOODWAY (PER F.I.R.M. PANEL 12071C0301F AND 12071C0282F ALONG WITH FEMA LETTER OF MAP REVISION DETERMINATION DOCUMENT CASE NUMBER 19-04-0850P (EFFECTIVE DATE JUNE 25, 2019 AND CASE NUMBER 12-04-2790P (EFFECTIVE DATE FEBRUARY 28, 2013. (SCALED)

BASE FLOOD ELEVATION LINE (TYPICAL) (SCALED)

APPROXIMATE FLOOD ZONE LINE (TYPICAL) (SCALED)

RADIUS =11509.16
LENGTH = 180.24'
DELTA = 0°53'50"
CHORD = 180.24
CHORD BRG. =S.89°19'16"E

BEARING BASIS S01°16'39"W 4319.98'

LEGEND

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

N
W E
S

SCALE: 1" = 100'

0 100' 200'

MATCHLINE SEE SHEET 2

MATCHLINE SEE SHEET 3

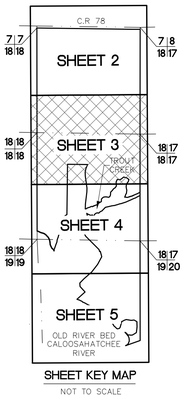
SHEET 2 OF 5

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

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

MATCHLINE SEE SHEET 2

MATCHLINE SEE SHEET 3



SHEET KEY MAP

NOT TO SCALE

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'

SCALE: 1" = 100'

0 100' 200'

LEGEND

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

CAREY & DUKE PROPERTIES, LLC INST. 2010000111482

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION CERTIFIED CORNER RECORD DOCUMENT NUMBER 095006

4"X4" F.C.M (TOP BROKEN)

CORNER 4" BWF 0.5' N 0.8' E

18 | 17
18 | 17

S00°23'24"W 2608.43

265.02

NORTH RIVER COMMUNITIES INST. 2006000334334

S00°20'37"W 2659.16'

921.65'

S.I.R.

EAST LINE OF SE 1/4 OF SEC 18, TWP 43S, RNG 26E

LAWSON DONALD INST. 2012000208045

BEARING BASIS S01°16'39"W

5310.08'

5092.72'

18 | 18
18 | 18

CORNER 4" BWF 2.7' W

MEAN HIGH WATER LINE NOT LOCATED FOR THE PURPOSE OF THIS SURVEY. THIS AREA MAY BE SUBJECT TO THE FLORIDA COASTAL MAPPING ACT OF 1974.

OWL CREEK

APPROXIMATE EDGE OF VEGETATION

APPROXIMATE LIMITS OF REGULATORY FLOODWAY (PER F.I.R.M. PANEL 12071C0301F AND 12071C0282F ALONG WITH FEMA LETTER OF MAP REVISION DETERMINATION DOCUMENT CASE NUMBER 19-04-0850P (EFFECTIVE DATE JUNE 25, 2019 AND CASE NUMBER 12-04-2790P (EFFECTIVE DATE FEBRUARY 28, 2013. (SCALED)

FENCE 1.83'W

MATCHLINE SEE SHEET 3

MATCHLINE SEE SHEET 4

P.O.B. LESS AND EXCEPT "EXHIBIT A" O.R. 1100, PG. 642

50.00' (C)

N88°52'07"W(C) 450.68' (M)

F.I.R. 5/8" L.B. 3969

15" CPP

EAST(L) WEST(L) 500.00'

CONCRETE OCTAGON MONUMENT 50.00' O/S

SEE DETAIL 1

OWL CREEK BOAT WORK & STORAGE, INC INST. 2009000323676

LESS AND EXCEPT "EXHIBIT A" O.R. 1100, PG. 642

NOT A PART

6 30' ROADWAY EASEMENT O.R. 1100 PG. 642

F.I.R. 5/8" NO I.D.

30" RCP

1300.00'(C&M)

S01°17'53"W(C) 1221.33'(C)

OHP

12' UNRECORDED L.C.E.C RIGHT OF WAY 14

S00°35'45"W(C) (S00°32'08"E(L)) 399.99'

30721.14'(C&L)

S00°56'07"E(C) (S01°14'00"E(L))

S00°56'53"W(C) (S00°11'00"E(L)) 200.00'

16'X24' POLE BARN

20'X68' POLE BARN

WELL

S00°56'53"W(C) (S00°11'00"E(L)) 199.80'

15.00'

45.00'

7 12.00' L.C.E.C. EASEMENT O.R. 1928 PG. 2583

S00°04'53"W(C) (S01°13'00"E(L)) 399.74'

4" WOOD FENCE AROUND PUMP

6.00'

6.00'

N00°04'53"E(C) (N01°13'00"W(L)) 400.78'

S00°04'53"W(C) (S01°13'00"E(L)) 400.00'

6 30' ROADWAY EASEMENT O.R. 1100 PG. 642

9 60.00' ROADWAY, UTILITY & DRAINAGE EASEMENT (EASEMENT 2) O.R. 2437, PG. 2976 O.R. 2464, PG. 1973 O.R. 2169, PG. 3907* O.R. 2841, PG. 1219* O.R. 2841, PG. 1222* O.R. 2941, PG. 3561 O.R. 3136, PG. 1844 O.R. 3136, PG. 1849

S02°55'53"W(C) (S01°48'00"W(L)) 199.13'

S02°55'53"W(C) (N01°48'00"W(L)) 200.00'

N02°55'53"E(C) (N01°48'00"E(L)) 202.62'

S06°45'23"W(C) (S05°37'30"W(L)) 99.01'

S06°45'23"W(C) (S05°37'30"W(L)) 100.00'

N06°45'23"E(C) (N05°37'30"E(L)) 102.98'

S10°31'38"W(C) (S09°23'45"W(L)) 98.59'

N10°31'38"E(C) (N09°23'45"E(L)) 104.24'

S17°32'08"W(C) (S16°24'15"W(L)) 98.50'

S10°31'38"W(C) (S09°23'45"W(L)) 100.00'

N17°32'08"E(C) (N16°24'15"E(L)) 104.50'

S17°32'08"W(C) (S16°24'15"W(L)) 100.00'

S24°08'58"W(C) (S23°01'05"W(L)) 392.39'

S21°58'08"W(C) (S20°50'15"W(L)) 98.17'

N21°58'08"E(C) (N20°50'15"E(L)) 105.48'

S21°58'08"W(C) (S20°50'15"W(L)) 100.00'

(S30°20'42"W(L)) (113.33'(L))

S22°57'20"W(C) (S21°49'27"W(L)) 97.66'(C) (97.71'(L))

(N30°20'42"E(L)) 97.98'

S23°42'08"W(C) (S22°34'15"W(L)) 99.22'

F.I.R. 5/8" NO I.D.

N23°42'08"E(C) (N22°34'15"E(L)) 104.92'

S13°23'08"W(C) (S12°15'15"W(L)) 100.00'

N13°23'08"E(C) N12°15'15"E(L)) 86.80'

F.I.R. 5/8" NO I.D.

S01°23'52"E(C) (S02°31'45"E(L)) 100.00'

N01°23'52"W(C) (N02°31'45"W(L)) 89.04'

6 F.I.R. 5/8" NO I.D. 30' ROADWAY EASEMENT O.R. 1100 PG. 642

OHP

9 60.0' ROADWAY, UTILITY & DRAINAGE EASEMENT (EASEMENT 2) O.R. 2437, PG. 2976 O.R. 2464, PG. 1973 O.R. 2169, PG. 3907* O.R. 2841, PG. 1219* O.R. 2841, PG. 1222* O.R. 2941, PG. 3561 O.R. 3136, PG. 1844 O.R. 3136, PG. 1849

S07°27'32"E(M) (S08°35'25"E(L)) 299.99'(M&C)

N07°27'32"W(M) (N08°35'25"W(L)) 301.93'

14 12' UNRECORDED L.C.E.C RIGHT OF WAY

OHP

T.O.B.

APPROXIMATE AREA OF MARSH

FIELD LOCATED MEAN HIGH WATER LINE (LOCATED 08/25/20 TO 09/11/20) ELEVATION -0.03' (N.A.V.D.'88) PROVIDED BY FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

BOUNDARY IS SUBJECT TO CHANGE DUE TO NATURAL CAUSES AND MAY OR MAY NOT REPRESENT THE ACTUAL LOCATION OF THE LIMIT OF TITLE

TRIBUTARY OF TROUT CREEK

L458 L457 L460 L459 L454 L455 L456 L463 L462 L461

S56°09'05"W WITNESS LINE 164.39'

APPROXIMATE LIMITS OF REGULATORY FLOODWAY (PER F.I.R.M. PANEL 12071C0301F AND 12071C0282F ALONG WITH FEMA LETTER OF MAP REVISION DETERMINATION DOCUMENT CASE NUMBER 19-04-0850P (EFFECTIVE DATE JUNE 25, 2019 AND CASE NUMBER 12-04-2790P (EFFECTIVE DATE FEBRUARY 28, 2013. (SCALED)

SWALE

T.O.B.

T.O.B.

(S30°20'42"W(L)) (113.33'(L))

S24°08'56"W(C) (S23°01'05"W(L)) 392.39'

(EAST(L)) 2.38'

F.I.R. 5/8" L.B. 3969

N88°52'09"W(M)

EAST(L) WEST(L) 500.00'(L)

NORTHEAST CORNER "EXHIBIT A" O.R. 1100, PG. 645

S23°42'08"W(C) (S22°34'15"W(L)) 99.22'

DETAIL 1

NOT TO SCALE

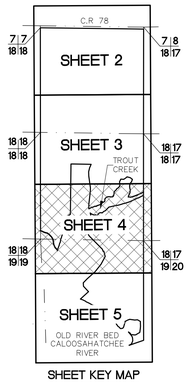
SHEET 3 OF 5

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

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

MATCHLINE SEE SHEET 3

MATCHLINE SEE SHEET 4



SHEET KEY MAP

NOT TO SCALE

Line Table		
Line #	Direction	Length
L300	N03°19'16"W	4.78'
L301	N18°12'29"E	115.02'
L302	S15°16'02"W	33.53'
L303	S23°08'17"W	62.09'
L304	S12°32'34"W	53.60'
L305	S16°28'26"W	59.42'
L306	S15°47'44"W	34.13'
L307	S18°57'28"W	36.38'
L308	S20°15'30"W	28.82'
L309	S16°26'09"W	51.67'
L310	S10°05'07"W	34.32'
L311	S21°15'12"W	20.19'
L312	S10°40'48"W	33.89'
L313	N12°21'57"E	78.12'
L314	N07°11'04"W	29.90'
L315	N05°34'19"E	68.70'
L316	N26°06'00"E	82.56'
L317	N53°18'36"E	53.47'
L318	N19°55'43"E	17.96'
L319	N59°33'49"E	66.58'
L320	N07°54'16"W	11.85'

Line Table		
Line #	Direction	Length
L400	S68°36'37"W	118.44'
L401	N64°26'22"E	31.89'
L402	N64°03'20"E	59.04'
L403	N75°59'50"E	70.51'
L404	N73°52'12"E	36.64'
L405	N81°37'22"E	38.71'
L406	N76°10'56"E	61.09'
L407	N81°10'49"E	43.63'
L408	N79°19'30"E	27.70'
L409	N76°16'15"E	54.20'
L410	N78°48'20"E	120.20'
L411	N79°41'31"E	52.54'
L412	N75°23'35"E	99.29'
L413	N71°46'47"E	45.73'
L414	N77°14'48"E	27.77'
L415	N73°38'17"E	131.49'
L416	N64°38'32"E	113.85'
L417	N64°07'37"E	23.99'
L418	N64°53'28"E	84.52'
L419	N64°11'02"E	86.91'
L420	N64°11'54"E	80.89'

OWL CREEK BOAT WORKS & STORAGE, INC INST. 2009000323676

LESS AND EXCEPT "EXHIBIT A" O.R. 1100, PG. 642

NOT A PART

F.N.&O. L.B. 642

S02°16'53"W(M) (S01°09'00"W(L)) 100.00'(M&L)

N02°16'53"E(M) N01°09'00"E(L)) 107.62'

N05°03'43"E(C) (N05°55'50"E(L)) 299.17'

S07°03'43"W(C) (S05°55'50"W(L)) 300.00'

S00°42'09"W(C) (S00°25'30"E(L)) 106.06'(TO N&O) (118.06'(L)) 121.86'(M) TO MHW)

S00°42'23"W(C) (S00°25'30"E(L)) (114.95'(L))

(14) 12' UNRECORDED L.C.E.C RIGHT OF WAY

TRIBUTARY OF TROUT CREEK

APPROXIMATE EDGE OF VEGETATION

OHP

NORTH(L) N01°07'51"E(C) 1350.00'

1172.35' (M)

WEST LINE OF SE 1/4 OF SEC. 18, TWP 43S, RNG 26E

5310.98'

FENCE 1.1'W

BEARING BASIS GRID NORTH

5652.72'

S01°16'39"W

MEAN HIGH WATER LINE NOT LOCATED FOR THE PURPOSE OF THIS SURVEY. THIS AREA MAY BE SUBJECT TO THE FLORIDA COASTAL MAPPING ACT OF 1974.

APPROXIMATE LIMITS OF REGULATORY FLOODWAY (PER F.I.R.M. PANEL 12071C0301F AND 12071C0282F ALONG WITH FEMA LETTER OF MAP REVISION DETERMINATION DOCUMENT CASE NUMBER 19-04-0850P (EFFECTIVE DATE JUNE 25, 2019 AND CASE NUMBER 12-04-2790P (EFFECTIVE DATE FEBRUARY 28, 2013. (SCALED)

S.I.R.

N80°58'15"E 464.98'

(SOUTH & WEST(L)) 495.53'(M) (500'+/-(L))

SEE DETAIL 2

(13) 12' WOOD BRIDGE

L421

S08°19'09"W(C) (S07°11'19"W(L)) (100.03'(L))

(NORTH(L)) 15.75'(L))

S08°19'09"W(C) (S07°11'19"W(L)) (93.68'(L))

P.O.B. "DESCRIBED LINE" PARCEL 2

S08°19'09"W(C) (N07°11'19"E(L)) (S07°11'19"W(L)) L400 (93.02'(L))

N13°28'40"W(C) (N14°36'30"W(L)) (S14°36'30"E(L)) 189.78'

"POINT A" P.O.B. EASEMENT 1 SEE DETAIL 2

S.I.R. 40' O/S

50.49'

45.0'

15.0'

CANAL

TOB

N24°50'50"E(C) (N23°43'00"E(L)) (S23°43'00"W(L)) 318.05'

OHP

N29°52'10"W(C) (N31°00'00"W(L)) (S31°00'00"E(L)) 128.59'

(8) PAVED DRIVE FOR INGRESS/EGRESS O.R. 3037, PG 4776

NOT A PART

N44°37'10"W(C) (N45°45'00"W(L)) (S45°45'00"E(L)) 134.63'

N88°45'15"W (M) 2564.26' (M)

30.0'

CENTER OF PAVED DRIVE DECRIBED IN SCHEDULE "A" OR 2290, PG 3479

RONALD VERSPEETEN INST. 2016000083663

N44°37'10"W(C) (S45°45'00"E(L)) 466.55'

(9) 60' ROADWAY, UTILITY & DRAINAGE EASEMENT O.R. 2619, PG. 3907* O.R. 2841, PG. 1219* O.R. 2841, PG. 1222* O.R. 2941, PG. 3561 O.R. 3136, PG. 1844 O.R. 3136, PG. 1849

S74°59'50"W(C) (N73°52'00"E(L)) 18.55'

N15°00'10"W(C) (S16°08'00"E(L)) 53.03'

N15°00'10"W(C) (S16°08'00"E(L)) 137.17'

30.0'

F.I.R. 5/8" L.B. 6753

N28°49'50"E(C) (S27°42'00"W(L)) 219.46'

(14) 12' UNRECORDED L.C.E.C RIGHT OF WAY

N37°56'50"E(C) (S36°49'00"W(L)) 235.27'

APPROXIMATE MARSH AREA

APPROXIMATE EDGE OF VEGETATION

GOVERNMENT LOT 1

GOVERNMENT LOT 2

APPROX. EDGE OF VEGETATION

APPROXIMATE EDGE OF VEGETATION

PARCEL 2

FIELD LOCATED MEAN HIGH WATER LINE (LOCATED 08/25/20 TO 09/11/20) ELEVATION 0.03' (N.A.V.D 88) PROVIDED BY FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

BOUNDARY IS SUBJECT TO CHANGE DUE TO NATURAL CAUSES AND MAY OR MAY NOT REPRESENT THE ACTUAL LOCATION OF THE LIMIT OF TITLE

TRIBUTARY OF TROUT CREEK

S56°09'05"W 1647.38'

L449 L448 L447 L446 L445 L444 L443 L442 L441 L440 L439 L438 L437 L436 L435 L434 L433 L432 L431 L430 L429 L428 L427 L426 L425 L424 L423 L422 L421 L420 L419 L418 L417 L416 L415 L414 L413 L412 L411 L410 L409 L408 L407 L406 L405 L404 L403 L402 L401 L400 L473 L474 L475 L476 L477 L478 L479 L480 L481 L482 L483 L484 L485 L486 L487 L488 L489 L490 L491 L492 L493 L494 L495

TROUT CREEK

APPROX. EDGE OF VEGETATION (TYPICAL)

S.I.R. (150.0' O/S) 150.00'

N76°48'43"E 1334.37'

1447.27'

2709.70'

268.03'

2659.16'

866.16'

S00°20'37"W

F.N.&O. L.B. 642

S00°42'23"W(C) (S00°25'30"E(L)) (118.06'(L))

SOUTH (L)) (3.86'(L))

16.50' (M)

S08°19'09"W(C) (S07°11'19"W(L)) (100.03'(L))

(9) O.R. 2437, PG. 2976 O.R. 2464, PG. 1973 O.R. 2169, PG. 3907* O.R. 2841, PG. 1219* O.R. 2841, PG. 1222* O.R. 2941, PG. 3561 O.R. 3136, PG. 1844 O.R. 3136, PG. 1849

END 4' BWF 2.7' W

N13°28'40"W(C) (S14°36'30"E(L)) 136.11'

60 ' ROADWAY, UTILITY & DRAINAGE EASEMENT (EASEMENT 2)

(N89°42'57"E(L)) 61.93'

61.93'

N13°28'40"W(C) (S14°36'30"E(L)) 140.59

"POINT A" P.O.B. EASEMENT 1

SOUTH LINE OF EASEMENT 2

DETAIL 2

NOT TO SCALE

NORTH RIVER COMMUNITIES INST. 2006000334334

END 4' BWF 1.0' S 0.1'E

FOUND LIGHTER WOOD POST

N88°45'15"W (M) (N89°53'37"W(L)) 1257.90'

P.O.C. "DESCRIBED LINE" PARCEL 2 (SEE SHEET 4)

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION CERTIFIED CORNER RECORD DOCUMENT NUMBER 095010

2480.58'

S00°18'34"W

Line Table		
Line #	Direction	Length
L421	N89°16'27"W	20.26'
L423	S38°23'32"W	10.59'
L424	S64°42'00"W	53.28'
L425	N78°14'00"E	49.72'
L426	N72°10'03"E	58.79'
L427	N67°49'59"E	48.47'
L428	N61°20'10"E	66.81'
L429	N55°16'21"E	81.31'
L430	N63°09'28"E	50.02'
L431	N63°29'01"E	21.10'
L432	N67°25'22"E	27.97'
L433	N64°51'44"E	33.22'
L434	N43°53'28"E	29.96'
L435	S79°37'03"E	77.30'
L436	N72°46'26"E	51.87'
L437	S81°54'26"E	32.46'
L438	N83°41'22"E	17.10'
L439	N02°20'53"E	30.76'
L440	N04°07'53"E	15.13'
L441	N56°00'26"E	40.96'
L442	N75°56'36"E	27.05'
L443	N67°10'19"E	48.51'
L444	N18°07'05"E	39.46'
L445	N02°39'27"W	43.57'
L446	N18°57'53"W	40.71'

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

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

LEGEND

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

N
W E
S

SCALE: 1" = 100'

0 100' 200'

LAWSON DONALD INST. 2012000208045

3/4" F.I.P. L.B. 642

P.O.B. LESS AND EXCEPT FROM PARCEL 2

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION CERTIFIED CORNER RECORD DOCUMENT NUMBER 095007 (POINT NOT FOUND)

18 | 18
19 | 19

EAST LINE OF OR 2510, PG 2120

S00°16'39"W (M) 2652.72' (M)

N00°16'39"E 2652.72' (M)

N00°16'39"E 208.20'(C) 208.38'(L)

S00°27'11"E(C) S00°27'11"W(L) 1320.00'

N00°27'11"E(C) N00°27'11"W(L) 1320.00'

SOUTH 1/4 CORNER SEC. 18, TWP 43S, RNG 26E

N00°27'11"E 1320.00'(C)

SWLY 5566' +/- (L)

N66°57'30"W(M) 51.24' (S66°57'52"E(L))

N62°42'59"W(M) 34.22' (S62°43'21"E(L))

N71°07'07"W(M) 40.46' (S71°07'23"E(L))

N75°05'44"W(M) 54.64' (S75°06'06"E(L))

N53°48'26"W(M) 60.20' (S53°48'48"E(C))

N40°53'39"W(M) 33.01' (S40°54'01"E(L))

N45°59'51"W(M) 43.64' (S46°00'13"E(L))

N32°06'08"W(M) 30.67' (S32°06'30"E(L))

N28°20'46"W(M) 39.90' (S28°21'08"E(L))

N12°43'52"W(M) 39.18' (S12°44'14"E(L))

N08°54'45"W(M) 28.65' (S08°55'07"E(L))

N06°50'11"W(M) 34.61' (S06°50'33"E(L))

N02°48'12"W(M) 29.62' (S03°48'34"E(L))

N24°12'11"W(M) 91.43' (S24°12'33"E(L))

"APPROXIMATE TOP OF BANK OF DITCH"

N47°23'44"W(M) 78.47'(M) N47°23'44"W(M) 64.61'(L) (S47°24'06"E(L))

N17°16'30"W(M) 22.73'(M) (S17°16'52"E(L)) 28.03'(L)

FIELD LOCATED "TOP OF BANK"

LESS AND EXCEPT FROM PARCEL 2

LAWSON DONALD INST. 2012000208045

FIELD LOCATED MEAN HIGH WATER LINE (LOCATED 08/25/20 TO 09/11/20) ELEVATION 0.03' (N.A.V.D 88) PROVIDED BY FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

BOUNDARY IS SUBJECT TO CHANGE DUE TO NATURAL CAUSES AND MAY OR MAY NOT REPRESENT THE ACTUAL LOCATION OF THE LIMIT OF TITLE

END 4' BWF 1.4' E

TOB

TROUT CREEK

MATCHLINE SEE SHEET 4

MATCHLINE SEE SHEET 5

SHEET 4 OF 5

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

BOUNDARY SURVEY (ALTA/NSPS LAND TITLE SURVEY)

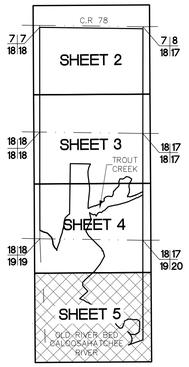
OWL CREEK

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

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

MATCHLINE SEE SHEET 4

MATCHLINE SEE SHEET 5



SHEET KEY MAP

NOT TO SCALE

OLD RIVER BED OF CALOOSAHATCHEE RIVER

NOT A PART

APPROX. EDGE OF VEGETATION

GOVERNMENT LOT 2

GOVERNMENT LOT 1

WOOD DOCK

8'X8' WOOD SHED

(14) 12' UNRECORDED L.C.E.C RIGHT OF WAY

N48°53'50"E(C)
(S47°46'00"W(L))
266.81'

N44°50'41"E(C)
(S43°43'00"W(L))
140.42'

N03°40'10"W(C)
(S04°48'00"E(L))
86.00'

N42°11'10"W(C)
(S43°19'00"E(L))
184.68'

(9) 60' ROADWAY, UTILITY & DRAINAGE EASEMENT
O.R. 2619, PG. 3907*
O.R. 2841, PG. 1219*
O.R. 2841, PG. 1222*
O.R. 2941, PG. 3561
O.R. 3136, PG. 1844
O.R. 3136, PG. 1849

F.I.R. L.B. 642 (30' O/S)

N48°06'50"E(C)
270.42'(M)
(S46°59'00"W(L))
268.00'+/-(L)

END OF "DESCRIBED LINE" PARCEL 2

N64°23'28"W 762.96' WITNESS LINE

S.I.R.

CANAL TOP TOP

FIELD LOCATED MEAN HIGH WATER LINE (LOCATED 08/25/20 TO 09/11/20) ELEVATION 0.23' (N.A.V.D 88) PROVIDED BY FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

BOUNDARY IS SUBJECT TO CHANGE DUE TO NATURAL CAUSES AND MAY OR MAY NOT REPRESENT THE ACTUAL LOCATION OF THE LIMIT OF TITLE

N28°01'0"W 1045.25' WITNESS LINE

1/4 SECTION LINE

APPROX. EDGE OF VEGETATION

NOT A PART

SOUTH FLORIDA WATER MANAGEMENT DISTRICT
O.R. 39, PG. 30
O.R. 37, PG. 220

800.00' CANAL 43 RIGHT OF WAY (S.F.W.M.D.)

CALOOSAHATCHEE RIVER

WEST LINE OF NW 1/4 OF SEC 20, TWP 43S, RNG 26E

END 4" BWF 1.2' EAST

END 4" BWF 6.2' EAST

S00°18'34"W 2480.58' (M)

2650.16'

S00°08'34"W

SOUTH FLORIDA WATER MANAGEMENT DISTRICT O.R. 484, PG. 487

CLARE LAND LLC INST. 2017000248872

4"X4" F.C.M. "ARMY CORE OF ENGINEERS R.O.W."

199.91'

384.58'

(400'+/-(L))

S71°02'37"W

N71°02'37"E(C) N71°02'16"E(SFWMD)

5/8" F.I.R. L.B. 6753

Line Table		
Line #	Direction	Length
L500	N50°55'57"W	7.35'
L501	N71°05'34"W	29.39'
L502	N75°09'23"W	27.53'
L503	S69°12'09"E	50.97'
L504	S40°26'58"E	13.97'
L505	S52°43'10"E	31.94'
L506	S60°34'35"E	28.45'
L507	S71°57'11"E	31.15'
L508	S61°46'56"E	24.48'
L509	S56°41'32"E	40.31'
L510	S63°30'36"E	30.41'
L511	S59°53'05"E	31.24'
L512	S66°30'11"E	23.15'
L513	S86°37'33"E	23.07'
L514	S76°26'43"E	42.82'
L515	S62°52'25"E	25.24'
L516	S68°13'44"E	70.32'
L517	N86°10'29"E	20.72'
L518	N81°19'58"E	24.79'
L519	S57°22'45"E	52.85'
L520	S62°41'50"E	29.07'
L521	S76°40'16"E	23.57'
L522	S66°54'09"E	50.25'
L523	S72°02'02"E	37.99'
L524	S37°30'31"E	53.12'
L525	S32°47'22"E	39.03'
L526	S44°29'30"E	30.93'
L527	S23°43'59"E	68.49'

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

N

W E

S

SCALE: 1" = 100'

0 100' 200'

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

SHEET 5 OF 5

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

DATE: 09/06/20	BOUNDARY SURVEY (ALTA/NSPS LAND TITLE SURVEY)
FIELD BOOK AND PAGE: 662/31-33	OWL CREEK
DRAWN BY: BJD, MAC, SEB	A PORTION OF SECTIONS 18 AND 19, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA
APPROVED: BAB, SEB	
SCALE: AS NOTED	

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

Deed of Subject Property
(Exhibit M8)

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

(4)
$100.00
.70 & DS.

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

Talon Ventures LLC
Plaintiff
vs
North River Communities LLC etal
Defendant

Case No. 09-CA-062726

CERTIFICATE OF TITLE

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

The following property in Lee County, Florida:

See Exhibit "A" attached hereto.

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

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

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

Charlie Green, Clerk of Court

By: _____
Deputy Clerk

Copies furnished to all parties

Charlie Green
Clerk of Circuit Court

By: Michele Parker
Deputy Clerk

Exhibit "A"

LEGAL DESCRIPTION

PARCEL 1:

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

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

PARCEL 2:

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

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

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

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

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

(Continued)

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

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

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

EASEMENT 1:

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

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

EASEMENT 2:

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

From the Northeast corner of said Section 18 run West along the line common to said Section 18 and Section 7, Township 43 South, Range 26 East for 1188.37 feet; thence run S 01° 24'15" E for 25.01 feet to said South line of State Road 78 and the Point of Beginning of the herein described roadway easement. From said Point of Beginning run the following courses and distances along the Westerly line of the 30 foot wide roadway easement described in Exhibit "B" recorded in O.R. Book 1100 at page 645; S 01° 24'15" E for 731.11 feet, S 03° 01'45" E for 200.32 feet, S 03° 51'00" E for 399.60 feet, S 00° 04'15 E for 199.85 feet, S 02° 42'45" E for 200.06 feet, S 00° 32'08" E for 399.67 feet, S 00° 11'00" E for 200.07 feet, S 01° 03'00" E for 399.74 feet, S 01° 48'00" W for 199.13 feet, S 05° 37'30" W for 99.01 feet, S 09° 23'45" W for 98.59 feet, S 16° 24'15" W for 98.50

(Continued)

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

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

Aerial Map Showing the Subject Property & Surrounding Properties

(Exhibit M9)



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

10511 SIX MILE CYPRESS PARKWAY
FORT MYERS, FLORIDA 33966
PHONE: (239) 939-5490 FAX: (239) 939-2523

ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690

WWW.BANKSENG.COM

AERIAL MAP EXHIBIT-M9

OWL CREEK

LEE COUNTY, FLORIDA

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

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

Authorization Letter from the Property Owner

(Exhibit M10)

LETTER OF AUTHORIZATION

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

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

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

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

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

By: Belinda B Ulrich

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

STATE OF Texas
COUNTY OF Collin

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

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

Desiree J Vance
(Signature of person taking acknowledgment)

DESIREE J VANCE
(Name typed, printed or stamped)

Notary Public
(Title or rank)

AFFIDAVIT OF AUTHORIZATION

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

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

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

Notes:

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

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

_____ 8/20/20

Signature **Date**

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

STATE OF FLORIDA
COUNTY OF LEE

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

STAMP/SEAL

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

_____
Signature of Notary Public

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

Lee Plan Consistency & State-Regional Plans

(Exhibits M11 & M18)
(Exhibits T6, T9 & T10)

CPA2020-00004 & CPA2020-00005

Revised August 2021

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

OWL CREEK RESERVE
Comprehensive Plan Amendment
Lee Plan Consistency
State & Regional Policy Plan Compliance
EXHIBITS "M11 & M18" / "T6, T9 & T10"
CPA2020-00004 & CPA2020-00005
Revised August 2021

INTRODUCTION

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

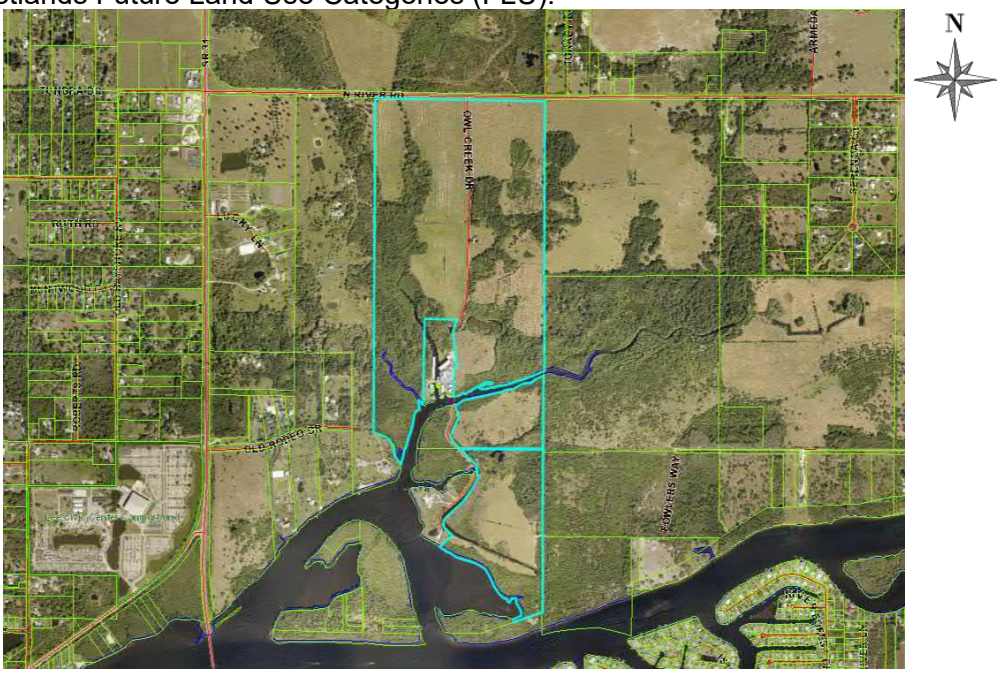


Figure 1. Location of Subject Property

This application proposes an amendment to Map 6 to include ±342.68 acres within the Lee County Utilities Future Water Service Area to allow for privately funded expansion of water service and associated Text Amendments to provide incentives to encourage wetland preservation and rare and unique upland habitat preservation or restoration in the Rural future land use category for clustered developments utilizing the planned development process within the North Olga Planning Community. The request will facilitate the accompanying minor residential planned development application (DCI2021-00011) which proposes a minimum of 49% of the property to be placed into a conservation easement consisting of wetland, upland, flow-way/surface water preservation and restoration to accommodate up to 385 single-family two-family attached dwelling units and associated amenities. The proposed development will

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

provide for significant environmental, historical, storm water, water quality and infrastructure enhancements. This request will allow an increase of 157 dwelling units from the 228 dwelling units that could be developed today.

The Owl Creek application includes the following requests:

- 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:
    - Policy 124.1.1 – Add language for wetlands adjacent to Rural areas within North Olga Planning Community to refer to proposed Policy 29.2.4.a.
    - Table 1(a) – Amend footnote 8 for wetlands adjacent to Rural areas within North Olga Planning Community to refer to proposed Policy 29.2.4.a.
    - North Olga Community Plan – Add new Policy 29.2.4 to provide the following incentives to encourage wetland preservation and rare and unique upland habitat preservation or restoration for clustered developments utilizing the planned development process within the North Olga Planning Community:
        a. Dwelling units may be relocated from preserved freshwater wetlands encumbered by a conservation easement to developable contiguous uplands under common ownership at one (1) dwelling unit per acre. Impacted wetlands will be calculated at the standard Wetlands density of one (1) dwelling unit per 20 acres.
        b. One (1) additional dwelling unit may be created for each one (1) acre of preserved and/or restored rare and unique upland habitat that is encumbered by a conservation easement.

The following summarizes benefits that will be accomplished by approval of this request through compliance with the proposed text amendment and accompanying minor residential planned development application:

1. Provide a connection between Babcock Ranch property 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 this area as demonstrated by the Preliminary Development Footprint exhibit
3. Provide Wetland Protection and Enhancements including exotic removal and maintenance
4. Historical Resource preservation of the 3 recommended sites
5. Minimum ±169.12* acres (49% 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. 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 (±205.6 acres)
13. Preserve minimum 90% (±103.36 acres) of wetlands
14. Water Quality enhancements and monitoring
15. Remove potential for up to 228 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
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
26. Provide Rare and Unique Upland habitat preservation (±23.72 acres) and restoration (±34.8 acres)
27. Preservation of historic flow-ways associated with Owl and Trout Creeks and associated wetlands

*This does not include the ±3.08 acres of restored littoral shelf/marsh wetlands and ±13.01 acres of restored surface waters that will also be placed in conservation.

VISION STATEMENT

A concurrent planned development application (DCI2021-00011) has been filed for the Owl Creek property to incorporate a specific development plan with conditions of approval to ensure compliance with environmental stewardship, enhancement of the area's historic heritage and rural character, and proactively and appropriately plan for future growth within the area consistent with the Vision Statements for Northeast Lee County and North Olga and the implemented Goals, Objectives and Policies for these areas, including the proposed text amendments. The subject property abuts the existing Owl Creek Boat Works facility and will provide for compatible adjacent development to protect this identifying feature of the community.

FUTURE LAND USE

The 342.68± acre subject property is 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 ±217.68 acres of uplands plus ±4.42 acres of other surface waters consisting of artificial ditches and a lake allowing 222 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 228 dwelling units. The remaining ±5.74 acres of surface waters consisting of existing natural bodies of water were not included for density calculations.

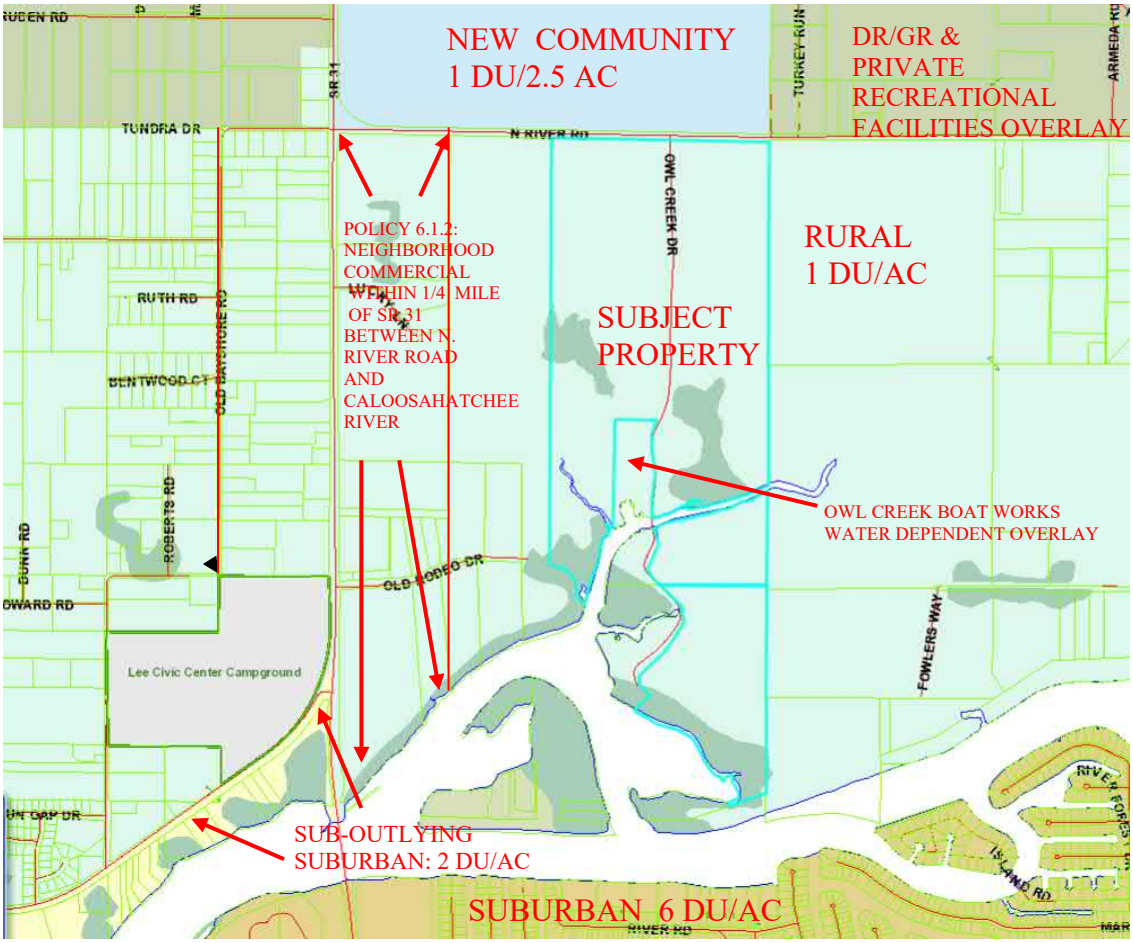


Figure 3. Existing Future Land Use Designation

The property adjacent to the west and properties adjacent to the east are also within the Rural and Wetlands FLU categories. The property to the north across North River Road is within the New Community FLU category (Babcock Mixed Use Planned Development) which allows 1 dwelling unit per 2.5 gross acres up to 1,630 dwelling units, 600 hotel rooms and 1,170,000 square feet of commercial office and retail uses. To the northeast is within the Density Reduction/Groundwater Resource (DR/GR) FLU and is within the Private Recreational Facilities Overlay. Adjacent to the south and surrounded by the property is the existing Owl Creek Boat Works and Storage marina and yacht refinishing which is within the Water Dependent Overlay. This industrial marine use was established in 1953 and is Southwest Florida's premiere yacht service center offering full service and specializing in yacht refinishing, repowering, customization and maintenance. They also offer in-water covered, uncovered and dry storage for yachts up to 100'. Individuals come from all over the region for yacht refinishing at this location. South across the Caloosahatchee River is within the Suburban FLU category which allows a maximum density of 6 dwelling units per acre. Sub-Outlying Suburban FLU category is a little over ½ mile to the west of the property at the southwest corner of the intersection of Bayshore Road and SR 31 which allows a maximum density of 2 dwelling units per acre. There is a commercial node within ¼ mile of SR 31 between North River Road and the Caloosahatchee River described in Policy 6.1.2 that connects the New Community area at SR 31 and North River Road to the Lee Civic Center and the Sub-Outlying Suburban area. This area contains several non-residential uses such as a gas station, veterinarian office, feed store, church, SR 31 Produce market, u-pick and café. See attached Exhibits M5 and M6 for further description of the subject property and surrounding properties.

The Owl Creek property's proximity to the New Community FLU category to the north (Babcock Mixed Use Planned Development) and the commercial node to the west and the adjacent

industrial marine facility furthers the appropriateness of the request which will accommodate clustered development with ample view of wooded areas, open spaces, and river fronts and will allow for the protection and enhancement of environmentally sensitive lands and historic heritage. The proposed clustered project will provide a connection between the Babcock Ranch MPD to the north and the Caloosahatchee River to the south, expanding the significant environmental, historical, storm water, water quality and infrastructure enhancements required in the North Olga Community Plan New Community area. A concurrent planned development application has been submitted to provide additional details regarding the development of the requested units and provide conditions of approval to ensure compliance with the requirements provided within the North Olga Community Plan area.

The proposed amendment will remain consistent with the Rural future land use category Policy 1.4.1 and the Wetlands future land use category Policy 1.5.1 upon adoption of the amendment to Table 1(a). The request is specific to the Rural areas within the North Olga Community Plan area. Excluding the subject property and government owned lands, there are ±69 acres of Wetland future land use category adjacent to the Rural future land use category within North Olga. The owners of these properties could seek to utilize the proposed wetland preservation incentive and be analyzed and thoroughly reviewed through the planned development rezoning process. Any property owners proposing to utilize the preservation or restoration of rare and unique habitat incentive would also be analyzed and thoroughly reviewed through the planned development rezoning process. Development proposals will be required to balance cost and benefit of preserving and/or restoring rare and unique uplands with reducing developable upland area. In exchange for the additional dwelling units, the proposed amendment provides protection, conservation, enhancement and/or restoration of these natural resources. Given the existing government owned lands, preservation areas, agricultural uses, and varying sizes of residential development, the overall density in the Rural category will not exceed 1 dwelling unit per acre. The proposal provides predictable density incentives while encouraging additional preservation areas at no costs to Lee County. The concurrent planned development zoning application for the subject property proposes conditions to be included to ensure that the subject property is developed at a low residential density in the North Olga Community Plan area where there is a desire to retain a low-density community character. Providing the environmental preservation incentives for wetlands and rare and unique upland habitat is consistent with and furthers several Policies discussed throughout this analysis.

The density calculations for the concurrent planned development upon approval of the requested amendment are provided below:

Uplands (±217.68 AC) & Manmade ditches/lake (±4.42 AC) = 222.1 AT 1 DU/AC:	222.1 DU
Preserved Wetlands ±103.36 AC transferred to adjacent uplands at 1 DU/AC:	103.36 DU
Impacted Wetlands ±11.48 AC at 1 DU/20 AC:	0.57 DU
±5.74 AC Natural Open Water not eligible for density	
Additional 1 DU/AC Preserved Rare and Unique Upland Habitat ±23.72 AC:	23.72 DU
Additional 1 DU/AC for Restored Rare and Unique Upland Habitat ±34.8 AC:	34.80 DU
Total Maximum Density:	385 DU

POPULATION PROJECTIONS

The Owl Creek project could develop 228 dwelling units under its current land use designations. Utilizing 2.35 persons per household, the site could currently accommodate a population of approximately 536 people. The proposed plan amendment would result in a total of 385 dwelling units, an increase of 157 units or a theoretical additional 369 people.

Lee County had a population of 618,754, according to the 2010 U.S. Census. The Florida Office of Economic and Demographic Research (OEDR) projected a countywide population of 892,108 in 2030 and 999,851 in 2040. In the context of the existing and projected population for the subject property, the population increase of approximately 369 people is the minimum. The

proposed population increase is estimated at less than a 1% increase beyond the OEDR projected population for Lee County. This is well within accepted error ranges and represents no real additional population increase for the Lee Plan's Future Land Use Map. The proposed amendment is consistent with the most recent growth management legislation which suggests that establishment of minimum development intensity is appropriate methodology for local government planning efforts. The development footprint for the Owl Creek property, including lots, roads, and water management lakes would be limited to ±170.46 acres which includes the littoral shelf and surface water restoration areas which will ultimately be added to the conservation easement. No changes are proposed to Table 1(b).

GROWTH MANAGEMENT

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

The request is consistent with Development Timing Objective 2.2, Policy 2.2.1. The Owl Creek development will have or assure access to all required public facilities. Please see attached separate Public Facilities Impacts Analysis (Exhibit – M14) and Letters of Determination of the Adequacy/Provision of Existing/Proposed Support Facilities - Fire Protection, Emergency Medical Service, Law Enforcement, Solid Waste, Mass Transit, Schools (Exhibit – M17). These exhibits demonstrate that there is adequate capacity to accommodate an additional 219 dwelling units, exceeding the current 157 dwelling units associated with this request. The proposed privately funded expansion of utilities to the area is already encouraged and anticipated by existing Lee Plan policies.

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

GENERAL DEVELOPMENT STANDARDS

The request is consistent with Standard 4.1.1: Water as well as Policies 53.1.2 and 95.1.3. The Owl Creek property's existing and proposed density does not meet those required for connection and is not located within a franchised service area. The property could be developed today with up to 228 private well systems. An amendment to Lee Plan Map 6 is proposed to place the property within the Lee County Utilities Future Water Service Area to allow for privately funded expansion of water service. A letter of availability from Lee County Utilities is attached demonstrating sufficient capacity exists and that the site will be serviced by North Lee County Water Treatment Plant.

The request is consistent with Standard 4.1.2: Sewer. The Owl Creek property's existing and proposed density does not meet those required for connection and the site is not located within a franchised service area. The property could be developed today with up to 228 private septic systems. The project proposes wastewater to be provided by Florida Governmental Utility Authority (FGUA) with privately funded expansion of sewer service. A letter of availability has been submitted with the application. Lee County Utilities has issued a letter of no objection to FGUA providing sanitary sewer service to the site.

The request is consistent with Standard 4.1.4: Environmental Factors. Please see attached Environmental Impacts Analysis (Exhibit – M12) demonstrating the existing condition of the environmentally sensitive areas of the site and enhancements that will be accomplished through approval of the request. The concurrent planned development application will ensure that the clustered development is well integrated, properly oriented and functionally related to the natural features of the site.

RESIDENTIAL LAND USES

The northern ±51 acres of the Owl Creek property are outside of the Coastal High Hazard Area and the southern ±292 acres are within. This amendment requires a concurrent planned development application to be filed including conditions with stringent development criteria ensuring the adjusted site design and clustered density development with environmental, historical, water quality and infrastructure enhancements. Letters of Determination are attached demonstrating provision of support facilities. The site proposes to place a minimum of 49% of the site into conservation easements and provide a minimum perimeter setback of 50 feet to residential lots with either conservation area or planted detention areas and perimeter berm to ensure compatibility with adjacent agricultural, single-family, preservation and marina uses. The request will be consistent with Policies 5.1.2 and 5.1.5.

The request will be consistent with Policies 5.1.6 and 5.1.7 even though it is a single-family development. The proposed concurrent Owl Creek planned development application conditions of approval will include development regulations for the clustered development to provide open space, preservation areas and recreation areas. These areas will be appropriate for the density and design and will be functionally related to all dwelling units. No multi-family residential is proposed for the site.

GOAL 17: COMMUNITY PLANNING

The request is consistent with Objective 17.1 and Policies 17.1.1, 17.1.2 and 17.1.3. The requested text amendment addresses specific physical and environmental conditions unique to the North Olga community plan provisions and where rare and unique upland habitats are prevalent as indicated in the staff report for CPA2017-06 which highlighted the importance of preserving these habitats. The text amendment proposes a policy that furthers the existing Residential Land Uses Objective 29.2 and Conservation Objective 29.7 and conditions of approval will be implemented by the concurrent planned development zoning action which will be the regulating document ensuring consistency with the policies within the North Olga community plan. The proposed amendment will result in the preservation of natural assets such as the restoration and connection of Owl Creek and Trout Creek Wildlife Corridors and flow-ways. Analysis is provided within addressing regional plan consistency, population accommodation, transportation, and infrastructure needs. Analysis is provided that addresses specific conditions unique to the North Olga area that are physical, historical and environmental in nature.

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 will be conditioned as part of the concurrent planned development application, consistent with Objective 27.1 and Policies 27.1.1, 27.1.5 and 27.1.6.

The Owl Creek property is located within the Northeast Lee County community plan area and 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 Objective 17.3, Policies 17.3.1, 17.3.2, 17.3.3, 17.3.4 and Policy 27.1.8.

Objective 27.2 and its attendant polices direct Lee County to work with Alva and North Olga to develop and use a rural planning toolbox of incentives, programs and regulations that enhance and maintain the sense of place and provide for long-term preservation of contiguous natural resource and open space areas. The Owl Creek property will be required to provide long-term preservation areas by placing a minimum of 49% of the site into a conservation easement. The proposed text amendments result in additional incentives within the North Olga Community Plan area that provide rural planning tools which will result in increased preservation areas and conservation easements. Approval of the proposed amendment will result in the preservation of natural assets such as facilitating the restoration and connection of Owl Creek and Trout Creek Wildlife Corridors and flow-ways.

The Owl Creek property is situated at the convergence of two waterways: Owl Creek and Trout Creek where they join the Caloosahatchee River. Although there are existing agricultural uses of cattle grazing on site, the Owl Creek amendment proposes to preserve large open space areas by proposing clustered development with ample views of wooded areas, open spaces and river fronts, while balancing the removal of agricultural grazing lands and the enhancement and protection of environmentally sensitive lands, flow-ways, historic resources water quality and connectivity. The request is consistent with Objective 27.3, Policies 27.3.2 and 27.3.3 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. A public kayak/canoe launch area is proposed as part of development of the subject property. The proposed text amendment will provide incentives that will result in the concurrent planned development conditions providing preservation and restoration of existing habitats along with creation of additional native vegetation in the form of rare and unique upland habitat creation and long-term conservation. The project also includes restoring ±13.01 acres of surface waters and ±3.08 acres of littoral marsh wetlands/littoral shelf to create a flushing channel.

The Owl Creek amendment requires a concurrent planned development application which includes stringent development criteria in the proposed conditions of approval that accommodate the location for a multipurpose path along North River Road, consistent with Objective 27.4, Policies 27.4.1 and 27.4.4. The two creeks on the subject property are included

on the blueways map and conditions of the zoning approval will require a public kayak/canoe launch and not preclude potential access as part of the preservation, consistent with Policy 27.4.2.

GOAL 29: NORTH OLGA COMMUNITY PLAN

The requested amendment provides planning and development tools in the form of incentives for the protection and enhancement of natural resources including wetlands, flow-ways and rare and unique upland habitat. The concurrent planned development 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 and flow-ways: 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 as demonstrated in the concurrent planned development application, balancing efforts to protect and enhance the community's water quality.

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

The Greenways Master Plan depicts a multipurpose path along North River Road and depicts Owl Creek and Trout Creek on the Great Calusa Blueway. The Owl Creek property proposes conditions of approval in the concurrent planned development application that accommodate for the location of a multipurpose path along North River Road and a 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 conditioning of the concurrent planned development, the Owl Creek project will preserve a minimum of 90% of the onsite wetlands providing protection and enhancements through exotic removal and maintenance and upland buffers. A minimum of 49 percent of the property (±169.12 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. There is an additional ±3.08 acres of restored littoral shelf/marsh wetlands and ±13.01 acres of restored surface waters proposed to be added to the conservation area. The request results in preservation and restoration of wetlands, flow-ways and wildlife corridors, and rare and unique upland habitat and provide long-term conservation. The conservation area will include preservation of 3 recommended historical sites and the project will provide a 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 proposed Text Amendment associated with this request are attached in Exhibit T4 and

provide a new Policy 29.2.4 which provides the following incentives within the North Olga Planning Community for clustered developments within the Rural future land use category to encourage protection of environmentally sensitive lands if consistency with Goal 29 is demonstrated through the planned development rezoning process:

a. Dwelling units may be relocated from preserved freshwater wetlands encumbered by a conservation easement to developable contiguous uplands under common ownership at one (1) dwelling unit per acre. Impacted wetlands will be calculated at the standard Wetlands density of one (1) dwelling unit per 20 acres.
b. One (1) additional dwelling unit may be created for each one (1) acre of preserved and/or restored rare and unique upland habitat that is encumbered by a conservation easement.

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

TRANSPORTATION AND WATERWAYS

A Traffic Impact Statement prepared by TR Transportation Consultants, Inc. is attached to the request as Exhibit M15 which analyzed a total of 440 dwelling units as an increase of 220 dwelling units which far exceeds the current request for up to 385 dwelling units as an increase of 157 dwelling units. This analysis demonstrates that the proposed amendment will not impact the results of the Level of Service analysis as reported in the adopted 2040 travel model. Therefore, no changes to the adopted long-range transportation plan are required as a result of the proposed change. The additional trips caused by the request to the projected 2025 volumes will not cause any roadway link to fall below the minimum acceptable Level of Service standards. No modifications will be necessary to the Lee County or FDOT short term capital improvement programs.

Map 3D-Lee County Walkways & Bikeways shows an on-road bikeway and a multi-use path along North River Road. The concurrent planned development associated with this application includes a condition of approval providing an area for a multi-use path along North River Road as shown on Maps 3D and 22 which will accommodate pedestrian and bicycle usage consistent with Objective 39.2 and Policy 39.2.3 as well as Objective 39.6 and Policies 39.6.1, 39.6.2 and 39.6.3.

Map 22-Lee County Greenways Master Plan shows a shared use path along North River Road and Owl Creek and Trout Creek are shown on the Great Calusa Blueway. The Owl Creek amendment requires the concurrent planned development application which contains conditions that accommodate an area for the multi-use path and a 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. Owl Creek and Trout Creek and their adjacent wetland systems will be maintained as regional flow-ways and enhanced by exotic removal in furtherance of Policies 60.1.2, 60.1.3 and 60.4.3. The natural wetlands and the offsite flows are being preserved with only minimal impacts where unavoidable. and restored as regional flow-ways. The requirements contained in the proposed conditions in the concurrent planned development will protect existing groundwater levels and improve existing wetland hydroperiods in onsite preserve areas, provide an additional 50% water quality treatment, water quality monitoring, reduced rate of runoff, remove nutrient

producing grazing lands adjacent to waterways, preserve a minimum of 90% of on-site wetlands, and replacing the potential 228 private well and septic systems with privately funded extensions and connection to public water and sewer. Please see submitted Water Resources Report and Stormwater Planning 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 natural waterways and associated wetlands as flow-ways. The natural wetlands and the offsite flows are being preserved with only minimal impacts where unavoidable. The wetland preserves will not be part of the controlled surface water management system. This will allow the offsite flows to pass through the site without being affected by the project. The storm water management system has been designed to mimic the natural sheet flow pattern. The discharge from the storm water management system basins from the developed site will be controlled and will be limited to predevelopment discharge rates and directed to mimic natural flows. The discharge from the storm water system will help to hydrate the wetland systems and improve water levels. These wetland systems can provide additional polishing of runoff prior to entering the natural waterways functioning as a filter marsh. The preservation areas will have exotics removed and maintained keeping the flow-ways as unobstructed as possible. These enhancements will be required as conditions of the concurrent planned development application. The request is consistent with Objective 60.4, Policies 60.4.1 and 60.4.2, as well as Policies 61.3.1, 61.3.3 and 61.3.6. Policy 60.4.5 states, in part, that the county will assist in the development of incentives for implementation of surface water management systems that address water quality/environmental enhancement such as those proposed with the requested text amendment and associated conditions of the concurrent planned development application.

CONSERVATION AND COASTAL MANAGEMENT ELEMENT

The northern ±51 acres of the Owl Creek property are outside of the Coastal High Hazard Area and the southern ±292 acres are within. This amendment requires the concurrent planned development approval which contain stringent development conditions ensuring the adjusted site design and clustered density development with environmental, historical, water quality and infrastructure enhancements. 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 10%.

Please refer to attached Hurricane Evacuation Analysis and Marina Emergency Preparedness Plan 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, 101.3.2, 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 proposed stringent conditioning of the concurrent planned development application, the Owl Creek project will preserve a minimum of 90% of the onsite wetlands providing protection and enhancements and will result in the protection and integration of ±58.52 acres of preserved/restored rare and unique upland habitat, consistent with Policy 123.1.1. A minimum of 49 percent of the property (±169.12

acres) will be placed into a conservation easement including the convergence of two natural waterways/existing flow-ways on the Great Calusa Blueway (Owl Creek and Trout Creek) where they connect to the Caloosahatchee River. There is an additional ±3.08 acres of restored littoral shelf/marsh wetlands and ±13.01 acres of restored surface waters proposed to be added to the conservation area. 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 proposed in the conditions in the concurrent planned development application will protect, enhance and preserve environmentally sensitive lands and plant communities and will result in a compatible clustered development.

The Owl Creek project will preserve high-quality natural plant communities in the conservation and open space area outside of the development footprint. Please see attached Environmental Impact Analysis (Exhibit M12). The project will provide enhancement of natural systems of the property and a conservation easement will be placed over a minimum of 49% of the property. The pasture areas and most heavily altered nonnative plant communities are targeted for the clustered development. Although single-family developments with lots a minimum of 6,500 square feet in size do not normally require open space nor the 50% indigenous open space, the proposed conservation areas include preserved and restored wetland and rare and unique upland habitats. 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 proposed text amendment provides incentives for preserving and restoring rare and unique upland habitats limiting impacts to the maximum extent possible, consistent with Policies 123.2.15.

The Owl Creek property has the potential to have a vital significance to wildlife, as it is located at the southern extent of the Owl and Trout Creek Wildlife Corridors. The preservation areas will become part of a contiguous wetland and upland corridor and flow-way along Trout and Owl Creeks. The Trout Creek Wildlife Corridor connects the subject parcel to Babcock and Lee County (Telegraph Creek Preserve) Conservation Lands. Unfortunately, the current land use practices within the property and exotic vegetation infestation significantly diminish wildlife utilization. Approval of this request will facilitate preservation and restoration activities associated with the accompanying planned development application which will provide an avenue for the enhancement and preservation of this important piece of land. The resultant development will provide habitat diversity and promote wildlife conservation consistent with Objective 123.3 and Policy 123.3.1. The resultant development will protect wildlife through the creation and implementation of a human-wildlife coexistence plan consistent with Policy 123.3.3.

The Owl Creek project will minimize impacts to on-site wetlands by clustering development and limiting impacts to 10% or less and will protect, enhance and preserve the remaining 90% by exotic vegetation removal and placement within a conservation easement. The project will be permitted though the South Florida Water Management District and will be consistent with Goal 124, Objective 124.1 and Policies 124.1.1 and 124.1.2.

The proposed project will be consistent with Goal 125, Objective 125.1, and Policies 125.1.1 and 125.1.2. The stringent requirements associated with the proposed conditions contained in the concurrent planned development application will provide an additional 50% water quality treatment, water quality monitoring, reduced rate of runoff, remove nutrient producing grazing lands adjacent to waterways, preserve a minimum of 90% of on-site wetlands, and replacing the potential 228 private well and septic systems with privately funded extensions and connection to public water and sewer. A Surface Water and Groundwater Monitoring Plan will be initiated consistent with Lee Plan Policy 125.1.4 to establish baseline conditions for the site and to quantify any potential adverse impacts of the proposed residential development. Please see attached Water Resources Report.

MARINE FACILITIES SITING CRITERA

In accordance with the Marine Facilities Sighting Requirements contained in Lee Plan Objective 128.5, HWA is applying for all permits in relation to Federal, State, and Local regulations. The site is less than 3 miles away from the Florida Power and Light powerplant. The warm water discharge is located along the Orange River, nearly 6 miles away. In the area of the subject site abundance and mortality of manatees are low, and would not be of concern. There is no seagrass or submerged aquatic vegetation near or around the subject site and should not be considered a limiting aspect of the project. A bathymetric survey has been submitted and dredging is proposed to -5 MLW once the necessary permits are approved. Going through the Marina Facilities Sighting Criteria, it is anticipated that the subject area will fall into the Conditional category. The subject property is located east of State Road 31 Bridge and not located within the Caloosahatchee River Area of Special Concern.

HOUSING

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

CONCLUSIONS

The plan amendment is consistent with and in furtherance of the intent of the Lee Plan as discussed in this analysis. The plan amendment for Owl Creek Reserve represents an opportunity to incentivize the preservation of significant on-site natural resources such as natural waterways and adjacent wetlands, flow-ways, rare and unique upland habitat and historical resources on the property by facilitating a clustered planned development that incorporates public access to the Caloosahatchee River via access to Trout Creek.

ADJACENT LOCAL GOVERNMENTS & THEIR COMPREHENSIVE PLANS

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

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

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

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

The proposed Owl Creek clustered development will not have an adverse impact on and protects natural resources and ecosystems and preserves open space and natural lands and provides for public open space and recreation needs. The project will remove nutrient producing cattle grazing and the potential for 228 private septic systems while preserving and enhancing the majority of the onsite wetlands, placing a minimum of 49% of the property into a conservation easement including the convergence of two natural waterways/flow-ways on the Great Calusa Blueway (Owl Creek and Trout Creek) where they connect to the Caloosahatchee River. The request will also provide a connection from the adjacent SFWMD owned lands to the east and south as well as the potential Conservation 20/20 lands to the east that contain a portion of Trout Creek which will provide a connection through the subject property to the Caloosahatchee River. The project will provide an area for the multi-use path along North River Road as well as a public canoe/kayak launch area to Trout Creek, providing public open space and recreation needs. The area provided for the multi-use path along North River Road promotes walkable and connected communities and promotes multimodal transportation including pedestrian and bicycle opportunities since transit is not available in this location. The proposal provides compact development providing alternate single-family and two-family attached housing choices other than the existing large lots in the area. The development will promote conservation of water and energy by incorporating energy efficiency or other low impact development (LID) performance standards within the development. The amendment promotes efficient and cost-effective provision for public infrastructure by proposed privately funded expansion of water and sewer to the area which is already encouraged and anticipated by existing Lee Plan policies. The project is located in an area that provides for a balance of residential, industrial marine and commercial land uses to the west along S.R. 31 and planned to the north within the Babcock MPD, continuing to prevent urban sprawl.

STATE POLICY PLAN AND REGIONAL POLICY PLAN

State Comprehensive Plan

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

187.201(4) Housing

(a) Goal – The public and private sectors shall increase the affordability and availability of housing for low-income and moderate-income persons, including citizens in rural

areas, while at the same time encouraging self-sufficiency of the individual and assuring environmental and structural quality and cost-effective operations.

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

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

187.201(6) Public Safety

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

(b) Policies –

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

The Lee County Sheriff's Office, Bayshore Fire Rescue and Lee County Emergency Medical Services have reviewed the request and provided letters which are included in attached Exhibit M17. These exhibits demonstrate that there is adequate capacity to accommodate an additional 219 dwelling units, exceeding the additional 157 dwelling units associated with this request.

187.201(9) Natural Systems and Recreational Lands

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

(b) Policies -

1. *Conserve forests, wetlands, fish, marine life, and wildlife to maintain their environmental, economic, aesthetic, and recreational values.*
3. *Prohibit the destruction of endangered species and protect their habitats.*
4. *Establish an integrated regulatory program to assure the survival of endangered and threatened species within the state.*
6. *Encourage multiple use of forest resources, where appropriate, to provide for timber production, recreation, wildlife habitat, watershed protection, erosion control, and maintenance of water quality.*
7. *Protect and restore the ecological functions of wetlands systems to ensure their long- term environmental, economic, and recreational value.*
8. *Promote restoration of the Everglades system and of the hydrological and ecological functions of degraded or substantially disrupted surface waters.*
10. *Emphasize the acquisition and maintenance of ecologically intact systems in all land and water planning, management, and regulation.*

Through the stringent requirements associated with the conditioning of the concurrent planned development, the Owl Creek project will preserve a minimum of 90% of the onsite wetlands providing protection and enhancements by exotic removal. A minimum of 49 percent of the property (±169.12 acres) will be placed into a conservation easement including the convergence of two natural waterways/flow-ways on the Great Calusa Blueway (Owl Creek and Trout Creek) where they connect to the Caloosahatchee River. ±58.52 acres of rare and unique upland habitat will be preserved/restored. There is an additional ±3.08 acres of restored littoral shelf/marsh wetlands and ±13.01 acres of restored surface waters proposed to be added to the conservation area. The Owl Creek property has the potential to have a vital significance to wildlife, as it is located at the southern extent of the Owl and Trout Creek Wildlife Corridors. The conservation area will include preservation of 3 recommended historical sites and the project will provide a public canoe/kayak launch area to Trout Creek. The Owl Creek project furthers these provisions of the State Comprehensive Plan.

187.201(12) Hazardous and Nonhazardous Materials and Waste

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

(b) Policies. -

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

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

187.201(14) Property Rights

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

Policies. -

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

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

187.201(15) Land Use

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

Policies. -

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

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

187.201(17) Public Facilities

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

Policies. -

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

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

Conclusion

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

Strategic Regional Policy Plan (SRPP)

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

Affordable Housing Element

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

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

Economic Development

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

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

Actions:

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

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

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

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

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

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

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

Actions:

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

Through the stringent requirements associated with the conditioning of the concurrent planned development, the Owl Creek project will preserve a minimum of 90% of the onsite wetlands providing protection and enhancements. A minimum of 49 percent of the property (±169.12 acres) will be placed into a conservation easement including the convergence of two natural waterways/flow-ways on the Great Calusa Blueway (Owl Creek and Trout Creek) where they connect to the Caloosahatchee River. There is an additional ±3.08 acres of restored littoral shelf/marsh wetlands and ±13.01 acres of restored surface waters proposed to be added to the conservation area. The conservation area will include preservation of 3 recommended historical sites and the project will provide a public canoe/kayak launch area to Trout Creek. The proposed preservation and conservation areas and associated comprehensive plan amendment and concurrent planned development application represents a balancing of public and private interests concerning the use of the Owl Creek property. Approval of the amendment will result in significant preservation of the Owl Creek property at no cost to the public.

Conclusion

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

Environmental Impacts Analysis

(Exhibit M12)
(Exhibit T7)

CPA2020-00004 & CPA2020-00005
Revised August 2021

Owl Creek Reserve

Environmental Assessment

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

September 2020
Revised August 2021

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Introduction

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

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

The proposed residential development would be primarily located on the previously farmed and disturbed areas with approximately 38.28 acres of the indigenous habitats preserved out of approximately 41.54 existing indigenous habitats which is approximately 92%.

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

Existing Vegetative Communities

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

Table 1. Acreage Summary by FLUCCS Code

FLUCCS CODE	DESCRIPTION	ACREAGE
211	Improved Pastures	179.38
***211H	Improved Pastures – hydric	6.07
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	5.74
**510D	Ditches	3.69
**524	Lakes less than 10 acres which are dominant features	0.73
***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		**217.68**
Wetland Subtotal		**114.84**
Surface Waters		**5.74**
Other Surface Waters Subtotal		**4.42**
Total		**342.68**

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

Surrounding Land

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

Soils

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

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

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

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

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

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

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

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

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

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

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

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

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

Please see Exhibit D for the Soils Map.

FEMA Flood Narrative

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

Wetlands and Rare and Unique Uplands

The property contains areas that meet the criteria to be SFWMD jurisdictional wetlands, surface waters, and other surface waters. Areas mapped as FLUCCS Codes 211H, 428DE4, 618DE1-4, 619BP, 630DE3&4, and 641DE4 (114.84± acres) are likely to be claimed as jurisdictional wetland by the SFWMD (Exhibit F). The areas mapped as FLUCCS Code 510 (5.74± acres) are likely to be claimed as surface waters and 510D and 524 (4.42± acres) are likely to be claimed as jurisdictional other surface waters by the SFWMD.

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

There are 25.86 acres of Rare and Unique Uplands on the subject property (FLUCCS 428DE4). Some of areas (7.74 acres) are infested with exotic vegetation at a 76-90% coverage, therefore these areas are not considered Indigenous Habitat.

Potential Listed Species

The property has been evaluated for the potential presence of listed species. A review of the Florida Fish and Wildlife Conservation Commission (FWC) listed species occurrence database (updated June 2020) shows that there are no known state or federally listed species either on or immediately adjacent to the project area (Exhibit G).

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

Table 2. Listed Species That Could Potentially Occur Onsite

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

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

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

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

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

According to the FWC listed species occurrence database the property is located within the FWS designated Core Foraging Area of a wood stork colony. The wood stork (*Mycteria americana*) is listed as threatened by both the FWC and the FWS. No wood storks have been observed onsite. Colony locations provided by FWS show several colonies within a 25 mile radius of the property, the closest being three miles away.

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

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

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

Proposed Site Conditions

The proposed impacts to SFWMD jurisdictional wetlands include 11.48 acres. To mitigate for these impacts a total of 163.5+/- acres of wetlands and uplands will be enhanced by the removal of exotic vegetation and preserved by the placement of a conservation easement (Exhibit H).

The proposed impacts to indigenous habitats include approximately 3.26 acres. The proposed preservation of 38.28 acres of indigenous habitats represents 92% of the existing indigenous habitat areas. A total of 23.72 acres of Rare and Unique Uplands are proposed to be preserved of which 17.6 acres is indigenous habitat. Additionally, 34.8 acres of disturbed uplands or upland pasture will be restored to Rare and Unique Uplands. The project also includes restoring 13.01 acres of surface waters and 3.08 acres of littoral marsh wetlands to create a flushing channel.

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

Conclusions

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

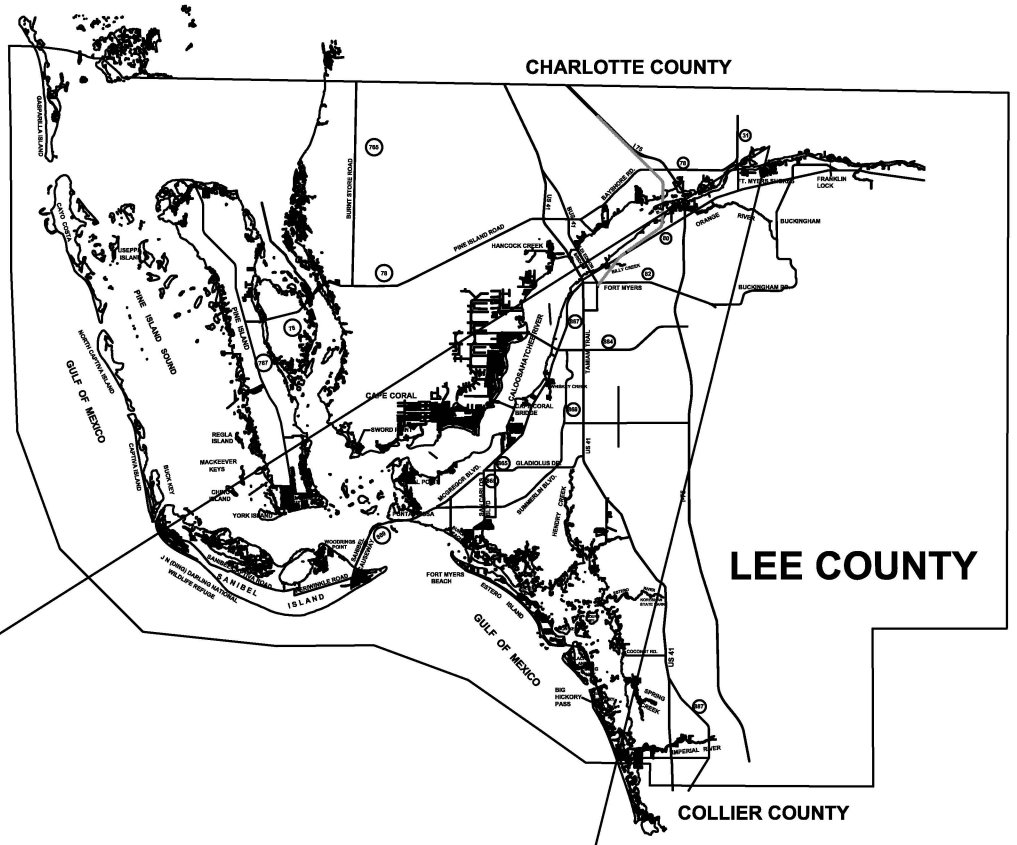
It is expected that existing prey and forage habitat for listed and non-listed species will be enhanced through removal and maintenance of invasive exotic plants and protected by implementation of the proposed enhancement and preservation of onsite wetlands.

Exhibit A

Location Map

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

Owl Creek Parcel





Project Location

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

Location Map

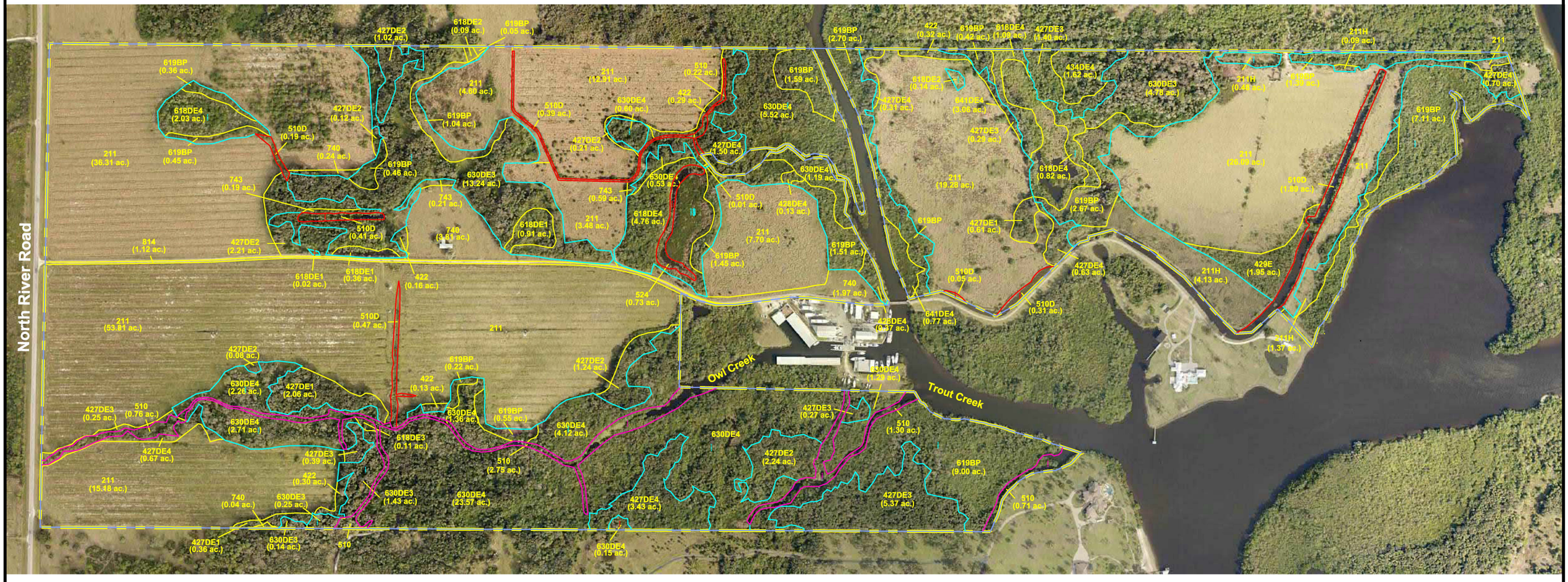
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Exhibit B

Vegetation Map

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

0 250 500
SCALE FEET



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

FLUCCS	Description	Acreage
211	Improved Pastures	179.38 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	5.74 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.

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.

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May 21, 2021 9:11:40 a.m.
Drawing: DRHOR455PLAN.DWG

Exhibit C.1.9 - Vegetation Map

Owl Creek Parcel

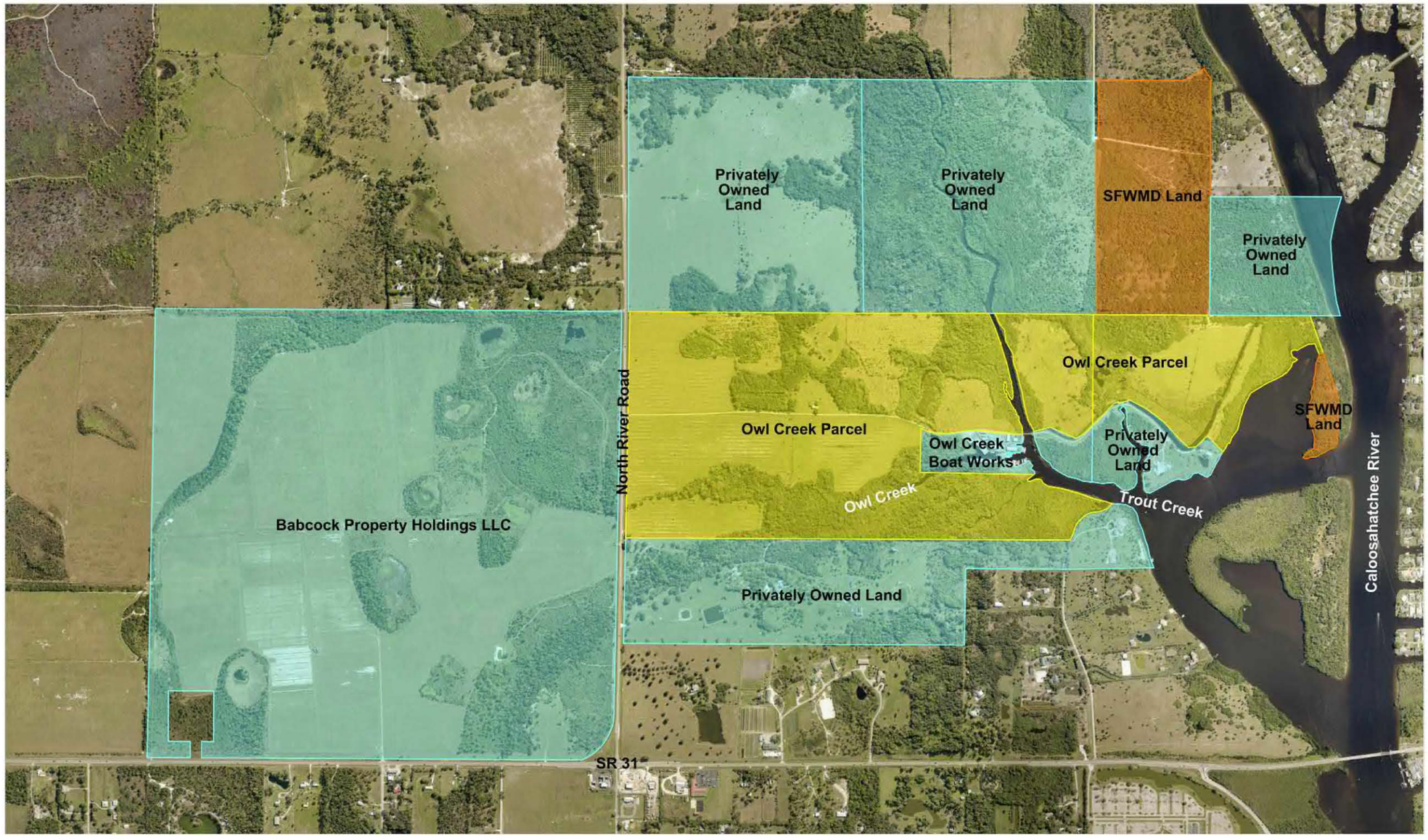
DexBender Environmental Consulting
FORT MYERS 239-334-3680

Exhibit C

Surrounding Land Map

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

0 625 1250
SCALE FEET



Owl Creek Parcel

Privately Owned Land

SFWMD Land

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

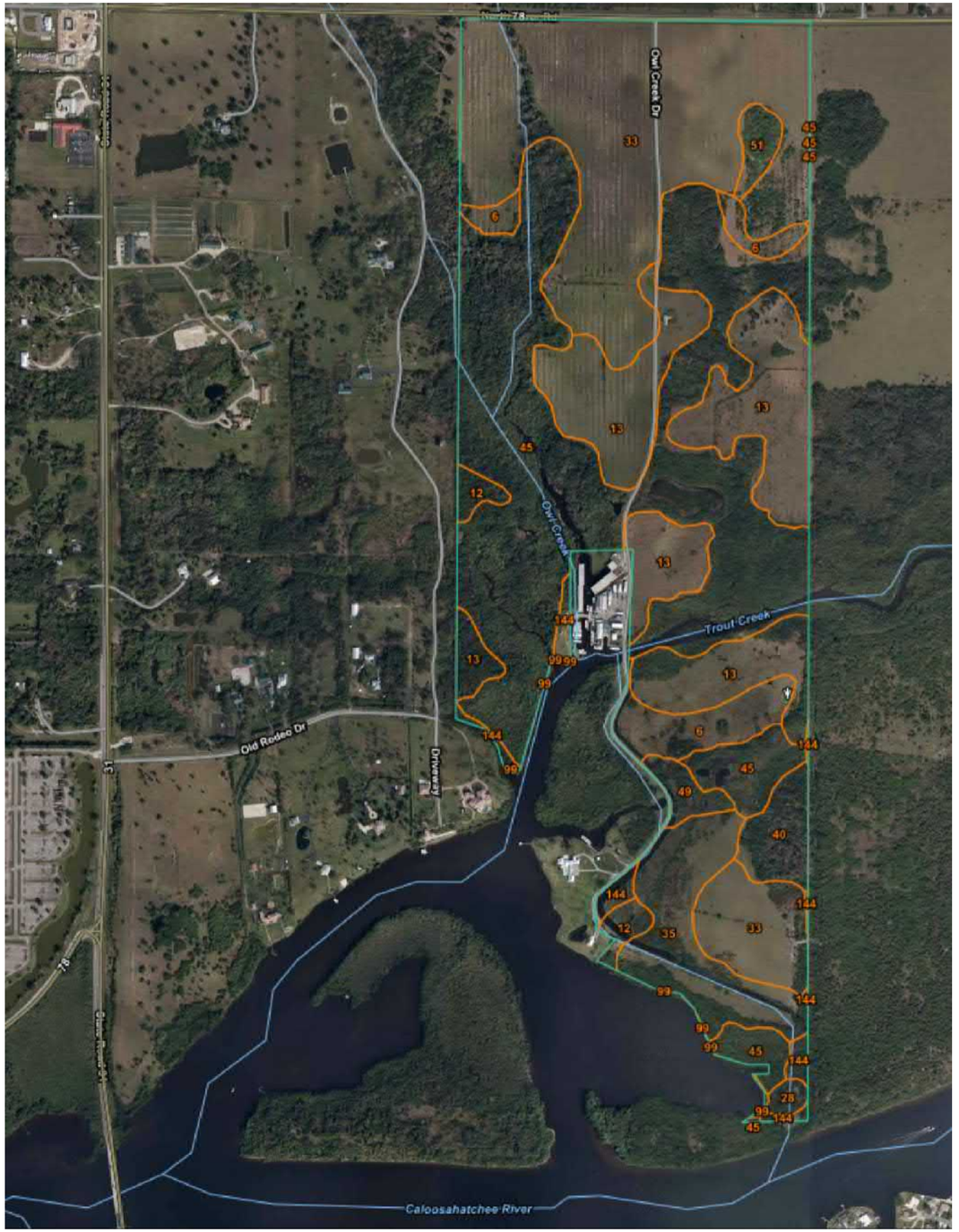
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Drawing: DRHOR455_SURROUNDING LANDS.DWG

Surrounding Land Map	Owl Creek Parcel	DexBender Environmental Consulting Fort Myers 239-334-3680

Exhibit D

Soils Map



Lee County, Florida (FL071)

Lee County, Florida (FL071)

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

NOTES:

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

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SOILS MAP AND DESCRIPTION OF SOILS EXHIBIT-M12-2

OWL CREEK

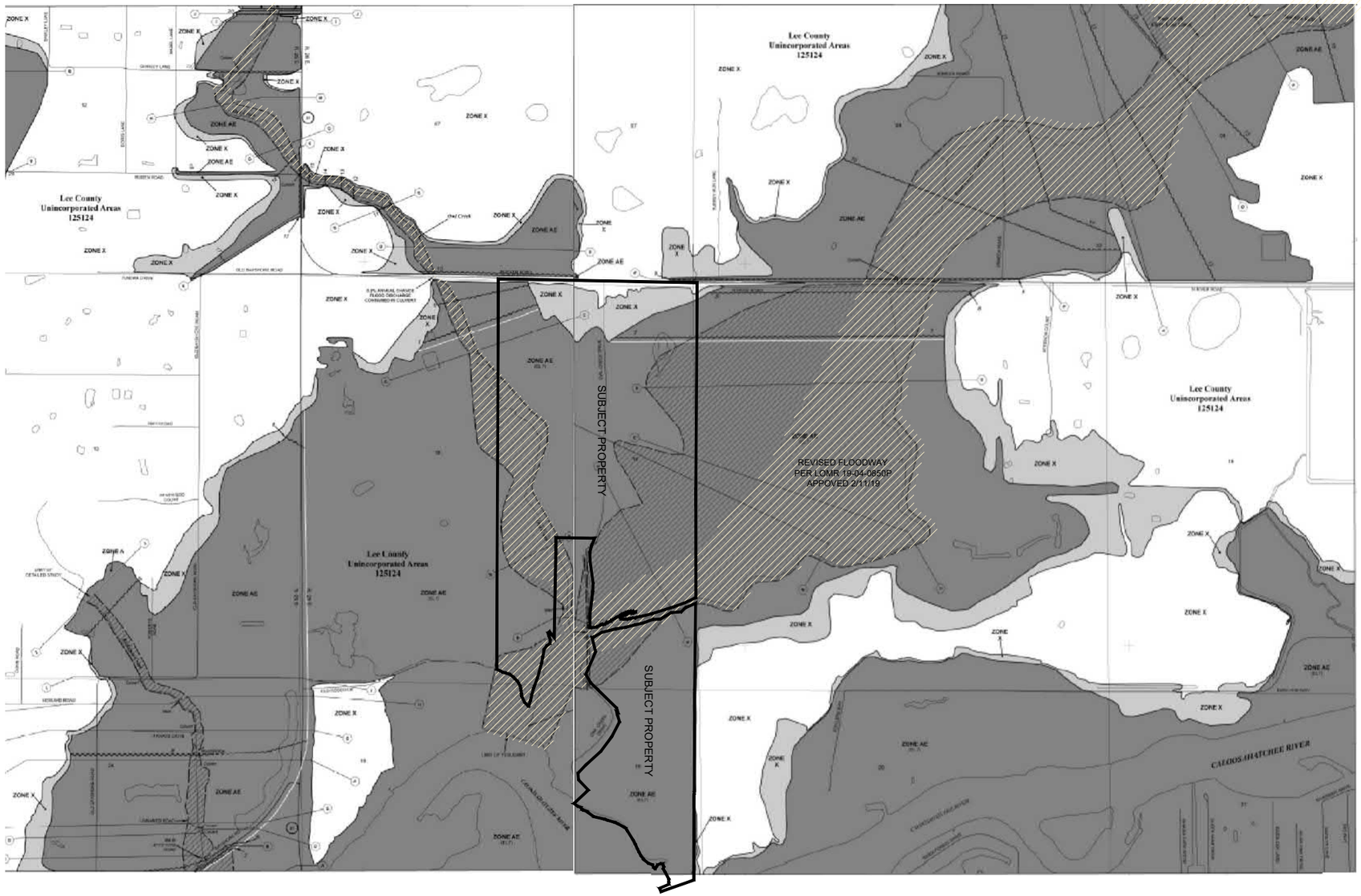
LEE COUNTY, FLORIDA

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

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Exhibit E

FEMA Map



LEGEND

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

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

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

FLOODWAY AREAS IN ZONE AE

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

OTHER FLOOD AREAS

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

OTHER AREAS

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

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

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

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

* Referenced to the North American Vertical Datum of 1988

- (A) — (A) Cross section line
- (23) — (23) Transect line
- 87°07'45", 32°22'30" — Geographic coordinates referenced to the North American Datum of 1983 (NAD 83), Western Hemisphere
- 4276000mN — 1000-meter Universal Transverse Mercator grid values, zone 17
- 600000 FT — 5000-foot grid ticks: Florida State Plane coordinate system, West zone (FIPSZONE 0902), Transverse Mercator projection
- DX5510 × — Bench mark (see explanation in Notes to Users section of this FIRM panel)
- M1.5 — River Mile

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

OWL CREEK

LEE COUNTY, FLORIDA

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

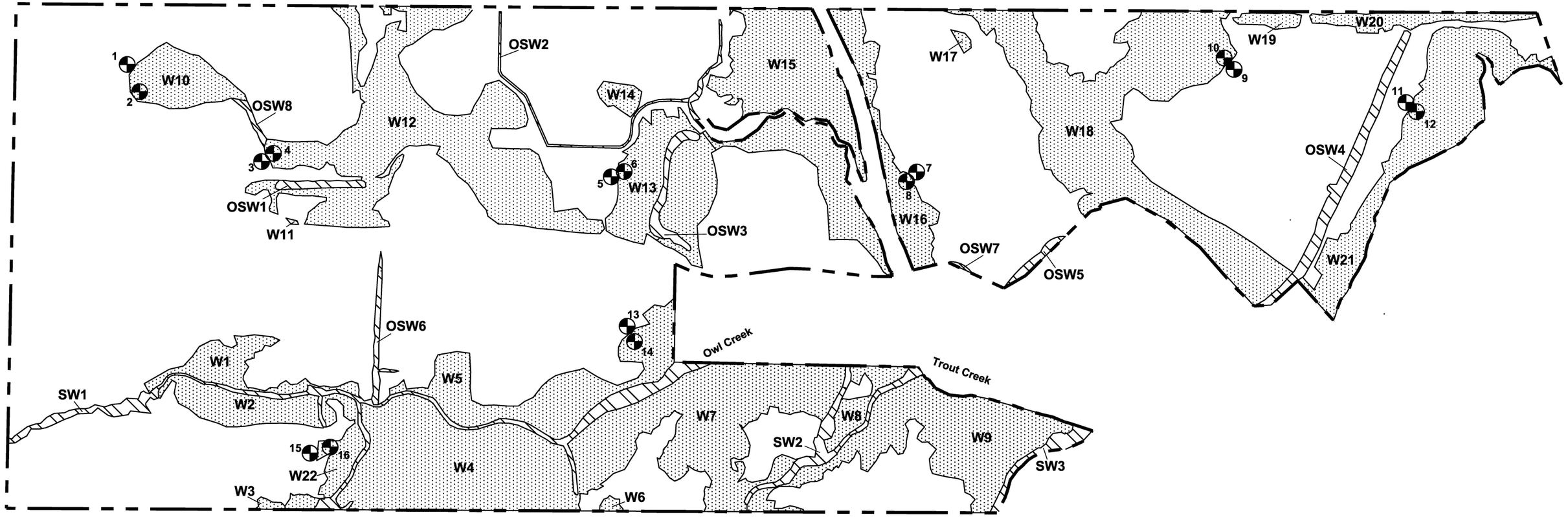
S:\JOBS\85XX\8504\EXHIBITS\8504_EXISTING FEMA.DWG 9/8/2020 11:21 AM KEVIN GONZALEZ

Exhibit F

Wetland Map

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

0 250 500
SCALE FEET



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

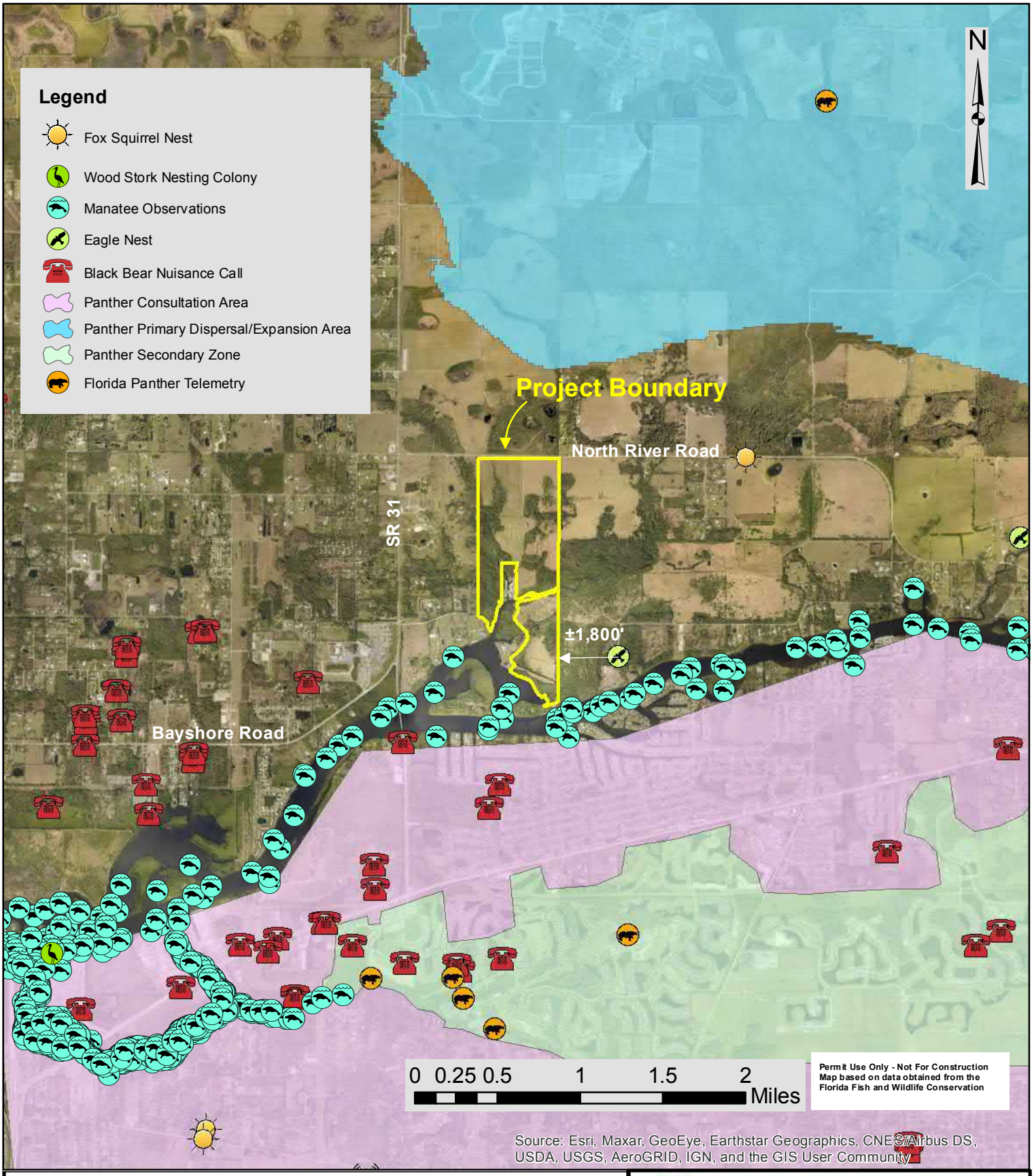
Wetland Map	Owl Creek Parcel	DexBender Environmental Consulting Fort Myers 239-334-3680

Exhibit G

Protected Species Database Map

Sections: 18 and 19
Township: 43
Range: 26

Owl Creek Parcel



Listed Species Database Map

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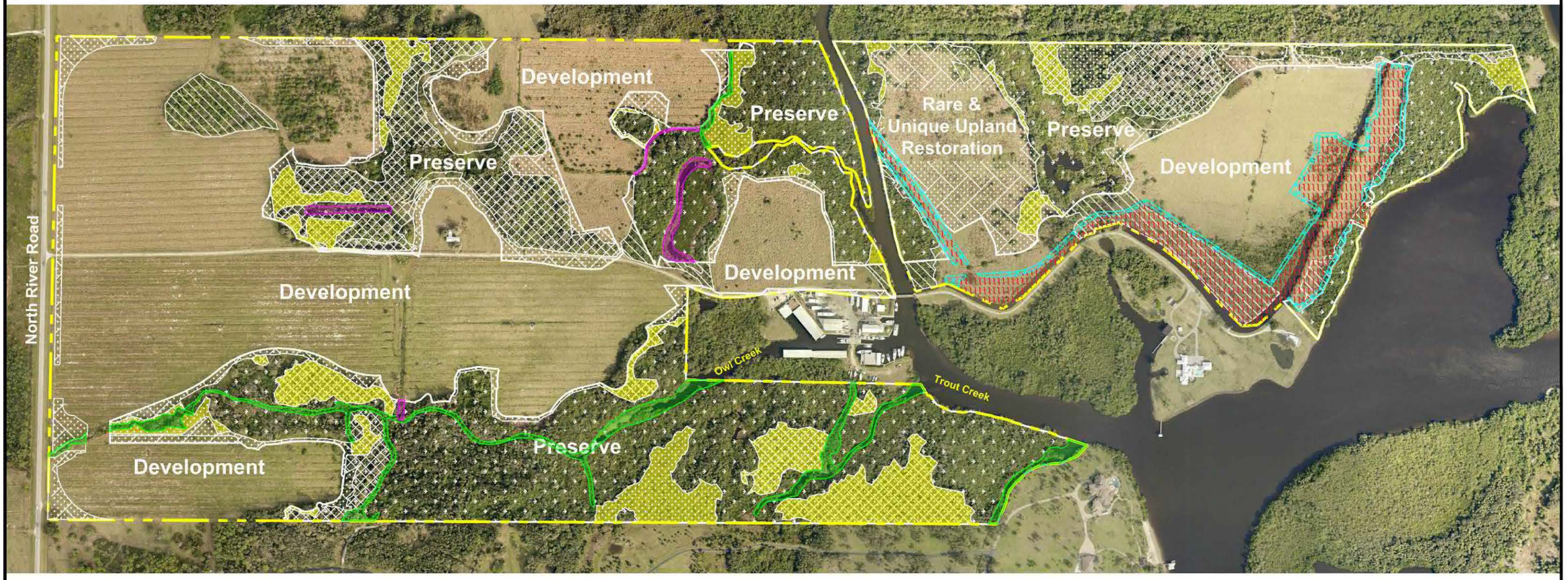
Document Path: Y:\DRHOR-455\GIS_GPS\Listed Species Map.mxd

Exhibit H

Enhancement and Preservation Map

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

0 250 500
SCALE FEET



Total Wetland Preservation & Restoration (103.36 ac.)

Wetland Impact (11.48 ac.)

Rare & Unique Upland Restoration (34.80 ac.)

Surface Water Preservation (5.61 ac.)

Littoral Shelf (3.08 ac.)

Total Upland Preservation & Restoration (60.15 ac.)

Indigenous Habitat Preservation (38.28 ac.)

Rare and Unique Uplands Preservation (23.72 ac.)

Other Surface Water - Ditches Preservation (1.34 ac.)

Surface Water Restoration (13.01 ac.)

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

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August 09, 2021 10:44:20 a.m.
Drawing: DRHOR455 ENHANCEMENT-PRESERVATION.DWG

Enhancement & Preservation Map

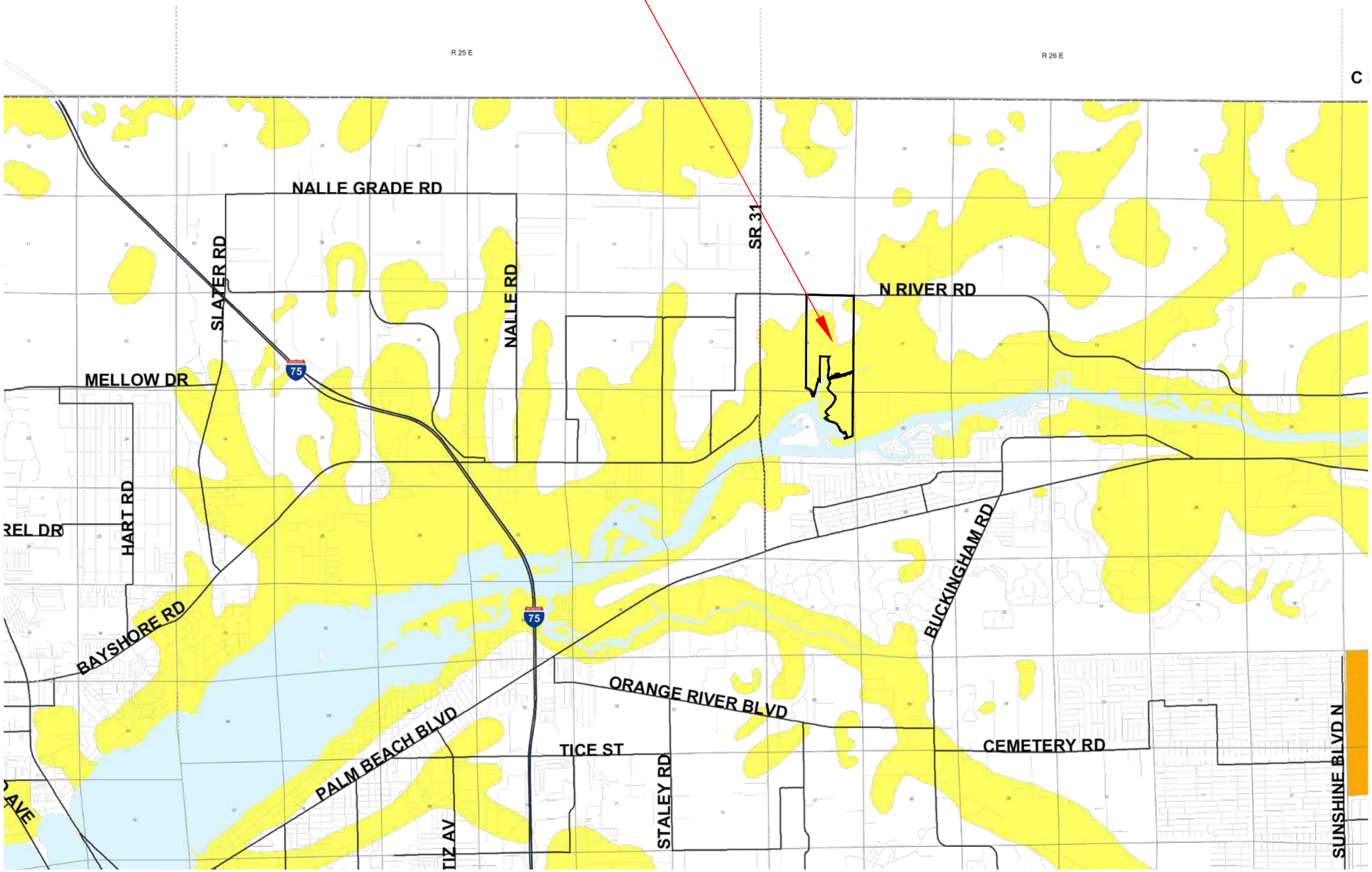
Owl Creek Reserve

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Historic Resources Impact Analysis

(Exhibit M13)
(Exhibit T8)

SUBJECT PROPERTY



Lee County Archaeological Sensitivity Map

Legend

- Sensitivity Level 1
- Sensitivity Level 2
- Previously Surveyed

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ARCHAEOLOGICAL SENSITIVITY MAP EXHIBIT-M13-2

OWL CREEK

LEE COUNTY, FLORIDA

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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.
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(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.

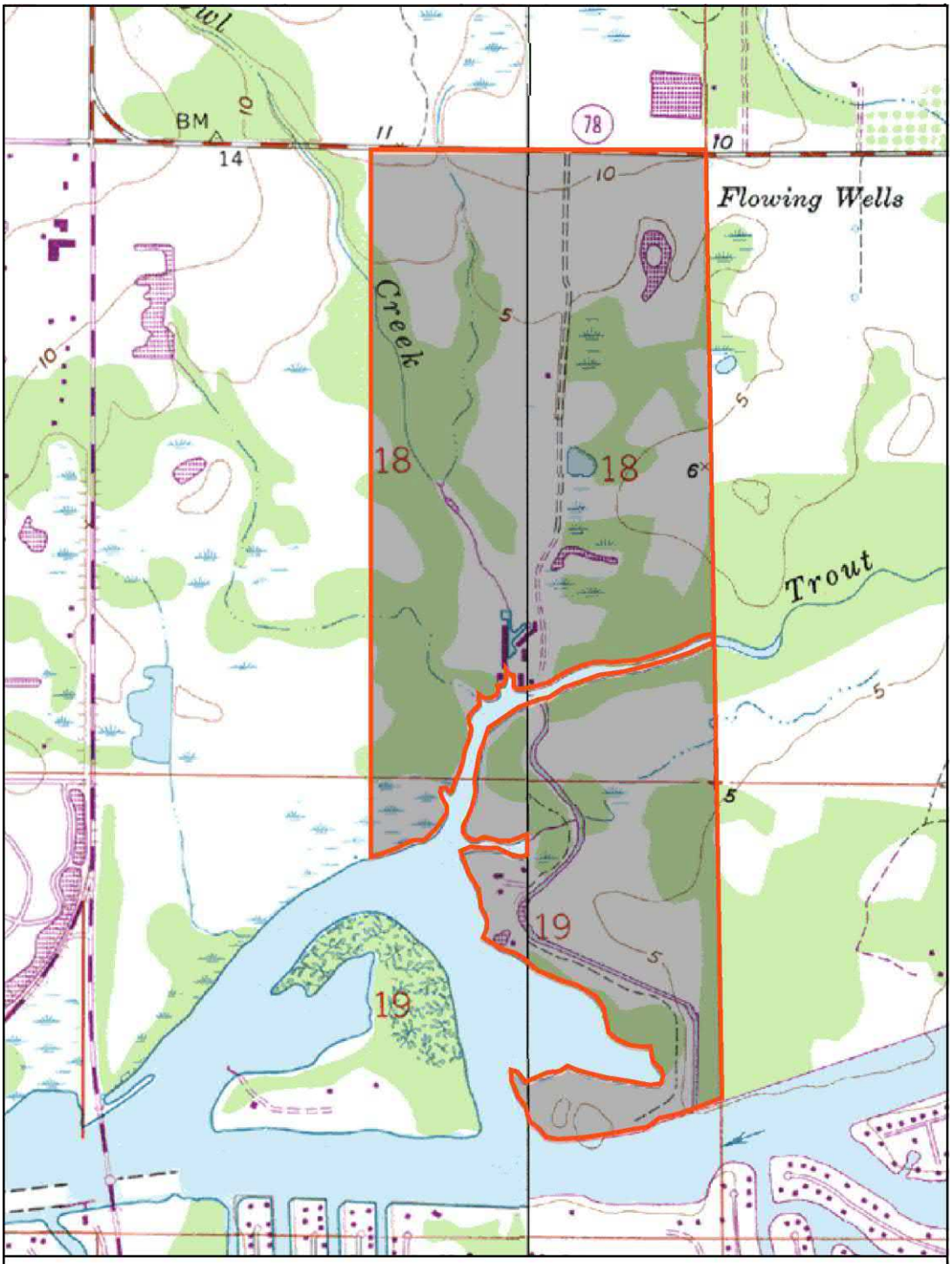


Figure 1. USGS Map of the Owl Creek parcel.

PROJECT SETTING

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

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

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

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

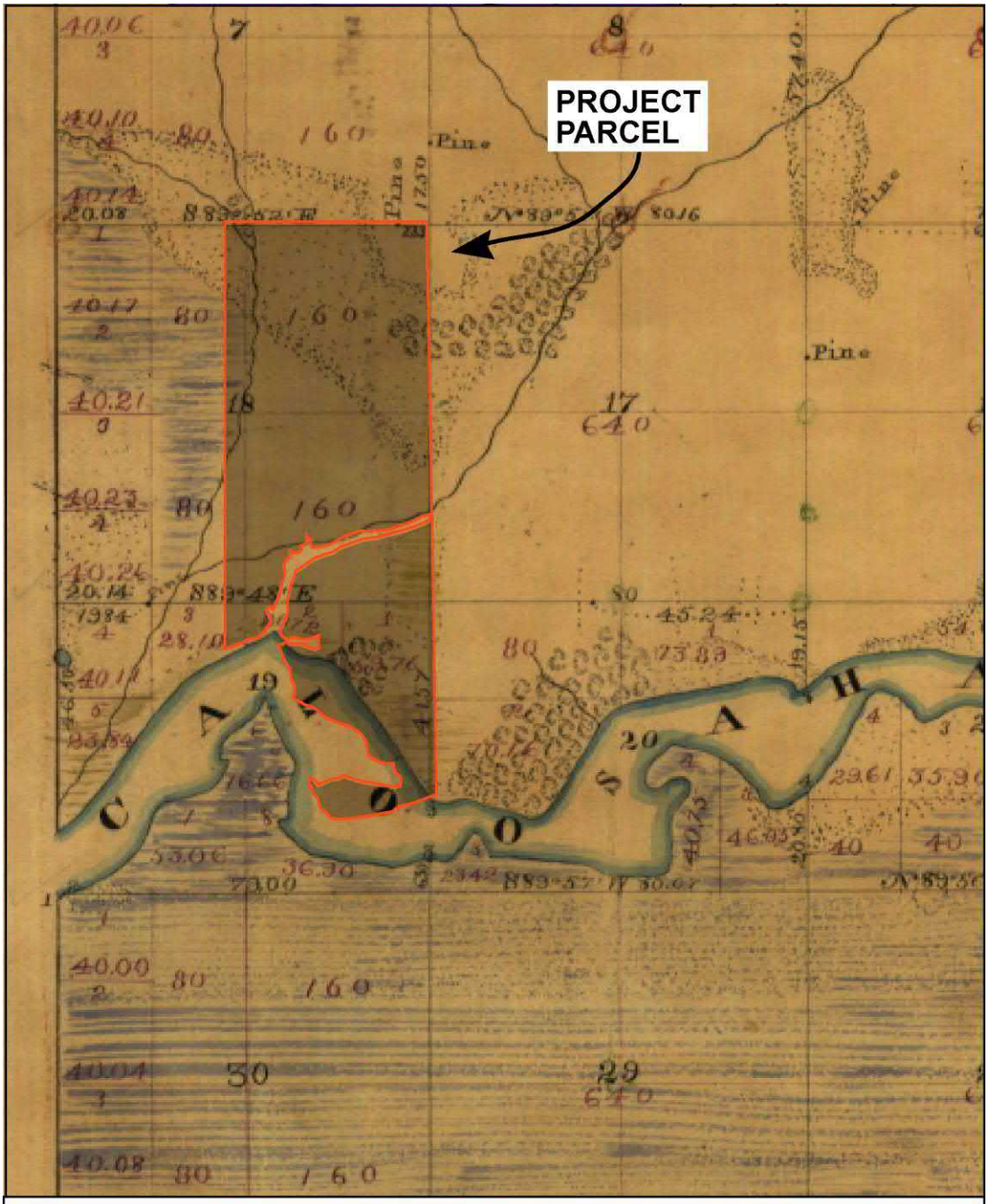


Figure 2. Portion of the 1873 plat map for Township 43S, Range 26E with the project parcel boundaries superimposed.

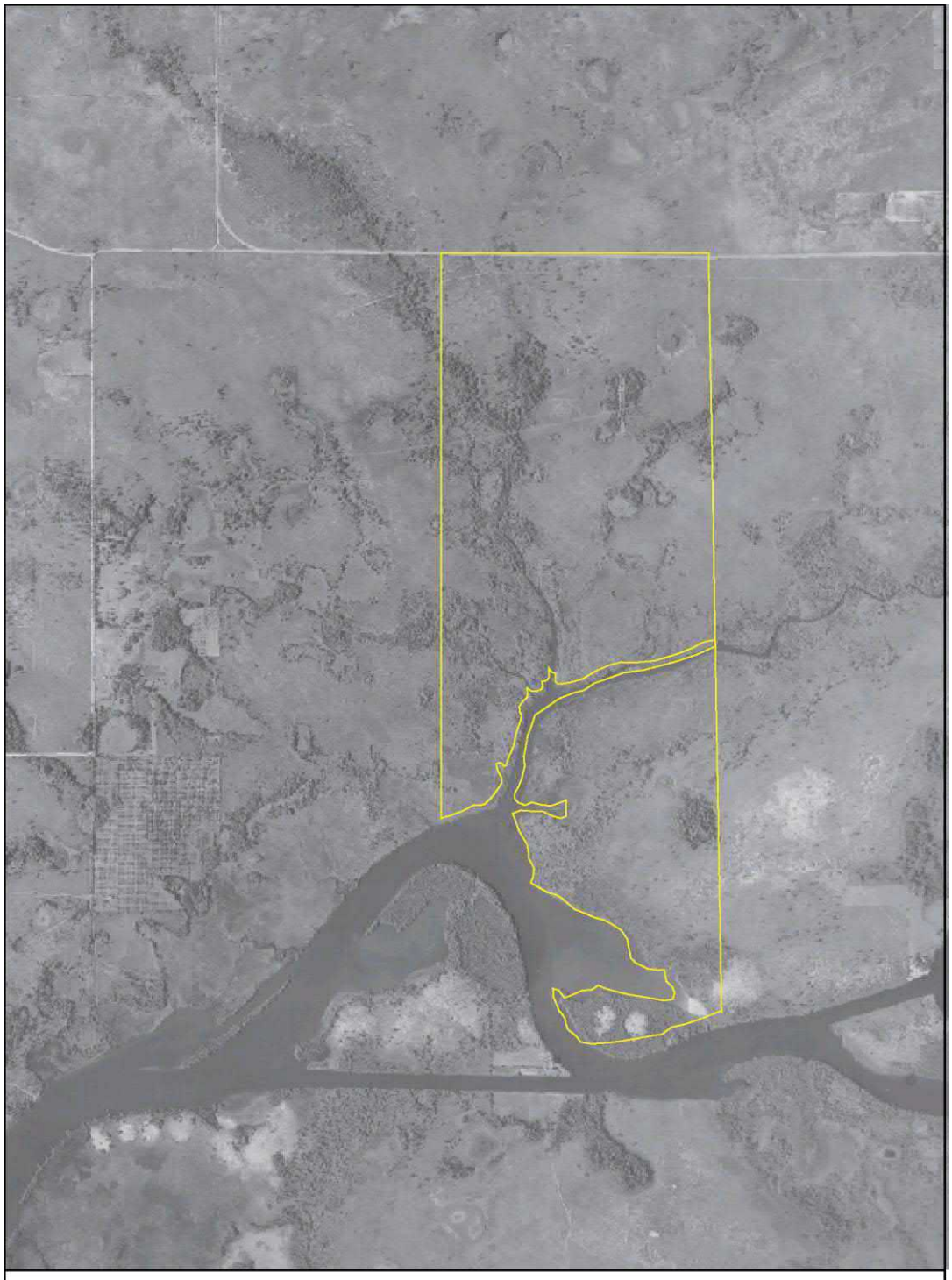


Figure 3. 1944 black and white aerial photograph of the project parcel.

0 1000 2000 4000 Feet
0 300 600 1200 Meters

N

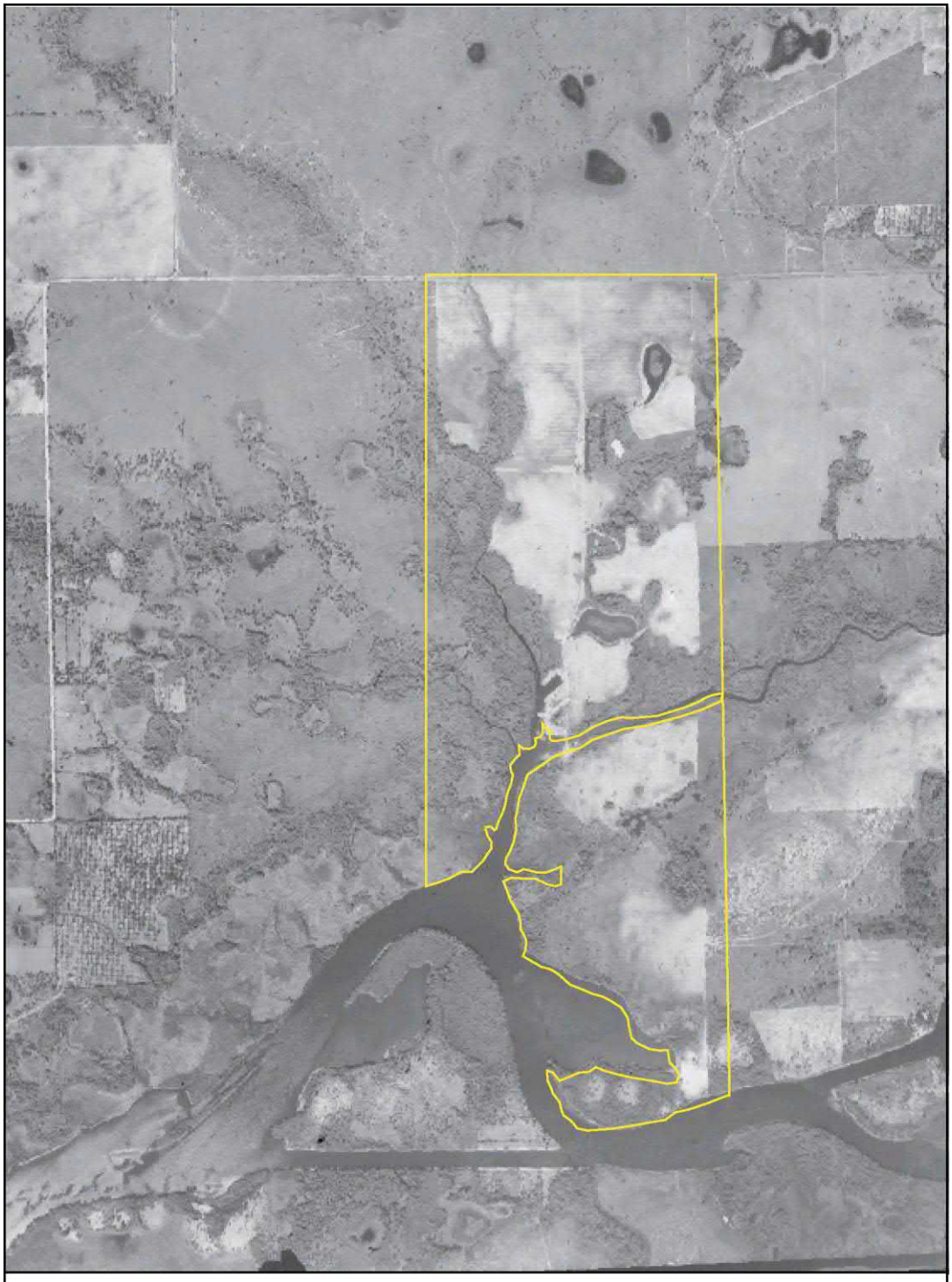


Figure 4. 1953 black and white aerial photograph of the project parcel.

0 1000 2000 4000 Feet
0 300 600 1200 Meters

N

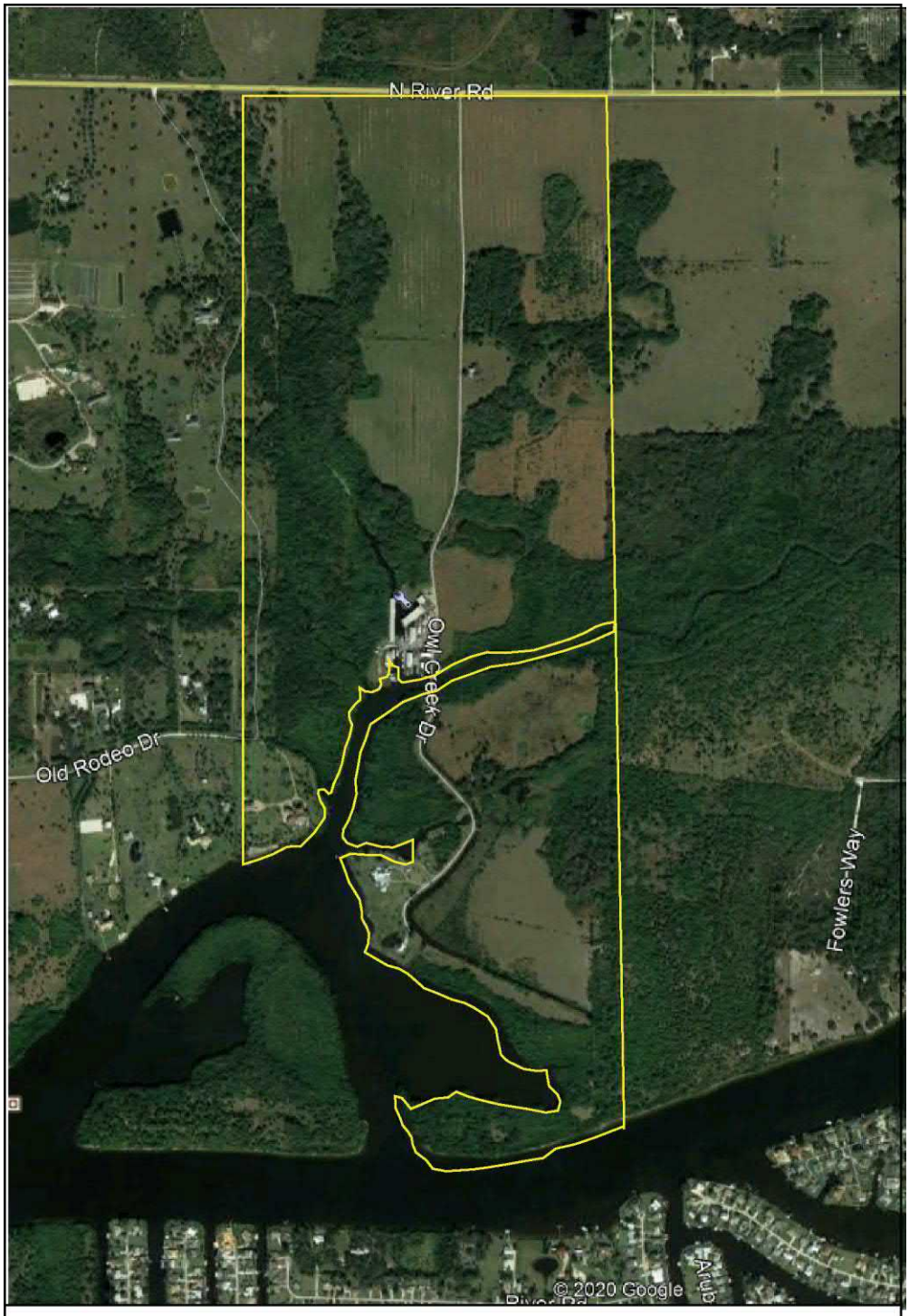


Figure 5. 2019 color aerial orthophotograph of the project parcel.

METHODOLOGY

ARCHIVAL REVIEW

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

RESEARCH DESIGN

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

FIELDWORK

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

COLLECTIONS

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

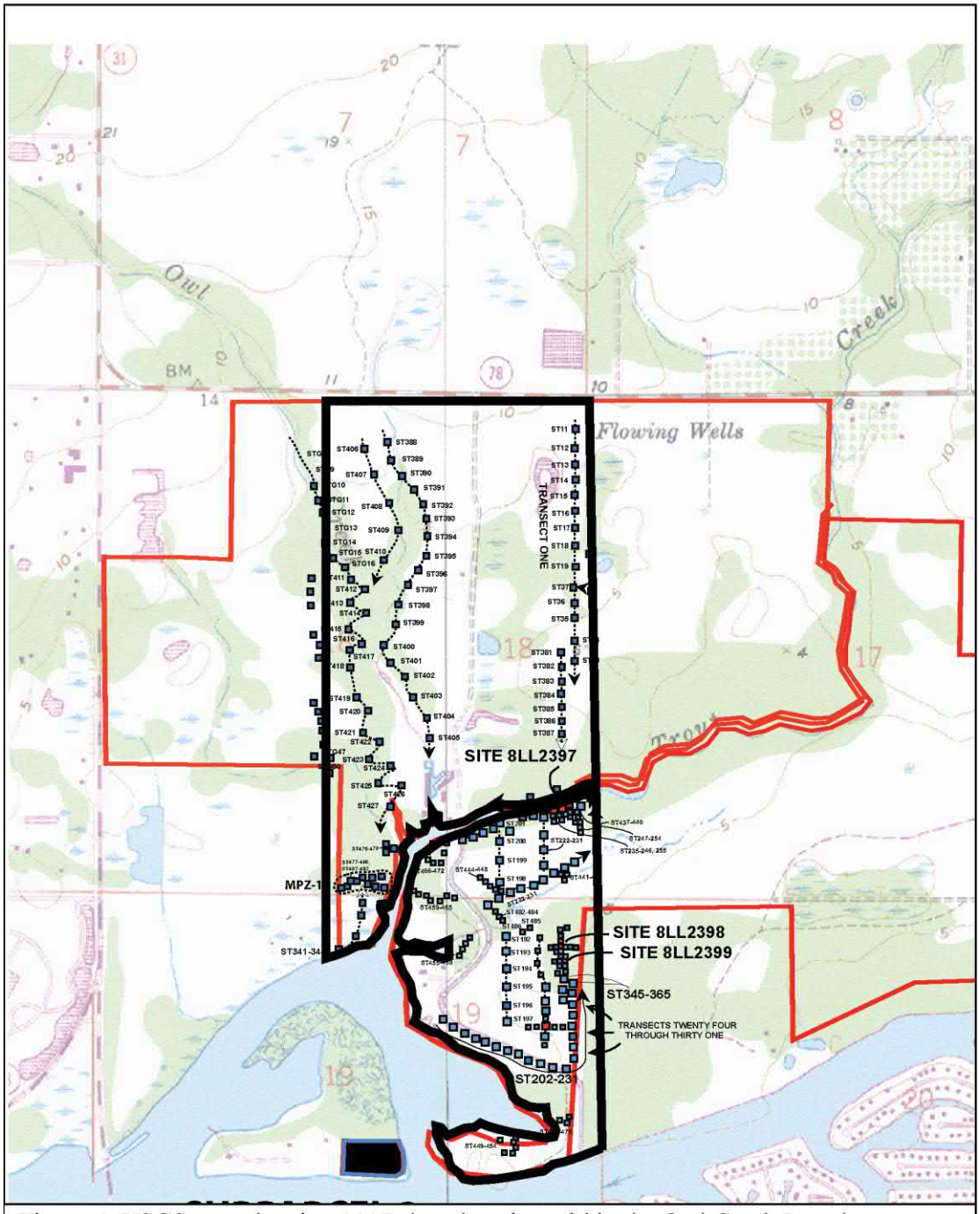


Figure 6. USGS map showing 2007 shovel testing within the Owl Creek Parcel (black outline), within the overall North River Assemblage Parcels (red outline)

= POSITIVE SHOVEL TEST

= NEGATIVE SHOVEL TEST

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

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

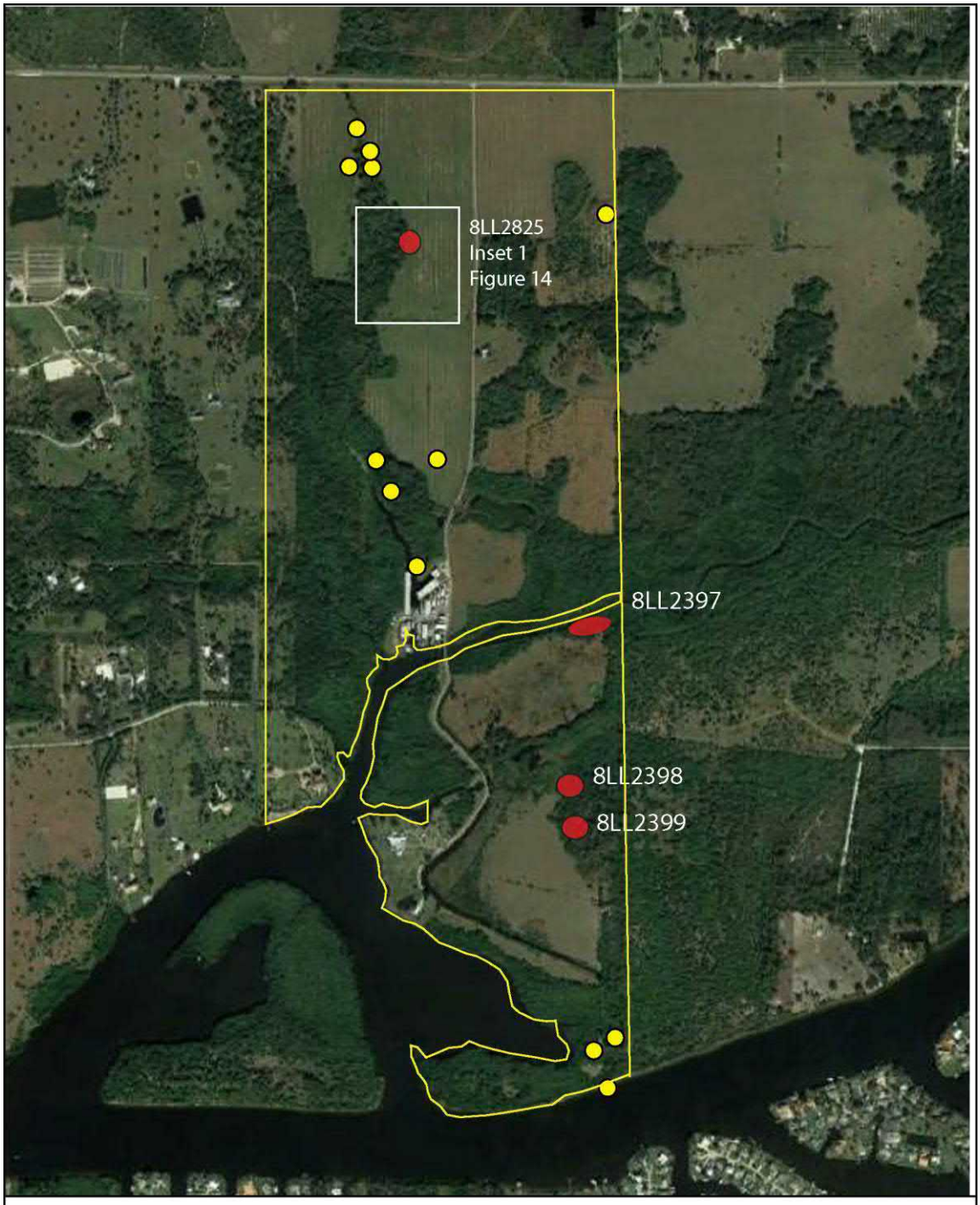


Figure 7. Aerial photograph showing archaeological site locations and 2020 shovel test locations.

SUMMARY OF SITES

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



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



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

Site Name: Intrigue

Site Number: 8CH2398

Location: T. 43S., R. 26E., Section 19

Environmental Setting: Tropical hardwood hammock within tall cypress head / slough feature

Site Type: Midden

Site Function: Habitation, resource extraction

Description: The site occupies a slightly elevated linear ridge within the western area of a climax cypress head. The site is west of the central depressional pond of the cypress head. The site is characterized by a 30 cm thick deposit of shell refuse largely consisting of oyster that begins at the surface. Material recovered includes oyster shell and a sparse amount of ceramics and faunal bone. Site size is estimated at 18 meters on an east-west axis and 50 meters on a north-south axis. The site tends to center on the small elevated ridge. This is an unusual site both in terms of the marine shell content and its location in a cypress head feature. The site is heavily vegetated in camphorwood with some moderate-sized gumbo-limbos.

Chronology: Prehistoric: Glades I-II

Collections (2007): Faunal bone, marine shell

Ownership: Private

Preservation Quality 2007: Excellent. The site is undisturbed.

Preservation Quality 2020: Unchanged

Significance: Based on available data the site appears to meet criteria for listing on the NRHP based on Criterion D.



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



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

Site Name: Majestic Gumbo-Limbo

Site Number: 8LL2399

Location: T. 43S., R. 26E., Section 19

Environmental Setting: Tropical hardwood hammock within western area of tall cypress head

Site Type: Constructed mound, possibly burial mound

Site Function: Habitation, possible mortuary

Description: The site is characterized by a moderately elevated knoll or mound well within the western area of a climax cypress head/slough. The site area is located west of the central depressional area of the cypress head and approximately 200 feet south of the Intrigue Site, 8LL2398. Site elevation is approximately 60-70cm above the surrounding low marshy cypress swamp. Site size is estimated at 15 meters (50 feet) on an east-west axis and 25 meters (80 feet) on a north-south axis. The site likely centers on the elevated knoll. It is possible the mound is constructed and may represent a burial area or house mound. One piece of oyster shell was recovered from a shovel test. This is an unusual site both in terms of the configuration and location in a cypress head feature. The site is heavily vegetated in camphorwood with one large gumbo-limbo at the south end of the site.

Chronology: Prehistoric: unknown

Collections: Marine shell

Ownership: Private

Preservation Quality 2007: Excellent

Preservation Quality 2020: Unchanged

Significance: Based on available data the site appears to meet criteria for listing on the NRHP based on Criterion D.



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



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

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

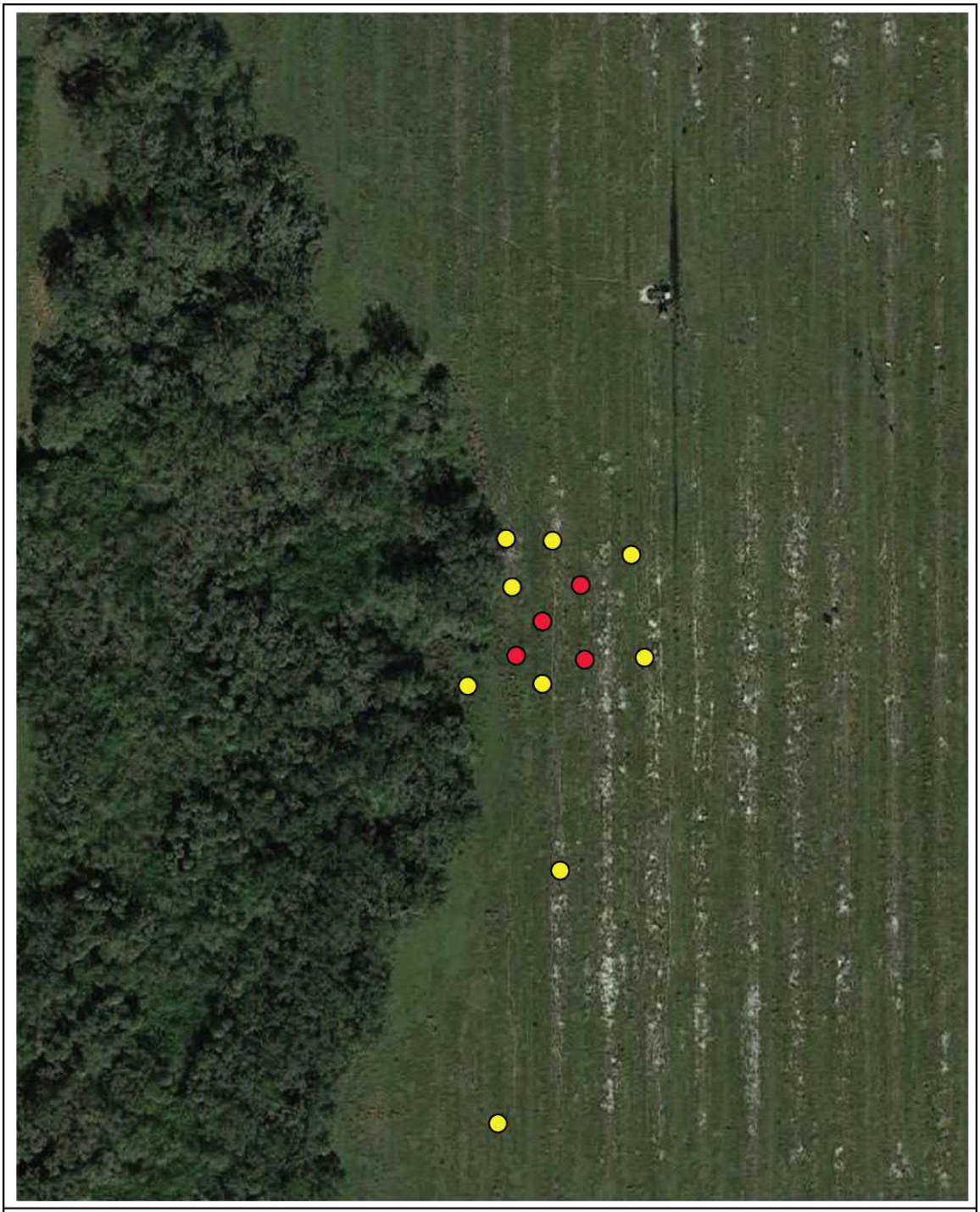


Figure 14. Aerial photograph showing 8LL2825 shovel test locations.

= Positive shovel test

= Negative shovel test

0 25 50 100 Meters
0 82 164 328 Feet

N



Figure 15. Site 8LL2825, looking north.



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

RESULTS AND RECOMMENDATIONS

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

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

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

REFERENCES CITED

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

Ent D (FMSF only)_____

Survey Log Sheet

Florida Master Site File
Version 4.1 1/07

Survey # (FMSF only) _____

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

Identification and Bibliographic Information

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

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

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

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

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

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

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

Key Words/Phrases (Don't use county name, or common words like *archaeology*, *structure*, *survey, architecture, etc.*)

1. Owl Creek 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 Franklin **Date Log Sheet Completed** 8-20-2020

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

Mapping

Counties (List each one in which field survey was done; attach additional sheet if necessary)

1. Lee 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 acres

Number of Distinct Tracts or Areas Surveyed 1

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

Survey Log Sheet

Survey #_____

Research and Field Methods

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

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

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

☒Florida Archives (Gray Building)	☐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, **un**controlled	☐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

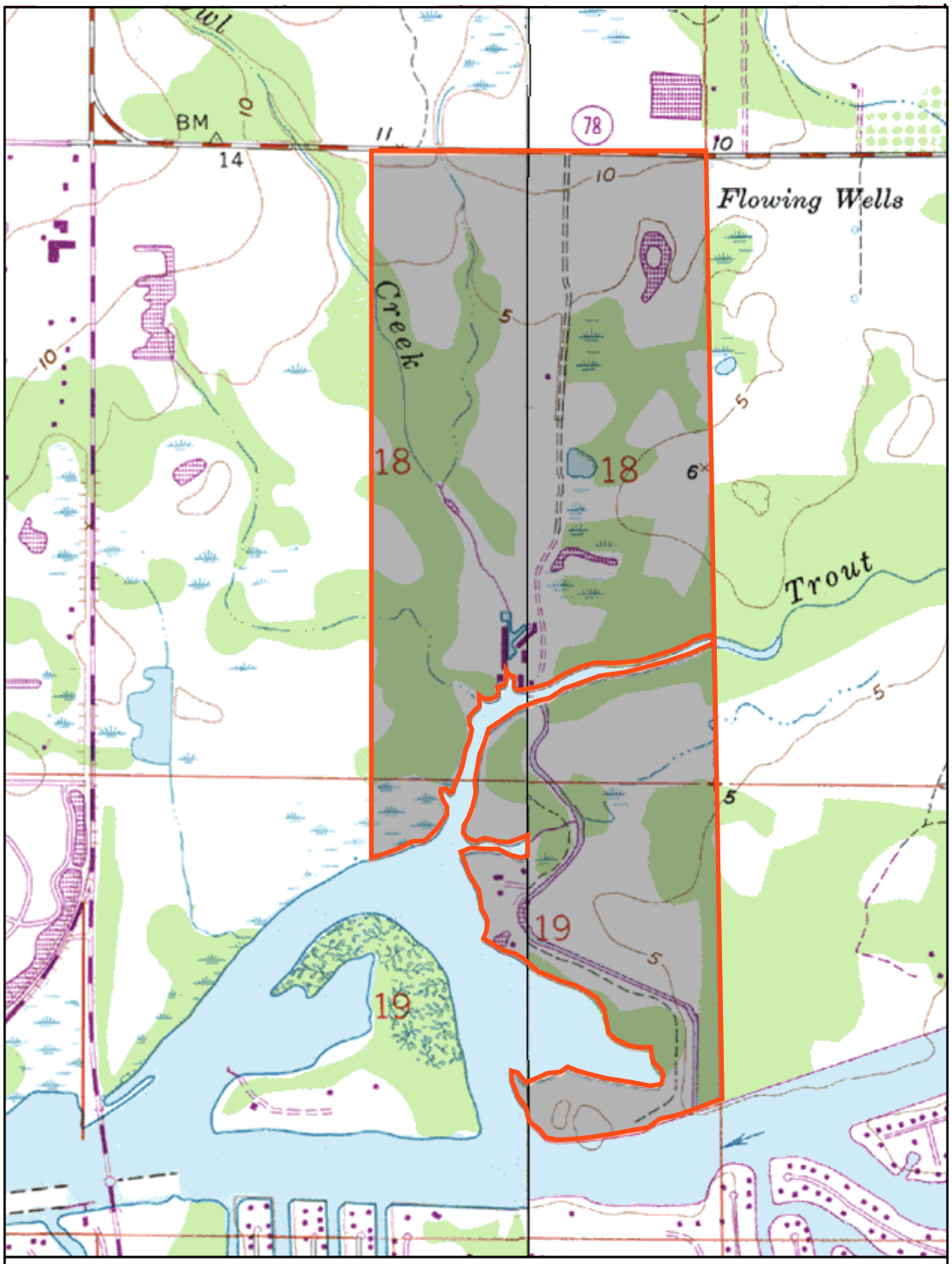
*****REQUIRED: ATTACH PLOT OF SURVEY AREA ON PHOTOCOPY OF USGS 1:24,000 MAP(S)*****

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

☒Original
☐Update

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

Consult *Guide to Archaeological Site Form* for detailed instructions

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

Site Name(s) Owl Creek - 1 **M**ultiple Listing (DHR only) _____
Project Name Owl Creek Analysis of Potential Impacts **S**urvey # (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 **U**SGS Date 1991 **P**lat or Other Map _____
City/Town (within 3 miles) N/A **I**n City Limits? ☐yes ☐no ☐unknown **C**ounty _____
Township 43S **R**ange 26E **S**ection 18 ¼ section: ☐NW ☐SW ☐SE ☐NE Irregular-name: _____
Township _____ **R**ange _____ **S**ection _____ ¼ section: ☐NW ☐SW ☐SE ☐NE
Landgrant _____ **T**ax Parcel # _____
UTM Coordinates: **Z**one ☐16 ☐17 **E**asting ☐☐☐☐☐☐ **N**orthing ☐☐☐☐☐☐☐
Other Coordinates: X: 81°45'1.07" Y: 26°44'12.26" **C**oordinate System & Datum _____
Address / Vicinity / Route to:

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

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

TYPE OF SITE (select all that apply)

SETTING

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

STRUCTURES OR FEATURES

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

FUNCTION

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

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

CULTURE PERIODS (select all that apply)

ABORIGINAL

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

NON-ABORIGINAL

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

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

OPINION OF RESOURCE SIGNIFICANCE

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

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

Recommendations for Owner or SHPO Action

No additional actions.

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

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

ARCHAEOLOGICAL SITE FORM

Site #8 LL02825

FIELD METHODS (select all that apply)

SITE DETECTION			SITE BOUNDARY		
☐no field check	☐exposed ground	☐screened shovel	☐bounds unknown	☐remote sensing	☐unscreened shovel
☐literature search	☐posthole tests	☒screened shovel-1/4"	☐none by recorder	☐exposed ground	☒screened shovel
☐informant report	☐auger tests	☐screened shovel-1/8"	☐literature search	☐posthole tests	☐block excavations
☐remote sensing	☐unscreened shovel	☐screened shovel-1/16"	☐informant report	☐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 (m^2) 490 Depth/stratigraphy of cultural deposit (describe below)

Average assemblage depth is 0 to ~50cm below surface

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

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

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

Disturbances / threats / protective measures

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

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

ARTIFACTS

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

COLLECTION SELECTIVITY

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

SPATIAL CONTROL

☐uncollected ☐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

Analysis of Impacts from Proposed Changes

(Exhibits M14, M16 & T5)

CPA2020-00004 & CPA2020-00005
Traffic Impact Statement
Supplement to Traffic Impact Statement - March 2021
Revised Public Facilities Impact Narrative - August 2021
Includes LCU No Objection Letter for FGUA Sanitary Service

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

OWL CREEK RESERVE
Comprehensive Plan Amendment
Public Facilities Impacts Narrative
EXHIBIT "M14 & 16" / "T5"
CPA2020-00004 & CPA2020-00005
Revised August 2021

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

The Owl Creek Reserve property is located on the south side of N. River Road approximately ½ mile east of the intersection of SR 31 and N. River Road within the North Olga area of the Northeast Lee County Planning Community. The plan amendment for Owl Creek Reserve includes the following requests to allow incentives for protection of environmentally sensitive lands within the Rural future land use category for clustered planned developments within the North Olga Planning Community area:

- 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 Amendments to following:
    - Policy 124.1.1 – Add language for wetlands adjacent to Rural areas within North Olga Planning Community to refer to proposed Policy 29.2.4.a.
    - Table 1(a) – Amend footnote 8 for wetlands adjacent to Rural areas within North Olga Planning Community to refer to proposed Policy 29.2.4.a.
    - North Olga Community Plan – Add new Policy 29.2.4 to provide incentives to encourage wetland preservation and rare and unique upland habitat preservation or restoration for clustered developments utilizing the planned development process within the North Olga Planning Community.

There is a concurrent minor residential planned development application for ±342.68 acres to accommodate the proposed clustered development (DCI2021-00011). The resultant density for the subject property will be a maximum of 385 single-family dwelling units which is an increase of 157 dwelling units that could be developed under the existing conditions. The following analysis establishes that the additional proposal will not adversely impact public services.

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

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

maintenance at the whim of the individual homeowner.

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

Although Lee County Utilities has indicated in the submitted letter of availability that it presently has sufficient capacity to provide sanitary sewer service which would be provided by the City of Fort Myers North Water Reclamation Facility, the nearest wastewater mains are located on the south side of the Caloosahatchee River along S.R. 80 (Palm Beach Blvd). Connection to the Lee County system is not possible since the existing SR 31 bridge is a draw bridge. Since FGUA's wastewater facilities are located in the same vicinity of the nearest Lee County Utilities water facilities, connection to FGUA is the most economically viable option. Lee County Utilities has issued a letter of no objection to FGUA providing sanitary sewer service to the site. The 2019 Concurrency Report states that all systems are operating within capacity and meet the LOS standard for unincorporated Lee County.

The plant has a permitted treatment capacity of 4.25 million gallons per day (MGD). The Level of Service (LOS) Standard, per Lee Plan Policy 95.1.3, is 200 gallons per day per Equivalent Residential Connection (ERC) or for the purposes of this analysis, per each residential dwelling unit that is connected to the system. The Owl Creek project proposes to connect a maximum of 385 residential dwelling units to the FGUA sewer system.

Existing Development Potential: 228 maximum residential
228 ERC x 200 GPD = 45,600 GPD

Proposed Development Potential: 157 additional (385 maximum residential):
157 ERC x 200 GPD = 31,400 GPD

Total: 77,000 GPD

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

The Del Prado Wastewater Treatment Plant had a maximum average daily flow over a 12 month period of 5.205 MGD in August 2019. The maximum three-month average daily flow was 4.087 in September 2019. The permitted capacity of 4.250 is annual average daily flow and not maximum. The submitted letter of availability from FGUA demonstrates that they have sufficient treatment capacity to accommodate the flows of up to 110,000 GPD which exceeds the 77,000 GPD. FGUA has programmed plant expansions and expansion of the disposal of treated effluent, including providing effluent to the City of Cape Coral for irrigation uses. These plant expansions will allow FGUA to continue to expand the sewer service they provide to North Fort Myers, including to the Owl Creek project.

Potable Water

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

Existing Development Potential: 228 maximum residential
228 ERC x 250 GPD = 57,000 GPD

Proposed Development Potential: 157 additional (385 maximum residential):
157 ERC x 250 GPD = 39,250 GPD

Total: 96,250 GPD

According to the 2019 Concurrency report, Lee County Utilities has a capacity of 50.9 MGD and planned capacity of 55.3 MGD. In 2016, 158,611 ERCs were served by LCU. The number of ERCs projected for 2023 are 177,652 units with 223,893 units projected for 2040. Lee County Utilities has excess capacity to accommodate the currently approved 228 maximum dwelling units and the additional proposed 157 dwelling units totaling 385 dwelling units. The additional units are well within the projected growth of 177,652 ERCs to be served by 2023 and 223,893 ERCs to be served by 2040. Therefore, Lee County Utilities has adequate capacity to service the proposed development.

Surface Water/Drainage Basins

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

Parks, Recreation, and Open Space

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

Level of Service for Community Parks is two (2) acres per 1,000 permanent population.

Regional Parks

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

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

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

The requested 385 dwelling units (increase of 157 units) will not negatively impact the regional parks level of service. The non-regulatory level of service standard is 5,052 acres of Regional Parks is far exceeded with the existing 7,051 acres. There is adequate acreage within the existing Regional Parks to meet the needs of the additional 385 dwelling units.

Community Parks

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

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

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

The requested 385 dwelling units (increase of 157 units) will not negatively impact the community parks level of service. The non-regulatory level of service standard of 285 acres of Community Parks is far exceeded with the existing 743 acres. There is adequate acreage within the existing Community Parks to meet the needs of the additional 385 dwelling units.

Public Schools

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

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

The School District of Lee County uses a generation rate of .297 students per each single-family dwelling unit. This rate is further broken down by school type, with a rate of .149 for elementary, .071 for middle school, and .077 for high school. Utilizing these rates results in a demand of 116 school-aged children, 58 elementary students, 28 middle school students, and 30 high school students for the Owl Creek project. The attached letter from The School District of Lee County evaluated 440 dwelling units and demonstrates that although capacity is an issue within the Concurrency Service Area (CSA) at the high school level, capacity is available in the adjacent CSA. The concurrency system allows contiguous districts to provide capacity when capacity in the project's District is not available.

Solid Waste

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

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

Existing Development Potential: 228 maximum residential
228 dwelling units x 2.35 persons per unit = 536 persons
536 persons x 7 lbs/day = 3,752 lbs

Proposed Development Potential: 157 additional (385 maximum residential):
157 dwelling units x 2.35 persons per unit = 369 persons
369 persons x 7 lbs/day = 2,583 lbs

Total: 6,335 lbs

The 2019 Concurrency Report provides that all unincorporated areas of Lee County are concurrent with the Level of Service standard set forth in the Lee Plan for solid waste The report further states, "*At the total available system capacity of 1,134,667 tons per year, the Lee County IWMS would be capable of providing a 7.0 lb/capita/day level of service to a full-time combined Lee and Hendry County population of 888,000*." The proposed increase in density will result in the generation of an additional 2,583 pounds per day which can be accommodated by the capacity of the Lee County Resource Recovery Facility and the Lee-Hendry Regional Landfill.

Conclusions

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

Lee County
Southwest Florida
BOARD OF COUNTY COMMISSIONERS

Kevin Ruane
District One

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

January 25, 2021 Via E-Mail

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,



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

TR TRANSPORTATION CONSULTANTS, INC

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

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

TRAFFIC IMPACT STATEMENT

FOR

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

TR TRANSPORTATION CONSULTANTS, INC

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I. INTRODUCTION

II. EXISTING CONDITIONS

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IV. TRIP GENERATION

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VI. ZONING ANALYSIS

VII. CONCLUSION

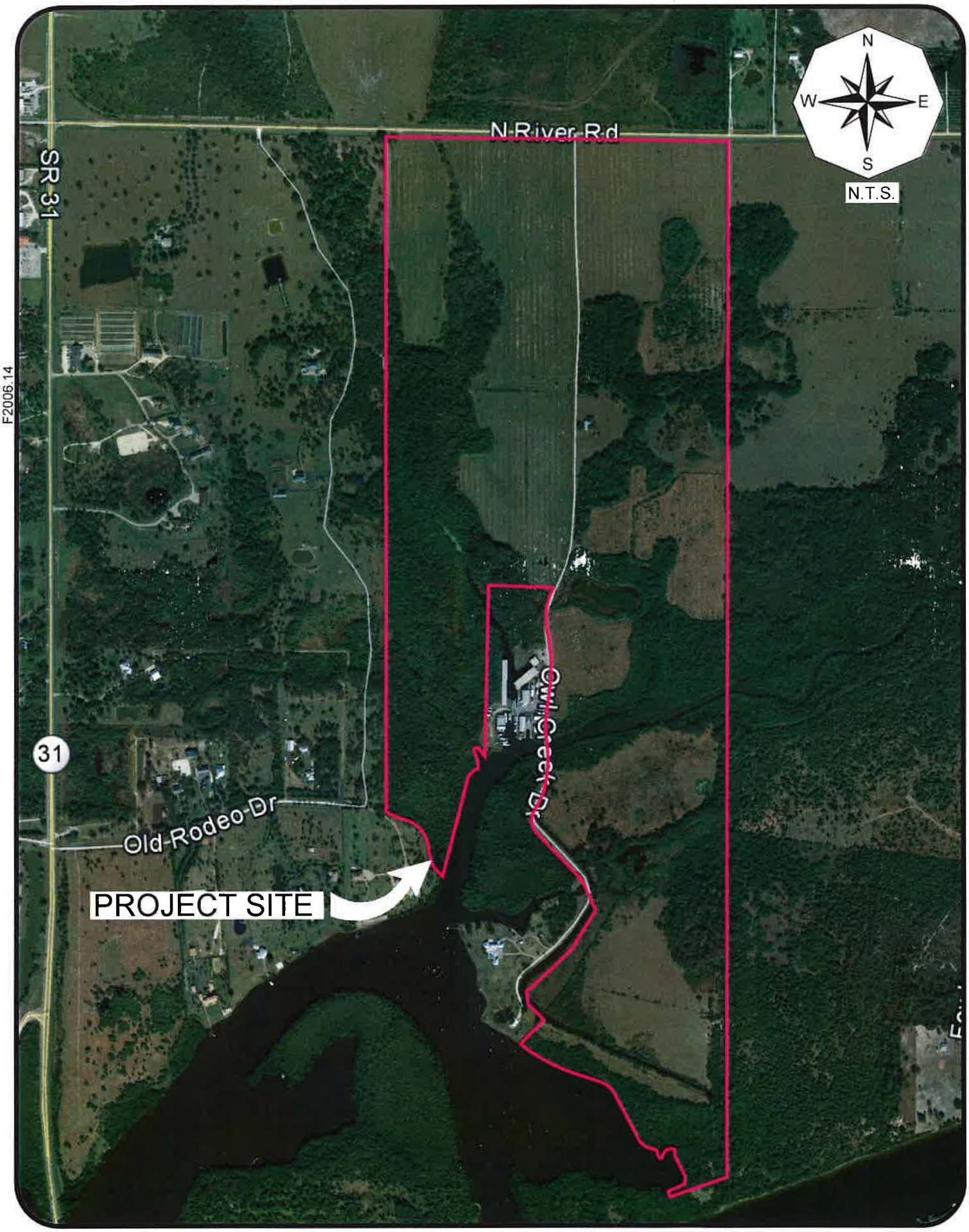
TR TRANSPORTATION CONSULTANTS, INC

I. INTRODUCTION

TR Transportation Consultants, Inc. has conducted a traffic impact statement to fulfill requirements set forth by the Lee County Department of Community Development for projects seeking amendment to the Comprehensive Land Use Plan and re-zoning approval. The subject site is located along the south side of North River Road and approximately ½ mile to the east of SR 31 in Lee County, Florida. **Figure 1** illustrates the approximate location of the subject site.

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

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



F2006.14

TR TRANSPORTATION CONSULTANTS, INC

PROJECT LOCATION MAP
OWL CREEK

Figure 1

II. EXISTING CONDITIONS

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

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

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

III. COMPREHENSIVE PLAN AMENDMENT

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

Table 1
Land Uses
Owl Creek

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

IV. TRIP GENERATION

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

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

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

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

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

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

Table 4
Trip Generation – Resultant Trip Change
Owl Creek

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

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

V. COMPREHENSIVE PLAN AMENDMENT ANALYSIS

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

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

Long Range Impacts (20-year horizon)

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

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

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

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

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

Short Range Impacts (5-year horizon)

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

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

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

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

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

VI. ZONING ANALYSIS

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

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

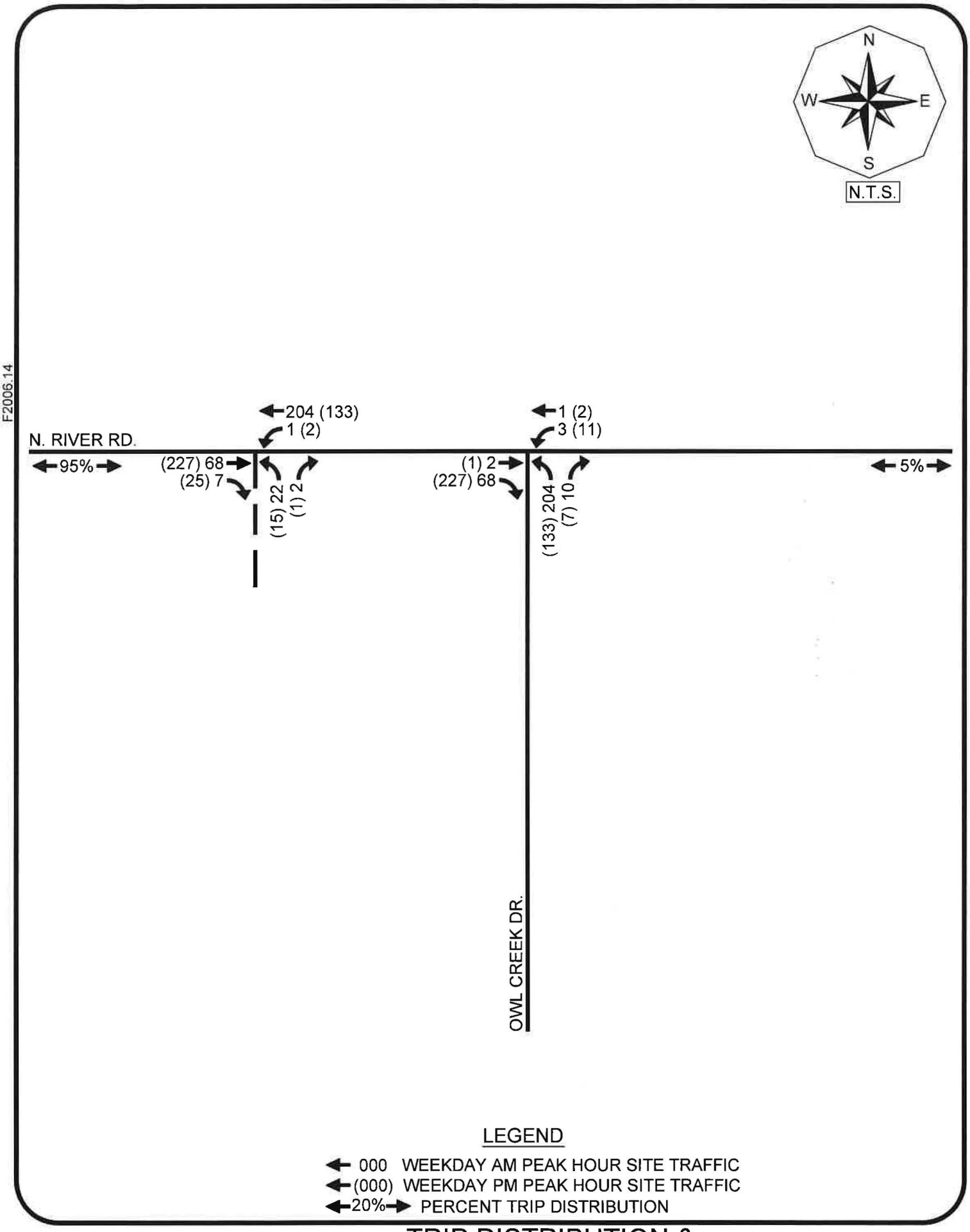
In order to determine which roadway segments surrounding the site will be significantly impacted as outlined in the Lee County Traffic Impact Statement Guidelines, **Table 5A**, contained in the Appendix, was created. This table indicates which roadway links will experience a significant impact as a result of the added development traffic. Significant impact is defined as any roadway projected to experience greater than 10% of the Peak Hour – Peak Direction Level of Service "C" volumes.

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

Level of Service Analysis

A horizon year analysis of 2025 was selected as the analysis year to evaluate the future impacts this project will have on the surrounding roadway network. Based on this horizon year, a growth rate was applied to the existing traffic conditions for all roadway links in the study area. Based on the project distribution illustrated on Table 5A, the link data was analyzed for the year 2025 without the development and year 2025 with the development.

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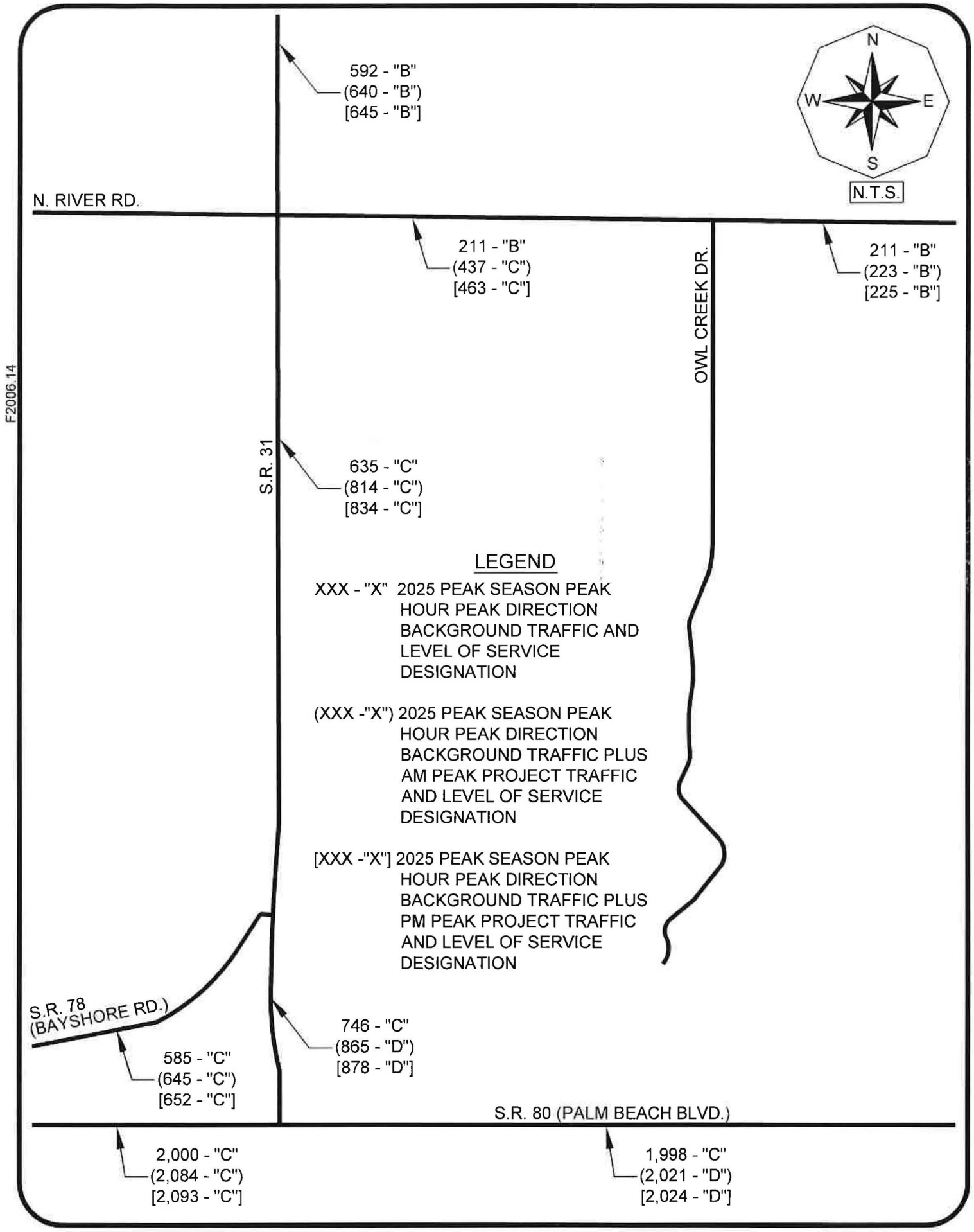
TRIP DISTRIBUTION & SITE TRAFFIC ASSIGNMENT OWL CREEK

Figure 2

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

Figure 3 indicates the year 2025 peak hour – peak direction traffic volumes and Level of Service for the various roadway links within the study area. Noted on Figure 3 is the peak hour – peak direction volume and Level of Service of each link should no development occur on the subject site and the peak hour – peak direction volume and Level of Service for the weekday A.M. and P.M. peak hours with the development traffic added to the roadways. This figure is derived from Table 2A contained in the Appendix.

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



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2025 LEVEL OF SERVICE ANALYSIS
OWL CREEK

Figure 3

Intersection Analysis

Intersection analysis was performed at the unsignalized intersection of North River Road and Owl Creek Road as well as at the proposed western project's access driveway to North River Road based on the latest version of the ***Highway Capacity Software (HCS^{TM})***. 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

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

☐ - Denotes the LOS Standard for each roadway segment

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

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

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

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

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

* The K-100 and D factors for County mantained roadways were obtained from Lee County Traffic Count Report.

Note Due to insufficient traffic data in the Lee County Traffic Count Report, the K-100 and D factors for North River Road were obtained from Florida Traffic Online resource.

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

TABLES 3A & 4A

5-YEAR LOS ANALYSIS

TABLE 3A
LEVEL OF SERVICE THRESHOLDS
OWL CREEK

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

[ ] - Denotes the LOS Standard for each roadway segment

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

TABLE 4A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
OWL CREEK

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

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

ROADWAY	ROADWAY SEGMENT	LCDOT PCS OR FDOT SITE #	BASE YR ADT	2018/2019 ADT	YRS OF GROWTH. [1]	ANNUAL RATE	2018/2019 PK HR PK SEASON PEAK DIR.[2]	2025 PK HR PK SEASON PEAK DIRECTION VOLUME	LOS	V/C Ratio	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2025 BCKGRND + AM PROJ VOLUME	LOS	V/C Ratio	2025 BCKGRND + PM PROJ VOLUME	LOS	V/C Ratio
N. River Rd	E. of Owl Creek Dr	348	2,200	2,900	8	3.51%	166	211	B	0.13	5%	6	6	217	B	0.13	218	B	0.13
	W. of Owl Creek Dr	348	2,200	2,900	8	3.51%	166	211	B	0.13	95%	111	122	323	B	0.20	333	B	0.20
SR 31	N. of N. River Rd.	120273	4,937	9,292	15	4.31%	460	592	B	0.23	20%	23	26	616	B	0.24	618	B	0.24
	S. of N. River Rd.	121001	9,500	11,000	15	2.00%	564	635	C	0.33	75%	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 mantained 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

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

☐ - Denotes the LOS Standard for each roadway segment

* Level of Service Thresholds for Lee County arterials/collectors taken from the Generalized Peak Hour Directional Service Volume tables for Urbanized Areas (dated April 2016)

* Level of Service Thresholds for State mantained roadways were taken from FDOT's Generalized Peak Hour Directional Volumes for Florida's Urbanized Areas Table 7.

TABLE 6A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
OWL CREEK

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

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

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

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

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

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

LEE COUNTY GENERALIZED PEAK HOUR DIRECTIONAL SERVICE VOLUMES TABLE

Lee County
Generalized Peak Hour Directional Service Volumes
Urbanized Areas

April 2016 c:\input5

Uninterrupted Flow Highway

Level of Service

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

Arterials

Class I (40 mph or higher posted speed limit)

Level of Service

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

Class II (35 mph or slower posted speed limit)

Level of Service

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

Controlled Access Facilities

Level of Service

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

Collectors

Level of Service

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

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

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

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

ROADWAY LINK				100TH HIGHEST HOUR DIRECTIONAL VOLUMES						
				STANDARD		2018		2023		
NAME	FROM	TO	TYPE	LOS	MAX	LOS	EXISTING	LOS	FUTURE	NOTES
LEELAND HEIGHTS	HOMESTEAD RD	JOEL BLVD	4LN	E	1,800	B	832	B	867	2017 count
LITTLETON RD	CORBETT RD	US 41	2LN	E	860	C	451	C	474	2017 count
	US 41	BUS 41	2LN	E	860	C	417	C	439	2017 count
LUCKETT RD	ORTIZ AVE	I-75	2LN	E	880	B	352	B	427	4 Ln design & ROW
Mc-GREGOR BLVD	SANIBEL T PLAZA	HARBOR DR	4LD	E	1,960	B	1,145	B	1,204	
	HARBOR DR	SUMMERLIN RD	4LD	E	1,960	B	1,192	B	1,253	2017 count
	SUMMERLIN RD	KELLY RD	4LD	E	1,960	A	980	B	1,030	
	KELLY RD	GLADIOLUS DR	4LD	E	1,960	A	980	B	1,030	
N RIVER RD	SR 31	FRANKLIN LOCK RD	2LN	E	1,140	A	166	B	285	2017 count
	FRANKLIN LOCK RD	BROADWAY RD	2LN	E	1,140	A	80	B	225	2017 count
	BROADWAY RD	COUNTY LINE	2LN	E	1,140	A	80	A	113	2017 count
ORANGE RIVER BLVD	SR 80	STALEY RD	2LN	E	1,000	C	418	C	440	
	STALEY RD	BUCKINGHAM RD	2LN	E	1,000	C	418	C	452	
ORTIZ AVE	SR 82	LUCKETT RD	2LN	E	900	B	787	C	828	v/c = 0.87/0.92 4 Ln design & ROW
	LUCKETT RD	SR 80	2LN	E	900	B	364	B	383	4 Ln design & ROW
PINE ISLAND RD	STRINGFELLOW RD	BURNT STORE RD	2LN	E	950	E	609	E	659	Constrained
PONDELLA RD	SR 78	ORANGE GROVE BLVD	4LD	E	1,890	B	840	B	883	2017 count
	ORANGE GROVE BLVD	US 41	4LD	E	1,890	B	1,331	B	1,399	
	US 41	BUS 41	4LD	E	1,890	B	1,018	B	1,070	2017 count
SANIBEL CAUSEWAY	SANIBEL SHORELINE	TOLL PLAZA	2LN	E	1,140	E	979	E	1,029	v/c = 0.86/0.90, 2017 count
SIX MILE CYPRESS	METRO PKWY	DANIELS PKWY	4LD	E	2,000	B	1,461	B	1,536	
	DANIELS PKWY	WINKLER EXT.	4LD	E	1,900	B	1,134	B	1,337	
SLATER RD	SR 78	NALLE GRADE RD	2LN	E	1,010	C	388	C	407	2017 count
STRING-FELLOW RD	1ST AVE	BERKSHIRE RD	2LN	E	1,060	B	315	D	672	Constrained
	BERKSHIRE RD	PINE ISLAND RD	2LN	E	1,060	B	315	C	448	Constrained
	PINE ISLAND RD	PINELAND RD	2LN	E	1,060	C	602	C	703	Constrained
	PINELAND RD	MAIN ST	2LN	E	1,060	C	602	C	699	
SUM-MERLIN RD	McGREGOR BLVD	KELLY COVE RD	4LD	E	1,980	A	1,243	A	1,306	
	KELLY COVE RD	SAN CARLOS BLVD	4LD	E	1,980	A	1,243	A	1,306	
	SAN CARLOS BLVD	PINE RIDGE RD	6LD	E	3,000	A	1,964	A	2,194	
	PINE RIDGE RD	BASS RD	6LD	E	3,000	A	1,964	A	2,064	
	BASS RD	GLADIOLUS DR	6LD	E	3,000	A	1,964	A	2,064	
	GLADIOLUS DR	CYPRESS LAKE DR	4LD	E	1,900	B	1,454	B	1,555	
	CYPRESS LAKE DR	COLLEGE PKWY	6LD	E	2,880	B	1,780	B	1,871	
	COLLEGE PKWY	PARK MEADOW DR	6LD	E	2,880	B	1,908	B	2,005	
	PARK MEADOW DR	BOY SCOUT	6LD	E	2,880	B	1,908	B	2,005	

FDOT GENERALIZED PEAK HOUR DIRECTIONAL VOLUMES

TABLE 7

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

January 2020

INTERRUPTED FLOW FACILITIES

STATE SIGNALIZED ARTERIALS

Class I (40 mph or higher posted speed limit)

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

Class II (35 mph or slower posted speed limit)

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

Non-State Signalized Roadway Adjustments

(Alter corresponding state volumes by the indicated percent.)

Non-State Signalized Roadways - 10%

Median & Turn Lane Adjustments

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

One-Way Facility Adjustment

Multiply the corresponding directional volumes in this table by 1.2

BICYCLE MODE[2]

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

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

PEDESTRIAN MODE[2]

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

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

BUS MODE (Scheduled Fixed Route)[3]

(Buses in peak hour in peak direction)

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

UNINTERRUPTED FLOW FACILITIES

FREEWAYS

Core Urbanized

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

Urbanized

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

Freeway Adjustments

Auxiliary Lane	Ramp Metering
+ 1,000	+ 5%

UNINTERRUPTED FLOW HIGHWAYS

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

Uninterrupted Flow Highway Adjustments

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

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

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

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

* Cannot be achieved using table input value defaults.

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

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

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
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V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2019 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

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

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

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE
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V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
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FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2019 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

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

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

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

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2019 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

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

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

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

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2019 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

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

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

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

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2019 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

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

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

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

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

MOCF: 0.94

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

* PEAK SEASON

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

MOCF: 0.93

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

* PEAK SEASON

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	Station #	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

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

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

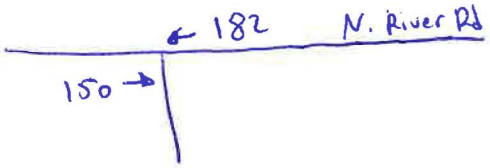
FDOT # 124650

* Using D-factor of 0.549

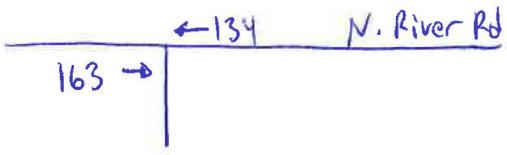
Interval: 15 mins

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

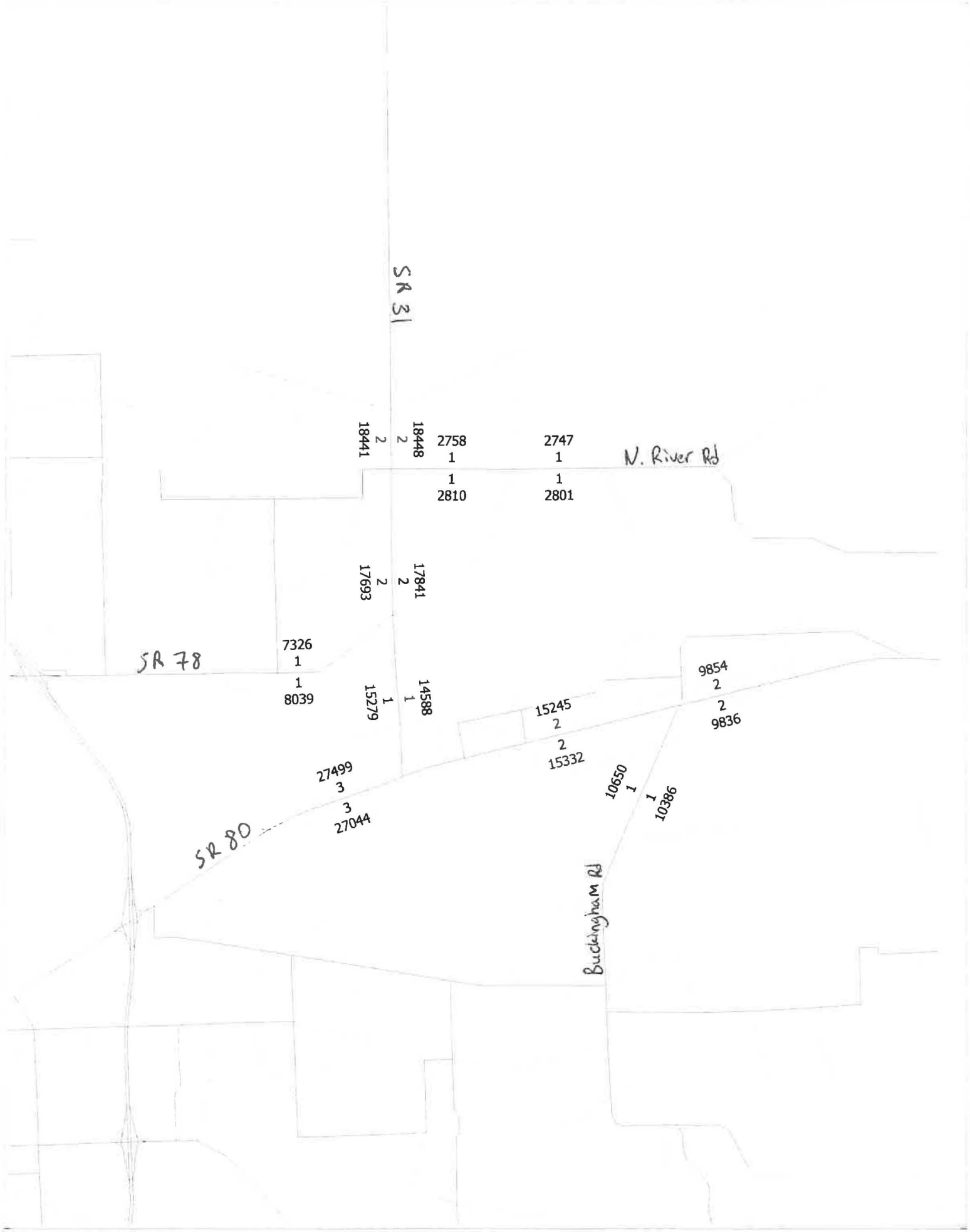
AM Pk Hr



PM Pk Hr



2040 E+C NETWORK VOLUMES



2040 LRTP COST FEASIBLE ROADWAY NETWORK LANES AND VOLUMES

cube (Licensed to TR Transportation Consultants Inc)

LEE COUNTY MPO 2040 COST FEASIBLE HIGHWAY PLAN

LEE COUNTY 2040 HIGHWAY COST FEASIBLE PLAN

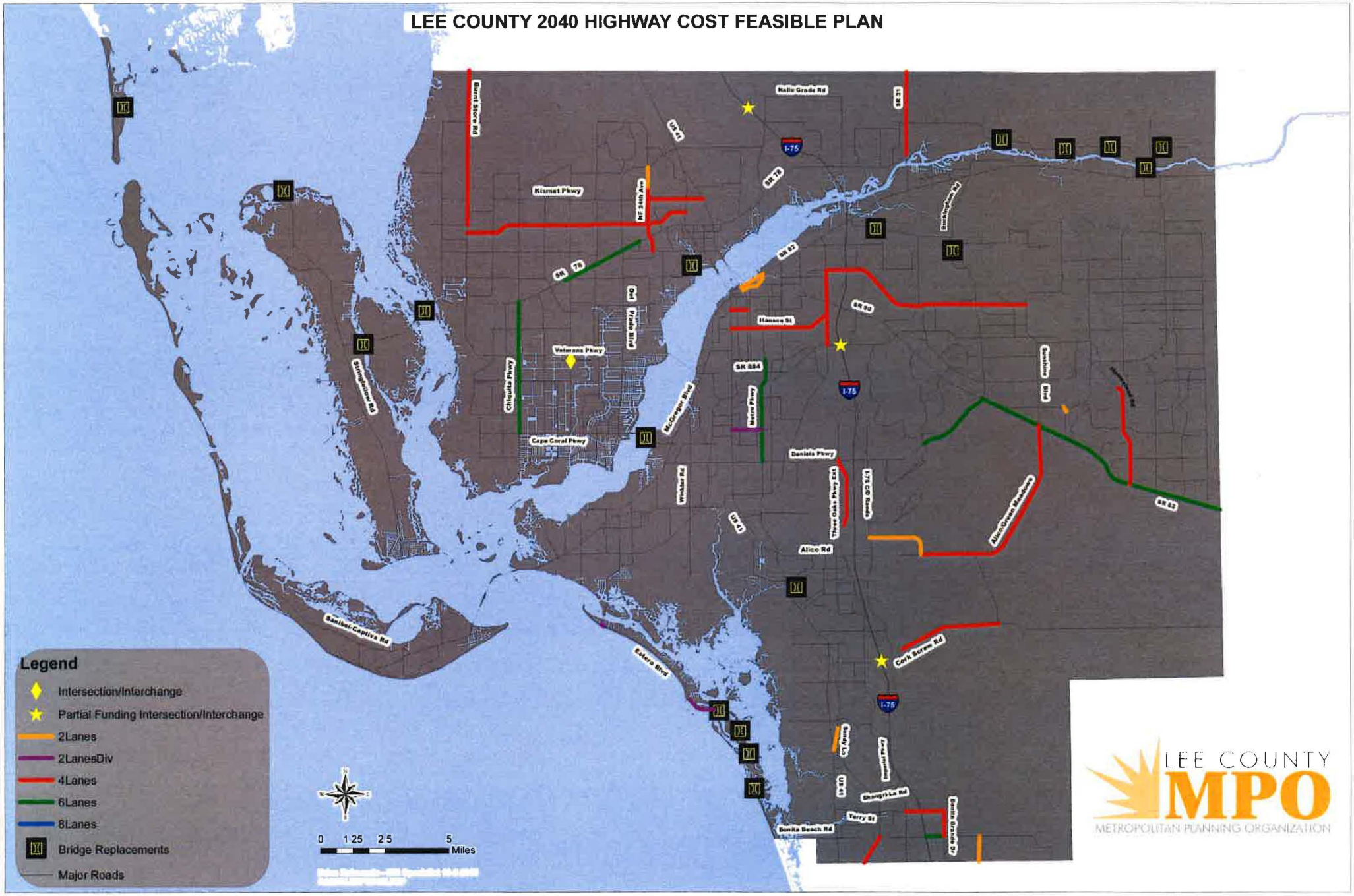


Table 6-2: Cost Feasible Projects: Road Projects - State/Other Arterial/SU

(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

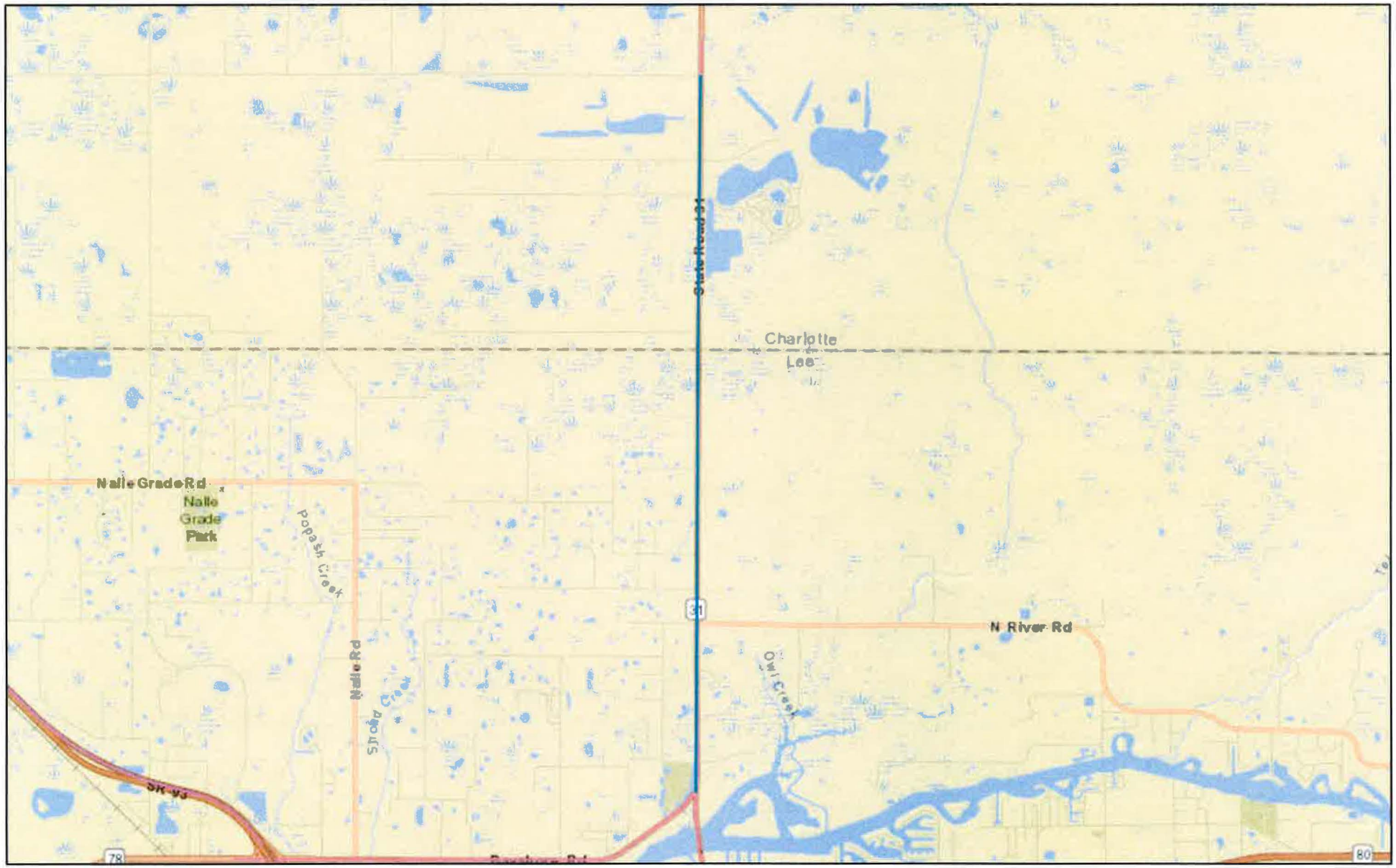
2040 NEEDS PLAN

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 Circle Bridge	over Mullock Creek		Reconstruct Bridge		$1.00
Corkscrew Road	US 41	e/o Ben Hill Griffin Parkway	4	6	$62.60
Corkscrew Road	Ben Hill Griffin Parkway	Alico Road	2	4	$76.40

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

0 0.5 1 2 mi

0 0.75 1.5 3 km

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

ArcGIS Web AppBuilder

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

DEVELOPMENT OF FUTURE YEAR BACKGROUND TURNING VOLUMES

Development of Future Year Background Turning Volumes

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

AM Peak Hour

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

PM Peak Hour

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

Development of Future Year Background Turning Volumes

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

AM Peak Hour

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

PM Peak Hour

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

HCS RESULTS

NORTH RIVER RD @

OWL CREEK DR

HCS7 Two-Way Stop-Control Report

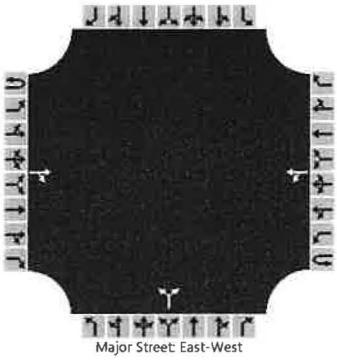
General Information

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

Lanes



Major Street: East-West

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	0	1	0		0	1	0		0	0	0
Configuration				TR		LT					LR					
Volume (veh/h)			186	68		3	225			204		10				
Percent Heavy Vehicles (%)						3				3		3				
Proportion Time Blocked																
Percent Grade (%)										0						
Right Turn Channelized																
Median Type | Storage	Undivided															

Critical and Follow-up Headways

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

Delay, Queue Length, and Level of Service

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

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HCS7 Two-Way Stop-Control Report

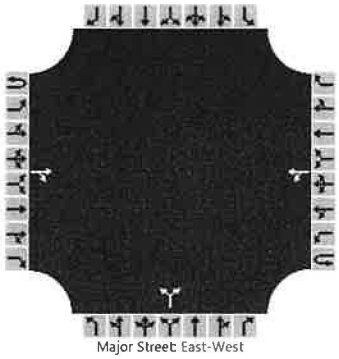
General Information

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

Site Information

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

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	0	1	0		0	1	0		0	0	0
Configuration				TR		LT					LR					
Volume (veh/h)			201	227		11	167			133		7				
Percent Heavy Vehicles (%)						3				3		3				
Proportion Time Blocked																
Percent Grade (%)										0						
Right Turn Channelized																
Median Type | Storage	Undivided															

Critical and Follow-up Headways

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

Delay, Queue Length, and Level of Service

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

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HCS RESULTS

NORTH RIVER RD @

W. SITE ACCESS

HCS7 Two-Way Stop-Control Report

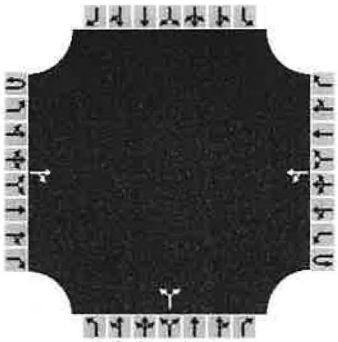
General Information

Analyst	
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. Rriver Rd/Site Access
Jurisdiction	Lee County
East/West Street	N. River Rd
North/South Street	Site Access
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	0	1	0		0	1	0		0	0	0
Configuration				TR		LT					LR					
Volume (veh/h)			252	7		1	428			22		2				
Percent Heavy Vehicles (%)						3				3		3				
Proportion Time Blocked																
Percent Grade (%)										0						
Right Turn Channelized																
Median Type | Storage	Undivided															

Critical and Follow-up Headways

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

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						1					26					
Capacity, c (veh/h)						1275					396					
v/c Ratio						0.00					0.07					
95% Queue Length, Q_{95} (veh)						0.0					0.2					
Control Delay (s/veh)						7.8					14.7					
Level of Service (LOS)						A					B					
Approach Delay (s/veh)					0.0				14.7							
Approach LOS									B							

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HCS7 Two-Way Stop-Control Report

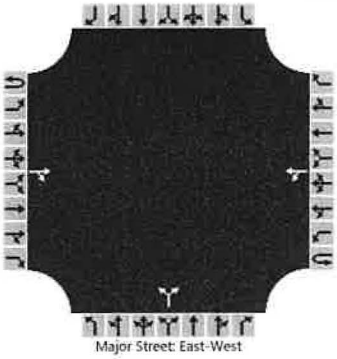
General Information

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

Site Information

Intersection	N. Rriver Rd/Site Access
Jurisdiction	Lee County
East/West Street	N. River Rd
North/South Street	Site Access
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	0	1	0		0	1	0		0	0	0
Configuration				TR		LT					LR					
Volume (veh/h)			427	25		2	304			15		1				
Percent Heavy Vehicles (%)						3				3		3				
Proportion Time Blocked																
Percent Grade (%)										0						
Right Turn Channelized																
Median Type | Storage	Undivided															

Critical and Follow-up Headways

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

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						2					17					
Capacity, c (veh/h)						1067					355					
v/c Ratio						0.00					0.05					
95% Queue Length, Q_{95} (veh)						0.0					0.2					
Control Delay (s/veh)						8.4					15.7					
Level of Service (LOS)						A					C					
Approach Delay (s/veh)					0.1				15.7							
Approach LOS									C							

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TRIP GENERATION EQUATIONS

Single-Family Detached Housing
(210)

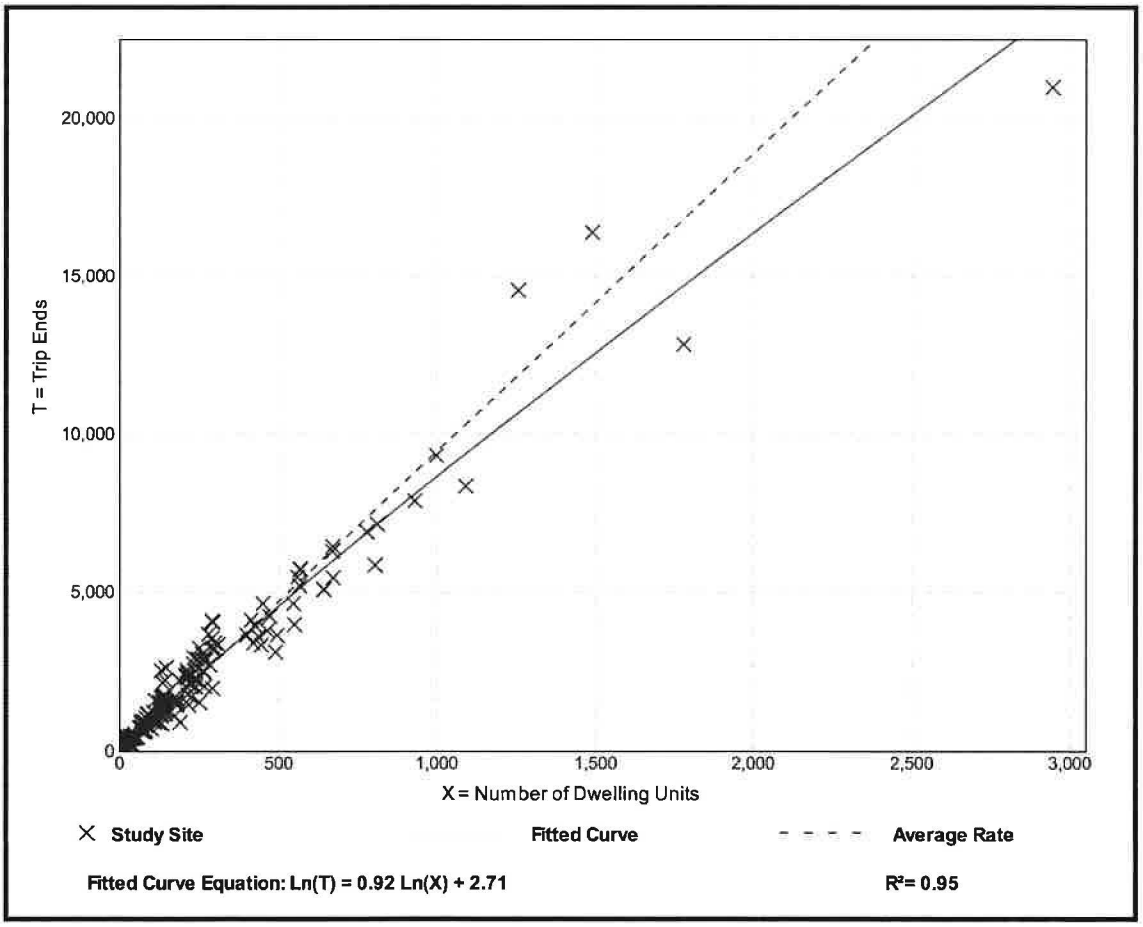
Vehicle Trip Ends vs: Dwelling Units
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 159
Avg. Num. of Dwelling Units: 264
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
9.44	4.81 - 19.39	2.10

Data Plot and Equation



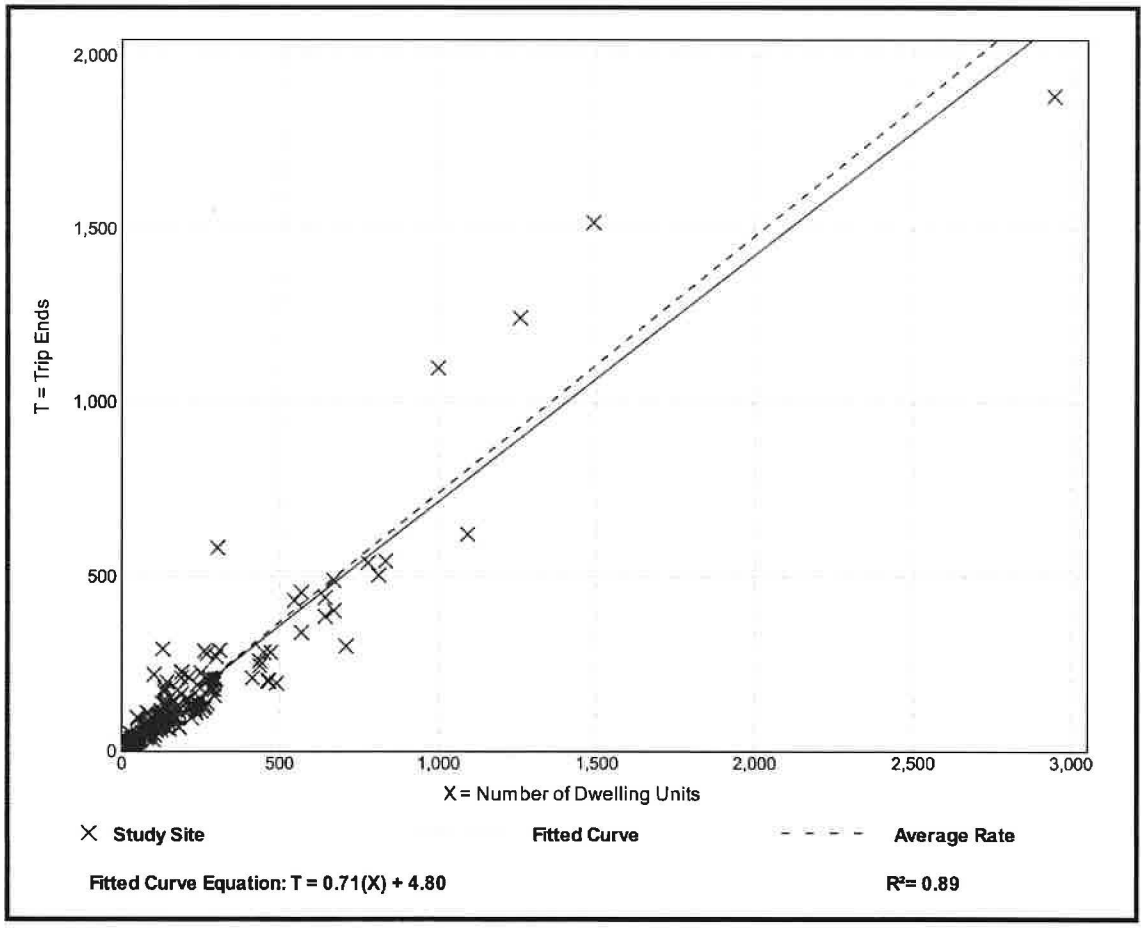
Single-Family Detached Housing
(210)

Vehicle Trip Ends vs: **Dwelling Units**
On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.
Setting/Location: **General Urban/Suburban**
Number of Studies: 173
Avg. Num. of Dwelling Units: 219
Directional Distribution: 25% entering, 75% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.74	0.33 - 2.27	0.27

Data Plot and Equation



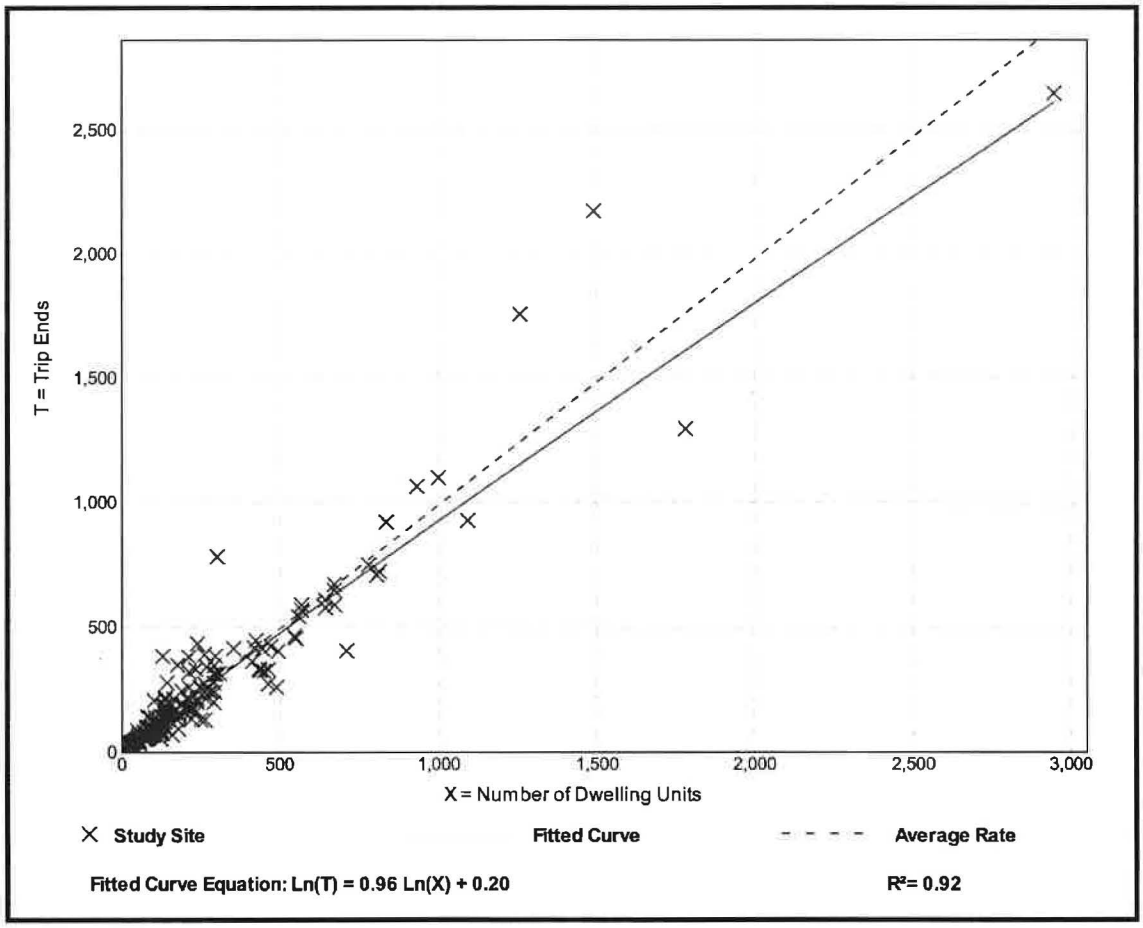
Single-Family Detached Housing
(210)

Vehicle Trip Ends vs: **Dwelling Units**
On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: **General Urban/Suburban**
Number of Studies: 190
Avg. Num. of Dwelling Units: 242
Directional Distribution: 63% entering, 37% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.99	0.44 - 2.98	0.31

Data Plot and Equation



TR TRANSPORTATION CONSULTANTS, INC

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

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

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.

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

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

ROADWAY	ROADWAY SEGMENT	2040 FSUTMS PSWDT	COUNTY PCS / FDOT SITE #	MOCF FACTOR [1]	AADT BACKGROUND TRAFFIC	K-100 FACTOR	100TH HIGHEST HOUR PK DIR 2-WAY VOLUME	D FACTOR	PM PK HR PEAK DIRECTION	2040 PEAK DIRECTION TRAFFIC VOLUMES & LOS VOLUME	LOS	PROJECT TRAFFIC DIST.	PK DIR PM PROJ TRAFFIC	2040 BACKGROUND PLUS PROJ PEAK DIRECTION TRAFFIC VOLUMES & LOS VOLUME	LOS
N. River Rd	E. of Owl Creek Dr	5,548	124650	0.93	5,160	0.095	490	0.62	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 mantained roadways were obtained from Lee County Traffic Count Report.

Note Due to insufficient traffic data in the Lee County Traffic Count Report, the K-100 and D factors for North River Road were obtained from Florida Traffic Online resource.

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

TABLE 3A
LEVEL OF SERVICE THRESHOLDS
OWL CREEK

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

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

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

ROADWAY	ROADWAY SEGMENT	LCDOT PCS OR FDOT SITE #	BASE YR ADT	2018/2019 ADT	YRS OF GROWTH. [1]	ANNUAL RATE	2018/2019 PK HR PK SEASON PEAK DIR.[2]	2025 PK HR PK SEASON PEAK DIRECTION VOLUME	LOS	V/C Ratio	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2025 BCKGRND + AM PROJ VOLUME	LOS	V/C Ratio	2025 BCKGRND + PM PROJ VOLUME	LOS	V/C Ratio
N. River Rd	E. of Owl Creek Dr	348	2,200	2,900	8	3.51%	166	211	B	0.13	5%	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

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

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

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

Letters of Determination for the Adequacy/Provision of Existing/Proposed Support Facilities

(Exhibit M17)

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,

Lawrence Nisbet

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

August 3, 2020

Mr. Larry Nisbet, Fire Chief
Bayshore Fire & Rescue
17350 Nalle Road
North Fort Myers, Florida 33917

REFERENCE: **OWL CREEK - LETTER OF AVAILABILITY**
PROPERTY ADDRESS: 12850 N. RIVER ROAD; 18420 & 17900 OWL CREEK DRIVE
STRAP NO.: 18-43-26-00-00002.0020; 18-43-26-00-00002.0000 19-43-26-00-00002.1020

Dear Chief Nisbet:

We are seeking an amendment to the Lee County Comprehensive Plan for a 348.8± acre site at the proposed Owl Creek Development. The application is intended to amend the Future Land Use Map (FLUM) from Rural and Wetlands to New Community with an associated text amendment. If approved, the request will result in a maximum increase of 220 residential dwelling units. Please find below the property information, including a property location map, for your use:

Property Information:
Total Acreage of Property: **±348.8** Total Acreage Included in Request: **±348.8**
Total Uplands: **±213.2** Total Wetlands: **±135.6**
Current Zoning: **AG-2** Current Future Land Use Category(ies): **Rural & Wetlands**
Area in Each Future Land Use Category: **Rural: ±213.2 Wetlands: ±135.6**
Existing Land Use: **Agricultural Grazing Lands**

Calculation of maximum allowable development under current Lee Plan:
Residential Units/Density: **220**

Calculation of maximum allowable development with proposed amendments:
Residential Units/Density: **440**



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Phone 239-939-5490 • www.bankseng.com • Fax 239-939-2523
Engineering License No. EB 6469 • Surveying License No. LB 6690

As part of the approval process, Lee County requires a letter from your agency determining the adequacy/provision of existing/proposed support facilities, including fire protection with adequate response times to serve the increase in demand.

At your earliest convenience, please forward a letter verifying that the increase in demand will be adequately served. If you have any questions or I may be of further assistance, please feel free to contact me at our Fort Myers office.

Sincerely,
BANKS ENGINEERING

Jennifer M. Sheppard
Permitting Manager & Planner

:jms

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

John E. Manning
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Roger Desjarlais
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
Hearing Examiner

August 19, 2020

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

Re: Letter of Service Availability

Ms. Hewitt,

I am in receipt of your letter requesting a Letter of Service Availability for STRAP 18-43-26-00-00002.0020; 18-43-26-00-00002.0000 19-43-26-00-00002.1020.

Lee County Emergency Medical Services is the primary EMS transport agency responsible for coverage at the address you have provided. Because we currently serve this area and have a sufficient response data sample, we evaluated response times in this vicinity to simulate the anticipated demand and response.

The primary ambulance for this location is Medic 11, located 5.1 miles southwest; there is a second EMS station within six miles of the proposed location. These locations are projected to be able to meet existing service standards, as required in County Ordinance 08-16, and no additional impacts are anticipated at this time.

It is our opinion that the service availability for the proposed development of this property is adequate at this time. Should the plans change, especially the density, a new analysis of this impact would be required.

Sincerely,

Benjamin Abes
Chief
Division of Emergency Medical Services

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

August 19, 2020

Lee County Department of Public Safety
Emergency Management
Lee Mayfield, Public Safety Director, EM
2000 Main Street, Suite 100
Fort Myers, FL 33901

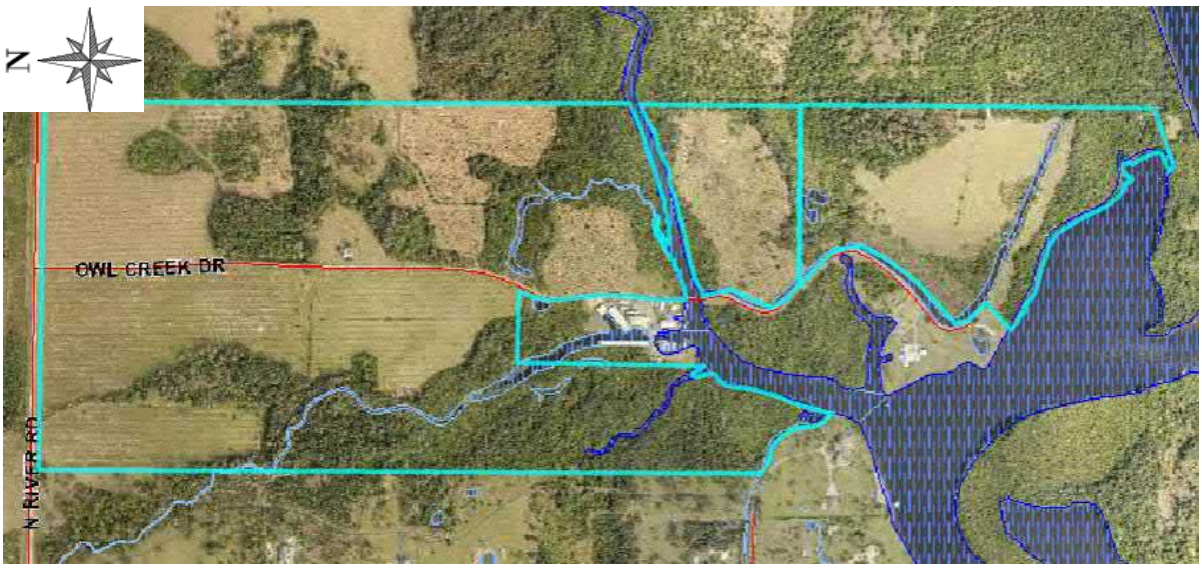
REFERENCE: OWL CREEK - LETTER OF AVAILABILITY
PROPERTY ADDRESS: 12850 N. RIVER ROAD; 18420 & 17900 OWL CREEK DRIVE
STRAP NO.: 18-43-26-00-00002.0020; 18-43-26-00-00002.0000 19-43-26-00-00002.1020

Dear Mr. Mayfield:

We are seeking an amendment to the Lee County Comprehensive Plan for a 348.8± acre site at the proposed Owl Creek Development. The application is intended to amend the Future Land Use Map (FLUM) from Rural and Wetlands to New Community with an associated text amendment. If approved, the request will result in a maximum increase of 220 residential dwelling units. Please find below the property information, including a property location map, for your use:

Property Information:
Total Acreage of Property: ±348.8 Total Acreage Included in Request: ±348.8
Total Uplands: ±213.2 Total Wetlands: ±135.6
Current Zoning: AG-2 Current Future Land Use Category(ies): Rural & Wetlands
Area in Each Future Land Use Category: Rural: ±213.2 Wetlands: ±135.6
Existing Land Use: Agricultural Grazing Lands

Calculation of maximum allowable development under current Lee Plan:
Residential Units/Density: 220
Calculation of maximum allowable development with proposed amendments:
Residential Units/Density: 440



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As part of the approval process, Lee County requires a letter from your agency determining the adequacy/provision of existing/proposed support facilities, including emergency management (EM) provisions to serve the increase in demand. Since most of the site is located within the Coastal High Hazard Area, the determination must demonstrate that the amendment meets one of the following criteria:

1. Will not result in an out of county hurricane evacuation time that exceeds 16 hours for a Category 5 storm event (Level E storm surge threat); or
2. Will maintain a 12-hour evacuation time to shelter for a Category 5 storm event (Level E storm surge threat) and ensure shelter space is available to accommodate the additional population; or
3. Will provide appropriate mitigation as determined by Lee County Public Safety to satisfy both criteria above, which may include the payment of money or construction of hurricane shelters and transportation facilities. The applicant must enter into a development agreement to memorialize the mitigation plan prior to adoption of the plan amendment.

If the determination finds that criteria 1 or 2 above cannot be met, the applicant will enter into a development agreement prior to adoption of the plan amendment in accordance with Lee Plan Policy 101.1.4.3. At your earliest convenience, please forward a letter verifying that the increase in demand will be adequately served. If you have any questions or I may be of further assistance, please feel free to contact me at our Fort Myers office.

Sincerely,
BANKS ENGINEERING



Jennifer M. Sheppard
Permitting Manager & Planner

:jms

Lee County
Southwest Florida

BOARD OF COUNTY COMMISSIONERS

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County Manager

Richard Wm Wesch
County Attorney

Donna Marie Collins
County Chief Hearing Examiner

August 7, 2020 Via E-Mail

Jennifer Sheppard
Banks Engineering
10511 Six Mile Cypress Parkway
Fort Myers, FL 33066

RE: **Potable Water and Wastewater Availability**
Owl Creek, 12850 N. River Road, 18420 and 17900 Owl Creek Drive
STRAP # 18-43-26-00-00002.0020; .0000 & 19-43-26-00-00002.1020

Dear Ms. Sheppard:

The subject property is not located within Lee County Utilities Future Service Area as depicted on Maps 6 and 7 of the Lee County Comprehensive Land Use Plan. Potable water and sanitary sewer lines are not in operation in the vicinity to the property mentioned above. The nearest water main is located on Bayshore Road approximately 1 mile west of S.R.31 and the nearest wastewater mains are located on the south side of the Caloosahatchee River along S.R. 80 (Palm Beach Blvd).

In order to provide service to the subject parcels, developer funded system enhancements such as line extensions will be required along with a Map 6 and 7 Comprehensive Plan Amendment.

Your firm has indicated that this project will consist of 440 single family residential units with an estimated flow demand of approximately 110,000 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water and sanitary sewer service as estimated above.

Availability of potable water and sanitary sewer service is contingent upon final acceptance of the infrastructure to be constructed by the developer. Upon completion and final acceptance of this project, potable water service will be provided through our North Lee County Water Treatment Plant.

Sanitary sewer service will be provided by the City of Fort Myers North Water Reclamation Facility. The Lee County Utilities' Design Manual requires the project engineer to perform hydraulic computations to determine what impact this project will have on the existing system.

Prior to beginning design work on this project, please meet with LCU Staff to determine the best point of connection and discuss requirements for construction.

This letter should not be construed as a commitment to serve, but only as to the availability of service. Lee County Utilities will commit to serve only upon receipt of all appropriate connection fees, a signed request for service and/or an executed service agreement, and the approval of all State and local regulatory agencies.

Further, this letter of availability of potable water and sanitary sewer service is to be utilized for Comprehensive Plan Amendment only. Individual letters of availability will be required for the purpose of obtaining building permits.

Sincerely,

LEE COUNTY UTILITIES



Mary McCormic
Technician Senior
239-533-8532
UTILITIES ENGINEERING

LEE COUNTY UTILITIES
REQUEST FOR LETTERS OF AVAILABILITY

DATE: SEPTEMBER 3, 2020

TO: Nathan Beals, PMP
Principal Planner

FROM: JENNIFER SHEPPARD
FIRM: BANKS ENGINEERING
ADDRESS: 10511 SIX MILE CYPRESS PKWY
ADDRESS: FORT MYERS, FL 33966 -
PHONE#: (239)939-5490 FAX: (239)939-2523
E-MAIL ADDRESS: JSHEPPARD@BANKSENG.COM

PROJECT NAME: **OWL CREEK**

PREVIOUS PROJECT NAME(S):

STRAP NUMBER(S): **18-43-26-00-00002.0020; .0000 & 19-43-26-00-00002.1020**

PRIOR STRAP NUMBER(S) (IF ANY):

LOCATION/SITE ADDRESS: **12850 N. RIVER RD AND 18420 & 17900 OWL CREEK DR**

PURPOSE OF LETTER:

☐ **DEVELOPMENT ORDER SUBMITTAL** ☐ **FINANCING** ☐ **EFFLUENT REUSE**
☐ **PERMITTING OF SURFACE WATER MANAGEMENT** (SOUTH FLORIDA WATER MANAGEMENT DISTRICT)
☒ **OTHER:** (PLEASE SPECIFY) **COMP PLAN AMENDMENT**

PLANNED USE:

☐ **COMMERCIAL** ☐ **INDUSTRIAL** ☒ **RESIDENTIAL - (☒SINGLE-FAMILY ☐ MULTI-FAMILY)**
☐ **OTHER:** (PLEASE SPECIFY) _____

PLANNED # OF COMMERCIAL/INDUSTRIAL BUILDINGS: _____ **TOTAL SQUARE FOOTAGE:** _____

RESIDENTIAL UNITS: SINGLE-FAMILY: 440 MULTI-FAMILY: _____

AVERAGE ESTIMATED DAILY FLOW (GPD): 110000 (☒ WATER ☒ WASTE-WATER) (GPD): ___ ☐ **REUSE**

PLEASE SHOW CALCULATION USED TO DETERMINE AVERAGE ESTIMATED DAILY FLOW (GPD) PER CRITERIA SET FORTH IN LEE COUNTY UTILITIES DESIGN MANUAL: _____

440 Sf Units X 250 Gpd = 110,000 Gpd

_____

_____

Please e-mail the completed form at Nbeals@leegov.com . If you are unable to e-mail the completed form, please fax to (239) 485-8385. If you should have any questions or require assistance, please feel free to call our office at (239) 533-8157.

Lee County
Southwest Florida
BOARD OF COUNTY COMMISSIONERS

3401 Metro Parkway
Fort Myers, FL 33901
Phone: (239) 533-0340

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District Three

Brian Hamman
District Four

Frank Mann
District Five

Roger Desjarlais
County Manager

Richard Wesch
County Attorney

Donna Marie Collins
County Hearing Examiner

August 3, 2020

Jennifer M. Sheppard
Banks Engineering
10511 Six Mile Cypress Parkway
Fort Myers, FL 33966

RE: Request for Mass Transit Letter of Availability for Future Land Use Map & Text Amendment

Dear Ms. Sheppard,

LeeTran has reviewed your request for service availability in regards to a Comprehensive Plan Amendment intended to amend the Future Land Use Map (FLUM) from Rural and Wetlands to new Community with an associated text amendment, on the referenced subject area located approximately at 12850 N River Rd, Alva. After reviewing the site and comparing the location with our existing and planned route locations according to the 2016 Transit Development Plan (TDP), the following has been determined:

- Subject area is not within one-quarter mile of a fixed-route corridor
- Closest fixed-route corridor is the route 100 along Palm Beach Boulevard
- The 2016 TDP does not identify the need for enhanced or additional transit services in the area

Proposed future development does not currently meet applicability outlined in Sec. 10-442 and Sec. 10-443. Developer will not be required to connect to and improve transit facilities because pedestrian access from subject parcels to closest stop is greater than one-quarter mile.

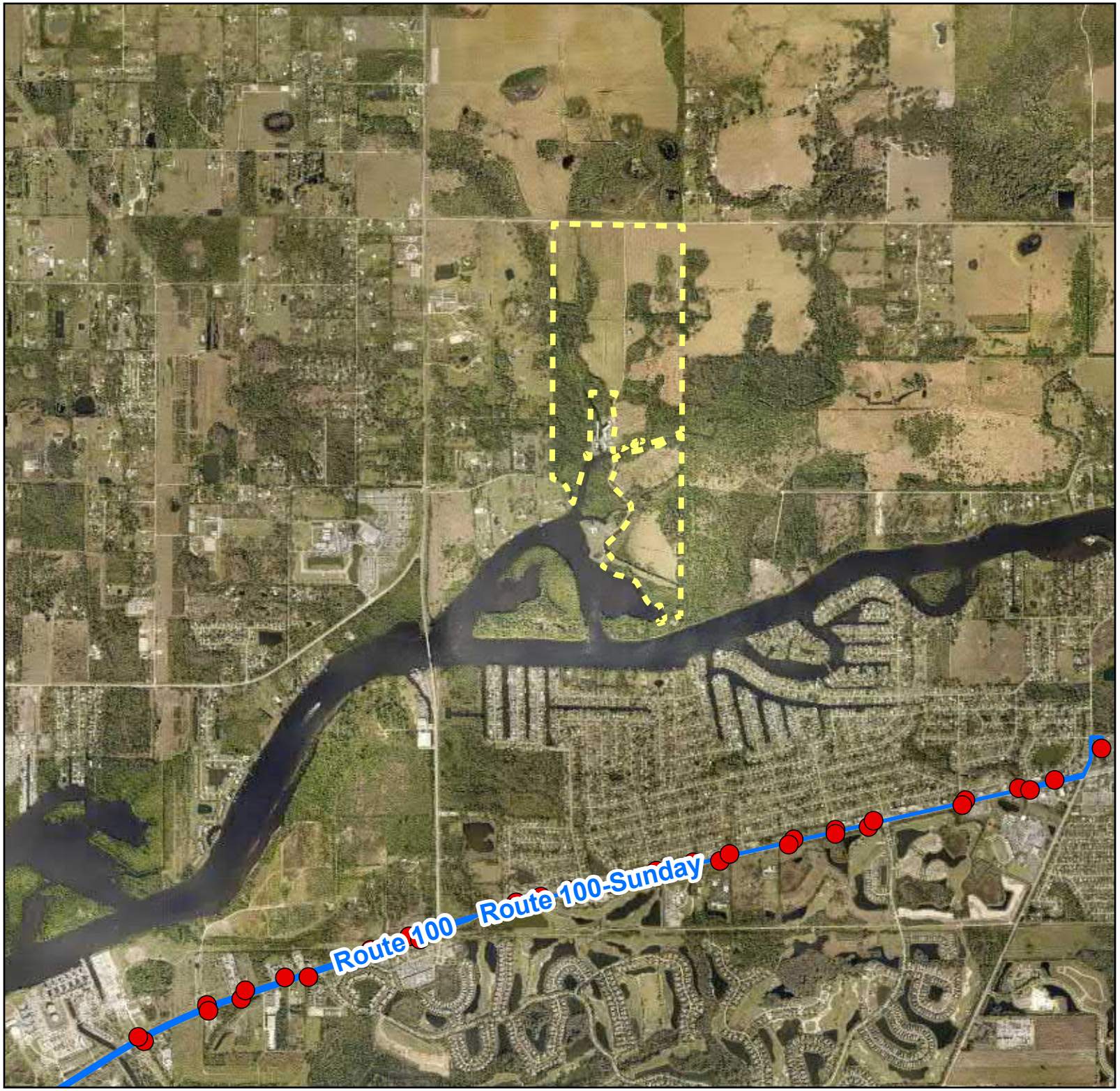
If transit services have been modified within one-quarter mile of the subject parcels at time of a DO or LDO type D submittal, necessary improvements will be determined at that time.

Attached is a map of our route serves in relation to the subject parcels. If you have any questions or require further information, please do not hesitate to contact me at (239) 533-0340 or jpuente@leegov.com.

Sincerely,

Jorge J Puente

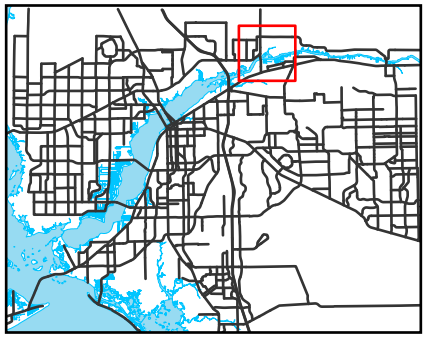
Jorge J Puente, Transit Service Planner
Lee County Transit



Development Review

LOSA
Proposed
Development
Owl Creek

- Bus Stops
- Bus Routes
- Development Review



N
W E
S

0 4,000
US Feet

lee tran

Prepared by LeeTran Planning Department

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

August 3, 2020

Mr. Jorge Puente, Transit Service Planner
LeeTran
3401 Metro Parkway
Fort Myers, Florida 33901

REFERENCE: OWL CREEK - LETTER OF AVAILABILITY
PROPERTY ADDRESS: 12850 N. RIVER ROAD; 18420 & 17900 OWL CREEK DRIVE
STRAP NO.: 18-43-26-00-00002.0020; 18-43-26-00-00002.0000 19-43-26-00-00002.1020

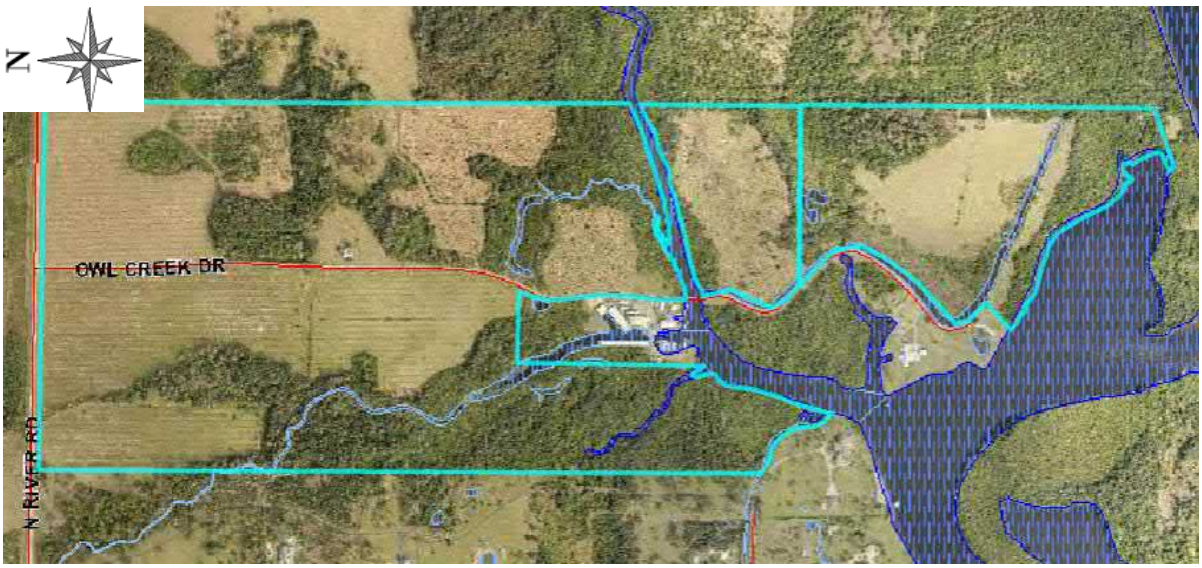
Dear Mr. Puente:

We are seeking an amendment to the Lee County Comprehensive Plan for a 348.8± acre site at the proposed Owl Creek Development. The application is intended to amend the Future Land Use Map (FLUM) from Rural and Wetlands to New Community with an associated text amendment. If approved, the request will result in a maximum increase of 220 residential dwelling units. Please find below the property information, including a property location map, for your use:

Property Information:
Total Acreage of Property: ±348.8
Total Acreage Included in Request: ±348.8
Total Uplands: ±213.2
Total Wetlands: ±135.6
Current Zoning: AG-2
Current Future Land Use Category(ies): Rural & Wetlands
Area in Each Future Land Use Category: Rural: ±213.2 Wetlands: ±135.6
Existing Land Use: Agricultural Grazing Lands

Calculation of maximum allowable development under current Lee Plan:
Residential Units/Density: 220

Calculation of maximum allowable development with proposed amendments:
Residential Units/Density: 440



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Phone 239-939-5490 • www.bankseng.com • Fax 239-939-2523
Engineering License No. EB 6469 • Surveying License No. LB 6690

As part of the approval process, Lee County requires a letter from your agency determining the adequacy/provision of existing/proposed mass transit support facilities to serve the increase in demand.

At your earliest convenience, please forward a letter with the results of your review. If you have any questions or I may be of further assistance, please feel free to contact me at our Fort Myers office.

Sincerely,
BANKS ENGINEERING



Jennifer M. Sheppard
Permitting Manager & Planner

:jms

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 Rates			
STUDENT GENERATION	**SF**	**MF**	**MH**	**Projected Students**
Elementary School	0.149			65.56
Middle School	0.071			31.24
High School	0.077			33.88

Source: Lee County School District, September 7, 2018 letter

CSA SCHOOL NAME 2022/23	CSA Capacity (1)	CSA Projected Enrollment (2)	CSA Available Capacity	Projected Impact of Project	Available Capacity W/Impact	LOS is 100% Perm FISH Capacity	Adjacent CSA Available Capacity w/Impact
West CSA, Elementary	13,328	11,648	1,680	66	1614	88%	
West CSA, Middle	7,030	6,668	362	31	331	95%	
West CSA, High	8,920	9,629	-709	34	-743	108%	Yes

(1) Permanent Capacity as defined in the Interlocal Agreement and adopted in the five (5) years of the School District's Five Year Plan

(2) Projected Enrollment per the five (5) years of the School District's Five Year Plan plus any reserved capacity (development has a valid finding of capacity)

(3) Available Adjacent CSA capacity is subject to adjacency criteria as outlined in the Interlocal Agreement and the School District's School Concurrency Manual

Prepared by: Cindy Leal Brizuela, Senior Planner

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

August 3, 2020

Mr. Dominic Gemelli, Project Manager
The School District of Lee County
2855 Colonial Boulevard
Fort Myers, Florida 33966

REFERENCE: OWL CREEK - LETTER OF AVAILABILITY
PROPERTY ADDRESS: 12850 N. RIVER ROAD; 18420 & 17900 OWL CREEK DRIVE
STRAP NO.: 18-43-26-00-00002.0020; 18-43-26-00-00002.0000 19-43-26-00-00002.1020

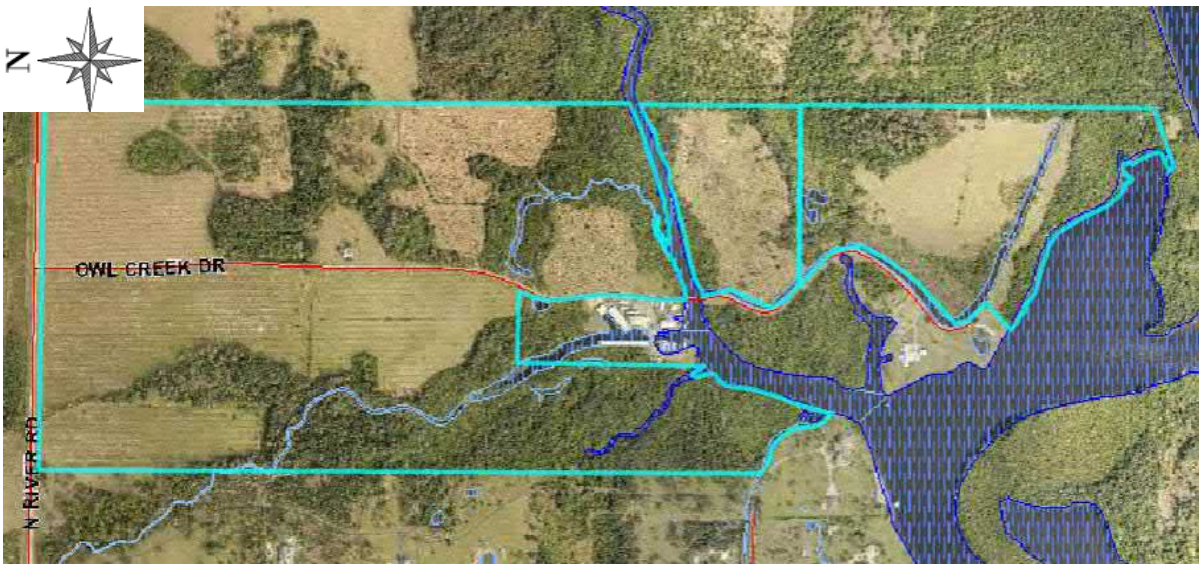
Dear Mr. Gemelli:

We are seeking an amendment to the Lee County Comprehensive Plan for a 348.8± acre site at the proposed Owl Creek Development. The application is intended to amend the Future Land Use Map (FLUM) from Rural and Wetlands to New Community with an associated text amendment. If approved, the request will result in a maximum increase of 220 residential dwelling units. Please find below the property information, including a property location map, for your use:

Property Information:
Total Acreage of Property: ±348.8 Total Acreage Included in Request: ±348.8
Total Uplands: ±213.2 Total Wetlands: ±135.6
Current Zoning: AG-2 Current Future Land Use Category(ies): Rural & Wetlands
Area in Each Future Land Use Category: Rural: ±213.2 Wetlands: ±135.6
Existing Land Use: Agricultural Grazing Lands

Calculation of maximum allowable development under current Lee Plan:
Residential Units/Density: 220

Calculation of maximum allowable development with proposed amendments:
Residential Units/Density: 440



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As part of the approval process, Lee County requires a letter from your agency determining the adequacy/provision of existing/proposed support facilities including schools to serve the increase in demand.

At your earliest convenience, please forward a letter verifying that the increase in demand will be adequately served. If you have any questions or I may be of further assistance, please feel free to contact me at our Fort Myers office.

Sincerely,
BANKS ENGINEERING



Jennifer M. Sheppard
Permitting Manager & Planner

:jms

Carmine Marceno
Sheriff

"Proud to Serve"

State of Florida
County of Lee

August 4, 2020

Jennifer M. Sheppard
Banks Engineering
10511 Six Mile Cypress Parkway Suite 101
Fort Myers, Florida 33966

Ms. Sheppard,

The requested Comprehensive Plan Amendment for a 348.8 +- acre site at the proposed Owl Creek Development (STRAP No. 18-43-26-00-00002.0020, 18-43-26-00-00002.0000 and 19-43-26-00-00002.1020) does not affect the ability of the Lee County Sheriff's Office to provide core services at this time. Therefore, we have no objections to increasing housing density to a maximum of 440 residential units and changing the property's land use designation from Rural and Wetlands to New Community.

This agency will provide law enforcement services from our North District substation in North Fort Myers. At the time of application for new development orders or building permits, the applicant shall provide a Crime Prevention Through Environmental Design (CPTED) report done by the applicant and given to the Lee County Sheriff's Office for review and comments. Please contact Community Relations Supervisor Beth Schell at (239) 258-3287 with any questions regarding the CPTED study.

Respectfully,

MAJ. R Snyder 8-04-13

Rich Snyder
Major, Patrol Bureau

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

August 3, 2020

Lee County Sheriff's Office
Mr. Stan Nelson, Director, Planning & Research
14750 Six Mile Cypress Parkway
Fort Myers, FL 33912

REFERENCE: OWL CREEK - LETTER OF AVAILABILITY
PROPERTY ADDRESS: 12850 N. RIVER ROAD; 18420 & 17900 OWL CREEK DRIVE
STRAP NO.: 18-43-26-00-00002.0020; 18-43-26-00-00002.0000 19-43-26-00-00002.1020

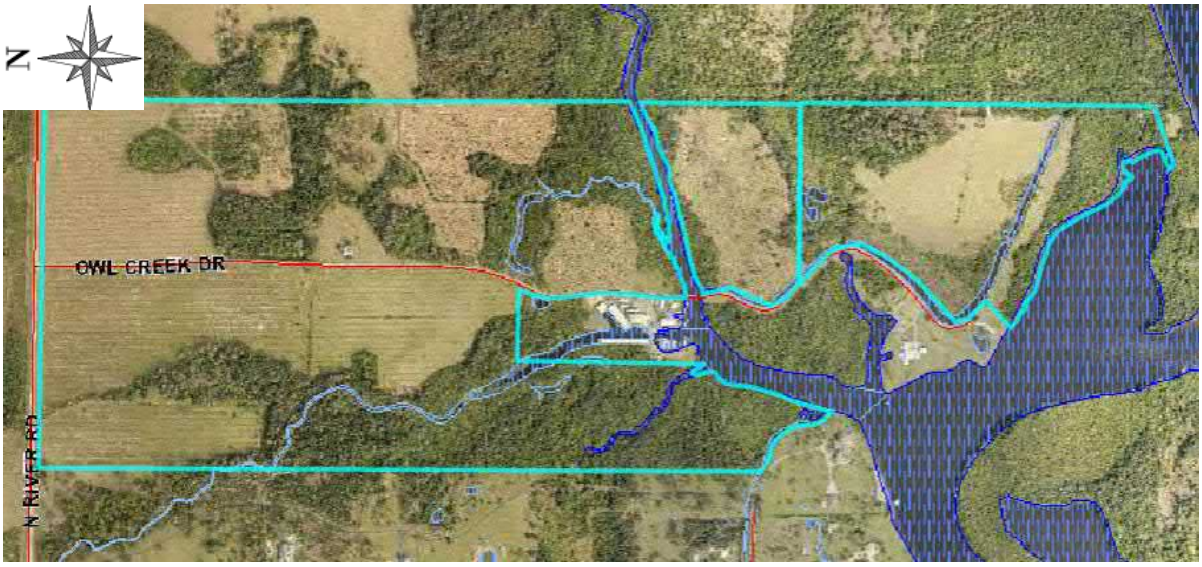
Dear Mr. Nelson:

We are seeking an amendment to the Lee County Comprehensive Plan for a 348.8± acre site at the proposed Owl Creek Development. The application is intended to amend the Future Land Use Map (FLUM) from Rural and Wetlands to New Community with an associated text amendment. If approved, the request will result in a maximum increase of 220 residential dwelling units. Please find below the property information, including a property location map, for your use:

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Calculation of maximum allowable development under current Lee Plan:
Residential Units/Density: 220

Calculation of maximum allowable development with proposed amendments:
Residential Units/Density: 440



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

As part of the approval process, Lee County requires a letter from your agency determining the adequacy/provision of existing/proposed support facilities, including law enforcement to serve the increase in demand.

At your earliest convenience, please forward a letter verifying that the increase in demand will be adequately served. If you have any questions or I may be of further assistance, please feel free to contact me at our Fort Myers office.

Sincerely,
BANKS ENGINEERING



Jennifer M. Sheppard
Permitting Manager & Planner

:jms

LEE COUNTY
SOUTHWEST FLORIDA
BOARD OF COUNTY COMMISSIONERS

John E. Manning
District One

Cecil L Pendergrass
District Two

Ray Sandelli
District Three

Brian Hamman
District Four

Frank Mann
District Five

Roger Desjarlais
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
Hearing Examiner

August 10, 2020

Ms. Jennifer M. Sheppard
Permitting Manager & Planner
Banks Engineering
10511 Six Mile Cypress Parkway • Suite 101
Fort Myers, Florida 33966

SUBJECT: Request for Solid Waste Letter of Availability
Owl Creek, N. River Road & 18420 & 17900 Owl Creek Drive

Dear Ms. Sheppard,

Lee County Solid Waste is capable of providing solid waste collection service for the proposed Owl Creek development through our franchised hauling contractors. Disposal of the solid waste generated from the approx. 220 residential dwelling units will be accomplished at the Lee County Resource Recovery Facility and the Lee-Hendry Regional Landfill. Plans have been made, allowing for growth, to maintain long-term disposal capacity at these facilities.

Solid Waste Ordinance (11-27) defines those residential dwelling units that are eligible to receive curbside residential collection service. It further establishes that Property Owners will be responsible for all future applicable solid waste assessments and fees.

If you have any questions, please call me at (239) 533-8000.

Sincerely,

Brigitte Kantor

Brigitte Kantor
Public Utilities Manager
Solid Waste Department

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

August 3, 2020

Mrs. Brigitte Kantor, Public Utilities Manager
Lee County Solid Waste Division
P.O Box 398
Fort Myers, Florida 33902-0398

REFERENCE: OWL CREEK - LETTER OF AVAILABILITY
PROPERTY ADDRESS: 12850 N. RIVER ROAD; 18420 & 17900 OWL CREEK DRIVE
STRAP NO.: 18-43-26-00-00002.0020; 18-43-26-00-00002.0000 19-43-26-00-00002.1020

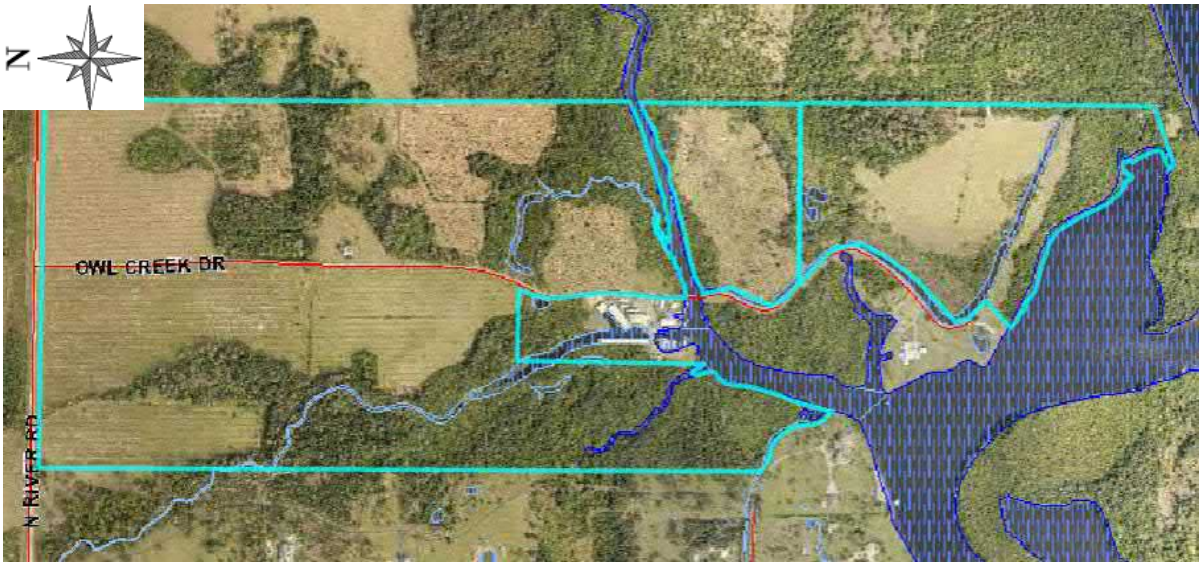
Dear Mrs. Kantor:

We are seeking an amendment to the Lee County Comprehensive Plan for a 348.8± acre site at the proposed Owl Creek Development. The application is intended to amend the Future Land Use Map (FLUM) from Rural and Wetlands to New Community with an associated text amendment. If approved, the request will result in a maximum increase of 220 residential dwelling units. Please find below the property information, including a property location map, for your use:

Property Information:
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Residential Units/Density: 220

Calculation of maximum allowable development with proposed amendments:
Residential Units/Density: 440



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

As part of the approval process, Lee County requires a letter from your agency determining the adequacy/provision of existing/proposed support facilities for solid waste to serve the increase in demand.

At your earliest convenience, please forward a letter verifying that the increase in demand will be adequately served. If you have any questions or I may be of further assistance, please feel free to contact me at our Fort Myers office.

Sincerely,
BANKS ENGINEERING



Jennifer M. Sheppard
Permitting Manager & Planner

:jms

FGUA Operations Office

Government Services Group, Inc.
280 Wekiva Springs Rd., Ste 2070
Longwood, FL 32779-6026

(877) 552-3482 Toll Free
(407) 629-6900 Tel
(407) 629-6963 Fax

September 3, 2020

Jennifer Sheppard
Banks Engineering
10511 Six Mile Cypress Parkway, Suite 101
Fort Myers, FL 33966
jsheppard@bankseng.com

RE: Wastewater Availability – LOA ID#: 20-56 NFMD

Parcel ID No.: 18-43-26-00-00002.0020, 18-43-26-00-00002.0000, & 19-43-26-00-00002.1020

12850 N. River Rd, 18420 OwlCreek Dr., & 17900 Owl Creek Dr., North Fort Myers, FL 33903

Owl Creek

Dear Ms, Sheppard:

Pursuant to the submitted Application for Service Availability, please be advised that wastewater lines are in operation in the vicinity of the address mentioned above, and a site map showing the approximate location of the utilities is included for your reference. However, in order to provide service to the subject parcel(s), developer funded system enhancements such as line extensions may be required. A letter of no objection will also need to be obtained from the current utility provider in that service area for FGUA to provide service to this property.

Your firm has indicated that this project will consist of 440 residential homes with estimated wastewater flows of 110,000 GPD. FGUA presently has sufficient treatment capacity to accommodate these flows. Please note that during design, the FGUA Utilities Operations Manual requires the project engineer to perform hydraulic computations to determine what impact, if any, this project will have on our existing water and wastewater systems.

This letter should not be construed as a commitment to serve, but only as a statement of the availability of service and is effective for twelve (12) months from the date hereof. The FGUA will commit to serve only upon final acceptance of the utility infrastructure constructed by the developer, receipt of all appropriate capacity (impact) and project fees, an executed Utility Infrastructure Conveyance and Service Agreement (CSA), the approval of all state and local regulatory agencies and proper project closeout. Further, this Letter of Availability is to be utilized for development review for this project only.

FGUA Board of Directors
LEA ANN THOMAS, Chair, Polk County / CHRISTINE BRADY, Lee County / KEN CHEEK, P.E., Citrus County
SHANE PARKER, P.E., Hendry County / MICHAEL CARBALLA, P.E., BCEE, Pasco County / ANGEL ROUSSEL, P.E., Marion County

When you are ready to move forward with your project, please contact Paul Arnett, Development Review Utility Connection Coordinator at 407-629-6900 ext. 109 or via email at PArnett@govmserv.com to schedule a pre-development meeting. Please note that this meeting is **MANDATORY** prior to submitting construction plans for review by the FGUA.

Sincerely,

FLORIDA GOVERNMENTAL UTILITY AUTHORITY

Douglas W. Black, PSM, PLS
Property & Development Manager

CC: Mike Currier, South Region Area Manager

Encl.

1. Mandatory Pre-Development Meeting Information
2. Utility Locates
3. Fee Statement/Receipt

Development Services Division

Mandatory Pre-Development Meeting Request

Purpose:

The mandatory pre-development meeting is designed to be an informative discussion, specifically geared toward assisting the applicant (owner/developer/engineer) understand the FGUA's policies and development process. A pre-development meeting is required prior to the formal submission and review of any utility construction plans by the Development Division.

It is our goal to assist you through the FGUA development process as smoothly as possible, and for your development to be a success. This mandatory pre-development meeting will provide you with the details you need to make this a successful and stress-free process.

What to Expect:

At the meeting, you will be provided with a variety of both general and specific information regarding the FGUA's development process. This will include, but not be limited to staff contact information, plan review guidelines, current fees, conveyance and closeout procedures.

Who Should Attend:

It is encouraged that a representative from the property owner, developer and engineer, at a minimum, attend this meeting. Representatives of the FGUA's Development Division, including the project coordinator, real property coordinator and utility system service area manager will also be in attendance as required.

In an effort to accommodate the potential long-distance commute between the FGUA's Operations Office in Longwood, Florida and the FGUA system areas, these meetings may take place at the local office and/or via video conference call.

Meeting Requests:

Please call or e-mail Paul Arnett, Utility Connection Coordinator to request a meeting at PArnett@govmserv.com, office: (407) 629-6900, or cell: (407) 885-1756.

Please have your FGUA Letter of Availability (LOA) Number (included on the first page of your previously issued Letter of Availability) ready when you call or email to schedule this meeting.

You will also be requested to provide a preliminary site utility plan for staff review.

Prior to submitting utility construction plans for approval, you MUST request a pre-development meeting. Plans submitted to the FGUA without scheduling and attending this meeting will not be reviewed until this meeting takes place.

8/5/2020

STRAP #: 18-43-26-00-00002.0020, 18-43-26-00-00002.0000, & 19-43-26-00-00002.1020

Project Name: 20-56 NFMD N River Rd and Owl Creek Dr

Property Address: 12850 N. River Rd., 18420 & 17900 Owl Creek Rd.



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

LOA ID: 20-56 NFMD

FLORIDA GOVERNMENTAL UTILITY AUTHORITY

Development Services Department

APPLICATION FOR DEVELOPER/COMMERCIAL UTILITY SERVICE AVAILABILITY

(FORM A)

The following application package should be completed and submitted to the FGUA's Development Services Department as instructed below if an applicant is looking for utility locations and a statement of availability related to the prospective development of a parcel of land that is not currently connected to public utilities.

Effective October 1, 2012 the following fees are associated with a Commercial Service Availability Request

Section 1 - UTILITY LOCATE MAP ONLY: $75

Section 2 - LETTER OF UTILITY LOCATION AVAILABILITY AND LOCATE MAP: $100
(Please note that an LOA cannot be issued without the locate map, unless a locate map was previously issued for the property by the FGUA.)

Please return the completed application package and payment to:

FGUA Operations Office
280 Wekiva Springs Road, Suite 2070
Longwood, FL 32779

Phone: 407-629-6900
Fax: 407-629-6963

A **complete application and remittance of payment** are required prior to the FGUA processing this application. Providing the required information expedites the review process and enables a response within **20-working days** from the date of receipt of a completed application and payment.

Please make checks payable to Florida Governmental Utility Authority (FGUA)

FLORIDA GOVERNMENTAL UTILITY AUTHORITY

Development Services Department

APPLICATION FOR DEVELOPER/COMMERCIAL UTILITY SERVICE AVAILABILITY

(FORM A)

UTILITY LOCATES

By completing Section 1 of the application, you will be provided with approximate utility locations only in the vicinity of the listed property. Should you need a project specific Letter of Availability, please complete Sections 1 & 2.

SECTION 1.

1) Property Information: **This information is available on the county property appraiser's website**

a) PROPERTY ID (Folio/STRAP NO.): 18-43-26-00-00002.0020; 18-43-26-00-00002.0000 & 19-43-26-00-00002.1020

b) PROPERTY PHYSICAL ADDRESS: 12850 N. River Road; 18420 & 17900 Owl Creek Drive

2) **ATTACH** a copy of the property appraiser information/map with the completed application

3) **Design Professional** contact information for FGUA Response:

Name: David R. Underhill, Jr. Date: 7/28/20

Company Name: Banks Engineering Title: Vice President

Full Address (including city, state and zip code): 10511 Six Mile Cypress Parkway, Ft. Myers, FL 33966

Email: dunderhill@bankseng.com & jsheppard@bankseng.com Telephone: 239-939-5490

CONTACT INFORMATION MUST BE PROVIDED FOR ALL INQUIRIES

DO YOU NEED A FORMAL LETTER OF AVAILABILITY?

By completing Sections 1 & 2 of the application, you will be provided with approximate utility locations in the vicinity of the listed property AND a formal LOA. The following information is required if further permitting with FGUA is desired (i.e. if project is contemplated for construction).

Incomplete Applications Will Not Be Processed

4) Name and address of **APPLICANT**:

a) NAME and COMPANY NAME (if applicable):

Jennifer Sheppard - Banks Engineering

b) MAILING ADDRESS (including city, state and zip code):

10511 Six Mile Cypress Parkway, Suite 101

Fort Myers, FL 33966

c) PHONE NUMBER and EMAIL ADDRESS:

239-939-5490 jsheppard@banskeng.com

d) Is the **APPLICANT**: ◯ Property Owner ◯ Developer ◯ Prospective Buyer
Mark all that apply
◯ Other: Consultant (please specify)

5) Service(s) requested: ☑ Water ☑ Wastewater ☐ Reclaim ☐ Fire Protection

6) Project Information:

a) PROJECT NAME: Owl Creek

b) PROPOSED USAGE (i.e. retail, offices, residential subdivision, etc.) residential subdivision

c) SIZE (square footage or number of homes): 440

d) PHASES (if applicable): _____

7) Engineer's estimate of average daily flows:

WATER: 110,000 GPD WASTEWATER: 110,000 GPD

RECLAIMED WATER: _____GPD FIRE PROTECTION:_____GPM

Justification of Proposed Amendment

(Exhibit M19)

CPA2020-00004
Revised August 2021

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

OWL CREEK RESERVE
Comprehensive Plan Amendment
Justification of Proposed Amendment
EXHIBIT "M19"
CPA2020-00004 & CPA2020-00005
Revised August 2021

The requested amendment represents sound planning principles and provides incentives to encourage wetland preservation and rare and unique upland habitat preservation or restoration in the Rural future land use category for clustered developments utilizing the planned development process within the North Olga Planning Community. The request will facilitate the accompanying minor residential planned development application (DCI2021-00011) which proposes a minimum of 49% of the property to be placed into a conservation easement consisting of wetland, upland, flow-way/surface water preservation and restoration to accommodate up to 385 single-family two-family attached dwelling units and associated amenities. The proposed development will provide for significant environmental, historical, storm water, water quality and infrastructure enhancements.

The following summarizes benefits that will be accomplished by approval of this request through compliance with the proposed text amendment and accompanying minor residential planned development application:

1. Provide a connection between Babcock Ranch property 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 this area as demonstrated by the Preliminary Development Footprint exhibit
3. Provide Wetland Protection and Enhancements including exotic removal and maintenance
4. Historical Resource preservation of the 3 recommended sites
5. Minimum ±169.12* acres (49% 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. 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 minimum 90% of wetlands
14. Water Quality enhancements and monitoring
15. Remove potential for up to 228 septic tanks and wells
16. Removal of cattle grazing will significantly reduce onsite nutrient generation

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

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
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
26. Provide Rare and Unique Upland habitat preservation and restoration
27. Preservation of historic flow-ways associated with Owl and Trout Creeks and associated wetlands

*This does not include the ±3.08 acres of restored littoral shelf/marsh wetlands and ±13.01 acres of restored surface waters that will also be placed in conservation.

The Lee Plan recognizes that enhancement and conservation of environmental, historical, stormwater, public water access and enhanced water quality is a public priority. The plan amendment provides incentives that balances this public interest with those of the property owner. The plan amendment represents a kind of public-private partnership. The public interests for Owl Creek outlined above will be accomplished through conditions in the concurrent Planned Development Zoning application. The private interest in utilizing and developing the property is satisfied in a responsible environmental manner. This represents sound planning.

The plan amendment utilizes the planning principle of clustered development. Clustered development is a development arrangement that stresses people living in harmony with nature and locates buildings in concentrated portions of a site, leaving the remainder of the site undeveloped. Typically this form of development is utilized to limit sprawling development patterns while protecting such things as open space, environmentally sensitive areas and natural resources. The project design protects a least 90% of the wetlands, provides preservation of a minimum of 49% of the site including flow-way areas along Owl Creek and Trout Creek and provides enhanced setbacks to adjacent uses.

The Owl Creek project also utilizes the planning principle of conservation design or designing with nature. The process of selecting the appropriate preservation and development scenario for the property utilized an analysis of the property's attributes such as property location and location of adjacent uses, soils, topography, previous uses and associated impacts and natural resources. One guiding principle of conservation design is that environmentally sensitive areas must be first identified and designated as non-buildable. The analysis of the property identified the location of wetlands, flow-ways, rare and unique uplands and 3 historical sites recommended for listing and preservation on the property and incorporated these areas to the maximum extent possible into the project's preservation and open space plan. Through the stringent requirements associated with conditioning of the concurrent planned development, the Owl Creek project will preserve a minimum of 90% of the onsite wetlands providing protection and enhancements through exotic removal and upland buffers. A minimum of 49 percent of the property (±169.12 acres) will be placed into a conservation easement including the convergence of two natural waterways/flow-ways on the Great Calusa Blueway (Owl Creek and Trout Creek) where they connect to the Caloosahatchee River. This does not include the ±3.08 acres of restored littoral shelf/marsh wetlands and ±13.01 acres of restored surface waters that will also be placed in conservation.

The conservation area will include preservation of 3 recommended historical sites and the project will provide a public canoe/kayak launch area to Trout Creek. This process represents

sound planning for the subject site, its natural resources and existing surrounding uses.

The Owl Creek project represents compatible land uses with existing surrounding uses which include agricultural uses, preservation and single family uses. The project's residential uses will be clustered inside the property with enhanced setbacks to adjacent uses and properties. The project's open spaces and preservation areas compliment and enhance adjacent existing and pending public and private preserve areas. The Owl Creek project residential uses are clustered and separated from the perimeter by a minimum 50 foot setback area. The project's compatibility with nearby land uses represents sound planning for the region in which the property is located.

The Owl Creek project will be connected to and serviced by a centralized water and sewer system via privately funded extensions. Connecting this property to a centralized water and sewer system represents sound planning with the removal of potential for 228 septic systems and private wells will provide fire protection to the existing and future residents and properties, including the Owl Creek project. The proposed privately funded expansion of utilities to the area is already encouraged and anticipated by existing Lee Plan policies.

The Owl Creek project represents a high quality master planned project. The applicant respectively asks that the proposed plan amendment for the Owl Creek property be approved to realize these regional benefits.

The Lee County Sheriff's Office has reviewed the request and has provided a review letter dated August 4, 2020 that provides that the proposed development does not affect their ability to provide core services and that they have no objection to the requested increase in density which has been reduced by 55 units since their review. The Sheriff's Office letter states that law enforcement services will be provided from their North District substation in North Fort Myers. This letter also provides that the applicant provide a Crime Prevention Through Environmental Design (CPTED) report at the time of application for a development order.

Bayshore Fire Rescue reviewed the request and provided a letter dated August 11, 2020. This letter provides that Bayshore Fire Rescue will be able to adequately serve the development as proposed and that the District will require residential sprinklers within homes if the area is not serviced by an adequate pressurized fire hydrant system. The density request has been reduced by 55 dwelling units since their review. Privately funded potable water will be extended to the site to provide adequate pressurized fire hydrant system.

The Lee County Division of Emergency Medical Services reviewed the request and provided a review letter dated August 19, 2020 indicating that the service availability for the proposed development of this property is adequate at this time. Lee County Emergency Medical Services is the primary EMS transport agency responsible for coverage at the address you have provided. Because we currently serve this area and have a sufficient response data sample, we evaluated response times in this vicinity to simulate the anticipated demand and response. The primary ambulance for this location is Medic 11, located 5.1 miles southwest; there is a second EMS station within six miles of the proposed location. These locations are projected to be able to meet existing service standards, as required in County Ordinance 08-16, and no additional impacts are anticipated at this time. The density request has been reduced by 55 dwelling units since their review.

The Owl Creek project represents a high quality master planned project. The applicant respectively asks that the proposed plan amendment for the Owl Creek property be approved to facilitate the accompanying minor residential planned development application to realize these regional benefits.

Planning Community Requirements

(Exhibit M20)

CPA2020-00004
Revised March 2021

BANKS ENGINEERING

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 Kent	17160 Water Edge Cir 33917	GDEANWIANT@AOL.com	239-565-3091
	Wayne Everett	10541 6 mile Cypress Pkwy	Jweverett@drhorton.com	239.225.2631
	Stacy Hewitt	10511 Six Mile Cypress Pkwy, Fort Myers, FL 33966	shewitt@bankseng.com	239-770-2527
	Megan Bishop	10511 Six mile Cypress Pkwy. Fort Myers, FL 33966	mbishop@bankserv.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	239-344-1100
	Dennis VanRockel			
	Debra VanRockel			
	Justin Thibaut		jthibaut@lsicompanies.com	239-489-4066

Email but not signed in: Mary Povia, Adele Smith, John Brodrick, Deana Armeda

0004400357 / FNP-0000002794

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 Jenstrom, 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

Notary State of Wisconsin, County of Brown

5.15.23
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

BANKS ENGINEERING

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:

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

i. Water quality enhancement areas, including but not limited to natural systems-based stormwater management facilities, filter marshes, and wetland buffers to reduce the rate of run-off and associated nutrient loads;
ii. Existing regional flow-ways;
iii. Preservation of 93% of the onsite wetlands with exotic vegetation removal;
iv. Critical wildlife connection(s) through on-site preserve areas where adjacent to conservation areas
v. Roadway setbacks and perimeter buffers or preserves; and
vi. Passive recreational areas that comply with the definition of open space, as set forth in the Land Development Code.

2. Open space areas must be platted in separate tracts, outside of privately owned lots, and dedicated to an appropriate maintenance entity. A Community Development District (CDD), Independent Special District (ISD), or a master property owners association must be created to accept responsibility for perpetually maintaining the open space areas identified in the planned development.
3. Record a conservation easement for a minimum of 48% of the planned development area benefiting a public agency acceptable to Lee County, or Lee County itself, and dedicated to an appropriate maintenance entity. Land subject to conservation easement(s) can be used for on-site mitigation and will be recorded as development orders are issued. The timing of conservation easement(s) and restoration may be phased so long as the area dedicated to conservation easement is equal to or greater than the area of land approved for development on a cumulative basis.
4. Provide a protected species management plan to address human wildlife coexistence, including educational programs and development standards.
6. Not preclude recreational connections to adjacent public and private conservation and preserve land, subject to approval by the appropriate agencies,
7. Incorporate Florida Friendly Landscaping with the low irrigation requirements in common areas.
9. Incorporate energy efficiency or other low impact development (LID) performance standards within the development.
10. Minimize impacts to natural areas and native habitat by clustering development primarily in areas previously impacted by agricultural uses and other development activities.

b. Water Quality & Hydrological Enhancements.

1. The stormwater management system must demonstrate through design or other means that water leaving the development meets current state and federal water quality standards. Outfall monitoring will be required on a quarterly basis for a minimum of 5 years from the date of acceptance of construction of the water management system by the South Florida Water Management District. Monitoring may be eliminated after 5 years if the water quality standards are met.
2. Demonstrate an additional 50% water quality treatment beyond the treatment required by the SFWMD for the on-site stormwater management basins.
3. Protect existing groundwater levels and improve existing wetland hydroperiods in onsite preserve areas, as applicable by SFWMD permits.
4. Provide a lake management plan that requires best management practices for the following:
    i. fertilizers and pesticides;
    ii. erosion control and bank stabilization; and

iii. lake maintenance requirements and deep lake management for lakes exceeding 12 feet below lake surface (BLS).

5. **Provide a site-specific ecological and hydrological plan, which includes at a minimum the following: preliminary excavation and grading plans, exotic removal and maintenance plan, supplemental planting plan, and success criteria for meeting established goals.**
6. **Provide site-specific mitigation and enhancements to reduce discharge rates.**
7. **Utilize reuse and surface water generated by the development to meet the irrigation demands of the recreation and development areas, to the extent such reuse is available.**
8. **Demonstrate that the proposed planned development will not result in significant detrimental impacts on present or future water resources.**

c. Infrastructure Enhancements.

1. **All development within the planned development must connect to centralized water and sewer services, with the exception of interim facilities used on a temporary basis during construction, and for unmanned essential services on a temporary basis until water and sewer service is extended to the development.**
2. **Written verification as to adequate public services for the planned development from the sheriff, EMS, fire district, and Lee County School District, or via interlocal agreements with adjacent jurisdictions and/or special districts.**
3. **Civic space or recreational area such as a canoe/kayak launch, boardwalk, jogging path, fishing platform, or waterside park for use by the general public, to be maintained by the property owners' association or similar entity.**
4. **Sufficient right-of-way to accommodate an 8-foot wide multi-purpose pathway along the roadway frontages, where the planned development abuts SR 31 and CR 78.**

d. Community Character.

1. **Provide minimum 50 foot perimeter setback/buffer area**
2. **Enhanced buffers and setbacks along external roadways to preserve rural vistas and viewsheds that are at least 50% wider than the Land Development Code requirements.**
3. **Locate access points onto adjacent arterial roadways to minimize impact to the surrounding rural community.**
4. **Preservation of archaeological sites in good to excellent condition that are regarded as eligible for listing on the National Register of Historic Places within a minimum 25-foot buffer. An archaeological monitor should confirm the location of the buffer/temporary silt fencing placed around each site and confirm that the sites are avoided during construction activities.**
5. **Provide a minimum 100' setback from Water Dependent Overlay to proposed internal residential lot lines.**

TABLE 1(a)

SUMMARY OF RESIDENTIAL DENSITIES[1]

FUTURE LAND USE CATEGORY	STANDARD OR BASE DENSITY RANGE		BONUS DENSITY
	MINIMUM[2] (Dwelling Units per Gross Acre)	MAXIMUM (Dwelling Units per Gross Acre)	MAXIMUM TOTAL DENSITY[3] (Dwelling Units per Gross Acre)
Intensive Development[14]	8	14	22
General Interchange[2]	8	14	22
Central Urban[15]	4	10	15
Urban Community[4,5,16]	1	6	10
Suburban[17]	1	6	No Bonus
Outlying Suburban	1	3	No Bonus
Sub-Outlying Suburban[20]	1	2	No Bonus
Rural[10]	No Minimum	1	No Bonus
Outer Islands	No Minimum	1	No Bonus
Rural Community Preserve[6]	No Minimum	1	No Bonus
Open Lands[7]	No Minimum	1 du/5 acres	No Bonus
Density Reduction/Groundwater Resource[13]	No Minimum	1 du/10 acres	No Bonus
Wetlands[8]	No Minimum	1 du/20 acres	No Bonus
New Community[19]	No Minimum	6	No Bonus
University Community[9]	1	2.5	No Bonus
Destination Resort Mixed Use Water Dependent[11]	6	9.36	No Bonus
Burnt Store Marina Village[12]	No Minimum	160 Dwelling Units; 145 Hotel Units	No Bonus
Coastal Rural[18]	No Minimum	1 du/2.7 acres	No Bonus

CLARIFICATIONS AND EXCEPTIONS

[1]See the glossary in Chapter XII for the full definition of "density".

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

[3]These maximum densities may be permitted by transferring density from non-contiguous land through the provisions of the Bonus Density Program identified in Chapter 2 of the Land Development Code.

[4]Within the Future Urban Areas of Pine Island Center, rezonings that will allow in excess of 3 dwelling units per gross acre must "acquire" the density above 3 dwelling units per gross acre utilizing TDUs that were created from Greater Pine Island (see Objective 24.6), or transfer dwelling units in accordance with Policy 24.3.4.

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

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

[7]The maximum density of 1 unit per 5 acres can only be approved through the planned development process (see Policy 1.4.4), except in the approximately 135 acres of land lying east of US41 and north of Alico Road in the northwest corner of Section 5, Township 46, Range 25.

[8]Higher densities may be allowed under the following circumstances where wetlands are preserved on the subject site:

(a) If the dwelling units are relocated off-site through the provision of Transfer of Development Rights Ordinance 86-18, as amended or replaced; or

(b) Dwelling units may be relocated to developable contiguous uplands designated Intensive Development, General Interchange, Central Urban, Urban Community, Suburban, Outlying Suburban, Sub-Outlying Suburban, and New Community from preserved freshwater wetlands at the same underlying density as permitted for those uplands. Impacted wetlands will be calculated at the standard Wetlands density of 1 dwelling units per 20 acres. Planned Developments or Development Orders approved prior to October 20, 2010 are permitted the density approved prior to the adoption of CPA2008-18.

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

[10]In the Rural category located in Section 24, Township 43 South, Range 23 East and south of Gator Slough, the maximum density is 1 du/2.25 acres.

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

[12]The residential dwelling units and hotel development portions of this redevelopment project must be located outside of the designated Coastal High Hazard Area in accordance with Lee Plan, Map 5.

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

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

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

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

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

[18] The standard maximum density is 1 du/2.7 acres unless the "Adjusted Maximum Density" of 1 du/acre is achieved in accordance with requirements of Policy 1.4.7 and Chapter 33 of the Land Development Code.

[19]Maximum density in the New Community future land use category is limited to 1 du/2.5 acres in the North Olga Community Plan area in accordance with Policy 1.6.1.

[20]Maximum density in the Sub-Outlying Suburban future land use category is limited to 2 du/1 acre of uplands or a gross density of 1.28 dwelling units per acre in the North Olga Community Plan area in accordance with Policy 29.10.1.

TABLE 1(b) Year 2030 Allocation

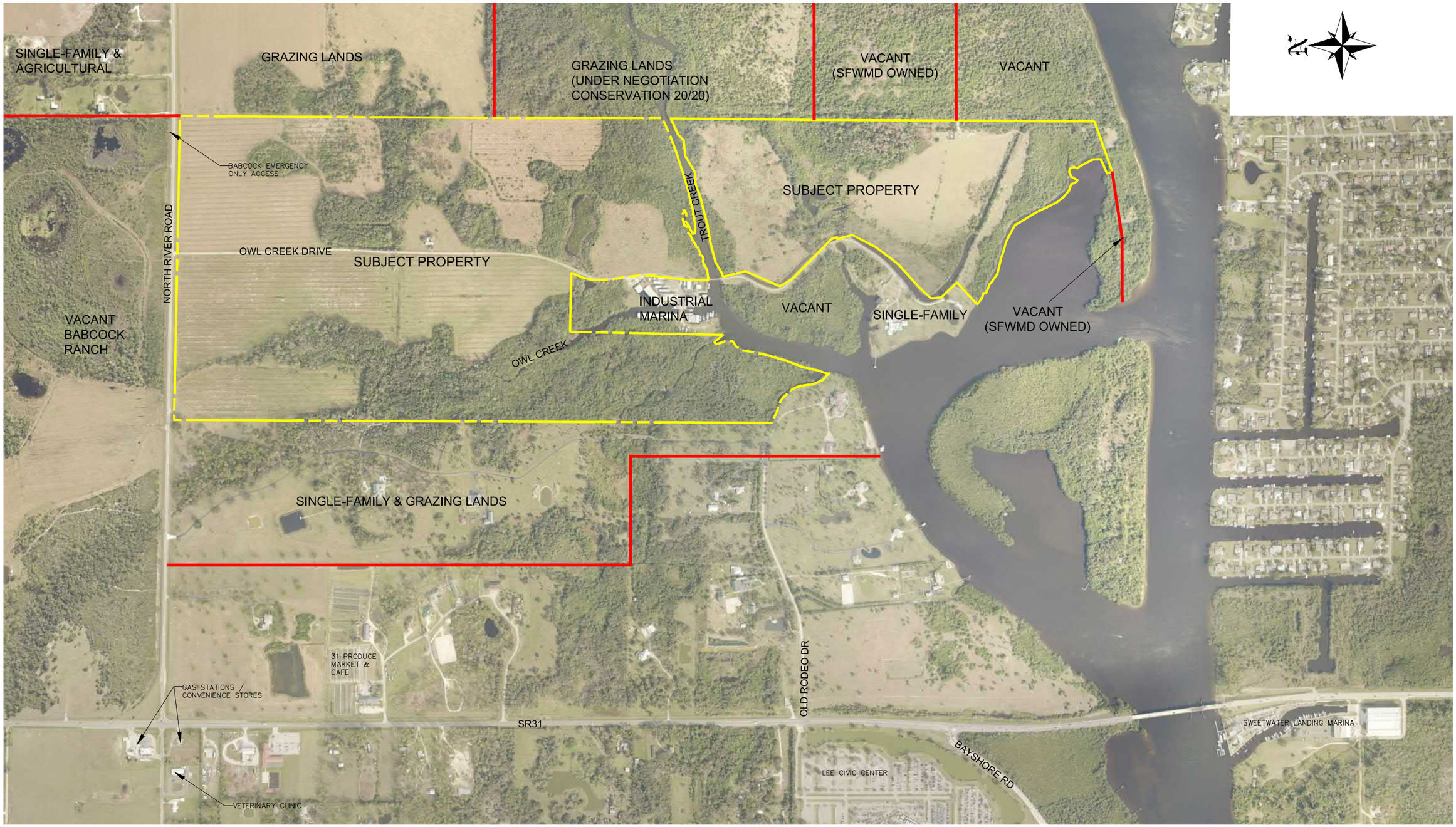
	Future Land Use Category	Lee County Totals	Northeast Lee County	Boca Grande	Bonita Springs	Fort Myers Shores	Burnt Store	Cape Coral	Captiva	Fort Myers	Fort Myers Beach	Gateway/ Airport	Daniels Parkway
Residential By Future Land Use Category	Intensive Development	1,361				5		27		250			
	Central Urban	14,766				225				230			
	Urban Community	16,515	520	485		637						250	
	Suburban	16,623				1,810				85			
	Outlying Suburban	4,113	30			310	20	2	500				1,438
	Sub-Outlying Suburban	~~1,880~~2,223	343			472						227	
	Commercial												
	Industrial	79								39		20	
	Public Facilities	1							1				
	University Community	850											
	Destination Resort Mixed Use Water Dependent	8											
	Burnt Store Marina Village	4					4						
	Industrial Interchange												
	General Interchange	169										29	58
	General Commercial Interchange												
	Industrial Commercial Interchange												
	University Village Interchange												
	Mixed Use Interchange												
	New Community	2,100	1,200									900	
	Airport												
	Tradeport	9										9	
	Rural	~~8,313~~7,970	~~1,948~~1,605			1,400	636						1,500
	Rural Community Preserve	3,100											
	Coastal Rural	1,300											
	Outer Island	202	5			1			150				
	Open Lands	2,805	250				590						120
	Density Reduction/ Groundwater Resource	6,905	711									94	
	Conservation Lands Upland												
	Wetlands												
	Conservation Lands Wetland												
Unincorporated County Total Residential		81,103	4,664	485		4,860	1,250	29	651	604		1,529	3,116
Commercial		12,793	177	52		400	50	17	125	150		1,100	440
Industrial		7,527	26	3		400	5	26		300		3,100	10
Non Regulatory Allocations													
Public		82,565	7,100	421		2,000	7,000	20	1,961	350		7,752	2,477
Active AG		23,301	5,100			550	150						20
Passive AG		43,591	12,229			2,305	109					1,241	20
Conservation		81,933	2,214	611		1,142	3,236	133	1,603	748		2,947	1,733
Vacant		24,361	1,953			61	931	34		45		282	151
Total		357,174	33,463	1,572		11,718	12,731	259	4,340	2,197		17,951	7,967
Population Distribution (unincorporated Lee County)		495,000	9,266	1,531		33,348	3,270	225	530	5,744		19,358	16,375

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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SURVEY LICENSE # LB 6690
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MAP OF EXISTING LAND USES EXHIBIT-M5

OWL CREEK

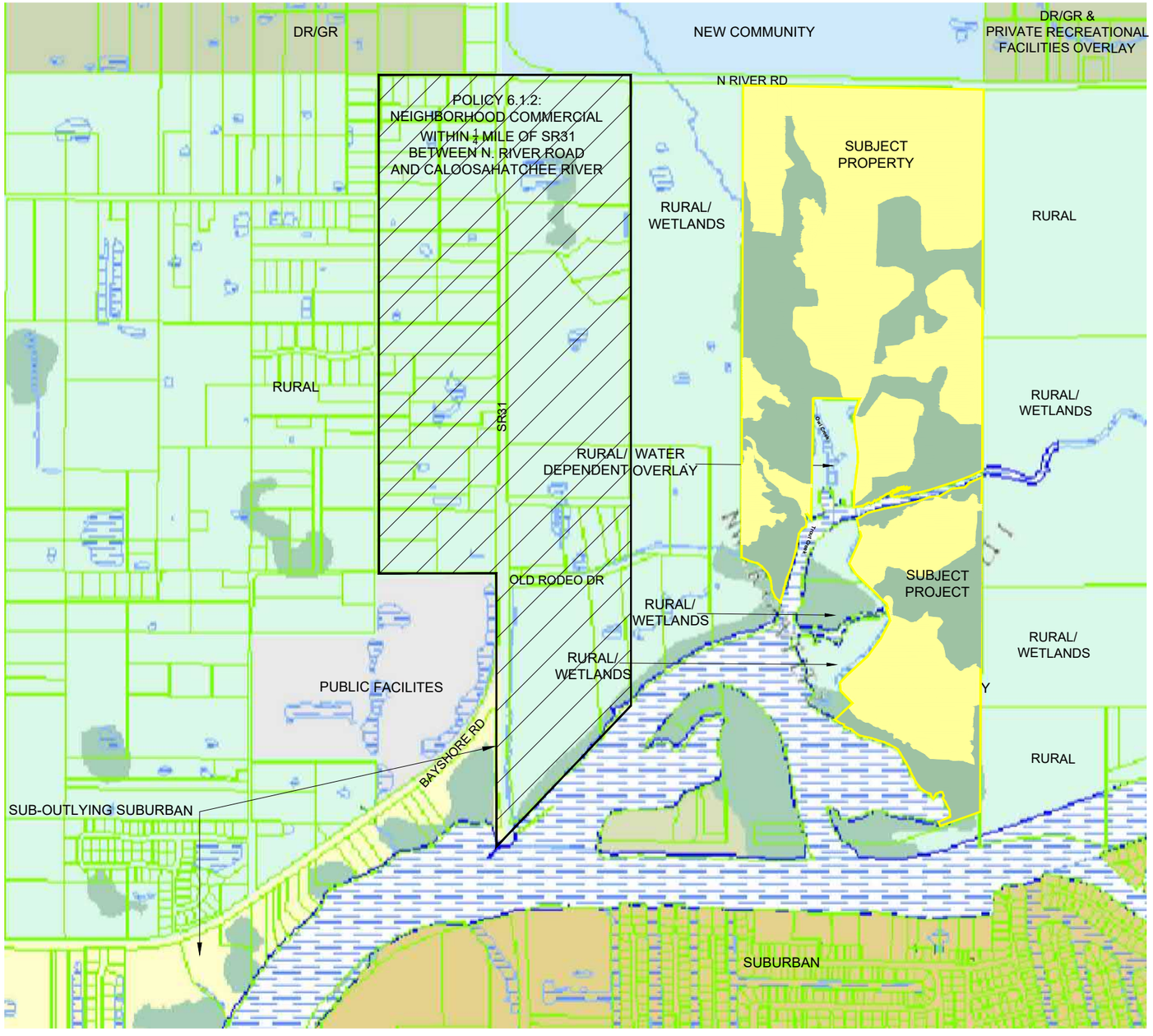
LEE COUNTY, FLORIDA

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

S:\JOBS\85XX\8504\EXHIBITS\8504_FUTURE LAND USE.DWG 9/15/2020 2:28 PM KEVIN GONZALEZ

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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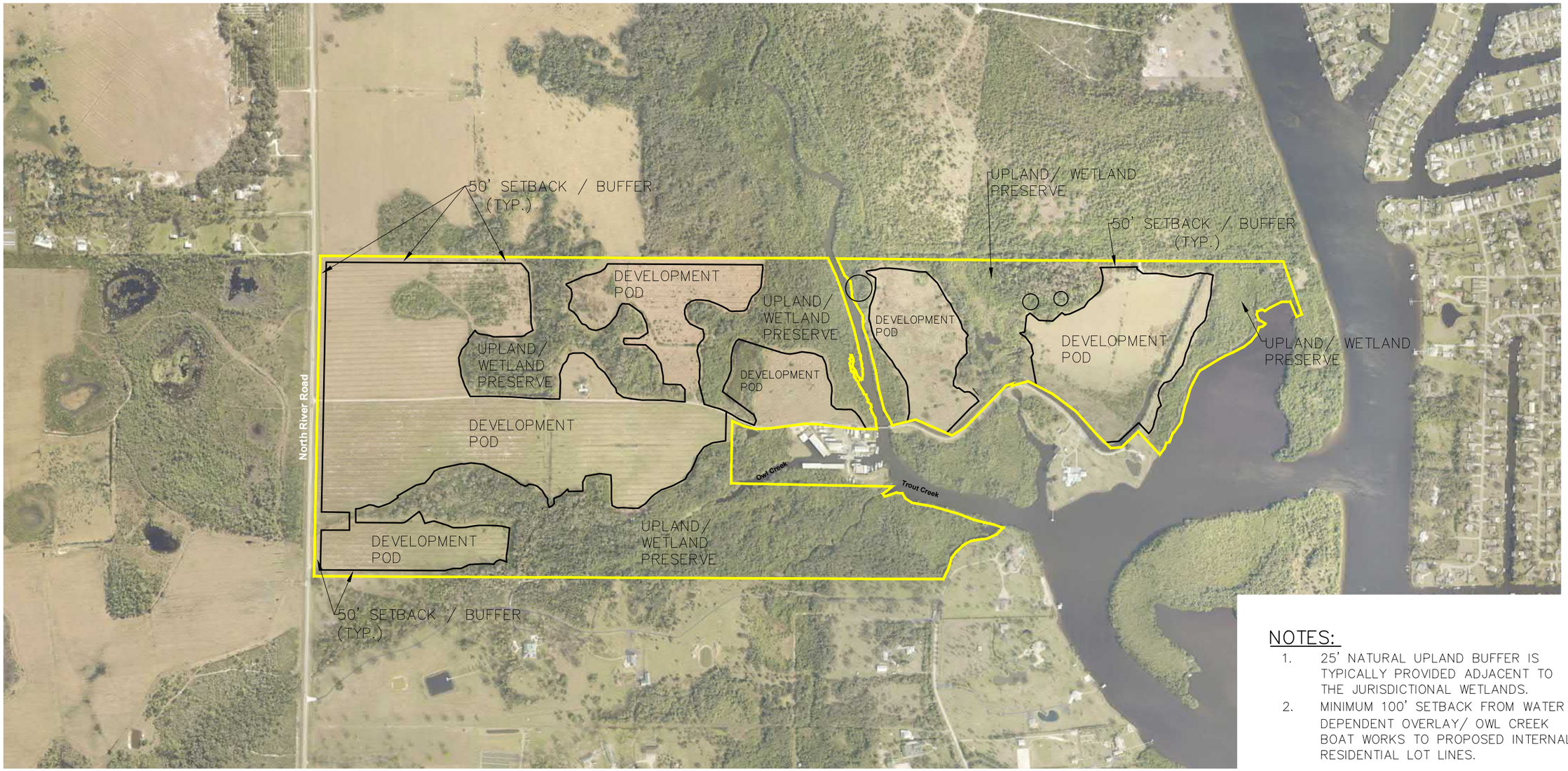
PROPOSED FUTURE LAND USE MAP EXHIBIT-M4

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

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NOTES:

1. 25' NATURAL UPLAND BUFFER IS TYPICALLY PROVIDED ADJACENT TO THE JURISDICTIONAL WETLANDS.
2. MINIMUM 100' SETBACK FROM WATER DEPENDENT OVERLAY/ OWL CREEK BOAT WORKS TO PROPOSED INTERNAL RESIDENTIAL LOT LINES.

APPROXIMATE PRESERVED HISTORICAL SITE

DEVELOPMENT BOUNDARY

PROPERTY LINE

NO.	DATE	REVISION DESCRIPTION	BY

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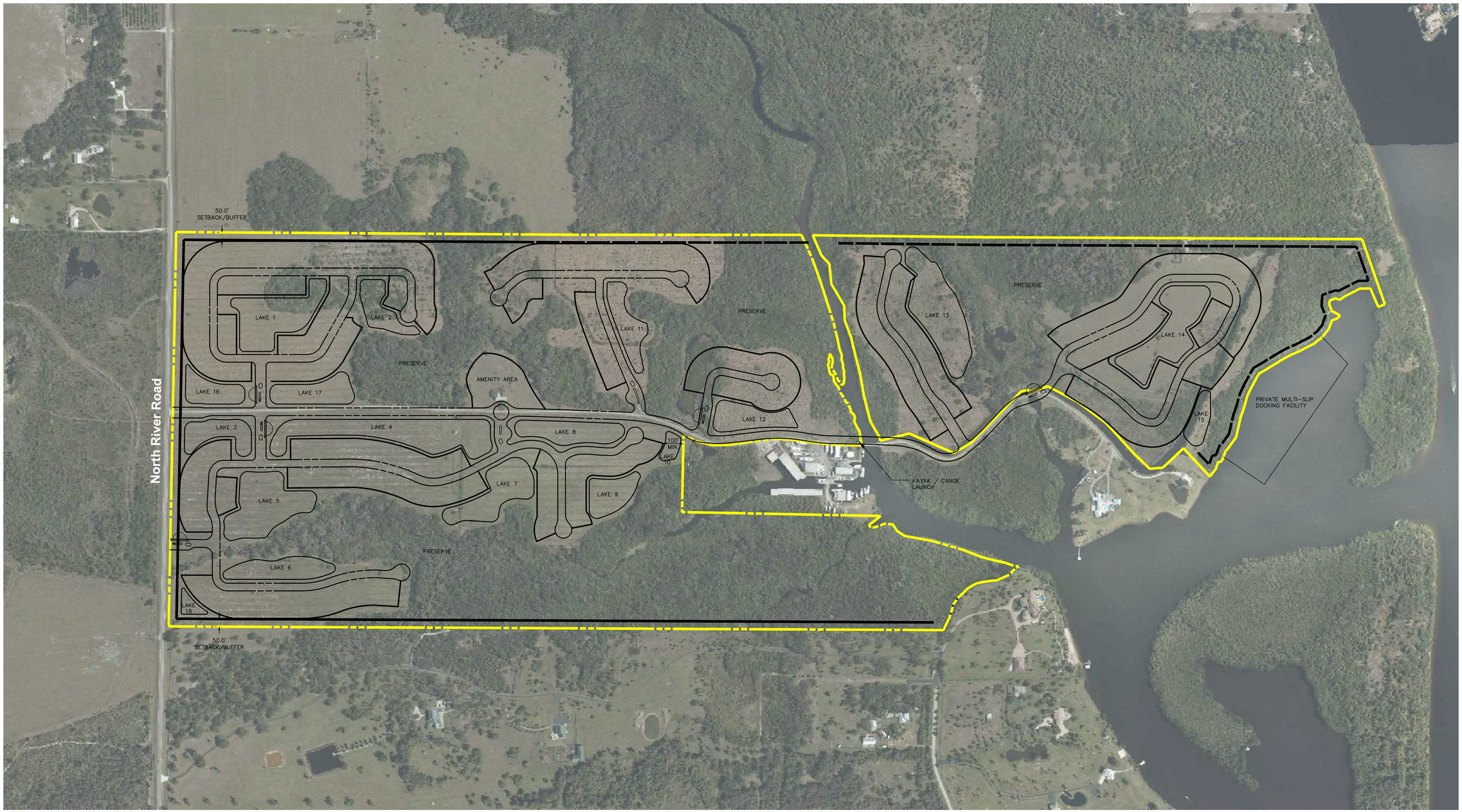
PRELIMINARY DEVELOPMENT FOOTPRINT

OWL CREEK

LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
09/08/2020	8504	_EXHIBIT	KG	KG	DRU	N.T.S.	01

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PRELIMINARY SITE PLAN

OWL CREEK

LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
06/26/2020	8504					1"=300'	1

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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 is 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 crazing and remove potential for future septic tanks since utilities brough 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± 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 county towards the requirement. Typical residential developments require 40% open space so we are proposing 150% of the typical requirement.

OWL CREEK

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

Please Sign In

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

NAME	EMAIL	PHONE
John Doe	email@email.com	(123) 456-7890
Deana Armeda	dearmeda@aol.com	239-340-9617
Steven Brodkin	SteveB239@aol.com	239-470-3475
W.T. Fulton	Butchowlcreek@gmail.com	239-940-7281
Connie Denning	ahkee1128@gmail.com	239-728-2472
Ruby Daniels	rubydaniels@embarqmail.com	239-728-3292
Robbi Cary	Robbicary@outlook.com	239-841-0916
RIVER RIDGE CATTLE CO.	P. FURBAY @ NETZERO. NET	239-340-8610
CRISFERNANDES	CRISFERNANDES.19 NETZERO.COM	
Microsoft Teams Online Attendees:		
Paul Owen (with applicant representatives)		
Keith Cary	gatorman40@outlook.com	239-357-8946
Nathan Miller		
Holly Schwartz	hschwartz@sccf.org	239-209-1081
Amy Wicks	amy.wicks@kimley-horn.com	

0004390123 / FNP-0000002794

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 Renstrom, 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

5.15.23
My commission expires

# of Affidavits 1

This is not an invoice

NANCY HEYRMAN
Notary Public
State of Wisconsin

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

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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.

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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

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

WINTER RYAN G +
12251 OLD RODEO DR
ALVA FL 33920

VERSPEETEN RONALD
20 STUBBS CR
TILLSONBURG ON N4G 4P5
CANADA

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

VERSPEETEN RONALD
20 STUBBS CR
TILLSONBURG ON N4G 4P5
CANADA

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

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

PIPKINS DAVID S &
19100 TURKEY RUN LN
ALVA FL 33920

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

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

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

VERSPEETEN RONALD
20 STUBBS CR
TILLSONBURG ON N4G 4P5
CANADA

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

CLARE LAND LLC
PO BOX 131391
HOUSTON TX 77219

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

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

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

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

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

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

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

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OWL CREEK
Comprehensive Plan Amendment
Proposed Text Changes
Exhibit T4

The Owl Creek application includes the following requests:

- Amendment to the Future Land Use Map (Lee Plan Map 1, Page 1 of 7) to change the FLU category from Rural and Wetlands to Sub-Outlying Suburban
- Amendment to Future Water Service Areas, Lee County Utilities (Lee Plan Map 6) to place the property within the Lee County Utilities Future Water Service Area to allow for privately funded expansion of water service.
    - Note: Wastewater will be provided by Florida Governmental Utility Authority (FGUA) with privately funded expansion of sewer service.
- Associated Text Amendment to following:
    - North Olga Community Plan – New Objective 29.10 and Policies 29.10.1 and 29.10.2 to provide requirements for development with Sub-Outlying Suburban areas within North Olga Planning Community
    - Table 1(a) – add footnote 20 to Sub-Outlying Suburban to limit density to 2 dwelling units per 1 acre of uplands or a gross density of 1.28 dwelling units per gross acre within the North Olga Planning Community
    - Table 1(b) for Northeast Lee County to remove 343 acres from the Rural category and add 343 acres to the Sub-Outlying Suburban category

OBJECTIVE 29.10: SUB-OUTLYING SUBURBAN. Land designated as Sub-Outlying Suburban on the Future Land Use Map within the North Olga Community Plan area will be developed utilizing the planned development process in order to achieve conservation and enhancement of important environmental resources; initiate areawide surface water management; prevent sprawling land use patterns through clustered development; create critical hydrological and wildlife corridors and connections; and protect rural character of the surrounding community.

POLICY 29.10.1: Residential densities for land within the Sub-Outlying Suburban future land use category may be permitted up to a maximum of 2 dwelling units per upland acre or a gross density of 1.28 dwelling units per acre. In no case shall the unit count in the Sub-Outlying Suburban future land use category in North Olga exceed 440 dwelling units.

POLICY 29.10.2: Prior to development, a planned development rezoning must be approved, and include conditions and requirements that demonstrate the following:

a. Environmental Enhancements.

1. A minimum of 60% open space, inclusive of onsite preserve, to accommodate the following:

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i. Water quality enhancement areas, including but not limited to natural systems-based stormwater management facilities, filter marshes, and wetland buffers to reduce the rate of run-off and associated nutrient loads;
ii. Existing regional flow-ways;
iii. Preservation of 93% of the onsite wetlands with exotic vegetation removal;
iv. Critical wildlife connection(s) through on-site preserve areas where adjacent to conservation areas
v. Roadway setbacks and perimeter buffers or preserves; and
vi. Passive recreational areas that comply with the definition of open space, as set forth in the Land Development Code.

2. Open space areas must be platted in separate tracts, outside of privately owned lots, and dedicated to an appropriate maintenance entity. A Community Development District (CDD), Independent Special District (ISD), or a master property owners association must be created to accept responsibility for perpetually maintaining the open space areas identified in the planned development.
3. Record a conservation easement for a minimum of 48% of the planned development area benefiting a public agency acceptable to Lee County, or Lee County itself, and dedicated to an appropriate maintenance entity. Land subject to conservation easement(s) can be used for on-site mitigation and will be recorded as development orders are issued. The timing of conservation easement(s) and restoration may be phased so long as the area dedicated to conservation easement is equal to or greater than the area of land approved for development on a cumulative basis.
4. Provide a protected species management plan to address human wildlife coexistence, including educational programs and development standards.
6. Not preclude recreational connections to adjacent public and private conservation and preserve land, subject to approval by the appropriate agencies,
7. Incorporate Florida Friendly Landscaping with the low irrigation requirements in common areas.
9. Incorporate energy efficiency or other low impact development (LID) performance standards within the development.
10. Minimize impacts to natural areas and native habitat by clustering development primarily in areas previously impacted by agricultural uses and other development activities.

b. Water Quality & Hydrological Enhancements.

1. The stormwater management system must demonstrate through design or other means that water leaving the development meets current state and federal water quality standards. Outfall monitoring will be required on a quarterly basis for a minimum of 5 years from the date of acceptance of construction of the water management system by the South Florida Water Management District. Monitoring may be eliminated after 5 years if the water quality standards are met.
2. Demonstrate an additional 50% water quality treatment beyond the treatment required by the SFWMD for the on-site stormwater management basins.
3. Protect existing groundwater levels and improve existing wetland hydroperiods in onsite preserve areas, as applicable by SFWMD permits.
4. Provide a lake management plan that requires best management practices for the following:
    i. fertilizers and pesticides;
    ii. erosion control and bank stabilization; and

iii. lake maintenance requirements and deep lake management for lakes exceeding 12 feet below lake surface (BLS).

5. **Provide a site-specific ecological and hydrological plan, which includes at a minimum the following: preliminary excavation and grading plans, exotic removal and maintenance plan, supplemental planting plan, and success criteria for meeting established goals.**
6. **Provide site-specific mitigation and enhancements to reduce discharge rates.**
7. **Utilize reuse and surface water generated by the development to meet the irrigation demands of the recreation and development areas, to the extent such reuse is available.**
8. **Demonstrate that the proposed planned development will not result in significant detrimental impacts on present or future water resources.**

c. Infrastructure Enhancements.

1. **All development within the planned development must connect to centralized water and sewer services, with the exception of interim facilities used on a temporary basis during construction, and for unmanned essential services on a temporary basis until water and sewer service is extended to the development.**
2. **Written verification as to adequate public services for the planned development from the sheriff, EMS, fire district, and Lee County School District, or via interlocal agreements with adjacent jurisdictions and/or special districts.**
3. **Civic space or recreational area such as a canoe/kayak launch, boardwalk, jogging path, fishing platform, or waterside park for use by the general public, to be maintained by the property owners' association or similar entity.**
4. **Sufficient right-of-way to accommodate an 8-foot wide multi-purpose pathway along the roadway frontages, where the planned development abuts SR 31 and CR 78.**

d. Community Character.

1. **Provide minimum 50 foot perimeter setback/buffer area**
2. **Enhanced buffers and setbacks along external roadways to preserve rural vistas and viewsheds that are at least 50% wider than the Land Development Code requirements.**
3. **Locate access points onto adjacent arterial roadways to minimize impact to the surrounding rural community.**
4. **Preservation of archaeological sites in good to excellent condition that are regarded as eligible for listing on the National Register of Historic Places within a minimum 25-foot buffer. An archaeological monitor should confirm the location of the buffer/temporary silt fencing placed around each site and confirm that the sites are avoided during construction activities.**
5. **Provide a minimum 100' setback from Water Dependent Overlay to proposed internal residential lot lines.**

TABLE 1(a)

SUMMARY OF RESIDENTIAL DENSITIES[1]

FUTURE LAND USE CATEGORY	STANDARD OR BASE DENSITY RANGE		BONUS DENSITY
	MINIMUM[2] (Dwelling Units per Gross Acre)	MAXIMUM (Dwelling Units per Gross Acre)	MAXIMUM TOTAL DENSITY[3] (Dwelling Units per Gross Acre)
Intensive Development[14]	8	14	22
General Interchange[2]	8	14	22
Central Urban[15]	4	10	15
Urban Community[4,5,16]	1	6	10
Suburban[17]	1	6	No Bonus
Outlying Suburban	1	3	No Bonus
Sub-Outlying Suburban[20]	1	2	No Bonus
Rural[10]	No Minimum	1	No Bonus
Outer Islands	No Minimum	1	No Bonus
Rural Community Preserve[6]	No Minimum	1	No Bonus
Open Lands[7]	No Minimum	1 du/5 acres	No Bonus
Density Reduction/Groundwater Resource[13]	No Minimum	1 du/10 acres	No Bonus
Wetlands[8]	No Minimum	1 du/20 acres	No Bonus
New Community[19]	No Minimum	6	No Bonus
University Community[9]	1	2.5	No Bonus
Destination Resort Mixed Use Water Dependent[11]	6	9.36	No Bonus
Burnt Store Marina Village[12]	No Minimum	160 Dwelling Units; 145 Hotel Units	No Bonus
Coastal Rural[18]	No Minimum	1 du/2.7 acres	No Bonus

CLARIFICATIONS AND EXCEPTIONS

[1]See the glossary in Chapter XII for the full definition of "density".

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

[3]These maximum densities may be permitted by transferring density from non-contiguous land through the provisions of the Bonus Density Program identified in Chapter 2 of the Land Development Code.

[4]Within the Future Urban Areas of Pine Island Center, rezonings that will allow in excess of 3 dwelling units per gross acre must "acquire" the density above 3 dwelling units per gross acre utilizing TDUs that were created from Greater Pine Island (see Objective 24.6), or transfer dwelling units in accordance with Policy 24.3.4.

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

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

[7]The maximum density of 1 unit per 5 acres can only be approved through the planned development process (see Policy 1.4.4), except in the approximately 135 acres of land lying east of US41 and north of Alico Road in the northwest corner of Section 5, Township 46, Range 25.

[8]Higher densities may be allowed under the following circumstances where wetlands are preserved on the subject site:

(a) If the dwelling units are relocated off-site through the provision of Transfer of Development Rights Ordinance 86-18, as amended or replaced; or

(b) Dwelling units may be relocated to developable contiguous uplands designated Intensive Development, General Interchange, Central Urban, Urban Community, Suburban, Outlying Suburban, Sub-Outlying Suburban, and New Community from preserved freshwater wetlands at the same underlying density as permitted for those uplands. Impacted wetlands will be calculated at the standard Wetlands density of 1 dwelling units per 20 acres. Planned Developments or Development Orders approved prior to October 20, 2010 are permitted the density approved prior to the adoption of CPA2008-18.

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

[10]In the Rural category located in Section 24, Township 43 South, Range 23 East and south of Gator Slough, the maximum density is 1 du/2.25 acres.

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

[12]The residential dwelling units and hotel development portions of this redevelopment project must be located outside of the designated Coastal High Hazard Area in accordance with Lee Plan, Map 5.

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

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

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

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

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

[18] The standard maximum density is 1 du/2.7 acres unless the "Adjusted Maximum Density" of 1 du/acre is achieved in accordance with requirements of Policy 1.4.7 and Chapter 33 of the Land Development Code.

[19]Maximum density in the New Community future land use category is limited to 1 du/2.5 acres in the North Olga Community Plan area in accordance with Policy 1.6.1.

[20]Maximum density in the Sub-Outlying Suburban future land use category is limited to 2 du/1 acre of uplands or a gross density of 1.28 dwelling units per acre in the North Olga Community Plan area in accordance with Policy 29.10.1.

TABLE 1(b) Year 2030 Allocation

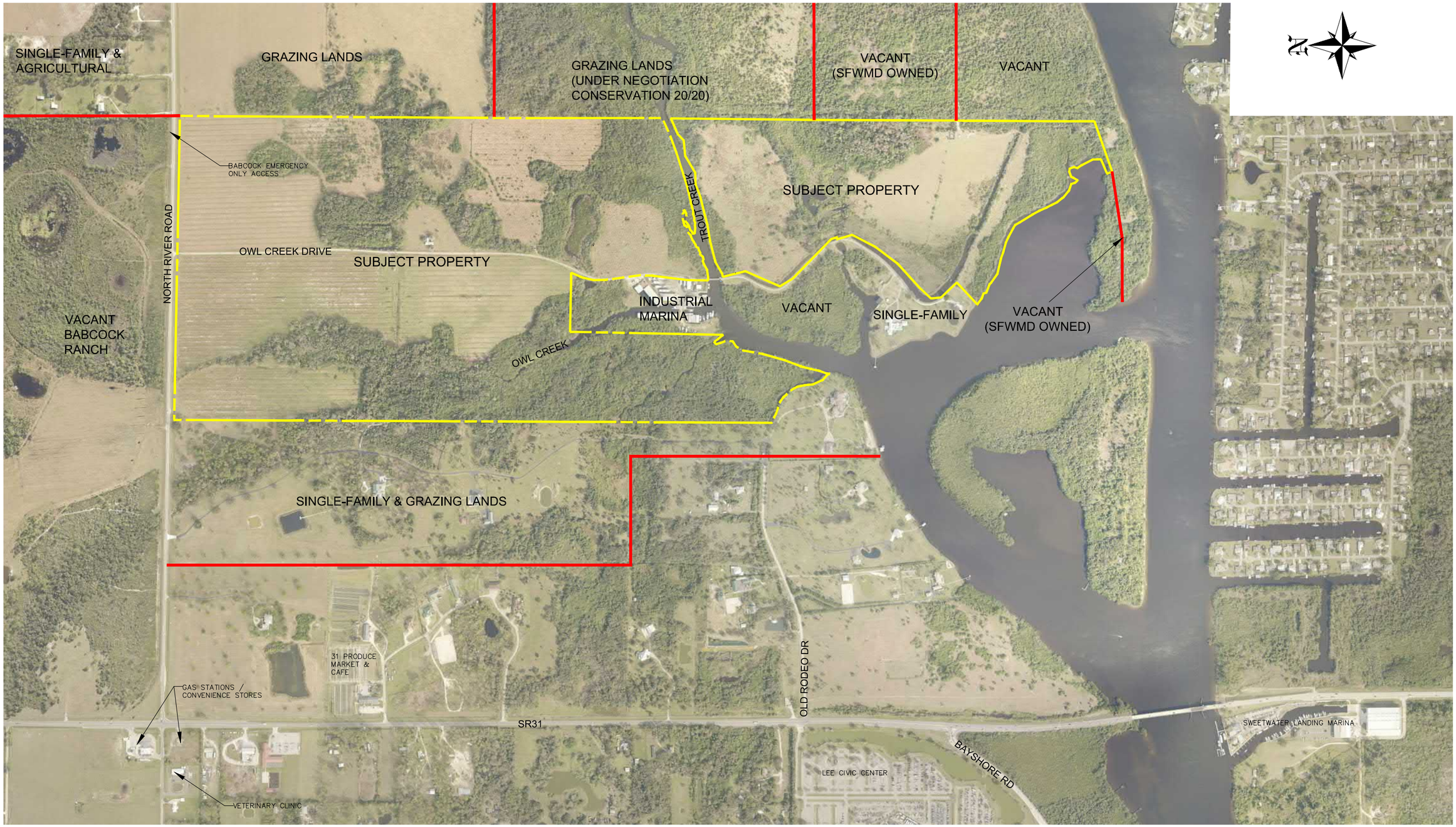
	Future Land Use Category	Lee County Totals	Northeast Lee County	Boca Grande	Bonita Springs	Fort Myers Shores	Burnt Store	Cape Coral	Captiva	Fort Myers	Fort Myers Beach	Gateway/ Airport	Daniels Parkway
Residential By Future Land Use Category	Intensive Development	1,361				5		27		250			
	Central Urban	14,766				225				230			
	Urban Community	16,515	520	485		637						250	
	Suburban	16,623				1,810				85			
	Outlying Suburban	4,113	30			310	20	2	500				1,438
	Sub-Outlying Suburban	~~1,880~~2,223	343			472						227	
	Commercial												
	Industrial	79								39		20	
	Public Facilities	1							1				
	University Community	850											
	Destination Resort Mixed Use Water Dependent	8											
	Burnt Store Marina Village	4					4						
	Industrial Interchange												
	General Interchange	169										29	58
	General Commercial Interchange												
	Industrial Commercial Interchange												
	University Village Interchange												
	Mixed Use Interchange												
	New Community	2,100	1,200									900	
	Airport												
	Tradeport	9										9	
	Rural	~~8,313~~7,970	~~1,948~~1,605			1,400	636						1,500
	Rural Community Preserve	3,100											
	Coastal Rural	1,300											
	Outer Island	202	5			1			150				
	Open Lands	2,805	250				590						120
	Density Reduction/ Groundwater Resource	6,905	711									94	
	Conservation Lands Upland												
	Wetlands												
	Conservation Lands Wetland												
Unincorporated County Total Residential		81,103	4,664	485		4,860	1,250	29	651	604		1,529	3,116
Commercial		12,793	177	52		400	50	17	125	150		1,100	440
Industrial		7,527	26	3		400	5	26		300		3,100	10
Non Regulatory Allocations													
Public		82,565	7,100	421		2,000	7,000	20	1,961	350		7,752	2,477
Active AG		23,301	5,100			550	150						20
Passive AG		43,591	12,229			2,305	109					1,241	20
Conservation		81,933	2,214	611		1,142	3,236	133	1,603	748		2,947	1,733
Vacant		24,361	1,953			61	931	34		45		282	151
Total		357,174	33,463	1,572		11,718	12,731	259	4,340	2,197		17,951	7,967
Population Distribution (unincorporated Lee County)		495,000	9,266	1,531		33,348	3,270	225	530	5,744		19,358	16,375

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

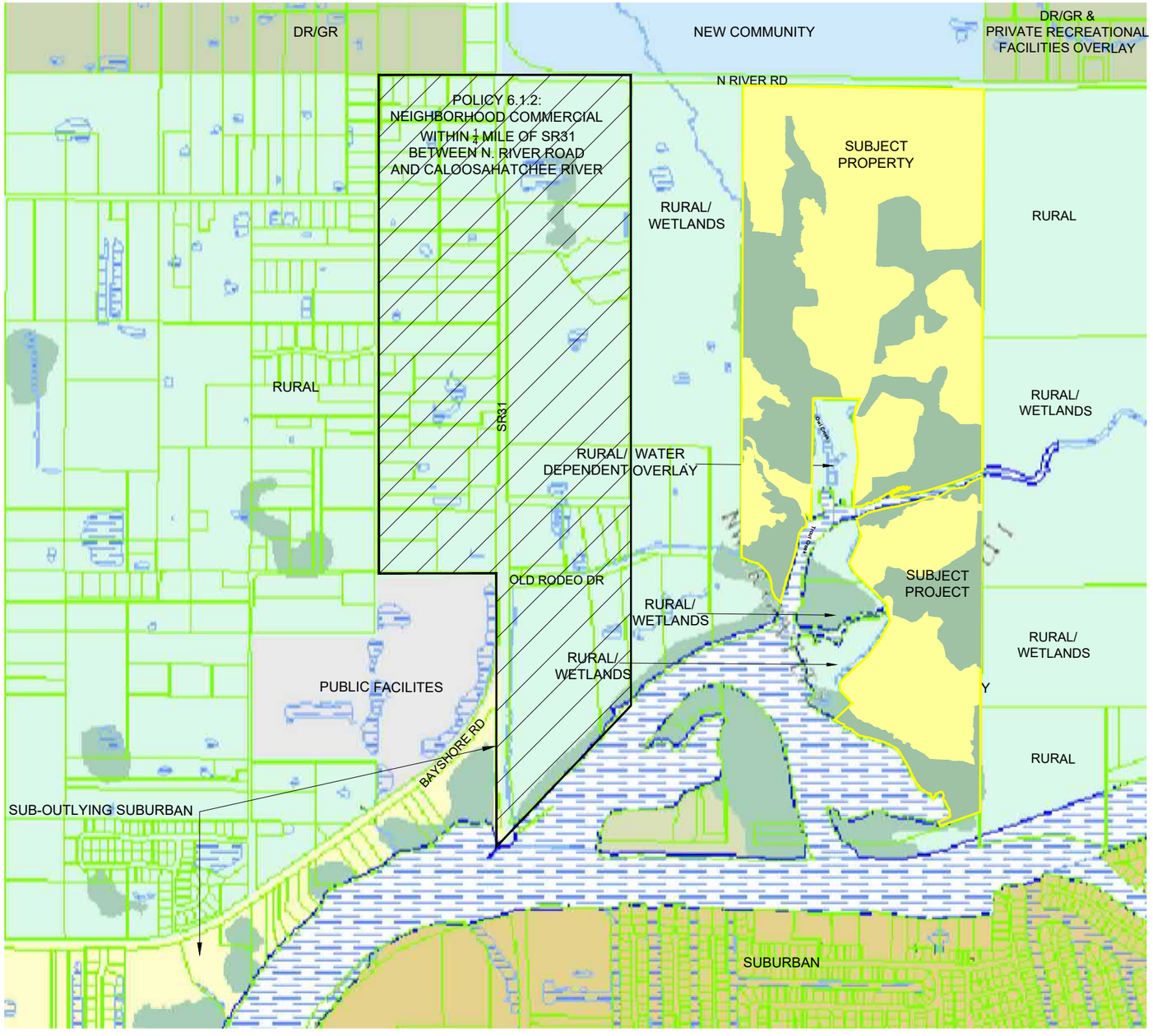
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DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
08/24/2020	8504	_EXHIBIT	KG	KG	DRU	N.T.S.	01

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OWL CREEK
Comprehensive Plan Amendment & 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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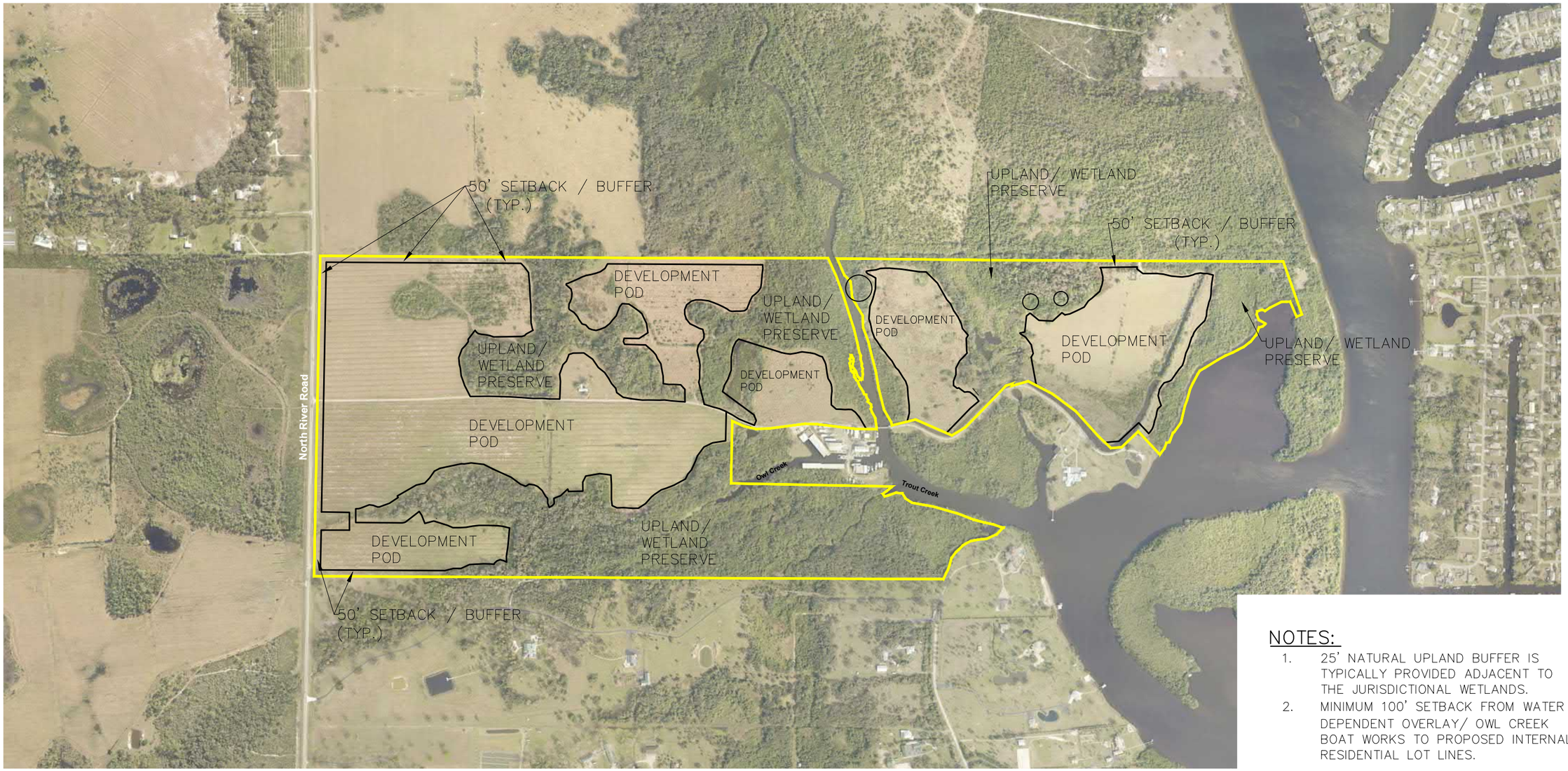
PROPOSED FUTURE LAND USE MAP EXHIBIT-M4

OWL CREEK

LEE COUNTY, FLORIDA

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NOTES:

1. 25' NATURAL UPLAND BUFFER IS TYPICALLY PROVIDED ADJACENT TO THE JURISDICTIONAL WETLANDS.
2. MINIMUM 100' SETBACK FROM WATER DEPENDENT OVERLAY/ OWL CREEK BOAT WORKS TO PROPOSED INTERNAL RESIDENTIAL LOT LINES.

APPROXIMATE PRESERVED HISTORICAL SITE

DEVELOPMENT BOUNDARY

PROPERTY LINE

NO.	DATE	REVISION DESCRIPTION	BY

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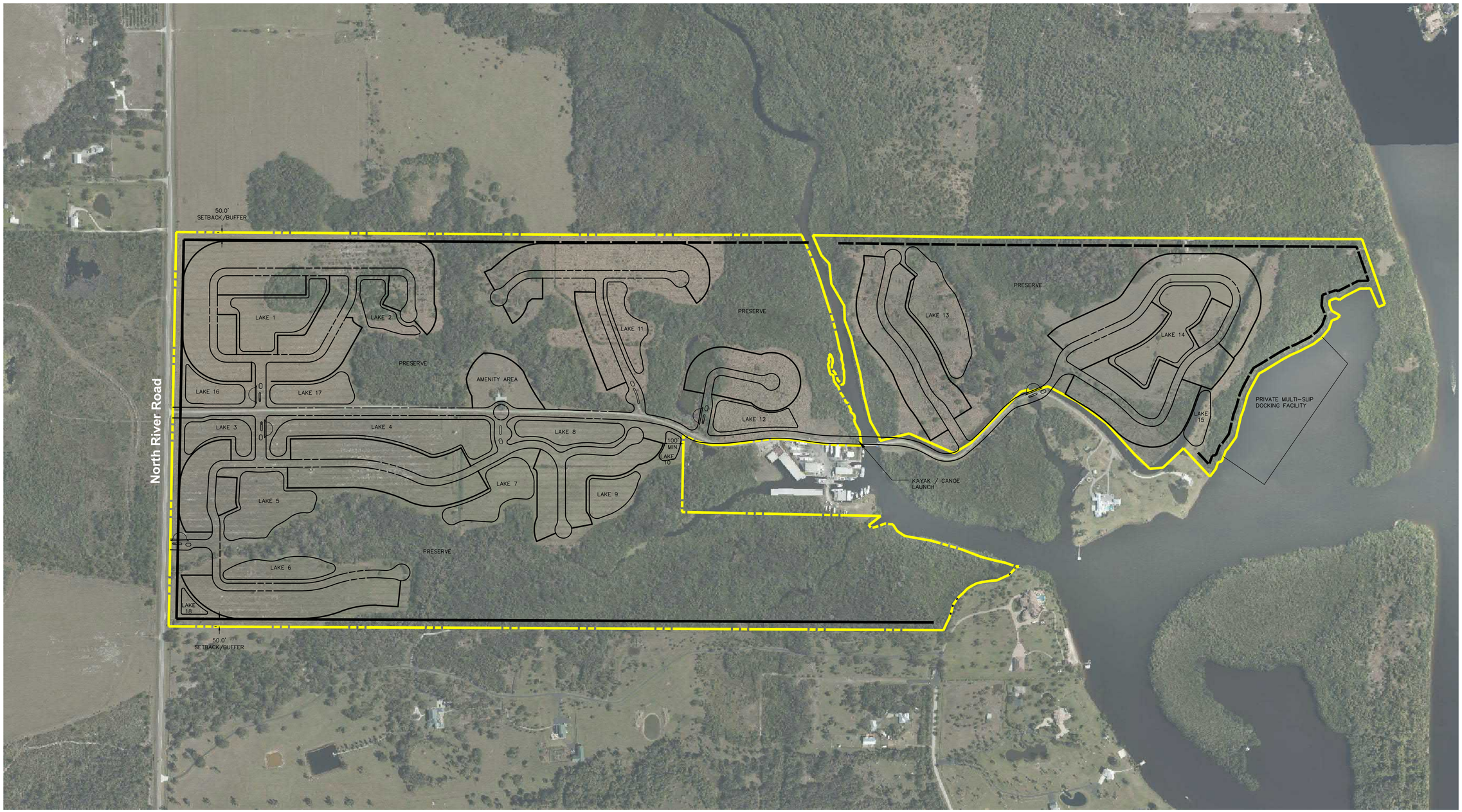
PRELIMINARY DEVELOPMENT FOOTPRINT

OWL CREEK

LEE COUNTY, FLORIDA

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09/08/2020	8504	_EXHIBIT	KG	KG	DRU	N.T.S.	01

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PRELIMINARY SITE PLAN

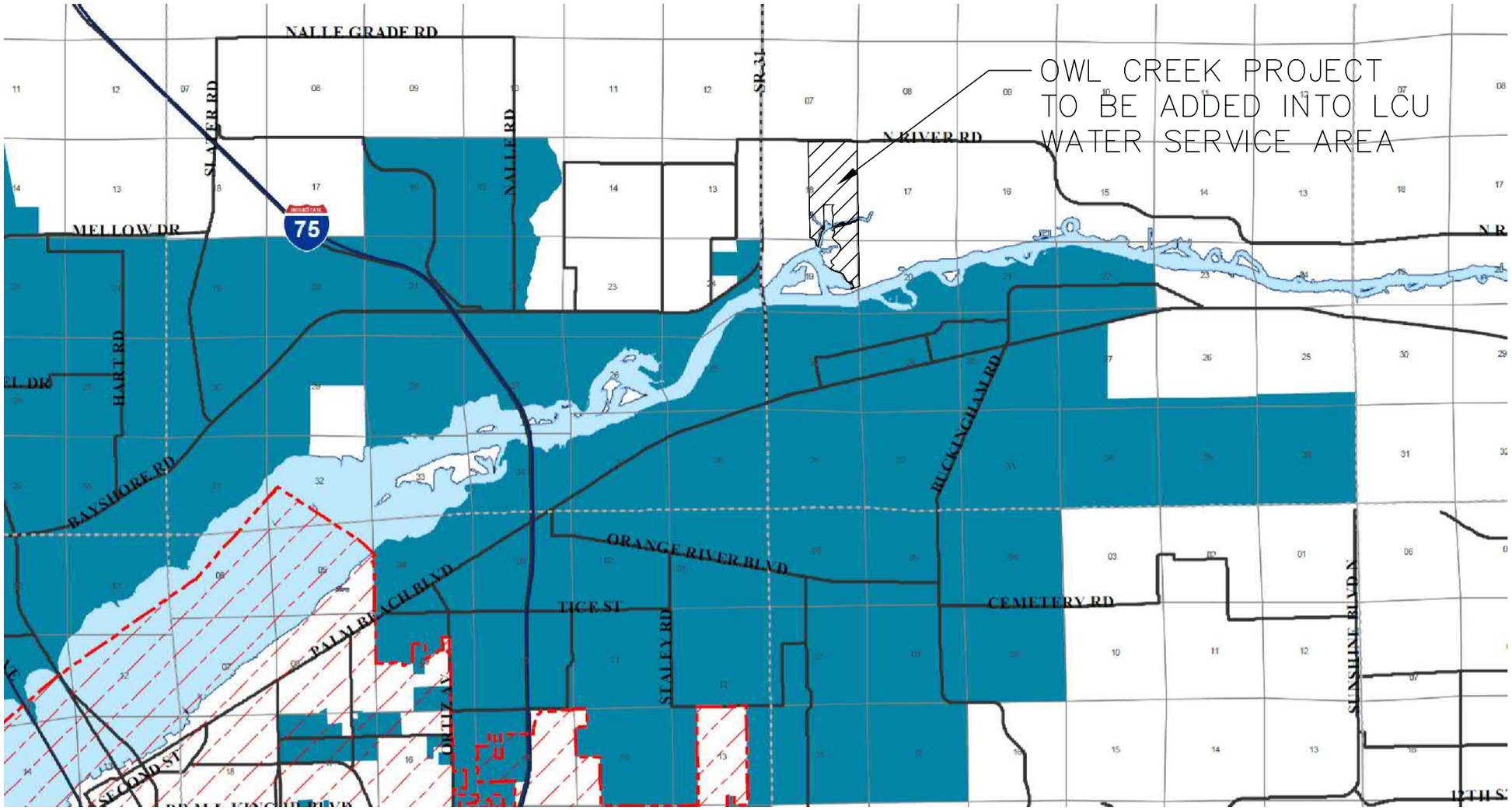
OWL CREEK

LEE COUNTY, FLORIDA

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06/26/2020	8504					1"=300'	1

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Amendment to Lee Plan Map 6 – Future Water Service Areas



N

Legend

- Future Water Service Areas Map
- City Limits

S:\JOBS\85XX\8504\EXHIBITS\8504_LEE MAP 6.DWG 9/8/2020 8:03 AM KEVIN GONZALEZ

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LEE PLAN MAP 6 - FUTURE WATER SERVICE AREAS

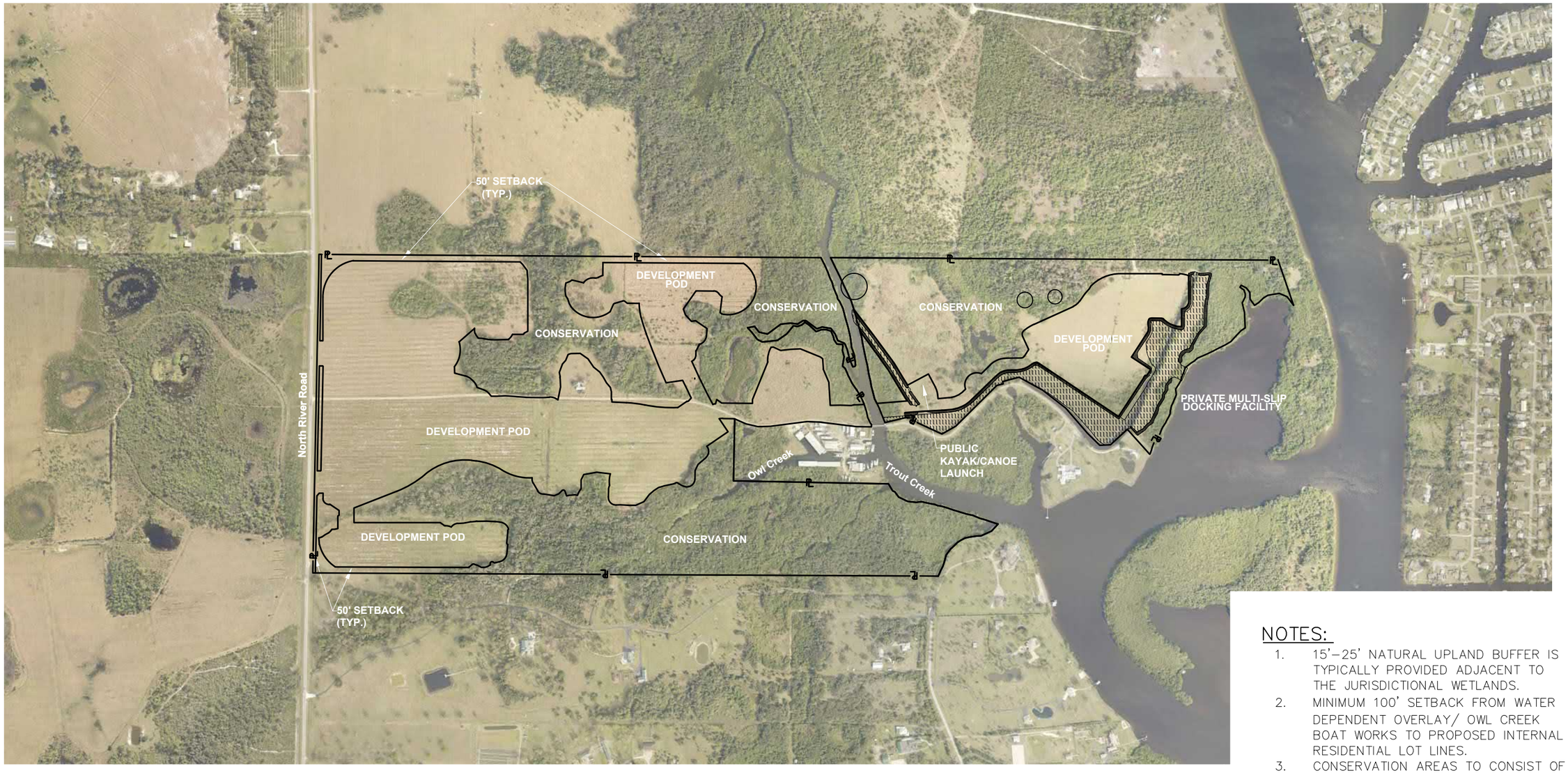
OWL CREEK

LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
09/08/2020	8504	_EXHIBIT	KG	KG	DRU	N.T.S.	01

Preliminary Development Footprint

CPA2020-00004
Revised August 2021



NOTES:

1. 15'–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.
3. CONSERVATION AREAS TO CONSIST OF PRESERVATION AND/OR RESTORATION OF WETLANDS, UPLANDS (INCLUDING RARE & UNIQUE UPLAND HABITATS) AND FLOW–WAYS/SURFACE WATERS/OTHER SURFACE WATERS.

LEGEND:

- APPROXIMATE PRESERVED HISTORICAL SITE
- DEVELOPMENT BOUNDARY
- PROPERTY LINE

NO.	DATE	REVISION DESCRIPTION	BY
2	08/09/2021	REVISED SUBMITTAL	KG
01	3/23/2021	SUFFICIENCY RESPONSE	KG

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PRELIMINARY DEVELOPMENT FOOTPRINT

OWL CREEK RESERVE

LEE COUNTY, FLORIDA

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Hurricane Evacuation Analysis

Revised August 2021

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

August 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 place the property within the Lee County Utilities Future Water Service Area to allow for privately funded expansion of water service and to provide incentives to encourage wetland preservation and rare and unique upland habitat preservation or restoration for clustered developments utilizing the planned development process within the North Olga Planning Community to accommodate the clustered development of up to 385 single-family dwelling units and internal amenities. This request will allow an increase of 157 dwelling units from the 228 dwelling units that could be developed currently. 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. 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 a minimum of ±169.12 acres (49% 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 a minimum of 90% 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 is 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 169.12 acres of conservation easements (60% open space 90% 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

Lee County staff comments on this application has indicated that the project will not increase density in the Coastal High Hazard Area. The applicant will comply with Lee County Land Development Code (LDC) Article XI – Hurricane Preparedness Section Sec. 2-482, which applies only to development required to obtain a development order under LDC Chapter 10 and is applicable to all new residential development within unincorporated Lee County that is located in a land falling category 1, 2, or 3 storm surge area. 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 **$29,108**. 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 424 vehicles would result from the 385-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 385 dwelling unit project as proposed. Based on the methodology I applied in previous Lee County cases I have worked on the 424 evacuating vehicles is de minimis and would have no consequential impact to countywide evacuation times (5.4-minute increase).

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.

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 comply with Administrative Code 7-7 C and D "Emergency Preparedness Plan Criteria for Marinas, Multi-slip Docking Facilities, and certain residential developments". Policy/Procedure C and D will require an Emergency Preparedness Plan be submitted for the residential and marina portions of the development, respectively. These emergency preparedness plans are to be submitted to Lee County Emergency Management for review and approval by the director of the division of emergency management during the site plan approval.

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, development of emergency preparedness plans for the residents and marina, 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, 101.3.4 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, 101.3.2, 101.3.4, 101.3.5, 128.6.6, LDC.** 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 ±169.12 acres (49% of property) into a conservation easement. The project will be 60% open space and will preserve a minimum of 90% 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)**.

- Compliance with Administrative Code 7-7 C and D "Emergency Preparedness Plan Criteria for Marinas, Multi-slip Docking Facilities, and certain residential developments". These emergency preparedness plans are to be submitted to Lee County Emergency Management for review and approval by, the director of the division of emergency management during the site plan approval.

- 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).**

- LDC shelter impact mitigation payment of **$29,108 (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, 101.3.4 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**

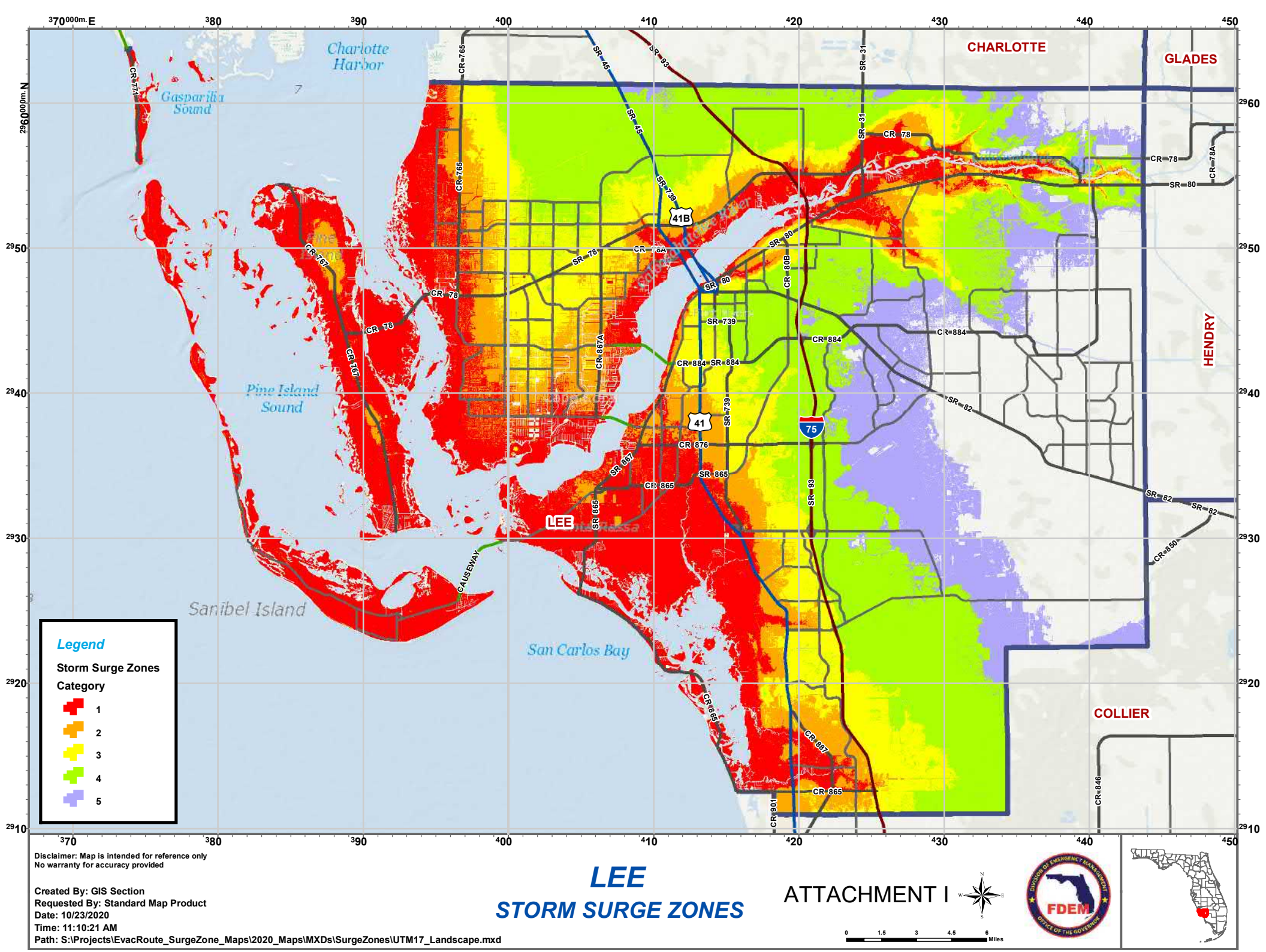
73, 95, 101, Objectives 73.1, 101.3, Policies 72.2.2, 73.2.2 and 101.3.4).

If you have any questions, please let me know.

Sincerely,



Daniel L. Trescott, MSP
President



Disclaimer: Map is intended for reference only
No warranty for accuracy provided

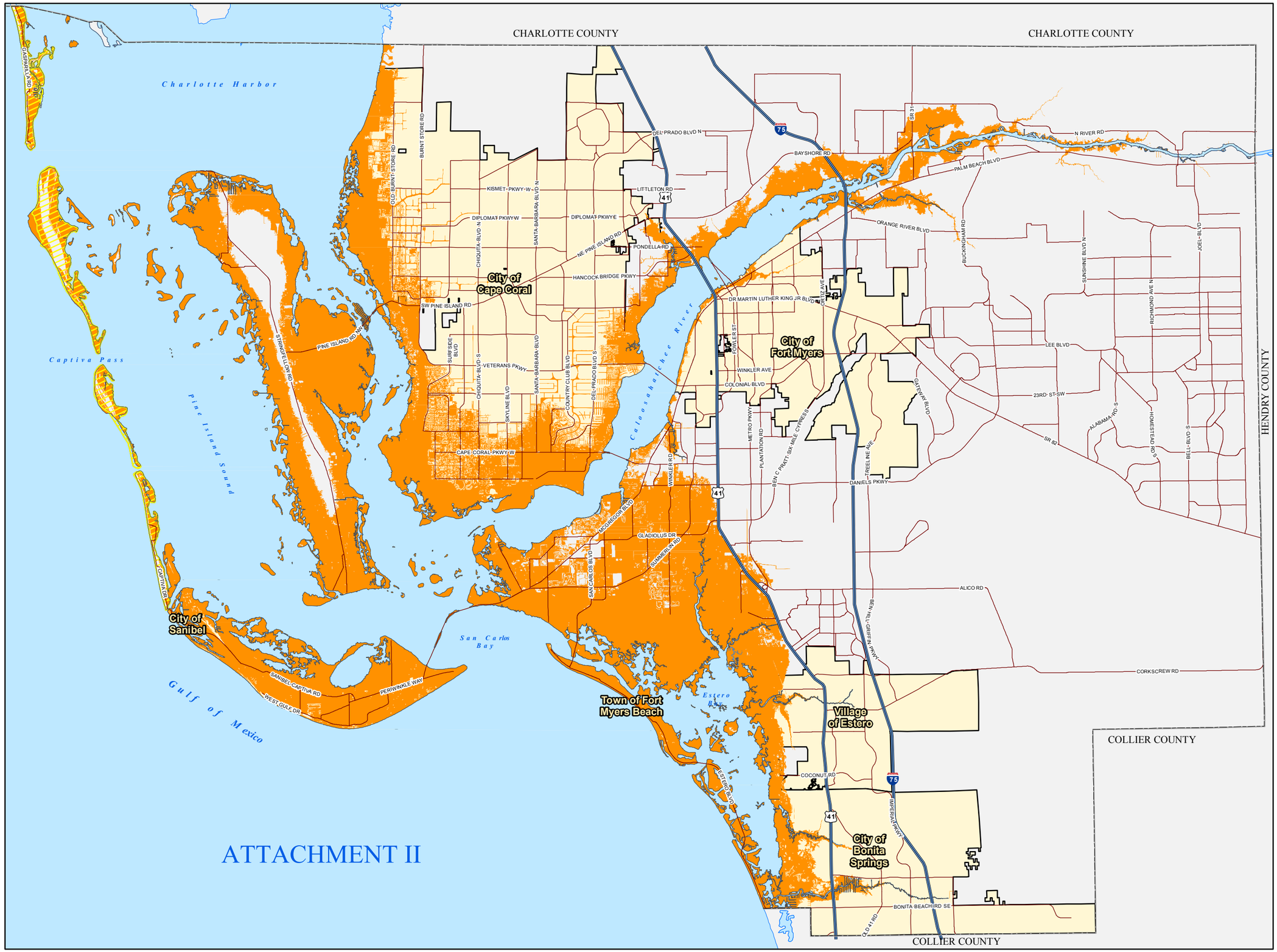
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LEE
STORM SURGE ZONES

ATTACHMENT I

0 1.5 3 4.5 6 Miles

LEE COUNTY COASTAL HIGH HAZARD AREA (CHHA) AND COASTAL BUILDING ZONE



ATTACHMENT II

Coastal High Hazard Area

Coastal Building Zone

County Line

City Limits

Lee County Southwest Florida

N W E S

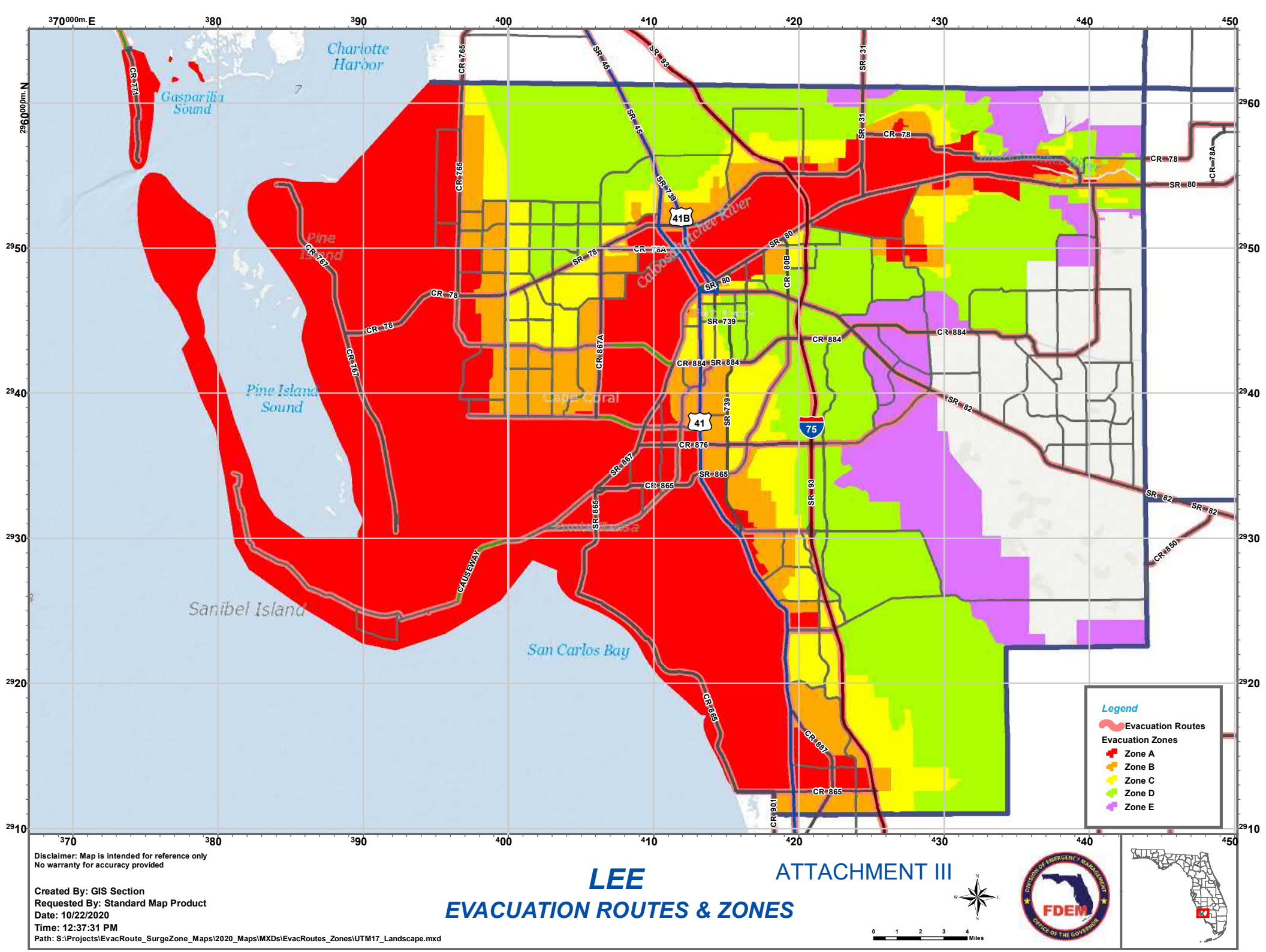
0 0.5 1 2 3 4 5 Miles

Map Generated: May 2019
City Limits current to date of map generation

Source: 2010 Evacuation Study
Florida Statewide Regional Evacuation Study
Storm Tide Atlas for Lee County

Ordinance No. 99-17, 09-17, 16-13, 18-28

Lee Plan Map 5



Disclaimer: Map is intended for reference only
No warranty for accuracy provided

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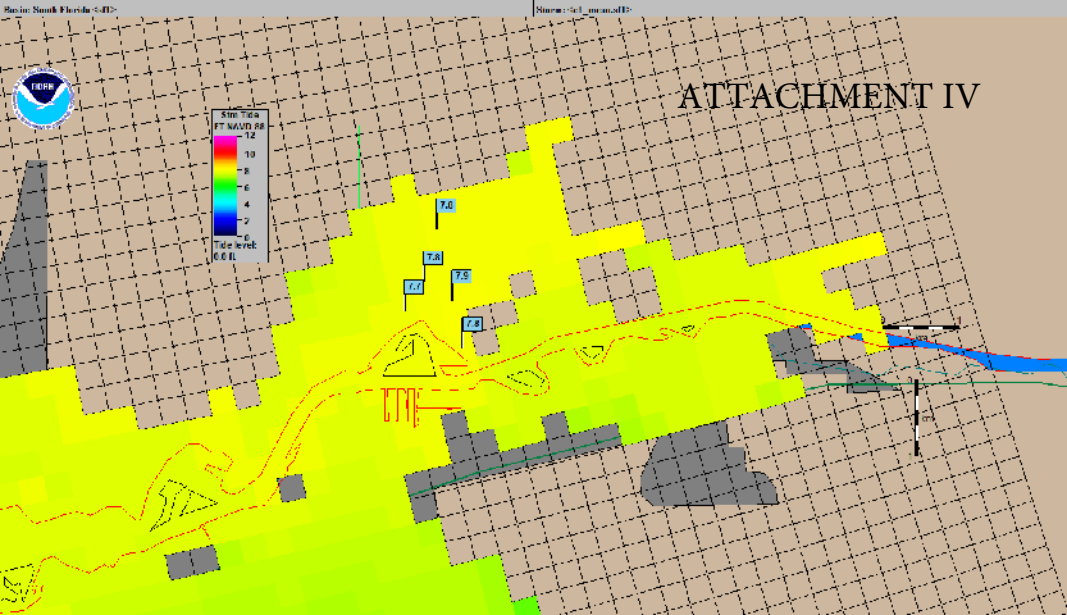
LEE

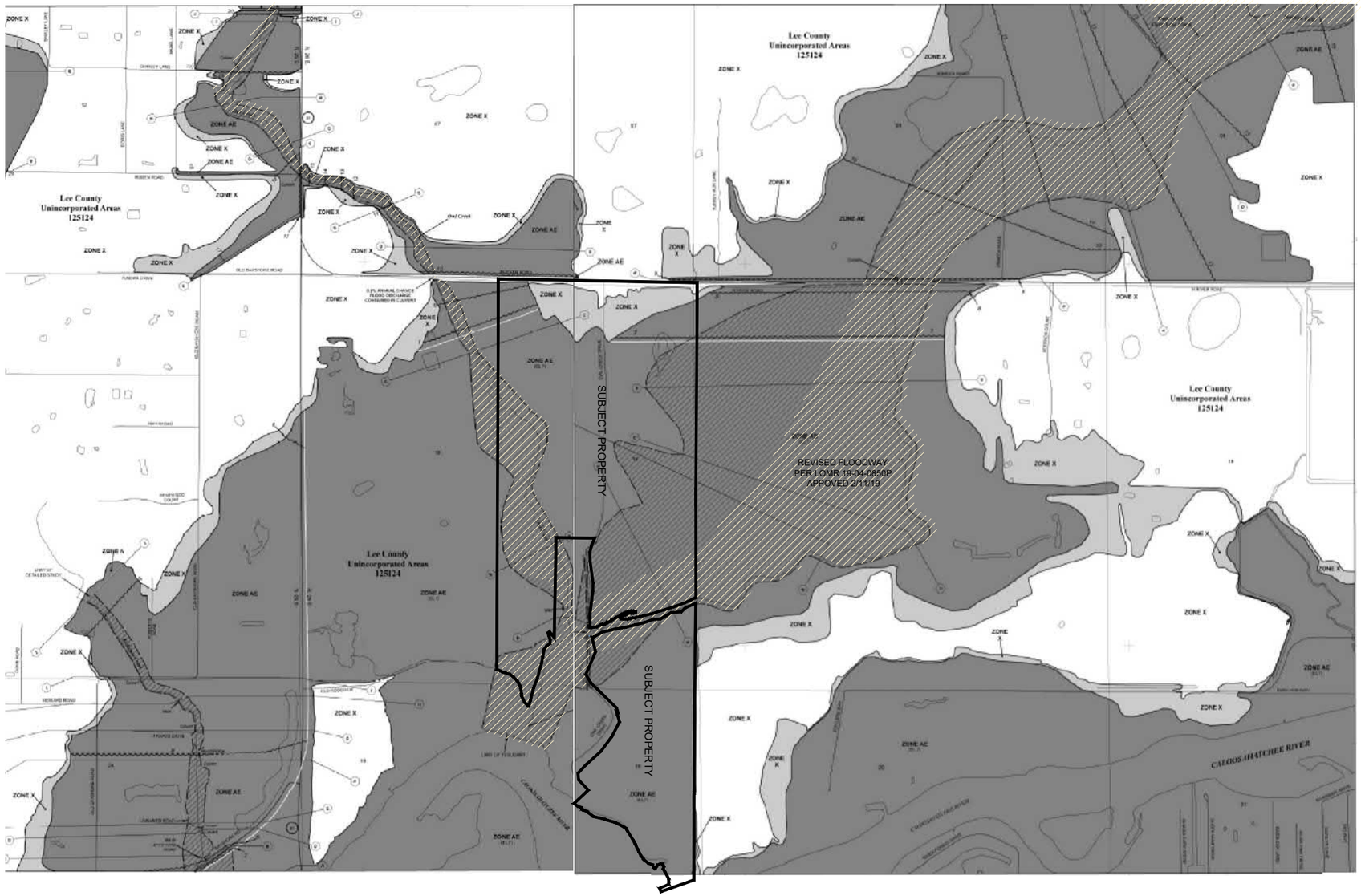
EVACUATION ROUTES & ZONES

ATTACHMENT III

0 1 2 3 4 Miles

FDEM


Basin: South Florida <.dlf>
Storm: Sel_mean.stl
Stm Tide
FT NAVD 88
12
10
8
6
4
2
0
Tide level:
0.0 ft
7.0
7.8
7.7
7.9
7.8
ATTACHMENT IV



LEGEND

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

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

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

FLOODWAY AREAS IN ZONE AE

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

OTHER FLOOD AREAS

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

OTHER AREAS

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

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

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

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

* Referenced to the North American Vertical Datum of 1988

- (A) — (A) Cross section line
- (23) — (23) Transect line
- 87°07'45", 32°22'30" — Geographic coordinates referenced to the North American Datum of 1983 (NAD 83), Western Hemisphere
- 4276000mN — 1000-meter Universal Transverse Mercator grid values, zone 17
- 600000 FT — 5000-foot grid ticks: Florida State Plane coordinate system, West zone (FIPSZONE 0902), Transverse Mercator projection
- DX5510 × — Bench mark (see explanation in Notes to Users section of this FIRM panel)
- M1.5 — River Mile

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

OWL CREEK

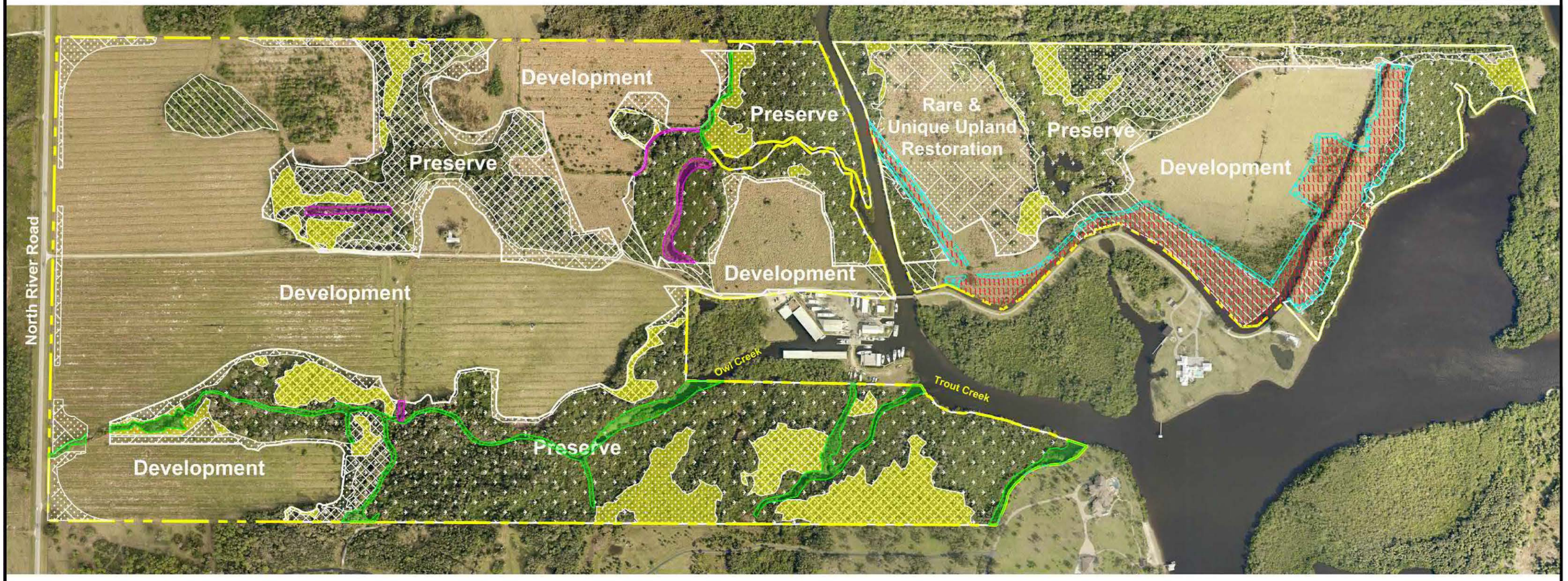
LEE COUNTY, FLORIDA

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

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

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

0 250 500
SCALE FEET



Total Wetland Preservation & Restoration (103.36 ac.)

Wetland Impact (11.48 ac.)

Rare & Unique Upland Restoration (34.80 ac.)

Surface Water Preservation (5.61 ac.)

Littoral Shelf (3.08 ac.)

Total Upland Preservation & Restoration (60.15 ac.)

Indigenous Habitat Preservation (38.28 ac.)

Rare and Unique Uplands Preservation (23.72 ac.)

Other Surface Water - Ditches Preservation (1.34 ac.)

Surface Water Restoration (13.01 ac.)

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

August 09, 2021 10:44:20 a.m.
Drawing: DRHOR455 ENHANCEMENT-PRESERVATION.DWG

Enhancement & Preservation Map

Owl Creek Reserve

DEXBENDER
ENVIRONMENTAL CONSULTING
FORT MYERS 239-334-3680

Water Resources Report

Revised August 2021

Water Resources Report
Owl Creek Reserve
North Olga, Lee County, Florida

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



AUGUST 2021

13620 Metropolis Avenue, Suite 110
Fort Myers, Florida 33912
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Figure 8. Map Showing Conceptual Monitoring Locations

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Table 2. Summary of Surface Water and Groundwater Sampling Parameters

SECTION A

EXECUTIVE SUMMARY

The Owl Creek Reserve project is a proposed residential development located in Sections 18 and 19, Township 43 South, Range 26 East in North Olga, 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 Reserve 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. The proposed project recognizes that low-density clustered 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 project 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 project 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.

Project Overview

The Owl Creek Reserve project is an approximately 340 acre proposed residential development located in Sections 18 and 19, Township 43 South, Range 26 East in North Olga, Lee County Florida within the North Olga Community Planning area. Refer to **Figure 1** for a regional location map of the project site. 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.

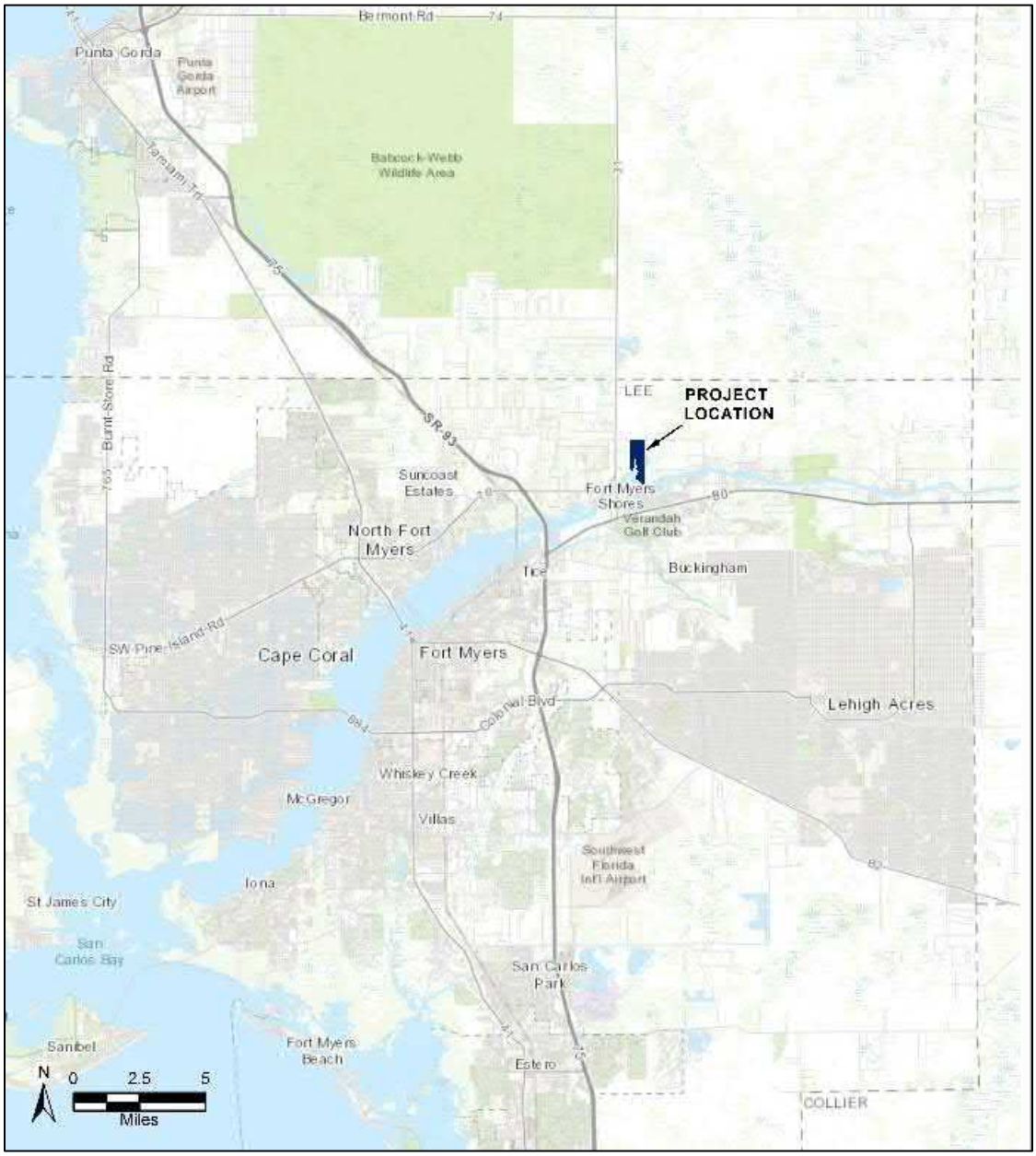


Figure 1. Location of the Owl Creek Reserve Project

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 (**Figure 2**). 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 Reserve 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 Reserve 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 when 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. The current water use permit allocatates about 0.076 million gallons on a maximum monthly basis and 0.92 million gallons on an annual average basis. 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.

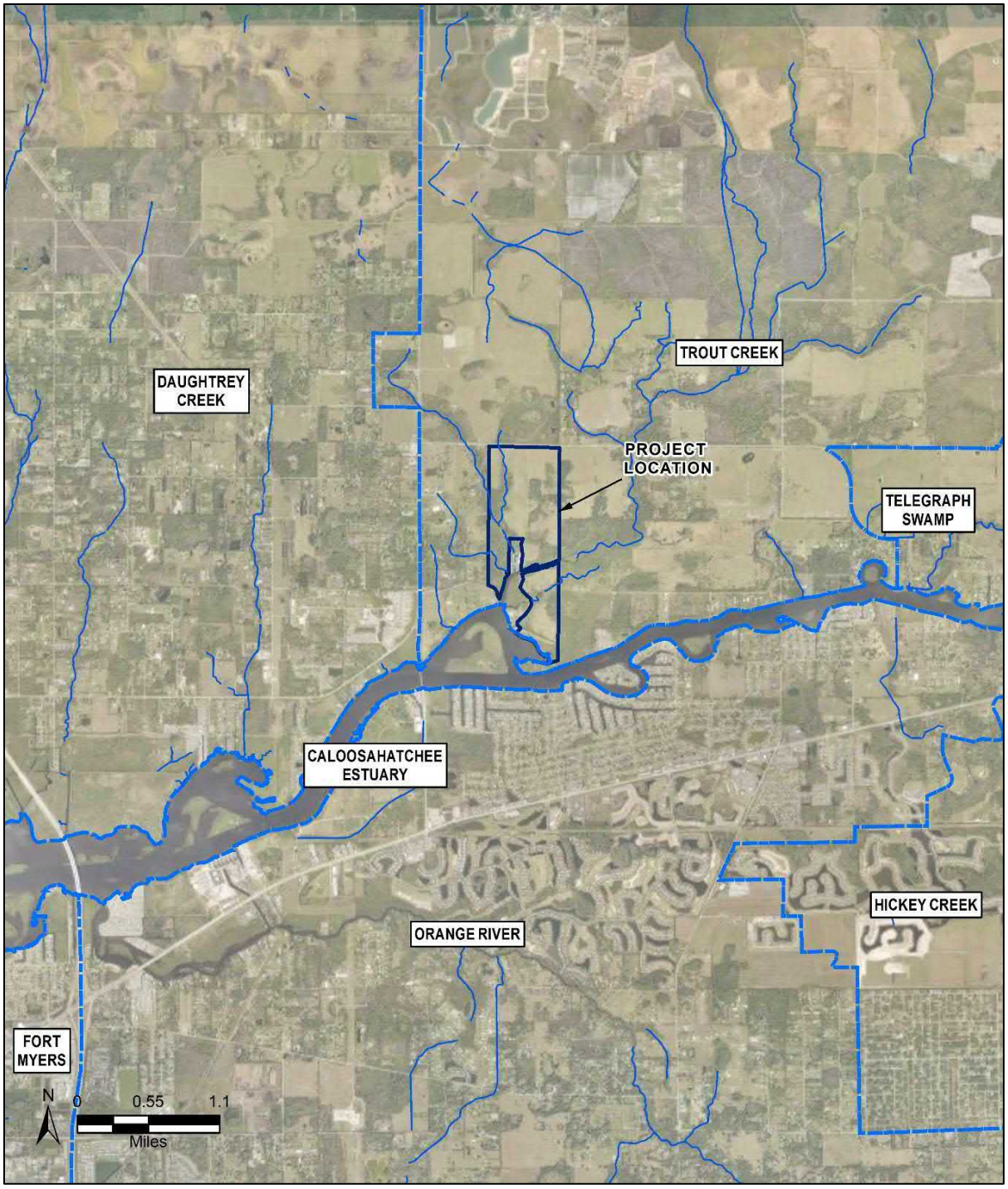


Figure 2. Owl Creek Reserve Project Site, Regional Watershed Setting

Introduction

The hydrostratigraphy underlying the Owl Creek Reserve 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.

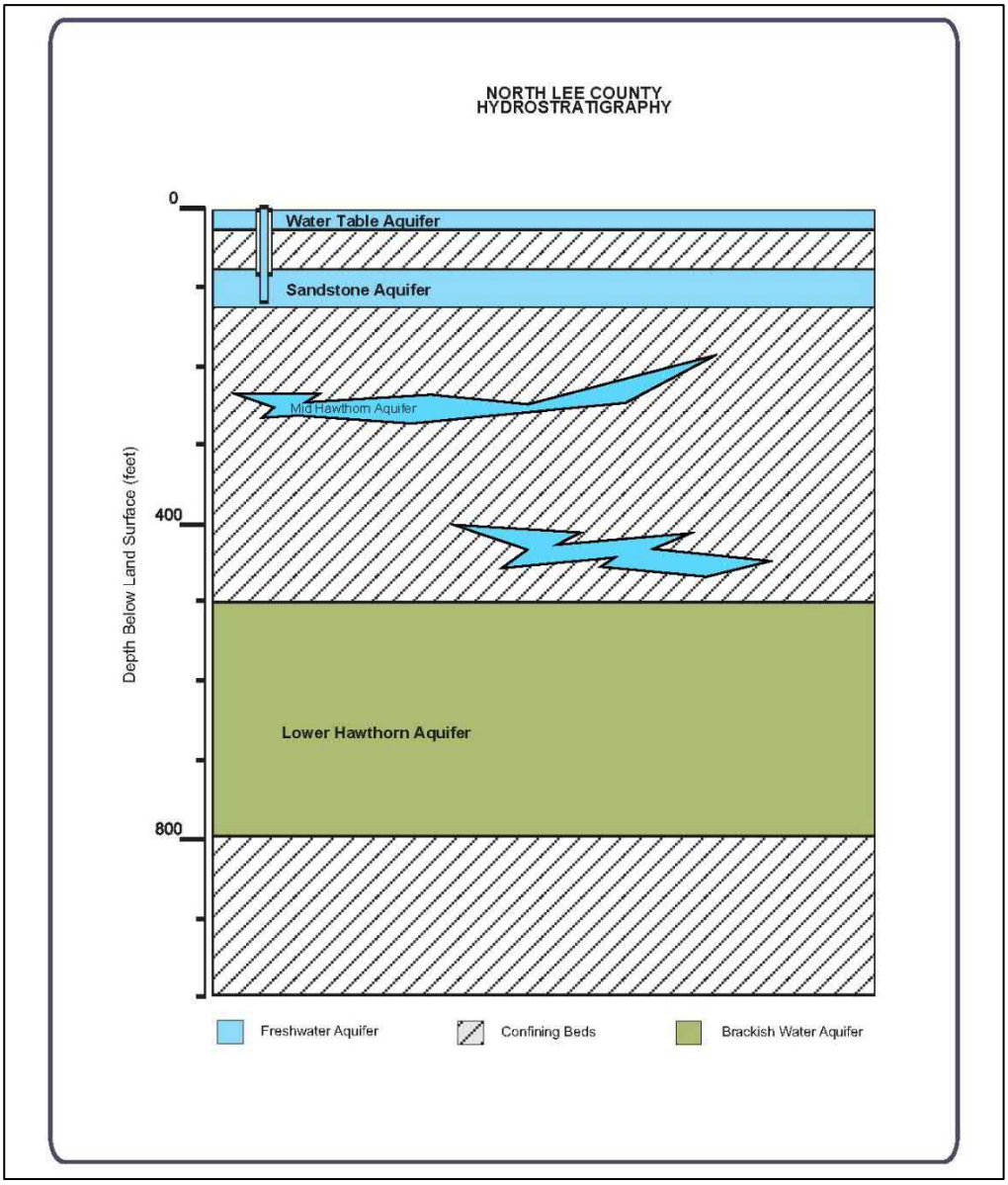


Figure 3. Aquifer System Underlying Owl Creek Reserve in North Lee County

Four primary aquifers are of significance beneath the Owl Creek Reserve 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 Reserve 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 Reserve 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 Reserve 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. Howerver, 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 Reserve project.

Mid Hawthorn Aquifer

The Mid-Hawthorn Aquiferis 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 Reserve 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 Reserve project proposes no use of the Lower Hawthorn Aquifer.

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 Reserve 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 Reserve 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.

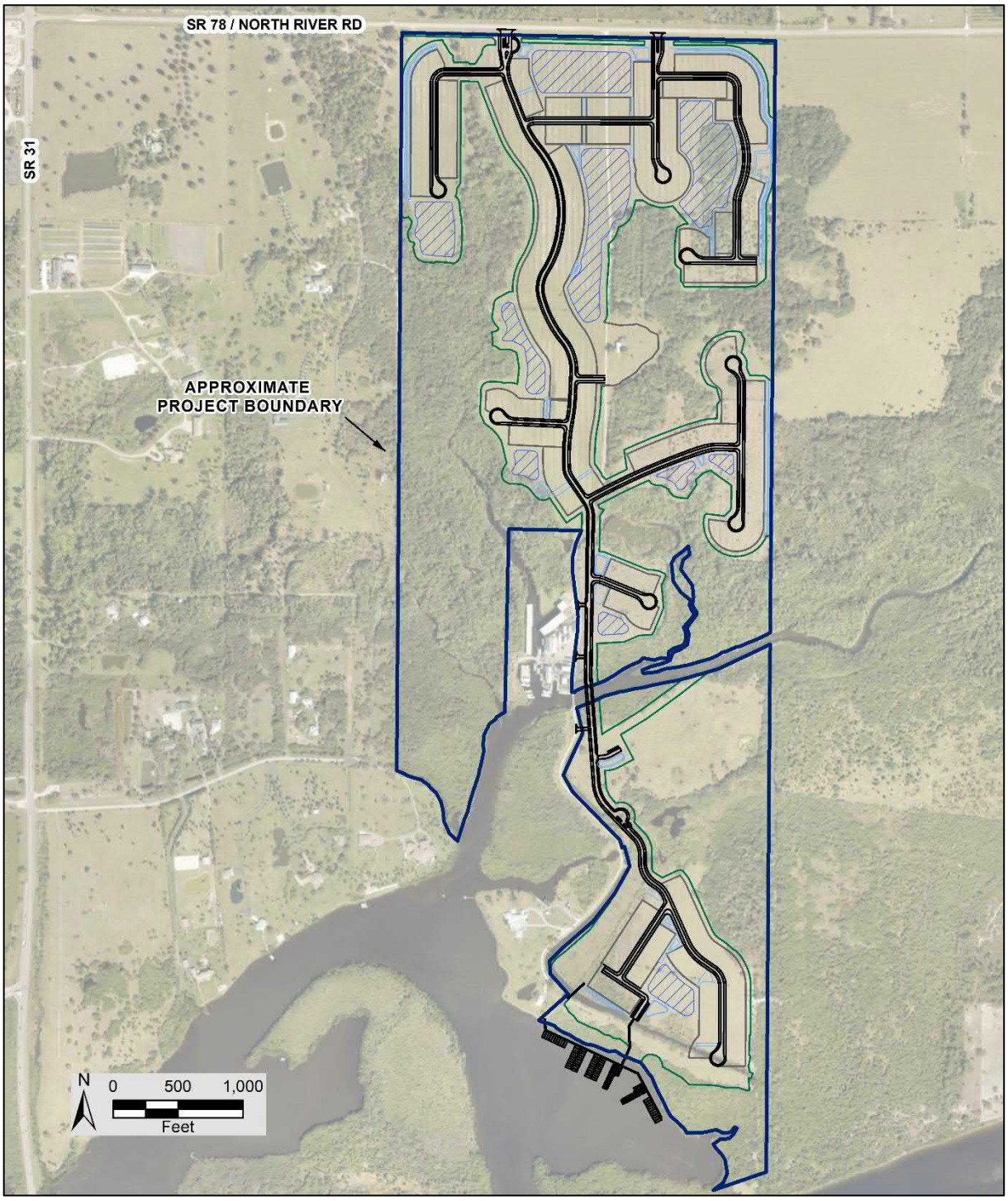


Figure 5. Conceptual Site Plan

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 Reserve 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 Reserve 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 Reserve 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. The current water use permit allocatates about 0.076 million gallons on a maximum monthly basis and 0.92 million gallons on an annual average basis. 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 Reserve 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 Reserve 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 Reserve project. Projected irrigation demands for the Owl Creek Reserve 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	Currently Permitted 36-00594-W	Proposed Total Allocations	Change from Historic Allocations	Change from Current Allocations
Maximum Monthly (MGM)	22.6 MG	0.08 MG	11.27 MG	-11.33 MG	+11.19 MG
Annual Average (MGY)	105 MG	0.92 MG	80.15 MG	-24.85 MG	+79.23 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.

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.

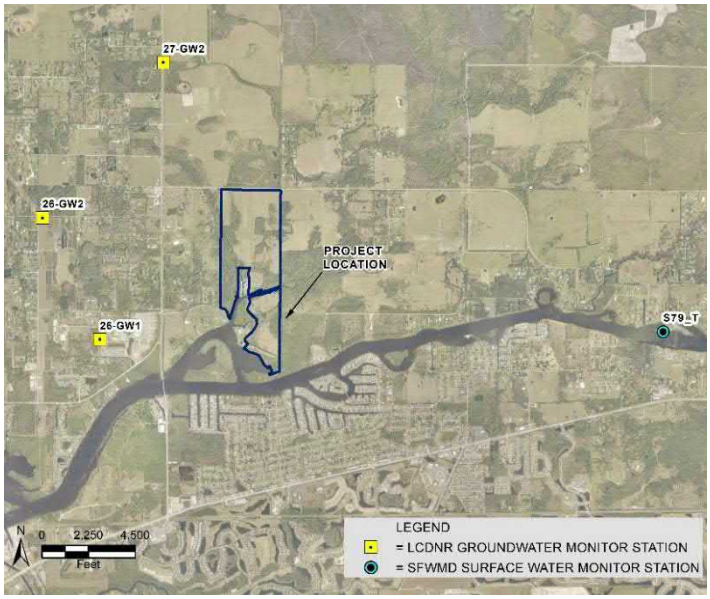


Figure 6. Location of Nearby Water Level Monitoring Stations

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-GW1 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 late1990 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.

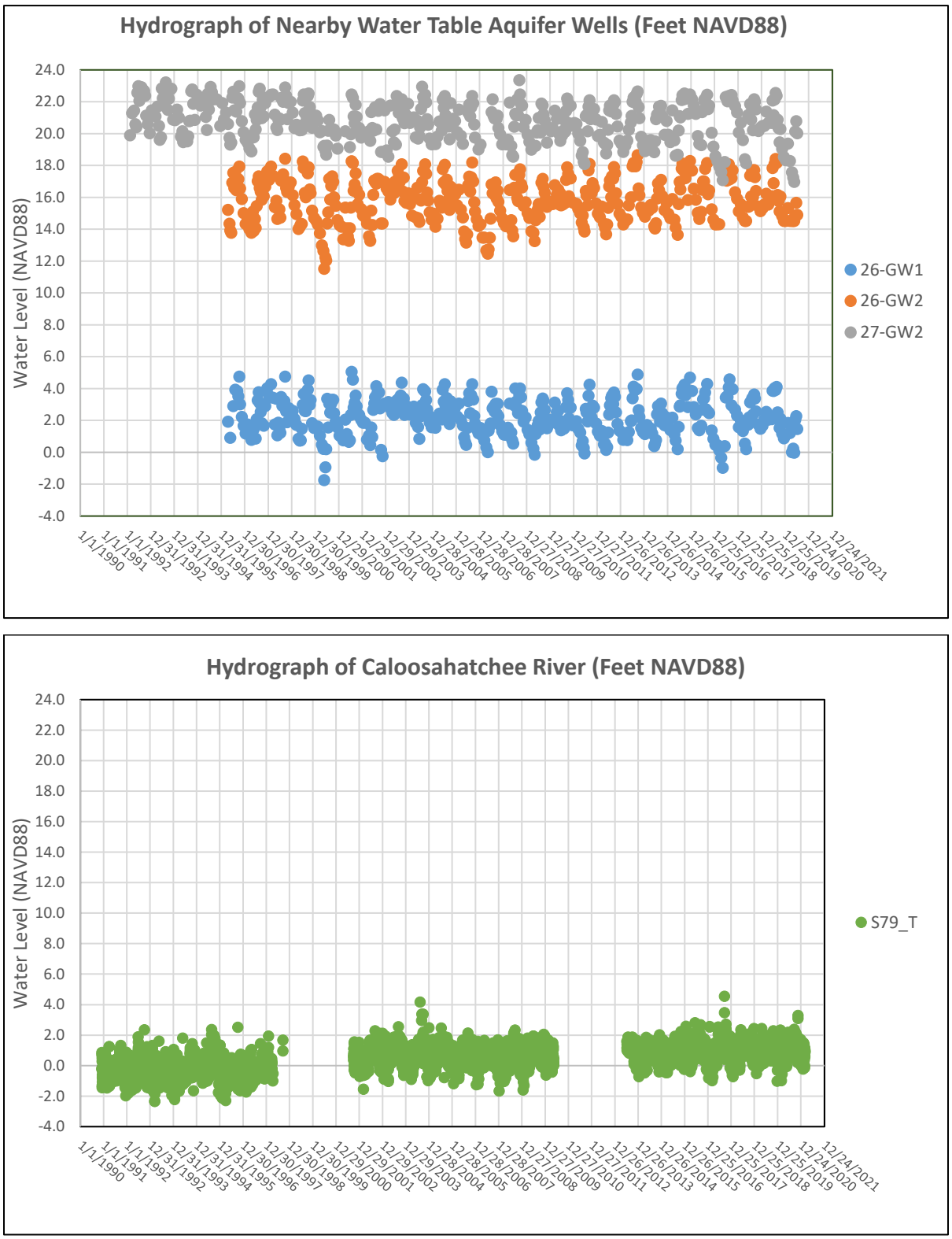


Figure 7. Hydrographs of Nearby Water Level Monitoring Stations

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 Reserve 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. Refer to **Figure 8** for a map showing the proposed monitoring locations of the Surface Water And Groundwater Monitoring Plan. 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.

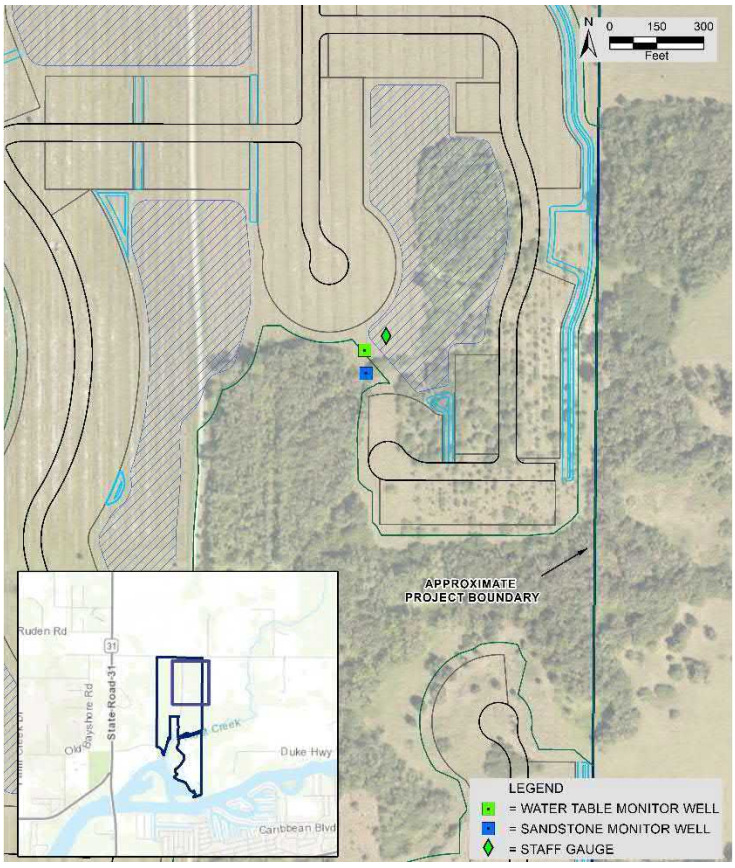


Figure 8. Map Showing Conceptual Monitoring Locations

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

STORMWATER PLANNING REPORT

PREPARED FOR:

Owl Creek Reserve Minor RPD

DCI2021-00011

Revised August 2021

DR Horton
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PREPARED BY:

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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. Owl Creek and Trout Creek flow across North River Road and through the project.

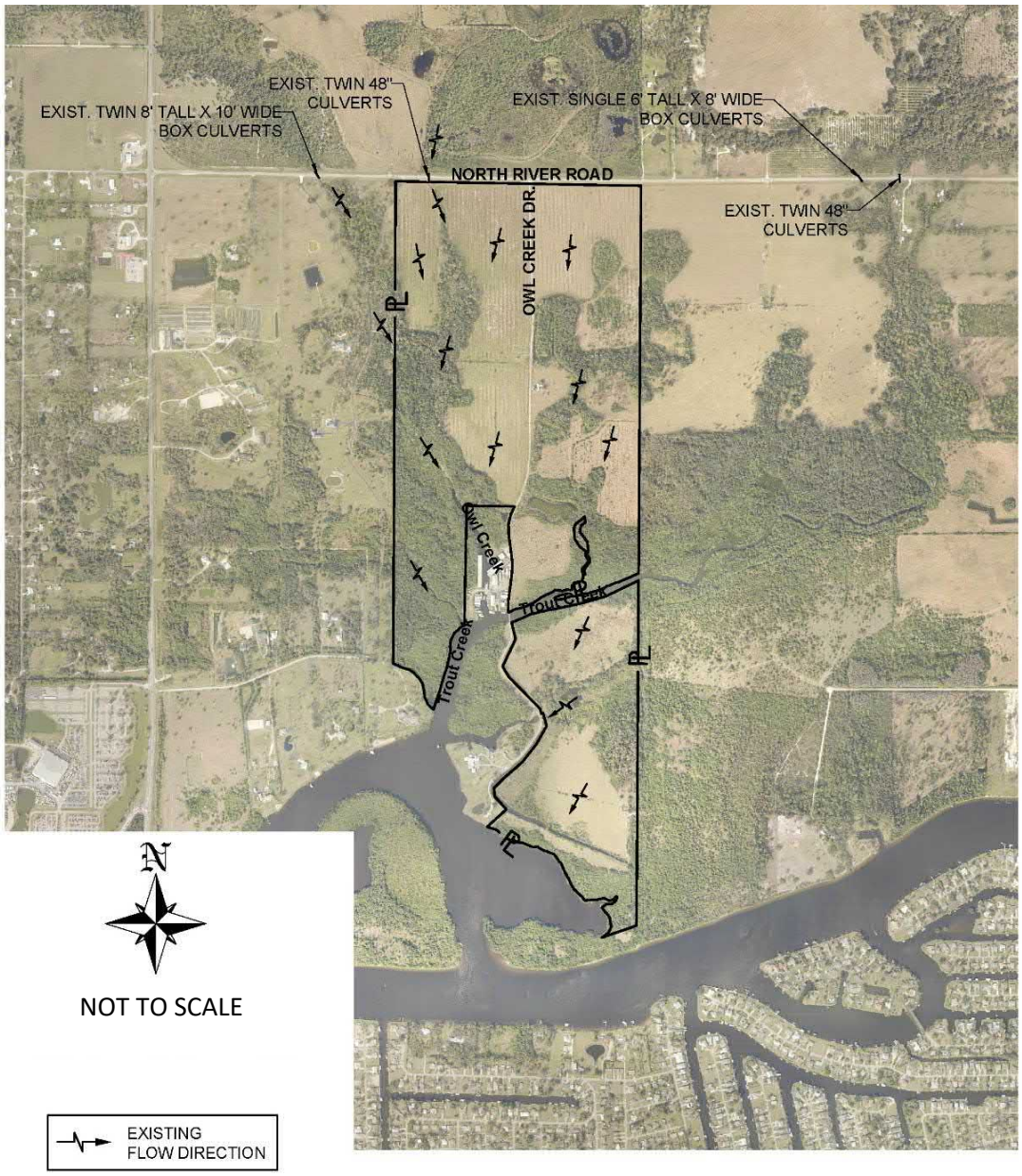


Figure 1: Existing Drainage Map

These creeks and the other onsite wetlands are shown as flow-ways in the County system (see Figure 2) and are prioritized for preservation and restoration. The elevation of the uplands south of Trout Creek range from 2'-3'. The onsite wetlands are primarily along the Trout Creek and Owl Creek. The hydroperiod of the wetlands is controlled by the water table in these creeks that drain upstream areas north of North River Road.



Figure 2: Existing and Historic Flow-ways Map

Proposed Water Management System

The proposed ***Owl Creek*** project will provide significant wetland and upland preservation and restoration areas with 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 (See Figure 3).



Figure 3: Post Development Historic Flow-ways Map

The natural wetlands and the offsite flows are being preserved with only minimal impacts where unavoidable. The wetland preserves will not be part of the controlled surface water management system. This will allow the offsite flows to pass through the site without being affected by the project. The storm water management system has been designed to mimic the natural sheet flow pattern. The discharge from the storm water management system basins from the developed site will be controlled and will be limited to predevelopment discharge rates and directed to mimic natural flows. The discharge from the storm water system will help to hydrate the wetland systems and improve water levels. These wetland systems can provide additional polishing of runoff prior to entering the natural waterways functioning as a filter marsh. No negative impacts to water levels or wetland hydroperiods are expected.

The water management system will include both wet and dry detention areas planted with wetland plant species. Runoff from the developed site will be routed to these detention areas for treatment and storage (See Figure 4). 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 planted 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, and therefore improving the discharges to the wetlands.

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.

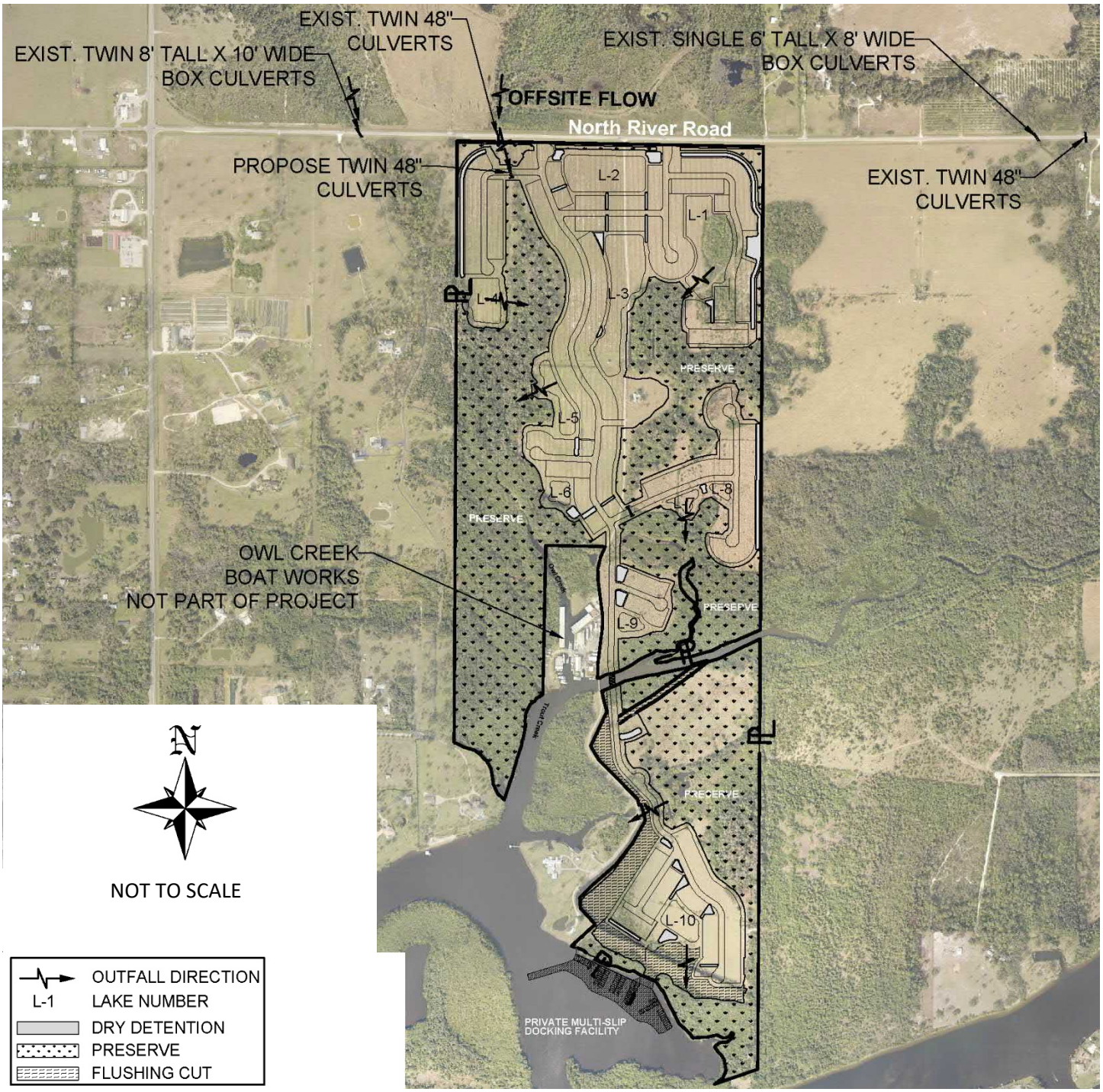


Figure 4: Post Development Drainage Map

FEMA Floodplain - Pre-Development

The project is located within the FEMA (Federal Emergency Management Agency) 100-year floodplain. The project includes the Owl Creek on the west side and the Trout Creek on the southeastern side of the proposed site. These natural creeks flow through the project. The creeks are tidally influenced by the Caloosahatchee in the project area and the FEMA elevations

with the Floodway range from 0.90' to 9.00'. These flood elevations for the rainfall driven flood event were obtained from the 2018 FEMA FIS (Flood Insurance Study) for Lee County. These creeks and the adjacent lands are also part of the regulatory FEMA flow-way adopted by FEMA and Lee County in 2008 (See Figure 5). These flow-way areas represent the historic floodplain and can not be filled unless the floodplain impacts are reviewed and approved by FEMA or the floodplain manager. Fema assumes that the flow-way area is the conveyance for the creek, and that all the property surrounding the flow-way has been filled and is not available for drainage.

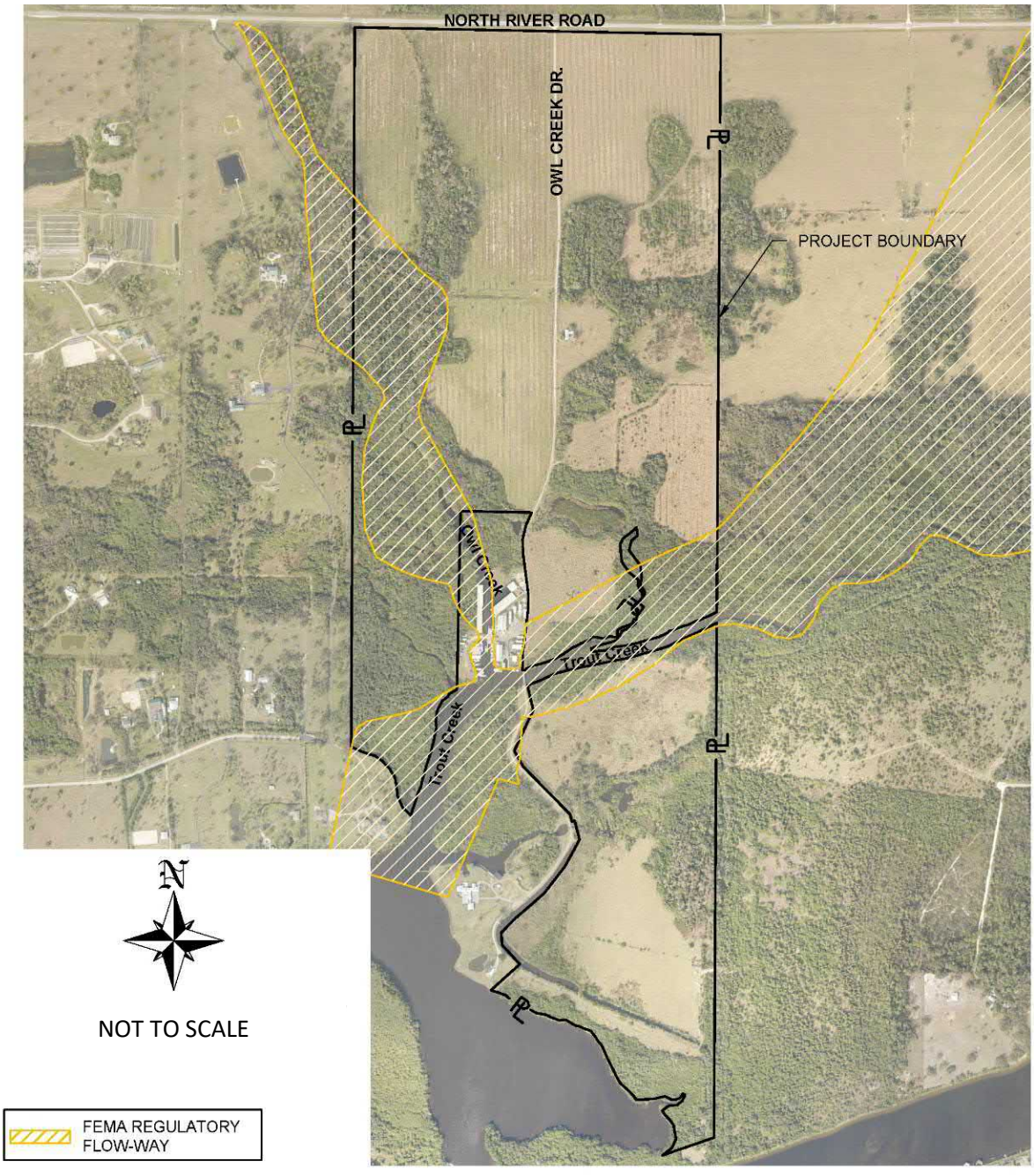


Figure 5: Existing FEMA Flow-way Map

The elevations from the FEMA models do not top North River Road in the project area. Therefore, the offsite flows must pass through the culverts under the road. There are twin 8'x10' box culverts across North River Road at Owl Creek and a 6'x8' box culvert across North River Road at Trout Creek. The flow-way is hundreds of feet wide and has significantly more flow capacity than the culverts.

Recently FEMA has completed (not implemented) the Unincorporated Lee County Coastal Risk MAP, which according to the Lee County website "builds on the previous Map Modernization program with a closer consideration of coastal wave action.". FEMA and the local jurisdictions have coordinated proactively on flood map updates in 2008, 2012 and 2018. The new Risk Map also "used storm surge and wave analysis models to update flood zones and base flood elevations for coastal areas and the banks of the Caloosahatchee River." The new Risk Map categorizes the proposed project area as Coastal A, rather than AE (See Figure 6) and eliminates the FEMA floodway within the Coastal A zone. These Coastal A areas are within the Limit of Moderate Wave Action (LiMWA) inside of which the wave action can be as high as 1.5 ft. The proposed project falls inside this limit and this wave action during flooding is indicative of a tidally influenced flood area. Filling in these tidal areas does not affect upstream flood elevations.

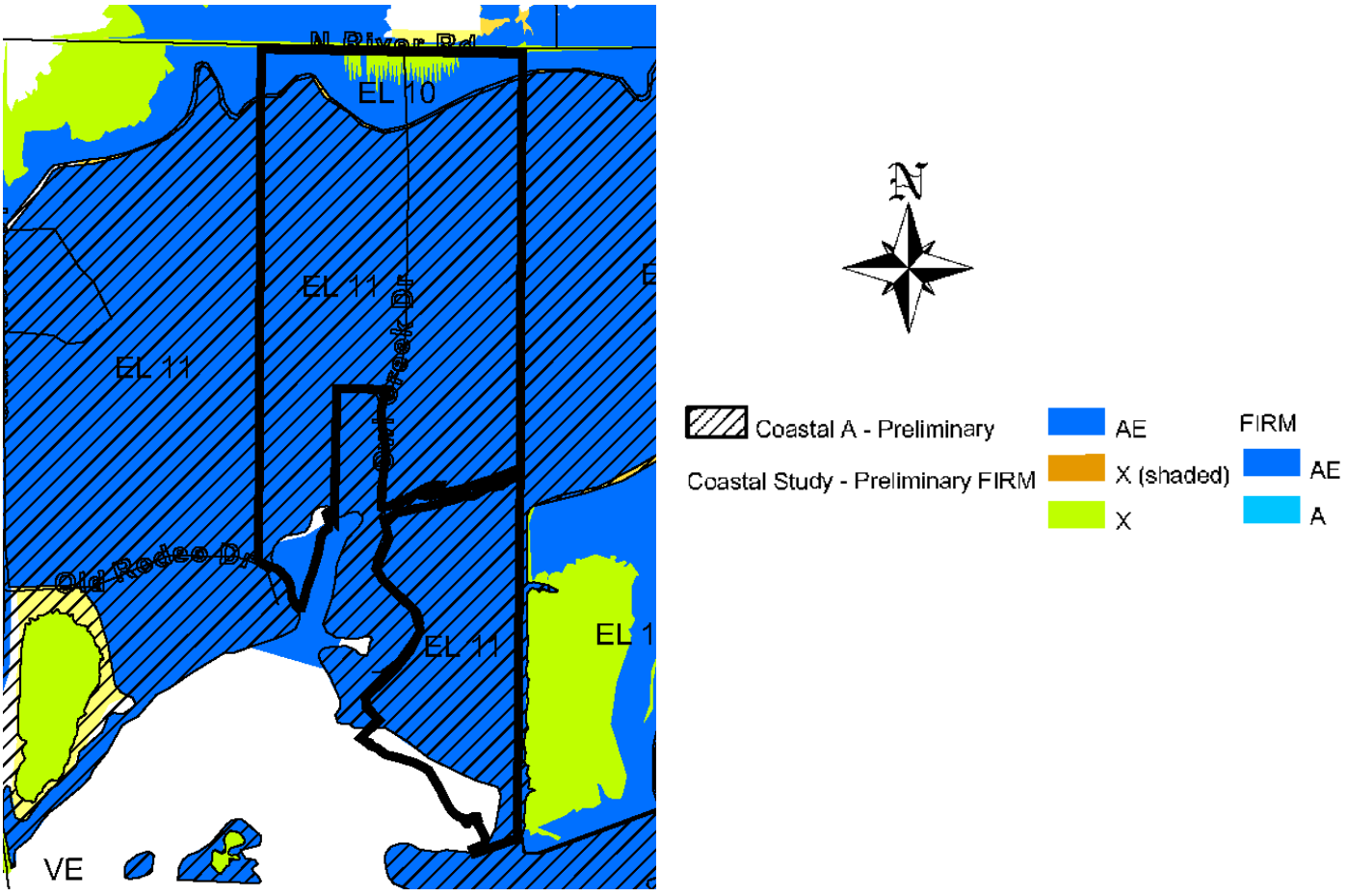


Figure 6: Preliminary Proposed FEMA Map (not implemented)

FEMA Flood Plain – Post Development

In the proposed project of 342.68-acres a total of almost 200 acres of wetlands, easements, and open space will not be developed. The areas currently serve as a collection and distribution system for runoff, and these drainage corridors (Trout Creek and Owl Creek) will be preserved. We believe that by the time the project is fully permitted and developed, the new FEMA study will be in affect. If not, the site plan can be adjusted to eliminate any encroachments into the regulatory flow-way on the current FEMA maps (See Figure 7). The Owl Creek project will comply with the requirements of the FEMA map in affect at the time of Development Order permitting.

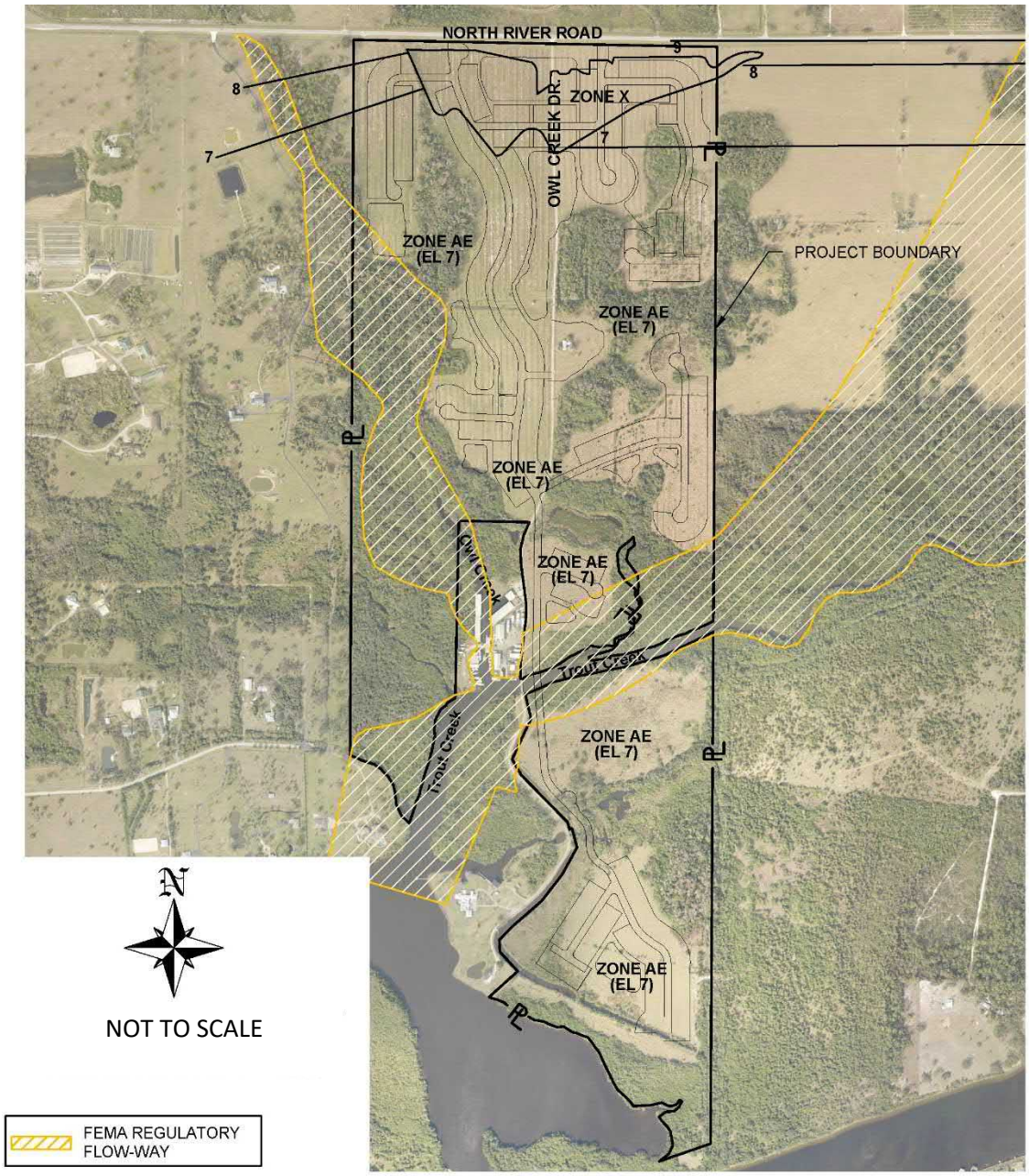


Figure 7: Post Development FEMA Flow-way

Indigenous Habitat Management Plan

Owl Creek Reserve

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

Indigenous Habitat Management Plan

August 2021

Prepared for:

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Introduction

The applicant proposes to construct a residential community at this location. This will include home sites, an amenity center, roads, a surface water management system, and a 169.12± acre wetland/upland preservation and upland restoration, and surface water areas. The preserved and enhanced indigenous and non-indigenous habitat areas are located throughout the site.

The goal of the wetland mitigation plan is to enhance or restore and preserve 169.12± acres of wetlands, uplands, and surface waters to meet Lee County Land Development Code Chapter 10-415 and to mitigate for impacts to wetlands and wildlife habitat. Exotics (as defined by the Florida Exotic Pest Plant Council's List of Invasive Species, Categories 1 and 2), which are present within the proposed preserves, will be removed to re-establish functional wetland and upland ecosystems.

The Owl Creek property has the potential to have a vital significance to wildlife, as it is located at the southern extent of the Owl and Trout Creek Wildlife Corridors. The preservation areas will become part of a contiguous wetland and upland corridor and flowway along Trout and Owl Creeks (Figure 1). The Trout Creek Wildlife Corridor connects the subject parcel to Babcock and Lee County (Telegraph Creek Preserve) Conservation Lands. Unfortunately, the current land use practices within the property and exotic vegetation infestation significantly diminish wildlife utilization. The indigenous habitat management plan (IHMP) provides an avenue for the enhancement and preservation of this important piece of land.

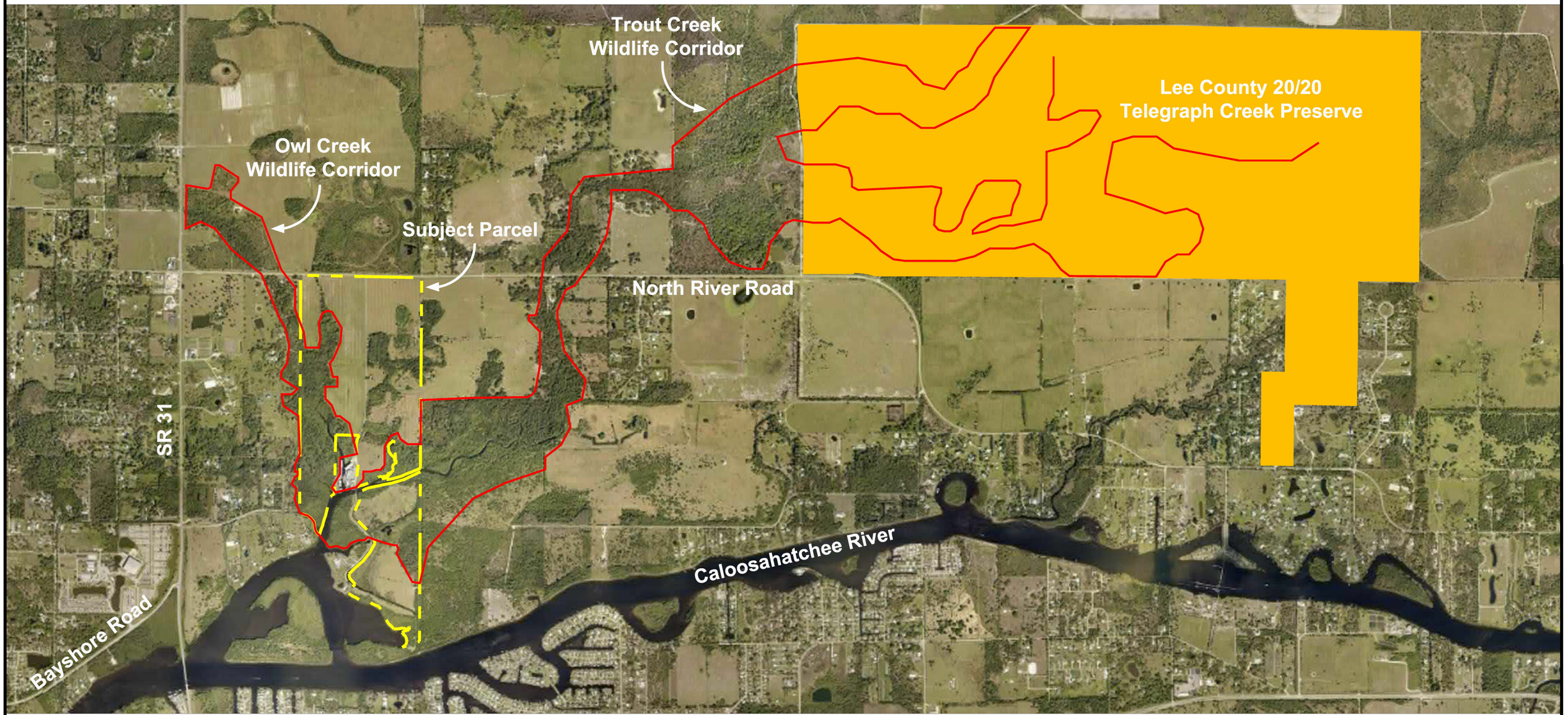
The wetland preservation areas consist of willow and forested habitats that contain moderate to high densities of exotics, primarily Brazilian pepper. The site development plan was designed to preserve the wetlands throughout the site which are adjacent to Owl and Trout Creeks. The majority of these areas consist of wetland forest and live oak habitats invaded by exotics. The proposed activities in the wetland mitigation area and the elimination of the exotic species seed source will result in a net improvement for the plant communities onsite. The rare and unique upland restoration areas consist of upland pasture and disturbed upland areas. The wetland restoration areas currently consist of hydric pasture and upland pasture. Each aspect of the plan is described below.

Preservation

Approximately 103.36 acres of wetlands and 25.35 acres of uplands will be preserved as shown on the Enhancement and Preservation Map (Figure 2). All exotic and nuisance species (defined per LDC Sec. 10-420(f) and Category I and II species on the Florida Exotic Pest Plant Council's List of Invasive Species) within these wetlands and uplands will be treated. Non-native trees and shrubs will be cut by chainsaw or machete just above natural grade and the stump treated with an appropriate herbicide suitable for aquatic application. Treatment will occur immediately following cutting to ensure maximal uptake of the herbicide. All preserved wetland and upland areas will have the resulting vegetative material from the Conservation Easement and disposed of in accordance with local regulations. If non-woody exotics, such as cattail, are present within the preserve

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

0 250 500
SCALE FEET



Notes:
1. Owl Creek development property boundary was obtained from Banks Engineering.
2. Telegraph Creek Preserve property boundary is approximate and was obtained from the Lee County Property Appraisers website.
3. Mapping based on photointerpretation of 2019 aerial photography and ground truthing in February 2020.

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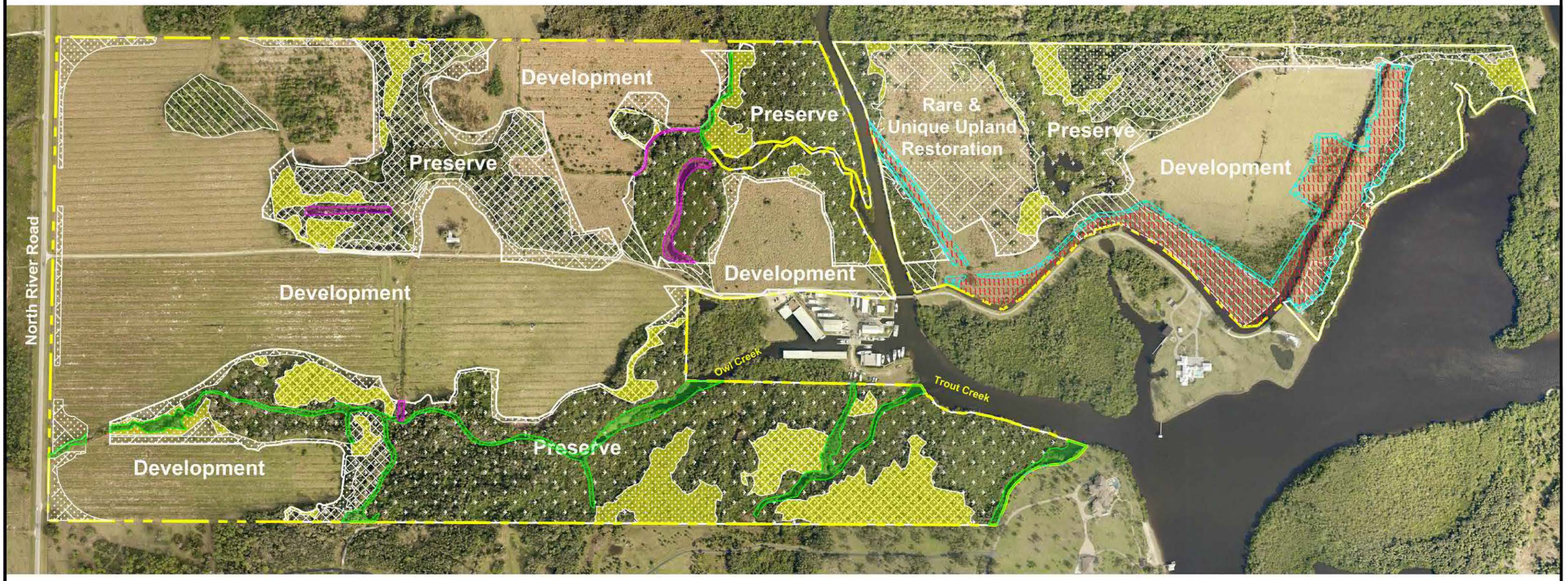
Figure 1. Owl Creek Wildlife Corridor Map

Owl Creek Parcel

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

0 250 500
SCALE FEET



Total Wetland Preservation & Restoration (103.36 ac.)

Wetland Impact (11.48 ac.)

Rare & Unique Upland Restoration (34.80 ac.)

Surface Water Preservation (5.61 ac.)

Littoral Shelf (3.08 ac.)

Total Upland Preservation & Restoration (60.15 ac.)

Indigenous Habitat Preservation (38.28 ac.)

Rare and Unique Uplands Preservation (23.72 ac.)

Other Surface Water - Ditches Preservation (1.34 ac.)

Surface Water Restoration (13.01 ac.)

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

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Figure 2. Enhancement & Preservation Map

Owl Creek Reserve

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they will be treated by a foliar application of an appropriate herbicide suitable for aquatic application. Herbicides will be used in strict accordance with label directions by trained applicators. Care will be taken to reduce damage to non-target native species to the maximum extent practical.

The owner or his designee shall conduct vegetation control through the management of exotic, invasive and nuisance vegetation. Treatment efforts of the forested and herbaceous areas will include removal, monitoring and maintenance of invasive vegetation. The primary species to be eradicated include melaleuca, Brazilian pepper, and torpedograss.

Exotic control of melaleuca and Brazilian pepper will be accomplished by chainsaw or machete. Large trees (greater than four-inch diameter at breast height (DBH)) may be girdled and killed in place with a stump specific herbicide suitable for aquatic application. The four inch DBH and smaller trees and shrubs will be cut just above natural grade and the stump treated with an appropriate herbicide suitable for aquatic application. The resulting vegetative material will be disposed of by one or more of the following methods: 1) cut into four to six feet sections and stacked on the ground with alternating layers of trees at right angles to each other (log cabin) with the stacks no higher than 5± feet, 2) cut and placed into piles (tee-pee) with piles spaced a minimum of 100± feet apart, 3) where exotic density is less than 25 percent the exotics may be cut into two to four foot sections and scattered on the ground, and 4) woody exotic vegetation may be removed from the preserves. Herbicides will be used in strict accordance with label directions by trained applicators. Care will be taken to reduce damage to non-target native species to the maximum extent practical. Access for the initial exotic vegetation treatment to the indigenous vegetation preserves will be via the existing farm fields.

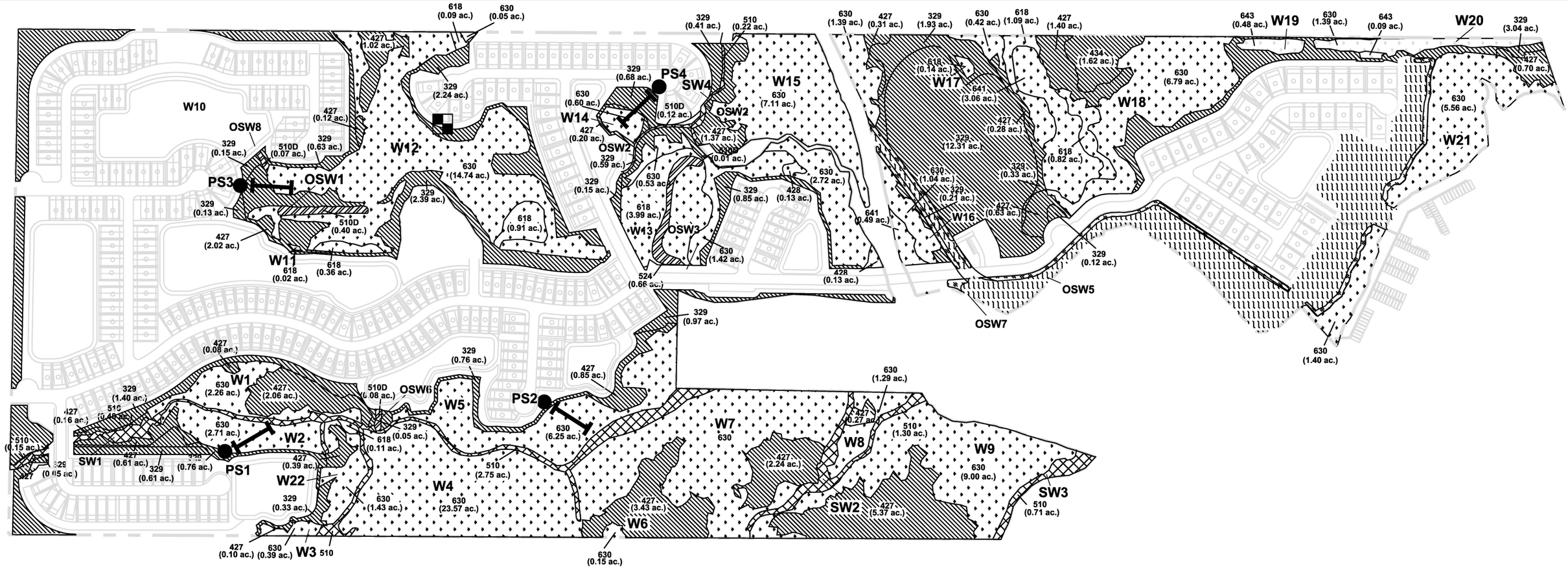
Coverage by exotic vegetation within the indigenous vegetation preserve areas will be maintained below five percent aerial cover. A marker dye will be added to the spray solution to help visualize where the solution is being applied. An appropriately licensed herbicide applicator will supervise the crew. Herbicides will be used carefully in accordance with the label provided.

Restoration

Approximately 34.8 acres of existing upland pastures and disturbed uplands will be restored to Rare and Unique Uplands as shown on the Indigenous Habitat Management Plan Map (Figure 3). The restoration area will be planted with native ground cover and trees, as listed in the Restoration Planting Table (Table 1). The final species list will be based upon site specific conditions and on plant material availability at the time of planting. A total of 4,809 trees, 4,809 shrubs, and 24,348 herbaceous plants will be planted in the restoration area shown on the attached Indigenous Habitat Management Plan Map. Cabbage palms from the development footprint may be relocated and used for the restoration planting plan below.

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

0 250 500
SCALE FEET



Total Wetland Preservation & Restoration (103.36 ac.)

Total Upland Preservation & Restoration (60.15 ac.)

Preserved Other Surface Water (1.34 ac.)

Preserved Surface Water (5.61 ac.)

Littoral Shelf (3.08 ac.)

Surface Water Restoration (13.01 ac.)

Photo Station (PS)(6)

Peizometer (2)

FLUCCS	Description	Acreage
329	Shrub and Brush	34.81 ac.
427	Live Oak	23.72 ac.
428	Cabbage Palm	0.26 ac.
434	Hardwood- Coniferous Mixed	1.62 ac.
510	Streams and Waterways	5.61 ac.
510D	Ditches	0.68 ac.
524	Lakes less than 10 acres which are dominant features	0.66 ac.
618	Willow	7.53 ac.
630	Wetland Forested Mixed	92.01 ac.
641	Freshwater Marsh	3.57 ac.
643	Wet Prairies	0.57 ac.
	Total	171.04 ac.

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.
4. FLUCCS table includes preserved wetlands, surface waters, other surface waters, and uplands.

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Figure 3. Indigenous Habitat Management Monitoring Plan Map

Owl Creek Reserve

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Table 1. *Rare and Unique Upland Restoration Planting Table

Botanical Name	Common Name	Minimum Size/Container	Maximum Spacing	Quantity
Trees				
Quercus virginiana	Live Oak	6' tall/BR	18 Feet Centers	1,603
Quercus laurifolia	Laurel Oak	6' tall/BR	18 Feet Centers	1,603
Sabal palmetto	Cabbage Palm	6' tall/FG	18 Feet Centers	1,603
Shrubs				
Rapanea punctata	Myrsine	1 Gallon	18 Feet Centers	1,603
Psychotria nervosa	Wild Coffee	1 Gallon	18 Feet Centers	1,603
Callicarpa americana	Beauty Berry	1 Gallon	18 Feet Centers	1,603
Ground Cover				
Serenoa repens	Saw Palmetto	Liner	8 Feet Centers	6,087
Muhlenbergia sp.	Muhley Grass	Liner	8 Feet Centers	6,087
Aristida beyrichiana	Wiregrass	Liner	8 Feet Centers	6,087
Spartina bakeri	Cordgrass	Liner	8 Feet Centers	6,087

*Additional plant species may be included in the planting table prior to development order approval

Approximately 3.08 acres of hydric pasture and upland pasture will be restored to littoral marsh wetlands as shown on the Indigenous Habitat Management Plan Map (Figure 3). The restoration area will be planted with native ground cover and trees, as listed in the Restoration Planting Table (Table 2). The final species list will be based upon site specific conditions and on plant material availability at the time of planting. A total of 2,100 herbaceous plants will be planted in the restoration area shown on the attached Indigenous Habitat Management Plan Map.

Table 2. *Wetland Restoration Planting Table

Botanical Name	Common Name	Minimum Size/Container	Maximum Spacing	Quantity
Ground Cover				
Acrostichum sp.	Leather fern	Liner	8 Feet Centers	350
Juncus roemerianus	Black needle rush	Liner	8 Feet Centers	350
Nuphar luteum	Spatterdock	Liner	8 Feet Centers	350
Spartina bakeri	Sand cordgrass	LIner	8 Feet Center	350
Pontederia cordata	Pickerelweed	LIner	8 Feet Centers	350
Sagittaria sp.	Arrowhead	Liner	8 Feet Centers	350

*Additional plant species may be included in the planting table prior to development order approval

Additionally, 13.01 acres of hydric pasture, upland pasture, and exotic vegetation dominated wetlands will be restored to surface water habitat as part of the flushing basin associated with the proposed docking facility. Please see Figure 3.

Barricading
Prior to commencement of construction activities, the mitigation areas will be staked in the field and the required erosion control barriers installed. These barriers will be inspected by County staff prior to commencement of construction activities. The operation of construction equipment, storage of equipment, and stockpiling of fill and construction material will be prohibited within the preservation areas. The staking identifying the limits of the preservation area will be maintained for the duration of adjacent construction activities.

Conservation Easement
A Conservation Easement will be recorded and placed over the upland, wetland, and surface waters preservation areas totaling 169.12± acres. Signs demarking the preservation areas will be posted at 100 feet intervals along the outer edge of all preservation areas.

Ecological Performance Standards
To meet the objective of this plan, the following performance standards will apply to the 163.5± acre onsite wetland and upland preservation area:

1. At least 80 percent cover by appropriate wetland species (i.e. facultative wet or obligate) within the 103.36± acres of wetlands and the 3.08 acres of restored

wetlands and 80 percent coverage by appropriate upland species in the 60.15± acres of Upland Preservation and Restoration Areas.

2. The conservation easement areas are free of exotics immediately following maintenance treatment events. All exotic and nuisance species (defined as Category I and II species on the Florida Exotic Pest Plant Council's List of Invasive Species) within these wetlands will be treated. The nuisance species dog fennel (*Eupatorium capillifolium*), Caesar weed (*Urena lobata*), primrose willow (*Ludwigia peruviana*), grape vine (*Vitis* sp.), and cattail (*Typha* spp.) as well as exotic species shall total less than five percent combined between maintenance events.
3. Monitoring of the preserve areas shall be conducted for a minimum of 5 years with annual reports submitted to the County. If native wetland, transitional, and upland species (in upland preserve areas) do not achieve 80% coverage within the initial two years of the monitoring program (obligate and facultative wet species exceed facultative species in wetland areas), native species shall be planted in accordance with the maintenance program. At the end of the monitoring program the entire mitigation area shall contain an 80% survival rate of planted vegetation and an 80% coverage of desirable obligate and facultative wetland species.
4. The preserve areas shall be maintained in perpetuity to ensure coverage by native desirable vegetation and the target habitat types and success criteria are maintained as specified in the permit.
5. The preserve areas shall be managed such that exotic/nuisance vegetation species do not dominate any one section of areas within the preserves.

These performance standards will be achieved by the end of the five year monitoring period.

Long Term Management

The applicant and/or the homeowners association will be responsible for the long term maintenance of the onsite preservation areas.

Adaptive Management

If during monitoring of the onsite preservation area, areas do not appear to be trending toward meeting the above ecological performance standards, the methods for treating exotic vegetation will be re-evaluated.

Maintenance

A routine maintenance program will be initiated upon the completion of the initial exotic treatment and native plant installation. For the first two years following the initial treatment, the preservation areas will be inspected twice a year (late spring and fall) and all exotic and/or nuisance species will be treated. During these inspections the preservation areas will be qualitatively evaluated, potential problems (if any) identified, and corrective actions recommended. After the second year, inspections and treatments will be conducted annually during the dry season. The property owner will be responsible for long term management of the preserves.

Pruning and trimming activities will not be performed in the preserve however invasive exotic vegetation may have to be treated within planting areas. The frequency of maintenance will be based on how successful the new plantings are and the extent to which nuisance pest species enter into the newly planted area. Semi-annual monitoring will be conducted in each newly planted area for one year to carefully evaluate these parameters. Herbicide maintenance will be conducted semi-annually during the first year following implementation of the pest control program and at least annually thereafter, in accordance with LDC 12-119(b)(13) and LDC 10-420(h).

If monitoring events reveal severe deer grazing or other disturbance from wild hogs, the affected planting area will be temporarily isolated with a fence to keep out larger animals until the plantings are well established. Once success criteria are achieved, all temporary fencing will be removed from the preserve.

Newly planted areas will be included in the invasive pest control program. The herbicide maintenance areas shall expand to control exotic and nuisance species as necessary where native vegetation is being established. Periodic management of the planting areas is required to ensure that the plants will survive and thrive. This will guarantee success and allow desirable indigenous species an opportunity to recruit into the planting areas. As part of ongoing management of the site, the owner or his designee shall treat and/or remove exotic species (per LDC Sec. 10-420(h) and 12-113(n)) and nuisance species as necessary at least semiannually for one year and annually thereafter. Nuisance species shall mean those species of flora whose noxious characteristics or presence in sufficient number, biomass, or areal extent may reasonably be expected to prevent, or unreasonably interfere with, the designated use of the waters under consideration, as defined in rules 62-312.310(8) and 62-302.200(14), F.A.C.. Invasive exotic species include at a minimum the species listed in LDC Sec. 10-420(h).

Protected Species

The November 2020 Protected Species Assessment resulted in no observations of listed species.

While no nesting areas for any listed wading birds have been observed onsite during any site visits, the following species recognized as Species of Special Concern (SSC) by the State may forage on the subject property. Little blue herons (*Egretta caerulea*), roseate spoonbills (*Ajaia ajaja*), snowy egrets (*Egretta thula*), and tricolored herons (*Egretta tricolor*), may foraging in wetland areas and ditches throughout the property.

Given the habitat types present there is also a potential for Big Cypress fox squirrels (*Sciurus niger avicennia*) to utilize the property. These squirrels, listed as threatened by the FWC, are typically found nesting in melaleuca trees in areas with sparse or open ground cover.

The Florida sandhill crane is listed as threatened by the FWC and potentially may forage

in the pasture areas. While suitable habitat occurs throughout the property and within the designated County buffer, no sandhill crane nesting activity was observed.

The wood stork (*Mycteria americana*), is listed as threatened by the FWC and the FWS. Although no wood storks were observed they may forage in the wetlands and ditches. Nesting has not been documented onsite, nor do wood storks appear there in the most recent FWC listed species occurrence database. Wood stork colony locations provided by FWC show two colonies within a 25-mile radius of the property. The closest colony location is approximately three miles to the west of the subject parcel.

The American alligator was not observed, however, the ditches provide potential habitat. According to the FWC list of Florida's Endangered Species, Threatened Species and Species of Special Concern published in November 2007, the American alligator has a SSC status because it is vulnerable to environmental impacts and loss of habitat.

Audubon's crested caracara is a raptor that typically nests in solitary or small groups of cabbage palms within larger areas of open grasslands. This species is listed as threatened by both the FWC and FWS. Although the quality of the potential habitat on-site is poor, Audubon's crested caracara were observed foraging along North River Road during the nesting survey for this species in winter 2021. The closest known caracara nest is located approximately 1 mile to the east of the subject parcel.

The property is <u>not</u> located within the primary and secondary zones of the 2007 Florida Panther Focus Area or in the 2003 Panther Consultation Area identified by the FWS. The Florida panther (*Felis concolor coryi*) is listed as endangered by both the FWS and FWC. There is one FWC telemetry points located approximately 3 miles south of the subject property, with none onsite. This telemetry point occurs south of the Caloosahatchee River.

A review of the FWC listed species occurrence database (updated in June 2020) indicated that a Florida black bear (*Ursus americanus floridanus*) had been recorded approximately 1 mile to the north of the property. The Florida black bear delisted in 2012, is still protected by the Florida Black Bear Management Plan and is not listed by the FWS.

The project is located within the National Marine Fishery Service's (NMFS) defined critical habitat area for the smalltooth sawfish. NMFS issued their Jacksonville Biological Opinion (JAXBO) on November 20, 2017. The JAXBO analyzes the effects from 10 categories of minor in-water activities occurring in Florida and the U.S. Caribbean on sea turtles, smalltooth sawfish, Nassau grouper, scalloped hammerhead shark, Johnson's seagrass, sturgeon, corals, whales, and their designated critical habitat.

Protected Species Management Plans

Several measures have been taken to reduce potential impact to wildlife. Adverse impacts to wildlife including listed wildlife are not anticipated as a result of the proposed

residential project. All agricultural activities will cease in the Preserve Areas once construction commences, with human disturbance in those areas limited to activities consistent with the conservation easement.

The habitat improvements and preservation resulting from implementation of this plan are expected to encourage transient wildlife species to utilize the Preserve Lands onsite as shown on the Enhancement and Preservation Map (Figure 2). The applicant has committed to placing the preservation areas under a conservation easement prior to construction of the residential units, consistent with state law, as a condition of the zoning approval, which means 163.5+/- acres of native upland and wetland habitats of this area will be permanently protected for wildlife usage before construction commences. A total of 34.8 acres of farm fields and disturbed uplands will be restored to rare and unique uplands by planting with native species. Additionally, 3.08 acres of hydric and upland pasture will be restored as littoral marsh wetlands and 13.01 acres of surface waters will be restored. This preservation will enhance the value of the Preserve Areas for wildlife and provide a permanent link between the surrounding wildlife corridor areas and a permanent refuge for wildlife if the project is approved as proposed. (See Figures 1 and 2).

If the zoning is approved as proposed, additional wildlife surveys will be conducted as required by state, federal, and county requirements when the plans are submitted for permitting/development approval.

Should the zoning be approved as proposed, both FWC and FWS will be consulted relative to any state or federally listed species potentially occurring on site and listed species guidelines implemented as applicable prior to any construction.

Wading Bird Management Plan

Wood storks were not found during wildlife surveys of the property and no nesting activities were observed. Suitable foraging habitat occurs throughout the property. Additionally, the property occurs within 18.6 miles of two known wood stork colonies. Based on the FWS “Effect Determination Key”, dated November 9, 2007 (Service Consultation Code 41420-2007-I-0964), the proposed project may affect the wood stork. Formal consultation for the wood stork is anticipated to be required by the FWS. On behalf of the applicant, at the appropriate time, we will be coordinating with FWS to develop a wood stork mitigation plan which will effectively offset any potential impacts to foraging habitat of this federally listed species. Additionally, it is expected that existing foraging habitat for the wood stork will be enhanced by the removal and maintenance of invasive exotic plants and protected by implementation of the wetland enhancement and preservation plan and the reclamation plan. The proposed littoral marsh wetland restoration which includes 3.08 acres of littoral shelves described above will also benefit the wood stork by adding a significant amount of foraging area.

Existing wading bird foraging habitat will be enhanced through removal and maintenance of exotic invasive plants. The proposed site conditions will result in a total of over 103.36 + 3.08 acres of preserved and restored freshwater marsh habitat on the property.

Implementation of the proposed wetland preservation plan would assure that any potential temporary impacts to these species would be offset. This plan would meet applicable requirements of South Florida Water Management District and Lee County as well as the FWS and FWC.

The enhancement of the property will ultimately provide increased acreage of higher quality habitat for wading birds in preservation and areas as well as within the littoral shelves and littoral marsh drawdown restoration areas. Additionally, protection provided by the wetland preservation plan will provide long-term viability for wading birds.

Big Cypress Fox Squirrel Management Plan

Appropriate habitat for the Big Cypress fox squirrel (*Sciurus niger avicennia*) occurs in the forested portion the property. However, no fox squirrel nests were observed within the project boundaries. Prior to clearing the site, a qualified biologist will survey the construction limits for the presence of Big Cypress fox squirrels or their nests. Any potential nests will be monitored to determine if they are currently being utilized by Big Cypress fox squirrels. Nests found to be utilized by a Big Cypress fox squirrel will be temporarily protected from clearing by a 125 foot radius undisturbed buffer. These nests will be taken outside of the February 1st to May 30th nesting season once the absence of young fox squirrels within the nests is confirmed. The required authorization from the FWC will be obtained prior to removing the nest tree.

Forested habitat suitable for this species will be enhanced via treatment of invasive exotic plant species. The protection provided by implementation of the Indigenous Habitat Management Plan will provide long-term viability for the Big Cypress fox squirrel and would assure that any impacts to this species are offset.

Florida Sandhill Crane Management Plan

Florida sandhill cranes or their nests were not observed during wildlife surveys of the property. Suitable habitat occurs throughout the property and within the designated County buffer. Existing foraging habitat for the sandhill crane will be enhanced through removal and maintenance of invasive exotic plants. Implementation of the proposed Indigenous Habitat Management Plan would assure that any impacts to the foraging pattern of this species are offset.

American Alligator Management Plan

Potential habitat for American alligators on-site consists of the open water area and surrounding marsh. The property includes numerous ditches and scattered wetlands which provide refuge for this species. The property was thoroughly inspected for gator nests, which are often conspicuous on the bank of waterways. No alligator nests were ever found on the property during protected species surveys. If the proposed project is approved, the wetland enhancement and restoration in the Indigenous Habitat Management Plan will ultimately provide increased acreage of higher quality habitat for the alligator. The proposed site conditions will result in a total of over 103.36 acres of preserved wetlands, 3.08 acres of restored freshwater marsh, 1.34 acres of preserved other surface waters, 5.61 acres of preserved surface waters, and 13.01 acres of restored

surface water habitat on the property.

Alligators will commonly move from water body to water body in response to factors such as season, disturbances, food supply, etc. In the event that an alligator is present within the limits of construction at the time of site clearing, work within the immediate vicinity of the alligator will be halted and the animal will be allowed to move out of harms way. Once the American alligator has moved work can be restarted. The protection provided by implementation of the Indigenous Habitat Management Plan will provide long-term viability for the American alligator onsite.

Audubon's Crested Caracara Management Plan

Although crested caracaras are known to forage in the vicinity of the subject property, no evidence of nesting of this species was found onsite. To minimize the potential of impacts to nesting habitat, the cabbage palms located in the proposed development areas will be relocated to the rare and unique upland restoration area and appropriate preservation areas prior to construction activity initiation, if feasible. The implementation of this Indigenous Habitat Management Plan will provide long-term viability for Audubon's crested caracara and will assure that any impacts to this species are offset.

Florida Panther and Florida Black Bear Management Plan

No Florida panthers or black bears or their signs were observed during wildlife surveys of the property. The project is not in any FWS Florida panther zones and the nearest FWC telemetry point is 3 miles to the south of the project and across the Caloosahatchee River. Black bears have been documented approximately 1 mile north of the property per the FWC listed species occurrence database. It is expected that existing forage and prey habitat for the Florida panther and black bear will be enhanced through removal and maintenance of invasive exotic plants and protected by implementation of this IHMP.

The preservation of the 170.45 acres of uplands, wetlands, other surface waters, and surface waters will link the surrounding conservation lands, restoring a link that has been disrupted by the extensive exotic vegetation infestation in that area and will allow movement of wildlife across the Owl Creek property. Please see the Owl Creek Wildlife Corridor Map (Figure 1).

Smalltooth Sawfish Management Plan

The project is located within the National Marine Fishery Service's (NMFS) defined critical habitat area for the smalltooth sawfish. There will be minor impacts to the shallow euryhaline habitat along the shore to accommodate the flushing improvements for the proposed docking facility. The applicant will coordinate with NMFS during the federal permitting process for the project and will obtain the required permits. All required construction methods will be followed. Please see Exhibit A for NMFS's Sea Turtle and Smalltooth Sawfish Construction Conditions dated March 23, 2006.

Wildlife Habitat Area Corridors

Two Wildlife Corridors totaling 169.12 acres will be established as part of the proposed Indigenous Habitat Management Plan. Please see Figures 1 and 2. The Owl Creek and

Trout Creek corridors currently consists of active pasture, Owl Creek, and exotic vegetation infested uplands and wetlands. These areas will be enhanced and preserved as described above. The Rare and Unique Upland restoration areas will be planted as described above and shown in the Enhancement and Preservation Map (Figure 2).

The Owl Creek and Trout Creek wildlife corridors average approximately 500' and 600' in width, respectively. Prior to the issuance of a MOP, the south corridor will be placed under a Conservation Easement. The north and third corridor will be graded, planted, and placed under a Conservation Easement after mining operations are complete.

Human Coexistence with Wildlife Plan

The following Human Coexistence with Wildlife Plan will be incorporated into the project's Homeowners Association documents.

American Alligator

Signs will be posted on the subject property adjacent to the water management lakes and bodies of water advising residents that feeding or harassing the American alligators is punishable by state law. An educational brochure, such as the attached "A Guide to Living with Alligators" prepared by the FWC (Exhibit B), will be provided to residents. Residents, commercial tenants, and property maintenance staff will be instructed to contact the FWC for assistance in the event a nuisance alligator is present within the lakes.

Florida Black Bear

An educational brochure, such as the attached "A Guide to Living in Bear County" (Exhibit B) prepared by the FWC, will be provided to residents and commercial tenants. Residents will be instructed to contact the FWC for assistance in the event a nuisance black bear is present on-site.

Florida Panther

An educational brochure, such as the attached "A Guide to Living with Florida Panthers" (Exhibit B) prepared by the FWC, will be provided to residents and commercial tenants. This brochure provides advise for residents on how to keep their family and pets safe and suggestions on how to handle encounters with panthers.

Monitoring Plan

The proposed monitoring of the preserved wetlands will consist of baseline monitoring, time-zero monitoring, and annual monitoring of vegetation. The baseline monitoring documents the pre-exotic removal conditions within the wetlands. The time-zero report will document the conditions immediately following wetland exotic removal and planting. The annual reports will document the extent of success of the project and, if needed, identify specific actions to be taken to improve conditions within the project area. Sampling stations and methodology of data collection will remain the same for all

monitoring events.

The owner or his designee shall also monitor and record water elevations at staff gauges and monitoring wells within the undeveloped wetland areas to provide reasonable assurance to the agencies that no significant hydrological impacts to wetlands resulted from mining. Hydrologic monitoring shall occur monthly during the dry season (November through May) and biweekly during the wet season (June through October) in all of the preserved onsite wetlands. The staff gauges and monitoring wells shall be visually inspected. If the water level at any staff gauge is below the land surface for more than 60 days, the below-ground water level would be used for that location. Hydrologic monitoring shall begin within 12 months of mining commencing.

An important component of the monitoring reports will be the before and after pictures. All monitoring reports will include panoramic photographs from photo stations as shown on Figure 3.

The results of monitoring events within the preserve areas will be reported as stated in this plan. Specific maintenance requirements will be explained in the monitoring report(s). Monitoring reports will describe if/where herbicide treatment is necessary to control nuisance species. The report will also explain if/where plantings need to be replaced or if new plantings should be added to a specific area to improve diversity or percent coverage. Prior to any preserve maintenance, Lee County Division of Environmental Sciences will be notified in writing.

The proposed monitoring of the planted littoral zone and Rare and Unique Uplands will consist of baseline monitoring, time-zero monitoring, and annual monitoring of vegetation, wildlife, rainfall, and wetland water levels. Baseline monitoring will document the conditions as they exist prior to initiating the proposed planting/enhancement effort. The time-zero report will document the conditions immediately following completion of planting/enhancement activities. In addition, a monitoring report will be submitted annually to the Lee County Division of Environmental Sciences for five consecutive years starting one year from the date of the Certificate of Compliance issued for the project's infrastructure. The annual reports will document the extent of success of the created wetlands and, if needed, identify specific actions to be taken to improve the conditions within the project area.

A baseline monitoring report is required for approval of the development order. The baseline monitoring report will include a description of each of the specific areas and a map depicting the location of each photo station. Copies of the baseline reports will be submitted to regulating agencies, including Lee County.

The time-zero monitoring report will be provided prior to certification of compliance. This report will include the date the planting activity was completed and color photographs to provide an accurate representation of the specific area. The photographs shall be taken from fixed reference points described in the baseline monitoring report and shown on a scaled plan view. A table depicting numbers, spacing, and sizes of each species planted

will also be provided. The tree height will be used to measure the size of saplings until the tree is mature enough to enable the diameter-breast height (DBH) to be measured. Subsequent annual monitoring reports will be submitted to requesting agencies within thirty (30) days after each monitoring event. The monitoring reports will include a general qualitative and quantitative characterization of the areas. Any pertinent climatological conditions preceding the monitoring event will be described. Qualitative parameters may include estimates of % bare ground, % desirable species, % undesirable species (nuisance and exotic), notations regarding faunal presence and use, and an overall numerical ranking (1-lowest, 10-highest) of the conditions of the system. This numerical ranking is done annually, preferably by the same evaluators, and takes into consideration all parameters of the qualitative assessment. The monitoring will be completed by September of every year (toward the end of the growing season) and an annual report submitted to the reviewing agencies by the end of October. All data collected and analyzed will be included in the report.

Vegetation Monitoring

The vegetation within the uplands and wetlands will be monitored using the line intercept methodology. Six (6) 100 feet long transects will be established in representative portions of each upland and wetland area (Figure 3). A measuring tape will be stretched along the transect and the plants occurring directly below (ground cover) and above (midstory and canopy) the tape will be recorded at three feet intervals along the transect. Ground cover species include woody vegetation less than three feet in height and all non-woody plants. Midstory vegetation consists of all woody plants greater than three feet in height and less than four inches DBH. Canopy species consist of woody vegetation greater than four inches DBH. Bare ground and open sky will also be recorded in this manner. The resulting data will be used to calculate percent cover of the three strata.

Wildlife Monitoring

Regular observations of fish and wildlife will be made during all monitoring events by qualified ecologists. This will consist of recording evidence and signs of wildlife (i.e., direct sighting, vocalization, nests, tracks, droppings, etc.).

Photographic Documentation

Permanent fixed-point photograph stations will be established in each of the monitored areas thereby providing physical documentation of the condition and appearance of an area, as well as any changes taking place. Panoramic photographs will accompany vegetation data in each report. Locations of photo stations will remain the same throughout the duration of the monitoring program.

Report

The methodology and results of each monitoring event will be documented in an annual monitoring report. Data will typically be collected towards the end of the growing season (September - October) and submitted to the agencies with 90± days of data collection.

Method and Frequency of Pruning and Trimming

No pruning or thinning of native vegetation within the indigenous vegetation preserves is proposed at this time. In the event that trimming becomes necessary to meet the ecological goals of this management plan, the trimming will be accomplished by hand using chainsaws or machetes and will be restricted to no more than 25 percent of an area during any particular one year interval. Cut vegetation will remain on-site.

The Lee County Division of Environmental Sciences will be notified prior to any preserve maintenance (other than routine annual exotic maintenance events).

Garbage Management

All garbage will be removed from the preserves prior to the issuance of the Certificate of Compliance for any part of the development. The preserves will be surveyed for garbage semi-annually.

PROPOSED WORK SCHEDULE

The invasive exotic and nuisance plant control program will commence after approval of this project's development order. The initial exotic treatment will be initiated during the first dry season following issuance of all required federal, state, and local authorizations. It is anticipated that the initial treatment will be completed in less than two months. The supplemental plantings will be initiated within approximately two months of the completion of the initial exotic removal, weather permitting.

SUMMARY

The foregoing IHMP provides for preservation and enhancement of existing natural flowways that the County deems important for local or regional water resource management, restoration of Rare and Unique Uplands that the County deems important, preservation of indigenous areas that are occupied wildlife habitat to the maximum extent possible, and interconnection to off-site preserves and conservation lands via indigenous preservation, flowway preservation or restoration, and appropriate planted open space or buffer areas per Lee LDC 10-415. Additionally, this IHMP provides for preservation and restoration of natural resources, including but not limited to wetlands, natural existing and historic flowway corridors, sloughs, creeks, ponds and lakes, and native plant communities and native trees per Lee LDC 10-474

It exceeds the open space requirements and the Indigenous Preservation requirements of Lee LDC 10-415 by providing over 49% of the site as preservation areas.

It details and exceeds the Invasive Exotic Removal requirements including exotic removal and long term maintenance continuing in perpetuity in Lee LDC 10-420(h). This IHMP

includes details of preservation, enhancement, and restoration within buffers per Lee LDC 10-415.

This IHMP provides for interconnectivity of wildlife habitat areas, including Florida black bear habitat and to allow this large mammal to move locally within their range, as this project has been designed to allow movement of Florida black bear through indigenous preserves or appropriately planted buffer and open space areas per Lee LDC 10-474

The wetland mitigation that is proposed for impacts associated with the project is outlined in detail above in this IHMP, consists of the preservation of the highest quality indigenous habitat onsite, the enhancement and restoration of indigenous habitats onsite, the restoration and connection of Owl Creek and Trout Creek Wildlife Corridors and flowways and the reconnection of public conservation lands through the subject property.

The proposed site plan impacts 11.48+/- acres of exotic infested wetlands, 3.09 acres of ditches, and 0.26 acres of surface waters which are proposed to be mitigated on-site as detailed in the IHMP. In summary, the IHMP includes:

(i) Preservation of 134.32 acres of existing high quality indigenous habitat, existing native tree areas (none is required by LDC Section 10-415), and surface waters;
   a. 103.36 acres of wetlands
   b. 25.35 acres of forested uplands
   c. 5.61 acres of surface waters (Owl and Trout Creeks)

(ii) Restoration of 34.8 acres of Rare and Unique Uplands;

(iii) Restoration of 3.08 acres of littoral shelf wetlands;

(iv) Restoration of 13.01 acres of surface water

(v) Preservation of historic flowways associated with Owl and Trout Creeks; and

(vi) Connection of existing county conservation lands through the subject property (see Figure 1).

The overall effect of the proposed preservation and restoration described in items (i) and (ii) above will be a total of 169.12 acres of uplands, wetlands, and surface waters on-site.

This IHMP was designed to consider the unique aspects of the proposed development, including but not limited to, restored Rare and Unique Uplands, restored littoral zone wetlands, preservation areas, wildlife habitat and the interplay between proposed future uses, including associated impacts on the environment.

Exhibit A

NMFS's Sea Turtle and Smalltooth Sawfish Construction Conditions dated March 23, 2006.

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701

SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

The permittee shall comply with the following protected species construction conditions:

a. The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species.

b. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.

c. Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.

d. All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible.

e. If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.

f. Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service's Protected Resources Division (727-824-5312) and the local authorized sea turtle stranding/rescue organization.

g. Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.

Revised: March 23, 2006
O:\forms\Sea Turtle and Smalltooth Sawfish Construction Conditions.doc

Exhibit B

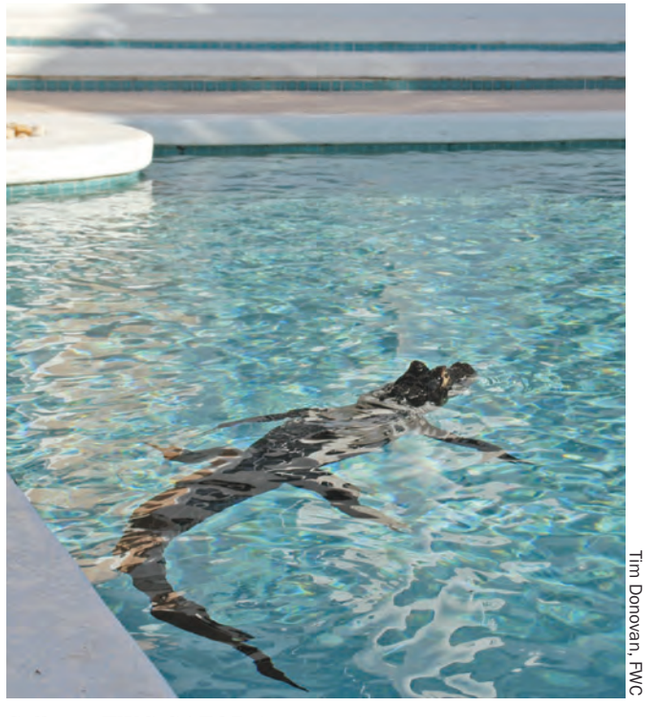
A Guide to Living with Alligators
A Guide to Living in Bear County
A Guide to Living with Florida Panthers

- Never feed alligators – it's dangerous and illegal. When fed, alligators can overcome their natural wariness and learn to associate people with food. When this happens, some of these alligators have to be removed and killed.

- Dispose of fish scraps in garbage cans at boat ramps and fish camps. Do not throw them into the water. Although you are not intentionally feeding alligators when you do this, the result can be the same.

- Seek immediate medical attention if you are bitten by an alligator. Alligator bites can result in serious infections.

- Observe and photograph alligators only from a distance. Remember, they're an important part of Florida's natural history as well as an integral component of aquatic ecosystems.



Tim Donovan, FWC

Call 866-FWC-GATOR (392-4286) to report nuisance alligators.



Janice Plain

To report nuisance alligators call **866-FWC-GATOR (866-392-4286)**.

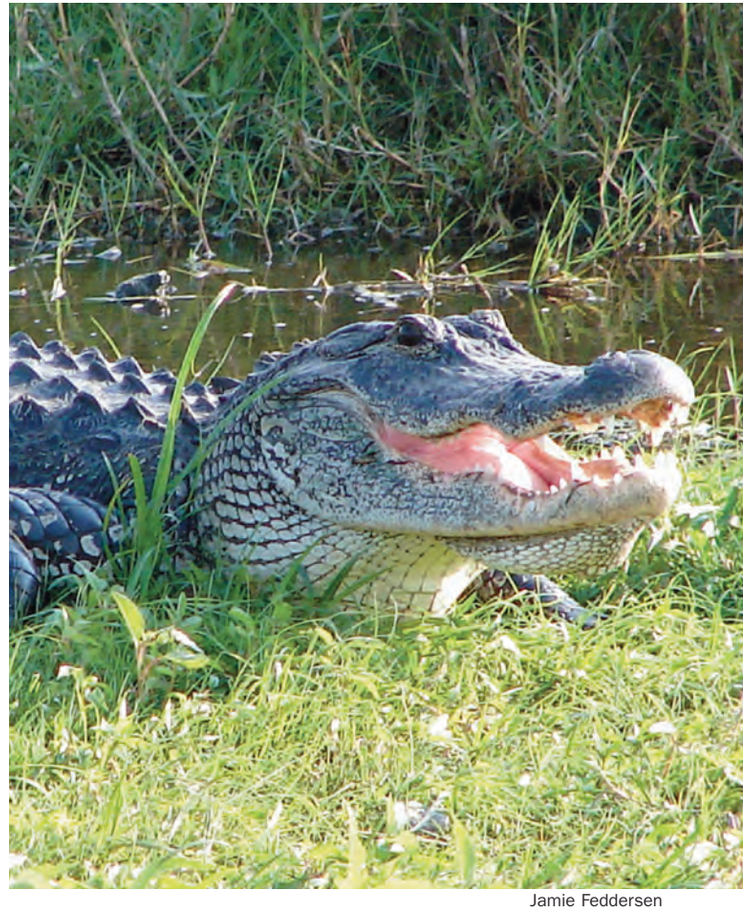
MyFWC.com/Alligator

REWARD
Report Fish & Wildlife Violations
1-888-404-3922

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02/2012

A Guide to Living with Alligators



Jamie Feddersen

Florida Fish and Wildlife Conservation Commission
MyFWC.com



Lizabeth West, FWC

Do not swim outside of posted swimming areas or in waters that may be inhabited by alligators.

Living with Alligators

In Florida, the growing number of people living and recreating near water has led to a steady rise in the number of alligator-related complaints. The majority of these complaints relate to alligators being where they simply aren't wanted. Because of these complaints, the Florida Fish and Wildlife Conservation Commission's Statewide Nuisance Alligator Program permits the killing of approximately 7,000 nuisance alligators each year. Using this approach, and through increased public awareness, the rate of alligator bites on people has remained constant despite the increased potential for alligator-human interactions as Florida's human population has grown.

Alligators are an important part of Florida's landscape and play a valuable role in the ecology of our state's wetlands. Alligators are predators and help keep other aquatic animal populations in balance. A better understanding of the facts and information presented in this brochure will help ensure that people and alligators can continue to coexist.

Visit MyFWC.com/Gators for more information about alligators and the latest nuisance alligator program statistics.



Tim Donovan, FWC

Alligators and People

Alligators are a fundamental part of Florida's wetlands, swamps, rivers and lakes, and they are found in all 67 counties. Florida continues to experience human population growth. Many new residents seek waterfront homes, resulting in increased interactions between people and alligators.

Although most Floridians understand that we have alligators living in our state, the potential for conflict exists. Because of their predatory nature, alligators may target pets and livestock as prey. Unfortunately, people also are occasionally bitten. Since 1948, Florida has averaged about five unprovoked bites per year. During that period, a little more than 300 unprovoked bites to people have been documented in Florida, with 22 resulting in deaths.

In the past 10 years, the Florida Fish and Wildlife Conservation Commission has received an average of nearly 16,000 alligator-related complaints per year. Most of these complaints deal with alligators occurring in places such as backyard ponds, canals, ditches and streams, but other conflicts occur when alligators wander into garages, swimming pools and golf course ponds. Sometimes, alligators come out of the water to bask in the sun or move between wetlands. In many cases, if left alone, these alligators will eventually move on to areas away from people.

Safety Tips

- Generally, alligators less than four feet in length are not large enough to be dangerous unless handled. However, if you encounter any alligator that you believe poses a threat to people, pets or property, call the Nuisance Alligator Hotline at 866-FWC-GATOR (866-392-4286). Please be aware, nuisance alligators are killed, not relocated.

- Be aware of the possibility of alligators when you are in or near fresh or brackish water. Bites may occur when people do not pay close enough attention to their surroundings when working or recreating near water.

- Do not swim outside of posted swimming areas or in waters that might be inhabited by large alligators.

- Alligators are most active between dusk and dawn. Therefore, avoid swimming at night.

- Dogs and cats are similar in size to the natural prey of alligators. Don't allow pets to swim, exercise or drink in or near waters that may contain alligators. Dogs often attract an alligator's interest, so do not swim with your dog.

- Leave alligators alone. State law prohibits killing, harassing or possessing alligators. Handling even small alligators can result in injury.



Tim Donovan, FWC

A young alligator wanders onto a porch in a residential neighborhood.



Milt Fox

Discouraging bears from visiting your home

Properly storing or securing residential garbage and other attractants is a proven method of discouraging bears and preventing bear conflicts around homes, farms and neighborhoods. The following items attract bears and should be protected by an electric fence, wildlife resistant container, or stored in a secure place, such as a garage or sturdy shed:

- Trash and recycling containers
- Bird and squirrel feeders
- Game feeders
- Pet foods and bowls
- Barbeque grills and smokers
- Pets and small livestock
- Livestock feed
- Compost piles
- Beehives
- Fruit and nut-bearing trees and shrubs

Funds from the "Conserve Wildlife" license plate help support efforts to reduce human-bear conflicts. Buy one today at your local tax collector's office or online at BuyAPlate.com.

Secure common bear attractants

- Use electric fencing to protect gardens, compost piles, apiaries, fruit trees and livestock.
- Store garbage and recyclables in bear-resistant containers or in a secure area until the morning of pick up.
- Feed pets indoors or bring food dishes (even if empty) inside before dark.
- Store pet and livestock feed in bear-resistant containers or inside a secure area.
- Remove bird and wildlife feeders. Ensure the area is free of all seed, corn, or other wild animal feed.
- Keep gardens and fruiting trees and shrubs tidy. Remove rotten fruit and harvest ripe nuts, fruits and vegetables.
- Clean meat smokers and barbeque grills with a degreasing detergent. Properly dispose of food remnants after each use.

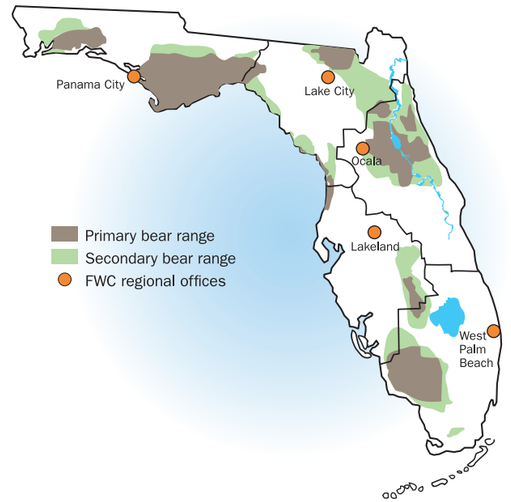
Learn more about black bears with the Florida Black Bear Curriculum Guide. The guide is designed to educate teachers and students in 3rd to 8th grade and offers a comprehensive series of lessons on Florida's black bear.

To get tips on how to secure bear attractants, watch videos about bears or how to install electric fencing, and learn more about bear-resistant containers, visit MyFWC.com/Bear.



Rick Sinnott

Bear range in Florida



If you are experiencing bear problems, please contact the nearest FWC regional office.

North Central, Lake City	**386-758-0525**
Northeast, Ocala	**352-732-1225**
Northwest, Panama City	**850-265-3676**
South, West Palm Beach	**561-625-5122**
Southwest, Lakeland	**863-648-3200**

If you suspect illegal activity, call FWC's Wildlife Alert Hotline at 1-888-404-3922.

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Cover photo by Ashley Hockenberry

Florida Fish and Wildlife Conservation Commission

MyFWC.com

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A guide to living in **bear country**



Florida Fish and Wildlife Conservation Commission

MyFWC.com



Ashley Hockenberry

If you live in Florida, you should know

Florida black bear populations have been recovering from historically low numbers in most areas of the state. At the same time, the human population is rapidly expanding in and around bear range. As a result, bears and humans are encountering each other more than ever.

Calls to the Florida Fish and Wildlife Conservation Commission (FWC) about human-bear encounters have increased from 1,000 in 2001 to over 4,000 in 2010. The most common calls refer to bears in yards and getting into garbage.

The mere presence of a black bear does not represent a problem. In fact, living in bear country can provide unique and rewarding experiences for residents.

While feeding bears is illegal in Florida, bears are still often fed by humans, either intentionally or unintentionally. When black bears have access to pet food, garbage, birdseed, livestock feed or other human-provided items, they quickly learn to associate people with food. Bears that have become too comfortable around people are more likely to be killed, either by vehicle collisions, illegal shooting, or as a result of bear management actions.

People ask why problem bears can't simply be relocated to a "wild area where they won't bother anyone." Unfortunately, areas large and remote enough for bears to avoid people are rare in Florida. Also, most relocated bears typically leave the new area, either to return to their original home or to leave an area already occupied by other bears. Some bears will wander through unfamiliar areas and cross busy roads, creating a danger to the bear and to motorists. In addition, bears remaining in the relocation area often exhibit the same, unwanted behavior, thus shifting the problem to a new location. As a result, relocation is not a desirable or effective solution to bear conflicts. Wildlife biologists can provide technical advice to residents who live in bear country to help them take actions to discourage bears from becoming a problem. The FWC is committed to addressing the safety concerns of residents and visitors while ensuring the long-term well-being of black bears.

If a bear comes into your yard

If you encounter a black bear at close range, remain standing upright, back up slowly and speak to the bear in a calm, assertive voice.

- Do not intentionally feed or attract bears. If a bear is eating something on your property, take note of what it is and secure it after the bear has left the area.



Charles Towne



Ashley Hockenberry

- Never approach or surprise a bear. Keep as much distance between you and the bear as possible.
- Make sure you are in a secure area and the bear has a clear escape route to leave the area - then yell, bang pots and pans, or use an air horn to scare the bear away.
- Do not turn your back, play dead or run from a black bear. Back away slowly into a house, car or building.
- Report any bear threatening the safety of humans, pets or livestock, or causing property damage to the FWC (see back panel).
- Warning! It is illegal to injure or kill black bears under Florida state law. If you are found guilty, you could face fines and/or jail time.

Climbing trees is a bear's natural escape route. If the bear climbs a tree, keep people and pets away. The bear will come down the tree and leave when it feels safe, usually after dark.

Did you know?

Black bears are shy animals and generally not aggressive towards people. When a bear stands on its hind legs, it is merely trying to get a better view, rather than acting in a threatening way. Black bears may huff, snap their jaws, swat the ground or "bluff charge" when cornered, threatened or caught stealing food. Stand your ground and then slowly back away. Always respect bears – they are large and powerful wild animals and can act unpredictably. Bears used to getting food from humans may lose their natural fear of people and are more likely to damage property or become a safety threat.

The bear facts

Black bears are the only species of bear in Florida and once roamed the entire state.

- FWC biologists estimate there are 2,500-3,000 black bears in Florida.
- Florida bears are generally black with a brown muzzle and may have a white chest marking called a blaze.
- Adult black bears typically weigh between 150 to 400 pounds; males are usually larger than females.
- Female bears have their first litter at about $3^{1}/_{2}$ years of age and generally have one to three cubs every other year.
- In Florida, the breeding season runs from June to August and cubs are born in late January or early February.
- Bears of all ages are excellent climbers and will climb trees when they are frightened or looking for food (e.g., acorns).
- About 80 percent of a black bear's diet comes from plants (e.g., fruits, nuts, berries), 15 percent from insects (e.g., termites, ants, yellow jackets) and 5 percent from meat (e.g., opossums, armadillos, carrion).

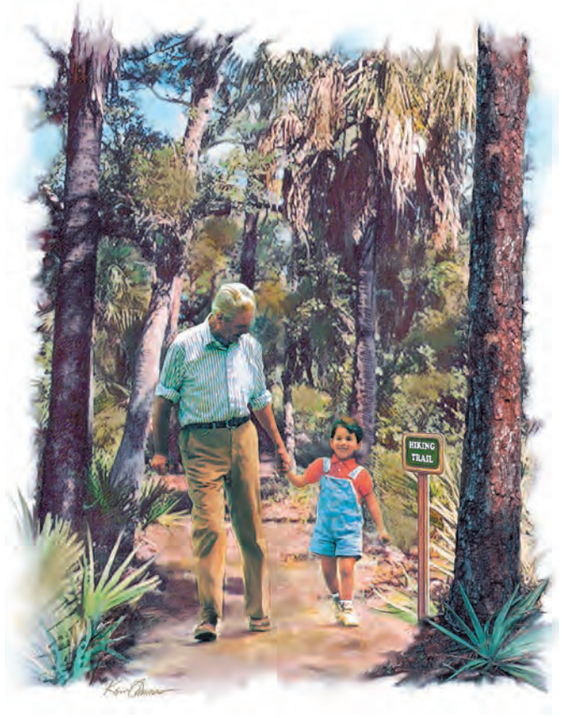
It is illegal to intentionally place food or garbage out that attracts bears and causes conflicts. Anything that attracts dogs, cats or raccoons also will attract bears!



You live in Florida panther country

Florida panthers are reclusive and rarely seen by people. They normally live in remote, undeveloped areas. However, as the number of people in southern Florida grows, there is an increased chance of an encounter with a Florida panther.

This brochure contains some guidelines to help you live safely in Florida panther country.



Keep children within sight and close to you, especially outdoors between dusk and dawn.

If you feel threatened by a panther, or have lost pets or livestock to a panther, please call the Florida Fish and Wildlife Conservation Commission's Wildlife Alert Hotline at 1-888-404-FWCC (3922).

If you see a Florida panther

The Florida panther moves primarily at night. The chances of seeing a panther are slim. But if you live in Florida panther country, you need to know what to do if you see one.

- **Keep children within sight and close to you.** Pick up any small children so they don't panic and run. Try to do this without bending over or turning away from the Florida panther.
- **Give them space.** Florida panthers typically will avoid a confrontation. Give them a way to escape.
- **Do not run.** Running may stimulate a panther's instinct to chase. Stand and face the animal. Make eye contact to let the panther know you are aware of its presence.
- **Avoid crouching or bending over.** Squatting or bending makes you look smaller, resembling a prey-sized animal.
- **Appear larger.** Make gestures that indicate you are not prey and that you may be a danger to the panther. Raise your arms. Open your jacket. Throw stones, branches or whatever you can reach without crouching or turning your back. Wave your arms slowly and speak firmly in a loud voice.
- **Fight back if attacked.** There has never been a reported panther attack in Florida. In western states, where attacks by cougars have occurred very rarely, potential victims have fought back successfully with rocks, sticks, caps, jackets, garden tools and their bare hands. Since large cats usually try to bite the head or neck, try to remain standing and face the animal.



Mark Lotz

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Florida Fish and Wildlife Conservation Commission
620 S. Meridian Street
Tallahassee, FL 32399-1600
MyFWC.com/Panther

A guide to living with

Florida Panthers



© Lynn Stone

MyFWC.com/Panther

7 ways to live safely in Florida panther country

While these guidelines are meant to help you live safely in Florida panther habitat, they also apply to living with more commonly encountered wildlife, including raccoons, snakes, bears and alligators.

1. **Be alert from dusk 'til dawn (and whenever deer are active)**
   Florida panthers primarily are active at night. Exercise more caution at dawn, dusk or dark.

2. **Keep panther prey away**
   Deer, raccoons, rabbits, armadillos and wild hogs are prey for the Florida panther. By feeding deer or other wildlife, people inadvertently may attract panthers. Do not leave potential wildlife food outside, such as unsecured garbage or pet food. Consider fencing vegetable gardens.

3. **Keep pets secure**
   Free-roaming pets, or pets that are tethered and unfenced, are easy prey for predators, including panthers. Bring pets inside or keep them in a secure and covered kennel at night. Feeding pets outside also may attract raccoons and other panther prey; do not leave uneaten pet food available to wildlife.



Keep your pets safe and secure. Bring pets inside or keep them in a secure and covered kennel at night.



Keep livestock safe and secure.

4. **Keep domestic livestock secure**
   Where practical, place chickens, goats, hogs or other livestock in enclosed structures at night. Electric fencing can be an effective predator deterrent.

5. **Landscape for safety**
   Remove dense or low-lying vegetation that would provide hiding places for panthers and other predatory animals near your house.
   - Remove plants that deer like to eat.
   - Choose plants that do not attract deer or other panther prey species. For information on plants that deer do not like to eat, visit edis.ifas.ufl.edu/UW137.
   - Appropriate fencing will make your yard or play area uninviting to prey animals such as deer.

6. **Consider other deterrents**
   Outdoor lighting, motion sensors and electric fencing also may deter prey animals and panthers from entering your yard. Outdoor lighting also will make approaching prey and panthers more visible to you.

7. **Hike or bike with a friend**
   When recreating outdoors, it's a good practice to let friends or family know your whereabouts and when you expect to return. Better yet, take a friend with you!

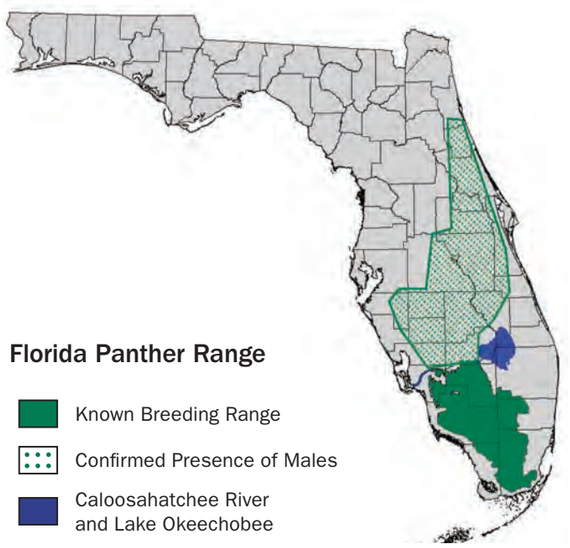
Florida panther facts

- The Florida panther is a subspecies of puma, also known as a mountain lion or cougar. It is the last subspecies still surviving in the eastern United States.
- Biologists estimate roughly 100-160 adult and subadult Florida panthers remain in the wild. Most panthers live in southwest Florida, south of the Caloosahatchee River, although some panthers have been documented traveling as far north as central Georgia.
- The Florida panther's decline occurred prior to 1950, when it still was legal to hunt panthers. It was listed as endangered in 1967 and is protected under federal and state laws.
- Florida panther numbers declined to roughly 30 cats by the early 1980s. Severe inbreeding resulted in many health and physical problems. A genetic restoration project in 1995 was successful in improving the genetic health and vigor of the panther population.
- Florida panthers are found primarily in the Big Cypress/Everglades ecosystem in Collier, Lee, Hendry, Monroe and Miami-Dade counties.
- Florida panthers' home range sizes vary by sex and by individual. Female home ranges are typically 60-75 square miles whereas males' are typically 160-200 square miles.



FWC panther team

- There is no record of a Florida panther attacking a person. Florida panthers are rarely seen.
- The biggest threat to the future of the Florida panther is habitat loss. A number of panthers also die each year due to vehicle strikes on roadways.
- The Florida panther was chosen as the State Animal of Florida in 1982 by a vote of elementary school students throughout the state.



This brochure was produced through a partnership of the Audubon Society of Florida, Conservancy of Southwest Florida, Defenders of Wildlife, Florida Fish and Wildlife Conservation Commission, Florida Wildlife Federation, Friends of the Florida Panther Refuge, Mountain Lion Foundation, National Park Service, National Wildlife Federation, Seminole Tribe of Florida, University of Florida and the U.S. Fish and Wildlife Service.

Funding provided by the Florida Fish and Wildlife Conservation Commission, Friends of the Florida Panther Refuge and the National Fish and Wildlife Foundation.

Application
(Exhibit T1)

Revised August 2021

APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT - TEXT

Project Name: **Owl Creek Reserve**

Project Description: **Text Amendments to allow incentives for protection of environmentally sensitive lands within the Rural future land use category for clustered planned developments within the North Olga Planning Community area. Concurrent amendment to Map 6 and planned development application for ±342.68 acres to accommodate up to 385 residential dwelling units (increase of 157 dwelling units). Amendments proposed to Policies 124.1.1, Table 1(a) Note 8, and proposed new Policy 29.2.4.**

State Review Process: ☐ State Coordinated Review ☒ Expedited State Review ☐ Small-Scale Text*

***Must be directly related to the implementation of small-scale map amendment as required by Florida Statutes.**

APPLICANT – PLEASE NOTE:
A PRE-APPLICATION MEETING IS REQUIRED PRIOR TO THE SUBMITTAL OF THIS APPLICATION.

Submit 3 copies of the complete application and amendment support documentation, including maps, to the Lee County Department of Community Development.

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

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

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

2. **Name of Contact:** **Stacy Ellis Hewitt, AICP – Banks Engineering**
   Address: **10511 Six Mile Cypress Parkway, Suite 101**
   City, State, Zip: **Fort Myers, FL 33966**
   Phone Number: **(239) 939-5490** E-mail: **SHewitt@bankseng.com**

3. **Property Information:** Provide an analysis of any property within Unincorporated Lee County that may be impacted by the proposed text amendment. **The request is to support a concurrent residential planned development application located between North River Road and the Caloosahatchee River and provides specific development conditions. Other Rural lands within North Olga Planning Community could apply for a planned development zoning request to utilize incentives for protection of environmentally sensitive lands.**

4a. **Does the proposed change affect any of the following areas?**

If located in one of the following areas, provide an analysis of the change to the affected area.

- ☐ Acquisition Area [Map 1 Page 4]
- ☐ Agricultural Overlay [Map 30]
- ☐ Airport Mitigation Lands [Map 3]
- ☐ Airport Noise Zone [Map 1 Page 5]
- ☐ Burnt Store Marina Village [Map 1 Page 2]
- ☐ Environmental Enhancement and Preservation Communities [Map 17]
- ☐ Mixed Use Overlay [Map 1 Page 6]
- ☐ Planning Communities Map [Map 1 Page 2]
- ☐ Urban Infill and Redevelopment [Map 15]
- ☐ Urban Reserve Area [Map 1 Page 4]
- ☐ Water Dependent Overlay [Map 1 Page 2]
- ☐ Private Recreational Facilities [Goal 16]

4b. 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 [Lee Plan Goal 17].

☐ N/A	☐ Bayshore [Goal 18]	☐ Boca Grande [Goal 19]	☐ Buckingham [Goal 20]
☐ Caloosahatchee Shores [Goal 21]	☐ Olga [Goal 22]	☐ Captiva [Goal 23]	☐ Greater Pine Island [Goal 24]
☐ Lehigh Acres [Goal 25]	☐ North Captiva [Goal 26]	☒ NE Lee County [Goal 27]	☐ Alva [Goal 28]
☒ North Olga [Goal 29]	☐ North Fort Myers [Goal 30]	☐ Page Park [Goal 31]	☐ San Carlos Island [Goal 32]
☐ Southeast Lee County [Goal 33]	☐ Tice [Goal 34]		

Public Facilities Impacts

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

1. **Traffic Circulation Analysis**: Provide an analysis of the effect of the change on the Financially Feasible Transportation Plan/Map 3A (20-year horizon) and on the Capital Improvements Element (5-year horizon).

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

Environmental Impacts

Provide an overall analysis of potential environmental impacts (positive and negative).

Historic Resources Impacts

Provide an overall analysis of potential historic impacts (positive and negative).

Internal Consistency with the Lee Plan

1. Discuss how the proposal affects established Lee County population projections, Lee Plan Table 1(b) and the total population capacity of the Lee Plan Future Land Use Map.
2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.
3. Describe how the proposal affects adjacent local governments and their comprehensive plans.
4. List State Policy Plan goals and policies, and Strategic Regional Policy Plan goals, strategies, actions and policies which are relevant to this plan amendment.

Justify the proposed amendment based upon sound planning principles

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

SUBMITTAL REQUIREMENTS

Clearly label all submittal documents with the <u>exhibit name</u> indicated below.

MINIMUM SUBMITTAL ITEMS

X	Completed application (Exhibit – T1)
X	Filing Fee (Exhibit – T2)
X	Pre-Application Meeting (Exhibit – T3)
X	Proposed text changes (in strike through and underline format) (Exhibit – T4)
X	Analysis of impacts from proposed changes (Exhibit – T5)
X	Lee Plan Analysis (Exhibit – T6)
X	Environmental Impacts Analysis (Exhibit – T7)
X	Historic Resources Impacts Analysis (Exhibit – T8)
X	State Policy Plan Analysis (Exhibit – T9)
X	Strategic Regional Policy Plan Analysis (Exhibit – T10)

Pre-Application Meeting
(Exhibit T3)

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

OWL CREEK
Comprehensive Plan Amendment
Pre-Application Meeting/Teleconference Minutes
EXHIBIT "T3"

Date: June 22, 2020 at 1:30 p.m.

County Staff: Audra Ennis, Brian Roberts, Mikki Rozdolski, Brandon Dunn, Becky Sweigert, Tyler Griffin, Nic DeFilippo, John Fredyma

Applicant Representatives: Russell Schropp, Tom Lehnert, Dave Underhill, Stacy Ellis Hewitt, Wayne Everett

Meeting was requested to discuss a potential plan amendment and Residential Planned Development rezoning for ±345 acres, of which 200± are uplands. The proposal would be for a FLUM amendment from Rural to Sub-Outlying Suburban and an RPD for approximately 400 single family dwelling units. Specific properties were provided prior to the meeting.

Following items topics were discussed:

- Potential for amenities and potential single-family docks or multi-slip docks. Number of docks and manatee review is in the works
- There has been a recent amendment to Policy 6.1.2 to allow neighborhood commercial at intersection of N. River Road and S.R. 31.
- Northeast Lee County and North Olga have lots of design criteria
- Caloosahatchee riverfront - manatee and potential sawfish
- Water quality - extending water and sewer to site from civic center
- Premature for any staff recommendation
- 2 community meetings required - North Olga and Alva
- Owl Creek Boat Works is within Water Dependent Overlay and must be protected
- Concurrent planned development zoning after first comments on comp plan amendment
- Clustering, large open space areas, water and sewer - no septic
- Sub-Outlying Suburban allows 2 units per acre - possible text amendment to further limit
- Evaluate Policy 101.1.4 - hurricane evacuation times
- Address holistically such as recent Babcock with flood, storm water, septic issues
- Policies direct to look at N. River Road alternate routes
- Review Goals 27 and 29

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Proposed Text Changes

(Exhibit T4)

CPA2020-00005
Revised August 2021

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

OWL CREEK RESERVE
Comprehensive Plan Amendment
Proposed Text Changes
Exhibit T4
CPA2020-00004 & CPA2020-00005
Revised August 2021

The Owl Creek Reserve application includes the following requests:

- 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 Amendments to following:
    - Policy 124.1.1 – Add language for wetlands adjacent to Rural areas within North Olga Planning Community to refer to proposed Policy 29.2.4.a.
    - Table 1(a) – Amend footnote 8 for wetlands adjacent to Rural areas within North Olga Planning Community to refer to proposed Policy 29.2.4.a.
    - North Olga Community Plan – Add new Policy 29.2.4 to provide incentives to encourage wetland preservation and rare and unique upland habitat preservation or restoration for clustered developments utilizing the planned development process within the North Olga Planning Community.

POLICY 124.1.1: Ensure that development in wetlands is limited to very low density residential uses and uses of a recreational, open space, or conservation nature that are compatible with wetland functions. The maximum density in the Wetlands category is one unit per 20 acres, except that one single family residence will be permitted on lots meeting the standards in Chapter XIII, and except that owners of wetlands adjacent to Intensive Development, General Interchange, Central Urban, Urban Community, Suburban, New Community, Outlying Suburban and Sub-Outlying Suburban areas may transfer densities to developable contiguous uplands under common ownership (see Table 1(a)). **For wetlands adjacent to Rural areas within North Olga Planning Community see Policy 29.2.4.a.**

Table 1(a):

[8] Higher densities may be allowed under the following circumstances where wetlands are preserved on the subject site:

(a) If the dwelling units are relocated off-site through the Transfer of Development Rights program provided in Chapter 2 of the Land Development Code; 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 (see Policy 124.1.1). **For wetlands adjacent to Rural areas within North Olga Planning Community see Policy 29.2.4.a.** Impacted wetlands will be

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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.

POLICY 29.2.4: Clustered developments within the Rural future land use category may utilize the following incentives that encourage protection of environmentally sensitive lands if consistency with Goal 29 is demonstrated through the planned development rezoning process:

a. **Dwelling units may be relocated from preserved freshwater wetlands encumbered by a conservation easement to developable contiguous uplands under common ownership at one (1) dwelling unit per acre. Impacted wetlands will be calculated at the standard Wetlands density of one (1) dwelling unit per 20 acres.**
b. **One (1) additional dwelling unit may be created for each one (1) acre of preserved and/or restored rare and unique upland habitat that is encumbered by a conservation easement.**

TABLE 1(a)

SUMMARY OF RESIDENTIAL DENSITIES[1]

FUTURE LAND USE CATEGORY	STANDARD OR BASE DENSITY RANGE		BONUS DENSITY
	MINIMUM[2] (Dwelling Units per Gross Acre)	MAXIMUM (Dwelling Units per Gross Acre)	MAXIMUM TOTAL DENSITY[3] (Dwelling Units per Gross Acre)
Intensive Development[14]	8	14	22
General Interchange[2]	8	14	22
Central Urban[15]	4	10	15
Urban Community[4,5,16]	1	6	10
Suburban[17]	1	6	No Bonus
Outlying Suburban	1	3	No Bonus
Sub-Outlying Suburban	1	2	No Bonus
Rural[10]	No Minimum	1	No Bonus
Outer Islands	No Minimum	1	No Bonus
Rural Community Preserve[6]	No Minimum	1	No Bonus
Open Lands[7]	No Minimum	1 du/5 acres	No Bonus
Density Reduction/Groundwater Resource[13]	No Minimum	1 du/10 acres	No Bonus
Wetlands[8]	No Minimum	1 du/20 acres	No Bonus
New Community[19]	No Minimum	6	No Bonus
University Community[9]	1	2.5	No Bonus
Destination Resort Mixed Use Water Dependent[11]	6	9.36	No Bonus
Burnt Store Marina Village[12]	No Minimum	160 Dwelling Units; 145 Hotel Units	No Bonus
Coastal Rural[18]	No Minimum	1 du/2.7 acres	No Bonus

CLARIFICATIONS AND EXCEPTIONS

[1]See the glossary in Chapter XII for the full definition of "density".

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

[3]These maximum densities may be permitted by transferring density from non-contiguous land through the provisions of the Bonus Density Program identified in Chapter 2 of the Land Development Code.

[4]Within the Future Urban Areas of Pine Island Center, rezonings that will allow in excess of 3 dwelling units per gross acre must "acquire" the density above 3 dwelling units per gross acre utilizing TDUs that were created from Greater Pine Island (see Objective 24.6), or transfer dwelling units in accordance with Policy 24.3.4.

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

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

[7]The maximum density of 1 unit per 5 acres can only be approved through the planned development process (see Policy 1.4.4), except in the approximately 135 acres of land lying east of US41 and north of Alico Road in the northwest corner of Section 5, Township 46, Range 25.

[8]Higher densities may be allowed under the following circumstances where wetlands are preserved on the subject site:

(a) If the dwelling units are relocated off-site through the provision of Transfer of Development Rights Ordinance 86-18, as amended or replaced; or

(b) Dwelling units may be relocated to developable contiguous uplands designated Intensive Development, General Interchange, Central Urban, Urban Community, Suburban, Outlying Suburban, Sub-Outlying Suburban, and New Community from preserved freshwater wetlands at the same underlying density as permitted for those uplands (see Policy 124.1.1). For wetlands adjacent to Rural areas within North Olga Planning Community see Policy 29.2.4.a. Impacted wetlands will be calculated at the standard Wetlands density of 1 dwelling units per 20 acres. Planned Developments or Development Orders approved prior to October 20, 2010 are permitted the density approved prior to the adoption of CPA2008-18.

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

[10]In the Rural category located in Section 24, Township 43 South, Range 23 East and south of Gator Slough, the maximum density is 1 du/2.25 acres.

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

[12]The residential dwelling units and hotel development portions of this redevelopment project must be located outside of the designated Coastal High Hazard Area in accordance with Lee Plan, Map 5.

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

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

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

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

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

[18] The standard maximum density is 1 du/2.7 acres unless the "Adjusted Maximum Density" of 1 du/acre is achieved in accordance with requirements of Policy 1.4.7 and Chapter 33 of the Land Development Code.

[19]Maximum density in the New Community future land use category is limited to 1 du/2.5 acres in the North Olga Community Plan area in accordance with Policy 1.6.1.