



February 26, 2022

Earl R. Hahn, AICP
Principal Planner
Lee County Community Development
1500 Monroe Street
Fort Myers, FL 33901

**Re: RaceTrac at Bayshore CPD
DCI2021-00053
Sufficiency Response #1**

Mr. Hahn:

In response to your letter dated January 28, 2022, attached please find the following items as they relate to the above referenced project:

1. Legal Description and Sketch
2. Title Commitment
3. Boundary Survey
4. LCU Letter of Service Availability
5. Archeological Sensitivity Zone Map
6. Request Statement
7. Master Concept Plan
8. Property Development Regulations Table
9. Surface Water Management Plan
10. Affidavits of Authorization
11. Environmental Assessment
12. Schedule of Deviations

In regards to the formal comment letter dated January 28, 2022, please find the following responses to Staff comments in order as received:

ZONING REVIEW

Comment 1

The application form and Master Concept Plan (MCP) lists two (2) STRAP numbers and a portion of a third STRAP number, the Deeds.pdf submitted with the application displays six (6) STRAP numbers and two parcels, and the boundary survey lists three (3) STRAP numbers and a portion of a fourth STRAP Number. Please reconcile among the documents the applicable STRAP numbers.

**Response 1**

The application is to rezone all or part of multiple parcels. After completion of the zoning, the property will need to be platted. This will be completed concurrent with the subsequent Development Order process.

Comment 2

Application form Part 3.E requires a list of all zoning Resolutions and Approvals applicable to the subject property be provided and the required list was not submitted. Please amend the application accordingly.

Response 2

The applicant is not aware of any zoning resolutions that effect the subject property.

Comment 3

Application form Part 3.I notes the subject property is located in the North Fort Myers Planning Community. LDC Section 33-1532 requires for planned development zoning actions one publicly advertised information session within the North Fort Myers Planning Community prior to obtaining approval or finding of sufficiency and LDC Section 33-1533 addresses the meeting requirements. The application did not include documentation verifying conformance with these sections. Please amend the application accordingly.

Response 3

The applicant is in the process of scheduling the public meeting. This meeting is required prior to the finding of sufficiency. We will notify staff as to the date, time and location of the meeting when it is scheduled.

Comment 4

LDC Section 34-373(3) provides "A legal description and sketch meeting the requirements of section 34-202(a) is required. If the proposed planned development will encompass more than one zoning district (i.e. RPD/CPD), then a legal description and sketch for each separate zoning district will be required in addition to the legal description and accompanying sketch of the overall planned development boundary. The boundary survey may not be used to satisfy this requirement." The proposed planned development encompasses three existing zoning districts (AG-2, CC and CPD) and a legal description and sketch consistent with LDC Section 34-373(3) was not submitted. Please amend the application accordingly.

Response 4

Please see the attached legal description and sketch.

Comment 5

LDC Section 34-202(a)(6) requires a boundary survey of the subject property be submitted. The survey must be based upon the title certification submitted in accord with section 34-201(a)(7) and certified to the present owner as reflected in the title documentation submitted in accordance with section 34-201(a)(7). The boundary survey must identify and depict all easements affecting the subject property,



whether recorded or unrecorded, and all other physical encumbrances readily identified by a field inspection. Although easements are displayed, those easements are not based on a title certification. Please amend the boundary survey accordingly.

Response 5

The Title Certification referenced on the survey was inadvertently omitted from the initial submittal. The Title Certification referenced on the Boundary Survey is included in this submittal.

Comment 6

LDC Section 34-202(a)(7) requires certification of title and encumbrances be submitted and such documentation was not provided. Please provide a certification of title and encumbrances consistent with the requirements in LDC Section 34-202(a)(7).

Response 6

Please see the attached Title Commitment.

Comment 7

LDC Section 34-202(a)(9) requires a complete list, map, and one set of mailing labels, of property owners, and their mailing addresses, for all properties within 500 feet of the perimeter of the property, or the portion thereof, that is the subject of the request be submitted. In those instances where fewer than ten owners of property would be notified, the distance must be expanded to include all owners of property within 750 feet (1,250 feet for wireless communication facilities). Names and addresses of property owners must be those appearing on the current Lee County tax rolls. When the application is found sufficient, the applicant is required to submit a new list and mailing labels. The required documentation was not submitted. Please amend the application consistent with LDC Section 34-202(a)(9).

Response 7

The mailing labels will be submitted at the counter under separate cover.

Comment 8

LDC Section 34-202(a)(10) requires a letter from the appropriate utility provider verifying their ability to provide service to the proposed development be submitted. If service is not available, the applicant must indicate how the potable water and sanitary sewer needs for the project will be met. A utility provider letter verifying service availability was not submitted. Please amend the application accordingly.

Response 8

Please see the attached letter of service availability from Lee County Utilities.

Comment 9

LDC Section 34-373(a)(4)d provides the nature and location of any known or recorded historical or archaeological sites as listed on the Florida Master Site File or the Lee County Historical Site Survey, and the location of any part of the property that is located within level 1 or level 2 zones of archaeological sensitivity pursuant to chapter 22. The plan must show the outline of historic buildings and approximate extent of archaeological sites. A description of proposed improvements that may



impact archaeological or historical resources must also be provided. The application does not address whether or not the property impacts historic or archeological resources. Please amend the application accordingly.

Response 9

There are no known archeological sites on the subject property. Attached is a map depicting the Lee County Archeological Sensitivity Zones. The subject property is entirely within Zone 2.

Comment 10

LDC Section 34-373(a)(5) requires a single narrative explaining the nature of the request and how the property qualifies for the rezoning to a planned development. This narrative should include how the proposed development complies with the Lee Plan and the Land Development Code. In addition, LDC Sections 34-145(d)(4)a.1 and 34-145(d)(4)a.2, respectively provide that before recommending approval for a rezoning or planned development rezoning, the Hearing Examiner must find the rezoning request complies with those sections.

- *The application does not address compliance with Lee Plan Goal 30 and applicable Objectives and Policies, or with Policies 39.2.1 and 158.3.5.*
- *The application does not address conformance with LDC Section 34-1353 and LDC Section 33-1541 et. seq.*

Response 10

Please see the attached revised Request Statement, which addresses Lee Plan Goal 30, Policy 39.2.1, Policy 158.3.5 and LDC Section 34-1353. It is not our belief that LDC Section 33-1541 applies to the subject property as the subject property does not abut large lot residential uses.

Comment 11

LDC Section 34-373(a)(6) addresses the requirement for a Master Concept Plan (MCP).

- *LDC Section 34-373(a)(6)a requires that the location and explanation of all existing easements be shown on the MCP, regardless of whether those easements are recorded. If an easement is based upon a recorded document, the official records book reference must be stated. The MCP does not display the location of easements.*
- *LDC Section 34-373(a)(6)e provides the MCP must show the general location of service areas for delivery of goods or services must be shown for all developments that are not residential subdivisions and the MCP does not show the location.*
- *LDC Section 34-373(a)(6)i requires the minimum width and composition of all proposed buffers along the perimeter of the subject property, as well as between the individual uses, if the types of proposed uses require buffer separations be illustrated. References to types of buffers as described in chapter 10 are acceptable. Buffers along the west and southwest boundaries are not identified.*

Please amend the MCP accordingly.

Response 11

Please see the attached revised Master Concept Plan.

Comment 12



LDC Section 34-373(a)(10) provides for submittal of a property development regulations table but the minimum lot area, lot width/street frontage, lot depth and rear setback are inconsistent with LDC Sections 34-1353(c) and (d). Please amend the table consistent with LDC Sections 34-1353(c) and (d) or seek a deviation consistent with LDC Section 34-373(a)(9). Please note if a deviation is sought then the MCP will need to be revised accordingly.

Response 12

Please see the attached Property Development Regulations Table.

Comment 13

LDC Section 34-373(b) provides a written description of the surface water management plan be submitted and such plan was not submitted. Please amend the application accordingly.

Response 13

Please see the attached Surface Water Management Plan.

Comment 14

The application is not in conformance with LDC Sec. 34-202(a)(5). Please provide a legal description and sketch in accordance with the requirements of Lee County LDC §34-202(a)(5).

Response 14

Please see the attached legal description and sketch.

Comment 15

The application is not in conformance with LDC Sec. 34-202(a)(6). Please provide a boundary survey in accordance with the requirements of Lee County LDC §34-202(a)(6).

- *The survey must be tied to the state plane coordinate system for the Florida West Zone (the most current adjustment is required) with two coordinates, one coordinate being the point of beginning (POB) and the other an opposing corner.*
- *The perimeter boundary must be clearly marked with a heavy line and must include the entire area to be developed. The boundary line is not easily differentiated from other items on the survey.*
- *The survey must be based upon the title certification submitted in accord with section 34-201(a)(7)*

Response 15

The coordinates on the boundary survey have been corrected to the POB instead of the POC. The other referenced criteria was previously met.

Comment 16

The application is not in conformance with LDC Sec. 34-202(a)(5) (7) Please provide a title certification in accordance with the requirements of Lee County LDC §34-202(a)(7).

Response 16

Please see the attached title commitment.



DEVELOPMENT SERVICES REVIEW

Comment 1

It is not clear from the boundary survey and MCP provided that the applicant owns/controls all parcels that are part of this application. Staff notes three separate property owners. The parcel directly south of the proposed development is owned by Bayshore – Copping, LLC that also owns the property that abuts Bayshore Rd. How was this parcel created? Was a lot split completed?

Response 1

The applicant owns STRAP 2143250000007002A. The applicant is under contract to purchase all of STRAPS 21432500000070100 (Bayshore-Copping) & 21432500000080000 (Dalessandro) as well as a portion of STRAP 21432500000070030 (Bayshore – Copping).

Affidavits of Authorization are provided with this submittal from Dalessandro and Bayshore – Copping.

Following the rezone, the subject property would be platted to create a legal parcel and provide access to the remaining portion of STRAP 21432500000070030.

Comment 2

Please show all proposed and existing easements on the MCP.

Response 2

Please see the attached revised Master Concept Plan.

Comment 3

Please show the general location of service areas for delivery of goods and services on the MCP.

Response 3

Please see the attached revised Master Concept Plan.

Comment 4

Please provide a stormwater narrative with your resubmittal.

Response 4

Please see the attached Surface Water Management Plan.

Comment 5

The subject property is in Archaeological Sensitivity Zone 2. Please show the location of any part of the property that is located in Zones 1 and 2 in accordance with 34-373(a)(4)(d).

Response 5

Please see the attached Archeological Sensitivity Map for the subject property.

Comment 6

The proposed property development regulations do not meet the minimum frontage, depth, parcel area, and rear yard setback in 34-1353(c). Please revise or seek a deviation.

**Response 6**

Please see the attached property development regulations table.

UTILITY REVIEW**Comment 1**

Please include letter's of availability for water from LCU and sewer from FGUA.

Response 1

Please see the attached letter of service availability from LCU.

ENVIRONMENTAL SERVICES REVIEW**Comment 1**

The boundary survey appears to have larger dimensions than the Master Concept Plan. Please clarify.

Response 1

Please see the attached revised boundary survey, which is consistent with the master concept plan.

Comment 2

The environmental assessment stated that the subject property is 6.33 acres; however, the narrative and the boundary survey states that the subject area is 5.29 acres. Please clarify for consistency.

Response 2

Please see the attached revised environmental assessment.

Comment 3

South of the proposed development, there is a natural waterway. According to sec.10-416(d)(9), there must be a 50-foot wide vegetative buffer landward of a non-seawalled natural waterway as measured from the mean high water line or top of bank, whichever is further landward. Please depict the natural waterway buffer on the Master Concept Plan and boundary survey.

Response 3

Please see the enclosed Existing Drainage Patterns Exhibit. The noted waterway is nearly 200' from the proposed CPD boundary; therefore the noted buffer does not encroach onto the project.

Comment 4

If the proposed development contains over two acres of impervious, 30% open space is required (sec.10-415). Please provide the amount of impervious.

Response 4

The open space has been revised to meet the 30% requirement.

Comment 5



If the proposed project is considered a large development, as defined in LDC Section 10-1, and requires 30% open space, half of the open space requirement will need to be met by indigenous preserve(s) (sec. 10-415 (b)(1)). In the environmental survey conducted by BearPaws, the FLUCCS map depicts indigenous vegetation. Please revise the master concept plan to depict indigenous preservation.

Response 5

There is a very area of indigenous vegetation located on the western boundary of the subject property. Due to its size, location and configuration, a deviation has been added to impact this area.

Comment 6

There appears to be a billboard on the northwest parcel. According to sec. 10-421(a), a plant's growth habit must be considered in advance of conflicts that might be created (e.g. views, signage, overhead power lines, lighting, buildings, and circulation). Please indicate if the billboard will remain. If so, please depict the billboard on the Master Concept Plan and depict the view window from the right-of-way to ensure that there are no visibility conflicts due to the required buffer.

Response 6

The intent of the applicant is to remove the existing billboard at the time of development.

SOLID WASTE REVIEW

Comment 1

The MCP does not indicate a proposed dumpster enclosure location with specifications included as required in Solid Waste Ordinance 11-27

Response 1

Please see the attached revised master concept plan which shows the conceptual location of the proposed dumpster. The enclosure specification will be reviewed at the time of local development order.

NATURAL RESOURCES REVIEW

Comment 1

Please provide a written description of the surface water management plan that meets the requirements outlined in LDC 34-373(b)(1).

Response 1

Please see the attached Surface Water Management Plan.

Comment 2

Please provide an analysis of Lee Plan policies 60.1.1, 125.1.2, 125.1.3, and 125.1.4.

Response 2

Please see the attached revised Request Statement.



If you should require any additional information, please contact our office.

Sincerely,

DeLisi Fitzgerald, Inc.

A handwritten signature in blue ink, appearing to read "John Wojdak", is written over the printed name.

John Wojdak, P.E.
Vice President

Project No.: 21555

AFFIDAVIT OF AUTHORIZATION

FOR USE WHERE AN APPLICATION IS SIGNED BY OWNER OR BY INDIVIDUAL AS AN APPLICANT ON BEHALF OF THE PROPERTY OWNER

I, John Skalko (Print Name), either individually, or as the Managing Partner (Title) of Owner Property (Owner Property, Consultant or Well Company),

making a permit application, swear or affirm under oath, that I am the authorized representative on behalf of or as property owner for the following property owner(s): Bayshore-Copping, LLC., of the property located at: 8600 Bayshore Road

(site\street address), in Lee County, Florida, also identified as STRAP Number: 21-43-25-00-00007.0030 and, and that:

21-43-25-00-00007.0100

1. I hereby state that the information contained herein is accurate, and that I am aware of my responsibilities under Chapter 373, Florida Statutes, to maintain or property abandon any well installed on the property, and that I have informed the owner of the property of their responsibilities as stated above and herein. Further, on behalf of myself and the owner of property, I affirm that I have the full authority to secure the approval(s) being requested under my signature and agree to be bound by any regulations imposed on the above-referenced property as a result of any action by Lee County in accordance with all applicable regulations, including the Lee County Well Code; and
2. All answers to questions contained in any resulting permit application, including all sketches, data or other supplementary information submitted in conjunction therewith, are honest and true; and
3. I have authorized the staff of Lee County Natural Resources, or any delegated authority, to enter upon the property during normal working hours for the purpose of inspecting and investigating the construction, repair, modification or abandonment of any well authorized by this permit application; and
4. The property will **not be developed, transferred, conveyed, sold or subdivided unencumbered** by the conditions and restrictions imposed by any resulting permit approval or related action.

[] **Check here** and initial if the work being performed is solely for geotechnical test borings and temporary monitoring wells. Signatory's Initials: _____ (A Notice of Comment will not be required for this activity only.)

[] **Check here** if the Contract Price is not in excess of \$2,500.00. Initials: _____ (NOC not required.)

Notes:

- If the applicant is a corporation, then it is usually executed by the corp., pres., or v. pres.
- If the application is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the Company's "Manager" or "Managing Member" must sign the documents.
- 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."
- If each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format/title for that ownership representative.

Verification Pursuant to §923.525, Florida Statutes.

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

John J. Skalko
Signature

Date:

2/4/22

AFFIDAVIT OF AUTHORIZATION

FOR USE WHERE AN APPLICATION IS SIGNED BY OWNER OR BY INDIVIDUAL AS AN APPLICANT ON BEHALF OF THE PROPERTY OWNER

I, JAN BAILLARGEON-SIEGEL (Print Name), either individually, or as the PERSONAL REPRESENTATIVE (Title) of ESTATE OF FRANK D'ALESSANDRO (Owner Property, Consultant or Well Company),

making a permit application, swear or affirm under oath, that I am the authorized representative on behalf of or as property owner for the following property owner(s): Jan Baillargeon-Siegel, of the property located at: 8590 Bayshore Road, North Fort Myers, Florida 33917

(site\street address), in Lee County, Florida, also identified as STRAP Number: 21-43-25-00-00008.0000, and that:

1. I hereby state that the information contained herein is accurate, and that I am aware of my responsibilities under Chapter 373, Florida Statutes, to maintain or property abandon any well installed on the property, and that I have informed the owner of the property of their responsibilities as stated above and herein. Further, on behalf of myself and the owner of property, I affirm that I have the full authority to secure the approval(s) being requested under my signature and agree to be bound by any regulations imposed on the above-referenced property as a result of any action by Lee County in accordance with all applicable regulations, including the Lee County Well Code; and
2. All answers to questions contained in any resulting permit application, including all sketches, data or other supplementary information submitted in conjunction therewith, are honest and true; and
3. I have authorized the staff of Lee County Natural Resources, or any delegated authority, to enter upon the property during normal working hours for the purpose of inspecting and investigating the construction, repair, modification or abandonment of any well authorized by this permit application; and
4. The property will **not be developed, transferred, conveyed, sold or subdivided unencumbered** by the conditions and restrictions imposed by any resulting permit approval or related action.
 - ☐ **Check here** and initial if the work being performed is solely for geotechnical test borings and temporary monitoring wells. Signatory's Initials: _____ (A Notice of Comment will not be required for this activity only.)
 - ☐ **Check here** if the Contract Price is not in excess of \$2,500.00. Initials: _____ (NOC not required.)

Notes:

- If the applicant is a corporation, then it is usually executed by the corp., pres., or v. pres.
- If the application is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the Company's "Manager" or "Managing Member" must sign the documents.
- 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."
- If each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format/title for that ownership representative.

Verification Pursuant to §923.525, Florida Statutes.

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

Jan Baillargeon Siegel
Signature
PERSONAL REPRESENTATIVE
ESTATE OF FRANK D'ALESSANDRO

Date: 2/17/2022

RACETrAC AT BAYSHORE CPD

REQUEST STATEMENT / PROJECT NARRATIVE

Introduction:

The attached application is for a Minor Commercial Planned Development for the RaceTrac at Bayshore Road. The subject property is 5.3 acres +/- and strategically located for the proposed use at the corner of Bayshore Road and Park 78 Drive within ¼ mile west of the I-75 Interchange. The subject property is in the in the North Fort Myers Planning Community and located within the General Interchange future land use category on the Lee County future land use map.

The subject property currently includes three parcels that are zoned CC, CPD, and AG-2. The proposed zoning for the project is CPD and the site will be developed with a Convenience Food and Beverage Store with Self-Serve Fuel Pumps. The development intensity proposed is 6,000 square feet and 22 fuel pumps.

Surrounding Uses and Compatibility

The subject property is located just west of the I-75 interchange along Bayshore Road. The subject property has direct access to Bayshore Road and is at the corner of Bayshore and Park 78 Drive. To the east of the subject property is the Love's Gas Station and Truck Stop. To the west of the subject property is vacant land, with a mix of uses including heavy commercial, light industrial and recreational vehicle properties starting approximately a ¼ mile from the subject property. To the north is the Bayshore CPD, which is permitted for a mix of commercial and interchange uses. To the south of the subject property is vacant land. There are no incompatibilities that exist anywhere near the subject property.

Impact on Public Services

The subject property is located in an urban future land use category and has urban services available to the site. As noted in the transportation analysis, the proposed zoning will have a minimal impact to trips on the surrounding road network. All other service are available and have capacity to serve the site as evidenced by the existing development on the adjacent site and the property's location within the General Interchange future land use category.

As detailed in Section 34-145(d)(4)a. 1 and 2. of the Land Development Code, the attached application demonstrates the following:

a) Lee Plan Consistency

The proposed rezoning is consistent with the Lee Plan. An analysis of how the proposed rezoning is consistent with the following Lee Plan policies is described below:

POLICY 1.3.2: The General Interchange areas are intended primarily for land uses that serve the traveling public: service stations, hotel, motel, restaurants, and gift shops. But because of their location, market attractions, and desire for flexibility, these interchange uses permit a broad range of land uses that include tourist commercial, general commercial, light industrial/commercial, and multi-family dwelling units. The standard density range is from eight dwelling units per acre (8 du/acre) to fourteen dwelling units per acre (14 du/acre). Maximum density is twenty-two dwelling units per acre (22 du/acre).

The subject property is located in the General Interchange future land use category, a Future Urban Area. Policy 1.3.2 states that the purpose of this land use category is specifically for developments that “serve the travelling public”. The proposed convenience food and beverage store serves the traveling public. This land use category is also the only category that specifically lists this use “service stations” within the policy itself. The General Interchange land use category does not have a specific intensity standard. The request is both consistent with and implements the intent of Policy 1.3.2.

OBJECTIVE 2.1: DEVELOPMENT LOCATION. Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities.

The proposed rezoning is in a location where commercial development is occurring or planned for directly to the east and north. Development exists proximate to the property in all locations. The proposed rezoning would allow for the development of an appropriate use for the subject property in an appropriate location.

POLICY 2.1.1: Most residential, commercial, industrial, and public development is expected to occur within the designated Future Urban Areas on the Future Land Use Map through the assignment of very low densities to the non-urban categories.

The subject property is located in a designated Future Urban Area on the Future Land Use Map.

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

The subject property is located in a Future Urban Area, the General Interchange. Adequate public facilities are in place to serve development as is evidenced by the development contiguous to the subject property to the east and by the attached TIS.

POLICY 6.1.4: *Commercial development will be approved only when compatible with adjacent existing and proposed land uses and with existing and programmed public services and facilities.*

The proposed rezoning will allow for a convenience food and beverage use immediately adjacent to a similar gas station/truck stop. Being in the General Interchange future land use category, there are existing or planned commercial uses on the east and to the north. To the south and west are vacant properties. Urban services either exist or are planned for at this location.

POLICY 6.1.5: *The land development regulations will require that commercial development be designed to protect the traffic-carrying capacity of roads and streets. Methods to achieve this include, but are not limited to...*

The proposed rezoning is in an area where capacity exists on the adjacent roadway network as demonstrated by the attached TIS.

GOAL 30: NORTH FORT MYERS COMMUNITY PLAN. *Improve the livability and economic vitality in the North Fort Myers Community Plan area by: promoting compact, mixed use development in the form of town and neighborhood centers; attracting appropriate investment to revitalize older neighborhoods and commercial corridors; stabilizing and enhancing, existing neighborhoods; and preserving natural resources.*

Goal 30 outlines the North Fort Myers Community Plan. There are no policies that the proposed application is inconsistent with or apply to the proposed use and the subject property, located at the Bayshore I-75 Interchange. The proposed PD does not in any way conflict with Goal 30 and implementing Objectives or Policies, but implements Policy 1.3.2, which is specific to the subject property.

POLICY 39.2.1: Future urban areas will have a balanced emphasis on automobile, freight, transit, pedestrian, and bicycle modes of transportation by:

- Promoting safe and convenient street, bicycle and pedestrian facility connectivity for easy access between modes.
- Utilizing short block lengths within urban Mixed Use Overlay areas.
- Providing transit service with an emphasis on urban Mixed Use Overlay areas.
- Incentivizing infill and redevelopment, mixed uses, pedestrian friendly design, and higher density in areas served by transit.
- Providing sidewalks along all roads and streets in urban areas, except where prohibited.

The proposed development is located the General Interchange, an urban area that is specifically intended “primarily for land uses that serve the traveling public: service stations...” While Policy 39.2.1 seeks a balance among all future urban areas, the policy specific to the General Interchange has more of an emphasis on serving the traveling public, not pedestrian and bicycle use. The specific development is designed to attract and accommodate truck traffic, a use that is not safely intermingled with pedestrian and bicycle traffic. The proposed development will comply with the land development code on the construction of an on-site sidewalk system. A sidewalk currently exists along Bayshore Road.

POLICY 60.1.1: *Require design of surface water management systems to protect or enhance the groundwater.*

The subject property will be designed with a Stormwater Management System in compliance with Lee County Land Development Code and South Florida Water Management District regulations which will provide the required water quality treatment prior to discharge. The restricted water quality and quantity discharge rates detain water within the stormwater system which promotes infiltration to maintain groundwater levels.

POLICY 125.1.2: *New development and additions to existing development must not degrade surface and ground water quality.*

The subject property will be designed with a Stormwater Management System in compliance with Lee County Land Development Code and South Florida Water Management District regulations which will provide the required water quality treatment prior to discharge. The restricted water quality and quantity discharge rates detain water within the stormwater system which reduce nutrients and suspended solids prior to discharge offsite. A minimum of ½” dry pre-treatment will be provided prior to discharge into the remainder of the system for further water quality treatment and attenuation.

POLICY 125.1.3: *The design, construction, and maintenance of artificial drainage systems must provide for retention or detention areas and vegetated swale systems that minimize nutrient loading and pollution of freshwater and estuarine systems.*

The overall system will be designed to meet South Florida Water Management District and Lee County Land Development Code water quality treatment criteria. The restricted water quality and quantity discharge rates detain water within the stormwater system which reduce nutrients and suspended solids prior to discharge offsite.

POLICY 125.1.4: *Developments which have the potential of lowering existing water quality below state and federal water quality standards will provide standardized appropriate monitoring data.*

The project will be designed to meet state and federal water quality standards; therefore, water quality monitoring will not be required.

POLICY 158.3.5: Lee County will ensure that adequate land is allocated in this Plan to meet future commercial, industrial, agricultural, residential, and recreational needs.

The proposed rezoning is consistent with this policy as it zoned land for commercial use in a future land use category that has been designated specifically for the proposed use.

b) The application is compliant with the Land Development Code and other applicable codes or regulations;

The proposed rezoning is compliant with all county codes and regulations. The applicant is not asking for any deviations.

Land Development Code Section 34-1353 includes standards that are specific to convenience food and beverage stores. This section of code requires the following:

- ***Minimum Lot Area:*** The requirement is for width and depth of properties to be a minimum 150 feet with a total minimum lot area of 25,000 square feet. The proposed CPD is well in excess of this requirement.
- ***Minimum Setbacks:*** The attached property development regulations table is consistent with the required setbacks of 50 feet from Bayshore Road, 15 foot side yard setback and 20 foot rear setback.

The property development regulations proposed for the subject rezoning are consistent with Section 34-1353.

c) The request is compatible with surrounding existing and planned land uses;

As stated above, there are no surrounding uses anywhere near the property that would create a compatibility concern. To the north and east are commercial planned developments. To the east is a commercial gas station and truck stop. To the south and west are vacant lands, also in the general interchange future land use category.

d) Access to the property is sufficient to provide for the proposed use;

The subject property is located on Bayshore Road, just west of the I-75 interchange. Bayshore Road is an arterial road in Lee County. As demonstrated on the attached master concept plan, access is sufficient to accommodate the proposed development.

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

As demonstrated by the attached Transportation Impact Statement, the excepted impacts on transportation facilities are not significant and can be addressed by existing county regulations.

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

The subject property has previously been cleared and does not contain any environmental resources of concern.

- g) Will be served by urban services, defined in the Lee Plan.

As evidenced by the adjacent development, the location of the property in a Future Urban Area in the Lee Plan and the attached application, urban services are available to the subject site.

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

The proposed convenience food and beverage use is within the exact area on the future land use map where the county deems this use appropriate to meet the needs of the traveling public. The proposed use is therefore appropriate for the subject property.

Summary:

Based on compliance with these, and other regulations, we respectfully contend that this zoning application will not place an undue burden upon existing transportation or planned infrastructure facilities. Similarly, the proposed use is appropriate at the subject location, and is compatible with existing uses in the surrounding area. For these reasons, the requested re-zoning should be approved.

Schedule of Deviations

1. Deviation 1 requests relief from LDC Section 10-415(b) which requires that large developments with existing indigenous native vegetation communities must provide 50 percent of their open space percentage requirement through the onsite preservation of existing native vegetation communities to allow for no requirement for on-site preservation.

Justification: The only area on the site that consists of indigenous vegetation is small, isolated area of 0.31 acres on the western property line. This area is located where the road along the western property boundary is designed to interconnect with the adjacent properties. Since this is the only area of indigenous vegetation on site, design accommodations are not available to accommodate an indigenous preserve in a different location. Preserving this small, isolated area would conflict with the goal of providing an interconnect with the adjacent properties and provides little environmental value. The area is predominantly surrounded by pasture or disturbed lands. The requested deviation enhances the site plan and does not negatively impact the health, safety or welfare of the general public nor reduce the total amount of required open space.

Property Development Regulations

Minimum Lot or Parcel Area (SF)	25,000	*
Minimum Frontage on a vehicular right-of-way (Ft)	150	*
Minimum Lot Depth (Ft)	150	*
Minimum Street Setback for arterials and collectors - Bayshore Rd. (Ft)	50	*
Minimum Street Setback for private local roads (Ft)	20	
Minimum Side Yard Setback (Ft)	15	*
Minimum Rear Yard Setback (Ft)	20	*
Maximum Building Height (Ft)	35	
Maximum Lot Coverage	50%	

* Per Lee County LDC Section 34-1353

 Commitment	ALTA Commitment for Title Insurance ISSUED BY First American Title Insurance Company File No: 2021-5014297/R1
---	--

AMERICAN LAND TITLE ASSOCIATION COMMITMENT FOR TITLE INSURANCE

Issued By
First American Title Insurance Company

NOTICE

IMPORTANT-READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and the Commitment Conditions, ***First American Title Insurance Company***, a Nebraska Corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I-Requirements have not been met within 6 months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

Issued through:

First American Title Insurance Company



Dennis J. Gilmore, President



Greg L. Smith, Secretary

If this jacket was created electronically, it constitutes an original document.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; and Schedule B, Part II-Exceptions.

Copyright 2006-2016 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

COMMITMENT CONDITIONS**1. DEFINITIONS**

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I—Requirements;
- (f) Schedule B, Part II—Exceptions; and
- (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - (i) comply with the Schedule B, Part I—Requirements;
 - (ii) eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
 - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; and Schedule B, Part II-Exceptions.

Copyright 2006-2016 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; and Schedule B, Part II-Exceptions.

Copyright 2006-2016 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.



First American

Schedule A

ALTA Commitment for Title Insurance

ISSUED BY

First American Title Insurance Company

File No: 2021-5014297/R1

Transaction Identification Data for reference only:

Issuing Agent: First American Title Insurance Company

Issuing Office: 2301 Maitland Center Parkway, Suite 450, Maitland, FL 32751

Issuing Office File No.: 2021-5014297

Issuing Office's ALTA® Registry ID: 1164703

Commitment No.: 2021-5014297

Property Address: 8590 Bayshore Road North Fort Myers, FL

Revision No.: 1 (Revised & Updated February 1, 2022)

SCHEDULE A

1. Commitment Date: January 28, 2022 8:00 AM
2. Policy to be issued:
 - (a) ☒ 2006 ALTA® Owner's Policy
Proposed Insured: Del Lago Ventures, Inc., a Georgia corporation
Proposed Policy Amount: \$425,000.00
 - (b) ☐ 2006 ALTA® Loan Policy
Proposed Insured:
Proposed Policy Amount: \$
 - (c) ☐ ALTA ® Policy
Proposed Insured:
Proposed Policy Amount: \$
3. The estate or interest in the Land described or referred to in this Commitment is Fee Simple
4. The Title is, at the Commitment Date, vested in: Janie Broadbent, f/k/a Janie B. Hooker, as to an undivided 1/3 interest, by virtue of Book 2571, Page 3410, Instrument No. 2016000172378, and Instrument No. 2016000176891; and Jan Baillargeon-Siegel, a/k/a Jan Baillargeon, as Personal Representative of The Estate of Frank R. D'Alessandro, as to an undivided 2/3 interest, by virtue of Book 2571, Page 3410, Instrument No. 2007000297415, Instrument No. 2007000310979, Instrument No. 2008000139039, Instrument No. 2008000222524, and Instrument No. 2014000258568, as tenants in common
5. The Land is described as follows:
See Exhibit "A" attached hereto and made a part hereof

First American Title Insurance Company

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; and Schedule B, Part II-Exceptions.

Copyright 2006-2016 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.



By:

Authorized Signatory

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; and Schedule B, Part II-Exceptions.

Copyright 2006-2016 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

 Schedule BI	ALTA Commitment for Title Insurance ISSUED BY First American Title Insurance Company File No: 2021-5014297
--	--

Commitment No.: 2021-5014297

SCHEDULE B-I

Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
 - a. Warranty Deed from Janie Broadbent, f/k/a Janie B. Hooker, as to an undivided 1/3 interest, as a single person or persons, and joined by spouse (or their respective spouses), if married, to Del Lago Ventures, Inc., a Georgia corporation, conveying the property described in Schedule "A". In the event that the property being conveyed is not the homestead of the grantor(s), the following statement should be set forth on said deed in lieu of a spouse's signature:

The land described herein is not the homestead of the grantor(s), and neither the grantor(s) nor the grantor(s) spouse, nor anyone for whose support the grantor(s) is responsible, resides on or adjacent to said land.
 - b. Execution, delivery and recording of a proper deed from Jan Baillargeon-Siegel, a/k/a Jan Baillargeon, Personal Representative of the Estate of Frank R. D'Alessandro, deceased, pursuant to Order Authorizing Sale of Decedent's Interest in Commercial real Property recorded December 17, 2020 in Instrument No. 2020000316641, Public Records of Lee County, Florida, conveying title to the land to Del Lago Ventures, Inc., a Georgia corporation. The Company reserves the right to amend the commitment, including but not limited to, the addition of further requirements and/or exceptions as it deems necessary based upon a review of the deed and the probate proceedings.
5. Satisfactory verification from appropriate governmental authorities that any and all unrecorded Special Taxing District Liens, City and County Special Assessment Liens, MSBU Assessment Liens, Impact Fees, and Water, Sewer and Trash Removal Charges, have been paid.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; and Schedule B, Part II-Exceptions.

Copyright 2006-2016 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

6. Furnish Company a Survey prepared by a Florida registered land surveyor; dated no more than 90 days prior to closing date of subject transaction; certified to the proposed insured(s), First American Title Insurance Company and all other parties in interest; and, meeting the Florida Standards of Practice for all land surveys. Upon receipt and review of such survey, the Company reserves the right to make such additional requirements and/or to modify the legal description set forth on Schedule A as it may deem necessary.
7. As to the following lease(s) or memorandum(s) thereof, the Company requires recordation of an affidavit from the landlord/landowner that the renewal option was not exercised, that the tenant is no longer in possession of the land, and that the lease is no longer in effect: Memorandum of Lease Agreement by and between Frank D'Alessandro and Janie B. Hooker (Lessors) and The Lamar Companies (Lessee) recorded December 2, 2004 in Book 4508, Page 4412.
8. Execution at time of closing of the Seller/Owner's Affidavit by owners herein disclosing all facts relative to mechanics', laborers' and materialmens' liens and all facts relevant to parties in possession of the premises to be insured at time of closing. The Company reserves the right to make additional requirements in relation thereto.
9. Note: The following is for informational purposes only and is given without assurance or guarantee: 2021 taxes show **PAID**. The gross amount is \$903.62 for Tax Identification No. 21-43-25-00-00008.0000.

NOTE: Because the land appears of record to be unencumbered, the Company requires that the affirmative declarations of the title affidavit, which includes a representation that there are no mortgages or other liens against the land whether recorded or not recorded, be properly emphasized before execution. Just as in all transactions, every seller/borrower must be encouraged to disclose any off record encumbrance, lien, or other matter that may affect title before the Company is willing to rely upon the representations contained within the title affidavit.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; and Schedule B, Part II-Exceptions.

Copyright 2006-2016 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

 Schedule BII	ALTA Commitment for Title Insurance ISSUED BY First American Title Insurance Company File No: 2021-5014297
---	--

SCHEDULE B-II

Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the Effective Date but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Any rights, interests, or claims of parties in possession of the land not shown by the public records.
3. Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the land.
4. Any lien, for services, labor, or materials in connection with improvements, repairs or renovations provided before, on, or after Date of Policy, not shown by the public records.
5. Any dispute as to the boundaries caused by a change in the location of any water body within or adjacent to the land prior to Date of Policy, and any adverse claim to all or part of the land that is, at Date of Policy, or was previously under water.
6. Taxes or special assessments not shown as liens in the public records or in the records of the local tax collecting authority, at Date of Policy.
7. Any minerals or mineral rights leased, granted or retained by current or prior owners.
8. Taxes and assessments for the year 2022 and subsequent years, which are not yet due and payable.

NOTES FOR STANDARD EXCEPTIONS: Standard Exceptions for parties in possession, for mechanics liens, and for taxes or special assessments not shown as liens in the public records shall be deleted upon receipt of an acceptable Non-Lien and Possession Affidavit establishing who is in possession of

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; and Schedule B, Part II-Exceptions.

Copyright 2006-2016 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

Form 5030012 (5-16-17)	Page 8 of 12	ALTA Commitment for Title Insurance (8-1-16) with Florida Modifications Florida
------------------------	--------------	--

the lands, that there are no liens or encumbrances upon the lands other than as set forth in the Commitment, that no improvements to the lands have been made within the past 90 days or are contemplated to be made before closing that will not be paid in full, and that there are no unrecorded taxes or assessments that are not shown as existing liens in the public records. Any Policies issued hereunder may be subject to a Special Exception for matters disclosed by said affidavit.

Standard Exception(s) for questions of survey may be deleted upon receipt and review of a properly certified Survey meeting the Florida Minimum Technical Standards for all land surveys dated no more than 90 days prior to closing or such other proof as may be acceptable to the Company. Any Policies issued hereunder may be subject to a Special Exception for matters disclosed by said survey or proof.

The Standard Exception for any minerals or mineral rights leased, granted or retained by current or prior owners is hereby deleted.

9. Terms and conditions of any existing unrecorded lease(s), and all rights of lessee(s) and any parties claiming through the lessee(s) under the lease(s).

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

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; and Schedule B, Part II-Exceptions.

Copyright 2006-2016 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

**First American****Notices - Where Sent**

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

Service, Quality and Availability

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

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; and Schedule B, Part II-Exceptions.

Copyright 2006-2016 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

**First American**

First American Title Insurance Company
2301 Maitland Center Parkway
Maitland, FL 32751
Phn - (407)691-5200
Fax - (866)360-6137

02/01/2022

Re: File #2021-5014297

Property Address: 8590 Bayshore Road, North Fort Myers, FL

REISSUE CREDIT NOTICE

Issued by

First American Title Insurance Company

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

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

Eligibility for a discounted title insurance premium will depend on:

REFINANCE TRANSACTIONS:

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

SALES TRANSACTIONS:

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

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

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; and Schedule B, Part II-Exceptions.

Copyright 2006-2016 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

**First American****Exhibit A**

ISSUED BY

First American Title Insurance Company

File No: 2021-5014297

File No.: 2021-5014297

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

BEGINNING ON THE SOUTH SIDE OF COUNTY ROAD AT A POINT 30 FEET SOUTH AND 25 FEET EAST OF THE NW CORNER OF THE SW 1/4 OF THE SE 1/4 OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, THENCE SOUTH 300 FEET; THENCE EAST 152 FEET; THENCE NORTH 300 FEET TO THE COUNTY ROAD; THENCE WEST ALONG SIDE OF COUNTY ROAD TO THE P.O.B. LESS LANDS TO STATE OF FLORIDA FOR S.R. 93 (1-75)

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; and Schedule B, Part II-Exceptions.

Copyright 2006-2016 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

**BOARD OF COUNTY COMMISSIONERS**

John E. Manning
District One

Cecil L. Pendergrass
District Two

Raymond Sandelli
District Three

Brian Hamman
District Four

Frank Mann
District Five

Roger Desjarlais
County Manager

Richard Wm Wesch
County Attorney

Donna Marie Collins
*County Chief
Hearing Examiner*

October 15, 2021

Via E-Mail

John Wojdak, P.E.
DeLisi Fitzgerald, Inc.
1605 Hendry Street
Fort Myers, FL 33901

RE: **Potable Water Availability**
RaceTrac on Bayshore Road, 8640, 8600, 8590 Bayshore Road
STRAP # 21-43-25-00-00007.002A, 21-43-25-00-00007.0030
and 21-43-25-00-00008.0000

Dear Mr. Wojdak:

The subject property is located within Lee County Utilities Future Service Area as depicted on Maps 6 of the Lee County Comprehensive Land Use Plan. Potable water lines are in operation adjacent to the property mentioned above. However, in order to provide service to the subject parcels, developer funded system enhancements such as line extensions may be required.

Your firm has indicated that this project will consist of 1 commercial unit with an estimated flow demand of approximately 1,300 gallons per day for domestic and 1,973 gallons per day for irrigation. Lee County Utilities presently has sufficient capacity to provide potable water service as estimated above.

Availability of potable water 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.

There are no reuse mains in the vicinity of these parcels.

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

Racetrac Bayshore Road - Letter.Docx

October 15, 2021

Page 2

approval of all State and local regulatory agencies.

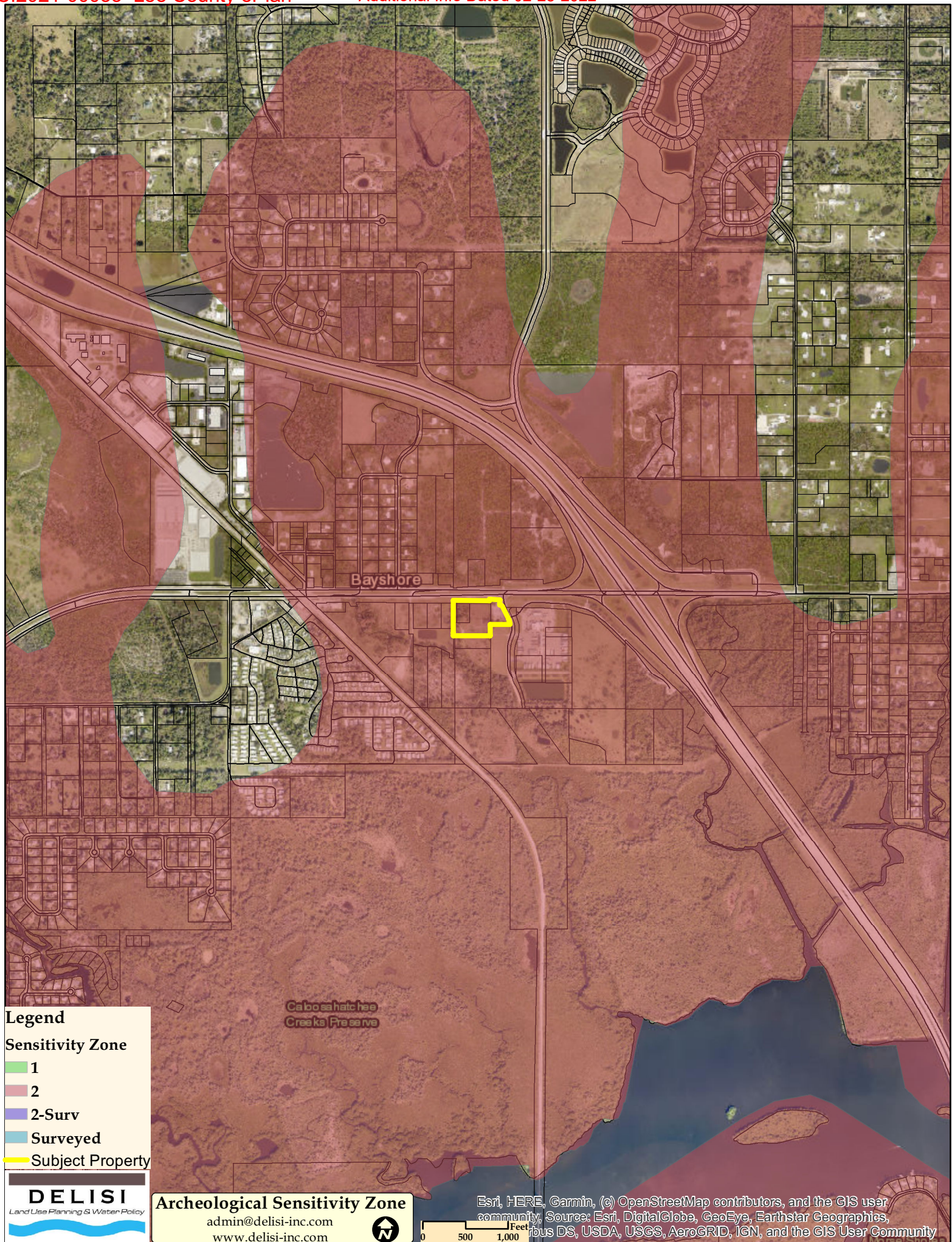
Further, this letter of availability of potable water service is to be utilized for SFWMD only. Individual letters of availability will be required for the purpose of obtaining building permits.

Sincerely,

LEE COUNTY UTILITIES



Mary McCormic
Technician Senior
239-533-8532
UTILITIES ENGINEERING





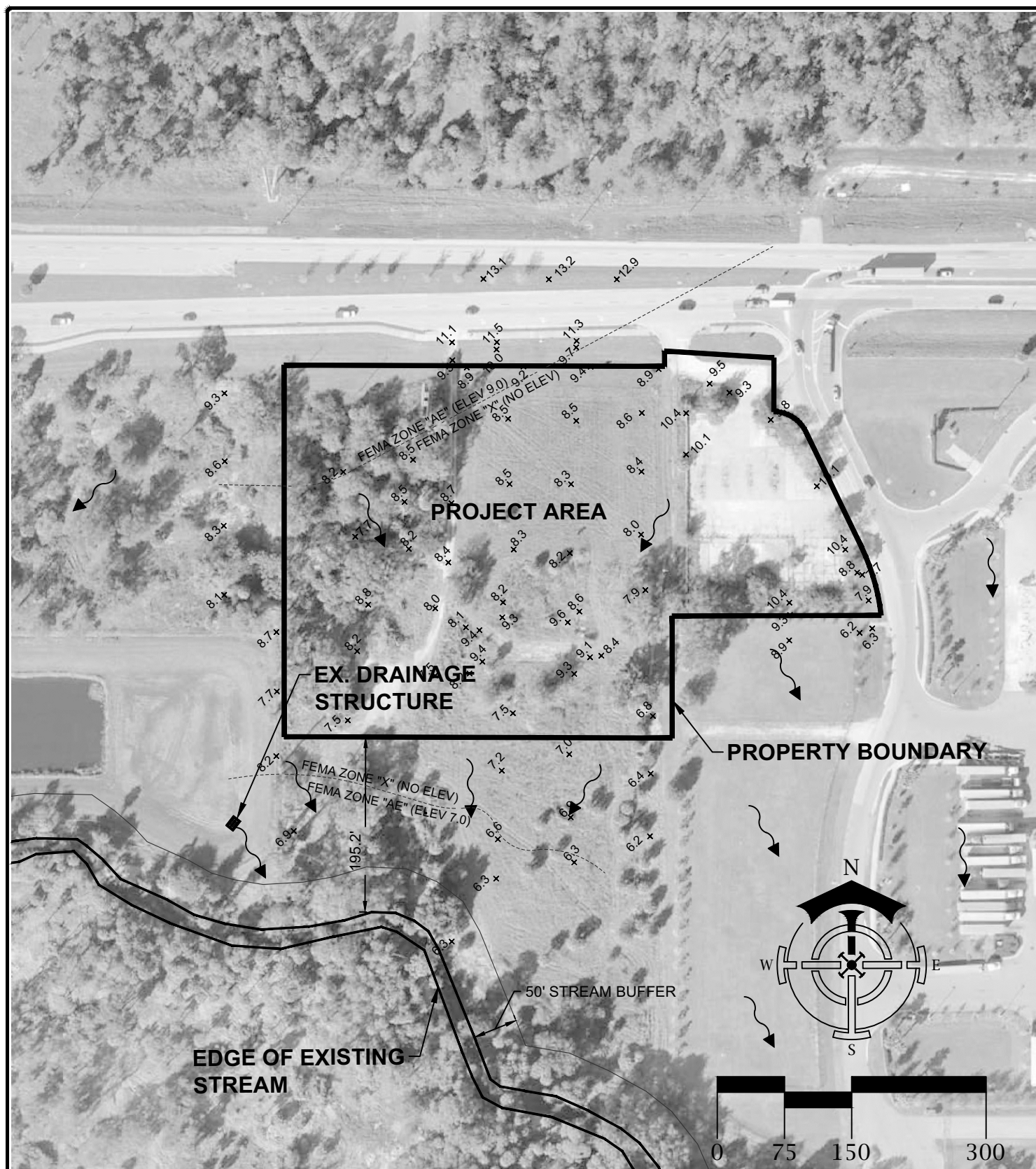
SURFACE WATER MANAGEMENT PLAN

RaceTrac Bayshore Commercial Planned Development

The subject project is comprised of 5.29 ± acres located on the south side of Bayshore Road approximately 0.25 miles west of Interstate 75. The project will consist of a convenience food and beverage store with self-serve fuel pumps. The project is located within the Bayshore Creek Watershed. In its existing condition, the property includes a concrete pad and parking area in the northeast corner of the site, which are remnants of a prior gas station use a portion of the property. The remainder of the site is mostly pasture with some areas of vegetation. According to the topography of the site, it generally slopes from the north to the south. Reference the Existing Drainage Patterns Exhibit.

The drainage needs for the subject site will be accommodated through the use of dry detention area and underground storage which will be utilized to provide the required water quality treatment and design event storm attenuation. Berms will surround the perimeter of the site to keep site runoff from draining offsite. A control structure will restrict discharge to the prescribed rate and will outfall south to mimic historic drainage patterns. Reference the Proposed Drainage Exhibit.

According to FIRM Map 12071C0279F dated August 28, 2008, there is currently an AE FEMA flood zone (9ft) in the northwest corner of the property. The remainder of the site is Zone X.



DeLisi Fitzgerald, Inc.

Planning - Engineering - Project Management



1605 Hendry Street
Fort Myers, FL 33901
(239) 418-0691
(239) 418-0692 fax

Florida Certificate
of Authorization
Engineering LB #26978

OWNER / DEVELOPER:

RACETRAC PETROLEUM, INC.

200 GALLERIA PARKWAY SE, SUITE 900
ATLANTA, GA 30339
(770) 431-7600

PROJECT:



BAYSHORE

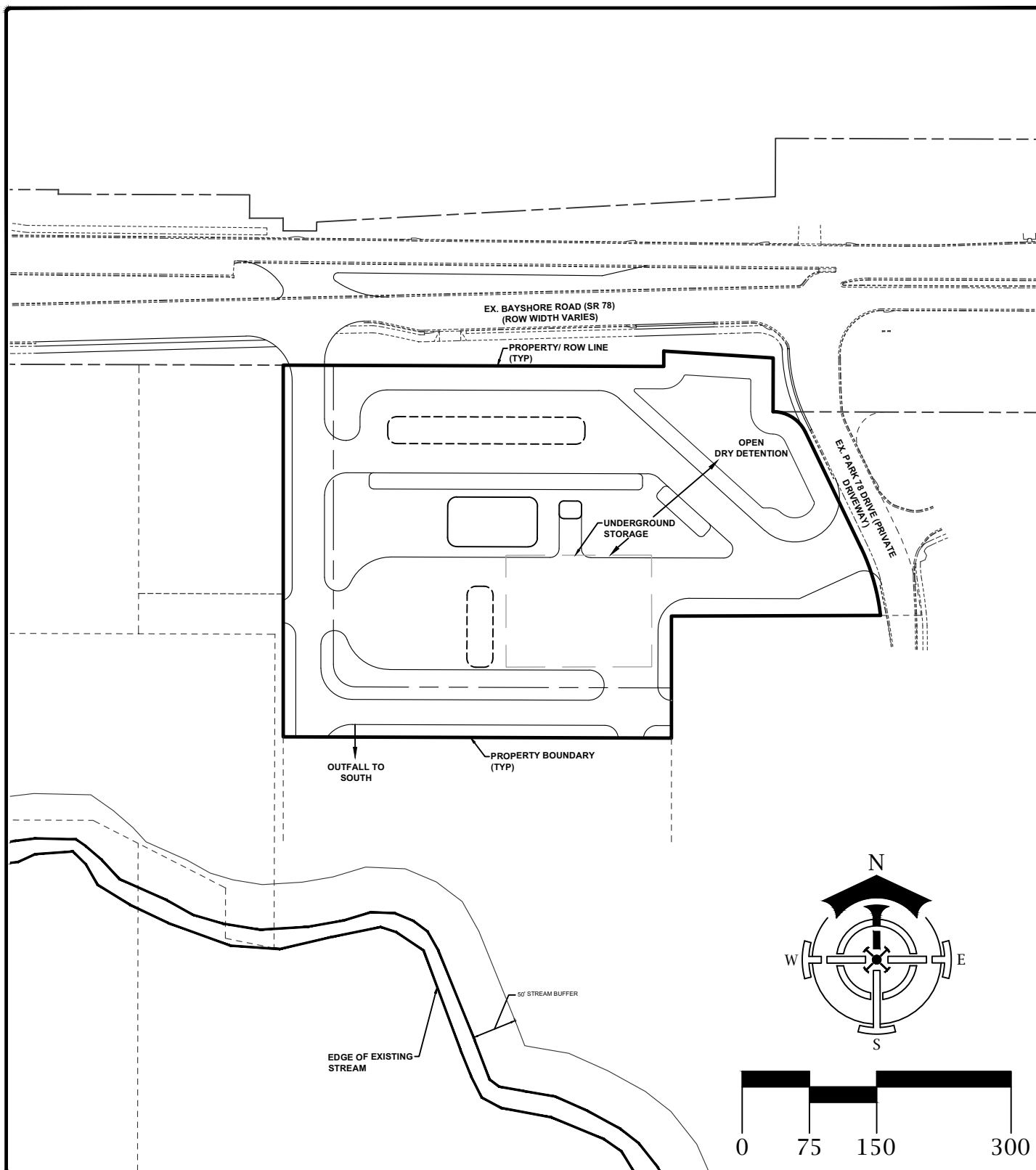
(EPN #1353 - STORE #XXXX)

EXISTING DRAINAGE PATTERNS EXHIBIT

Project Number:	21555
Part of Section(s):	21
Township:	43 S
Range:	25 E
County, State:	LEE COUNTY, FL

Sheet Number:

1



DELSI FITZGERALD, INC.
Planning - Engineering - Project Management

1605 Hendry Street
Fort Myers, FL 33901
(239) 418-0691
(239) 418-0692 fax

Florida Certificate
of Authorization
Engineering LB #26978

OWNER / DEVELOPER:

RACETRAC PETROLEUM, INC.
200 GALLERIA PARKWAY SE, SUITE 900
ATLANTA, GA 30339
(770) 431-7600

PROJECT:



BAYSHORE
(EPN #1353 - STORE #XXXX)

**PROPOSED DRAINAGE
EXHIBIT**

Project Number:	21555
Part of Section(s):	21
Township: 43 S	Range: 25 E
County, State:	LEE COUNTY, FL

Sheet Number:

1

RACETRAC @ BAYSHORE & I-75
**ENVIRONMENTAL ASSESSMENT &
PROTECTED SPECIES SURVEY REPORT**

*(Lee County STRAP #'s: 21-43-25-00-00007.002A, 21-43-25-00-00007.0030, 21-43-25-00-00007.0100,
& 21-43-25-00-00008.0000)*

*December 2021
Updated February 2022*

Prepared For:

RaceTrac Petroleum Inc.
c/o: Samee Ali – Engineering Project Manager
200 Galleria Parkway SE. Suite 900
Atlanta, GA 30339
Phone: (404) 903-4556
Email: sali@racetrac.com

Prepared By:



1599 Covington Circle East Fort Myers Florida 33919
Phone: (239) 340-0678
Email: BearPaws.Env.Consulting@GMail.com

Introduction

An environmental assessment and protected species survey was conducted on the RaceTrac @ Bayshore & I-75 project site on December 1, 2021. The 5.29± acre site is located in Section 21, Township 43S, and Range 25E, of Lee County, Florida. More specifically, the site is located immediately south and east of Bayshore Road and west of Park 78 Drive, in North Fort Myers, Florida. Please see the attached Project Location Map (Exhibit A).

The purpose of this assessment was to identify the potential for either U.S. Army Corps of Engineers (ACOE) Department of Environmental Protection (DEP), and/or South Florida Water Management District (SFWMD) jurisdictional wetlands. The site was also assessed to determine the potential of listed (endangered, threatened, etc.) species inhabiting the site that are regulated by the U.S. Fish & Wildlife Service (FWS) and the Florida Fish & Wildlife Conservation Commission (FWC).

Specific attention was paid toward that of locating any gopher tortoise (*Gopherus polyphemus*) and/or burrowing owl (*Athene cunicularia floridana*) burrows, as well as locating any potential fox squirrel (*Sciurus niger*) nests, Florida bonneted bat (*Eumops floridanus*) cavity trees, and any bald eagle (*Haliaeetus leucocephalus*) nests.

The project's surrounding land uses are a mixture of residential homes, commercial and industrial developments, undeveloped vacant land, and forested land. The survey was conducted in the early-morning; the temperature was in the mid-upper 70's, with a light breeze, and mostly sunny skies.

Methodology

The survey method consisted of overlapping belt transects performed for all vegetation communities on-site in compliance with the Collier County Land Development Code, Section 3.08.00, Environmental Data Requirements. This survey is comprised of a several step process. This survey is comprised of a several step process. First, vegetation communities or land-uses on the study area are delineated using the Florida Land Use, Cover and Forms Classification System (FLUCFCS). Next, the FLUCFCS codes are cross-referenced with the Protected Species List. This protected species list names the species which have a probability of occurring in any particular FLUCFCS community.

An intensive pedestrian survey is conducted using parallel belt transects that are approximately 10-40 feet apart, depending upon both the thickness of vegetation and visibility, as a means of searching for plants and animals. In addition, periodic "stop-look-listen" and quiet stalking methods are conducted for animals. Signs or sightings of these species are then recorded and are marked in the field with flagging tape. The table at end of the report lists the FLUCFCS communities found on the parcel and the corresponding species which have a probability of occurring in them.

Existing Site Conditions

Boundary – The project boundary was updated and obtained from Delisi Fitzgerald; it is assumed to be approximately 5.29± acres.

Soils - The soils on the property have been mapped by the National Resource Conservation Service (NRCS, formerly the Soil Conservation Service). These mappings are general in nature, but can provide a certain level of information about the site as to the possible extent of wetland area. The agencies commonly use these mappings as justification for certain wetland/upland determinations. According to these mappings, the entire parcel is underlain by Oldsmar sand (NRCS #33; non-hydric). Oldsmar sand is considered non-hydric on both the local and national levels. Please see the attached NRCS Soils Map (Exhibit D).

Vegetation Descriptions – Vegetation is one parameter used in determining the presence of uplands or wetlands; these community mappings will generally reflect what a specific area could be considered by the regulatory agencies. We did not identify and wetland or “other surface water” communities on-site during the site assessment. While on-site, generalized community delineations are hand-drawn on an aerial defining the different vegetation associations on-site. These general delineations were based on the nomenclature of the Florida Land Use, Cover and Forms Classification System (FLUCFCS), Level III and IV (FDOT 1999). Please see the attached FLUCFCS Map with Aerial (Exhibit B) and FLUCFCS Map without Aerial (Exhibit C). Listed below are the vegetation communities and land-uses identified on the site.

FLUCFCS Codes & Community Descriptions

Uplands

The following community areas have been designated as upland habitats. Uplands are any area that does not qualify as a wetland because the associated hydrologic regime is not sufficiently wet enough to elicit development of vegetation, soils, and/or hydrologic characteristics associated with wetlands.

FLUCFCS 140 Commercial (Previously Cleared – Concrete Pad & Parking) – 1.19± Acres

This former commercial property has been cleared commercial and is comprised of a concrete pad with parking. This community occupies approximately 1.19± acres of the site. This community would be considered uplands by regulatory agencies.

FLUCFCS 211 Improved Pasture (Mowed and Maintained) – 2.98± Acres

This upland habitat type occupies the approximately 2.98± acres of the property. Canopy is mostly open with widely scattered live oak (*Quercus virginiana*) and slash pine (*Pinus elliottii*). The sub-canopy includes cabbage palm (*Sabal palmetto*). Ground cover is dominated by bahia grass (*Paspalum notatum*), with scattered common reed (*Phragmites australis*), dog fennel (*Eupatorium capillifolium*), ragweed (*Ambrosia trifida*), caesar weed (*Urena lobata*), hairy beggar-ticks (*Bidens alba*), smutgrass (*Sporobolus sp.*), false buttonweed (*Spermacoce verticillata*), three-awn grass (*Aristida purpurea*), broom sedge (*Andropogon virginicus*), cogon grass (*Imperata cylindrica*), and other various opportunistic weedy species. Commonly observed vines include greenbriar (*Smilax sp.*), grapevine (*Vitis rotundifolia*), Virginia creeper (*Parthenocissus quinquefolia*), peppervine (*Ampelopsis arborea*), and poison ivy (*Toxicodendron radicans*). This community would be considered uplands by the regulatory agencies.

FLUCFCS 420 E1 Mixed Upland Forest (Exotics 1-25%) – 0.31± Acres

This upland habitat type occupies the approximately 0.31± acres of the property. The canopy consists of live oak (*Quercus virginiana*), slash pine (*Pinus elliottii*), and cabbage palm (*Sabal palmetto*). The sub-canopy contains cabbage palm (*Sabal palmetto*) and beauty-berry (*Callicarpa americana*). Ground cover caesar weed (*Urena lobata*), hairy beggar-ticks (*Bidens alba*), smutgrass (*Sporobolus sp.*), false buttonweed (*Spermacoce verticillata*), three-awn grass (*Aristida purpurea*), broom sedge (*Andropogon virginicus*), bahia grass (*Paspalum notatum*), and other various opportunistic weedy species. Commonly observed vines include greenbriar (*Smilax sp.*), grapevine (*Vitis rotundifolia*), Virginia creeper (*Parthenocissus quinquefolia*), and poison ivy (*Toxicodendron radicans*). This community would be considered uplands by the regulatory agencies.

FLUCFCS 420 E4 Mixed Upland Hardwoods (Exotics > 75%) – 0.81± Acres

This upland community type occupies approximately 0.81± acres of the property. The canopy consists of slash pine (*Pinus elliottii*), live oak (*Quercus virginiana*), earleaf acacia (*Acacia auriculiformis*), and java plum (*Syzygium cumini*). The sub-canopy is dominated by Brazilian pepper (*Schinus terebinthifolius*) with scattered cabbage palm (*Sabal palmetto*). The ground cover includes caesar weed (*Urena lobata*), hairy beggar-ticks (*Bidens alba*), royal fern (*Osmunda regalis*), creeping ox-eye (*Sphagneticola trilobata*), broom sedge (*Andropogon virginicus*), cogon grass (*Imperata cylindrica*), bahia grass (*Paspalum notatum*), and other various opportunistic weedy species. Commonly observed vines include grapevine (*Vitis rotundifolia*), greenbriar (*Smilax sp.*), Virginia creeper (*Parthenocissus quinquefolia*), and poison ivy (*Toxicodendron radicans*). This community would be considered uplands by the regulatory agencies.

Table 1. FLUCFCS Community Table

FLUCFCS Code	Community Description	Classification	Acres
150	Commercial (Previously Cleared – Concrete Pad & Parking)	Upland	1.19± Ac.
211	Improved Pasture (Mowed & Maintained)	Upland	2.98± Ac.
420 E1	Mixed Upland Hardwoods (Exotics 1-25%)	Upland	0.31± Ac.
420 E4	Mixed Upland Hardwoods (Exotics > 75%)	Upland	0.81± Ac.
Total			5.29± Ac.

Protected Species Results

There were no protected species or signs thereof observed on-site during the protected species survey. There were no nest-like structures or tree cavities noted, and there were no gopher tortoise (*Gopherus polyphemus*) and/or burrowing owl (*Athene cunicularia floridana*), burrows identified. We observed burrows belonging to armadillos (*Dasypus novemcinctus*), which were not marked in the field; there was no evidence that these burrows were being used by gopher tortoises or burrowing owls. We also did not observe any cavity trees that could potentially be utilized by the Florida bonneted bat (*Eumops floridanus*).

There were several other non-listed species identified while conducting the protected species survey, among those were several grey squirrels (*Sciurus carolinensis*), an eastern cottontail rabbit (*Sylvilagus floridanus*), and mourning doves (*Zenaidura macroura*). The various listed species that may occur in the FLUCFCS communities on-site have been tabulated on the attached table below.

Discussion

Due to the disturbed nature of the site, surrounding land uses, and the busy roads/highways, it is unlikely that this site supports or would provide habitat for any other protected species. Generalized community locations were estimated and hand-drawn on a non-rectified aerial with approximate habitat boundaries, hence their location and aerial extent is approximate.

The determination of ecological system classifications, functions, values, and boundaries, is not an exact science; therefore, different individuals and/or agencies may reach different conclusions. It is not possible for BearPaws Environmental Consultants to guarantee the outcome of such determinations. Therefore, the conclusions of this report are based upon our profession expertise and opinions and would require a full review by the appropriate regulatory agencies.

Table 2: Listed Species by Habitat with Current Status

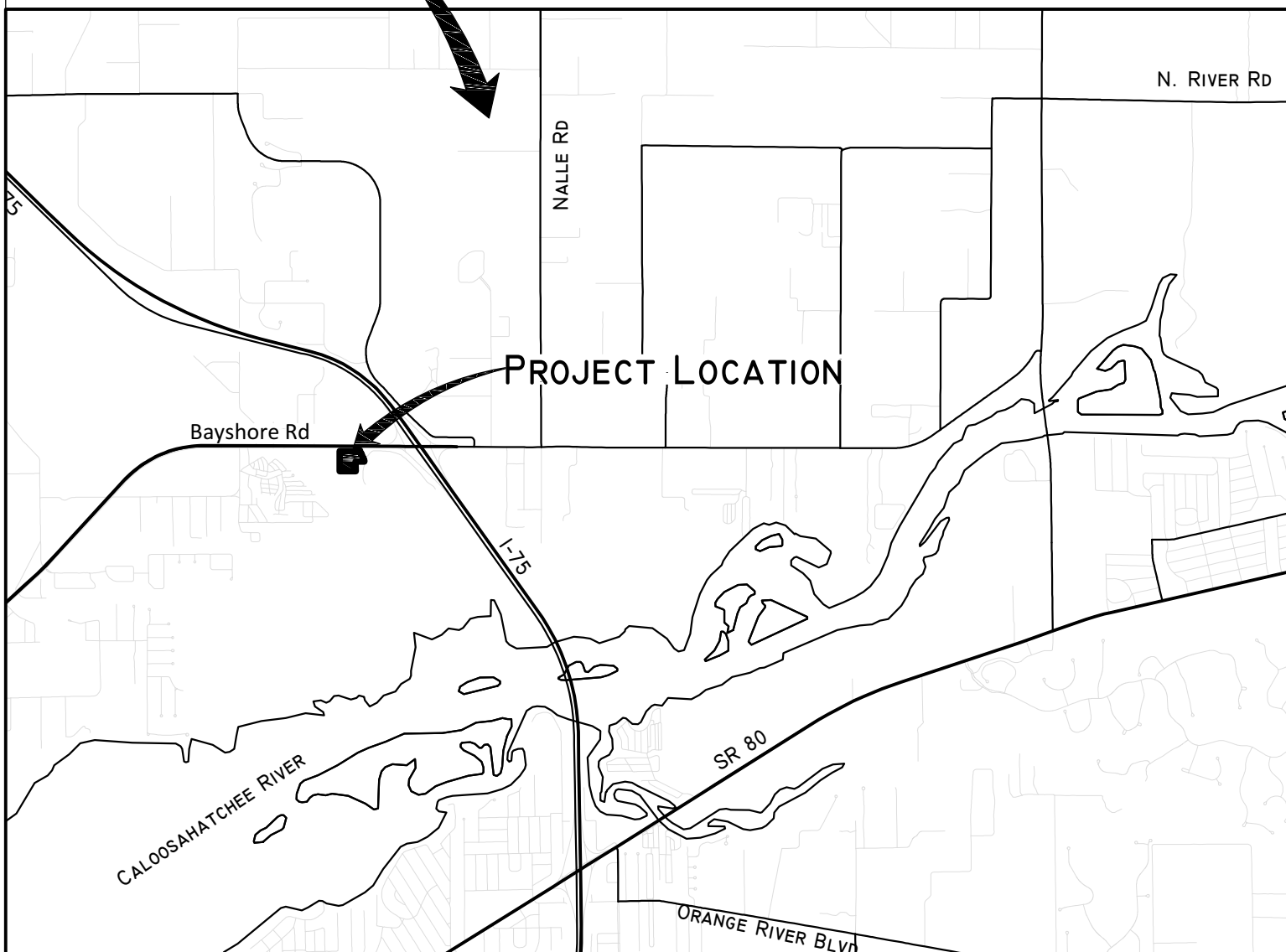
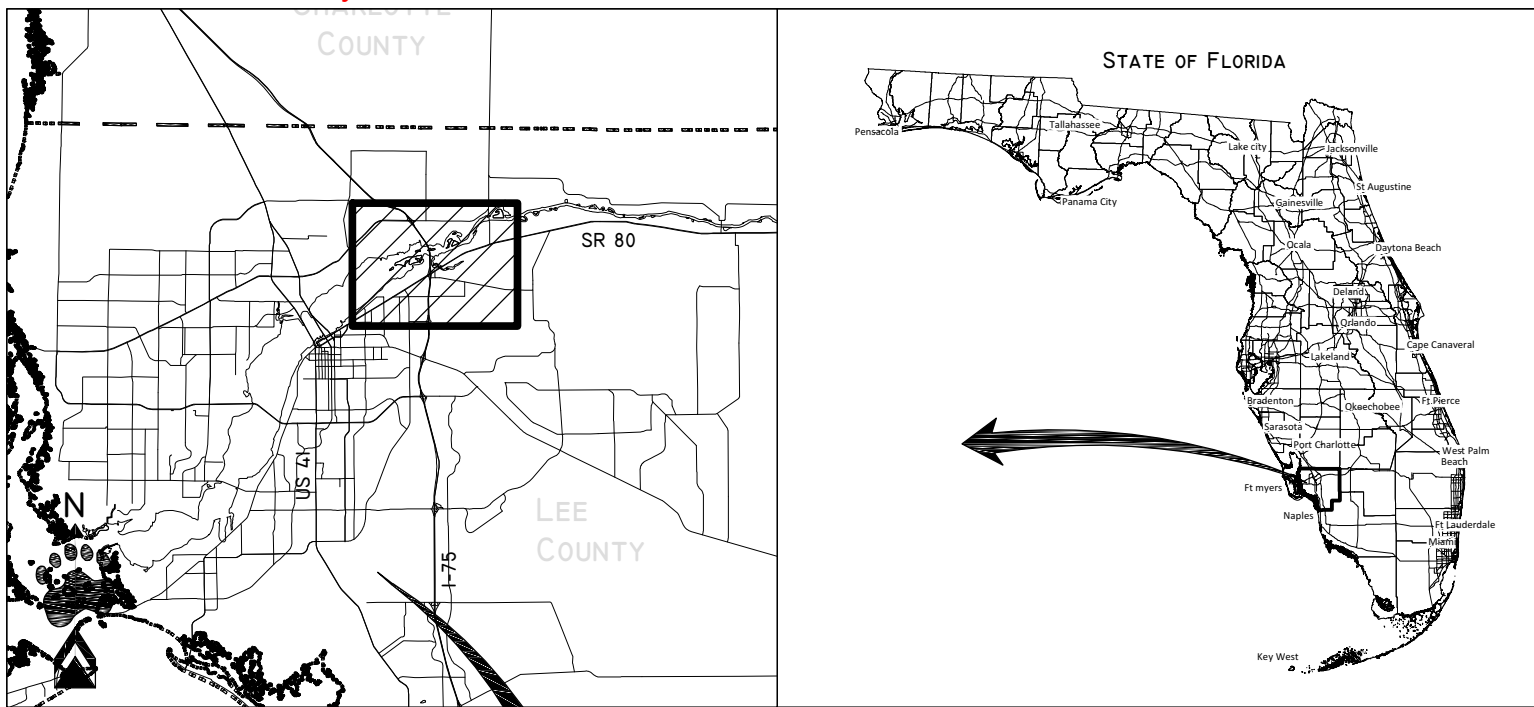
FLUCFCS Code	FLUCFCS Description	Common Name	Scientific Name	Percent Coverage	Observed	USDA	FDA&CS	FWS	FWC
150	Commercial	N/A	N/A	90	--	--	--	--	--
211	Improved Pasture	Gopher tortoise	<i>Gopherus polyphemus</i>	90	--	--	--	T	T
		Florida sandhill crane	<i>Grus canadensis pratensis</i>	90	--	--	--	--	T
		Burrowing owl	<i>Athene cunicularia floridana</i>	90	--	--	--	--	SSC
420	Mixed Upland Hardwoods	Eastern indigo snake	<i>Drymarchon corais couperi</i>	90	--	--	--	--	T
		Florida scrub jay	<i>Aphelocoma coerulescens coerulescens</i>	90	--	--	--	T	T
		Florida coontie	<i>Zamia floridana</i>	90	--	--	C	--	--
		Gopher frog	<i>Rana areolata</i>	90	--	--	--	--	SSC
		Gopher tortoise	<i>Gopherus polyphemus</i>	90	--	--	--	T	T

C = Commercially Exploited, SAT = Similarity of Appearance Threatened, SSC = Species of Special Concern, T = Threatened, E = Endangered

Table designates listed species with potential to occur in each FLUCFCS community.

EXHIBIT A

Project Location Map



DRAWN BY:	DATE:	CATEGORY
BWS	12/4/21	LOCATION
JOB NUMBER		SCALE:
		NTS
S/T/R		COUNTY
21/43S/25E		LEE

RaceTrac @ Bayshore & I-75

Location Map



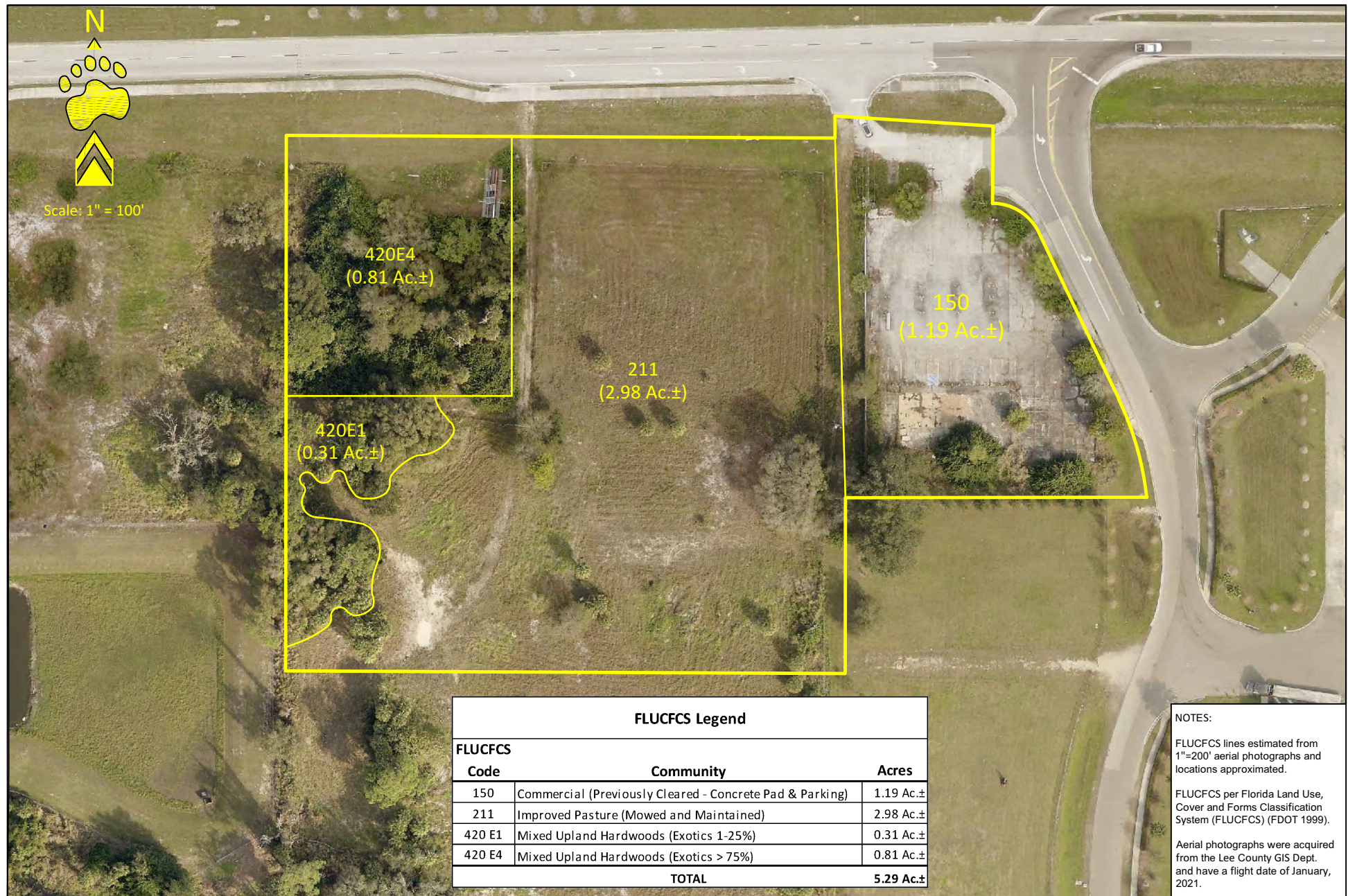
PAGE

EXHIBIT

1599 COVINGTON CIRCLE EAST, FORT MYERS, FL 33919
(239) 340-0678 BEARPAWS.ENV.CONULTING@GMAIL.COM

EXHIBIT B

FLUCFCS Map with Aerial



Revisions	Date:	Drawn By:	Date:
		BWS	1/31/22
		Job Number	
		S/T/R	
		21/43S/25E	

RaceTrac @ Bayshore & I-75

Aerial FLUCFCS Map

Category	FLUCFCS
Scale:	1" = 100'
County	Lee



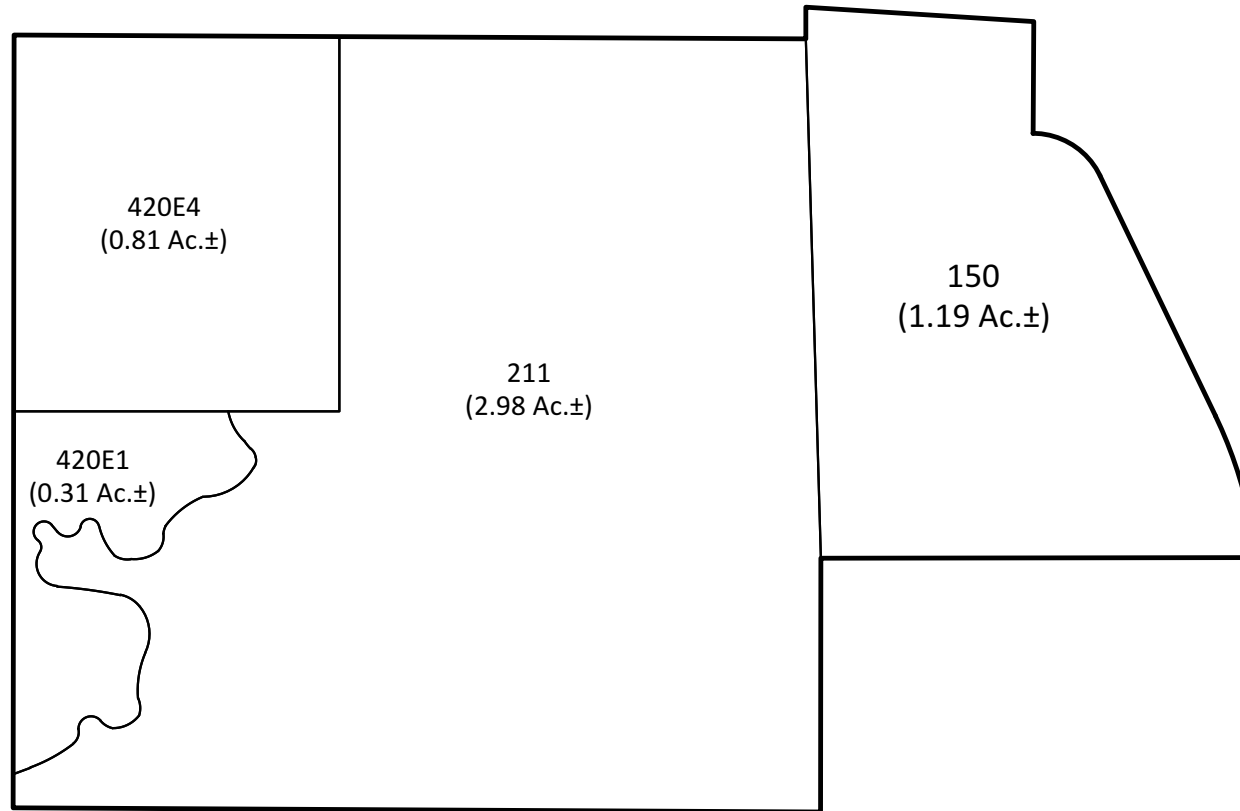
Page	-
Exhibit	-

EXHIBIT C

FLUCFCS Map



Scale: 1" = 100'



FLUCFCS Legend

FLUCFCS

Code	Community	Acres
150	Commercial (Previously Cleared - Concrete Pad & Parking)	1.19 Ac.±
211	Improved Pasture (Mowed and Maintained)	2.98 Ac.±
420 E1	Mixed Upland Hardwoods (Exotics 1-25%)	0.31 Ac.±
420 E4	Mixed Upland Hardwoods (Exotics > 75%)	0.81 Ac.±
TOTAL		5.29 Ac.±

NOTES:

FLUCFCS lines estimated from 1"=200' aerial photographs and locations approximated.

FLUCFCS per Florida Land Use, Cover and Forms Classification System (FLUCFCS) (FDOT 1999).

Revisions	Date:	Drawn By:	Date:
		BWS	1/31/22
		Job Number	
		S/T/R	
		21/43S/25E	

RaceTrac @ Bayshore & I-75

FLUCFCS Map

Category
FLUCFCSScale:
1" = 100'County
Lee

Page

-

Exhibit

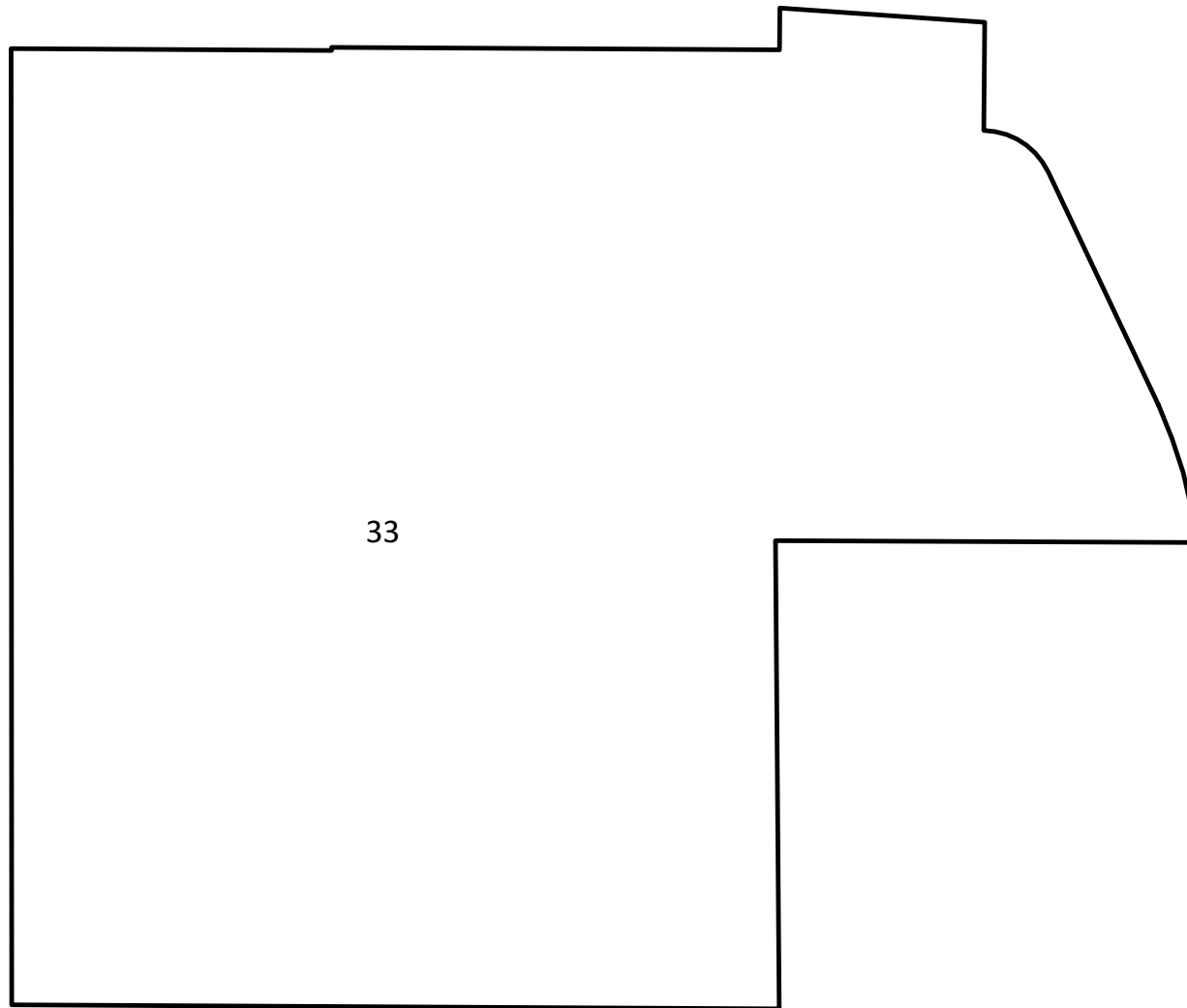
-

EXHIBIT D

NRCS Soils Map



Scale: 1" = 100'



33

NRCS Soils Legend

Soil No	Description	Status
33	Oldsmar Sand	Non-Hydric

NOTES

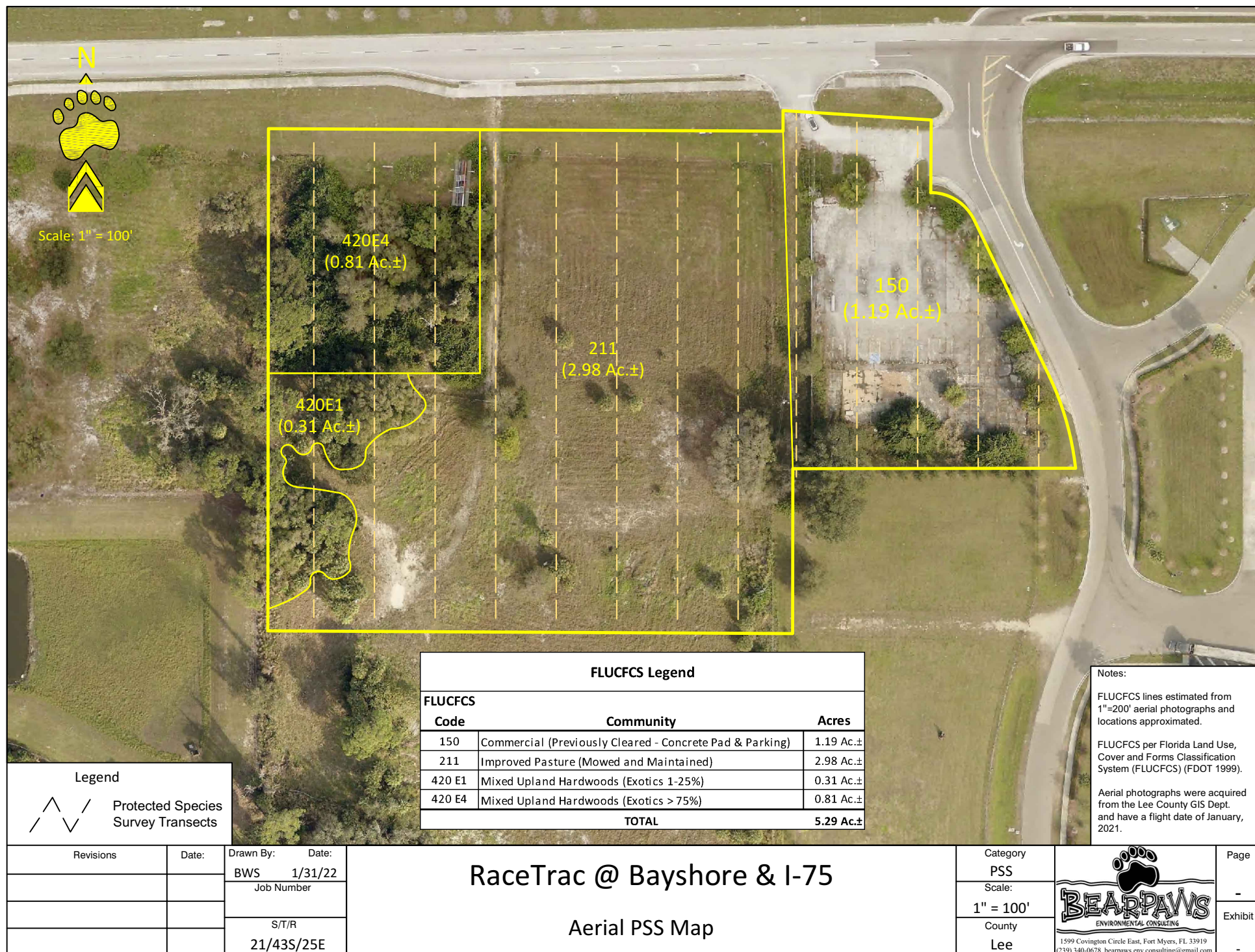
Soils were acquired from LABINS
and are from the NRCS.

Revisions	Date:	Drawn By:	Date:	RaceTrac @ Bayshore & I-75	Category		Page
		BWS	12/4/21		Soils		-
		Job Number			Scale:		Exhibit
		S/T/R			1" = 100'		
		21/43S/25E			County	- 1599 Covington Circle East, Fort Myers, FL 33919 (239) 340-0678 bearpawsgivconsulting@gmail.com	
					Lee		

1599 Covington Circle East, Fort Myers, FL 33919
(239) 340-0678 bearpaws.env.consulting@gmail.com

EXHIBIT E

Protected Species Survey Map



SKETCH AND DESCRIPTION

OF A PARCEL LYING IN SECTION 21, TOWNSHIP 43 SOUTH RANGE 25 EAST, LEE COUNTY, FLORIDA

LEGAL DESCRIPTION:

AS PREPARED BY THIS OFFICE

A PARCEL OF LAND LYING IN THE STATE OF FLORIDA, COUNTY OF LEE, A PORTION OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING A COMBINATION OF PARCEL 21-43-25-00-00007.0100, DESCRIBED AS INSTRUMENT# 2015000002141; PARCEL 21-43-25-00-00008.0000, DESCRIBED AS INSTRUMENT# 2016000172378; PARCEL 21-43-25-00-00007.002A, AS DESCRIBED IN OFFICIAL RECORDS BOOK 2006 AT PAGE 4053; AND A PORTION OF 21-43-25-00-00007.0030, DESCRIBED AS INSTRUMENT# 2013000116935, ALL OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST HALF OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, LEE COUNTY FLORIDA; THENCE S.00°05'34"W., A DISTANCE OF 101.51 FEET TO A POINT ON THE SOUTH LINE OF FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY SECTION 12060-2535, THE NORTHWEST CORNER OF PARCEL DESCRIBED AS INSTRUMENT# 2015000002141, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE S.89°43'08"E., ALONG SAID RIGHT OF WAY LINE, FOR A DISTANCE OF 424.51 FEET; THENCE N.00°04'49"E., ALONG SAID RIGHT OF WAY LINE, FOR A DISTANCE OF 17.06 FEET; THENCE S.86°21'45"E., ALONG SAID RIGHT OF WAY LINE, FOR A DISTANCE OF 122.32 FEET; THENCE S.00°12'51"W. FOR A DISTANCE OF 60.00 FEET TO A POINT ON THE SOUTH LINE OF FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY SECTION 12075-2406 AND A POINT ON A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 40.00 FEET; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 64°09'20", A CHORD BEARING OF S.57°42'29"E., A CHORD LENGTH OF 42.49 FEET AND AN ARC LENGTH OF 44.79 FEET; THENCE S.25°37'49"E. FOR A DISTANCE OF 142.90 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 234.79 FEET; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19°20'37", A CHORD BEARING OF S.15°57'30"E., A CHORD LENGTH OF 78.89 FEET AND AN ARC LENGTH OF 79.27 FEET; THENCE S.89°54'14"W. FOR A DISTANCE OF 233.25 FEET; THENCE S.00°05'34"W. FOR A DISTANCE OF 136.09 FEET; THENCE N.89°43'08"W. FOR A DISTANCE OF 433.00 FEET; THENCE N.00°05'34"E. FOR A DISTANCE OF 414.53 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 230,348 SQUARE FEET, OR 5.288 ACRES, MORE OR LESS

BY: _____

DENIS J. O'CONNELL, Jr.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. LS# 5430

DATE SIGNED: _____

NOT VALID WITHOUT THE SIGNATURE AND THE
ORIGINAL RAISED SEAL OF A FLORIDA LICENSED
SURVEYOR AND MAPPER.

NOTES:

1. BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 43 SOUTH RANGE 25 EAST LEE COUNTY, FLORIDA, AS BEARING N 00°05'34" E
2. DISTANCES ARE IN FEET AND DECIMALS THEREOF.
3. SUBJECT TO EASEMENTS, RESERVATIONS AND RIGHTS OF WAY (RECORDED, WRITTEN AND UNWRITTEN)
4. RECORDING INFORMATION IS FROM THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

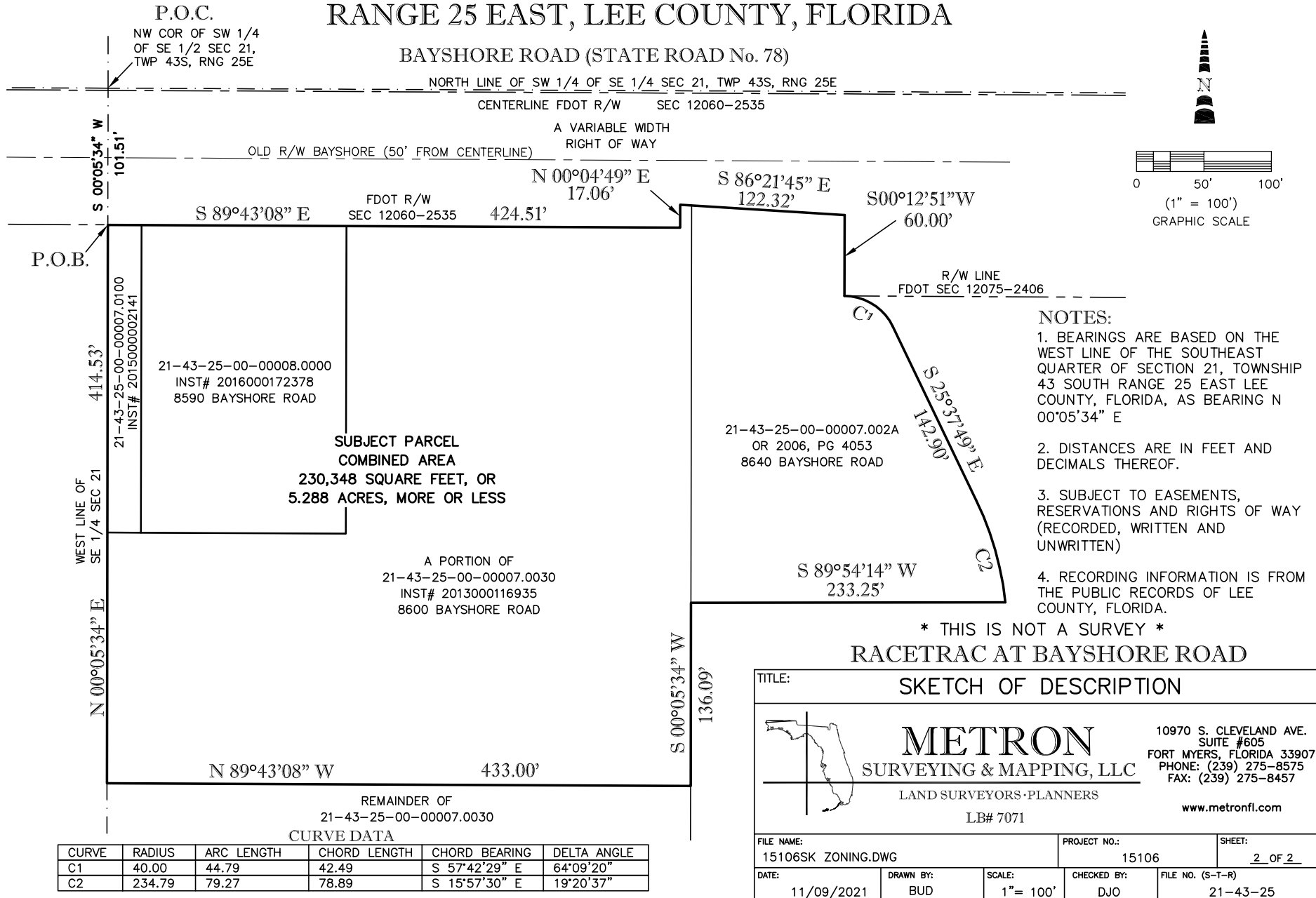
* THIS IS NOT A SURVEY *

RACETRAC AT BAYSHORE ROAD

TITLE: LEGAL DESCRIPTION					
		METRON SURVEYING & MAPPING, LLC LAND SURVEYORS-PLANNERS LB# 7071		10970 S. CLEVELAND AVE. SUITE #605 FORT MYERS, FLORIDA 33907 PHONE: (239) 275-8575 FAX: (239) 275-8457 www.metronfl.com	
FILE NAME: 15106SK ZONING.DWG			PROJECT NO.: 15106		SHEET: 1 OF 2
DATE: 11/09/2021	DRAWN BY: BUD	SCALE: N/A	CHECKED BY: DJO	FILE NO. (S-T-R) 21-43-25	

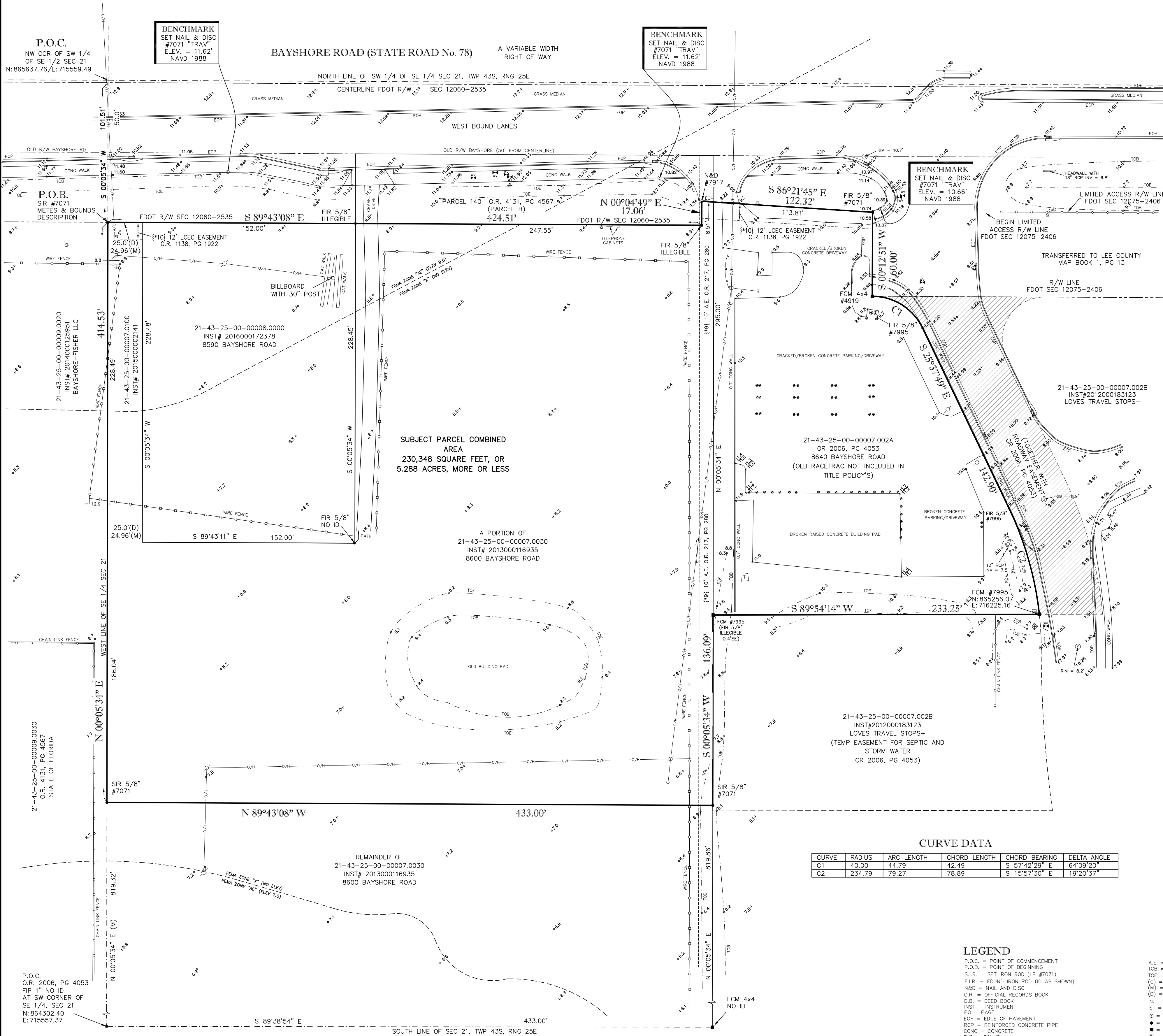
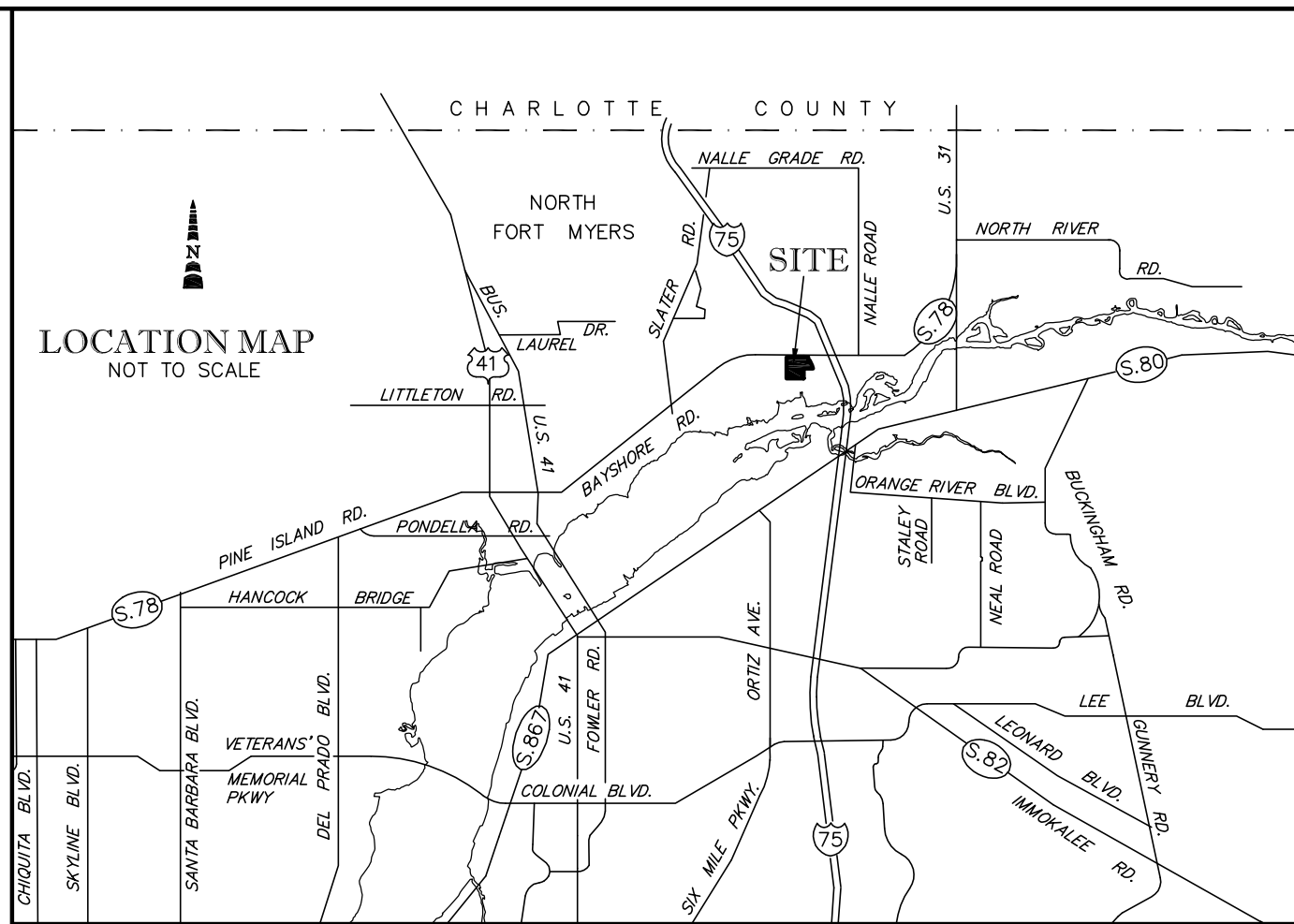
SKETCH AND DESCRIPTION

OF A PARCEL LYING IN SECTION 21, TOWNSHIP 43 SOUTH RANGE 25 EAST, LEE COUNTY, FLORIDA



SURVEY PLAT

OF A PARCEL LYING IN SECTION 21, TOWNSHIP 43 SOUTH RANGE 25 EAST, LEE COUNTY, FLORIDA



LEGAL DESCRIPTION:

AS PREPARED BY THIS OFFICE

A PARCEL OF LAND LYING IN THE STATE OF FLORIDA, COUNTY OF LEE, A PORTION OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING A COMBINATION OF PARCEL 21-43-25-00-00007.0100, DESCRIBED AS INSTRUMENT# 2015000002141; PARCEL 21-43-25-00-00008.0000, DESCRIBED AS INSTRUMENT# 2016000172378; PARCEL 21-43-25-00-00007.002A, AS DESCRIBED IN OFFICIAL RECORDS BOOK 2006 AT PAGE 4053; AND A PORTION OF 21-43-25-00-00007.0030, DESCRIBED AS INSTRUMENT# 2013000116935, ALL OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST HALF OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, LEE COUNTY FLORIDA; THENCE S.00°05'34" W., A DISTANCE OF 101.51 FEET TO A POINT ON THE SOUTH LINE OF FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY SECTION 12060-2535, THE NORTHWEST CORNER OF PARCEL DESCRIBED AS INSTRUMENT# 2015000002141, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE S.89°43'08" E., ALONG SAID RIGHT OF WAY LINE, FOR A DISTANCE OF 424.51 FEET; THENCE N.00°04'49" E., ALONG SAID RIGHT OF WAY LINE, FOR A DISTANCE OF 17.06 FEET; THENCE S.86°21'45" E., ALONG SAID RIGHT OF WAY LINE, FOR A DISTANCE OF 122.32 FEET; THENCE S.00°12'51" W., FOR A DISTANCE OF 60.00 FEET TO A POINT ON THE SOUTH LINE OF FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY SECTION 12075-2406 AND A POINT ON A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 40.00 FEET; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 64°09'20", A CHORD BEARING OF S.57°42'29" E., A CHORD LENGTH OF 42.49 FEET AND AN ARC LENGTH OF 44.79 FEET; THENCE S.25°37'49" E., FOR A DISTANCE OF 142.90 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 234.79 FEET; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19°20'37", A CHORD BEARING OF S.15°57'30" E., A CHORD LENGTH OF 78.89 FEET AND AN ARC LENGTH OF 79.27 FEET; THENCE S.89°54'14" W. FOR A DISTANCE OF 233.25 FEET; THENCE S.00°05'34" W. FOR A DISTANCE OF 136.09 FEET; THENCE N.89°43'08" W. FOR A DISTANCE OF 433.00 FEET; THENCE N.00°05'34" E. FOR A DISTANCE OF 414.53 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 230,348 SQUARE FEET, OR 5.288 ACRES, MORE OR LESS

TITLE EXCEPTIONS:

PER SCHEDULE B-II OF A TITLE REPORT BY FIRST AMERICAN TITLE INSURANCE COMPANY, FILE NO. 2021-5172728 HAVING A COMMITMENT DATE OF FEBRUARY 04, 2021 THE PROPERTY SHOWN HEREON IS SUBJECT TO THE FOLLOWING MATTERS OF RECORD:

[*#] INDICATES EXCEPTION NUMBER FROM TITLE REPORT

[*9] EASEMENT CONTAINED IN THAT CERTAIN WARRANTY DEED EXECUTED BY CLARENCE L. DARTER AND WIFE, ARRETTA DARTER IN FAVOR OF CARROL G. COPPING AND BARBARA E. COPPING, HUSBAND AND WIFE, RECORDED OCTOBER 25, 1963 IN BOOK 217, PAGE 280, (AFFECTS PROPERTY AS SHOWN HEREON, LOCATED ALONG THE EAST LINE OF PARCEL 1A)

[*10] RIGHT-OF-WAY EASEMENT IN FAVOR OF LEE COUNTY ELECTRIC CO-OPERATIVE, INC., RECORDED MAY 11, 1976 IN BOOK 1138, PAGE 1922, (AFFECTS PROPERTY AS SHOWN HEREON)

[*11] RIGHT-OF-WAY EASEMENT IN FAVOR OF LEE COUNTY ELECTRIC CO-OPERATIVE, INC., RECORDED NOVEMBER 17, 1975 IN BOOK 1113, PAGE 2113, AS AFFECTED BY SUBORDINATION OF UTILITY EASEMENT RECORDED AUGUST 3, 2007 IN INSTRUMENT NO. 2007000242640, (AFFECTS PARCEL 1 AND PARCEL 1A (STRAP# 21-43-25-00-00007.0030), BLANKET IN NATURE UNABLE TO PLOT)

[*12] LEE COUNTY ORDINANCE NO. 86-14 RELATING TO GARBAGE AND SOLID WASTE COLLECTION WITHIN LEE COUNTY RECORDED NOVEMBER 30, 1990 IN BOOK 2189, PAGE 3281 AS AMENDED BY ORDINANCE NO. 86-38 RECORDED NOVEMBER 30, 1990 IN BOOK 2189, PAGE 3334, (AFFECTS PROPERTY, BLANKET IN NATURE)

PER EXHIBIT B-II OF A TITLE REPORT BY FIRST AMERICAN TITLE INSURANCE COMPANY, FILE NO. 2021-5014297 HAVING A COMMITMENT DATE OF OCTOBER 20, 2020:

NO MATTERS OF RECORD LISTED.

CURVE DATA				
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	40.00	44.79	42.49	S 57°42'29" E
C2	234.79	79.27	78.89	S 15°57'30" E

LEGEND

P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
S.I.R. = SET IRON ROD (LB #7071)
F.I.R. = FOUND IRON ROD (ID AS SHOWN)
N&D = NAIL AND DISC
O.R. = OFFICIAL RECORDS BOOK
D.B. = DEED BOOK
INST. = INSTRUMENT
PG. = PAGE
EOP = EDGE OF PAVEMENT
RCP = REINFORCED CONCRETE PIPE
CONC. = CONCRETE
FND = FOUND
TYP = TYPICAL
INV = INVERT
MES = MITERED END SECTION
NAVD 88 = NORTH AMERICAN VERTICAL DATUM 1988
R/W = RIGHT-OF-WAY
W/ WITH
FEMA = FEDERAL EMERGENCY MANAGEMENT AGENCY
FCM = FOUND CONCRETE MONUMENT
FDT = FLORIDA DEPARTMENT OF TRANSPORTATION

A.E. = ACCESS EASEMENT
TOB = TOP OF BANK
TOE = BOTTOM OF BANK/TOE OF SLOPE
(C) = PER CALCULATIONS
(M) = MEASURED
(D) = PER DEED
N = NORTHING
E = EASTING
O = NAIL & DISC (ID AS SHOWN)
● = IRON ROD (ID AS SHOWN)
■ = CONCRETE MONUMENT
☒ = CABLE TELEVISION BOX
☒ = TELEPHONE SERVICE BOX
☒ = FIBER OPTIC CABLE MARKER
⊙ = WATER METER
⊙ = SANITARY MANHOLE
⊙ = MITERED END SECTION
⊙ = WOODEN POLE WITH LIGHT

☼ = LIGHT POLE
⊙ = WATER VALVE
⊙ = AIR RELEASE VALVE
⊙ = BOLLARD
⊙ = UTILITY POLE
☒ = BURIED VAULT
☒ = TRANSFORMER
☒ = PAY PHONE
☒ = FIRE DEPT CONNECTION
☒ = CLEAN OUT
☒ = GUY WIRE ANCHOR
☒ = EXISTING SPOT ELEVATION

NOTES:

SURVEY BASED THE LEGAL DESCRIPTION AS SHOWN, A TITLE REPORT BY FIRST AMERICAN TITLE INSURANCE COMPANY, FILE NO. 2021-5172728 HAVING A COMMITMENT DATE OF FEB 04, 2021, AND A TITLE REPORT BY FIRST AMERICAN TITLE INSURANCE COMPANY, FILE NO. 2021-5014297 HAVING A COMMITMENT DATE OF OCT 20, 2020, FLORIDA DEPARTMENT OF TRANSPORTATION STATE HIGHWAY RIGHT OF WAY MAP, PROJECT NO. 12060-2535 DATED 11/15/01, OFFICIAL RECORDS ON FILE IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND EXISTING MONUMENTATION.

BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 43 SOUTH RANGE 25 EAST LEE COUNTY, FLORIDA, AS BEARING N 00°05'34" E

PARCEL LIES WITHIN FLOOD ZONE "AE", HAVING A BASE FLOOD ELEVATION OF 7.0 NAVD 88 AND 9.0 NAVD 88, AND ZONE "X", HAVING NO BASE FLOOD ELEVATION, AS DIGITIZED HEREON AND PER FLOOD INSURANCE RATE MAP (FIRM) 125124 0279 F, HAVING AN EFFECTIVE DATE OF AUGUST 28, 2008 AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) WEBSITE.

THE F.E.M.A. FLOOD ZONE INFORMATION INDICATED HEREON IS BASED ON MAPS SUPPLIED BY THE FEDERAL GOVERNMENT. THIS FLOOD INFORMATION MUST BE VERIFIED WITH ALL PERMITTING REGULATORY ENTITIES PRIOR TO COMMENCING ANY WORK OR APPLICATION DEPENDENT ON SAID FLOOD INFORMATION.

ELEVATIONS SHOWN HEREON ARE NORTH AMERICAN VERTICAL DATUM OF 1988 (N.A.V.D. 88) AS IT RELATES TO LEE COUNTY SURVEY BENCHMARK A 128 (ELEVATION 11.78 FEET).

COORDINATES SHOWN HEREON ARE STATE PLANE, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983-1990 ADJUSTMENT (N.A.D. 83/90).

IRON RODS "SET" ARE 5/8" X 18" REBAR WITH ORANGE CAP BEARING CORPORATION NO. 7071.

SITE ADDRESS IS LISTED AS 8590, 8600 & 8640 BAYSHORE ROAD, NORTH FORT MYERS, FL 33917, PER LEE COUNTY PROPERTY APPRAISERS WEBSITE.

POSTED SPEED LIMIT 50 MILES PER HOUR.

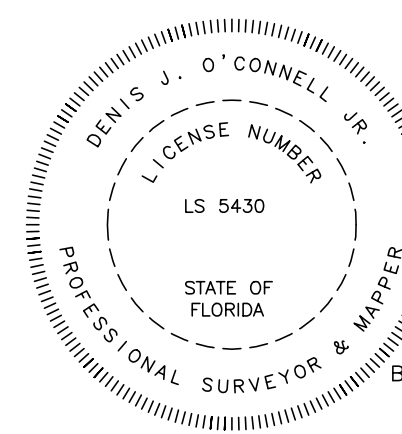
ADJOINING OWNER INFORMATION WERE TAKEN FROM THE LEE COUNTY PROPERTY APPRAISERS WEBSITE.

UNDERGROUND IMPROVEMENTS, UTILITIES AND/OR FOUNDATIONS WERE NOT LOCATED UNLESS OTHERWISE NOTED.

WETLANDS, IF ANY, WERE NOT LOCATED.

THIS PLAT PREPARED AS A BOUNDARY AND TOPOGRAPHIC SURVEY, TO SHOW THE ABOVE GROUND VISIBLE IMPROVEMENTS LOCATED ON THE PROPERTY AS DESCRIBED HEREON AND IS NOT INTENDED TO DELINEATE THE JURISDICTIONAL AREAS OF ANY FEDERAL, STATE, REGIONAL OR LOCAL AGENCY, BOARD, COMMISSION OR OTHER ENTITY.

DATE OF LAST FIELD WORK: 2-16-2021



Digitally signed by Denis O'Connell
Date: 2021.11.11 15:10:11 -05'00'

FOR THE FIRM:

DENIS J. O'CONNELL, JR.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. LS# 5430

DATE SIGNED:

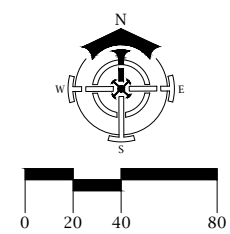
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

THIS SURVEY IS ONLY FOR THE LANDS AS DESCRIBED.

THIS SURVEY WAS PREPARED WITH BENEFIT OF A TITLE REPORT. ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW.

BAYSHORE ROAD, LEE COUNTY

TITLE: BOUNDARY AND TOPOGRAPHIC SURVEY			
FILE NAME: 15106SR ZONING.DWG		PROJECT NO.: 14441	SHEET: 1 OF 1
DRAWN BY: BUD		CHECKED BY: DJO	(S-T-R)
DATE: 11/09/2021		SCALE: 1"= 40'	21-43-25
FIELD BOOK/PAGE: 682/36-44			
PROJECT NO.: 14441			
SHEET: 1 OF 1			
DATE: 11/09/2021			
DRAWN BY: BUD			
CHECKED BY: DJO			
SCALE: 1"= 40'			
PROJECT NO.: 14441			
SHEET: 1 OF 1			
DATE: 11/09/2021			
DRAWN BY: BUD			
CHECKED BY: DJO			
SCALE: 1"= 40'			
PROJECT NO.: 14441			
SHEET: 1 OF 1			
DATE: 11/09/2021			
DRAWN BY: BUD			
CHECKED BY: DJO			
SCALE: 1"= 40'			
PROJECT NO.: 14441			
SHEET: 1 OF 1			
DATE: 11/09/2021			
DRAWN BY: BUD			
CHECKED BY: DJO			
SCALE: 1"= 40'			
PROJECT NO.: 14441			
SHEET: 1 OF 1			
DATE: 11/09/2021			
DRAWN BY: BUD			
CHECKED BY: DJO			
SCALE: 1"= 40'			
PROJECT NO.: 14441			
SHEET: 1 OF 1			
DATE: 11/09/2021			
DRAWN BY: BUD			
CHECKED BY: DJO			
SCALE: 1"= 40'			
PROJECT NO.: 14441			
SHEET: 1 OF 1			
DATE: 11/09/2021			
DRAWN BY: BUD			
CHECKED BY: DJO			
SCALE: 1"= 40'			
PROJECT NO.: 14441			
SHEET: 1 OF 1			
DATE: 11/09/2021			
DRAWN BY: BUD			
CHECKED BY: DJO			
SCALE: 1"= 40'			
PROJECT NO.: 14441			
SHEET: 1 OF 1			
DATE: 11/09/2021			
DRAWN BY: BUD			
CHECKED BY: DJO			
SCALE: 1"= 40'			
PROJECT NO.: 14441			
SHEET: 1 OF 1			
DATE: 11/09/2021			
DRAWN BY: BUD			
CHECKED BY: DJO			
SCALE: 1"= 40'			
PROJECT NO.: 14441			
SHEET: 1 OF 1			
DATE: 11/09/2021			
DRAWN BY: BUD			
CHECKED BY: DJO			
SCALE: 1"= 40'			
PROJECT NO.: 14441			
SHEET: 1 OF 1			
DATE: 11/09/2021			
DRAWN BY: BUD			
CHECKED BY: DJO			
SCALE: 1"= 40'			
PROJECT NO.: 14441			
SHEET: 1 OF 1			
DATE: 11/09/2021			
DRAWN BY: BUD			
CHECKED BY: DJO			
SCALE: 1"= 40'			
PROJECT NO.: 14441			
SHEET: 1 OF 1			
DATE: 11/09/2021			
DRAWN BY: BUD			
CHECKED BY: DJO			
SCALE: 1"= 40'			
PROJECT NO.: 14441			
SHEET: 1 OF 1			
DATE: 11/09/2021			
DRAWN BY: BUD			
CHECKED BY: DJO			
SCALE: 1"= 40'			
PROJECT NO.: 14441			
SHEET: 1 OF 1			
DATE: 11/09/2021			
DRAWN BY: BUD			
CHECKED BY: DJO			
SCALE: 1"= 40'			
PROJECT NO.: 14441			
SHEET: 1 OF 1			
DATE: 11/09/2021			
DRAWN BY: BUD			
CHECKED BY: DJO			
SCALE: 1"= 40'			
PROJECT NO.: 14441			
SHEET: 1 OF 1			
DATE: 11/09/2021			
DRAWN BY: BUD			
CHECKED BY: DJO			
SCALE: 1"= 40'			
PROJECT NO.: 14441			
SHEET: 1 OF 1			
DATE: 11/09/2021			
DRAWN BY: BUD			
CHECKED BY: DJO			
SCALE: 1"= 40'			
PROJECT NO.: 14441			
SHEET: 1 OF 1			
DATE: 11/09/2021			
DRAWN BY: BUD			
CHECKED BY: DJO			
SCALE: 1"= 40'			
PROJECT NO.: 14441			
SHEET: 1 OF 1			
DATE: 11/09/2021			
DRAWN BY: BUD			
CHECKED BY: DJO			
SCALE: 1"= 40'			
PROJECT NO.: 14441			
SHEET: 1 OF 1			
DATE: 11/09/2021			
DRAWN BY: BUD			
CHECKED BY: DJO			
SCALE: 1"= 40'			



 DELISI FITZGERALD, INC. <i>Planning - Engineering - Project Management</i>		Florida Certificate of Authorization Engineering LB #26978	
		1605 Hendry Street Fort Myers, FL 33901 (239) 418-0691 (239) 418-0692 fax	
OWNER / DEVELOPER: RACETRAC PETROLEUM, INC. 10500 W. BAYVIEW AVE. ATLANTA, GA 30339 (770) 431-7600		 BAYSHORE (EPN #1353 - STORE #XXXXX)	
PROJECT:			
MASTER CONCEPT PLAN			
Project Manager:		JTW	
Drawn By:		CAS	
Checked By:		JTW	
Project Number:		21555	
Located in Section(s):		21	
Township: 43 S		Range: 25 E	
County, State:		LEE COUNTY, FL	
Status: FOR CONSTRUCTION SUBJECT TO ALL PERMIT APPROVALS			
Sheet Number:		1	