March 8, 2022

Ms. Elizabeth Workman
Senior Planner
1500 Monroe Street, 2nd Floor
Fort Myers, FL 33901

RE: Residential Planned Development
31 Oaks RPD
DCI2021-00051 – Submittal 2

Dear Ms. Workman,

It is my pleasure to submit to you the attached revised documents related to the rezoning request for the 31 Oaks RPD. Please see the following responses to your comments received on January 25, 2022.

The following information has been provided to assist in your review of the petition:

1. An electronic copy of the Comment Letter Responses;
2. An electronic copy of the Boundary Survey;
3. An electronic copy of the Title Certifications;
4. An electronic copy of the Request Statement;
5. An electronic copy of the Deviation Justification;
6. An electronic copy of the MCP (24”x36”);
7. An electronic copy of the MCP (11”x17”);
8. An electronic copy of the Open Space Exhibit;
9. An electronic copy of the Property Ownership Exhibit;
10. An electronic copy of the Community Meeting Summary;
11. An electronic copy of the Traffic Impact Statement;
12. An electronic copy of the Surface Water Management Plan;
13. An electronic copy of the FLUCCS map with MCP; and
14. An electronic copy of the Indigenous Preserve and Protected Species Management Plan.

The following is a list of Staff’s comments with the Applicant’s in **bold**.

Legal Review - Rick Burris

1. Sec. 34-202. - Submittal requirements for applications requiring public hearing. (a)(6) Boundary survey.

   A boundary survey of the subject property must be submitted, unless the property consists of one or more undivided lots within a subdivision platted in accordance with F.S. ch. 177. 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.

All boundary surveys must meet the minimum technical standards for land surveying in the state, as set out in Chapter 5J-17, F.A.C. 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.

If the subject property consists of one or more undivided lots within a subdivision, then a copy of the subdivision plat may be submitted in lieu of the boundary survey. However, if the dimensions of the subject property differ from those in the original plat, then a boundary survey, including a metes and bounds legal description, will be required.

Staff Comment: The boundary survey does not include the required state plane coordinates.

Response: Please see the attached revised Boundary Survey which is tied to state plane coordinates.

2. Sec. 34-202. - Submittal requirements for applications requiring public hearing. (a)(7) Certification of title and encumbrances.
Certification of title and encumbrances submitted for property subject to zoning approval must meet the following criteria:
a. Form. The certification of title must be in one of the following forms:
i. Title certificate or title opinion, no greater than 90 days old at the time of the initial application submittal. The title certification submittal must be either an opinion of title meeting the Florida Bar Standards prepared by a licensed Florida attorney or a certification of title/title certification prepared by a title abstractor or company.
ii. Title insurance policy with appropriate schedules, no greater than five years old at the time of the initial zoning case submittal and an affidavit of no change covering the period of time between issuance of the policy and the application date. If submission of a complete affidavit of no change is not possible, a title certificate, or title opinion must be submitted in the alternative.
b. Content. The certification of title must include, at a minimum, the following:
i. The name of the owner or owners of the fee title;
ii. All mortgages secured by the property;
iii. All easements encumbering the property;
iv. The legal description of the property; and
v. The certification of title documentation must be unequivocal.

Staff Comment: The document submitted is a marked up version of the commitment for title insurance and does not include a date of issuance. Please submit a document in one of the acceptable forms that meets the content requirements.

Response: Please see the attached Title Certification prepared by GrayRobinson P.A. Also note that the Boundary Survey has also been updated to reflect this change.

Planning Review - Tyler Griffith

1. In your Lee Plan analysis, please update Goal 5, to match the current version found in the most recently updated Lee Plan.

Response: Goal 5 has been updated in the attached revised Request Statement.

Zoning Review - Beth Workman

1. Per LDC 34-373(a)(6), the applicant must submit two sizes of the MCP. One must be 24"x36" and the other 11"x17".

   Response: 11”x17” and 24”x36” MCP sizes are attached as requested.

2. Per 34-373(a)(6)(a) the MCP must depict all easements. The boundary survey depicts a ten-foot drainage and public utility easement along the perimeter of the southeast property line that is not depicted on the MCP. Please revise.

   Response: The drainage easements have been added to the MCP.

3. Per 34-373(a)(6)(b) the MCP must depict all ingress/egress easements. The boundary survey depicts a 15-foot wide ingress/egress easement that is not depicted on the MCP. Please revise.

   Response: The ingress/egress easement has been added to the MCP.

4. There are dashed lines depicted on the MCP. Please revise the legend to include what the dash lines represent.

   Response: Dashed lines have been removed or labeled in the revised MCP.

5. The boundary survey depicts existing fences. Please indicate if the fences will remain or if an optional residential project wall/fence is proposed. If optional residential project wall is proposed, please demonstrate compliance with LDC 34-1743(b)(3).

   Response: The existing fences are proposed to be removed. However, the revised MCP demonstrates the location of a residential project fence and landscaping consistent with the existing fence/buffer (Condition 6) in Z-06-050 and extended further south to incorporate the parcels being added to the RPD.

6. Please indicate if the project will be constructed in phases. If so, please provide a phasing schedule the includes the infrastructure (including preserve maintenance and restoration) phasing.

   Response: The project is currently anticipated to be constructed in a single phase. It is understood that if multiple phases are proposed, a phasing schedule will be required.

7. Provide the required documents to comply with the community review requirements in LDC 33-1482.

   Response: A Public Information Meeting was held on Thursday, December 9, 2021. Please see the attached meeting summary.

8. Page 3 of 17 of the Narrative states that S.R. 31 will be widened. Please provide more information regarding the widening and how it will affect the applicant's site design, indigenous open space, open space, and development footprint.

   Response: FDOT is still in early phases of the PD&E study for this section of SR 31 and designs have not been finalized. It is not yet clear how the project may or may not be impacted, however, the Applicant has begun further discussions with FDOT in an effort to determine the likelihood of various widening scenarios.

Development Services - Brian Roberts

NOTE: The subject property is shown on Map 3D – Lee County Walkways and Bikeways. The applicable facilities will be required at time of development order. This will require coordination with FDOT if the required facilities are to be located in the ROW.

Response: Acknowledged.

1. [10-329(d)(1)a.3.] Excavation Setback from Other Property. Excavations must be set back fifty (50) feet from any property line under separate ownership.
   • Please confirm that this requirement is met where the lake is adjacent to the property line. It does not appear to meet this requirement in several areas. A deviation can be requested to reduce the required set back to 25' but will require additional improvements along the boundary abutting single family residences such as fencing to protect health, safety and welfare.

   Response: The lake is setback a minimum of 50 feet from all property boundaries and a notation indicating the minimum lake setback has been added to the MCP.

2. [10-285(a)] The connection separation distances must be determined on both sides of the roadway for undivided roadways. Existing and approved access points must be depicted on both sides of the road along the project frontage and to the nearest access point beyond the project frontage in each direction.
   • The access to De Moya Drive does not meet connection separation requirements for a local roadway in a Suburban future land use. Please revise or request a deviation with the appropriate justifications.

   Response: Deviation #1 has been revised to apply to the connection separation on De Moya Drive.

3. 34-373(a)(6) – Please provide the following information on the MCP:
   a. The location and explanation of all existing easements. The survey shows a drainage easement on the south property line. Are there any other easements not shown?

   Response: All easements have been added to the revised MCP.

   c. Please include he proposed use of all lots including labeling of the common areas. Staff could not locate a list of all STRAP numbers or owners. The application said to "see attached" but there was no attachment. Please provide a complete list of STRAP numbers and owners.

   Response: The proposed use of all lots is included in the revised attached MCP. An Open Space Exhibit is also attached.

   The list of strap numbers and owners can be found in the attached Property Ownership exhibit.

4. [10-418(1) Surface water Management Systems. The design of the shoreline of excavations must be sinuous rather than straight
   • The portions of the proposed lake abutting the property line do not meet this requirement. Please note this is a Lee Plan requirement and a deviation to this requirement cannot be approved.

   Response: Shorelines abutting the property line have been revised to satisfy the requirement for sinuous shorelines.

5. Staff notes existing lakes on the site that appear to be incorporated into the MCP for drainage. Do these existing lakes meet the requirements of LDC 10-329(d)(3-4) with required to sloping and depth.

   Response: The existing lakes will be designed to meet required sloping and depth in LDC section 10-329.

6. Staff does not support the justification for Deviation #1. Staff recommends that the applicant provide a more central location for the access between the two existing access points shown. The applicant references additional impacts to wetland and the entrance to the north however the wetlands on the MCP indicates "wetlands created" in that area that can be adjusted to accommodate an access point further to the north. Additional the frontage in Z-06-050 was extremely limited compared to the available frontage in this application. Staff recommends that the proposed access on SR31 be located 660' south of the entrance to the property to the north. This will provide 399' to the south. The additional 190' will provide additional safety on a high speed arterial.

   Response: As noted above, Deviation #1 has been modified to apply to De Moya Dr. only and no longer seeks relief for separation on SR 31. As noted in Infrastructure Planning Comment 1, the deviation is not necessary for SR 31 as it is a state maintained facility and Lee County's review to this standard is not required.

7. Staff objects to Deviation (2). The lack of a suitable turnaround, even at automated gates, will result in cars backing into the right-of-way impacting health, safety and welfare. Staff is not clear how the lack of a turn-around in this area lessens impacts to wetland areas. All adjacent areas are shown as residential development. Sec 34-1748 does allow the Director of Development Services to waive or modify location requirements if the volumes on the intersecting streets can be demonstrated to be so low that it will not interfere with through traffic.

   Response: The justification has been updated to reflect low traffic volumes at this access which are demonstrated in the revised TIS and revised the information regarding potential wetland impacts.

Infrastructure Planning - Lili Wu

1. Deviation #1 is not necessary because SR 31 is a facility maintained by State. The proposed access driveway on SR 31 subjects to the approval of FDOT.

   Response: Deviation #1 has been revised to apply to the connection separation on De Moya Drive only.

2. Please note Lee County DOT may not support the Deviation #2 which is a request no turn-around at the access to De Moya Drive.

   Response: Acknowledged. Please note that the revised TIS demonstrates low traffic volumes at this access.

3. The information of intersection LOS analysis for SR 31/SR 80 (within one quarter of a mile) and the project's driveway on De Moya Dr shall be provided for review.

   Response: See the attached response letter from TR Transportation Consultants.

4. The project's trip distribution on SR 80 seems unreasonable with the percentage on the east side of SR 31 being high and west side of SR 31 being low. A revision is necessary.

Response: See the attached response letter from TR Transportation Consultants.

Natural Resources - Nic DeFilippo

1. Please provide an analysis of Lee Plan policies 60.1.1, 60.1.2, 60.4.2, 60.4.3, 101.1.2, 101.1.4, 125.1.4, and 126.1.4.

   Response: These Policies have been added to the Request Narrative. However, please note that Policy 101.1.4 is related to Comprehensive Plan Amendments which does not apply this request.

2. Staff understands that there is an approved ERP for a portion of the project. Please provide a surface water management plan that meets the requirements outlined in LDC 34-373(b)(1) for the entirety of the proposed development. Is the stormwater management system being designed to provide additional storage as a result of the proposed wetland impacts within the Coastal High Hazard Area (CHHA)?

   Response: The stormwater management plan has been revised to address the requirements in LDC section 34-373(b)(1). Additional storage associated with impacts within the CHHA will be provided within the created wetlands and not within the stormwater management system.

3. Are offsite flows conveyed through the property? If so, please discuss how these flows will be maintained or improved consistent with Lee Plan policy 126.1.4.

   Response: Offsite flows are conveyed through the Property via existing drainage easements, as shown on the revised MCP. Please see the revised Surface Water Management Plan and the revised Lee Plan Consistency within the Request Statement.

4. It appears the applicant is proposing to impact approximately 5.1 acres of wetlands in the CHHA and offset these impacts by creating 4.84 acres of wetlands. Are these created wetlands intended to provide the additional storage to offset impacts in the CHHA? Please expand on the analysis contained within the Request Statement to clarify if additional compensatory storage is being created to offset impacts in the CHHA. Is, so please provide specific drawings, calculations, and details.

   Response: Yes, the created wetlands are intended to provide the additional storage to offset impacts in the CHHA. The request statement has been updated on page 17 of 20 to clearly identify the intention to provide storage offsets. Demonstration of no net loss of storage within the wetland system will be provided at the time of Local Development Order and the proposed condition outlined in the analysis of Policy 101.3.2 provides necessary assurances that the intention to provide compensatory storage will be achieved.

   Please also note the impacted wetlands are generally lower quality areas with high levels of exotic infestation. The restored areas will be much higher quality and better functioning per the Restoration Plan enclosed.

Environmental Sciences - Camryn Siverson

1. Please refer to 10-473(b) and Lee Plan objective 101.1.1 and 123.3 in regards to submitting a protected species management plan. Indicate how the restoration and preservation will provide habitat for wildlife utilizing Lee Plan Policies within the explanation.

Response: In compliance with Policy 101.1.1 and Objectives 123.3 of the Lee Plan, the on-site preserve is comprised of upland and wetland areas that will be enhanced and protected in perpetuity to be compatible with surrounding natural areas and will provide habitat for wildlife species.

Consistent with the requirements of Lee Plan Policy 101.1.1, the site plan was designed to balance the protection and function of the on-site wetland areas, and adjacent upland habitat, and to provide a connection to proposed off-site preservation areas located to the north. The protection, enhancement and preservation of the on-site habitat, will be compatible with surrounding natural areas and will provide continued water storage and nutrient attenuation functions. In addition, construction of a permitted stormwater management system by the South Florida Water Management District (SFWMD) will provide benefits through enhanced stormwater management, flood control and water quality and treatment, as required by Policy 101.1.1 of the Lee Plan.

The site plan preserves 24.13± acres of on-site habitat that will be enhanced through the removal of exotic vegetation, the creation of additional wetland areas, and the installation of supplemental plantings in areas where exotic vegetation currently exceeds 50 percent cover. The on-site preserve will be protected in perpetuity via a conservation easement, which will maintain the function of the on-site wetland and upland preservation areas and provide wildlife habitat, as required by Policy 101.1.1 and Objective 123.3 of the Lee Plan.

In addition, consistent with the requirements of Lee Plan Objective 123.3, the on-site preservation area will maintain and enhance habitat for area wildlife through the improvement of the on-site habitat quality and the perpetual protection of the on-site preserve. The inclusion of wetland, wetland creation, and upland habitat within the on-site preserve will provide support to both common and protected wildlife species including, but not limited to, amphibians species, reptiles species, small mammal species, and avian species including wading birds. In support of Objective 123.3, a Lee County Indigenous Preserve and Protected Species Management Plan was prepared for the Project, which provides additional detail regarding the protection and enhancement of the on-site preserve.

Please see the enclosed Lee County Indigenous Preserve and Protected Species Management Plan.

2. Please provide a formal Jurisdictional Determination to comply with Lee Plan policy 124.1.2 and section 34-1577 of the Land Development Code.

Response: A formal wetland determination is not required as part of Lee Plan Policy 124.1.2 and Section 34-1577 of the LDC; however, prior to the initiation of construction activities, an Environmental Resource Permit (ERP) will be obtained from the SFWMD. As part of the ERP permitting process, a wetland determination will be conducted.

Proposed density for the project relies based on the best available information wetland impacts. It is understood that if future jurisdictional determinations identify additional wetland impacts, the resulting available density will be changed as identified in Table 1(a). The proposed density is well below the maximum achievable density. Thus, if additional wetlands are determined, the proposed density will still comply with Table 1(a). See the calculation below which demonstrates potential density even if all wetlands are calculated at 1du/20ac.

Future Land Use	Acreage	Density	Unit Count
Suburban	65.83 AC	6 DU/AC	394.98 units
Wetlands	22.77 AC	1 DU/20 AC	1.14 units
		Total	**396 units**

The information has also been added to the revised Request Statement.

3. Please submit an indigenous preservation and restoration plan. Please specify the management/restoration methods that will be used in the preservation areas that are, and are not part of the indigenous/restoration areas.

   Response: Please see the enclosed Lee County Indigenous Preserve and Protected Species Management Plan for the Project. Per this management plan, the on-site indigenous preserve will be enhanced through the hand removal/treatment of exotic vegetation. In addition, in areas where exotic vegetation currently exceeds 50 percent cover, supplemental plantings will be utilized to provide additional enhancement within the preserved habitat.

4. State road 31 is proposed to expand from a 4-lane highway to a 6-lane highway. Will the proposed areas of restoration along state road 31 be impacted due to this widening? If so, please provide an updated map demonstrating the change.

   Response: The FDOT has not released plans for the proposed widening in this area of SR 31 and the current construction timeline is unknown. As a result, it is not possible to anticipate potential impacts from the future widening. It is understood the minimum preservation and committed restoration requirements must continue to be met post-widening of SR 31.

5. Please overlay the Master Concept Plan over the FLUCCS map.

   Response: Please see the enclosed FLUCFCS map with the Master Concept Plan overlaid.

6. Please provide an open space exhibit as sheet 2 of the Master Concept Plan in accordance with section 34-373(6)(g). Please label and provide the acreages for the indigenous, restoration, and remaining wetland areas.

   Response: Please refer to the attached Open Space Exhibit.

7. Please demonstrate in the Lee Plan analysis, how the development is compatible to Lee Plan objectives 123.6, 123.8, 123.10, 123.11, 123.12.

   Response: These Lee Plan Objectives have been added to the attached revised Request Statement.

   There are no bald eagle (Haliaeetus leucocephalus) nests located on or within the immediate vicinity of the proposed Project.

   Please see the attached Indigenous Preserve and Protected Species Management Plan that was prepared for the Project. Gopher tortoise (Gopherus polyphemus) burrows that will be impacted by construction activities will be relocated in accordance with the Florida Fish and Wildlife Conservation Commission Gopher Tortoise Permitting Guidelines.

   No wood stork (Mycteria americana) rookeries or roosting areas were documented on the Project site. Compensation for impacts to wood stork foraging habitat will be provided through the enhancement and preservation of on-site wetland areas, or through the purchase of credits from a

wetland mitigation bank. In addition, the post-enhancement condition, the on-site preservation areas and the creation of additional wetland areas onsite will provide potential foraging habitat for wood storks and other wading birds.

No Florida panthers (Puma concolor coryi) have been documented on the Project site. In addition, the Project is located outside of the USFWS Florida Panther Focus Area.

No Florida black bears (Ursus americanus floridanus) have been documented on the Project site.

8. Please demonstrate through the indigenous restoration and preservation plan how it will meet Lee Plan 101.1.1, 101.1.2, 123.2, and 123.3.

Response: Consistent with Lee Plan Policy 101.1.1 and Objective 123.3, the Project site plan, in conjunction with the activities proposed within the Indigenous Preserve and Protected Species Management Plan, was designed to be compatible with surrounding natural systems and will protect and continue to provide functions including water retention and purification, and defense against flooding through the preservation of 24.13± acres of wetlands, wetland creation areas and upland habitat on-site and through the construction of a permitted stormwater management system and will provide long-term protection of wildlife habitat. The site plan was designed to protect and maintain the function of the on-site wetland areas and adjacent upland habitat, and provide a connection to proposed off-site preservation areas located to the north.

As required by Lee Plan Policy 101.1.2, the site plan protects environmentally sensitive areas through the preservation and enhancement of 24.13± acres of on-site wetlands, wetland creation areas and upland habitat. The wetland areas, in combination with adjacent upland areas, will be protected in perpetuity through a conservation easement. The Project does not contain estuaries, mangrove stands, undeveloped barrier islands, beach and dune systems, aquatic preserves, wildlife refuges, undeveloped tidal creeks and inlets, critical wildlife habitats, benthic communities, or marine grass beds.

In support of Objective 123.2, the site plan was designed to protect wetlands, wetland creation areas and upland areas on-site, preserving a mosaic of habitat on-site, and enhancing biodiversity. The site plan preserves 24.13± acres of on-site habitat that will be enhanced through the removal of exotic vegetation, the creation of additional wetland areas, and the installation of supplemental plantings in areas where exotic vegetation currently exceeds 50 percent cover. The protection and enhancement of the on-preserve and the installation of the supplemental plantings will maintain and enhance the biodiversity of the habitat within the on-site preserve, in compliance with Objective 123.2 of the Lee Plan.

In compliance with Objective 123.3 of the Lee Plan, the protection and enhancement of the on-site preserve will maintain the function of the on-site wetland and upland preservation areas. It will also provide perpetual protection of wildlife habitat, which will be available for utilization by various common and protected wildlife species including, but not limited to, amphibians species, reptiles species, small mammal species, and avian species, including wading birds. The enhancement and long-term protection of the 24.13± acre on-site preserve area will help to maintain wildlife diversity in Lee County, in compliance with Objective 123.3 of the Lee Plan.

9. The narrative states that the site has been designed to reduce impacts to wetlands and improve floodplain compensation. Explain how this is being accomplished within the environmental supporting documents.

Response: Please see the attached Indigenous Preservation and Restoration Plan from Passarella and Associates. The Request Statement has also been revised to more clearly discuss the proposed floodplain compensation.

10. Indicate if the proposed lake will comply with LDC 10-418. Indicate if bulkheads are being proposed and if they will exceed 20% of the lake shoreline.

    Response: Design of surface water lakes will comply with LDC section 10-418. If bulkheads are proposed, they will comply with the requirements in LDC section 10-418.

11. Indicate if there is a berm proposed around the perimeter of the property. If so, indicate if the connections to offsite wetlands will be affected and if the berm will impact the indigenous open space requirements.

    Response: A berm will be located around the perimeter of the surface water management system per SFWMD requirements and will be designed to maintain connections to off-site wetlands. Additionally, the berm will not impact the project's ability to maintain the minimum indigenous open space requirements.

Sincerely,

RVi Planning + Landscape Architecture

Jeremy Frantz, AICP
Project Director

31 Oaks RPD
Request Statement

I. REQUEST

The Marina Del Lago RPD is currently comprised of 49.62+/- acres and allows for the development of up to 140 dwelling units pursuant to Zoning Resolution Z-06-050. The Applicant is requesting approval to amend the RPD to rezone several adjacent properties into a unified development of approximately 88.3+/- acres. This will result in an RPD amendment and rezoning of the assemblage from Agricultural (AG-2) and Residential Planned Development (RPD) to RPD to allow for the development of a residential community with private, on-site recreational amenities, wetland preserves and supportive infrastructure. It is also proposed to rename the RPD to "31 Oaks RPD." This will allow for the construction of residential uses and ancillary uses within the while also providing for reduced wetland impacts and improved floodplain compensation compared to previous plans/zoning approvals. The request does not require any changes to the future land use categories.

This amendment request will include a Master Concept Plan, zoning conditions, and schedule of deviations to accommodate the development of the site with single-family and two-family attached dwellings and associated community amenities. The amendment request for 265 dwelling units includes a maximum density of 3 du/acre with a maximum building height of 35 feet and will connect to Lee County Utilities for sanitary sewer and potable water.

The current combination of AG-2 and RPD zoning will not allow residential development at intensities comparable to surrounding development and is inconsistent with the underlying Suburban Future Land Use Category (FLUC). Moreover, the need to avoid impacts to wetlands on the Property requires the combination of these properties into a unified development, which can only be achieved through rezoning to a Planned Development Zoning District. The proposed RPD amendment allows the properties to be incorporated into a unified Residential Planned Development with the requisite flexibility to fully develop the Property in accordance with market demand for residential uses in the Caloosahatchee Shores Planning Community and in a coordinated manner with the surrounding community. The community will also allow for infill development in an area of the County well-served by available public infrastructure.

II. EXISTING CONDITIONS

The 31 Oaks RPD property ("Property") is comprised of 88.3 +/- acres under separate ownership and within different zoning districts and located on the east side of SR 31, approximately ¼ of a mile north of Palm Beach Blvd. in unincorporated Lee County, Florida.

The 88.3 +/- acre property is located within the Suburban and Wetlands Future Land Use categories. The subject property is partially vegetated and includes a lake in the southern portion of the property. The Property will be accessed from SR 31 to the west (a two-lane arterial road), with secondary ingress/egress from De Moya Drive (a two-lane local road) to the east.

The surrounding land use pattern generally consists of residential uses, vacant agriculturally zoned properties and commercial properties, as further described below:

Table 1: Inventory of Surrounding Lands

	FUTURE LAND USE	ZONING	EXISTING LAND USE
NORTH	Suburban	Agriculture (Ag-2); Multi-Family Residential Planned Development (RPD); Residential Single-Family (RS-1)	Vacant Properties (AG-2 and Caloosahatchee Preserve RPD); Single-Family Residential
SOUTH	Urban Community; Wetlands	Commercial Planned Development (CPD)	Race Trac gas station; future commercial development (SR 80/31 CPD)
EAST	Suburban	Residential Single-Family (RS-1)	Single-Family Residential
WEST	Wetlands; Urban Community; Suburban	Agriculture (Ag-2); Community Commercial (CC); Commercial Planned Development (CPD)	Developed and Undeveloped Agricultural Parcels; Bar/Nightclub; undeveloped commercial property

III. PROPERTY HISTORY

The northern 49.62 acres of the property is zoned Marina Del Lago RPD and allows for the development of up to 140 single-family dwelling units and boat trailer parking pursuant to Zoning Resolution Z-06-050. The central portion of the property made up of two parcels which have maintained the original AG-2 zoning.

The southern portion of the Property is also currently zoned AG-2. This portion of the property was the subject of a previous withdrawn zoning petition for multi-family development and retail commercial uses (DCI2005-00040).

IV. PUBLIC INFRASTRUCTURE

As outlined in the enclosed application, the Property is serviced by public infrastructure that can accommodate the proposed increase in residential units. Potable water and sanitary sewer services will be provided by Lee County Utilities. A Letter of Availability of service from Lee County Utilities is attached. The Property has direct access to SR 31, a state-maintained arterial roadway under planning for future improvements/expansion to accommodate development in the immediate area. There are adequate public facilities and services in the immediate vicinity of the project to serve the proposed development in terms of schools, fire, EMS and Sheriff's protection.

V. REZONING JUSTIFICATION

The proposed amendment request allows the Property to be developed in a similar manner to the surrounding properties. The SR 31 corridor is experiencing rapid growth and development and the current combination of AG-2 and RPD zoning will not allow for the coordinated development of the Property.

The proposed amendment strikes a balance between providing for the continuation of suburban development as anticipated by the Lee Plan, while protecting against potential impacts from coastal flooding within the Coastal High Hazard Area through the creation of several onsite storage areas. See the Lee Plan Compliance Narrative below for more information regarding compliance with Coastal High Hazard Area policies.

The proposed MCP provides for significant preservation of wetlands, rare and unique uplands, heritage trees, and open space while also providing for decreased density and intensity over previously proposed or approved development on the Property.

The community will be accessed from SR 31 as the main point of ingress/egress for future residents. The entry is intended to be gated with the internal roadway network to be privately maintained. Internal roadways will provide sidewalks along both sides of the roadways to accommodate pedestrian interconnectivity within the project. The proposed roadways will meet the design standards set forth in Chapter 10 of the LDC. Sidewalk and bikeway facilities will comply with the minimum requirements and options set forth in Chapter 10 of the LDC.

A maximum 265 dwelling units are proposed, which are planned around open space and preserve areas to accommodate preservation of the higher quality wetlands on the Property.

Proposed wetland impacts are based on the best available information. It is understood that if future jurisdictional determinations identify additional wetland impacts, the resulting available density will be changed as identified in Table 1(a). The proposed density is well below the maximum achievable density. Thus, if additional wetlands are determined, the proposed density will still comply with Table 1(a). See the calculation below which demonstrates potential density even if all wetlands are calculated at 1du/20ac.

Future Land Use	**Acreage**	**Density**	**Unit Count**
Suburban	65.83 AC	6 DU/AC	394.98 units
Wetlands	22.77 AC	1 DU/20 AC	1.14 units
Total			**396 units**

Minimum lot sizes and development standards are consistent with similar RPDs approved throughout the County.

After meeting with the surrounding community, the Applicant has committed to a 6-foot-high opaque fence and 10-foot-wide vegetative buffer along the northern and eastern property lines. This buffer is well in excess of the requirements of the LDC but is consistent with Condition 6 in Z-06-050 and will provide enhanced screening between the project and the established single-family community to the east.

A 30-foot-wide Type F buffer is proposed between each proposed cul-de-sac and adjacent to the neighboring residential zoned properties in accordance with the Land Development Code. As proposed the residential uses will be well-screened from surrounding land uses, and the community will be complimentary to the existing neighborhood.

Open space will meet or exceed 40% of the total site area, or 35.3 acres. On-site wetland preserves will comprise the bulk of the required 17.66 acres of indigenous preserve area. Buffers and preserve setbacks will be provided in accordance with the LDC. Development areas have been designed to minimize impacts to rare and unique uplands and wetlands. While wetland impacts are proposed, these impacts are limited to areas of lower-quality vegetation and where such impacts cannot be avoided due to the internal roadway network. As outlined in this narrative, enhanced stormwater management/water storage is provided to offset the proposed wetland impacts that fall in the Coastal High Hazard Area (CHHA).

Two deviations are requested to allow for flexibility relating to connection separation along De Moya Drive and to allow no turn-around at the access to De Moya Drive. The deviations will allow

for safe, secondary ingress/egress to the community while providing flexibility in the design of the community in a way that minimizes wetland impacts.

For these reasons, the proposed amendment is needed to address the unique site constraints of the assembled properties and to ensure compatibility with surrounding development.

VI. PROPOSED USES/DESIGN STANDARDS

The proposed Schedule of Uses allows for a single-family and two-family attached dwelling types as well as several uses accessory to the residential development. An amenity center is also planned in the central portion of the Property. Except where deviations are requested, the design standards will meet or exceed the requirements in the LDC and mirror those of typical RPD zoning districts throughout the County.

The project is located within the Caloosahatchee Shores Planning Community; therefore, several planning community-specific design requirements apply to this RPD.

VII. DECISION-MAKING COMPLIANCE

In accordance with LDC Section 34-145(d)(4), the data and analysis provided in the enclosed application demonstrate that the request meets or exceeds the following:

a) The request will meet or exceed all performance and locational standards set forth for the proposed residential planned development, except where a deviation has been approved.

Access will be provided from SR 31, an arterial roadway, and De Moya Drive, a local road. Public infrastructure and services are available to service the proposed development. Traffic impacts of the project are discussed in the attached Traffic Impact Statement (TIS) which demonstrates all impacted roadways will function at an acceptable Level of Service. Any off-site improvements required by the project will be addressed at the time of local development order review.

The request for the development of 265 residential dwelling units is located within the Suburban FLUC and is intended for the continuation of the surrounding existing and planned development pattern. The request is consistent with the goals, objectives and policies of the Lee Plan, as outlined in this application.

Two deviations are requested and further explained in the attached Deviation Justification Narrative. The deviations are limited to that required to accommodate a site plan which maximizes the preservation of wetlands.

b) Complies with the Lee Plan.

The request will allow for residential development in accordance with the Suburban and Wetland FLUCs and other relevant Goals, Objectives, and Policies. Densities account for the limited wetland impact areas and comply with Table 1(a) outlining Residential Densities and Table 1(b), which accommodates 1,810 acres of residential development in the Suburban FLUC within the Fort Myers Shores Planning Community. Additional analysis of Lee Plan consistency is provided below.

c) Meets this Code and other applicable County regulations or qualifies for deviations.

The request includes proposed development standards, deviations, and conditions in compliance with the LDC and the Caloosahatchee Shores Planning Community regulations. As outlined in the Deviation Justification Narrative, requested deviations will fully meet the intent of the LDC.

d) Is compatible with existing and planned uses in the surrounding area.

The request will ensure that the property is developed with uses similar to neighboring properties. The proposed RPD includes development standards which comply with the Caloosahatchee Shores Planning Community regulations. Perimeter setbacks will be provided to the adjacent to the properties, except where a deviation is requested to accommodate the preservation of wetland areas.

Impacts to surrounding land uses are minimal due to the similarity of intent and intensity of uses. The zoning conditions and LDC requirements have adequately addressed any potential impacts on adjacent uses.

e) Will provide access sufficient to support the proposed development intensity.

A Traffic Impact Statement (TIS) is attached which demonstrates that the proposed access is sufficient to support the proposed development activity. The request proposes two access points, one on SR 31 and the other on De Moya Drive. These access points meet the requirement in LDC section 10-291 that residential development of more than five acres must provide more than one means of ingress or egress for the development.

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

The attached TIS has demonstrated that all analyzed roadways are projected to operate at acceptable Level of Service even with the maximum of 265 single-family dwelling units. The TIS also demonstrates the need for a southbound left turn lane on SR 31 to accommodate the proposed development.

Sidewalk and bikeway facilities will comply with the minimum requirements and options set forth in Chapter 10 of the LDC.

The project will require development order approvals prior to site development activities. The project's impacts will be evaluated at that time in accordance with the LDC.

g) Will not adversely affect environmentally critical or sensitive areas and natural resources.

The proposal makes efficient use of this infill site intended for development per the Suburban FLUC, while ensuring environmentally critical areas and natural resources are protected.

The Project site includes 22.75 acres of wetlands which are degraded due to infestation of exotic vegetation. The MCP demonstrates the preservation of 17.6 acres of wetlands and the creation of 4.84 acres of wetlands/CHHA floodwater retention area.

The Project site contains 285 heritage trees and the project will comply with the LDC standards for preservation and/or mitigation.

The Project site contains 6.09 +/- acres of rare or unique upland habitat. Preserve and open space areas have been designed to retain these areas to the maximum extent possible. An Indigenous Preserve Management Plan for these areas is attached.

The attached Protected Species Survey demonstrated the existence of Gopher Tortoise on the property. A Gopher Tortoise Management Plan is attached.

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

Public infrastructure and services are available to service the proposed development. This property is located within the Suburban FLUC. This area is programmed to include predominantly residential uses. As such Lee County Utilities has adequate services for the proposed residential density.

The property is served by the Ft. Myers Shores Fire District with Station #81 and Lee County EMS Medic 11 station located on Palm Beach Blvd. The Lee County Sheriff provides service in Central District - Zone 6.

The data and analysis provided in the enclosed application also demonstrates that the request meets or exceeds the following Planned Development Rezoning review criteria.

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

The Suburban FLUC allows for predominantly residential uses. This request does not include any non-residential uses. Moreover, the development of residential dwellings on the 88.3+/- acre property is appropriate for this location which provides for compatibility with neighboring single-family residential developments.

j) The recommended conditions provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development.

The proposed conditions identify rare and unique uplands and heritage tree preservation as well as wetland preservation and stormwater management which are sufficient and reasonably related to the impacts on the public interest.

k) If the application includes deviations pursuant to section 34-373(a)(9), that each requested deviation:

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

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

The Applicant has proposed two deviations related to site design standards for connection separations along De Moya Drive and for a turn-around at the entrance on De Moya Drive. As described in the attached Deviations and Justification, the intent of these deviations is to facilitate the avoidance of wetland impacts. Development areas have been directed to non-wetland areas throughout the site to the maximum extent possible, resulting in limited

developable areas. The proposed location of the entry and design most efficiently uses the upland areas, while providing for a secondary means of ingress/egress to the project. Moreover, the TIS demonstrates very low traffic counts at this secondary access, mitigating the impacts of not providing a turnaround at this location.

VIII. LEE PLAN COMPLIANCE

The following is an analysis of the RPD's consistency with goals, objectives and policies of the Lee County Comprehensive Plan (Lee Plan).

POLICY 1.1.5: The Suburban future land use category will consist of predominantly residential areas that are either on the fringe of the Central Urban or Urban Community future land use categories or in areas where it is appropriate to protect existing or emerging residential neighborhoods. This category provides housing near the more urban areas but does not provide the full mix of land uses typical of urban areas. Industrial land uses are not permitted. This category has a standard density range from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre). The maximum total density may only be increased to eight dwelling units per acre (8 du/acre) utilizing Greater Pine Island Transfer of Development Units except in areas that specifically prohibit bonus density. Other forms of bonus densities are not allowed.

The Property is located in the Suburban FLUC, as shown in the attached Existing Future Land Use Map. The request is limited to residential dwellings at 3 du/acre which is below the maximum permitted density in this FLUC and provides for a range of residential dwelling types that comply with the intended uses for this category. Infrastructure and public services are available to serve the property.

POLICY 1.5.1: Permitted land uses in Wetlands consist of very low density residential uses and recreational uses that will not adversely affect the ecological functions of wetlands. All development in Wetlands must be consistent with Goal 124 of this plan. The maximum density is one dwelling unit per twenty acres (1 du/20 acre) except as otherwise provided in Table 1(a) and Chapter XIII of this plan.

The attached proposed density calculations for the 31 Oaks RPD utilize a density calculation for impacted wetlands of 1 du/20 acres. Therefore, the proposed RPD is consistent with this policy.

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 amendment and rezoning will allow for a clustered and logical development pattern in an area readily serviced by public infrastructure, in direct compliance with the above policy. As outlined in detail within the application, the project represents an infill development within an urbanized area of Lee County and is surrounded by other residential and non-residential development. Development within the project is clustered primarily within existing uplands, representing a compact development footprint.

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 Property is contiguous to developed or developing properties on three sides of the project, representing infill development of this future suburban area. The attached letter of availability demonstrates the availability of potable water and sanitary sewer services to support the proposed density. Additionally, the attached Public Infrastructure Map demonstrates the Property is in the vicinity of adequate public facilities and public investment. Therefore, the proposed amendment and rezoning fully complies with the above policy's intent to direct new growth to appropriate Future Urban Areas of the county.

POLICY 2.2.1: Rezonings and Development of Regional Impact proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare.

The road network in the region has been specifically constructed to support a mix of residential uses and commercial uses in the area. The requested density falls below the maximum density allowed by the Suburban FLUC.

Lee County utilities has both sewer and water infrastructure available to the property with capacities to serve the previously approved density and the surrounding area approved zoning. The property is near existing networks, utility services and compatible, similar land uses.

There are adequate public facilities and services in the immediate vicinity of the project to serve the proposed development in terms of schools, fire, EMS and Sheriff's protection. EMS and fire stations are within one mile of the Property.

GOAL 4
STANDARD 4.1.1 & 4.1.2: WATER & SEWER

The attached Letter of Availability from Lee County Utilities demonstrates that potable water and sanitary sewer services are available for the Property.

GOAL 5: RESIDENTIAL LAND USES. To accommodate the projected population of Lee County in the year 2045 in appropriate locations, guided by the Future Land Use Map, and in attractive and safe neighborhoods with a variety of price ranges and housing types.

POLICY 5.1.1: Residential developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as planned developments except if located within the Mixed Use Overlay.

The Application is to amend the Marina Del Lago RPD and rezone several properties to a unified Residential Planned Development in accordance with this policy.

POLICY 5.1.2: Prohibit residential development where physical constraints or hazards exist, or require the density and design to be adjusted accordingly. Such constraints or

hazards include but are not limited to flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental limitations; aircraft noise; or other characteristics that may endanger the residential community.

While the Property is located in the Coastal High Hazard Area, the proposed density is far below the maximum allowable density under the Suburban FLUC. The proposed amendment protects against impacts from coastal flooding by providing storage that offsets potential impacts. We are not proposing to exceed allowable maximum density permitted by the underlying FLUCs. We are in fact, only proposing to develop about 50% of the maximum allowable density. Additionally, impacts to hurricane shelters will be addressed through the impact mitigation requirements in LDC Section 2-485.

POLICY 5.1.4: Prohibit residential development in all Industrial Development areas and Airport Noise Zone B as indicated on the Future Land Use Map, except for residences in the Industrial Development area for a caretaker or security guard.

The Property is not located in an Industrial Development area or in Airport Noise Zone B.

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

The request is intended to allow for the development of single-family residential dwellings on the 88.3+/- acre property. The request will ensure that the property is developed with uses similar neighboring properties, thereby protecting the character and integrity of the existing communities.

The Applicant has proposed development standards including buffers, lakes, and setbacks to adjacent development, consistent with the LDC. A 30-foot Type F buffers will visually screen the single-family neighborhood to the east from the southern cul-de-sac ROW. The preservation of existing native vegetation will result in additional setbacks and visual screening to surrounding development over and above code requirements, where provided. The Applicant has limited the request to single-family detached and two-family dwelling types to address compatibility with the abutting ¼-acre lots; whereas the Lee Plan would support higher density dwelling types such as multi-family and townhomes.

The project will not negatively impact surrounding land uses due to the similarity of uses and density. The zoning conditions and LDC requirements have adequately addressed any potential impacts on adjacent uses.

POLICY 5.1.7: Maintain development regulations that require that community facilities (such as park, recreational, and open space areas) in residential developments are functionally related to all dwelling units and easily accessible via pedestrian and bicycle pathways. These pathways must be interconnected with adjoining developments and

public pathways whenever possible. Townhouses, condominiums, apartments, and other types of multi-family residential development must have directly accessible common open space.

The proposed RPD includes open space, trails, a community amenity center, and other recreational facilities. Sidewalks are provided on both sides of all internal roadways and provide pedestrian and bicycle connections to SR 31 and De Moya Drive. All open space and amenities will be directly accessible to all residents within the RPD

GOAL 21: CALOOSAHATCHEE SHORES COMMUNITY PLAN. Protect the existing character, natural resources and quality of life in the Caloosahatchee Shores Community Plan area, while promoting new development, redevelopment and maintaining a more rural identity for the neighborhoods east of I-75 by establishing minimum aesthetic requirements, planning the location and intensity of future commercial and residential uses, and providing incentives for redevelopment, mixed use development and pedestrian safe environments.

POLICY 21.1.1: Maintain Land Development Code regulations that provide for enhanced landscaping, signage and architectural standards consistent with the goal of maintaining an old Florida rural identity. The preferred architectural style for all buildings in commercial developments is Florida vernacular.

The proposed RPD will comply with all planning community regulations for the Caloosahatchee Shores Planning Community. No deviations are requested from Chapter 33 of the LDC.

POLICY 21.1.2: Any deviation from landscaping, buffering, signage or architectural requirements may not be granted unless the request meets the approval criteria for variances set forth in Chapter 34 of the Land Development Code.

No deviations are requested from the Caloosahatchee Shores Planning Community regulations for landscaping, buffering, or signage in the proposed RPD.

POLICY 21.3.1: Maintain Land Development Code regulations that provide for greater buffering between adjacent commercial and residential uses except for in mixed use developments.

Proposed buffers within the RPD comply with the buffering requirements in the LDC. The project is adjacent to non-residential uses to the south.

OBJECTIVE 60.1: SURFACE WATER. Develop a surface water management program that is multi-objective in scope, geographically based on basin boundaries, and incorporates the requirements of applicable adopted Basin Management Action Plans.

POLICY 60.1.1: Require design of surface water management systems to protect or enhance the groundwater. (Ord. No. 07-12, 18-28)

A surface water management system is proposed which will provide water quality treatment before discharging into onsite wetlands.

POLICY 60.1.2: Incorporate, utilize, and where practicable restore natural surface water flowways and associated habitats.

The proposed RPD includes wetland preservation areas which will maintain existing flowways and associated habitats to the maximum extent practicable. The proposed RPD also incorporates wetland creation areas which will augment existing natural surface water flowways.

OBJECTIVE 60.4: INCORPORATION OF NATURAL SYSTEMS INTO THE SURFACE WATER MANAGEMENT SYSTEM. Incorporate natural systems into surface water management systems to improve water quality, air quality, water recharge/infiltration, water storage, wildlife habitat, recreational opportunities, and visual relief.

POLICY 60.4.1: Encourage new developments to design surface water management systems with Best Management Practices including, but not limited to, filtration marshes, grassed swales planted with native or Florida Friendly Landscaping vegetation, retention/detention lakes with enlarged littoral zones, preserved or restored wetlands, and meandering flow-ways.

The proposed RPD includes a surface water management plan that complies with all LDC design standards. Created wetland areas also included throughout the project, designed to provide compensating flood storage for wetland impacts within the CHHA.

POLICY 60.4.2: The County encourages new developments to design their surface water management system to incorporate existing wetland systems.

The RPD provides 17.6 acres of wetland preservation throughout the project. These areas are proposed to maintain connectivity with the larger wetland system on and off site. Additionally, created wetlands areas will be designed to provide compensating flood storage within the CHHA.

POLICY 60.4.3: The County encourages the preservation of existing natural flow-ways and the restoration of historic natural flow-ways.

The existing wetlands are proposed to be preserved to the maximum extent possible. Wetland preservation areas will not be disconnected from the surrounding wetland system.

POLICY 61.1.1: Lee County recognizes that all fresh waters are a resource to be managed and allocated wisely, and will support allocations of the resource on the basis 1) of ensuring that sufficient water is available to maintain or restore valued natural systems, and 2) of assigning to any specified use or user the lowest quality freshwater compatible with that use, consistent with financial and technical constraints.

The Applicant will obtain an Environmental Resource Permit from the South Florida Water Management District. The master drainage system and established conservation areas proposed in this amendment request, and which will be established through the ERP and subsequent development orders, are designed in compliance with this policy.

GOAL 101: COASTAL AREAS. Protect human life along with current and future development from the impacts of coastal flooding. Coastal flooding includes, but is not limited to, high tide events, storm surge, flash floods, stormwater runoff, and impacts of sea level rise.

POLICY 101.1.1: Require that development within the Coastal High Hazard Area be compatible with natural systems, such as, water retention and purification, wildlife habitat, primary productivity, and defense against coastal flooding.

Consistent with Lee Plan Policy 101.1.1 and Objective 123.3, the Project site plan, in conjunction with the activities proposed within the Indigenous Preserve and Protected Species Management Plan, was designed to be compatible with surrounding natural systems and will protect and continue to provide functions including water retention and purification, and defense against flooding through the preservation of 24.13± acres of wetlands, wetland creation areas and upland habitat on-site and through the construction of a permitted stormwater management system and will provide long-term protection of wildlife habitat. The site plan was designed to protect and maintain the function of the on-site wetland areas and adjacent upland habitat, and provide a connection to proposed off-site preservation areas located to the north.

POLICY 101.1.2: Protect and conserve the following environmentally sensitive coastal areas: wetlands, estuaries, mangrove stands, undeveloped barrier islands, beach and dune systems, aquatic preserves, wildlife refuges, undeveloped tidal creeks and inlets, critical wildlife habitats, benthic communities, and marine grass beds.

As required by Lee Plan Policy 101.1.2, the site plan protects environmentally sensitive areas through the preservation and enhancement of 24.13± acres of on-site wetlands, wetland creation areas and upland habitat. The wetland areas, in combination with adjacent upland areas, will be protected in perpetuity through a conservation easement. The Project does not contain estuaries, mangrove stands, undeveloped barrier islands, beach and dune systems, aquatic preserves, wildlife refuges, undeveloped tidal creeks and inlets, critical wildlife habitats, benthic communities, or marine grass beds.

OBJECTIVE 101.3: DEVELOPMENT IN COASTAL AREAS. Protect human life and property from natural and man-made disasters.

POLICY 101.3.2: Restrict development in the Coastal High Hazard Area to uplands except as needed for the provision of public facilities.

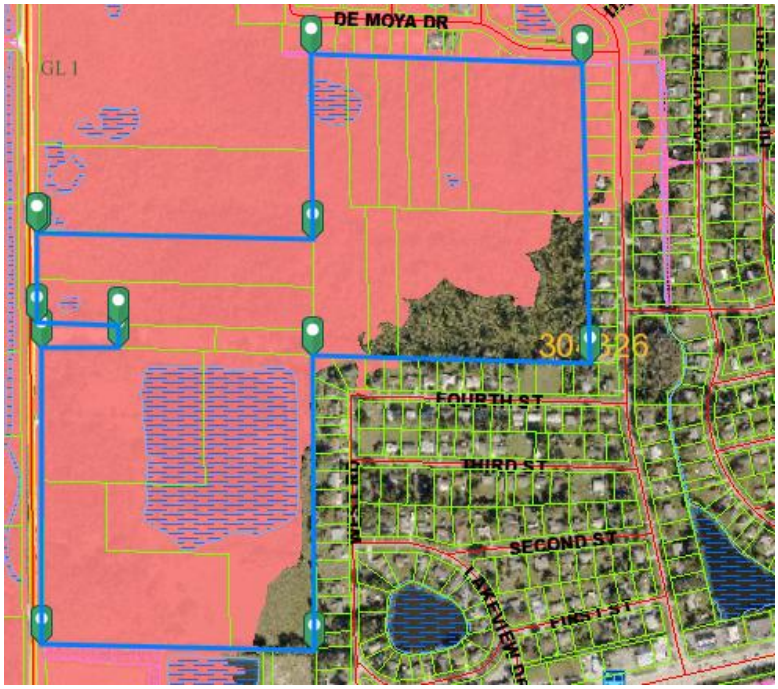
Compliance with this policy is demonstrated as follows and discussed further below:

1. Analysis of past application of Policy 101.3.2,
2. Provision of flood storage mitigation within the CHHA,
3. Reduction of wetland impacts, and
4. Protected species habitat preservation.

1. Analysis of past application of Policy 101.3.2

The subject property in the rezoning application is located along State Road 31 south of the Caloosahatchee River. It is located in the Coastal High Hazard Area (CHHA) as

shown in Map 5 of the Lee Plan and therefore subject to CHHA Goals, Objectives, and Policies (GOPs) of the Lee Plan.

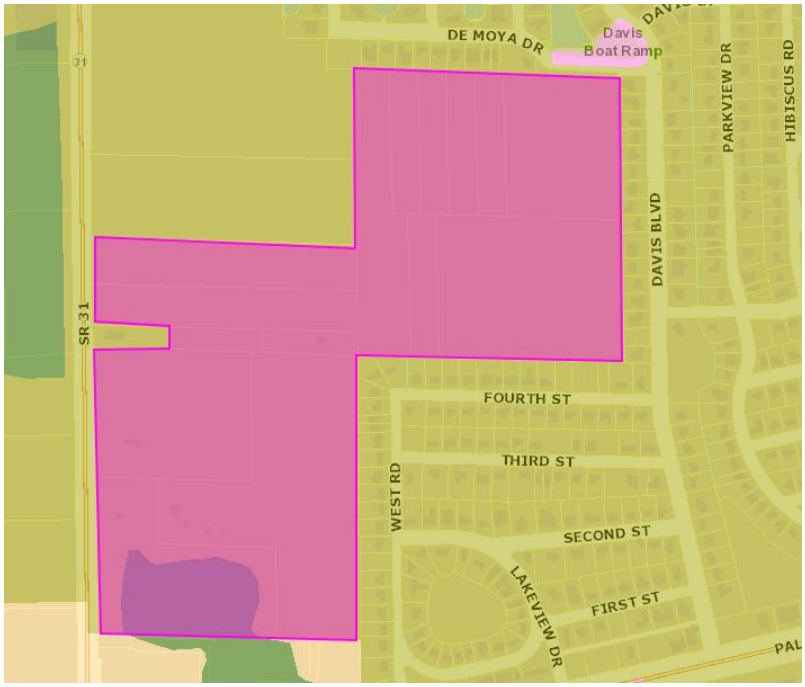


CHHA area of subject property

Analysis of Lee Plan as it relates to proposed development of the subject property focuses on wetlands to flood and storm water capacity. This narrow scope will be reinforced by analysis of the staff report for Lee County Ordinance 18-28 as written, reviewed, and enacted under Comprehensive Plan Amendment CPA2017-00006. The summary of changes within ordinance 18-28 in the staff report was to:

- GOPS within the CCM element will be combined, relocated, and/or restructured to create cohesion within the CCM element and consistency within the overall Plan.
- Clarify importance of protecting within the CHHA
- Update GOPS to align the CCM element with state statues, specifically F.S. 163-3178.
- Address discrepancies regarding interpretation of bonus density, increased density through Comprehensive Plan Amendments, and increase potential units through rezoning within the CHHA.

Currently the majority of the property is within the Suburban Land Use Category and has a maximum density of 6 units/acre. The proposed zoning action as discussed in the request statement is consistent with the FLU and requires no amendments to the Lee Plan for density. Therefore, this analysis will focus on the Summary of Change of "*Clarify importance of protecting within the CHHA*" only.



Future Land Use of Subject Property

Senate Bill 1094 effective July 1, 2015, titled "Peril of Flood" specifies new requirements for coastal management requires local governments to revise their comprehensive plans to address coastal flooding and sea level rise. Florida Statute 163.3178(2)(f) states:

1. *Include development and redevelopment principles, strategies, and engineering solutions that reduce the flood risk in coastal areas which results from high-tide events, storm surge, flash floods, stormwater runoff, and the related impacts*
2. *Encourage the use of best practices development and redevelopment principles, strategies, and engineering solutions that will result in the removal of coastal real property from flood zone designations established by the Federal Emergency Management Agency.*
3. *Identify site development techniques and best practices that may reduce losses due to flooding and claims made under flood insurance policies issued in this state.*
4. *Be consistent with, or more stringent than, the flood-resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44C.F.R. part 60.*
5. *Require that any construction activities seaward of the coastal construction control lines established pursuant to s. 161.053 be consistent with chapter 161.*
6. *Encourage local governments to participate in the National Flood Insurance Program Community Rating System administered by the Federal Emergency Management Agency to achieve flood insurance premium discounts for their residents.*

This Statute has language in subparagraph 1, 2, & 3 that addresses best practices development principals and engineering solutions as acceptable to the reduction of flood risks in coastal areas in lieu of actual prohibition of development or redevelopment in the CHHA. The statute delegates the responsibility of preparing GOPs within the Counties Comprehensive Plan.

Based on this Statute Lee County staff (staff) reviewed the provisions of the CCM element and identified and addressed five major themes needed to improve consistency with the BOCC's initiatives, 163.3178 F.S., and the Lee Plan. Relative to the scope of this narrative theme Four of the staff discussion and analysis is relevant and states:

- **Wetlands:** Enhance wetland protection within the CHHA

Staff discussion in CPA2007-00016 on Wetlands as defined by Lee Plan is: "*Areas that are inundated or saturated by surface water or ground water at a frequency and a duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil."*

Lists the benefits as:

- Species Habitat; permanent and migratory
- Species foraging
- Species nesting
- Protection from wave action (mangrove forest)
- Protection from erosion
- Aquifer recharge
- Storage area for storm and flood waters
- Natural water filtration and purification.

Staff discussion in CPA2007-00016 continues with listing the potential dangers in the CHHA that wetlands can provide mitigation. These dangers are:

- High tide event
- Storm surge
- Flash floods
- Stormwater runoff
- Impacts of sea level rise.

Staff assumptions are protection of wetlands provides mitigation and reductions with "minimal human impact." This occurs with the wetlands absorbing water and providing a storage capacity in the wetlands reducing surface water runoff. The wetlands also provide significant filtration and nutrient uptake acting as a bioremediation site. Staff also states: "*Preserving existing wetland habitats in the CHHA does not ensure complete protection against the potential dangers of coastal flooding"* but does provide mitigation and tempering of coastal flooding. Staff continues with: "*it is imperative to protect existing wetlands especially those located within the CHHA."* But concludes with "***It is crucial that impacts to wetlands are kept at a minimum to ensure their longevity and ability to continue to act as a natural mitigation against dangers of coastal flooding in the CHHA****."*

Lee County staff proposed adding Policy 101.3.2 to the Lee Plan with case CPA2017-00006 to amend the Conservation and Coastal Management (CCM) element. The amendment proposed to "*reduce redundancies between Goals, Objectives, and Policies (GOPs) within the CCM element, as well as other redundant GOPs found in different elements, through reorganizing and streamlining; align with state statues; address inconsistencies regarding density and wetlands within Coastal High Hazard Areas (CHHA); and expand where 'Rare and Unique" habitats will be protected."*

CPA2017-0006 was heard before the Local Planning Agency on July 23, 2018 and adopted by the Board of County Commissioners December 5, 2018. Part 2 of the Staff report with analysis presented the case for new language in the Lee Plan because of the "lack of foundational criteria" and "subjective and arbitrary language" and Section 163.7138(2)(f)1-6 Florida Statute "Peril of Flood Act." The staff report discusses the potential dangers associated with coastal flooding and how wetlands function to store surface water recharging ground water and improve water quality. Staff states:

"*Wetlands also act as bioremediation sites because they have the ability to remove pollutants from surface water (vegetative filtration.) Wetlands within and downstream of urban areas are particularly valuable in this require counteracting the greatly increase rate and volume of surface-water runoff from pavements and buildings. Preserving existing wetland habitats in the CHHA does not ensure complete protection against the potential dangers of coastal flooding"*

In summary, Policy 101.3.2 primary goal is to protect the potential dangers in the CHHA by providing storage and routing capabilities to mitigate flooding potential. The policy and underlying staff report does not prohibit impacts to wetlands but "Restricts" and minimizes unavoidable impact to wetlands reducing the capability of the intended function.

2. Provision of flood storage mitigation within the CHHA

This narrative introduces an alternative to total avoidance of wetland impact because of the unique geometry of the property the following proposed condition providing an enhanced natural and created system to maintain or reduce flooding potential.

CONDITION: During the development order process provide a wetland mitigation program. The intent of the mitigation plan is to provide created wetland areas that will provide compensating storage of stormwater equal to or greater than the existing impacted pre-development wetland storage. The preserved and created wetlands will not be included within a stormwater management system for water quality or quantity storage per SFWMD regulation. The stormwater management system will provide sufficient flow of water to retain the existing hydroperiods. Preserved and created wetlands shall be placed into a conservation easement. The wetland mitigation program shall include a monitoring and maintenance element for water quality testing and vegetation survival.

The wetland mitigation program shall address the following:

- Determination of surface water storage capacity of existing wetland areas
- Determination of vegetation community of existing wetland areas

- Creation of new wetland areas with offsetting surface water storage capacity of impacted wetlands.
- New wetland areas shall be vegetated to replicate the impacted vegetation community upon maturity.
- Provide initial water quality monitoring pre-development and continue water quality monitoring post-development for a period of 5 years. Location of monitoring shall be at development control structure, points within the preserved management area and at any outfall to adjacent property.
- Provide post development vegetation inventory including a maintenance and replacement plan.
- Provide milestones to ensure operational success.
- Place preserve and created wetlands in platted conservation areas.
- Provide implementing language within Homeowners Association Documents for monitoring and maintenance of the wetland areas.

The implementation of the proposed wetland mitigation program for the development of 31 Oaks RPD will meet the intent of Policy 101.3.2 by ensuring existing wetland storage capacity is maintained post-development. The condition ensures that the wetland creation areas are regraded, planted, monitored, and maintained to ensure there is no loss of wetland storage within the CHHA through designated and achievable milestones. Specific drawings, calculations and details of the created wetland areas will be provided at the time of Local Development Order to guarantee a successful enhanced wetland system on the property.

3. Reduction of wetland impacts

Regarding reduction of wetland impacts, the proposed 31 Oaks RPD demonstrates careful site planning which has resulted in the limitation of wetland impacts and protection from potential impacts from coastal flooding as demonstrated below.

The approved Marina Del Lago RPD includes 12.52 acres of wetlands with 4.16 acres of approved wetland impacts (SFWMD permit #36-06750-P) with access to SR31 in a location that is an area of significant wetland acreage. The proposed 31 Oaks RPD requests only 5.15 acres of wetland impact, only one acre of additional impact over those previously approved on only 49 acres.

Over time, the wetlands acreage and locations on the property have changed and surveyed wetlands for proposed 31 Oaks RPD total 22.75 acres. Lot layouts, access locations, and other site elements have been located to limit impacts to wetlands. As a result, the 31 Oaks MCP includes 17.6 acres of wetland preservation. Impacted wetlands are invaded by exotic vegetation and have been degraded by exotic vegetation. The MCP also includes 4.84 acres of created wetlands.

In comparison to the previously proposed developments, the proposed wetland impacts associated with the 31 Oaks RPD represent a reduction of wetland impacts from approximately 28% of existing wetlands to 2% after consideration of created and preserved wetlands.

4. Protected species habitat preservation

Although not directly addressed in Policy 101.3.2, the proposed 31 Oaks RPD, also provides habitat benefits within the CHHA. The RPD proposes to preserve, enhance, or restore wetland and upland habitats on site. Preserved and enhanced wetlands will provide foraging area for several protected species or their prey. The attached Protected Species Survey also demonstrates the existence of Gopher tortoise on site which are which will be managed according to the attached Protected Species Management Plan. The proposed site plan maintains and enhances habitat areas and ecological functions through the large contiguous wetland and upland preserve areas. Additionally, the proposed stormwater management system within the development area of the RPD will provide water quality improvements before discharging into the on-site wetlands.

For these reasons, the 31 Oaks RPD is consistent with Policy 101.3.2.

POLICY 101.3.4: Encourage new residential development, as required by the Land Development Code, to provide continuing information to residents concerning hurricane evacuation and shelters.

A homeowners' or residents' association will be established to provide continuing information concerning hurricane evacuation and shelters. Additionally, the developer will mitigate impacts to shelter space through the payment schedule outlined in Chapter 2 of the LDC.

OBJECTIVE 123.2: PLANT COMMUNITIES. Maintain and enhance the biodiversity of the natural plant communities within Lee County to create a more resilient and sustainable ecosystem.

POLICY 123.2.4: Encourage the protection of viable tracts of sensitive or high-quality natural plant communities within developments.

POLICY 123.2.6: Avoid destruction of upland vegetation communities including coastal and interior hammocks through consideration of alternative site design layouts.

POLICY 123.2.8: Promote the long-term maintenance of natural systems through such instruments as conservation easements, transfer of development rights, restrictive zoning, public acquisition, and appropriate other means.

POLICY 123.2.13: Promote optimal conditions rather than minimum conditions for the natural system as the basis for sound planning.

POLICY 123.2.15: Protect Rare and Unique upland habitats from development impacts to the maximum extent possible, through conservation and/or site design.

Lee Plan Article XIII.a. provides that:

"A development order … will be deemed consistent with the comprehensive plan if the land uses, densities or intensities, and other aspects of development … are compatible with and further the objectives, policies, land uses, and densities or intensities in the comprehensive plan, and if it meets all other established regulatory requirements of the County. Where goals, objectives, or policies of

particular elements conflict, those conflicts will be resolved based on an analysis of the Lee Plan as a whole."

Internal consistency and compatibility within the Lee Plan requires the balancing of competing goals, objectives and policies. *Policy 101.3.2* (restricting development in the coastal high hazard area to uplands except as needed for the provisions of public facilities) and *Policy 123.2.15* (protecting rare and unique upland habitats from development impacts, to the maximum extent possible, through conservation and or site design) provide an example of the need to balance competing policies when both types of habitat are present. Protecting these distinctly different habitats "to the maximum extent possible" enhances the conservation of plant communities and stormwater management facilities, effectively equivalent to "the provision of public facilities."

While it is not possible to completely avoid all impacts to these two distinct plant communities due to the constraints of the site, the Master Concept Pan creatively balances the protection of each plant community with minimal impact to each community, thus protecting both communities to the maximum extent possible.

The objective of protecting human life and property within the CHHA is achieved through site planning which reduces permissible residential densities in order to provide for wetland creation areas that increase flood and stormwater management and storage capacity. The density capacity permissible for the site is 499 units, yet the amendment adds nearly 40 acres to the RPD while it proposes only a total of 265 units.

In compliance with Objective 123.3 of the Lee Plan, the protection and enhancement of the on-site preserve will maintain the function of the on-site wetland and upland preservation areas. It will also provide perpetual protection of wildlife habitat, which will be available for utilization by various common and protected wildlife species including, but not limited to, amphibians species, reptiles species, small mammal species, and avian species, including wading birds. The enhancement and long-term protection of the 24.13± acre on-site preserve area will help to maintain wildlife diversity in Lee County, in compliance with Objective 123.3 of the Lee Plan.

OBJECTIVE 123.3: WILDLIFE. Maintain and enhance the fish and wildlife diversity and distribution within Lee County for the benefit of a balanced ecological system. (Ord. No. 94-30, 18-28)

In compliance with Objective 123.3 of the Lee Plan, the protection and enhancement of the on-site preserve will maintain the function of the on-site wetland and upland preservation areas. It will also provide perpetual protection of wildlife habitat, which will be available for utilization by various common and protected wildlife species including, but not limited to, amphibians species, reptiles species, small mammal species, and avian species, including wading birds. The enhancement and long-term protection of the 24.13± acre on-site preserve area will help to maintain wildlife diversity in Lee County, in compliance with Objective 123.3 of the Lee Plan.

OBJECTIVE 123.6: SOUTHERN BALD EAGLES. Monitor Southern bald eagle nesting activity and offer incentives to conserve buffer areas around Southern bald eagle nests.

There are no bald eagle (Haliaeetus leucocephalus) nests located on or within the immediate vicinity of the proposed Project.

OBJECTIVE 123.8: GOPHER TORTOISES. Restore and maintain secure, viable populations of Gopher Tortoises in Lee County.

Please see the attached Indigenous Preserve and Protected Species Management Plan that was prepared for the Project. Gopher tortoise (*Gopherus polyphemus*) burrows that will be impacted by construction activities will be relocated in accordance with the Florida Fish and Wildlife Conservation Commission Gopher Tortoise Permitting Guidelines.

OBJECTIVE 123.10: WOOD STORK. Lee County will maintain regulatory measures to protect the wood stork's feeding and roosting areas and habitat.

No wood stork (Mycteria americana) rookeries or roosting areas were documented on the Project site. Compensation for impacts to wood stork foraging habitat will be provided through the enhancement and preservation of on-site wetland areas, or through the purchase of credits from a wetland mitigation bank. Additionally, the enhancement and preservation of wetland areas on site and the creation of additional wetlands within the onsite preserve will provide and protect potential foraging habitat for woods storks and other wading birds. The proposed stormwater system will comply with all design requirements in the LDC, including the littoral planting requirements, which provides potential forage areas.

OBJECTIVE 123.11: FLORIDA PANTHER. Develop strategies to protect the Florida panther.

No Florida Panthers (*Puma concolor coryi*) have been documented on the Project site. In addition, the Project is located outside of the USFWS Florida Panther Focus Area.

OBJECTIVE 123.12: FLORIDA BLACK BEAR. Maintain sustainable black bear populations in suitable habitats and promote connectivity between sub-populations.

No Florida black bears (*Ursus americanus floridanus*) have been documented on the Project site.

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

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.

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 proposed RPD will include a stormwater lake adjacent to the residential tract to address water quality. The surface water system will also be required to obtain an ERP from the South Florida Water Management District at the time of DO. The proposed

amendment will not impact existing infrastructure in the area, and roadways, schools, EMS, potable water and sanitary sewer service are available to serve the property.

The Applicant will be required to amend the existing SFWMD ERP for Marina del Lago (Permit No. 36-06750-P), which includes monitoring requirements. The RPD will comply with these and any additional/revised monitoring requirements that are incorporated into the modified ERP.

POLICY 126.1.4: Development designs must provide for maintaining or improving surface water flows, groundwater levels, and lake levels at or above existing conditions.

The development of the proposed stormwater management system will provide water quality and water quantity improvements. The system will be designed so that sufficient flow of water to retain the existing hydroperiods will be maintained. Several drainage easements exist throughout the site, as noted on the MCP, and are used to convey off-site flows. These easements will remain in place and will not be incorporated into the surface water management system of the RPD.

The RPD also includes 4.84 areas of created wetlands which are intended to provide compensating storage of stormwater equal to or greater than the existing impacted pre-development wetland storage.

For these reasons, the Applicant respectfully requests approval of this PD amendment as proposed.

31 Oaks RPD
Schedule of Deviations & Justification Narrative

Deviation #1 from LDC Section 10-285, which requires connection separation of 125 feet on local roads in Future Suburban Areas, to allow a connection separation of 88 feet on De Moya Drive.

JUSTIFICATION: The proposed access at De Moya Dr. is located 296.6 feet from Davis Blvd., 195 feet from the driveway at 12231 De Moya Dr. to the west (a single-family home), and 88 feet from the access point for the Davis Boat Ramp on the north side of De Moya Dr. to the east. This second access location is required to comply with LDC section 10-291(3), which requires multiple points of ingress egress to the development.

The proposed access is a similar location as was approved in Res. Z-06-050, however, the proposed access provides increased separation from the single-family home to the west in order to provide a separation distance that complies with LDC section 10-285.

Moving the proposed second access to SR 31 would result in additional wetland impacts as the primary access location included in Z-06-050 is now identified as wetlands. Moving the proposed second access to SR 31 south of LJ's Bar would create conflicts with the existing access to the bar or the currently proposed primary access and would not be accepted by FDOT. Instead, the proposed location allows the RPD to comply with section 10-291, provides the maximum feasible separation with existing access points on De Moya Dr., allows for the wetlands adjacent to SR 31 to remain as preserves, and has been accepted by FDOT.

Approval of this deviation request will not negatively impact the public health, safety, or welfare as the proposed access points will provide adequate ingress and egress to the Property and limit impacts with existing access points.

Deviation #2 from LDC Section 34-1748(5), which requires a paved turn-around on the ingress side of a gate, to allow no turn-around at the access to De Moya Drive.

JUSTIFICATION: The proposed access on De Moya is anticipated to include an automated gate, but no gatehouse. The access is anticipated to be secondary in nature to the primary ingress/egress provided via the entrance to SR 31.

The attached TIS demonstrates very low inbound traffic volumes at both am and pm peak hours. Inbound traffic volumes at the De Moya access equate to approximately one vehicle every three minutes during the AM peak hour and less than one vehicle every minute during the PM peak hour.

This deviation is required to facilitate the objective of reducing wetland impacts throughout the project. At this location, providing for no turn-around allows development areas to be

located around existing wetlands which result in limited developable area in the northeastern portion of the project. Adding development area to accommodate a turn-around in this area would impact the ability to preserve wetlands or reduce the area available for created wetlands.

Approval of this deviation request will not negatively impact the public health, safety, or welfare as the access will be an automated gate only and is not intended to provide primary means of ingress/egress to the property as demonstrated by low anticipated traffic volumes.

DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

GRAY ROBINSON
ATTORNEYS AT LAW

401 EAST JACKSON STREET
SUITE 2700
POST OFFICE BOX 3324 (33601-3324)
TAMPA, FLORIDA 33602
TEL 813-273-5000
FAX 813-273-5145
gray-robinson.com

BOCA RATON
FORT LAUDERDALE
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LAKELAND
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MIAMI
NAPLES
ORLANDO
TALLAHASSEE
TAMPA
WASHINGTON, DC
WEST PALM BEACH

813-273-5000

STEPHEN.KUSSNER@GRAY-ROBINSON.COM

TITLE CERTIFICATION

LEGAL DESCRIPTION: See attached **Exhibit "A"**

This title certification is based solely on that certain Property Information Report attached hereto as **Exhibit "B"** and incorporated herein by reference.

I, Stephen L. Kussner, Esq., the Attorney-at-law or Abstractor of Title Insurance Company, hereby confirm that apparent record title to the land described on **Exhibit "A"** is in the name of Neal Communities of Southwest Florida, LLC, a Florida limited liability company (Property Owner). All property taxes have been paid through December 31, 2021, on the land described as of the date of certification. All mortgagees or liens not satisfied or released of record are as follows:

Mortgages:

N/A

Liens:

N/A

This Title Certification is effective as of February 4, 2022 at 8:00 a.m.

WITNESS my hand and official seal at Charlotte County, Florida, this 17th day of February 2022.

Signature (Attorney or Abstractor)

Stephen L. Kussner, Esq., Shareholder
Gray Robinson, P.A.
401 East Jackson Street, Suite 2700, Tampa, FL 33602

/490154/90#46675323 v1

DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

Exhibit "A"
Legal Description

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

PARCEL A: THE EAST 436 FEET OF THE SOUTH 100 FEET OF GOVERNMENT LOT 2, SECTION 30, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LESS ROAD RIGHT-OF-WAY, LEE COUNTY, FLORIDA.

PARCEL B: THE WEST 436 FEET OF THE EAST 872 FEET OF THE SOUTH 100 FEET OF GOVERNMENT LOT 2, SECTION 30, TOWNSHIP 43 SOUTH, RANGE 26 EAST, TOGETHER WITH A RIGHT-OF-WAY FOR INGRESS AND EGRESS OVER THE SOUTH 15 FEET WESTERLY TO STATE ROAD 31.

DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

Exhibit "B"
Property Information Report

See attached.

First American Title Insurance Company

PROPERTY INFORMATION REPORT

Customer:

Customer File Number:

First American File Number: NCS-1073517-1-CAST
Time Period Searched:
From: June 9, 2021 **Through:** February 4, 2022 at (8) a.m./( ) p.m.

Last Grantee(s) of Record for Time Period Searched (Optional):

Neal Communities of Southwest Florida, LLC, a Florida limited liability company, by virtue of Warranty Deed recorded in Official Records Instrument No. 2021-397028, Public Records of Lee County, Florida.

Legal Description for Property (the "Property"):

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

PARCEL A: THE EAST 436 FEET OF THE SOUTH 100 FEET OF GOVERNMENT LOT 2, SECTION 30, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LESS ROAD RIGHT-OF-WAY, LEE COUNTY, FLORIDA.

PARCEL B: THE WEST 436 FEET OF THE EAST 872 FEET OF THE SOUTH 100 FEET OF GOVERNMENT LOT 2, SECTION 30, TOWNSHIP 43 SOUTH, RANGE 26 EAST, TOGETHER WITH A RIGHT-OF-WAY FOR INGRESS AND EGRESS OVER THE SOUTH 15 FEET WESTERLY TO STATE ROAD 31.

Scope: This Property Information Report (hereinafter "Report") has been prepared solely for the person named above as the "Customer." This Report is limited to disclosing documents based upon a search (without examination of title) of (1) documents and information appearing in the recording office records checked below ("Recording Office"); and (2) to the type(s) of documents checked below and indexed and of record in the Recording Office within the Time Period Searched (the "Designated Documents"):

Recording Office Searched:

X The Official Records as defined in section 28.222 Fla. Stat. (2015) of Lee County(ies), Florida

X County tax records of Lee County, Florida

Other filing office pertaining to real or personal property described as

Designated Documents in Recording Office:

Deeds

Leases and Subleases

Mortgages / Deeds of Trust

DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

Easements

Covenants, Conditions, Restrictions

X All documents affecting the Property

Other documents described as:

DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

Type of Instrument	O.R. Book	Page or Instrument No.
Affidavit	Instrument No.	2021-397027

This Report does not include the following matters (the "Excluded Documents"): (i) any recorded document recorded outside the Time Period Searched, even if the document is referenced within a document recorded within the Time Period Searched; (ii) any document within the Time Period Searched that falls into any of the categories that are not checked above; (iii) documents that have expired, either by statute or their own terms, or that have been released, satisfied or terminated (hereinafter "released") of record; and any documents that were recorded in connection with said documents being released; (iv) instruments, proceedings or other matters which do not specifically describe or attach to the Property; (v) any document pertaining to an estate or interest in minerals, gas, oil, or other subsurface substances; (vi) any document pertaining to water rights, claims, or title to water; (vii) any document recorded or indexed outside of the chain of title, whether or not the documents impart constructive notice to purchasers of the Property for value and without knowledge.

County Tax Information (If checked above)

Ad Valorem Real Estate Taxes for Tax Parcel Number 30-43-26-00-00001.3010 (Folio: 10300424) for tax year 2021
Gross Tax: $ 516.07 (X) Paid ( ) Not Paid.
Unpaid Taxes for Prior Years (if none, state "none"):

Ad Valorem Real Estate Taxes for Tax Parcel Number 30-43-26-00-00001.301A (Folio: 10300425) for tax year 2021
Gross Tax: $ 2,056.63 (X) Paid ( ) Not Paid.
Unpaid Taxes for Prior Years (if none, state "none"):

Liability Exclusions and Limitations

This Property Information Report ("Report") is a property information report as defined in Section 627.7843, Florida Statutes, and is a search limited to the Official Records Books as defined in Sections 28.001(1) and 28.222, Florida Statutes.

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

First American

First American Title Insurance Company

Michael Friedman as Authorized Signatory

Dated 2/16/2022

THIS REPORT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS REPORT 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.

GRAY ROBINSON
ATTORNEYS AT LAW

401 EAST JACKSON STREET
SUITE 2700
POST OFFICE BOX 3324 (33601-3324)
TAMPA, FLORIDA 33602
TEL 813-273-5000
FAX 813-273-5145
gray-robinson.com

BOCA RATON
FORT LAUDERDALE
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TALLAHASSEE
TAMPA
WASHINGTON, DC
WEST PALM BEACH

813-273-5000

STEPHEN.KUSSNER@GRAY-ROBINSON.COM

TITLE CERTIFICATION

LEGAL DESCRIPTION: See attached **Exhibit "A"**

This title certification is based solely on that certain Property Information Report attached hereto as **Exhibit "B"** and incorporated herein by reference.

I, Stephen L. Kussner, Esq., the Attorney-at-law or Abstractor of Title Insurance Company, hereby confirm that apparent record title to the land described on **Exhibit "A"** is in the name of SAM JOHNSON, TRUSTEE OF THE JERRY JOHNSON ARTICLE FOURTH FAMILY TRUST (Property Owner). All property taxes have been paid through December 31, 2021, on the land described as of the date of certification. All mortgagees or liens not satisfied or released of record are as follows:

Mortgages:

N/A

Liens:

N/A

This Title Certification is effective as of February 2, 2022 at 8:00 a.m.

WITNESS my hand and official seal at Charlotte County, Florida, this 17th day of February 2022.

Signature (Attorney or Abstractor)

Stephen L. Kussner, Esq., Shareholder
Gray Robinson, P.A.
401 East Jackson Street, Suite 2700, Tampa, FL 33602

DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

Exhibit "A"
Legal Description

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

A PARCEL OF LAND LYING IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 30, TOWNSHIP 43 SOUTH, RANGE 26 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF GOVERNMENT LOT 2; THENCE S.88°18'30"E., ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 50.04 FEET TO A POINT ON THE EASTERLY LINE OF STATE ROAD NO. 31; THENCE S.00°42'30"E., ALONG SAID EASTERLY LINE OF STATE ROAD NO. 31, A DISTANCE OF 800.00 FEET TO THE POINT OF BEGINNING; THENCE S.88°18'30"E., A DISTANCE OF 1,196.34 FEET TO A POINT ON THE EAST LINE OF SAID GOVERNMENT LOT 2, THENCE N.01°37'04"W., ALONG SAID EAST LINE, A DISTANCE OF 800.73 FEET, TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 30; THENCE S.88°18'30"E., ALONG SAID NORTH LINE OF THE SE 1/4 OF THE NW 1/4, A DISTANCE OF 875.08 FEET; THENCE N.01°41'30"E., A DISTANCE OF 76.85 FEET, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF DE MOYA DRIVE (70'); THENCE S.43°18'30"E., ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 20.29 FEET, TO THE BEGINNING OF A CURVE TO THE LEFT, HAVING A RADIUS OF 145.00 FEET, A CHORD DISTANCE OF 70.56 FEET AND A CHORD BEARING OF S.57°23'30"E., THENCE SOUTHEASTERLY ALONG SAID ARC AND SAID RIGHT-OF-WAY LINE FOR 71.28 FEET; THENCE S 01°30'00"E., A DISTANCE OF 26.26 FEET, TO A POINT ON THE NORTH LINE OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 30; THENCE S.88°18'30", ALONG SAID NORTH LINE OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 30, A DISTANCE OF 301.13 FEET, TO THE NORTHEAST CORNER OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 30; THENCE S.01°30'00"E, ALONG THE EAST LINE OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 30, A DISTANCE OF 1,322.62 FEET, TO THE SOUTHEAST CORNER OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 30, THENCE N88°19'00"W, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 30, A DISTANCE OF 1,249.82 FEET TO THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 2, THENCE N 01°37'04"W, ALONG SAID EAST LINE OF SAID GOVERNMENT LOT 2, A DISTANCE OF 100.17 FEET; THENCE N 88°19'00"W., A DISTANCE OF 1,203.04 FEET, TO A POINT ON THE EASTERLY LINE OF STATE ROAD NO. 31; THENCE N.00°42'30"W., ALONG SAID EASTERLY LINE OF STATE ROAD NO. 31, A DISTANCE OF 421.89 FEET TO THE POINT OF BEGINNING.

DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

Exhibit "B"
Property Information Report

See attached.

DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

First American Title Insurance Company

PROPERTY INFORMATION REPORT

Customer:

Customer File Number:

First American File Number: NCS-1069240-1-CAST
Time Period Searched:
From: June 04, 2021 at 8:00 a.m. **Through:** February 02, 2022 at 8:00 a.m.

Last Grantee(s) of Record for Time Period Searched (Optional):

SAM JOHNSON, TRUSTEE OF THE JERRY JOHNSON ARTICLE FOURTH FAMILY TRUST, BY VIRTUE OF THAT CERTAIN TRUSTEE'S DEED, FILED JUNE 10, 2021, RECORDED IN INSTRUMENT NO. 2021000192038, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

Legal Description for Property (the "Property"):

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

A PARCEL OF LAND LYING IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 30, TOWNSHIP 43 SOUTH, RANGE 26 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF GOVERNMENT LOT 2; THENCE S.88°18'30"E., ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 50.04 FEET TO A POINT ON THE EASTERLY LINE OF STATE ROAD NO. 31; THENCE S.00°42'30"E., ALONG SAID EASTERLY LINE OF STATE ROAD NO. 31, A DISTANCE OF 800.00 FEET TO THE POINT OF BEGINNING; THENCE S.88°18'30"E., A DISTANCE OF 1,196.34 FEET TO A POINT ON THE EAST LINE OF SAID GOVERNMENT LOT 2, THENCE N.01°37'04"W., ALONG SAID EAST LINE, A DISTANCE OF 800.73 FEET, TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 30; THENCE S.88°18'30"E., ALONG SAID NORTH LINE OF THE SE 1/4 OF THE NW 1/4, A DISTANCE OF 875.08 FEET; THENCE N.01°41'30"E., A DISTANCE OF 76.85 FEET, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF DE MOYA DRIVE (70'); THENCE S.43°18'30"E., ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 20.29 FEET, TO THE BEGINNING OF A CURVE TO THE LEFT, HAVING A RADIUS OF 145.00 FEET, A CHORD DISTANCE OF 70.56 FEET AND A CHORD BEARING OF S.57°23'30"E., THENCE SOUTHEASTERLY ALONG SAID ARC AND SAID RIGHT-OF-WAY LINE FOR 71.28 FEET; THENCE S 01°30'00"E., A DISTANCE OF 26.26 FEET, TO A POINT ON THE NORTH LINE OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 30; THENCE S.88°18'30", ALONG SAID NORTH LINE OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 30, A DISTANCE OF 301.13 FEET, TO THE NORTHEAST CORNER OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 30; THENCE S.01°30'00"E, ALONG THE EAST LINE OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 30, A DISTANCE OF 1,322.62 FEET, TO THE SOUTHEAST CORNER OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 30, THENCE N88°19'00"W, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 30, A DISTANCE OF 1,249.82 FEET TO THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 2, THENCE N 01°37'04"W, ALONG SAID EAST LINE OF SAID GOVERNMENT LOT 2, A DISTANCE OF 100.17 FEET; THENCE N 88°19'00"W., A DISTANCE OF 1,203.04 FEET, TO A

DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

POINT ON THE EASTERLY LINE OF STATE ROAD NO. 31; THENCE N.00°42'30"W., ALONG SAID EASTERLY LINE OF STATE ROAD NO. 31, A DISTANCE OF 421.89 FEET TO THE POINT OF BEGINNING.

Scope: This Property Information Report (hereinafter "Report") has been prepared solely for the person named above as the "Customer." This Report is limited to disclosing documents based upon a search (without examination of title) of (1) documents and information appearing in the recording office records checked below ("Recording Office"); and (2) to the type(s) of documents checked below and indexed and of record in the Recording Office within the Time Period Searched (the "Designated Documents"):

Recording Office Searched:

The Official Records as defined in section 28.222 Fla. Stat. (2015) of Lee County(ies), Florida

County tax records of Lee County, Florida

Other filing office pertaining to real or personal property described as N/A

Designated Documents in Recording Office:

Deeds

Leases and Subleases

Mortgages / Deeds of Trust

Easements

Covenants, Conditions, Restrictions

X All documents affecting the Property

Other documents described as: N/A

DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

Type of Instrument	O.R. Book	Page or Instrument No.
01. Final Judgment		2021000210385

1. Prior to closing, the Company must confirm whether the county recording office in which the Land is located has changed its access policies due to the COVID-19 outbreak. If recording has been restricted, specific underwriting approval is required; and, additional requirements or exceptions may be made.

This Report does not include the following matters (the "Excluded Documents"): (i) any recorded document recorded outside the Time Period Searched, even if the document is referenced within a document recorded within the Time Period Searched; (ii) any document within the Time Period Searched that falls into any of the categories that are not checked above; (iii) documents that have expired, either by statute or their own terms, or that have been released, satisfied or terminated (hereinafter "released") of record; and any documents that were recorded in connection with said documents being released; (iv) instruments, proceedings or other matters which do not specifically describe or attach to the Property; (v) any document pertaining to an estate or interest in minerals, gas, oil, or other subsurface substances; (vi) any document pertaining to water rights, claims, or title to water; (vii) any document recorded or indexed outside of the chain of title, whether or not the documents impart constructive notice to purchasers of the Property for value and without knowledge.

DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

County Tax Information (If checked above)

Ad Valorem Real Estate Taxes for Tax Parcel Number 30-43-26-00-00001.3000 for tax year 2021
Gross Tax: $ 956.80 (X) Paid ( ) Not Paid.
Unpaid Taxes for Prior Years (if none, state "none"): None

Ad Valorem Real Estate Taxes for Tax Parcel Number 30-43-26-00-00001.3020 for tax year 2021
Gross Tax: $ 1,387.20 (X) Paid ( ) Not Paid.
Unpaid Taxes for Prior Years (if none, state "none"): None

Ad Valorem Real Estate Taxes for Tax Parcel Number 30-43-26-00-00002.0000 for tax year 2021
Gross Tax: $ 1,484.41 (X) Paid ( ) Not Paid.
Unpaid Taxes for Prior Years (if none, state "none"): None

Ad Valorem Real Estate Taxes for Tax Parcel Number 30-43-26-00-00002.0010 for tax year 2021
Gross Tax: $ 805.50 (X) Paid ( ) Not Paid.
Unpaid Taxes for Prior Years (if none, state "none"): None

Ad Valorem Real Estate Taxes for Tax Parcel Number 30-43-26-00-00002.0020 for tax year 2021
Gross Tax: $ 218.63 (X) Paid ( ) Not Paid.
Unpaid Taxes for Prior Years (if none, state "none"): None

Ad Valorem Real Estate Taxes for Tax Parcel Number 30-43-26-00-00002.0030 for tax year 2021
Gross Tax: $ 218.63 (X) Paid ( ) Not Paid.
Unpaid Taxes for Prior Years (if none, state "none"): None

Ad Valorem Real Estate Taxes for Tax Parcel Number 30-43-26-00-00002.0040 for tax year 2021
Gross Tax: $ 218.63 (X) Paid ( ) Not Paid.
Unpaid Taxes for Prior Years (if none, state "none"): None

Ad Valorem Real Estate Taxes for Tax Parcel Number 30-43-26-00-00002.0050 for tax year 2021
Gross Tax: $ 218.63 (X) Paid ( ) Not Paid.
Unpaid Taxes for Prior Years (if none, state "none"): None

Ad Valorem Real Estate Taxes for Tax Parcel Number 30-43-26-00-00002.0060 for tax year 2021
Gross Tax: $ 218.63 (X) Paid ( ) Not Paid.
Unpaid Taxes for Prior Years (if none, state "none"): None

Ad Valorem Real Estate Taxes for Tax Parcel Number 30-43-26-00-00002.0070 for tax year 2021
Gross Tax: $ 724.93 (X) Paid ( ) Not Paid.
Unpaid Taxes for Prior Years (if none, state "none"): None

Liability Exclusions and Limitations

This Property Information Report ("Report") is a property information report as defined in Section 627.7843, Florida Statutes, and is a search limited to the Official Records Books as defined in Sections 28.001(1) and 28.222, Florida Statutes.

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

First American

First American Title Insurance Company

Michael Friedman as Authorized Signatory

Dated 2/26/2022

THIS REPORT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS REPORT 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.

DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

GRAY ROBINSON
ATTORNEYS AT LAW

401 EAST JACKSON STREET
SUITE 2700
POST OFFICE BOX 3324 (33601-3324)
TAMPA, FLORIDA 33602
TEL 813-273-5000
FAX 813-273-5145
gray-robinson.com

BOCA RATON
FORT LAUDERDALE
FORT MYERS
GAINESVILLE
JACKSONVILLE
KEY WEST
LAKELAND
MELBOURNE
MIAMI
NAPLES
ORLANDO
TALLAHASSEE
TAMPA
WASHINGTON, DC
WEST PALM BEACH

813-273-5000

STEPHEN.KUSSNER@GRAY-ROBINSON.COM

TITLE CERTIFICATION

LEGAL DESCRIPTION: See attached **Exhibit "A"**

This title certification is based solely on that certain Property Information Report attached hereto as **Exhibit "B"** and incorporated herein by reference.

I, Stephen L. Kussner, Esq., the Attorney-at-law or Abstractor of Title Insurance Company, hereby confirm that apparent record title to the land described on **Exhibit "A"** is in the name of JAMSCAG INVESTMENT, LLC, a Florida limited liability company (Property Owner). All property taxes have been paid through December 31, 2021, on the land described as of the date of certification. All mortgagees or liens not satisfied or released of record are as follows:

Mortgages:

N/A

Liens:

N/A

This Title Certification is effective as of January 28, 2022 at 8:00 a.m.

WITNESS my hand and official seal at Charlotte County, Florida, this 15th day of February 2022.

Signature (Attorney or Abstractor)

Stephen L. Kussner, Esq., Shareholder
Gray Robinson, P.A.
401 East Jackson Street, Suite 2700, Tampa, FL 33602

DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

Exhibit "A"
Legal Description

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

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, BEING THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 30, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LESS AND EXCEPT THE WESTERLY 50 FEET THEREIN FOR STATE ROAD 31 RIGHT-OF-WAY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE N.W. CORNER OF THE N.W. QUARTER (1/4) OF THE S.W. QUARTER (1/4) OF SAID SECTION 30, BEING THE WEST QUARTER (1/4) CORNER OF SAID SECTION 30; THENCE S88°18'11"E, ALONG THE NORTHERLY LINE OF THE SOUTHWEST QUARTER (1/4) OF SAID SECTION 30 FOR 50.04 FEET TO AN IRON ROD MARKING THE EASTERLY RIGHT OF WAY OF STATE ROAD 31 (100' WIDE) AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND.

FROM SAID POINT OF BEGINNING CONTINUE S88°18'11"E ALONG SAID NORTHERLY QUARTER SECTION LINE FOR 1204.61 FEET TO A CONCRETE POST MARKING THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 30, SAID NORTHEAST CORNER ALSO BEING THE NORTHWESTERLY CORNER OF FORT MYERS SHORES, BLOCK 1, UNIT 1, A SUBDIVISION AS RECORDED IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, IN PLAT BOOK 9, AT PAGES 153 AND 154; THENCE S01°04'53"E ALONG THE EASTERLY LINE OF SAID NORTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SECTION 30, SAID EASTERLY LINE ALSO BEING THE WESTERLY LINE OF SAID BLOCK 1, UNIT 1, FORT MYERS SHORES, FOR 1322.09 FEET TO A CONCRETE POST MARKING THE SOUTHEASTERLY CORNER OF SAID NORTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SAID SECTION 30; THENCE N88°19'03"W, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SAID SECTION 30 FOR 1213.40 FEET TO A CONCRETE POST MARKING THE EASTERLY RIGHT OF WAY OF SAID STATE ROAD 31 (100' WIDE), THENCE N00°42'00"W, ALONG SAID EASTERLY RIGHT OF WAY OF STATE ROAD 31 FOR 1322.00' TO THE POINT OF BEGINNING.

BEARINGS SHOWN HERE IN ARE BASED ON THE EASTERLY RIGHT OF WAY OF STATE ROAD 31 AS N00°42'00"W.

DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

Exhibit "B"
Property Information Report

See attached.

First American Title Insurance Company

PROPERTY INFORMATION REPORT

Customer:

Customer File Number:

First American File Number: NCS-1064886-1-CAST
Time Period Searched:
From: April 13, 2021 at 7:30 AM **Through:** January 28, 2022 at 08:00 AM

Last Grantee(s) of Record for Time Period Searched (Optional):

JAMSCAG INVESTMENT, LLC, A FLORIDA LIMITED COMPANY, BY VIRTUE OF THAT CERTAIN WARRANTY DEED, FILED MAY 13, 2014, RECORDED IN INSTRUMENT NO. 2014000099802, OF THE PUBLIC RECORDS OF LEE, COUNTY, FLORIDA.

Legal Description for Property (the "Property"):

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

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, BEING THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 30, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LESS AND EXCEPT THE WESTERLY 50 FEET THEREIN FOR STATE ROAD 31 RIGHT-OF-WAY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE N.W. CORNER OF THE N.W. QUARTER (1/4) OF THE S.W. QUARTER (1/4) OF SAID SECTION 30, BEING THE WEST QUARTER (1/4) CORNER OF SAID SECTION 30; THENCE S88°18'11"E, ALONG THE NORTHERLY LINE OF THE SOUTHWEST QUARTER (1/4) OF SAID SECTION 30 FOR 50.04 FEET TO AN IRON ROD MARKING THE EASTERLY RIGHT OF WAY OF STATE ROAD 31 (100' WIDE) AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND.

FROM SAID POINT OF BEGINNING CONTINUE S88°18'11"E ALONG SAID NORTHERLY QUARTER SECTION LINE FOR 1204.61 FEET TO A CONCRETE POST MARKING THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 30, SAID NORTHEAST CORNER ALSO BEING THE NORTHWESTERLY CORNER OF FORT MYERS SHORES, BLOCK 1, UNIT 1, A SUBDIVISION AS RECORDED IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, IN PLAT BOOK 9, AT PAGES 153 AND 154; THENCE S01°04'53"E ALONG THE EASTERLY LINE OF SAID NORTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SECTION 30, SAID EASTERLY LINE ALSO BEING THE WESTERLY LINE OF SAID BLOCK 1, UNIT 1, FORT MYERS SHORES, FOR 1322.09 FEET TO A CONCRETE POST MARKING THE SOUTHEASTERLY CORNER OF SAID NORTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SAID SECTION 30; THENCE N88°19'03"W, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SAID SECTION 30 FOR 1213.40 FEET TO A CONCRETE POST MARKING THE EASTERLY RIGHT OF WAY OF SAID STATE ROAD 31 (100' WIDE), THENCE N00°42'00"W, ALONG SAID EASTERLY RIGHT OF WAY OF STATE ROAD 31 FOR 1322.00' TO THE POINT OF BEGINNING.

BEARINGS SHOWN HERE IN ARE BASED ON THE EASTERLY RIGHT OF WAY OF STATE ROAD 31 AS N00°42'00"W.

Scope: This Property Information Report (hereinafter "Report") has been prepared solely for the person named above as the "Customer." This Report is limited to disclosing documents based upon a search (without examination of title) of (1) documents and information appearing in the recording office records checked below ("Recording Office"); and (2) to the type(s) of documents checked below and indexed and of record in the Recording Office within the Time Period Searched (the "Designated Documents"):

Recording Office Searched:

The Official Records as defined in section 28.222 Fla. Stat. (2015) of Lee County(ies), Florida

County tax records of Lee County, Florida

Other filing office pertaining to real or personal property described as NA

Designated Documents in Recording Office:

Deeds

Leases and Subleases

Mortgages / Deeds of Trust

Easements

Covenants, Conditions, Restrictions

X All documents affecting the Property

Other documents described as:

DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

Type of Instrument	O.R. Book	Page or Instrument No.
None		

1. Prior to closing, the Company must confirm whether the county recording office in which the Land is located has changed its access policies due to the COVID-19 outbreak. If recording has been restricted, specific underwriting approval is required; and, additional requirements or exceptions may be made.

THIS REPORT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS REPORT 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.

This Report does not include the following matters (the "Excluded Documents"): (i) any recorded document recorded outside the Time Period Searched, even if the document is referenced within a document recorded within the Time Period Searched; (ii) any document within the Time Period Searched that falls into any of the categories that are not checked above; (iii) documents that have expired, either by statute or their own terms, or that have been released, satisfied or terminated (hereinafter "released") of record; and any documents that were recorded in connection with said documents being released; (iv) instruments, proceedings or other matters which do not specifically describe or attach to the Property; (v) any document pertaining to an estate or interest in minerals, gas, oil, or other subsurface substances; (vi) any document pertaining to water rights, claims, or title to water; (vii) any document recorded or indexed outside of the chain of title, whether or not the documents impart constructive notice to purchasers of the Property for value and without knowledge.

County Tax Information (If checked above)

Ad Valorem Real Estate Taxes for Tax Parcel Number 30-43-26-00-00009.0000 for tax year 2021
Gross Tax: $ 886.45 (X) Paid ( ) Not Paid.
Unpaid Taxes for Prior Years (if none, state "none"): None

Ad Valorem Real Estate Taxes for Tax Parcel Number 30-43-26-00-00009.0010 for tax year 2021
Gross Tax: $ 2,844.15 (X) Paid ( ) Not Paid.
Unpaid Taxes for Prior Years (if none, state "none"): None

Ad Valorem Real Estate Taxes for Tax Parcel Number 30-43-26-00-00009.0020 for tax year 2021
Gross Tax: $ 2,549.58 (X) Paid ( ) Not Paid.
Unpaid Taxes for Prior Years (if none, state "none"): None

Liability Exclusions and Limitations

This Property Information Report ("Report") is a property information report as defined in Section 627.7843, Florida Statutes, and is a search limited to the Official Records Books as defined in Sections 28.001(1) and 28.222, Florida Statutes.

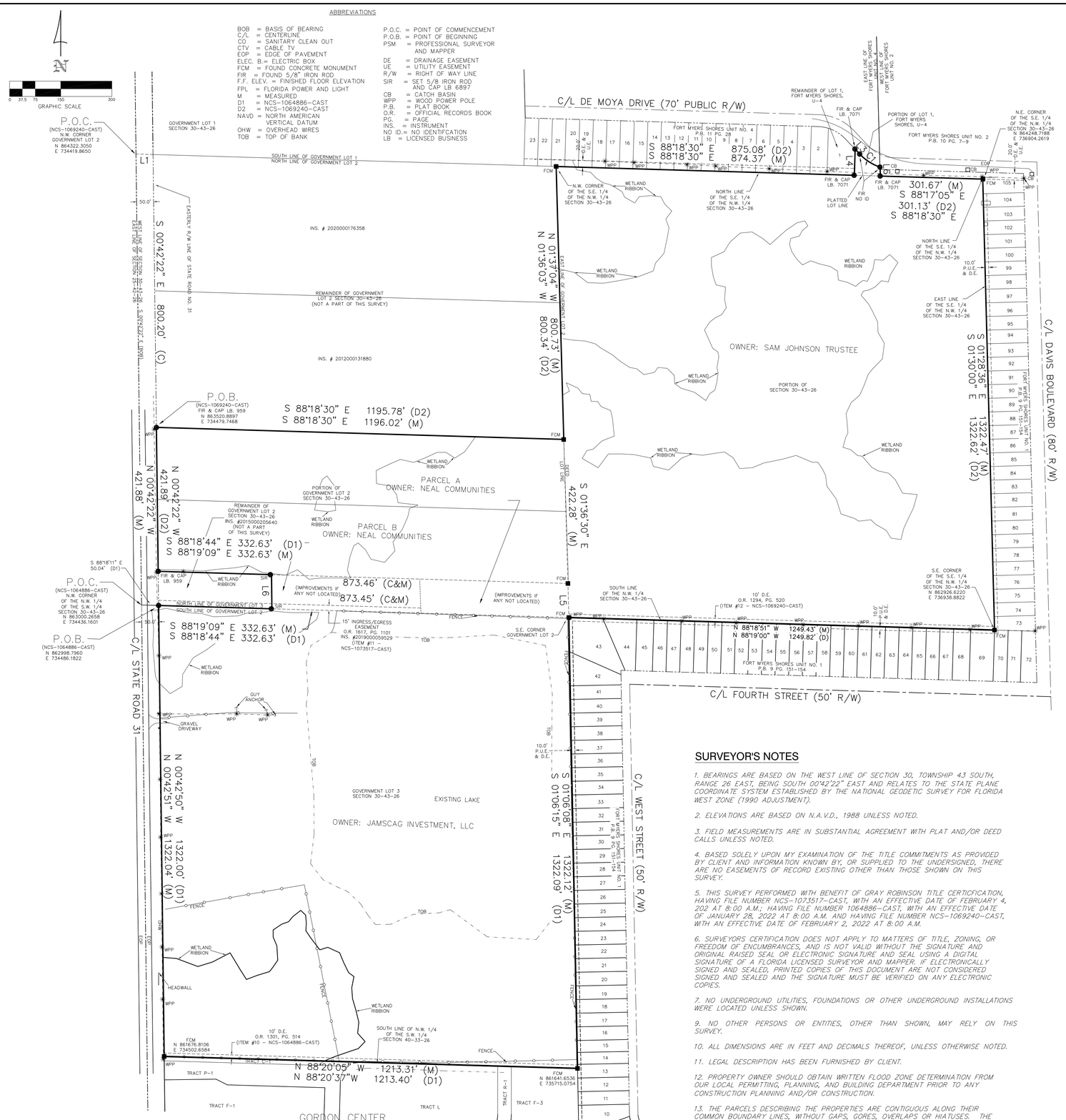
This Report is not title insurance. Pursuant to S. 627.7843, Florida Statutes, the maximum liability of the issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for this property information report, and is further limited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

First American

First American Title Insurance Company

as Authorized Signatory

Dated 2/15/22



SURVEYOR'S NOTES

1. BEARINGS ARE BASED ON THE WEST LINE OF SECTION 30, TOWNSHIP 43 SOUTH, RANGE 26 EAST, BEING SOUTH 00°42'22" EAST AND RELATES TO THE STATE PLANE COORDINATE SYSTEM ESTABLISHED BY THE NATIONAL GEODETIC SURVEY FOR FLORIDA WEST ZONE (1990 ADJUSTMENT).

2. ELEVATIONS ARE BASED ON N.A.V.D., 1988 UNLESS NOTED.

3. FIELD MEASUREMENTS ARE IN SUBSTANTIAL AGREEMENT WITH PLAT AND/OR DEED CALLS UNLESS NOTED.

4. BASED SOLELY UPON MY EXAMINATION OF THE TITLE COMMITMENTS AS PROVIDED BY CLIENT AND INFORMATION KNOWN BY, OR SUPPLIED TO THE UNDERSIGNED, THERE ARE NO EASEMENTS OF RECORD EXISTING OTHER THAN THOSE SHOWN ON THIS SURVEY.

5. THIS SURVEY PERFORMED WITH BENEFIT OF GRAY ROBINSON TITLE CERTICFICATION, HAVING FILE NUMBER NCS-1073517-CAST, WITH AN EFFECTIVE DATE OF FEBRUARY 4, 202 AT 8:00 A.M.; HAVING FILE NUMBER 1064886-CAST, WITH AN EFFECTIVE DATE OF JANUARY 28, 2022 AT 8:00 A.M. AND HAVING FILE NUMBER NCS-1069240-CAST, WITH AN EFFECTIVE DATE OF FEBRUARY 2, 2022 AT 8:00 A.M.

6. SURVEYORS CERTIFICATION DOES NOT APPLY TO MATTERS OF TITLE, ZONING, OR FREEDOM OF ENCUMBRANCES, AND IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OR ELECTRONIC SIGNATURE AND SEAL USING A DIGITAL SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER. IF ELECTRONICALLY SIGNED AND SEALED, PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

7. NO UNDERGROUND UTILITIES, FOUNDATIONS OR OTHER UNDERGROUND INSTALLATIONS WERE LOCATED UNLESS SHOWN.

9. NO OTHER PERSONS OR ENTITIES, OTHER THAN SHOWN, MAY RELY ON THIS SURVEY.

10. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF, UNLESS OTHERWISE NOTED.

11. LEGAL DESCRIPTION HAS BEEN FURNISHED BY CLIENT.

12. PROPERTY OWNER SHOULD OBTAIN WRITTEN FLOOD ZONE DETERMINATION FROM OUR LOCAL PERMITTING, PLANNING, AND BUILDING DEPARTMENT PRIOR TO ANY CONSTRUCTION PLANNING AND/OR CONSTRUCTION.

13. THE PARCELS DESCRIBING THE PROPERTIES ARE CONTIGUOUS ALONG THEIR COMMON BOUNDARY LINES, WITHOUT GAPS, GORES, OVERLAPS OR HIATUSES. THE PROPERTIES ABUT STATE ROAD 31, A PUBLIC RIGHT-OF-WAY, EACH WITHOUT GAPS, GORES, OVERLAPS OR HIATUSES. THE JOHNSON PROPERTY ABUTS DE MOYA DRIVE, A PUBLIC RIGHT-OF-WAY, WITHOUT GAPS, GORES, OVERLAPS OR HIATUSES.

LINE TABLE (MEASURED)		
LINE	LENGTH	BEARING
L1	50.04	S 88°18'30" E
L2	26.28	S 02°02'36" E
L3	19.95	S 43°18'30" E
L4	76.59	N 01°41'30" E
L5	99.77	N 00°28'33" W

LINE TABLE (D2)		
LINE	LENGTH	BEARING
L1	50.04	S 88°18'30" E
L2	26.26	S 01°30'00" E
L3	20.29	S 43°18'30" E
L4	76.85	N 01°41'30" E
L5	100.17	N 01°37'04" W

LINE TABLE (CALCULATED)		
LINE	LENGTH	BEARING
L6	100.08	N 01°42'19" W

CURVE TABLE (D2)					
CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	145.00	28°09'50"	71.28	70.56	S 57°23'25" E

CURVE TABLE (MEASURED)					
CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	145.00	28°10'20"	71.30	70.58	S 57°23'30" E

LEGAL DESCRIPTION PER GRAY ROBINSON TITLE CERTICFICATION (THE "NEAL COMMUNITIES PROPERTY")

PARCEL A: THE EAST 436 FEET OF THE SOUTH 100 FEET OF GOVERNMENT LOT 2, SECTION 30, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LESS ROAD RIGHT-OF-WAY, LEE COUNTY, FLORIDA.

PARCEL B: THE WEST 436 FEET OF THE EAST 872 FEET OF THE SOUTH 100 FEET OF GOVERNMENT LOT 2, SECTION 30, TOWNSHIP 43 SOUTH, RANGE 26 EAST, TOGETHER WITH A RIGHT-OF-WAY FOR INGRESS AND EGRESS OVER THE SOUTH 15 FEET WESTERLY TO STATE ROAD 31.

LEGAL DESCRIPTION PER GRAY ROBINSON TITLE CERTICFICATION (THE "JAMSCAG PROPERTY")

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF LEE, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, BEING THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 30, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LESS AND EXCEPT THE WESTERLY 50 FEET THEREIN FOR STATE ROAD 31 RIGHT-OF-WAY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE N.W. CORNER OF THE N.W. QUARTER (1/4) OF THE S.W. QUARTER (1/4) OF SAID SECTION 30, BEING THE WEST QUARTER (1/4) CORNER OF SAID SECTION 30; THENCE S88°18'11"E, ALONG THE NORTHERLY LINE OF THE SOUTHWEST QUARTER (1/4) OF SAID SECTION 30 FOR 50.04 FEET TO AN IRON ROD MARKING THE EASTERLY RIGHT OF WAY OF STATE ROAD 31 (100' WIDE) AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND.

FROM SAID POINT OF BEGINNING CONTINUE S88°18'11"E ALONG SAID NORTHERLY QUARTER SECTION LINE FOR 1204.61 FEET TO A CONCRETE POST MARKING THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 30, SAID NORTHEAST CORNER ALSO BEING THE NORTHWESTERLY CORNER OF FORT MYERS SHORES, BLOCK 1, UNIT 1, A SUBDIVISION AS RECORDED IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, IN PLAT BOOK 9, AT PAGES 153 AND 154; THENCE S01°04'53"E ALONG THE EASTERLY LINE OF SAID NORTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SECTION 30, SAID EASTERLY LINE ALSO BEING THE WESTERLY LINE OF SAID BLOCK 1, UNIT 1, FORT MYERS SHORES, FOR 1322.09 FEET TO A CONCRETE POST MARKING THE SOUTHEASTERLY CORNER OF SAID NORTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SAID SECTION 30; THENCE N88°19'03"W, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SAID SECTION 30 FOR 1213.40 FEET TO A CONCRETE POST MARKING THE EASTERLY RIGHT OF WAY OF SAID STATE ROAD 31 (100' WIDE), THENCE N00°42'00"W, ALONG SAID EASTERLY RIGHT OF WAY OF STATE ROAD 31 FOR 1322.00' TO THE POINT OF BEGINNING.

BEARINGS SHOWN HERE IN ARE BASED ON THE EASTERLY RIGHT OF WAY OF STATE ROAD 31 AS N00°42'00"W.

LEGAL DESCRIPTION PER GRAY ROBINSON TITLE CERTICFICATION (THE " SAM JOHNSON PROPERTY")

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF LEE, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LYING IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 30, TOWNSHIP 43 SOUTH, RANGE 26 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF GOVERNMENT LOT 2; THENCE S.88°18'30"E., ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 50.04 FEET TO A POINT ON THE EASTERLY LINE OF STATE ROAD NO. 31; THENCE S.00°42'30"E., ALONG SAID EASTERLY LINE OF STATE ROAD NO. 31, A DISTANCE OF 800.00 FEET TO THE POINT OF BEGINNING; THENCE S.88°18'30"E., A DISTANCE OF 1,196.34 FEET TO A POINT ON THE EAST LINE OF SAID GOVERNMENT LOT 2, THENCE N.01°37'04"W., ALONG SAID EAST LINE, A DISTANCE OF 800.73 FEET, TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 30; THENCE S.88°18'30"E., ALONG SAID NORTH LINE OF THE SE 1/4 OF THE NW 1/4, A DISTANCE OF 875.08 FEET; THENCE N.01°41'30"E., A DISTANCE OF 76.85 FEET, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF DE MOYA DRIVE (70'); THENCE S.43°18'30"E., ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 20.29 FEET, TO THE BEGINNING OF A CURVE TO THE LEFT, HAVING A RADIUS OF 145.00 FEET, A CHORD DISTANCE OF 70.56 FEET AND A CHORD BEARING OF S.57°23'30"E., THENCE SOUTHEASTERLY ALONG SAID ARC AND SAID RIGHT-OF-WAY LINE FOR 71.28 FEET; THENCE S 01°30'00"E., A DISTANCE OF 26.26 FEET, TO A POINT ON THE NORTH LINE OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 30; THENCE S.88°18'30", ALONG SAID NORTH LINE OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 30, A DISTANCE OF 301.13 FEET, TO THE NORTHEAST CORNER OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 30; THENCE S.01°30'00"E, ALONG THE EAST LINE OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 30, A DISTANCE OF 1,322.62 FEET, TO THE SOUTHEAST CORNER OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 30, THENCE N88°19'00"W, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 30, A DISTANCE OF 1,249.82 FEET TO THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 2, THENCE N 01°37'04"W, ALONG SAID EAST LINE OF SAID GOVERNMENT LOT 2, A DISTANCE OF 100.17 FEET; THENCE N 88°19'00"W., A DISTANCE OF 1,203.04 FEET, TO A POINT ON THE EASTERLY LINE OF STATE ROAD NO. 31; THENCE N.00°42'30"W., ALONG SAID EASTERLY LINE OF STATE ROAD NO. 31, A DISTANCE OF 421.89 FEET TO THE POINT OF BEGINNING.

FLOOD ZONE:	PANEL NO.:	MAP REVISION DATE
ZONE AE	12071C 0284 F	AUGUST 28, 2008
ELEVATION = 7.0' (NAVD)		

CERTIFICATION LIST

NEAL COMMUNITIES OF SOUTHWEST FLORIDA, LLC, A FLORIDA LIMITED LIABILITY COMPANY
GRAYROBINSON, P.A.;
FIRST AMERICAN TITLE INSURANCE COMPANY;
JAMSCAG INVESTMENT, LLC, A FLORIDA LIMITED LIABILITY COMPANY;
COLEMAN, YOVANOVICH & KOESTER, P.A.;
HENDERSON, FRANKLIN, STARNES & HOLT, P.A.;
JERRY JOHNSON ARTICLE FOURTH FAMILY TRUST;
JD MCINTOSH LOTS, LLC, A FLORIDA LIMITED LIABILITY COMPANY

JOHN SCOTT RHODES CERTIFICATE No. 5739 STATE OF FLORIDA Professional Surveyor & Mapper

CERTIFICATION:

I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.051-053, FLORIDA ADMINISTRATIVE CODE, PURSUANT CHAPTER 472.027, FLORIDA STATUTES.

John Scott Rhodes PSM # 5739 State of Florida
Digitally signed by John Scott Rhodes PSM # 5739 State of Florida
Date: 2022.03.03 11:54:57 -05'00'

BY:
JOHN SCOTT RHODES, PSM #5739

REVISIONS:

JAN. 27, 2022 ADDED THE COORDINATES TO THE BOUNDARY CORNERS
FEB. 23, 2022 UPDATE TITLE CERTIFICATION

BOUNDARY SURVEY

CERTIFIED TO:
SEE CERTIFICATION LIST

design:	
drawn:	EFC
checked:	JSR
acad #:	2021-541
view:	PLOT
project#:	2021-541
sheet #:	1 of 1
file #:	2021-541 REZONE

bk:	pg:	date:
XXX	XX-XX	DEC. 09, 2021
		scale: 1" = 150'
		cogo #: 21-541

RHODES & RHODES LAND SURVEYING, INC. LICENSE #LB 6897

28100 BONITA GRANDE DRIVE SUITE 107
BONITA SPRINGS, FL 34135
(239) 405-8166 (239) 405-8163 FAX

Z:\3 OAKS\MGA\MGN\SURVEY\541\UPDATE TITLE 20220223.dwg, Layout1, 3/3/2022 11:53:24 AM, 1:1

LEGEND

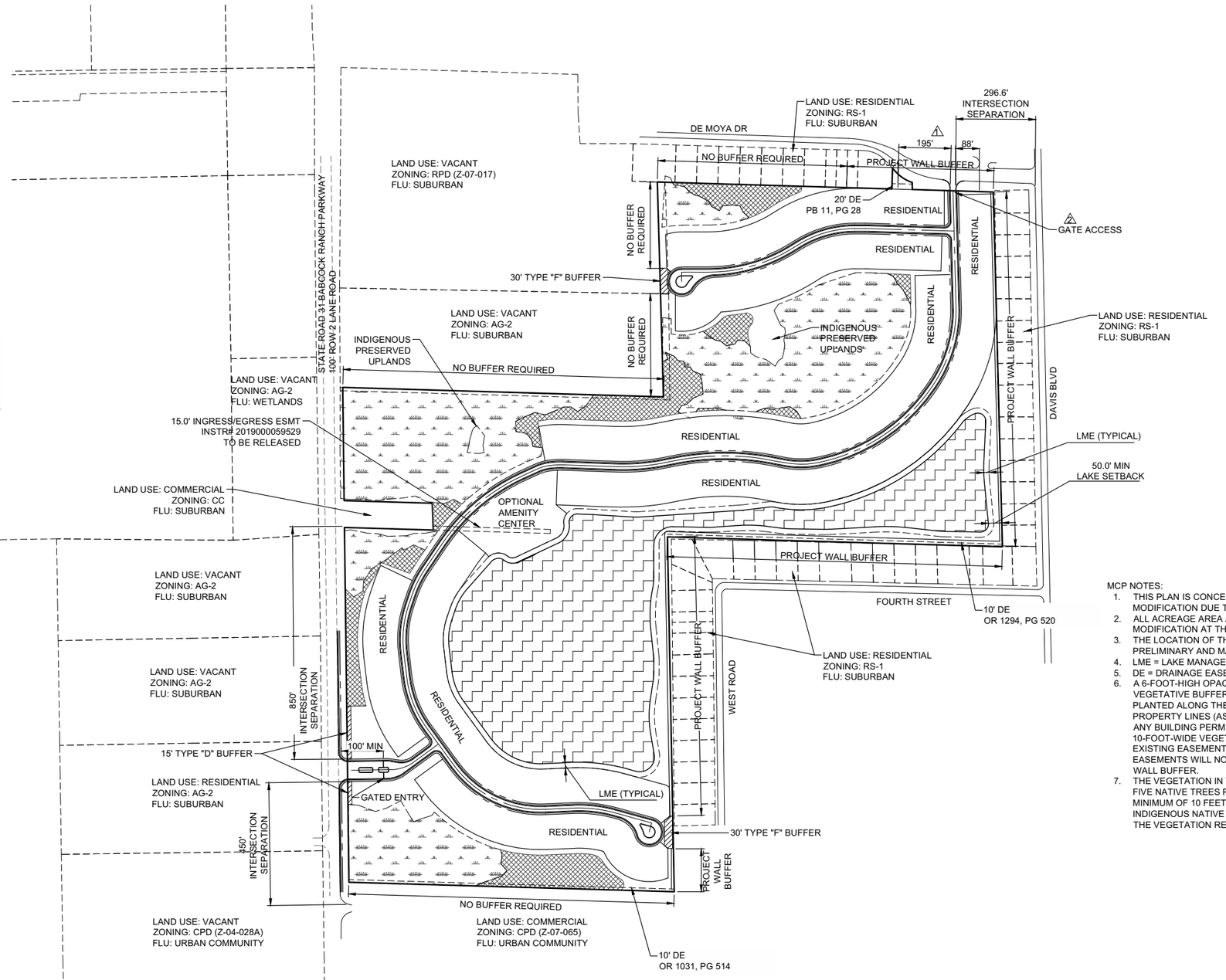
- LAKE
- WETLANDS
- WETLAND CREATED
- DEVIATIONS

LAND USE SUMMARY

	ACREAGE	PERCENT OF TOTAL ACREAGE
PRESERVE	23.1	26.2%
RESIDENTIAL	29.0	32.8%
RIGHT-OF-WAY	6.1	6.9%
OTHER OPEN SPACE/BUFFERS	9.6	10.9%
LAKE	20.5	23.2%
TOTAL AREA	88.3	100%

OPEN SPACE SUMMARY

	REQUIRED	MINIMUM PROVIDED
OPEN SPACE	40% - 35.3 AC	35.3 AC
PRESERVE	50% OPEN SPACE - 17.66 AC	17.66 AC



MCP NOTES:

1. THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO MODIFICATION DUE TO AGENCY PERMITTING REQUIREMENTS.
2. ALL ACREAGE AREA APPROXIMATE AND SUBJECT TO MODIFICATION AT THE TIME OF DEVELOPMENT ORDER.
3. THE LOCATION OF THE ONSITE LAKE AND RESIDENTIAL TRACTS IS PRELIMINARY AND MAY BE ADJUSTED AT SITE PLAN APPROVAL.
4. LME = LAKE MANAGEMENT EASEMENT
5. DE = DRAINAGE EASEMENT
6. A 6-FOOT-HIGH OPAQUE FENCE MUST BE CONSTRUCTED AND A VEGETATIVE BUFFER, A MINIMUM OF 10 FEET IN WIDTH, MUST BE PLANTED ALONG THE EASTERN, SOUTHERN, AND NORTHERN PROPERTY LINES (AS ILLUSTRATED) PRIOR TO THE APPROVAL OF ANY BUILDING PERMITS FOR ANY DWELLING UNITS. THIS 10-FOOT-WIDE VEGETATIVE BUFFER IS IN addition TO ANY EXISTING EASEMENTS ALONG PROPERTY LINE. DRAINAGE EASEMENTS WILL NOT BE COUNTED AS PART OF THE PROJECT WALL BUFFER.
7. THE VEGETATION IN THE BUFFER MUST CONTAIN, AT A MINIMUM, FIVE NATIVE TREES PER 100 LINEAR FEET. ALL TREES MUST BE A MINIMUM OF 10 FEET TALL AT TIME OF PLANTING. EXISTING INDIGENOUS NATIVE VEGETATION MAY BE COUNTED TOWARD THE VEGETATION REQUIREMENTS OF THIS NOTE.

F:\Projects\1223.101 (SR31 Villas II MP - Jarvis/ag & Johnson Property\Drawings-Exhibits\1223.101-E02 Zoning\Current Plans\1223.101E0209.dwg
3/7/2022 3:41:08 PM

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- WETLAND CREATED
- DEVIATIONS (#)

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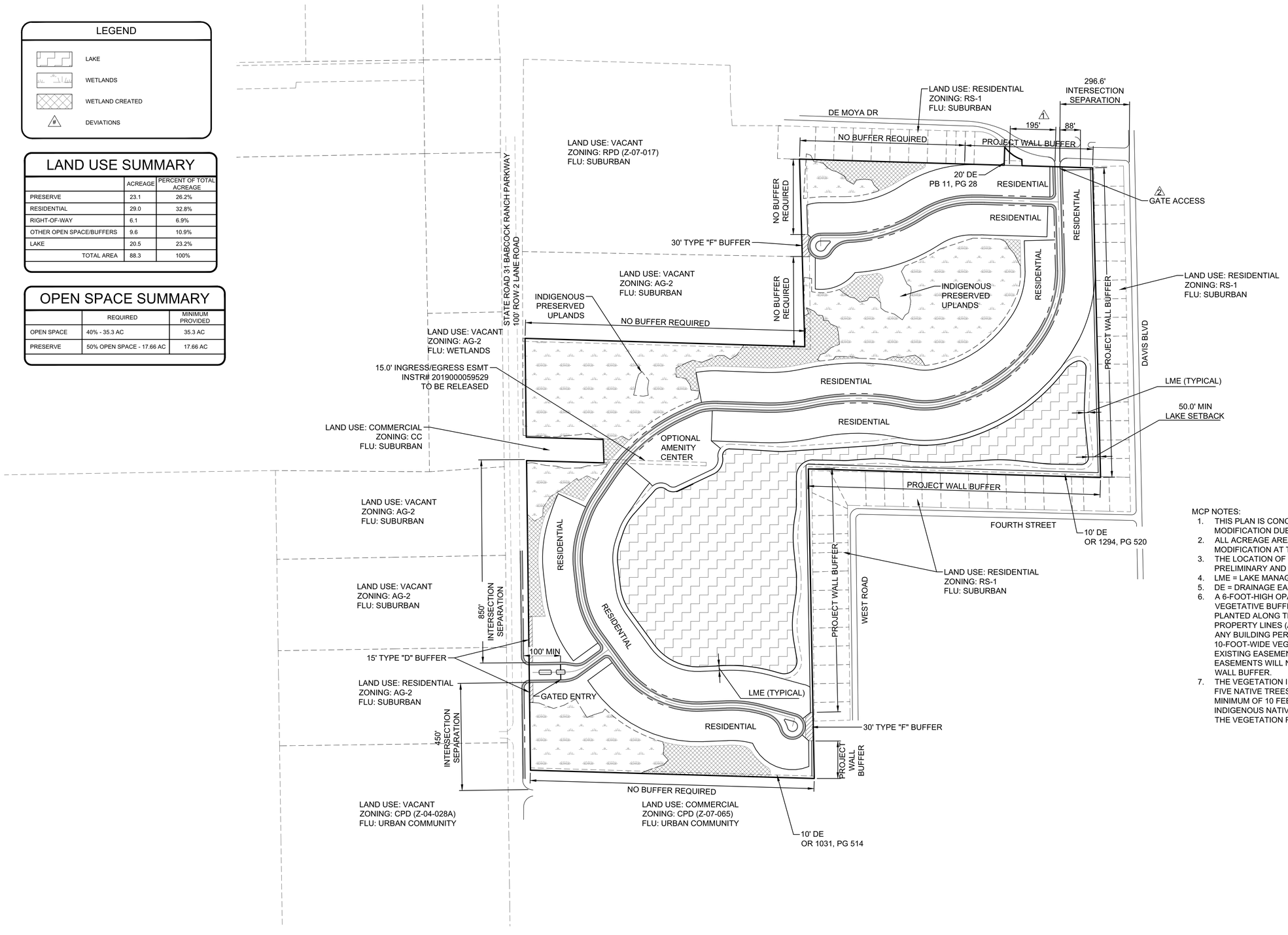

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F:\Projects\1223-101 (SR31 Villas II)\MP - Jamiszag & Johnson Property\Drawings-Exhibits\1223-101-E02 Zoning\Current Plans\1223101E0209.dwg
3/7/2022 3:41:08 PM

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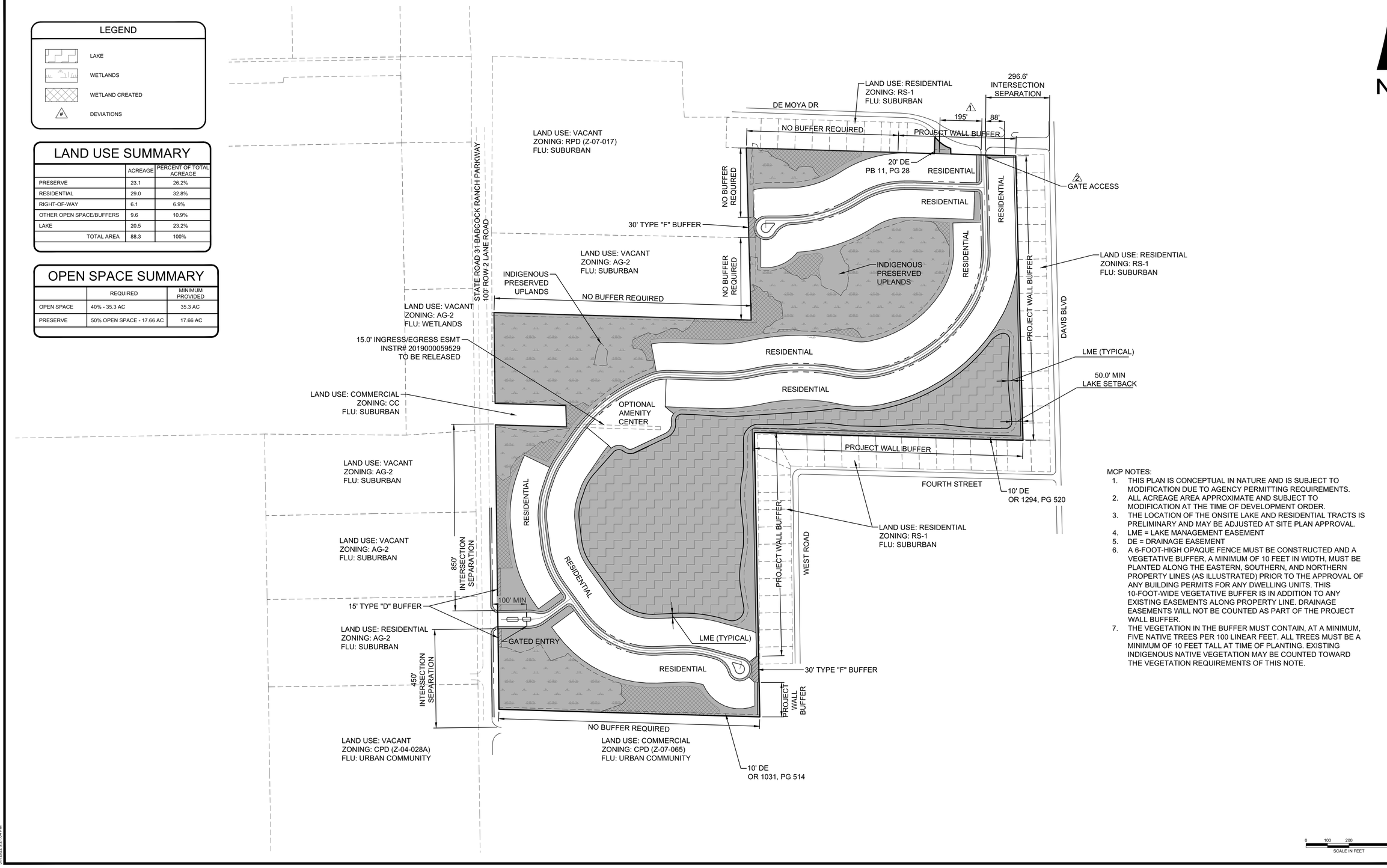

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3/7/2022 1:21:04 PM

31 OAKS RPD
Property Owners Exhibit

I. PROPERTY OWNERS LIST

Strap Number	Property Owner
30-43-26-00-00009.0000	JAMSCAG INVESTMENT LLC
30-43-26-00-00009.0010	JAMSCAG INVESTMENT LLC
30-43-26-00-00009.0020	JAMSCAG INVESTMENT LLC
30-43-26-00-00001.3000	SAM JOHNSON (TRUSTEE)
30-43-26-00-00001.3010	NEAL COMMUNITIES OF SOUTHWEST FLORIDA, LLC
30-43-26-00-00001.301A	NEAL COMMUNITIES OF SOUTHWEST FLORIDA, LLC
30-43-26-00-00001.3020	SAM JOHNSON (TRUSTEE)
30-43-26-00-00002.0000	SAM JOHNSON (TRUSTEE)
30-43-26-00-00002.0010	SAM JOHNSON (TRUSTEE)
30-43-26-00-00002.0020	SAM JOHNSON (TRUSTEE)
30-43-26-00-00002.0030	SAM JOHNSON (TRUSTEE)
30-43-26-00-00002.0040	SAM JOHNSON (TRUSTEE)
30-43-26-00-00002.0050	SAM JOHNSON (TRUSTEE)
30-43-26-00-00002.0060	SAM JOHNSON (TRUSTEE)
30-43-26-00-00002.0070	SAM JOHNSON (TRUSTEE)
30-43-26-04-0000C.001A	SAMUEL V. JOHNSON

II. PROPERTY OWNERS MAP

III. DEEDS

See Following Pages.

DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

QUIT-CLAIM DEED RAMCO FORM 6

Return to: (enclose self-addressed stamped envelope)

Address:

This Instrument Prepared by: Samuel V. Johnson
P. O. Box 61319
Ft. Myers, FL 33906

Address:

INSTR # 5447594
OR BK 03645 PG 1766
RECORDED 05/14/2002 04:03:31 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY
RECORDING FEE 6.00
DEED DOC 0.70
DEPUTY CLERK J Miller

SPACE ABOVE THIS LINE FOR PROCESSING DATA — SPACE ABOVE THIS LINE FOR RECORDING DATA

6.00
.70
6.70

This Quit-Claim Deed, *Executed this* 9th *day of* May , *A. D.* 2002 , *by*

Jerry Johnson, Joined by his spouse, Gail K. Johnson

first party, to Samuel V. Johnson

whose postoffice address is 13350 Ponderosa Way, Fort Myers, FL 33907

second party:

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

Witnesseth, *That the said first party, for and in consideration of the sum of* $, *in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of* Lee *State of* Florida , *to-wit:*

Lot 68, Block 1, Fort Myers Shores, Unit 1, a subdivision according to the plat thereof recorded in Plat Book 9, Page 151, Public Records of Lee County, Florida

and

Lot 1 and the East 76.35 feet of Lot 2, Block C, Fort Myers Shores, Unit 4, a subdivision according to the plat thereof recorded in Plat Book 11, Page 28, Public Records of Lee County, Florida.

To Have and to Hold *the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.*

In Witness Whereof, *The said first party has signed and sealed these presents the day and year first above written.*

Signed, sealed and delivered in presence of:

Jerry Johnson L.S.

Gail K. Johnson L.S.

STATE OF FLORIDA,
COUNTY OF Lee

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared Jerry Johnson and Gail K. Johnson, husband and wife, personally known to me to be the persons described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 9th day of May A. D. 2002.

BRUCE MAHAR
MY COMMISSION # CC 972690
EXPIRES: October 4, 2004
Bonded Thru Notary Public Underwriters

Notary Public

DCI2021-00051 Lee County eFile Additional info dated 03-08-2022
Linda Doggett, Lee County Clerk of Circuit Court
INSTR. # 2021000192038, Doc Type D, Pages 3, Recorded 6/10/2021 at 11:31 AM, Deputy Clerk TKING ERECORD
Rec Fees: $27.00 Deed Doc: $0.70

Prepared by and return to:
Craig R. Hersch
Attorney at Law
Sheppard Law Firm
9100 College Pointe Court
Fort Myers, FL 33919

(WITHOUT TITLE EXAMINATION)

[Space Above This Line For Recording Data]

Trustee's Deed

THIS TRUSTEE'S DEED made this 19th day of April, 2021 between **Sam Johnson, Trustee of the Jerry Johnson Revocable Living Trust dated June 25, 2002,** whose post office address is 10811 Halfmoon Shoal Rd, #202, Bonita Springs, FL 34135, grantor, and **Sam Johnson, Trustee of the Jerry Johnson Article Fourth Family Trust,** whose post office address is 10811 Halfmoon Shoal Rd, #202, Bonita Springs, FL 34135, grantee:

(Whenever used herein the terms grantor and grantee include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Any Trustee or Successor Trustee taking office is granted the full right of ownership over the real property described herein with full power and authority to deal in and with said property, or any part thereof, and specifically with power and authority either to protect, conserve and to sell, or to lease, or to encumber, or otherwise to manage and dispose of the property described herein. The same full power and authority is vested in the Trustee named herein under F. S. 689.073.

In no case shall any party dealing with the Trustee in relation to the real estate or to whom the real estate or any part of it shall be conveyed, contracted to be sold, leased or mortgaged by Trustee, be obliged to see to the application of any purchase money, rent or money borrowed or advanced on the premises, or be obliged to see that the terms of the above-described Trust have been complied with, or be obliged to inquire into the necessity or expediency of any act of the Trustee, or be obliged or privileged to inquire into any of the terms of said Trust Agreement or the identification or status of any named or unnamed beneficiaries, or their heirs or assigns to whom the Trustee may be accountable; and every deed, trust deed, mortgage, lease or other instrument executed by Trustee in relation to the real estate shall be conclusive evidence in favor of every person relying upon or claiming under any such conveyance, lease or other instrument (a) that at the time of its delivery the above–referenced Trust was in full force and effect, (b) that this conveyance was executed in accordance with the Trusts, all conditions and limitations contained in the said Trust Agreement, and is binding upon all beneficiaries under those instruments, (c) that the Trustee was duly authorized and empowered to execute and deliver such deed, lease, mortgage or other instrument and (d) if a conveyance is made to a successor Trustee(s) or successors in trust, that such successor or successors in trust have been appointed properly and vested fully with all the title, estate, rights, powers, duties and obligations of the predecessor in trust.

WITNESSETH, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantees heirs and assigns forever, the following described land, situate, lying and being in **Lee**, Florida, to-wit:

The Southeast quarter (SE ¼) of the Northwest quarter (NW ¼) of Section 30, Township 43 South, Range 26 East, Lee County, Florida.

AND

A tract or parcel of land lying in Government Lot 2 of Section 30, Township 43 South, Range 26 East, more particularly described as follows:

From the northwest corner of said Lot 2 run S 88° 18' 30" E along the north line of said lot for 50.004 feet to a point on the easterly line of State Road No. 31; thence run S 0° 42' 30" E along said east line, parallel with the west line of said lot for 800.0 feet to the point of beginning.

From said point of beginning continue S 0° 42' 30" E along easterly line for 522.04 feet to a point on the south line of said lot; thence run S 88° 19' 10" E along said south line for 1204.63 feet to the southeast corner of said lot; thence run N 1° 36' 30" W along the east line of said lot for 522.28 feet to an intersection with a line parallel with the north line of said lot passing through the point of beginning; thence run N 88° 18' 30" W along said line for 1196.44 feet to the point of beginning, less and except the south 100 feet thereof.

Bearings hereinabove mentioned are from the survey of the Central and Southern Flood Control District Right-of-Way for the Caloosahatchee River and Canal.

Various Property Appraiser's Parcel Identification Number: 30-43-26-00-00001.3000; 30-43-26-00-00001.3020; 30-43-26-00-00002.0000; 30-43-26-00-00002.0010; 30-43-26-00-00002.0020; 30-43-26-00-00002.0030; 30-43-26-00-00002.0040; 30-43-26-00-00002.0050; 30-43-26-00-00002.0060; and 30-43-26-00-00002.0070

SUBJECT TO taxes for the current calendar year and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

THIS PROPERTY IS NOT NOW, NOR HAS IT EVER BEEN, THE HOMESTEAD PROPERTY OF THE GRANTOR HERIN, NOR IS IT CONTIGUOUS TO THE HOMESTEAD PROPERTY OF THE GRANTOR.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

THE PREPARER OF THIS DEED WAS NEITHER FURNISHED WITH NOR REQUESTED TO REVIEW THE STATUS OF TITLE OF THE PROPERTY DESCRIBED HEREIN, AND THEREFORE EXPRESSES NO OPINION AS TO THE CONDITION OF TITLE.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land;

DCI2021-00031 Lee County Plan Additional info dated 03-08-2022

that the grantor hereby specially warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors.

IN WITNESS WHEREOF, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Aimee Balcer
Witness

AIMEE BALCER
Printed Name of Witness

Witness

Zoe H. Bronwyn Merhige
Printed Name of Witness

Samuel V. Johnson
Sam Johnson, Trustee of the Jerry Johnson Revocable Living Trust dated June 25, 2002

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me by means of (X) physical presence or ( ) online notarization, this before me this 19th day of April, 2021, by **Sam Johnson, Trustee of the Jerry Johnson Revocable Living Trust dated June 25, 2002**, who is (X) personally known to me or who ( ) produced no as identification.

AIMEE BALCER
Notary Public - State of Florida
Commission # GG 295779
My Comm. Expires Mar 11, 2023
Bonded through National Notary Assn.

Aimee Balcer
Signature of Notary Public

AIMEE BALCER
Printed Name of Notary Public

Commission Number:
Commission Exp. Date:

DC-2021-00051 Lee County ePlan Additional info dated 03-08-2022
INSTR # 2014000099802, Doc Type D, Pages 3, Recorded 05/13/2014 at 02:36 PM, Linda Doggett, Lee County Clerk of Circuit Court, Deed Doc. D $3150.00 Rec. Fee $27.00 Deputy Clerk CROGERS

This instrument prepared by and return to:

Craig D. Grider, Esq.
COLEMAN, YOVANOVICH & KOESTER, P.A.
4001 Tamiami Trail North, Suite 300
Naples, Florida 34103

PREPARATION OF DEED ONLY.
NO OPINION OF TITLE RENDERED.

Parcel Identification Numbers:
30-43-26-00-00009.0010
30-43-26-00-00009.0020
30-43-26-00-00009.0000

WARRANTY DEED

THIS WARRANTY DEED, made on the 9th day of May, 2014, by **WAYNE CORTS**, a married man, whose post office address is, 3 Victoria Court, Central Valley, New York 10917, Grantor, to **JAMSCAG INVESTMENT, LLC,** a Florida limited liability company, whose post office address is 8841 West Terry Street, Bonita Springs, Florida 34135, Grantee.

(Where used herein the terms Grantor and Grantee shall be construed as singular or plural as the context requires.)

WITNESSETH that the Grantor, for and in consideration of the sum of TEN AND 00/100 DOLLARS ($10.00) and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee and Grantee's heirs and assigns forever, the following described land, situate, lying and being in the County of Lee, State of Florida, to wit:

Please see Exhibit "A" attached hereto and incorporated herein.

Subject to property taxes for the year of closing and subsequent years; covenants, restrictions and public utility easements of record; and existing zoning and governmental regulations.

GRANTOR WARRANTS THAT NEITHER THE GRANTOR NOR GRANTOR'S SPOUSE NOR ANY OTHER FAMILY MEMBER RESIDES ON THE PROPERTY DESCRIBED HEREIN OR ADJACENT THERETO AND THE PROPERTY DOES NOT THEREFORE CONSTITUTE HOMESTEAD PROPERTY.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey this land; that the Grantor hereby fully warrants the title to the land and will defend the same against the lawful claims of all persons whomsoever.

DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

IN WITNESS WHEREOF, the Grantor has hereunto executed this document on the day and year first above written.

Signed, sealed, and delivered
in the presence of:

Witness
Print Name: Stacey Giventer

Witness
Print Name: Erin Connolly

GRANTOR:

Wayne Corts

STATE OF New York
COUNTY OF Rockland

The foregoing instrument was acknowledged before me this 9th day of May, 2014, by Wayne Corts, a married man. He [✓] is personally known to me or [ ] has produced _____ as identification.

[NOTARY SEAL]

Notary Public
Print Name: Megan Carey
Commission Expires: 1/20/16

MEGAN CAREY
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01CA6104289
QUALIFIED IN ROCKLAND COUNTY
COMMISSION EXPIRES JANUARY 20, 20

DCI2021-00051 Lee County eFile Additional info dated 03-08-2022

EXHIBIT "A"

LEGAL DESCRIPTION

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, BEING THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 30, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LESS AND EXCEPT THE WESTERLY 50 FEET THEREIN FOR STATE ROAD 31 RIGHT-OF-WAY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE N.W. CORNER OF THE N.W. QUARTER (1/4) OF THE S.W. QUARTER (1/4) OF SAID SECTION 30, BEING THE WEST QUARTER (1/4) CORNER OF SAID SECTION 30; THENCE S88°18'11"E, ALONG THE NORTHERLY LINE OF THE SOUTHWEST QUARTER (1/4) OF SAID SECTION 30 FOR 50.04 FEET TO AN IRON ROD MARKING THE EASTERLY RIGHT OF WAY OF STATE ROAD 31 (100' WIDE) AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND.

FROM SAID POINT OF BEGINNING CONTINUE S88°18'11"E ALONG SAID NORTHERLY QUARTER SECTION LINE FOR 1204.61 FEET TO A CONCRETE POST MARKING THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 30, SAID NORTHEAST CORNER ALSO BEING THE NORTHWESTERLY CORNER OF FORT MYERS SHORES, BLOCK 1, UNIT 1, A SUBDIVISION AS RECORDED IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, IN PLAT BOOK 9, AT PAGES 153 AND 154; THENCE S01°04'53"E ALONG THE EASTERLY LINE OF SAID NORTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SECTION 30, SAID EASTERLY LINE ALSO BEING THE WESTERLY LINE OF SAID BLOCK 1, UNIT 1, FORT MYERS SHORES, FOR 1322.09 FEET TO A CONCRETE POST MARKING THE SOUTHEASTERLY CORNER OF SAID NORTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SAID SECTION 30; THENCE N88°19'03"W, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SAID SECTION 30 FOR 1213.40 FEET TO A CONCRETE POST MARKING THE EASTERLY RIGHT OF WAY OF SAID STATE ROAD 31 (100' WIDE), THENCE N00°42'00"W, ALONG SAID EASTERLY RIGHT OF WAY OF STATE ROAD 31 FOR 1322.00' TO THE POINT OF BEGINNING.

CONTAINING 36.7 ACRES MORE OR LESS.
BEARING SHOWN HERE IN ARE BASED ON THE EASTERLY RIGHT OF WAY OF STATE ROAD 31 AS N00°42'00"W.

DCI2021-00051 Lee County eFile Additional info dated 03-08-2022
Linda Doggett, Lee County Clerk of Circuit Court
INSTR. # 2021000397028, Doc Type D, Pages 4, Recorded 12/3/2021 at 11:54 AM, Deputy Clerk SSTILIS
Rec Fees: $35.50 Deed Doc: $3,500.00

THIS INSTRUMENT PREPARED BY AND SHOULD BE RETURNED TO:

Johanna P. Wood, Esq.
Gray Robinson, P.A.
P.O. Box 3324
Tampa, Florida 33602

For Recording Purposes Only

NOTE TO RECORDER: Documentary stamp taxes in the amount of $3,500.00 are being paid on consideration of $500,000.00 in connection with this Deed as required pursuant to Section 201.02, Florida Statutes.

Parcel ID. Nos. 30-43-26-00-00001.3010 and 30-43-26-00-00001.301A

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, made and entered into as of the ___ day of December, 2021, by **JD MCINTOSH LOTS, LLC**, a Florida limited liability company, with a mailing address of 15280 Terrell Drive, Alva, Florida 33920 (hereinafter referred to as "Grantor"), to **NEAL COMMUNITIES OF SOUTHWEST FLORIDA, LLC**, a Florida limited liability company, with a mailing address of 5800 Lakewood Ranch Boulevard, Sarasota, Florida 34240 (hereinafter referred to as "Grantee").

THAT, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations, the receipt and sufficiency of which are acknowledged by Grantor, Grantor hereby grants, bargains, sells, conveys and confirms unto Grantee all that certain real property in Lee County, Florida, more particularly described in **Exhibit "A"** attached hereto and made a part hereof, including all rights and privileges thereto, including but not limited to, rights of ingress and egress, any and all air space rights and subsurface rights, mineral rights, timber rights, riparian rights and littoral rights, together with all pertinent rights and interest pertaining to adjacent streets and roadways (hereinafter collectively referred to as the "Real Property").

TOGETHER WITH all the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining.

TO HAVE AND TO HOLD the same unto Grantee in fee simple forever.

AND Grantor hereby covenants with Grantee that the Real Property is free and clear of all liens and encumbrances except taxes for 2022 and subsequent years, but is subject to the covenants, easements and restrictions of record as set forth in **Exhibit "B"** attached hereto and made a part hereof (the "Permitted Exceptions"), without re-imposing the same; that Grantor is lawfully seized

of the Real Property in fee simple; that Grantor has good right and lawful authority to sell and convey the Real Property; and that Grantor hereby fully warrants the title to the Real Property and will defend the same against the lawful claims of all persons claiming by, through and under Grantor but against none other.

Wherever used herein, the terms "Grantor" and "Grantee" shall be deemed to include the parties to this Special Warranty Deed and the successors and assigns of each. The singular shall be deemed to include the plural, and vice versa, where the context so permits.

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed as of the day and year first above written.

GRANTOR:

Signed, sealed and delivered in the presence of:

Julie A. Kennie
Print Name: Julie A. Kennie

Kimberly K. Propp
Print Name: Kimberly K. Propp

JD MCINTOSH LOTS, LLC, a Florida limited liability company

By: Darla McIntosh
Name: DARLA MCINTOSH
Title: Member

STATE OF FLORIDA
COUNTY OF Lee

The foregoing instrument was acknowledged before me by [X] physical presence or [ ] online notarization this 23rd day of ~~December~~ November, 2021, by Darla McIntosh as Member of JD MCINTOSH LOTS, LLC, a Florida limited liability company, on behalf of the limited liability company, who [X] is personally known to me or [ ] has produced _____ as identification.

Kimberly K. Propp
Signature of Notary Public
(Print Notary Name) Kimberly K. Propp

KIMBERLY K PROPP
Notary Public - State of Florida
Commission # GG 224441
My Comm. Expires Jul 10, 2022
Bonded through National Notary Assn.

/490154/90#45913363 v2

DCI2021-00031 Lee County Plan Additional info dated 03-08-2022

EXHIBIT "A"

REAL PROPERTY

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

PARCEL A: THE EAST 436 FEET OF THE SOUTH 100 FEET OF GOVERNMENT LOT 2, SECTION 30, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LESS ROAD RIGHT-OF-WAY, LEE COUNTY, FLORIDA.

PARCEL B: THE WEST 436 FEET OF THE EAST 872 FEET OF THE SOUTH 100 FEET OF GOVERNMENT LOT 2, SECTION 30, TOWNSHIP 43 SOUTH, RANGE 26 EAST, TOGETHER WITH A RIGHT-OF-WAY FOR INGRESS AND EGRESS OVER THE SOUTH 15 FEET WESTERLY TO STATE ROAD 31.

DCI2021-00031 Lee County Plan Additional info dated 03-08-2022

EXHIBIT "B"

PERMITTED EXCEPTIONS

1. Matters that would be disclosed by an accurate survey.

2. Oil, gas and mineral reservations contained in that certain Warranty Deed, recorded in Deed Book 228, Page 214.

3. Fifteen Foot (15') Easement for Ingress and Egress along the South Boundary contained in that certain Warranty Deed, recorded in Official Records Book 1617, Page 1101 and in that certain General Warranty Deed, recorded in Instrument No. 2019000059529.

All recording references are to the Official Records of Lee County, Florida.

31 Oaks Residential Planned Development

Neighborhood Meeting Summary

Neal Communities of Southwest Florida, LLC, (Applicant) and their consultant team hosted a public information meeting at the Crossroads Baptist Church, 10721 Palm Beach Blvd., Fort Myers, FL 33905, at 5:30 p.m., on Thursday, December 9, 2021. The meeting was held for the Planned Development Amendment application. The meeting was noticed to property owners listed on Exhibit "A" attached, and the meeting notice was published in the News-Press on November 25, 2021. The Affidavit of Publication is attached as Exhibit "B".

The list of participants is attached as Exhibit "C" and demonstrates approximately 45 attendees were present at the meeting in addition to the consultant team.

Jeremy Frantz (Agent) and Timothy Oaks with Neal Communities of Southwest Florida, LLC. welcomed attendees, introduced the project, and, together with the Applicant and consultant team, presented a PowerPoint presentation attached as Exhibit "D".

The Applicant explained the proposed development will include 265 single-family and two-family dwelling units, with a maximum height of 35 feet. The Master Concept Plan was also displayed and proposed uses, access, preserves, and proposed deviations were also discussed. After the presentation the Applicant opened the floor for attendees to ask questions and make comments.

Comments raised from attendees included the following topics:

- Previous zoning approvals for the property.
- Access locations and the anticipated traffic impacts to Davis Blvd., and the intersection of SR 80, and SR 31.
- Whether new or additional stoplights would be installed.
- Whether the community would be gated or include a boat trailer parking area.
- Locations and sizes of buffers and setbacks.
- The public hearing schedule, and the Planned Development amendment process.

Attendees were provided contact information and it was noted that multiple opportunities for public input remained through the public hearing process.

Following the discussion and public comment, the Applicant thanked the attendees and provided contact information. The meeting was concluded at approximately 6:30 p.m.

Applicant response:

After concerns were raised by attendees regarding buffers along the property boundary, the Applicant has revised the MCP and proposed development standards to include a wall and landscaping along the property boundaries adjacent to the existing Fort Myers Shores residential community.

Exhibit A

OWNER NAME	CARE OF	ADDRESS1	ADDRESS2	CITY	STATE	COUNTRY	ZIP
BRANDENBURG PROP OF FL LLC +		1122 WILLOW ST STE 200		SAN JOSE	CA		95125
BRANDENBURG PROPERTIES OF FL		1122 WILLOW ST STE 200		SAN JOSE	CA		95125
JOHNS DANIEL F + BONNIE R		294 CHATTANOOGA DR		FORT MYERS	FL		33905
ZERO FIVE ZERO PROPERTIES LLP		8568 SUMNER AVE		FORT MYERS	FL		33908
STATE ROAD 80 COMMERCIAL LLC		9990 COCONUT RD STE 202		BONITA SPRINGS	FL		34135
MELTON AVIATION LLC		PO BOX 334		HEYWORTH	IL		61745
FOX FAMILY TRUST +		4871 DR MARTIN L KING JR BLVD		FORT MYERS	FL		33905
BABCOCK RANCH ROAD LLC		2277 MAIN ST		FORT MYERS	FL		33901
JOHNSON SAM TR		10811 HALFMOOM SHOAL RD #202		BONITA SPRINGS	FL		34135
JD MCINTOSH LOTS LLC		15280 TERRELL DR		ALVA	FL		33920
HIGHWAY 31 PROPERTY LLC		17121 WATERS EDGE CIR		NORTH FORT MYERS	FL		33917
JAMSCAG INVESTMENT LLC		8841 WEST TERRY ST		BONITA SPRINGS	FL		34135
TOWLE DOUGLAS P		435 BELLAVISTA WAY		SANIBEL	FL		33957
TOWLE DOUG		435 BELLAVISTA WAY		SANIBEL	FL		33957
WILSON ROI		2831 WEST RD		FORT MYERS	FL		33905
HADLEY JAMES C + SUSAN R		2825 WEST RD		FORT MYERS	FL		33905
HAIR BALL LLC		9381 E BAY HARBOR DR #303N		BAY HARBOR ISLANDS	FL		33154
FIDELITY FIRST HOLDINGS LLC TR		785 HIGH PINES DRIVE		NAPLES	FL		34103
MENA HUMBERTO		5861 SW 155TH CT		MIAMI	FL		33193
CORTEZ PABLO & MARIA		11141 LUCKETT ROAD EXT		FORT MYERS	FL		33905
HUISENGA DUSTIN IRWIN &		2725 WEST RD		FORT MYERS	FL		33905
HITZING DAWN		2719 WEST RD		FORT MYERS	FL		33905
TAYLOR KATHRYN		2937 MCGREGOR BLVD		FORT MYERS	FL		33901
WOZNICKI MARK J + KIMBERLY		4581 TRAWLER CT		FORT MYERS	FL		33919
COLELLA GLORIA MARIE		2701 WEST RD		FORT MYERS	FL		33905
SILVA ALVARINA DE LEMOS		424 LAKEBREEZE DR		NEWCASTLE	ON	CANADA	L1B 1R5
THOMAS WILLIE MAE L/E		2621 WEST RD		FORT MYERS	FL		33905
JAIKARAN GANGARAM & SAHODRA		2615 WEST RD		FORT MYERS	FL		33905
GIACINTI LETHA L L/E		2609 WEST RD		FORT MYERS	FL		33905
ADVANTA IRA SERVICES LLC		13191 STARKEY RD STE 9		LARGO	FL		33773
SMITH CLIFFORD R		12302 FOURTH ST		FORT MYERS	FL		33905
SCOTT IRMA		12304 FOURTH ST		FORT MYERS	FL		33905
MARINARO ANNMARIE +		12308 FOURTH ST		FORT MYERS	FL		33905
UNKNOWN HEIRS OF		PO BOX 50181		FORT MYERS	FL		33905
COATS ARNOLD H +		12320 FOURTH ST		FORT MYERS	FL		33905
NULL CRAIG A + DANIELLE L		12326 FOURTH ST		FORT MYERS	FL		33905
WILLIS RALPH A JR & BETTY C		12332 FOURTH ST		FORT MYERS	FL		33905
SMITH MELVIN J &		12340 FOURTH ST		FORT MYERS	FL		33905
BERKSHIRE SANDRA KAY		12350 FOURTH ST		FORT MYERS	FL		33905
FORT MYERS THREE ESTATES LLC		9858 SAGEASPEN LN		HOUSTON	TX		77089
EMMERT FRANK O		2219 RIVER PINE DR		FORT MYERS	FL		33905
EMMERT GEORGE R		2245 IRIS WAY		FORT MYERS	FL		33905

JOHNSON SAMUEL V	TORY COPELAND	15941 CINDY CT		FORT MYERS	FL		33908
GREENE GEOFFREY S + DONNA J		12374 FOURTH ST		FORT MYERS	FL		33905
CASCO JULIO DAVID RAUDALES		2515 DAVIS BLVD		FORT MYERS	FL		33905
DEBROCK ROBERT		2513 DAVIS BLVD		FORT MYERS	FL		33905
BELL JAMES M + KAREN J		PO BOX 51116		FORT MYERS	FL		33994
OTTLEY ANJALIQUE C +		2419 DAVIS BLVD		FORT MYERS	FL		33905
DONLON AUDREY M TR		2413 DAVIS BLVD		FORT MYERS	FL		33905
PLEITEZ GLADY A		2407 DAVIS BLVD		FORT MYERS	FL		33905
DICKINSON DAVID C		2401 DAVIS BLVD SE		FORT MYERS	FL		33905
JENKINS RONALD L		2325 DAVIS BLVD		FORT MYERS	FL		33905
SOLT TANYA A +		2319 DAVIS BLVD		FORT MYERS	FL		33905
SIMPSON CAREN J		2313 DAVIS BLVD		FORT MYERS	FL		33905
CAMPBELL RANDOLPH D &		2311 DAVIS BLVD		FORT MYERS	FL		33905
BUSCH LINDA G L/E		2307 DAVIS BLVD		FORT MYERS	FL		33905
BABNEW PAUL F		2301 DAVIS BLVD		FORT MYERS	FL		33905
AULENBACH KIM M		2259 DAVIS BLVD		FORT MYERS	FL		33905
UNKNOWN HEIRS OF		2253 DAVIS BLVD		FORT MYERS	FL		33905
LEE LOUISE ROSE		2241 DAVIS BLVD SE		FORT MYERS	FL		33905
HITZING LYNETTE L		12379 FOURTH ST		FORT MYERS	FL		33905
FOOF VENTURS LLC		2710 DEL PARDO BLVD S STE 2137		CAPE CORAL	FL		33904
HOWELL TRACEY		12367 FOURTH ST		FORT MYERS	FL		33905
BUSCH JOHN RUDELL &		12361 FOURTH ST		FORT MYERS	FL		33905
BLANCO CRUZ ROLANDO &		12355 FOURTH ST		FORT MYERS	FL		33905
BRUCE LISA-MARIE		12349 FOURTH ST		FORT MYERS	FL		33905
CASS MARK LUCAS		27051 HOLLY LN		BONITA SPRINGS	FL		34135
RUDD MARTHA		12337 FOURTH ST		FORT MYERS	FL		33905
HEBERT RICHARD +		12331 FOURTH ST		FORT MYERS	FL		33905
EFB I LLC		4585 PALM BEACH BLVD #50473		FORT MYERS	FL		33994
PADRON CARLOS A & SAMARA		12319 FOURTH ST		FORT MYERS	FL		33905
KOLSHAK MAKSYMILIAN JR		3616 HERITAGE LANE		FORT MYERS	FL		33908
URSEY CHRISTOPHER		12307 FOURTH ST		FORT MYERS	FL		33905
RAMOS CID EDGAR		3993 MANASSAS CT		FORT MYERS	FL		33905
CASTANEDA ISAIAS		172 CIRCLE DR		FORT MYERS	FL		33905
THOMAS A EVANS TRUST +		13794 RIVER FOREST DR		FORT MYERS	FL		33905
GOULD TAMIE P		12314 THIRD ST		FORT MYERS	FL		33905
VALENTIN DAVID + AMALIA		702 GORDON AVE N		LEHIGH ACRES	FL		33971
ACEVEDO FREDDIE M		12326 THIRD ST		FORT MYERS	FL		33905
KOLPANEN DONALD + JUDITH TR		2190 RIVER RD		FORT MYERS	FL		33905
VANFLEET JOHN R JR &		12338 THIRD ST		FORT MYERS	FL		33905
MOORE DONALD A &		12344 THIRD ST		FORT MYERS	FL		33905
BAKER JUDITH M		2 HILL ST		SOUTH EASTON	MA		2375
MARTIN CHARLES WEISS TR		PO BOX 158		FORT MYERS	FL		33902
GODWIN LINDA M		12374 THIRD ST		FORT MYERS	FL		33905

HINOJOSA-PEREZ FELIPE DE JESUS		12380 THIRD ST		FORT MYERS	FL		33905
GRE HOLDINGS LLC		PO BOX 61521		FORT MYERS	FL		33906
CINTRON SUSAN TR		12359 THIRD ST		FORT MYERS	FL		33905
LEBLANC GLADYS +		12353 THIRD ST		FORT MYERS	FL		33905
LIVELLA STACEY L		12347 THIRD ST		FORT MYERS	FL		33905
NULL LORETTA M		12337 THIRD ST		FORT MYERS	FL		33905
GAONA ELOY		12331 THIRD ST		FORT MYERS	FL		33905
JIRON ISAAC B		12325 THIRD ST		FORT MYERS	FL		33905
MEYER REED ALLEN		12319 THIRD ST		FORT MYERS	FL		33905
KERCKAERT ROBERT E L/E		12313 THIRD ST		FORT MYERS	FL		33905
HELTON CHERYL L		12302 SECOND ST		FORT MYERS	FL		33905
SULLIVAN-MAY SHERRI LEE		12308 SECOND ST		FORT MYERS	FL		33905
TURANO PETER F		12314 SECOND ST		FORT MYERS	FL		33905
FLOYD PATRICK D &		12320 SECOND ST		FORT MYERS	FL		33905
ROTH ERIC H		12206 FIRST ST		FORT MYERS	FL		33905
RIDGWAY AMY M		12220 FIRST ST		FORT MYERS	FL		33905
BOODOO DALE +		12228 FIRST ST		FORT MYERS	FL		33905
FORT MYERS SHORES OWNERS ASSN		PO BOX 50993		FORT MYERS	FL		33994
JOEL W HORNE TRUST		2720 LAKEVIEW DR		FORT MYERS	FL		33905
TURANO PETER +		12314 SECOND ST		FORT MYERS	FL		33905
BEEGLE LINDA L		12209 SECOND ST		FORT MYERS	FL		33905
LENGYEL JOSEPHINE V		12205 SECOND ST		FORT MYERS	FL		33905
JOSEPH SAMSON + KATHY		2806 WEST RD		FORT MYERS	FL		33905
BAILEY CHRISTOPHER		2810 WEST RD		FORT MYERS	FL		33905
MIDFIRST BANK	MCCALLA RAYMER	225 E ROBINSON STS TE 155		ORLANDO	FL		32801
POOLE HEATHER M		233 BACKWATER CT		NAPLES	FL		34119
BOOMGAARD PAUL GREGORY +		14174 CARIBBEAN BLVD		FORT MYERS	FL		33905
BLEY PATRICIA N		12226 PALM BEACH BLVD		FORT MYERS	FL		33905
UPPER ROOM CHURCH OF GOD OF FO		PO BOX 883		ALVA	FL		33920
HERNANDEZ WILFREDO		2632 DAVIS BLVD		FORT MYERS	FL		33905
RAGAN JAMES EARL		2638 DAVIS BLVD		FORT MYERS	FL		33905
RONCO LAWRENCE G + CARLA D		14600 DUKE HWY		ALVA	FL		33920
MCMULLEN THOMAS & JANICE		2611 PARKVIEW DR		FORT MYERS	FL		33905
NURNEY MICHAEL		4833 E RIVERSIDE DR		FORT MYERS	FL		33905
HEINKEL JOHN O +		2513 PARKVIEW DR SE		FORT MYERS	FL		33905
STARLING OLEN F		2507 PARKVIEW DR		FORT MYERS	FL		33905
MARTINEZ NELSON E		2505 PARKVIEW DR		FORT MYERS	FL		33905
HEGY MICHAEL COLIN		12501 FIFTH ST		FORT MYERS	FL		33905
GROSSENBAUGH DALE R + DIANE L		2254 DAVIS BLVD		FORT MYERS	FL		33905
FIDELITY FIRST HOLDINGS LLC TR		PO BOX 413005 # 115		NAPLES	FL		34101
RODRIGUEZ IRENE		2302 DAVIS BLVD		FORT MYERS	FL		33905
LIBERSHER LEONARD L/E		PO BOX 152025		CAPE CORAL	FL		33915
LEGRO CLAYTON EDWARD		136 SW 54TH ST		CAPE CORAL	FL		33914

MCKEITHAN JULIA		300 WINDSONG ROAD		WILMINGTON	NC		28411
SHEPARD ROBERT JR + CAROL		2404 DAVIS BLVD		FORT MYERS	FL		33905
COLEMAN FRANCES P		2406 DAVIS BLVD		FORT MYERS	FL		33905
FYR SFR BORROWER LLC	HAVENBROOK HOMES	3505 KOGER BLVD STE 400		DULUTH	GA		30096
SANDOVAL LUIS		15 GREGG PL		STATEN ISLAND	NY		10301
REIDELER LINDA L		2419 PARKVIEW DR		FORT MYERS	FL		33905
GOYANES ADRIAN IZAGUIRRE		2411 PARKVIEW DR		FORT MYERS	FL		33905
SANCHEZ YASMIN R		2407 PARKVIEW DR		FORT MYERS	FL		33905
SOLIS NORMA		2401 PARKVIEW DR		FORT MYERS	FL		33905
LUNA GUADALUPE GARCIA +		2323 PARKVIEW DR		FORT MYERS	FL		33905
SMITH ROBERTA A		2319 PARKVIEW DR		FORT MYERS	FL		33905
MABRY M LINDA +		183 EASY ST		ATHENS	GA		30601
GALIETTI JANICE A		2307 PARKVIEW DR		FORT MYERS	FL		33905
SKINNER KIMBERLY		2243 PARKVIEW DR		FORT MYERS	FL		33905
MCDANIEL ANDREW D + STACY E		2237 PARKVIEW DR		FORT MYERS	FL		33905
CONNELLY MICHAEL R + TERESA M		2231 PARKVIEW DR		FORT MYERS	FL		33905
KNECHT TIMOTHEE Y + PATSY J		2314 PARKVIEW DR		FORT MYERS	FL		33905
BRAMMER GRACE ANNE K		2219 PARKVIEW DR		FORT MYERS	FL		33905
BAUCOM CHRIS K		2207 SE PARKVIEW DR		FORT MYERS	FL		33905
JOHNSON ANNETTE TR		2201 PARKVIEW DR		FORT MYERS	FL		33905
CARULLI FRANK L/E		12315 DAVIS CT		FORT MYERS	FL		33905
WILLIAMS KEITH G		2226 DAVIS BLVD		FORT MYERS	FL		33905
CRATER JOSHUA		2232 DAVIS BLVD		FORT MYERS	FL		33905
CUMMINGS MICHAEL		949 ARTHUR ST		REGINA	SK	CANADA	S4T 4V6
BATES JAN B +		2240 DAVIS BLVD		FORT MYERS	FL		33905
CARRILLO-AVALOS PEDRO ANGEL &		12320 DAVIS CT		FORT MYERS	FL		33905
RUTLEDGE DANIEL L TR		12310 DAVIS CT		FORT MYERS	FL		33905
TORREZ JOSE A MARTE &		12300 DAVIS CT		FORT MYERS	FL		33905
PEPPERS CHARLES W		2132 DAVIS BLVD		FORT MYERS	FL		33905
NEY THEODORE K		15270 THORTON RD		FORT MYERS	FL		33908
DEAN KIMBERLEY		12480 BRANTLEY COMMONS CT		FORT MYERS	FL		33907
LEE COUNTY		PO BOX 398		FORT MYERS	FL		33902
TORRES COLON HIRAM +		2137 DAVIS BLVD		FORT MYERS	FL		33905
WICKERS DOROTHY		8403 SUTTER AVE		OZONE PARK	NY		11417
FAUGHN JAMES R + DEBRA R		2127 DAVIS BLVD		FORT MYERS	FL		33905
AUGUSTINE JOHN J JR		12230 DEMOYA DR		FORT MYERS	FL		33905
KOLLING JEAN A +		2256 ISLE OF PINES AVE		FORT MYERS	FL		33905
SAUNDERS SAMUEL S TR		1694 LAKEVIEW TER		NORTH FORT MYERS	FL		33903
DO ROSELYN LE		2244 ISLE OF PINES AVE		FORT MYERS	FL		33905
WEATHERS DONALD		2243 ISLE OF PINES AVE		FORT MYERS	FL		33905
THIEL THOMAS + BONNIE		2245 ISLE OF PINES AVE		FORT MYERS	FL		33905
CARLIN DAVID L & LINDA L +		2249 ISLE OF PINES AVE		FORT MYERS	FL		33905
CARLIN DAVID L & LINDA L		PO BOX 157		LANDENBERG	PA		19350

PICCA FRANCO		2253 ISLE OF PINES AVE		FORT MYERS	FL		33905
SCARPELLI MARK		2256 HAVANA AVE		FORT MYERS	FL		33905
CHAVIANO CELESTINO + IRMA		6650 SW 80TH AVE		MIAMI	FL		33143
KAMPF MARK R		29 WOODY ISLAND RD		HOPKINTON	MA		1748
HEATH GARY D & MARY H L/E		2253 HAVANA AVE		FORT MYERS	FL		33905
FLEISCHHACKER MARTIN B &		2600 DELAWARE AVENUE		SUNFISH LAKE	MN		55118
JOHNSON SAMUEL V	TORY COPELAND	2134 ANDREA LN STE D		FORT MYERS	FL		33912
DOAN 2 LLC	DEAN D DOAN	11252 THURSTON CHASE		FORT MYERS	FL		33913
HARRIS PAUL N		12213 DE MOYA DR		FORT MYERS	FL		33905
DRAPAL CYNTHIA		12207 DEMOYA DR SE		FORT MYERS	FL		33905
MILLER CAROLYN P		12201 DE MOYA DR		FORT MYERS	FL		33905
HART MARY ANN +		12133 DE MOYA DR		FORT MYERS	FL		33905
WICKERS DOROTHY C		8403 SUTTER AVE		OZONE PARK	NY		11417
JOHNSON GLENN + LINDA		304 SOMERTON CT		HENDERSONVILLE	NC		28791
LEMANSKI CYNTHIA M		7608 W LAWRENCE AVE		HARWOOD HEIGHTS	IL		60706
VAN KEVIN MINH		11057 RIVER TRENT CT		LEHIGH ACRES	FL		33971
SBARRO FRANK & SANDY		2230 SANTIAGO AVE		FORT MYERS	FL		33905
CAIN CLARA C		13250 PINTO LN		FORT MYERS	FL		33912
ZIMMER PAUL A JR & SHEILA M		N5490 N WILSON LAKE RD		WILD ROSE	WI		54984
BAUMLER JAY		2213 HAVANA AVE		FORT MYERS	FL		33905
PRESTON CHARLES R &		2231 SANTIAGO AV		FORT MYERS	FL		33905
MALONEY JAMES JR &		2235 SANTIAGO AVE		FORT MYERS	FL		33905
SORBI RANDALL J		28 CANAL ST		SOUTH HADLEY	MA		1075
TICE TRADING POST INC TR		PO BOX 50488		FORT MYERS	FL		33994
KERNS CHARLENE MACHELLE		12341 THIRD ST		FORT MYERS	FL		33905
JORDAN MISTY		2405 PARKVIEW DR		FORT MYERS	FL		33905
HORTA REYNOL ALMEIDA +		12236 FIRST ST		FORT MYERS	FL		33905
MESCHKE SHELLY KAY		2303 PARKVIEW DR		FORT MYERS	FL		33905
ZIELINSKI ROBERT A +		12113 DE MOYA DR		FORT MYERS	FL		33905
MEYERS JUDY R		12113 DE MOYA DR		FORT MYERS	FL		33905
JAMA PROPERTIES LLC		13612 PINE VILLA LN		FORT MYERS	FL		33912
MILLER ROBERT L + JOYCE E		2123 DAVIS BLVD		FORT MYERS	FL		33905
AM & GW LLC		8841 W TERRY ST		BONITA SPRINGS	FL		34135
GREAT AMERICAN SELF STORAGE OF		3950 AIRPORT CENTER		PALM SPRINGS	CA		92264
RACETRAC PETROLEUM INC	SILVER OAK ADVISORS	PO BOX 2437		SMYRNA	GA		30081
DIMURO DAVID ELIJAH		2244 HAVANA AVE		FORT MYERS	FL		33905
FREDRICKSON FRED E &		12231 DE MOYA DR		FORT MYERS	FL		33905

Exhibit B

0005016230 / FNP-0000002582

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

Attn:
WALDROP ENGINEERING
28100 BONITA GRANDE DR
BONITA SPRINGS, FL 34135

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

Legal Notices

In the Twentieth Judicial Circuit Court was published in said newspaper editions dated:

11/25/2021

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

Sworn to and Subscribed before me this 10th of December 2021.

Amy Kalliott
Legal Clerk

Notary Public State of Wisconsin County of Brown

7/27/25
My commission expires

# of Affidavits: 1
This is not an invoice

SARAH BERTELSEN
Notary Public
State of Wisconsin

NOTICE OF PUBLIC INFORMATION MEETING

DATE: Thursday, December 9, 2021
TIME: 5:30 PM
ADDRESS: Crossroads Baptist Church, 10721 Palm Beach Blvd., Fort Myers, FL 33905

In accordance with the Caloosahatchee Shores Planning Community requirements of the Lee County Land Development Code, the Applicant, Neal Communities, will be presenting information to the public on the following request:

A request to rezone 88 +/- acres from AG-2 and Marina Del Lago Residential Planned Development (RPD) zoning districts to RPD to allow for the development of a residential community with 265 dwelling units, private, on-site recreational amenities, wetland preserves, and supportive infrastructure. The property is within the Caloosahatchee Shores Planning Community on the east side of SR 31 and approximately ¼ mile north of Palm Beach Parkway, in unincorporated Lee County, Florida.

The purpose of the meeting is to educate community members and nearby landowners about the proposed development and to address any questions.
For questions please contact:
Waldrop Engineering, LLC. c/o Jeremy Frantz
28100 Bonita Grande Drive, Suite 305, Bonita Springs, FL 34135
(239) 319-0026 OR Jeremy.Frantz@waldropengineering.com
AD#5016230 Nov. 25,2021

Exhibit C

31 OAKS RESIDENTIAL PLANNED DEVELOPMENT (PDA)
PUBLIC INFORMATION MEETING

DECEMBER 9, 2021 – 5:30 p.m.

Name	Address	E-Mail Address (PLEASE PRINT CLEARLY)
Sherry & Fred Fredrickson	12231 DeMoya Dr	TheFredricksons2204@gmail.com
Terry Short	2207 Santiago	Vongraph@comcast.net
Isaac Jiron	12325 3rd St Apt 33905	Isaacj76@hotmail.com
Eric Lietz	8568 Sumner Ave Ft Myers FL 33908	ZERO.FIVE.ZERO@HOTMAIL.COM
Tom Thiel	2245 Isle of Pines	TOOLTIME4555@YAHOO.COM
Karen I. Bell & Jim Bell	250 Davis Blvd	N/A
Betty Willis	12332 4th St	C-ash_betty@mail.com
Jim Faughn	2127 Davis Blvd	JFAUGHN@SOCKET.NET

31 OAKS RESIDENTIAL PLANNED DEVELOPMENT (PDA)
PUBLIC INFORMATION MEETING

DECEMBER 9, 2021 – 5:30 p.m.

Name	Address	E-Mail Address (PLEASE PRINT CLEARLY)
Darla McIntosh	15280 Terrell Dr Alva, FL 33920	info@DarlaMcIntosh.com
MARTY FLEISCHHACKER	2255 HAVANA AVE, 33905 Fort Myers FL	MARTIN.FLEISCHHACKER@STATE.MN.US
GARY FALCK	2201 HAVANA AVE FORT MYERS	G.FALCK@COMCAST.NET
Paul Thomas	2226 Havana Fort Myers 33905	Paul@flatrockbagging.com
FRANK & SANDY BARRO	2230 SANTIAGO AVE	SDRDIRT(A)AOL.COM
Robert Rewis	18361 Durrance Rd. N.Ft. Myers FL 33917	Rewis81M@Hotmail.com
SANDI CRAWFORD	2189 River Rd Ft. Myers 33905	sandi21140@gmail.com
Kerri Santos	2193 Santiago Ave Fort Myers, FL 33905	Kerris1119@gmail.com

31 OAKS RESIDENTIAL PLANNED DEVELOPMENT (PDA)
PUBLIC INFORMATION MEETING

DECEMBER 9, 2021 – 5:30 p.m.

Name	Address	E-Mail Address (PLEASE PRINT CLEARLY)
Mary Heath	2253 Havana Ave	MareKat@comcast.net
Anthique Ottley	2419 Davis Blvd	JAHLIQUE@ELITEPARAMEDICAL.COM
Gale Smith	12340 Fourth St	mrsjaybings@gmail.com

31 OAKS RESIDENTIAL PLANNED DEVELOPMENT (PDA)
PUBLIC INFORMATION MEETING

DECEMBER 9, 2021 – 5:30 p.m.

Name	Address	E-Mail Address (PLEASE PRINT CLEARLY)
KYLE MOORE	2836 DAVIS BLVD	SCUBAMO@COMCAST.NET
Mark Bonnie Chase	2209 Havana Ave Fm 33905	bonniechaserealtor@gmail.com
Brandon Mayer	16991 state Rd 31	Bmayer14@Yahoo.com
Marc Murray	16500 st Rd 31	Marcjs@Yahoo.com
Bob DeBrock	2513 Davis Blvd.	bobf15679am@Yahoo.com
Kelly J Fisher	2197 RIVER RD	KJFISHE6@GMAIL.COM.
W.L. WATSON	2238 ISLE OF JONES AVE FORT MYERS 33905	SIZZNER2@GMAIL.COM

31 OAKS RESIDENTIAL PLANNED DEVELOPMENT (PDA)
PUBLIC INFORMATION MEETING

DECEMBER 9, 2021 – 5:30 p.m.

Name	Address	E-Mail Address (PLEASE PRINT CLEARLY)
Gary & Mary Heath	2253 Havana Ave	heathus@comcast.net
Dennis+Maureen Schmeichel	2220 Havana Ave	DMSchmeichel@gmail.com
Melissa Giustina	River Road	
Patricia Yonkman	2224 Havana Ave	irish121@comcast.net
Tammy Van Olden	2201 Havana Ave	TVanOlden@Comcast.net
Greg & Tammie Hull	2208 Havana Ave.	dolphintimes@yahoo.com
Jay + Brenda Baumler	2213 Havana Ave	jaycypraea@aol.com
James Simpson	2313 Davis Blvd	jamesdaysimpson@gmail.com

31 OAKS RESIDENTIAL PLANNED DEVELOPMENT (PDA)
PUBLIC INFORMATION MEETING

DECEMBER 9, 2021 – 5:30 p.m.

Name	Address	E-Mail Address (PLEASE PRINT CLEARLY)
Don Weathers	2243 Isle of Pines Ave Ft Myers FL 33905	DonaldWeathers68@gmail.com
Anne Brammer	2219 Parkview dr	
Sandra Berkshire	12350 4th St Ftmyers 33905	SKBPPL@yahoo.com

31 OAKS RPD – PD AMENDMENT

PUBLIC INFORMATION MEETING – DECEMBER 9, 2021

DCI2021-00051 Lee County ePlan
Additional info dated 03-08-2022

WELCOME & INTRODUCTIONS

- Dan Ciesielski & Timothy Oak – Neal Communities of Southwest Florida
- Steve Hartsell – Pavese Law Firm
- Jeremy Frantz – Waldrop Engineering
- Jim Ink – Waldrop Engineering
- Bethany Brosious – Passarella & Associates

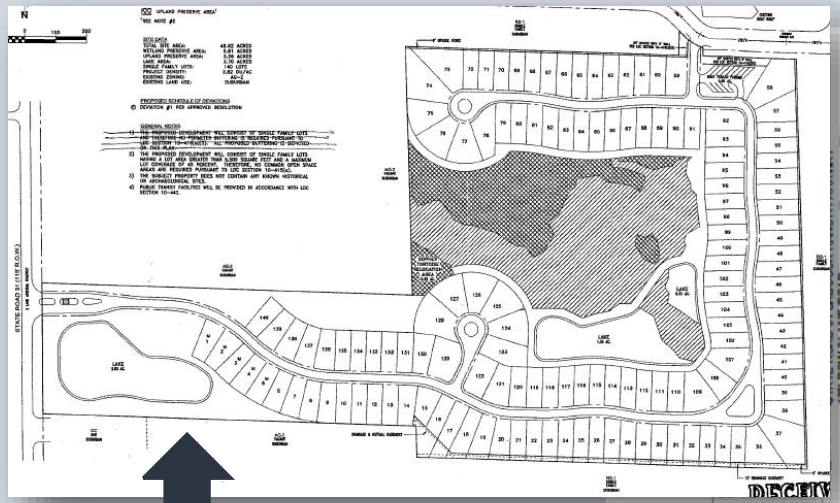
NEAL COMMUNITIES

- Award-winning developer of high-quality communities throughout Southwest Florida since 1970.
- 50+ Successful Communities
- Local developments:
  - Verandah
  - Estero Place
  - Tide Marsh

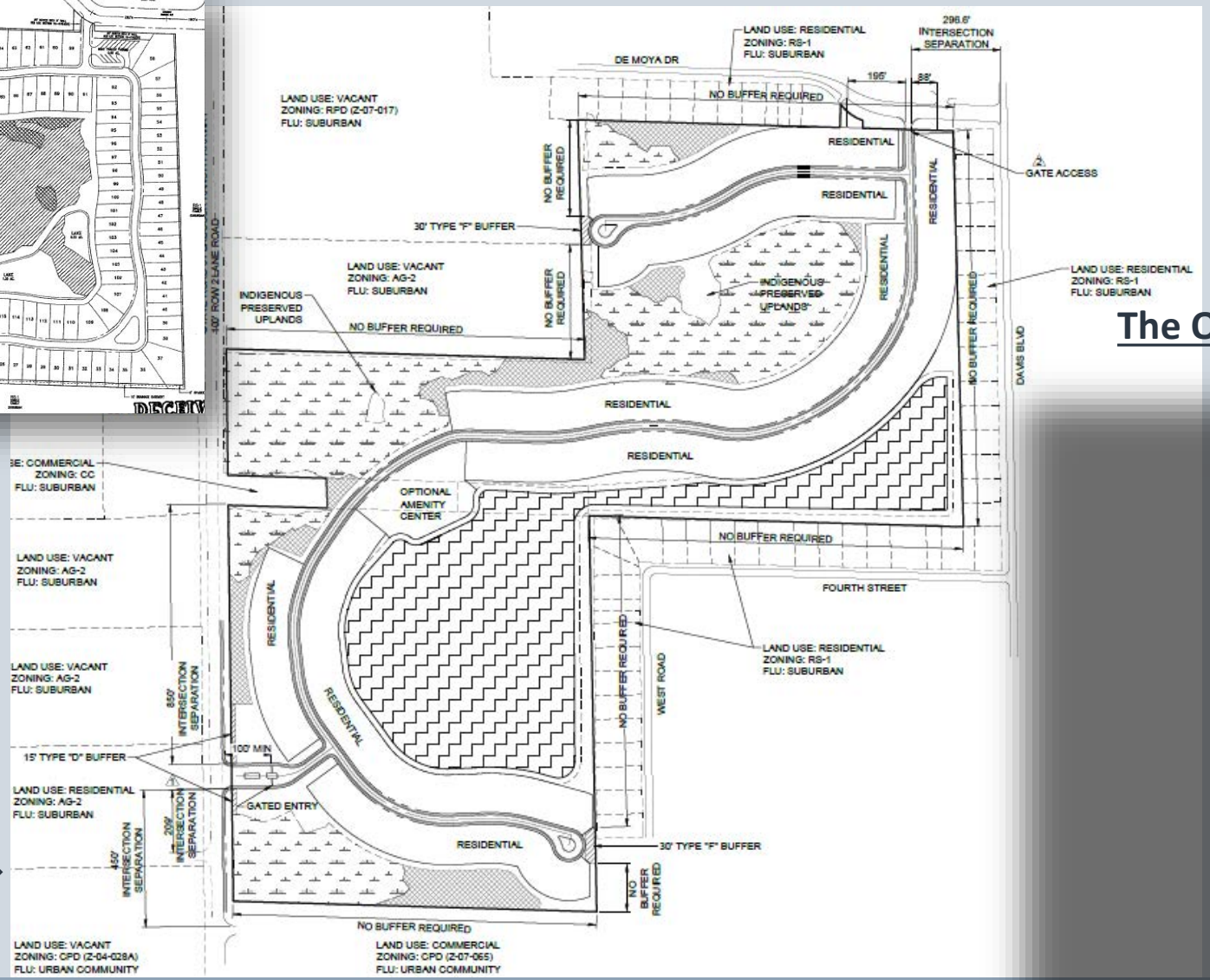
PROPERTY OVERVIEW

- *Total size = 88.3 ac*
- **Marina Del Lago RPD (49.62 ac)**
  - Currently approved for:
    - 140 Residential Dwelling Units
    - Maximum height of 35 feet (two stories)
    - Boat trailer parking
- **AG Parcels (38.68 ac)**
  - Agricultural (AG-2)
- Current Access from State Road 31 and De Moya Drive
- Within Caloosahatchee Shores Planning Community

ENHANCEMENTS OVER PAST PROPOSALS



Marina Del Lago RPD

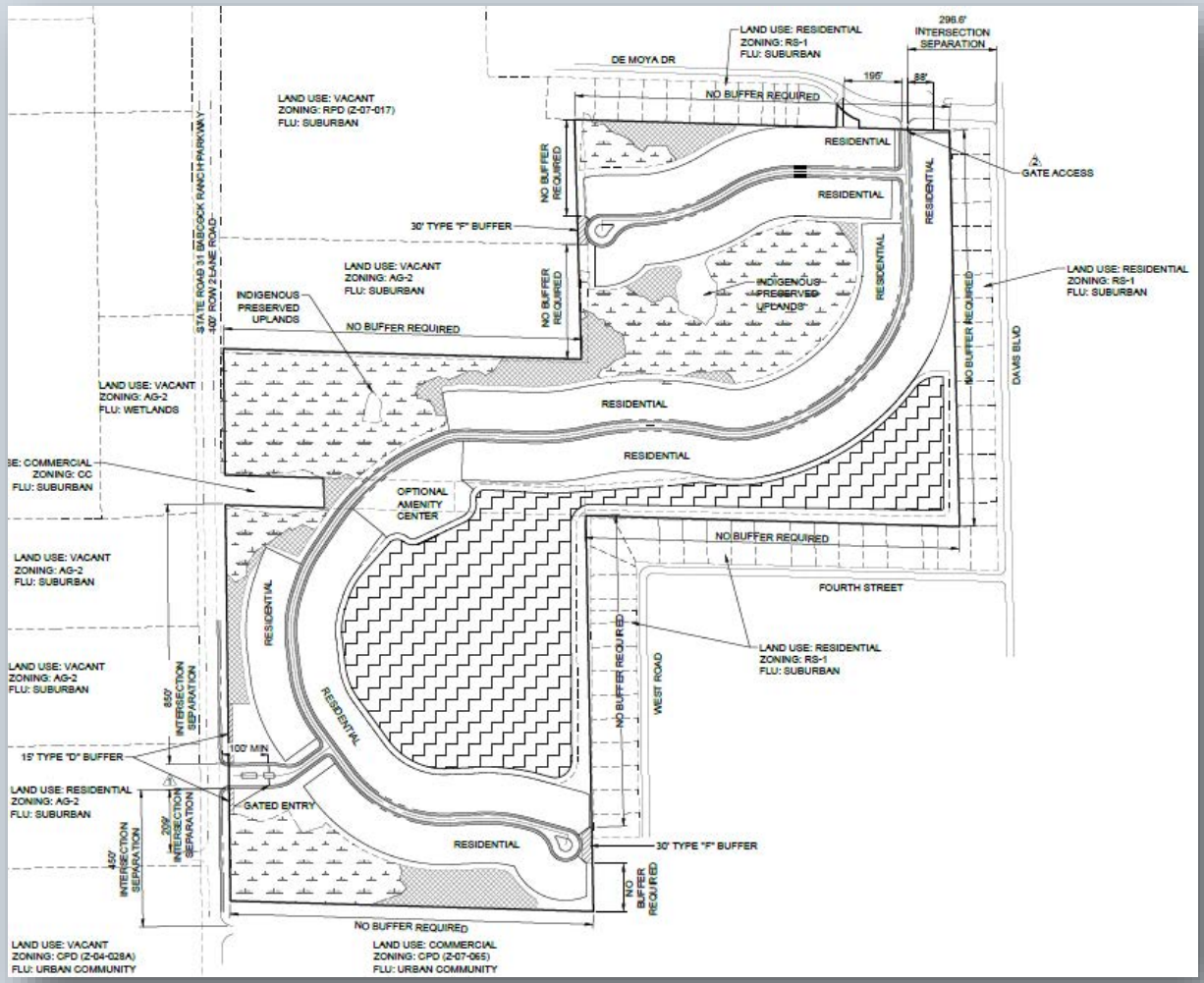


The Oaks at Twin Lakes MPD

PROPOSED
31 OAKS RPD

PUD AMENDMENT OVERVIEW

- ***No change to 35-feet height***
- ***No commercial uses proposed***
- ***No multi-family proposed***
- Adding 38.68 acres
- Reorienting development areas and access points to minimize wetland impacts
- Maximum 265 dwelling units (3 units/acre)
- Deviations related to entrance locations/design only
- No significant impacts to public roads Levels of Service



NEXT STEPS

1. Submit Application
2. **Public Information Meeting (tonight)**
3. Complete Staff Reviews
4. Public Hearings:
   I. One (1) Hearing Examiner Hearing
   II. One (1) Board of County Commissioners Hearing

Community Development

APPLICATION FOR PLANNED DEVELOPMENT PUBLIC HEARING UNINCORPORATED AREAS ONLY

Project Name:

Request: Rezone from: To:

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

Bonus Density included? ☐ NO ☐ YES[1] for: Bonus Units
[1] *If YES, submit additional fee required by LDC 2-147(A)(3)*

Summary of Project:

PART 1
APPLICANT/AGENT INFORMATION

A. **Name of Applicant:**
Address:
City, State, Zip:
Phone Number:
E-mail Address:

B. **Relationship of Applicant to owner (check one) and provide Affidavit of Authorization form:**
☐ Applicant is the sole owner of the property. **[34-201(a)(1)a.1.]**
☐ Applicant has been authorized by the owner(s) to represent them for this action. **[34-202(a)(3)]**
☐ Application is County initiated. Attach BOCC authorization.

C. **Authorized Agent: (If different than applicant) Name of the person who is to receive all County-initiated correspondence regarding this application. [34-202(a)(4)]**
1. Company Name:
Contact Person:
Address:
City, State, Zip:
Phone Number: Email:
2. **Additional Agent(s):** Provide the names of other agents that the County may contact concerning this application. **[34-202(a)(4)]**

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

QUESTIONS

Jeremy.Frantz@waldropengineering.com

(239) 319-0026

DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

TR TRANSPORTATION CONSULTANTS, INC

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

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

February 14, 2022

Mr. Jeremy Frantz, AICP
RVi Planning
28100 Bonita Grande Drive, Suite 305
Bonita Springs, FL 34135

RE: 31 Oaks RPD
DCI2021-00051

Dear Mr. Frantz:

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

LC T.I.S. Application Sufficiency Checklist:

3. *The information of intersection LOS analysis for SR 31/SR 80 (within one quarter of a mile) and the project's driveway on De Moya Drive shall be provided for review.*

Acknowledged. Intersection analysis was conducted at the requested intersections. Note, the intersection analysis at the SR 31 intersection with the proposed site access drive was also revised per Comment No. 4 below. Based upon the results of the capacity analysis all intersections were shown to operate at acceptable Level of Service in 2025 AM and PM peak hour conditions both with and without the proposed development traffic added to the intersections. See attached *SYNCHRO*© summary sheets.

4. *The project's trip distribution on SR 80 seems unreasonable with the percentage on the east side of SR 31 being high and west side of SR 31 being low. A revision is necessary.*

Acknowledged. See attached ***Tables 1A and 2A*** as well as ***Figures 2 and 3***, which were also revised based on this comment.

DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

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

Sincerely,

Yury Bykau, P.E.
Transportation Consultant

Attachments

TABLES 1A & 2A

DCI2021-00051 Lee County ePlan

Additional info dated 03-08-2022

TABLE 1A
PEAK DIRECTION PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES
31 OAKS RPD

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 181 VPH IN= 47 OUT= 134

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 248 VPH IN= 156 OUT= 92

ROADWAY	SEGMENT	ROADWAY CLASS	LOS A VOLUME	LOS B VOLUME	LOS C VOLUME	LOS D VOLUME	LOS E VOLUME	PERCENT PROJECT TRAFFIC	PROJECT TRAFFIC	PROJ/ LOS C
SR 31	N. of Site	2LN	0	0	830	880	880	15%	23	2.8%
	S. of Site	2LN	0	0	830	880	880	50%	78	9.4%
SR 80	E. of Davis Blvd	4LD	0	0	2,005	2,100	2,100	20%	31	1.6%
	W. of SR 31	6LD	0	0	3,087	3,171	3,171	60%	94	3.0%

* Level of Service thresholds were obtained from the FDOT's Generalized Peak Hour Directional Service Volumes for Florida's Urbanized Areas, Table 7.

Note: Remaining 5% of project traffic was assigned to/from The Shops at Verandah.

DCI2021-00051 Lee County ePlan

Additional info dated 03-08-2022

TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
31 OAKS RPD

TOTAL PROJECT TRAFFIC AM = 181 VPH IN = 47 OUT= 134

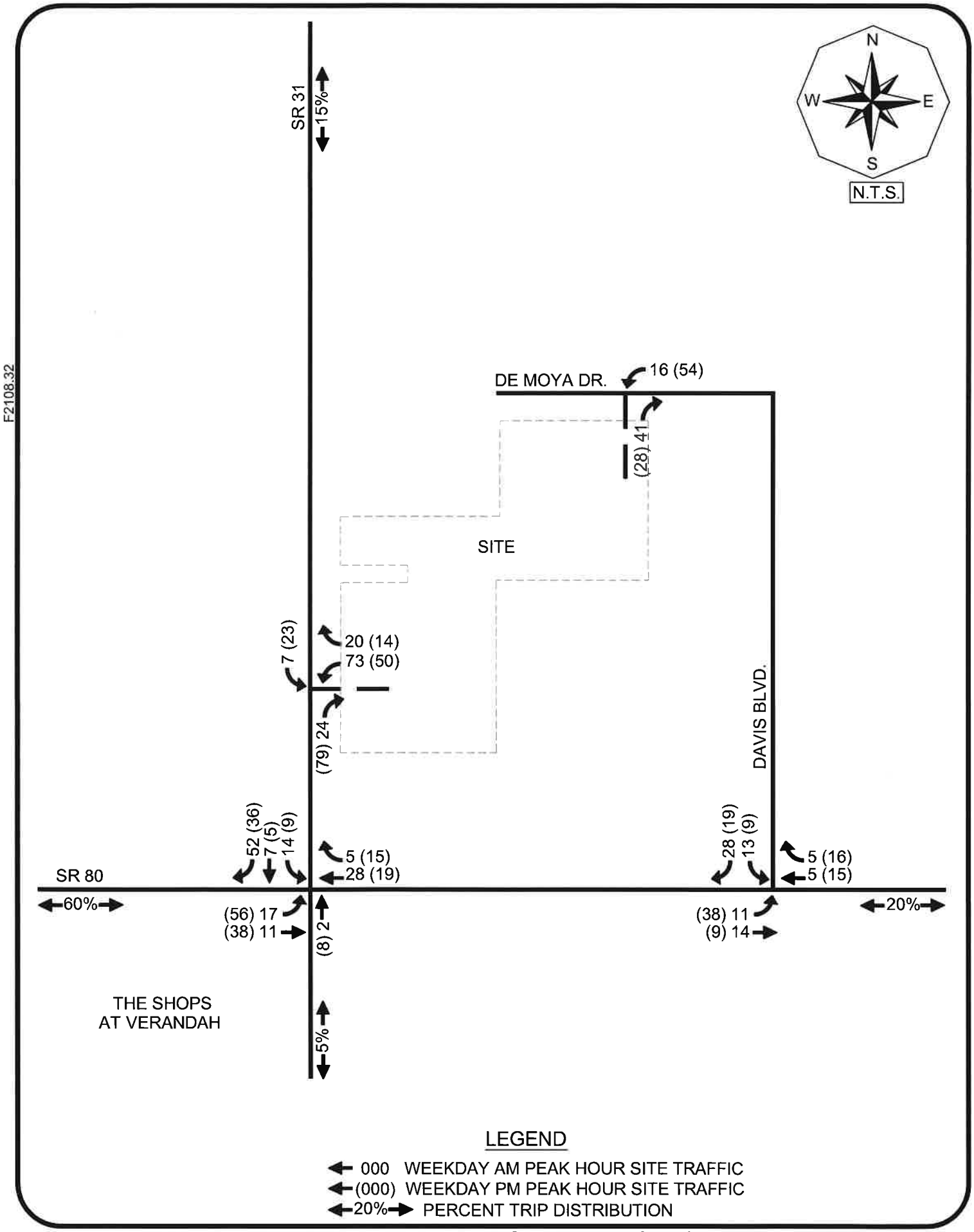
TOTAL PROJECT TRAFFIC PM = 248 VPH IN= 156 OUT= 92

ROADWAY	SEGMENT	STA #	BASE YR ADT	LATEST ADT	YRS OF GROWTH	ANNUAL RATE	2019 PK HR PK SEASON PEAK DIR.[1]	2025 PK HR PK SEASON PEAK DIRECTION VOLUME	LOS	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2025 BCKGRND + AM PROJ VOLUME	LOS	2025 BCKGRND + PM PROJ VOLUME	LOS
SR 31	N. of Site	120030	10,500	13,800	15	2.00%	643	724	C	15%	20	23	744	C	748	C
	S. of Site	120030	10,500	13,800	15	2.00%	643	724	C	50%	67	78	791	C	802	C
SR 80	E. of Davis Blvd	120085	31,500	36,500	15	2.00%	1,774	1,998	C	20%	27	31	2,025	D	2,029	D
	W. of SR 31	126005	26,004	33,500	12	2.13%	1,701	1,931	C	60%	80	94	2,011	C	2,024	C

1 Current peak hour peak season peak direction traffic volumes for all roadways were obtained from the 2020 Lee County Public Facilities Level of Service and Concurrency Report.

2 Historic traffic volumes were obtained from Florida Traffic Online.

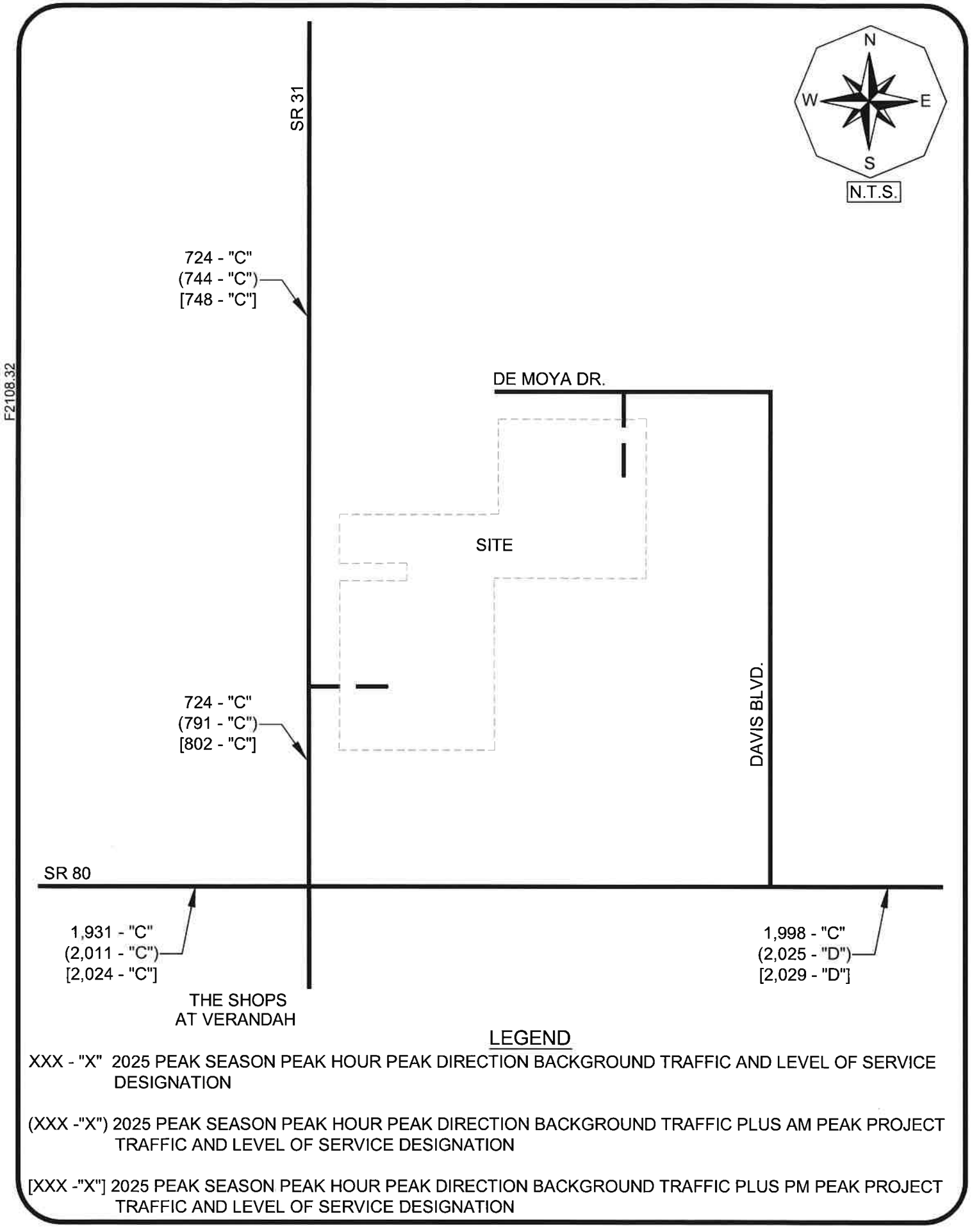
FIGURES 2 & 3



TRANSPORTATION CONSULTANTS, INC

TRIP DISTRIBUTION & SITE TRAFFIC ASSIGNMENT 31 OAKS RPD

Figure 2



LEGEND

XXX - "X" 2025 PEAK SEASON PEAK HOUR PEAK DIRECTION BACKGROUND TRAFFIC AND LEVEL OF SERVICE DESIGNATION

(XXX -"X") 2025 PEAK SEASON PEAK HOUR PEAK DIRECTION BACKGROUND TRAFFIC PLUS AM PEAK PROJECT TRAFFIC AND LEVEL OF SERVICE DESIGNATION

[XXX -"X"] 2025 PEAK SEASON PEAK HOUR PEAK DIRECTION BACKGROUND TRAFFIC PLUS PM PEAK PROJECT TRAFFIC AND LEVEL OF SERVICE DESIGNATION

TR TRANSPORTATION CONSULTANTS, INC

2025 LEVEL OF SERVICE ANALYSIS
31 OAKS RPD

Figure 3

DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

TRAFFIC COUNTS

SR 80 @ SR 31

SR 80 @ SR 31 2-1-22 AM

File Name: SR 80 @ SR 31 2-1-22 AM
Location:

Site Code:
Study Date: 02/01/2022

Cars and Peds

	SR 31 Southbound						SR 80 Westbound						Shoppes At Veranda Northbound						SR 80 Eastbound						
Time	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Int Total
07:00		51	3	39	0	93		31	279	6	0	316		5	5	9	0	19		7	132	48	0	187	615
07:15		67	3	67	0	137		33	296	5	0	334		3	4	8	0	15		15	89	34	0	138	624
07:30		61	6	47	0	114		25	296	13	0	334		11	5	9	0	25		6	161	40	1	208	681
07:45		66	7	59	0	132		50	266	13	0	329		12	4	19	0	35		9	162	43	0	214	710
Total	0	245	19	212	0	476	0	139	1137	37	0	1313	0	31	18	45	0	94	0	37	544	165	1	747	2630
08:00		58	6	50	0	114		48	268	16	0	332		10	4	17	0	31		9	148	40	0	197	674
08:15		70	7	52	0	129		51	238	5	0	294		17	5	9	0	31		13	153	58	0	224	678
08:30		43	8	58	0	109		43	227	21	0	291		10	4	17	0	31		7	134	58	3	202	633
08:45		49	12	47	0	108		50	230	26	0	306		6	11	8	0	25		8	138	58	0	204	643
Total	0	220	33	207	0	460	0	192	963	68	0	1223	0	43	24	51	0	118	0	37	573	214	3	827	2628
Grand Total	0	465	52	419	0	936	0	331	2100	105	0	2536	0	74	42	96	0	212	0	74	1117	379	4	1574	5258
Appr %		49.7	5.6	44.8	0			13.1	82.8	4.1	0			34.9	19.8	45.3	0			4.7	71	24.1	0.3		
Total %		8.8	1	8	0			6.3	39.9	2	0			1.4	0.8	1.8	0			1.4	21.2	7.2	0.1		
AM Pk Hr		07:30	07:30	07:30	07:30	07:30		07:30	07:30	07:30	07:30	07:30		07:30	07:30	07:30	07:30	07:30		07:30	07:30	07:30	07:30	07:30	07:30
AM Pk Vol		255	26	208	0	489		174	1068	47	0	1289		50	18	54	0	122		37	624	181	1	843	2743
AM PHF		0.911	0.929	0.881	NaN	0.926		0.853	0.902	0.734	NaN	0.965		0.735	0.900	0.711	NaN	0.871		0.712	0.963	0.780	0.250	0.941	0.966

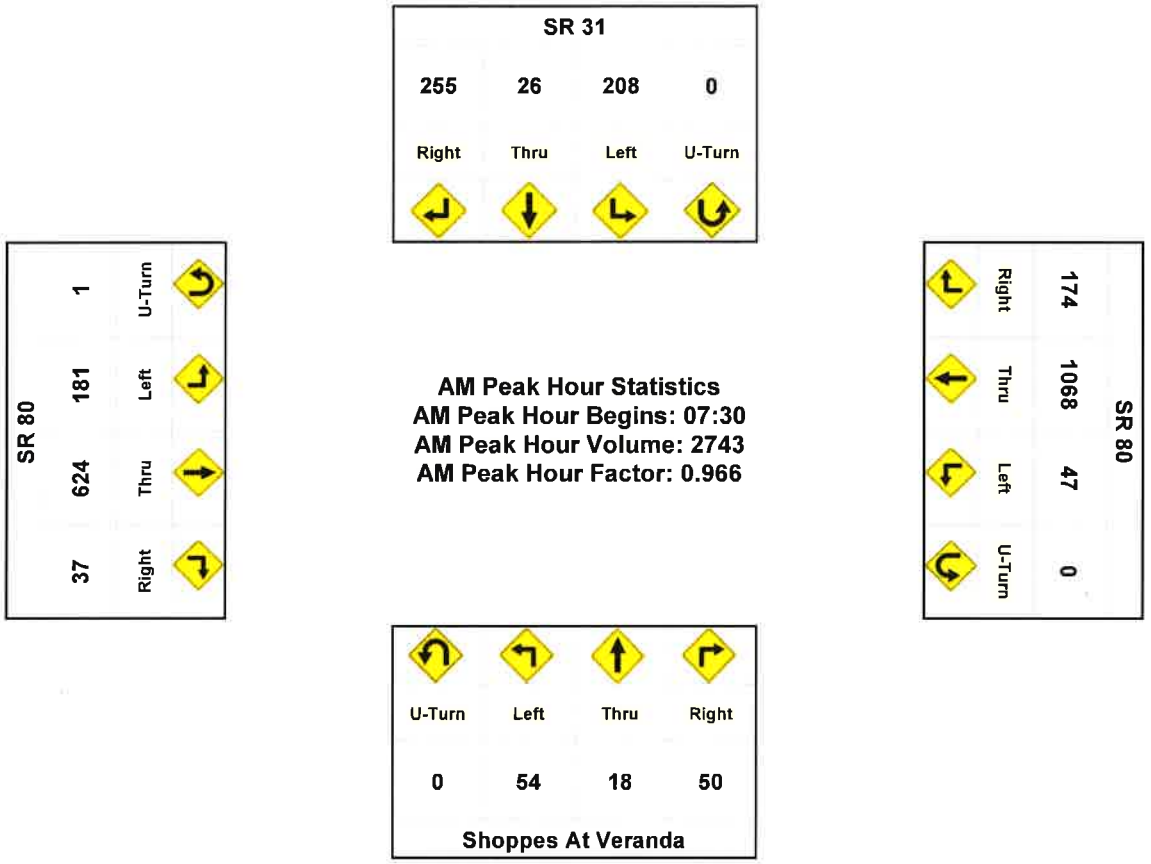
DCI2021-00051 Lee County ePlan
Additional info dated 03-08-2022

SR 80 @ SR 31 2-1-22 AM

File Name: SR 80 @ SR 31 2-1-22 AM
Location:

All Vehicles

Site Code:
Study Date: 02/01/2022



CountingCars.com

DCI2021-00051 Lee County ePlan
Additional info dated 03-08-2022

SR 80 @ SR 31 2-1-22 PM

File Name: SR 80 @ SR 31 2-1-22 PM
Location:

Site Code:
Study Date: 02/01/2022

Cars and Peds

	SR 31 Southbound						SR 80 Westbound						Shoppes At Veranda Northbound						SR 80 Eastbound						
Time	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Int Total
16:00		39	15	70	0	124		58	188	18	0	264		31	21	32	0	84		14	231	51	5	301	773
16:15		54	18	81	0	153		39	191	18	0	248		32	11	25	0	68		17	238	71	1	327	796
16:30		41	9	73	0	123		43	181	21	0	245		19	20	29	0	68		16	253	82	1	352	788
16:45		39	8	68	0	115		52	172	26	0	250		41	14	18	0	73		16	262	84	0	362	800
Total	0	173	50	292	0	515	0	192	732	83	0	1007	0	123	66	104	0	293	0	63	984	288	7	1342	3157
17:00		48	16	60	0	124		51	166	35	0	252		32	23	31	0	86		16	276	80	2	374	836
17:15		44	8	81	0	133		48	165	28	0	241		35	26	33	0	94		13	295	67	1	376	844
17:30		29	11	72	0	112		51	163	23	0	237		28	32	31	1	92		15	265	89	1	370	811
17:45		42	14	70	0	126		51	158	28	1	238		31	17	28	0	76		19	279	74	0	372	812
Total	0	163	49	283	0	495	0	201	652	114	1	968	0	126	98	123	1	348	0	63	1115	310	4	1492	3303
Grand Total	0	336	99	575	0	1010	0	393	1384	197	1	1975	0	249	164	227	1	641	0	126	2099	598	11	2834	6460
Appr %		33.3	9.8	56.9	0			19.9	70.1	10	0.1			38.8	25.6	35.4	0.2			4.4	74.1	21.1	0.4		
Total %		5.2	1.5	8.9	0			6.1	21.4	3	0			3.9	2.5	3.5	0			2	32.5	9.3	0.2		
PM Pk Hr		17:00	17:00	17:00	17:00	17:00		17:00	17:00	17:00	17:00	17:00		17:00	17:00	17:00	17:00	17:00		17:00	17:00	17:00	17:00	17:00	17:00
PM Pk Vol		163	49	283	0	495		201	652	114	1	968		126	98	123	1	348		63	1115	310	4	1492	3303
PM PHF		0.849	0.766	0.873	NaN	0.930		0.985	0.982	0.814	0.250	0.960		0.900	0.766	0.932	0.250	0.926		0.829	0.945	0.871	0.500	0.992	0.978

CountingCars.com

DCI2021-00051 Lee County ePlan
Additional info dated 03-08-2022

SR 80 @ SR 31 2-1-22 PM

File Name: SR 80 @ SR 31 2-1-22 PM
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All Vehicles

Site Code:
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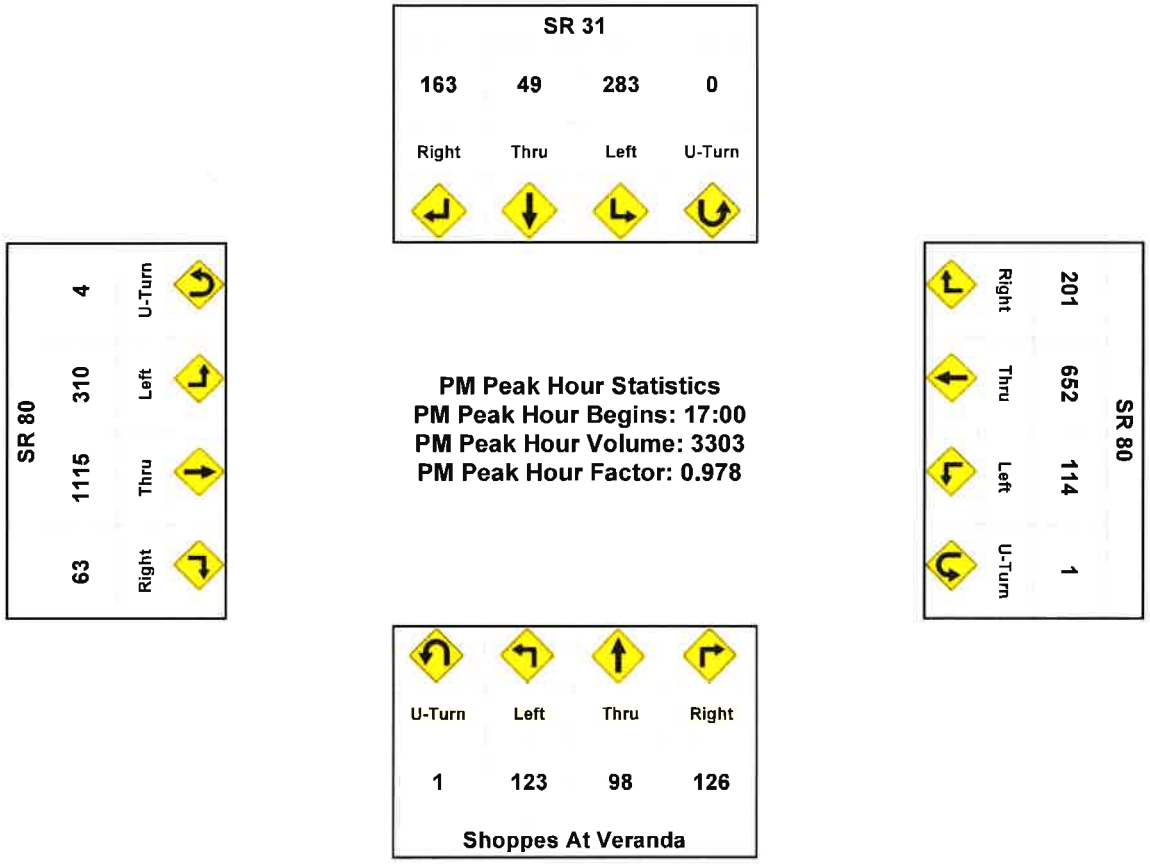


CountingCars.com

DCI2021-00051 Lee County ePlan
Additional info dated 03-08-2022

DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

TRAFFIC COUNTS

DE MOYA DRIVE

De Mayo Dr @ Davis Blvd 2-1-22 AM

File Name: De Mayo Dr @ Davis Blvd 2-1-22 AM
Location:

Cars and Peds

Site Code:
Study Date: 02/01/2022

	Southbound						De Mayo Dr Westbound						Northbound						De Mayo Dr Eastbound						
Time	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Int Total
07:00						0		0	0	0		0						0		0	5	0		5	5
07:15						0		0	0	0		0						0		0	2	0		2	2
07:30						0		0	4	0		4						0		0	6	0		6	10
07:45						0		0	2	0		2						0		0	2	0		2	4
Total	0	0	0	0	0	0	0	0	6	0	0	6	0	0	0	0	0	0	0	0	15	0	0	15	21
08:00						0		0	1	0		1						0		0	2	0		2	3
08:15						0		0	2	0		2						0		0	6	0		6	8
08:30						0		0	4	0		4						0		0	4	0		4	8
08:45						0		0	1	0		1						0		0	4	0		4	5
Total	0	0	0	0	0	0	0	0	8	0	0	8	0	0	0	0	0	0	0	0	16	0	0	16	24
Grand Total	0	0	0	0	0	0	0	0	14	0	0	14	0	0	0	0	0	0	0	0	31	0	0	31	45
Appr %		-2	-2	-2	-2			0	100	0	0			-2	-2	-2	-2			0	100	0	0		
Total %		0	0	0	0			0	31.1	0	0			0	0	0	0			0	68.9	0	0		
AM Pk Hr		07:30	07:30	07:30	07:30	07:30		07:30	07:30	07:30	07:30	07:30		07:30	07:30	07:30	07:30	07:30		07:30	07:30	07:30	07:30	07:30	07:30
AM Pk Vol		0	0	0	0	0		0	9	0	0	9		0	0	0	0	0		0	16	0	0	16	25
AM PHF		NaN	NaN	NaN	NaN	NaN		NaN	0.563	NaN	NaN	0.563		NaN	NaN	NaN	NaN	NaN		NaN	0.667	NaN	NaN	0.667	0.625

CountingCars.com

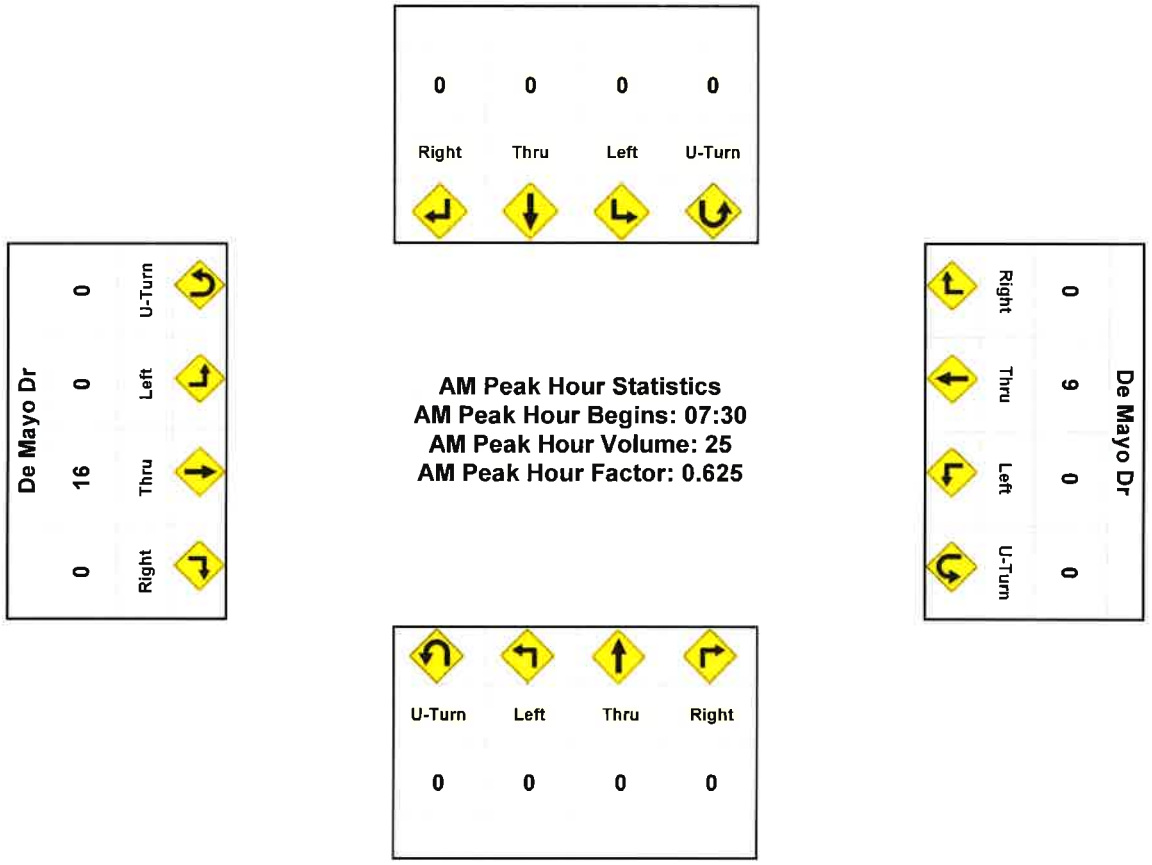
DCI2021-00051 Lee County ePlan
Additional info dated 03-08-2022

De Mayo Dr @ Davis Blvd 2-1-22 AM

File Name: De Mayo Dr @ Davis Blvd 2-1-22 AM
Location:

All Vehicles

Site Code:
Study Date: 02/01/2022



AM Peak Hour Statistics
AM Peak Hour Begins: 07:30
AM Peak Hour Volume: 25
AM Peak Hour Factor: 0.625

CountingCars.com

DCI2021-00051 Lee County ePlan
Additional info dated 03-08-2022

De Mayo Dr @ Davis Blvd 2-1-22 PM

File Name: De Mayo Dr @ Davis Blvd 2-1-22 PM
Location:

Cars and Peds

Site Code:
Study Date: 02/01/2022

	Southbound						De Mayo Dr Westbound						Northbound						De Mayo Dr Eastbound						
Time	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Int Total
16:00						0		0	7	0		7						0		0	4	0		4	11
16:15						0		0	6	0		6						0		0	4	0		4	10
16:30						0		0	2	0		2						0		0	5	0		5	7
16:45						0		0	6	0		6						0		0	6	0		6	12
Total	0	0	0	0	0	0	0	0	21	0	0	21	0	0	0	0	0	0	0	0	19	0	0	19	40
17:00						0		0	8	0		8						0		0	3	0		3	11
17:15						0		0	2	0		2						0		0	2	0		2	4
17:30						0		0	4	0		4						0		0	3	0		3	7
17:45						0		0	10	0		10						0		0	7	0		7	17
Total	0	0	0	0	0	0	0	0	24	0	0	24	0	0	0	0	0	0	0	0	15	0	0	15	39
Grand Total	0	0	0	0	0	0	0	0	45	0	0	45	0	0	0	0	0	0	0	0	34	0	0	34	79
Appr %		-2	-2	-2	-2			0	100	0	0			-2	-2	-2	-2			0	100	0	0		
Total %		0	0	0	0			0	57	0	0			0	0	0	0			0	43	0	0		
PM Pk Hr		16:15	16:15	16:15	16:15	16:15		16:15	16:15	16:15	16:15	16:15		16:15	16:15	16:15	16:15	16:15		16:15	16:15	16:15	16:15	16:15	16:15
PM Pk Vol		0	0	0	0	0		0	22	0	0	22		0	0	0	0	0		0	18	0	0	18	40
PM PHF		NaN	NaN	NaN	NaN	NaN		NaN	0.688	NaN	NaN	0.688		NaN	NaN	NaN	NaN	NaN		NaN	0.750	NaN	NaN	0.750	0.833

CountingCars.com

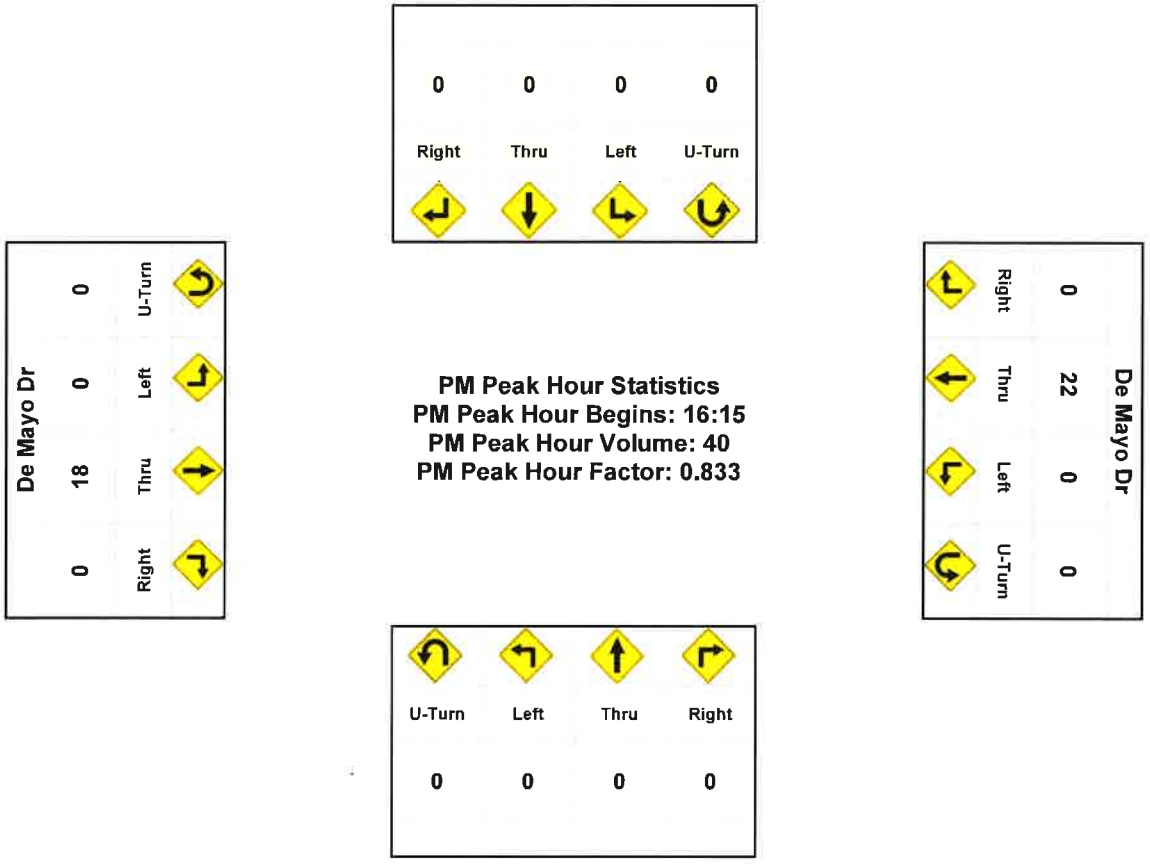
DCI2021-00051 Lee County ePlan
Additional info dated 03-08-2022

De Mayo Dr @ Davis Blvd 2-1-22 PM

File Name: De Mayo Dr @ Davis Blvd 2-1-22 PM
Location:

All Vehicles

Site Code:
Study Date: 02/01/2022



CountingCars.com

DCI2021-00051 Lee County ePlan
Additional info dated 03-08-2022

FDOT PEAK SEASON FACTOR

2020 PEAK SEASON FACTOR CATEGORY REPORT - REPORT TYPE: ALL
CATEGORY: 1203 SR80, 31 & 78 E OF I-75

MOCF: 0.92

WEEK	DATES	SF	PSCF
* 1	01/01/2020 - 01/04/2020	0.92	1.00
* 2	01/05/2020 - 01/11/2020	0.91	0.99
* 3	01/12/2020 - 01/18/2020	0.90	0.98
* 4	01/19/2020 - 01/25/2020	0.89	0.97
* 5	01/26/2020 - 02/01/2020	0.88	0.96
* 6	02/02/2020 - 02/08/2020	0.87	0.95
* 7	02/09/2020 - 02/15/2020	0.86	0.93
* 8	02/16/2020 - 02/22/2020	0.88	0.96
* 9	02/23/2020 - 02/29/2020	0.91	0.99
*10	03/01/2020 - 03/07/2020	0.93	1.01
*11	03/08/2020 - 03/14/2020	0.96	1.04
*12	03/15/2020 - 03/21/2020	0.99	1.08
*13	03/22/2020 - 03/28/2020	1.07	1.16
14	03/29/2020 - 04/04/2020	1.15	1.25
15	04/05/2020 - 04/11/2020	1.23	1.34
16	04/12/2020 - 04/18/2020	1.32	1.43
17	04/19/2020 - 04/25/2020	1.26	1.37
18	04/26/2020 - 05/02/2020	1.21	1.32
19	05/03/2020 - 05/09/2020	1.15	1.25
20	05/10/2020 - 05/16/2020	1.10	1.20
21	05/17/2020 - 05/23/2020	1.09	1.18
22	05/24/2020 - 05/30/2020	1.09	1.18
23	05/31/2020 - 06/06/2020	1.08	1.17
24	06/07/2020 - 06/13/2020	1.08	1.17
25	06/14/2020 - 06/20/2020	1.07	1.16
26	06/21/2020 - 06/27/2020	1.07	1.16
27	06/28/2020 - 07/04/2020	1.08	1.17
28	07/05/2020 - 07/11/2020	1.08	1.17
29	07/12/2020 - 07/18/2020	1.09	1.18
30	07/19/2020 - 07/25/2020	1.07	1.16
31	07/26/2020 - 08/01/2020	1.06	1.15
32	08/02/2020 - 08/08/2020	1.05	1.14
33	08/09/2020 - 08/15/2020	1.04	1.13
34	08/16/2020 - 08/22/2020	1.03	1.12
35	08/23/2020 - 08/29/2020	1.02	1.11
36	08/30/2020 - 09/05/2020	1.02	1.11
37	09/06/2020 - 09/12/2020	1.01	1.10
38	09/13/2020 - 09/19/2020	1.01	1.10
39	09/20/2020 - 09/26/2020	0.99	1.08
40	09/27/2020 - 10/03/2020	0.98	1.07
41	10/04/2020 - 10/10/2020	0.96	1.04
42	10/11/2020 - 10/17/2020	0.95	1.03
43	10/18/2020 - 10/24/2020	0.95	1.03
44	10/25/2020 - 10/31/2020	0.95	1.03
45	11/01/2020 - 11/07/2020	0.95	1.03
46	11/08/2020 - 11/14/2020	0.95	1.03
47	11/15/2020 - 11/21/2020	0.95	1.03
48	11/22/2020 - 11/28/2020	0.94	1.02
49	11/29/2020 - 12/05/2020	0.93	1.01
50	12/06/2020 - 12/12/2020	0.92	1.00
51	12/13/2020 - 12/19/2020	0.92	1.00
52	12/20/2020 - 12/26/2020	0.91	0.99
53	12/27/2020 - 12/31/2020	0.90	0.98

* PEAK SEASON

27-FEB-2021 10:29:53 830UPD 1_1203_PKSEASON.TXT

DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

DEVELOPMENT OF FUTURE YEAR BACKGROUND TURNING VOLUMES

DCI2021-00051 Lee County ePlan

Additional info dated 03-08-2022

Development of Future Year Background Turning Volumes

Intersection	**SR 31 @ SR 80**
Count Date	February 2, 2022
Build-Out Year	2025

AM Peak Hour

	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	54	18	50	208	26	255	182	624	37	47	1,068	174
Peak Season Correction Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Current Peak Season Volumes	54	18	50	208	26	255	182	624	37	47	1,068	174
Growth Rate	1.00%	1.00%	1.00%	2.00%	2.00%	2.00%	2.13%	2.13%	2.13%	2.00%	2.00%	2.00%
Years to Build-out	3	3	3	3	3	3	3	3	3	3	3	3
2025 Background Turning Volumes	**56**	**19**	**52**	**221**	**28**	**271**	**194**	**665**	**39**	**50**	**1,133**	**185**
Project Turning Volumes		2		14	7	52	17	11			28	5
2025 Background + Project	**56**	**21**	**52**	**235**	**35**	**323**	**211**	**676**	**39**	**50**	**1,161**	**190**

PM Peak Hour

	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	123	98	126	283	49	163	314	1,115	63	115	652	201
Peak Season Correction Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Current Peak Season Volumes	123	98	126	283	49	163	314	1,115	63	115	652	201
Growth Rate	1.00%	1.00%	1.00%	2.00%	2.00%	2.00%	2.13%	2.13%	2.13%	2.00%	2.00%	2.00%
Years to Build-out	3	3	3	3	3	3	3	3	3	3	3	3
2025 Background Turning Volumes	**127**	**101**	**130**	**300**	**52**	**173**	**334**	**1,188**	**67**	**122**	**692**	**213**
Project Turning Volumes		8		9	5	36	56	38			19	15
2025 Background + Project	**127**	**109**	**130**	**309**	**57**	**209**	**390**	**1,226**	**67**	**122**	**711**	**228**

DCI2021-00051 Lee County ePlan

Additional info dated 03-08-2022

Development of Future Year Background Turning Volumes

Intersection	**SR 31 @ Site Access**
Count Date	February 2, 2022
Build-Out Year	2025

AM Peak Hour

	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	0	373	0	0	489	0	0	0	0	0	0	0
Peak Season Correction Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Current Peak Season Volumes	0	373	0	0	489	0	0	0	0	0	0	0
Growth Rate	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Years to Build-out	3	3	3	3	3	3	3	3	3	3	3	3
2025 Background Turning Volumes	**0**	**396**	**0**	**0**	**519**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Project Turning Volumes			24	7						73		20
2025 Background + Project	**0**	**396**	**24**	**7**	**519**	**0**	**0**	**0**	**0**	**73**	**0**	**20**

PM Peak Hour

	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	0	609	0	0	495	0	0	0	0	0	0	0
Peak Season Correction Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Current Peak Season Volumes	0	609	0	0	495	0	0	0	0	0	0	0
Growth Rate	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Years to Build-out	3	3	3	3	3	3	3	3	3	3	3	3
2025 Background Turning Volumes	**0**	**646**	**0**	**0**	**525**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Project Turning Volumes			79	23						50		14
2025 Background + Project	**0**	**646**	**79**	**23**	**525**	**0**	**0**	**0**	**0**	**50**	**0**	**14**

DCI2021-00051 Lee County ePlan

Additional info dated 03-08-2022

Development of Future Year Background Turning Volumes

Intersection	**De Moya Dr @ Site Access**
Count Date	February 2, 2022
Build-Out Year	2025

AM Peak Hour

	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	0	0	0	0	0	0	0	16	0	0	9	0
Peak Season Correction Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Current Peak Season Volumes	0	0	0	0	0	0	0	16	0	0	9	0
Growth Rate	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%
Years to Build-out	3	3	3	3	3	3	3	3	3	3	3	3
2025 Background Turning Volumes	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**16**	**0**	**0**	**9**	**0**
Project Turning Volumes			41							16		
2025 Background + Project	**0**	**0**	**41**	**0**	**0**	**0**	**0**	**16**	**0**	**16**	**9**	**0**

PM Peak Hour

	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	0	0	0	0	0	0	0	18	0	0	22	0
Peak Season Correction Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Current Peak Season Volumes	0	0	0	0	0	0	0	18	0	0	22	0
Growth Rate	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%
Years to Build-out	3	3	3	3	3	3	3	3	3	3	3	3
2025 Background Turning Volumes	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**19**	**0**	**0**	**23**	**0**
Project Turning Volumes			28							54		
2025 Background + Project	**0**	**0**	**28**	**0**	**0**	**0**	**0**	**19**	**0**	**54**	**23**	**0**

DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

SYNCHRO SUMMARY SHEETS

DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

SR 80 @ SR 31

DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	194	665	39	50	1133	185	56	19	52	221	28	271
Future Volume (vph)	194	665	39	50	1133	185	56	19	52	221	28	271
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	435		435	550		460	0		375	600		450
Storage Lanes	1		1	1		1	1		1	1		1
Taper Length (ft)	50			50			50			50		
Lane Util. Factor	1.00	0.91	1.00	1.00	0.95	1.00	0.95	0.95	1.00	0.95	0.95	1.00
Frt			0.850			0.850			0.850			0.850
Flt Protected	0.950			0.950			0.950	0.976		0.950	0.962	
Satd. Flow (prot)	1770	5085	1583	1770	3539	1583	1681	1727	1583	1681	1702	1583
Flt Permitted	0.950			0.950			0.950	0.976		0.950	0.962	
Satd. Flow (perm)	1770	5085	1583	1770	3539	1583	1681	1727	1583	1681	1702	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			67			201			94			229
Link Speed (mph)		55			45			30			40	
Link Distance (ft)		1405			1173			1033			1067	
Travel Time (s)		17.4			17.8			23.5			18.2	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	211	723	42	54	1232	201	61	21	57	240	30	295
Shared Lane Traffic (%)							34%			44%		
Lane Group Flow (vph)	211	723	42	54	1232	201	40	42	57	134	136	295
Turn Type	Prot	NA	Perm	Prot	NA	Perm	Split	NA	Perm	Split	NA	Perm
Protected Phases	7	4		3	8		2	2		6	6	
Permitted Phases			4			8			2			6
Detector Phase	7	4	4	3	8	8	2	2	2	6	6	6
Switch Phase												
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0
Minimum Split (s)	24.0	24.0	24.0	16.0	24.0	24.0	24.0	24.0	24.0	24.0	24.0	24.0
Total Split (s)	40.0	170.0	170.0	25.0	155.0	155.0	15.0	15.0	15.0	35.0	35.0	35.0
Total Split (%)	16.3%	69.4%	69.4%	10.2%	63.3%	63.3%	6.1%	6.1%	6.1%	14.3%	14.3%	14.3%
Maximum Green (s)	34.0	164.0	164.0	19.0	149.0	149.0	9.0	9.0	9.0	29.0	29.0	29.0
Yellow Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0
Lead/Lag	Lead	Lag	Lag	Lead	Lag	Lag						
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes						
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Recall Mode	None	None	None	None	None	None	C-Max	C-Max	C-Max	Max	Max	Max
Walk Time (s)	7.0	7.0	7.0		7.0	7.0	7.0	7.0	7.0	7.0	7.0	7.0
Flash Dont Walk (s)	11.0	11.0	11.0		11.0	11.0	11.0	11.0	11.0	11.0	11.0	11.0
Pedestrian Calls (#/hr)	0	0	0		0	0	0	0	0	0	0	0
Act Effct Green (s)	32.0	170.0	170.0	12.8	150.8	150.8	9.2	9.2	9.2	29.0	29.0	29.0
Actuated g/C Ratio	0.13	0.69	0.69	0.05	0.62	0.62	0.04	0.04	0.04	0.12	0.12	0.12
v/c Ratio	0.92	0.20	0.04	0.59	0.57	0.19	0.65	0.66	0.38	0.68	0.68	0.76
Control Delay	143.9	13.7	0.5	136.9	29.2	2.3	155.5	155.7	7.3	121.3	121.1	37.4
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	143.9	13.7	0.5	136.9	29.2	2.3	155.5	155.7	7.3	121.3	121.1	37.4

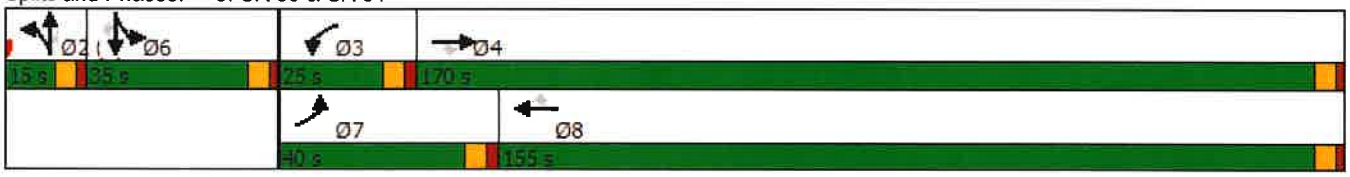
DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
LOS	F	B	A	F	C	A	F	F	A	F	F	D
Approach Delay		41.3			29.5			94.8			77.5	
Approach LOS		D			C			F			E	
Queue Length 50th (ft)	341	147	0	88	621	0	68	72	0	223	227	107
Queue Length 95th (ft)	#503	179	4	146	682	39	#145	#152	2	321	326	241
Internal Link Dist (ft)		1325			1093			953			987	
Turn Bay Length (ft)	435		435	550		460			375	600		450
Base Capacity (vph)	245	3527	1118	137	2179	1051	62	64	149	198	201	389
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.86	0.20	0.04	0.39	0.57	0.19	0.65	0.66	0.38	0.68	0.68	0.76

Intersection Summary

Area Type: Other
Cycle Length: 245
Actuated Cycle Length: 245
Offset: 0 (0%), Referenced to phase 2:NBTL, Start of Green
Natural Cycle: 110
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.92
Intersection Signal Delay: 44.6 Intersection LOS: D
Intersection Capacity Utilization 70.6% ICU Level of Service C
Analysis Period (min) 15
95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 3: SR 80 & SR 31



Lanes, Volumes, Timings
3: SR 80 & SR 31

2025 PM Pk Hr Background
02/14/2022

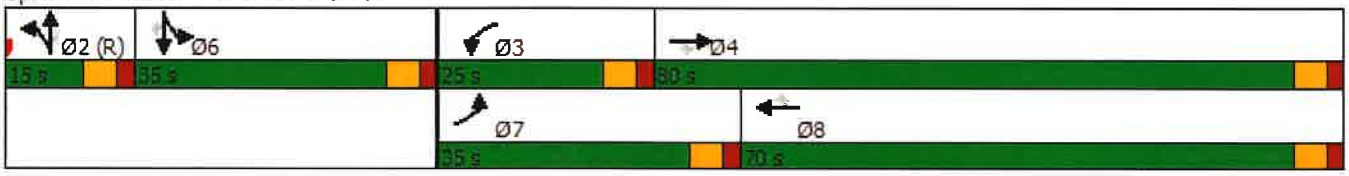
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	334	1188	67	122	692	213	127	101	130	300	52	173
Future Volume (vph)	334	1188	67	122	692	213	127	101	130	300	52	173
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	435		435	550		460	0		375	600		450
Storage Lanes	1		1	1		1	1		1	1		1
Taper Length (ft)	50			50			50			50		
Lane Util. Factor	1.00	0.91	1.00	1.00	0.95	1.00	0.95	0.95	1.00	0.95	0.95	1.00
Frt			0.850			0.850			0.850			0.850
Flt Protected	0.950			0.950			0.950	0.993		0.950	0.966	
Satd. Flow (prot)	1770	5085	1583	1770	3539	1583	1681	1757	1583	1681	1709	1583
Flt Permitted	0.950			0.950			0.950	0.993		0.950	0.966	
Satd. Flow (perm)	1770	5085	1583	1770	3539	1583	1681	1757	1583	1681	1709	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			106			232			148			188
Link Speed (mph)		55			45			30			40	
Link Distance (ft)		1405			1173			1033			1067	
Travel Time (s)		17.4			17.8			23.5			18.2	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	363	1291	73	133	752	232	138	110	141	326	57	188
Shared Lane Traffic (%)							12%			42%		
Lane Group Flow (vph)	363	1291	73	133	752	232	121	127	141	189	194	188
Turn Type	Prot	NA	Perm	Prot	NA	Perm	Split	NA	Perm	Split	NA	Perm
Protected Phases	7	4		3	8		2	2		6	6	
Permitted Phases			4			8			2			6
Detector Phase	7	4	4	3	8	8	2	2	2	6	6	6
Switch Phase												
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0
Minimum Split (s)	24.0	24.0	24.0	16.0	24.0	24.0	24.0	24.0	24.0	24.0	24.0	24.0
Total Split (s)	35.0	80.0	80.0	25.0	70.0	70.0	15.0	15.0	15.0	35.0	35.0	35.0
Total Split (%)	22.6%	51.6%	51.6%	16.1%	45.2%	45.2%	9.7%	9.7%	9.7%	22.6%	22.6%	22.6%
Maximum Green (s)	29.0	74.0	74.0	19.0	64.0	64.0	9.0	9.0	9.0	29.0	29.0	29.0
Yellow Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0
Lead/Lag	Lead	Lag	Lag	Lead	Lag	Lag						
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes						
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Recall Mode	None	None	None	None	None	None	C-Max	C-Max	C-Max	Max	Max	Max
Walk Time (s)	7.0	7.0	7.0		7.0	7.0	7.0	7.0	7.0	7.0	7.0	7.0
Flash Dont Walk (s)	11.0	11.0	11.0		11.0	11.0	11.0	11.0	11.0	11.0	11.0	11.0
Pedestrian Calls (#/hr)	0	0	0		0	0	0	0	0	0	0	0
Act Effct Green (s)	29.0	54.7	54.7	16.0	41.7	41.7	31.3	31.3	31.3	29.0	29.0	29.0
Actuated g/C Ratio	0.19	0.35	0.35	0.10	0.27	0.27	0.20	0.20	0.20	0.19	0.19	0.19
v/c Ratio	1.10	0.72	0.12	0.73	0.79	0.39	0.36	0.36	0.32	0.60	0.61	0.42
Control Delay	134.4	45.9	2.0	89.6	58.6	6.3	59.1	59.0	9.3	66.8	66.9	9.7
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	134.4	45.9	2.0	89.6	58.6	6.3	59.1	59.0	9.3	66.8	66.9	9.7

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
LOS	F	D	A	F	E	A	E	E	A	E	E	A
Approach Delay		62.6			51.4			41.0			48.0	
Approach LOS		E			D			D			D	
Queue Length 50th (ft)	~414	418	0	132	374	0	112	117	0	187	191	0
Queue Length 95th (ft)	#624	442	13	206	416	62	194	202	59	280	286	70
Internal Link Dist (ft)		1325			1093			953			987	
Turn Bay Length (ft)	435		435	550		460			375	600		450
Base Capacity (vph)	331	2427	811	216	1461	789	339	354	437	314	319	449
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	1.10	0.53	0.09	0.62	0.51	0.29	0.36	0.36	0.32	0.60	0.61	0.42

Intersection Summary

Area Type: Other
Cycle Length: 155
Actuated Cycle Length: 155
Offset: 0 (0%), Referenced to phase 2:NBTL, Start of Green
Natural Cycle: 100
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 1.10
Intersection Signal Delay: 54.9 Intersection LOS: D
Intersection Capacity Utilization 69.0% ICU Level of Service C
Analysis Period (min) 15
~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.
95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 3: SR 80 & SR 31



Lanes, Volumes, Timings
3: SR 80 & SR 31

2025 AM Pk Hr With Project
02/14/2022

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	211	676	39	50	1161	190	56	21	52	235	35	323
Future Volume (vph)	211	676	39	50	1161	190	56	21	52	235	35	323
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	435		435	550		460	0		375	600		450
Storage Lanes	1		1	1		1	1		1	1		1
Taper Length (ft)	50			50			50			50		
Lane Util. Factor	1.00	0.91	1.00	1.00	0.95	1.00	0.95	0.95	1.00	0.95	0.95	1.00
Frt			0.850			0.850			0.850			0.850
Flt Protected	0.950			0.950			0.950	0.977		0.950	0.964	
Satd. Flow (prot)	1770	5085	1583	1770	3539	1583	1681	1729	1583	1681	1706	1583
Flt Permitted	0.950			0.950			0.950	0.977		0.950	0.964	
Satd. Flow (perm)	1770	5085	1583	1770	3539	1583	1681	1729	1583	1681	1706	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			67			207			94			225
Link Speed (mph)		55			45			30			40	
Link Distance (ft)		1405			1173			1033			1067	
Travel Time (s)		17.4			17.8			23.5			18.2	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	229	735	42	54	1262	207	61	23	57	255	38	351
Shared Lane Traffic (%)							32%			43%		
Lane Group Flow (vph)	229	735	42	54	1262	207	41	43	57	145	148	351
Turn Type	Prot	NA	Perm	Prot	NA	Perm	Split	NA	Perm	Split	NA	Perm
Protected Phases	7	4		3	8		2	2		6	6	
Permitted Phases			4			8			2			6
Detector Phase	7	4	4	3	8	8	2	2	2	6	6	6
Switch Phase												
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0
Minimum Split (s)	24.0	24.0	24.0	16.0	24.0	24.0	24.0	24.0	24.0	24.0	24.0	24.0
Total Split (s)	40.0	170.0	170.0	25.0	155.0	155.0	15.0	15.0	15.0	35.0	35.0	35.0
Total Split (%)	16.3%	69.4%	69.4%	10.2%	63.3%	63.3%	6.1%	6.1%	6.1%	14.3%	14.3%	14.3%
Maximum Green (s)	34.0	164.0	164.0	19.0	149.0	149.0	9.0	9.0	9.0	29.0	29.0	29.0
Yellow Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0
Lead/Lag	Lead	Lag	Lag	Lead	Lag	Lag						
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes						
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Recall Mode	None	None	None	None	None	None	C-Max	C-Max	C-Max	Max	Max	Max
Walk Time (s)	7.0	7.0	7.0		7.0	7.0	7.0	7.0	7.0	7.0	7.0	7.0
Flash Dont Walk (s)	11.0	11.0	11.0		11.0	11.0	11.0	11.0	11.0	11.0	11.0	11.0
Pedestrian Calls (#/hr)	0	0	0		0	0	0	0	0	0	0	0
Act Effct Green (s)	33.3	170.2	170.2	12.8	149.7	149.7	9.0	9.0	9.0	29.0	29.0	29.0
Actuated g/C Ratio	0.14	0.69	0.69	0.05	0.61	0.61	0.04	0.04	0.04	0.12	0.12	0.12
v/c Ratio	0.95	0.21	0.04	0.59	0.58	0.20	0.67	0.68	0.39	0.73	0.74	0.91
Control Delay	148.6	13.7	0.5	136.9	30.3	2.3	160.0	160.2	7.4	125.6	125.7	64.5
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	148.6	13.7	0.5	136.9	30.3	2.3	160.0	160.2	7.4	125.6	125.7	64.5

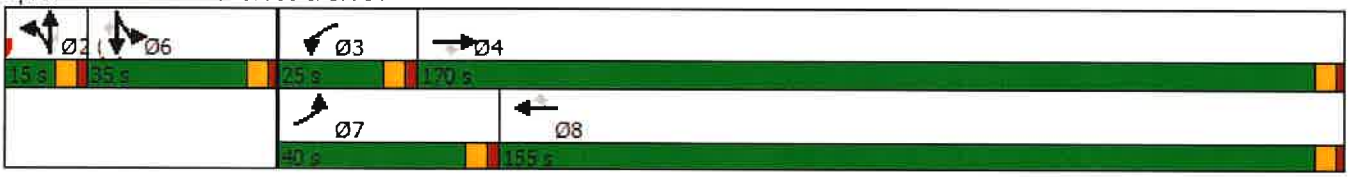
DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
LOS	F	B	A	F	C	A	F	F	A	F	F	E
Approach Delay		43.9			30.3			98.4			92.4	
Approach LOS		D			C			F			F	
Queue Length 50th (ft)	374	150	0	88	645	0	70	73	0	243	248	224
Queue Length 95th (ft)	#566	182	4	146	706	40	#148	#155	2	#346	#355	#431
Internal Link Dist (ft)		1325			1093			953			987	
Turn Bay Length (ft)	435		435	550		460			375	600		450
Base Capacity (vph)	245	3531	1120	137	2162	1047	61	63	148	198	201	385
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.93	0.21	0.04	0.39	0.58	0.20	0.67	0.68	0.39	0.73	0.74	0.91

Intersection Summary

Area Type: Other
Cycle Length: 245
Actuated Cycle Length: 245
Offset: 0 (0%), Referenced to phase 2:NBTL, Start of Green
Natural Cycle: 110
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.95
Intersection Signal Delay: 49.4 Intersection LOS: D
Intersection Capacity Utilization 72.9% ICU Level of Service C
Analysis Period (min) 15
95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 3: SR 80 & SR 31



Lanes, Volumes, Timings
3: SR 80 & SR 31

2025 PM Pk Hr With Project
02/14/2022

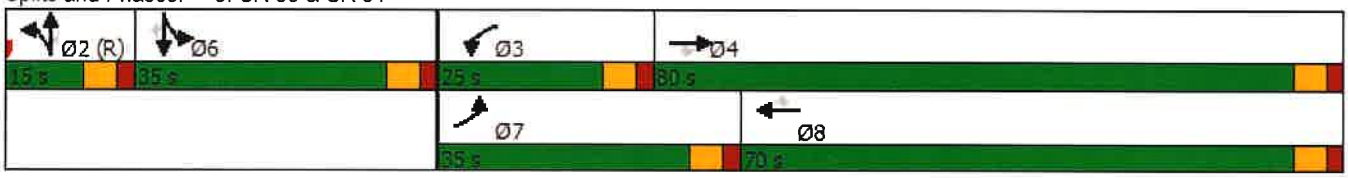
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	390	1226	67	122	711	228	127	109	130	309	57	209
Future Volume (vph)	390	1226	67	122	711	228	127	109	130	309	57	209
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	435		435	550		460	0		375	600		450
Storage Lanes	1		1	1		1	1		1	1		1
Taper Length (ft)	50			50			50			50		
Lane Util. Factor	1.00	0.91	1.00	1.00	0.95	1.00	0.95	0.95	1.00	0.95	0.95	1.00
Frt			0.850			0.850			0.850			0.850
Flt Protected	0.950			0.950			0.950	0.995		0.950	0.967	
Satd. Flow (prot)	1770	5085	1583	1770	3539	1583	1681	1761	1583	1681	1711	1583
Flt Permitted	0.950			0.950			0.950	0.995		0.950	0.967	
Satd. Flow (perm)	1770	5085	1583	1770	3539	1583	1681	1761	1583	1681	1711	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			106			248			148			227
Link Speed (mph)		55			45			30			40	
Link Distance (ft)		1405			1173			1033			1067	
Travel Time (s)		17.4			17.8			23.5			18.2	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	424	1333	73	133	773	248	138	118	141	336	62	227
Shared Lane Traffic (%)							10%			41%		
Lane Group Flow (vph)	424	1333	73	133	773	248	124	132	141	198	200	227
Turn Type	Prot	NA	Perm	Prot	NA	Perm	Split	NA	Perm	Split	NA	Perm
Protected Phases	7	4		3	8		2	2		6	6	
Permitted Phases			4			8			2			6
Detector Phase	7	4	4	3	8	8	2	2	2	6	6	6
Switch Phase												
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0
Minimum Split (s)	24.0	24.0	24.0	16.0	24.0	24.0	24.0	24.0	24.0	24.0	24.0	24.0
Total Split (s)	35.0	80.0	80.0	25.0	70.0	70.0	15.0	15.0	15.0	35.0	35.0	35.0
Total Split (%)	22.6%	51.6%	51.6%	16.1%	45.2%	45.2%	9.7%	9.7%	9.7%	22.6%	22.6%	22.6%
Maximum Green (s)	29.0	74.0	74.0	19.0	64.0	64.0	9.0	9.0	9.0	29.0	29.0	29.0
Yellow Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0
Lead/Lag	Lead	Lag	Lag	Lead	Lag	Lag						
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes						
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Recall Mode	None	None	None	None	None	None	C-Max	C-Max	C-Max	Max	Max	Max
Walk Time (s)	7.0	7.0	7.0		7.0	7.0	7.0	7.0	7.0	7.0	7.0	7.0
Flash Dont Walk (s)	11.0	11.0	11.0		11.0	11.0	11.0	11.0	11.0	11.0	11.0	11.0
Pedestrian Calls (#/hr)	0	0	0		0	0	0	0	0	0	0	0
Act Effct Green (s)	29.0	55.8	55.8	16.0	42.8	42.8	30.2	30.2	30.2	29.0	29.0	29.0
Actuated g/C Ratio	0.19	0.36	0.36	0.10	0.28	0.28	0.19	0.19	0.19	0.19	0.19	0.19
v/c Ratio	1.28	0.73	0.11	0.73	0.79	0.40	0.38	0.39	0.33	0.63	0.62	0.47
Control Delay	196.1	45.5	1.9	89.6	57.9	6.1	60.5	60.4	9.5	68.1	67.6	9.6
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	196.1	45.5	1.9	89.6	57.9	6.1	60.5	60.4	9.5	68.1	67.6	9.6

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
LOS	F	D	A	F	E	A	E	E	A	E	E	A
Approach Delay		78.7			50.4			42.4			46.7	
Approach LOS		E			D			D			D	
Queue Length 50th (ft)	~542	432	0	132	383	0	115	124	0	196	198	0
Queue Length 95th (ft)	#760	455	13	206	425	63	201	211	59	293	294	75
Internal Link Dist (ft)		1325			1093			953			987	
Turn Bay Length (ft)	435		435	550		460			375	600		450
Base Capacity (vph)	331	2427	811	216	1461	799	327	342	427	314	320	480
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	1.28	0.55	0.09	0.62	0.53	0.31	0.38	0.39	0.33	0.63	0.63	0.47

Intersection Summary

Area Type: Other
Cycle Length: 155
Actuated Cycle Length: 155
Offset: 0 (0%), Referenced to phase 2:NBTL, Start of Green
Natural Cycle: 100
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 1.28
Intersection Signal Delay: 61.9 Intersection LOS: E
Intersection Capacity Utilization 73.0% ICU Level of Service C
Analysis Period (min) 15
~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.
95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 3: SR 80 & SR 31



SR 31 @ SITE ACCESS

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Intersection	
Int Delay, s/veh	2

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	73	20	396	24	7	519
Future Vol, veh/h	73	20	396	24	7	519
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	-	-	205	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	79	22	430	26	8	564

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	1023	443	0	0	456	0
Stage 1	443	-	-	-	-	-
Stage 2	580	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	261	615	-	-	1105	-
Stage 1	647	-	-	-	-	-
Stage 2	560	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	259	615	-	-	1105	-
Mov Cap-2 Maneuver	259	-	-	-	-	-
Stage 1	647	-	-	-	-	-
Stage 2	556	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	21.9	0	0.1
HCM LOS	C		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	WBLn2	SBL	SBT
Capacity (veh/h)	-	-	259	615	1105	-
HCM Lane V/C Ratio	-	-	0.306	0.035	0.007	-
HCM Control Delay (s)	-	-	24.9	11.1	8.3	-
HCM Lane LOS	-	-	C	B	A	-
HCM 95th %tile Q(veh)	-	-	1.3	0.1	0	-

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Intersection	
Int Delay, s/veh	1.8

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	50	14	646	79	23	525
Future Vol, veh/h	50	14	646	79	23	525
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	-	-	205	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	54	15	702	86	25	571

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	1366	745	0	0	788	0
Stage 1	745	-	-	-	-	-
Stage 2	621	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	162	414	-	-	831	-
Stage 1	469	-	-	-	-	-
Stage 2	536	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	157	414	-	-	831	-
Mov Cap-2 Maneuver	157	-	-	-	-	-
Stage 1	469	-	-	-	-	-
Stage 2	520	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	34	0	0.4
HCM LOS	D		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	WBLn2	SBL	SBT
Capacity (veh/h)	-	-	157	414	831	-
HCM Lane V/C Ratio	-	-	0.346	0.037	0.03	-
HCM Control Delay (s)	-	-	39.6	14	9.5	-
HCM Lane LOS	-	-	E	B	A	-
HCM 95th %tile Q(veh)	-	-	1.4	0.1	0.1	-

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DE MOYA DRIVE @ SITE ACCESS

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Intersection	
Int Delay, s/veh	5.7

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	16	0	16	9	0	41
Future Vol, veh/h	16	0	16	9	0	41
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	17	0	17	10	0	45

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	17	0	61	17
Stage 1	-	-	-	-	17	-
Stage 2	-	-	-	-	44	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1600	-	945	1062
Stage 1	-	-	-	-	1006	-
Stage 2	-	-	-	-	978	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1600	-	935	1062
Mov Cap-2 Maneuver	-	-	-	-	935	-
Stage 1	-	-	-	-	1006	-
Stage 2	-	-	-	-	967	-

Approach	EB	WB	NB
HCM Control Delay, s	0	4.7	8.5
HCM LOS			A

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	1062	-	-	1600	-
HCM Lane V/C Ratio	0.042	-	-	0.011	-
HCM Control Delay (s)	8.5	-	-	7.3	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0.1	-	-	0	-

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Intersection	
Int Delay, s/veh	5.1

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	19	0	54	23	0	28
Future Vol, veh/h	19	0	54	23	0	28
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	21	0	59	25	0	30

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	21	0	164	21
Stage 1	-	-	-	-	21	-
Stage 2	-	-	-	-	143	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1595	-	827	1056
Stage 1	-	-	-	-	1002	-
Stage 2	-	-	-	-	884	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1595	-	796	1056
Mov Cap-2 Maneuver	-	-	-	-	796	-
Stage 1	-	-	-	-	1002	-
Stage 2	-	-	-	-	850	-

Approach	EB	WB	NB
HCM Control Delay, s	0	5.1	8.5
HCM LOS			A

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	1056	-	-	1595	-
HCM Lane V/C Ratio	0.029	-	-	0.037	-
HCM Control Delay (s)	8.5	-	-	7.3	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0.1	-	-	0.1	-

31 Oaks RPD

Surface Water Management Plan

LDC Section 34-373(b)(1)

a. The runoff characteristics of the property in its existing state;

Portions of the Property have been previously cleared an existing lake is located on the parcels being added to the RPD. Existing runoff currently discharges off site.

b. In general terms, the drainage concept proposed, including the outfall to canals or natural water bodies including how drainage flow from adjacent properties will be maintained;

Storm water runoff will be treated and attenuated on site prior to discharging into wetlands. The anticipated outfall will be per pre-development routing into existing wetlands adjacent to SR31 and will be subject to SFWMD Environmental Resource Permitting. The project had an approved water management system under SFWMD ERP Permit No. 36-06750-P. The proposed water management system will be designed in accordance with the SFWMD Applicants Handbook and Lee County Land Development Code.

The existing lake will be expanded and function as the surface water treatment lake for the RPD. Perimeter berms will be located between the wetland areas and development areas to ensure that historic wetland connections and hydroperiods are maintained. The existing and preserved wetlands are not incorporated into the surface water treatment system. The SFWMD 100-year perimeter berm requirement will prevent offsite flow outside of the natural pre-development flow pattern. The existing and created wetlands on site will provide storage capacity for flood waters that occur in the CHHA designated areas of the property. This will be consistent with Policy 101.3.2 providing a pre-development compensating storage capacity.

Existing drainage easements along the southern, eastern and northern boundary adjacent to existing residential developments for drainage of adjacent properties. These easements will remain and provide for existing offsite runoff to retain its westerly flow, and is not proposed to be incorporated into the surface water management system of the RPD.

c. The retention features (including existing natural features) that will be incorporated into the drainage system and the legal mechanism which will guarantee their maintenance;

The existing excavated lake will be incorporated into the drainage system. On-site attenuation per SFWMD requirements will be provided through the expansion of this lake.

The applicant will prepare and obtain an ERP approval prior to or concurrently with local Development Order. The ERP modification will include required maintenance provisions.

d. How existing natural features will be preserved. Include an estimate of the ranges of existing and post development water table elevations, where appropriate;

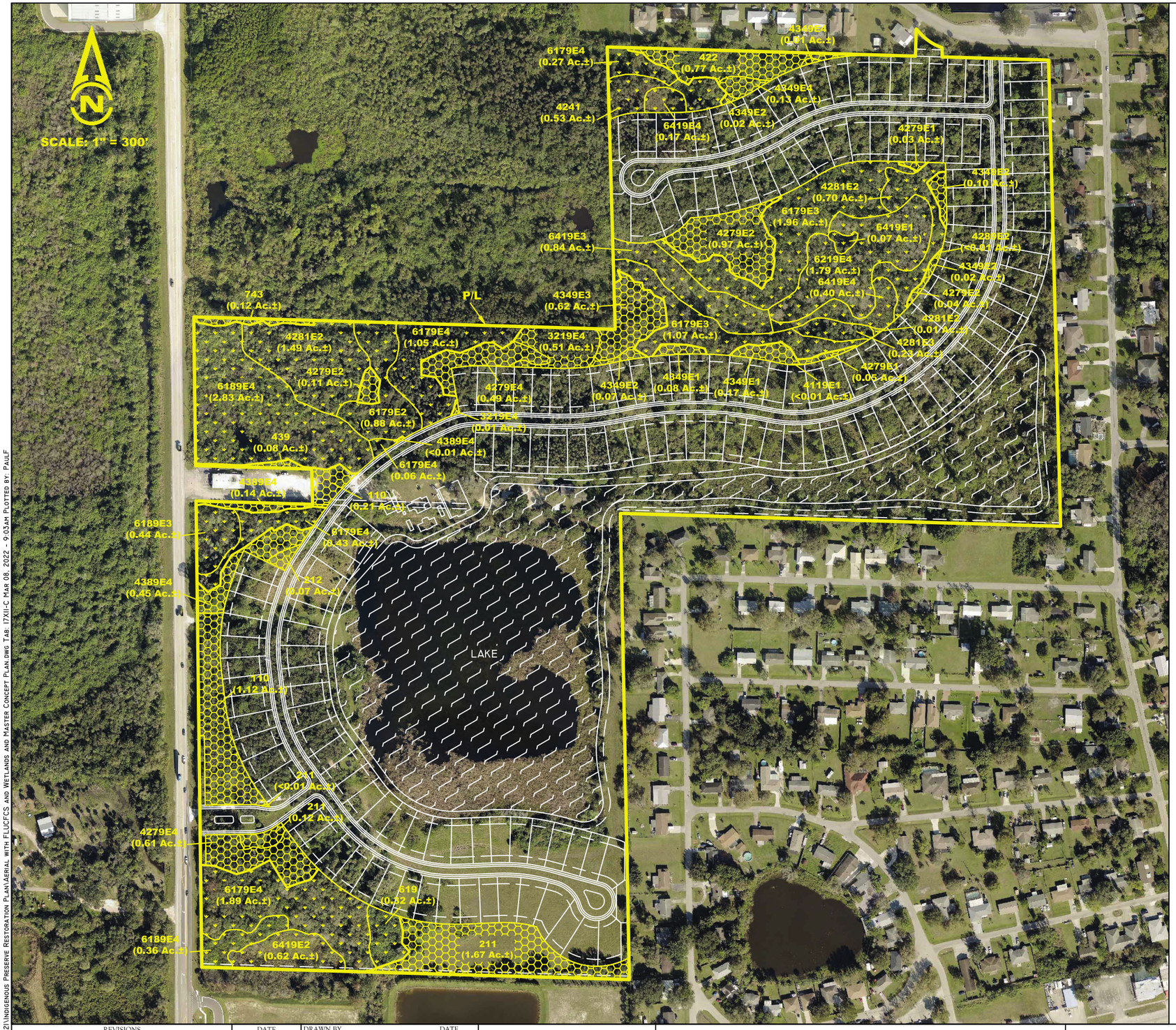
The RPD includes 17.6 acres of wetland preservation and 4.84 acres of wetland creation. These areas are demonstrated in the Master Concept Plan and will ensure preservation of the natural features.

The existing lake within the properties being added to the RPD, expanded, and will be incorporated into the drainage system. Existing water table elevations is approximately 0.93’ (NAVD88) based on SFWMD ERP

36-06750-P (Marina Del Lago issued April 10, 2008. Post-development water table elevations are expected to remain similar to the Existing water table elevation of 0.93' (NAVD88).

e. If the property is subject to seasonal inundation or subject to inundation by a stream swollen by the rains of a 100-year storm event, indicate the measures that will be taken to mitigate the effects of expectable flooding.

Seasonal inundation currently discharges off site. The proposed surface water management plan will treat and attenuate stormwater runoff from development areas on-site prior to discharging into on-site wetlands. The retaining of existing and newly created wetland areas outside the stormwater system as to provide storage compensation for compliance with the intent of Policy 101.3.2. The created wetlands outside the stormwater management area will provide storage for proposed wetland impacts in the development's storm water management area.



LEGEND:

WETLAND PRESERVE (18.41 Ac.±)

UPLAND PRESERVE (8.79 Ac.±)

SURVEYED WETLAND LINE

FLUCFCS CODES	DESCRIPTIONS	ACREAGE	% OF TOTAL
110	RESIDENTIAL, LOW DENSITY	1.33 Ac.±	4.9%
211	IMPROVED PASTURE	1.79 Ac.±	6.6%
212	UNIMPROVED PASTURE	0.07 Ac.±	0.3%
3219 E4	PALMETTO PRAIRIES, DISTURBED (76-100% EXOTICS)	0.52 Ac.±	1.9%
422	BRAZILIAN PEPPER	0.77 Ac.±	2.8%
4241	MELALEUCA, HYDRIC	0.53 Ac.±	1.9%
4279 E1	LIVE OAK, DISTURBED (0-24% EXOTICS)	0.08 Ac.±	0.3%
4279 E2	LIVE OAK, DISTURBED (25-49% EXOTICS)	1.12 Ac.±	4.1%
4279 E4	LIVE OAK, DISTURBED (76-100% EXOTICS)	1.10 Ac.±	4.0%
4281 E2	CABBAGE PALM, HYDRIC (25-49% EXOTICS)	2.20 Ac.±	8.1%
4281 E3	CABBAGE PALM, HYDRIC (50-75% EXOTICS)	0.23 Ac.±	0.8%
4349 E1	HARDWOOD/CONIFER MIXED, DISTURBED (0-24% EXOTICS)	0.25 Ac.±	0.9%
4349 E2	HARDWOOD/CONIFER MIXED, DISTURBED (25-49% EXOTICS)	0.21 Ac.±	0.8%
4349 E3	HARDWOOD/CONIFER MIXED, DISTURBED (50-75% EXOTICS)	0.62 Ac.±	2.3%
4349 E4	HARDWOOD/CONIFER MIXED, DISTURBED (76-100% EXOTICS)	0.14 Ac.±	0.5%
4389 E4	HARDWOOD/CONIFER MIXED, DISTURBED (76-100% EXOTICS)	0.59 Ac.±	2.2%
439	EXOTIC HARDWOODS	0.08 Ac.±	0.3%
6179 E2	MIXED WETLAND HARDWOODS, DISTURBED (25-49% EXOTICS)	0.88 Ac.±	3.2%
6179 E3	MIXED WETLAND HARDWOODS, DISTURBED (50-75% EXOTICS)	3.03 Ac.±	11.1%
6179 E4	MIXED WETLAND HARDWOODS, DISTURBED (76-100% EXOTICS)	3.70 Ac.±	13.6%
6189 E3	WILLOW, DISTURBED (50-75% EXOTICS)	0.44 Ac.±	1.6%
6189 E4	WILLOW, DISTURBED (76-100% EXOTICS)	3.19 Ac.±	11.7%
619	EXOTIC WETLAND HARDWOODS	0.32 Ac.±	1.2%
6219 E4	CYPRESS, DISTURBED (76-100% EXOTICS)	1.79 Ac.±	6.6%
6419 E1	FRESHWATER MARSH, DISTURBED (0-24% EXOTICS)	0.07 Ac.±	0.3%
6419 E2	FRESHWATER MARSH, DISTURBED (25-49% EXOTICS)	0.62 Ac.±	2.3%
6419 E3	FRESHWATER MARSH, DISTURBED (50-75% EXOTICS)	0.84 Ac.±	3.1%
6419 E4	FRESHWATER MARSH, DISTURBED (76-100% EXOTICS)	0.57 Ac.±	2.1%
743	SPOIL AREAS	0.12 Ac.±	0.4%
	TOTAL	**27.20 Ac.±**	**100.0%**

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF JANUARY - MARCH 2021.

PROPERTY BOUNDARY AND SURVEYED WETLAND LINES PER RHODES & RHODES, INC. DRAWING NO. 2021-541-WETLAND LINES.DWG DATED NOVEMBER 3, 2021.

SITE PLAN PER WALDROP ENG, INC. DRAWING NO. (2022-01-28) I223101E0206.DWG DATED FEBRUARY 1, 2022.

FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

UPLAND/WETLAND LIMITS HAVE NOT BEEN REVIEWED BY ANY REGULATORY AGENCY AND ARE SUBJECT TO CHANGE.

J:\2021\21NCC3643\2021\INDIGENOUS PRESERVE RESTORATION PLAN\AERIAL WITH FLUCFCS AND WETLANDS AND MASTER CONCEPT PLAN.DWG TAB: 17X11-C MAR 08, 2022 - 9:03AM PLOTTED BY: PAULF

REVISIONS	DATE

		DATE
DRAWN BY	H.H.	2/15/22
DESIGNED BY	B.B.	2/15/22
REVIEWED BY	B.B.	2/15/22

13620 Metropolis Avenue
Suite 200
Ft. Myers, FL 33912
Phone (239) 274-0067
Fax (239) 274-0069

PASSARELLA & ASSOCIATES INC
Consulting Ecologists

31 OAKS

AERIAL WITH FLUCFCS AND WETLANDS AND MASTER CONCEPT PLAN

DRAWING No. 21NCC3643

SHEET No. ~~

DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

31 OAKS
LEE COUNTY INDIGENOUS PRESERVE AND PROTECTED SPECIES MANAGEMENT PLAN

March 2022

Prepared For:

Neal Communities
28100 Bonita Grande Drive, Suite 106
Bonita Springs, Florida 34135
(239) 221-0446

Prepared By:

Passarella & Associates, Inc.
13620 Metropolis Avenue, Suite 200
Fort Myers, Florida 33912
(239) 274-0067

Project No. 21NCC3643

DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

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Appendix A. Indigenous Preserve Plan A-1

1.0 INTRODUCTION

The following outlines the Lee County Indigenous Preserve and Protected Species Management Plan for 31 Oaks (Project) located in Section 30; Township 43 South; Range 26 East, Lee County.

The Project is bordered to the north by undeveloped, forested lands and single-family residential development; to the east by single-family residential development; to the south by cleared land and a gas station; and to the west by State Road 31.

2.0 INDIGENOUS VEGETATION PRESERVE

The Lee County Indigenous Preserve totals 24.13± acres and is comprised of 17.42± acres of wetlands, 1.89± acres of uplands, and 4.82± acres of wetland creation area. The location of the indigenous preserve is depicted in Appendix A.

The following are the existing on-site wetland and upland habitats proposed as indigenous vegetation preserve.

Residential, Low Density (FLUCFCS Code 110)
This land use type consists of residential properties and dirt roadways. The canopy contains live oak (*Quercus virginiana*) and the sub-canopy is open. The ground cover is dominated by St. Augustine grass (*Stenotaphrum secundatum*).

Improved Pasture (FLUCFCS Code 211)
This land use type consists of agricultural fields used for cattle grazing. The canopy is primarily open with widely scattered live oak and slash pine (*Pinus elliottii*). The sub-canopy is primarily open with few scattered cabbage palm (*Sabal palmetto*) and Brazilian pepper (*Schinus terebinthifolia*). The ground cover includes bahiagrass (*Paspalum notatum*), spermacoce (*Spermacoce verticillata*), and dog fennel (*Eupatorium capillifolium*).

Unimproved Pasture (FLUCFCS Code 212)
The canopy is open and the sub-canopy includes widely scattered Brazilian pepper and few cabbage palm. The ground cover is primarily Guinea grass (*Urochloa maxima*), air-potato (*Dioscorea bulbifera*), dog fennel, and St. Augustine grass.

Palmetto Prairie, Disturbed (76-100% Exotics) (FLUCFCS Code 3219 E4)
The canopy of this upland community is open. The sub-canopy is primarily open with scattered coastal plain staggerbush (*Lyonia fruticosa*), gallberry (*Ilex glabra*), wax myrtle (*Morella cerifera*), melaleuca (*Melaleuca quinquenervia*), myrsine (*Myrsine cubana*), and tarflower (*Bejaria racemosa*). The ground cover is predominantly saw palmetto (*Serenoa repens*), with scattered sand blackberry (*Rubus cuneifolius*) and muscadine grapevine (*Vitis rotundifolia*).

Brazilian Pepper (FLUCFCS Code 422)
This disturbed upland habitat consists primarily of Brazilian pepper in the canopy and sub-canopy. The ground cover is characteristically sparse.

Melaleuca, Hydric (FLUCFCS Code 4241)
This disturbed wetland habitat consists primarily of melaleuca in the canopy and sub-canopy. The ground cover is open.

Live Oak, Disturbed (0-24% Exotics) (FLUCFCS Code 4279 E1)
The canopy of this upland habitat consists of live oak. The sub-canopy includes scattered live oak, myrsine, gallberry, winged sumac (*Rhus copallinum*), Brazilian pepper, wild coffee (*Psychotria nervosa*), and coastal plain staggerbush. The ground cover includes saw palmetto, muscadine grapevine, and shiny blueberry (*Vaccinium myrsinites*).

Live Oak, Disturbed (25-49% Exotics) (FLUCFCS Code 4279 E2)
The vegetative composition of this upland habitat is similar to that of FLUCFCS Code 4279 E1; however, there is additional Brazilian pepper and melaleuca in the sub-canopy stratum.

Live Oak, Disturbed (76-100% Exotics) (FLUCFCS Code 4279 E4)
The vegetative composition of this upland habitat is similar to that of FLUCFCS Code 4279 E2; however, there is significantly more melaleuca in the canopy and sub-canopy strata.

Cabbage Palm, Hydric, Disturbed (25-49% Exotics) (FLUCFCS Code 4281 E2)
The canopy of this wetland habitat consists primarily of cabbage palm with few scattered laurel oak (*Quercus laurifolia*). The sub-canopy includes primarily cabbage palm with scattered myrsine, Brazilian pepper, and wild coffee. The ground cover includes scattered swamp fern (*Telmatoblechnum serrulatum*), herb-of-grace (*Bacopa monnieri*), frogfruit (*Phyla nodiflora*), and giant leather fern (*Acrostichum danaeifolium*).

Cabbage Palm, Hydric, Disturbed (50-75% Exotics) (FLUCFCS Code 4281 E3)
The vegetative composition of this disturbed wetland habitat is similar to that of FLUCFCS Code 4281 E2; however, there is more Brazilian pepper and melaleuca in the canopy and sub-canopy strata.

Hardwood/Conifer Mixed, Disturbed (0-24% Exotics) (FLUCFCS Code 4349 E1)
The canopy of this upland habitat includes live oak, slash pine, laurel oak, and melaleuca. The sub-canopy includes Brazilian pepper, live oak, laurel oak, myrsine, wax myrtle, gallberry, winged sumac, wild coffee, and coastal plain staggerbush. The ground cover includes scattered saw palmetto, muscadine grapevine, and shiny blueberry.

Hardwood/Conifer Mixed, Disturbed (25-49% Exotics) (FLUCFCS Code 4349 E2)
The vegetative composition of this upland habitat is similar to that of FLUCFCS Code 4349 E1; however, there is additional Brazilian pepper in the sub-canopy stratum.

Hardwood/Conifer Mixed, Disturbed (50-75% Exotics) (FLUCFCS Code 4349 E3)
The vegetative composition of this upland habitat is similar to that of FLUCFCS Code 4349 E2; however, there is additional melaleuca and Brazilian pepper in the sub-canopy stratum.

Hardwood/Conifer Mixed, Disturbed (76-100% Exotics) (FLUCFCS Code 4349 E4)
The vegetative composition of this upland habitat is similar to that of FLUCFCS Code 4349 E3; however, there is additional Brazilian pepper, Java plum (*Syzygium cumini*), and melaleuca in the canopy and sub-canopy strata.

Hardwood/Confer Mixed, Disturbed (76-100% Exotics) (FLUCFCS Code 4389 E4)
The canopy of this upland habitat includes a mixture of scattered live oak, laurel oak, Indian laurel fig (*Ficus microcarpa*), cabbage palm, and slash pine. The sub-canopy includes Brazilian pepper, live oak, laurel oak, cabbage palm, myrsine, and wild coffee. The ground cover includes American evergreen (*Syngonium podophyllum*) and swamp fern.

Exotic Hardwoods (FLUCFCS Code 439)
The canopy of this upland habitat includes scattered Brazilian pepper, Java plum, and common bamboo (*Bambusa vulgaris*). The sub-canopy contains Brazilian pepper. The ground cover contains scattered air-potato and American evergreen.

Mixed Wetland Hardwoods, Disturbed (25-49% Exotics) (FLUCFCS Code 6179 E2)
The canopy of this wetland habitat includes laurel oak and cabbage palm with few scattered live oak, melaleuca, and bishopwood (*Bischofia javanica*). The sub-canopy consists of scattered laurel oak, cabbage palm, bishopwood, and Brazilian pepper. The ground cover consists of swamp fern, muscadine grapevine, leather fern, and American evergreen.

Mixed Wetland Hardwoods, Disturbed (50-75% Exotics) (FLUCFCS Code 6179 E3)
The vegetative composition of this wetland habitat is similar to that of FLUCFCS Code 6179 E2; however, there is additional Brazilian pepper and melaleuca in the sub-canopy stratum.

Mixed Wetland Hardwoods, Disturbed (76-100% Exotics) (FLUCFCS Code 6179 E4)
The vegetative composition of this wetland habitat is similar to that of FLUCFCS Code 6179 E3; however, there is additional melaleuca in the canopy and sub-canopy strata.

Willow, Disturbed (50-75% Exotics) (FLUCFCS Code 6189 E3)
The canopy of this wetland habitat includes Carolina willow (*Salix caroliniana*), Brazilian pepper, and few cabbage palm. The sub-canopy includes Brazilian pepper and Carolina willow. The ground cover is primarily open with scattered swamp fern, fireflag (*Thalia geniculata*), and giant leather fern.

Willow, Disturbed (76-100% Exotics) (FLUCFCS Code 6189 E4)
The vegetative composition of this wetland habitat is similar to that of FLUCFCS Code 6189 E3; however, there is additional Brazilian pepper in the canopy and sub-canopy strata.

Exotics Wetland Hardwoods (FLUCFCS Code 619)
The canopy of this wetland habitat is open. The sub-canopy includes Brazilian pepper, bishopwood, Java plum, Peruvian primrose willow (*Ludwigia peruviana*), and scattered cabbage palm.

Cypress, Disturbed (76-100% Exotics) (FLUCFCS Code 6219 E4)
The canopy of this wetland habitat includes primarily bald cypress (*Taxodium distichum*) with scattered red maple (*Acer rubrum*), cabbage palm, and laurel oak. The sub-canopy includes bald cypress, Brazilian pepper, cabbage palm, red maple, and myrsine. The ground cover includes scattered swamp fern, herb-of-grace, creeping primrose willow (*Ludwigia repens*), and string-lily (*Crinum americanum*).

Freshwater Marsh, Disturbed (0-24% Exotics) (FLUCFCS Code 6419 E1)
The canopy of this wetland habitat is open. The sub-canopy includes scattered Brazilian pepper and Peruvian primrose willow. The ground cover includes string-lily, swamp fern, and pickerelweed (*Pontederia cordata*).

Freshwater Marsh, Disturbed (25-49% Exotics) (FLUCFCS Code 6419 E2)
The vegetative composition of this wetland habitat is similar to that of FLUCFCS Code 6419 E1; however, there is additional Brazilian pepper in the sub-canopy stratum.

Freshwater Marsh, Disturbed (50-75% Exotics) (FLUCFCS Code 6419 E3)
The vegetative composition of this wetland habitat is similar to that of FLUCFCS Code 6189 E2; however, there is additional Brazilian pepper in the sub-canopy stratum.

Freshwater Marsh, Disturbed (76-100% Exotics) (FLUCFCS Code 6419 E4)
The vegetative composition of this wetland habitat is similar to that of FLUCFCS Code 6189 E3; however, there is additional Brazilian pepper in the sub-canopy stratum.

Spoil Areas (FLUCFCS Code 743)
This land use type consists of a berm comprised of spoil material, including rock and concrete. The canopy of this land use type is open, and the sub-canopy consists of Brazilian pepper and cabbage palm. The ground cover primarily includes Burma reed (*Neyraudia reynaudiana*).

3.0 METHOD AND FREQUENCY OF PRUNING AND TRIMMING

The exotic removal activities will be done concurrently with the construction of the surface water management system for the Project. Vegetation within the Lee County Indigenous Preserve will be monitored prior to and following enhancement activities. Semi-annual inspections of the Lee County Indigenous Preserve will occur for the first two years. During these inspections, the Lee County Indigenous Preserve will be traversed by a qualified ecologist. Locations of nuisance and/or exotic species will be identified for immediate treatment with an appropriate herbicide. Any additional potential problems will also be noted, and corrective actions taken. Once exotic/nuisance species levels have been reduced to acceptable limits (i.e., less than five percent cover), inspections will be conducted annually.

4.0 METHODS TO REMOVE AND CONTROL EXOTIC AND NUISANCE PLANTS

Exotic and nuisance vegetation within the indigenous preserve will be treated by hand methods. Exotics to be treated include, but are not limited to, melaleuca and Brazilian pepper. The indigenous preserve will be maintained free of invasive exotics listed in Table 1 in perpetuity.

Table 1. Prohibited Invasive Exotics

Common Name	Scientific Name
Air potato	*Dioscorea alata*
Australian pines	*Casuarina* spp.
Bishopwood	*Bischofia javanica*
Brazilian pepper	*Schinus terebinthifolia*
Carrotwood	*Cupaniopsis anacardioides*
Chinese tallow tree	*Sapium sebiferum*
Downy rose-myrtle	*Rhodomyrtus tomentosa*
Earleaf acacia	*Acacia auriculiformis*
Indian laurel fig	*Ficus microcarpa*
Japanese climbing fern	*Lygodium japonicum*
Java plum	*Syzygium cumini*
Melaleuca	*Melaleuca quinquenervia*
Murray red gum	*Eucalyptus camaldulensis*
Old-World climbing fern	*Lygodium microphyllum*
Portia tree	*Thespesia populnea*
Rose apple	*Syzygium jambos*
Rosewood	*Dalbergia sissoo*
Tropical soda apple	*Solanum viarum*
Wedelia	*Wedelia trilobata*
Weeping fig	*Ficus benjamina*
Woman's tongue	*Albizia lebbeck*

Hand treatment of exotic and nuisance species will include one or more of the following methods: (1) cut exotics within 12 inches of ground elevation, hand remove cut vegetation, and treat remaining stump with approved herbicide; (2) foliar application of approved herbicide or hand pulling of exotic seedlings; and (3) foliar application of approved herbicide to nuisance and exotic grasses. Cut exotic debris will be removed from the indigenous preserve.

5.0 DEBRIS REMOVAL

No stacking of debris will occur in the indigenous preserve; debris will be hand removed/treated.

6.0 SUPPLEMENTAL PLANTING

Supplemental planting will occur within portions of the Lee County Indigenous Preserve where exotic vegetation currently exceeds 50 percent coverage. Trees and shrubs must be a minimum three-gallon and one-gallon size containers, respectively, and no single species may comprise more than 25 percent of the vegetation planted. The supplemental plantings will consist of tree, shrub, and ground cover species in accordance with Table 2.

Table 2. Supplemental Plantings for Lee County Indigenous Preserve

Common Name	Scientific Name	Minimum Height	Minimum Container Size	Planting Density (On Center)
Wetland Plantings				
Trees				
Bald cypress	*Taxodium distichum*	4-5 ft.	3 gal.	15 ft.
Red maple	*Acer rubrum*	4-5 ft.	3 gal.	15 ft.
Slash pine	*Pinus elliottii*	4-5 ft.	3 gal.	15 ft.
Shrubs				
Buttonbush	*Cephalanthus occidentalis*	3 ft.	1 gal.	10 ft.
Cocoplum	*Chrysobalanus icaco*	3 ft.	1 gal.	10 ft.
Myrsine	*Myrsine cubana*	3 ft.	1 gal.	10 ft.
Wax myrtle	*Morella cerifera*	3 ft.	1 gal.	10 ft.
Ground Cover				
Arrowhead	*Sagittaria lancifolia* subsp. *lancifolia*	12 in.	2 in.	3 ft.
Bushy bluestem	*Andropogon glomeratus*	12 in.	2 in.	3 ft.
Fireflag	*Thalia geniculata*	12 in.	2 in.	3 ft.
Gulfdune paspalum	*Paspalum monostachyum*	12 in.	2 in.	3 ft.
Maidencane	*Panicum hemitomon*	12 in.	BR/2 in.	3 ft.
Purple lovegrass	*Eragrostis spectabilis*	12 in.	2 in.	3 ft.
Sand cordgrass	*Spartina bakeri*	12 in.	2 in.	3 ft.
Soft-stem bulrush	*Scirpus validus*	12 in.	2 in.	3 ft.
Spikerush	*Eleocharis interstincta*	12 in.	2 in.	3 ft.
Upland Plantings				
Trees				
Slash pine	*Pinus elliottii*	5 ft.	3 gal.	15 ft.
Live oak	*Quercus virginiana*	5 ft.	3 gal.	15 ft.
Cabbage palm	*Sabal palmetto*	5 ft.	3 gal.	15 ft.

Table 2. (Continued)

Common Name	Scientific Name	Minimum Height	Minimum Container Size	Planting Density (On Center)
Shrubs				
Beauty berry	*Callicarpa americana*	3 ft.	1 gal.	10 ft.
Gallberry	*Ilex glabra*	3 ft.	1 gal.	10 ft.
Myrsine	*Myrsine cubana*	3 ft.	1 gal.	10 ft.
Wax myrtle	*Morella cerifera*	3 ft.	1 gal.	10 ft.
Ground Cover				
Cordgrass	*Spartina bakeri*	12 in.	2 in.	3 ft.
Wiregrass	*Aristida stricta*	12 in.	2 in.	3 ft.
Saw palmetto	*Serenoa repens*	12 in.	2 in.	3 ft.
Hairawn muhly grass	*Muhlenbergia capillaris* var. *capillaris*	12 in.	2 in,	3 ft.

BR – Bare root

7.0 WETLAND CREATION

The Project includes the creation of 4.82± acres of wetland habitat from existing uplands within the preserve limits. Wetlands will be created from existing residential land, agricultural land, and habitat with high degrees of exotic infestation as depicted in locations shown on Appendix A. After exotic vegetation has been removed, the cleared areas will be graded to wetland elevations. If available, a six-inch layer of wetland topsoil will be spread on the graded area to achieve final grades. Due to the presence of exotic and nuisance species within the potential donor sites (i.e., impact areas), it is not anticipated wetland topsoil will be available for use in the graded areas. An as-built survey of the graded site will be performed to ensure the desired elevations have been obtained. The creation areas will be planted using the species and planting specifications listed in Table 2. The species selected for planting will depend on market availability at the time the plantings are to occur.

8.0 MONITORING REPORTS

The proposed monitoring of the Lee County Indigenous Preserve will consist of baseline, time-zero, and annual monitoring of vegetation, wildlife, rainfall, and wetland water levels. The baseline monitoring report will document conditions on the Project site as they currently exist. The time-zero report will document the conditions immediately following completion of mitigation activities. The annual reports will document the extent of success of the maintenance program and, if needed, identify specific actions to be taken to improve the conditions within the indigenous preserve. Sampling transects and methodology for the baseline, time-zero, and annual reports will utilize identical methods of data collection from identical sampling stations.

A monitoring report documenting the initial condition of the preserve areas will be submitted to Lee County Department of Environmental Services staff prior to development order approval. A similar report will be submitted within 60 days of completion of mitigation activities and prior to Certificate of Compliance approval. Reports will also include a brief description of anticipated maintenance work to be conducted over the next year. The results of quantitative vegetation monitoring conducted in the enhanced uplands and wetlands, as well as a list of observed wildlife species will be included in the reports.

The applicant will submit five annual monitoring reports describing the conditions of the Lee County Indigenous Preserve. The annual reports will document conditions each year at the Project site and the level of success of the maintenance program. These reports will also identify any problems and recommend specific actions that need to be taken to improve the conditions at the site. Monitoring transects and photograph stations will remain the same for the baseline, time-zero, and annual reports, as will all data collection methods.

9.0 GOPHER TORTOISE MANAGEMENT PLAN

A protected species survey was conducted on the Project on October 22, 27, and November 3, 2021. The survey was conducted to meet Lee County LDC Chapter 10, Article III, Division 8 (Protection of Habitat) Standards. A total of five potentially occupied gopher tortoise burrows and one gopher tortoise were identified on-site during the survey.

9.1 Biology

The gopher tortoise is a large, terrestrial turtle averaging 23 to 28 centimeters (9 to 11 inches) in shell length. Maximum length is around 38 centimeters (15 inches). The gopher tortoise is characterized by stumpy, elephantine hind feet and flattened, with shovel-like forelimbs adapted for digging. The tan, brown, or gray carapace (top portion of shell) is domed and oblong. The plastron (bottom portion of shell) is somewhat concave in males. Growth annuli may be conspicuous, particularly in juveniles. Hatchlings are approximately 4.4 centimeters (1.7 inches) in length and are yellowish-orange in color (Cox *et al*. 1987).

9.2 Range

The gopher tortoise occurs in the Southeastern Coastal Plain from extreme Eastern Louisiana to Southern South Carolina. In Florida, tortoises occur in all 67 counties (Cox *et al*. 1987).

9.3 Habitat

Three environmental conditions are especially important for gopher tortoises: well-drained, loose soil in which to burrow; adequate low-growing herbs for food; and open sunlit sites for nesting. The gopher tortoise is primarily associated with longleaf pine-scrub oak woodlands (sandhills), but it is also found in sand pine scrub, coastal strands, live oak hammocks, dry prairies, pine flatwoods, and mixed hardwood-pine communities. Disturbed habitats, such as

roadsides, fencerows, clearings, and old fields often support relatively high tortoise densities (Ashton and Ashton 2002).

9.4 Life History and Ecology

Gopher tortoises excavate burrows averaging 4.5 meters (14.8 feet) in length and 2.0 meters (6.6 feet) in depth and wide enough to allow them to turn around at any point. These burrows provide protection from temperature extremes, desiccation, and predators, as well as serve as refuges for a variety of other animals. The placement and depth of burrows vary with the soil type, geographic location, and ground water levels. An individual tortoise may use more than one burrow and may excavate new burrows at any time during its life (Ashton and Ashton 2002).

Gopher tortoise densities and movements are affected by the amount of herbaceous ground cover present. Generally, feeding activity is confined to within 50 meters (164 feet) of the burrow. Principal foods include grasses, legumes, and grass-like plants of the sedge and aster families. Legumes appear to be particularly important in the diet of juveniles. Fruits such as blackberries, paw-paws, gopher apples, and saw palmetto berries are also consumed (Ashton and Ashton 2002).

The gopher tortoise exhibits deferred sexual maturity, low reproductive potential, and a long-life span. Females mature sexually at 10 to 20 years of age, depending on latitude. The breeding season is usually from April to June, but males may attempt to mate throughout the activity season. Eggs are usually deposited in the burrow mounds from mid-May to mid-June. Only one clutch of eggs is produced annually. Clutch size usually ranges from 3 to 12 eggs, with an average of 6 eggs; however, a clutch of 25 eggs has been reported. The incubation period varies from about 80 to 110 days. Predation on eggs and hatchlings is heavy. Predators include raccoons, foxes, skunks, armadillos, snakes, and various raptors. Although some hatchlings immediately construct burrows, others may use burrows of adults or merely shelter opportunistically under sand or litter. Estimated life expectancy is 40 to 60 years (Cox *et al.* 1987).

9.5 Gopher Tortoise Relocation

Five gopher tortoise burrows are located on the Project site during the Lee County protected species survey conducted in October and November 2021. An FWCC Gopher Tortoise Relocation Permit will be obtained, and relocation activities will be conducted in accordance with FWCC Gopher Tortoise Permitting Guidelines (2020).

10.0 REFERENCES

Ashton, R and P. Ashton. 2002. Personal Communication.

Cox, J.D. Inkley, and R. Kantz. 1987. Ecology and Habitat Protection Needs of Gopher Tortoise (*Gopherus polyphemus*). Populations found on State Lands Slated for Large Scale Development in Florida. 69 pp.

Florida Department of Transportation. 1999. Florida Land Use, Cover and Forms Classification System. Procedure No. 550-010-001-a. Third Edition.

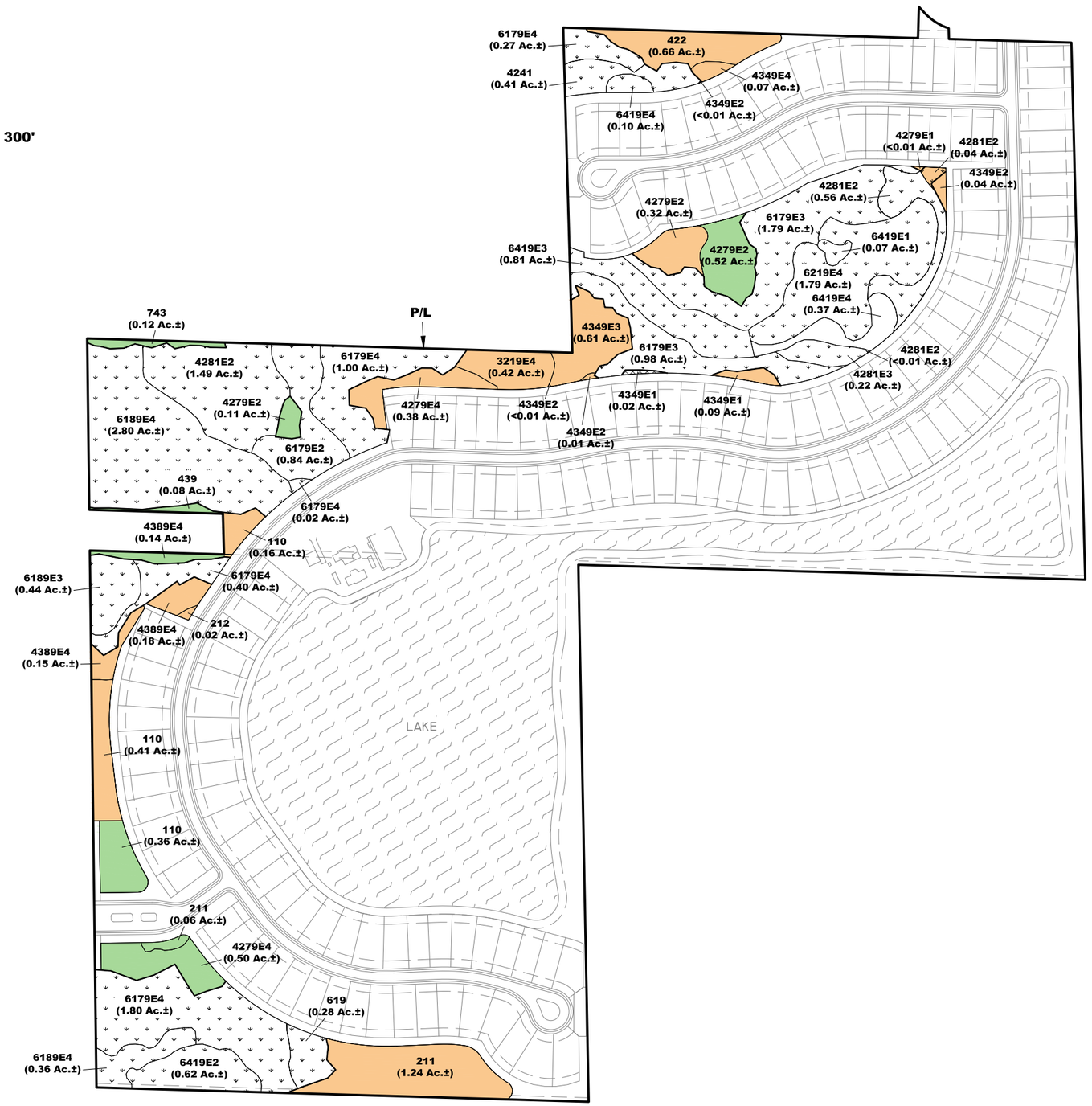
FWCC Gopher Tortoise Permitting Guidelines July 2020

DCI2021-00051 Lee County ePlan Additional info dated 03-08-2022

APPENDIX A

INDIGENOUS PRESERVE PLAN

SCALE: 1" = 300'



LEGEND:

- WETLAND INDIGENOUS PRESERVE (17.42 Ac.±)
- WETLAND CREATION (4.82 Ac.±)
- UPLAND INDIGENOUS PRESERVE (1.89 Ac.±)
- SURVEYED WETLAND LINE

FLUCFCS CODES	DESCRIPTIONS	ACREAGE	% OF TOTAL
110	RESIDENTIAL, LOW DENSITY	0.93 Ac.±	3.9%
211	IMPROVED PASTURE	1.30 Ac.±	5.4%
212	UNIMPROVED PASTURE	0.02 Ac.±	0.1%
3219 E4	PALMETTO PRAIRIES, DISTURBED (76-100% EXOTICS)	0.42 Ac.±	1.7%
422	BRAZILIAN PEPPER	0.66 Ac.±	2.7%
4241	MELALEUCA, HYDRIC	0.41 Ac.±	1.7%
4279 E2	LIVE OAK, DISTURBED (25-49% EXOTICS)	0.95 Ac.±	3.9%
4279 E4	LIVE OAK, DISTURBED (76-100% EXOTICS)	0.88 Ac.±	3.6%
4281 E2	CABBAGE PALM, HYDRIC (25-49% EXOTICS)	2.09 Ac.±	8.7%
4281 E3	CABBAGE PALM, HYDRIC (50-75% EXOTICS)	0.22 Ac.±	0.9%
4349 E1	HARDWOOD/CONIFER MIXED, DISTURBED (0-24% EXOTICS)	0.11 Ac.±	0.5%
4349 E2	HARDWOOD/CONIFER MIXED, DISTURBED (25-49% EXOTICS)	0.05 Ac.±	0.2%
4349 E3	HARDWOOD/CONIFER MIXED, DISTURBED (50-75% EXOTICS)	0.61 Ac.±	2.5%
4349 E4	HARDWOOD/CONIFER MIXED, DISTURBED (76-100% EXOTICS)	0.07 Ac.±	0.3%
4389 E4	HARDWOOD/CONIFER MIXED, DISTURBED (76-100% EXOTICS)	0.47 Ac.±	1.9%
439	EXOTIC HARDWOODS	0.08 Ac.±	0.3%
6179 E2	MIXED WETLAND HARDWOODS, DISTURBED (25-49% EXOTICS)	0.84 Ac.±	3.5%
6179 E3	MIXED WETLAND HARDWOODS, DISTURBED (50-75% EXOTICS)	2.77 Ac.±	11.5%
6179 E4	MIXED WETLAND HARDWOODS, DISTURBED (76-100% EXOTICS)	3.49 Ac.±	14.5%
6189 E3	WILLOW, DISTURBED (50-75% EXOTICS)	0.44 Ac.±	1.8%
6189 E4	WILLOW, DISTURBED (76-100% EXOTICS)	3.16 Ac.±	13.1%
619	EXOTIC WETLAND HARDWOODS	0.28 Ac.±	1.2%
6219 E4	CYPRESS, DISTURBED (76-100% EXOTICS)	1.79 Ac.±	7.4%
6419 E1	FRESHWATER MARSH, DISTURBED (0-24% EXOTICS)	0.07 Ac.±	0.3%
6419 E2	FRESHWATER MARSH, DISTURBED (25-49% EXOTICS)	0.62 Ac.±	2.6%
6419 E3	FRESHWATER MARSH, DISTURBED (50-75% EXOTICS)	0.81 Ac.±	3.4%
6419 E4	FRESHWATER MARSH, DISTURBED (76-100% EXOTICS)	0.47 Ac.±	1.9%
743	SPOIL AREAS	0.12 Ac.±	0.5%
	TOTAL	**24.13 Ac.±**	**100.0%**

NOTES:

PROPERTY BOUNDARY AND SITE PLAN PER RVI PLANNING DRAWING No. (2022-01-28) I223101E0206.DWG DATED FEBRUARY 1, 2022.

SURVEYED WETLAND LINES PER RHODES & RHODES, INC. DRAWING No. 2021-541-WETLAND LINES.DWG DATED NOVEMBER 3, 2021.

FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

UPLAND/WETLAND LIMITS HAVE NOT BEEN REVIEWED BY ANY REGULATORY AGENCY AND ARE SUBJECT TO CHANGE.

J:\2021\21ncc3643\2022\Lee Co Zoning Responses\Appendix A Indigenous Preserve Plan 022522.dwg Tab: 17x11-C Mar 08, 2022 - 9:02am Plotted by: PaulF

REVISIONS	DATE
Revise preserve area	2/25/22

		DATE
DRAWN BY	H.H./T.S.	2/25/22
DESIGNED BY	B.B.	2/25/22
REVIEWED BY	B.B.	2/25/22

13620 Metropolis Avenue
Suite 200
Ft. Myers, FL 33912
Phone (239) 274-0067
Fax (239) 274-0069

Passarella & Associates, Inc.
Consulting Ecologists

31 OAKS

INDIGENOUS PRESERVE PLAN

DRAWING No. 21NCC3643

SHEET No. APPENDIX A