



Professional Engineers, Planners & Land Surveyors

June 29, 2022

Ms. Courtney Gordon
Lee County Development Services
1500 Monroe Street
Fort Myers, Florida 33901

Reference: **GRAND BAY MINOR MPD**
DCI2022-00018

Dear Courtney:

This letter is written in response to your review comments dated April 26, 2022. Please note that the applicant has obtained a formal jurisdictional wetland determination which has resulted in a reduction of wetlands on the site. The relevant application materials have been revised to reflect this change. With this letter we are submitting the following additional information you requested:

1. USGS Quad Map
2. Florida Master Site File Correspondence
3. Revised Application for Planned Development
4. Revised Preliminary Density Calculations
5. Revised Narrative of Request
6. Revised Master Concept Plan (24"x36" & 11"x17")
7. Revised Schedule of Uses
8. Response from TR Transportation Consultants, Inc.
9. Schedule of Deviations & Justifications
10. FLUCCs Map w/MCP Overlay
11. Revised Protected Species Survey
12. Jurisdictional Determination
13. Revised Vegetation/FLUCCS Map
14. Revised Wetland Map
15. Estero Vista Indigenous Preservation & Restoration Plan
16. Protected Species Management Plan
17. Drainage & Access Easement
18. Stormwater Narrative

Presented below are responses to each review comment:

ZONING

Comment 1: Please submit a County topographic map of a USGS quadrangle map showing the subject property, in accordance with LDC Section 34-373(a)(4)iv.

Response: ***Please see attached USGS quadrangle map.***

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Comment 2: County records indicate that portions of the subject property are within a level 2 zone of archaeological sensitivity. Please indicate if there are any known or recorded historical or archaeological sites as listed on the Florida Master Site File or the Lee County Historical Society Survey, and the location of any part of the property that is located within level 1 or level 2 archaeological sensitivity, in accordance with LDC Section 34-373(a)(4)d.

Response: *Pursuant to follow up discussions with staff, attached please find correspondence with the Florida Master Site File that was submitted with the concurrent Comprehensive Plan amendments. No cultural resources were detected.*

Comment 3: Please revise the proposed zoning in the table on page two of the Narrative of Request. It states that the proposed zoning is General Commercial (CG) and Residential-Multiple Family (RM-2).

Response: *Please see attached revised Narrative of Request.*

Comment 4: Please revise the Master Concept Plan (MCP) to indicate the commercial or mixed-use acreage. Please note, LDC Section 34-940(a) establishes that all mixed use planned developments must meet or exceed at least two of the thresholds found in LDC Section 34-940(a)(1)-(4).

Response: *Please see attached revised MCP. The request includes over 50 dwelling units and 30,000 SF of commercial on over 2 acres, meeting at least two of the thresholds. The proposed MPD also includes 17.44± acres of community facilities consisting of a proposed perpetual stormwater drainage and access easement over the floodway and adjacent preserved wetlands, which meets a third threshold for community facilities over two acres.*

Comment 5: Please revise the MCP to indicate what the narrow-speckled area is that runs through the upland preserve area.

Response: *The area is an existing dirt trail. Please see attached revised MCP.*

Comment 6: The MCP depicts a connection to the property to the south; however, it does not connect with the existing Santa Maria Street. Please indicate if this connection will connect to Santa Maria Street. Is Santa Maria Street being realigned to meet this connection? Please note, an amendment to the Residential Planned Development (RPD) to the south may be required if Santa Maria Street is proposed to be realigned to meet the connection with the proposed Mixed Use Planned Development (MPD).

Response: *As discussed in the meeting with staff, no connection is proposed to existing Santa Maria Street. Santa Maria Street is not being realigned. No amendment is required to the RPD to the south.*

Comment 7: Please revise the Narrative of Request to provide a more thorough analysis of Goal 6. At a minimum, please provide analysis of Policy 6.1.6 and Policy 6.1.7.

Response: *Please see attached revised Narrative of Request.*

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Comment 8: Please revise the Narrative of Request and the Schedule of Uses. The section regarding LDC Section 34-145(d)(4)a.2 indicates that the Schedule of Uses includes all uses allowed with an MPD. There are uses listed in LDC Section 34-934 for MPD that have not been included in the Schedule of Uses. Please revise for consistency.

Response: *Please see attached revised Narrative of Request.*

Comment 9: Please revise the Schedule of Uses to be consistent. Some of the uses are consistent with LDC Section 34-934 in that they reference a note, while other uses have a note in LDC Section 34-934, but do not in the Schedule of Uses. Please revise for consistency.

Response: *The notes have been removed from the attached revised Schedule of Uses to remove any confusion.*

Comment 10: Please indicate if any deviations are being proposed.

Response: *Yes. Please see attached Schedule of Deviations and Justifications.*

Comment 11: Please note, staff has concerns with the following uses in the Schedule of Uses being a part of a Mixed Use Planned Development with proposed residential: contractors and builders, group III; excavation, oil or gas; nightclub; personal services, groups I and II; and warehouse, high cube.

Response: *Contractors and builders Group III and Personal Services, Groups I and II are permitted in the existing zoning (CG) adjacent to existing residential zoning (MH-1). The Schedule of Uses has been revised to remove excavation, oil or gas, nightclub and warehouse, high cube.*

Comment 12: Please note, the property development regulations provided are consistent with property development regulations established by LDC Section 34-844 for the Mixed-Use Overlay. These regulations are only applicable if the companion Comprehensive Plan Amendment (CPA) cases are approved.

Response: *Acknowledged.*

DEPARTMENT OF TRANSPORTATION

Comment 1: The MCP shows an inter-connection from this project to the south property just west of Santa Maria St. The applicant needs to verify if an access easement is available for this project and who will construct the connection to Santa Maria St within the adjacent south property.

Response: *As discussed in the meeting with staff, the adjacent development to the south, Estero Vista, received development order approval under Case Number DOS2020-00127 which includes only a sod covered stabilized, gated emergency only access connection to Santa Maria Street. The onsite access road that interconnects with Estero Vista received development order approval under Case Number DOS2020-00128. There is an access, infrastructure and signage easement agreement recorded in Instrument Number 20200000241851.*

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Comment 2: Please note, proposed access to US41 is subject to approval by Florida Department of Transportation (FDOT).

Response: *Acknowledged.*

TIS

Comment 1: The trip generation from the proposed uses will increase trips from the approved uses; however, Table 4 shows trip reduction. Please revise for consistency.

Response: *Please see attached response from TR Transportation Consultants, Inc.*

Comment 2: Since the project will generate more than 100 trips per hour, the information of level of service (LOS) for the project's entrance and the intersections within a quarter mile are required.

Response: *Please see attached response from TR Transportation Consultants, Inc.*

DEVELOPMENT SERVICES

Comment 1: LDC Section 10-291(3) establishes that residential development of more than five (5) acres and commercial or industrial development of more than ten 10 acres must provide more than one means of ingress or egress for the development. The subject MCP does not meet this requirement. Please note that a deviation from this requirement requires a public hearing. Staff understands this project proposes a connection point to the project to the south and that the project to the south shows an emergency only access point. The original rezoning (Z-05-016) and amendment (ADD2020-00104) does not have an approved deviation to this requirement. Z-05-016 was issued when the requirement was at the Director's discretion. The code now requires a public hearing for a deviation to this requirement. Staff is hesitant to support a deviation to allow both projects a single ingress/egress point when access is available via Santa Maria Street.

Response: *Deviation 1 has been added to allow the two residential access connections to the access road approved under DOS2020-00128 which provides a single 56-foot wide connection to US 41 and interconnection to Estero Vista development to the south (DOS2020-00127) which provides a turnaround and has an emergency only access connection onto Santa Maria Street. Please see attached Schedule of Deviations and Justifications.*

Comment 2: LDC Section 34-1748 establishes that entrance gates or gatehouses that control access to three or more dwelling units or recreational vehicles, or any commercial, industrial or recreational facility must provide a paved turn-around suitable to accommodate a U-turn for a single unit truck. The gate on the south side of the property does not meet this requirement.

Response: *Deviation 2 has been added to allow no turn-around for the southern gated secondary resident only access. Please see attached Schedule of Deviations and Justifications.*

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Comment 3: Please request a deviation from LDC Section 10-285, which establishes connection separation requirements, if necessary. Staff understands that this is a State-maintained roadway; however, the deviation will be necessary to comply with the requirement of LDC Section 10-285.

Response: *Please see attached Schedule of Deviations and Justifications, Deviation 3.*

Comment 4: In the event that access is proposed to Santa Maria Street the roadway access must meet standards established by LDC Section 10-291 or a deviation to the requirements.

Response: *Acknowledged. No connection is proposed to Santa Maria Street.*

Comment 5: LDC Section 10-329(d)(1)a.3 establishes that excavations must be set back 50 feet from any property line under separate ownership. The plan does not appear to meet this requirement to the north property line. Please confirm this requirement is met or request a deviation.

Response: *Please see attached revised MCP. This requirement is met and no deviation is necessary.*

ENVIRONMENTAL - Elizabeth Workman

Comment 1: The Master Concept Plan notes states "wetland preserve, 13 acres". Please revise the Master Concept Plan to include "indigenous" or "nonindigenous" in the notes section when referencing the preserves.

Response: *Please see attached revised Master Concept Plan.*

Comment 2: Please overlay the Master Concept Plan on the FLUCCs Map.

Response: *Please see attached overlay of the MCP and FLUCCs Map.*

Comment 3: The protected species survey stated that there was 41 Gopher Tortoises and 23 trees with cavities. Please submit a species management plan for the Gopher Tortoises and Bonneted Bats. Indicate if the gopher tortoises located within the proposed preservation area will remain onsite. Please demonstrate how the applicant will meet Lee Plan Objective 123.8 and Policy 123.8.1.

Response: *Please see attached Protected Species Management Plan and revised Narrative of Request.*

Comment 4: The Protected Species Survey is unclear if a Bonneted Bat Acoustic survey has been conducted. Please clarify if an acoustic survey has been conducted, or if it will be completed prior to Development Order.

Response: *A Bonneted Bat Acoustic survey has not yet been conducted. If required by the State, a Bonneted Bat Acoustic survey will be completed prior to Development Order.*

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Comment 5: Section 10-418(1) states that shorelines must be sinuous in configuration to provide increased length and diversity of the littoral zone. Please demonstrate littorals on the proposed lake.

Response: *The applicant has not proposed any deviations to LDC Section 10-418(2) and will demonstrate compliance at the time of development order. Note 9 has been added to the Master Concept Plan that the lake must demonstrate a planted littoral shelf that functions as a typical freshwater marsh consistent with the LDC at time of development order.*

Comment 6: Lee Plan Policy 125.1.3 states, "New development and additions to existing development must not degrade surface and ground water quality". Please note that 10-418(2) of the Land development code explains that a Planted Littoral Shelf must function as a typical freshwater marsh in ponds with slopes from 6(H) to 1(V) to not more than 4(H) to 1(V). Please explain and demonstrate how the proposed lake is meeting the requirements of 10-418(2) and Lee Plan Policies 125.1.2, and 125.1.3.

Response: *The applicant has not proposed any deviations to LDC Section 10-418(2) and will demonstrate compliance at the time of development order. Note 9 has been added to the Master Concept Plan that the lake must demonstrate a planted littoral shelf that functions as a typical freshwater marsh consistent with the LDC at time of development order. Please also see attached revised Narrative of Request.*

Comment 7: Open space proposed is 40%. Per LDC Section 10-424(a) this is a large development requiring 20% open space. Revise the MCP to state the percentage required and provided.

Response: *Please see attached revised MCP.*

Comment 8: Please note that the buffers are subject to change if the Text Amendment is not approved, or if conditions are applied.

Response: *Acknowledged.*

Comment 9: It appears that South Florida Water Management Permit 36-104286-P only covers 5.97 acres. Please provide a formal Jurisdictional Determination for the rest of the development and depict any Jurisdictional lines on the Master Concept Plan.

Response: *Please see attached formal Jurisdictional Determination and revised MCP.*

Comment 10: According to the narrative, restoration is being proposed onsite. 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. The management plans will help justify Coastal High Hazard, Lee Plan Policies 101.1.2 and 4.1.4.

Response: *Please see attached revised Narrative of Request. The applicant proposes the following condition: "Prior to local development order approval, an indigenous area management plan will be provided that is substantially consistent with the indigenous area*

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management plan reviewed and approved for the adjacent Estero Vista development (DOS2020-00127)." The indigenous vegetation preserves will enhance the existing wetlands and uplands by exotic control consistent with this approved plan which is attached for reference. No supplemental plantings are proposed.

Comment 11: Are any wetlands being impacted? If so, please indicate whether mitigation is being proposed onsite or offsite.

Response: *Yes. Minor impacts to 0.17± acre of Hydric Disturbed Land low quality wetlands are proposed. Since the impacts are 2 isolated low quality wetlands less than ½ acre in size that are not utilized by listed species, no wetland mitigation is required or proposed. Since 0.04±acre of wetland impact is within the Coastal High Hazard Area, 0.04± acre of compensating storage creation from non-indigenous upland are proposed as shown on the Master Concept Plan.*

NATURAL RESOURCES

Comment 1: Please include a discussion that addresses the policies 126.1.4 through 126.1.6.

Response: *The applicant proposes the following condition regarding water quality monitoring: Water Quality Monitoring.*

- a. Developer must submit a Water Quality Monitoring Plan with the first development order application. The Water Quality Monitoring Plan must be reviewed and approved by Lee County Division of Natural Resources prior to issuance of a development order. At a minimum, the Water Quality Monitoring Plan must establish:*
 - i. Goals and Objectives of the Water Quality Monitoring Plan;*
 - ii. An outfall monitoring schedule during the "wet" season of June through October, for constituents of concern approved by Lee County Division of Natural Resources;*
 - iii. A baseline monitoring event to be part of the monitoring plan that must be completed prior to commencement of construction; and*
 - iv. A contingency plan to be implemented upon discovery of an exceedance of State Water Quality Standards. The plan must include notification to impacted residents and authorities.*
- b. Developer must provide water quality monitoring data to the Division of Natural Resources annually for a minimum of 5 years. The data must include a report with a comparison of state water quality standards, plots of parameters, and recommendations. Results must be reported as an Electric Data Deliverable (EDD), in a format approved by the Division of Natural Resources.*

If the project meets or exceeds state water quality monitoring standards for five consecutive years, developer may request to amend the water quality monitoring and reporting schedule. The request must be in writing and is subject to the review and approval of the Division of Natural Resources.

Comment 2: The western properties contain FEMA floodplain areas and have existing offsite drainage conveyance structures. Please address how rezoning to allow for future residential development is consistent with impacts to the floodplain and how the request will not have adverse impacts on upstream or downstream communities, particularly considering the floodplain zone on the site. How will this drainage conveyance be

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protected under the rezone request? What are the anticipated effects to the existing ROW?

Response: *The proposed rezoning does not include any impacts to the FEMA floodway which is entirely within the proposed preservation areas of the site which well exceed the preservation requirements for the project. Please see attached draft drainage and access easement. The request removes 20 potential dwelling units from the western Rural uplands by transferring them to the Urban Community uplands to the east, removing the need for an access road within the 30' platted road right-of-way that would have impacted the floodway and adjacent wetlands. The proposed treatment and control of exotic vegetation that will be accomplished by this request, the removal of the need for an access road crossing, and the proposed drainage and access easement protects and enhances the drainage conveyance. The wetland preserve areas will remain outside of the proposed site stormwater management system and will continue to remain available to receive off-site flows.*

Comment 3: Please address Goal 125 for water quality of this site that has a final outfall into the sensitive waters of Estero Bay and is within the impaired Mullock Creek watershed. Also, the various uses proposed have the potential to degrade water quality.

Response: *The applicant appreciates staff's follow up coordination in providing the uses that staff has concern with. Automobile Repair and Service, all groups; Building Material Sales; Hardware Store; Lawn and Garden Supply Stores; Parks, Groups I & II; Rental and Leasing Establishment Groups I & III; Repair Shops Groups II, III & IV; Transportation Services Groups II & III; Vehicle and Equipment Dealers Groups I, II, III, IV & V are permitted in the existing zoning (CG) adjacent to existing residential zoning (MH-1). The Schedule of Uses has been revised to remove Boat Repair and Service, Freight and Cargo Handling Establishment, Rental and Leasing Establishment Group IV, Repair Shops Group V, Transportation Services Groups I & IV which are not existing permitted uses in the CG zoning district.*

Comment 4: Please address Goal 101 for Coastal Areas and development in Coastal High Hazard Area.

Response: *Please see attached revised Narrative of Request.*

Comment 5: Please provide Drainage and Access Easement per 10-328 for the Floodway. Please label these areas on the MCP and provide a draft easement.

Response: *Please see attached drafted Drainage and Access Easement which is demonstrated on MCP Page 2.*

Comment 6: Please provide a stormwater narrative per LDC 34-373(b)1. Please address all components of this requirement.

Response: *Please see attached stormwater narrative.*

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PLANNING

Comment 1: Please note, this case will remain insufficient until the companion CPA cases have been reviewed for sufficiency.

Response: Acknowledged.

Comment 2: Please provide a graphic showing all requested densities (including type of bonus density) and the corresponding section of the subject property the density is coming from.

Response: Please see attached revised Preliminary Density Calculations with density exhibit.

SOLID WASTE

Comment 1: The dimensions of the solid waste enclosure area on MCP need to include the gate opening width of at least 12ft in accordance with Solid Waste Ordinance 11-27.

Response: Please see attached revised MCP which includes a note addressing this requirement.

If you should have any questions or require additional information, please do not hesitate to contact me at (239) 770-2527 or shewitt@bankseng.com.

Sincerely,
BANKS ENGINEERING

Stacy Ellis Hewitt, AICP
Director of Planning

Attachments

SEH:jms



APPLICATION FOR PLANNED DEVELOPMENT PUBLIC HEARING UNINCORPORATED AREAS ONLY

Project Name: Grand Bay Minor MPD

Request: Rezone from: MH-1 & CG To: Mixed Use Planned Development (MPD)

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

Bonus Density included? ☐ NO ☒ YES¹ for: 121 Bonus Units

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

Summary of Project:

Request to rezone 46.33± acres from Mobile Home District (MH-1) and General Commercial District (CG) to Minor Mixed Use Planned Development (MPD) to allow a maximum of 300* dwelling units (including 114* bonus density units) and 30,000 square feet of commercial retail or office uses with a maximum height of 53 feet.

*Includes 13 dwelling units (including 6 bonus density units) from 1.53±-ac of adjacent private right-of-way

PART 1 APPLICANT/AGENT INFORMATION

A. Name of Applicant: Grand Bay Ft Myers MF LLC

Address: c/o Banks Engineering, ATTN: Stacy Ellis Hewitt, 10511 Six Mile Cypress Pkwy

City, State, Zip: Fort Myers, FL 33966

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

E-mail Address: shewitt@bankseng.com

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

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

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

☐ Application is County initiated. Attach BOCC authorization.

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

1. Company Name: Banks Engineering

Contact Person: Stacy Ellis Hewitt, AICP

Address: 10511 Six Mile Cypress Parkway

City, State, Zip: Fort Myers, FL 33966

Phone Number: 239-770-2527

Email: shewitt@bankseng.com

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

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

PART 2 PROPERTY OWNERSHIP

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

Name: Freeland FL Holdings LLC

Address: 4830 Griffin Boulevard

City, State, Zip: Fort Myers, FL 33908

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

Email: shewitt@bankseng.com

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

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

C. Multiple parcels:

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

☐ Property owners map. [34-202(a)(8)]

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

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

2. Date property was acquired by present owner(s): 12/31/20 (Freeland family since 1968-1970)

PART 3 PROPERTY INFORMATION

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

20-46-25-01-00004.0000, 20-46-25-01-00004.0010, 20-46-25-01-00005.0000 & 20-46-25-01-00006.0000

B. Street Address of Property: 19200 S. Tamiami Trl, 4050 Santa Maria St, Fort Myers, FL 33908 & Access Undetermined

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

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

OR

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

AND

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

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

OR

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

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

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

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

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

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

E. Current Zoning of Property: MH-1 & CG

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

F. Use(s) of Property:

1. Current uses of property are: Vacant

2. Intended uses of property are: Mixed Use

G. Future Land Use Classification (Lee Plan):

Urban Community	<u>16.08±</u>	Acres	<u>35±</u>	% of Total
Rural	<u>19.49±</u>	Acres	<u>42±</u>	% of Total
Wetlands	<u>10.76±</u>	Acres	<u>23±</u>	% of Total

H. Property Dimensions:

1. Width (average if irregular parcel):	<u>±531 avg</u>	Feet		
2. Depth (average if irregular parcel):	<u>±1,841 avg</u>	Feet		
3. Total area:	<u>±46.33</u>	Acres or square feet		
4. Frontage on road or street:	<u>±491.36</u>	Feet on	<u>S. Tamiami Trail (U.S. 41)</u>	Street
2 nd Frontage on road or street:	<u>±476</u>	Feet on	<u>Santa Maria</u>	Street

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

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

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

PART 4
TYPES OF LAND AREA ON PROPERTY

A. Gross Acres (total area within described parcel)		<u>46.33±</u>	Acres
1. Submerged land subject to tidal influence		<u>0</u>	Acres
2. a. Preserved freshwater wetlands	<u>10.59±</u>	Acres	
b. Impacted wetlands	<u>0.17±</u>	Acres	
c. Preserved saltwater wetlands	<u>0</u>	Acres	
d. Total wetlands (A.2.a. plus A.2.b. plus A.2.c.)		<u>10.76±</u>	Acres
3. R-O-W providing access to non-residential uses		<u>0</u>	Acres
4. Non-residential use areas ^{(1) (2)}		<u>3±*</u>	Acres
<u>*3± ac commercial included in residential acreage pending concurrent CPA map amendment to add ±14.77 acres of property to MUO</u>			
B. Total area not eligible as gross residential acreage (Items A.1. + A.3. + A.4.).		<u>0</u>	Acres
C. Gross residential acres. (A minus B) ⁽³⁾		<u>46.33±</u>	Acres
D. Gross residential acres (by Land Use Category)			
1. a. Intensive Development – upland			Acres
b. Intensive Development – preserved freshwater wetlands			Acres
c. Intensive Development – impacted wetlands			Acres
2. a. Central Urban – upland			Acres
b. Central Urban – preserved freshwater wetlands			Acres
c. Central Urban – impacted wetlands			Acres
3. a. Urban Community or Suburban – upland	<u>16.08±</u>	Acres	
b. Urban Community or Suburban – preserved freshwater wetlands	<u>10.59±</u>	Acres	
c. Urban Community or Suburban – impacted wetlands	<u>0.17±</u>	Acres	

4.	a.	Suburban – upland	_____	Acres
	b.	Suburban – preserved freshwater wetlands	_____	Acres
	c.	Suburban – impacted wetlands	_____	Acres
5.	a.	Outlying Suburban – upland	_____	Acres
	b.	Outlying Suburban – preserved freshwater wetlands	_____	Acres
	c.	Outlying Suburban – impacted wetlands	_____	Acres
6.	a.	Sub-Outlying Suburban – upland	_____	Acres
	b.	Sub-Outlying Suburban – preserved freshwater wetlands	_____	Acres
	c.	Sub-Outlying Suburban – impacted wetlands	_____	Acres
7.	a.	Rural , Outer Island, Rural Community Preserve – upland	<u>19.49±</u>	Acres
	b.	Rural, Outer Island, Rural Community Preserve – wetlands	_____	Acres
8.	a.	Open Lands – upland	_____	Acres
	b.	Open Lands – wetlands	_____	Acres
9.	a.	Resource – upland	_____	Acres
	b.	Resource – wetlands	_____	Acres
10.	a.	Wetlands	_____	Acres
11.	a.	New Community – upland	_____	Acres
	b.	New Community – wetlands	_____	Acres
12.	a.	University Community – upland	_____	Acres
	b.	University Community – wetlands	_____	Acres
13.	a.	Coastal Rural – upland	_____	Acres
	b.	Coastal Rural – wetlands	_____	Acres

TOTAL (should equal "C" above)

46.33± Acres

Notes:

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

PART 5

RESIDENTIAL DEVELOPMENT - PRELIMINARY DENSITY CALCULATIONS

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

A. Future Land Use Category: Please see attached Preliminary Density Calculations

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

Note:

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

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

A.	Commercial	Height	Total Floor Area (Square Feet)
	1. Medical		*
	2. General Office		*
	3. Retail		*
	4. Other: _____		
	5. TOTAL FLOOR AREA		*Max 30,000 SF
B.	Industrial	Height	Total Floor Area (Square Feet)
	1. Under Roof		
	2. Not Under Roof		
	3. TOTAL FLOOR AREA		0
C.	Mining	Depth	Total Acres
	1. Area to be excavated		0
D.	Assisted Living Facilities	Height	Total Beds/Units
	1. Dependent Living Units		
	2. Independent Living Units		
	3. TOTAL BEDS/UNITS		0
E.	Hotels/Motels (Room Size)	Height	Total Rental Units
	1. < 425 sq. ft.		
	2. 426-725 sq. ft.		
	3. 725 < sq. ft.		
	4. TOTAL UNITS		0

PART 7
ACTION REQUESTED

- A. Request Statement:** Provide a single narrative explaining the nature of the request and how the property qualifies for the rezoning to a planned development. This narrative should include how the proposed development complies with the Lee Plan, the Land Development Code, and the applicable findings/review criteria set forth in LDC section 34-145(d)(4). This narrative may be utilized by the Board of County Commissioners, Hearing Examiner and staff in establishing a factual basis for the granting or denial of the rezoning. **[34-373(a)(5)]**
- B. Traffic Impact Statement.** A traffic impact statement in a format and to the degree of detail required by the County and in conformance with the adopted Lee County Administrative Code. TIS is not required for an existing development. **[34-373(a)(7)]**
- C. Master Concept Plan:**
1. **Master Concept Plan, Non-PRFPD:** A graphic illustration (Master Concept Plan) of the proposed development, showing and identifying the information required by LCLDC Section 34-373(a)(6)a. Copies of the Master Concept Plan must be provided in two sizes, 24"x36" and 11"x17", and must be clearly legible and drawn at a scale sufficient to adequately show and identify the required information. In addition to the Master Concept Plan, an open space design plan delineating the indigenous preserves and/or native tree preservation areas as required by LDC Section 10-415(b) must be submitted. **[34-373(a)(6)]**
 2. **Schedule of Uses:** A schedule of uses keyed to the Master Concept Plan as well as a summary for the entire property including the information required by LCLDC Section 34-373(a)(8)]. **[34-373(a)(8)]**
 3. **Schedule of Deviations and Written Justification:** A schedule of deviations and a written justification for each deviation requested as part of the Master Concept Plan accompanied by documentation including sample detail drawings illustrating how each deviation would enhance the achievement of the objectives of the planned development and will not cause a detriment to public interests. The location of each requested deviation must be located/shown on the Master Concept Plan. **[34-373(a)(9)]**
- D. Bonus Density: [34-202(a)(11)]**
- ☐ Not Applicable
- ☒ Bonus Density will be used. Provide the number of Bonus Density units being requested and a narrative of how the request meets the requirements of LDC Section 2-146.

PART 8 ENVIRONMENTAL REQUIREMENTS

- A. Topography:** Describe the range of surface elevations of the property. Attach a county topographic map (if available) or a USGS quadrangle map showing the subject property. **[34-373(a)(4)b.iv.]**
See attached USGS quad map.
-
- B. Sensitive Lands:** Identify any environmentally sensitive lands, including, but not limited to, wetlands (as defined in the LEE Plan Section XII), flowways, creek beds, sand dunes, other unique land forms [see LEE Plan Policy 77.1.1 (2)] or listed species occupied habitat [see LCLDC Section 10-473(f)].
The site includes a total of 11.13 acres of jurisdictional exotic wetlands associated with the Mullock Creek flow-way that runs from the northwest to the southeast through the site and includes 2 small isolated low quality wetlands to the east. 10.76 acres of these wetlands are within the 46.33 acre project boundary and 0.37 acres are within the adjacent 30' private right-of-way that bisects the site which is proposed to be vacated. The submitted Protected Species Assessment identifies 41 potentially occupied gopher tortoise burrows with 9 to the east of the floodway and the remainder in the western portion of the site.
-
- C. Preservation/Conservation of Natural Features:** Describe how the lands listed in PART 6.B. above will be protected by the completed project:
10.96± acres of wetlands and 16.98± acres of indigenous uplands and gopher tortoise habitat within and to the west of the Mullock Creek floodway are proposed for preservation and exotic treatment along with non-indigenous uplands, compensating storage area and the existing dirt road area outside of the development footprint resulting in 30± acres of preservation. Minor impacts to 0.17± acre of Hydric Disturbed Land low quality wetlands are proposed. 0.13± acre of these received approval for impact under SFWMD permit number 36-104286-P associated with the permitted access for the site. The clustered site proposes to impact 0.04± acres of an isolated exotic wetland to allow the western preservation area. Since these minimal impacts are to isolated low quality wetlands less than ½ acre in size that are not utilized by listed species, no wetland mitigation is required or proposed. Compensating storage for the 0.04± acre impact that is within the Coastal High Hazard Area will be created out of non-indigenous uplands adjacent to the wetlands in the floodway as shown on the proposed Master Concept Plan. The 9 potentially occupied gopher tortoise burrows to the east of the flow-way are within the proposed clustered development footprint. At the time of development, the applicant will relocate any gopher tortoises in accordance with FWC current guidelines with the intent to relocate any to the upland preserve portion of the site. See submitted Protected Species Management Plan. Preservation of the Rural uplands also eliminates the potential for 20 single-family homes that could have been developed with septic tanks which is an improvement for the impaired Mullock Creek watershed.
-
- D. Shoreline Stabilization:** If the project is located adjacent to navigable natural waters, describe the method of shoreline stabilization, if any, being proposed:
N/A
-
- E. Soils Map:** Attach maps drawn at the same scale as the Master Concept Plan marked or overprinted to show the soils classified in accordance with the USDA/SCS System. **[34-373(a)(4)b.i.]**
-
- F. FLUCCS Map:** A Florida Land Use, Cover and Classification System (FLUCCS) map, at the same scale as the Master Concept Plan, prepared by an environmental consultant. The FLUCCS map must clearly delineate any Federal and State jurisdictional wetlands and other surface waters, including the total acreage of Federal and State wetlands. **[34-373(a)(4)c.]**
-
- G. Rare & Unique Upland Habitat Map:** Maps drawn at the same scale as the Master Concept Plan marked or overprinted to show significant areas of rare and unique upland habitat as defined in the LEE Plan Section XII. **[34-373(a)(4)b.iii.]**
-
- H. Existing and Historic Flow-Ways Map:** Map(s) drawn at the same scale as the master concept plan marked or overprinted to show existing and historic flow-ways. **[34-373(a)(4)b.v.]**

PART 9 SANITARY SEWER & POTABLE WATER FACILITIES

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

3. Expected life of the facility:

N/A

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

N/A

5. Receiving bodies or other means of effluent disposal:

N/A

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

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

N/A

2. Current water table conditions:

N/A

3. Proposed rate of application:

N/A

4. Back-up system capacity:

N/A

**PART 10
ADDITIONAL REQUIREMENTS**

A. Major Planned Developments:

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

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

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

D. Private Recreational Facility Planned Developments (PRFPDs):

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

community preservation requirement. [34-941(e)(5)f.iii.]

5. **Environmental Assessment.** An Environmental Assessment must be provided which includes, at a minimum, an analysis of the environment, historical and natural resources. [34-941(g)(2)]
6. **Demonstration of Compatibility.** Written statements concerning how the applicant will assure the compatibility of the proposed development with nearby land uses (by addressing such things as noise, odor, lighting and visual impacts), and the adequate provision of drainage, fire and safety, transportation, sewage disposal and solid waste disposal must be provided. [34-941(g)(4)]

E. **Potable Water & Central Sewer.** Will the project be connected to potable water and central sewer as part of any development of the property?

- ☒ **YES** (Provide a letter from the appropriate Utility to which the connection(s) are proposed confirming availability of service.) [34-202(a)(10)]
- ☐ **NO** (Provide a narrative explaining why the connection is not planned and how the water and sewer needs of the project will be met.) [34-202(a)(10)]

F. **Existing Agricultural Use:** If the property owner intends to continue an existing agricultural use on the property subsequent to the zoning approval, an Existing Agricultural Use Affidavit must be provided. Entitle as "Existing Agricultural Uses at Time of Zoning Application." [34-202(a)(12)]

G. **Flood Hazard:**

- ☐ Not applicable
- ☒ The property is within an Area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRM)s.
- ☒ The minimum elevation required for the first habitable floor is varies-ports in X, AE-EL 10 & AE-EL 11 NAVD (MSL) NAVD (MSL)

H. **Excavations/Blasting:**

- ☒ No blasting will be used in the excavation of lakes or other site elements.
- ☐ If blasting is proposed, provide Information Regarding Proposed Blasting (including soil borings, a map indicating the location of the proposed blasting, and other required information).

I. **Hazardous Materials Emergency Plan for Port Facilities:** [12-110(a)(16)]

- ☒ Not Applicable
- ☐ Provide a Hazardous materials emergency plan.

J. **Mobile Home Park:** [34-174(h)]

- ☒ Not Applicable
- ☐ Request includes rezoning of a Mobile Home Park. Provide facts related to the relocation of dislocated owners that meets the requirements of F.S. § 723.083 (1995).

K. **Airport Zones & Lee County Port Authority (LCPA) Requirements:**

- ☒ Not Applicable
- ☐ Property is located within _____ Airport Noise Zone: [34-1104]
- ☐ Property is located within Airport Runway Protection Zone. Indicate which Zone below. [34-1105]
- ☐ Property is located within Airport Residential and Educational Protection Zone: [34-1106]
- ☐ Property is located in an Airport Obstruction Notification Zone and subject to LCPA regulations. [34-1107]
- ☐ A Tall Structures Permit is required. [34-1108]

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

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



Professional Engineers, Planners & Land Surveyors

Grand Bay Minor RPD DCI2022-00018 Narrative of Request Revised June 2022

Introduction/Request

The applicant is requesting approval of a rezoning of 46.33± acres from Mobile Home District (MH-1) and General Commercial District (CG) to Minor Mixed Use Planned Development (MPD) to allow a maximum of 300* dwelling units (including 114 bonus density units) and 30,000 square feet of commercial retail or office uses with a maximum height of 53 feet.

*Includes 13 dwelling units (including 6 bonus density units) from 1.53±-ac of the adjacent 30-foot platted private right-of-way.

The property is located at the northwest corner of the intersection of Santa Maria Street (local) and S. Tamiami Trail/US 41 (arterial) across from the intersection with San Carlos Boulevard (major collector) which is proposed for signalization. The site consists of four parcels separated by a 30-foot platted right-of-way as demonstrated in the below aerial. The property is within the San Carlos Planning District and is currently undeveloped except for a dirt road.

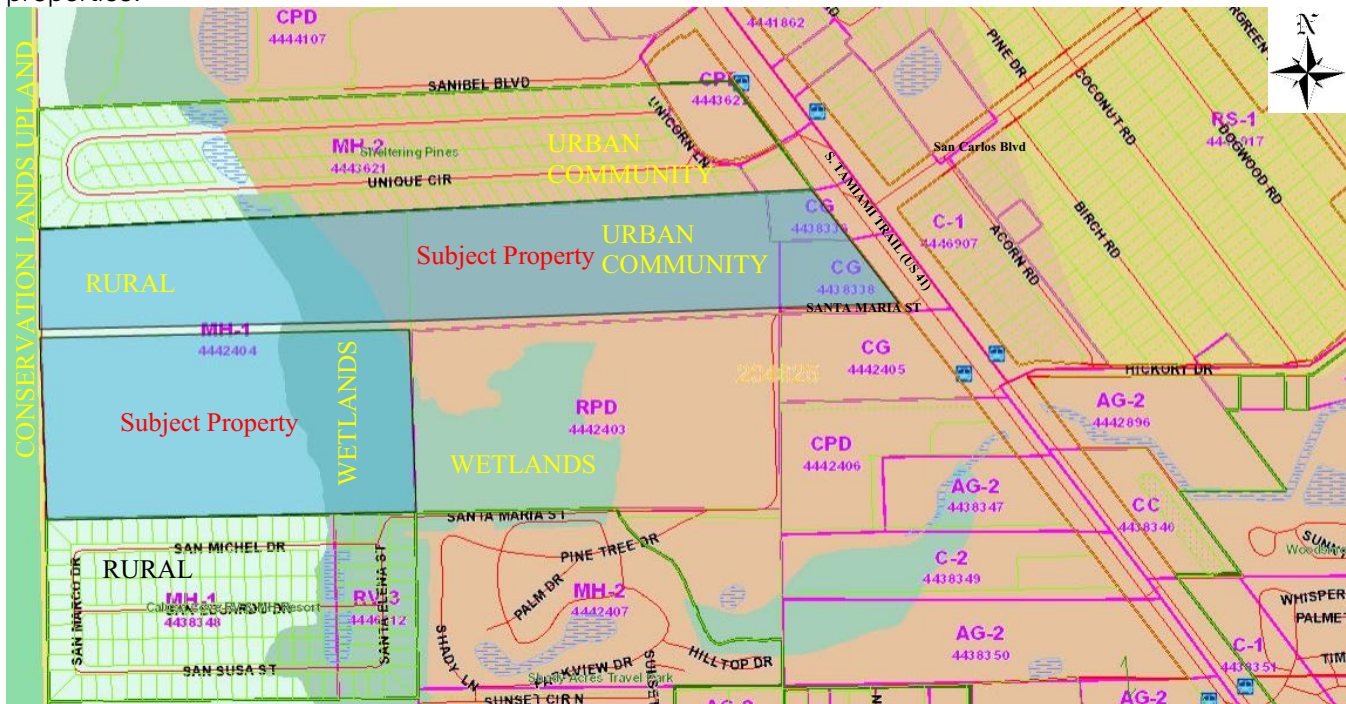


There are concurrent Comprehensive Plan Map and Text Amendment applications under review to extend the Mixed-Use Overlay boundary to the west on S. Tamiami Trail to include the eastern two subject parcels (minus wetlands) totaling 14.25± acres fronting S. Tamiami Trail and Text Amendment to Policy 5.1.10.3 to

revise timing requirement for single ownership of property that is divided into two or more land use categories.

Background

The eastern ± 2.73 acres of the subject property fronting on S. Tamiami Trail are currently zoned General Commercial District (CG) by resolution ZAB-84-24 and the balance of the property to the west is currently zoned MH-1 by resolution Z-68-050. The proposed site access onto S. Tamiami Trail/US 41 has received development order approval under DOS2020-00128 which provides pedestrian and automobile connection to the approved adjacent development to the south (Estero Vista) and aligns with San Carlos Boulevard intersection. This proposed access will provide a 2-lane roadway constructed to LDC Standards connecting to US 41 with a left-in/right-in/right-out access drive connection, providing a left-in movement, which does not exist at Santa Maria Street. The left turn lane that will serve the proposed access is already located within the median of US 41. FDOT is proposing signalization of the S. Tamiami Trail/US 41 and San Carlos Boulevard intersection. Mullock Creek floodway bisects the site from the northwest to the southeast. The surrounding area has been previously developed with a mixture of commercial and residential uses and properties to the east are within the Mixed-Use Overlay. The subject property is an appropriate location for infill commercial and residential development. Below is an image, followed by a table, identifying the future land use and Mixed-Use Overlay designations, zoning and uses of the subject property and the surrounding properties.



	<i>Future Land Use/Mixed Use Overlay</i>	<i>Zoning</i>	<i>Use</i>
<i>Subject Property Existing</i>	Urban Community, Rural & Wetlands	CG (± 2.73 acres) and MH-1 (± 43.6 acres)	Vacant commercial and residential
<i>Subject Property Proposed</i>	Proposed inclusion in Mixed Use Overlay	Mixed Use Planned Development	Commercial & residential Mixed Use

	<i>Surrounding Future Land Use/Mixed Use Overlay</i>	<i>Surrounding Zoning</i>	<i>Surrounding Use</i>
<i>North</i>	Urban Community, Rural & Wetlands	CPD fronting S. Tamiami Trail/US 41 then MH-2	Shelter Pines Mobile Home Village and vacant commercial then Walgreens fronting S.. Tamimi Trail/US 41
<i>South</i>			
<i>West 1/2</i>	Rural & Wetlands	MH-1 and RV-3	Shady Acres Travel Park/Blueway RV Village
<i>East 1/2</i>	Urban Community & Wetlands	Estero Vista RPD & CG	Vacant with DO for 144 Multi-family then Santa Maria Street and Marina Mikes Boat sales
<i>East</i>	US 41 then Urban Community & Mixed Use Overlay	C-1	Church, shopping centers, car wash
<i>West</i>	Conservation Lands Upland	RPD	Estero Bay State Buffer Preserve

The surrounding zoning and uses are described in more detail below:

North

Adjacent to the north is a vacant commercial parcel fronting S. Tamiami Trail (US 41) zoned John Latzman CPD (Commercial Planned Development) approved by zoning resolution number Z-88-319 for 4,500 square feet of commercial uses. The remainder of the north property line abuts the Shelter Pines Mobile Home Village zoned Mobile Home Residential (MH-2) by Z-62-003. North of Sanibel Blvd is Grand Bay Plaza shopping center with Publix, CVS, 41 Diner, Subway and various shops (San Carlos Park Center CPD originally approved by Z-95-005, last amended by ADD2019-00173, with 142,800 square feet of commercial approved including 48,000 square feet of mini-warehouse use).

South

Adjacent to the south is Santa Maria Street (private local) then General Commercial (CG) zoning abutting S. Tamiami Trail developed with Marina Mikes boat sales and service then Life Storage and Napa Auto Parts store. Adjacent to the south and west of Santa Maria Street is Estero Vista Residential Planned Development (RPD) which was approved by zoning resolution Z-05-016 for 144 multi-family units including bonus density with a maximum height of 55 feet. The zoning was last amended by zoning resolution ADD2020-00104 which approved and updated Master Concept Plan and revised access connection to be provided through the subject property's approved access road connection to S. Tamiami Trail/U.S. 41 across from San Carlos Boulevard which is proposed for signalization by FDOT and an emergency only access onto Santa Maria Street. The original zoning had proposed two access points onto Santa Maria Street, which is a narrow roadway that intersects U.S. 41 and is located in a 30-foot easement. It was determined that the site could not be developed with access onto Santa Maria because it was physically impossible to install the required roadway improvements, stormwater drainage, water and sewer necessary to develop the site. Estero Vista received development order approval (DOS2020-00127) for 144 multiple-family dwelling units (including 21 bonus density units) in 3 four-story buildings with a maximum height of 55 feet with a clubhouse and interconnect with the subject property. Further south are lands zoned Mobile Home MH-2 developed with Shady Acres/Blueway RV Village.

East

Adjacent to the east is S. Tamiami Trail/US 41 (arterial roadway) with existing sidewalk, bike lane and paved shoulder and Lee Tran routes 240, 600 and 140-Sunday. Across S. Tamiami Trail is the intersection with San Carlos Boulevard (major collector) where a traffic signal is proposed by FDOT and properties within the Mixed-Use Overlay zoned Commercial C-1 on both sides of the intersection. New Day Christian Church is

north of this intersection and commercial parcels to the south of the intersection consist of two shopping centers, a car wash, a multiple-occupancy center and a Circle K with gas pumps. Behind the commercial parcels are properties zoned Residential Single-Family RS-1 developed with primarily single-family homes and a daycare.

West

Adjacent to the west is lands within the Conservation Lands Uplands future land use category, zoned Estero River Bay RPD which is now within the Estero Bay State Buffer Preserve.

Land Development Code Analysis

The proposed rezoning to MPD complies with the Land Development Code (LDC) Section 2-146 minimum requirements for the Bonus Density Program as follows:

(a) Applicants must comply with the minimum requirements set forth herein to be eligible to participate in the bonus density program through use of one of the following incentive programs:

(1) Affordable Housing Program in accordance with the site-built provisions or the cash contribution provisions set forth in Administrative Code 13-5.

(2) Transfer of Development Rights (TDR) Program in accordance with the provisions set forth in Administrative Code 13-5.

The rezoning request includes a request for a maximum of 114 bonus density units utilizing a combination of the Affordable Housing Program in accordance with the site-built provisions or the cash contribution provisions and the Transfer of Development Rights (TDR) program. Please refer to the Preliminary Density Calculations. The development plan includes a minimum of 38 site-built units. The remainder will depend on final unit count and will be demonstrated at the time of development order. The site qualifies for up to 154 bonus density units.

b) Minimum requirements:

(1) The additional traffic will not be required to travel through areas with significantly lower densities before reaching the nearest collector or arterial road; and

The traffic generated by this request will have direct access to S. Tamiami Trail/US 41 (arterial) and San Carlos Boulevard (major collector) where a traffic signal is proposed. The traffic will not be required to travel through areas with significantly lower densities before reaching the nearest collector or arterial road.

(2) Existing and committed public facilities are not so overwhelmed that a density increase would be contrary to the overall public interest; and

The subject property clusters development within a designated future urban area where adequate public facilities exist. The site has frontage on an arterial roadway (S. Tamiami Trail/US 41) across from its intersection with a major collector roadway (San Carlos Boulevard) that is proposed to be signalized by FDOT. The submitted Traffic Impact Statement demonstrates that all analyzed roadways are projected to operate above the minimum adopted Level of Service. Lee County Utilities has existing potable water and sanitary sewer lines in operation adjacent to the subject property and has provided a letter of availability which is included with the application. San Carlos Park Elementary School is ± 2.5 miles from the site, Three Oaks Middle School is ± 2.7 miles from the site and Island Park High School is ± 3.6 miles from the site. San

Carlos Park Fire Station 51 and EMS Medic 9 are located ± 0.8 mile from the property at 8013 Sanibel Blvd. Lee County Sheriff's Office Central District Substation is ± 5.8 miles from the site. Letters of review and recommendation from Lee County Public Safety, The School District of Lee County, Lee County Sheriff's Office, Lee County Solid Waste, Lee Tran, and San Carlos Park Fire Protection and Rescue Service District obtained for the concurrent Map and Text Amendments are attached demonstrating adequate public facilities exist to accommodate the density increase.

(3) Storm shelters or other appropriate mitigation is provided if the development is located within the coastal high hazard area as defined in section 2-483.

Portions of the subject property are located within the Coastal High Hazard Area. Storm shelters or other appropriate mitigation will be provided pursuant to LDC requirements which will be demonstrated as part of the development order for the subject property.

(4) The resulting development will be compatible with existing and planned surrounding land uses.

The subject property and the properties to the north and south have existing commercial zoning along the S. Tamiami Trail/US 41 frontage. The Estero Vista RPD to the south has been approved for multi-family development with a maximum height of 55 feet since 2005 which abuts MH-2 zoning with Shady Acres RV Travel Park. Pursuant to LDC Section 34-2175(b)(2), the Urban Community future land use category allows heights up to 95 feet. The proposed maximum height will be limited to 53 feet. While the site abuts mobile home lots within Shelter Pines Mobile Home Village to the north, the site design provides approximately 95 feet of setback to proposed multi-family buildings I and II. Building III orients the narrow portion of the building to the north with a minimum 29-foot setback which meets the intent of LDC Section 34-2174(a) by increasing the typical multi-family setback of 20 feet by $\frac{1}{2}$ foot for every 1 foot over 35 feet. The Mixed-Use Overlay requires a minimum 10-foot buffer with Type B buffer plantings (5 trees per 100 linear feet and a double hedge row) where the abutting single-family residences are. The MCP proposes an enhancement to this buffer by providing an opaque fence or wall with the required vegetation planted on the outside. The western 30 $\pm$ acres of the site will be preserved providing environmental and water quality enhancements between the adjacent Estero Bay State Buffer Preserve and the Mullock Creek flowway. A minimum 5-foot buffer with 5 trees per 100 linear feet will be provided abutting rights-of-way as shown on the attached MCP. The requested minor MPD provides compatible infill mixed use development.

c) Assisted living facilities are eligible for bonus density through the TDR Program or through the Affordable Housing Program when annual rental rates, including all services, do not exceed the levels established for eligible households. Where the cash-contribution bonus density option is used, the cash contribution must be applied for each dwelling unit or its equivalent unit, as provided in section 34-1494, built above the standard density.

The rezoning request does not include assisted living facilities.

d) The barrier and coastal islands, including but not limited to Gasparilla Island, Cayo Costa, North Captiva, Captiva Island, Buck Key, and Black Island are not eligible to receive bonus density, with the following exceptions:

- (1) Only the portion of Greater Pine Island defined in the Lee Plan as Pine Island Center is eligible to receive Greater Pine Island TDUs subject to this article and the Lee Plan. Suburban designated lands within the Greater Pine Island Planning Community are not eligible receiving lands for any TDUs.***
- (2) Work force housing may be developed on barrier islands within the Mixed Use Overlay if transit is available and bonus density is approved through the Affordable Housing Program.***

Not applicable.

- e) TDUs may not be utilized on property located within the coastal high hazard area as defined in section 2-483 or located within the Bayshore, Buckingham, Caloosahatchee Shores, or Northeast Lee County Planning Communities. Within the Southeast Lee County Planning Community, TDUs may only be used as described in section 2-154.***

No TDUs are proposed on property located within the coastal high hazard area. Portions of the property are located within the Coastal High Hazard Area (CHHA) and the property is not located within any of the listed Planning Communities. No TDUs are proposed to be utilized on the portion of the property located within the CHHA. The preliminary density calculations demonstrate there are a total of 19.28± acres of uplands and preserved wetlands within the Urban Community future land use category and within the CHHA which results in a standard density up to 6 units per acre or 115.68 + 2 dwelling units transferred from the Rural future land use category = 118 standard density units within the CHHA. Buildings II and III are within the CHHA and propose a total of 156 dwelling units so the remaining 38 units will be bonus density in accordance with the Affordable Housing site-built provisions. The remaining maximum 144 dwelling units are proposed outside of the CHHA consisting of 68 standard density and 76 bonus units (may be any bonus density option to be determined at the time of development order). A maximum of 25 of these bonus density units may be developed as mixed use on Outparcel 1 or 2.

The property qualifies for the rezoning to MPD and meets the applicable required findings/review criteria set forth in Land Development Code section 34-145(d)(4)a.1. as follows:

(a) Complies with the Lee Plan

The applicant has filed a companion Map and Text Amendment applications that are being reviewed concurrently with this planned development zoning application. Chapter 163.3184(12), F.S. provides: "At the request of an applicant, a local government shall consider an application for zoning changes that would be required to properly enact any proposed plan amendment transmitted pursuant to this subsection."

The property is located within the San Carlos Planning District and lies within the Urban Community, Wetlands and Rural future land use categories. The proposed rezoning to Minor RPD is consistent with the following goals, objectives, standards and policies of the Lee Plan:

POLICY 1.1.4: The Urban Community future land use category are areas characterized by a mixture of relatively intense commercial and residential uses. The residential development in these areas will be at slightly lower densities than other future urban categories described in this plan. As vacant properties within this category are developed, the existing base of public services will need to be maintained which may include expanding and strengthening them accordingly. As in the Central Urban future land use category, predominant land uses in this category will be residential,

commercial, public and quasi-public, and limited light industrial with future development encouraged to be mixed use, as described in Objective 11.1, where appropriate. The standard density range is from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre), with a maximum total density of ten dwelling units per acre (10 du/acre). The maximum total density may be increased to fifteen dwelling units per acre (15 du/acre) utilizing Greater Pine Island Transfer of Development Units.

POLICY 1.4.1: The Rural areas are to remain predominantly rural--that is, low density residential, agricultural uses, and minimal non-residential land uses that are needed to serve the rural community. Natural resource extraction may be permitted in accordance with Policy 10.1.4. These areas are not to be programmed to receive urban-type capital improvements, and they can anticipate a continued level of public services below that of the urban areas. Maximum density in the Rural area is one dwelling unit per acre (1 du/acre).

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.

Footnote 8 of Table 1(a): Higher densities may be allowed under the following circumstances where wetlands are preserved on the subject site:

- (a) If the dwelling units are relocated off-site through the provision of Transfer of Development Rights Ordinance 86-18, as amended or replaced; or*
- (b) Dwelling units may be relocated to developable contiguous uplands designated Intensive Development, General Interchange, Central Urban, Urban Community, Suburban, Outlying Suburban, Sub-Outlying Suburban, and New Community from preserved freshwater wetlands at the same underlying density as permitted for those uplands. Impacted wetlands will be calculated at the standard Wetlands density of 1 dwelling units per 20 acres. Planned Developments or Development Orders approved prior to October 20, 2010 are permitted the density approved prior to the adoption of CPA2008-18.*

The subject property is divided into three land use categories with the portion generally east of the Mullock Creek floodway lying within the Urban Community category. Adequate infrastructure and public services are available to support the proposed mixed-use planned development encouraged by the Urban Community future land use category. The proposed uses are consistent with the mixture of relatively intense commercial and residential uses that characterize this future land use category and the commercial uses proposed are consistent with the existing CG zoning of the property. The site is appropriate for the Mixed-Use Overlay proposed by the concurrent Map Amendment as properties to the east are already included and the surrounding area provides a variety of existing residential, employment, shopping, service and civic uses within the pedestrian shed of the site.

The portion of the property generally located around the Mullock Creek floodway lies within the Wetlands category and the CHHA. Dwelling units will be relocated to developable contiguous uplands designated Urban Community from preserved freshwater wetlands at the same underlying density as permitted for those uplands and impacted wetlands will be calculated at the standard Wetlands density of 1 dwelling units per 20 acres.

The western portion of the subject property is located within the Rural future land use category and the CHHA and is zoned for residential uses (existing MH-1 zoning). This Rural land could be developed with 20 dwelling units on well and septic and would require a road crossing of the Mullock Creek floodway for access. The MPD proposes to utilize Policy 5.1.10 as amended by the concurrent Text Amendment which will allow preservation of 30± acres of the site including the Rural lands and transferring the density to the eastern portion of the site.

The Preliminary Density Calculations show that property has a maximum density of 340 dwelling units consistent with the standard and maximum total densities allowed in the Urban Community, Rural and Wetlands future land use categories for the 46.33± acre site and 1.53± acres of adjacent private right-of-way. The request is for a maximum of 300 dwelling units therefore, the proposed rezoning to minor MPD is consistent with Policies 1.1.4, 1.4.1 and 1.5.1.

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, and prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities.

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

The proposed clustered development is located within a designated future urban area with existing development to the north, south and east with development order approval for additional development to the south. Approval of the requested Minor MPD will allow a contiguous and compact development by clustering the proposed commercial and residential uses to the eastern portion of the site which will allow preservation of the western ±30 acres adjacent to state preserve lands and remove density from the Rural future land use designation. The requested Minor MPD is consistent with Objective 2.1 and Policy 2.1.1.

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 §163.3164, Fla. Stat.) will be granted only when consistent with the provisions of §163.3202(2)(g) and §163.3180, Fla. Stat. and the concurrency requirements in the LDC.

POLICY 2.2.1: Rezoning and DRI 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 proposed MCP clusters the development in the designated future urban portion of the site where adequate public facilities exist. The site has frontage on an arterial roadway (S. Tamiami Trail/US 41) across from its intersection with a major collector roadway (San Carlos Boulevard) that is proposed to be signalized. The submitted Traffic Impact Statement demonstrates that all analyzed roadways are projected to operate above the minimum adopted Level of Service. Lee County Utilities has existing potable water and sanitary

sewer lines in operation adjacent to the subject property and has provided a letter of availability which is included with the application. San Carlos Park Elementary School is ± 2.5 miles from the site, Three Oaks Middle School is ± 2.7 miles from the site and Island Park High School is ± 3.6 miles from the site. San Carlos Park Fire Station 51 and EMS Medic 9 are located ± 0.8 mile from the property at 8013 Sanibel Blvd. Lee County Sheriff's Office Central District Substation is ± 5.8 miles from the site. There is existing development to the north, south and east with approval for additional development to the south. Approval of the requested Minor MPD will allow for infill development providing a compact and contiguous development pattern, consistent with Objective 2.2 and Policy 2.2.1.

STANDARD 4.1.1: WATER.

1. *Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development in excess of 30,000 square feet of gross leasable (floor) area per parcel, must connect to a public water system (or a "community" water system as that is defined by Fla. Admin. Code R. 62-550).*
2. *If the proposed development lies within the boundaries of a water utility's certificated or franchised service area, or Lee County Utilities' future potable water service area w(see Map 4-A), then the development must be connected to that utility.*
3. *The developer must provide proof that the prior commitments of the water utility, plus the projected need of the developer, do not exceed the supply and facility capacity of the utility....*

The subject property is located within the Lee County Utilities future water service area as depicted on Lee Plan Map 4-A. Lee County Utilities has existing potable water lines in operation adjacent to the subject property and has provided a letter of availability which is included with the application. Potable water service will be provided through the Pinewood Water Treatment Plant. The requested Minor MPD is consistent with Standard 4.1.1.

STANDARD 4.1.2: SEWER.

1. *Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development that generates more than 5,000 gallons of sewage per day, must connect to a sanitary sewer system.*
2. *If the proposed development exceeds the thresholds listed above and lies within the boundaries of a sewer utility's certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map 4-B), and that utility has sufficient capacity to provide minimum service to the development, then the development must connect to that sewer utility if there is existing infrastructure adequate to accept the effluents of the development within 1/4 mile from any part of the development...*

The subject property is located within the Lee County Utilities future sewer service area as depicted on Lee Plan Map 4-B. Lee County Utilities has existing sanitary sewer lines in operation adjacent to the subject property and has provided a letter of availability which is included with the application. Sanitary Sewer service will be provided through the Three Oaks Water Reclamation Facility. The requested Minor MPD is consistent with Standard 4.1.2.

STANDARD 4.1.4: ENVIRONMENTAL FACTORS.

1. *In any case where there exists or there is the probability of environmentally sensitive areas (as identified by Lee County, the Corps of Engineers, Department of Environmental Protection, South*

Florida Water Management District (SFWMD), or other applicable regulatory agency), the developer/applicant must prepare an environmental assessment that examines the existing conditions, addresses existing or anticipated environmental problems, and proposes means and mechanisms to protect, conserve, or preserve the environmental and natural resources.

2. Ensure that land uses and structures are well integrated, properly oriented, and functionally related to the topographic and natural features of the site.

3. Ensure development minimizes the need for expansion and construction of street and utility improvements.

The site includes a total of 11.13 acres of jurisdictional exotic wetlands associated with the Mullock Creek flow-way that runs from the northwest to the southeast through the site and includes 2 small isolated low quality wetlands to the east. 10.76 acres of these wetlands are within the 46.33 acre project boundary and 0.37 acres are within the adjacent 30' private right-of-way that bisects the site which is proposed to be vacated. The submitted Protected Species Assessment identifies 41 potentially occupied gopher tortoise burrows with 9 to the east of the flow-way and the remainder in the western portion of the site. 10.96± acres of wetlands and 16.98± acres of indigenous uplands and gopher tortoise habitat within and to the west of the Mullock Creek floodway are proposed for preservation and exotic treatment along with non-indigenous uplands, compensating storage area and the existing dirt road area outside of the development footprint resulting in 30± acres of preservation. Minor impacts to 0.17± acre of Hydric Disturbed Land low quality wetlands are proposed. 0.13± acre of these received approval for impact under SFWMD permit number 36-104286-P associated with the permitted access for the site. The clustered site proposes to impact 0.04± acres of an isolated exotic wetland to allow the western preservation area. Since these minimal impacts are to isolated low quality wetlands less than ½ acre in size that are not utilized by listed species, no wetland mitigation is required or proposed. Compensating storage for the 0.04± acre impact that is within the Coastal High Hazard Area will be created out of non-indigenous uplands adjacent to the wetlands in the floodway as shown on the proposed Master Concept Plan. The 9 potentially occupied gopher tortoise burrows to the east of the flow-way are within the proposed clustered development footprint. At the time of development, the applicant will relocate any gopher tortoises in accordance with FWC current guidelines with the intent to relocate any to the upland preserve portion of the site. See submitted Protected Species Management Plan. Preservation of the Rural uplands also eliminates the potential for 20 single-family homes that could have been developed with septic tanks which is an improvement for the impaired Mullock Creek watershed. The proposed Minor MPD is consistent with Standard 4.1.4.

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.

The requested Minor MPD and concurrent Map and Text Amendments facilitate the transfer of density to the eastern portion of the site adjusting the density location and design to relocate dwelling units including bonus density to the eastern portion of the property. The westerly portion of the subject property is located within the CHHA and the proposed MCP clusters development to the east and preserves the western 30± acres including the floodway and adjacent wetlands and uplands resulting in appropriate adjustments to the development's density location and site design. The development will demonstrate compliance with Chapter 2, Article XI of the Land Development Code regarding hurricane preparedness and mitigation. The requested rezoning to Minor MPD is consistent with Policy 5.1.2.

POLICY 5.1.3: During the rezoning process, direct high-density residential developments to locations that are near employment and shopping centers; are close to parks and schools; and are accessible to mass transit and bicycle facilities.

There are existing commercial developments offering employment and shopping opportunities all along S. Tamiami Trail/US 41 with restaurants, businesses and shopping centers, most notable being Grand Bay Plaza Publix only 3 minutes to the north. San Carlos Park Elementary School is 2.5± miles from the site, Three Oaks Middle School is 2.7± miles from the site and Island Park High School is 3.6± miles from the site. Karl Drews Park and Community Center is within 1.3± miles, San Carlos Community Pool is 1.4± miles, Three Oaks Park is within 2.9± miles, Koreshan State Park is within 3± miles, Estero River Scrub-Estero Bay Preserve is within 3.3± miles and Estero Park is within 3.5± miles of the site. South County Regional Library is located 4.1± miles from the site. Lee Tran Routes 240, 600 and 140-Sunday run along US 41 at this location with existing bus stops ±602' to the north and ±675' to the south. There are existing sidewalks on both sides of US 41, an existing bike lane, existing paved shoulder and proposed shared use path. The requested rezoning to Minor MPD is consistent with Policy 5.1.3.

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 the LDC, Chapter 10, 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 LDC will continue to require appropriate buffers for new developments.

The requested minor MPD provides compatible infill mixed use development. Pursuant to LDC Section 34-2175(b)(2), the Urban Community future land use category allows heights up to 95 feet. The proposed maximum height will be limited to 53 feet. The Estero Vista RPD to the south has been approved for multi-family development with a maximum height of 55 feet since 2005 which abuts MH-2 zoning with Shady Acres RV Travel Park. While the site abuts mobile home lots within Shelter Pines Mobile Home Village to the north, the site design provides approximately 95 feet of setback to proposed multi-family Buildings I and II. Building III orients the narrow portion of the building to the north with a minimum 29-foot setback which meets the intent of LDC Section 34-2174(a) by increasing the typical multi-family setback of 20 feet by ½ foot for every 1 foot over 35 feet. The Mixed-Use Overlay requires a minimum 10-foot buffer with Type B buffer plantings (5 trees per 100 linear feet and a double hedge row) where the abutting single-family residences are. The MCP proposes an enhancement to this buffer by providing an opaque fence or wall with the required vegetation planted on the outside. The western 30± acres of the site will be preserved providing environmental and water quality enhancements between the adjacent Estero Bay State Buffer Preserve and the Mullock Creek floodway. A minimum 5-foot buffer with 5 trees per 100 linear feet will be provided abutting rights-of-way as shown on the attached MCP. The requested minor MPD is consistent with Policy 5.1.5.

POLICY 5.1.10: In those instances where land under single ownership is divided into two or more land use categories by the adoption or revision of the Future Land Use Map, the allowable density under this Plan will be the sum of the allowable densities for each land use category for each portion of the land. This density can be allocated across the property provided that:

1. *The planned development zoning is utilized; and*

2. *No density is allocated to lands designated as non-urban or Environmentally Critical that would cause the density to exceed that allowed on such areas; and*
3. *The land was **is** under single ownership at the time **the planned development application is filed**~~this policy was adopted~~ and is contiguous; in situations where land under single ownership is divided by roadways, railroads, streams (including secondary riparian systems and streams but excluding primary riparian systems and major flow ways such as the Caloosahatchee River and Six Mile Cypress Slough), or other similar barriers, the land will be deemed contiguous for purposes of this policy; and*
4. *The resultant planned development affords further protection to environmentally sensitive lands if they exist on the property.*

The applicant has a concurrent Text Amendment under review requesting to amend Policy 5.1.10.3 as shown in strike-through and bold underline text above to revise the timing requirement for single ownership of property that is divided into two or more land use categories to clarify the language. The overall subject property has been in the same family ownership since 1968 by various individuals or organizations, but same underlying family ownership of the Freeland's. Literal interpretation of this Policy language would not allow the transfer of 20 dwelling units from the Rural lands abutting a state preserve to the Urban Community lands to the east allowing preservation of the western 30± acres of the site which is above and beyond LDC requirements. The portion of the Policy requested to be changed was added at the end of the review process and resulted in this unintended impact on the subject property. The requested language ensures that the subject property is under single-ownership at the time of planned development application so that density and intensity can be properly allocated at the time of zoning and not be affected if future potential outparcels change ownership during or after development. The main purpose of the 3rd requirement in this policy is to clarify that properties divided by barriers such as the Caloosahatchee River are not contiguous. The requested clarification will promote sound planning by allowing properties to cluster development and preserve natural resources. The requested minor MPD is consistent with intent of the existing language in Policy 5.1.10 and will be consistent upon adoption of the proposed Text Amendment.

GOAL 6: COMMERCIAL LAND USES. To permit orderly and well-planned commercial development at appropriate locations within the County.

OBJECTIVE 6.1: Development approvals for commercial land uses must be consistent with the following policies, the general standards under Goal 4 and other provisions of this plan.

POLICY 6.1.6: The land development regulations will require that commercial development provide adequate and appropriate landscaping, open space, and buffering. Such development is encouraged to be architecturally designed so as to enhance the appearance of structures and parking areas and blend with the character of existing or planned surrounding land uses.

POLICY 6.1.7: Prohibit commercial developments from locating in such a way as to open new areas to premature, scattered, or strip development; but permit commercial development to infill on small parcels in areas where existing commercial development would make a residential use clearly unreasonable.

The eastern 3± acres of the subject property are already zoned General Commercial (CG) and the proposed Minor MPD keeps commercial or mixed-use development on that portion of the property. The proposed

project meets the general standards under Goal 4 as demonstrated in the above analysis. The Master Concept Plan proposes development consistent with the Mixed Use Overlay pending approval of the concurrent comprehensive plan amendments. The Outparcels will be required to provide the minimum 20% open space. Minimum 5' buffers with five trees per 100 linear feet will be provided adjacent to rights-of-way external to the MPD. Required building perimeter planting may be used in lieu of this buffer if adjacent to the right-of-way. Where adjacent to an existing mobile home lot, a minimum 10' buffer with type "B" buffer plantings will be provided. No internal buffers are proposed within the MPD. The majority of the area proposed for commercial use is already zoned CG allowing infill development. The proposed Minor MPD remains consistent with Goal 6 and its Objectives and Policies.

OBJECTIVE 11.1: MIXED USE DEVELOPMENT. Allow and encourage mixed use development within certain future land use categories and at appropriate locations where sufficient infrastructure exists to support development.

POLICY 11.1.1: Developments located within the Intensive Development, Central Urban, or Urban Community future land use categories that have existing connectivity or can demonstrate that connectivity may be created to adjacent neighborhoods are strongly encouraged to be developed with two or more of the following uses: residential, commercial (including office), and light industrial (including research and development use).

The portion of the property proposed to be added to the Mixed-Use Overlay with the concurrent Map Amendment is within the Urban Community future land use category and sufficient infrastructure exists to support development as demonstrated by the submitted letters of review and recommendation. The site access has received development order approval under DOS2020-00128 which provides connectivity to the adjacent development to the south. The mixed use planned development proposes both residential and commercial uses. The requested Minor MPD is consistent with Objective 11.1 and Policy 11.1.1.

POLICY 11.2.1: The Mixed-Use Overlay identifies locations where mixed-use development will have a positive impact on transportation facilities through increased transit service, internal trip capture, and reduced travel distance. Requests to expand the Mixed-Use Overlay will be evaluated based on all of the following criteria:

- 1. Located within the extended pedestrian shed of established transit routes; and,*
- 2. Distinct pedestrian and automobile connections to adjacent uses can be achieved without accessing arterial roadways; and,*
- 3. Located within the Intensive Development, Central Urban, or Urban Community future land use categories; and,*
- 4. Availability of adequate public facilities and infrastructure; and*
- 5. Will not intrude into predominately single-family residential neighborhoods.*

Lee Tran Routes 240, 600 and 140-Sunday run along S. Tamiami Trail/US 41 at this location with existing bus stops $\pm 602'$ to the north and $\pm 675'$ to the south. There are existing sidewalks on both sides of US 41, an existing bike lane, existing paved shoulder and proposed shared use path. The site access has received development order approval under DOS2020-00128 which provides pedestrian and automobile connection with the adjacent Estero Vista development to the south without accessing an arterial roadway. The portion of the site proposed for inclusion in the Mixed-Use Overlay is within the Urban Community future land use category. The submitted letters of review and recommendation demonstrate that adequate public facilities and infrastructure are available. The proposal will not intrude into predominately single-family residential neighborhoods. While the site abuts mobile home lots within Shelter Pines Mobile Home Village to the north,

the site is not located in a predominantly single-family neighborhood. The subject property and the properties to the north and south have existing commercial zoning along the S. Tamiami Trail/US 41 frontage. The property to the south that has been approved for multi-family development with a maximum height of 55 feet since 2005 which abuts MH-2 zoning with Shady Acres RV Travel Park. The requested Minor MPD is consistent with Policy 11.2.1.

POLICY 11.2.2: Development in the Mixed-Use Overlay should accommodate connections to adjacent uses.

The site access has received development order approval under DOS2020-00128 which provides pedestrian and automobile connection with the adjacent development to the south. The request is consistent with Policy 11.2.2.

POLICY 11.2.4: Use of conventional zoning districts will be encouraged within the Mixed-Use Overlay in order to promote continued redevelopment.

The overall site has extraordinary circumstances that make a planned development application more appropriate to allow the clustered mixed use planned development and preservation of 30± acres of Rural lands and adjacent wetlands abutting the state preserve lands and providing further protection of the Mullock Creek floodway.

POLICY 11.2.6: Properties in a Mixed-Use Overlay are encouraged to utilize bonus density. Projects utilizing Greater Pine Island TDUs are eligible for increased maximum densities and additional development incentives as set forth in this plan to encourage a compact and functional development pattern.

The proposed Minor MPD provides a compact and functional development that includes a request to utilize bonus density including Greater Pine Island TDUs and additional development incentives such as alternate property development regulations and buffers to encourage a compact and functional development pattern consistent with Policy 11.2.6.

POLICY 11.2.7: Development, redevelopment, and infill development located within the Mixed-Use Overlay may use the area of non-residential uses in their density calculations.

The proposed zoning applies this Policy pending approval of the requested Map Amendment as demonstrated in the submitted Preliminary Density Calculations. The request will be consistent with Policy 11.2.7 upon adoption of the concurrent Map Amendment.

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.

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.

The western portion of the subject property is located within the Rural future land use category and the CHHA and is zoned for residential uses (existing MH-1 zoning). This Rural land could be developed with 20 dwelling units on well and septic and would require a road crossing of the Mullock Creek floodway for access. The MPD proposes to utilize Policy 5.1.10 as amended by the concurrent Text Amendment which will allow preservation of 30± acres of the site including the Rural lands and transferring the density to the eastern portion of the site. This preserved 30± acres provides environmental and water quality enhancements between the adjacent Estero Bay State Buffer Preserve and the Mullock Creek flowway. The wetland preserve areas will remain outside of the proposed site stormwater management system and will continue to remain available to receive off-site flows. The proposed treatment and control of exotic vegetation that will be accomplished by this request, the removal of the need for an access road crossing, and the proposed drainage and access easement protects and enhances the drainage conveyance. The request is consistent with Policies 101.1.1 and 101.1.2.

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

The clustered site proposes to impact 0.04± acre of isolated exotic wetlands within the CHHA to allow the western 30± acre preservation area. Since these minimal impacts are to isolated low quality wetlands less than ½ acre in size that are not utilized by listed species, no wetland mitigation is required or proposed. Compensating storage for the 0.04± acre impact that is within the Coastal High Hazard Area will be created out of non-indigenous uplands adjacent to the wetlands in the floodway as shown on the proposed Master Concept Plan. Preservation of the Rural uplands also eliminates the potential for 20 single-family homes that could have been developed with septic tanks and would have required access through the floodway which is an improvement for the impaired Mullock Creek watershed. The applicant proposes 17.44± acres of community public facilities consisting of a proposed perpetual stormwater drainage and access easement over the floodway and adjacent preserved wetlands. The request 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.

The development will demonstrate compliance with Chapter 2, Article XI of the Land Development Code regarding hurricane preparedness and mitigation. The request is consistent with Policy 101.3.4.

POLICY 101.3.6: Prohibit the use of Transferable Development Units (TDUs) and bonus density utilizing cash contributions for affordable housing on property located within the Coastal High Hazard Area.

POLICY 101.3.7: Bonus density for site-built affordable housing development will be considered within the Coastal High Hazard Area.

Western portions of the property are located within the Coastal High Hazard Area (CHHA). No TDUs are proposed to be utilized on the portion of the property located within the CHHA. The preliminary density calculations demonstrate there are a total of 19.28± acres of uplands and preserved wetlands within the Urban Community future land use category and within the CHHA which results in a standard density up to 6 units per acre or 115.68 + 2 dwelling units transferred from the Rural future land use category = 118 standard density units within the CHHA. Buildings II and III are within the CHHA and propose a total of 156 dwelling units so the remaining 38 units will be bonus density in accordance with the Affordable Housing site-built provisions. The remaining maximum 144 dwelling units are proposed outside of the CHHA consisting of 68 standard density and 76 bonus units (may be any bonus density option to be determined at the time of development order). A maximum of 25 of these bonus density units may be developed as mixed use on Outparcel 1 or 2. The proposed Minor MPD is consistent with Policies 101.3.6 and 101.3.7.

OBJECTIVE 59.1: Lee County will continue its efforts in developing a surface water management planning process designed to produce and maintain an up-to-date body of technical information, and, based on that information, the necessary surface water management plans, regulatory mechanisms, and facility proposals that will improve the protection of present and future uses of real property from stormwater flooding, while preserving or enhancing the environmental and natural resource values of both land and water.

POLICY 59.1.4: Continue to develop, update, and improve technical information, with the assistance of the USDA Natural Resources Conservation Service, United States Geological Survey, Federal Emergency Management Agency (FEMA), SFWMD, and other agencies, in order to better determine the current flooding risks associated with severe rainfall events.

POLICY 59.1.9: Maintain the floodplain management plan and analyze the flooding problem in the unincorporated areas of Lee County, inventory the flood hazard area, review possible activities to remedy identified flooding problems, select appropriate alternatives, and formulate a schedule for implementation.

OBJECTIVE 61.2: MIMICKING THE FUNCTIONS OF NATURAL SYSTEM. Support a surface water management strategy that relies on natural features (flow-ways, sloughs, strands, etc.) and natural systems to receive and otherwise manage storm and surface water.

OBJECTIVE 61.3: GENERAL SURFACE WATER MANAGEMENT STANDARDS. Lee County will continue to provide sufficient performance and/or design standards for development protective of the function of natural drainage systems. POLICY 59.1.3: Maintain floodplain regulations in accordance with the most recently adopted Flood Insurance Rate Map (FIRM) and other available sources.

POLICY 61.3.2: Maintain floodplains to minimize the potential loss of life and damage to property by flooding.

POLICY 61.3.5: The County will maintain regulations which provide for the management and protection of floodplains, consistent with state and federal regulations.

The ±46.33-acre site is bordered on the east by Tamiami Trail (US-41 / SR 45) and vacant land zoned (RPD), to the south by a retail boat facility, the vacant RPD and a RV park, to the west by the Estero Bay State Buffer Preserve, and to the north by the Sheltering Pines Mobile Home Village. The entire site is undeveloped with

the exception of a dirt road from east to west. The Mullock Creek floodway bisects the site. Mullock Creek is bordered by wetlands. The portion of the site to the west of Mullock Creek is not proposed to be developed. The area east of the Mullock Creek wetlands consists of 15.71± acres of uplands. These uplands drain generally from east to west from Tamiami Trail to Mullock Creek. There are also two small, isolated wetland areas with a total area of ±0.17 acres located on the eastern portion of the site. There are existing stormwater swales along the ROW of S. Tamiami Trail. The existing stormwater runoff sheet flows generally to the west until it discharges into the Mullock Creek flowway. The property has an existing stormwater management permit on the eastern 5.97± acres (South Florida Water Management District Individual Environmental Resource Permit No. 36-104286-P) for a stormwater management system serving 0.91 acres of commercial and 5.06 acres of future development for construction of an access road to support the future multi-use commercial development, including sidewalks, underground utilities, and a dry retention pond with 0.14 acre of permitted wetland impact. A Lee County development order (DOS2020-00128) was also approved for construction of an access road, watermain and forcemain extensions and other support infrastructure. The proposed drainage system will preserve existing drainage patterns and not block any runoff overflow from adjacent properties. The offsite flow will be maintained by the project. The proposed drainage within the development will be collected into a catch basin and pipe system and detained in an on-site proposed wet detention pond. A vegetated swale will be provided along the north property line to be demonstrated at the time of development order. The Master Concept Plan note 9 states that the lake must demonstrate a planted littoral shelf that functions as a typical freshwater marsh consistent with the LDC at time of development order. The two commercial or mixed use parcels will provide at the time of their development ½" of pretreatment on their sites prior to discharging into the main water management system. The wet detention pond will discharge to the Mullock Creek wetlands on the east side of the flow way and then into Mullock Creek. The wetland preserve areas will remain outside of the proposed site stormwater management system and will continue to remain available to receive off-site flows. The property is within a FEMA flood zone. This will be mitigated by placing fill such that the finished floor elevation is one foot above the FEMA base flood elevation. No fill will be placed within the Mullock Creek floodway. The applicant proposes 17.44± acres of community facilities consisting of a proposed perpetual stormwater drainage and access easement over the floodway and adjacent preserved wetlands. The Grand Bay project will receive approval for an Environmental Resource Permit from the South Florida Water Management District. The site includes a total of 11.13 acres of jurisdictional exotic wetlands associated with the Mullock Creek flow-way that runs from the northwest to the southeast through the site and includes 2 small isolated low quality wetlands to the east. 10.76 acres of these wetlands are within the 46.33 acre project boundary and 0.37 acres are within the adjacent 30' private right-of-way that bisects the site which is proposed to be vacated. 10.96± acres of wetlands and 16.98± acres of indigenous uplands and gopher tortoise habitat within and to the west of the Mullock Creek floodway are proposed for preservation and exotic treatment along with non-indigenous uplands, compensating storage area and the existing dirt road area outside of the development footprint resulting in 30± acres of preservation. The clustered site proposes minor impacts to 0.17± acre of Hydric Disturbed Land low quality wetlands are proposed. 0.13± acre of these received approval for impact under SFWMD permit number 36-104286-P associated with the permitted access for the site. Preservation of the Rural uplands also eliminates the potential for 20 single-family homes that could have been developed with septic tanks which is an improvement for the impaired Mullock Creek watershed. The request is consistent with Policies 59.1.3, 59.1.4, 59.1.9, 61.3.2 and 61.3.5.

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

POLICY 123.8.1: Protect Gopher Tortoise burrows wherever they are found. If unavoidable conflicts make on-site protection infeasible, off-site mitigation may be provided in accordance with Florida Fish and Wildlife Conservation Commission requirements.

he submitted Protected Species Assessment identifies 41 potentially occupied gopher tortoise burrows with 9 to the east of the flow-way and the remainder in the western portion of the site. 10.96± acres of wetlands and 16.98± acres of indigenous uplands and gopher tortoise habitat within and to the west of the Mullock Creek floodway are proposed for preservation and exotic treatment along with non-indigenous uplands, compensating storage area and the existing dirt road area outside of the development footprint resulting in 30± acres of preservation. The 9 potentially occupied gopher tortoise burrows to the east of the flow-way are within the proposed clustered development footprint. At the time of development, the applicant will relocate any gopher tortoises in accordance with FWC current guidelines with the intent to relocate any to the upland preserve portion of the site. See submitted Protected Species Management Plan. The request is consistent with Objective 123.8 and Policy 123.8.1.

GOAL 125: WATER QUALITY. To ensure that water quality is maintained or improved for the protection of the environment and people of Lee County.

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.

GOAL 126: WATER RESOURCES. Conserve, manage, and protect the natural hydrologic systems of Lee County to ensure continued water resource availability.

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.

POLICY 126.1.5: Cooperate with appropriate agencies to develop and implement an area-wide water resources plan emphasizing planning and management of water resources on the basis of drainage basins and addressing the needs of the existing and potential built environment, natural hydrologic system requirements, and freshwater flow impacts on estuarine systems.

POLICY 126.1.6: The county will continue to support a monitoring program of existing baseline conditions of water resources.

A vegetated swale will be provided along the north property line to be demonstrated at the time of development order. The Master Concept Plan note 9 states that the lake must demonstrate a planted littoral shelf that functions as a typical freshwater marsh consistent with the LDC at time of development order. The two commercial or mixed use parcels will provide at the time of their development ½" of pretreatment on their sites prior to discharging into the main water management system. The wet detention pond will discharge to the Mullock Creek wetlands on the east side of the flow way and then into Mullock Creek. The applicant proposes the following condition regarding water quality monitoring. The requested rezoning is consistent with Policies 125.1.3, 125.1.4, 126.1.4, 126.1.5 and 126.1.6.

Water Quality Monitoring.

- a. *Developer must submit a Water Quality Monitoring Plan with the first development order application. The Water Quality Monitoring Plan must be reviewed and approved by Lee County Division of Natural Resources prior to issuance of a development order. At a minimum, the Water Quality Monitoring Plan must establish:*
 - i. *Goals and Objectives of the Water Quality Monitoring Plan;*
 - ii. *An outfall monitoring schedule during the "wet" season of June through October, for constituents of concern approved by Lee County Division of Natural Resources;*
 - iii. *A baseline monitoring event to be part of the monitoring plan that must be completed prior to commencement of construction; and*
 - iv. *A contingency plan to be implemented upon discovery of an exceedance of State Water Quality Standards. The plan must include notification to impacted residents and authorities.*
- b. *Developer must provide water quality monitoring data to the Division of Natural Resources annually for a minimum of 5 years. The data must include a report with a comparison of state water quality standards, plots of parameters, and recommendations. Results must be reported as an Electric Data Deliverable (EDD), in a format approved by the Division of Natural Resources.*

If the project meets or exceeds state water quality monitoring standards for five consecutive years, developer may request to amend the water quality monitoring and reporting schedule. The request must be in writing and is subject to the review and approval of the Division of Natural Resources.

b) Meets this Code and other applicable County regulations or qualifies for deviations:

The site will be developed in compliance with the Comprehensive Plan and the Land Development Code. No deviations are included with the request at this time. Compliance with design-related provisions of the Land Development Code will be demonstrated at the time of Local Development Order.

c) Is compatible with existing and planned uses in the surrounding area:

The subject property and the properties to the north and south have existing commercial zoning along the S. Tamiami Trail/US 41 frontage. The Estero Vista RPD to the south has been approved for multi-family development with a maximum height of 55 feet since 2005 which abuts MH-2 zoning with Shady Acres RV Travel Park. Pursuant to LDC Section 34-2175(b)(2), the Urban Community future land use category allows heights up to 95 feet. The proposed maximum height will be limited to 53 feet. While the site abuts mobile home lots within Shelter Pines Mobile Home Village to the north, the site design provides approximately 95 feet of setback to proposed multi-family Buildings I and II. Building III orients the narrow portion of the building to the north with a minimum 29-foot setback which meets the intent of LDC Section 34-2174(a) by increasing the typical multi-family setback of 20 feet by ½ foot for every 1 foot over 35 feet. The Mixed-Use Overlay requires a minimum 10-foot buffer with Type B buffer plantings (5 trees per 100 linear feet and a double hedge row) where the abutting single-family residences are. The MCP proposes an enhancement to this buffer by providing an opaque fence or wall with the required vegetation planted on the outside. The western 30± acres of the site will be preserved providing environmental and water quality enhancements between the adjacent Estero Bay State Buffer Preserve and the Mullock Creek flowway. A minimum 5-foot buffer with 5 trees per 100 linear feet will be provided abutting rights-of-way as shown on the attached MCP. The requested minor MPD provides compatible infill mixed use development.

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

The site currently has access to S. Tamiami Trail/US 41 (arterial roadway) and Santa Maria Street (local roadway). The site access has received development order approval under DOS2020-00128 which provides pedestrian and automobile connection with the adjacent Estero Vista development to the south. This proposed access will provide a 2-lane roadway constructed to LDC Standards connecting to US 41 with a left-in/right-in/right-out access drive connection, providing a left-in movement that does not presently exist at Santa Maria Street. The left turn lane that will serve the proposed access is already located within the median of US 41. The site's permitted access is across from its intersection with a major collector roadway (San Carlos Boulevard) that is proposed to be signalized by FDOT. The submitted Traffic Impact Statement demonstrates that all analyzed roadways are projected to operate above the minimum adopted Level of Service.

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

The site has frontage on an arterial roadway (S. Tamiami Trail/US 41) across from its intersection with a major collector roadway (San Carlos Boulevard) that is proposed to be signalized. The submitted Traffic Impact Statement demonstrates that all analyzed roadways are projected to operate above the minimum adopted Level of Service. Any expected impacts on transportation facilities will be adequately addressed during the development order application process by existing county regulations.

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

The site includes a total of 11.13 acres of jurisdictional exotic wetlands associated with the Mullock Creek flow-way that runs from the northwest to the southeast through the site and includes 2 small isolated low quality wetlands to the east. 10.76 acres of these wetlands are within the 46.33 acre project boundary and 0.37 acres are within the adjacent 30' private right-of-way that bisects the site which is proposed to be vacated. The submitted Protected Species Assessment identifies 41 potentially occupied gopher tortoise burrows with 9 to the east of the flow-way and the remainder in the western portion of the site. 10.96± acres of wetlands and 16.98± acres of indigenous uplands and gopher tortoise habitat within and to the west of the Mullock Creek floodway are proposed for preservation and exotic treatment along with non-indigenous uplands, compensating storage area and the existing dirt road area outside of the development footprint resulting in 30± acres of preservation. Minor impacts to 0.17± acre of Hydric Disturbed Land low quality wetlands are proposed. 0.13± acre of these received approval for impact under SFWMD permit number 36-104286-P associated with the permitted access for the site. The clustered site proposes to impact 0.04± acres of an isolated exotic wetland to allow the western preservation area. Since these minimal impacts are to isolated low quality wetlands less than ½ acre in size that are not utilized by listed species, no wetland mitigation is required or proposed. Compensating storage for the 0.04± acre impact that is within the Coastal High Hazard Area will be created out of non-indigenous uplands adjacent to the wetlands in the floodway as shown on the proposed Master Concept Plan. The 9 potentially occupied gopher tortoise burrows to the east of the flow-way are within the proposed clustered development footprint. At the time of development, the applicant will relocate any gopher tortoises in accordance with FWC current guidelines with the intent to relocate any to the upland preserve portion of the site. See submitted Protected Species Management Plan.

Preservation of the Rural uplands also eliminates the potential for 20 single-family homes that could have been developed with septic tanks which is an improvement for the impaired Mullock Creek watershed.

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

The proposed MCP clusters development on the easterly portion of the property located within the Urban Community future land use category which is a Future Urban area. This property is already zoned for commercial and residential development and is adequately served by existing urban services. The site has frontage on an arterial roadway (S. Tamiami Trail/US 41) across from its intersection with a major collector roadway (San Carlos Boulevard) that is proposed to be signalized. The submitted Traffic Impact Statement demonstrates that all analyzed roadways are projected to operate above the minimum adopted Level of Service. Lee County Utilities has existing potable water and sanitary sewer lines in operation adjacent to the subject property and has provided a letter of availability which is included with the application. San Carlos Park Elementary School is ± 2.5 miles from the site, Three Oaks Middle School is ± 2.7 miles from the site and Island Park High School is ± 3.6 miles from the site. San Carlos Park Fire Station 51 and EMS Medic 9 are located ± 0.8 mile from the property at 8013 Sanibel Blvd. Lee County Sheriff's Office Central District Substation is ± 5.8 miles from the site. Letters of review and recommendation from Lee County Public Safety, The School District of Lee County, Lee County Sheriff's Office, Lee County Solid Waste, Lee Tran, and San Carlos Park Fire Protection and Rescue Service District obtained for the concurrent Map and Text Amendments are attached demonstrating adequate public facilities exist. Karl Drews Park and Community Center is within $1.3\pm$ miles, San Carlos Community Pool is $1.4\pm$ miles, Three Oaks Park is within $2.9\pm$ miles, Koreshan State Park is within $3\pm$ miles, Estero River Scrub-Estero Bay Preserve is within $3.3\pm$ miles and Estero Park is within $3.5\pm$ miles of the site. South County Regional Library is located $4.1\pm$ miles from the site.

The proposed amendment complies with the findings provided in the Land Development Code Section 34-145(d)(4)a.2 as follows:

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

The proposed mix of uses are appropriate at the proposed location. The site is already zoned for commercial and residential development and the proposed MCP clusters development on the easterly portion of the property located within the Urban Community future land use category. The proposed mix of uses are appropriate at the location with frontage on an arterial roadway (S. Tamiami Trail/US 41) across from its intersection with a major collector roadway (San Carlos Boulevard) that is proposed to be signalized. The proposed schedule of uses includes several of the uses allowed within the Mixed-Use Planned Development zoning category except limits the dwelling units to live work, townhome or multi-family. Multi-family uses with a maximum height of 55 feet have been approved on the Estero Vista RPD to the south and the subject request proposes a maximum height of 53 feet.

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

Conditions of approval will require the MPD to be consistent with the proposed MCP which provides sufficient safeguards to the public interest.

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

- 1)Enhances the achievement of the objectives of the planned development; and***
- 2)Preserves and promotes the general intent of this Code to protect the public health, safety and welfare.***

Please see attached Schedule of Deviations and Justifications that demonstrates that each of the four requested deviations enhance the achievement of the objectives of the planned development and preserve and promote the general intent of the LDC to protect the public health, safety and welfare.

In conclusion, the proposed rezoning to minor MPD allows for clustered infill development resulting in the western 30± acres of the site being preserved providing environmental and water quality enhancements between the adjacent Estero Bay State Buffer Preserve and the Mullock Creek flowway. The request is in compliance with the Lee County Comprehensive Plan, the Land Development Code and other applicable codes and regulations or qualifies for deviations; is compatible with existing and planned uses in the surrounding area; will provide access sufficient to support the proposed development intensity; the expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval; will not adversely affect environmentally critical or sensitive areas and natural resources; and will be served by urban services, defined in the Lee Plan. The proposed use is appropriate at the proposed location; 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. Each of the four requested deviations enhance the achievement of the objectives of the planned development and preserve and promote the general intent of the LDC to protect the public health, safety and welfare. For these reasons, the applicant respectfully submits that the rezoning request from MH-1 and CG to minor MPD should be approved.



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Grand Bay Minor MPD

Schedule of Deviations and Justifications

Deviation (1): Deviation 1 seeks relief from Lee County Land Development Code (LDC) Section 10-291(3) which requires that residential development of more than five (5) acres and commercial or industrial development of more than 10 acres must provide more than one means of ingress or egress for the development; to allow the two residential access connections to the access road approved under DOS2020-00128 which provides a single connection to US 41 and interconnection to Estero Vista development to the south (DOS2020-00127) which has an emergency only access connection onto Santa Maria Street.

Justification: This deviation is requested to accommodate the onsite approved access road (DOS2020-00128) and interconnect to the approved Estero Vista (DOS2020-00127) development to the south. Although the subject property has some frontage along Santa Maria Street, connection is not proposed due to several reasons. Santa Maria Street is an existing, private, substandard narrow roadway within a 30-foot easement that intersects U.S. 41 and provides access to over 300 transient RV sites. The proposed access road provides adequate access to the proposed Grand Bay MPD project (maximum 300 dwelling units) and the Estero Vista RPD development (144 dwelling units) and the proposed 30,000 square feet of commercial. The design meets the intent of the LDC by providing two connection points to the residential tract of Grand Bay onto the access road, one being resident only that will still accommodate access to Lee County and emergency vehicles. The site design provides for turnaround between the two connection points. The commercial or mixed use parcels will have their own separate connections. The access road ends with a connection into Estero Vista RPD to the south which provides a two-way turnaround outside of the entrance gates, providing two access points into the Estero Vista development with an emergency only stabilized access connection onto Santa Maria Street. The connection to US 41 is 56-foot wide and while the DO approved 20' lanes on either side of a 16' median, the proposed site design provides a 16-foot wide entrance lane, 16-foot median and 24-foot wide exit lanes due to feedback received from FDOT. The original Estero Vista RPD zoning approval Z-05-016 proposed access onto Santa Maria Street, but it was determined that the site could not be developed with access onto Santa Maria because it was physically impossible to install the required roadway improvements, stormwater drainage, water and sewer necessary to develop the site. An amendment to Estero Vista RPD in zoning resolution ADD2020-00104 approved the relocated access through the Grand Bay site. See attached exhibit demonstrating the adequate traffic flow. A notice to all future property owners will be recorded by the developer in the public records prior to the issuance of a local development order allowing construction of the access to the development. The notice will articulate the emergency access plan and provide information as to where a copy of this plan may be obtained from the developer or developer's successor. The alternative proposed is based on sound engineering practices and is no less consistent with the health, safety and welfare of

abutting landowners and the general public than the standard from which the deviation is being requested. The requested deviation enhances the achievement of the objectives of the planned development and will preserve and promote the general intent to protect the public health, safety, and welfare.

Deviation (2): Deviation 2 seeks relief from Lee County Land Development Code (LDC) Section 34-1748(5) requirement that a paved turn-around, having a turning radius sufficient to accommodate a U-turn for a single unit truck (SU) vehicle as specified in the AASHTO Green Book current addition, must be provided on the ingress side of the gate or gatehouse; to allow no turnaround for the southern gate at the secondary resident only access point.

Justification: This deviation is requested to accommodate the unique nature and minimum traffic associated with the resident only southern access point onto the access road. The gate will be located on the internal private parking accessway. The gate is setback a minimum of 100 feet from the access road easement and provides a connection to the roundabout located between the project's two connection points onto the access road. The primary access point for the project is located at the northern access point onto where guests, trucks, and most residents will enter the project. The northern main entrance is designed to comply with the required truck turn-around. The secondary southern access will be restricted to residents only with minimal use. The applicant proposes a condition that, as part of the local development order approval, the developer shall provide signage stating that this secondary access is limited for use by residents only and direct all other traffic to please use the main entrance located to the north and must demonstrate no objection from the Fire Department. All other requirements under LDC Section 34-1748 will be met. The gate is not located on a publicly dedicated street or right-of-way. Access for emergency vehicles will be accommodated. The requested deviation enhances the achievement of the objectives of the planned development and will preserve and promote the general intent to protect the public health, safety, and welfare.

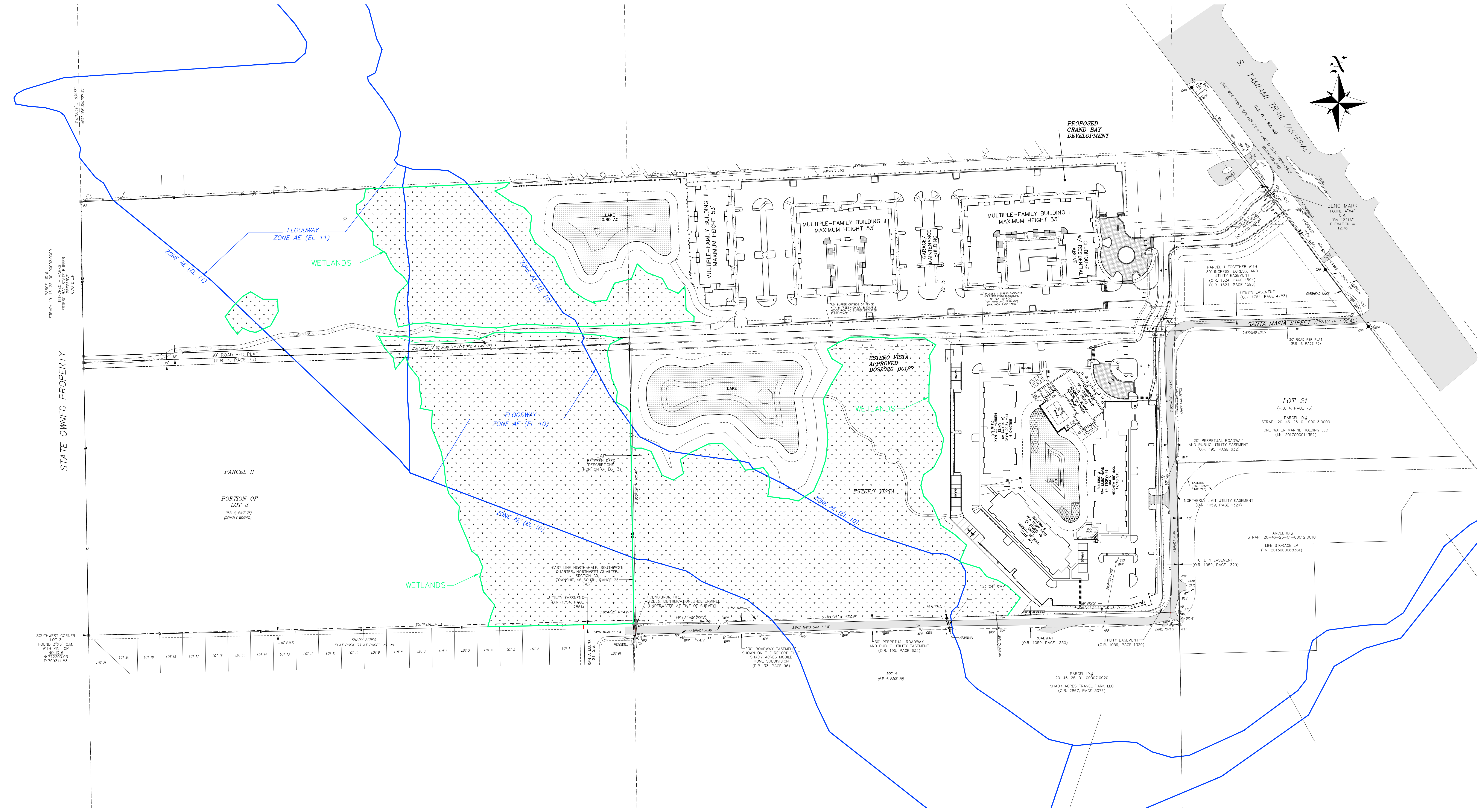
Deviation (3): Deviation 3 seeks relief from Lee County Land Development Code (LDC) Section 10-285 requirement that principal arterial roadways in Future Urban areas provide a minimum connection separation of 440 feet; to allow connection separations on U.S. 41/S. Tamiami Trail of 329± feet to Unique Circle to the north and 316± feet to Santa Maria Street to the south.

Justification: This deviation is requested to accommodate the location of the project's access onto U.S. 41 at the intersection with San Carlos Boulevard which is proposed to be signalized by FDOT. The access location and design has been reviewed and approved under DOS2020-00128. U.S. 41 is a state maintained arterial roadway and is subject to FDOT permitting. The requested deviation enhances the achievement of the objectives of the planned development and will preserve and promote the general intent to protect the public health, safety, and welfare.

Deviation (4): Deviation 4 seeks relief from Lee County Land Development Code (LDC) Section 10-261(a) requirement for a new multifamily residential development to provide sufficient on-site space for garbage and recyclable materials collection containers at a rate of 216 square feet for the first 25

units plus 8 square feet for each additional dwelling unit, to allow space for a compactor (382± square feet) and a minimum of 106 square feet for recyclable materials collection containers.

Justification: The requested deviation is included in LDC Section 10-104(a)(1) list of provisions where the Development Services Director is authorized to grant administrative deviations. This deviation is necessary to allow one central location for the trash compactor and recyclable area instead of requiring multiple stops for solid waste collection. The requested deviation is internal to the site and enhances the achievement of the objectives of the planned development and will preserve and promote the general intent to protect the public health, safety and welfare. The provided collection area has been situated off the internal roadway as shown on the Master Concept Plan. The solid waste collection area enclosure meets setbacks, consistent with LDC Section 10-261(e) requirement that enclosures may not be located within or encroach into the required perimeter landscape buffer width. Written approval from Lee County Solid Waste will be provided prior to development order approval. The requested deviation enhances the achievement of the objectives of the planned development and will preserve and promote the general intent to protect the public health, safety, and welfare. The request is also consistent with the applicable criteria for administrative deviations contained in LDC Section 10-104(b): (1) The alternative proposed to the standards contained herein is based on sound engineering practices (2) The alternative is no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested; (3) not applicable; (4) The granting of the deviation is not inconsistent with any specific policy directive of the Board of County Commissioners, any other ordinance or any Lee Plan provision; and (5) not applicable; and (6) not applicable.





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Grand Bay Minor MPD

DCI2022-00018

Schedule of Uses

Revised June 2022

Residential Tract

Accessory uses and structures
Administrative offices
Clubs: private
Community gardens
Dwelling unit: multiple-family building
Entrance gates and gatehouse
Essential services
Essential service facilities: Group I
Excavation: Water retention
Fences, walls
Home occupation
Models: Model unit
Real estate sales office
Recreation facilities: Personal: Private – On-site
Parking lot: Accessory; temporary
Residential accessory uses
Signs in accordance with chapter 30
Temporary use

Outparcels 1 and 2

Accessory uses and structures
Administrative offices
Agricultural services: office/base operations
Aircraft food services and catering
Animals: clinic or kennel; control center (including Humane Society)

ATM (automatic teller machine)
Auto parts store
Automobile repair and service, all groups
Automobile service station
Bait and tackle shop
Banks and financial establishments: Group I and Group II
Bar or cocktail lounge
Bed and breakfast
Boarding house
Boats: boat parts; boat rental; boat sales; boat storage (dry); boatyard
Broadcast studio, commercial radio, and television
Building material sales
Business services: Group I and Group II
Bus station/depot
Caretaker's residence
Car wash
Cemetery, columbarium, mausoleum
Cleaning and maintenance services
Clothing stores, general
Clubs: country; commercial; fraternal, membership organization; private
Cold storage, pre-cooling, warehouse and processing plant
Communication facility, wireless
Community gardens
Community residential homes
Computer and data processing services
Consumption on premises
Continuing care facilities
Contractors and builders: all groups
Convenience food and beverage store
Cultural facilities
Day care center, child, adult
Department store
Dormitory
Drive-through facility for any permitted use
Drugstore, pharmacy

Dwelling unit: live-work; townhouse, multiple-family building

Entrance gates and gatehouse

Emergency operations center

EMS, fire or sheriff's station

Essential services

Essential service facilities: Group I, Group II, Group III

Excavation: Water retention; oil or gas

Excess spoil removal

Factory outlets (point of manufacture only)

Farm equipment, sales, storage, rental, or service

Fences, walls

Fish house, wholesale

Fishing piers

Flea market: Open; indoor

Food and beverage service, limited

Food stores: Group I, Group II

Forestry tower

Fraternity house

Funeral home and mortuary (with or without a crematory)

Gasoline dispensing system, special

Gift and souvenir shop

Golf driving range

Hardware store

Health care facilities: Group I, Group II, Group III, Group IV

Heliport or helistop

Hobby, toy, and game shops

Home care facilities

Home occupation

Hospice

Household and office furnishings, all groups

Insurance companies

Laundry or dry cleaning: Group I, Group II

Lawn and garden supply stores

Library

Maintenance facilities (government)

Medical office

Mobile home dealers

Models: Model unit

Motion picture production studio

Nightclubs

Non-store retailers, all groups

Parcel and express services

Package store

Paint, glass, and wallpaper

Parks: Group I, Group II

Parking lot: Accessory; commercial; garage, public; park-and-ride, temporary

Personal services: Group I, Group II, Group III, Group IV

Pet services

Pet shop

Pharmacy

Photofinishing laboratory

Place of worship

Plan nursery

Post office

Printing and publishing

Real estate sales office

Recreation facilities: Commercial, groups I, III; commercial, groups IV; personal; private – on-site; Private – off-site

Religious facilities

Rental or leasing establishments: Group I, Group II and Group III

Repair Shops, Groups I, II, III & IV

Research and development laboratories: Group I, Group II, Group III, Group IV

Residential accessory uses

Restaurant, fast food

Restaurants: Group I, Group II, Group III, Group IV

Retail and wholesale sales, when clearly incidental and subordinate to a permitted principal use on the same premises

Roaming house

Schools: Commercial; noncommercial

Self-service fuel pumps

Signs in accordance with chapter 30

Social services: Group I, Group II

Special retail shops: Group I, Group II, Group III, Group IV

Storage: Indoor only; storage, open

Studios

Temporary use

Theatre, indoor or outdoor (drive in)

Timeshare units

Transportation services: Group II, Group III

Used merchandise stores: Group I, Group II, Group III, Group IV

Variety store

Vehicle and equipment dealers: Groups I, II, III, IV, and V

Warehouse: High cube; mini warehouse; private; public; cold storage only

Wholesale establishment: Groups I, III and IV

Grand Bay

Section 20, Township 46 South, Range 25 East
Lee County, Florida

Protected Species Management Plan

June 2022

Prepared for:

**NRP Holdings, LLC
1228 Euclid Avenue 4th Floor
Atlanta, GA 30309**

Prepared by:

***DexBender*
4470 Camino Real Way, Suite 101
Fort Myers, FL 33966
(239) 334-3680**

INTRODUCTION

The 46.33± acre project is located within a portion of Section 20, Township 46 South, Range 25 East, Lee County, Florida. The parcel is bordered to the west by portions of the Estero Bay Buffer Preserve, to the east by US-41 and undeveloped land, and to the north by existing residential development. Undeveloped land and existing residential development is present to the south. An existing road right-of-way bisects the property.

SITE CONDITIONS

The site consists primarily of pine flatwoods and mixed hardwood wetlands that have been invaded by exotics. By 1979, a small area of clearing was present in the western portion of the site. Clearing in the eastern portion of the site was also initiated prior to 1979 and continued through the 1990's.

PROTECTED SPECIES SURVEY

Gopher Tortoise

A total of 41 potentially occupied gopher tortoise burrows were found during the January 10, 2022 listed species survey (Figure 1). The majority of the burrows are located in the western portion of the site. A total of nine potentially occupied gopher tortoise burrows were found in proposed development footprint. Based on 80 percent survey coverage in that portion of the site, it is estimated that 11 potentially occupied gopher tortoise burrows occur within this general area. Using the FWC standard burrow occupancy correction factor of 0.5 gopher tortoises per burrow, it is estimated that five to six gopher tortoises are present within the proposed development area.

Florida Bonneted Bat

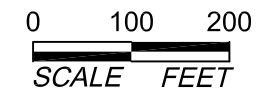
A total of 23 dead slash pine trees containing potential cavities entrances were identified during the January 10, 2022 listed species survey. All but one of these trees were located within the preserve in the western portion of the site. The vast majority of identified potential cavity entrances appear to be less than approximately two inches in diameter, very shallow, and do not penetrate the heartwood of the snag. No evidence of Florida bonneted bat (*Eumops floridanus*) utilization (bat vocalization/chatter from within the potential cavities or guano on or around the snags) was observed.

PROTECTED SPECIES MANAGEMENT

Gopher Tortoise

Prior to the initiation of development activities a gopher tortoise burrow survey of the development footprint will be conducted in accordance with current Florida Fish and Wildlife Conservation Commission (FWC) guidelines. If the survey determines there are ten or fewer potentially occupied gopher tortoise burrows that will be impacted by

SECTION: 20
TOWNSHIP: 46 S
RANGE: 25 E



- ⊙ Potentially Occupied Gopher Tortoise Burrow (41)
- ⊠ Tree with Cavity (23)

Notes:
1. Property boundary and surveyed wetland lines provided by Banks Engineering.
2. Mapping based on photointerpretation of 2021 aerial photography and ground truthing in January 2022.
3. Delineation of jurisdictional wetlands reviewed and approved by SFWMD on April 14, 2022.
PERMIT USE ONLY, NOT FOR CONSTRUCTION

FLUCCS	Description	Acreage
411E1	Pine Flatwoods Invaded by Exotics (10-25%)	12.86 ac.
411E3	Pine Flatwoods Invaded by Exotics (51-75%)	3.40 ac.
411E4	Pine Flatwoods Invaded by Exotics (76-90%)	5.03 ac.
416	Scrubby Pine Flatwoods	0.72 ac.
450	Mixed Exotic Upland Forest	11.93 ac.
617E4	Mixed Wetland Hardwoods Invaded by Exotics (76-90%)	9.88 ac.
619	Exotic Wetland Hardwoods	0.71 ac.
740H	Hydric Disturbed Land	0.17 ac.
8146	Dirt Road	1.63 ac.
Total		46.33 ac.

June 22, 2022 11:50:30 a.m.
Drawing: NRP1PLAN.DWG

Figure 1. Protected Species and Development Footprint Map

Grand Bay

development activities, the land owner will obtain a 10 or Fewer Burrows permit from the FWC and relocate the gopher tortoises to the upland preserve in the western portion of the site. In the event there are more than ten potentially occupied gopher tortoise burrows that will be impacted by development activities, the land owner will obtain a Conservation permit from the FWC and relocate the gopher tortoises to the FWC approved off-site recipient site as specified by the FWC permit. Lee County Environmental Sciences will be provided a copy of the FWC gopher tortoise permit prior to excavation of the burrows.

With the exception of potentially occupied gopher tortoise burrows located within 25 feet of the development footprint, all gopher tortoise burrows within the upland preserves will remain undisturbed. The management of the upland preserves are anticipated to improve the quality of gopher tortoise habitat within those preserves.

Florida Bonneted Bat

Prior to the initiation of development activities a cavity tree survey of the development footprint will be conducted. The trees containing potential Florida bonneted bat roost cavities will be visually inspected (peeped) using a small high resolution wide angle video camera capable of operating in low light conditions mounted on an extendable pole. All videos will be carefully examined for evidence of Florida bonneted bats or their guano. In the event that evidence of Florida bonneted bat utilization of a roost cavity is detected, the landowner will coordinate with the United States Fish and Wildlife Service (FWS) on appropriate additional surveys and conservation measures that are required to prevent a "take" of this species. Lee County Environmental Sciences will be provided a copy of the cavity tree survey and FWS's recommendations (if any) on required future conservation measures for the Florida bonneted bat.

ESTERO VISTA

Section 20, Township 46 South, Range 25 East
Lee County, Florida

Lee County Indigenous Area Management Plan

January 2021

(revised June 2021)

Prepared by:

DexBender

**4470 Camino Real Way, Suite 101
Fort Myers, FL 33966
(239) 334-3680**

Introduction

The 20.44± acre parcel is located within a portion of Section 20, Township 46 South, Range 25 East, Lee County, Florida. The lands to the north and west of the site are currently undeveloped. The Shady Acres Travel Park is located to the south. Commercial property along U.S. 41 is located to the east.

The 9.75± acre preserve area consists primarily of wetland invaded by exotics such as melaleuca (*Melaleuca quinquenervia*), Brazilian pepper (*Schinus terebinthifolius*), java plum (*Syzygium cumini*), and bishop wood (*Bischofia javanica*). A fringe of upland flatwoods will also be preserved (Figure 1).

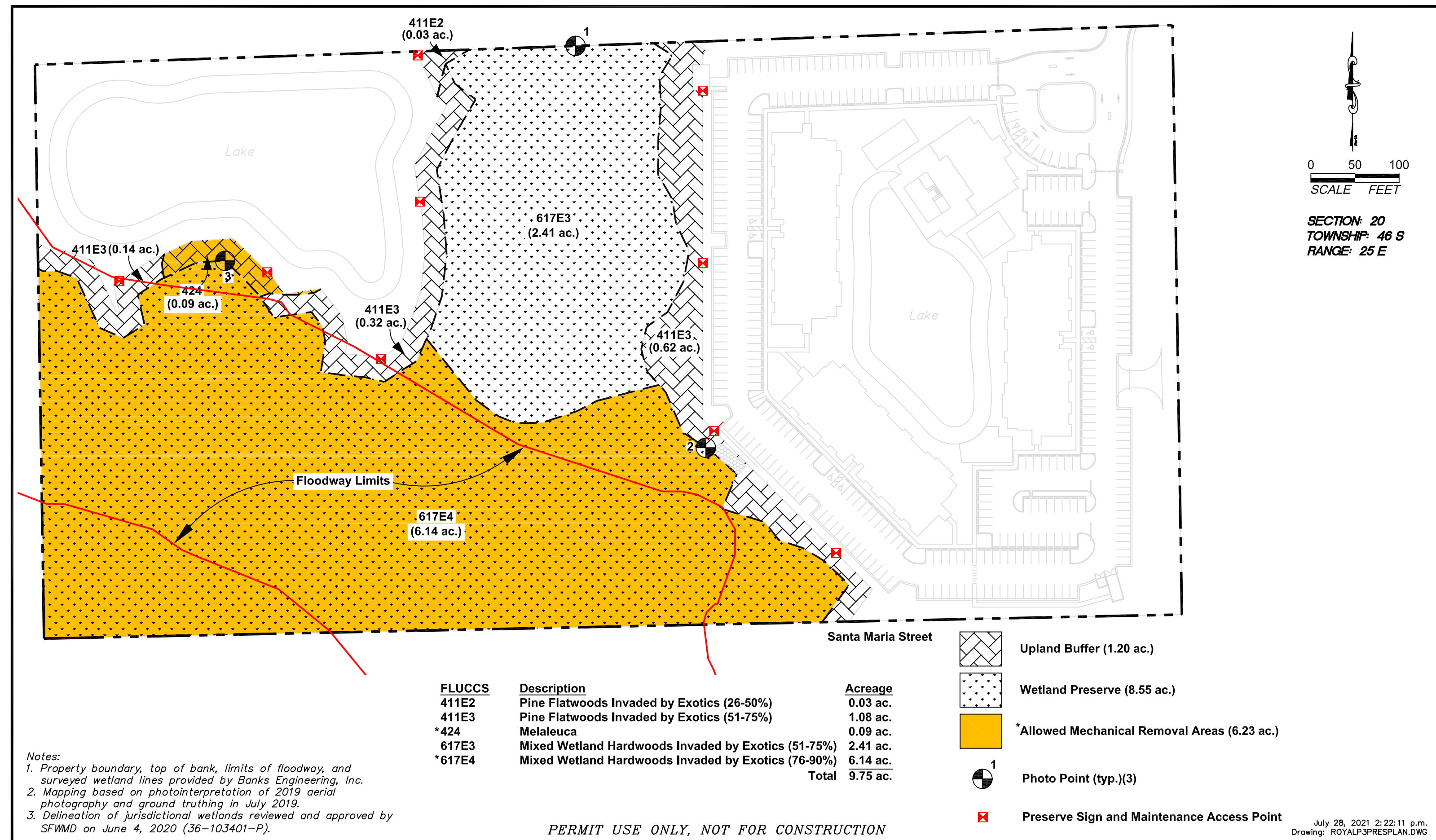
The goal of the indigenous vegetation preserves is to enhance the existing wetlands and uplands via exotic control. This will also result in improved wildlife habitat including potential foraging habitat for a variety of listed and non listed wading bird species. The enhancement activities described in this plan are based on the best available information and are subject to adaptive management as additional information becomes available.

Removal and Control of Exotic and Nuisance Vegetation

All exotics (defined as Lee County LDC Section 10-420(f) exotic species (melaleuca, Brazilian pepper, Australian pine (*Casuarina* spp.), earleaf acacia (*Acacia auriculiformis*), downey rose-myrtle (*Rhodomyrtus tomentosus*), and tropical soda apple (*Solanum khasianum*)) or Category I species on the Florida Exotic Pest Plant Council's 2019 *List of Invasive Species* (excluding Caesars weed)) within the indigenous vegetation preserve will be treated (Figure 1). Exotics may be mechanically removed and treated from wetland area that are currently dominated with exotics (greater than 75 percent aerial coverage) and therefore have very few native species present (i.e. the polygon mapped as FLUCCS Code 617E4 on the existing conditions Vegetation Map). The limits of the areas from which exotics may be mechanically removed will be determined based on site specific conditions at the time of clearing. Mechanical work will be conducted only during times of dry soil conditions to minimize ground disturbance. All vegetative debris resulting from this mechanical activity will be removed from the preserve.

This mechanical exotic removal may result in temporary disturbance to the soil. Once the initial exotic control is completed, ruts caused by the use of heavy equipment will be graded to blend with adjacent grades. This will result in slight depressions which will effectively concentrate wading bird prey (i.e. small fish and amphibians). In the event mechanical removal of exotics is not deemed to be practicable, exotics within these areas will be treated as described below.

In the remaining areas, exotic control will be accomplished by chainsaw or machete. These trees and shrubs will be cut just above natural grade and the



stump treated with an appropriate herbicide containing an indicator dye suitable for aquatic application. Treatment will occur immediately following cutting to ensure maximal uptake of the herbicide. The resulting vegetative material will be removed from the preserve. No stockpiling is allowed within the preserve limits. In the event that the physical removal is not feasible due to excessive damage to non-target species the resulting vegetative material will be disposed of by one or more of the following methods: 1) where exotic density is less than 25% the exotics may be cut into 2 feet – 4 feet sections and scattered on the ground, and 2) large trees will be felled and manageable branches will be removed to the extent practicable. A stump specific herbicide suitable for aquatic application will be used. Herbicides will be used in strict accordance with label directions by trained applicators. Care will be taken to reduce damage to non-target native species to the maximum extent practical.

The Lee County Division of Environmental Sciences will be notified prior to any exotic vegetation treatment.

A routine maintenance plan will be initiated upon the completion of the initial exotic treatment. For the first two years following the initial treatment, the preservation area will be inspected twice a year (late spring and fall) and all exotic and/or nuisance species will be treated. During these inspections the preservation area will be qualitatively evaluated, potential problems (if any) identified, and corrective actions recommended. After the second year, inspections and treatments will be conducted annually during the dry season. The homeowner's association will be responsible for long term management of the preserves.

Access to the indigenous vegetation preserve will be co-located with access points to the surface water management system or other common areas. No use of heavy equipment will be allowed once the initial treatment has been completed.

Coverage by exotic and nuisance vegetation within the indigenous vegetation preserve areas will be maintained below five percent aerial cover.

Supplemental Plantings

No supplemental plantings within the wetland preserve is proposed at this time. In the event that the South Florida Water Management District (SFWMD) requires supplemental plantings, all of the plants to be installed will be native species.

Protected Species Management

The June 2020 Protected Species Assessment did not reveal the presence of any listed species on-site. However, upon the completion of the enhancement plan described above, the wetland on-site may provide potential foraging habitat for several listed wading bird species. This includes the little blue heron (*Egretta caerulea*), roseate spoonbill (*Ajaia ajaja*), tricolored heron (*Egretta tricolor*), and wood stork (*Mycteria americana*). These birds typically forage in freshwater wetlands throughout southwest Florida.

Method and Frequency of Pruning and Trimming

No pruning or thinning of native vegetation within the 9.75± acres of indigenous vegetation preserve is proposed at this time. In the event that trimming becomes necessary to meet the ecological goals of this management plan, the trimming will be accomplished by hand using chain saws or machetes and will be restricted to no more than 25 percent of an area during any particular one year interval. Cut vegetation will remain on-site.

The Lee County Division of Environmental Sciences will be notified prior to any preserve maintenance (other than routine annual exotic maintenance events).

Education Material and Signage

Signage will be posted every 100 feet around the preserve areas (Figure 1). Homeowners will receive a brochure describing the purpose and function of the preserves. Please see the attached sample sign and sample educational brochure.

Garbage Management

All garbage will be removed from the preserve prior to the issuance of the Certificate of Compliance for any part of the development. The preserve will be surveyed for garbage semi annually.

Monitoring Reports

A Baseline Monitoring Event will be conducted prior to exotic treatment activities within the indigenous vegetation preserves and report submitted to Lee County Division of Environmental Sciences prior to Development Order approval. A Time Zero Monitoring Event will be conducted after completion of those activities within the preserve and the report submitted to Lee County Division of Environmental Sciences prior to issuance of the Certificate of Compliance. In addition, a monitoring report will be submitted annually to the Lee County Division of Environmental Sciences for five consecutive years starting one year from the date of the Certificate of Compliance issued for the project's infrastructure. The reports will document the overall status of the habitat within the indigenous

vegetation preserve area. The report will also include photographs documenting the condition of the preserves and any other information relevant to the continued function of the preserve areas.

Perpetual Preservation

The wetland and upland preserve area, as identified on Figure 1, will be placed under a conservation easement in favor of the SFWMD. This easement shall be recorded in the land records of Lee County within thirty days after issuance of the final environmental resource permit by the SFWMD.

From: [Stacy Hewitt](#)
To: [Jennifer Sheppard](#)
Cc: [Ken Kellum](#); [Brent Addison](#); [Tom Lehnert](#)
Subject: Fwd: Florida Master Site File Inquiry
Date: Tuesday, March 1, 2022 3:12:53 PM
Attachments: [Template 102.pdf](#)

Could you please print below email and attached PDF to the comp plan amendment folder for 8433GB? Thank you
Stacy 239-770-2527

Get [Outlook for iOS](#)

From: Vovsi, Eman M. <Eman.Vovsi@DOS.MyFlorida.com>
Sent: Tuesday, March 1, 2022 2:33 PM
To: Stacy Hewitt
Subject: RE: Florida Master Site File Inquiry



IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender Eman.Vovsi@DOS.MyFlorida.com

Completed; no cultural resources detected

From: Stacy Hewitt <SHewitt@BanksEng.com>
Sent: Tuesday, March 1, 2022 1:19 PM
To: FMSFILE <FMSFILE@dos.myflorida.com>
Subject: Florida Master Site File Inquiry

EMAIL RECEIVED FROM EXTERNAL SOURCE

Good afternoon I hope all is well.

Please accept this email as a request to perform an archaeological search on the property listed below. I have also included a location map for your information. Please do not hesitate to contact me via cell or email if you should have any questions.

STRAP Numbers: 20-46-25-01-00004.0000
 20-46-25-01-00004.0010
 20-46-25-01-00005.0000
 20-46-25-01-00006.0000

Property Addresses: 19200 S. Tamiami Trail & 4050 Santa Maria St, Fort Myers, FL 33908
 2 parcels with access undetermined

Thank you and please take care,
Stacy



Stacy Ellis Hewitt, AICP

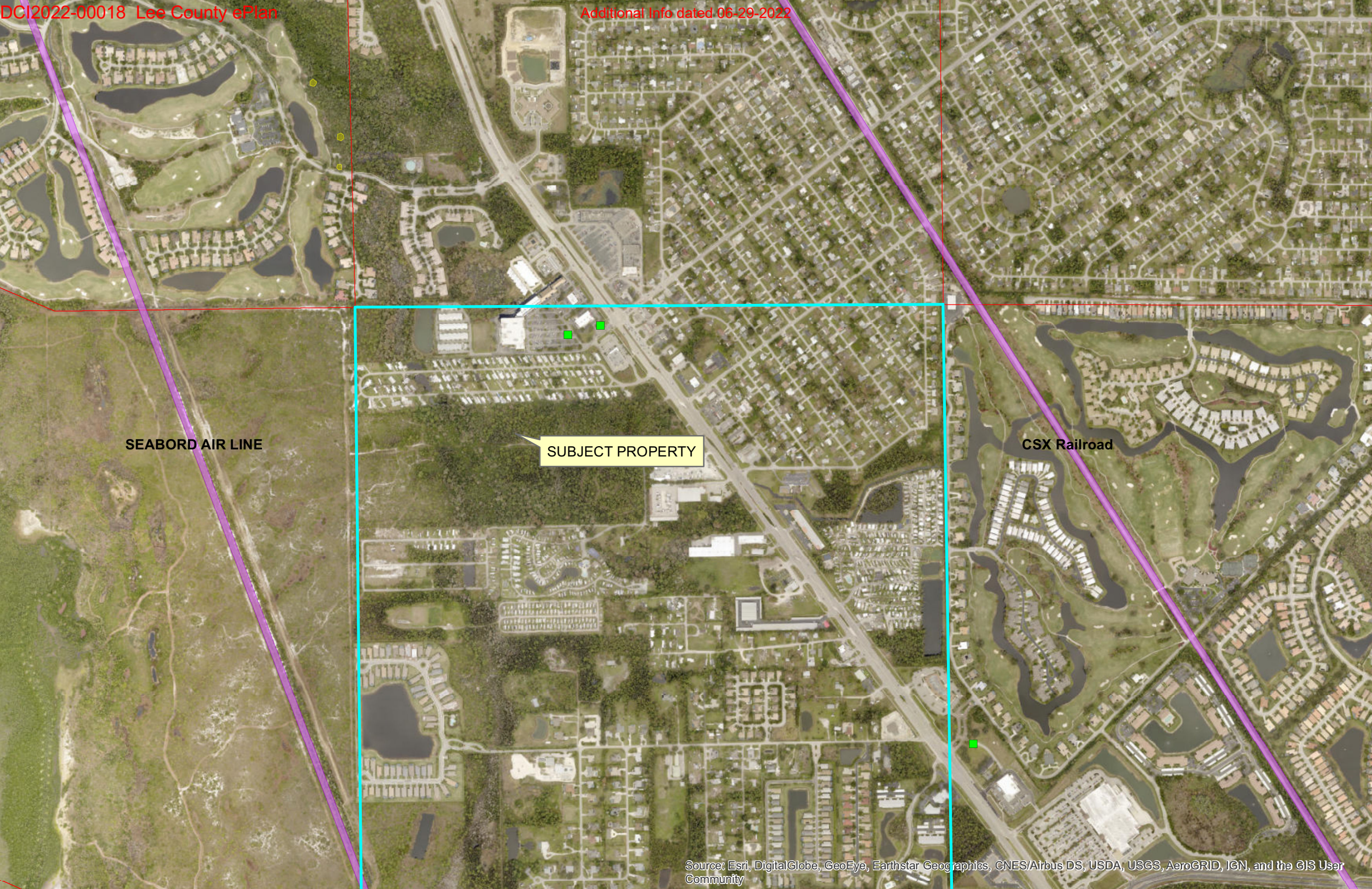
Director of Planning

C: 239-770-2527

P: 239-939-5490

F: 239-939-2523

E: shewitt@bankseng.com



SEABORD AIR LINE

SUBJECT PROPERTY

CSX Railroad

This Instrument Prepared by:

Steven C. Hartsell

Pavese Law Firm

1833 Hendry St.

Fort Myers, FL. 33901

STRAP No.: Parts of:

20-46-25-01-00004.0000

20-46-25-01-00004.0010

20-46-25-01-00005.0000

20-46-25-01-00006.0000

DRAFT FOR REVIEW 5-4-2022

THIS SPACE FOR RECORDING

PERPETUAL STORMWATER DRAINAGE AND ACCESS EASEMENT

This Grant of Perpetual Stormwater Drainage and Access Easement ("*Easement*"), made and entered into this ____ day of _____, 2022, between **FREELAND FL HOLDINGS LLC, a Florida limited liability company**, Owner, whose address is 777 Brickell Ave, Suite 640, Miami, FL 33131 (hereinafter the "*Grantor*"), and **Lee County, a political subdivision of the State of Florida**, whose address is P. O. Box 398, Fort Myers, Florida 33902-0398 (hereinafter the "*County*");

WITNESSETH:

1. For and in consideration of the sum of Ten and xx/100 Dollars (\$10.00) and other good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, Grantor hereby grants and transfers to County, its successors and assigns, a non-exclusive public stormwater drainage and maintenance access easement situated in Lee County, Florida, and located and described as set forth in the attached exhibits labeled as "Exhibit 1" (the "*Easement Areas*").
2. County, its successors, appointees and assigns, are granted the right, privilege, and authority to construct and maintain stormwater drainage pipelines, swale, storm drain and other appurtenances, to be located upon, under, across and through Easement Areas with the additional right, privilege and authority to remove, replace, repair and enlarge said system within the Easement Areas, and to trim and remove roots, trees, shrubs, bushes and plants within the Easement Areas, and remove fences within the Easement Areas when reasonably necessary for the proper construction and operation of the said facilities. County has the right and authority to remove and dispose of dirt and rocks within Easement Areas.

Construction of the drainage and access improvements will be completed in a timely manner and at the sole cost and expense of the County. The County will promptly repair any damage to the Easement Areas, resulting from the construction, maintenance or repair of the drainage or access improvements, including the restoration of the surface area to an aesthetic condition.

3. County, its successors and assigns, are hereby granted the additional right,

privilege, and authority to place crushed stone, concrete or other stabilizing material within the Easement Areas for the purpose providing suitable access by workmen, vehicles and equipment to construct and maintain the County's drainage improvements contemplated herein. The access improvements located in the Easement Areas will not be limited to any particular material type or style.

4. The stormwater drainage pipeline improvements will not be limited to any one (1) diameter size, type, and/or number of connections to other stormwater pipes for providing drainage. The drainage pipelines, swales, appurtenances and access improvements will be located within the Easement Areas. Grantor retains the right to utilize Easement Areas for access, walkways, drainage ways or similar uses that do not interfere with the exercise of the County's rights under this Easement.
5. Title to the stormwater drainage facilities, and access improvements constructed hereunder shall remain in the County, County's successors and assigns. County will be responsible, at County's sole cost and expense, for any maintenance, repair, and replacement to the stormwater drainage facilities and improvements constructed hereunder in order to maintain the same in good order and condition and in compliance with all applicable governmental requirements.
6. This Easement is granted subject to existing easements, if any, for public highways or roads, railroads, laterals, ditches, pipelines and electrical transmission or distribution lines and telephone and cable television lines and subject to all other easements, covenants, conditions, restrictions, and matters of record as of the date hereof.
7. Grantor reserves the right at Grantor's sole cost to (i) reconfigure said easement in the future; (ii) install water management facilities in the easement area, including but not limited to, drainage pipes, dry retention ponds and control structures to serve the management needs of Grantor's adjacent property, (iii) install culverts in the easement area to maintain offsite drainage flows, under the conditions that such alterations shall not impede the flow of offsite drainage run off or the function of the easement.
8. Grantor may use the Easement Areas for carports, garages, storage sheds, overhangs, fences or similar type structures as well as for landscaping (except trees), walkways, parking areas, driveways, and drainage or similar uses, provided such uses in this paragraph shall not interfere with or impede the flow of offsite drainage runoff or the function of this easement.
9. This Easement will be binding upon the parties hereto, their successors and assigns.

Page 3

Perpetual Stormwater Drainage and Access Easement

IN WITNESS WHEREOF, the Grantor, has caused this Easement to be signed intending to be bound as of the date first above written above.

Signed, sealed and delivered in our
presence as witnesses:

Grantor:

FREELAND FL HOLDINGS LLC

[1st Witness' Signature]

By: _____

[Type or print name]

(Print Name and Title of Officer)

[2nd Witness' Signature]

[Type or print name]

STATE OF _____
COUNTY OF _____

The foregoing was acknowledged before me by means of ☐ physical presence or ☐ online
notarization, this ____ day of _____, 2022, by _____,

Name and Title of Officer

of **FREELAND FL HOLDINGS LLC, a Florida limited liability company**, on behalf of the
Corporation. He/She is personally known to me or has produced _____ as
identification

Notary Public [Affix stamp/seal]

Approved and accepted for and on behalf of Lee County, Florida, this ____ day of
_____, 2022.

ATTEST:
KEVIN C. KARNES, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____

BY: _____

[Signature]

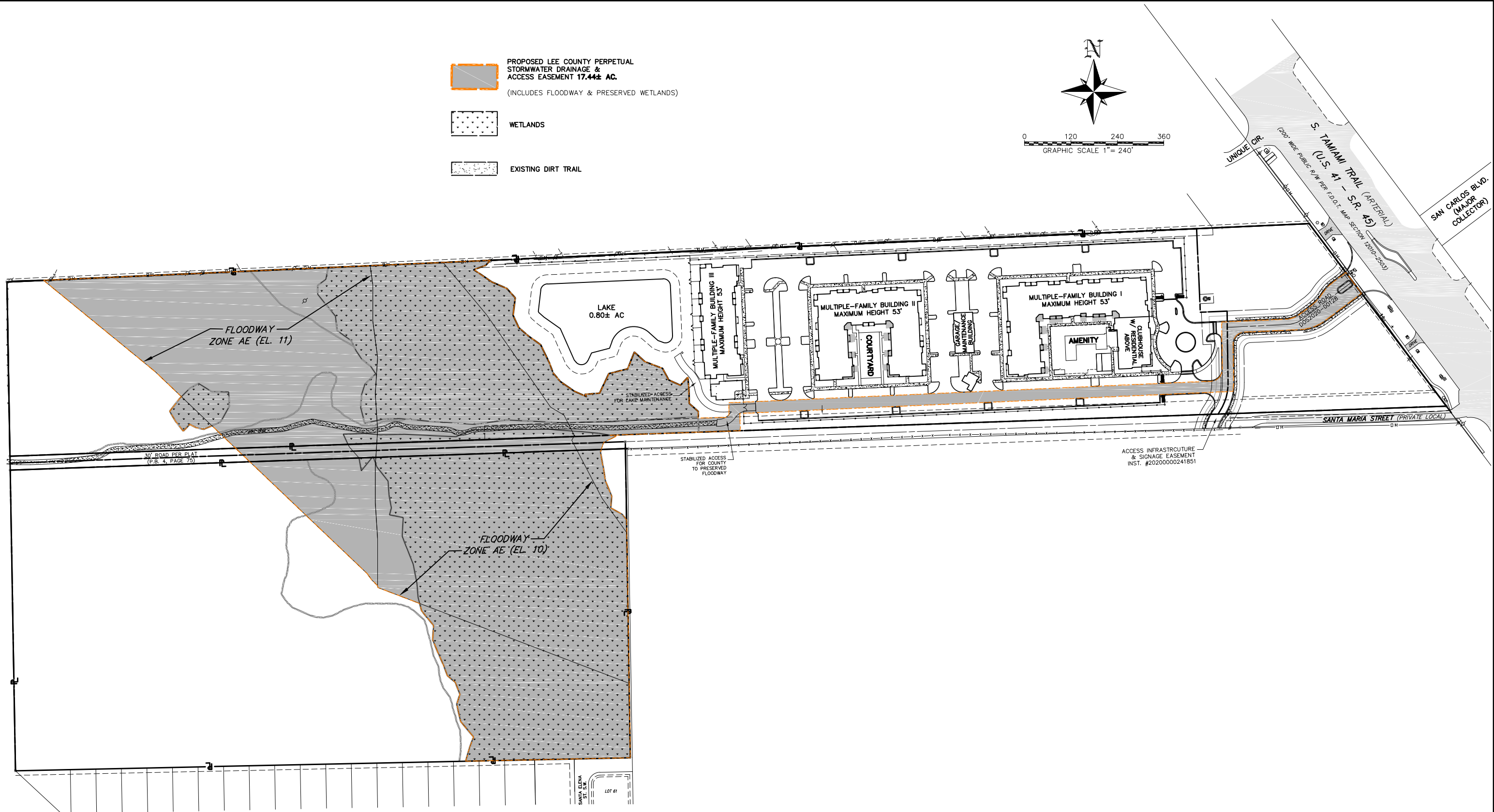
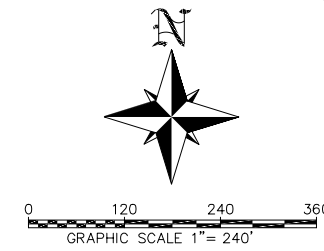
[Type or Print Name]
Deputy Clerk

[Type or print name]
Chair

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

By: _____
Lee County Attorney's Office

-  PROPOSED LEE COUNTY PERPETUAL
STORMWATER DRAINAGE &
ACCESS EASEMENT 17.44± AC.
(INCLUDES FLOODWAY & PRESERVED WETLANDS)
-  WETLANDS
-  EXISTING DIRT TRAIL



NO.	DATE	REVISION DESCRIPTION	BY

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

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

MASTER CONCEPT PLAN
GRAND BAY-MINOR MPD
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
6/20/2022	8433GB	MCP	KWK	JLS	SEH	1"=240'	2 OF 2



Professional Engineers, Planners & Land Surveyors

Grand Bay Minor MPD Preliminary Density Calculations

DCI2022-00018

Revised June 2022

Below calculations demonstrate the maximum density that can be requested for the site including the adjacent private right-of-way is 340 dwelling units (186 standard units and 154 bonus units). The request is for a maximum of 300 dwelling units (186 standard units and 114 bonus units).

The request includes the subject property 46.33± acres and the adjacent private right-of-way 1.53± acre.

PART 4

TYPES OF LAND AREA ON PROPERTY

A. Gross Acres (total area within described parcel)			46.33± Acres
1.	Submerged land subject to tidal influence	0	Acres
2.	a. Preserved freshwater wetlands	10.59±	Acres
	b. Impacted wetlands	0.17±	Acres
	c. Preserved saltwater wetlands	0	Acres
	d. Total wetlands (A.2.a. plus A.2.b. plus A.2.c.)	10.76±	Acres
3.	R-O-W providing access to non-residential uses ¹⁶	0	Acres
4.	Non-residential use areas ^{(1) (2)}	3±*	Acres
<u>*3± ac commercial included in residential acreage pending concurrent CPA map amendment to add ±14.25 acres of property to MUO</u>			
B. Total area not eligible as gross residential acreage (Items A.1. + A.3. + A.4.).			0 Acres
C. Gross residential acres. (A minus B) ⁽³⁾			46.33± Acres
D. Gross residential acres (by Land Use Category)			
1.	a. Intensive Development – upland		Acres
2.	a. Central Urban – upland		Acres
3.	a. Urban Community or Suburban – upland	16.08±	Acres
	b. Urban Community or Suburban – preserved freshwater wetlands	10.59±	Acres
	c. Urban Community or Suburban – impacted wetlands	0.17±	Acres
4.	a. Suburban – upland		Acres
5.	a. Outlying Suburban – upland		Acres
6.	a. Sub-Outlying Suburban – upland		Acres
7.	a. Rural , Outer Island, Rural Community Preserve – upland	19.49±	Acres
8.	a. Open Lands – upland		Acres
9.	a. Resource – upland		Acres
10.	a. Wetlands		Acres
11.	a. New Community – upland		Acres
12.	a. University Community – upland		Acres
13.	a. Coastal Rural – upland		Acres
	TOTAL (should equal "C" above)	46.33±	Acres

Notes:

- (1) Lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses must not be included except within the Mixed Use Overlay {see Note (2) below}.
- (2) Within the Mixed Use Overlay, lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses may be included in density calculations {see Lee Plan Objective 4.3}.

- (3) Lands to be used for residential uses including land within the development proposed to be used for streets & street rights of way, utility rights-of-way, public & private parks, recreation & open space, schools, community centers, & facilities such as police, fire & emergency services, sewage & water, drainage, and existing man-made waterbodies.

PART 5

RESIDENTIAL DEVELOPMENT - PRELIMINARY DENSITY CALCULATIONS

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

A. Future Land Use Category: Urban Community

		Lee Plan Table 1(a)		
		Max. standard density		Units
1. Standard Units				
a.	Total upland acres (from Part 4, D.)	16.08±	x 6 equals	96.48
b.	Total preserved freshwater wetlands acres (from Part 4, D.)	10.59±	x 6 equals	63.54
c.	Total impacted wetlands acres (from Part 4, D.)	0.17±	x 1/20 equals	0.01
d.	Total Allowed Standard Units ⁽¹⁾			160.03
2. Bonus Units [2-143]				
a.	Site-built Affordable Housing up to 4 du/ac 18.6 (8.01+10.59)*			74.4
b.	Transferrable Dwelling Units + 4 du/ac x 8.07**			32.28
	Additional GPITDU up to 5 du/ac with GPITDU x 8.07**			40.35
c.	Sub-total			147.03
	* 8.01 acres uplands & 10.59 acres preserved wetlands within Coastal High Hazard Area			
	**8.07 acres located outside of Coastal High Hazard Area			

A. Future Land Use Category: Rural

		Lee Plan Table 1(a)		
		Max. standard density		Units
1. Standard Units				
a.	Total upland acres (from Part 4, D.)	19.49	x 1 equals	19.49
b.	Total preserved freshwater wetlands acres (from Part 4, D.)		x _____ equals	
c.	Total impacted wetlands acres (from Part 4, D.)		x _____ equals	
d.	Total Allowed Standard Units ⁽¹⁾			19.49
2. Bonus Units [2-143] N/A				
3. Total Permitted Units ⁽¹⁾				327

Note:

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

1.53 AC Adjacent Private Right-Of-Way Additional Density Calculations:

A. Future Land Use Category: Urban Community

		Lee Plan Table 1(a)		
		Max. standard density		Units
1. Standard Units				
a.	Total upland acres (from Part 4, D.)	0.65±	x 6 equals	3.9
b.	Total preserved freshwater wetlands acres (from Part 4, D.)	0.37±	x 6 equals	2.22
c.	Total impacted wetlands acres (from Part 4, D.)	0	x 1/20 equals	0
d.	Total Allowed Standard Units ⁽¹⁾			6.12
2. Bonus Units [2-143]				
a.	Site-built Affordable Housing up to 4 du/ac x 0.68 (0.31+0.37)*			2.72
b.	Transferrable Dwelling Units + up to 4 du/ac x 0.34**			1.36
	Additional GPITDU up to 5 du/ac with GPITDU x0.34**			1.7
c.	Sub-total			5.78
	* 0.31 acres uplands & 0.37 acres preserved wetlands within Coastal High Hazard Area			
	**0.34 acres located outside of Coastal High Hazard Area			

A. Future Land Use Category: Rural**1. Standard Units**

- a. Total upland acres (from Part 4, D.)
- b. Total preserved freshwater wetlands acres (from Part 4, D.)
- c. Total impacted wetlands acres (from Part 4, D.)
- d. **Total Allowed Standard Units** ⁽¹⁾

Lee Plan Table 1(a)		
Max. standard density		Units
0.51	x 1 equals	0.51
	x _____ equals	
	x _____ equals	
		0.51

2. Bonus Units [2-143] N/A**3. Total Permitted Units** ⁽¹⁾**13**

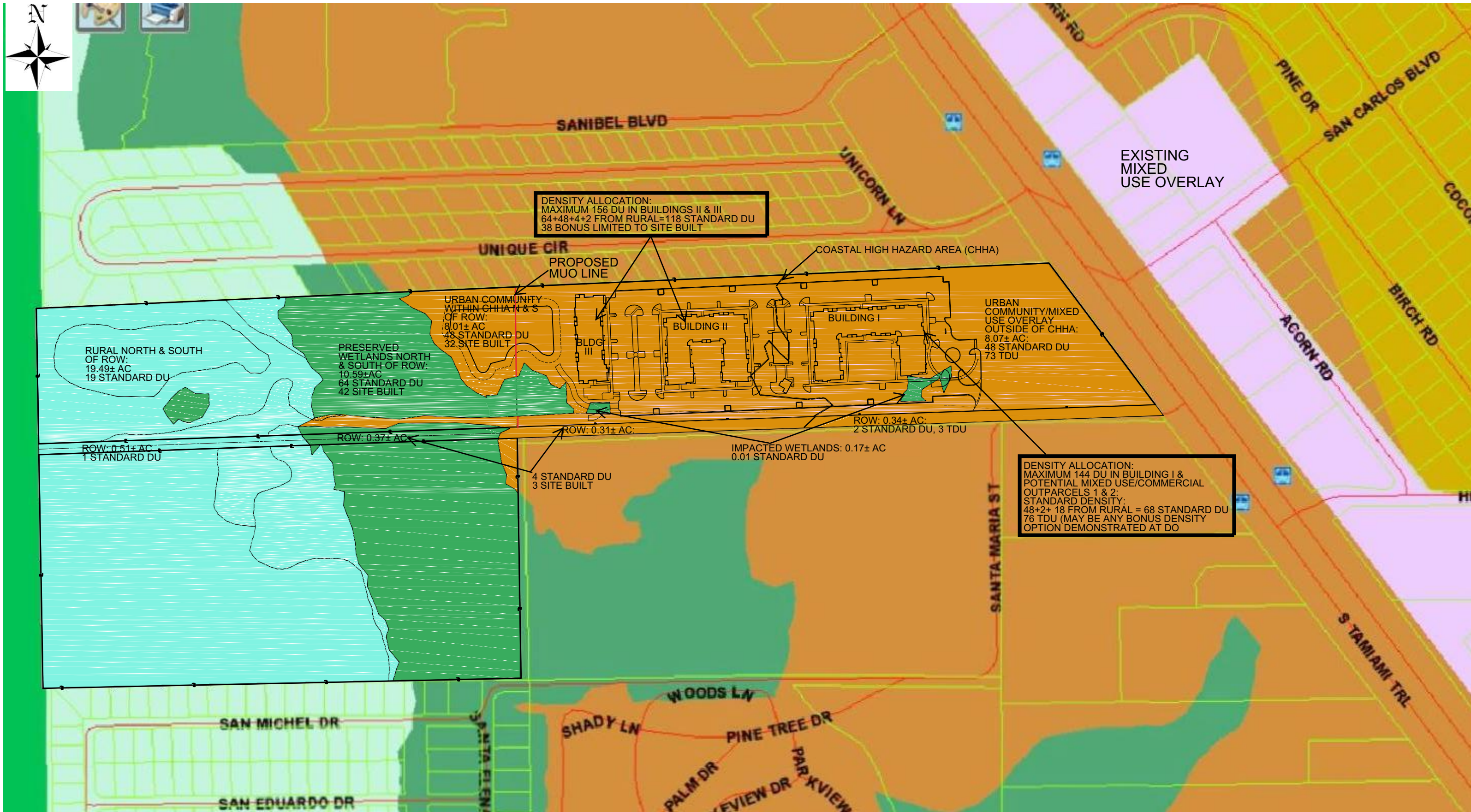
Note:

⁽¹⁾ Subject to revision if wetlands jurisdictional determination indicates a different acreage of wetlands.**Total maximum 340 dwelling units (186 standard units and 154 bonus units).****The request is for a maximum of 300 dwelling units (186 standard units and 114 bonus units).****See Attached Density Exhibit Map for illustration of density generation and allocation.**

Category	Project Acres	Potential Future ROW Vacation Acres	Total Acreage with ROW	Standard Density	Bonus Density	Total Density /Acre	Project Standard Units	Project Bonus Units	Total Project Units	Potential ROW Standard Units	Potential ROW Bonus Units
Rural	19.49	0.51	20	1	0	1	19.49	0	19.49	0.51	0
Preserved Wetlands in CHHA	10.59	0.37	10.96	6	4	10	63.54	42.36	105.9	2.22	1.48
Impacted Wetlands	0.17	0	0.17	0.05	0	0.05	0.01	0.00	0.01	0	0
Urban Community	8.07	0.34	8.41	6	9	15	48.42	72.63	121.05	2.04	3.06
Urban Community in CHHA	8.01	0.31	8.32	6	4	10	48.06	32.04	80.1	1.86	1.24
Total	46.33	1.53	47.86				179.52	147.03	326.55	6.63	5.78
	Standard Units	Bonus Units	Total Units								
Project	179.52	147.03	327								
Potential ROW	7	6	13								
Total	187	153	340								

GRAND BAY MINOR MPD - DENSITY EXHIBIT

DCI2022-00018



Grand Bay

Section 20, Township 46 South, Range 25 East
Lee County, Florida

Protected Species Assessment

June 2022

Prepared for:

**NRP Holdings, LLC
1228 Euclid Avenue 4th Floor
Atlanta, GA 30309**

Prepared by:

***DexBender*
4470 Camino Real Way, Suite 101
Fort Myers, FL 33966
(239) 334-3680**

INTRODUCTION

The 46.33± acre project is located within a portion of Section 20, Township 46 South, Range 25 East, Lee County, Florida. The parcel is bordered to the west by portions of the Estero Bay Buffer Preserve, to the east by US-41 and undeveloped land, and to the north by existing residential development. Undeveloped land and existing residential development is present to the south. An existing road right-of-way bisects the property.

SITE CONDITIONS

The site consists primarily of pine flatwoods and mixed hardwood wetlands that have been invaded by exotics. By 1979, a small area of clearing was present in the western portion of the site. Clearing in the eastern portion of the site was also initiated prior to 1979 and continued through the 1990's.

VEGETATIVE CLASSIFICATIONS

The predominant vegetation associations were mapped in the field on 2021 digital 1" = 200' scale aerial photography. The property boundary was obtained from Banks Engineering and inserted into the digital aerial. The property boundary was not staked in the field at the time of our site inspection and was, therefore, estimated based on the overlay of the boundary on the aerial photography. Nine vegetation associations were identified using the Florida Land Use, Cover and Forms Classification System (FLUCCS). Figure 1 depicts the approximate location and configuration of these vegetation associations and Table 1 summarizes the acreages by FLUCCS Code. A brief description of each FLUCCS Code is also provided below.

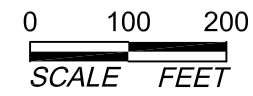
Table 1. Acreage Summary by FLUCCS Code

FLUCCS CODE	DESCRIPTION	ACREAGE
411E1	Pine Flatwoods invaded by Exotics (10-25%)	12.86
411E3	Pine Flatwoods invaded by Exotics (51-75%)	3.40
411E4	Pine Flatwoods invaded by Exotics (76-90%)	5.03
416	Scrubby Pine Flatwoods	0.72
450	Mixed Exotic Upland Forests	11.93
617E4	Mixed Wetland Hardwoods Invaded by Exotics (76-90%)	9.88
619	Exotic Wetland Hardwoods	0.71
740H	Hydric Disturbed Areas	0.17
8146	Dirt Road	1.63
Total		46.33

FLUCCS Code 411E1, Pine Flatwoods Invaded by Exotics (10-25%)

This upland habitat is located in the western portion of the site and characterized by a relatively open canopy of slash pine (*Pinus elliotii*) and a groundcover strata dominated

SECTION: 20
TOWNSHIP: 46 S
RANGE: 25 E



- ⦿ Potentially Occupied Gopher Tortoise Burrow (41)
- ⊠ Tree with Cavity (23)

Notes:
1. Property boundary and surveyed wetland lines provided by Banks Engineering.
2. Mapping based on photointerpretation of 2021 aerial photography and ground truthing in January 2022.
3. Delineation of jurisdictional wetlands reviewed and approved by SFWMD on April 14, 2022.
PERMIT USE ONLY, NOT FOR CONSTRUCTION

FLUCCS	Description	Acreage
411E1	Pine Flatwoods Invaded by Exotics (10-25%)	12.86 ac.
411E3	Pine Flatwoods Invaded by Exotics (51-75%)	3.40 ac.
411E4	Pine Flatwoods Invaded by Exotics (76-90%)	5.03 ac.
416	Scrubby Pine Flatwoods	0.72 ac.
450	Mixed Exotic Upland Forest	11.93 ac.
617E4	Mixed Wetland Hardwoods Invaded by Exotics (76-90%)	9.88 ac.
619	Exotic Wetland Hardwoods	0.71 ac.
740H	Hydric Disturbed Land	0.17 ac.
8146	Dirt Road	1.63 ac.
Total		46.33 ac.

June 13, 2022 4:21:27 p.m.
Drawing: NRP1PLAN.DWG

Figure 1. Protected Species Assessment Map

Grand Bay



by saw palmetto (*Serenoa repens*). Additional vegetative species present in this association include rusty lyonia (*Lyonia ferruginea*), wiregrass (*Aristida* sp.), broomsedge (*Andropogon* sp.), penny royal (*Piloblephis rigida*), pinweed (*Lechea* sp.), grapevine (*Vitis* sp.), greenbrier (*Smilax* sp.), and dwarf live oak (*Quercus minima*). Very widely scattered sand live oak (*Quercus geminata*) and Chapman oak (*Quercus chapmanii*) are also present. Exotic vegetation, primarily downy rose myrtle (*Rhodomyrtus tomentosa*) and ear-leaf acacia (*Acacia auriculiformis*), has invaded portions of these areas. Numerous pine tree snags are also present in this habitat type.

FLUCCS Code 411E1, Pine Flatwoods Invaded by Exotics (10-25%)

This upland habitat is located in the western portion of the site and characterized by a relatively open canopy of slash pine (*Pinus elliotii*) and a groundcover strata dominated by saw palmetto (*Serenoa repens*). Additional vegetative species present in this association include rusty lyonia (*Lyonia ferruginea*), wiregrass (*Aristida* sp.), broomsedge (*Andropogon* sp.), penny royal (*Piloblephis rigida*), pinweed (*Lechea* sp.), grapevine (*Vitis* sp.), greenbrier (*Smilax* sp.), and dwarf live oak (*Quercus minima*). Very widely scattered sand live oak (*Quercus geminata*) and Chapman oak (*Quercus chapmanii*) are also present. Exotic vegetation, primarily downy rose myrtle (*Rhodomyrtus tomentosa*) and ear-leaf acacia (*Acacia auriculiformis*), has invaded portions of these areas. Numerous pine tree snags are also present in this habitat type.

FLUCCS Code 411E3, Pine Flatwoods Invaded by Exotics (51-76%)

The canopy and midstory in portions of the upland pine flatwoods are currently dominated by earleaf acacia. Slash pine is present in the canopy and saw palmetto dominates the ground cover stratum.

FLUCCS Code 411E4, Pine Flatwoods Invaded by Exotics (76-90%)

In these upland areas the canopy and midstory consists almost entirely of earleaf acacia, java plum (*Syzygium cumini*), melaleuca (*Melaleuca quinquenervia*), and Brazilian pepper (*Schinus terebinthifolius*). Scattered slash pine, cabbage palm (*Sabal palmetto*), and myrsine (*Rapanea punctata*) are also present. Saw palmetto, grapevine, greenbrier, and leaf duff are common in the ground cover.

FLUCCS Code 416, Scrubby Pine Flatwoods

Similar in composition to the pine flatwoods habitat describe above, this upland habitat includes a greater amount of sand live oak along with myrtle oak (*Quercus myrtifolia*), and Chapman oak. Blueberry (*Vaccinium myrsinites*), greenbrier, dwarf live oak and hog plum (*Ximenia americana*) are also present.

FLUCCS Code 450, Exotic Upland Hardwoods

The eastern portion of the site that was partly cleared is currently dominated by exotics such as earleaf acacia, Australian pine (*Casuarina equisetifolia*), and Brazilian pepper. Java plum, woman's tongue (*Albizia lebeck*), and mother-in-law's tongue (*Sansevieria hyacinthoides*) are also common. Widely scattered slash pine, cabbage palm, myrsine, saw palmetto, and wild coffee (*Psychotria nervosa*) are also present. Leaf duff is common ground cover.

FLUCCS Code 617E4, Mixed Wetland Hardwoods Invaded by Exotics (76-90%)

The canopy and midstory of this wetland association are dominated by exotic vegetation including melaleuca, bishopwood (*Bischofia javanica*), Java plum, and Brazilian pepper. Native species such as laurel oak (*Quercus laurifolia*), cypress (*Taxodium* sp.), red maple (*Acer rubrum*), willow (*Salix caroliniana*), and cabbage palm are also present. Additional species in this association include myrsine, buttonbush (*Cephalanthus occidentalis*), and pond apple (*Annona glabra*). Groundcover vegetation includes swamp fern (*Blechnum serrulatum*), leather fern (*Acrostichum* sp.), chain fern (*Woodwardia virginica*), swamp lily (*Crinum americanum*), smartweed (*Polygonum punctatum*), wild coffee, and false nettle (*Boehmeria cylindrica*).

FLUCCS Code 619, Exotic Wetland Hardwoods

This wetland habitat is dominated by melaleuca and Brazilian pepper. Scattered cabbage palm, slash pine, wild coffee, and myrsine are also present.

FLUCCS Code 740H, Hydric Disturbed Land

Two small areas of wetland created by land disturbance are located adjacent to the existing dirt road. Canopy and midstory species present in this area consist of widely scattered Australian pine, melaleuca, and cabbage palm. Ground cover species include white-top sedge (*Rhynchospora colorata*), torpedo grass (*Panicum repens*), yellowtop (*Flaveria linearis*), saw-grass (*Cladium jamaicense*), and water-hyssops (*Bacopa caroliniana*).

FLUCCS Code 8146, Dirt Road

A dirt road bisects the majority of the subject parcel. When present, vegetation includes very widely scattered slash pine in the canopy along with groundcover species such as false buttonweed (*Spermacoce* sp.), Bahia grass (*Paspalum notatum*), St. Augustine grass, smutgrass (*Sporobolus indicus*), and rustweed (*Polypremum procumbens*).

SURVEY METHOD

Lee County Protected Species Ordinance No. 89-34 lists several protected species of animals that could potentially occur on-site based on the general vegetative associations found on the subject parcel. Each habitat type was surveyed for the occurrence of these and any other listed species likely to occur in the specific habitat types. The survey was conducted using meandering linear pedestrian belt transects. This survey methodology is based on the Lee County administratively approved Meandering Transect Methodology. As part of this survey all live trees and snags were inspected for the evidence of cavities that could potentially be used as roosts by the Florida bonneted bat (*Eumops floridanus*). In order to provide at least 80 percent visual coverage of habitat types listed in Ordinance No. 89-34, the transects were spaced approximately 50 feet apart in the proposed development areas. Transects were spaced approximately 100 feet apart in the western uplands and meandering transects were conducted through the exotic dominated mixed wetlands hardwoods (FLUCCS Code 617E4). The approximate locations of all direct sighting or signs (such as tracks, nests, and droppings) of a listed

species were denoted on the aerial photography. The 1" = 200' scale aerial Protected Species Assessment Map (Figure 1) depicts the approximate location of the survey transects and the results of the survey. Most of the subject parcel was surveyed for listed species during the morning and mid-day hours of January 10, 2022. During the survey the weather was warm and mostly sunny. As indicated on the attached Protected Species Assessment Map, the eastern 700± feet of the subject parcel was surveyed for listed species on October 29, 2020 during review of SFWMD Permit No. 36-104286-P. This area of exotic vegetation was also briefly reinspected during the January 10, 2022 listed species survey event.

Species listed as endangered, threatened, or species of special concern by the Florida Fish and Wildlife Conservation Commission (FWC) or the United States Fish and Wildlife Service (FWS) that could potentially occur on the subject parcel according to the Lee County Protected Species Ordinance are shown in Table 2. This list from the Lee County Protected Species Ordinance is general in nature, contains species that were subsequently delisted by the state, does not necessarily reflect existing conditions within or adjacent to the 46.33± acre property, and is provided for general informational purposes only. The bald eagle (*Haliaeetus leucocephalus*) (which has been delisted by the FWC and FWS but is still protected by other regulations), the Florida black bear (*Ursus americanus floridanus*) (delisted in 2012 and still protected by the Florida Black Bear Management Plan), and the Florida bonneted bat (*Eumops floridanus*) (which was listed by the FWS after Ordinance No. 89-34 was adopted by Lee County) were also included in the survey.

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

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

FLUCCS CODE	Percent Survey Coverage	Species Name	Present	Absent
411E1	50-80	Gopher Frog (<i>Rana areolata</i>)*	√	√
411E3		Eastern Indigo Snake (<i>Drymarchon corais couperi</i>)		√
411E4		Gopher Tortoise (<i>Gopherus polyphemus</i>)		
		Red-cockaded Woodpecker (<i>Picoides borealis</i>)		√
		Southeastern American Kestrel (<i>Falco sparverius paulus</i>)		√
		Big Cypress Fox Squirrel (<i>Sciurus niger avicennia</i>)		√
		Florida Black Bear (<i>Ursus americanus floridanus</i>)*		√
		Florida Panther (<i>Felis concolor coryi</i>)		√

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

FLUCCS CODE	Percent Survey Coverage	Species Name	Present	Absent
411E1 411E3 411E4	50-80	Beautiful Pawpaw (<i>Deeringothamnus pulchellus</i>) Fakahatchee Burmannia (<i>Burmannia flava</i>) Florida Coontie (<i>Zamia floridana</i>) Satinleaf (<i>Chrysophyllum olivaeforme</i>)		√ √ √ √
416	50	Gopher Frog (<i>Rana areolata</i>)* Eastern Indigo Snake (<i>Drymarchon corais couperi</i>) Gopher Tortoise (<i>Gopherus polyphemus</i>) Florida Scrub Jay (<i>Aphelocoma coerulescens</i>) Red-cockaded Woodpecker (<i>Picoides borealis</i>) Southeastern American Kestrel (<i>Falco sparverius paulus</i>) Big Cypress Fox Squirrel (<i>Sciurus niger avicennia</i>) Florida Black Bear (<i>Ursus americanus floridanus</i>)* Florida Panther (<i>Felis concolor coryi</i>) Beautiful Pawpaw (<i>Deeringothamnus pulchellus</i>) Fakahatchee Burmannia (<i>Burmannia flava</i>) Florida Coontie (<i>Zamia floridana</i>) Satinleaf (<i>Chrysophyllum olivaeforme</i>)	√	√ √ √ √ √ √ √ √ √ √ √ √ √ √ √
450	80	Gopher Tortoise (<i>Gopherus polyphemus</i> **)	√	
617E4	30	Limpkin (<i>Aramus guarauna</i>)* Little Blue Heron (<i>Egretta caerulea</i>) Snowy Egret (<i>Egretta thula</i>)* Tricolored Heron (<i>Egretta tricolor</i>) Florida Black Bear (<i>Ursus americanus floridanus</i>)* Florida Panther (<i>Felis concolor coryi</i>)		√ √ √ √ √ √
619	80	None		
740H	80	None		
8146	80	None		

* Species delisted subsequent to adoption of Lee County Protected Species Ordinance No. 89-34.

** Lee County Protected Species Ordinance No. 89-34 does not list this species for this FLUCCS Code but it was observed on-site.

SURVEY RESULTS

Gopher Tortoise

A total of 41 potentially occupied gopher tortoise burrows were found during the listed species survey. The majority of the burrows are located in the western portion of the site. A total of nine potentially occupied gopher tortoise burrows were found in proposed development footprint which is located east of the areas of mixed wetland hardwoods (FLUCCS Code 617E4). Based on 80 percent survey coverage in that portion of the site, it is estimated that 11 potentially occupied gopher tortoise burrows occur within this general area. Using the FWC standard burrow occupancy correction factor of 0.5 gopher tortoises per burrow, it is estimated that five to six gopher tortoises are present within the proposed development area.

Florida Bonneted Bat

A total of 23 dead slash pine trees containing potential cavities entrances were identified (Figure 1). The vast majority of identified potential cavity entrances are less than approximately two inches in diameter, very shallow, and do not appear to penetrate the heartwood of the snag. No evidence of bat utilization (bat vocalization/chatter from within the potential cavities or guano on or around the snags) was observed. No live trees with cavities or artificial structures were observed on-site.

Other Listed Species

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



Professional Engineers, Planners & Land Surveyors

Grand Bay MPD

DCI2022-00018

Description of Surface Water Management Plan

LDC Sec. 34-373(b)(1) A written description of the surface water management plan that includes:

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

The ±46.33-acre site is bordered on the east by Tamiami Trail (US-41 / SR 45) and vacant land zoned (RPD), to the south by a retail boat facility, the vacant RPD and a RV park, to the west by the Estero Bay State Buffer Preserve, and to the north by the Sheltering Pines Mobile Home Village. The entire site is undeveloped with the exception of a dirt road from east to west. The Mullock Creek floodway bisects the site. Mullock Creek is bordered by wetlands. The portion of the site to the west of Mullock Creek is not proposed to be developed. The area east of the Mullock Creek wetlands consists of 15.71± acres of uplands. These uplands drain generally from east to west from Tamiami Trail to Mullock Creek. There are also two small, isolated wetland areas with a total area of ±0.17 acres located on the eastern portion of the site. There are existing stormwater swales along the ROW of S. Tamiami Trail. The existing stormwater runoff sheet flows generally to the west until it discharges into the Mullock Creek flowway. The property has an existing stormwater management permit on the eastern 5.97± acres (South Florida Water Management District Individual Environmental Resource Permit No. 36-104286-P) for a stormwater management system serving 0.91 acres of commercial and 5.06 acres of future development for construction of an access road to support the future multi-use commercial development, including sidewalks, underground utilities, and a dry retention pond with 0.14 acre of permitted wetland impact. A Lee County development order (DOS2020-00128) was also approved for construction of an access road, watermain and forcemain extensions and other support infrastructure.

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; **The proposed drainage system will preserve existing drainage patterns and not block any runoff overflow from adjacent properties. The offsite flow will be maintained by the project. The proposed drainage within the development will be collected into a catch basin and pipe system and detained in an on-site proposed wet detention pond. A vegetated swale will be provided along the north property line to be demonstrated at the time of development order. The Master Concept Plan note 9 states that the lake must demonstrate a planted littoral shelf that functions as a typical freshwater marsh consistent with the LDC at time of development order. The two commercial or mixed use parcels will provide at the time of their development ½" of pretreatment on their sites prior to discharging into the main water management system. The wet detention pond will discharge to the Mullock Creek wetlands on the east side of the flow way and then into Mullock Creek. The wetland preserve areas will remain outside of the proposed site stormwater management system and will continue to remain available to receive off-site flows.**

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 water management system will consist of a proposed on-site wet detention pond. If the property remains under single ownership, that owner will maintain the drainage system consistent with the South Florida Water Management District permit that will be required. If the property ownership does not remain under a single owner, then an association would be formed to maintain the drainage system.

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

Except for the two small, isolated wetlands, all of the other on-site exotic infested wetlands, the Mullock Creek floodway and all of the area on the west side of Mullock Creek will be preserved. The applicant proposes exotic treatment consistent with the approved adjacent indigenous management plan for Estero Vista and 0.04± acre of compensating storage created from non-indigenous uplands adjacent to the existing wetlands within the floodway to offset the 0.04± acre isolated poor quality wetland impact within the Coastal High Hazard Area. The total area to be preserved totals 30.62± acres. The water table elevations will be maintained by appropriately setting the wet detention pond outfall structure at the established water control elevation.

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.

The property is within a FEMA flood zone. This will be mitigated by placing fill such that the finished floor elevation is one foot above the FEMA base flood elevation. No fill will be placed within the Mullock Creek floodway. The applicant proposes 17.44± acres of community facilities consisting of a proposed perpetual stormwater drainage and access easement over the floodway and adjacent preserved wetlands. A total of 30.62± acres of wetlands, uplands and compensating storage within and adjacent to the west of the floodway are proposed to remain undeveloped.



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

June 3, 2022

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

RE: Grand Bay MPD
DCI2022-00018

Dear Ms. Hewitt:

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

LC T.I.S. Application Sufficiency Checklist:

1. *The trip generation from the proposed uses will increase trips from the approved uses; however, Table 4 shows trip reduction. Please revise for consistency.*

Acknowledged. Revised **Table 4** is shown below.

Table 4
Trip Generation Comparison– Approved Zoning vs Proposed Zoning
Table 2 vs Table 3

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Proposed Zoning	54	103	157	155	115	270	3,045
Approved Zoning	-38	-58	-96	-108	-89	-197	-1,935
Resultant Trip Change	+16	+45	+61	+47	+26	+73	+1,110

Note: Positive number represents an INCREASE in Trip Generation.



Ms. Stacy Hewitt, AICP
 Grand Bay MPD
 DCI2022-00018
 June 3, 2022
 Page 2

2. *Since the project will generate more than 100 trips per hour, the information of level of service (LOS) for the project's entrance and the intersections within a quarter mile are required.*

Acknowledged. Note, FDOT is constructing a traffic signal at the intersection of US 41 and San Carlos Boulevard (with construction slated to begin in the fall of 2022) as part of their milling and resurfacing project on this section of US 41 (Project ID#444640-1-32-01). Therefore, the intersection analysis was performed at the intersection of US 41 with the proposed shared access drive opposite of San Carlos Boulevard based on the future signalized conditions at this location. The analysis also included the future traffic volumes from the build-out of the Estero Vista project (144 multi-family dwelling units) that will share the access to US 41 with the proposed Grand Bay MPD project. **Table 5** below indicates the anticipated trip generation of the build-out of the Estero Vista project, which will consist of 4-story multi-family residential buildings.

Table 5
Trip Generation
Estero Vista – 144 MF Dwelling Units

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Multi-Family Housing Mid-Rise (144 Dwelling Units)	12	40	52	34	23	57	640

Attached **Figure 4** illustrates the anticipated trip distribution as well as the assignment of the Estero Vista project related trips to the shared access drive on US 41. Note, the intersection analysis was completed based on the PM peak hour conditions since the weekday PM peak hour for both Estero Vista and Grand Bay MPD projects represents the highest number of trips entering and exiting the shared access on US 41. The existing traffic volumes at US 41 and San Carlos Boulevard intersection as well the diverted traffic volumes as a result of the future signal at this location were obtained from the attached FDOT's *Traffic Signal Warrant Study* prepared by Traffic Engineering Data Solutions, Inc. The volumes utilized for the intersection analysis can be found on the attached *Development of Future Year Background Turning Movement Volumes* spreadsheet.

Attached *SYNCHRO*® summary sheets indicate the future signalized intersection of US 41 with San Carlos Boulevard to operate at an acceptable Level of Service "D" in 2027 with the proposed development traffic added to the intersection in the PM peak hour conditions.



Ms. Stacy Hewitt, AICP
Grand Bay MPD
DCI2022-00018
June 3, 2022
Page 3

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Yury Bykau', is written over a light gray, stylized outline of the same signature.

Yury Bykau, P.E.
Transportation Consultant

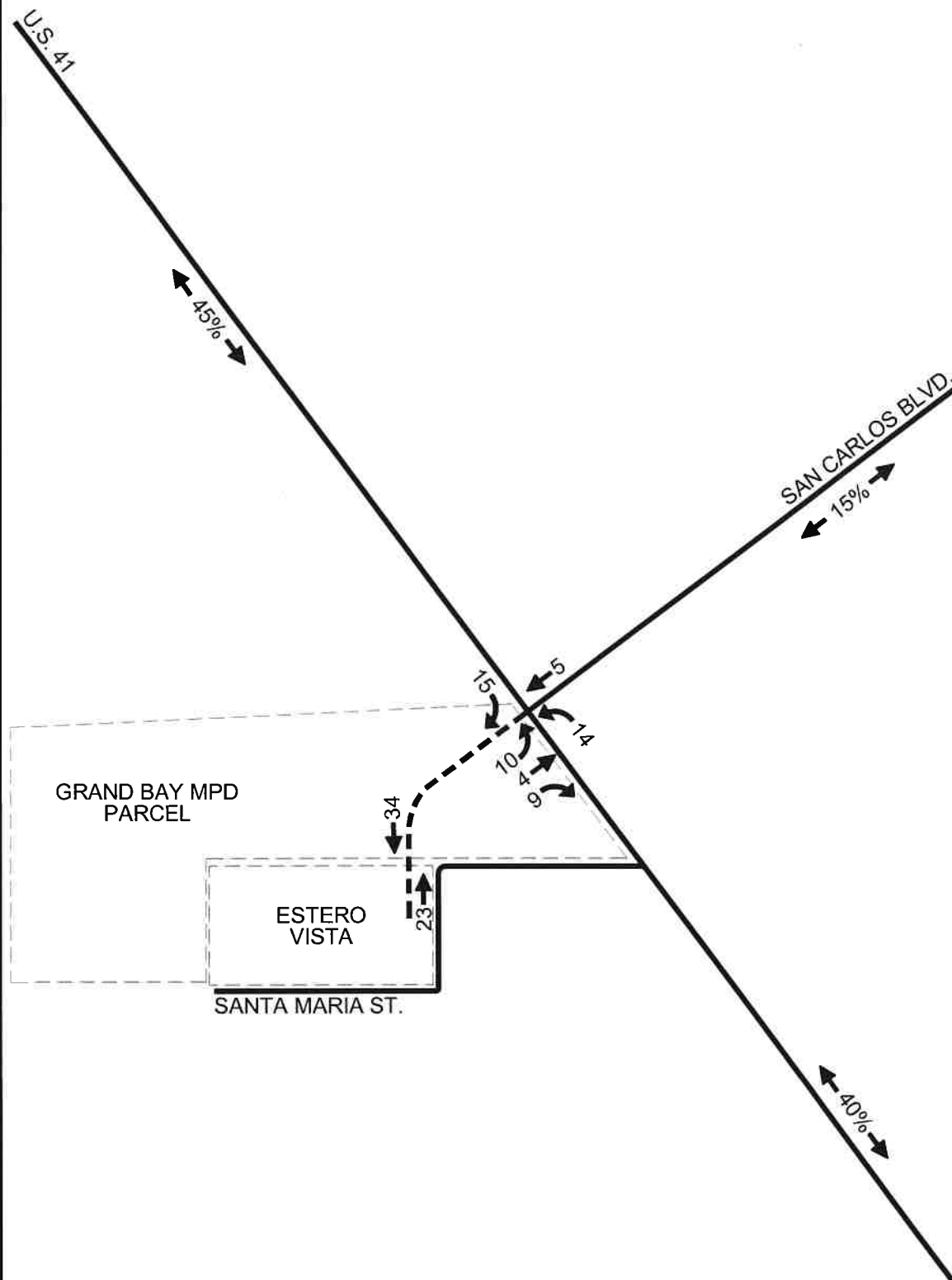
Attachments

FIGURE 4

SITE TRAFFIC ASSIGNMENT OF

ESTERO VISTA PROJECT

F2202.02/Sufficiency



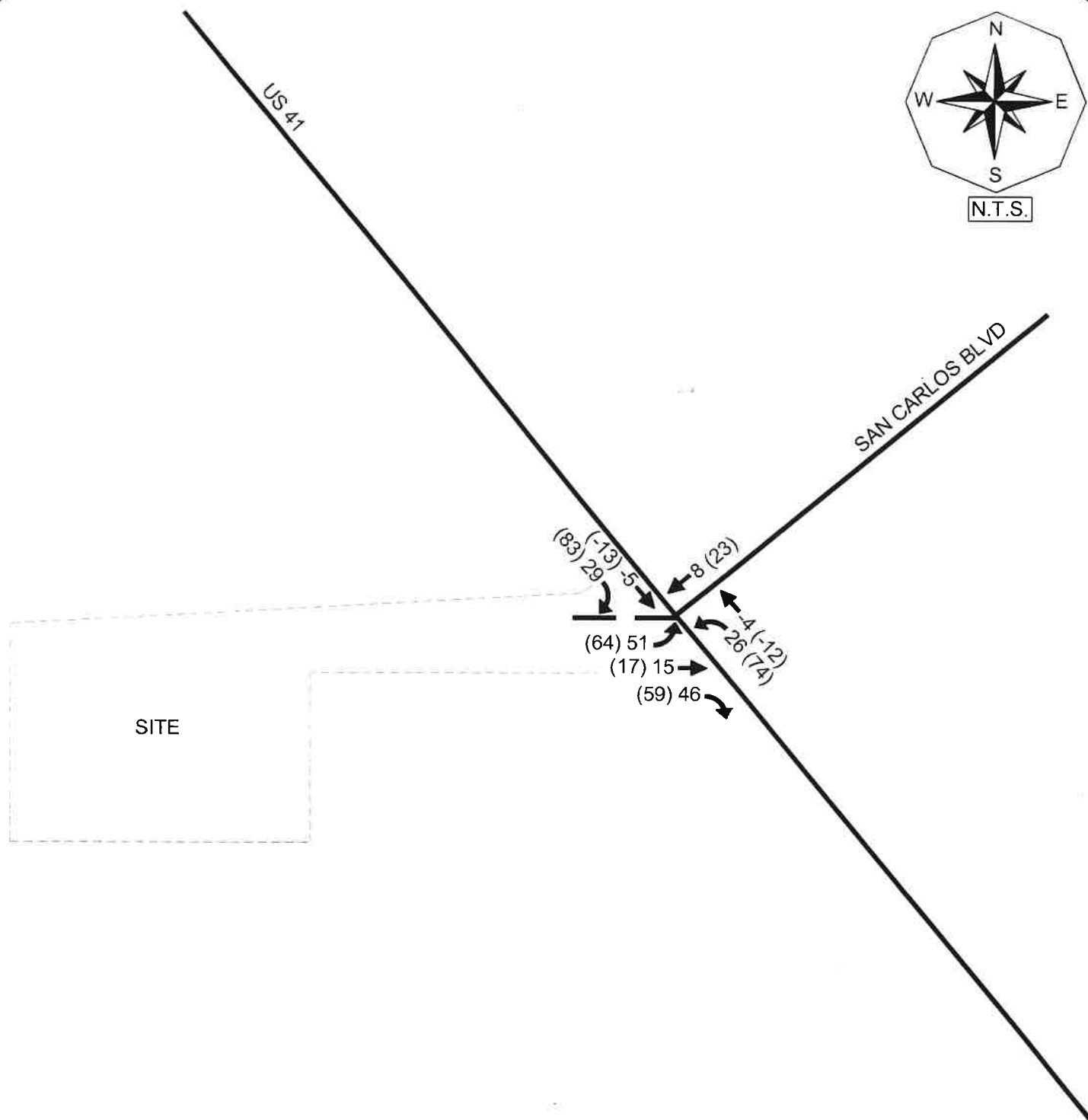
LEGEND

- ← 000 WEEKDAY PM PEAK HOUR SITE TRAFFIC
- ← XX% PERCENT TRIP DISTRIBUTION

ASSIGNMENT & DISTRIBUTION OF PROJECT TRIPS ESTERO VISTA

FIGURE 2
TRAFFIC ASSIGNMENT OF
GRAND BAY MPD

F2202.02



LEGEND

- ← 000 WEEKDAY AM PEAK HOUR TRAFFIC
- ← (000) WEEKDAY PM PEAK HOUR TRAFFIC

ASSIGNMENT OF ALL SITE RELATED TRIPS
NET NEW + PASS-BY TRIPS
GRAND BAY

**FDOT TRAFFIC SIGNAL WARRANT
STUDY
US 41 @ SAN CARLOS BLVD
PREPARED BY
TRAFFIC ENGINEERING DATA
SOLUTIONS**

TRAFFIC SIGNAL WARRANT STUDY

U.S. 41 at San Carlos Boulevard
Section 12010-000 – M.P. 10.403
Lee County

Prepared for:

**FLORIDA DEPARTMENT OF TRANSPORTATION
DISTRICT 1 TRAFFIC OPERATIONS**

P.O. Box 1249
801 North Broadway Avenue, MS 1-8
Bartow, Florida 33831-1249



Continuing Services Contract for Traffic Operations
Financial Project Identification Number: 420112-1-32-03
Contract Number: C-9074
TEDS Contract Number: 10870
Task Work Order: 216

Prepared by:
Traffic Engineering Data Solutions, Inc.
80 Spring Vista Drive
DeBary, Florida 32713

May 2020

This item has been digitally signed and sealed by

Digitally signed by
Robert Agrusa
DN: c=US, o=TRAFFIC
ENGINEERING DATA
SOLUTIONS INC.,
ou=A01427D000001
6843DDAAAE00009D
F7, cn=Robert Agrusa
Date: 2020.05.13
17:47:30 -04'00'

On the date adjacent to the seal

Printed copies of this document are not considered
signed and sealed and the signature must be verified
on any electronic copies.

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EXECUTIVE SUMMARY

A Traffic Signal Warrant Study was conducted for the intersection of U.S. 41 at San Carlos Boulevard located in Fort Myers (Lee County), Florida, to determine if a traffic signal should be installed at the intersection. Currently, this intersection operates under minor-street STOP control.

Based on the results of the traffic signal warrant analysis, a review of crash history, field observations, engineering judgement, and other considerations, it is recommended that a **traffic signal be installed at the intersection of U.S. 41 and San Carlos Boulevard. In conjunction with signalization at this location, the current two-way directional median opening shall be modified to a full median opening. Additionally, it is recommended that a signal coordination plan be developed with the existing signalized intersection at U.S. 41 and Sanibel Boulevard to appropriately interconnect both signals. Lastly, it is recommended that alternative traffic control measures be considered at the U.S. 41 and Hickory Drive intersection, including the modification of the existing full median opening to a two-way directional opening.**

4

TRAFFIC SIGNAL WARRANT ANALYSIS

A traffic signal warrant analysis was undertaken for the study intersection of U.S. 41 and San Carlos Boulevard. Information surrounding the evaluation of this location, including the procedures and findings of this analysis, are provided below.

As previously shown, San Carlos Boulevard is a collector-type facility that provides connection from residential communities near Three Oaks Parkway, which parallels Interstate 75 (I-75) on the west side, to the commercial corridor of U.S. 41. The typical grid pattern of the local street network in this area has identified many street connections onto San Carlos Boulevard, and thus, making this road as one of the primary east/west routes to/from U.S. 41 in this general area. Based upon its attractiveness, traffic volumes have increased over the years as well as the frequency of vehicle crashes. In this study, a review of crash data at this study intersection was conducted and revealed that this intersection has had an on-going trend of crashes that may be potentially correctable with a traffic signal. As part of the initial effort to minimize crashes and improve safety at this location, the existing two-way directional left-turn median opening was installed on U.S. 41 as a remedial measure. However, since potentially correctable crashes have continued at this location, this intersection was further evaluated herein to determine if an alternative traffic control device, specifically a traffic signal, would be appropriate at this location.

It should be noted that due to the close proximity of San Carlos Boulevard with other immediate parallel facilities, specifically Hickory Drive located 800 feet to the south, it was critical to include these other roads in this warrant analysis, as well as determining potential impacts. For example, there are numerous streets connecting San Carlos Boulevard with Hickory Drive. Due to the close accessibility between these two roads, the installation of a traffic signal at San Carlos Boulevard will likely affect the current full median opening at Hickory Drive, which was found to have a pattern of angle crashes that could potentially be correctable with a directional median opening. To improve safety conditions in the general area, the full median opening at Hickory Drive may need to be modified to at least a two-way directional opening along U.S. 41. Although outbound left-turns would be prohibited from both side streets, any vehicle can turn right and then proceed to the next median opening to make a U-turn which is located no farther than 850 feet in either direction along U.S. 41 and would have the benefit of a signalized U-turn.

Based upon the above information, traffic volumes, geometric conditions, and crash data at the San Carlos Boulevard intersection were analyzed, summarized, and then compared with the warrants for the installation of a traffic signal contained within the MUTCD and MUTS.

As part of this analysis, the northbound and southbound approaches of U.S. 41 were used as the major street, and the westbound approach along San Carlos Boulevard was used as the minor street. Based on the posted/critical speed of 50 mph on U.S. 41, the 70% volume criteria were applied to the analysis. Additionally, the existing one-lane approach on the San Carlos Boulevard approach was utilized in the analysis. Also, when considering crash history for the signal warrant analysis, the information during the 12-month period from August 1, 2017 to August 1, 2018, was used for this warrant. During this period, there were five (5) crashes susceptible to correction by the installation of a traffic signal.

To appropriately develop traffic volumes at San Carlos Boulevard, other affected roadways in the area were considered, including Sanibel Boulevard (currently signalized) located approximately 900 feet to the north and Hickory Drive. Due to the close proximity of these two (2) facilities and their connection to San Carlos Boulevard via internal neighborhood streets, it was presumed that traffic on these roads would likely be redistributed to the San Carlos Boulevard approach to utilize the signalized intersection. The methodology involving this redistribution of traffic is provided below.

The initial component of estimated approach volumes considered existing traffic from Hickory Drive. At Hickory Drive, any redistribution of traffic would likely coincide with modifications of the existing full median opening at U.S. 41 to a two-way directional opening. As stated above, this presumption is reasonable when considering the results of the crash data and delay study for this location. Modifying the current opening to a two-way directional opening would re-route or divert westbound left-turning and through vehicles towards San Carlos Boulevard either at the existing northbound left-turn/U-turn lane on U.S. 41 or through internal roads towards the San Carlos Boulevard approach to make a westbound left turn to travel south on U.S. 41. Based upon expected driver behavior and patterns, it was estimated that 75 percent of these existing left-turns and throughs will be re-routed onto the San Carlos Boulevard approach. Additionally, all current westbound right-turning volumes at San Carlos Boulevard were considered in the estimate of approach volumes, including the number of existing right-turning vehicles that are making a U-turn at the Sanibel Boulevard intersection to travel southbound on U.S. 41. The determination of these U-turns was based upon traffic counts that were collected at the Sanibel Boulevard intersection in January 2020 for a similar 8-hour time period as San Carlos Boulevard and documented in the **Appendix**. Based upon limited driveways between San Carlos Boulevard Sanibel Boulevard, it was estimated that 75 percent of these existing U-turns would be considered left-turns on the San Carlos Boulevard approach. Lastly, consideration was given to the redistribution of trips from the Sanibel Boulevard intersection. Although there is a traffic signal at U.S. 41, traffic along Sanibel Boulevard on the east side of U.S. 41 can still connect with San Carlos Boulevard through local streets. Thus, a conservative (low) estimate of 10 percent of the existing westbound left-turn movement at this signalized location was considered to be diverted onto the San Carlos Boulevard approach. A summary of the estimated San Carlos Boulevard approach volumes is provided in **Table 8**.

Table 8
San Carlos Approach Volume Calculations
U.S. 41 at San Carlos Boulevard

	Hickory WBLT+Th (Existing)	Hickory WBLT+Th (75% Diverted)	Sanibel NB U- Turn (Existing)	Sanibel NB U- Turn (75% Diverted)	Sanibel WBLT (Existing)	Sanibel WBLT (10% Diverted)	San Carlos WBLT (Includes Hickory and Sanibel Diversion)	San Carlos WBRT (Existing)	San Carlos WBRT (after Adjustment for U-turns)	San Carlos WB Approach Total
6-7 AM	82	62	13	10	33	3	75	123	113	188
7-8 AM	80	60	16	12	44	4	76	168	156	232
8-9 AM	77	58	22	17	68	7	82	140	123	205
12-1 PM	45	34	25	19	92	9	62	79	60	122
1-2 PM	37	28	33	25	105	11	64	81	56	120
3-4 PM	50	38	25	19	152	15	72	80	61	133
4-5 PM	52	39	38	29	179	18	86	60	31	117
5-6 PM	34	26	27	20	180	18	64	70	50	114

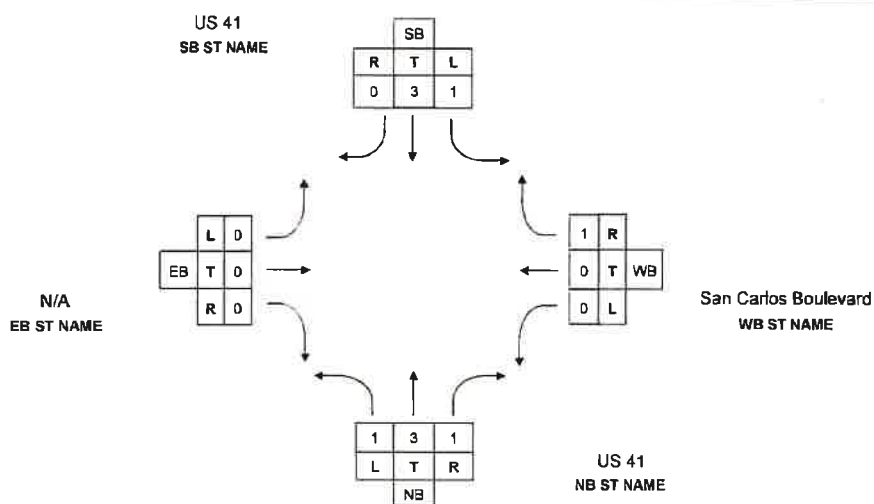
**TRAFFIC COUNT DATA FOR
US 41 @ SAN CARLOS BLVD**

FLORIDA DEPARTMENT OF TRANSPORTATION

SUMMARY OF VEHICLE MOVEMENTS

SECTION 12010 CITY Fort Myers COUNTY Lee
 STATE ROUTE US 41 INTERSECTING ROUTE San Carlos Boulevard
 OBSERVER TEDS DATE 1/30/2020 MILEPOST 10.403
 WEATHER Sunny ROAD CONDITION Good
 REMARKS

FORM COMPLETED BY CML DATE 03/09/20



TIME	NORTHBOUND					SOUTHBOUND					TOTAL	EASTBOUND					WESTBOUND					TOTAL
BEGIN/END	L	T	R	U	TOT	L	T	R	U	TOT	N/S	L	T	R	U	TOT	L	T	R	U	TOT	E/W
6:00 - 7:00	0	795	16	18	829	24	1,650	0	1	1,675	2,504	0	0	0	0	0	0	0	123	1	124	124
7:00 - 8:00	0	1,484	37	34	1,555	35	2,845	0	2	2,882	4,437	0	0	0	0	0	0	0	168	0	168	168
8:00 - 9:00	0	1,461	47	26	1,534	39	2,760	0	2	2,801	4,335	0	0	0	0	0	0	0	140	0	140	140
12:00 - 1:00	0	1,991	89	28	2,108	53	1,903	0	8	1,984	4,072	0	0	0	0	0	0	0	79	0	79	79
1:00 - 2:00	0	2,023	106	33	2,162	42	1,908	0	4	1,954	4,116	0	0	0	0	0	0	0	81	0	81	81
3:00 - 4:00	0	2,420	126	36	2,582	58	1,957	0	3	2,018	4,600	0	0	0	0	0	0	0	80	0	80	80
4:00 - 5:00	0	2,706	187	29	2,922	50	1,945	0	7	2,002	4,924	0	0	0	0	0	0	0	60	0	60	60
5:00 - 6:00	0	2,849	164	32	3,045	73	2,003	0	9	2,085	5,130	0	0	0	0	0	0	0	70	0	70	70
TOTAL	0	15,729	772	236	16,737	374	16,971	0	36	17,381	34,118	0	0	0	0	0	0	0	801	1	802	802

Percentage	0%	94%	5%	1%	2%	98%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	100%	0%	0%	0%
Average	0	1,966	97	30	2,092	47	2,121	0	5	2,173		0	0	0	0	0	0	0	100	0	100	
Maximum	0	2849	187	36		73	2845	0	9			0	0	0	0	0	0	0	168	1		
Minimum	0	795	16	18		24	1650	0	1			0	0	0	0	0	0	0	60	0		

FDOT PEAK SEASON FACTOR

2021 PEAK SEASON FACTOR CATEGORY REPORT - REPORT TYPE: COUNTY
CATEGORY: 1201 US41

WEEK	DATES	SF	MOCF: 0.98 PSCF
1	01/01/2021 - 01/02/2021	1.00	1.02
2	01/03/2021 - 01/09/2021	1.02	1.04
3	01/10/2021 - 01/16/2021	1.03	1.05
4	01/17/2021 - 01/23/2021	1.02	1.04
5	01/24/2021 - 01/30/2021	1.01	1.03
6	01/31/2021 - 02/06/2021	1.00	1.02
7	02/07/2021 - 02/13/2021	0.99	1.01
* 8	02/14/2021 - 02/20/2021	0.98	1.00
* 9	02/21/2021 - 02/27/2021	0.98	1.00
*10	02/28/2021 - 03/06/2021	0.97	0.99
*11	03/07/2021 - 03/13/2021	0.97	0.99
*12	03/14/2021 - 03/20/2021	0.96	0.98
*13	03/21/2021 - 03/27/2021	0.97	0.99
*14	03/28/2021 - 04/03/2021	0.97	0.99
*15	04/04/2021 - 04/10/2021	0.98	1.00
*16	04/11/2021 - 04/17/2021	0.98	1.00
*17	04/18/2021 - 04/24/2021	0.98	1.00
*18	04/25/2021 - 05/01/2021	0.99	1.01
*19	05/02/2021 - 05/08/2021	0.99	1.01
*20	05/09/2021 - 05/15/2021	0.99	1.01
21	05/16/2021 - 05/22/2021	0.99	1.01
22	05/23/2021 - 05/29/2021	1.00	1.02
23	05/30/2021 - 06/05/2021	1.00	1.02
24	06/06/2021 - 06/12/2021	1.01	1.03
25	06/13/2021 - 06/19/2021	1.01	1.03
26	06/20/2021 - 06/26/2021	1.02	1.04
27	06/27/2021 - 07/03/2021	1.03	1.05
28	07/04/2021 - 07/10/2021	1.04	1.06
29	07/11/2021 - 07/17/2021	1.05	1.07
30	07/18/2021 - 07/24/2021	1.05	1.07
31	07/25/2021 - 07/31/2021	1.04	1.06
32	08/01/2021 - 08/07/2021	1.04	1.06
33	08/08/2021 - 08/14/2021	1.03	1.05
34	08/15/2021 - 08/21/2021	1.03	1.05
35	08/22/2021 - 08/28/2021	1.03	1.05
36	08/29/2021 - 09/04/2021	1.03	1.05
37	09/05/2021 - 09/11/2021	1.03	1.05
38	09/12/2021 - 09/18/2021	1.03	1.05
39	09/19/2021 - 09/25/2021	1.02	1.04
40	09/26/2021 - 10/02/2021	1.01	1.03
41	10/03/2021 - 10/09/2021	0.99	1.01
42	10/10/2021 - 10/16/2021	0.98	1.00
43	10/17/2021 - 10/23/2021	0.98	1.00
44	10/24/2021 - 10/30/2021	0.99	1.01
45	10/31/2021 - 11/06/2021	0.99	1.01
46	11/07/2021 - 11/13/2021	1.00	1.02
47	11/14/2021 - 11/20/2021	1.00	1.02
48	11/21/2021 - 11/27/2021	1.00	1.02
49	11/28/2021 - 12/04/2021	1.00	1.02
50	12/05/2021 - 12/11/2021	1.00	1.02
51	12/12/2021 - 12/18/2021	1.00	1.02
52	12/19/2021 - 12/25/2021	1.02	1.04
53	12/26/2021 - 12/31/2021	1.03	1.05

* PEAK SEASON

11-MAR-2022 14:24:13

830UPD

1_1201_PKSEASON.TXT

**DEVELOPMENT OF FUTURE YEAR
BACKGROUND TURNING
MOVEMENT VOLUMES
SPREADSHEET**

Development of Future Year Background Turning Volumes

Intersection **US 41 @ San Carlos Blvd/Site Access**
 Count Date **January 30, 2020**
 Build-Out Year **2027**

	PM Peak Hour													
	NBLU	NBL	NBT	NBR	SBLU	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	32	0	2,849	164	9	73	2,003	0	0	0	0	64	0	50
Peak Season Correction Factor	1.03	1.03	1.03	1.03	1.03	1.03	1.03	1.03	1.03	1.03	1.03	1.03	1.03	1.03
Current Peak Season Volumes	33	0	2,934	169	9	75	2,063	0	0	0	0	66	0	52
Growth Rate	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	0.00%	0.00%	0.00%	5.25%	5.25%	5.25%
Years to Build-out	7	7	7	7	7	7	7	7	7	7	7	7	7	7
2027 Background Turning Volumes	38	0	3,370	194	10	86	2,370	0	0	0	0	94	0	74
Estero Vista Build-out Traffic Volumes		14						15	10	4	9		5	
2027 Total Background Turning Volumes	38	14	3,370	194	10	86	2,370	15	10	4	9	94	5	74
Project Turning Volumes		74	-12				-13	83	64	17	59		23	
2027 Total Background + Project	38	88	3,358	194	10	86	2,357	98	74	21	68	94	28	74

SYNCHRO RESULTS
US 41 @ SAN CARLOS BLVD

Lanes, Volumes, Timings

2027 PM Pk Hr Background

3: US 41 & Site Access/San Carlos Blvd.

06/03/2022

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL
Lane Configurations												
Traffic Volume (vph)	10	4	9	94	5	74	38	14	3370	194	10	86
Future Volume (vph)	10	4	9	94	5	74	38	14	3370	194	10	86
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0		0	0		0		400		470		400
Storage Lanes	1		0	0		0		1		1		1
Taper Length (ft)	50			50				50				50
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	0.91	1.00	0.91	1.00	0.91	1.00
Frt		0.893			0.942					0.850		
Flt Protected	0.950				0.973			0.950				0.950
Satd. Flow (prot)	1805	1697	0	0	1741	0	0	1774	4893	1599	0	1785
Flt Permitted	0.564				0.822			0.950				0.950
Satd. Flow (perm)	1072	1697	0	0	1471	0	0	1774	4893	1599	0	1785
Right Turn on Red			Yes			Yes				Yes		
Satd. Flow (RTOR)		10			20					211		
Link Speed (mph)		30			30				50			
Link Distance (ft)		544			576				1048			
Travel Time (s)		12.4			13.1				14.3			
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
Heavy Vehicles (%)	0%	0%	0%	0%	0%	0%	2%	1%	6%	1%	2%	1%
Adj. Flow (vph)	11	4	10	102	5	80	41	15	3663	211	11	93
Shared Lane Traffic (%)												
Lane Group Flow (vph)	11	14	0	0	187	0	0	56	3663	211	0	104
Turn Type	Perm	NA		Perm	NA		Prot	Prot	NA	Perm	Prot	Prot
Protected Phases		4			8		5	5	2		1	1
Permitted Phases	4			8						2		
Detector Phase	4	4		8	8		5	5	2	2	1	1
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
Minimum Split (s)	24.0	24.0		24.0	24.0		11.0	11.0	24.0	24.0	11.0	11.0
Total Split (s)	24.0	24.0		24.0	24.0		14.0	14.0	112.0	112.0	14.0	14.0
Total Split (%)	16.0%	16.0%		16.0%	16.0%		9.3%	9.3%	74.7%	74.7%	9.3%	9.3%
Maximum Green (s)	18.0	18.0		18.0	18.0		8.0	8.0	106.0	106.0	8.0	8.0
Yellow Time (s)	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
Lost Time Adjust (s)	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
Lead/Lag							Lead	Lead	Lag	Lag	Lead	Lead
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
Recall Mode	None	None		None	None		None	None	C-Max	C-Max	None	None
Walk Time (s)	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		
Pedestrian Calls (#/hr)	0	0		0	0				0	0		
Act Effct Green (s)	18.0	18.0			18.0			7.7	106.0	106.0		8.0
Actuated g/C Ratio	0.12	0.12			0.12			0.05	0.71	0.71		0.05
v/c Ratio	0.09	0.07			0.96			0.62	1.06	0.18		1.09
Control Delay	60.7	34.1			113.3			97.8	56.8	1.1		182.6
Queue Delay	0.0	0.0			0.0			0.0	0.0	0.0		0.0

Baseline

Synchro 10 Report
Page 1

Lanes, Volumes, Timings

2027 PM Pk Hr Background

3: US 41 & Site Access/San Carlos Blvd.

06/03/2022

	↓	↙
Lane Group	SBT	SBR
Lane Configurations	↑↑↑	↑
Traffic Volume (vph)	2370	15
Future Volume (vph)	2370	15
Ideal Flow (vphpl)	1900	1900
Storage Length (ft)		290
Storage Lanes		1
Taper Length (ft)		
Lane Util. Factor	0.91	1.00
Frt		0.850
Flt Protected		
Satd. Flow (prot)	4893	1599
Flt Permitted		
Satd. Flow (perm)	4893	1599
Right Turn on Red		Yes
Satd. Flow (RTOR)		65
Link Speed (mph)	50	
Link Distance (ft)	939	
Travel Time (s)	12.8	
Peak Hour Factor	0.92	0.92
Heavy Vehicles (%)	6%	1%
Adj. Flow (vph)	2576	16
Shared Lane Traffic (%)		
Lane Group Flow (vph)	2576	16
Turn Type	NA	Perm
Protected Phases	6	
Permitted Phases		6
Detector Phase	6	6
Switch Phase		
Minimum Initial (s)	5.0	5.0
Minimum Split (s)	24.0	24.0
Total Split (s)	112.0	112.0
Total Split (%)	74.7%	74.7%
Maximum Green (s)	106.0	106.0
Yellow Time (s)	4.0	4.0
All-Red Time (s)	2.0	2.0
Lost Time Adjust (s)	0.0	0.0
Total Lost Time (s)	6.0	6.0
Lead/Lag	Lag	Lag
Lead-Lag Optimize?	Yes	Yes
Vehicle Extension (s)	3.0	3.0
Recall Mode	C-Max	C-Max
Walk Time (s)	7.0	7.0
Flash Dont Walk (s)	11.0	11.0
Pedestrian Calls (#/hr)	0	0
Act Effct Green (s)	108.8	108.8
Actuated g/C Ratio	0.73	0.73
v/c Ratio	0.73	0.01
Control Delay	14.1	0.0
Queue Delay	0.0	0.0

Baseline

Synchro 10 Report
Page 2

Lanes, Volumes, Timings

2027 PM Pk Hr Background

3: US 41 & Site Access/San Carlos Blvd.

06/03/2022

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL
Total Delay	60.7	34.1			113.3			97.8	56.8	1.1		182.6
LOS	E	C			F			F	E	A		F
Approach Delay		45.8			113.3				54.4			
Approach LOS		D			F				D			
Queue Length 50th (ft)	10	4			166			55	~1436	0		~114
Queue Length 95th (ft)	31	27			#328			#115	#1491	23		#242
Internal Link Dist (ft)		464			496				968			
Turn Bay Length (ft)								400		470		400
Base Capacity (vph)	128	212			194			94	3457	1191		95
Starvation Cap Reductn	0	0			0			0	0	0		0
Spillback Cap Reductn	0	0			0			0	0	0		0
Storage Cap Reductn	0	0			0			0	0	0		0
Reduced v/c Ratio	0.09	0.07			0.96			0.60	1.06	0.18		1.09

Intersection Summary

Area Type: Other

Cycle Length: 150

Actuated Cycle Length: 150

Offset: 0 (0%), Referenced to phase 2:NBT and 6:SBT, Start of Green

Natural Cycle: 140

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 1.09

Intersection Signal Delay: 42.6

Intersection LOS: D

Intersection Capacity Utilization 102.1%

ICU Level of Service G

Analysis Period (min) 15

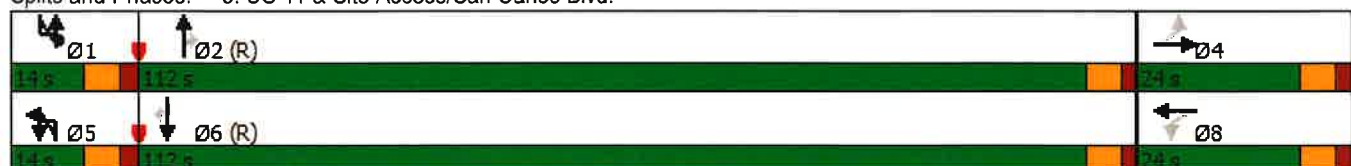
~ Volume exceeds capacity, queue is theoretically infinite.

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: US 41 & Site Access/San Carlos Blvd.



Lanes, Volumes, Timings

2027 PM Pk Hr Background

3: US 41 & Site Access/San Carlos Blvd.

06/03/2022



Lane Group	SBT	SBR
Total Delay	14.1	0.0
LOS	B	A
Approach Delay	20.5	
Approach LOS	C	
Queue Length 50th (ft)	526	0
Queue Length 95th (ft)	576	0
Internal Link Dist (ft)	859	
Turn Bay Length (ft)		290
Base Capacity (vph)	3548	1178
Starvation Cap Reductn	0	0
Spillback Cap Reductn	0	0
Storage Cap Reductn	0	0
Reduced v/c Ratio	0.73	0.01

Intersection Summary

Lanes, Volumes, Timings

2027 PM Pk Hr W/Project

3: US 41 & Site Access/San Carlos Blvd.

06/03/2022

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL
Lane Configurations												
Traffic Volume (vph)	74	21	68	94	28	74	38	88	3358	194	10	86
Future Volume (vph)	74	21	68	94	28	74	38	88	3358	194	10	86
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	0		0	0		0		400		470		400
Storage Lanes	1		0	0		0		1		1		1
Taper Length (ft)	50			50				50				50
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	0.91	1.00	0.91	1.00	0.91	1.00
Frt		0.886			0.949					0.850		
Flt Protected	0.950				0.977			0.950				0.950
Satd. Flow (prot)	1805	1683	0	0	1762	0	0	1782	4893	1599	0	1785
Flt Permitted	0.493				0.731			0.950				0.950
Satd. Flow (perm)	937	1683	0	0	1318	0	0	1782	4893	1599	0	1785
Right Turn on Red			Yes			Yes				Yes		
Satd. Flow (RTOR)		35			17					211		
Link Speed (mph)		30			30				50			
Link Distance (ft)		544			576				1048			
Travel Time (s)		12.4			13.1				14.3			
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
Heavy Vehicles (%)	0%	0%	0%	0%	0%	0%	2%	1%	6%	1%	2%	1%
Adj. Flow (vph)	80	23	74	102	30	80	41	96	3650	211	11	93
Shared Lane Traffic (%)												
Lane Group Flow (vph)	80	97	0	0	212	0	0	137	3650	211	0	104
Turn Type	Perm	NA		Perm	NA		Prot	Prot	NA	Perm	Prot	Prot
Protected Phases		4			8		5	5	2		1	1
Permitted Phases	4			8						2		
Detector Phase	4	4		8	8		5	5	2	2	1	1
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
Minimum Split (s)	24.0	24.0		24.0	24.0		11.0	11.0	24.0	24.0	11.0	11.0
Total Split (s)	24.0	24.0		24.0	24.0		14.0	14.0	112.0	112.0	14.0	14.0
Total Split (%)	16.0%	16.0%		16.0%	16.0%		9.3%	9.3%	74.7%	74.7%	9.3%	9.3%
Maximum Green (s)	18.0	18.0		18.0	18.0		8.0	8.0	106.0	106.0	8.0	8.0
Yellow Time (s)	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
Lost Time Adjust (s)	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
Lead/Lag							Lead	Lead	Lag	Lag	Lead	Lead
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
Recall Mode	None	None		None	None		None	None	C-Max	C-Max	None	None
Walk Time (s)	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		
Pedestrian Calls (#/hr)	0	0		0	0				0	0		
Act Effct Green (s)	18.0	18.0			18.0			8.0	106.0	106.0		8.0
Actuated g/C Ratio	0.12	0.12			0.12			0.05	0.71	0.71		0.05
v/c Ratio	0.71	0.42			1.23			1.44	1.06	0.18		1.09
Control Delay	96.1	44.8			190.0			294.9	55.4	1.1		182.6
Queue Delay	0.0	0.0			0.0			0.0	0.0	0.0		0.0

Baseline

Synchro 10 Report

Page 1

Lanes, Volumes, Timings
3: US 41 & Site Access/San Carlos Blvd.

2027 PM Pk Hr W/Project

06/03/2022

	↓	↙
Lane Group	SBT	SBR
Lane Configurations	↑↑↑	↑
Traffic Volume (vph)	2357	98
Future Volume (vph)	2357	98
Ideal Flow (vphpl)	1900	1900
Storage Length (ft)		290
Storage Lanes		1
Taper Length (ft)		
Lane Util. Factor	0.91	1.00
Frt		0.850
Flt Protected		
Satd. Flow (prot)	4893	1599
Flt Permitted		
Satd. Flow (perm)	4893	1599
Right Turn on Red		Yes
Satd. Flow (RTOR)		107
Link Speed (mph)	50	
Link Distance (ft)	939	
Travel Time (s)	12.8	
Peak Hour Factor	0.92	0.92
Heavy Vehicles (%)	6%	1%
Adj. Flow (vph)	2562	107
Shared Lane Traffic (%)		
Lane Group Flow (vph)	2562	107
Turn Type	NA	Perm
Protected Phases	6	
Permitted Phases		6
Detector Phase	6	6
Switch Phase		
Minimum Initial (s)	5.0	5.0
Minimum Split (s)	24.0	24.0
Total Split (s)	112.0	112.0
Total Split (%)	74.7%	74.7%
Maximum Green (s)	106.0	106.0
Yellow Time (s)	4.0	4.0
All-Red Time (s)	2.0	2.0
Lost Time Adjust (s)	0.0	0.0
Total Lost Time (s)	6.0	6.0
Lead/Lag	Lag	Lag
Lead-Lag Optimize?	Yes	Yes
Vehicle Extension (s)	3.0	3.0
Recall Mode	C-Max	C-Max
Walk Time (s)	7.0	7.0
Flash Dont Walk (s)	11.0	11.0
Pedestrian Calls (#/hr)	0	0
Act Effct Green (s)	106.0	106.0
Actuated g/C Ratio	0.71	0.71
v/c Ratio	0.74	0.09
Control Delay	15.2	1.3
Queue Delay	0.0	0.0

Baseline

Synchro 10 Report
Page 2

Lanes, Volumes, Timings

2027 PM Pk Hr W/Project

3: US 41 & Site Access/San Carlos Blvd.

06/03/2022

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL
Total Delay	96.1	44.8			190.0			294.9	55.4	1.1		182.6
LOS	F	D			F			F	E	A		F
Approach Delay		68.0			190.0				60.7			
Approach LOS		E			F				E			
Queue Length 50th (ft)	77	56			~240			~182	~1427	0		~114
Queue Length 95th (ft)	#164	117			#413			#326	#1481	23		#242
Internal Link Dist (ft)		464			496				968			
Turn Bay Length (ft)								400		470		400
Base Capacity (vph)	112	232			173			95	3457	1191		95
Starvation Cap Reductn	0	0			0			0	0	0		0
Spillback Cap Reductn	0	0			0			0	0	0		0
Storage Cap Reductn	0	0			0			0	0	0		0
Reduced v/c Ratio	0.71	0.42			1.23			1.44	1.06	0.18		1.09

Intersection Summary

Area Type: Other

Cycle Length: 150

Actuated Cycle Length: 150

Offset: 0 (0%), Referenced to phase 2:NBT and 6:SBT, Start of Green

Natural Cycle: 150

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 1.44

Intersection Signal Delay: 49.3

Intersection LOS: D

Intersection Capacity Utilization 103.1%

ICU Level of Service G

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: US 41 & Site Access/San Carlos Blvd.

 Ø1	 Ø2 (R)	 Ø4
14 s	112 s	24 s
 Ø5	 Ø6 (R)	 Ø8
14 s	112 s	24 s

Lanes, Volumes, Timings
3: US 41 & Site Access/San Carlos Blvd.

2027 PM Pk Hr W/Project
06/03/2022

	↓	↙
Lane Group	SBT	SBR
Total Delay	15.2	1.3
LOS	B	A
Approach Delay	21.0	
Approach LOS	C	
Queue Length 50th (ft)	520	0
Queue Length 95th (ft)	569	18
Internal Link Dist (ft)	859	
Turn Bay Length (ft)		290
Base Capacity (vph)	3457	1161
Starvation Cap Reductn	0	0
Spillback Cap Reductn	0	0
Storage Cap Reductn	0	0
Reduced v/c Ratio	0.74	0.09
Intersection Summary		

TRIP GENERATION EQUATIONS

Multifamily Housing (Mid-Rise) Not Close to Rail Transit (221)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday

Setting/Location: General Urban/Suburban

Number of Studies: 11

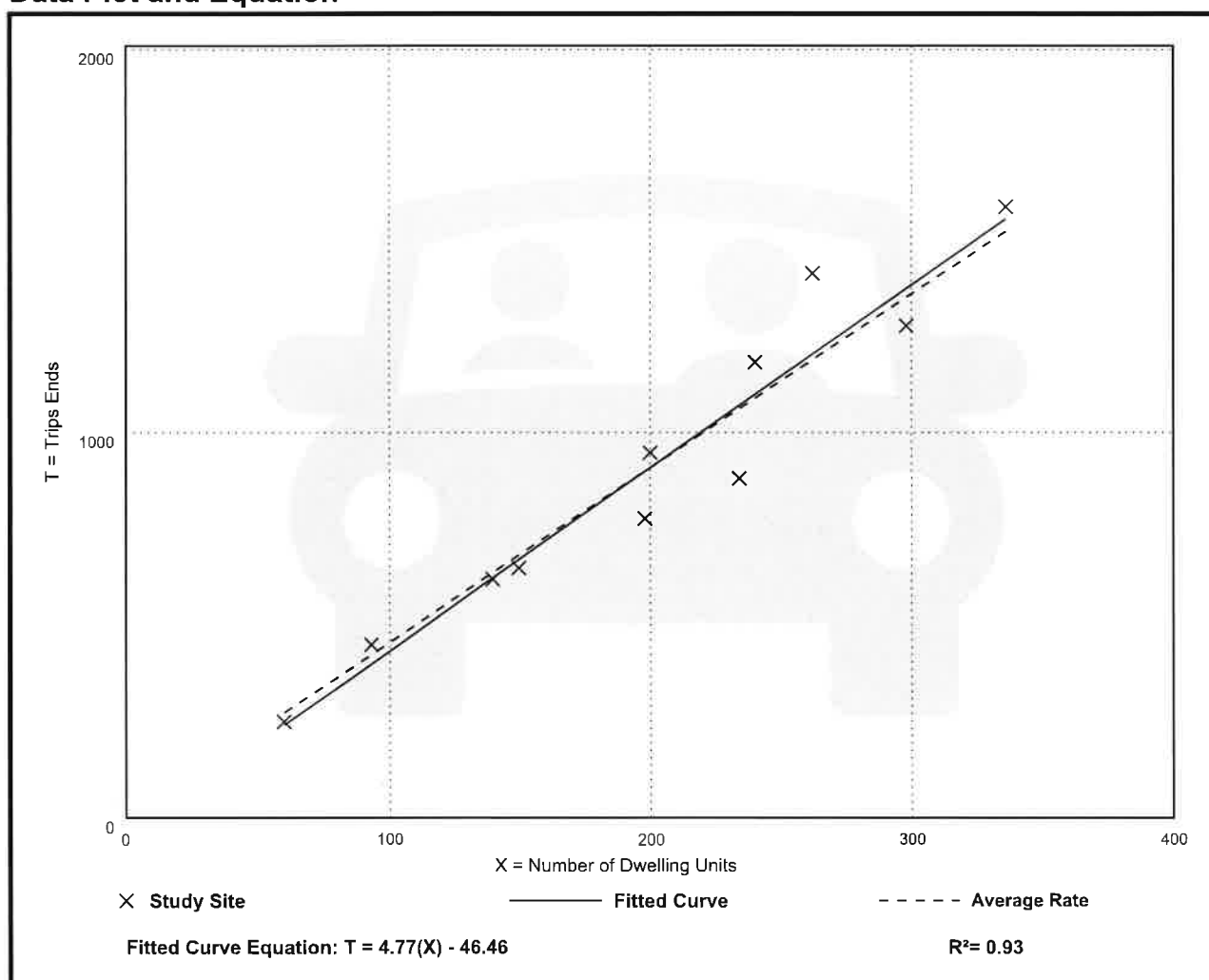
Avg. Num. of Dwelling Units: 201

Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
4.54	3.76 - 5.40	0.51

Data Plot and Equation



Multifamily Housing (Mid-Rise) Not Close to Rail Transit (221)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 30

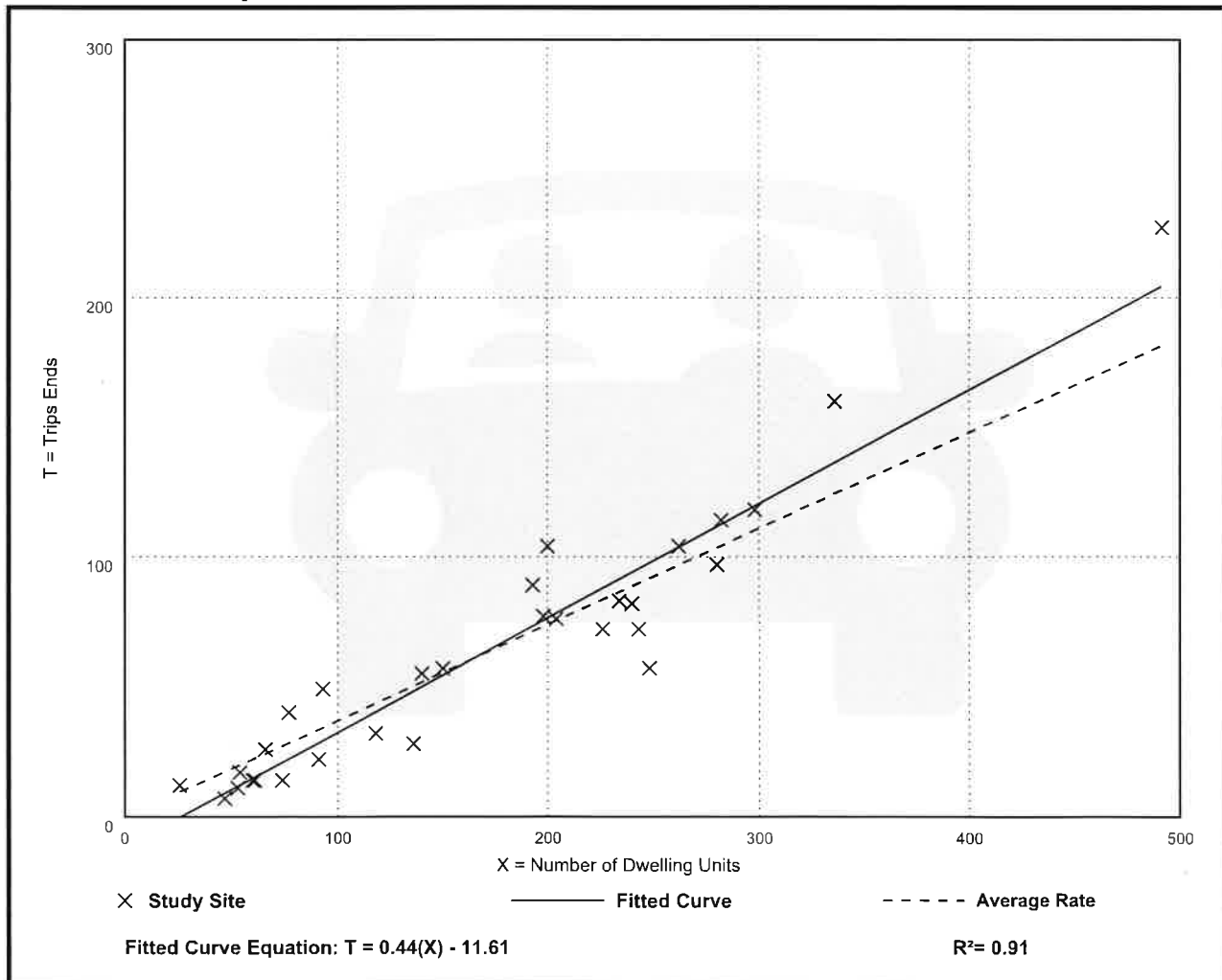
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Directional Distribution: 23% entering, 77% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
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Data Plot and Equation



Multifamily Housing (Mid-Rise) Not Close to Rail Transit (221)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 31

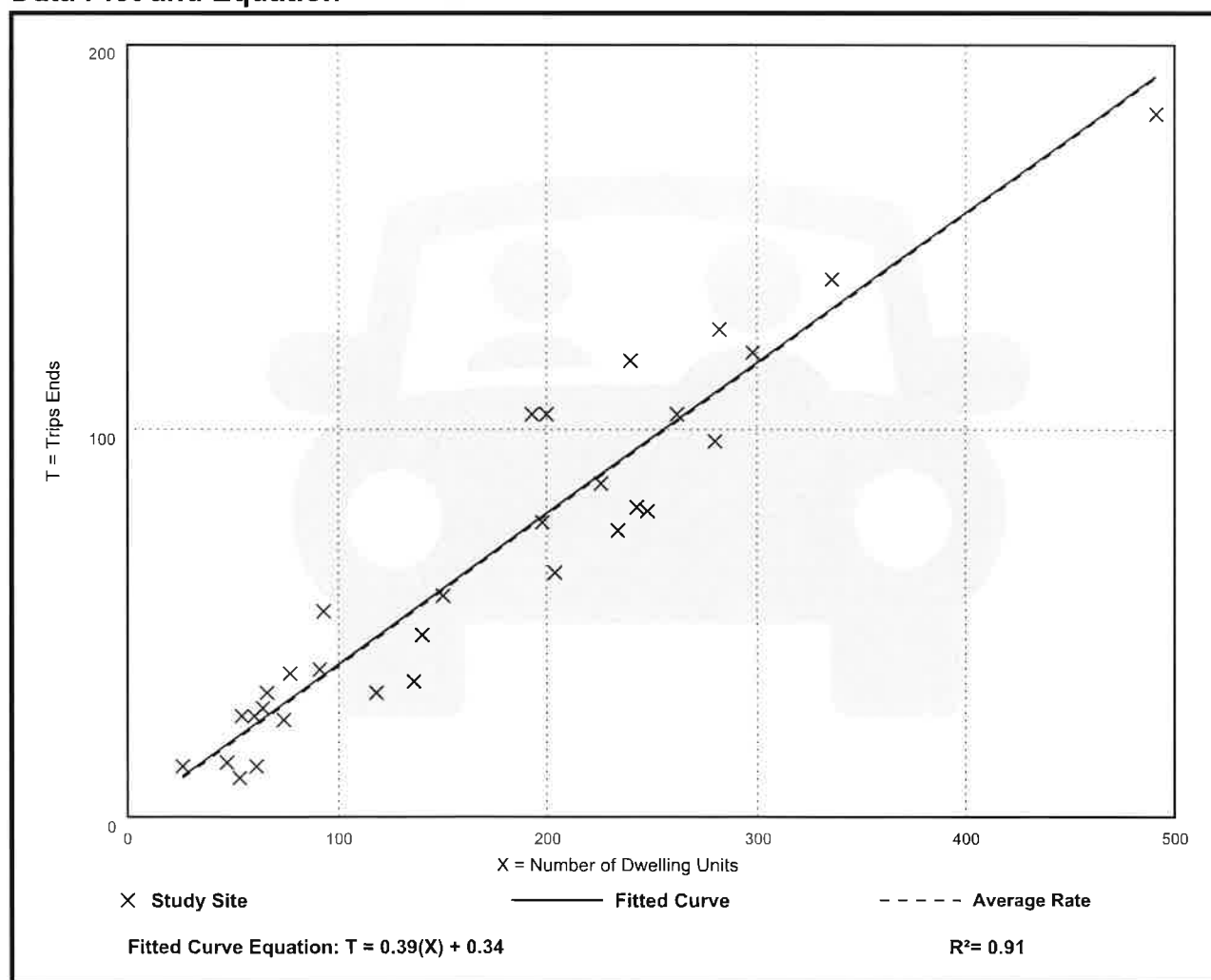
Avg. Num. of Dwelling Units: 169

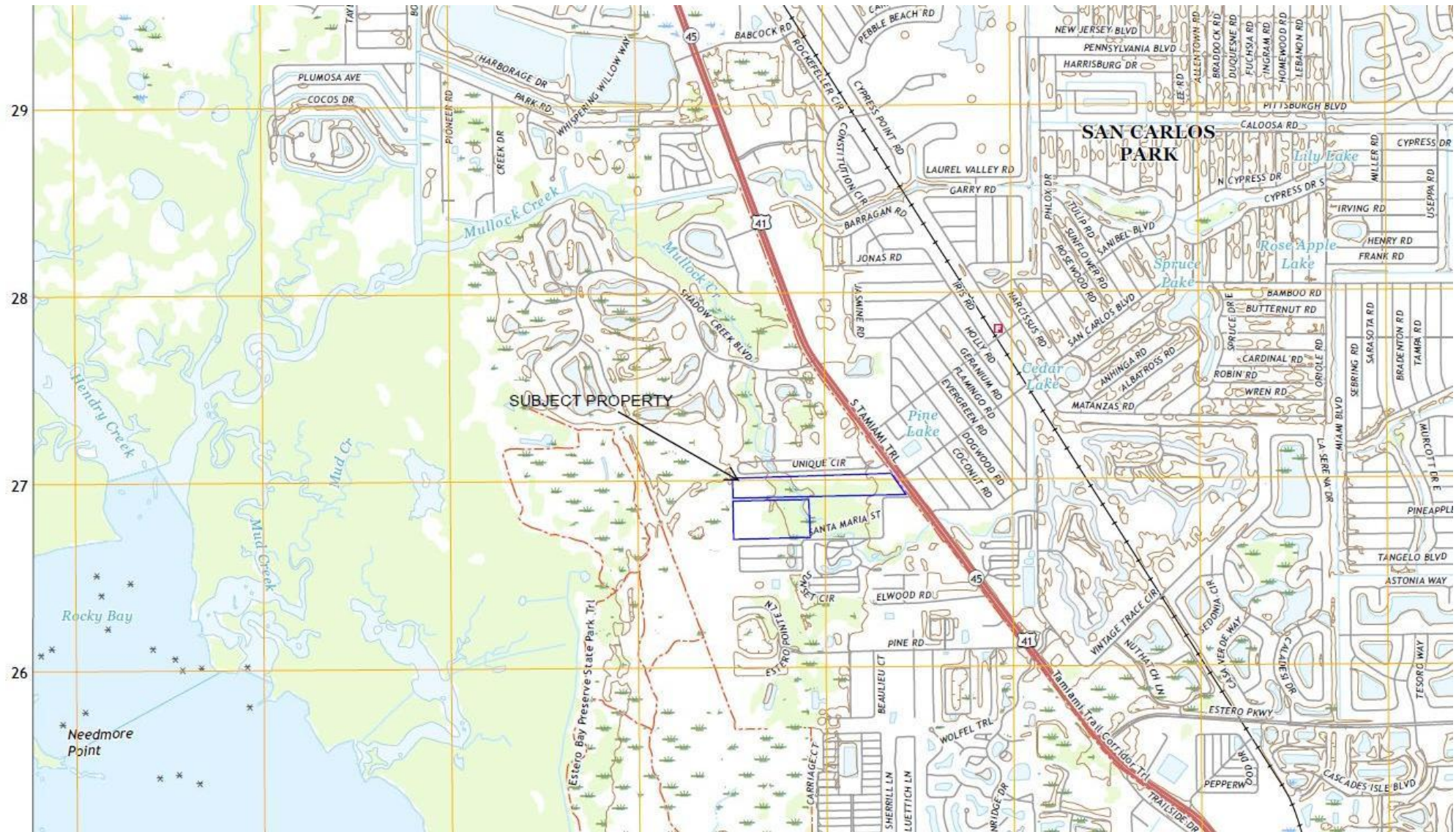
Directional Distribution: 61% entering, 39% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
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Data Plot and Equation



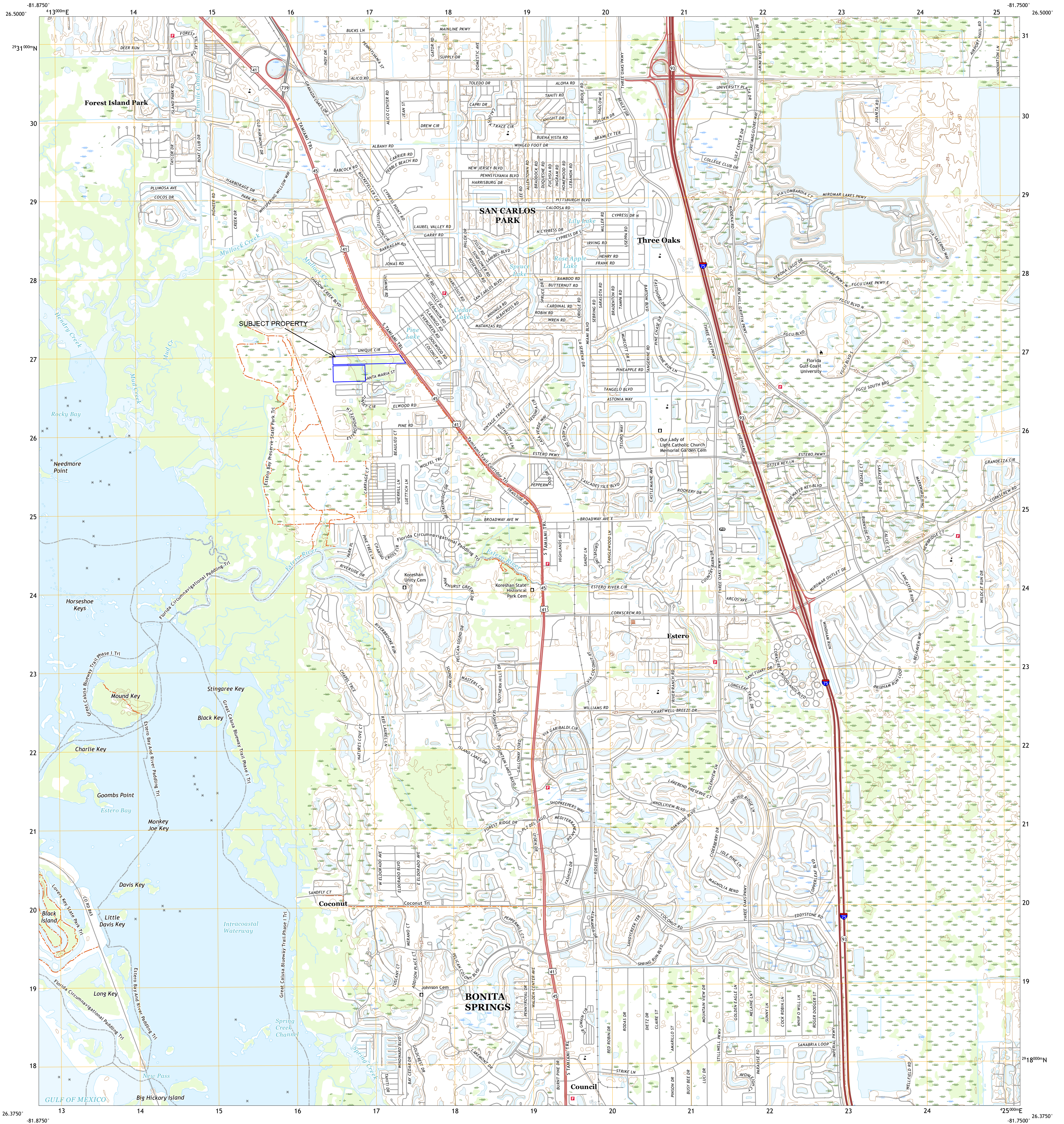




U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY



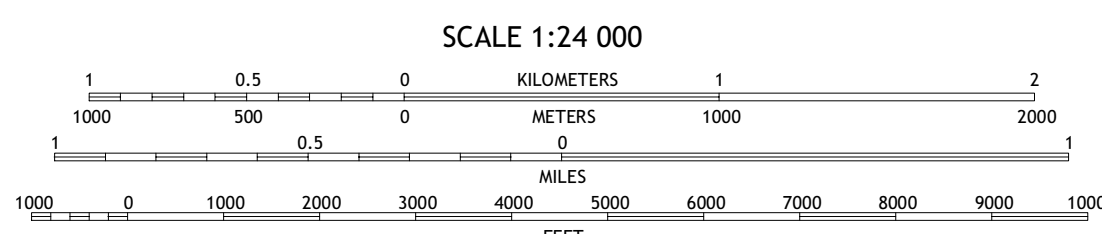
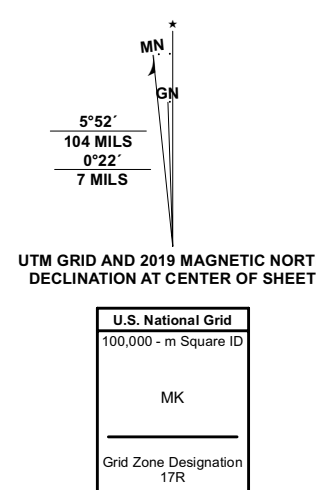
ESTERO QUADRANGLE
FLORIDA - LEE COUNTY
7.5-MINUTE SERIES



Produced by the United States Geological Survey

North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84). Projection and
1 000-meter grid/Universal Transverse Mercator, Zone 17R.
This map is not a legal document. Boundaries may be
generalized for this map scale. Private lands within government
reservations may not be shown. Obtain permission before
entering private lands.

Imagery	NAIP	November	2019
Roads	U.S. Census Bureau	2016	
Names	GNIS	1979	2020
Hydrography	National Hydrography Dataset	2002	2020
Contours	National Elevation Dataset	2019	
Boundaries	Multiple sources: see metadata file	2018	2019
Public Land Survey System	BLM	2020	
Wetlands	FWS National Wetlands Inventory	2002	



CONTOUR INTERVAL 5 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988
This map was produced to conform with the
National Geospatial Program US Topo Product Standard.



1	2	3
4	5	6
7		

1 Fort Myers SW
2 Fort Myers SE
3 Alva SW
4 Alva SE
5 Corkscrew NW
6 Bonita Springs
7 Corkscrew SW

ROAD CLASSIFICATION	
Expressway	Local Connector
Secondary Hwy	Local Road
Ramp	4WD
Interstate Route	US Route
	State Route

ESTERO, FL
2021



NSA REF NO. USGSX24K14579


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Topo maps with dates 2010-2015 may contain commercial road
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copyright notices are retained; normal fair-use principles
apply. Users should be aware that temporal changes may have occurred since these
data were collected and some data may no longer represent
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orthoimage are believed to meet NMAS. Positional accuracy of the other data
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control accuracy and density, and local terrain relief. The overall absolute
vertical accuracy of the 1/3 arcsecond DEM data, as tested
against GPS control, is about 3 meters at 95% confidence level (National
Standards for Spatial Data Accuracy). US Topo contours are derived
from the DEMs to generally meet National Map Accuracy Standards (90% of
well-defined points in reasonably level terrain test within one-half
contour interval of the true ground elevation); however, actual vertical
accuracies of individual US Topo quadrangles may not meet that
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the 3DEP data may be modified by the National Hydrography Dataset (NHD) flow lines and
water
      bodies to facilitate improved
integration between the hypsography and hydrography on USGS map products. These contours
      were generated primarily for use
as a layer in GeoPDFs created in the digital mapping program. The raster data source of
      contours is the 3D Elevation
Program 1/3 arc-second layer. Secondary datasets include the high resolution flow lines,
      water bodies, and areas from the
National Hydrography Dataset (NHD). The NHD layers are used in hydro-enforcement of the
      DEM prior to contour generation.
The goals of the hydro-enforcement are to prevent contour lines from extending over the
      surface of water bodies and to
align the contour reentrants with the NHD single- line streams. The 3DEP raster cells are
      converted to points. Those
points, along with the NHD flow lines are input into an interpolation tool to create a
      new
      surface. The NHD water bodies
and areas are preprocessed to attach the minimum and maximum elevation to each polygon.
      From
      these precalculated values, an
appropriate value is calculated by which to raise the elevation cells under the NHD
      polygons. The NHD polygons are
then converted into rasters, which in turn will be used to generate a mosaic that
      includes
      the new raster surface. The
mosaic is filtered to provide smoother contour lines. Contours are generated and
      depression
      and index contours are
identified. There is no guarantee or warranty concerning the accuracy of the data. Users
      should be
      aware that temporal changes may
have occurred since these data were collected and generated and that some parts of these
      data may no longer represent
actual surface conditions. Hydro-enforcement and generalization can also significantly
      alter
      the spatial characteristics of
the contours. Users should not use these data for critical applications without a full
      awareness of its
limitations.</othercit>
      <onlink>https://www.usgs.gov/core-science-systems/ngp/3dep</onlink>
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the most recent National Land Cover Database (NLCD) raster data,
as well as vector data from the National Hydrography Dataset
and National Transportation Dataset. For CONUS, Hawaii, and Puerto Rico/U.S. Virgin
Islands,
NLCD Tree Canopy Cover is masked with NLCD Percent Developed
Imperviousness (values from 1-100). The resulting dataset with Tree Canopy Cover of
20-100% is
used as the input raster to generate woodland polygons. For
Alaska, 3 values (41 -Deciduous Forest, 42 - Evergreen Forest, and 43 - Mixed Forest)
are extracted
from NLCD Land Cover to create the input raster used to
generate woodland polygons. The woodland polygons are masked with buffered
Transportation (Roads, Airport
Runways, and Railroads) and Hydrography (NHD Areas excluding
Inundation Area and NHD Waterbodies excluding Swamp/Marsh). The resulting polygons are
checked for
scale appropriate size (minimum size of one acre), and the
small woodland polygons as well as small clearings within the woodland polygons are
deleted. Resulting
woodland vector polygons are smoothed via the PAEK
Algorithm.</othercit>
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      <onlink>https://www.mrlc.gov/</onlink>
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      <origin>U.S. Geological Survey in cooperation with U.S. Environmental
Protection Agency, USDA Forest Service, and other Federal, State and local partners.
National Hydrography Dataset is a component of a comprehensive base geospatial data
model.</origin>
      <pubdate>20100820</pubdate>
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      <othercit>The National Hydrography Dataset (NHD) is a feature-based database
that interconnects and uniquely identifies the

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stream segments or reaches that make up the nation's surface water drainage system. The high-resolution NHD was originally created using 1:24,000-scale data. State and Local Stewards are improving the data by incorporating local updates based on more current and more accurate source data. Water features in the real world are relatively dynamic and the differences at the time of data collection mean that water features may not register exactly to other layers. The hydrographic feature names contained in and displayed by the NHD are extracted and validated from the Geographic Names Information System (GNIS). Spatial objects may be filtered or generalized to achieve a 1:24,000-scale representation.

<https://www.usgs.gov/core-science-systems/ngp/national-hydrography>

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      <othercit>This record applies to National Forest data only. The U.S. Forest

```

Service (USFS) provides the source dataset of roads within National Forest.

The USFS roads dataset is replaced in the NTD as updates become available. Updated USFS roads are converted into the U.S. Geological Survey (USGS)

National Transportation Dataset schema and integrated with U.S. Census Bureau TIGER/Line Shapefile dataset. The USGS reviews connectivity of roads outside National Forest boundary to create a seamless network. The USGS NTD functional road classification system is applied to USFS datasets. Closed roads

from the USFS schema were approved for incorporation into the NTD functional road classification system for updated datasets effective in 2021.

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represents the freight lines of the nation's railroad system. The data set covers all 50
states and the District of Columbia, as well as territories and possessions of the
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trails displayed on the US Topo are from multiple government agencies. Accuracy and
currency vary by source and are the responsibility of the data owner. USGS evaluates the
authoritativeness of the source but does not independently verify data accuracy. USGS
does not modify the trails data except to remove duplicate trails and in some cases
trails coincident with roads. Users should always consult local agencies for the most
current trail information.
    </othercit>
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This is not a complete dataset and is subject to change at any time. Content will be added as data become available from land management agencies and other authoritative sources. This metadata section documents data sources for all maps, not this specific map. Trails listed here may not be present on all relevant maps due to schedule differences between data delivery and US Topo production schedules. US Topo does not portray access and travel management information about specific trails. Feature-level metadata is not provided in the US Topo product and there is no link between a line on the map and the source of that specific trail.

Trails on federal lands were provided by U.S. Forest Service (USFS), National Park Service (NPS), U.S. Fish and Wildlife Service (USFWS), Bureau of Land Management (BLM), and the Tennessee Valley Authority (TVA). The sources of National Scenic Trails (NST) include: Continental Divide NST provided by the Continental Divide Trail Coalition in cooperation with the USFS; New England NST provided by NPS and the Appalachian Mountain Club; Ice Age NST provided by the volunteer organization Ice Age Trail Alliance in cooperation with NPS and Wisconsin Department of Natural Resources; Pacific Crest NST provided by USFS; Appalachian NST published by the Appalachian Trail Conservancy in cooperation with NPS and USFS; North Country NST provided by NPS; Arizona NST data published by AZGEO Clearinghouse in cooperation with USFS; Pacific Northwest NST provided by USFS; Natchez Trace NST provided by NPS; Florida NST provided by the USFS; Potomac Heritage NST provided by NPS. National Scenic Trails will have breaks in the network. This is due to lack of coverage provided by the trail source or a removal of trails coincident with roads. In some cases, USGS will replace a segment of NST on federal or state lands if the land management agency provides a more accurate trail centerline than the original NST source. The replaced segment will be designated as a National Scenic Trail.

Trails from state partners are included and provided by the State departments of Natural Resources, Parks and Recreation, Parks and wildlife, or similar departments. This data includes AK, AR, CA, CO, CT, IA, ID, IN, KY, MI, MO, ND, NE, NJ, OH, TN, TX, UT, WA, WV. Additional state partner data will be integrated into the Trails dataset over time and may not be listed here.

Some US Topo products may display trails provided by the International Mountain Bicycling Association (IMBA); however, IMBA trails are being phased out of USGS products and will not be shown on future versions of the map.</othercit>

<onlink><https://nationalmap.usgs.gov></onlink>

<onlink>https://www.nps.gov/ncrc/programs/nts/nts_trails.html</onlink>

<onlink><https://www.pnts.org></onlink>

<onlink><https://www.fws.gov/gis/data/national/></onlink>

<onlink><https://data.fs.usda.gov/geodata/edw/datasets.php?dsCategory=transportation></onlink>

<onlink><https://landscape.blm.gov/geoportal/catalog/BLMNational/BLMNational.page></onlink>

<onlink><https://appalachiantrail.org/>; <https://www.iceagetrail.org/>;

<https://aztrail.org/the-trail/>; <https://continentaldividetrail.org/>;

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<othercit>Dataset source is Census Bureau MAF/TIGER database extracts in the form of TIGER/Line Shapefiles. The TIGER/Line shapefiles and related database files are an extract of selected geographic and cartographic information from the U.S. Census Bureau's Master Address File/Topologically Integrated Geographic Encoding and Referencing (MAF/TIGER) Database (MTDB). The MTDB represents a seamless national file with no overlaps or gaps between parts, however, each TIGER/Line shapefile is designed to stand alone as an independent dataset, or they can be combined to cover the entire nation. The U.S. Geological Survey filters Census roads to remove driveways and short local unnamed road segments which are less than 500 feet in length. The USGS National Transportation Dataset functional road classification system is applied to the Census datasets. The functional road class includes, limited access highway, secondary highway, local connector, local road 4wd, tunnel, ferry route, and closed. Closed roads were approved in 2020 to align with USFS schema and will be incorporated into the NTD in 2021. The original TIGER/Line Shapefile products are not copyrighted however TIGER/Line and Census TIGER are registered trademarks of the U.S. Census Bureau. The horizontal spatial accuracy information present in the TIGER/Line shapefiles is provided for the purposes of statistical analysis and census operations only and the data may not be suitable for high-precision measurement applications. Full metadata for TIGER/Line shapefiles is available from U.S. Census Bureau.</othercit>

<onlink><https://www.census.gov/programs-surveys/geography.html></onlink>

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publishes the results as TIGER files. The USGS uses the TIGER data without
editing or alteration.</othercit>
<onlink>[https://www.census.gov/geographies/mapping-files/time-series/geo/tiger-line-file.
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governments through the Boundary and Annexation Survey (BAS), and
publishes the results as TIGER files. The USGS uses the TIGER data without
editing or alteration for US Topo.</othercit>
<onlink>[https://www.census.gov/geographies/mapping-files/time-series/geo/tiger-line-file.
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 <othercit>The PLSS information is for general reference purposes only, and should not be used to determine legal boundaries or land ownership. The Bureau of Land Management (BLM) is the authoritative source for PLSS information at the federal level, and the US Topo representation is derived from BLM GIS data files called Cadastral National Spatial Data Infrastructure or CadNSDI. The management of these data is not completely uniform throughout the country. Although this metadata record is included with all maps, PLSS is currently shown on US Topo Maps for only a few states. PLSS will be added to US Topo maps in more states in coming years as BLM authorized CadNSDI format is made available. The three layers USGS stores from PLSS are the Township, First Division and Special Surveys. Metadata for BLM PLSS data is at <https://navigator.blm.gov/home>, though this URL may change in the near future. Alternate sources of PLSS data will continued to be served mainly in western states where BLM is the data steward or the data is from a trusted source. Notes on individual states follow,-----Alaska PLSS consists of protracted (computed, not surveyed) data only. For more information see http://sdms.ak.blm.gov/sdms/data_protracted_grid_gis.html -----Ohio was the original PLSS state in the early 1800s, and the land network there is unusually complex. The source data include four first-division parcel types. These are all shown on US Topo maps, and are labeled according to BLM's attribution, with a leading letter followed by either a number or more letters. The meanings of the leading letters are S=Section, F=Fractional Section, L=Lot, Q=Quarter Township.</othercit>
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 Virgin Islands. Included are manned fire stations and buildings from which a fire
 response occurs, such as a volunteer fire department building to which fire fighters
 report for duty, but which is not continuously manned. Some locations are approximate.
 Locations solely for storing or maintaining fire equipment, or fire stations without a
 permanent location, or locations with only administrative functions are generally
 excluded. This data set may not be complete and is subject to change at any
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 and secondary education in the US as defined and tracked by
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 (CCD). Private schools in this dataset are composed of Private
 elementary and secondary education in the US as defined by the Private
 School Survey, NCES. The colleges and Universities are composed
 of postsecondary education facilities as defined by the Integrated Post
 Secondary Education System (IPEDS), NCES. Included are Doctoral
 and Research Universities, Masters Colleges and Universities,
 Baccalaureate Colleges, Associates Colleges, Theological seminaries,
 Medical schools and other health care professions, schools of engineering
 and technology, business and management, art, music, design,
 Law schools, Teachers colleges, Tribal colleges and other specialized
 institutions. Changes to base school data may occur through the
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Ortho Photo Image or Raster digital data or Digital
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      <othercit>An orthorectified image is a layer in every product and is
provided by the USDA-FSA-APFO from the National Agriculture Image
Program (NAIP) in the conterminous US. This offers the USGS a consistent
image product for the conterminous 48 states, normally with a
      one meter resolution in natural color, though resolution varies by
collection date, and higher-res source data may be downsampled to 1
      or 1.5 meter resolution for US Topo maps. The NAIP image in this product
is public domain with no reuse constraints.</othercit>
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Service (USFS) provides the source dataset for roads in the National Transportation
Dataset within National Parks. These roads are integrated with
U.S. Census Bureau TIGER/Line Shapefile dataset as a seamless network.</othercit>
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 includes a place or area for burying the dead or storing ashes; such as cemetery,
 burial ground, grave, graveyard, memorial garden, mausoleum,
 columbarium, or crypt. The purpose of the dataset is to portray spatial locations and
 feature names on
 USGS mapping products at 1:24,000-scale. Base data was derived
 from the Cemetery feature class within the U.S. Board on Geographic Names Geographic
 Names Information
 System (GNIS). Updates and additions are provided by
 volunteers of the USGSâ€™ The National Map Corps. Only cemetery features with a name and
 coordinate are included.
 Locations may be approximate. This dataset is not complete and
 is subject to change at any time. Although these data have been sampled for accuracy and
 completeness, no
 warranty expressed or implied is made regarding data currency
 or display or utility of the data on any other system or for general or scientific
 purposes, nor shall the
 act of distribution constitute any such warranty.</othercit>
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national standard for geographic nomenclature. The U.S.
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Geographic Names as the official repository of domestic geographic
names data, the official vehicle for geographic names use by all
departments of the Federal Government, and the source for applying
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of wetlands and deepwater habitats in the United States and
its Territories. While the Fish and Wildlife Service produces a variety of
wetland categories, only two (Emergent and Forest/Shrub
wetlands as defined by Cowardin et al. (1979)) are included on US Topo
Maps.The emergent wetlands depicted do not include lakes, rivers,
open water ponds, deepwater marine and estuarine features or
non-vegetated, farmed, intermittent and temporarily flooded wetlands. The
goal is to provide a visual depiction of the approximate location and
extent of Emergent and Forest/Shrub wetlands. Digital wetlands
data are intended for use with base maps and digital aerial photography at
a scale of 1:12,000 or smaller. Due to the scale, the primary
intended use is for data display on the US Topo Maps. This data display is
not intended for analysis. The map products were neither
designed or intended to represent legal or regulatory products. Questions
or comments regarding the interpretation or classification of
wetlands can be addressed by visiting
https://www.fws.gov/wetlands/FAQs.html These data were developed in conjunction with the
publication Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979.

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Classification of Wetlands and Deepwater Habitats of the United States. U.S. Department of the Interior, Fish and Wildlife Service, Washington, DC. FWS/OBS-79/31. For more information on the wetland classification codes visit <https://www.fws.gov/wetlands/Data/Wetland-Codes.html>. Note that coastline delineations were drawn to follow

the extent of wetland features as described by this project and may not match the coastline shown in other base maps.</othercit>

<onlink><https://www.fws.gov/wetlands/></onlink>

<onlink><https://www.fws.gov/wetlands/FAQs.html></onlink>

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First there are five separate shaded relief datasets created from the original data. Each shaded relief has different azimuths and altitude values as follows: 00 450, 1350 600, 2700 450, 3150 450, 450 450. These five datasets are then combined into one feature class

using map algebra to compute the raster layers using the following equation $\text{shadedrelief1} + \text{shadedrelief2} + \text{shadedrelief3} +$

$(\text{shadedrelief4} \times 2) + \text{shadedrelief5} \setminus 6$. This equation gives double importance to the 3150 azimuth and 450 elevation.</othercit>

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https://www.fgdc.gov/standards/projects/FGDC-standards-projects/usng/fgdc_std_011_2001_usng.pdf</othercit>

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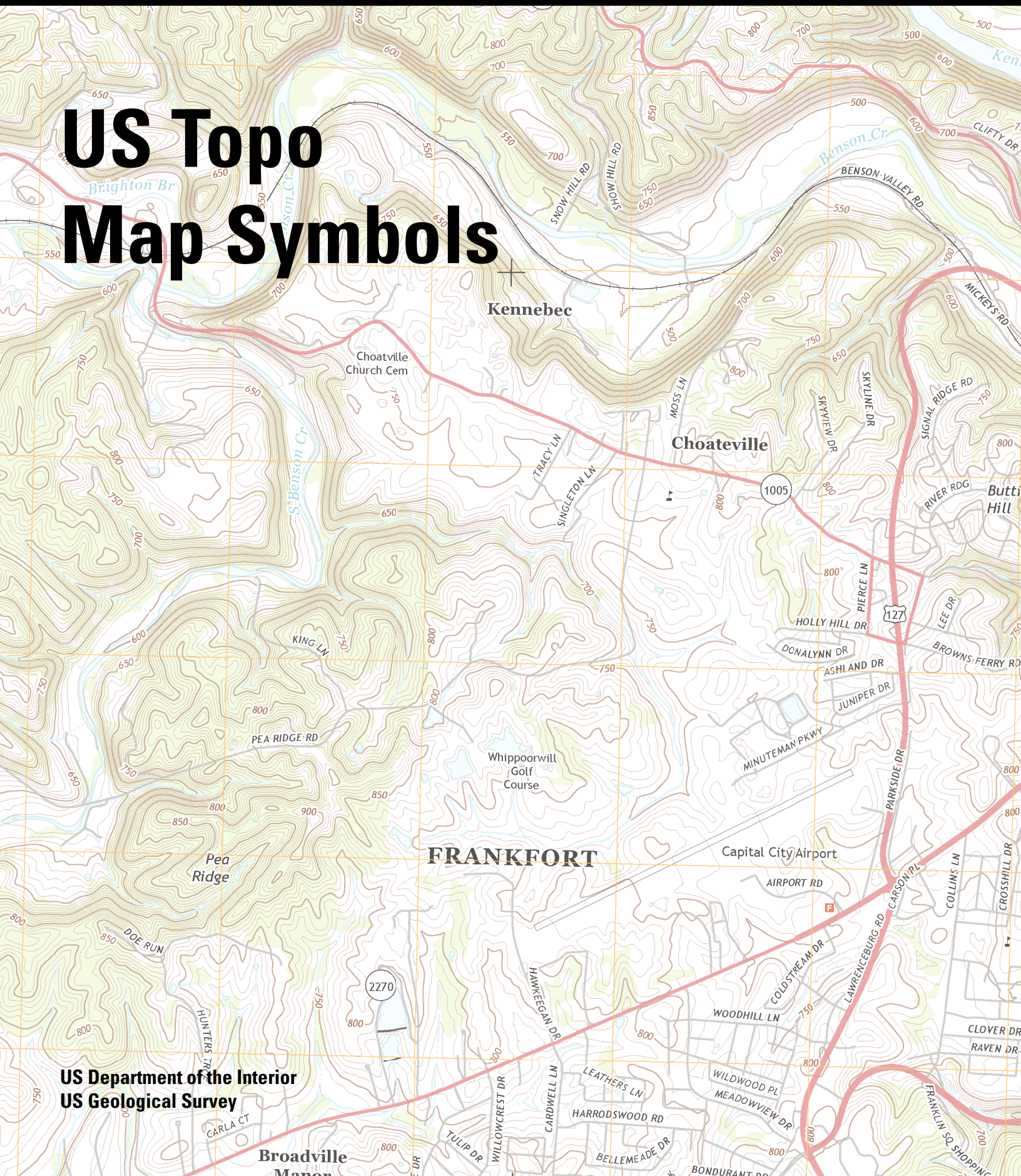
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US Topo Map Symbols



US Department of the Interior
US Geological Survey

Broadville
Manor

What is a US Topo map?

A US Topo map is a digital topographic map that covers 7.5-minutes of longitude by 7.5-minutes of latitude and is produced at a scale of 1:24,000. US Topo maps are freely distributable and are available for download on the Web from the USGS Store (<https://store.usgs.gov>) in Portable Document Format (PDF) with geospatial extensions. PDF maps can be viewed and printed with any conforming PDF software. Versions 9.x and later of Adobe® Reader® and Acrobat® software provide access to the geospatial functionality of the US Topo map. Adobe Reader is available for free at <http://get.adobe.com/reader>. More information about US Topo maps and their use is available at <https://nationalmap.gov/ustopo>.

The base data layer of a US Topo map is a recent orthographic aerial photograph. These orthoimages have been corrected to remove scale distortions that result from the varying terrain and deviations of the aircraft's position from the true vertical. The maps include contours that show the shape of the Earth's surface, hydrographic features such as lakes and rivers, roads, boundaries, and geographic names. Additional data from the geographic data themes of transportation, names, elevation, hydrography, boundaries, structures (such as fire stations) and land cover (such as woodland tint) is being added to the maps as they are updated, resulting in a product that will become progressively more robust over time. Feature data is incorporated from national Geographic Information System (GIS) databases under the stewardship of USGS data programs. The US Topo map is intended for conventional map users, not for advanced GIS analysis. However, most of the data sources used are in the public domain and may be downloaded for free from *The National Map (TNM)* (<https://nationalmap.gov>).

US Topo maps are revised on a three-year production cycle.

Symbols on US Topo Maps

The underlying orthoimage for each US Topo map shows those features on the Earth's surface that are visible to the eye. Because each map is made at a scale of 1:24,000 (one inch on the map represents 24,000 inches or 2,000 feet on the ground), selected features are also shown and emphasized by symbols, geographic names, and highway route numbers.

Map features may be represented as points, lines, or polygons. They incorporate different colors and patterns to distinguish between feature types and to show each feature's importance. For example, a perennial stream is symbolized by a solid blue line while an intermittent stream is shown by a blue dashed and dotted line. A large reservoir is depicted by a polygon while a small reservoir may be shown by a point symbol if it is too small to show as a polygon.

Point symbols of different shapes and sizes depict features such as structures, dams, gates, rocks, waterfalls, and wells. Linear map symbols (lines) show such features as roads, rivers, boundaries, and contours. Color is used to show the class of information: topographic contours in brown, streams and rivers and other hydrographic features in blue, and roads in black and red. Areal features are outlined to depict the areal extent and may also be emphasized by a color tint. Names and labels are shown in different type fonts, sizes, and colors.

The unique feature of a topographic map is the contour. These lines do not exist on the Earth's surface. They join points of equal elevation above a zero level surface (such as Mean Sea Level) and therefore show heights of the land and reveal the shape of the land surface. Heavier brown lines are index contours and are labeled with the elevation they represent. Closely spaced contours indicate a steep land slope; widely spaced contours show more level ground. The elevation difference between adjacent contours is the contour interval. A map of a relatively flat area may have a contour interval of 10 feet. In steep areas an interval of 100 feet or more may be used to avoid coalescence or convergence of the contour lines. The contour interval is always noted below the bar scale in the map marginalia.

The cartographic representation of roads has been updated from a characterization based on organizational maintenance (Interstates, US routes, State routes, etc.) to a functional classification defined as follows:

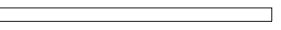
- Expressway¹: A controlled access, divided arterial highway for through traffic.
- Secondary Highway¹: Hard surface highways including secondary State routes, primary county routes, and other highways that connect principal cities and towns, and link these places with the primary highway system.
- Local Connector¹: Hard surface roads not included in a higher class and improved, loose surface roads passable in all kinds of weather. These roads are adjuncts to the primary and secondary highway system and represent major arteries through populated places.
- Local Road¹: Roads used primarily for local traffic.
- Four Wheel Drive Road¹: Unimproved roads passable only with four wheel drive vehicles.

¹ Federal Highway Administration Planning Glossary - http://www.fhwa.dot.gov/planning/glossary/glossary_listing.cfm

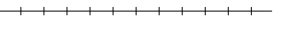
STRUCTURES

Cabin	
Campground	
Cemetery	
City/Town Hall	
College/University	
Court House	
Fire Station	
Hospital	
Park Headquarters	
Picnic Area	
Police	
Post Office	
Prison	
Ranger Station	
School (K-12)	
Trade/Technical School	
Shelter	
State Capitol	
Trailhead	
US Supreme Court	
Visitor Center	
Oil/Gas Pipeline*	

TRANSPORTATION**Airport Features**

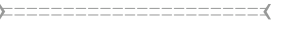
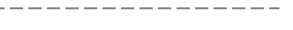
Airport Runway	
Heliport	
Seaplane	

Railroad Features

Railroad	
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Road Features

Expressway	
Secondary Hwy	
Ramp	
Local Connector	
Local Road	

Ferry	
Tunnel	
Closed Road	
4WD	

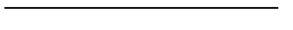
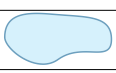
Road Shields

Interstate Route	
US Route	
State Route	
Forest Service Primary Route	
Forest Service Secondary Route	
Forest Service High Clearance Route	

Trails

Terra	
Snow	
Water	

HYDROGRAPHY

Gaging Station	
Gate	
Rock	
Spring	
Swimming Pool	
Well	
Perennial Stream	
Intermittent Stream	
Submerged Stream	
Earthen Dam	
Nonearthen Dam	
Dam	
Levee	
Lock Chamber/Spillway	
Rapids	
Waterfall	
Perennial Lake	
Intermittent Lake	

HYDROGRAPHY – *continued*

Reservoir	
Nonearthen Reservoir	
Area of Complex Channels	
Inundation Area	
Playa	
Wash	
Settling Pond	
Tailings Pond	
Ice Mass	
Canal/Ditch	
Flume	
Pipeline	
Underground Pipeline	
Tunnel	
Underground Conduit	
Coastline	
Nonearthen Shore	
Reef	
Foreshore	
Estuary	
Ocean	
Freshwater Emergent Wetland	
Freshwater Forested/Shrub Wetland	

TERRAIN**Contour Features**

Index	
Intermediate	
Supplemental	
Depression Index	
Depression Intermediate	
Depression Supplemental	

Shaded Relief

Shaded Relief

**LAND COVER**

Woodland

**IMAGES**

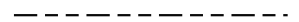
Orthoimage

**BOUNDARIES****Jurisdictional Boundaries**

International



State or Territory



County or Equivalent

**Federal Administered Lands**

Forest Service



National Park Service



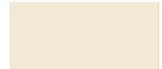
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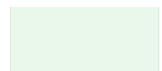
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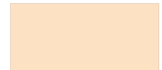
Bureau of Land Management*



Fish and Wildlife Service



AIANNH Area*

**Designated Areas**

National Wild and Scenic Rivers



*Currently on Alaska US Topo maps only

PLSS

Township/Range	T 34 NR 79 W
Township/Range (protracted)	T 34 NR 79 W
Section	1 – 36
Section (protracted)	1 – 36
Land Grants	

ABBREVIATIONS

- Hwy Highway
- AIANNH American Indian, Alaska Native, and Native Hawaiian Area
- 4WD Four Wheel Drive

Note: Symbols use transparent color. When these symbols overlap the colors blend. This alters their appearance from how they are represented in the map legend.



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

June 7, 2022

** Delivered via email*

Noam Magence *
NRP Holdings LLC
1228 Euclid Avenue 4th Floor
Cleveland, OH 44115

**Subject: Grand Bay
Petition for Formal Determination of Wetlands and Surface Waters
Permit No. 36-107223-P
Application No. 220216-33230
Lee County**

Your petition for a formal determination of wetlands and other surface waters is approved. This action is taken based on Chapter 373, Part IV of Florida Statutes (F.S.) and the rules in Chapters 62-330 and 62-340, Florida Administrative Code (F.A.C.). Please read this entire agency action thoroughly and understand its contents.

This action is subject to:

- Not receiving a filed request for a Chapter 120, F.S., administrative hearing.
- All referenced Exhibits.

Should you object to these conditions, please refer to the attached "Notice of Rights" which addresses the procedures to be followed if you desire a public hearing or other review of the proposed agency action. Please contact this office if you have any questions concerning this matter. If we do not hear from you in accordance to the "Notice of Rights", we will assume that you concur with the District's action.

CERTIFICATE OF SERVICE

I hereby certify that this Formal Wetland Determination and Notice of Rights have been mailed or electronically submitted to the addressee (and the persons listed on the attached distribution list) on June 6, 2022 in accordance with Section 120.60(3), F.S. Notice was also electronically posted on this date through a link on the home page of the District's website (www.sfwmd.gov/ePermitting).

Sincerely,

A handwritten signature in blue ink, appearing to read "M. Lawrence", enclosed within a blue oval.

Melissa M. Lawrence, P.E.
Bureau Chief, Environmental Resource Bureau

**South Florida Water Management District
Formal Wetland Determination Permit No. 36-107223-P
Date Issued: June 7, 2022**

Project Name: Grand Bay

Petitioner: Noam Magence
NRP Holdings LLC
1228 Euclid Avenue
4th Floor
Cleveland, OH 44115

Application No. 220216-33230

Location: Lee County, See Exhibit 1

Acres: 47.86

Expiration Date: June 7, 2027

Type: Certified Survey

Project Summary

The application is for a formal determination of the landward extent of wetlands and other surface waters (OSW), pursuant to Rule 62-330.201 Florida Administrative Code (F.A.C.), for a 47.86 acre property known as Grand Bay. The methodology used for the determination is consistent with Rule 62-340 F.A.C.

Project Site Description

The 47.86 acre property is located in Section 20, Township 46 South, Range 25 East, Lee County, Florida. More specifically, the property is located on the west side of U.S. 41 (South Tamiami Trail), approximately 1.1 miles north of Estero Parkway in Estero, Florida. A Location Map is attached as Exhibit 1.0. The property is surrounded by single family homes to the north and south, commercial development to the east, and undeveloped forested uplands and wetlands to the west. These wetlands, as well as wetlands on the property, are considered as tributary wetlands to the Estero River, which is an Outstanding Florida Water (OFW). An aerial photograph depicting the property is attached as Exhibit 2.0.

Formal Determination of Wetlands and Other Surface Waters

On February 16, 2022, the District received a request for a formal determination of the boundary of wetlands and OSW on a 47.86 acre property known as Grand Bay. The landward extent of wetlands and OSW was established by DexBender Environmental Consulting and verified by District staff, Matt Brosious, CWE, on March 31, 2022. Wetlands, as defined by Subsection 373.019(27) F.S. and Rule 62-340 F.A.C., were identified on the property. No OSW were identified on the property. Wetlands on the property were delineated using the methods established in Rule 62-340 F.A.C.; more specifically, the wetlands were delineated using the B and D tests. Wetlands delineated on the property totaled 11.13 acres. A specific purpose survey depicting the wetlands on the property is attached as Exhibit 3.0. Wetland delineation information, including wetland data point location map, wetland data forms, and representative photographs of the wetlands and upland areas can be found in the permit file. Wetland data forms were filled out by District staff on March 31, 2022.

Wetland Description:

The wetlands identified on the property totaled 11.13 acres (Exhibit 3.0). The wetland canopy and sub-canopy generally consisted of laurel oak, pine, red maple, and cabbage palm with varying degrees of exotic vegetation. Ground cover was mostly absent, except for widely scattered swamp fern. The wetland was delineated using the B and D tests. As mentioned above, the wetlands on the property are considered as tributary wetlands of the Estero River.

Soil Types and Hydrologic Indicators:

Based on the National Resource Conservation Service (NRCS) data, the property contains two historically mapped hydric soils. The mapped hydric soils on the property include Pompano Fine Sand, Frequently Ponded (Map Unit 27) and Copeland Fine Sand, Frequently Ponded (Map Unit 45). A soils map is attached as Exhibit 4.0. Soil pit data is included within the wetland data forms which were filed out on March 31, 2022.

Hydrologic Indicators observed during the delineation included Hydric Soil Indicator A7 (Mucky Mineral) starting at the soil surface and adventitious rooting on melaleuca trees.

This Formal Determination of Wetlands and Other Surface Waters is the District's determination of the landward extent (boundaries) of wetlands and other surface waters within the property based on the documentation submitted by the Petitioner and field application of Chapter 62-340, F.A.C. This action does not authorize any construction activities or constitute conceptual approval of any anticipated projects or activities in wetlands or other surface waters. It does not in any way establish boundaries of sovereign submerged lands, high water elevations or other elevations/ boundaries.

Pursuant to Subsection 373.421 (4), F.S., the Governing Board may revoke the Formal Wetland Determination upon a finding that the Petitioner has submitted inaccurate information to the District.

The Formal Wetland Determination shall be binding for the stated duration provided physical conditions on the property do not change so as to alter the boundaries of wetlands and other surface waters during that period.

Distribution List

Bernard G Freeland, Freeland FL Holdings LLC

Dan F Underhill, DexBender *

Florida Department of Environmental Protection SLERC *

Lee County Property Appraiser *

Florida Department of Environmental Protection - Environmental Administrator *

Exhibits

The following exhibits to this permit are incorporated by reference. The exhibits can be viewed by clicking on the links below or by visiting the District's ePermitting website (<http://my.sfwmd.gov/ePermitting>) and searching under this application number 220216-33230 .

[Exhibit No. 1.0 Location Map](#)

[Exhibit No. 2.0 Aerial With Inspection Boundary](#)

[Exhibit No. 3.0 Wetland Certified Survey](#)

[Exhibit No. 4.0 Soils Map](#)

NOTICE OF RIGHTS

As required by Chapter 120, Florida Statutes, the following provides notice of the opportunities which may be available for administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes, or judicial review pursuant to Section 120.68, Florida Statutes, when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Some of the legal proceedings detailed below may not be applicable or appropriate for your situation. You may wish to consult an attorney regarding your legal rights.

RIGHT TO REQUEST ADMINISTRATIVE HEARING

A person whose substantial interests are or may be affected by the South Florida Water Management District's (District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Florida Statutes. Persons seeking a hearing on a District decision which affects or may affect their substantial interests shall file a petition for hearing in accordance with the filing instructions set forth herein within 21 days of receipt of written notice of the decision unless one of the following shorter time periods apply: (1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Florida Statutes; or (2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Florida Statutes. "Receipt of written notice of agency decision" means receipt of written notice through mail, electronic mail, posting, or publication that the District has taken or intends to take final agency action. Any person who receives written notice of a District decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

If the District takes final agency action that materially differs from the noticed intended agency decision, persons who may be substantially affected shall, unless otherwise provided by law, have an additional point of entry pursuant to Rule 28-106.111, Florida Administrative Code.

Any person to whom an emergency order is directed pursuant to Section 373.119(2), Florida Statutes, shall comply therewith immediately, but on petition to the board shall be afforded a hearing as soon as possible.

A person may file a request for an extension of time for filing a petition. The District may grant the request for good cause. Requests for extension of time must be filed with the District prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and whether the District and any other parties agree to or oppose the extension. A timely request for an extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

FILING INSTRUCTIONS

A petition for administrative hearing must be filed with the Office of the District Clerk. Filings with the Office of the District Clerk may be made by mail, hand-delivery, or e-mail. Filings by facsimile will not be accepted. A petition for administrative hearing or other document is deemed filed upon receipt during normal business hours by the Office of the District Clerk at the District's headquarters in West Palm Beach, Florida. The District's normal business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Any document received by the Office of the District Clerk after 5:00 p.m. shall be deemed filed as of 8:00 a.m. on the next regular business day.

Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the District Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33406.
- Filings by hand-delivery must be delivered to the Office of the District Clerk. Delivery of a petition to the District's security desk does not constitute filing. It will be necessary to request that the District's security officer contact the Office of the District Clerk. An employee of the District's Clerk's office will receive and process the petition.
- Filings by e-mail must be transmitted to the Office of the District Clerk at clerk@sfwmd.gov. The filing date for a document transmitted by electronic mail shall be the date the Office of the District Clerk receives the complete document.

INITIATION OF ADMINISTRATIVE HEARING

Pursuant to Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Rules 28-106.201 and 28-106.301, Florida Administrative Code, initiation of an administrative hearing shall be made by written petition to the District in legible form and on 8 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, District file number or any other District identification number, if known.
2. The name, address, any email address, any facsimile number, and telephone number of the petitioner, petitioner's attorney or qualified representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the District's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the District's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the District's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the District to take with respect to the District's proposed action.

MEDIATION

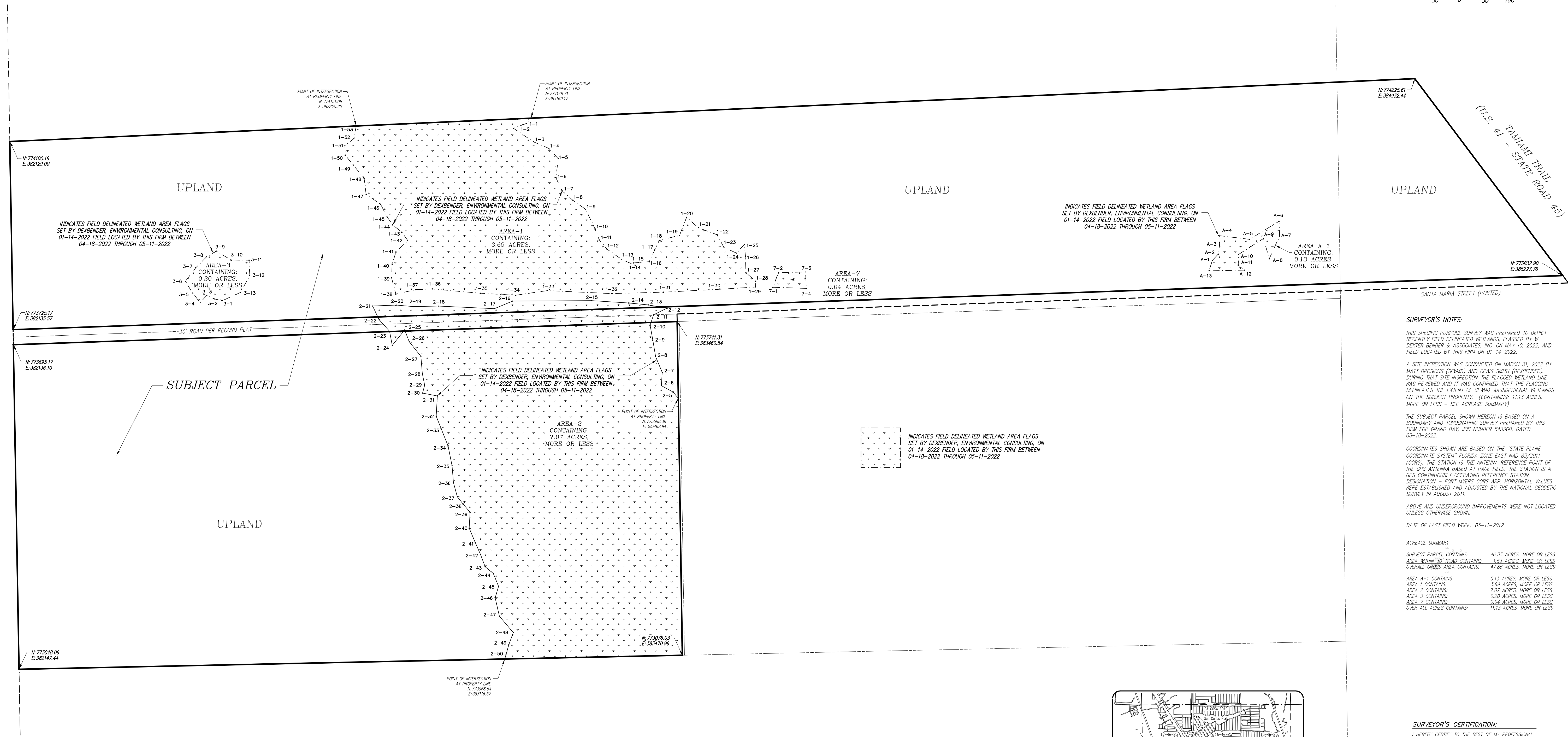
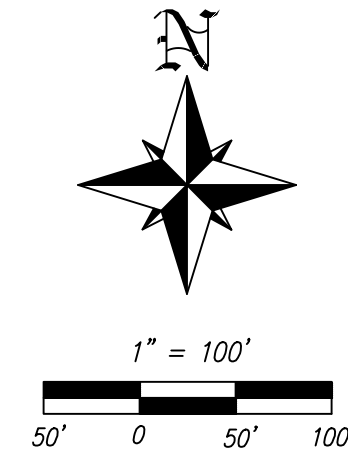
The procedures for pursuing mediation are set forth in Section 120.573, Florida Statutes, and Rules 28-106.111 and 28-106.401–.405, Florida Administrative Code. The District is not proposing mediation for this agency action under Section 120.573, Florida Statutes, at this time.

RIGHT TO SEEK JUDICIAL REVIEW

Pursuant to Section 120.68, Florida Statutes, and in accordance with Florida Rule of Appellate Procedure 9.110, a party who is adversely affected by final District action may seek judicial review of the District's final decision by filing a notice of appeal with the Office of the District Clerk in accordance with the filing instructions set forth herein within 30 days of rendition of the order to be reviewed, and by filing a copy of the notice with the appropriate district court of appeals via the Florida Courts E-Filing Portal.

SPECIFIC PURPOSE SURVEY

OF
FIELD DELINEATED WETLAND FLAGS LYING IN
SECTION 20, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA



SURVEYOR'S NOTES:

THIS SPECIFIC PURPOSE SURVEY WAS PREPARED TO DEPICT RECENTLY FIELD DELINEATED WETLANDS, FLAGGED BY W. DEXTER BENDER & ASSOCIATES, INC. ON MAY 10, 2022, AND FIELD LOCATED BY THIS FIRM ON 01-14-2022.

A SITE INSPECTION WAS CONDUCTED ON MARCH 31, 2022 BY MATT BROSIUS (SPWMD) AND CRAIG SMITH (DEXBENDER). DURING THAT SITE INSPECTION THE FLAGGED WETLAND LINE WAS REVIEWED AND IT WAS CONFIRMED THAT THE FLAGGING DELINEATES THE EXTENT OF SPWMD JURISDICTIONAL WETLANDS ON THE SUBJECT PROPERTY. (CONTAINING: 11.13 ACRES, MORE OR LESS - SEE ACREAGE SUMMARY)

THE SUBJECT PARCEL SHOWN HEREON IS BASED ON A BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY THIS FIRM FOR GRAND BAY, JOB NUMBER 8433GB, DATED 03-18-2022.

COORDINATES SHOWN ARE BASED ON THE "STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE EAST NAD 83/2011 (CORS). THE STATION IS THE ANTENNA REFERENCE POINT OF THE GPS ANTENNA BASED AT PAGE FIELD. THE STATION IS A GPS CONTINUOUSLY OPERATING REFERENCE STATION. DESIGNATION - FORT MYERS CORRS ARP. HORIZONTAL VALUES WERE ESTABLISHED AND ADJUSTED BY THE NATIONAL GEODETIC SURVEY IN AUGUST 2011.

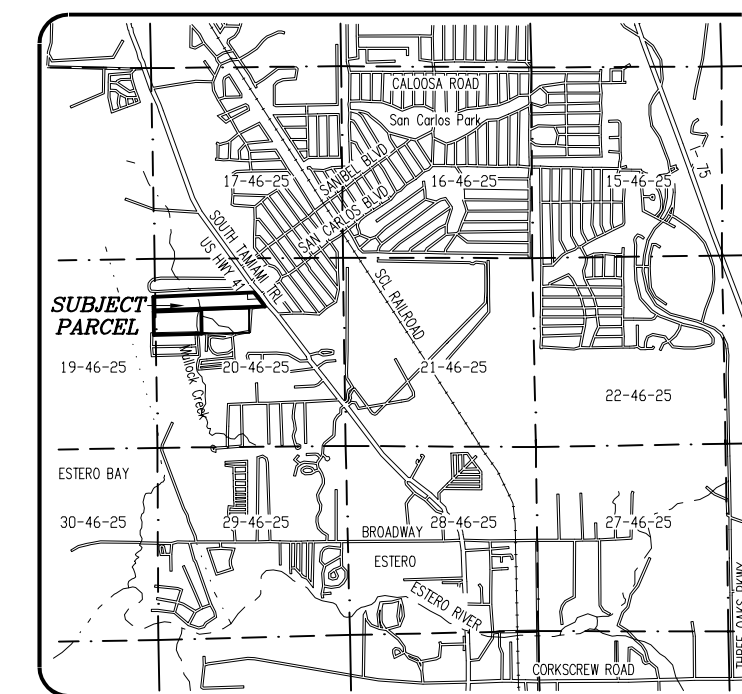
ABOVE AND UNDERGROUND IMPROVEMENTS WERE NOT LOCATED UNLESS OTHERWISE SHOWN.

DATE OF LAST FIELD WORK: 05-11-2012.

ACREAGE SUMMARY

SUBJECT PARCEL CONTAINS: 46.33 ACRES, MORE OR LESS
AREA WITHIN 30' ROAD CONTAINS: 1.53 ACRES, MORE OR LESS
OVERALL GROSS AREA CONTAINS: 47.86 ACRES, MORE OR LESS

AREA A-1 CONTAINS: 0.13 ACRES, MORE OR LESS
AREA 1 CONTAINS: 3.69 ACRES, MORE OR LESS
AREA 2 CONTAINS: 7.07 ACRES, MORE OR LESS
AREA 3 CONTAINS: 0.20 ACRES, MORE OR LESS
AREA 7 CONTAINS: 0.04 ACRES, MORE OR LESS
OVER ALL ACRES CONTAINS: 11.13 ACRES, MORE OR LESS



VICINITY MAP
NOT TO SCALE

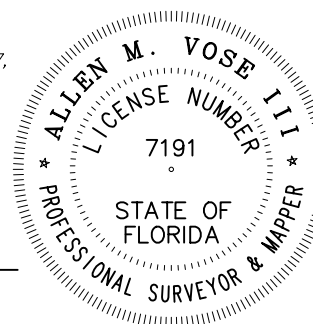
SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, THAT THIS SPECIFIC PURPOSE SURVEY IS A TRUE REPRESENTATION OF A FIELD SURVEY MADE UNDER MY DIRECTION AND MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 53-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.022, FLORIDA STATUTES.

Digitally signed by Allen M Vose III
Date: 2022.06.01 13:09:52 -04'00'

ALLEN M. VOSE III, P.S.M.
FLORIDA CERTIFICATION NO. 7191

DATE SIGNED: 06-02-2022
- THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- THIS SURVEY MAY BE REPLIED UPON ONLY BY THE CERTIFIED PARTIES PROVIDED HEREON.
- IT IS NOT A CERTIFICATION OF TITLE, ZONING, SETBACKS, OR FREEDOM OF ENCUMBRANCES.
- THIS SURVEY MAP IS PREPARED WITHOUT THE BENEFIT OF ABSTRACT OF TITLE AND ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW.



LEGEND:

LB INDICATES LICENSED BUSINESS
P.S.M. INDICATES PROFESSIONAL SURVEYOR AND MAPPER
1-11 INDICATES WETLAND PLANT (SEE COORDINATE TABLE)
N-773048.06 E-382147.44 INDICATES "STATE PLANE COORDINATES" FLORIDA ZONE EAST NAD 83/2011 (CORS)
CORS INDICATES CONTINUOUSLY OPERATING REFERENCE STATION

COORDINATE TABLE			COORDINATE TABLE			COORDINATE TABLE			COORDINATE TABLE			COORDINATE TABLE		
FLAG	NORTHING	EASTING	FLAG	NORTHING	EASTING	FLAG	NORTHING	EASTING	FLAG	NORTHING	EASTING	FLAG	NORTHING	EASTING
1-1	774136.19	383159.82	1-25	773885.21	383594.77	1-49	774053.22	382814.13	2-20	773774.09	382900.48	2-44	773239.08	383081.76
1-2	774126.53	383133.93	1-26	773886.96	383597.08	1-50	774053.06	382798.31	2-21	773772.31	382892.94	2-45	773233.35	383104.24
1-3	774098.78	383123.61	1-27	773836.44	383597.11	1-51	774042.92	382829.67	2-22	773744.57	382866.99	2-46	773190.52	383091.15
1-4	774086.42	383124.78	1-28	773821.51	383617.31	1-52	774105.92	382815.81	2-23	773721.89	382866.81	2-47	773151.91	383105.81
1-5	774083.97	383123.54	1-29	773810.13	383616.94	1-53	774108.91	382816.10	2-24	773708.21	382869.97	2-48	773121.15	383113.15
1-6	774027.91	383118.67	1-30	773805.40	383541.36	2-1	773501.19	383472.91	2-25	773724.58	382916.86	2-49	773087.24	383124.74
1-7	774001.84	383130.85	1-31	773799.88	383433.91	2-2	773508.23	383465.43	2-26	773701.19	382925.92	2-50	773077.33	383118.07
1-8	773982.99	383052.59	1-32	773793.03	383433.49	2-3	773506.44	383465.19	2-27	773677.89	382949.30	1-1	773082.94	383052.97
1-9	773965.10	383077.86	1-33	773803.04	383502.06	2-4	773542.70	383467.68	2-28	773637.94	382952.10	2-1	773086.26	383057.57
1-10	773925.79	383096.81	1-34	773813.65	383517.85	2-5	773600.87	383452.44	2-29	773614.31	382956.69	2-3	773081.49	383052.15
1-11	773901.92	383105.16	1-35	773827.73	383568.57	2-6	773611.52	383452.03	2-30	773588.72	382952.55	2-4	773078.00	383058.95
1-12	773885.39	383120.76	1-36	773836.16	383572.65	2-7	773639.94	383430.80	2-31	773583.04	382962.05	2-5	773088.23	383043.51
1-13	773865.10	383130.77	1-37	773844.90	383593.07	2-8	773671.25	383417.52	2-32	773558.64	382979.80	2-6	773087.52	383047.30
1-14	773853.13	383176.66	1-38	773856.01	383599.43	2-9	773704.04	383419.11	2-33	773508.49	382989.43	2-7	773046.36	383049.89
1-15	773858.16	383173.21	1-39	773858.80	383600.72	2-10	773734.07	383406.50	2-34	773493.41	383003.41	2-8	773087.40	383051.72
1-16	773860.68	383404.85	1-40	773865.69	383601.97	2-11	773754.72	383413.65	2-35	773454.00	383017.38	2-9	773087.80	383054.97
1-17	773884.01	383415.76	1-41	773879.96	383609.46	2-12	773787.95	383440.30	2-36	773420.00	383014.18	2-10	773083.77	383057.65
1-18	773902.87	383424.58	1-42	773902.77	383623.06	2-13	773774.46	383402.88	2-37	773391.85	383021.92	2-11	773083.52	383058.40
1-19	773913.29	383465.45	1-43	773919.44	383611.12	2-14	773782.94	383454.77	2-38	773377.41	383033.63	2-12	773083.14	383057.86
1-20	773948.18	383479.39	1-44	773933.81	383602.91	2-15	773782.95	383490.08	2-39	773361.11	383047.33	2-13	773086.97	383058.25
1-21	773928.32	383502.72	1-45	773950.48	383601.54	2-16	773782.08	383532.44	2-40	773329.55	383045.62	2-14	773086.00	383057.57
1-22	773914.13	383540.15	1-46	773950.72	383608.19	2-17	773782.02	383505.97	2-41	773307.10	383057.54	2-15	773086.01	383058.10
1-23	773888.99	383553.94	1-47	773955.06	383640.00	2-18	773772.16	383584.13	2-42	773276.90	383068.18	2-16	773084.83	383059.68
1-24	773877.79	383578.94	1-48	774027.11	383635.93	2-19	773771.04	383593.95	2-43	773252.49	383077.36	2-17	773084.44	383057.82

COORDINATE TABLE

FLAG	NORTHING	EASTING
A-1	773883.04	384528.31
A-2	773875.78	384540.18
A-3	773865.80	384516.16
A-4	773912.71	384540.53
A-5	773905.21	384600.82
A-6	773941.18	384661.42
A-7	773911.88	384682.70
A-8	773866.14	384641.89
A-9	773906.97	384630.53
A-10	773875.02	384580.74
A-11	773894.01	384580.10
A-12	773843.83	384592.68
A-13	773842.44	384527.82

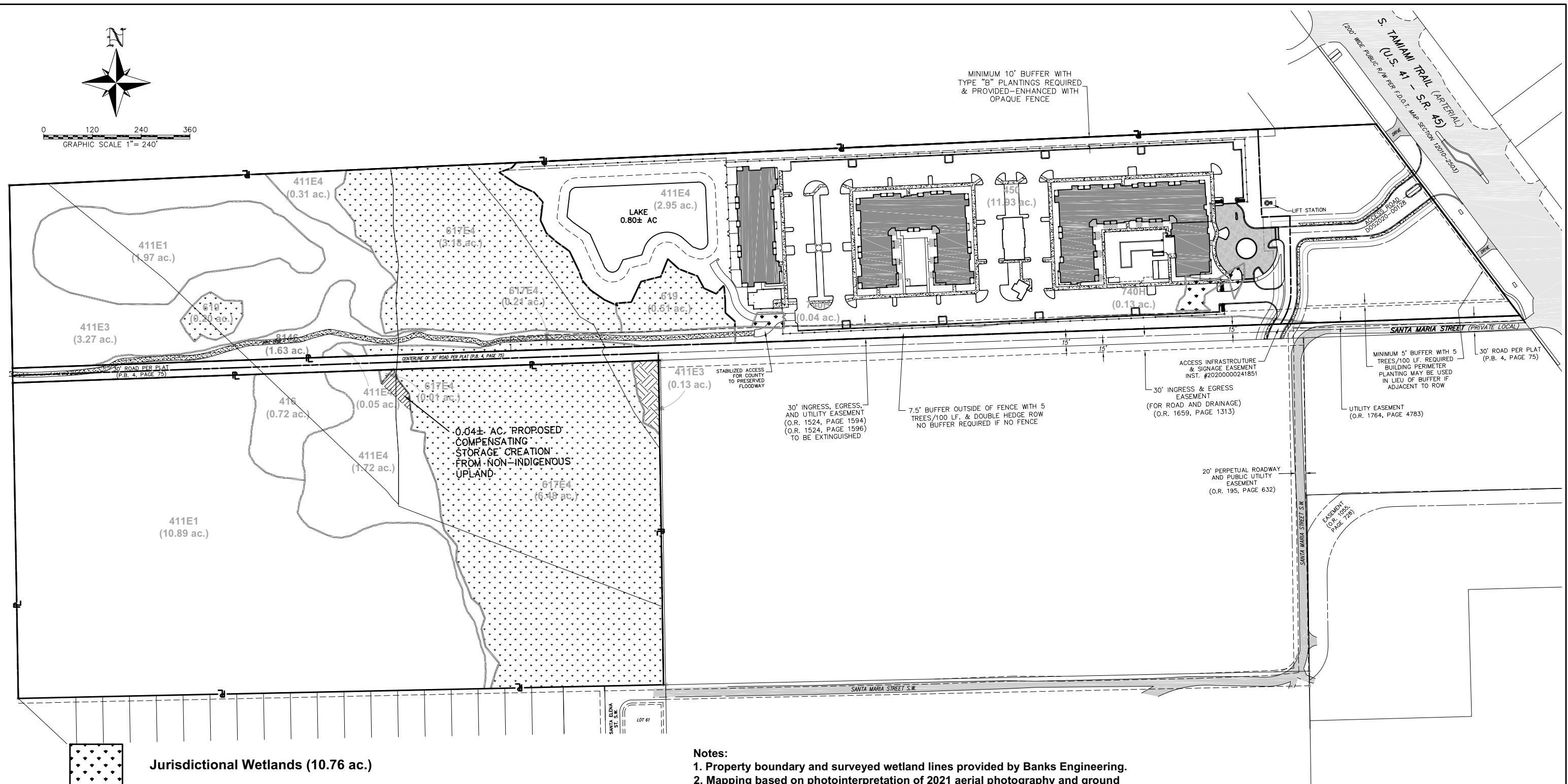
NO.	DATE	REVISION	DESCRIPTION	BY

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

10511 SIX MILE CYPRESS PARKWAY
FORT MYERS, FLORIDA 33966
PHONE: (239) 939-5490
FAX: (239) 939-2523
ENGINEERING LICENSE # EB 6649
SURVEY LICENSE # LB 6690
WWW.BANKSENG.COM

SPECIFIC PURPOSE SURVEY
GRAND BAY
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
8-13-2019	8433GB	SPS SR R-E	AMV	AMV	1" = 100'	1	1	20-46-25



- Notes:
1. Property boundary and surveyed wetland lines provided by Banks Engineering.
 2. Mapping based on photointerpretation of 2021 aerial photography and ground truthing in January 2022.
 3. Delineation of jurisdictional wetlands reviewed and approved by SFWMD on April 14, 2022.

FLUCCS	Description	Acreage
411E1	Pine Flatwoods Invaded by Exotics (10-25%)	12.86 ac.
411E3	Pine Flatwoods Invaded by Exotics (51-75%)	3.40 ac.
411E4	Pine Flatwoods Invaded by Exotics (76-90%)	5.03 ac.
416	Scrubby Pine Flatwoods	0.72 ac.
450	Mixed Exotic Upland Forest	11.93 ac.
617E4	Mixed Wetland Hardwoods Invaded by Exotics (76-90%)	9.88 ac.
619	Exotic Wetland Hardwoods	0.71 ac.
740H	Hydric Disturbed Land	0.17 ac.
8146	Dirt Road	1.63 ac.
Total		46.33 ac.

NO.	DATE	REVISION DESCRIPTION	BY

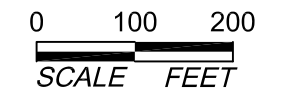
BANKS
ENGINEERING
Professional Engineers, Planners, & Land Surveyors
Serving The State Of Florida

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

MASTER CONCEPT PLAN/FLUCCS OVERLAY
GRAND BAY-MINOR MPD
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
3/2/2022	8433GB	MCP	KWK	JLS	SEH	1"=240'	1

SECTION: 20
TOWNSHIP: 46 S
RANGE: 25 E



FLUCCS	Description	Acreage
411E1	Pine Flatwoods Invaded by Exotics (10-25%)	12.86 ac.
411E3	Pine Flatwoods Invaded by Exotics (51-75%)	3.40 ac.
411E4	Pine Flatwoods Invaded by Exotics (76-90%)	5.03 ac.
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Total		46.33 ac.

Notes:
1. Property boundary and surveyed wetland lines provided by Banks Engineering.
2. Mapping based on photointerpretation of 2021 aerial photography and ground truthing in January 2022.
3. Delineation of jurisdictional wetlands reviewed and approved by SFWMD on April 14, 2022.

PERMIT USE ONLY, NOT FOR CONSTRUCTION

May 20, 2022 10:06:57 a.m.
Drawing: NRP1PLAN.DWG

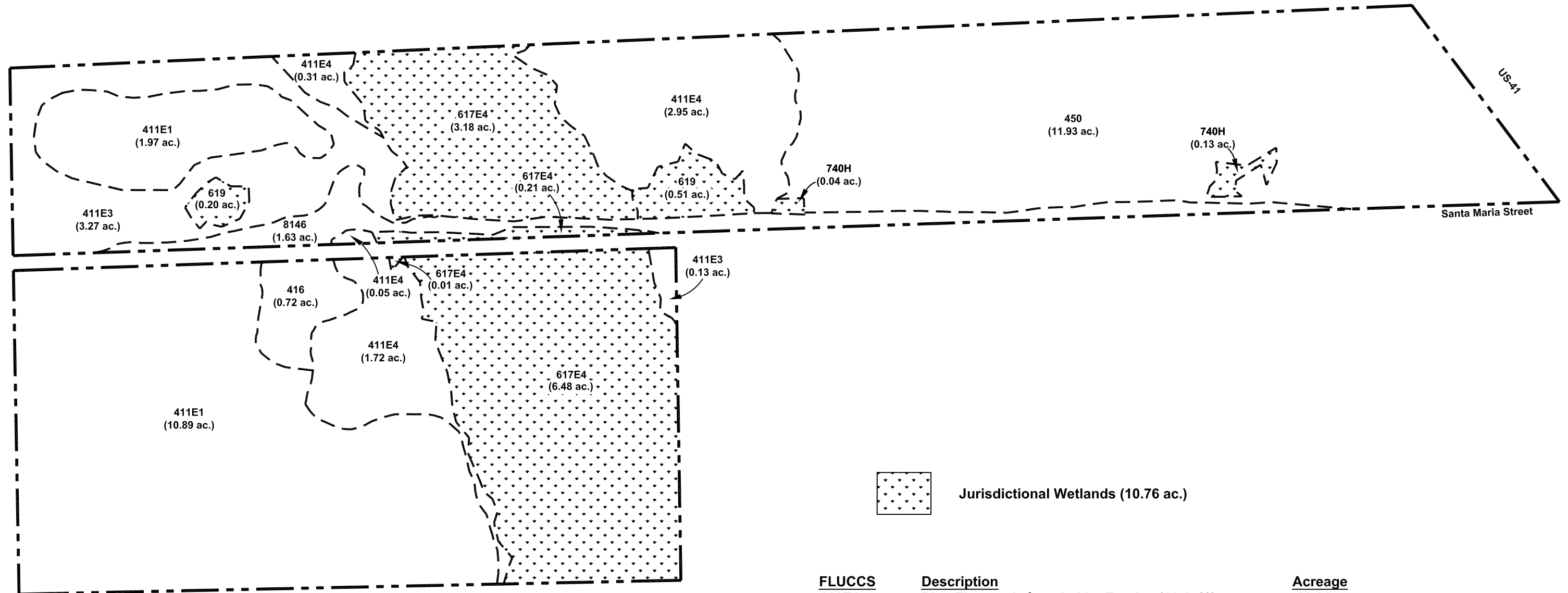
Vegetation Map

Grand Bay

B DEXBENDER
ENVIRONMENTAL CONSULTING
FORT MYERS 239-334-3680

SECTION: 20
TOWNSHIP: 46 S
RANGE: 25 E

0 100 200
SCALE FEET



FLUCCS	Description	Acreage
411E1	Pine Flatwoods Invaded by Exotics (10-25%)	12.86 ac.
411E3	Pine Flatwoods Invaded by Exotics (51-75%)	3.40 ac.
411E4	Pine Flatwoods Invaded by Exotics (76-90%)	5.03 ac.
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740H	Hydric Disturbed Land	0.17 ac.
8146	Dirt Road	1.63 ac.
Total		46.33 ac.

Notes:

1. Property boundary and surveyed wetland lines provided by Banks Engineering.
2. Mapping based on photointerpretation of 2021 aerial photography and ground truthing in January 2022.
3. Delineation of jurisdictional wetlands reviewed and approved by SFWMD on April 14, 2022.

PERMIT USE ONLY, NOT FOR CONSTRUCTION

May 20, 2022 10:25:51 a.m.
Drawing: NRP1PLAN.DWG

Wetland Map

Grand Bay

DEXBENDER
ENVIRONMENTAL CONSULTING
FORT MYERS 239-334-3680

NOTES:

1. SITE AREA: 46.33± AC.
2. OPEN SPACE REQUIRED : 20%
INDIGENOUS REQUIRED: 50% 9.27 AC.
4.64 AC.
3. OPEN SPACE PROVIDED:
INDIGENOUS UPLAND PRESERVE 16.98± AC.
WETLAND PRESERVE (NON-INDIGENOUS) 10.59± AC.
NON-INDIGENOUS UPLAND PRESERVE 0.37± AC. WITHIN R.O.W.
TOTAL 10.96± AC.
TOTAL PRESERVATION AREA 30.63± AC.
LAKE (MAXIMUM 25% OF OPEN SPACE) 0.80± AC.
OPEN SPACE PROVIDED: 31.42± AC.
4. ADJACENT PRIVATE RIGHT-OF-WAY 1.53± AC.
WETLAND PRESERVE (NON-INDIGENOUS)
WITHIN ADJACENT R.O.W. 0.37± AC.
5. NO BUFFERS REQUIRED INTERNAL TO MPD
6. MAXIMUM 300 DU (INCLUDING 114 BONUS DENSITY UNITS) & 30,000 OF COMMERCIAL
BUILDING I MAXIMUM 144 *DU INCLUDING 76 BONUS DENSITY UNITS
* MAXIMUM OF 25 DU MAY BE BUILT AS MIXED USE ON OUTPARCEL 1 OR 2

BUILDING II & III

- MAXIMUM 156 DU INCLUDING 38 BONUS DENSITY UNITS
LIMITED TO SITE BUILT AFFORDABLE HOUSING UNITS
7. SOLID WASTE COMPACTOR AND RECYCLING AREA MUST HAVE A MINIMUM OVERHEAD
CLEARANCE OF 22 FEET AND A MINIMUM 12 FOOT WIDE UNOBSTRUCTED ACCESS OPENING
 8. SEE SHEET 2 OF 2 PROPOSED 17.44± AC. PERPETUAL STORMWATER DRAINAGE & ACCESS EASEMENT
 9. LAKE MUST DEMONSTRATE A PLANTED LITTORAL SHELF THAT FUNCTIONS AS A TYPICAL
FRESHWATER MARSH CONSISTENT WITH LDC AT TIME OF DEVELOPMENT ORDER.

LEGEND:

- INDIGENOUS UPLAND PRESERVE 16.98± AC.
- WETLAND PRESERVE (NON-INDIGENOUS) 10.59± AC.
0.37± AC. WITHIN R.O.W.
TOTAL 10.96± AC.
- UPLAND PRESERVE (NON-INDIGENOUS) 3.02± AC.
- PRESERVED FLOODWAY ZONE FOR MULLOCK CREEK FLOW-WAY
- EX. DIRT TRAIL
- DEVIATION

FLUM: URBAN COMMUNITY, RURAL & WETLANDS
ZONING: MH-2
SHELTERING PINES MOBILE HOME VILLAGE

MINIMUM 10' BUFFER WITH
TYPE "B" PLANTINGS REQUIRED
& PROVIDED-ENHANCED WITH
OPAQUE FENCE

FLUM: URBAN
COMMUNITY
ZONING: CPD
VACANT

EXISTING ACCESS
TO BE REMOVED

OUTPARCEL 1
1.33± AC.
COMMERCIAL OR
MIXED USE
MAXIMUM HEIGHT 53'

OUTPARCEL 2
1.93± AC.
COMMERCIAL OR
MIXED USE
MAXIMUM HEIGHT 53'

FLUM: URBAN COMMUNITY
ZONING: CPD
VACANT

FLUM: URBAN COMMUNITY & WETLANDS
ZONING: ESTERO VISTA RPD
VACANT
(NOT INCLUDED)
DOS2020-00127

NO.	DATE	1ST SUFFICIENCY RESPONSE	REVISION DESCRIPTION	SEH	BY
1	6/17/2022				

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ENGINEERING

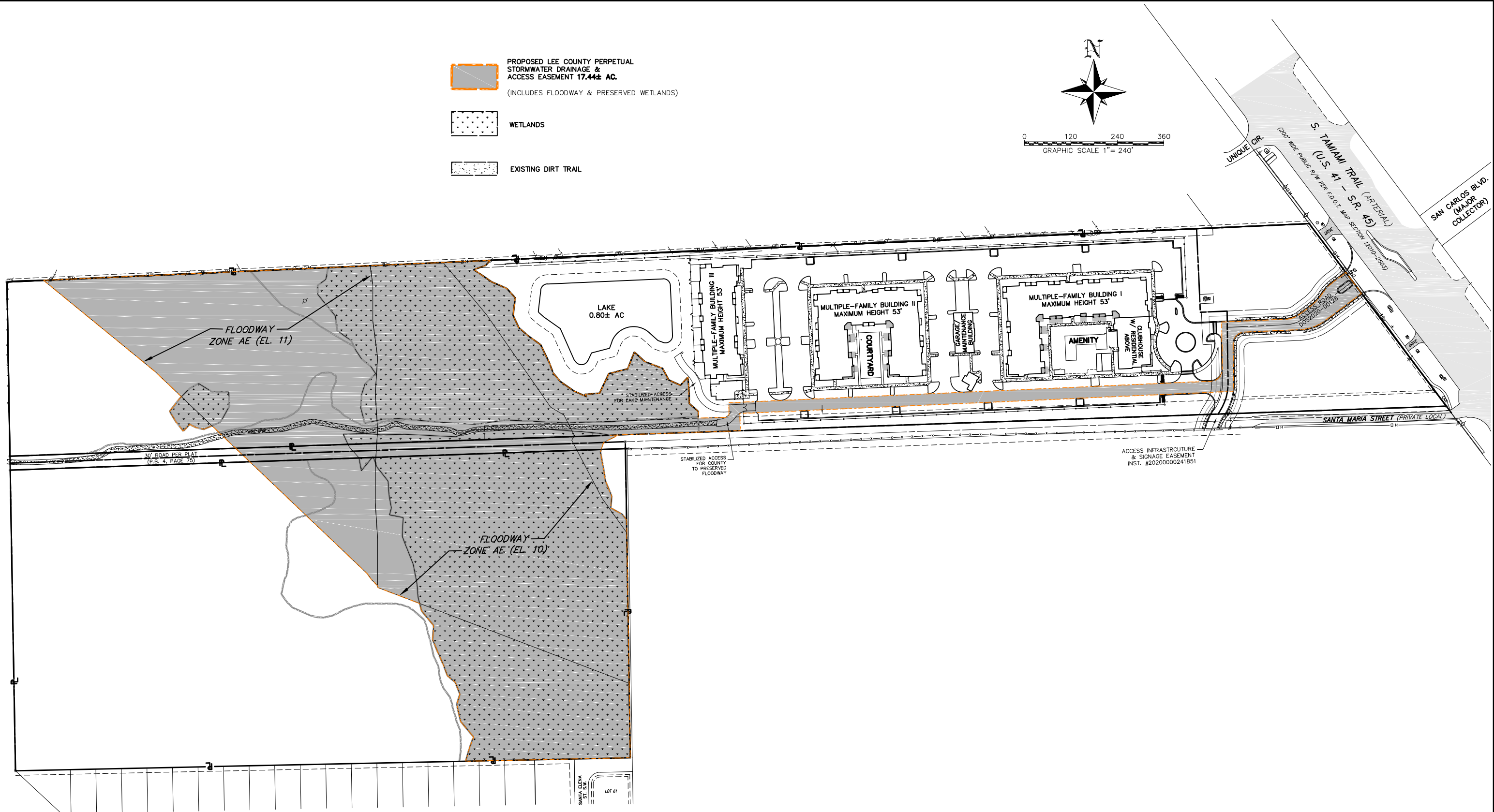
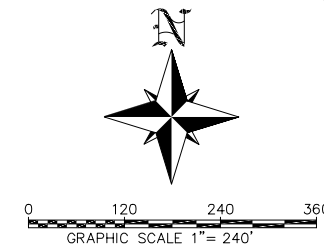
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MASTER CONCEPT PLAN
GRAND BAY-MINOR MPD
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
3/2/2022	8433GB	MCP	KWK	JLS	SEH	1"=240'	1 OF 2

-  PROPOSED LEE COUNTY PERPETUAL
STORMWATER DRAINAGE &
ACCESS EASEMENT 17.44± AC.
(INCLUDES FLOODWAY & PRESERVED WETLANDS)
-  WETLANDS
-  EXISTING DIRT TRAIL



NO.	DATE	REVISION DESCRIPTION	BY

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MASTER CONCEPT PLAN
GRAND BAY-MINOR MPD
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
6/20/2022	8433GB	MCP	KWK	JLS	SEH	1"=240'	2 OF 2



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FORT MYERS, FLORIDA 33966
PHONE: (239) 939-5490 FAX: (239) 939-2523
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DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
6/20/2022	8433GB	MCP	KWK	JLS	SEH	1"=120'	2 OF 2