# APPLICATION FOR PLANNED DEVELOPMENT PUBLIC HEARING UNINCORPORATED AREAS ONLY

**Project Name:** Winkler Junction Minor CPD

**Request:** Rezone from: AG-2 To: Minor CPD

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

**Bonus Density included?** ☒ NO ☐ YES[1] for: _____ Bonus Units

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

**Summary of Project:**

Rezoning of 2.57± acres from Agricultural (AG-2) to a minor Commercial Planned Development (CPD) to allow a maximum of 90,000 square feet/675 units of self-storage and associated uses with a maximum height of 45 feet.

## PART 1
## APPLICANT/AGENT INFORMATION

**A. Name of Applicant:** Winkler Junction LLC
Address: 16881 Summerlin Road
City, State, Zip: Fort Myers, FL 33908
Phone Number: c/o 239-770-2527/239-939-5490
E-mail Address: c/o 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 Pkwy, Suite 101
City, State, Zip: Fort Myers, FL 33966
Phone Number: 239-770-2527/239-939-5490 Email: shewitt@bankseng.com

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

## 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:** Same as applicant

Address:

City, State, Zip:

Phone Number: Email:

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

☒ Attach Disclosure of Interest Form.

**C. Multiple parcels:**

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

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

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

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

**2.** Date property was acquired by present owner(s): 10/29/2015

## PART 3
## PROPERTY INFORMATION

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

34-45-24-00-00011.0000

**B. Street Address of Property:** 15881 Summerlin Rd, Fort Myers, FL 33908

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

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

**OR**

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

**AND**

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

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

**OR**

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

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

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

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

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

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

**E. Current Zoning of Property:** AG-2

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

**F. Use(s) of Property:**

**1.** Current uses of property are: Vacant

**2.** Intended uses of property are: Self-storage and associated uses

**G. Future Land Use Classification (Lee Plan):**

| | | | | |
|---|---|---|---|---|
| Suburban | 2.57± | Acres | 100 | % of Total |
| | | Acres | | % of Total |
| | | Acres | | % of Total |

**H. Property Dimensions:**

1. Width (average if irregular parcel): 1,122± Feet
2. Depth (average if irregular parcel): 100 Feet
3. Total area: 2.57± Acres or square feet
4. Frontage on road or street: 1,172± Feet on Summerlin Rd Street
   2nd Frontage on road or street: _____ Feet on _____ 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)** | | | **2.57±** | **Acres** |
| 1. | Submerged land subject to tidal influence | | 0 | Acres | |
| 2. | **a.** Preserved freshwater wetlands | 0 Acres | | | |
| | **b.** Impacted wetlands | 0 Acres | | | |
| | **c.** Preserved saltwater wetlands | 0 Acres | | | |
| | **d.** Total wetlands (A.2.a. plus A.2.b. plus A.2.c.) | | 0 | Acres | |
| 3. | R-O-W providing access to non-residential uses | | 0 | Acres | |
| 4. | Non-residential use areas (1) (2) | | 2.57± | Acres | |
| **B.** | **Total area not eligible as gross residential acreage** (Items A.1. + A.3. + A.4.). | | | **2.57±** | **Acres** |
| **C.** | **Gross residential acres. (A minus B)** (3) | | | **0** | **Acres** |

**D. Gross residential acres (by Land Use Category)**

| | | | | |
|---|---|---|---|---|
| 1. | **a.** Intensive Development – upland | | | Acres |
| | **b.** Intensive Development – preserved freshwater wetlands | | | Acres |
| | **c.** Intensive Development – impacted wetlands | | | Acres |
| 2. | **a.** Central Urban – upland | | | Acres |
| | **b.** Central Urban – preserved freshwater wetlands | | | Acres |
| | **c.** Central Urban – impacted wetlands | | | Acres |
| 3. | **a.** Urban Community or Suburban – upland | | | Acres |
| | **b.** Urban Community or Suburban – preserved freshwater wetlands | | | Acres |
| | **c.** Urban Community or Suburban – impacted wetlands | | | Acres |

| | | | | |
|---|---|---|---|---|
| **4.** | **a.** | Suburban – upland | _____ | Acres |
| | **b.** | Suburban – preserved freshwater wetlands | _____ | Acres |
| | **c.** | Suburban – impacted wetlands | _____ | Acres |
| **5.** | **a.** | Outlying Suburban – upland | _____ | Acres |
| | **b.** | Outlying Suburban – preserved freshwater wetlands | _____ | Acres |
| | **c.** | Outlying Suburban – impacted wetlands | _____ | Acres |
| **6.** | **a.** | Sub-Outlying Suburban – upland | _____ | 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 | _____ | 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) | _____ | **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:** N/A

| | | 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

| | | Height | Total Floor Area (Square Feet) |
|---|---|---|---|
| **A.** | **Commercial** | | |
| **1.** | Medical | | |
| **2.** | General Office | | |
| **3.** | Retail | | |
| **4.** | Other: Self-Storage | 45’ | 90,000 SF |
| **5.** | **TOTAL FLOOR AREA** | | **90,000 SF** |

| | | Height | Total Floor Area (Square Feet) |
|---|---|---|---|
| **B.** | **Industrial** | | |
| **1.** | Under Roof | | |
| **2.** | Not Under Roof | | |
| **3.** | **TOTAL FLOOR AREA** | | **0** |

| | | Depth | Total Acres |
|---|---|---|---|
| **C.** | **Mining** | | |
| **1.** | Area to be excavated | | 0 |

| | | Height | Total Beds/Units |
|---|---|---|---|
| **D.** | **Assisted Living Facilities** | | |
| **1.** | Dependent Living Units | | |
| **2.** | Independent Living Units | | |
| **3.** | **TOTAL BEDS/UNITS** | | **0** |

| | | Height | Total Rental Units |
|---|---|---|---|
| **E.** | **Hotels/Motels (Room Size)** | | |
| **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.]**

Range of elevations are from 0.69'± to 6.59'± NAVD 88ft, 2018 LiDAR derived.

**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)].

N/A

**C. Preservation/Conservation of Natural Features:** Describe how the lands listed in PART 6.B. above will be protected by the completed project:

N/A

**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 AE Zone – 9.00' 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<br>SUBMITTAL REQUIREMENT CHECKLIST | | |
|---|---|---|
| ***Clearly label your attachments as noted in bold below*** | | |
| **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] |

# ADDITIONAL AGENTS

| | | | |
|---|---|---|---|
| Company Name: | BearPaws Environmental Consulting | | |
| Contact Person: | Barrett "Bear" Stejskal | | |
| Address: | 1599 Covington Circle East | | |
| City, State, Zip: | Fort Myers, FL 33919 | | |
| Phone Number: | (239) 340-0678 | Email: | bearpaws.env.consulting@gmail.com |

| | | | |
|---|---|---|---|
| Company Name: | Cardno | | |
| Contact Person: | David Douglas, PE | | |
| Address: | 1821 Victoria Avenue | | |
| City, State, Zip: | Fort Myers, FL 33901 | | |
| Phone Number: | 239 347 5513 | Email: | david.douglas@cardno.com |

| | | | |
|---|---|---|---|
| Company Name: | | | |
| Contact Person: | | | |
| Address: | | | |
| City, State, Zip: | | | |
| Phone Number: | | Email: | |

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| Contact Person: | | | |
| Address: | | | |
| City, State, Zip: | | | |
| Phone Number: | | Email: | |

# DISCLOSURE OF INTEREST AFFIDAVIT

BEFORE ME this day appeared Brandon Kinsey, who, being first duly sworn and deposed says:

1. That I am the record owner, or a legal representative of the record owner, of the property that is located at 15881 Summerlin Rd. and is the subject of an Application for zoning action (hereinafter the "Property").

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

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

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

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

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

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

| Name and Address | Percentage of Ownership |
|---|---|
| N/A | |
| | |
| | |
| | |
| | |
| | |

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

Property Owner

Brandon Kinsey

Print Name

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

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of ☑ physical presence or ☐ online notarization, on 10-31-22 (date) by Brandon Kinsey (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

Stacy Hartman

**Signature of Notary Public**

**STAMP/SEAL**

STACY HARTMAN
Notary Public - State of Florida
Commission # HH 012375
My Comm. Expires Aug 29, 2024
Bonded through National Notary Assn.

# AFFIDAVIT OF AUTHORIZATION

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

I, BRANDON KINSEY (name), as MANAGER (owner/title) of WINKLER JUNCTION LLC (company/property), swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

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

*Notes:*

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

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

_____ **Signature**

10-31-22 **Date**

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

**STATE OF FLORIDA**
**COUNTY OF LEE**

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of ☑ physical presence or ☐ online notarization, this 31st day of October, 20 22, by Brandon Kinsey (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

**STAMP/SEAL**

STACY HARTMAN
Notary Public - State of Florida
Commission # HH 012375
My Comm. Expires Aug 29, 2024
Bonded through National Notary Assn.

Stacy Hartman
**Signature of Notary Public**

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

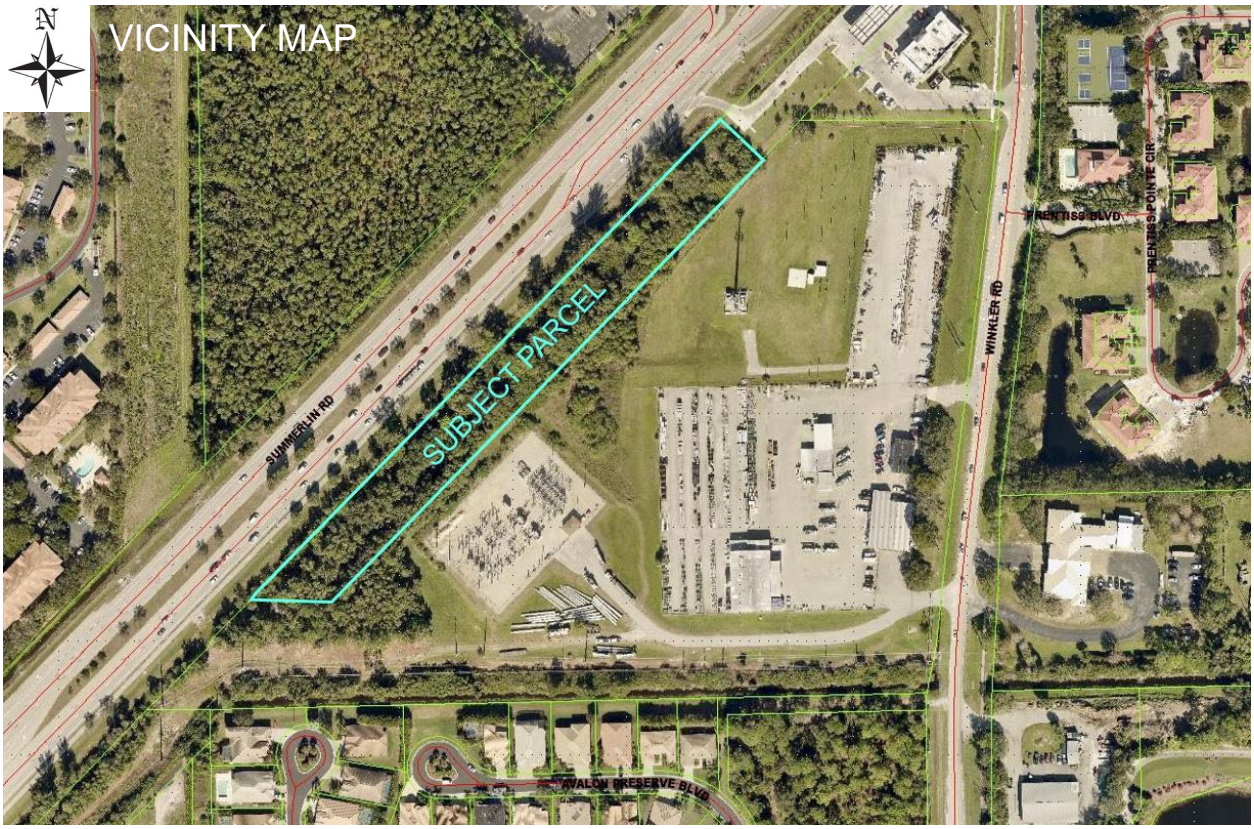
# Winkler Junction Minor CPD

# Narrative of Request

**Introduction/Request**

The applicant, Winkler Junction, LLC., is requesting approval of a rezoning of approximately 2.57 acres from Agricultural (AG-2) to a minor Commercial Planned Development (CPD) to allow a maximum of 90,000 square feet/675 units of self-storage and associated uses with a maximum height of 45 feet.

The property is located at 15881 Summerlin Road, southwest and abutting the hard southwest corner (RaceTrac) of the intersection of Winkler Road (County-maintained Major Collector) and Summerlin Road (County-maintained Limited Access Arterial). The parcel is long and narrow, 1,172± lineal feet fronting on Summerlin Rd. by 100 feet. deep. The parcel is located within the Suburban Future Land Use Category within the Iona/McGregor Planning District. The site is not located within any Community Planning area and is currently Vacant (undeveloped) and disturbed.



**Background**

A directional right in was approved on Summerlin Road for RaceTrac and for the subject parcel. In conjunction with a cross access agreement through RaceTrac, the parcel has full access to all of the Winkler/Summerlin intersection movements.

The subject parcel as stated in the Introduction, is situated adjacent to the southwest hard corner of Summerlin Road and Winkler Road with full access to the aforementioned corner parcel (RaceTrac), including a right in from Summerlin Road, constituting an appropriate location for a commercial development to support the nearby residential uses. This is recognized by the contiguous nature of the RaceTrac parcel, which is zoned Community Commercial (CC). The RaceTrac parcel was rezoned from Agricultural (AG-2) by zoning resolution number Z-15-023. The RaceTrac parcel was split from the parent parcel which included the subject property under lot split case number LDO2016-00591. The 14.0+ ac. FPL maintenance facility and storage yard which is directly south and contiguous is zoned AG-2 and it's use as a maintenance yard is consistent and compatible with the subject parcel requested rezoning. The FPL site provides a significant transition buffer between the neighboring residential communities to the south and the subject parcel.

At the present time, the subject property remains undeveloped.

**Land Development Code Analysis**

The property qualifies for the rezoning to minor CPD 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***

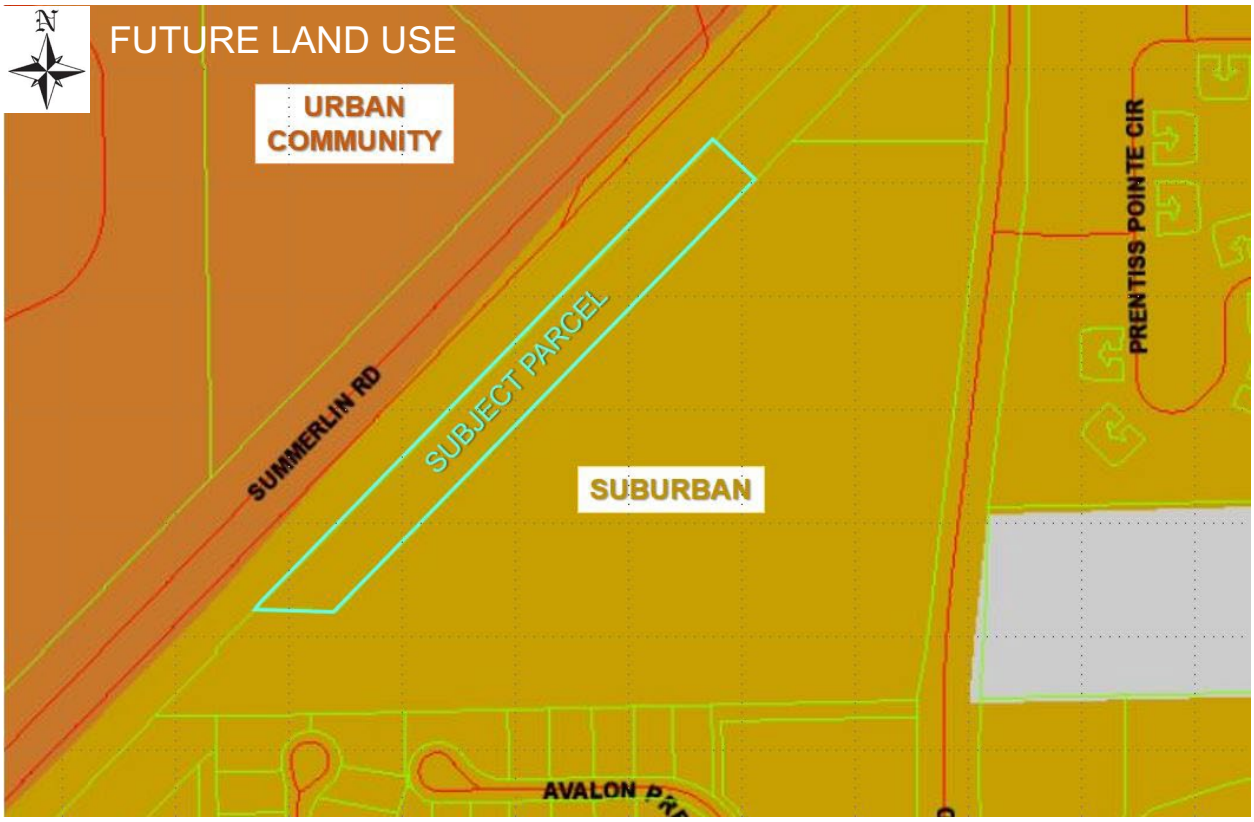
Rezoning the subject property from AG-2 to minor CPD is consistent with the Lee Plan and will expand an already established and viable commercial node at the location identified. The rezoning will provide for employment opportunities by expanding the potential for commercial activity along the Summerlin Rd. corridor without increasing transportation impacts and will support the neighboring residential communities.

The subject property is located in the Suburban Land Use Category, which is described in the Lee Plan as follows.

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

Approval of the requested rezoning will allow development of the subject property consistent with the intent of the Suburban Future Land Use category at a location identified as a commercial development. The subject property is surrounded by property also located within the Suburban

Future Land Use Category including a transition to Urban Community on the north side of Summerlin Road. The Suburban Development areas are appropriate for relatively low intensity commercial zoning categories as demonstrated by the existing and surrounding zoning districts.




Development of self-storage uses including option of mini-warehouse style on ground floor and multi-story public warehouse uses and associated rental of U-Haul type vehicles (no outdoor display, sale, rental or storage, may be provided under building with opening to southeast only) on the subject property are appropriate and will allow the subject property to provide services necessary to serve the surrounding residential areas. The intersection of Winkler Road and Summerlin Road has developed as a commercial node. Approval of the rezoning will provide appropriate infill development opportunities by expanding the development potential of the applicant's property adjacent to existing commercial lands along Summerlin Road. The proposed uses are consistent with Policy 1.1.5.

1(b)) depict the proposed distribution, extent, and location of generalized land uses through the Plan's horizon. Acreage totals are provided for land in each Planning District in unincorporated Lee County. No development orders or extensions to development orders will be issued or approved by Lee County that would allow the acreage totals for residential, commercial or industrial uses contained in Table 1(b) to be exceeded. This policy will be implemented as follows:

1. For each Planning District the County will maintain a parcel-based database of existing land use.

2. Project reviews for development orders must include a review of the capacity, in acres, that will be consumed by buildout of the development order. No development order, or extension of a development order, will be issued or approved if the acreage for a land use, when added to the acreage contained in the updated existing land use database, exceeds the limitation established by Table 1(b) regardless of other project approvals in that Planning District.
3. When updating the Lee Plan's planning horizon, a comprehensive evaluation of the Planning Districts Map and Acreage Allocation Table will be conducted.

Lee Plan Policy 1.6.5 establishes the Planning Communities Map and Acreage Allocation Table 1(b). There are 1,100 acres allocated for commercial development within the Iona/McGregor Planning Community with 557 acres existing. There are 543 acres remaining to be developed as commercial which accommodates the subject request's conversion of the site's 2.57± acres. The requested rezoning is consistent with Policy 1.6.5.

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.

POLICY 2.1.2: New land uses will be permitted only if they are consistent with the Future Land Use Map and the goals, objectives, policies, and standards of this plan.

Approval of the rezoning to minor CPD will provide an opportunity to establish the compact and contiguous growth pattern envisioned by Lee Plan Objective 2.1. The proposed rezoning is consistent with Lee Plan Objective 2.1 and Policies 2.1.1 and 2.1.2

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 Section 163.3164(7), F.S.) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, F.S. and the concurrency requirements in the Land Development Code.

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

The subject property consists of one parcel split from the adjacent RaceTrac parent parcel which was recently rezoned from AG-2 to CC. Both RaceTrac and the subject parcel have frontage along Summerlin Rd. and have access to the hard southwest corner of Winkler Road and Summerlin Road. Water and Wastewater facilities are provided by Lee County, which has existing potable water and sanitary sewer service available to the property with adequate capacity to service the site. Fire and EMS services will be provided from Iona McGregor Fire Department, located less than 1 mile from the site on Winkler Road. The Lee County Sheriff's Office is located at 14750 Six Mile Cypress Pkwy, approximately 4 miles from the site. The rezoning is 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 Chapter 62-550, F.A.C.).

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 (see Map 6), 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.

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 7), 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 l/4 mile from any part of the development.

3. If there is not sufficient capacity nor adequate infrastructure within l/4 mile of the development, the developer must provide proof in the form of a clearly stated rejection of service.

The subject property is located within the Lee County Utilities service area and existing facilities are available for connection. A Letter of Availability (submitted with the zoning application) demonstrates there is sufficient capacity to serve development of the property. Further, the Applicant will be required to provide water and sewer service in accordance with the Lee County Land Development

Code at the time of local development order approval. The requested rezoning is consistent with Standards 4.1.1 and 4.1.2.

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 6.1.1: All applications for commercial development will be reviewed and evaluated as to:

1. Traffic and access impacts (rezoning and development orders);
2. Landscaping and detailed site planning (development orders);
3. Screening and buffering (planned development rezoning and development orders);
4. Availability and adequacy of services and facilities (rezoning and development orders);
5. Impact on adjacent land uses and surrounding neighborhoods (rezoning);
6. Proximity to other similar centers (rezoning); and
7. Environmental considerations (rezoning and development orders).

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

POLICY 6.1.5: The land development regulations will require that commercial development be designed to protect the traffic-carrying capacity of roads and streets. Methods to achieve this include, but are not limited to: frontage roads; clustering of activities; limiting access; sharing access; setbacks from existing rights-of-way; acceleration, deceleration and right-turn-only lanes; and, signalization and intersection improvements.

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.

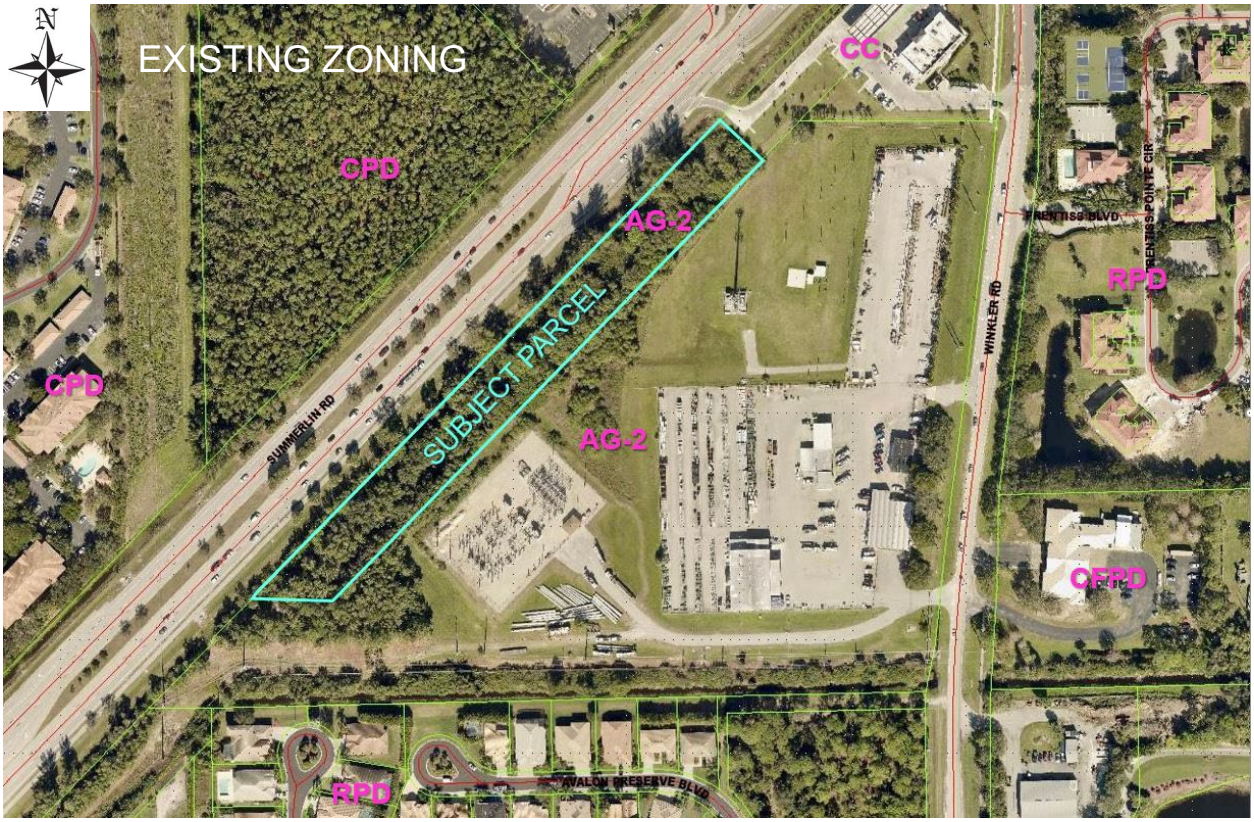
Commercial development is anticipated in this commercial node. The subject parcel is consistent with Goal 6 and its attendant Objectives and Policies and the requested rezoning will remain consistent. Rezoning the property from AG-2 to minor CPD will facilitate development of appropriate and compatible self-storage and associated uses on the site. Compliance with applicable Lee County Codes and regulations will ensure the commercial uses are designed and constructed in a manner that will be compatible with the surrounding uses and prevent degradation to existing transportation facilities. As demonstrated by the submitted Traffic Impact Statement, the use is a low traffic generator utilizing existing shared access. The proposed use is compatible with the surrounding uses. The site is surrounded by commercial and public facilities with the nearest residential being approximately 185 feet to the south. The subject rezoning request is consistent with Lee Plan Goal 6, Objective 6.1 and Policies 6.1.1 through, 6.1.7.

***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. The proposed Minor CPD qualifies for the requested deviation as outlined in the submitted Schedule of Deviations and Justifications. The requested deviation enhances the achievement of the objectives of the planned development and protects the public health, safety, and welfare. 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 property's proximity to Summerlin Road, a 6-lane divided arterial roadway, and existing commercial uses demonstrate that the site is an appropriate location for infill commercial development. The adjacent RaceTrac CC zoning was deemed compatible with existing and planned surrounding uses, and the proposed self-storage uses are compatible. Pursuant to Lee County Land Development Code (LDC) Section 34-2175(b)(5), the Suburban future land use category allows a height up to 45 feet, consistent with the subject request. The Master Concept Plan demonstrates a 15' type "D" buffer along the Summerlin Road frontage. A 5' type "A" buffer is provided to RaceTrac and the adjacent Utility Facility. Across Summerlin Road in the northwest quadrant of the intersection there is a Publix Center (CPD) complete with multiple commercial outparcels including a developed bank and drug store with multiple developed retail tenant spaces as part of the Center. The northeast and southeast quadrants of the intersection are zoned CPD and are respectively developed with retail and medical offices. The requested minor CPD will remain compatible with the surrounding uses.




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

There is a reciprocal cross access easement in favor of the subject parcel across the RaceTrac parcel in order to provide full access to the Winkler Road intersection including the use of the right in off of Summerlin Road. Therefore, sufficient access will be provided to support the proposed development intensity. Lee County will ensure compliance with the Controlled Access Management Plan for Summerlin Road through the development order process.

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

The submitted Traffic Impact Statement demonstrates that there are only 8 am peak hour and 11 pm peak hour trips and that the proposed project trips will not reduce the level of service of Summerlin Road below the performance standard. Any expected impacts on transportation facilities will be adequately addressed during the development order application process by existing county regulations.

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

There are no existing wetlands or environmentally critical or sensitive areas or natural resources on site as indicated in the submitted environmental package.

***c) Will be served by urban services, defined in the Lee Plan, if located in a Future Urban***

***area category.***

The subject property is located in the Suburban Future Land Use Category. Existing development is adequately serviced by existing urban services. The subject parcel has frontage on Summerlin Road with full access to the intersection of Winkler Road in addition to an approved right in on Summerlin Road. Water and Wastewater facilities are provided by Lee County Utilities, which has existing potable water and sanitary sewer service available to the property with adequate capacity to service the site. Fire and EMS services will be provided from Iona McGregor Fire Department, located less than 1 mile from the site on Winkler Road. The Lee County Sheriff's Office is located at 14750 Six Mile Cypress Pkwy, approximately 4 miles from the site. Approval of the rezoning request will have no impact on these existing services.

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 self-storage and associated uses are appropriate at the proposed infill development location.

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

Conditions of approval will require the CPD to be consistent with the proposed MCP including appropriate buffering and the property development regulations which provide 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.***

The submitted Schedule of Deviations and Justifications demonstrate that the requested deviation enhances the achievement of the objectives of the planned development and protects the public health, safety, and welfare.

In conclusion, the proposed rezoning to minor CPD allows for appropriate infill development. The request is in compliance with the Lee County Comprehensive Plan, the Land Development Code, together with approval of the requested deviation, and other applicable codes and regulations; is compatible with existing and planned uses in the surrounding area; will provide access sufficient to support the proposed development intensity; the expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval; will not adversely affect environmentally critical or sensitive areas and natural resources; 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. The requested deviation enhances the achievement of the objectives of the planned development and protects the public health, safety and welfare. For these reasons, the applicant respectfully submits that the rezoning request from AG-2 to minor CPD should be approved.

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

# Winkler Junction CPD
# Schedule of Uses

Accessory Uses, Buildings and Structures
Administrative Offices
Caretaker's Residence
Entrance gate and gatehouses
Essential Services
Essential Services Facilities – Group I
Excavation, Water Retention
Fences, Walls
Parking lot: Accessory, Temporary
Rental or Leasing Establishment, Group III, no outdoor display, sale, rental or storage, may be provided under building with opening to southeast only
Retail and wholesale sales, when clearly incidental and subordinate to a permitted principal use on the same premises
Signs in Compliance with Chapter 30
Storage, Indoor only, Open
Temporary Uses, temporary construction trailers and equipment storage sheds
Warehouse, hybrid, mini-warehouse, private, public



SERVING SOUTHWEST FLORIDA FOR OVER 30 YEARS
Engineering License CA 6469
Surveying License LB 6690
10511 Six Mile Cypress Parkway, Fort Myers, Florida 33966
Phone: 239-939-5490 | Fax: 239-939-2523
www.banksengfla.com

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

# Winkler Junction CPD
# Property Development Regulations

Minimum Lot Area and Dimensions:

| | |
|---|---|
| Area: | 43,560 square feet |
| Width: | 440 feet |
| Depth: | 100 feet |

Minimum Building Setbacks:

| | |
|---|---|
| Perimeter (Principal) | 15 feet or ½ building height |
| Street: Summerlin Road: | 25 feet |
| Side: | 15 feet or ½ building height |
| Rear: | 25 feet |

Accessory Structures: In compliance with LDC

| | |
|---|---|
| Minimum Building Separation: | 20 feet |
| Maximum Lot Coverage: | 45 percent |
| Maximum Building Height: | 45 feet |
| Open Space: | 20 percent |

DCI2023-00004 Lee County ePlan Original application dated 02-01-2023
LDO2016-00591 Lee County ePlan



# GULF SHORE SURVEYING, INC.

TIM J. PUFAHL, P.L.S.
30930 OIL WELL RD.
PUNTA GORDA, FL. 33955
(941) 639-7800

Parcel 1B

OCTOBER 20, 2016
JOB NO. 1324
FILE: 1324L08.DOC

DESCRIPTION

A PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, FORT MYERS, LYING IN SECTION 34, TOWNSHIP 45 SOUTH, RANGE 24 EAST, AND FURTHER DESCRIBED AS FOLLOWS:

FROM THE POINT OF COMMENCEMENT BEING THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE N.01°12'38"W. ALONG THE WEST LINE OF SAID SECTION 34 FOR 115.78 FEET TO AN INTERSECTION WITH THE SOUTHEASTERLY RIGHT-OF-WAY (115.00 FEET FROM CENTERLINE) OF SUMMERLIN ROAD (C.R. 869 SOUTH); THENCE N.44°17'24"E. ALONG SAID RIGHT-OF-WAY FOR 120.54 FEET THE POINT OF BEGINNING; THENCE CONTINUE N.44°17'24"E. FOR 1173.09 FEET ALONG SAID RIGHT OF WAY; THENCE S.45°42'36"E. FOR 100.00 FEET; THENCE S.44°17'24"W. FOR 1070.80 FEET ALONG THE NORTHWESTERLY LINE OF THAT PARCEL DEEDED TO FLORIDA POWER AND LIGHT COMPANY AS SHOWN IN OFFICIAL RECORDS BOOK 867 AT PAGES 538 AND 539; THENCE S.88°38'37"W. FOR 143.04 FEET ALONG THE NORTHERLY LINE OF THAT PARCEL DEEDED TO FLORIDA POWER AND LIGHT COMPANY AS SHOWN IN OFFICIAL RECORDS BOOK 867 AT PAGES 536 AND 537 TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON THE CENTERLINE OF SUMMERLIN ROAD BEING N.44°17'24"E.

CONTAINING 112,194 SQUARE FEET OR 2.5756 ACRES, MORE OR LESS.

REFER TO 8/12"X11" SKETCH

Tim J. Pufahl 10/20/16

TIM J. PUFAHL
PROFESSIONAL SURVEYOR AND MAPPER
FL. CERTIFICATE NO. 4666

APPROVED
LDO2016-00591
Gary Rashford, Development Services Surveyor
Lee County Development Services
6/7/2017

DCI2023-00004 Lee County ePlan Original application dated 02-01-2023

Exhibit A
Page 2 of 2

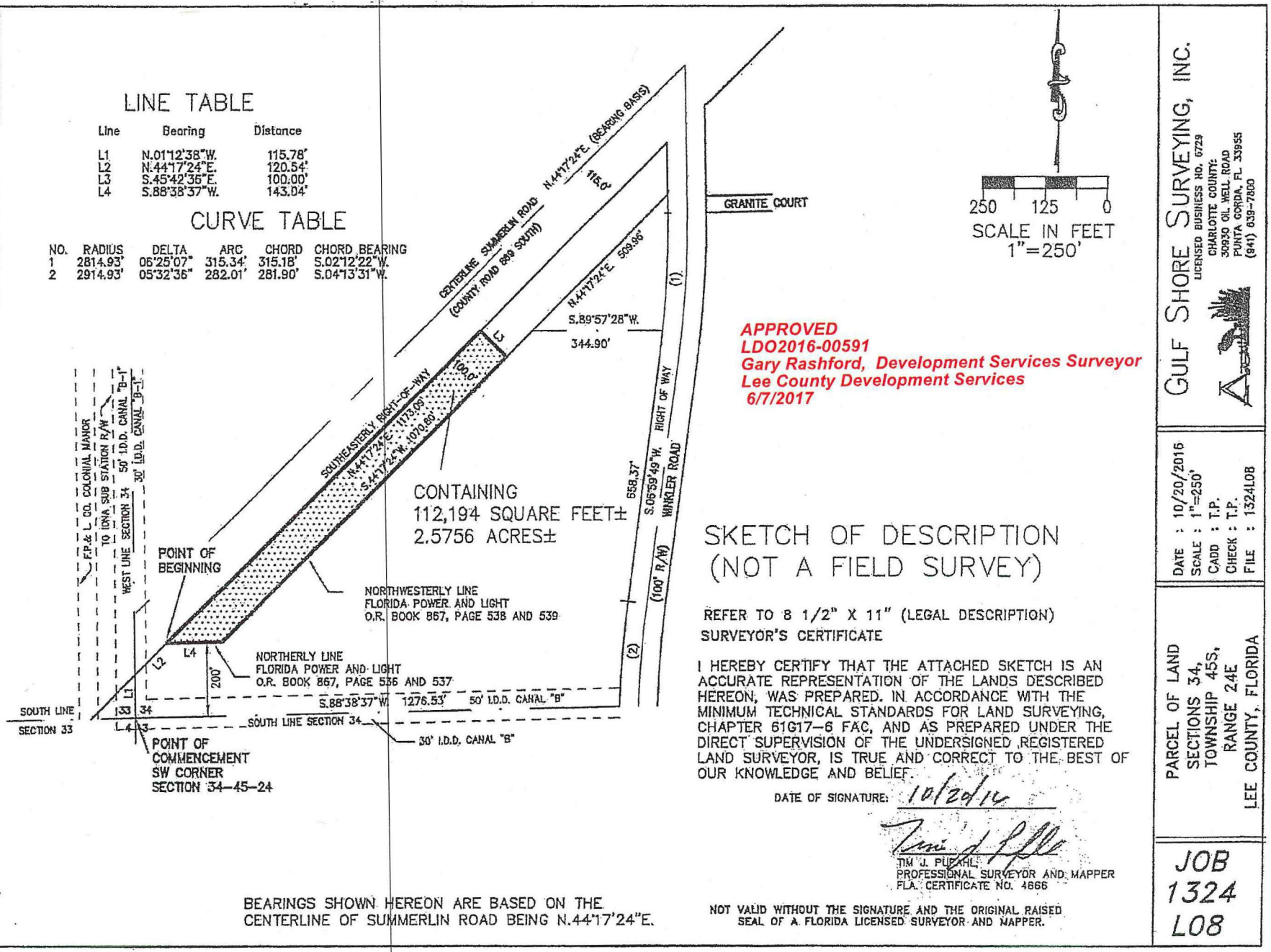
Parcel 1B

## LINE TABLE

| Line | Bearing | Distance |
|---|---|---|
| L1 | N.01°12'38"W. | 115.78' |
| L2 | N.44°17'24"E. | 120.54' |
| L3 | S.45°42'36"E. | 100.00' |
| L4 | S.88°38'37"W. | 143.04' |

## CURVE TABLE

| NO. | RADIUS | DELTA | ARC | CHORD | CHORD BEARING |
|---|---|---|---|---|---|
| 1 | 2814.93' | 06°25'07" | 315.34' | 315.18' | S.02°12'22"W. |
| 2 | 2914.93' | 05°32'36" | 282.01' | 281.90' | S.04°13'31"W. |




**APPROVED**
**LDO2016-00591**
**Gary Rashford, Development Services Surveyor**
**Lee County Development Services**
**6/7/2017**

## SKETCH OF DESCRIPTION
## (NOT A FIELD SURVEY)

REFER TO 8 1/2" X 11" (LEGAL DESCRIPTION)

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE ATTACHED SKETCH IS AN ACCURATE REPRESENTATION OF THE LANDS DESCRIBED HEREON, WAS PREPARED IN ACCORDANCE WITH THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING, CHAPTER 61G17-6 FAC, AND AS PREPARED UNDER THE DIRECT SUPERVISION OF THE UNDERSIGNED REGISTERED LAND SURVEYOR, IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

DATE OF SIGNATURE: 10/20/16

TIM J. PUFAHL
PROFESSIONAL SURVEYOR AND MAPPER
FLA. CERTIFICATE NO. 4666

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

BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF SUMMERLIN ROAD BEING N.44°17'24"E.

GULF SHORE SURVEYING, INC.
LICENSED BUSINESS NO. 6729
CHARLOTTE COUNTY:
30930 GIL WELL ROAD
PUNTA GORDA, FL 33955
(941) 639-7800

DATE : 10/20/2016
SCALE : 1"=250'
CADD : T.P.
CHECK : T.P.
FILE : 1324L08

PARCEL OF LAND
SECTIONS 34,
TOWNSHIP 45S,
RANGE 24E
LEE COUNTY, FLORIDA

JOB
1324
L08

American National
Commercial Real Estate
Due Diligence Management
3465 South Arlington Rd Suite E#183
Akron, OH 44312
866.290.8121
www.amnational.net

**Network reference #20221964-1**

## Legal Description

PER TITLE COMMITMENT ISSUED BY
First American Title Insurance Company

EFFECTIVE DATE: June 03, 2022 at 7:30 AM
COMMITMENT # NCS-1134300-ATL
FILE # NCS-1134300-ATL

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

A PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, FORT MYERS, LYING IN SECTION 34, TOWNSHIP 45 SOUTH, RANGE 24 EAST, AND FURTHER DESCRIBED AS FOLLOWS:

FROM THE POINT OF COMMENCEMENT BEING THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE N.01°12'38"W. ALONG THE WEST LINE OF SAID SECTION 34 FOR 115.78 FEET TO AN INTERSECTION WITH THE SOUTHEASTERLY RIGHT-OF-WAY (115.00 FEET FROM CENTERLINE) OF SUMMERLIN ROAD (C.R. 869 SOUTH); THENCE N.44°17'24"E. ALONG SAID RIGHT-OF-WAY FOR 120.54 FEET THE POINT OF BEGINNING; THENCE CONTINUE N.44°17'24"E. FOR 1173.09 FEET ALONG SAID RIGHT OF WAY; THENCE S.45°42'36"E. FOR 100.00 FEET; THENCE S.44°17'24"W. FOR 1070.80 FEET ALONG THE NORTHWESTERLY LINE OF THAT PARCEL DEEDED TO FLORIDA POWER AND LIGHT COMPANY AS SHOWN IN OFFICIAL RECORDS BOOK 867 AT PAGES 538 AND 539; THENCE S.88°38'37"W. FOR 143.04 FEET ALONG THE NORTHERLY LINE OF THAT PARCEL DEEDED TO FLORIDA POWER AND LIGHT COMPANY AS SHOWN IN OFFICIAL RECORDS BOOK 867 AT PAGES 536 AND 537 TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON THE CENTERLINE OF SUMMERLIN ROAD BEING N.44°17'24"E.

THE FOREGOING IS INCLUSIVE OF THAT CERTAIN SPECIAL WARRANTY DEED, GIVEN BY GORDON M. BIGGAR INDIVIDUALLY AND AS TRUSTEE OF THE GORDON M. BIGGAR TRUST U/T/D OCTOBER 28, 1982, AS GRANTOR, TO WINKLER JUNCTION, LLC, A FLORIDA LIMITED LIABILITY COMPANY, AS GRANTEE, FILED OCTOBER 29, 2015, RECORDED IN INSTRUMENT NO. 2015000234529, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

LAND AREA: ±2.57 Acres OR ±111923.23 S.F. (as per survey)

## SURVEYOR'S NOTES

1. The Boundary Survey as shown hereon, was made with benefit of abstract of Title. The undersigned and Terminus Surveying LLC, makes no guarantees or representations regarding easements, claims of Boundary line disputes, agreements, reservations or any other similar matters which may appear in the public records of the local county courthouse.
2. This Boundary Survey was prepared for the exclusive use and benefit of the parties listed hereon. Liability to third parties may not be transferred or assigned. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without the written consent of the signing party or parties.
3. Additions or deletions to survey map or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.
4. This Boundary Survey does not depict ownership. The purpose of this Boundary Survey is to establish the perimeter Boundary lines of the land or lands described in the legal description as shown on this Boundary Survey and is not to establish ownership.
5. Boundary Surveys by no means represent a determination on whether properties will or will not flood. The Land within the Boundaries of this Boundary may or may not be subject to flooding. The local County/City Building Department has information regarding flooding and restrictions on development.
6. No underground foundations, installations or improvements have been located except as shown.
7. There are no visible encroachments other than shown.
8. Ownership of fences were not verified at time of survey.
9. All measurements are in feet and tenths, unless otherwise noted.
10. Mean high water line was not determined at time of survey.
(only applicable when abutting bodies of water)
11. Bearings are based on the Southeasterly right-of-way line of Summerlin Road line of, said line bears N44° 17' 24"E as per Legal.

## ALTA/NSPS Land Title Survey

**Ft. Myers**

**Surveyor Certification**

**15891 Summerlin Rd**
**Ft. Myers, FL 33908**
**County of Lee**

CERTIFIED TO:

– American National, LLC
– Reliant Real Estate Management LLC, a Florida limited liability company
– First American Title Insurance Company
– Midgard Self Storage Summerlin FL, LLC

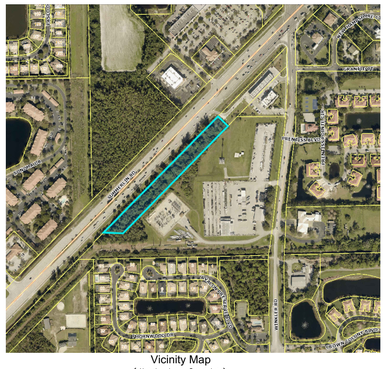
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items; 1, 2, 3, 4, 6a, 6b, 7a, 7b1, 7c, 8, 9, 10, 11a, 13, 14, 16, 17, 18, 19, 20 of Table A thereof.

THIS SURVEY WAS MADE UNDER MY DIRECT SUPERVISION AND COMPLIES WITH THE STANDARDS OF PRACTICES AS SET FORTH IN CHAPTER 5J–17 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

THE FIELD WORK WAS COMPLETED ON: 7/29/2022

DATE OF PLAT OR MAP: 7/27/2022
DATE OF LAST REVISION: 12/13/2022

MICHAEL P. MOONEY
Professional Surveyor & Mapper #3930
THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA SURVEYOR & MAPPER.
CERTIFICATE OF AUTHORIZATION (LB #8207)




Vicinity Map
(Not to Scale)

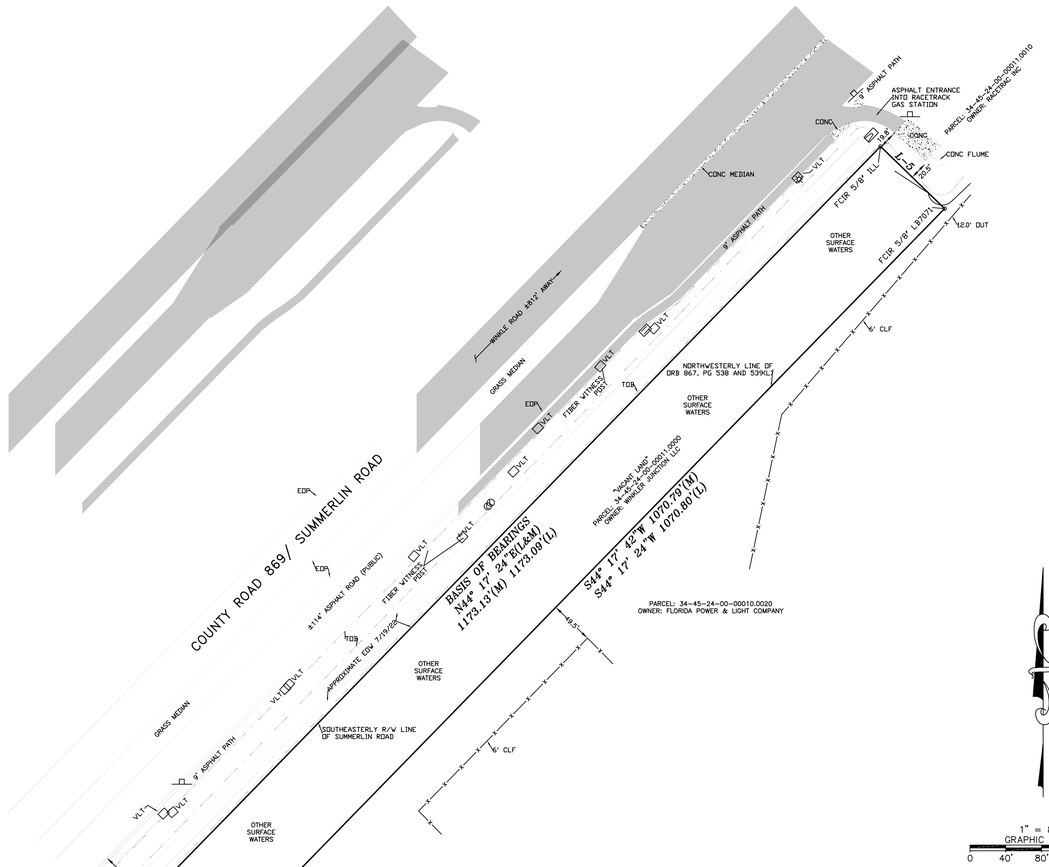
## General Notes

1. There is direct access to the subject property via SUMMERLIN ROAD, a public right of way.
2. The address of the site is 15891 SUMMERLIN ROAD, FORT MYERS, FLORIDA 33908.
3. The location of utilities shown on the survey are from observed evidence or above ground appurtenances only.
4. At the time of this survey there was no observable evidence of earth moving work, building construction, or building additions within recent months.
5. At the time of this survey there was no evidence of any changes in the street right-of-way lines, either completed or proposed.
6. At the time of this survey there was no observable evidence that the subject property is being used as a solid waste dump, sump, or as a sanitary landfill.
7. At the time of this survey there was no observable evidence of cemeteries on the subject property observed in the field.
8. All field measurements matched record dimensions within the precision requirements of ALTA/NSPS specifications unless otherwise shown.
9. During the process of providing match line sheets some overlapping is unavoidable in order to keep the survey legible.
11. Nothing in this survey is intended to express an opinion regarding ownership or title.
12. Survey is certified for this real estate transaction only and not for future purchases or real estate transactions other than those related to sale or transfer of the note either by purchase or operation of law to the successors and/or assigns as identified in the certification.
13. The surveyor did not abstract the subject tract. This survey is based on legal descriptions supplied by the title company. Easements, building setback lines, etc. shown are as identified in the title commitment supplied by First American Title Insurance Company under File No. NCS-1134300-ATL dated June 03, 2022 at 7:30 AM.
14. The described property forms a mathematically closed figures and are contiguous with the adjoining public right-of-way and/or adjoining parcels with no overlaps, gaps or gores.
15. The findings and opinions of Terminus Surveying, LLC reflected hereon are privileged, confidential and intended for the use of the individual or entity for whom this work was prepared, it is understood that the use of, reliance on, or reproduction of same, in whole or in part, by others without the express written consent of Terminus Surveying, LLC is prohibited and without warranty, express or implied. Terminus Surveying, LLC shall be held harmless against damages or expenses resulting from such unauthorized use, reliance or reproduction.
COPYRIGHT 2022. ALL RIGHTS RESERVED.
16. The property described hereon is the same as the property described in First American Title Insurance Company under File No. NCS-1134300-ATL dated June 03, 2022 at 7:30 AM, and that all easements, covenants and restrictions referenced in said title commitment or apparent from a physical inspection of the site or otherwise known to have been plotted hereon or otherwise noted as to their effect on the subject property.
17. AT TIME OF SURVEY NO PARTY WALLS WERE OBSERVED.
18. Other Surface Waters (OSW) was determined by BearPaws Environmental Consulting Environmental Assessment dated December 2022, contact phone: (239) 340–0678, email: BearPaws.Env.Consulting@Mail.com.

## Notes Corresponding to Schedule B–II

1. NOT A SURVEY MATTER
2. NOT A SURVEY MATTER
3. NOT A SURVEY MATTER
4. NOT A SURVEY MATTER
5. NOT A SURVEY MATTER
6. NOT A SURVEY MATTER
7. NOT A SURVEY MATTER
8. NOT A SURVEY MATTER
9. NOT A SURVEY MATTER
10. NOT A SURVEY MATTER
11. Terms and conditions of the Covenant to Provide for Shared Access between Winkler Junction, LLC, a Florida Limited Liability Company and Lee County, a political subdivision of the State of Florida recorded in Instrument No. 2017000136112. NOTHING TO PLOT
12. The terms, provisions, and conditions contained in that certain Notice of Type E Limited Development Order Approval, recorded in Instrument No. 2017000142292. BLANKET; DOES AFFECT
13. The terms, provisions, and conditions contained in that certain Limited Liability Company Resolution, recorded in Instrument No. 2018000266506. FALLS OFF PROPERTY; DOES NOT AFFECT
14. Terms and conditions of the Reciprocal Easement and Restriction Agreement between Winkler Junction, LLC and Racetrac Petroleum, Inc recorded in Instrument No. 2018000266508. FALLS OFF PROPERTY; DOES NOT AFFECT
15. NOT A SURVEY MATTER

## *SECTION 34 – TOWNSHIP 45 SOUTH – RANGE 24 EAST*
## *LEE COUNTY – FLORIDA*




*LINE DATA:*

*L-1: S88° 35' 08"W 171.72'(C)*
*S88° 38' 28"W 171.72'(P)*

*L-2: N01° 10' 28"W 100.01'(C)*
*N01° 06' 12"W 100.01'(P)*

*L-3: N01° 09' 46"W 115.50'(C)*
*N01° 12' 38"W 115.78'(L)*

*L-4: N44° 17' 24"E(C) 120.54'(C&L)*

*L-5: S45° 51' 45"E 99.81'(M)*
*S45° 42' 36"E 100.00'(L)*

*L-6: S88° 28' 23"W 143.08'(M)*
*S88° 38' 37"W 143.04'(L)*

LEGAL NORTH

1" = 80'
GRAPHIC SCALE
0 40' 80' 160'

## Legend of Symbols & Abbreviations

| | | | |
|---|---|---|---|
| AC | AIR CONDITIONER | | GENERAL: |
| | BACKFLOW PREVENTER | (C) | CALCULATED |
| | BENCHMARK | (F) | FIELD |
| | BOLLARD | (L) | LEGAL DESCRIPTION |
| | CENTER LINE | (M) | MEASURED |
| CO | CLEANOUT | (P) | PLAT |
| | COVERED AREA | ASP | ASPHALT |
| | DRAINAGE MANHOLE | BC | BUILDING CORNER |
| E | ELECTRIC BOX | BWF | BARBED WIRE FENCE |
| | FIRE DEPARTMENT CONNECTION | CB | CHORD BEARING |
| | FIRE HYDRANT | CCR | CERTIFIED CORNER RECORD |
| | GAS PUMP | CONC | CONCRETE |
| | GAS VALVE | CLF | CHAIN LINK FENCE |
| | GUY ANCHOR | COV | COVERED |
| | GRATE INLET | FDOT | FLORIDA DEPARTMENT OF TRANSPORTATION |
| | HANDICAP PARKING | O/W | OVERHANG |
| | LID (METAL) | COP | EDGE OF PAVEMENT |
| | LIGHT POLE | EOW | EDGE OF WATER |
| | MITERED END SECTION | EL | ELEVATION |
| MW | MONITORING WELL | EM | ELECTRIC METER |
| | PAINT MARK | FCG | F-TYPE CURB & GUTTER |
| RW | RECLAIMED WATER METER | FCIP | FOUND CAPPED IRON PIPE |
| RW | RECLAIMED WATER VALVE | FCIR | FOUND CAPPED IRON ROD |
| SW | SEWER VALVE | FCM | FOUND CONCRETE MONUMENT |
| S | SANITARY MANHOLE | FDOT | FLORIDA DEPARTMENT OF TRANSPORTATION |
| | SIGN | FFE | FINISHED FLOOR ELEVATION |
| × 35.7' | SPOT ELEVATION | FIP | FOUND IRON PIPE |
| SLB | STREET LIGHT BOX | FIR | FOUND IRON ROD |
| T | TELEPHONE BOX | FND | FOUND NAIL & DISC |
| TSB | TRAFFIC SIGNAL BOX | FPC | FOUND PINCH & DRILL IRON PIPE |
| | TRANSFORMER | FRRS | FOUND RAILROAD SPIKE |
| | UTILITY POLE | FX | FOUND X-CUT IN CONCRETE |
| | UTILITY RISER | GFFE | GARAGE FINISHED FLOOR ELEVATION |
| V | VERIZON BOX | LL | ILLEGIBLE |
| W | WATER METER | INST | INSTRUMENT |
| | | LB | LICENSED BUSINESS |
| | | MES | MITERED END SECTION |
| | | NCFS | NO CORNER FOUND OR SET |
| | | O/A | OVERALL |
| | | OHL | OVERHEAD UTILITY LINE |
| | | ORB | OFFICIAL RECORDS BOOK |
| | | PA | PROPERTY APPRAISER |
| | | PB | PLAT BOOK |
| | | PC | POINT OF CURVATURE |
| | | POP | PERMANENT CONTROL POINT |
| | | PG | PAGE |
| | | PLS | PROFESSIONAL LAND SURVEYOR |
| | | POB | POINT OF BEGINNING |
| | | POC | POINT OF COMMENCEMENT |
| | | PRM | PERMANENT REFERENCE MONUMENT |
| | | PSM | PROFESSIONAL SURVEYOR AND MAPPER |
| | | PVCF | VINYL FENCE |
| | | RLS | REGISTERED LAND SURVEYOR |
| | | R/W | RIGHT-OF-WAY |
| | | SCIR | SET CAPPED IRON ROD (1/2" LB 8207 |
| | | S.F. | SQUARE FEET |
| | | SND | SET NAIL & DISK (LB 8207) |
| | | S/W | SIDEWALK |
| | | TBM | TEMPORARY BENCHMARK |
| | | TOB | TOP OF BANK |
| | | TOS | TOE OF SLOPE |
| | | TYP | TYPICAL |
| | | VLT | VAULT |
| | | WC | WITNESS CORNER |
| | | WF | WOOD FENCE |
| | | | UNDERGROUND PIPES: |
| | | INV | PIPE INVERT |
| | | CMP | CORRUGATED METAL PIPE |
| | | CPP | CORRUGATED PLASTIC PIPE |
| | | DIP | DUCTILE IRON PIPE |
| | | ERCP | ELLIPTICAL REINFORCED CONCRETE PIPE |
| | | HDPE | HIGH DENSITY POLYETHYLENE PIPE |
| | | PVC | POLYVINYL CHLORIDE PIPE |
| | | RCP | REINFORCED CONCRETE PIPE |
| | NOT TO SCALE | | |

*ALTA\NSPS LAND TITLE SURVEY*

| | |
|---|---|
| JOB #:220796 | |
| CREW CHIEF: BB | |
| DRAWN BY: EHT | |
| REVIEWED BY: CB | |
| BOOK:170 PAGE: 36 | |
| REVISIONS | |
| EHT 11/2/22 UPDATED CERTIFICATIONS | |
| EHT 12/13/22 CLIENT COMMENTS | |

*PREPARED BY:*

TERMINUS SURVEYING LLC.
2752 Jason Street
Tampa, Florida 33619
(813) 681–4481
www.TerminusSurveying.com
FrontDesk@TeamTerminus.com

COPYRIGHT 2022 BY TERMINUS SURVEYING, LLC. LICENSE BUSINESS 8207

STRIPED PARKING
NONE AT TIME OF SURVEY

FLOOD NOTE:
BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE(S) "AE" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 125124, WHICH BEARS AN EFFECTIVE DATE OF 08/28/2008 AND IS IN A SPECIAL FLOOD ZONE AREA, FLOOD MAP 12071C0419F.

## Encroachments

A –NONE AT TIME OF SURVEY

*SURVEYORS ARE NOT RESPONSIBLE FOR DETERMINING OWNERSHIP OF FENCES AND/OR OTHER PHYSICAL MAN–MADE OBJECTS/STRUCTURES ON OR NEAR BOUNDARY LINES.

Madden Law Firm LLC

October 28, 2022

Lee County Department of Community Development
1500 Monroe Street
Fort Myers, FL 33901

RE: Title Certification for Zoning Application
Applicant: Winkler Junction, LLC

Dear Department of Community Development:

Please be advised that our firm represents Winkler Junction, LLC, a Florida limited liability company.

This letter is in response to a request for title certification in support of a Zoning Application submittal for property located in Lee County, Florida, and more particularly described on Exhibit "A" attached hereto and incorporated herein. This opinion of title is based upon First American Title Insurance Company's Commitment Number NCS-1134300-ATL issued June 3, 2022 relative to the subject property.

The author of this title opinion, Joseph M. Madden Jr., is a licensed Florida attorney, bearing Bar No. 848557, and is authorized to issue this opinion. And now, therefore:

1. The name of the owner of the fee title is Winkler Junction, LLC, a Florida limited liability company under Special Warranty Deed dated October 29, 2015 bearing Official Record Book Instrument Number 2015000234529, in the Public Records of Lee County, Florida.

2. There is the following mortgage(s) secured by this property that the author is aware of:

   a. None.

3. There is the following encumbrance(s) on the property:

   a. Oil, Gas, Mineral or Other Reservations contained in Deed recorded in Deed Book 231, Page 374; as affected by Release of Deed Reservation or Easement recorded in Book 4440, Page 806 of Official Records.

   b. Terms and Conditions of the Covenant to Provide for Shared Access between Winkler Junction, LLC, a Florida limited liability company and Lee County, a political subdivision of the State of Florida recorded in Instrument No. 2017000136112.

   c. The terms, provisions, and conditions contained in that certain Notice of Type E Limited Development Order Approval, recorded in Instrument No. 2017000142292.

   d. The terms, provisions, and conditions contained in that certain Limited Liability Company Resolution, recorded in Instrument No. 2018000266506.

   e. Terms and Conditions of the Reciprocal Easement and Restriction Agreement between Winkler Junction, LLC and Racetrac Petroleum, Inc. recorded in Instrument No. 2018000266508.

4. A copy of the Old Republic National Title Insurance Commitment No. NCS-1134300-ATL is attached hereto as Exhibit "B".

2277 Main St.
Fort Myers, Florida 33901
jmadden@myfloridaattorney.com

Telephone: 239.332.2100
Facsimile: 239.332.2150

DCI2023-00004 Lee County ePlan Original application dated 02-01-2023



5. The title documentation provided herein is certified unequivocally.

Upon receipt, should you have any questions or comments, please advise. Thank you.

Sincerely,

Madden Law Firm, LLC

Joseph M. Madden, Jr.
Manager

JMM:sh
Enclosures
cc: Client(s)

DCI2023-00004 Lee County ePlan Original application dated 02-01-2023



## Exhibit A

A tract or parcel of land situated in the State of Florida, County of Lee, lying in Section 34, Township 45 South, Range 24 East and further described as follows: Starting at the Southwest corner of said Section 34; thence N 01°06 34 W along the West line of said Section 34 for 117.28 feet to an intersection with the Southeasterly right-of-way (115.00 feet from centerline) of Summerlin Road (C.R. 869 South); thence N 44°17 24 E along said right-of-way for 118.06 feet to the point of beginning; thence continue N 44°17 24 E along said right-of-way for 1881.68 feet to an intersection with the Westerly right-of-way of Winkler Road (100.00 feet wide); thence S 01°04 10 E along said right-of-way for 141.15 feet; thence S 44°17 06 W for 1679.71 feet along the Northwesterly line of that parcel deeded to Florida Power and Light Company as shown in Official Records Book 867 at Pages 538 and 539; thence S 88°40 06 W for 142.97 feet along the Northerly line of that parcel deeded to Florida Power and Light Company as shown in Official Records Book 867 at Pages 536 and 537; thence continue S 88°40 06 W for 0.85 feet to the Point of Beginning. Bearings based on C.R. 869 right-of-way maps.

Parcel Identification Number: 34-45-24-00-00011.0000

| First American | ALTA Commitment for Title Insurance |
|---|---|
| **Commitment** | ISSUED BY<br>**First American Title Insurance Company**<br>File No: NCS-1134300-ATL |

**AMERICAN LAND TITLE ASSOCIATION COMMITMENT FOR TITLE INSURANCE**

**Issued By**
***First American Title Insurance Company***

**NOTICE**

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

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

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

**COMMITMENT TO ISSUE POLICY**

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

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

Issued through:

***First American Title Insurance Company***

Kenneth D. DeGiorgio, President

Greg L. Smith, Secretary

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

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

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## COMMITMENT CONDITIONS

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

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

3. The Company's liability and obligation is limited by and this Commitment is not valid without:
   (a) the Notice;
   (b) the Commitment to Issue Policy;
   (c) the Commitment Conditions;
   (d) Schedule A;
   (e) Schedule B, Part I—Requirements;
   (f) Schedule B, Part II—Exceptions; and
   (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

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

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



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

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

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

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

**8. PRO-FORMA POLICY**

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



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First American

# Schedule A

ALTA Commitment for Title Insurance

ISSUED BY

**First American Title Insurance Company**

File No: NCS-1134300-ATL

***Transaction Identification Data for reference only:***

Issuing Office: 3455 Peachtree Road NE, Suite 675, Atlanta, GA 30326

Issuing Office's ALTA ® Registry ID:

Issuing Office File Number.: NCS-1134300-ATL

Loan ID Number.:

Commitment Number.: NCS-1134300-ATL

Property Address: 15891 Summerlin Road, Fort Myers, Lee, FL 33908

Revision Number.:

**SCHEDULE A**

1. Commitment Date: June 03, 2022 at 7:30 AM

2. Policy or Policies to be issued: Proposed Amount of Insurance:

   a. ALTA Owner's Policy of Title Insurance (6-17-06) (with Florida modifications) $1,500,000.00

   Proposed Insured: Reliant Real Estate Management LLC, a Florida limited liability company

   b. ALTA Loan Policy of Title Insurance (6-17-06) (with Florida modifications) $1,000.00

   Proposed Insured: A Natural Person or Legal Entity to Be Designated

3. The estate or interest in the Land described or referred to in this Commitment is Fee Simple

4. The Title is, at the Commitment Date, vested in:

   Winkler Junction, LLC, a Florida limited liability company

5. The Land is described as follows:

   **See Exhibit "A" attached hereto and made a part hereof**

*First American*
*Title Insurance Company*
NATIONAL COMMERCIAL SERVICES

By: _____
as an Authorized Signatory of First American Title Insurance Company National Commercial Services

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

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DCI2023-00004 Lee County ePlan Original application dated 02-01-2023



File No.: NCS-1134300-ATL

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

A PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, FORT MYERS, LYING IN SECTION 34, TOWNSHIP 45 SOUTH, RANGE 24 EAST, AND FURTHER DESCRIBED AS FOLLOWS:

FROM THE POINT OF COMMENCEMENT BEING THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE N.01°12'38"W. ALONG THE WEST LINE OF SAID SECTION 34 FOR 115.78 FEET TO AN INTERSECTION WITH THE SOUTHEASTERLY RIGHT-OF-WAY (115.00 FEET FROM CENTERLINE) OF SUMMERLIN ROAD (C.R. 869 SOUTH); THENCE N.44°17'24"E. ALONG SAID RIGHT-OF-WAY FOR 120.54 FEET THE POINT OF BEGINNING; THENCE CONTINUE N.44°17'24"E. FOR 1173.09 FEET ALONG SAID RIGHT OF WAY; THENCE S.45°42'36"E. FOR 100.00 FEET; THENCE S.44°17'24"W. FOR 1070.80 FEET ALONG THE NORTHWESTERLY LINE OF THAT PARCEL DEEDED TO FLORIDA POWER AND LIGHT COMPANY AS SHOWN IN OFFICIAL RECORDS BOOK 867 AT PAGES 538 AND 539; THENCE S.88°38'37"W. FOR 143.04 FEET ALONG THE NORTHERLY LINE OF THAT PARCEL DEEDED TO FLORIDA POWER AND LIGHT COMPANY AS SHOWN IN OFFICIAL RECORDS BOOK 867 AT PAGES 536 AND 537 TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON THE CENTERLINE OF SUMMERLIN ROAD BEING N.44°17'24"E.

THE FOREGOING IS INCLUSIVE OF THAT CERTAIN SPECIAL WARRANTY DEED, GIVEN BY GORDON M. BIGGAR INDIVIDUALLY AND AS TRUSTEE OF THE GORDON M. BIGGAR TRUST U/T/D OCTOBER 28, 1982, AS GRANTOR, TO WINKLER JUNCTION, LLC, A FLORIDA LIMITED LIABILITY COMPANY, AS GRANTEE, FILED OCTOBER 29, 2015, RECORDED IN INSTRUMENT NO. 2015000234529, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.



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Commitment No.: NCS-1134300-ATL

## SCHEDULE B-I

### Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.

2. Pay the agreed amount for the estate or interest to be insured.

3. Pay the premiums, fees, and charges for the Policy to the Company.

4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

   (a) Warranty Deed conveying the land from Winkler Junction, LLC, a Florida limited liability company to Reliant Real Estate Management LLC, a Florida limited liability company. In connection with said deed, we will further require:

   1) Production of a copy of the articles of organization and regulations, if adopted, with an affidavit affixed thereto that it is a true copy of the articles of organization and regulations, and all amendments thereto, and that the limited liability company has not been dissolved;
   2) That said deed shall be executed by all of the members, unless the articles of organization provides that the company shall be governed by managers; then said deed shall be executed by all of the managers, unless said articles of organization and regulations show no limitation on the authority of one member, or one manager, if applicable, to execute a conveyance;
   3) Should any member or manager, if applicable, be other than a natural person, we will require proof of good standing as well as documentation of authority of the person to execute documents on its behalf;
   4) Certificate of Organization from the Secretary of State, showing the limited liability company to have been formed as of October 29, 2015, together with proof as to the current status of said limited liability company;
   5) Satisfactory evidence of compliance with all requirements regarding conveying company property contained in the articles of organization and regulations, if adopted; and
   6) The Company reserves the right to make such further requirements as it deems necessary after review of any of the documentation required above.

   (b) Mortgage encumbering the land from Reliant Real Estate Management LLC, a Florida limited liability company, to A Natural Person or Legal Entity to Be Designated, in the principal amount of



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$T/B/D. In connection with said mortgage, we will further require:

1) Production of a copy of the articles of organization and regulations, if adopted, with an affidavit affixed thereto that it is a true copy of the articles of organization and regulations, and all amendments thereto, and that the limited liability company has not been dissolved;

2) That said mortgage shall be executed by all of the members, unless the articles of organization provides that the company shall be governed by managers, then said mortgage shall be executed by all of the managers, unless said articles of organization and regulations, show no limitation on the authority of one member, or one manager, if applicable, to execute a mortgage;

3) Should any member, or manager, if applicable, be other than a natural person, we will require proof of good standing as well as documentation of authority of the person to execute documents on its behalf;

4) Certificate of Organization from the Secretary of State, showing the limited liability company to have been formed as of Date of taking Title, together with proof as to the current status of said limited liability company;

5) Satisfactory evidence of compliance with all requirements regarding encumbering company property contained in the articles of organization and regulations, if adopted; and

6) The Company reserves the right to make such further requirements as it deems necessary after review of any of the documentation required above.

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

5. The actual value of the estate or interest to be insured must be disclosed to the Company and, subject to approval by the Company, entered as the amount of the Policy to be Issued.

6. Pay any and all taxes and/or assessments, levied and assessed against the Land, that are due and payable.

   Note: 2021 Real Estate taxes are PAID, in the gross amount of : $421.87, under Tax Parcel I.D. No.: 34-45-24-00-00011.0000

7. Survey prepared by a Florida registered land surveyor; dated no more than 90 days prior to the closing date of subject transaction; certified to the proposed Insured(s), First American Title Insurance Company, and all other parties in interest; meeting the minimum standards for all land surveys as set forth in Chapter 472.027, Florida Statutes or in Chapter 21 HH 6, Florida Administrative Code. The Company reserves the right to make such additional requirements and/or to modify the legal description (shown on Schedule A herein), as it may deem necessary.

8. Satisfactory evidence of payment of any municipal liens or assessments for public improvements or assessments, as provided for by Chapter 159, Florida Statues, in favor of any city, town, village or port authority for unpaid service charges for service by any water, server or gas systems supplying the lands described herein. A municipal lien search will need to be ordered and will take 10 to 15 business days to complete. Suggested vendors are:

   Abramowitz Tax & Lien Service, Inc.
   816 South Military Trail
   Deerfield Beach, FL 33442
   Phone: (954) 480-6529

   American Lien & Estoppel Services, LLC



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6413 Congress Avenue, Ste 130
Boca Raton, FL 33487
Phone: (561) 922-5305

9. Note: Items 1, 2, 3, 4, 5 and 6 of Schedule B, Section 2 of the Commitment, will be deleted from any policies issued pursuant thereto upon our review and acceptance of a survey acceptable to the Company, certified in accordance with Florida Statutes, or such other proof as may be acceptable to the Company, relating to any rights, interests or claims affecting the land which a correct survey would disclose, and an Affidavit of Possession and No Liens in accordance with Florida Statutes, and the Company's review of the potential exposure for construction liens. The Company reserves the right to include exceptions from coverage relating to matters disclosed by the survey or other proof, the Affidavit, or discovered in the Company's review of the potential exposure for construction liens, and to make such additional requirements as it may deem necessary.

10. Note: The Company reserves the right to make additional requirements as it may deem necessary.

**FLORIDA RECORDING FEES:**

| | |
|---|---|
| Recording Fees: | $10.00 for the first page / $8.50 each additional page<br>PLUS e-filing fee of $4.00 per document<br>PLUS $1.00 indexing fee for each name over 4 |

Deed Transfer Tax (called Documentary Stamp Tax): $.70 per $100 (rounded up to the nearest $100)

for all FL counties EXCEPT Miami-Dade where the rate for all property except single family residences is $10.50/$1000 (rounded to the nearest $100)

| | |
|---|---|
| Mortgage Tax: | Comprised of 2 taxes: Documentary Stamp Tax PLUS Intangible Tax<br>Documentary Stamp Tax: $.35/$100 (rounded up to the nearest $100)<br>Intangible Tax: $2.00/$1000 |

In the case of taxes on Mortgage Modifications or Assumptions, please contact the assigned FL Underwriter.

**FLORIDA RECORDING STANDARDS:**

| | |
|---|---|
| Margins - First Page: | Leave 3" x 3" right hand top margin blank; place name and address of preparer and return-to address in left hand 3"; all other margins: 1" |
| Margins - Add'l Pages: | 1" |
| Paper Size: | Either 8.5" x 11" or 8.5" x 14" |

Tax Parcel No.: Must be present on the face of all deeds.

Signatures: Names must be legibly printed, typed or stamped immediately beneath the signatures.

Addresses: The post office address of Grantor and Grantee must be legibly printed, typed or stamped within the document.

Witnesses: Two (2) witnesses are required on all conveyances of an interest in land. The name of each witness must be legibly printed, typed or stamped beneath the signatures.



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DCI2023-00004 Lee County ePlan Original application dated 02-01-2023

Preparer/Return-to: The name, title and address of the person who prepared the document must be legibly printed, typed or stamped after the words "This document prepared by:" Also Include a return-to address on the first page.

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

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| First American | ALTA Commitment for Title Insurance |
|---|---|
| **Schedule BII** | ISSUED BY<br>**First American Title Insurance Company**<br>File No: NCS-1134300-ATL |

## SCHEDULE B-II

### Exceptions

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

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

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the Effective Date but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.

2. Any rights, interests, or claims of parties in possession of the land not shown by the public records.

3. Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the land.

4. Any lien or right to a lien for services, labor, material or equipment, unless such lien is shown by the Public Records at Date of Policy and not otherwise excepted from coverage herein.

5. Any dispute as to the boundaries caused by a change in the location of any water body within or adjacent to the land prior to Date of Policy, and any adverse claim to all or part of the land that is, at Date of Policy, or was previously under water.

6. Taxes or special assessments not shown as liens in the public records or in the records of the local tax collecting authority, at Date of Policy.

7. This item has been intentionally deleted.

8. Taxes and assessments for the year 2022 and all subsequent years, which are not yet due and payable.

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



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10. Oil, Gas, Mineral or Other Reservations contained in Deed recorded in Deed Book 231, Page 374; as affected by Release of Deed Reservation or Easement recorded in Book 4440, Page 806 of Official Records.

Note: Notice Pursuant to Section 704.05 and 712 Florida Statutes recorded in Book 1153, Page 883 of Official Records.

11. Terms and conditions of the Covenant to Provide for Shared Access between Winkler Junction, LLC, a Florida Limited Liability Company and Lee County, a political subdivision of the State of Florida recorded in Instrument No. 2017000136112.

12. The terms, provisions, and conditions contained in that certain Notice of Type E Limited Development Order Approval, recorded in Instrument No. 2017000142292.

13. The terms, provisions, and conditions contained in that certain Limited Liability Company Resolution, recorded in Instrument No. 2018000266506.

14. Terms and conditions of the Reciprocal Easement and Restriction Agreement between Winkler Junction, LLC and Racetrac Petroleum, Inc recorded in Instrument No. 2018000266508.

15. Any additional 2021 taxes resulting from the tax assessor challenging the validity of any reduction in the assessed value of the land granted by the Value Adjustment Board

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



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First American

## Notices - Where Sent

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

## Service, Quality and Availability

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



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First American

**REISSUE CREDIT NOTICE**

Issued by

***First American Title Insurance Company***

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

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

Eligibility for a discounted title insurance premium will depend on:

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

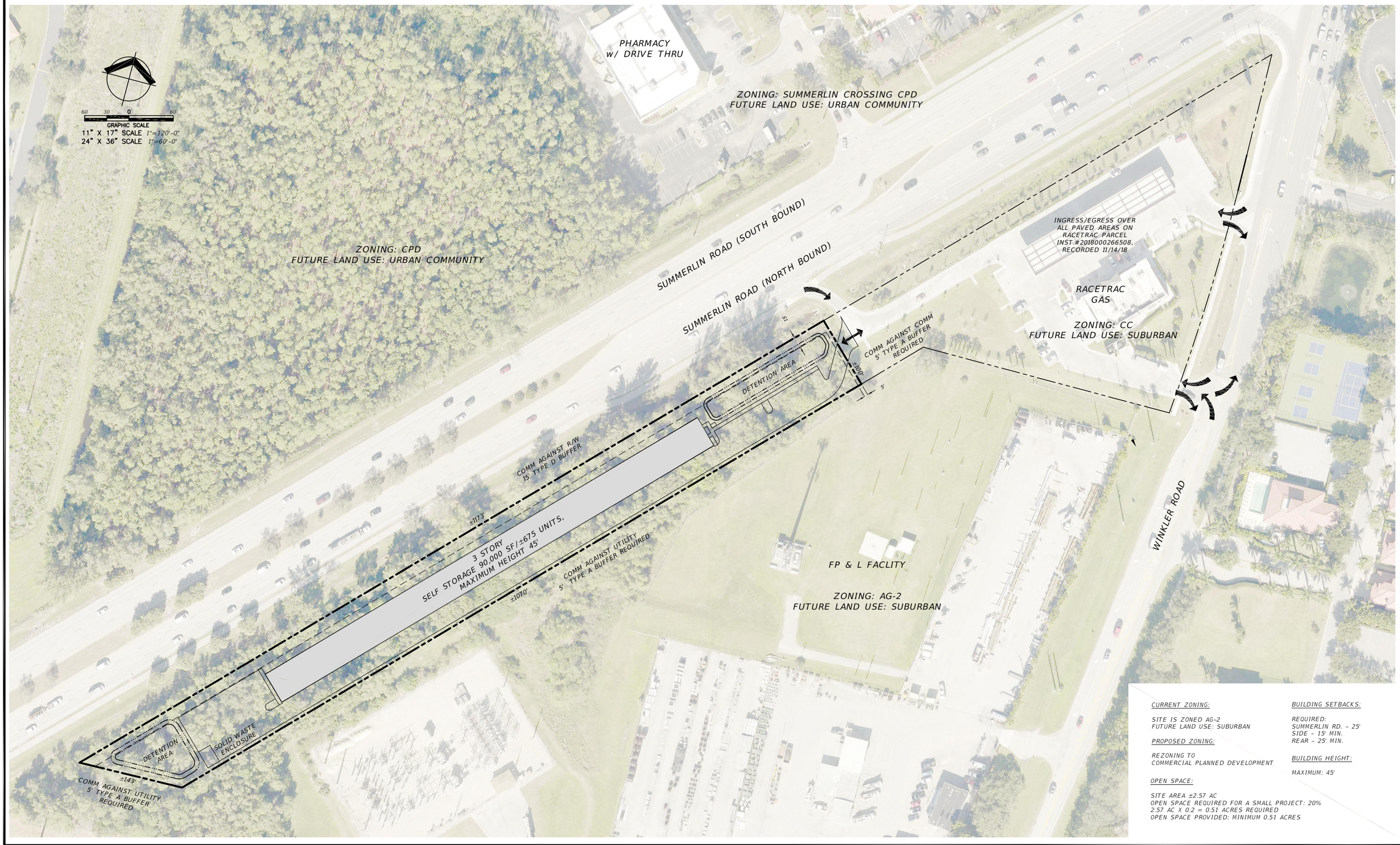
SALES TRANSACTIONS:
To qualify for a reduced premium for title insurance you must provide our office with a copy of your (or your seller's) prior owner's policy of title insurance insuring your title to the above referenced property. The effective date of the prior owner's policy must be less than three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

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



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CURRENT ZONING:

SITE IS ZONED AG-2
FUTURE LAND USE: SUBURBAN

PROPOSED ZONING:

REZONING TO
COMMERCIAL PLANNED DEVELOPMENT

OPEN SPACE:

SITE AREA ±2.57 AC
OPEN SPACE REQUIRED FOR A SMALL PROJECT: 20%
2.57 AC X 0.2 = 0.51 ACRES REQUIRED
OPEN SPACE PROVIDED: MINIMUM 0.51 ACRES

BUILDING SETBACKS:

REQUIRED:
SUMMERLIN RD. – 25'
SIDE – 15' MIN.
REAR – 25' MIN.

BUILDING HEIGHT:

MAXIMUM: 45'

| REVISIONS | | | |
|---|---|---|---|
| DATE | DESCRIPTION | DATE | DESCRIPTION |
| | | | |

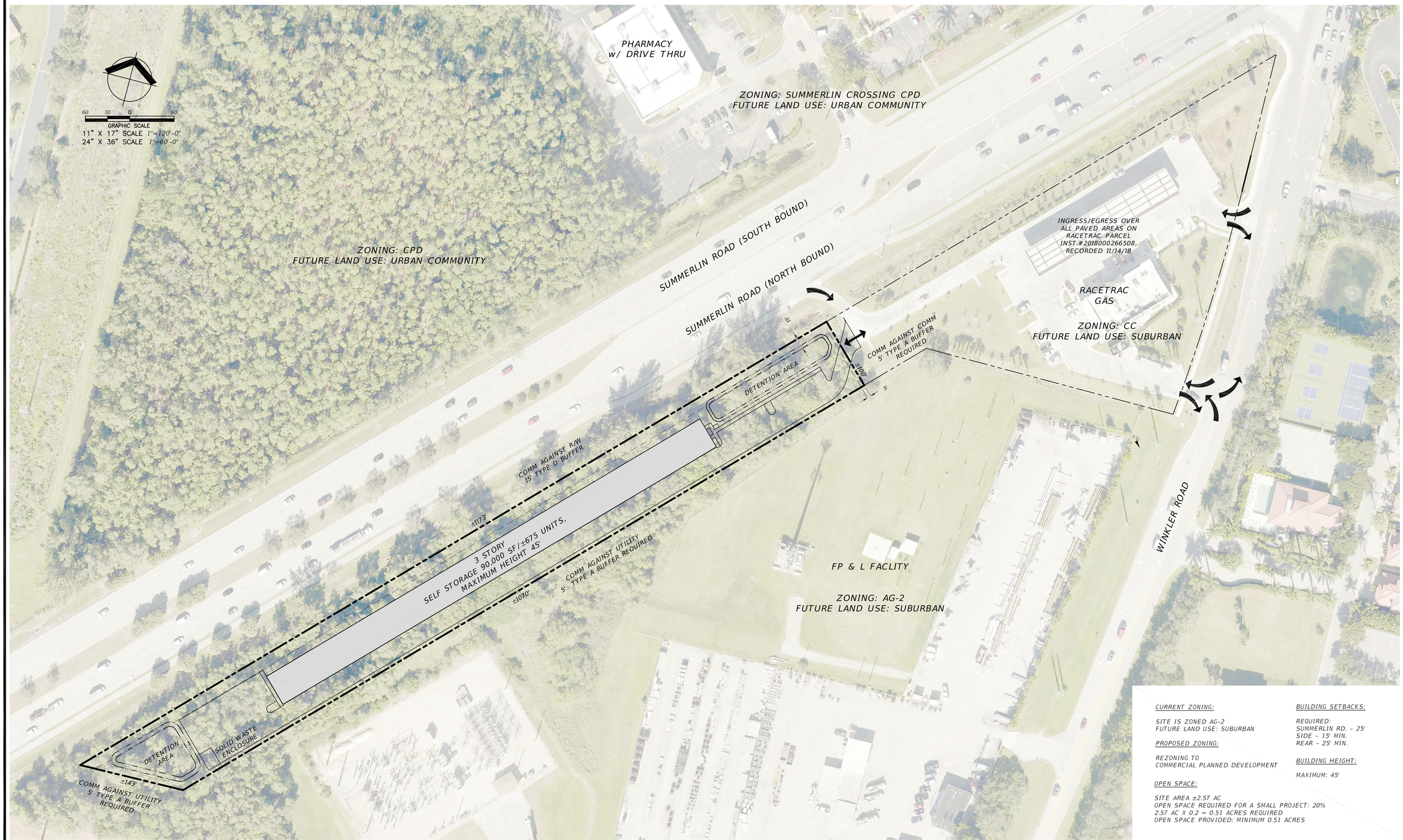
OWNER:
WINKLER JUNCTION LLC
BRANDON KINSEY, MANAGING PARTNER
2053 W. FIRST ST., FORT MYERS, FL. 33901
PH:239-560-7021

PROJECT: WINKLER JUNCTION LLC

| COUNTY | DATE |
|---|---|
| LEE | 11/23/2022 |

MASTER CONCEPT SITE PLAN

SHEET NO. 1




CURRENT ZONING:

SITE IS ZONED AG-2
FUTURE LAND USE: SUBURBAN

PROPOSED ZONING:

REZONING TO
COMMERCIAL PLANNED DEVELOPMENT

OPEN SPACE:

SITE AREA ±2.57 AC
OPEN SPACE REQUIRED FOR A SMALL PROJECT: 20%
2.57 AC X 0.2 = 0.51 ACRES REQUIRED
OPEN SPACE PROVIDED: MINIMUM 0.51 ACRES

BUILDING SETBACKS:

REQUIRED:
SUMMERLIN RD. - 25'
SIDE - 15' MIN.
REAR - 25' MIN.

BUILDING HEIGHT:

MAXIMUM: 45'

| REVISIONS | | | |
|---|---|---|---|
| DATE | DESCRIPTION | DATE | DESCRIPTION |
| | | | |

OWNER:
WINKLER JUNCTION LLC
BRANDON KINSEY, MANAGING PARTNER
2053 W. FIRST ST., FORT MYERS, FL. 33901
PH:239-560-7021

PROJECT: WINKLER JUNCTION LLC

| COUNTY | DATE |
|---|---|
| LEE | 11/23/2022 |

MASTER CONCEPT SITE PLAN

SHEET NO. 1

DCI2023-00004 Lee County ePlan Original application dated 02-01-2023

# WINKLER JUNCTION

## ENVIRONMENTAL ASSESSMENT

*December 2022*

Prepared For:
David Douglas
1821 Victoria Avenue
Fort Myers, FL 33901
Phone: 239-277-0722
Email: dd65west@gmail.com

Prepared By:

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

**Introduction**

An environmental assessment was conducted on the Winkler Junction property on November 29, 2022. The property totals 2.58± acres. The site is located in Section 35, Township 45S, and Range 24E, of Lee County, Florida. More specifically, the site is located at the southwest corner of the intersection of Summerlin Road and Winkler Road in Fort Myers, Florida. Please see the attached Project Location Map (Exhibit A).

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

The project's surrounding land uses are a mixture of residential homes, commercial developments, undeveloped vacant lands, and forested lands. The survey was conducted in the mid-morning to early-afternoon; the temperature was in the upper 70's to low 80's; there was a light breeze; and partly cloudy skies.

**Existing Site Conditions**

*Boundary* – The boundary was obtained from Terminus Surveying and is assumed to be approximately 2.58± acres.

*Soils* - The soils on the property have been mapped by the National Resource Conservation Service (NRCS, formerly the Soil Conservation Service). These mappings are general in nature but can provide a certain level of information about the site as to the possible extent of any potential wetland areas. The agencies commonly use these mappings as justification for certain wetland/upland determinations. According to these mappings, the parcel is underlain by Immokalee sand; (NRCS #28; non-hydric). Immokalee sand soil is considered non-hydric at both the local and national levels. Please see the attached NRCS Soils Map (Exhibit D).

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

**FLUCFCS Codes & Community Descriptions**

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

**FLUCFCS 420 Mixed Upland Forest – 0.44± Ac.**
This upland habitat type occupies the approximately 0.44± acres of the property. The canopy consists of Australian pine (*Casuarina equisetifolia*), live oak (*Quercus virginiana*), slash pine (*Pinus elliottii*), earleaf acacia *(Acacia auriculiformis),* and java plum (*Syzygium cumini*). The sub-canopy contains cabbage palm (*Sabal palmetto*), Brazilian pepper (*Schinus terebinthifolius*), wax myrtle (*Myrica cerifera*), myrsine (*Rapanea guinensis*), and beauty-berry (*Callicarpa americana*). The ground cover includes scattered saw palmetto (*Serenoa repens*), with caesar weed (*Urena lobata*), dog fennel (*Eupatorium capillifolium*), hairy beggar-ticks (*Bidens alba*), pennyroyal *(Piloblephis rigida),* broom sedge *(Andropogon virginicus),* false buttonweed (*Spermacoce verticillata*), chocolate weed *(Melochia corchorifolia),* bahia grass (*Paspalum notatum*), and other various opportunistic weedy species. Commonly observed vines include grapevine (*Vitis rotundifolia)*, greenbriar *(Smilax* spp.), Virginia creeper (*Parthenocissus quinquefolia*), and creeping oxeye *(Sphagneticola trilobata).* This community would be considered uplands by the regulatory agencies.

**FLUCFCS 743 Berm (Old Railroad Grade) – 0.27± Ac.**
This upland habitat type occupies 0.27± acres of the property and was formed during the installation of the historic railroad grade. The canopy and sub-canopy was comprised of slash pine *(Pinus elliottii),* Australian pine (*Casuarina equisetifolia*), live oak (*Quercus virginiana*), and Brazilian pepper (*Schinus terebinthifolius*). The ground cover contained saw palmetto *(Seranoa repens),* with scattered Caesar weed (*Urena lobata*), and other opportunistic weedy species. This community would be considered uplands by the regulatory agencies.

*Other Surface Waters (OSW)*
*The following community area has been designated as other surface waters. Surface waters are waters on the surface of the earth, contained in bounds created naturally or artificially.*

**FLUCFCS 510 S Swale – 0.40± Ac.**
This "other surface water" habitat type occupies approximately 0.40± acres of the property and was formed during the installation of the historic railroad grade. The canopy is open. The sub-canopy is mostly open with scattered Brazilian pepper (*Schinus terebinthifolius*) and cabbage palm (*Sabal palmetto*) along the edges. The ground cover contains swamp fern *(Blechnum serrulatum),* and giant leather fern (*Acrostichum danaeifolium*). This community was artificially created and would be considered other surface waters by the regulatory agencies.

**Table 1. FLUCFCS Community Table**

| FLUCFCS Code | Community Description | Type | Acreage |
|---|---|---|---|
| 420 | Mixed Upland Forest | Upland | 1.91± Ac. |
| 510S | Swale | OSW | 0.40± Ac. |
| 743 | Berm (Old Railroad Grade) | Upland | 0.27± Ac. |
| **Total** | | | **2.58± Ac.** |

**Potential Listed Species**

A formal protected species survey has not been conducted on the site at this time; however, during the initial field survey, no protected species or signs thereof were observed. There were a few stick nests observed in some of the canopy trees, but they are believed to belong to that of the numerous eastern gray squirrels (*Sciurus carlinensis*) observed while on-site. There were a few burrows, believed to belong to that of the eastern nine-banded armadillo (*Dasypus novemcinctus*), that were identified, but not flagged in the field; there was no evidence indicating that gopher tortoise (*Gopherus polyphemus*) would be utilizing these burrows.

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

**Summary**

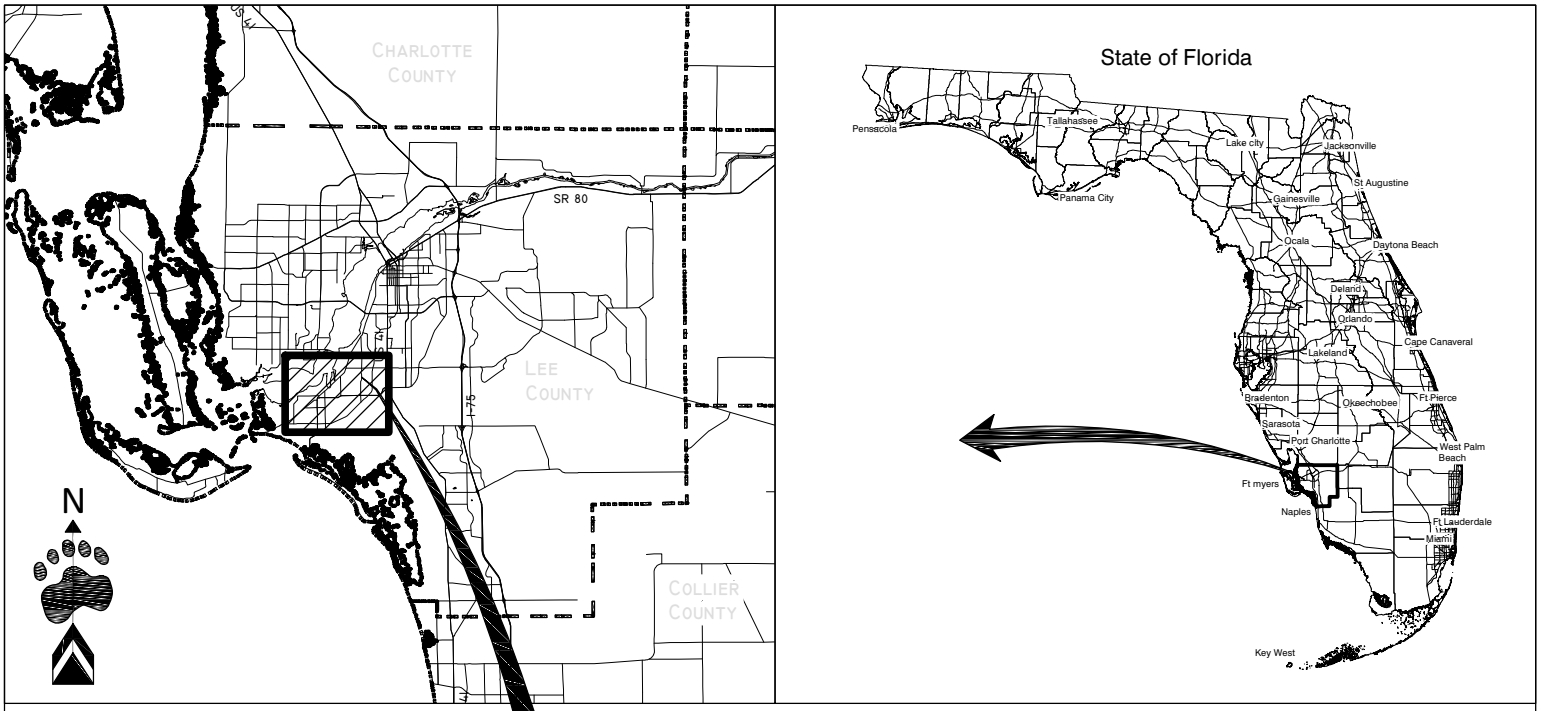
In general, this site does not contain much native, undisturbed community types in which protected species would typically inhabit. Due to the disturbed nature of the site, the surrounding land uses, and busy roadways, it is unlikely that this site supports or would provide habitat for protected species. Community locations were drawn using non-rectified aerial images with approximate property boundaries; hence their location, aerial extent, and acreage is approximate.

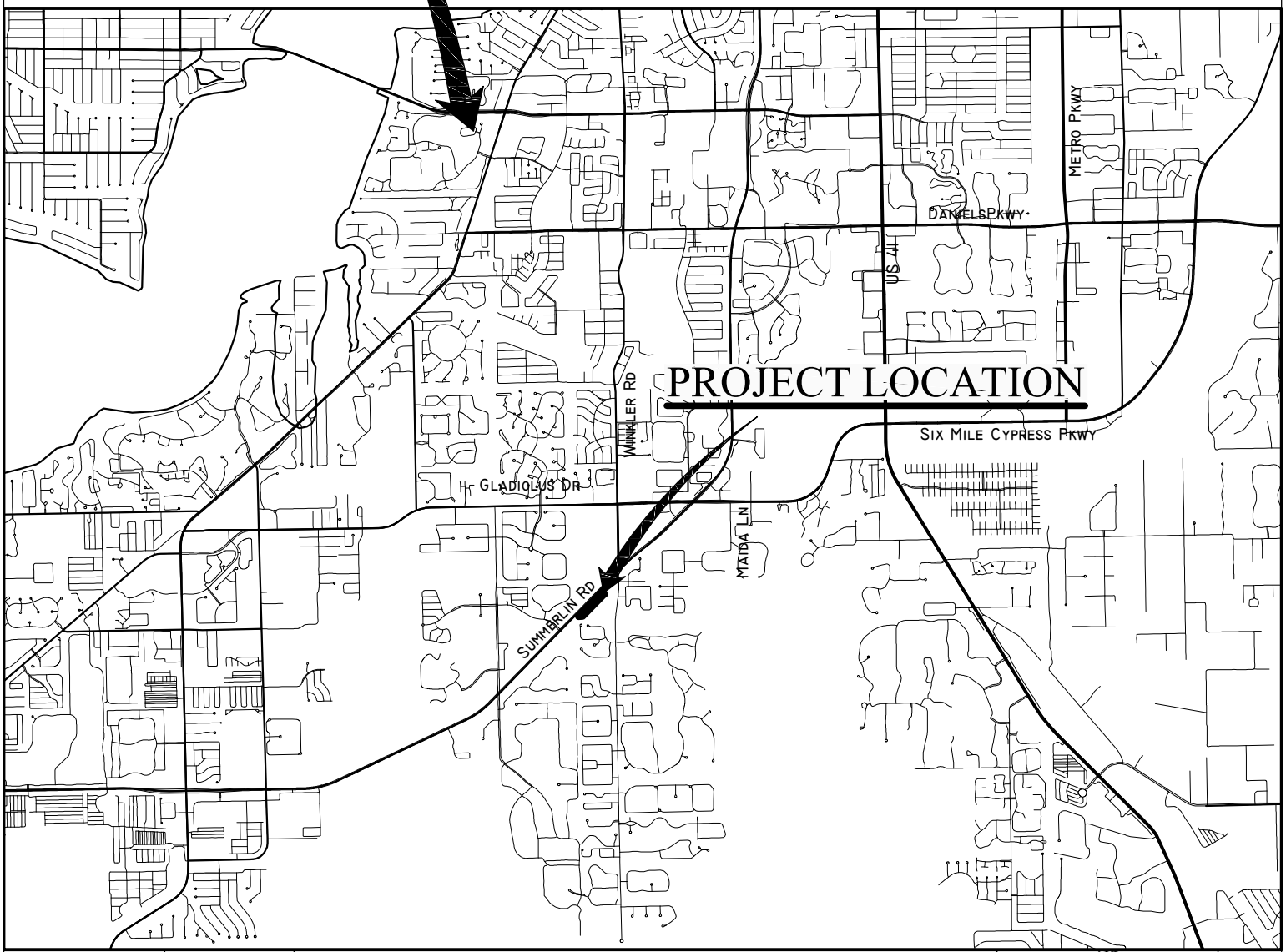
The determination of ecological system classifications, functions, values, and boundaries is an inexact science, and different individuals and agencies may reach different conclusions. It is not possible for BearPaws Environmental Consulting to guarantee the outcome of such determinations. Therefore, the conclusions of this report are preliminary in nature and would require a full review by the appropriate regulatory agencies.

The information contained and the work performed as part of this initial assessment, conforms to the standards and generally accepted practices in the environmental field, and was prepared substantially in accordance with then-current technical guidelines and criteria. The conclusions of this report represent the results of our analysis of the information provided by the client and their consultants, together with information gathered in the course of the study. No other guarantee, expressed or implied, is made.

# EXHIBIT A

**Project Location Map**




| Drawn By: | Date: | Category |
|---|---|---|
| BWS | 12/4/22 | Location |
| Job Number | | Scale: NTS |
| S/T/R | | County |
| 35/45S/24E | | Lee |

# Winkler Junction

## Location Map

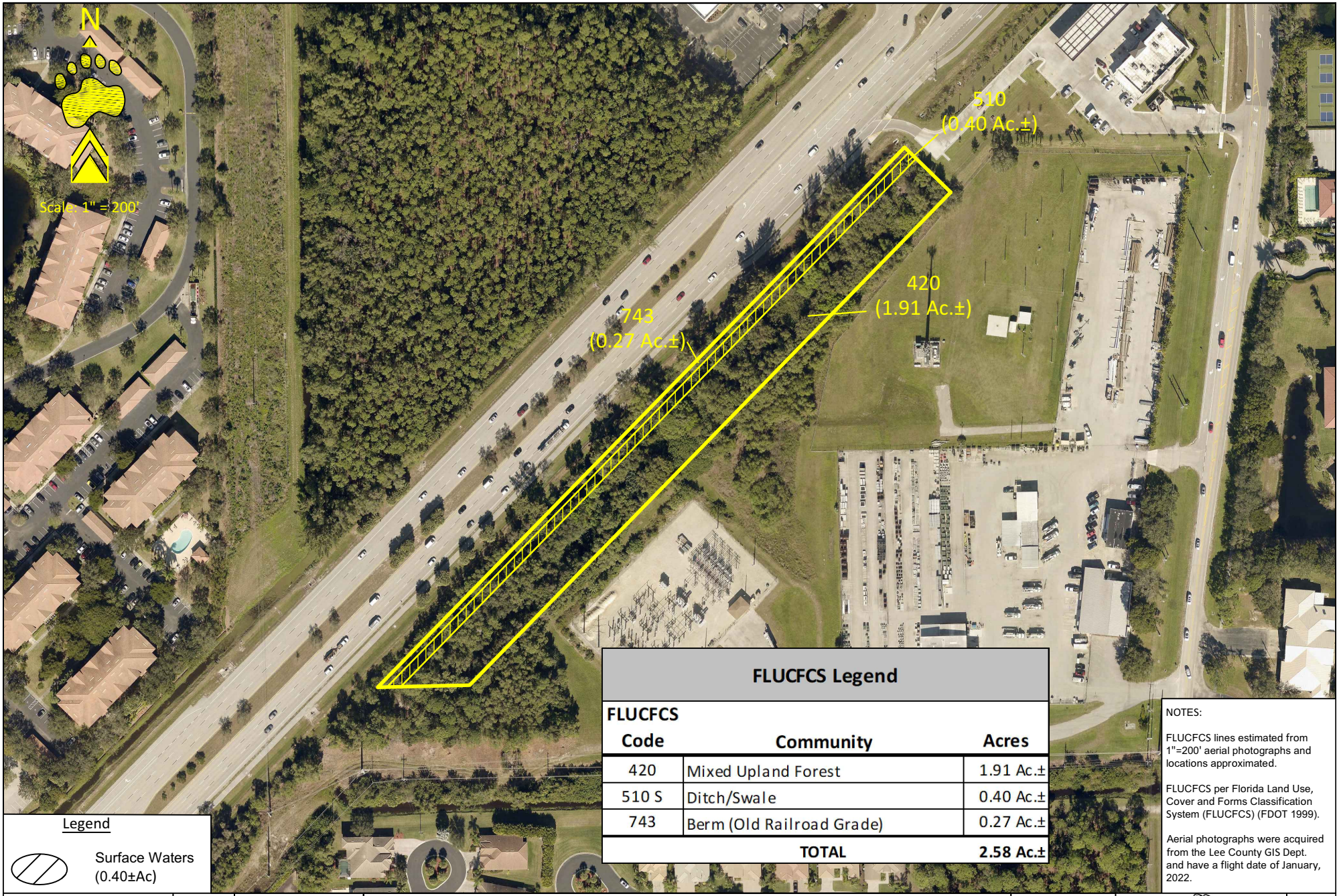
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Page

Exhibit

# EXHIBIT B

**FLUCFCS Map with Aerial**




| FLUCFCS Code | Community | Acres |
|---|---|---|
| 420 | Mixed Upland Forest | 1.91 Ac.± |
| 510 S | Ditch/Swale | 0.40 Ac.± |
| 743 | Berm (Old Railroad Grade) | 0.27 Ac.± |
| | **TOTAL** | **2.58 Ac.±** |

**FLUCFCS Legend**

Legend

Surface Waters (0.40±Ac)

NOTES:

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

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

Aerial photographs were acquired from the Lee County GIS Dept. and have a flight date of January, 2022.

| Revisions | Date: |
|---|---|
| | |
| | |
| | |

Drawn By: BWS Date: 12/4/22

Job Number

S/T/R 35/45S/24E

# Winkler Junction

## Aerial FLUCFCS Map

Category: FLUCFCS

Scale: 1" = 200'

County: Lee

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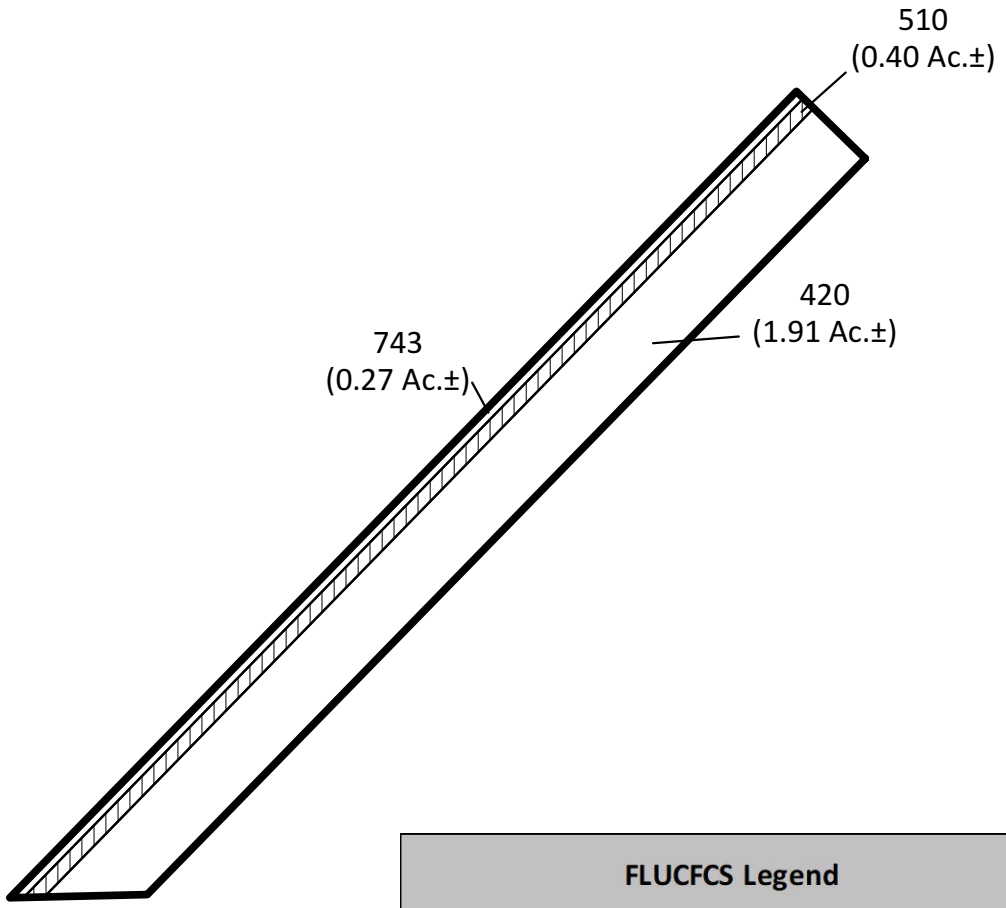
Exhibit -

# EXHIBIT C

## FLUCFCS Map

N

Scale: 1" = 200'




| FLUCFCS Legend | | |
|---|---|---|
| FLUCFCS Code | Community | Acres |
| 420 | Mixed Upland Forest | 1.91 Ac.± |
| 510 S | Ditch/Swale | 0.40 Ac.± |
| 743 | Berm (Old Railroad Grade) | 0.27 Ac.± |
| | TOTAL | 2.58 Ac.± |

Legend

Surface Waters (0.40±Ac)

NOTES:

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

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

| Revisions | Date: | Drawn By: | Date: | | Category | | Page |
|---|---|---|---|---|---|---|---|
| | | BWS | 12/4/22 | Winkler Junction | FLUCFCS | BEARPAWS ENVIRONMENTAL CONSULTING | - |
| | | Job Number | | | Scale: | | Exhibit |
| | | S/T/R | | FLUCFCS Map | 1" = 200' | | - |
| | | 35/45S/24E | | | County | | |
| | | | | | Lee | | |

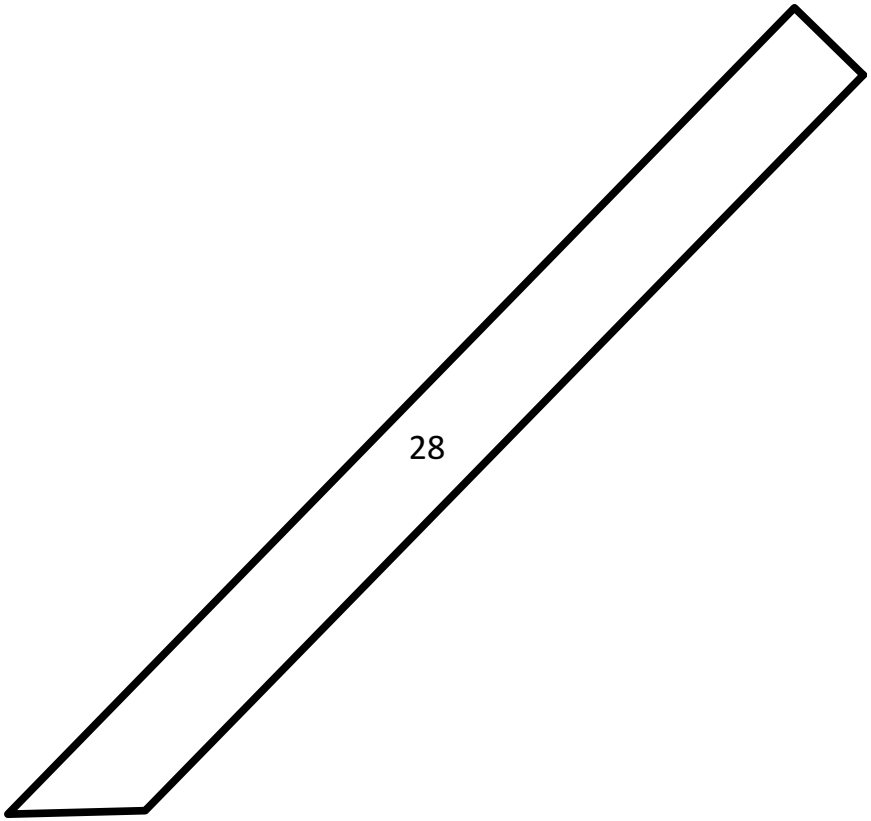
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# EXHIBIT D

**NRCS Soils Map**

N

Scale: 1" = 200'




| NRCS Soils Legend | | |
|---|---|---|
| **Soil No** | **Description** | **Status** |
| 28 | Immokalee Sand | Non-Hydric |

NOTES

Soils were acquired from LABINS and are from the NRCS.

| Revisions | Date: | Drawn By: | Date: | | | |
|---|---|---|---|---|---|---|
| | | BWS | 12/4/22 | Winkler Junction | Category: Soils | Page: - |
| | | Job Number | | | Scale: 1" = 200' | Exhibit: - |
| | | S/T/R | | Soils Map | County: Lee | |
| | | 35/45S/24E | | | | |

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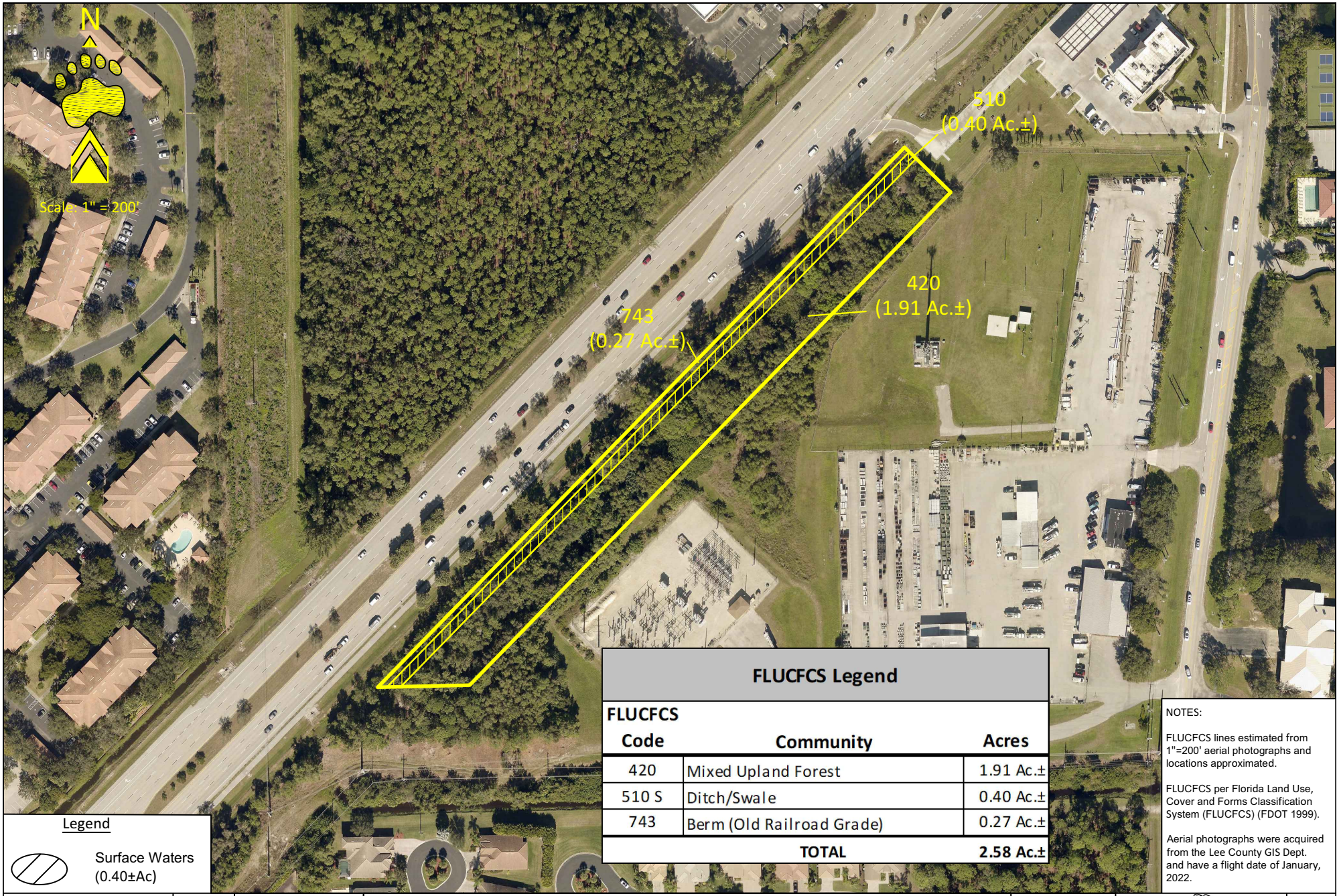
# Winkler Junction Minor CPD
# Existing & Historic Flow-Ways Map

There are no existing or historic flow-ways on the site.



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| FLUCFCS Code | Community | Acres |
|---|---|---|
| 420 | Mixed Upland Forest | 1.91 Ac.± |
| 510 S | Ditch/Swale | 0.40 Ac.± |
| 743 | Berm (Old Railroad Grade) | 0.27 Ac.± |
| | **TOTAL** | **2.58 Ac.±** |

**FLUCFCS Legend**

Legend

Surface Waters (0.40±Ac)

NOTES:

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

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

Aerial photographs were acquired from the Lee County GIS Dept. and have a flight date of January, 2022.

| Revisions | Date: |
|---|---|
| | |
| | |
| | |

Drawn By: BWS Date: 12/4/22

Job Number

S/T/R 35/45S/24E

# Winkler Junction

## Aerial FLUCFCS Map

Category: FLUCFCS

Scale: 1" = 200'

County: Lee

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Exhibit -

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# Winkler Junction Minor CPD
# Rare & Unique Upland Habitat Map

There are no rare or unique upland habitat on the site.

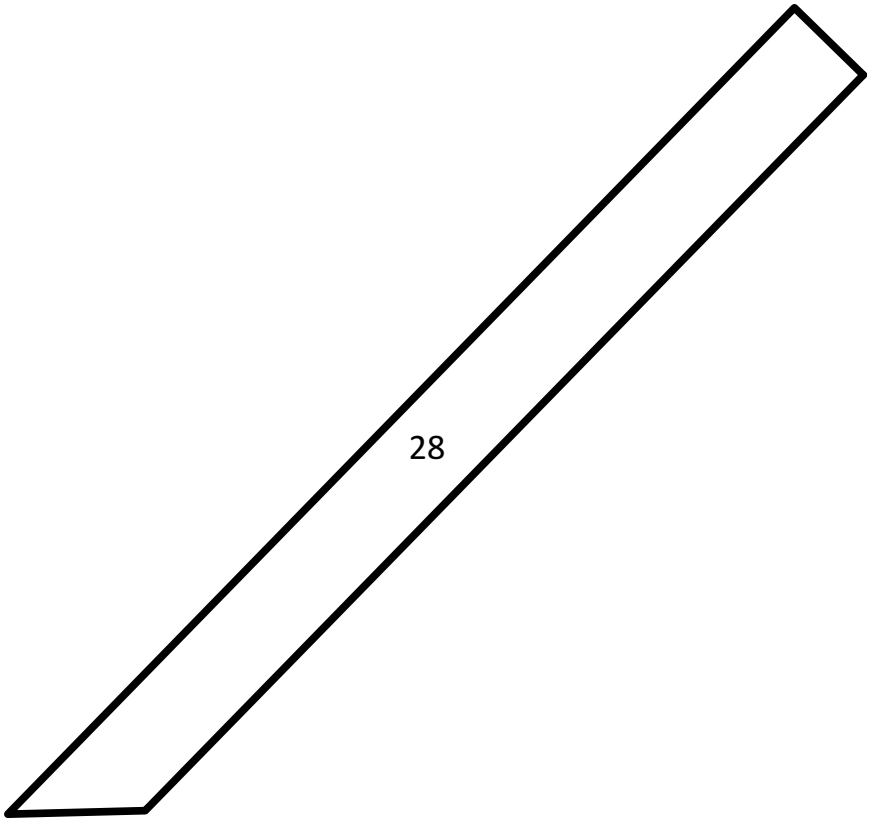


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N

Scale: 1" = 200'




| NRCS Soils Legend | | |
|---|---|---|
| **Soil No** | **Description** | **Status** |
| 28 | Immokalee Sand | Non-Hydric |

NOTES

Soils were acquired from LABINS and are from the NRCS.

| Revisions | Date: | Drawn By: | Date: | | | |
|---|---|---|---|---|---|---|
| | | BWS | 12/4/22 | Winkler Junction | Category: Soils | Page: - |
| | | Job Number | | | Scale: 1" = 200' | Exhibit: - |
| | | S/T/R | | Soils Map | County: Lee | |
| | | 35/45S/24E | | | | |

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# Winkler Junction Minor CPD - Topography




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# Winkler Junction CPD

# 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 2.58-acre site is bordered on the north by Summerlin Road and vacant land zoned (Ag-2) to the southwest, to the southeast by the 14.3 ac. FPL maintenance facility and the RaceTrac gas/convenience store to the northeast zoned (CC). The entire site was disturbed as it was previously an abandoned railroad grade. The since removed tracks were mounded up through the grading of the swales creating the embankment material necessary for the elevated track section and the entire site remains in its previous disturbed condition.**

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 subject parcel's proposed drainage system will provide an onsite dry detention system comprised of pavement inlets and flumes conveying runoff to a system of storm pipes and swales, ultimately directed to the dry detention system. After meeting water quality and attenuation, in accordance with South Florida Water Management District (SFWMD) requirements, runoff will be regulated offsite through a control structure discharging into the Summerlin Road south roadside conveyance ditch. The Summerlin Road roadside conveyance ditch is an established outfall for the roadway drainage. In this area, it also receives natural drainage runoff from adjacent lands abutting to the south and is consistent with historical topographic contours. The adjacent and contiguous RaceTrac was originally part of the subject parcel and was recently rezoned from AG-2 to CC. The RaceTrac drainage system was permitted and constructed as a dry detention system with their outfall directly into the Summerlin Road roadside ditch system along their frontage and is consistent with the existing natural drainage flow pattern and runoff direction.**

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 dry detention system meeting the SFWMD requirements of the Estero Bay watershed. 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;

**The subject parcel is comprised of disturbed uplands with an abandoned isolated swale system from the old railroad grade and the underlying soils are non-hydric. The man-made swale is noted as Surface Waters on the FLUCCS map. The water table elevations will be maintained by appropriately setting the dry detention 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, AE- el. 9.00' NAVD. This will be mitigated by placing fill such that the finished floor elevation is above the FEMA base flood elevation.**

DCI2023-00004 Lee County ePlan Original application dated 02-01-2023

# TRAFFIC IMPACT STATEMENT

**FOR**

## Winkler Junction LLC Mini-Storage

Section 34, Township 45 South, Range 24 East
Fort Myers, Florida

Prepared for:
Winkler Junction LLC
16881 Summerlin Road
Fort Myers, FL 33908

November 2022

David Douglas, P.E.
FLA. Reg P.E. No: 34818

1821 Victoria Avenue, Fort Myers, Florida 33901
239-337-3330

DCI2023-00004 Lee County ePlan Original application dated 02-01-2023



# TABLE OF CONTENTS

I. Project Report and Analysis

Appendix A – Location Map & Project Traffic Distribution Diagrams

Appendix B - OTISS Software Output for Project Entrances

Appendix C – Crash reports/ back up for Summerlin and Winkler turn lane analysis

**Project Description**
The proposed project will consist of a total of 89,937 sf of building area with primary use of self storage. The building will be three stories and contain 675 storage units and a manager's office. The site is approximately 2.57 +/- ac. fronting on Summerlin Rd. abutting the RaceTrac just south of the Winkler Rd/Summerlin Rd. Intersection (Reference Exhibits 2).

Project Identification and Location

| | |
|---|---|
| Project Name: | Winkler Junction LLC Mini-Storage |
| S/T/R: | 34 / 45S / 24E |
| Street Address: | 16881 Summerlin Road, Fort Myers, FL 33908 |
| Strap No.(s): | 34-45-24-00-00011.0000 |

**Project Traffic Distribution**
The subject property will have its access points at the NE end of the parcel. Trips will arrive via a right in from Summerlin road and a recorded ingress/egress easement inst. #2018000266508 over the RaceTrac property allowing trips to access the site from Winkler Road. Directional splits onto adjacent roadways are based on the property's geographic location and anticipated vehicle movements (Reference Exhibits 2-4).

Abutting Roadway Information

| Road | Ownership | Access Classification | Posted Speed | AADT |
|---|---|---|---|---|
| Summerlin Rd. | Public | Arterial | 45 MPH | 38,100 |
| Winkler Rd. | Public | Collector | 40 MPH | 6,200 |

**Trip Generation**
Vehicular trip ends generated by the proposed project were calculated by OTISS software based on methodology provided by Trip Generation Manual of the Institute of Transportation engineers (11th edition).

| Proposed OTISS Input | | | Proposed OTISS Input – Average Vehicle Trips | | | | | |
|---|---|---|---|---|---|---|---|---|
| ITE Land Use Code | Description | Variable Input | AM Total | AM Entry Trips | AM Exit Trips | PM Total | PM Entry Trips | PM Exit Trips |
| 151 | Mini-Warehouse | Storage Units (100s) | 8 | 4 | 4 | 11 | 6 | 5 |

Print outs of the trip generation by OTISS for this use are attached.

## Comprehensive Assessment on Surrounding Road System

### Required Study Threshold

Per Section 10-286 of the Lee County Development Code, if the proposed development generates 300 or more vehicle trips during the peak hour to the adjacent road system, the developer must submit a TIS providing a comprehensive assessment of the development's impact on the surrounding road system.

- **This projects peak hour trips are 11 in the pm, therefore an additional assessment is NOT required.**

### Concurrency/LOS Analysis with Project Trips

For this analysis the PM peak hour peak direction of proposed project trips on Summerlin and Winkler will be applied to the peak hour, peak direction of flow. See Table below.

### Roadway LOS Analysis

| Street (1) | Location From – To (1) | Link Type (2) | Exist. Pk Dir. Flow (2) | Exist. LOS (5) | Project Pkhr/PkDir (3)(4) | Pk Dir Flow + Project | Proposed LOS (5) |
|---|---|---|---|---|---|---|---|
| Summerlin Rd. | Bass Rd. to Gladiolus Dr. | 6LD | 1896 | A | 3 | 1899 | A |
| Winkler Rd. | Stonebridge Dr. to Summerlin Rd. | 2L | 461 | C | 4 | 465 | C |

(1) 2020 Lee County Traffic Count Report
(2) Lee County Roadway Link Volumes 2020 100th Highest Hour (2021 Lee County Concurrency Report)
(3) Institute of Transportation Engineers Trip Generation, 11th Edition (from Otiss Traffic Software)
(4) Proportion of project traffic distributed to roadway during peak hour, peak direction as established in the Traffic Impact Statement
(5) 2015 Lee County Link Specific PkHr Directional Service Volumes

Per the Lee County Traffic Section's Link Specific Service Volumes Tables, the below LOS information/criteria is provided.

| Street (1) | Location From – To (1) | Service Volumes (Peak Hour Peak Direction) | | | | |
|---|---|---|---|---|---|---|
| | | A | B | C | D | E |
| Summerlin Rd. | Bass Rd. to Gladiolus Dr. | 2520 | 3000 | 3000 | 3000 | 3000 |
| Winkler Rd. S. of Summerlin | Typical 2LU | 0 | 0 | 550 | 860 | 860 |

The PkHr/PkDir estimated traffic with the proposed project trips will **NOT** reduce the level of service of Summerlin Road below the performance standard operating level of E from the 2015 Lee County Link Specific Directional Roadway Links Volumes tables, **therefore no improvements are required**.

### Turn Lane Analysis at Project Entrance

Per the Lee County Administrative Code 11-4, the below criteria were analyzed to determine if left, right and/or separate turn lanes are required for the project. Each scenario evaluated the warrants noted in the Code and shows if they are met or not.

### LEFT Turn Lanes at project entrance

**Table 1**

| **Deceleration & LEFT Turn Lanes** (Turn Lane Req'd When 2 or More of Following Warrants are Satisfied) | | | |
|---|---|---|---|
| **AC11-4 Section** | **Warrant** | **Meet Warrant?** | |
| **ARTERIAL STREET – N/A** | | **Yes** | **No** |
| IV.A.1 | Posted speed limit of the arterial street is equal to or greater than thirty-five (35) mph. | N/A | N/A |
| IV.A.2 | Estimated traffic volume:<br>a. Two-way peak season, peak hour through and right turn volume on the facility for either the peak hour of the roadway or the peak hour of the development is equal to or greater than 1000 vehicles and the left turn volume is greater than or equal to 10 vehicles; or | N/A | N/A |
| | b. Two-way peak season, peak hour through and right turn volume on the facility for either the peak hour of the roadway or the peak hour of the development is between 500 and 1000 vehicles and the left turn volume is greater than or equal to 15 vehicles; or | N/A | N/A |
| | c. When the left turn volume for any hour is greater than 20 trips regardless of through and right turn volumes on the facility. | N/A | N/A |
| IV.A.3 | Available Sight Distance for left turning vehicles to observe approaching traffic or for approaching traffic moving in either direction to observe the left turning vehicle is less than the value shown in AC-11-4 Table A-I for the design speed, or posted speed limit plus 5 miles per hour if the design speed is not available, of the arterial street. | N/A | N/A |
| IV.A.4 | The arterial street has been designated as a controlled access facility by the BOCC. | N/A | N/A |
| IV.A.5 | The arterial street intersection is an arterial street or collector street. | N/A | N/A |
| IV.A.6 | Traffic Control of the intersecting street or access paint connection is by a traffic signal or is anticipated to meet MUTCD traffic signal warrants in the next five years. | N/A | N/A |
| IV.A.7 | Five or more crashes reported at the intersection in a 12-month period during the past three years that could have been mitigated by a left turn lane. | N/A | N/A |
| IV.A.8 | It is determined by the Lee County Department of Transportation that a turn lane is required for the health, safety, and welfare of the road users. | N/A | N/A |
| **Conclusion: N/A** | | | |

**Table 2**

| **Deceleration & LEFT Turn Lanes** (Turn Lane Req'd When 2 or More of Following Warrants are Satisfied) | | | |
|---|---|---|---|
| **AC11-4 Section** | **Warrant** | **Meet Warrant?** | |
| **COLLECTOR – Winkler Road** | | **Yes** | **No** |
| IV.B.1 | Posted speed limit of the collector street is equal to or greater than thirty-five (35) mph. | X | |
| IV.B.2 | Number of Left Turning Movements<br>a. On multi-lane collector facilities the number of left turning vehicles from the collector roadway is equal to or greater than twenty (20) during either the A.M. or P.M. peak hour of the collector street or the peak hour of the development. | N/A | N/A |
| | b. On two-lane two way collector streets:<br>i. Two-way peak season, peak hour through and right turn volume for either the peak hour of the roadway or the peak hour of the development is equal to or greater than 500 vehicles and the left turn volume is equal to or greater than 20 vehicles for that same hour, or | | X |
| | ii. When the left turn volume for any hour is greater than 30 vehicles regardless of through and right turn volume. | N/A | N/A |
| IV.B.3 | Available Sight Distance for left turning vehicles to observe approaching traffic or for approaching traffic moving in either direction to observe the left turning vehicle is less than the value shown in AC-11-4 Table A-I for the design speed, or posted speed limit plus 5 miles per hour if the design speed is not available, of the collector street. | | X |
| IV.B.4 | Traffic Control of the intersecting street or access point connection is a traffic signal or is anticipated to meet MUTCD traffic signal warrants in the next five years. | | X |
| IV.B.5 | The collector street is intersecting an arterial or collector street | | X |
| IV.B.6 | Five or more crashes reported at the intersection in a 12-month period during the past three years that could have been mitigated by a left turn lane. | | X |
| IV.B.7 | It is determined by the Lee County Department of Transportation that a turn lane is required for the health, safety, and welfare of the road users. | | |
| **Conclusion: Existing +/-265 If Left turn lane.** | | | |

**N/A**

**Table 3**

| **Deceleration & LEFT Turn Lanes** (Turn Lane Req'd When 2 or More of Following Warrants are Satisfied) | | | |
|---|---|---|---|
| **AC11-4 Section** | **Warrant** | **Meet Warrant?** | |
| **Local – N/A** | | **Yes** | **No** |
| IV.C.1 | Posted speed limit on the local street is equal to or greater than thirty (30) mph and the peak hour left turning movement is sixty (60) or more. | N/A | N/A |
| IV.C2 | Number of Left Turning Movements<br>a. On multi-lane facilities the number of left turning vehicles exceeds one hundred (100) during the peak hour of the local street. | N/A | N/A |
| | b. On two-lane, two way facilities the number of left turning vehicles from the local street exceeds sixty (60) during the peak hour of the local street and the opposing through plus right turn traffic volume exceeds five hundred (500) vehicles during either the AM. or P.M. peak hour of the local street. | N/A | N/A |
| IV.C.3 | Available Sight Distance for left turning approaching traffic or for approaching traffic moving in either direction to observe the left turning vehicle is less than the value shown in AC-11-4 Table A-I for the posted speed limit of the local street. | N/A | N/A |
| IV.C.4 | Traffic Control of the intersecting street or access point connection is a traffic signal or is anticipated to meet MUTCD traffic signal warrants in the next five years. | N/A | N/A |
| V.C.5 | It is determined by the Lee County Department of Transportation that a turn lane is required for health, safety, and welfare of the road users. | N/A | N/A |
| **Conclusion: N/A** | | | |

**Table 4**

| **Deceleration & LEFT Turn Lanes** (Turn Lane Req'd When 2 or More of Following Warrants are Satisfied) | | | |
|---|---|---|---|
| **AC11-4 Section** | **Warrant** | **Meet Warrant?** | |
| **SEPARATE LEFT TURN LANES (ON SITE)** | | **Yes** | **No** |
| | Intersection/Connection to **ARTERIAL STREETS** | | |
| IV.D.1a | Posted speed limit of the intersecting street or access point connection is equal to or greater than thirty-five (35) mph. | N/A | N/A |
| IV.D.1b | When the Number of left turning vehicles from the intersecting street or access point connection is equal to or greater than thirty (30) vehicles during either A.M. or P.M. peak hour of the arterial street. | N/A | N/A |
| IV.D.1c | Arterial street which is being entered has been designated as a controlled access facility by the BOCC. | N/A | N/A |
| IV.D.1d | Traffic Control of the intersecting street or access point connection is a traffic signal or is anticipated to meet MUTCD traffic signal warrants by the build-out year. | N/A | N/A |
| IV.D.1e | It is determined by the Lee County Department of Transportation or the Department of Community Development that a turn lane is required for the health, safety, and welfare of the road users. | | |
| | Intersection/Connection to **COLLECTOR STREET** | | |
| IV.D.2a | Posted speed limit of the intersecting street or access point connection is equal to or greater than thirty five (35) mph. | X | N/A |
| IV.D.2b | Number of left turning vehicles from the intersecting street or access point connection is equal to or greater than sixty (60) vehicles during either the A.M. or P.M. peak hour of the collector street. | | X |
| IV.D.2c | Traffic Control of the intersecting street or access point connection is a traffic signal or is anticipated to meet MUTCD traffic signal warrants by the build-out year. | N/A | X |
| IV.D.2d | It is determined by the Lee County Department of Transportation or Department of Community Development that a turn lane is required for the health, safety, and welfare of the road users. | | |
| | Intersection/Connection to **LOCAL STREET** | | |
| IV.D.3a | Posted speed limit of the intersection street or access point connection is equal to or greater than thirty (30) mph. | N/A | N/A |
| IV.D.3b | Number of left turning vehicles from the intersecting street or access point connection is equal to or greater than ninety (90) vehicles during either the A.M. or P.M. peak period of the local street. | N/A | N/A |
| IV.D.3c | Traffic control of the intersection street or access point connection is a traffic signal. | N/A | N/A |
| IV.D.3d | It is determined by the Lee County Department of Transportation or Department of Community Development that a turn lane is required for the health, safety, and welfare of the road users. | N/A | N/A |
| **Conclusion: Existing separate LEFT Turn Lanes.** | | | |

**RIGHT Turn Lanes at project entrance**

**Table 5**

| **Deceleration & RIGHT Turn Lanes (Turn Lane Req'd When 2 or More of Following Warrants are Satisfied)** | | | |
|---|---|---|---|
| **AC11-4 Section** | **Warrant** | **Meet Warrant?** | |
| **ARTERIAL STREET – Summerlin Road** | | **Yes** | **No** |
| A.1 | Posted speed limit of the arterial street is equal to or greater than thirty-five (35) mph. | X | N/A |
| A.2 | Number of right turning movements from the arterial street is equal to or greater than thirty (30) during either the A.M. or P.M. peak hour of the arterial street or the peak hour of the development when the arterial street AADT is less than 6,000 vpd or equal to or greater than twenty (20) vph during either the A.M. or P.M. peak hour of the arterial street or peak hour of the development when the arterial street AADT is equal to or greater than 6,000 vpd. | | X |
| A.3 | Available Sight Distance of a right turning vehicle to be seen by through traffic traveling in the same direction is less than the value shown in AC-11-4 Table A-I for the design speed of the arterial street. | | X |
| A.4 | Arterial Street has been designated as a controlled access facility by the BOCC. | X | |
| A.5 | Traffic Control of the intersecting street or access point connection is a traffic signal or is anticipated to meet MUTCD traffic signal warrants by the build-out year. | N/A | N/A |
| A.6 | It is determined by the Lee County Department of Transportation or Department of Community Development that a turn lane is required for the health, safety, and welfare of the road users. | | |
| **Conclusion: Existing +/-390 lf right in.** | | | |

**Table 6**

| **Deceleration & RIGHT Turn Lanes (Turn Lane Req'd When 2 or More of Following Warrants are Satisfied)** | | | |
|---|---|---|---|
| **AC11-4 Section** | **Warrant** | **Meet Warrant?** | |
| **COLLECTOR – Winkler Rd.** | | **Yes** | **No** |
| B.1 | Posted speed limit of the collector street is equal to or Greater than thirty-five (35) mph. | X | N/A |
| B.2 | Number of right turning movements from the collector street is equal to or greater than forty-five (45) during either the A.M. or P.M. peak hour of the collector street when the collector street AADT is less than 6,000 vpd or equal to or greater than thirty (30) vph during either the A.M. or P.M. peak hour of the collector street or peak hour of the development when the collector street AADT is equal to or greater than 6,000 vpd. | | X |
| B.3 | Available Sight Distance for a right turning vehicle to be seen by through traffic traveling in the same direction is less than the value shown in AC11-4 Table A-I for the design speed of the collector street | | X |
| B.4 | Traffic Control of the intersecting street or access point connection is a traffic signal or is anticipated to meet MUTCD traffic signal warrants by the build-out year. | | X |
| B.5 | It is determined by the Lee County Department of Transportation or Department of Community Development that a turn lane is required for the health, safety, and welfare of the road users. | | |
| **Conclusion: Turn Lane Warrant not met** | | | |

**Table 7**

| **Deceleration & RIGHT Turn Lanes (Turn Lane Req'd When 2 or More of Following Warrants are Satisfied)** | | | |
|---|---|---|---|
| **AC11-4 Section** | **Warrant** | **Meet Warrant?** | |
| **LOCAL – N/A** | | **Yes** | **No** |
| C.1 | Posted speed limit of the local street is equal to or greater than thirty (30) mph. | N/A | N/A |
| C.2 | Number of right turning movements from the local street is equal to or greater than sixty (60) during either the A.M. or P.M. peak hour of the local street. | N/A | N/A |
| C.3 | Available Sight Distance for a right turning vehicle to be seen by through traffic traveling in the same direction is less than the value shown in AC-11-4 Table A-I for the design speed of the local street. | N/A | N/A |
| C.4 | Traffic control of the intersection street or access point connection is a traffic signal. | N/A | N/A |
| C.5 | It is determined by the Lee County Department of Transportation or Department of Community Development that a turn lane is required for the health, safety, and welfare of the road users. | N/A | N/A |
| **Conclusion: N/A** | | | |

**Table 8**

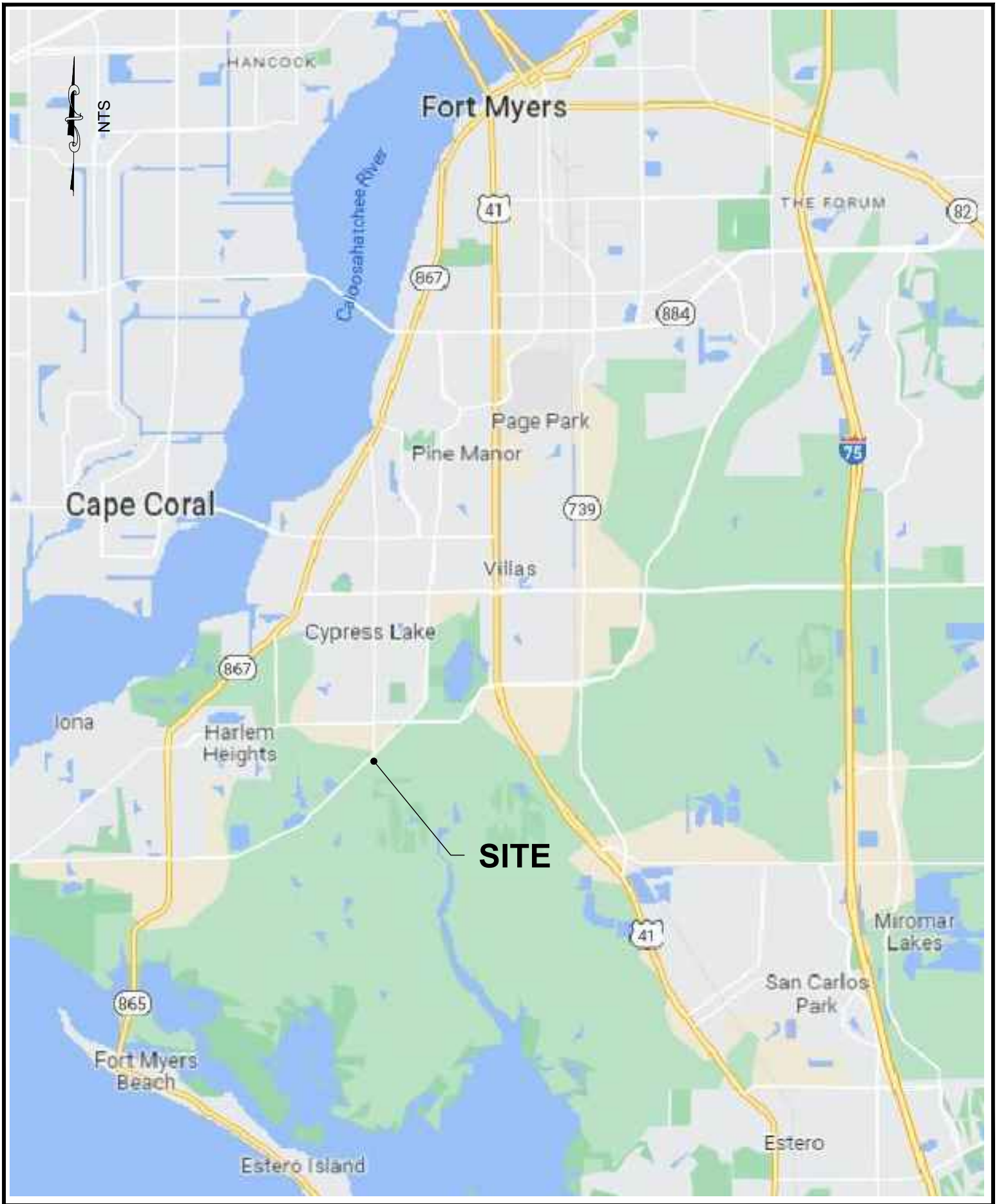
| **Deceleration & RIGHT Turn Lanes (Turn Lane Req'd When 2 or More of Following Warrants are Satisfied)** | | | |
|---|---|---|---|
| **AC11-4 Section** | **Warrant** | **Meet Warrant?** | |
| **SEPARATE RIGHT TURN LANES (ON SITE)** | | **Yes** | **No** |
| | Intersection/Connection to **ARTERIAL STREETS** | | |
| D.1a | Posted Speed Limit of the intersecting street or access point connection is equal to or greater than forty five (45) mph. | N/A | N/A |
| D.1b | Number of right turning vehicles from the intersecting street or access point connection is equal to or greater than sixty (60) during either the A.M. or P.M. peak hour of the arterial street. | N/A | N/A |
| D.1c | Arterial street which is being entered has been designated as a controlled access facility by the BOCC. | N/A | N/A |
| D.1d | Traffic control of the intersection street or access point connection is a traffic signal. | N/A | N/A |
| D.1e | It is determined by the Lee County Department of Transportation or Department of Community Development that a turn lane is required for the health, safety, and welfare of the road users. | | |
| | Intersection/Connection to **COLLECTOR STREET** | | |
| D.2a | Posted speed limit of the intersecting street or access point connection is equal to or greater than thirty five (35) mph. | x | N/A |
| D.2b | Number of right turning movements from the intersecting street or access point connection is equal to or greater than ninety (90) during either the A.M. or P.M. peak hour of the collector street. | | x |
| D.2c | Traffic control of the intersection street or access point connection is a traffic signal. | | x |
| D.2d | It is determined by the Lee County Department of Transportation or Department of Community Development that a turn lane is required for the health, safety, and welfare of the road users. | | |
| | Intersection/Connection to **LOCAL STREET** | | |
| D.3a | Posted speed limit of the intersecting street or access point connection is equal to or greater than thirty (30) mph. | N/A | N/A |
| D.3b | Number of right turning movements from the intersecting street or access point connection is equal to or greater than one hundred and twenty (120) during either the AM. or P.M. peak hour of the local street. | N/A | N/A |
| D.3c | Traffic control of the intersection street or access point connection is a traffic signal. | N/A | N/A |
| **Conclusion: Right in only from arterial, separate RIGHT Turn Lanes NOT WARRANTED.** | | | |

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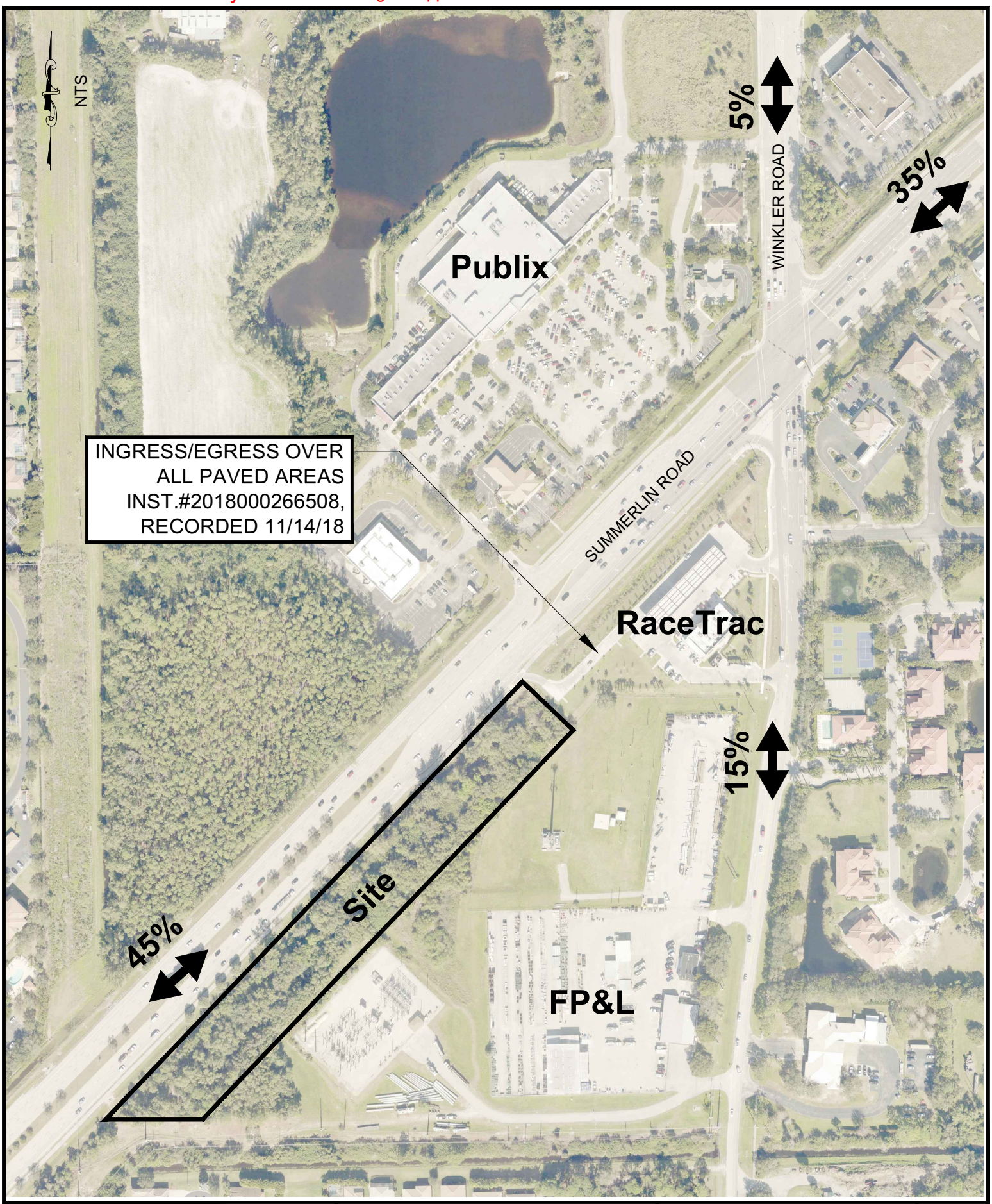


# Appendix A

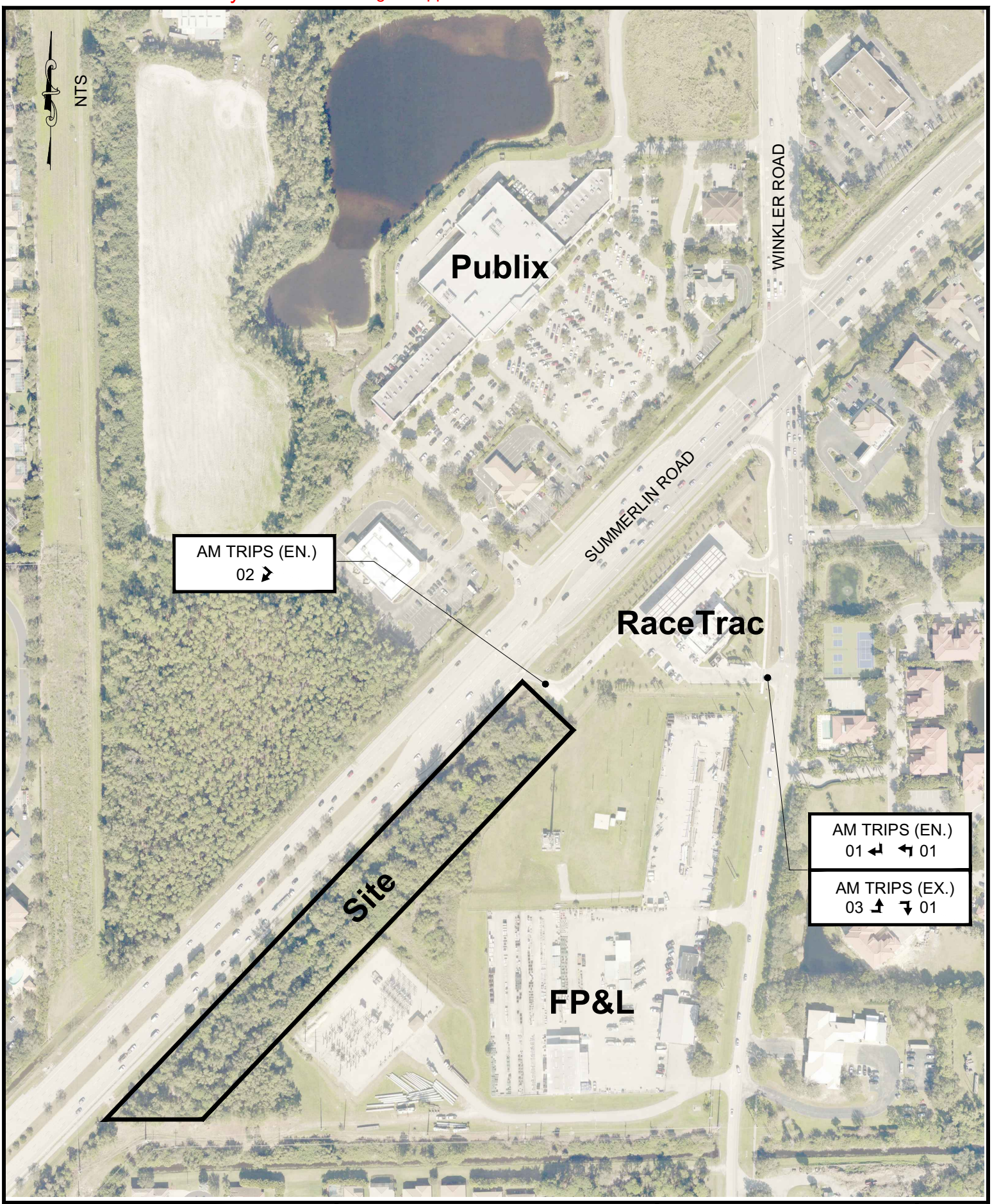
- Project Location Map
- Project Traffic Distribution Diagrams



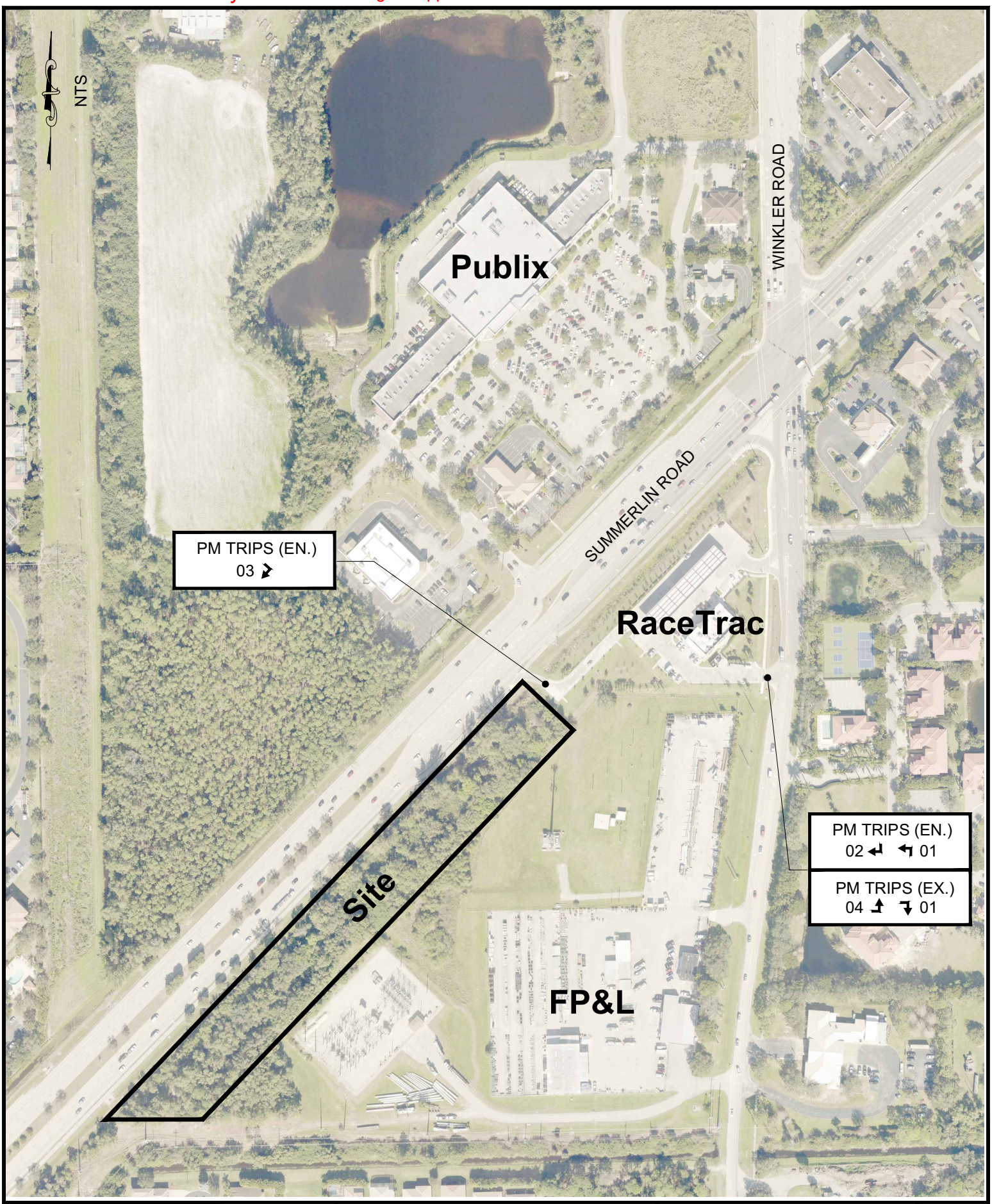

| | | | |
|---|---|---|---|
| DATE :<br>SCALE :<br>DESIGN :<br>CAD :<br>CHECK :<br>FILE : | NO. REVISION | WINKLER JUNCTION LLC<br>MINI-WAREHOUSE<br>16881 SUMMERLIN ROAD<br>FORT MYERS, FLORIDA | SITE LOCATION MAP | EXHIBIT<br>1 |




| | | | | |
|---|---|---|---|---|
| DATE :<br>SCALE :<br>DESIGN :<br>CAD :<br>CHECK :<br>FILE : | NO. REVISION | WINKLER JUNCTION LLC<br>MINI-WAREHOUSE<br>16881 SUMMERLIN ROAD<br>FORT MYERS, FLORIDA | DISTRIBUTION PERCENTAGE MAP | EXHIBIT 2 |




| | | | | |
|---|---|---|---|---|
| DATE :<br>SCALE :<br>DESIGN :<br>CAD :<br>CHECK :<br>FILE : | NO. REVISION | WINKLER JUNCTION LLC<br>MINI-WAREHOUSE<br>16881 SUMMERLIN ROAD<br>FORT MYERS, FLORIDA | PROPOSED AM PK HR TRIPS | EXHIBIT<br>3 |




| | | | | |
|---|---|---|---|---|
| DATE :<br>SCALE :<br>DESIGN :<br>CAD :<br>CHECK :<br>FILE : | NO. REVISION | WINKLER JUNCTION LLC<br>MINI-WAREHOUSE<br>16881 SUMMERLIN ROAD<br>FORT MYERS, FLORIDA | PROPOSED PM PK HR TRIPS | EXHIBIT<br>4 |

DCI2023-00004 Lee County ePlan Original application dated 02-01-2023



# Appendix B

**At project entrances:**

- Proposed Mini-Warehouse
  OTISS Traffic Software Output
  ITE Code: 151
  Land Use: Mini-Warehouse (General Urban/Suburban)
  Independent Variable: Storage Units (100s)
  Time Period: Weekday Peak Hour, Adj. St. Traffic, One hr. between 7 and 9 am
  Calculation Method: Average (ITE Recommended)

- Proposed Mini-Warehouse
  OTISS Traffic Software Output
  ITE Code: 151
  Land Use: Mini-Warehouse (General Urban/Suburban)
  Independent Variable: Storage Units (100s)
  Time Period: Weekday Peak Hour, Adj. St. Traffic, One hr. between 4 and 6 pm
  Calculation Method: Average (ITE Recommended)

- Proposed Mini-Warehouse
  OTISS Traffic Software Output
  ITE Code: 720
  Land Use: Mini-Warehouse (General Urban/Suburban)
  Independent Variable: Storage Units (100s)
  Time Period: Weekday
  Calculation Method: Average (ITE Recommended)

## PERIOD SETTING

| | | | |
|---|---|---|---|
| **Analysis Name :** | Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m. | | |
| **Project Name :** | Winkler Junction | **No :** | |
| **Date:** | 10/26/2022 | **City:** | |
| **State/Province:** | | **Zip/Postal Code:** | |
| **Country:** | | **Client Name:** | |
| **Analyst's Name:** | | **Edition:** | Trip Generation Manual, 11th Ed |

| Land Use | Independent Variable | Size | Time Period | Method | Entry | Exit | Total |
|---|---|---|---|---|---|---|---|
| 151 - Mini-Warehouse (General Urban/Suburban) | Storage Units (100s) | 6.75 | Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m. | Average 1.21 | 4<br>50% | 4<br>50% | |

## TRAFFIC REDUCTIONS

| Land Use | Entry Reduction | Adjusted Entry | Exit Reduction | Adjusted Exit |
|---|---|---|---|---|
| 151 - Mini-Warehouse | 0 % | 4 | 0 % | 4 |

## EXTERNAL TRIPS

| Land Use | External Trips | Pass-by% | Pass-by Trips | Non-pass-by Trips |
|---|---|---|---|---|
| 151 - Mini-Warehouse | | 0 | 0 | |

## ITE DEVIATION DETAILS

**Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.**

Landuse — No deviations from ITE.

Methods — No deviations from ITE.

External Trips — 151 - Mini-Warehouse (General Urban/Suburban)
ITE does not recommend a particular pass-by% for this case.

## SUMMARY

| | |
|---|---|
| **Total Entering** | 4 |
| **Total Exiting** | 4 |
| **Total Entering Reduction** | 0 |
| **Total Exiting Reduction** | 0 |
| **Total Entering Internal Capture Reduction** | 0 |
| **Total Exiting Internal Capture Reduction** | 0 |
| **Total Entering Pass-by Reduction** | 0 |
| **Total Exiting Pass-by Reduction** | 0 |
| **Total Entering Non-Pass-by Trips** | 4 |
| **Total Exiting Non-Pass-by Trips** | 4 |

## PE IOD SETTING

| | | | |
|---|---|---|---|
| **Analysis Name :** | Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m. | | |
| **Project Name :** | Winkler Junction | **No :** | |
| **Date:** | 10/26/2022 | **City:** | |
| **State/Province:** | | **Zip/Postal Code:** | |
| **Country:** | | **Client Name:** | |
| **Analyst's Name:** | | **Edition:** | Trip Generation Manual, 11th Ed |

| Land Use | Independent Variable | Size | Time Period | Method | Entry | Exit | Total |
|---|---|---|---|---|---|---|---|
| 151 - Mini-Warehouse (General Urban/Suburban) | Storage Units (100s) | 6.75 | Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m. | Average 1.68 | 6 55% | 5 45% | 11 |

## T AFFIC EDUCTIONS

| Land Use | Entry eduction | Adjusted Entry | Exit eduction | Adjusted Exit |
|---|---|---|---|---|
| 151 - Mini-Warehouse | 0 % | 6 | 0 % | 5 |

## EXTE NAL T IPS

| Land Use | External Trips | Pass-by% | Pass-by Trips | Non-pass-by Trips |
|---|---|---|---|---|
| 151 - Mini-Warehouse | 11 | 0 | 0 | 11 |

## ITE DEVIATION DETAILS

**Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.**

Landuse No deviations from ITE.

Methods No deviations from ITE.

External Trips 151 - Mini-Warehouse (General Urban/Suburban)
ITE does not recommend a particular pass-by% for this case.

## SUMMARY

| | |
|---|---|
| **Total Entering** | 6 |
| **Total Exiting** | 5 |
| **Total Entering Reduction** | 0 |
| **Total Exiting Reduction** | 0 |
| **Total Entering Internal Capture Reduction** | 0 |
| **Total Exiting Internal Capture Reduction** | 0 |
| **Total Entering Pass-by Reduction** | 0 |
| **Total Exiting Pass-by Reduction** | 0 |
| **Total Entering Non-Pass-by Trips** | 6 |
| **Total Exiting Non-Pass-by Trips** | 5 |

## PERIOD SETTING

| | | | |
|---|---|---|---|
| **Analysis Name :** | Weekday | | |
| **Project Name :** | Winkler Junction | **No :** | |
| **Date:** | 10/26/2022 | **City:** | |
| **State/Province:** | | **Zip/Postal Code:** | |
| **Country:** | | **Client Name:** | |
| **Analyst's Name:** | | **Edition:** | Trip Generation Manual, 11th Ed |

| Land Use | Independent Variable | Size | Time Period | Method | Entry | Exit | Total |
|---|---|---|---|---|---|---|---|
| 151 - Mini-Warehouse (General Urban/Suburban) | Storage Units (100s) | 6.75 | Weekday | Average 17.96 | 61 50% | 60 50% | 121 |

## TRAFFIC REDUCTIONS

| Land Use | Entry Reduction | Adjusted Entry | Exit Reduction | Adjusted Exit |
|---|---|---|---|---|
| 151 - Mini-Warehouse | 0 % | 61 | 0 % | 60 |

## EXTERNAL TRIPS

| Land Use | External Trips | Pass-by% | Pass-by Trips | Non-pass-by Trips |
|---|---|---|---|---|
| 151 - Mini-Warehouse | 121 | 0 | 0 | 121 |

## ITE DEVIATION DETAILS

**Weekday**

Landuse — No deviations from TE.

Methods — No deviations from TE.

External Trips — 151 - Mini-Warehouse (General Urban/Suburban)
TE does not recommend a particular pass-by% for this case.

## SUMMARY

| | |
|---|---|
| **Total Entering** | 61 |
| **Total Exiting** | 60 |
| **Total Entering Reduction** | 0 |
| **Total Exiting Reduction** | 0 |
| **Total Entering Internal Capture Reduction** | 0 |
| **Total Exiting Internal Capture Reduction** | 0 |
| **Total Entering Pass-by Reduction** | 0 |
| **Total Exiting Pass-by Reduction** | 0 |
| **Total Entering Non-Pass-by Trips** | 61 |
| **Total Exiting Non-Pass-by Trips** | 60 |

Lee County
Southwest Florida

**BOARD OF COUNTY COMMISSIONERS**

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Richard Wm Wesch
*County Attorney*

Donna Marie Collins
*County Chief Hearing Examiner*

November 14, 2022 Via E-Mail

Stacey Ellis Hewitt
Banks Enginering
10511 Six Mile Cypress Parkway
Fort Myers, FL 33966

RE: **Potable Water and Wastewater Availability**
**Winkler Junction, 16881 Winkler Road**
**STRAP # 34-45-24-00-00011.0000**

Dear Ms. Hewitt:

The subject property is located within Lee County Utilities Future Service Area as depicted on Maps 4A and 4B of the Lee County Comprehensive Land Use Plan. Potable water and sanitary sewer lines are in operation adjacent to the property mentioned above. However, in order to provide service to the subject parcels, developer funded system enhancements such as line extensions may be required.

Your firm has indicated that this project will consist of 675 self storage units with an estimated flow demand of approximately 588 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water and sanitary sewer service as estimated above.

Availability of potable water and sanitary sewer service is contingent upon final acceptance of the infrastructure to be constructed by the developer. Upon completion and final acceptance of this project, potable water service will be provided through our Green Meadows Water Treatment Plant.

Sanitary sewer service will be provided by our Fiesta Village Water Reclamation Facility. The Lee County Utilities' Design Manual requires the project engineer to perform hydraulic computations to determine what impact this project will have on our existing system.

There is a reuse main in the vicinity of this parcel.

Prior to beginning design work on this project, please meet with LCU Staff to determine the best point of connection and discuss requirements for construction.

This letter should not be construed as a commitment to serve, but only as to the availability of service. Lee County Utilities will commit to serve only upon receipt of all appropriate connection fees, a signed request for service and/or an executed service agreement, and the

DCI2023-00004 Lee County ePlan Original application dated 02-01-2023



approval of all State and local regulatory agencies.

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

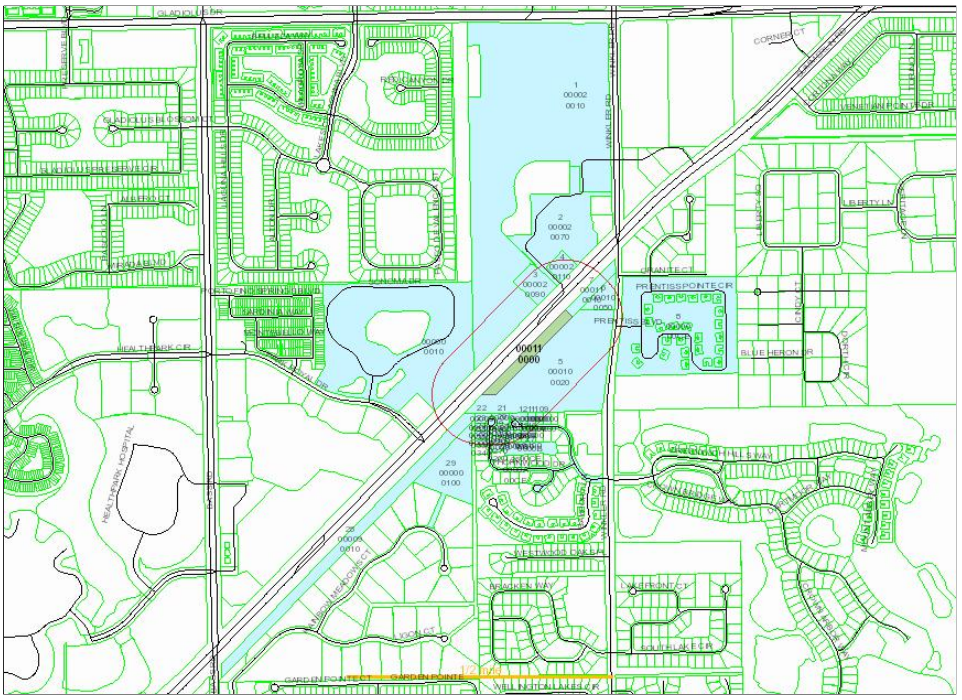
Sincerely,

**LEE COUNTY UTILITIES**



Mary McCormic
Technician Senior
239-533-8532
UTILITIES ENGINEERING

Original application dated 02-01-2023
Variance Map and Info



Date of Report: January 23, 2023
Buffer Distance: 500 feet Rerun
Parcels Affected: 30
Subject Parcel: **34-45-24-00-00011.0000**

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

To change, add or remove subject parcels please change the parcel selection in GeoView

| OWNER NAME AND ADDRESS | STRAP AND LOCATION | LEGAL DESCRIPTION | MAP INDEX |
|---|---|---|---|
| HERMES INVESTMENT CO INC<br>ZVI KALINSKI<br>2968 SALMON RIVER CIR<br>WESTLAKE VILLAGE CA 91362 | **34-45-24-00-00002.0010**<br>8871 GLADIOLUS DR<br>FORT MYERS FL 33908 | PARCEL LYING IN S3/4 OF SEC NORTH OF<br>SUMMERLIN AND WEST OF WINKLER LESS ROW<br>DESC IN INST#2006-363976 | 1 |
| PRISA SUMMERLIN FL LLC<br>SOUTHEAST CENTERS LLC<br>1541 SUNSET DR STE 300<br>CORAL GABLES FL 33143 | **34-45-24-00-00002.0070**<br>15878/880 SUMMERLIN RD<br>FORT MYERS FL 33908 | PARCEL IN SW 1/4<br>DESC IN OR 3265/2228<br>LESS OR 3569/4256 + LESS OR 3636/2276 + LESS OR<br>3469/586 | 2 |
| OAK STREET INVESTMENT GRADE NE<br>OAK STREET REAL ESTATE CAPITAL<br>125 S WACKER DR STE 1220<br>CHICAGO IL 60606 | **34-45-24-00-00002.0090**<br>15900 SUMMERLIN RD<br>FORT MYERS FL 33908 | FRM W QTR CRN S 2219.41 THN<br>NE 968.57 TO POB THN NW 230<br>ETC DESC OR 3569/4256 + OR 3569 PG 4260 | 3 |
| ELIZABETH P COOK FAMILY LP<br>NANCY WOODHEAD<br>1925 VICKERS LN<br>SEVIERVILLE TN 37876 | **34-45-24-00-00002.0110**<br>15890 SUMMERLIN RD<br>FORT MYERS FL 33908 | PAR IN SW 1/4 AS DESC<br>IN OR 3469 PG 586 | 4 |
| FLORIDA POWER & LIGHT COMPANY<br>PROPERTY TAX-PSX-JB<br>700 UNIVERSE BLVD<br>JUNO BEACH FL 33408 | **34-45-24-00-00010.0020**<br>15824-834 WINKLER RD<br>FORT MYERS FL 33908 | LYING S+E OF FORMER SAL RR<br>R/W + W OF C/L WINKLER RD<br>SEC 33/34 AS DESC IN INST #2014000200926 | 5 |
| RACETRAC INC<br>PROPERTY TAX DEPT<br>200 GALLERIA PKWY SE STE 900<br>ATLANTA GA 30339 | **34-45-24-00-00010.0050**<br>15820 WINKLER RD<br>FORT MYERS FL 33908 | LYING S+E OF FORMER SAL RR<br>R/W + W OF C/L WINKLER RD<br>SEC 33/34 AS DES IN INST #2014000200926 | 6 |
| RACETRAC INC<br>PROPERTY TAX DEPT<br>200 GALLERIA PKWY SE STE 900<br>ATLANTA GA 30339 | **34-45-24-00-00011.0010**<br>ACCESS UNDETERMINED<br>FORT MYERS FL 33908 | ABANDONED SAL R/W IN SEC34<br>LESS S 200FT+OR1682PGS<br>2115+2117 LESS PAR 11.000 + 11.002 | 7 |
| PRENTISS POINTE CONDO ASSN<br>BILL COX MBA CAM<br>SUITOR MIDDLETON COX & ASSOC<br>15751 SAN CARLOS BLVD SUITE 8<br>FORT MYERS FL 33908 | **34-45-24-20-00000.00CE**<br>15760 PRENTISS POINTE CIR<br>FORT MYERS FL 33908 | PARL DESC IN OR 4839/3604 +<br>INST#2005-52932 + 119675 + 159917 +<br>28240 + 2006-129799 + 251634 + 330261 + 370470<br>COMMON ELEMENT | 8 |
| LEAHY THOMAS &<br>11962 AVALON PRESERVE BLVD<br>FORT MYERS FL 33908 | **03-46-24-18-00000.0030**<br>11962 AVALON PRESERVE BLVD<br>FORT MYERS FL 33908 | AVALON PRESERVE<br>DESC IN INST#2006-227953<br>LOT 3 | 9 |
| MICKLER JAMES JOHN &<br>11968 AVALON PRESERVE BLVD<br>FORT MYERS FL 33908 | **03-46-24-18-00000.0040**<br>11968 AVALON PRESERVE BLVD<br>FORT MYERS FL 33908 | AVALON PRESERVE<br>DESC IN INST#2006-227953<br>LOT 4 | 10 |
| LIGOTTI THOMAS A &<br>11974 AVALON PRESERVE BLVD<br>FORT MYERS FL 33908 | **03-46-24-18-00000.0050**<br>11974 AVALON PRESERVE BLVD<br>FORT MYERS FL 33908 | AVALON PRESERVE<br>DESC IN INST#2006-227953<br>LOT 5 | 11 |
| VOLTERRI ALEX & LARRILEEN<br>12125 ROSE LN<br>OMAHA NE 68154 | **03-46-24-18-00000.0060**<br>11980 AVALON PRESERVE BLVD<br>FORT MYERS FL 33908 | AVALON PRESERVE<br>DESC IN INST#2006-227953<br>LOT 6 | 12 |
| SHIRLEY ROBERTA<br>11993 AVALON PRESERVE BLVD<br>FORT MYERS FL 33908 | **03-46-24-18-00000.0070**<br>11993 AVALON PRESERVE BLVD<br>FORT MYERS FL 33908 | AVALON PRESERVE<br>DESC IN INST#2006-227953<br>LOT 7 | 13 |
| FINKE KARL-HEINZ & PETRA<br>11987 AVALON PRESERVE BLVD<br>FORT MYERS FL 33908 | **03-46-24-18-00000.0080**<br>11987 AVALON PRESERVE BLVD<br>FORT MYERS FL 33908 | AVALON PRESERVE<br>DESC IN INST#2006-227953<br>LOT 8 | 14 |

| | | | |
|---|---|---|---|
| MAY GEORGE G TR<br>11981 AVALON PRESERVE BLVD<br>FORT MYERS FL 33908 | **03-46-24-18-00000.0090**<br>11981 AVALON PRESERVE BLVD<br>FORT MYERS FL 33908 | AVALON PRESERVE<br>DESC IN INST#2006-227953<br>LOT 9 | 15 |
| DEVENEZIO SHIRLEY M TR<br>11975 AVALON PRESERVE BLVD<br>FORT MYERS FL 33908 | **03-46-24-18-00000.0100**<br>11975 AVALON PRESERVE BLVD<br>FORT MYERS FL 33908 | AVALON PRESERVE<br>DESC IN INST#2006-227953<br>LOT 10 | 16 |
| KUEBER KENNETH W & TRACY A<br>14232 JAMIE DR<br>CARMEL IN 46033 | **03-46-24-18-00000.0260**<br>16025 THORN WOOD DR<br>FORT MYERS FL 33908 | AVALON PRESERVE<br>DESC IN INST#2006-227953<br>LOT 26 | 17 |
| BARD NORMA L<br>16019 THORNWOOD DR<br>FORT MYERS FL 33908 | **03-46-24-18-00000.0270**<br>16019 THORN WOOD DR<br>FORT MYERS FL 33908 | AVALON PRESERVE<br>DESC IN INST#2006-227953<br>LOT 27 | 18 |
| TOMMELLEO RICHARD L JR +<br>16013 THORN WOOD DR<br>FORT MYERS FL 33908 | **03-46-24-18-00000.0280**<br>16013 THORN WOOD DR<br>FORT MYERS FL 33908 | AVALON PRESERVE<br>DESC IN INST#2006-227953<br>LOT 28 | 19 |
| MAPSTONE RICHARD D &<br>16007 THORN WOOD DR<br>FORT MYERS FL 33908 | **03-46-24-18-00000.0290**<br>16007 THORN WOOD DR<br>FORT MYERS FL 33908 | AVALON PRESERVE<br>DESC IN INST#2006-227953<br>LOT 29 | 20 |
| MATTINGLY MICHAEL<br>16001 THORNWOOD DR<br>FORT MYERS FL 33908 | **03-46-24-18-00000.0300**<br>16001 THORN WOOD DR<br>FORT MYERS FL 33908 | AVALON PRESERVE<br>DESC IN INST#2006-227953<br>LOT 30 | 21 |
| VAZQUEZ ZORAIDA<br>16000 THORNWOOD DR<br>FORT MYERS FL 33908 | **03-46-24-18-00000.0310**<br>16000 THORN WOOD DR<br>FORT MYERS FL 33908 | AVALON PRESERVE<br>DESC IN INST#2006-227953<br>LOT 31 | 22 |
| WASSIL DAVID A & CATHY L<br>16006 THORN WOOD DR<br>FORT MYERS FL 33908 | **03-46-24-18-00000.0320**<br>16006 THORN WOOD DR<br>FORT MYERS FL 33908 | AVALON PRESERVE<br>DESC IN INST#2006-227953<br>LOT 32 | 23 |
| KELLY MARTIN THOMAS +<br>16012 THORN WOOD DR<br>FORT MYERS FL 33908 | **03-46-24-18-00000.0330**<br>16012 THORN WOOD DR<br>FORT MYERS FL 33908 | AVALON PRESERVE<br>DESC IN INST#2006-227953<br>LOT 33 | 24 |
| WESSEL JAMES R & JULIANN<br>16018 THORN WOOD DR<br>FORT MYERS FL 33908 | **03-46-24-18-00000.0340**<br>16018 THORN WOOD DR<br>FORT MYERS FL 33908 | AVALON PRESERVE<br>DESC IN INST#2006-227953<br>LOT 34 | 25 |
| AVALON PRESERVE MASTER ASSN<br>SENTRY MANAGEMENT INC<br>6330 TECHSTER BLVD STE 1<br>FORT MYERS FL 33966 | **03-46-24-18-0000A.00CE**<br>11898 AVALON PRESERVE BLVD<br>FORT MYERS FL 33908 | AVALON PRESERVE<br>DESC IN INST#2006-227953<br>TRACT A | 26 |
| AVALON PRESERVE MASTER ASSN<br>SENTRY MANAGEMENT INC<br>2180 W SR 434 STE 5000<br>LONGWOOD FL 32779 | **03-46-24-18-0000B.00CE**<br>AVALON PRESERVE C/E<br>FORT MYERS FL 33908 | AVALON PRESERVE<br>DESC IN INST#2006-227953<br>TRACT B | 27 |
| FLORIDA POWER & LIGHT COMPANY<br>PROPERTY TAX-PSX-JB<br>700 UNIVERSE BLVD<br>JUNO BEACH FL 33408 | **04-46-24-00-00009.0010**<br>RIGHT OF WAY<br>FORT MYERS FL | STRIP OF LAND 100 FT.WIDE<br>FORMER SAL RR R/W LYING E 1/2 OF<br>SECTION LESS OR 2082 PG 1929 | 28 |
| TERLEP JOHN C & BRITTANY<br>16414 RAINBOW MEADOWS CT<br>FORT MYERS FL 33908 | **04-46-24-01-00000.0100**<br>16414 RAINBOW MEADOWS CT<br>FORT MYERS FL 33908 | RAINBOW FARMS<br>PB 32 PG 46<br>LOT 10 | 29 |

HERMES INVESTMENT CO INC
ZVI KALINSKI
2968 SALMON RIVER CIR
WESTLAKE VILLAGE CA 91362

OAK STREET INVESTMENT GRADE NE
OAK STREET REAL ESTATE CAPITAL
125 S WACKER DR STE 1220
CHICAGO IL 60606

FLORIDA POWER & LIGHT COMPANY
PROPERTY TAX-PSX-JB
700 UNIVERSE BLVD
JUNO BEACH FL 33408

RACETRAC INC
PROPERTY TAX DEPT
200 GALLERIA PKWY SE STE 900
ATLANTA GA 30339

LEAHY THOMAS &
11962 AVALON PRESERVE BLVD
FORT MYERS FL 33908

LIGOTTI THOMAS A &
11974 AVALON PRESERVE BLVD
FORT MYERS FL 33908

SHIRLEY ROBERTA
11993 AVALON PRESERVE BLVD
FORT MYERS FL 33908

MAY GEORGE G TR
11981 AVALON PRESERVE BLVD
FORT MYERS FL 33908

KUEBER KENNETH W & TRACY A
14232 JAMIE DR
CARMEL IN 46033

TOMMELLEO RICHARD L JR +
16013 THORN WOOD DR
FORT MYERS FL 33908

PRISA SUMMERLIN FL LLC
SOUTHEAST CENTERS LLC
1541 SUNSET DR STE 300
CORAL GABLES FL 33143

ELIZABETH P COOK FAMILY LP
NANCY WOODHEAD
1925 VICKERS LN
SEVIERVILLE TN 37876

RACETRAC INC
PROPERTY TAX DEPT
200 GALLERIA PKWY SE STE 900
ATLANTA GA 30339

PRENTISS POINTE CONDO ASSN
BILL COX MBA CAM
SUITOR MIDDLETON COX & ASSOC
15751 SAN CARLOS BLVD SUITE 8
FORT MYERS FL 33908

MICKLER JAMES JOHN &
11968 AVALON PRESERVE BLVD
FORT MYERS FL 33908

VOLTERRI ALEX & LARRILEEN
12125 ROSE LN
OMAHA NE 68154

FINKE KARL-HEINZ & PETRA
11987 AVALON PRESERVE BLVD
FORT MYERS FL 33908

DEVENEZIO SHIRLEY M TR
11975 AVALON PRESERVE BLVD
FORT MYERS FL 33908

BARD NORMA L
16019 THORNWOOD DR
FORT MYERS FL 33908

MAPSTONE RICHARD D &
16007 THORN WOOD DR
FORT MYERS FL 33908

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DCI2023-00004 Lee County eFile Original application dated 02-01-2023


MATTINGLY MICHAEL
16001 THORNWOOD DR
FORT MYERS FL 33908

VAZQUEZ ZORAIDA
16000 THORNWOOD DR
FORT MYERS FL 33908

WASSIL DAVID A & CATHY L
16006 THORN WOOD DR
FORT MYERS FL 33908

KELLY MARTIN THOMAS +
16012 THORN WOOD DR
FORT MYERS FL 33908

WESSEL JAMES R & JULIANN
16018 THORN WOOD DR
FORT MYERS FL 33908

AVALON PRESERVE MASTER ASSN
SENTRY MANAGEMENT INC
6330 TECHSTER BLVD STE 1
FORT MYERS FL 33966

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FORT MYERS FL 33908