



LEE COUNTY BOARD OF COUNTY COMMISSIONERS  
ZONING  
and  
COMPREHENSIVE PLAN AMENDMENT HEARING  
AGENDA

Wednesday, March 8, 2023

9:30AM

DCI2021-00041  
Z-23-004

Apaloosa Lane CPD

DCI2021-00026  
Z-22-034

Homes at 81 West RPD

DCI2021-00029  
Z-23-001

3640 SW Pine Island Road CPD

CPA2021-00009

Burnt Store Mixed-Use Development

**NOTICE OF PROPOSED AMENDMENT TO THE  
LEE COUNTY COMPREHENSIVE LAND USE PLAN  
(ADOPTION HEARING)**

The Lee County Board of County Commissioners will hold a public hearing to consider the adoption of proposed amendments to the Lee County Comprehensive Land Use Plan (Lee Plan) on Wednesday, March 8, 2023. The hearing will commence at 9:30 a.m., or as soon thereafter as can be heard, in the Board Chambers, 2120 Main Street in Downtown Fort Myers.

The Board proposes to adopt an ordinance amending the Lee Plan as follows:

Burnt Store Road Mixed-Use Development CPA2021-00009: Amend the Future Land Use Map designation for 33.48 acres from the Open Lands future land use category (FLU) to the Central Urban FLU and 2.01 acres from the Open Lands FLU to the Wetlands FLU.

The property is located on the east side of Burnt Store Road, east of the Cape Coral City Limits and Burnt Store Marina, and less than a mile south of Charlotte County.

Copies of this Notice and the proposed ordinance are available for inspection or copying during regular business hours at the Minutes Office of the Clerk of Courts of Lee County. The Minutes Office is located in the Courthouse Administration Building, 2115 Second Street, Fort Myers, Florida. This meeting is open to the public. Interested parties may appear at the meeting and be heard with respect to the proposed plan amendment. A verbatim record of the proceeding will be necessary to appeal a decision made at this hearing.

It is the intent of the Board of County Commissioners that the provisions of this Ordinance may be modified as a result of consideration that may arise during Public Hearing(s). Such modifications shall be incorporated into the final version.

Lee County will not discriminate against individuals on the basis of race, color, national origin, sex, age, disability, religion, income or family status. To request language interpretation, document translation or an ADA-qualified reasonable modification at no charge to the requestor, contact Joan LaGuardia, (239) 839-6038, Florida Relay Service 711, at least five business days in advance. El Condado de Lee brindará servicios de traducción sin cargo a personas con el idioma limitado del inglés.

**SUMMARY SHEET**  
**CPA2021-00009 – BURNT STORE ROAD MIXED-USE DEVELOPMENT**  
**ADOPTION HEARING**

**REQUEST:**

Amend the Future Land Use Map designation on ±35.5 acres from the Open Lands future land use category to the Central Urban and Wetlands future land use categories. The requested map amendment qualifies as a small scale comprehensive plan amendment per Florida Statute 163.3187(1), requiring only one public hearing by the BoCC to adopt the proposed amendment.

The requested amendment will allow a mix of residential and commercial uses on the subject property and allows a density of 10 dwelling units per acre. The existing future land use category allows a maximum density of 1 unit per 10 acres and limited commercial uses.

**LPA PUBLIC HEARING:**

The LPA discussed the proposed amendment and various merits of the case, including similar changes in the City of Cape Coral, the expansion of Burnt Store Road, the increase in density, protection of the Yucca Pens flowway, future development expectations, and existing surrounding uses.

The LPA was split on the appropriateness of the density increase that would result from the proposed amendment, going from one unit per ten acres to ten units per acre, and there was discussion by the LPA about the possibility of a future land use category with a lower, more appropriate, density. Based on available and planned infrastructure and likely future development patterns along Burt Store Road within the City of Cape Coral Staff continued to support the Urban Community future land use category. The applicant agreed and was not interested in revising their amendment request to a less intense future land use category.

**LPA PUBLIC INPUT:**

There was no public comment concerning the proposed amendment at the LPA Hearing.

**LPA MOTION:**

A motion was made to recommend that the Board of County Commissioners **deny**<sup>1</sup> CPA2021-00009. The motion failed 3 to 3.

RAYMOND BLACKSMITH	<u>NAY</u>
DUSTIN GARDNER	<u>NAY</u>
VACANT	<u>VACANT</u>
KEITH DEAN	<u>AYE</u>
DON SCHROTENBOER	<u>NAY</u>
STAN STOUDER	<u>AYE</u>
HENRY ZUBA	<u>AYE</u>

**STAFF RECOMMENDATION:**

Staff recommends that the BoCC ***adopt*** the proposed amendment as provided in Attachment 1.

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<sup>1</sup> Per LDC 34-114(d)(1)b., a tie vote resulting from a motion will deem the matter denied by the LPA.

LEE COUNTY ORDINANCE NO. \_\_\_\_

**AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN TO ADOPT A SMALL SCALE AMENDMENT (CPA2021-00009) PERTAINING TO BURNT STORE ROAD MIXED USE DEVELOPMENT; PROVIDING FOR PURPOSE, INTENT AND SHORT TITLE; ADOPTION OF SMALL SCALE AMENDMENT TO LEE PLAN MAP 1A, THE FUTURE LAND USE MAP; LEGAL EFFECT OF THE “LEE PLAN”; PERTAINING TO MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; GEOGRAPHICAL APPLICABILITY; SEVERABILITY; INCLUSION IN CODE, CODIFICATION AND SCRIVENER’S ERRORS, AND AN EFFECTIVE DATE.**

WHEREAS, the Lee County Comprehensive Plan (“*Lee Plan*”) and Chapter XIII, provides for adoption of amendments to the Plan in compliance with State statutes and in accordance with administrative procedures adopted by the Board of County Commissioners (“*Board*”); and

WHEREAS, the Board, in accordance with Section 163.3181, Florida Statutes, and Lee County Administrative Code AC-13-6, provide an opportunity for private individuals to request amendment to the Future Land Use Map through a small scale amendment public hearing process; and

WHEREAS, the Local Planning Agency (“*LPA*”) held a public hearing on the adoption of the proposed amendment on January 23, 2023. At that hearing the LPA ended in a tie vote; and

WHEREAS, the Board held a public hearing for the adoption of the proposed amendment on March 8, 2023. At that hearing, the Board approved a motion to adopt proposed amendment CPA2021-00009 pertaining to Burnt Store Road Mixed Use Development, amending Map 1A of the Lee Plan, the Future Land Use Map. The subject parcel is located on the east side of Burnt Store Road, east of the Cape Coral City Limits and Burnt Store Marina, and less than a mile south of Charlotte County.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, THAT:**

**SECTION ONE: PURPOSE, INTENT AND SHORT TITLE**

The Board of County Commissioners of Lee County, Florida, in compliance with Chapter 163, Part II, Florida Statutes, and with Lee County Administrative Code AC-13-6, conducted a public hearing to review a proposed small scale amendment to the Future



Land Use Map Series of the Lee Plan. The purpose of this ordinance is to adopt the amendment to the Lee Plan discussed at that meeting and later approved by a majority of the Board of County Commissioners. The short title and proper reference for the Lee County Comprehensive Land Use Plan, as hereby amended, will continue to be the "Lee Plan." This amending ordinance may be referred to as the "Burnt Store Road Mixed Use Development (CPA2021-00009)".

## **SECTION TWO: ADOPTION OF SMALL SCALE AMENDMENT TO LEE PLAN FUTURE LAND USE MAP SERIES, MAP 1A**

The Lee County Board of County Commissioners hereby amends the existing Lee Plan, adopted by Ordinance Number 89-02, as amended, by adopting an amendment to the Future Land Use Map Series, Map1A, the Future Land Use Map.

The amendment to the Future Land Use Map will change the allowable density and uses of the subject property from 1 dwelling unit per 10 acres to allow up to 10 dwelling units an acre. The change will also remove the limitation that commercial uses must be intended to serve residents of the adjacent rural areas. These proposed amendments are anticipated to facilitate the development of residential and nonresidential uses compatible with nearby development anticipated within the City of Cape Coral.

The subject parcel is located on the east side of Burnt Store Road, east of the Cape Coral City Limits and Burnt Store Marina, and less than a mile south of Charlotte County. The corresponding staff report and analysis, along with all attachments for this amendment, are adopted as "support documentation" for the Lee Plan.

## **SECTION THREE: LEGAL EFFECT OF THE "LEE PLAN"**

No public or private development will be permitted except in conformity with the Lee Plan. All land development regulations and land development orders must be consistent with the Lee Plan as amended.

## **SECTION FOUR: MODIFICATION**

It is the intent of the Board of County Commissioners that the provisions of this Ordinance may be modified as a result of consideration that may arise during Public Hearing(s). Such modifications shall be incorporated into the final version.

## **SECTION FIVE: GEOGRAPHIC APPLICABILITY**

The Lee Plan is applicable throughout the unincorporated area of Lee County, Florida, except in those unincorporated areas included in joint or interlocal agreements with other local governments that specifically provide otherwise.

## **SECTION SIX: SEVERABILITY**

The provisions of this ordinance are severable and it is the intention of the Board of County Commissioners of Lee County, Florida, to confer the whole or any part of the powers herein provided. If any of the provisions of this ordinance are held unconstitutional by a court of competent jurisdiction, the decision of that court will not affect or impair the remaining provisions of this ordinance. It is hereby declared to be the legislative intent of the Board of County Commissioners that this ordinance would have been adopted had the unconstitutional provisions not been included therein.

## **SECTION SEVEN: INCLUSION IN CODE, CODIFICATION AND SCRIVENERS' ERROR**

It is the intention of the Board of County Commissioners that the provisions of this ordinance will become and be made a part of the Lee County Code. Sections of this ordinance may be re-numbered or re-lettered and the word "ordinance" may be changed to "section," "article" or other appropriate word or phrase in order to accomplish this intention; and regardless of whether inclusion in the code is accomplished, sections of this ordinance may be renumbered or relettered. The correction of typographical errors that do not affect the intent may be authorized by the County Manager, or his designee, without need of a public hearing, by filing a corrected or re-codified copy with the Clerk of the Circuit Court.

## **SECTION EIGHT: EFFECTIVE DATE**

The small scale Lee Plan amendment adopted by this ordinance will be effective 31 days after adoption unless challenged within 30 days after adoption. If challenged within 30 days after adoption, the small scale amendment to the Lee Plan will not be effective until the Florida Department of Economic Opportunity or the Administrative Commission issues a final order determining the small scale amendment is in compliance with Florida Statutes, Section 163.3184. No development orders, development permits or land uses dependent on this amendment may be issued or commence before the amendment has become effective.

Commissioner \_\_\_\_\_ made a motion to adopt the foregoing ordinance, seconded by Commissioner \_\_\_\_\_. The vote was as follows:

Kevin Ruane	_____
Cecil L Pendergrass	_____
Raymond Sandelli	_____
Brian Hamman	_____
Mike Greenwell	_____

DONE AND ADOPTED this 8<sup>th</sup> day of March 2023.

ATTEST:  
KEVIN KARNES, CLERK

LEE COUNTY BOARD OF  
COUNTY COMMISSIONERS

BY: \_\_\_\_\_  
Deputy Clerk

BY: \_\_\_\_\_  
Brian Hamman, Chair

DATE: \_\_\_\_\_

APPROVED AS TO FORM FOR THE  
RELIANCE OF LEE COUNTY ONLY

\_\_\_\_\_  
Lee County Attorney's Office

Exhibit A (Adopted by BOCC March 8, 2023):  
Adopted existing Future Land Use Map 1A  
Adopted revisions to Future Land Use Map 1A

CAO Draft 2/13/2023







# STAFF REPORT FOR CPA2021-00009: Burnt Store Road Mixed Use Development



## Privately Initiated Map Amendment

### Recommendation

Adopt

### Applicant

SVR Investments, LLC

### Representative

Linda Miller, AICP  
Avalon Engineering

### Property Size

±35.5 Acres

### Planning District:

Burnt Store

### Commissioner District

District 4

### Hearing Dates

LPA: 01/23/2023  
BoCC: 03/08/2023

### Attachment(s):

1: Proposed Amendments  
2: Applicant Materials

## REQUEST

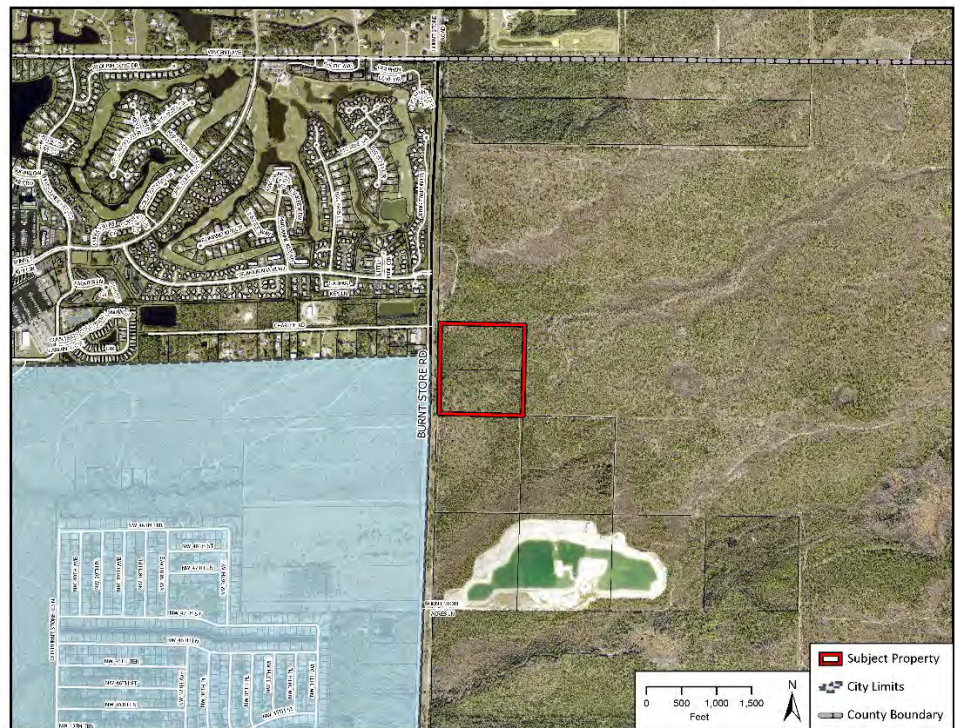
Amend the Future Land Use Map (Map 1A) to re-designate the future land use categories of approximately 35.5 acres from Open Lands and Wetlands to Central Urban and Wetlands.

## SUMMARY

The amendment to the Future Land Use Map will change the allowable density and uses of the subject property from 1 dwelling unit per 10 acres to allow up to 10 dwelling units an acre. The change will also remove the limitation that any commercial uses must be intended to serve only the needs of residents of the adjacent rural areas<sup>1</sup>. These proposed amendments are anticipated to facilitate the development of residential and non-residential uses compatible with nearby development anticipated within the City of Cape Coral.

## PROJECT LOCATION

The property is located on the east side of Burnt Store Road, east of the Cape Coral City Limits and Burnt Store Marina, and less than a mile south of Charlotte County.



## RECOMMENDATION

Staff recommends that the Board of County Commissioners **adopt** the requested amendments based on the analysis and findings provided in this staff report.

<sup>1</sup> Lee Plan Policies 1.4.4 and 6.1.2.



**PART 1**  
**STAFF DISCUSSION AND ANALYSIS**

**CONCURRENT APPLICATION REVIEW**

The applicant has filed a companion rezoning application (DCI2022-00039) being reviewed concurrently with this plan amendment application. The applicant is seeking to rezone the subject property from AG-2 to a Mixed Use Planned Development (MPD) to allow up to 222,900 square feet of commercial and a maximum of 354 dwelling units. The zoning case is still in the early stages of the review process and may change with future resubmittals.

Florida Statutes Chapter 163.3184(12) provides that “At the request of an applicant, a local government shall consider an application for zoning changes that would be required to properly enact any proposed plan amendment transmitted pursuant to this subsection.” This requires Lee County provide concurrent review of the rezoning request.

Even with the recommended adoption of the proposed amendments, the applicant must demonstrate consistency with the Lee Plan, including the proposed amendments, in order for the companion rezoning to receive a favorable recommendation.

**SUBJECT PROPERTY**

The subject property contains ±35.5 acres and includes two separate parcels. The property is currently in the Open Lands future land use category and is zoned AG-2. Both parcels are currently vacant. The Yucca Pen Creek generally runs through the middle of the subject property, separating the two parcels. The subject property is in Planning District 5 (Burnt Store), and is not within any established Community Plan Area.

**SURROUNDING PROPERTIES**

To the north and east of the subject property is the Yucca Pens Unit of the Babcock Webb Wildlife Management Area, managed by the Florida Fish and Wildlife Conservation Commission. This preserve consists of parcels owned by the State of Florida, which were generally acquired between 1996 and 2014.<sup>2</sup>

South of the subject property are vacant parcels zoned AG-2, and a Residential Planned Development (RPD) consisting of approximately 123 acres and 19 dwelling units. The RPD was originally approved in 2004 by resolution Z-04-009.

The subject property is bordered on the west by Burnt Store Road. West of Burnt Store Road are: Charlotte Harbor Preserve State Park; Charlotte Harbor Buffer Preserve; a property zoned Community Commercial containing a Dollar General; and, the Burnt Store Marina and residential community.

The Burnt Store Marina and residential community consists of 678 single family homes, 70 duplexes, 1042 multi-family units, wet and dry boat slips, and approximately 83,000 square feet of non-residential uses. Multiple zoning categories exist throughout Burnt Store Marina, including AG-2 (Agricultural), EC

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<sup>2</sup> *A Management Plan for Fred C. Babcock-Cecil M. Webb Wildlife Management Area*, Florida Fish and Wildlife Conservation Commission, November 2014.

(Environmentally Critical), RM-10 (Multi-family residential), RM-2 (Multi-family residential), CPD (Commercial Planned Development), and RPD (Residential Planned Development).

#### **LEE PLAN ANALYSIS**

The subject property is currently designated as Open Lands on the Future Land Use Map, which is described by Policy 1.4.4 of the Lee Plan.

**Policy 1.4.4** states that the Open Lands future land use category are “extremely remote from public services and are characterized by agricultural and low-density residential uses. Commercial and industrial uses are permitted in this category in accordance with the standards in the Rural category. The maximum density in this category is one dwelling unit per ten acres”.

The proposed amendment is to re-designate the subject property from the Open Lands future land use categories to the Central Urban and Wetlands future land use categories.

Lee Plan **Policy 1.1.3** provides that the “Central Urban future land use category can best be characterized as the ‘urban core’ of the County. These areas are already the most heavily settled and have, or will have, the greatest range and highest levels of public services. Residential, commercial, public and quasi-public, and limited light industrial land uses will continue to predominate in the Central Urban future land use category. Future development in this category is encouraged to be mixed use, as described in Objective 11.1, where appropriate. The standard density range is from four dwelling units per acre (4 du/acre) to ten dwelling units per acre (10 du/acre)”.

This region of the county, which has long been a place of little to no development, has become a subject of interest for future growth in recent years. In 2016, an interlocal agreement was executed between Charlotte and Lee Counties allowing Charlotte County Utilities to provide water, sewer, and reuse service to land in Lee County along Burnt Store Road, including the subject property. Based on **Policies 4.1.1 and 4.1.2**, the density allowed by the proposed amendment would require future development connect to public sewer and water systems. The ability of the subject property to connect to public utilities allows the applicant to comply with Policies 4.1.1 and 4.1.2.

**Objective 2.2** provides that new development should be directed “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.” As discussed above, the subject property is located in an area where public facilities are planned and will be available. Burnt Store Road is also in the process of being expanded from a two lane arterial road to a four-lane arterial. More information regarding the expansion of Burnt Store Road can be found in the “Transportation” section of this report. In addition to the availability of utility and transportation infrastructure, the City of Cape Coral has recently approved changes to their development regulations that would allow for intense mixed use development along the Burnt Store Road corridor. These changes are discussed in greater detail in the “Compatibility with the City of Cape Coral” section of this report. The increased development allowed by the proposed amendment can be served by planned or available infrastructure and is consistent and compatible with the development anticipated within the City of Cape Coral along the Burnt Store Road corridor and is consistent with Objective 2.2.



**Goal 5** of the Lee Plan provides that Lee County will accommodate the projected population in appropriate locations with a variety of attractive and safe neighborhoods with a range of housing types and prices. **Policy 5.1.2** prohibits residential development where physical constraints or hazards exist or require density and design to be adjusted accordingly. As previously stated, the subject property contains portions of the Yucca Pen Creek which must be accommodated through the site design and concurrent rezoning. However, the property is located in FEMA flood zone “X” and is not within the Coastal High Hazard Area as depicted on Lee Plan Map 5A. The proposed amendment will help to accommodate Lee County’s projected population in an appropriate location, consistent with **Goal 5** and **Policy 5.1.2** of the Lee Plan.

#### **Compatibility with City of Cape Coral**

Due to proximity of the subject property to the City of Cape Coral, compatibility with Cape Coral’s comprehensive plan should be considered.

The City of Cape Coral passed a text amendment to their comprehensive plan to guide future development along Burnt Store Road on December 7, 2022. Cape Coral Planning Staff stated the desire of the city is to plan for what is likely the next area of urban development over the coming years. This area is one of the last remaining areas in Cape Coral with large, vacant lots that are available for development. In anticipation of this, the city created the Burnt Store Road District (BURST).

Cape Coral has indicated in the proposed language that stand-alone residential uses within the BURST will not be permitted. High-density multi-family development up to 25 dwelling units an acre will be permitted as part of a mixed-use building. Commercial development in this future land use category will allow a maximum floor area ratio of 1.0.

The City of Cape Coral followed up the text amendments creating the BURST with map amendment LU21-0017 to identify the location of the development standards. The map amendment was presented to the City’s Planning and Zoning Commission on January 11, 2023. Based on the map amendment, the area of the BURST will include most of the parcels bordering Burnt Store Road north of Van Buren Parkway within Cape Coral city limits.

While Cape Coral intends to restrict residential development solely to multi-family mixed-use project, the proposed density and intensity permitted within Cape Coral indicates that this area will be a mixed-use urban core. The proposed amendment to Lee County’s Future Land Use map would allow for complimentary uses to an area that is expected to intensify in the coming years.

#### **Environmental Review**

The property is in the Yucca Pen Creek Watershed and Yucca Pen Creek conveys offsite flows through the property that ultimately outfall into Charlotte Harbor. The applicant’s Environmental Assessment identified 33.48 acres of Pine Flatwoods (411), 0.43 acres of Stream (510), and 1.58 acres of Mixed Wetland Hardwoods (617). A formal wetland jurisdictional determination was not provided therefore the upland and wetland acreages provided are subject to review/approval by the applicable State reviewing agency.

The applicant has stated that Yucca Pen Creek will be preserved maintaining connectivity to the State owned lands to the east. Preservation and buffering of the natural waterway will be a requirement of the concurrent rezoning in order to ensure consistency with Policies 123.1.5, 123.2.3, 123.2.10, and 126.1.1.

Lee Plan **Policy 126.1.4** requires that development designs maintain or improve surface water flows, groundwater levels, and lake levels at or above existing conditions prior to future development. The Yucca Pen Creek Watershed is described in Lee County's Northwest Lee County Surface Water Management Plan. Yucca Pen Creek drains the approximately 2,617 acre Yucca Pen Creek watershed, which is within the Yucca Pen Wildlife Management Area that connects to the larger Babcock Webb Wildlife Management Area spanning northern Lee County and southern Charlotte County. In order to demonstrate consistency with Policy 126.1.4 and to ensure future development does not lead to upstream or downstream flooding, calculations and modeling will be required during zoning and/or development order review to ensure the conveyance capacity of Yucca Pen Creek is maintained and/or improved.

The Yucca Pen Creek Watershed is also on the Florida Department of Environmental Protection Study List for Dissolved Oxygen based on the number of exceedances for the sample size. The Northwest Lee County Surface Water Management Plan provides the following recommendation: *"Future developments within the unincorporated areas of Lee County east of Burnt Store Road should be required to provide treatment for 1-inch of runoff generated from the developed areas through wet or dry retention/detention systems as the BMPs."* The applicant does not anticipate that the proposal will cause adverse impacts to surface and ground water quality, however, during the rezoning process the applicant must demonstrate how the project will comply with the Lee Plan and will need to prepare a water quality monitoring plan to demonstrate compliance with Goal 125.

Future development will require a Lee County Development Order approval and Environmental Resource Permit approval from the South Florida Water Management District (SFWMD) and must comply with surface water quality standards as required by SFWMD and Lee County.

#### **Transportation:**

Access to the property is from County Road 765 (Burnt Store Road) which is a paved, county-maintained, arterial roadway. Lee Plan amendments require both a short range (5 years) and long range (20+ years) level of service (LOS) analysis. Based on the information provided in the application materials:

Short Range Analysis: All roadways within 3 miles will operate at an acceptable level of service both with and without the additional trips generated from the project.

Long Range Analysis: All roadways within 3 miles will operate at an acceptable level of service both with and without the additional trips generated from the project.

Lee County has designated Burnt Store Road, from State Road 78 (Pine Island Road) to the Charlotte County line, as a controlled access road facility. Improvements are currently underway for Burnt Store Road that will expand the roadway from two to four lanes and implement the controlled access locations. According to Resolution 20-09-26, the subject property will have a directional access point opposite of Charlee Road that aligns with the northern boundary of the subject property. The resolution also shows a right in/right out only driveway that aligns with the southern boundary of the subject property. These access points are separated from each other by approximately 1,290 feet. The final segment of the first phase of expansion, which is located south of the subject property in Cape Coral, is expected to be completed by summer of 2023. Expansion of the roadway near the subject property is expected to go into the design phase within the next two years.

### **Service Availability**

Consistent with **Objective 2.2**, there are adequate potable water, sanitary sewers, solid waste, police, fire/EMS, and schools services and facilities to accommodate the proposed amendment.

**Mass Transit:** The subject property is not within one-quarter mile of a fixed-route corridor, the closest bus stop is not within one-quarter mile of a bus stop, and the 2016 TDP does not identify the need for enhanced or additional transit services in the area.

**Utilities:** The subject property has water, sewer, and reclaimed water service through a 2016 interlocal agreement between Lee and Charlotte counties. Water and sewer service will be provided by Charlotte County Utilities.

**Solid Waste:** The subject property has access to solid waste services. Solid waste collection services will be provided by Lee County using the Lee County Resource Recovery Facility and the Lee-Hendry Regional Landfill.

**Fire:** The Cape Coral Fire Department indicated they are capable of providing fire protection. A full-time fire station is located approximately two miles from the subject property.

**EMS:** The subject property has access to EMS services. Lee County Emergency Medical Services will be able to serve the property from Medic 41, located 6.8 miles south of the property, and a second EMS facility located within 8 miles of the subject property.

**Law Enforcement:** The Lee County Sheriff's Office (LCSO) has indicated that adequate service can be provided to the subject property. LCSC will provide law enforcement services from the Gulf District in Pineland.

**Schools:** The subject property is located in the West Choice Zone, W2. There is adequate school seat capacity to serve the subject property and the project's generation of elementary and middle school students. Capacity is an issue within the Concurrency Service Area (CSA) at the high school level; however, capacity is available in the adjacent CSA.

### **CONCLUSIONS**

The proposed amendments to the Lee Plan are consistent with the Lee Plan as discussed in the report and summarized below.

- The increased development that would be allowed by the proposed amendment is consistent and compatible with the development anticipated within the City of Cape Coral along the Burnt Store Road.
- There are adequate potable water, sanitary sewers, solid waste, police, fire/EMS, and schools services and facilities to accommodate the proposed amendment.
- There are acceptable levels of service on Burnt Store Road both with and without the proposed amendments to the Lee Plan.
- The proposed amendment will help to accommodate Lee County's projected population in an appropriate location.

- The concurrent rezoning can be conditioned to accommodate surface water flows. Anticipated development and infrastructure improvements to this area of Lee County make the subject property more appropriate for a future urban designation as the property will no longer be “extremely remote from public services and are characterized by agricultural and low-density residential uses” as typically found on lands within the Open Lands future land use category.

For the reasons discussed in this staff report, Staff recommends that the Board of County Commissioners **adopt** the proposed amendments. Staff also recommends the Board of County Commissioners direct staff to analyze lands within unincorporated Lee County along Burnt Store Road, north of Cape Coral to determine if additional amendments should be made to the Lee Plan in order address changing conditions along the Burnt Store Road corridor.

## PART 2 LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

DATE OF PUBLIC HEARING: January 23, 2023

### **A. LOCAL PLANNING AGENCY REVIEW**

The applicant’s representatives provided a presentation addressing the requested amendments, subject property, existing and proposed future land use categories, future expansion of Burnt Store Road, surrounding future land use categories in the City of Cape Coral, and consistency with the Lee Plan.

Following this, staff made a presentation addressing the requested amendments, subject property, consistency with the Lee Plan, and staff recommendation.

There was no public comment on the proposed amendment.

#### **LPA Discussion**

Members of the LPA had questions about: maintenance of the Yucca Pens flowway; availability of utilities; rationale for the large change in allowable density; timeline of the Burnt Store Road expansion; density of nearby existing neighborhoods; change in commercial limitations; recent and ongoing changes to the City of Cape Coral’s nearby future land use category; how the subject property could be determined to be part of the urban core of the county; and, what other future land use categories might be an appropriate designation for the subject property.

The LPA’s discussion primarily focused on how much the allowable density would be increased by the amendment, going from one unit per ten acres to ten units per acre. During the discussion the LPA asked staff if a future land use category with a lower density would be more appropriate for the property. Based on available and planned infrastructure and likely future development patterns along Burt Store Road within the City of Cape Coral, staff continued to support the Urban Community future land use category. The applicant agreed and was not interested in revising their amendment request to a less intense future land use category.

**B. LOCAL PLANNING AGENCY RECOMMENDATION**

A motion was made to recommend that the Board of County Commissioners deny CPA2021-00009. The motion to recommend the case be denied failed 3 to 3. However, based on the Lee County Land Development Code, the LPA vote results in a recommendation to ***deny*** the proposed amendments<sup>3</sup>.

RAYMOND BLACKSMITH	NAY
KEITH DEAN	AYE
DUSTIN GARDNER	NAY
DON SCHROTENBOER	NAY
STAN STOUDE	AYE
HENRY ZUBA	AYE
VACANT	VACANT

**C. STAFF RECOMMENDATION**

Staff recommends that the BoCC ***adopt*** the proposed amendment as provided in Attachment 1. Staff also recommends the Board of County Commissioners direct staff to analyze lands within unincorporated Lee County along Burnt Store Road, north of Cape Coral to determine if additional amendments should be made to the Lee Plan in order address changing conditions along the Burnt Store Road corridor.

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<sup>3</sup> Per LDC 34-114(d)(1)b., a tie vote resulting from a motion will deem the matter denied by the LPA.

# **ATTACHMENT 1**





CPA2021-00009

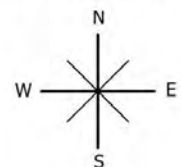


Map Generated: August 2022

- Outlying Suburban
- Rural
- Open Lands
- Conservation Lands - Upland
- Wetlands

- Conservation Lands - Wetland
- City Limits
- Subject Property
- County Boundary

Existing Future Land Use



0 1,000 2,000  
Feet





CPA2021-00009

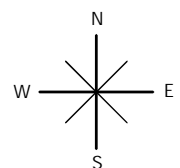
Proposed Future Land Use



Map Generated: August 2022

- Central Urban
- Wetlands
- Outlying Suburban
- Rural
- Open Lands
- Conservation Lands - Upland

- Wetlands
- Conservation Lands - Wetland
- City Limits
- Subject Property
- County Boundary



0 1,000 2,000  
Feet



RECEIVED  
JAN 10 2023

COMMUNITY DEVELOPMENT



Comprehensive Plan Map Amendment

Future Land Use Map- Open Lands to Central Urban and Wetlands

Project:

Burnt Store Mixed Use Development

Burnt Store Rd N

Cape Coral, FL 33993

Straps: 05-43-23-00-00003.0000 and 05-43-23-00-00003.0020

Presented by:



Avalon Engineering, Inc.  
2503 Del Prado BLVD S, Suite 200  
Cape Coral, FL 33904  
239-573-2077



# APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT - MAP

Project Name: Burnt Store Mixed-Use DevelopmentProject Description: Amend the Future Land Use Map designation from Open Lands to Central Urban and WetlandsMap(s) to Be Amended: Future Land Use MapState Review Process: ☐ Small-Scale Review ☐ State Coordinated Review ☒ Expedited State Review1. Name of Applicant: SVR Investments, LLC By: Stephen Raleigh, it's AMBRAddress: 5015 Skyline BoulevardCity, State, Zip: Cape Coral, Florida 33914Phone Number: 508-280-5678E-mail: stephenraleigh@gmail.com2. Name of Contact: Avalon Engineering, Inc. Linda Miller, AICPAddress: 2503 Del Prado Boulevard South, Suite 200City, State, Zip: Cape Coral, Florida 33904Phone Number: 239-573-2077, Extension 216E-mail: linda@avaloneng.com3. Owner(s) of Record: Same as Applicant

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone Number: \_\_\_\_\_

E-mail: \_\_\_\_\_

## 4. Property Location:

1. Site Address: Burnt Store Road N, Cape Coral, FL 339932. STRAP(s): 05-43-23-00-00003.0000 and 05-43-23-00-00003.0020

## 5. Property Information:

Total Acreage of Property: 35.5Total Acreage Included in Request: 35.5Total Uplands: 33.48 acresTotal Wetlands: 2.01 acresCurrent Zoning: AG-2Current Future Land Use Category(ies): Open LandsArea in Each Future Land Use Category: all 35.5 acresExisting Land Use: Vacant parcels

## 6. Calculation of maximum allowable development under current Lee Plan:

Residential Units/Density: 7 du / 1 per 5 acresIndustrial Intensity: n/aCommercial Intensity: minimal uses

## 7. Calculation of maximum allowable development with proposed amendments:

Residential Units/Density: 532 dwelling units15 dwelling units per acre maximumCommercial Intensity: 310,000Industrial Intensity: 30,000 (light industrial uses)

## **Public Facilities Impacts**

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

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

- a. Proposals affecting less than 10 acres, where development parameters are contained within the Traffic Analysis Zone (TAZ) or zones planned population and employment, or where there is no change in allowable density/ intensity, may be eligible for a TIS requirement waiver as outlined in the Lee County TIS Guidelines and AC-13-17. Identification of allowable density/intensity in order to determine socio-economic data for affected TAZ(s) must be coordinated with Lee County Planning staff. Otherwise a calculation of trip generation is required consistent with AC-13-17 and the Lee County TIS Guidelines to determine required components of analysis for:
  - i. Total peak hour trip generation less than 50 total trip ends – trip generation.
  - ii. Total peak hour trip generation from 50 to 300 total trip ends – trip generation, trip distribution and trip assignment (manual or Florida Standard Urban Transportation Modeling Structure (FSUTMS) analysis consistent with AC-13-17 and TIS Guidelines), short-term (5 year) and long-range (to current Lee Plan horizon year) segment LOS analysis of the nearest or abutting arterial and major collector segment(s) identified in the Transportation Inventory based on the trip generation and roadway segment LOS analysis criteria in AC-13-17. A methodology meeting is recommended prior to submittal of the application to discuss use of FSUTMS, any changes to analysis requirements, or a combined CPA and Zoning TIS short term analysis.
  - iii. Total peak hour trip generation is over 300 total trip ends - trip generation, mode split, trip distribution and trip assignment (manual or FSUTMS analysis consistent with AC-13-17 and TIS Guidelines), short-term (five-year) and long-range (to current Lee Plan horizon year) segment LOS analysis of arterial and collector segments listed in the Transportation Inventory. LOS analysis will include any portion of roadway segments within an area three miles offset from the boundary of the application legal description metes and bounds survey. LOS analysis will also include any additional segments in the study area based on the roadway segment LOS analysis criteria in AC- 13-17. A methodology meeting is required prior to submittal of the application.
- b. Map amendment - greater than 10 acres -Allowable density/intensity will be determined by Lee County Planning staff.

**2. Provide an existing and future conditions analysis for the following (see Policy 95.1.3):**

- a. Sanitary Sewer
- b. Potable Water
- c. Surface Water/Drainage Basins
- d. Parks, Recreation, and Open Space
- e. Public Schools

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

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

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

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

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

**Environmental Impacts**

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

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

**Impacts on Historic Resources**

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

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

**Internal Consistency with the Lee Plan**

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

**State Policy Plan and Regional Policy Plan**

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

**Justify the proposed amendment based upon sound planning principles**

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

**Planning Communities/Community Plan Area Requirements**

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



### **Sketch and Legal Description**

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

### **SUBMITTAL REQUIREMENTS**

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

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

#### **MINIMUM SUBMITTAL ITEMS (3 Copies)**

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

### **APPLICANT – PLEASE NOTE:**

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

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

AFFIDAVIT

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

SVR Investments, LLC

By: Stephen Raleigh, it's AMBR

Stephen Raleigh  
Signature of Applicant

10/24/2020  
Date

Stephen Raleigh

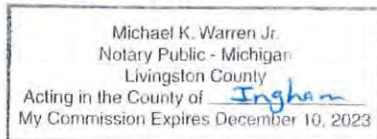
Printed Name of Applicant

STATE OF  
COUNTY OF

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization on 10/21/2020 (date) by Stephen Raleigh (name of person providing oath or affirmation), who is personally known to me or who has produced Florida Drivers License (type of identification) as identification.

Michael K. Warren Jr.  
Signature of Notary Public

Michael K. Warren Jr.  
(Name typed, printed or stamped)



**DISCLOSURE OF INTEREST  
AFFIDAVIT**

BEFORE ME this day appeared Stephen Raleigh, 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 Burnt Store Road N., Cape Coral, FL 33993 and is the subject of an Application for zoning action (hereinafter the "Property").  
Strap # 05-43-23-00-00003.0000 and .0020

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
SVR Investments, LLC, 5015 Skyline Boulevard, Cape Coral, FL 33914	100%



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.

SVR Investments, LLC  
By: Stephen Raleigh, it's AMBR

Stephen V. Raleigh  
Property Owner

Stephen Raleigh

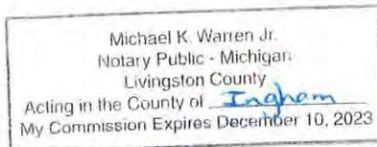
Print Name

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

STATE OF  
COUNTY OF

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, on October 21, 2020 (date) by Stephen Raleigh (name of person providing oath or affirmation), who is personally known to me or who has produced Florida Drivers License (type of identification) as identification.

STAMP/SEAL



Michael K. Warren Jr.  
Signature of Notary Public





[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

## Detail by Entity Name

Florida Limited Liability Company

**SVR INVESTMENTS, LLC**

### Filing Information

**Document Number** L10000085162  
**FEI/EIN Number** 27-3348640  
**Date Filed** 08/13/2010  
**Effective Date** 08/13/2010  
**State** FL  
**Status** ACTIVE  
**Last Event** LC AMENDMENT  
**Event Date Filed** 05/18/2020  
**Event Effective Date** NONE

### Principal Address

12700 COLBY LAKE ROAD  
LOT 14  
LAINGSBURG, MI 48848

Changed: 01/09/2017

### Mailing Address

12700 COLBY LAKE ROAD  
LOT 14  
LAINGSBURG, MI 48848

Changed: 01/09/2017

### Registered Agent Name & Address

EBELINI, MARK A.  
1625 HENDRY STREET,  
THIRD FLOOR  
FORT MYERS, FL 33901

Name Changed: 05/18/2020

Address Changed: 05/18/2020

### Authorized Person(s) Detail

#### **Name & Address**

**Title** AMBR

**RALEIGH, STEPHEN V**

12700 COLBY LAKE ROAD  
LOT 14  
LAINGSBURG, MI 48848

**Annual Reports**

<b>Report Year</b>	<b>Filed Date</b>
2018	01/10/2018
2019	10/08/2019
2020	01/02/2020

**Document Images**

<a href="#">05/18/2020 – LC Amendment</a>	<a href="#">View image in PDF format</a>
<a href="#">01/02/2020 – ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">10/08/2019 – REINSTATEMENT</a>	<a href="#">View image in PDF format</a>
<a href="#">01/10/2018 – ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">01/09/2017 – ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">02/01/2016 – ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">01/11/2015 – ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">03/19/2014 – ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">04/12/2013 – ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">01/04/2012 – ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">02/21/2011 – ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">08/13/2010 – Florida Limited Liability</a>	<a href="#">View image in PDF format</a>

**Electronic Articles of Organization  
For  
Florida Limited Liability Company**

L20000132563  
FILED 8:00 AM  
May 15, 2020  
Sec. Of State  
kepage

**Article I**

The name of the Limited Liability Company is:

SVR MANAGEMENT, LLC

**Article II**

The street address of the principal office of the Limited Liability Company is:

5015 SKYLINE BOULEVARD  
CAPE CORAL, FL. 33914

The mailing address of the Limited Liability Company is:

5015 SKYLINE BOULEVARD  
CAPE CORAL, FL. 33914

**Article III**

Other provisions, if any:

THE COMPANY IS ORGANIZED FOR THE PURPOSE OF TRANSACTING ALL  
LAWFUL ACTIVITIES AND BUSINESSES THAT MAY BE CONDUCTED BY A  
LIMITED LIABILITY COMPANY UNDER THE LAWS OF THE STATE OF  
FLORIDA.

**Article IV**

The name and Florida street address of the registered agent is:

MARK A EBELINI  
1625 HENDRY STREET  
THIRD FLOOR  
FORT MYERS, FL. 33901

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Registered Agent Signature: MARK A. EBELINI

### **Article V**

The name and address of person(s) authorized to manage LLC:

Title: AMBR  
STEPHEN V RALEIGH  
5015 SKYLINE BOULEVARD  
CAPE CORAL, FL. 33914

**L20000132563**  
**FILED 8:00 AM**  
**May 15, 2020**  
**Sec. Of State**  
kepage

### **Article VI**

The effective date for this Limited Liability Company shall be:

05/15/2020

Signature of member or an authorized representative

Electronic Signature: STEPHEN V. RALEIGH

I am the member or authorized representative submitting these Articles of Organization and affirm that the facts stated herein are true. I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S. I understand the requirement to file an annual report between January 1st and May 1st in the calendar year following formation of the LLC and every year thereafter to maintain "active" status.





## Property Data

STRAP: 05-43-23-00-00003.0000 Folio ID: 10025063

## + Owner Of Record - Sole Owner ?

SVR INVESTMENTS LLC  
2135 MAYFAIR WAY LOT 28  
TITUSVILLE FL 32796

## Site Address

Site Address maintained by [E911 Program Addressing](#)

BURNT STORE RD N  
CAPE CORAL FL 33993

## Property Description ?

Do not use for legal documents!

S 1/2 OF SW 1/4 OF SW1/4  
LESS W 132 FT

## Current Working Values ?

**Just** 131,400

## Attributes

Land Units Of Measure ?	AC
Units ?	18.00
Total Number of Buildings	0
Total Bedrooms / Bathrooms	0
Total Living Area ?	0
1st Year Building on Tax Roll ?	N/A
Historic Designation	No

## [ Tax Map Viewer ] [ View Comparables ]



## [ Pictometry Aerial Viewer ]

## Image of Structure ?



◀ Photo Date January of 2008 ▶ ☐ View other photos

Last Inspection Date: 05/18/2018

## + Exemptions

## + Values (2020 Tax Roll)

## + Taxing Authorities

## + Sales / Transactions ?

## + Location Information

## + Solid Waste (Garbage) Roll Data

## + Flood and Storm Information

## + Address History

[Previous TRIMs proposed to be Notices are available for the following tax years](#) [Home](#)  
[ 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 ]





## Property Data

STRAP: 05-43-23-00-00003.0020 Folio ID: 10025064

## + Owner Of Record - Sole Owner ?

SVR INVESTMENTS LLC  
2135 MAYFAIR WAY LOT 28  
TITUSVILLE FL 32796

## Site Address

Site Address maintained by [E911 Program Addressing](#)

BURNT STORE RD N  
CAPE CORAL FL 33993

## Property Description ?

Do not use for legal documents!

N 1/2 OF SW 1/4 OF SW 1/4  
LESS W 132 FT

## [ Tax Map Viewer ] [ View Comparables ]



## [ Pictometry Aerial Viewer ]

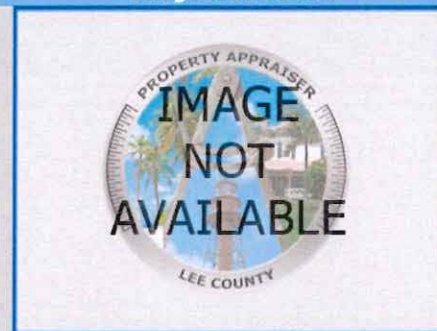
## Current Working Values ?

**Just** 131,400

## Attributes

Land Units Of Measure ?	AC
Units ?	18.00
Total Number of Buildings	0
Total Bedrooms / Bathrooms	0
Total Living Area ?	0
1st Year Building on Tax Roll ?	N/A
Historic Designation	No

## Image of Structure ?



## + Exemptions

## Values (2020 Tax Roll)

## + Taxing Authorities

## + Sales / Transactions ?

## + Parcel Numbering History ?

## + Location Information

## + Solid Waste (Garbage) Roll Data

## + Flood and Storm Information

## + Address History

Prepared by and return to:

Jack Pankow

5230-2 Clayton Court

Fort Myers, FL 33907

File Number: 20-0076

Parcel ID #05-43-23-00-00003.0000 & 05-43-23-00-00003.0020

[Space Above This Line For Recording Data]

## Trustee's Deed

This Trustee's Deed made this 29<sup>th</sup> day of July, 2020 between Richard Simeone, Paul Lynch and Christopher Speake, as Co-Trustees of the Lags Trust, under Article 10.1 of the Last Will and Testament of David Lynn "Lags" Lageschulte, deceased, and Woodridge Properties, LLC, a Florida Limited Liability Company whose post office address is 2035 Colonial Blvd., Fort Myers, FL 33907 as to The Lags Trust and c/o Jack Pankow, 5230-2 Clayton Ct., Fort Myers, FL 33907 as to Woodridge Properties, LLC, grantor, and SVR Investments, LLC, a Florida Limited Liability Company whose post office address is 2135 Mayfair Way, Lot 28, Titusville, FL 32796, grantee:

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

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

**The South one-half (1/2) of the Southwest one-quarter (1/4) of the Southwest one-quarter (1/4), less and except the West 132 feet thereof, Section 5, Township 43 South, Range 23 East, Lee County, Florida.**

**AND**

**The North one-half (1/2) of the Southwest one-quarter (1/4) of the Southwest one-quarter (1/4), less and except the West 132 feet thereof, Section 5, Township 43 South, Range 23 East, Lee County, Florida.**

**The property herein conveyed is vacant land and DOES NOT constitute the HOMESTEAD property of the Grantor.**

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

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

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

The Lags Trust, under Article 10.1 of the Last Will and Testament of David Lynn "Lags" Lageschulte, deceased

Rori J. Lynch  
Witness #1 Signature  
Witness #1 Printed Name: RORI J. LYNCH

Richard Simeone  
Richard Simeone, as Co-Trustee

John Wallace  
Witness #2 Signature  
Witness #2 Printed Name: John Wallace

State of Florida  
County of Lee

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of July, 2020 by Richard Simeone, as Co-Trustee of The Lags Trust, under Article 10.1 of the Last Will and Testament of David Lynn "Lags" Lageschulte, deceased, on behalf of said trust, who ☒ is personally known or ☐ has produced a driver's license as identification.

[Notary Seal]



Shelley A. Jones  
Notary Public  
Printed Name: Shelley A. Jones  
My Commission Expires: February 8, 2024



**In Witness Whereof**, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

The Lags Trust, under Article 10.1 of the Last Will and Testament of David Lynn "Lags" Lageschulte, deceased

*Lori J. Lynch*  
Witness #1 Signature  
Witness #1 Printed Name: Lori J. Lynch

*Paul Lynch*  
Paul Lynch, as Co-Trustee

*John Wallace*  
Witness #2 Signature  
Witness #2 Printed Name: John Wallace

State of Florida  
County of Lee

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of July, 2020 by Paul Lynch, as Co-Trustee of The Lags Trust, under Article 10.1 of the Last Will and Testament of David Lynn "Lags" Lageschulte, deceased, on behalf of said trust, who ☒ is personally known or [ ] has produced a driver's license as identification.

[Notary Seal]



*Shelley A. Jones*  
Notary Public

Printed Name: Shelley A. Jones

My Commission Expires: February 8, 2024

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

The Lags Trust, under Article 10.1 of the Last Will and Testament of David Lynn "Lags" Lageschulte, deceased

Lori J. Lynch  
Witness #1 Signature  
Witness #1 Printed Name: LORI J LYNCH

Christopher Speake  
Christopher Speake, as Co-Trustee

John Wallace  
Witness #2 Signature  
Witness #2 Printed Name: John Wallace

State of Florida  
County of Lee

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of July, 2020 by Christopher Speake, as Co-Trustee of The Lags Trust, under Article 10.1 of the Last Will and Testament of David Lynn "Lags" Lageschulte, deceased, on behalf of said trust, who ☒ is personally known or [ ] has produced a driver's license as identification.

[Notary Seal]



Shelley A. Jones  
Notary Public  
Printed Name: Shelley A. Jones  
My Commission Expires: February 8, 2024

**In Witness Whereof**, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

**Woodridge Properties, LLC**

Witness #1 Signature [Signature]  
Witness #1 Printed Name: Jack Pankow

By: [Signature]  
**The Stephen W. Haywood Revocable Trust dated  
October 30, 2015, Manager, by Louis E. Black,  
Successor Trustee**

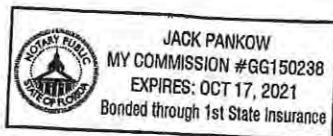
Witness #2 Signature [Signature]  
Witness #2 Printed Name: Marlanique N Wilkinson

State of Florida  
County of Lee

The foregoing instrument was acknowledged before me this 27 day of July, 2020 by **Louis E. Black, Successor Trustee of The Stephen W. Haywood Revocable Trust dated October 30, 2015, Manager of Woodridge Properties, LLC, on behalf of said company**, who ☒ is personally known or [ ] has produced a driver's license as identification.

[Notary Seal]

[Signature]  
Notary Public  
Printed Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_



Project Request for Proposed Amendment  
Central Urban Future Land Use  
Application for CPA - Map

Project Request

The requested Comprehensive Plan Amendment would amend the Future Land Use for 33.48 acres from Open Lands to Central Urban and 2.01 acres from Open Lands to Wetlands.

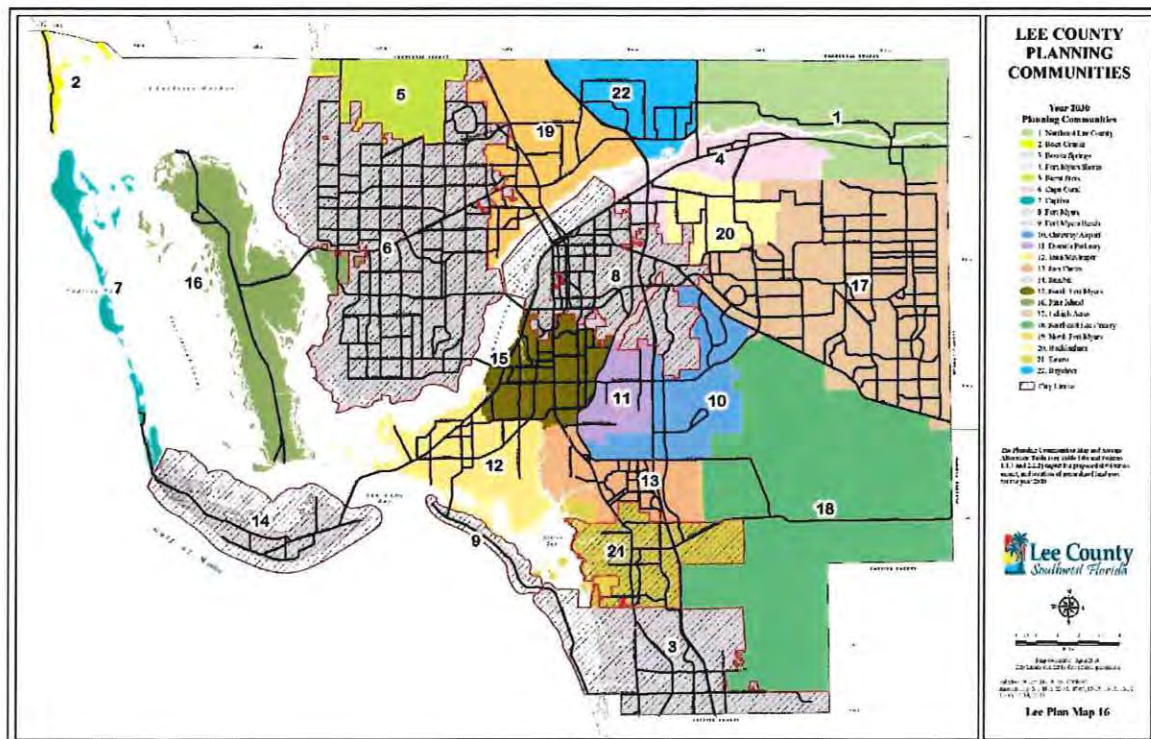


**Avalon Engineering, Inc.**  
2503 Del Prado Boulevard South, Suite 200  
Cape Coral, Florida 33904  
Phone: (239) 573-2077 Web: [AvalonEng.com](http://AvalonEng.com)  
#EB 0003128

**35.5 Acres Mixed Use Development  
Comprehensive Plan Map Amendment  
Project Narrative  
December 13, 2021**

The property subject to this application request is two vacant parcels containing 18 +/- acres each located east of Burnt Store Road, north of Durden Parkway and south of the Charlee Road, in the far northwest corner of Lee County, Strap # 05-43-23-00-00003.0000, and 05-43-23-00-00003.0020. In addition to adjacent parcels within Lee County, there are two other governmental jurisdictions within close proximity to the subject parcels, the City of Cape Coral, along the western side of Burnt Store Road and Charlotte County north of the parcels.

The subject parcels are currently designated as Open Lands and are zoned AG-2 (Agricultural). The two parcels are square in size with approximately 1,289 feet in depth and 1,199 feet in length. The parcels are in the Burnt Store Planning Community, Area 5 as designated on the Lee County Planning Communities, Lee Plan Map 16.





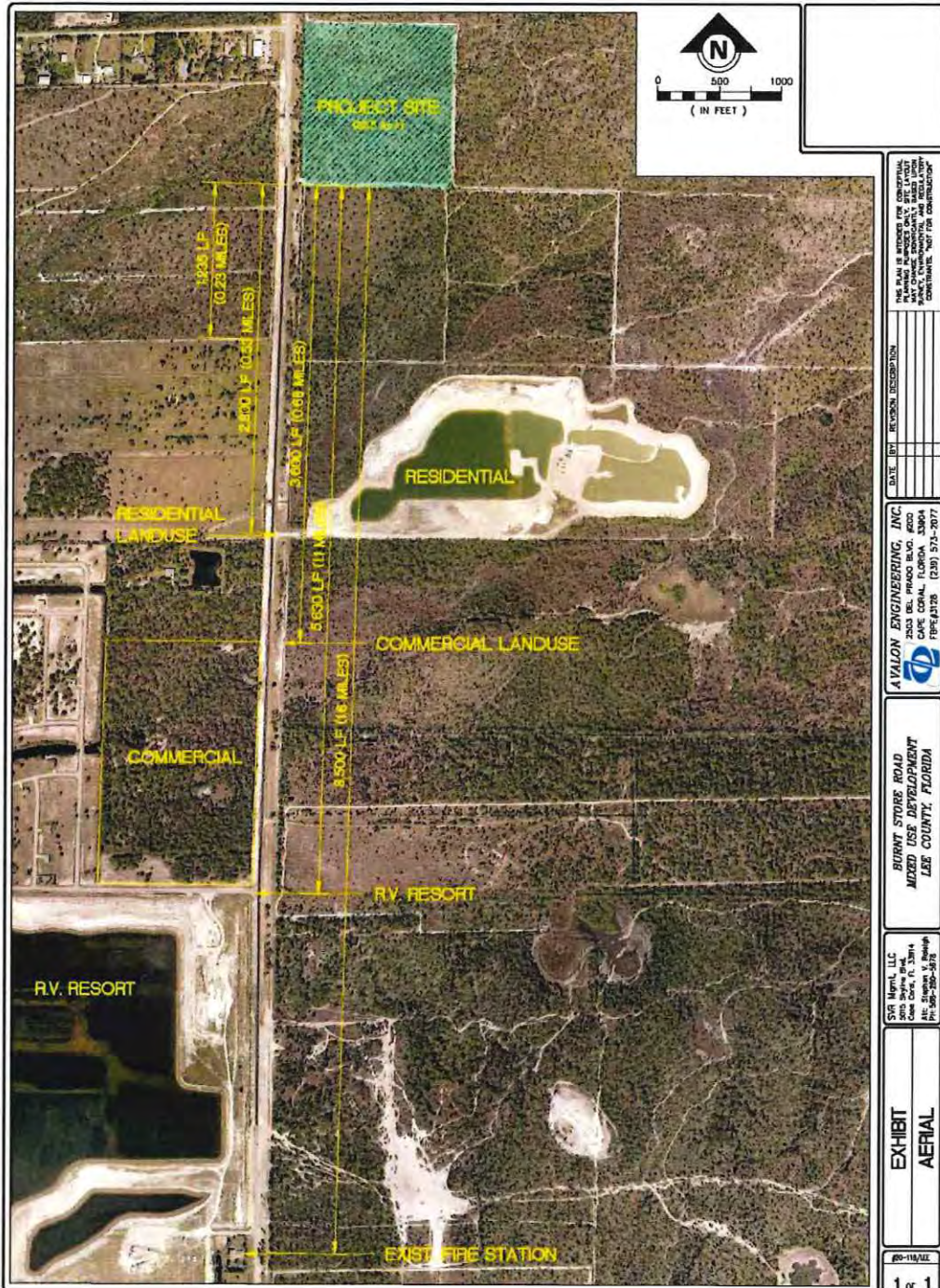
*"Burnt Store - This Community is located in the northwest corner of the mainland of unincorporated Lee County. The property east of Burnt Store Road is designated Open Lands and the land west of Burnt Store Road is designated as Rural (also known as Burnt Store Marina) with the exception of 10 acres designated as Outlying Suburban. Most of The Burnt Store Marina development was approved prior to the adoption of the 1984 Lee Plan and is "vested" for densities higher than allowed by the current plan. This development is primarily residential with a high percentage of seasonal residents. There are some commercial and marine oriented amenities within the Burnt Store Marina development primarily serving residents of that development. This area is expected to substantially grow through the year 2030. Today, most of the community's commercial needs are served outside of the community in Cape Coral, North Fort Myers and Fort Myers, or in Charlotte County. This development pattern is expected to remain through 2020."*

The subject parcels are currently vacant with the closest development being the Dollar General on Burnt Store Road north of the parcels, an 18-lot residential development on Burnt Store Road south of the subject parcels and Burnt Store Marina, a residential community also north of the subject parcels.

The subject properties are near properties within the City of Cape Coral, on the west side of Burnt Store Road, and south of the subject property that have a Future Land Use designation that supports a higher density and greater intensity of uses than what is currently permitted by the Open Lands Future Land Use on these parcels. The Lee County Open Lands Future Land Use permits one dwelling unit per every 5 acres and limited commercial uses.

Within 1.6 miles of the subject parcel, heading south on Burnt Store Road, there is a total of 125.12 acres that support a greater density and intensity land use than the subject parcels: within 0.23 of a mile there are 87.48 acres in Cape Coral that have a Commercial Activity Center Land Use, which is a Mixed-Use Land Use supporting a minimum of 12 du/acres or 75 units and a maximum of 16 du/ac of density and 1.0 FAR of intensity. Within 0.68 of a mile, there are 56 acres in Cape Coral designated as Commercial Land Use, which supports a variety of commercial retail, office and support uses with an FAR of 1.0. Within 0.53 of a mile, there are 21.12 acres, currently designated as Single Family/Multi-Family, which if zoned RML would support 16 du/ac and a 502 site RV Resort location just over a mile south of the subject parcels.

*"Policy 1.15.m of the City of Cape Coral's Future Land Use Element of their Comprehensive Plan. The purpose of the Commercial Activity Center (CAC) future land use classification is to promote non-residential and mixed-use development at key locations, within proximity to major corridors throughout the City of Cape Coral in areas where a mix of uses may be developed. The Commercial Activity Center classification is a mixed-use classification designed to minimize the need for vehicle trips through the development of both residential and non-residential uses in a single project. Furthermore, the purpose of the Commercial Activity Center is to integrate all uses through landscape, site, and architectural design standards. In addition, the Commercial Activity Center land use classification is intended to provide locations that offer employment opportunities and daily goods and services to the local community and, in some instances, attract patrons from the region. Commercial Activity Centers are intended to be pedestrian friendly and interconnected with adjacent projects – whether residential or non-residential".*





*"Policy 1.15.m of the City of Cape Coral's Future Land Use Element of their Comprehensive Plan. Commercial/Professional: Intensities of use in the Commercial/Professional (CP) land use classification shall not exceed a floor to lot area ratio (FAR) of 1.0. The Commercial (C) District is designed to facilitate a broad variety of large or small commercial uses. Uses allowed in the C District range from a variety of small or neighborhood-based commercial uses to larger retail or service uses, which may serve a relatively large trade area and, which may be developed as major shopping facilities. As many commercial uses have the potential to generate relatively high levels of vehicular trips from customers and sometimes delivery vehicles, preferred 4-10 locations for the C District have direct access onto arterial or collector roads and adequate depth (a minimum of 250 feet) for larger- scale development."*

Within a little over a half of a mile to the south of the subject parcels is a Planned Community called "Hudson Creek". Hudson Creek is a mixed-use development in the City of Cape Coral. The project consists of a total of 1732 acres with residential, commercial, and conservation/preserve land use. The project is obtaining approval of a MXPUD for 3500 residential units (2500 single family and 1000 multi-family units), an Assisted Living Facility with 800 beds, a university, retail, and restaurant square footage totaling 425,000, 150,000 square feet of office uses and a 500 room Hotel.

Community Facilities and Services Element  
Central Urban Future Land Use  
Application for CPA - Map

Community Facilities Services Element

POLICY 53.1.9: New development will pay through appropriate financial mechanisms its fair share of the costs of providing standard potable water for that development. (Ordinance No. 00- 22).

***The development of the site will be required to pay for the cost of providing potable water to this site.***

POLICY 57.1.4: Continue to require that all development will pay the appropriate fees and connect to a reuse water system if such system is near or adjacent to the development and has sufficient surplus to supply the development.

***This site will have access to reuse water from Charlotte County through an interlocal agreement between Lee County and Charlotte County.***

POLICY 57.1.5: Continue to encourage the developer driven expansion of infrastructure to provide reuse water service when sufficient supply is available.

***This site will extend reuse water service to serve the proposed development.***

Community Facilities and Services Element

GOAL 60: COORDINATED SURFACE WATER MANAGEMENT AND LAND USE PLANNING ON A WATERSHED BASIS. To protect or improve the quality of receiving waters and surrounding natural areas and the functions of natural groundwater aquifer recharge areas while also providing flood protection for existing and future development.

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

**The project's storm water management system will be designed to meet or exceed the South Florida Water Management District's Environmental Resource Permitting criteria which will protect the groundwater.**

POLICY 60.1.2: Incorporate, utilize, and where practicable restore natural surface water flowways and associated habitats. (Ordinance No. 07-12)

**The applicant will remove exotic vegetation from the onsite flowway which will help to restore this natural surface water. The creek, surrounding wetland, and a 25' average native upland buffer will be included in the preserved onsite flowway which will be protected by the placement of a conservation easement.**

POLICY 60.4.2: The county encourages new developments to design their surface water outfall management system to incorporate existing wetland systems. (Ordinance No. 03-06, 19-02)

**The onsite wetlands will not be impacted by the proposed development except for a vehicular bridge. The creek, surrounding wetland, and a 25' average native upland buffer will be included in the preserved onsite flowway which will be protected by the placement of a conservation easement.**

POLICY 60.4.3: The county encourages the preservation of existing natural flow-ways and the restoration of historic natural flow-ways. (Ordinance No. 03-06, 19-02)

**The creek, surrounding wetland, and a 25' average native upland buffer will be included in the preserved onsite flowway which will be protected by the placement of a conservation easement.**

GOAL 61: PROTECTION OF WATER RESOURCES. To protect the county's water resources through the application of innovative and sound methods of surface water management and by ensuring that the public and private construction, operation, and maintenance of surface water management systems are consistent with the need to protect receiving waters

POLICY 61.3.3: Keep floodways as unobstructed as possible (Ordinance No. 00-22, 18-28)

**The applicant will remove exotic vegetation from the onsite flowway which will help to restore this natural surface water. The creek, surrounding wetland, and a 25' average native upland buffer will be included in the preserved onsite flowway which will be protected by the placement of a conservation easement. The onsite wetlands will not be impacted by the proposed development except for a vehicular bridge which will be designed to not obstruct the floodway.**

POLICY 61.3.7: Channelization of natural streams and rivers is prohibited; channelization of other natural watercourses is discouraged. (Ordinance No. 00-22)

**The onsite stream is not proposed to be channelized. The creek, surrounding wetland, and a 25' average native upland buffer will be included in the preserved onsite flowway which will be protected by the placement of a conservation easement.**

POLICY 65.1.4: Refer requests for rezonings and development reviews to independent fire districts for comments and recommendations.

***The site is served by the Cape Coral Fire Department. A Letter of Availability has been provided.***



Exhibit M19 Justification of Proposed Amendment  
Central Urban Future Land Use  
Application for CPA - Map

Justifications for the request

The intention of the Central Urban Future Land Use Category, as outlined by Policy 1.1.3 of the Lee Plan, is best characterized as an area that will have the greatest range and highest levels of urban service – water, sewer, roads, schools, etc. The subject property meets the intent of this category; it is in an area that will be intensely developed in the future within both the City of Cape Coral and Charlotte County.

*POLICY 1.1.3:* The Central Urban Future Land Use Category can best be characterized as the “urban core” of the county. This is the part of the county that is already most heavily settled and which has or will have the greatest range and highest levels of urban service—water, sewer, roads, schools, etc. Residential, commercial, public and quasi-public, and limited light industrial land uses will continue to predominate in the Central Urban area with future development in this category encouraged to be developed as a mixed-use, as described in Objective 11.1, where appropriate.

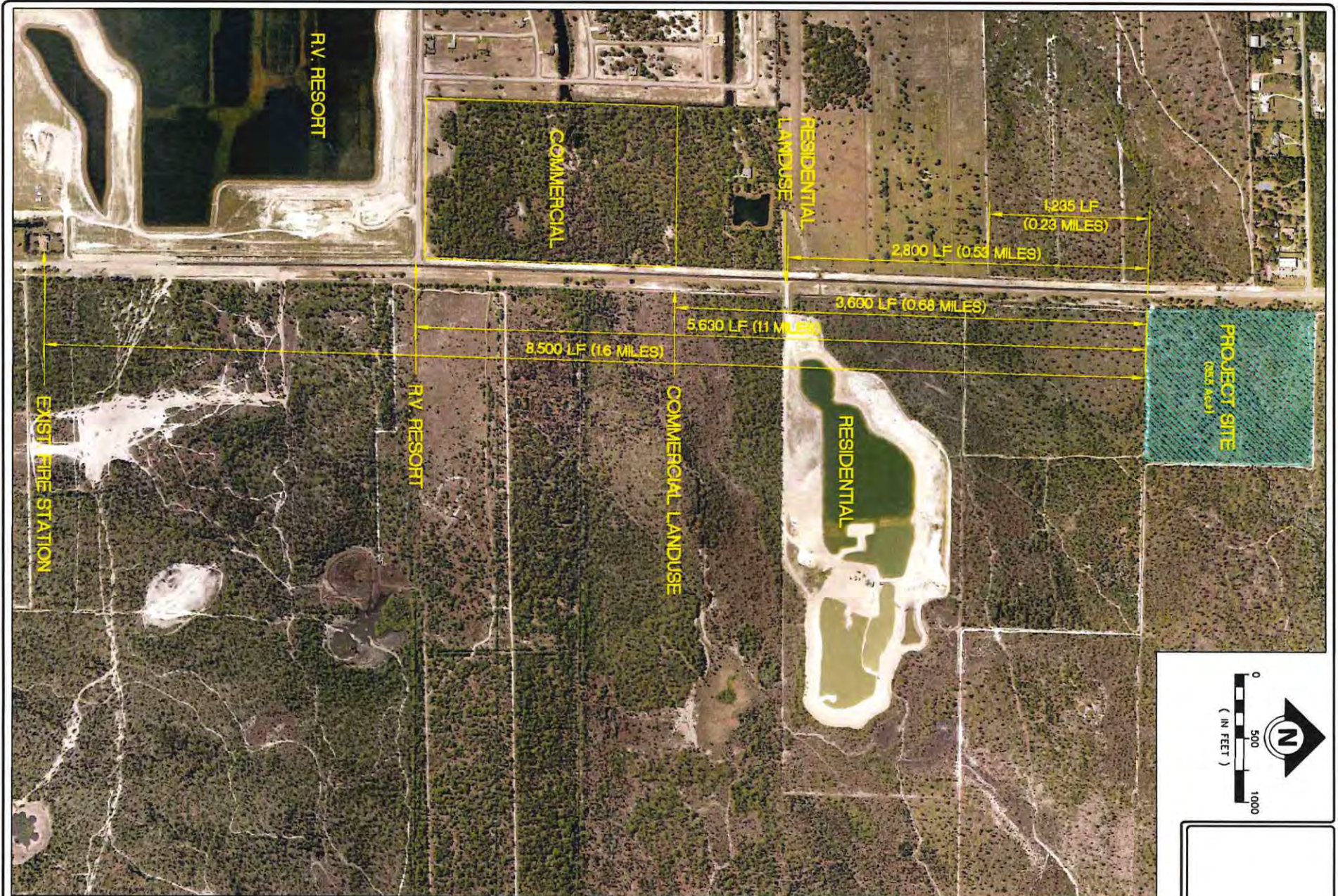
The Density and Intensity permitted in the Central Urban Future Land Use Category would increase the density permitted within the proposed mixed-use development to up to 15 dwelling units per acre or approximately 270 multi-family units in lieu of 7 dwelling units permitted in the Open Lands Future Land Use Category (1 dwelling unit per every 5 acres). The Central Urban Future Land Use would also permit a service park with up to 160,000 square feet of building area for flex space units, some retail, office, and storage uses.

The subject property is located within an area of the county that will see substantial growth in the future. Burnt Store Road is planned to be widened to a 6-lane divided highway, an interlocal agreement with Charlotte County is in place to provide water, sewer, and irrigation (reuse) water to parcels east of Burnt Store Road. A 500 site RV Resort is under construction 1.6 mile south of the project site and a major commercial shopping center consisting of 56 acres north of the Durden Parkway is a little of ½ mile south of the subject parcels. A Dollar General Store is located directly across Burnt Store Road to the north end of the subject parcels.

In addition to the Central Urban FLU, the subject parcels contain approximately 2.01 acres that maybe considered wetland justification from the South Florida Water Management District. The proposed FLU Map Amendment includes a request to locate the Wetland FLU on the areas designated by Dex Bender and Associates on their Wetland Map, included within their Environmental Study.

The proposed Central Urban FLU category will permit a mixed-use development which will support the existing Burnt Store Marina residential community, provide commercial square footage to support new commercial businesses for this area, and provide optional housing opportunities (apartment complex) currently not available in this area.





1 of 1

**EXHIBIT**  
**AERIAL**

SVR Mgmt. LLC  
5015 Skyline Blvd.  
Cape Coral, FL 33914  
Attn: Stephen V. Raleigh  
PH: 506-280-5678

**BURNT STORE ROAD  
MIXED USE DEVELOPMENT  
LEE COUNTY, FLORIDA**

**AVALON ENGINEERING, INC.**  
2503 DEL PRADO BLVD. #200  
CAPE CORAL, FLORIDA 33904  
FBPE#3128 (239) 573-2077

DATE	BY	REVISION DESCRIPTION

THIS PLAN IS INTENDED FOR CONCEPTUAL PLANNING PURPOSES ONLY. SITE LAYOUT MAY CHANGE SIGNIFICANTLY BASED UPON SURVEY, ENVIRONMENTAL AND REGULATORY CONSTRAINTS. "NOT FOR CONSTRUCTION"



ORDINANCE 37 - 21

AN ORDINANCE AMENDING THE CITY OF CAPE CORAL COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP FROM SINGLE FAMILY/MULTI-FAMILY (SM) TO COMMERCIAL/PROFESSIONAL (CP) LAND USE FOR A PARCEL OF LAND LYING IN A PORTION OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 43 SOUTH, RANGE 23 EAST, LEE COUNTY, FLORIDA, AS MORE PARTICULARLY DESCRIBED HEREIN; PROPERTY LOCATED AT 4450 BURNT STORE ROAD NORTH; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Cape Coral on February 13, 1989, adopted a Comprehensive Plan pursuant to the Comprehensive Planning Act; and

WHEREAS, as part of the Comprehensive Plan the City of Cape Coral adopted therewith a future land use map designating land uses and proposed land uses throughout the City of Cape Coral consistent with the Comprehensive Plan and Comprehensive Planning Act; and

WHEREAS, the City of Cape Coral City Council has considered the testimony, evidence, and documentation for the Land Use Amendment initiated by CC LAND DEVELOPMENT COMPANY, LLC, regarding the below described property, and considered the recommendation of the Planning & Zoning Commission/Local Planning Agency and City staff.

NOW, THEREFORE, THE CITY OF CAPE CORAL, FLORIDA, HEREBY ORDAINS PURSUANT TO THE LAWS OF FLORIDA, AND OTHER APPLICABLE LAWS, THIS ORDINANCE:

SECTION 1. That the below described real property located within the City of Cape Coral, Florida, is hereby amended consistent with the City of Cape Coral Comprehensive Plan as follows:

FROM SINGLE FAMILY/MULTI-FAMILY (SM) TO COMMERCIAL/PROFESSIONAL (CP)

A PARCEL OF LAND LYING IN A PORTION OF THE EAST HALF (E 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 7, TOWNSHIP 43 SOUTH, RANGE 23 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF TRACT "A", BLOCK 6114, CAPE CORAL UNIT 97, AS RECORDED IN PLAT BOOK 25, PAGES 85-97, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN N.01°39'51"E. ALONG THE WEST LINE OF SAID TRACT "A" AND THE WESTERLY LINE OF THE EAST 1/2 (E 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE AFORESAID SECTION 7, FOR 930.11 FEET TO THE POINT OF BEGINNING; THENCE RUN N.01°39'51"E. ALONG THE WESTERLY LINE OF THE EAST 1/2 (E 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE AFORESAID SECTION 7, FOR 660.11 FEET; THENCE RUN S.89°14'33"E. FOR 1232.73 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF BURNT STORE ROAD (200 FEET WIDE); THENCE RUN S.01°57'06"W. ALONG SAID WEST RIGHT-OF-WAY LINE FOR 660.15 FEET; THENCE RUN N.89°14'37"W. TO A POINT ALONG SAID WESTERLY LINE OF THE EAST 1/2 (E 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE AFORESAID SECTION 7 FOR 1229.41 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS: 812,528.947 SQUARE FEET OR 18.65 ACRES, MORE OR LESS

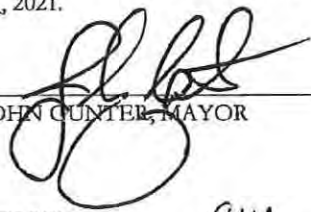
BEARINGS ARE BASED ON THE NORTH RIGHT-OF-WAY LINE OF DURDEN PARKWAY WEST AS BEING N.89°14'37"W.

SECTION 2. Severability. In the event that any portion or section of this ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this ordinance which shall remain in full force and effect.

SECTION 3. Effective Date. The effective date of this plan amendment shall be thirty-one (31) days after the state land planning agency notifies the City that the plan amendment package is complete, or if timely challenged, the date a final order is issued by the Administration Commission finding the

amendment to be in compliance in accordance with Chapter 163.3184(3)(c)4., F.S., whichever is applicable.

ADOPTED BY THE COUNCIL OF THE CITY OF CAPE CORAL AT ITS REGULAR SESSION THIS 18<sup>th</sup> DAY OF August, 2021.

  
JOHN GUNTER, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

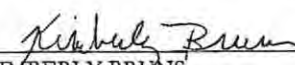
GUNTER  
TATE  
SHEPPARD  
HAYDEN

Aye  
Aye  
Aye  
Aye

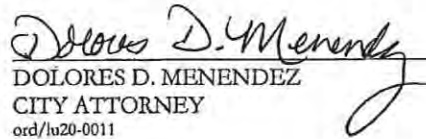
NELSON  
WELSH  
DISTRICT 6  
COSDEN

Aye  
Excused  
VACANT  
Excused

ATTESTED TO AND FILED IN MY OFFICE THIS 26<sup>th</sup> DAY OF August, 2021.

  
KIMBERLY BRUNS  
CITY CLERK

APPROVED AS TO FORM:

  
DOLORES D. MENENDEZ  
CITY ATTORNEY  
ord/lu20-0011



## ORDINANCE 43 - 20

AN ORDINANCE AMENDING THE CITY OF CAPE CORAL COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP FROM SINGLE-FAMILY/MULTI-FAMILY (SM) TO COMMERCIAL/PROFESSIONAL (CP) LAND USE FOR PROPERTY DESCRIBED AS TRACT A, BLOCK 6114, UNIT 97, CAPE CORAL SUBDIVISION, AS MORE PARTICULARLY DESCRIBED HEREIN; PROPERTY LOCATED AT 4330 BURN'T STORE ROAD; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Cape Coral on February 13, 1989, adopted a Comprehensive Plan pursuant to the Comprehensive Planning Act; and

WHEREAS, as part of the Comprehensive Plan the City of Cape Coral adopted therewith a future land use map designating land uses and proposed land uses throughout the City of Cape Coral consistent with the Comprehensive Plan and Comprehensive Planning Act; and

WHEREAS, the City of Cape Coral City Council has considered the testimony, evidence, and documentation for the Land Use Amendment initiated by DURDEN 28, LLC, regarding the below described property, and considered the recommendation of the Planning & Zoning Commission/Local Planning Agency and City staff.

NOW, THEREFORE, THE CITY OF CAPE CORAL, FLORIDA, HEREBY ORDAINS PURSUANT TO THE LAWS OF FLORIDA, AND OTHER APPLICABLE LAWS, THIS ORDINANCE:

SECTION 1. That the below described real property located within the City of Cape Coral, Florida, is hereby amended consistent with the City of Cape Coral Comprehensive Plan as follows:

FROM SINGLE-FAMILY/MULTI-FAMILY (SM) TO COMMERCIAL/PROFESSIONAL (CP)

TRACT A, BLOCK 6114, UNIT 97, CAPE CORAL SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 25, PAGES 85-97, INCLUSIVE, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, TOGETHER WITH THE NORTH 660 FEET OF THE SOUTH 990 FEET OF THE EAST 1/2 OF THE SOUTHEAST 1/4 SECTION 7, TOWNSHIP 43 SOUTH, RANGE 23 EAST, LEE COUNTY, FLORIDA, LESS RIGHT OF WAY BURN'T STORE ROAD, OVER THE EASTERLY BOUNDARY OF THE ABOVE DESCRIBED PROPERTY

SECTION 2. Severability. In the event that any portion or section of this ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this ordinance which shall remain in full force and effect.

SECTION 3. Effective Date. The effective date of this plan amendment shall be thirty-one (31) days after the state land planning agency notifies the City that the plan amendment package is complete, or if timely challenged, the date a final order is issued by the Administration Commission finding the amendment to be in compliance in accordance with Chapter 163.3184(3)(c)4., F.S., whichever is applicable.

ADOPTED BY THE COUNCIL OF THE CITY OF CAPE CORAL AT ITS REGULAR SESSION THIS 19<sup>th</sup> DAY OF October, 2020.

  
JOE COVIELLO, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

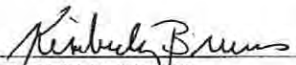
COVIELLO  
GUNTER  
CARIOSCIA  
STOUT

aye  
aye  
aye  
aye

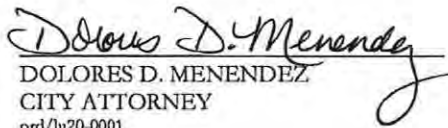
NELSON  
WELSH  
WILLIAMS  
COSHEN

aye  
aye  
aye  
aye

ATTESTED TO AND FILED IN MY OFFICE THIS 21<sup>st</sup> DAY OF October,  
2020.

  
KIMBERLY BRUNS  
CITY CLERK

APPROVED AS TO FORM:

  
DOLORES D. MENENDEZ  
CITY ATTORNEY  
ord/lu20-0001

## ORDINANCE 75 - 20

AN ORDINANCE AMENDING THE CITY OF CAPE CORAL COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP FROM SINGLE-FAMILY/MULTI-FAMILY (SM) TO COMMERCIAL/PROFESSIONAL (CP) LAND USE FOR PROPERTY LOCATED IN SECTION 7, TOWNSHIP 43 SOUTH, RANGE 23 EAST, AS MORE PARTICULARLY DESCRIBED HEREIN; PROPERTY LOCATED AT 4550 BURNT STORE ROAD; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Cape Coral on February 13, 1989, adopted a Comprehensive Plan pursuant to the Comprehensive Planning Act; and

WHEREAS, as part of the Comprehensive Plan the City of Cape Coral adopted therewith a future land use map designating land uses and proposed land uses throughout the City of Cape Coral consistent with the Comprehensive Plan and Comprehensive Planning Act; and

WHEREAS, the City of Cape Coral City Council has considered the testimony, evidence, and documentation for the Land Use Amendment initiated by YOVAN SANTISTEBAN regarding the below described property, and considered the recommendation of the Planning & Zoning Commission/Local Planning Agency and City staff.

NOW, THEREFORE, THE CITY OF CAPE CORAL, FLORIDA, HEREBY ORDAINS PURSUANT TO THE LAWS OF FLORIDA, AND OTHER APPLICABLE LAWS, THIS ORDINANCE:

SECTION 1. That the below described real property located within the City of Cape Coral, Florida, is hereby amended consistent with the City of Cape Coral Comprehensive Plan as follows:

FROM SINGLE-FAMILY/MULTI-FAMILY (SM) TO COMMERCIAL/PROFESSIONAL (CP)

All that part of the E ½ of the SE ¼ of Section 7, Township 43 South, Range 23 East, lying South of a line, parallel with and 750 feet (as measured on a perpendicular) Southerly from the North line of said fraction of a section and lying Northerly of a line parallel with and 1,650 feet (as measured on a perpendicular) Northerly from the South line of said fraction of a Section. Containing 12 ½ acres, more or less. Subject to existing road right-of-way, easements, restrictions and reservations of records.

SECTION 2. Severability. In the event that any portion or section of this ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this ordinance which shall remain in full force and effect.

SECTION 3. Effective Date. The effective date of this plan amendment shall be thirty-one (31) days after the state land planning agency notifies the City that the plan amendment package is complete, or if timely challenged, the date a final order is issued by the Administration Commission finding the amendment to be in compliance in accordance with Chapter 163.3184(3)(c)4., F.S., whichever is applicable.

ADOPTED BY THE COUNCIL OF THE CITY OF CAPE CORAL AT ITS REGULAR SESSION THIS 3rd DAY OF March, 2021.

  
JOHN GUNTER, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

GUNTER  
TATE  
SHEPHERD  
HAYDEN

aye  
aye  
aye  
aye

NELSON  
WELSH  
WILLIAMS  
COSDEN

aye  
aye  
aye  
excused

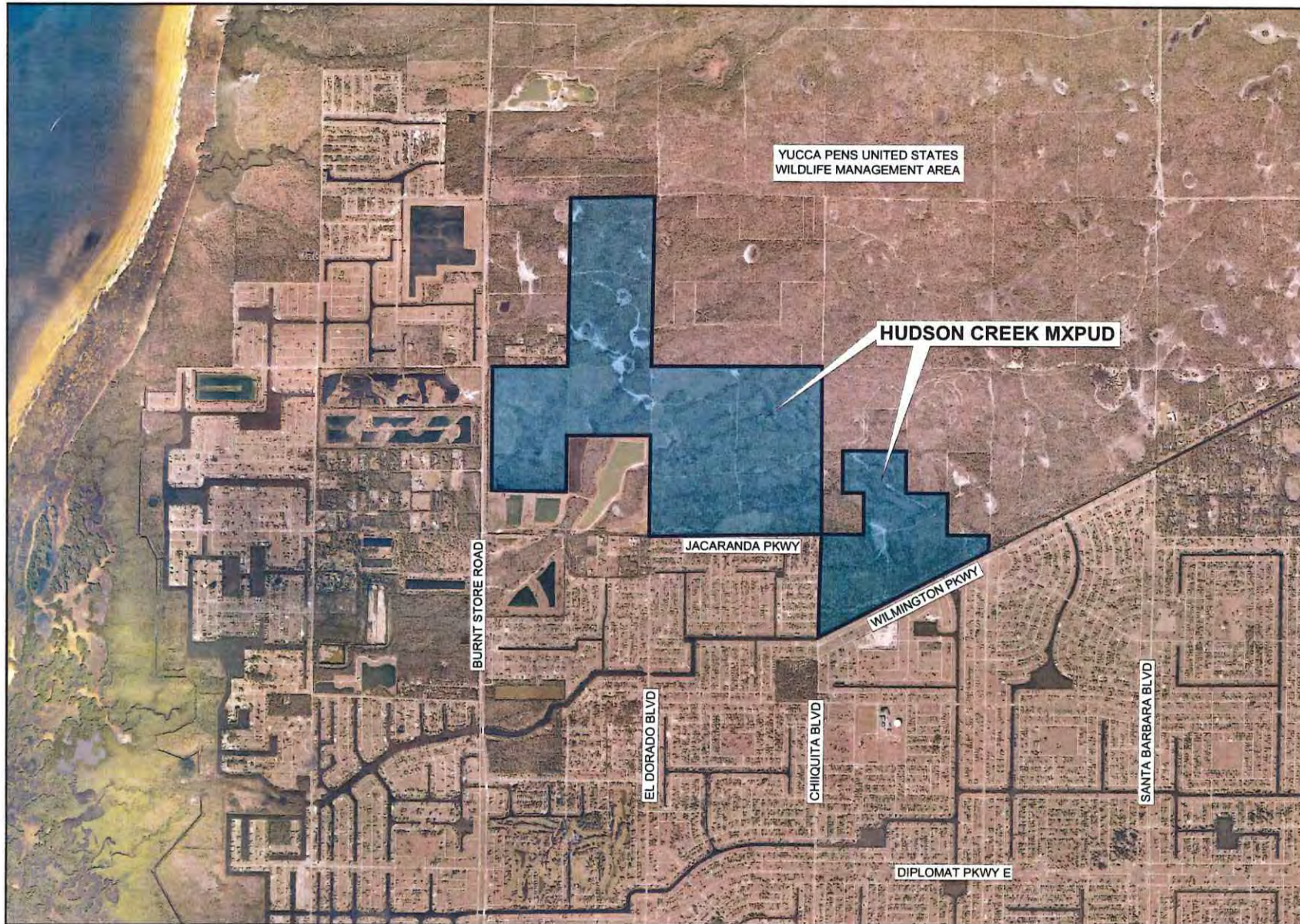
ATTESTED TO AND FILED IN MY OFFICE THIS 8<sup>th</sup> DAY OF March,  
2021.

Kimberly Bruns  
KIMBERLY BRUNS  
CITY CLERK

APPROVED AS TO FORM:

Dolores D. Menendez  
DOLORES D. MENENDEZ  
CITY ATTORNEY  
ord/lu19-0006





**Barraco**  
and Associates, Inc.  
CIVIL ENGINEERING - LAND SURVEYING  
LAND PLANNING  
[www.barraco.net](http://www.barraco.net)  
2271 MCGREGOR BLVD., SUITE 100  
FORT MYERS, FLORIDA 33903-2000  
PHONE (239) 461-3170  
FAX (239) 461-3169  
FLORIDA CERTIFICATES OF AUTHORIZATION  
ENGINEERING 7086 - SURVEYING LB 4340

PREPARED FOR:

**HUDSON CREEK MXPUD**  
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND  
INTENDED FOR CONCEPTUAL  
PLANNING PURPOSES ONLY.

SITE LAYOUT AND LAND USE  
INTENSITIES OR DENSITIES MAY  
CHANGE SIGNIFICANTLY BASED  
UPON SURVEY, ENGINEERING,  
ENVIRONMENTAL AND / OR  
REGULATORY CONSTRAINTS AND /  
OR OPPORTUNITIES.

DRAWING NOT TO SCALE. TOTAL DISTANCE AND AREA  
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FILE NAME: 23478-HUDSON CREEK MXPUD  
LOCATION: J. GARDNER ZONING DISTRICT  
PLOT DATE: R.E. 5-19-2020, 10:29 AM  
PLOT BY: JAMES H. HADY

CROSS REFERENCED DRAWINGS

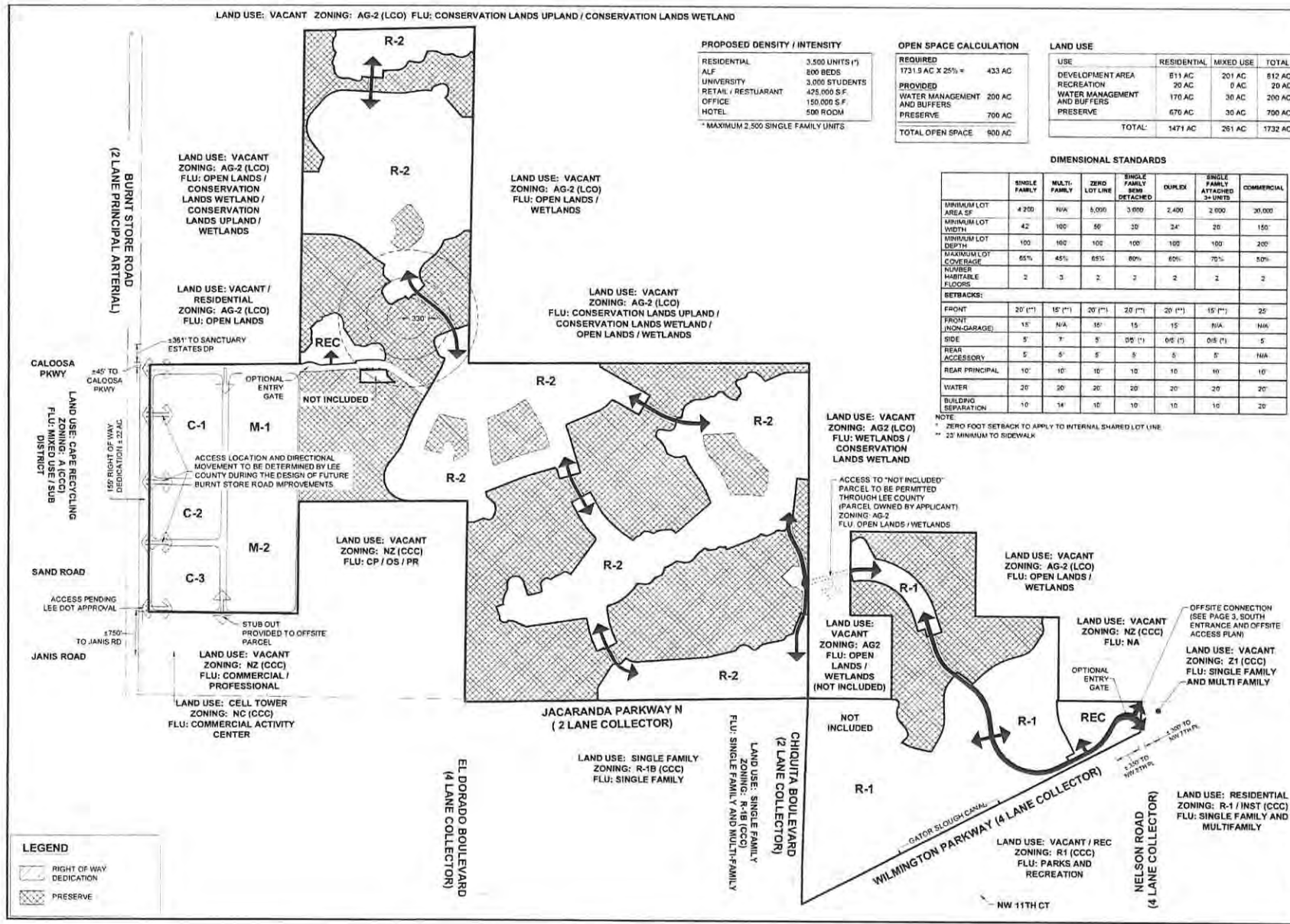
PLAN REVISIONS

PLAN STATUS

**AERIAL  
LOCATION  
MAP**

PROJECT / FILE NO. SHEET NUMBER  
**23478**





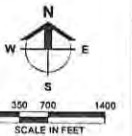
**Barraco**  
and Associates, Inc.  
CIVIL ENGINEERING - LAND SURVEYING  
LAND PLANNING

www.barraco.net

3271 McDONALD BLVD, SUITE 100  
FORT MYERS, FLORIDA 33903-2002  
PHONE (239) 481-3170  
FAX (239) 481-3195

FLORIDA CERTIFICATE OF AUTHORIZATION  
ENGINEERING 7895 - SURVEYING LB-6940

PREPARED BY



PROJECT DESIGNATION

**HUDSON  
CREEK  
MXPUD**

LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND  
INTENDED FOR CONCEPTUAL  
PLANNING PURPOSES ONLY

SITE LAYOUT AND LAND USE  
INTENSITIES OR DENSITIES MAY  
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ENVIRONMENTAL AND / OR  
REGULATORY CONSTRAINTS AND /  
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INFORMATION STORAGE AND RETRIEVAL SYSTEM,  
WITHOUT PERMISSION IN WRITING FROM BARRACO  
AND ASSOCIATES, INC.

LOCATION: HUDSON CREEK MXPUD

PLAT DATE: JUL 9-14-2008 - 11:00 AM

PROJECT: JACQUETTA HADLEY

CROSS REFERENCED DRAWINGS

PLAN REVISIONS

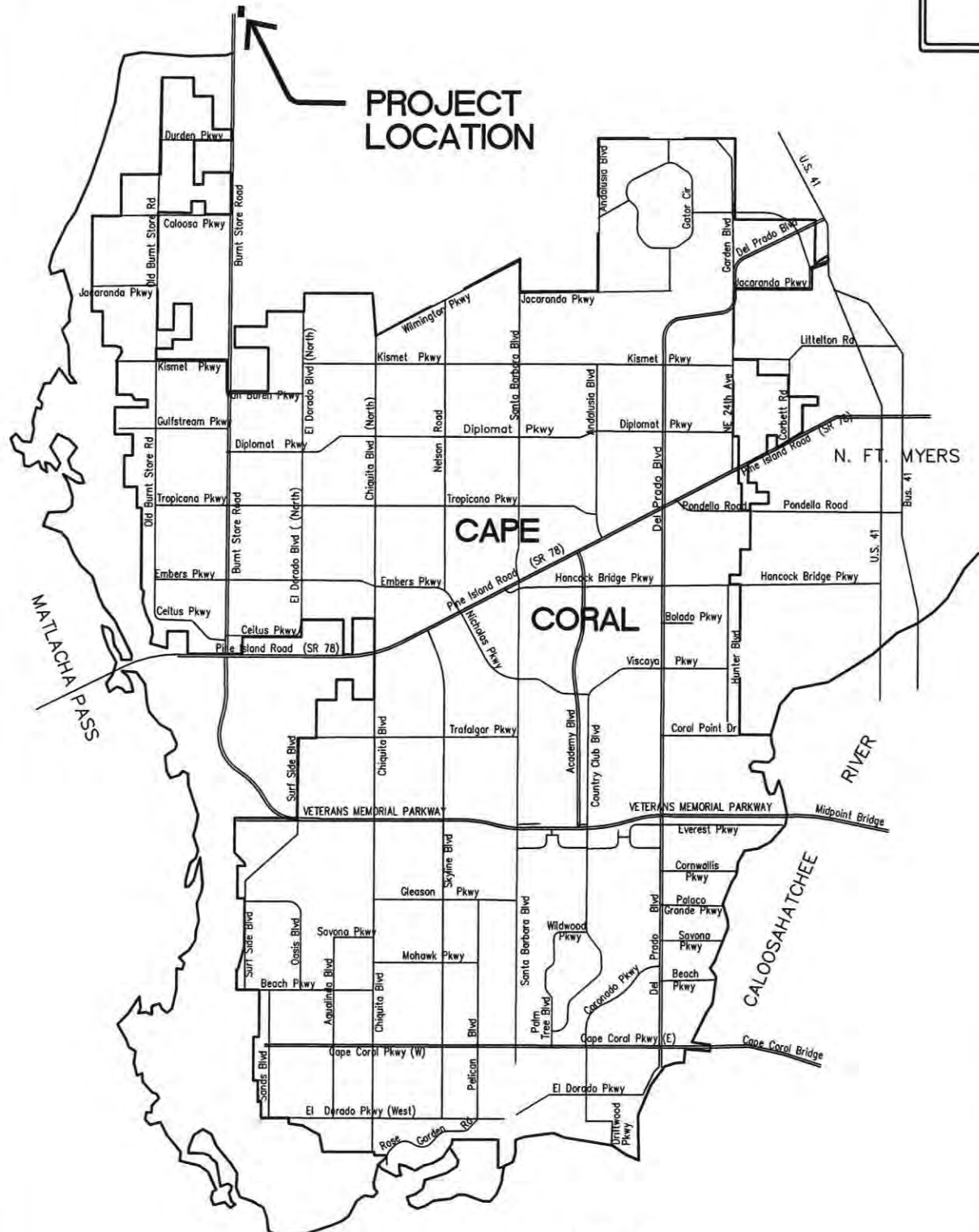
PLAN STATUS

MASTER CONCEPT PLAN

PROJECT FILE NO: 23478 SHEET NUMBER: 2



PROJECT  
LOCATION



LOCATION MAP  
N.T.S.



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AND DIMENSIONS ARE NOT TO BE USED FOR  
SURVEY, ENVIRONMENTAL AND REGULATORY  
CONSTRAINTS. NOT FOR CONSTRUCTION.

DATE	BY	REVISION DESCRIPTION

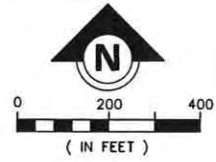
**AVALON ENGINEERING, INC.**  
2503 DEL PRADO BLVD., #200  
CAPE CORAL, FLORIDA 33904  
FBPE#3128 (239) 573-2077

**BURNT STORE ROAD  
MIXED USE DEVELOPMENT  
LEE COUNTY, FLORIDA**

SVR Mgmt. LLC  
5015 Skyline Blvd.  
Cape Coral, FL 33914  
ATT: Stephen V. Reddy  
PH: 508-280-5578

**EXHIBIT  
M(a)**





AERIAL MAP SHOWING THE SUBJECT PROPERTY  
AND SURROUNDING PROPERTIES

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AND DIMENSIONS ARE BASED ON A  
SURVEY, ENVIRONMENTAL AND REGULATORY  
CONSTRAINTS. "NOT FOR CONSTRUCTION"

DATE	BY	REVISION DESCRIPTION

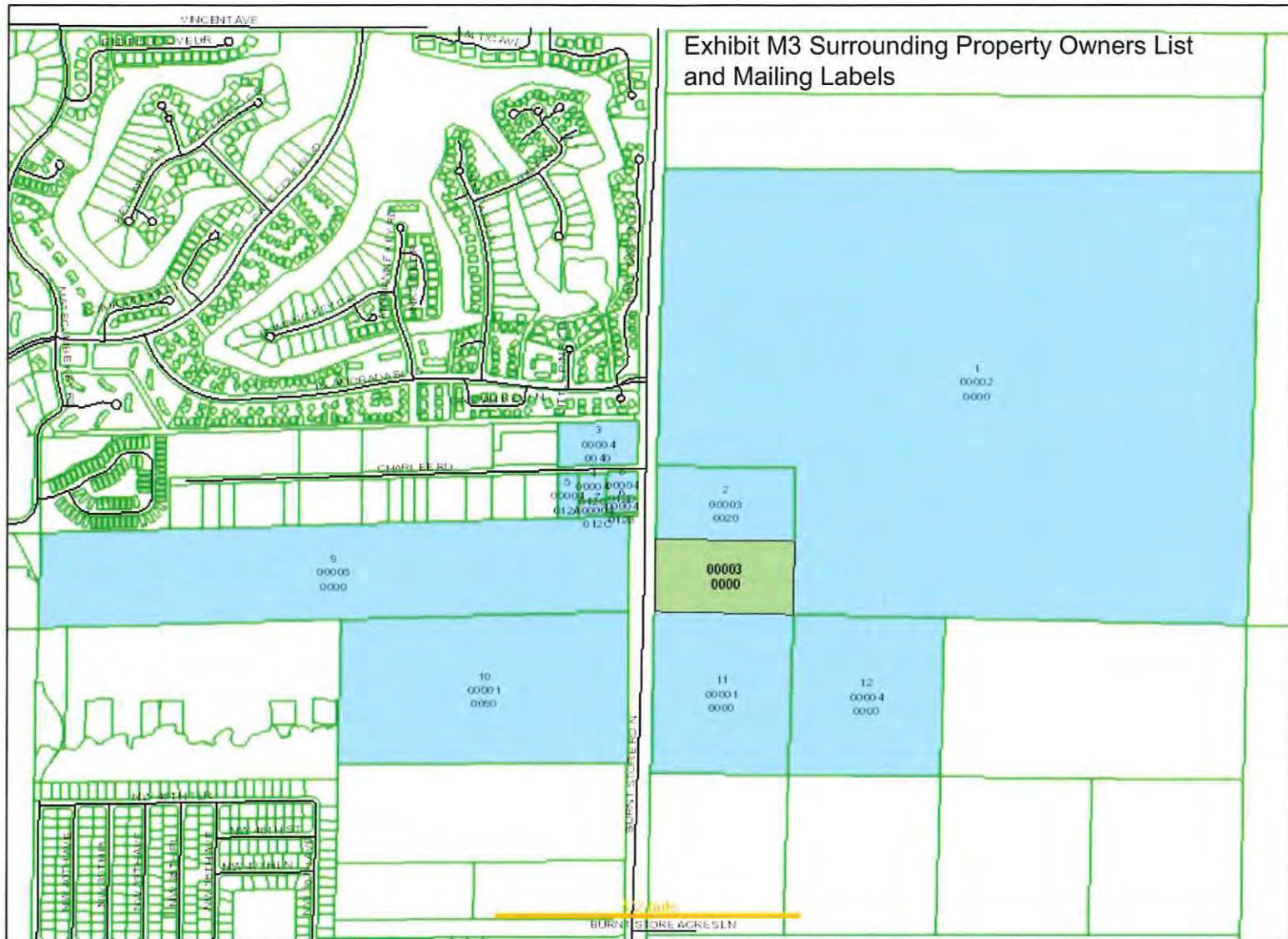
**AVALON ENGINEERING, INC.**  
2503 DEL PRADO BLVD, #200  
CAPE CORAL, FLORIDA 33904  
FBPE#3128 (239) 573-2077

**BURNT STORE ROAD  
MIXED USE DEVELOPMENT  
LEE COUNTY, FLORIDA**

SVR Mgmt, LLC  
3000 Sycamore  
Cape Coral, FL 33914  
Attn: Stephen V. Rodolph  
PH: 508-280-5575

**EXHIBIT  
M9**





Date of Report: December 02, 2020  
 Buffer Distance: 750 feet   
 Parcels Affected: 12  
 Subject Parcel: **05-43-23-00-00003.0000**

[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
TIITF/FWCC FRED BABCOCK/CECIL DEPT OF ENVIR PROTECTION 3900 COMMONWEALTH BLVD TALLAHASSEE FL 32399	<b>05-43-23-00-00002.0000</b> BURNT STORE RD N CAPE CORAL FL 33993	S 1/2 OF N 1/2 + N 1/2 OF SW 1/4 + SE 1/4 OF SW 1/4 + SE 1/4 LESS W 132 FT.OF	1
SVR INVESTMENTS LLC 2135 MAYFAIR WAY LOT 28 TITUSVILLE FL 32796	<b>05-43-23-00-00003.0020</b> BURNT STORE RD N CAPE CORAL FL 33993	N 1/2 OF SW 1/4 OF SW 1/4 LESS W 132 FT	2
PUNTA GORDA ISLES SECTION 22 H 13831 VECTOR AVE FORT MYERS FL 33907	<b>06-43-23-00-00004.0040</b> ACCESS UNDETERMINED PUNTA GORDA FL 33955	BEG SE COR SEC 6 RUN N ALG E LI & CTR LI S R 765 1246.02 FT TH W 68.06 FT LESS SOUTH 30 FT RD R/W OR 3817 PG 1820	3
HOFFMAN RICHARD C JR & 17041 CHARLEE RD PUNTA GORDA FL 33955	<b>06-43-23-00-00004.0120</b> 17041 CHARLEE RD PUNTA GORDA FL 33955	PARL IN SE 1/4 DESC OR 1882 PG 3507 PARCEL C LESS N 30 FT AS D ESC IN OR 3729 PG 3721 RD R/W	4
BANNON MARGIT BERRIOS	<b>06-43-23-00-00004.012A</b>	PARL IN SE 1/4	5

17051 CHARLEE RD PUNTA GORDA FL 33955	17051 CHARLEE RD PUNTA GORDA FL 33955	DESC OR 1455 PG 2246 LESS N 30 FT FOR RD R/W IN OR 3773 PG 1840	
DISTRESSED CHARLEE LLC 9001 DANIELS PK WY #201 FORT MYERS FL 33912	<b>06-43-23-00-00004.012B</b> ACCESS UNDETERMINED PUNTA GORDA FL 33955	FR SE COR TH N861 TH W66 TO POB TH W270 TH N132 TH E270 TH S120 TO POB LESS R/W AKA PT LOT 10 CHARLEE RANCHETTES	6
CHOMWONG PATTARAPORN 6135 S EVANS AVE APT 1 CHICAGO IL 60637	<b>06-43-23-00-00004.012C</b> 4970 BURNT STORE RD N PUNTA GORDA FL 33955	PT LT 10 CHARLEE RANCHETTE UNREC - FM SE COR N 831 W 68 TO POB THEN W 524 N 140 E254 S 110 E 270 S 31 TO POB	7
ABRAHAMSON PROPERTIES LLC PO BOX 1601 BONITA SPRINGS FL 34133	<b>06-43-23-00-00004.012D</b> 17021 CHARLEE RD PUNTA GORDA FL 33955	FR SE COR TH N978 TH W68 TO POB TH W270 TH N253 TH E270 TH S265 TO POB LESS R/W AKA PT LOT 10 CHARLEE RANCHETTES	8
TIITF/REC + PARKS CHARLOTTE HA DEPT OF ENVIR PROTECTION 3900 COMMONWEALTH BLVD TALLAHASSEE FL 32399	<b>06-43-23-C3-00005.0000</b> ACCESS UNDETERMINED PUNTA GORDA FL 33955	S 830 FT SEC 6 LESS E 68 FT	9
LEE COUNTY CONSERVATION 2020 PO BOX 398 FORT MYERS FL 33902	<b>07-43-23-C2-00001.0090</b> BURNT STORE RD N CAPE CORAL FL 33993	N 1/2 OF NE 1/4 LESS N 50 FT RES FOR RD R/W + LESS STATE R/W	10
CAMPBELL ANNMARIE + 10791 ORANGE RIVER BLVD FORT MYERS FL 33905	<b>08-43-23-00-00001.0000</b> BURNT STORE RD N CAPE CORAL FL 33993	NW 1/4 OF NW 1/4 LESS WLY 132 FT	11
HENRY JEWEL A 16820 SANCTUARY EST DR CAPE CORAL FL 33993	<b>08-43-23-00-00004.0000</b> ACCESS UNDETERMINED CAPE CORAL FL	NE 1/4 OF NW 1/4 SEC 08 DESC IN OR 1904 PG 2670	12

TIITF/FWCC FRED BABCOCK/CECIL  
DEPT OF ENVIR PROTECTION  
3900 COMMONWEALTH BLVD  
TALLAHASSEE FL 32399

SVR INVESTMENTS LLC  
2135 MAYFAIR WAY LOT 28  
TITUSVILLE FL 32796

PUNTA GORDA ISLES SECTION 22 H  
13831 VECTOR AVE  
FORT MYERS FL 33907

HOFFMAN RICHARD C JR &  
17041 CHARLEE RD  
PUNTA GORDA FL 33955

BANNON MARGIT BERRIOS  
17051 CHARLEE RD  
PUNTA GORDA FL 33955

DISTRESSED CHARLEE LLC  
9001 DANIELS PKWY #201  
FORT MYERS FL 33912

CHOMWONG PATTARAPORN  
6135 S EVANS AVE APT 1  
CHICAGO IL 60637

ABRAHAMSON PROPERTIES LLC  
PO BOX 1601  
BONITA SPRINGS FL 34133

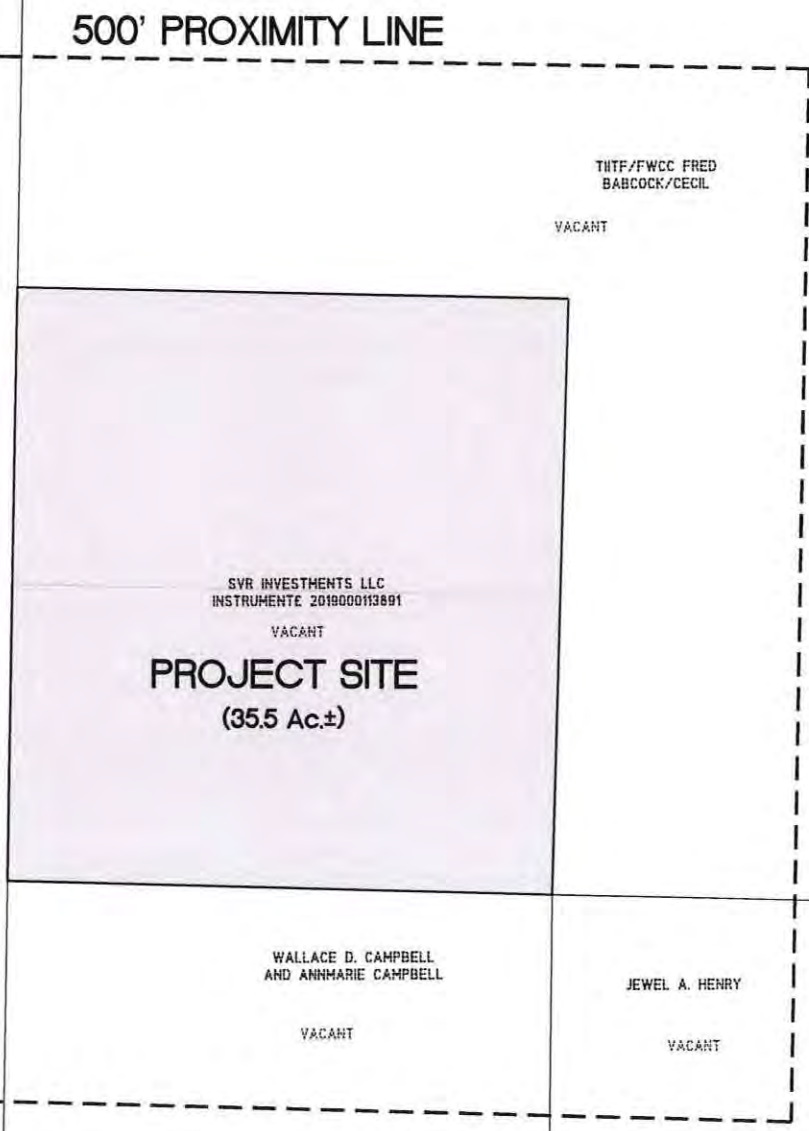
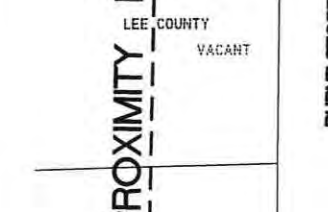
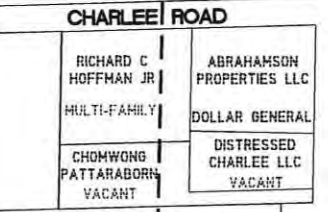
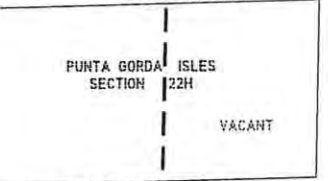
TIITF/REC + PARKS CHARLOTTE HA  
DEPT OF ENVIR PROTECTION  
3900 COMMONWEALTH BLVD  
TALLAHASSEE FL 32399

LEE COUNTY  
CONSERVATION 2020  
PO BOX 398  
FORT MYERS FL 33902

CAMPBELL ANNMARIE +  
10791 ORANGE RIVER BLVD  
FORT MYERS FL 33905

HENRY JEWEL A  
16820 SANTUARY EST DR  
CAPE CORAL FL 33993






EXISTING LAND USE MAP

THIS PLAN IS INTENDED FOR CONCEPTUAL PLANNING PURPOSES ONLY. SITE LAYOUT AND DIMENSIONS ARE NOT TO BE USED FOR SURVEY, ENVIRONMENTAL AND REGULATORY CONSTRAINTS. NOT FOR CONSTRUCTION.

DATE	BY	REVISION DESCRIPTION

**AVALON ENGINEERING, INC.**  
 2503 DEL PRADO BLVD. #200  
 CAPE CORAL, FLORIDA 33904  
 FBPE#3128 (239) 573-2077

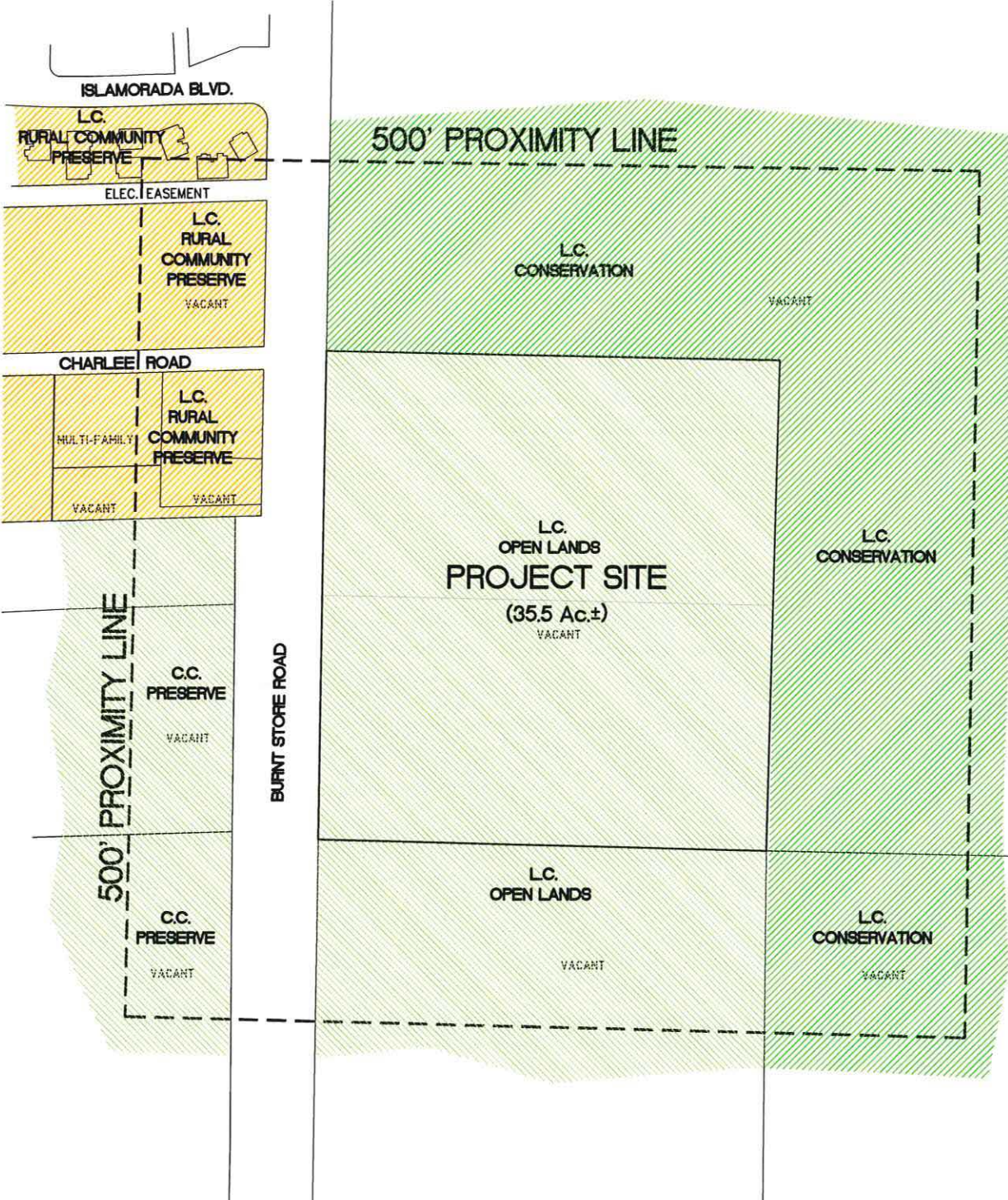
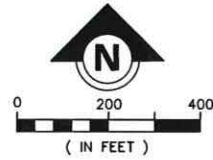


**BURNT STORE ROAD  
 MIXED USE DEVELOPMENT  
 LEE COUNTY, FLORIDA**

**SVR Mgmt. LLC**  
 5015 Sycamore Blvd.  
 Cape Coral, FL 33914  
 Attn: Stephen V. Reddy  
 PH: 508-280-3578

**EXHIBIT  
 M5**





FUTURE LAND USE MAP - EXISTING

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DATE	BY	REVISION DESCRIPTION

**AVALLON ENGINEERING, INC.**  
2503 DEL PRADO BLVD. #200  
CAPE CORAL, FLORIDA 33904  
FBPE#3128 (239) 513-2077

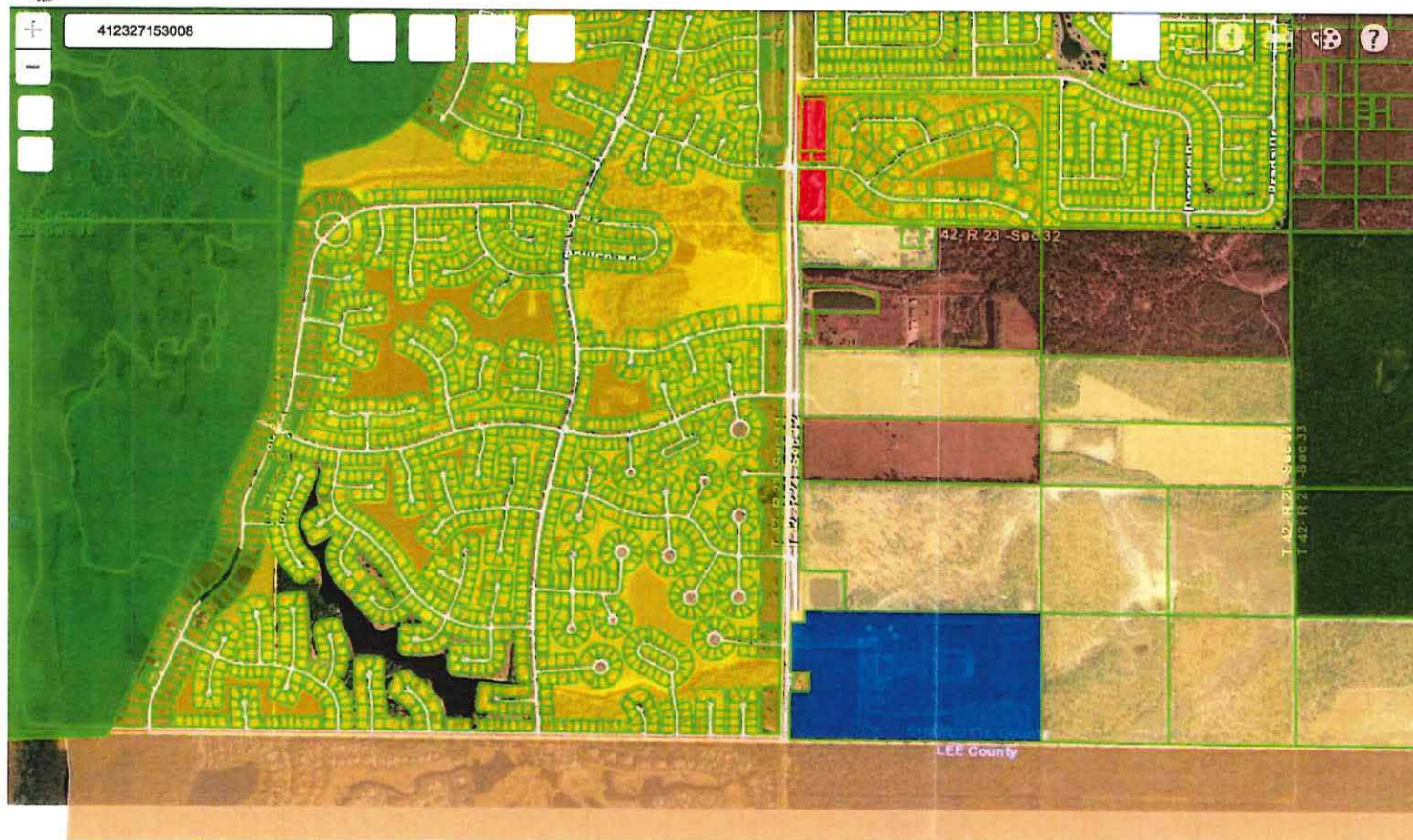
**BURNT STORE ROAD  
MIXED USE DEVELOPMENT  
LEE COUNTY, FLORIDA**

**SVR Mgmt, LLC**  
9015 Skyline Blvd.  
Cape Coral, FL 33914  
Attn: Stephen V. Raleigh  
PH: 508-228-5878

**EXHIBIT  
M4a1**



Exhibit M4 a 2



#### Layers

- ▶ Sea Turtle Lighting Zones
- ▶ Enterprise Charlotte Airport Park
- ▶ US 41 Zoning Overlay District
- ▶ FBC2010 Wind Speeds
- ▶ Pre-FBC2010 Wind Speeds
- ▶ Existing Land Use
- ▼ Future Land Use
  - Agriculture
  - Babcock Mixed Use
  - Burnt Store Limited Development
  - Burnt Store Village Residential
  - City
  - Commercial
  - Office & Institutional
  - Enterprise Charlotte Airport Park
  - Mineral Resource Extraction
  - Low Density Residential
  - Medium Density Residential

Options Clear Selection Buffer Mailing Labels

Property Ownership

Parcel ID

[412327153008](#)

Owners Name

ROADMAN BARRET

Mailing Address

126 SINCALIR ST SW

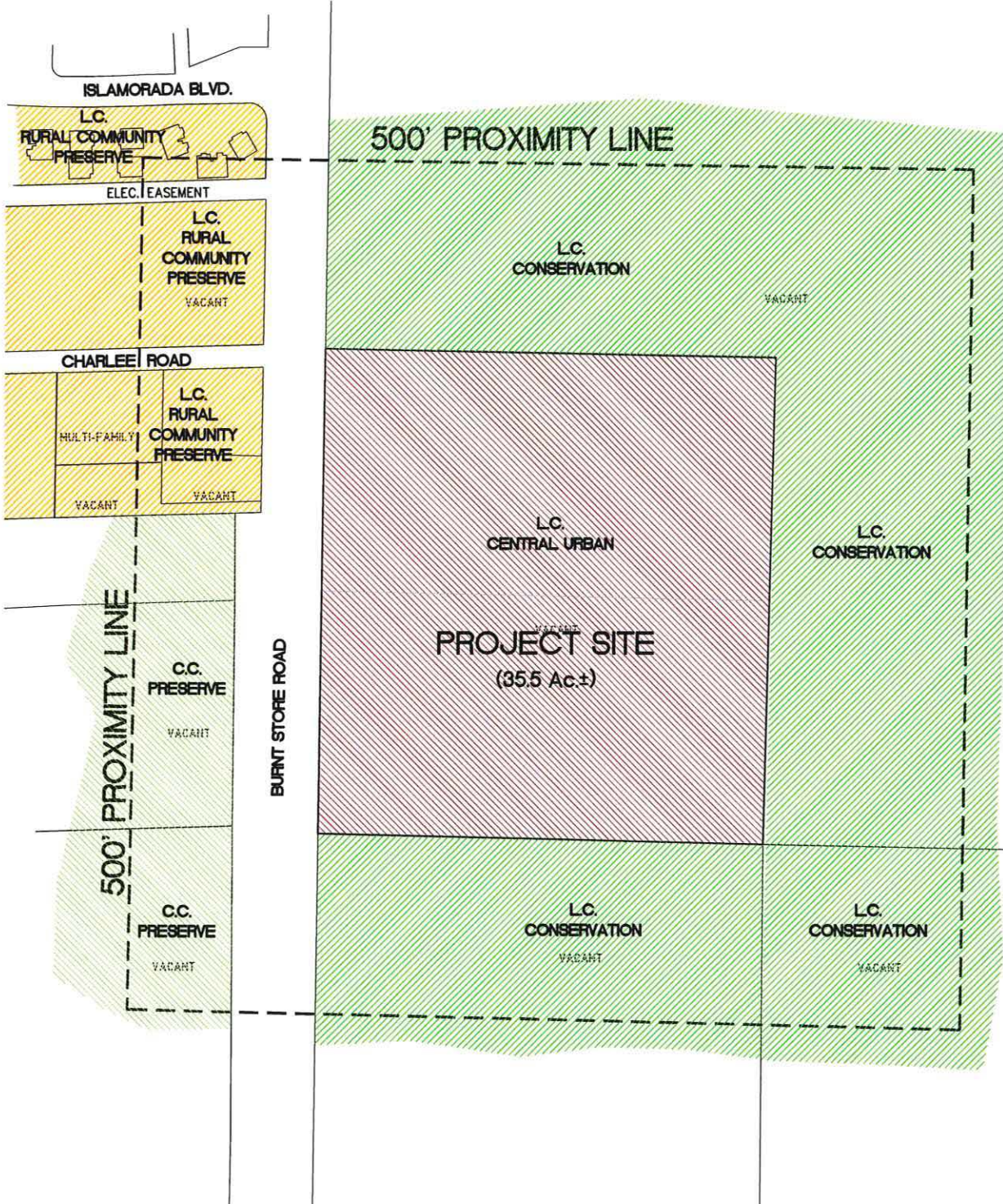
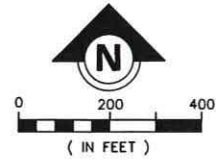
Suite

City

PORT CHARL

1 - 1 of 1 results , 0 selected





FUTURE LAND USE MAP - PROPOSED

THIS PLAN IS INTENDED FOR CONCEPTUAL PLANNING PURPOSES ONLY. SITE LAYOUT MAY CHANGE SIGNIFICANTLY BASED UPON SURVEY DATA, ADJACENT PROPERTY CONSTRAINTS, "NOT FOR CONSTRUCTION"

DATE	BY	REVISION DESCRIPTION

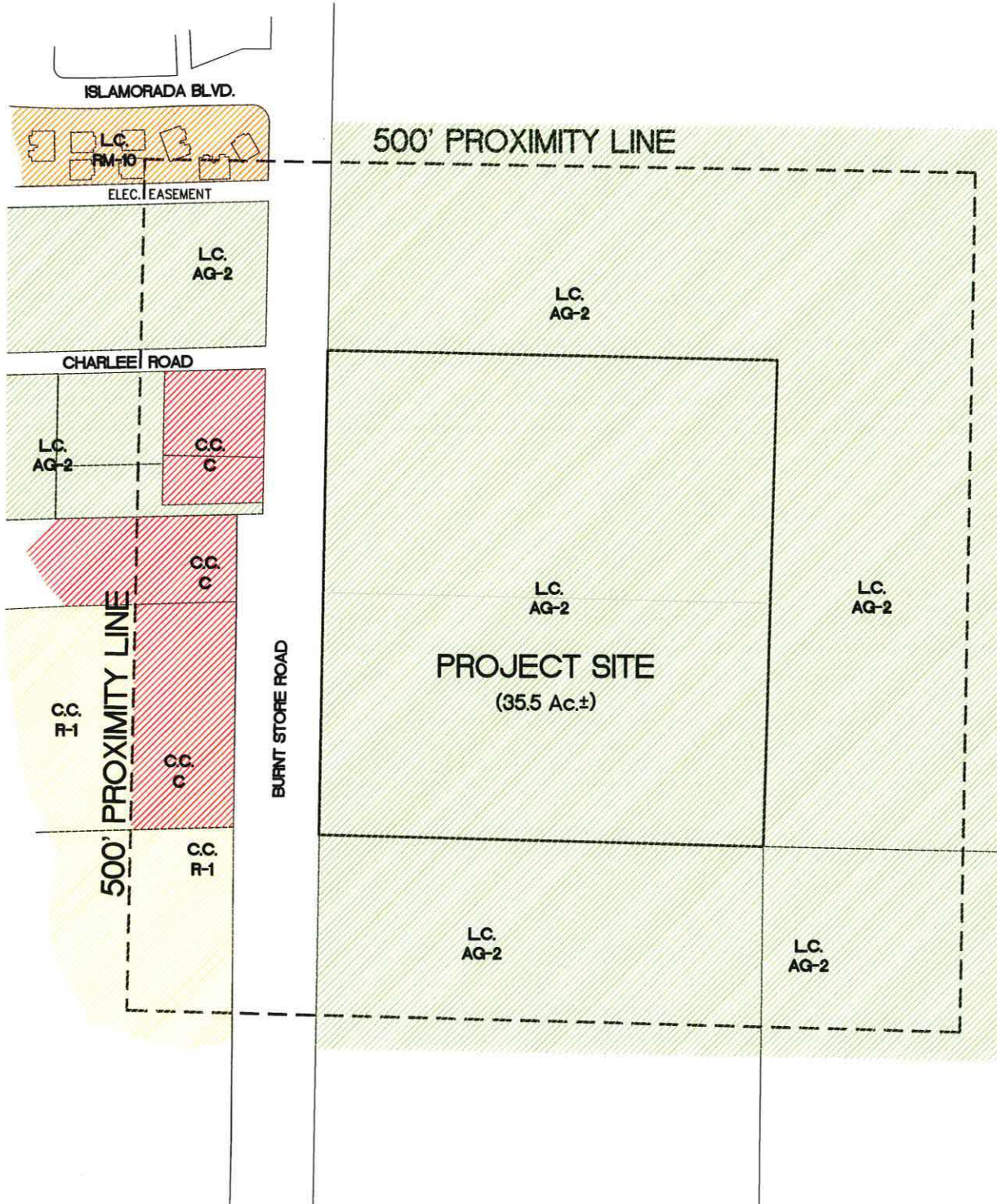
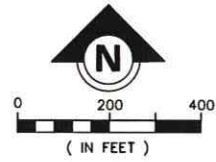
**AVALON ENGINEERING, INC.**  
 2503 DEL PRADO BLVD. #200  
 CAPE CORAL, FLORIDA 33904  
 FBPE#3128 (239) 513-2077

**BURNT STORE ROAD  
 MIXED USE DEVELOPMENT  
 LEE COUNTY, FLORIDA**

SVR Mgmt, LLC  
 5015 Skyline Blvd.  
 Cape Coral, FL 33914  
 Attn: Stephen V. Ridenour  
 PH: 508-288-5878

**EXHIBIT  
 M4b**





EXISTING ZONING MAP

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DATE	BY	REVISION DESCRIPTION

**AVALON ENGINEERING, INC.**  
2503 DEL PRADO BLVD, #200  
CAPE CORAL, FLORIDA 33904  
FBPE#3128 (239) 573-2077

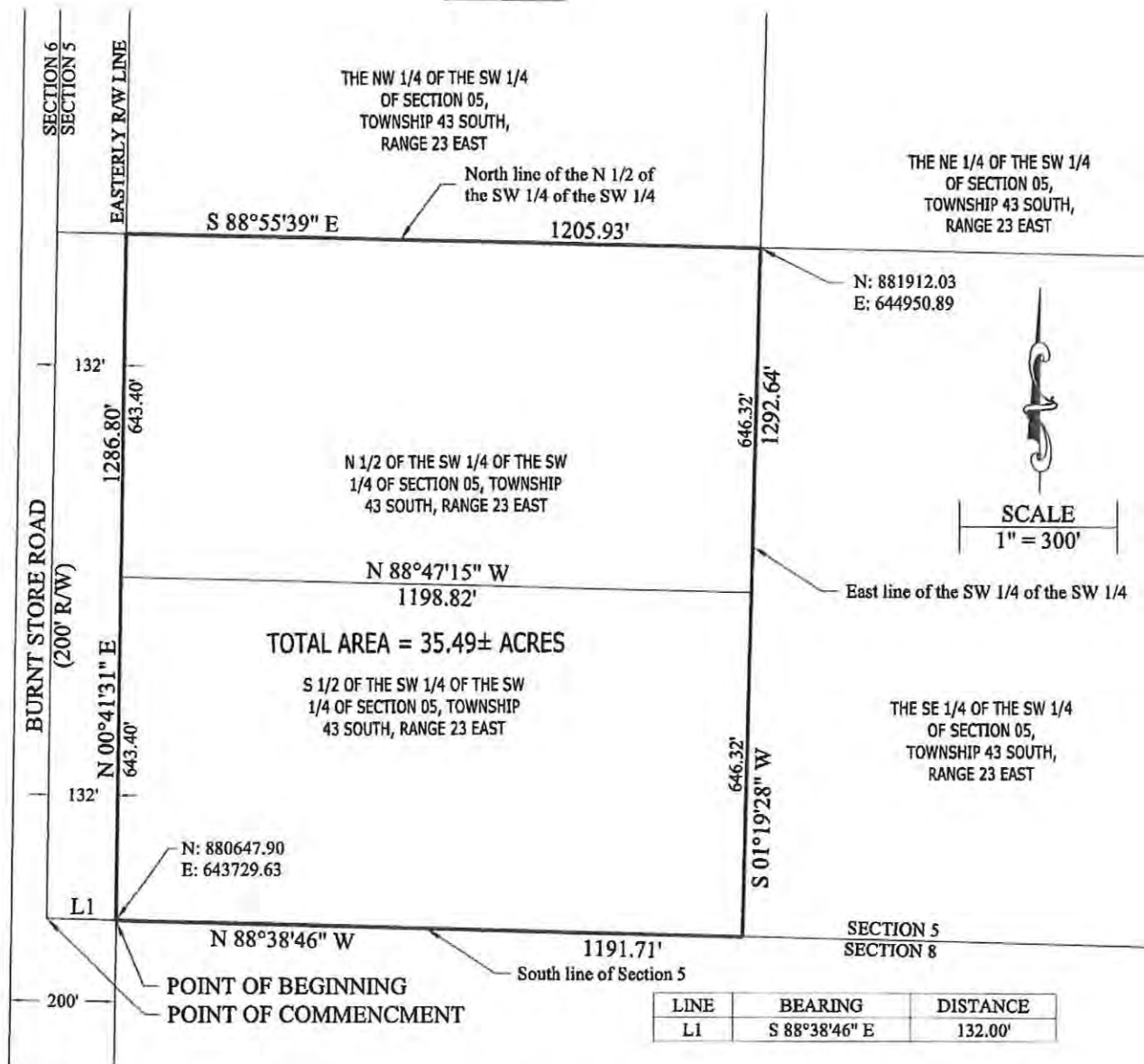
**BURNT STORE ROAD  
MIXED USE DEVELOPMENT  
LEE COUNTY, FLORIDA**

**SVR Mgmt, LLC**  
3415 S.W. 11th Ave.  
Cape Coral, FL 33914  
Alt: Stephanie V. Rodriguez  
PH: 508-280-5678

**EXHIBIT  
M6**



# Sketch



## SURVEY NOTES:

1. BEARINGS ARE BASED ON THE EAST RIGHT-OF-WAY LINE OF BURNT STORE ROAD BEING N00°41'31"E.
2. MEASUREMENTS SHOWN ARE IN FEET AND DECIMALS THEREOF.
3. **THIS IS NOT A SURVEY**
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7. COORDINATES SHOWN HEREON ARE IN REFERENCE TO THE FLORIDA WEST STATE PLANE COORDINATE SYSTEM (ZONE 0902) (NAD 83/2011) AND DETERMINED USING THE FDOT PERMANENT REFERENCE STATION NETWORK (FPRN).

## LEGEND:

R/W = RIGHT-OF-WAY

Sheet 1 of 2

## Sketch to Accompany Description

Burnt Store Road Parcels  
lying in Section 05, Township 43 South,  
Range 23 East, Lee County, Florida.

SHEET 1 OF 2

Prepared for: SVR Management, LLC

SECTION 05, TOWNSHIP 43S, RANGE 23E

## THIS IS NOT A SURVEY



324 Nicholas Parkway W, Unit A  
Cape Coral, Florida 33991  
Phone: (239) 673-9541  
www.Ardurra.com  
License #LB-2610

I hereby certify that, to the best of my knowledge and belief, the sketch and description represented hereon, made under my direction on March 15, 2021 is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.



Digitally signed by  
Jeffrey Stouten  
Date: 2022.02.10  
10:31:32 -05'00'

JEFFREY D. STOUTEN (FOR THE FIRM)

FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 6584  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR DIGITAL SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER

## Description

### LEGAL DESCRIPTION:

A parcel or tract of land lying in the Southwest quarter (SW 1/4) of the Southwest quarter (SW 1/4) of Section 5, Township 43 South, Range 23 East, Lee County, Florida, being more particularly described as follows:

Commencing at the Southwest corner of said Section 5, thence S88°38'46"E, along the South line of said Section 5, a distance of 132.00 feet to an intersection with the Easterly right-of-way line of Burnt Store Road and the POINT OF BEGINNING. From said Point of Beginning, thence run N00°41'31"E, along said Easterly right-of-way line, a distance of 1,286.80 feet to an intersection with the north line of the North one half (N 1/2) of the Southwest quarter (SW 1/4) of the Southwest quarter (SW 1/4) of said Section 5; thence run S88°55'39"E, along the North line of said North one half (N 1/2), a distance of 1,205.93 feet to an intersection with the East line of said Southwest quarter (SW 1/4) of the Southwest quarter; thence run S01°19'28"W, along said East line, a distance of 1,292.64 feet to an intersection with the South line of said Section 5; thence run N88°38'46"W, along said South line, a distance of 1,191.71 feet to an intersection with said Easterly right-of-way line and the POINT OF BEGINNING.

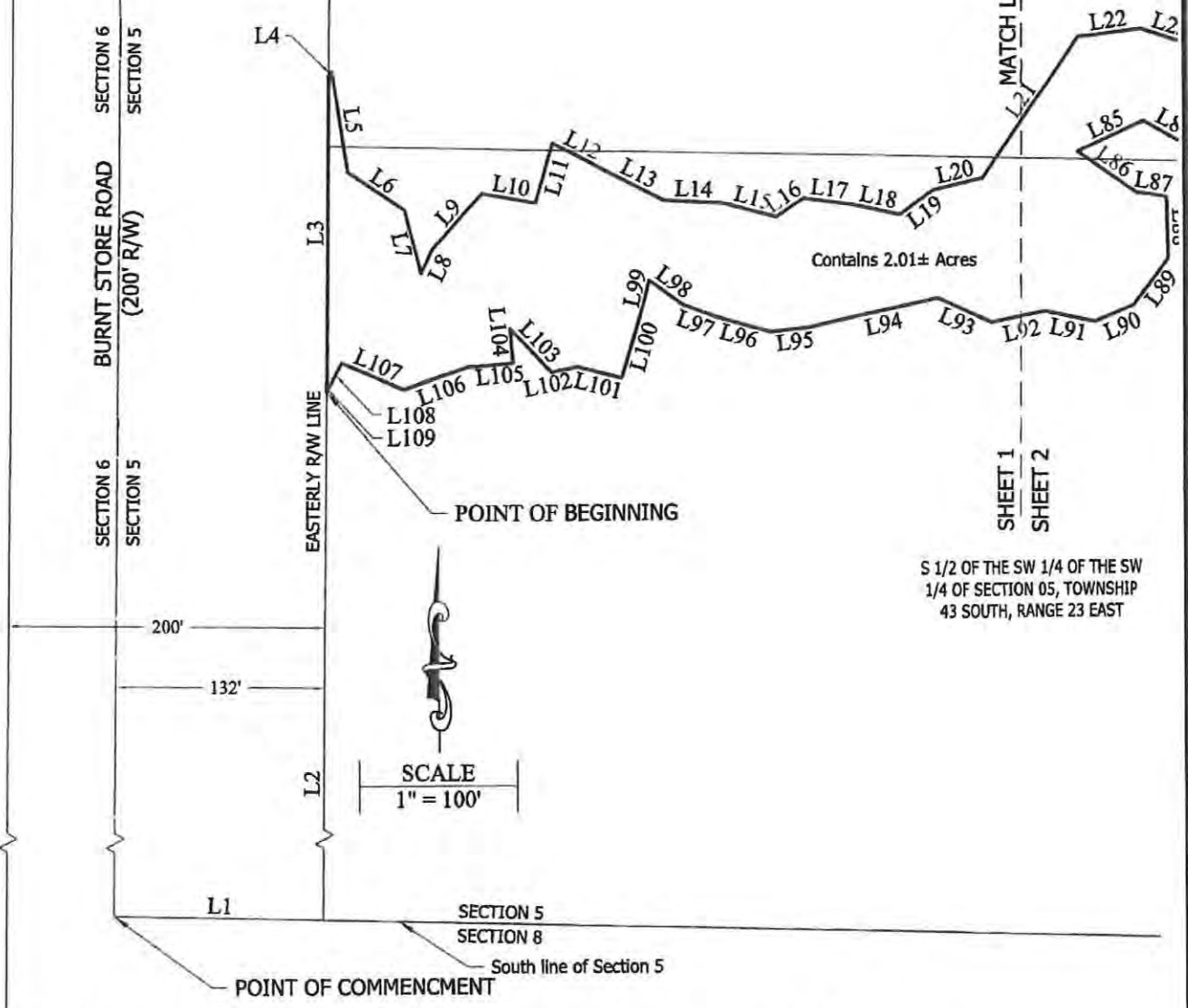
Said parcel contains 35.49 acres (more or less)

Bearings are based on the Easterly right-of-way line of Burnt Store Road being N00°41'31"E.

<b>THIS IS NOT A SURVEY</b>	<b>Description to Accompany Sketch</b> <i>Burnt Store Road Parcels</i> lying in Section 05, Township 43 South, Range 23 East, Lee County, Florida.	<i>Not Valid without Sheet 1 of 2</i>
<i>Sheet 2 of 2</i>  Prepared for: SVR Management, LLC SECTION 05, TOWNSHIP 43S, RANGE 23E	 <b>ARDURRA</b> COLLABORATE. INNOVATE. CREATE.  324 Nicholas Parkway W, Unit A Cape Coral, Florida 33991 Phone: (239) 673-9541 www.Ardurra.com License #LB-2610	I hereby certify that, to the best of my knowledge and belief, the sketch and description represented hereon, made under my direction on <b>March 15, 2021</b> is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.  <i>See Sheet 1 of 2 for Signature and Seal</i>  JEFFREY D. STOUTEN (FOR THE FIRM) FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 6584 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR DIGITAL SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER

**Sketch**

N 1/2 OF THE SW 1/4 OF THE SW  
1/4 OF SECTION 05, TOWNSHIP  
43 SOUTH, RANGE 23 EAST



S 1/2 OF THE SW 1/4 OF THE SW  
1/4 OF SECTION 05, TOWNSHIP  
43 SOUTH, RANGE 23 EAST

**SURVEY NOTES:**

1. BEARINGS ARE BASED ON THE EAST RIGHT-OF-WAY LINE OF BURNT STORE ROAD BEING N00°41'31"E.
2. MEASUREMENTS SHOWN ARE IN FEET AND DECIMALS THEREOF.
3. **THIS IS NOT A SURVEY**
4. ADDITIONS TO OR DELETIONS OTHER THAN THE SIGNING SURVEYOR AND MAPPER ARE PROHIBITED BY LAW WITHOUT THE EXPRESS WRITTEN CONSENT OF THE SIGNING SURVEYOR AND MAPPER. COPYRIGHT 2021, ARDURRA GROUP, INC., ALL RIGHTS RESERVED.
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6. NOT VALID WITHOUT SHEETS 2,3,4,5&6 OF 6.

**LEGEND:**

R/W = RIGHT-OF-WAY

Sheet 1 of 6

**Sketch to Accompany Description**

*Burnt Store Road Parcels*  
lying in Section 05, Township 43 South,  
Range 23 East, Lee County, Florida.

**THIS IS NOT A SURVEY**

324 Nicholas Parkway W, Unit A  
Cape Coral, Florida 33991  
Phone: (239) 673-9541  
www.Ardurra.com  
License #LB-2610

I hereby certify that, to the best of my knowledge and belief, the sketch and description represented hereon, made under my direction on **March 15, 2021** is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 53-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.



Digitally signed by  
Jeffrey Stouten  
Date: 2022.02.10  
10:05:29 -05'00'

JEFFREY D. STOUTEN (FOR THE FIRM)  
FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO.06514  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR  
DIGITAL SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER

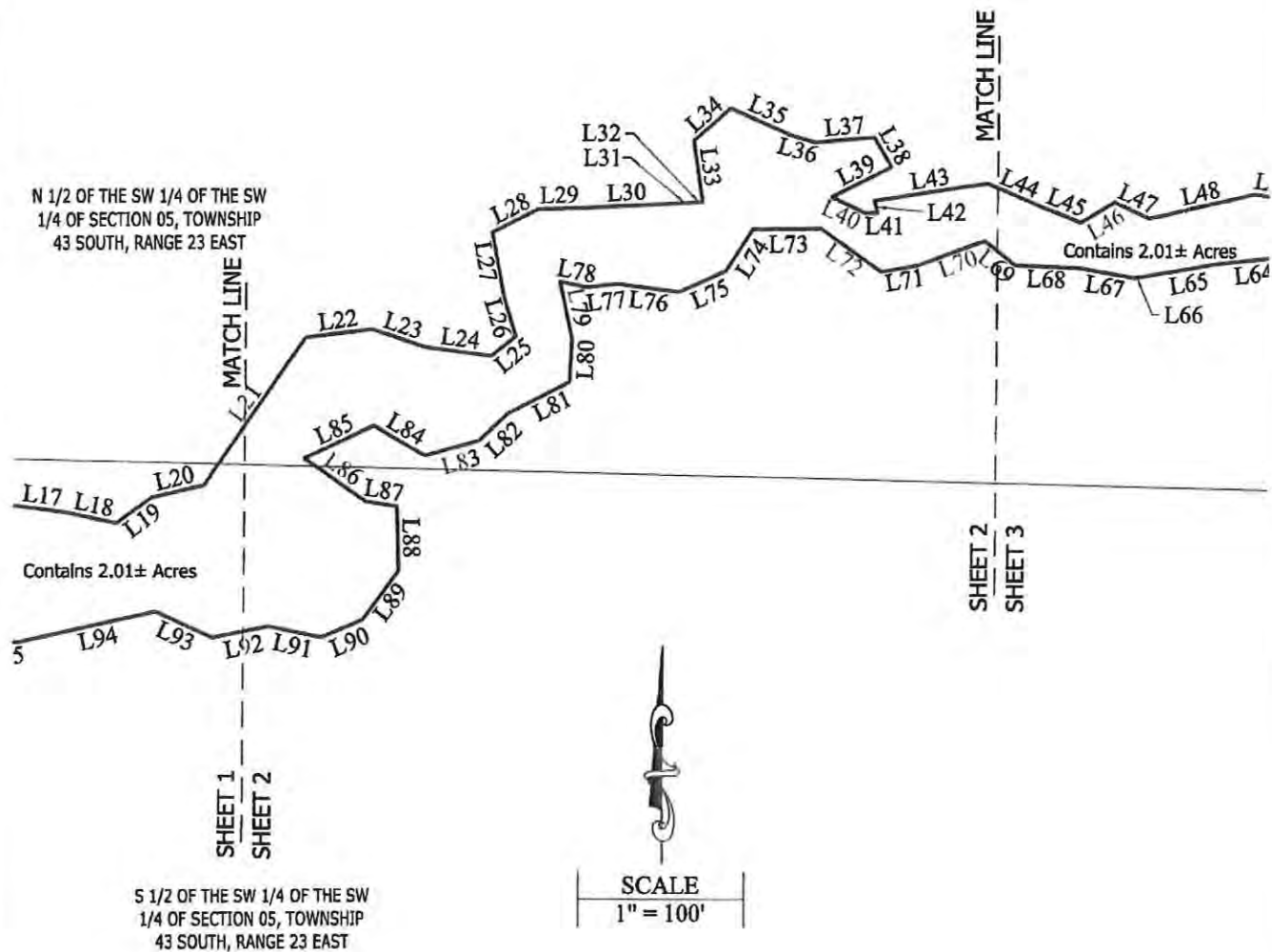
SHEET 1 OF 6

Prepared for: SVR Management, LLC

SECTION 05, TOWNSHIP 43S, RANGE 23E



# Sketch



Not Valid without Sheets 1,3,4,5&6 of 6

## Sketch to Accompany Description

*Wetland Area*  
lying in Section 05, Township 43 South,  
Range 23 East, Lee County, Florida.

SHEET 2 OF 6

Prepared for: SVR Management, LLC

SECTION 05, TOWNSHIP 43S, RANGE 23E

## THIS IS NOT A SURVEY



**ARDURRA**  
COLLABORATE. INNOVATE. CREATE.

324 Nicholas Parkway W, Unit A  
Cape Coral, Florida 33991  
Phone: (239) 673-9541  
www.Ardurra.com  
License #LB-2610

I hereby certify that, to the best of my knowledge and belief, the sketch and description represented hereon, made under my direction on March 15, 2021 is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.

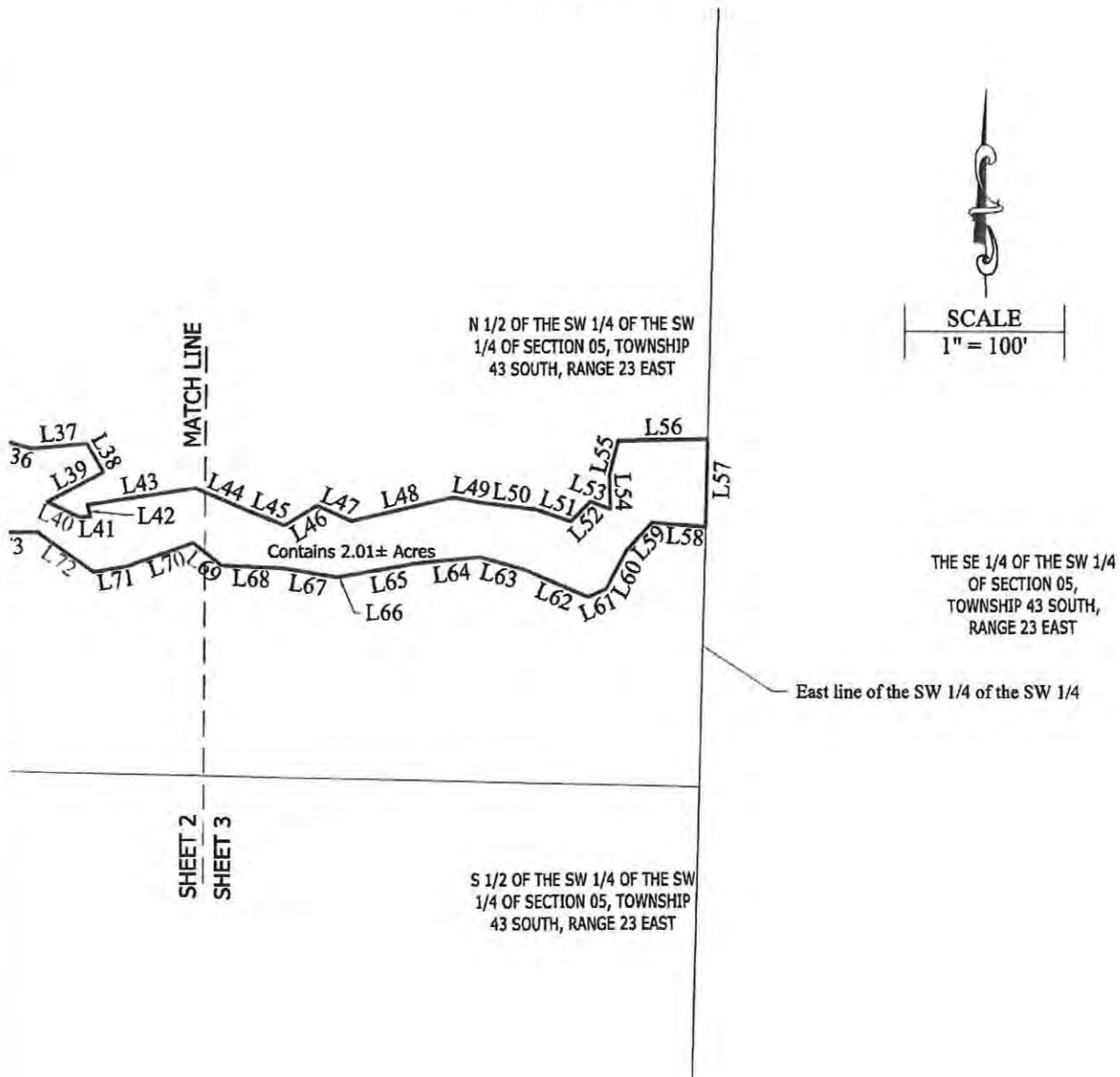
See Sheet 1 of 6 for Signature and Seal

JEFFREY D. STOUTEN (FOR THE FIRM)

FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 6584  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR  
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# Sketch



Not Valid without Sheets 1,2,4,5&6 of 6

## Sketch to Accompany Description

*Wetland Area*  
lying in Section 05, Township 43 South,  
Range 23 East, Lee County, Florida.

SHEET 3 OF 6

Prepared for: SVR Management, LLC

SECTION 05, TOWNSHIP 43S, RANGE 23E

## THIS IS NOT A SURVEY



324 Nicholas Parkway W, Unit A  
Cape Coral, Florida 33991  
Phone: (239) 673-9541  
www.Ardurra.com  
License #LB-2610

I hereby certify that, to the best of my knowledge and belief, the sketch and description represented hereon, made under my direction on **March 15, 2021** is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.

See Sheet 1 of 6 for Signature and Seal

JEFFREY D. STOUTEN (FOR THE FIRM)  
FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 6554  
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## Tables

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	S 88°38'46" E	132.00'	L37	N 84°39'48" E	35.07'	L73	S 89°30'34" W	41.12'
L2	N 00°41'31" E	489.83'	L38	S 30°21'55" E	20.65'	L74	S 33°18'09" W	29.13'
L3	N 00°41'31" E	198.19'	L39	S 62°29'14" W	40.11'	L75	S 66°14'51" W	30.66'
L4	N 41°51'49" E	3.13'	L40	S 65°26'26" E	21.88'	L76	N 82°44'40" W	37.50'
L5	S 08°32'27" E	63.59'	L41	S 90°00'00" E	7.51'	L77	S 83°19'42" W	18.73'
L6	S 56°04'01" E	43.65'	L42	N 15°03'25" W	7.53'	L78	N 78°38'44" W	16.64'
L7	S 14°18'19" E	40.89'	L43	N 81°08'45" E	68.36'	L79	S 12°30'04" E	34.63'
L8	N 25°39'58" E	17.34'	L44	S 66°50'01" E	35.13'	L80	S 02°53'36" W	25.97'
L9	N 41°55'54" E	46.41'	L45	S 69°06'10" E	25.50'	L81	S 63°00'47" W	41.79'
L10	S 79°45'34" E	34.82'	L46	N 59°21'07" E	23.52'	L82	S 47°33'34" W	23.40'
L11	N 16°31'24" E	39.05'	L47	S 65°58'03" E	23.22'	L83	S 74°18'19" W	33.56'
L12	S 62°41'33" E	34.88'	L48	N 77°12'29" E	65.59'	L84	N 60°30'39" W	35.59'
L13	S 62°41'33" E	44.06'	L49	S 80°10'39" E	19.21'	L85	S 65°01'22" W	45.74'
L14	S 87°27'56" E	36.58'	L50	S 83°37'41" E	32.83'	L86	S 55°22'33" E	44.80'
L15	S 74°59'33" E	35.13'	L51	S 70°44'16" E	23.16'	L87	S 81°14'55" E	19.15'
L16	N 56°05'36" E	20.84'	L52	N 45°06'38" E	17.51'	L88	S 01°26'20" E	38.54'
L17	S 82°23'48" E	30.29'	L53	S 69°07'24" E	13.27'	L89	S 36°36'44" W	36.67'
L18	S 77°56'32" E	31.36'	L54	N 01°49'15" W	20.37'	L90	S 67°26'08" W	26.51'
L19	N 53°50'56" E	25.87'	L55	N 14°03'42" E	22.86'	L91	N 78°11'10" W	32.00'
L20	N 76°27'28" E	32.56'	L56	N 88°39'45" E	55.84'	L92	S 78°30'48" W	34.63'
L21	N 34°45'54" E	107.06'	L57	S 01°19'28" W	54.57'	L93	N 65°45'44" W	37.21'
L22	N 82°40'20" E	39.81'	L58	N 85°20'06" W	33.48'	L94	S 77°36'15" W	82.86'
L23	S 71°44'22" E	33.67'	L59	S 42°57'28" W	23.11'	L95	S 84°14'03" W	25.25'
L24	S 82°41'57" E	40.13'	L60	S 27°43'35" W	27.53'	L96	N 74°43'27" W	33.15'
L25	N 51°37'56" E	18.73'	L61	S 66°16'33" W	12.31'	L97	N 69°52'48" W	24.32'
L26	N 16°38'34" W	25.04'	L62	N 67°01'57" W	42.88'	L98	N 54°14'16" W	26.13'
L27	N 10°21'20" W	38.06'	L63	N 74°47'21" W	29.42'	L99	S 13°18'32" W	14.19'
L28	N 63°52'50" E	30.53'	L64	S 84°14'00" W	39.69'	L100	S 16°55'04" W	49.39'
L29	N 88°18'53" E	24.48'	L65	S 80°21'27" W	47.66'	L101	N 75°27'34" W	28.99'
L30	N 87°07'03" E	57.50'	L66	S 84°14'00" W	3.61'	L102	S 78°40'44" W	16.64'
L31	N 86°49'59" E	13.07'	L67	N 80°29'53" W	33.08'	L103	N 44°24'35" W	38.17'
L32	S 90°00'00" E	3.92'	L68	N 87°50'23" W	38.86'	L104	S 05°06'16" E	21.53'
L33	N 07°59'58" W	37.44'	L69	N 51°40'45" W	22.87'	L105	S 84°53'44" W	28.50'
L34	N 48°37'49" E	29.14'	L70	S 70°06'09" W	42.69'	L106	S 71°18'33" W	43.06'
L35	S 66°25'55" E	40.94'	L71	S 80°42'46" W	22.48'	L107	N 66°51'36" W	42.58'
L36	S 74°47'02" E	13.86'	L72	N 54°56'21" W	43.05'	L108	S 27°44'19" W	16.84'
						L109	S 30°03'12" W	3.62'

**THIS IS NOT A SURVEY**

Description to Accompany Sketch  
*Wetland Area*  
lying in Section 05, Township 43 South,  
Range 23 East, Lee County, Florida.

*Not Valid without Sheets 1,2,3,5&6 of 6*

*Sheet 4 of 6*



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I hereby certify that, to the best of my knowledge and belief, the sketch and description represented hereon, made under my direction on **March 15, 2021** is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.

*See Sheet 1 of 6 for Signature and Seal*

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DIGITAL SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER

Prepared for: SVR Management, LLC

SECTION 05, TOWNSHIP 43S, RANGE 23E



## Description

### LEGAL DESCRIPTION:

A parcel or tract of land lying in the Southwest quarter (SW 1/4) of the Southwest quarter (SW 1/4) of Section 5, Township 43 South, Range 23 East, Lee County, Florida, being more particularly described as follows: Commencing at the Southwest corner of said Section 5, thence S88°38'46"E, along the South line of said Section 5, a distance of 132.00 feet to an intersection with the Easterly right-of-way line of Burnt Store Road; thence run N00°41'31"E, along said Easterly right-of-way line, a distance of 489.83 feet to the POINT OF BEGINNING. From said Point of Beginning, thence continue N00°41'31"E, along said Easterly right-of-way line a distance of 198.19 feet; thence run N41°51'49"E, departing said Easterly right-of-way line, a distance of 3.13 feet; thence run S08°32'27"E a distance of 63.59 feet; thence run S56°04'01"E a distance of 43.65 feet; thence run S14°18'19"E a distance of 40.89 feet; thence run N25°39'58"E a distance of 17.34 feet; thence run N41°55'54"E a distance of 46.41 feet; thence run S79°45'34"E a distance of 34.82 feet; thence run N16°31'24"E a distance of 39.05 feet; thence run S62°41'33"E a distance of 34.88 feet; thence run S62°41'33"E a distance of 44.06; thence run S87°27'56"E a distance of 36.58 feet; thence run S74°59'33"E a distance of 35.13 feet; thence run N56°05'36"E a distance of 20.84 feet; thence run S82°23'48"E a distance of 30.29 feet; thence run S77°56'32"E a distance of 31.36 feet; thence run N53°50'56"E a distance of 25.87 feet; thence run N76°27'28"E a distance of 32.56 feet; thence run N34°45'54"E a distance of 107.06 feet; thence run N82°40'20"E a distance of 39.81 feet; thence run S71°44'22"E a distance of 33.67 feet; thence run S82°41'57"E a distance of 40.13 feet; thence run N51°37'56"E a distance of 18.73 feet; thence run N16°38'34"W a distance of 25.04 feet; thence run N10°21'20"W a distance of 38.06 feet; thence run N63°52'50"E a distance of 30.53 feet; thence run N88°18'53"E a distance of 24.48 feet; thence run N87°07'03"E a distance of 57.50; thence run N86°49'59"E a distance of 13.07 feet; thence run S90°00'00"E a distance of 3.92 feet; thence run N07°59'58"W a distance of 37.44 feet; thence run N48°37'49"E a distance of 29.14 feet; thence run S66°25'55"E a distance of 40.94 feet; thence run S74°47'02"E a distance of 13.86 feet; thence run N84°39'48"E a distance of 35.07 feet; thence run S30°21'55"E a distance of 20.65 feet; thence run S62°29'14"W a distance of 40.11 feet; thence run S65°26'26"E a distance of 21.88 feet; thence run S90°00'00"E a distance of 7.51 feet; thence run N15°03'25"W a distance of 7.53 feet; thence run N81°08'45"E a distance of 68.36 feet; thence run S66°50'01"E a distance of 35.13 feet; thence run S69°06'10"E a distance of 25.50 feet; thence run N59°21'07"E a distance of 23.52 feet; thence run S65°58'03"E a distance of 23.22 feet; thence run N77°12'29"E a distance of 65.59 feet; thence run S80°10'39"E a distance of 19.21 feet; thence run S83°37'41"E a distance of 32.83 feet; thence run S70°44'16"E a distance of 23.16 feet; thence run N45°06'38"E a distance of 17.51 feet; thence run S69°07'24"E a distance of 13.27 feet; thence run N01°49'15"W a distance of 20.37 feet; thence run N14°03'42"E a distance of 22.86 feet; thence run N88°39'45"E a distance of 55.84 feet to an intersection with the East line of the Southwest quarter (SW 1/4) of the Southwest quarter (SW 1/4) of said Section 5; thence run S01°19'28"W, along said East line, a distance of 54.57 feet; thence run N85°20'06"W, departing said East line, a distance of 33.48 feet; thence run S42°57'28"W a distance of 23.11 feet; thence run S27°43'35"W a distance of 27.53 feet; thence run S66°16'33"W a distance of 12.31 feet; thence run N67°01'57"W a distance of 42.88 feet; thence run N74°47'21"W a distance of 29.42 feet; thence run S84°14'00"W a distance of 39.69 feet;

CONTINUED ON SHEET 6 OF 6

**THIS IS NOT A SURVEY**

Description to Accompany Sketch  
*Wetland Area*  
lying in Section 05, Township 43 South,  
Range 23 East, Lec County, Florida.

*Not Valid without Sheets 1,2,3,4&6 of 6*

*Sheet 5 of 6*

Prepared for: SVR Management, LLC

SECTION 05, TOWNSHIP 43S, RANGE 23E



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I hereby certify that, to the best of my knowledge and belief, the sketch and description represented herein, made under my direction on **March 15, 2021** is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 51-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.

*See Sheet 1 of 6 for Signature and Seal*

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## Description

### LEGAL DESCRIPTION: (CONTINUED FROM SHEET 5 OF 6)

thence run S80°21'27"W a distance of 47.66 feet; thence run S84°14'00"W a distance of 3.61 feet; thence run N80°29'53"W a distance of 33.08 feet; thence run N87°50'23"W a distance of 38.86; thence run N51°40'45"W a distance of 22.87 feet; thence run S70°06'09"W a distance of 42.69 feet; thence run S80°42'46"W a distance of 22.48 feet; thence run N54°56'21"W a distance of 43.05 feet; thence run S89°30'34"W a distance of 41.12 feet; thence run S33°18'09"W a distance of 29.13 feet; thence run S66°14'51"W a distance of 30.66 feet; thence run N82°44'40"W a distance of 37.50 feet; thence run S83°19'42"W a distance of 18.73 feet; thence run N78°38'44"W a distance of 16.64 feet; thence run S12°30'04"E a distance of 34.63 feet; thence run S02°53'36"W a distance of 25.97 feet; thence run S63°00'47"W a distance of 41.79 feet; thence run S47°33'34"W a distance of 23.40 feet; thence run S74°18'19"W a distance of 33.56 feet; thence run N60°30'39"W a distance of 35.59 feet; thence run S65°01'22"W a distance of 45.74 feet; thence run S55°22'33"E a distance of 44.80 feet; thence run S81°14'55"E a distance of 19.15 feet; thence run S01°26'20"E a distance of 38.54 feet; thence run S36°36'44"W a distance of 36.67 feet; thence run S67°26'08"W a distance of 26.51 feet; thence run N78°11'10"W a distance of 32.00 feet; thence run S78°30'48"W a distance of 34.63 feet; thence run N65°45'44"W a distance of 37.21 feet; thence run S77°36'15"W a distance of 82.86 feet; thence run S84°14'03"W a distance of 25.25 feet; thence run N74°43'27"W a distance of 33.15 feet; thence run N69°52'48"W a distance of 24.32 feet; thence run N54°14'16"W a distance of 26.13 feet; thence run S13°18'32"W a distance of 14.19 feet; thence run S16°55'04"W a distance of 49.39 feet; thence run N75°27'34"W a distance of 28.99 feet; thence run S78°40'44"W a distance of 16.64 feet; thence run N44°24'35"W a distance of 38.17 feet; thence run S05°06'16"E a distance of 21.53 feet; thence run S84°53'44"W a distance of 28.50 feet; thence run S71°18'33"W a distance of 43.06 feet; thence run N66°51'36"W a distance of 42.58 feet; thence run S27°44'19"W a distance of 16.84 feet; thence run S30°03'12"W a distance of 3.62 feet to an intersection with said Easterly right-of-way line and the POINT OF BEGINNING.

Said parcel contains 2.01 acres (more or less)

Bearings are based on the Easterly right-of-way line of Burnt Store Road being N00°41'31"E.

<b>THIS IS NOT A SURVEY</b>	Description to Accompany Sketch <i>Wetland Area</i> lying in Section 05, Township 43 South, Range 23 East, Lee County, Florida.	<i>Not Valid without Sheets 1,2,3,4&amp;5 of 6</i>
<i>Sheet 6 of 6</i>	 <b>ARDURRA</b> 324 Nicholas Parkway W, Unit A Cape Coral, Florida 33991 Phone: (239) 673-9541 www.Ardurra.com License #LB-2610 <b>COLLABORATE. INNOVATE. CREATE.</b>	I hereby certify that, to the best of my knowledge and belief, the sketch and description represented herein, made under my direction on <b>March 15, 2021</b> is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.  <i>See Sheet 1 of 6 for Signature and Seal</i>  <small>JEFFREY D. STOUTEN (FOR THE FIRM)                  FLORIDA PROFESSIONAL SURVEYOR &amp; MAPPER NO.65M                  NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR DIGITAL SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER</small>

Prepared for: SVR Management, LLC

SECTION 05, TOWNSHIP 43S, RANGE 23E

**Exhibit M11 Lee Plan Consistency  
Central Urban Future Land Use  
Application for CPA**

The proposed development is consistent with the Lee Plan, specifically these objectives and policies.

Burnt Store Planning Community - This Community is in the northwest corner of the mainland of unincorporated Lee County. This area is expected to substantially grow through the year 2030. Today, most of the community's commercial needs are served outside of the community in Cape Coral, North Fort Myers, and Fort Myers, or in Charlotte County. This development pattern is expected to remain through 2020."

***We believe that parcels on both sides of Burnt Store Road north of Durden Parkway, whether in the City of Cape Coral or within the jurisdiction of Lee County, will be develop with similar densities and intensities to other parcels within the City of Cape Coral to the south and west and Charlotte County, and the City of Punta Gorda to the north, expanding the Urban Core of the City of Cape Coral to reach the Charlotte County line. This area will offer commercial services not currently available in either of the two other judications within this area.***

Future Land Use Element

POLICY 1.1.3: The Central Urban Future Land Use Category can best be characterized as the "urban core" of the county. This is the part of the county that is already most heavily settled and which has or will have the greatest range and highest levels of urban service--water, sewer, roads, schools, etc. Residential, commercial, public and quasi-public, and limited light industrial land uses will continue to predominate in the Central Urban area with future development in this category encouraged to be developed as a mixed-use, as described in Objective 11.1, where appropriate.

***Mixed-use developments are a desired use within the Central Urban Future Land Use classification. Burnt Store Road in this area of Lee County is planned to support a variety of commercial uses as well as many residential options. The subject parcels should be included in this core area and be utilized to provide jobs, grow businesses, and expand the residential options (by providing Multi-family units) within an area planned for future growth.***

POLICY 1.6.5: The Planning Districts Map and Acreage Allocation Table (Map 1-B and Table 1(b)) depicts 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.

***The Allocation Table provides for commercial and industrial acreage within the Burnt Store Community. The subject parcels will develop a Mixed-Use project, providing the commercial and industrial uses envisioned and also providing multi-family residential units that are currently not available in this area of Lee County.***

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.

***The Burnt Store area will be the new growth area within Lee County within the next five years. The Burnt Store roadway improvements planned to continue to expand and improve Burnt Store Road from Pine Island Road to US 41 connecting Cape Coral to Charlotte County will provide the adequate public facilities needed to develop the parcels with direct access to Burnt Store Road. Utility services are in place to have water, sewer and reuse water to the site.***

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

***The development of the subject parcels will include a mixture of uses, commercial including office and retail as well as flex space and multi-family residential.***

#### Transportation Element

POLICY 39.1.1: Adopt development regulations providing traffic impact statement requirements for development orders and rezoning; and developer provided site-related improvements, including multi-modal connections and facilities required at time of local development order.

***A traffic impact statement was provided for this amendment. Additional traffic information will be provided as part of the development order process for future development of these tracts.***

POLICY 39.1.3: Through the plan amendment and zoning process, the County will direct high intensity land uses to land proximate to existing and future transit corridors identified on the Transportation Map Series, MPO Long Range Transportation Plan, and TDP.

***The Burnt Store roadway improvements planned to expand and improve Burnt Store Road from Pine Island Road to US 41 connecting Cape Coral to Charlotte County will provide the adequate public facilities needed to develop the parcels with direct access to Burnt Store Road. This Comprehensive Plan Map Amendment will plan for a future high intensity area of this section of Lee County.***

#### Community Facilities Services Element

POLICY 53.1.9: New development will pay through appropriate financial mechanisms its fair share of the costs of providing standard potable water for that development. (Ordinance No. 00- 22).

***The development of the site will be required to pay for the cost of providing potable water to this site.***

POLICY 57.1.4: Continue to require that all development will pay the appropriate fees and connect to a reuse water system if such system is near or adjacent to the development and has sufficient surplus to supply the development.



***This site will have access to reuse water from Charlotte County through an interlocal agreement between Lee County and Charlotte County.***

POLICY 57.1.5: Continue to encourage the developer driven expansion of infrastructure to provide reuse water service when sufficient supply is available.

***This site will extend reuse water service to serve the proposed development.***

POLICY 65.1.4: Refer requests for rezonings and development reviews to independent fire districts for comments and recommendations.

***The site is served by the Cape Coral Fire Department. A Letter of Availability has been provided.***

#### Park and Recreational Element

OBJECTIVE 77.1: Development regulations will continue to require that new residential developments provide sufficient open space to meet the needs of their residents.

***This development will be required to provide 30% open space within the residential and commercial sections of this development.***

POLICY 77.3.1: Any new development with existing indigenous vegetation is encouraged to provide half of the required open space as existing native plant communities. Any new development with existing native trees without associated native groundcover or understory is encouraged to provide half of the required open space with areas containing existing native trees. The planting of native shrub species within native tree protection areas is encouraged.

***The development of this site will comply with this policy.***

#### Housing Element

POLICY 135.1.9: The County will ensure a mix of residential types and designs on a Countywide basis by providing for a wide variety of allowable housing densities and types through the planned development process and a sufficiently flexible Future Land Use Map.

***Currently, there are no multi-family housing projects within this area of Lee County and Cape Coral. Approving a Land Use classification that permits multi-family residential in this area of Lee County will comply with this policy.***

#### Historic Preservation Element

POLICY 141.1.2: Require all applications for development review to identify the location and status of historic resources (including archaeological sites). The Lee County Historic and Architectural Survey and the Archaeological Site Inventory and Zone Management Plan will serve as data bases. The Historic Preservation Board will advise the Board of County Commissioners as to any action it deems appropriate or perform other duties as specified in the Historic Preservation Ordinance.

***Even though there are no historic resources noted on this site, the development of the site will comply with all policies and procedures if any archaeological items are discovered during construction.***

Economic Element

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

***This amendment will allocate for commercial uses within this area of Lee County, where the growth is occurring.***

OBJECTIVE 158.4: Lee County, in coordination with the Horizon Council and other appropriate entities, will maintain programs which are designed to encourage the retention and expansion of the County's existing economic base.

***This amendment will allow for the expansion of some existing business and provide space to encourage new commercial uses.***

Exhibit M12 Environmental Impact Analysis  
Central Urban Future Land Use  
Application for CPA

Conservation and Coastal Management Element

GOAL 123: RESOURCE PROTECTION. Manage coastal, wetland and upland ecosystems and natural resources in order to maintain and enhance native habitats, floral and faunal species diversity, water quality, and natural surface water characteristics.

POLICY 123.1.5: Encourage private restoration of natural habitats to support connectivity between public and private conservation and preservation efforts.

**The creek, surrounding wetland, and a 25' average native upland buffer will be included in the preserved onsite flowway which will be protected by the placement of a conservation easement. This creek and the preserved surrounding native habitat is adjacent to the adjacent state lands to the east of the parcel and supports connectivity between public and private conservation and preservation efforts.**

POLICY 123.2.3: Prevent water management and development projects from altering or disrupting the natural function of significant natural systems.

**The proposed preservation of the onsite creek, surrounding wetland, and a 25' average native upland buffer ensures that the project will not disrupt the natural function of the flowway.**

POLICY 123.2.10: Require that development adjacent to aquatic and other nature preserves, wildlife refuges, and recreation areas be designed to protect the natural character and public investment in these areas.

**The creek, surrounding wetland, and a 25' average native upland buffer will be included in the preserved onsite flowway which will be protected by the placement of a conservation easement. The preservation areas have been designed to protect the natural character and public investment in the area.**

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

**The creek, surrounding wetland, and a 25' average native upland buffer will be included in the preserved onsite flowway which will be protected by the placement of a conservation easement. The preservation areas have been designed to protect the rare and unique upland habitats to the maximum extent possible.**

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

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



The future development of this property will require Lee County Development Order approval and South Florida Water Management District Environmental Resource Permit approval. Lee County Development Order review will include verification that any proposed site plan is consistent with Lee Plan policies 125.1.2 and 126.1.4. The South Florida Water Management District Environmental Resource Permit review will include confirmation that off-site and on-site drainage flow patterns are maintained as part of the stormwater management system design.

The Environmental Assessment included with this comprehensive plan amendment depicts 33.48 acres +/- of the site as upland and 2.01 acres +/- of the site as existing stream or wetland. Prior to South Florida Water Management District Environmental Resource Permit approval, a jurisdictional wetland determination will be conducted by district staff to verify the boundary of all existing streams and wetlands on-site. Any future site plan that proposes stream or wetland impacts will be reviewed by both municipalities for avoidance, minimization, and development buffering. The intensification of use on this property is not anticipated to have any adverse impacts on the Yucca Pen Creek.

This development will comply with the surface water quality standards as required by the South Florida Water Management District and Lee County at the time of Development Order approval.

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

This development will comply with the surface water quality standards as required by the South Florida Water Management District and Lee County at the time of Development Order approval.

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

This development will comply with the surface water quality standards as required by the South Florida Water Management District and Lee County at the time of Development Order approval.

GOAL 126: WATER RESOURCES. Conserve, manage, and protect the natural hydrologic systems of Lee County to ensure continued water resource availability. (Ordinance No. 94-30, 18-28)

POLICY 126.1.1: Natural water system features which are essential for retention, detention, purification, runoff, recharge, and maintenance of stream flows and groundwater levels shall be identified, protected, and managed. (Ordinance No. 18-28)

The creek, surrounding wetland, and a 25' average native upland buffer will be included in the preserved onsite flowway which will be protected by the placement of a conservation easement. This area will be managed per a Preservation Maintenance and Monitoring Plan. The onsite natural water system feature will be protected and managed in perpetuity.

POLICY 126.1.4: Development designs must provide for maintaining or improving surface water flows, groundwater levels, and lake levels at or above existing conditions. (Ord. No. 00-22, 18-28)

The future development of this property will require Lee County Development Order approval and South Florida Water Management District Environmental Resource Permit approval. Lee County Development Order review will include verification that any proposed site plan is consistent with Lee

Plan policies 125.1.2 and 126.1.4. The South Florida Water Management District Environmental Resource Permit review will include confirmation that off-site and on-site drainage flow patterns are maintained as part of the stormwater management system design.

The Environmental Assessment included with this comprehensive plan amendment depicts 33.48 acres +/- of the site as upland and 2.01 acres +/- of the site as existing stream or wetland. Prior to South Florida Water Management District Environmental Resource Permit approval, a jurisdictional wetland determination will be conducted by district staff to verify the boundary of all existing streams and wetlands on-site. Any future site plan that proposes stream or wetland impacts will be reviewed by both municipalities for avoidance, minimization, and development buffering. The intensification of use on this property is not anticipated to have any adverse impacts on the Yucca Pen Creek.

Exhibit M13 Historic Resources Impact Analysis  
Central Urban Future Land Use  
Application for CPA - Map

Historic Preservation Element

POLICY 141.1.2: Require all applications for development review to identify the location and status of historic resources (including archaeological sites). The Lee County Historic and Architectural Survey and the Archaeological Site Inventory and Zone Management Plan will serve as data bases. The Historic Preservation Board will advise the Board of County Commissioners as to any action it deems appropriate or perform other duties as specified in the Historic Preservation Ordinance.

***Even though there are no historic resources noted on this site, the development of the site will comply with all policies and procedures if any archaeological items are discovered during construction.***





**Avalon Engineering, Inc.**  
2503 Del Prado Boulevard South, Suite 200  
Cape Coral, Florida 33904  
Phone: (239) 573-2077 Web: [AvalonEng.com](http://AvalonEng.com)  
#EB 0003128

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September 13, 2021

Florida Department of State  
Division of Historical Resources  
[Christopher.Fowler@dos.myflorida.com](mailto:Christopher.Fowler@dos.myflorida.com)

Reference: Letter of Adequacy and Support  
Burnt Store Road North, Cape Coral Florida  
Lee County 05-43-23-00-00003.0000 and 05-43-23-00-00003.0020

Dear Mr. Fowler:

Avalon Engineering, Inc. represents the property owner of two 18 +/- acre parcels on Burnt Store Road. The parcels (strap numbers 05-43-23-00-00003.0000 and 05-43-23-00-00003.0020) are located southeast of Charlee Road (see the attached Area Location Map). The project is planned for a Mixed-Use Development with Multi-family and commercial uses.

Avalon Engineering is submitting a Comprehensive Plan Amendment application to Lee County Development Services, to amend the Future Land Use for 33.48 acres from Open Lands to Central Urban and 2.01 acres from Open Lands to Wetland. This type of application requires a letter from all local Agencies providing a determination of the adequacy and/or provision of existing/proposed support available to the proposed development. Please confirm that the subject parcels list no previously recorded cultural or historical resources in the above referenced sections of Lee County.

Your time and attention to this matter is greatly appreciated. Should you require additional information or have any questions regarding this request, please feel free to contact this office.

Sincerely,

Avalon Engineering, Inc.

Linda Miller AICP  
Vice President

Exhibit M15 Traffic Impact Study/Traffic Circulation Analysis  
Central Urban Future Land Use  
Application for CPA - Map

**MEMORANDUM**

TO: Mr. Stephen V. Raleigh  
SVR MGMT, LLC

FROM: Yury Bykau, P.E.  
Transportation Consultant

DATE: November 18, 2021

RE: Burnt Store Road – 36 Acre  
Comprehensive Plan Amendment  
Lee County, Florida

TR Transportation Consultants, Inc. has completed a traffic circulation analysis for the proposed Comprehensive Plan for approximately 36 acres of property located at the southeast corner of Burnt Store Road and Charlee Road in Lee County, Florida. Based on the discussion with Avalon Engineering, the approximate 36 acre site will be subject to a Map Amendment that will change the land use designation from Open Lands to Central Urban.

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

Under the existing Open Lands Land Use Category (FLU), the site could be developed with various non-residential land uses that are needed to serve the rural community such as a Tractor Supply Store and a Variety Store. For the trip generation comparison purposes, the permitted development under the existing land use category on site was assumed to consist of a 25,000 square foot Tractor Supply Store and a 10,000 square foot Variety Store.



The Applicant is proposing a Map Amendment on the approximate 36 acre site to change the land use designation from Open Lands to Central Urban to permit up to 532 multi-family residential dwelling units, 310,000 square feet of commercial uses and up to 30,000 square feet of light industrial uses. **Table 1** summarizes the uses/intensities that could be developed under the existing land use designation and uses/intensities under the proposed land use designation.

**Table 1**  
**Land Uses**  
**Burnt Store Road – 36 Acre**

Existing/ Proposed	Land Use Category	Intensity
Existing	Open Lands	25,000 Sq. Ft Tractor Supply Store & 10,000 Sq. Ft. Variety Store
Proposed	Central Urban	532 Multi-Family Dwelling Units, 310,000 Sq. Ft. Commercial & 30,000 Sq. Ft. Light Industrial

The trip generation for the with and without amendment scenarios was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled ***Trip Generation Manual***, 11<sup>th</sup> Edition. Land Use Code 810 (Tractor Supply Store), Land Use Code 814 (Variety Store), Land Use Code 221 (Multifamily Housing Mid-Rise), Land Use Code 820 (Shopping Center >150K) and Land Use Code 110 (General Light Industrial) were utilized for the trip generation purposes of the permitted/proposed uses on site. The trip generation equations utilized are attached to this Memorandum for reference.

**Table 2** and **Table 3** outline the anticipated weekday AM and PM peak hour and daily trip generation based on the existing and proposed future land use categories, respectively. Both tables also incorporated reduction in trips due to "pass-by" traffic. Note, since there will be a certain internal interaction between the residential and commercial uses under the proposed land use category scenario, Table 3 also incorporated reduction in trips due to "internal capture". The summary sheets utilized to calculate these internal capture rates for the weekday AM peak hour and PM peak hour are attached to this Memorandum for reference. Note, the internal capture calculations were completed consistent with the methodologies in the NCHRP Report and published in the ITE ***Trip Generation Handbook***, 3rd Edition.

**Table 2**  
**Trip Generation**  
Based on Existing Land Use Category  
Burnt Store Road – 36 Acre

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Tractor Supply Store (25,000 Sq. Ft.)	N/A	N/A	N/A	16	19	35	N/A
Variety Store (10,000 Sq. Ft.)	16	14	30	34	33	67	637
<b>Total Trips</b>	<b>16</b>	<b>14</b>	<b>30</b>	<b>50</b>	<b>52</b>	<b>102</b>	<b>637</b>
Less LUC 814 Pass-by	-5	-5	-10	-11	-11	-22	-217
<b>Net New Trips</b>	<b>11</b>	<b>9</b>	<b>20</b>	<b>39</b>	<b>41</b>	<b>80</b>	<b>420</b>

**Table 3**  
**Trip Generation**  
Based on Proposed Land Use Category  
Burnt Store Road – 36 Acre

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Multifamily Housing Mid-Rise (532 Dwelling Units)	51	171	222	127	81	208	2,491
Shopping Center (310,000 Sq. Ft.)	196	120	316	612	663	1,275	13,958
Light Industrial (30,000 Sq. Ft.)	21	3	24	2	15	17	163
<b>Total Trips</b>	<b>268</b>	<b>294</b>	<b>562</b>	<b>741</b>	<b>759</b>	<b>1,500</b>	<b>16,612</b>
Less Internal Capture * (1% AM/ 12% PM)	-2	-3	-5	-89	-89	-178	-1,974
Less LUC 820 Pass-by (19% for >300k Sq. Ft.)	-30	-30	-60	-106	-107	-213	-2,334
<b>Net New Trips</b>	<b>236</b>	<b>261</b>	<b>497</b>	<b>546</b>	<b>563</b>	<b>1,109</b>	<b>12,304</b>

\*Included internal capture between the residential and commercial uses.

**Table 4** indicates the trip generation difference between the proposed and existing land use categories (Table 2 vs Table 3). The resultant trip change in Table 4 indicates that the trip generation will be **increased** in the AM and PM peak hour conditions as a result of the proposed amendment.



**Table 4**  
**Trip Generation – Resultant Trip Change (Table 2 vs Table 3)**  
**Burnt Store Road – 36 Acre**

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Proposed Land Use Designations	236	261	497	546	563	1,109	12,304
Existing Land Use Designations	-11	-9	-20	-39	-41	-80	-420
<b>Resultant Trip Change</b>	<b>+225</b>	<b>+252</b>	<b>+477</b>	<b>+507</b>	<b>+522</b>	<b>+1,029</b>	<b>+11,884</b>

**Long Range Impacts (20-year horizon)**

The Lee County Metropolitan Planning Organization's (MPO) 2045 Long Range Transportation Plan was reviewed to determine if any future roadway improvements were planned in the vicinity of the subject site. Based on the review, the only roadway improvement within the vicinity of the subject site shown on the 2045 Financially Feasible Plan was the widening of Burnt Store Road to a four-lane facility from Pine Island Road to Lee County/Charlotte County line. The Lee County 2045 Highway Cost Feasible Plan map is attached to this Memorandum for reference.

The Lee County Metropolitan Planning Organization's (MPO) long range transportation travel model was also reviewed in order to determine the impacts the amendment would have on the surrounding area. The base 2045 loaded network volumes were determined for the roadways within the study area and then the PM peak hour trips to be generated by additional trips in Table 3 were added to the projected 2045 volumes. The Level of Service for the surrounding roadways was then evaluated. The Level of Service threshold volumes were derived based on the attached *Lee County Generalized Peak Hour Directional Service Volumes* table.

The results of the analysis indicate that the addition of the project trips to the network will not cause any roadway link to fall below the adopted Level of Service standard for each analyzed roadway link within the study area. Therefore, no changes to the adopted long range transportation plan are required as result of the proposed land use change. Attached **Table 1A** and **Table 2A** reflect the Level of Service analysis based on the 2045 conditions.



### Short Term Impacts Analysis (2025)

The 2020/2021-2024/2025 Lee County Transportation Capital Improvement Plan as well as the latest Cape Coral Capital Improvement Program were reviewed to determine if any future roadway improvements were planned in the vicinity of the subject site in the next five (5) years. Based on the review, there are no roadway capacity improvements identified on either work program.

It is unfeasible to assume that all of the proposed 310,000 square feet of commercial floor area is developed within the next 5 years. Therefore, the trip generation for the Short Term analysis was assumed based on the site being developed with approximately 50% of the total commercial floor area as currently proposed or approximately 155,000 square feet. All of the proposed 532 multi-family residential dwelling units as well as the 30,000 square feet of light industrial uses were still included in the Short Term analysis. **Table 5** illustrates the weekday AM and P.M. peak hour traffic volumes that were assumed to be generated in the Short Term analysis.

**Table 5**  
**Trip Generation – Short Term Analysis**  
**Burnt Store Road – 36 Acre**

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Multifamily Housing Mid-Rise (532 Dwelling Units)	51	171	222	127	81	208	2,491
Shopping Center (155,000 Sq. Ft.)	139	86	225	371	403	774	9,911
Light Industrial (30,000 Sq. Ft.)	21	3	24	2	15	17	163
<b>Total Trips</b>	<b>211</b>	<b>260</b>	<b>471</b>	<b>500</b>	<b>499</b>	<b>999</b>	<b>12,565</b>
Less Internal Capture * (1% AM/ 19% PM)	-2	-2	-4	-95	-92	-187	-2,356
Less LUC 820 Pass-by (29% for 150k-300k Sq. Ft.)	-33	-32	-65	-91	-91	-182	-2,328
<b>Net New Trips</b>	<b>176</b>	<b>226</b>	<b>402</b>	<b>314</b>	<b>316</b>	<b>630</b>	<b>7,881</b>

\*Included internal capture between the residential and commercial uses.

**Table 3A** and **Table 4A** attached to this report indicate the projected 5-year planning Level of Service on the surrounding roadways based on the additional trips shown in Table 5. The existing peak hour, peak season, peak direction traffic volumes on the various roadway links maintained by Lee County were obtained from the most recent *Lee County Public Facilities Level of Service and Concurrency Report*.

The existing peak hour, peak season, peak direction traffic volumes were then factored by the appropriate annual growth rates in order to obtain the 2026 background traffic conditions on the area roadway network. The growth rates for each roadway were calculated based on historical traffic data obtained from the latest *Lee County Traffic Count Report*. Based on the project traffic distribution illustrated within Table 4A, the roadway link data was analyzed for the year 2026 without the proposed amendment and year 2026 with the proposed amendment. Traffic data obtained from the Lee County Traffic Count Report is attached to this Memorandum for reference.

From Table 4A, all roadways are shown to operate at an acceptable Level of Service in 2026 both with and without the trips as shown on Table 5 added to the roadway network. Therefore, based on this analysis no modifications will be necessary to the Lee County or Cape Coral short term capital improvement programs.

### **Conclusion**

The proposed Comprehensive Plan Amendment is for approximately 36 acres of property located at the southeast corner of Burnt Store Road and Charlee Road in Lee County, Florida. Based upon the roadway link Level of Service analysis conducted as a part of this Memorandum for the proposed Comprehensive Plan amendment, the development of the subject site meets the requirements set forth by the Lee County Comprehensive Plan as well as the Land Development Code in that there is sufficient capacity available to accommodate the new trips that will be generated by the proposed development.

No modifications are necessary to the Short Term Capital Improvement Plan or the Long Range Transportation Plan to support the proposed Amendment. In addition, the proposed amendment will not significantly alter the socio-economic data forecasts that were utilized in the development of the Long Range Transportation Plan.

### **Attachments**

**TABLES 1A & 2A**  
**2045 LOS ANALYSIS**



**TABLE 1A**  
**LEVEL OF SERVICE THRESHOLDS**  
**2045 LONG RANGE TRANSPORTATION ANALYSIS - BURNT STORE ROAD 36 ACRE**

<u>ROADWAY</u>	<u>ROADWAY SEGMENT</u>	<u>2045 E + C NETWORK LANES</u>		<u>GENERALIZED SERVICE VOLUMES</u>				
		<u># Lanes</u>	<u>Roadway Designation</u>	<u>LOS A</u>	<u>LOS B</u>	<u>LOS C</u>	<u>LOS D</u>	<u>LOS E</u>
				<u>VOLUME</u>	<u>VOLUME</u>	<u>VOLUME</u>	<u>VOLUME</u>	<u>VOLUME</u>
Burnt Store Road	N. of Vincent Ave	4LD	Controlled Access Facility	0	270	1,970	2,100	2,100
	N. of Islamorada Blvd	4LD	Controlled Access Facility	0	270	1,970	2,100	2,100
	N. of Site	4LD	Controlled Access Facility	0	270	1,970	2,100	2,100
	N. of Durden Pkwy	4LD	Controlled Access Facility	0	270	1,970	2,100	2,100
	S. of Durden Pkwy	4LD	Controlled Access Facility	0	270	1,970	2,100	2,100
Durden Pkwy	W. of Burnt Store Rd	2LU	Collector	0	0	310	660	740

- Denotes the LOS Standard for each roadway segment

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

**TABLE 2A**  
**2045 ROADWAY LINK LEVEL OF SERVICE CALCULATIONS**  
**BURNT STORE ROAD 36 ACRE**

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 1109 VPH      IN= 546      OUT= 563

2045														2045 BACKGROUND PLUS PROJ	
ROADWAY	ROADWAY SEGMENT	2045	COUNTY PCS /	AADT	K-100	100TH HIGHEST	D	PM PK HR	PEAK DIRECTION		PROJECT	PK DIR	PEAK DIRECTION		
		FSUTMS		BACKGROUND		HOUR PK DIR		PEAK	TRAFFIC VOLUMES & LOS	LOS		TRAFFIC	PM PROJ	TRAFFIC VOLUMES & LOS	LOS
		AADT	FDOT SITE #	TRAFFIC	FACTOR	2-WAY VOLUME		DIRECTION	VOLUME		DIST.	TRAFFIC	VOLUME	LOS	
Burnt Store Road	N. of Vincent Ave	21,807	12	21,807	0.098	2,137	0.60	SOUTH	1,282	C	15%	82	1,364	C	
	N. of Islamorada Blvd	18,827	12	18,827	0.098	1,845	0.60	SOUTH	1,107	C	20%	109	1,216	C	
	N. of Site	23,870	12	23,870	0.098	2,339	0.60	SOUTH	1,404	C	35%	191	1,595	C	
	N. of Durden Pkwy	21,327	12	21,327	0.098	2,090	0.60	SOUTH	1,254	C	65%	355	1,609	C	
	S. of Durden Pkwy	23,958	12	23,958	0.098	2,348	0.60	SOUTH	1,409	C	60%	328	1,737	C	
Durden Pkwy	W. of Burnt Store Rd	4,343	12	4,343	0.098	426	0.60	WEST	255	C	5%	27	282	C	

\* The K-100 and D factors were obtained from the Lee County Traffic Count Report.

\* Due to lack of traffic data for Durden Pkwy, the K and D Factors were assumed from County's PCS No. 12.

**TABLES 3A & 4A**  
**5-YEAR LOS ANALYSIS**



**TABLE 3A**  
**LEVEL OF SERVICE THRESHOLDS**  
**BURNT STORE ROAD - 36 ACRE**

<u>ROADWAY</u>	<u>ROADWAY SEGMENT</u>	<u># LANES</u>	<u>ROADWAY DESIGNATION</u>	GENERALIZED SERVICE VOLUMES				
				LOS A	LOS B	LOS C	LOS D	LOS E
				<u>VOLUME</u>	<u>VOLUME</u>	<u>VOLUME</u>	<u>VOLUME</u>	<u>VOLUME</u>
Burnt Store Road	N. of Vincent Ave	2LU	Controlled Access Facility	0	160	880	940	940
	N. of Islamorada Blvd	2LU	Controlled Access Facility	0	160	880	940	940
	N. of Site	2LU	Controlled Access Facility	0	160	880	940	940
	N. of Durden Pkwy	2LU	Controlled Access Facility	0	160	880	940	940
	S. of Durden Pkwy	2LU	Controlled Access Facility	0	160	880	940	940

- Denotes the LOS Standard for each roadway segment

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

\* Durden Parkway was not included in this analysis due to lack of traffic data for this roadway.

**TABLE 4A  
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS  
BURNT STORE ROAD - 36 ACRE**

TOTAL PROJECT TRAFFIC AM =	402	VPH	IN =	176	OUT=	226
TOTAL PROJECT TRAFFIC PM =	630	VPH	IN=	314	OUT=	316

							2019	2026		2026						2026			
							PK HR	PK HR PK SEASON		PERCENT			BCKGRND			BCKGRND			
		LCDOT PCS OR	BASE YR	2019/2020	YRS OF	ANNUAL	PK SEASON	PEAK DIRECTION	V/C	PROJECT	AM PROJ	PM PROJ	+ AM PROJ	V/C	+ PM PROJ	V/C			
ROADWAY	ROADWAY SEGMENT	FDOT SITE #	ADT	ADT	GROWTH. <sup>1</sup>	RATE	PEAK DIR. <sup>1</sup>	VOLUME	LOS	Ratio	TRAFFIC	TRAFFIC	TRAFFIC	VOLUME	LOS	Ratio	VOLUME	LOS	Ratio
Burnt Store Road	N of Vincent Ave	12	5,300	8,600	9	5.53%	465	678	C	0.72	15%	34	47	711	C	0.76	725	C	0.77
	N of Islamorada Blvd	12	5,300	8,600	9	5.53%	465	678	C	0.72	20%	45	63	723	C	0.77	741	C	0.79
	N of Site	12	5,300	8,600	9	5.53%	465	678	C	0.72	35%	79	111	757	C	0.80	788	C	0.84
	N of Durden Pkwy	12	5,300	8,600	9	5.53%	465	678	C	0.72	65%	147	205	824	C	0.88	883	D	0.94
	S of Durden Pkwy	12	5,300	8,600	9	5.53%	465	678	C	0.72	60%	136	190	813	C	0.87	867	C	0.92

<sup>1</sup> AGR for roadways was calculated based the historical traffic data obtained from the Lee County Traffic Count Report.

<sup>2</sup> Current peak hour peak season peak direction traffic volumes for all County roadways were obtained from the 2020 Lee County Public Facilities Level of Service and Concurrency Report.

\* Durden Parkway was not included in this analysis due to lack of traffic data for this roadway.

**LEE COUNTY GENERALIZED  
SERVICE VOLUME TABLE**



April 2016

c:\input5

## Uninterrupted Flow Highway

### Level of Service

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

## Arterials

Class I (40 mph or higher posted speed limit)

### Level of Service

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

**Class II (35 mph or slower posted speed limit)**

### Level of Service

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

### Controlled Access Facilities

### Level of Service

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

### Collectors

### Level of Service

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

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

**TRAFFIC DATA FROM LEE COUNTY  
TRAFFIC COUNT REPORT**

Updated 2/24/21

## Daily Traffic Volume (AADT)

STREET	LOCATION	Station #	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
BROADWAY (ESTERO)	W OF US 41	463	3500		5200		5700		6200		6300	
BROADWAY RD	S OF ALVA BRIDGE	231									6100	
BUCKINGHAM RD	S OF PALM BEACH BLVD	<u>11</u>	8400	8900	8800	9000	9300	9800	9800	10400	11400	11100
BUCKINGHAM RD	S OF CEMETERY RD	227				10600		9800		9600		8600
BUCKINGHAM RD	E OF ALVIN AVE	232				7000		8600		9200		10700
BURNT STORE RD	N OF PINE ISLAND RD	233	11100		12600	12600	13600	14800	15300	15100	19100	16800
BURNT STORE RD	S OF CHARLOTTE CO. LINE	<u>12</u>	5300	5000	5200	6300	7000	7700	8000	8300	8800	8600
BUSINESS 41 (SR 739)	N OF EDISON BRIDGE	<u>41</u>	25500	24800	25100	27200	28000				35600	33500
BUSINESS 41 (SR 739)	S OF PINE ISLAND RD	77					22000	25500				
BUSINESS 41 (SR 739)	N OF PONDELLA RD	397										
BUSINESS 41 (SR 739)	N OF LITTLETON RD	76					11500	12800	13200			
BUSINESS 41 (SR 739)	N OF LAUREL DR	396										
CAPE CORAL PKWY	E OF 11TH CT	<u>114</u>										20300
CAPE CORAL PKWY	E OF SKYLINE BLVD	<u>13</u>	26700	25000	26400	27700	28800	29700	28200	29600	30400	27700
CAPE CORAL BRIDGE	W OF BRIDGE	234			45600	51600						
CAPE CORAL BRIDGE	AT TOLL PLAZA	<u>122</u>					44000	42600	42000	43100	47800	43400



PCS 12 - Burnt Store Rd south of Charlotte County Line  
2020 AADT = 8,600 VPD

Hour	EB	WB	Total
0	0.19%	0.37%	0.55%
1	0.15%	0.24%	0.38%
2	0.20%	0.17%	0.36%
3	0.30%	0.14%	0.43%
4	0.62%	0.19%	0.80%
5	1.35%	0.50%	1.84%
6	2.67%	1.25%	3.90%
7	3.94%	1.80%	5.72%
8	3.72%	2.20%	5.90%
9	3.62%	2.45%	6.05%
10	3.82%	2.87%	6.67%
11	3.70%	3.36%	7.05%
12	3.60%	3.67%	7.26%
13	3.46%	3.83%	7.28%
14	3.23%	4.02%	7.26%
15	3.18%	4.29%	7.48%
16	3.04%	4.59%	7.64%
17	2.87%	4.44%	7.31%
18	2.14%	3.18%	5.32%
19	1.51%	2.21%	3.73%
20	1.13%	1.64%	2.77%
21	0.81%	1.23%	2.04%
22	0.52%	0.86%	1.37%
23	0.30%	0.58%	0.88%

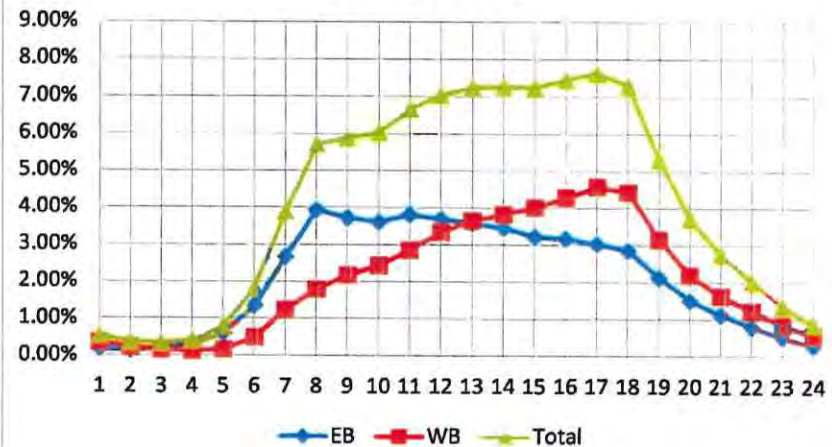
Month of Year	Fraction
January	1.16
February	1.25
March	1.04
April	0.68
May	0.89
June	0.97
July	0.96
August	0.95
September	0.96
October	1.03
November	1.01
December	1.1

Directional Factor		
AM	0.69	NB
PM	0.60	SB

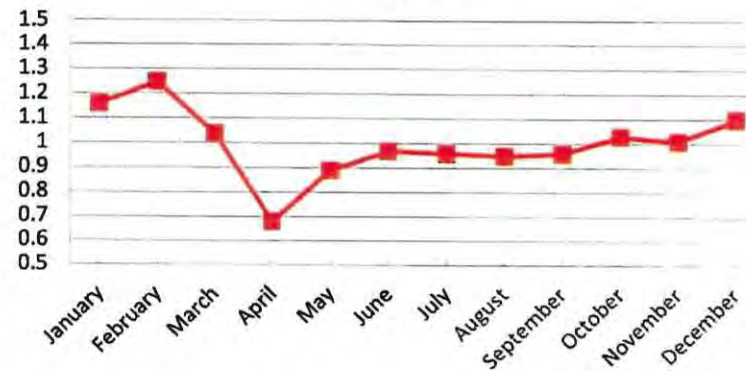
Day of Week	Fraction
Sunday	0.85
Monday	0.98
Tuesday	1.01
Wednesday	1.01
Thursday	1.05
Friday	1.11
Saturday	0.97

Design Hour Volume		
#	Volume	Factor
5	960	0.112
10	939	0.109
20	909	0.106
30	894	0.104
50	871	0.101
100	843	0.098
150	825	0.096
200	808	0.094

Hour of Day



Month of Year



**LEE COUNTY PUBLIC FACILITIES  
LEVEL OF SERVICE AND  
CONCURRENCY REPORT**



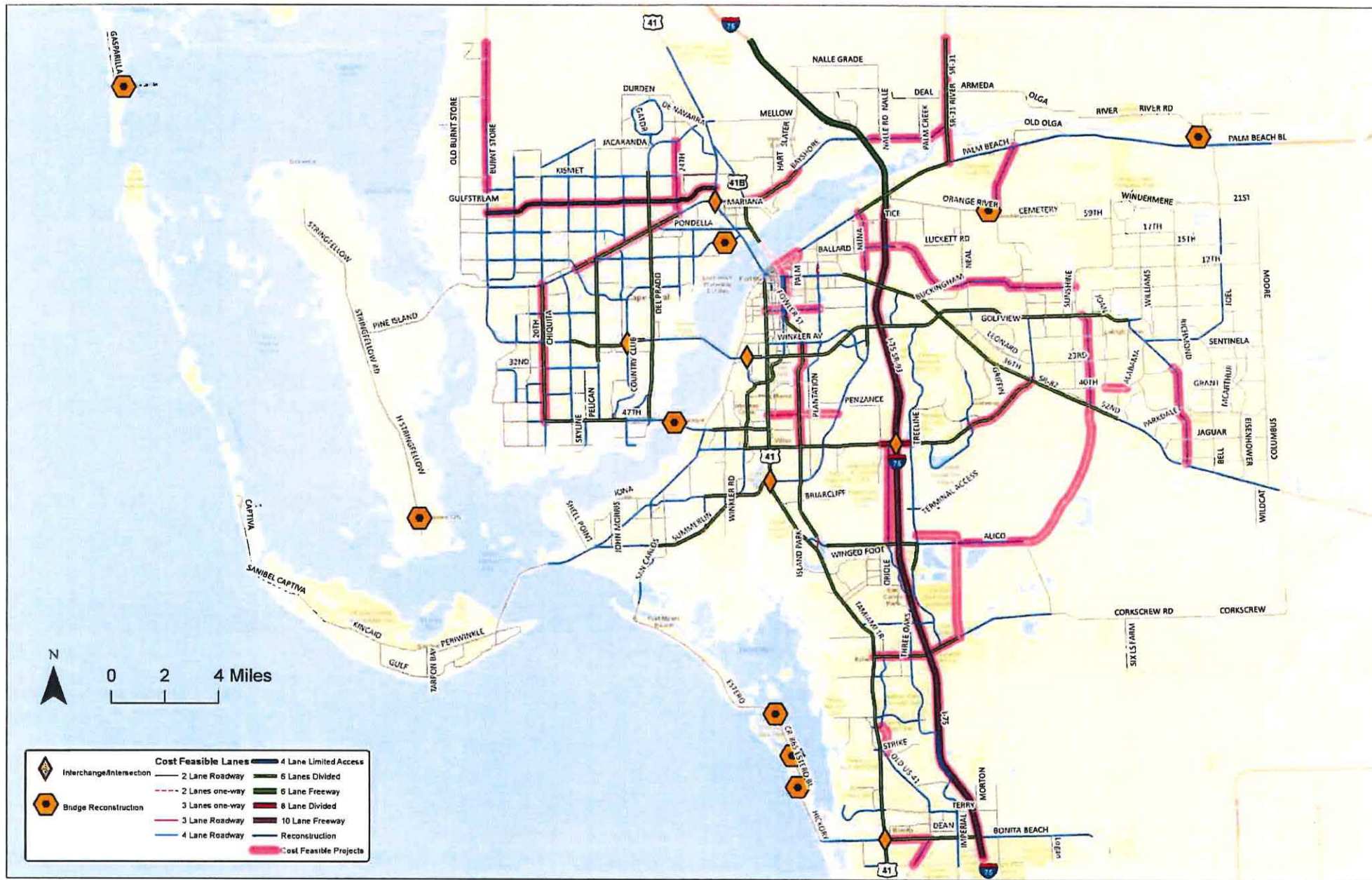
5/25/2020

## LEE COUNTY Road Link Volumes (County- and State-Maintained Roadways)

LINK NO.	NAME	ROADWAY LINK		ROAD TYPE	PERFORMANCE STANDARD		2019 100TH HIGHEST HOUR		FORECAST FUTURE		NOTES
		FROM	TO		LOS	CAPACITY	LOS	VOLUME	LOS	VOLUME	
00100	A & W BULB RD	GLADIOLUS DR	MCGREGOR BLVD	2LN	E	860	C	380	C	399	
00200	ALABAMA RD	SR 82	MILWAUKEE BLVD	2LN	E	990	C	270	C	284	
00300	ALABAMA RD	MILWAUKEE BLVD	HOMESTEAD RD	2LN	E	990	D	481	D	506	
00400	ALEXANDER BELL	SR 82	MILWAUKEE BLVD	2LN	E	990	D	553	D	581	
00500	ALEXANDER BELL	MILWAUKEE BLVD	LEELAND HEIGHTS	2LN	E	990	D	553	D	626	Shadow Lakes
00590	ALICO RD	US 41	DUSTY RD	4LD	E	1,980	B	1,107	B	1,163	
00600	ALICO RD	DUSTY RD	LEE RD	6LD	E	2,960	B	1,107	B	1,468	Alico Business Park
00700	ALICO RD	LEE RD	THREE OAKS PKWY	6LD	E	2,960	B	1,107	B	1,355	Three Oaks Regional Center
00800	ALICO RD	THREE OAKS PKWY	I-75	6LD	E	2,960	B	2,438	B	2,563	EEPCO Study
00900	ALICO RD	I-75	BEN HILL GRIFFIN BLVD	6LD	E	2,960	B	1,246	B	1,393	EEPCO Study
01000	ALICO RD	BEN HILL GRIFFIN BLVD	GREEN MEADOW DR	2LN	E	1,100/1,840	C	385	E	789	4 Ln constr 2018, EEPCO Study*
01050	ALICO RD	GREEN MEADOW DR	CORKSCREW RD	2LN	E	1,100	B	131	B	224	EEPCO Study
01200	BABCOCK RD	US 41	ROCKEFELLER CIR	2LN	E	860	C	55	C	162	old count
01400	BARRETT RD	PONDELLA RD	PINE ISLAND RD	2LN	E	860	C	103	C	116	old count projection(2009)
01500	BASS RD	SUMMERLIN RD	GLADIOLUS DR	4LN	E	1,790	C	612	C	870	
01600	BAYSHORE RD (SR 78)	BUS 41	NEW POST RD/HART RD	4LD	D	2,100	C	1,690	C	1,750	
01700	BAYSHORE RD (SR 78)	HART RD	SLATER RD	4LD	D	2,100	C	1,703	C	1,831	
01800	BAYSHORE RD (SR 78)	SLATER RD	I-75	4LD	D	2,100	C	1,285	C	1,683	
01900	BAYSHORE RD (SR 78)	I-75	NALLE RD	2LN	D	924	C	710	C	678	
02000	BAYSHORE RD (SR 78)	NALLE RD	SR 31	2LN	D	924	C	515	C	520	
02100	BEN HILL GRIFFIN PKWY	CORKSCREW RD	FCCU ENTRANCE	4LD	E	2,000	B	1,402	B	1,474	
02200	BEN HILL GRIFFIN PKWY	FOCU BOULEVARD S	COLLEGE CLUB DR	4LD	E	2,000	B	1,402	B	1,505	
02250	BEN HILL GRIFFIN PKWY	COLLEGE CLUB DR	ALICO RD	6LD	E	3,000	B	1,127	B	1,219	
26950	BEN HILL GRIFFIN PKWY	ALICO RD	TERMINAL ACCESS RD	4LD	E	1,980	A	1,017	A	1,069	
02300	BETH STACEY BLVD	23RD ST	HOMESTEAD RD	2LN	E	860	C	346	C	548	
02400	BONITA BEACH RD	HICKORY BLVD	VANDERBILT DR	4LD	E	1,900	C	581	C	611	Constrained In City Plan *
02500	BONITA BEACH RD	VANDERBILT DR	US 41	4LD	E	1,900	C	1,530	C	1,608	Constrained In City Plan
02600	BONITA BEACH RD	US 41	OLD 41	4LD	E	1,860	C	1,167	C	1,318	Constrained, old count projection(2010)
02700	BONITA BEACH RD	OLD 41	IMPERIAL ST	6LD	E	2,800	C	1,864	C	1,959	Constrained In City Plan(2010)
02800	BONITA BEACH RD	IMPERIAL ST	W OF I-75	6LD	E	2,800	C	2,132	C	2,241	Constrained In City Plan
02900	BONITA BEACH RD	E OF I-75	BONITA GRAND DR	4LD	E	2,020	B	671	B	705	Constrained In City Plan
02950	BONITA BEACH RD	BONITA GRANDE DR	END OF CO. MAINTAINED	4LD	E	2,020	B	671	B	705	Constrained In City Plan
03100	BONITA GRANDE DR	BONITA BEACH RD	E TERRY ST	2LN	E	860	D	692	E	782	old count projection(2009)
03200	BOYSCOUT RD	SUMMERLIN RD	US 41	6LN	E	2,520	E	1,776	E	1,866	
03300	BRANTLEY RD	SUMMERLIN RD	US 41	2LN	E	860	C	276	C	290	
03400	BRIARCLIFF RD	US 41	TRIPLE CROWN CT	2LN	E	860	C	197	C	218	
03500	BROADWAY RD (ALVA)	SR 80	N. RIVER RD	2LN	E	860	C	269	C	304	old count projection(2009)
03700	BUCKINGHAM RD	SR 82	GUNNERY RD	2LN	E	990	C	405	C	426	
03730	BUCKINGHAM RD	GUNNERY RD	ORANGE RIVER BLVD	2LN	E	990	C	423	D	445	
03800	BUCKINGHAM RD	ORANGE RIVER BLVD	SR 80	2LN	E	990	D	538		1,207	Buckingham 345 & Portico
03900	BURNT STORE RD	SR 78	VAN BUREN PKWY	4LD	E	2,950	B	942	B	990	
04000	BURNT STORE RD	VAN BUREN PKWY	COUNTY LINE	2LN	E	1,140	C	465	C	563	
04200	BUS 41 (N TAMIAMI TR, SR 78)	CITY LIMITS (N END EDIS)	PONDELLA RD	6LD	D	3,171	C	1,471	C	1,673	
04300	BUS 41 (N TAMIAMI TR, SR 78)	PONDELLA RD	SR 78	6LD	D	3,171	C	1,471	C	1,673	
04400	BUS 41 (N TAMIAMI TR, SR 78)	SR 78	LITTLETON RD	4LD	D	2,100	C	959	C	1,003	
04500	BUS 41 (N TAMIAMI TR, SR 78)	LITTLETON RD	US 41	4LD	D	2,100	C	552	C	575	
04600	CAPE CORAL BRIDGE	DEL PRADO BLVD	MCGREGOR BLVD	4LB	E	4,000	D	3,074	D	3,231	
04700	CAPTIVA DR	BLIND PASS	SOUTH SEAS	2LN	E	860	C	267	C	302	Constrained, old count(2010)
04800	CEMETERY RD	BUCKINGHAM RD	HIGGINS AVE	2LN	E	860	C	242	C	255	
04900	CHAMBERLIN PKWY	AIRPORT ENT	DANIELS PKWY	4LN	E	1,790	C	105	C	150	Port Authority maintained
05000	COCONUT RD	WEST END	VIA VENETTO BLVD	2LN	E	860	C	268	C	420	Estero maintains to east
05100	COLLEGE PKWY	MCGREGOR BLVD	WINKLER RD	6LD	E	2,980	D	2,292	D	2,409	
05200	COLLEGE PKWY	WINKLER RD	WHISKEY CREEK DR	6LD	E	2,980	D	2,059	D	2,164	
05300	COLLEGE PKWY	WHISKEY CREEK DR	SUMMERLIN RD	6LD	E	2,980	D	2,059	D	2,164	
05400	COLLEGE PKWY	SUMMERLIN RD	US 41	6LD	E	2,980	D	1,825	D	1,918	
05500	COLONIAL BLVD	MCGREGOR BLVD	SUMMERLIN RD	6LD	E	2,840		3,049		3,204	
05600	COLONIAL BLVD	SUMMERLIN RD	US 41	6LD	E	2,840		2,882		3,028	
06200	COLONIAL BLVD	DYNASTY DR	SR 82	6LD	D	3,040	B	2,117	C	2,225	*
06300	COLUMBUS BLVD	SR 82	MILWAUKEE BLVD	2LN	E	860	C	100	C	105	
06400	CONSTITUTION BLVD	US 41	CONSTITUTION CIR	2LN	E	860	C	217	C	245	old count projection(2010)
06500	CORBETT RD	SR 78 (PINE ISLAND RD)	LITTLETON RD	2LN	E	860	C	22	C	226	old count, added VA clinic(2009)
06600	CORKSCREW RD	US 41	THREE OAKS PKWY	4LD	E	1,900	C	1,007	C	1,272	Galleria at Corkscrew
06700	CORKSCREW RD	THREE OAKS PKWY	W OF I-75	4LD	E	1,900		2,129		2,386	Estero Crossing
06800	CORKSCREW RD	E OF I-75	BEN HILL GRIFFIN BLVD	4LD	E	1,900	C	1,194	C	1,255	
06900	CORKSCREW RD	BEN HILL GRIFFIN BLVD	ALICO RD	4LD	E	1,960	C	466	C	678	
07000	CORKSCREW RD	ALICO RD	COUNTY LINE	2LN	E	1,140	C	466	D	793	EEPCO Study, The Place
07100	COUNTRY LAKES BLVD	LUCKETT RD	TICE ST	2LN	E	860	C	143	C	293	old count projection(2010)
07200	CRYSTAL DR	US 41	METRO PKWY	2LN	E	860	C	496	C	521	
07300	CRYSTAL DR	METRO PKWY	PLANTATION RD	2LN	E	860	C	324	C	340	

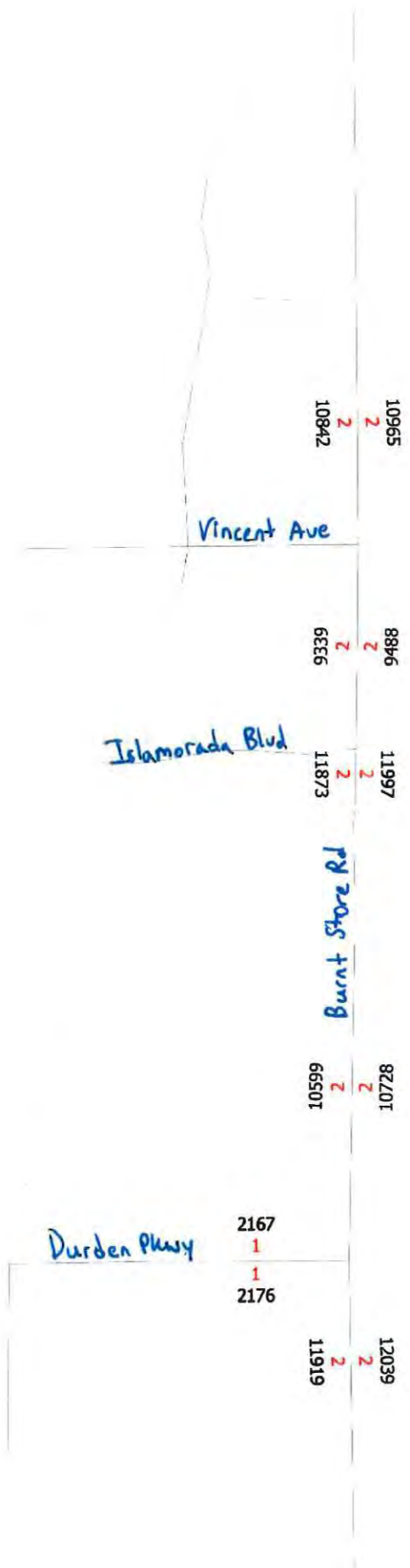


**LEE COUNTY MPO 2045 COST  
FEASIBLE HIGHWAY PLAN**



## **2045 E+C NETWORK VOLUMES**



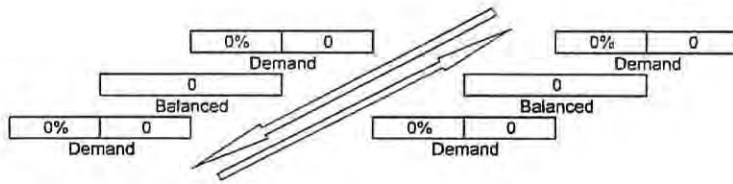


2045 E+C COST FEASIBLE NETWORK VOLUMES AND LANES

**INTERNAL CAPTURE WORKSHEETS**  
**LONG RANGE ANALYSIS**

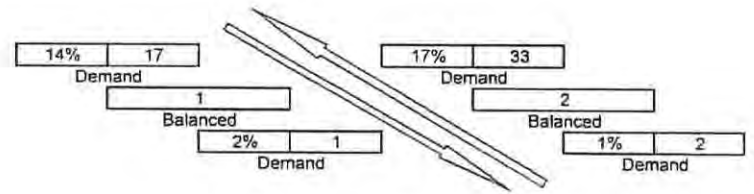
# **Internal Capture Calculation Summary Sheet** **WEEKDAY AM PEAK HOUR**

Exit to External	Land Use A - Retail Uses			
119	Enter	Total	Internal	External
←	196	2	194	
→	Exit	120	1	119
194	Total	316	3	313
Enter from External	%	100%	1%	99%



Exit to External	Land Use B - Office Uses			
0	Enter	Total	Internal	External
←	0	0	0	0
→	Exit	0	0	0
0	Total	0	0	0
Enter from External	%	100%	0%	100%

Demand	Balance	Demand
57% 0	0	4% 7
2% 0	0	4% 2



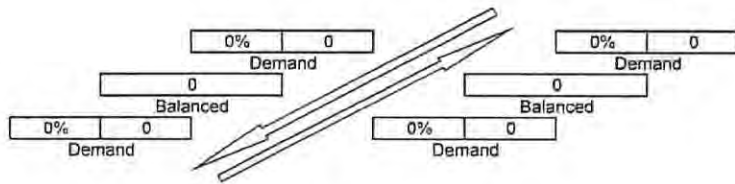
Exit to External	Land Use C - Residential Uses			
169	Enter	Total	Internal	External
←	51	1	50	
→	Exit	171	2	169
50	Total	222	3	219
Enter from External	%	100%	1%	99%

Net External Trips for Multi-Use Development				
	Land Use A	Land Use B	Land Use C	Total
Enter	194	0	50	244
Exit	119	0	169	288
Total	313	0	219	532
Single-Use Trip Gen. Est.	316	0	222	538
Internal Capture Rate				1%



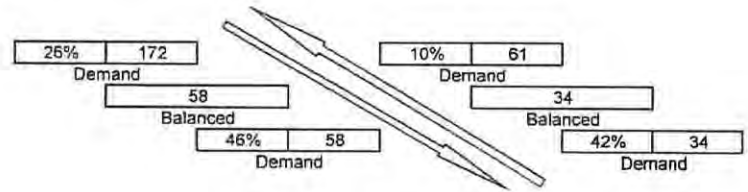
**Internal Capture Calculation Summary Sheet  
WEEKDAY PM PEAK HOUR**

Exit to External	<b>Land Use A - Retail Uses</b>			
505	Enter	Total	Internal	External
←	612	612	34	578
→	Exit	663	58	605
578	Total	1,275	92	1,183
Enter from External	%	100%	7%	93%



Exit to External	<b>Land Use B - Office Uses</b>			
0	Enter	Total	Internal	External
←	0	0	0	0
→	Exit	0	0	0
0	Total	0	0	0
Enter from External	%	100%	0%	100%

Demand		Balance	Demand	
57%	0	0	4%	3
2%	0	0	4%	5



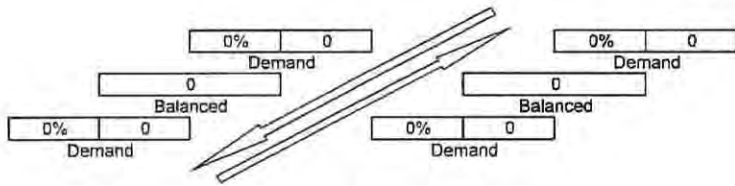
Exit to External	<b>Land Use C - Residential Uses</b>			
47	Enter	Total	Internal	External
←	127	127	58	69
→	Exit	81	34	47
69	Total	208	92	116
Enter from External	%	100%	44%	56%

Net External Trips for Multi-Use Development				
	Land Use A	Land Use B	Land Use C	Total
Enter	578	0	89	647
Exit	605	0	47	652
Total	1,183	0	116	1,299
Single-Use Trip Gen. Est.	1,275	0	208	1,483
			<b>Internal Capture Rate</b>	<b>12%</b>

**INTERNAL CAPTURE WORKSHEETS**  
**SHORT RANGE ANALYSIS**

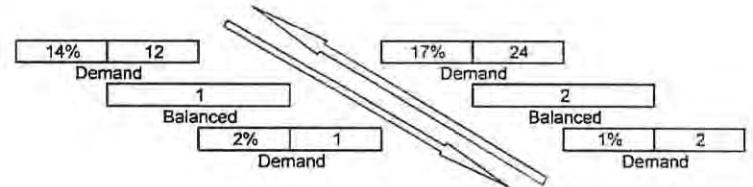
**Internal Capture Calculation Summary Sheet**  
**WEEKDAY AM PEAK HOUR**

Exit to External		<b>Land Use A - Retail Uses</b>		
<div>84</div>		Total	Internal	External
←	Enter	140	2	138
→	Exit	85	1	84
<div>138</div>	Total	225	3	222
Enter from External	%	100%	1%	99%



Exit to External		<b>Land Use B - Office Uses</b>		
<div>0</div>		Total	Internal	External
←	Enter	0	0	0
→	Exit	0	0	0
<div>0</div>	Total	0	0	0
Enter from External	%	100%	0%	100%

	<b>Demand</b>		<b>Balance</b>	<b>Demand</b>	
←	57%	0	0	4%	7
	2%	0	0	4%	2
					→



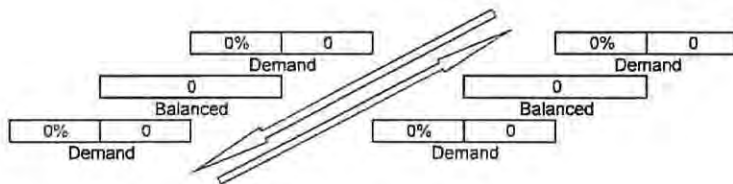
Land Use C - Residential Uses				Exit to External
	Total	Internal	External	169
Enter	51	1	50	←
Exit	171	2	169	→
Total	222	3	219	
%	100%	1%	99%	50
				Enter from External

<b>Net External Trips for Multi-Use Development</b>				
	Land Use A	Land Use B	Land Use C	Total
Enter	138	0	50	188
Exit	84	0	169	253
Total	222	0	219	441
Single-Use Trip Gen. Est.	225	0	222	447
			<b>Internal Capture Rate</b>	<div>1%</div>



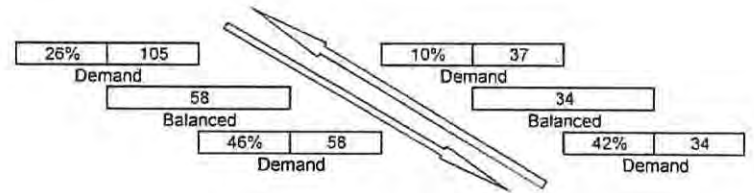
# **Internal Capture Calculation Summary Sheet** **WEEKDAY PM PEAK HOUR**

Exit to External	Land Use A - Retail Uses			
344	Total	372	Internal	34
←	Enter	402	Exit	338
→	Exit	774	Total	682
338	%	100%	12%	88%
Enter from External				



Exit to External	Land Use B - Office Uses			
0	Total	0	Internal	0
←	Enter	0	Exit	0
→	Exit	0	Total	0
0	%	100%	0%	100%
Enter from External				

Demand	Balance	Demand
57% 0	0	4% 3
2% 0	0	4% 5



Exit to External	Land Use C - Residential Uses			
47	Total	127	Internal	58
←	Enter	81	Exit	69
→	Exit	208	Total	116
69	%	100%	44%	56%
Enter from External				

Net External Trips for Multi-Use Development				
	Land Use A	Land Use B	Land Use C	Total
Enter	338	0	69	407
Exit	344	0	47	391
Total	682	0	116	798
Single-Use Trip Gen. Est.	774	0	208	982
				Internal Capture Rate
				19%

## **ITE PASS-BY RATES**

### Vehicle Pass-By Rates by Land Use

Source: ITE *Trip Generation Manual*, 11th Edition

[illegible]



### Vehicle Pass-By Rates by Land Use

Source: ITE *Trip Generation Manual*, 11th Edition

[illegible]

# **TRIP GENERATION EQUATIONS**

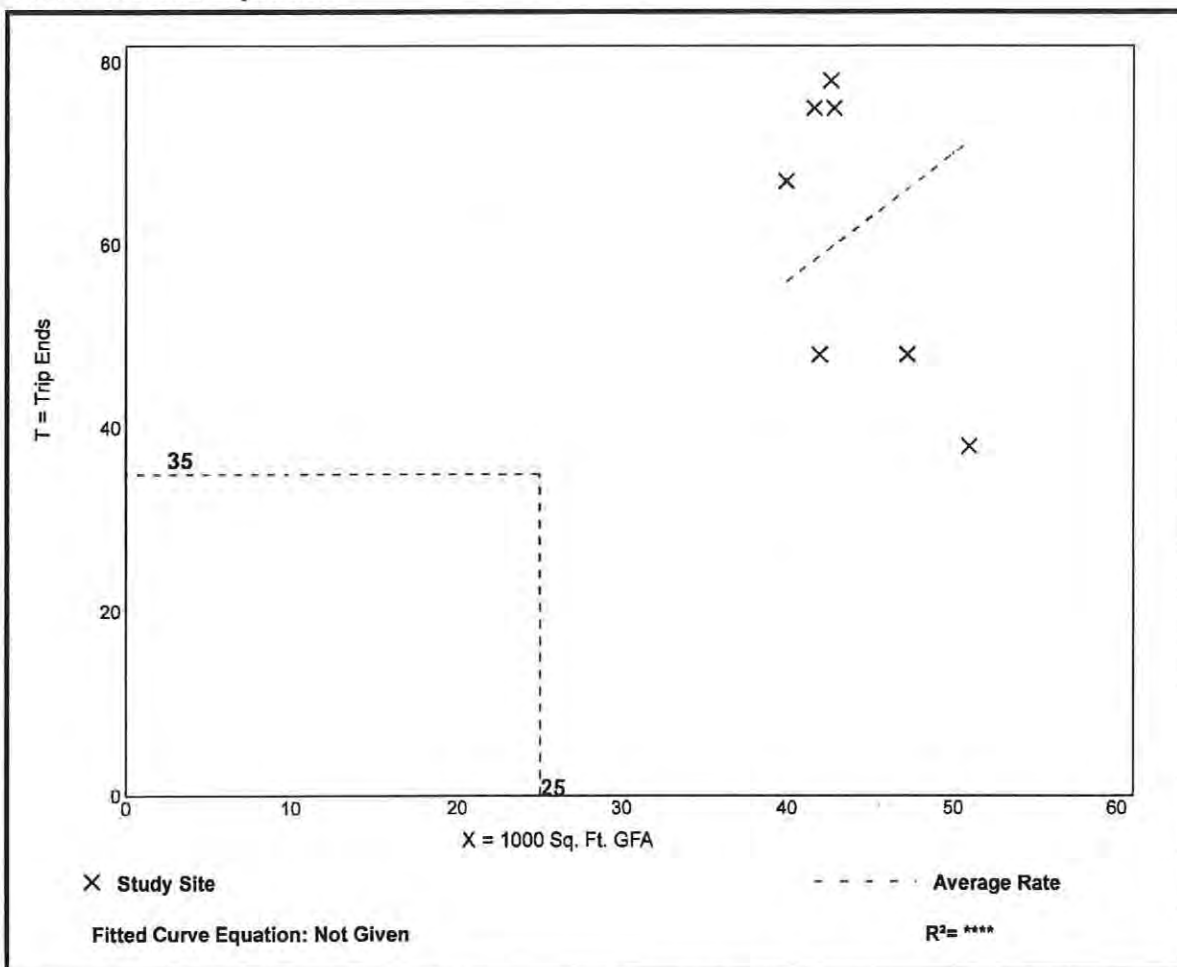
## Tractor Supply Store (810)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA  
 On a: Weekday,  
 Peak Hour of Adjacent Street Traffic,  
 One Hour Between 4 and 6 p.m.  
 Setting/Location: General Urban/Suburban  
 Number of Studies: 7  
 Avg. 1000 Sq. Ft. GFA: 44  
 Directional Distribution: 47% entering, 53% exiting

### Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.40	0.75 - 1.83	0.45

### Data Plot and Equation





## Variety Store (814)

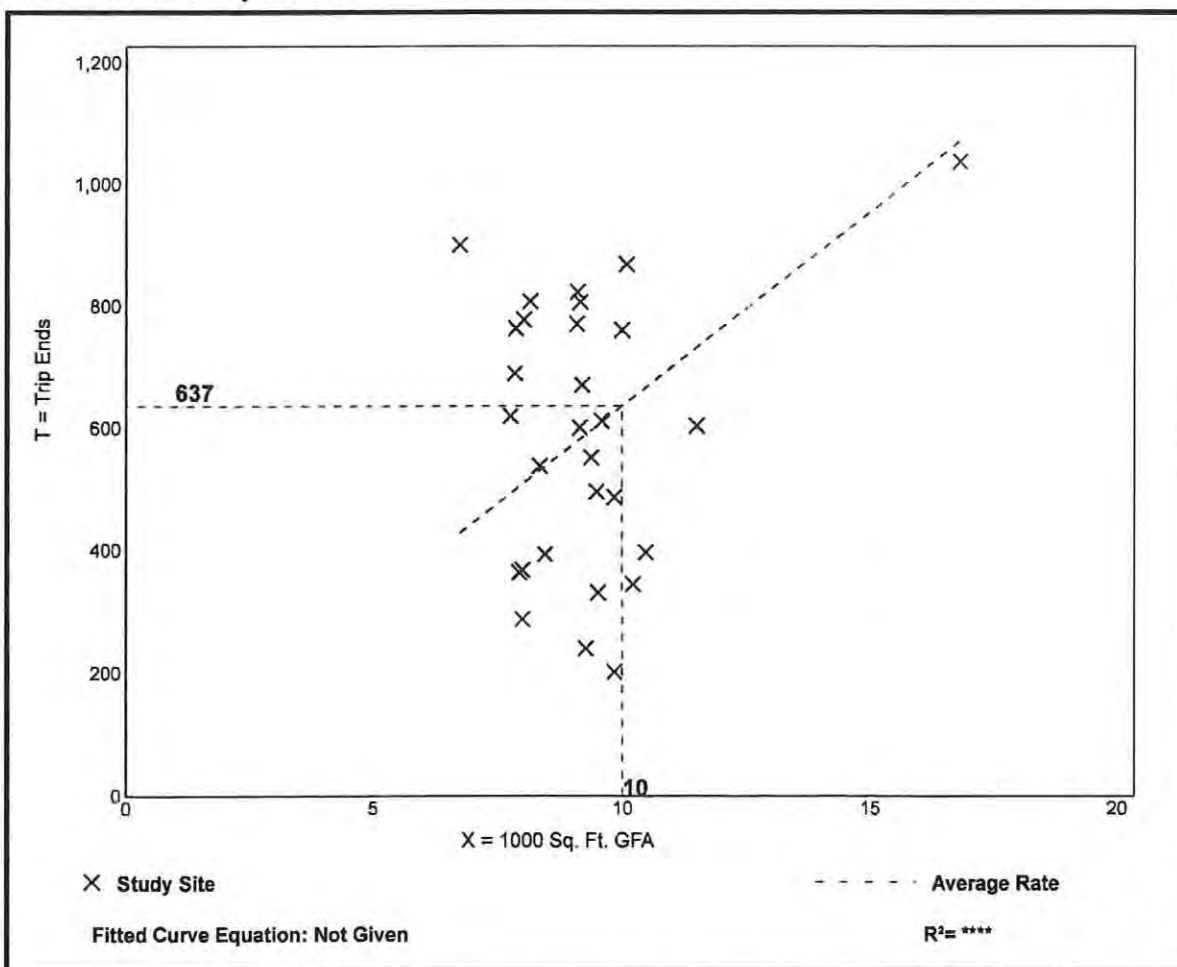
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA  
On a: Weekday

Setting/Location: General Urban/Suburban  
Number of Studies: 29  
Avg. 1000 Sq. Ft. GFA: 9  
Directional Distribution: 50% entering, 50% exiting

### Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
63.66	20.51 - 133.68	25.23

### Data Plot and Equation



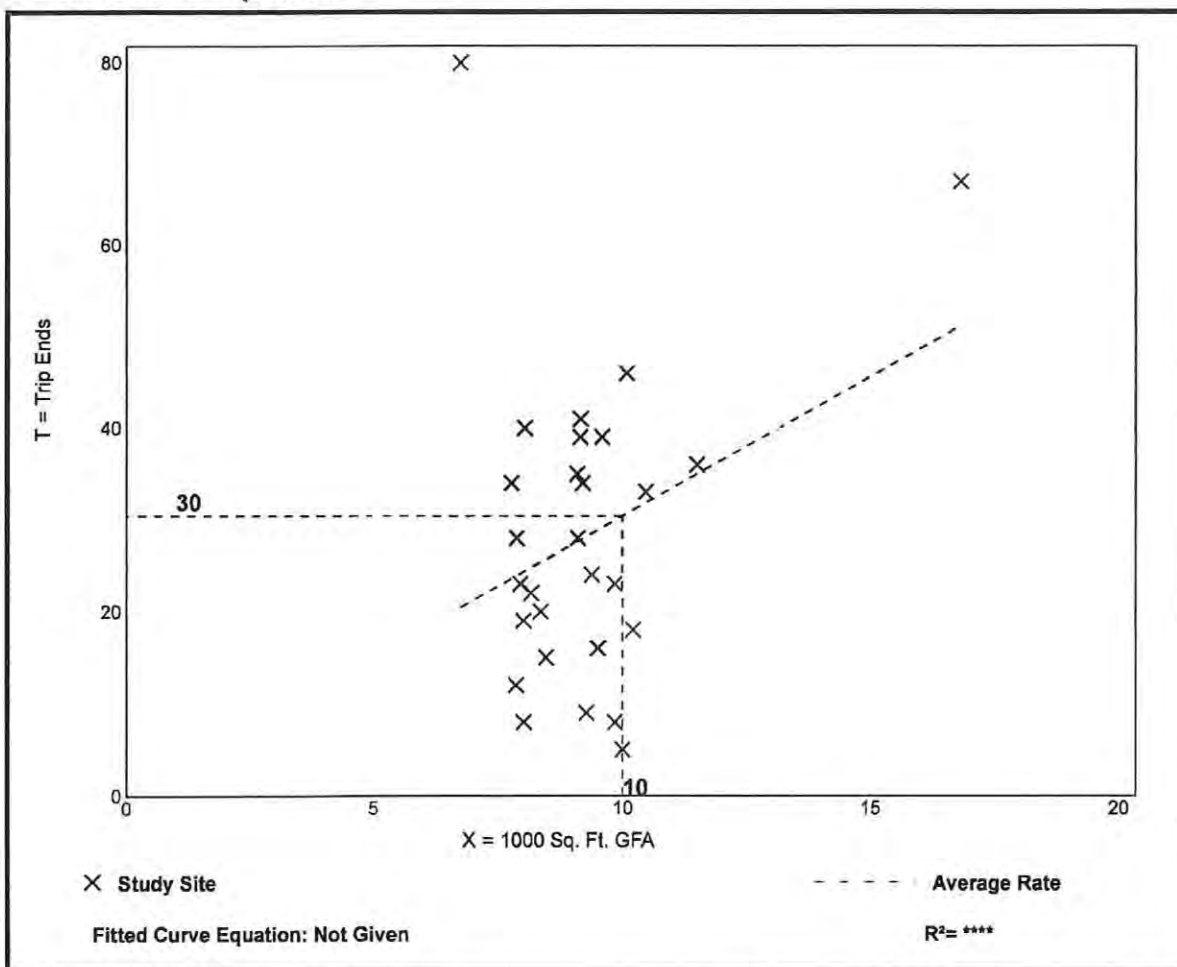
## Variety Store (814)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA  
 On a: Weekday,  
 Peak Hour of Adjacent Street Traffic,  
 One Hour Between 7 and 9 a.m.  
 Setting/Location: General Urban/Suburban  
 Number of Studies: 29  
 Avg. 1000 Sq. Ft. GFA: 9  
 Directional Distribution: 55% entering, 45% exiting

### Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
3.04	0.50 - 11.87	1.91

### Data Plot and Equation



## Variety Store (814)

**Vehicle Trip Ends vs: 1000 Sq. Ft. GFA**

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

**Setting/Location: General Urban/Suburban**

Number of Studies: 29

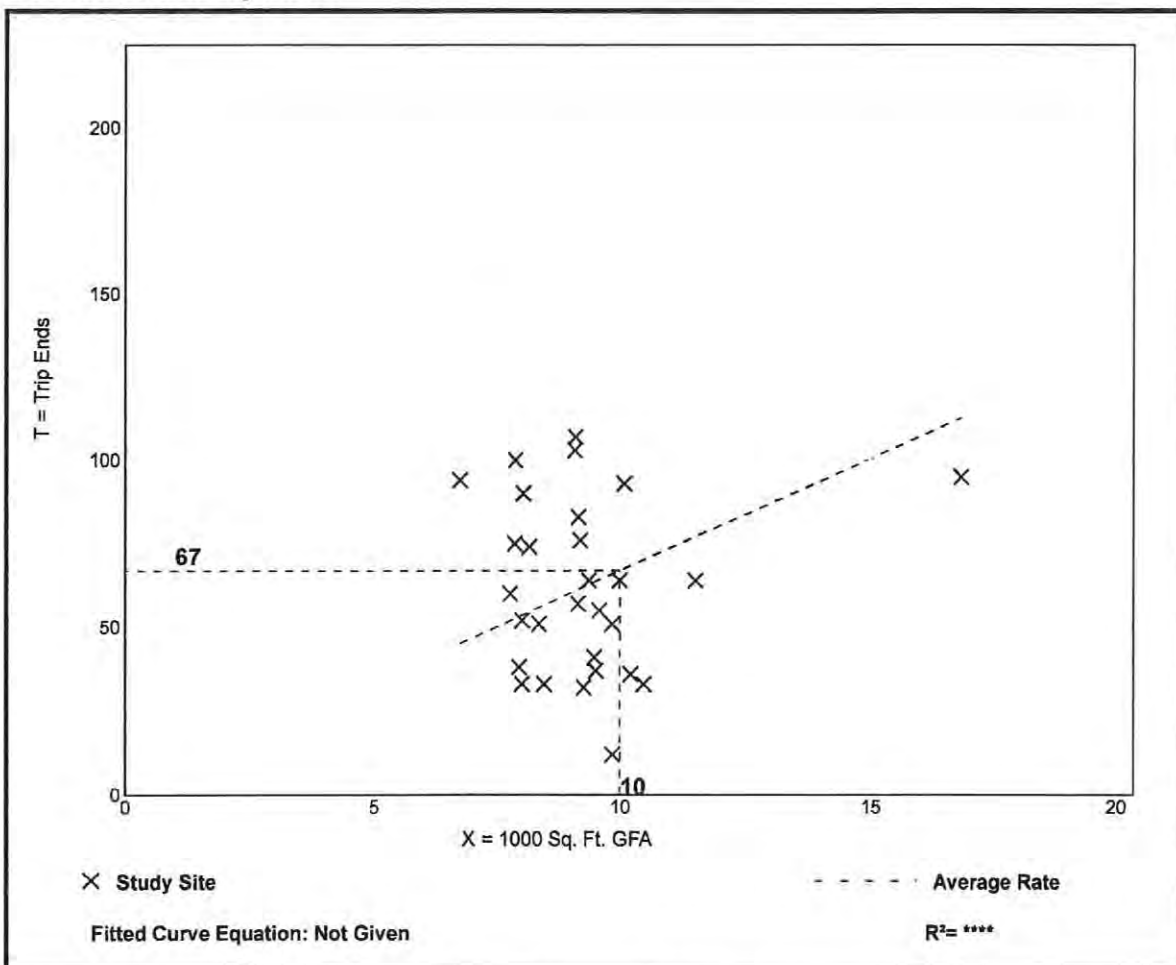
Avg. 1000 Sq. Ft. GFA: 9

Directional Distribution: 51% entering, 49% exiting

### Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
6.70	1.22 - 13.95	3.08

### Data Plot and Equation





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

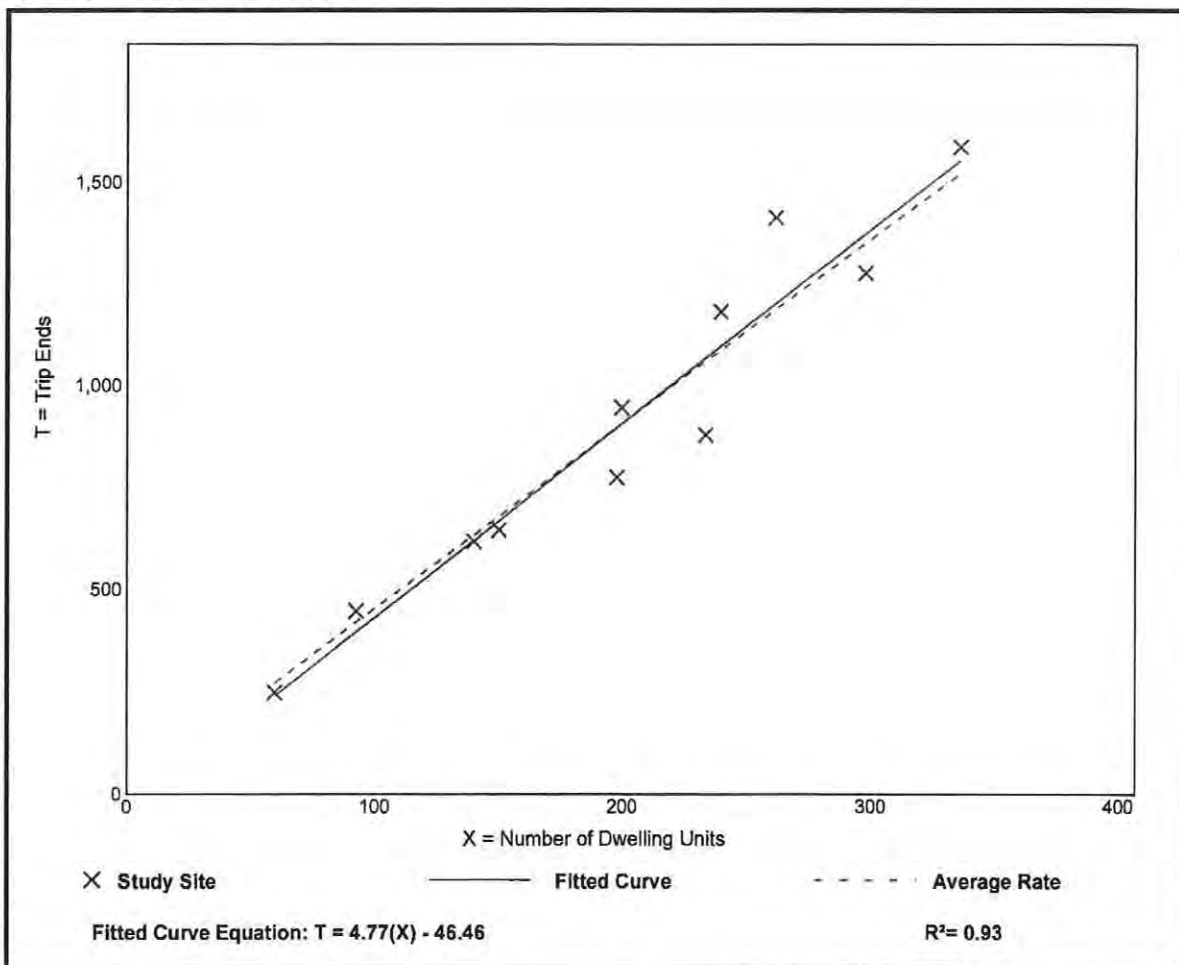
Vehicle Trip Ends vs: Dwelling Units  
On a: Weekday

Setting/Location: General Urban/Suburban  
Number of Studies: 11  
Avg. Num. of Dwelling Units: 201  
Directional Distribution: 50% entering, 50% exiting

### Vehicle Trip Generation per Dwelling Unit

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

### Data Plot and Equation



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

**Vehicle Trip Ends vs: Dwelling Units**

**On a: Weekday,**

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

**Setting/Location: General Urban/Suburban**

Number of Studies: 30

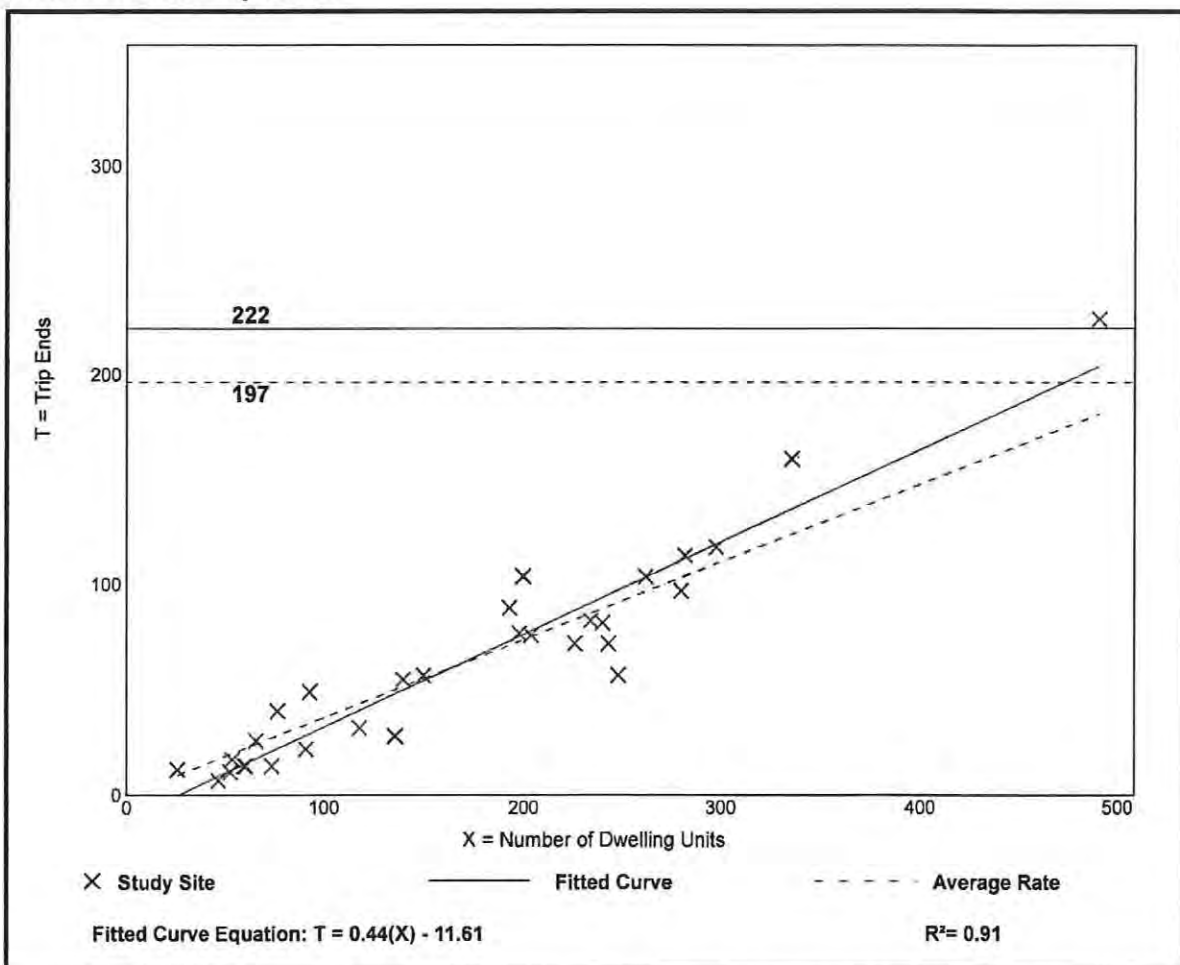
Avg. Num. of Dwelling Units: 173

Directional Distribution: 23% entering, 77% exiting

### Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.37	0.15 - 0.53	0.09

### Data Plot and Equation



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

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,

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

Setting/Location: General Urban/Suburban

Number of Studies: 31

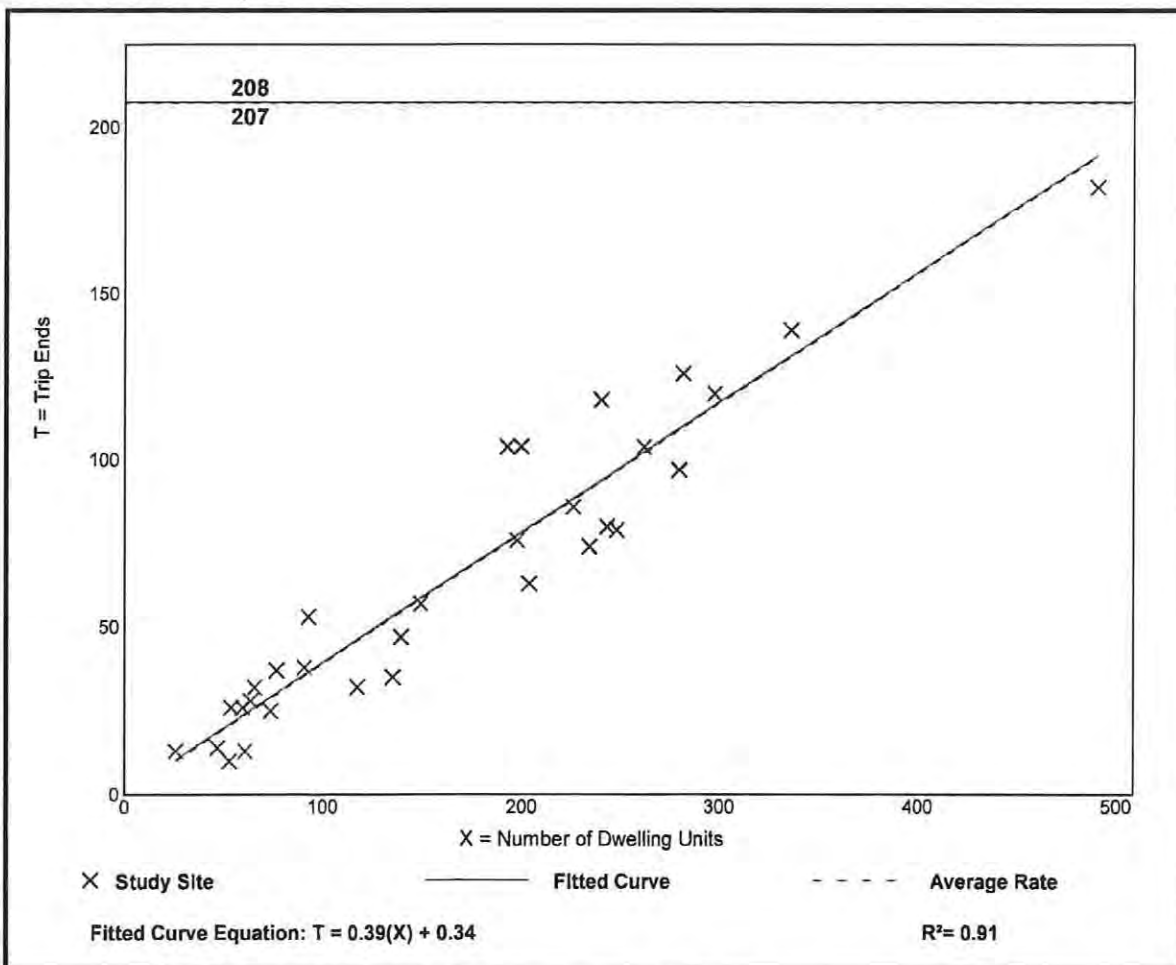
Avg. Num. of Dwelling Units: 169

Directional Distribution: 61% entering, 39% exiting

### Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.39	0.19 - 0.57	0.08

### Data Plot and Equation





## Shopping Center (>150k) (820)

Vehicle Trip Ends vs: 1000 Sq. Ft. GLA

On a: Weekday

Setting/Location: General Urban/Suburban

Number of Studies: 108

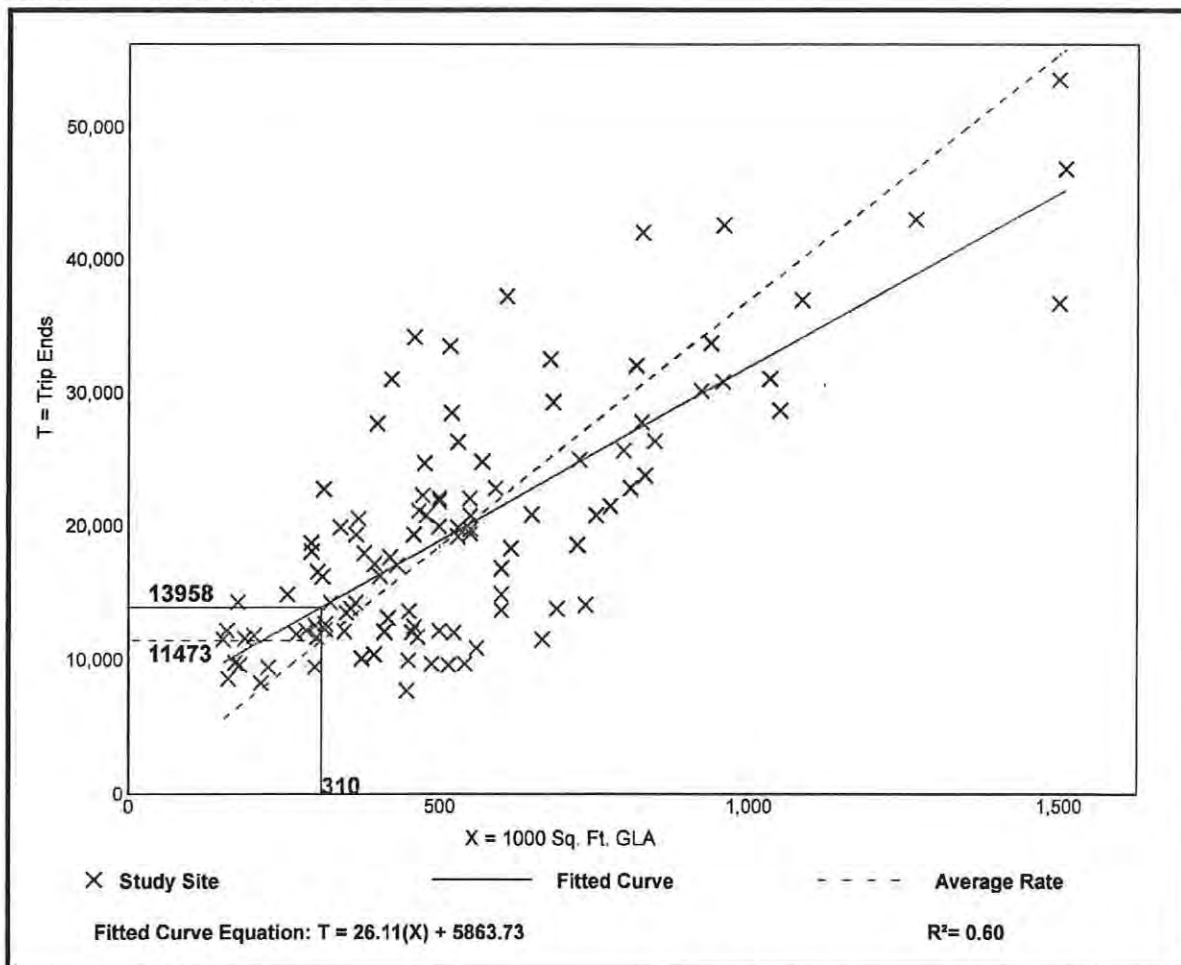
Avg. 1000 Sq. Ft. GLA: 538

Directional Distribution: 50% entering, 50% exiting

### Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
37.01	17.27 - 81.53	12.79

### Data Plot and Equation



## Shopping Center (>150k) (820)

**Vehicle Trip Ends vs: 1000 Sq. Ft. GLA**

**On a: Weekday,**

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

**Setting/Location: General Urban/Suburban**

**Number of Studies: 44**

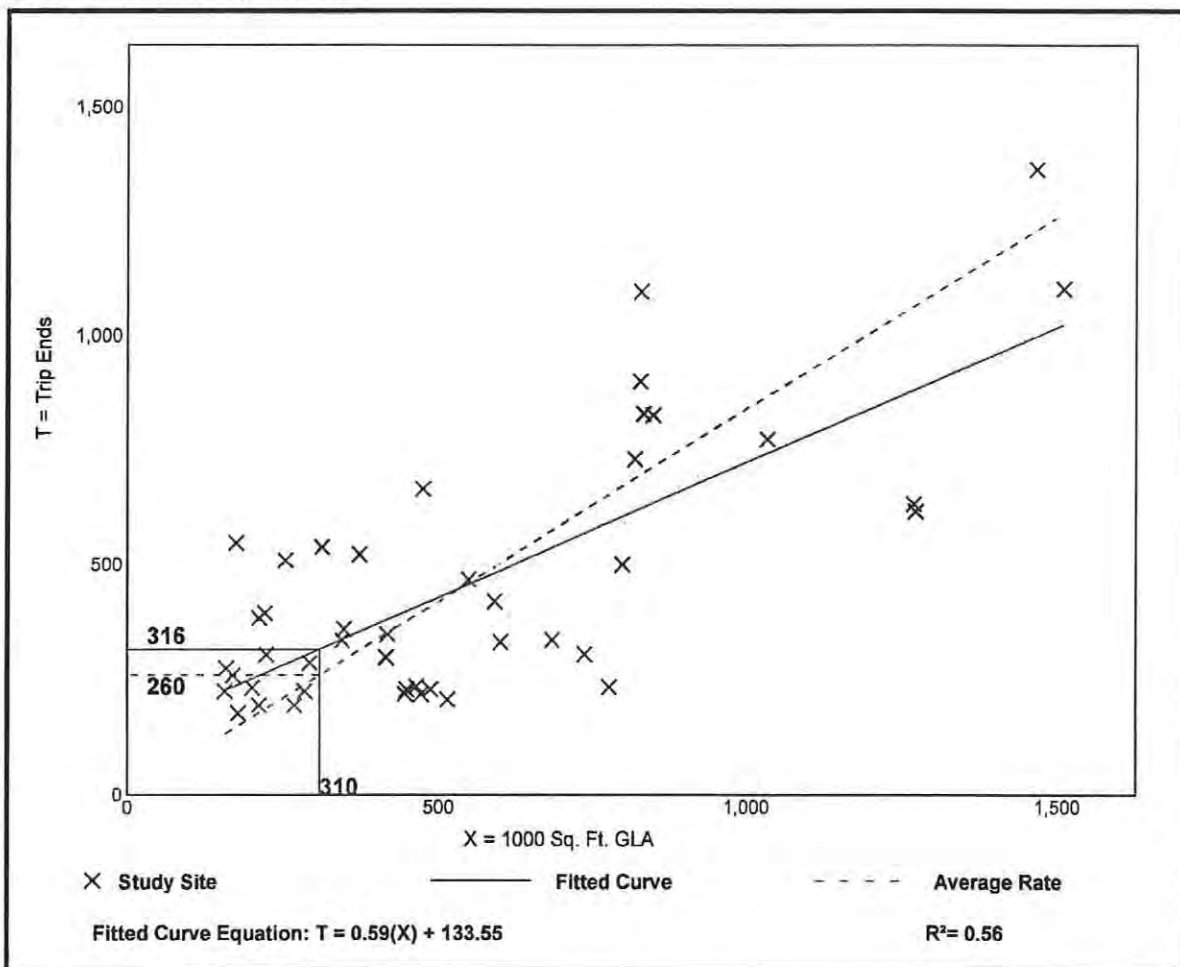
**Avg. 1000 Sq. Ft. GLA: 546**

**Directional Distribution: 62% entering, 38% exiting**

### Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
0.84	0.30 - 3.11	0.42

### Data Plot and Equation



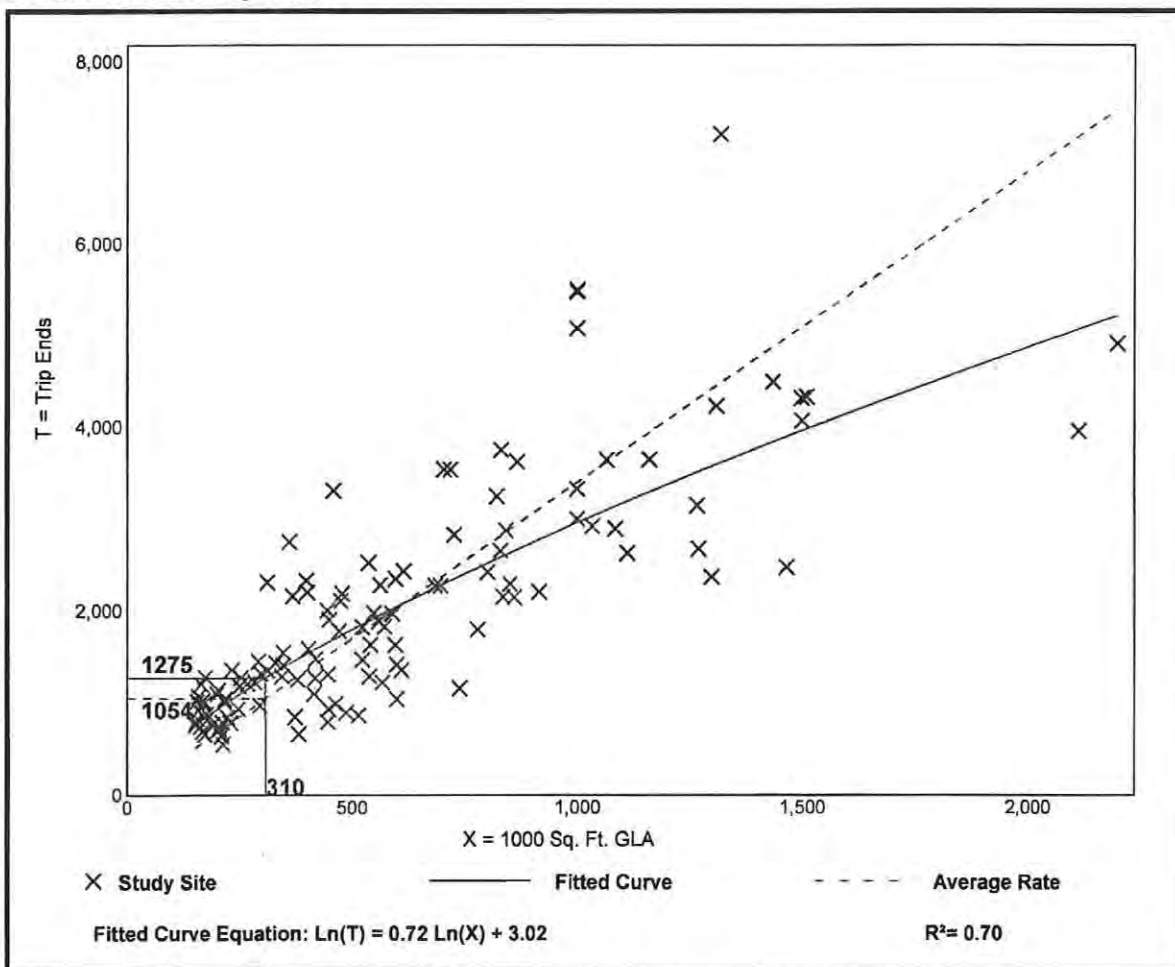
## Shopping Center (>150k) (820)

Vehicle Trip Ends vs: 1000 Sq. Ft. GLA  
 On a: Weekday,  
 Peak Hour of Adjacent Street Traffic,  
 One Hour Between 4 and 6 p.m.  
 Setting/Location: General Urban/Suburban  
 Number of Studies: 126  
 Avg. 1000 Sq. Ft. GLA: 581  
 Directional Distribution: 48% entering, 52% exiting

### Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
3.40	1.57 - 7.58	1.26

### Data Plot and Equation





# General Light Industrial (110)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday

Setting/Location: General Urban/Suburban

Number of Studies: 37

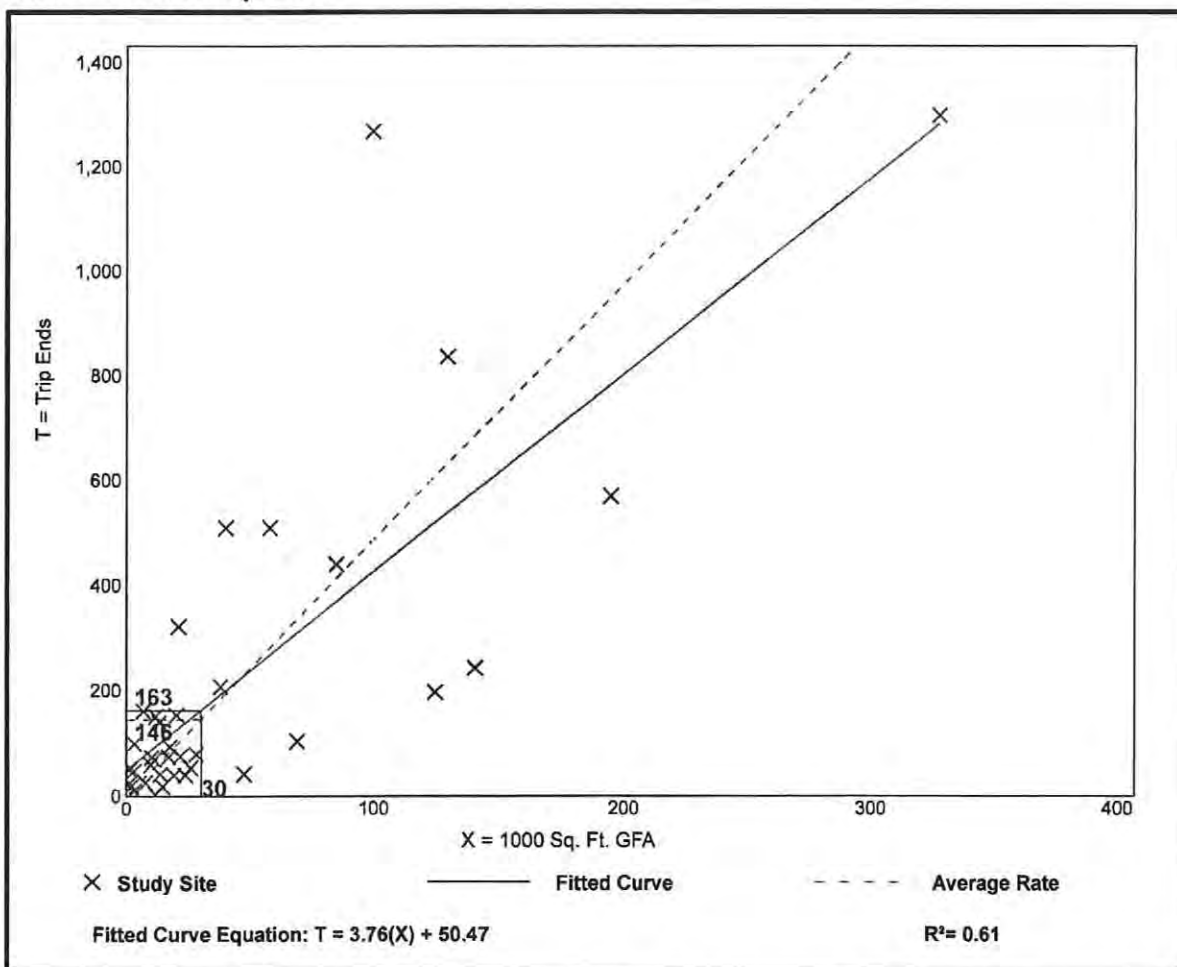
Avg. 1000 Sq. Ft. GFA: 45

Directional Distribution: 50% entering, 50% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
4.87	0.34 - 43.86	4.08

## Data Plot and Equation



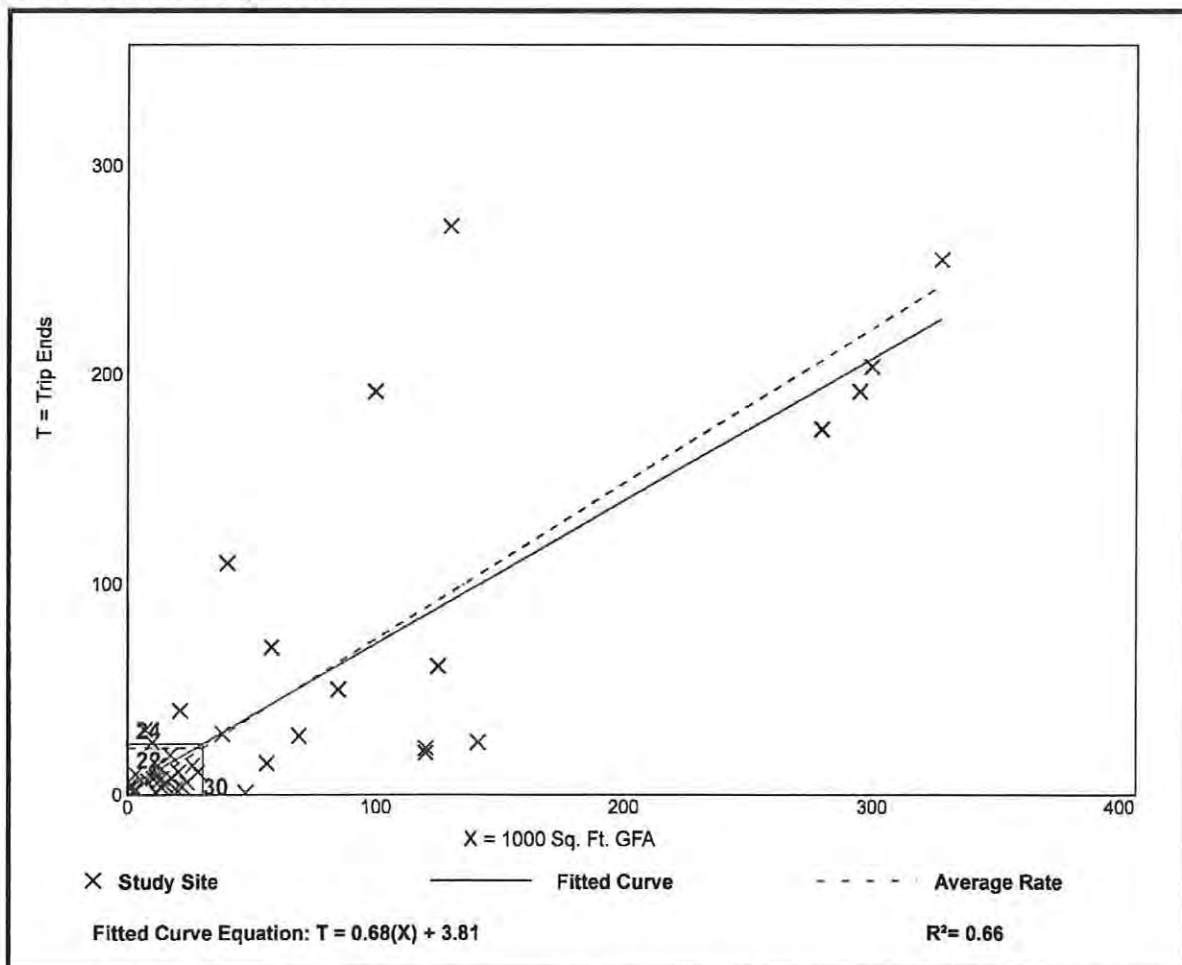
# General Light Industrial (110)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA  
 On a: Weekday,  
 Peak Hour of Adjacent Street Traffic,  
 One Hour Between 7 and 9 a.m.  
 Setting/Location: General Urban/Suburban  
 Number of Studies: 41  
 Avg. 1000 Sq. Ft. GFA: 65  
 Directional Distribution: 88% entering, 12% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.74	0.02 - 4.46	0.61

## Data Plot and Equation



# General Light Industrial (110)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA  
 On a: Weekday,  
 Peak Hour of Adjacent Street Traffic,  
 One Hour Between 4 and 6 p.m.  
 Setting/Location: General Urban/Suburban  
 Number of Studies: 40  
 Avg. 1000 Sq. Ft. GFA: 58  
 Directional Distribution: 14% entering, 86% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.65	0.07 - 7.02	0.56

## Data Plot and Equation

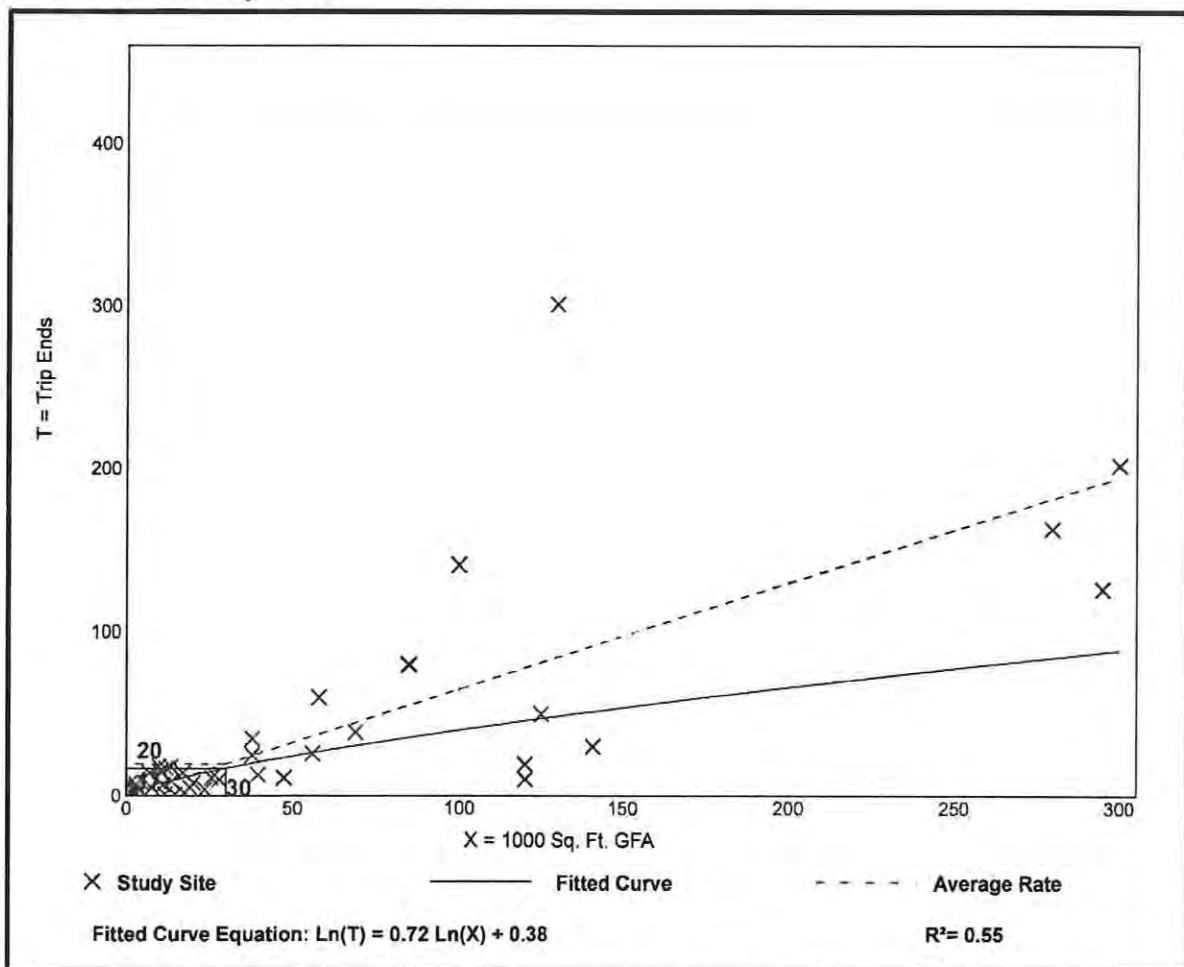




Exhibit 16 Existing and Future Conditions Analysis - Sanitary Sewer, Potable Water,  
Surface Water/Drainage Basins, Parks and Rec, Open Space, Public Schools  
Central Urban Future Land Use  
Application for CPA - Map

Urban Services and Accessibility

The future of this area especially for the parcels along Burnt Store Road will look much different than what we see today with a mixture of commercial centers, apartment complexes and even some recreational activities.

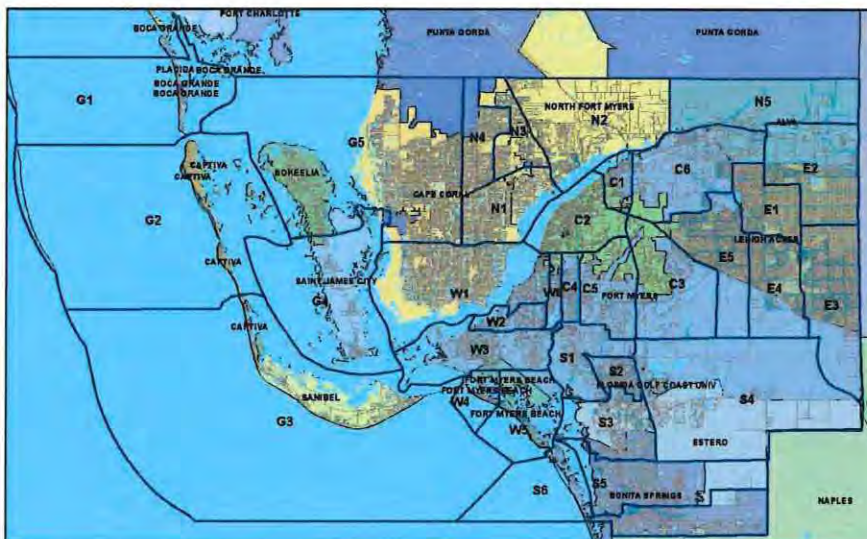
We anticipate that this mixed-use development will be a Mixed-Use Planned Development for a master planned community with well-defined internal roads, connection to utilities, stormwater facilities that will provide for a variety of commercial uses and a multi-family community.

The subject parcels are in an area of the County where the County recognizes that urban services are available to support the future development of these parcels with both commercial and residential uses from Charlotte County, the City of Cape Coral, and Lee County.

Public Safety

The subject parcels are located within 1.6 miles from the City of Cape Coral Fire Station # 7, 3942 Burnt Store Road and located within 1.5 miles from Charlotte County Fire Station #5 under design. The subject parcels are located within the Lee County Sheriff Department Zone G5.

Exhibit 17 Lee County Sheriff's Support Facilities



### Utilities

In January of 2016, Charlotte County and Lee County executed an Interlocal Agreement for Water, Sewer and Reclaimed Water to serve the subject parcels and other Lee County parcels along the eastern side of Burnt Store Road. A copy of the Interlocal Agreement has been provided.

### Schools

The subject property is within the Lee County School District, West Choice Zone, W2. A request for a Letter of Availability to the Lee County School District was submitted. The Lee County School District responded, and a copy has been provided. Unfortunately, within the Letter of Availability the School District calculated the density as single family not multi-family. If required, a new Letter of Availability will be obtained.

### Solid Waste

The property is within the Lee County Solid Waste Franchise Area and is served through Lee County's franchised hauling contractor for area 5, which is Waste Pro. Disposal of waste generated from the subject parcels will be accomplished at the Lee County Resource Recovery Facility and the Lee - Hendry Regional Landfill.

### Lee County Transit

According to the 2020 Transit Development Plan (TDP) the subject parcels are not within one-quarter mile of a fixed-route corridor. The closest bus stop is not within one-quarter mile of a subject parcel and the 2016 TDP does not identify the need for enhanced or additional transit services in this area.

### Planning Community Regulations

Currently there are no specific development regulations for the Burnt Store Planning Community. If regulations for this Planning Community are adopted during the PD review and approval, the project will be developed under the current Land Development Regulations.

Exhibit 17 Letters of Service of Availability  
Central Urban Future Land Use  
Application for CPA -Map

Cape Coral Fire Department

Division of Historical Resources

Lee County EMS

Lee County Sheriff's Office





# CAPE CORAL FIRE DEPARTMENT

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P.O. Box 150027 • Cape Coral, Florida 33915 • (239) 574-0501

October 22, 2021

Linda Miller, Vice President  
Avalon Engineering, Inc.  
2503 Del Prado Boulevard South, Suite 200  
Cape Coral, FL 33904

RE: Letter of Availability Request

Dear Vice President Miller:

This letter shall serve as notice that the Cape Coral Fire Department (CCFD) can provide service to the proposed Mixed-Use Development located southeast of Charlee Road (strap numbers 05-43-23-00-00003.0000 and 05-43-23-00-00003.0020).

The CCFD operates a fire station at 3942 Burnt Store Road, approximately two miles from the project location, and provides service to the surrounding area. This fire station is operated on a full-time basis.

Should you have any further questions, please feel free to contact me.

Sincerely,

Michael T. Russell  
Fire Deputy Chief

MTR:crf



**This record search is for informational purposes only and does NOT constitute a project review. This search only identifies resources recorded at the Florida Master Site File and does NOT provide project approval from the Division of Historical Resources. Contact the Compliance and Review Section of the Division of Historical Resources at 850-245-6333 for project review information.**

September 14, 2021

Linda Miller  
Avalon Engineering, Inc.  
Cape Coral, FL, 33904



In response to your inquiry of September 13, 2021, the Florida Master Site File lists no previously recorded resources in the following parcels in Lee County:

**Parcel Numbers:**

**05-43-23-00-00003.0000 & 05-43-23-00-00003.0020**

When interpreting the results of our search, please consider the following information:

- **This search area may contain *unrecorded* archaeological sites, historical structures or other resources even if previously surveyed for cultural resources.**
- **Because vandalism and looting are common at Florida sites, we ask that you limit the distribution of location information on archaeological sites.**
- **While many of our records document historically significant resources, the documentation of a resource at the Florida Master Site File does not necessarily mean the resource is historically significant.**
- **Federal, state and local laws require formal environmental review for most projects. This search DOES NOT constitute such a review. If your project falls under these laws, you should contact the Compliance and Review Section of the Division of Historical Resources at 850-245-6333.**

Please do not hesitate to contact us if you have any questions regarding the results of this search.

Sincerely,

Christopher Fowler  
Assistant Supervisor  
Florida Master Site File  
[Christopher.Fowler@dos.myflorida.com](mailto:Christopher.Fowler@dos.myflorida.com)





Legend

- Buffer\_of\_Default\_Annotation\_target\_130
- FloridaStructures
- FloridaSites
- HistoricalBridges
- HistoricalCemeteries
- ResourceGroups







Board of County Commissioners

Kevin Ruane  
District One

Cecil L. Pendergrass  
District Two

Ray Sandelli  
District Three

Brian Hamman  
District Four

Frank Mann  
District Five

Roger Desjarlais  
County Manager

Richard Wm. Wesch  
County Attorney

Donna Marie Collins  
County Hearing  
Examiner

September 21, 2021

Linda Miller  
Avalon Engineering, Inc.  
2503 Del Prado Blvd. South, Suite 200  
Cape Coral, FL 33904

Re: Letter of Service Availability – Burnt Store Mixed Use

Ms. Miller,

I am in receipt of your letter requesting a Letter of Service Availability for the commercial development located along Burnt Store Road, southeast of Charlee Road. This property is identified as STRAP 05-43-23-00-00003.0000 and 05-43-23-00-00003.0020.

Lee County Emergency Medical Services is the primary EMS transport agency responsible for coverage at the address you have provided. Because we currently serve this area and have a sufficient response data sample, we evaluated response times in this vicinity to simulate the anticipated demand and response.

The primary ambulance for this location is Medic 41, located 6.8 miles south; there is one additional EMS stations within 8 miles of the proposed location. These locations are projected to be able to meet existing service standards, as required in County Ordinance 08-16, and no additional impacts are anticipated at this time.

It is our opinion that the service availability for the proposed development of this property is adequate at this time. Should the plans change, especially the density, a new analysis of this impact would be required.

Sincerely,

A handwritten signature in blue ink, appearing to read "Benjamin Abes", with a stylized flourish at the end.

Benjamin Abes  
Director, Public Safety

***Carmine Marceno***  
**Sheriff**



***"Proud to Serve"***

**State of Florida**  
**County of Lee**

October 6, 2021

Linda Miller  
Avalon Engineering, Inc.  
2503 Del Prado Blvd. South, Suite 200  
Cape Coral, FL 33904

Ms. Miller,

The Lee County Sheriff's Office has reviewed your Letter of Adequacy and Support request for two parcels on Burnt Store Road located southeast of Charlee Road (STRAP numbers 05-43-23-00-00003.0000 and 05-43-23-00-00003.0020).

A Comprehensive Plan Amendment to change the Future Land Use of 33.48 acres from Open Lands to Central Urban and 2.01 acres from Open Lands to Wetland will not impact the ability of the Lee County Sheriff's Office to provide core levels of service at this time. We have no objection to a proposed mixed-use development that would include up to 532 multi-family units and up to 310,000 square feet of commercial.

Law enforcement services will be provided from our Gulf District in Pineland. As this development builds out, we will factor its impact into our annual manpower review and make adjustments accordingly. At the time of application for a Development Order or building permit, we request that the applicant provide a Crime Prevention Through Environmental Design (CPTED) report done by the applicant and given to the Lee County Sheriff's Office for review and comment.

Please contact Crime Prevention Practitioner Beth Schell at (239) 477-1677 with any questions regarding the CPTED study.

Respectfully,

A handwritten signature in blue ink, appearing to read "Mark Shelly", with a date "10/06/21" written below it.

Mark Shelly  
Commander, Patrol Bureau



***"The Lee County Sheriff's Office is an Equal Opportunity Employer"***  
**14750 Six Mile Cypress Parkway • Fort Myers, Florida 33912-4406 • (239) 477-1000**

M18 State and Regional Policy Plans  
Central Urban Future Land Use  
Application for CPA

The following goals and strategies from the Southwest Florida Strategic Regional Policy Plan are relevant to the amendment:

Affordable Housing Element:

Strategy: Develop livable, integrated communities that offer residents a high quality of life.

Actions:

1. Encourage programs that promote infill development in urban areas to maximize the efficient use of existing infrastructure.

***The project site will be able to connect to utilities, and currently has access to public services.***

2. Work with local governments to promote structures and developments that combine commercial and residential uses as a means of providing housing that is affordable and near employment opportunities.

***The Central Urban District promotes the development of a mixed-use project.***

4. Encourage new housing to be built in higher areas to reduce the need for costly flood insurance.

***The project site is not within a Flood Zone.***

Economic Development Element:

Strategy: Maintain the physical infrastructure to meet growth demands.

Actions: 1. Review plan amendments, development proposals, and clearinghouse items for public facility deficits and encourage mitigation of those deficits.

***The project site has public services available.***

Strategy: Increase the retention and expansion of local business and industry and encourage local entrepreneurial development.

***The Central Urban District promotes new commercial development.***

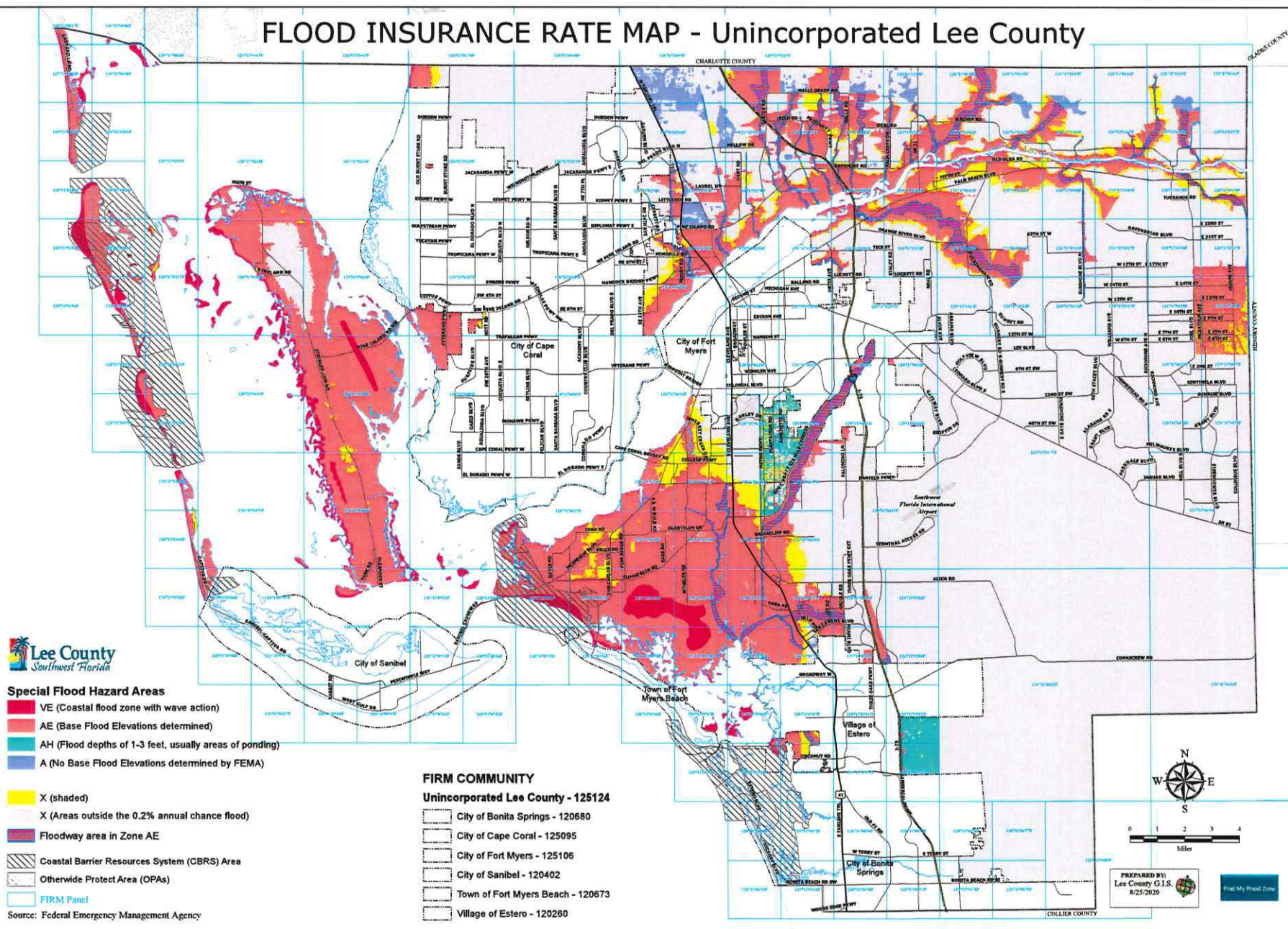
Natural Resources Element

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

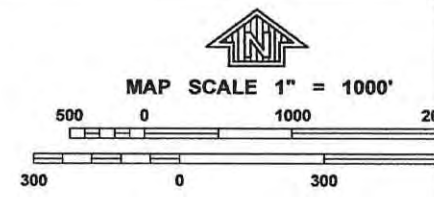
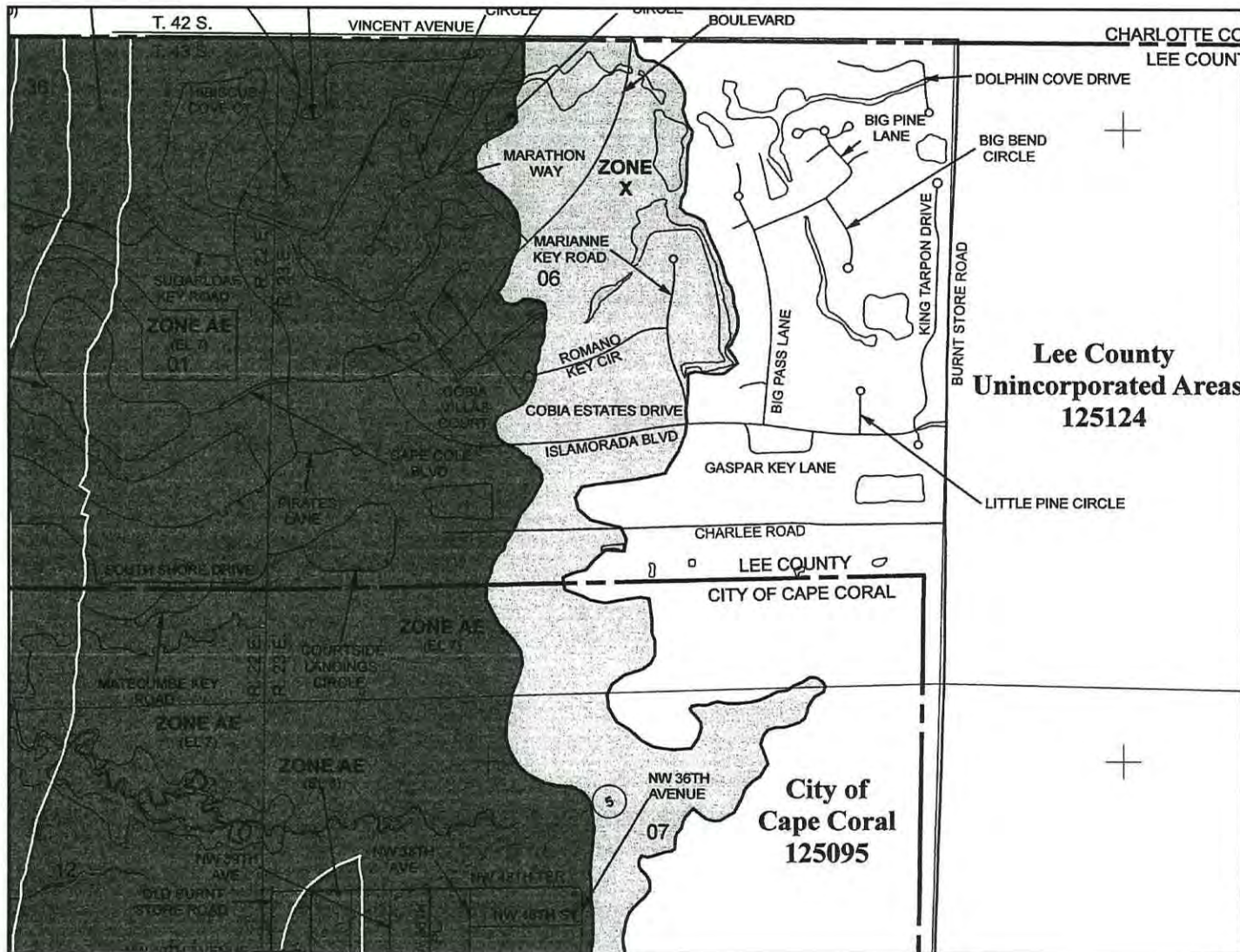
***The project will preserve and enhance the wetland area within the site.***



# FLOOD INSURANCE RATE MAP - Unincorporated Lee County







NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0070F

**FIRM**

FLOOD INSURANCE RATE MAP

LEE COUNTY,  
FLORIDA  
AND INCORPORATED AREAS

PANEL 70 OF 685

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
CAPE CORAL, CITY OF	125095	0070	F
LEE COUNTY	125124	0070	F

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

**MAP NUMBER**  
12071C0070F

**EFFECTIVE DATE**  
AUGUST 28, 2008

Federal Emergency Management Agency

This is an official FIRMette showing a portion of the above-referenced flood map created from the MSC FIRMette Web tool. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For additional information about how to make sure the map is current, please see the Flood Hazard Mapping Updates Overview Fact Sheet available on the FEMA Flood Map Service Center home page at <https://msc.fema.gov>.

# NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources or small size. The community map repository should be consulted for possible additional or additional flood hazard information.

To obtain more detailed information in areas where Base Flood Elevations (BFEs) and/or floodways have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations data contained within the Flood Insurance Study (FIS) report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Coastal Base Flood Elevations shown on this map apply only to landward of 0.1 North American Vertical Datum of 1988 (NAVD 88). Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations table in the Flood Insurance Study report for this jurisdiction. Elevations shown in the Summary of Stillwater Elevations table should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the floodways were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by flood control structures. Refer to Section 2.4 Flood Protection Measures of the Flood Insurance Study report for information on flood control structures for this jurisdiction.

The projections used in the preparation of this map were Florida State Plane west zone (FIPS ZONE 1602). The horizontal datum was NAD 83. GRASS extended differences in datum, spherical projection or State Plane zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same vertical datum. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at <http://www.ngs.noaa.gov> or contact the National Geodetic Survey at the following address:

NGS Information Services  
NGA, NGS-12  
National Geodetic Survey  
3500-3, #202  
1215 East-West Highway  
Silver Spring, Maryland 20910-3282  
(201) 715-3242

To obtain current elevation, description, and/or location information for bench marks shown on this map, please contact the Information Services Branch of the National Geodetic Survey at (201) 715-3242, or visit its website at <http://www.ngs.noaa.gov>.

Base map information shown on this FIRM was provided in digital format by the Lee County GIS Department. The map contains information was constructed based on orthorectified photography at a scale of 1"=100' from aerial imagery flown in 1968 and updated using orthorectified photography dated 2002 and 2008. The surface water features were also constructed based on orthorectified photography produced at a scale of 1"=100' from aerial imagery flown in 1998.

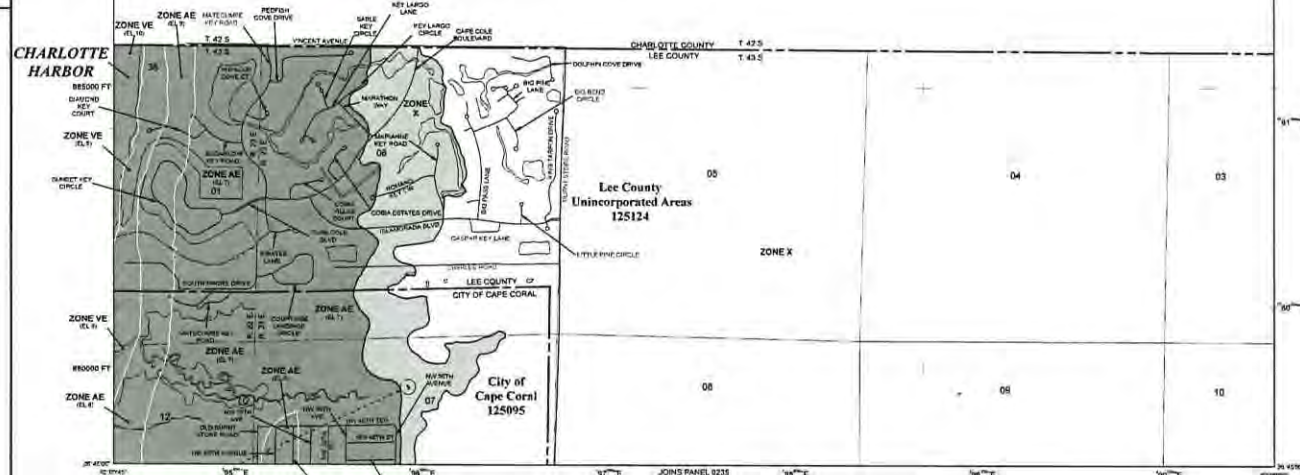
This map reflects more detailed and up-to-date stream channel configurations than those shown on the previous FIRM for this jurisdiction. The floodplains and floodways that were transferred from the previous FIRM have been adjusted to conform to these new stream channel configurations. As a result, the Flood Profile, and Floodway Data tables in the Flood Insurance Study Report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on this map.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to incorporations or de-incorporations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed Map Index for an overview map of the county showing the layout of map panels, community map repository addresses, and a listing of Communities with continuing National Flood Insurance Program status for each community as well as a listing of the panels on which each community is located.

Contact the FEMA Map Service Center at 1-800-358-9618 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a Flood Insurance Study report, and/or digital versions of the map. The FEMA Map Service Center may also be reached by Fax at 1-800-358-9620 and its website at <http://www.fema.gov>.

If you have questions about this map or questions concerning the National Flood Insurance Program in general, please call 1-877-FEMA-MAP (1-877-358-3227) or visit the FEMA website at <http://www.fema.gov>.



## LEGEND

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

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

- Zone A:** No River Flood Insurance Incentives.
- Zone AE:** Base Flood Elevation determined.
- Zone AF:** Flood depths of 1 to 3 feet (usually areas of ponding). Base Flood Elevation determined.
- Zone AO:** Flood depths of 1 to 3 feet (usually areas of ponding). Base Flood Elevation determined. For areas of shallow flat flooding, water surface elevation determined.
- Zone AH:** Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently determined. Zone of protection from the 1% annual chance flood is being restored by future protection from the 1% annual chance flood.
- Zone AV:** Areas to be protected from 1% annual chance flood by a Federal flood protection system (under construction) or State Flood Elevation determined.
- Zone VE:** Coastal Flood Zone with velocity hazard (wave action). No Base Flood Elevation determined.
- Zone X:** Coastal Flood Zone with velocity hazard (wave action). Base Flood Elevation determined.

### FLOODWAY AREAS IN ZONE AE

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

### OTHER FLOOD AREAS

**Zone I:** Areas of 1% annual chance flood area of 1% annual chance flood with a water surface elevation of less than 1 foot with flood depths greater than 1 square foot and areas protected by levees from 1% annual chance flood.

### OTHER AREAS

**Zone D:** Areas determined to be in Zone D, 0.2% annual chance floodplain.

**Zone O:** Areas of other flood hazards, are undetermined, but possible.

### COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

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

**Property boundary:** Property boundary.

**Zone boundary:** Zone boundary.

**CBRS and OFA boundary:** CBRS and OFA boundary.

**Boundary showing Special Flood Hazard Area and flood depths:** Boundary showing Special Flood Hazard Area and flood depths.

**Base Flood Elevation and water elevation in feet:** Base Flood Elevation and water elevation in feet.

**Base Flood Elevation table or form within agency jurisdiction:** Base Flood Elevation table or form within agency jurisdiction.

**Reference to the North American Vertical Datum of 1988:** Reference to the North American Vertical Datum of 1988.

**Cross section line:** Cross section line.

**Proposed by:** Proposed by.

**Longitudes, coordinates, referenced to the North American Datum of 1983 (NAD 83):** Longitudes, coordinates, referenced to the North American Datum of 1983 (NAD 83).

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**CHARLOTTE  
HARBOR**

885000 FT 36

**ZONE VE  
(EL 10)**

**REVISED  
AREA**

JOINS PANEL 0065

**ZONE VE  
(EL 9)**

880000 FT 12

**ZONE AE  
(EL 8)**

CHARLOTTE COUNTY

VINCENT AVENUE

LEE COUNTY

REDFISH COVE DRIVE

HIBISCUS COVE CT

SABLE KEY CIR

KEY LARGO LANE

DIAMOND KEY COURT

SUGARLOAF KEY ROAD

**ZONE AE  
(EL 7)**

Lee County  
Unincorporated Areas  
125124

SUNSET

KEY

CIRCLE

CAPE COLE BLVD

COBIA VILLAS CT

ISLAMORADA BLVD

PIRATES LANE

COURTSIDE LANDINGS CIR

SOUTH SHORE DR




LEE COUNTY  
CITY OF CAPE CORAL

MATECUMBE KEY RD

**ZONE AE  
(EL 7)**

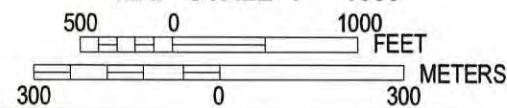
**City of Cape  
Coral  
125095**

Legend

-  1% annual chance (100-Year) Floodplain
-  1% annual chance (100-Year) Floodway
-  0.2% annual chance (500-Year) Floodplain



MAP SCALE 1" = 1000'



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0070F

**FIRM  
FLOOD INSURANCE RATE MAP**

**LEE COUNTY,  
FLORIDA  
AND INCORPORATED AREAS**

**PANEL 70 OF 685**

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)  
CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
LEE COUNTY	125124	0070	F
CAPE CORAL, CITY OF	125095	0070	F

**REVISED TO  
REFLECT LOMR  
EFFECTIVE: March 19, 2009**

per 09-04-1718P

Notice to User: The Map Number shown below should be used when placing map orders; the Community Numbers shown above should be used on insurance applications for the subject community.



**MAP NUMBER  
12071C0070F  
EFFECTIVE DATE  
AUGUST 28, 2008**

Federal Emergency Management Agency



# Lee County

Southwest Florida

## Board of County Commissioners

Kevin Ruane  
District One

Cecil L. Pendergrass  
District Two

Ray Sandelli  
District Three

Brian Hamman  
District Four

Mike Greenwell  
District Five

Roger Desjarlais  
County Manager

Richard Wm. Wesch  
County Attorney

Donna Marie Collins  
County Hearing  
Examiner

August 29, 2022

Linda Miller, AICP  
Avalon Engineering  
2503 Del Prado Blvd. South, Suite 200  
Cape Coral, FL 33914  
Via E-mail Only: [linda@avaloneng.com](mailto:linda@avaloneng.com)

### RE: CPA2021-00009 Burnt Store Mixed-Use Development

Dear Ms. Miller:

Staff has reviewed the application submittal for the text amendment CPA2021-00009, stamped received on July 26<sup>th</sup>, 2022, and finds the application to be sufficient.

Staff's substantive comments, along with the staff report, are being prepared.

You will be notified once the Local Planning Agency date has been determined.

The applicant will need to submit 15 copies of the complete and sufficient application materials for use at the LPA and BoCC hearings. These must be provided at least 14 days prior to the LPA meeting.

Sincerely,

Lee County Department of Community Development

Joseph Sarracino, Planner, Planning Section

CC: Mikki Rozdolski, Manager, DCD Planning Section



## INSTRUCTIONS

(Section D.2.b, Lee County Administrative Code AC 13-6)

Planning Section notification signs must be posted on a parcel(s) subject to any privately requested amendment to the Future Land Use Map for a minimum of 15 calendar days in advance of the Local Planning Agency's Hearing and maintained through the Board of County Commissioner Hearing, if any. This sign will be provided by the Planning Division in the following manner:

- Signs for case number CPA2021-00009 (Burnt Store Road Mixed-Use Development) must be posted by **Friday, January 6, 2023**.
- The signs must be placed in full view of the public, not more than five feet from the nearest street right-of-way or easement.
- The signs must be securely affixed by nails, staples or other means to a wood frame or to a wood panel and then fastened securely to a post, or other structure. The signs may not be affixed to a tree or other foliage.
- The applicant must make a good faith effort to maintain the signs in place, and in a readable condition until the requested action has been heard and a final decision rendered. If the signs are destroyed, lost, or rendered unreadable, the applicant must report the condition to the Planning Division, and obtain duplicate copies of the signs from the Planning Division.

The Division may require the applicant to erect additional signs where large parcels are involved with street frontages extending over considerable distances.

When a parcel abuts more than one street, the applicant must post signs along each street.

When a subject parcel does not front a public road, the applicant must post the sign at a point on a public road which leads to the property and the sign must include a notation which generally indicates the distance and direction to the parcel boundaries and the dimensions of the parcel.

**NOTE; AFTER THE SIGN HAS BEEN POSTED, THE AFFIDAVIT OF POSTING NOTICE, BELOW, SHOULD BE RETURNED NO LATER THAN THREE WORKING DAYS BEFORE THE HEARING DATE TO LEE COUNTY PLANNING DIVISION, 1500 Monroe Street, Fort Myers, FL 33901.**

(Return the completed Affidavit below to the Planning Division as indicated in previous paragraph)

### AFFIDAVIT OF POSTING NOTICE

STATE OF FLORIDA

COUNTY OF LEE

BEFORE THE UNDERSIGNED AUTHORITY PERSONALLY APPEARED Linda Miller WHO ON OATH SAYS THAT HE/SHE HAS POSTED PROPER NOTICE, AS REQUIRED BY ADMINISTRATIVE CODE 13-6, ON THE PARCEL COVERED IN THE COMPREHENSIVE PLAN AMENDMENT (CPA) APPLICATION REFERENCED ABOVE:

Linda Lee Miller  
Signature of Applicant or Agent

Linda Lee Miller for Austin Eng  
Name (Typed or Printed)

2503 Del Prado Blvd Suite 200  
Street or P. O. Box

Cape Coral, FL 33914  
City, State & Zip

STATE OF FLORIDA

COUNTY OF LEE

The foregoing instrument was sworn to and subscribed before me this 23<sup>RD</sup> day of December, 2022, by Linda Miller as personally known to me or who produced \_\_\_\_\_ identification and who did/did not take an oath.

Michelle L. Moore  
Signature of Notary Public

Michelle L. Moore  
Printed Name of Notary Public

My Commission Expires:  
(Stamp with serial number)

