

LEE COUNTY, FLORIDA
DEPARTMENT OF COMMUNITY DEVELOPMENT
ZONING SECTION
STAFF REPORT

TYPE OF CASE: PLANNED DEVELOPMENT/DCI
CASE NUMBER: DCI2022-00048
HEARING EXAMINER DATE: March 30, 2023
SUFFICIENCY DATE: January 25, 2023

Applicant: Keene Development LLC in reference to Bayshore Pines RPD.

Request: Request to rezone 9.13± acres from Commercial (C-1) and Residential Single-Family (RS-1) to Residential Planned Development (RPD) to allow for up to 180 multi-family dwelling units, including 89 bonus density units.

Location: The subject property is located at 5361 Bayshore Road, North Fort Myers Planning Community, Lee County, FL (District #4). The applicant indicates the STRAP number is: 36-43-24-00-00024.0000.

Summary

Staff recommends APPROVAL of the applicant's request to rezone the subject property from Residential (RS-1) and Commercial (C-1) to Residential Planned Development (RPD) with the conditions and deviations found in Attachment C.

The conditions have been prepared to address the proposed development and consistency with the Lee County Comprehensive Plan (Lee Plan), compatibility with surrounding land uses, and addressing future infrastructure needed to support the development.

The applicant's request included five (5) deviations from the requirements of the Land Development Code. Staff is recommending approval of four deviations with conditions. One deviation has been withdrawn.

Character of the Area

The area is mostly developed with residential uses. There are a few commercial developments in the area, but the area mostly consists of residential subdivisions.

To the north and east, there is a large mobile home subdivision known as Carriage Village, zoned Mobile Home (MH-1).

To the east there is a single family subdivision also known as Bayshore Pines, zoned Residential Single Family (RS-1).

To the south, across Bayshore Road, there is a row of commercial lots, zoned Commercial (C-1A), some of which are developed with small commercial uses. Behind those commercial lots, there is a single family subdivision known as Bayshore Manor, zoned RS-1.

Analysis

The subject site, which consists of 9.13± acres, is currently vacant and is mostly zoned Residential Single Family (RS-1) with a small portion of it zoned Commercial (C-1). The request is to rezone

the property to Residential Planned Development (RPD) to allow for the development of the site with up to 180 residential multiple-family dwelling units, which will include 91 regular units and up to 89 bonus density units.

Lee County Land Development Code Section 2-147(4) states: If an application for a planned development or conventional rezoning proposes to use bonus density to increase densities above the Lee Plan standard density range, the application for the rezoning must specifically request the use of bonus density. The project must comply with the criteria set forth in section 34-145(d)(4). The rezoning may be approved with or without the bonus density at the discretion of the Board of County Commissioners. The Board's action taken on the bonus density request will be noted in the final zoning resolution.

Furthermore, the following criteria listed in Land Development Code Section 2-146(b) must be met before a Bonus Density request can be approved:

- (1) The additional traffic will not be required to travel through areas with significantly lower densities before reaching the nearest collector or arterial road.
- (2) Existing and committed public facilities are not so overwhelmed that a density increase would be contrary to the overall public interest.
- (3) Storm shelters or other appropriate mitigation is provided if the development is located within the coastal high hazard area as defined in section 2-483.
- (4) The resulting development will be compatible with existing and planned surrounding land uses.

The area is developed with mostly one story single family dwellings and mobile home units with a maximum allowable building height of 35 feet. This project is requesting a 60-foot building height. In order to make these tall buildings compatible with their surroundings, the applicant has stated that they will build the buildings in the center of the site with large buffers and setbacks all around them. Staff has adjusted the proposed development regulations to comply with the applicant statement and the proposed Master Concept Plan.

As required by Land Development Code Section 33-1532, the applicant held an advertised public informational meeting in North Fort Myers on December 19, 2022. A synopsis of that meeting is attached hereto as Attachment "I".

Environmental

Environmental staff reviewed this request and recommended approval subject to conditions (Attachment E).

Transportation

Infrastructure Planning staff has reviewed this project and has recommended approval (Attachment F).

It is anticipated that this project, when completed by 2025, will generate 812 daily trips. The roadway level of service analysis indicates Bayshore, east of Business 41 and east of Site Access will operate at a Level of Service standard (LOS "D") with or without the project.

Lee Plan

The subject property is located in the Central Urban Future Land Use category.

This development proposes 180 dwelling units on 9.13± acres. The proposed density of this project will be about 19.8 dwelling units per acre, which is consistent with the maximum allowed density of 20 dwelling units per acre in the Urban Community category with the Transfer of Development Units from Greater Pine Island. A lower density of 15 dwelling units per acre may be achieved through affordable housing. Therefore, this request is consistent with Policy 1.1.3 of the Lee Plan.

The proposed development promotes contiguous and compact growth patterns, limits urban sprawl and minimizes the costs of services. Adequate public services exist to serve the property. Sewer and water are available to the site. The property has direct frontage on Baysgore Road. Therefore, the request is consistent with Objectives 2.1 and 2.2 and Policies 2.1.1 and 2.2.1 of the Lee Plan.

Water service from the Lee County Utilities and sewer service from the Florida Governmental Utility Authority (FGUA) are available to the site and the site will be connected to those services. Staff finds the request consistent with Standards 4.1.1 and 4.1.2 of the Lee Plan (Attachment H).

This development will provide a multiple family housing option in the area. This development will provide safe and attractive and affordable housing options. Staff finds the request consistent with Objective 30.1 of the Lee Plan.

This development will be designed to pretreat the run-off water before it is discharged off-site. This will ensure that the water quality is maintained or improved for the protection of the environment. Therefore, the request is consistent with Goal 125 of the Lee Plan.

Urban Services

Urban services are defined by the Lee Plan as the requisite services, facilities, capital improvements, and infrastructure necessary to support growth and development at levels of urban density and intensity.

Public sewer and water: Municipal potable water and sanitary sewer service is available to the site from Lee County Utilities and Florida Governmental Utility Authority (FGUA), with adequate capacity to serve this development. Development must connect to public water and sewer services when development activity triggers the connection requirements of the LDC.

Paved streets and roads: The subject property fronts on Bayshore Road, providing adequate access to the site.

Public transit: Bus Route 690 has a stop in front of the subject site. This line has stops in Merchant's Crossing, and by the North Fort Myers Library (Attachment "J").

Parks and recreation facilities/community facilities: North Fort Myers Park located at 2000-2051 North Recreation Parkway and North Fort Myers Library located at 2001 North Tamiami Trail are less than 1.5 miles from this site.

Urban levels of police, fire, and emergency services: The subject property will be provided urban levels of police, fire and emergency services. Fire protection is provided by North Fort Myers Fire

Control District, located at 16290 Slater Road approximately 2 miles from this site. Ambulance services are co-located with the fire station.

Urban surface water management: Any future development will be required to comply with the LDC, including provisions for surface water management.

Schools: The subject property is located within the Lee County School District east Choice Zone. Based on the information provided by the School District, there is adequate capacity in elementary, middle and high schools in the area for the anticipated 21 school-aged children who will reside within this development (Attachment "K").

Employment and commercial centers: The subject property is in close proximity of existing commercial uses on Bayshore Road, North Tamiami Trail and North Cleveland Avenue, providing employment and shopping opportunities in the area.

Planning Community Map and Allocation Table

POLICY 1.6.5: The Planning Communities Map and Acreage Allocation Table (see Map 1-B and Table 1(b)) depict the proposed distribution, extent, and location of generalized land uses for the year 2045.

The subject property is located in the North Fort Myers Planning Community. The Planning Community Year 2045 Allocations indicate that 10,035 acres are allocated to residential uses in the North Fort Myers Planning Community. From that number, 2,225 acres of residential acreage is still available. Staff finds the request CONSISTENT with the allocations for the North Fort Myers Planning Community.

Deviations:

The applicant is requesting the following four (4) deviations:

Deviation 1: A deviation from Lee County Land Development Code (LDC) Section 10-291(3), which requires developments of more than 5 acres in size to provide two means of access to allow a single ingress and egress point. This project has a small frontage on Bayshore Road, which is a State Road. Two ingress and egress points for this development will not meet the minimum FDOT connection spacing requirement.

Deviation 2: A deviation from Lee County Land Development Code (LDC) Section 10-416(d)(6), which requires a 30-foot-wide type F buffer or an 8-foot-high wall or wall and berm combination no less than 25 feet from the abutting property when pavement for a multi-family residential development is closer than 125 feet to single family homes, to allow an 8-foot wall along the driveway as it enters the site to be at a minimum setback distance ranging between 5 and 10 feet for a linear distance of 50 feet along the property line in the area depicted on the Master Concept Plan. This deviation is necessary due to FDOT access requirements and the need to align driveways.

Deviation 3: A deviation from Lee County Land Development Code (LDC) Section 10-329(d)(1)a.3, which requires a minimum setback for excavations of 50 feet from the property line, to allow for a minimum setback of 30 feet from side and rear property lines. This deviation will allow to preserve as much of the native vegetation as possible.

Deviation 4: withdrawn by the applicant.

Deviation 5: A deviation from Lee County Land Development Code (LDC) Section 10-415(b) which requires large developments to provide 50 percent of their required open space through the onsite preservation of existing indigenous vegetation community (which equals 20 percent of the site) to allow for a minimum of 19 percent of indigenous preservation. This deviation will allow the buildings to be as close to the center of the project as possible.

Findings and Conclusions

Based upon an analysis of the application and the standards for approval of planned development rezonings, as required by Land Development Code Section 34-145(d)(4)a.1, staff offers the following findings and conclusions:

The request, as conditioned:

- Complies with Lee Plan as discussed in the Lee Plan analysis section of this report, specifically Lee Plan Policies 1.1.3, 2.1.1, 2.2.1; Objectives 2.1, 2.2, and 30.1 Standards 4.1.1 and 4.1.2; Goal 125.
- Meets the Land Development Code and other applicable County regulations or qualifies for deviations;
- Is compatible with existing and planned uses in the surrounding area;
- Will provide access sufficient to support the proposed development intensity and the expected impacts on existing or planned transportation facilities will be mitigated through existing County regulations or conditions of approval;
- Will not adversely affect environmentally critical or sensitive areas and natural resources;
- Will be served by urban services, as defined in the Lee Plan; and
- The proposed mix of uses is appropriate at the proposed location;
- The recommended conditions provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development; and
- The deviations recommended for approval, as conditioned: pursuant to section 34-373(a)(9):
 - Enhance the achievement of the objectives of the planned development; and
 - Preserve and promote the general intent of this Code to protect the public health, safety and welfare.

Conclusion

Lee County staff has reviewed the proposed rezoning request and recommends approval of the RPD zoning with conditions. The uses and density proposed by this request are consistent with the Lee Plan and compatible with surrounding existing land uses.

ATTACHMENTS:

- A. Expert Witness Information
- B. Maps: Surrounding Zoning, Future Land Use and Aerial Photograph
- C. Recommended Conditions and Deviations
- D. Master Concept Plan
- E. Memorandum from Lee County Section of Zoning, Environmental Review
- F. Memorandum from Lee County Section of Infrastructure Planning
- G. Memorandum from Lee County Section of Development Services
- H. Letter of Availability for Water and Sewer
- I. Public Informational Meeting Summary
- J. LeeTran Bus Route Map
- K. Memorandum from the Lee County School District
- L. Letters of no objection from Lee County Emergency Management, Sheriff's Office and North Fort Myers Fire District
- M. Application and Narrative
- N. TIS
- O. Legal Description

cc: Applicant
County Attorney
Zoning File

LEE COUNTY STAFF EXPERT WITNESS INFORMATION

PROVIDED PURSUANT TO AC-2-6, SECTION 2.2.b(5)(f)3.

Case Number: DCI202-00048

Project Name: Bayshore Pines RPD

Hearing Examiner Date: March 30, 2023

CHAHRAM BADAMTCHIAN, AICP, Planner, Senior, Zoning Section, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee County Land Development Code, Lee Plan, zoning, and land use planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the applicant as part of the subject application.

CAMRYN SIVERSON, Environmental Planner, Zoning Section, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee County Land Development Code, Lee Plan, and environmental planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the applicant as part of the subject application.

MARCUS EVANS P.E., Engineer, Senior, Development Services Section, 1500 Monroe Street, Fort Myers, FL. 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in Traffic Engineering and Transportation Planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the applicant as part of the subject application.

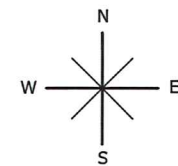
BRANDON DUNN, Planner, Principal, Planning Section, 1500 Monroe Street, Fort Myers, FL.
33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee County Land Development Code, Lee Plan and comprehensive planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the applicant as part of the subject application.

DCI2022-00048

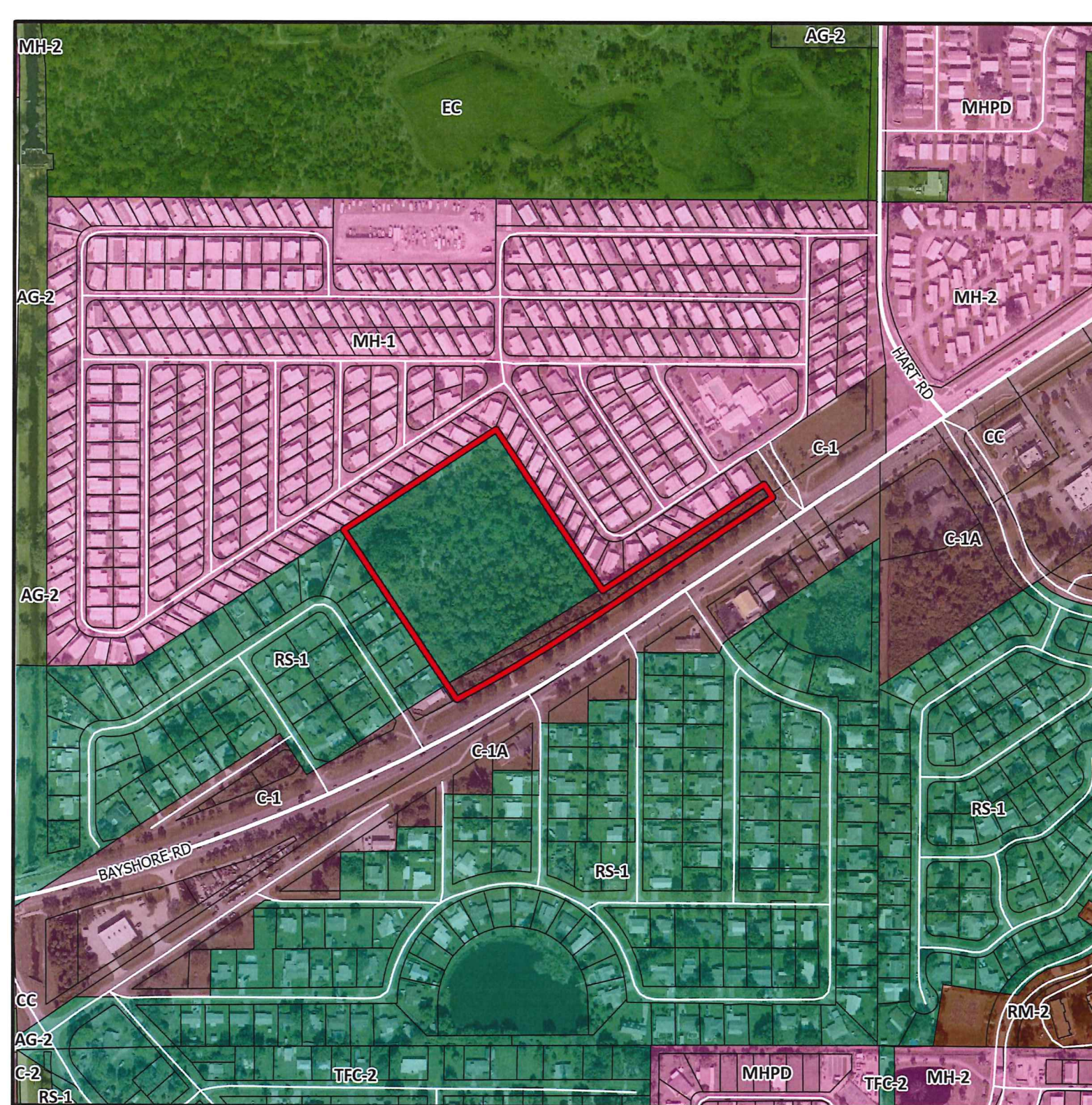
Zoning

 Subject Property



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Feet

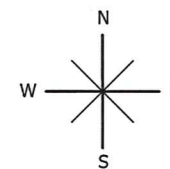
ATTACHMENT B



DCI2022-00048

Aerial

 Subject Property



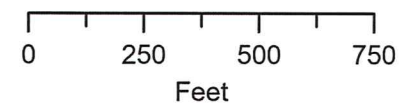
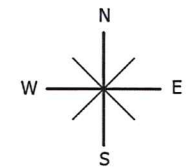
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Feet



DCI2022-00048

Future Land Use

-  Subject Property
-  Central Urban
-  Public Facilities
-  Conservation Lands - Upland



ATTACHMENT C

DCI2022-00048, Bayshore Pines RPD **Conditions and Deviations**

A. Conditions

1. MASTER CONCEPT PLAN/DEVELOPMENT PARAMETERS

The development of this project must be consistent with the one-page Master Concept Plan entitled “Bayshore Pines RPD” last revised on January 24, 2023, except as modified by the conditions below. This development must comply with all requirements of the Lee County Land Development Code (LDC) at time of local Development Order approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

This planned development will allow a maximum of 180 multiple family dwelling units, including 89 bonus density units.

2. USES AND SITE DEVELOPMENT REGULATIONS

a. Schedule of Uses

Residential Tracts

Accessory Uses and Structures

Administrative offices

Club:

Private

Dwelling Units:

Multiple-Family

Entrance Gates and Gatehouse

Essential Services

Essential Service Facilities, Group I

Excavation, Water Retention

Fences and Walls

Models:

~~Display Center~~

Model Units

Parking Lot, Accessory

Real Estate Sales Office

Recreational Facilities

Personal

Private-On-Site

Residential Accessory Uses

Signs

Temporary Uses, limited to construction trailers at the time of
Development, Real Estate Sales Office and Temporary Amenity
Structures/Equipment

b. Site Development Regulations

Minimum Lot Area and Dimensions:

Area:	10,000 square feet	<u>9 Acres</u>
Width:	100 feet	<u>560 feet</u>
Depth:	100 feet	<u>600 feet</u>

Minimum Building Setbacks:

Development Perimeter:	20 feet	<u>40 feet</u>
Street:	20 feet	<u>40 feet</u>
Side:	20 feet	<u>40 feet</u>
Rear:	20 feet	<u>40 feet</u>
Waterbody	20 feet	<u>25 feet</u>

Accessory Structure:

Rear:	5 feet	<u>30 feet</u>
Side:	5 feet	<u>30 feet</u>

Maximum Lot Coverage:	40%	
Maximum Building Height:	60 feet	
Minimum Building Separation:	20 feet	<u>30 feet</u>

3. Model units and real estate sales:

- a. The number of model units will be limited to no more than nine within the development at any point in time.
- b. Any model homes or units or real estate sales must be identified on the development order plans.
- c. Real estate sales will be limited to the sale of lots or units within the Bayshore Pines RPD only.
- d. Models cannot be of the same floor plan and each must be a separate different design.

4. CPTED:

Prior to development order approval the applicant must demonstrate that a Crime Prevention Through Environmental Design (CPTED) report has been submitted to the Lee County Sheriff's Office.

5. **Environmental Conditions:**

- a) Prior to the issuance of the first development order, the development order plans must depict 45% or 4.09 acres of open space.
- b) Prior to the issuance of the first development order, the development order plans must depict a total of 1.76 acres of indigenous open space in substantial compliance with the Master Concept Plan dated January 24, 2023 per the following breakdown:

Indigenous Credit Chart				
Preserve Area	Indigenous Ac.	Width of Area	Credit %	Indigenous with credits
<i>Preserve 1</i>	<i>0.108</i>	<i>20-foot</i>	<i>0%</i>	<i>0.108</i>
<i>Preserve 2</i>	<i>0.691</i>	<i>50-foot</i>	<i>110%</i>	<i>0.76</i>
<i>Preserve 3</i>	<i>0.156</i>	<i>20-foot</i>	<i>0%</i>	<i>0.156</i>
<i>Preserve 4</i>	<i>0.67</i>	<i>92-foot</i>	<i>110%</i>	<i>0.737</i>
TOTAL	1.63			1.76

- c) Prior to the issuance of the first development order, the development order plans must demonstrate the following:
 - 1. Development order plans must be in substantial compliance with the Indigenous Restoration and Management Plan dated December 2022.
 - 2. Development order plans must include a schedule for the indigenous preservation and restoration to be completed within at least five consecutive years.
 - 3. Development order plans must include a map depicting where mechanical and hand-removal methods of exotic vegetation removal will be located. Mechanical clearing must be limited to the restoration area and native vegetation must be protected by the tree barricades.
 - 4. Development order must include a management/preservation plan for Florida Coontie.
 - 5. The applicant must provide an appropriate planting list for the areas being restored, approved by Lee County Staff.
- d) Prior to the issuance of a vegetation removal permit, the applicant must submit survey point maps depicting the preservation and restoration areas and mechanical clearing limits, including the location of barricades to preserve native vegetation within the mechanical exotic removal areas.
- e) Prior to the issuance of the first development order, the development order plans must demonstrate a 20-foot Type D buffer along Bayshore Road.

B. DEVIATIONS:

Deviation 1: A deviation from Lee County Land Development Code (LDC) Section 10-291(3) which requires developments of more than 5 acres in size to provide two means of access to allow a single ingress and egress point.

Staff recommends approval of this deviation subject to the following condition:

The developer must record a notice to all future property owners, in the public record, prior to issuance of a local development order allowing construction of the access to the development. The notice must detail the emergency access plan and provide information as to where a copy of this plan may be obtained from the developer or developer's successor.

Deviation 2: A deviation from Lee County Land Development Code (LDC) Section 10-416(d)(6), which requires a 30-foot-wide type F buffer or an 8-foot-high wall or wall and berm combination no less than 25 feet from the abutting property when pavement for a multi-family residential development is closer than 125 feet to single family homes, to allow an 8-foot wall along the driveway as it enters the site to be at a minimum setback distance ranging between 5 and 10 feet for a linear distance of 50 feet along the property line in the area depicted on the Master Concept Plan.

Staff recommends approval of this deviation subject to the following condition:

Prior to the issuance of the first development order, the development order plans must depict an 8-foot solid wall, with a setback of 5 to 10 feet, with Type E buffer plantings. Shrubs must be installed at 48-inches and maintained at 72-inches tall.

Deviation 3: A deviation from Lee County Land Development Code (LDC) Section 10-329(d)(1)a.3, which requires a minimum setback for excavations of 50 feet from the property line, to allow for a minimum setback of 30 feet from side and rear property lines.

Staff recommends approval of this deviation subject to the following condition:

At time of development order the plans must depict a fence or other structural barrier, a minimum of 5 feet in height, surrounding the proposed storm water detention pond as shown on the Master Concept Plan.

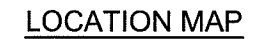
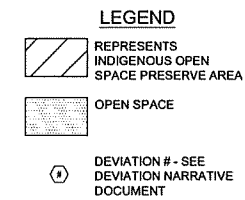
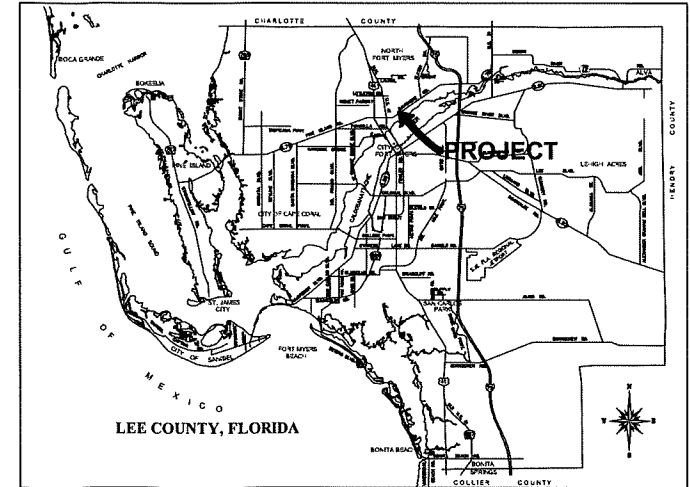
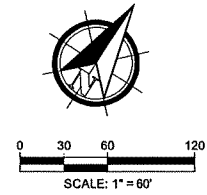
Deviation 4: withdrawn by the applicant.

Deviation 5: A deviation from Lee County Land Development Code (LDC) Section 10-415(b), which requires large developments to provide 50 percent of their required open space through the onsite preservation of existing indigenous vegetation

community (which equals 20 percent of the site) to allow for a minimum of 19 percent of indigenous preservation.

Staff recommends approval of this deviation subject to the following condition:

Prior to the issuance of the first development order, the development order plans must depict a total of 1.76 acres of indigenous preserve area with the utilization of the preserve credits.



(5) Indigenous Preservation Credits					
	Area (AC)	Min. Width (ft)	Bonus	Reason for Bonus*	Area w/ Bonus (AC)
1	0.108	20	None	N/A	0.108
2	0.691	50	10%	Adj. R/W	0.761
3	0.156	20	None	N/A	0.156
4	0.670	92	10%	Size	0.737
	1.625				1.761

*NOTE: BONUS CREDITS COME FROM LDC 10-415(b)(3)

SOLID WASTE (10-261)

GARBAGE COLLECTION WILL BE HANDLED BY AN ONSITE COMPACTOR, AS ALLOWED PER 10-261(d). ADDITIONAL BULK AREA ALSO PROVIDED.

RECYCLING WILL BE HANDLED BY ROLLING TOTES IN AN ENCLOSURE
ON SITE.

REQUIRED RECYCLING ENCLOSURE:

FIRST 25 UNITS:	96 SF
UNITS PAST 25: 8 SF X (96/216) X (160 UNITS - 25) =	551 SF
TOTAL REQUIRED:	647 SF
PROVIDED:	650 SF

Buildings	1.26
Asphalt	3.21
Sidewalks	0.28
Pervious Green Space	3.88
Wet Detention Pond	0.50
Total Lot Area	9.13

Development Parameters			
	Required	Provided (AC)	
Building Coverage	<40%	1.26	14%
Open Space	>40%	4.09	45%
Indigenous Open Space	>19% *	1.761	19.28%

*NOTE: MIN. INDIGENOUS OPEN SPACE IS PER REQUESTED DEVIATION 5.

PARKING COMPUTATION (34-2020):

PROPOSED BUILDINGS INCLUDE A TOTAL OF 180 LIVING UNITS.

REQUIRED PARKING:
MULTI-FAMILY RESIDENTIAL - 2 SPACES PER UNIT * 180 UNITS = 360 SPACES
PLUS 10% EXTRA = 360 SPACES * 110% = 396
TOTAL REQUIRED PARKING = 396 SPACES

PROVIDED PARKING = 396 SPACES (INC. 8 H/C SPACES, AND 48 INTERIOR GARAGES)

KEENE DEVELOPMENT, LLC.
10970 S CLEVELAND AVE
SUITE 405
FORT MYERS, FLA 33907
239-939-0524 PHONE
239-244-8299 FAX
CA 32564

**BAYSHORE PINES RPD
BIG LLC
MASTER CONCEPT PLAN**

SCALE:
N/A

SHEET

ATTACHMENT D

DRAWING SET DATE: 01-24-23 PLAN STATUS: RPD SUBMITTAL

1

Lee County, Florida
DEPARTMENT OF COMMUNITY DEVELOPMENT
ENVIRONMENTAL STAFF REPORT

CASE NUMBER: DCI2022-00048
TYPE OF CASE: Residential Planned Development
CASE NAME: Bayshore Pines
TOTAL ACREAGE: 9.13 Acres
SUFFICIENCY DATE: January 25, 2023
HEARING EXAMINER DATE: March 30, 2023

Request

The applicant is requesting to rezone the subject property from Commercial (C-1) to a Residential Planned Development (RPD) to develop 180 multi-family dwelling units, including 89 bonus density units. The property is located in North Fort Myers, north of Bayshore road, and east of North Evalena lane. According to the Lee Plan, the parcels are located in the Central Urban Future Land Use Category. The proposed development is within the North Fort Myers Community Planning area.

Existing Conditions

As mentioned the site is located north of Bayshore Road, and east of North Evalena Lane, within the North Fort Myers Community Plan area. The site is currently vacant, although the neighboring community has encroached on the subject property per the boundary survey (attachment A). The area where the proposed development is occurring, currently contains native indigenous habitat throughout the project's boundaries. The applicant has submitted a Protected Species Survey that includes the Florida Land Use Cover and Classification System (FLUCCS) map depicting the meandering transects methodology used to survey the project and a detailed FLUCCS for the project area (see Attachment B). Church Environmental observed 15 potentially occupied gopher tortoise burrows and three Florida Coontie during the site inspection.

Open Space

The applicant is requesting 180 units including bonus density units. The project meets the large multi-family development definition (Land Development Code 10-1). LDC 10-415(a) requires the applicant to provide 40% open space (see attachment C). The applicant has provided a Master Concept Plan (MCP) dated January 24, 2023 that depicts an open space area of 4.09 acres or 45% and complies with the 40% open space requirement.

Staff recommends the following open space condition to ensure that the increased 45% open space is provided:

Prior to the issuance of the first development order, the development order plans must depict 45% or 4.09 acres of open space.

Indigenous Open Space Preservation

The Land Development Code requires that large projects must provide 50 percent of the open space percentage requirement through onsite preservation of existing native vegetation communities (LDC 10-415(b)). The applicant is required by code to provide 1.83 acres of

indigenous open space. The developer is providing 1.76 acres including indigenous credits per LDC 10-415(b)(3) credits of preserve area. The proposed buildings are located as close to the center of the project as possible in order to provide increased buffers between the development and adjacent property owners, the required amount of parking, and the requested number of units. Due to the site design, the entire indigenous area, per the FLUCCS map, cannot be provided. The applicant is requesting a deviation (5) (see deviation 5) to allow a minimum preservation area of 19% instead of the required 20% per 10-415(b) of the Land Development Code. Staff conducted a site inspection on February 22, 2023. Staff observed approximately 75% exotic species within Indigenous Area 1. Staff observed Brazilian pepper as the understory, Earleaf acacia and Carrotwood as the canopy cover, and widely scattered cabbage palms and live oaks within indigenous area 1 (see attachment D). Per Lee Plan policies and the Land Development Code, maintaining and enhancing native habitats is essential per goal 123. Lee Plan policy 123.2.9 states, "maintain regulations, incentives, and programs for preserving and planting native plant species and for controlling invasive exotic plants". LDC 33-1582 requires all projects with existing native trees must be preserved regardless of project size. Due to the 75% exotic coverage, staff is recommending a condition that requires exotic removal and a restoration planting plan reviewed and approved at the time of development order. The applicant has provided a MCP dated January 24, 2023 that depicts 1.76 acres of indigenous open space, with the utilization of preservation credits per 10-415(b)(3) of the Land Development Code.

Staff recommends approval of deviation 5, with the following condition to ensure the proposed indigenous open space is provided:

Prior to the issuance of the first development order, the development order plans must depict a total of 1.76 acres of indigenous open space in substantial compliance with the Master Concept Plan dated January 24, 2023 per the following breakdown:

Indigenous Credit Chart				
Preserve Area	Indigenous Ac.	Width of Area	Credit %	Indigenous with credits
<i>Preserve 1</i>	<i>0.108</i>	<i>20-foot</i>	<i>0%</i>	<i>0.108</i>
<i>Preserve 2</i>	<i>0.691</i>	<i>50-foot</i>	<i>110%</i>	<i>0.76</i>
<i>Preserve 3</i>	<i>0.156</i>	<i>20-foot</i>	<i>0%</i>	<i>0.156</i>
<i>Preserve 4</i>	<i>0.67</i>	<i>92-foot</i>	<i>110%</i>	<i>0.737</i>
TOTAL	1.625			1.7611

Indigenous Habitat Management Plan

The applicant has provided an Indigenous Habitat Management Plan (IHMP) that includes the detailed long-term monitoring and maintenance plans that demonstrate the survivability of the preserve areas (see Attachment E). However, the applicant did not provide a planting plan for the indigenous areas. As previously mentioned, staff is recommending a condition that requires a restoration planting plan. Attachment E depicts the type of management that is proposed and where the area is located. Areas that are being restored contain the following species and FLUCCS codes:

Brazilian Pepper (FLUCFCS 422)

A 0.4-acre area of Brazilian pepper is in the southeast portion of the property. This area is dominated by Brazilian pepper. Scattered live oak, saw palmetto, and Spanish needle (*Bidens pilosa*) were also observed.

The environmental consultant also observed 15 gopher tortoise burrows on the subject property. Per the species management plan that was included within the Protected Species Survey, the consultant states, "if construction of the project results in unavoidable impacts to gopher tortoise burrows, the appropriate permit from FWC will be obtained, and the gopher tortoises will be relocated out of harm's way. Gopher tortoises will either be relocated to the onsite preserve or offsite to an approved recipient site."

Staff provides the following conditions to ensure that the development order and vegetation removal permits provide the necessary documentation:

Prior to the issuance of the first development order, the development order plans must be demonstrate the following:

Development order plans must be in substantial compliance with the Indigenous Restoration and Management Plan dated December 2022.

Development order plans must include a schedule for the indigenous preservation and restoration to be completed within at least five consecutive years.

Development order plans must include a map depicting where mechanical and hand-removal methods of exotic vegetation removal will be located. Mechanical clearing must be limited to the restoration area and native vegetation must be protected by the tree barricades.

Development order must include a management/preservation plan for Florida Coontie.

The applicant must provide an appropriate planting list for the areas being restored, approved by Lee County Staff.

Prior to the issuance of a vegetation removal permit, the applicant must submit survey point maps depicting the preservation and restoration areas and mechanical clearing limits, including the location of barricades to preserve native vegetation within the mechanical exotic removal areas.

Buffers

The proposed development abuts single family homes along the north, east, and west property lines. The south property line borders the Bayshore Road right-of-way. The required buffers are as follows:

North – LDC section 10-416(d) requires multi-family developments to provide a 15-foot Type B landscaped buffer where the development abuts single-family homes. The applicant is demonstrating compliance with LDC 10-416(d).

East - LDC section 10-416(d) requires multi-family developments to provide a 15-foot Type B landscaped buffer where the development abuts single-family homes. Where roads and parking areas are within a 125-feet of single family residences, a 30-foot wide Type F buffer is being proposed, in compliance with LDC 10-416(d)(6). The applicant is demonstrating compliance with LDC 10-416(d) and 10-416(d)(6).

West - LDC section 10-416(d) requires multi-family developments to provide a 15-foot Type B landscaped buffer where the development abuts single-family homes. Where roads and parking areas are within a 125-feet of single family residences, a 30-foot wide Type F buffer is being proposed, in compliance with LDC 10-416(d)(6). The applicant is demonstrating compliance with LDC 10-416(d)(6).

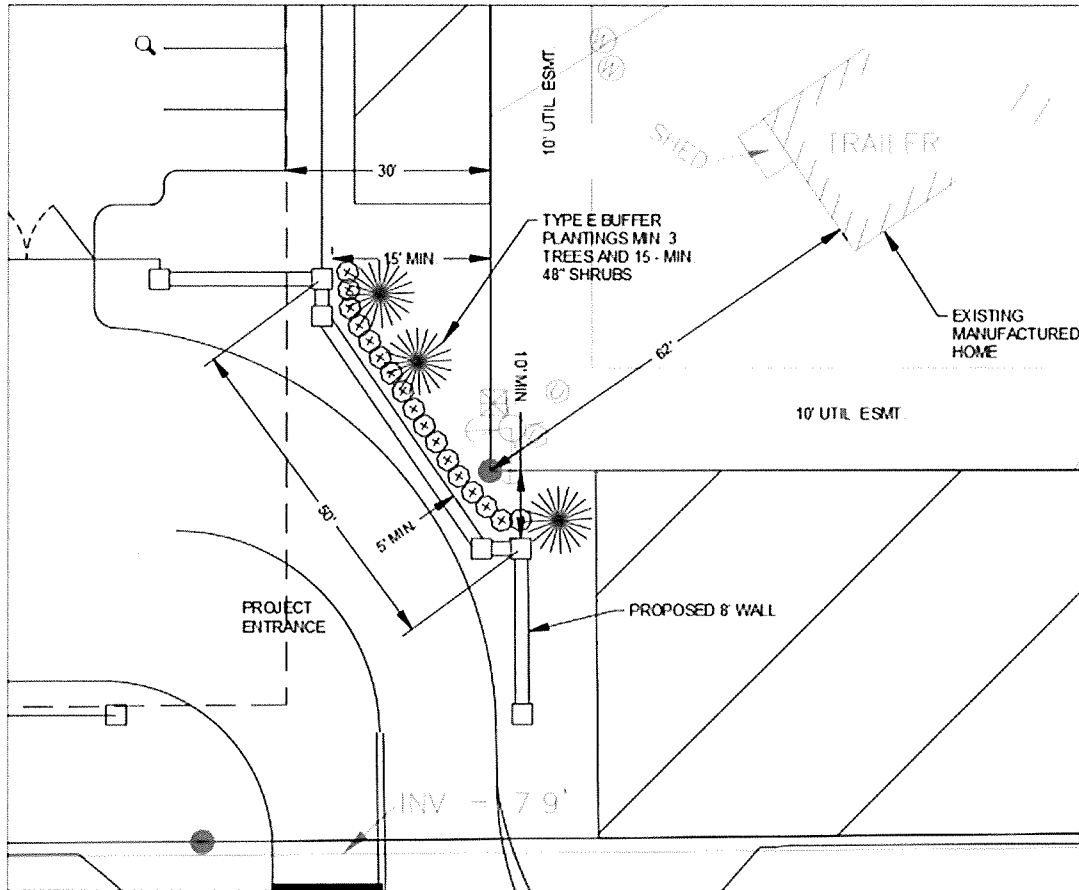
South - The south property line abuts the Bayshore right-of-way. The applicant is providing an enhanced buffer of 20-foot Type D buffer. The buffer along the right-of-way is demonstrating compliance with 10-416(d).

Staff provides the following condition to ensure that the MCP demonstrates the enhanced buffers at the time of development order:

Prior to the issuance of the first development order, the development order plans must demonstrate a 20-foot Type D buffer along Bayshore Road.

Deviations

Deviation 2 - The applicant is requesting a deviation from LDC Section 10-416(d)(6), which requires either a 30' type F buffer or an 8' wall or wall and berm combo no less than 25' away from the abutting property when pavement for a multi-family residential development is closer than 125' to single-family homes to allow an 8' height wall along the driveway as it enters the site to be set at a minimum setback distance of five (5) feet to 10 feet for a linear distance of 50 feet along the shared property line where shown on the Master Concept Plan. Due to FDOT access requirements and the need to align driveways to avoid left turn conflicts in the existing paved median, there is no other location where a driveway would be suitable. Proper design dictates that driveways should be located directly opposite each other along roadways to minimize conflicting left-turn movements. Staff recommends approval of the deviation with a condition to install the shrubs at 48-inches and maintained at 72-inches, due to the narrow 5-foot buffer area not being able to support other buffer materials. The 48-inch installment will provide a proper screen from the proposed road. The trees are being proposed along the wider areas, which promotes survivability of all plant materials



Staff recommends approval of Deviation 2 with the following condition:

Prior to the issuance of the first development order, the development order plans must depict an 8-foot solid wall, with a setback of 5 to 10 feet, with Type E buffer plantings. Shrubs must be installed at 48-inches and maintained at 72-inches tall.

Deviation 5 - The applicant has requested a deviation from LDC Section 10-415(b) that requires 50% of the project area open space to be indigenous onsite preservation. The applicant is required by code to provide 1.83 acres of indigenous open space. The developer is providing 1.76 acres of preserve area. The proposed buildings are located as close to the center of the project as possible in order to provide the largest buffer from adjacent property owners, the required amount of parking, and the requested number of units. Due to the site design, the entirety of the indigenous cannot be provided. The applicant is requesting a deviation to allow a minimum preservation area of 19% instead of the required 20% per 10-415(b) of the Land Development Code.

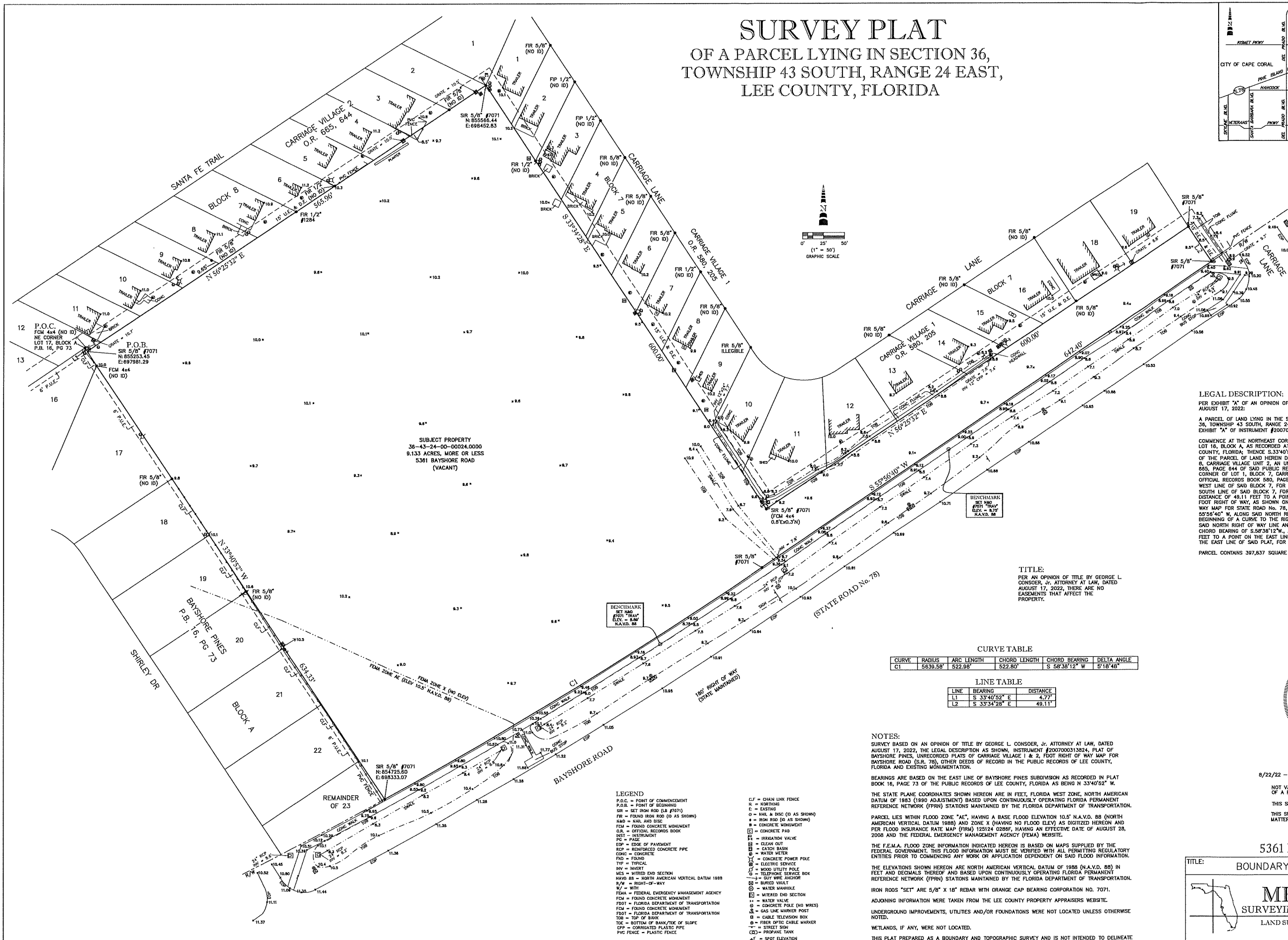
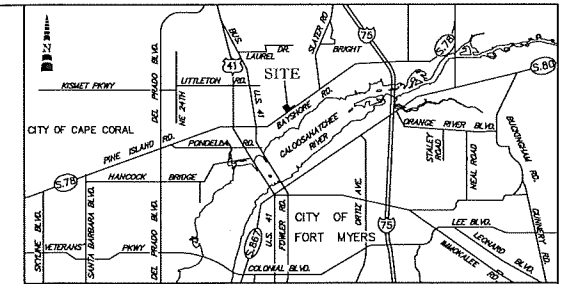
Staff recommends approval of Deviation 5 with the following condition:

Prior to the issuance of the first development order, the development order plans must depict a total of 1.76 acres of indigenous preserve area with the utilization of the preserve credits.

Attachments

- A – Boundary Survey
- B – Protected Species Report/ FLUCCS Map
- C – Open Space Exhibit
- D – Indigenous Area site photos with Location Map
- E – Indigenous Management Plan

SURVEY PLAT
OF A PARCEL LYING IN SECTION 36,
TOWNSHIP 43 SOUTH, RANGE 24 EAST,
LEE COUNTY, FLORIDA



LEGAL DESCRIPTION:

PUR EXHIBIT "A" OF AN OPINION OF TITLE BY GEORGE L. CONSIDER, JR., ATTORNEY AT LAW, DATED SEPTEMBER 17, 2022:

A PARCEL OF LAND LYING IN THE STATE OF FLORIDA, COUNTY OF LEE, BEING A PORTION OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 24 EAST, BEING THE SAME AS THE COMBINED PARCELS DESCRIBED AS EXHIBIT "A" OF INSTRUMENT #2002700031824, PUBLIC RECORDS OF LEE COUNTY, FLORIDA;

COMMENCE AT THE NORTHEAST CORNER OF BAYSHORE PAGES ALSO BEING THE NORTHEAST CORNER OF LOT 18, BLOCK A, AS RECORDED AT PLAT BOOK 186, PAGE 73 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE S. 53°10'22"E., FOR A DISTANCE OF 157.11 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DECEDED; THENCE N. 56°25'32"E., ALONG THE SOUTH LINE OF BLOCK 7, CARRIAGE VILLAGE UNIT, 2 AN UNRECORDED SUBDIVISION AS SHOWN ON OFFICIAL RECORDS BOOK 685, PAGE 14 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE S. 53°10'22"E., ALONG THE CORNER OF LOT 1, BLOCK 7, CARRIAGE VILLAGE UNIT, AN UNRECORDED SUBDIVISION AS SHOWN ON OFFICIAL RECORDS BOOK 685, PAGE 14 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE S. 53°10'22"E., ALONG THE WEST LINE OF SAID BLOCK 7, FOR A DISTANCE OF 600.00 FEET; THENCE N. 56°25'32"E., ALONG THE SOUTH LINE OF SAID BLOCK 7, FOR A DISTANCE OF 600.00 FEET; THENCE S. 53°34'28"E., FOR A DISTANCE OF 49.11 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAKYSHORE ROAD, A 180 FOOT RIGHT-OF-WAY STATE HIGHWAY, SHOWN ON THE DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FOR STATE ROAD NO. 78, SECTION 12060-2521, LATEST REVISION 9/27/85; THENCE S. 55°56'48"E., ALONG SAID NORTH RIGHT OF WAY LINE, FOR A DISTANCE OF 157.11 FEET TO THE BEGINNING OF A CURVE, BEING A 180 FOOT RADIUS CURVE, BEARING S. 55°56'48"E., ALONG SAID NORTH RIGHT OF WAY LINE AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 50°15'48", A CHORD BEARING OF 5.56°18'12"W., A CHORD LENGTH OF 122.80 FEET AND AN ARC LENGTH OF 52.92 FEET TO A POINT ON THE WEST LINE OF PLAT BOOK 186, PAGE 73 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE S. 53°10'22"E., ALONG THE EAST LINE OF SAID BLOCK 7, FOR A DISTANCE OF 634.33 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 397,873 SQUARE FEET, OR 9.133 ACRES, MORE OR LESS

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	5639.58'	522.98'	522.80'	S 58°38'12" W	5°18'48"

LINE	BEARING	DISTANCE
L1	S 33°40'52" E	4.77'
L2	S 33°34'28" E	49.11'

SURVEYED:
NOTES BASED ON AN OPINION OF TITLE BY GEORGE L. CONSOER, JR., ATTORNEY AT LAW, DATED AUGUST 17, 2022, THE LEGAL DESCRIPTION AS SHOWN, INSTRUMENT #2007000313824, PLAT OF BAYSHORE PINES, UNRECORDED PLATS OF CARRIAGE VILLAGE 1 & 2, FOOT RIGHT OF WAY MAP FOR BAYSHORE ROAD (S&T 710), OTHER DEEDS OF RECORD IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND EXISTING MONUMENTATION.

BEARINGS ARE BASED ON THE EAST LINE OF BAYSHORE PINES SUBDIVISION AS RECORDED IN PLAT BOOK 16, PAGE 73 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AS BEING N 33°45'52" W.

THE STATE PLANE COORDINATES SHOWN HEREON ARE IN FEET, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983 (1980 ADJUSTMENT) BASED UPON CONTINUOUSLY OPERATING FLORIDA PERMANENT REFERENCE NETWORK (FPRN) STATIONS MAINTAINED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION

PARCEL LIES WITHIN FLOOD ZONE "AE", HAVING A BASE FLOOD ELEVATION 10.5' N.A.V.D. 88 (NORTH AMERICAN VERTICAL DATUM 1988) AND ZONE X (HAVING NO FLOOD ELEV) AS DIGITIZED HEREON AND PER FLOOD INSURANCE RATE MAP (FIRM) 15214 C02MF, HAVING AN EFFECTIVE DATE OF AUGUST 28, 2004 AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) WEBSITE.

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

THE ELEVATIONS SHOWN HEREON ARE NORTH AMERICAN VERTICAL DATUM OF 1988 (N.A.V.D. 88) IN FEET AND DECIMALS THEREOF AND BASED UPON CONTINUOUSLY OPERATING FLORIDA PERMANENT REFERENCE NETWORK (FPRN) STATIONS MAINTAINED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION

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

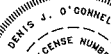
ADJOINING INFORMATION WERE TAKEN FROM THE LEE COUNTY PROPERTY APPRAISERS WEBSITE.

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

WETLANDS, IF ANY, WERE NOT LOCATED.

THIS PLAT PREPARED AS A BOUNDARY AND TOPOGRAPHIC SURVEY AND IS NOT INTENDED TO DELINEATE THE JURISDICTION OR JURISDICTIONAL AREAS OF ANY FEDERAL, STATE, REGIONAL OR LOCAL AGENCY, BOARD, COMMISSION OR OTHER ENTITY.

DATE OF LAST FIELD WORK: 4/22/2022.



DENIS J. O'CONNELL JR.
 LICENSE NUMBER
 LS 5430
 STATE OF
 FLORIDA
 PROFESSIONAL SURVEYOR & MAPPER

Digitally signed
 by Denis
 O'Connell
 Date:
 2022.08.25
 09:20:53 -04'00'

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

8/22/22 -- ADD TITLE

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

THIS SURVEY IS ONLY FOR THE LANDS AS DESCRIBED.

THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE. ALL
MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW.

5361 BAYSHORE ROAD

TITLE: BOUNDARY AND TOPOGRAPHIC SURVEY				
	METRON SURVEYING & MAPPING, LLC		10970 S. CLEVELAND AVENUE, SUITE #605	
			FORT MYERS, FLORIDA 33907 PHONE: (239) 275-8575 FAX: (239) 275-8457	
LAND SURVEYORS - PLANNERS			www.metronfl.com	
LJH 7071				
FILE NAME:	FIELD BOOK/PAGE:	PROJECT NO.:	SHEET:	
15286SR.DWG	716/26,29,31	15286	1 of 1	
SURVEY DATE:	DRAWN BY:	SCALE:	CHECKED BY:	(S-T-R)
4/05/2022	BUD	1" = 50'	DJO	36-43-24

Church Environmental

5361 Bayshore Road
North Fort Myers
Protected Species Survey
Revised December 21, 2022

1.0 Introduction

A protected species survey (PSS) was conducted for a 9.13-acre parcel located at 5361 Bayshore Rd, North Fort Myers, Florida (Folio ID: 10148658). Church Environmental and Earth Tech Environmental conducted a Protected Species Survey (PSS) of the subject property. The following report documents the methodology and results for the survey. Gopher tortoise burrows were documented on the property and a gopher tortoise management plan is included with this report.

2.0 Habitat Descriptions

The habitat was mapped utilizing the Florida Land Use, Cover and Forms Classification System (FLUCFCS) (Florida Department of Transportation 1999). Four upland vegetative association/land use (i.e., FLUCFCS code) were identified on the property. Following is a brief description of the habitats found on the property. See **Attachment 1** for map exhibit.

FLUCFCS 4349 Disturbed hardwood - conifer - The canopy of this habitat consists of live oak (*Quercus virginiana*), cabbage palm (*Sabal palmetto*), java plum (*Syzygium cumini*), slash pine (*Pinus elliotii*), and laurel oak (*Quercus laurifolia*). Mid-canopy species included Brazilian pepper (*Schinus terebinthifolius*), saw palmetto (*Serenoa repens*), carrotwood (*Cupaniopsis anacardioides*), and earleaf acacia (*Acacia auriculiformis*). Shiny-leaved wild coffee (*Psychotria nervosa*), Caesar weed (*Urena lobata*), greenbrier (*Smilax rotundifolia*), coontie (*Zamia integrifolia*), Boston Fern (*Nephrolepis exaltata*), guineagrass (*Urochloa maxima*), runner oak (*Quercus pumila*) and beautyberry (*Callicarpa americana*) can be found in the groundcover. Exotics occur in varying degrees within this habitat. Approximately 5.8 acres of this habitat was mapped as having 0-25% exotics (4349E1), 1.2 acres having 25-50% exotics (4349 E2), and 1.1 acres having 50-75% exotics (4349E3).

FLUCFCS 3109/329E4 Disturbed herbaceous/shrub - This habitat occurs on 0.6 acres and appears to have been historically cleared. Portions of this habitat are currently utilized as ornamental lawns for the adjacent residential developments. Silk tree (*Albizia julibrissin*) and slash pine are found in the mostly open canopy. Brazilian pepper, simpleleaf chastetree (*Vitex trifolia*), and winged sumac (*Rhus copallina*) are found in the mid-canopy. Ground cover includes crabgrass (*Digitaria* sp.), Mexican clover (*Richardia scabra*), elephant ear (*Colocasia esculenta*), Caesar weed, sedges (*Cyperus* spp.), wild cucumber (*Echinocystis lobate*), and dayflower (*Commelina diffusa*).

FLUCFCS 3109 Disturbed herbaceous - A 0.2-acre linear area of disturbed herbaceous can be found along the western edge of the property. This area is vegetated with Alabama swamp sedge (*Cyperus ligularis*), day flower, crabgrass, sedges, Mexican clover, Caesar weed, and Bermuda grass (*Cynodon dactylon*).

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FLUCFCS 422 Brazilian pepper - A 0.4-acre area of Brazilian pepper is in the southeast portion of the property. This area is dominated by Brazilian pepper. Scattered live oak, saw palmetto, and Spanish needle (*Bidens pilosa*) were also observed.

No rare and unique habitat was identified on the property.

3.0 Methodology

The PSS was conducted per the Lee County Land Development Code, Chapter 10, Article 3, Division 8 (Protection of Habitat). Prior to the site investigation, a review was completed of existing information to assist with the determination of listed species. This review included Florida Natural Areas Inventory (FNAI), Florida Fish and Wildlife Conservation Commission's (FWC) action plans for listed species, FWS IPAC system, Lee County Soil Survey, along with current and historical aerial photographs. **Table 3.1** list the species referenced in the Lee County Protected Species Ordinance (Appendix H). Meandering pedestrian transects were utilized to conduct the PSS. Transects were performed in all habitats identified by Lee County which may be inhabited by protected flora and fauna. The distance between the transects were established to cover a minimum of 80% of each habitat type. See **Attachment 2** for survey transects. The property is within the consultation area for the Florida Bonneted Bat (*Eumops floridanus*) (FBB). To determine if FBBs roost on the property, trees with a diameter at breast height (DBH) equal to or greater than 10 inches, snags with a DBH of greater than or equal to 8 inches, and utility poles (collectively referred to as uprights) were visually surveyed for cavities.

Table 3.1 Listed species that could potentially occur on-site.

FLUCFCS Code	Description	Potential Protected Species
4119	Pine Flatwood, Disturbed	Eastern Indigo Snake Gopher Tortoise Gopher Frog Southeastern American Kestrel Red-cockaded Woodpecker Florida Panther Big Cypress Fox Squirrel Florida Black Bear Fakahatchee Burmannia Satin Leaf Beautiful Paw Paw Florida Coontie

A summary of the field survey dates and weather conditions can be found in **Table 3-2**.

Table 3-2. Dates, Times, and Weather Conditions for Listed Species Surveys

Date	Time	Weather Conditions
April 4, 2022	0815 – 1045	Partly Cloudy, Winds 5-10 mph, 70-80°F
July 18, 2022	1400 – 1530	Mostly Sunny, Winds 0-5 mph, +95°F

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July 19, 2022	0930 – 1045	Mostly Sunny, Winds 0-5 mph, 85-95°F
July 20, 2022	0645 – 0900	Mostly Sunny, Winds 0-5 mph, 78-85°F
July 25, 2022	0645 – 0745	Mostly Sunny, Winds 0-5 mph, 78-80°F

3.0 Results

The PSS documented 15 potentially occupied gopher tortoise (*Gopherus polyphemus*) burrows. See **Attachment 3** for the gopher tortoise burrow locations. No FBB roost were identified. Listed plant species observed was limited to coontie (see **Attachment 4**).

4.0 Discussion

The gopher tortoise is listed as threatened by the state of Florida and is listed as a candidate species for federal protection in Florida. Because gopher tortoises are protected in Florida, handling and relocation of gopher tortoises is illegal unless conducted under a valid permit issued by Florida Fish and Wildlife Conservation Commission (FWC). In accordance with the Gopher Tortoise Permitting Guidelines, an FWC relocation permit must be obtained before disturbing burrows and conducting construction activities. A disturbance includes any type of work within 25 feet of a gopher tortoise burrow, except for standard lawn maintenance activities.

When landowners or managers develop land, or conduct activities that would collapse burrows, they commonly seek one of two permit types. Those for 10 or fewer burrows are issued for projects, usually single residential construction, which require relocation of five or fewer tortoises. If the tortoises are relocated on-site, the individual capturing and relocating the tortoises must complete the FWC online training prior to capturing gopher tortoises. If the tortoises are relocated off-site, a permitted authorized agent must capture and relocate the tortoises.

The second permit, for conservation, are for development projects which require the relocation of gopher tortoises when more than 10 burrows occur on the development site. This permit allows for relocation off-site to a FWC-certified Recipient Site.

5.0 Gopher Tortoise Management Plan

If the construction of the project results in unavoidable impacts to gopher tortoise burrows, the appropriate permit from FWC will be obtained, and the gopher tortoises will be relocated out of harm's way. Gopher tortoises will either be relocated to the onsite preserve or offsite to an approved recipient site.

The essentials of managing habitat that is suitable for gopher tortoises include minimizing soil disturbance, protecting burrows, and maintaining a diversity of groundcover plants by ensuring that sufficient sunlight reaches the ground. Invasive exotic plants must be removed from undeveloped areas. Herbicides should be chosen that will target selected invasive exotic plants but not significantly reduce native plants. Mowing when done properly can be a valuable management tool.

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To minimize impacts to gopher tortoise habitat which may potentially result from development and land management activities, the following minimization measures and Best Management Practices (BMPs) shall be implemented as applicable. The eastern indigo snake (*Drymarchon corais couperi*) is associated with sheltering in gopher tortoise burrows. The BMPs also include protection measures for indigo snakes.

- Install silt fencing around all ground disturbing activities;
- Flag and survey construction limits prior to commencing construction;
- Mark all gopher tortoise burrows with stakes or flagging before clearing/development;
- Limit use of heavy mechanical for site preparation;
- Utilize native gopher tortoise forage plant species for landscaping;
- Implement Eastern Indigo Snake Standard Protection Measures;
- Provide owners and contractors identification material for both gopher tortoise and Eastern indigo snake;
- Mower blades in undeveloped areas should be at least 18 inches above the ground. Near burrows, stay at least 4 meters (13 feet) from known gopher tortoise burrow entrances;
- Roller-chopping will be a prohibited mechanical treatment method;
- Invasive exotic plants will be removed from non-developed areas. Invasive exotic plants mean the same plants as described in [section 10-420](#);
- Exotic vegetation will be treated with an approved herbicide (poison) and a tracer dye;
- Maintenance for exotics will be implemented on a yearly basis.

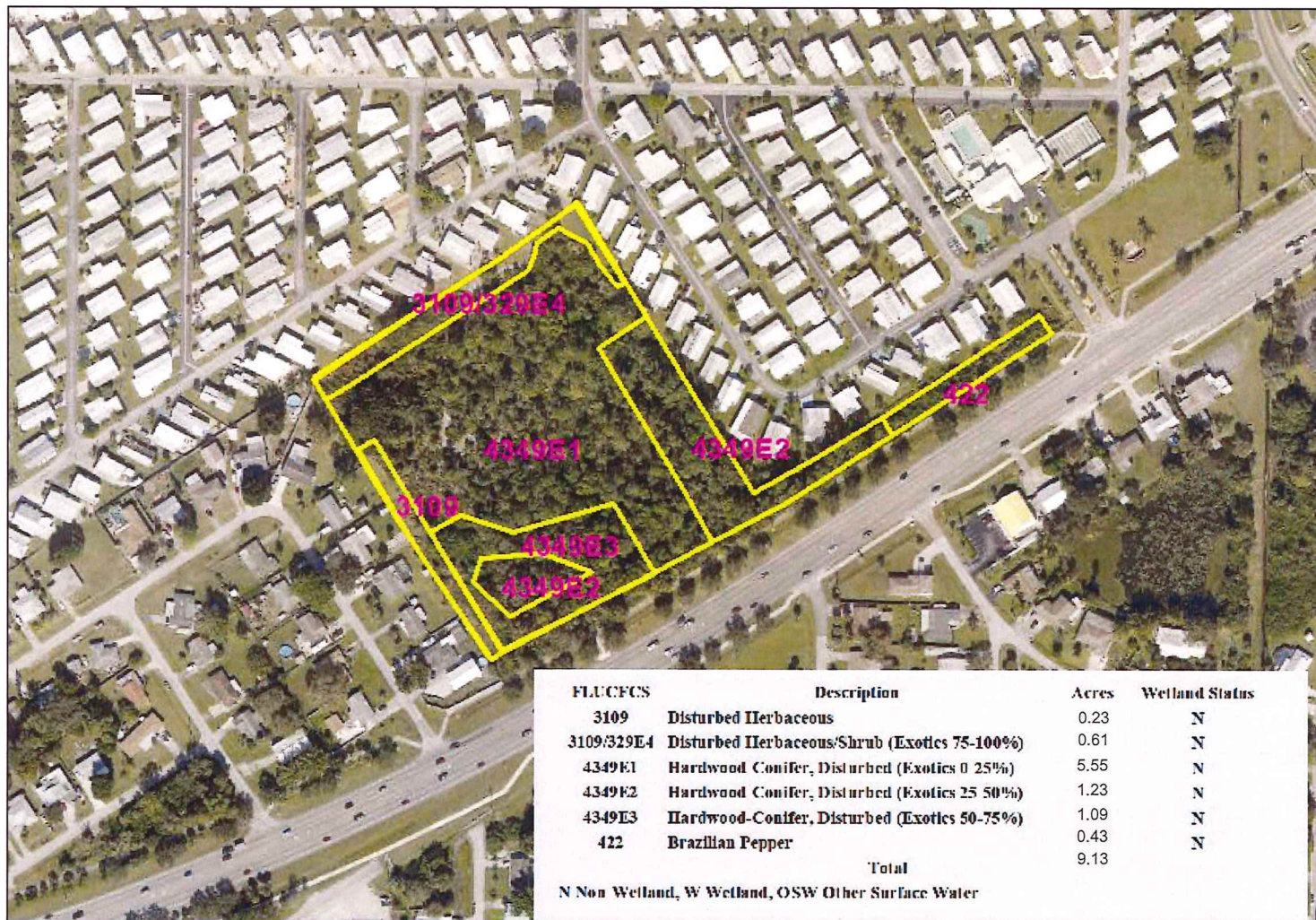
6.0 Native Tree Survey

All native trees with an estimated diameter at breast height (DBH) greater than 4" were GPS located. A total of 380 trees were located and included 118 cabbage palms, 73 laurel oaks, 11 live oak, and 178 slash pine. Heritage trees consisted of five laurel oaks, two live oaks, and three pines. See **Attachment 5** for the Native Tree Exhibit. See **Attachment 6** for recorded DBH and latitude and longitude for each tree species located.

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Attachment 1

Church Environmental



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FLUCFCS Map

5361 Bayshore
North Fort Myers, FL

Church Environmental

Attachment 2

Church Environmental



Church Environmental

PSS Transect Map

**5361 Bayshore
North Fort Myers, FL**

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Attachment 3

Church Environmental



Church Environmental

Gopher Tortoise Burrow Map

**5361 Bayshore
North Fort Myers, FL**

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Attachment 4

Church Environmental



Church Environmental

Coontie Map

5361 Bayshore
North Fort Myers, FL

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Attachment 5

Church Environmental



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Gopher Tortoise Burrow Map

5361 Bayshore
North Fort Myers, FL

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Attachment 6

Tree Species	DBH (inches)	Latitude	Longitude
Cabbage palm	13	26.68604	-81.8693
Cabbage palm	13	26.68605	-81.8693
Cabbage palm	13	26.68614	-81.8693
Cabbage palm	14	26.68617	-81.8693
Cabbage palm	13	26.68607	-81.8694
Cabbage palm	12	26.68599	-81.8695
Cabbage palm	13	26.68604	-81.8695
Cabbage palm	12	26.68596	-81.8695
Cabbage palm	14	26.68587	-81.8695
Cabbage palm	16	26.68584	-81.8695
Cabbage palm	16	26.68562	-81.87
Cabbage palm	14	26.68539	-81.8704
Cabbage palm	14	26.68538	-81.8706
Cabbage palm	13	26.68528	-81.8706
Cabbage palm	13	26.6855	-81.8709
Cabbage palm	12	26.68545	-81.8709
Cabbage palm	9	26.6855	-81.8708
Cabbage palm	15	26.68559	-81.8707
Cabbage palm	14	26.68558	-81.8707
Cabbage palm	10	26.68557	-81.8706
Cabbage palm	12	26.68556	-81.8706
Cabbage palm	12	26.68556	-81.8706
Cabbage palm	14	26.68554	-81.8706
Cabbage palm	11	26.68552	-81.8706
Cabbage palm	13	26.6855	-81.8706
Cabbage palm	12	26.68549	-81.8706
Cabbage palm	12	26.68533	-81.8707
Cabbage palm	13	26.68536	-81.8707
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Cabbage palm	7	26.68653	-81.87
Cabbage palm	14	26.68648	-81.87
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Cabbage palm	12	26.68628	-81.8698
Cabbage palm	13	26.68627	-81.8698

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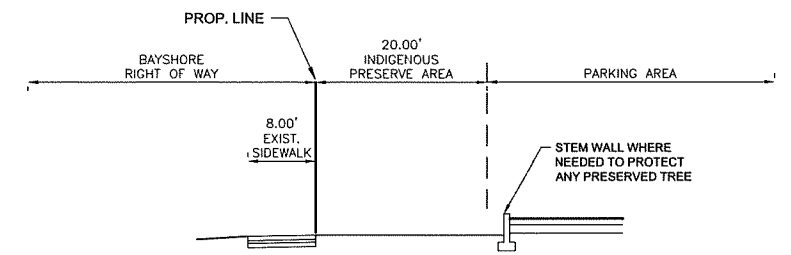
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Live oak	8	26.68575	-81.8705
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Pine	18	26.6862	-81.8691
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Pine	7	26.68615	-81.8692
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Pine	12	26.68592	-81.8709

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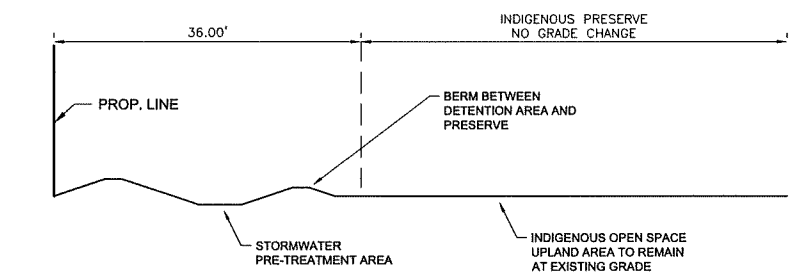
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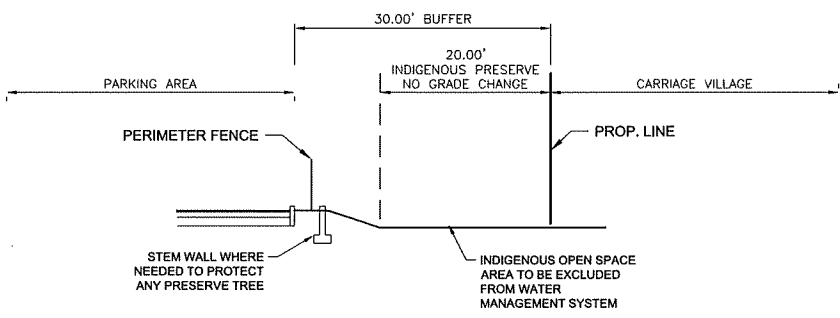
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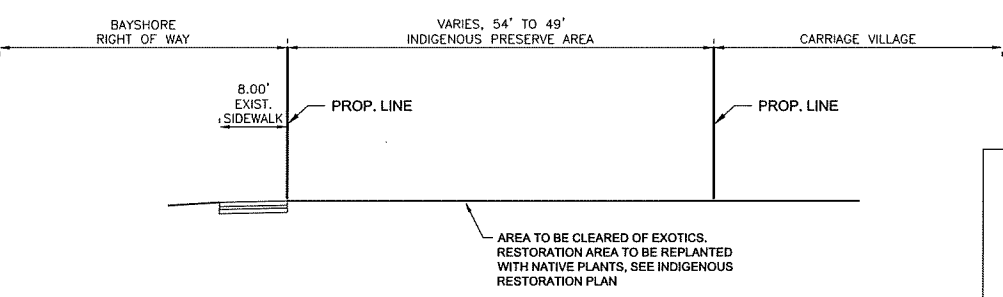
SECTION A-A



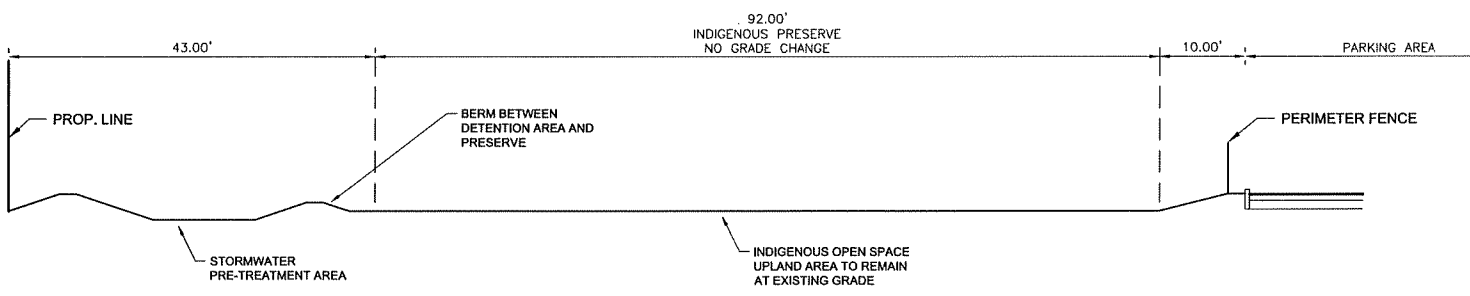
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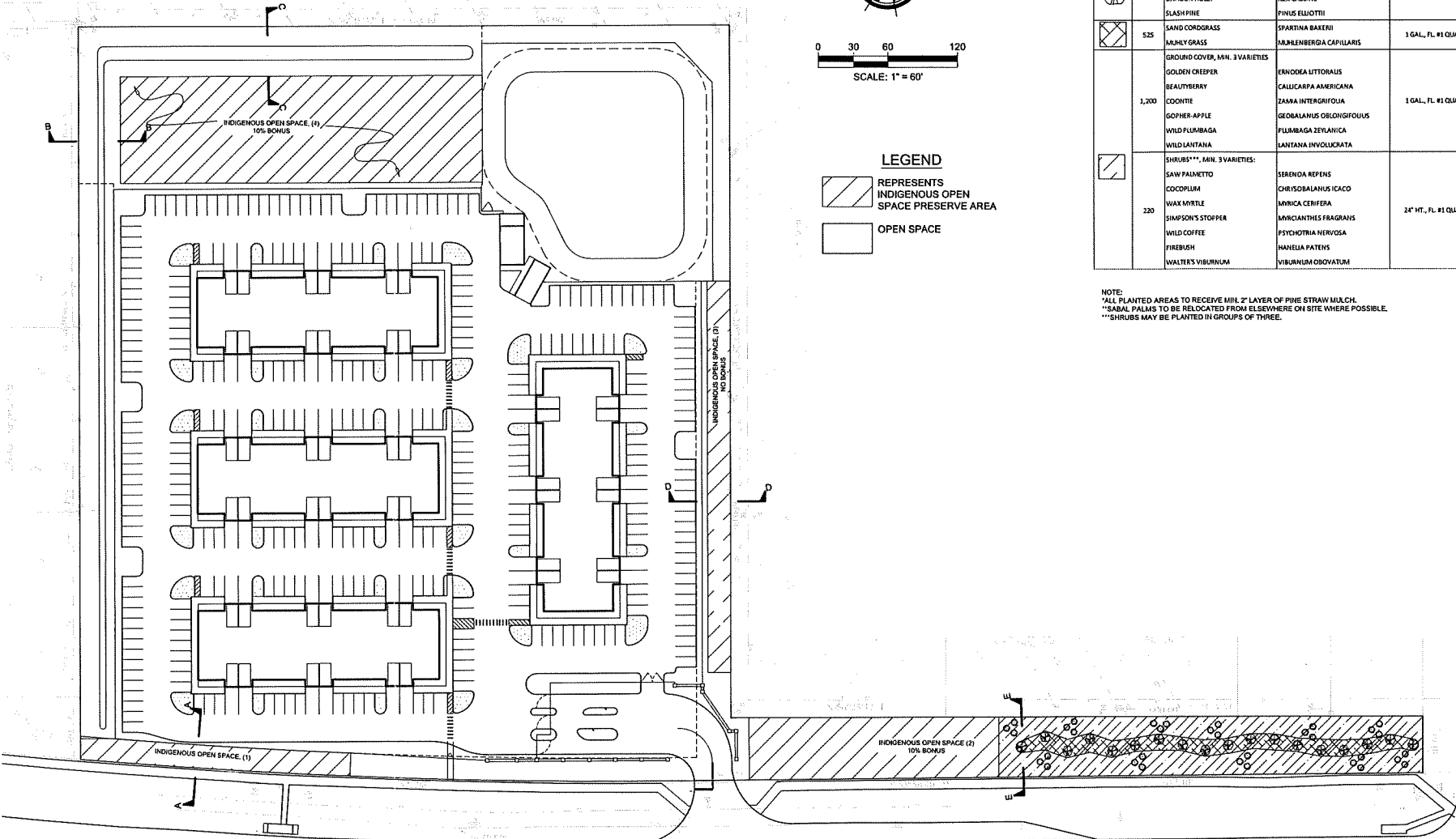
SECTION D-D



SECTION E-E



SECTION C-C



North arrow pointing towards the top right.

Scale: 1" = 60'

0 30 60 120

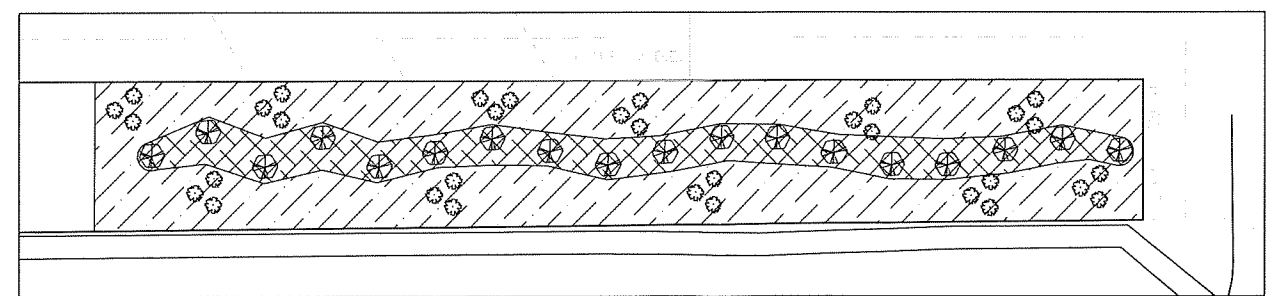
LEGEND

- REPRESENTS INDIGENOUS OPEN SPACE PRESERVE AREA
- OPEN SPACE

INDIGENOUS RESTORATION PLANT LIST*			
33	SABAL PALMS**	SABAL PALMETTO	IF CLEAR TRUNK MIN. 12" MIN. HT.
18	LIVE OAK LAUREL OAK DAPHNODIUM SLASH PINE	QUERCUS VIRGINIANA QUERCUS LAUTIFOLIA ILEX ASSINATA PINUS ELLIOTTII	12" HT., 3" CAL., 5' SPREAD
525	SAND CORDGRASS MULLEIN GRASS	SPARTINA BAKERII MULLENBERGIA CAPILLARIS	1 GAL., FL. #1 QUAL., 3" O.C.
1,200	GROUND COVER, MIN. 3 VARIETIES GOLDEN CREEPER BEAUTYBERRY COONTIE GOPHER-APPLE WILD PLUMBAGO WILD LANTANA	ERANODIA LITTORALIS CALLICARPA AMERICANA ZANNA INTERGRIFOLIA GLOBANUS ORLONIFOLIUS FLUMBERGIA ZEYLANICA LANTANA INVOLUCRATA	1 GAL., FL. #1 QUAL., 3" O.C.
220	SHRUBS***, MIN. 3 VARIETIES SAW PALMETTO COCOPLUM WAX MYRTLE SWAMPSON'S STOPPER WILD COFFEE FIREBUSH WALTER'S WILLOW	SERENOA REPENS CHRYSOBALANUS ICACO MYRTICA CERIFERA MYRTICANTHES FRAGRANS PSYCHOTRIA NERVOSEA HAEDELIA PATESII VIBURNUM OBOVATUM	24" HT., FL. #1 QUAL., 8" O.C.

NOTE:
*ALL PLANTED AREAS TO RECEIVE MIN. 2" LAYER OF PINE STRAW MULCH.
**SABAL PALMS TO BE RELOCATED FROM ELSEWHERE ON SITE WHERE POSSIBLE.
***SHRUBS MAY BE PLANTED IN GROUPS OF THREE.

NOTE: THESE CROSS SECTIONS SHOWN ARE CONCEPTUAL AND INTENDED TO DEMONSTRATE THE GENERAL DRAINAGE DESIGN INTENT. FINAL CROSS SECTION DESIGN TO BE DETERMINED AT TIME OF FINAL SITE DESIGN AND DEVELOPMENT ORDER.



INDIGENOUS RESTORATION AREA CONCEPTUAL PLANTING PLAN

Scale: 1" = 30'

0 15 30 60

APPROVED
01-24-23

WILLIAM T. KEENE
FLORIDA P.E. #45915
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CA 32564

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CONSTRUCTION MANAGEMENT • ENGINEERING

BAYSHORE PINES RPD
BIG LLC

OPEN SPACE PLAN

SCALE:
N/A

SHEET
1



Facing North from Bayshore Road in indigenous area one



Facing North from Bayshore Road in indigenous area 1.



Facing West in indigenous area 1 within the site.

Bayshore Pines RPD

Indigenous Preserve Restoration, Management and Monitoring Plan

Project Description

This project involves a 9.13 acres site. Site is currently vacant but is proposed for development of 180 units of multifamily residential spread across four buildings. In order to meet the requirements of the Land Development Code (LDC) 10-415, 4.09 acres (45%) of the site is set aside as open space, surpassing the 40% minimum required for large development multifamily residential. In addition, LDC 415(b) requires that 50% of the required open space be provided through indigenous reservation on site. Deviation 5 is being requested to reduce the minimum indigenous preserve area to 19%. To meet indigenous this requirement, there are four preserve areas that total 1.62 acres, 1.77 acres with bonuses per LDC 10-415(b)(3), including 0.43 acres of indigenous restoration area. See Exhibit 1 for locations of indigenous open space preserves.

The restoration area is located on the east of the project adjacent to Bayshore Road. Currently, the area is overgrown with Brazilian peppers, an invasive exotic species that will need to be removed to meet compliance with the Land Development Code. The area will be restored as shown in Exhibit 2 with the plants shown in Exhibit 3. The replanted indigenous area will also serve to continue buffering Carriage Village from Bayshore Road after the removal of exotics.

Management Plan

All exotics within the preserve areas will be hand removed or killed in place. Exotic vegetation within the restoration area may be mechanically removed as needed; however, any native vegetation discovered within this area shall be protected with appropriate barricades and only hand removal within the barricaded areas is allowed. Exotic vegetation will be treated with an approved herbicide (poison) and a tracer dye. Following the initial exotic removal within the preserve and restoration areas, a maintenance program will be implemented to prevent reinvasion of the site by prohibited exotic species.

Maintenance for exotics will be implemented on a yearly basis, or more frequently if needed, and will be conducted in perpetuity and as required by the LDC.

Monitoring Report

As specified in LDC 10-474(h), a report detailing the condition of the indigenous preserve and restoration areas is to be submitted annually to the Director of Lee County Development Services after the project has been constructed and the Certificate of Completion has been issued by Lee County. This report shall include status of the preserve with a minimum of two photo stations for each area from opposite viewing perspectives, management techniques being employed (trimming, weeding, fertilizer, replanting, exotic removal, etc.), and is the sole responsibility of the property owner. A baseline report shall be prepared by a biologist and shall be submitted upon completion of construction, with annual reports for five years showing compliance with the approved Development Order.

Exhibit 1

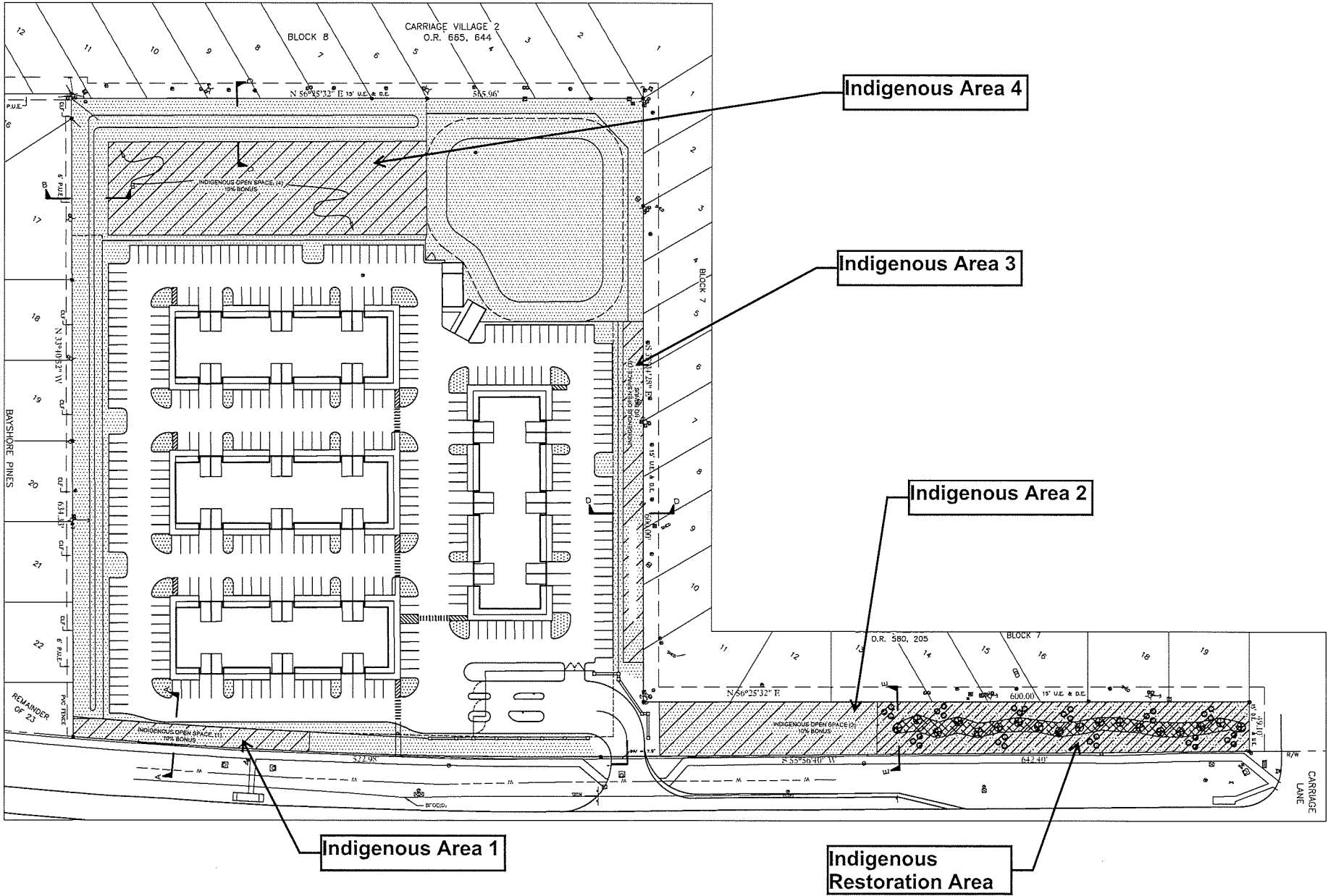
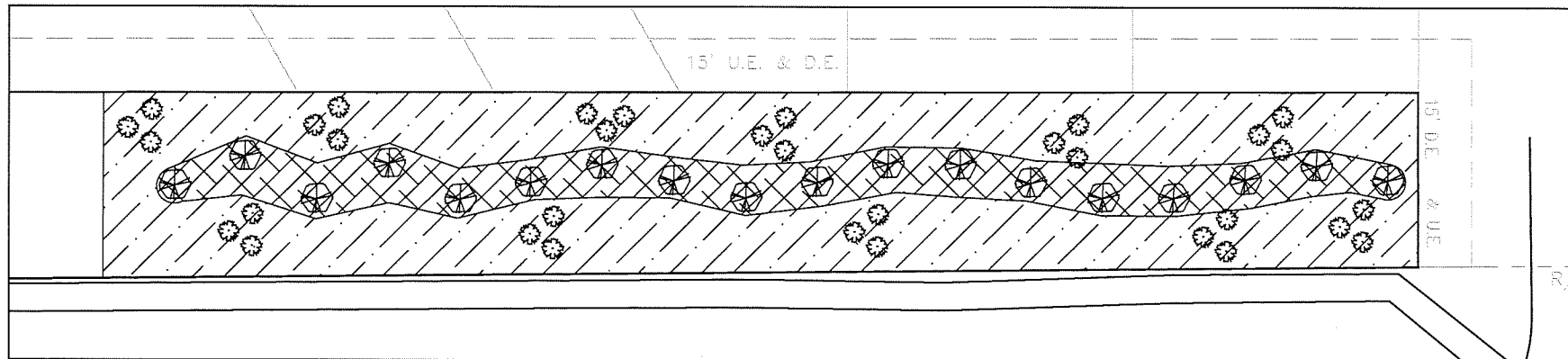


Exhibit 2



INDIGENOUS RESTORATION AREA CONCEPTUAL PLANTING PLAN

Exhibit 3

INDIGENOUS RESTORATION PLANT LIST*				
	33	SABAL PALMS**	SABAL PALMETTO	8' CLEAR TRUNK MIN.; 12' MIN. HT.
	18	LIVE OAK LAUREL OAK DAHOON HOLLY SLASH PINE	QUERCUS VIRGINIANA QUERCUS LAUTIFOLIA ILEX CASSINE PINUS ELLIOTTII	10' HT.; 3" CAL.; 5' SPREAD
	525	SAND CORDGRASS MUHLY GRASS	SPARTINA BAKERII MUHLENBERGIA CAPILLARIS	1 GAL., FL. #1 QUAL., 3' O.C.
	1,200	GROUND COVER, MIN. 3 VARIETIES GOLDEN CREEPER BEAUTYBERRY COONTIE GOPHER-APPLE WILD PLUMBAGA WILD LANTANA	ERNODEA LITTORALIS CALLICARPA AMERICANA ZAMIA INTERGRIFOLIA GEOBALANUS OBLONGIFOLIUS PLUMBAGA ZEYLANICA LANTANA INVOLUCRATA	1 GAL., FL. #1 QUAL., 3' O.C.
	220	SHRUBS***, MIN. 3 VARIETIES: SAW PALMETTO COCOPLUM WAX MYRTLE SIMPSON'S STOPPER WILD COFFEE FIREBUSH WALTER'S VIBURNUM	SERENOA REPENS CHRYSOBALANUS ICACO MYRICA CERIFERA MYRCIANTHES FRAGRANS PSYCHOTRIA NERVOSA HANELIA PATENS VIBURNUM OBOVATUM	24" HT., FL. #1 QUAL., 8' O.C.

NOTE:

*ALL PLANTED AREAS TO RECEIVE MIN. 2" LAYER OF PINE STRAW MULCH.

**SABAL PALMS TO BE RELOCATED FROM ELSEWHERE ON SITE WHERE POSSIBLE.

***SHRUBS MAY BE PLANTED IN GROUPS OF THREE.



DEPARTMENT OF COMMUNITY
DEVELOPMENT

Memo

To: Chahram Badamtchian, Planner, Senior

From: Md Rakibul Alam, Senior Transportation Planner

Date: Feb 20, 2023

Subject: Bayshore Pines (DCI2022-00048) Transportation-Related Analysis

Proposed Development

This application requests approval to rezone approximately 9.13 acres from RS-1 and C-1 to RPD to allow a maximum of 180 multi-family residential units.

Site Location

The subject site is located approximately 1,500 feet south of the intersection of Bayshore Rd. and New Post Rd. within the Fort Myers Planning Planning Community.

Site Access

Access to the property will be provided by a single proposed driveway on SR 78 (Bayshore Road) which is a state-maintained arterial.

Trip Generation Review

The trip generation for the proposed development was determined by referencing the Institute of Transportation Engineer's (ITE) Trip Generation 11th Edition Report. Table 1 outlines the proposed project's trip generation for weekday AM and PM peak hour and daily traffic volumes.

Table 1: Trip Generation

Land Use	Weekday A.M Peak Hour			Weekday P.M Peak Hour			Daily (2-Way)
	In	Out	Total	In	Out	Total	
Multi-Family Detached (180 units)	16	52	68	43	28	71	812

Roadway Section Traffic Operation Level of Service Analysis

It was assumed that the proposed development would be completed by 2025 (build-out year). Therefore, the roadway links significant impacted by the proposed development were analyzed for the 2025 projected traffic conditions without the proposed development and with the proposed development (Table 2).

**Table 2: Arterial/Collector Roadway Section(s) Adjacent to Site
Expected to be Significant Impacted by the Proposed Development**

Roadway	Location	Significant Impact Expected	Level of Service		
			Existing	Future 2025	Future + Project
Bayshore Road	East of Business 41	No	C	D	D
	East of Site Access	No	C	D	D

Roadway Intersection Traffic Operation Level of Service Analysis

New trips were assigned to the surrounding road network to assess LOS impact as necessary at site access and intersections expected to be most impacted by the proposed development. In this case, the project generates less than 100 trips per hour. So, information on the level of service (LOS) analysis of intersections is not required.

Applicant Proposed Deviation Review

Deviation #1 requests to allow for a single entrance on Bayshore Rd to the property due to FDOT access spacing criteria.

Conclusion

The proposed project will not have a detrimental impact on the surrounding roadway system. However, please note that the proposed access on SR 78 is subject to the approval of FDOT.

MEMORANDUM

Date: 02/16/2023

To: Chahram Badamhtchian, AICP

From: Brian Roberts

BR

Subject: DCI2022-00048 Bayshore Pines

The applicant is proposing to rezone 9+/- acres from Residential (RS-1) and Commercial (C-1) to Residential Planned Development (RPD) to allow development of up to 180 multi-family dwelling units, including 89 bonus density units. Development Services has reviewed the Master Concept Plan (MCP) and requested deviations with respect to Chapter 10 technical standards detailed in Land Development Code (LDC) and offers the following comments:

Deviation (1): Deviation 1 seeks relief from Lee County Land Development Code (LDC) Section 10-291(3) which requires that residential development of more than five (5) acres must provide more than one means of ingress or egress for the development; to allow a single access point to Bayshore Road and an additional emergency access only internal to the site to the parking area.

Staff recommends **APPROVAL** of the request with the following conditions:

The developer must record a notice to all future property owners, in the public record, prior to issuance of a local development order allowing construction of the access to the development. The notice must detail the emergency access plan and provide information as to where a copy of this plan may be obtained from the developer or developer's successor.

Prior to development order approval the applicant must demonstrate that a Crime Prevention through Environmental Design report has been submitted to the Lee County Sheriff's Department.

The Master Concept Plan depicts a single access points to Bayshore Road, a State-maintained arterial roadway with a speed limit of 50 miles per hour. Access to Bayshore Road is controlled by the Florida Department of Transportation (FDOT). The property width, configuration, and existing access connections prohibit the applicant from providing a second access point to the proposed development. The applicant has provided letters of no objection from Lee County Public Safety, Lee County Sheriff, and the North Fort Myers Fire District to support the request. The single is partially mitigated by providing a separate emergency only access gate, internal to the site, to the proposed parking area.

Deviation (3): Deviation 3 seeks relief from Lee County Land Development Code (LDC) Section 10-329(d)(1)(a)(3) which requires a minimum setback of 50 feet from any private property line under separate ownership to allow a minimum setback of 30 feet from the rear and side property lines as shown on the MCP.

Staff recommends **APPROVAL** with the following condition:

MEMORANDUM

At time of development order the plans must depict a fence or other structural barrier, a minimum of 5 feet in height, surrounding the proposed storm water detention pond as shown on the Master Concept Plan.

LDC Section 10-329(d)(1)(a)(3) allows administrative approval of deviations from this section of not less than 25 feet. The applicant's proposed minimum setback meets the requirements for administrative approval. Additionally, the applicant has proposed a security fence to protect the health, safety, and welfare of the surrounding adjacent residential properties. Staff has recommend the above condition to ensure that a security fence or other structural buffer, a minimum of 5 feet in height, is included in any future development order plans.

Please contact me if you have any further questions.



Lee County
Southwest Florida

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County Attorney

Donna Marie Collins
*County Chief
Hearing Examiner*

August 4, 2022

Via E-Mail

Joseph Lineberry
Keene Development
10970 S. Cleveland Ave.
Fort Myers, FL 33907

**RE: Potable Water Availability
Bayshore Pines RPD, 5361 Bayshore Road
STRAP # 36-43-24-00-00024.0000**

Dear Mr. Lineberry:

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

Your firm has indicated that this project will consist of 180 multi-family residential units with an estimated flow demand of approximately 36,000 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water service as estimated above.

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

There are no reuse mains in the vicinity of this parcel.

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

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

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

Sincerely,

LEE COUNTY UTILITIES



Mary McCormic
Technician Senior
239-533-8532
UTILITIES ENGINEERING



FGUA Operations Office

Government Services Group, Inc.
280 Wekiva Springs Rd., Ste 2070
Longwood, FL 32779-6026

(877) 552-3482 Toll Free
(407) 629-6900 Tel
(407) 629-6963 Fax

May 26, 2022

Tim Keene
Keene Development LLC
10970 S. Cleveland Ave., Ste. 405
Fort Myers, FL 33907
tim@keenefl.com

RE: Wastewater and Reclaim Water Availability – LOA ID#: 22-075 NFMD

Parcel ID No.: 36-43-24-00-00024.0000

5361 Bayshore Road, North Fort Myers, FL 33917

Bayshore Pines Plaza

Dear Mr. Tim Keene:

The FGUA has received your Application for Service Availability, and upon review, it has been determined that wastewater disposal service is generally available to the address provided. The attached site map indicates the approximate size and location of the existing mains in the area. Please be advised that main extensions, connection to the reclaimed water system, and other system enhancements funded by the project sponsor may be required.

The application indicated that the proposed project consists of a 20,000 SF office or retail and 1,058 self-storage units with an estimated wastewater disposal demand of 4,089 GPD. Currently, FGUA facilities are able to accommodate these demands. During the design process, if existing conditions warrant, a hydraulic analysis may need to be performed by the project engineer to evaluate the impacts the proposed project may have on the existing wastewater systems.

This letter should not be construed as a commitment to serve, but only as a statement of the availability of service and is effective for twelve (12) months from the date of issue. The FGUA commitment to serve will be made once a Utility Infrastructure Conveyance and Service Agreement (CSA) is fully executed. To move this project forward, contact Development Services via email at SSpencer@govmserv.com to receive a plan submittal package and schedule the pre-application meeting if required.

FGUA Board of Directors

PAM KEYES, P.E. Chair, Lee County / KEN CHEEK, P.E. Vice Chair, Citrus County / SHANE PARKER, P.E., Hendry County / TAMARA RICHARDSON, P.E., Polk County / MICHAEL CARBALLA, P.E., BCEE, Pasco County / JODY KIRKMAN, P.E., Marion County / HEIDI PETITO, Flagler County

Sincerely,

FLORIDA GOVERNMENTAL UTILITY AUTHORITY

Douglas W. Black

Digitally signed by Douglas W Black
Date: 2022.05.26 15:31:29 -04'00'

Douglas W. Black, PSM, PLS
Property & Development Manager

CC: Mike Currier, South Region Area Manager

Encl.

1. Pre-Development Meeting Information
2. Utility Locates
3. Fee Statement/Receipt



Development Services Division

Pre-Application Meeting Information

Purpose:

The pre-application meeting is designed to be an informative discussion, specifically geared toward assisting the applicant (owner/developer/engineer) understand the FGUA's policies and development process. The pre-application meeting may be required prior to the formal submission and review of any utility construction plans by the Development Division.

It is our goal to assist you through the FGUA development process as smoothly as possible, and for your development to be a success. This pre-application meeting, if required, will provide you with the details you need to make this a successful and stress-free process.

What to Expect:

If the meeting is required, you will be provided with a variety of both general and specific information regarding the FGUA's development process. This will include, but not be limited to staff contact information, plan review guidelines, current fees, conveyance, and closeout procedures.

Who Should Attend:

It is encouraged that a representative from the property owner, developer, and engineer, at a minimum, attend this meeting. Representatives of the FGUA's Development Division, including the Development Technician, Development Coordinator, Real Property Coordinator and utility system Area Manager will also be in attendance as required.

In an effort to accommodate the potential long-distance commute between the FGUA's Operations Office in Longwood, Florida and the FGUA system areas, these meetings will take place via Microsoft Teams.

Meeting Requests:

Please e-mail Development Services to request a meeting at SSpencer@govmserv.com.

Please have your FGUA Letter of Availability (LOA) Number (included on the first page of your previously issued Letter of Availability) ready when you email to schedule this meeting.

You will also be required to provide a preliminary site utility plan for staff review before the meeting is scheduled.

5/9/2022

Project Name: 22-075 NFMD Bayshore Pines Plaza

STRAP/PID #: 36-43-24-00-00024-0000

Property Address: 5361 Bayshore Road, North Fort Myers, FL 33917



ALL UTILITY LOCATIONS SHOWN HERE ARE APPROXIMATE. THE DEVELOPER IS SOLELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS VIA POTHOLING OR OTHER ACCEPTABLE MEANS.



FGUA Fee Statement

Letter of Availability and/or Locate Request

Property Address or PID: 36-43-24-00-00024.0000

System: North Fort Myers 416

Development/Project Name: Bayshore Pines Plaza

Date: May 9, 2022

County: Lee

LOA ID: 22-075 NFMD

All fee amounts are based on the rates in effect as of the date of this statement and are subject to change.

Fees based on:

0 Letter of Utility Location Availability and Locate Map	\$	100.00
1 Utility Availability Map (Map Only)	\$	75.00
2 Letter of Utility Location Availability (Letter Only)	\$	25.00

FGUA	G/L Code	Fees	Total fees	Amt Previously Paid	Balance Due
LOA Request	202098	\$ 100.00	\$ 100.00	\$ 100.00	\$ -
Fees Due:					\$ -

Payment History	Date	Check Date	Check #	Payer Name	Amount
0 Letter and Locate Map	5/9/2022	5/2/2022	4001	KEENE DEVELOPMENT, LLC	\$ 100.00
1 Map Only					
2 Letter Only					



Bayshore Pines Community Meeting Summary

Santa Barbara Town Center, LLC (Applicant) and their consultant team hosted a public information meeting at the North Fort Myers Recreation Center, 2000 N Recreation Park Way, North Fort Myers, FL 33903, at 5:00 p.m., on Monday, December 19, 2022. The meeting was held for the Bayshore Pines Residential Planned Development Amendment application (DCI2022-00048). The meeting was noticed to property owners listed on Exhibit "A" attached, and the meeting notice was published in the News-Press on November 30, 2022. The Affidavit of Publication is attached as Exhibit "B".

The list of participants is attached as Exhibit "C" and demonstrates approximately 33 attendees were present at the meeting in addition to the consultant team.

Alexis Crespo and Tim Keene (Agents) welcomed attendees, introduced the project, and, together with the Applicant and consultant team, presented a PowerPoint presentation attached as Exhibit "D".

The Applicant explained the proposed development will include 180 multi-family dwelling units with a maximum height of 4 stories/60 feet. The Master Concept Plan was also displayed and proposed uses, access, preserves, perimeter buffers. After the presentation the Applicant opened the floor for attendees to ask questions and make comments.

Comments raised from attendees included the following topics:

- **Concern for gopher tortoises on the property and the cost of relocation**
 - The Applicant explained the FWC will require us to relocate them and will monitor that process to make sure we do it correctly and protect the animals.
- **Several requests for a traffic signal and concern about volume of traffic, ability to get out of Carriage Village**
 - The Applicant's engineer walked through why a developer cannot install a signal without FDOT approval and why it would not be warranted by the project based on a variety of factors. It was also noted more detailed traffic studies will be completed through the process.
- **General concern on density, height, affordable/Section 8 housing, security fencing and height of proposed trees**
 - The Applicant reviewed the large buffers and setbacks in further detail and discussed locations of the preserve and stormwater management to offset impacts. It was also noted the buildings were located central to the site to maximize distance from existing homes.
- **General concern on Carriage Village's existing street flooding and steps to be taken to ensure the development doesn't make these problems worse**

ATTACHMENT I

- The Applicant's engineer explained the water management design, perimeter berming and outfall. It was also noted the site could not put more water on the surrounding lands that the current conditions before development occurs.

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

Following the discussion and public comment, the Applicant thanked the attendees and provided contact information. The meeting was concluded at approximately 5:45 p.m.

EXHIBIT A



NOTICE OF PUBLIC INFORMATION MEETING

DATE: Monday, December 19, 2022

TIME: 5:00 PM

ADDRESS: North Fort Myers Recreation Center, Room 102A, 2000 North Recreation Park Way, North Fort Myers, FL 33903

In accordance with the North Fort Myers Planning Community requirements of the Lee County Land Development Code, the Applicant, BIG, LLC, will be presenting information to the public on the following request:

The request is to rezone the 9+/- Property to Residential Planned Development (RPD) to allow for a maximum of 180 multi-family dwelling units with a maximum height of 4 stories (60 feet). The development will consist of four (4) buildings, surface parking, private on-site recreational amenities, and supportive infrastructure.

The purpose of the meeting is to educate community members and nearby landowners about the proposed development and to address any questions.

For questions please contact:

RVI Planning. c/o Alexis Crespo
28100 Bonita Grande Drive, Suite 305, Bonita Springs, FL 34135
(239)850.8525 OR ACrespo@RVIPanning.com

The News-Press media group

news-press.com A GANNETT COMPANY

Attn:

RVI PLANNING, INC
28100 BONITA GRANDE DR
BONITA SPRINGS, FL 34135

State of Wisconsin, County of Brown:

Before the undersigned authority personally appeared

K. Allen, who on oath says that
 he or she is a Legal Assistant of the News-Press, a daily
 newspaper published at Fort Myers in Lee County, Florida; that
 the attached copy of advertisement, being a Legal Ad in the
 matter of

Notice of Meetings

In the Twentieth Judicial Circuit Court was published in said
 newspaper editions dated or by publication on the newspaper's
 website, if authorized, on:

11/30/2022

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

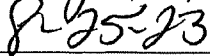
Sworn to and Subscribed before me this 21st of December
 2022, by legal clerk who is personally known to me.



Affiant



Notary State of Wisconsin, County of Brown



My commission expires

SHELLY HORA
 Notary Public
 State of Wisconsin

of Affidavits: 1

This is not an invoice

NOTICE OF PUBLIC INFORMATION

MEETING

DATE: Monday, December 19, 2022

TIME: 5:00 PM

ADDRESS: North Fort Myers Recreation
 Center, Room 102A, 2000 North Recreation
 Park Way, North Fort Myers, FL
 33903

In accordance with the North Fort
 Myers Planning Community require-
 ments of the Lee County Land Develop-
 ment Code, the Applicant, BIG, LLC,
 will be presenting information to the
 public on the following request:

The request is to rezone the 94/- Prop-
 erty to Residential Planned Develop-
 ment (RPD) to allow for a maximum of
 180 multi-family dwelling units with a
 maximum height of 4 stories (60 feet).
 The development will consist of four
 (4) buildings, surface parking, private
 on-site recreational amenities, and sup-
 portive infrastructure.

The purpose of the meeting is to edu-
 cate community members and nearby
 landowners about the proposed devel-
 opment and to address any questions.

For questions please contact:

RVI Planning, c/o Alexis Crespo
 28100 Bonita Grande Drive, Suite 305,
 Bonita Springs, FL 34135
 (239)850.8525 OR

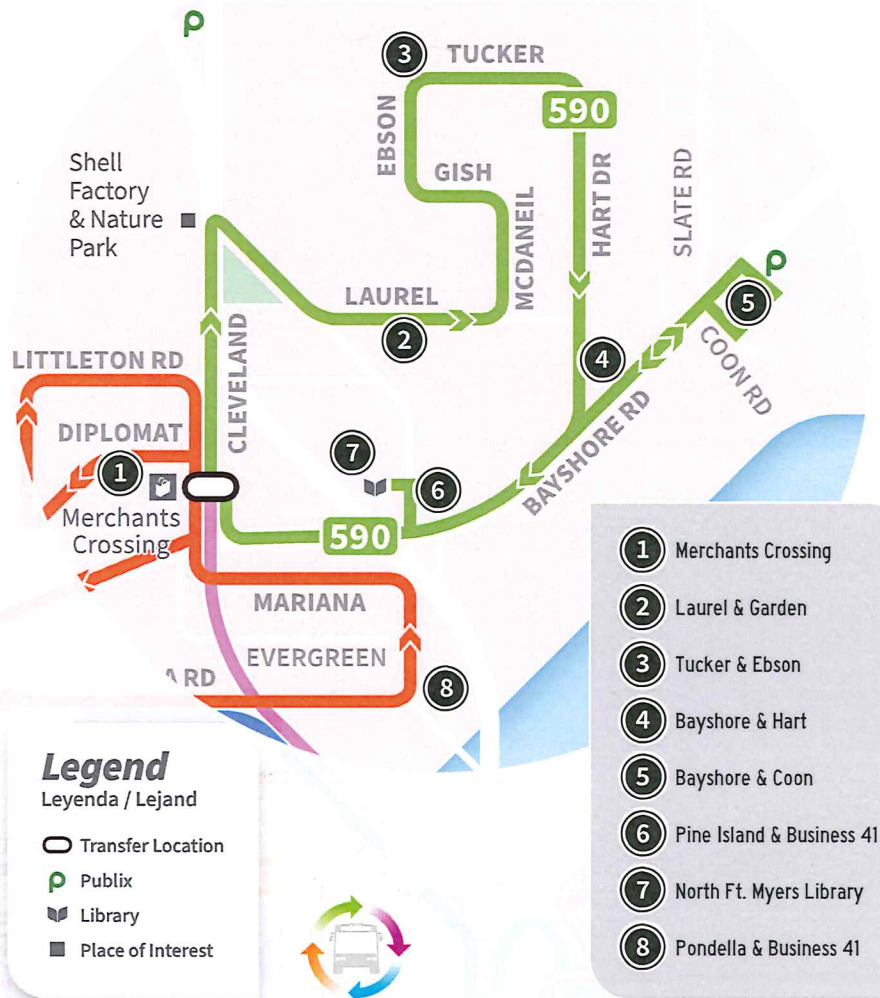
ACrespo@RVIPanning.com

#5497752 11/30/2022

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La **Tropicard** es una tarjeta duradera que se puede comprar en la sede de LeeTran, el centro de transporte Rosa Parks o en cualquier máquina expendedora de boletos de LeeTran. Administre su cuenta de Tropicard en **MyTropicard.com**

Tropicard la se yon kat ki dirab ou ka achte nan biwo jeneral LeeTran, Rosa Parks Transportation Center oswa nan nenpòt lòt distribitè otomatik tikè LeeTran. Ou ka jere kont Tropicard ou a nan **MyTropicard.com**



The **LeeFare app** can be downloaded through the Apple or Android stores. The app is a standalone payment option that requires only a mobile device for use.

La aplicación **LeeFare** se puede descargar a través de las tiendas de Apple o Android. La aplicación es una opción de pago independiente que solo requiere un dispositivo móvil para su uso.

Ou ka telechaje **aplikasyon LeeFare** la nan app store Apple oswa Android. Aplikasyon an se yon opsyon pou pèman otònòm kote ou senpleman bezwen yon aparèy mobil pou itilize l.



Limited Use Passes are available in single or multi-trip/day options. They can be purchased at LeeTran Headquarters, Rosa Parks Transportation Center or any LeeTran Ticket Vending Machine.

Limited Use Passes están disponibles en opciones de uno o varios viajes/día. Se pueden comprar en las oficinas centrales de LeeTran, en el centro de transporte de Rosa Parks o en cualquier máquina expendedora de boletos de LeeTran.

Limited Use Passes disponib nan opsyon vwayaj sen oswa plizyè vwayaj nan yon jounen. Ou ka achte yo nan biwo jeneral LeeTran, Rosa Parks Transportation Center oswa nan nenpòt lòt distribitè otomatik tikè LeeTran.



Cash is still accepted on all buses. Remember, the fare box does not provide change so make sure you have the exact fare amount.

Todavía se acepta **efectivo** en todos los autobuses. Recuerde, el cuadro de tarifa no proporciona cambio, así que asegúrese de tener el monto exacto de la tarifa.

Yo toujou akseptè **lajan kach** nan tout otobis yo. Sonje bwat kote w depoze lajan an apa bay monnen kidonk asire w ou gen montan egzat pou vwayaj la.



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Merchants Crossing

140 595



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PERSONAL | PASSIONATE | PROGRESSIVE

THE SCHOOL DISTRICT OF LEE COUNTY

Jacqueline Heredia

District Planning Specialist

2855 Colonial Boulevard, Fort Myers, FL 33966 | O: 239.335.1494

September 13, 2022

Chahram Badamtchain
Lee County Community Development
1500 Monroe Street
Fort Myers Florida 33902

RE: Bayshore Pines RPD

Dear Chahram Badamtchain:

This letter is in response to your request for concurrency review dated Sept. 1, 2022 for the subject property in the Bayshore Pines in regard to educational impact. The project is located in the East Choice Zone.

This development is a request for 180 Multi-family housing unit. With regard to the inter-local agreement for school concurrency the generation rates are created from the type of dwelling unit and further broken down by grade level.

For multi-family homes, the generation rate is .116 and further broken down by grade level into the following, .058 for elementary, .028 for middle and .03 for high. A total of 21 school-aged children would be generated and utilized for the purpose of determining sufficient capacity to serve the development.

The Concurrency Analysis attached, displays the impact of this development. Capacity is an issue within the Concurrency Service Area (CSA) at the high school level, however, capacity is available in the adjacent CSA.

Thank you and if I may be of further assistance, please contact me at 239-335-1494

Sincerely,

Jacqueline Heredia, District Planning Specialist

BOARD MEMBERS MARY FISCHER, Chair, District 1 | DEBBIE JORDAN, Vice Chair, District 4 | GWYNETTA S. GITTENS, District 5
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GREGORY K. ADKINS, Ed.D., Superintendent | ALAN L. GABRIEL, ESQ., Board Attorney

LEE COUNTY SCHOOL DISTRICT'S SCHOOL CONCURRENCY ANALYSIS

REVIEWING AUTHORITY Lee County School District
NAME/CASE NUMBER DCI2022-00048
OWNER/AGENT Lee County School District
ITEM DESCRIPTION RPD

LOCATION Bayshore Pines RPD
ACRES 10.00
CURRENT FLU Urban
CURRENT ZONING

PROPOSED DWELLING UNITS BY TYPE

Single Family	Multi Family	Mobile Home
	180	0

STUDENT GENERATION

Student Generation Rates				
SF	MF	MH	Projected Students	
Elementary School	0.149	0.058		10.44
Middle School	0.071	0.028		5.04
High School	0.077	0.03		5.40
Source: Lee County School District, September 8, 2018 letter				

CSA SCHOOL NAME 2022/23

	CSA Capacity (1)	CSA Projected Enrollment (2)	CSA Available Capacity	Projected Impact of Project	Available Capacity W/Impact	LOS is 100% Perm FISH Capacity	Adjacent CSA Available Capacity w/Impact
East CSA, Elementary	14,234	14,026	208	10	198	99%	
East CSA, Middle	7,293	6,912	381	5	376	95%	
East CSA, High	9,536	8,492	1,044	5	1039	89%	
(1) Permanent Capacity as defined in the Interlocal Agreement and adopted in the five (5) years of the School District's Five Year Plan							
(2) Projected Enrollment per the five (5) years of the School District's Five Year Plan plus any reserved capacity (development has a valid finding of capacity)							
(3) Available Adjacent CSA capacity is subject to adjacency criteria as outlined in the Interlocal Agreement and the School District's School Concurrency Manual							

Prepared by: Jacqueline Heredia, District Planning Specialist



Board of County Commissioners

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District Four

Mike Greenwell
District Five

Roger Desjarlais
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
County Hearing
Examiner

November 10, 2022

Tim Keene
Keene Development LLC
10970 S. Cleveland Ave., Ste 405
Fort Myers, Florida 33907

Re: Review of Deviation from LDC – Bayshore Pines MCP

Mr. Keene,

I am in receipt of your letter requesting a review of a deviation in the Land Development Code for the development known as Bayshore Pines MCP. This property is located at 5361 Bayshore Road, North Fort Myers. The deviation requested is within Section 10-291, regarding a proposed secondary emergency access from the development from Bayshore Road.

I have reviewed the Master Concept Plan for the project. The plan includes a primary access from Bayshore Road. A second access to and from Bayshore Road is not possible due to restrictions by the Florida Department of Transportation.

The second emergency access is proposed to be located next to the primary access gate on the driveway to the property. This is proposed to be an emergency access gate with EVAC openers.

The Department of Public Safety consents to this deviation.

Should the plans change, a new analysis of this deviation 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



November 8, 2022

Tim Keene
Keene Development LLC
10970 S. Cleveland Ave., Suite 405
Fort Myers, Florida 33907

RE: 5361 Bayshore Rd

Jennifer,

The North Fort Myers Fire District has reviewed your proposed concept plan for the 5361 Bayshore 65 project. There is **'No Objection'** to the project as proposed. If you have any further questions, please contact my office @239-731-1931.

Respectfully,

Rick Jones
Fire Marshal

Carmine Marceno
Sheriff



"Proud to Serve"

State of Florida
County of Lee

November 22, 2022

Tim Keene
Keene Development LLC
10970 S. Cleveland Ave., Suite 405
Fort Myers, FL 33907

Mr. Keene,

The Lee County Sheriff's Office has reviewed your master concept plan for the Bayshore Pines Residential Planned Development, located at 5361 Bayshore Road in North Fort Myers. This Agency has no objections to waiving the Lee County requirement for two access points at this proposed residential development, which will consist of up to 180 multifamily units. Access to the development will be from Bayshore Road, with a secondary emergency only entrance off the main driveway.

Law enforcement services will be provided from our North District offices in North Fort Myers. 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 Community Response Unit 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 "Chris Reeves".

Chris Reeves
Major, 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



APPLICATION FOR PLANNED DEVELOPMENT PUBLIC HEARING UNINCORPORATED AREAS ONLY

Project Name: Bayshore Pines RPD

Request: Rezone from: C-1 and RS-1 To: RPD

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

Bonus Density included? ☐ NO ☒ YES¹ for: 89 Bonus Units

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

Summary of Project:

Rezone request from C-1 and RS-1 to RPD to allow a 180 unit multi-family residential planned development on a 9.13 acre site, with associated parking, storm water management, open space and site-related improvements.

PART 1 APPLICANT/AGENT INFORMATION

A. Name of Applicant: BIG LLC
Address: 10331 Glastonbury Circle, Apt 101
City, State, Zip: Ft. Myers, FL 33913
Phone Number: 239-826-5011
E-mail Address: gfluharty@gmail.com

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

- ☐ Applicant is the sole owner of the property. [34-201(a)(1)a.1.]
- ☒ Applicant has been authorized by the owner(s) to represent them for this action. [34-202(a)(3)]
- ☐ Application is County initiated. Attach BOCC authorization.

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

1. Company Name: Keene Development LLC
Contact Person: Tim Keene
Address: 10970 S Cleveland Ave, Ste 405
City, State, Zip: Ft. Myers FL 33907
Phone Number: 239-939-0524 Email: tim@keenefl.com

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

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

**PART 2
PROPERTY OWNERSHIP**

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

Name: Santa Barbara Town Center LLC

Address: 1420 SE 4th St

City, State, Zip: Cape Coral, FL, 33990

Phone Number: _____ **Email:** _____

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

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

C. Multiple parcels:

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

☐ Property owners map. [34-202(a)(8)]

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

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

2. Date property was acquired by present owner(s): July, 2007

**PART 3
PROPERTY INFORMATION**

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

36-43-24-00-00024.0000

B. Street Address of Property: 5361 Bayshore Rd, North Ft. Myers, FL 33917

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

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

OR

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

AND

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

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

OR

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

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

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

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

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

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

E. Current Zoning of Property: C-1 (Commercial) and RS-1 (Single-Family Residential)

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

F. Use(s) of Property:

1. Current uses of property are: Undeveloped

2. Intended uses of property are: Multi-family residential

G. Future Land Use Classification (Lee Plan):

Central Urban	9.13	Acres	100	% of Total
		Acres		% of Total
		Acres		% of Total

H. Property Dimensions:

1. Width (average if irregular parcel):	565	Feet		
2. Depth (average if irregular parcel):	650	Feet		
3. Total area:	9.13	Acres or square feet		
4. Frontage on road or street:	1165	Feet on	Bayshore Road	Street
2 nd Frontage on road or street:		Feet on		Street

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

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

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

**PART 4
TYPES OF LAND AREA ON PROPERTY**

A. Gross Acres (total area within described parcel)		9.13	Acres
1. Submerged land subject to tidal influence		0	Acres
2. a. Preserved freshwater wetlands	0	Acres	
b. Impacted wetlands	0	Acres	
c. Preserved saltwater wetlands	0	Acres	
d. Total wetlands (A.2.a. plus A.2.b. plus A.2.c.)		0	Acres
3. R-O-W providing access to non-residential uses		0	Acres
4. Non-residential use areas ^{(1) (2)}		0	Acres
B. Total area not eligible as gross residential acreage (Items A.1. + A.3. + A.4.).		0	Acres
C. Gross residential acres. (A minus B) ⁽³⁾		9.13	Acres
D. Gross residential acres (by Land Use Category)			
1. a. Intensive Development – upland			Acres
b. Intensive Development – preserved freshwater wetlands			Acres
c. Intensive Development – impacted wetlands			Acres
2. a. Central Urban – upland	9.13		Acres
b. Central Urban – preserved freshwater wetlands			Acres
c. Central Urban – impacted wetlands			Acres
3. a. Urban Community or Suburban – upland			Acres
b. Urban Community or Suburban – preserved freshwater wetlands			Acres
c. Urban Community or Suburban – impacted wetlands			Acres

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

TOTAL (should equal "C" above)

9.13 Acres

Notes:

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

**PART 5
RESIDENTIAL DEVELOPMENT - PRELIMINARY DENSITY CALCULATIONS**

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

A. Future Land Use Category: Central Urban

		Lee Plan Table 1(a)		
		Max. standard density		Units
1.	Standard Units			
	a. Total upland acres (from Part 4, D.)	9.13	x 10 equals	91
	b. Total preserved freshwater wetlands acres (from Part 4, D.)	0	x _____ equals	0
	c. Total impacted wetlands acres (from Part 4, D.)	0	x _____ equals	0
	d. Total Allowed Standard Units ⁽¹⁾			91
2.	Bonus Units [2-143]			
	a. Site-built Affordable Housing			0
	b. Transferrable Dwelling Units			91
	c. Sub-total			89
3.	Total Permitted Units ⁽¹⁾			182

Note:

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

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

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

PART 7
ACTION REQUESTED

- A. Request Statement:** Provide a single narrative explaining the nature of the request and how the property qualifies for the rezoning to a planned development. This narrative should include how the proposed development complies with the Lee Plan, the Land Development Code, and the applicable findings/review criteria set forth in LDC section 34-145(d)(4). This narrative may be utilized by the Board of County Commissioners, Hearing Examiner and staff in establishing a factual basis for the granting or denial of the rezoning. **[34-373(a)(5)]**
- B. Traffic Impact Statement.** A traffic impact statement in a format and to the degree of detail required by the County and in conformance with the adopted Lee County Administrative Code. TIS is not required for an existing development. **[34-373(a)(7)]**
- C. Master Concept Plan:**
- 1. Master Concept Plan, Non-PRFPD:** A graphic illustration (Master Concept Plan) of the proposed development, showing and identifying the information required by LCLDC Section 34-373(a)(6)a. Copies of the Master Concept Plan must be provided in two sizes, 24"x36" and 11"x17", and must be clearly legible and drawn at a scale sufficient to adequately show and identify the required information. In addition to the Master Concept Plan, an open space design plan delineating the indigenous preserves and/or native tree preservation areas as required by LDC Section 10-415(b) must be submitted. **[34-373(a)(6)]**
 - 2. Schedule of Uses:** A schedule of uses keyed to the Master Concept Plan as well as a summary for the entire property including the information required by LCLDC Section 34-373(a)(8)]. **[34-373(a)(8)]**

3. **Schedule of Deviations and Written Justification:** A schedule of deviations and a written justification for each deviation requested as part of the Master Concept Plan accompanied by documentation including sample detail drawings illustrating how each deviation would enhance the achievement of the objectives of the planned development and will not cause a detriment to public interests. The location of each requested deviation must be located/shown on the Master Concept Plan. [34-373(a)(9)]

D. **Bonus Density:** [34-202(a)(11)]

- ☐ Not Applicable
☒ Bonus Density will be used. Provide the number of Bonus Density units being requested and a narrative of how the request meets the requirements of LDC Section 2-146.

**PART 8
ENVIRONMENTAL REQUIREMENTS**

- A. **Topography:** Describe the range of surface elevations of the property. Attach a county topographic map (if available) or a USGS quadrangle map showing the subject property. [34-373(a)(4)b.iv.]
See included survey information.
-
- B. **Sensitive Lands:** Identify any environmentally sensitive lands, including, but not limited to, wetlands (as defined in the LEE Plan Section XII), flowways, creek beds, sand dunes, other unique land forms [see LEE Plan Policy 77.1.1 (2)] or listed species occupied habitat [see LCLDC Section 10-473(f)].
No such features located on this parcel.
-
- C. **Preservation/Conservation of Natural Features:** Describe how the lands listed in PART 6.B. above will be protected by the completed project:
N/A
-
- D. **Shoreline Stabilization:** If the project is located adjacent to navigable natural waters, describe the method of shoreline stabilization, if any, being proposed:
N/A
-
- E. **Soils Map:** Attach maps drawn at the same scale as the Master Concept Plan marked or overprinted to show the soils classified in accordance with the USDA/SCS System. [34-373(a)(4)b.i.]
- F. **FLUCCS Map:** A Florida Land Use, Cover and Classification System (FLUCCS) map, at the same scale as the Master Concept Plan, prepared by an environmental consultant. The FLUCCS map must clearly delineate any Federal and State jurisdictional wetlands and other surface waters, including the total acreage of Federal and State wetlands. [34-373(a)(4)c.]
- G. **Rare & Unique Upland Habitat Map:** Maps drawn at the same scale as the Master Concept Plan marked or overprinted to show significant areas of rare and unique upland habitat as defined in the LEE Plan Section XII. [34-373(a)(4)b.iii.]
- H. **Existing and Historic Flow-Ways Map:** Map(s) drawn at the same scale as the master concept plan marked or overprinted to show existing and historic flow-ways. [34-373(a)(4)b.v.]

**PART 9
SANITARY SEWER & POTABLE WATER FACILITIES**

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

3. Expected life of the facility:

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

5. Receiving bodies or other means of effluent disposal:

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

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

2. Current water table conditions:

3. Proposed rate of application:

4. Back-up system capacity:

PART 10 ADDITIONAL REQUIREMENTS

A. **Major Planned Developments:**

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

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

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

D. **Private Recreational Facility Planned Developments (PRFPDs):**

1. **Master Concept Plan, PRFPD.** Master Concept Plan showing and identifying information required by LDC Section 34-941(g)(1). Copies of the Master Concept Plan must be provided in two sizes, 24"x36" and 11"x17", and must be clearly legible and drawn at a scale sufficient to adequately show and identify the required information. **[34-941(g)(1)]**
2. **Conceptual Surface Water Management Plan.** A Conceptual Surface Water Management Plan must be submitted. The plan must be viable and take into consideration any natural flowway corridors, cypress heads, natural lakes, and the restoration of impacted natural flowway corridors. **[34-941(d)(3)b.i.1)]**
3. **Well Drawdown Information.** If within an area identified as an anticipated drawdown area for existing or future well development, demonstration of compliance with LCLDC Section 34-941(d)(3)d.i & ii. must be provided. **[34-941(d)(3)d.]**
4. **Preliminary Indigenous Restoration Plan.** A Preliminary Indigenous Restoration Plan must be provided if on-site indigenous restoration is being used to meet the indigenous native plant community preservation requirement. **[34-941(e)(5)f.iii.]**

5. **Environmental Assessment.** An Environmental Assessment must be provided which includes, at a minimum, an analysis of the environment, historical and natural resources. **[34-941(g)(2)]**
 6. **Demonstration of Compatibility.** Written statements concerning how the applicant will assure the compatibility of the proposed development with nearby land uses (by addressing such things as noise, odor, lighting and visual impacts), and the adequate provision of drainage, fire and safety, transportation, sewage disposal and solid waste disposal must be provided. **[34-941(g)(4)]**
- E. Potable Water & Central Sewer.** Will the project be connected to potable water and central sewer as part of any development of the property?
- ☒ **YES** (Provide a letter from the appropriate Utility to which the connection(s) are proposed confirming availability of service.) **[34-202(a)(10)]**
- ☐ **NO** (Provide a narrative explaining why the connection is not planned and how the water and sewer needs of the project will be met.) **[34-202(a)(10)]**
- F. Existing Agricultural Use:** If the property owner intends to continue an existing agricultural use on the property subsequent to the zoning approval, an Existing Agricultural Use Affidavit must be provided. Entitle as "Existing Agricultural Uses at Time of Zoning Application." **[34-202(a)(12)]**
- G. Flood Hazard:**
- ☒ Not applicable – only a portion of the site is located in a FEMA flood zone.
- ☒ The property is within an Area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRM)s.
- ☒ The minimum elevation required for the first habitable floor is 11.5' NAVD (MSL)
- H. Excavations/Blasting:**
- ☒ No blasting will be used in the excavation of lakes or other site elements.
- ☐ If blasting is proposed, provide Information Regarding Proposed Blasting (including soil borings, a map indicating the location of the proposed blasting, and other required information).
- I. Hazardous Materials Emergency Plan for Port Facilities: [12-110(a)(16)]**
- ☒ Not Applicable
- ☐ Provide a Hazardous materials emergency plan.
- J. Mobile Home Park: [34-174(h)]**
- ☒ Not Applicable
- ☐ Request includes rezoning of a Mobile Home Park. Provide facts related to the relocation of dislocated owners that meets the requirements of F.S. § 723.083 (1995):
- K. Airport Zones & Lee County Port Authority (LCPA) Requirements:**
- ☒ Not Applicable
- ☐ Property is located within _____ Airport Noise Zone: **[34-1104]**
- ☐ Property is located within Airport Runway Protection Zone. Indicate which Zone below. **[34-1105]**
- ☐ Property is located within Airport Residential and Educational Protection Zone: **[34-1106]**
- ☐ Property is located in an Airport Obstruction Notification Zone and subject to LCPA regulations. **[34-1107]**
- ☐ A Tall Structures Permit is required. **[34-1108]**

**PART 5
SUBMITTAL REQUIREMENT CHECKLIST**

Clearly label your attachments as noted in bold below

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

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



Bayshore Pines RPD Narrative of Request

REVISED DECEMBER 2022

I. REQUEST

The applicant is requesting Planned Development rezoning approval for a 9.13+/- acre Property located along Bayshore Rd., approximately 1,500 feet south of the intersection of Bayshore Rd. and New Post Rd. Currently located in the North Fort Myers Planning Community, the Property is zoned RS-1 and C-1. The request is to rezone the vacant Property to Residential Planned Development (RPD) to allow for a maximum of 180 multi-family dwelling units with a maximum height of 4 stories (60 feet) utilizing the County's bonus density program. The development will consist of four (4) buildings, surface parking, private on-site recreational amenities, and supportive infrastructure. The RPD will also include perimeter buffers and open space that will provide substantial spatial separation and physical screening between the proposed units and surrounding residential properties.

II. BACKGROUND

The 9.13+/- acre Property consists of undeveloped vacant uplands with 1,100 feet of frontage on Bayshore Road, a 4-lane arterial roadway. In 2008 an application was filed to rezone the Property to a Commercial Planned Development (CPD) to allow for 85,000 SF of commercial retail uses (DCI2008-00032). the Application was ultimately withdrawn due to financial concerns following the recession. The proposed RPD rezoning does not include any commercial uses and is far less intensive than the previous CPD request.

III. SURROUNDING LAND USES

The Property is generally surrounded by residential land uses on the north side of Bayshore Road. The Carriage Village mobile home community abuts the Property to the east and north. The six parcels to the west are developed with single-family houses that are a part of a larger single-family community with an approximate lot size of 10,000 SF. The future land uses category for the Property is Central Urban. The Central Urban classification allows for a maximum density of 10 units per acre, with up to 15 du/acre permitted via affordable housing or TDUs, and up to 20 units per acre allowed when utilizing the Greater Pine Island TDUs. The table below demonstrates the surrounding properties classifications.

	Future Land Use	Zoning	Surrounding Land Use
East	Central Urban	MH-1	Mobile Home Community (Carriage Village)
South	Central Urban	C-1A/RS-1	Arterial Right-of-Way (Bayshore Rd); LeeTran bus stop
West	Central Urban	RS-1	Single Family Residential (Bayshore Pines)
North	Central Urban	MH-1	Mobile Home Community (Carriage Village)

IV. PUBLIC INFRASTRUCTURE

The Property is serviced by existing public infrastructure that can accommodate the proposed multi-family residential development. Potable water lines are currently located within the right-of-way abutting the Property and will be provided by Lee County Utilities, while sanitary sewer service is located at Hart Road and runs north/south to a treatment plant with adequate availability. The surrounding roadway network has adequate capacity as set forth in the accompanying Traffic Circulation Analysis prepared by TR Transportation Consultants, Inc.

Additionally, there are numerous community facilities and services in the immediate vicinity of the project, including the North Fort Myers Fire Department Station 3 located 1.5 Miles north of the Property, Lee County EMS Station 31 located approximately 3 miles from the site, the Lee County Sheriff's Office is 2 miles from the Property. Additionally, within 5 miles of the subject Property there are five public education facilities, Bayshore Elementary School, J. Colin English Elementary School, North Fort Myers Academy for the Arts, and North Fort Myers High School, and Dr. Carrie D Robinson Littleton Elementary School. As for Public Parks and facilities, the North Fort Myers Community Park, Recreation Center, and Public Library are within 1.5 miles of the proposed development.

V. PROPOSED DEVELOPMENT

Through this rezoning application, the application proposes a development with a maximum of 180 multi-family dwelling units. Enclosed in this application is a Master Concept Plan (MCP) that details the four building locations on the 9.13+/- acre subject Property.

As shown on the MCP, the four (4) buildings are clustered towards the center of the Property and are located more than 90 feet from the adjacent Property lines. In addition, the Property features 30-foot type F buffers to the east and west where the Property is abutting lower densities. These buffers strategically place the building in a centralized location that provides screening and separation from the adjacent residential land uses, and are intended to protect and preserve the appearance, character, and value of adjacent properties. Three of the four buildings are four-stories and one of the buildings is three-stories. The four-story buildings will consist of 48 individual units where the three-story building consist of 36 units.

Further, these design elements allow for the required open space and indigenous area to exceed the required acreage. A large open space area with approximately 600-feet of frontage along Bayshore Rd will allow for native vegetation to remain undisturbed and provide a buffer between Carriage Village residents and Bayshore Rd. Additionally, a large contiguous indigenous open space will be located in the northwest corner of the Property. This internal tract will provide further buffering between the Carriage Village residents to the north and the single-family residences to the west.

The proposed RPD will be accessed directly from Bayshore Road and perpendicular from Lincoln Avenue. The entry will include a right-in turn lane and will be gated. Emergency access will be included either at the main residential entry point or as a stabilized access on the western side of the property where the MCP depicts a proposed privacy fence. Access was carefully design to limit impacts to neighboring developments.

The full details of the proposed development program are provided in the enclosed Master Concept Plan, Schedule of Uses, Site Development Regulations, and proposed conditions.

VI. COMPREHENSIVE PLAN CONSISTENCY ANALYSIS

As noted above, the subject Property is designated within the Central Urban future land use category and is located within the North Fort Myers Planning Community. Table 1(b) demonstrates there are 2,225 acres of available residential lands within the underlying FLU and within North Fort Myers.

This designated area is described in the Lee County Comprehensive Plan as promoting compact, mixed-use development in the form of town and neighborhood center that revitalize older neighborhoods and commercial corridors; stabilizing and enhancing, existing neighborhoods; and preserving natural resources.

The proposed development not only meets but exceeds the vision for the North Fort Myers Planning Community. As a compact infill development, the subject Property provides an opportunity to utilize a vacant parcel to provide additional housing options while maintaining compatibility with the residential uses that surround the Property via perimeter buffers, building setbacks, and other performance standards. The proposed development aims to provide housing options for the surround workforce community, such as, teachers, fire-fighters, law enforcement, and the supporting commercial/retail employees. Further, the conceptual plan provided with the application supports the preservation of natural resources. Of the 9.13+/-acre property, approximately 1.62 acres are being preserved as indigenous open space.

Below are objectives and policies that are outlined in the Lee County Comprehensive Plan and pertain specifically to the North Fort Myers Community Plan.

Policy: 1.1.3: Central Urban Future Land Use Category.

The proposed RPD is consistent with the intent, allowable land uses and densities permitted in the underlying Central Urban future land use category. Multi-family residential uses are appropriate in this category. The proposed density of 20 du/acre is permitted in Central Urban via the bonus density program, which allows 20 du/acre via Greater Pine Island TDUs. The Property is an ideal location for bonus density due to availability of urban levels of public infrastructure and services, proximity to the "urban core" of Lee County and limited environmentally sensitive lands on the site.

Objective 2.2: Development Timing.

The proposed RPD will direct higher density, multi-family housing to an ideal location on an arterial roadway with available roadway capacity, public utilities, schools, EMS, fire, sheriff, and recreation in the immediate vicinity. This rezoning is consistent with the intent of the above objective and supportive policies to direct new growth to urbanized areas of the county with public infrastructure and services.

Objective 5.1: All development approvals for residential, commercial, and industrial land uses must be consistent with the following policies, the general standards under Goal 4, and other provisions of this plan.

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

In accordance with Lee County Comprehensive Plan policy 5.1.1, the proposed residential project will be developed and considered through the planned development (PD) rezoning process. The proposed development does not exceed the threshold for Development of County Impact (DCI) and fulfills the requirements outlined within the Lee Plan. The proposed development will not pose negative effects upon the health, safety, and welfare of the citizens of the county.

Policy 5.1.2: Prohibit residential development where physical constraints or hazards exist, or require the density and design to be adjusted accordingly. Such constraints or hazards include but are not limited to flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental limitations; aircraft noise; or other characteristics that may endanger the residential community.

The proposed development poses no physical hazards or constraints. The property is devoid of wetlands that would limit development. The on-site gopher tortoises will be relocated to a more appropriate public preserve area in accordance with state regulations. By design, the site accommodates for water runoff with a dedicated stormwater detention pond and 4.09+/- acres of open space as well as 1.62 acres of indigenous preserve. Additionally, all structures will meet building code requirements to withstand hurricane hazards and other severe storms. The site is not within a Airport Noise Zone. Thus, the site does not have constraints that would preclude development as proposed on the binding MCP.

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

The proposed development is within close proximity to infrastructure, daily goods and services, and employment areas. An existing sidewalk runs along the frontage of the Property and connects the site to the sidewalk network in the vicinity as well as Lee Tran services. Future residents will also benefit from having a LeeTran bus stop that abuts the Property along Bayshore Drive and will be improved by this project. Furthermore, the North Fort Myers Community Park, Recreation Center and Public Library are within 1.5 miles of the proposed development.

Objective 30.1: Neighborhoods and Housing. To support the creation and preservation of affordable housing options in safe and attractive neighborhoods.

The proposed development is focused on providing multi-family residential housing options for the surrounding workforce. The density will be achieved through either affordable housing, TDU's or a combination of both. The plan provides the code required buffers in addition to sensitive site design to locate the density internally and away from adjacent established neighborhoods. As depicted on the provided conceptual plan, the community will also feature a gated entry for privacy and safety.

OBJECTIVE 30.2 LAND USE: CENTERS AND CORRIDORS. To encourage revitalization of designated Town Center Overlay district, Road Corridor Overlay district and redevelopment areas.

POLICY 30.2.4: The following areas are designated as Neighborhood Centers appropriate for moderate intensity, pedestrian-oriented, mixed use development: Littleton and North

Cleveland Avenue; North Tamiami Trail and Del Prado Boulevard; North Tamiami Trail and Nalle Grade Road; Hancock Bridge Parkway and Orange Grove Boulevard; North Tamiami Trail and Pine Island/Bayshore Roads; Bayshore Road and Slater Road; and Bayshore Road and Hart Road. For these areas, neighborhood-serving, mixed use development; pedestrian-friendly street, site, and Future Land Use II-97 November 2021 building designs; the incorporation of live/work, multi-family, and attached housing; and sidewalk and path connections to nearby neighborhoods, parks, and public uses are preferred.

The subject Property's furthest northeast boundary is approximately 600-feet south of the intersection of Bayshore Road and Hard Road. The proposed development is a moderate intensity multi-family community that provides pedestrian connectivity to nearby neighborhoods, parks, and public services. The design of the building will feature appealing facades with enhanced development improvements such as elevated landscaping, and abundance of Open Space.

OBJECTIVE 30.3 TRANSPORTATION. The North Fort Myers Community Plan area will have neighborhood, corridors and community interface improvements identified.

POLICY 30.3.1: Encourage streetscape and landscape improvements along major roadways consistent with the general provisions of the LeeScape Master Plan, including Bayshore and Pine Island Roads, North Cleveland Avenue, North Tamiami Trail, Pondella Road, Hancock Bridge Parkway, and Del Prado Boulevard.

The proposed development is located along Bayshore Road within an ingress/egress that is perpendicular with Lincoln Avenue. The single point of access has been reviewed and approved by FDOT and the Fire District. The proposed plan displays a 20-foot Type D right-of-way buffer that includes a privacy fence and visually appealing masonry wall that will conceal the gate to the community. Currently, the vacant lot is overgrown with exotic vegetation. The proposed plan intends to remove all exotic vegetation and preserve the existing native vegetation. Additionally, an approximate six-hundred linear feet along Bayshore Road will be utilized as Open Space and will remain undeveloped.

OBJECTIVE 30.5 PARKS, RECREATION & CONSERVATION. The north Fort Myers Community will identify park, recreation, open space, environmental protection and restoration needs and deficiencies to pursue remedies.

POLICY 30.5.1: Ensure parks and recreation facilities are reasonably accessible and adequate to meet the needs of residents.

The proposed community features a connection to public pedestrian sidewalks that abut the development. This recreational path offers mobile accessibility to the Powell Creek Preserve, located approximately a half-mile from the proposed project. Further, the LeeTran bus stop located adjacent to the Property offers additional accessibility to parks and recreation facilities located throughout Lee County including the North Fort Myers Community Park.

POLICY 30.5.2: Integrate the North Fort Myers Community Park into the surrounding development and open space areas, including incorporation of the development of a community park facility. The concept would be for the park to act as a hub, connected to

other open space/recreational opportunities through pedestrian or bicycle linkages, either along public rights of way or through adjacent developments.

The proposed development is approximately 1.5 miles from the North Fort Myers Community Park. According to the LeeSpins WebMap, there is currently existing shared use bikeways and walkways that have direct connection between the subject Property and the North Fort Myers Community Park.

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

This project parcel itself is on average significantly invaded with exotic vegetation and has been encroached upon by the neighboring landowners. The proposed development proposes to preserve 1.62+/- acres of indigenous areas within the site as part of its open space requirement. A portion of the preserved areas will also have some planting restoration conducted.

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

This policy is being addressed by preserving, restoring, and maintaining 1.62+/- acres of onsite habitat. Where possible, these areas will also be excluded from the proposed water management system to help prevent any modification to their existing grades or hydrology thus helping to preserve the existing native vegetation.

POLICY 123.3.1: Encourage upland preservation in and around preserved wetlands to provide habitat diversity, enhance edge effect, and promote wildlife conservation.

This policy is not applicable to this site as there are no wetland areas present.

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

With code requirements to provide onsite water management detention to prevent any stormwater runoff impact from this parcel to its neighbors along with the requirement to elevate buildings to prevent flooding, it is necessary to significantly modify the grading and place fill on the land. This task makes it difficult to preserve all of the gopher tortoise burrows that may be present on the site. Ones that may exist with the proposed indigenous preserve areas will be retained, however it will be difficult to retain all the burrows. An FWC relocation permit will be obtained before disturbing burrows and conducting construction activities per the Gopher Tortoise Permitting Guidelines.

VII. Land Development Code Analysis

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

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

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

(2) Transfer of Development Rights (TDR) Program in accordance with the provisions set forth in Administrative Code 13-5. The additional traffic will not be required to travel through areas with significantly lower densities before reaching the nearest collector or arterial road; and

The request to rezone the 9.13+/- acre property includes a request for 90 bonus density units through the use of either the Affordable Housing Program in accordance with the site-built provisions or the cash contribution provisions or the Pine Island Transfer of Development Rights (TDR) program. Development option will be determined at the time of the development order.

(b) Minimum Requirements:

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

The additional traffic generated by this request will have direct access to Bayshore Road, a state maintained arterial roadway that provides connectivity to local roadway and surrounding communities. The traffic will not be required to travel through areas with significantly lower densities.

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

The application demonstrates available public facilities to serve the proposed density.

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

The subject Property is not located within the coastal high hazard area.

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

The proposed development allows for compatible residential infill. Currently, the Property is vacant and abutting several communities that are also residential in nature. As previously stated, the community to the north and east is an active mobile home community know as Carriage Village. The community to the west is a single-family residential community. The request is compatible with the surrounding development pattern via limitation of residential land uses (and not the commercial formerly

proposed); substantial perimeter buffering; location of buildings internal to the site and away from abutting lands; and access from Bayshore that does not conflict with adjacent properties or route traffic through adjacent communities.

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

The rezoning request does not include assisted living facilities.

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

(1) Only the portion of Greater Pine Island defined in the Lee Plan as Pine Island Center is eligible to receive Greater Pine Island TDUs subject to this article and the Lee Plan. Suburban designated lands within the Greater Pine Island Planning Community are not eligible receiving lands for any TDUs.

(2) Work force housing may be developed on barrier islands within the Mixed Use Overlay if transit is available and bonus density is approved through the affordable Housing Program.

The Property is not on a barrier or coastal island - not applicable.

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

The subject Property is located in the North Fort Myers Community and not within a coastal high hazard area. The policy above is not applicable to this application.

The proposed rezoning complies with the general standards provided in the Land Development Code Section 34-411 as follows:

- (a) *All planned developments must be consistent with the provisions of the Lee Plan.*

The proposed rezoning to RPD is consistent with the Comprehensive Plan as outlined above.

- (b) *All planned developments must be designed and constructed in accordance with the provisions of all applicable County development regulations in force at that time. Deviations from the general provisions of this chapter may be permitted if requested as part of the application for a planned development in accordance with*

section 34-373(a)(9) and approved by the Board of County Commissioners based on the findings established Page 14 of 19 in section 34-377(b)(4). Pursuant to section 34-373(a)(10) the establishment of property development regulations for planned developments does not require deviations from articles VI and VII of this chapter. Amendments to approved master concept plans may be reviewed pursuant to section 34-380.

The proposed development will comply with the applicable Lee County regulations. Any deviation request for the proposed development deviations will be accordance with section 34-373(a)(9). A list of deviation justifications will be submitted as a separate exhibit within the application.

- (c) The track or parcel proposed for development under this article must be located so as to minimize the negative effects of the resulting lands uses on surrounding properties and the public interest generally, and must be of such size, configuration and dimension as to adequately accommodate the proposed structures, all required open space, including private recreational facilities and parkland, bikeways, pedestrian ways, buffers, parking, access, on-site utilities including wet or dry runoff retention, and reservations of environmentally sensitive land or water.*

The proposed rezoning to RPD is compatible with the surrounding properties and the 9.13+/- acre Property provides the adequate size, configuration and dimension to accommodate the proposed use, open space, buffers, parking, access, and storm water management.

- (d) All planned development must have access to existing or proposed roads. Access must comply with the requirements of chapter 10 and be located so that the side-related industrial traffic does not travel through predominantly residential area.*

The proposed development has direct access to Bayshore Drive, a major arterial roadway and will not cause impact to surrounding local roads during the construction of the development. Please see the Traffic Impact Statement provided with this application.

- (e) If within the LeeTran public transit service area, the development shall be designed to facilitate the use of the transit system.*

LeeTran Route 590 has a bus top that is adjacent to the proposed development and is connected by pedestrian and bicycle facilities. Route 590 runs Monday through Sunday and services areas such as Merchant Crossing, Suncoast Area, Shell Factory, and the North Fort Myers Library. Additionally, Route 590 adjoins Routes 140 and 595 to provide further access throughout Lee County.

- (f) Development and subsequent use of the planned development shall not create or increase hazards to persons or property, whether on or off the site, by increasing the probability or degree of flood, erosion or other danger, nor shall it impose a*

nuisance on surrounding land uses or the public's interest generally through emissions of noise, glare, dust, odor, air or water pollutants.

The RPD will not create any hazards to persons or property and will comply with applicable regulations.

- (g) Every effort shall be made in the planning, design and execution of a planned development to protect, preserve or to not unnecessarily destroy or alter natural, historic or archaeological features of the site, particularly mature native trees and other threatened or endangered native vegetation. Alteration of the vegetation or topography that unnecessarily disrupts the surface water or groundwater hydrology, increases erosion of the land, or destroys significant wildlife habitat is prohibited. That habitat is significant that is critical for the survival of rare, threatened or endangered species of flora or fauna.*

The subject property is not located within the archaeological sensitivity zone. Existing wildlife such as goffer tortoises, will be relocated to an area on the side that will remain as an indigenous on the Property. The Property is relatively flat without wetland plant communities. An onsite stormwater detention pond will provide mitigation for any runoff that will occur.

- (h) A fundamental principle of planned development design is the creative use of the open space requirement to produce an architecturally integrated human environment. This shall be coordinated with the achievement of other goals, e.g., the preservation or conservation of environmentally sensitive land and waters or archaeological sites.*

The proposed development provides an ample amount of open space in full compliance with the LDC requirements. In addition, the site displays the required buffers that not only provide an architecturally integrated environment for the residents, but also for surrounding property owners. Along the northern boundary of the Property, is an indigenous open space area and stormwater pond that provides a preservation and conservation element for any of the environmentally sensitive areas.

VIII. CONCLUSION

In summary, the proposed rezoning is justified as follows:

- 1) The proposed planned development rezoning will provide an appropriate location for residential infill development with a density that will support workforce housing that is economically compatible with the surrounding employment opportunities in the North Fort Myers area.
- 2) Provides a compatible development that can coexist with surround developments and not negatively impact adjacent uses.

- 3) The proposed rezoning will discourage urban sprawl from major transportation corridors and efficiently utilize the County's investment in public facilities and infrastructure.
- 4) The proposed rezoning is consistent with all applicable criteria for bonus density and Planned Development rezoning approval; and is consistent with the Lee Plan.

The Applicant respectfully request approval of this petition.



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TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

TRAFFIC IMPACT ANALYSIS

FOR

BAYSHORE PINES RPD LEE COUNTY, FLORIDA

PROJECT NO. F2205.07

**PREPARED BY:
TR Transportation Consultants, Inc.
2726 Oak Ridge Court, Suite 503
Fort Myers, Florida 33901-9356
(239) 278-3090**

August 10, 2022

ATTACHMENT N

CONTENTS

- I. INTRODUCTION
- II. EXISTING CONDITIONS
- III. PROPOSED DEVELOPMENT
- IV. TRIP GENERATION
- V. PROJECT IMPACT
- VI. LEVEL OF SERVICE ANALYSIS
- VII. CONCLUSION

I. INTRODUCTION

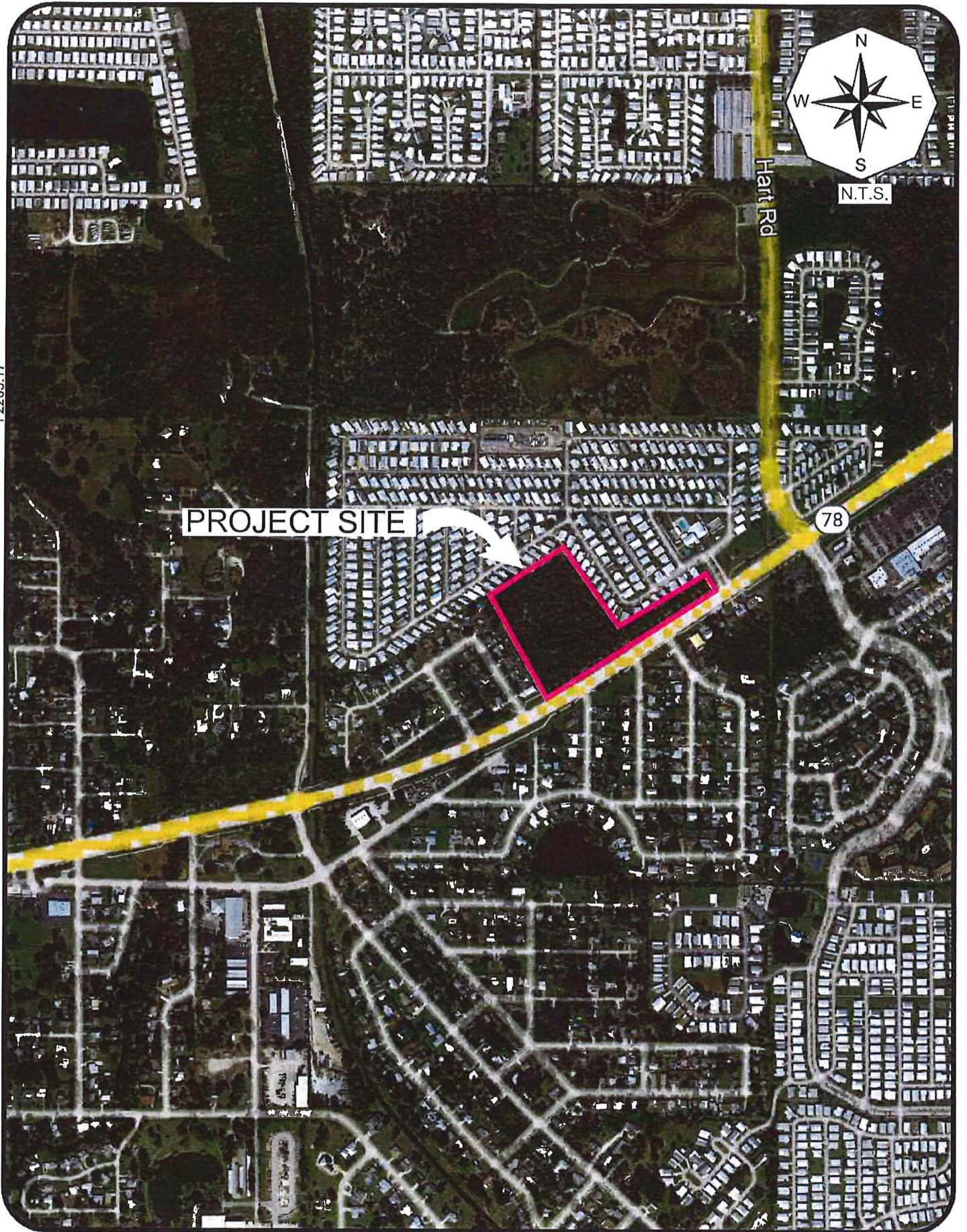
TR Transportation Consultants, Inc. has conducted a traffic impact statement to fulfill requirements set forth by the Lee County Department of Community Development for projects seeking rezoning approval. The project site is located on the north side of SR 78 (Bayshore Road) approximately 0.8 miles east of Business 41 in Lee County, Florida.

Figure 1 illustrates the approximate location of the subject site.

The proposed rezoning application is to permit the approximately 9.13 acre site to be rezoned from RS-1 and C-1 to Residential Planned Development (RPD) to allow for the development of up to 180 multi-family dwelling units on the site. Access to the site would be provided via a single access connection to Bayshore Road.

This report examines the impact of the development on the surrounding roadways and intersections. Trip generation and assignments to the site access drives will be completed and analysis conducted to determine the impacts of the development on the surrounding streets.

F2205.17



II. EXISTING CONDITIONS

The subject site is currently vacant. The subject site is bordered by manufactured homes to the east and north, single family homes to the west and Bayshore Road to the south.

SR 78 (Bayshore Road) is a four-lane divided arterial roadway that borders the subject site to the north/west. SR 78 has an Access Management Classification of Class 5 adjacent to the site, which requires a minimum connection spacing of 440 feet between driveway connections, 660 feet between directional median openings, and 2,640 feet between full median openings. SR 78 has a posted speed limit of 50 mph and is under the jurisdiction of the Florida Department of Transportation (FDOT).

III. PROPOSED DEVELOPMENT

The zoning request is to rezone the site from RS-1 and CS-1 to RPD to permit the development of up to 180 multi-family dwelling units. **Table 1** summarizes the land uses utilized for the purposes of this analysis.

Table 1
Land Use
Bayshore Pines RPD

Land Use	Size
Multi-Family Residential (LUC 220)	180 Dwelling Units

Access to the subject site is proposed to SR 78 (Bayshore Road) via a single connection.

IV. TRIP GENERATION

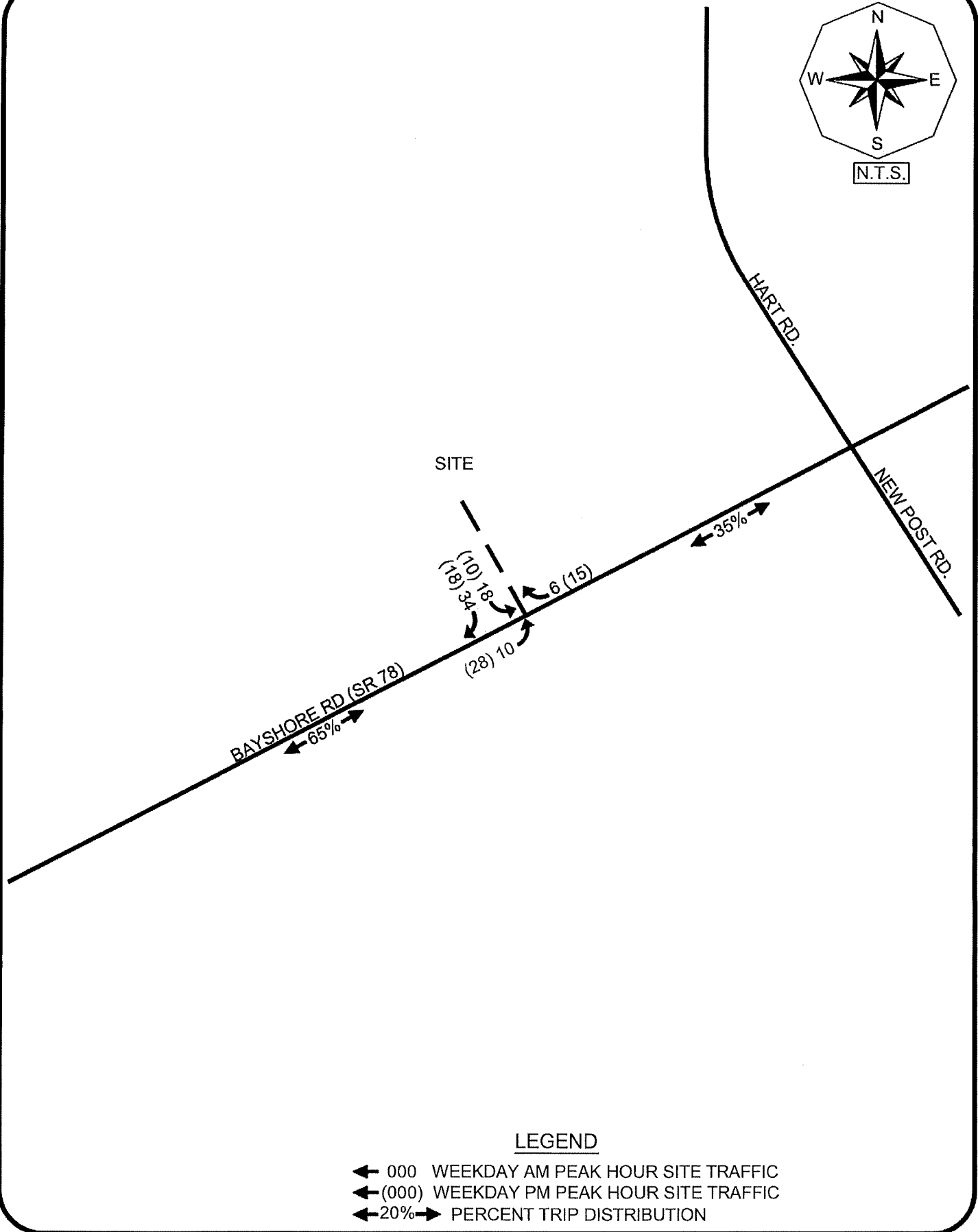
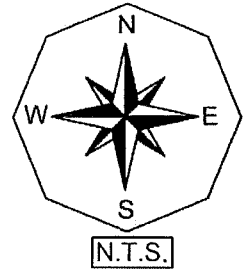
The trip generation for the proposed Bayshore Pines RPD was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled *Trip Generation Manual*, 11th Edition. Land Use Code 220 (Multi-Family Housing Mid-Rise) was utilized for the trip generation purposes of the proposed development. **Table 2** outlines the anticipated total weekday AM and PM peak hour trip generation of the proposed development. The anticipated daily trip generation is also indicated within Table 2.

Table 2
Trip Generation – Total Trips
Bayshore Pines RPD

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Multi-Family Units (180 Units)	16	52	68	43	28	71	812

Figure 2 illustrates the trip distribution and assignment of the project related trips to the site access drive intersection along S.R. 78.

F2205.07



LEGEND

- ← 000 WEEKDAY AM PEAK HOUR SITE TRAFFIC
- ← (000) WEEKDAY PM PEAK HOUR SITE TRAFFIC
- ← 20% → PERCENT TRIP DISTRIBUTION

V. PROJECT IMPACT

In order to determine which roadway segments surrounding the site will be significantly impacted as outlined in the Lee County Traffic Impact Statement Guidelines **Table 1A**, in the Appendix, was created. Table 1A indicates which roadway links will accommodate greater than 10% of the Peak Hour Level of Service “C” volumes. The Level of Service Threshold volumes for SR 78 were obtained from the FDOT’s *Generalized Peak Hour Directional Volumes, Table 7*. Based on Table 1A, the only roadway segments analyzed included Bayshore Road adjacent to the site.

VI. LEVEL OF SERVICE ANALYSIS

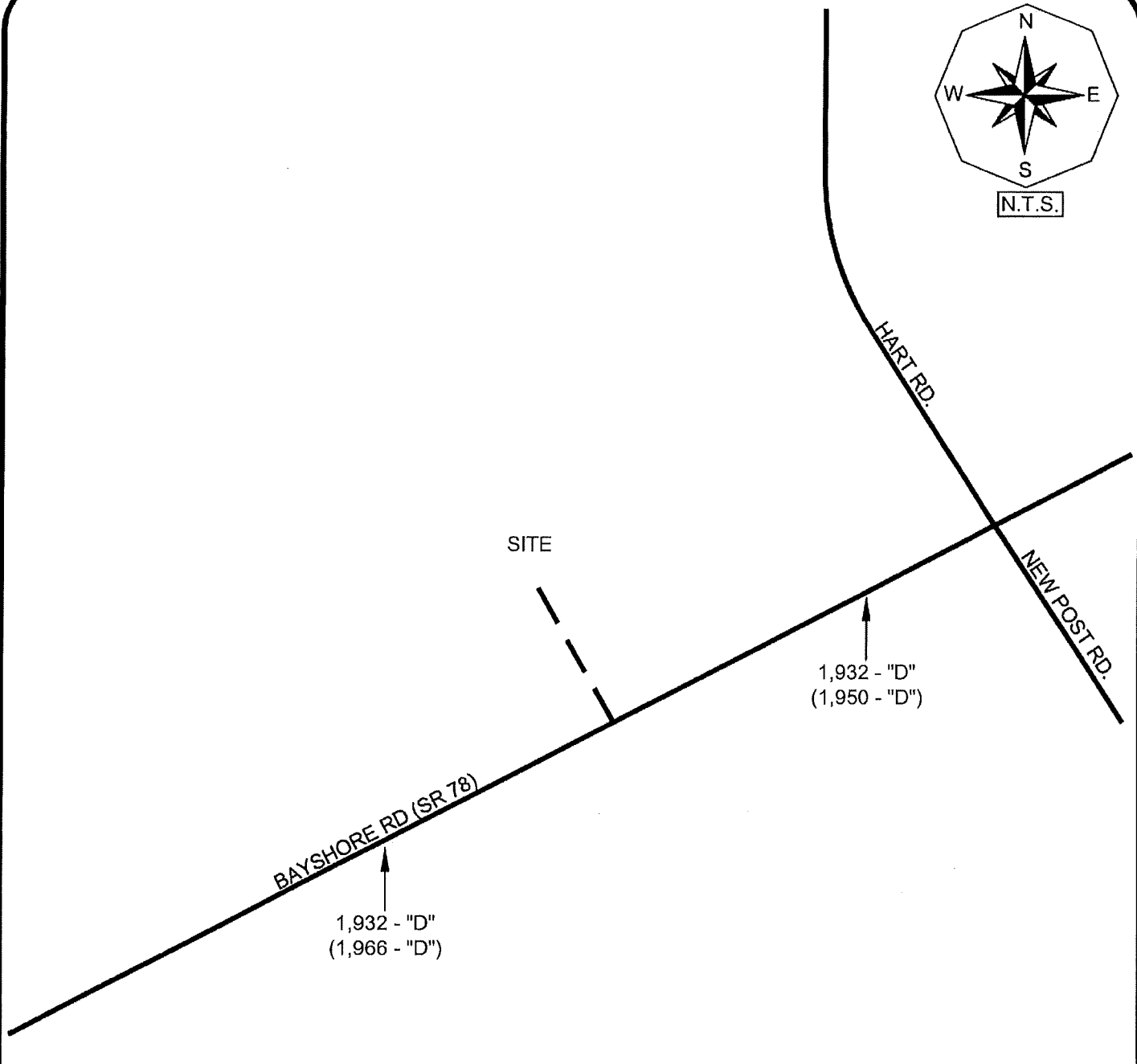
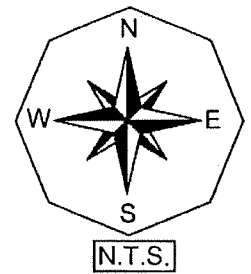
A Level of Service analysis was conducted on the surrounding roadway links. The road segments included in the analysis was SR 78, east of Business 41. The existing 2020 peak hour peak season peak direction volumes were obtained from the *2021 Lee County Public Facilities Level of Service and Concurrency Report*. In order to determine the projected Level of Service on the roadway links directly accessed by the proposed development, the project traffic was added to the projected 2025 background traffic volumes. The projected 2025 background traffic volumes were formulated by increasing the existing 2020 peak hour peak season peak direction traffic volumes by a historical growth factor as determined by referencing historical traffic data as contained in the FDOT *Traffic Information Online* webpage.

The historical traffic data for Bayshore Road (Station 120017) was referenced in order to determine the Annual Growth Rate (AGR) to estimate the future 2025 background traffic volumes on Bayshore Road. A copy of the FDOT traffic data is included in the Appendix of this report for reference. **Table 2A**, located in the Appendix of this report indicates the methodology utilized to conduct the projected 2025 Level of Service Analysis.

From the analysis indicated in Table 2A, there is projected to be sufficient capacity on S.R. 78 in 2025 both with and without the project trips added to the road network. Therefore, the rezoning of this site will not cause this roadway segment to operate at a poor Level of Service. **Figure 3** illustrates the results of the Level of Service Analysis.

A Pre-Application meeting was held with FDOT to discuss the access on SR 78. The location of the site access drive as depicted on the Master Concept Plan meets the FDOT spacing criteria to permit an access. At the time of permitting, the necessary turn lanes as required by FDOT along S.R. 78 at the site access drive connection will be determined.

F2205.07



LEGEND

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

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

VII. CONCLUSION

The proposed rezoning application for Bayshore Pines RPD is to change the existing RS-1 and CS-1 zoning to RPD to permit the development of up to 180 multi-family dwelling units on the approximately 9.13 acre site located on the north side of Bayshore Road approximately 0.8 miles east of Business 41 in Lee County, Florida. The proposed development will not have an adverse impact on the surrounding roadway network. Adverse impacts are defined as a degradation of the Level of Service beyond the adopted Level of Service standards as identified in the Lee County Comprehensive Plan. The existing roadway network can accommodate the additional new vehicle trips that are anticipated to be generated.

Turn lanes serving the subject site along the State Highway will be evaluated at the time the project seeks site development permitting from Lee County and Access Connection permitting from the Florida Department of Transportation.

APPENDIX

TABLES 1A & 2A

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

TOTAL AM PEAK HOUR PROJECT TRAFFIC =	68 VPH	IN=	16	OUT=	52
TOTAL PM PEAK HOUR PROJECT TRAFFIC =	71 VPH	IN=	43	OUT=	28

<u>ROADWAY</u>	<u>SEGMENT</u>	<u>ROADWAY</u> <u>CLASS</u>	<u>LOS A</u> <u>VOLUME</u>	<u>LOS B</u> <u>VOLUME</u>	<u>LOS C</u> <u>VOLUME</u>	<u>LOS D</u> <u>VOLUME</u>	<u>LOS E</u> <u>VOLUME</u>	<u>PERCENT</u> <u>PROJECT</u> <u>TRAFFIC</u>	<u>PROJECT</u> <u>TRAFFIC</u>	<u>PROJ/</u> <u>LOS C</u>
Bayshore Road (SR 78)	E. of Business 41	4LN	0	0	1910	2000	2000	65%	34	1.8%
	E. of Site Access	4LN	0	0	1910	2000	2000	35%	18	1.0%

Level of Service thresholds for FDOT roads were obtained from the FDOT Generalized Peak Hour Directional Volumes (Jan. 2020)

 - Indicates recommended minimum LOS Standard

**TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
BAYSHORE PINES RPD**

TOTAL PROJECT TRAFFIC AM =	68	VPH	IN =	16	OUT=	52
TOTAL PROJECT TRAFFIC PM =	71	VPH	IN=	43	OUT=	28

<u>ROADWAY</u>	<u>SEGMENT</u>	2015							2020	2025					
		COUNT	BASE YR	2021	YRS OF	ANNUAL	PK SEASON	PROJECT	AM PROJ	PM PROJ	FUTURE PLANNING ANALYSIS				
		<u>STATION</u>	<u>ADT</u>	<u>ADT</u>	<u>GROWTH</u>	<u>RATE</u>	<u>PEAK DIR.¹</u>	<u>TRAFFIC</u>	<u>TRAFFIC</u>	<u>TRAFFIC</u>	<u>BACKGROUND</u>	<u>BCKGRND + PROJ</u>	<u>LOS</u>	<u>LOS</u>	<u>LOS</u>
Bayshore Road (SR 78)	E. of Business 41	120017	32,500	35,500	6	2.00%	1750	65%	34	28	1932	D	1966	D	
	E. of Site Access	120017	32,500	35,500	6	2.00%	1750	35%	18	15	1932	D	1950	D	

¹ Obtained from the 2021 Lee County Public Facilities Level of Service and Concurrency Report

**FDOT GENERALIZED PEAK HOUR
DIRECTIONAL VOLUMES
TABLE 7**

TABLE 7

Generalized **Peak Hour Directional** Volumes for Florida's
Urbanized Areas

January 2020

INTERRUPTED FLOW FACILITIES						UNINTERRUPTED FLOW FACILITIES					
STATE SIGNALIZED ARTERIALS						FREEWAYS					
Class I (40 mph or higher posted speed limit)						Core Urbanized					
Lanes	Median	B	C	D	E	Lanes	B	C	D	E	
1	Undivided	*	830	880	**	2	2,230	3,100	3,740	4,080	
2	Divided	*	1,910	2,000	**	3	3,280	4,570	5,620	6,130	
3	Divided	*	2,940	3,020	**	4	4,310	6,030	7,490	8,170	
4	Divided	*	3,970	4,040	**	5	5,390	7,430	9,370	10,220	
						6	6,380	8,990	11,510	12,760	
Class II (35 mph or slower posted speed limit)						Urbanized					
Lanes	Median	B	C	D	E	Lanes	B	C	D	E	
1	Undivided	*	370	750	800	2	2,270	3,100	3,890	4,230	
2	Divided	*	730	1,630	1,700	3	3,410	4,650	5,780	6,340	
3	Divided	*	1,170	2,520	2,560	4	4,550	6,200	7,680	8,460	
4	Divided	*	1,610	3,390	3,420	5	5,690	7,760	9,520	10,570	
Non-State Signalized Roadway Adjustments						Freeway Adjustments					
(Alter corresponding state volumes by the indicated percent)						Auxiliary Lane + 1,000 Ramp Metering + 5%					
Non-State Signalized Roadways - 10%											
Median & Turn Lane Adjustments						UNINTERRUPTED FLOW HIGHWAYS					
Lanes	Median	Exclusive Left Lanes	Exclusive Right Lanes	Adjustment Factors		Lanes	Median	B	C	D	E
1	Divided	Yes	No	+5%		1	Undivided	580	890	1,200	1,610
1	Undivided	No	No	-20%		2	Divided	1,800	2,600	3,280	3,730
Multi	Undivided	Yes	No	-5%		3	Divided	2,700	3,900	4,920	5,600
Multi	Undivided	No	No	-25%		Uninterrupted Flow Highway Adjustments					
-	-	-	Yes	+5%		Lanes	Median	Exclusive left lanes	Adjustment factors		
One-Way Facility Adjustment						1	Divided	Yes	+5%		
Multiply the corresponding directional volumes in this table by 1.2						Multi	Undivided	Yes	-5%		
						Multi	Undivided	No	-25%		
BICYCLE MODE²						¹ Values shown are presented as peak hour directional volumes for levels of service and are for the automobile/truck modes unless specifically stated. This table does not constitute a standard and should be used only for general planning applications. The computer models from which this table is derived should be used for more specific planning applications. The table and deriving computer models should not be used for corridor or intersection design, where more refined techniques exist. Calculations are based on planning applications of the HCM and the Transit Capacity and Quality of Service Manual.					
(Multiply vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)						² Level of service for the bicycle and pedestrian modes in this table is based on number of vehicles, not number of bicyclists or pedestrians using the facility.					
Paved Shoulder/Bicycle Lane Coverage	B	C	D	E		³ Buses per hour shown are only for the peak hour in the single direction of the higher traffic flow.					
0-49%	*	150	390	1,000		* Cannot be achieved using table input value defaults.					
50-84%	110	340	1,000	>1,000		** Not applicable for that level of service letter grade. For the automobile mode, volumes greater than level of service D become F because intersection capacities have been reached. For the bicycle mode, the level of service letter grade (including F) is not achievable because there is no maximum vehicle volume threshold using table input value defaults.					
85-100%	470	1,000	>1,000	**		Source: Florida Department of Transportation Systems Implementation Office https://www.fdot.gov/planning/systems/					
PEDESTRIAN MODE²											
(Multiply vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)											
Sidewalk Coverage	B	C	D	E							
0-49%	*	*	140	480							
50-84%	*	80	440	800							
85-100%	200	540	880	>1,000							
BUS MODE (Scheduled Fixed Route)³											
(Buses in peak hour in peak direction)											
Sidewalk Coverage	B	C	D	E							
0-84%	> 5	≥ 4	≥ 3	≥ 2							
85-100%	> 4	≥ 3	≥ 2	≥ 1							

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

9/23/2021

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

LINK NO.	NAME	ROADWAY LINK		ROAD TYPE	PERFORMANCE STANDARD		2020 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	410	C	431	
00200	ALABAMA RD	SR 82	MILWAUKEE BLVD	2LN	E	990	C	270	C	284	
00300	ALABAMA RD	MILWAUKEE BLVD	HOMESTEAD RD	2LN	E	990	C	355	C	373	
00400	ALEXANDER BELL	SR 82	MILWAUKEE BLVD	2LN	E	990	D	371	D	600	
00500	ALEXANDER BELL	MILWAUKEE BLVD	LEELAND HEIGHTS	2LN	E	990	D	571	E	664	Shadow Lakes
00590	ALICO RD	US 41	DUSTY RD	4LD	E	1,980	B	1,171	B	1,230	
00600	ALICO RD	DUSTY RD	LEE RD	6LD	E	2,950	B	1,171	B	1,532	Alco Business Park
00700	ALICO RD	LEE RD	THREE OAKS PKWY	6LD	E	2,950	B	1,171	B	1,419	Three Oaks Regional Center
00800	ALICO RD	THREE OAKS PKWY	I-75	6LD	E	2,950	B	2,051	B	2,156	EEPCO Study
00900	ALICO RD	I-75	BEN HILL GRIFFIN BLVD	6LD	E	2,950	B	1,061	B	1,208	EEPCO Study
01000	ALICO RD	BEN HILL GRIFFIN BLVD	GREEN MEADOW DR	2LN	E	1,100/1,840	C	378	E	782	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	607	C	865	
01600	BAYSHORE RD (SR 78)	BUS 41	NEW POST RD/HART RD	4LD	D	2,100	C	1,750	C	1,925	
01700	BAYSHORE RD (SR 78)	HART RD	SLATER RD	4LD	D	2,100	C	1,774	C	2,236	
01800	BAYSHORE RD (SR 78)	SLATER RD	I-75	4LD	D	2,100	C	1,191	C	1,462	
01900	BAYSHORE RD (SR 78)	I-75	NALLE RD	2LN	D	924	C	691	C	877	
02000	BAYSHORE RD (SR 78)	NALLE RD	SR 31	2LN	D	924	C	532	C	673	
02100	BEN HILL GRIFFIN PKWY	CORKSCREW RD	FGCU ENTRANCE	4LD	E	2,000	B	1,403	B	1,475	
02200	BEN HILL GRIFFIN PKWY	FGCU BOULEVARD S	COLLEGE CLUB DR	4LD	E	2,000	B	1,403	B	1,475	
02350	BEN HILL GRIFFIN PKWY	COLLEGE CLUB DR	ALICO RD	6LD	E	3,000	A	1,129	A	1,231	
26950	BEN HILL GRIFFIN PKWY	ALICO RD	TERMINAL ACCESS RD	4LD	E	1,980	A	985	A	1,035	
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	651	C	685	Constrained In City Plan *
02500	BONITA BEACH RD	VANDERBILT DR	US 41	4LD	E	1,900	C	1,494	C	1,571	Constrained In City Plan
02600	BONITA BEACH RD	US 41	OLD 41	4LD	E	1,860	C	1,532	C	1,610	Constrained, old count projection(2010)
02700	BONITA BEACH RD	OLD 41	IMPERIAL ST	6LD	E	2,800	C	1,818	C	1,910	Constrained In City Plan(2010)
02800	BONITA BEACH RD	IMPERIAL ST	W OF I-75	6LD	E	2,800	C	1,995	C	2,097	Constrained In City Plan
02900	BONITA BEACH RD	E OF I-75	BONITA GRAND DR	4LD	E	2,020	B	667	B	701	Constrained In City Plan
02950	BONITA BEACH RD	BONITA GRANDE DR	END OF CO. MAINTAINED	4LD	E	2,020	B	667	B	701	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	2,320	E	1,766	E	1,856	
03300	BRANTLEY RD	SUMMERLIN RD	US 41	2LN	E	860	C	275	C	289	
03400	BRIARCLIFF RD	US 41	TRIPLE CROWN CT	2LN	E	860	C	157	C	165	
03500	BROADWAY RD (ALVA)	SR 80	N. RIVER RD	2LN	E	860	C	299	C	314	old count projection(2009)
03700	BUCKINGHAM RD	SR 82	GUNNERY RD	2LN	E	990	D	477	D	501	
03730	BUCKINGHAM RD	GUNNERY RD	ORANGE RIVER BLVD	2LN	E	990	C	383	C	403	
03800	BUCKINGHAM RD	ORANGE RIVER BLVD	SR 80	2LN	E	990	D	529	E	884	Buckingham 345, Portico
03900	BURNT STORE RD	SR 78	VAN BUREN PKWY	4LD	E	2,950	B	923	B	970	
04000	BURNT STORE RD	VAN BUREN PKWY	COUNTY LINE	2LN	E	1,140	C	506	C	604	
04200	BUS 41 (N TAMIAMI TR, SR 78)	CITY LIMITS (N END DIS)	PONDELLA RD	6LD	D	3,171	C	1,249	C	1,554	
04300	BUS 41 (N TAMIAMI TR, SR 78)	PONDELLA RD	SR 78	6LD	D	3,171	C	1,249	C	1,554	
04400	BUS 41 (N TAMIAMI TR, SR 78)	SR 78	LITTLETON RD	4LD	D	2,100	C	1,000	C	1,275	
04500	BUS 41 (N TAMIAMI TR, SR 78)	LITTLETON RD	US 41	4LD	D	2,100	C	614	C	827	
04600	CAPE CORAL BRIDGE	DEL PRADO BLVD	MCGREGOR BLVD	4LB	E	4,000	D	3,053	D	3,209	
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	328	C	345	
04900	CHAMBERLIN PKWY	AIRPORT EXT	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	1,815	D	1,907	
05500	COLONIAL BLVD	MCGREGOR BLVD	SUMMERLIN RD	6LD	E	2,840	C	3,049	C	3,204	*
05600	COLONIAL BLVD	SUMMERLIN RD	US 41	6LD	E	2,840	D	2,821	C	2,965	
06200	COLONIAL BLVD	DYNASTY DR	SR 82	6LD	D	3,040	B	2,241	C	2,355	*
06300	COLUMBUS BLVD	SR 82	MILWAUKEE BLVD	2LN	E	860	C	100	C	105	old count
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	C	2,129	C	2,238	
06800	CORKSCREW RD	E OF I-75	BEN HILL GRIFFIN BLVD	4LD	E	1,900	C	1,022	C	1,234	
06900	CORKSCREW RD	BEN HILL GRIFFIN BLVD	ALICO RD	4LD	E	1,960	C	1,181	C	1,393	
07000	CORKSCREW RD	ALICO RD	COUNTY LINE	2LN	E	1,140	C	499	E	978	EEPCO Study, The Place, Verdona Village
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	336	C	353	
07300	CRYSTAL DR	METRO PKWY	PLANTATION RD	2LN	E	860	C	225	C	237	

**TRAFFIC DATA FROM FDOT
FLORIDA TRAFFIC ONLINE**

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2021 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 0017 - SR 78, EAST OF HART ROAD LC219

YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2021	35500 C	E 18000	W 17500	9.00	57.00	10.70
2020	36500 E	E 0	W 0	9.00	54.00	10.60
2019	36000 E	E 0	W 0	9.00	56.00	10.20
2018	35000 C	E 18000	W 17000	9.00	53.30	10.60
2017	32500 C	E 16500	W 16000	9.00	53.20	9.10
2016	36000 C	E 18000	W 18000	9.00	57.10	6.90
2015	32500 C	E 16500	W 16000	9.00	56.60	6.60
2014	27500 F	E 14000	W 13500	9.00	56.60	6.70
2013	26500 C	E 13500	W 13000	9.00	57.20	6.70
2012	25500 C	E 13000	W 12500	9.00	57.10	7.30
2011	25000 F	E 12500	W 12500	9.00	56.70	8.10
2010	26000 C	E 13000	W 13000	10.19	55.56	8.10
2009	27000 C	E 13500	W 13500	9.18	58.15	8.10
2008	29500 C	E 15000	W 14500	9.84	57.71	8.30
2007	32000 C	E 16000	W 16000	10.16	54.76	7.10
2006	26500 C	E 13500	W 13000	10.23	54.38	13.20

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE
S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE
V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

TRIP GENERATION EQUATIONS

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

Vehicle Trip Ends vs: Dwelling Units
On a: Weekday

Setting/Location: General Urban/Suburban

Number of Studies: 11

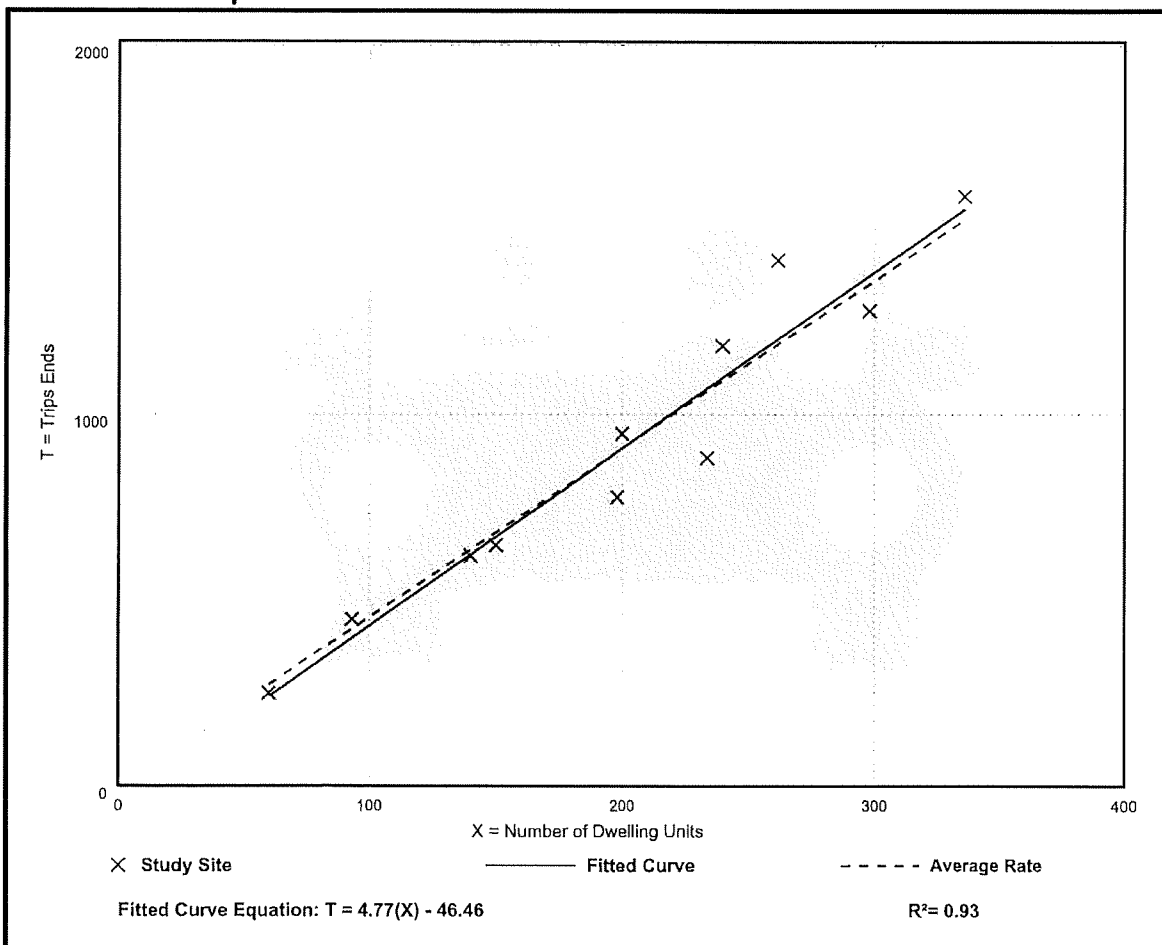
Avg. Num. of Dwelling Units: 201

Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Dwelling Unit

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

Data Plot and Equation



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

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 30

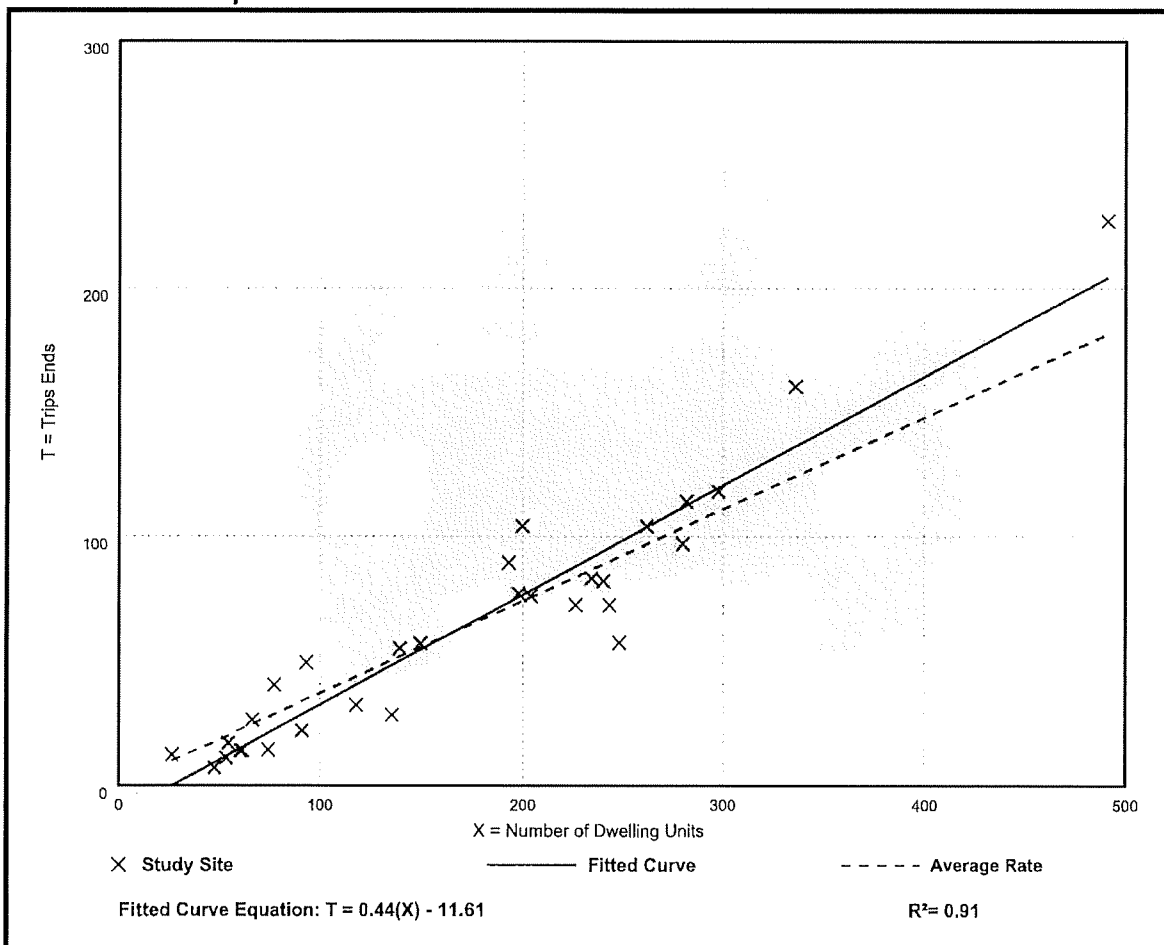
Avg. Num. of Dwelling Units: 173

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

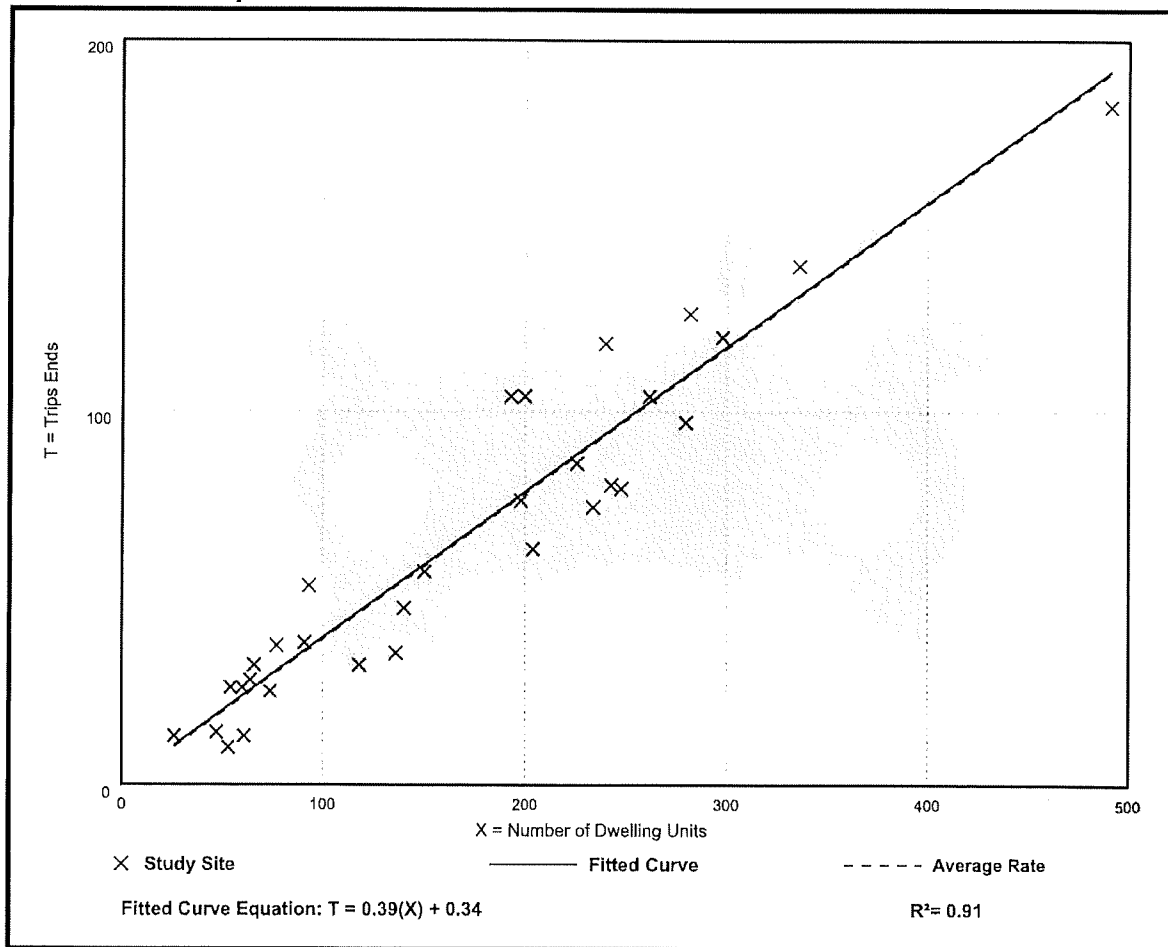
Avg. Num. of Dwelling Units: 169

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





Notice of Rejection or Denial

Record / Case #: POL2023-00005

Date: 02/27/2023

Department of Community Development
Permitting Section
P.O. Box 398
Fort Myers, FL 33902

Applicant(s): Nick Bowen **Email:** bjwilmont@hotmail.com

Owner: BOWEN DEBRA M &

Project Name: Fort Myers

Address: 14028 PINE LODGE LN, FORT MYERS, FL 33913

Application Type: Residential Pool

Application Description: Inground Pool

The drawings submitted for the referenced project have been reviewed in accordance with the 7th edition (2020) Florida Building Codes, 7th Edition Florida Fire Prevention Code, 2017 NFPA70 (N.E.C.), Lee County Land Development Code (L.D.C.), and Florida Statutes (F.S.) as well as other codes and ordinances as adopted by Lee County, Florida. For the reasons listed below, we are unable to approve your plans at this time.

Plan Review Comments:

Pool layout plan needs to show pool depth/s, location of ladders/benches/stairs to comply with R4501.18 (where water exceeds 5' deep)

If you have any questions about the Plan Review comments contact Boyte Adams at BAdams2@leegov.com.

Zoning Review Comments:

Accessory setback must be at minimum 5ft in rear according to LDC section 34-1174. Provide proposed setbacks for pool, current site plan appears to show 0ft in rear.

If you have any questions about the Zoning Review comments contact Samantha Martin at SMartin3@leegov.com.

How to Resubmit

Please provide a cover letter showing where each item can be found, along with four (4) sealed sets of revised plans, to the building department for Multi-Family/Commercial permit types, or three (3) sealed sets of revised plans for 1&2 Family/Residential permit types. Either complete sets or individual sheets may be resubmitted. If individual sheets are resubmitted, they must be properly collated into the plans by the person responsible for the resubmittal. One of the required sets will be sent to the fire department for their review, and all other required sets will have the revisions collated.

PLEASE NOTE: Plans must be submitted in person. Mailed in plans will not be accepted.

SURVEY PLAT

OF A PARCEL LYING IN SECTION 36, TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA

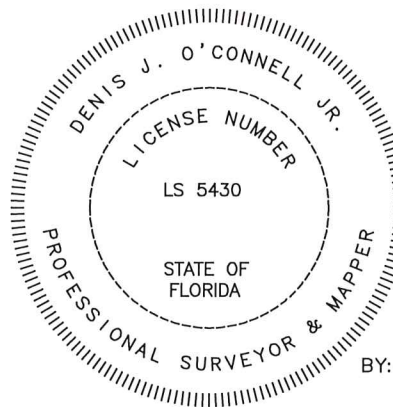
LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN THE STATE OF FLORIDA, COUNTY OF LEE, BEING A PORTION OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 24 EAST, BEING THE SAME AS THE COMBINED PARCELS DESCRIBED AS EXHIBIT "A" OF INSTRUMENT #2007000313824, PUBLIC RECORDS OF LEE COUNTY, FLORIDA;

COMMENCE AT THE NORTHEAST CORNER OF BAYSHORE PINES ALSO BEING THE NORTHEAST CORNER OF LOT 16, BLOCK A, AS RECORDED AT PLAT BOOK 16, PAGE 73 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE S.33°40'52"E., FOR A DISTANCE OF 4.77 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE N.56°25'32"E., ALONG THE SOUTH LINE OF BLOCK 8, CARRIAGE VILLAGE UNIT 2, AN UNRECORDED SUBDIVISION AS SHOWN ON OFFICIAL RECORDS BOOK 665, PAGE 644 OF SAID PUBLIC RECORDS, FOR A DISTANCE OF 565.96 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 7, CARRIAGE VILLAGE UNIT 1, AN UNRECORDED SUBDIVISION AS SHOWN ON OFFICIAL RECORDS BOOK 580, PAGE 205 OF SAID PUBLIC RECORDS; THENCE S.33°34'28"E., ALONG THE WEST LINE OF SAID BLOCK 7, FOR A DISTANCE OF 600.00 FEET; THENCE N.56°25'32"E., ALONG THE SOUTH LINE OF SAID BLOCK 7, FOR A DISTANCE OF 600.00 FEET; THENCE S.33°34'28"E. FOR A DISTANCE OF 49.11 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF BAYSHORE ROAD, A 180 FOOT RIGHT OF WAY, AS SHOWN ON A STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FOR STATE ROAD No. 78, SECTION 12060-2521, LATEST REVISION 9/27/85; THENCE S 55°56'40" W, ALONG SAID NORTH RIGHT OF WAY LINE, FOR A DISTANCE OF 642.40 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5639.58 FEET; THENCE CONTINUE ALONG SAID NORTH RIGHT OF WAY LINE AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 05°18'48", A CHORD BEARING OF S.58°38'12"W., A CHORD LENGTH OF 522.80 FEET AND AN ARC LENGTH OF 522.98 FEET TO A POINT ON THE EAST LINE OF SAID PLAT OF BAYSHORE PINES; THENCE N.33°40'52"W., ALONG THE EAST LINE OF SAID PLAT, FOR A DISTANCE OF 634.33 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 397,837 SQUARE FEET, OR 9.133 ACRES, MORE OR LESS

REVIEWED
DCI2022-00048
Hunter Searson, GIS
Planner
Lee County Government
9/20/2022



Denis
O'Connell
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Digitally signed
by Denis
O'Connell
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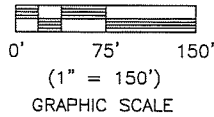
NOTES:

1. BEARINGS ARE BASED ON THE EAST LINE OF BAYSHORE PINES SUBDIVISION AS RECORDED IN PLAT BOOK 16, PAGE 73 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AS BEING N 33°40'52" W.
2. DISTANCES ARE IN FEET AND DECIMALS THEREOF.
3. PARCEL IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS AND RIGHT-OF-WAYS (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN).
4. RECORDING INFORMATION SHOWN HEREON RELATES TO THE PUBLIC RECORDS OF LEE COUNTY.

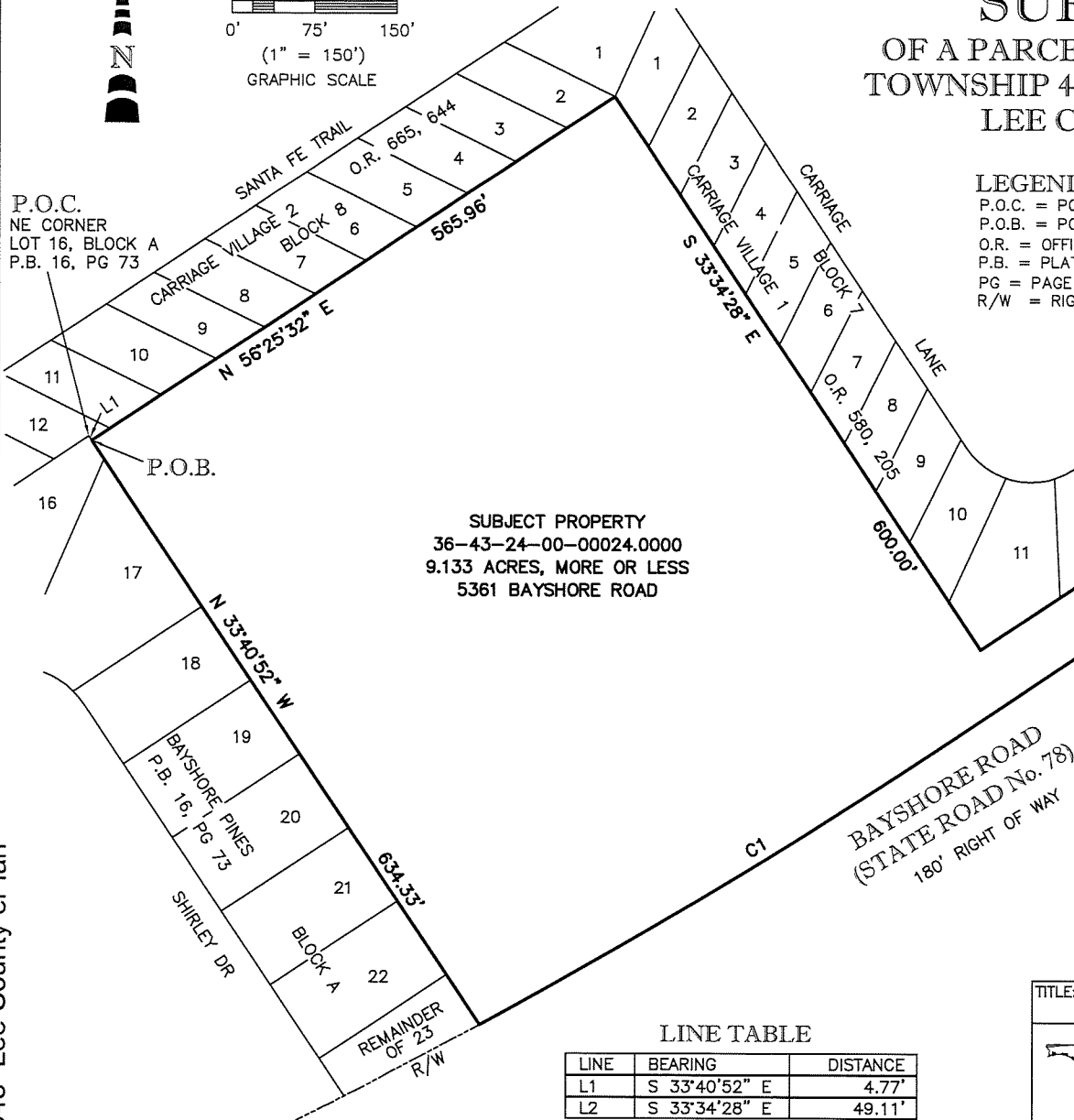
* THIS IS NOT A SURVEY *

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

TITLE: LEGAL DESCRIPTION			
		METRON SURVEYING & MAPPING, LLC LAND SURVEYORS · PLANNERS LB# 7071	
10970 S. CLEVELAND AVE. SUITE #605 FORT MYERS, FLORIDA 33907 PHONE: (239) 275-8575 FAX: (239) 275-8457 www.metronfl.com			
FILE NAME: 15286SK.DWG	FIELD BOOK/PAGE: 716/26,29,31	PROJECT NO.: 15286	SHEET: 1 OF 2
EXHIBIT DATE: 8/26/2022	DRAWN BY: BUD	SCALE: 1"= 150'	CHECKED BY: DJO
		FILE NO. (S-T-R): 36-43-24	



P.O.C.
NE CORNER
LOT 16, BLOCK A
P.B. 16, PG 73



SUBJECT PROPERTY
36-43-24-00-00024.0000
9.133 ACRES, MORE OR LESS
5361 BAYSHORE ROAD

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 33°40'52" E	4.77'
L2	S 33°34'28" E	49.11'

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	5639.58'	522.98'	522.80'	S 58°38'12" W	5°18'48"

SURVEY PLAT

OF A PARCEL LYING IN SECTION 36,
TOWNSHIP 43 SOUTH, RANGE 24 EAST,
LEE COUNTY, FLORIDA

LEGEND

P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
O.R. = OFFICIAL RECORDS BOOK
P.B. = PLAT BOOK
PG = PAGE
R/W = RIGHT-OF-WAY

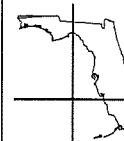
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TITLE:

SKETCH OF DESCRIPTION



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