

**Lee County, Florida
DEPARTMENT OF COMMUNITY DEVELOPMENT
ZONING SECTION
STAFF REPORT**

CASE NUMBER: DCI2022-00005

CASE NAME: ALICO CROSSING MIXED USE PLANNED DEVELOPMENT

TYPE OF CASE: MINOR PLANNED DEVELOPMENT

HEARING EXAMINER DATE: APRIL 27, 2023

SUFFICIENCY DATE: FEBRUARY 22, 2023

REQUEST:

An application has been submitted by Daniel DeLisi, AICP of DeLisi, Inc. on behalf of Stock Development LLC, to request a rezoning of approximately 46.7 acres from Commercial Planned Development (CPD) to Mixed Use Planned Development (MPD) to allow 475 residential units, 200,000 square feet of commercial floor area, and 250 hotel rooms. The applicant seeks deviations to address FAA guidelines as it pertains to lake bank design in the Airport Wildlife Hazard Protection Zone, and also seeks a deviation to allow a reduction in parking requirements for the proposed use.

The subject property is located at 16541 Three Oaks Parkway, Gateway/Airport Planning Community, Lee County, FL. (District #2), STRAP Number 03-46-25-00-00001.1080.

SUMMARY:

Staff recommends **APPROVAL** of the applicant's request, with the Conditions found in Attachment C. Of the four deviations requested by the applicant, staff recommends approval of three from LDC Sections 10-329(d)(4), 10-418(2)d, and 10-418(2)d.3, which all pertain to lake bank design in the Airport Wildlife Hazard Protection Zone. The fourth deviation seeks relief from the minimum parking requirements in LDC Section 34-2020 for multiple family uses. Based on the analysis provided by staff, this deviation is recommended for denial.

HISTORY OF PARCEL AND CHARACTER OF THE AREA:

The subject property was rezoned by Resolution Z-03-017 to a Commercial Planned Development (CPD), to allow a maximum of 300,000 square feet of commercial retail uses, 51,000 square feet of office uses, and 125 hotel rooms, with an option to increase the commercial retail square footage to 377,000 square feet with a corresponding 31,000 square foot reduction of office uses, and an optional development plan of 348,000 square feet of commercial and office uses and 200 hotel rooms (Attachment G). The planned development was amended two times by Resolution Z-08-029 and Resolution Z-08-035 to extend approval of the MCP for an additional five years and amend the project boundary to reflect conveyance of land to the State for the widening of Interstate 75 (Attachments H and I). The property still remains undeveloped and is being used for agricultural purposes.

The subject property is located between Interstate 75 and Three Oaks Parkway, and is approximately 1,200 feet north of Alico Road. Three Oaks Parkway is a County-maintained arterial roadway and will serve as the primary means of ingress and egress for the parcel. This

area has been under significant development along the Alico Road and Three Oaks Corridors over the last decade and now contains significant commercial and industrial development.

The subject property is in the General Interchange future land use category; as such, the request must be found consistent with Lee Plan Policy 1.3.2. The subject property is also located in the Gateway/Airport Planning Community.

The following characterizes surrounding zoning districts and land uses:

North:

Property to the north is zoned Mixed Use Planned Development (MPD) and is in the Industrial Commercial Interchange future land use category. The planned development was approved by Resolution Z-18-001 and was last amended by ADD2020-00139 (Attachment J). This property is developed with several office buildings.

East:

Property to the east is separated by Interstate 75, is zoned Mixed Use Planned Development (MPD) and is in the Tradeport Future Land Use Category. This planned development was originally approved by Resolution Z-05-029, and was most recently amended by Resolution Z-21-009 (Attachment K). This property is currently developing the backbone infrastructure for future development.

South:

Property to the south is zoned Commercial Planned Development (CPD) and is in the General Interchange future land use category. This planned development was approved by Resolution Z-05-019 and was last amended by Resolution Z-19-035 (Attachment L). This property is under development for commercial and multiple-family residential uses.

West:

Property to the west is separated by Three Oaks Parkway and is zoned Mixed Use Planned Development (MPD) and is in the Industrial Commercial Interchange future land use category. This planned development was approved by Resolution Z-20-002 (Attachment M) but the property still remains undeveloped.

ANALYSIS

The applicant seeks to rezone approximately 46.7 acres from Commercial Planned Development (CPD) to Mixed Use Planned Development (MPD) to allow 475 residential units, 200,000 square feet of commercial floor area, and 250 hotel rooms. The applicant seeks deviations to address FAA guidelines as it pertains to lake bank design, and also seeks a deviation to allow a reduction in parking requirements for the proposed use. The applicant provided a request statement detailing the nature of the rezoning request, and how the request meets the decision making criteria for planned development rezoning requests (Attachment D).

Planned Development Rezoning:

Section 34-612 of the Lee County Land Development Code describes the intent of the utilization of the Planned Development zoning district. The purpose of planned developments is to further implement the goals, objectives, and policies of the Lee Plan, while providing some degree of flexibility in the planning and design of proposed developments.

Section 34-145 of the Land Development Code (LDC) establishes the review criteria for all rezoning requests. Before recommending approval of a rezoning request, the Hearing Examiner must find the request:

- a) Complies with the Lee Plan;
- b) Meets the Land Development Code and other applicable County regulations or qualifies for deviations;
- c) Is compatible with existing and planned uses in the surrounding area;
- d) Will provide access sufficient to support the proposed development intensity;
- e) The expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval;
- f) Will not adversely affect environmentally critical or sensitive areas and natural resources; and
- g) Will be served by urban services, defined in the Lee Plan, if located in a Future Urban Area category.

For Planned Development rezoning requests, the Hearing Examiner must also find:

- a) The proposed use or mix of uses is appropriate at the proposed location;
- b) The recommended conditions provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development; and
- c) That each requested deviation:
 - 1) Enhances the achievement of the objectives of the planned development; and
 - 2) Preserves and promotes the general intent of this Code to protect the public health, safety and welfare.

Master Concept Plan:

The applicant has provided a two-page Master Concept Plan with MCP alternates for the subject property (Attachment T). Both plans detail the same access point at Three Oaks Parkway, and roadway connections to the planned developments to the north and south. They also both depict the same outparcels along Three Oaks Parkway and the same preserve along the property to the south.

The eastern portion of the development differs between the two plans. "Master Concept Plan A" depicts a single anchor parcel designated for residential uses, and "Master Concept Plan B" splits the same area into three parcels including two residential tracts and a commercial tract located along the eastern boundary of the property.

Development Pattern Considerations:

The subject property is in the General Interchange future land use category as described in Lee Plan Policy 1.3.2. This category considers a broad range of uses intended for the traveling public including retail commercial uses, but also considers a maximum standard density of 14 units per acre for residential uses. The proposed development does consider a range of commercial uses

but also proposes a project density of 12.8 units per acre. Staff finds the request consistent with Policy 1.3.2.

Objectives 2.1 and 2.2 encourage new growth in future urban areas where adequate facilities exist or are assured and where compact and contiguous development patterns can be created. The subject property is located in a transitioning area that has experienced considerable growth, including recent zoning approvals for higher density projects adjacent to the subject property. Policy 2.2.1 encourages clustered mixed use development within Lee County where sufficient infrastructure exists. The applicant has provided sufficient documentation to demonstrate that the available infrastructure would support the development intensity that is proposed (see Attachments N, O and R). Staff finds this Planned Development Rezoning consistent with Objective 2.1, Objective 2.2, and Policy 2.2.1.

Goal 5 of the Lee Plan establishes Objectives and Policies to provide sufficient land to accommodate the project population to the year 2045 in attractive and safe neighborhoods with a mix of housing types and prices.

Policy 5.1.2 prohibits residential development where physical constraints or hazards exist or require density and design to be adjusted accordingly to be sensitive to such constraints. This policy notes physical constraints include flood, storm, or hurricane hazards, environmental limitations, or characteristics that may endanger the residential community. The subject property does not have significant physical constraints to limit development of the property. The subject property is not located in a Coastal High Hazard Area or floodway and is located in Flood Insurance Rate Map (FIRM) Zone X. Regardless of the lack of physical constraints evident on the subject property, the applicant will be required to meet the requirements of Chapter 2, Article XI of the Land Development Code regarding hurricane preparedness and mitigation at the time of application for a local development order. This includes the determination of necessary hurricane sheltering, and mitigation of impacts to state evacuation times. The northwestern portion of the property is also within the Airport Notification Zone B. The Land Development Code Sections 34-1104 through 34-1110 establish additional requirements for properties near Southwest Florida International Airport, which the proposed development will need to demonstrate compliance with at the time of development order. Staff finds the request consistent with Lee Plan Policy 5.1.2.

Lee Plan Policy 5.1.3 states that during the rezoning process, high-density residential developments should be directed to locations near employment and shopping centers that are accessible to mass transit and bicycle facilities, and are close to parks and schools. In the area are significant employment centers to the north and west, and retail shopping to the east including Gulf Coast Town Center. Staff finds the request consistent with Lee Plan Policy 5.1.3.

Policy 5.1.5 of the Lee Plan intends to protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of residential development. The surrounding development patterns include a mixture of residential, commercial and industrial uses. There are multiple-family uses under construction to the south, which are a similar product to the proposed residential development on the subject property. Staff finds the request consistent with Lee Plan Policy 5.1.5.

Goal 6 of the Lee Plan establishes objectives and policies to facilitate orderly and well-planned commercial development at appropriate locations within the county.

Policy 6.1.1 of the Lee Plan requires that applications be reviewed for traffic and access impacts, incorporate landscaping and detailed site planning, provide screening and buffering, ensure

availability of services and facilities, minimize impacts on adjacent uses, be located in proximity to other similar centers, and properly mitigate environmental considerations. The applicant has provided the requisite information for staff review to assist in making the findings for approval. Additional review will be performed at the time of Development Order. Staff finds the request to be consistent with Policy 6.1.1.

Policy 6.1.4 of the Lee Plan requires that commercial uses be approved only when compatible with adjacent existing and proposed land uses, as well as existing and programmed services and facilities. The mix of commercial and residential uses are consistent with the surrounding properties and the surrounding development pattern. Staff finds that the request is consistent with Policy 6.1.4.

Policy 6.1.7 of the Lee Plan prohibits commercial developments from locating in a way that opens new areas to premature, scattered, or strip development. Development of the subject property with commercial uses will not open new areas to premature, scattered, or strip development, as it is located in an urban and developed area of the County. The subject property is in an area of the county that experiencing significant growth, and development exists to the north and south of the subject property. Staff finds this request consistent with Policy 6.1.7.

Goal 11 of the Lee Plan establishes Objectives and Policies to encourage mixed use development to diversify land use types, facilitate a variety of housing types, and increase connectivity between housing, employment and retail, while reducing vehicle trip lengths and providing greater access to alternative means of transportation. Objective 11.1 allows and encourages mixed use development within future land use categories at appropriate locations where sufficient infrastructure exists to support the development. The request proposes a mix of uses within a single cohesive development with employment and residential uses within the same district and there is sufficient infrastructure for existing and future development. Staff finds this request consistent with Objective 11.1.

Goal 125 of the Lee Plan establishes objectives and policies to ensure that water quality is maintained or improved for the environment and people of Lee County. Objective 125.1 states that development must maintain high water quality, meeting or exceeding state and federal water quality standards. Policies 125.1.2 and 125.1.3 require new development to not degrade surface and groundwater quality and require the design of drainage systems that minimize nutrient loading and pollution in off-site charges. Staff finds the request consistent with Goal 125, Objective 125.1, and Policies 125.1.2 and 125.1.3.

Goal 135 of the Lee Plan addresses the necessity to meet housing needs as Lee County grows in population. Policy 135.1.9 states that the county will ensure a mix of residential housing types on a county-wide basis through the planned development process. This rezoning request considers up to 475 multiple-family dwelling units which assists in meeting the housing needs of the county. Staff finds the proposed rezoning consistent with Goal 135 and Policy 135.1.9.

Goal 158 of the Lee Plan establishes the County's intent to provide a diversified and stable economy by providing a positive business climate and employment opportunities for the residents of Lee County. Staff notes that this rezoning request will provide additional employment opportunities for the area, additional housing adjacent to employment areas. Staff finds this planned development consistent with Goal 158.

Environmental Considerations:

Environmental staff provided analysis of the proposed request (Attachment S). Staff recommends the following conditions to ensure that the correct indigenous open space is provided:

- *Prior to the issuance of the first development order, the development order plans must depict 17.25 acres of open space per the following breakdown:*

OPEN SPACE CALCULATIONS:	
REQUIRED OPEN SPACE:	
NON-RESIDENTIAL USE - 16.17 AC. x 30% =	4.85 AC.
RESIDENTIAL USE - 30.52 AC. x 40%	= 12.21 AC.
TOTAL	= 17.06 AC.
REQUIRED INDIGENOUS:	
THE LESSER OF THE TOTAL NATIVE INDIGENOUS OR 50% OF REQUIRED OPEN SPACE: 17.06 x 50% = 8.53 AC	
TOTAL NATIVE INDIGENOUS = 4.60 AC	
REQUIRED INDIGENOUS = 4.60 AC	
PROVIDED OPEN SPACE:	
COMMERCIAL OUTPARCELS (10%)	1.25 AC.
RESIDENTIAL AREA (30%)	6.07 AC.
FPL EASEMENT	3.41 AC.
PERIMETER BERM @ PRESERVE	1.91 AC.
INDIGENOUS PRESERVE	4.61 AC.
TOTAL OPEN SPACE	17.25 AC.
PROVIDED INDIGENOUS:	
NATIVE INDIGENOUS:	3.51 AC.
INDIGENOUS RESTORATION:	1.09 AC.
TOTAL INDIGENOUS AREA:	4.60 AC.

- *Prior to the issuance of the first development order, the applicant must provide an indigenous management plan in compliance with Section 10-474 of the Land Development Code.*
- *Prior to the issuance of the first development order, the development order plans must depict a total of 1.09 acres of restored wetlands and a total of 4.60 acres of indigenous preserve area in substantial compliance with the Master Concept Plan A & B per the following breakdown:*

PROVIDED INDIGENOUS:	
NATIVE INDIGENOUS:	3.51 AC.
INDIGENOUS RESTORATION:	1.09 AC.
TOTAL INDIGENOUS AREA:	4.60 AC.

Environmental staff also recommends the following conditions for the Indigenous Restoration Plan to ensure compliance with the Land Development Code and Lee Plan:

- *Prior to the issuance of the first development order, the development order plans must be in substantial compliance with the Indigenous Restoration Plan.*
- *Prior to the issuance of the first development order, the development order plans must include a schedule for the indigenous preservation and restoration to be completed within at least five consecutive years.*

- *Prior to the issuance of the first development order, the development order plans must include a map depicting where mechanical and hand-removal methods of exotic vegetation removal will be located.*
- *The applicant must submit with the vegetation removal permit survey point maps depicting the preservation and restoration areas and mechanical clearing limits.*

Environmental staff also notes that the applicant intends to carry forward an enhanced buffer along Three Oaks Parkway from previous approval and recommends the following condition:

- *Prior to the issuance of the first development order, the development order plans must depict a 20-foot-wide Type D landscape buffer along entirety of the west property line.*

Transportation Considerations:

The applicant has provided a traffic impact statement for the proposed development detailing an analysis of impacts to the surrounding transportation system (Attachment N). Infrastructure planning staff has provided an analysis of the applicant's traffic impact statement (Attachment O) and has determined that the proposed project will not have a detrimental impact to the surrounding roadway system. Infrastructure Planning Staff recommends the following conditions for approval of this request:

- *The development is allowed a maximum of 475 multiple-family residential dwelling units in buildings not less than three-stories in height, a maximum total gross floor area of 200,000 square feet commercial use, and 250-room hotel/motel use.*
- *The full median opening as shown on the Master Concept Plan is contingent upon the implementation of the Three Oaks Parkway Access Management Plan, once it is officially adopted, and any future decisions made by the County regarding the installation of a traffic signal, alteration or elimination of the median opening. Until the Access Management Plan is adopted, access must align with the access points outlined on the Master Concept Plan that has been approved.*
- *In the event that the County deems it necessary to install a traffic signal at this location, the developer or subsequent property owner's association will be responsible for a proportionate share of the total cost of the traffic signal improvement.*

Bicycle and Pedestrian Facilities:

The subject property is located along Three Oaks Parkway which is located on Lee Plan Map 3-D. At the time of local development order, the applicant will be required to demonstrate compliance with the requirements of Chapter 10 as it pertains to bicycle and pedestrian facilities.

Urban Services:

The subject property is serviced by the San Carlos Park Fire District approximately 0.9 miles to the west, and EMS station, which is approximately 4.52 miles west of the property, and a Sheriff's station 4.94 miles north of the property. The proposed development will have access to Lee County Utilities for both water and wastewater (Attachment P). The request is consistent with Lee Plan Standards 4.1.1 and 4.1.2.

DEVIATION REQUESTS:

The applicant seeks the following deviations as part of this planned development rezoning (Attachment F). Staff provides the following analysis on the following deviation requests:

1. Deviation (1) seeks relief from LDC Section 10-329 (d)(4), which requires banks of excavations to be sloped at a ratio not greater than 6:1 slope, to allow for 4:1 lake bank slopes.

The applicant has requested the deviation in accordance with the Airport Wildlife Hazard Protection Zone. Staff recommends **approval** of this deviation.

2. Deviation (2) seeks relief from LDC Section 10-418(2)d, which requires littoral areas to be planted with herbaceous plant material, to allow for the planting of no herbaceous plants on the littorals area on the water management lake.

The applicant has requested the deviation in accordance with the Airport Wildlife Hazard Protection Zone. Staff notes that the required plantings should still be required, to allow for the conversion sought in Deviation '3'. Staff recommends **withdrawal** of this deviation.

3. Deviation (3) seeks relief from LDC Section 10-418(2)d.3, which permits a maximum of 25 percent of the total number of herbaceous plants required within planted littoral shelves, at a rate of one tree (minimum ten-foot height; 2 inch caliper, with a four-foot spread) per 100 herbaceous plants, to allow wetland trees to be substituted for 100 percent of the total required number of herbaceous plants.

The applicant has requested the deviation in accordance with the Airport Wildlife Hazard Protection Zone. Staff recommends **approval** of this deviation.

4. Deviation (4) seeks relief from Section 34-2020(a), which requires that multi-family units provide 2 spaces per unit plus an additional 10% for guest parking and an additional 4 spaces for every 1,000 square feet of clubhouse area, to allow for a total parking requirement of 1.75 spaces per unit for the entire residential portion of the development including the clubhouse area.

Development Services provided analysis on the proposed deviation (Attachment Q) and notes that the reduction in parking is assumed by the applicant to meet the combined parking needs of residents, guests, and users of any amenities of an unknown maximum gross floor area. The applicant provided a parking demand study of six multiple-family developments within the County to provide evidence to support the proposed deviation.

Development Services notes lack of staff concurrence on the methodology for the parking demand study and that the time of the year that the parking demand study took place was not peak season for Lee County.

Staff also notes that the ITE has higher fluctuation in parking rates for multiple-family developments that exceed 200 units that range from 0.58 to 2.50 spaces per unit and that parking requirements for multiple family uses are unique to Lee County based on seasonal fluctuations in population.

The parking rates required by the Land Development Code are reasonable to consider for the proposed use. Reduction in parking space requirements may result to potential injury to site use that may be required to park in areas not designated for parking, with pedestrian ambulatory obstructions, and inadequate lighting. Alternatively, neighboring property owners may also face parking related issues if site users seek parking offsite.

Staff recommends **denial** of the deviation. A more extensive review of the deviation request and the parking demand study can be found within Attachment Q, and the report provides the rationale for staff's recommendation of denial.

CONCLUSION:

Based on the analysis provided above, staff offers the following review of the decision-making criteria for the planned development rezoning request. Staff finds that the proposed request:

- a) Complies with the Lee Plan;

Based on the analysis above, staff finds that the request is consistent with the Lee Plan. The proposed use and density are compatible with existing and proposed uses, and meet or exceed the objectives and policies above.

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

The applicant seeks four deviations and three of the four are supported by staff. With the exception of these deviations, staff finds that the request meets or exceeds County regulations.

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

The mix of uses surrounding the subject property includes a mix of industrial, residential and commercial uses. The proposed mix of uses is consistent with surrounding existing and planned uses.

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

Access is proposed on Three Oaks Parkway, a County-maintained Arterial roadway. Staff finds that there will be sufficient access to support the community.

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

Staff has reviewed the transportation impacts of the development, and has concluded that the request does not significantly impact the roadway network in the area.

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

Staff has reviewed the potential environmental impacts and has determined that the request, as conditioned, meets the requirements of the Land Development Code and Lee Plan and sufficiently protects existing environmentally critical areas.

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

Additionally, staff has concluded:

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

The proposed mix of uses is similar to those surrounding the subject property.

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

Staff finds the proposed conditions appropriate for approval and sufficiently address the public's interest expected from the proposed development.

- c) That each requested deviation enhances the achievement of the objectives of the planned development and reserves and promotes the general intent of the Land Development Code to protect the public health, safety and welfare:

Staff is recommending approval of three of the four proposed deviations. Staff does not find that the requested deviation from the parking requirements in LDC Section 34-2020 enhances the achievement of the objectives of the planned development. Staff notes concerns over the public health, safety, and welfare with approval of this deviation.

Staff, therefore, recommends approval of this rezoning request from Commercial Planned Development (CPD) as conditioned in Attachment C. Staff recommends denial of Deviation 4 which reduces the required parking for multiple-family uses.

ATTACHMENTS:

- A. Expert Witness Information
- B. Maps: Surrounding Zoning, Future Land Use and Aerial Photograph
- C. Recommended Conditions and Deviations
- D. Request Statement
- E. Legal Description
- F. Applicant Proposed Deviations and Conditions
- G. Resolution Z-03-017
- H. Resolution Z-08-029
- I. Resolution Z-08-035
- J. Florida Gulf Coast Business Center
 - Resolution Z-18-001
 - ADD2020-00139
- K. Resolution Z-21-009
- L. Resolution Z-19-035
- M. Resolution Z-20-002
- N. Traffic Impact Statement
- O. Infrastructure Planning Memorandum
- P. Parking Demand Study
- Q. Development Services Analysis – Parking Demand Study
- R. Letter of Utility Availability

- S. Memorandum from Environmental Sciences
- T. Master Concept Plan

ATTACHMENT A

LEE COUNTY STAFF EXPERT WITNESS INFORMATION
PROVIDED PURSUANT TO AC-2-6, SECTION 2.2.b(5)(f)3.

Dirk Danley, AICP, Principal Planner, Zoning, 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.

Elizabeth Workman, Principal Planner, Zoning, 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.

Marcus Evans P.E., Senior Engineer, Development Services, 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, Principal Planner, Planning, 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 Plan 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.

Rebecca Sweigert, Principal Environmental Planner, Planning, 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 Plan 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.

Nicholas DeFilippo, Senior Environmental Planner, Planning, 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 Plan 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.

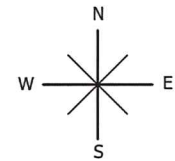


DCI2022-00005

Aerial

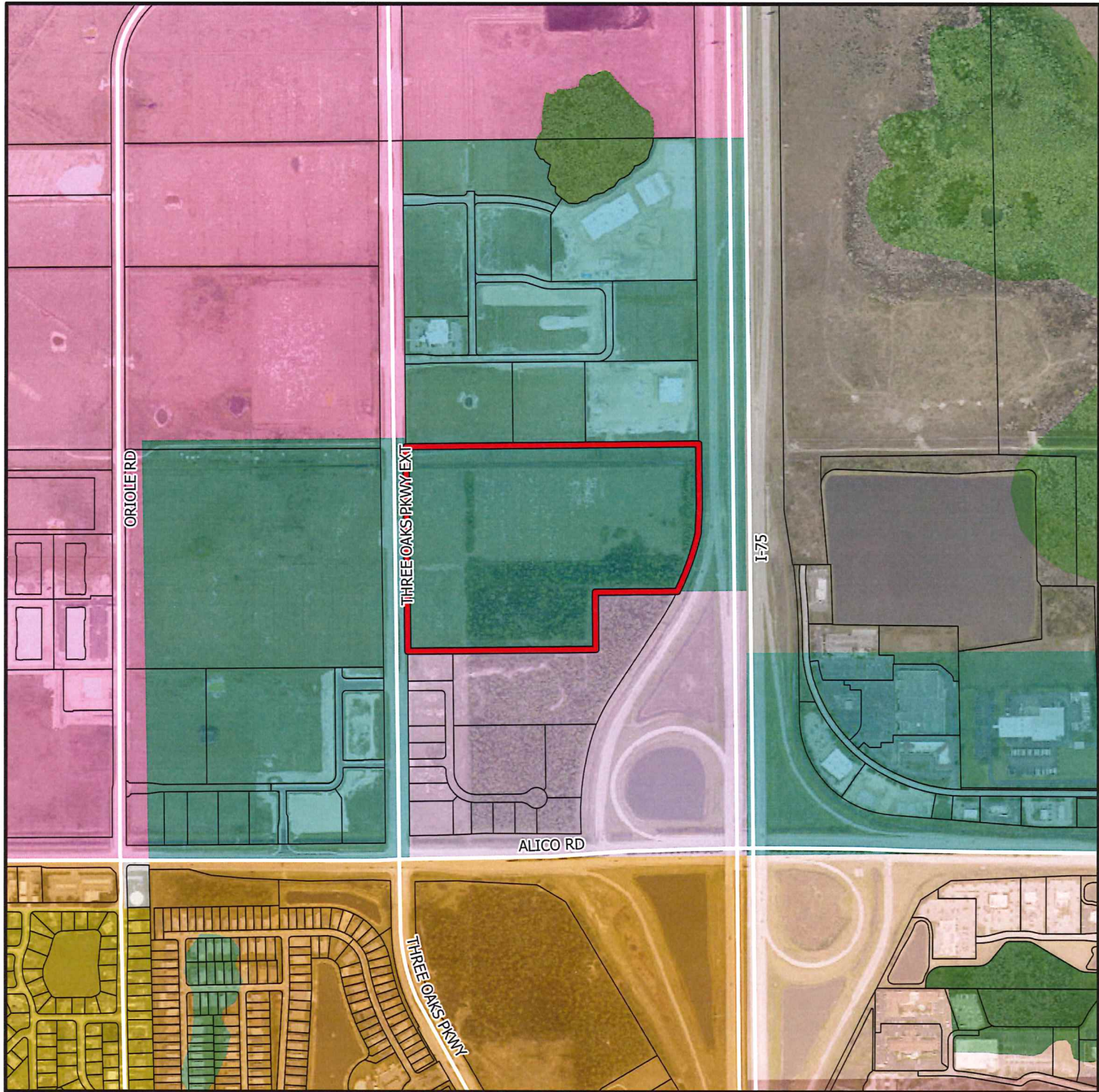
ATTACHMENT B

 Subject Property



0 500 1,000 1,500
Feet

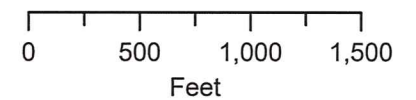
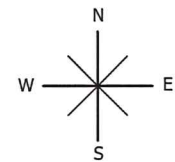


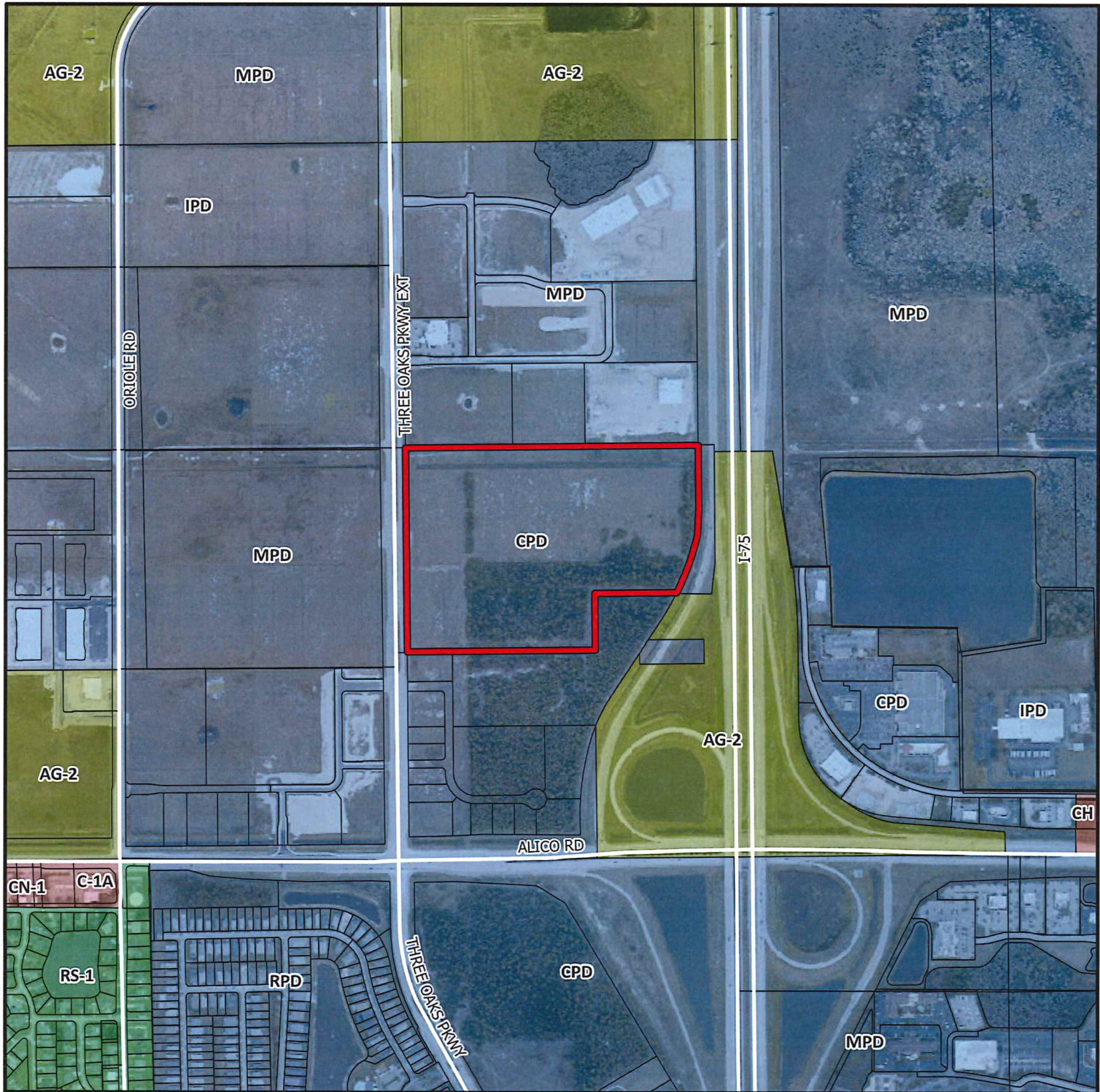


DCI2022-00005

Future Land Use

-  Subject Property
-  Urban Community
-  Suburban
-  Industrial
-  Public Facilities
-  University Community
-  General Interchange
-  University Village Interchange
-  Industrial Commercial Interchange
-  Tradeport
-  Wetlands

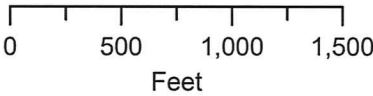
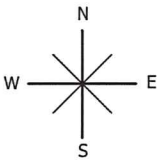




DCI2022-00005

Zoning

 Subject Property



A. Conditions

1. Development must be consistent with the two-page Master Concept Plan (MCP) entitled "Alico Crossroads" prepared by DeLisi Fitzgerald, Inc., dated 7/7/2022, except as modified by the conditions below. This development must comply with all requirements of the Lee County Land Development Code 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.

The development is allowed a maximum of 475 multiple-family residential dwelling units, a maximum total gross floor area of 200,000 square feet of commercial uses, and a 250-room hotel/motel use.

2. The following limits apply to the project and uses.

- a. Schedule of Uses

Residential Areas

Accessory Uses and Structures

Administrative Offices

Club, Private

Dwelling Unit:

Multiple-Family Building

Essential Services

Essential Service Facilities, Group I

Excavation: Water Retention and dry detention

Fences and Walls

Gates and Gatehouse

Home Occupation

Parking Lot: Accessory

Real Estate Sales Office

Recreational Facilities: Personal, Private On-site

Residential Accessory Uses

Signs

Temporary Uses

Commercial

Accessory Uses

Administrative Offices

ATM (automatic teller machine)

Auto Parts Store
 Automobile repair and service, Groups I and II
 Automotive service station
 Banks and financial establishments, Groups I and II
 Bar or cocktail lounge, Accessory to Hotel/Motel and Restaurant use
 Boats:
 Boat sales
 Broadcast studio, commercial radio and television
 Building material sales
 Business Services, Groups I and II
 Car Wash, Accessory to Convenience Food and Beverage Store or
 Automobile Service Station
 Cleaning and maintenance services
 Clothing stores, general
 Computer and Data Processing Services
 Convenience food and beverage store
 Consumption on premises, in accordance LDC Section 34-1264
 Contractors and builders, Groups I and II
 Day care center, adult, child
 Department store
 Drive-through facility for any permitted use
 Drugstore, pharmacy
 EMS, fire or sheriff's station
 Essential service facilities, Group I
 Excavation, Water retention
 Fences and Walls
 Food and beverage service, limited
 Food stores, Groups I and II
 Hardware store
 Health care facility, Groups I, II, and III
 Hobby, toy and game shops
 Hotel/motel
 Household and office furnishings, Groups I, II, and III
 Laundromat
 Laundry or dry cleaning, Group I
 Lawn and garden supply store
 Library
 Medical office
 Non-store retailers, all groups
 Package store
 Paint, glass and wallpaper
 Parcel and express services

- Parking lot
 - Accessory
 - Commercial
 - Garage, public parking
 - Park-and-ride
- Personal services, Groups I, II, III, and IV excluding escort services, palm readers, tattoo parlors, massage parlors, and steam and Turkish baths
- Pet services
- Pet shop
- Pharmacy
- Post office
- Recreation facilities, Commercial, Groups I and III
- Rental or leasing establishments, Groups I, II, and III
- Repair shops, Groups I and II
- Research and development laboratories, Group II and IV
- Restaurant, fast food
- Restaurants, Groups I, II, III, and IV
- Schools, commercial and non-commercial
- Self-service fuel pumps
- Signs
- Social services, Group I
- Specialty retail shop, Groups I, II, III, and IV
- Storage, indoor
- Studios
- Supermarket
- Used merchandise stores, Group I
- Variety store
- Vehicle and equipment dealers, Groups I, II, III
- Warehouse:
 - Mini-warehouse
 - Private
 - Public
- Wholesale establishment, Groups III and IV

b. Site Development Regulations

Lot Area and Dimensions

Minimum Lot Area	20,000 square feet
Minimum Lot Width	100 feet
Minimum Lot Depth	200 feet

Setbacks

Right-of-Way Setback	25 feet – Three Oaks Parkway 20 feet – All Other Roads
Perimeter Setback	25 feet
Side Yard Setback	10 feet
Rear Yard Setback	20 feet
Waterbody Setback	20 feet
Preserve Setback	20 feet
Minimum Building Separation	
Commercial	½ sum of the building height Minimum 10 feet
Residential	35 feet
Maximum Building Height	
Commercial	75 feet (office) 35 feet (retail)
Residential	55 feet
Lot Coverage	45 Percent

3. Open Space Calculation:

- a. Prior to the issuance of the first development order, the development order plans must depict 17.25 acres of open space as described on the Master Concept Plan.

4. Wetlands Restoration:

- a. Prior to the issuance of the first development order, the development order plans must depict a total of 1.09 acres of restored wetlands and a total of 4.60 acres of indigenous preserve area in substantial compliance with the Master Concept Plan A & B per the following breakdown:

Native Indigenous:	3.51 Acres
Indigenous Restoration:	1.09 Acres
Total Indigenous Area:	4.60 Acres

5. Indigenous Restoration Plan:

- a. Prior to the issuance of the first development order, the applicant must provide an indigenous management plan in compliance with Section 10-474 of the Land Development Code.

- b. Prior to the issuance of the first development order, the development order plans must include a schedule for the indigenous preservation and restoration to be completed within at least five consecutive years.
- c. Prior to the issuance of the first development order, the development order plans must include a map depicting where mechanical and hand-removal methods of exotic vegetation removal will be located.
- d. The applicant must submit with the vegetation removal permit survey point maps depicting the preservation and restoration areas and mechanical clearing limits.

6. Enhanced Three Oaks Parkway Buffer:

- a. Prior to the issuance of the first development order, the development order plans must depict a 20-foot-wide Type D landscape buffer along entirety of the west property line.

7. Three Oaks Parkway Access:

- a. The full median opening as shown on the Master Concept Plan is contingent upon the implementation of the Three Oaks Parkway Access Management Plan, once it is officially adopted, and any future decisions made by the County regarding the installation of a traffic signal, alteration or elimination of the median opening. Until the Access Management Plan is adopted, access must align with the access points outlined on the Master Concept Plan that has been approved.
- b. In the event that the County deems it necessary to install a traffic signal at this location, the developer or subsequent property owner's association will be responsible for a proportionate share of the total cost of the traffic signal improvement.

8. Airport Compatibility:

- a. The developer, successor or assign acknowledges the property's proximity to Southwest Florida International Airport and the potential for noises created by and incidental to the operation of the airport as outlined in Land Development Code Section 34-1104. The developer, successor or assign acknowledges that a disclosure statement is required on plats, and in association documents for condominium, property owner and homeowner associations as outlined in Land Development Code Section 34-1104(b).
- b. The Southwest Florida International Airport is in proximity to this (insert plat/condominium/development, as appropriate). There is potential for noises created by and incidental to the operation of the airport as outlined in Land Development Code 34-1104.

B. Deviations

1. Deviation (1) seeks relief from LDC Section 10-329 (d)(4), which requires banks of excavations to be sloped at a ratio not greater than 6:1 slope, to allow for 4:1 lake bank slopes.

Staff recommends **approval** of this deviation.

2. Deviation (2) seeks relief from LDC Section 10-418(2)d, which requires littoral areas to be planted with herbaceous plant material, to allow for the planting of no herbaceous plants on the littorals area on the water management lake.

Staff recommends **withdrawal** of this deviation.

3. Deviation (3) seeks relief from LDC Section 10-418(2)d.3, which permits a maximum of 25 percent of the total number of herbaceous plants required within planted littoral shelves, at a rate of one tree (minimum ten-foot height; 2 inch caliper, with a four-foot spread) per 100 herbaceous plants, to allow wetland trees to be substituted for 100 percent of the total required number of herbaceous plants.

Staff recommends **approval** of this deviation.

4. Deviation from Section 34-2020(a), which requires that multi-family units provide 2 spaces per unit plus an additional 10% for guest parking and an additional 4 spaces for every 1,000 square feet of clubhouse area, to allow for a total parking requirement of 1.75 spaces per unit for the entire residential portion of the development including the clubhouse area.

Staff recommends **denial** of this deviation.



ALICO CROSSING MPD
PLANNED DEVELOPMENT REZONING REQUEST STATEMENT
DECEMBER 23, 2021

Introduction

The Alico Crossing project (F.K.A Alico Crossroads Center CPD) is located along the Three Oaks Parkway extension approximately ¼ mile north of Alico Road at the northwest quadrant of the Alico/I-75 interchange (see attached aerial map). The subject property is located in the Gateway/Airport Planning Community and is being rezoned concurrent with a proposed amendment to the Lee County Comprehensive Plan to move the property from the Industrial Commercial Interchange to the General Interchange land use category. The proposed rezoning requests approval of a mix of commercial uses with a multi-family residential development. The proposed entitlements for the property are 475 residential units and 200,000 square feet of commercial floor area and 250 hotel rooms.

Entitlement History

The subject property was originally zoned as Commercial Planned Development in 2003 (Z-03-17) and amended in 2008 to accommodate right of way taken for I-75 reducing the development size from 51.5 to 46.7 +/- acres. The current zoning allows for 300,000 square feet of retail floor area, 51,000 square feet of office floor area and 125 hotel rooms. The zoning also allowed for trip conversion of those intensities to increase in one use category with a proportionate decrease in another use based on trips. The 2003 and 2008 zoning approvals were done prior to the allowance of residential development within the General Interchange future land use category and prior to the County's efforts to promote mixed use development and diversify housing types through the inclusion of higher density residential development in future urban areas.

In 2016, Lee County adopted CPA2015-06, which amended the General Interchange land use category to allow for residential development at a standard density of up to 14 dwelling units per acre. Subsequent to this amendment, in 2020, the property to the south, Vintage CPD, amended the Lee Plan to change the Vintage property from the Commercial Industrial Interchange to General Interchange. This change allowed for an amendment to the Vintage CPD to allow for the inclusion of residential units through a conversion of commercial floor area. The approved residential uses in the Vintage CPD are located contiguous to the subject property at the northern most parcel in the CPD.

Surrounding Uses and Compatibility

The subject property is located in an area with a mix of commercial and industrial uses. I-75 isolates the subject property from the uses that are located to the east. Across I-75 are a mix of commercial and industrial uses and zoned properties. To the north of the subject property are a mix of office/corporate headquarters and research and development uses. To the west of the subject property are vacant lands zoned for commercial and industrial uses.

To the south, of the subject property is the Vintage CPD. As described above, the approved residential uses are located contiguous to the subject property at the northern most parcel in the Vintage CPD. Similar to the subject property's requested zoning Amendment, the Vintage CPD contains a mix of residential and commercial uses.

Impact on Public Services

The subject property is located in an urban future land use category and has urban services available to the site. As noted in the transportation analysis, the change in the zoning will result in a reduction of anticipated daily trips by 28% from the approved uses to the proposed uses. This reduction of trips is of benefit to Alico Road, Three Oaks Parkway and the I-75 interchange. All other services are available and have capacity to serve the subject property.

As detailed in Section 34-145(d)(4)a. 1 and 2. of the Land Development Code, the attached application demonstrates the following:

a) Lee Plan Consistency

The proposed rezoning is consistent with the Lee Plan. An analysis of how the proposed rezoning is consistent with the following Lee Plan policies is described below:

OBJECTIVE 1.3: INTERSTATE HIGHWAY INTERCHANGE AREAS. Special areas adjacent to the interchanges of Interstate 75 that maximize critical access points will be designated on the Future Land Use Map. Development in these areas must minimize adverse traffic impacts and provide appropriate buffers, visual amenities, and safety measures. Each interchange area is designated for a specific primary role: General, General Commercial, Industrial Commercial, Industrial, and University Village. Residential uses are only permitted in these categories in accordance with Policy 1.3.2.

The attached zoning application is being submitted concurrent with an application to amend the future land use category of the subject property to General Interchange. This amendment will maximize the use of this critical interchange by providing a greater diversity of uses on the subject property and the ability to develop a mixed-use plan.

The added residential uses will be in proximity to major employment centers at or near the Alico Interchange as well as at interchanges throughout Lee County.

***POLICY 1.3.2:** The General Interchange areas are intended primarily for land uses that serve the traveling public: service stations, hotel, motel, restaurants, and gift shops. But because of their location, market attractions, and desire for flexibility, these interchange uses permit a broad range of land uses that include tourist commercial, general commercial, light industrial/commercial, and multi-family dwelling units. The standard density range is from eight dwelling units per acre (8 du/acre) to fourteen dwelling units per acre (14 du/acre). Maximum density is twenty-two dwelling units per acre (22 du/acre).*

The General Interchange land use category has a broad range of uses allowed, including multi-family residential. The proposed density of residential multi-family development is approximately 12.8 dwelling units per acre, less than the maximum standard density. The commercial intensity is well within the allowable uses and intensities for this land use category. The flexibility of uses and the residential allowed is the most appropriate designation for the subject property based on its location adjacent to General Interchange on the south and the employment centers to the north. The proposed mixed-use plan will be well positioned to provide a needed diversity of housing types to the surrounding employment uses.

***POLICY 1.7.6:** The Planning Communities Map and Acreage Allocation Table (see Map 16, Table 1(b), and Policies 1.1.1 and 2.2.2) depicts the proposed distribution, extent, and location of generalized land uses through the Plan's horizon. Acreage totals are provided for land in each Planning Community in unincorporated Lee County. No development orders or extensions to development orders will be issued or approved by Lee County that would allow the acreage totals for residential, commercial or industrial uses contained in Table 1(b) to be exceeded.*

Table 1b includes 29 acres in the Gateway/ Airport Planning community available for residential development. Based on how the County calculates the total available acreage for residential development, there is sufficient acreage available to meet the needs of the proposed residential area for this project.

***OBJECTIVE 2.1: DEVELOPMENT LOCATION.** Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities.*

The proposed zoning request represents an opportunity for compact development patterns. The subject property is within an urban area near the Alico Interchange. Public services are available to the subject property as evidenced by the existing zoning

approval and the attached application. Development is occurring contiguous to the north and on nearby properties in all directions. Letters of service availability have been provided from each public service department. Locating residential on the subject property will minimize urban sprawl by allowing for multi-family residential development adjacent, in close proximity and with easy access to employment centers throughout Lee County.

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

The subject property is currently within a future urban area on the future land use map and is surrounded by urban designated properties. The proposed land use category allows for urban levels of residential development.

***OBJECTIVE 2.2: DEVELOPMENT TIMING.** Direct new growth to those portions of the future urban areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in Section 163.3164(7), F.S.) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, F.S. and the concurrency requirements in the Land Development Code.*

As part of the submitted applications, letters of service availability have been obtained from each of the service providers. The subject property is in an urban area where public facilities exist, and capacity is available to serve the proposed development.

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

The subject property is located along the Three Oaks Extension, a future arterial road, just to the north of the Alico Interchange with I-75. Water and sewer service is available to the subject property. As evidenced by the attached letters of service availability, public facilities exist to serve the proposed development.

STANDARD 4.1.1: WATER.

1. Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development in excess of 30,000 square feet of gross leasable (floor) area per parcel, must connect to a public water system (or a "community" water system as that is defined by Chapter 62-550, F.A.C.).

Potable water service is available to the subject property. Future development will be required to connect to Lee County's central water system.

STANDARD 4.1.2: SEWER.

1. Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development that generates more than 5,000 gallons of sewage per day, must connect to a sanitary sewer system.

Sanitary sewer service is available to the subject property. Future development will be required to connect to Lee County's central wastewater system.

STANDARD 4.1.4: ENVIRONMENTAL FACTORS.

1. In any case where there exists or there is the probability of environmentally sensitive areas (as identified by Lee County, the Corps of Engineers, Department of Environmental Protection, South Florida Water Management District, or other applicable regulatory agency), the developer/applicant must prepare an environmental assessment that examines the existing conditions, addresses existing or anticipated environmental problems, and proposes means and mechanisms to protect, conserve, or preserve the environmental and natural resources.

Dex Bender has conducted an environmental assessment for the property. According to the report, "The majority of the site is improved pasture with the remaining forested areas containing high levels of exotics." There are no environmentally sensitive areas on site. However, the developer will meet the County's indigenous preservation requirements, which will preserve and restore a portion of the pine flatwoods area of the property.

GOAL 5: RESIDENTIAL LAND USES. *To provide sufficient land in appropriate locations on the Future Land Use Map to accommodate the projected population of Lee County in the year 2030 in attractive and safe neighborhoods with a variety of price ranges and housing types.*

The proposed rezoning will implement Goal 5 by located additional opportunity for residential multi-family development, providing a diversity of housing opportunities just north of San Carlos.

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.*

There are no physical constraints or hazards that exist on the subject property that would limit residential development.

***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 rezoning directly implements the intent of Policy 5.1.3 in that it will locate a high density residential near major employment centers. Directly to the north of the subject property is the new Neogenomics headquarters as well as several other corporate office buildings. Southwest Florida International Airport is within a 3-mile drive of the subject property, and several employment centers that have developed under the industrial/commerce designations in the comprehensive plan are located within a few miles of the subject property. The proposed development is strategically located to provide multi-family housing in close proximity to major employment areas as well as the Interstate, giving the property easy access to employment centers throughout Lee County.

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

The subject property is not in Noise Zone B. Noise Zone C covers only the northwest corner of the subject property. Very little, if any, of the residential area will even be in Noise Zone C. Most of the property is not located in any Noise Zone.

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

The residential portion of the subject property is well located to be protected from the encroachment of industrial or commercial uses. To the south of the subject property is land zoned for residential use, in the General Interchange land use category. To the north of the subject property are existing built office development. To the east is I-75 and to the west will be the commercial development that is part of the proposed Mixed Use Planned Development that is be submitted concurrent with this application.

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

The existing zoning currently allows for commercial development and will continue to provide for commercial development. The proposed zoning change will simply allow residential uses, compatible with the surrounding existing and planned commercial and residential development.

POLICY 6.1.5: *The land development regulations will require that commercial development be designed to protect the traffic-carrying capacity of roads and streets.*

The proposed rezoning is in an area where capacity exists on the adjacent roadway network. As shown in the attached Transportation Impact Statement, this proposed amendment will not cause any negative impacts to the County Long Range Transportation Plan. The proposed development will be a decrease in trips as compared to the existing zoning and land use approvals.

GOAL 11: MIXED USE. *Encourage mixed use developments that integrate multiple land uses, public amenities and utilities at various scales and intensities in order to provide: diversified land development; a variety of housing types; greater connectivity between housing, workplaces, retail businesses, and other destinations; reduced trip lengths; more transportation options; and pedestrian and bicycle-friendly environments.*

The proposed rezoning represents a change to a mixed-use development with multi-family residential, retail, office and hotel uses. The addition of the multi-family residential development within the context of the surrounding land uses will provide a housing opportunity in close proximity to major employment centers and create a mixed-use environment that decreases trip lengths and diversifies that housing options in close proximity to the workplace.

OBJECTIVE 135.1: HOUSING AVAILABILITY. *Work with private and public housing providers to ensure that the additional dwellings needed by 2025 are provided in types, costs, and locations to meet the needs of the Lee County population. It is estimated that by 2025, 114,927 additional dwelling units will be needed in all of Lee County and 39,637 will be needed in unincorporated Lee County.*

The proposed zoning change will allow for the development of 475 new multi-family residential units.

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

The proposed zoning change will diversify the housing types in the local area by providing for higher density multi-family units in an area with predominantly single-family development to the south in the San Carlos neighborhood.

- b) The application is compliant with the Land Development Code and other applicable codes or regulations;

The proposed rezoning is compliant with all county codes and regulations. The applicant is not asking for any deviations.

- c) The request is compatible with surrounding existing and planned land uses;

As stated above, there are no compatibility concerns with surrounding land uses. I-75 isolates the subject property from the uses that are located to the east. Across I-75 are a mix of commercial and industrial uses and zoned properties. To the north of the subject property are a mix of office/corporate headquarters and research and development uses. To the west of the subject property are vacant lands zoned for commercial and industrial uses. To the south, of the subject property is the Vintage CPD with approved residential uses located contiguous to the subject property on the southern boundary.

- d) Access to the property is sufficient to provide for the proposed use;

The subject property is located on the Three Oaks Parkway extension, an arterial Road, and approximately a ¼ mile of the intersection with Alico Road, another arterial. The property is within a ½ mile from the I-75 interchange, providing easy access to areas throughout Lee County. As demonstrated on the attached master concept plan, access is sufficient to accommodate the proposed development and includes a full median cut at the proposed project entrance.

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

As demonstrated by the attached Transportation Impact Statement, the excepted impacts on transportation facilities are not significant and can be addressed by existing county regulations. Furthermore, the proposed amendment to the zoning will decrease daily trips from the subject property over the existing approved uses.

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

The proposed amendment will have no impact on environmentally sensitive resources in Lee County. The subject property is mostly cleared and in improved pasture. The vegetated Pine Flatwoods area on the property is heavily infested with exotic vegetation. Shifting from one urban use (Commercial) to another urban use (residential and commercial) has little impact on the site's development or environment, however, adding residential development to the site will increase the development's indigenous preservation requirement.

g) Will be served by urban services, defined in the Lee Plan.

As evidenced by the adjacent development, the location of the property in a Future Urban Area in the Lee Plan and the attached application, urban services are available to the subject site.

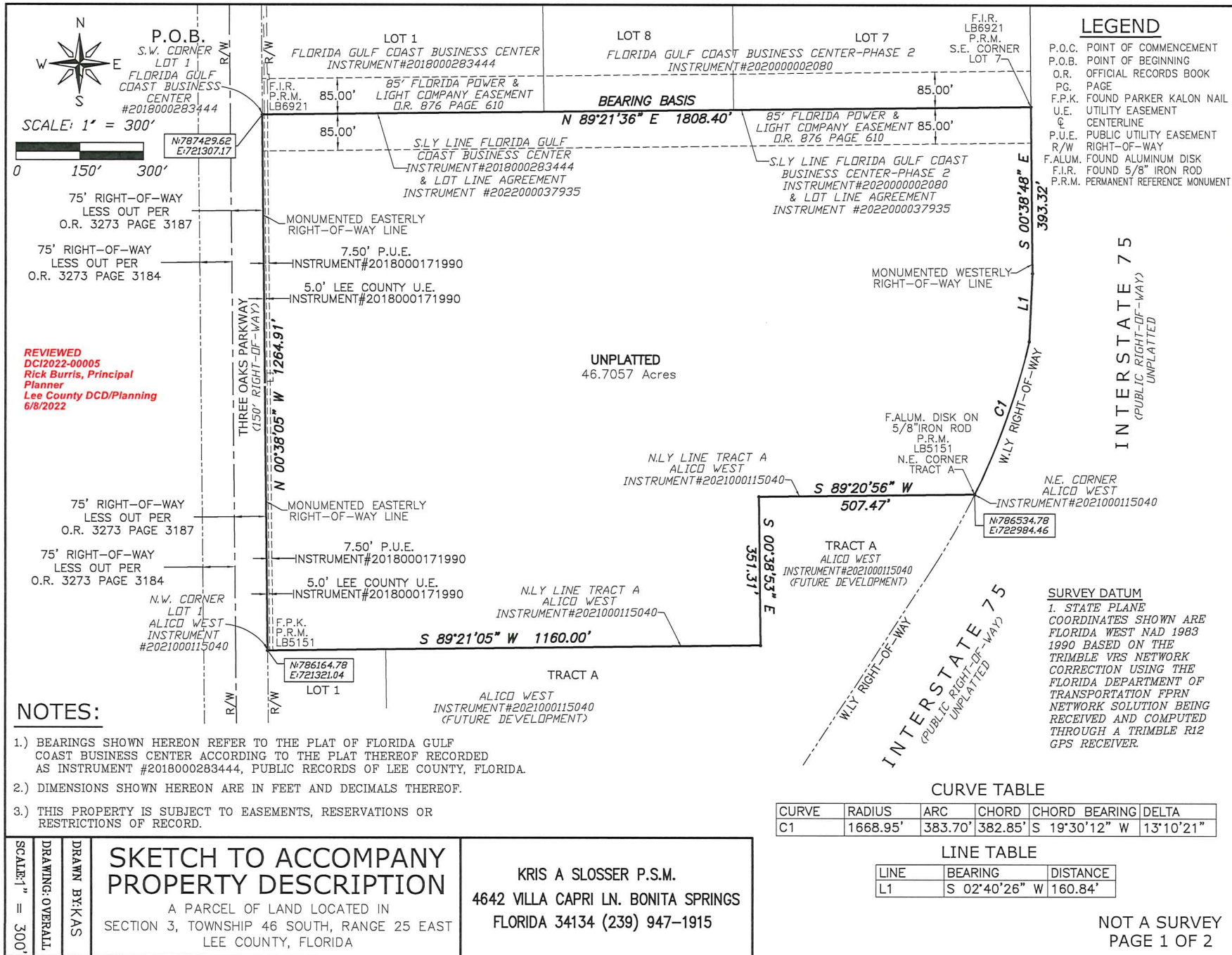
2.a) The proposed use or mix of uses is appropriate at the proposed location.

The proposed mixed-use development is consistent with the General Interchange future land use category and the Lee Plan's emphasis on promoting mixed use development. The proposed use has excellent road access, is adjacent to similar uses and provides an opportunity to provide diverse housing options in close proximity to employment centers. The proposed use is therefore appropriate for the subject property.

Summary:

Based on compliance with these, and other regulations, we respectfully contend that this zoning application will not place an undue burden upon existing transportation or planned infrastructure facilities. Similarly, the proposed use is appropriate at the subject location, and is compatible with existing uses in the surrounding area. For these reasons, the requested re-zoning should be approved.

Exhibit A



OVERALL PROPERTY DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, FLORIDA GULF COAST BUSINESS CENTER, ACCORDING TO THE PLAT THEREOF RECORDED AS INSTRUMENT #2018000283444, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, A POINT ON THE OCCUPIED EASTERLY RIGHT-OF-WAY LINE OF THREE OAKS PARKWAY (150 FOOT WIDE) ACCORDING TO SAID PLAT OF FLORIDA GULF COAST BUSINESS CENTER AND THE BEGINNING OF A LOT LINE AGREEMENT AS DESCRIBED IN INSTRUMENT #2022000037935 PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N 89°21'36" E ALONG SAID LOT LINE AGREEMENT AND THE SOUTH LINE OF SAID FLORIDA GULF COAST BUSINESS CENTER FOR A DISTANCE OF 1808.40 FEET TO THE SOUTHEAST CORNER OF LOT 7, FLORIDA GULF COAST BUSINESS CENTER-PHASE 2, ACCORDING TO THE PLAT THEREOF RECORDED AS INSTRUMENT #2020000002080 IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, A POINT ON THE OCCUPIED WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 75 (WIDTH VARIES) AS SHOWN ON SAID PLAT OF FLORIDA GULF COAST BUSINESS CENTER-PHASE 2 AND THE END OF SAID LOT LINE AGREEMENT; THENCE S 00°38'48" E ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 393.32 FEET; THENCE S 02°40'26" W ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 160.84 FEET TO THE BEGINNING OF A NON-TANGENTIAL CIRCULAR CURVE CONCAVE WESTERLY; THENCE RUN SOUTHWESTERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 1668.95 FEET THROUGH A CENTRAL ANGLE OF 13°10'21", SUBTENDED BY A CHORD OF 382.85 FEET AT A BEARING OF S 19°30'12" W FOR A DISTANCE OF 383.70 FEET TO THE NORTHEAST CORNER OF TRACT "A", ALICO WEST, ACCORDING TO THE PLAT THEREOF RECORDED AS INSTRUMENT NUMBER 2021000115040 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE S 89°20'56" W ALONG SAID TRACT "A" FOR A DISTANCE OF 507.47 FEET; THENCE S 00°38'53" E ALONG SAID TRACT "A" FOR A DISTANCE OF 351.31 FEET; THENCE S 89°21'05" W ALONG SAID TRACT "A" FOR A DISTANCE OF 1160.00 FEET TO THE NORTHWEST CORNER OF LOT 1 OF SAID PLAT OF ALICO WEST AS RECORDED IN INSTRUMENT NUMBER 2021000115040 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID THREE OAKS PARKWAY(150 FOOT WIDE) ACCORDING TO THE PLAT OF SAID ALICO WEST; THENCE N 00°38'05" W ALONG SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 1264.91 TO THE POINT OF BEGINNING.

BEARINGS SHOWN HEREON REFER TO THE SOUTH LINE OF FLORIDA GULF COAST BUSINESS CENTER, ACCORDING TO THE PLAT THEREOF RECORDED AS INSTRUMENT #2018000283444, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AS BEING N 89°21'36" E.

PARCEL CONTAINS 46.7057 ACRES MORE OR LESS



Digitally signed
by KRIS A
SLOSSER
Date:
2022.03.30
14:31:33 -04'00'

REVIEWED
DCI2022-00005
Rick Burris, Principal
Planner
Lee County DCD/Planning
6/8/2022

KRIS A. SLOSSER, STATE OF FLORIDA, (P.S.M. #5560)
SEE ATTACHED SKETCH

NOT A SURVEY
PAGE 2 OF 2

DRAWING: OVERALL

DRAWN BY: KAS

OVERALL PARCEL PROPERTY DESCRIPTION

A PARCEL OF LAND LOCATED IN
SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

KRIS A SLOSSER P.S.M.
4642 VILLA CAPRI LN. BONITA SPRINGS
FLORIDA 34134 (239) 947-1915

ATTACHMENT F

ALICO CROSSING MPD

Property Development Regulations		
	Commercial (Feet)	Multi-Family (Feet)
Development Criteria		
Minimum Setback from Three Oaks Parkway	20	N/A
Minimum Setback from Internal Roadway	20	20
Minimum Setback from Other Perimeter Boundaries	20	20
Minimum Separation between Buildings	1/2 the sum of the height of the adjacent building, minimum 10-feet	35-feet Min.
Maximum Building Height	75 (Office), 35 (Retail)	55
Maximum Lot Coverage	45 percent	45 percent
Side Yard Setback	10	N/A
Rear Yard Setback (principle and accessory)	20	N/A
Waterbody Setback (To Edge of Water/Control Elev.)	20	20
Preserve Area Setback (principle and accessory)	20	20
Lot Area and Dimensions		
Area	20,000 SF	N/A
Width	100-feet	N/A
Depth	200-feet	N/A

SCHEDULE OF USES

Residential

Accessory Uses and Structures
Administrative Offices
Club, Private
Dwelling Unit: Multi-family
Entrance Gates and Gatehouse
Essential Services
Essential Service Facilities, Group I
Excavation: water retention and dry detention
Excess Spoil Removal (Consistent with and as limited by the Land Development Code)
Fences and Walls
Home Occupation
Parking Lot, Accessory
Real Estate Sales Office
Recreational Facilities, personal, private on-site
Residential Accessory Uses
Signs, in accordance with Chapter 30
Temporary Uses, in compliance with LDC 34-3041

Commercial

Accessory Uses
Administrative Offices
ATM (Automatic Teller Machine)
Auto Parts Store
Automobile Service Station
Banks and Financial Establishments — Group I & II
Bar or Cocktail Lounge, Accessory to Hotel/Motel & Restaurant use
Boat Sales
Broadcast Studio — Commercial Radio and Television
Building Material Sales
Business Services — Groups I and II
Car Wash, Accessory to Gas Convenience or Auto Service Station use
Cleaning and Maintenance Services
Clothing Store, General
Computer and Data Processing Services
Consumption on Premises
Contractors and Builders — Group I & II
Convenience Food and Beverage Store
Department Store
Drive-Through Facility for any Permitted Use
Drug Store, Pharmacy
EMS, Fire or Sheriffs Station
Entrance Gate and Gatehouse
Essential Services
Essential Service Facilities — Group I
Excavation, Water Retention
Fences & Walls
Food Stores, Group I & II
Food and Beverage Services, Limited
Gift and Souvenir Shop
Hardware Store
Healthcare Facilities — Groups I, II & III
Hobby Toy and Game Shop
Hotel; with accessory restaurant and COP
Household Furnishings, all groups
Insurance Companies
Laundromat, Laundry or Dry Cleaning, Group I
Lawn & Garden Store
Medical Office
Non-Store Retailers, All Groups
Package Store
Paint, Glass & Wallpaper
Parcel and Express Services
Parking Lot, Accessory, Commercial, Garage, and Temporary

Personal Services — Groups I, II, III, IV excluding Escort Services, Palm Readers, Tattoo Parlors, Massage Parlors and Steam and Turkish Baths
Pet Services
Pet Shop
Pharmacy
Post Office
Printing and Publishing
Recreation, Commercial, Group I and III
Rental or Leasing Establishments, Groups I and III
Repair Shops, Group I & II
Research and Development Laboratories Group II & IV
Residential, Multi-family units
Restaurant, Fast Food
Restaurants, all Groups; with COP
Schools, Commercial
Self Service Fuel Pumps
Storage, Indoor (Self-Storage)
Signs in Accordance with LDC Chapter 30
Social Services, Group I
Specialty Retail Shops, all groups
Studios
Supermarket
Temporary Uses
Used Merchandise Stores, Group I
Variety Store
Vehicle & Equipment Dealers, Groups I, II & III
Warehouse: Mini-Warehouse, Private & Public
Wholesale Establishments Groups III & IV

1. Deviation from LDC Section 10-329 (d)(4) which requires banks of excavations to be sloped at a ratio not greater than 6:1 slope to allow for 4:1 lake bank slopes.

The proposed slope stabilization measure is a 4:1 bank slope stabilized with sod ground cover. The proposed project's surface water management system design will preclude the majority of surface water flows generated within the site from flowing across the lake bank. The majority of site areas upstream of the lake top-of-bank will be directed to proposed catch basins, which then convey flows to the lake via proposed storm water piping/culverts.

Additionally, in lieu of herbaceous littoral plantings within the proposed lake, the lake bank will be planted with native wetland trees. These trees and their root systems will provide for additional stabilization of the lake bank.

Accordingly, based on the limitation of surface water flows across the proposed lake bank, the 4:1 slopes stabilized with sod ground cover and the native wetland trees to be planted within/adjacent to the lake bank will provide adequate stabilization to prevent recurring erosion or stabilization issues. The proposed design will be signed/sealed accordingly by the project's Engineer of Record at time of development permitting, and will be certified by the Engineer of Record post-construction.

2. Deviation from LDC Section 10-418(2)d which requires littoral areas to be planted with herbaceous plant material to allow for the planting of no herbaceous plants on the littorals area on the water management lake.

3. Deviation from LDC Section 10-418(2)d.3 which requires that only 25% of the herbaceous plants on littoral areas can be converted to wetland trees to allow for the conversion of 100 percent of the required littoral plantings to wetland trees.

Deviations 4 and 5 are needed in order to comply with water quality standards in the Lee Plan while at the same time protect against creating wildlife attractors in proximity to airport operations. The proposed lake within the project's development area is within 10,000 feet of airport operations. In accordance with FAA guidelines lake area must not contain littoral plantings that may attract birds and contribute to the risk of bird strikes with airplanes. The proposed conversion of littoral plants to wetland plants will help maintain water quality requirements of Lee County and the SFWMD while also minimizing risk of bird strikes with airplanes.

4. Deviation from Section 34-2020(a), which requires that multi-family units provide 2 spaces per unit plus an additional 10% for guest parking and an additional 4 spaces for every 1,000 square feet of clubhouse area, to allow for a total parking requirement of 1.75 spaces per unit for the entire residential portion of the development including the clubhouse area.

The total code required parking equates to 1,045 for Master Concept Plan A and 935 spaces under Master Concept Plan B, plus what will equate to 80 additional spaces for the amenity/clubhouse. The deviation request is for a reduction to a requirement of 1.75 spaces per unit or a total of 832 spaces for Master Concept Plan A and 744 for Master Concept Plan B. According to the attached parking demand study produced by TR Transportation, the total parking need for the proposed use is 1.63 space per unit. The proposed reduction to 1.75 spaces per unit still allows for the inclusion of 57 additional spaces for Master Concept Plan A over the demand for parking that is needed. Additional un-used parking creates additional impervious paved surface area which increases stormwater runoff and potential pollutants.

The clubhouse area in this specific form of development does not necessitate any additional parking. The farthest unit from the clubhouse area will be no more than a ¼ mile walk, well within walking distance and a typical rule of thumb distance for walking in urban areas. Many units will be within 500 feet of the amenity. The parking requirement for a clubhouse on this site is simply duplicative of the residential requirement because there is not need to drive from a unit to the amenity. The residential portion of the development is simply not large enough to necessitate this requirement. Requiring a retail rate for clubhouse parking when the use is immediately adjacent to and well within walking distance of all users has been clearly demonstrated to be entirely unnecessary.

The reduction of the parking requirement to eliminate unused paved areas is a significant enhancement to the Master Concept plan and has no negative impact on the health, safety or welfare of the general public. As demonstrated in the attached parking demand study, the request is justified based on the actual need for parking for the multi-family use.

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

WHEREAS, an application was filed by Neale Montgomery and Greg Stuart on behalf of the property owner, Susan E. Davidson, Managing Member, Three Oaks Land Company, LLC to rezone a 51.5± acres from Agricultural (AG-2) to Commercial Planned Development (CPD); and

WHEREAS, a public hearing was advertised and held on April 2, 2002, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2002-00052; and

WHEREAS, a second public hearing was advertised and held on May 19, 2003, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant filed a request to rezone a 51.5± -acre parcel from AG-2 to CPD, to permit 300,000 square feet of commercial retail, 51,000 square feet of office, and 125 hotel rooms with an option to increase up to 377,000 square feet of commercial retail with a corresponding 31,000-square-foot reduction in office and a corresponding reduction of 25 hotel rooms, and an optional increase of up to 200 hotel rooms with a corresponding reduction of 26,500 square feet in office, with buildings not to exceed 75 feet/six stories. No development blasting is being requested. The property is located in the Urban Community Future Land Use Category and is legally described in attached Exhibit A. The request is APPROVED SUBJECT TO the conditions specified in Section B below.

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. The development of this project must be substantially consistent with the one-page Master Concept Plan entitled "The Alico Crossroads Center CPD" or the one-page Master Concept Plan entitled "The Alico Crossroads Center CPD - Alternative Plan" both stamped "RECEIVED JUN 06 2003 COMMUNITY DEVELOPMENT" except as modified by the conditions below. This development must comply with all requirements of the Lee County LDC at time of local development order approval. If changes to the Master Concept Plan or Alternative Plan are subsequently pursued, appropriate approvals will be necessary.

2. The following limits apply to the project and uses:

a. Schedule of Uses

See Attachment "D" The Alico Crossroads Center CPD: Schedule of Uses; and

See Attachment "E" The Alico Crossroads Center CPD Alternative Plan Schedule of Uses.

b. Site Development Regulations

(1) The project may be developed with a maximum of 300,000 square feet of commercial retail, 51,000 square feet of office, and 125 hotel rooms, with an optional increase of up to a maximum 377,000 square feet of commercial retail with a corresponding 31,000-square-foot reduction in office and a corresponding reduction of 25 hotel rooms, and an optional increase of up to 200 hotel rooms with a corresponding maximum of up to 348,000 square feet of commercial retail.

(2) This approval does not alleviate the need to comply with all federal, state and county development regulations for life, safety and fire codes, open space, buffering and parking spaces, except as specifically modified by this approval;

(3) The property development limitations are:

See Attachment "N" Tracts A, B, C, D & E Development Standards; and

See Attachment "O" Alternative Plan/Tracts A,B,C & D Development Standards.

Minimum Open Space:

A minimum of 14.8 acres of general open space must be provided within the overall development site. Each development tract shall contain a minimum of 10% open space per LDC Section 34-414(c) provided the developer demonstrates the overall open space requirement will be met with each local development order submittal.

3. a. Existing bona fide agricultural uses as described in Exhibit "H" may continue until approval of a local development order for the area of the project containing those uses.

b. Additional clearing or grading of existing agricultural areas is prohibited. This prohibition is not intended to preclude County approved requests for the removal of invasive exotic vegetation.

c. The property owner must terminate the agricultural tax exemption for any portion of the property that receives a local development order. The exemption termination must be filed with the Property Appraiser's Office by December 31st of the calendar

year in which the local development order is issued. A copy of the exemption termination must be provided to the Office of the County Attorney.

4. No development blasting activity is permitted as part of this project unless approved at a subsequent public hearing as an amendment to the planned development.
5. All manufacturing, repair or warehousing must take place in an enclosed building.
6. All outdoor storage activities must comply with shielding provisions specified in LDC Sec. 34-3005(b).
7. The development order must include an estimated time line for completion of exotic vegetation removal. The time line will begin upon issuance of a Vegetation Removal Permit and must be completed prior to issuance of a Certificate of Compliance for the first building.
8. Exotic vegetation removal from within the preserves must be completed by hand unless specifically approved by Environmental Sciences (ES) staff. Any approval of mechanical removal methods will be limited by location, and type of machinery to be used as approved by ES staff. No equipment which disturbs the soil will be permitted within the preserve areas.
9.
 - a. The full median opening indicated on the Master Concept Plan is subject to the Three Oaks Parkway Access Management Plan, upon adoption, and any future operational decision by the County to install a traffic signal, modify, or remove the median opening. Prior to the adoption of the Access Management Plan, the access must be consistent with the access points identified on the approved Master Concept Plan.
 - b. If installation of a traffic signal is deemed to be appropriate by the County at this location, then a proportionate share of the full cost of the traffic signal improvement will be the responsibility of the developer or subsequent property owner's association.
10. Prior to the issuance of any building permit and to the extent the property or any portion of the property is located with Noise Zone 2 or Noise Zone 3 of the Airport Hazard District, the property owner, and all subsequent purchasers of the property or any portion of the property within these noise zones, must execute and deliver to the Building Department a Disclosure Statement containing the language set forth in the attached Exhibit "I" labeled "Lee County Port Authority Exhibit 1."
11. The development must comply with Land Development Code Section 34-1008 - Permit for Tall Structures, for all tall structures that exceed a height of 100 feet above mean sea level, including permanent buildings, antenna towers, and temporary construction equipment such as cranes.
12. Commercial buildings, especially hotel/motel facilities located in Airport Noise Zone 3, must consider the use of sound insulating materials.

13. Buildings exceeding 75 feet in height must maintain additional building separation or additional building setbacks as regulated by LDC Section 34-2174(a) and LDC Section 935(e)4.
14. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.
15. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 26 and Table 1(b).
16. This development must comply with all of the requirements of the LDC at the time of local development order approval, except as may be granted by deviations approved as part of this planned development rezoning action or subsequent amendment approvals.
17. No more than 32 fuel pumps may be permitted on this entire development.
18. A 20' landscape buffer consisting of a double staggered row hedge with 5 canopy trees per 100 or 7 palm trees per 100 and a 3' berm is required along the project boundaries at the proposed Three Oaks Parkway.

SECTION C. EXHIBITS AND STRAP NUMBER:

The following exhibits are attached to this resolution and incorporated by reference:

- Exhibit A: The legal description of the property
- Exhibit B: Zoning Map (with subject parcel indicated)
- Exhibit C: The Master Concept Plan
- Exhibit D: Attachment "D" The Alico Crossroads Center CPD; Schedule of Uses
- Exhibit E: Attachment "E" The Alico Crossroads Center CPD Alternative Plan Schedule of Uses.
- Exhibit F: Attachment "N" Tracts A, B, C, D & E Development Standards
- Exhibit G: Attachment "O" Alternative Plan/Tracts A, B, C & D Development Standards
- Exhibit H: Affidavit Sketch and Supporting documents regarding existing Bona Fide Agricultural Uses
- Exhibit I: Lee County Port Authority Exhibit 1

The applicant has indicated that the STRAP number for the subject property is:
03-46-25-00-00001.1080

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.

2. The rezoning, as approved:
 - a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request; and,
 - b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and,
 - c. is compatible with existing or planned uses in the surrounding area; and,
 - d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and,
 - e. will not adversely affect environmentally critical areas or natural resources.
3. The rezoning satisfies the following criteria:
 - a. the proposed use or mix of uses is appropriate at the subject location; and
 - b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and
 - c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.
4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.
5. The approved deviations, as conditioned; enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.

The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner Albion, seconded by Commissioner Coy and, upon being put to a vote, the result was as follows:

Robert P. Janes	Absent
Douglas R. St. Cerny	Aye
Ray Judah	Aye
Andrew W. Coy	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 19th day of May 2003.

ATTEST:
CHARLIE GREEN, CLERK

BY: Michelle S. Cooper
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: [Signature]
~~Vice Chairman~~, Chairman, John E. Albion

Approved as to form by:

[Signature]
County Attorney's Office



RECEIVED
MINUTES OFFICE
mjc
2003 JUN 24 PM 4:00

LEGAL DESCRIPTION

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, BEING PART OF SECTION 26, TOWNSHIP 46 SOUTH, RANGE 25 EAST, BEING MORE PARTICULARLY DESCRIBES AS FOLLOWS:

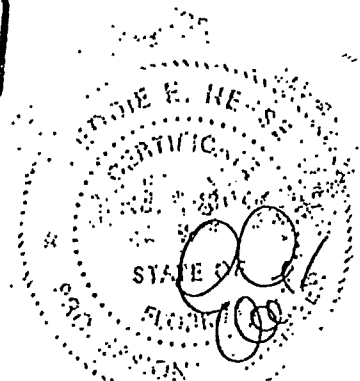
COMMENCING AT THE CONCRETE MONUMENT MARKING THE SOUTHWEST CORNER OF SAID SECTION 26, THENCE N89°40'25"E ALONG THE SOUTH LINE OF SAID SECTION 26 FOR 80.01 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT OF WAY LINE OF THREE OAKS PARKWAY (FORMERLY KNOWN AS CORLICO ROAD, 80 FEET WIDE AS DESCRIBED IN OFFICIAL RECORDS BOOK 1739, PAGE 777), THENCE N01°18'46"W ALONG SAID RIGHT OF WAY LINE FOR 1182.03 FEET TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 1892 AT PAGE 731 IN THE PUBLIC RECORDS OF LEE COUNTY FLORIDA, THENCE ALONG THE SOUTH LINE THEREOF EAST 20.02 FEET TO THE EAST LINE OF THREE OAKS PARKWAY, SAID POINT BEING THE POINT OF BEGINNING OF THE PROPERTY DESCRIBED HEREON, THENCE N01°18'46"W ALONG THE EAST LINE OF SAID OR BOOK 1892 PAGE 731 AND THE EAST RIGHT OF WAY LINE OF THREE OAKS PARKWAY FOR 621.66 FEET TO THE NORTHEAST CORNER OF THE PARCEL DESCRIBED IN OR 1892 PAGE 731, THENCE EAST 1952.04 FEET, THENCE SOUTH 621.50 FEET THENCE, WEST 1937.80 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 27.75 ACRES MORE OR LESS. BEARINGS BASED ON THE RIGHT OF WAY MAPS OF INTERSTATE 75.

DCI 2002-00065

Applicant's Legal Checked
by JMM 3/14/03

RECEIVED
FEB 07 2003

ZONING COUNTER



SKETCH TO ACCOMPANY DESCRIPTION

OF
A PARCEL OF LAND
LYING IN
SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



NOT TO SCALE

LEGEND:

- (3) - CURVE NO. 3 OF THE CURVE TABLE
- R/W - RIGHT-OF-WAY
- E - CENTERLINE
- (R) - RADIAL LINE

THIS IS NOT A SURVEY

THC 7-17-02

THOMAS R. LEHNERT, JR.
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION NO. 5541

- THIS SKETCH IS NOT VALID UNLESS IT BEARS THE
SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA
PROFESSIONAL SURVEYOR AND MAPPER

- PREPARED MAY 12, 1998

- SEE SHEET 1 OF 2 FOR COMPLETE LEGAL DESCRIPTION

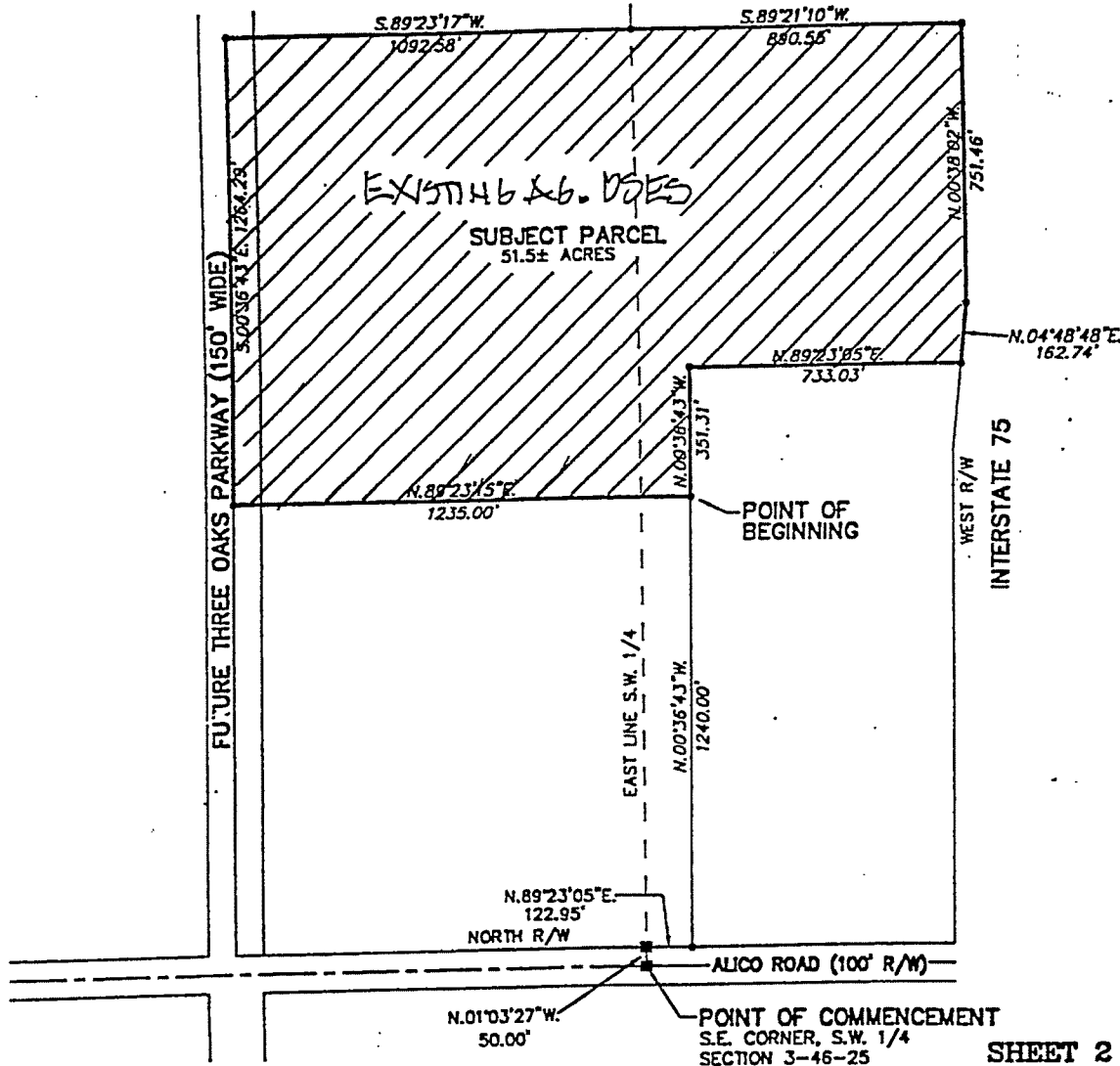
PREPARED BY:

Banks Engineering, Inc.

ENGINEERING, SURVEYING & LAND PLANNING

10000 BOX MILL CYPRESS PARKWAY - SUITE 100
FORT MYERS, FLORIDA 33901

(813) 939-5400
FLORIDA BUSINESS CERTIFICATION NO. 9000



SHEET 2 OF 2

DCI 02052

AG-2

CPD

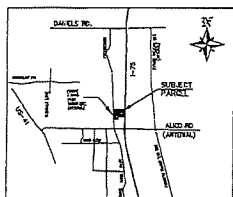
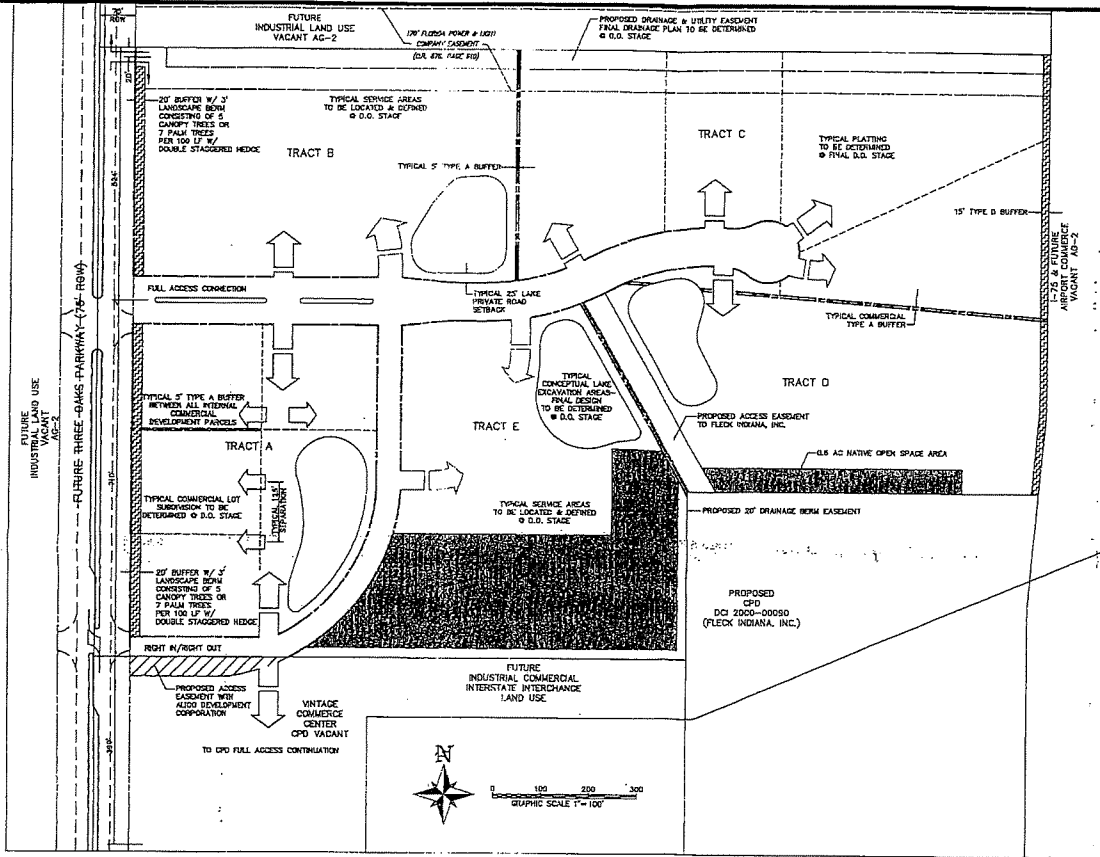
I-75

THREE OAKS PARKWAY

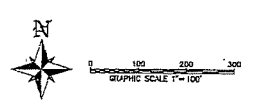
ALICO ROAD

ATTACHMENT A

EXHIBIT B



LOCATION MAP (N.T.S.)
ALCO CROSSROADS CENTER CPD NOT LOCATED
ON PUBLIC TRANSIT LEX TRAN ROUTE



INT 2002-000 52

RECEIVED
JUL 06 2003

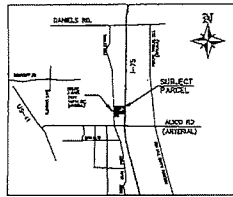
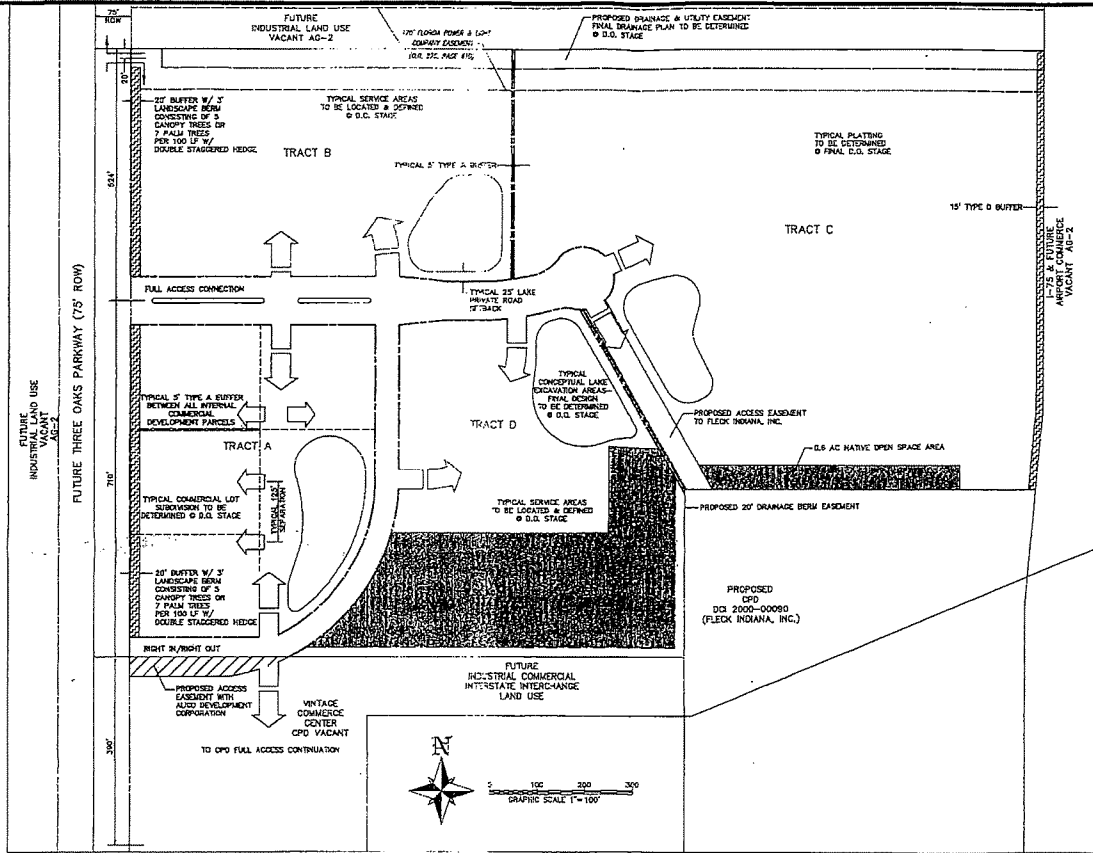
APPROVED
Master Concept Plan
By: [Signature] Date: 7/2/03
Submitted to: [Signature] Date: 7/2/03
Case: 2002-000 52

THE ALCO CROSSROADS CENTER CPD
PREPARED FOR:
THREE OAKS LAND
COMPANY, LLC

DATE: 6/10/02
SCALE: 1"=100'
REVISION: 11/26/02
JOB NO. 02.008
SHEET 1 OF 1

STUART AND ASSOCIATES
PLANNERS AND ARCHITECTS
230 WEST FIRST STREET, SUITE 200
ANN ARBOR, MI 48106-1500
TEL: (313) 337-7700
FAX: (313) 337-7700
WWW: STUART-AND-ASSOCIATES.COM

DESIGNED PREPARED BY:
Banks Engineering, Inc.
Professional Engineer, Planning & Land Surveyors
1000 E. Main Street, Suite 100
Ann Arbor, MI 48106-1500
TEL: (313) 337-7700
FAX: (313) 337-7700
WWW: BANKS-ENGINEERING.COM



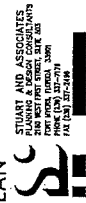
LOCATION MAP (N.T.S.)
ALCO CROSSROADS CPD NOT LOCATED
ON PUBLIC TRANSIT LEE TRAIL ROUTE

APPROVED
SUBJECT TO CONDITIONS IN RESOLUTIONS
DATE: 2-03-07
CITY OF INDIANA, INC.

RECEIVED
2007 FEB 20

THE ALCO CROSSROADS CENTER CPD - ALTERNATIVE PLAN
PREPARED FOR:
THREE OAKS LAND
COMPANY, LLC

Date: 4/10/02
Scale: 1"=100'
Revision: 01/28/03
JOB NO.: 02.008



STUART AND ASSOCIATES
PLANNERS & DESIGN CONSULTANTS
10000 N. 100TH AVE., SUITE 100
MILWAUKEE, WI 53222
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FAX (414) 227-7272
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FAX (414) 227-7272
WWW.BANKS-ENGINEERING.COM

ATTACHMENT "D"

THE ALICO CROSSROADS CENTER CPD: Schedule of Uses

	Tract A	Tract B	Tract C	Tract D	Tract E
	Highway Commercial	Community Commercial	Mixed Use Commerce	Hotel & Retail	Mixed Use Office
Accessory Uses	x	x	x	x	x
Agriculture	x	x	x	x	x
Administrative Offices	x	x	x	x	x
ATM (Automatic Teller Machine)	x	x		x	
Auto Parts Store	x	x			
Automobile Service Station – Also see Self Service Fuel Pumps	x	x			
Banks and Financial Establishments – Group I & II	x	x			x
Bar or Cocktail Lounge – Accessory to Hotel/Motel & Restaurant use only	x	x		x	
Boat Sales		x	x		
Broadcast Studio – Commercial Radio and Television			x		x
Building Material Sales		x			
Business Services – Groups I and II	x	x	x	x	x
Car Wash – limited to a maximum 1 Freestanding & 1 Accessory to an Automobile Service Station use	x	x			
Cleaning and Maintenance Services			x		x
Clothing Store, General		x		x	
Computer and Data Processing Services		x	x		x
Consumption on Premises (COP)	x	x		x	
Contractors and Builders – Group I & II		x	x		x
Convenience Food and Beverage Store – limited to 2 on the entire development with a maximum total of 16 self-service fuel pumps (ea.) in conj.w/ Convenience Food and Beverage Store uses for the entire development.	x	x			
Department Store		x		x	x

EXHIBIT D

ATTACHMENT "D"

THE ALICO CROSSROADS CENTER CPD: Schedule of Uses

	Tract A	Tract B	Tract C	Tract D	Tract E
	Highway Commercial	Community Commercial	Mixed Use Commerce	Hotel & Retail	Mixed Use Office
Drive-Through Facility for any Permitted Use	x	x			
Drug Store	x	x			
Electrical Machinery and Equipment Manufacturing – Limited to Household appliances; Electric lighting and wiring equipment; Communication equipment; Electronic components and accessories; Miscellaneous electrical machinery, equipment and supplies			x		
EMS, Fire or Sheriffs Station			x		
Entrance Gate and Gatehouse	x	x	x	x	x
Essential Services	x	x	x	x	x
Essential Service Facilities – Group I	x	x	x	x	x
Excavation, Water Retention			x		
Fabricated Metal Products Manufacturing, Groups II & III			x	x	x
Fences & Walls	x	x		x	x
Food Stores – Group I & II	x	x		x	
Food and Beverage Services, Limited	x	x			
Furniture and Fixtures Manufacturing -- Limited to Household furniture; Public building and related furniture; Partitions, shelving, lockers and office and store fixtures; Miscellaneous furniture and fixtures			x		
Gift and Souvenir Shop	x	x		x	x
Hardware Store		x	x		
Healthcare Facilities – Group III	x	x	x	x	x
Hobby Toy and Game Shop	x	x			x
Hotel; with accessory restaurant and COP				x	

ATTACHMENT "D"

THE ALICO CROSSROADS CENTER CPD: Schedule of Uses

	Tract A	Tract B	Tract C	Tract D	Tract E
	Highway Commercial	Community Commercial	Mixed Use Commerce	Hotel & Retail	Mixed Use Office

Household Furnishings, all groups		x	x		x
Insurance Companies		x	x	x	x
Laundromat	x	x			
Laundry or Dry Cleaning, Group I	x	x			
Lawn & Garden Store		x	x		x
Machinery Manufacturing Group 2 -- Limited to Power-driven hand tools; Office, computing and accounting machines			x		
Measuring, Analyzing and Controlling Instruments Manufacturing -- Limited to Engineering, laboratory, scientific and research instruments and associated equipment; Measuring and controlling instruments; Optical instruments and lenses; Surgical, medical and dental instruments and supplies; Ophthalmic goods; Photographic equipment and supplies; Watches, clocks and clockwork operated devices, and parts			x		
Medical Office	x	x	x	x	x
Non-Store Retailers, All Groups	x	x	x		x
Package Store	x	x			x
Paint, Glass & Wallpaper		x	x		x
Parcel and Express Services	x	x	x		x
Parking Lot: Accessory, Commercial, Garage, and Temporary	x	x	x	x	x
Personal Services -- Groups I, II, III, IV excluding Escort Services, Palm Readers, Tattoo Parlors, Massage Parlors and Steam and Turkish Baths	x	x			x

ATTACHMENT "D"

THE ALICO CROSSROADS CENTER CPD: Schedule of Uses

	Tract A	Tract B	Tract C	Tract D	Tract E
	Highway Commercial	Community Commercial	Mixed Use Commerce	Hotel & Retail	Mixed Use Office
					X
Pet Services	X	X			
Pet Shop	X	X			
Pharmacy	X	X			
Post Office		X	X		
Printing and Publishing			X		X
Processing & Warehousing			X		X
Research and Development Laboratories Group II & IV		X			
Recreation, Commercial, Group I and III	X	X	X	X	
Rental or Leasing Establishments, Groups I and III	X	X	X		X
Repair Shops, Group I & II	X	X	X		X
Restaurant, Fast Food – limited to 4 on the entire development.	X	X			
Restaurants, all Groups; with COP	X	X		X	X
Schools, Commercial			X		X
Self Service Fuel Pumps – limit of 32 for the entire development	X	X			
Signs in Accordance with LDC Chapter 30	X	X	X		X
Social Services, Group I			X	X	
Specialty Retail Shops, all groups	X	X		X	X
Storage, indoor and outdoor; outdoor storage limited to accessory for Manufacturing, Processing, Warehousing, Vehicle & Equipment Dealers, Building Material sales, Contractors & Builders, Lawn & Garden, & Hardware Store		X	X	X	X
Studios		X			X
Supermarket	X	X			

ATTACHMENT "D"

THE ALICO CROSSROADS CENTER CPD: Schedule of Uses

	Tract A	Tract B	Tract C	Tract D	Tract E
	Highway Commercial	Community Commercial	Mixed Use Commerce	Hotel & Retail	Mixed Use Office
Temporary Uses	x	x	x	x	x
Used Merchandise Stores, Group I	x	x	x		
Variety Store	x	x			
Vehicle & Equipment Dealers, Groups I, II & III		x	x	x	
Warehouse: Mini-Warehouse, Private & Public			x	x	x
Wholesale Establishments Groups III & IV			x	x	x

ATTACHMENT "E"

THE ALICO CROSSROADS CENTER CPD: Alternative Plan Schedule of Uses

	Tract A	Tract B	Tract C	Tract D
	Highway Commercial	Community Commercial	Mixed Use Commerce	Mixed Use Commerce
Accessory Uses	x	x	x	x
Agriculture	x	x	x	x
Administrative Offices	x	x	x	x
ATM (Automatic Teller Machine)	x	x		
Auto Parts Store	x	x		
Automobile Service Station – Also see Self Service Fuel Pumps.	x	x		
Banks and Financial Establishments – Group I & II	x	x	x	x
Bar or Cocktail Lounge – Accessory to Hotel/Motel & Restaurant use only.	x	x	x	x
Boat Sales		x	x	x
Broadcast Studio – Commercial Radio and Television			x	
Building Material Sales		x		
Business Services – Groups I and II	x	x	x	x
Car Wash – limited to 1 Freestanding & 1 Accessory to an Automobile Service Station use	x	x		
Cleaning and Maintenance Services			x	
Clothing Store, General		x	x	
Computer and Data Processing Services		x	x	
Consumption on Premises	x	x	x	x
Contractors and Builders – Group I & II		x	x	
Convenience Food and Beverage Store – limited to 2 on the entire development with a maximum total of 16 self-service fuel pumps (ea) in conj. w/ Convenience Food and Beverage Store uses for the entire development.	x	x		
Department Store		x	x	x
Drive-Through Facility for any Permitted Use	x	x		x

EXHIBIT E

ATTACHMENT "E"

THE ALICO CROSSROADS CENTER CPD: Alternative Plan Schedule of Uses

	Tract A	Tract B	Tract C	Tract D
	Highway Commercial	Community Commercial	Mixed Use Commerce	Mixed Use Commerce

Drug Store, Pharmacy	x	x		
Electrical Machinery and Equipment Manufacturing – Limited to Household appliances; Electric lighting and wiring equipment; Communication equipment; Electronic components and accessories; Miscellaneous electrical machinery, equipment and supplies				x
EMS, Fire or Sheriffs Station				x
Entrance Gate and Gatehouse	x	x	x	x
Essential Services	x	x	x	x
Essential Service Facilities – Group I	x	x	x	x
Excavation, Water Retention	x	x	x	x
Fabricated Metal Products Manufacturing, Groups II & III				x
Fences & Walls	x	x	x	x
Food Stores – Group I & II	x	x	x	x
Food and Beverage Services, Limited	x	x	x	x
Furniture and Fixtures Manufacturing -- Limited to Household furniture; Public building and related furniture; Partitions, shelving, lockers and office and store fixtures; Miscellaneous furniture and fixtures				x
Gift and Souvenir Shop	x	x	x	x
Hardware Store		x	x	
Healthcare Facilities – Group III	x	x	x	x
Hobby Toy and Game Shop	x	x		x
Hotel; with accessory restaurant and COP		x	x	x
Household Furnishings, all groups		x	x	
Insurance Companies		x	x	x
Laundromat	x	x		
Laundry or Dry Cleaning, Group I	x	x		

ATTACHMENT "E"

THE ALICO CROSSROADS CENTER CPD: Alternative Plan Schedule of Uses

	Tract A	Tract B	Tract C	Tract D
	Highway Commercial	Community Commercial	Mixed Use Commerce	Mixed Use Commerce
Lawn & Garden Store		x	x	x
Machinery Manufacturing Group 2 -- Limited to Power-driven hand tools; Office, computing and accounting machines				x
Measuring, Analyzing and Controlling Instruments Manufacturing -- Limited to Engineering, laboratory, scientific and research instruments and associated equipment; Measuring and controlling instruments; Optical instruments and lenses; Surgical, medical and dental instruments and supplies; Ophthalmic goods; Photographic equipment and supplies; Watches, clocks and clockwork operated devices, and parts				x
Medical Office	x	x	x	x
Non-Store Retailers, All Groups	x	x	x	x
Package Store	x	x		x
Paint, Glass & Wallpaper		x	x	x
Parcel and Express Services	x	x	x	x
Parking Lot: Accessory, Commercial, Garage, and Temporary	x	x	x	x
Personal Services -- Groups I, II, III, IV excluding Escort Services, Palm Readers, Tattoo Parlors, Massage Parlors and Steam and Turkish Baths	x	x		
Pet Services	x	x		x
Pet Shop	x	x		
Pharmacy	x	x		
Post Office		x	x	x
Printing and Publishing			x	x
Processing & Warehousing			x	x
Research and Development Laboratories Group II &		x	x	x

ATTACHMENT "E"**THE ALICO CROSSROADS CENTER CPD: Alternative Plan Schedule of Uses**

	Tract A	Tract B	Tract C	Tract D
	Highway Commercial	Community Commercial	Mixed Use Commerce	Mixed Use Commerce

IV				
Recreation, Commercial, Group I and III	x	x	x	x
Rental or Leasing Establishments, Groups I and III	x	x	x	x
Repair Shops, Group I & II	x	x	x	x
Restaurant, Fast Food – limited to 4 on the entire development.	x	x		
Restaurants, all Groups, with COP	x	x	x	x
Schools, Commercial			x	x
Self Service Fuel Pumps – limit of 32 for the entire development.	x	x		
Signs in Accordance with LDC Chapter 30	x	x	x	x
Social Services, Group I			x	x
Specialty Retail Shops, all groups	x	x	x	x
Storage, indoor and outdoor; outdoor storage limited to accessory for Manufacturing, Processing, Warehousing, Vehicle & Equipment Dealers, Building Material sales, Contractors & Builders, Lawn & Garden, & Hardware Store		x	x	x
Studios		x	x	x
Supermarket	x	x	x	x
Temporary Uses	x	x	x	x
Used Merchandise Stores, Group I	x	x	x	
Variety Store	x	x		
Vehicle & Equipment Dealers, Groups I, II & III		x	x	x
Warehouse: Mini-Warehouse, Private & Public			x	x
Wholesale Establishments Groups III & IV			x	x

**Application and Return for Agricultural Classification of Lands****Section 193.461**

I, the undersigned, hereby request that the lands listed hereon, where appropriate, be classified as Agricultural Lands for property tax purposes, by the property appraiser of the county in which the lands are located.

This form must be signed and both copies returned on or before March 1st.

Applicant's Name and Address:

THREE OAKS LAND CO.
2305 GOSHAWK COURT
NAPLES, FL 34105

Return To:

THREE OAKS LAND CO.
2305 GOSHAWK CT
NAPLES, FL 34105

Telephone No. (941) 649-6448**Legal Description****Property I.D. Number**

PARL W OF I-75 N OF ALICO
DESC. OR 3127 PG 2808 LES RD R1
BOOK: 03271 PAGE: 2534

03-46-25-00-00001.1080

Lands used primarily for agricultural purposes are as follows:

How Long in this use?

Agricultural income from this property (Please complete for the past four (4) years).

Citrus	Acres	Yrs.
Cropland	Acres	Yrs.
Grazing Land	<u>50 +/-</u> Acres	<u>25</u> Yrs.
No. of Livestock	<u>40 +/-</u>	
Timberland	Acres	Yrs.
Poultry, Swine		
or Beeyards	Acres	Yrs.
Other	Acres	Yrs.

Year	Crop or Use	Gross Income	Expense	Net Income
				<u>0</u>

Date Purchased:**Purchase Price:**

6/21/00
1,700,000

Has a Tangible Personal Property Tax Return been filed with the County Property Appraiser for machinery and equipment?

Yes ☐ No ☒ If yes, what name was the Tangible Return filed under? _____

Is the real property leased to others? Yes ☒ No ☐ If Yes, attach copy of Lease Agreement.

Has the real property been zoned to a nonagricultural use at the request of the owner? Yes ☐ No ☒

As of January 1st of this year, 2002 the lands listed above were used primarily for "Bona Fide" Agricultural Purposes. Bona Fide Agricultural Purpose means "Good Faith Commercial Agricultural use of the Land."

I understand that the property appraiser may require supplemental and additional information, other than the application, and I am willing to comply with any reasonable request to furnish such information.

Under penalties of perjury, I declare that I have read the foregoing application and that the facts stated in it are true. If prepared by someone other than the applicant, his/her declaration is based on all information of which he/she has any knowledge.

Signature:

SUE E. DAVIDSON, MANAGING MEMBER

Date:7/25/02**For Record Purposes Only**

This acknowledges receipt of your Application for Agricultural Classification of Lands on _____ (date) for the above described property.

Property Appraiser: _____ County: _____

Record of Action of County Property Appraiser

(Check Only the Appropriate Box Below)

1. Application approved and all lands are classified Agricultural ☐
2. Application disapproved and Agricultural Classification of Lands denied on all Lands ☐
3. Application ☐ approved in part, and ☐ disapproved in part

☐ Agricultural Classification of Lands approved on the following described portion (Use this space only if item 3 above is checked)

OCI 2002-00082

Property Appraiser:**Exhibit "H"****Date:**

RECEIVED
APR 01 2003
ZONING COUNTER

L E A S E

THIS LEASE MADE AND entered into this 1st day of January, 2002, by and between *THREE OAKS LAND CO. LLC* hereinafter referred to as "Lessor", and RONNIE C. FLINT, hereinafter referred to as "Lessee".

WITNESSETH:

That for and in consideration of mutual promises herein- after contained on the part of the Lessee to be kept and per- formed, the said Lessors do by these presents, lease, let and demise to said Lessee the following described property,

to wit: Strap # *03-46-25-00-00001.1080*
50 ACRES +/-
LEE County Records, Florida

TO HAVE AND TO HOLD the same for a period of TEN (10) years commencing the 1ST day of January, 2002 and terminating on the 31st day of December, 2012, the said Lessee yielding and paying therefore to the Lessor the total rental of One dollars (\$1.00). payable in advance in annual installments on the 1st day of January each and every year during the term of this lease, with the first annual installment being paid by Lessee to Lessor at the time of the execution of this Lease, receipt of which Lessor hereby acknowledges.

Lessee covenants and agrees with the said Lessor to make no unlawful, improper or offensive use of the premises, it being expressly understood and agreed between the parties hereto that Lessee may use the above described property during the entire term of this lease, unless sooner termin- ated as hereinafter provided, for exclusive grazing and

should said lands, or any portion thereof be used for any purpose other than grazing cattle then and in such event, this Lease shall be terminable at will by the Lessor, and Lessee shall be considered a tenant at sufferance after notice to Lessee, or his designated Agent, or attorney of Lessor's option to terminate this Lease.

Lessee covenants and agrees with Lessor that at the termination of the term hereby created, or in the event of earlier termination as provided, to surrender said premises to Lessor as the same now exists, ordinary wear and decay and damage by the elements only accepted.

It is further understood and agreed by the parties hereto that the parties may, upon 30 days advance notice to each other, or their duly authorized agents or attorneys, cancel this lease whereupon all parties will be released from all further liability hereunder and any unearned prepaid rent at the expiration of such 30 day period be returned by the LESSOR to the LESSEE.

It is further understood and agreed by and between the parties hereto that nothing herein granted or contained is in any way to be construed as interfering with the rights of Lessor to go upon said premises for the purpose of hunting, or for testing for rock, oil or other minerals, or any other purposes not inconsistent with the rights herein granted to Lessee.

Any fence repair shall be at the cost of the Lessee.

Lessee hereby covenants and agrees that if default should be made in the payment of rent, as aforesaid, or if said Lessee shall violate any of the covenants of this Lease, then said Lessee shall become a tenant at sufferance, thereby

waiving all right of notice, and the Lessor shall be entitled immediately to re-enter and retake possession of the demised premises.

WITNESS our hands and seals this 1st day of January, 2002.

WITNESSED BY:

Thomas C. Payne
Dana Payne
As to Lessor
Jay L. Flint

As to Lessee

Sue E. Davidson
LESSOR THREE OAKS LAND CO LLC
SUE E. DAVIDSON MANAGING MEMBER
Ronald C. Flint
LESSEE

RECEIVED
APR 01 2003

ZONING COUNTER

OCI 2002-00002

Exhibit "H"

Lee County Port Authority Exhibit 1

AIRPORT NOISE ZONE DISCLOSURE STATEMENT

Property Owner(s): _____
[Type or print name(s)]

Street Address: _____, Lee County, Florida
[Type or print street address]

Lee County Property Appraiser STRAP No.(s): _____
[Type or print STRAP number(s)]

Date: _____
[Type or print date]

The above-identified property lies in whole or in part within the limits of Southwest Florida International Airport Noise Overlay Zone(s) _____ [indicate Zone(s) 2 and/or 3] as established in Lee County Land Development Code (LDC) §34-1006.

The property owner is hereby notified that the above-identified property lies within a designated Noise Overlay Zone of the Southwest Florida International Airport and may be subject, now or in the future, to aircraft noise and aircraft overflight that may be objectionable.

The undersigned property owner hereby certifies that he has read this disclosure statement and acknowledges the pre-existence of the above-named airport and the potential for objectionable aircraft noise and aircraft overflight now and in the future, including such noise and overflight associated with a planned future runway.

The property owner agrees to notify any prospective buyer of the potential for objectionable aircraft noise and aircraft overflights.

In the absence of specific regulations by the County, the property owner should contact a reliable engineer, registered in the State of Florida, to determine if accepted engineering practices for reduction of noise in structures indicate the inclusion of sound insulation is appropriate. The property owner alone is responsible for providing any sound insulation.

The property owner indicates at the bottom of this informational disclosure that he has read this document and understands that the property owner alone is responsible for providing any sound insulation.

* * * * *

I hereby declare that I have read and do understand the above. This applies to any existing or subsequently constructed structures on the above-identified property. I have hereunto set my hand intending to be bound in the capacity as executed as of the date first written above.

[document execution by property owner(s)]

ATTACHMENT H

RESOLUTION NUMBER Z-08-029

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA

WHEREAS, an original application was filed by Neale Montgomery and Greg Stuart on behalf of the property owner, Susan E. Davidson, Managing Member, Three Oaks Land Company, LLC to rezone a 51.5± acres from Agricultural (AG-2) to Commercial Planned Development (CPD); in reference to Alico Crossroads Center CPD; and

WHEREAS, a public hearing was advertised and held on April 2, 2002, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2002-00052; and

WHEREAS, a second public hearing was advertised and held on May 19, 2003, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons; and

WHEREAS, the original request was approved by the Lee County Board of County Commissioners on May 19, 2003; and

WHEREAS, the Master Concept Plan (MCP) approved in conjunction with the original request was effective for a period of five years from the date of Board approval; and

WHEREAS, a request to extend the MCP was timely filed on January 7, 2008, by Greg Stuart on behalf of the property owner, Three Oaks Land Company, LLC, to extend the MCP for an additional five years until May 19, 2013; and

WHEREAS, the request to extend the MCP was found sufficient for hearing on April 28, 2008 in accordance with Lee County Land Development Code §34-381(c)(1)a.; and

WHEREAS, a public hearing was advertised and held on June 2, 2008, before the Lee County Board of County Commissioners, who gave full and complete consideration to the recommendation of the staff, the documents on record and the testimony of all interested persons for Case #DCI2008-00002.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant originally filed a request to rezone a 51.5± acre parcel (now 46.69 ± acres) from AG-2 to CPD, to permit 300,000 square feet of commercial retail, 51,000 square feet of office, and 125 hotel rooms with an option to increase up to 377,000 square feet of commercial retail with a corresponding 31,000-square-foot reduction in office and a corresponding reduction of 25 hotel

rooms, and an optional increase of up to 200 hotel rooms with a corresponding reduction of 26,500 square feet in office, with buildings not to exceed 75 feet/six stories. No development blasting is being requested.

The property is located in the Urban Community Future Land Use Category and is legally described in attached Exhibit A, which has been revised since first approved on May 19, 2003. The revision to the legal description of the property occurred as a result of conveyances to the State of Florida for the widening of Interstate 75. The subject property is now 46.69± acres in size.

The request is APPROVED, SUBJECT TO the conditions specified in Section B below.

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. The development of this project must be substantially consistent with the 1-page MCP entitled "The Alico Crossroads Center CPD" or the 1-page MCP entitled "The Alico Crossroads Center CPD - Alternative Plan," both date-stamped "RECEIVED JUN 06 2003 COMMUNITY DEVELOPMENT," except as modified by the conditions below and as a result of the revision to the legal description of the subject property. This development must comply with all requirements of the LDC at time of local development order approval. If changes to either MCP are subsequently pursued, appropriate approvals will be necessary.

This approval constitutes an extension of the original MCP's, as modified by the revised legal description and the conditions herein, for a period of five years until May 19, 2013.

2. The following limits apply to the project and uses:

- a. Schedule of Uses

See Attachment "D" - The Alico Crossroads Center CPD: Schedule of Uses; and

See Attachment "E" - The Alico Crossroads Center CPD Alternative Plan Schedule of Uses.

- b. Site Development Regulations

- (1) The project may be developed with a maximum of 300,000 square feet of commercial retail, 51,000 square feet of office, and 125 hotel rooms, with an optional increase of up to a maximum 377,000 square feet of commercial retail with a corresponding 31,000-square-foot reduction in office and a corresponding reduction of 25 hotel rooms, and an optional increase of up to 200 hotel rooms with a corresponding maximum of up to 348,000 square feet of commercial retail.

(2) This approval does not alleviate the need to comply with all federal, state and county development regulations for life, safety and fire codes, open space, buffering and parking spaces, except as specifically modified by this approval;

(3) The property development limitations are:

See Attachment "N" for Tracts A, B, C, D & E, Development Standards; and

See Attachment "O" for Alternative Plan/Tracts A, B, C & D, Development Standards.

Minimum Open Space:

A minimum of 14.8 acres of general open space must be provided within the overall development site. Each development tract shall contain a minimum of 10% open space per LDC §34-414(c) provided the developer demonstrates the overall open space requirement will be met with each local development order submittal.

3. Agricultural Uses:

- a. Existing bona fide agricultural uses as described in Exhibit "H" may continue until approval of a local development order for the area of the project containing those uses.
- b. Additional clearing or grading of existing agricultural areas is prohibited. This prohibition is not intended to preclude County-approved requests for the removal of invasive exotic vegetation.
- c. The property owner must terminate the agricultural tax exemption for any portion of the property that receives a local development order. The exemption termination must be filed with the Lee County Property Appraiser's Office by December 31st of the calendar year in which the local development order is issued. A copy of the exemption termination must be provided to the Office of the County Attorney.

4. No Blasting:

No development blasting activity is permitted as part of this project unless approved at a subsequent public hearing as an amendment to the planned development.

5. Enclosed Building Required:

All manufacturing, repair or warehousing must take place in an enclosed building.

6. Shielding of Outdoor Storage:

All outdoor storage activities must comply with shielding provisions specified in LDC §34-3005(b).

7. Timeline for Removal of Exotic Vegetation:

The development order must include an estimated timeline for completion of exotic vegetation removal. The timeline will begin upon issuance of a Vegetation Removal Permit and must be completed prior to issuance of a Certificate of Compliance (CC) for the first building.

8. Exotic Vegetation Removal Methods:

Exotic vegetation removal from within the preserves must be completed by hand unless specifically approved by Lee County Division of Environmental Sciences (ES) staff. Any approval of mechanical removal methods will be limited by location, and type of machinery to be used as approved by ES staff. No equipment which disturbs the soil will be permitted within the preserve areas.

9. Access and Traffic Issues:

- a. The full median opening indicated on the MCP is subject to the Three Oaks Parkway Access Management Plan, upon adoption, and any future operational decision by the County to install a traffic signal, modify, or remove the median opening. Prior to the adoption of the Access Management Plan, the access must be consistent with the access points identified on the approved MCP.
- b. If installation of a traffic signal is deemed to be appropriate by the County at this location, then a proportionate share of the full cost of the traffic signal improvement will be the responsibility of the developer or subsequent property owner's association.

10. Deleted in 2008 extension approval.

11. Tall Structures Permitting:

The development must comply with LDC §34-1008, Permit for Tall Structures, for all tall structures that exceed a height of 100 feet above mean sea level, including permanent buildings, antenna towers, and temporary construction equipment such as cranes.

12. Airport Noise Zones:

Commercial buildings, especially hotel/motel facilities located in Airport Noise Zone per LDC §34-1006, must consider the use of sound insulating materials.

13. Buildings Exceeding 75 feet in Height:

Buildings exceeding 75 feet in height must maintain additional building separation or additional building setbacks as regulated by LDC §§34-2174(a) and 34-935(e)4.

14. Vehicular and Pedestrian Traffic:

Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the LDC may be required to obtain a local development order.

15. Lee Plan Allocation:

Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 26 and Table 1(b).

16. LDC Compliance:

This development must comply with all of the requirements of the LDC at the time of local development order approval, except as may be granted by deviations approved as part of this planned development rezoning action or subsequent amendment approvals.

17. Maximum Number of Fuel Pumps:

No more than 32 fuel pumps may be permitted on this entire development.

18. Landscape Buffer along Three Oaks Parkway:

A 20-foot wide landscape buffer, consisting of a double staggered row hedge with 5 canopy trees per 100 feet or 7 palm trees per 100 feet and a 3-foot berm, is required along the project boundaries at the proposed Three Oaks Parkway.

19. Accessory Uses:

Within the CPD, accessory uses must be located on the same tract, parcel or outparcel where a principal use is located. Accessory uses must be incidental and subordinate to the principal use of the tract, parcel or outparcel.

20. Central Water and Sanitary Sewer:

Development of this project must connect to both public water and public sewer. At the time of local development order, the developer must also demonstrate there is adequate water and sewer capacity to handle the level of development as proposed in the development order submittal.

SECTION C. EXHIBITS AND STRAP NUMBER:

The following exhibits are attached to this resolution and incorporated by reference:

- Exhibit A: The legal description of the property (as amended to reflect the reduction in size from 51.5± acres to 46.69 ± acres as a result of conveyances to the State of Florida for the widening of Interstate 75).
- Exhibit B: Zoning Map (with subject parcel indicated)
- Exhibit C: The Master Concept Plans (2)
- Exhibit D: Attachment "D" The Alico Crossroads Center CPD; Schedule of Uses
- Exhibit E: Attachment "E" The Alico Crossroads Center CPD Alternative Plan Schedule of Uses.
- Exhibit F: Attachment "N" Tracts A, B, C, D & E, Development Standards
- Exhibit G: Attachment "O" Alternative Plan/Tracts A,B, C & D, Development Standards
- Exhibit H: Agricultural Use Affidavits (2)

The applicant has indicated that the STRAP number for the subject property is:
03-46-25-00-00001.1080

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.
2. The rezoning, as approved:
 - a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request;
 - b. is consistent with the densities, intensities and general uses set forth in the Lee Plan;
 - c. is compatible with existing or planned uses in the surrounding area;
 - d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and
 - e. will not adversely affect environmentally critical areas or natural resources.
3. The rezoning satisfies the following criteria:
 - a. the proposed use or mix of uses is appropriate at the subject location;
 - b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and
 - c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.

4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.
5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.

Commissioner Robert P. Janes made a motion to adopt the foregoing resolution, seconded by Commissioner Tammara Hall. The vote was as follows:

Robert P. Janes	Aye
Brian Bigelow	Aye
Ray Judah	Aye
Tammara Hall	Aye
Frank Mann	Aye

DULY PASSED AND ADOPTED this 2nd day of June 2008.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Marcia Wilson
Deputy Clerk

BY: Ray Judah
Ray Judah, Chair



Approved as to form by:

John J. Fredyma
John J. Fredyma
Assistant County Attorney
Lee County Attorney's Office

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MINUTES OFFICE
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2008 JUN 10 PM 2:58

Banks Engineering

Professional Engineers, Planners & Land Surveyors

12653 SW C.R. 769, Suite B

Lake Suzy, Florida 34269

(941) 625-1165

Fax (941) 625-1149

DCI 2008-00002

APR 15 2008

DESCRIPTION OF A PARCEL OF LAND
LYING IN SECTION 3, T-46-S, R-25-E,
LEE COUNTY, FLORIDA

(ALICO CROSSROADS CDP)

PERMIT COUNTER

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, BEING A PART OF THE PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 3271, PAGE 2534, LEE COUNTY PUBLIC RECORDS AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

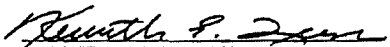
COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE N.01°03'27"W., ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 3, FOR 50.00 FEET TO THE FORMER NORTH RIGHT OF WAY LINE OF ALICO ROAD; THENCE S.89°23'17"W., ALONG SAID FORMER RIGHT OF WAY LINE, FOR 1037.05 FEET TO THE EAST RIGHT OF WAY LINE OF THREE OAKS PARKWAY (150.00 FEET WIDE), AS DESCRIBED IN OFFICIAL RECORDS BOOK 3273, PAGE 3187, SAID PUBLIC RECORDS; THENCE N.00°36'43"W., ALONG SAID RIGHT OF WAY LINE, FOR 1240.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.00°36'43"W., ALONG SAID RIGHT OF WAY LINE, FOR 1264.29 FEET; THENCE N.89°23'17"E., ALONG THE BOUNDARY OF SAID PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 3271, PAGE 2534, FOR 1017.58 FEET TO AN INTERSECTION WITH SAID NORTH-SOUTH QUARTER SECTION LINE OF SECTION 3; THENCE N.89°21'10"E., ALONG SAID BOUNDARY, FOR 790.41 FEET TO AN INTERSECTION WITH THE WESTERLY BOUNDARY OF FLORIDA DEPARTMENT OF TRANSPORTATION ACQUISITION PARCEL 100, AS PER STATE RIGHT OF WAY MAPS FOR INTERSTATE 75 SECTION 12120-000, AIRPORT ACCESS AT SOUTHWEST FLORIDA INTERNATIONAL AIRPORT, FINANCIAL PROJECT I.D. 4166492, DATED 11-17-07; THENCE S.00°38'02"E., ALONG SAID WESTERLY BOUNDARY, FOR 393.44 FEET; THENCE S.02°41'12"W., ALONG SAID WESTERLY BOUNDARY, FOR 162.20 FEET TO AN INTERSECTION WITH THE WESTERLY BOUNDARY OF FLORIDA DEPARTMENT OF TRANSPORTATION TAKING PARCEL NO. 106, SECTION 12075-000, AS DESCRIBED IN OFFICIAL RECORDS BOOK 3758, PAGE 2913, SAID PUBLIC RECORDS, BEING A CURVE TO THE RIGHT HAVING A RADIUS OF 1668.95 FEET, DELTA ANGLE OF 13°07'13", CHORD BEARING S.19°30'56"W., CHORD DISTANCE OF 381.34 FEET, THENCE ALONG SAID WESTERLY BOUNDARY AND SAID CURVE FOR AN ARC LENGTH OF 382.17 FEET; THENCE S.89°23'05"W., ALONG THE BOUNDARY OF SAID PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 3271, PAGE 2534, FOR 507.58 FEET; THENCE S.00°36'43"E., ALONG SAID BOUNDARY, FOR 351.31 FEET; THENCE S.89°23'15"W., ALONG SAID BOUNDARY, FOR 1160.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 2033635.74 SQUARE FEET, OR 46.69 ACRES, MORE OR LESS

BEARINGS ARE BASED ON THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 3 AS BEARING N.01°03'27"W.

BANKS ENGINEERING
FLORIDA LICENSED BUSINESS NO. LB6690

JANUARY 30, 2008


KENNETH E. TRASK
PROFESSIONAL LAND SURVEYOR
FLORIDA LICENSE NO. LS4684

Applicant's Legal Checked
by CSJ 4/16/08

SHEET 1 OF 2

Fort Myers Office
10511 Six Mile Cypress
Pkwy., Suite 101
Fort Myers, FL
33912
(239) 939-5490
Fax (239) 939-2523

Naples Office
2515 Northbrooke Plaza Dr.
Suite 200
Naples, Florida
34119
(239) 597-2061
Fax (239) 597-3082

Sarasota Office
1144 Tallevast Road
Suite # 115
Sarasota, Florida
34243
(941) 360-1618
Fax (941) 360-6918

EXHIBIT "A"

(Page 1 of 3)

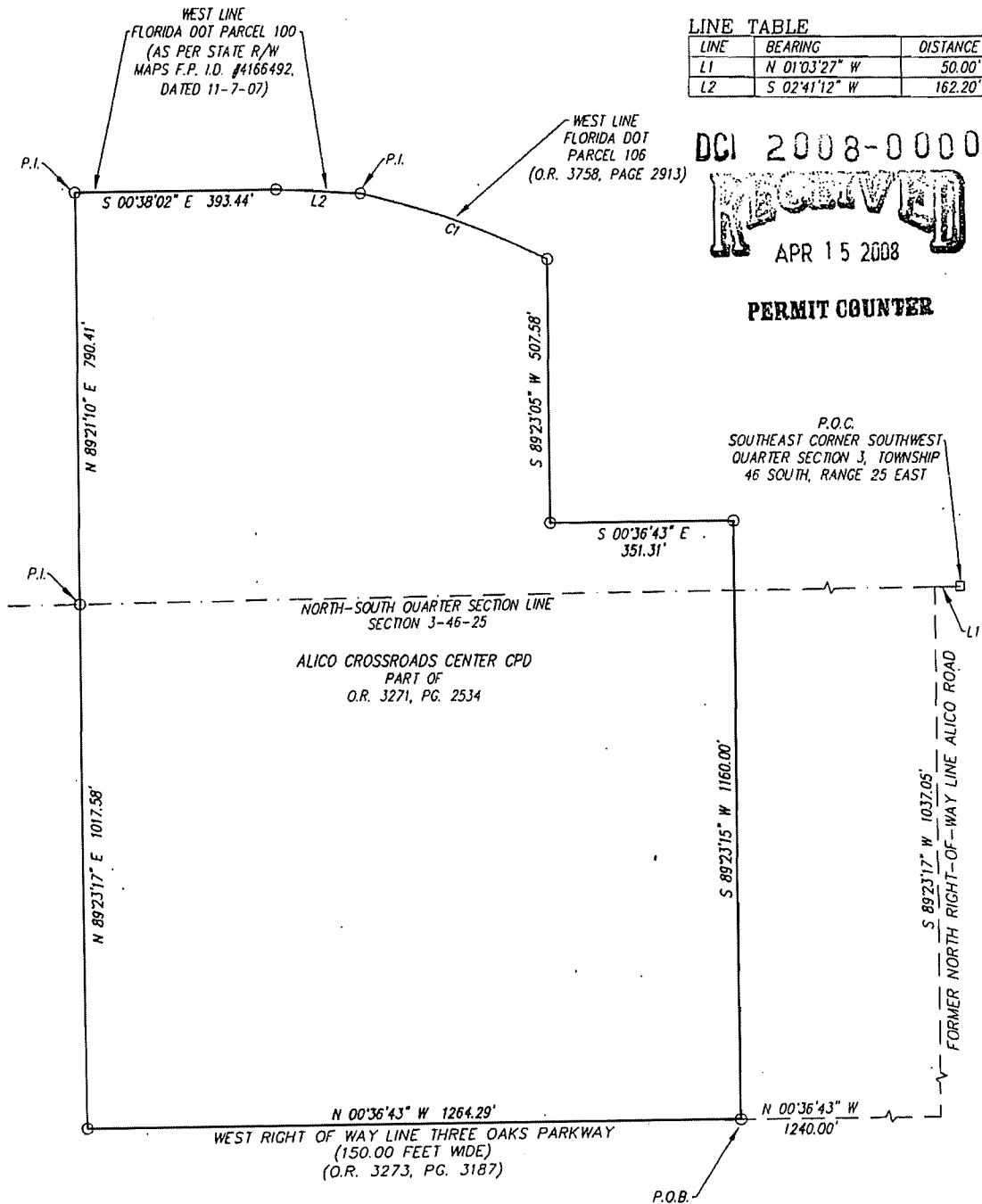


CURVE TABLE

CURVE	RADIUS	ARC	CHORD	CHORD BEARING	DELTA
C1	1668.95'	382.17'	381.34'	S 19°30'56" W	13°07'13"

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 01°03'27" W	50.00'
L2	S 02°41'12" W	162.20'



DCI 2008-00002
RECEIVED
APR 15 2008

PERMIT COUNTER

LEGEND

PG.	PAGE
ID.	IDENTIFICATION
F.P.	FINANCIAL PROJECT
P.O.B.	POINT OF BEGINNING
L1	LINE 1 OF LINE TABLE
P.I.	POINT OF INTERSECTION
C1	CURVE 1 OF CURVE TABLE
P.O.C.	POINT OF COMMENCEMENT
D.O.T.	FLORIDA DEPARTMENT OF TRANSPORTATION
O.R.	OFFICIAL RECORDS BOOK (LEE COUNTY PUBLIC RECORDS)

Applicant's Legal Checked
by CSJ 4/16/08

THIS IS NOT A BOUNDARY SURVEY
KENNETH E. WASH
PROFESSIONAL LAND SURVEYOR
FLORIDA CERTIFICATE NO. LS4684

Banks Engineering

Professional Engineers, Planners & Land Surveyors
FORT MYERS HAWES SARASOTA PORT CHARLOTTE
12051 SW CO TAV, SUITE B
LAKE BUZZ, FL 34109
PHONE: (813) 825-1163 FAX: (813) 825-1168
FLORIDA SURVEY BUSINESS LICENSE # LB 4490

SKETCH TO ACCOMPANY DESCRIPTION

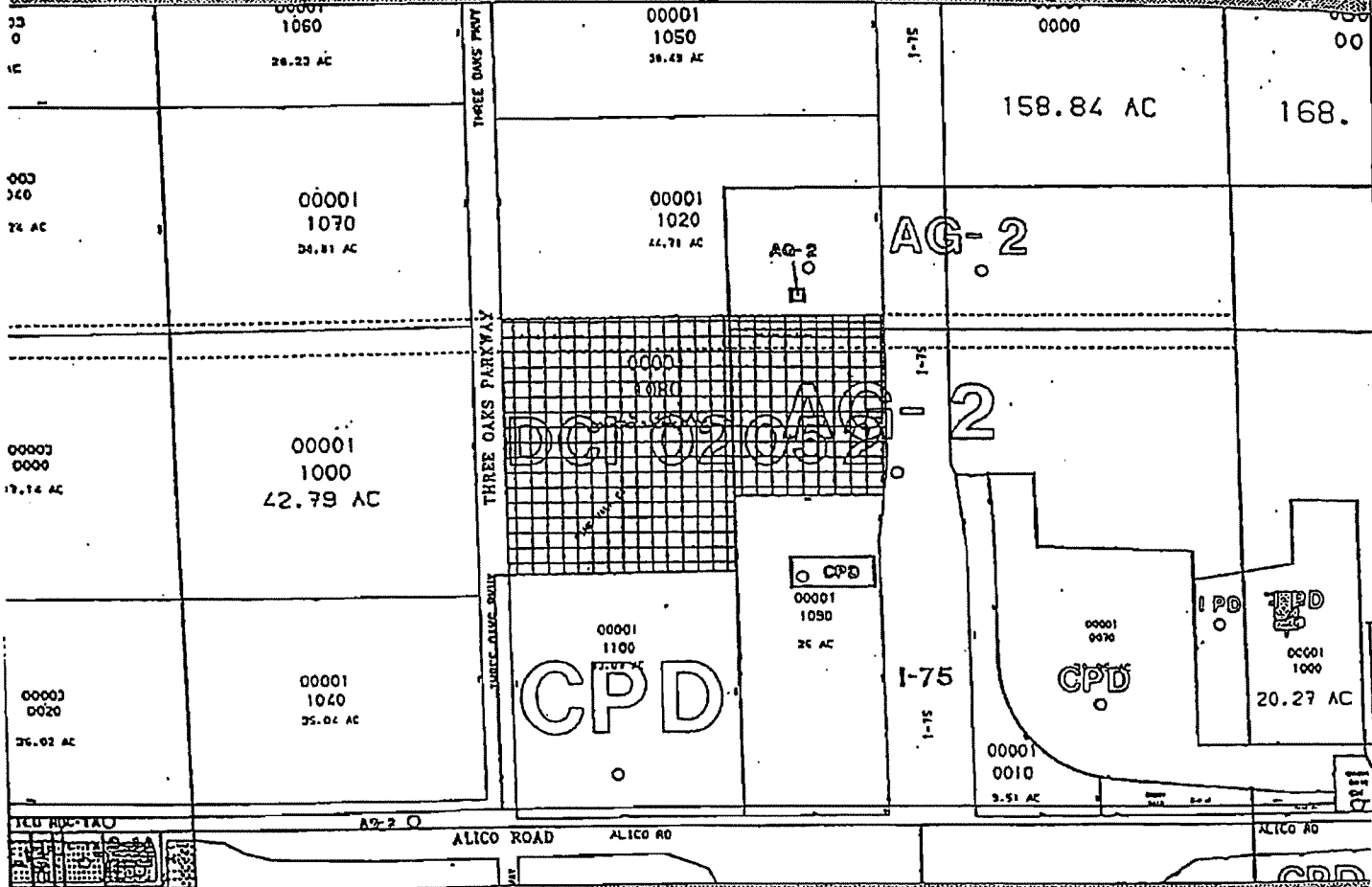
PARCEL LYING IN SECTION 3, T-46S, R-25-E
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	FILE NO. (S-T-R)
1-30-2008	3263	3263-SKT		DPS	KT	1"=250'	2 of 2	3-46-25

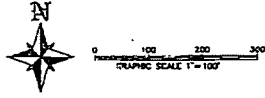
EXHIBIT "A"

(Page 2 of 3)

DCI2002-00052



ATTACHMENT A



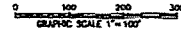
APPROVED
Interior Coverage Plan
Site Plan 2-03-017 page 1 of 2
Subject to conditions to finalization 2-03-017
Case # DCI2002-00052

Date: 9/10/02
Scale: 1"=100'
Revision: 11/26/02
JOB NO.: 02.008
Sheet: Of 1

DRINKING WATER

Banks Engineering, Inc.

Professional Engineers, Surveyors & Land Surveyors
10000 Highway 10, Suite 100, Dallas, Texas 75243
Phone (214) 343-1111 • Fax (214) 343-1112
E-Mail: info@bankseng.com



LOCATION MAP (N.T.S.)
ALSO CROSSROADS CPD NOT LOCATED
ON PUBLIC TRAVEL LET TRAM INTITY

APPROVED
Mentor Contract Plan
SBA Plan # Z-03-017 Page 2 of 2
Subject to amendments in Memorandum 203-01
Case # DCF2002-00052

RECEIVED

PREPARED FOR:
THREE OAKS LAND
COMPANY, LLC

NY 2002-000152

Date: 9/10/22
Scale: 1"=100'
Revisions: 01/28/00
JOB NO.: 02.008
Sheet 2 Of 2

ATTACHMENT "D"

THE ALICO CROSSROADS CENTER CPD: Schedule of Uses

	Tract A	Tract B	Tract C	Tract D	Tract E
	Highway Commercial	Community Commercial	Mixed Use Commerce	Hotel & Retail	Mixed Use Office
Accessory Uses	x	x	x	x	x
Agriculture	x	x	x	x	x
Administrative Offices	x	x	x	x	x
ATM (Automatic Teller Machine)	x	x		x	
Auto Parts Store	x	x			
Automobile Service Station – Also see Self Service Fuel Pumps	x	x			
Banks and Financial Establishments – Group I & II	x	x			x
Bar or Cocktail Lounge – Accessory to Hotel/Motel & Restaurant use only	x	x		x	
Boat Sales		x	x		
Broadcast Studio – Commercial Radio and Television			x		x
Building Material Sales		x			
Business Services – Groups I and II	x	x	x	x	x
Car Wash – limited to a maximum 1 Freestanding & 1 Accessory to an Automobile Service Station use	x	x			
Cleaning and Maintenance Services			x		x
Clothing Store, General		x		x	
Computer and Data Processing Services		x	x		x
Consumption on Premises (COP)	x	x		x	
Contractors and Builders – Group I & II		x	x		x
Convenience Food and Beverage Store – limited to 2 on the entire development with a maximum total of 16 self-service fuel pumps (ea.) in conj.w/ Convenience Food and Beverage Store uses for the entire development.	x	x			
Department Store		x		x	x

ATTACHMENT "D"

THE ALICO CROSSROADS CENTER CPD: Schedule of Uses

	Tract A	Tract B	Tract C	Tract D	Tract E
	Highway Commercial	Community Commercial	Mixed Use Commerce	Hotel & Retail	Mixed Use Office

Drive-Through Facility for any Permitted Use	x	x			
Drug Store	x	x			
Electrical Machinery and Equipment Manufacturing – Limited to Household appliances; Electric lighting and wiring equipment; Communication equipment; Electronic components and accessories; Miscellaneous electrical machinery, equipment and supplies			x		
EMS, Fire or Sheriffs Station			x		
Entrance Gate and Gatehouse	x	x	x	x	x
Essential Services	x	x	x	x	x
Essential Service Facilities – Group I	x	x	x	x	x
Excavation, Water Retention	x	x	x	x	x
Fabricated Metal Products Manufacturing, Groups II & III			x		
Fences & Walls	x	x	x	x	x
Food Stores – Group I & II	x	x		x	x
Food and Beverage Services, Limited	x	x		x	
Furniture and Fixtures Manufacturing – Limited to Household furniture; Public building and related furniture; Partitions, shelving, lockers and office and store fixtures; Miscellaneous furniture and fixtures			x		
Gift and Souvenir Shop	x	x		x	x
Hardware Store		x	x		
Healthcare Facilities – Group III	x	x	x	x	x
Hobby Toy and Game Shop	x	x			x
Hotel; with accessory restaurant and COP				x	

EXHIBIT "D"

Schedule of Uses

(Page 2 of 5)

ATTACHMENT "D"

THE ALICO CROSSROADS CENTER CPD: Schedule of Uses

	Tract A	Tract B	Tract C	Tract D	Tract E
	Highway Commercial	Community Commercial	Mixed Use Commerce	Hotel & Retail	Mixed Use Office
Household Furnishings, all groups		x	x		x
Insurance Companies		x	x	x	x
Laundromat	x	x			
Laundry or Dry Cleaning, Group I	x	x			
Lawn & Garden Store		x	x		x
Machinery Manufacturing Group 2 -- Limited to Power-driven hand tools; Office, computing and accounting machines			x		
Measuring, Analyzing and Controlling Instruments Manufacturing -- Limited to Engineering, laboratory, scientific and research instruments and associated equipment; Measuring and controlling instruments; Optical instruments and lenses; Surgical, medical and dental instruments and supplies; Ophthalmic goods; Photographic equipment and supplies; Watches, clocks and clockwork operated devices, and parts			x		
Medical Office	x	x	x	x	x
Non-Store Retailers, All Groups	x	x	x		x
Package Store	x	x			x
Paint, Glass & Wallpaper		x	x		x
Parcel and Express Services	x	x	x		x
Parking Lot: Accessory, Commercial, Garage, and Temporary	x	x	x	x	x
Personal Services -- Groups I, II, III, IV excluding Escort Services, Palm Readers, Tattoo Parlors, Massage Parlors and Steam and Turkish Baths	x	x			x

EXHIBIT "D"
Schedule of Uses
(Page 3 of 5)

ATTACHMENT "D"

THE ALICO CROSSROADS CENTER CPD: Schedule of Uses

	Tract A	Tract B	Tract C	Tract D	Tract E
	Highway Commercial	Community Commercial	Mixed Use Commerce	Hotel & Retail	Mixed Use Office

Pet Services	x	x			x
Pet Shop	x	x			
Pharmacy	x	x			
Post Office		x	x		
Printing and Publishing		x	x		
Processing & Warehousing			x		x
Research and Development Laboratories Group II & IV		x	x		x
Recreation, Commercial, Group I and III	x	x	x	x	
Rental or Leasing Establishments, Groups I and III	x	x	x		x
Repair Shops, Group I & II	x	x	x		x
Restaurant, Fast Food – limited to 4 on the entire development.	x	x			
Restaurants, all Groups; with COP	x	x		x	x
Schools, Commercial			x		x
Self Service Fuel Pumps – limit of 32 for the entire development	x	x			
Signs in Accordance with LDC Chapter 30	x	x	x	x	x
Social Services, Group I			x		x
Specialty Retail Shops, all groups	x	x		x	
Storage, indoor and outdoor; outdoor storage limited to accessory for Manufacturing, Processing, Warehousing, Vehicle & Equipment Dealers, Building Material sales, Contractors & Builders, Lawn & Garden, & Hardware Store		x	x	x	x
Studios		x	x	x	x
Supermarket	x	x			x

EXHIBIT "D"

Schedule of Uses

(Page.4 of 5)

ATTACHMENT "D"

THE ALICO CROSSROADS CENTER CPD: Schedule of Uses

	Tract A	Tract B	Tract C	Tract D	Tract E
	Highway Commercial	Community Commercial	Mixed Use Commerce	Hotel & Retail	Mixed Use Office

Temporary Uses	x	x	x	x	x
Used Merchandise Stores, Group I	x	x	x		
Variety Store	x	x			
Vehicle & Equipment Dealers, Groups I, II & III		x	x	x	
Warehouse: Mini-Warehouse, Private & Public			x	x	x
Wholesale Establishments Groups III & IV			x	x	x

ATTACHMENT "E"

THE ALICO CROSSROADS CENTER CPD: Alternative Plan Schedule of Uses

	Tract A	Tract B	Tract C	Tract D
	Highway Commercial	Community Commercial	Mixed Use Commerce	Mixed Use Commerce
Accessory Uses	x	x	x	x
Agriculture	x	x	x	x
Administrative Offices	x	x	x	x
ATM (Automatic Teller Machine)	x	x	x	x
Auto Parts Store	x	x		
Automobile Service Station – Also see Self Service Fuel Pumps.	x	x		
Banks and Financial Establishments – Group I & II	x	x	x	x
Bar or Cocktail Lounge – Accessory to Hotel/Motel & Restaurant use only.	x	x	x	x
Boat Sales		x	x	
Broadcast Studio – Commercial Radio and Television			x	x
Building Material Sales		x		
Business Services – Groups I and II	x	x	x	x
Car Wash – limited to 1 Freestanding & 1 Accessory to an Automobile Service Station use	x	x		
Cleaning and Maintenance Services			x	
Clothing Store, General		x	x	x
Computer and Data Processing Services		x	x	
Consumption on Premises	x	x	x	x
Contractors and Builders – Group I & II		x	x	
Convenience Food and Beverage Store – limited to 2 on the entire development with a maximum total of 16 self-service fuel pumps (ea) in conj. w/ Convenience Food and Beverage Store uses for the entire development.	x	x		
Department Store		x	x	x
Drive-Through Facility for any Permitted Use	x	x		x

EXHIBIT "E"

Alternative Plan Schedule of Uses
(Page 1 of 5)

ATTACHMENT "E"

THE ALICO CROSSROADS CENTER CPD: Alternative Plan Schedule of Uses

	Tract A	Tract B	Tract C	Tract D
	Highway Commercial	Community Commercial	Mixed Use Commerce	Mixed Use Commerce

Drug Store, Pharmacy	x	x		
Electrical Machinery and Equipment Manufacturing – Limited to Household appliances; Electric lighting and wiring equipment; Communication equipment; Electronic components and accessories; Miscellaneous electrical machinery, equipment and supplies				x
EMS, Fire or Sheriffs Station				x
Entrance Gate and Gatehouse	x	x	x	x
Essential Services	x	x	x	x
Essential Service Facilities – Group I	x	x	x	x
Excavation, Water Retention	x	x	x	x
Fabricated Metal Products Manufacturing, Groups II & III				x
Fences & Walls	x	x	x	x
Food Stores – Group I & II	x	x	x	x
Food and Beverage Services, Limited	x	x	x	x
Furniture and Fixtures Manufacturing – Limited to Household furniture; Public building and related furniture; Partitions, shelving, lockers and office and store fixtures; Miscellaneous furniture and fixtures				x
Gift and Souvenir Shop	x	x	x	x
Hardware Store		x	x	
Healthcare Facilities – Group III	x	x	x	x
Hobby Toy and Game Shop	x	x		x
Hotel; with accessory restaurant and COP		x	x	x
Household Furnishings, all groups		x	x	
Insurance Companies		x	x	x
Laundromat	x	x		
Laundry or Dry Cleaning, Group I	x	x		

EXHIBIT "E"

Alternative Plan Schedule of Uses

(Page 2 of 5)

ATTACHMENT "E"

THE ALICO CROSSROADS CENTER CPD: Alternative Plan Schedule of Uses

	Tract A	Tract B	Tract C	Tract D
	Highway Commercial	Community Commercial	Mixed Use Commerce	Mixed Use Commerce
Lawn & Garden Store		x	x	x
Machinery Manufacturing Group 2 - Limited to Power-driven hand tools; Office, computing and accounting machines				x
Measuring, Analyzing and Controlling Instruments Manufacturing - Limited to Engineering, laboratory, scientific and research instruments and associated equipment; Measuring and controlling instruments; Optical instruments and lenses; Surgical, medical and dental instruments and supplies; Ophthalmic goods; Photographic equipment and supplies; Watches, clocks and clockwork operated devices, and parts				x
Medical Office	x	x	x	x
Non-Store Retailers, All Groups	x	x	x	x
Package Store	x	x		x
Paint, Glass & Wallpaper		x	x	x
Parcel and Express Services	x	x	x	x
Parking Lot: Accessory, Commercial, Garage, and Temporary	x	x	x	x
Personal Services - Groups I, II, III, IV excluding Escort Services, Palm Readers, Tattoo Parlors, Massage Parlors and Steam and Turkish Baths.	x	x	x	x
Pet Services	x	x		x
Pet Shop	x	x		
Pharmacy	x	x		
Post Office		x	x	x
Printing and Publishing		x	x	x
Processing & Warehousing			x	x
Research and Development Laboratories Group II &		x	x	x

EXHIBIT "E"

Alternative Plan Schedule of Uses

(Page 3 of 5)

ATTACHMENT "E"

THE ALICO CROSSROADS CENTER CPD: Alternative Plan Schedule of Uses

	Tract A	Tract B	Tract C	Tract D
	Highway Commercial	Community Commercial	Mixed Use Commerce	Mixed Use Commerce
IV				
Recreation, Commercial, Group I and III	x	x	x	x
Rental or Leasing Establishments, Groups I and III	x	x	x	x
Repair Shops, Group I & II	x	x	x	x
Restaurant, Fast Food – limited to 4 on the entire development.	x	x		
Restaurants, all Groups, with COP	x	x	x	x
Schools, Commercial			x	x
Self Service Fuel Pumps – limit of 32 for the entire development.	x	x		
Signs in Accordance with LDC Chapter 30	x	x	x	x
Social Services, Group I			x	x
Specialty Retail Shops, all groups	x	x	x	x
Storage, indoor and outdoor; outdoor storage limited to accessory for Manufacturing, Processing, Warehousing, Vehicle & Equipment Dealers, Building Material sales, Contractors & Builders, Lawn & Garden, & Hardware Store		x	x	x
Studios		x	x	x
Supermarket	x	x	x	x
Temporary Uses	x	x	x	x
Used Merchandise Stores, Group I	x	x	x	
Variety Store	x	x		
Vehicle & Equipment Dealers, Groups I, II & III		x	x	x
Warehouse: Mini-Warehouse, Private & Public			x	x
Wholesale Establishments Groups III & IV			x	x

EXHIBIT "E"

Alternative Plan Schedule of Uses

(Page 4 of 5)

ATTACHMENT "E"

THE ALICO CROSSROADS CENTER CPD: Alternative Plan Schedule of Uses

	Tract A	Tract B	Tract C	Tract D
	Highway Commercial	Community Commercial	Mixed Use Commerce	Mixed Use Commerce

EXHIBIT "E"
Alternative Plan Schedule of Uses
(Page 5 of 5)

ATTACHMENT "N" **ALICO CROSSROADS CENTER CPD**

Tracts A, B, C, D & E Development Standards

Min. Area Dimensions:

♦ Min. Lot Area	20,000 sq.ft.
♦ Min. Lot Depth	100-ft.
♦ Min. Lot Width	100-ft.
Min. Building Setbacks:	
♦ Street	25-ft. Three Oaks Parkway/ 20-ft. Internal
♦ Side Yard	10-ft.
♦ Rear/Rear Water	20-ft.
♦ Accessory Structures	Per LDC
Max. Building Height	75-ft./6 stories
Max. Lot Coverage	45%

Tract A Site Area	5.5 to 9-ac. +/-
• Not to exceed 78,400 SF ⁽¹⁾	
Tract B Site Area	6.5 to 11 ac. +/-
• Not to exceed 95,800 SF ⁽¹⁾	
Tract C Site Area	9 to 15 ac. +/-
• Not to exceed 130,600 SF ⁽¹⁾	
Tract D Site Area	6 to 9.5 ac. +/-
• Not to exceed 82,700 SF and 200 hotel rooms ⁽¹⁾	
Tract E Site Area	7 to 12 ac. +/-
• Not to exceed 105,000 SF ⁽¹⁾	

(1) Individual development tract intensities may be internally transferred through an administrative County review process as long as the CPD combined development intensity will not exceed 300,000 SF commercial retail, 51,000 SF office, and a 125-room hotel or the optional development scenarios identified with the CPD development program.

ATTACHMENT "N" **ALICO CROSSROADS CENTER CPD**

Tracts A, B, C, D & E Development Standards

Min. Area Dimensions:

♦ Min. Lot Area	20,000 sq.ft.
♦ Min. Lot Depth	100-ft.
♦ Min. Lot Width	100-ft.
Min. Building Setbacks:	
♦ Street	25-ft. Three Oaks Parkway/ 20-ft. Internal
♦ Side Yard	10-ft.
♦ Rear/Rear Water	20-ft.
♦ Accessory Structures	Per LDC
Max. Building Height	75-ft./6 stories ✓
Max. Lot Coverage	45%

Tract A Site Area	5.5 to 9-ac. +/-
• Not to exceed 78,400 SF ⁽¹⁾	
Tract B Site Area	6.5 to 11 ac. +/-
• Not to exceed 95,800 SF ⁽¹⁾	
Tract C Site Area	9 to 15 ac. +/-
• Not to exceed 130,600 SF ⁽¹⁾	
Tract D Site Area	6 to 9.5 ac. +/-
• Not to exceed 82,700 SF and 200 hotel rooms ⁽¹⁾	
Tract E Site Area	7 to 12 ac. +/-
• Not to exceed 105,000 SF ⁽¹⁾	

(1) Individual development tract intensities may be internally transferred through an administrative County review process as long as the CPD combined development intensity will not exceed 300,000 SF commercial retail, 51,000 SF office, and a 125-room hotel or the optional development scenarios identified with the CPD development program.

ATTACHMENT "O" ALICO CROSSROADS CENTER CPD

Alternative Plan/Tracts A, B, C, & D Development Standards

Min. Area Dimensions:

♦ Min. Lot Area	20,000 sq.ft.
♦ Min. Lot Depth	100-ft.
♦ Min. Lot Width	100-ft.
Min. Building Setbacks:	
♦ Street	25-ft. Three Oaks Parkway/ 20-ft. Internal
♦ Side Yard	10-ft.
♦ Rear/Rear Water	20-ft.
♦ Accessory Structures	Per LDC
Max. Building Height	75-ft./6 stories
Max. Lot Coverage	45%

Tract A Site Area

5.5 to 9-ac. +/-

- Not to exceed 78,400 SF ⁽¹⁾

Tract B Site Area

6.5 to 11 ac. +/-

- Not to exceed 95,800 SF & 125 hotel rooms ⁽¹⁾

Tract C Site Area

15 to 25 ac. +/-

- Not to exceed 275,000 SF & 125 hotel rooms ⁽¹⁾

Tract D Site Area

7 to 12 ac. +/-

- Not to exceed 82,700 SF & 125 hotel rooms ⁽¹⁾

(1) Individual development tract intensities may be internally transferred through an administrative County review process as long as the CPD combined development intensity will not exceed 300,000 SF commercial retail, 51,000 SF office, and a 125-room hotel or the optional development scenarios identified with the CPD development program.

AFFIDAVIT

I, Sue E. Davidson, certify that I am the Managing Member of Three Oaks Land Company, LLC and authorized representative of the property identified as Strap # 03-46-25-00-00001.1080.

As such, I hereby verify that this property has qualified for an Agricultural Classification based on the use of the entire 51.5 +/- acres for cattle grazing. The same tenant has kept cattle on this property for over 10 years, and at the time of this statement, the lease with this tenant remained in effect.

It is our intent to continue to use this property for livestock grazing after the zoning being applied for is completed, until such time as the approval of a local development order is issued.

Sue E. Davidson
Sue E. Davidson, Managing Member
Three Oaks Land Company, LLC

State of Florida
County of Collier.

The foregoing instrument was certified and subscribed before me this 28th day of March 2003 by Sue E. Davidson, Managing Member, Three Oaks Land Company, LLC who is personally known to me, or has produced FLDL 013278554 8084 as identification.

Leah K. Pogel
Signature of Notary Public
Leah Pogel
Printed Name of Notary Public

(SEAL)



RECEIVED
APR 01 2003

DCI 2002-00082

ZONING COUNTER

EXHIBIT "H"
Agricultural Use Affidavit
(Page 1 of 3)

SKETCH TO ACCOMPANY DESCRIPTION

OF
A PARCEL OF LAND
LYING IN
SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



NOT TO SCALE

LEGEND:

- (3) - CURVE NO. 3 OF THE CURVE TABLE
- R/W - RIGHT-OF-WAY
- E - CENTERLINE
- (R) - RADIAL LINE

THIS IS NOT A SURVEY

MLC 9-17-02

THOMAS R. LEHNERT, JR.
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION NO. 5541

- THIS SKETCH IS NOT VALID UNLESS IT BEARS THE
SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA
PROFESSIONAL SURVEYOR AND MAPPER

- PREPARED MAY 12, 1999

- SEE SHEET 1 OF 2 FOR COMPLETE LEGAL DESCRIPTION

PREPARED BY:

Banks Engineering, Inc.

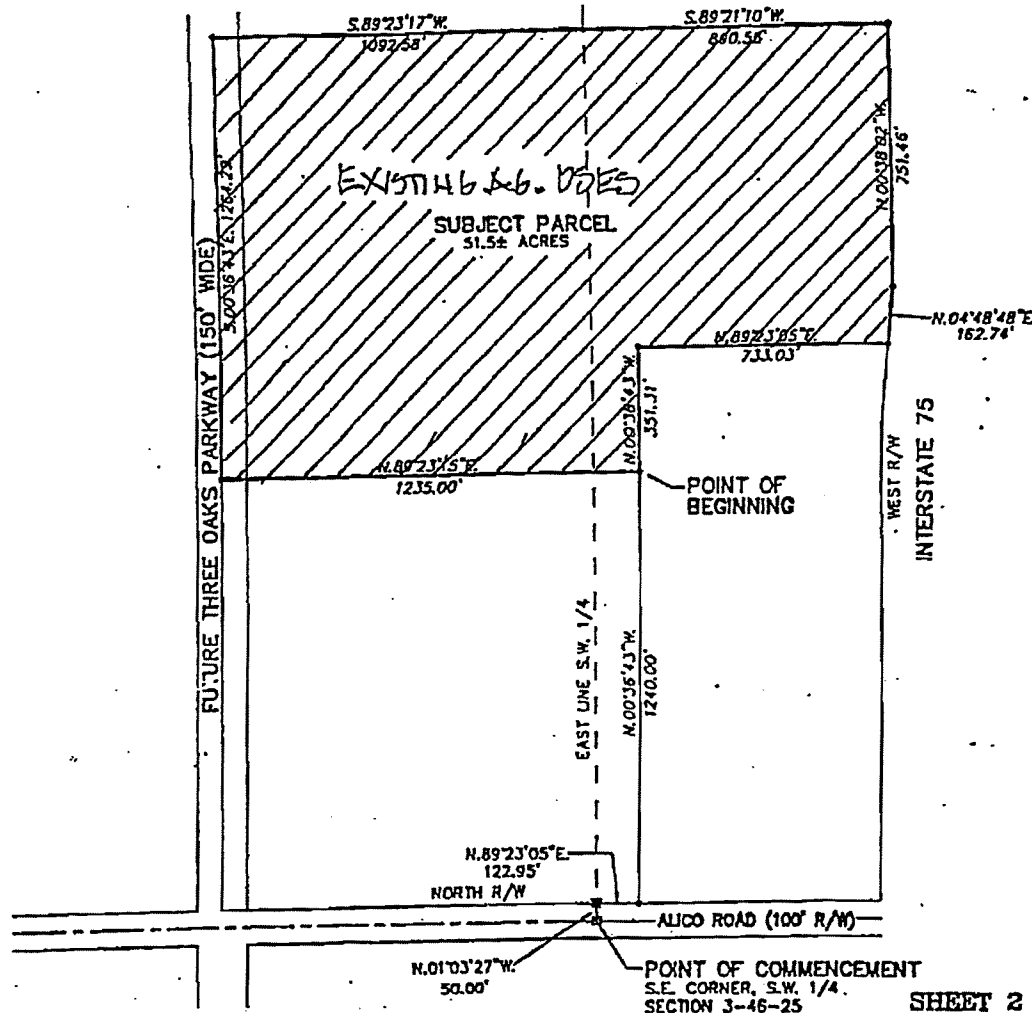
ENGINEERING, SURVEYING & LAND PLANNING

10001 BOX 1002, CRYSTAL PARKWAY - SUITE 100

PORT WICK, FLORIDA 33667

(904) 908-8400

FLORIDA BUSINESS CERTIFICATION NO. 0000



SHEET 2 OF 2

EXHIBIT "H"

Agricultural Use Affidavit
(Page 2 of 3)

I, K C Stock, certify that I am the Managing Member of the Three Oaks Land Company LLC and authorized representative of the property identified as Strap Number 03-46-25-00-00001.1080.

As such, I hereby verify that this property has qualified for an Agricultural Classification based on the use of the entire 47.1 acres for cattle grazing. The parcel has kept cattle for agricultural use for over 10 years, and at the time of this statement, an existing cattle lease remains in effect.

It is our intent to continue to use this property for livestock grazing after the master concept plan extension and amendment that is being applied for is granted and completed, until such time as a local development order is issued.

Three Oaks Land Company, LLC

Name of Entity

K.C. Stock

Signature

KC Stock

(Type or printed name)

Managing Member

(title of signatory)

STATE OF Wisconsin

COUNTY OF Brown

The foregoing instrument was sworn to (or affirmed) and subscribed before me this

12/31/2007 (date) by Kenneth C. Stock (name of person

providing oath or affirmation), who is personally known to me or who has produced

_____ (type of identification) as identification.

Christine Warnke

Signature of person taking oath or affirmation

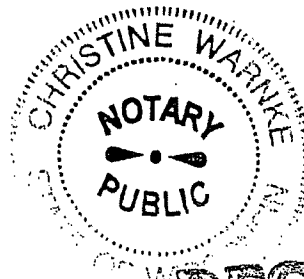
Title or rank

Christine Warnke

Name typed, printed or stamped

Commission Expires 1-2-2011

Serial number, if any



RECEIVED
FEB 26 2008

COMMUNITY DEVELOPMENT

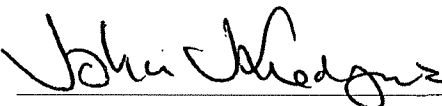
MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY

DATE: June 3, 2008

To: Dinah Johnson

Executive Assistant to
Commissioner Ray Judah

FROM:



John J. Fredyma
Assistant County Attorney

RE: **BOCC ZONING RESOLUTION FROM THE JUNE 2, 2008 MEETING**
ZONING RESOLUTION Z-08-029 (ALICO CROSSROADS CENTER CPD)

Attached is the original resolution adopted by the Board at the June 2, 2008 zoning meeting. The resolution has been reviewed and approved as to form and is ready for the Chairman's signature. After the Chairman signs the resolution, please forward to the Minutes Department for attestation and further processing.

Thank you for your assistance with respect to the above. Should you have any questions, please do not hesitate to contact me.

JJF/mms
Attachment

Via e-mail only: Jamie Princing, Administrative Assistant, DCD/Administration & Support
Lisa L. Pierce, Minutes Office Manager, Lee County Clerk of Courts
Billie J. Jacoby, Administrative Support Supervisor, DCD

2008 JUN -9 PM 4:42

RECEIVED
MINUTES OFFICE

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

WHEREAS, an application was filed by the property owner, Three Oaks Land Company, LLC., to amend Resolution Z-03-017A as recently extended in Resolution Z-08-029 in reference to Alico Crossroads Center Commercial Planned Development (CPD); and

WHEREAS, a public hearing was advertised and held on July 17, 2008, before the Lee County Zoning Hearing Examiner, Richard A. Gescheidt, who gave full consideration to the evidence in the record for Case #DCI2008-00001; and

WHEREAS, a second public hearing was advertised and held on September 15, 2008, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant filed a request to amend the Alico Crossroads Center CPD, Lee County Zoning Resolution No. Z-03-017A, as recently extended in Resolution No. Z-08-029, for a boundary change due to a public right-of-way taking (51.5 +/- acres to 46.69 +/- acres). No development blasting is requested. Development will connect to public potable water and public sanitary sewer. The property is located in the Industrial Commercial Interstate Highway Interchange Land Use Category and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B below.

SECTION B. CONDITIONS:

All references to uses are as defined in the Lee County Land Development Code (LDC).

1. The development of this project must be substantially consistent with the 1-page Master Concept Plan entitled "THE ALICO CROSSROADS CENTER CPD," attached hereto as Exhibit C, or the 1-page Master Concept Plan entitled "THE ALICO CROSSROADS CENTER CPD - ALTERNATIVE," attached hereto as

Exhibit C.1., both last revised on 09/23/08, except as modified by the conditions below.

This development must comply with all the requirements of the Lee County LDC at time of local development order approval. If changes to either Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

As part of each local development order application permitting vertical construction, the developer must include a cumulative land development table identifying: commercial square footage, acreage encompassed by commercial uses, number of commercial parking spaces; acreage encompassed by industrial use; number of industrial parking spaces. The purpose of the cumulative development table is to ensure that the project does not exceed the Development of Regional Impact thresholds set forth in FAC Rule 28-24.

If the proposed development exceeds the Development of Regional Impact thresholds, the developer will be required to submit an Application for Development Approval in accord with F.S. Ch. 380 and obtain a Development of Regional Impact approval before local development order approval will be granted.

2. The following limits apply to the project and uses:
 - a. Primary Master Concept Plan Schedule of Uses (attached as Exhibit D).
 - b. Alternative Master Concept Plan - Alico Crossroads CPD Schedule of Uses (attached as Exhibit E).
 - c. Site Development Regulations
 - (1) The project may be developed with a maximum of 300,000 square feet of commercial retail, 51,000 square feet of office, and 125 hotel rooms; with an optional increase of up to a maximum 377,000 square feet of commercial retail with a corresponding 31,000 square-foot reduction in office and a corresponding reduction of 25 hotel rooms; and an optional increase of up to 200 hotel rooms with a corresponding maximum of up to 348,000 square feet of commercial retail.
 - (2) This approval does not alleviate the need to comply with all federal state and county development regulations for life, safety and fire codes, open space, buffering and parking spaces, except as specifically modified by this approval.

- (3) The property development limitations are as set forth in attached Exhibits F and G:

d. Minimum Open Space:

A minimum of 13.35-acres of general open space must be provided within the overall development site. Each development tract must contain a minimum of 10 percent open space per LDC §34-414(c) provided the developer demonstrates the overall open space requirement will be met with each local development order submittal.

3. Agricultural Uses:

- a. Existing bona fide agricultural uses, as described in Exhibit H, may continue until approval of a local development order for the area of the project containing those uses.
- b. Additional clearing or grading of existing agricultural areas is prohibited. This prohibition is not intended to preclude County-approved requests for the removal of invasive exotic vegetation.
- c. The property owner must terminate the agricultural tax exemption for any portion of the property that receives a local development order. The exemption termination must be filed with the Lee County Property Appraiser's Office by December 31st of the calendar year in which the local development order is issued. A copy of the exemption termination must be provided to the Office of the County Attorney.

4. No Blasting:

No development blasting activity is permitted as part of this project unless approved at a subsequent public hearing as an amendment to the planned development.

5. Enclosed Building Required:

All manufacturing, repair or warehousing must take place in an enclosed building.

6. Shielding of Outdoor Storage:

All outdoor storage activities must comply with shielding provisions specified in LDC §34-3005(b).

7. Timeline for Removal of Exotic Vegetation:

The development order must include an estimated timeline for completion of exotic vegetation removal. The timeline will begin upon issuance of a Vegetation Removal Permit and must be completed prior to issuance of a Certificate of Compliance (CC) for the first building.

8. Exotic Vegetation Removal Methods:

Exotic vegetation removal from within the preserves must be completed by hand unless specifically approved by Lee County Division of Environmental Sciences (ES) Staff. Any approval of mechanical removal methods will be limited by location, and type of machinery to be used as approved by ES Staff. No equipment that disturbs the soil will be permitted within the preserve areas.

9. Access and Traffic Issues:

- a. The full median opening indicated on the Master Concept Plan is subject to the Three Oaks Parkway Access Management Plan, upon adoption, and any future operational decision by the County to install a traffic signal, modify, or remove the median opening. Prior to the adoption of the Access Management Plan, the access must be consistent with the access points identified on the approved Master Concept Plan.
- b. If installation of a traffic signal is deemed appropriate by the County at this location, then a proportionate share of the full cost of the traffic signal improvement will be the responsibility of the developer or subsequent property owner's association.

10. Tall Structures Permitting:

The development must comply with LDC §34-1008, Permit for Tall Structures, for all tall structures that exceed a height of 100 feet above mean sea level, including permanent buildings, antenna towers, and temporary construction equipment such as cranes.

11. Airport Noise Zones:

Commercial buildings, especially hotel/motel facilities located in the Airport Noise Zone per LDC §34-1006, must consider the use of sound insulating materials.

12. Buildings Exceeding 75 feet in Height:

Buildings exceeding 75 feet in height must maintain additional building separation or additional building setbacks as regulated by LDC §§34-2174(a) and 34-935(e)4.

13. Vehicular and Pedestrian Traffic:

Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.

14. Lee County Comprehensive Plan Allocation:

Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee County Comprehensive Plan Planning Communities Map and Acreage Allocation Table, Map 26 and Table 1(b).

15. Lee County Land Development Code Compliance:

This development must comply with all of the requirements of the LDC at the time of local development order approval, except as may be granted by deviations approved as part of this planned development rezoning action or subsequent amendment approvals.

16. Maximum Number of Fuel Pumps:

No more than 32 fuel pumps may be permitted on this entire development.

17. Landscape Buffer along Three Oaks Parkway:

Prior to local development order approval, the landscape plans must delineate a 20-foot wide right-of-way buffer consisting of a 24-inch double staggered hedge to be maintained at 36 inches with five 12-14 foot canopy trees per 100 linear feet and a 3-foot berm along the project boundaries at Three Oaks Parkway.

18. Accessory Uses:

Within the Commercial Planned Development, accessory uses must be located on the same tract, parcel or outparcel where a principal use is located. Accessory uses must be incidental and subordinate to the principal use of the tract, parcel or outparcel.

19. Central Water and Sanitary Sewer:

Development of this project must connect to both public water and public sewer. At the time of local development order, the developer must also demonstrate there is adequate water and sewer capacity to handle the level of development as proposed in the development order submittal.

20. Solid Waste and Recycling:

Prior to local development order approval, the developer must provide facilities in compliance with LDC §10-261 for the pick-up/disposal of solid waste and recyclables. The minimum area required for and specific locations of these facilities will be reviewed at the time of local development order application.

21. Preservation of Indigenous Areas

Prior to local development order approval, the development order plans must delineate the preservation of a minimum of 4.25 acres of indigenous preserve on the western portion of the property and a minimum of 0.38 acres of indigenous preserve on the eastern portion of the property. The applicant must place the 4.25 acre indigenous preserve and the 0.38-acre indigenous preserve into a conservation easement to include Lee County.

SECTION C. EXHIBITS AND STRAP NUMBER:

The following exhibits are attached to this resolution and incorporated by reference:

- Exhibit A: Legal description of the property
- Exhibit B: Zoning Map (with the subject parcel indicated)
- Exhibit C: The Master Concept Plan
- Exhibit C.1.: Master Concept Plan Alternative
- Exhibit D: Primary Master Concept Plan Schedule of Uses
- Exhibit E: Alternative Master Concept Plan - Alico Crossroads CPD Schedule of Uses
- Exhibit F: Primary MCP Development Regulations
- Exhibit G: Alternative MCP Regulations
- Exhibit H: Existing bona fide agricultural uses

The applicant has indicated that the STRAP number for the subject property is: 03-46-25-00-00001.1080

SECTION D. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.

2. The rezoning, as approved:
 - a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request; and,
 - b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and,
 - c. is compatible with existing or planned uses in the surrounding area; and,
 - d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and,
 - e. will not adversely affect environmentally critical areas or natural resources.
3. The rezoning satisfies the following criteria:
 - a. the proposed use or mix of uses is appropriate at the subject location; and
 - b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and
 - c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.
4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

Commissioner Hall made a motion to adopt the foregoing resolution, seconded by Commissioner Mann. The vote was as follows:

Robert P. Janes	Aye
Brian Bigelow	Aye
Ray Judah	Aye
Tammara Hall	Aye
Frank Mann	Aye

DULY PASSED AND ADOPTED this 15th day of September 2008.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Marcia Wilson
Deputy Clerk

BY: Ray Judah
Chair



Approved as to form by:

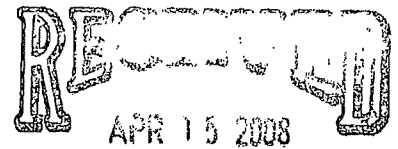
Dawn E. Perry-Lehnert
Dawn E. Perry-Lehnert
County Attorney's Office

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2008 OCT 21 AM 9:41

Banks Engineering

Professional Engineers, Planners & Land Surveyors

12653 SW C.R. 769, Suite B
Lake Suzy, Florida 34269
(941) 625-1165
Fax (941) 625-1149



DESCRIPTION OF A PARCEL OF LAND
LYING IN SECTION 3, T-46-S, R-25-E,
LEE COUNTY, FLORIDA

PERMIT COUNTER

(ALICO CROSSROADS CDP)

DCI 2008-00001

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, BEING A PART OF THE PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 3271, PAGE 2534, LEE COUNTY PUBLIC RECORDS AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

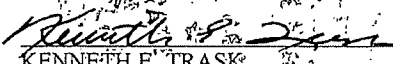
COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE N.01°03'27"W., ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 3, FOR 50.00 FEET TO THE FORMER NORTH RIGHT OF WAY LINE OF ALICO ROAD; THENCE S.89°23'17"W., ALONG SAID FORMER RIGHT OF WAY LINE, FOR 1037.05 FEET TO THE EAST RIGHT OF WAY LINE OF THREE OAKS PARKWAY (150.00 FEET WIDE), AS DESCRIBED IN OFFICIAL RECORDS BOOK 3273, PAGE 3187, SAID PUBLIC RECORDS; THENCE N.00°36'43"W., ALONG SAID RIGHT OF WAY LINE, FOR 1240.00 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE N.00°36'43"W., ALONG SAID RIGHT OF WAY LINE, FOR 1264.29 FEET; THENCE N.89°23'17"E., ALONG THE BOUNDARY OF SAID PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 3271, PAGE 2534, FOR 1017.58 FEET TO AN INTERSECTION WITH SAID NORTH-SOUTH QUARTER SECTION LINE OF SECTION 3; THENCE N.89°21'10"E., ALONG SAID BOUNDARY, FOR 790.41 FEET TO AN INTERSECTION WITH THE WESTERLY BOUNDARY OF FLORIDA DEPARTMENT OF TRANSPORTATION ACQUISITION PARCEL 100, AS PER STATE RIGHT OF WAY MAPS FOR INTERSTATE 75 SECTION 12120-000, AIRPORT ACCESS AT SOUTHWEST FLORIDA INTERNATIONAL AIRPORT, FINANCIAL PROJECT I.D. 4166492, DATED 11-17-07; THENCE S.00°38'02"E., ALONG SAID WESTERLY BOUNDARY, FOR 393.44 FEET; THENCE S.02°41'12"W., ALONG SAID WESTERLY BOUNDARY, FOR 162.20 FEET TO AN INTERSECTION WITH THE WESTERLY BOUNDARY OF FLORIDA DEPARTMENT OF TRANSPORTATION TAKING PARCEL NO. 106, SECTION 12075-000, AS DESCRIBED IN OFFICIAL RECORDS BOOK 3758, PAGE 2913, SAID PUBLIC RECORDS, BEING A CURVE TO THE RIGHT HAVING A RADIUS OF 1668.95 FEET, DELTA ANGLE OF 13°07'13", CHORD BEARING S.19°30'56"W., CHORD DISTANCE OF 381.34 FEET, THENCE ALONG SAID WESTERLY BOUNDARY AND SAID CURVE FOR AN ARC LENGTH OF 382.17 FEET; THENCE S.89°23'05"W., ALONG THE BOUNDARY OF SAID PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 3271, PAGE 2534, FOR 507.58 FEET; THENCE S.00°36'43"E., ALONG SAID BOUNDARY, FOR 351.31 FEET; THENCE S.89°23'15"W., ALONG SAID BOUNDARY, FOR 1160.00 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 2033635.74 SQUARE FEET, OR 46.69 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 3 AS BEARING N.01°03'27"W.

BANKS ENGINEERING
FLORIDA LICENSED BUSINESS NO. LB6690

JANUARY 30, 2008


KENNETH E. TRASK
PROFESSIONAL LAND SURVEYOR
FLORIDA LICENSE NO. LS4684

FILE

SHEET 1 OF 2

Fort Myers Office
10511 Six Mile Cypress
Pkwy., Suite 101
Fort Myers, FL
33912
(239) 939-5490
Fax (239) 939-2523

Naples Office
2515 Northbrooke Plaza Dr.
Suite 200
Naples, Florida
34119
(239) 597-2061
Fax (239) 597-3082

Sarasota Office
1144 Tallevast Road
Suite # 115
Sarasota, Florida
34243
(941) 360-1618
Fax (941) 360-6918



CURVE TABLE

CURVE	RADIUS	ARC	CHORD	CHORD BEARING	DELTA
C1	1668.95'	382.17'	381.34'	S 19°30'56" W	13°07'13"

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 01°03'27" W	50.00'
L2	S 02°41'12" W	162.20'

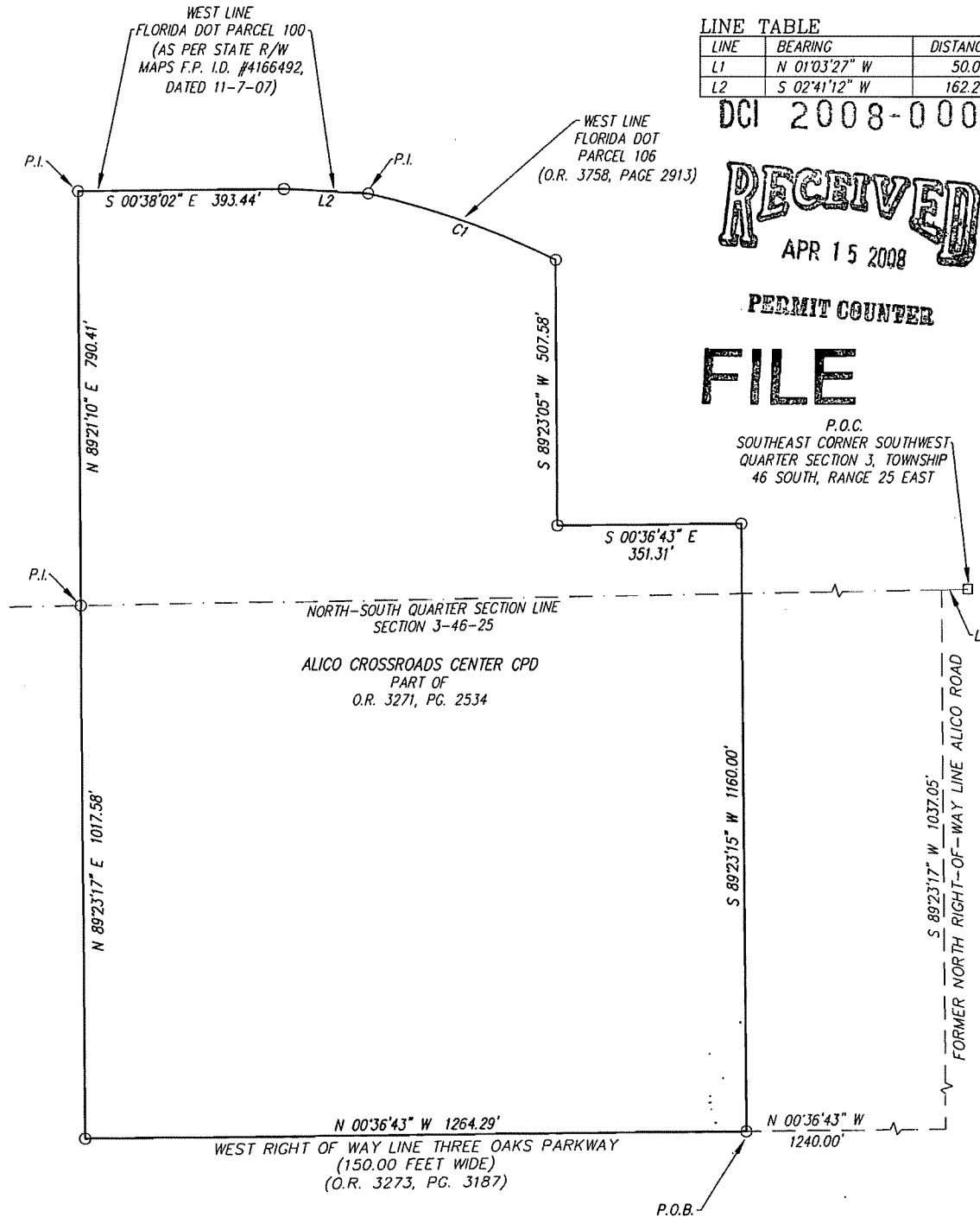
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PERMIT COUNTER

FILE

P.O.C.
SOUTHEAST CORNER SOUTHWEST
QUARTER SECTION 3, TOWNSHIP
46 SOUTH, RANGE 25 EAST



LEGEND

PG.	PAGE
ID.	IDENTIFICATION
F.P.	FINANCIAL PROJECT
P.O.B.	POINT OF BEGINNING
L1	LINE 1 OF LINE TABLE
P.I.	POINT OF INTERSECTION
C1	CURVE 1 OF CURVE TABLE
P.O.C.	POINT OF COMMENCEMENT
D.O.T.	FLORIDA DEPARTMENT OF TRANSPORTATION
O.R.	OFFICIAL RECORDS BOOK (LEE COUNTY PUBLIC RECORDS)

Exhibit A
Page 2 of 2



Banks Engineering

Professional Engineers, Planners & Land Surveyors
FORT MYERS NAUMES SARASOTA PORT CHARLOTTE
12653 SW CR 769, SUITE B
LAKE SUZUKI, FL 33869
PHONE: (841) 625-1165 FAX: (841) 625-1140
FLORIDA SURVEY BUSINESS LICENSE # LB 6680

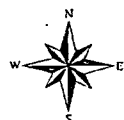
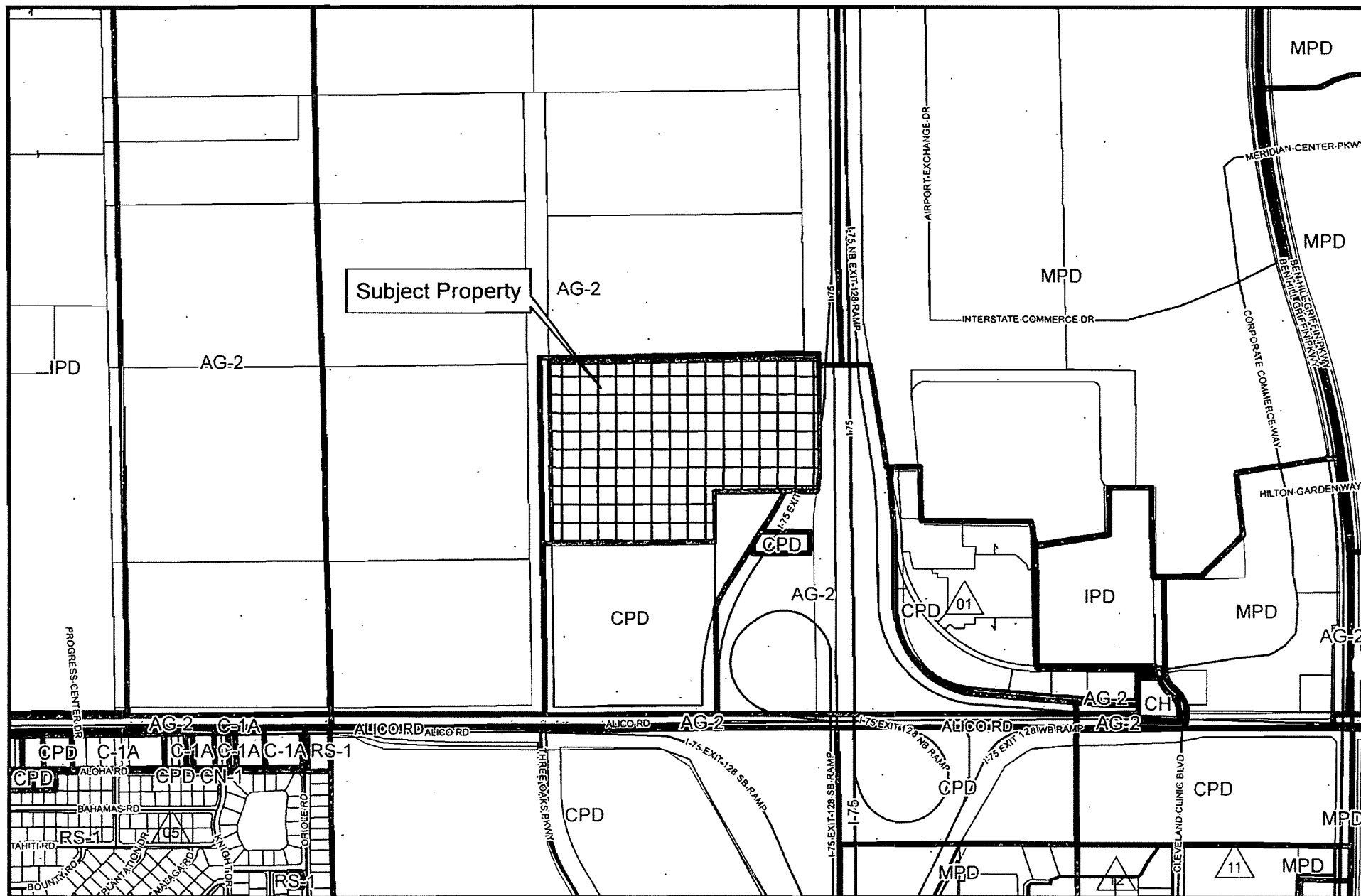
SKETCH TO ACCOMPANY DESCRIPTION

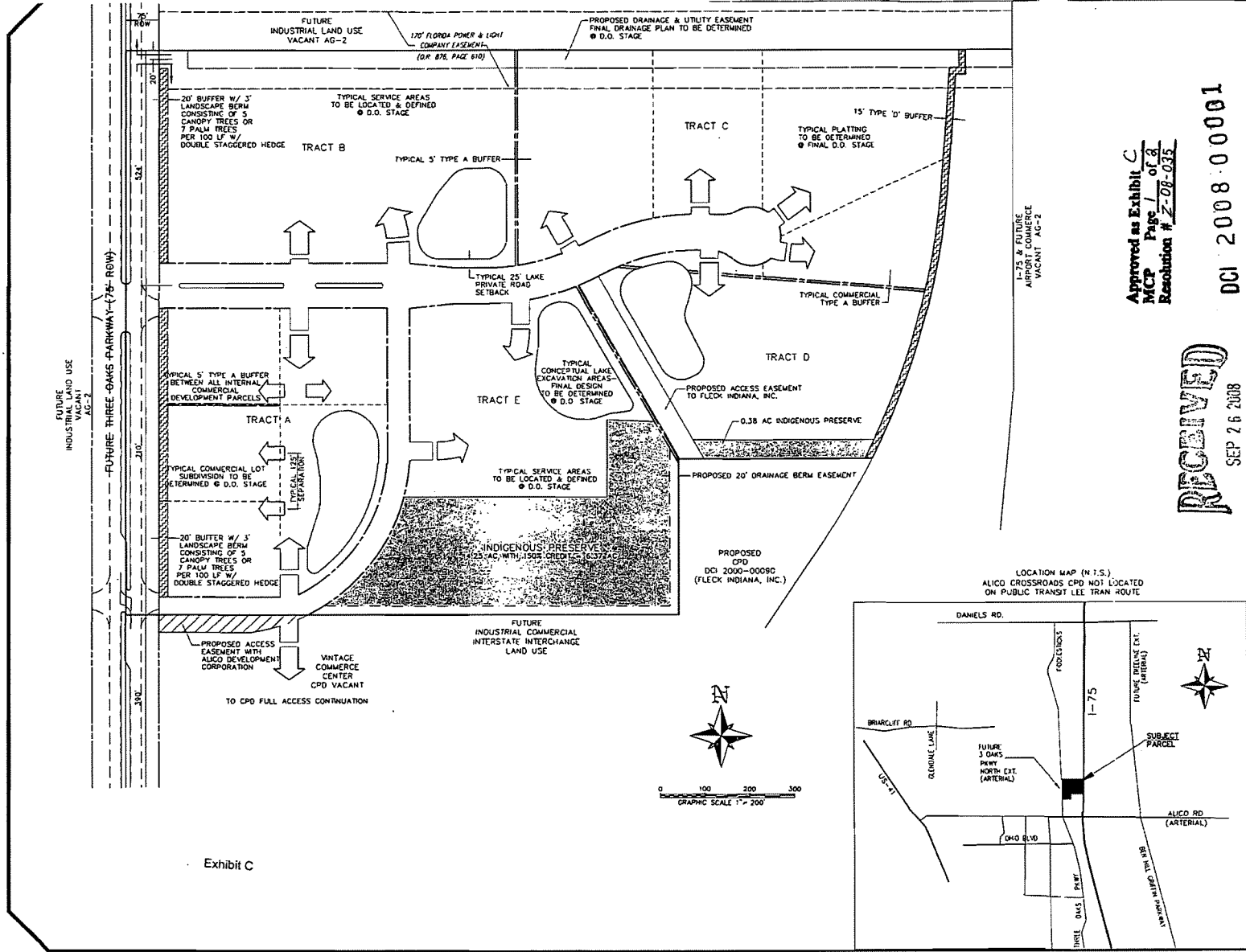
PARCEL LYING IN SECTION 3, T46S, R25E
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	FILE NO. (S-T-R)
1-30-2008	J26J	J26J-SKT		DPS	KT	1"=250'	2 OF 2	J-46-25

Zoning Map

Exhibit B





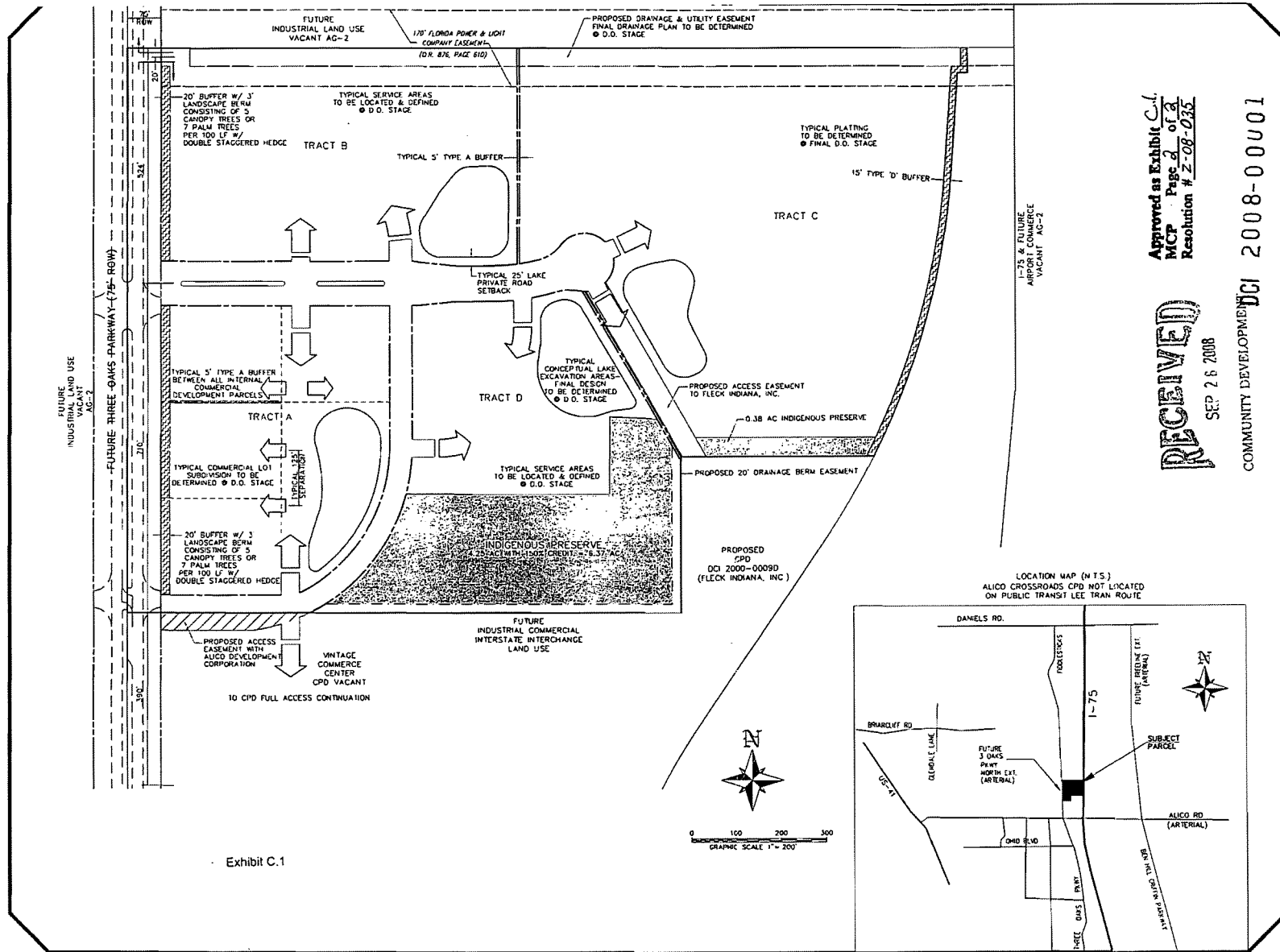


Exhibit C.1

Primary Master Concept Plan Schedule of Uses

	Tract A Highway Commercial	Tract B Community Commercial	Tract C Mixed Use Commerce	Tract D Hotel & Retail	Tract E Mixed Use Office
Accessory Uses	x	x	x	x	x
Agriculture ⁽¹⁾	x	x	x	x	x
Administrative Offices	x	x	x	x	x
ATM (Automatic Teller Machine)	x	x		x	
Auto Parts Store	x	x			
Automobile Service Station	x	x			
Banks and Financial Establishments – Group I & II	x	x			x
Bar or Cocktail Lounge – 1 Freestanding; Accessory to Hotel/Motel & Restaurant use	x	x		x	
Boat Sales		x	x		
Broadcast Studio – Commercial Radio and Television			x		x
Building Material Sales		x			
Business Services – Groups I and II	x	x	x	x	x
Car Wash – limited to 1 Freestanding & 1 Accessory to Gas Convenience or Auto Service Station use	x	x			
Cleaning and Maintenance Services			x		x
Clothing Store, General		x		x	
Computer and Data Processing Services		x	x		x
Consumption on Premises	x	x		x	
Contractors and Builders – Group I & II		x	x		x
Convenience Food and Beverage Store – limited to 2 on the entire development with a max. total of 16 self- service fuel pumps (each) in conjunction with Convenience Food & Beverage uses for the entire development	x	x			
Department Store		x		x	x

Primary Master Concept Plan Schedule of Uses

	Tract A Highway Commercial	Tract B Community Commercial	Tract C Mixed Use Commerce	Tract D Hotel & Retail	Tract E Mixed Use Office
Drive-Through Facility for any Permitted Use	x	x			
Drug Store, Pharmacy	x	x			
Electrical Machinery and Equipment Manufacturing -- Limited to Household appliances; Electric lighting and wiring equipment; Communication equipment; Electronic components and accessories; Miscellaneous electrical machinery, equipment and supplies			x		
EMS, Fire or Sheriffs Station			x		
Entrance Gate and Gatehouse	x	x	x	x	x
Essential Services	x	x	x	x	x
Essential Service Facilities – Group I	x	x	x	x	x
Excavation, Water Retention	x	x	x	x	x
Fabricated Metal Products Manufacturing, Groups II & III			x		
Fences & Walls	x	x	x	x	x
Food Stores – Group I & II	x	x		x	x
Food and Beverage Services, Limited	x	x		x	
Furniture and Fixtures Manufacturing -- Limited to Household furniture; Public building and related furniture; Partitions, shelving, lockers and office and store fixtures; Miscellaneous furniture and fixtures			x		
Gift and Souvenir Shop	x	x		x	x
Hardware Store		x	x		
Healthcare Facilities – Groups I, II & III	x	x	x	x	x

Primary Master Concept Plan Schedule of Uses

	Tract A Highway Commercial	Tract B Community Commercial	Tract C Mixed Use Commerce	Tract D Hotel & Retail	Tract E Mixed Use Office
Hobby Toy and Game Shop	x	x			x
Hotel; with accessory restaurant and COP				x	x
Household Furnishings, all groups		x	x		x
Insurance Companies		x	x	x	x
Laundromat	x	x			
Laundry or Dry Cleaning, Group I	x	x			
Lawn & Garden Store		x	x		x
Machinery Manufacturing Group 2 -- Limited to Power-driven hand tools; Office, computing and accounting machines			x		
Measuring, Analyzing and Controlling Instruments Manufacturing -- Limited to Engineering, laboratory, scientific and research instruments and associated equipment; Measuring and controlling instruments; Optical instruments and lenses; Surgical, medical and dental instruments and supplies; Ophthalmic goods; Photographic equipment and supplies; Watches, clocks and clockwork operated devices, and parts			x		
Medical Office	x	x	x	x	x
Non-Store Retailers, All Groups	x	x	x		x
Package Store	x	x			x
Paint, Glass & Wallpaper		x	x		x
Parcel and Express Services	x	x	x		x

Primary Master Concept Plan Schedule of Uses

	Tract A Highway Commercial	Tract B Community Commercial	Tract C Mixed Use Commerce	Tract D Hotel & Retail	Tract E Mixed Use Office
Parking Lot: Accessory, Commercial, Garage, and Temporary	x	x	x	x	x
Personal Services – Groups I, II, III, IV excluding Escort Services, Palm Readers, Tattoo Parlors, Massage Parlors and Steam and Turkish Baths	x	x			x
Pet Services	x	x			x
Pet Shop	x	x			
Pharmacy	x	x			
Post Office		x	x		
Printing and Publishing		x	x		
Processing & Warehousing			x		x
Research and Development Laboratories Group II & IV		x	x		x
Recreation, Commercial, Group I and III	x	x	x	x	
Rental or Leasing Establishments, Groups I and III	x	x	x		x
Repair Shops, Group I & II	x	x	x		x
Restaurant, Fast Food – limited to 4 on entire development	x	x			
Restaurants, all Groups; with COP	x	x		x	x
Schools, Commercial			x		x
Self Service Fuel Pumps – limited to 32 for the entire development	x	x			
Signs in Accordance with LDC Chapter 30	x	x	x	x	x
Social Services, Group I			x		x
Specialty Retail Shops, all groups	x	x		x	

Primary Master Concept Plan Schedule of Uses

	Tract A Highway Commercial	Tract B Community Commercial	Tract C Mixed Use Commerce	Tract D Hotel & Retail	Tract E Mixed Use Office
Storage, indoor and outdoor; outdoor storage limited to accessory for Manufacturing, Processing, Warehousing, Vehicle & Equipment Dealers, Building Material sales, Contractors & Builders, Lawn & Garden, & Hardware Store		x	x	x	x
Studios		x	x	x	x
Supermarket	x	x			x
Temporary Uses	x	x	x	x	x
Used Merchandise Stores, Group I	x	x	x		
Variety Store	x	x			
Vehicle & Equipment Dealers, Groups I, II & III		x	x	x	
Warehouse: Mini-Warehouse, Private & Public			x	x	x
Wholesale Establishments Groups III & IV			x	x	x

- Existing bona fide agriculture uses are permitted as temporary activities of which must terminate when the property owner receives a local development order for that portion of the property. All Outdoor storage activities will comply with shielding provisions specified in LDC §34-3001.

Alternative Master Concept Plan - Alico Crossroads CPD Schedule of Uses

	Tract A Highway Commercial	Tract B Community Commercial	Tract C Mixed Use Commerce	Tract D Mixed Use Commerce
Accessory Uses	x	x	x	x
Agriculture ⁽¹⁾	x	x	x	x
Administrative Offices	x	x	x	x
ATM (Automatic Teller Machine)	x	x	x	x
Auto Parts Store	x	x		
Automobile Service Station	x	x		
Banks and Financial Establishments – Group I & II	x	x	x	x
Bar or Cocktail Lounge – 1 Freestanding; Accessory to Hotel/Motel & Restaurant use	x	x	x	x
Boat Sales		x	x	
Broadcast Studio – Commercial Radio and Television			x	x
Building Material Sales		x		
Business Services – Groups I and II	x	x	x	x
Car Wash – limited to 1 Freestanding & 1 Accessory to Gas Convenience or Auto Service Station use	x	x		
Cleaning and Maintenance Services			x	
Clothing Store, General		x	x	x
Computer and Data Processing Services		x	x	
Consumption on Premises	x	x	x	x
Contractors and Builders – Group I & II		x	x	
Convenience Food and Beverage Store – limited to 2 on the entire development with a max. total of 16 self-service fuel pumps (each) in conjunction with Convenience Food & Beverage uses for the entire development	x	x		
Department Store		x	x	x

Alternative Master Concept Plan - Alico Crossroads CPD Schedule of Uses

	Tract A Highway Commercial	Tract B Community Commercial	Tract C Mixed Use Commerce	Tract D Mixed Use Commerce
Drive-Through Facility for any Permitted Use	x	x		x
Drug Store, Pharmacy	x	x		
Electrical Machinery and Equipment Manufacturing -- Limited to Household appliances; Electric lighting and wiring equipment; Communication equipment; Electronic components and accessories; Miscellaneous electrical machinery, equipment and supplies				x
EMS, Fire or Sheriffs Station				x
Entrance Gate and Gatehouse	x	x	x	x
Essential Services	x	x	x	x
Essential Service Facilities -- Group I	x	x	x	x
Excavation, Water Retention	x	x	x	x
Fabricated Metal Products Manufacturing, Groups II & III				x
Fences & Walls	x	x	x	x
Food Stores -- Group I & II	x	x	x	x
Food and Beverage Services, Limited	x	x	x	x
Furniture and Fixtures Manufacturing -- Limited to Household furniture; Public building and related furniture; Partitions, shelving, lockers and office and store fixtures; Miscellaneous furniture and fixtures				x
Gift and Souvenir Shop	x	x	x	x
Hardware Store		x	x	
Healthcare Facilities -- Groups I, II & III	x	x	x	x
Hobby Toy and Game Shop	x	x		x
Hotel; with accessory restaurant and COP		x	x	x

Alternative Master Concept Plan - Alico Crossroads CPD Schedule of Uses

	Tract A Highway Commercial	Tract B Community Commercial	Tract C Mixed Use Commerce	Tract D Mixed Use Commerce
Household Furnishings, all groups		x	x	
Insurance Companies		x	x	x
Laundromat	x	x		
Laundry or Dry Cleaning, Group I	x	x		
Lawn & Garden Store		x	x	x
Machinery Manufacturing Group 2 -- Limited to Power-driven hand tools; Office, computing and accounting machines				x
Measuring, Analyzing and Controlling Instruments Manufacturing -- Limited to Engineering, laboratory, scientific and research instruments and associated equipment; Measuring and controlling instruments; Optical instruments and lenses; Surgical, medical and dental instruments and supplies; Ophthalmic goods; Photographic equipment and supplies; Watches, clocks and clockwork operated devices, and parts				x
Medical Office	x	x	x	x
Non-Store Retailers, All Groups	x	x	x	x
Package Store	x	x		x
Paint, Glass & Wallpaper		x	x	x
Parcel and Express Services	x	x	x	x
Parking Lot: Accessory, Commercial, Garage, and Temporary	x	x	x	x
Personal Services -- Groups I, II, III, IV excluding Escort Services, Palm Readers, Tattoo Parlors, Massage Parlors and Steam and Turkish Baths	x	x	x	x

Alternative Master Concept Plan - Alico Crossroads CPD Schedule of Uses

	Tract A Highway Commercial	Tract B Community Commercial	Tract C Mixed Use Commerce	Tract D Mixed Use Commerce
Pet Services	x	x		x
Pet Shop	x	x		
Pharmacy	x	x		
Post Office		x	x	x
Printing and Publishing		x	x	x
Processing & Warehousing			x	x
Research and Development Laboratories Group II & IV		x	x	x
Recreation, Commercial, Group I and III	x	x	x	x
Rental or Leasing Establishments, Groups I and III	x	x	x	x
Repair Shops, Group I & II	x	x	x	x
Restaurant, Fast Food – limited to 4	x	x		
Restaurants, all Groups; with COP	x	x	x	x
Schools, Commercial			x	x
Self Service Fuel Pumps	x	x		
Signs in Accordance with LDC Chapter 30	x	x	x	x
Social Services, Group I			x	x
Specialty Retail Shops, all groups	x	x	x	x
Storage, indoor and outdoor; outdoor storage limited to accessory for Manufacturing, Processing, Warehousing, Vehicle & Equipment Dealers, Building Material sales, Contractors & Builders, Lawn & Garden, & Hardware Store		x	x	x
Studios		x	x	x
Supermarket	x	x	x	x
Temporary Uses	x	x	x	x
Used Merchandise Stores, Group I	x	x	x	
Variety Store	x	x		

Alternative Master Concept Plan - Alico Crossroads CPD Schedule of Uses

	Tract A Highway Commercial	Tract B Community Commercial	Tract C Mixed Use Commerce	Tract D Mixed Use Commerce
Vehicle & Equipment Dealers, Groups I, II & III		X	X	X
Warehouse: Mini-Warehouse, Private & Public			X	X
Wholesale Establishments Groups III & IV			X	X

- Existing bona fide agriculture uses are permitted as temporary activities of which must terminate when the property owner receives a local development order for that portion of the property. All Outdoor storage activities will comply with shielding provisions specified in LDC §34-3001.

Primary Master Concept Plan - Alico Crossroads CPD Project Summary Data

Original Total Site Area	51.5-ac. +/-
1-75 ROW Condemnation	4.81-ac. +/-
Current Total Site Area	46.69-ac. +/-
3 Oaks Prky. ROW	2.18-ac +/-
Net Site Area	44.51-ac. +/-
Land Use Classification	Industrial Commercial Interchange Areas
Existing Zoning	CPD
Water & Sewer Utilities	Lee County Utilities
Fire District	San Carlos Fire District
Flood Zone	B
CPD Development Program	300,000 SF Commercial Retail, 51,000 Office and 125 Hotel Rooms Optional Increase up to 377,000 SF with 21,000 SF Office & 100 Hotel Rooms

Project Open Space Table	
Net Site Area (minus Three Oaks Parkway and I-75 ROW)	44.51-ac. +/-
Required Project Open Space @ 30%	13.35-ac. +/-
Provided Open Space – Native Open Space (@ 15%)	6.75-ac.
Surface Water Management Area & Easements	.3.25-ac.
Perimeter Buffers/Internal Open Space	3.5-ac.
Provided Open Space	13.5-ac.
In addition to identified common open space areas, Development Tracts A, B, C, D & E to provide minimum 10% open space	

Tracts A, B, C, D & E Development Standards

Min. Area Dimensions:

Min. Lot Area 20,000 sq. ft.

Min. Lot Depth 100-ft.

Min. Lot Width 100-ft.

Min. Building Setbacks:

Street/Front 20-ft.

Side Yard 10-ft.

Rear/Rear Water 20-ft.

Accessory Structures 5-ft.

Indigenous Preserve Building Setback 30-ft.

Max. Building Height 75-ft./6 stories

Max. Lot Coverage 45%

Tract A Site Area 5.5 to 9-ac. +/-

Not to exceed 78,400 SF ⁽¹⁾

Tract B Site Area 6.5 to 11-ac. +/-

Not to exceed 95,800 SF ⁽¹⁾

Tract C Site Area 9 to 15-ac. +/-

Not to exceed 130,600 SF ⁽¹⁾

Tract D Site Area ⁽¹⁾ 6 to 9.5-ac. +/-

Not to exceed 82,700 SF & 200 Hotel Rooms ⁽¹⁾

Tract E Site Area 7 to 12-ac. +/-

Not to exceed 105,000 SF ⁽¹⁾

1. Individual development tract intensities may be internally transferred through an administrative County review process as long as total CPD combined development intensity will not exceed 300,000 SF Commercial Retail, 51,000 SF Office, and a 125 Room Hotel or the optional development scenarios identified with the CPD development program.

Alternative Master Concept Plan - Alico Crossroad CPD Project Summary Data

Original Total Site Area	51.5-ac. +/-
1-75 ROW Condemnation	4.81-ac. +/-
Current Total Site Area	46.69-ac. +/-
3 Oaks Prky. ROW	2.18-ac +/-
Adjusted Site Area	44.51-ac. +/-
Land Use Classification	Industrial Commercial Interchange Areas
Proposed Zoning	CPD
Water & Sewer Utilities	Lee County Utilities
Fire District	San Carlos Fire District
Flood Zone	B
CPD Development Program	348,000 SF Commercial Retail & 200 Hotel Rooms
Project Open Space Table	
Net Site Area (minus Three Oaks Parkway and I-75 ROW)	44.51-ac. +/-
Required Project Open Space @ 30%	13.35-ac. +/-
Provided Open Space – Native Open Space (@ 15%)	6.75-ac.
Surface Water Management Area & Easements	3.25-ac.
Perimeter Buffers/Internal Open Space	3.5-ac.
Total Provided Open Space	13.5-ac.
In addition to identified common open space areas, Development Tracts A, B, C, D & E to provide minimum 10% open space	

Tracts A, B, C, D & E Development
Standards

Min. Area Dimensions:

Min. Lot Area	20,000 sq. ft.
Min. Lot Depth	100-ft.
Min. Lot Width	100-ft.

Min. Building Setbacks:

Street/Front	20-ft.
Side Yard	10-ft.
Rear/Rear Water	20-ft.
Accessory Structures	5-ft.

Indigenous Preserve Building Setback 30-ft.

Max. Building Height	75-ft./6 stories
Max. Lot Coverage	45%

Tract A Site Area 5.5 to 9-ac. +/-
Not to exceed 78,400 SF ⁽¹⁾

Tract B Site Area 6.5 to 11-ac. +/-
Not to exceed 95,800 SF ⁽¹⁾

Tract C Site Area 15 to 25-ac. +/-
Not to exceed 275,000 & 200 Hotel
Rooms SF ⁽¹⁾

Tract D Site Area ⁽¹⁾ 7 to 12-ac. +/-
Not to exceed 82,700 SF & 125 Hotel
Rooms ⁽¹⁾

1. Individual development tract intensities may be internally transferred through an administrative County review process as long as total CPD combined development intensity will not exceed 348,000 SF Commercial Retail and 200 Hotel Rooms or the optional development scenarios identified with the CPD development program.

I, K C Stock, certify that I am the Managing Member of the Three Oaks Land Company LLC and authorized representative of the property identified as Strap Number 03-46-25-00-00001.1080.

As such, I hereby verify that this property has qualified for an Agricultural Classification based on the use of the entire 47.1 acres for cattle grazing. The parcel has kept cattle for agricultural use for over 10 years, and at the time of this statement, an existing cattle lease remains in effect.

It is our intent to continue to use this property for livestock grazing after the master concept plan extension and amendment that is being applied for is granted and completed, until such time as a local development order is issued.

Three Oaks Land Company, LLC

Name of Entity

K.C. Stock

Signature

KC Stock

(Type or printed name)

Managing Member

(title of signatory)

STATE OF Wisconsin

COUNTY OF Brown

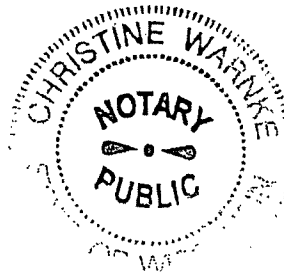
The foregoing instrument was sworn to (or affirmed) and subscribed before me this 12/31/2007 (date) by Kenneth C. Stock (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

Christine Warnke
Signature of person taking oath or affirmation

Title or rank

Christine Warnke
Name typed, printed or stamped

Commission Expires 1-2-2011
Serial number, if any



RECEIVED
JAN 07 2008
COMMUNITY DEVELOPMENT

DCI 2008-00001

Exhibit H

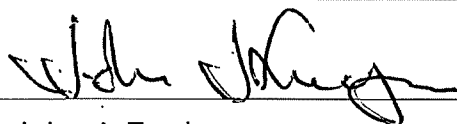
MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY

DATE: October 15, 2008

To: Molly Schweers

Executive Assistant to
Commissioner Ray Judah

FROM:



John J. Fredyma
Assistant County Attorney

RE: BOCC ZONING RESOLUTION FROM THE SEPTEMBER 15, 2008 MEETING
ZONING RESOLUTION Z-08-035 (ALICO CROSSROADS CENTER CPD)

Attached is the original resolution adopted by the Board at the September 15, 2008 zoning meeting. The resolution has been reviewed and approved as to form and is ready for the Chairman's signature. After the Chairman signs the resolution, please forward to the Minutes Department for attestation and further processing.

Thank you for your assistance with respect to the above. Should you have any questions, please do not hesitate to contact me.

JJF/mms
Attachment

Via e-mail only: Jamie Prancing, Administrative Assistant, DCD/Administration & Support
Lisa L. Pierce, Minutes Office Manager, Lee County Clerk of Courts
Billie J. Jacoby, Administrative Support Supervisor, DCD

RECEIVED
MINUTES OFFICE
2008 OCT 21 AM 7:02

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

WHEREAS, Quattrone & Associates, Inc. filed an application on behalf of the property owner, Paul H. Freeman Trust, to amend the Florida Gulf Coast Mixed Use Planned Development to revise conditions; and

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Donna Marie Collins, was advertised and held on January 11, 2018. At the conclusion of the hearing, the Hearing Examiner left the record open and requested Staff and the applicant to submit written submissions to her Office on or before January 19, 2018; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case #DCI2017-00018 and recommended APPROVAL of the request; and

WHEREAS, a second public hearing was advertised and held on March 6, 2018, before the Lee County Board of Commissioners; and,

WHEREAS, the Lee County Board of Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant filed a request to amend the Florida Gulf Coast Business Mixed Use Planned Development to revise conditions.

The property is located in the Industrial Commercial Interchange Future Land Use Category and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. Master Concept Plan/Development Parameters

- a. The development of this project must be consistent with the two-page Master Concept Plan (MCP) entitled "Master Concept Plan," prepared by Quattrone & Associates, Inc., date stamped received on December 19, 2017, attached hereto as Exhibit C; and the Open Space Exhibit, date stamped received October 31, 2012, attached hereto as Exhibit D, except where modified by the conditions below.

- b. This development must comply with all requirements of the 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 MCP are subsequently pursued, appropriate approvals will be necessary.
 - c. Development Parameters: Maximum Floor Area 896,000 square feet; of which a maximum of 505,000 square feet may be industrial; 249,000 square feet may be commercial office; 142,000 square feet may be commercial retail; and a maximum of 200 hotel rooms.
 - d. This zoning approval replaces Z-12-019.
2. Uses and Site Development Regulations
The following limits apply to the project and uses:
- a. Schedule of Uses
 - Accessory Uses and Structures
 - Administrative Offices
 - Agricultural Uses and Agricultural Accessory Uses, *subject to Condition 7*
 - Agricultural Services Office/Base Operations
 - Aircraft Food Services and Catering
 - Amateur Radio Antennae and Satellite Earth Stations
 - Animals, Clinic or Kennel
 - ATM (automatic teller machines)
 - Auto Parts Store, with or without installation
 - Auto Repair and Service, All Groups
 - Automobile Service Station, limited to 1 for the entire MPD
 - Bait and Tackle Shop
 - Banks and Financial Establishments, Groups I, II
 - Bar or Cocktail Lounge, limited to 1 for the entire MPD
 - Boats: Boat Parts Store; Boat Repair and Service, Boat Sales
 - Broadcast Studio, Commercial Radio and Television
 - Building Materials Sales
 - Bus Station/Depot, limited to 1 for the entire MPD and not permitted on lots with frontage on Three Oaks Parkway
 - Business Services, Groups I, II
 - Cleaning & Maintenance Services
 - Clothing Stores, General
 - Clubs: Commercial, Fraternal, Membership Organization
 - Cold Storage, Precooling, Warehouse, & Processing Plant
 - Computer and Data Processing Services
 - Consumption on Premises, in conjunction with a restaurant use, bar, cocktail lounge, hotel/motel, nightclub only
 - Contractors and Builders, All Groups
 - Convenience Food and Beverage Stores, limited to 1 for the entire MPD. See Self Service Fuel Pumps below
 - Cultural Facilities
 - Day Care Center, Child, Adult
 - Department Store

Drive through for any permitted use
 Drugstore, Pharmacy
 Emergency Operations Center
 EMS Fire or Sheriff's Office
 Entrance Gates and Gatehouse
 Essential Services
 Essential Service Facilities, Groups I, II (Group II by Special Exception only, public hearing required)
 Excavation, Water Retention (Excavated material may not be removed from the site)
 Factory Outlets, Point of Manufacture Only
 Fences, Walls
 Food and Beverage Service, Limited
 Food Stores, Groups I, II
 Freight or Cargo Handling Systems
 Funeral Home and Mortuary, with or without crematorium
 Gasoline Dispensing Systems, Special
 Gift and Souvenir Shop
 Golf Driving Range
 Hardware Store
 Health Care Facilities, Groups I, II, III
 Heliport or Helistop, *subject to* Condition 12
 Hobby Toy and Game Shop
 Hotel/Motel, limited to a maximum 200 rooms
 Household and Office Furnishings, All Groups
 Insurance Companies
 Laundry and Dry Cleaning, Groups I, II
 Lawn and Garden Supply Store
 Library
 Manufacturing of:
 Apparel Products
 Boats
 Chemical and Allied Products, Group II
 Electrical Machinery and Equipment
 Fabricated Metal Products, Groups II, III
 Food and Kindred Products, Group III
 Furniture and Fixtures
 Leather and Leather Products, Group II
 Lumber and Wood Products, Group II
 Measuring, Analyzing and Controlling Instruments
 Novelties, Jewelry, Toys and Signs, All Groups
 Paper and Allied Products, Groups II, III
 Rubber and Plastic Products, Group II
 Stone, Clay, Glass and Concrete Products, Group I
 Transportation Equipment, Group I
 Maintenance Facility (Government)
 Medical Office, limited to a maximum of 100,000 square feet
 Motion Picture Production Studio
 Nightclub, limited to 1 for the entire MPD
 Non-store Retailer, All Groups

Package Store, limited to 1 for the entire MPD
Paint, Glass and Wallpaper
Parks, Groups I, II
Parcel and Express Services
Parking Lot (Accessory, Commercial, Garage, Public Parking, Temporary)
Personal Services, All Groups, but excluding Massage Parlors, Steam or Turkish Baths, Escort Services, Palm Readers Fortunetellers or Card Readers
Pet Services
Pet Shop
Photofinishing Laboratory
Place of Worship and Religious Facilities
Post Office
Printing and Publishing
Processing and Warehousing

Real Estate Sales Office
Recreational Facilities, Personal, Private – on site
Recreational Facilities, Commercial, Groups I, III and IV
Rental or Leasing Establishments, Groups I - IV
Repair Shops, Groups I - V
Research and Development Laboratories, Groups I - IV
Restaurants, Groups I - IV
Restaurants, Fast Food (Retail and Wholesale Sales when clearly incidental and subordinate to a permitted principal use on the same premises)

Schools (Commercial, Noncommercial, Lee County School District, Other)
Self Service Fuel Pumps, with convenience food and beverage use, or auto service station, maximum 20 pumps for the entire MPD. Additional fuel pumps are permissible as an accessory use to individual businesses to provide fuel for their fleet of vehicles and equipment - Maximum 4 per business.

Signs
Social Services, Groups I - IV
Specialty Retail Shops, Groups I - IV
Storage, Indoor
Storage, Open
Studios

Temporary Uses
Theater, Indoor
Transportation Services, Groups I - IV
Truck Stop, Trucking Terminal
Used Merchandise Stores, Groups I, II and III
Variety Stores
Vehicle and Equipment Dealers, Groups I – IV
Warehouse: Mini-warehouse, Private, Public, Cold Storage
Wholesale Establishments, Groups I, III, and IV

b. Site Development Regulations

Minimum Lot Area and Dimensions:

Area: 10,000 square feet
Width: 100 feet
Depth: 100 feet

Minimum Setbacks:

Street: 25 feet (public)
15 feet (private)
Side: 10 feet
Rear: 15 feet
Water Body: 20 feet
Accessory 5 feet

Minimum Development Perimeter Setback: 15 feet

Maximum Building Height: 65 feet

All buildings exceeding 35 feet in height must maintain additional building setbacks and separation as regulated by LDC §§ 34-2174(a) and 34-935(e)(4).

Minimum Building Separation:

One-half the sum of the heights of both buildings or 20 feet, whichever is greater.

Maximum Lot Coverage: 50%

3. Design Standards

All industrial or commercial buildings and structures must comply with Chapter 10, Article IV, Design Standards and Guidelines for Commercial Buildings and Development, of the LDC.

4. Accessory Uses

Accessory uses must be located on the same tract, parcel or outparcel where a principal use is located. Accessory uses must be incidental and subordinate to the principal use of the tract, parcel or outparcel.

5. No Blasting

Development blasting is prohibited unless approved at public hearing amending this MPD.

6. Tall Structures

Development is subject to LDC §34-1008 "Permit for Tall Structures." Depending on the height and location of proposed structures, the developer may be required to submit an application to the Federal Aviation Administration (FAA) and the Lee County Port Authority to determine airspace impacts of proposed permanent buildings, and temporary construction equipment (such as cranes). Height of buildings and cranes will be dependent on approval by these agencies.

7. Agricultural Uses

Existing bona fide agricultural uses may continue if in strict compliance with the following:

- a. Bona fide agricultural uses in existence when this zoning application was filed (shown on Exhibit E attached hereto), may continue until approval of a local development order for vertical building development and issuance of a vegetation removal permit. The agricultural use must terminate on the project area receiving development order and vegetation removal permit. The requirement to terminate agricultural uses is not triggered by approval of development orders for plats, infrastructure improvements, landscaping, surface water management, or other non-vertical development.
- b. Additional clearing of trees or other vegetation in agricultural areas is prohibited. Existing areas of bona fide agricultural use may be maintained, i.e. mowed, but not cleared or expanded. This prohibition is not intended to preclude County approval requests for the removal of invasive exotic vegetation.
- c. Upon approval of a local development order for vertical development and issuance of a vegetation removal permit, the property owner must provide written proof, subject to approval by the County Attorney's Office, of the following:
 - i. Termination of all agricultural use on portions of the property included in the development order approval for vertical development that has received a vegetation removal permit. Proof must include a sworn affidavit from the person/entity holding title to the property that includes:
 - (1) the date the agricultural uses ceased;
 - (2) the legal description of the property subject to the development order approval for vertical development;
 - (3) an affirmative statement that the owner acknowledges and agrees that all agricultural uses are illegal and prohibited on the property and that the owner covenants with Lee County that they will not allow any such uses on the property unless and until the property is rezoned to permit such uses; and,
 - (4) a statement that the affidavit constitutes a covenant between the owner and Lee County that is binding on the owner and their assignees and successors in interest.

The covenant must be properly recorded in the public records of Lee County at the owner's expense.
 - ii. Termination of the agricultural tax exemption for any portion of the property included in the development order approval for vertical development and vegetation removal permit. Proof of termination must include a copy of the request to terminate the tax exemption provided to the Property Appraiser.

8. Reconfiguration

If the tracts shown on the MCP are substantially reconfigured, the developer will be required to receive approval of an amendment to this MPD, pursuant to LDC §34-380.

9. Traffic

Zoning approval does not address mitigation of vehicular or pedestrian traffic impacts. Additional conditions consistent with the LDC may be required to obtain a local development order.

10. Unified Drainage Plan

The developer must submit and receive approval of a unified drainage plan for the entire property from the Division of Development Services prior to any approval from the Department of Community Development (DCD) for vertical construction activities. If the lots on the MCP are substantially reconfigured, an updated unified drainage plan must be approved by the Division of Development Services prior to DCD approval of vertical construction.

11. Access

Access on Three Oaks Parkway Extension must be determined at the local development order stage.

12. Airport Compatibility

The developer, its successors and assigns acknowledge the property's proximity to Southwest Florida International Airport and the potential for noise created by and incidental to the operation of the airport. The developer, its successors and assigns acknowledge that a disclosure statement is required on plats, and in condominium, property owner and homeowner association documents as outlined in LDC §34-1004(c).

Development of the property must comply with the Airport Compatibility District, LDC §34-1001 *et seq.*

13. Open Space

The 4.52 acres of indigenous open space shown on the MCP must be provided in accordance with Condition 14 below. In addition to the indigenous preserve, the development must include 15.70 acres of open space on the remaining parcels to meet the overall MPD open space requirement of 20.22 acres. Parcels devoted to industrial development must provide a minimum of 18% open space. Parcels devoted to commercial development must provide a minimum of 25% open space.

The developer must submit an open space table with each development order application that demonstrates the MPD remains on track to achieve a total of 20.22 acres of open space. If the developer does not submit an open space table with each development order application, then industrial development parcels must provide a minimum of 20% open space and commercial development parcels must provide a minimum of 30% open space.

within each lot or tract.

Open space contained within an approved recreational use will apply toward meeting the MPD's 20.22 acre open space requirement.

14. Indigenous Preservation

Prior to local development order approval for any phase of development, the development order documents must delineate +/-4.52 acres of indigenous preserve shown on the MCP. In addition, the developer must submit an executed conservation easement recorded in the public records that complies with the South Florida Water Management District permit. The developer must also submit evidence that maintenance entity has been established to perpetually maintain the preserve.

The developer must submit a plan for the long term maintenance of the indigenous preserve in compliance with LDC §10-415(b)(4) prior to local development order approval for any phase of development. The development order plans must indicate that, for five consecutive years starting one year from the date of Certificate of Compliance issuance, monitoring reports will be submitted annually to the DCD for review and approval.

15. Buffers

The development order plans for each phase of development must provide a Landscape Plan depicting a common theme for the Right-of-Way (ROW) Landscape Buffers along Three Oaks Parkway and I-75 for continuity and aesthetic purposes. The development order plans must depict a 20-foot wide buffer along Three Oaks Parkway and I-75 and be consistent with the "Conceptual Landscape Betterment Plan for I-75" (Exhibit F). The I-75 buffer must provide a modified 20-foot Type D buffer containing 5 trees and at minimum one (1) palm per 100 linear feet and a double-staggered hedgerow. The Three Oaks Parkway buffer must provide a modified 20-foot Type D buffer with 5 trees per 100 linear feet and a double staggered hedge row.

The Landscape Plan must indicate the type of plant species to be utilized and the size of material. The developer must install plant material so that there are no conflicts with site distance and signage and without reducing the quantity of landscape material per LDC §§ 10-421(a)(6) & (7).

16. Storm Water Management

The landscape plans must depict:

50% of the dry detention areas to be planted with native herbaceous grasses one-gallon container size, arranged in clusters and planted 3-foot on center;

Trees to be planted in the southern dry detention area consisting of scattered Cypress (*Taxodium sp.*), Red Maple (*Acer rubrum*) and/or Slash Pine (*Pinus elliotti var densa*) planted at 10 feet in height, 2-inch caliper dbh with a 4-foot spread;

General tree credits can be applied, as per LDC §10-418(4), for herbaceous vegetation, and general tree credits can be applied at a one-to-one ratio for the planting of trees in the

dry detention; and,

The required plantings must be designed to not adversely affect the functions and future maintenance of the water management facilities.

17. Airport Compatible Landscaping Planting

All required landscaping must be consistent with the Airport Compatible Landscaping Planting List maintained by the Lee County Port Authority.

18. Three Oaks Parkway Signage

The developer must submit a detailed, final sign package covering the proposed signs along Three Oaks Parkway Extension, for review and administrative approval by DCD prior to any local development order approval.

19. Development Permits

County development permits do not establish a right to obtain permits from state or federal agencies. Further, County permits do not establish liability on the County if the developer: (a) does not obtain requisite approvals or fulfill obligations imposed by state or federal agencies or (b) undertakes actions that result in a violation of state or federal law.

SECTION C. DEVIATIONS:

1. Connection Separation. Deviation (1) seeks relief from the LDC §10-285(a) requirement to provide a minimum 660-foot connection separation on arterials roads, to allow connection separations of 435 and 556 feet on Three Oaks Parkway Extension. This deviation is APPROVED.

2. Permanent signs in commercial and industrial areas. Deviation (2A) seeks relief from the LDC §30-153(2)a requirement that limits to only one ground-mounted identification sign along streets that provide access to the property, to allow two additional (a total of three) ground-mounted identification signs on Three Oaks Parkway for the MPD. This deviation is APPROVED, SUBJECT TO Condition 18.

Deviation (2B) seeks relief from the LDC §30-153(2) a.1.ii. requirement to provide up to 110 square feet of project signage on Three Oaks Parkway, to allow a total of 450 square feet of project sign area distributed between the three ground-mounted signs requested in deviation 2A. This deviation is APPROVED, SUBJECT TO Condition 18.

Deviation (2C) seeks relief from the LDC §30-153(3)a requirement that limits every individual office, business or industrial establishment, and a multiple-occupancy complex of five or less establishments, to one ground-mounted sign, to allow a second ground-mounted sign on the lots north and south of each Three Oaks Parkway entrance for the purposes of identifying the development. This deviation is APPROVED, SUBJECT TO Condition 18.

3. Street stubs to adjoining property. Deviation (3) seeks relief from the LDC §10-295 requirement to provide that street stubs or an interconnection to adjoining areas with the

street stubs may be provided with a temporary cul-de-sac turnaround within the minimum required platted right-of-way, to allow temporary hammerheads in lieu of cul-de-sacs. This deviation is APPROVED, SUBJECT TO the condition that the temporary hammerheads are constructed with a stabilized surface and protected/reinforced from washout from excessive rains or flooding.

SECTION D. EXHIBITS:

The following exhibits are attached to this resolution and incorporated by reference:

- Exhibit A: Legal description of the property
- Exhibit B: Zoning Map (with the subject parcel indicated)
- Exhibit C: Master Concept Plan
- Exhibit D: Open Space Exhibit
- Exhibit E: Bona fide Agricultural Uses
- Exhibit F: Conceptual Landscape Betterment Plan for I-75

SECTION E. FINDINGS AND CONCLUSIONS:

1. The requested amendment is consistent with the Lee Plan. See Lee Plan Goals 4, 6, 7, 77, 158; Objectives 2.1, 2.2, 6.1, 7.1, 47.2, 77.3, 114.1 and Policies 1.3.4, 2.2.1, 6.1.3, 7.1.1, 7.1.2, 7.1.10, 158.3.5; Lee Plan Vision Statement Paragraph 10 (Gateway/Airport Planning Community), Map 16 and Table 1(b).
2. As conditioned herein, the requested amendment to the MPD zoning designation:
 - a. Meets the standards set forth in the LDC and other regulations. See Lee Plan Goals 4, 6, 7; Objectives 2.1, 2.2 and Policies 2.1.1, 7.1.2, 47.6.4; and LDC §§ 34-411, 34-1001 *et seq.*;
 - b. Is compatible with existing and planned uses in the surrounding area. See Lee Plan Objectives 2.1, 2.2, 47.2, and Policies 1.7.6, 2.1.1, 6.1.4, 7.1.3, 7.1.4; and LDC §§ 34-411(i) and (j);
 - c. Will not adversely affect environmentally critical areas or natural resources. See Lee Plan Objectives 77.3 and 114.1 and Standard 4.1.3, 6.1.1(g), 7.1.1.5.b and LDC §34-411(h); and
 - d. Will be served by urban services including public water and sewer, paved streets, police, fire and emergency services, and urban surface water management. See Lee Plan Objectives 2.1, 2.2, and 4.1; Policies 2.2.1, 6.1.1, 7.1.5; and Standards 4.1.1, 4.1.2.
3. Will provide access sufficient to support the proposed development intensity. See Lee Plan Policies 6.1.1, 7.1.1; and LDC §§ 34-411(d) and (e).
4. Existing regulations and conditions of approval address the expected impacts on transportation facilities.

5. The proposed uses are appropriate at the location. See Lee Plan Policies 2.1.1, 2.2.2, 6.1.4, 7.1.3, 7.1.5; and LDC §§ 34-411(k) and (m).
6. The recommended conditions of approval and applicable regulations provide sufficient safeguards to protect the public interest. See Lee Plan 6.1.6, 7.1.8; LDC §§ 34-411(c), (i) and (j); 34-1001 *et seq.*
7. The recommended conditions reasonably relate to the impacts expected from the proposed amended development. See LDC §§ 34-83(b)(4)a.3., 34-1012.
8. The deviations, as conditioned:
 - a. Enhance the objectives of the planned development; and
 - b. Preserve and promote the general intent of the LDC to protect the public health, safety and welfare.

SECTION F. SCRIVENER'S ERRORS

The Board intends that this resolution can be renumbered or relettered and typographical errors that do not affect the intent and are consistent with the Board's action can be corrected with the authorization of the County Manager or his designee, without the need for a public hearing.

Commissioner Manning made a motion to adopt the foregoing resolution, seconded by Commissioner Pendergrass. The vote was as follows:

Adopted by unanimous consent.

John Manning	Aye
Cecil Pendergrass	Aye
Larry Kiker	Aye
Brian Hamman	Aye
Frank Mann	Aye

DULY PASSED AND ADOPTED this 7th day of March 2018.

ATTEST:
LINDA DOGGETT, CLERK

BY: Jayne Townsend
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Cecil Pendergrass
Cecil Pendergrass, Chair



APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

Michael D. Jacob
Michael D. Jacob
Deputy County Attorney
County Attorney's Office

RECEIVED
MINUTES OFFICE
2018 MAR 19 PM 1:19

DESCRIPTION:

A. TRACT OR PARCEL OF LAND LYING IN SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE AFORESAID SECTION 3; THENCE RUN N.89°24'36"E. ALONG THE NORTH LINE OF SAID SECTION 3 FOR 1580.74 FEET TO THE CENTERLINE EXTENSION OF THREE OAKS PARKWAY (150.00 FEET WIDE); THENCE RUN S.00°36'43"E. (ALONG SAID CENTERLINE EXTENSION) FOR 2097.04 FEET TO A POINT ON THE CENTERLINE OF SAID THREE OAKS PARKWAY; THENCE RUN N.89°23'17"E. FOR 75.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF SAID THREE OAKS PARKWAY AND THE POINT OF BEGINNING; THENCE CONTINUE N.89°23'17"E. FOR 1808.17 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY # 75; THENCE RUN S.00°37'07"E. ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 1899.15 FEET TO A POINT ON THE CENTERLINE OF A 170 FEET WIDE FLORIDA POWER & LIGHT COMPANY EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 876, PAGE 610, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN N.89°23'17"E. ALONG THE CENTERLINE OF SAID EASEMENT FOR 1808.40 FEET TO THE EAST RIGHT-OF-WAY LINE OF THE AFORESAID THREE OAKS PARKWAY; THENCE RUN N.00°36'43"W. ALONG SAID EAST RIGHT-OF-WAY LINE FOR 1899.15 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 78.838 ACRES, MORE OR LESS.

JOHN B. HARRIS

PLS #4631

DECEMBER 22, 2010

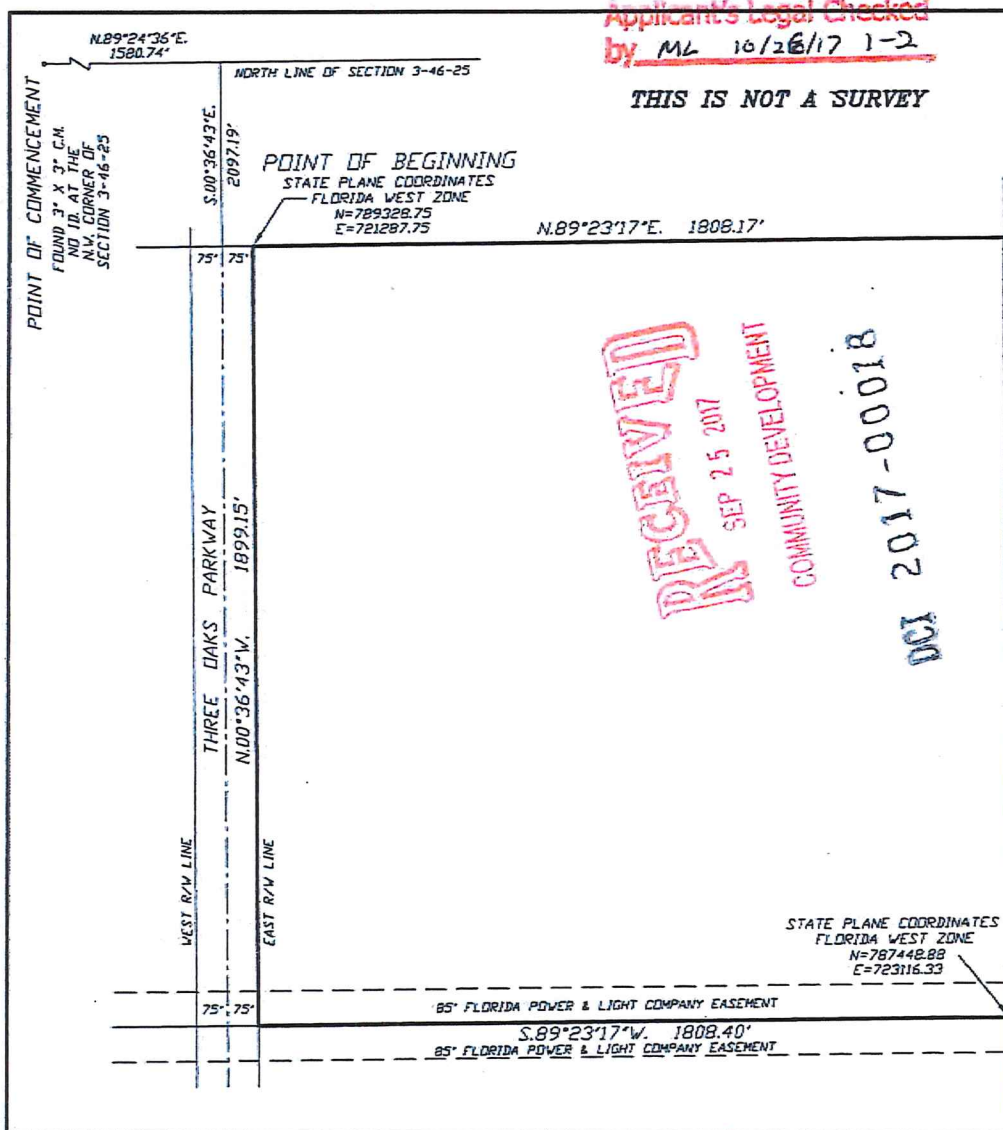
DCI 2017-00018

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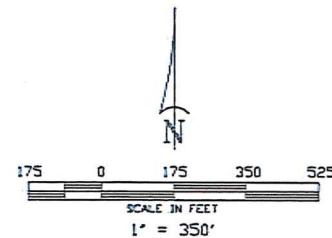
COMMUNITY DEVELOPMENT

TOPE 17-18 LD

EXHIBIT A



SKETCH OF LEGAL DESCRIPTION
**A PARCEL OF LAND
LYING IN SECTION 3**
TOWNSHIP 46 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



HARRIS - JORGENSEN, INC.
2706 S.E. SANTA BARBARA PLACE
CAPE CORAL, FLORIDA
PHONE: (941) 772-9939
FAX: (941) 772-1315

JOHN B. HARRIS, PSM
FLORIDA LAND SURVEYOR #4631

SCALE:
1"=350'

PROJ. #
TOPE-17-18

FILE NO.
46-25-3

SHT.- 1
OF - 1

DRAWN:
FBH

✓
JBH

SKETCH DATE:
12/22/10

FLORIDA CERTIFICATE
OF AUTHORIZATION # LB 6921

DESCRIPTION:

A TRACT OR PARCEL OF LAND LYING IN SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE AFORESAID SECTION 3; THENCE RUN N.89°24'36"E. ALONG THE NORTH LINE OF SAID SECTION 3 FOR 1580.74 FEET TO THE CENTERLINE EXTENSION OF THREE OAKS PARKWAY (150.00 FEET WIDE); THENCE RUN S.00°36'43"E. (ALONG SAID CENTERLINE EXTENSION) FOR 2097.04 FEET TO A POINT ON THE CENTERLINE OF SAID THREE OAKS PARKWAY; THENCE RUN N.89°23'17"E. FOR 75.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF SAID THREE OAKS PARKWAY AND THE POINT OF BEGINNING; THENCE CONTINUE N.89°23'17"E. FOR 1808.17 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY # 75; THENCE RUN S.00°37'07"E. ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 1899.15 FEET TO A POINT ON THE CENTERLINE OF A 170 FEET WIDE FLORIDA POWER & LIGHT COMPANY EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 876, PAGE 610, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN N.89°23'17"E. ALONG THE CENTERLINE OF SAID EASEMENT FOR 1808.40 FEET TO THE EAST RIGHT-OF-WAY LINE OF THE AFORESAID THREE OAKS PARKWAY; THENCE RUN N.00°36'43"W. ALONG SAID EAST RIGHT-OF-WAY LINE FOR 1899.15 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 78.838 ACRES, MORE OR LESS.

INTERSTATE 75

MATCH TO SHEET 1 OF 4

BOUNDARY & PARTIAL TOPOGRAPHIC SURVEY OF
**A PARCEL OF LAND LYING
IN SECTION 3**
TOWNSHIP 46 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



RECEIVED

COMMUNITY LEVEL ORIENT

COOL

[illegible]

Applicant's Survey Checked
by ML 10/26/17 2-4

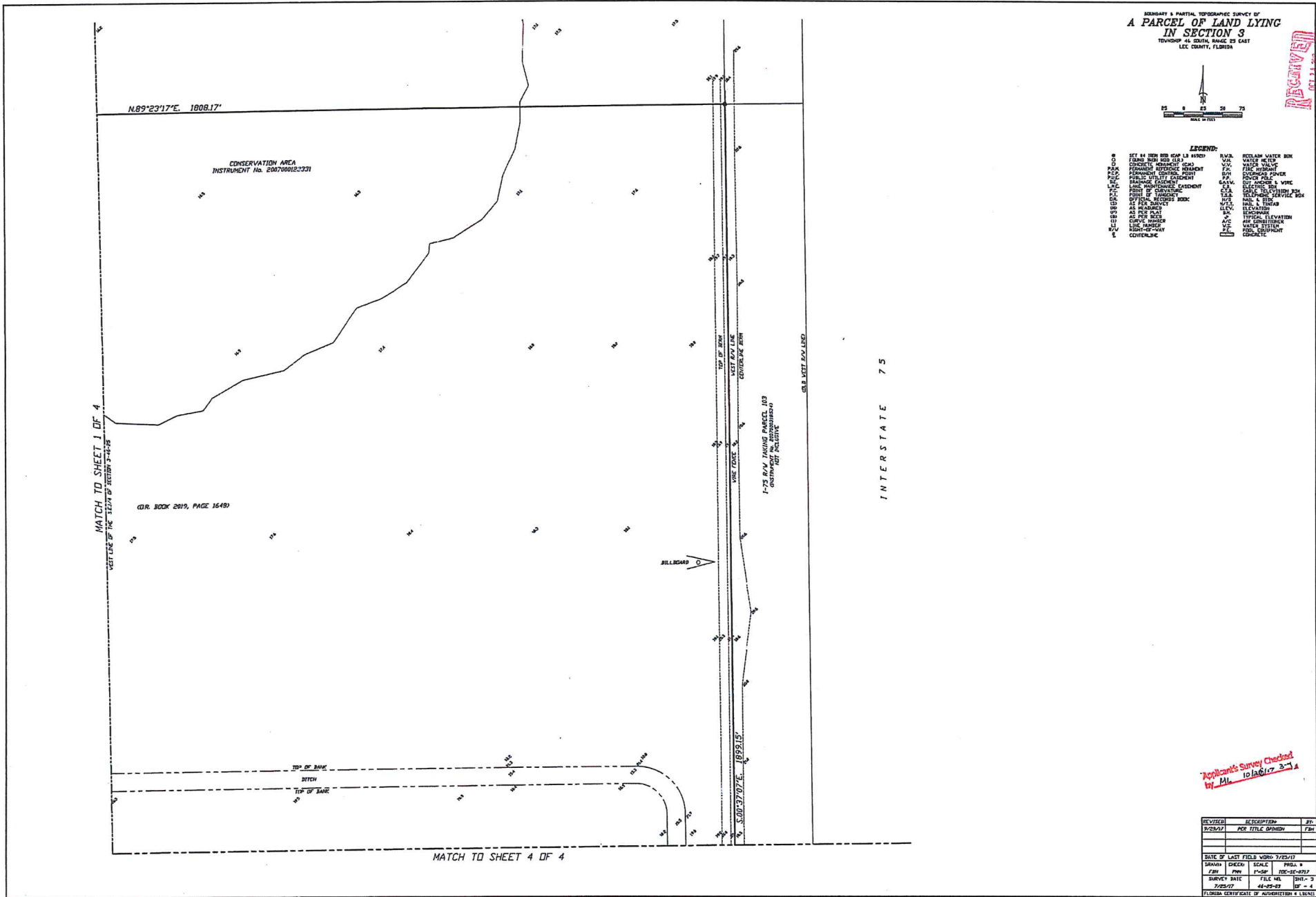
REVISED	DESCRIPTION	
5/25/17	PER TITLE OPINION	

DATE OF LAST FIELD WORK 7/25/17

DRAWN	CHECK	SCALE	PROJ. #
FBN	PMH	1"=35'	TEX-36-8712

SURVEY DATE	FILE NO.	SHT. OF
7/25/17	46-05-03	05

FLORIDA CERTIFICATE OF AUTHORIZATION # 1416



MATCH TO SHEET 2 OF 4
NEXT LINE OF THE SET 1/4 OF SECTION 3-16-23

(O.R. BOOK 2413, PAGE 1507)

(O.R. BOOK 2611, PAGE 274)

LEGEND:

[illegible]

Applicant's Survey Checked
by ML 4/26/13 4-4

REVISED	DESCRIPTION		BY
9/29/17	PER TITLE QUINON		FBM
DATE OF LAST FIELD WORK: 7/25/17			
DRAWN	CHECKED	SCALE	PROJ. B.
FBM	PHH	1"=50'	TQE-SE-6717
SURVEY DATE		FILE NO.	SHT. - 4
7/25/17		46-03-03	OF - 4
FLORIDA CERTIFICATE OF AUTHORIZATION # L16693			

DEC 2017-00018

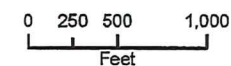
DCI 2017-00018



DCI2017-00018 Zoning

Legend

- Parcel Boundary
- Subject Parcel



LOCATED IN SECTION 03, TOWNSHIP 46-S, RANGE 25-E, LEE COUNTY, FLORIDA

FLORIDA GULF COAST BUSINESS CENTER

PROJECT SUMMARY:

ZONING/REZONING
AG-2 TO MPD

STRAP #'s
03-46-25-00-00001.1020 AND 03-46-25-00-00001.1050

PROJECT ACREAGE
78.84 ACRES (3,434,202 SF)

PROJECT INTENSITY	
INDUSTRIAL	505,000 SF (56.4%)
OFFICE	249,000 SF (27.8%)
RETAIL	142,000 SF (15.8%)
TOTAL	896,000 SF (100.0%)

OPEN SPACE	
INDUSTRIAL @ 18% (33.10 ACRES)	5.96 ACRES
COMMERCIAL @ 22% OR 25% (41.22 ACRES)	9.74 ACRES
INDIGENOUS PRESERVE (4.52 ACRES)	4.52 ACRES
TOTAL	20.22 ACRES

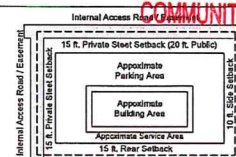
See Open Space Exhibit for breakdown of Open Space Per Lot

DEVIATIONS



LOT SIZES ARE MEASURED TO THE
CENTERLINE OF THE ROAD
PLATTED LOT SIZES MAY BE
SMALLER SIZE SINCE THEY WILL
EXCLUDE THE ROAD

LOT LINES ARE SHOWN TO REFLECT GENERAL CONFIGURATION OF THE DEVELOPMENT. PARCELS MAY BE COMBINED OR SUBDIVIDED AND ROADS SHOWN AS OPTIONAL, MAY BE OMITTED TO ALLOW ADJACENT LOTS TO BE COMBINED



TYPICAL LOT LAYOUT



Quattrone & Associates, Inc.

Engineers, Planners, & Development Consultants

4301 Veronica Shoemaker Blvd. | Fort Myers, FL 33916 | 239.936.5222 | QAInc.net

DCI 3017 00010

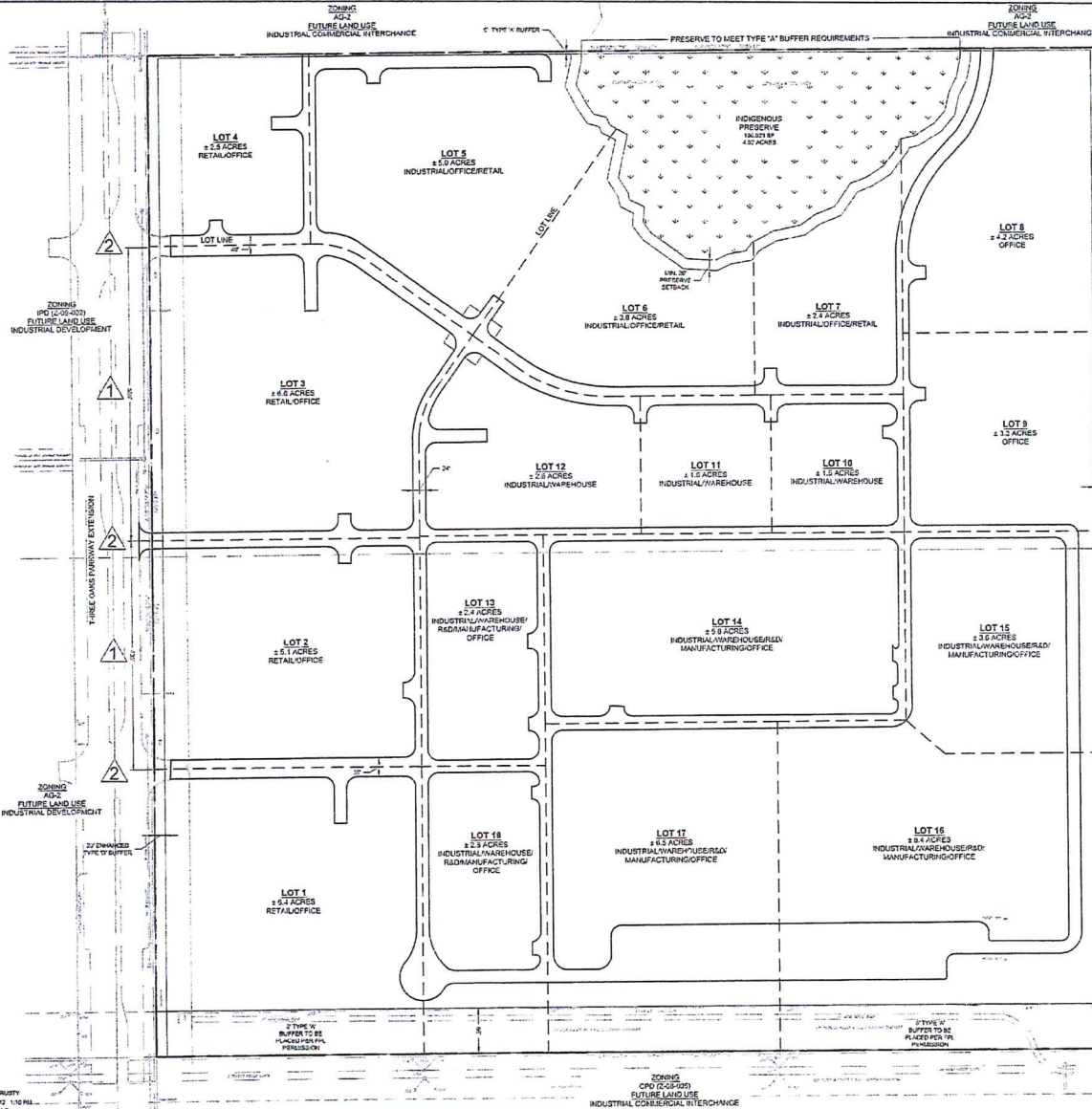
DCI 2017-00018

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FLORIDA GULF COAST BUSINESS CENTER

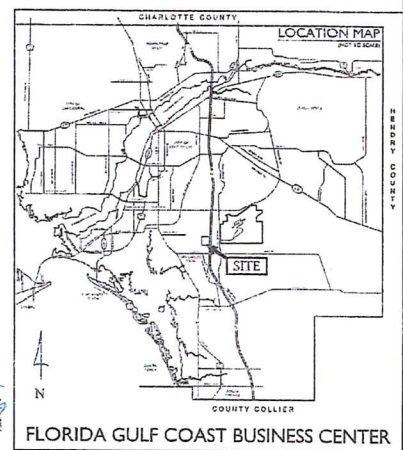
LOCATED IN SECTION 03, TOWNSHIP 46-S, RANGE 25-E, LEE COUNTY, FLORIDA

D-7-M
OPEN SPACE EXHIBIT



Approved as Exhibit
MCP Page 2 of 2
Resolution # Z-18-001

APPROVED
Master Concept Plan
Site Plan # 2-18-001 Page 2 of 5
Subject to conditions to Resolution Z-18-001
Case # 2018001587106



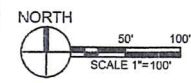
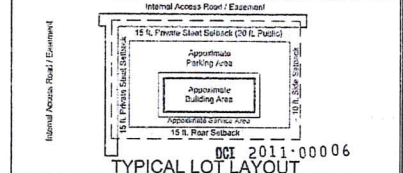
OPEN SPACE SUMMARY:

PROJECT ACREAGE
78.84 ACRES (3,434,202 SF)

OPEN SPACE TABLE

Lot	Acres	Land Use	Min. Percent	Min. Acreage
1	6.40	Commercial	25%	1.50
2	5.10	Commercial	25%	1.30
3	6.60	Commercial	25%	1.30
4	2.50	Commercial	25%	0.60
5	6.90	Commercial/Industrial	22%	1.10
6	2.80	Commercial/Industrial	22%	0.60
7	2.40	Commercial/Industrial	22%	0.60
8	4.20	Commercial	25%	1.00
9	3.30	Commercial	25%	0.80
10	1.50	Industrial	18%	0.30
11	1.50	Industrial	18%	0.30
12	2.30	Industrial	18%	0.50
13	2.40	Industrial	18%	0.40
14	5.60	Industrial	18%	1.00
15	3.60	Industrial	18%	0.60
16	8.40	Industrial	18%	1.50
17	6.50	Industrial	18%	1.20
18	2.60	Industrial	18%	0.50
PRE	4.52	Preserve	100%	4.52
TOT	78.84	-	-	20.22

*Surveyed land area is 78.84 acres—0.2 acre difference is due to rounding



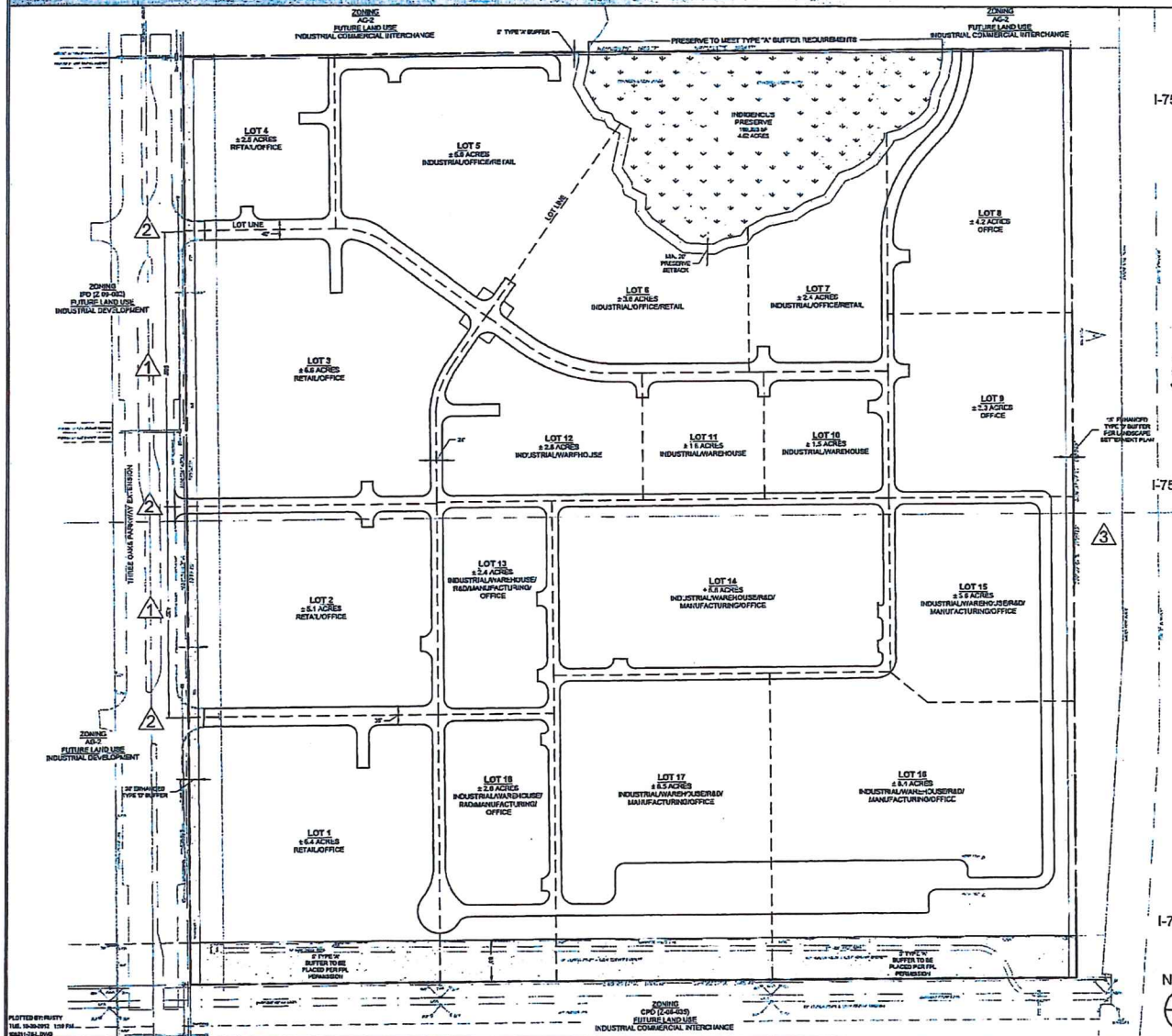
Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
4001 Veranda Boulevard NW #4 | Fort Myers, FL 33916 | 239.536.5222 | Q@attn.com

FLORIDA GULF COAST BUSINESS CENTER

LOCATED IN SECTION 03, TOWNSHIP 46-S, RANGE 25-E, LEE COUNTY, FLORIDA

D-7-M
OPEN SPACE EXHIBIT

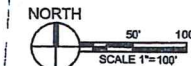
EXHIBIT D



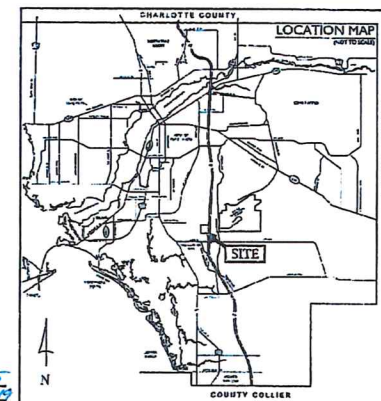
I-75

I-75

I-75



APPROVED
Master Concept Plan
Site Plan: 12-19-12 Page 1
Subject to conditions in Resolution 12-19-12
Case: 12-19-12-00006



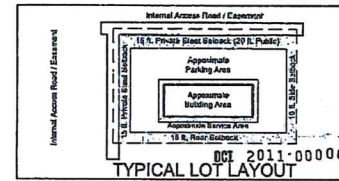
FLORIDA GULF COAST BUSINESS CENTER

OPEN SPACE SUMMARY:

PROJECT ACREAGE
78.84 ACRES (3,434,202 SF)

OPEN SPACE-TABLE				
Lot	Acreage	Land Use	Min. Percent	Min. Acreage
1	6.40	Commercial	25%	1.60
2	9.10	Commercial	25%	1.33
3	6.60	Commercial	25%	1.65
4	2.50	Commercial	25%	0.63
5	5.00	Commercial/Industrial	22%	1.10
6	3.80	Commercial/Industrial	22%	0.84
7	2.40	Commercial/Industrial	22%	0.53
8	4.20	Commercial	25%	1.05
9	3.30	Commercial	25%	0.83
10	1.50	Industrial	18%	0.27
11	1.60	Industrial	18%	0.29
12	2.80	Industrial	18%	0.50
13	2.40	Industrial	18%	0.43
14	5.60	Industrial	18%	1.01
15	3.60	Industrial	18%	0.65
16	8.40	Industrial	18%	1.51
17	6.50	Industrial	18%	1.17
18	2.80	Industrial	18%	0.50
PRE	4.52	Preserve	100%	4.52
TOT	78.84			20.22

*Surveyed land area is 78.84 acres—0.2 acre difference is due to rounding



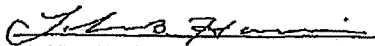
Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
401 Virginia Boulevard, Suite 100 | Fort Myers, FL 33901 | 239.534.5332 | QAC@aol.com

DESCRIPTION:

A TRACT OR PARCEL OF LAND LYING IN SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE AFORESAID SECTION 3; THENCE RUN N.89°24'36"E. ALONG THE NORTH LINE OF SAID SECTION 3 FOR 1580.74 FEET TO THE CENTERLINE EXTENSION OF THREE OAKS PARKWAY (150.00 FEET WIDE); THENCE RUN S.00°36'43"E. (ALONG SAID CENTERLINE EXTENSION) FOR 2097.04 FEET TO A POINT ON THE CENTERLINE OF SAID THREE OAKS PARKWAY; THENCE RUN N.89°23'17"E. FOR 75.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF SAID THREE OAKS PARKWAY AND THE POINT OF BEGINNING; THENCE CONTINUE N.89°23'17"E. FOR 1808.17 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY # 75; THENCE RUN S.00°37'07"E. ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 1899.15 FEET TO A POINT ON THE CENTERLINE OF A 170 FEET WIDE FLORIDA POWER & LIGHT COMPANY EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 876, PAGE 610, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN S.89°23'17"W. ALONG THE CENTERLINE OF SAID EASEMENT FOR 1808.40 FEET TO THE EAST RIGHT-OF-WAY LINE OF THE AFORESAID THREE OAKS PARKWAY; THENCE RUN N.00°36'43"W. ALONG SAID EAST RIGHT-OF-WAY LINE FOR 1899.15 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 78.838 ACRES, MORE OR LESS AS EXISTING AGRICULTURAL USES AT THE TIME OF ZONING APPLICATION.


JOHN B. HARRIS
PLS #4631
SEPTEMBER 12, 2011

TOPE 17-18 LD

DCI 2011-00006

RECEIVED
SEP 13 2011

EXHIBIT PH-3.1.2

AFFIDAVIT REGARDING PROPOSED USE

The undersigned swears or affirms under oath, that he is the fee owner, trustee or managing member of the property commonly known as STRAP# 03-46-25-00-00001.1020 and 03-46-25-00-00001.1050.

The property described herein is the subject of an application for zoning or development.

At the time of zoning application NO BUILDINGS OR STRUCTURES were present on the site. The site is currently used as livestock pasture with an agricultural exemption in place.

FURTHER AFFIANT SAYETH NAUGHT.

Alan Freeman
Signature of Owner or Representative

Alan Freeman
Printed Name and Title

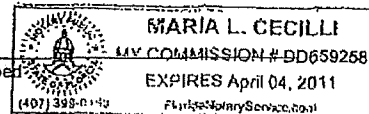
Paul H. Freeman Trust
Entity

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 31st day of December, 2010, by
Alan Freeman, who is personally known to me or who has produced
_____ as identification.

Maria L. Cecilli
Signature of person taking oath or affirmation

Maria L. Cecilli
Name typed, printed or stamped



Title or rank

Serial number, if any

RECEIVED
MAR 29 2011

COMMUNITY DEVELOPMENT

OCI 2011-00006

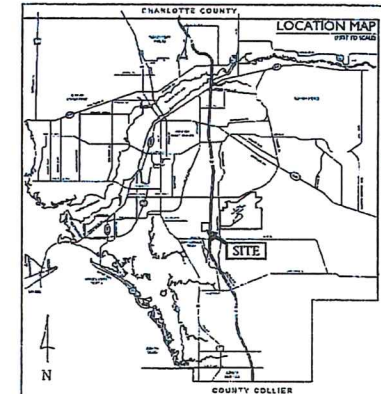
Exhibit D
Page 1 of 2

EXHIBIT E

FLORIDA GULF COAST BUSINESS CENTER

LOCATED IN SECTION 03, TOWNSHIP 46-S, RANGE 25-E, LEE COUNTY, FLORIDA

CONCEPTUAL LANDSCAPE BETTERMENT PLAN FOR I-75



FLORIDA GULF COAST BUSINESS CENTER

LANDSCAPE BETTERMENT PLAN SUMMARY

TYPICAL 300' SECTION OF
ENHANCED TYPE 'D' BUFFER ABUTTING I-75

TYPE 'D' REQUIRED PLANTINGS MET THROUGH
CLUSTERING PER 300'.

CLUSTERED TREE AREAS = 20' DEEP

25% OF REQUIRED TREES TO BE 14 FT IN HEIGHT

15 CANOPY TREES AND 3 PALMS PER 300 FT

LDC SEC 415(4)(3) BUFFERING OF ADJACENT PROPERTIES			
EAST PROPERTY LINE			
ABUTTING USE	ROW	RIGHT-OF-WAY	
		BUFFER WIDTH	WALL REQUIRED
	D	15'	NO
BUFFER LENGTH			1,000' LIFT
REDUCED BY EASEMENTS, BUFFERS OR DRIVES			0' LIFT
VEGETATED BUFFER LENGTH			1,000' LIFT
TREES REQUIRED	5 14" DBH/100'		95 TREES
TREES PROVIDED			114 TREES
SHRUBS REQUIRED	65 5" DBH/100'		1,253 SHRUBS
SHRUBS PROVIDED			1,266 SHRUBS

QUANTITY	COMMON NAME	SPECIFICATION	STATUS
55	CANOPY TREES	10'-14" HT.; 2" CAL.; 4' SPREAD	NATIVE
19	PALMS	10' CLEAR TRUNK MIN.; 16' MIN. HT.	NATIVE
1,266	SHRUBS	24" HT., 23 CONTAINER 36" O.C.	NATIVE

APPROVED
Master Concept Plan
Date: 12/19/14
Page: 3 of 5
Subject: Landscape Architecture
Comments: 12/24/14 - 12/24/14

DCI 2011-00006

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
One Yonkers Boulevard Blvd. | Fort Myers, FL 33916 | 239.936.7222 | QACent

EXHIBIT E

ADMINISTRATIVE AMENDMENT (PD) ADD2020-00139

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Quattrone & Associates, Inc. filed an application for an administrative amendment to an Industrial Planned Development on a project known as Florida Gulf Coast Business Center to adopt a revised Master Concept Plan, Modify the Development Parameters, amend the schedule of uses to increase the medical office floor area from 100,000 to 180,000 square feet, and grant the following sign deviations:

Deviation from LDC Section 30-153(2), which establishes a maximum sign copy area of 200 square feet for ground-mounted identification signs located on property with 200 feet of road frontage or greater, to allow 300 square feet; and from LDC Section 30-153(2)a.2., which establishes the height for a ground-mounted identification sign to a maximum of 24 feet, to allow 35 feet for a ground-mounted sign along I-75.

on property described as:

LEGAL DESCRIPTION: In Section 03, Township 46 South, Range 25 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the property was originally rezoned in resolution number Z-18-001 (with subsequent amendments in case numbers ADD2018-00055 and ADD2018-00103); and

WHEREAS, the subject property is located in the Industrial Commercial Interchange Future Land Use Category as designated by the Lee Plan; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the applicant requested to amend the Master Concept Plan by combining and reducing the number of lots, modifying internal circulation and completing other minor modifications; and

WHEREAS, the applicant has provided an Open Space Exhibit to demonstrate compliance with the open space requirements of the Planned Development; and

WHEREAS, the applicant requests to modify condition 1-c (Development Parameters) of Resolution Z-18-001 by decreasing the maximum floor area for the development from 896,000 square feet to 873,001 square feet, decreasing the maximum floor area for industrial uses from 505,000 square feet to 448,001 square feet, increasing the maximum commercial office area from 249,000 square feet to 405,000 square feet, and

decreasing the maximum commercial retail area from 142,000 square feet to 20,000 square feet; and

WHEREAS, the applicant requests to modify condition 2a (schedule of uses), which limits the floor area of Medical Offices to 100,000 square feet to allow for up to 180,000 square feet; and

WHEREAS, the applicant requests two sign deviations to allow a ground-mounted sign 35 feet in height and 300 square feet in copy area, of which a maximum of 200 square feet may be electronic changing message sign along Interstate 75; and

WHEREAS, the applicant has provided a sign placement exhibit to indicate the locations and setbacks of the proposed signs, including the sign along I-75; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, the floor area of industrial uses will exceed the minimum requirements of 50 percent of total floor area, as required by Lee Plan Policy 1.3.4; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to an Industrial Planned Development on a project known as Florida Gulf Coast Business Center to adopt a revised Master Concept Plan, Modify the Development Parameters, including increasing the medical office floor area from 100,000 to 180,000 sf., and grant two new sign deviations is **APPROVED subject to the following conditions:**

1. **The Development must be in compliance with the amended Master Concept Plan for ADD2020-00139. A reduced copy is attached hereto as Exhibit "B".**
2. **The ground sign along I-75 is limited to the height of 35 feet and the copy area of 300 square feet. The electronic changing message area is limited to a maximum of 200 square feet. The sign must be installed in substantial compliance with the "Sign Plan" attached hereto as Exhibit "C".**
3. **Condition 1-c of Resolution Z-18-001 is hereby amended to read as follows:**
 - c. ***Development Parameters: Maximum Floor Area 873,001 square feet; of which a maximum of 448,001 square feet may be industrial; 405,000 square feet may be commercial office; 20,000 square feet may be commercial retail; and a maximum of 200 hotel rooms.***

4. **Condition 2-a (Schedule of Uses) of Resolution Z-18-001 is hereby amended to increase the floor area of Medical Office from 100,000 square feet to 180,000 square feet.**
2. **The terms and conditions of the original zoning resolutions remain in full force and effect, except as amended herein.**
3. **If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Zoning Manager may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.**

Duly passed, adopted, and electronically signed on 12/17/2020

Anthony Rodriguez, Principal Planner , Interim Zoning Manager

Attachments: Exhibit "A" Legal STRAP Number
Exhibit "B" Master Concept Plan
Exhibit "C" Sign Placement Plan
Exhibit "D" Open Space plan

EXHIBIT A

CASE NUMBER: ADD2020-00139

LEGAL DESCRIPTION

FLORIDA GULF COAST BUSINESS CENTER PHASE 2, AS SHOWN ON
PLAT RECORDED IN INSTRUMENT #2020000002080 OF THE PUBLIC
RECORDS OF LEE COUNTY FLORIDA

STRAP NUMBER

Lot 4 03-46-25-L1-05000.0040
Lot 5 03-46-25-L1-05000.0050
Lot 6 03-46-25-L2-05000.0060
Lot 7 03-46-25-L2-05000.0070
Lot 8 03-46-25-L1-05000.0080
Tract E 03-46-25-L1-0500E.0000
Tract F 03-46-25-L2-0500F.0000
Tract R-1 03-46-25-L2-050R1.00CE
Tract R-2 03-46-25-L2-050R2.00CE

FLORIDA GULF COAST BUSINESS CENTER, AS SHOWN ON
PLAT RECORDED IN INSTRUMENT #2018000283444 OF THE PUBLIC
RECORDS OF LEE COUNTY FLORIDA

STRAP NUMBER

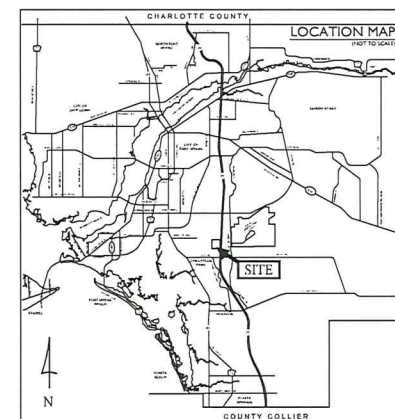
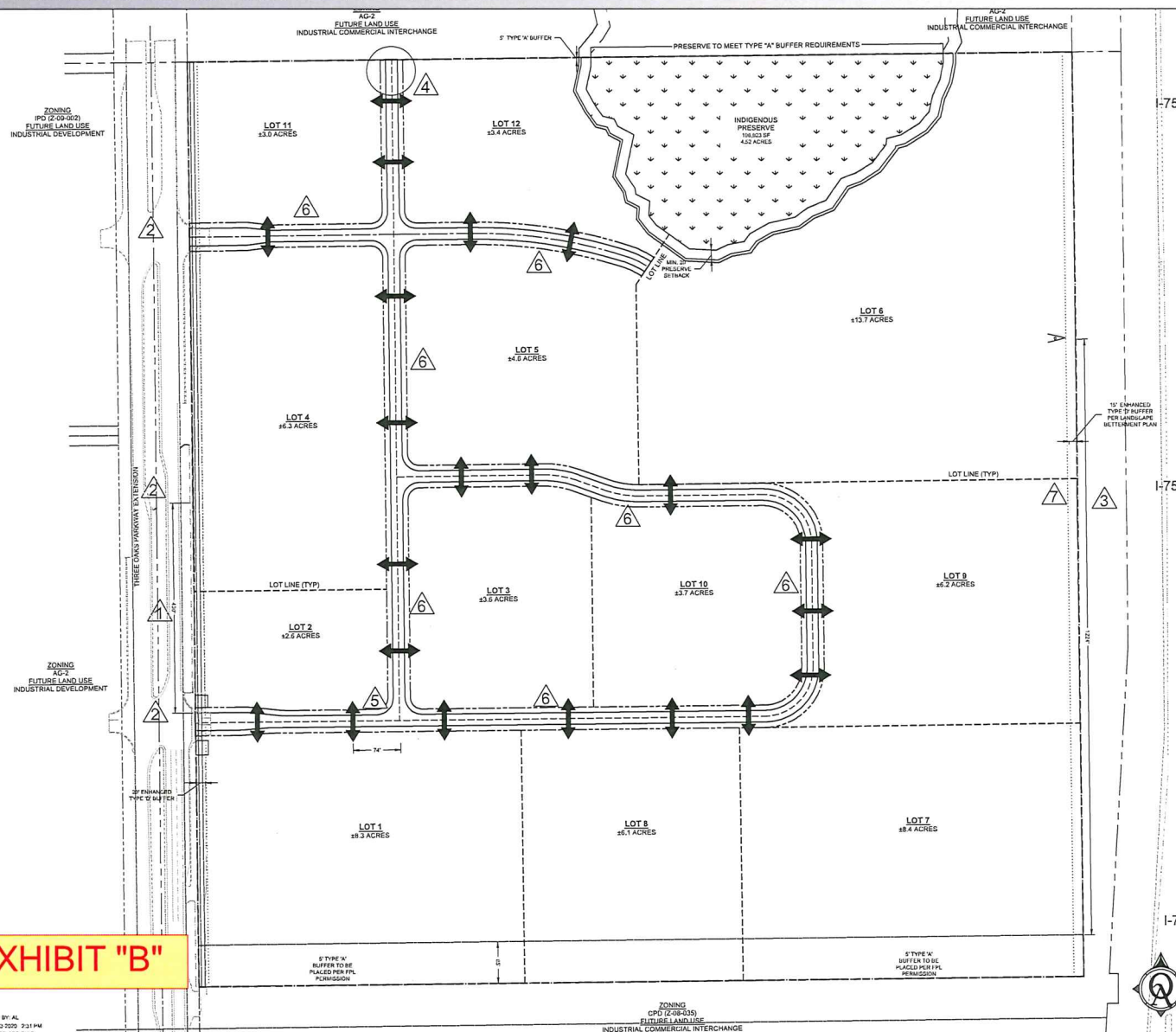
Lot 1 03-46-25-L1-04000.0010
Lot 2 03-46-25-L1-04000.0020
Tract D 03-46-25-L2-0400D.00CE

REVIEWED
ADD2020-00139
Rick Burris, Principal
Planner
Lee County DCD/Planning
12/10/2020

FLORIDA GULF COAST BUSINESS CENTER

LOCATED IN SECTION 03, TOWNSHIP 46-S, RANGE 25-E, LEE COUNTY, FLORIDA.

MASTER CONCEPT PLAN



FLORIDA GULF COAST BUSINESS CENTER

PROJECT SUMMARY:

ZONING/REZONING
AG-2 TO MPD

STRAP #'s
03-46-25-00-00001.1020 AND 03-46-25-00-00001.1050

PROJECT ACREAGE
78.84 ACRES (3,434,202 SF)

PROJECT INTENSITY	
INDUSTRIAL	448,001 SF (51.3%)
OFFICE	405,000 SF (46.4%)
RETAIL	20,000 SF (2.3%)
TOTAL	873,001 SF (100.0%)

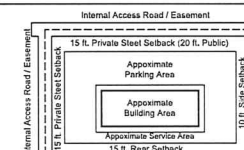
OPEN SPACE	
INDUSTRIAL @ 18% (11.90 ACRES)	2.14 ACRES
COMMERCIAL @ 22% OR 25% (58.00 ACRES)	13.56 ACRES
RIGHT-OF-WAY (4.42 ACRES)	0.00 ACRES
INDIGENOUS PRESERVE (4.52 ACRES)	4.52 ACRES
TOTAL	20.22 ACRES

See Open Space Exhibit for breakdown of Open Space Per Lot

DEVIATIONS

 DEVIATION SYMBOL

 DEVIATION #6 IS APPLICABLE
TO ALL PRIVATE ROADS



TYPICAL LOT LAYOUT



EXHIBIT "B"

PLOTTED BY: AL
TUE, 10-13-2022 2:31 PM
170508 MCH-ADD.DWG

ZONING
CPD (Z-08-035)
FUTURE LAND USE
INDUSTRIAL COMMERCIAL INTERCHANGE



Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants

4301 Veronica Shoemaker Blvd. | Fort Myers, FL 33916 | 239.936.5222 | QAIInc.net

FLORIDA GULF COAST BUSINESS CENTER

LOCATED IN SECTION 03, TOWNSHIP 46-S, RANGE 25-E, LEE COUNTY, FLORIDA

THREE OAKS PARKWAY SIGN PLACEMENT PLAN

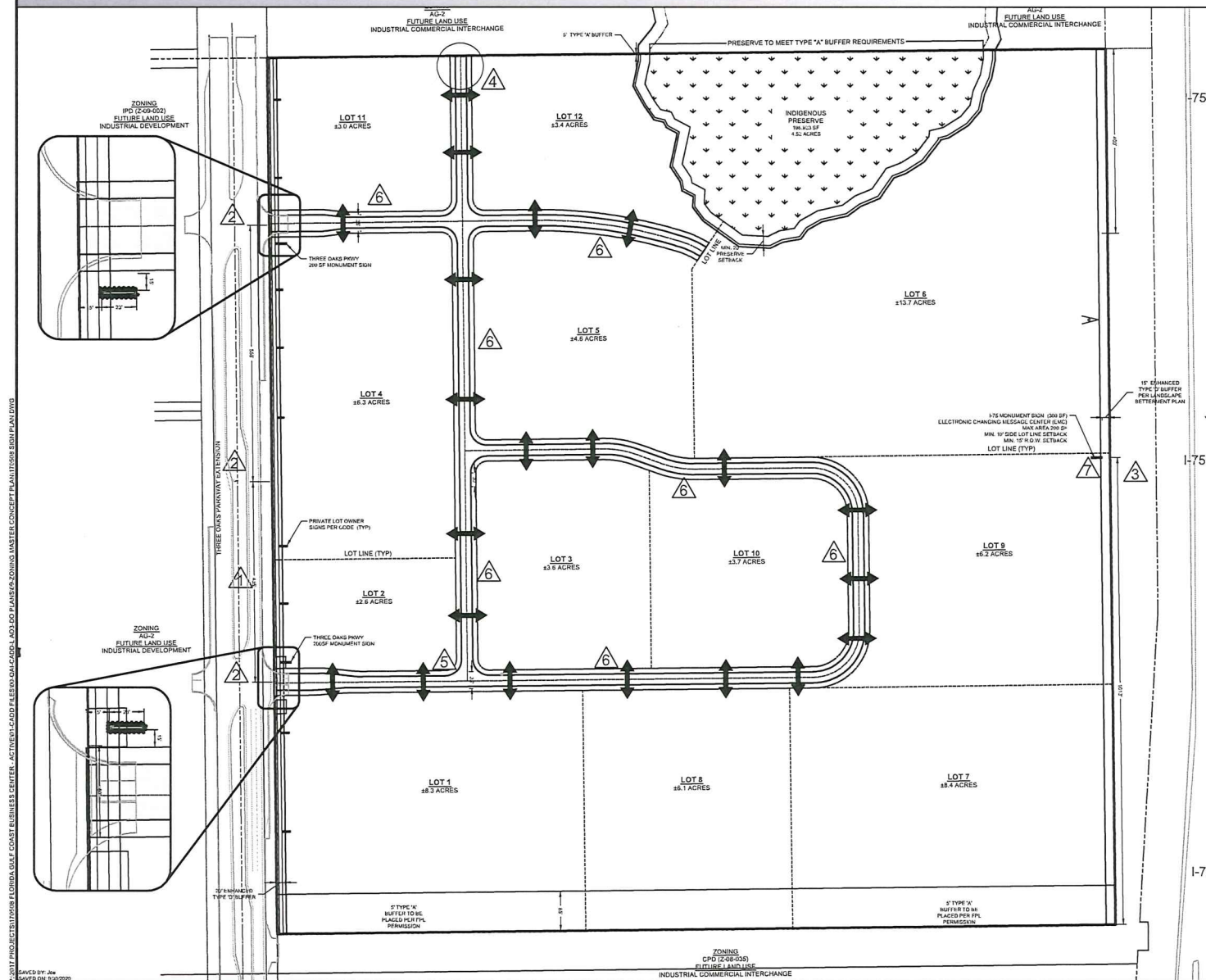
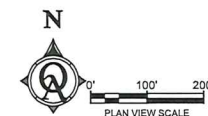


EXHIBIT "C"

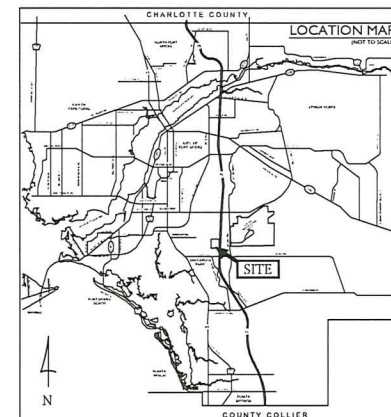
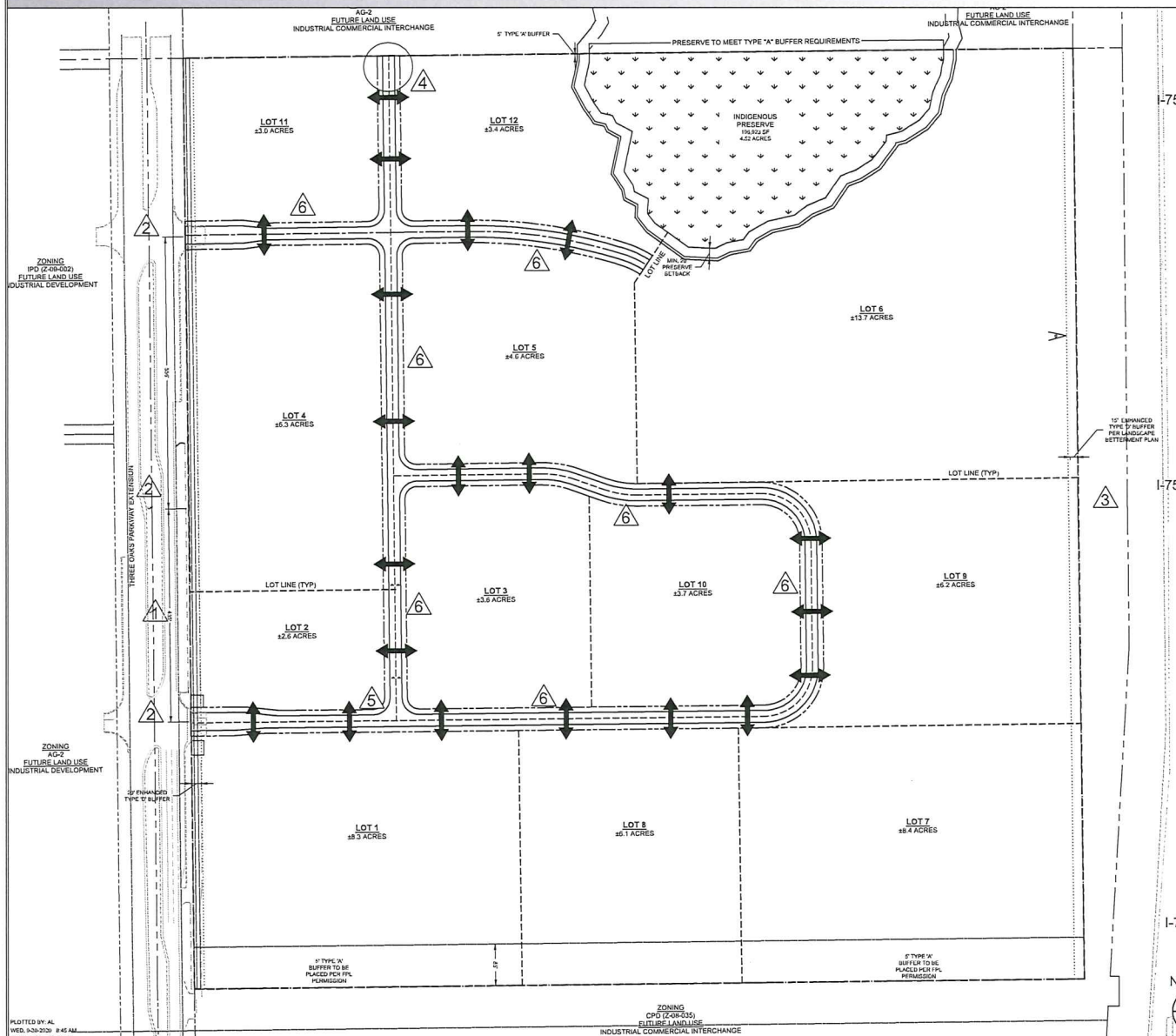


Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
4001 Veronica Shumaker Blvd. | Fort Myers, FL 33916 | 239.936.5222 | QAInc.net

FLORIDA GULF COAST BUSINESS CENTER

LOCATED IN SECTION 03, TOWNSHIP 46-S, RANGE 25-E, LEE COUNTY, FLORIDA

D-7-M
OPEN SPACE EXHIBIT



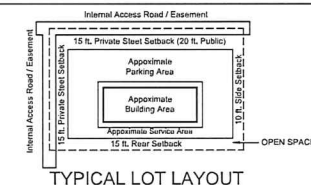
FLORIDA GULF COAST BUSINESS CENTER

OPEN SPACE SUMMARY:

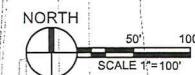
PROJECT ACREAGE
78.84 ACRES (3,434,202 SF)

OPEN SPACE TABLE				
Lot	Acreage	Land Use	Min. Percent	Min. Acreage
1	8.30	Commercial/Industrial	22%	1.83
2	2.60	Commercial	25%	0.65
3	3.60	Industrial	18%	0.65
4	6.30	Commercial	25%	1.58
5	4.60	Industrial	18%	0.83
6	13.70	Commercial/Industrial	22%	3.01
7	8.40	Commercial	25%	2.10
8	6.10	Commercial/Industrial	22%	1.34
9	6.20	Commercial	25%	1.55
10	3.70	Industrial	18%	0.67
11	3.00	Commercial	25%	0.75
12	3.40	Commercial/Industrial	22%	0.75
ROW	4.42	Right-of-Way	0%	0.00
PRE	4.52	Preserve	100%	4.52
TOT	78.84			20.22

EXHIBIT "D"



TYPICAL LOT LAYOUT



Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
4101 Yonkers Shoemaker Blvd. | Fort Myers, FL 33916 | 239.936.5222 | QAInc.net

ATTACHMENT K

RESOLUTION NUMBER Z-21-009

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA

WHEREAS, Waldrop Engineering, P.A., filed an application on behalf of the property owner, Youngquist Brothers Family Holdings, LLC, to amend the Youngquist Trade Center Mixed Use Planned Development (MPD) in reference to Youngquist Trade Center; and

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Donna Marie Collins, was advertised and held on July 29, 2021; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case #DCI2021-00002 and recommended APPROVAL of the Request with conditions; and

WHEREAS, a second public hearing was advertised and held on September 8, 2021 before the Lee County Board of Commissioners; and,

WHEREAS, the Lee County Board of Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant filed a request to amend the Youngquist Trade Center Mixed Use Planned Development (MPD) to:

- Increase approved industrial square footage from 1,400,000 to 2,500,000;
- Increase approved office square footage from 131,000 sq. ft. to 225,000;
- Add a maximum of 200,000 sq. ft. of medical office; and
- Allow for the development of 360 hotel rooms without reducing approved square footage of other approved uses.

The property is located in the Tradeport and Wetland Future Land Use Categories and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. Development must be consistent with the 2-page MCP entitled "Youngquist Trade Center Master Concept Plan" prepared by Waldrop Engineering, date stamped received June 18, 2019, and attached hereto as Exhibit C, except as modified by the conditions below. Development must comply with the Lee Plan and the LDC at time of local development order approval, except where deviations have been approved by this resolution. Changes to the MCP require further development approvals.

2. The following limits apply to the project and uses:

a. Schedule of Uses:

Accessory Uses and Structures
Administrative Offices
Agricultural Uses: See Condition 5
Aircraft Food Service and Catering
Amusement Parks
Animals: Clinic or kennel
ATM (automatic teller machine)
Auto Parts Store, with installation services
Auto Repair and Service, all groups
Automobile Service Station
Bait and Tackle Shop
Banks and Financial Establishments: all groups
Bar and Cocktail Lounge, in conjunction with a restaurant
Billboards, existing only
Boardwalks
Boats, boat part store boat repair and service
Boat Sales
Broadcast Studio, Commercial Radio and Television
Building Material Sales
Business Services: All groups
Bus Station/Depot
Car Wash
Cleaning and Maintenance Services
Clothing Store, general
Clubs, commercial, fraternal, membership organization, and private
Cold Storage, Pre-Cooling, Warehouse and Processing Plant
Communication Facilities, Wireless, subject to Condition 10
Computer and Data Processing Service
Consumption on Premises, in conjunction with a restaurant
Convenience Food and Beverage Store with Fuel Pumps, limited to one (1) store
with 36 fuel pumps
Contractors and Builders: All groups
Drive-Through Facility for Any Permitted Use
Emergency Operations Center
EMS, Fire or Sheriff's Station
Entrance Gates and Gatehouse
Essential Services
Essential Service Facilities: Groups I and II (Group II is limited to communication,
telephone and electrical distribution facilities, and electrical substations)
Excavation: Water retention, including dewatering
Factory Outlets, point of manufacture only
Fences and Walls
Food and Beverage Services, limited
Food Stores: all groups
Freight and Cargo Handling Establishments
Gasoline Dispensing Systems, Special
Gift and Souvenir Shop

Government Maintenance Facility
 Healthcare Facilities, Group III
 Heliport or Helistop, subject to Condition 11
 Hobby, Toy, and Game Shops
 Hotels/ Motels – limited to 360 rooms
 Household and Office Furnishings, All Groups
 Lawn and Garden Supply Stores
 Laundry or Dry Cleaning: All Groups
 Manufacturing of:
 Apparel products
 Boats
 Chemical and allied products: Groups I and II, (Group II is limited to cosmetics, perfumes, soaps, detergents, and other toilet preparations)
 Electrical machinery and equipment, all operations must be conducted within a fully enclosed building
 Fabricated metal products: Group II, all operations must be conducted within a fully enclosed building
 Food and kindred products: Groups II and III
 Furniture and Fixtures, all operations must be conducted within a fully enclosed building
 Leather products: Group II
 Lumber and wood products: Group II, III, IV, V and VI
 Measuring, analyzing and controlling instruments
 Novelties, jewelry, toys and signs: All Groups
 Paper and allied products: Groups II and III
 Rubber and plastic products: All Groups
 Stone, clay, glass and concrete products: Group I
 Textile mill products: All groups
 Transportation equipment: Groups I and II
 Medical Office
 Mini-Warehouse
 Motion Picture Production Studio
 Nightclubs
 Non-Store Retailers: All groups
 Package Store, limited to one
 Paint and Glass and Wallpaper
 Parcel and Express Services
 Parking Lot:
 Accessory
 Commercial, subject to Condition 13
 Garage, public parking, subject to Condition 13
 Temporary
 Personal Services: Groups I, II, III and IV except for massage parlors, palm readers, fortune tellers, card readers and tattoo parlors
 Pet Services
 Photofinishing Laboratory
 Post Office
 Printing and Publishing
 Processing and Warehousing
 Real Estate Sales Office, for sale of lots/structures within the development only

Recreational Facilities: All groups excluding outdoor gun ranges
 Rental or Leasing Establishment: Groups II, III, and IV
 Repair Shops: Groups I, II, III, IV, and V
 Research and Development Laboratories: All groups
 Restaurants: All groups including fast food
 Retail and Wholesale Sales, when clearly incidental and subordinate to a permitted principal use on the same premises
 Schools, Commercial, (excluding charter and private schools unless located in a multitenant building) – prohibited in Airport Noise Zone B
 Signs including one (1) interstate highway interchange area identification sign, subject to Conditions 12 and 16
 Social Services, Groups I and II
 Specialty Retail Shops: All groups
 Storage:
 Indoor
 Open, including RV storage
 Technical Training Facilities
 Temporary Uses
 Transportation Services: Groups II, III, and IV
 Trucking Terminal
 Used Merchandise Stores: All groups
 Variety Store
 Vehicle and Equipment Dealers: All groups
 Warehouse:
 Private
 Public
 Wholesale Establishments: Groups III, and IV

b. Site Development Regulations

i. Office, Retail, and Mixed Use Development

Minimum Lot Area and Dimensions:

Minimum Lot Area: 7,500 square feet, 10,000 square feet for mixed use buildings

Minimum Lot Width: 75 feet

Minimum Lot Depth: 100 feet

Minimum Setbacks:

Ben Hill Griffin Parkway: 25 feet

Interstate 75: 30 feet

Internal Streets: 20 feet

Side: 10 feet

Rear: 20 feet

Accessory: 5 feet

Waterbody: 20 feet, 0 feet waterbody setback for decks, patios, and boardwalks accessory to restaurants, hotels, health clubs/spas, and offices.

Preserve: 25 feet

Minimum Building Separation: $\frac{1}{2}$ sum of the building height, or 20 feet,
whichever is greater

Maximum Building Height: 75 feet

Maximum Lot Coverage: 55%

ii. Hotel/Motel Development

Minimum Lot Area and Dimensions:

Minimum Lot Area: 20,000 square feet

Minimum Lot Width: 100 feet

Minimum Lot Depth: 100 feet

Minimum Setbacks:

Ben Hill Griffin Parkway: 25 feet

Interstate 75: 30 feet

Internal Streets: 20 feet

Side: 10 feet

Rear: 20 feet

Accessory: 5 feet

Waterbody: 20 feet, 0 feet waterbody setback for decks,
patios, and boardwalks accessory to
restaurants, hotels, health clubs/spas, and
offices.

Preserve: 25 feet

Minimum Building Separation: $\frac{1}{2}$ sum of the building height, or 20 feet,
whichever is greater

Maximum Building Height: 120 feet

Maximum Lot Coverage: 55%

iii. Industrial Development

Minimum Lot Area and Dimensions:

Minimum Lot Area: 25,000 square feet

Minimum Lot Width: 100 feet

Minimum Lot Depth: 100 feet

Minimum Setbacks:

Ben Hill Griffin Parkway: 25 feet for all buildings conforming to LDC
design standards and guidelines for
commercial buildings. 100 feet for buildings
that do not conform to the LDC design
standards and guidelines for commercial
buildings (see Condition 9)

Interstate 75: 30 feet

Internal Streets: 20 feet

Side: 10 feet

Rear: 20 feet

Accessory: 5 feet

Waterbody:	20 feet, 0 feet waterbody setback for decks, patios, and boardwalks accessory to restaurants, hotels, health clubs/spas, and offices.
Preserve:	25 feet
Minimum Building Separation:	$\frac{1}{2}$ sum of the building height, or 20 feet, whichever is greater
Maximum Building Height:	75 feet
Maximum Lot Coverage:	65%

3. Development Parameters

- a. The floor area for the development will not exceed 2,500,000 square feet of light industrial uses, 175,000 square feet of commercial retail development and 225,000 square feet commercial office development, 200,000 square feet of medical office development, and up to 360 hotel/motel rooms.
- b. Permitted restaurant gross floor area includes restaurant outdoor seating areas.
- c. The developer must submit a report/tabulation with every Local development order application itemizing:
 - i. the intensity of commercial, office, and industrial uses (expressed as square footages), and the number of hotel rooms, proposed by the application;
 - ii. the cumulative total intensity of uses permitted by previous development order approvals; and
 - iii. remaining intensity available for future development.

4. Environmental

- a. Development order plans must be in substantial compliance with the open space table and delineate preserves in substantial compliance with the MCP. A minimum of 40.36+/- acres of existing indigenous plant communities must be preserved within the approximately 83.15-acre preserve on Parcel A, and 0.83+/- acres of existing indigenous plant communities must be preserved within the 4.15 acre preserve on Parcel B.
- b. The developer must coordinate removal of invasive exotic plants within preserve areas with the Division of Environmental staff. The developer must utilize hand removal methods within indigenous plant communities with 75% or less invasive exotic plant coverage.
- c. The developer must survey the portion of the property to be cleared pursuant to a development order application for active Big Cypress Fox Squirrel nests prior to issuance of a Vegetation Removal Permit. If the survey identifies active Big Cypress Fox Squirrel nests, the developer must protect the nests with a 125-foot buffer until the nest is confirmed inactive. Onsite preserves provide adequate

habitat for Big Cypress Fox Squirrels, therefore no additional preserves will be required if Big Cypress Fox Squirrels nests are identified.

5. Existing Agricultural Use

Existing bona fide agricultural uses may continue in compliance with the following:

- a. Bona fide agricultural uses in existence at the time of this resolution and as shown on Exhibit "D" attached hereto may continue until approval of a local development order for vertical construction for the lot or parcel containing those uses.
- b. The property owner must terminate the agricultural tax exemption for the lot or parcel receiving a local development order for vertical construction. The agricultural use must cease and the exemption termination must be filed with the Property Appraisers Office by December 31st of the calendar year in which the local development order is issued. A copy of the exemption termination must be provided to the Office of the County Attorney.

6. Right-of-way Buffers

a. Interstate 75

Prior to development order approval for vertical construction within Parcels A and B, the development order plans must reflect a 25-foot-wide buffer, within the 50 foot setback, along the west property line.

The buffer must consist of a 2-foot-high berm (3:1 slope) measured from the centerline of the frontage road. The buffer must be planted with 5 trees per 100 linear feet and a double staggered hedge. Palms may substitute for canopy trees at a 3:1 ratio (3 palms to one canopy tree) but may not exceed 50% of the buffer. The landscape plans must specify trees at 14 feet in height and shrubs at 36 inches in height at the time of planting

Required plantings must be installed on the top of the berm or on the west side of the berm near the top.

Trees and shrubs used to meet the buffer requirement must be indigenous to Southwest Florida. Clustering of trees and shrubs is strongly recommended to create visibility windows and provide a more naturalistic buffer with canopy trees and understory vegetation. Post installation, the hedge must be maintained at a minimum 36 inches in height.

b. Ben Hill Griffin Parkway

Prior to development order approval for vertical construction within Parcels A and B, development order plans must reflect a 15-foot right-of-way buffer along Ben Hill Griffin Parkway.

The buffer must consist of a two-foot-high berm with seven (7) trees, 66 shrubs, and 56 ground cover plants per 100 linear feet (excluding the preserve area).

Required plantings must be located on the top of the berm or near the top of the berm on the east side of the berm.

Trees and shrubs used to meet the buffer requirement must be indigenous to Southwest Florida. Clustering of trees and shrubs is strongly recommended to create visibility windows and provide a more naturalistic buffer with canopy trees and understory vegetation.

c. Non-Vertical Development

Prior to the issuance of a development order for infrastructure, developer must demonstrate there is at least 25 feet of existing native vegetation adjacent to I-75 and Ben Hill Griffin Parkway. Development orders for vertical development will trigger the installation of landscape buffers indicated in the paragraphs above.

7. Roadway Access/Drainage

- a. All access points depicted on the master concept plan, for the proposed Ben Hill Griffin Parkway extension, must be consistent with the access spacing requirements established in the October 19, 1999, Memorandum of Understanding between Alico, Inc. and the Lee County Port Authority and with the design of the Ben Hill Griffin Parkway/Treeline project or as agreed to by the parties involved.
- b. In accordance with the October 19, 1999 Memorandum of Understanding between Alico, Inc. and the Lee County Port Authority and South Florida Water Management District Permits for the RSW Midfield Terminal Project, Glevin 275 LLC and Slevin 275 LLC T/C and Airport Interstate Association LLC agree to execute drainage easements consistent with the Ben Hill Griffin Parkway Memorandum of Understanding, as amended and agreed to by both parties.

8. Detention Pond Relocation

Prior to local development order approval, any change in the location of the detention pond (water management area), on the subject property, for Ben Hill Griffin Parkway from Alico Road north to the Midfield terminal must be approved by the South Florida Water Management District and be consistent with the approved October 19, 1999 Memorandum of Understanding between Alico, Inc. and the Lee County Port Authority and South Florida Water Management District Permits, as amended and agreed to by all parties.

9. Buildings and Structures

- a. The primary façade of industrial buildings and structures within 100 feet of Ben Hill Griffin Parkway must comply with the design standards and guidelines for commercial buildings and development set forth in the LDC. Industrial buildings more than 100 feet from Ben Hill Griffin Parkway will not be subject to the commercial building design standards.
- b. All structures must be designed to be architecturally compatible and share a common architectural theme.

- c. The developer may not develop or use the property within the Florida Power and Light (FP&L) easement in a manner inconsistent with that easement. The developer is not required to obtain approval from FP&L to develop within the easement if the developer provides evidence of the legal authority to develop within easement. Such evidence may consist of an attorney opinion the proposed use of the property within the easement does not violate the easement. The attorney rendering the opinion must be board certified in real estate.

10. Wireless Communication Facilities

- a. If approved under the LDC, wireless communication facilities are permitted in the FP&L easement.
- b. Freestanding wireless communication facilities, including stealth towers, are prohibited.
- c. Federal Communication Commission review will be required for any wireless communication facilities to ensure that signals from wireless communication facilities do not interfere with navigation aids and radar at Lee County Port Authority (and Airport).

11. Heliport/Helistops

The developer must fully coordinate future heliports or helistops with, and approved by, the Lee County Port Authority and the Florida Department of Transportation Aviation Office to avoid interference with the operation of the Southwest Florida International Airport.

12. Signs

The developer must submit a unified signage plan for staff review and approval with application for local development order approval subject to Condition 16 and Deviation 10.

13. Commercial Parking Lot/Garage, Public Parking

- a. Square footage of all floor area within commercial parking buildings will be deducted from approved industrial square footage. The ITE Trip Generation does not provide any data for long term car storage, and based on the current information available, the use should be considered industrial.

Applicant/developer has the option of submitting a traffic analysis establishing the actual trip generation rate of the commercial vehicle storage facility with the local development order application. The trip generation analysis will include the following:

- i. Traffic counts conducted at all driveways leading to and from the commercial parking structure for a period not less than three consecutive weekdays. The traffic counts must be conducted during the months of February or March in order to determine the peak season usage of the commercial parking structure. Operators of the facility will be consulted as to the peak months of operation. The facility must be open a minimum of

60 days before conducting a survey for this purpose. Twenty-four hour machine counts must be summarized in tabular form.

- ii. The average weekday P.M. peak hour trip generation will be determined from the three day count.
 - iii. The peak hour trip generation will be analyzed to determine that an industrial land use of similar size to the parking facility does not generate similar P.M. peak hour trips as does a commercial parking structure (i.e. an 80,000 square feet commercial parking facility does not generate the same number of trips as 80,000 square feet of industrial use).
 - iv. The developer will submit this analysis to the Department of Community Development, Development Services Division, in order to request additional industrial floor area, with the overall floor area within the MPD not exceeding the floor area permitted in this resolution.
- b. The commercial parking lot or public parking garage (vehicle storage building) is limited to a maximum of 2,000 vehicles and a maximum height of 75 feet.
- c. Parking Garage buffers:
- i. The east side of the parking structure along Ben Hill Griffin Parkway must include the following vegetation on top of a 2-foot-high meandering berm: eight trees (four canopy at a minimum of 12 feet in height and four palms at a minimum of 30 feet in height at planting), 66 shrubs (minimum 24-inch height, 3-gallon container size at planting, and allowed to grow to their natural height), and 56 ground cover (minimum 1-gallon container size at planting) per 100 linear feet.
 - ii. The north and south sides of the parking structure must include the following vegetation: four palms at a minimum 30-foot in height at planting, four canopy trees at a minimum 12-foot height at planting, and a double staggered hedge (minimum 24-inch height, 3-gallon container size at planting, and allowed to grow to their natural height).
- d. A vehicle storage building must be setback a minimum of 50 feet from Ben Hill Griffin Parkway.

14. Industrial Uses

Industrial uses (manufacturing), located within 100 feet of the Ben Hill Griffin right-of-way are subject to the following standards:

- a. If producing a tangible product, the use or activity must stand at or near the end of the manufacturing process, accounting only for the last steps of preparation or assembly of components or preprocessed materials.
- b. All operations must be conducted within a fully enclosed building.

- c. The use may not emit dust, smoke, odor or other air or water pollutant, glare, sound or other vibration that can be perceived outside the boundaries of the development tract or industrial use area.
- d. Open storage of waste products is prohibited. Open storage of raw materials must be fully screened from external property lines and Ben Hill Griffin Parkway by proposed buildings and/or screening in accordance with the LDC.
- e. Open storage of finished goods awaiting shipment is permitted, provided the storage area meets LDC visibility screening requirements.

15. Interconnection with Adjacent Property

At the time of local development order approval, the roadway interconnections with the two projects to the south (Jetway Tradeport and Airport South Interchange) must be reviewed to ensure the roadways are in alignment.

16. Interstate Highway Interchange Sign

One on-site interstate interchange area sign is permitted within one quarter mile of Interstate 75 and the Airport Direct Connect Ramp. This sign may not 400 square feet in area and 50 feet in height. This sign is in addition to the allowances provided in Deviation 10.

SECTION C. DEVIATIONS:

1. Surface Water Management Systems

Deviation (1) seeks relief from the LDC §10-418(3) requirement to permit a maximum of 20% of lake banks to be comprised of bulkhead or similar hardened shoreline, to allow bulkheads on 30% of the shoreline. This deviation is APPROVED SUBJECT TO the following condition:

Prior to local development order approval, the development order plans must delineate the locations of the bulkheads. Lakes that include up to 20% of the shoreline as bulkhead must be designed to include a compensatory 4:1 lake bank slope equivalent to the linear footage of the bulkhead and also provide one wetland tree per 100 required littoral plants, subject to LDC compensatory calculations. Lakes with 21-30% of the shoreline as bulkhead must be designed to provide a compensatory 4:1 lake bank slope equivalent to the linear feet of bulkhead and also provide two wetland trees per 100 required littoral plants, subject to LDC compensatory calculations. See Deviations 8, 9, and 13.

2. Drainage Easements

Deviation (2) seeks relief from the LDC §10-328(a) requirement to provide a minimum 20 foot wide maintenance access easement along lake perimeters, to allow zero (0) feet where lakes have bulkheads. This deviation is APPROVED SUBJECT TO the following condition:

At the time of development order approval, the developer must demonstrate to Development Services Division that permanent access to the lakes is available to launch a boat(s) to maintain the lake bulkheads.

3. Waterbody Setbacks

Deviation (3) seeks relief from the LDC §34-2194(b) requirement to provide a 25-foot waterbody setback for buildings, to allow a zero-foot setback at bulkhead areas. This deviation is APPROVED SUBJECT TO the site development regulations set forth in Condition 2.

4. Excavations

Deviation (4) seeks relief from the LDC §10-329(d)(1)a.3. requirement to provide water retention or detention excavations be setback 50 feet from private property line under separate ownership, to allow:

- a. A 25-foot setback between Lake B1 and Jetway Tradeport MPD.
- b. A 20-foot setback between Lakes A1, A2, A3, B1, and B2 and internal property lines and internal roadways; and
- c. A zero-foot setback between Lake A4 (existing borrow pit) and Airport South Interchange CPD and the Coca Cola Bottling Plant property.

This deviation is APPROVED SUBJECT TO the following condition:

Prior to local development order approval, the developer order plans must include details for wetland trees around the existing lake, even if reconfigured. (MCP Lake A4) Wetland trees must be calculated on one wetland tree per 100 littoral plants.

At the time of development order approval, the developer must provide elements to protect wayward vehicles on the internal roadways adjacent to Lakes A1, A2, A3, B1, and B2. The elements may include guardrails, berms, swales, vegetation, or other protections approved by the Development Services Director.

5. Deviation (5) withdrawn.

6. Excavations

Deviation (6) seeks relief from the LDC §10-329(d)(4) requirement to provide 6:1 lake bank slopes, to allow for 4:1 lake bank slopes. This deviation is APPROVED.

7. Shoreline Configuration

Deviation (7) seeks relief from the LDC §10-418(1) requirement to provide a sinuous lake shoreline, to allow for a non-sinuous lake shoreline. This deviation is APPROVED.

8. Planted littoral shelf configuration

Deviation (8) seeks relief from the LDC §10-418(2)(c) requirement to provide a 20-foot-wide littoral shelf no greater than two feet below control elevation, to omit the 20-foot-wide planted littoral shelf extending water ward of the control elevation at a depth no greater than two feet below the control elevation to minimize potential bird attractants. The developer will plant substituted native trees along the 4:1 lake bank slopes and/or Lake Maintenance Easements, depending upon species. See Deviations 9 and 13. This deviation is APPROVED SUBJECT TO the following condition:

Prior to development order approval for any lake, the landscape plans must illustrate the wetland trees installed within the 4:1 lake bank slope or meandering the 20 foot lake maintenance easement allowing sufficient clearance for lake maintenance vehicles.

9. Littoral Shelf Plant Selection

Deviation (9) seeks relief from the LDC §10-418(2)(d) requirement which allows the substitution of native trees for up to 25% of the total number of herbaceous plants, to allow native trees to substitute for 100% of the required herbaceous plants. This deviation is APPROVED.

10. Permanent Sign in Commercial and Industrial Areas

Deviation (10) seeks relief from the LDC §30-153(2)(a)(ii) requirement which permits two identification signs totaling 400 square feet in area along street frontages exceeding 330 feet, to allow a total combined sign area per frontage of 1,000 square feet along Ben Hill Griffin Parkway, and 500 feet along I-75. This deviation is APPROVED SUBJECT TO the following condition:

Total sign area for Ben Hill Griffin Parkway is 1,000 square feet, not to exceed 250 square feet per sign. A maximum of 500 square feet of sign area is permitted along I-75 frontage. Signs must comply with LDC Chapter 30 in all other respects.

11. Phased Projects

Deviation (11) seeks relief from the LDC §10-117 to allow for phased installation of project perimeter buffers. Perimeter buffers must be installed upon issuance of a development order approving construction on the subject parcel/phase. This deviation is APPROVED SUBJECT TO the following condition:

Prior to development order approval for vertical construction, project landscape plans must illustrate a common plant pallet theme for the Interstate 75 and Ben Hill Griffin Parkway buffer requirements.

12. Required Parking Spaces

Deviation (12) seeks relief from the LDC §34-2020(e)(1)(a), requirement to provide an additional 80 square feet of internal parking island landscape area for every additional parking space over 120% of required parking, to allow for an additional 40 square feet of internal parking island landscape area for every additional parking space over 120%, to

be planted with ground cover plants at a minimum one gallon container size, and allow the developer to locate the required canopy trees in the project's perimeter and/or internal buffer areas. This deviation is APPROVED SUBJECT TO the following condition:

Prior to development order approval, landscape plans must illustrate the additional 40 square feet of internal parking landscape area for each parking space that is over the 120% requirement. Industrial uses must provide that additional internal parking landscape area to the internal parking island and within a minimum five foot with building perimeter planting area located adjacent to the front of the building. Commercial uses must provide the additional square feet to the internal parking islands and to the required five-foot wide building perimeter. The landscaping must consist of trees, palms, and shrubs. Landscaping material must be installed in accordance with LDC §10-420.

13. Surface Water Management Systems

Deviation (13) seeks relief from the LDC §10-418(3) requirement to provide a five-foot wide littoral planted shelf, planted with herbaceous wetland plants for compensatory littoral zones, to allow native trees to be substituted for 100% of the required compensatory herbaceous plants based upon the calculations in LDC §10-418(3). Native trees will be substituted at a ratio of 100 plants per one (1) tree. This deviation is APPROVED SUBJECT TO the following condition:

Prior to development order approval, the landscape plans must illustrate a 4:1 lake bank slope consisting of native wetland trees within the lake maintenance easement, while maintaining sufficient area for required maintenance activities and associated access.

14. Property Development Regulations

Deviation (14) seeks relief from the LDC §34-935 requirement which limits building height in Tradeport to 95 feet, to allow for a maximum building height of 120 feet. This deviation is APPROVED.

15. Interstate Highway Interchange Area Signs

Deviation (15) seeks relief from LDC §30-154(2) to allow one on-site interstate highway interchange area sign within the project not to exceed 50 feet in height and 400 square feet in sign area. This deviation is APPROVED SUBJECT TO Condition 16.

SECTION D. EXHIBITS:

The following exhibits are attached to this resolution and incorporated by reference:

- Exhibit A: Legal description of the property
- Exhibit B: Zoning Map (with the subject parcel indicated)
- Exhibit C: The Master Concept Plan
- Exhibit D: Bona Fide Agricultural Uses

SECTION E. FINDINGS AND CONCLUSIONS:

Based upon its review, the Board of County Commissioners adopts the recommendation of the Hearing Examiner, including the following findings and conclusions:

1. The proposed MPD amendment complies with the Lee Plan. Lee Plan Vision Statement Paragraph 10 (Gateway/Airport), Lee Plan Goals 2, 4, 6, 7, 60, 61, 77, 123, 124, 158, Objectives 2.2, 11.1, Policies 2.1.2, 6.1.3, 7.1.1, 7.1.2, 7.1.3, 158.3.5.
2. As conditioned, the amendments to the MPD:
 - a. Meet the LDC and other county regulations or qualifies for deviations. LDC §§ 2-265, 2-385, 10-287, 10-321, 34-411, 34-413, 34-491, 34-612(2), 34-1012; 34-2175(b);
 - b. Are compatible with existing and planned uses in the surrounding area. Lee Plan Objective 47.2, Policies 2.1.2, 2.2.1, 6.1.3, 6.1.4, 7.1.2, 7.1.3;
 - c. Provide access sufficient to support the proposed development intensity. Expected impacts on transportation facilities will be addressed by county regulations and conditions of approval. Lee Plan Objective 39.1, Policies 2.2.1, 6.1.1, 6.1.3, 7.1.1, 7.1.2, 7.1.5, Policy 39.1.1; LDC §§ 34-411(d) and (e);
 - d. Will not adversely affect environmentally critical areas and natural resources. Lee Plan Goals 60, 77, 123, 124, 125, Objectives 60.5, 61.2, 77.2, 77.3, Policies 60.1.2, 60.5.2, 61.2.4, 61.3.11, 77.3.1, 77.3.5, 123.2.4, 125.1.3, Standard 4.1.4; and
 - e. Will be served by urban services including paved roads, potable water, sanitary sewer, urban surface water management, police, fire, and emergency services. Lee Plan Glossary, Lee Plan Goals 2, 4, Objectives 2.1, 6.1, 7.1 Policies 2.2.1, 6.1.4, 7.1.1, 7.1.5, 7.1.6, and Standards 4.1.1 and 4.1.2; LDC §34-411(d).
3. The proposed mix of uses is appropriate at the proposed location. Lee Plan Goal 158, Objective 2.1, Policies 2.1.1, 2.1.2, 6.1.1, 6.1.2, 7.1.1, 7.1.2, 7.1.3.
4. Recommended conditions and applicable regulations provide sufficient safeguards to protect the public interest. In addition, recommended conditions reasonably relate to impacts expected from the proposed development. Lee Plan Goals 123, 124, Objective 47.2, Policies 6.1.1, 7.1.2, 123.2.13; LDC §§ 34-377(a)(3), 34-411, 34-932(b) and (c), 34-1012, 34-1104.
5. As conditioned, the deviations:
 - a. Enhance the planned development, and
 - b. Preserve and promote the general intent of the LDC to protect the public health, safety and welfare.

SECTION F. SCRIVENER'S ERRORS

The Board intends that this resolution can be renumbered or relettered and typographical errors that do not affect the intent and are consistent with the Board's action can be corrected with the authorization of the County Manager or his designee, without the need for a public hearing.

Commissioner Hamman made a motion to adopt the foregoing resolution, seconded by Commissioner Sandelli. The vote was as follows:

Adopted by unanimous consent.

Kevin Ruane	Absent
Cecil Pendergrass	Aye
Raymond Sandelli	Aye
Brian Hamman	Aye
Frank Mann	Aye

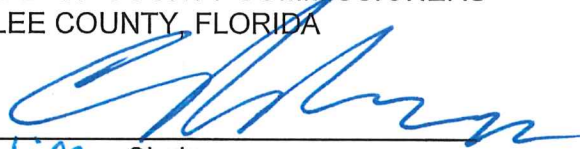
DULY PASSED AND ADOPTED this 8th day of September 2021.

ATTEST:
LINDA DOGGETT, CLERK

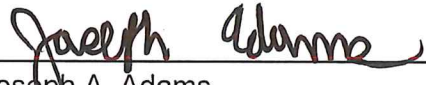
BY: 
Deputy Clerk

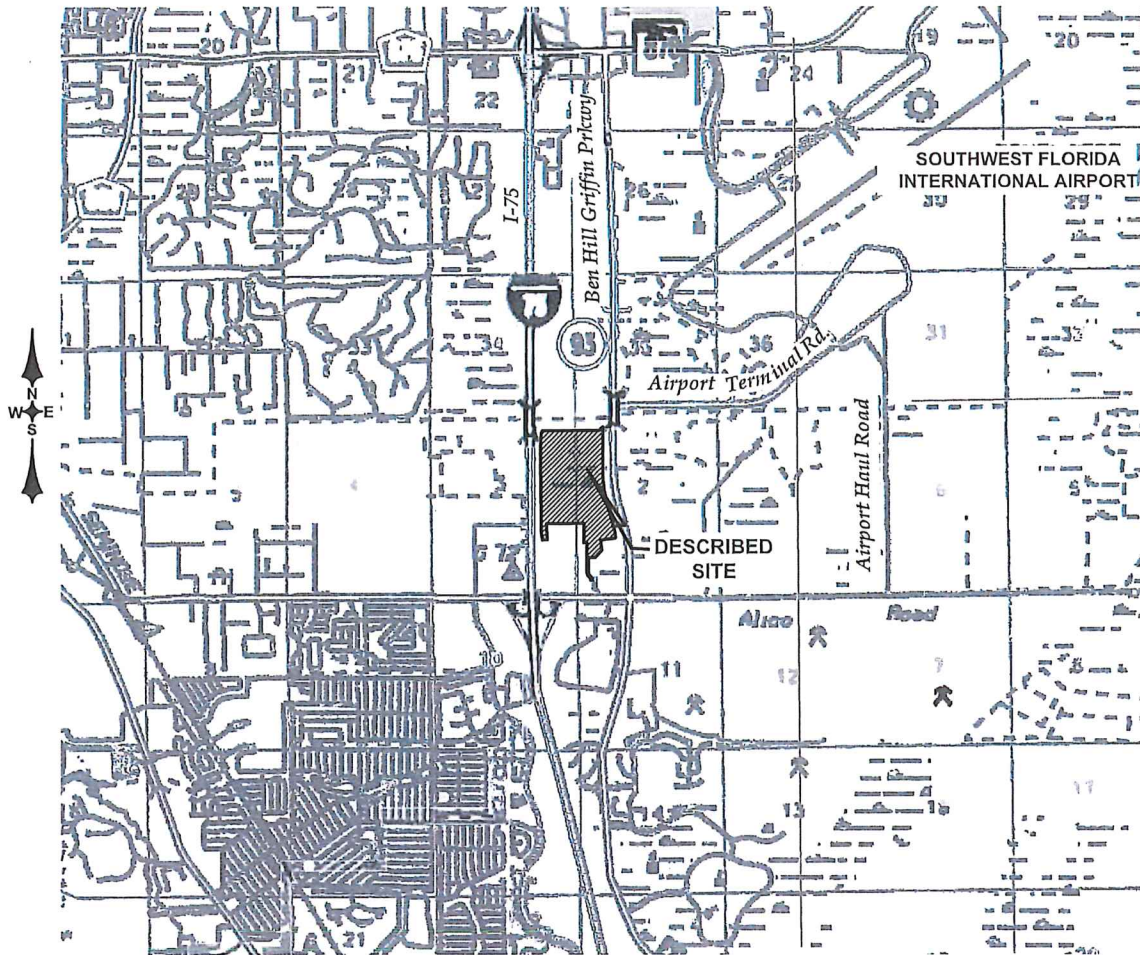


BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: 
Vice Chair
Commissioner Cecil L. Pendergrass
Lee County Board of County Commissioners
District 2

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY


Joseph A. Adams
Assistant County Attorney
County Attorney's Office



VICINITY MAP

1" = 1 MILE

ABBREVIATIONS

C1	= CURVE DESIGNATION
C.A.	= CENTRAL ANGLE
C.B.	= CHORD BEARING
CHD	= CHORD LENGTH
C/L	= CENTERLINE
INST.	= INSTRUMENT
L1	= LINE DESIGNATION
LB	= LICENSED BUSINESS
NO.	= NUMBER
OR	= OFFICIAL RECORDS
PG.	= PAGE
PERP.	= PERPETUAL
P.B.	= PLAT BOOK
POB	= POINT-OF-BEGINNING
POC	= POINT-OF-COMMENCEMENT
R/W	= RIGHT OF WAY
RAD.	= RADIUS
SEC.	= SECTION
SQ.FT.	= SQUARE FEET
S.R.	= STATE ROAD

SURVEYOR'S NOTES:

THE DESCRIPTION SHOWN HEREON IS NEW.

COORDINATES SHOWN HEREON BASED ON FLORIDA GRID, WEST ZONE, NAD 83-(2011).

SKETCH PREPARED IN ACCORDANCE WITH THE STATE OF FLORIDA'S STANDARDS OF PRACTICE FOR SURVEYING, RULE 5J-17 F.A.C.

ORIENTATION BASED ON THE NORTH LINE OF THE NORTHEAST-QUARTER OF SECTION 3, T.46 S., R. 25 E. AS BEARING N.89°23'14"E.

UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER, AND ALL SHEETS ARE INCLUDED, THIS MAP IS NOT VALID.

EXHIBIT**A**

PREPARED BY



PSM 6347

Digitally signed by
Thomas M. Rooks Jr.
Date: 2021.04.12
16:12:59 -04'00'

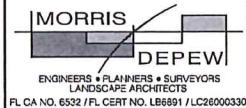
THOMAS M. ROOKS JR., P.S.M.
FLORIDA CERTIFICATE NO. 6347

DATE

REV: UPDATE SURVEYOR SIGNATURE 04-12-2021

MDA PROJECT: 17037	
CHECKED BY: MAH	DRAWN BY: MAH
DATE: 01-15-19	
SHEET 1 OF 4	

DESCRIPTION DRAWING
PARCEL OF LAND LYING IN
SECTIONS 2 AND 3, TOWNSHIP 46
SOUTH, RANGE 25 EAST, LEE
COUNTY, FLORIDA

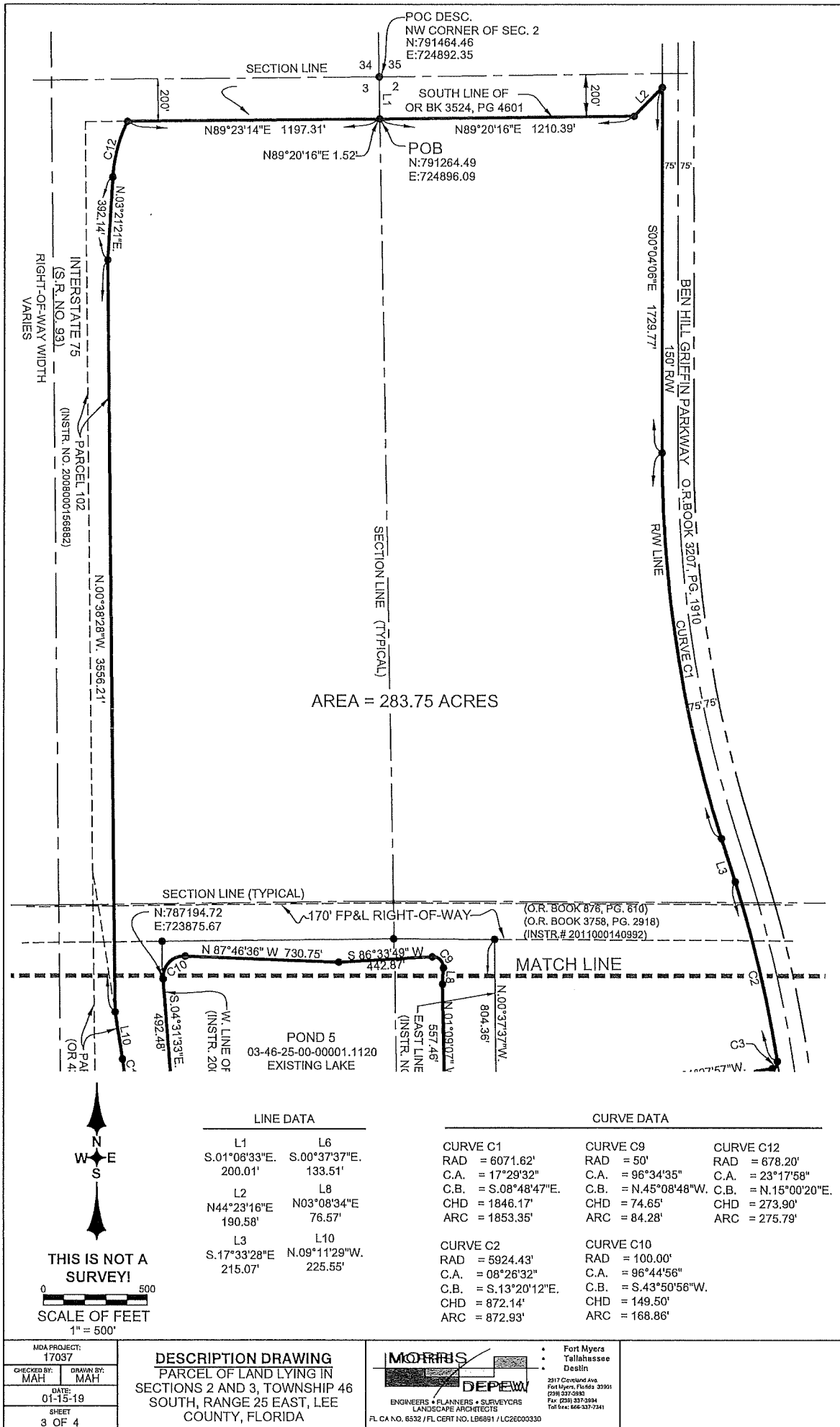


Fort Myers
Tallahassee
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2917 Cleveland Ave.
Fort Myers, Florida 33901
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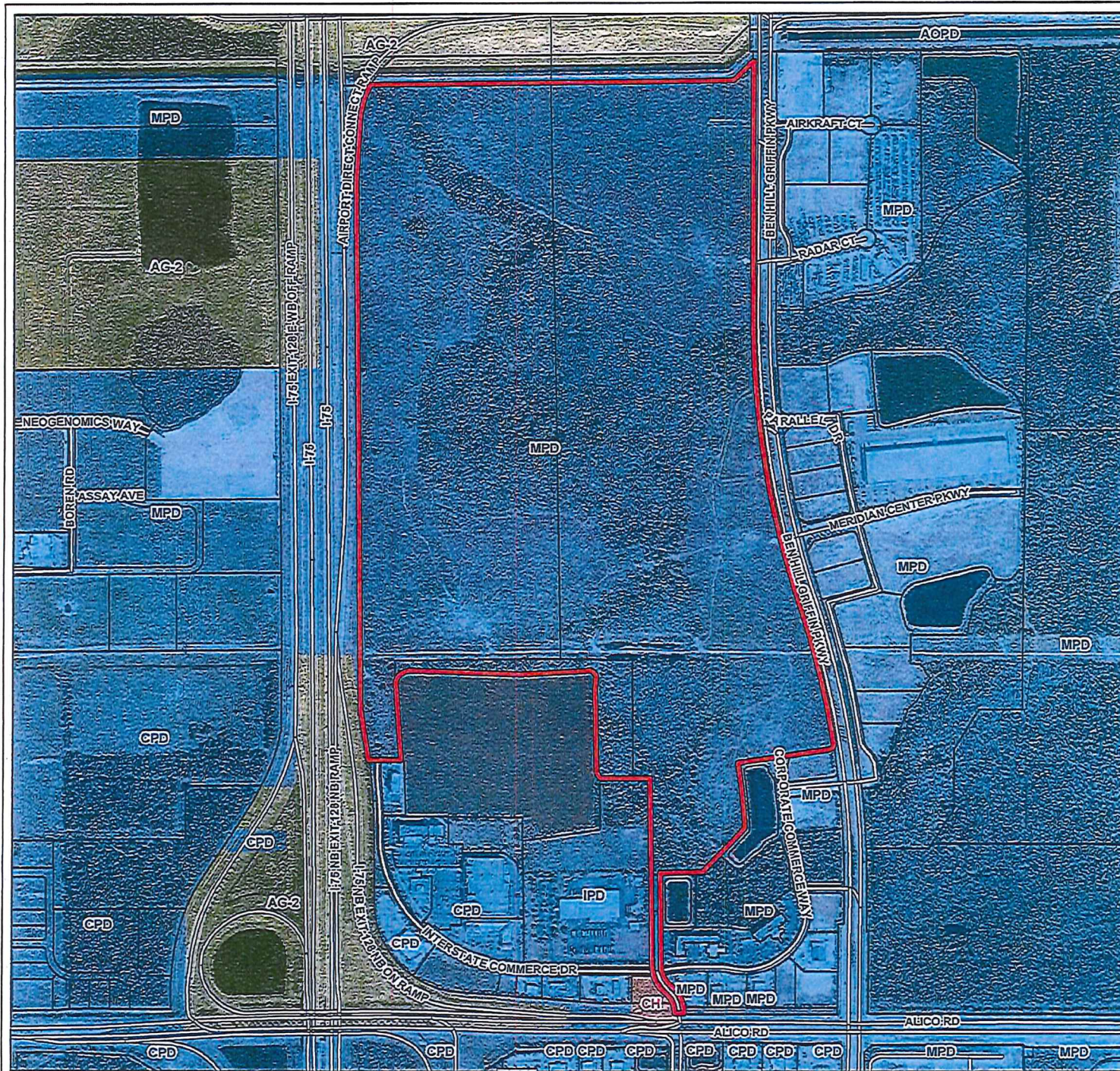
DESCRIPTION:
EXHIBIT "A" METES AND BOUNDS

PARCEL OF LAND LYING IN SECTIONS 2 AND 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING THE NORTHWEST CORNER OF SAID SECTION 2; THENCE S.01° 06' 33"E., ALONG THE WEST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 2 FOR 200.01 FEET TO AN INTERSECTION WITH A LINE 200.00 FEET SOUTH OF (AS MEASURED AT RIGHT ANGLES) AND PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER (NW 1/4) OF SECTION 2 AND THE POINT-OF-BEGINNING OF THIS DESCRIPTION; THENCE N.89° 20' 16" E. ALONG SAID PARALLEL LINE AND ALSO ALONG THE SOUTH LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 3524, PAGE 4601, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, A DISTANCE OF 1210.39 FEET; THENCE N.44° 23' 16"E. CONTINUING ALONG SAID SOUTH LINE, A DISTANCE OF 190.58 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF BEN HILL GRIFFIN PARKWAY (150.00' RIGHT-OF-WAY) AS DESCRIBED IN OFFICIAL RECORDS BOOK 3207, PAGE 1910 OF SAID PUBLIC RECORDS; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR THE NEXT FOUR (4) COURSES; S.00° 04' 06" E. A DISTANCE OF 1,729.77 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE SOUTHERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 6071.62 FEET, A CENTRAL ANGLE OF 17°29'22" AND WHOSE CHORD BEARS S.08°48'47"E. FOR A DISTANCE OF 1846.17 FEET, HAVING AN ARC LENGTH OF 1853.35 FEET; THENCE S.17° 33' 28"E., ALONG A TANGENT LINE, A DISTANCE OF 215.07 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE SOUTHERLY, ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 5924.43 FEET, A CENTRAL ANGLE OF 08°26'32" AND WHOSE CHORD BEARS S.13°20'12"E., FOR A DISTANCE OF 872.14 FEET, HAVING AN ARC LENGTH OF 872.93 FEET, TO A POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT; THENCE LEAVING THE WESTERLY RIGHT-OF-WAY LINE OF BEN HILL GRIFFIN PARKWAY, ALONG THE BOUNDARY OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 3522, PAGE 3430, OF SAID PUBLIC RECORDS, FOR THE NEXT EIGHT (8) COURSES, SOUTHWESTERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 90°34'53" AND WHOSE CHORD BEARS S.36°10'31"W. FOR A DISTANCE OF 42.64 FEET, HAVING AN ARC LENGTH OF 47.43 FEET; THENCE S.81°27'57"W. ALONG A TANGENT LINE, A DISTANCE OF 619.81 FEET TO A NON-RADIAL INTERSECTION WITH A CURVE TO THE RIGHT; THENCE SOUTHERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 5274.39 FEET, A CENTRAL ANGLE OF 04°44'31" AND WHOSE CHORD BEARS S.06°27'12"E. FOR A DISTANCE OF 436.40 FEET, ARC LENGTH BEING 436.52 FEET; THENCE S.43°12'27"W. ALONG A NON-TANGENT LINE, A DISTANCE OF 410.14 FEET; THENCE S.88°56'07"W. A DISTANCE OF 283.66 FEET; THENCE CONTINUING ALONG SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3522, PAGE 3430, AND ALSO ALONG THE EAST BOUNDARY OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN CLERK'S INSTRUMENT NUMBER 2005000131182, SAID PUBLIC RECORDS, FOR THE NEXT THREE (3) COURSES; S.01°03'53"E. A DISTANCE OF 628.78 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 170.01 FEET, A CENTRAL ANGLE OF 50°48'27" AND WHOSE CHORD BEARS S.26°28'06"E. FOR A DISTANCE OF 145.87 FEET, HAVING AN ARC LENGTH OF 150.87 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 230.01 FEET, A CENTRAL ANGLE OF 52°04'24" AND WHOSE CHORD BEARS S.25°50'08"E. FOR A DISTANCE OF 201.92 FEET, HAVING AN ARC LENGTH OF 209.04 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF ALICO ROAD, AS DESCRIBED IN OFFICIAL RECORDS BOOK 4355, PAGE 2364, SAID PUBLIC RECORDS; THENCE N.89°42'18"W. ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 60.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID EXHIBIT "D" AND TO AN INTERSECTION WITH A NON-TANGENT CURVE TO THE LEFT; THENCE NORTHWESTERLY ALONG AN ARC OF SAID CURVED WEST LINE OF "EXHIBIT D", HAVING A RADIUS OF 170.01 FEET, A CENTRAL ANGLE OF 52°02'25" AND WHOSE CHORD BEARS N.25°51'07"W. FOR A DISTANCE OF 149.16 FEET, HAVING AN ARC LENGTH OF 154.42 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 230.01 FEET, A CENTRAL ANGLE OF 50°48'27" AND WHOSE CHORD BEARS N.26°28'06"W. FOR A DISTANCE 197.35 FEET, HAVING AN ARC LENGTH OF 203.97 FEET; THENCE N.01°03'53"W. ALONG THE SAID WEST LINE OF "EXHIBIT D" AND THE EAST LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 2195, PAGE 4279, SAID PUBLIC RECORDS, A DISTANCE OF 1265.42 FEET; THENCE N.89°42'18"W. ALONG NORTH LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2195, PAGE 4279, A DISTANCE OF 107.62 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN CLERK'S INSTRUMENT NUMBER 2018000217893, PUBLIC RECORDS OF SAID LEE COUNTY, FLORIDA; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID CERTAIN PARCEL FOR THE NEXT EIGHT (8) COURSES; N.89°42'18"W. A DISTANCE OF 221.98 FEET; THENCE N.35°32'45"W. A DISTANCE OF 42.43 FEET; THENCE N.01°09'07"W. A DISTANCE OF 557.46 FEET; THENCE N.03°08'34"E. A DISTANCE OF 76.57 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 96°34'35" AND WHOSE CHORD BEARS N.45°08'48"W. A DISTANCE OF 74.65 FEET, HAVING AN ARC LENGTH OF 84.28 FEET; THENCE S.86°33'49"W. A DISTANCE OF 442.87 FEET; THENCE N.87°46'36"W. A DISTANCE OF 730.75 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 96°44'56" AND WHOSE CHORD BEARS S.43°50'56"W. A DISTANCE OF 149.50 FEET, HAVING AN ARC LENGTH OF 168.86 FEET; THENCE S.04°31'33"E., LEAVING SAID SOUTHERLY BOUNDARY OF THAT CERTAIN PARCEL DESCRIBED IN CLERK'S INSTRUMENT NUMBER 2018000217893, OF SAID PUBLIC RECORDS OF LEE COUNTY, FLORIDA, A DISTANCE OF 492.53 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 3677, PAGE 743, SAID PUBLIC RECORDS; THENCE S.89°54'37"W, LEAVING THE BOUNDARY OF SAID "EXHIBIT C-1" AND ALONG THE NORTH LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 3677, PAGE 743, A DISTANCE OF 218.60 FEET TO A NON-RADIAL INTERSECTION WITH THE CURVED EASTERLY BOUNDARY OF THAT CERTAIN PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 4355, PAGE 2364, SAID PUBLIC RECORDS, ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 75 (STATE ROAD NO. 93); THENCE NORTHERLY, ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE FOR THE NEXT FIVE (5) COURSES; NORTHERLY ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 3913.93 FEET, A CENTRAL ANGLE OF 01°40'50" AND WHOSE CHORD BEARS N.08°21'29"W. FOR A DISTANCE OF 114.79 FEET, HAVING AN ARC LENGTH OF 114.79 FEET; THENCE N.09°11'29"W. A DISTANCE OF 225.55 FEET TO THE MOST SOUTHERLY CORNER OF PARCEL 102 AS DESCRIBED IN CLERK'S INSTRUMENT NUMBER 2008000156882; THENCE NORTHERLY ALONG THE EAST BOUNDARY LINE OF SAID PARCEL 102 AND SAID EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 75 FOR THE NEXT THREE (3) COURSES; N.0°38'28"W. A DISTANCE OF 3556.21 FEET; THENCE N.03°21'21"E A DISTANCE OF 392.14 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 678.20 FEET, A CENTRAL ANGLE OF 23°17'58" AND WHOSE CHORD BEARS N.15°00'20"E. A DISTANCE OF 273.90 FFET, HAVING AN ARC LENGTH OF 275.79 FEET TO A NON-TANGENT INTERSECTION THE SAID SOUTH LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 3524, PAGE 4601, SAID PUBLIC RECORDS; THENCE N.89°23'14"E. ALONG SAID SOUTH LINE, A DISTANCE OF 1197.31 FEET; THENCE N.89°20'16"E. ALONG SAID SOUTH LINE A DISTANCE OF 1.52 FEET TO THE SAID POINT-OF-BEGINNING OF THIS DESCRIPTION.
CONTAINING 283.75 ACRES, MORE OR LESS.

MDA PROJECT: 17037		DESCRIPTION DRAWING PARCEL OF LAND LYING IN SECTIONS 2 AND 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA	MORRIS DEPEW ENGINEERS • PLANNERS • SURVEYORS LANDSCAPE ARCHITECTS FL. CA. NO. 6532 / FL. CERT. NO. LB0891 / LC26000330	Fort Myers Tallahassee Destin 2017 Cleveland Ave. Fort Myers, Florida 33901 (239) 337-3663 Fax: (239) 337-3994 Toll free: 866-337-7341
CHECKED BY: MAH	DRAWN BY:			
DATE: 01-15-19				
SHEET 2 OF 4				



MDA PROJECT: 17037		DESCRIPTION DRAWING PARCEL OF LAND LYING IN SECTIONS 2 AND 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA		• Fort Myers • Tallahassee • Destin 2917 Cleveland Ave Fort Myers, Florida 33901 (239) 337-3692 Fax: (239) 337-3881 Tel. fax: 666-337-7341
CHECKED BY: MAH	DRAWN BY: MAH			
DATE: 01-15-19				
SHEET 4 OF 4				



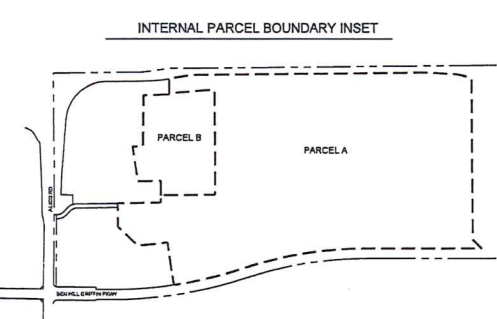
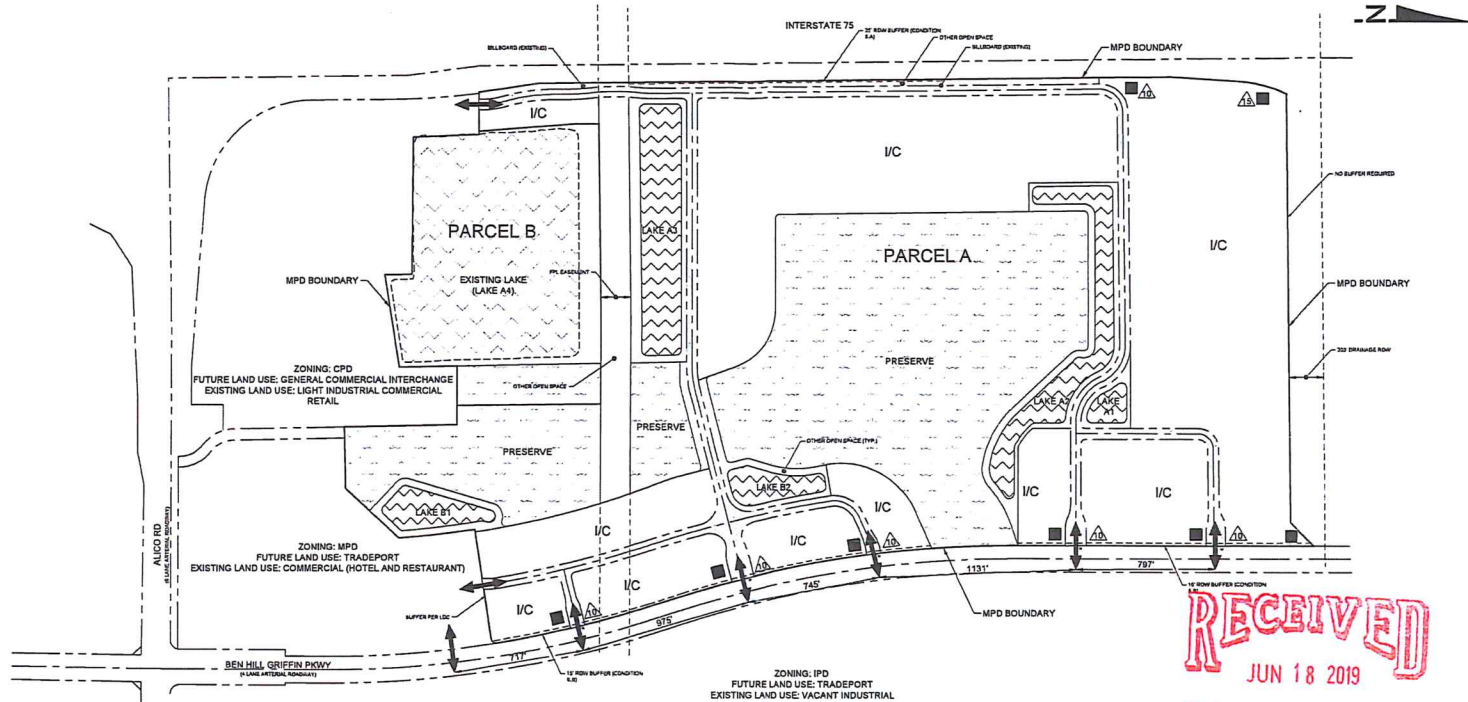
DCI2021-00002 Zoning

Legend

 Subject Parcel



0 1,200
Feet



RECEIVED
JUN 18 2019

COMMUNITY DEVELOPMENT
DCI 2017-00028

Approved as Exhibit C
MCP Page 1 of 2
Resolution # Z-21-009

DCI 2021-00002

LAND USE SUMMARY			
LAND USE	PARCEL A*	PARCEL B*	TOTAL
INDUSTRIAL/COMMERCIAL	130.59	-	130.59
PRESERVE	82.15	4.15	86.30
RIGHT-OF-WAY	15.39	-	15.39
LAKE	18.80	28.19	46.99
OTHER OPEN SPACE	22.57	1.24	23.81
TOTAL	279.49	33.58	313.07

Approved as Exhibit C
MCP Page 1 of 2
Resolution # Z-18-027

LEGEND

- RIGHT-OF-WAY
- PROPOSED LAKE
- EXISTING LAKE
- PRESERVE
- DEVIATION LOCATION
- CONCEPTUAL SIGN LOCATIONS
- EXISTING INGRESS / EGRESS

DEVIATIONS 10 THROUGH 15 AND 20 APPLY TO ALL LAKES
DEVIATIONS 16 THROUGH 25 AND 26 APPLY TO ENTIRE MPD

** SIGNAGE LOCATIONS ARE SHOWN IN REFERENCE TO DEVIATIONS 10 AND 15 AND DO NOT DEPICT ALL LOCATIONS OF SIGNAGE PERMITTED IN ACCORDANCE WITH CHAPTER 30 OF THE LDC AND APPROVED DEVIATIONS.



**YOUNGQUIST
TRADE CENTER**
CLIENT: YBFH REAL ESTATE LLC
MASTER CONCEPT PLAN

PLAN REVISIONS

NO.	DATE	DESCRIPTION
1	06/18/2019	ISSUED FOR PERMITTING
2	06/18/2019	ISSUED FOR PERMITTING
3	06/18/2019	ISSUED FOR PERMITTING
4	06/18/2019	ISSUED FOR PERMITTING
5	06/18/2019	ISSUED FOR PERMITTING
6	06/18/2019	ISSUED FOR PERMITTING
7	06/18/2019	ISSUED FOR PERMITTING
8	06/18/2019	ISSUED FOR PERMITTING
9	06/18/2019	ISSUED FOR PERMITTING
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99	06/18/2019	ISSUED FOR PERMITTING
100	06/18/2019	ISSUED FOR PERMITTING

PLAN NUMBER: 750-01-01
SHEET: 1

AFFIDAVIT

STATE OF FLORIDA,
COUNTY OF LEE.

BEFORE ME, the undersigned authority, on this 2nd day of Aug, 2004, personally appeared Chris Bundschu, Managing Member of Airport Interstate Associates, LLC, a Florida limited liability company, who is personally known to me and who did take an oath, who deposes and says as follows:

1. That I am the owner of the following described properties, to wit:

See attached Exhibit "A"
2. That the above described property was used for bona fide agricultural purposes, to wit livestock grazing and pasturage, at the time of the Lee County Board of County Commissioners review and consideration of the rezoning of the property described on the attached Exhibit "A".
3. The agricultural use of the property is an existing bona fide agricultural use.
4. The agricultural use is being conducted on the entire 38.77 acres. The entire property described on the attached Exhibit "A" is being used for the grazing of livestock.
5. Affiant further states that he is familiar with the nature of an oath; and with the penalties as provided by the laws of the State of aforesaid for falsely swearing to statements made in an instrument of this nature. Affiant further certifies that he has read or has heard read to him, the full facts of this affidavit and understands its meaning and context.

FURTHER AFFIANT SAYETH NAUGHT.

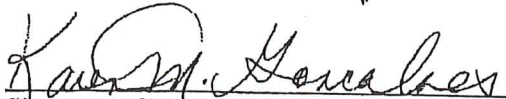
AIRPORT INTERSTATE ASSOCIATES, LLC


Chris Bundschu

SWORN TO and subscribed before me on the date and year first above written.

(Notary Seal)



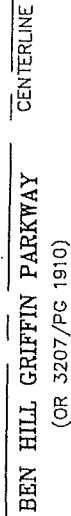

Signature of Notary Public

Commission No.

(Print, type or stamp commissioned name of
Notary Public)

EXHIBIT D

RECEIVED
DEC 21 2004
DCI-2004-3010
ZONING COUNTER



OR 4167/
PG 2622

FP&L EASEMENT
(OR 876/PG 510)

OR 4167/
PG 2622

LAKE PARCEL

OR 36771
PG 743

OR 2195/
PG 4279

OR 3522/
PG 3430

RECEIVED
DEC 21 2004

ALICO ROAD

DCI ZONING COUNTER
2004 00010

JOHNSON
ENGINEERING

2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

EXHIBIT "A"
AGRICULTURAL USE AREA

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
NOV 2004	20034114	2&3-46-25	1" = 800'	2 OF 2

AFFIDAVIT

STATE OF FLORIDA,
COUNTY OF BROWARD.

BEFORE ME, the undersigned authority, on this 2nd day of Aug, 2004, personally appeared George Levin and Gayla Sue Levin, who is personally known to me or who produced Driver License as identification and who did take an oath, who deposes and says as follows:

1. That I am the owner of the following described properties, to wit:

See attached Exhibit "A"
2. That the above described property was used for bona fide agricultural purposes, to wit livestock grazing and pasturage, at the time of the Lee County Board of County Commissioners review and consideration of the rezoning of the property described on the attached Exhibit "A".
3. The agricultural use of the property is an existing bona fide agricultural use.
4. The agricultural use is being conducted on the entire 283.77 acres. The entire property described on the attached Exhibit "A" is being used for the grazing of livestock.
5. Affiant further states that he is familiar with the nature of an oath; and with the penalties as provided by the laws of the State of aforesaid for falsely swearing to statements made in an instrument of this nature. Affiant further certifies that he has read or has heard read to him, the full facts of this affidavit and understands its meaning and context.

FURTHER AFFIANT SAYETH NAUGHT.

George Levin
George Levin

Gayla Sue Levin
Gayla Sue Levin

SWORN TO and subscribed before me on the date and year first above written.

(Notary Seal)



Paul McMahon
Commission #DD289671
Expires: Feb 10, 2008
Bonded Thru
Atlantic Bonding Co., Inc.

Commission No.

Paul McMahon
Signature of Notary Public

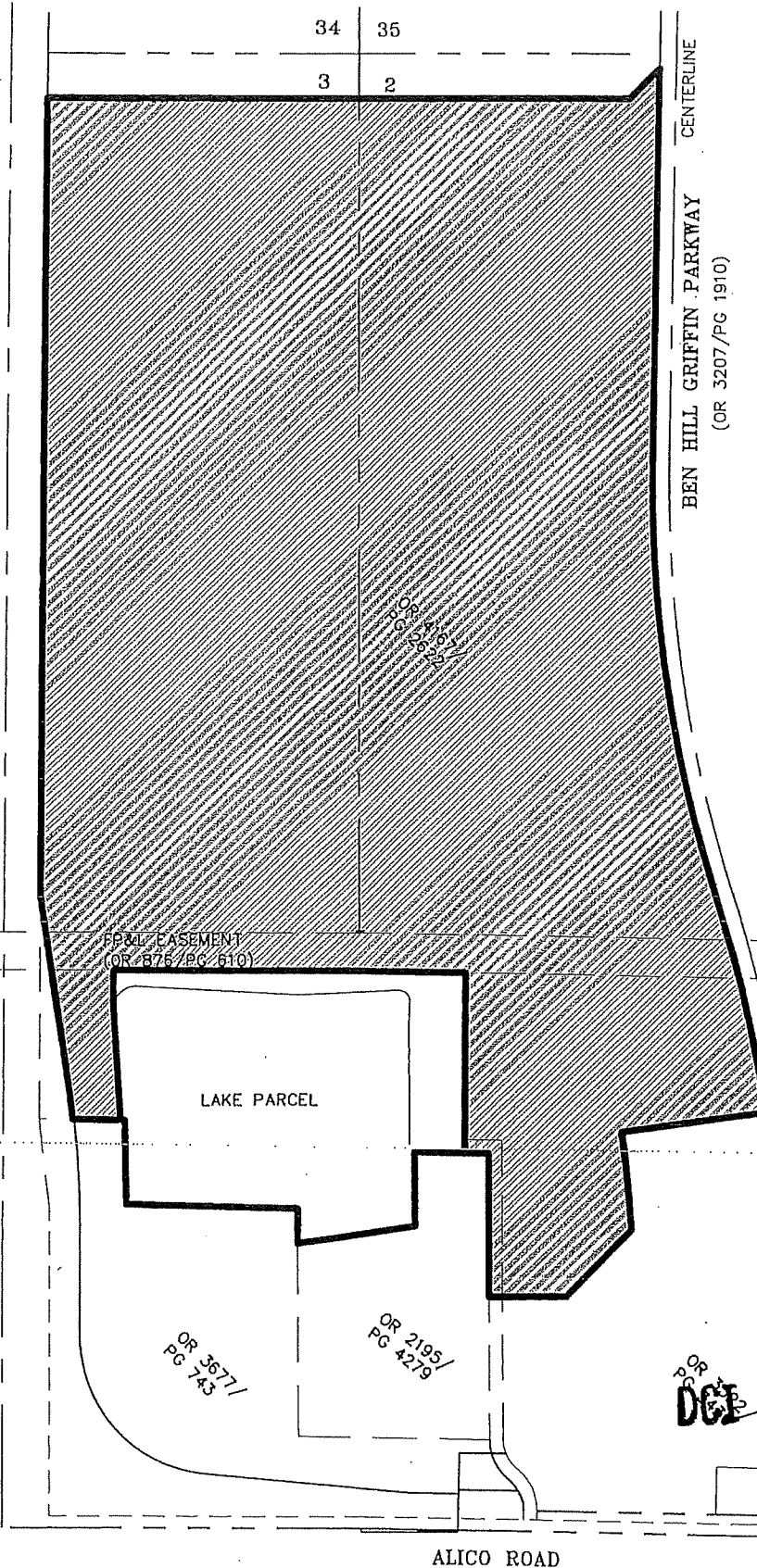
PAUL MCMAHON
(Print, type or stamp commissioned name of
Notary Public)

RECEIVED

DCI

DEC 21 2004 10

S:\034114\EXHIBIT-A-AGRICULTURAL USE AREA.dwg (Sheet 2) FLS Nov 11, 2004 - 10:04am.



DEC 21 2004
2004-00010
RECEIVED

ZONING COUNTER

JOHNSON
ENGINEERING

2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

EXHIBIT "A"
AGRICULTURAL USE AREA

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
NOV 2004	20034114	2&3-46-25	1" = 800'	1 OF 2

ATTACHMENT L

RESOLUTION NUMBER Z-19-035

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA

WHEREAS, an application was filed by the property owner, CLE FL RE Investment I LLC, in reference to Vintage Commerce Center Commercial Planned Development (CPD) to amend Lee County Zoning Resolution Z-05-019 to allow the following:

- 350,000 square feet of commercial/office/light industrial use;
- 300 hotel/motel units; and
- 308 multiple-family dwelling units by reducing non-residential floor area by 200 square feet for each dwelling unit developed.

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Amanda L. Rivera, was advertised and held on November 22, 2019. On November 22, 2019, the Hearing Examiner continued the hearing until December 19, 2019. On December 19, 2019, the public hearing was held; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case #DCI2018-10022 and recommended APPROVAL of the Request with conditions; and

WHEREAS, a second public hearing was advertised and held on May 6, 2020 before the Lee County Board of Commissioners; and,

WHEREAS, the Lee County Board of Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant filed a request to amend Lee County Zoning Resolution Z-05-019, Vintage Commerce Center CPD, to allow:

- 350,000 square feet of commercial/office/light industrial use;
- 300 hotel/motel units; and
- 308 multiple-family dwelling units by reducing non-residential floor area by 200 square feet for each dwelling unit developed.

The property is located in the General Interchange Future Land Use Category and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC). The conditions and deviations represent a codification of prior approvals from Resolution Z-99-097, Z-05-019, and ADD2006-00225, hereby superseded by approval of this zoning action.

1. Master Concept Plan/Development Parameters

a. Master Concept Plan.

Development of this project must be consistent with the one-page Master Concept Plan (MCP) entitled "Vintage Commerce Center CPD," prepared by GradyMinor, date stamped received by the Lee County Hearing Examiner on December 16, 2019, and attached hereto as Exhibit C, except as modified by the conditions below. Development must comply with all requirements of the 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 MCP are subsequently pursued, appropriate approvals will be necessary.

b. LDC and Lee Plan.

Development and uses must comply with the LDC and the Lee County Comprehensive Plan (Lee Plan) at the time of local development order approval, except where deviations are approved herein. Subsequent amendments to the MCP, conditions, or deviations herein may require further development approvals.

c. Approved Development Parameters.

This CPD allows a maximum of 350,000 square feet of floor area and 300 hotel/motel units.¹

d. Residential Development.

Residential development may be approved by local development order by reducing the maximum 350,000 square feet of floor area by 200 square feet for each dwelling unit. Residential development is limited to townhouse/multiple-family buildings and is permitted only in conjunction with at least 50,000 square feet of commercial or industrial uses. Residential uses must be developed at a minimum of 8 dwelling units per acre, up to 196 units under the standard density range. Bonus density units may be approved consistent with Chapter 2 of the LDC. Total density within the CPD, inclusive of bonus units, may not exceed 308 dwelling units.

e. Development Tracking.

If development occurs in phases, each local development order application must include a report itemizing the following:

¹ Outdoor seating in conjunction with a restaurant counts toward the total floor area approved within this CPD.

i. Uses.

Intensity of non-residential uses (expressed in square feet), number of residential units, and number of hotel rooms proposed in the application;

ii. Cumulative Totals.

The cumulative density and intensity including prior local development order approvals for each use classification; and

iii. Remaining Density and Intensity.

The number of units, hotel rooms, or square footage available for future development for each use classification approved in this CPD.

2. Schedule of Uses and Property Development Regulations:

a. Schedule of Uses

Accessory uses and structures
Administrative Office
ATM (automatic teller machine)
Auto Parts Store
Auto Repair and Service: Groups I & II
Automobile Service Station
Banks and Financial Establishments: Groups I & II
Bar or Cocktail Lounge
Boats: Boat Sales
Building material sales
Business Services: Groups I & II
Car wash
Clothing stores, general
Consumption on premises
Contractor and Builders, Groups I & II
Convenience Food and Beverage Store, limited to one (1) within the planned development
Department Store
Drive Through Facility for Any Permitted Use
Drugstore
Dwelling unit, multiple-family building (limited to Parcel A)
Entrance Gates and Gatehouses
Essential Services
Essential Service Facilities, Group I
Excavation, Water Retention
Food stores, Group I
Hardware Store
Health Care Facility, Group III
Hobby, Toy and Game Shops
Hotel/motel (limited to Parcel C and any Outparcel)
Household and Office Furnishings, Groups I & II
Insurance Companies

Laundromat
 Laundry or Dry Cleaning, Group I
 Lawn and Garden Supply Store
 Medical Office
 Night Clubs
 Non-Store Retailers, All Groups
 Package Store
 Paint, Glass and Wallpaper
 Parking Lot: Accessory and Temporary
 Personal Services: Groups I through III
 Pet Services
 Pet Shop
 Pharmacy
 Place of worship
 Printing and Publishing
 Recreation facilities: commercial: Groups I through V
 Religious facilities
 Rental or Leasing Establishments: Groups II and III
 Repair Shops: Groups I & II
 Restaurants, Fast Food
 Restaurants: Groups I through IV
 Schools: commercial
 Signs
 Social Services: Group I
 Specialty Retail Shops: Groups I through IV
 Storage, Indoor
 Studios
 Temporary Uses (LDC §34-3041, *et seq.*):
 Carnivals, fairs, circuses and amusement devices
 Christmas tree sales
 Temporary contractor's office and equipment storage shed
 Seasonal farmers' market
 Temporary storage facilities
 Used Merchandise Store: Group I
 Vehicle and equipment dealers: Groups I through V
 Warehouse: Mini-warehouse and Public

b. Property Development Regulations

Minimum Lot Area and Dimensions:²

Lot Area:	10,000 square feet
Lot Width:	100 feet
Lot Depth:	100 feet

Minimum Building Setbacks:

Street:	25 feet
Side:	15 feet
Rear:	20 feet

² Tracts A and B may be further subdivided through an administrative amendment to the planned development, provided all lots comply with the above minimum lot area and dimensions.

Water body: 25 feet

Maximum Building Height: 85 feet

Maximum lot coverage: 45 percent

Minimum Open Space:

Prior to development order approvals, development order plans must depict:

- i. 3.18 acres of indigenous open space (must include 2.55 acres of indigenous preserve with 125% indigenous credits);
- ii. Commercial development must provide 30% open space; and
- iii. Residential development must provide 40% open space.³

3. Airport Noise Notification.

The developer, successor or assign acknowledges the property's proximity to Southwest Florida International Airport and the potential for noises created by and incidental to the operation of the airport as outlined in LDC §34-1104. The developer, successor or assign acknowledges that a disclosure statement is required on plats, and in association documents for condominium, property owner and homeowner associations as outlined in LDC §34-1104(b).

4. Interconnection to Adjacent Property.

Development order plans must depict access to the adjacent property to the north consistent with the recorded Access Easement and MCP. The interconnection may be relocated if mutual written consent by the landowners is provided at the time of development order review.⁴

5. Development Permits.

County development permits do not establish a right to obtain permits from state or federal agencies. Further, county permits do not establish liability on the county if the developer: (a) does not obtain requisite approvals or fulfill obligations imposed by state or federal agencies; or (b) undertakes actions resulting in violation of state or federal law.

6. Vehicular/Pedestrian Impacts.

This zoning approval does not address mitigation of the project's vehicular or pedestrian impacts. Additional conditions consistent with the LDC may be required to obtain a local development order.

7. Concurrency.

This zoning approval does not constitute a finding that the project meets concurrency requirements set forth in the LDC or Lee Plan. Developer must demonstrate compliance with regulatory concurrency requirements prior to issuance of a local development order.

³ Developer may reduce open space requirements consistent with LDC §2-152(c)(1)(b) if the project utilizes Pine Island TDU's.

⁴ The Access Easement is recorded at Lee County Official Records Instrument #2008000082083.

SECTION C. DEVIATIONS:

1. Setbacks

Deviation (1) seeks relief from the LDC §10-329(d)(1)a.3 requirement to provide a 50 foot setback from road rights-of-way and private property lines for water retention excavation, to allow a 25 foot setback. This deviation is APPROVED SUBJECT TO the following condition:

Developer must provide adequate protection for wayward vehicles along Alico Road and the property's eastern property line. The elements of protection will be reviewed during the development order process and are subject to approval of the Director of Development Services. Similarly, the setback along the eastern property line is approved with the condition the lake is adequately buffered from the adjoining property line with berms or landscaping to deter unauthorized access. These elements can also be reviewed during the development order process and are subject to the Director's approval.⁵

2. Signs

Deviation (2) seeks relief from the LDC §30-153(2)a.4 requirement that on-site identification signs be set back a minimum of 15 feet from any street right-of-way or easement and 10 feet from any other property line, to allow project identification signs in a median within the project's internal road right-of-way. This deviation is APPROVED SUBJECT TO the following condition:

Identification signs must be placed and constructed in accordance with LDC §30-93, visibility triangle safe sight distance requirements.⁶

SECTION D. EXHIBITS:

The following exhibits are attached to this resolution and incorporated by reference:

- Exhibit A: Legal description of the property
- Exhibit B: Zoning Map (with the subject parcel indicated)
- Exhibit C: The Master Concept Plan

SECTION E. FINDINGS AND CONCLUSIONS:

Based upon its review, the Board of County Commissioners adopts the recommendation of the Hearing Examiner, including the following findings and conclusions:

1. As conditioned herein, the proposed amendment to the Vintage Commerce Center CPD:
 - a. Complies with the Lee Plan. See, Lee Plan Vision Statement Paragraph 10 (Gateway/Airport Planning Community), Lee Plan Goals 2, 4, 5, 6, 7, Objectives 1.3, 2.1, 2.2, 4.1, 5.1, 47.2 and Policies 1.3.2, 2.2.1, 5.1.2, 5.1.5, 6.1.1, 6.1.3, 6.1.4,

⁵ This deviation with condition was previously approved in Z-05-019 as Deviation 1.

⁶ This deviation with condition was previously approved in Z-05-019 as Deviation 5.

6.1.5, 6.1.7, 7.1.1, 7.1.2, 7.1.9, 47.2.1, 135.1.9; Lee Plan Maps 1, 16.

- b. Complies with the LDC and other County regulations. See, LDC Chapters 10 and 34;
 - c. Is compatible with existing and planned uses in the area. See, Lee Plan Policies 1.3.2, 2.1.1, 2.1.2, 2.2.1, 5.1.5; LDC §§ 34-411(c), (i), and (j).
 - d. Will not adversely affect environmentally critical areas and natural resources. See, Lee Plan Goals 77, Objectives 4.1, 77.1, and LDC §34-411(h).
 - e. Will be served by urban services. See, Lee Plan Glossary, Maps 6, 7, Goal 2; Objectives 2.1, 2.2, 4.1, 53.1, 56.1; Policies 2.2.1, 5.1.3, and Standards 4.1.1 and 4.1.2; LDC §34-411(d).
- 2. The Master Concept Plan reflects sufficient access to support the intensity of development. In addition, County regulations and conditions of approval will address expected impacts to transportation facilities. See, Lee Plan Goal 39, Objective 39.1; LDC §34-411(d).
 - 3. The proposed mix of uses is appropriate at the proposed location. See, Lee Plan Policies 1.3.2, 2.1.1, 5.1.3, 5.1.5.
 - 4. The recommended conditions are sufficient to protect the public interest and reasonably relate to the impacts expected from the development. See, LDC Chapters 10 and 34.
 - 5. As conditioned herein, the deviations:
 - a. Enhance the objectives of the planned development; and
 - b. Promote the intent of the LDC to protect the public health, safety and welfare. See, LDC §34-377(b)(4).

SECTION F. SCRIVENER'S ERRORS

The Board intends that this resolution can be renumbered or relettered and typographical errors that do not affect the intent and are consistent with the Board's action can be corrected with the authorization of the County Manager or his designee, without the need for a public hearing.

Commissioner Manning made a motion to adopt the foregoing resolution, seconded by Commissioner Pendergrass. The vote was as follows:

Adopted by unanimous consent.

John Manning	Aye
Cecil Pendergrass	Aye
Raymond Sandelli	Aye
Brian Hamman	Aye
Frank Mann	Aye

DULY PASSED AND ADOPTED this 6th day of May 2020.

ATTEST:
LINDA DOGGETT, CLERK

BY: *Theresa King*
Deputy Clerk



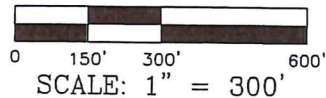
BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: *Brian Hamman*
Brian Hamman, Chair

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

Robert H. Hirsch
County Attorney's Office

RECEIVED
MINUTES OFFICE
TK
2020 MAY 13 AM 10:16



THIS PLAN MAY HAVE BEEN ENLARGED OR
REDUCED FROM INTENDED DISPLAY SCALE FOR
REPRODUCTION REASONS

NORTHING: 786164.776
EASTING: 721321.000

N 89°21'13" E 1160.00'

ACCESS EASEMENT
(INSTRUMENT # 2008000082083)

DCI 2018-10022

COMMUNITY DEVELOPMENT

APR 02 2019

POB
NORTHING: 785018.058
EASTING: 721333.928

S 88°59'35" W
94.81'

N 89°42'13" W 588.14'

S 89°21'52" W 1037.52'

ALICO ROAD

(PUBLIC RIGHT-OF-WAY WIDTH VARIES)

N 0°37'51" W
143.16'

POC
NORTHING: 784886.414
EASTING: 722372.960
SOUTH QUARTER CORNER
OF 3-46-25

N 89°21'04" E 507.47'
N 0°38'45" W 351.31'
S 33°09'23" W 550.05'

(OR 4272, PG 1135)

(OR 4164, PG 547)

LEGEND

POC POINT OF COMMENCEMENT
POB POINT OF BEGINNING
OR OFFICIAL RECORDS BOOK
PG PAGE(S)

INTERSTATE 75
(PUBLIC RIGHT-OF-WAY WIDTH VARIES)

Applicant's Legal Checked
by DA 9/15/19

PROPERTY DESCRIPTION

A PARCEL OF LAND LOCATED WITHIN SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTH QUARTER CORNER OF SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE
COUNTY, FLORIDA; THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3, SOUTH
89°21'52" WEST, A DISTANCE OF 1,037.52 FEET; THENCE NORTH 00°37'51" WEST, A DISTANCE OF 143.16 FEET
TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF THREE OAKS PARKWAY EXTENSION AND THE POINT OF
BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED;

THENCE ALONG SAID RIGHT-OF-WAY, NORTH 00°38'45" WEST, A DISTANCE OF 1,146.79 FEET; THENCE NORTH
89°21'13" EAST, A DISTANCE OF 1,160.00 FEET; THENCE NORTH 00°38'45" WEST, A DISTANCE OF 351.31 FEET;
THENCE NORTH 89°21'04" EAST, A DISTANCE OF 507.47 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY
OF INTERSTATE 75, THE SAME BEING A POINT ON A NON TANGENTIAL CURVE TO THE RIGHT; THENCE ALONG
SAID RIGHT-OF-WAY FOR THE FOLLOWING FOUR (4) CURVES AND DISTANCES, 1) SOUTH-WESTERLY 206.67 FEET
ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1,668.95 FEET, A CENTRAL ANGLE OF 07°05'42",
(CHORD BEARING SOUTH 29°36'32" WEST, A DISTANCE OF 206.54 FEET); 2) THENCE SOUTH 33°09'23" WEST, A
DISTANCE OF 550.05 FEET TO A POINT ON A CURVE TO THE LEFT; 3) THENCE SOUTHWESTERLY 335.01 FEET
ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1,048.93 FEET, A CENTRAL ANGLE OF 18°17'57",
(CHORD BEARING SOUTH 24°00'24" WEST, A DISTANCE OF 333.59 FEET) TO A POINT ON A NON TANGENTIAL
CURVE TO THE LEFT; 4) THENCE SOUTHERLY 565.73 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS
OF 1,731.09 FEET, A CENTRAL ANGLE OF 18°43'28", (CHORD BEARING SOUTH 05°30'01" WEST, A DISTANCE OF
563.21 FEET) TO A POINT ON THE NORTH RIGHT-OF-WAY OF ALICO ROAD; THENCE ALONG SAID RIGHT-OF-WAY
FOR ALL OF THE REMAINING COURSES AND DISTANCES BACK TO THE POINT OF BEGINNING, NORTH 89°42'13"
WEST, A DISTANCE OF 588.14 FEET TO A POINT ON A NON TANGENTIAL CURVE TO THE RIGHT; THENCE
WESTERLY 375.21 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 11,317.00 FEET, A CENTRAL
ANGLE OF 01°53'59", (CHORD BEARING SOUTH 88°02'36" WEST, A DISTANCE OF 375.19 FEET); THENCE SOUTH
88°59'35" WEST, A DISTANCE OF 94.81 FEET TO THE POINT OF BEGINNING.

CONTAINING 33.95 ACRES, MORE OR LESS.

NOTES:

- COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON THE STATE
PLANE COORDINATE SYSTEM ESTABLISHED BY THE NATIONAL GEODETIC SURVEY
FOR FLORIDA WEST ZONE, 1983 DATUM WITH 1990 ADJUSTMENT OBTAINED
UTILIZING RTK GPS OBSERVATIONS ON THE FDOT NETWORK AND REFER TO THE
SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 46 SOUTH,
RANGE 25 EAST, LEE COUNTY, FLORIDA AS BEING SOUTH 89°21'52" WEST
- DIMENSIONS SHOWN HEREON ARE IN U.S. SURVEY FEET AND DECIMALS
THEREOF.
- THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE ORIGINAL
SIGNATURE AND SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER. NO
ADDITIONS OR DELETIONS TO THIS SKETCH AND DESCRIPTION ARE PERMITTED
WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE SIGNING PARTY.

CURVE TABLE

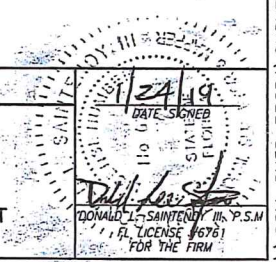
CURVE #	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C1	1668.95'	206.67'	7°05'42"	S 29°36'32" W	206.54'
C2	1048.93'	335.01'	18°17'57"	S 24°00'24" W	333.59'
C3	1731.09'	565.73'	18°43'28"	S 5°30'01" W	563.21'
C4	11317.00'	375.21'	1°53'59"	S 88°02'36" W	375.19'

* NOT A SURVEY *

SKETCH AND DESCRIPTION

A PARCEL OF LAND

LYING IN
SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



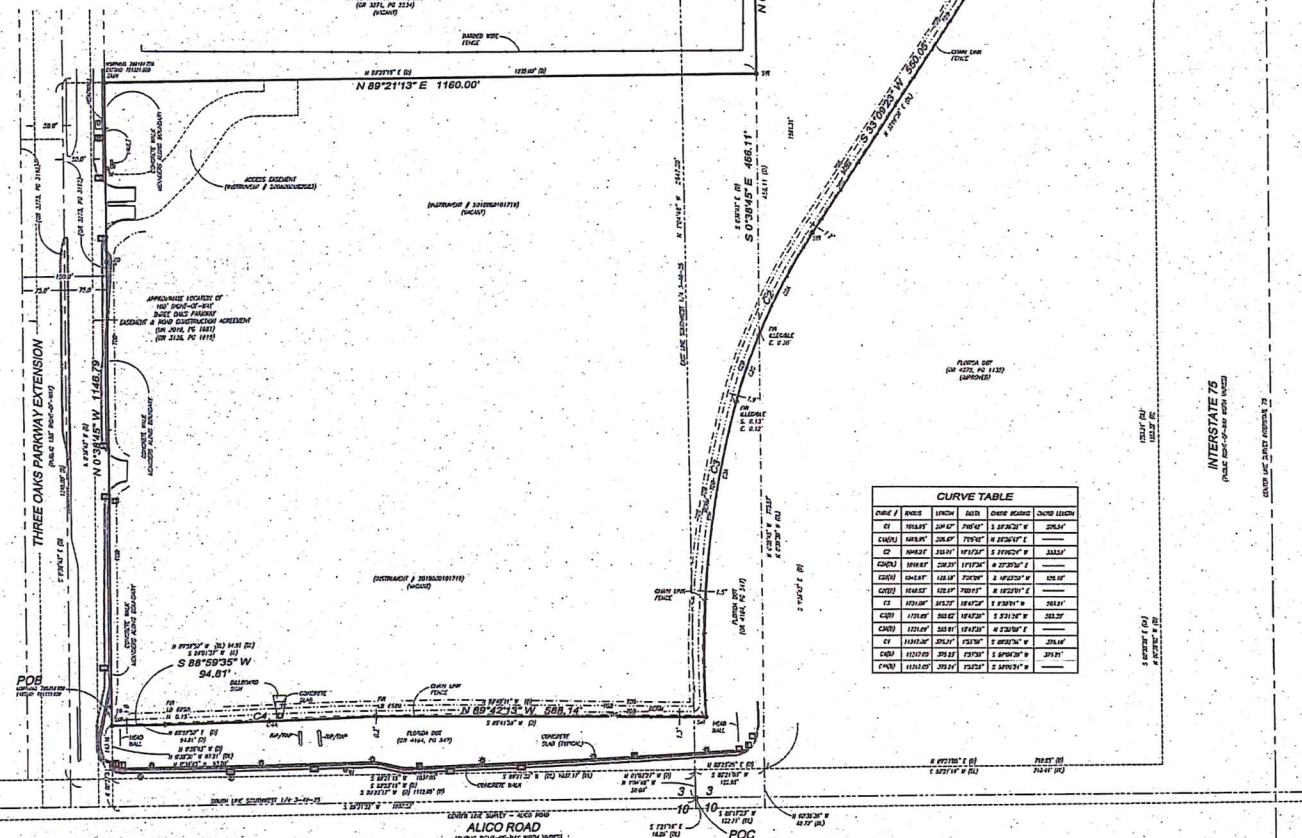
DRAWN BY: KJG
CHECKED BY: DLS
JOB CODE: CRMALPDO
SCALE: 1" = 300'
DATE: 24 JANUARY 2018
FILE: 19-18-L&S
SHEET: 1 of 1



Civil Engineers • Land Surveyors • Planners • Landscape Architects
Cert. of Auth. FB 0005151 Cert. of Auth. LB 0005151 Business LC 26000266
Bonita Springs: 239.947.1144 www.GradyMinor.com Fort Myers: 239.690.4380

O. Grady Minor and Associates, P.A.
3800 Via Del Rey
Bonita Springs, Florida 34134

EXHIBIT A



CHORD C	CHORD C	CHORD C	CHORD C	CHORD C	CHORD C
10	10.0000	10.0000	10.0000	10.0000	10.0000
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[illegible]

NOTES:

1. COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED BY THE NATIONAL COASTING SURVEY FOR FLORIDA STATE ZONE FIRST SOUTH. THE COORDINATES ARE BASED ON THE 1983 ADJUSTED MEAN SOLAR TIME OF 1980.0. COORDINATES ARE GIVEN IN DEGREES, MINUTES AND SECONDS AND REFER TO THE POINTING LINE OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 12N, RANGE 15E, 18S, FLORIDA.
2. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A TITLE CERTIFICATION LETTER PROVIDED BY THE FLORIDA DEPARTMENT OF REVENUE. THE LETTER STATES THAT THE SURVEY IS CORRECT, ACCURATE, NEUTRAL AND WITHOUT RESTRICTIONS OF ANY KIND. LATERAL ENCROACHMENTS ARE NOT PERMITTED BY THE SURVEY.
3. THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE X. WITHIN NO BASE FLOOD PLANNING FOR THE FUTURE, EMERGENCY MANAGEMENT AGENCY FLOOD RISK ZONE MAP # 170301C 0381.F.
4. CROWN FENCES REPRESENTED BY SYMBOLS MAY NOT BE SHOWN AT THEIR TRUE LOCATION ANYWHERE SCALE IS UNABLE TO BE SHOWN ON THEM AT THIS POINT.
5. DISTANCES SHOWN HEREON ARE IN U.S. FEET AND DECIMAL THEREOF.
6. THE SURVEY DOES NOT ADDRESS ANY IMPENDING, EXISTING, DANGEROUS OR HAZARDOUS OR OBSTRUCTED CONDITIONS.
7. THIS CERTIFICATION IS ONLY FOR THE LANDS DESCRIBED HEREIN. IT IS NOT A CERTIFICATION OF TITLE, EXHAUSTIVE, OR FREEDOM OF ENCUMBRANCES.
8. THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SURVEYOR AND SEAL OF A LICENSED SURVEYOR. ANY REPRODUCTION OF THIS SURVEY WITHOUT THE ORIGINAL SURVEYOR MAY BE VIOLATED WITHOUT THE EXPRESSION WRITTEN CONSENT OF THE SURVING PARTY.
9. UNLESS OTHERWISE NOTED, BELOW GROUND UTILITIES AND FOUNDATIONS HAVE NOT BEEN LOCATED OR SHOWN.
10. BY SIGNING BELOW I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS, FLORIDA CHAPTER 1000, F.A.C. CHAPTER 1000.001, F.A.C. PENDING TO CHAPTER 1000.001, FLORIDA STATUTES.
11. DATE OF LAST FIELD WORK: 20 SEPTEMBER 2017.

Applicant's Survey Checked
by Dr. 4/15/9

RECEIVED
Feb 13 2019
COMMUNITY DEVELOPMENT.

001 2018-10022

LEGEND		PRICES (Approximate)	
1	100	100	100
2	200	200	200
3	300	300	300
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91	9100	9100	9

 GradyMinor Civil Engineers • Land Surveyors • Planners • Landscape Architects Cert. of Auth. ID: 00005151 Cert. of Auth. ID: 00005151 Bonita Springs: 239.947.1144 www.GradyMinor.com Port Myers: 239.690.4300	Q. Grady Minor and Associates, P.A. 3000 Via Del Rey Bonita Springs, Florida 34134		DRAWN BY: KJS CHECKED BY: DLB JOB CODE: GRM100 SCALE: 1" = 10' DATE: 23 JANUARY 2010 FILE: 13-10-05-010
	SHEET: 1 of 1		

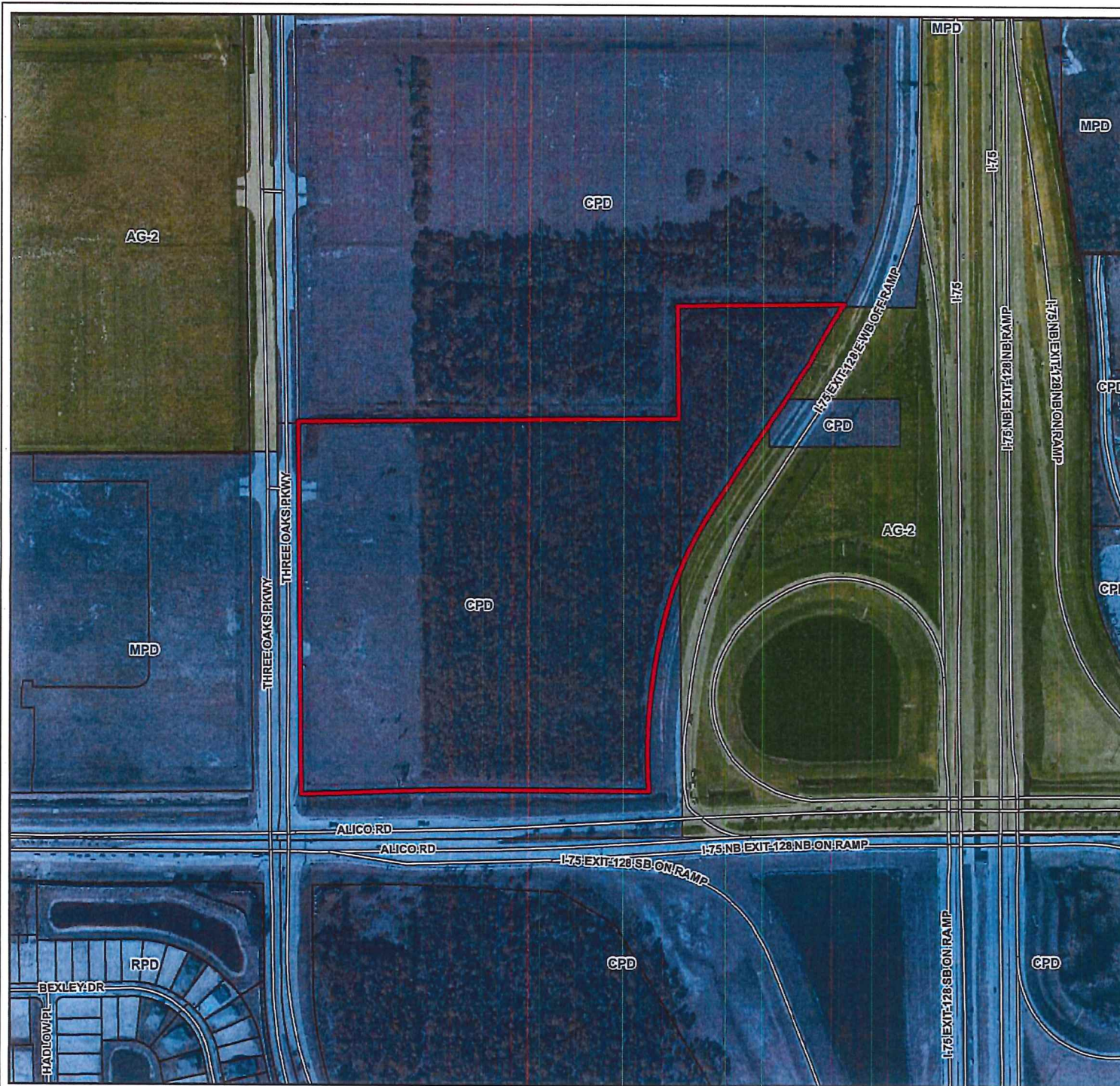
BOUNDARY SURVEY

A PARCEL OF LAND

LYING IN

SECTION 3, TOWNSHIP 48 SOUTH, RANGE 25 EAST

LEE COUNTY, FLORIDA



DCI2018-10022 Zoning

Legend

 Subject Parcel



0 500
Feet

ATTACHMENT B

LEE COUNTY
HEARING EXAMINER

2019 DEC 16 PM 3:55

ZONED: CPD (ALICO CROSSROADS CENTER CPD)
FLU: INDUSTRIAL COMMERCIAL INTERCHANGE
UNDEVELOPED

Approved as Exhibit C
MCP Page 1 of 1
Resolution # 19-035

PROPERTY BOUNDARY

PARCEL A
(C/R)

PARCEL B
(C)

PARCEL C
(C, HOTEL/MOTEL)

ZONED: AG-2
FLU: INDUSTRIAL COMMERCIAL INTERCHANGE
INTERSTATE ENTRANCE AND EXIT RAMP

ZONED: CPD (ALICO CROSSROADS CENTER)
FLU: INDUSTRIAL COMMERCIAL INTERCHANGE
UNDEVELOPED

PRESERVE
(2.55 AC.)

WATER
MANAGEMENT

ZONED: AG-2 AND CPD (ALICO ROAD BILLBOARD)
FLU: INDUSTRIAL COMMERCIAL INTERCHANGE
INTERSTATE ENTRANCE AND EXIT RAMP

PROJECT NOTES

1. WATER MANAGEMENT AREAS ARE CONCEPTUAL IN NATURE AND WILL BE DEVELOPED CONSISTENT WITH ERP AND SHOWN IN MORE DETAIL AT THE TIME OF DEVELOPMENT (D.O.) UNDER APPROVAL.
2. THE DEVELOPER INTENDS TO PURCHASE OFFSITE TDUs TO ACCOUNT FOR 2.55 ACRES OF ONSITE INDIGENOUS PRESERVE REQUIREMENTS.
3. ULTIMATE OUTPARCEL CONFIGURATION AND ACCESS POINTS TO BE DETERMINED AT THE TIME OF D.O. MCP WILL COMPLY WITH LDC SECTIONS 34-411(e) AND 10-442 AS APPLICABLE FOR TRANSIT FACILITIES AT THE TIME OF D.O. APPROVAL.

SITE SUMMARY

PLAN DESIGNATION: GENERAL INTERCHANGE
EXISTING ZONING: VINTAGE COMMERCE CENTER CPD
PROPOSED ZONING: VINTAGE COMMERCE CENTER CPD
EXISTING LAND USE: UNDEVELOPED
GROSS AREA: ± 33.95
STRAP NUMBER: 03-48-25-00-00001.1100, 03-48-25-00-00001.1090
STREET ADDRESS: 9401 ALICO ROAD, FT MYERS, FL

PROPERTY DEVELOPMENT REGULATIONS

COMMERCIAL / RETAIL / LIGHT INDUSTRIAL (C): 350,000 SF (THIS CAN BE COMPRISED OF A COMBINATION OF ALL USES)**
HOTEL/MOTEL: 300 ROOMS
MULTI-FAMILY RESIDENTIAL (R): 308 UNITS
**SUBJECT TO ZONING RESOLUTION

MINIMUM AREA DIMENSIONS:

LOT SIZE 10,000 SQUARE FEET
LOT DEPTH 100 FEET
LOT WIDTH 100 FEET

MINIMUM SETBACKS:

STREETS INTERNAL OR EXTERNAL: 25 FEET
SIDE: 15 FEET
REAR: 20 FEET
WATERBODY: 25 FEET
MAXIMUM BUILDING HEIGHT: 85 FEET
MAXIMUM LOT COVERAGE: 45 PERCENT
MINIMUM INDIGENOUS PRESERVE: 5.1 ACRES (10.18 ACRES X 0.5). A MINIMUM OF 2.55± ACRES SHALL BE PRESERVED ON-SITE, THE REMAINING 2.55± ACRES SHALL BE PRESERVED THROUGH OFF-SITE MITIGATION.

MINIMUM OPEN SPACE: A MINIMUM OF 30% (33.95 AC. X 0.30 = 10.18± ACRES) OF GENERAL OPEN SPACE MUST BE PROVIDED WITHIN THE OVERALL DEVELOPMENT SITE IF DEVELOPED WITH ALL NON-RESIDENTIAL USES. IF RESIDENTIAL IS DEVELOPED, A MINIMUM 40% (14 AC. X 0.40 = 5.6± ACRES) OPEN SPACE MUST BE PROVIDED AT TIME OF D.O. FOR THE RESIDENTIAL USE. EACH DEVELOPMENT TRACT MAY CONTAIN A MINIMUM OF 10 PERCENT OPEN SPACE PER LDC §34-414(C) PROVIDED THE DEVELOPER DEMONSTRATES THE OVERALL OPEN SPACE REQUIREMENT WILL BE MET WITH EACH LOCAL DEVELOPMENT ORDER SUBMITTAL. A 35% REDUCTION IN OPEN SPACE MAY BE TAKEN IF PROJECT UTILIZES PINE ISLAND TDU'S CONSISTENT WITH LDC 2-152(c)(1)b.

SCHEDULE OF DEVIATIONS

1. RELIEF FROM THE LDC §10-329(D)(1)A.3 REQUIREMENT TO PROVIDE A 50-FOOT-WIDE SETBACK FROM ROAD RIGHTS-OF-WAY AND PRIVATE PROPERTY LINES FOR WATER RETENTION EXCAVATION, TO ALLOW A 25-FOOT-WIDE SETBACK.
2. RELIEF FROM THE LDC §30-153(2)A.4. REQUIREMENT THAT ON-SITE IDENTIFICATION SIGNS BE SET BACK A MINIMUM OF 15 FEET FROM ANY STREET RIGHT-OF-WAY OR EASEMENT, AND 10 FEET FROM ANY OTHER PROPERTY LINE, TO ALLOW PROJECT IDENTIFICATION SIGNS IN A MEDIAN WITHIN THE PROJECT'S INTERNAL ROAD RIGHT-OF-WAY. THIS DEVIATION IS APPROVED WITH THE CONDITION THAT THE IDENTIFICATION SIGNS ARE PLACED AND CONSTRUCTED IN ACCORDANCE WITH LDC §30-93, VISIBILITY TRIANGLE SAFE SIGHT DISTANCE REQUIREMENTS.

DCI 2018-10022

*HOTEL/MOTEL COULD BE A USE ON ANY OUTPARCEL.

LEGEND

DEVIATION (C) COMMERCIAL
PRESERVE (C/R) COMMERCIAL/RESIDENTIAL

Revision	Date	Description
1	11/2019	REVISED DEVIATIONS #1 AND #3 REQUESTED BY STAFF
2	11/2019	REVISED TO REMOVE ALICO ROAD ACCESS
3	12/2019	REVISED PROPERTY DEVELOPMENT REGULATIONS
4	12/2019	REVISED PROPERTY DEVELOPMENT REGULATIONS
5	08/2019	REVISED PER REVIEW #3 COMMENTS
6	05/2019	REVISED PER REVIEW #1 COMMENTS
7	01/2019	REVISED PER REVIEW #1 COMMENTS

DESIGNED BY:

DRAWN BY:

APPROVED:

DATE:

SCALE:

1" = 100'

GradyMinor

Civil Engineers • Land Surveyors • Planners • Landscape Architects
Cert. of Auth. 03 0005151 Cert. of Auth. LB 0005151
Boca Raton, Florida 33434 Fort Myers: 239.690.4380

G. Grady Minor and Associates, P.A.
3800 Via Del Rey
Boca Raton, Florida 33434
Boca Raton: 239.690.4380

VINTAGE COMMERCE CENTER CPD

MASTER CONCEPT PLAN

MUNICIPALITY: LEE COUNTY
SUBMITTER: VCMG
DATE: 03/4/2020
NO. OF SHEETS: 21
SHEET: 1 OF 1

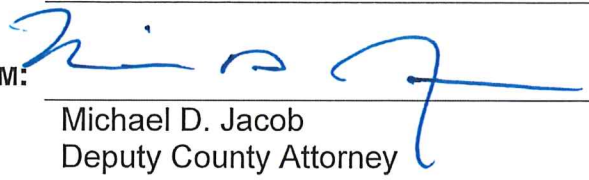
**MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY**

VIA EMAIL ONLY

DATE: June 24, 2020

TO: Eileen Gabrick
Minutes Office Manager

FROM:


Michael D. Jacob
Deputy County Attorney

RE: **Zoning Resolution Z-20-002, Adopted May 20, 2020
Scrivener's Error**

Lee County Zoning Resolution Z-20-002, adopting Three Oaks Distribution Center (DCI2019-00013), contains a scrivener's error on page 28. The errors consist of the incorrect version of Exhibit B, zoning map, being attached to the final document.

Consequently, we respectfully request that you replace page 28, Exhibit B, in Resolution Z-20-002 with the attached page so that it correctly reflects the map adopted by the County.

Should you have any questions concerning the above, please do not hesitate to contact me.

MDJ:tlb
Attachment

cc via email only: Audra Ennis, Zoning Manager
Daniel Munt, DCD Planner
Rick Burris, DCD Principal Planner
Jamie Baker, Administrative Specialist

DCI2019-00013 Zoning

EXHIBIT B

Legend

 Subject Parcel



0 500
Feet



ATTACHMENT M

RESOLUTION NUMBER Z-20-002

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA

WHEREAS, Alan C. Freeman, Trustee, filed an application on behalf of the property owner, Bradley S. Weiss, Trustee, to rezone a 93.02± acre parcel from Agricultural (AG-2) to Mixed Used Planned Development (MPD) in reference to Three Oaks Distribution Center; and

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Amanda L. Rivera, was advertised and held on January 23, 2020. At the conclusion of the hearing, the Hearing Examiner left the record open and requested Staff and the Applicant to submit written submissions to her Office on or before February 7, 2020. On February 7, 2020, the Applicant requested an extension to allow additional time for Staff and Applicant to submit a joint response. The Hearing Examiner granted the extension to submit written submissions to her Office on or before February 12, 2020; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case #DCI2019-00013 and recommended Approval of the Request; and

WHEREAS, a second public hearing was advertised and held on May 20, 2020 before the Lee County Board of Commissioners; and,

WHEREAS, the Lee County Board of Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant filed a request to rezone a 93.02± acre parcel from AG-2 to MPD, to allow 600,000 square feet of industrial and 600,000 square feet of commercial office and retail uses (1,200,000 total square feet).

The property is located in the Industrial Development and Industrial Commercial Interchange Future Land Use Categories and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. Development of this project must be consistent with the Master Concept Plan (MCP) entitled "Three Oaks Distribution Center" prepared by Quattrone & Associates, Inc., date stamped received June 4, 2020, and attached hereto as Exhibit C, except as modified by the conditions below. Development must comply with all requirements of the 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 MCP are subsequently pursued, appropriate approvals will be necessary.

This MPD allows a maximum of 1,200,000 square feet of commercial and industrial development floor area (600,000 square feet of industrial floor area and 600,000 square feet of commercial floor area). Commercial retail is limited to a maximum of:

- a. 20% of floor area for tracts west of Oriole Road; and
 - b. 80% of floor area for tracts east of Oriole Road.
2. The following limits apply to the project and uses:

a. **Schedule of Uses**

Tracts A, B, and C

Accessory Uses and Structures

Administrative Offices

Agricultural Services: Office/Base Operations

Agricultural Uses and Accessory Uses (see Condition 3)

Aircraft Food Services and Catering

Animals: Clinic or Kennel

Auto Parts Store

Automobile Repair and Service: All Groups

Automobile Service Station (Limited to one for the entire MPD)

Bait and Tackle Shop

Banks and Financial Establishments: All Groups

Bar or Cocktail Lounge

Boats:

Boat Parts Store

Repair and Service

Sales

Dry Storage

Broadcast Studio, Commercial Radio and Television

Building Material Sales

Business Services: All Groups

Bus Station/Depot

Caretaker's Residence

Car Wash

Cleaning and Maintenance Services

Clothing Stores, General

Clubs: Commercial & Fraternal, Membership Organization

Cold Storage, Pre-Cooling, Warehouse & Processing Plant

Computer and Data Processing Services

Consumption on Premises in conjunction with restaurant or bar or cocktail lounge

Contractors and Builders: All Groups

Convenience Food and Beverage: maximum of 20 fuel pumps (Limited to one for the entire MPD)

Cultural Facilities
 Day Care Center: Child, Adult
 Department Store
 Drive through Facility for any permitted use
 Drugstore/Pharmacy
 Emergency Operations Center
 EMS, Fire or Sheriff's Station
 Entrance Gates and Gatehouse
 Essential Services
 Essential Service Facilities: Group I
 Excavation: Water Retention
 Excess Spoil Removal
 Factory Outlets, Point of Manufacture Only
 Fences, Walls
 Food and Beverage Service, Limited
 Food Stores: All Groups
 Freight or Cargo Handling Systems
 Funeral Home and Mortuary (with or without crematorium)
 Gasoline Dispensing System, Special
 Gift and Souvenir Shop
 Hardware Store
 Health Care Facilities: All Groups (see Condition 7)
 Helistop
 Hobby, Toy and Game Shops
 Household and Office Furnishings: All Groups
 Insurance Companies
 Laundry or Dry Cleaning: All Groups
 Lawn & Garden Supply Store
 Library
 Maintenance Facility (Government)
 Manufacturing of:
 - Apparel Products
 - Boats
 - Chemical and Allied Products: All Groups
 - Electrical Machinery and Equipment
 - Fabricated Metal Products, Groups II and III
 - Food and Kindred Products, Groups II and III
 - Furniture and Fixtures
 - Leather and Leather Products, Group II
 - Lumber and Wood Products, Groups II
 - Machinery, all Groups
 - Measuring, Analyzing and Controlling Instruments
 - Novelties, Jewelry, Toys and Signs, All Groups
 - Paper and Allied Products, Groups II and III
 - Rubber and Plastic Products, Group II
 - Stone, Clay, Glass and Concrete Products, Group I
 - Textile Mill Products: All Groups
 - Transportation Equipment, Group I
 Medical Office
 Motion Picture Production Studio

Nightclubs (limited to one for the entire MPD)
 Non-store Retailers: All Groups
 Paint, Glass and Wallpaper
 Parcel and Express Services
 Package Store
 Parks, Groups I and II
 Parking Lot:
 Accessory
 Commercial
 Garage
 Temporary
 Personal Services: All Groups (Excluding Steam or Turkish Baths, Escort
 Services, Palm Readers, Fortunetellers or Card Readers)
 Pet Services
 Pet Shop
 Photofinishing Laboratory
 Place of Worship
 Plant Nursery
 Post Office
 Printing and Publishing
 Processing and Warehousing
 Real Estate Sales Office
 Recreation Facilities Commercial: Groups I, III, and IV
 Religious Facilities
 Rental or Leasing Establishment: All Groups
 Repair Shops: Groups I, II, III and IV
 Research and Development Laboratories: All Groups
 Restaurant, Fast Food
 Restaurants: All Groups
 Retail and wholesale sales, when clearly incidental and subordinate to a
 permitted principal use on the same premises
 Schools:
 Commercial
 Noncommercial
 Signs
 Social Services: Groups I and II
 Specialty Retail Shops: All Groups
 Storage: Open & Indoor Only
 Studios
 Temporary Uses
 Theater, Indoor
 Transportation Services: Groups II, III and IV
 Truck Stop, Trucking Terminal
 Used Merchandise Stores: All Groups
 Variety Store
 Vehicle & Equipment Dealers: All Groups
 Warehouse:
 Mini-warehouse
 Private
 Public

Wholesale Establishments: Groups I, II, and IV

Tracts D, E, and F

Accessory Uses and Structures
Administrative Offices
Agricultural Services: Office/Base Operations
Agricultural Uses and Accessory Uses (see Condition 3)
Aircraft Food Services and Catering
Animals: Clinic or Kennel
Auto Parts Store
Automobile Repair and Service: All Groups
Banks and Financial Establishments: Group I
Boats: Boat Parts Store, Repair and Service, Sales, Dry Storage
Broadcast Studio, Commercial Radio and Television
Building Material Sales
Business Services: All Groups
Bus Station/Depot
Caretaker's Residence
Car Wash
Cleaning and Maintenance Services
Cold Storage, Pre-Cooling, Warehouse & Processing Plant
Computer and Data Processing Services
Consumption on Premises in conjunction with restaurant
Contractors and Builders: All Groups
Drive through Facility for Any Permitted Use
Drugstore/Pharmacy
Emergency Operations Center
EMS, Fire or Sheriff's Station
Entrance Gates and Gatehouse
Essential Services
Essential Service Facilities: Group I
Excavation: Water Retention
Excess Spoil Removal
Fences, Walls
Food and Beverage Service, Limited
Freight or Cargo Handling Systems
Gasoline Dispensing System, Special
Hardware Store
Helistop
Hobby, Toy and Game Shops
Household and Office Furnishings: All Groups
Laundry or Dry Cleaning: All Groups
Lawn & Garden Supply Store
Medical Office
Maintenance Facility (Government)
Manufacturing of:

- Apparel Products
- Boats
- Chemical and Allied Products: All Groups

- Electrical Machinery and Equipment
- Fabricated Metal Products, Groups II and III
- Food and Kindred Products, Groups II and III
- Furniture and Fixtures
- Leather and Leather Products, Group II
- Lumber and Wood Products, Groups II
- Machinery, all Groups
- Measuring, Analyzing and Controlling Instruments
- Novelties, Jewelry, Toys and Signs, All Groups
- Paper and Allied Products, Groups II and III
- Rubber and Plastic Products, Group II
- Stone, Clay, Glass and Concrete Products, Group I
- Textile Mill Products: All Groups
- Transportation Equipment, Group I

Motion Picture Production Studio

Nonstore Retailers: All Groups

Paint, Glass and Wallpaper

Parcel and Express Services

Parking Lot:

Accessory

Commercial

Garage

Temporary

Personal Services: All Groups (Excluding Steam or Turkish Baths, Escort Services, Palm Readers, Fortunetellers or Card Readers)

Pet Services

Pet Shop

Photofinishing Laboratory

Place of Worship

Post Office

Printing and Publishing

Processing and Warehousing

Real Estate Sales Office

Recreation Facilities Commercial: Groups I, III, and IV

Religious Facilities

Rental or Leasing Establishment: All Groups

Repair Shops: Groups I, II, III and IV

Research and Development Laboratories: All Groups

Restaurants: Groups I, and II

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

Schools:

Commercial

Noncommercial

Signs

Social Services: Groups I and II

Specialty Retail Shops: All Groups

Storage: Open & Indoor Only

Studios

Temporary Uses

Transportation Services: Groups II, III and IV
Used Merchandise Stores: All Groups
Vehicle & Equipment Dealers: All Groups
Warehouse: Mini-warehouse, Private, Public, Cold Storage
Wholesale Establishments: Groups I, III and IV

b. Site Development Regulations

Minimum Lot Area and Dimensions:

Lot Size:	10,000 square feet
Lot Width:	100 feet
Lot Depth	100 feet

Minimum Setbacks:

Street, Public	25 feet
Internal Street	20 feet
Side	10 feet
Rear	15 feet
Water Body	20 feet (top of bank)

Minimum Perimeter Setbacks	Commercial	15 feet
	Industrial	25 feet

Accessory Uses: Per LDC §34-1171 *et. seq.*

Maximum Lot Coverage: 40%

Minimum Open Space:	Commercial	30%
	Industrial	20%

Maximum Building Height: 65 feet (height in excess of 35 feet must maintain additional building setbacks and separation per LDC §34-2174(a))

Building Separation: One-half the sum of the heights of both buildings or 20 feet, whichever is greater.

3. Agricultural Uses

Existing bona fide agricultural uses (livestock pasture/cattle grazing) may continue on the site SUBJECT TO the following:

- a. Termination of Agricultural Use. Agricultural uses must terminate on project areas receiving development order approval for vertical development and prior to county issuance of a vegetation removal permit. Development order approvals for plats, infrastructure improvements, landscaping, surface water management, or other non-vertical development do not trigger termination.

- b. Additional Clearing Prohibited. Additional clearing of trees or other vegetation in agricultural areas is prohibited. Existing areas of bona fide agricultural use may be maintained, (i.e., mowed), but not cleared or expanded. This prohibition does not preclude County approved requests to remove invasive exotic vegetation.
- c. Proof of Termination. Upon approval of a local development order for vertical development and prior to the issuance of a vegetation removal permit, the property owner must provide written proof of the following, SUBJECT TO review/approval by the County Attorney's Office:
 - i. Affidavit. Sworn affidavit from the property owner confirming:
 - (1) Date agricultural uses ceased;
 - (2) Legal description of property SUBJECT TO development order approval for vertical development;
 - (3) Affirmative statement acknowledging and agreeing agricultural uses are illegal and prohibited on the property. Further that the property owner covenants with the County not to resume agricultural uses until the property is rezoned to permit agriculture; and
 - (4) The affidavit constitutes a covenant between the property owner and Lee County binding on the owner and its successors. The covenant must be properly recorded in the public records of Lee County at the owner's expense.
 - ii. Termination of Tax Exemption. Termination of the agricultural tax exemption for portions of the property SUBJECT TO a development order for vertical development. Proof of termination must include a copy of the request to terminate the tax exemption submitted to the Property Appraiser.

4. Development Permits

County development permits do not establish a right to obtain permits from state or federal agencies. Further, it does not establish liability on the part of the county if the Developer: (a) does not obtain requisite approvals or fulfill obligations imposed by state or federal agencies; or (b) undertakes actions that result in a violation of state or federal law.

5. Environmental

- a. Development orders for Tract F must comply with the adopted Southern Bald Eagle Management Plan ("Plan") for the nest located approximately 600 feet south of the property. If the Board does not adopt a Plan by the time the county approves a development order for Tract F, the development order must prohibit outdoor construction within 660 feet of the nest during eagle nesting season.
- b. The Developer must submit a burrowing owl protected species survey with the applications for development orders and vegetation removal permits.

6. Airport Noise

The Developer, successor or assign acknowledges the property's proximity to Southwest Florida International Airport and the potential for noises created by and incidental to the operation of the airport as outlined in LDC §34-1104. The Developer, successor or assign acknowledges that a disclosure statement is required on plats, and in association documents for condominium, property owner and homeowner associations as outlined in LDC §34-1104(b).

7. Health Care Facility, Group IV

If the Developer proposes a Group IV Health Care Facility, Developer must reduce commercial or industrial square footage in a proportionate amount to ensure project traffic generation does not exceed PM Peak Hour trips analyzed in the Three Oaks Distribution Center Traffic Impact Statement. (TIS stamped "received" by the Department of Community Development June 14, 2019). This condition may be implemented administratively.

8. Development Tracking

Each development order application must include a report itemizing the following:

- a. Uses. Intensity of uses (expressed in the square feet of floor area) of each non-residential uses proposed in the application. The report must provide individual proposed intensities for:
 - i. Industrial uses;
 - ii. Commercial uses; and
 - iii. Healthcare facility, Group IV, uses.
- b. Cumulative Totals. The cumulative total intensity including prior local development order approvals for each use classified above.
- c. Remaining Square Footage. The square footage available for future development for each use classification above.

SECTION C. DEVIATIONS:

- 1.a. Deviation (1.a.) Connection Separation Three Oaks Parkway seeks relief from the LDC §10-285(a) Table I requirement to provide a minimum connection separation of 440 feet on a minor arterial road, to allow separation of 350 feet on Three Oaks Parkway. This deviation is APPROVED, SUBJECT TO the following condition:

Turning movements at the proposed entrance will be determined at time of local development order. If a right-in movement is permitted, the Developer must construct a turn lane in compliance with Lee County Administrative Code AC-11-4.

- 1.b. Deviation (1.b.) Connection Separation Oriole Road (south) seeks relief from the LDC §10-285(a) Table I requirement to provide a minimum connection separation of 330 feet on a major collector road, to allow a separation of 80 feet on Oriole Road between the project's southern driveway and the "emergency only" exit of the proposed fire station south of the project, 300 feet from the fire station's main driveway. This deviation is APPROVED.
- 1.c. Deviation (1.c.) Connection Separation Oriole Road (north) seeks relief from the LDC §10-285(a) Table I requirement to provide a minimum connection separation of 330 feet on a major collector road, to allow a separation of 80 feet on Oriole Road between the project's northern driveways and the FPL Access driveways for their Patrol Road on the applicant's property. The proposed driveways will be approximately 650 feet south of the driveway stubs on the property north of the site. This deviation is APPROVED.
- 2.a. Deviation (2.a.) Surface Water Management: Setbacks for Water Retention or Detention Excavations seeks relief from the LDC §10-329(d)(l)a.2 prohibition of no excavation within 50 feet of existing or proposed right-of-way line or easement for a collector or arterial street, to allow a 25 foot setback. This deviation is APPROVED, SUBJECT TO the following condition:
- The Developer must provide protection of wayward vehicles using guardrails, berms, swales, vegetation, or other methods determined by Lee County Development Services Manager.
- 2.b. Deviation (2.b.) Surface Water Management: Setbacks for Water Retention or Detention Excavations seeks relief from the LDC §10-329(d)(i)a.3 prohibition of no excavation within 50 feet of a private property line under separate ownership, to allow a 25 foot setback, or a zero foot setback if the line is combined with an adjacent lake. This deviation is APPROVED.
- 2.c. Deviation (2.c.) Surface Water Management: Bank Slopes seeks relief from the LDC §10-329(d)(4) requirement that excavation banks be sloped at a ratio not greater than six horizontal to one vertical from the top of bank to a water depth of two feet below the dry season water, to allow the existing lake to be sloped at a ratio of four horizontal to one vertical foot. This deviation is APPROVED.
- 2.d. Deviation (2.d.) Surface Water Management: Fencing seeks relief from the LDC §10-329(d)(6) requirement of a four-foot fence around water retention excavations when located less than 100 feet from a property under separate ownership, to allow no fencing around existing or proposed lakes. This deviation is APPROVED.
- 3.a. Withdrawn.
- 3.b. Withdrawn.
- 3.c. Deviation (3.c.) Right-of-Way Buffer seeks relief from the LDC §10-416(d)(4)(3) Notes for Buffer Type Table requirement that palm trees are limited to a maximum of 50% of the right-of-way (ROW) tree requirement, to allow palms to make up 100% of the ROW tree requirement along Three Oaks Parkway for Tracts A-2, B-2, and C-2. This deviation is APPROVED.

- 3.d. Deviation (3.d.) Littoral Shelf (Proposed Lakes Only) seeks relief from the LDC §10-418(2) requirement that surface water management systems provide a planted littoral shelf mimicking the function of a natural marsh, to not provide a littoral shelf that allows substitution of native wetland trees for up to 25% of the required herbaceous plants, to allow the substitution of native wetland trees for 100% of the herbaceous plants required. This deviation is APPROVED, SUBJECT TO the following condition:

Native wetland trees may be substituted up to 100% of the required herbaceous plants. One tree (minimum ten-foot-height; two-inch caliper, with a four-foot spread) may be substituted for 100 herbaceous plants.

- 4.a. Deviation (4.a.) Planting Strips seeks relief from the LDC §10-296(e)(2)d requirement to install trees in the 6-foot planting area between the sidewalk and road edge of pavement, to allow required trees to be planted on only one side of the road, to allow 100% of the trees to be palm trees, and to allow the palm trees to be clustered. This deviation is APPROVED, SUBJECT TO the following condition:

Palm trees must be staggered in height from 10 feet to 14 feet tall.

- 4.b. Deviation (4.b.) Cul-de-Sacs seeks relief from the LDC §10-296(k)(l) requirement that dead-end streets be closed at one end by a circular turnaround for vehicles, to allow the internal roads and/or accessways to be constructed with hammerhead road configuration instead of cul-de-sacs. This deviation is APPROVED, SUBJECT TO the following condition:

As each interconnection with adjacent property becomes available, the Developer must remove temporary hammerheads and extend the internal north-south roads to connect to roads on neighboring properties.

5. Deviations (5.a.) and (5.b.) Signs seek relief from the LDC §30-153(2)a. and §30-153(2)a.1.ii. limitation of one identification sign equal to one square foot of sign area per face for every one linear foot of frontage, to allow two ground-mounted identification signs each on Three Oaks Parkway frontage and on the west side of Oriole Road frontage with a sign area not to exceed 200 square feet per sign. These deviations are APPROVED, SUBJECT TO the following conditions:

- i. Ground-mounted identification signs must have a minimum separation of 100 feet;
- ii. Ground-mounted identification signs have a maximum height of 20 feet; and
- iii. No more than four ground-mounted identification signs are permitted for the entire MPD.

SECTION D. EXHIBITS:

The following exhibits are attached to this resolution and incorporated by reference:

- Exhibit A: Legal description of the property
- Exhibit B: Zoning Map (with the subject parcel indicated)
- Exhibit C: The Master Concept Plan

SECTION E. FINDINGS AND CONCLUSIONS:

Based upon its review, the Board of County Commissioners adopts the recommendation of the Hearing Examiner, including the following findings and conclusions:

1. As conditioned herein, the proposed rezoning to the Three Oaks Distribution Center MPD:
 - a. Complies with the Lee Plan. See, Lee Plan Vision Statement Paragraph 10 (Gateway/Airport Planning Community), Lee Plan Goals 2, 4, 6, 7, 39, 158, Objectives 1.1, 1.3, 1.7, 2.2, 4.1, 6.1, 7.1, and Policies 1.1.7, 1.3.4, 1.7.6, 2.2.1, 4.1.2, 6.1.1, 6.1.3, 7.1.1, 7.1.2, 7.1.3, 7.1.5, 7.1.9; Lee Plan Maps 1, 16.
 - b. Complies with the LDC and other County regulations. See, LDC Chapters 10, 14, and 34;
 - c. Is compatible with existing and planned uses in the area. See, Lee Plan Policies 1.1.7, 1.3.4, 2.1.1, 2.1.2, 2.2.1, 6.1.1, 7.1.1, 7.1.2, 7.1.3; LDC §§ 34-411(c), (i), and (j).
 - d. Will not adversely affect environmentally critical areas and natural resources. See, Lee Plan Goal 77, Objectives 4.1, 77.1, and LDC §34-411(h).
 - e. Will be served by urban services. See, Lee Plan Glossary, Maps 6, 7, Goal 2; Objectives 2.1, 2.2, 4.1, 53.1, 56.1; Policies 2.2.1, and Standards 4.1.1 and 4.1.2; LDC §34-411(d).
2. The MCP reflects sufficient access to support the intensity of development. In addition, County regulations and conditions of approval will address expected impacts to transportation facilities. See, Lee Plan Goal 39, Objective 39.1; LDC §34-411(d).
3. The proposed mix of uses is appropriate at the proposed location. See, Lee Plan Policies 1.1.7, 1.3.4, 2.1.1, 6.1.1, 7.1.1.
4. The recommended conditions are sufficient to protect the public interest and reasonably relate to the impacts expected from the development. See, Lee Plan Policies 7.1.5; *See also*, LDC Chapters 10 and 34.
5. As conditioned herein, the deviations:
 - a. Enhance the objectives of the planned development; and

- b. Promote the intent of the LDC to protect the public health, safety and welfare. See, §34-377(b)(4).

SECTION F. SCRIVENER'S ERRORS

The Board intends that this resolution can be renumbered or relettered and typographical errors that do not affect the intent and are consistent with the Board's action can be corrected with the authorization of the County Manager or his designee, without the need for a public hearing.

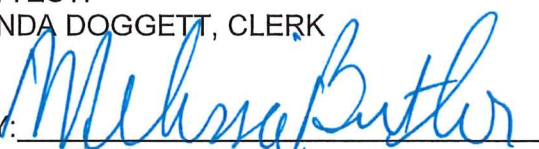
Commissioner Manning made a motion to adopt the foregoing resolution, seconded by Commissioner Pendergrass. The vote was as follows:

Adopted by unanimous consent.

John Manning	Aye
Cecil Pendergrass	Aye
Raymond Sandelli	Aye
Brian Hamman	Aye
Frank Mann	Aye

DULY PASSED AND ADOPTED this 20th day of May 2020.

ATTEST:
LINDA DOGGETT, CLERK

BY: 
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: 
Brian Hamman, Chair



APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY


Michael D. Jacob
Deputy County Attorney
County Attorney's Office

EXHIBIT "A"

DESCRIPTION TO ACCOMPANY SKETCH:
A PLOT OR PARCEL OF LAND LYING IN A
PORTION OF SECTION 3 AND 4, TOWNSHIP 46
SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

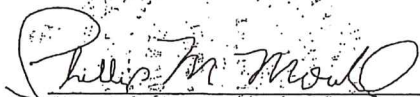
DESCRIPTION:

A TRACT OR PARCEL OF LAND LYING IN SECTIONS 3 & 4, TOWNSHIP 46 SOUTH,
RANGE 25 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE AFORESAID SECTION 4; THENCE
RUN N.00°58'37"W. ALONG THE EAST LINE OF SAID SECTION 4 FOR 1196.58 FEET TO
THE POINT OF BEGINNING; THENCE RUN S.89°32'35"W. FOR 1506.39 FEET; THENCE
RUN N.00°58'36"W. FOR 1363.49 FEET; THENCE RUN N.89°43'43"E. FOR 1506.44 FEET
TO A POINT ALONG THE EAST LINE OF SAID SECTION 4; THENCE RUN N.89°21'36"E.
TO A POINT ALONG THE WEST RIGHT-OF-WAY LINE OF THREE OAKS PARKWAY (150
FEET WIDE) FOR 1475.17 FEET; THENCE RUN S.00°38'24"E. ALONG SAID WEST
RIGHT-OF-WAY LINE FOR 1363.12 FEET; THENCE RUN S.89°32'35"W. TO A POINT
ALONG THE AFORESAID WEST LINE SECTION FOR 1467.20 FEET TO THE POINT OF
BEGINNING.

SAID TRACT CONTAINS 93.02 ACRES, MORE OR LESS AND IS SUBJECT TO
EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

Applicant's Legal Checked
by Dm 6/26/19



PHILLIP M. MOULD
PROFESSIONAL SURVEYOR AND MAPPER
#6515 - STATE OF FLORIDA
4/26/2019

RECEIVED
"NOT A BOUNDARY SURVEY"
DRIDLE-THREE OAKS 3-19

HARRIS-JORGENSEN, LLC
3048 DEL PRADO BLVD SUITE 100
CAPE CORAL, FLORIDA 33904
PHONE: (239) 257-2624
EMAIL: HJINC@COMCAST.NET

DCI 2019-00013

Applicant's Legal Checked
by *DM 6/26/19*

D.R. BOOK 4512, PAGE 3972

DCI 2019-00013

N00°58'36"W. 1363.49'

INSTRUMENT 2006000061558

85' FLORIDA POWER &
LIGHT COMPANY EASEMENT

N.89°43'43"E. 1506.44'

1317.70'

85' FLORIDA POWER &
LIGHT COMPANY EASEMENT

STATE PLANE COORDINATES
FLORIDA WEST ZONE
N=787404.27
E=710175.72

SUBJECT PARCEL

D.R. BOOK 4778, PAGES 1716-1718

PROPOSED WEST R/V LINE

(PROPOSED) DRIDLE PARKWAY

ROADWAY (80' R/W)

PROPOSED EAST R/V LINE

N00°58'37"W. 1358.61'

WEST LINE OF SECTION 3-46-25

V. 1/4 CORNER
SECTION 3-46-25

INSTRUMENT 2006000061558

N.89°21'36"E. 1475.17'

85' FLORIDA POWER &
LIGHT COMPANY EASEMENT

85' FLORIDA POWER &
LIGHT COMPANY EASEMENT

SUBJECT PARCEL

SEE EXHIBIT 'A' FOR DESCRIPTION
TO ACCOMPANY THIS SKETCH
'NOT A BOUNDARY SURVEY'

75' 75'

WEST R/V LINE

S.00°38'24"E. 1363.12'

THREE OAKS PARKWAY
(150' R/W)

EAST R/V LINE

D.R. BOOK 3273,
PAGE 3187,
THREE OAKS LAND

ALICO DEV.
D.R. BOOK 3273,
PAGE 3192

S.89°32'35"W. 1506.39'

INSTRUMENT No. 2019000053980

INSTRUMENT No.
2018000241402

POINT OF BEGINNING
STATE PLANE COORDINATES
FLORIDA WEST ZONE
N=786053.00
E=719705.30

S.89°32'35"W. 1467.20'

INSTRUMENT No. 2019000055318

SKETCH TO ACCOMPANY DESCRIPTION

A PLOT OR PARCEL OF LAND LYING IN
A PORTION OF SECTION 3 AND 4,
TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

150 0 150 300 450
SCALE IN FEET

POINT OF COMMENCEMENT
S.V. CORNER OF SECTION 3-46-25
FOUND 3" x 3" C.M.

DRAWN: PMM	CHECK: FBH	SCALE 1"=300'	PROJ. # DRIDLE-THREE OAKS 3-19	HARRIS-JORGENSEN, LLC 3048 DEL PRADO BLVD. S., SUITE 100 CAPE CORAL, FLORIDA 33904 PHONE: (239) 257-2624 EMAIL: HJINC@COMCAST.NET
SKETCH DATE: 4/26/2019	FILE NO. 46-25-4	SHT.- 1 OF - 2		

FLORIDA CERTIFICATE OF AUTHORIZATION # LB6921

SKETCH NOTES:

1. BASIS OF BEARING SHOWN HEREON TAKEN FROM THE EAST LINE OF SECTION 4-46-25, AS BEING N00°56'55"W.
2. FIELD NOTES IN SECTION 4-46-25.
3. THIS CERTIFICATION IS ONLY FOR LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF ZONING OR FREEDOM OF ENCUMBRANCES.
4. THIS SKETCH SURVEY IS BASED ON DESCRIPTION AS PROVIDED BY CLIENT.
5. UNDERGROUND STRUCTURES AND UTILITIES, IF ANY, ARE NOT INCLUDED.
6. THIS MAP/PLAT IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
7. ALL BEARINGS AND DISTANCES ARE PLAT AND MEASURED, UNLESS OTHERWISE SHOWN.
8. THIS SURVEY IS INTENDED TO BE VIEWED AS AN 8 1/2 x 14", 300 SCALE DRAWING.

SURVEY NOTES:

1. BASIS OF BEARING SHOWN HEREIN TAKEN FROM THE WEST LINE OF SECTION 36, T4N, R10E, KING RANGE, 104°.
2. FIELD NOTES IN SECTION 34-44-10.
3. THIS SURVEY WAS MADE BY JOHN W. HANCOCK, LICENSED HEREIN. IT IS NOT A CERTIFICATION OF JUDGING OF FREEDOM OF ENCUMBRANCES.
4. THIS SURVEY WAS MADE IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT AT LAW, DATED APRIL 08, 1978.
5. UNDERGROUND STRUCTURES AND UTILITIES, IF ANY, ARE NOT INCLUDED HEREIN. THE SURVEYOR MAKES NO REPRESENTATION AS TO THE EXISTENCE AND LOCATION OF SUCH STRUCTURES AND UTILITIES.
6. THIS SURVEY IS INTENDED TO BE VIEWED AS AN AS-IS, IN-SAMPLE SURVEY. THE SURVEYOR MAKES NO REPRESENTATION AS TO THE EXISTENCE AND LOCATION OF SUCH STRUCTURES AND UTILITIES.
7. ELEVATIONS ARE BASED ON THE NATIONAL VERTICAL DATUM OF 1956 (NAVD56).

FIELD ZONE: 34 ELEVATION DATA:
COMPUTED FROM THE SURVEY DATA
SUFFIT 100 - E REVISION DATE 04/08/08
NAI NUMBER: 000703070
THIS SURVEY WAS PREPARED BY
ALAN C. FREEMAN
QUANTICO, VA
QUANTICO ASSOCIATES, INC.
END SURVEY

[illegible]

A TRACT OR PARCEL OF LAND LYING IN SECTIONS 3 & 4, TOWNSHIP 45 SOUTH, RANGE 93 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE AFORESAID SECTION 4; THENCE RUN N40°50'37"W. ALONG THE EAST LINE OF SAID SECTION 4 FOR 1156.00 FEET TO THE POINT OF BEGINNING; THENCE RUN S.09°32'23"E. FOR 100.00 FEET; SOUTHERLY AND WesterlyLY; AND LASTLY, BEING THE TRUE MAGNETIC BEARING, RUN 100.00 FEET

FOR 1263.39 FEET; THENCE RUN N89°58'35"W. FOR 1263.49 FEET; THENCE RUN N89°42'43"E. FOR 1264.44 FEET TO A POINT ALONG THE EAST LINE OF SAID SECTION 4; THENCE RUN N89°29'25"E. TO A POINT ALONG THE WEST RIGHT-OF-WAY LINE OF THREE RAKS PARKWAY (150 FEET WIDE) FOR 1475.17 FEET; THENCE RUN

S.89°20'44"E. ALONG SAID WEST RIGHT-OF-WAY LINE FOR 126312 FEET THEREAFTER S.89°32'35"W. TO A POINT ALONG THE AFORESAID WEST LINE SECTION FOR 146729 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 93.60 ACRES, MORE OR LESS AND IS SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

TOWNSHIP 45 SOUTH, RANGE 25 EAST
(DR. BOOK #772, PAGES 1716-1717)
LEE COUNTY, FLORIDA

[illegible]

Applicant's Survey Checked
by Dr. 6/26/11

RECEIVED
JUN 14 2018

COMMUNITY DEVELOPMENT

DCI 2019-00013

SECONDARY SURVEY OF
 OR PARCEL OF LAND
 SECTION 3 AND 4
 TOWNSHIP 46 SOUTH, RANGE 25 EAST
 (Q.R. BOOK 4772, PAGES 1716-1718)
 LEE COUNTY, FLORIDA

SHEET 1
SHEET 2

MATCH LINE

PARCEL 2

SHEET 2
SHEET 3

RECEIVED
JUN 14 2005

COMMUNITY DEVELOPMENT

DCI 2019-00013

[illegible]

TOWNSHIP 46 SOUTH, RANGE 25 EAST
 COR. BOOK 4778, PAGES 1714-1718
 LEE COUNTY, FLORIDA

SHEET 5
SHEET 4

PARCEL 2

INSTRUMENT No. 2019000055318

INSTRUMENT No. 2018000241402

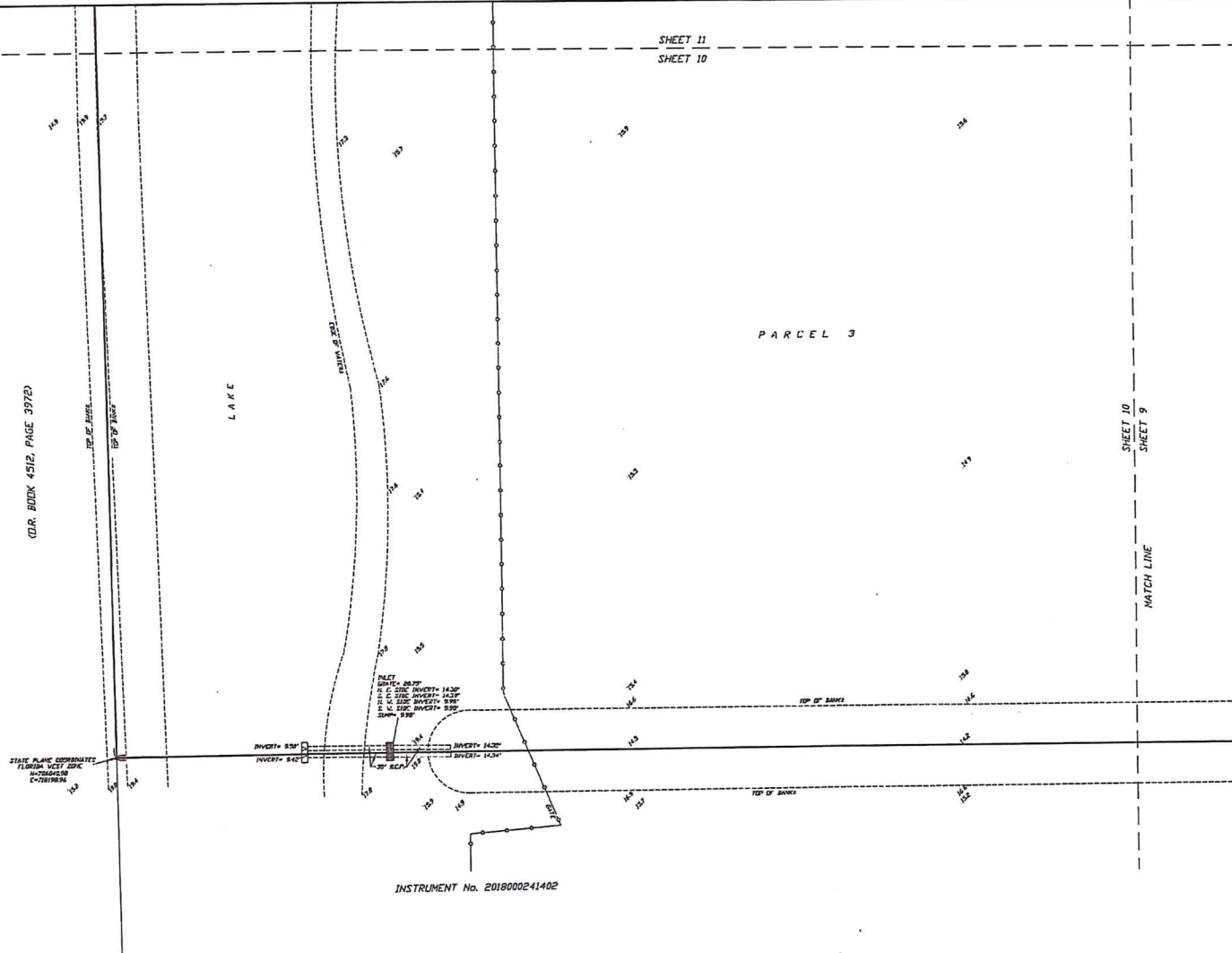
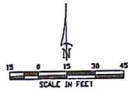
INSTRUMENT No. 2018000241402

Applicant's Survey Checked
by Dr. G. J. G. G. G.

[illegible]

DCI 2019-00013

BOUNDARY SURVEY OF
A TRACT OR PARCEL OF LAND LYING IN
SECTION 3 AND 4
TOWNSHIP 44 SOUTH, RANGE 25 EAST
GULF COUNTY, FLORIDA



INSTRUMENT No. 2018000241402

LEGEND:

S	SET 14 IRON ROD 1/4\"/>
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DATE	3/5/19	SCALE	1\"/>
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FLORIDA CERTIFICATE OF AUTHORIZATION LB 93261

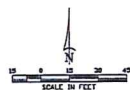
applicant: 25 Checks
DA 2/19/19

RECEIVED
JUN 14 2019

COMMUNITY DEVELOPMENT

DCI2019-00013

BOUNDARY SURVEY OF
A TRACT OR PARCEL OF LAND LYING IN
SECTION 3 AND 4
TOWNSHIP 46 NORTH, RANGE 29 EAST
GULF BAY 4776, PAGES 1736-1739
LEE COUNTY, FLORIDA



CL.R. BOOK 4512, PAGE 3972

TOP OF BANK
1100°59'36"N, 1363.49' (S)
TOP OF BANK

L A K E

MATCH LINE

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SHEET 11

SHEET 11
SHEET 8

MATCH LINE

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SHEET 10

Applicant's Survey Checked

RECEIVED
JUN 14 2013

COMMUNITY DEVELOPMENT

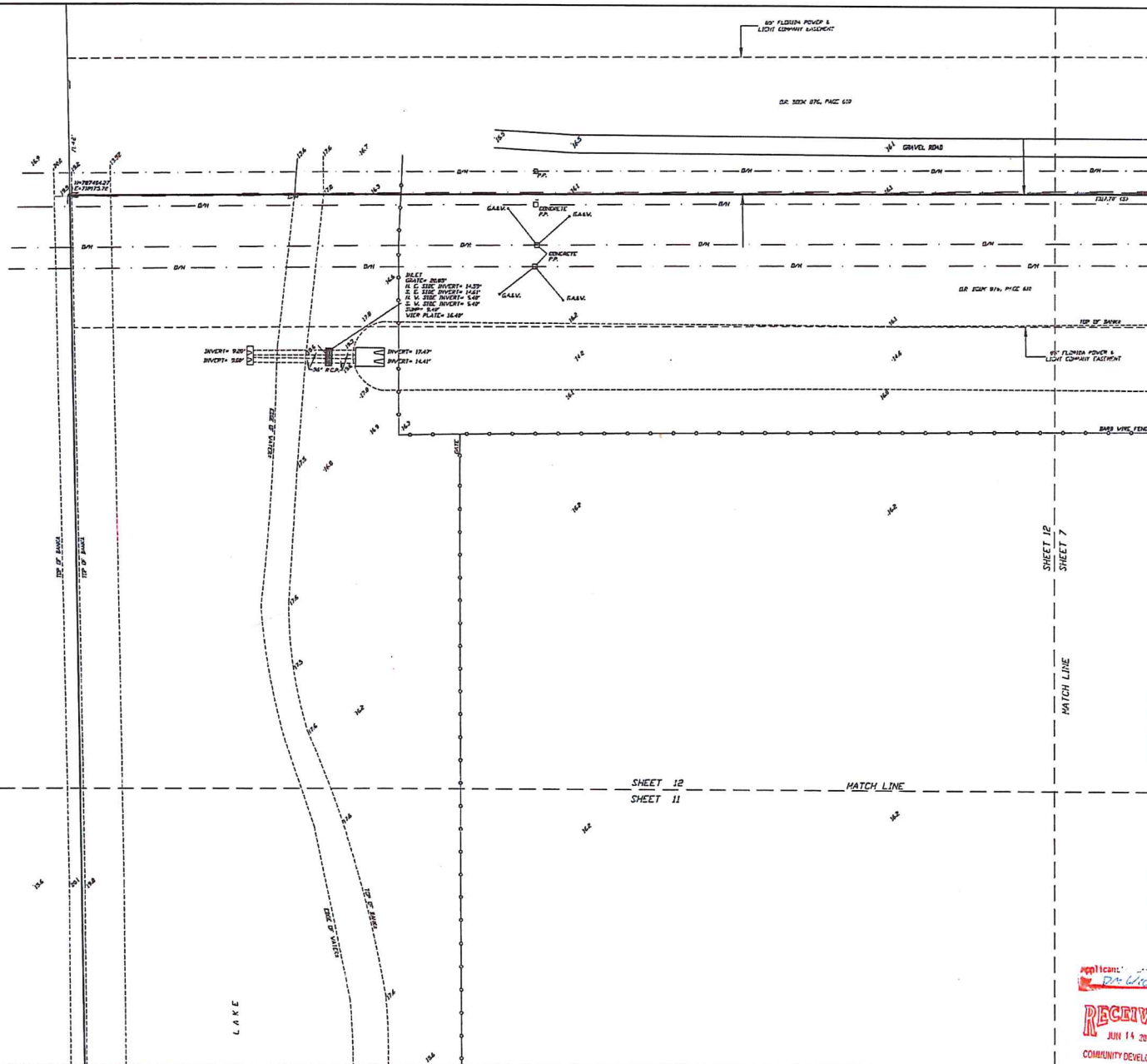
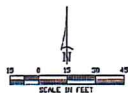
DC12019-00013

LEGEND:

6	SET IN IRON ROD 1/2" DIA. 18" LONG	R.V.B.	REGULAR WATER BOD
7	FOUND IRON ROD 1/2" DIA.	V.B.	VALVE BOX
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FLORIDA CERTIFICATE OF AUTHORIZATION LB 9322

TOWNSHIP 46 SOUTH, RANGE 25 EAST
 (LR BOOK 4778, PAGES 1716-1718)
 LEE COUNTY, FLORIDA



LEGEND:			
0	SET 54 5000 RDS 100 (S)	R.V.B.	PRELIM WATER BOX
1	CONCRETE (REINFORCED)	R.V.B.	WATER VALVE
2	CONCRETE (UNREINFORCED)	R.V.B.	WATER VALVE
3	PLUMBING (IRON)	R.V.B.	WATER VALVE
4	PLUMBING (LEAD)	R.V.B.	WATER VALVE
5	PLUMBING (COPPER)	R.V.B.	WATER VALVE
6	PLUMBING (BRASS)	R.V.B.	WATER VALVE
7	PLUMBING (SILVER)	R.V.B.	WATER VALVE
8	PLUMBING (GOLD)	R.V.B.	WATER VALVE
9	PLUMBING (STEEL)	R.V.B.	WATER VALVE
10	PLUMBING (ALUMINUM)	R.V.B.	WATER VALVE
11	PLUMBING (ZINC)	R.V.B.	WATER VALVE
12	PLUMBING (NICKEL)	R.V.B.	WATER VALVE
13	PLUMBING (COPPER)	R.V.B.	WATER VALVE
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87	PLUMBING (SILVER)	R.V.B.	WATER VALVE
88	PLUMBING (GOLD)	R.V.B.	WATER VALVE

RECEIVED
JUN 14 2012
COMMUNITY DEVELOPMENT

DCI 2019-00013

DCI2019-00013
Zoning

Legend

 Subject Parcel



0 500
Feet

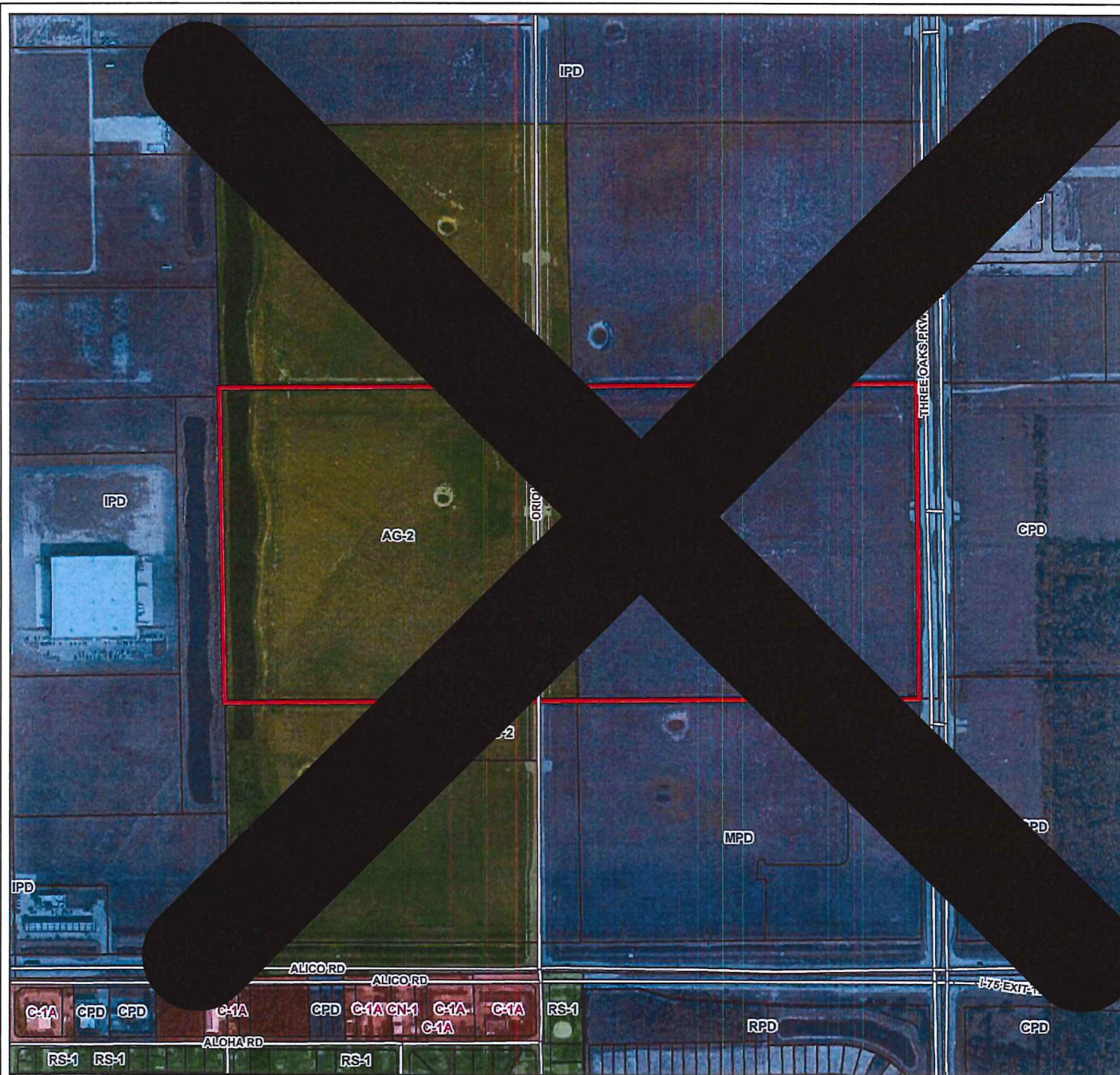
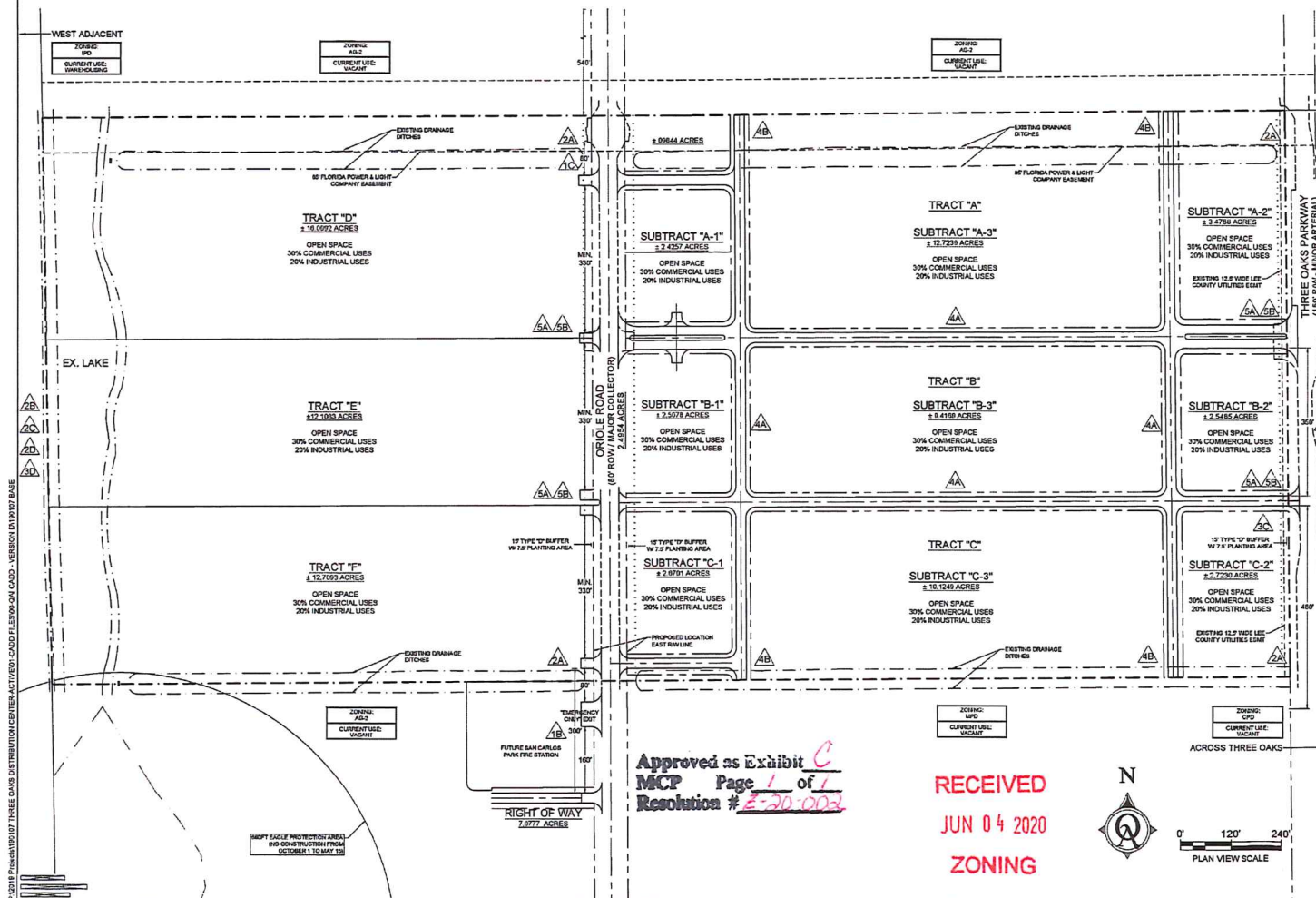


EXHIBIT B

THREE OAKS DISTRIBUTION CENTER

LOCATED IN SECTION 03/04, TOWNSHIP 46-S, RANGE 25-E, LEE COUNTY, FLORIDA



CHARLOTTE COUNTY

LOCATION MAP
(NOT TO SCALE)

ZONING
AG-2 TO MPD

STRAP #'S
04-46-25-00-00003.0000 & 03-46-25-00-00001.1000

PROJECT ACREAGE
± 93.0252 ACRES (4,052,118 SF)

PROJECT INTENSITY
TOTAL MAX. BUILDING FLOOR AREA = 1,200,000 SF
TRACTS A, B & C
MAXIMUM 600,000 SF
COMMERCIAL/RETAIL:
MINIMUM 30,000 SF / MAXIMUM 400,000 SF
INDUSTRIAL:
MINIMUM 30,000 SF / MAXIMUM 600,000 SF
TRACTS D, E, & F
MAXIMUM 550,000 SF
COMMERCIAL/RETAIL:
MAXIMUM 110,000 SF
INDUSTRIAL:
MAXIMUM 550,000 SF

ALL TRACTS SHALL BE PERMITTED TO HAVE COMMERCIAL AND/OR INDUSTRIAL USES IN ACCORDANCE WITH THE SCHEDULE OF USES TABLE

OPEN SPACE
REFER TO PLAN FOR MINIMUM OPEN SPACE REQUIREMENTS PER TRACT.
PROJECT MIN. = 18.60 ACRES (20%)

DEVIATIONS

TYPICAL LOT LAYOUT:

NO BUFFER

TYPICAL BUILDING PLACEMENT TO VARY

ROW BUFFER

INTERIOR ROAD

ORIOLE ROAD

QUATRONE & ASSOCIATES, INC.
REGISTERED PLANNERS & DEVELOPMENT CONSULTANTS
4301 VERNON SHERRARD BLVD. | FORT MYERS, FL 33916 | 239.936.2722 | QA@quatrone.com

DCI 2019-00013

EXHIBIT C

ATTACHMENT N



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

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

TRAFFIC IMPACT STATEMENT

FOR

ALICO CROSSROADS CPD COMPREHENSIVE PLAN AMENDMENT & REZONING

(PROJECT NO. F2108.35)

PREPARED BY:
TR Transportation Consultants, Inc.
Certificate of Authorization Number: 27003
2726 Oak Ridge Court, Suite 503
Fort Myers, Florida 33901-9356
(239) 278-3090

September 17, 2021



CONTENTS

- I. INTRODUCTION
- II. EXISTING CONDITIONS
- III. COMPREHENSIVE PLAN AMENDMENT ANALYSIS
- IV. ZONING ANALYSIS
- V. 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 an amendment to the Comprehensive Land Use Plan and re-zoning approval. The subject site is located on the east side of Three Oaks Parkway just north of Alico Road in Lee County, Florida. **Figure 1** illustrates the approximate location of the subject site.

The analysis in this report will determine the impacts of change in land use designation on the approximately 25 acre subject site from Industrial Commercial Interchange to General Interchange to permit the site to include multi-family residential units on the site. The analysis will also determine the impacts of the proposed rezoning from the permitted 351,000 square feet of commercial uses and 125 hotel rooms, to the requested 200,000 square feet of commercial uses, 250 hotel rooms and 475 multi-family residential dwelling units. The transportation related impacts of the proposed Comprehensive Plan amendment will be assessed based on the comparison between the currently allowed uses and the requested use on the subject site. The transportation related impacts of the proposed rezoning will be evaluated based on the estimated build-out year of the project and the impacts the proposed rezoning will have on the surrounding roadway infrastructure. Access to the subject site is proposed to be provided to Three Oaks Parkway via one right-in/right-out only access and one full access drive.

This report examines the impact of the development on the surrounding roadways. Trip generation and assignments to the various roadways within the study area will be completed and analysis conducted to determine the impacts of the development on the surrounding roadways.

F2108.35



PROJECT SITE



Interstate Commerce B

Alico Rd

Univers

3 Oaks Pkwy

Three Oaks P

cen-Rain Ln

Aut-Tree

Roundstone

II. EXISTING CONDITIONS

The subject site is currently vacant. This subject site is bordered by the Florida Gulf Coast Business Center to the north, Three Oaks Parkway to the west, Vintage Commerce Center CPD to the south and by I-75 to the east.

Three Oaks Parkway is a four-lane divided arterial roadway adjacent to the subject site. Three Oaks Parkway, north of Alico Road currently extends for approximately 1.2 miles where it terminates. Lee County is extending Three Oaks Parkway to the north to intersect Daniels Parkway. This improvement is funded in Lee County's Five Year Adopted Capital Improvement Plan. Three Oaks Parkway has a posted speed limit of 45 mph and is under the jurisdiction of Lee County.

Alico Road is an east/west six-lane divided arterial roadway that is located to the south of the subject site. Alico Road has a posted speed limit of 45 mph. Alico Road is under the jurisdiction of the Lee County Department of Transportation to the west of Three Oaks Parkway and under the jurisdiction of Florida Department of Transportation (FDOT) to the east of Three Oaks Parkway.

III. COMPREHENSIVE PLAN AMENDMENT ANALYSIS

The proposed Map Amendment would change the future land use designation on the approximate 25 acre subject site from Industrial Commercial Interchange to General Interchange to permit multi-family residential dwelling units on the subject site. In terms of roadway impacts, the existing future land use category of Industrial Commercial Interchange permits the development of intense land uses such as commercial, industrial and office uses. These permitted uses on site are more intense in terms of trip generation potential than a multi-family residential use on the subject site. Should a portion or all of the site be developed with multi-family dwelling units, the floor area associated with the currently permitted industrial and commercial uses would be reduced. Therefore, the existing 2045 Long Range Transportation Plan as adopted by the Lee County

Metropolitan Planning Organization (MPO), will not be impacted as a result of the requested change to the General Interchange land use designation to permit multi-family dwelling units on the subject site. Therefore, no changes to the adopted long range transportation plan nor the Lee County's Five Year Capital Improvement Program (CIP) are required as result of the proposed land use change.

IV. ZONING ANALYSIS

The subject site is currently governed by Zoning Resolution No. Z-03-017A which permits the development of the overall Alico Crossroads CPD with up to 351,000 square feet of commercial uses and 125 hotel rooms. The proposed rezoning request would allow the approximately 25 acre subject site to be developed with up to 200,000 square feet of commercial uses, 250 hotel rooms and 475 multi-family residential swelling units. **Table 1** summarizes the land uses that could be constructed under the existing zoning designation and the intensity of uses under the proposed zoning request.

Table 1
Land Uses
Alico Crossroads CPD

Land Use	Approved Under Z-03-017A	Proposed	Change
Retail	300,000 Sq. Ft.	50,000 Sq. Ft.	-250,000 Sq. Ft.
General Office	51,000 Sq. Ft.	150,000 Sq. Ft.	+ 99,000 Sq. Ft.
Hotel	125 Hotel Rooms	250 Hotel Rooms	+ 125 Rooms
Multi-Family	*	475 Dwelling Units	+ 475 Dwelling Units

Access to the subject site is proposed to be provided to Three Oaks Parkway via one right-in/right-out only access and one full access drive, which is consistent with the current Master Concept Plan approved under Z-03-017A.

Trip Generation

The trip generation for the proposed rezoning request was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled ***Trip Generation***, 10th Edition. Land Use Code 820 (Shopping Center) was utilized for the trip generation purposes of the proposed retail uses, Land Use Code 710 (General Office Building) was utilized for

the trip generation purposes of office uses, Land Use Code 310 (Hotel) was utilized for the trip generation purposes of hotel rooms and Land Use Code 221 (Multi-Family Housing Mid-Rise) was utilized for the trip generation purposes of multi-family residential dwelling units. **Table 2** outlines the anticipated weekday A.M. and P.M. peak hour and daily trip generation of the CPD as currently approved. **Table 3** outlines the anticipated weekday A.M. and P.M. peak hour and daily trip generation of the CPD as proposed with this zoning amendment.

Table 2
Trip Generation – Approved
Alico Crossroads CPD

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Shopping Center (300,000 Sq. Ft.)	187	115	302	588	637	1,225	12,690
General Office (51,000 Sq. Ft.)	64	10	74	10	50	60	552
Hotel (125 Hotel Rooms)	34	23	57	35	33	68	984
Total Trips	285	148	433	633	720	1,353	14,226

Table 3
Trip Generation – Proposed
Alico Crossroads CPD

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Shopping Center (50,000 Sq. Ft.)	110	67	177	156	169	325	3,752
General Office (150,000 Sq. Ft.)	144	23	167	27	140	167	1,572
Hotel (250 Hotel Rooms)	71	49	120	81	80	161	2,396
Multi-Family (475 Dwelling Units)	41	117	158	121	77	198	2,587
Total Trips	366	256	622	385	466	851	10,307

The total trips generated by the project will not all be new trips added to the adjacent roadway system. With mixed use projects, ITE estimates that there will be a certain amount of interaction between uses that will reduce the overall trip generation of the approved CPD and the proposed CPD Amendment. This interaction is called “internal

capture”. In other words, trips that would normally come from external sources would come from uses that are within the project, thus reducing the overall impact the development has on the surrounding roadways. ITE, in conjunction with a study conducted by the NCHRP (National Cooperative Highway Research Program), has summarized the internal trip capture reductions between various land uses. For uses shown in Table 2 and Table 3, there is data in the ITE report for interaction between the retail, office, hotel and residential uses.

An internal capture calculation was completed consistent with the methodologies in the NCHRP Report and published in the *ITE Trip Generation Handbook*, 3rd Edition. The resultant analysis indicates that with the approved CPD scenario there will be an internal trip capture reduction of five percent (5%) in the A.M. peak hour and four percent (4%) in the PM peak hour between the retail, office and hotel uses. The analysis also indicates that with the proposed CPD Amendment scenario there will be an internal trip capture reduction of eight percent (8%) in the AM peak hour and twenty-two percent (22%) in the P.M. peak hour between the retail, office, hotel and residential uses. The summary sheets utilized to calculate these internal capture rates for the weekday AM peak hour and PM peak hour are included in the Appendix of this report for reference.

Pass-by traffic was also taken into account based on the retail uses presented in each scenario. The current version of the *ITE Trip Generation Handbook*, 3rd Edition, indicates that the weekday PM peak hour pass-by rate for Land Use Code 820 is thirty-four percent (34%). However, consistent with previous analysis approved by Lee County, thirty percent (30%) of the total project traffic was assumed to be pass-by traffic. **Table 4** indicates the total external trips of the subject site based on the approved CPD. **Table 5** indicates the total external trips of the subject site based on the proposed CPD Amendment.

Table 4
Trip Generation – Net New Trips of Approved Uses
Alico Crossroads CPD

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Total Trips	285	148	433	633	720	1,353	14,226
Less Internal Capture 5% AM / 4% PM	-11	-11	-22	-24	-24	-48	-711
Total Trips (Less Internal Capture)	274	137	411	609	696	1,305	13,515
Less LUC 820 Pass- By Trips	-43	-43	-86	-176	-176	-352	-3,617
Net New Trips	231	94	325	433	520	953	9,898

Table 5
Trip Generation – Net New Trips of Proposed Uses
Alico Crossroads CPD

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Total Trips	366	256	622	385	466	851	10,307
Less Internal Capture 8% AM / 22% PM	-24	-24	-48	-94	-94	-188	-2,268
Total Trips (Less Internal Capture)	342	232	574	291	372	663	8,039
Less LUC 820 Pass- By Trips	-24	-24	-48	-38	-38	-76	-878
Net New Trips	318	208	526	253	334	587	7,161

Table 6 indicates the trip generation difference between the uses approved in the CPD and the proposed uses in the CPD Amendment (Table 4 vs Table 5).

Table 6
Trip Generation Comparison – Approved Zoning vs Proposed Zoning
Table 4 vs Table 5

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Proposed Zoning	317	207	524	253	334	587	7,161
Approved Zoning	-231	-94	-325	-433	-520	-953	-9,898
Resultant Trip Change	+87	+114	+201	-180	-186	-366	-2,737

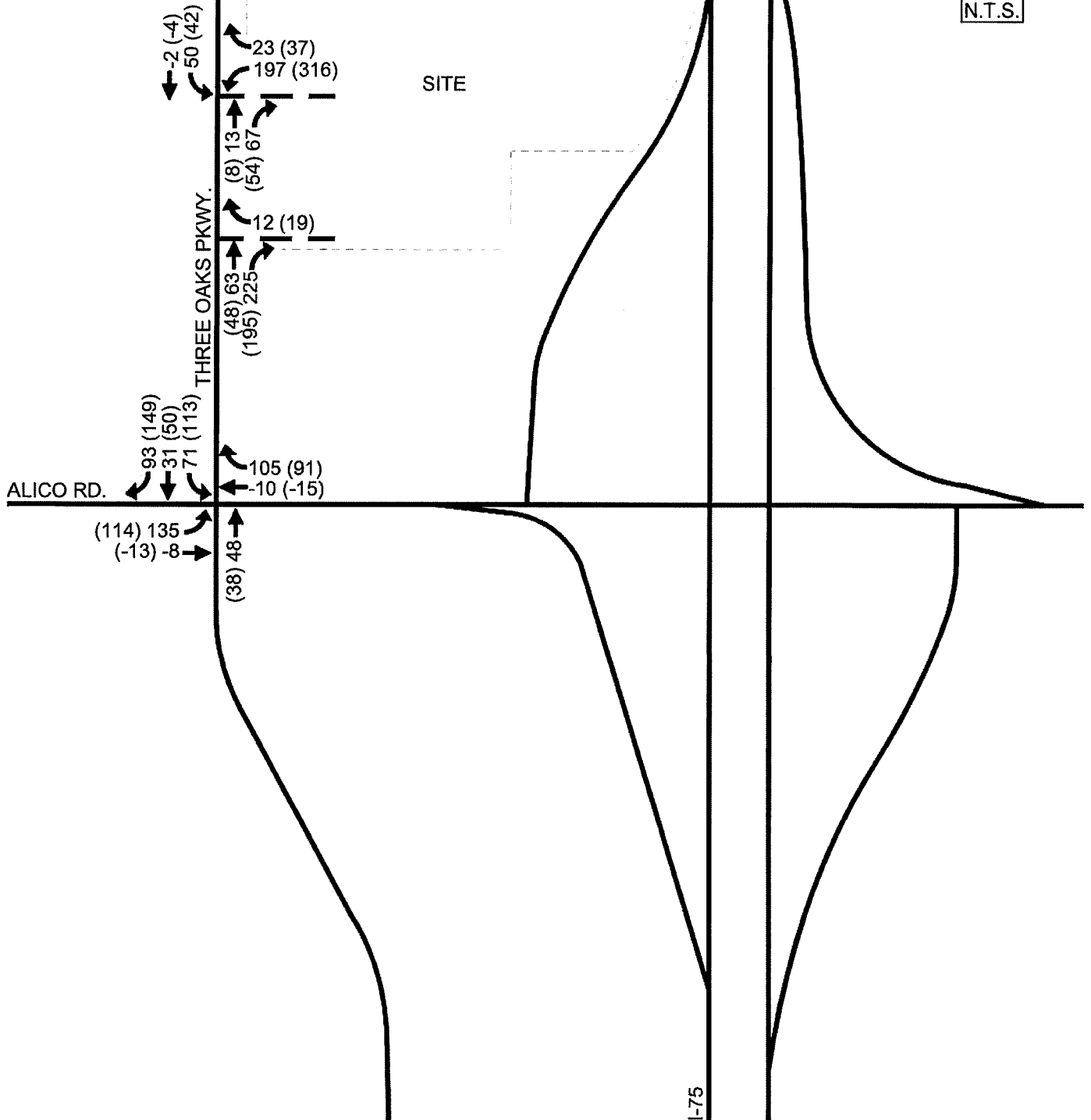
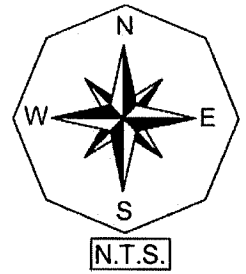
As can be seen from Table 6, the requested zoning will increase the traffic impacts of the development by approximately 62% in the AM peak hour and decrease the traffic impacts of the development by approximately 38% in the PM peak hour and approximately 28% over the entire weekday from what is currently approved. The weekday P.M. peak hour trip generation is typically the period utilized for the Level of Service impacts to the surrounding roadway network as this is the hour that generates the greatest number of vehicle trip, which remains the case in the amendment. The weekday P.M. peak hour trips shown in Table 5 are approximately 12% higher than the trips in the A.M. peak hour. Therefore, the trips analyzed in the previous zoning approval (953 weekday P.M. peak hour trips) are still substantially higher than the trips analyzed as part of this zoning amendment (587 weekday P.M. peak hour trips).

Trip Distribution

The trips the proposed development is anticipated to generate, as shown in the Table 5, were then assigned to the surrounding roadway network. The net new trips anticipated to be added to the surrounding roadway network were assigned based upon the routes drivers are anticipated to utilize to approach the subject site. **Figure A-1**, included in the Appendix of this report, illustrates the percent project traffic distribution and assignment of the net new project trips. **Figure A-2**, included in the Appendix of this report, illustrates the percent project traffic distribution and assignment of pass-by trips. **Figure 2** illustrates the resulting assignment of all project related trips (net new + pass-by).

In order to determine which roadway segments surrounding the site may be significantly impacted as outlined in the Lee County Traffic Impact Statement Guidelines, **Table 1A**, in the Appendix, was created. This table indicates which roadway links will accommodate greater than 10% of the Peak Hour Level of Service “C” volumes. The Level of Service threshold volumes were obtained from the *Lee County Generalized Peak Hour Directional Service Volume Tables* (June, 2016). Based on Table 1A, only Three Oaks Parkway between Alico Road and the site is projected to be significantly impacted as a result of the proposed CPD Amendment. A copy of the Generalized Service Volume Table is located in the Appendix of this report for reference.

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LEGEND

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

Level of Service Analysis

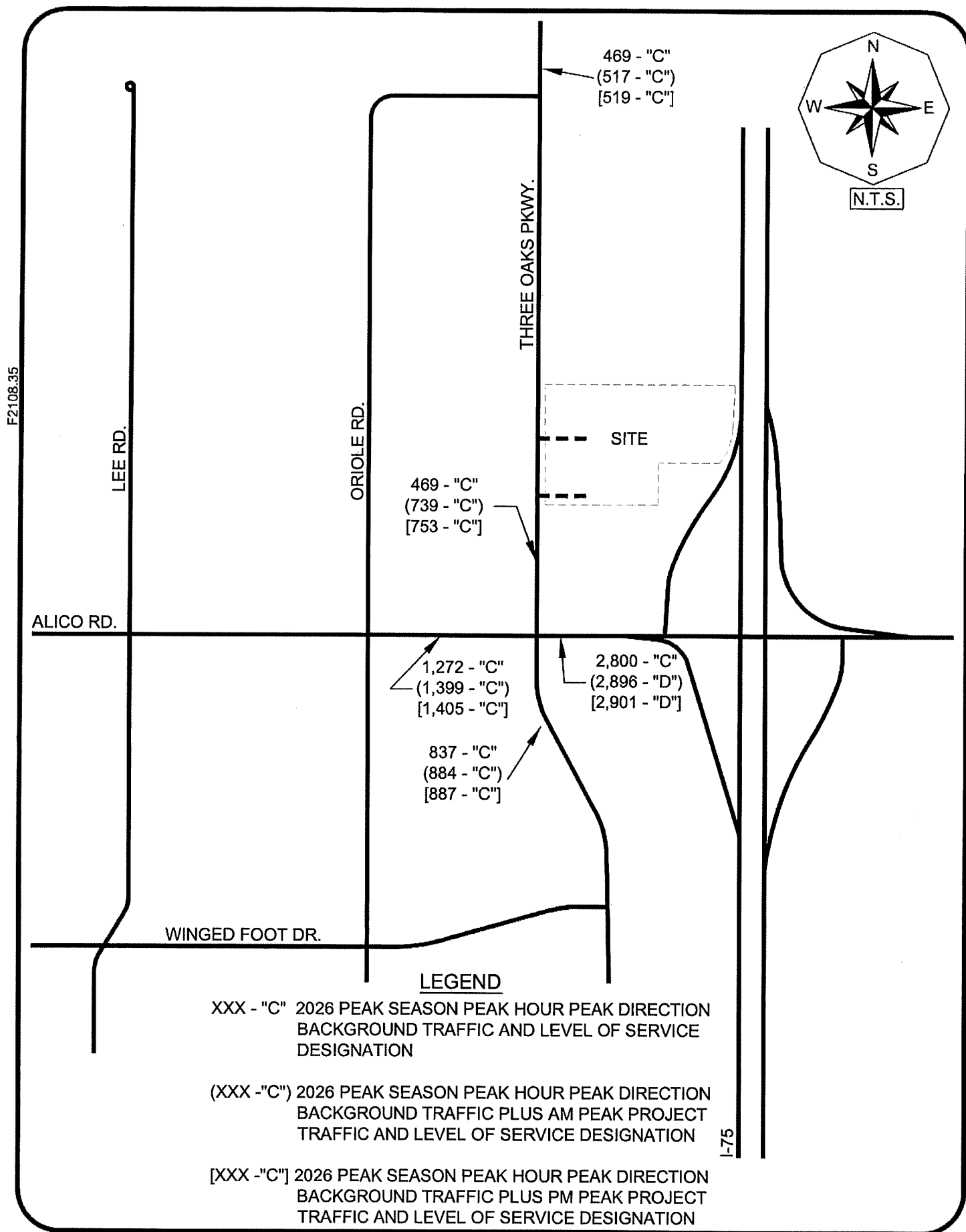
The future Level of Service analysis was based on a 5-year horizon, or year 2026. Based on this horizon year analysis, the surrounding roadway network was analyzed under 2026 traffic conditions. A growth rate was applied to the existing traffic conditions for all roadway links and intersections that could be significantly impacted by this development. For the Alico Road and Three Oaks Parkway, the existing and historical traffic data was obtained from the 2020 *Lee County Traffic Count Report*.

Table 2A in the Appendix of the report indicates the methodology utilized to obtain the year 2026 build-out traffic volumes as well as the growth rate utilized for each roadway segment analyzed. The existing 2019 peak hour peak season peak direction volumes for all roadways were obtained from the 2020 *Lee County Public Facilities Level of Service and Concurrency Report*.

Figure 3 indicates the year 2026 peak hour – peak direction traffic volumes and Level of Service for the various roadway links within the study area. Noted on Figure 3 is the peak hour – peak direction volume and Level of Service of each link should no development occur on the subject site and the peak hour – peak direction volume and Level of Service for the weekday A.M and P.M. peak hours with the development traffic added to the roadways. Figure 3 is derived from Table 2A contained in the Appendix.

As can be seen from Figure 3, all analyzed roadway links are anticipated to maintain their minimum recommended Level of Service standards as contained in the Lee County Comprehensive Plan. Therefore, no roadway capacity improvements will be warranted as a result of the additional traffic to be generated by the proposed development.

Turn lane improvements at the site access drive intersections will be evaluated at the time the project seeks a Local Development Order approval.



VII. CONCLUSION

The proposed project is located on the east side of Three Oaks Parkway just north of Alico Road in Lee County, Florida. As discussed in the report, uses permitted within the existing future land use category of Industrial Commercial Interchange generates more external vehicle trips than multi-family residential dwelling units, which would be permitted in a zoning amendment should the Future Lane Use Category be changed to General Interchange. Therefore, the 2045 Financially Feasible Roadway network and the County's 5-year Capital Improvement Program currently in place will not require modification in order to accommodate the proposed Land Use change.

Based upon the roadway link Level of Service analysis conducted as a part of the proposed rezoning request, all roadway links are anticipated to maintain their minimum recommended Level of Service standards as contained in the Lee County Comprehensive Plan. Therefore, no roadway capacity improvements are necessary to accommodate the proposed development.

APPENDIX

TABLE 1A & 2A

TABLE 1A
PEAK DIRECTION PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES
ALICO CROSSROADS CPD

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 526 VPH IN= 318 OUT= 208
TOTAL PM PEAK HOUR PROJECT TRAFFIC = 587 VPH IN= 253 OUT= 334

ROADWAY	SEGMENT	ROADWAY CLASS	LOS A VOLUME	LOS B VOLUME	LOS C VOLUME	LOS D VOLUME	LOS E VOLUME	PERCENT		
								PROJECT TRAFFIC	PROJECT TRAFFIC	PROJ/ LOS C
Alico Rd.	W. of Lee Rd.	6LD	0	400	2,840	2,940	2,940	30%	100	3.5%
	W. of Oriole Rd.	6LD	0	400	2,840	2,940	2,940	35%	117	4.1%
	W. of Three Oaks Pkwy.	6LD	0	400	2,840	2,940	2,940	40%	134	4.7%
	E. of Three Oaks Pkwy.	6LD	0	400	2,840	2,940	2,940	30%	100	3.5%
	E. of I-75	6LD	0	400	2,840	2,940	2,940	15%	50	1.8%
Three Oaks Pkwy.	N. of Oriole Rd	4LD	0	250	1,840	1,960	1,960	15%	50	2.7%
	N. of Alico Rd	4LD	0	250	1,840	1,960	1,960	85%	284	15.4%
	S. of Alico Rd.	4LD	0	250	1,840	1,960	1,960	15%	50	2.7%
I-75	N. of Alico Rd.	6LF	0	3,410	4,650	5,780	6,340	10%	33	0.7%
	S. of Alico Rd.	6LF	0	3,410	4,650	5,780	6,340	5%	17	0.4%
Oriole Rd.	S. of Alico Rd.	2LU	0	0	310	660	740	5%	17	5.4%
Lee Rd.	S. of Alico Rd.	2LU	0	0	310	660	740	5%	17	5.4%

* Level of Service thresholds were obtained from the Lee County Link Specific Service Volume and the Lee County Generalized Level of Service Volumes on Arterials

* For I-75, FDOT Q/LOS Handbook, Table 7 service volumes were utilized.

TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
ALICO CROSSROADS CPD

TOTAL PROJECT TRAFFIC AM =	526	VPH	IN =	318	OUT=	208
TOTAL PROJECT TRAFFIC PM =	587	VPH	IN=	253	OUT=	334

								2019	2026						2026	2026	
			BASE YR	2020	YRS OF	ANNUAL	PK HR	PK HR	PK SEASON	PERCENT	+ AM PROJ	+ PM PROJ	BCKGRND	BCKGRND			
							PK SEASON	PEAK DIRECTION	PROJECT	AM PROJ					PM PROJ		
<u>ROADWAY</u>	<u>SEGMENT</u>	<u>PCS#</u>	<u>ADT</u>	<u>ADT</u>	<u>GROWTH</u>	<u>RATE</u>	<u>PEAK DIR.¹</u>	<u>VOLUME</u>	<u>LOS</u>	<u>TRAFFIC</u>	<u>TRAFFIC</u>	<u>TRAFFIC</u>	<u>VOLUME</u>	<u>LOS</u>	<u>VOLUME</u>	<u>LOS</u>	
Alico Rd.	W. of Three Oaks Pkwy.	10	38,400	41,900	6	2.00%	1,107	1,272	C	40%	127	134	1,399	C	1,405	C	
	E. of Three Oaks Pkwy.	10	38,400	41,900	6	2.00%	2,438	2,800	C	30%	95	100	2,896	D	2,901	D	
Three Oaks Pkwy.	N. of Oriole Rd	N/A	N/A	N/A	N/A	N/A	N/A	469	C	15%	48	50	517	C	519	C	
	N. of Alico Rd	N/A	N/A	N/A	N/A	N/A	N/A	469	C	85%	270	284	739	C	753	C	
	S. of Alico Rd.	414	9,500	13,600	9	4.07%	633	837	C	15%	48	50	884	C	887	C	

¹ The 2019 100th highest hour traffic volumes were obtained from the 2020 Lee County Public Facilities Level of Service and Concurrency Report.

* AGR for Alico Road and Three Oaks Parkway was calculated based the historical traffic data obtained from 2020 Lee County Traffic Count Report.

Note: For Three Oaks Pkwy north of Alico Road, the future peak hour peak season peak direction volume was obtained from the 2027 FSUTMS provided by the County.

INTERNAL CAPTURE SPREADSHEET

NCHRP 684 Internal Trip Capture Estimation Tool			
Project Name:			Organization:
Project Location:			Performed By:
Scenario Description:	Approved		Date:
Analysis Year:			Checked By:
Analysis Period:	AM Street Peak Hour		Date:

Table 1-A: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)						
Land Use	Development Data (For Information Only)			Estimated Vehicle-Trips ³		
	ITE LUCs ¹	Quantity	Units	Total	Entering	Exiting
Office	710	51,000	SF	74	64	10
Retail	820	300,000	SF	302	187	115
Restaurant				0		
Cinema/Entertainment				0		
Residential				0		
Hotel	310	125	Rooms	57	34	23
All Other Land Uses ²				0		
				433	285	148

Table 2-A: Mode Split and Vehicle Occupancy Estimates						
Land Use	Entering Trips			Exiting Trips		
	Veh. Occ. ⁴	% Transit	% Non-Motorized	Veh. Occ. ⁴	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses ²						

Table 3-A: Average Land Use Interchange Distances (Feet Walking Distance)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-A: Internal Person-Trip Origin-Destination Matrix*						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		3	0	0	0	0
Retail	3		0	0	0	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	0	0	0		0
Hotel	2	3	0	0	0	

Table 5-A: Computations Summary			
	Total	Entering	Exiting
All Person-Trips	433	285	148
Internal Capture Percentage	5%	4%	7%
External Vehicle-Trips ⁵	411	274	137
External Transit-Trips ⁶	0	0	0
External Non-Motorized Trips ⁵	0	0	0

Table 6-A: Internal Trip Capture Percentages by Land Use		
Land Use	Entering Trips	Exiting Trips
Office	8%	30%
Retail	3%	3%
Restaurant	N/A	N/A
Cinema/Entertainment	N/A	N/A
Residential	N/A	N/A
Hotel	0%	22%

¹Land Use Codes (LUCs) from *Trip Generation Manual*, published by the Institute of Transportation Engineers.

²Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator.

³Enter trips assuming no transit or non-motorized trips (as assumed in ITE *Trip Generation Manual*).

⁴Enter vehicle occupancy assumed in Table 1-A vehicle trips. If vehicle occupancy changes for proposed mixed-use project, manual adjustments must be made to Tables 5-A, 9-A (O and D). Enter transit, non-motorized percentages that will result with proposed mixed-use project complete.

⁵Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A.

⁶Person-Trips

*Indicates computation that has been rounded to the nearest whole number.

Estimation Tool Developed by the Texas A&M Transportation Institute - Version 2013.1

NCHRP 684 Internal Trip Capture Estimation Tool					
Project Name:				Organization:	
Project Location:				Performed By:	
Scenario Description:	Approved			Date:	
Analysis Year:				Checked By:	
Analysis Period:	PM Street Peak Hour			Date:	

Table 1-P: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)						
Land Use	Development Data (For Information Only)			Estimated Vehicle-Trips ³		
	ITE LUCs ¹	Quantity	Units	Total	Entering	Exiting
Office	710	51,000	SF	60	10	50
Retail	820	300,000	SF	1,225	588	637
Restaurant				0		
Cinema/Entertainment				0		
Residential				0		
Hotel	310	125	Rooms	68	35	33
All Other Land Uses ²				0		
				1,353	633	720

Table 2-P: Mode Split and Vehicle Occupancy Estimates						
Land Use	Entering Trips			Exiting Trips		
	Veh. Occ. ⁴	% Transit	% Non-Motorized	Veh. Occ. ⁴	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses ²						

Table 3-P: Average Land Use Interchange Distances (Feet Walking Distance)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-P: Internal Person-Trip Origin-Destination Matrix*						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		10	0	0	0	0
Retail	3		0	0	0	6
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	0	0	0		0
Hotel	0	5	0	0	0	

Table 5-P: Computations Summary			
	Total	Entering	Exiting
All Person-Trips	1,353	633	720
Internal Capture Percentage	4%	4%	3%
External Vehicle-Trips ⁵	1,305	609	696
External Transit-Trips ⁶	0	0	0
External Non-Motorized Trips ⁶	0	0	0

Table 6-P: Internal Trip Capture Percentages by Land Use		
Land Use	Entering Trips	Exiting Trips
Office	30%	20%
Retail	3%	1%
Restaurant	N/A	N/A
Cinema/Entertainment	N/A	N/A
Residential	N/A	N/A
Hotel	17%	15%

¹Land Use Codes (LUCs) from *Trip Generation Manual*, published by the Institute of Transportation Engineers.

²Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator.

³Enter trips assuming no transit or non-motorized trips (as assumed in ITE *Trip Generation Manual*).

⁴Enter vehicle occupancy assumed in Table 1-P vehicle trips. If vehicle occupancy changes for proposed mixed-use project, manual adjustments must be made.

⁵Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P.

⁶Person-Trips

*Indicates computation that has been rounded to the nearest whole number.

Estimation Tool Developed by the Texas A&M Transportation Institute - Version 2013.1

NCHRP 684 Internal Trip Capture Estimation Tool			
Project Name:		Organization:	
Project Location:		Performed By:	
Scenario Description:	Proposed	Date:	
Analysis Year:		Checked By:	
Analysis Period:	AM Street Peak Hour	Date:	

Table 1-A: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)						
Land Use	Development Data (For Information Only)			Estimated Vehicle-Trips ¹		
	ITE LUCs ¹	Quantity	Units	Total	Entering	Exiting
Office	710	150,000	SF	167	144	23
Retail	820	50,000	SF	177	110	67
Restaurant				0		
Cinema/Entertainment				0		
Residential	221	475	Dwelling Units	158	41	117
Hotel	310	250	Rooms	120	71	49
All Other Land Uses ²				0		
				622	366	256

Table 2-A: Mode Split and Vehicle Occupancy Estimates						
Land Use	Entering Trips			Exiting Trips		
	Veh. Occ. ⁴	% Transit	% Non-Motorized	Veh. Occ. ⁴	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses ²						

Table 3-A: Average Land Use Interchange Distances (Feet Walking Distance)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-A: Internal Person-Trip Origin-Destination Matrix*						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		6	0	0	0	0
Retail	6		0	0	1	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	2	1	0	0		0
Hotel	4	4	0	0	0	

Table 5-A: Computations Summary			
	Total	Entering	Exiting
All Person-Trips	622	366	256
Internal Capture Percentage	8%	7%	9%
External Vehicle-Trips ⁵	574	342	232
External Transit-Trips ⁶	0	0	0
External Non-Motorized Trips ⁶	0	0	0

Table 6-A: Internal Trip Capture Percentages by Land Use		
Land Use	Entering Trips	Exiting Trips
Office	8%	26%
Retail	10%	10%
Restaurant	N/A	N/A
Cinema/Entertainment	N/A	N/A
Residential	2%	3%
Hotel	0%	16%

¹Land Use Codes (LUCs) from *Trip Generation Manual*, published by the Institute of Transportation Engineers.

²Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator.

³Enter trips assuming no transit or non-motorized trips (as assumed in ITE *Trip Generation Manual*).

⁴Enter vehicle occupancy assumed in Table 1-A vehicle trips. If vehicle occupancy changes for proposed mixed-use project, manual adjustments must be made to Tables 5-A, 9-A (O and D). Enter transit, non-motorized percentages that will result with proposed mixed-use project complete.

⁵Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A.

⁶Person-Trips

*Indicates computation that has been rounded to the nearest whole number.

Estimation Tool Developed by the Texas A&M Transportation Institute - Version 2013.1

NCHRP 684 Internal Trip Capture Estimation Tool			
Project Name:			Organization:
Project Location:			Performed By:
Scenario Description:	Proposed		Date:
Analysis Year:			Checked By:
Analysis Period:	PM Street Peak Hour		Date:

Table 1-P: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)						
Land Use	Development Data (For Information Only)			Estimated Vehicle-Trips ¹		
	ITE LUCs ¹	Quantity	Units	Total	Entering	Exiting
Office	710	150,000	SF	167	26	141
Retail	820	50,000	SF	325	156	169
Restaurant				0		
Cinema/Entertainment				0		
Residential	221	475	Dwelling Units	198	121	77
Hotel	310	250	Rooms	161	82	79
All Other Land Uses ²				0		
				851	385	466

Table 2-P: Mode Split and Vehicle Occupancy Estimates						
Land Use	Entering Trips			Exiting Trips		
	Veh. Occ. ⁴	% Transit	% Non-Motorized	Veh. Occ. ⁴	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses ²						

Table 3-P: Average Land Use Interchange Distances (Feet Walking Distance)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-P: Internal Person-Trip Origin-Destination Matrix*						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		12	0	0	3	0
Retail	3		0	0	44	8
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	3	16	0	0		2
Hotel	0	3	0	0	0	

Table 5-P: Computations Summary			
	Total	Entering	Exiting
All Person-Trips	851	385	466
Internal Capture Percentage	22%	24%	20%
External Vehicle-Trips ⁵	663	291	372
External Transit-Trips ⁶	0	0	0
External Non-Motorized Trips ⁶	0	0	0

Table 6-P: Internal Trip Capture Percentages by Land Use		
Land Use	Entering Trips	Exiting Trips
Office	23%	11%
Retail	20%	33%
Restaurant	N/A	N/A
Cinema/Entertainment	N/A	N/A
Residential	39%	27%
Hotel	12%	4%

¹Land Use Codes (LUCs) from *Trip Generation Manual*, published by the Institute of Transportation Engineers.

²Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator.

³Enter trips assuming no transit or non-motorized trips (as assumed in ITE *Trip Generation Manual*).

⁴Enter vehicle occupancy assumed in Table 1-P vehicle trips. If vehicle occupancy changes for proposed mixed-use project, manual adjustments must be made.

⁵Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P.

⁶Person-Trips

*Indicates computation that has been rounded to the nearest whole number.

Estimation Tool Developed by the Texas A&M Transportation Institute - Version 2013.1

**LEE COUNTY GENERALIZED
SERVICE VOLUMES TABLE**

**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					
Non-State Signalized Roadways - 10%						Ramp Metering + 5%					
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%							
-	-	-	Yes	+5%							
One-Way Facility Adjustment						Uninterrupted Flow Highway Adjustments					
Multiply the corresponding directional volumes in this table by 1.2						Lanes	Median	Exclusive left lanes	Adjustment factors		
						1	Divided	Yes	+5%		
						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		⁴ 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							

**TRAFFIC DATA FROM THE LEE
COUNTY PUBLIC FACILITIES LEVEL
OF SERVICE AND CONCURRENCY
REPORT**

5/25/2020

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

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

5/25/2020

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

LINK NO	NAME	ROADWAY LINK		ROAD TYPE	PERFORMANCE STANDARD		2019 100TH HIGHEST HOUR		FORECAST FUTURE		NOTES
		FROM	TO		LOS	CAPACITY	LOS	VOLUME	LOS	VOLUME	
21400	PINE ISLAND RD (SR 78)	CITY LIMITS E OF BARRETT RD	US 41	4LD	D	2,100	C	1,696	C	1,843	
21500	PINE ISLAND RD (SR 78)	US 41	BUS 41	4LD	D	2,100	C	1,690	C	1,750	
21600	PINE RIDGE RD	SAN CARLOS BLVD	SUMMERLIN RD	2LN	E	860	C	499	C	545	*
21700	PINE RIDGE RD	SUMMERLIN RD	GLADIOLUS DR	2LN	E	860	C	286	C	545	Heritage Isle*
21800	PINE RIDGE RD	GLADIOLUS DR	MCGREGOR BLVD	2LN	E	860	C	286	C	301	
21900	PLANTATION RD	SIX MILE PKWY	DANIELS PKWY	2LN	E	860	C	288	C	417	Intermed Park
22000	PLANTATION RD	DANIELS PKWY	IDLEWILD ST	2LN	E	860	D	672	D	706	FDOT Metro Pkwy 6-laning
22050	PLANTATION RD	IDLEWILD ST	COLONIAL BLVD	4LN	E	1,790	C	841	C	884	
22100	PONDELLA RD	SR 78	ORANGE GROVE BLVD	4LD	E	1,890	B	736	B	774	*
22200	PONDELLA RD	ORANGE GROVE BLVD	US 41	4LD	E	1,890	B	1,164	B	1,239	
22300	PONDELLA RD	US 41	BUS 41	4LD	E	1,890	B	953	B	1,002	
22400	PRITCHETT PKWY	SR 78	RICH RD	2LN	E	860	C	73	C	541	old count, Stoneybrook North(2009)
22500	RANCHETTE RD	PENZANCE BLVD	IDLEWILD ST	2LN	E	860	C	93	C	98	
22600	RICH RD	SLATER RD	PRITCHETT PKWY	2LN	E	860	C	55	C	62	old count projection(2009)
22700	RICHMOND AVE	LEELAND HEIGHTS	E 12TH ST	2LN	E	860	C	79	C	91	*
22800	RICHMOND AVE	E 12TH ST	GREENBRIAR BLVD	2LN	E	860	C	79	C	83	*
23000	SAN CARLOS BLVD (SR 865)	MANTANZAS PASS B.	MAIN ST	2LD	D	970	F	1,055	F	1,176	Constrained
23100	SAN CARLOS BLVD (SR 865)	MAIN ST	SUMMERLIN RD	4LD	D	2,100	C	1,055	C	1,176	PD&E Study
23180	SAN CARLOS BLVD (SR 865)	SUMMERLIN RD	KELLY RD	2LD	D	970	C	744	C	847	
23200	SAN CARLOS BLVD (SR 865)	KELLY RD	GLADIOLUS DR	4LD	D	2,100	C	744	C	847	
23230	SAN CARLOS BLVD	US 41	THREE OAKS PKWY	2LN	E	860	C	427	C	449	*
23260	SANBEL BLVD	US 41	LEE RD	2LN	E	860	C	484	C	508	
23300	SANBEL CAUSEWAY	SANBEL SHORELINE	TOLL PLAZA	2LN	E	1,140	E	944	E	992	
23400	SHELL POINT BLVD	MCGREGOR BLVD	PALM ACRES	2LN	E	860	C	290	C	304	*
23500	SIX MILE PKWY (SR 739)	US 41	METRO PKWY	4LD	D	2,100	C	1,778	C	1,950	
23600	SIX MILE CYPRESS	METRO PKWY	DANIELS PKWY	4LD	E	2,000	B	1,398	B	1,469	
23700	SIX MILE CYPRESS	DANIELS PKWY	WINKLER EXT.	4LD	E	1,900	B	1,149	B	1,352	
23800	SIX MILE CYPRESS	WINKLER EXT.	CHALLENGER BLVD	4LD	E	1,900	B	1,050	B	1,104	
23900	SIX MILE CYPRESS	CHALLENGER BLVD	COLONIAL BLVD	6LD	E	2,860	A	1,050	A	1,104	
24000	SLATER RD	SR 78	NALLE GRADE RD	2LN	E	1,010	C	402	C	423	*
24100	SOUTH POINTE BLVD	CYPRESS LAKE DR	COLLEGE PKWY	2LD	E	910	D	644	D	677	*
24200	SR 31 (ARCADIA RD)	SR 80	SR 78	2LN	D	970	C	643	C	610	PD&E/SEIR Study
24300	SR 31 (ARCADIA RD)	SR 78	COUNTY LINE	2LN	C	820	C	564	C	460	PD&E/SEIR Study
24400	STALEY RD	TICE	ORANGE RIVER BLVD	2LN	E	860	C	189	C	215	*
24500	STRINGFELLOW RD	1ST AVE	BERKSHIRE RD	2LN	E	1,060	B	315	D	672	Constrained
24600	STRINGFELLOW RD	BERKSHIRE RD	PINE ISLAND RD	2LN	E	1,060	B	315	C	448	Constrained
24700	STRINGFELLOW RD	PINE ISLAND RD	PINELAND RD	2LN	E	1,060	C	551	D	652	Constrained
24800	STRINGFELLOW RD	PINELAND RD	MAIN ST	2LN	E	1,060	C	551	D	648	
24900	SUMMERLIN RD	MCGREGOR BLVD	KELLY COVE RD	4LD	E	1,980	A	1,243	A	1,306	
25000	SUMMERLIN RD	KELLY COVE RD	SAN CARLOS BLVD	4LD	E	1,980	A	1,243	A	1,306	
25100	SUMMERLIN RD	SAN CARLOS BLVD	PINE RIDGE RD	6LD	E	3,000	A	1,919	A	2,149	
25200	SUMMERLIN RD	PINE RIDGE RD	BASS RD	6LD	E	3,000	A	1,919	A	2,016	
25300	SUMMERLIN RD	BASS RD	GLADIOLUS DR	6LD	E	3,000	A	1,919	A	2,016	
25400	SUMMERLIN RD	GLADIOLUS DR	CYPRESS LAKE DR	4LD	E	1,900	C	1,454	C	1,552	
25500	SUMMERLIN RD	CYPRESS LAKE DR	COLLEGE PKWY	6LD	E	2,880	B	1,783	B	1,874	
25600	SUMMERLIN RD	COLLEGE PKWY	PARK MEADOW DR	6LD	E	2,880	B	1,916	B	2,014	
25700	SUMMERLIN RD	PARK MEADOW DR	BOY SCOUT	6LD	E	2,880	B	1,916	B	2,014	
25800	SUMMERLIN RD	BOY SCOUT	MATHEWS DR	4LD	E	1,820	D	1,260	D	1,324	
25900	SUMMERLIN RD	MATHEWS DR	COLONIAL BLVD	4LD	E	1,820	D	1,260	D	1,324	
26000	SUNRISE BLVD	BELL BLVD	COLUMBUS BLVD	2LN	E	860	C	42	C	53	
26100	SUNSHINE BLVD	SR 82	23RD ST SW	2LN	E	1,010	C	369	C	388	*
26150	SUNSHINE BLVD	23RD ST SW	LEE BLVD	2LN	E	1,010	C	369	C	388	*
26200	SUNSHINE BLVD	LEE BLVD	W 12TH ST	2LN	E	1,010	D	596	D	626	*
26300	SUNSHINE BLVD	W 12TH ST	W 75TH ST	2LN	E	860	D	623	D	653	
26400	SW 23RD ST	GUNNERY RD	SUNSHINE BLVD	2LN	E	860	D	650	D	683	
26500	THREE OAKS PKWY	COCONUT RD	ESTERO PKWY	4LD	E	1,940	B	1,230	B	1,413	
26600	THREE OAKS PKWY	ESTERO PKWY	SAN CARLOS BLVD	4LD	E	1,940	A	623	B	724	
26700	THREE OAKS PKWY	SAN CARLOS BLVD	ALICO RD	4LD	E	1,940	A	633	B	976	
26800	TICE ST	SR 80	ORTIZ AVE	2LN	E	860	C	163	C	171	old count(2010)
26900	TICE ST	ORTIZ AVE	STALEY RD	2LN	E	860	C	203	D	716	Elementry U.
27000	TREELINE AVE	TERMINAL ACCESS RD	DANIELS PKWY	4LD	E	1,980	A	1,272	A	1,510	Harley Davidson
27030	TREELINE AVE	DANIELS PKWY	AMBERWOOD RD	4LD	E	1,980	A	880	A	924	
27070	TREELINE AVE	AMBERWOOD RD	COLONIAL BLVD	4LD	E	1,980	A	880	A	924	
29800	US 41 (S TAMIA MI TR)	OLD 41	CORKSCREW RD	6LD	D	3,171	C	2,662	C	2,712	
29900	US 41 (S TAMIA MI TR)	CORKSCREW RD	SANBEL BLVD	6LD	D	3,171	C	2,422	C	2,485	
30000	US 41 (S TAMIA MI TR)	SANBEL BLVD	ALICO RD	6LD	D	3,171	C	2,623	C	2,686	
30100	US 41 (S TAMIA MI TR)	ALICO RD	ISLAND PARK RD	6LD	D	3,171	C	2,623	C	2,730	
30200	US 41 (S TAMIA MI TR)	ISLAND PARK RD	BRIARCLIFF RD	6LD	D	3,171	C	2,905	D	3,092	

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

Updated 2/24/21

Daily Traffic Volume (AADT)

STREET	LOCATION	Sta- tion #	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
ALABAMA RD	S OF HOMESTEAD RD	200	8800	11100	9000	9300	10300	11000		10200	10700	7900
ALICO RD	E OF US 41	204	21800	21700	23400	19900	21900	24100	22100	22800	24200	25600
ALICO RD	E OF LEE RD	207										
ALICO RD	W OF I - 75	10	25800	27200	29100	38400	41100	43600	44800	47900	49800	41900
ALICO RD	E OF I - 75	53	26200	26000	26900	28400	25600	24300	24600	26200	24200	20200
ALICO RD	E OF BEN HILL GRIFFIN PKWAY	205				7500		8500		8900		
BASS RD	N OF SUMMERLIN RD	216	8200		8400		8200		11500		11400	

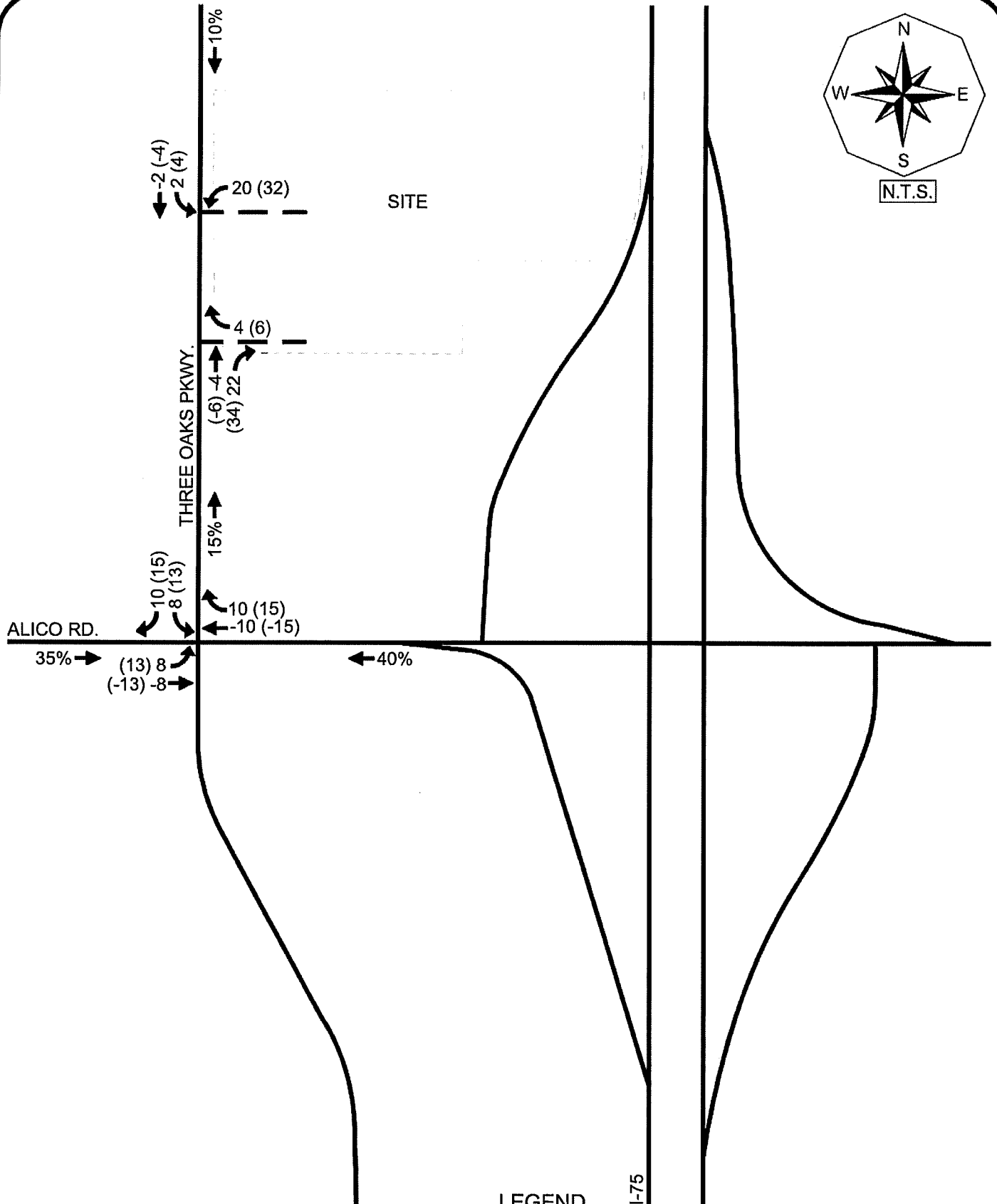
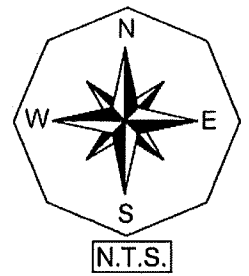
Updated 2/24/21

Daily Traffic Volume (AADT)

STREET	LOCATION	Station #	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
SUNSHINE BLVD	N OF IMMOKALEE RD	413			3900	4000		3900		3300		
SUNSHINE BLVD	S OF LEE BLVD	406			6100	7100		7500		7500		8500
SUNSHINE BLVD	N OF LEE BLVD (CR 884)	412			10300	8300		10100		12100		14000
TERMINAL ACCESS RD	E OF TREELINE AVE	<u>59</u>	24000	23300	23500	26400				27100	28500	18400
THREE OAKS PKWY	S OF CORKSCREW RD	525	16100	18700	18800		20900	21800	25100	20800	23900	
THREE OAKS PKWY	N OF CORKSCREW RD	415	14700	20200	19900							
THREE OAKS PKWY	S OF ESTERO PKWY	<u>72</u>			16000	16600	16500	16800	17900		21700	18000
THREE OAKS PKWY	S OF ALICO RD	414	9500	12700	13700	11800	12300	13100	14100	12300		13600
TICE ST	W OF ORTIZ AV	417										
TICE ST	W OF I 75	416				3000		3500		3800		3400
TREELINE AVE	S OF PELICAN COLONY BLVD	<u>62</u>	7300	8200	8900	9700	10800	11600	11800	13100	13700	11600
TREELINE AVE	N OF AIRPORT TERMINAL	<u>61</u>	23600	23800	24500	25500	23800	25000	23800	23400	22700	14600
12 ST W	E OF GUNNERY RD	472					4100				5200	
23RD ST SW	E OF GUNNERY RD	469			10200	11000		11800	12700	13200		16400

**SITE TRAFFIC ASSIGNMENT
SUPPLEMENTAL GRAPHICS
FIGURES A-1 & A-2**

F2108.35



**2027 FSUTMS TRAFFIC DATA
PROVIDED BY LEE COUNTY**

TRIP GENERATION EQUATIONS

Multifamily Housing (Mid-Rise) (221)

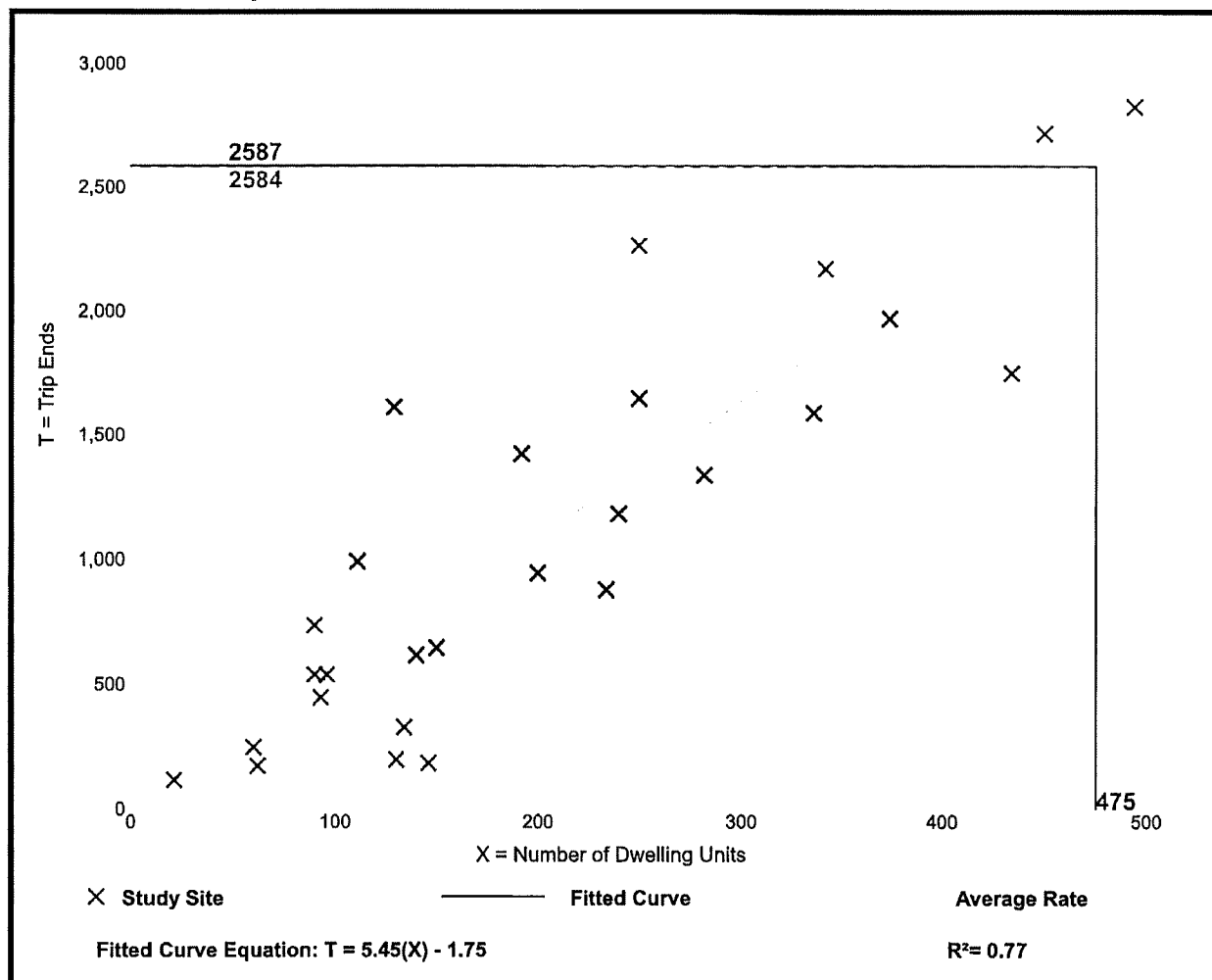
Vehicle Trip Ends vs: Dwelling Units
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 27
Avg. Num. of Dwelling Units: 205
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
5.44	1.27 - 12.50	2.03

Data Plot and Equation



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Multifamily Housing (Mid-Rise) (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: 53

Avg. Num. of Dwelling Units: 207

Directional Distribution: 26% entering, 74% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate

0.36

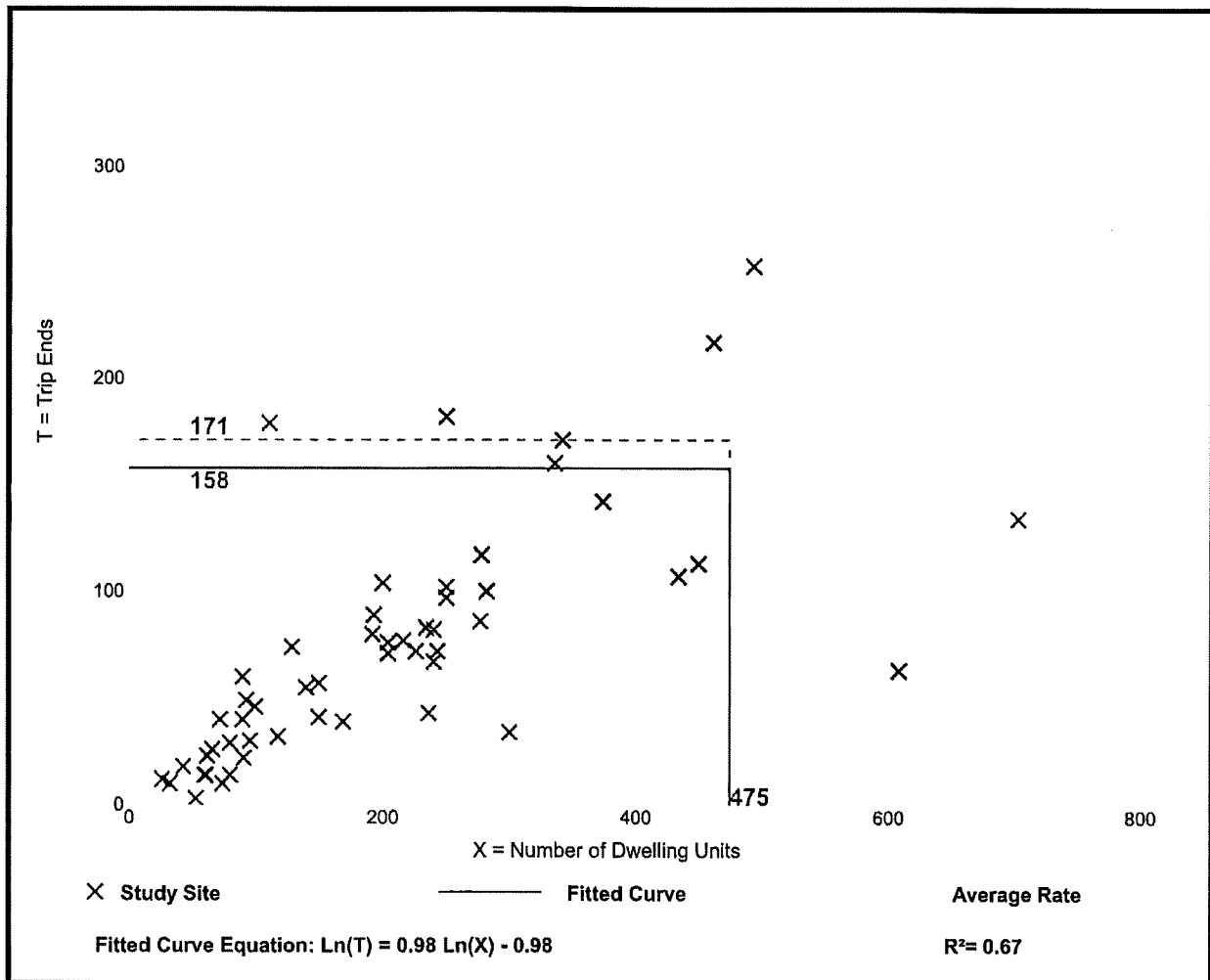
Range of Rates

0.06 - 1.61

Standard Deviation

0.19

Data Plot and Equation



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Multifamily Housing (Mid-Rise) (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: 60

Avg. Num. of Dwelling Units: 208

Directional Distribution: 61% entering, 39% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate

0.44

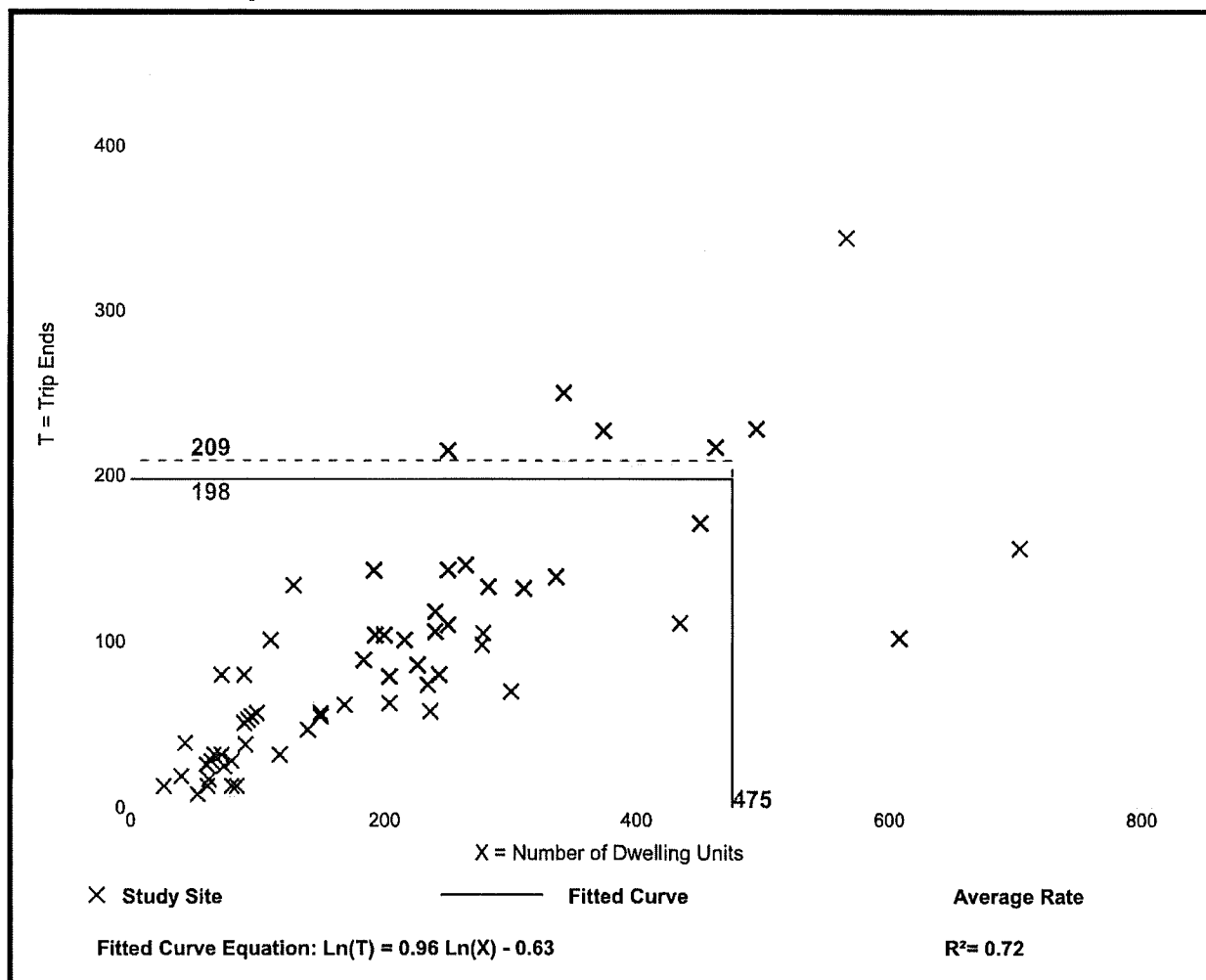
Range of Rates

0.15 - 1.11

Standard Deviation

0.19

Data Plot and Equation



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Hotel (310)

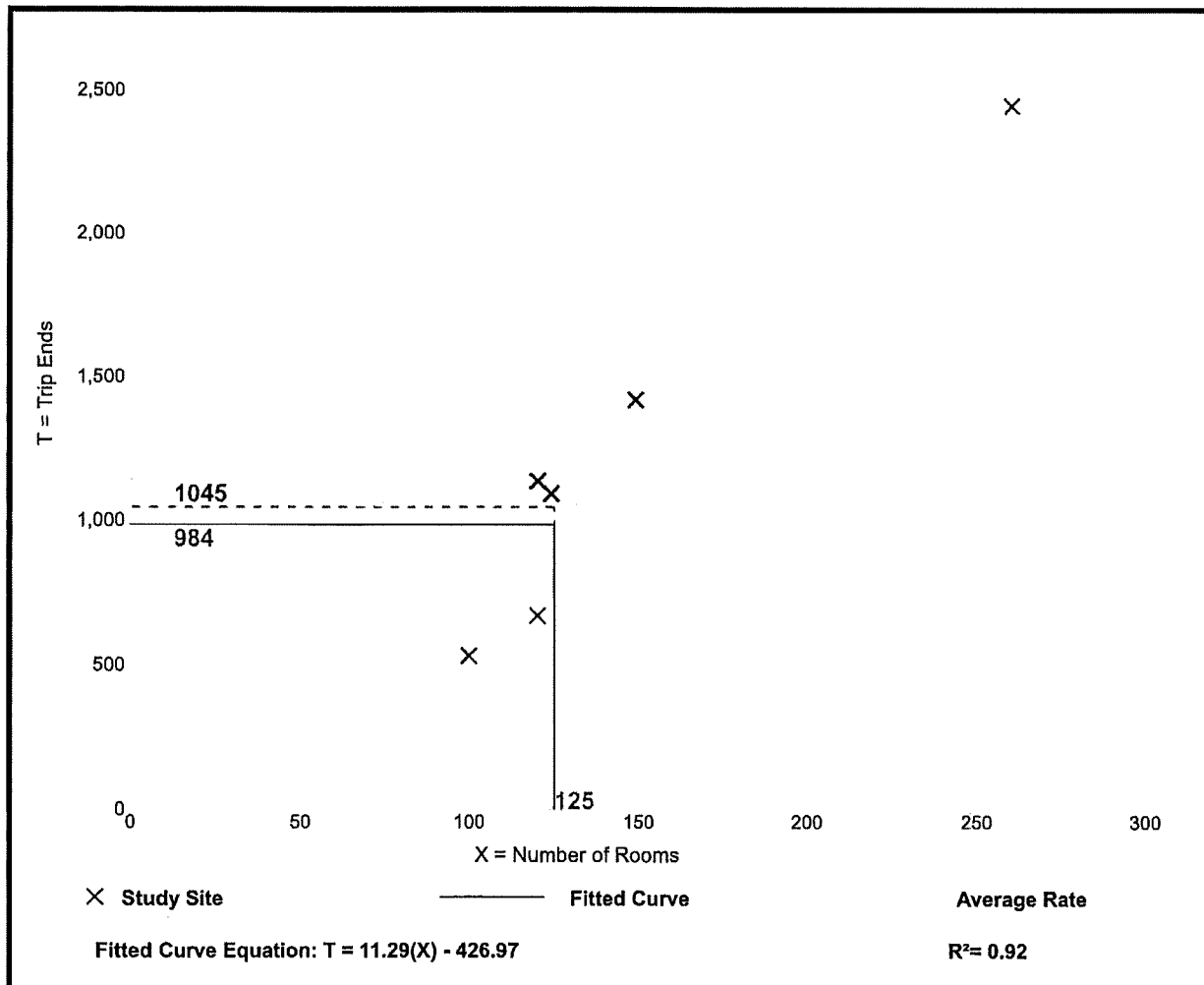
Vehicle Trip Ends vs: Rooms
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 6
Avg. Num. of Rooms: 146
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Room

Average Rate	Range of Rates	Standard Deviation
8.36	5.31 - 9.53	1.86

Data Plot and Equation



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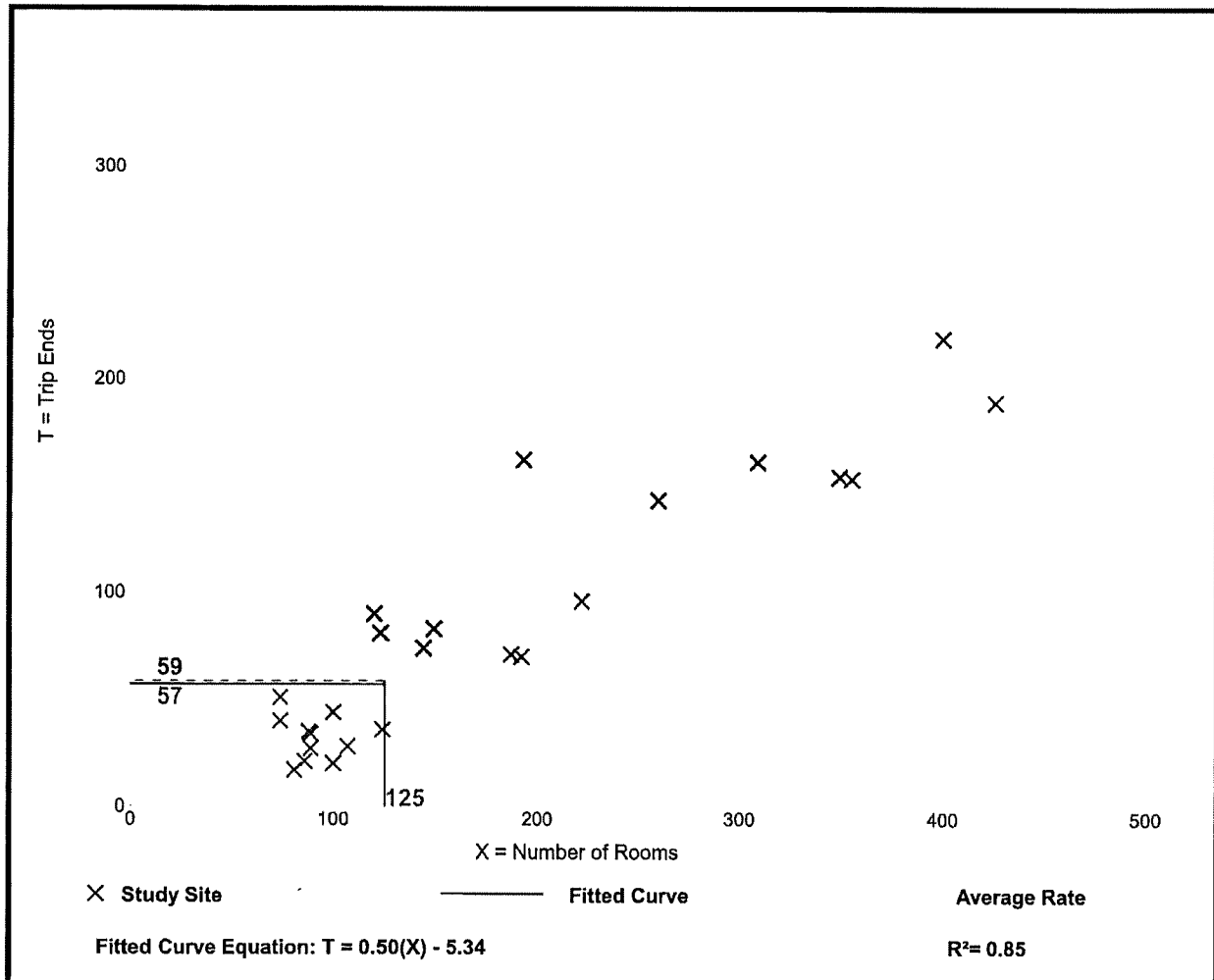
Hotel (310)

Vehicle Trip Ends vs: Rooms
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: 25
 Avg. Num. of Rooms: 178
 Directional Distribution: 59% entering, 41% exiting

Vehicle Trip Generation per Room

Average Rate	Range of Rates	Standard Deviation
0.47	0.20 - 0.84	0.14

Data Plot and Equation



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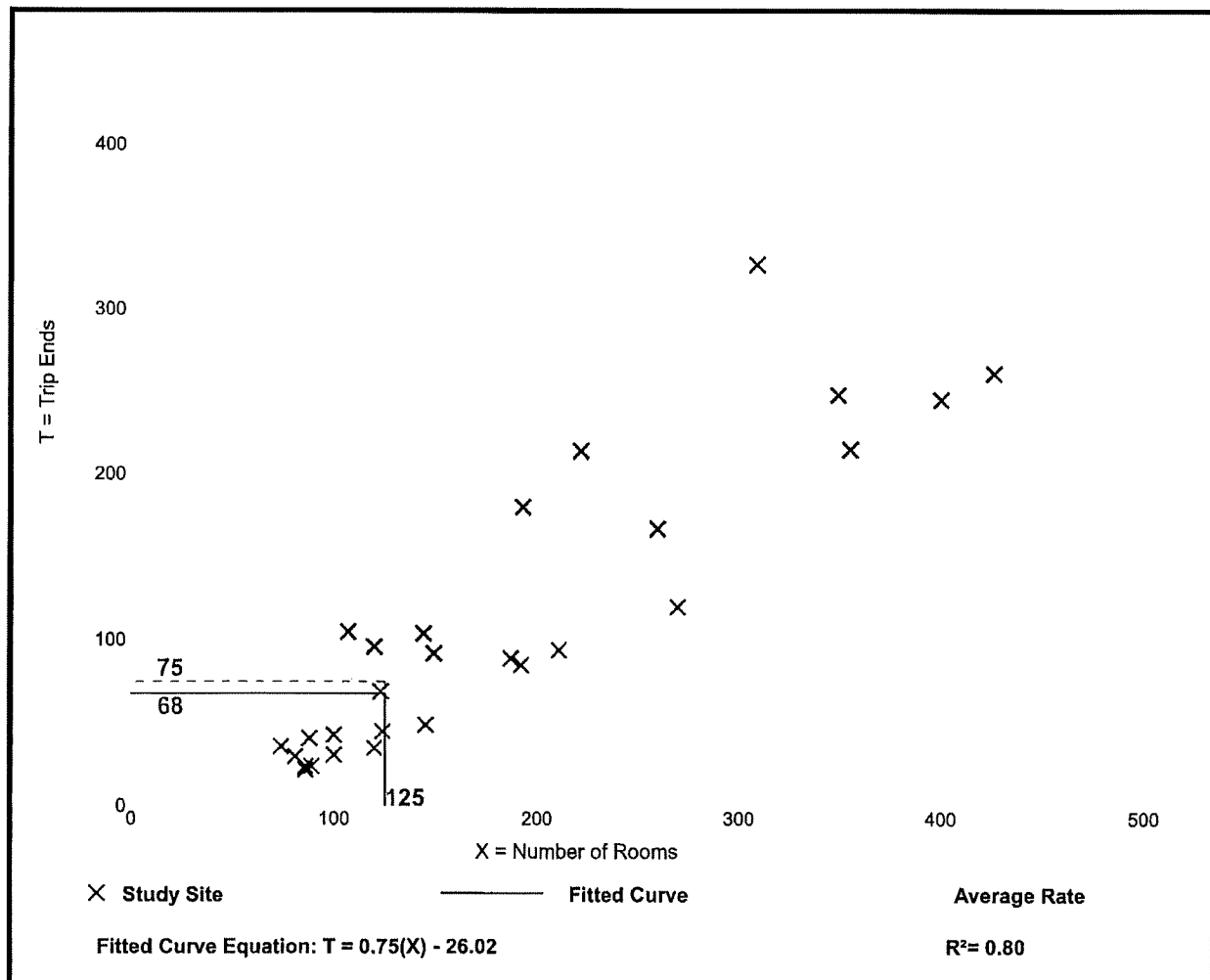
Hotel (310)

Vehicle Trip Ends vs: Rooms
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: 28
 Avg. Num. of Rooms: 183
 Directional Distribution: 51% entering, 49% exiting

Vehicle Trip Generation per Room

Average Rate	Range of Rates	Standard Deviation
0.60	0.26 - 1.06	0.22

Data Plot and Equation



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General Office Building (710)

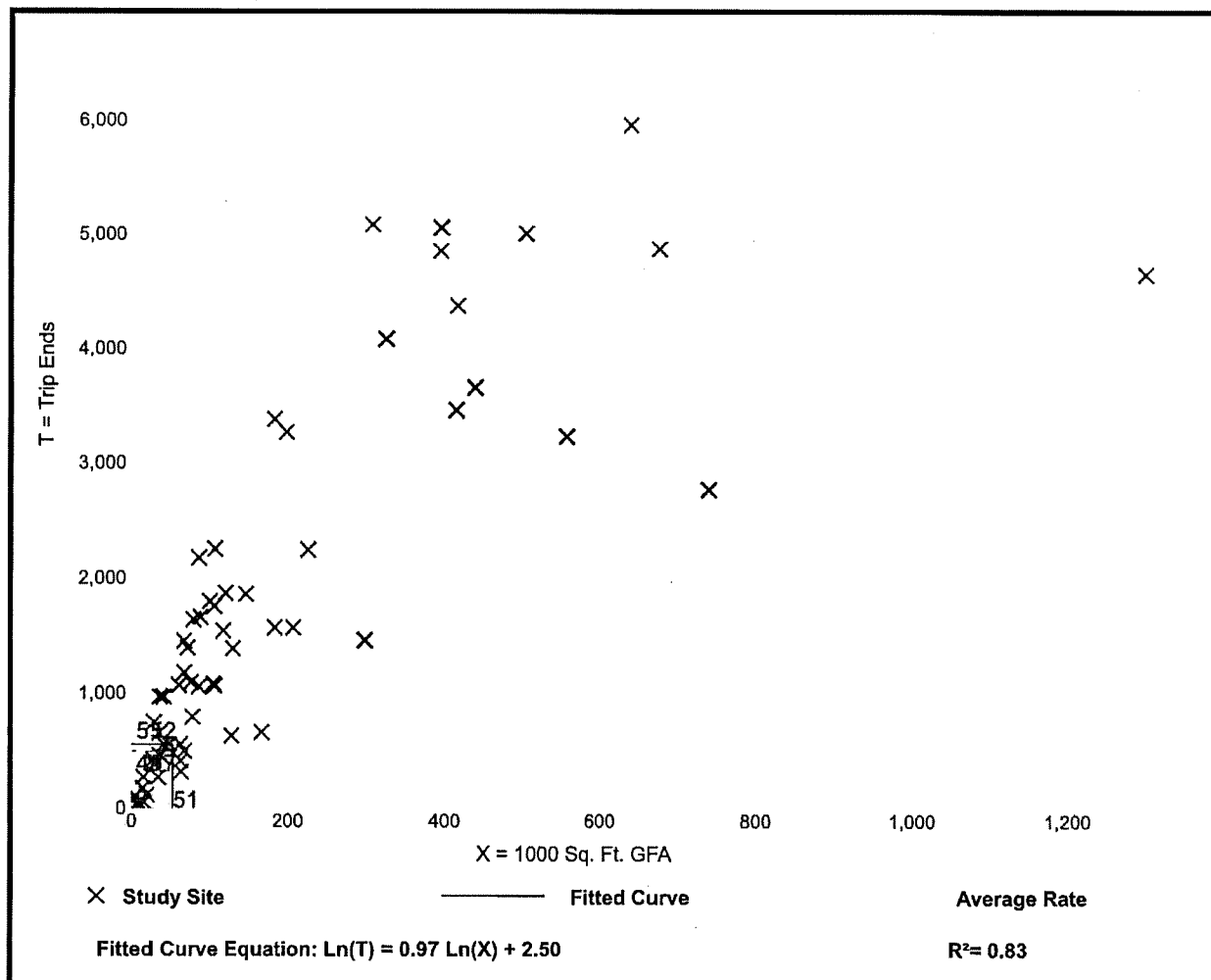
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 66
Avg. 1000 Sq. Ft. GFA: 171
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
9.74	2.71 - 27.56	5.15

Data Plot and Equation



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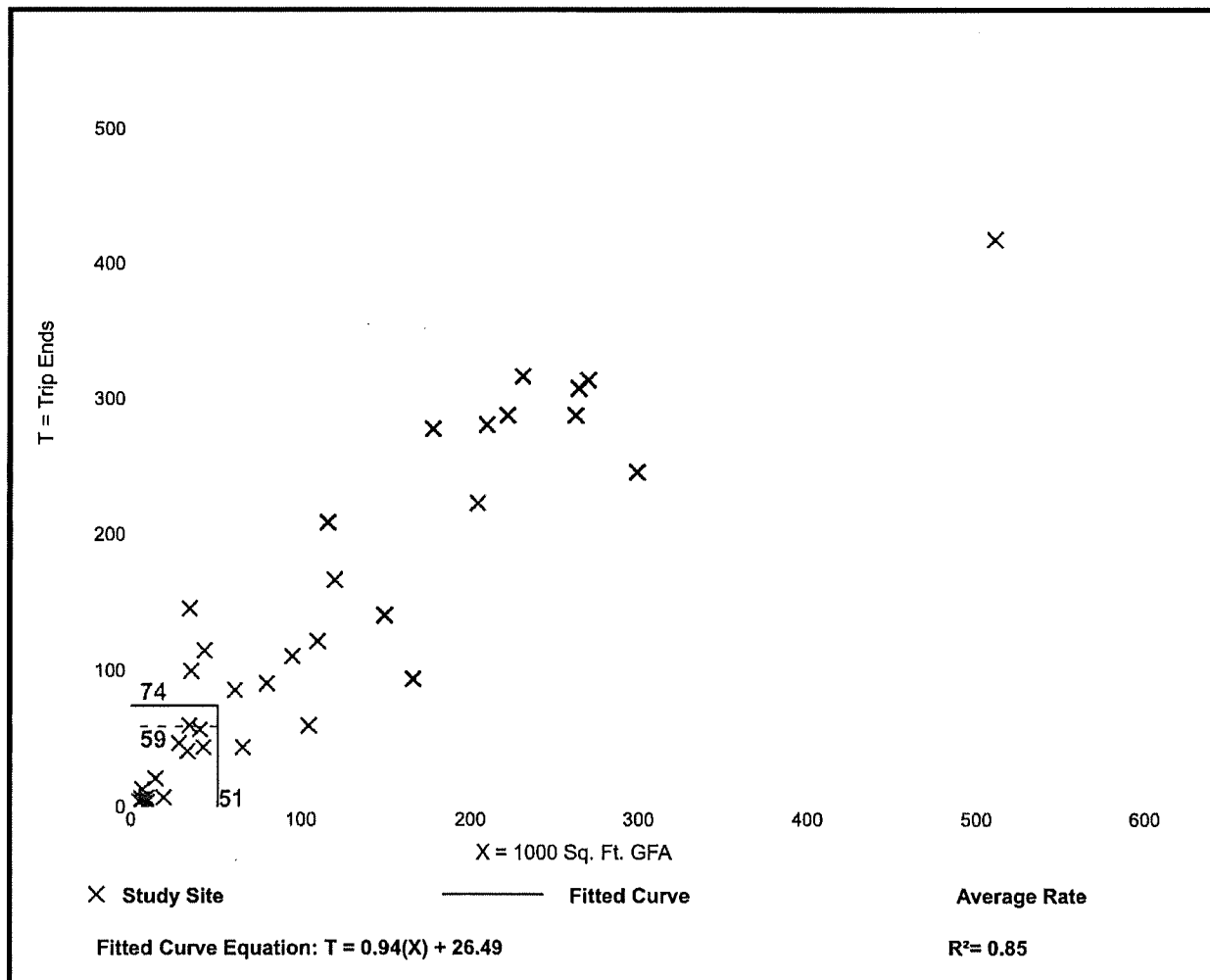
General Office Building (710)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
 On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 7 and 9 a.m.
 Setting/Location: General Urban/Suburban
 Number of Studies: 35
 Avg. 1000 Sq. Ft. GFA: 117
 Directional Distribution: 86% entering, 14% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.16	0.37 - 4.23	0.47

Data Plot and Equation



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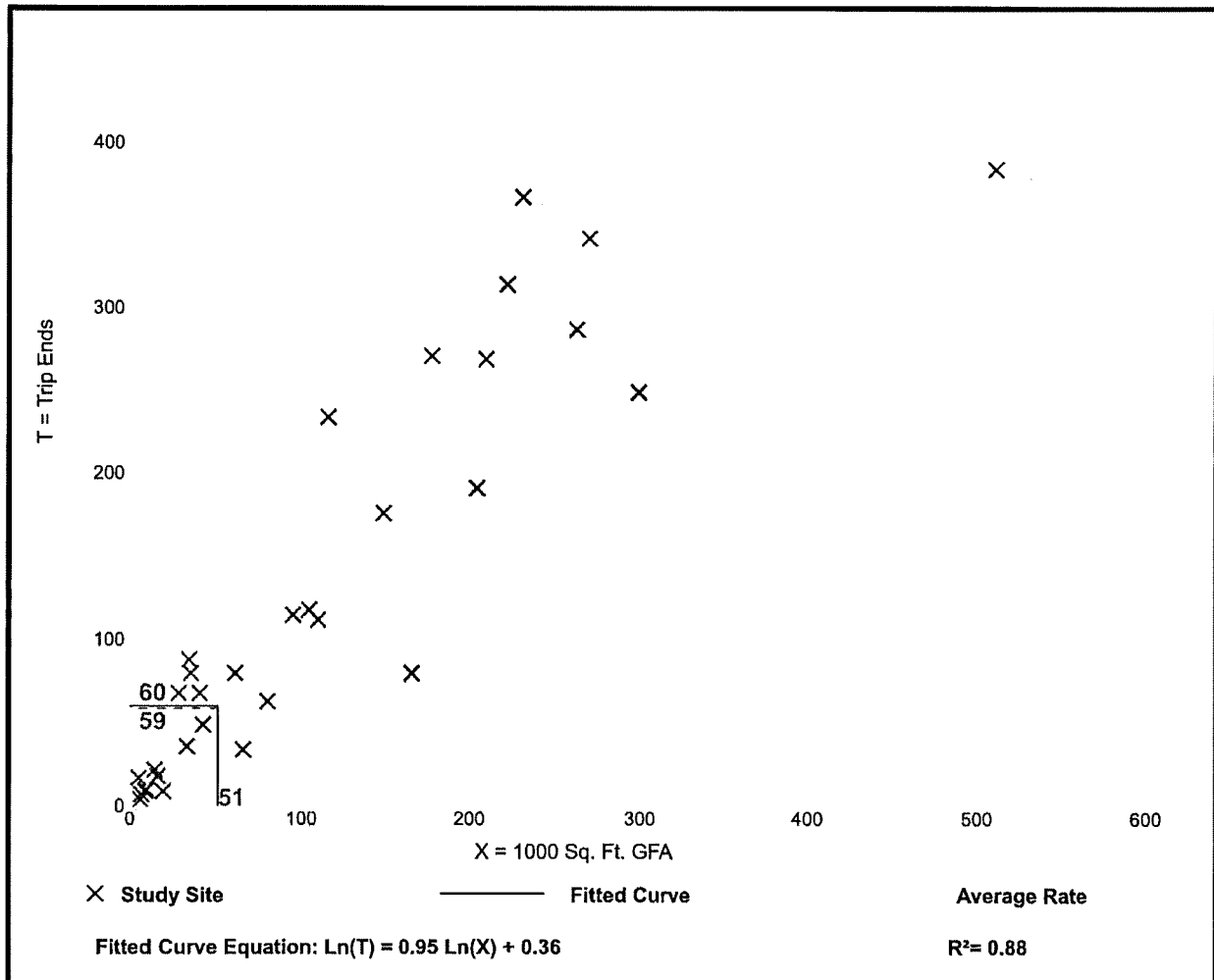
General Office Building (710)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
 On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 4 and 6 p.m.
 Setting/Location: General Urban/Suburban
 Number of Studies: 32
 Avg. 1000 Sq. Ft. GFA: 114
 Directional Distribution: 16% entering, 84% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.15	0.47 - 3.23	0.42

Data Plot and Equation



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Shopping Center (820)

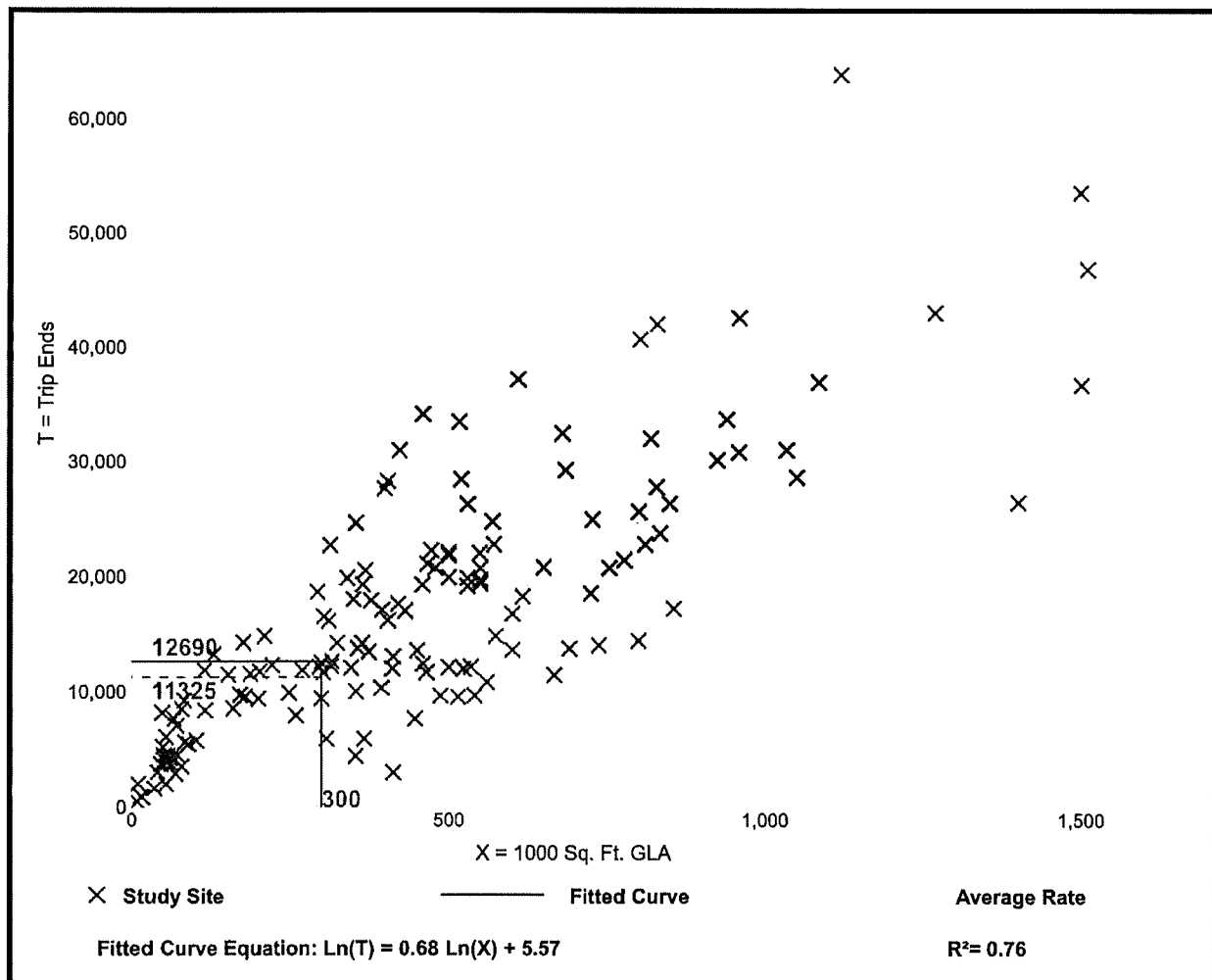
Vehicle Trip Ends vs: 1000 Sq. Ft. GLA
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 147
Avg. 1000 Sq. Ft. GLA: 453
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
37.75	7.42 - 207.98	16.41

Data Plot and Equation



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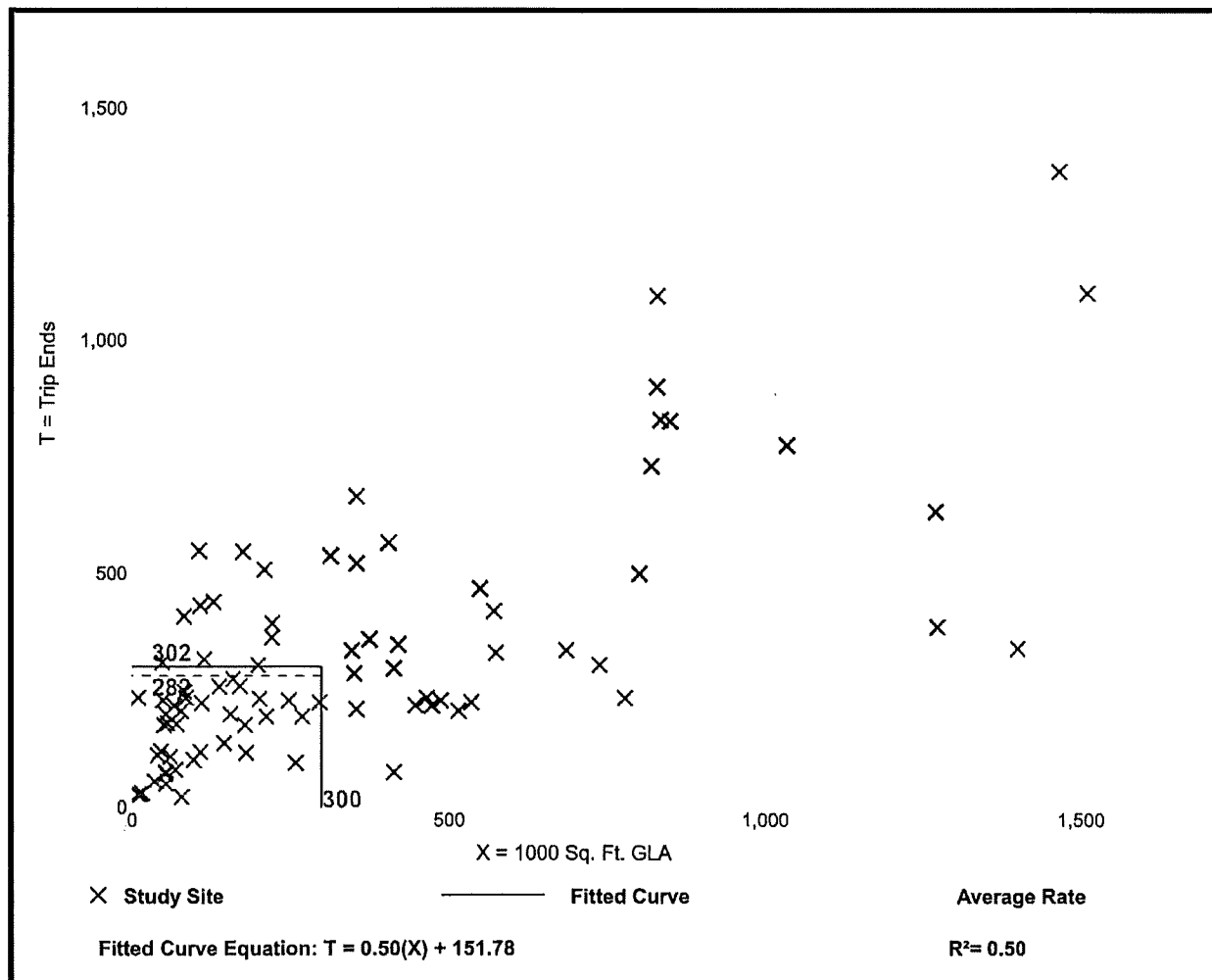
Shopping Center (820)

Vehicle Trip Ends vs: 1000 Sq. Ft. GLA
On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 7 and 9 a.m.
Setting/Location: General Urban/Suburban
 Number of Studies: 84
 Avg. 1000 Sq. Ft. GLA: 351
 Directional Distribution: 62% entering, 38% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
0.94	0.18 - 23.74	0.87

Data Plot and Equation



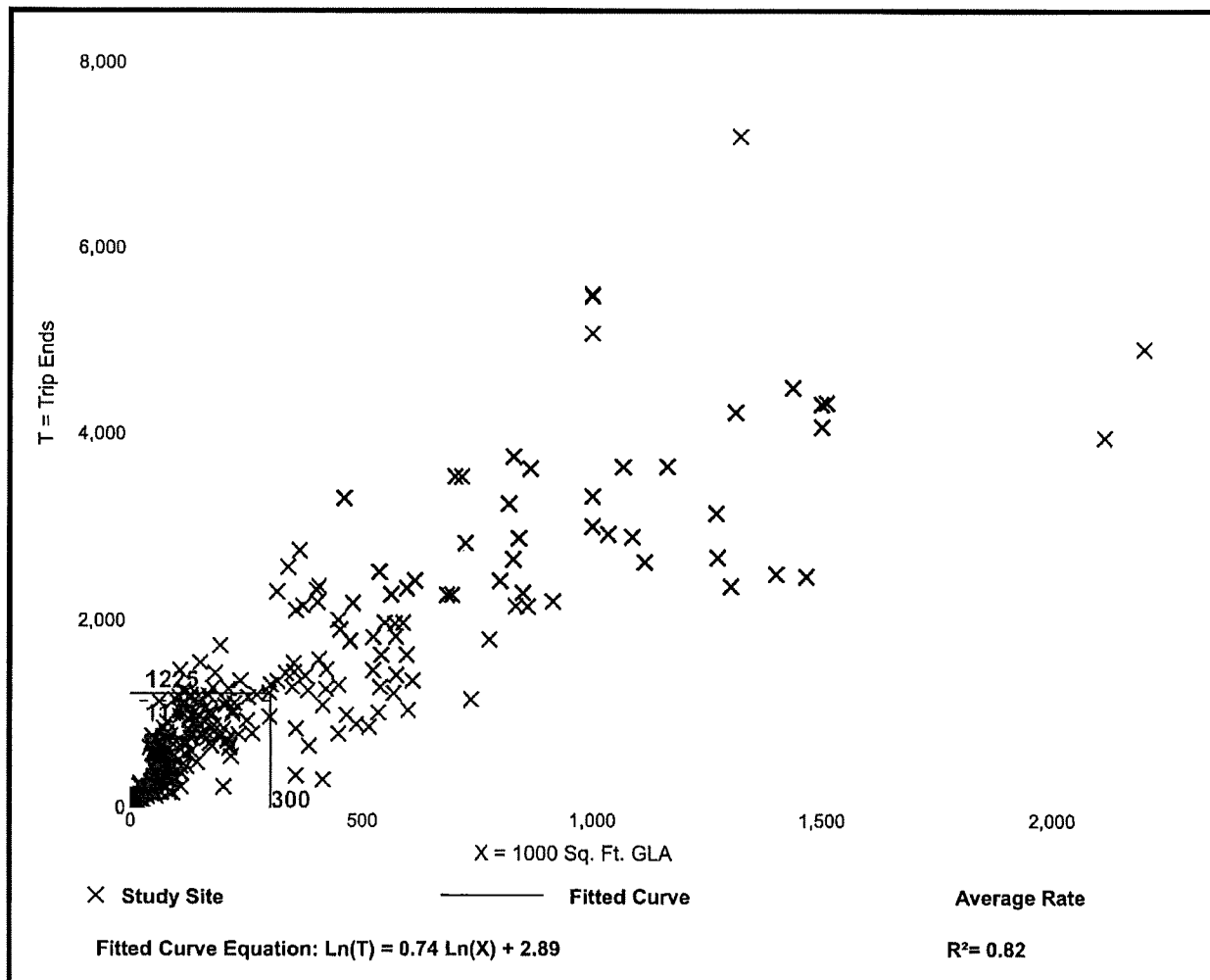
Shopping Center (820)

Vehicle Trip Ends vs: 1000 Sq. Ft. GLA
 On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 4 and 6 p.m.
 Setting/Location: General Urban/Suburban
 Number of Studies: 261
 Avg. 1000 Sq. Ft. GLA: 327
 Directional Distribution: 48% entering, 52% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
3.81	0.74 - 18.69	2.04

Data Plot and Equation



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

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

March 24, 2022

Mr. Dan DeLisi, AICP
DeLisi, Inc.
1605 Hendry St
Fort Myers, FL 33901

RE: Alico Crossroads CPD

Dear Mr. DeLisi:

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

LC T.I.S. Application Sufficiency Checklist:

1. *One right-in/right-out and one full access on Three Oaks Pkwy are used in the Traffic Impact Statement (TIS). However, only one full access is shown on the Master Concept Plan (MCP). The right-in/right-out access in the TIS is too close to the driveway to the south and Lee County DOT is unlikely to support. The TIS needs to be revised with no right-in/right-out access.*

Acknowledged. See attached updated **Figures A-1, A-2, 2 & 3**, which were revised to remove the right-in/right-out only access.

2. *The information of intersection level of service (LOS) analysis shall be provided for review.*

Acknowledged. See attached intersection analysis at proposed site access drive on Three Oaks Parkway as well as at the off-site intersection of Alico Road and Three Oaks Parkway. Note, the intersection analysis at proposed site access drive on Three Oaks Parkway also included traffic volumes from the rezoning TIS for Three Oaks Distribution Center (DCI2019-00013).

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

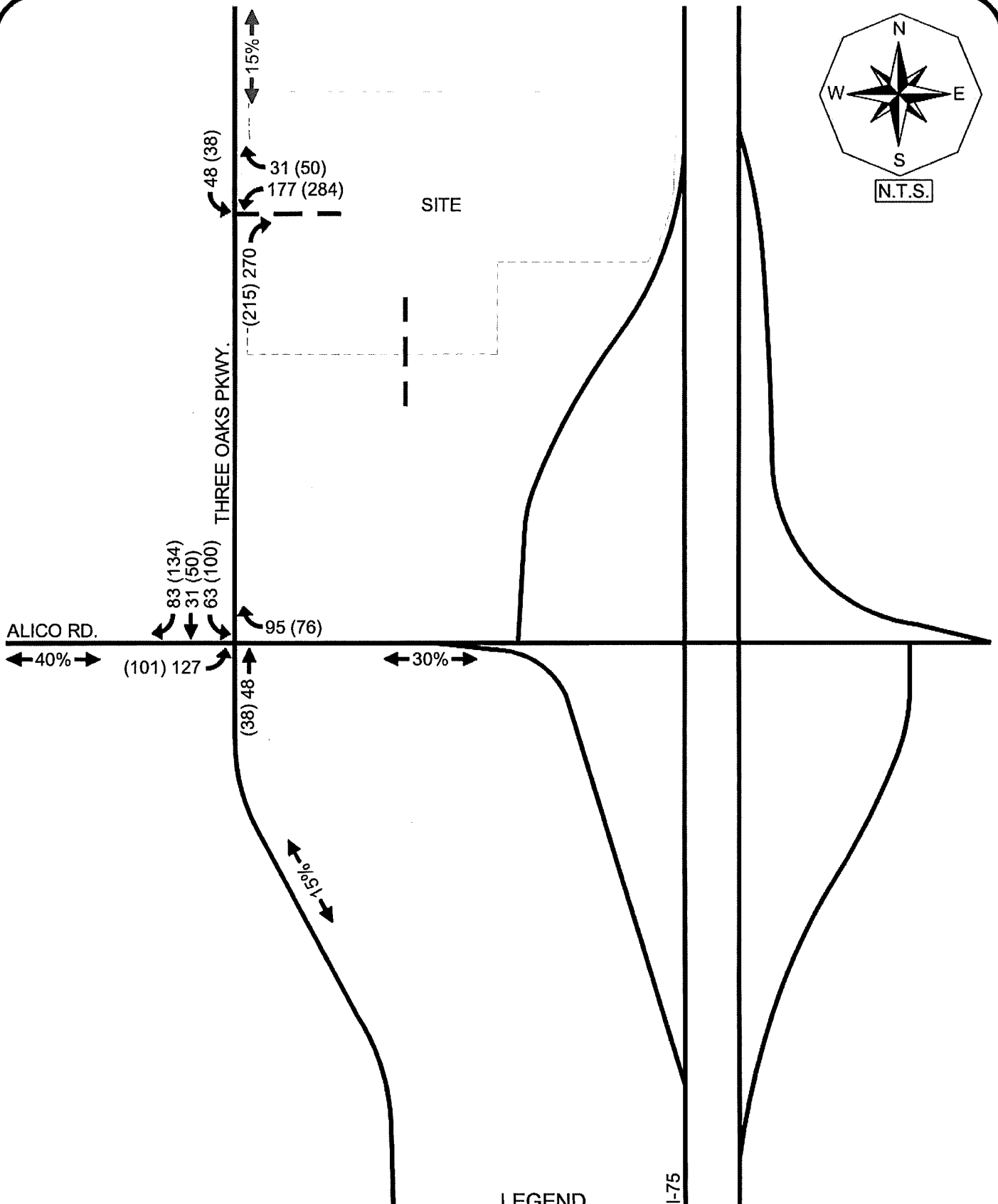
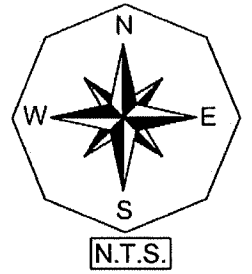
Sincerely,

A handwritten signature in blue ink, appearing to read 'Yury Bykau', is written over a horizontal line.

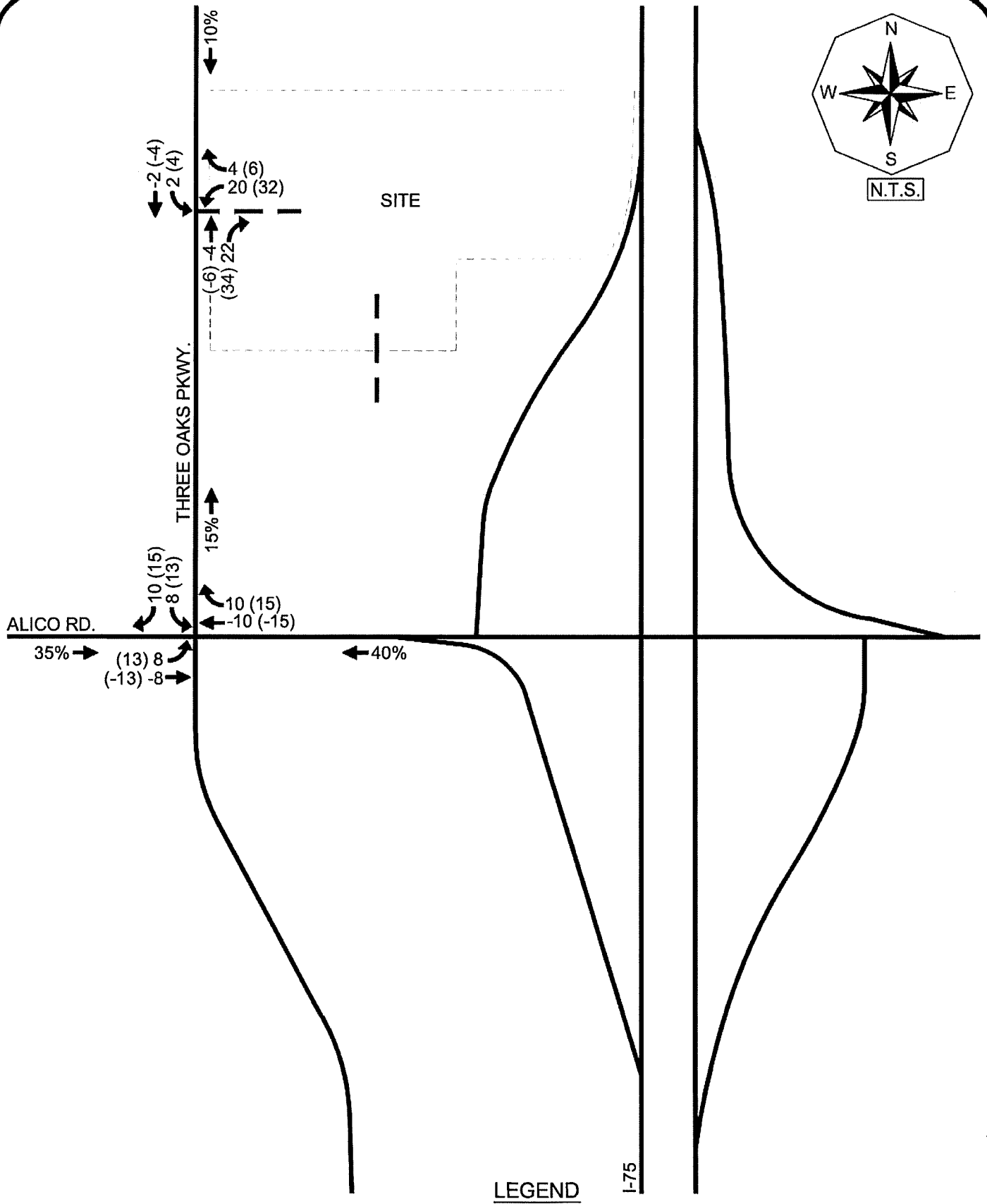
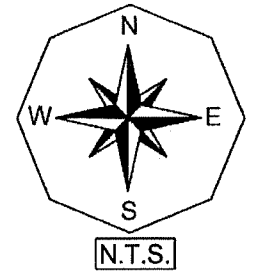
Yury Bykau, P.E.
Transportation Consultant
Attachments

REVISED FIGURES A-1, A-2, 2 & 3

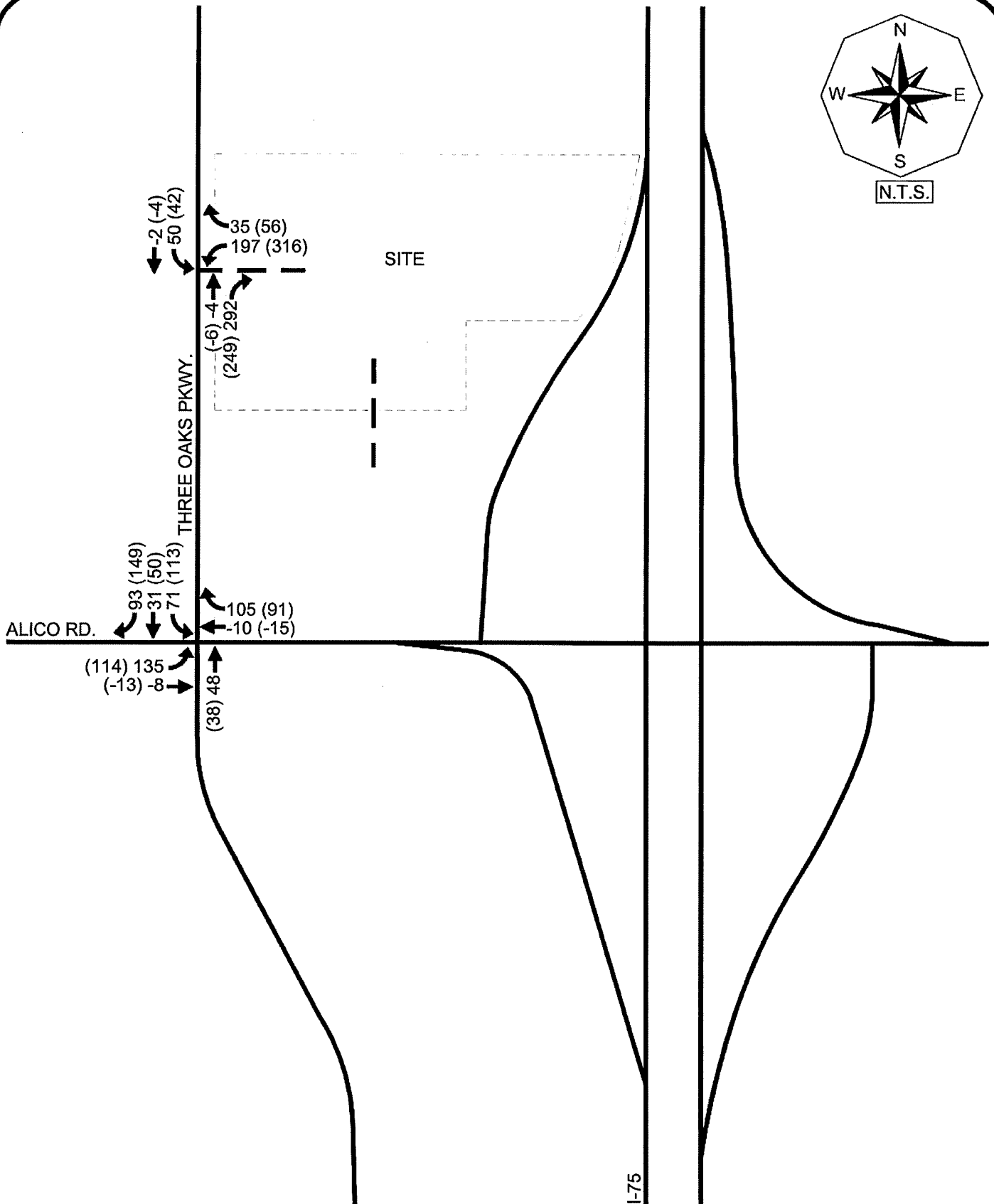
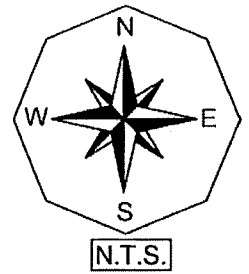
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LEGEND

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

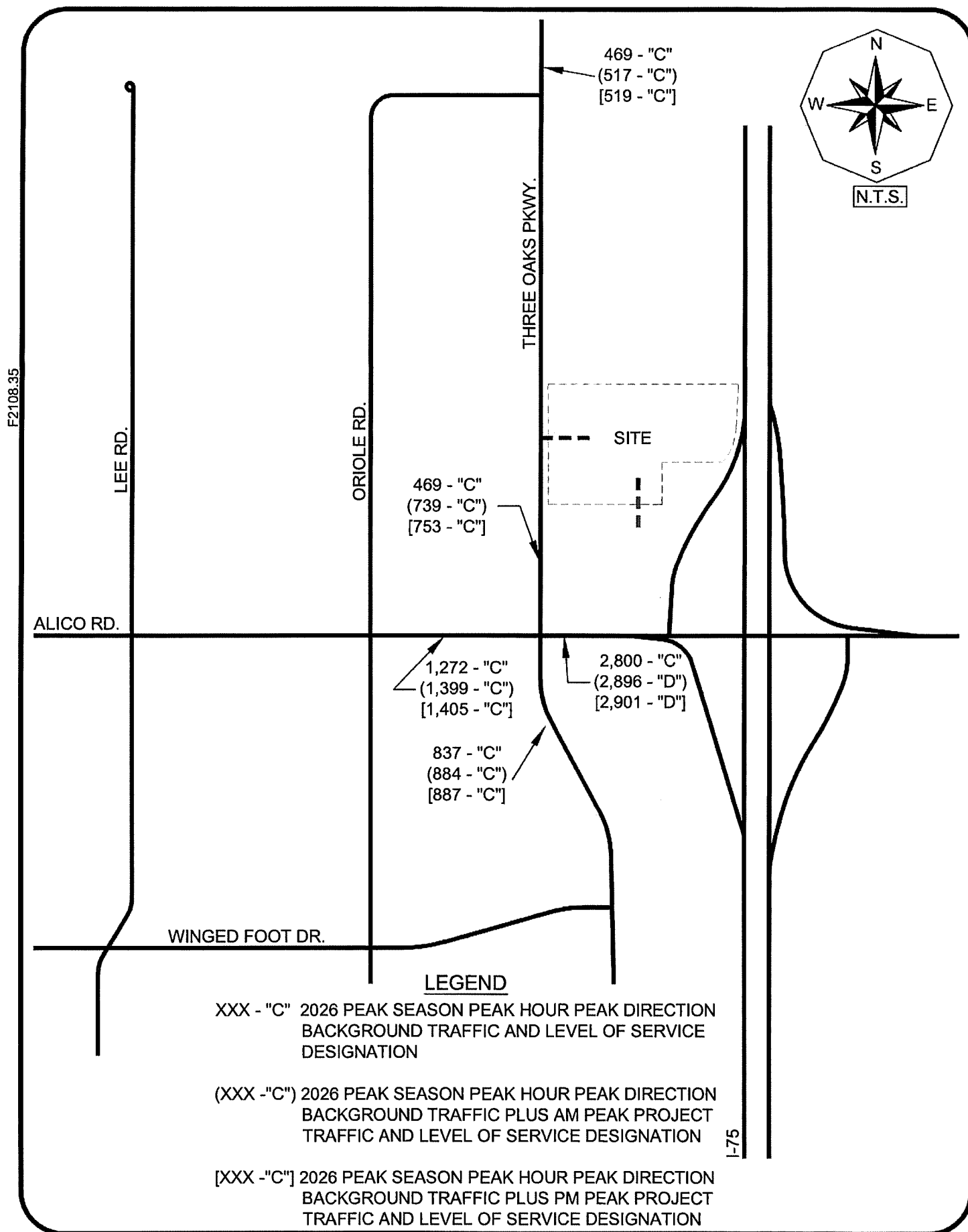


TABLE 3A
GROWTH RATE CALCULATIONS

**TABLE 3A
ANNUAL GROWTH RATE CALCULATIONS
BASED UPON HISTORICAL COUNT DATA**

<u>ROADWAY</u>	<u>SEGMENT</u>	<u>CURRENT</u> <u>ID#</u>	<u>2014</u> <u>AADT</u> <u>VOLUME</u>	<u>2020</u> <u>AADT</u> <u>VOLUME</u>	<u>YRS OF</u> <u>GROWTH</u>	<u>ANNUAL</u> <u>GROWTH</u> <u>RATE</u>	<u>ACTUAL</u> <u>GROWTH</u> <u>RATE</u>
Alico Rd	W. of I-75	10.0	38,400	41,900	6	2.00%	1.46%
Three Oaks Pkwy	S. of Alico Rd	414.0	11,800	13,600	6	2.39%	2.39%

• All traffic volumes were obtained from the Lee County Traffic Count Report.

** In instances where the historical data indicates a reduction in traffic or insufficient data was available to calculate

*** A growth rate due to construction, a minimum annual growth rate of 2.0% was assumed.

SAMPLE GROWTH RATE CALCULATION

$$\text{Annual Growth Rate (AGR)} = \frac{2020}{2014}^{(1/\text{Yrs of Growth})} - 1$$

$$\text{AGR (Alico Rd)} = \frac{41,900}{38,400}^{(1/6)} - 1$$

$$\text{AGR (Alico Rd)} = 1.46\%$$

TRAFFIC DATA FROM LEE COUNTY
TRAFFIC COUNT REPORT

Updated 2/24/21

Daily Traffic Volume (AADT)

STREET	LOCATION	Sta- tion #	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
A & W BULB RD	N OF GLADIOLUS DR	215	7700		6800		6600		7100		7700	
ALABAMA RD	N OF IMMOKALEE RD	201					6800		7100		6000	
ALABAMA RD	S OF HOMESTEAD RD	200	8800	11100	9000	9300	10300	11000		10200	10700	7900
ALICO RD	E OF US 41	204	21800	21700	23400	19900	21900	24100	22100	22800	24200	25600
ALICO RD	E OF LEE RD	207										
ALICO RD	W OF I - 75	10	25800	27200	29100	38400	41100	43600	44800	47900	49800	41900
ALICO RD	E OF I - 75	53	26200	26000	26900	28400	25600	24300	24600	26200	24200	20200
ALICO RD	E OF BEN HILL GRIFFIN PKWAY	205				7500		8500		8900		
BASS RD	N OF SUMMERLIN RD	216	8200		8400		8200		11500		11400	

Updated 2/24/21

Daily Traffic Volume (AADT)

STREET	LOCATION	Sta- tion #	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
SUNSHINE BLVD	N OF IMMOKALEE RD	413			3900	4000		3900		3300		
SUNSHINE BLVD	S OF LEE BLVD	406			6100	7100		7500		7500		8500
SUNSHINE BLVD	N OF LEE BLVD (CR 884)	412			10300	8300		10100		12100		14000
TERMINAL ACCESS RD	E OF TREELINE AVE	<u>59</u>	24000	23300	23500	26400				27100	28500	18400
THREE OAKS PKWY	S OF CORKSCREW RD	525	16100	18700	18800		20900	21800	25100	20800	23900	
THREE OAKS PKWY	N OF CORKSCREW RD	415	14700	20200	19900							
THREE OAKS PKWY	S OF ESTERO PKWY	<u>72</u>			16000	16600	16500	16800	17900		21700	18000
THREE OAKS PKWY	S OF ALICO RD	414	9500	12700	13700	11800	12300	13100	14100	12300		13600
TICE ST	W OF ORTIZ AV	417										
TICE ST	W OF I 75	416				3000		3500		3800		3400
TREELINE AVE	S OF PELICAN COLONY BLVD	<u>62</u>	7300	8200	8900	9700	10800	11600	11800	13100	13700	11600
TREELINE AVE	N OF AIRPORT TERMINAL	<u>61</u>	23600	23800	24500	25500	23800	25000	23800	23400	22700	14600
12 ST W	E OF GUNNERY RD	472					4100				5200	
23RD ST SW	E OF GUNNERY RD	469			10200	11000		11800	12700	13200		16400

PCS 10 - Alico Rd West of I-75

2018 AADT = 48,000 VPD

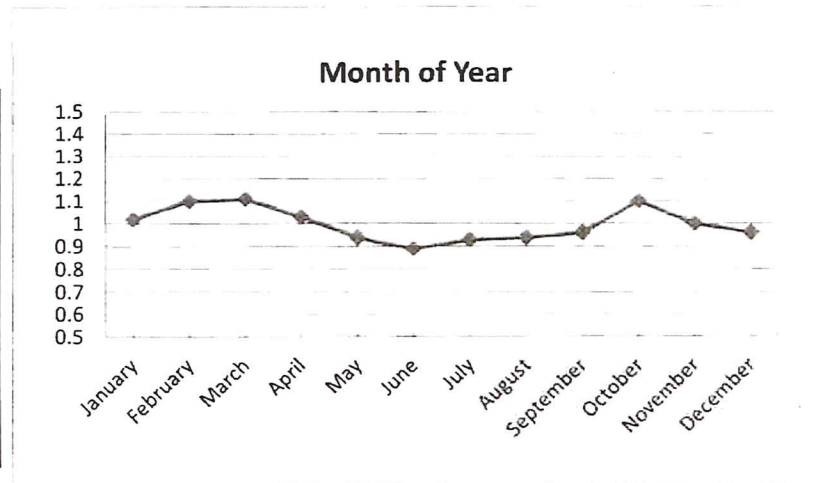
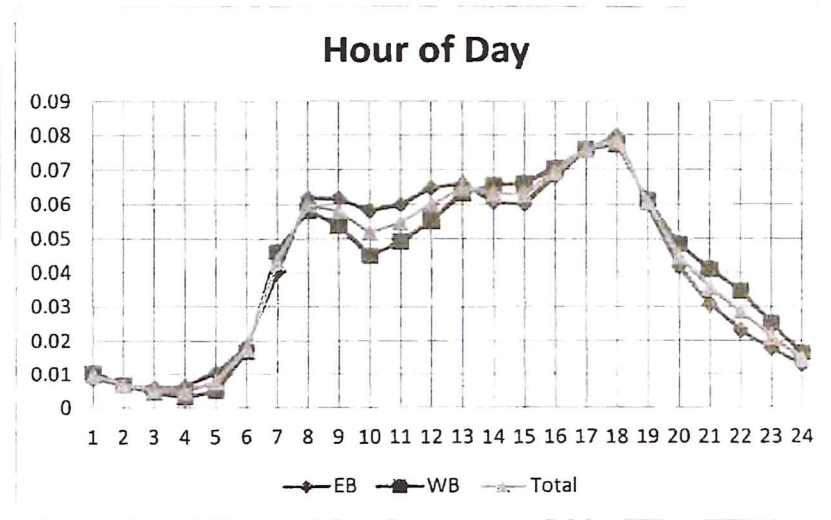
Hour	EB	WB	Total
0	0.88%	1.05%	0.96%
1	0.69%	0.68%	0.68%
2	0.60%	0.46%	0.53%
3	0.65%	0.32%	0.49%
4	1.05%	0.51%	0.79%
5	1.83%	1.67%	1.75%
6	4.03%	4.61%	4.31%
7	6.19%	5.82%	6.01%
8	6.18%	5.39%	5.80%
9	5.82%	4.50%	5.19%
10	5.99%	4.92%	5.48%
11	6.48%	5.52%	6.01%
12	6.61%	6.33%	6.48%
13	6.07%	6.56%	6.31%
14	6.01%	6.61%	6.30%
15	6.80%	7.05%	6.92%
16	7.57%	7.58%	7.57%
17	7.99%	7.73%	7.86%
18	5.97%	6.13%	6.05%
19	4.17%	4.84%	4.49%
20	3.08%	4.10%	3.57%
21	2.31%	3.48%	2.87%
22	1.77%	2.51%	2.12%
23	1.28%	1.64%	1.45%

Month of Year	Fraction
January	1.02
February	1.1
March	1.11
April	1.03
May	0.94
June	0.89
July	0.93
August	0.94
September	0.96
October	1.1
November	1
December	0.96

Directional Factor		
AM	0.53	WB
PM	0.51	EB

Day of Week	Fraction
Sunday	0.69
Monday	1.03
Tuesday	1.08
Wednesday	1.09
Thursday	1.11
Friday	1.14
Saturday	0.86

Design Hour Volume		
#	Volume	Factor
5	5169	0.108
10	5103	0.106
20	4934	0.103
30	4880	0.102
50	4788	0.100
100	4617	0.096
150	4479	0.093
200	4371	0.091



Count date @ Alico/Three Oaks

$$PSCF \left(\left(\frac{1.1 + 1.1 + 1.1}{3} \right) - 1.02 \right) + 1 = \boxed{1.08}$$

Count date @ Alico with Lee/Oricle

$$PSCF \left(\left(\frac{1.1 + 1.1 + 1.1}{3} \right) - 1.1 \right) + 1 = \boxed{1.00}$$

TURNING MOVEMENT COUNT
ALICO ROAD @ THREE OAKS PKWY

Alico Rd @ Three Oaks Pkwy 1-24-2019 (AM)

File Name: Alico Rd @ Three Oaks Pkwy 1-24-2019 (AM)

Location: Fort Myers

All Vehicles

Site Code:

Study Date: 01/24/2019

Time	Three Oaks Pkwy Southbound					Alico Rd Westbound					Three Oaks Pkwy Northbound					Alico Rd Eastbound					Int Total
	Right	Thru	Left	U-Turn	Appr Total	Right	Thru	Left	U-Turn	Appr Total	Right	Thru	Left	U-Turn	Appr Total	Right	Thru	Left	U-Turn	Appr Total	
07:00	0	1	0	0	1	1	314	38	0	353	67	0	66	0	133	19	281	0	0	300	787
07:15	0	1	0	0	1	0	317	59	0	376	100	1	84	0	185	28	279	1	0	308	870
07:30	0	0	0	0	0	1	338	72	0	411	110	0	91	0	201	24	317	1	0	342	954
07:45	0	0	1	0	1	0	324	56	0	380	141	0	95	0	236	34	347	0	0	381	998
Total	0	2	1	0	3	2	1293	225	0	1520	418	1	336	0	755	105	1224	2	0	1331	3609
08:00	0	1	0	0	1	1	299	50	0	350	93	1	65	0	159	35	280	1	0	316	826
08:15	0	0	1	0	1	0	304	77	0	381	87	0	64	0	151	39	266	1	0	306	839
08:30	0	0	0	0	0	0	261	54	0	315	91	0	68	0	159	33	324	1	0	358	832
08:45	0	0	0	0	0	1	279	58	0	338	84	0	71	0	155	28	295	1	0	324	817
Total	0	1	1	0	2	2	1143	239	0	1384	355	1	268	0	624	135	1165	4	0	1304	3314
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Grand Total	0	3	2	0	5	4	2436	464	0	2904	773	2	604	0	1379	240	2389	6	0	2635	6923
Appr %	00.0	60.0	40.0	00.0		00.1	83.9	16.0	00.0		56.1	00.1	43.8	00.0		09.1	90.7	00.2	00.0		
Total %	00.0	00.0	00.0	00.0		00.1	35.2	06.7	00.0		11.2	00.0	08.7	00.0		03.5	34.5	00.1	00.0		
% Trucks	-	00.0	00.0	-	00.0	00.0	00.0	00.0	-	00.0	00.0	00.0	00.0	-	00.0	00.0	00.0	00.0	-	00.0	00.0
AM Pk Hr	07:15	07:15	07:15	07:15	07:15	07:15	07:15	07:15	07:15	07:15	07:15	07:15	07:15	07:15	07:15	07:15	07:15	07:15	07:15	07:15	07:15
AM Pk Vol	0	2	1	0	3	2	1278	237	0	1517	444	2	335	0	781	121	1223	3	0	1347	3648
AM PHF	NaN	0.500	0.250	NaN	0.750	0.500	0.945	0.823	NaN	0.923	0.787	0.500	0.882	NaN	0.827	0.864	0.881	0.750	NaN	0.884	0.914

Alico Rd @ Three Oaks Pkwy 1-24-2019 (AM)

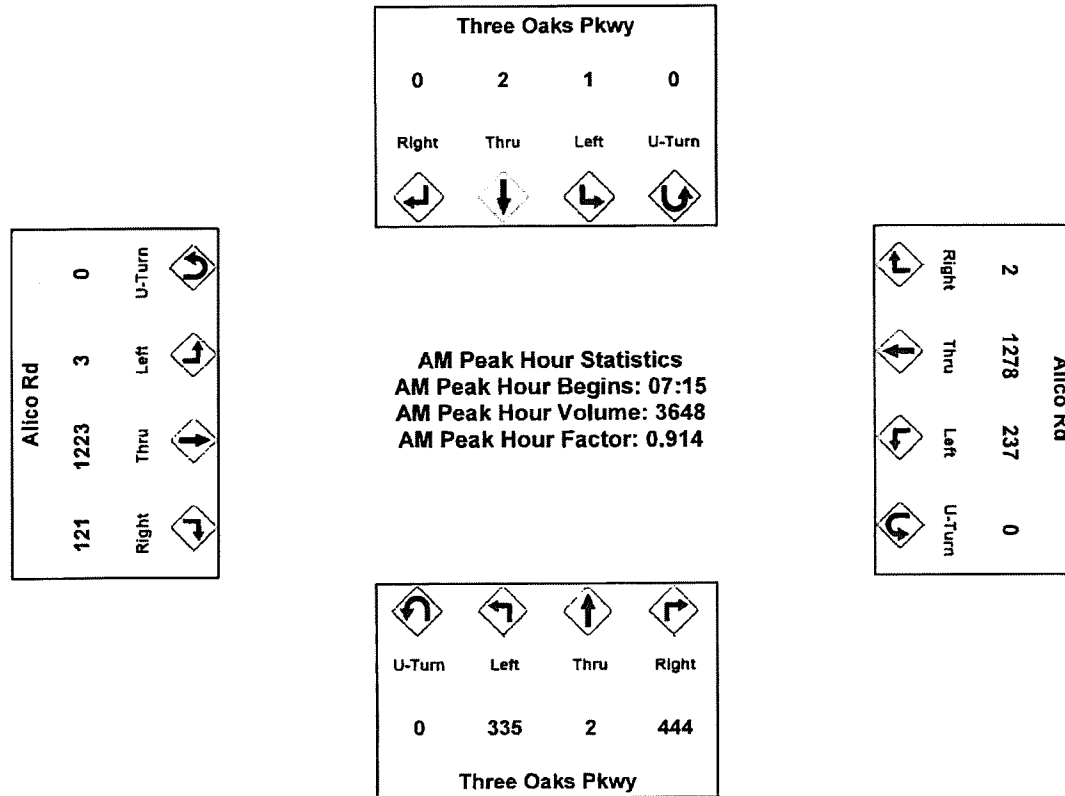
File Name: Alico Rd @ Three Oaks Pkwy 1-24-2019 (AM)

Location: Fort Myers

All Vehicles

Site Code:

Study Date: 01/24/2019



Alico Rd @ Three Oaks Pkwy 1-24-2019 (PM)

File Name: Alico Rd @ Three Oaks Pkwy 1-24-2019 (PM)

Location: Fort Myers

All Vehicles

Site Code:

Study Date: 01/24/2019

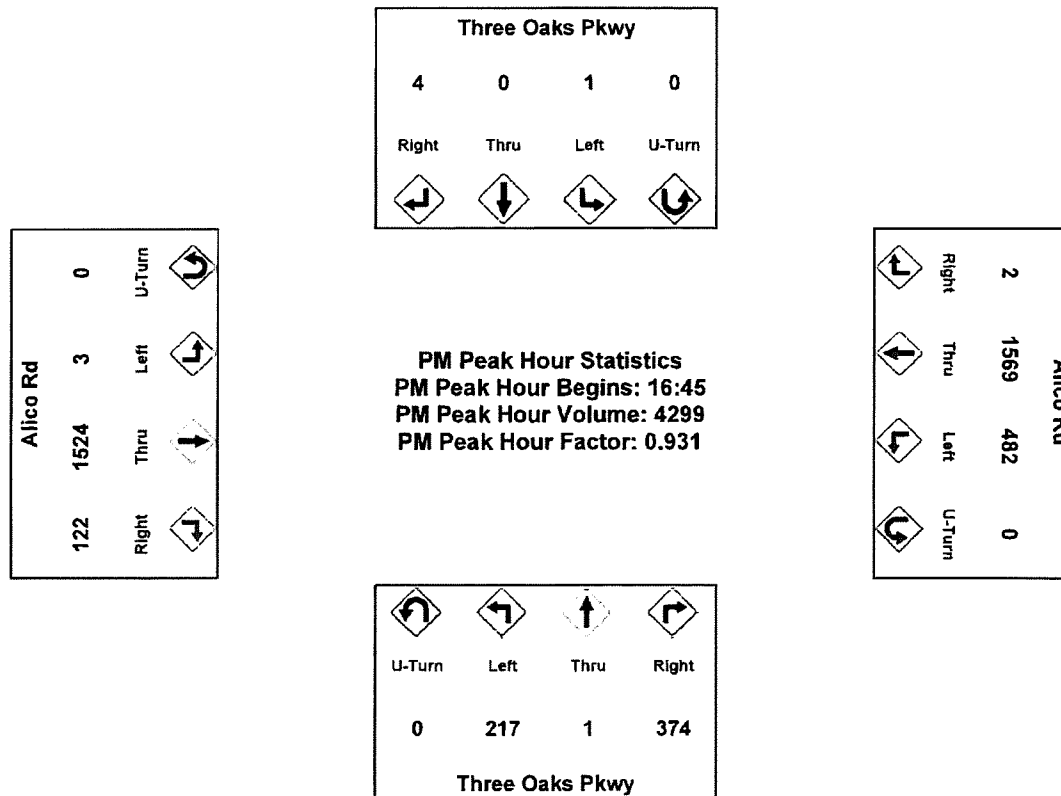
	Three Oaks Pkwy Southbound					Alico Rd Westbound					Three Oaks Pkwy Northbound					Alico Rd Eastbound					
Time	Right	Thru	Left	U-Turn	Appr Total	Right	Thru	Left	U-Turn	Appr Total	Right	Thru	Left	U-Turn	Appr Total	Right	Thru	Left	U-Turn	Appr Total	Int Total
16:00	1	0	0	0	1	0	374	70	0	444	83	1	70	0	154	29	295	1	0	325	924
16:15	1	0	1	0	2	1	349	104	0	454	100	1	63	0	164	36	341	1	0	378	998
16:30	0	0	3	0	3	2	371	96	0	469	96	0	53	0	149	32	351	2	0	385	1006
16:45	0	0	1	0	1	1	410	112	0	523	90	0	50	0	140	35	346	2	0	383	1047
Total	2	0	5	0	7	4	1504	382	0	1890	369	2	236	0	607	132	1333	6	0	1471	3975
17:00	4	0	0	0	4	0	403	89	0	492	96	1	63	0	160	19	373	0	0	392	1048
17:15	0	0	0	0	0	0	406	135	0	541	97	0	55	0	152	35	425	1	0	461	1154
17:30	0	0	0	0	0	1	350	146	0	497	91	0	49	0	140	33	380	0	0	413	1050
17:45	2	0	0	0	2	1	344	104	0	449	77	0	50	0	127	44	327	1	0	372	950
Total	6	0	0	0	6	2	1503	474	0	1979	361	1	217	0	579	131	1505	2	0	1638	4202
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Grand Total	8	0	5	0	13	6	3007	856	0	3869	730	3	453	0	1186	263	2838	8	0	3109	8177
Appr %	61.5	00.0	38.5	00.0		00.2	77.7	22.1	00.0		61.6	00.3	38.2	00.0		08.5	91.3	00.3	00.0		
Total %	00.1	00.0	00.1	00.0		00.1	36.8	10.5	00.0		08.9	00.0	05.5	00.0		03.2	34.7	00.1	00.0		
% Trucks	00.0	-	00.0	-	00.0	00.0	00.0	00.0	-	00.0	00.0	00.0	00.0	-	00.0	00.0	00.0	00.0	-	00.0	00.0
PM Pk Hr	16:45	16:45	16:45	16:45	16:45	16:45	16:45	16:45	16:45	16:45	16:45	16:45	16:45	16:45	16:45	16:45	16:45	16:45	16:45	16:45	16:45
PM Pk Vol	4	0	1	0	5	2	1569	482	0	2053	374	1	217	0	592	122	1524	3	0	1649	4299
PM PHF	0.250	NaN	0.250	NaN	0.313	0.500	0.957	0.825	NaN	0.949	0.964	0.250	0.861	NaN	0.925	0.871	0.896	0.375	NaN	0.894	0.931

Alico Rd @ Three Oaks Pkwy 1-24-2019 (PM)

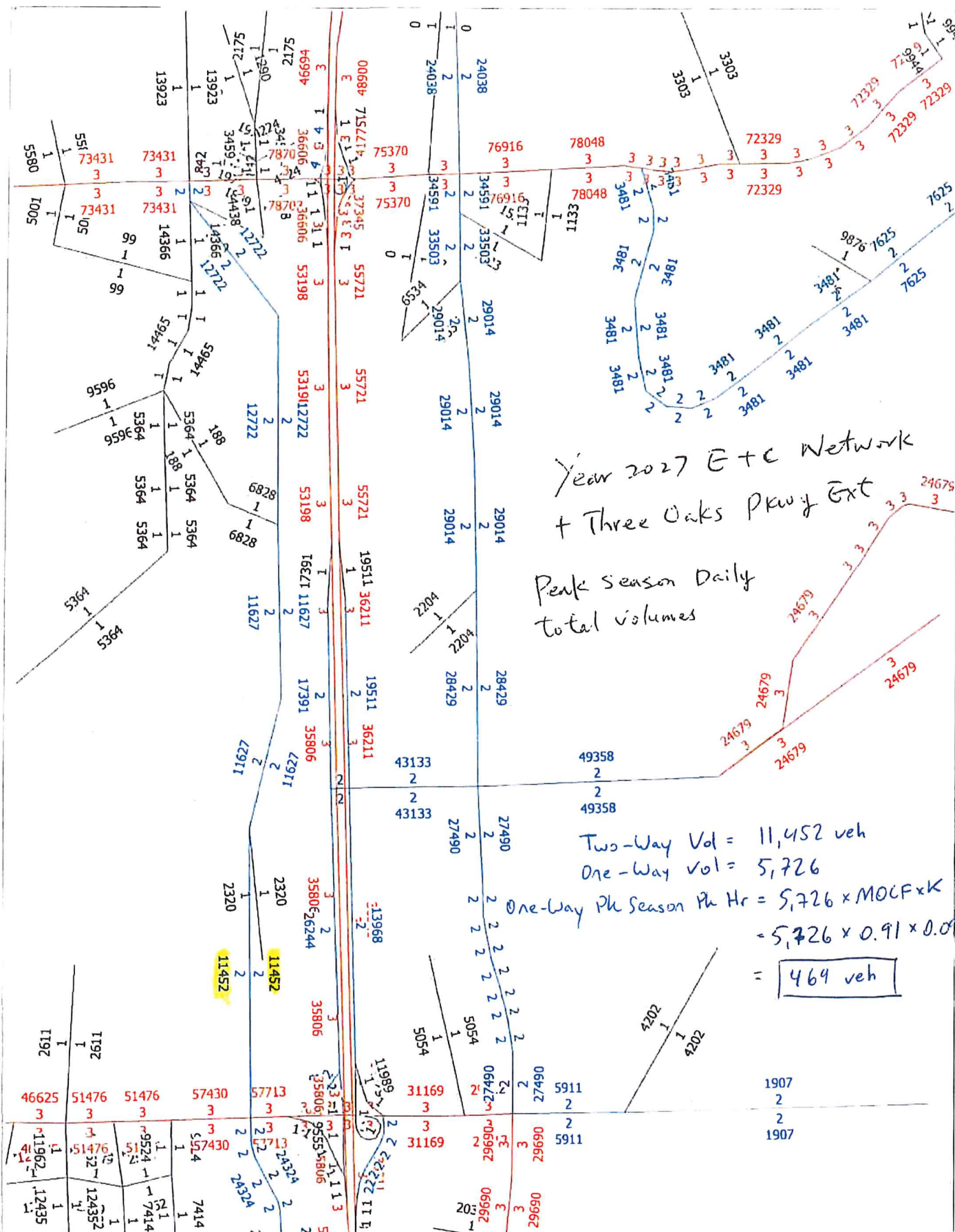
File Name: Alico Rd @ Three Oaks Pkwy 1-24-2019 (PM)
 Location: Fort Myers

All Vehicles

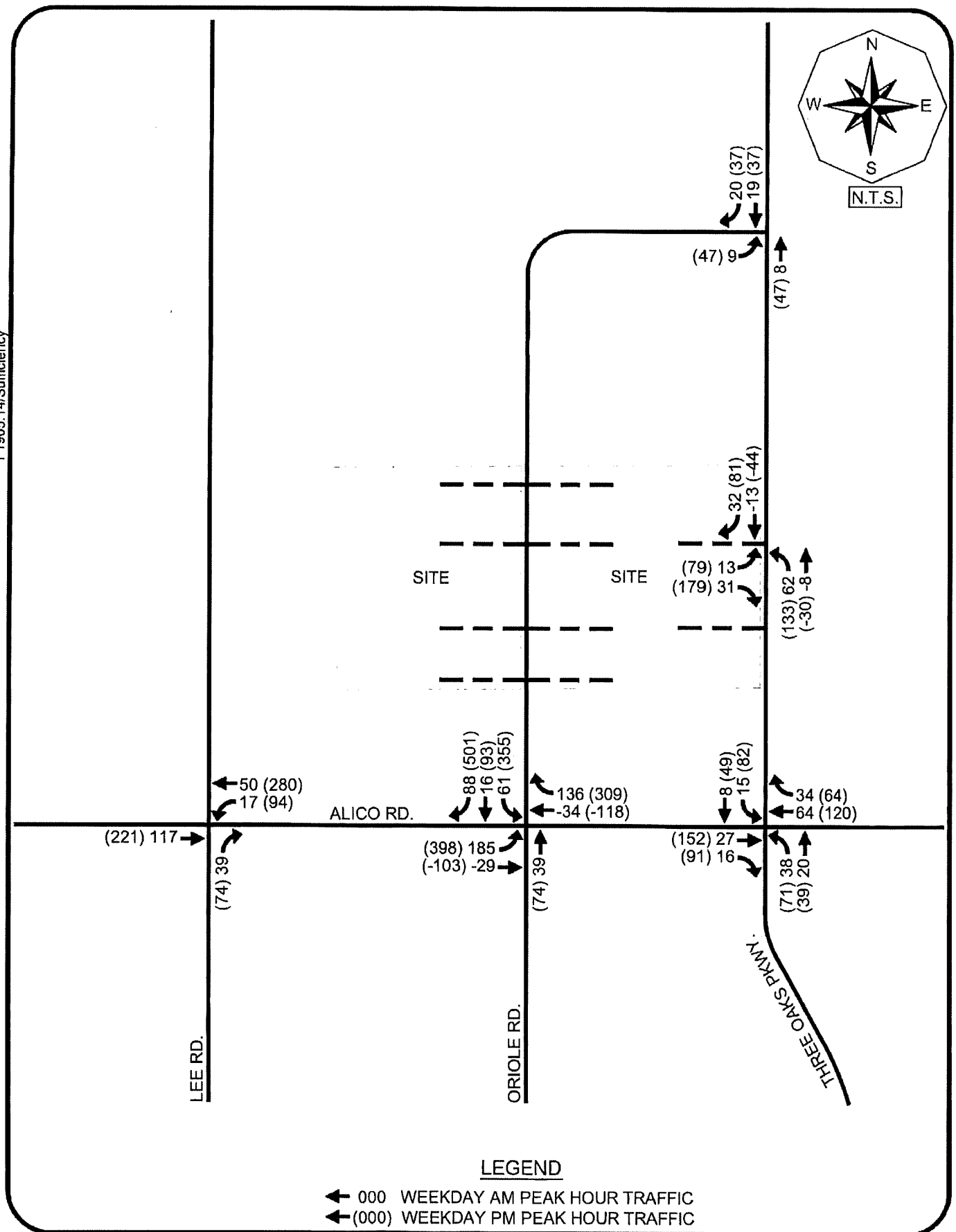
Site Code:
 Study Date: 01/24/2019



**2027 FSUTMS TRAFFIC DATA
PROVIDED BY LEE COUNTY**



**FIGURE 2 FROM TIS FOR THREE
OAKS DISTRIBUTION CENTER
(DCI2019-00013)**



**DEVELOPMENT OF FUTURE YEAR
BACKGROUND TURNING VOLUMES**

Development of Future Year Background Turning Volumes

Intersection **Alico Road at Three Oaks Parkway**
 Count Date **January 24th, 2019**
 Build-Out Year **2026**

	AM Peak Hour											
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	335	2	444	1	2	0	3	1,223	121	237	1,278	2
Peak Season Correction Factor	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08
Current Peak Season Volumes	362	2	480	1	2	0	3	1,321	131	256	1,380	2
Growth Rate	2.39%	0.00%	2.39%	0.00%	0.00%	0.00%	0.00%	2.00%	2.39%	2.39%	2.00%	0.00%
Years to Build-out	7	7	7	7	7	7	7	7	7	7	7	7
2026 Background Turning Volumes	427	2	566	1	2	0	3	1,517	155	302	1,585	2
Turning Volumes Adjustment for 3 Oaks Ext.	-46	136	-92	241	63	162	129		-14	-51		197
2026 Total Background Turning Volumes	381	138	474	242	65	162	132	1,517	141	251	1,585	199
Project Turning Volumes		48		71	31	93	135	-8			-10	105
2026 Background + Project	381	186	474	313	96	255	267	1,509	141	251	1,575	304

	PM Peak Hour											
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	217	1	374	1	0	4	3	1,524	122	482	1,569	2
Peak Season Correction Factor	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08
Current Peak Season Volumes	234	1	404	1	0	4	3	1,646	132	521	1,695	2
Growth Rate	2.39%	0.00%	2.39%	0.00%	0.00%	0.00%	0.00%	2.00%	2.39%	2.39%	2.00%	0.00%
Years to Build-out	7	7	7	7	7	7	7	7	7	7	7	7
2026 Background Turning Volumes	276	1	477	1	0	4	3	1,891	156	615	1,947	2
Turning Volumes Adjustment for 3 Oaks Ext.	-30	106	-77	210	118	136	142		-14	-104		215
2026 Total Background Turning Volumes	246	107	400	211	118	140	145	1,891	142	511	1,947	217
Project Turning Volumes		38		113	50	149	114	-13			-15	91
2026 Background + Project	246	145	400	324	168	289	259	1,878	142	511	1,932	308

Development of Future Year Background Turning Volumes

Intersection
Count Date
Build-Out Year

Three Oaks Parkway @ Site Access
2027 Model (County)
2026

	AM Peak Hour											
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
2026 Background Turning Volumes	0	469	0	0	469	0	0	0	0	0	0	0
Three Oaks Distribution Center Volumes ¹	62	-8			-13	32	13		31			
2026 Total Background Turning Volumes	62	461	0	0	456	32	13	0	31	0	0	0
Project Turning Volumes		-4	292	50	-2					197		35
2026 Background + Project	62	457	292	50	454	32	13	0	31	197	0	35

	PM Peak Hour											
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
2026 Background Turning Volumes	0	469	0	0	469	0	0	0	0	0	0	0
Three Oaks Distribution Center Volumes ¹	133	-30			-44	81	79		179			
2026 Total Background Turning Volumes	133	439	0	0	425	81	79	0	179	0	0	0
Project Turning Volumes		-6	249	42	-4					316		56
2026 Background + Project	133	433	249	42	421	81	79	0	179	316	0	56

INTERSECTION ANALYSIS
ALICO ROAD @ THREE OAKS PKWY

Lanes, Volumes, Timings
9: Three Oaks Pkwy & Allico Rd

2026 AM Peak Hour Background

03/24/2022

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	132	1517	141	251	1585	199	381	138	474	242	65	162
Future Volume (vph)	132	1517	141	251	1585	199	381	138	474	242	65	162
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	375		375	650		485	565		240	480		460
Storage Lanes	1		1	2		1	2		1	2		1
Taper Length (ft)	50			50			50			50		
Lane Util. Factor	1.00	0.91	1.00	0.97	0.91	1.00	0.97	0.95	1.00	0.97	0.95	1.00
Frt			0.850			0.850			0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1770	5085	1583	3433	5085	1583	3433	3539	1583	3433	3539	1583
Flt Permitted	0.950			0.950			0.950			0.950		
Satd. Flow (perm)	1770	5085	1583	3433	5085	1583	3433	3539	1583	3433	3539	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			167			216			166			171
Link Speed (mph)		45			45			45			45	
Link Distance (ft)		1900			2025			1756			2952	
Travel Time (s)		28.8			30.7			26.6			44.7	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	143	1649	153	273	1723	216	414	150	515	263	71	176
Shared Lane Traffic (%)												
Lane Group Flow (vph)	143	1649	153	273	1723	216	414	150	515	263	71	176
Turn Type	Prot	NA	Perm	Prot	NA	Perm	Prot	NA	Perm	Prot	NA	Perm
Protected Phases	7	4		3	8		5	2		1	6	
Permitted Phases			4			8			2			6
Detector Phase	7	4	4	3	8	8	5	2	2	1	6	6
Switch Phase												
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0
Minimum Split (s)	11.5	25.0	25.0	11.5	25.0	25.0	11.5	24.5	24.5	11.5	24.5	24.5
Total Split (s)	19.0	65.2	65.2	18.8	65.0	65.0	40.6	46.9	46.9	19.1	25.4	25.4
Total Split (%)	12.7%	43.5%	43.5%	12.5%	43.3%	43.3%	27.1%	31.3%	31.3%	12.7%	16.9%	16.9%
Maximum Green (s)	12.5	58.2	58.2	12.3	58.0	58.0	34.1	40.4	40.4	12.6	18.9	18.9
Yellow Time (s)	4.0	5.0	5.0	4.0	5.0	5.0	4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.5	2.0	2.0	2.5	2.0	2.0	2.5	2.5	2.5	2.5	2.5	2.5
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	6.5	7.0	7.0	6.5	7.0	7.0	6.5	6.5	6.5	6.5	6.5	6.5
Lead/Lag	Lead	Lag	Lag	Lead	Lag	Lag	Lead	Lag	Lag	Lead	Lag	Lag
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Recall Mode	None	None	None	None	None	None	None	C-Max	C-Max	None	C-Max	C-Max
Walk Time (s)		7.0	7.0		7.0	7.0		7.0	7.0		7.0	7.0
Flash Dont Walk (s)		11.0	11.0		11.0	11.0		11.0	11.0		11.0	11.0
Pedestrian Calls (#/hr)		0	0		0	0		0	0		0	0
Act Effct Green (s)	12.5	57.6	57.6	12.3	57.4	57.4	23.4	40.8	40.8	12.9	30.3	30.3
Actuated g/C Ratio	0.08	0.38	0.38	0.08	0.38	0.38	0.16	0.27	0.27	0.09	0.20	0.20
v/c Ratio	0.97	0.85	0.22	0.97	0.89	0.29	0.78	0.16	0.94	0.89	0.10	0.39
Control Delay	134.3	47.1	3.8	114.4	49.8	4.6	70.9	42.3	61.3	98.5	51.4	10.7
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	134.3	47.1	3.8	114.4	49.8	4.6	70.9	42.3	61.3	98.5	51.4	10.7

Baseline

Synchro 10 Report
Page 1

Lanes, Volumes, Timings
9: Three Oaks Pkwy & Alico Rd

2026 AM Peak Hour Background
03/24/2022

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
LOS	F	D	A	F	D	A	E	D	E	F	D	B
Approach Delay		50.1			53.4			62.3			61.6	
Approach LOS		D			D			E			E	
Queue Length 50th (ft)	142	532	0	139	570	0	203	59	362	134	30	4
Queue Length 95th (ft)	#287	596	38	#234	637	54	252	90	#594	#220	56	75
Internal Link Dist (ft)		1820			1945			1676			2872	
Turn Bay Length (ft)	375		375	650		485	565		240	480		460
Base Capacity (vph)	147	1972	716	281	1966	744	780	961	550	294	713	455
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.97	0.84	0.21	0.97	0.88	0.29	0.53	0.16	0.94	0.89	0.10	0.39

Intersection Summary

Area Type: Other

Cycle Length: 150

Actuated Cycle Length: 150

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

Natural Cycle: 100

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 0.97

Intersection Signal Delay: 54.7

Intersection LOS: D

Intersection Capacity Utilization 82.2%

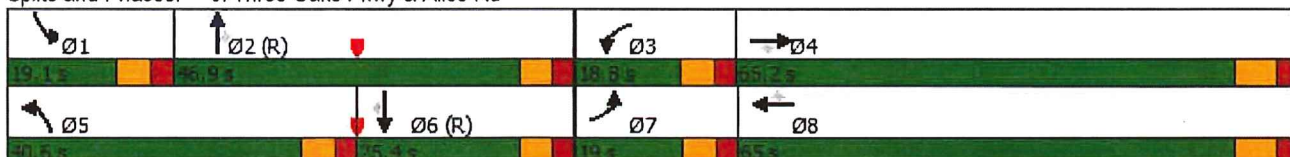
ICU Level of Service E

Analysis Period (min) 15

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

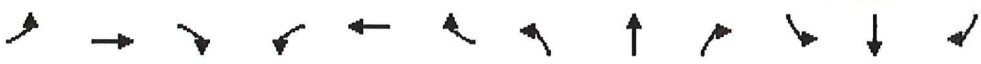
Splits and Phases: 9: Three Oaks Pkwy & Alico Rd



Lanes, Volumes, Timings
9: Three Oaks Pkwy & Allico Rd

2026 PM Peak Hour Background

03/24/2022

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↰	↗↗↗	↰	↰↰	↗↗↗	↰	↰↰	↗↗	↰	↰↰	↗↗	↰
Traffic Volume (vph)	145	1891	142	511	1947	217	246	107	400	211	118	140
Future Volume (vph)	145	1891	142	511	1947	217	246	107	400	211	118	140
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	375		375	650		485	565		240	480		460
Storage Lanes	1		1	2		1	2		1	2		1
Taper Length (ft)	50			50			50			50		
Lane Util. Factor	1.00	0.91	1.00	0.97	0.91	1.00	0.97	0.95	1.00	0.97	0.95	1.00
Frt			0.850			0.850			0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1770	5085	1583	3433	5085	1583	3433	3539	1583	3433	3539	1583
Flt Permitted	0.950			0.950			0.950			0.950		
Satd. Flow (perm)	1770	5085	1583	3433	5085	1583	3433	3539	1583	3433	3539	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			215			236			188			218
Link Speed (mph)		45			45			45			45	
Link Distance (ft)		1900			2025			1756			2952	
Travel Time (s)		28.8			30.7			26.6			44.7	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	158	2055	154	555	2116	236	267	116	435	229	128	152
Shared Lane Traffic (%)												
Lane Group Flow (vph)	158	2055	154	555	2116	236	267	116	435	229	128	152
Turn Type	Prot	NA	Perm	Prot	NA	Perm	Prot	NA	Perm	Prot	NA	Perm
Protected Phases	7	4		3	8		5	2		1	6	
Permitted Phases			4			8			2			6
Detector Phase	7	4	4	3	8	8	5	2	2	1	6	6
Switch Phase												
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0
Minimum Split (s)	11.5	25.0	25.0	11.5	25.0	25.0	11.5	24.5	24.5	11.5	24.5	24.5
Total Split (s)	19.6	70.0	70.0	28.0	78.4	78.4	26.0	35.4	35.4	16.6	26.0	26.0
Total Split (%)	13.1%	46.7%	46.7%	18.7%	52.3%	52.3%	17.3%	23.6%	23.6%	11.1%	17.3%	17.3%
Maximum Green (s)	13.1	63.0	63.0	21.5	71.4	71.4	19.5	28.9	28.9	10.1	19.5	19.5
Yellow Time (s)	4.0	5.0	5.0	4.0	5.0	5.0	4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.5	2.0	2.0	2.5	2.0	2.0	2.5	2.5	2.5	2.5	2.5	2.5
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	6.5	7.0	7.0	6.5	7.0	7.0	6.5	6.5	6.5	6.5	6.5	6.5
Lead/Lag	Lead	Lag	Lag	Lead	Lag	Lag	Lead	Lag	Lag	Lead	Lag	Lag
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Recall Mode	None	None	None	None	None	None	None	C-Max	C-Max	None	C-Max	C-Max
Walk Time (s)		7.0	7.0		7.0	7.0		7.0	7.0		7.0	7.0
Flash Dont Walk (s)		11.0	11.0		11.0	11.0		11.0	11.0		11.0	11.0
Pedestrian Calls (#/hr)		0	0		0	0		0	0		0	0
Act Effct Green (s)	13.1	63.0	63.0	21.5	71.4	71.4	16.5	28.9	28.9	10.1	22.5	22.5
Actuated g/C Ratio	0.09	0.42	0.42	0.14	0.48	0.48	0.11	0.19	0.19	0.07	0.15	0.15
v/c Ratio	1.03	0.96	0.20	1.13	0.87	0.27	0.71	0.17	0.95	0.99	0.24	0.36
Control Delay	89.9	49.5	7.5	136.8	40.4	3.3	74.7	51.4	65.6	125.4	58.5	3.2
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	89.9	49.5	7.5	136.8	40.4	3.3	74.7	51.4	65.6	125.4	58.5	3.2

Baseline

Synchro 10 Report
Page 1

Lanes, Volumes, Timings
9: Three Oaks Pkwy & Alico Rd

2026 PM Peak Hour Background
03/24/2022

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
LOS	F	D	A	F	D	A	E	D	E	F	E	A
Approach Delay		49.4			55.8			66.5			72.1	
Approach LOS		D			E			E			E	
Queue Length 50th (ft)	~164	471	28	~323	669	0	131	50	262	117	58	0
Queue Length 95th (ft)	m125	m337	m11	#444	738	47	178	81	#482	#209	94	7
Internal Link Dist (ft)		1820			1945			1676			2872	
Turn Bay Length (ft)	375		375	650		485	565		240	480		460
Base Capacity (vph)	154	2135	789	492	2420	877	446	681	456	231	529	422
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	1.03	0.96	0.20	1.13	0.87	0.27	0.60	0.17	0.95	0.99	0.24	0.36

Intersection Summary

Area Type: Other

Cycle Length: 150

Actuated Cycle Length: 150

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

Natural Cycle: 130

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 1.13

Intersection Signal Delay: 56.1

Intersection LOS: E

Intersection Capacity Utilization 84.0%

ICU Level of Service E

Analysis Period (min) 15

~ Volume exceeds capacity, queue is theoretically infinite.

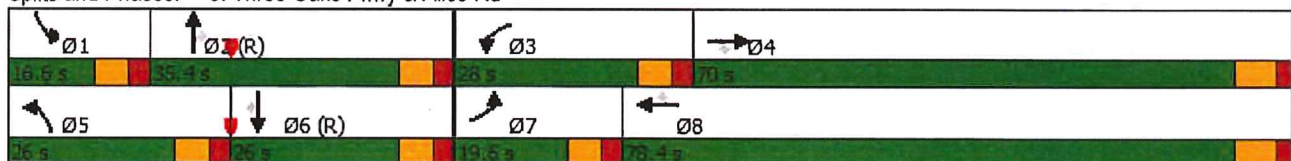
Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

Splits and Phases: 9: Three Oaks Pkwy & Alico Rd



Lanes, Volumes, Timings
9: Three Oaks Pkwy & Alico Rd

2026 AM Peak Hour With Project
03/24/2022

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	267	1509	141	251	1575	304	381	186	474	313	96	255
Future Volume (vph)	267	1509	141	251	1575	304	381	186	474	313	96	255
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	375		375	650		485	565		240	480		460
Storage Lanes	1		1	2		1	2		1	2		1
Taper Length (ft)	50			50			50			50		
Lane Util. Factor	1.00	0.91	1.00	0.97	0.91	1.00	0.97	0.95	1.00	0.97	0.95	1.00
Frt			0.850			0.850			0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1770	5085	1583	3433	5085	1583	3433	3539	1583	3433	3539	1583
Flt Permitted	0.950			0.950			0.950			0.950		
Satd. Flow (perm)	1770	5085	1583	3433	5085	1583	3433	3539	1583	3433	3539	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			153			330			208			241
Link Speed (mph)		45			45			45			45	
Link Distance (ft)		1900			2025			1756			2230	
Travel Time (s)		28.8			30.7			26.6			33.8	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	290	1640	153	273	1712	330	414	202	515	340	104	277
Shared Lane Traffic (%)												
Lane Group Flow (vph)	290	1640	153	273	1712	330	414	202	515	340	104	277
Turn Type	Prot	NA	Perm	Prot	NA	Perm	Prot	NA	Perm	Prot	NA	Perm
Protected Phases	7	4		3	8		5	2		1	6	
Permitted Phases			4			8			2			6
Detector Phase	7	4	4	3	8	8	5	2	2	1	6	6
Switch Phase												
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0
Minimum Split (s)	11.5	25.0	25.0	11.5	25.0	25.0	11.5	24.5	24.5	11.5	24.5	24.5
Total Split (s)	29.4	60.7	60.7	20.7	52.0	52.0	26.9	37.8	37.8	20.8	31.7	31.7
Total Split (%)	21.0%	43.4%	43.4%	14.8%	37.1%	37.1%	19.2%	27.0%	27.0%	14.9%	22.6%	22.6%
Maximum Green (s)	22.9	53.7	53.7	14.2	45.0	45.0	20.4	31.3	31.3	14.3	25.2	25.2
Yellow Time (s)	4.0	5.0	5.0	4.0	5.0	5.0	4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.5	2.0	2.0	2.5	2.0	2.0	2.5	2.5	2.5	2.5	2.5	2.5
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	6.5	7.0	7.0	6.5	7.0	7.0	6.5	6.5	6.5	6.5	6.5	6.5
Lead/Lag	Lead	Lag	Lag	Lead	Lag	Lag	Lead	Lag	Lag	Lead	Lag	Lag
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Recall Mode	None	None	None	None	None	None	None	C-Max	C-Max	None	C-Max	C-Max
Walk Time (s)		7.0	7.0		7.0	7.0		7.0	7.0		7.0	7.0
Flash Dont Walk (s)		11.0	11.0		11.0	11.0		11.0	11.0		11.0	11.0
Pedestrian Calls (#/hr)		0	0		0	0		0	0		0	0
Act Effct Green (s)	22.9	54.1	54.1	13.8	45.0	45.0	19.7	31.3	31.3	14.3	25.9	25.9
Actuated g/C Ratio	0.16	0.39	0.39	0.10	0.32	0.32	0.14	0.22	0.22	0.10	0.18	0.18
v/c Ratio	1.00	0.84	0.22	0.81	1.05	0.45	0.86	0.26	1.00	0.97	0.16	0.57
Control Delay	111.5	43.7	4.8	79.9	81.6	5.5	76.1	45.8	71.8	103.4	49.1	14.3
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	111.5	43.7	4.8	79.9	81.6	5.5	76.1	45.8	71.8	103.4	49.1	14.3

Lanes, Volumes, Timings
9: Three Oaks Pkwy & Alico Rd

2026 AM Peak Hour With Project
03/24/2022

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
LOS	F	D	A	E	F	A	E	D	E	F	D	B
Approach Delay		50.3			70.6			68.7			61.4	
Approach LOS		D			E			E			E	
Queue Length 50th (ft)	~268	494	0	127	~619	0	191	80	312	161	42	28
Queue Length 95th (ft)	#462	559	45	#190	#715	70	#268	117	#557	#262	71	119
Internal Link Dist (ft)		1820			1945			1676			2150	
Turn Bay Length (ft)	375		375	650		485	565		240	480		460
Base Capacity (vph)	289	1963	705	348	1634	732	500	791	515	350	653	488
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	1.00	0.84	0.22	0.78	1.05	0.45	0.83	0.26	1.00	0.97	0.16	0.57

Intersection Summary

Area Type: Other

Cycle Length: 140

Actuated Cycle Length: 140

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

Natural Cycle: 140

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 1.05

Intersection Signal Delay: 62.4

Intersection LOS: E

Intersection Capacity Utilization 84.1%

ICU Level of Service E

Analysis Period (min) 15

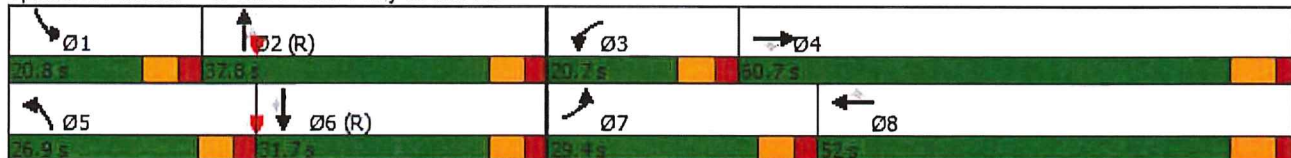
~ Volume exceeds capacity, queue is theoretically infinite.

Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

Splits and Phases: 9: Three Oaks Pkwy & Alico Rd



Lanes, Volumes, Timings
9: Three Oaks Pkwy & Alico Rd

2026 PM Peak Hour With Project
03/24/2022

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	259	1878	142	511	1932	308	246	145	400	324	168	289
Future Volume (vph)	259	1878	142	511	1932	308	246	145	400	324	168	289
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	375		375	650		485	565		240	480		460
Storage Lanes	1		1	2		1	2		1	2		1
Taper Length (ft)	50			50			50			50		
Lane Util. Factor	1.00	0.91	1.00	0.97	0.91	1.00	0.97	0.95	1.00	0.97	0.95	1.00
Frt			0.850			0.850			0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1770	5085	1583	3433	5085	1583	3433	3539	1583	3433	3539	1583
Flt Permitted	0.950			0.950			0.950			0.950		
Satd. Flow (perm)	1770	5085	1583	3433	5085	1583	3433	3539	1583	3433	3539	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			141			335			266			269
Link Speed (mph)		45			45			45			45	
Link Distance (ft)		1900			2025			1756			2220	
Travel Time (s)		28.8			30.7			26.6			33.6	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	282	2041	154	555	2100	335	267	158	435	352	183	314
Shared Lane Traffic (%)												
Lane Group Flow (vph)	282	2041	154	555	2100	335	267	158	435	352	183	314
Turn Type	Prot	NA	Perm	Prot	NA	Perm	Prot	NA	Perm	Prot	NA	Perm
Protected Phases	7	4		3	8		5	2		1	6	
Permitted Phases			4			8			2			6
Detector Phase	7	4	4	3	8	8	5	2	2	1	6	6
Switch Phase												
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0
Minimum Split (s)	11.5	25.0	25.0	11.5	25.0	25.0	11.5	24.5	24.5	11.5	24.5	24.5
Total Split (s)	28.8	62.8	62.8	29.0	63.0	63.0	20.4	27.1	27.1	21.1	27.8	27.8
Total Split (%)	20.6%	44.9%	44.9%	20.7%	45.0%	45.0%	14.6%	19.4%	19.4%	15.1%	19.9%	19.9%
Maximum Green (s)	22.3	55.8	55.8	22.5	56.0	56.0	13.9	20.6	20.6	14.6	21.3	21.3
Yellow Time (s)	4.0	5.0	5.0	4.0	5.0	5.0	4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.5	2.0	2.0	2.5	2.0	2.0	2.5	2.5	2.5	2.5	2.5	2.5
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	6.5	7.0	7.0	6.5	7.0	7.0	6.5	6.5	6.5	6.5	6.5	6.5
Lead/Lag	Lead	Lag	Lag	Lead	Lag	Lag	Lead	Lag	Lag	Lead	Lag	Lag
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Recall Mode	None	None	None	None	None	None	None	C-Max	C-Max	None	C-Max	C-Max
Walk Time (s)		7.0	7.0		7.0	7.0		7.0	7.0		7.0	7.0
Flash Dont Walk (s)		11.0	11.0		11.0	11.0		11.0	11.0		11.0	11.0
Pedestrian Calls (#/hr)		0	0		0	0		0	0		0	0
Act Effct Green (s)	22.3	55.8	55.8	22.5	56.0	56.0	13.6	20.6	20.6	14.6	21.6	21.6
Actuated g/C Ratio	0.16	0.40	0.40	0.16	0.40	0.40	0.10	0.15	0.15	0.10	0.15	0.15
v/c Ratio	1.00	1.01	0.22	1.01	1.03	0.40	0.80	0.30	0.95	0.98	0.33	0.67
Control Delay	112.5	63.5	6.0	97.9	69.9	4.2	80.4	55.1	53.6	105.4	54.9	17.8
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	112.5	63.5	6.0	97.9	69.9	4.2	80.4	55.1	53.6	105.4	54.9	17.8

Lanes, Volumes, Timings
9: Three Oaks Pkwy & Alico Rd

2026 PM Peak Hour With Project
03/24/2022

	↖	→	↘	↙	←	↖	↙	↑	↘	↘	↓	↙
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
LOS	F	E	A	F	E	A	F	E	D	F	D	B
Approach Delay		65.5			67.8			62.2			62.1	
Approach LOS		E			E			E			E	
Queue Length 50th (ft)	~260	~686	7	~266	~749	0	124	68	168	167	79	36
Queue Length 95th (ft)	#452	#804	52	#390	#842	60	#187	105	#383	#271	118	141
Internal Link Dist (ft)		1820			1945			1676			2140	
Turn Bay Length (ft)	375		375	650		485	565		240	480		460
Base Capacity (vph)	281	2026	715	551	2034	834	340	520	459	358	547	471
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	1.00	1.01	0.22	1.01	1.03	0.40	0.79	0.30	0.95	0.98	0.33	0.67

Intersection Summary

Area Type: Other

Cycle Length: 140

Actuated Cycle Length: 140

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

Natural Cycle: 140

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 1.03

Intersection Signal Delay: 65.6

Intersection LOS: E

Intersection Capacity Utilization 87.2%

ICU Level of Service E

Analysis Period (min) 15

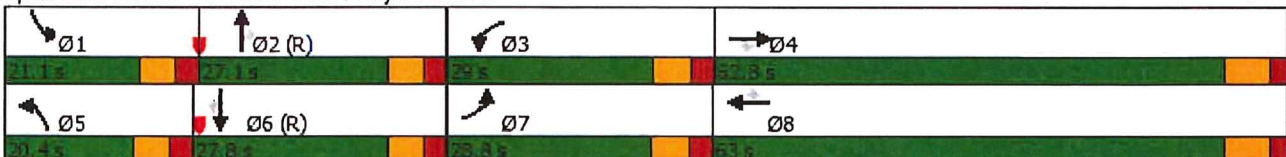
~ Volume exceeds capacity, queue is theoretically infinite.

Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

Splits and Phases: 9: Three Oaks Pkwy & Alico Rd



INTERSECTION ANALYSIS
THREE OAKS PKWY @ SITE ACCESS

HCM 2010 TWSC
14: Site & Three Oaks Pkwy

2026 AM Peak Hour With Project
03/24/2022

Intersection

Int Delay, s/veh 25.1

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↖			↖		↖	↖	↗	↖	↖	↗	↖
Traffic Vol, veh/h	13	0	31	197	0	35	62	457	292	50	454	32
Future Vol, veh/h	13	0	31	197	0	35	62	457	292	50	454	32
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	0	-	-	0	-	0	430	-	290	430	-	285
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	14	0	34	214	0	38	67	497	317	54	493	35

Major/Minor	Minor2	Minor1	Major1	Major2
Conflicting Flow All	984	-	247	986
Stage 1	601	-	-	631
Stage 2	383	-	-	355
Critical Hdwy	7.54	-	6.94	7.54
Critical Hdwy Stg 1	6.54	-	-	6.54
Critical Hdwy Stg 2	6.54	-	-	6.54
Follow-up Hdwy	3.52	-	3.32	3.52
Pot Cap-1 Maneuver	203	0	753	~ 202
Stage 1	454	0	-	436
Stage 2	611	0	-	635
Platoon blocked, %				
Mov Cap-1 Maneuver	174	-	753	~ 174
Mov Cap-2 Maneuver	174	-	-	~ 174
Stage 1	424	-	-	408
Stage 2	542	-	-	566

Approach	EB	WB	NB	SB
HCM Control Delay, s	15.8	168.4	0.7	0.9
HCM LOS	C	F		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	WBLn2	SBL	SBT	SBR
Capacity (veh/h)	1035	-	-	380	174	751	809	-	-
HCM Lane V/C Ratio	0.065	-	-	0.126	1.231	0.051	0.067	-	-
HCM Control Delay (s)	8.7	-	-	15.8	196.5	10	9.8	-	-
HCM Lane LOS	A	-	-	C	F	B	A	-	-
HCM 95th %tile Q(veh)	0.2	-	-	0.4	11.8	0.2	0.2	-	-

Notes

~: Volume exceeds capacity \$: Delay exceeds 300s +: Computation Not Defined *: All major volume in platoon

Intersection

Int Delay, s/veh 174.1

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↖			↖		↖	↖	↗	↖	↖	↗	↖
Traffic Vol, veh/h	79	0	179	316	0	56	133	433	249	42	421	81
Future Vol, veh/h	79	0	179	316	0	56	133	433	249	42	421	81
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	0	-	-	0	-	0	430	-	290	430	-	285
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	86	0	195	343	0	61	145	471	271	46	458	88

Major/Minor	Minor2	Minor1	Major1	Major2
Conflicting Flow All	1076	- 229	1082	- 236
Stage 1	550	- -	761	- -
Stage 2	526	- -	321	- -
Critical Hdwy	7.54	- 6.94	7.54	- 6.94
Critical Hdwy Stg 1	6.54	- -	6.54	- -
Critical Hdwy Stg 2	6.54	- -	6.54	- -
Follow-up Hdwy	3.52	- 3.32	3.52	- 3.32
Pot Cap-1 Maneuver	174	0 774	~ 172	0 766
Stage 1	487	0 -	364	0 -
Stage 2	503	0 -	665	0 -
Platoon blocked, %				
Mov Cap-1 Maneuver	137	- 774	~ 110	- 766
Mov Cap-2 Maneuver	137	- -	~ 110	- -
Stage 1	418	- -	~ 312	- -
Stage 2	397	- -	471	- -

Approach	EB	WB	NB	SB
HCM Control Delay, s	61.2	\$ 883.9	1.5	0.7
HCM LOS	F	F		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	WBLn2	SBL	SBT	SBR
Capacity (veh/h)	1019	-	-	319	110	766	861	-	-
HCM Lane V/C Ratio	0.142	-	-	0.879	3.123	0.079	0.053	-	-
HCM Control Delay (s)	9.1	-	-	61.2	1038.8	10.1	9.4	-	-
HCM Lane LOS	A	-	-	F	F	B	A	-	-
HCM 95th %tile Q(veh)	0.5	-	-	8.1	33.1	0.3	0.2	-	-

Notes

~: Volume exceeds capacity \$: Delay exceeds 300s +: Computation Not Defined *: All major volume in platoon

Lee County
Southwest Florida

Memo

Subject: Alico Crossing (DCI2022-00005) Transportation-Related Analysis

Land Use	Weekday A.M Peak Hour			Weekday P.M Peak Hour			Daily
	In	Out	Total	In	Out	Total	(2-Way)
Shopping Center (50,000 Sq. Ft.)	110	67	177	156	169	325	3,752
General Office (150,000 Sq. Ft.)	144	23	167	27	140	167	1,572
Hotel (250 Rooms)	71	49	120	81	80	161	2,396
Multi-Family (475 Units)	41	117	158	121	77	198	2,587
Less Internal Capture) (8% AM/ 22% PM)	-24	-24	-48	-94	-94	-188	-2,268
Less Pass-By Trips (30%)	-24	-24	-48	-38	-38	-76	-878
Net New Trips	318	208	526	253	334	587	7,161

Roadway Section Traffic Operation Level of Service Analysis

The proposed development was assumed to be completed by 2026 (build-out year). So, the roadway significantly impacted by the proposed development was analyzed for the horizon year 2026 without and with the proposed development (Table 2).

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

Roadway	From	Significant Impact Expected	Level of Service		
			Existing	Future 2026	Future + Project
Alico Road	W. of Three Oaks Pkwy.	No	B	C	C
	E. of Three Oaks Pkwy.	No	B	C	D
Three Oaks Pkwy.	N. of Oriole Road	No	--	C	C
	N. of Alico Road	Yes	--	C	C
	S. of Alico Road	No	B	C	C

Roadway Intersection Traffic Operation Level of Service Analysis

New trips were assigned to the surrounding road network in order to assess LOS impact as necessary at site access and intersections expected to be most impacted by the proposed development. Table 3 describes the site accesses and intersections that are expected to be most impacted by the proposed zoning along with their corresponding pre- and post-project built-out level of service.

Table 3: Roadway Intersection(s) Immediately Adjacent to Subject Site Expected to be Significantly Impacted by Proposed Development

Intersection		Significant Impact Expected	Traffic Control	Peak Hour	Level of Service (2026)		
Roadway A	Roadway B				Existing	Future	Future + Project
Three Oaks Pkwy	Alico Rd	Yes	Signalized	PM	--	E	E
Three Oaks Pkwy	Site Access	Yes	Two-Way Stop Controlled	PM	--	--	F

Conclusion

The proposed project will not have a detrimental impact on the surrounding roadway system. However, after reviewing the subject case, please consider recommending the following condition be added to the zoning resolution:

1. "The development is allowed a maximum of 475 multiple-family residential dwelling units in buildings not less than 3-stories in height, a maximum total gross floor area of 200,000 square feet commercial use, and 250-room hotel/motel use."
2. "The full median opening as shown on the Master Concept Plan is contingent upon the implementation of the Three Oaks Parkway Access Management Plan, once it is officially adopted, and any future decisions made by the County regarding the installation of a traffic signal, alteration or elimination of the median opening. Until the Access Management Plan is adopted, access must align with the access points outlined on the Master Concept Plan that has been approved"
3. "In the event that the County deems it necessary to install a traffic signal at this location, the developer or subsequent property owner's association will be responsible for a proportionate share of the total cost of the traffic signal improvement."



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TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

PARKING DEMAND STUDY

FOR

MULTI-FAMILY RESIDENTIAL PARKING DEMAND STUDY ALICO CROSSROADS

ATTACHMENT P

PROJECT NO. F2108.35

PREPARED BY:
TR Transportation Consultants, Inc.
Certificate of Authorization Number: 27003
2726 Oak Ridge Court, Suite 503
Fort Myers, Florida 33901-9356
(239) 278-3090

December 5, 2022

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- V. COMPARISON TO ITE PARKING GENERATION, 5th EDITION**
- VI. STAFF COMMENTS FROM 2020 REPORT**
- VII. CONCLUSION**

I. INTRODUCTION

TR Transportation Consultants, Inc. has conducted a parking demand study for multi-family residential units in Lee County, Florida. The parking study was conducted in order to support a parking deviation request for the Alico Crossroads CPD zoning amendment located on Three Oaks Parkway north of Alico Road in Lee County, Florida.

The parking demand study was performed in order to support a parking deviation request for multi-family residential uses, specifically for the project known as Alico Crossroads CPD, located on the east side of Three Oaks Parkway just north of Alico Road. The specific request is for relief to the parking requirements for multi-family residential uses as outlined in Section 34-2020, Table 34-2020(a) of the Lee County Land Development Code. This table states that multi-family projects should provide **two spaces for every unit** and then in Note (1), it states that ***“In addition to the spaces required, additional parking spaces equal to ten percent of the total required must be provided to accommodate guest parking in a common parking area.”*** In addition to the spaces required for the multi-family dwelling units, Lee County requires that additional parking be provided for the Clubhouse. These requirements are also outlined in Table 34-2020(a) and state that **four (4) spaces for every 1,000 square feet of total floor area** must be provided.

The Alico Crossroads CPD is proposed to have a total of 475 dwelling units with a amenity uses. The comprehensive parking demand study conducted by TR Transportation Consultants of similar multi-family apartment communities in Lee County determined that the maximum parking demand experienced was **1.63 spaces per unit** (inclusive of guest and clubhouse parking). For the Alico Crossroads CPD with 475 units proposed, this would require a total of 775 parking spaces to meet the demand.

II. METHODOLOGY

The methodology of the parking study was discussed with Lee County Development Services staff and is consistent with the methodology described in the Institute of Transportation Engineer's (ITE) report titled *Parking Generation*, 5th Edition. This study was a supplement to a previous study conducted in 2020 as part of the Carissa Minor RPD zoning application (DCI2020-00013) and the Daniels Falls property, which was going to file for a parking deviation but instead filed for a change in Future Land Use to go into the Mixed Use Overlay, which permits a reduction in parking that met the clients needs. For the Carissa Minor RPD application a methodology memorandum was submitted to Lee County staff and a study was prepared and submitted for staff to review. Comments were issued by Lee County as part of that application but were never addressed by the applicant and the request for a parking deviation as part of DCI2020-00013 was dropped. This study is intended to supplement and add to the data collection effort, following the same methodology as was used in the 2020 study. An updated methodology meeting was held with Lee County staff on February 2, 2022 for the Daniels Falls project and then another updated Methodology was held with Staff on November 22, 2022. Based on those discussion, three (3) additional sites were selected to survey and the three sites surveyed in 2020 were surveyed again in 2022.

The Parking Demand Study included collecting parking data at six (6) existing multi-family residential rental communities in Lee County. The study sites were selected based on the similarity in market rents to what will be in place at the Alico Crossroads CPD community, the demographics of the properties and the date of construction of the properties. The selected sites are all "A" properties and all are market level rents. All of the communities have an occupancy level of greater than 90%. The following provides a summary of the three (3) new sites that were surveyed as well as the three sites that were re-surveyed part of this updated study

Springs at Six Mile Cypress (Re-Surveyed Site)

The Springs at Six Mile Cypress is located at 5560 Six Mile Commercial Court, which is on Six Mile Cypress Parkway between U.S. 41 and Metro Parkway in Lee County. This community has 288 units in buildings containing two stories. There is a total of 494 surface parking spaces on the property. There are a total of 37 single car garages on the property. At the time of the survey, 20 of the garages were leased. There are a total of 103 Studio/One Bedroom units, 129 Two Bedroom units and 56 Three Bedroom units for a total of 529 Bedrooms on the property. The occupancy of this property at the time of the parking study was 93%. The location of this site is illustrated on **Figure 1** located in the Appendix of this report.

Longitude 81 (Re-Surveyed Site)

The Longitude 81 is located at 11221 Everblades Parkway, which is on the west side of Ben Hill Griffin Parkway in front of the Hertz Arena in Estero, Florida. This community has 260 units in buildings containing two stories. There is a total of 552 surface parking spaces on the property. There are a total of 24 single car garages on the property. At the time of the survey, the number of garages that were leased was not provided by Property Management. Therefore, to be conservative, it was assumed that 75% of the garages, or 21 garages, were leased at the time of the survey. There are a total of 126 Studio/One Bedroom units, 108 Two Bedroom units and 22 Three Bedroom units for a total of 408 Bedrooms on the property. The occupancy of this property at the time of the parking study was 94%. The location of this site is illustrated on **Figure 2** located in the Appendix of this report.

The Venetian (Re-Surveyed Site)

The Venetian is located at 4051 Regata Way, which is on the north side of Winkler Avenue between Colonial Boulevard and Veronica Shoemaker Boulevard in the City of Fort Myers, Florida. This community has 436 units in buildings containing two and three stories. There is a total of 692 surface parking spaces on the property. There are a total of 125 single car garages on the property. At the time of the survey, 75 of the garages were leased. There are a total of 204 Studio/One Bedroom units, 192 Two Bedroom units and 40 Three Bedroom units for a total of 708 Bedrooms on the property. The occupancy of

this property at the time of the parking study was 91%. The location of this site is illustrated on **Figure 3** located in the Appendix of this report.

Decorum

Decorum is located at 9851 Decorum Drive in the City of Fort Myers, which is on the east side of Six Mile Cypress Parkway approximately one (1) mile south of Colonial Boulevard. This community has 435 units in buildings containing four stories. There is a total of 682 surface parking spaces on the property. There are a total of 161 single car garages on the property. At the time of the survey, 139 of the garages were leased. There are a total of 144 Studio/One Bedroom units, 243 Two Bedroom units and 48 Three Bedroom units for a total of 774 Bedrooms on the property. The occupancy of this property at the time of the parking study was 93%. The location of this site is illustrated on **Figure 4** located in the Appendix of this report.

Vive

Vive is located at 3100 Champion Ring Road in the City of Fort Myers, which is located in the Forum development north of Colonial Boulevard and south of S.R. 82 just east of I-75. This community has 288 units in buildings containing four stories. There is a total of 504 surface parking spaces on the property. There are a total of 52 single car garages on the property. At the time of the survey, 42 of the garages were leased. There are a total of 144 Studio/One Bedroom units, 128 Two Bedroom units and 16 Three Bedroom units for a total of 448 Bedrooms on the property. The occupancy of this property at the time of the parking study was 92%. The location of this site is illustrated on **Figure 5** located in the Appendix of this report.

Springs at Cape Coral

Springs at Cape Coral is located at 2800 Yellow Creek Loop in the City of Cape Coral, which is located on the south side of Pine Island Road (SR 78) approximately $\frac{3}{4}$ of a mile west of U.S. 41. This community has 292 units in buildings containing two stories. There is a total of 529 surface parking spaces on the property. There are a total of 36 single car garages on the property. At the time of the survey, 26 of the garages were leased. There are a total of 130 Studio/One Bedroom units, 140 Two Bedroom units and 22 Three

Bedroom units for a total of 476 Bedrooms on the property. The occupancy of this property at the time of the parking study was 93%. The location of this site is illustrated on **Figure 6** located in the Appendix of this report.

The surveys were conducted in March and April of 2022. The occupancy counts at the three new sites (Decorum, Vive and Springs at Cape Coral) were completed on five different days and each survey was conducted near or after midnight on each occasion. The three sites that were previously surveyed in early 2020 (Springs at Six Mile, The Venetian, Longitude 81) were surveyed for a total of seven (7) days on or after midnight on each occasion. The total number of vehicles parked in a surface parking space on the property were surveyed once on surveyed evening. The data collection was consistent with the methodologies outlined in the ITE *Parking Generation Manual*, 5th Edition.

The raw data sheets from the parking occupancy study for each property are included in the Appendix of this report for reference. The raw data sheets indicate the date and time of each survey, the **TOTAL** number of vehicles parked on the property, the number of those vehicles that were parked in a marked handicap space, the number of vehicles parked in marked Visitor spaces (if any were identified), number vehicles parked in marked loading areas and the number of vehicles parked at the Clubhouse.

III. RESULTS

The peak parking occupancy was surveyed at each property and is summarized in **Table 1**. Table 1 identifies the number of units and the parking demand rate based on the number of units. This rate includes guest parking, handicap parking, clubhouse parking and garage parking. This is based on the **HIGHEST** number of parking spaces/garages occupied at the time of the survey. The data sheets contained in the Appendix of this report illustrate the parking demand rate based on both the **HIGHEST** demand as well as the **AVERAGE** demand that was observed at each of the six properties. Also reflected in Table 1 is the **AVERAGE of the HIGHEST** parking demand rate based on the number of units. This parking rate again includes **ALL** parking spaces on the property, including guest spaces (if identified), clubhouse spaces, handicap spaces and occupied garage spaces. It should be noted that **75%** of the number of “leased” garage spaces were assumed to have a vehicle parked inside of that garage for purposes of this study, even though field observations did not verify if the garage was indeed occupied by a vehicle. Based on discussions with the Property Managers, it is not uncommon for the tenant to lease the garage and use it as a storage unit rather than for a vehicle. The Manager at the Venetian indicated that the majority of the garages were utilized for storage units and not to park vehicles and the Manager of Longitude 81 indicated that only 6 to 7 garages out of the 24 total garages actually are used for vehicle parking. So assuming that 75% of the leased garages were occupied by a parked vehicle represents a “worst case” in terms of the parking analysis.

Table 1
Multi-Family Parking Demand Study
Highest Parking Demand Based on Number of Units

Property	Number of Units	Highest Number of Occupied Spaces	Spaces Per Units
Springs @ Six Mile	288	393	1.36
Longitude 81	260	400	1.54
Venetian	436	650	1.49
Decorum	435	761	1.75
Vive	288	510	1.77
Springs @ Cape Coral	292	544	1.86
AVERAGE			1.63

Table 2 identifies the number of BEDROOMS and the parking demand based on the number of BEDROOMS. As in Table 1, the number of occupied spaces includes guest parking, handicap parking, clubhouse parking and garage parking.

Table 2
Multi-Family Parking Demand Study
Highest Parking Demand Based on Number of Bedrooms

Property	Number of Bedrooms	Highest Number of Occupied Spaces	Spaces Per Bedroom
Springs @ Six Mile	529	393	0.74
Longitude 81	408	400	0.98
Venetian	708	650	0.92
Decorum	774	761	0.98
Vive	448	510	1.14
Springs at Cape Coral	476	544	1.14
AVERAGE			0.93

IV. PARKING DEMAND FOR ALICO CROSSROADS CPD MPD

Based on the calculations noted above, the proposed 475 units at Alico Crossroads would have a **parking demand of 775 spaces** based on the number of units. The owner has not yet determined the exact unit mix at this time so determining a parking demand based on the bedroom count is not feasible at this time.

The applicant is requesting a parking deviation to provide a parking rate of **1.75 spaces per unit, or a total of 832 spaces on the subject site**. This is inclusive of all guest parking and clubhouse parking.

V. COMARISON TO ITE PARKING GENERATION, 5th EDITION

A comparison of the surveyed data was also made with the data contained in the most recent ITE *Parking Generation Manual*, 5th Edition. Data sets from both Land Use Code 220 – Multi-Family Housing (Low-Rise) and Land Use Code 221 – Multi-Family Housing (Mid-Rise) were compared to the survey data. The applicable sheets from the ITE *Parking Generation Manual* for both of these Land Use Codes are included in the Appendix of this report for reference where the Average Parking Demand Rate as well as any Fitted Curve Equation are identified. It should be noted that only that data sets that were identified as being “*General Urban/Suburban with NO nearby rail transit*” were included.

Table 3 identifies the Average Parking Rates per Dwelling Unit and per Bedroom for each of these Land Use Codes. The Average Trip Rates were identified for both Monday through Friday data sets as well as for Saturday. Due to the lack of data points, the information for Sunday was excluded (only 1 study site). The bottom line of Table 3 illustrates the parking demand for the Alico Crossroads CPD based on the ITE data and the intensity of uses being proposed (475 units). This is represented by applying the highest parking rate illustrated for that time period.

Table 3
Multi-Family Parking Demand Study
ITE Parking Generation Manual, 5th Edition

Land Use Code	Average Trip Rate per Dwelling Unit		Average Trip Rate Per Bedroom	
	M-F	Sat	M-F	Sat
LUC 220 – Low Rise Multi-Family	1.21	1.31	0.66	0.80
LUC 221 – Mid-Rise Multi- Family	1.31	1.22	0.75	0.77
Highest Parking Needed for Alico Crossroads CPD	623	623	Unknown At This Time	

475 DU proposed at Alico Crossroads

Therefore, based on the ITE *Parking Generation Manual*, 5th Edition, the Alico Crossroads CPD should provide at least 623 parking spaces to meet the anticipated parking demand. The requested deviation is to supply 832 total parking spaces, which is approximately 34% higher than the parking demand identified in the ITE report. The parking rates contained in the ITE Report are also very consistent with the data surveyed at the sites in Lee County.

VI. STAFF COMMENTS FROM 2020 REPORT

Lee County Development Services staff issued comments on the initial parking demand study submitted as part of DCI2020-00013 (Carissa Minor RPD) in a letter dated February 5, 2021. Some of the comments were questioning the impacts of the Covid-19 pandemic and the timing of the parking study. For that reason, the three site that were surveyed as part of that report were re-surveyed as part of this updated report.

Another comment specifically asked for supporting information related to a deviation from the LDC section related to the parking requirements for the Clubhouse use. As stated in this report, there is no differentiation in the parking surveys between residents, guests and Clubhouse uses. Based on the ITE Parking Generation Manual, after midnight

is when this use typically experiences the highest parking demand, when the Clubhouse is closed. During normal clubhouse operating hours, which is typically 9:00 A.M. to 6:00 P.M, seven days a week, the ITE Report indicates the HIGHEST percentage of parking demand to be 83%, well below the 100% demand experienced after midnight. Therefore, based on the demand study submitted, a deviation from the LDC section for the parking requirements for the Clubhouse use is clearly supported.

The reviewer in Comment #2 on Page 2 of the February 5, 2021 letter is trying to correlate the ITE *Trip Generation Manual* to the parking demands of the multi-family use. Based on the parking surveys conducted, there is little correlation between the ITE Trip Generation Study and the ITE Parking Generation Study. This report focuses on the Parking Demand for a Class A multi-family apartment community in Lee County. Properties that have two-stories versus properties that have four-story buildings have similar parking characteristics and that can be seen from the data collected and summarized in **Table 2**.

Comment # 3 in the letter references the proximity of The Venetian site to Hodges University. Hodges University is a small commuter college that is located just east of the subject site. However, the small on-site enrollment of this school would not have any substantial impact on the parking demands of this apartment community. The majority of students enrolled at Hodges University do not walk to campus. It is a commuter school by nature and most students that take classes on-site arrive by automobile, even those close-by due to the weather conditions of Southwest Florida.

The data from the ITE Parking Generation Report for Sunday was discarded since it was only for one (1) site and is not considered to be sufficient enough data in order to form any opinions regarding the parking demand during this time period for this use.

Comment #5 has many comments related to collected “traffic” data. This report is not collecting traffic data, but rather parking data. The data collected in this report is in no way impacted by the previous pandemic.

The remaining comments in the February letter were more general in nature and do not warrant additional responses. All sites for multi-family uses are near to employment and educational centers, that is why the Developers choose to build their product where they do because of the close proximity to work, schools, services, transportation facilities, etc. The sites selected for this survey are a good representation of the sites throughout Lee County and the data clearly demonstrates that a parking ratio of 1.75 can be supported.

VII. CONCLUSION

The parking demand study by TR Transportation Consultants at six (6) total sites in Lee County over a period of thirty-six (36) days supports a deviation request from the Lee County Land Development Code parking requirements for multi-family residential uses (Section 34-2020). The data collected reflects an average peak parking demand of 1.63 spaces per dwelling unit, or 0.93 spaces per bedroom. The requested deviation is asking for a parking ratio of 1.75 spaces per unit, all inclusive of dwelling units, guest parking and clubhouse parking, for a total parking count of 832 parking spaces provided, or approximately 7% greater than the anticipated demand.

The number of spaces being requested (832) is also approximately 34% higher than what the most recent edition of the ITE *Parking Generation Manual* recommends as the peak demand for the number of units and anticipated bedrooms for this community.

Therefore, based on the data submitted, a deviation request to reduce the required parking on the Alico Crossroads CPD is clearly supported by the studies conducted by TR Transportation Consultants as well as the data contained in the ITE Parking Generation Manual, 5th Edition.

APPENDIX

PARKING STUDY METHODOLOGY



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SIGNAL SYSTEMS/DESIGN

MEMORANDUM

TO: Mr. Marcus Evans, P.E.
Lee County Development Services

FROM: Ted B. Treesh, PTP
President

DATE: March 3, 2020

RE: Parking Demand Study for Multi-Family Apartments
Lee County, Florida

TR Transportation Consultants, Inc. is proposing to conduct a parking demand study for multi-family residential dwelling units, specifically apartment communities, in Lee County, Florida to determine a parking demand ratio based on survey of existing multi-family properties. This memorandum discusses the methodology that will be used to collect the data and prepare the analysis that will be submitted to County staff for review.

A total of three (3) sites will be selected to conduct the parking occupancy study. The three sites will all be within Lee County. The three sites will be comparable in terms of size, community type (apartment rental community), and amenities. Although a final selection of the sites has not yet been determined, after permission from the property owner has been received and prior to the surveys being conducted, the sites that have been selected will be provided to Lee County staff.

The parking occupancy will be surveyed at each of the three sites during three separate weekday and once on a weekend (Sunday Evening/Monday Morning). Each site will be visited between the hours of midnight and 5:00 A.M. to conduct the occupancy count. The number of vehicles parked on the property will be inventoried and recorded in tabular format. The total number of marked parking spaces will also be determined through a field visit as well as referencing any site plans that are on file with Lee County (if available).

The occupancy of each site location that will be surveyed will be provided as well. It is our goal to survey properties that have an occupancy greater than 90%.



Mr. Marcus Evans, P.E.
Parking Demand Study
Multi-Family Apartment Communities
March 3, 2020
Page 2

The total number of enclosed garage spaces will also be attempted to be obtained from the property management staff. If that data is available, the number of garages that are leased will also be obtained and property management staff will be consulted to determine the percentage of garages that are leased are actually used for vehicle parking versus as a storage unit for the tenant. If this data isn't available, a reasonable assumption will be made as to the number of garages that are leased that are used for actual vehicle parking.

If the garage lease data is not made available by the property management staff, then the number of garage spaces will be removed from the overall available parking supply and the demand will only be compared to the supply of parking spaces that are not enclosed in garages.

All vehicles parked on the property will be surveyed, including spaces located at the clubhouse, visitor spaces and other designated parking spaces. Vehicles parked in an unmarked parking space will also be included in the occupancy data.

In general, the properties that are selected will not be near or influenced by Florida Gulf Coast University. All units on the property will be market rate rents. The units will be broken down by the number of bedrooms as well.

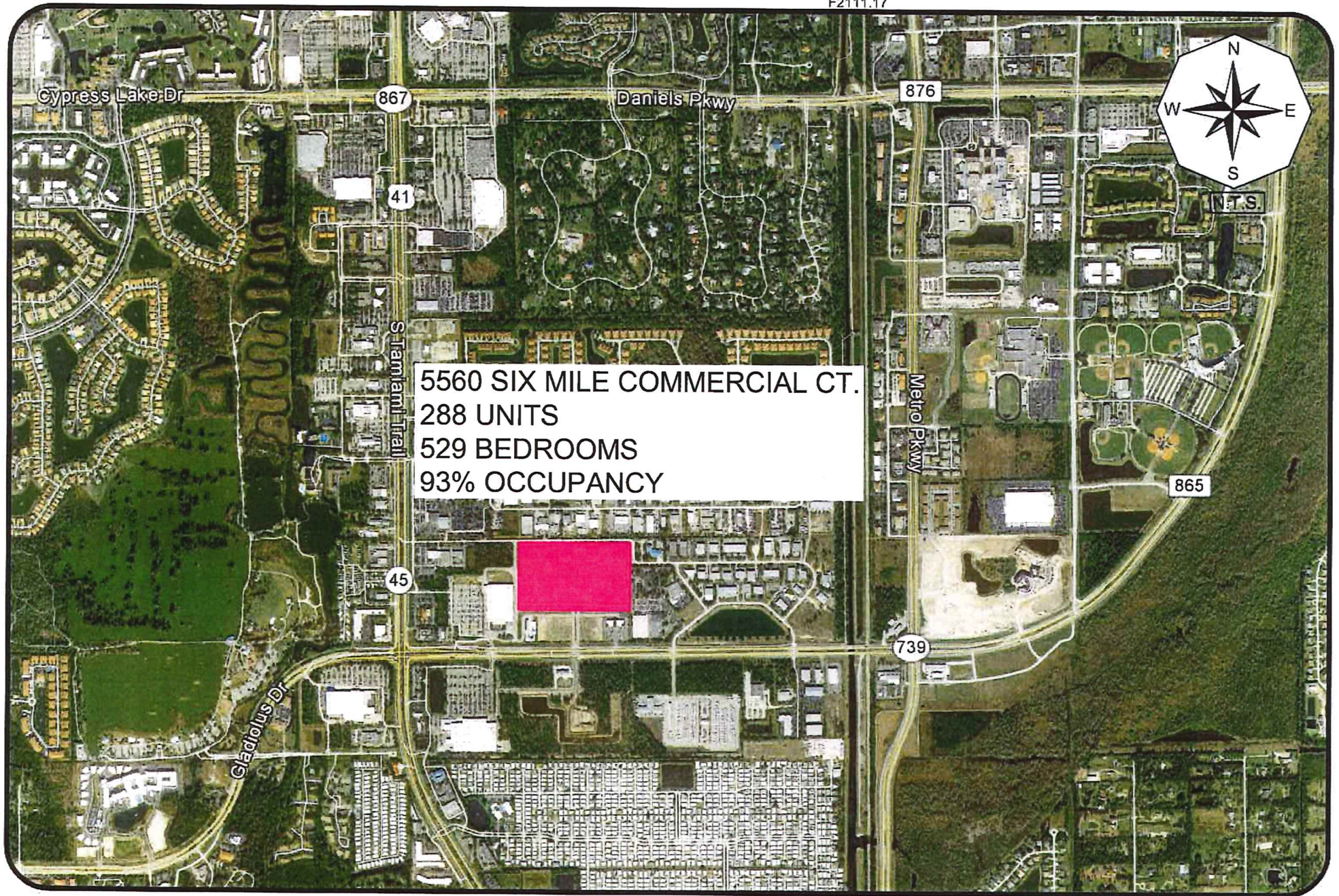
A parking ratio will be developed based on the total number of units on the property.

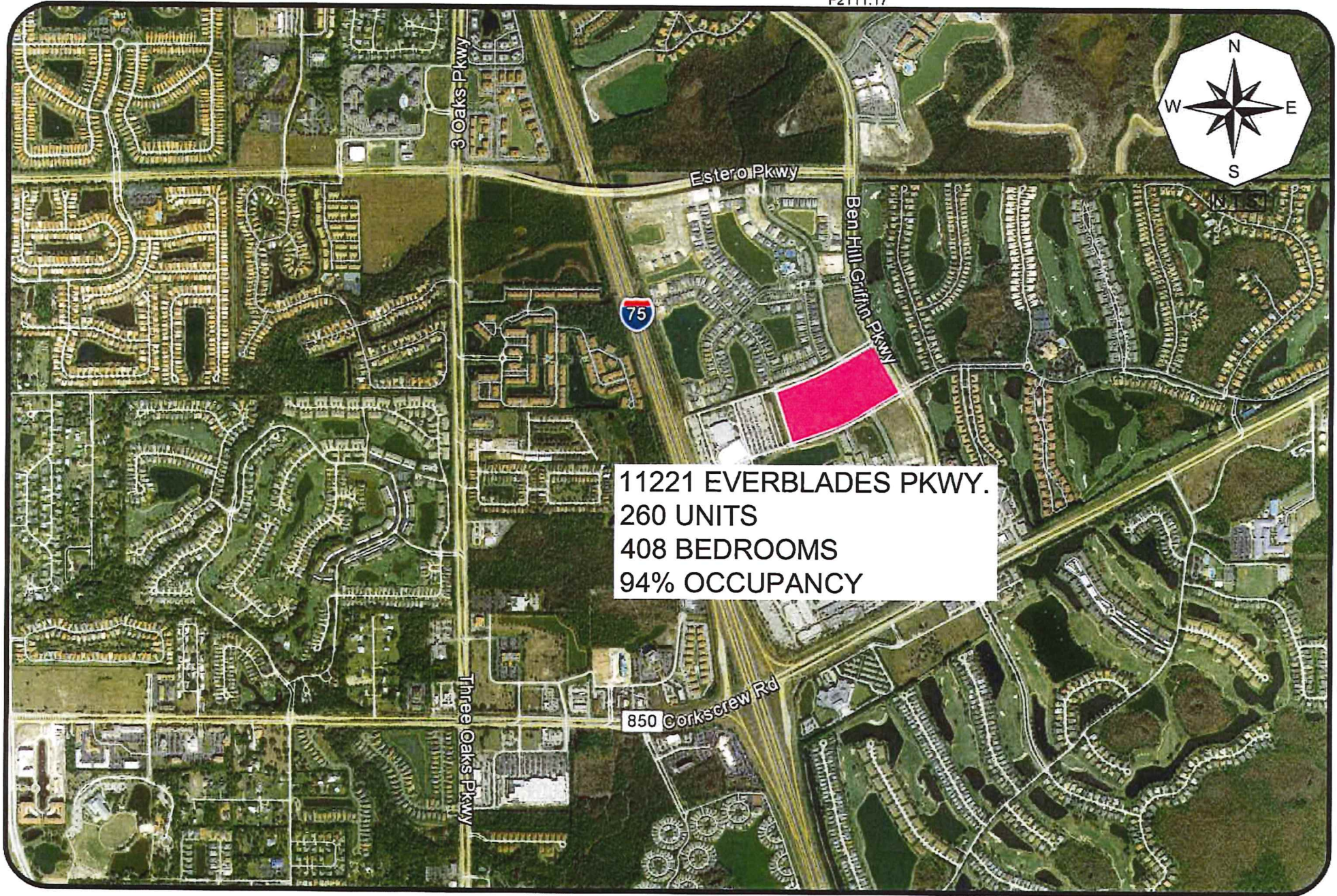
A sample data collection sheet is provided for reference.

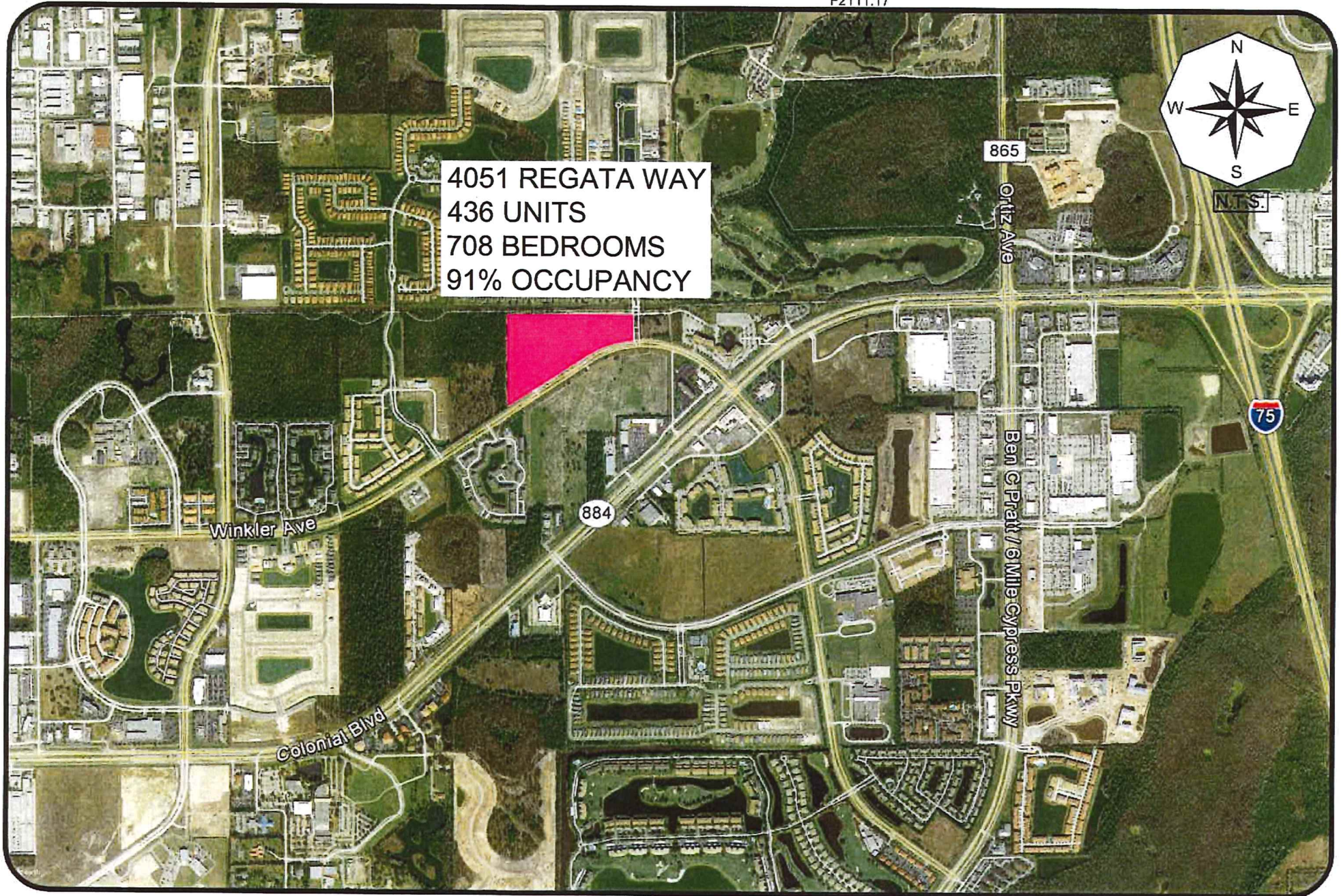
Should you have any questions concerning this matter, please feel free to contact us.

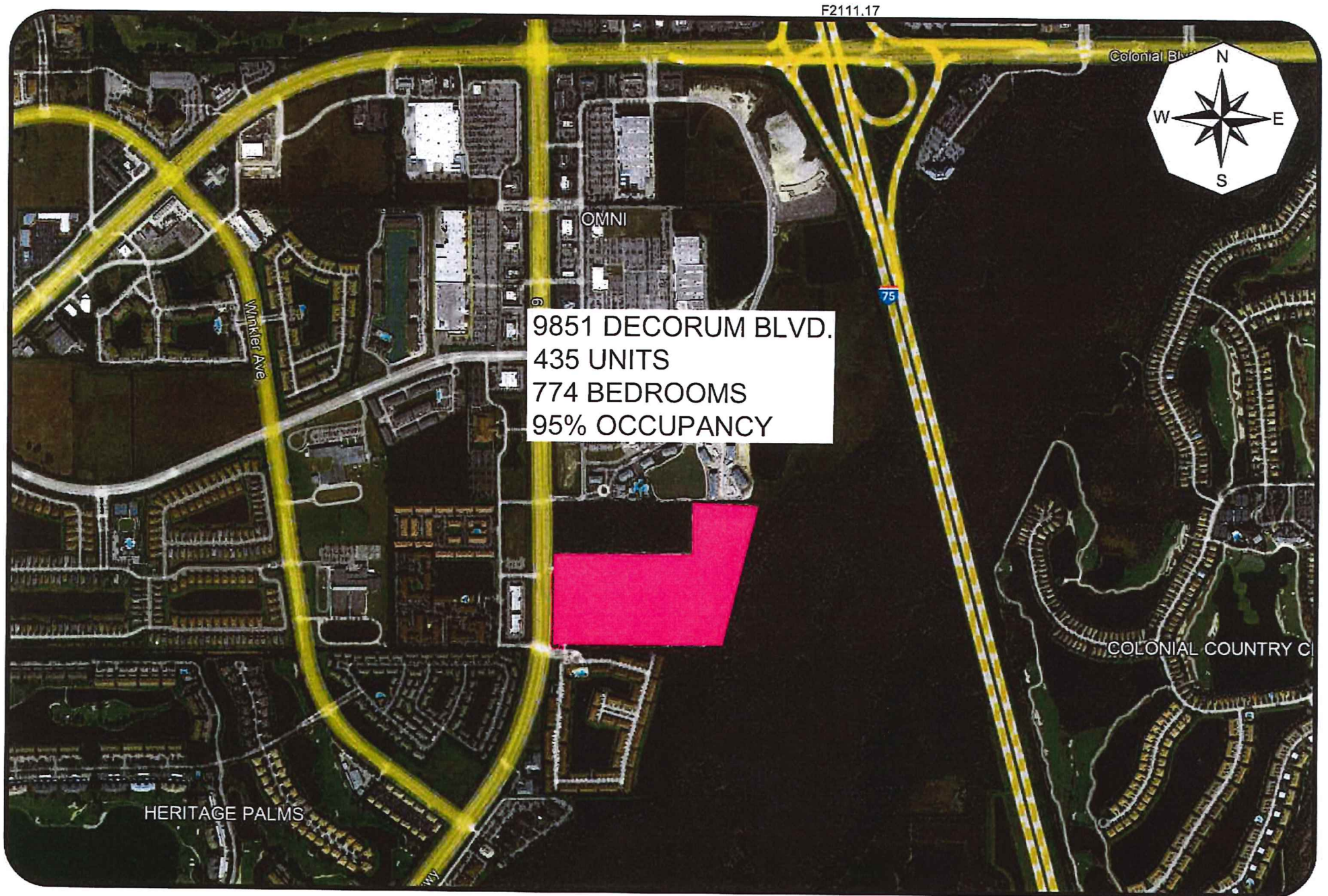
Attachments

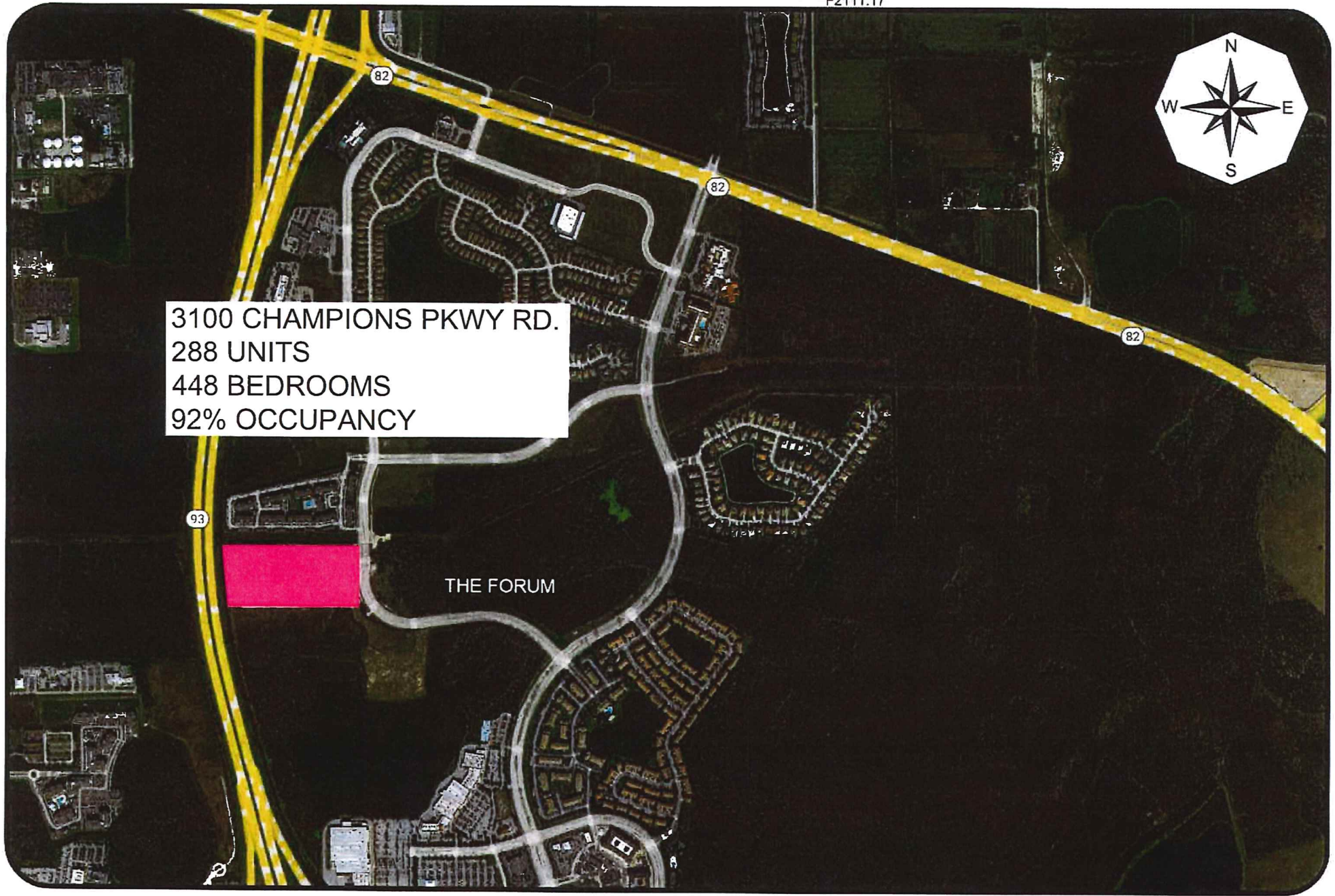
SITE LOCATION MAPS
FIGURES 1 – 6







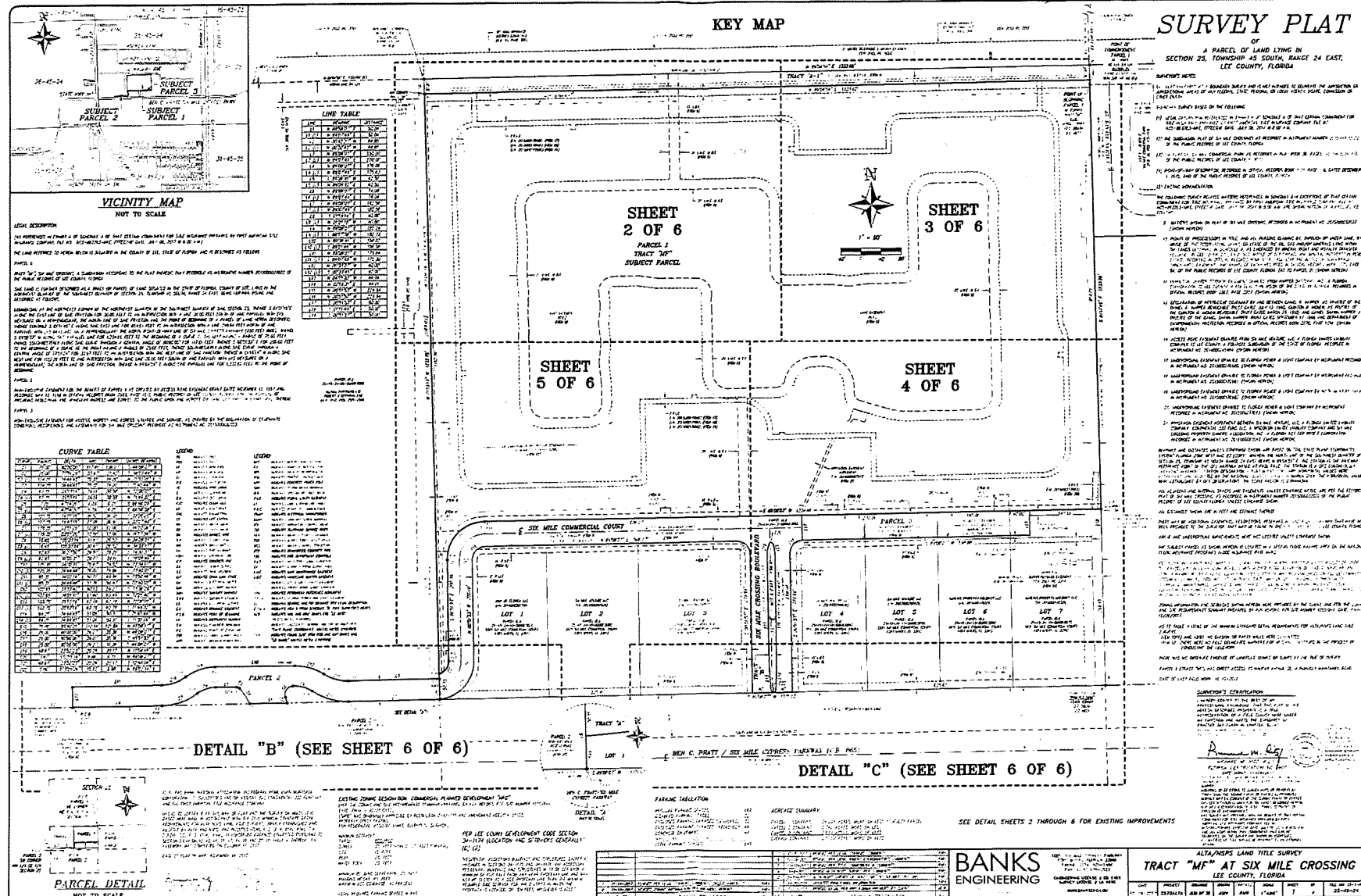




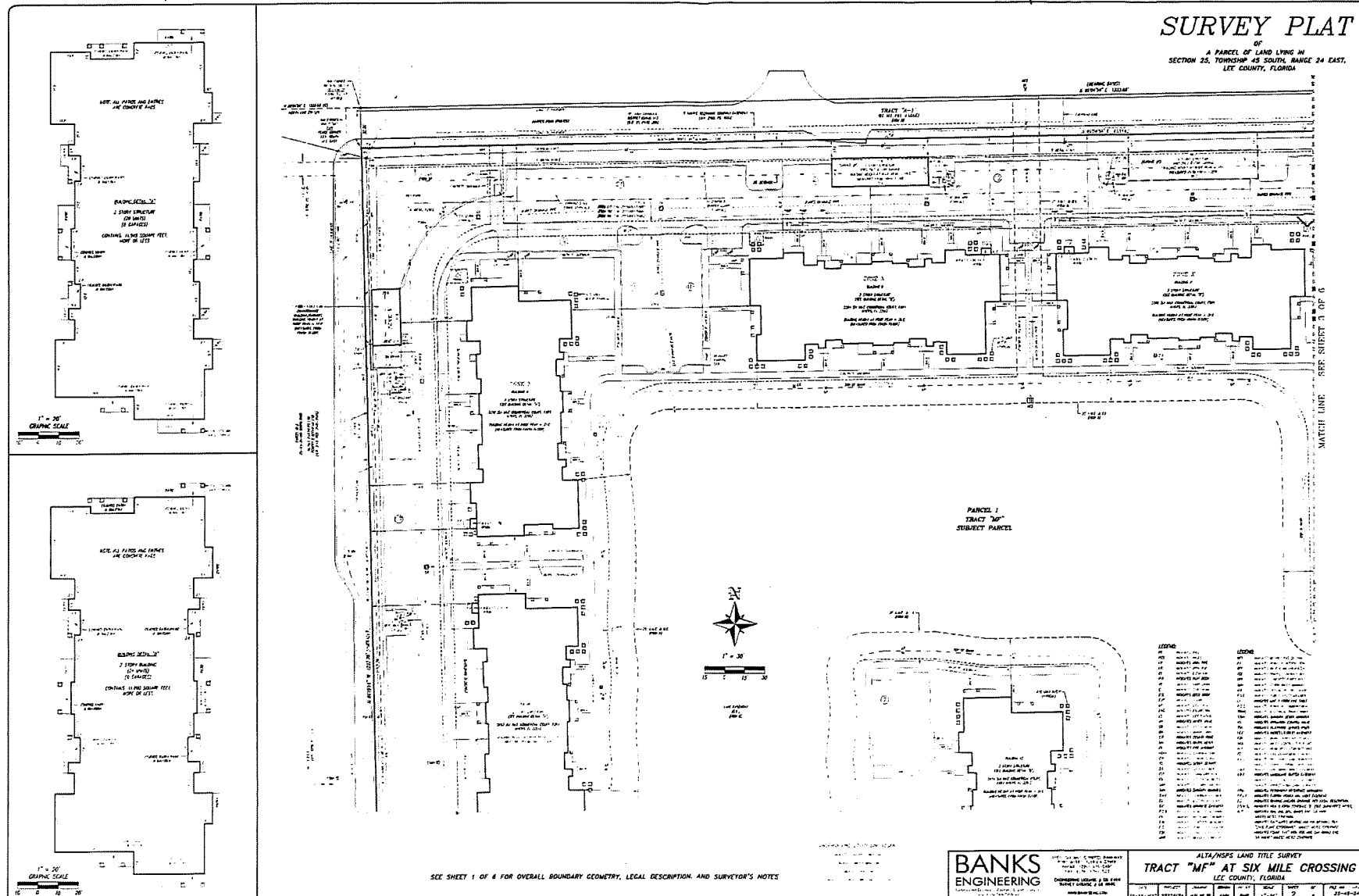


**SITE PLANS FOR THE SIX
STUDY SITES**

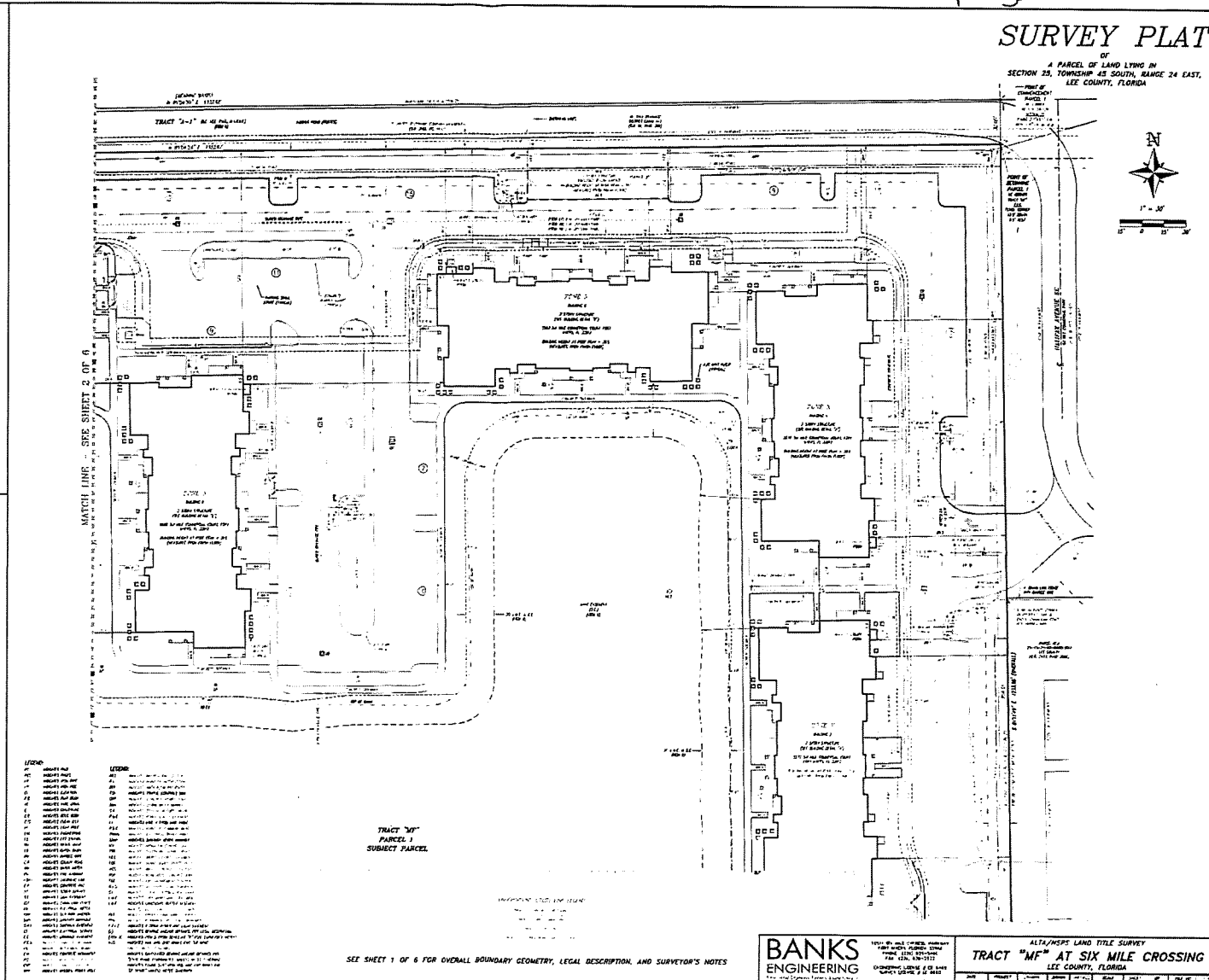
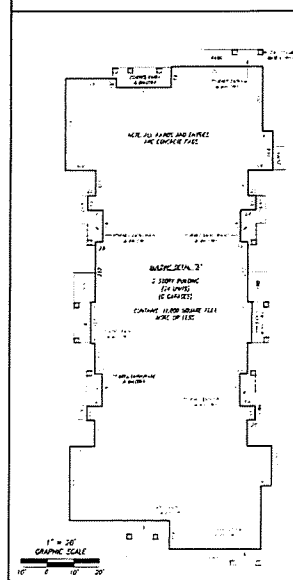
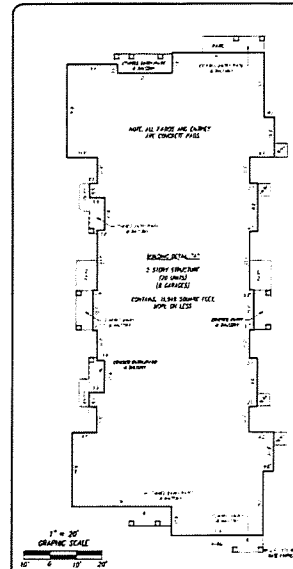
Springs @ Six Mile



OF
A PARCEL OF LAND LYING IN
SECTION 25, TOWNSHIP 45 SOUTH, RANGE 24 EAST,
LEE COUNTY, FLORIDA



OF
A PARCEL OF LAND LYING IN
SECTION 25, TOWNSHIP 45 SOUTH, RANGE 24 EAST,
LEE COUNTY, FLORIDA



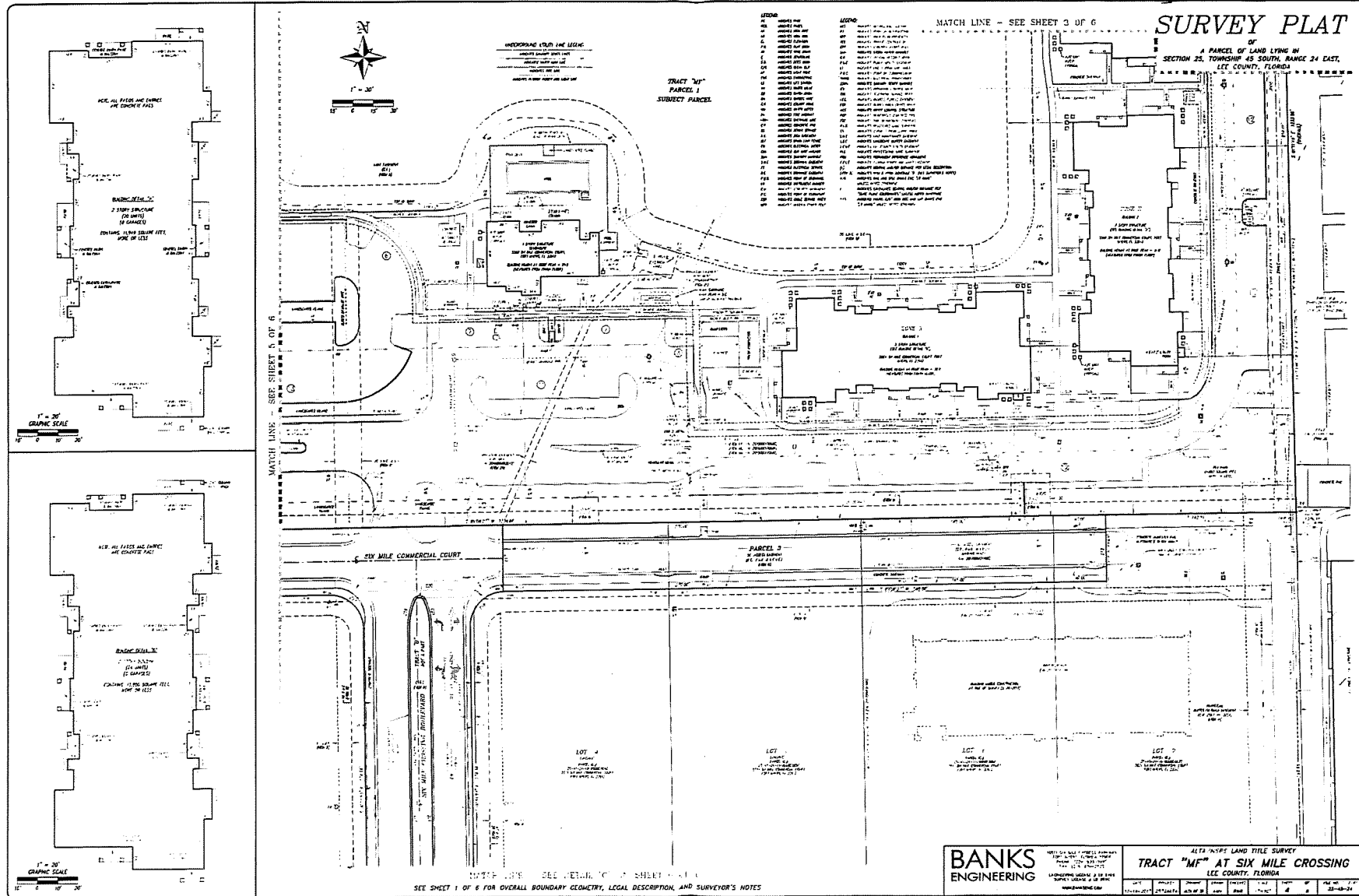
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ENGINEERING
900 West 12th Street, Suite 200, Tulsa, OK 74103
(918) 438-1111

1974 BY THE CHINESE FARM
PORT WORTH, FLORIDA 33446
PHONE (214) 975-5446
FAX (214) 976-7272

ENGINEERING LICENSE # CE 544
SURVEY LICENSE # SE 5442

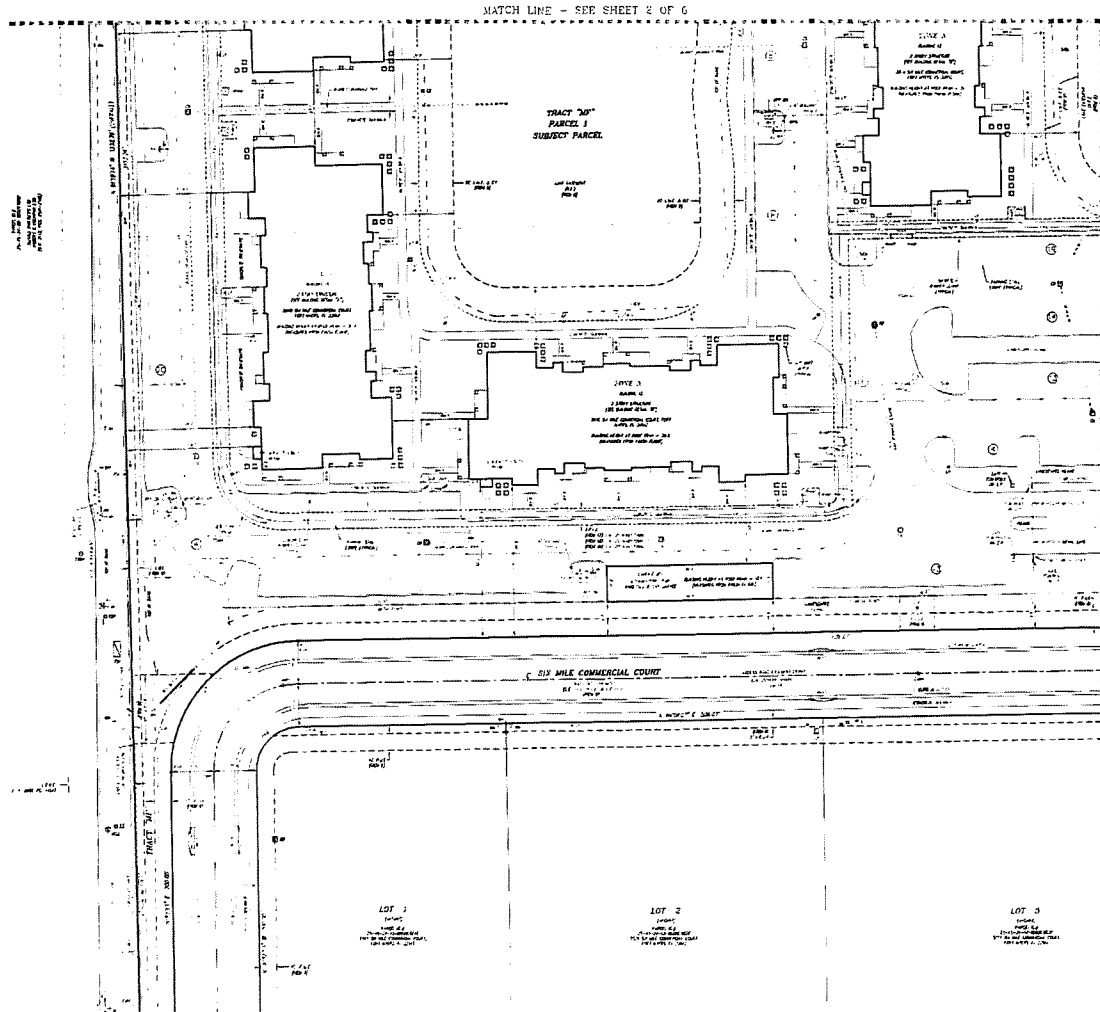
ALTA/NSPS LAND TITLE SURVEY
TRACT "MF" AT SIX MILE CROSSING
LEE COUNTY, FLORIDA

Springs @ Six Mile



SURVEY PLAT

UNDERGROUND UTILITY LINE LEGEND

[illegible]

SEE SHEET 1 OF 6 FOR OVERALL BOUNDARY GEOMETRY, LEGAL DESCRIPTION, AND SURVEYOR'S NOTES

BANKS
ENGINEERING

14615 SW 1st Avenue, Fort Lauderdale, FL 33305
Phone: (305) 574-1400
Fax: (305) 574-2523
Engineering License # 12,500
Survey License # 14,000
1998 Surveyor of the Year

ALTA/NSPS LAND TITLE SURVEY
TRACT "MF" AT SIX MILE CROSSING
LEE COUNTY, FLORIDA

Longitude 81

[illegible][illegible]

2014, 47:262-274

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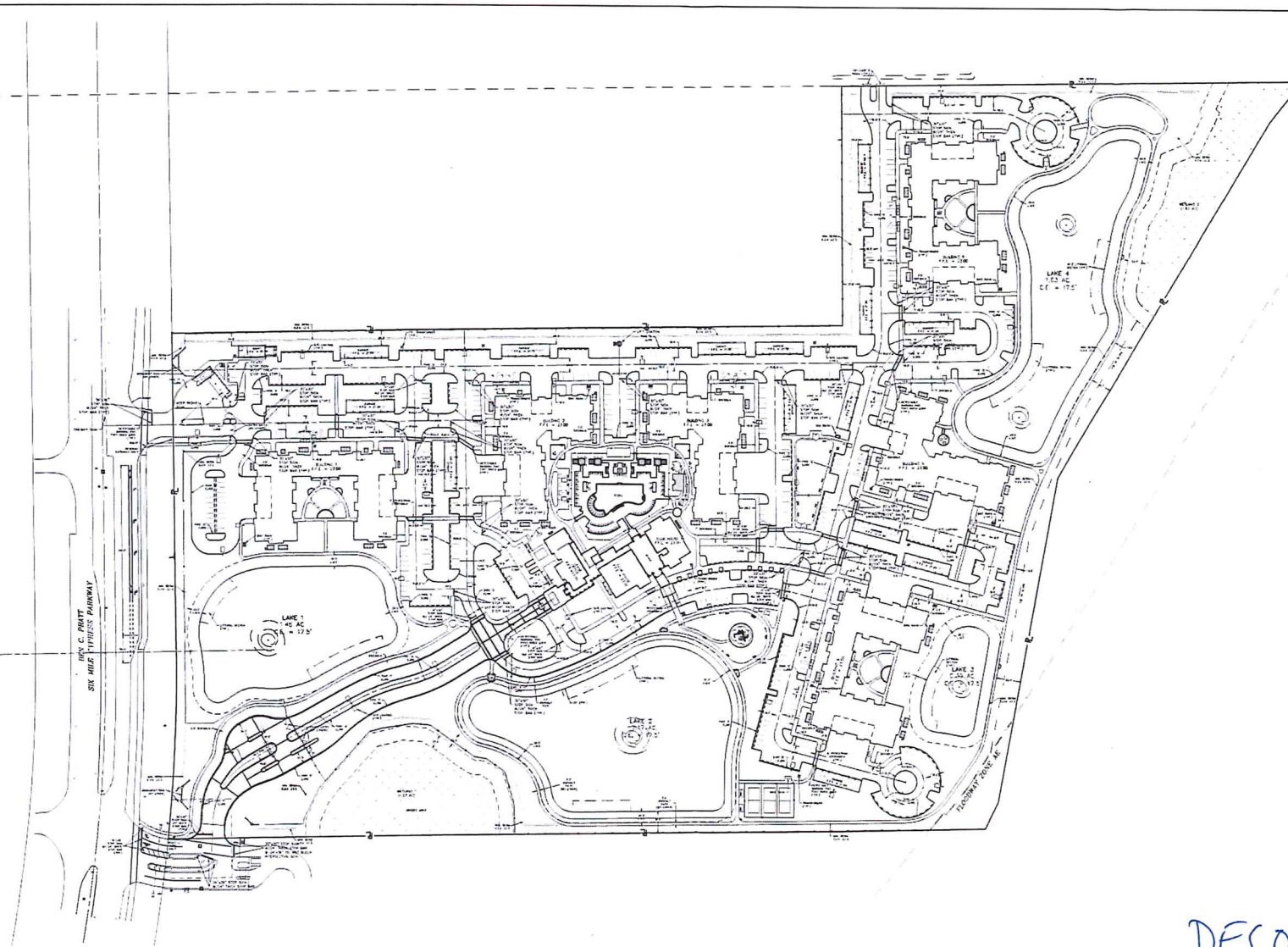
FIGURE 1



C-4

NOTES

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FDOT STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION AND THE FDOT STANDARD DRAWINGS.
2. THE DESIGNER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS FOUND NO EVIDENCE OF CONTAMINATION.
3. THE DESIGNER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS FOUND NO EVIDENCE OF CONTAMINATION.
4. THE DESIGNER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS FOUND NO EVIDENCE OF CONTAMINATION.
5. THE DESIGNER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS FOUND NO EVIDENCE OF CONTAMINATION.



DECORUM

PREPARED FOR		SIX MILE APARTMENTS, LLC. ONE TEXAS STATION CT STE 200 THUNDERBOLT, MD 21082		BANKS ENGINEERING Professional Engineering, Planning, & Land Surveying Surveying License # 10152		10015 SIX MILE DRIVE, SUITE 400 FORT MYERS, FLORIDA 33907 PHONE (239) 339-5485 FAX (239) 339-7223 ENGINEERING LICENSE # 10152 SURVEYING LICENSE # 10152		MASTER SITE PLAN CYPRESS PARKWAY APARTMENTS CITY OF FORT MYERS, FLORIDA	
DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET		
10/23/2017	B-168	-SP	KWK	JLS	KWK	1"=80'	05		



	DISTING (AC)		PROPOSED (AC)	
BUILDING	0	0%	2.53	20%
IMPERVIOUS	0	0%	5.37	47%
PERVIOUS	12.80	100%	4.91	38%
TOTAL	12.80	100%	12.80	100%

C05

LAND DEVELOPMENT CODE SECTION
34-2020

Sec. 34-2020. - Required parking spaces.

All uses are required to provide off-street parking based on the single-use development requirement unless the use is located in a development that qualifies as a multiple-use development, in which case, the minimum required spaces for multiple-use developments may be used. Use of the multiple-use development minimum parking regulations is optional.

Parking for uses not specifically mentioned in this section must meet the minimum parking requirement for the use most similar to that being requested.

(a) *Residential uses.* Residential uses permitted under this chapter are subject to the following minimum requirements:

TABLE 34-2020(a). REQUIRED PARKING SPACES FOR RESIDENTIAL USES

Use		Special Notes or Regulations	Minimum Required Spaces for Single-Use Development	Minimum Required Spaces for Multiple-Use Development
1.	Single-family, duplex, two-family attached and mobile home units		2 spaces per unit	—
2.	Townhouses	Note (1)	2 spaces per unit	—
3.	Multiple-family and timeshare units	Notes (1) & (3)	2 spaces per unit	—
4.	Assisted living facilities	Note (2), <u>34-1414(c)</u> et seq. & <u>34-1494</u> et seq.	0.54 spaces per unit	0.41 spaces per unit
5.	Continuing care facilities	Note (2), <u>34-1414(c)</u> et seq. & <u>34-1494</u> et seq.	1.12 spaces per unit	1 space per unit
6.	Independent (self-care) living facilities, including group quarters, health care (groups I & II), social services (groups III & IV) and other similar uses	Note (2), <u>34-1414(c)</u> et seq. & <u>34-1494</u> et seq.	1 space per unit	0.59 spaces per unit

7.	Clubhouse and ancillary uses within a residential community without a golf course	Note (4)	4 spaces per 1,000 square feet of total floor area	3.5 spaces per 1,000 square feet of total floor area
----	---	----------	--	--

Notes:

- (1) In addition to the spaces required, additional parking spaces equal to ten percent of the total required must be provided to accommodate guest parking in a common parking lot.
 - (2) Where the living units are maintained under single management and the residents are not capable or permitted to own or operate private vehicles on the same premises, the Director may authorize up to a 75 percent reduction in required parking spaces if sufficient parking is provided for employees and visitors.
 - (3) If vehicles back directly onto an internal roadway or access way, the driveway must be designed so that:
 1. The driveway connects to a private internal local road or access way with a design and posted speed limit of 25 miles per hour, or less;
 2. The visual clear zone sight distance (considering vehicles that may be parked nearby) is a minimum of 200 feet and in conformance with the visibility triangle criteria of section 34-3131;
 3. Traffic calming devices are provided per Lee County Administrative Code AC-11-14; and
 4. The length of the driveway, as measured from the garage structure or the end of the stacked parking space farthest from the street or access way must be a minimum of 22 feet to the edge of a private street right-of-way or easement line OR 27 feet to the edge of pavement of an access way. However, this section is not to be interpreted to allow buildings or structures closer to a street right-of-way or easement than permitted by section 34-2192.
 - (4) May include administrative office or other ancillary uses to the clubhouse such as a gyms and/or meeting rooms.
- (b) *Non-residential uses.* Non-residential uses permitted under this chapter are subject to the following minimum requirements:

TABLE 34-2020(b). REQUIRED PARKING SPACES FOR NON-RESIDENTIAL USES

Use	Special Notes or Regulations	Minimum Required Spaces for Single-Use Development	Minimum Required Spaces for Multiple-Use Development
Airports, landing strips and heliports.		Determined by the Director	—

Offices, excluding medical. (Including but not limited to: business services group I, contractors and builders, insurance companies, nonstore retailers, personal services group IV, social services group I, and other similar offices.)		1 space per 300 square feet of total floor area	1 space per 350 square feet of total floor area
Offices, medical and health care facilities group III.		4.5 spaces per 1000 square feet of total floor area	4 spaces per 1000 square feet of total floor area
Places of worship.	Note (14); <u>34-2051</u> et seq.	1 space per 3 seats	1 space per 5 seats
Recreation facilities, indoor.	Note (1)	4 spaces per 1000 square feet of total floor area	3.5 spaces per 1000 square feet of total floor area
Recreation facilities, outdoor, commercial.		Determined by the Director.	—
Religious facility.	Notes (1) & (14); <u>34-2051</u> et seq.	1 space per 3 seats	—
Restaurants.	Notes (8), (9) & (10)	14 spaces per 1,000 square feet of total floor area; outdoor seating area is calculated at same rate	12.5 spaces per 1,000 square feet of total floor area; outdoor seating area is calculated at same rate
Restaurants, fast food.	Note (9)	13 spaces per 1000 square feet of total floor area; outdoor seating area is calculated at same rate	—

PARKING DEMAND STUDY

SUMMARY

PARKING DEMAND SURVEY SUMMARY

THE VENETIAN

Parking Demand Per Unit

High: 1.49 spaces/unit
Average: 1.44 spaces/unit

Parking Demand Per Bedroom

High: 0.92 spaces/BR
Average: 0.89 spaces/BR

LONGITUDE81

Parking Demand Per Unit

High: 1.54 spaces/unit
Average: 1.47 spaces/unit

Parking Demand Per Bedroom

High: 0.98 spaces/BR
Average: 0.94 spaces/BR

SPRINGS AT SIX MILE CYPRESS

Parking Demand Per Unit

High: 1.36 spaces/unit
Average: 1.32 spaces/unit

Parking Demand Per Bedroom

High: 0.74 spaces/BR
Average: 0.72 spaces/BR

DECORUM

Parking Demand Per Unit

High: 1.75 spaces/unit
Average: 1.69 spaces/unit

Parking Demand Per Bedroom

High: 0.98 spaces/BR
Average: 0.95 spaces/BR

VIVE

Parking Demand Per Unit

High: 1.77 spaces/unit
Average: 1.63 spaces/unit

Parking Demand Per Bedroom

High: 1.14 spaces/BR
Average: 1.05 spaces/BR

SPRINGS AT CAPE CORAL

Parking Demand Per Unit

High: 1.86 spaces/unit
Average: 1.79 spaces/unit

Parking Demand Per Bedroom

High: 1.14 spaces/BR
Average: 1.10 spaces/BR

AVERAGE OF ALL SIX SURVEY SITES

High: 1.63 spaces/unit
Average: 1.56 spaces/unit

High: 0.98 spaces/BR
Average: 0.94 spaces/BR

AVERAGE OF ALL NINE SURVEY SITES

High: 1.55 spaces/unit
Average: 1.49 spaces/unit

High: 0.93 spaces/BR
Average: 0.90 spaces/BR

**PARKING DEMAND SUMMARY AND
RAW DATA SHEETS FOR
SPRINGS AT SIX MILE**

**Springs at Six Mile Cypress
2022**

Date	Day	Time	Total Spaces Occupied	Assumed Garage Occupancy	Total Parking Demand	
4/24	Sun	12:15 AM	340	19	359	
4/25	Mon	12:38 AM	358	19	377	
4/26	Tues	2:26 AM	361	19	380	
4/27	Wed	1:10 AM	373	19	392	
4/28	Thur	2:52 AM	367	19	386	
4/29	Fri	2:43 AM	374	19	393	High
4/30	Sat	2:20 AM	361	19	380	
Total Enclosed Garages:		37			381	Average
Garages Leased:		25				
75% Occupied:		19				
Total Surface Parking Spaces:			494			
Surface + Garages:			531			

Total Unit Count: 288 Occupancy at Time of Survey - 95%

One Bedrooms	103
Two Bedrooms	129
Three Bedrooms	56
Total Bedrooms	529

PARKING DEMAND CALCULATION

Parking Demand Per Unit			Parking Demand Per Bedroom		
High:	1.36	spaces/unit	High:	0.74	spaces/BR
Average:	1.32	spaces/unit	Average:	0.72	spaces/BR

PARKING OCCUPANCY STUDY

Property Name: _____

Property Address: _____

The Springs at Six Mile

Date of Survey: _____

04/24/2022

Time of Survey: _____

12:15 A.M.

Total number of Vehciles Parked on-site _____

340

PARKING OCCUPANCY STUDY

Property Name: Springs at Six mile

Property Address: _____

Date of Survey: 04/25/2022

Time of Survey: 12:38 A.M.

Total number of Vehciles Parked on-site 358

PARKING OCCUPANCY STUDY

Property Name: The Springs

Property Address: _____

Date of Survey: April 26th

Time of Survey: 2:26 am

Total number of Vehciles Parked on-site

361

PARKING OCCUPANCY STUDY

Property Name: Springs at Six mile

Property Address: _____

Date of Survey: 04/27/2022

Time of Survey: 1:00 A.M.

Total number of Vehciles Parked on-site 373

PARKING OCCUPANCY STUDY

Property Name: The Springs

Property Address: _____

Date of Survey: 04/28/2022

Time of Survey: 2:52 Am

Total number of Vehciles Parked on-site 367

PARKING OCCUPANCY STUDY

Property Name: The Springs

Property Address: _____

Date of Survey: 04/29/22

Time of Survey: 2:43 AM

Total number of Vehciles Parked on-site 374

PARKING OCCUPANCY STUDY

Property Name: Springs at six mile

Property Address: _____

Date of Survey: 04/30/2022

Time of Survey: 2:20 A.M.

Total number of Vehciles Parked on-site 361

**PARKING DEMAND SUMMARY AND
RAW DATA SHEETS FOR
LONGITUDE 81**

Longitude81
2022

Date	Day	Time	Total Spaces Occupied	Assumed Garage Occupancy	Total Parking Demand	
4/24	Sun	12:00 AM	326	17	343	
4/25	Mon	12:12 AM	367	17	384	
4/26	Tues	1:56 AM	378	17	395	
4/27	Wed	1:30 AM	383	17	400	High
4/28	Thur	2:25 AM	381	17	398	
4/29	Fri	2:07 AM	366	17	383	
4/30	Sat	2:50 AM	356	17	373	
Total Enclosed Garages:		24			382	Average
Garages Leased:		23				
75% Occupied:		17				
Total Surface Parking Spaces:			561			
Surface + Garages:			585			

Total Unit Count: 260 **Occupancy at Time of Survey - 98%**

One Bedrooms	126
Two Bedrooms	108
Three Bedrooms	22
Total Bedrooms	408

PARKING DEMAND CALCULATION

Parking Demand Per Unit			Parking Demand Per Bedroom		
High:	1.54	spaces/unit	High:	0.98	spaces/BR
Average:	1.47	spaces/unit	Average:	0.94	spaces/BR

PARKING OCCUPANCY STUDY

Property Name: Longitude 81

Property Address: _____

Date of Survey: 04/²⁴~~23~~/2022

Time of Survey: 12:00 A.M.

Total number of Vehciles Parked on-site 326

PARKING OCCUPANCY STUDY

Property Name: Longitude 81

Property Address: _____

Date of Survey: 04/25/2022

Time of Survey: 12:12 A.M.

Total number of Vehciles Parked on-site 367

PARKING OCCUPANCY STUDY

Property Name: Longitude°

Property Address: ~~Appl 26th~~

Date of Survey: April 26th

Time of Survey: 1:56 A.M.

Total number of Vehciles Parked on-site 378

PARKING OCCUPANCY STUDY

Property Name: Longitude 81

Property Address: _____

Date of Survey: 04/27/2022

Time of Survey: 1:30 A.M.

Total number of Vehciles Parked on-site 383

PARKING OCCUPANCY STUDY

Property Name: Longitude⁸¹

Property Address: _____

Date of Survey: 04/28/22

Time of Survey: 2:25 AM

Total number of Vehciles Parked on-site 381

PARKING OCCUPANCY STUDY

Property Name: Longitude[®]

Property Address: _____

Date of Survey: 04/29/22

Time of Survey: 2:07 AM

Total number of Vehciles Parked on-site 366

PARKING OCCUPANCY STUDY

Property Name: Longitude 81

Property Address: _____

Date of Survey: 04/30/2022

Time of Survey: 2:50 A.M.

Total number of Vehciles Parked on-site 356

**PARKING DEMAND SUMMARY AND
RAW DATA SHEETS FOR
VENETIAN**

**The Venetian
2022**

Date	Day	Time	Total Spaces Occupied	Assumed Garage Occupancy	Total Parking Demand	
4/24	Sun	12:40 AM	558	62	620	
4/25	Mon	1:06 AM	560	62	622	
4/26	Tues	3:13 AM	566	62	628	
4/27	Wed	2:00 AM	588	62	650	
4/28	Thur	3:47 AM	575	62	637	
4/29	Fri	3:09 AM	563	62	625	
4/30	Sat	2:00 AM	565	62	627	
Total Enclosed Garages:		125			630	Average
% Garages Leased:		65%				
Garages Leased:		82				
75% Occupied:		62				
Total Surface Parking Spaces:			692			
Surface + Garages:			817			

Total Unit Count: 436 Occupancy at Time of Survey - 95%

One Bedrooms	204
Two Bedrooms	192
Three Bedrooms	40
Total Bedrooms	708

PARKING DEMAND CALCULATION

Parking Demand Per Unit			Parking Demand Per Bedroom		
High:	1.49	spaces/unit	High:	0.92	spaces/BR
Average:	1.44	spaces/unit	Average:	0.89	spaces/BR

PARKING OCCUPANCY STUDY

Property Name: Venetian

Property Address: _____

Date of Survey: 04/24/2022

Time of Survey: 12:40 A.M.

Total number of Vehciles Parked on-site 558

PARKING OCCUPANCY STUDY

Property Name: Venetian

Property Address: _____

Date of Survey: 04/25/2022

Time of Survey: 1:06 A.M.

Total number of Vehciles Parked on-site 560

PARKING OCCUPANCY STUDY

Property Name: Venetian

Property Address: _____

Date of Survey: April 26th

Time of Survey: 3:13 A.M.

Total number of Vehciles Parked on-site 566

PARKING OCCUPANCY STUDY

Property Name: Venetian

Property Address: _____

Date of Survey: 04/27/2022

Time of Survey: 2:00 A.M.

Total number of Vehciles Parked on-site 588

PARKING OCCUPANCY STUDY

Property Name: Venitan

Property Address: _____

Date of Survey: 04/28/22

Time of Survey: 3:47 AM.

Total number of Vehciles Parked on-site 575

PARKING OCCUPANCY STUDY

Property Name: Vendian

Property Address: _____

Date of Survey: 04/29/22

Time of Survey: 3:09 AM

Total number of Vehciles Parked on-site 563

PARKING OCCUPANCY STUDY

Property Name: Venetian

Property Address: _____

Date of Survey: 04/30/2022

Time of Survey: 2:00 A.M.

Total number of Vehciles Parked on-site 565

**PARKING DEMAND SUMMARY AND
RAW DATA SHEETS FOR
DECORUM**

**Decorum
2022**

Date	Day	Time	Total Spaces Occupied	Assumed Garage Occupancy	Total Parking Demand	
3/24	Thur	11:45 PM	636	104	740	
3/28	Mon	12:30 AM	641	104	745	
3/29	Tues	11:45 PM	637	104	741	
3/31	Thur	11:00 PM	594	104	698	
4/3	Sun	11:50 PM	657	104	761	High

Total Enclosed Garages: 161 **737** Average

Garages Leased: 139

75% Occupied: 104

Total Surface Parking Spaces: 682

Surface + Garages: 843

Total Unit Count: 435 Occupancy at Time of Survey - 93%

One Bedrooms 144

Two Bedrooms 243

Three Bedrooms 48

Total Bedrooms 774

PARKING DEMAND CALCULATION

Parking Demand Per Unit

Parking Demand Per Bedroom

High: 1.75 spaces/unit

Average: 1.69 spaces/unit

High: 0.98 spaces/BR

Average: 0.95 spaces/BR

PARKING OCCUPANCY STUDY

Property Name: Decorum

Property Address: 9851 6 Mile Cypress Pkwy

Date of Survey: 03/24/2022 (Fri)

Time of Survey: 11:45 pm

Total number of Vehicles Parked on-site 636

PARKING OCCUPANCY STUDY

Property Name: Decorum

Property Address: 9851 6 mile Cypress pkwy

Date of Survey: 03/28/22 (Sun/Mon)

Time of Survey: 12:30 AM

Total number of Vehciles Parked on-site 641

PARKING OCCUPANCY STUDY

Property Name: Decorum

Property Address: 9851 6 Mile Cypress Pkwy

Date of Survey: 3/29/22 (Tues)

Time of Survey: 11:45

Total number of Vehicles Parked on-site 637

PARKING OCCUPANCY STUDY

Property Name:

Decorum

Property Address:

9251 6 Mile Cypress Pkwy

Date of Survey:

3/31/22 (Thur)

Time of Survey:

11:00

Total number of Vehicles Parked on-site

594

PARKING OCCUPANCY STUDY

Property Name: Decorum

Property Address: 9851 6 mile cypress Pkwy

Date of Survey: 4/3/22 (Sun.)

Time of Survey: 11:50 PM

Total number of Vehciles Parked on-site 657

**PARKING DEMAND SUMMARY AND
RAW DATA SHEETS FOR
VIVE**

**Vive
2022**

Date	Day	Time	Total Spaces Occupied	Assumed Garage Occupancy	Total Parking Demand	
3/25	Sat	12:15 AM	412	32	444	
3/28	Mon	12:00 AM	438	32	470	
3/30	Wed	12:15 AM	432	32	464	
3/31	Thur	11:20 PM	422	32	454	
4/4	Mon	12:10 AM	478	32	510	High

Total Enclosed Garages: 52 **468** Average

Garages Leased: 42

75% Occupied: 32

Total Surface Parking Spaces: 504

Surface + Garages: 556

Total Unit Count: 288

Occupancy at Time of Survey - 92%

One Bedrooms 144

Two Bedrooms 128

Three Bedrooms 16

Total Bedrooms 448

PARKING DEMAND CALCULATION

Parking Demand Per Unit

High: 1.77 spaces/unit

Average: 1.63 spaces/unit

Parking Demand Per Bedroom

High: 1.14 spaces/BR

Average: 1.05 spaces/BR

PARKING OCCUPANCY STUDY

Property Name:

Vive

Property Address:

3200 champion Ring Rd

Date of Survey:

03/25/22 (SAT)

Time of Survey:

12:15 AM

Total number of Vehciles Parked on-site

412

PARKING OCCUPANCY STUDY

Property Name: Vive

Property Address: 3200 Champion Ring Rd

Date of Survey: 03/28/22 (Mon)

Time of Survey: 12:00 AM

Total number of Vehciles Parked on-site 438

PARKING OCCUPANCY STUDY

Property Name:

Vive

Property Address:

3200 Champions Ring Rd

Date of Survey:

3/30/22 (Wed)

Time of Survey:

12:15 am

Total number of Vehicles Parked on-site

432

PARKING OCCUPANCY STUDY

Property Name: Vive

Property Address: 3200 Champron Ring Rd

Date of Survey: 3/31/22 (Thur)

Time of Survey: 11:20 pm

Total number of Vehciles Parked on-site 422

PARKING OCCUPANCY STUDY

Property Name:

vtrel

Property Address:

3200 Champion Ring Rd

Date of Survey:

4/4/22 (Sun/Mon)

Time of Survey:

12:10 PM

Total number of Vehciles Parked on-site

478

**PARKING DEMAND SUMMARY AND
RAW DATA SHEETS FOR
SPRINGS AT CAPE CORAL**

Springs at Cape Coral 2022

Date	Day	Time	Total Spaces Occupied	Assumed Garage Occupancy	Total Parking Demand	
3/25	Fri	12:50 AM	494	20	514	
3/27	Sun	11:40 PM	503	20	523	
3/30	Wed	12:45 AM	501	20	521	
4/1	Fri	12:01 AM	488	20	508	
4/4	Mon	12:45 AM	524	20	544	High

Total Enclosed Garages: 36 522 Average

Garages Leased: 26

75% Occupied: 20

Total Surface Parking Spaces: 529

Surface + Garages: 565

Total Unit Count: 292

Occupancy at Time of Survey - 93%

One Bedrooms 130

Two Bedrooms 140

Three Bedrooms 22

Total Bedrooms 476

PARKING DEMAND CALCULATION

Parking Demand Per Unit

Parking Demand Per Bedroom

High: 1.86 spaces/unit

Average: 1.79 spaces/unit

High: 1.14 spaces/BR

Average: 1.10 spaces/BR

PARKING OCCUPANCY STUDY

Property Name: Springs at Cape Coral

Property Address: 1394 Barrett Rd

Date of Survey: 03/25/22 (Sat)

Time of Survey: 12:50 AM

Total number of Vehicles Parked on-site 494

PARKING OCCUPANCY STUDY

Property Name: Springs at Cape Coral

Property Address: 1394 Barrett Rd

Date of Survey: 03/27/22 (Sun)

Time of Survey: 11:40 PM

Total number of Vehicles Parked on-site 503

PARKING OCCUPANCY STUDY

Property Name: Springs at Cape Coral

Property Address: 1394 Barrett Rd

Date of Survey: 3/30/22 (WED)

Time of Survey: 12:45 am

Total number of Vehicles Parked on-site 501

PARKING OCCUPANCY STUDY

Property Name:

Springs at Cape Coral

Property Address:

1344 Barrett Rd

Date of Survey:

4/1/22 (Fri)

Time of Survey:

12:00

Total number of Vehicles Parked on-site

428

PARKING OCCUPANCY STUDY

Property Name: Springs at Cape Coral

Property Address: 1394 Barrett Rd

Date of Survey: 4/4/22 (Sun/Mon)

Time of Survey: 12:45 AM

Total number of Vehicles Parked on-site 524

**ITE PARKING GENERATION
MANUAL, 5th EDITION**

ITE PARKING GENERATION
MANUAL, 5th EDITION
LUC 220 – MULTI-FAMILY LOW RISE

Land Use: 220 Multifamily Housing (Low-Rise)

Description

Low-rise multifamily housing includes apartments, townhouses, and condominiums located within the same building with at least three other dwelling units and with one or two levels (floors) of residence. Multifamily housing (mid-rise) (Land Use 221), multifamily housing (high-rise) (Land Use 222), and affordable housing (Land Use 223) are related land uses.

Time of Day Distribution for Parking Demand

The following table presents a time-of-day distribution of parking demand (1) on a weekday (10 study sites) and a Saturday (11 study sites) in a general urban/suburban setting and (2) on a weekday (three study sites) and a Saturday (three study sites) in a dense multi-use urban setting.

Hour Beginning	Percent of Peak Parking Demand			
	General Urban/Suburban		Dense Multi-Use Urban	
	Weekday	Saturday	Weekday	Saturday
12:00–4:00 a.m.	100	93	86	100
5:00 a.m.	97	100	100	94
6:00 a.m.	90	98	94	91
7:00 a.m.	77	96	81	85
8:00 a.m.	56	92	58	79
9:00 a.m.	45	80	56	76
10:00 a.m.	40	78	53	71
11:00 a.m.	37	71	58	74
12:00 p.m.	36	68	56	68
1:00 p.m.	36	66	53	68
2:00 p.m.	37	65	47	68
3:00 p.m.	43	68	56	56
4:00 p.m.	45	70	53	59
5:00 p.m.	55	73	61	53
6:00 p.m.	66	77	81	50
7:00 p.m.	73	81	67	56
8:00 p.m.	77	82	61	65
9:00 p.m.	86	86	64	74
10:00 p.m.	92	87	75	85
11:00 p.m.	97	92	86	91

Additional Data

In prior editions of *Parking Generation*, the low-rise multifamily housing sites were further divided into rental and condominium categories. An investigation of parking demand data found no clear differences in parking demand between the rental and condominium sites within the ITE database. As more data are compiled for future editions, this land use classification can be reinvestigated.

The average parking supply ratios for the study sites with parking supply information are shown in the table below.

Setting	Proximity to Rail Transit	Parking Supply Ratio	
		Per Dwelling Unit	Per Bedroom
Dense Multi-Use Urban	Within ½ mile of rail transit	0.6 (12 sites)	0.4 (10 sites)
	Not within ½ mile of rail transit	0.9 (18 sites)	0.6 (18 sites)
General Urban/Suburban	Within ½ mile of rail transit	1.5 (10 sites)	0.9 (10 sites)
	Not within ½ mile of rail transit	1.7 (52 sites)	1.0 (52 sites)

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in Alberta (CAN), California, Colorado, District of Columbia, Maryland, Massachusetts, Oregon, Pennsylvania, Texas, Washington, and Wisconsin.

It is expected that the number of bedrooms and number of residents are likely correlated to the parking demand generated by a residential site. Parking studies of multifamily housing should attempt to obtain information on occupancy rate and on the mix of residential unit sizes (i.e. number of units by number of bedrooms at the site complex). Future parking studies should also indicate the number of levels contained in the residential building.

Source Numbers

72, 124, 152, 154, 209, 215, 216, 218, 219, 255, 257, 314, 414, 419, 432, 437, 505, 512, 533, 535, 536, 537, 544, 545, 577, 578, 579, 580, 584, 585, 587

Multifamily Housing (Low-Rise) (220)

Peak Period Parking Demand vs: Dwelling Units

On a: Weekday (Monday - Friday)

Setting/Location: General Urban/Suburban (no nearby rail transit)

Peak Period of Parking Demand: 11:00 p.m. - 6:00 a.m.

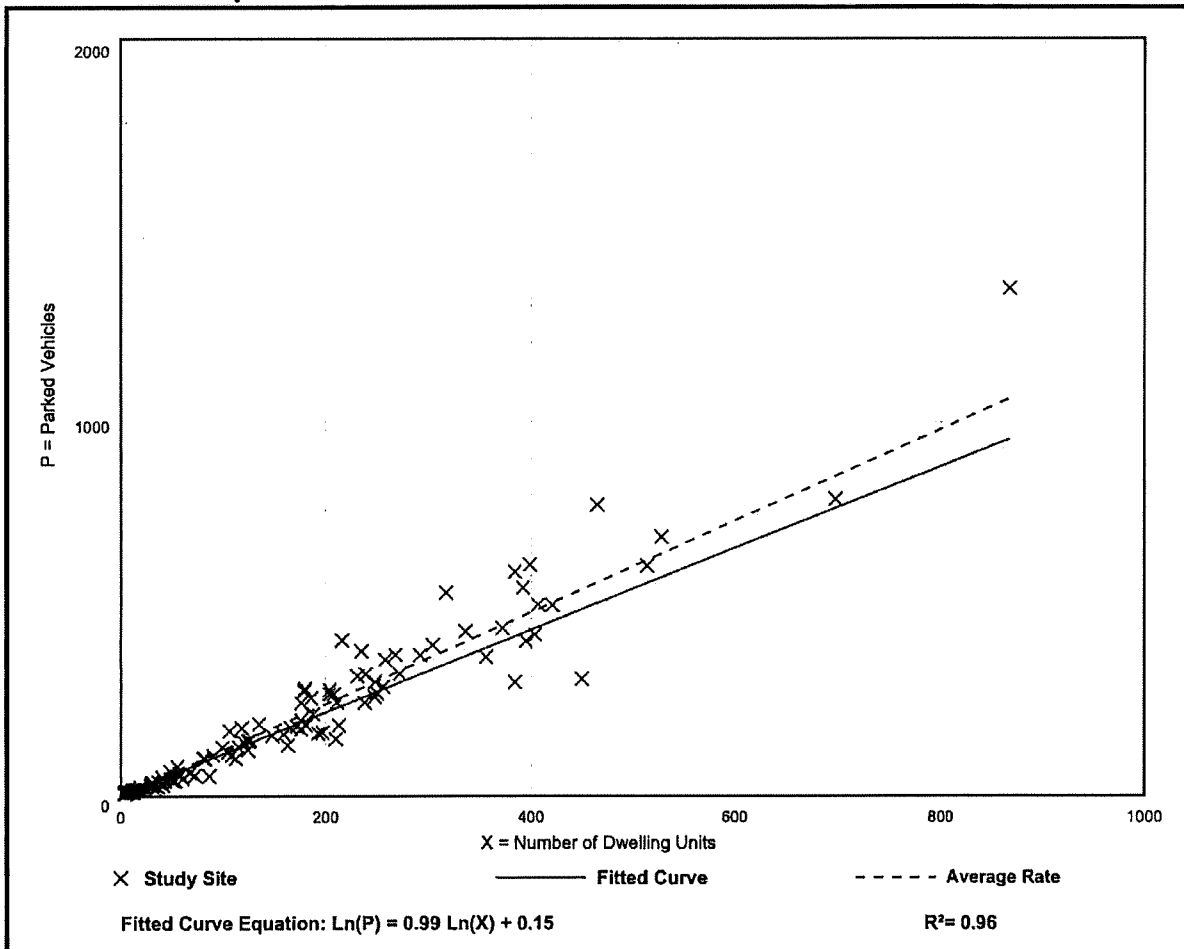
Number of Studies: 119

Avg. Num. of Dwelling Units: 156

Peak Period Parking Demand per Dwelling Unit

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
1.21	0.58 - 2.50	1.03 / 1.52	1.16 - 1.26	0.27 (22%)

Data Plot and Equation



Multifamily Housing (Low-Rise) (220)

Peak Period Parking Demand vs: Dwelling Units

On a: Saturday

Setting/Location: General Urban/Suburban (no nearby rail transit)

Peak Period of Parking Demand: 11:00 p.m. - 7:00 a.m.

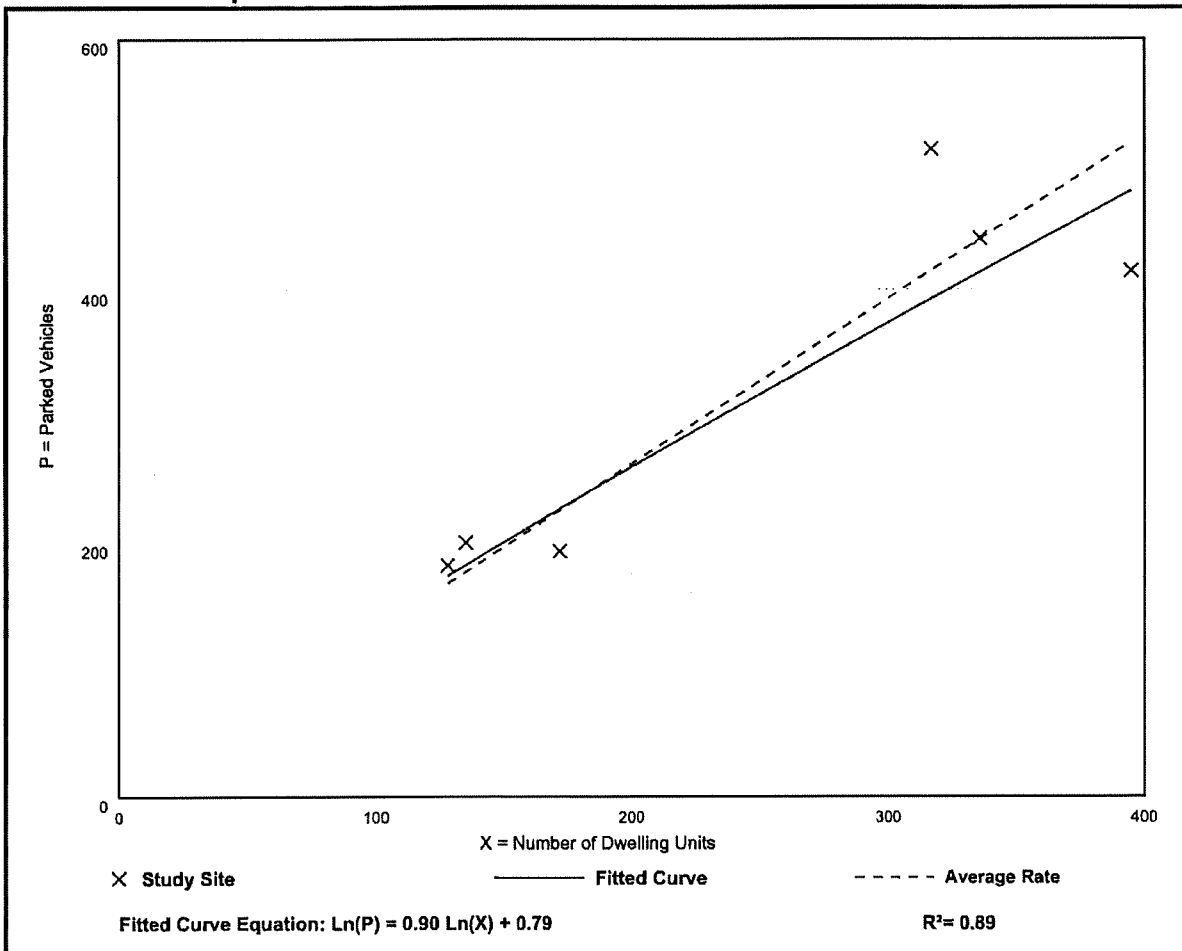
Number of Studies: 6

Avg. Num. of Dwelling Units: 247

Peak Period Parking Demand per Dwelling Unit

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
1.31	1.05 - 1.62	1.18 / 1.61	***	0.23 (18%)

Data Plot and Equation



Multifamily Housing (Low-Rise) (220)

Peak Period Parking Demand vs: Dwelling Units

On a: Sunday

Setting/Location: General Urban/Suburban (no nearby rail transit)

Peak Period of Parking Demand: 11:00 p.m. - 7:00 a.m.

Number of Studies: 1

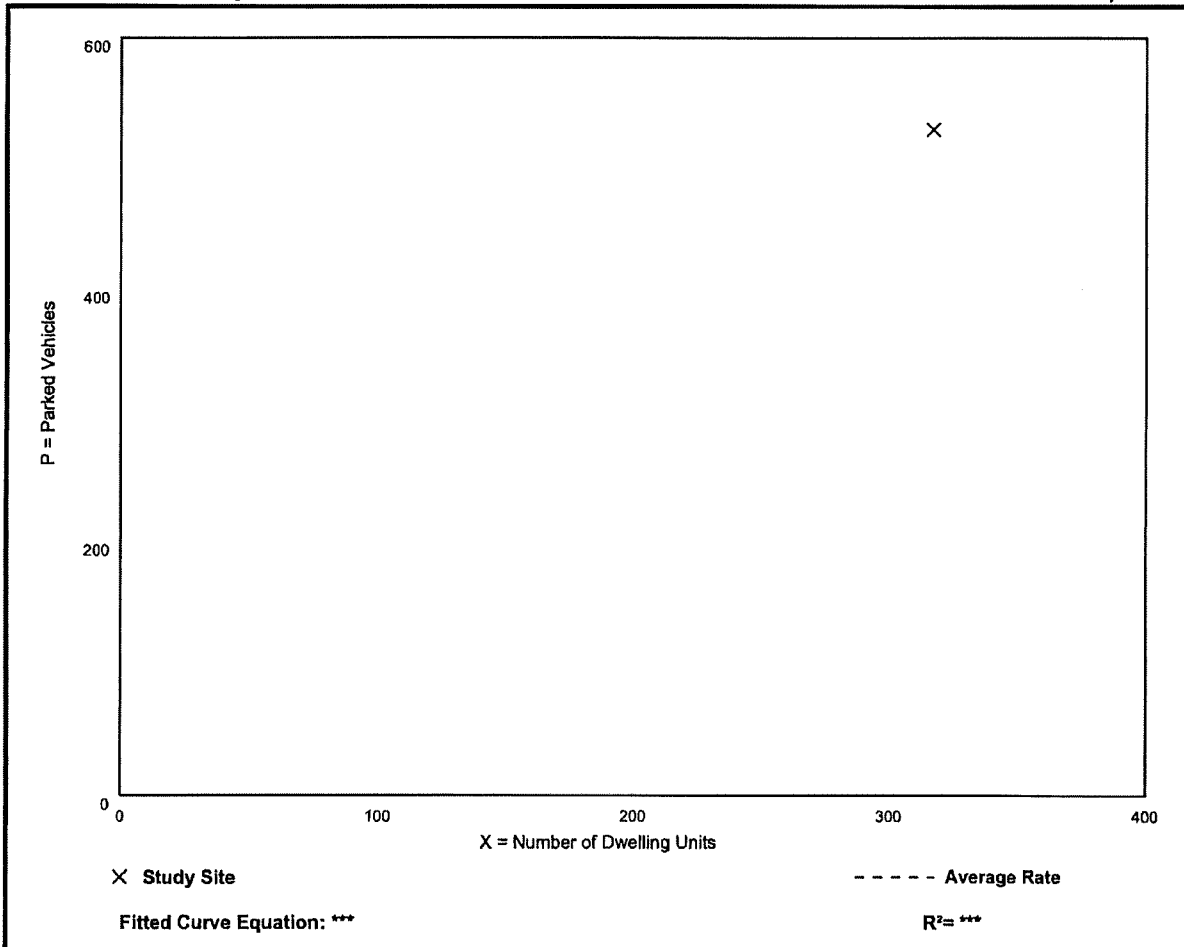
Avg. Num. of Dwelling Units: 317

Peak Period Parking Demand per Dwelling Unit

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
1.66	1.66 - 1.66	*** / ***	***	*** (***)

Data Plot and Equation

Caution – Small Sample Size



Multifamily Housing (Low-Rise) (220)

Peak Period Parking Demand vs: Bedrooms

On a: Weekday (Monday - Friday)

Setting/Location: General Urban/Suburban (no nearby rail transit)

Peak Period of Parking Demand: 11:00 p.m. - 6:00 a.m.

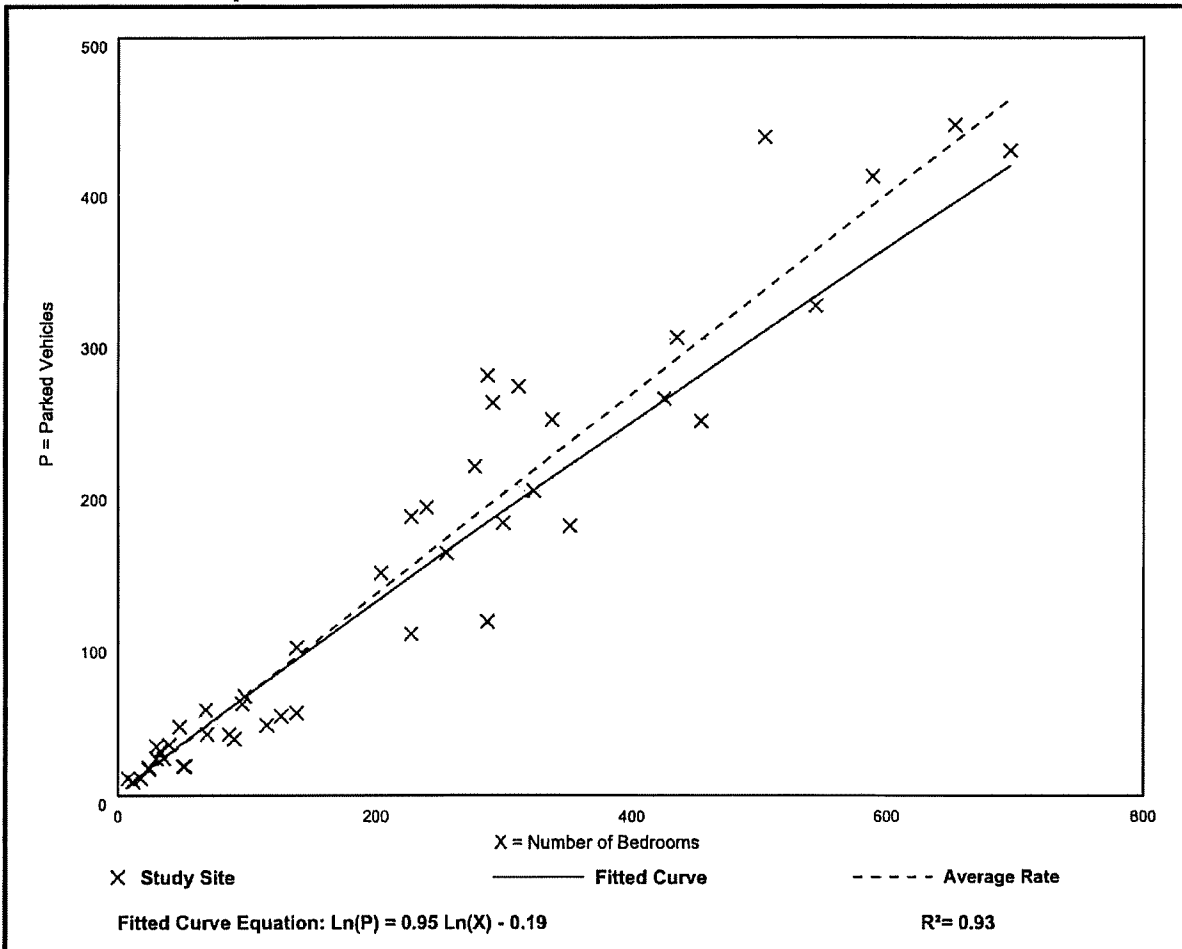
Number of Studies: 45

Avg. Num. of Bedrooms: 215

Peak Period Parking Demand per Bedroom

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.66	0.37 - 1.38	0.61 / 0.86	0.62 - 0.70	0.15 (23%)

Data Plot and Equation



Multifamily Housing (Low-Rise) (220)

Peak Period Parking Demand vs: Bedrooms

On a: Saturday

Setting/Location: General Urban/Suburban (no nearby rail transit)

Peak Period of Parking Demand: 11:00 p.m. - 7:00 a.m.

Number of Studies: 5

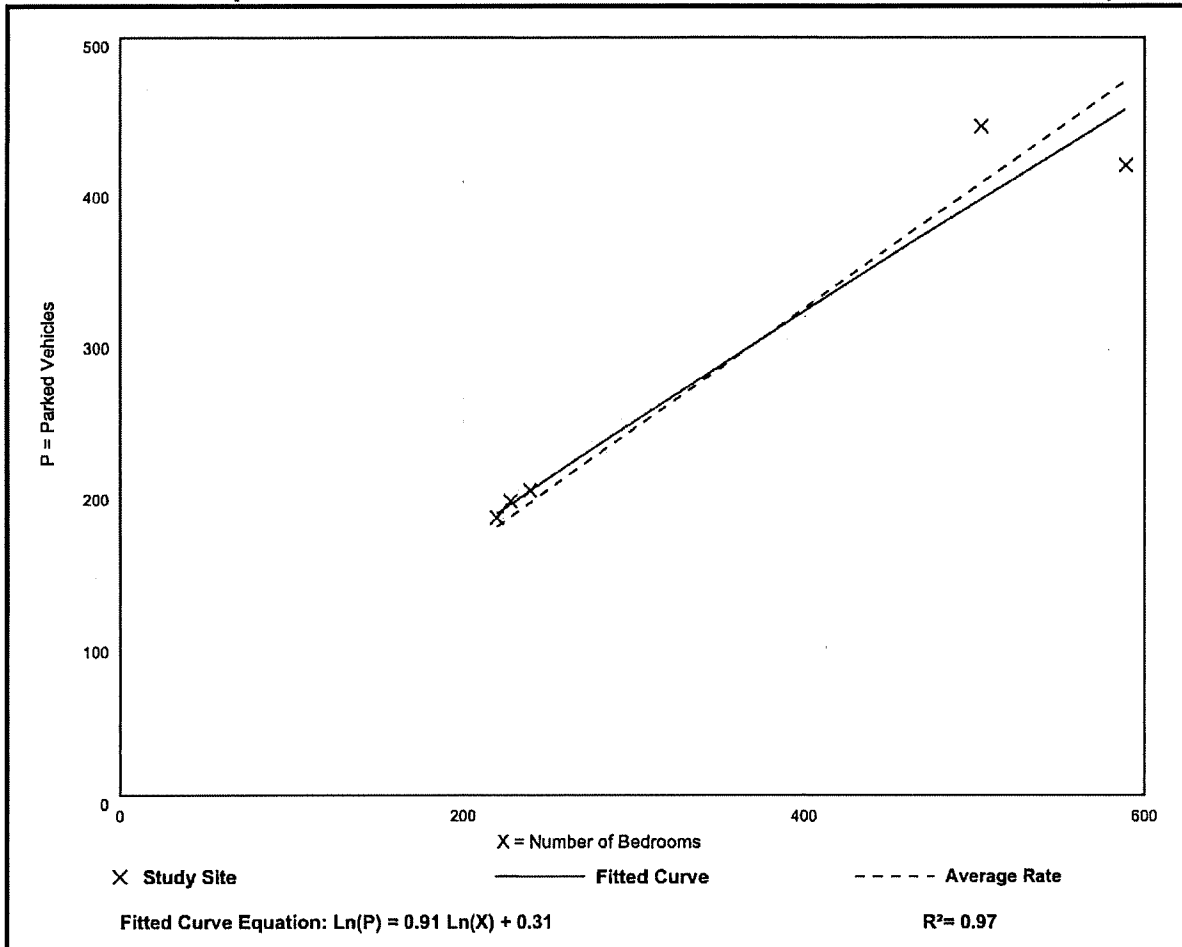
Avg. Num. of Bedrooms: 356

Peak Period Parking Demand per Bedroom

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.80	0.70 - 0.88	0.82 / 0.88	***	0.08 (10%)

Data Plot and Equation

Caution – Small Sample Size



**ITE PARKING GENERATION
MANUAL, 5th EDITION
LUC 221 – MULTI-FAMILY MID RISE**

Land Use: 221 Multifamily Housing (Mid-Rise)

Description

Mid-rise multifamily housing includes apartments, townhouses, and condominiums located within the same building with at least three other dwelling units and with between three and 10 levels (floors) of residence. Multifamily housing (low-rise) (Land Use 220), multifamily housing (high-rise) (Land Use 222), and affordable housing (Land Use 223) are related land uses.

Time of Day Distribution for Parking Demand

The following table presents a time-of-day distribution of parking demand on a weekday (one general urban/suburban study site), a Saturday (two general urban/suburban study sites), and a Sunday (one dense multi-use urban study site).

Hour Beginning	Percent of Peak Parking Demand		
	Weekday	Saturday	Sunday
12:00–4:00 a.m.	100	100	100
5:00 a.m.	94	99	–
6:00 a.m.	83	97	–
7:00 a.m.	71	95	–
8:00 a.m.	61	88	–
9:00 a.m.	55	83	–
10:00 a.m.	54	75	–
11:00 a.m.	53	71	–
12:00 p.m.	50	68	–
1:00 p.m.	49	66	33
2:00 p.m.	49	70	40
3:00 p.m.	50	69	27
4:00 p.m.	58	72	13
5:00 p.m.	64	74	33
6:00 p.m.	67	74	60
7:00 p.m.	70	73	67
8:00 p.m.	76	75	47
9:00 p.m.	83	78	53
10:00 p.m.	90	82	73
11:00 p.m.	93	88	93

Additional Data

In prior editions of *Parking Generation*, the mid-rise multifamily housing sites were further divided into rental and condominium categories. An investigation of parking demand data found no clear differences in parking demand between the rental and condominium sites within the ITE database. As more data are compiled for future editions, this land use classification can be reinvestigated.

The average parking supply ratios for the study sites with parking supply information are shown in the table below.

Setting	Proximity to Rail Transit	Parking Supply Ratio	
		Per Dwelling Unit	Per Bedroom
Center City Core	Within ½ mile of rail transit	1.1 (15 sites)	1.0 (12 sites)
Dense Multi-Use Urban	Within ½ mile of rail transit	1.2 (39 sites)	0.9 (34 sites)
	Not within ½ mile of rail transit	1.2 (65 sites)	0.8 (56 sites)
General Urban/Suburban	Within ½ mile of rail transit	1.5 (25 sites)	0.8 (12 sites)
	Not within ½ mile of rail transit	1.7 (62 sites)	1.0 (39 sites)

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in California, Colorado, District of Columbia, Maryland, Massachusetts, New Jersey, New York, Oregon, Virginia, Washington, and Wisconsin.

It is expected that the number of bedrooms and number of residents are likely correlated to the parking demand generated by a residential site. Parking studies of multifamily housing should attempt to obtain information on occupancy rate and on the mix of residential unit sizes (i.e., number of units by number of bedrooms at the site complex). Future parking studies should also indicate the number of levels contained in the residential building.

Source Numbers

21, 209, 247, 255, 277, 401, 402, 419, 505, 512, 522, 533, 535, 536, 537, 538, 545, 546, 547, 575, 576, 577, 579, 580, 581, 583, 584, 585, 587

Multifamily Housing (Mid-Rise) (221)

Peak Period Parking Demand vs: Dwelling Units

On a: Weekday (Monday - Friday)

Setting/Location: General Urban/Suburban (no nearby rail transit)

Peak Period of Parking Demand: 10:00 p.m. - 5:00 a.m.

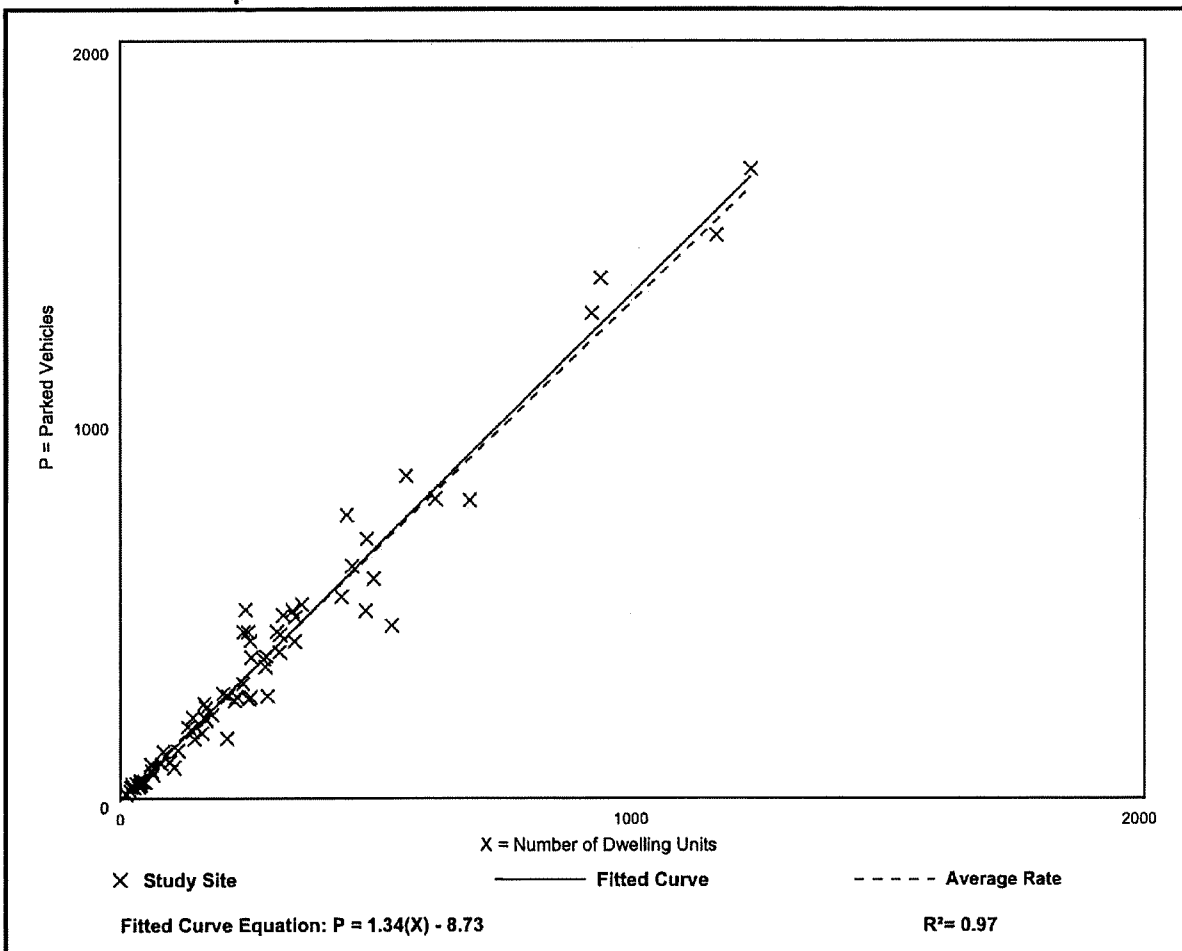
Number of Studies: 73

Avg. Num. of Dwelling Units: 261

Peak Period Parking Demand per Dwelling Unit

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
1.31	0.75 - 2.03	1.13 / 1.47	1.26 - 1.36	0.22 (17%)

Data Plot and Equation



Multifamily Housing (Mid-Rise) (221)

Peak Period Parking Demand vs: Dwelling Units

On a: Saturday

Setting/Location: General Urban/Suburban (no nearby rail transit)

Peak Period of Parking Demand: 11:00 p.m. - 7:00 a.m.

Number of Studies: 3

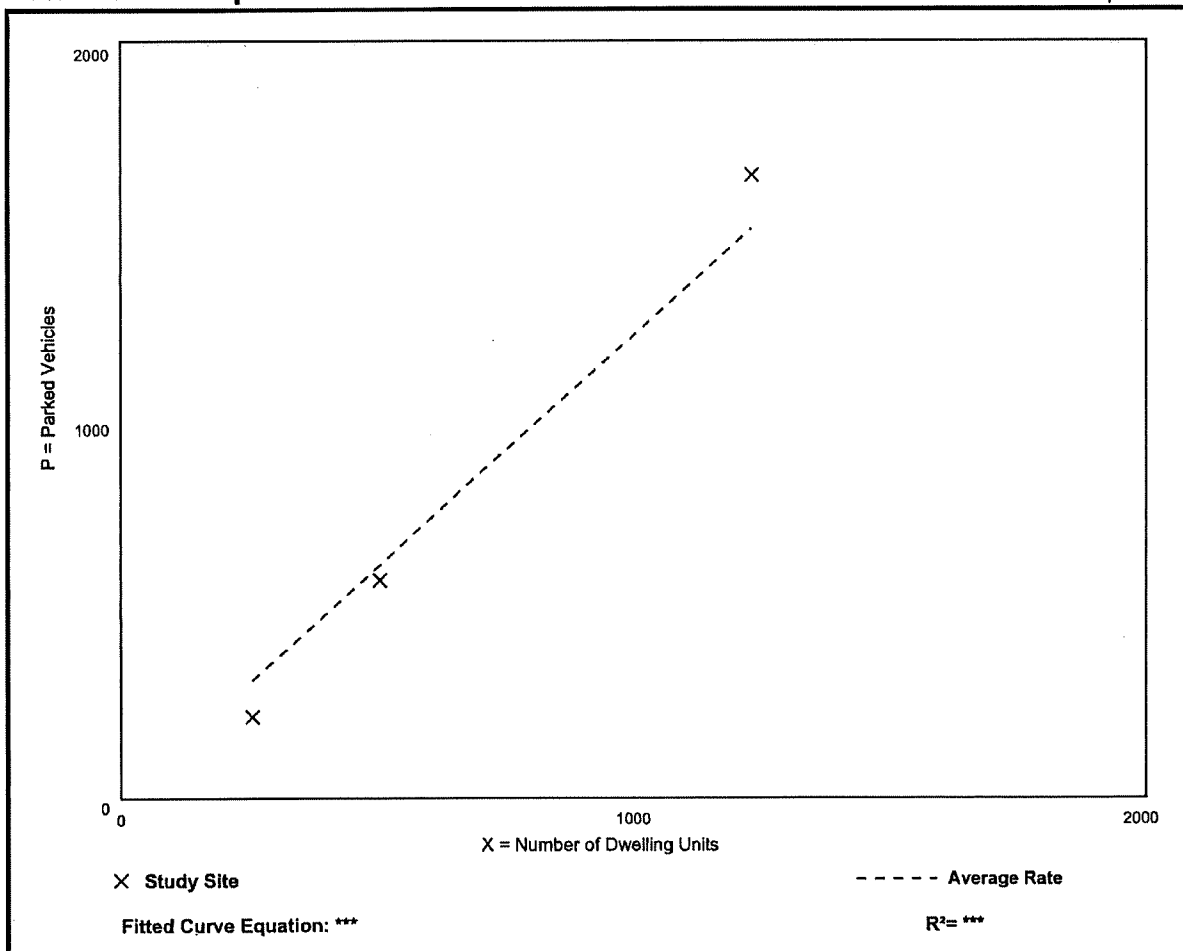
Avg. Num. of Dwelling Units: 665

Peak Period Parking Demand per Dwelling Unit

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
1.22	0.84 - 1.33	0.94 / 1.33	***	0.20 (16%)

Data Plot and Equation

Caution – Small Sample Size



Multifamily Housing (Mid-Rise) (221)

Peak Period Parking Demand vs: Dwelling Units

On a: Sunday

Setting/Location: General Urban/Suburban (no nearby rail transit)

Peak Period of Parking Demand: 11:00 p.m. - 7:00 a.m.

Number of Studies: 1

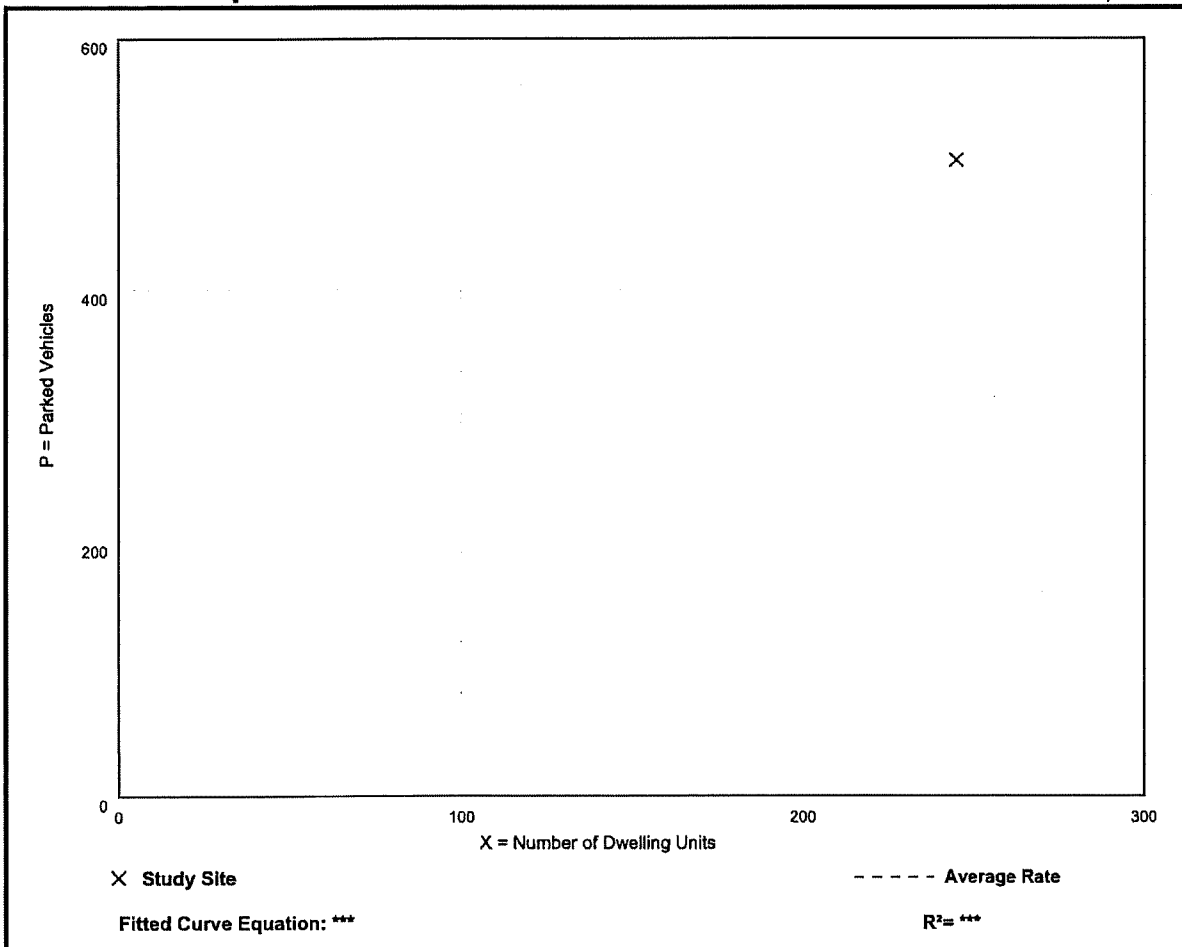
Avg. Num. of Dwelling Units: 245

Peak Period Parking Demand per Dwelling Unit

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
2.05	2.05 - 2.05	*** / ***	***	*** (***)

Data Plot and Equation

Caution – Small Sample Size



Multifamily Housing (Mid-Rise) (221)

Peak Period Parking Demand vs: Bedrooms

On a: Weekday (Monday - Friday)

Setting/Location: General Urban/Suburban (no nearby rail transit)

Peak Period of Parking Demand: 10:00 p.m. - 5:00 a.m.

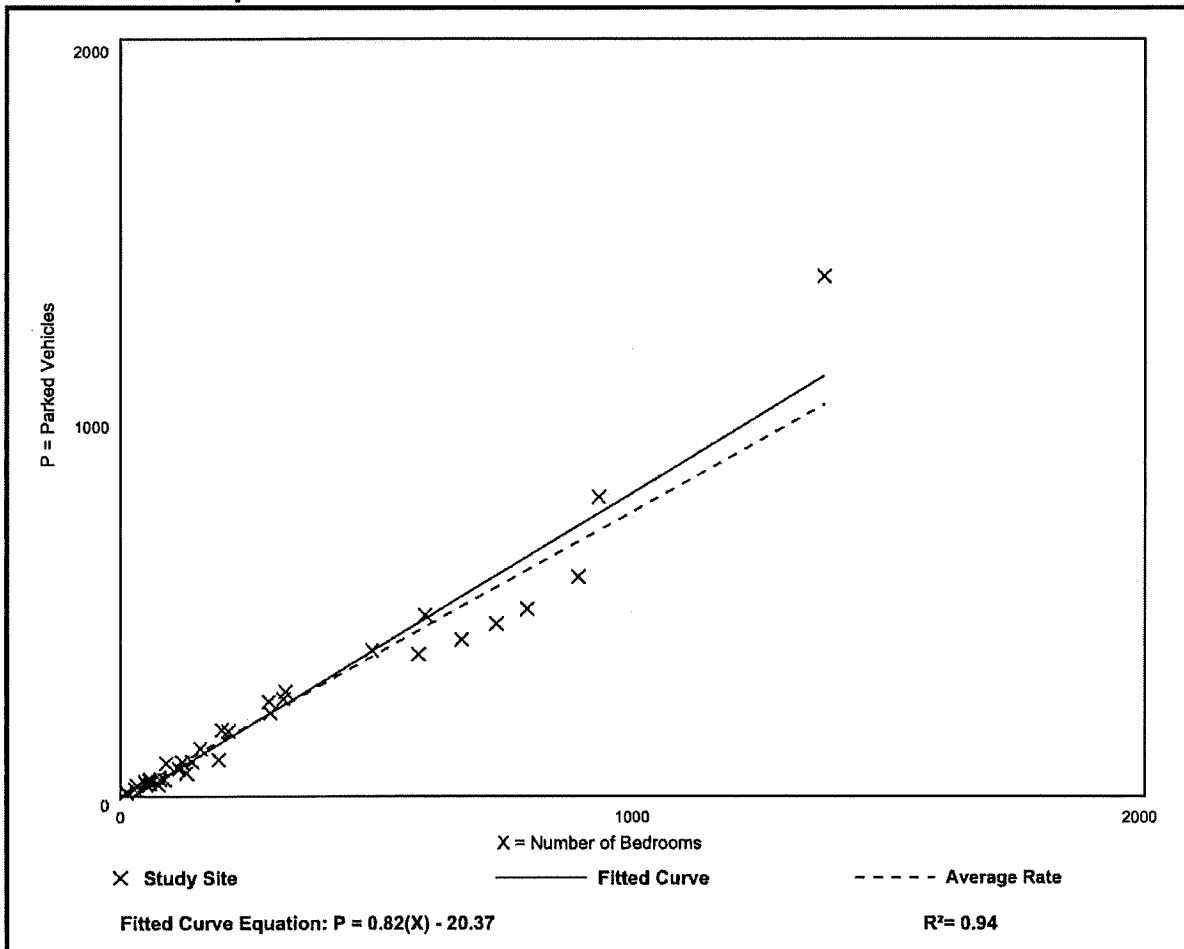
Number of Studies: 35

Avg. Num. of Bedrooms: 294

Peak Period Parking Demand per Bedroom

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.75	0.41 - 1.00	0.65 / 0.87	0.70 - 0.80	0.15 (20%)

Data Plot and Equation



Multifamily Housing (Mid-Rise) (221)

Peak Period Parking Demand vs: Bedrooms

On a: Saturday

Setting/Location: General Urban/Suburban (no nearby rail transit)

Peak Period of Parking Demand: 11:00 p.m. - 7:00 a.m.

Number of Studies: 1

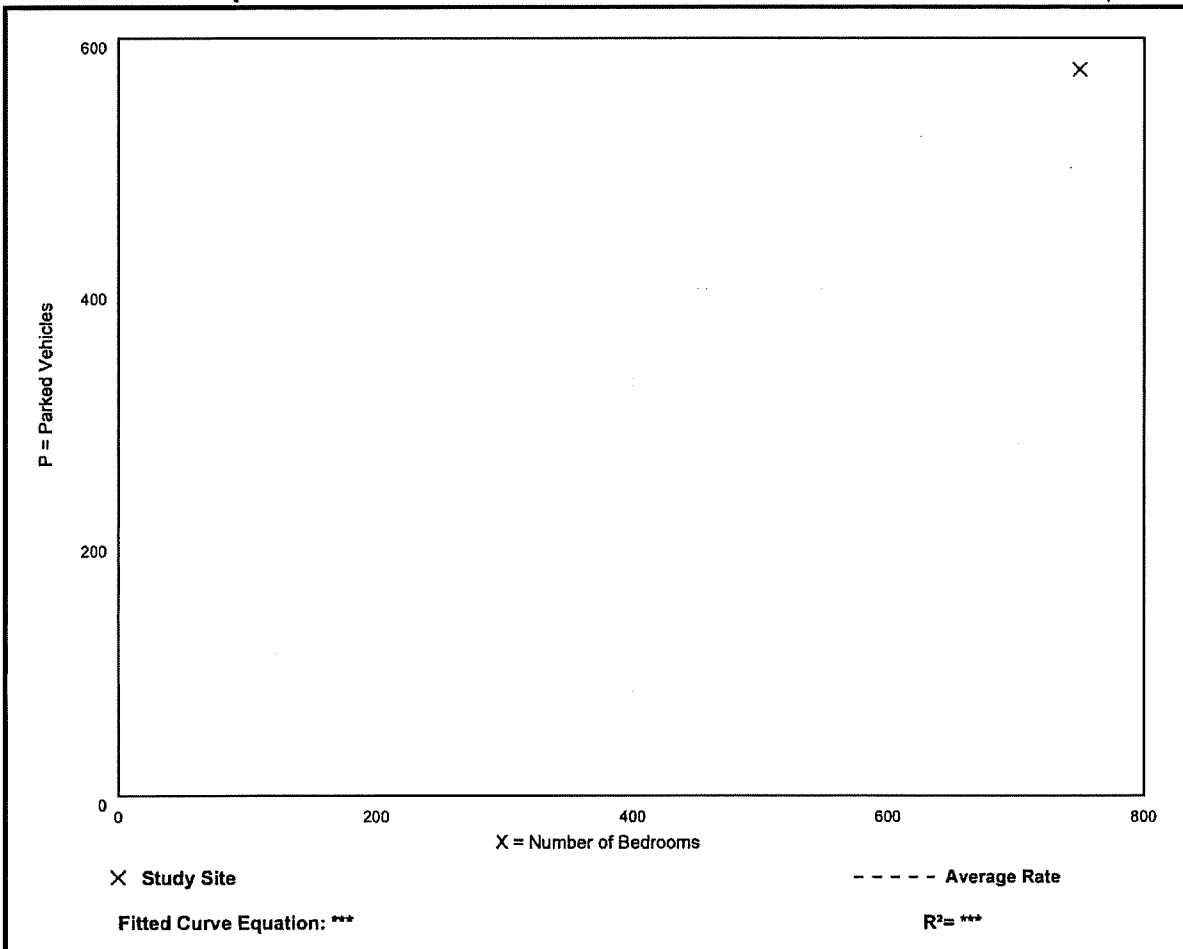
Avg. Num. of Bedrooms: 749

Peak Period Parking Demand per Bedroom

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.77	0.77 - 0.77	*** / ***	***	*** (***)

Data Plot and Equation

Caution – Small Sample Size





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

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

January 16, 2023

Mr. Dan DeLisi
DeLisi, Inc.
520 27th Street
West Palm Beach, FL 33407

RE: Alico Crossroads
DCI2022-00005

Dear Mr. DeLisi:

TR Transportation Consultants, Inc. has reviewed the comments issued by Development Services regarding the Parking Demand Study prepared for the Alico Crossroads project. The comments and TR Transportation's response to those comments are listed below for reference.

TIS Review:

1. *The study appears to indicate that the Decorum site contains 435 units, whereas the Lee County Property Appraiser website describes 436 units. Please review this and clarify the correct number of units (and the number of units by bedroom count as needed) contained within the site.*

Decorum has a total of 435 units. Attached to this response is the CoStar reports for each property which validate this conclusion, and provides a breakdown of units by bedroom count.

CoStar is a leading commercial real estate research firm that specializes in multifamily, commercial and industrial real estate. CoStar has a team of research professionals in every market which performs telephone surveys on a regular basis to verify unit mix, rental rates, concessions, occupancy and sales data. The last date the information was verified is shown just below the "unit mix" table for each project.

- 2) *The study appears to indicate that the Vive site contains four-story residential buildings, whereas the Lee County Property Appraiser website (and referenced aerial photographs) appear to show three-story buildings. Please review this and clarify the correct residential building height on the site.*

The Vive property is all four (4) story buildings. The attached CoStar report that validates this conclusion.

- 3) *The study appears to describe over a 20% higher average parking demand for the three sites surveyed in late March 2022 as compared to the average parking demand for the three sites surveyed in late April. Please explain in the analysis what factors may have contributed to this difference. Also, please explain why the requested parking rate of 1.75 spaces per unit is less than or equal to the maximum peak parking demand of three of the sites surveyed in late March.*

Parking data fluctuates. That is why multiple sites over multiple periods of time were selected for this study.

The Owner/Operator has requested a 1.75 space per unit parking ratio based on their unique experience operating rental communities. The Owner/Operator has engaged Greystar Real Estate Partners, the #1 apartment management company in the United States over the last 30 years. In 2022, Greystar managed 698,257 rental units across the Country. Because two data points were higher (one was exactly 1.75) than the requested 1.75 is not justification to say that 1.75 will not be sufficient to exceed the parking demand for this development.

- 4). *Please clarify if the time stated for each survey is the begin or end time of the survey and the duration of time of each survey if available.*

The times identified on the data collection sheets are the start time of the survey. Each survey took approximately 15 minutes to complete on each site, depending on the size of the property.

- 5) *The unit count by bedroom for the Longitude 81 site does not appear to sum to 260 total units (the total appears to sum to 256 units). Please review this and clarify the correct number of units by number of bedrooms on the site*

The 260 bedroom count is accurate based on the attached CoStar report.

- 6) *The Decorum, Vive, and Springs at Cape Coral survey data does not appear to include a full week and includes at least some times before midnight. Please explain why the data collection for this site was different in terms of days of week and survey times than those surveyed in late April 2022.*

The times were all similar, whether they occurred on some occasions before 12:00 midnight, there is not that much variation in data after 11:30 PM. One evening the survey was at 11:00 PM. ITE hourly variation only shows a 3% difference between the 11:00 PM hour and after Midnight.

- 7) *The Vive site data appears to describe one of the survey days as Saturday, March 25. However, this date falls on a Friday. Please review this and clarify the correct day and date of the survey.*

The survey did in fact end on the morning of Saturday, March 26th.

- 8) *The Vive site survey appears to indicate that the site contains 288 units, whereas the Lee County Property Appraiser website describes 252 units. Please review this and clarify the correct number of units (and the number of units by bedroom count) on the site.*

Per the attached CoStar report, 288 units is correct.

- 9) *Since sites were not surveyed continuously at least once per hour at times when parking demand was expected to be 80% of peak parking demand as recommended by ITE, please explain why the survey data was not adjusted to account for this if below 100% peak demand using the current ITE "percent of peak parking demand" data tables.*

All of the sites were surveyed after the hour of 11:00 PM, with 31 out of 36 data points on the survey collected after midnight, when ITE says the occupancy is 100%. The survey was not conducted to determine what the demand for multi-family was during the middle of the day, when parking demand is at the lowest. The surveys were done at the time of the peak demand. The only times in the ITE table referenced above where the demand is below 90% is between the hours of 7:00 AM and 10:00 PM. There were NO surveys conducted during these hours.

- 10) *For each survey site, please explain what the minimum lease period is, if seasonal leases (i.e. less than 6 months) are allowed, and, if so, the percentage of total units that are rented seasonally per year. Also, for each site, please explain if subletting units is allowed, and, if so, the percentage of total units that are sublet per year.*

A 12-month lease is standard in the market. Most owner/operators will only allow a min of 7-months on a 'short term' rental. There is no sub-letting permitted at these properties. Lease terms have no impact on parking demand and there is no rational nexus provided by County staff as to why it does.

- 11) *Please provide the maximum expected size of the residential amenity building for the proposed project as well as the number of parking spaces currently required by the Land Development Code for this expected use.*

The Owner/Operator has not finalized the size of the Amenity Center at this time. The residents are all within walking distance of the amenity use and will not require parking at the amenity center. The parking deviation request is for the entire property, all

inclusive of the unit parking, guest parking and amenity center parking. The demand study submitted surveyed all three parking demand elements of the multifamily product.

- 12) *Please provide the gross floor area of each residential amenity building for each site surveyed.*

This data is provided in the attached documentation either from site plans for each site or based on Appraisal data from the Lee County Property Appraiser.

- 13) *Please provide data and analysis that demonstrates that additional parking for residential amenity buildings is not justified. If no data and analysis is provided, please revise the request to remove a deviation from required parking for residential amenity buildings.*

The parking study submitted was for the entire property, including amenity center, guest parking, etc. The deviation request for 1.75 spaces per unit is for the ENTIRE site, inclusive of the guest parking and amenity center parking. You can't separate the two request in the study.

The amenity building parking is only used by guests during the day when the office building is open and the staff is conducting normal office hours to lease the apartments. During the evening hours, when the office is closed, the amenity is used by residents and guests, which was accounted for in the survey submitted to the County.

- 14) *Since the sites appeared to be surveyed late in or after the typical January-March peak visitor season, please revise the study to include data and analysis as to why the periods surveyed sufficiently account for guests that may be visiting building tenants. If no data and analysis is provided, please revise the request to remove a deviation from the required 10% additional parking spaces to allow for visiting guest parking.*

Again, these apartments don't do short term seasonal rentals. They are not impacted by peak season conditions. The parking characteristics of these communities is not impacted by peak season. These units are nearly 100% occupied all 12-months of the year. Providing 10% visitor parking is already built into the surveys. The Owner/Operator is providing additional recreation areas on-site rather than providing a sea of unused parking spaces.

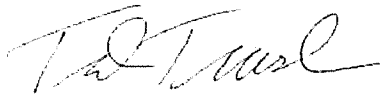
The collected data fully supports the request of providing a parking ratio of 1.75 parking spaces per unit for the multi-family development. Providing excess parking for the sake of "visitors" in peak season for a one-, two-, or three-bedroom apartment is already built into the model for these owners and operators when they develop and build properties all over the Country. Providing a total of 1.75 spaces per unit provides for excess parking to account for visitors that may stay overnight. Providing additional parking for the

Amenity Center that remains empty during the evening hours can be better utilized by decreasing impervious areas and increasing open space and providing for additional recreational areas on-site.

The attached CoStar reports, which are industry wide accepted reports, verify all the information that has been included in the Parking Demand Study and is attached for the County review.

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

Sincerely,



Ted B. Treesh, PTP
President

Attachments

SPRINGS AT SIX MILE
3,327 sq. ft. Amenity Center



Property Data

STRAP: 25-45-24-10-000MF.0000 Folio ID: 10569107

Generated on 1/16/2023 4:19 PM

Owner Of Record - Sole Owner

[\[Change Address\]](#)



CONTINENTAL 332 FUND LLC
W134 N8675 EXECUTIVE PKWY
MENOMONEE FALLS WI 53051

Site Address

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

5560-5614 SIX MILE COMMERCIAL CT
FORT MYERS FL 33912

SEE ALTERNATE ADDRESS INFORMATION SECTION BELOW

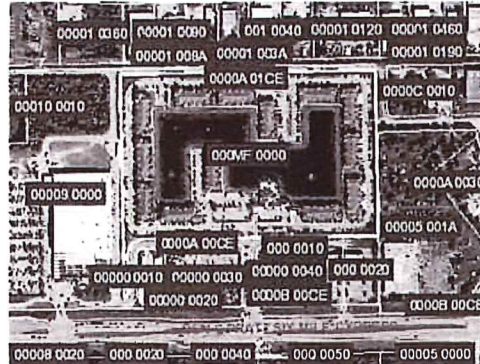
Property Description

Do not use for legal documents!



SIX MILE CROSSING AS DESC IN INST# 2015000032022 TRACT MF

[\[Tax Map Viewer\]](#) [\[View Comparables\]](#)



[\[Pictometry Aerial Viewer\]](#)



Current Working Values



Tax Roll Value Letter

Just

64,472,370

Attributes

Land Units Of Measure	UT
Units	288.00
Total Number of Buildings	19
Total Bedrooms / Bathrooms / Fixtures (multiple buildings, see Appraisal Details below)	506 / 492.0 / 4
Gross Building Area (multiple buildings, see Appraisal Details below)	11,294
1st Year Building on Tax Roll	2016
Historic Designation	No

Image of Structure



◀ Photo Date July of 2016 ▶ ☐ View other photos

Last Inspection Date: 02/20/2017

Exemptions / Classified Use (Current)

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Exemptions / Classified Use (2022 Tax Roll)

Generated on 1/16/2023 4:19 PM



Values (2022 Tax Roll)



Generated on 1/16/2023 4:19 PM

Taxing Authorities

Generated on 1/16/2023 4:19 PM

Sales / Transactions

Generated on 1/16/2023 4:19 PM

Building/Construction Permit Data

Generated on 1/16/2023 4:19 PM

Building Front Photo

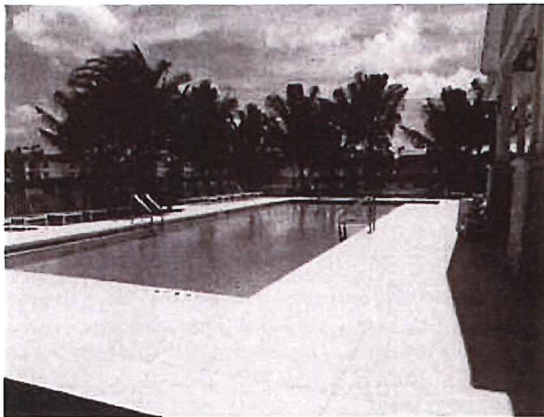
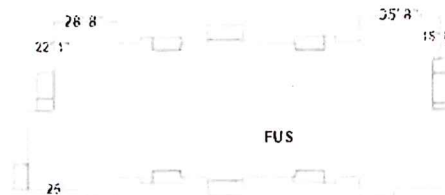


Photo Date: July of 2016

Building Footprint



Building 14 of 19

Building Characteristics

Improvement Type
74 - Health/Clubhouse
Bedrooms
0

Model Type
7 - Apt/Hotel/Clubs
Bathrooms
0.0

Stories
1.0
Year Built
2016

Living Units
0
Effective Year Built
2016

Building Subareas

Description	Heated / Under Air	Area (Sq Ft)
BAS - BASE	Y	3,327
FOP - FINISHED OPEN PORCH	N	503
FOP - FINISHED OPEN PORCH	N	97

Building Features

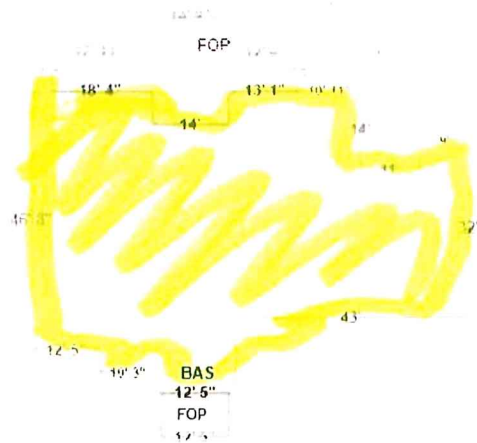
Description	Year Added	Units
POOL - COMMERCIAL	2016	1,340
PATIO - BRICK AND TILE	2016	4,490
UTILITY - FINISHED	2016	88
SPRINKLER SYSTEM (INTERIOR)	2016	3,327

Building Front Photo



Photo Date: July of 2016

Building Footprint



Building 15 of 19

Building Characteristics

Improvement Type
118 - Parking Garage
Bedrooms
0

Model Type
6 - Warehouse/Industrial
Bathrooms
0.0

Stories
1.0
Year Built
2016

Living Units
0
Effective Year Built
2016

Building Subareas

Description	Heated / Under Air	Area (Sq Ft)
BAS - BASE	Y	1,991

Building Features

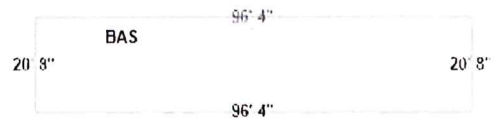
Description	Year Added	Units
OVERHEAD DOOR - SMALL LESS THAN 10X10	2016	8

Building Front Photo

[Front Photo](#)

Photo Date:

Building Footprint



Building 16 of 19

Building Characteristics

Improvement Type
118 - Parking Garage
Bedrooms
0

Model Type
6 - Warehouse/Industrial
Bathrooms
0.0

Stories
1.0
Year Built
2016

Living Units
0
Effective Year Built
2016

5560 Six Mile Commercial Ct - Springs at Six Mile Cypress



Marlin's Plaza
Apartments - Outer Central Lee
County Submarket
Fort Myers, FL 33912
[Website](#)

288 Units 150,000 SF GBA 2016 Built 6.7% Vacancy \$2,301 Asking Rent/Unit \$2.36 Asking Rent/SF

Building

Type 4 Star Garden Apartments
Center Marlin's Plaza
Location Suburban

Units 288 Year Built Aug 2016
Avg Unit Size 973 SF Constr Start Oct 2015
Stories 3 Class A

GBA 150,000 SF Construction Wood Frame
Typical Floor 44,000 SF Sprinklers Yes
of Buildings 13 Walk Up Yes
Units per Area 11/AC Metering Individually M...
Market Segment All
Rent Type Market

Walk Score® Car-Dependent (19)

Parking Type Spaces Cost
One-Car Garage Available \$125.00/month

Loan

This CMBS collateral is 1 of 10 which collateralize a \$411,165,000 loan. It has an allocation of \$35,753,478.

Collateral

Current Balance \$35,753,478 NOI \$3,169,847
Origination Bal... \$41,894,000 Debt Service \$1,439,716
% of Total Loan 9% NOI DSCR 2.2
of Collateral 10 NOI Date 12/31/2020
Pay Status Performing Units 288

Origination App... \$57,500,000
Origination LTV 72.9%
Appraisal Date 9/10/2019

Loan Terms

Origination Date 12/1/2019 Interest Rate 3.99%
Maturity Date 12/1/2029 Rate Type Fixed
Balloon Maturity Yes
Remaining Amort 384 Mos Interest Only Partial
Remaining Term 84 Mos Pay Frequency Monthly
Remaining IO 24 Mos

Prepayment Periods

Current Status Yield Maintenance

Yield Maint Remaining 80 Mos
Open Starts 8/2029
Open Duration 4 Mos

Portfolio Loan Detail	This Collateral	Total Loan	% of Total
Current Balance	\$35,753,478	\$411,165,000	9%
Origination Balance	\$41,894,000	\$411,165,000	10%
NOI	\$3,169,847	\$55,376,724	6%
NOI DSCR	2.2	4.46	-
Origination Apprai...	\$57,500,000	\$562,400,000	10%
Origination LTV	72.9%	73.1%	-
Debt Service	\$1,439,716	\$12,415,533	12%
# of Collateral	1	10	10%
# of CoStar Prope...	1	10	10%
Collateral Units	288	2,759	10%

Data Source: CMBS, Updated Dec 2022

Unit Mix

Beds	Units	Avg SF	Asking Rent/Unit	Asking Rent/SF	Concessions
Studio	40	589	\$1,619	\$2.75	0.7%
1	104	836	\$1,979	\$2.37	0.8%
2	118	1,135	\$2,701	\$2.38	0.8%
3	26	1,382	\$2,824	\$2.04	0.8%
Totals	288	973	\$2,301	\$2.36	0.7%

Updated January 4, 2023

Shopping Center

Type Strip Center Land Area 28.92 AC
GLA 14,660 SF # of Properties 2
Retail Avail 1,715 SF Year Built/Renov 2016
Avail. Spaces 1 Floors 1 - 3
% Leased 88.3%
Parking 92 Surface Spaces
Frontage Ben C Pratt 260'

Market Conditions

Vacancy Rates	Current	YOY Change
Submarket 3-5 Star	4.9%	↓ -5.2%
Subject Property	6.7%	↑ 0.6%
Market Overall	5.8%	↓ -0.8%
Market Rent Per Unit	Current	YOY Change
Submarket 3-5 Star	\$2,054	↑ 8.2%
Subject Property	\$2,301	↑ 22.8%
Market Overall	\$1,956	↑ 9.1%
Concessions	Current	YOY Change
Submarket 3-5 Star	0.5%	↓ -0.2%
Subject Property	0.7%	↑ 0.7%
Market Overall	0.5%	↓ -0.1%
Under Construction Units	Current	YOY Change
Market Overall	3,448	↑ 29.9%
Submarket Sales Activity	Current	Prev Year
12 Mo. Price Per Unit	\$302.59K	\$250.4K
12 Mo. Sales Volume	\$210.42M	\$385.59M

Property Contacts

True Owner Continental Properties Company, Inc.
Recorded Owner Continental 332 Fund, LLC
Owner Type Developer
Developer Continental Properties Company, Inc.
Property Manager Continental - Springs at Six Mile Cypress

Financials

Income	Sep 30 2021	2020	Per Unit
Gross Potential Rent	\$3,707,730	\$4,818,783	\$16,731.89
Vacancy/Collection Loss	(\$189,620)	(\$449,062)	(\$1,559.24)
Or			
Base Rent	-	-	-
Laundry/Vending Income	-	-	-
Parking Income	\$32,185	\$34,292	\$119.07
Other Income	\$477,275	\$615,730	\$2,137.95
Effective Gross Income	\$4,027,570	\$5,019,744	\$17,429.67

Operating Expenses

Real Estate Taxes	\$470,863	\$596,205	\$2,070.16
Property Insurance	\$116,217	\$146,887	\$510.03
Utilities	\$189,140	\$246,447	\$855.72
Repairs and Maintenance	\$153,887	\$166,920	\$579.58
Management Fees	\$120,829	\$150,592	\$522.89
Payroll & Benefits	\$282,387	\$376,349	\$1,306.77
Advertising & Marketing	\$38,227	\$53,018	\$184.09
Professional Fees	\$7,661	\$19,791	\$68.72
General & Administrative	\$102,735	\$93,687	\$325.30
Other Expenses	-	-	-
Ground Rent	-	-	-
Total Operating Expenses	\$1,481,946	\$1,849,897	\$6,423.25

Operating Expense Ratio (%) 36.80 36.85 36.85

Net Operating Income \$2,545,624 \$3,169,847 \$11,006.41

Capital Items

Capital Expenditures	-	\$51,264	\$178.00
Extraordinary Capital Expenditures	-	-	-
Total Capital Items	\$0	\$51,264	\$178.00

Net Cash Flow \$2,545,624 \$3,118,583 \$10,828.41

Data Source: CMBS, Updated Dec 2022

Land

Land Acres	26.28 AC	Land SF	1,144,757 SF
Bldg FAR	0.13		

Space Features

Unit Amenities	
Air Conditioning	Refrigerator
Dishwasher	Stainless Steel Appliances
Granite Countertops	Walk-In Closets
Patio	Washer/Dryer

Site Amenities	
Breakfast/Coffee Concierge	Pet Washing Station
Clubhouse	Pool
Fitness Center	

Public Transportation

Airport	Drive	Distance
Southwest Florida International Airport	20 min	9.0 mi
Naples Municipal Airport	50 min	33.3 mi

Demographics

	1 mile	3 miles	10 Min. Drive
Population	5,181	59,247	85,410
Households	2,639	28,322	39,499
Median Age	66.10	53.70	52.60
Median HH Income	\$59,478	\$59,177	\$57,203
Daytime Employees	6,963	42,397	34,767
Population Growth '22 - '27	↑ 15.00%	↑ 13.58%	↑ 8.80%
Household Growth '22 - '27	↑ 13.57%	↑ 12.48%	↑ 8.95%

Traffic

Collection Street	Cross Street	Traffic Vol	Last Mea...	Distance
Ben C Pratt Six Mil...	Independence Cir NE	35,011	2022	0.24 mi
Ben C Pratt Pky	S Tamiami Trl W	35,888	2022	0.28 mi
S Tamiami Trl	Ben C Pratt Pky S	46,415	2022	0.41 mi
S Tamiami Trl	Ben C Pratt Pky N	67,469	2022	0.46 mi
Gladiolus Dr	S Tamiami Trl E	38,871	2018	0.56 mi
South Cleveland Av...	S Tamiami Trl S	47,796	2022	0.62 mi
Metro Pky	Kryeton Ln N	10,240	2022	0.75 mi
South Tamiami Trail	Hendry Creek Dr SE	55,987	2022	0.82 mi
Metro Parkway	Endeavor Ln W	22,426	2022	0.89 mi
Ben C Pratt Pky	Molly Ln SW	17,387	2018	0.94 mi

Made with TrafficMetrix® Products

Public Record**2021 Assessment**

Improvements	\$39,284,864	\$136,405.78/Unit
Land	\$12,476,423	\$43,320.91/Unit
Total Value	\$51,761,287	\$179,726.69/Unit

Parcels 25-45-24-10-000MF.0000, 35-44-24-P3-00067.0020

Flood Risk

Flood Risk Area	High Risk Areas
FEMA Flood Zone	AE The base floodplain where base flood elevations are provided. AE Zones are now used on new format FIRMs instead of A1-A30 Zones.
Floodplain Area	100-year
In SFHA	Yes
FEMA Map Identifier	12071C0438G
FIRM ID	12071C
FIRM Panel Number	0438G
FEMA Map Date	Dec 7, 2018

About the Owner



Continental Properties Company, Inc

W134N8675 Executive Pky
Menomonee Falls, WI 53051
United States
(262) 502-5500 (p)
(262) 502-5522 (f)
www.cproperties.com
Since Sep 16, 2016

Continental Properties was started in 1979 by three 20-year-old college students: Jim Schloemer, Rich Bell, and Steve Wagner. Today, they're a multibillion-dollar development and property management company with projects across the United States. Continental is one of only a few companies to both develop and operate multifamily communities across the country.

Continental has been a leader in retail development for more than 40 years. Since the company's inception in 1979, they have grown from a small local developer to a national presence in retail development.

After more than a quarter century of developing exceptional multifamily and retail properties, Continental has added hospitality real estate to its development expertise, with the goal of becoming a leading developer and owner of full- and limited-service hotels nationwide.

Location

2nd Address	5560 Six Mile Commercial Ct
Zip	33912
Submarket	Outer Central Lee County
Submarket Cluster	Central Lee County
Location Type	Suburban
Market	Southwest Florida
County	Lee
State	Florida
CBSA	Cape Coral-Fort Myers, FL
DMA	Ft Myers-Naples, FL
Country	United States

Property ID: 9648194

Images



Primary Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo

LONGITUDE 81

4,476 sq. ft. Amenity Center

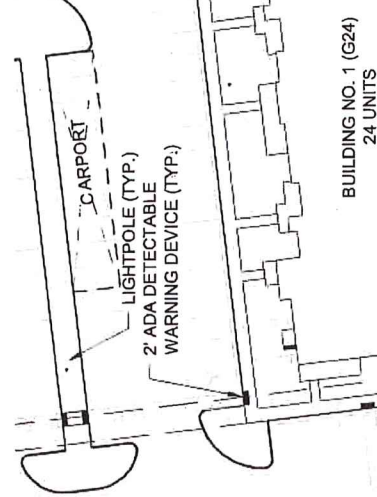
DOS2014-00026

BEN HILL GRIFFIN PARKWAY
(PUBLIC)

MINOR CHANGE M01

APPROVED
DOS2014-00026
Tom Sawtell, Development Review Representative
Division of Development Services
12/8/2014

ING LOT
(VATE)



4' MIN. FENCE
AROUND POOL

MAIL KIOSK
223 S.F.
HEIGHT: 10'-7"

PEDESTRIAN GATES
WITH CARD READERS

PARKING LOT
(PRIVATE)

ENTRY GATE
SEE NOTE 7.

PROJECT SIGNAGE

5' FENCE

TRASH COMPACTOR
AND RECYCLING
AREA, 701 S.F.
HEIGHT = 9'

GARAGE NO. 2
1,419 S.F.
HEIGHT = 14'-8"

CARD READER

(2) 12' LANES AND
(2) 12' TURN LANES

(2) 12' LANES

EX. CURB CUT

PROJECT SIGNAGE

(2) 11' LANES

(1) 11' LANE AND

385' ±

**GRANDE
OAKS
BLVD.**

MASTER SIT

DRAWING NOT VALID WITHOUT
© COPYRIGHT 2014, BARR/
REPRODUCTION, CHANGES OR A

FILE NAME 23229A10.DWG
LOCATION J:\23229\DWG\I
PLOT DATE THU. 11-6-2014
PLOT BY JOHN UDART

CROSS REFEREN
EXISTING = 23229A00E.DWG
PROFILE = 23229A00P.DWG
SECTIONS = 23229A00S.DWG

PLAN REV
1
3
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PLAN S

MINOR CHANG
DATE: 11

11221 Everblades Pky - Longitude 81



Longitude 81
 Apartments - Fort Myers Outlying
 Submarket
 Estero, FL 33928
[Website](#)

260 Units	223,423 SF GBA	2015 Built	2% Vacancy	\$2,102 Asking Rent/Unit	\$2.20 Asking Rent/SF
-----------	----------------	------------	------------	--------------------------	-----------------------

Sale

Sold Price	\$53,500,000 (\$205,769/Unit)
Date	Apr 2017
Sale Type	Investment
Financing	Down Payment of \$21,088,454 (37.75%)Unknown: Key Bank (4.3%)B

Building

Type	4 Star Low-Rise Apartments
Center	Longitude 81
Location	Suburban

Units	260	Year Built	Oct 2015
Avg Unit Size	953 SF	Constr Start	Mar 2014
Stories	2	Class	A

GBA	223,423 SF	Construction	Wood Frame
Typical Floor	98,306 SF	Sprinklers	Yes
# of Buildings	2	Walk Up	Yes
Market Segment	All	Metering	Individually M...
Rent Type	Market		

Walk Score®	Car-Dependent (45)
-------------	--------------------

Parking Ratio	0.78/Unit
---------------	-----------

Parking Type	Spaces
Covered	16

Loan**Collateral**

Current Balance	\$34,454,532	Units	260
Origination Bal...	\$34,775,000		
Pay Status	Performing		
Origination App...	\$53,500,000		
Origination LTV	65%		
Appraisal Date	1/1/2017		

Loan Terms

Origination Date	5/1/2017	Interest Rate	4.28%
Maturity Date	5/1/2027	Rate Type	Fixed
		Balloon Maturity	Yes
Remaining Amort	353 Mos	Interest Only	Partial
Remaining Term	53 Mos	Pay Frequency	Monthly
Remaining IO	0 Mos		

Prepayment Periods

Current Status	Yield Maintenance
----------------	-------------------

Yield Maint Remaining	46 Mos
Open Starts	10/2026
Open Duration	7 Mos

Data Source: CMBS, Updated Dec 2022

Unit Mix

Beds	Units	Avg SF	Asking Rent/Unit	Asking Rent/SF	Concessions
Studio	50	572	\$1,687	\$2.95	0.0%
1	81	833	\$1,830	\$2.20	0.0%
2	100	1,122	\$2,366	\$2.11	0.0%
3	29	1,370	\$2,668	\$1.95	0.0%
Totals	260	954	\$2,102	\$2.20	0.0%

Updated January 4, 2023

Market Conditions

Vacancy Rates	Current	YOY Change
Submarket 3-5 Star	5.2%	↓ -0.5%
Subject Property	2.0%	↑ 1.7%
Market Overall	5.8%	↓ -0.8%

Market Rent Per Unit	Current	YOY Change
Submarket 3-5 Star	\$2,192	↑ 11.1%
Subject Property	\$2,102	↑ 29.4%
Market Overall	\$1,956	↑ 9.1%

Concessions	Current	YOY Change
Submarket 3-5 Star	0.4%	↓ -0.4%
Subject Property	0.0%	↓ -0.3%
Market Overall	0.5%	↓ -0.1%

Under Construction Units

Market Overall	Current	YOY Change
	3,448	↑ 29.8%

Submarket Sales Activity

Current	Prev Year
12 Mo. Price Per Unit	\$316.2K
12 Mo. Sales Volume	\$498.16M
	\$271.43K
	\$208.83M

Property Contacts

True Owner	PASSCO Companies
Recorded Owner	Passco Longitude DST, LLC
Owner Type	Developer
Developer	Continental Properties Company, Inc.
Property Manager	RangeWater - Longitude 81

Demographics

	1 mile	3 miles
Population	7,768	43,007
Households	3,523	17,289
Median Age	53.30	47.10
Median HH Income	\$90,201	\$88,455
Daytime Employees	2,672	16,474
Population Growth '22 - '27	↑ 18.58%	↑ 15.74%
Household Growth '22 - '27	↑ 17.80%	↑ 15.48%

Space Features

Unit Amenities	
Air Conditioning	Refrigerator
Oven	Washer/Dryer
Range	Window Coverings
Site Amenities	
Car Wash Area	Pet Play Area
Clubhouse	Pool
Community-Wide WiFi	

Public Transportation

Airport	Drive	Distance
Southwest Florida International Airport	20 min	12.3 mi
Naples Municipal Airport	33 min	23.1 mi

About the Owner



PASSCO Companies

2050 Main St, Suite 650
Irvine, CA 92614
United States
(949) 442-1000 (p)
www.passco.com
Since Apr 28, 2017

Passco Companies, LLC is a nationally recognized market leader in the acquisition, development, and management of multifamily and commercial properties throughout the U.S.

Passco offers a full set of real estate services including asset and property management, leasing, as well as property development and construction. Headquartered in Irvine, California, Passco currently has \$3 billion assets under management across the country and is actively growing its portfolio in primary and secondary markets throughout the United States.

Location

Zip	33928
Submarket	Fort Myers Outlying
Submarket Cluster	Southern Lee County
Location Type	Suburban
Market	Southwest Florida
County	Lee
State	Florida
CBSA	Cape Coral-Fort Myers, FL
DMA	Ft Myers-Naples, FL
Country	United States

Traffic

Collection Street	Cross Street	Traffic Vol	Last Mea...	Distance
Ben Hill Griffin Pky	Grande Oak Blvd SE	3,818	2018	0.07 mi
Ben Hill Griffin Park...	Miromar Outlet Dr S	18,751	2022	0.16 mi
Corkscrew Road	Grande Oak Shopp...	20,793	2022	0.51 mi
Corkscrew Road	Miromar Outlet Dr NE	36,492	2022	0.55 mi
Corkscrew Rd	I-75 SW	6,771	2018	0.57 mi
Estero Parkway	Tiburon Way E	17,211	2022	0.58 mi
Corkscrew Rd	I- 75 S	10,577	2020	0.60 mi
Not Available	Not Available No	7,509	2020	0.63 mi
I- 75	Corkscrew Rd SE	10,500	2020	0.65 mi
Corkscrew Rd	I- 75 NW	10,000	2020	0.83 mi

Made with TrafficMetrix® Products

Public Record

Parcels 26-46-25-00-00001.1020

Flood Risk

Flood Risk Area	High Risk Areas
FEMA Flood Zone	AE The base floodplain where base flood elevations are provided. AE Zones are now used on new format FIRMs instead of A1-A30 Zones.
Floodplain Area	100-year
In SFHA	Yes
FEMA Map Identifier	12071C0584F
FIRM ID	12071C
FIRM Panel Number	0584F
FEMA Map Date	Aug 28, 2008

Property ID: 9565804

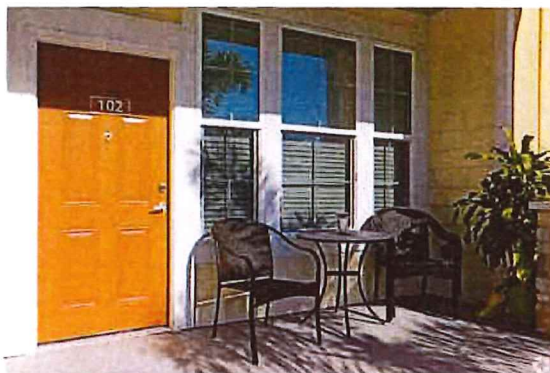
Images



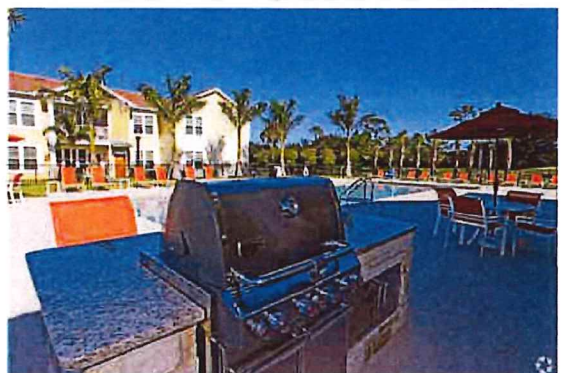
Primary Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



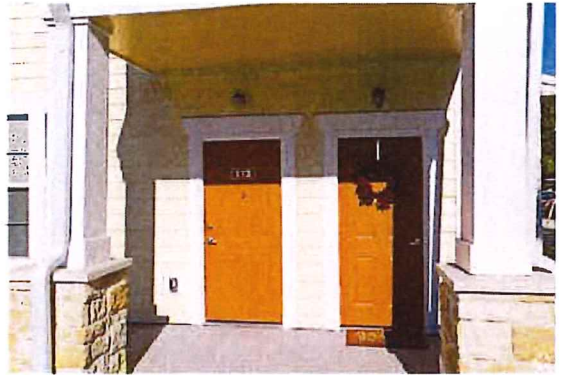
Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo

VENETIAN

5,422 sq. ft. Amenity Center

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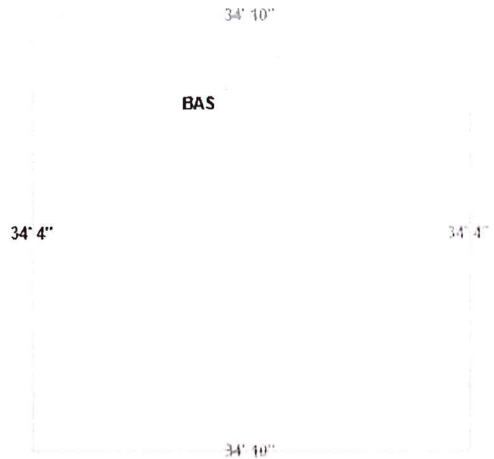
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Building Front Photo

 **Front Photo**

Photo Date:

Building Footprint



Building 20 of 20

Building Characteristics

Improvement Type
74 - Health/Clubhouse

Bedrooms

0

Model Type
7 - Apt/Hotel/Clubs

Bathrooms

0.0

Stories

1.0

Year Built

2018

Living Units

0

Effective Year Built

2018

Building Subareas

Description	Heated / Under Air	Area (Sq Ft)
BAS - BASE	Y	5,422
FOP - FINISHED OPEN PORCH	N	900
FOP - FINISHED OPEN PORCH	N	600

Building Features

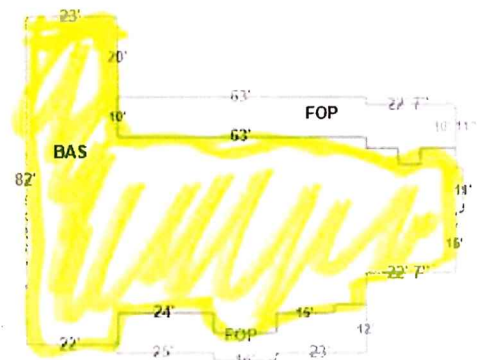
Description	Year Added	Units
POOL - COMMERCIAL	2018	1,895
GAZEBO	2018	560
PATIO - BRICK AND TILE	2018	5,070

Building Front Photo

 **Front Photo**

Photo Date:

Building Footprint



4051 Regata Way - Venetian



Apartments - Outer Central Lee
 County Submarket
 Fort Myers, FL 33916
[Website](#)

436 Units 348,800 SF GBA 2018 Built 1.8% Vacancy \$2,158 Asking Rent/Unit \$2.33 Asking Rent/SF

Building

Type 4 Star Garden Apartments
 Location Suburban
 Units 436
 Avg Unit Size 928 SF
 Stories 3
 Year Built Oct 2018
 Constr Start Oct 2015
 Class A

GBA 348,800 SF
 Typical Floor 116,267 SF
 # of Buildings 17
 Units per Area 18/AC
 Market Segment All
 Rent Type Market/Affordable
 Affordable Type Rent Restricted
 Walk Score® Car-Dependent (19)

Land

Land Acres 24.13 AC
 Bldg FAR 0.33
 Land SF 1,051,103 SF

Space Features

Unit Amenities
 Balcony
 Cable Ready
 Carpet
 Ceiling Fans
 Freezer
 Granite Countertops
 Heating
 Island Kitchen
 Kitchen
 Microwave
 Oven
 Patio
 Range
 Refrigerator
 Stainless Steel Appliances
 Tile Floors
 Tub/Shower
 Views
 Walk-In Closets
 Washer/Dryer
Site Amenities
 24 Hour Access
 Car Charging Station
 Clubhouse
 Fitness Center
 Gameroom
 Gated
 Grill
 Lake Access
 Online Services
 Pet Play Area
 Pet Washing Station
 Pool
 Property Manager on Site
 Wi-Fi

Public Transportation

Airport	Drive	Distance
Southwest Florida International Airport	18 min	9.8 mi

About the Owner

CAMDEN
 LAND PARTNERS, LLC
 1500 Cordova Rd, Suite 300
 Fort Lauderdale, FL 33316
 United States
 (954) 578-6008 (p)
 Since Apr 16, 2018

Unit Mix

Beds	Units	Avg SF	Asking Rent/Unit	Asking Rent/SF	Concessions
1	204	706	\$1,912	\$2.71	0.4%
2	192	1,092	\$2,312	\$2.12	0.4%
3	40	1,268	\$2,674	\$2.11	0.4%
Totals	436	928	\$2,158	\$2.33	0.4%

Updated January 4, 2023

Market Conditions

Vacancy Rates	Current	YOY Change
Submarket 3-5 Star	4.9%	↓ -5.2%
Subject Property	1.8%	↓ -0.2%
Market Overall	5.8%	↓ -0.8%

Market Rent Per Unit

Submarket 3-5 Star	\$2,054	↑ 8.2%
Subject Property	\$2,158	↑ 15.7%
Market Overall	\$1,956	↑ 9.1%

Concessions

Submarket 3-5 Star	0.5%	↓ -0.2%
Subject Property	0.4%	↑ 0.4%
Market Overall	0.5%	↓ -0.1%

Under Construction Units

Market Overall	3,448	↑ 29.8%
----------------	-------	---------

Submarket Sales Activity

	Current	Prev Year
12 Mo. Price Per Unit	\$302.59K	\$250.4K
12 Mo. Sales Volume	\$210.42M	\$385.59M

Property Contacts

True Owner	Camden Land Partners, LLC
Recorded Owner	Venetian Multi Family, LLC
Owner Type	Developer
Property Manager	Lincoln - Venetian

Demographics

	1 mile	3 miles
Population	8,089	54,354
Households	3,276	21,017
Median Age	37.10	39.50
Median HH Income	\$50,650	\$49,468
Daytime Employees	3,629	46,083

Population Growth '22 - '27	↑ 18.67%	↑ 15.89%
Household Growth '22 - '27	↑ 17.49%	↑ 14.88%

1/5/23, 11:45 AM

4051 Regata Way - Venetian | CoStar

Location

2nd Address	4050 Winkler Ave
Zip	33916
Submarket	Outer Central Lee County
Submarket Cluster	Central Lee County
Location Type	Suburban
Market	Southwest Florida
County	Lee
State	Florida
CBSA	Cape Coral-Fort Myers, FL
DMA	Ft Myers-Naples, FL
Country	United States

Traffic

Collection Street	Cross Street	Traffic Vol	Last Mea.	Distance
Winkler Ave	Arcadia St NW	13,163	2018	0.29 mi
Colonial Boulevard	Colonial Blvd NE	52,506	2022	0.33 mi
Colonial Blvd	Challenger Blvd SW	48,225	2022	0.39 mi
Winkler Ave	Colonial Blvd NW	2,334	2018	0.55 mi
Challenger Blvd	Colonial Blvd NW	1,806	2018	0.57 mi
Winkler Avenue	Wilmont Pl NE	23,918	2022	0.59 mi
Colonial Blvd	Walmart Plz E	73,625	2022	0.60 mi
Colonial Boulevard	Walmart Plz E	71,500	2020	0.66 mi
Colonial Boulevard	Colonial Blvd E	79,867	2022	0.66 mi
Challenger Boulevard	Challenger Blvd NE	2,556	2022	0.72 mi

Made with TrafficMetrix® Products

Public Record**2021 Assessment**

Improvements	\$62,610,941	\$143,603.08/Unit
Land	\$7,390,674	\$16,951.09/Unit
Total Value	\$70,001,615	\$160,554.16/Unit

Parcels 32-44-25-P2-00063.0030, 32-44-25-P2-00064.0000

Flood Risk

Flood Risk Area	High Risk Areas
FEMA Flood Zone	AH Areas with a 1% annual chance of shallow flooding, usually in the form of a pond, with an average depth ranging from 1 to 3 feet. These areas have a 26% chance of flooding over the life of a 30-year mortgage.
Floodplain Area	100-year
In SFHA	Yes
FEMA Map Identifier	12071C0427G
FIRM ID	12071C
FIRM Panel Number	0427G
FEMA Map Date	Dec 7, 2018

Property ID: 9197263

Images



Primary Photo



Building Photo



Building Photo



Lake View



Modern Kitchens



Building Photo



Two Tone Cabinetry Accents the Kitchen Space



Community Clubhouse on Site



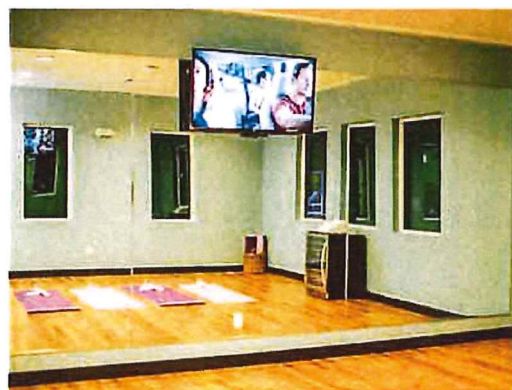
Open Spacious Floor Plans



Abundant Overhead Lighting



Entertainment Kitchens Open to the Living R...



Yoga Studio



Hot Tub and Sun Deck



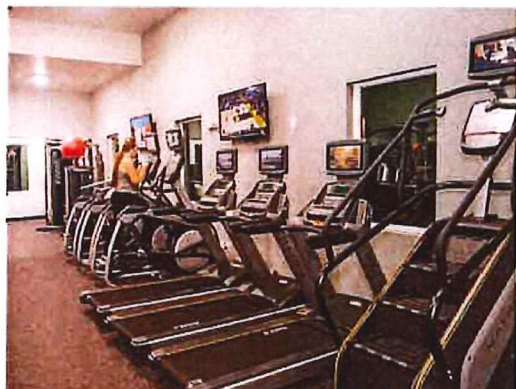
Gaming and Billiards Area



Gaming Room with Entertainment Lounge



Fitness Center with Cardio Machines and Media



Fitness Stair Climber, Treadmills, and Elliptica...



Fitness Center on Site

DECORUM

11,012 sq. ft. Amenity Center



Previous Parcel Number Next Parcel Number Taxable Accounts Tax Exemption Tax Coll. Rate

Property Data

STRAP: 33-44-25-P3-00070.0000 Folio ID: 10583211

Generated on 1/16/2023 4:12 PM

Owner Of Record - Sole Owner

[\[Change Address\]](#)

SIX MILE APARTMENTS LLC
ONE TEXAS STATION CT STE 200
TIMONIUM MD 21093

Site Address

Site Address maintained by E911 Program Addressing

9851 DECORUM DR
FORT MYERS FL 33966

[\[Tax Map Viewer\]](#) [\[View Comparables\]](#)



[\[Pictometry Aerial Viewer\]](#)

SEE ALTERNATE ADDRESS INFORMATION SECTION BELOW

Property Description

Do not use for legal documents!

SAN BERMIO GARDENS UNIT 1 PB 7 PG 26 THAT PART DESC IN
OR 1686 PG 2433 + N 125 FT OF NE 1/4 OF SE 1/4 DESC IN
INST#2007-34967 LESS INST#2008000106000

Current Working Values

Tax Roll Value Letter

Just

97,873,245

Attributes

Land Units Of Measure ① UT
Units ① 436.00
Total Number of Buildings 8
Total Bedrooms / Bathrooms / Fixtures (multiple buildings, 750 / 728.0 /
see Appraisal Details below) 21
Gross Building Area (multiple buildings, see Appraisal 458,466
Details below) ①
1st Year Building on Tax Roll ① 2019
Historic Designation No

Image of Structure



◀ Photo Date August of 2019 ▶ ☐ View other photos

Last Inspection Date: 08/02/2019

Exemptions / Classified Use (Current)

Generated on 1/16/2023 4:12 PM

Exemptions / Classified Use (2022 Tax Roll)

Generated on 1/16/2023 4:12 PM

Values (2022 Tax Roll)

Generated on 1/16/2023 4:12 PM

Taxing Authorities

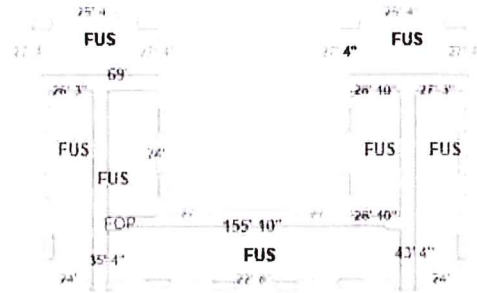
Generated on 1/16/2023 4:12 PM

Sales / Transactions ①

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Building/Construction Permit Data

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Building 7 of 8

Building Characteristics

Improvement Type	Model Type	Stories	Living Units
74 - Health/Clubhouse	7 - Apt/Hotel/Clubs	1.0	0
Bedrooms	Bathrooms	Year Built	Effective Year Built
0	0.0	2019	2019

Building Subareas

Description	Heated / Under Air	Area (Sq Ft)
AOF - AVERAGE OFFICE	Y	2,514
BAS - BASE	Y	4,334
BAS - BASE	Y	4,164
FGR - FINISHED GARAGE	N	309
FOP - FINISHED OPEN PORCH	N	5,623
FOP - FINISHED OPEN PORCH	N	151
SFB - SEMI-FINISHED BASE	Y	1,280

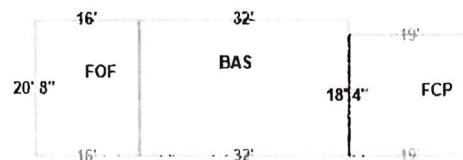
Building Features

Description	Year Added	Units
GARAGE - CONCRETE	2019	1,839
GARAGE - CONCRETE	2019	1,839
POOL - COMMERCIAL	2019	3,900
PATIO - BRICK AND TILE	2019	15,100
GAZEBO	2019	220
GAZEBO	2019	220
GAZEBO	2019	220
GAZEBO	2019	220

Photo Date:

2

Photo Date:



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9851 Decorum Dr - Decorum



Apartments - Outer Central Lee
 County Submarket
 Fort Myers, FL 33966
[Website](#)

435 Units	458,466 SF GBA	2019 Built	3.4% Vacancy	\$2,626 Asking Rent/Unit	\$2.44 Asking Rent/SF
-----------	----------------	------------	--------------	--------------------------	-----------------------

Building

Type	5 Star Mid-Rise Apartments		
Location	Suburban		
Units	435	Year Built	Aug 2019
Avg Unit Size	1,077 SF	Constr Start	Jul 2018
Stories	4	Class	A
GBA	458,466 SF	Elevators	9
Typical Floor	20,294 SF		
# of Buildings	6		
Units per Area	11/AC		
Market Segment	All		
Rent Type	Market		
Walk Score®	Car-Dependent (39)		

Land

Land Acres	38.57 AC	Land SF	1,680,109 SF
Bldg FAR	0.27		

Space Features

Unit Amenities	
Air Conditioning	Patio
Cable Ready	Range
Carpet	Refrigerator
Dishwasher	Stainless Steel Appliances
Disposal	Trash Compactor
Granite Countertops	Tub/Shower
Handrails	Vinyl Flooring
Heating	Walk-In Closets
High Speed Internet Access	Warming Drawer
Ice Maker	Washer/Dryer
Kitchen	Wheelchair Accessible (Rooms)
Microwave	Window Coverings
Oven	
Site Amenities	
24 Hour Access	Maintenance on site
Cabana	Online Services
Clubhouse	Pool
Conference Rooms	Private Bathroom
Controlled Access	Property Manager on Site
Elevator	Renters Insurance Program
Fitness Center	Tenant Controlled HVAC
Gated	Trash Pickup - Curbside
Grill	Vision Impaired Accessible
Hearing Impaired Accessible	Zen Garden
Individual Locking Bedrooms	

Public Transportation

Airport	Drive	Distance
Southwest Florida International Airport	17 min	9.6 mi

Unit Mix

Beds	Units	Avg SF	Asking Rent/Unit	Asking Rent/SF	Concessions
Studio	24	638	\$1,941	\$3.04	0.0%
1	120	885	\$2,230	\$2.52	0.0%
2	243	1,142	\$2,798	\$2.45	0.0%
3	48	1,443	\$3,086	\$2.14	0.0%
Totals	435	1,077	\$2,626	\$2.44	0.0%

Updated January 4, 2023

Market Conditions

Vacancy Rates	Current	YOY Change
Submarket 4-5 Star	3.9%	↓ -7.2%
Subject Property	3.4%	↓ -1.5%
Market Overall	5.8%	↓ -0.8%

Market Rent Per Unit

Submarket 4-5 Star	\$2,116	↑ 3.4%
Subject Property	\$2,626	↑ 7.4%
Market Overall	\$1,956	↑ 9.1%

Concessions

Submarket 4-5 Star	0.7%	↓ -0.2%
Subject Property	0.0%	↔ 0.0%
Market Overall	0.5%	↓ -0.1%

Under Construction Units

Market Overall	3,448	↑ 29.8%
----------------	-------	---------

Submarket Sales Activity

	Current	Prev Year
12 Mo. Price Per Unit	\$302.59K	\$250.4K
12 Mo. Sales Volume	\$210.42M	\$385.59M

Property Contacts

True Owner	Knott Realty Group
Recorded Owner	Six Mile Apartments LLC
Owner Type	Developer
Developer	Knott Realty Group
Property Manager	Greystar - Decorum
Architect	Forum Architecture & Interior Design, Inc.

Demographics

	1 mile	3 miles
Population	5,774	43,883
Households	2,317	17,971
Median Age	46.40	44.50
Median HH Income	\$88,793	\$70,239
Daytime Employees	3,892	27,969

Population Growth '22 - '27	↑ 18.27%	↑ 18.35%
Household Growth '22 - '27	↑ 17.31%	↑ 17.34%

About the Owner**Knott Realty Group**

1 Texas Station Ct
 Timonium, MD 21093
 United States
 (443) 689-8000 (p)
 (443) 689-8008 (f)
www.knottrealty.com
 Since Jun 21, 2019

Knott is a real estate organization that continues to grow by developing, building and maintaining quality products built on a foundation of integrity and trust. We uphold a tradition of service to our community, our clients and our family of employees. Built on a mission that makes "Striving to Set the Standard for Excellence and Service" a top priority, we pride ourselves on placing the needs of our clients above all else. We choose locations that provide optimal experiences for our tenants. We offer competitive rates that support the bottom line. We have the internal resources that efficiently function to help our tenants get business done.

About the Architect**Forum Architecture & Interior Design**

237 S Westmonte Dr, Suite 220
 Altamonte Springs, FL 32714
 United States
 (407) 830-1400 (p)
 (407) 830-4143 (f)
www.forumarchitecture.com

Forum Architecture & Interior Design is a full-service commercial and residential architectural firm specializing in planning, architecture, and interior design throughout the United States. As a recognized national leader and award-winning design firm, Forum is committed to offering clients exceptional design with superior collaboration and outstanding value.

Location

Zip	33966
Submarket	Outer Central Lee County
Submarket Cluster	Central Lee County
Location Type	Suburban
Market	Southwest Florida
County	Lee
State	Florida
CBSA	Cape Coral-Fort Myers, FL
DMA	Ft Myers-Naples, FL
Country	United States

Traffic

Collection Street	Cross Street	Traffic Vol	Last Mea.	Distance
Winkler Avenue	Colonial Lakes B S	5,351	2022	0.58 mi
I-75	Colonial Blvd N	74,578	2022	0.60 mi
Challenger Boulevard	Challenger Blvd NE	2,556	2022	0.71 mi
Ben C Pratt Pky	Rolfes Rd N	9,707	2018	0.76 mi
Winkler Ave	Colonial Blvd NW	2,334	2018	0.85 mi
I-75	Colonial Blvd N	13,500	2020	0.88 mi
I-75	Colonial Blvd NW	14,000	2020	0.91 mi
Colonial Blvd	Rolfes Rd E	75,604	2022	0.93 mi
I-75	Colonial Blvd W	9,872	2020	1.02 mi
Colonial Boulevard	Walmart Plz E	71,500	2020	1.02 mi

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Public Record

Parcels 33-44-25-P3-00070.0000

Flood Risk

Flood Risk Area	High Risk Areas
FEMA Flood Zone	AE The base floodplain where base flood elevations are provided. AE Zones are now used on new format FIRMs instead of A1-A30 Zones.
Floodplain Area	100-year
In SFHA	Yes
FEMA Map Identifier	12071C0431G
FIRM ID	12071C
FIRM Panel Number	0431G
FEMA Map Date	Dec 7, 2018

Property ID: 10816174

Images



Primary Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



Building Photo



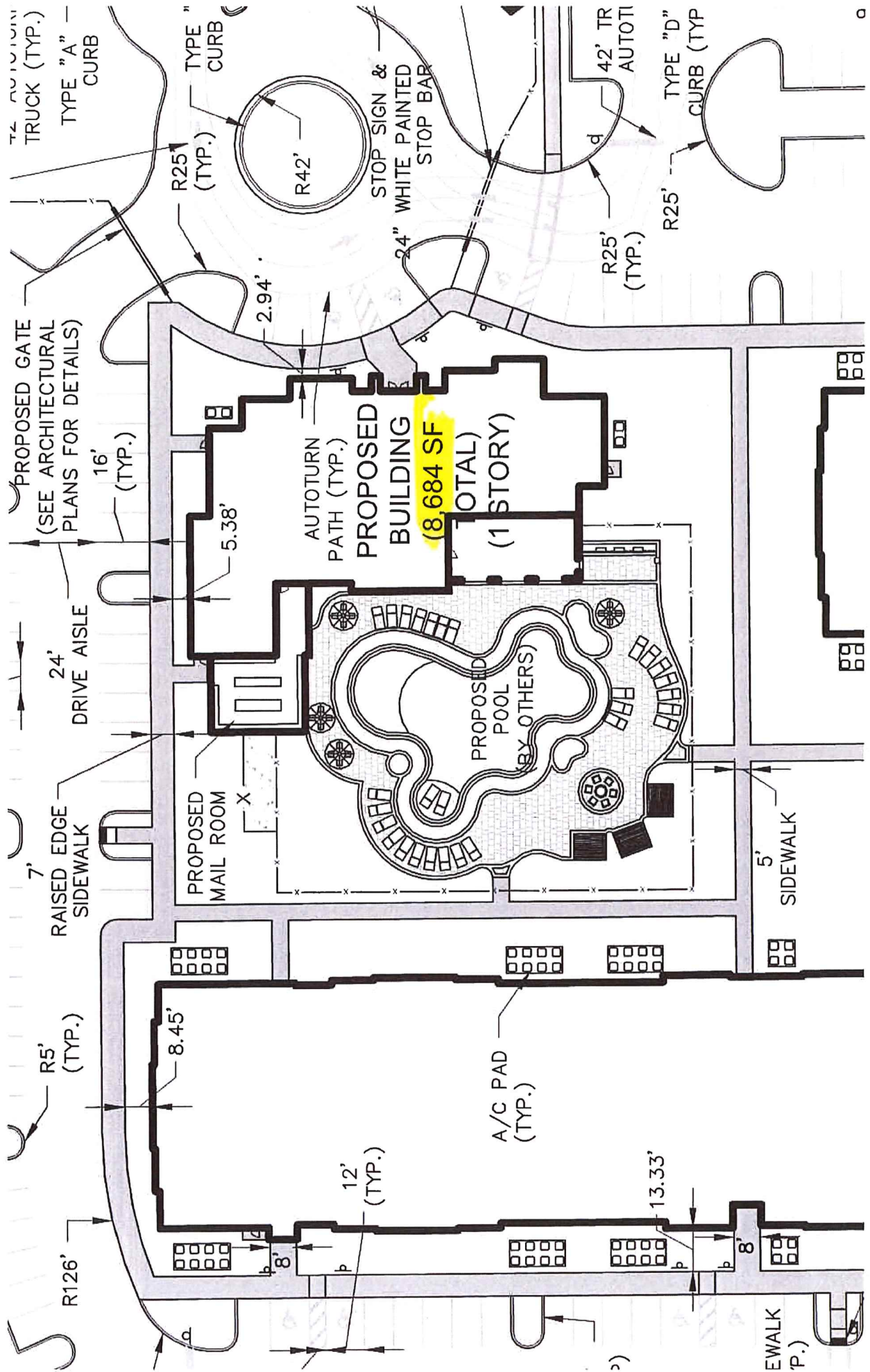
Building Photo



Building Photo

VIVE

8,684 sq. ft. Amenity Center



3200 Champion Ring Rd - Vive



Apartments - Forum Submarket
 Fort Myers, FL 33905
[Website](#)

288 Units 363,219 SF GBA 2021 Built 4.3% Vacancy \$2,256 Asking Rent/Unit \$2.42 Asking Rent/SF

Sale

Sold Price \$91,000,000 (\$315,972/Unit)
 Date Dec 2021 Cap Rate 3.20%
 Sale Type Investment
 Financing 1st Mortgage: Loancore Capital Credit REIT, LLC Bal/Pmt: \$74,300,000

Unit Mix

Beds	Units	Avg SF	Asking Rent/Unit	Asking Rent/SF	Concessions
Studio	56	639	\$1,790	\$2.80	0.3%
1	96	766	\$2,016	\$2.63	0.3%
2	120	1,129	\$2,511	\$2.22	0.3%
3	16	1,448	\$3,405	\$2.35	0.3%
Totals	288	931	\$2,256	\$2.42	0.3%

Building

Type 4 Star Mid-Rise Apartments
 Location Suburban

Updated January 4, 2023

Units 288 Year Built May 2021
 Avg Unit Size 930 SF Constr Start Feb 2020
 Stories 4 Class B

GBA 363,219 SF Construction Masonry
 Typical Floor 48,500 SF Metering Individually M...
 # of Buildings 3
 Units per Area 22/AC
 Market Segment All
 Rent Type Market
 Walk Score® Car-Dependent (12)

Land

Land Acres 12.83 AC Land SF 559,005 SF
 Bldg FAR 0.65
 Zoning SDA

Space Features

Unit Amenities
 Balcony Oven
 Ceiling Fans Pantry
 Dishwasher Patio
 Granite Countertops Refrigerator
 Island Kitchen Stainless Steel Appliances
 Kitchen Tub/Shower
 Linen Closet Walk-In Closets
 Microwave Washer/Dryer
 Mud Room

Site Amenities
 Breakfast/Coffee Concierge Fitness Center
 Business Center Grill
 Cabana Pet Play Area
 Clubhouse Pet Washing Station
 Conference Rooms Pool
 Controlled Access Spa
 Courtyard

Public Transportation

[Airport](#) Drive Distance
 Southwest Florida International Airport 19 min 9.5 mi

Market Conditions

Vacancy Rates	Current	YOY Change
Submarket 3-5 Star	4.9%	↓ -5.2%
Subject Property	4.3%	↓ -7.1%
Market Overall	5.8%	↓ -0.8%

Market Rent Per Unit

Submarket 3-5 Star	\$2,054	↑ 8.2%
Subject Property	\$2,256	↑ 8.4%
Market Overall	\$1,956	↑ 9.1%

Concessions

Submarket 3-5 Star	0.5%	↓ -0.2%
Subject Property	0.3%	↓ -1.8%
Market Overall	0.5%	↓ -0.1%

Under Construction Units

Market Overall	3,448	↑ 29.8%
----------------	-------	---------

Submarket Sales Activity

	Current	Prev Year
12 Mo. Price Per Unit	\$302.59K	\$250.4K
12 Mo. Sales Volume	\$210.42M	\$385.59M

Property Contacts

True Owner AWP Real Estate
 Recorded Owner AWPRE Encore Vive 2021 LLC
 Owner Type Developer
 Developer Brooks & Freund Construction
 Property Manager Greystar - Vive

Demographics

	1 mile	3 miles
Population	3,223	40,369
Households	1,281	15,217
Median Age	37	40.60
Median HH Income	\$80,813	\$58,813
Daytime Employees	3,260	21,656

Population Growth '22 - '27	↑ 18.24%	↑ 16.68%
Household Growth '22 - '27	↑ 16.86%	↑ 15.98%

About the Owner**AWP Real Estate**

759 Parkway St, Suite 201

Jupiter, FL 33477

United States

(561) 867-1600 (p)

awprealestate.com

Since Dec 23, 2021

Location

Zip	33905
Submarket	Forum
Submarket Cluster	Central Lee County
Location Type	Suburban
Market	Southwest Florida
County	Lee
State	Florida
CBSA	Cape Coral-Fort Myers, FL
DMA	Ft Myers-Naples, FL
Country	United States

Traffic

Collection Street	Cross Street	Traffic Vol	Last Mea...	Distance
I 4	Dr Mlk Blvd N	83,500	2020	0.23 mi
I-75	Dr Mlk Blvd N	85,934	2022	0.42 mi
Forum Boulevard	Ravello Blvd SW	11,245	2022	0.54 mi
I- 75	Colonial Blvd SE	11,500	2020	0.55 mi
Colonial Blvd	I- 75 SW	2,200	2020	0.57 mi
Colonial Boulevard	Colonial Blvd W	84,570	2022	0.67 mi
I- 75	Colonial Blvd W	9,872	2020	0.67 mi
Omni Blvd	Dynasty Rd N	1,817	2018	0.71 mi
Dr Martin Luther Ki...	I- 75 N	7,353	2020	0.73 mi
I- 75	Dr Martin Luther Ki...	7,756	2020	0.76 mi

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Public Record**2021 Assessment**

Land	\$4,788,000	\$16,625.00/Unit
------	-------------	------------------

Parcels 27-44-25-P1-1500A.0000

Flood Risk

Flood Risk Area	Moderate to Low Risk Areas
FEMA Flood Zone	B and X Area of moderate flood hazard, usually the area between the limits of the 100-year and 500-year floods.
Floodplain Area	100-year and 500-year
In SFHA	No
FEMA Map Identifier	12071C0431G
FIRM ID	12071C
FIRM Panel Number	0431G
FEMA Map Date	Dec 7, 2018

Property ID: 11152598

Images



Encore Vive



Building Photo



Pool



Pool



Pool



Pool



Fire Pits



Fire Pits



Lawn Bowling



Pickleball Courts



Dog Park



Garage Space Available



Building Photo



Building Photo



Building Photo



Building Photo



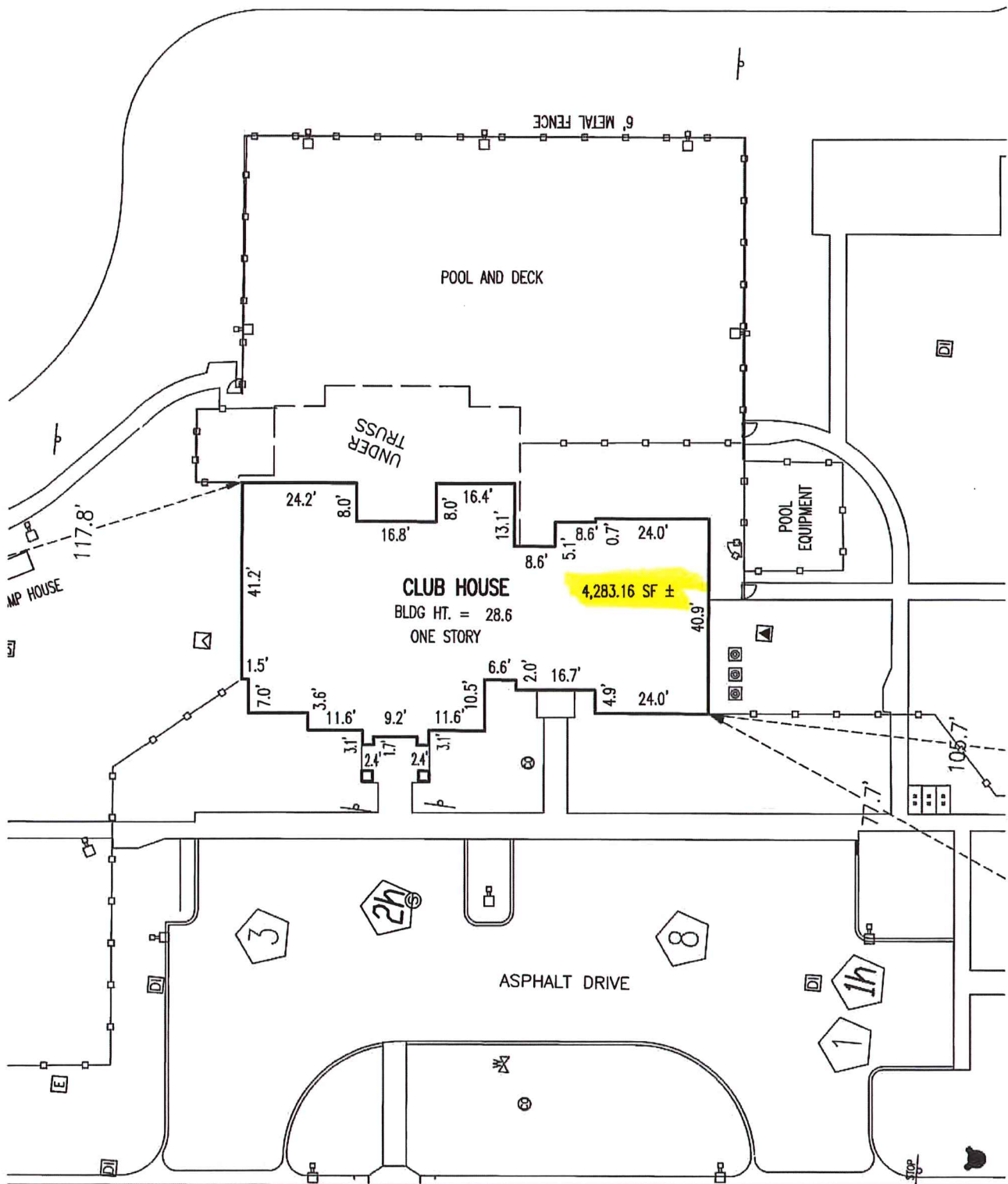
Building Photo



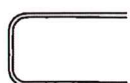
Building Photo

SPRINGS AT CAPE CORAL

4,283 sq. ft. Amenity Center



ASPHALT DRIVE



2800 Yellow Creek Loop - Springs at Cape Coral



Apartments - Hancock
Submarket
Cape Coral, FL 33909
[Website](#)

292 Units 120,000 SF GBA 2021 Built 2.1% Vacancy \$2,201 Asking Rent/Unit \$2.19 Asking Rent/SF

Building

Type 3 Star Low-Rise Apartments
Location Suburban

Units 292 Year Built Jan 2021
Avg Unit Size 1,004 SF Constr Start 2019
Stories 2 Class B

GBA 120,000 SF Construction Wood Frame
Typical Floor 60,000 SF
Units per Area 10/AC
Market Segment All
Rent Type Market
Walk Score® Car-Dependent (15)

Land

Land Acres 29.00 AC Land SF 1,263,240 SF
Bldg FAR 0.09
Zoning R-3

Space Features

Unit Amenities
Island Kitchen Tub/Shower
Kitchen Walk-In Closets
Patio Washer/Dryer
Stainless Steel Appliances Washer/Dryer Hookup

Site Amenities
Car Wash Area Pet Washing Station
Fitness Center Picnic Area
Gated Pool
Pet Play Area

Public Transportation

[Airport](#) [Drive](#) [Distance](#)
Southwest Florida International Airport 31 min 18.1 mi

Unit Mix

Beds	Units	Avg SF	Asking Rent/Unit	Asking Rent/SF	Concessions
Studio	42	610	\$1,585	\$2.60	0.4%
1	88	869	\$2,140	\$2.46	0.4%
2	140	1,148	\$2,315	\$2.02	0.4%
3	22	1,385	\$2,900	\$2.09	0.4%
Totals	292	1,004	\$2,201	\$2.19	0.4%

Updated January 4, 2023

Market Conditions

Vacancy Rates	Current	YOY Change
Submarket 2-4 Star	10.8%	↑ 7.3%
Subject Property	2.1%	↓ -3.0%
Market Overall	5.8%	↓ -0.8%

Market Rent Per Unit

	Current	YOY Change
Submarket 2-4 Star	\$1,954	↑ 10.1%
Subject Property	\$2,201	↑ 8.2%
Market Overall	\$1,956	↑ 9.1%

Concessions

	Current	YOY Change
Submarket 2-4 Star	1.0%	↑ 0.1%
Subject Property	0.4%	↑ 0.4%
Market Overall	0.5%	↓ -0.1%

Under Construction Units

	Current	Prev Year
Market Overall	3,448	↑ 29.8%

Submarket Sales Activity

	Current	Prev Year
12 Mo. Price Per Unit	\$217.96K	\$191.61K
12 Mo. Sales Volume	\$38.45M	\$110.43M

Property Contacts

True Owner	Continental Properties Company, Inc.
Owner Type	Developer
Property Manager	Continental - Springs at Cape Coral

Demographics

	1 mile	3 miles
Population	4,753	53,074
Households	1,967	22,944
Median Age	44.50	51.20
Median HH Income	\$44,103	\$52,455
Daytime Employees	2,545	16,101
Population Growth '22 - '27	↑ 14.90%	↑ 13.72%
Household Growth '22 - '27	↑ 13.83%	↑ 12.71%

About the Owner**Continental Properties Company, Inc**

W134N8675 Executive Pky
Menomonee Falls, WI 53051

United States

(262) 502-5500 (p)

(262) 502-5522 (f)

www.cproperties.com

Since Apr 10, 2020

Continental Properties was started in 1979 by three 20-year-old college students: Jim Schloemer, Rich Bell, and Steve Wagner. Today, they're a multibillion-dollar development and property management company with projects across the United States. Continental is one of only a few companies to both develop and operate multifamily communities across the country.

Continental has been a leader in retail development for more than 40 years. Since the company's inception in 1979, they have grown from a small local developer to a national presence in retail development.

After more than a quarter century of developing exceptional multifamily and retail properties, Continental has added hospitality real estate to its development expertise, with the goal of becoming a leading developer and owner of full- and limited-service hotels nationwide.

Location

Zip	33909
Submarket	Hancock
Submarket Cluster	Cape Coral
Location Type	Suburban
Market	Southwest Florida
County	Lee
State	Florida
CBSA	Cape Coral-Fort Myers, FL
DMA	Ft Myers-Naples, FL
Country	United States

Traffic

Collection Street	Cross Street	Traffic Vol	Last Mea...	Distance
Barrett Rd	Queens Dr S	1,154	2018	0.05 mi
Northeast Pine Isla...	NE Pine Island Rd NE	35,866	2022	0.13 mi
Corbett Rd	Diplomat Pky E NW	225	2018	0.37 mi
Herron Rd	Pineapple Ln S	100	2018	0.52 mi
Diplomat Parkway ...	Player Ct N	9,702	2022	0.52 mi
NE Pine Island Rd	Herron Rd W	28,710	2022	0.59 mi
Cleveland Ave	Pine Island Rd S	25,839	2022	0.68 mi
NE Pine Island Rd	Hancock Creek Sou...	14,428	2018	0.78 mi
Hancock Creek Sou...	NE Pine Island Rd ...	1,289	2018	0.79 mi
NE 24th Ave	Hancock Creek Sou...	1,218	2018	0.80 mi

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Public Record**2021 Assessment**

Improvements	\$2,110,082	\$7,226.31/Unit
Land	\$1,644,912	\$5,633.26/Unit
Total Value	\$3,754,994	\$12,859.57/Unit

Parcels 04-44-24-C2-20000.008A

Flood Risk

Flood Risk Area	High Risk Areas
FEMA Flood Zone	AE The base floodplain where base flood elevations are provided. AE Zones are now used on new format FIRMs instead of A1-A30 Zones.
Floodplain Area	100-year
In SFHA	Yes
FEMA Map Identifier	12071C0270F
FIRM ID	12071C
FIRM Panel Number	0270F
FEMA Map Date	Aug 28, 2008

Property ID: 11365233

Images



Springs at Cape Coral



Building Photo



Building Photo



Building Photo



Garage Space Available



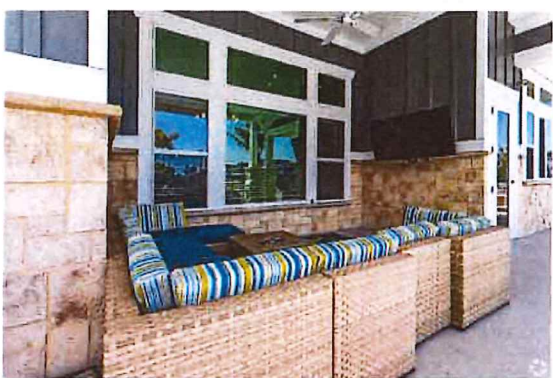
Building Photo



Building Photo



Pool Area



Pool Area



Pool Area



Pool Area



Pool Area



Building Photo



Fitness Center



Fitness Center



Fitness Center



Building Photo



Clubhouse



MEMORANDUM

Date: March 29, 2023

To: D. Danley
Principal Planner

From: M. Evans *ME*
Senior Engineer

Subject: **Alico Crossing Parking-Related Analysis and Recommendations**
Case No. DCI2022-00005
STRAP No. 03-46-25-00-00001.1080 (lowest)

I. Purpose

The purpose of this memorandum is to provide substantive comments related to Development Services Section staff review of subject-case documents that pertain to parking elements received to date by Lee County through the applicant's formal written submittals.

II. Site Location

The approximately 46.77-acre subject site is located on the east side of Three Oaks Parkway between Alico Road and Oriole Road. Current planning/zoning information applicable to the subject site is described in **Table 1**.

Table 1
Current Site-Related Planning/Zoning Information

Future Land Use Category ⁽¹⁾	Mixed Use Overlay Area? ⁽¹⁾	Planning Community ⁽²⁾	Zoning District
Industrial Commercial Interchange	no	Gateway/Airport	CPD ⁽³⁾

⁽¹⁾ see *The Lee Plan* Map 1C and related policies

⁽²⁾ see *The Lee Plan* Map 2A and related policies

⁽³⁾ commercial planned development (proposed mixed-use planned development)

III. Proposed Residential Density/Non-Residential Intensity of Use

The subject site is currently undeveloped. With the subject case, the applicant proposes to rezone the site to permit a maximum density/intensity in terms of new vehicular trips with respect to the proposed schedule of uses as described in **Table 2**.

MEMORANDUM

Table 2
Development Parameters
Proposed Zoning

Land Use	Proposed Zoning Density/Intensity
commercial retail	200,000-SF
hotel	250 rooms
residential	475 multiple-family dwelling units ⁽¹⁾

⁽¹⁾ units are proposed to be leased, not individually owned

IV. Applicant Deviation Request

As part of the application for the subject case, the applicant requests to deviate from the requirements of the Lee County *Land Development Code*, Section 34-2020, as related to residential multiple-family parking requirements. The deviation request pertains to the combination of resident, guest, and clubhouse amenity building parking requirements as applied to the subject site. The applicant requests a reduction in the minimum required parking rate to 1.75 spaces per dwelling unit which is assumed to meet combined parking needs of residents, guests, and users of the proposed residential clubhouse amenity building of unknown maximum gross floor area. The applicant provided for staff consideration a parking demand study of residential developments similar to that proposed in the application to justify the deviation request.

V. Lee County Land Development Code Parking-related Requirements

On September 11, 2012, the Lee County Board of County Commissioners (BoCC) approved Ordinance 12-20 which revised the Lee County *Land Development Code* (LDC), Section 34-2020, multiple-family minimum parking requirements as noted in **Table 3**. The LDC revisions associated with this ordinance remain in effect to date.

MEMORANDUM

Table 3
Lee County Land Development Code
Multiple-family Building Parking Requirements

Multiple-family Unit Description	Land Development Code Parking Requirements (spaces per unit)	
	Pre-Ordinance 12-20 ⁽¹⁾	Ordinance 12-20
studio/efficiency	1.25 ⁽²⁾	2.00 ⁽²⁾
one-bedroom	1.50 ⁽²⁾	
two-bedroom	1.75 ⁽²⁾	
three-bedroom or greater	2.00 ⁽²⁾	

⁽¹⁾ based upon staff research, this requirement appears to have been in effect since at least August 2005

⁽²⁾ this value does not include an additional ten percent of the total minimum required resident spaces to accommodate guest parking or the parking for the proposed residential clubhouse amenity building of unknown maximum floor area as required by the LDC, Section 34-2020(a)

On November 15, 2016, the Lee County BoCC approved Ordinance 16-19 which revised the LDC, Section 34-2020, to include a parking requirement specifically applicable to "clubhouse and ancillary uses within a residential community without a golf course". This change incorporated a requirement for residential clubhouse amenity buildings to allow for a minimum of 4 parking spaces per 1,000-SF of total gross floor area for single-use developments and 3.5 spaces per 1,000-SF of total gross floor area for multiple-use developments. This requirement remains unchanged in the current LDC. Prior to the LDC change, parking requirements for residential clubhouse amenity buildings were administratively determined by the Zoning or Development Services Section manager.

Since the 2012 LDC revision, staff is unaware of any projects with approved deviation requests from the residential multiple-family parking requirements of Section 34-2020(a), including that applied to guests and residential clubhouse amenity buildings, based upon findings from a parking demand study conducted in Lee County.

A comparison of Lee County's current parking requirements to the applicant's deviation request may be referenced in **Table 4**.

Table 4
Applicant Deviation Request/Current Lee County
Land Development Code (LDC) Parking Requirements Comparison

Parking Space Use	Minimum Required Parking Spaces	
	Applicant Request	LDC Requirement
Residents	832	950
Guests	0	95
Residential Clubhouse Amenity Building	0	28
Total	832	1,073
Difference – Requested/Required	-241 parking spaces (-22%)	

MEMORANDUM

Table 4 assumes a mixed-use planned development that includes 475 multiple-family non-ownership residential dwelling units with an 8,000-SF residential clubhouse amenity building. Since the applicant did not specify a maximum gross floor area of the proposed building, staff assumed a floor area of 8,000-SF in the table calculations. The assumed residential clubhouse amenity building gross floor area was derived by referencing the clubhouse floor areas of the six survey sites reviewed in the parking demand study. The median calculated gross floor area of the buildings was approximately 16.8-SF per unit.

VI. Parking-Related Requirements of Other Florida Counties

Staff researched current parking-related requirements of ten Florida counties with highest population densities aside from Lee County. **Table 5** summarizes minimum required parking based upon each county's regulations as applied to a sample residential multiple-family development (non-mixed-use) composed of a total of 475 non-ownership dwelling units, including 45%, 45%, and 10% respective 1-, 2-, and 3-bedroom units, along with an 8,000-SF residential clubhouse amenity building.

Table 5
 Multiple-family Development Parking Requirements
 Florida County Comparison

County	Population Density (persons/mile ²) ⁽¹⁾	Effective Minimum Required Parking (spaces per unit) ⁽²⁾			
		Resident	Guest	Clubhouse	Total
Pinellas	3,595.0	1.50	--	--	1.50
Broward	1,597.1	1.83	0.20	0.08	2.11
Orange	1,566.8	1.77	--	--	1.77
Seminole	1,541.6	2.00	--	--	2.00
Miami-Dade	1,493.0	1.66	--	--	1.66
Hillsborough	1,449.8	1.77	--	--	1.77
Duval	1,288.5	1.91	--	0.01	1.92
Lee	956.6	2.00	0.20	0.07	2.27
Sarasota	789.4	1.77	0.20	--	1.97
Palm Beach	744.6	1.75	0.25	--	2.00
Pasco	726.5	2.00	0.25	0.08	2.33
MINIMUM⁽³⁾	--	1.50	--	--	1.50
AVERAGE⁽³⁾	--	1.80	0.09	0.02	1.90
MEDIAN⁽³⁾	--	1.77	--	--	1.95
MAXIMUM⁽³⁾	--	2.00	0.25	0.08	2.33

⁽¹⁾ Florida Department of Transportation "FDOT District County Population Density" April 1, 2020

⁽²⁾ values shown include conversion to spaces-per-unit basis for normalized comparison

⁽³⁾ Lee County data is excluded in these calculations; Lee County data is shown in the table for comparative purposes only

As noted in **Table 5**, Lee County's residential multiple-family parking requirements are overall more conservative than that of the other ten counties.

MEMORANDUM

except for Pasco County. Lee County's total effective minimum required parking rate for the above-described sample development is approximately 16% higher than the median effective rate of the other ten counties in **Table 5**. However, caution should be exercised in interpreting the data in **Table 5** to suggest that Lee County's parking requirements are too conservative, since similar uses in each county, especially those in highly-urbanized areas, may have varying access to alternative modes of transportation, including bus/rail mass transit, bicycle/pedestrian facilities, etc., and/or have varying increases in seasonal visitors which may differ from many areas of unincorporated Lee County. If required parking associated with the residential clubhouse amenity building were removed from Lee County's effective parking rate, the resultant minimum rate would be 2.20 parking spaces per unit.

VII. Parking Demand Study Methodology

On November 22, 2022, at the applicant's request and approximately 10 months into staff's sufficiency review cycle of the subject case, staff met with the applicant to discuss a potential request to deviate from the parking requirements of the Lee County *Land Development Code* (LDC) as applied to the subject site.

At the meeting, and prior to staff's potential agreement with the methodology for a parking demand study specific to the subject site, the applicant indicated that a parking demand study had been completed for the subject site to support a proposed LDC deviation request. The study was based upon data gathered at six sites in Lee County. Staff was not provided opportunity to review the proposed study methodology and the proposed survey sites prior to the applicant's collection and submission of data as contained in the applicant's December 5, 2022 study.

The applicant's March 3, 2020 memorandum as incorporated into the December 5, 2022 parking demand study that was submitted as part of the application for the subject case was a proposed parking demand study methodology written for a study conducted to support a parking-related deviation request for the DCI2020-00013 "Carissa Minor RPD" project. In staff's March 9, 2020 e-mail response to the applicant regarding the applicant's proposed methodology, staff stated: "County staff must concur that all study sites are reasonably similar to the proposed site prior to collecting study data (proposed site location and use parameters must be provided for reasonable comparison of study sites to the proposed site)". As with the DCI2020-00013 study, staff was not provided opportunity to review the proposed survey sites prior to the applicant's data collection for the study submitted for the subject case even though the memorandum states that "prior to the surveys being conducted, the sites that have been selected will be provided to Lee County staff." In addition, the March 3, 2020 memorandum for the methodology related to the DCI2020-00013

MEMORANDUM

parking demand study states that "each site will be visited between the hours of midnight and 5:00 A.M." which differed from some of the times when site parking spaces were surveyed for the applicant's parking demand study for the subject site (of note, approximately 17% of the surveyed days included times prior to midnight).

VIII. Parking Demand Study Review and Analysis – Multiple-Family Dwelling Units

The applicant provided parking-related data and analysis in a parking demand study submittal for the subject site assuming residential land use of the proposed density described in **Table 2**. The submittal included periodic occupied parking space counts at residential sites deemed similar to the subject site by the applicant at times of assumed greatest use from March 24 to April 30, 2022.

Based upon the proposed development density and use described in **Table 2**, Development Services Section staff referenced the Institute of Transportation Engineers (ITE) report, *Parking Generation*, 5th Edition, to compare the parking rate derived by the applicant's parking demand study to the ITE rates derived from a sample of parking data for similar uses at locations in a number of states, not including Florida. A related findings summary is provided in **Table 6**.

MEMORANDUM

Table 6
 ITE/Applicant Parking Demand Studies
 Parameters/Statistics Comparison

Description	Institute of Transportation Engineers Data ⁽¹⁾		Staff-Adjusted 2022 Parking Survey Data	
			Late March	Late April
Land Use	multiple-family housing (low-rise) ⁽²⁾	multiple-family housing (mid-rise) ⁽²⁾	multiple-family housing (low- and mid-rise) ⁽²⁾	
Location	general urban/suburban		suburban	
Number of Study Sites	1-119 ⁽³⁾	1-73 ⁽⁴⁾	3	3
Independent Variable	dwelling units			
Occupancy Rate	unknown		92-93%	91-98%
Survey Dates	unknown		March 24 to April 4, 2022	April 24 to April 30, 2022
Peak Period – Weekday	11:00 p.m. to 6:00 a.m.	10:00 p.m. to 5:00 a.m.	12:00 a.m. to 12:50 a.m.	12:12 a.m. to 3:47 a.m.
Peak Period – Saturday	11:00 p.m. to 7:00 a.m.		12:15 a.m.	-----
Peak Period – Sunday	11:00 p.m. to 7:00 a.m.		-----	12:00 a.m. to 12:40 a.m.
Average Peak Period Parking Demand – Weekday	1.21 vehicle spaces per unit	1.31 vehicle spaces per unit	1.78 vehicle spaces per unit ⁽⁵⁾	1.46 vehicle spaces per unit ⁽⁵⁾
Average Peak Period Parking Demand - Saturday	1.31 vehicle spaces per unit	1.22 vehicle spaces per unit	1.54 vehicle spaces per unit ⁽⁵⁾	-----
Average Peak Period Parking Demand - Sunday	1.66 vehicle spaces per unit	2.05 vehicle spaces per unit	-----	1.33 vehicle spaces per unit ⁽⁵⁾

⁽¹⁾ *Parking Generation*, 5th Edition

⁽²⁾ the Institute of Transportation Engineers (ITE) report, *Parking Generation*, 5th Edition, pages 69 and 89 define "low-rise" buildings as those with "one or two levels (floors) of residence", and "mid-rise buildings" as those with "between three and 10 levels (floors) of residence"; the ITE report makes no distinction in its data between ownership and non-ownership units; the applicant's parking demand study included three sites with buildings that fell under the ITE description of "low-rise" buildings, two sites ("Decorum" and "Vive") with buildings that fell under the ITE description of "mid-rise" buildings, and one site ("The Venetian") with buildings that fell under the ITE descriptions of both "low-rise" and "mid-rise" buildings

⁽³⁾ 119, 6, and 1 sites surveyed during respective weekday, Saturday, and Sunday periods

⁽⁴⁾ 73, 3, and 1 sites surveyed during respective weekday, Saturday, and Sunday periods

⁽⁵⁾ includes site resident/guest and residential clubhouse amenity building parking

MEMORANDUM

As noted in the rightmost columns of **Table 6**, the peak period parking demand rates in the table differ from that contained in the applicant's parking demand study. The average peak parking demand rates were specifically adjusted by staff in an attempt to reconcile staff concerns as follows:

- (A) Each site was surveyed once per day on 5 to 7 total days. On at least one day at each site, the parking survey was undertaken when the ITE report, *Parking Generation*, 5th Edition, indicated that parking demand was expected to be less than 100%. The ITE report, *Parking Generation*, 4th Edition, page C3, clearly states: "At a minimum, all hours [underscore emphasis added] above 80 to 85 percent of the peak hour demand shown in the time-of-day distribution of parking demand tables should be surveyed." Ideally, based on ITE's current time-of-day distribution parking demand tables, each day the survey was conducted should have included between 2 and 11 continuous hourly counts, depending upon if the survey day was a weekday, Saturday, or Sunday. Based upon the applicant's recommendation for the DCI2020-00013 "Carissa Minor RPD" parking demand study methodology for a similar use, staff agreed that a single count could be accepted for each survey day if the count was taken at a time when the current time-of-day distribution parking demand tables indicated that the use was expected to encounter 100% of peak parking demand. Due to concerns that single-count data gathered on a single day at less than expected 100% of peak parking demand would dilute the data set for each site, thereby potentially leading to incorrect conclusions, staff adjusted the data as described in **Table 6** to exclude any data gathered at less than expected 100% of peak parking demand. This adjustment excluded 25% of the parking data from the survey, including counts on four of five late-March 2022 days (80%) from the "Decorum" site.
- (B) Staff noted a clear difference in both the unadjusted and staff-adjusted average weekday peak period parking demand between the parking surveys undertaken in late-March 2022 as compared to those undertaken in late-April 2022. This difference in demand appeared significantly higher in late-March 2022 as compared to late-April 2022. For this reason, staff separated for further analysis the three sites surveyed in late-March 2022 from those surveyed in late-April 2022 as noted in **Table 6**.

Staff further evaluated potential reasons for the difference in parking demand of the three sites surveyed in late-March 2022 as compared to the three sites surveyed in late-April 2022. Since the overall characteristics of each site appeared similar, staff surmised that a potential external factor or factors may have influenced the difference. Staff further reviewed the potential that short-term rentals and/or seasonal guests/visitors may have contributed to the difference in parking demand.

MEMORANDUM

In evaluating the potential that short-term rentals may exist at each site and influence site parking demand, staff reviewed websites for each site management's operations. In doing so, staff found that each site offered lease opportunities for periods of at minimum 7 months, with two site webpages suggesting that units may be available for lease periods of less than 7 months.

Staff further evaluated the potential that seasonal guests/visitors to the area may differ between late-March 2022 and late-April 2022, and influence site parking demand. This evaluation included a review of continuous daily traffic count data from Lee County's permanent count station (PCS) #59 which is located along Southwest Florida International Airport's (RSW's) Terminal Access Road. This count station should account for the great majority of traffic accessing RSW facilities. **Table 7** describes the difference in traffic volumes at the RSW count station and the average weekday site parking demands during the two study time periods.

Table 7
Permanent Count Station #59 Traffic Volumes
and Staff-Adjusted Survey Site Parking Demand Comparison

2022 Parking Survey Period	Average Daily Traffic Volume	Average Peak Period Parking Demand – Weekday
March 24 - April 4	46,324 vehicles per day ⁽¹⁾	1.78 vehicle spaces per unit
April 24 - April 30	36,104 vehicles per day ⁽¹⁾	1.46 vehicle spaces per unit
Difference	-22%	-18%

⁽¹⁾ 2-way vehicles per day

Interestingly, the peak daily 2-way traffic volume recorded at PCS #59 in 2022 was 56,767 vehicles on March 14. The average daily traffic volume for the late-March 2022 period as described in **Table 7** was approximately 18% lower than this peak value. The average daily traffic volume for the late-April 2022 period as described in **Table 7** was approximately 36% lower than this peak value.

Staff further evaluated historic traffic volumes at PCSs close to the survey sites and discovered that average daily traffic volumes were reduced by approximately 2-10% (average of approximately 6%) between late-March and late-April 2022.

Although staff without more data and analysis can't discern with certainty if the potential short-term rentals at the survey sites in combination with the increased volume of guests/visitors to the area clearly impacted the parking demand of the parking survey sites, the potential generalized correlation between reduced traffic volumes at PCS #59 and other PCSs in proximity to the survey sites, and the reduced site parking demands for multiple-family

MEMORANDUM

non-ownership housing between late-March and late-April 2022 does not appear anomalous.

IX. Parking Demand Study Review and Analysis – Residential Clubhouse Amenity Building

Parking-related data was not provided by the applicant to specifically support a deviation from the Lee County Land Development Code parking requirements for the proposed residential clubhouse amenity building of unknown maximum gross floor area.

As noted in **Table 6**, the applicant's parking survey data may be assumed to include residential clubhouse amenity building parking demand during each residential use's average peak period parking demand.

X. Observations and Conclusions

Based upon a review of the applicant submittals, the Lee County *Land Development Code* (LDC), a sampling of other Florida county current minimum parking requirements, and the Institute of Transportation Engineers (ITE) report, *Parking Generation*, 5th Edition, Development Services Section staff provides the following observations and conclusions with respect to the applicant's parking-related deviation request:

- (A) Since the subject site is located in an area currently with limited commercial development and the nearest transit stop from the subject site is approximately 0.5 miles away from the site's main entrance, it may be assumed that most users of the site will primarily use motor vehicle, bicycle, and/or other mechanized means for daily transportation.
- (B) The applicant is seeking a large 22% reduction in parking spaces from that currently required by the LDC for multiple-family and residential clubhouse amenity building (assuming a maximum 8,000-SF) uses (1,073 minimum required spaces versus 832 proposed spaces). If the pre-2012 LDC were used to determine project parking requirements (see **Table 3** for rates), assuming a breakdown of approximately 45%, 45%, and 10% 1-, 2-, and 3-bedroom units, a minimum of 897 spaces (including spaces for the aforementioned 8,000-SF residential clubhouse amenity building) would be required. The applicant's requested reduction to 832 spaces (assuming a maximum 8,000-SF residential clubhouse amenity building) is a 7% reduction from the pre-2012 LDC minimum parking requirements.
- (C) As noted in **Table 5**, Lee County's minimum effective parking requirements are more conservative than a number of other Florida

MEMORANDUM

counties with high population density. Since unincorporated Lee County development access to alternative modes of transportation, including bus/rail mass transit, bicycle/pedestrian facilities, etc., may be lesser than that of developments in other high-density Florida counties, Lee County's minimum parking requirements may be considered reasonable. In addition, the Southwest Florida International Airport enplanement history clearly shows that coastal Lee County is a destination for many visitors during winter months, visitors that may require additional parking accommodations during their stay at residential developments beyond that of simply non-visitors.

If the applicant's proposed residential multiple-family development was composed of a total of 475 non-ownership dwelling units, including 45%, 45%, and 10% respective 1-, 2-, and 3-bedroom units, along with an 8,000-SF residential clubhouse amenity building and was located in one of the ten other Florida counties of highest population density as referenced in Table 5, the applicant would need to deviate from the requirements county parking requirements in 8 of 10 counties (80%) if an effective parking rate of 1.75 spaces per unit was needed for the development.

- (D) Staff was not consulted to concur with or provide comments on a parking demand study methodology for the parking-related deviation for the subject project, including the selected study sites and/or dates/times of data collection, prior to the applicant's parking data collection.

Staff noted that a different survey methodology appeared to have been used in the three late-March 2022 surveys as compared to the three late-April surveys. The late-March surveys were conducted on 5 non-continuous days over a period of 11 days at times both before and after midnight, whereas the late-April surveys were conducted on 7 continuous days at times only after midnight. Staff believes that the late-April surveys were conducted using a methodology more aligned with staff's expectations for performing a parking survey for a residential multiple-family use.

- (E) It should be understood that since parking survey counts at each location were not taken continually or periodically throughout time, each count may be considered a snapshot-in-time under a given set of conditions (unit pricing, nearby development, given site management/business models, age of facility, etc.) and may not be representative of every day of a given year. Many often-changing factors may influence counts, including seasonal tenant increases/decreases, nearby construction activity, and others.

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Another factor that may influence counts is tenant demographics. If the subject site's tenant demographics differ from that of the survey sites, the subject site's peak parking demand may be greater or less than the survey sites. Tenant demographics that may influence peak parking demand may include age of tenants, tenant family size, tenant income, etc.

- (F) Many seasonal visitors converge upon Lee County during the winter months. According to the 2022 *Lee County Public Facilities Level of Service and Concurrency Report*, Lee County's population seasonally grows by approximately 18% based upon historic data. Per Florida Statute §163.3164(42), this seasonal population includes "part-time inhabitants who use, or may be expected to use, public facilities or services, but are not residents and includes tourists, migrant farmworkers, and other short-term and long-term visitors." Lee County clearly acknowledges its seasonal population as evidenced by a number of citations that relate to this population in *The Lee Plan*. Visitors will likely stay in personally-rented or -owned units, or as guests with friends and/or family that live in Lee County. If these guests stay in units that are owned/leased by seasonal and non-seasonal Lee County residents, adequate parking must be available to accommodate guest vehicles, especially in areas where alternative transportation modes are limited or unavailable. Assuming that Lee County is unique with respect to an expectation of seasonal visitors particularly during winter months, an increase in the number of minimum required parking spaces to accommodate guests does not appear unreasonable. Since the ITE *Parking Generation* study sample for residential multiple-family low- and mid-rise buildings did not include Florida studies, ITE average parking generation rates could be assumed to be lower than what might be encountered in an area such as Lee County where the population swells from seasonal visitors during winter months.
- (G) In reviewing ITE parking generation data, it appears that there is more scatter (higher fluctuations) in parking rates when the total number of dwelling units within residential multiple-family developments exceed approximately 200 units for both low- and mid-rise buildings. In other words, there may be more potential deviation in parking rates for sites with more than 200 multiple-family dwelling units – both higher and lower than the average rate.

In reviewing all combined ITE parking generation data for low- and mid-rise residential multiple-family buildings, the range of average weekday peak period parking demand varies from 0.58 to 2.50 spaces per unit – a difference of nearly 2 spaces per unit. This variance may be due to such factors as differences in site location, demand for multiple-family housing,

MEMORANDUM

cost of housing, site-management/business models, age of facilities, tenant demographics, etc.

- (H) It should be understood that while the occupancy rates of the survey sites may have been over 90% when surveyed, there is no guarantee that leased units at the survey sites were occupied at that time. Some seasonal tenants may have left the area to return to their permanent homes prior to the end of their lease period. Based upon staff's review of each site management's website, each site offers lease periods as low as 7 months (with two websites suggesting that units could be leased for less than 7 months), periods which could definitely coincide with South Florida's main winter visitor months.

In comparing staff-adjusted parking demand rates for late-March 2022 to those for late-April 2022, staff noticed a significant increase in parking demand for the late-March period, perhaps indicative of an increased number of seasonal tenants and short-term visitors to the area as evidenced by greater activity at the Southwest Florida International Airport and increased traffic volumes on Lee County's road network.

If the adjusted late-March 2022 weekday average parking rates were used assuming a 95% occupancy rate (the study data appeared to have a weighted average 92.7% occupancy rate), the calculated weekday parking rate would increase from 1.78 to 1.82 spaces per unit. If full (100%) occupancy were assumed, this value would increase to 1.92 spaces per unit.

- (I) In reviewing the late-March 2022 parking survey data described in **Table 6**, staff believes that the parking-related requirements of the LDC for the subject site use are not unreasonable when compared to related data presented in the ITE *Parking Generation* report, 5th Edition.

The current ITE report includes "85th Percentile" values for weekday and Saturday sample sets for both low- and mid-rise residential multiple-family developments. The report defines "85th Percentile" as "the point at which 85 percent of the values fall at or below and 15 percent of values are above". In other words, the value listed in the report as "85th Percentile" is the parking rate at which not less than 85% of the survey sites were parked when surveyed. Using an "85th Percentile" parking rate as a required minimum rate might seem reasonable since it is more conservative than an average parking rate and may better serve the needs of tenants in a great majority of residential multiple-family developments. It should be understood that the "85th Percentile" parking rate value listed in the ITE report was derived from a sample set of developments that did not include

MEMORANDUM

Florida. Based upon information contained in the ITE report, this value is approximately 12.2-25.6% higher than the average parking rate listed in the report during weekday study periods which had a combined total of close to 200 survey sites in both Canada and the United States.

If the ITE report's average and "85th Percentile" parking rate values were used to correlate an "85th Percentile" value to apply to the applicant's limited late-March 2022 data (average parking demand of 1.78 spaces/unit), the resulting value for an assumed "85th Percentile" parking rate for developments of similar characteristics in Lee County would be between 1.99 and 2.24.

Staff believes that considering an "85th Percentile" parking rate is particularly important for residential developments where a tenant may have little-to-no choice but to use the parking facilities at one's residence. If the proposed use was of a commercial nature with other similar uses in the area, a user could choose to not visit a site due to inadequate parking or to visit the site at another time when adequate parking was more readily available. A residential building tenant clearly has no choice in this regard, but must use the parking facility at the site of his/her residence, or opt to own fewer/no automobiles or use alternative transportation modes which may be limited or unavailable when needed.

Setting minimum parking requirements for land uses based upon average (not "85th Percentile") observed peak parking demand from data obtained from a sampling of only three Lee County survey sites (the sites surveyed in late-March) with 40% of the survey days (6 of 15 days) potentially not including times when the parking demand was assumed at 100% of occupancy may not be advisable, especially for residential developments where tenants may have no alternative parking options if parking demands exceed available parking.

Based upon the lack of similar parking-related deviation requests over time and the understanding that many other residential multiple-family developments in unincorporated Lee County have been approved and constructed without deviation/variance from the current minimum parking requirements of the LDC, staff is not convinced that the parking needs of the users of the subject site will be any different from the parking needs of those living in other non-ownership residential multiple-family developments in Lee County, and further concludes that it should not be a hardship for the applicant to comply with the current LDC parking requirements for the site by considering a lesser development density if needed.

MEMORANDUM

- (J) Since parking-related data was not provided to specifically support a deviation from the parking requirements for the residential clubhouse amenity building of unknown maximum gross floor area, staff may not be able to support deviating from the LDC minimum requirements for this proposed use.
- (K) If the applicant believes that the study data reasonably estimates site average peak parking demand, instead of requesting a 22% deviation (1.75 spaces/unit) from the LDC minimum required parking spaces, why didn't the applicant request a larger 28% deviation (1.63 spaces/unit) from the requirement which might be justified by the study data?

Also, since the applicant's collected data appears to indicate that 1/3 of the six survey sites on average (not to be confused with the "85th Percentile" described above) required more parking than the applicant's requested 1.75 spaces/unit, why didn't the applicant request a higher parking rate, which could arguably provide sufficient parking during average weekday peak parking demand for all the survey sites?

The answers to these questions should be strongly considered.

- (L) If subject site parking is or becomes inadequate, it may be injurious to site users in that there may not be enough available parking onsite, requiring them to park in other areas that may otherwise be problematic (i.e. areas with inadequate lighting, areas with pedestrian ambulatory obstructions, etc.) Neighboring site users may also face parking-related issues (i.e. sight obstructions from site-user vehicles parked offsite, site-user vehicles parked in neighboring lots or alongside roadways, etc.) if subject site users seek parking offsite.
- (M) Staff has concerns that if subject site parking proves inadequate, unknowing tenants may sign leases or purchase units only to find after-the-fact that there is not enough space to accommodate personal and guest vehicle parking.
- (N) A decision to approve the applicant's parking requirement deviation request has huge potential to set precedence that could be applied to other projects. If this deviation request is approved and relevant Lee County LDC citations are *not* changed, further potentially time-consuming challenges to the LDC minimum parking requirements using this data will likely be undertaken at future zoning public hearings.

MEMORANDUM**XI. Recommendations and Proposed Conditions**

Per the Lee County *Land Development Code*, Section 34-145(d)(4)a.2.c), the hearing examiner must find "that each requested *deviation*: 1) Enhances the achievement of the objectives of the planned development; and 2) Preserves and promotes the general intent of this Code to protect the public health, safety and welfare."

After considering the information in the applicant's parking demand study and weighing factors considered in this memorandum, **Development Services Section (DSS) staff recommends *DENIAL* of the applicant's parking-related deviation request.**

If a deviation is granted only for a reduction in parking spaces for the subject site as specifically related to resident and/or guest parking, DSS staff recommends that the following conditions be incorporated into the subject case zoning resolution:

- (A) At time of local development order, the developer will delineate an area on the plans dedicated to future parking and of sufficient size to accommodate the number of spaces reduced by deviation.**
- (B) Residential dwelling units must remain non-ownership units. If any units are changed to condominium units, the developer must amend any development orders that include a residential land use to fully comply with the parking requirements of the current Lee County Land Development Code for all residential units, not simply the condominium units.**
- (C) All prospective dwelling unit lessees must sign a stand-alone document with language satisfactory to the Zoning Section Manager that clearly states that a deviation from Lee County's parking requirements was granted for the site which may negatively impact the number of parking spaces available to tenants and their guests, and that each unit is only guaranteed parking space to accommodate a single motor vehicle.**

MEMORANDUM

If a deviation is granted only for a reduction in parking spaces for the subject site as specifically related to residential clubhouse amenity building parking, DSS staff recommends that the following conditions be incorporated into the subject case zoning resolution:

(AA) If the residential clubhouse amenity building's gross floor area exceeds 16.8-SF per unit, the developer must provide parking for the floor area associated with the exceedance at the rate for the proposed use specified by the Lee County Land Development Code current at time of local development order.

(BB) The residential amenity clubhouse building may not be used by non-residents after 8 p.m. on weekdays, 6 p.m. on Saturdays, and 10 p.m. on Sundays. Signs with language satisfactory to the Zoning Section Manager that clearly state clubhouse hours must be posted at all main building accesses.

MJE:mje

Copy: M.R. Alam – Lee County Department of Community Development
F. Butt – Lee County Department of Community Development
J. Sulzer – Lee County Department of Community Development
file



ATTACHMENT R

BOARD OF COUNTY COMMISSIONERS

John E. Manning
District One

September 17, 2021

Via E-Mail

Cecil L. Pendergrass
District Two

Lisa Giordano
Delisi Fitzgerald, Inc.
1605 Hendry Street
Fort Myers, FL 33901

Raymond Sandelli
District Three

Brian Hamman
District Four

Frank Mann
District Five

RE: **Potable Water and Wastewater Availability**
Alico Crossroads, 16541 Three Oaks Parkway
STRAP # 03-46-25-00-00001.1080

Roger Desjarlais
County Manager

Richard Wm Wesch
County Attorney

Dear Ms. Giordano

Donna Marie Collins
County Chief
Hearing Examiner

The subject property is located within Lee County Utilities Future Service Area as depicted on Maps 6 and 7 of the Lee County Comprehensive Land Use Plan. Potable water and sanitary sewer lines are in operation adjacent to the property mentioned above. However, in order to provide service to the subject parcels, developer funded system enhancements such as line extensions may be required.

Your firm has indicated that this project will consist of 475 multi-family residential units, 200,000 sq. ft. of commercial use, and a 250 room hotel with an estimated flow demand of approximately 150,000 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water and sanitary sewer service as estimated above.

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

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

There 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 and sanitary sewer service is to be utilized for Development Review, SFWMD, and a Comprehensive Plan Amendment 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

ATTACHMENT S

Lee County, Florida
DEPARTMENT OF COMMUNITY DEVELOPMENT
ENVIRONMENTAL STAFF REPORT

CASE NUMBER: DCI2022-00005
TYPE OF CASE: Mixed Planned Development
CASE NAME: Alico Crossing
TOTAL ACREAGE: 46.69 Acres
SUFFICIENCY DATE: February 27, 2023
HEARING EXAMINER DATE: April 27, 2023

Request

The applicant is requesting to rezone the subject property from Commercial Planned Development (CPD) to a Mixed Planned Development (MPD) to allow 475 dwelling units, 200,000 square feet of commercial uses, and 200 hotel rooms. The property is located in Fort Myers, north of Alico Road, and east of Three Oaks Parkway. According to the Lee Plan, the parcels are located in the General Interchange Future Land Use Category. The proposed development is not within a Community Planning area or the mixed-use overlay.

Existing Conditions

As mentioned the site is located north of Alico, east of Three Oaks Parkway, and west of I-75. The site is currently vacant, with existing indigenous and exotic vegetation. 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 A). The applicant has also submitted an Environmental Resource Permit (ERP) from July 13, 2005 (Attachment B)

Open Space

The applicant has provided two Master Concept Plans (MCP). Both MCPs provide 30.52 acres of residential and 16.17 acres of commercial uses. LDC 10-415(a) requires the applicant to provide 40% open space for large multi-family developments, and 30% open space for large commercial developments. Master Concept Plan A (Attachment C) and Master Concept Plan B (Attachment D) depicts 17.25 acres of open space and complies with the 40% open space requirement for large multi-family developments, and 30% open space requirement for large commercial developments.

Staff recommends the following open space condition to ensure that 17.25 acres of open space is provided:

Prior to the issuance of the first development order, the development order plans must depict 17.25 acres of open space per the following breakdown:

<u>OPEN SPACE CALCULATIONS:</u>	
<u>REQUIRED OPEN SPACE:</u>	
NON-RESIDENTIAL USE - 16.17 AC. x 30% = 4.85 AC.	
RESIDENTIAL USE - 30.52 AC. x 40%	= 12.21 AC.
TOTAL	= 17.06 AC.
<u>REQUIRED INDIGENOUS:</u>	
THE LESSER OF THE TOTAL NATIVE INDIGENOUS OR 50% OF REQUIRED OPEN SPACE: 17.06 x 50% = 8.53 AC	
TOTAL NATIVE INDIGENOUS = 4.60 AC	
REQUIRED INDIGENOUS = 4.60 AC	
<u>PROVIDED OPEN SPACE:</u>	
COMMERCIAL OUTPARCELS (10%)	1.25 AC.
RESIDENTIAL AREA (30%)	6.07 AC.
FPL EASEMENT	3.41 AC.
PERIMETER BERM @ PRESERVE	1.91 AC.
INDIGENOUS PRESERVE	4.61 AC.
TOTAL OPEN SPACE	17.25 AC.
<u>PROVIDED INDIGENOUS:</u>	
NATIVE INDIGENOUS:	3.51 AC.
INDIGENOUS RESTORATION:	1.09 AC.
TOTAL INDIGENOUS AREA:	4.60 AC.

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 to provide 8.53 acres of indigenous open space and is providing 4.60 acres of indigenous preserve area. The applicant is providing 3.51 acres of native indigenous vegetation and 1.09 acres of restored indigenous. An ERP (Permit # 36-05268-P) was issued on July 13, 2005 (see Attachment B); however, no wetlands were observed onsite during DexBender's review. The applicant has not provided an indigenous management plan, and will have to do so at the time of development order. Both MCP A & B depict 4.60 acres of indigenous and 1.09 acres of restored area. The FLUCCS map that has been provided by DexBender describes the native vegetated class below:

FLUCCS Code 411E3, Pine Flatwoods Invaded by Exotics (51 – 75%)

The open canopy in this habitat type is dominated by slash pine (*Pinus elliottii*) with scattered melaleuca (*Melaleuca quinquenervia*). The midstory contains melaleuca, Brazilian pepper (*Schinus terebinthifolius*), laurel oak (*Quercus laurifolia*), myrsine (*Rapanea punctata*), and cocoplum (*Chrysobalanus icaco*). Saw palmetto (*Serenoa repens*) dominates the ground cover

Staff recommends approval of deviation 2, subject to the revision of the MCP, with the following condition to ensure the proposed indigenous open space is provided:

Prior to the issuance of the first development order, the applicant must provide an indigenous management plan in compliance with 10-474 of the Land Development Code.

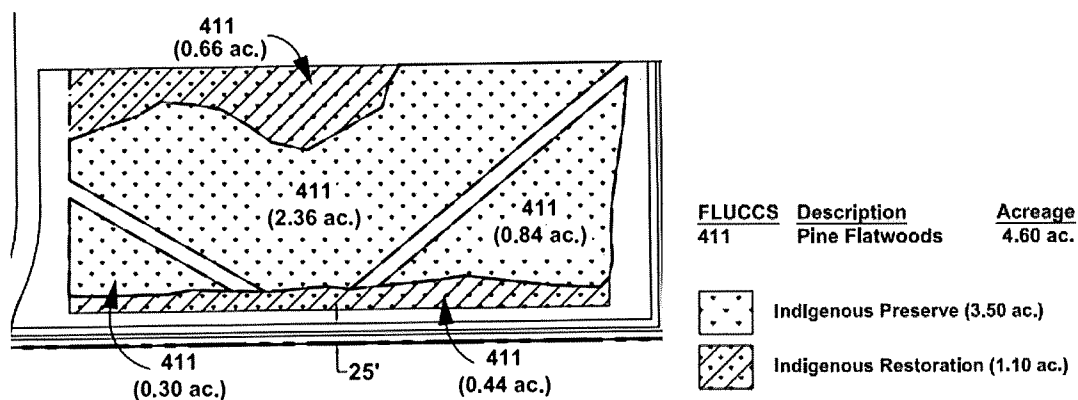
Prior to the issuance of the first development order, the development order plans must depict a total of 1.09 acres of restored wetlands and a total of 4.60 acres of

indigenous preserve area in substantial compliance with the Master Concept Plan A & B per the following breakdown:

<u>PROVIDED INDIGENOUS:</u>	
NATIVE INDIGENOUS.	3.51 AC.
INDIGENOUS RESTORATION.	1.09 AC.
TOTAL INDIGENOUS AREA.	4.60 AC.

Indigenous Restoration Plan

DexBender has provided an Indigenous Restoration Plan (IRP) (Attachment E) that includes the detailed restoration and preservation replanting plans. The IRP provides detailed specifications for the plant material within the restoration area. Indigenous and restoration areas are depicted below:



The proposed restoration includes various methods of removal of exotic species. The following methods are proposed by the applicant:

1. All exotics (defined as Category 1 and 2 species on the Florida Invasive Species Council's List of Invasive Plant Species) within the 1.09 acre restoration area be mechanically removed from areas that are currently dominated with exotics and therefore have very few native species present;
2. Where mechanical removal of exotics is not deemed practicable exotics will be treated:
 - a. Exotic control will be accomplished by chain saw or machete.
 - b. Large trees (greater than four inch diameter at breast height (DBH)) may be girdled and killed in place with a stump specific herbicide suitable for aquatic application.
 - c. The four inch DBH and smaller trees and shrubs will be cut just above natural grade and the stump treated with an appropriate herbicide suitable for aquatic application.

The IRP, Table 1 provides a planting list depicting the plant species and specifications for the restoration area.

Table 1. Supplemental Plantings

Botanical Name	Common Name	Size	Spacing (feet O.C.)	Estimated Number of Plants
CANOPY TREES				
<i>Pinus elliottii</i>	Slash pine	6 ft	15	170
<i>Quercus laurifolia</i>	Laurel oak	6 ft	15	43
Total				213
SHRUBS				
<i>Chrysobalanus icaco</i>	Cocoplum	1 gal	10*	15
<i>Hamelia patens</i>	Firebush	1 gal	10*	10
<i>Ilex glabra</i>	Gallberry	1 gal	10*	5
<i>Rapanea punctata</i>	Myrsine	1 gal	10*	5
Total				35
GROUND COVER				
<i>Aristida</i> sp.	Wire grass	1 gal	5	383
<i>Eragrostis</i> sp.	Lovegrass	1 gal	5	575
<i>Licania michauxii</i>	Gopher apple	1 gal	5	96
<i>Muhlenbergia capillaris</i>	Muhlygrass	1 gal	5	383
<i>Serenoa repens</i>	Saw palmetto	1 gal	5	192
<i>Spartina bakeri</i>	Sand cordgrass	1 gal	5	287
Total				1,916

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 in substantial compliance with the Indigenous Restoration Plan.

Prior to the issuance of the first development order, the development order plans must include a schedule for the indigenous preservation and restoration to be completed within at least five consecutive years.

Prior to the issuance of the first development order, the development order plans must include a map depicting where mechanical and hand-removal methods of exotic vegetation removal will be located.

The applicant must submit with the vegetation removal permit survey point maps depicting the preservation and restoration areas and mechanical clearing limits.

Buffers

The proposed development abuts a mixed-plan development to the north, right-of-ways along the east and west, and commercial properties to the south. The required buffers for MCP A & B are as follows:

East – I-75 right-of-way abuts the east portion of the property. LDC 10-416(d)(3) requires a 15-foot Type D right-of-way buffer. The applicant is providing a 15-foot Type D buffer in compliance with 10-416(d)(3).

West – Three Oaks Parkway right-of-way abuts the west portion of the property. LDC 10-416(d)(3) requires a 15-foot Type D right-of-way buffer. However, per the previous resolution (Attachment F), the applicant is providing a 20-foot Type D buffer to be consistent with Z-08-035.

North - The north property line abuts a mixed-use development. Per LDC Section 10-416(d), multi-family developments do not require a buffer when abutting a commercial property. Commercial properties are required to provide a 5-foot Type A buffer when abutting a commercial development. The applicant is providing no buffer where residential development abuts commercial. A 5-foot Type A buffer is being provided where commercial development abuts commercial.

South - The south property line abuts a commercial planned development. Per LDC Section 10-416(d), multi-family developments do not require a buffer when abutting a commercial property. Commercial properties are required to provide a 5-foot Type A buffer when abutting a commercial development. The applicant is providing no buffer where residential development abuts commercial. A 5-foot Type A buffer is being provided where commercial development abuts commercial.

Internal Development – Where commercial and residential abut right-of-ways, a 15-foot Type D buffer is required per LDC 10-416(d)(3). The applicant is demonstrating compliance to LDC 10-416(d)(3) by providing 15-foot Type D buffers along the right-of-ways internal to the development.

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 landscape buffer along entirety of the west property line.

Deviations

Deviation 1 - The applicant has requested a deviation from LDC Section 10-329(d)(4) which requires banks of excavations to be sloped at a ratio not greater than 6:1 slope to allow a 4:1 lake bank slope. The applicant has requested the deviation in accordance with the Airport Wildlife Hazard Protection Zone. 4:1 slopes will be stabilized with sod ground cover and the native wetland trees. The plantings around the lake bank will provide adequate stabilization to prevent recurring erosion or stabilization issues

Staff recommends approval of Deviation 1 with no condition.

Deviation 2 & 3 - The applicant is requesting a deviation from LDC Section 10-418(2)(d) which requires littoral areas to be planted with herbaceous plant material, to allow for no herbaceous plantings within the littoral areas. The applicant is also requesting a deviation from section 10-418(2)(d)(3) which requires that only 25% of the herbaceous plants can be converted to wetland trees on littoral areas, to allow a conversion to 100% of the required littoral plantings to wetland trees. The applicant is requesting the deviations to comply with the Airport Wildlife Hazard Protection zone while upholding water quality standards, required by the LDC and Lee Plan.

Staff recommends approval of Deviation 2 & 3 with no conditions.

Attachments

- A – Protected Species Report/ FLUCCS Map
- B – South Florida Water Management Permit 36-05268-P
- C – Master Concept Plan A
- D – Master Concept Plan B
- E – Restoration Plan
- F – Resolution Z-08-035

Alico Crossroads

Section 3, Township 46 South, Range 25 East
Lee County, Florida

Protected Species Assessment

September 2021

Prepared for:

**Stock Development, LLC
2639 Professional Circle, Suite 101
Naples, FL 34119**

Prepared by:

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

INTRODUCTION

The 46.71± acre project is located within a portion of Section 3, Township 46 South, Range 25 East, Lee County, Florida. The parcel is bordered to the east by US 75, to the south by commercial development under construction, to the west by Three Oaks Parkway, and to the north by commercial development under construction and improved pasture.

SITE CONDITIONS

The site has been disturbed by agricultural activities that have been ongoing for decades. The majority of the site is improved pasture with the remaining forested areas containing high levels of exotics. Cattle are present throughout the property.

VEGETATIVE CLASSIFICATIONS

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

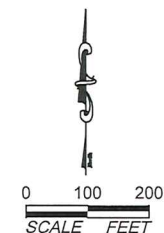
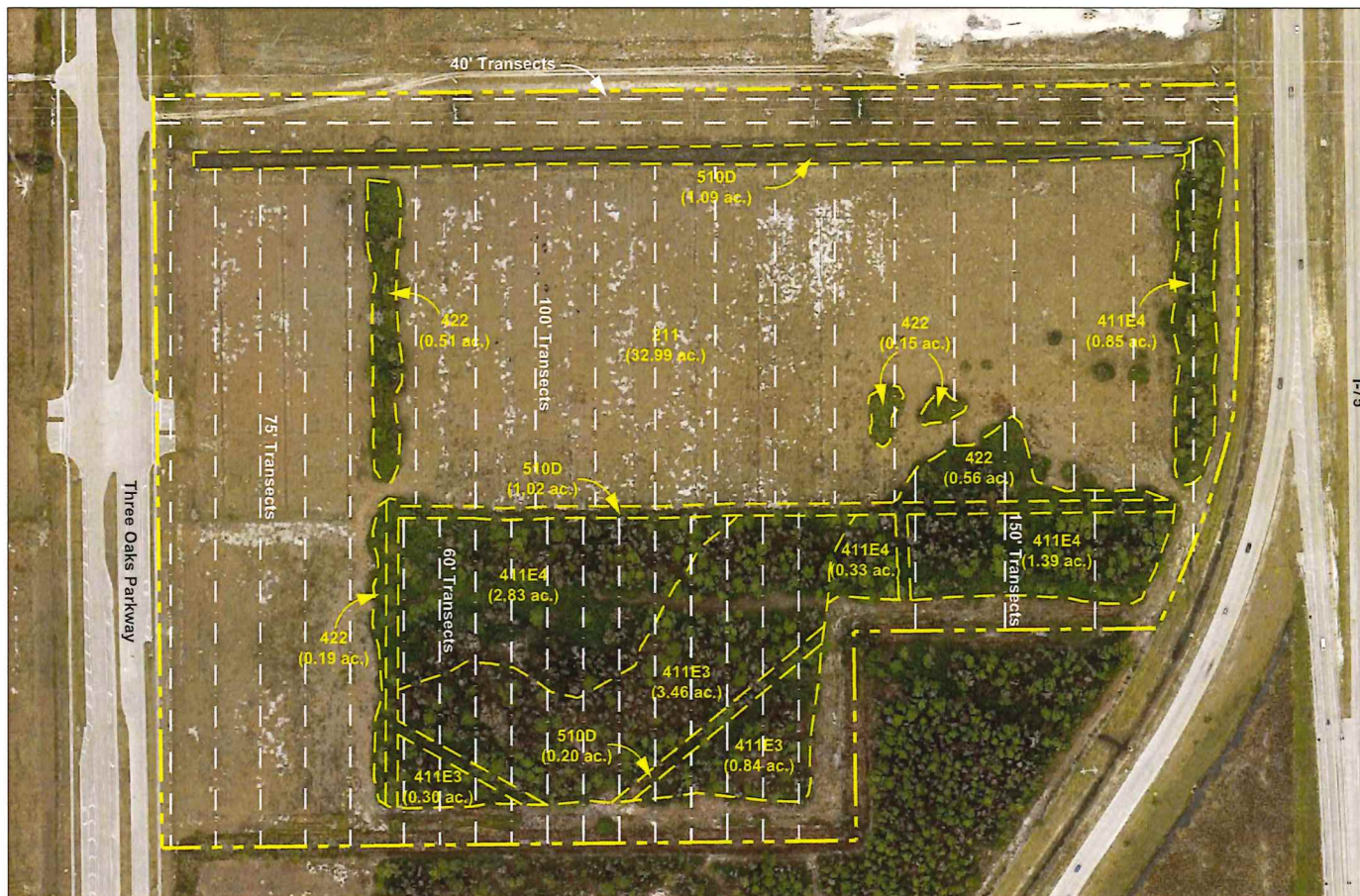
Table 1. Acreage Summary by FLUCCS Code

FLUCCS CODE	DESCRIPTION	ACREAGE
211	Improved Pastures	32.99
411E3	Pine Flatwoods Invaded by Exotics (51 – 75%)	4.60
411E4	Pine Flatwoods Invaded by Exotics (76 – 90%)	5.40
422	Brazilian Pepper	1.41
510D	Ditches	2.31
Total		46.71

FLUCCS Code 211, Improved Pastures

The majority of the property is well maintained cattle pasture. The pasture is dominated by Bahia grass (*Paspalum notatum*). Additional species present include smutgrass (*Sporobolus indicus*), whitehead broom (*Spermacoce verticillata*), chocolate weed (*Melochia* sp.), flatsedges (*Cyperus* spp.), rustweed (*Polypremum procumbens*), goatweed (*Scoparia dulcis*), and cogongrass (*Imperata cylindrica*).

SECTION: 3
TOWNSHIP: 46 S
RANGE: 25 E



FLUCCS	Description	Acreage
211	Improved Pastures	32.99 ac.
411E3	Pine Flatwoods Invaded by Exotics (51-75%)	4.60 ac.
411E4	Pine Flatwoods Invaded by Exotics (76-90%)	5.40 ac.
422	Brazilian Pepper	1.41 ac.
510D	Ditches	2.31 ac.
Total		46.71 ac.

Notes:
1. Property boundary obtained from Kris A. Slosser, PSM.
2. Mapping based on photointerpretation of 2021 aerial photography and ground truthing in August 2021.
3. Delineation of jurisdictional wetlands approved during review of SFWMD Permit No. 36-05268-P.

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Figure 1. Protected Species Assessment Map

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FLUCCS Code 411E3, Pine Flatwoods Invaded by Exotics (51 – 75%)

The open canopy in this habitat type is dominated by slash pine (*Pinus elliottii*) with scattered melaleuca (*Melaleuca quinquenervia*). The midstory contains melaleuca, Brazilian pepper (*Schinus terebinthifolius*), laurel oak (*Quercus laurifolia*), myrsine (*Rapanea punctata*), and cocoplum (*Chrysobalanus icaco*). Saw palmetto (*Serenoa repens*) dominates the ground cover.

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

The canopy in these areas consists of melaleuca and scattered slash pine. Dense Brazilian pepper dominates the midstory. Ground cover consists of scattered patches of saw palmetto, bare ground, grape vine (*Vitis* sp.), and greenbrier (*Smilax* sp.).

FLUCCS Code 422, Brazilian Pepper

Areas of dense Brazilian pepper are present along the edges of the improved pasture.

FLUCCS Code 510D, Ditches

Several remnant agricultural ditches are present on the property. These areas are vegetated by species such as torpedo grass (*Panicum repens*), red ludwigia (*Ludwigia repens*), pickerel weed (*Pontederia cordata*), duckweed (*Lemna* sp.), and marsh pennywort (*Hydrocotyle umbellata*).

SURVEY METHOD

Lee County Protected Species Ordinance No. 89-34 lists several protected species of animals that could potentially occur on-site based on the general vegetative associations found on the subject parcel. Each habitat type was surveyed for the occurrence of these and any other listed species likely to occur in the specific habitat types. The survey was conducted using meandering linear pedestrian belt transects. This survey methodology is based on the Lee County administratively approved Meandering Transect Methodology. As part of this survey all live trees and snags were inspected for the evidence of cavities that could potentially be used as roosts by the Florida bonneted bat (*Eumops floridanus*). In order to provide at least 80 percent visual coverage of habitat types listed in Ordinance No. 89-34, the transects were spaced approximately 60 to 100 feet apart. The approximate locations of all direct sighting or signs (such as tracks, nests, and droppings) of a listed species were denoted on the aerial photography. The 1" = 200' scale aerial Protected Species Assessment map (Figure 1) depicts the approximate location of the survey transects and the results of the survey. The listed species survey was conducted during the mid-day hours of August 16, 2021. During the survey the weather was hot and humid.

Species listed as endangered, threatened, or species of special concern by the Florida Fish and Wildlife Conservation Commission (FWC) or the United States Fish and Wildlife Service (FWS) that could potentially occur on the subject parcel according to the Lee County Protected Species Ordinance are shown in Table 2. This list from the Lee County Protected Species Ordinance is general in nature, contains species that were

subsequently delisted by the state, does not necessarily reflect existing conditions within or adjacent to the 46.71± acre property, and is provided for general informational purposes only. The bald eagle (*Haliaeetus leucocephalus*) (which has been delisted by the FWC and FWS but is still protected by other regulations), the Florida black bear (*Ursus americanus floridanus*) (delisted in 2012 and still protected by the Florida Black Bear Management Plan), and the Florida bonneted bat (*Eumops floridanus*) (which was listed by the FWS after Ordinance No. 89-34 was adopted by Lee County) were also included in the survey.

Prior to conducting the protected species survey, a search of the FWC listed species database was conducted to determine the known occurrence of listed species in the project area. This search revealed no known protected species occurring on or immediately adjacent to the site. The database indicated that Florida black bear have been recorded in the vicinity of the property. The FWC's online Gopher Tortoise Permit Map was also reviewed. According to the website, no gopher tortoise permits have been issued for the subject property or immediately adjacent lands.

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

FLUCCS CODE	Percent Survey Coverage	Species Name	Present	Absent
211	80	Florida Sandhill Crane (<i>Grus canadensis pratensis</i>)		√
		Florida Panther (<i>Felis concolor coryi</i>)		√
411E3	80	Gopher Frog (<i>Rana areolata</i>)*		√
411E4		Eastern Indigo Snake (<i>Drymarchon corais couperi</i>)		√
		Gopher Tortoise (<i>Gopherus polyphemus</i>)		√
		Red-cockaded Woodpecker (<i>Picoides borealis</i>)		√
		Southeastern American Kestrel (<i>Falco sparverius paulus</i>)		√
		Big Cypress Fox Squirrel (<i>Sciurus niger avicennia</i>)		√
		Florida Black Bear (<i>Ursus americanus floridanus</i>)*		√
		Florida Panther (<i>Felis concolor coryi</i>)		√
		Beautiful Pawpaw (<i>Deeringothamnus pulchellus</i>)		√
		Fakahatchee Burmannia (<i>Burmannia flava</i>)		√
		Florida Coontie (<i>Zamia floridana</i>)		√
		Satinleaf (<i>Chrysophyllum olivaeforme</i>)		√
422	80	None		

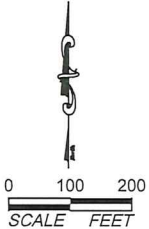
FLUCCS CODE	Percent Survey Coverage	Species Name	Present	Absent
510D	80	American Alligator (<i>Alligator mississippiensis</i>)		✓
		Limpkin (<i>Aramus guarauna</i>)*		✓
		Little Blue Heron (<i>Egretta caerulea</i>)		✓
		Reddish Egret (<i>Egretta rufescens</i>)		✓
		Roseate Spoonbill (<i>Ajaia ajaja</i>)		✓
		Snowy Egret (<i>Egretta thula</i>)*		✓
		Tricolored Heron (<i>Egretta tricolor</i>)		✓
		Everglades Mink (<i>Mustela vison evergladensis</i>)		✓

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

SURVEY RESULTS

No species listed by either the FWS or the FWC were observed on the site during the protected species survey. No potential Florida bonneted bat roost cavities were observed. In addition to the site inspection, a search of the FWC species database revealed no known protected species within or immediately adjacent to the project limits.

SECTION: 3
TOWNSHIP: 46 S
RANGE: 25 E

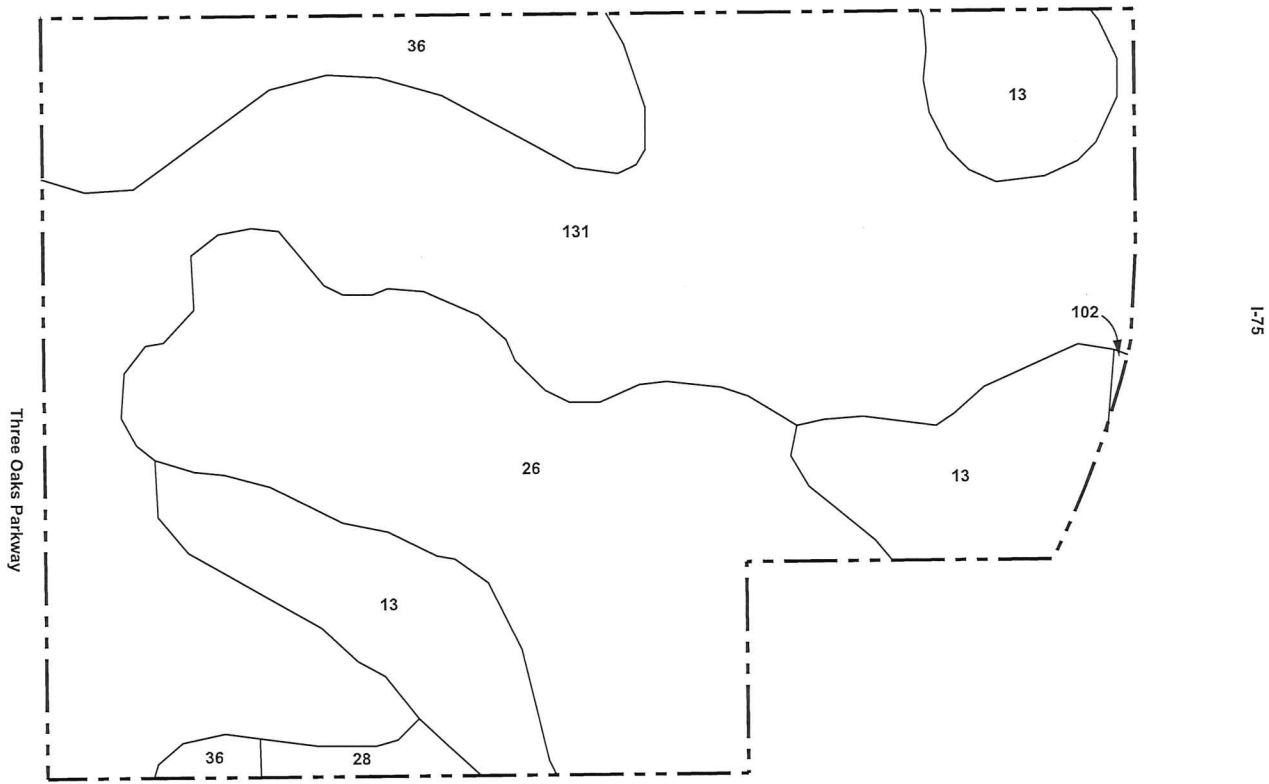
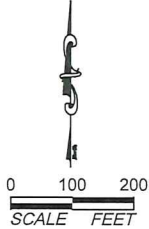


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Notes:
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SECTION: 3
TOWNSHIP: 46 S
RANGE: 25 E



Map Unit	Soil Name
13	Boca fine sand
26	Pineda-Pineda, wet, fine sand
28	Immokalee sand
36	Immokalee sand - Urban land complex
102	Boca fine sand - Urban land complex
131	Pompano fine sand - Urban land complex

Notes:
1. Property boundary obtained from Kris A. Slosser, PSM.
2. Soils Information obtained from the NRCS Web Soil Survey.

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Soils Map

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FORM #0143
Rev. 01/95

SOUTH FLORIDA WATER MANAGEMENT DISTRICT
ENVIRONMENTAL RESOURCE PERMIT NO. 36-05268-P
DATE ISSUED: JULY 13, 2005

PERMITTEE: ALAN FREEMAN
(THREE OAKS PARKWAY AND ORIOLE ROAD EXTENSION)
19091 TAMAMI TRAIL SE,
FORT MYERS, FL 33908

PROJECT DESCRIPTION: ENVIRONMENTAL RESOURCE PERMIT AUTHORIZING CONSTRUCTION AND OPERATION OF A SWM SERVING 156.86 ACRES OF COMMERCIAL/LIGHT INDUSTRIAL DEVELOPMENT OF THE TOTAL 629.61 ACRE DEVELOPMENT KNOWN AS THREE OAKS PARKWAY AND ORIOLE ROAD EXTENSION AND CONCEPTUAL APPROVAL OF A SWM SERVING THE REMAINING 538.48 ACRES OF THE PROJECT WITH DISCHARGE INTO WATERS OF THE TEN MILE CANAL VIA THE ALICO ROAD/BRIARCLIFF DITCH AND ON-SITE WETLAND SYSTEMS.

PROJECT LOCATION: LEE COUNTY, SECTION 3-4 TWP 46S RGE 25E

PERMIT DURATION: See Special Condition No.1 See attached Rule 40E-4.321, Florida Administrative Code.

This Permit is issued pursuant to Application No. 991027-15, dated October 27, 1999. Permittee agrees to hold and save the South Florida Water Management District and its successors harmless from any and all damages, claims or liabilities which may arise by reason of the construction, operation, maintenance or use of activities authorized by this Permit. This Permit is issued under the provisions of Chapter 373, Part IV Florida Statutes (F.S.), and the Operating Agreement Concerning Regulation Under Part IV, Chapter 373 F.S., between South Florida Water Management District and the Department of Environmental Protection. Issuance of this Permit constitutes certification of compliance with such water quality standards where necessary pursuant to Section 401, Public Law 92-500, 33 USC Section 1341, unless this Permit is issued pursuant to the net improvement provisions of Subsections 373.414(1)(b), F.S., or as otherwise stated herein.

This Permit may be transferred pursuant to the appropriate provisions of Chapter 373, F.S. and Sections 40E-1.6107(1) and (2), and 40E-4.351(1), (2), and (4), Florida Administrative Code (F.A.C.). This Permit may be revoked, suspended, or modified at any time pursuant to the appropriate provisions of Chapter 373, F.S. and Sections 40E-4.351(1), (2), and (4), F.A.C.

This Permit shall be subject to the General Conditions set forth in Rule 40E-4.381, F.A.C., unless waived or modified by the Governing Board. The Application, and the Environmental Resource Permit Staff Review Summary of the Application, including all conditions, and all plans and specifications incorporated by reference, are a part of this Permit. All activities authorized by this Permit shall be implemented as set forth in the plans, specifications, and performance criteria as set forth and incorporated in the Environmental Resource Permit Staff Review Summary. Within 30 days after completion of construction of the permitted activity, the Permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual, pursuant to the appropriate provisions of Chapter 373, F.S. and Sections 40E-4.361 and 40E-4.381, F.A.C.

In the event the property is sold or otherwise conveyed, the Permittee will remain liable for compliance with this Permit until transfer is approved by the District pursuant to Rule 40E-1.6107, F.A.C.

SPECIAL AND GENERAL CONDITIONS ARE AS FOLLOWS:

SEE PAGES 2 - 6 OF 9 (36 SPECIAL CONDITIONS)

SEE PAGES 7 - 9 OF 9 (19 GENERAL CONDITIONS)

SOUTH FLORIDA WATER MANAGEMENT
DISTRICT, BY ITS GOVERNING BOARD

On _____ ORIGINAL SIGNED BY:
By _____ ELIZABETH VEGUILLA
DEPUTY CLERK

SPECIAL CONDITIONS

1. The conceptual phase of this permit shall expire on July 13, 2007.
The construction phase of this permit shall expire on July 13, 2010.
2. Operation of the surface water management system shall be the responsibility of NORTH ALICO PROPERTY OWNERS ASSOCIATION, INC. Within one year of permit issuance or concurrent with the engineering certification of construction completion, whichever comes first, the permittee shall submit a copy of the recorded deed restrictions (or declaration of condominium, if applicable), a copy of the filed articles of incorporation, and a copy of the certificate of incorporation for the association.
3. Discharge Facilities:

Basin: A

1-5' W X 2.81' H SHARP CRESTED weir with crest at elev. 17.61' NGVD.
1-3.16' W X .17' H RECTANGULAR ORIFICE with invert at elev. 15.5' NGVD.

Receiving body : Lake
Control elev : 15.5 feet NGVD.

Basin: B

1-4' W X 2.89' H SHARP CRESTED weir with crest at elev. 17.53' NGVD.
1-2.42' W X .17' H RECTANGULAR ORIFICE with invert at elev. 15.5' NGVD.

Receiving body : Lake
Control elev : 15.5 feet NGVD.

Basin: C

1-4' W X 2.1' H SHARP CRESTED weir with crest at elev. 17.59' NGVD.
1-1.95' W X .17' H RECTANGULAR ORIFICE with invert at elev. 15.5' NGVD.

Receiving body : Lake
Control elev : 15.5 feet NGVD.

Basin: D

1-4' W X 2.83' H SHARP CRESTED weir with crest at elev. 17.50' NGVD.
1-1.78' W X .17' H RECTANGULAR ORIFICE with invert at elev. 15.5' NGVD.

Receiving body : Lake
Control elev : 15.5 feet NGVD.

Basin: E

1-4' W X 2.58' H SHARP CRESTED weir with crest at elev. 17.84' NGVD.
1-1.3' W X .17' H RECTANGULAR ORIFICE with invert at elev. 15.5' NGVD.

Receiving body : Lake
Control elev : 15.5 feet NGVD.

Basin: F

1-1.7' W X 2.35' H SHARP CRESTED weir with crest at elev. 16.8' NGVD.
1-9.22' W X .17' H RECTANGULAR ORIFICE with invert at elev. 15.5' NGVD.
48 LF of 4' dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Existing ditch along Alico Road via existing wetland
Control elev : 15.5 feet NGVD.

4. The permittee shall be responsible for the correction of any erosion, shoaling or water quality problems that result from the construction or operation of the surface water management system.
5. Measures shall be taken during construction to insure that sedimentation and/or turbidity violations do not occur in the receiving water.
6. The District reserves the right to require that additional water quality treatment methods be incorporated into the drainage system if such measures are shown to be necessary.
7. Lake side slopes shall be no steeper than 4:1 (horizontal:vertical) to a depth of two feet below the control elevation. Side slopes shall be nurtured or planted from 2 feet below to 1 foot above control elevation to insure vegetative growth, unless shown on the plans.
8. Facilities other than those stated herein shall not be constructed without an approved modification of this permit.
9. Prior to any future construction, the permittee shall apply for a water use permit, which will be reviewed concurrently with the ERP modification.
10. A Water Use Permit must be obtained prior to irrigation withdrawals, unless the work is exempt pursuant to Chapter 40E-2.051 F.A.C.
11. A stable, permanent and accessible elevation reference shall be established on or within one hundred (100) feet of all permitted discharge structures no later than the submission of the certification report. The location of the elevation reference must be noted on or with the certification report.
12. The permittee shall provide routine maintenance of all of the components of the surface water management system in order to remove all trapped sediments/debris. All materials shall be properly disposed of as required by law. Failure to properly maintain the system may result in adverse flooding conditions.
13. This permit is issued based on the applicant's submitted information which reasonably demonstrates that adverse water resource related impacts will not be caused by the completed permit activity. Should any adverse impacts caused by the completed surface water management system occur, the District will require the permittee to provide appropriate mitigation to the District or other impacted party. The District will require the permittee to modify the surface water management system, if necessary, to eliminate the cause of the adverse impacts.
14. All future parcels will provide additional water quality treatment as indicated on Exhibit No. 2.0, 2.1 and 2.4 (plan sheets , 5 and 7A of 35) prior to discharge into the master surface water management system.
15. Prior to any future construction, the permittee shall apply for and receive a permit modification. As part of the permit application, the applicant for that phase shall provide documentation verifying that the proposed construction is consistent with the design of the master surface water management system, including the land use and site grading assumptions.
16. Minimum building floor elevation:
BASIN: A - 22.00 feet NGVD.
BASIN: B - 22.00 feet NGVD.
BASIN: C - 22.00 feet NGVD.
BASIN: D - 22.00 feet NGVD.
BASIN: E - 22.00 feet NGVD.
17. Minimum road crown elevation:
Basin: A - 20.20 feet NGVD.
Basin: B - 20.20 feet NGVD.
Basin: C - 20.20 feet NGVD.

Basin: D - 20.20 feet NGVD.
Basin: E - 20.20 feet NGVD.

18. Exhibits "E" and "F" of the Property Owners Association Documents, Urban Stormwater Management Program and Construction Pollution Prevention Plan respectively, have been included in this permit by reference (please see permit file).
19. The Permittee shall utilize the criteria contained in the Construction Pollution Prevention Plan (Exhibit "F" of the Property Owners Association documents) and on the applicable approved construction drawings for the duration of the projects construction activities.
20. The Permittee shall utilize the criteria contained in the Urban Stormwater Management Program (Exhibit "E" of the Property Owners Association Documents) for post construction activities.
21. At the time of application for any phase of construction that includes wetland impacts, the permittee shall demonstrate that an adequate portion of the mitigation plan has been or shall be exercised and completed in a timely manner (i.e., concurrent with the wetland impacts) and that the specified mitigation will adequately offset the wetland impacts associated with that phase per the phasing plan as depicted in Exhibit No. 3.3A-D.
22. Each application for construction of future phases of the permit shall be accompanied by an updated summary and map which shows the location and acreage of the wetland(s) impacted to date, and the existing mitigation areas for the entire project.
23. Endangered species, threatened species and/or species of special concern have been observed onsite and/or the project contains suitable habitat for these species. It shall be the permittee's responsibility to coordinate with the Florida Fish and Wildlife Conservation Commission and/or the U.S. Fish and Wildlife Service for appropriate guidance, recommendations and/or necessary permits to avoid impacts to listed species.
24. A mitigation program for Three Oaks Parkway and Oriole Road Extension shall be implemented in accordance with Exhibit Nos. 3.3A-D, 3.4A-G, 3.5, 3.6, 3.7, 3.8A-L, 3.9A-N. The permittee shall preserve 37.86 acres of wetlands onsite, 135.9 acres of wetlands offsite, 5.9 acres onsite upland compensation areas, and 17.8 acres of onsite other surface waters.
25. The District reserves the right to require remedial measures to be taken by the permittee if monitoring or other information demonstrates that adverse impacts to onsite or offsite wetlands, upland conservation areas or buffers, or other surface waters have occurred due to project related activities.
26. A monitoring program shall be implemented in accordance with Exhibit Nos. 3.5 and 3.6. The monitoring program shall extend for a period of 5 years with annual reports submitted to District staff. At the end of the first monitoring period the mitigation area shall contain an 80% survival of planted vegetation. The 80% survival rate shall be maintained throughout the remainder of the monitoring program, with replanting as necessary. If native wetland, transitional, and upland species do not achieve an 80% coverage within the initial two years of the monitoring program, native species shall be planted in accordance with the maintenance program. At the end of the 5 year monitoring program the entire mitigation area shall contain an 80% survival of planted vegetation and an 80% coverage of desirable obligate and facultative wetland species.

Upon submittal of an application for construction approval, the permittee shall submit a wetland construction mitigation, monitoring and maintenance plan for review by District staff. The plan shall be subject to the approval of District staff and the environmental criteria in effect at the time of the construction permit application.

27. A maintenance program shall be implemented in accordance with Exhibit No. 3.4A-G for the preserved wetland conservation areas on a regular basis to ensure the integrity and viability of those areas as permitted. Maintenance shall be conducted in perpetuity to ensure that the conservation areas are maintained free from Category 1 exotic vegetation (as defined by the Florida Exotic Pest Plant Council at the time of permit issuance) immediately following a maintenance activity. Maintenance in perpetuity shall also insure that conservation areas, including buffers, maintain the species and coverage of native, desirable vegetation specified in the permit. Coverage of exotic and nuisance plant species shall not exceed 5% of total cover between maintenance activities. In addition, the permittee shall manage the conservation areas such that exotic/nuisance plant species do not dominate any one section of those areas.
28. Upon submittal of an application for construction approval, the permittee shall submit a wetland construction mitigation, monitoring and maintenance plan for review by District staff.
29. At the time of application for construction approval, the permittee shall submit draft copies of preliminary plat(s), deed restrictions, conservation easements or other documentation which dedicates the wetland preservation/mitigation areas, upland buffer zones, and/or upland preservation areas as conservation and common areas. Restrictions for the use of the conservation/common areas shall stipulate:

The wetland mitigation areas and upland preservation areas are hereby dedicated as conservation and common areas. The conservation/common areas shall be the perpetual responsibility of NORTH ALICO PROPERTY OWNERS ASSOCIATION and may in no way be altered from their natural or permitted state as documented in 36-05268-P, with the exception of restoration activities. Activities prohibited within the conservation areas include, but are not limited to: construction or placing soil or other substances such as trash:

Construction or placement of soil or other substances such as trash; removal or destruction of trees, shrubs or other vegetation (with the exception of exotic/nuisance vegetation) removal; excavation, dredging, or removal of soil material; diking or fencing; and any other activities detrimental to drainage, flood control, water conservation, erosion control or fish and wildlife habitat conservation or preservation.

Recorded copies of plats, deed restrictions, conservation easements or other approved documentation shall be submitted concurrently with engineering certification of construction completion.
30. At the time of application for construction approval, the permittee shall stake and rope the wetlands and associated upland buffer zones, within the proposed phase construction area(s). The staking and roping shall be subject to the approval of the District Environmental Resource Compliance staff. The permittee shall modify the staking and roping if the District staff determines it is insufficient. Staking and roping shall remain in place until all adjacent construction activities are complete.
31. Upon submittal of an application for construction approval involving wetland impacts or proposed mitigation, the permittee shall submit a work schedule, subject to District staff review and approval, specifying completion dates for each mitigation, monitoring and maintenance task.
32. Prior to the commencement of construction, the permittee shall conduct a pre-construction meeting with field representatives, contractors and District staff. The purpose of the meeting will be to discuss construction methods and sequencing such as the type and location of turbidity and erosion controls to be implemented during construction, mobilization and staging of contractor equipment, construction dewatering, coordination with other entities on adjacent construction projects, wetland/buffer protection methods, endangered species protection with the permittee and contractors. The permittee shall contact District Environmental Resource

Compliance staff from the Lower West Coast Service Center at (239) 338-2929 to schedule the pre-construction meeting.

33. Prior to the commencement of construction and in conformance with the work schedule in Exhibit 3.7A-B, the permittee shall provide an original letter of credit/bond in the amount of \$803,556.60 to ensure the permittee's financial ability and commitment to complete the proposed mitigation, monitoring and maintenance plan as shown on Exhibit No. 3.4A-G. The letter of credit/bond shall be in substantial conformance with Exhibit No. 3.10A-E. When a performance bond is established, the permittee shall also establish a standby trust fund for deposit of all payments under bond. The letter of credit/bond shall remain in effect for the entire period of the mitigation and monitoring program. Notification of the District by the financial institution that the letter of credit/bond will not be renewed or is no longer in effect shall constitute non-compliance with the permit.
34. Prior to the commencement of construction, the perimeter of wetland conservation areas shall be silt fenced to prevent encroachment into the protected areas. The permittee shall notify the District's Environmental Resource Compliance staff in writing upon completion of silt fencing and schedule an inspection of this work. The silt fencing shall be subject to District staff approval. The permittee shall modify the silt fencing if District staff determines that it is insufficient or is not in conformance with the intent of this permit. Silt fencing shall remain in place until all adjacent construction activities are complete.
35. The wetland conservation areas and upland buffer zones and/or upland preservation areas shown on Exhibit(s) 3.5, 3.6, 3.8A-L, and 3.9A-N may in no way be altered from their natural or permitted state. Activities prohibited within the conservation areas include, but are not limited to: construction or placing of buildings on or above the ground; dumping or placing soil or other substances such as trash; removal or destruction of trees, shrubs, or other vegetation - with the exception of exotic vegetation removal; excavation, dredging, or removal of soil materials; diking or fencing; and any other activities detrimental to drainage, flood control, water conservation, erosion control, or fish and wildlife habitat conservation or preservation.
36. Prior to the commencement of construction resulting in wetland impacts and in accordance with the work schedule in Exhibit No. 3.7A-B, the permittee shall submit two certified copies of the recorded conservation easements for the onsite and offsite mitigation areas and associated buffers. The data should also be supplied in a digital CAD (.dxf) or GIS (ESRI Coverage) format. The files should be in the Florida State Plane coordinate system, East Zone (3601) with a data datum of NAD83, HARN with the map units in feet. This data should reside on a CD or floppy disk and be submitted to the District's Environmental Resource Compliance Division in the service area office where the application was submitted.

The recorded easements shall be in substantial conformance with Exhibit Nos. 3.8A-L and 3.9A-N. Any proposed modifications to the approved form must receive prior written consent from the District. The easement must be free of encumbrances or interests in the easement which the District determines are contrary to the intent of the easement. In the event it is later determined that there are encumbrances or interests in the easement which the District determines are contrary to the intent of the easement, the permittee shall be required to provide release or subordination of such encumbrances or interests.

GENERAL CONDITIONS

1. All activities authorized by this permit shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit and Part IV, Chapter 373, F.S.
2. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by District staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
3. Activities approved by this permit shall be conducted in a manner which does not cause violations of State water quality standards. The permittee shall implement best management practices for erosion and pollution control to prevent violation of State water quality standards. Temporary erosion control shall be implemented prior to and during construction, and permanent control measures shall be completed within 7 days of any construction activity. Turbidity barriers shall be installed and maintained at all locations where the possibility of transferring suspended solids into the receiving waterbody exists due to the permitted work. Turbidity barriers shall remain in place at all locations until construction is completed and soils are stabilized and vegetation has been established. All practices shall be in accordance with the guidelines and specifications described in Chapter 6 of the Florida Land Development Manual; A Guide to Sound Land and Water Management (Department of Environmental Regulation, 1988), incorporated by reference in Rule 40E-4.091, F.A.C. unless a project-specific erosion and sediment control plan is approved as part of the permit. Thereafter the permittee shall be responsible for the removal of the barriers. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.
4. The permittee shall notify the District of the anticipated construction start date within 30 days of the date that this permit is issued. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the District an Environmental Resource Permit Construction Commencement Notice Form Number 0960 indicating the actual start date and the expected construction completion date.
5. When the duration of construction will exceed one year, the permittee shall submit construction status reports to the District on an annual basis utilizing an annual status report form. Status report forms shall be submitted the following June of each year.
6. Within 30 days after completion of construction of the permitted activity, the permittee shall submit a written statement of completion and certification by a professional engineer or other individual authorized by law, utilizing the supplied Environmental Resource/Surface Water Management Permit Construction Completion/Certification Form Number 0881A, or Environmental Resource/Surface Water Management Permit Construction Completion Certification - For Projects Permitted prior to October 3, 1995 Form No. 0881B, incorporated by reference in Rule 40E-1.659, F.A.C. The statement of completion and certification shall be based on onsite observation of construction or review of as-built drawings for the purpose of determining if the work was completed in compliance with permitted plans and specifications. This submittal shall serve to notify the District that the system is ready for inspection. Additionally, if deviation from the approved drawings are discovered during the certification process, the certification must be accompanied by a copy of the approved permit drawings with deviations noted. Both the original and revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawings. All surveyed dimensions and elevations shall be certified by a registered surveyor.
7. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of condition (6) above, and submitted a request

for conversion of Environmental Resource Permit from Construction Phase to Operation Phase, Form No. 0920; the District determines the system to be in compliance with the permitted plans and specifications; and the entity approved by the District in accordance with Sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District, accepts responsibility for operation and maintenance of the system. The permit shall not be transferred to such approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District, the permittee shall initiate transfer of the permit to the approved responsible operating entity if different from the permittee. Until the permit is transferred pursuant to Section 40E-1.6107, F.A.C., the permittee shall be liable for compliance with the terms of the permit.

8. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of the phase or portion of the system to a local government or other responsible entity.
9. For those systems that will be operated or maintained by an entity that will require an easement or deed restriction in order to enable that entity to operate or maintain the system in conformance with this permit, such easement or deed restriction must be recorded in the public records and submitted to the District along with any other final operation and maintenance documents required by Sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit applications within the South Florida Water Management District, prior to lot or units sales or prior to the completion of the system, whichever comes first. Other documents concerning the establishment and authority of the operating entity must be filed with the Secretary of State, county or municipal entities. Final operation and maintenance documents must be received by the District when maintenance and operation of the system is accepted by the local government entity. Failure to submit the appropriate final documents will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system and any other permit conditions.
10. Should any other regulatory agency require changes to the permitted system, the permittee shall notify the District in writing of the changes prior to implementation so that a determination can be made whether a permit modification is required.
11. This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 40E-4 or Chapter 40E-40, F.A.C..
12. The permittee is hereby advised that Section 253.77, F.S. states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the State, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement, or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.
13. The permittee must obtain a Water Use permit prior to construction dewatering, unless the work qualifies for a general permit pursuant to Subsection 40E-20.302(3), F.A.C., also known as the "No Notice" Rule.
14. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any system authorized by the

permit.

15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding, unless a specific condition of this permit or a formal determination under Section 373.421(2), F.S., provides otherwise.
16. The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of a permitted system or the real property on which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of Rules 40E-1.6105 and 40E-1.6107, F.A.C.. The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any violations prior to the sale, conveyance or other transfer of the system.
17. Upon reasonable notice to the permittee, District authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with the plans and specifications approved by the permit.
18. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the appropriate District service center.
19. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.

ENVIRONMENTAL RESOURCE PERMIT

CHAPTER 40E-4 (10/95)

40E-4.321 Duration of Permits

(1) Unless revoked or otherwise modified the duration of an environmental resource permit issued under this chapter or Chapter 40E-40, F.A.C. is as follows:

(a) For a conceptual approval, two years from the date of issuance or the date specified as a condition of the permit, unless within that period an application for an individual or standard general permit is filed for any portion of the project. If an application for an environmental resource permit is filed, then the conceptual approval remains valid until final action is taken on the environmental resource permit application. If the application is granted, then the conceptual approval is valid for an additional two years from the date of issuance of the permit. Conceptual approvals which have no individual or standard general environmental resource permit applications filed for a period of two years shall expire automatically at the end of the two year period.

(b) For a conceptual approval filed concurrently with a development of regional impact (DRI) application for development approval (ADA) and a local government comprehensive plan amendment, the duration of the conceptual approval shall be two years from whichever one of the following occurs at the latest date:

1. the effective date of the local government's comprehensive plan amendment.
2. the effective date of the local government development order.
3. the date on which the District issues the conceptual approval, or
4. the latest date of the resolution of any Chapter 120.57, F.A.C., administrative proceeding or other legal appeals.

(c) For an individual or standard general environmental resource permit, five years from the date of issuance or such amount of time as made a condition of the permit.

(d) For a noticed general permit issued pursuant to chapter 40-E-400, F.A.C., five years from the date the notice of intent to use the permit is provided to the District.

(2)(a) Unless prescribed by special permit condition, permits expire automatically according to the timeframes indicated in this rule. If application for extension is made in writing pursuant to subsection (3), the permit shall remain in full force and effect until:

1. the Governing Board takes action on an application for extension of an individual permit,

or

2. staff takes action on an application for extension of a standard general permit.

(b) Installation of the project outfall structure shall not constitute a vesting of the permit.

(3) The permit extension shall be issued provided that a permittee files a written request with the District showing good cause prior to the expiration of the permit. For the purpose of this rule, good cause shall mean a set of extenuating circumstances outside of the control of the permittee. Requests for extensions, which shall include documentation of the extenuating circumstances and how they have delayed this project, will not be accepted more than 180 days prior to the expiration date.

(4) Substantial modifications to Conceptual Approvals will extend the duration of the Conceptual Approval for two years from the date of issuance of the modification. For the purposes of this section, the term "substantial modification" shall mean a modification which is reasonably expected to lead to substantially different water resource or environmental impacts which require a new review.

(5) Substantial modifications to individual or standard general environmental resource permits issued pursuant to a permit application extend the duration of the permit for three years from the date of issuance of the modification. Individual or standard general environmental resource permit modifications do not extend the duration of a conceptual approval.

(6) Permit modifications issued pursuant to subsection 40E-4.331(2)(b), F.A.C. (letter modifications) do not extend the duration of a permit.

(7) Failure to complete construction or alteration of the surface water management system and obtain operation phase approval from the District within the permit duration shall require a new permit authorization in order to continue construction unless a permit extension is granted.

Specific authority 373.044, 373.113 F.S. Law Implemented 373.413, 373.416, 373.419, 373.426 F.S. History—New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.07(4), Amended 7-1-86, 4/20/94, Amended 7-1-86, 4/20/94, 10-3-95

NOTICE OF RIGHTS

Section 120.569(1), Fla. Stat. (1999), requires that "each notice shall inform the recipient of any administrative hearing or judicial review that is available under this section, s. 120.57, or s. 120.68; shall indicate the procedure which must be followed to obtain the hearing or judicial review, and shall state the time limits which apply." Please note that this Notice of Rights is not intended to provide legal advice. Not all the legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

Petition for Administrative Proceedings

1. A person whose substantial interests are affected by the South Florida Water Management District's (SFWMD) action has the right to request an administrative hearing on that action. The affected person may request either a formal or an informal hearing, as set forth below. A point of entry into administrative proceedings is governed by Rules 28-106.111 and 40E-1.511, Fla. Admin. Code, (also published as an exception to the Uniform Rules of Procedure as Rule 40E-0.109), as set forth below. Petitions are deemed filed upon receipt of the original documents by the SFWMD Clerk.

a. Formal Administrative Hearing: If a genuine issue(s) of material fact is in dispute, the affected person seeking a formal hearing on a SFWMD decision which does or may determine their substantial interests shall file a petition for hearing pursuant to Sections 120.569 and 120.57(1), Fla. Stat. or for mediation pursuant to Section 120.573, Fla. Stat. within 21 days, except as provided in subsections c. and d. below, of either written notice through mail or posting or publication of notice that the SFWMD has or intends to take final agency action. Petitions must substantially comply with the requirements of Rule 28-106.201(2), Fla. Admin. Code, a copy of the which is attached to this Notice of Rights.

b. Informal Administrative Hearing: If there are no issues of material fact in dispute, the affected person seeking an informal hearing on a SFWMD decision which does or may determine their substantial interests shall file a petition for hearing pursuant to Sections 120.569 and 120.57(2), Fla. Stat. or for mediation pursuant to Section 120.573, Fla. Stat. within 21 days, except as provided in subsections c. and d. below, of either written notice through mail or posting or publication of notice that the SFWMD has or intends to take final agency action. Petitions must substantially comply with the requirements of Rule 28-106.301(2), Fla. Admin. Code, a copy of the which is attached to this Notice of Rights.

c. Administrative Complaint and Order: If a Respondent objects to a SFWMD Administrative Complaint and Order, pursuant to Section 373.119, Fla. Stat. (1997), the person named in the Administrative Complaint and Order may file a petition for a hearing no later than 14 days after the date such order is served. Petitions must substantially comply with the requirements of either subsection a. or b. above.

d. State Lands Environmental Resource

Permit: Pursuant to Section 373.427, Fla. Stat., and Rule 40E-1.511(3), Fla. Admin. Code (also published as an exception to the Uniform Rules of Procedure as Rule 40E-0.109(2)(c)), a petition objecting to the SFWMD's agency action regarding consolidated applications for Environmental Resource Permits and Use of Sovereign Submerged Lands (SLERPs), must be filed within 14 days of the notice of consolidated intent to grant or deny the SLERP. Petitions must substantially comply with the requirements of either subsection a. or b. above.

e. Emergency Authorization and Order:

A person whose substantial interests are affected by a SFWMD Emergency Authorization and Order, has a right to file a petition under Sections 120.569, 120.57(1) and 120.57(2), Fla. Stat., as provided in subsections a. through h. above. However, the person, or the agent of the person responsible for causing or contributing to the emergency conditions shall take whatever action necessary to cause immediate compliance with the terms of the Emergency Authorization and Order.

f. Order for Emergency Action: A person whose substantial interests are affected by a SFWMD Order for Emergency Action has a right to file a petition pursuant to Rules 28-107.006 and 40E-1.611 Fla. Admin. Code, copies of which are attached to this Notice of Rights, and Section 373.119(3), Fla. Stat., for a hearing on the Order. Any subsequent agency action or proposed agency action to initiate a formal revocation proceeding shall be separately noticed pursuant to section g. below.

g. Permit Suspension, Revocation, Annulment, and Withdrawal: If the SFWMD issues an administrative complaint to suspend, revoke, annul, or withdraw a permit, the permittee may request a hearing to be conducted in accordance with Sections 120.569 and 120.57, Fla. Stat., within 21 days of either written notice through mail or posting or publication of notice that the SFWMD has or intends to take final agency action. Petitions must substantially comply with the requirements of Rule 28-107.004(3), Fla. Admin. Code, a copy of the which is attached to this Notice of Rights.

2. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the SFWMD's final action may be different from the position taken by it previously. Persons whose substantial interests may be affected by

any such final decision of the SFWMD shall have, pursuant to Rule 40E-1.511(2), Fla. Admin. Code (also published as an exception to the Uniform Rules of Procedure as Rule 40E-0.109(2)(c)), an additional 21 days from the date of receipt of notice of said decision to request an administrative hearing. However, the scope of the administrative hearing shall be limited to the substantial deviation.

3. Pursuant to Rule 40E-1.511(4), Fla. Admin. Code, substantially affected persons entitled to a hearing pursuant to Section 120.57(1), Fla. Stat., may waive their right to such a hearing and request an informal hearing before the Governing Board pursuant to Section 120.57(2), Fla. Stat., which may be granted at the option of the Governing Board.

4. Pursuant to Rule 28-106.111(3), Fla. Admin. Code, persons may file with the SFWMD a request for extension of time for filing a petition. The SFWMD, for good cause shown, may grant the extension. The request for extension must contain a certificate that the petitioner has consulted with all other parties, if any, concerning the extension and that the SFWMD and all other parties agree to the extension.

CIRCUIT COURT

5. Pursuant to Section 373.617, Fla. Stat., any substantially affected person who claims that final agency action of the SFWMD relating to permit decisions constitutes an unconstitutional taking of property without just compensation may seek judicial review of the action in circuit court by filing a civil action in the circuit court in the judicial circuit in which the affected property is located within 90 days of the rendering of the SFWMD's final agency action.

6. Pursuant to Section 403.412, Fla. Stat., any citizen of Florida may bring an action for injunctive relief against the SFWMD to compel the SFWMD to enforce the laws of Chapter 373, Fla. Stat., and Title 40E, Fla. Admin. Code. The complaining party must file with the SFWMD Clerk a verified complaint setting forth the facts upon which the complaint is based and the manner in which the complaining party is affected. If the SFWMD does not take appropriate action on the complaint within 30 days of receipt, the complaining party may then file a civil suit for injunctive relief in the 15th Judicial Circuit in and for Palm Beach County or circuit court in the county where the cause of action allegedly occurred.

7. Pursuant to Section 373.433, Fla. Stat., a private citizen of Florida may file suit in circuit court to require the abatement of any stormwater management system, dam, impoundment, reservoir, appurtenant work or works that violate the provisions of Chapter 373, Fla. Stat.

DISTRICT COURT OF APPEAL

8. Pursuant to Section 120.68, Fla. Stat., a party who is adversely affected by final SFWMD action may seek judicial review of the SFWMD's final decision by filing a notice of appeal pursuant to Florida Rule of Appellate Procedure 9.110 in the Fourth District Court of Appeal or in the appellate district where a party resides and filing a second copy of the notice with the SFWMD Clerk within 30 days of rendering of the final SFWMD action.

LAND AND WATER ADJUDICATORY COMMISSION

9. A party to a "proceeding below" may seek review by the Land and Water Adjudicatory Commission (FLAWAC) of SFWMD's final agency action to determine if such action is consistent with the provisions and purposes of Chapter 373, Fla. Stat. Pursuant to Section 373.114, Fla. Stat., and Rules 42-2.013 and 42-2.0132, Fla. Admin. Code, a request for review of (a) an order or rule of the SFWMD must be filed with FLAWAC within 20 days after rendition of the order or adoption of the rule sought to be reviewed; (b) an order of the Department of Environmental Protection (DEP) requiring amendment or repeal of a SFWMD rule must be filed with FLAWAC within 30 days of rendition of the DEP's order; and (c) a SFWMD order entered pursuant to a formal administrative hearing under Section 120.57(1), Fla. Stat., must be filed no later than 20 days after rendition of the SFWMD's final order. Simultaneous with filing, a copy of the request for review must be served on the DEP Secretary, any person named in the SFWMD or DEP final order, and all parties to the proceeding below. A copy of Rule 42-2.013, Fla. Admin. Code is attached to this Notice of Rights.

PRIVATE PROPERTY RIGHTS PROTECTION ACT

10. A property owner who alleges a specific action of the SFWMD has inordinately burdened an existing use of the real property, or a vested right to a specific use of the real property, may file a claim in the circuit court where the real property is located within 1 year of the SFWMD action pursuant to the procedures set forth in Subsection 70.001(4)(a), Fla. Stat.

LAND USE AND ENVIRONMENTAL DISPUTE RESOLUTION

11. A property owner who alleges that a SFWMD development order (as that term is defined in Section 70.51(2)(a), Fla. Stat. to include permits) or SFWMD enforcement action is unreasonable, or unfairly burdens the use of the real property, may file a request for relief with the SFWMD within 30 days of receipt of the SFWMD's order or notice of agency action pursuant to the procedures set forth in Subsections 70.51(4) and (6), Fla. Stat.

MEDIATION

12. A person whose substantial interests are, or may be, affected by the SFWMD's action may choose mediation as an alternative remedy under Section 120.573, Fla. Stat. Pursuant to Rule 28-106.111(2), Fla. Admin. Code, the petition for mediation shall be filed within 21 days of either written notice through mail or posting or

publication of notice that the SFWMD has or intends to take final agency action. Choosing mediation will not affect the right to an administrative hearing if mediation does not result in settlement.

Pursuant to Rule 28-106.402, Fla. Admin. Code, the contents of the petition for mediation shall contain the following information:

- (1) the name, address, and telephone number of the person requesting mediation and that person's representative, if any;
- (2) a statement of the preliminary agency action;
- (3) an explanation of how the person's substantial interests will be affected by the agency determination; and
- (4) a statement of relief sought.

As provided in Section 120.573, Fla. Stat. (1997), the timely agreement of all the parties to mediate will toll the time limitations imposed by Sections 120.569 and 120.57, Fla. Stat., for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within 60 days of the execution of the agreement. If mediation results in settlement of the dispute, the SFWMD must enter a final order incorporating the agreement of the parties. Persons whose substantial interest will be affected by such a modified agency decision have a right to petition for hearing within 21 days of receipt of the final order in accordance with the requirements of Sections 120.569 and 120.57, Fla. Stat., and SFWMD Rule 28-106.201(2), Fla. Admin. Code. If mediation terminates without settlement of the dispute the SFWMD shall notify all parties in writing that the administrative hearing process under Sections 120.569 and 120.57, Fla. Stat., remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action.

VARIANCES AND WAIVERS

13. A person who is subject to regulation pursuant to a SFWMD rule and believes the application of that rule will create a substantial hardship or will violate principles of fairness (as those terms are defined in Subsection 120.542(2), Fla. Stat.) and can demonstrate that the purpose of the underlying statute will be or has been achieved by other means, may file a petition with the SFWMD Clerk requesting a variance from or waiver of the SFWMD rule. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have concerning the SFWMD's action. Pursuant to Rule 28-104.002(2), Fla. Admin. Code, the petition must include the following information:

- (a) the caption shall read:
Petition for (Variance from) or (Waiver of) Rule (Citation)
- (b) The name, address, telephone number and any facsimile number of the petitioner;

(c) The name, address telephone number and any facsimile number of the attorney or qualified representative of the petitioner, (if any);

(d) the applicable rule or portion of the rule;

(e) the citation to the statute the rule is implementing;

(f) the type of action requested;

(g) the specific facts that demonstrate a substantial hardship or violation of principals of fairness that would justify a waiver or variance for the petitioner;

(h) the reason why the variance or the waiver requested would serve the purposes of the underlying statute; and

(i) a statement of whether the variance or waiver is permanent or temporary. If the variance or waiver is temporary, the petition shall include the dates indicating the duration of the requested variance or waiver.

A person requesting an emergency variance from or waiver of a SFWMD rule must clearly so state in the caption of the petition. In addition to the requirements of Section 120.542(5), Fla. Stat. pursuant to Rule 28-104.004(2), Fla. Admin. Code, the petition must also include:

- a) the specific facts that make the situation an emergency; and
- b) the specific facts to show that the petitioner will suffer immediate adverse effect unless the variance or waiver is issued by the SFWMD more expeditiously than the applicable timeframes set forth in Section 120.542, Fla. Stat.

WAIVER OF RIGHTS

14. Failure to observe the relevant time frames prescribed above will constitute a waiver of such right.

28-106.201

INITIATION OF PROCEEDINGS (INVOLVING DISPUTED ISSUES OF MATERIAL FACT)

- (2) All petitions filed under these rules shall contain:
 - (a) The name and address of each agency affected and each agency's file or identification number, if known;
 - (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding, and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
 - (c) A statement of when and how the petitioner received notice of the agency decision;
 - (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
 - (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and
 - (f) A demand for relief.

28-106.301 INITIATION OF PROCEEDINGS

(NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT)

- (2) All petitions filed under these rules shall contain:
- (a) The name and address of each agency officer and each agency's file or identification number, if known;
 - (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding, and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
 - (c) A statement of when and how the petitioner received notice of the agency decision;
 - (d) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and
 - (e) A demand for relief.

23-107.004 SUSPENSION, REVOCATION, ANNULMENT, OR WITHDRAWAL

- (3) Requests for hearing filed in accordance with this rule shall include:
- (a) The name and address of the party making the request, for purposes of service;
 - (b) A statement that the party is requesting a hearing involving disputed issues of material fact, or a hearing not involving disputed issues of material fact; and
 - (c) A reference to the notice, order to show cause, administrative complaint, or other communication that the party has received from the agency.

42-2.013 REQUEST FOR REVIEW PURSUANT TO SECTION 373.114 OR 373.217

(1) In any proceeding arising under Chapter 373, F.S., review by the Florida Land and Water Adjudicatory Commission may be initiated by the Department or a party by filing a request for such review with the Secretary of the Commission and serving a copy on any person named in the rule or order, and on all parties to the proceeding which resulted in the order sought to be reviewed. A certificate of service showing completion of service as required by this subsection shall be a requirement for a determination of sufficiency under Rule 42-2.0132. Failure to file the request with the Commission within the time period provided in Rule 42-2.0132 shall result in dismissal of the request for review.

(2) The request for review shall identify the rule or order requested to be reviewed, the proceeding in which the rule or order was entered and the nature of the rule or order. A copy of the rule or order sought to be reviewed shall be attached. The request for review shall state with particularity:

- (a) How the order or rule conflicts with the requirements, provisions and purposes of Chapter 373, F.S., or rules duly adopted thereunder;

how the rule or order sought to be reviewed affects the interests of the party seeking review;

(3) The oral or written statement, sworn or unsworn, shall be submitted to the agency concerning the matter to be reviewed and the date and location of the statement, if the individual or entity requesting the review has not participated in a proceeding previously instituted pursuant to Chapter 120, F.S., on the order for which review is sought.

A review of an order is being sought, whether and how the activity authorized by the order would substantially affect natural resources of statewide or regional significance, or whether the order raises issues of policy, statutory interpretation, or rule interpretation that have regional or statewide significance from a standpoint of agency precedent, and all the factual bases in the record which the petitioner claims support such determination(s); and

(e) The action requested to be taken by the Commission as a result of the review, whether to rescind or modify the order, or remand the proceeding to the water management district for further action, or to require the water management district to initiate rulemaking to adopt, amend or repeal a rule.

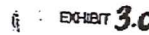
28-107.005 EMERGENCY ACTION

- (1) If the agency finds that immediate serious danger to the public health, safety, or welfare requires emergency action, the agency shall summarily suspend, limit, or restrict a license.
- (2) The 14-day notice requirement of Section 120.569(2)(b), F. S., does not apply and shall not be construed to prevent a hearing at the earliest time practicable upon request of an aggrieved party.

(3) Unless otherwise provided by law, within 20 days after emergency action taken pursuant to paragraph (1) of this rule, the agency shall initiate a formal suspension or revocation proceeding in compliance with Sections 120.569, 120.57, and 120.60, F.S.

40E-1.611 EMERGENCY ACTION

- (1) An emergency exists when immediate action is necessary to protect public health, safety or welfare; the health of animals, fish or aquatic life; the works of the District; a public water supply, or recreational, commercial, industrial, agricultural or other reasonable uses of land and water resources.
- (2) The Executive Director may employ the resources of the District to take whatever remedial action necessary to alleviate the emergency condition without the issuance of an emergency order, or in the event an emergency order has been issued, after the expiration of the requisite time for compliance with that order.



IMPACT and PRESERVE MAP
WETLAND MAP

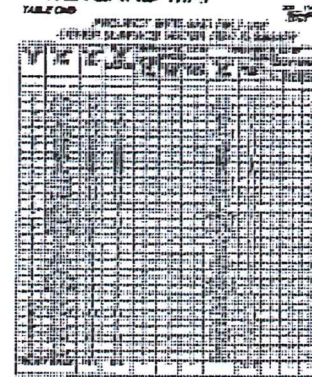


TABLE TWO
PROJECT ON-SITE MITIGATION SUMMARY

[illegible][illegible]

EXHIBIT 3.1

LEGEND

INDIGENOUS PRESERVE

NATIVE INDIGENOUS PRESERVE

BUFFER

POINT OF INGRESS / EGRESS

POINT OF INTERNAL OR SECONDARY INGRESS / EGRESS

RESIDENTIAL AREA

COMMERCIAL AREA

PRESERVE AREA

OPEN SPACE CALCULATIONS:

REQUIRED OPEN SPACE:

NON-RESIDENTIAL USE: 0.45 AC @ 30% = 2.85 AC.

RESIDENTIAL USE: 37.25 AC @ 40% = 14.90 AC.

TOTAL = 17.75 AC.

REQUIRED INDIGENOUS:

50% OF REQUIRED OPEN SPACE

REQUIRED OPEN SPACE = 17.75

17.75 x 50% = 8.87 AC.

PROVIDED OPEN SPACE:

COMMERCIAL OUTPARCELS (10%)

RESIDENTIAL AREA (10%)

FPL EASEMENT

INDIGENOUS PRESERVE

TOTAL OPEN SPACE

PROVIDED INDIGENOUS:

NATIVE INDIGENOUS

INDIGENOUS RESTORATION:

TOTAL INDIGENOUS AREA

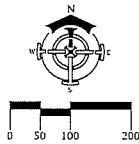
TOTAL AREA WITH CREDIT:

NOTES:

1. INDIGENOUS CREDIT: PER LOC 10-416(1)(3)(A) A 10% CREDIT WILL BE GIVEN FOR PRESERVES WITH A MINIMUM WIDTH OF 50 FEET AND MINIMUM AREA OF 2 ACRES AND 110% CREDIT WILL BE GIVEN FOR PRESERVES WITH A MINIMUM WIDTH OF 50 FEET AND MINIMUM AREA OF 1/2 ACRE.

LAND USE BREAKDOWN

NON-RESIDENTIAL	6.47 AC.
COMMERCIAL PARCELS	2.50 AC.
RIGHTS OF-WAY	0.52 AC.
FPL EASEMENT	9.49 AC.
SUB-TOTAL (NON-RESIDENTIAL)	27.79 AC.
RESIDENTIAL	2.39 AC.
RESIDENTIAL DEVELOPMENT	6.52 AC.
FPL EASEMENT	37.25 AC.
SUB-TOTAL (RESIDENTIAL)	45.89 AC.
TOTAL PROJECT AREA	73.68 AC.



DELISI FITZGERALD, INC.

ENGINEERING - PLANNING - PROJECT MANAGEMENT

1605 Hendry Street
Fort Myers, FL 33901
(941) 936-1100
(239) 418-0892 fax

ENGINEER OF RECORD:
JOHN A. VANDERKAM, P.E.
FLORIDA P.E. NO. 12427

OWNER DEVELOPER:
STOCK DEVELOPMENT, LLC
4400 INTERNATIONAL DR. SUITE 101
FORT MYERS, FL 33904
(941) 936-1100

PROJECT:

ALICO CROSSROADS

PLAN REVISIONS

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

MASTER CONCEPT PLAN
OPTION A

Project Manager: JTW

Drawn By: JBC

Checked By: JTW

Project Number: 21570

Plan of Section: 01

Township: 46 S Range: 25 E

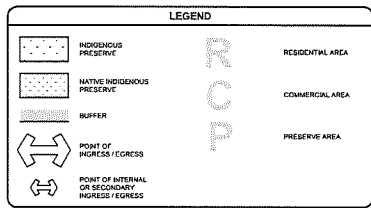
County: Lee COUNTY, FL

FOR PERMITTING PURPOSES ONLY
NOT FOR CONSTRUCTION

Sheet Number: 1

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OPEN SPACE CALCULATIONS:

REQUIRED OPEN SPACE:
NON-RESIDENTIAL USE - 16.17 AC, 1.30% * 4.80 AC.
RESIDENTIAL USE - 36.92 AC, 1.40% * 13.52 AC.
TOTAL * 17.69 AC.

REQUIRED INDIGENOUS:
50% OF REQUIRED OPEN SPACE
REQUIRED OPEN SPACE * 17.69
17.69 * 50% = 8.84 AC.

PROVIDED OPEN SPACE:
COMMERCIAL OUTPARCELS (10%) 1.35 AC.
RESIDENTIAL AREA (20%) 0.67 AC.
FPL EASEMENT 3.41 AC.
INDIGENOUS PRESERVE 6.93 AC.
TOTAL OPEN SPACE 12.36 AC.

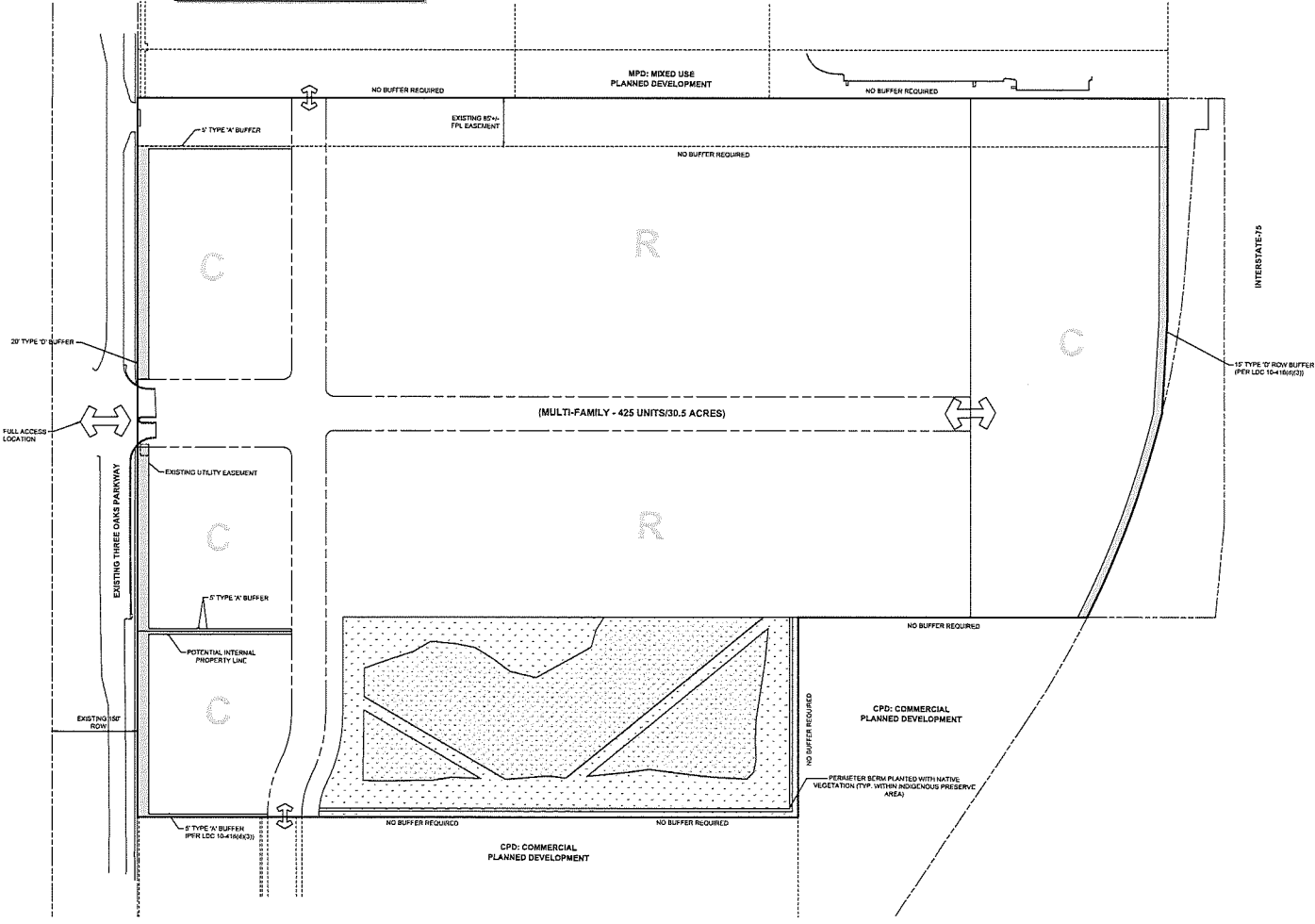
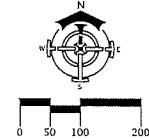
PROVIDED INDIGENOUS:
NATIVE INDIGENOUS 3.51 AC.
INDIGENOUS RESTORATION 3.92 AC.
TOTAL INDIGENOUS AREA 7.43 AC.
TOTAL AREA WITH CREDIT: 8.00 AC.

NOTES:

1. INDIGENOUS CREDIT: PER LDC 10-416(5)(3), A 10% CREDIT WILL BE GIVEN FOR PRESERVES WITH A MINIMUM WIDTH OF 10 FEET AND MINIMUM AREA OF 2 ACRES AND 10% CREDIT WILL BE GIVEN FOR PRESERVES WITH A MINIMUM WIDTH OF 50 FEET AND MINIMUM AREA OF 1/2 ACRE.

LAND USE BREAKDOWN

NON-RESIDENTIAL	12.49 AC.
COMMERCIAL PARCELS	2.50 AC.
RIGHTS-OF-WAY	1.20 AC.
FPL EASEMENT	16.19 AC.
SUB-TOTAL (NON-RESIDENTIAL)	22.31 AC.
RESIDENTIAL	20.21 AC.
RESIDENTIAL DEVELOPMENT	2.21 AC.
FPL EASEMENT	1.50 AC.
RIGHTS-OF-WAY	6.52 AC.
INDIGENOUS PRESERVE	35.90 AC.
SUB-TOTAL (RESIDENTIAL)	48.69 AC.
TOTAL PROJECT AREA	71.08 AC.



DELISH FITZGERALD, INC.
Planning - Engineering - Project Management

Florida Certificate of Professional Engineering
No. 12391
Exp. 12/31/2024
1605 Hendry Street
Fort Myers, FL 33901
(239) 418-0892 fax

ENGINEER OF RECORD:
JOHN A. FITZGERALD, P.E.
FLORIDA P.E. NO. 12317

PROJECT: ALICO CROSSROADS

OWNER / DEVELOPER:
STOCK DEVELOPMENT, LLC
2000 PROFESSIONAL OFFICE SUITE 202
FORT MYERS, FL 33901
(239) 987-7444

PROJECT:
ALICO CROSSROADS

PLAN REVISIONS	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

**MASTER CONCEPT PLAN
OPTION B**

Project Manager: JTF
Drawn by: JBC
Checked by: JTF
Project Number: 21576
Plan of Section(s): 01
Township: 46 S Range: 25 E
County, State: LEE COUNTY, FL

FOR PERMITTING PURPOSES ONLY
NOT FOR CONSTRUCTION

Sheet Number: 1

ALICO CROSSINGS LEE COUNTY UPLAND RESTORATION PLAN

Section 3, Township 46 South, Range 25 East
Lee County, Florida

March 2022

Prepared for:

**Stock Development, LLC
2639 Professional Circle, Suite 101
Naples, FL 34119**

Prepared by:

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

I. INTRODUCTION

The applicant proposes to construct a commercial/residential development at this location. This will include buildings, roads, parking facilities, 1.10± acres of Lee County required indigenous restoration and 3.50± acres of Lee County required indigenous preserve.

This report describes the proposed indigenous restoration plan. Details of the management of the overall 4.60± acres of Lee County preserve will be provided at the time of development order application.

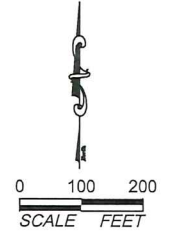
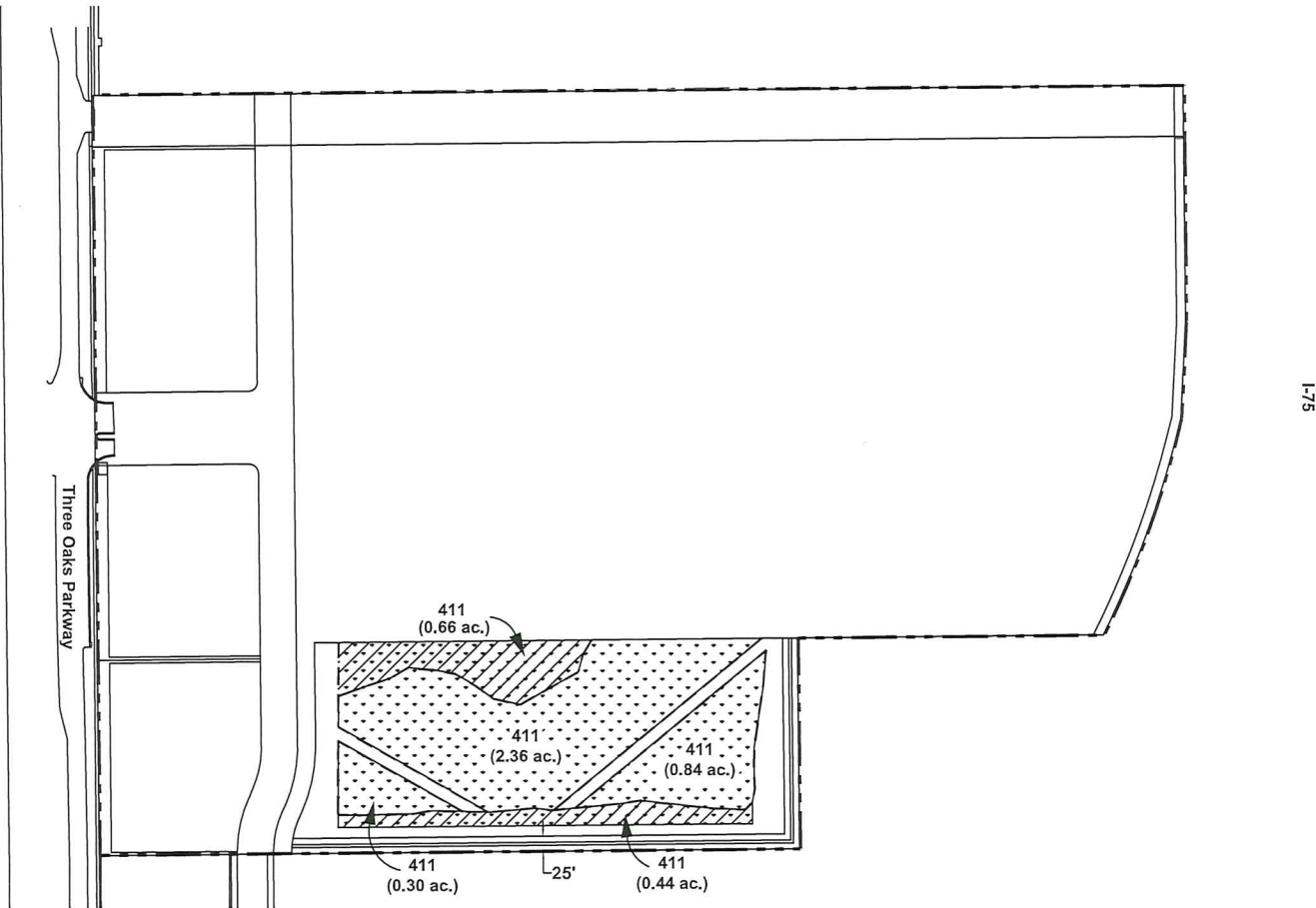
II. PROPOSED WETLAND RESTORATION PLAN

Exotic Control

All exotics (defined as Category 1 and 2 species on the Florida Invasive Species Council's *List of Invasive Plant Species*) within the 1.10± acre restoration area be mechanically removed from areas that are currently dominated with exotics and therefore have very few native species present (i.e. polygon mapped as FLUCCS Code 411E4 on the existing conditions Vegetation Map). The limits of the areas from which exotics may be mechanically removed will be determined based on site specific conditions at the time of clearing. All vegetative debris resulting from this activity will be removed from the restoration area. This mechanical activity may result in temporary disturbance to the soil. Once the exotic control is completed, ruts caused by the use of heavy equipment will be graded to blend within adjacent grades within the portions of the restoration area that will remain at existing grade. In the portion of the restoration area that is currently improved pasture, the existing non-native species will be treated with herbicide. In the event mechanical removal of exotics is not deemed to be practicable, exotics within these areas will be treated as described below.

In the remaining areas (if any), exotic control will be accomplished by chain saw or machete. Large trees (greater than four inch diameter at breast height (DBH)) may be girdled and killed in place with a stump specific herbicide suitable for aquatic application. The four inch DBH and smaller trees and shrubs will be cut just above natural grade and the stump treated with an appropriate herbicide suitable for aquatic application. The resulting vegetative material will be disposed of by one or more of the following methods: 1) cut into four to six feet sections and stacked on the ground with alternating layers of trees at right angles to each other (log cabin) with the stacks no higher than 5± feet, 2) cut and placed into piles (tee-pee) with piles spaced a minimum of 100± feet apart, 3) where exotic density is less than 25 percent the exotics may be cut into two to four foot sections and scattered on the ground, and 4) woody exotic vegetation may be removed from the restoration area. Herbicides will be used in strict

SECTION: 3
TOWNSHIP: 46 S
RANGE: 25 E



FLUCCS	Description	Acreage
411	Pine Flatwoods	4.60 ac.

-  Indigenous Preserve (3.50 ac.)
-  Indigenous Restoration (1.10 ac.)

- Notes:
1. Property boundary obtained from Kris A. Slosser, PSM.
 2. Mapping based on photointerpretation of 2021 aerial photography and ground truthing in August 2021.
 3. Delineation of jurisdictional wetlands approved during review of SFWMD Permit No. 36-05268-P.

PERMIT USE ONLY, NOT FOR CONSTRUCTION

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Figure 1. Indigenous Restoration Plan Map

Alico Crossroads

BDEXBENDER
ENVIRONMENTAL CONSULTING
FORT MYERS 239-334-3680

accordance with label directions by trained applicators. Care will be taken to reduce damage to non-target native species to the maximum extent practical.

Supplemental Plantings

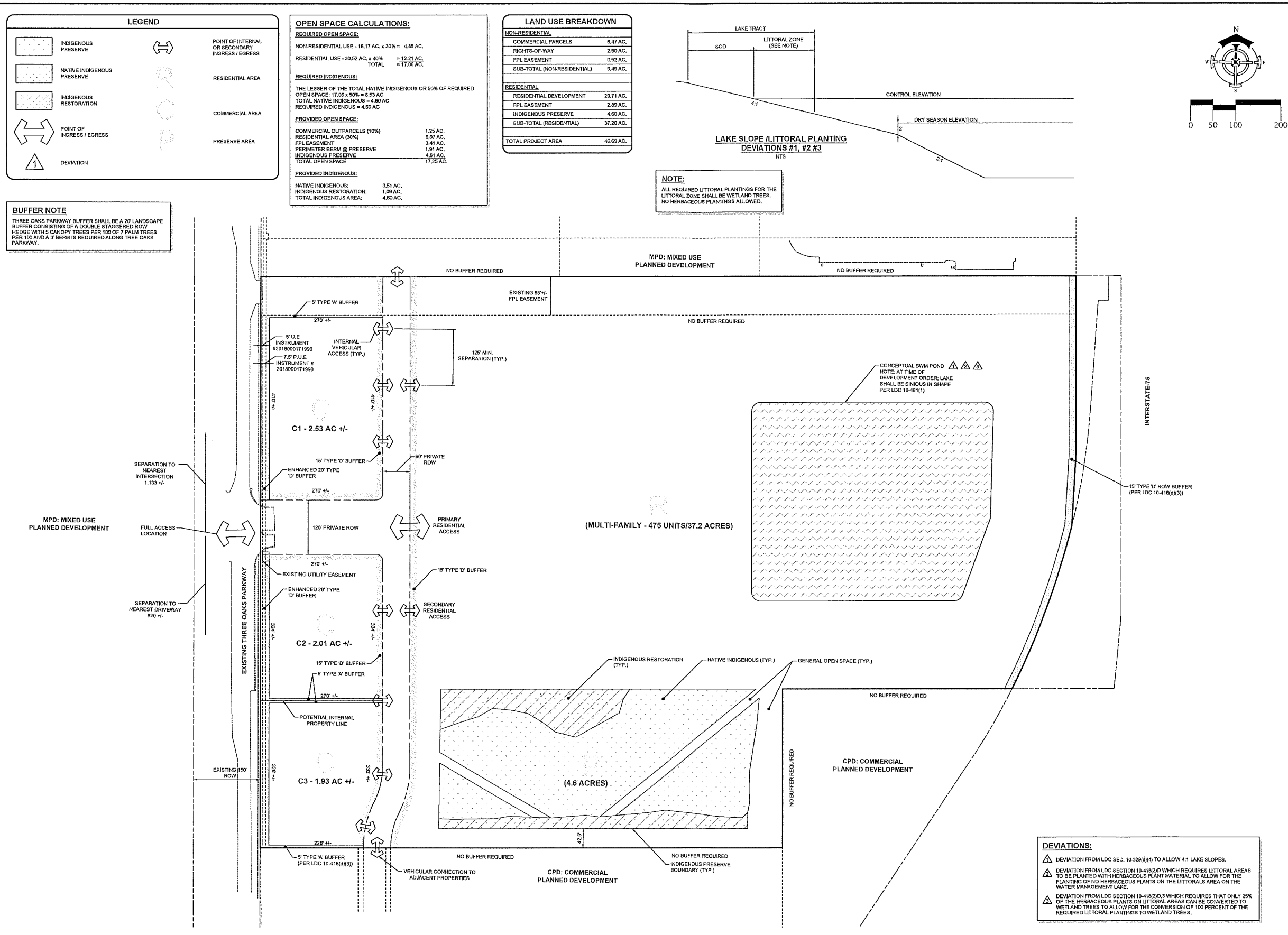
Once the exotics have been removed from the 1.10± acre upland restoration area native trees, shrubs, and ground covers will be installed.

Areas with less than 200± live native trees per acre greater than 6 feet in height will be identified for supplemental planting. These areas will be planted with slash pine and scattered laurel oak in a random pattern at densities of approximately 194 trees per acre (15 feet on center). If live native trees are present, those trees will count towards the required planting density. Plant material will consist of container grown 6 feet tall trees. Native shrubs will be planted within five clusters of one gallon shrubs consisting of seven shrubs planted 10 feet on center in each cluster. Native ground cover species will be installed at densities of 1,742± plants per acre (5± feet on center). Planting will be installed at the beginning of the first wet season following the completion of the initial exotic treatment event (Table 1). The final species list will be based upon site specific conditions and on plant material availability at the time of planting.

Table 1. Supplemental Plantings

Botanical Name	Common Name	Size	Spacing (feet O.C.)	Estimated Number of Plants
CANOPY TREES				
<i>Pinus elliottii</i>	Slash pine	6 ft	15	170
<i>Quercus laurifolia</i>	Laurel oak	6 ft	15	43
Total				213
SHRUBS				
<i>Chrysobalanus icaco</i>	Cocoplum	1 gal	10*	15
<i>Hamelia patens</i>	Firebush	1 gal	10*	10
<i>Ilex glabra</i>	Gallberry	1 gal	10*	5
<i>Rapanea punctata</i>	Myrsine	1 gal	10*	5
Total				35
GROUND COVER				
<i>Aristida</i> sp.	Wire grass	1 gal	5	383
<i>Eragrostis</i> sp.	Lovegrass	1 gal	5	575
<i>Licania michauxii</i>	Gopher apple	1 gal	5	96
<i>Muhlenbergia capillaris</i>	Muhlygrass	1 gal	5	383
<i>Serenoa repens</i>	Saw palmetto	1 gal	5	192
<i>Spartina bakeri</i>	Sand cordgrass	1 gal	5	287
Total				1,916

* Approximate distance between shrubs in planting clusters



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LEGEND

	INDIGENOUS PRESERVE		POINT OF INTERNAL OR SECONDARY INGRESS / EGRESS
	NATIVE INDIGENOUS PRESERVE		RESIDENTIAL AREA
	INDIGENOUS RESTORATION		COMMERCIAL AREA
	POINT OF INGRESS / EGRESS		PRESERVE AREA

BUFFER NOTE
THREE OAKS PARKWAY BUFFER SHALL BE A 20' LANDSCAPE BUFFER CONSISTING OF A DOUBLE STAGGERED ROW HEDGE WITH 5 CANOPY TREES PER 100 OF 7 PALM TREES PER 100 AND A 3' BERM IS REQUIRED ALONG TREE OAKS PARKWAY.

OPEN SPACE CALCULATIONS:

REQUIRED OPEN SPACE:
NON-RESIDENTIAL USE - 16.17 AC. x 30% = 4.85 AC.
RESIDENTIAL USE - 30.52 AC. x 40% = 12.21 AC.
TOTAL = 17.06 AC.

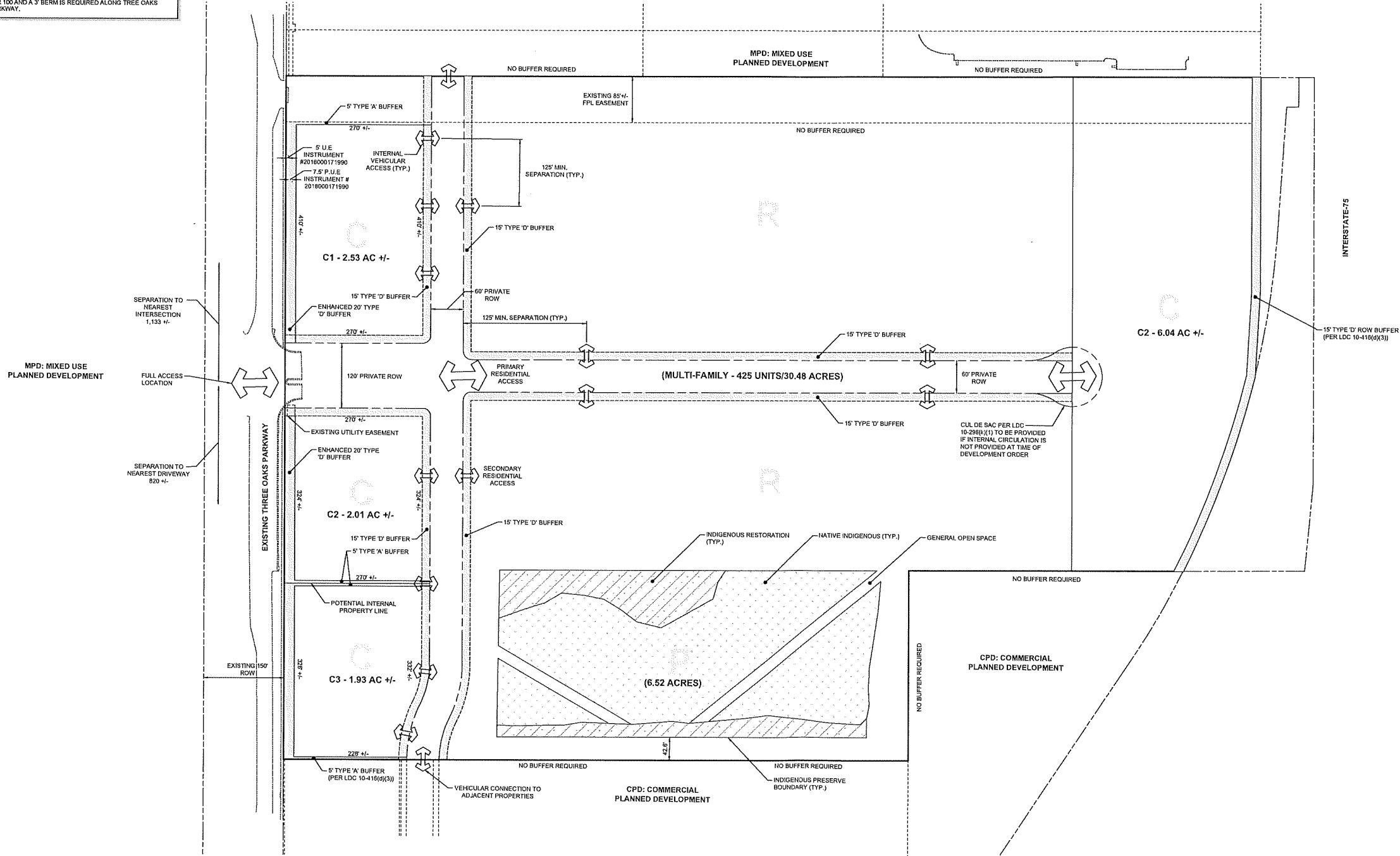
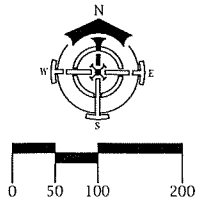
REQUIRED INDIGENOUS:
THE LESSER OF THE TOTAL NATIVE INDIGENOUS OR 50% OF REQUIRED OPEN SPACE: 17.06 x 50% = 8.53 AC
TOTAL NATIVE INDIGENOUS = 4.60 AC
REQUIRED INDIGENOUS = 4.60 AC

PROVIDED OPEN SPACE:
COMMERCIAL OUTPARCELS (10%) 1.25 AC.
RESIDENTIAL AREA (30%) 6.07 AC.
FPL EASEMENT 3.41 AC.
PERIMETER BERM @ PRESERVE 1.91 AC.
INDIGENOUS PRESERVE 4.61 AC.
TOTAL OPEN SPACE 17.25 AC.

PROVIDED INDIGENOUS:
NATIVE INDIGENOUS: 3.51 AC.
INDIGENOUS RESTORATION: 1.09 AC.
TOTAL INDIGENOUS AREA: 4.60 AC.

LAND USE BREAKDOWN

NON-RESIDENTIAL	
COMMERCIAL PARCELS	12.51 AC.
RIGHTS-OF-WAY	2.50 AC.
FPL EASEMENT	1.20 AC.
SUB-TOTAL (NON-RESIDENTIAL)	16.21 AC.
RESIDENTIAL	
RESIDENTIAL DEVELOPMENT	22.15 AC.
FPL EASEMENT	2.21 AC.
RIGHT-OF-WAY	1.52 AC.
INDIGENOUS PRESERVE	4.60 AC.
SUB-TOTAL (RESIDENTIAL)	30.48 AC.
TOTAL PROJECT AREA	46.69 AC.



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DELISI FITZGERALD, INC.
Planning - Engineering - Project Management

1605 Hendry Street
Fort Myers, FL 33901
(239) 418-0691
(239) 418-0692 fax

Florida Certificate
of Authorization
Engineering LB #26978

ENGINEER OF RECORD:
JOHN T. WODAK, P.E. (FOR THE FIRM)
FLORIDA P.E. NO. 58217

NOT VALID WITHOUT SEAL, SIGNATURE AND DATE

OWNER / DEVELOPER:
STOCK DEVELOPMENT, LLC
2638 PROFESSIONAL CIRCLE, SUITE 101
FORT MYERS, FL 33901
(239) 592-7244

PROJECT:
ALICO CROSSROADS

PLAN REVISIONS	DESCRIPTION
DATE	
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MASTER CONCEPT PLAN B

Project Manager:	JTW
Drawn By:	JBC
Checked By:	JTW
Project Number:	21570
Part of Section of:	03
Township:	46 S 25 E
County, State:	LEE COUNTY, FL

Status:
FOR PERMITTING PURPOSES ONLY
NOT FOR CONSTRUCTION

Sheet Number: 1