



Elizabeth A. Workman, Principal Planner
Lee County Community Development
1500 Monroe St.
Fort Myers, FL 33902

May 13, 2023

**Re: Sunniland Town Center CPD
DCI2023-00010
Sufficiency #1 Re-Submittal**

Ms. Workman,

In response to the comment letter dated April 29, 2023, enclosed are the following items for your review:

1. Legal Description and Sketch
2. Boundary Survey
3. Master Concept Plan
4. FLUCCS Map
5. Property Development Regulations
6. Notice of Violation Narrative
7. Letter from SFWMD (December 12th)
8. Request Statement
9. Protected Species Survey
10. Preserve Management Plan
11. 1994 Aerial Photograph Map
12. Heritage Tree Map
13. Vegetation Map/MCP Overlay
14. FWC E-mail
15. TIS Sufficiency Responses

In addition to the above items, written responses to the comments are provided below:

LEGAL:

1. Per Sec. 34-202(a)(5) please provide a legal description and sketch that and depicts the less and except as described in the title certification and boundary survey.

Please see the attached revised Sketch and Legal.

2. Please provide a boundary survey in accordance with the requirements of Lee County LDC §34-202(a)(6). The survey must be tied to the state plane coordinate

system for the Florida West Zone (the most current adjustment is required) with two coordinates, one coordinate being the point of beginning (POB) and the other an opposing corner.

Please see the attached revised Boundary Survey.

PLANNING:

3. Please analyze the applicable Objectives and Policies in Lee Plan Goal 10 to address the continued operation of the existing oil well.

The proposed amendment to the existing approved zoning resolution, Z-06-090 does not impact or include the existing permitted oil well. The applicant for the amendment to Z-06-090 does not own the oil well nor is the oil well property part of the amendment application. The application does not seek to approve the well nor does it propose any changes to existing conditions in Z-06-090 that affect the well. All prior conditions in the zoning with regard to the oil well are unchanged. Goal 10 has no relevance to the proposed amendment. Furthermore, most of the policies under Goal 10 apply to mining such as 10.1.1., 10.1.2, 10.1.3., 10.1.4., 10.1.5, 10.1.7, 10.2.1., 10.2.2., 10.2.4., 10.2.5, 10.2.7., 10.2.8., 10.2.9. Policies 10.1.6. and 10.2.6. refer to the county's obligations regarding its land development code.

ZONING:

4. Please revise the north arrows on the MCP and the FLUCCS map.

Please see the attached Master Concept Plan and FLUCCS Map.

5. Please provide Property Development Regulations per LDC Section 34-373(a)(10) and Lee Plan Policy 25.6.1 pertaining to the Commercial Overlay Zones with residential uses.

The submitted application is for an Amendment to the Existing Planned Development. The proposed changes are being done in a strikethrough/underline format. The amendment includes one minor change to the existing approved property development regulations. A separate stand alone document titled "Property Development Regulations" is also being attached which mirrors the previously submitted approved zoning resolution with the proposed amendment.

6. Revise the Narrative Request to provide a section regarding VIO2021-06268 and VIO2021-06269 Notice of Violations dated January 19, 2023. Explain what the violations are for and how the applicant is proposing to abate the violation.

Per staff's request, a separate narrative is being provided that outlines the violations and how the applicant is proposing to abate the violation. It should be noted for the record that the violations are not the result of any action of the applicant.

7. Revise the Narrative Request to provide a section regarding buffers as they pertain to compatibility. The site is within the Mix Use Overlay and LDC section 10-425(f) has the required buffers for right-of-way and residential buffers. Please indicate if the applicant is providing enhanced buffers.

Please see the attached revised Request Statement. Buffers are being provided in accordance with LDC Section 10-425.

8. Depict all utility and drainage easements on the MCP per LDC Section 34-373(a)(6).

Please see the attached revised Master Concept Plan.

9. Revise the Protected Species Survey and the Preserve Management Plan to include a section that explains the land clearing associated with VIO2021-06268 and VIO2021-06269 Notice of Violations.

Please see the attached revised Protected Species Survey and the Preserve Management Plan.

10. Revise the supporting environmental maps to depict where the impacts occurred per the VIO2021-0628 and VIO2021-06269.

The attached Vegetation Map shows the violation areas as requested.

11. The Schedule of Uses must be consistent with the CPD uses listed in LDC Section 34-934. Currently, Parcel and Express Services and Computer and Data Processing Services are being proposed and are not allowable uses in a CPD.

The applicant is not proposing any changes to the existing approved Schedule of Uses. The applicant will consider this a staff recommended amendment to the Schedule of Uses. Please see the attached Schedule of Uses amendments as requested.

12. Revise the "Broadcast Studio" use to be consistent with LDC Section 34-934 to state "Broadcast Studio, commercial radio and television".

The applicant is not proposing any changes to the existing approved Schedule of Uses. The applicant will consider this a staff recommended amendment to the Schedule of Uses. Please see the attached Schedule of Uses amendments as requested.

13. Revise the "Drive-thru for any use" use to be consistent with LDC Section 34-934 to state "Drive-thru for any permitted use".

The applicant is not proposing any changes to this use. The applicant will consider this a staff recommended amendment to the Schedule of Uses. Please see the attached Schedule of Uses amendments as requested.

14. Revise Parcel 2 Schedule of Uses to remove "Gas and Oil Extraction" and replace it with "Extraction: Oil or Gas (existing only)".

The applicant is not proposing any changes to this use. The applicant will consider this a staff recommended amendment to the Schedule of Uses. Please see the attached Schedule of Uses amendments as requested.

15. Please explain if the oil well is currently in use and how the owner will access the well if the site is developed per the MCP.

Please see the attached revised Master Concept Plan. The Lake/Detention Area has been revised to avoid the access to the Oil Well property. The applicant has no nexus with the owner of the oil well and has no knowledge as to whether the oil well is in use.

16. Indicate if a total of two Package Stores are proposed for the entire CPD or if each Parcel is limited to two which would allow a site total of four.

There is a limit of 2 for the entire PD, not two for each parcel. Language has been added to the Schedule of Uses to clarify this.

17. Please note that the vegetation required to be planted to abate the clearing violations in accordance with VIO2021-0628 and VIO2021-06269 must be completed in the first development order for any proposed improvement to land.

Understood.

DEVELOPMENT SERVICES:

18. The approved zoning resolution Z-06-090 shows the existing oil well as part of the resolution. Please provide more detail of how the oil well parcel was split.

The applicant has no knowledge of the oil well site and how it was split. This property is not under ownership by the applicant or the current property owner of the subject property.

19. Is oil being produced from the site? If not has the requirements of Condition #16 been met? If the proposed amendment does not include the oil well property how can Condition #16 remain and be enforced?

The applicant has no knowledge as to whether oil is being produced and the applicant has no nexus with the owner of the oil well and has no ability to obtain the information regarding the

production of the oil well site. This property is not under ownership by the applicant or the current property owner of the subject property. Condition # 16 is not proposed to be changed. The County still has the same enforcement mechanisms at its disposal both with and without the proposed amendment.

20. LDC 34-373(a)(6)(a) please include the recording information for all easements on the MCP. The proposed MCP shows Lake 1 obstructing an access easement and ROW easement. Please clarify. How will access to the existing oil well site be maintained?

Please see the attached revised Master Concept Plan. The Lake/Detention Area has been revised to avoid the access to the Oil Well property.

21. NOTE: At time of development order the applicant must meet the sidewalk and bikeway requirements in LDC 10-256(a)

Understood.

22. [10-418(1) Surface water Management Systems. The design of the shoreline of excavations must be sinuous rather than straight. Please revise the MCP accordingly.

Please see the attached revised Master Concept Plan. The Lake/Detention Area has been revised.

23. The applicant has requested that Deviation #1 remain however the lake excavation as shown on the MCP meet LDC requirements. Why is the deviation necessary?

This deviation has been withdrawn. Please see the attached revised Amendments to Z-06-090.

24. NOTE: At time of development order the plans must meet the requirements of LDC 10-291(2) and show improvements to offsite streets as required in LDC 10-296.

The applicant will provide a traffic impact statement at the time of DO in accordance with Section 10-286, LDC, and will provide mitigation in accordance with the results of the TIS and section 10-287 LDC. It is understood that the project must provide public access in accordance with Section 10-291 LDC.

25. LDC 34-373(a)(6)(c) requires the MCP To show the approximate dimensions of the lots or parcels. Please provide the lots dimensions on the MCP,

Please see the attached revised Master Concept Plan.

26. LDC 34-373(a)(6)(j) Proposed access and facilities for public transit in accordance with sections 34-411(e) and 10-442. Please show the requirements on the MCP.

Please see the attached revised Master Concept Plan. Sidewalks have been added to show connections to Lee Blvd Sidewalks.

ENVIRONMENTAL SCIENCES:

27. The environmental consultant has indicated that there are potential jurisdictional wetlands onsite. Lee Plan policy 124.1.1 states development in wetlands is limited to very low density residential uses and uses of a recreational, open space, or conservation nature that are compatible with wetland functions. Please provide a formal jurisdictional determination or ERP to demonstrate compliance with 124.1.1.

A formal Jurisdictional wetland is not a requirement for a planned development submittal. A wetland JD is not necessary to demonstrate compliance with Lee Plan Policy 124.1.1. Please see the attached revised Request Statement which demonstrates compliance with Policy 124.1.1.

28. Please provide a Lee Plan analysis of 124.1.1, 4.1.4, and 123.8.

Please see the attached revised Request Statement.

29. The applicant did not discuss the violations within the narrative please describe the nature of the violations, the violation case numbers, and the abatement procedure. Additional comments may follow.

Please see the attached revised Preserve Management Plan.

30. The preserve area the applicant is proposing does not meet the indigenous code. Please note that the area can be utilized to abate the past violation, however; please indicate how the area is meeting 10-415(b) of the LDC. Per the FLUCCS map, the project parcel contains native vegetation (LDC 10-701). Please indicate why indigenous areas cannot be utilized to meet the indigenous native vegetation requirement per 10-415(b).

The proposed preserve area contains scattered native trees including live oak and cabbage palms much like the other parts of the site. The site has been heavily disturbed and partially cleared in the past such that there are no intact indigenous habitats onsite. Initially, the site was heavily disturbed by the construction of Lee Boulevard and Sunniland Boulevard as well as the roads in the interior of the parcels. Most of the site exhibits signs of heavy machinery disturbance including ruts and spoil piles. The areas described as Pine Flatwoods Invaded by Exotics 26-50% had almost all of the native shrubs and trees removed prior to 1994, see attached 1994 Aerial Photograph Map. The vegetation onsite consists of the few remaining slash pine that weren't removed around 1990 along with natural recruitment regrowth which includes extensive exotic and nuisance vegetation infestation. The pine flatwoods are located in the east and south portions of the site, abutting major roads. Placement of the preserve in these locations is not a practicable design because it is counter to the intent of the Mixed-Use Overlay and the

Commercial corridor, which together aim to have a more urban commercial environment at this location to serve the Lehigh Acres Community. Indigenous preserve along the road corridors would inhibit the viability of commercial. However, locating the preserve to the north end of the site acts as a natural buffer to residential uses while maintaining the commercial viability of this key commercial property in an area where commercial viability is essential.

The pine flatwoods onsite do contain native trees, however, it is not practicable to preserve clumps of trees due to the required fill for the surrounding development. This fill would very likely harm or kill the slash pine trees which are known to be very sensitive to ground disturbances and changes to hydrology. The proposed preserve area is appropriate for this site as it will act as a buffer to the canal and residential area to the north and complies with 10-415(b) of the LDC.

31. Please provide a 5-foot buffer along all the internal right-of-ways per 10-425(f).

Please see the attached revised Master Concept Plan.

32. The MCP is demonstrating a deviation on the west side of the property. Please update the schedule of deviations to describe the requested deviation.

Please see the attached revised Amendments to Z-06-090. The deviation in the existing zoning incorrectly referred to the eastern property line but showed the deviation on the west. While the applicant is requesting to extend this deviation for the entire western property line, this is consistent with LDC Section 10-425 (f)(2), which may render the deviation no longer applicable.

33. Please provide a heritage tree map.

Please see the attached heritage tree map.

34. Please provide documentation of communication with the FWC and SFWMD to demonstrate compliance with the abatement process of both state agencies.

Please see an email from Florida Fish and Wildlife Conservation Commission (FWC) dated December 1, 2022 attached regarding a FWC records search for the property and the disturbance case. The FWC email states that they were unable to locate any records relating to the search. This indicates that FWC has not opened a violation or enforcement case and are not requiring a site disturbance permit.

35. Lee plan policy 123.8.1 Protect Gopher Tortoise burrows wherever they are found. The MCP depicts development where gopher tortoises are found. Please provide an analysis for 123.8.1.

Please see the attached revised Request Statement.

36. Please overlay the FLUCCS map with the MCP to demonstrate areas of impact in relation to the associated FLUCCS codes.

Please see the attached Vegetation Map which has the MCP overlay.

NATURAL RESOURCES:

37. Please address the irrigation source for this project. Please analyze if the use of the irrigation source will impacting surrounding users. Please review Goal 54, Policy 61.1.1 and 61.1.6.

The source of irrigation will be a well as no re-use water is available. A Water Use Permit will be applied for with SFWMD.

38. Please analyze Goal 60 and 61 for stormwater components for this project.

An analysis of the relevant policies under Goals 60 and 61 has been added to the Request Statement. Please see the attached revised Request Statement.

TRAFFIC IMPACT STATEMENT:

39. The total Weekday PM Peak Hour entry volume displayed in Figure 2 deviates from the Weekday PM Peak Hour entry volume stated in Table 2, which reports 524 trips.

Please see the attached responses from TR Transportation.

40. Sunniland Blvd and 12th St W are arterials maintained by the county, featuring two lanes, and have a posted speed limit of 35 mph (Class II: 35 mph or slower posted speed limit). We kindly request that Table 1A be revised to reflect the correct information by utilizing the corresponding value from the table titled "Lee County Generalized Peak Hour Directional Service Volumes- Urbanized Areas".

Please see the attached responses from TR Transportation.

41. In Table 1A, the "Percent Project Traffic" value assigned to Lee Blvd is inconsistent with Figure A-1. Please provide clarification on this matter.

Please see the attached responses from TR Transportation.

DEPARTMENT OF TRANSPORTATION:

42. Kindly show the distances between the entrance of the proposed project and the adjacent streets or driveways along Sunniland Blvd in the MCP. However, if the

planned access point on Sunniland Blvd falls short of the minimum connection separation standard as stipulated in LDC Sec 10-285, a formal deviation request regarding driveway separation must be submitted.

Please see the attached revised Master Concept Plan.

LEETRAN:

43. The proposed development is beyond one-quarter mile of a bus stop or a fixed-route corridor. Based on the current Transit LDC section 10-441, no improvements are required by the developer at this time but will reassess at the time of DO or LDO.

Acknowledged.

If there are any questions, please do not hesitate to call me.

Sincerely,

DeLisi, Inc.



Daniel DeLisi, AICP
President



Professional Engineers, Planners & Land Surveyors

DESCRIPTION
OF
A TRACT OR PARCEL OF LAND LYING IN
SECTION 26, TOWNSHIP 44 SOUTH, RANGE 26 EAST,
LEE COUNTY, FLORIDA

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 26, TOWNSHIP 44 SOUTH, RANGE 26 EAST, BEING POTIONS OF THE VACATED REPLAT OF TRACT 4 UNIT 6, LEHIGH ACRES AS RECORDED IN PLAT BOOK 26, PAGE 155, VACATED PER OFFICIAL RECORDS BOOK 2710, PAGE 3442, OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA, AND BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

PARCEL 1

BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF LEE BOULEVARD (C.R. 884 / S-82B – 106 FEET WIDE) AND THE WEST RIGHT OF WAY LINE OF SUNNILAND BOULEVARD (100 FEET WIDE); THENCE N 00°11'05" E ALONG SAID WEST RIGHT-OF-WAY LINE FOR 1,027.48 FEET; THENCE N 05°50'38" W ALONG SAID WEST RIGHT-OF-WAY LINE FOR 164.56 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF A CANAL; THENCE N 89°55'09" W ALONG SAID SOUTH RIGHT-OF-WAY LINE FOR 384.98 FEET TO AN INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF A CANAL; THENCE S 00°11'05" W ALONG SAID EAST RIGHT-OF-WAY LINE FOR 1,196.06 FEET TO AN INTERSECTION WITH SAID NORTH RIGHT-OF-WAY LINE OF LEE BOULEVARD; THENCE N 89°23'01" E ALONG SAID NORTH RIGHT-OF-WAY LINE FOR 402.30 FEET TO THE **POINT OF BEGINNING**.

AND

PARCEL 2

BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF LEE BOULEVARD (C.R. 884 / S-82B – 106 FEET WIDE) AND THE EAST RIGHT-OF-WAY LINE OF SUNNILAND BOULEVARD (100 FEET WIDE); THENCE N 00°11'05" E ALONG SAID EAST RIGHT-OF-WAY LINE FOR 1,031.38 FEET; THENCE N 05°50'38" W ALONG SAID EAST RIGHT-OF-WAY LINE FOR 159.42 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF A CANAL; THENCE S 89°55'09" E ALONG SAID SOUTH RIGHT-OF-WAY LINE FOR 835.96 FEET TO **POINT "A"**, SAID POINT BEING AN INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF A CANAL; THENCE S 00°09'42" W ALONG SAID WEST RIGHT-OF-WAY LINE FOR 1,179.97 FEET TO AN INTERSECTION WITH SAID NORTH RIGHT-OF-WAY LINE OF LEE BOULEVARD; THENCE S 89°23'01" W ALONG SAID NORTH RIGHT-OF-WAY LINE FOR 819.77 FEET TO THE **POINT OF BEGINNING**.

LESS AND EXCEPT

COMMENCING AT AFORESAID **POINT "A"**; THENCE N 89°55'09" W ALONG THE SOUTH RIGHT-OF-WAY LINE OF A CANAL FOR 181.98 FEET; THENCE S 00°42'23" E FOR 152.45 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE S 00°42'23" E FOR 258.89 FEET; THENCE N 89°59'46" W FOR 266.90 FEET; THENCE N 01°23'32" W FOR 260.35 FEET; THENCE S 89°41'51" E FOR 270.04 FEET TO THE **POINT OF BEGINNING**.

SUBJECT PARCEL CONTAINS: 31.71 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS AND DISTANCES, UNLESS OTHERWISE NOTED, ARE BASED ON THE "STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST NAD 83/2011 (CORS), WHEREIN THE NORTH RIGHT-OF-WAY LINE OF LEE BOULEVARD BEARS N 89°23'01" E. THE SCALE FACTOR IS 0.99994666.

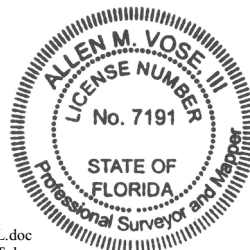
DESCRIPTION PREPARED: 05-10-2023

Digitally signed by Allen M Vose III
Date: 2023.05.12 10:58:33 -04'00'

ALLEN M. VOSE III, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATION NO. 7191

DATE SIGNED 05-12-2023

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SHEET 1 OF 2

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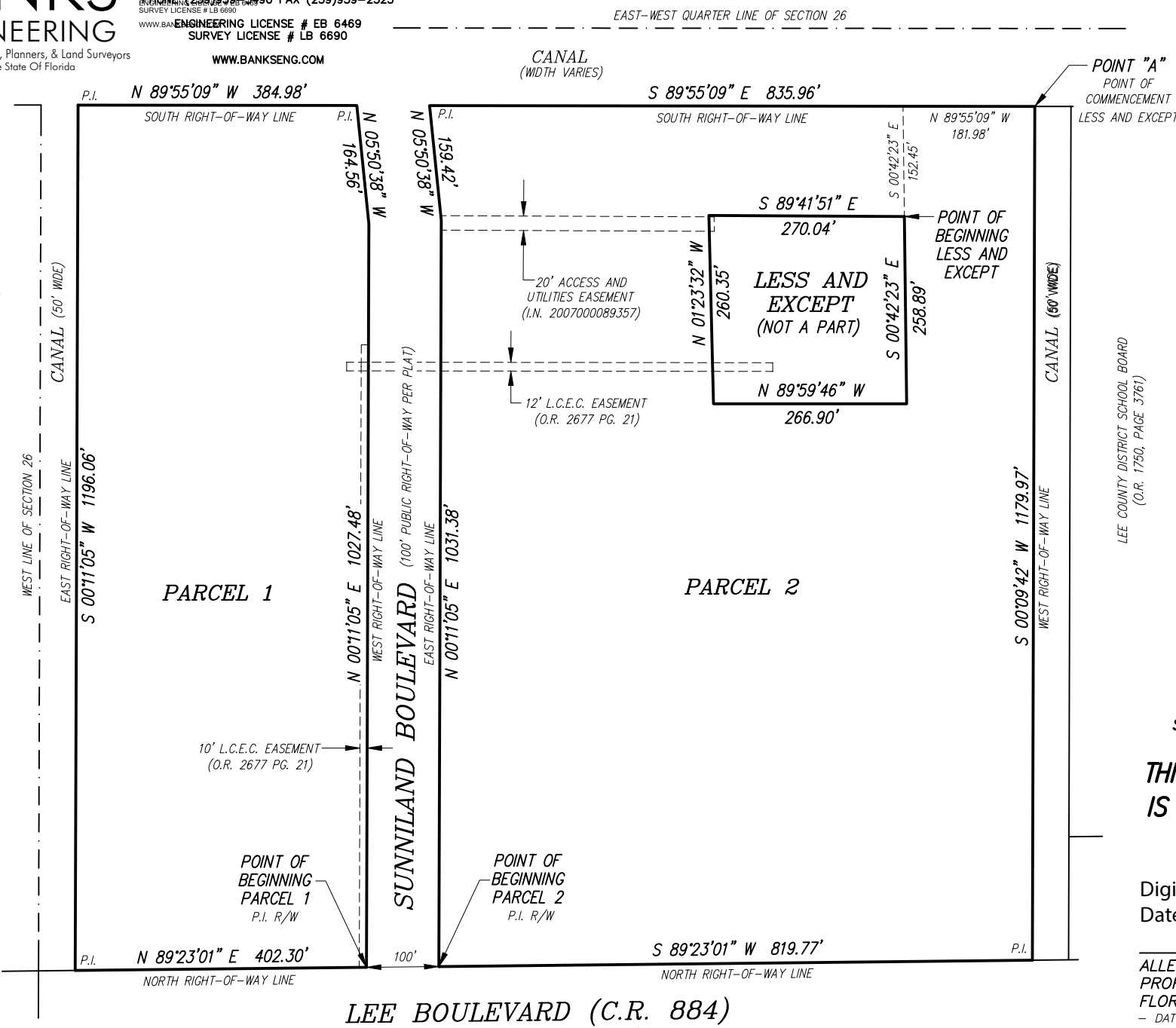
10511 SIX MILE CYPRESS PARKWAY, SUITE 101
FT. MYERS, FLORIDA 33966
PHONE (239) 939-5490 FAX (239) 939-2523
SURVEY LICENSE # LB 6690
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690
WWW.BANKSENG.COM

SKETCH OF DESCRIPTION

OF
A TRACT OR PARCEL OF LAND LYING IN
SECTION 26, TOWNSHIP 44 SOUTH, RANGE 26 EAST,
LEE COUNTY, FLORIDA



1" = 200'



NOTES:

- 1.) SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
- 2.) BEARINGS AND DISTANCES, UNLESS OTHERWISE NOTED, ARE BASED ON THE "STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST NAD 83/2011 (CORS), WHEREIN THE NORTH RIGHT-OF-WAY LINE OF LEE BOULEVARD BEARS N 89°23'01" E. THE SCALE FACTOR IS 0.99994666.
- 3.) ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
- 4.) SUBJECT PARCEL CONTAINS: 31.71 ACRES, MORE OR LESS.

LEGEND:

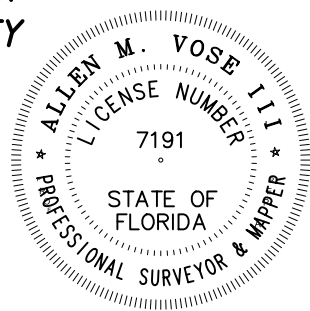
- PG. INDICATES PAGE
- C.R. INDICATES COUNTY ROAD
- R/W INDICATES RIGHT-OF-WAY
- C.R. INDICATES COUNTRY ROAD
- O.R. INDICATES OFFICIAL RECORDS
- LB INDICATES LICENSED BUSINESS
- I.N. INDICATES INSTRUMENT NUMBER
- P.I. INDICATES POINT OF INTERSECTION
- L.C.E.C. INDICATES LEE COUNTY ELECTRIC CO-OPERATIVE
- P.S.M. INDICATES PROFESSIONAL SURVEYOR AND MAPPER
- CORS INDICATES CONTINUOUSLY OPERATING REFERENCE STATION

SEE SHEET 1 OF 2 FOR COMPLETE
METES AND BOUNDS DESCRIPTION.

**THIS SKETCH OF DESCRIPTION
IS NOT A BOUNDARY SURVEY**

Digitally signed by Allen M Vose III
Date: 2023.05.12 10:58:57 -04'00'

ALLEN M. VOSE III, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATION NO. 7191
- DATE SIGNED: 05-12-2023
- THIS SKETCH OF DESCRIPTION IS NOT VALID
WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF
A FLORIDA LICENSED SURVEYOR AND MAPPER.





PREPARED FOR:

WMG DEVELOPMENT

1200 NETWORK CENTRE DRIVE, SUITE 3
EFFINGHAM, IL 62401

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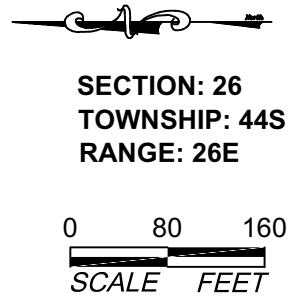
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MASTER CONCEPT PLAN
SUNNILAND
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
1/6/2023	8844	_MCP		KG		AS SHOWN	01

Lehigh Sunniland



SECTION: 26
TOWNSHIP: 44S
RANGE: 26E

FLUCCS	Description	Acreage
411E2	Pine Flatwoods Invaded by Exotics (26-50%)	7.49 Ac.±
450	Mixed Exotic Upland Forest	2.17 Ac.±
618E*	Willow Invaded by Exotics (5-9%)	3.28 Ac.±
740	Disturbed Land	4.64 Ac.±
743	Spoil Areas	0.83 Ac.±
748**	Cleared Areas	13.62 Ac.±
814	Roads and Highways	1.65 Ac.±
Total		33.68 Ac.±

* Potential SFWMD Jurisdictional Wetlands
** Areas Cleared resulting in VIO2021-06268 & VIO2021-06269 Notice of Violations.

Notes:

1. Property boundary is approximate and was obtained from the Lee County Property Appraiser's Website.
2. Mapping based on photointerpretation of 2021 aerial photography and ground truthing in September 2021.
3. Delineation of jurisdictional wetlands is preliminary and subject to field review/approval by applicable regulatory agencies.

Site Development Regulations

Minimum Lot Width:	200 feet
Minimum Lot Depth:	200 feet
Minimum Lot Area:	2.5 acres
Outparcels:	
Minimum Lot Width	100 feet
Minimum Lot Depth	100 feet
Minimum Lot Area	10,000 square feet
Maximum Lot Coverage:	45 percent
Maximum Building Height	45 feet or two stories
Minimum Building Separation	20 feet
Setbacks:	
Development Perimeter	25 feet
Street:	25 feet
Side:	20 feet
Rear:	20 feet
Waterbody	25 feet

VIO2021-06268 and VIO2021-06269 Notice of Violations dated January 19, 2023.

On January 19, 2023 county code enforcement issued VIO2021-06268 and VIO2021-06269 Notice of Violations. County staff observed violations at 36114 5th Street West, Lehigh Acres and 3650 5th Street West, Lehigh Acres on August 4, 2021. Approximately 13.62 acres of previously approved indigenous and gopher tortoise preserve under Zoning Resolution Z-06-090 had been cleared without a Development Order or clearing permits. The applicant was not an owner or participant in the activity that resulted in the violation. The applicant is proposing to abate these violations by planting a total of 711 trees in a separate new preserve area as described in the Preserve Area Plan and shown on the Master Concept Plan for the submitted zoning amendment.



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

December 12, 2022

John Fisher, Manager
Lee Sunniland LLC and JES Family LLC
10970 S Cleveland Ave, Ste 303
Fort Myers, FL 33907

**Subject: 3614 5th St W, Lehigh Acres
Closure of Enforcement Case
Enforcement Case No. 20022
Associated Numbers : 26442600000030000 & 26442600000030020
Lee County**

Dear Mr. Fisher:

This letter is to inform you that the above referenced enforcement case is hereby closed. Based on a recent inspection by South Florida Water Management District staff, the debris that was located in the wetland has been removed and the impacted vegetation has regenerated, which resolves the enclosed Investigative Notice.

If you have any questions or require additional assistance, please contact Natalie Cole at (561) 682-6033 or via email at ncole@sfwmd.gov.

Sincerely,

A handwritten signature in blue ink that reads "Natalie Cole".

Natalie Cole
Section Leader

eEnclosures: Investigative Notice ([20022_InvestigativeNtc_20211108.pdf](#))

c: Jim Weisbecker (E-Mail)
Paul Owen, W Dexter Bender and Associates Inc (E-Mail)

This document is filed in the eEnforcement system under Enforcement Case Number 20022

3614 5th St W, Lehigh Acres
Page 2



SUNNILAND TOWN CENTER CPD
PLANNED DEVELOPMENT AMENDMENT REQUEST STATEMENT
FEBRUARY 23, 2023

Introduction

The Sunniland Commercial Planned Development is located along the north side of Lee Boulevard approximately ½ mile west of Sunshine Boulevard in Lehigh Acres (see attached aerial map). The subject property is in the Mixed-Use Overlay and the Central Urban Future Land Use category in the Lee County Comprehensive Plan. The proposed amendment requests approval of 250,000 square feet of commercial floor area on 33.3 +/- acres, with an option of substituting 100,000 square feet of commercial for 300 multi-family residential units on the portion of the property east of Sunniland Blvd.

Entitlement History

The subject property was originally zoned as a Commercial Planned Development in 2006 (Z-06-090). The current zoning allows for a mix of office and retail uses with a total commercial area of 232,000 square feet on two separate parcels bisected by the Sunniland Boulevard right of way, which runs north-south through the subject property. The parcel on the east side of the Sunniland right of way contains a doughnut hole parcel with an existing and operating oil well. The master concept plan and the existing/proposed CPD excludes the existing oil well site as it is under separate ownership.

Surrounding Uses and Compatibility

The subject property is located in Lehigh Acres, an area with primarily platted single family lots. The subject property is uniquely located in an area separated from adjacent single-family lots except for the west side of the property. To the north of the property is a 100-foot canal managed by the Lehigh Acres Municipal Service Improvement District (LAMSID). To the south of the property is Lee Boulevard, a 100+ foot arterial roadway, and to the east is the Sunshine Elementary School. Within the subject property is an oil well under separate ownership that was excluded from the existing zoning and the proposed amendment.

Buffers

In addition to the separation of uses as outlined above, the project will provide buffers in accordance with land development code section 10-425. On the north side of the of the development, the applicant is locating preserve and stormwater, which will enhance any

buffer or separation, in addition to the LAMSID canal, as noted above. To the south, along Lee Boulevard, LDC 10-425 requires a 5-foot buffer with 5 trees per 100 linear feet. To the west, the MCP shows a type B buffer, also consistent with LDC Section 10-425.

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 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:

POLICY 1.1.3: *The Central Urban future land use category can best be characterized as the “urban core” of the County. These areas are already the most heavily settled and have, or will have, the greatest range and highest levels of public services. Residential, commercial, public and quasi-public, and limited light industrial land uses will continue to predominate in the Central Urban future land use category. Future development in this category is encouraged to be mixed use, as described in Objective 11.1, where appropriate. The standard density range is from four dwelling units per acre (4 du/acre) to ten dwelling units per acre (10 du/acre), with a maximum total density of fifteen dwelling units per acre (15 du/acre). The maximum total density may be increased to twenty dwelling units per acre (20 du/acre) utilizing Greater Pine Island Transfer of Development Units.*

The attached zoning amendment application proposes a redesign of the existing commercial planned development. The total requested entitlement is for 250,000 square feet of Commercial floor area and 300 multi-family units with the option of substituting 100,000 square feet on the eastern parcel for the 300 multi-family units. The 300 multi-family residential units are within the standard density range of 10 dwelling units per acre permitted within the mixed-use overlay.

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 amendment request represents an opportunity for commercial development within Lehigh Acres. Both residential and non-residential options provide

for much needed commercial development. The residential option allows for multi-family residential development, a land use that helps to diversify the housing stock in Lehigh Acres. The subject property is located within an urban area along an arterial road. 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. 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 commercial uses while adding a diversity of housing types in the neighborhood. Employees of the adjacent school would be able to find housing within walking distance of their employment.

***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 property's land use category allows for urban levels of both commercial and 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.*

The subject property is located in an urban area of Lee County with existing development on all sides of the property. 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 Lee Boulevard in Lehigh Acres. The property is immediately adjacent to the west side of Sunshine Elementary School and ¼ mile to the west of Palm Acres Charter Highschool. Several other Elementary, middle and high schools are located within two miles of the subject property. Fire stations #103 and #104 are both within 2 miles of the subject property and the 110 bus route runs along Lee Boulevard in front of the property.

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 require connection to a 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 require connection to a 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.

An environmental assessment for the property was prepared and submitted. An indigenous preserve area is being located at the northern end of the property that is consistent with Lee County indigenous preservation requirements. Also attached is a preservation management plan, consistent with Standard 4.1.4. There are two wetlands onsite that are jurisdictional to the South Florida Water Management District but should not be federally jurisdictional. These two wetlands are dominated by willow and have infestation by Brazilian pepper. These areas have been disturbed over the last few decades by the construction of Lee and Sunniland Boulevards in the 1970s as well as partial site clearing around 1990. These two low quality wetlands will likely need to be impacted to allow for the development of the parcels. Wetland mitigation will be provided at an appropriate wetland mitigation bank, ensuring that Standard 4.1.4 is met.

GOAL 5: RESIDENTIAL LAND USES. *To accommodate the projected population of Lee County in the year 2045 in appropriate locations, guided by the Future Land Use Map, and in attractive and safe neighborhoods with a variety of price ranges and housing types.*

The proposed rezoning will implement Goal 5 by locating additional opportunities for residential multi-family development, providing a diversity of housing opportunities in Lehigh Acres.

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 subject property is located in an area where the proposed uses will be a positive addition to the existing mix of uses. The proposed multi-family development is adjacent to and in close proximity to employment and shopping centers and is accessible to mass transit and bicycle facilities. Bus Route 110 runs along Lee Boulevard along the south side of the subject property. Lee Boulevard also has a sidewalk that runs along the north and south sides of the road, providing pedestrian connections to the bus stops to both the east and west of the subject property.

The subject property will include needed retail development providing excellent integration with the potential multi-family uses and the surrounding residential. There are several other retail shopping centers and office buildings in close proximity along Lee Boulevard providing services to the potential residential use.

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 subject property is already zoned commercial planned development. The proposed rezoning will not have a negative impact on any existing or future residential areas. The proposed rezoning relocates the preserve area to the northern end of the site, creating a

greater separation with the residential uses north of the subject property. The only other residential area is to the west of the subject property where similar buffers and setbacks will be provided.

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 allow residential uses and a redesign of the commercial, 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 a failing level of service on the roadway network.

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 the existing CPD to provide for the option of a mixed-use development with multi-family residential, retail and office 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 schools, shopping and employment centers, and create a mixed-use environment that decreases trip lengths and diversify housing options in Lehigh Acres.

OBJECTIVE 11.2: MIXED USE OVERLAY. *The County will maintain an Overlay in the future land use map series identifying locations appropriate for mixed use located in proximity to: public transit routes; education facilities; recreation opportunities; and, existing residential, shopping and employment centers. Mixed Use, Traditional Neighborhood, and Transit Oriented development patterns are encouraged and preferred within the Mixed Use Overlay.*

The master concept plan includes an option for residential development and is located in the mixed-use overlay. The subject property is adjacent to a school and in very close proximity to several schools, transit, shopping and employment uses.

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

The master concept plan includes an option for residential development limited to 300 dwelling units. Using a density calculation, consistent with Policy 11.2.7, the proposed residential is within the density limits of the Central Urban Future Land Use category.

POLICY 25.6.1: *Commercial uses are permitted on lands in the Lehigh Commercial Overlay once commercial zoning has been approved. Land in the Lehigh Commercial Overlay may also be used for schools, parks, and other public facilities; churches and synagogues; and residential uses that provide housing alternatives to the typical 1/4 to 1/2 acre subdivision lots. Creation of new single-family lots smaller than one acre is not permitted due to the oversupply of standard subdivision lots. If cumulative new residential development takes place on more than 1% of this land per year, Lee County will take steps to provide additional commercial land in Lehigh Acres to offset the loss. Lee County will take steps to reduce any emerging surplus of commercial land in Lehigh Acres if cumulative new commercial development exceeds an average floor area ratio of 1.0 (the ratio of interior floor space to total lot area).*

The subject property is within the Lehigh Commercial Overlay. The option for mixed use development on the subject property is consistent with Policy 25.6.1 as the proposed planned development will provide for **“residential uses that provide housing alternatives to the typical 1/4 to 1/2 acre subdivision lots.”** The remainder of the development is commercial and also consistent with Policy 25.6.1.

OBJECTIVE 25.10: NATURAL RESOURCES. *To preserve, protect, and, where possible, enhance the physical integrity, ecological values, and natural beauty of Lehigh Acres Community Plan area, by maintaining the diverse and healthy native vegetation, and wildlife resources.*

The proposed CPD is providing an indigenous preserve consistent with Land Development Code requirements.

POLICY 25.10.1: *Lee County will encourage on-site preservation of indigenous plant communities and listed species habitat. Any required mitigation will be of similar habitat, and provided, whenever possible, within the Lehigh Acres Community Plan area. Development must also be consistent with Goal 77 and Objective 77.3.*

The proposed CPD is providing an indigenous preserve consistent with Land Development Code requirements. The entire preserve area is located on site.

POLICY 25.10.2: *Lee County will work with various agencies to identify existing wetlands that are worth saving or restoring within the Lehigh Acres Community Plan area.*

The subject property contains 2 isolated willow wetland areas totaling 3.28 acres. These wetlands were disturbed, impacted, and isolated by the construction of the roads that now surround them. They are infested with exotic vegetation, hydrologically isolated, and bordered by roads which have significantly lowered their functional value as wetlands. In accordance with the protected species survey and the indigenous management plan the most appropriate preservation area onsite is the singular contiguous upland area at the northern end of the site which will be restored to functional native habitat.

POLICY 60.1.1: Require design of surface water management systems to protect or enhance the groundwater.

The site is currently bordered by swales on the east and west sides and the Angelfish Canal on the north side which influences the groundwater onsite today. There will be coordination with LAMSID during permitting and the control elevation for the onsite detention areas will be based on the control elevations of the adjacent canal. This will ensure that the groundwater for the site will not be altered from what it is today.

POLICY 60.4.1: Encourage new developments to design surface water management systems with Best Management Practices including, but not limited to, filtration marshes, grassed swales planted with native or Florida Friendly Landscaping vegetation, retention/detention lakes with enlarged littoral zones, preserved or restored wetlands, and meandering flow-ways.

The stormwater design for the site will use a combination of dry and wet detention and Best Management Practices. The lakes will contain littoral plantings and the dry detention areas will be planted in Bahia Sod that will not required irrigation.

POLICY 61.3.1: Provide sufficient performance and design standards to require post-development runoff to approximate the total characteristics of the natural flow prior to development.

The site is located in the Orange River Basin as determined in "Allowable Discharge Values for Projects within the South Florida Water Management District" which assigns maximum discharge rates. The maximum allowable rate for projects in this basin is 55 CSM for the 25-year 3 Day Storm Event. The post development runoff will be limited to this rate.

POLICY 61.3.6: Require developments to provide surface water management systems, acceptable programs for operation and maintenance, and post-development runoff conditions that reflect the natural surface water flow rate, direction, quality, hydroperiod, and drainage basin.

This site has been previously developed as there are existing roads, therefore there is no natural flow. In the developed condition, the surface water will continue to flow to the Angelfish Canal as it does today. The addition of dry and wet detention areas will improve the water quality prior to discharge offsite.

POLICY 61.3.8: *The banks of wet retention and detention areas must be sloped to promote growth of vegetation and safeguard against accidents.*

The maximum slopes for dry detention areas will be 3:1 and the banks for wet detention will be 6:1, consistent with the LDC.

POLICY 61.3.11: *Runoff must be routed through retention or detention areas and vegetated swales in order to reduce flow velocity, allow for percolation, and trap and remove suspended solids and pollutants.*

The design will include dry and wet detention areas.

POLICY 61.3.13: *Installation of erosion control devices for development activities adjacent to waterbodies, water courses, and wetlands will be required. Such control devices must be maintained to ensure operational effectiveness.*

Erosion control will be used during construction to protect the adjacent swales and canals. The banks will be sodded to prevent erosion after construction.

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

The gopher tortoise burrows onsite cannot be avoided by the development of the site due to their location across the site. In accordance with Policy 123.8.1, the gopher tortoises will be excavated and relocated to a FWC approved recipient site per FWC rules and policies.

POLICY 124.1.2: *The County's wetlands protection regulations will be consistent with the following:*

6. The density on wetlands that have been impacted, or will be impacted, in accordance with a state agency permit will be calculated at a density of one dwelling unit per 20 acres. Non-residential uses on wetlands that have been impacted, or will be impacted, in accordance with a state agency permit must be consistent with the non-residential uses permitted in the immediately adjacent, least intense, upland future land use category.

The proposed amendment will impact all 3.28 acres of poor-quality wetlands on site. These wetland areas are highly disturbed. The proposed residential density assumes

impacts will occur to all wetland areas and these areas are removed from the density calculation.

***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 residential concept 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.

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

The proposed amendment is compliant with all county codes and regulations and the deviations previously granted.

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

As stated above, the subject property is in the Central Urban Future Land Use category, the Mixed-Use Overlay and the Lehigh Acres Commercial Overlay. Taken together the Lee Plan and the Lehigh Acres Community Plan has designated the subject property for either commercial development or mixed-use development, both of which are being proposed. The subject property is set back and separated from the property to the north by a 100-foot LAMSID canal, and will include additional buffering ensuring compatibility with uses to the north. To the west are residential lots, most of which are vacant. The code required buffering is adequate to ensure compatibility with the future residential development to the west. To the east of the subject property is an elementary school separated by a canal and buffered with a fence and to the south is Lee Boulevard, south of which is a mix of commercial and residentially zoned property. The proposed development does not create any compatibility issues with the uses to both the east and south.

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

The subject property is located along Lee Boulevard, an arterial road in Lehigh Acres. Sunshine Blvd. bisects the subject property. As demonstrated on the attached master concept plan, access is sufficient to accommodate the proposed development.

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

The proposed zoning amendment represents a very minimal increase in trips over the current approval. As demonstrated by the attached Transportation Impact Statement, the expected impacts on transportation facilities do not cause any roadway segments to operate below level of service. Site related impacts will be addressed by existing county regulations.

- 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 contains vegetation of limited value. The applicant is proposing an indigenous preserve at the northern end of the site, consistent with Lee County regulations which will serve to protect and enhance on site vegetative communities and also buffer residential uses to the north.

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

As evidenced by the adjacent development, , urban services as defined by the Lee Plan are available to the subject site.

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

The proposed commercial planned development is consistent with the Central Urban future land use category, the Mixed-Use Overlay and the Lehigh Acres Commercial Overlay. The proposed use has excellent road access, is adjacent to similar uses and provides an opportunity to develop diverse housing options in close proximity to urban services and 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 amendment 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.

Lehigh Sunniland

Section 26, Township 44 South, Range 26 East
Lee County, Florida

Protected Species Survey & Florida Bonneted Bat Roost Survey

May 2023

Prepared by:



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15957 Tropical Breeze Drive, Fort Myers, FL 33908
(239) 994-9007

INTRODUCTION

The 33.68± acre parcel is located within a portion of Section 26, Township 44 South, Range 26 East, Lee County, Florida (Figure 1). The parcel straddles Sunniland Boulevard and is bordered to the north by a canal, to the east by Sunshine Elementary School, to the south by Lee Boulevard, and to the west by residential housing.

VEGETATIVE CLASSIFICATIONS

The predominant vegetation associations were mapped in the field on 2022 digital 1" = 160' scale aerial photography. The project boundary was obtained from Morris-Depew and inserted into the digital aerial. The boundary was not staked in the field at the time of our site inspection and was, therefore, estimated based on the overlay of the approximate boundary on the aerial photography. Seven vegetation association were identified using the Florida Land Use, Cover and Forms Classification System (FLUCCS). Figure 2 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. This habitat contains more than 75 percent cover by exotics with only scattered native plant species.

Table 1. Acreage Summary by FLUCCS Code

FLUCCS CODE	DESCRIPTION	ACREAGE
411E2	Pine Flatwoods Invaded by Exotics (26-50%)	7.49±
450	Mixed Exotic Upland Forest	2.17±
618E	Willow Invaded by Exotics (5-9%)	3.28±
740	Disturbed Land	4.64±
743	Spoil Areas	0.83±
748	Cleared Areas	13.62±
814	Roads and Highways	1.65±
Total		33.68±

FLUCCS Code 411, Pine Flatwoods

This flatwood consists of slash pine (*Pinus elliottii*), cabbage palm (*Sabal palmetto*), grape vine (*Vitis* sp.), Brazilian pepper (*Schinus terebinthifolia*), earleaf acacia (*Acacia auriculiformis*), hairypod cowpea (*Vigna luteola*), southern sida (*Sida acuta*), ragweed (*Ambrosia artemisiifolia*), poison ivy (*Toxicodendron radicans*), flatsedges (*Cyperus* spp.), beauty berry (*Callicarpa americana*), torpedo grass (*Panicum repens*), live oak (*Quercus virginiana*), broomsedge (*Andropogon* sp.), saw palmetto (*Serenoa repens*), wax myrtle (*Myrica cerifera*), swamp fern (*Blechnum serrulatum*), briar (*Smilax* sp.), and dog fennel (*Eupatorium capillifolium*).

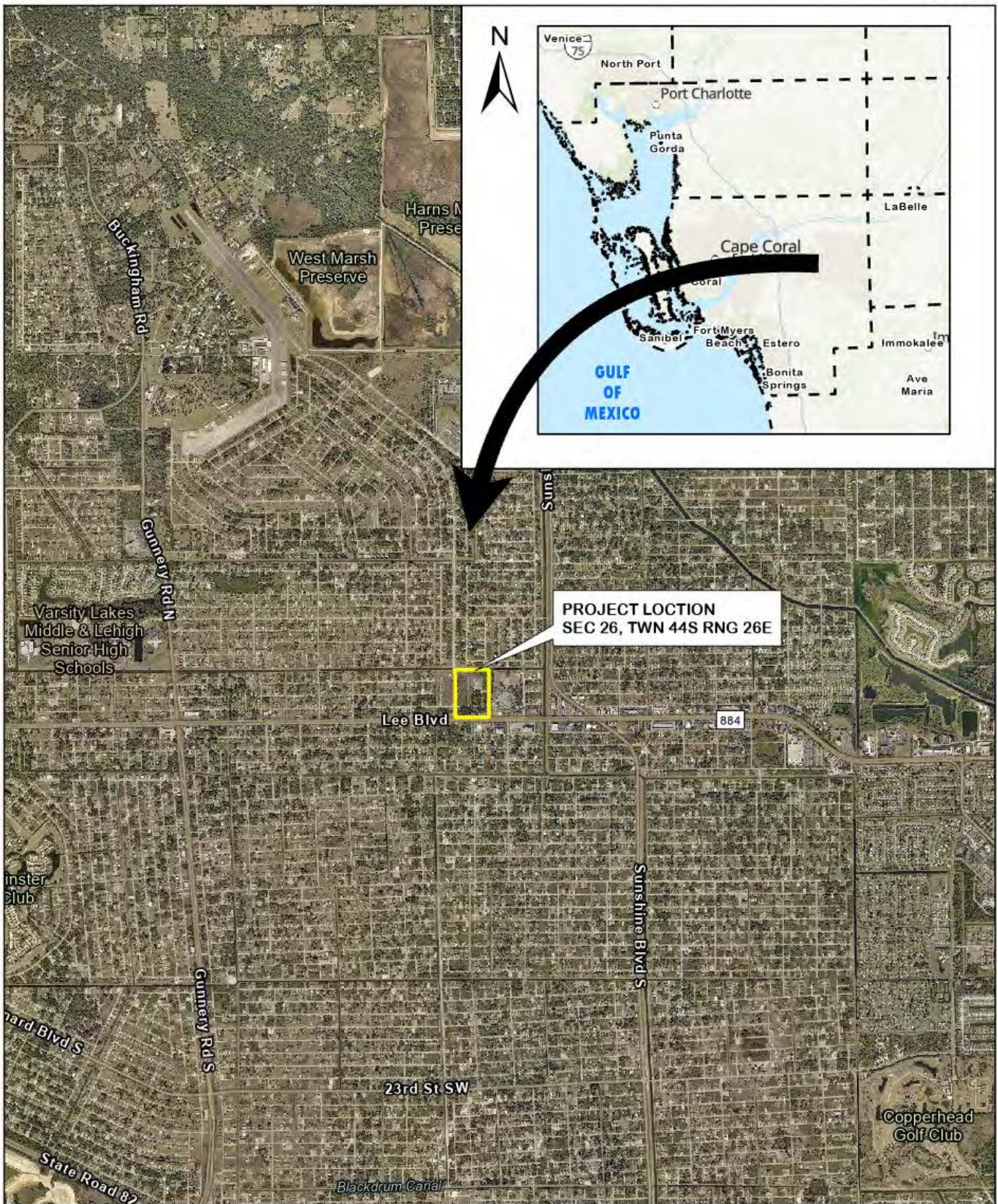
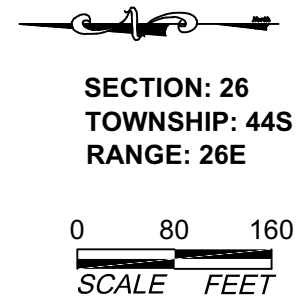


Figure 1. Project Location Map

**OWEN ENVIRONMENTAL
CONSULTING, LLC.**
FORT MYERS 239-994-9007

Lehigh Sunniland



SECTION: 26
TOWNSHIP: 44S
RANGE: 26E

FLUCCS	Description	Acreage
411E2	Pine Flatwoods Invaded by Exotics (26-50%)	7.49 Ac.±
450	Mixed Exotic Upland Forest	2.17 Ac.±
618E*	Willow Invaded by Exotics (5-9%)	3.28 Ac.±
740	Disturbed Land	4.64 Ac.±
743	Spoil Areas	0.83 Ac.±
748**	Cleared Areas	13.62 Ac.±
814	Roads and Highways	1.65 Ac.±
Total		33.68 Ac.±

* Potential SFWMD Jurisdictional Wetlands
** Areas Cleared resulting in VIO2021-06268 & VIO2021-06269 Notice of Violations.

Notes:

1. Property boundary is approximate and was obtained from the Lee County Property Appraiser's Website.
2. Mapping based on photointerpretation of 2021 aerial photography and ground truthing in September 2021.
3. Delineation of jurisdictional wetlands is preliminary and subject to field review/approval by applicable regulatory agencies.

Figure 2. Vegetation Map

FLUCCS Code 450, Mixed Exotic Upland Forest

This upland area consists of live oak, Brazilian pepper, cabbage palm, lead tree (*Leucaena leucocephala*), carpet grass (*Axonopus* sp.), saw palmetto, Spanish needles (*Bidens alba*), rosary pea (*Abrus precatorius*), wild coffee (*Psychotria nervosa*), and slash pine.

FLUCCS Code 618, Willow

The vegetation present in this wetland includes live oak, swamp fern (*Blechnum serrulatum*), cabbage palm, grape vine, beauty berry, wild coffee, Caesarweed (*Urena lobata*), earleaf acacia, wax myrtle, beauty berry, bracken fern (*Pteridium aquilinum*), and briar.

FLUCCS Code 740, Disturbed Land

This disturbed land includes Brazilian pepper, cabbage palm, foxtail grass (*Setaria* sp.), ragweed, false buttonweed (*Spermacoce remota*), Bahia grass (*Paspalum notatum*), smutgrass (*Sporobolus indicus*), lead tree, cogongrass (*Imperata cylindrica*), guineagrass (*Panicum maximum*), grape vine, Florida pusley (*Richardia scabra*), stinkweed (*Pluchea* sp.), torpedo grass (*Panicum repens*), St. John's wort (*Hypericum cistifolium*), sensitive briar (*Mimosa quadrivalvis*), and camphorweed (*Heterotheca subaxillaris*).

FLUCCS Code 743, Spoil Areas

The spoil areas consist of ragweed, frog fruit (*Phyla nodiflora*), false buttonweed, Bermuda grass (*Cynodon dactylon*), sensitive Briar, Florida pusley, Spanish needles, foxtail grass, and smutgrass.

FLUCCS Code 748, Cleared Areas

On January 19, 2023 county code enforcement issued VIO2021-06268 and VIO2021-06269 Notice of Violations. County staff observed violations at 36114 5th Street West, Lehigh Acres and 3650 5th Street West, Lehigh Acres on August 4, 2021. Approximately 13.62 acres of previously approved indigenous and gopher tortoise preserve under Zoning Resolution Z-06-090 had been cleared without a Development Order or clearing permits. The vegetation present in these cleared areas include pokeweed (*Phytolacca americana*), false buttonweed, Bermuda grass, bluestem (*Schizachyrium* sp.), spurge (*Euphorbia celastroides*), Brazilian pepper, Virginia creeper, poison ivy (*Toxicodendron radicans*), horseweed (*Erigeron canadensis*), dog fennel, ragweed, cabbage palm, cogongrass, Caesar weed, Spanish needles, Bahia grass, torpedo grass, Florida pusley, grape vine, saltbush (*Baccharis halimifolia*), Virginia creeper, wild poinsettia (*Euphorbia heterophylla*), foxtail grass, camphorweed, smutgrass, lead tree, bluestem, live oak, saw palmetto, sensitive briar, downy rose myrtle (*Rhodomyrtus tomentosa*), winged sumac (*Rhus copallinum*), earleaf acacia, and beauty berry.

FLUCCS Code 814, Roads and Highways

No vegetation is present in these areas.

SURVEY METHOD

Lee County Protected Species Ordinance No. 89-34 lists several protected species of animals that could potentially occur on-site based on the general vegetative associations found on the subject parcel. Each habitat type was surveyed for the occurrence of these and any other listed species likely to occur in the specific habitat types. The survey was conducted using meandering linear pedestrian belt transects. This survey methodology is based on the Lee County administratively approved Meandering Transect Methodology. As part of this survey all live trees and snags were inspected for the evidence of cavities that could potentially be used as roosts by the Florida bonneted bat (*Eumops floridanus*). In order to provide at least 80 percent visual coverage of habitat types listed in Ordinance No. 89-34, the transects were spaced approximately 50 feet apart. 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. A Florida bonneted bat (*Eumops floridanus*) cavity survey has also been conducted. All live trees and snags were inspected for the evidence of cavities. The 1" = 160' scale aerial Protected Species Assessment map (Figure 3) 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 July 14-15, 2022 and updated on February 3, 2023. During the survey the weather was humid and sunny.

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 33.68± 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 inspecting the site, the Florida Fish and Wildlife Conservation Commission (FWC) listed species occurrence data base was reviewed to determine the known occurrence of species listed by the FWC and/or U.S. Fish and Wildlife Service (FWS) as threatened, endangered, or species of special concern in the project area. According to that database there are no known listed species sightings on the subject property.

Florida Bonneted Bat (*Eumops floridanus*) Roost Survey Method

Florida Bonneted Bat (*Eumops floridanus*) Roost Survey Method Per U.S. Fish and Wildlife Service (FWS) Draft Protocol for Florida Bonneted Bat Roost Surveys dated February 3, 2015, a series of meandering transects were completed across the portion of the site containing areas with potential natural roosting structures. Transects through roosting habitat were spaced approximately 50 feet apart and all trees and snags were visually inspected for evidence of cavities. Evidence of protected species was gathered through both direct observation and through observation of signs such as potential roost cavities, tracks, nests, and scat. If a sign was found or sighting occurred, their locations in the field were recorded using a GPS unit. Figure 3 depicts the locations and results of the potential cavities survey. The site inspection was conducted during the mid-day hours of July 14-15, 2022, and updated on February 3, 2023.

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

FLUCCS CODE	Percent Survey Coverage	Species Name	Present	Absent
411	80	Gopher Frog (<i>Rana areolata</i>)*		√
		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>)		√
450	80	None		

FLUCCS CODE	Percent Survey Coverage	Species Name	Present	Absent
618	80	American Alligator (<i>Alligator mississippiensis</i>) Little Blue Heron (<i>Egretta caerulea</i>) Reddish Egret (<i>Egretta rufescens</i>) Snowy Egret (<i>Egretta thula</i>)* Tricolored Heron (<i>Egretta tricolor</i>) Wood Stork (<i>Mycteria americana</i>) Big Cypress Fox Squirrel (<i>Sciurus niger avicennia</i>) Everglades Mink (<i>Mustela vison evergladensis</i>)		√ √ √ √ √ √ √ √
740	80	None		
743	80	Gopher Tortoise (<i>Gopherus polyphemus</i>)**		√
748	80	None		
814	80	None		

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

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

Lehigh Sunniland



SECTION: 26
TOWNSHIP: 44S
RANGE: 26E

0 80 160
SCALE FEET

- Approximate Pedestrian Survey Transects
- Potentially Occupied Gopher Tortoise Burrow (28)

FLUCCS	Description	Acreage
411E2	Pine Flatwoods Invaded by Exotics (26-50%)	7.49 Ac.±
450	Mixed Exotic Upland Forest	2.17 Ac.±
618E*	Willow Invaded by Exotics (5-9%)	3.28 Ac.±
740	Disturbed Land	4.64 Ac.±
743	Spoil Areas	0.83 Ac.±
748**	Cleared Areas	13.62 Ac.±
814	Roads and Highways	1.65 Ac.±
Total		33.68 Ac.±

* Potential SFWMD Jurisdictional Wetlands
** Areas Cleared resulting in VIO2021-06268 & VIO2021-06269 Notice of Violations.

Notes:

- Property boundary is approximate and was obtained from the Lee County Property Appraiser's Website.
- Mapping based on photointerpretation of 2021 aerial photography and ground truthing in September 2021.
- Delineation of jurisdictional wetlands is preliminary and subject to field review/approval by applicable regulatory agencies.

Figure 3. Protected Species Survey Map

SURVEY RESULTS

Twenty-Eight (28) potentially occupied gopher tortoise burrows were found on site. Based on 80 percent survey coverage, it is estimated that 34 potentially occupied gopher tortoise burrows occur within this general area.

The gopher tortoise is listed as a threatened species by the FWC and is not listed by the FWS. Gopher tortoise burrows were observed primarily in the mixed exotic upland forest (FLUCCS Code 450), exotic pine flatwoods (FLUCCS Code 411E2), disturbed land (FLUCCS Code 740) and in cleared areas (FLUCCS Code 748). The majority of these burrows are located toward the outer areas of the site.

Other Listed Species

No other species listed by either the FWS or the FWC were observed on the site during the protected species survey or during other site visits. In addition to the site inspections, a search of the FWC species database (updated in June 2022) revealed no additional known protected species within or immediately adjacent to the project limits.

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Lehigh Sunniland

Section 26, Township 44 South, Range 26 East
Lee County, Florida

Preservation Area Management Plan

April 2023

Prepared by:



ENVIRONMENTAL CONSULTING, LLC
15957 Tropical Breeze Drive, Fort Myers, FL 33908
(239) 994-9007

Introduction

The goal of this management plan is to restore 3.4 acres of upland preservation areas as shown on the attached Preservation Area Management Plan Map on-site via vegetation debris removal, selective regrading, and restoration planting. A vegetation removal permit associated with a development order is required for any restoration site work.

On January 19, 2023 county code enforcement issued VIO2021-06268 and VIO2021-06269 Notice of Violations. County staff observed violations at 36114 5th Street West, Lehigh Acres and 3650 5th Street West, Lehigh Acres on August 4, 2021. Approximately 13.62 acres of previously approved indigenous and gopher tortoise preserve under Zoning Resolution Z-06-090 had been cleared without a Development Order or clearing permits. This plan also includes replacement plantings to abate the two code violations VIO2021-06268 and VIO2021-06269 for the removal of protected trees without permits.

Debris Removal

The debris piles, including horticultural and trash, within the restoration area will be removed and disposed of in an appropriate facility. This will be accomplished by hand or by using mechanical equipment only from the existing roads except within 50' of any gopher tortoise burrow where debris will be removed by hand. No vehicles or mechanical equipment will be placed or operate within the restoration area. Any significant ruts created by the initial clearing and the restoration debris removal will be returned to grade by hand.

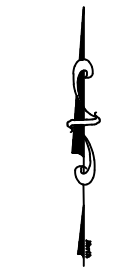
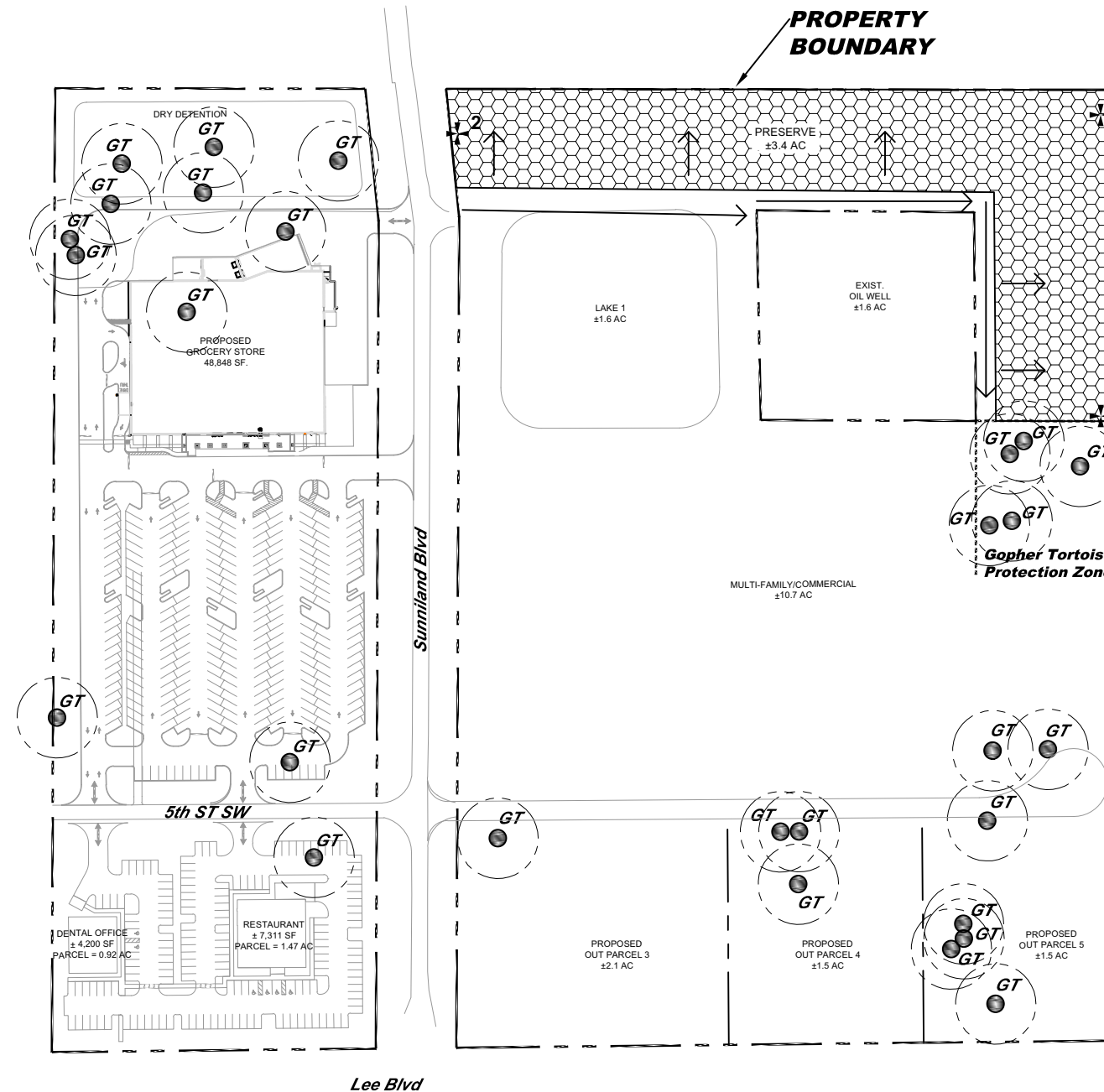
Initial Exotic Vegetation Treatment

All exotic and nuisance species (defined per LDC Sec. 10-420(f) and Category I and II species on the Florida Exotic Pest Plant Council's List of Invasive Species) within the restoration area will be treated as shown on the Preserve Area Plan Map. The mapped communities of the preservation/restoration area include Mixed Exotic Upland Forest (FLUCS 450), Disturbed Land (FLUCCS 740), and Cleared Land (FLUCCS 748).

Exotics may be mechanically removed and treated in the restoration area as it is currently dominated by exotic vegetation, predominantly Brazilian pepper (*Schinus terebinthifolia*), and has very few native species present. Access to the mechanical removal area will be by existing trails including the existing roads as shown on the Preservation Area Management Plan Map. This mechanical activity may result in temporary disturbance to the soil. Once the exotic control is completed, ruts caused using heavy equipment will be graded to blend with adjacent grades. In the event, mechanical removal of exotics is not practicable, exotics within these areas will be treated as described below.

Non-native trees and shrubs can be cut by chainsaw or machete just above natural grade and the stump treated with an appropriate herbicide suitable for aquatic

Lehigh Sunniland



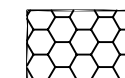
SECTION: 26
TOWNSHIP: 44S
RANGE: 26E

0 100 200
SCALE FEET

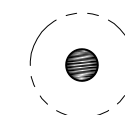
Notes:

1. Property boundary and Site Plan was received from Banks Engineering.
2. Mapping based on photointerpretation of 2021 aerial photography and ground truthing in September 2021.
3. Delineation of jurisdictional wetlands is preliminary and subject to field review/approval by applicable regulatory agencies.

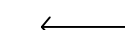
Legend:



Upland Restoration Area (3.40 Ac.±) - Includes Supplemental Planting



Potentially Occupied Gopher Tortoise Burrow (28) and 50' Buffer Radius



Access Points



Photo Station (typ.)

22-116

Preserve Area Plan

OWEN ENVIRONMENTAL CONSULTING, LLC.
FORT MYERS 239-994-9007

application where necessary. Treatment will occur immediately following cutting to ensure maximal uptake of the herbicide. The restoration areas will have the resulting vegetative material disposed of in accordance with local regulations. If non-woody exotics are present within the restoration areas they will be treated by a foliar application of an appropriate herbicide suitable for aquatic application. Herbicides will be used in strict accordance with label directions by trained applicators. Care will be taken to reduce damage to non-target native species to the maximum extent practical. The owner or his designee shall conduct vegetation control through the management of exotic, invasive and nuisance vegetation.

Exotic control of melaleuca and Brazilian pepper can be accomplished by chainsaw or machete as shown on the Preserve Area Plan Map. 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 removal from the preserves. Herbicides will be used in strict accordance with label directions by trained applicators. Care will be taken to reduce damage to non-target native species to the maximum extent practical.

A marker dye will be added to the spray solution to help visualize where the solution is being applied. An appropriately licensed herbicide applicator will supervise the crew. Herbicides will be used carefully in accordance with the label provided.

Regrading

After the debris and exotic vegetation has been removed from the restoration area, the significant soil disturbance areas will be regraded by hand. No regrading will occur within 50' of any gopher tortoise burrow. Please see the protected species management plan below. A vegetation removal permit is required for regrading the restoration areas.

Barricading

Prior to any site work, the restoration areas will be survey located, staked in the field, and the required erosion control barriers installed. Prior to any site work, barricades will be installed around the gopher tortoise protection zone and the site perimeter for erosion control. Please see the attached Preserve Area Plan Map for the locations of the barricades and erosion control. These barriers will be inspected by County staff prior to commencement of restoration activities. The operation of construction equipment, storage of equipment, and stockpiling of debris material will be prohibited within the restoration area. The staking identifying the limits of the preserve/restoration areas and silt fences will be maintained for the duration of adjacent restoration activities. If the gopher tortoises have been relocated from the site under a valid Florida Fish and Wildlife Conservation Commission Gopher Tortoise (FWC GT) permit, no barricades for the gopher tortoise burrows will be required.

Access Points

Access for the garbage and vegetative debris removal, exotic vegetation treatment, regrading, and planting within the restoration areas will be via the existing roads. No vehicles will travel within a 50' radius of any potentially occupied gopher tortoise burrows onsite, unless the gopher tortoises have been relocated from the site under a valid FWC GT permit. No equipment or debris will be stored within a 50' radius of any potentially occupied gopher tortoise burrows onsite unless the gopher tortoises have been relocated offsite. Please see the attached Preserve Area Plan Map for the location of access points.

Restoration Planting

Upon the completion of the debris removal, the restoration area will be planted with native plants to restore this area to a native habitat. Additionally, this area will include replacement plantings to abate the two violations listed above. Native ground cover and trees, as listed in the Upland Restoration Area Planting Table and Replacement Planting Table, will be planted by the end of November 2023. The final species list will be based upon site specific conditions and on plant material availability at the time of planting and will be provided at the time of development order.

Upland Restoration Area Plantings

A total of 458 trees and 1,482 understory/forage plants will be planted in the restoration area shown on the attached Preserve Area Plan Map.

Upland Restoration Planting Area Table

Botanical Name	Common Name	Minimum Size/Container	Maximum Spacing	Quantity
Trees				
<i>Pinus elliotii</i>	Slash Pine	6' tall/FG	18 Feet Centers	400
<i>Sabal palmetto</i>	Cabbage Palm	6' tall/FG	18 Feet Centers	58
Understory				
<i>Chrysobalanus icaco</i>	Cocoplum	1 Gallon	10 Feet Centers	*
<i>Callicarpa americana</i>	Beautyberry	1 Gallon	10 feet Centers	*
<i>Vaccinium corymbosum, darrowii and myrsinites</i>	Blueberry	1 Gallon	10 Feet Centers	*
<i>Serenoa repens</i>	Saw Palmetto	1 Gallon/3 gallon	10 Feet Centers	*742/247
<i>Ernodea littoralis</i>	Beach creeper	1 Gallon	10 Feet Centers	*

<i>Chrysopsis spp.</i>	Golden Aster	1 Gallon	10 Feet Centers	*
<i>Coreopsis spp.</i>	Coreopsis	1 Gallon	10 Feet Centers	*
<i>Commelina erecta or diffusa</i>	Dayflower	1 Gallon	10 Feet Centers	*
<i>Gaillardia spp.</i>	Blanket Flower	1 Gallon	10 Feet Centers	*
<i>Opuntia spp.</i>	Prickly Pear	1 Gallon	10 Feet Centers	*
<i>Glandularia maritima, Glandularia tampensis</i>	Beach Verbena	1 Gallon	10 Feet Centers	*
<i>Muhlenbergia sp.</i>	Muhley Grass	1 Gallon	10 Feet Centers	*
<i>Aristida beyrichiana</i>	Wiregrass	1 Gallon	10 Feet Centers	*
<i>Licania michauxii</i>	Gopher Apple	1 Gallon	10 Feet Centers	*

*There will be a total of 1,482 plants with species quantities as follows:

- Green saw palmetto a minimum of 742 at one gallon or 247 at 3 gallon in size and a minimum 14' at installation.
- A combination of at least 8 of the remaining species for a total of 740.

Understory plantings are to be randomly planted/grouped at a maximum of 10' on center.

Abatement Replacement Plantings

A total of 711 trees will be planted in the restoration area shown on the attached Preserve Area Plan Map. Cabbage palms from the development footprint may not be relocated and used for the replacement planting plan below.

Replacement Planting Table

Scientific Name	Common Name	Minimum Size/Container	Maximum Spacing	Quantity
Trees				
<i>Quercus virginiana</i>	Live Oak	20' tall, 4" caliper, 8' canopy	N/A	21
<i>Sabal palmetto</i>	Cabbage Palm	6' tall/FG	18 Feet Centers	598
<i>Quercus virginiana</i>	Live Oak	6' tall/FG	18 Feet Centers	79
<i>Pinus elliottii</i>	Slash Pine	6' tall/FG	18 Feet Centers	13

Trees must meet the standards for Florida No. 1 or better, as set out in Grades and Standards for Nursery Plants, Parts I and II, Department of Agricultural, State of Florida (as amended), nursery grown, containerized and a minimum of 6 feet in height with a minimum trunk diameter of 1 inch measured at 3 feet above the ground and a minimum canopy diameter of 2 feet at installation unless otherwise noted above. Palms must have a minimum of eight feet of clear trunk at planting.

Alternative tree heights can be used. The total heights and calipers must equal or exceed that specified above, such as one 12' in height with two inch caliper tree is equal two 6' in height with one inch caliper trees.

Trees and palms must be installed in a horticultural correct manner, including staking and mulching.

Temporary above-ground irrigation must be installed in the restoration areas and removed no longer than one year from the date of planting.

A two-inch minimum layer, after watering-in, of pine straw mulch must be placed and maintained around all restoration trees.

The restoration and replacement plantings are provided in addition to any trees or shrubs otherwise required to be planted by the LDC. A monitoring report must be submitted annually for 5 years describing the conditions of the restored area.

Prior to replanting, a detailed restoration landscape plan will be submitted as a Development Order (DO) showing the planted material's location, species, and planting standards from above. Replacement vegetation may not be planted on any property line, underground utility or County easement. A Certificate of Compliance (CC) will be obtained.

Proposed Work Schedule

The debris removal, invasive exotic and nuisance plant control program, and regrading will commence after approval of the project's development order. The initial debris removal, exotic treatment, and regrading will be initiated during the first dry season following issuance of all required federal, state, and local authorizations. It is anticipated that the initial treatment will be completed in less than three months. The restoration and replacement plantings will be initiated within approximately two to three months of the completion of the initial exotic removal, weather permitting.

Ecological Performance Standards

To meet the objective of this plan, the following performance standards will apply to the onsite restoration area:

1. At least 80 percent cover by appropriate upland species in the restoration area.

2. The restoration areas are free of exotics immediately following maintenance treatment events. All exotic and nuisance species (defined as Category I and II species on the Florida Exotic Pest Plant Council's List of Invasive Species) within the preserve areas will be treated. The nuisance species dog fennel (*Eupatorium capillifolium*), Caesar weed (*Urena lobata*), primrose willow (*Ludwigia peruviana*), grape vine (*Vitis* sp.), and cattail (*Typha* spp.) as well as exotic species shall total less than five percent combined between maintenance events.
3. Monitoring of the restoration area shall be conducted for a minimum of 5 years with annual reports submitted to the County. After the initial restoration plantings described above, if native upland species do not achieve 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 monitoring program the restoration area shall contain an 80% survival rate of planted vegetation and an 80% coverage of desirable upland species.
4. The restoration area shall be maintained in perpetuity to ensure coverage by native desirable vegetation and the target habitat types and success criteria are maintained as specified in this restoration plan.
5. The restoration area shall be managed such that exotic/nuisance vegetation species do not dominate any one section of areas within the preserves.

These performance standards will be achieved by the end of the five year monitoring period.

Long Term Management

The applicant and/or the owners association will be responsible for the long term maintenance of the onsite restoration area. Vegetation removal permits are required for ongoing management activities associated with this approved Preservation Area Management Plan that is preserve area specific for the type of management that is being requested. Signs demarking the preserve areas will be posted at 100 feet intervals along the outer edge of all preserve areas.

Adaptive Management

If during monitoring of the onsite preserve area, areas do not appear to be trending toward meeting the above ecological performance standards, the methods for treating exotic vegetation will be re-evaluated.

Maintenance

A routine maintenance program will be initiated upon the completion of the initial exotic treatment and native plant installation in the county preserve areas. No maintenance will occur within the wetland restoration area. A vegetation removal permit will be required for preserve maintenance. For the first two years following the initial treatment, the preservation areas will be inspected twice a year (late spring and fall) and all exotic and/or nuisance species will be treated. During these inspections the preservation areas will be qualitatively evaluated, potential

problems (if any) identified, and corrective actions recommended. After the second year, inspections and treatments will be conducted annually during the dry season. The property owner will be responsible for long term management of the preserves.

Pruning and trimming activities will not be performed in the preserve however invasive exotic vegetation may have to be treated within planting areas. The frequency of maintenance will be based on how successful the new plantings are and the extent to which nuisance pest species enter into the newly planted area. Semi-annual monitoring will be conducted in each newly planted area for one year to carefully evaluate these parameters. Herbicide maintenance will be conducted semi-annually during the first year following implementation of the pest control program and at least annually thereafter, in accordance with LDC 10-420(h).

If monitoring events reveal severe deer grazing or other disturbance from wild hogs, the affected planting area will be temporarily isolated with a fence to keep out larger animals until the plantings are well established. Once success criteria are achieved, all temporary fencing will be removed from the preserve.

Newly planted areas will be included in the invasive pest control program. The herbicide maintenance areas shall expand to control exotic and nuisance species as necessary where native vegetation is being established. Periodic management of the planting areas is required to ensure that the plants will survive and thrive. This will guarantee success and allow desirable indigenous species an opportunity to recruit into the planting areas. As part of ongoing management of the site, the owner or his designee shall treat and/or remove exotic species (per LDC Sec. 10-420(h) and nuisance species as necessary at least semiannually for one year and annually thereafter. Nuisance species shall mean those species of flora whose noxious characteristics or presence in sufficient number, biomass, or areal extent may reasonably be expected to prevent, or unreasonably interfere with, the designated use of the waters under consideration, as defined in rules 62-312.310(8) and 62-302.200(14), F.A.C.. Invasive exotic species include at a minimum the species listed in LDC Sec. 10-420(h).

Protected Species Management

Gopher Tortoise

Offsite relocation to a FWC approved recipient site may be necessary for any future development phase and will be addressed during the development order for each project. All gopher tortoises and their burrows will be protected and managed during the restoration activities which include removal of vegetative debris, exotic/nuisance vegetation treatment and removal, regrading, and planting unless the gopher tortoises have been relocated offsite per a valid FWC GT permit.

All gopher tortoise burrows will be marked in the field with orange flagging. The limits of the restoration area will be staked with silt fencing. Prior to any site work,

barricades will be installed around gopher tortoise protection zones unless the gopher tortoises have been relocated offsite per a valid FWC GT permit.

Prior to any land clearing activities, informational materials (Appendix A) will be provided to construction personnel that includes the gopher tortoise's description and directions to cease clearing activities in the vicinity of a gopher tortoise and allow it to move out of harm's way. Once the tortoise has moved, work can be restarted. A qualified biologist will be onsite during the restoration area work to monitor the gopher tortoises onsite and will be notified if a gopher tortoise is sighted by construction personnel within or near any restoration area unless the gopher tortoises have been relocated offsite per a valid FWC GT permit. Prior to the issuance of a vegetation removal permit, the applicant must conduct a gopher tortoise survey and submit documentation from Florida Fish and Wildlife Conservation Commission regarding the gopher tortoise relocation permit for the phase or site.

Eastern Indigo Snake

Prior to any land clearing activities, informational materials (Appendix B) will be provided to construction personnel that includes the eastern indigo snake's description and directions to cease clearing activities in the vicinity of an eastern indigo snake and allow the snake to move out of harm's way. Once the snake has moved, work can be restarted. A qualified biologist will be notified if an eastern indigo snake is sighted by construction personnel.

Monitoring Plan

The proposed monitoring of the county required preserve/restoration area will consist of baseline monitoring, time-zero monitoring, and annual monitoring of vegetation. The annual reports will document the extent of success of the project and, if needed, identify specific actions to be taken to improve conditions within the project area. Sampling stations and methodology of data collection will remain the same for all monitoring events.

An important component of the monitoring reports will be the before and after pictures. All monitoring reports will include panoramic photographs from photo stations as shown on the Preservation Area Management Plan Map.

The results of monitoring events within the preserve and restoration areas will be reported as stated in this plan. Monitoring reports will describe if/where herbicide treatment is necessary to control nuisance species. The report will also explain if/where plantings need to be replaced or if new plantings should be added to a specific area to improve diversity or percent coverage. Prior to any preserve maintenance, Lee County Division of Environmental Sciences will be notified in writing.

The proposed monitoring will consist of baseline monitoring, time-zero monitoring, and annual monitoring of vegetation and wildlife. Baseline monitoring will

document the conditions as they exist prior to initiating the proposed restoration effort. The time-zero report will document the conditions immediately following completion of debris/exotic vegetation and planting activities. A monitoring report will be submitted annually to the Lee County Division of Environmental Sciences for five consecutive years starting one year from the completion of initial restoration activities. The annual reports will document the extent of success of the restoration and, if needed, identify specific actions to be taken to improve the conditions within the project area.

A baseline monitoring report is required for approval of the development order. Please see Appendix B for baseline conditions photographs from the five photo points. The baseline monitoring report will include a description of each of the specific areas and a map depicting the location of each photo station. Copies of the baseline report will be submitted to regulating agencies, including Lee County.

The time-zero monitoring report will be provided prior to certification of compliance. Vegetation removal permits are required for ongoing management activities associated with this approved restoration area plan that is specific for the type of management that is being requested. This report will include the date the planting activity was completed and color photographs to provide an accurate representation of the specific area. The photographs shall be taken from fixed reference points described in the baseline monitoring report and shown on a scaled plan view. A table depicting numbers, spacing, and sizes of each species planted will also be provided. The tree height will be used to measure the size of saplings until the tree is mature enough to enable the diameter-breast height (DBH) to be measured. Subsequent annual monitoring reports will be submitted to requesting agencies within thirty (30) days after each monitoring event. The monitoring reports will include a general qualitative and quantitative characterization of the areas. Any pertinent climatological conditions preceding the monitoring event will be described. Qualitative parameters may include estimates of % bare ground, % desirable species, % undesirable species (nuisance and exotic), and notations regarding faunal presence and use. The monitoring will be completed by November of every year (the end of the growing season) and an annual report submitted to the reviewing agencies by the end of December. All data collected and analyzed will be included in the report.

Wildlife Monitoring

Regular observations of wildlife will be made during all monitoring events by qualified ecologists. This will consist of recording evidence and signs of wildlife (i.e., direct sighting, vocalization, nests, tracks, droppings, etc.).

Photographic Documentation

Permanent fixed-point photograph stations will be established in the monitored areas thereby providing physical documentation of the condition and appearance of an area, as well as any changes taking place. Panoramic photographs will

accompany vegetation data in each report. Locations of photo stations will remain the same throughout the duration of the monitoring program.

Report

The methodology and results of each monitoring event will be documented in an annual monitoring report. Data will typically be collected toward the end of the growing season (October-November) and submitted to the agencies with 90± days of data collection.

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Appendix A

Gopher Tortoise Information Pamphlet



Cliff Leonard

Before you bulldoze

Before you clear land, learn the law. Visit MyFWC.com/GopherTortoise or call the gopher tortoise conservation biologist in your region. Request a permitting fact sheet and remember gopher tortoises must be relocated before any land clearing or development takes place. Property owners must obtain permits from the FWC before tortoises can be moved. Depending on the type of permit, you may be permitted to move the tortoises yourself or you may need to contact an authorized agent.

Tips for horse owners

Gopher tortoises often dig their burrows in pastures, which can be a challenge to horse farm owners who are concerned their horses may step into the burrows and be injured. For tips on how to avoid potential horse-tortoise conflicts, visit MyFWC.com/GopherTortoise or call the gopher tortoise conservation biologist in your region.

Gopher tortoise fast facts

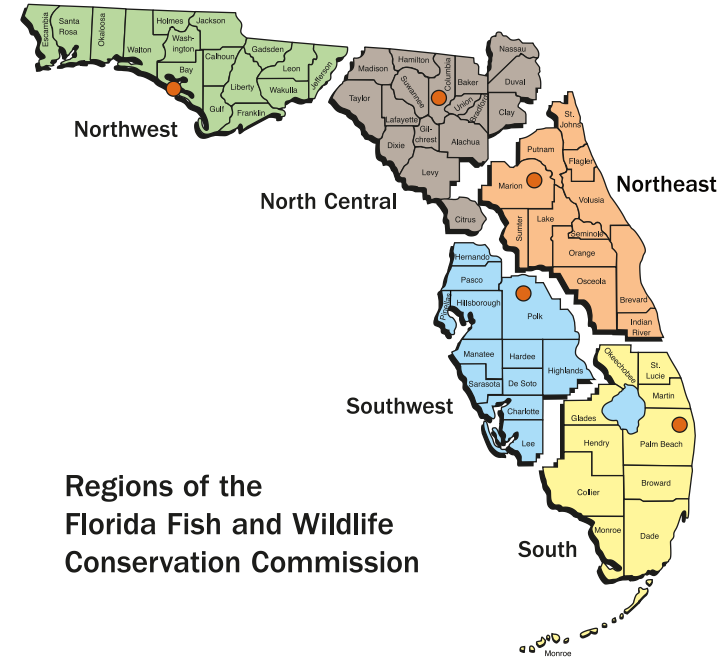
- Gopher tortoise burrows average seven feet deep and 15 feet long but may be more than 40 feet long.
- A tortoise may have multiple burrows within the area it spends most of its time.
- Burrow openings are half-moon shaped with the curve at the top, and its size is a fair representation of the size of the tortoise. Burrows with round openings have generally been taken over by an armadillo.
- Adult tortoises are generally 9-11 inches long and weigh 7-9 pounds.
- Females begin to reproduce when they are 9-21 years old (age depends on local conditions); males begin slightly younger.
- They breed March-October but generally dig nests in May and June. One clutch is laid per year with an average of six eggs. Many eggs never hatch because they are eaten by mammals, birds and snakes.
- The biggest threat to the gopher tortoises' long-term survival is loss of habitat.

Wildlife Alert Reward Program

It is against the law to kill, harass or destroy gopher tortoises, their burrows or eggs. If you suspect illegal activity, you can report it anonymously to FWC's Wildlife Alert Hotline at 888-404-3922, 24 hours a day or online at MyFWC.com/law/Alert. You could be eligible for a reward if your information leads to an arrest.



Robert La Follette



Regions of the Florida Fish and Wildlife Conservation Commission

Northwest Region

3911 Highway 2321
Panama City, FL 32409-1658
850-265-3676

North Central Region

3377 East U.S. Highway 90
Lake City, FL 32055-8795
386-758-0525

Northeast Region

1239 S.W. 10th Street
Ocala, FL 34471-0323
352-732-1225

Southwest Region

3900 Drane Field Road
Lakeland, FL 33811-1299
863-648-3200

South Region

8535 Northlake Boulevard
West Palm Beach, FL 33412
561-625-5122

For more on any information in this brochure, or for Gopher Tortoise Management Plan or permitting information, please call the gopher tortoise conservation biologist in your region listed above, or call 850-488-3831, or visit MyFWC.com/GopherTortoise.

printed on recycled paper

A guide to living with gopher tortoises



David Moynahan



Florida Fish and Wildlife
Conservation Commission
MyFWC.com



Cliff Leonard

The gopher tortoise in Florida

Where they live: high and dry

The gopher tortoise (*Gopherus polyphemus*) is a medium size land turtle with large, stumpy hind legs and flattened, shovel-like front legs it uses to dig burrows in sandy soil. These burrows provide a home and refuge for the tortoise and more than 350 species of wild animals and insects that share the same habitat.

Gopher tortoises occur in parts of all 67 counties in Florida, but prefer high, dry, sandy places such as longleaf pine and oak sandhills. They also live in scrub, dry hammocks, pine flatwoods, dry prairies, coastal grasslands and dunes, mixed hardwood-pine communities and a variety of disturbed habitats, such as pasture lands.

What they eat

Gopher tortoises graze naturally on a wide variety of plant types, including broadleaf grasses, wiregrass, prickly pear cactus, wild grape, blackberry, blueberry, beautyberry and many more. They generally feed within about 160 feet of their burrows, but have been known to travel more than twice that distance to meet their foraging and nutritional needs.

A keystone species

Wildlife experts call the gopher tortoise a “keystone species” because it is the backbone of the plant and wildlife community in which it lives. Without the tortoise, the populations of more than 350 wildlife species that seek refuge or live in the burrows would be greatly reduced, if not eliminated. The species that depend upon tortoise burrows are called commensals and include the indigo snake, pine snake, gopher frog, opossum, burrowing owl, Florida mouse, gopher cricket and scarab beetle.

Protecting and managing

Gopher tortoises have lived for millions of years, but biologists who study these ancient reptiles are concerned we may lose them entirely unless we do more to protect and conserve them and their rapidly disappearing habitat.

In 2007, the Florida Fish and Wildlife Conservation Commission (FWC) listed the gopher tortoise as a threatened species and created a plan to manage and protect these unique reptiles. The plan is a blueprint of conservation objectives and actions which includes guidelines for landowners whose property contains gopher tortoises, habitat acquisition plans and permitting guidelines all designed to ensure the tortoises’ habitat needs are met now and in the future.

Legal protection

It is against the law to damage, destroy, harass or kill gopher tortoises, their burrows or their eggs. Gopher tortoises must be moved out of harm’s way before any land clearing or development takes place. Permits are required from the FWC before handling or moving tortoises.



Robert La Follette



Living in your yard

If a gopher tortoise is living in your yard, embrace the opportunity to learn about a threatened species and help the conservation efforts. Here are a few tips:

- Leave the tortoise alone and keep dogs and small children away from it and its burrow.
- Use tortoise-friendly plants to landscape your yard. In addition to providing excellent food for the tortoise, the plants will require very little watering once established. For a list of suitable plants visit MyFWC.com/GopherTortoise.
- Allow the tortoise to come and go freely from your yard. Fencing it in or restricting its movements in any way is against the law.
- It is acceptable to trim tall grass around the burrow if necessary but leave the burrow and mound alone.
- If possible, avoid mowing, digging, driving over or otherwise disturbing the area right around the burrow, which includes the entrance apron and 25 feet beyond the burrow opening.
- Never block the entrance to the burrow, it could harm the tortoise or prevent its exit.
- A burrow should not compromise the integrity of a foundation or mound septic system, but the gopher tortoise conservation biologist in your region can offer you options.

Crossing the road

- Do not take the tortoise with you.
- If it is in the roadway you can move it across the road in the direction in which it was headed. **Do not put your life in danger to move the tortoise.**
- Do not put the tortoise in the water. Gopher tortoises are terrestrial turtles which means they live on land.

Living in your neighborhood

Gopher tortoises and their burrows are often found on undeveloped lots in neighborhoods that were built in gopher tortoise habitat. The last remaining tortoises in a community sometimes take refuge on these habitat islands scattered among home sites. If your neighborhood has some of these reptilian residents, keep the following in mind:

- Before a lot can be developed, any gopher tortoises present must, by law, be moved out of harm’s way before land clearing begins. Property owners must obtain permits from the FWC before moving gopher tortoises.
- If a lot is about to be developed, you can search the online gopher tortoise permitting database at MyFWC.com/GopherTortoise to see if a permit to move the tortoise(s) has been issued. You can also call the gopher tortoise conservation biologist in your region.
- If there is no land clearing or construction activity on the lot, leave the tortoises alone.
- If you suspect a violation has occurred or is about to occur, call the FWC’s toll free Wildlife Alert Hotline at 888-404-3922 or report it online at MyFWC.com/law/Alert.

Sick or injured

- Sometimes it’s better to just leave a sick or injured gopher tortoise alone and let it return to its burrow to heal.
- You may pick up an injured tortoise to transport it for treatment if necessary.
- Call the nearest FWC regional office to find a wildlife rehabilitator in the area or take it to a veterinarian.
- If you think the injury is the result of a violation and you can provide information, call the FWC’s Wildlife Alert Hotline.

Help their future

- Become tortoise-wise: Learn about gopher tortoises and their habitat needs online at MyFWC.com/GopherTortoise and share the information with family, friends and neighbors.
- Support “green spaces” in and around developments – there is still time to save gopher tortoise habitat before it’s gone.

Appendix B

Eastern Indigo Standard Protection Measures and Information Pamphlet

Killing, harming, or harassing indigo snakes is strictly prohibited and punishable under State and Federal Law.

Only individuals currently authorized through an issued Incidental Take Statement in association with a USFWS Biological Opinion, or by a Section 10(a)(1)(A) permit issued by the USFWS, to handle an eastern indigo snake are allowed to do so.

LEGAL STATUS: The eastern indigo snake is classified as a Threatened species by both the USFWS and the Florida Fish and Wildlife Conservation Commission. “Taking” of eastern indigo snakes is prohibited by the Endangered Species Act without a permit. “Take” is defined by the USFWS as an attempt to kill, harm, harass, pursue, hunt, shoot, wound, trap, capture, collect, or engage in any such conduct. Penalties include a maximum fine of \$25,000 for civil violations and up to \$50,000 and/or imprisonment for criminal offenses, if convicted.



August 12, 2013

ATTENTION:
THREATENED EASTERN INDIGO
SNAKES MAY BE PRESENT ON
THIS SITE!!!



Photo: Dirk Stevenson

Please read the following information provided by the U.S. Fish and Wildlife Service to become familiar with standard protection measures for the eastern indigo snake.

**IF YOU SEE A LIVE EASTERN
INDIGO SNAKE ON THE SITE:**

- Cease clearing activities and allow the eastern indigo snake sufficient time to move away from the site without interference.
- Personnel must NOT attempt to touch or handle snake due to protected status.
- Take photographs of the snake, if possible, for identification and documentation purposes.
- Immediately notify supervisor or the applicant's designated agent, **and** the appropriate U.S. Fish and Wildlife Service (USFWS) office, with the location information and condition of the snake.
- If the snake is located in a vicinity where continuation of the clearing or construction activities will cause harm to the snake, the activities must halt until such time that a representative of the USFWS returns the call (within one day) with further guidance as to when activities may resume.

**IF YOU SEE A DEAD EASTERN
INDIGO SNAKE ON THE SITE:**

- Cease clearing activities and immediately notify supervisor or the applicant's designated agent, **and** the appropriate USFWS office, with the location information and condition of the snake.
- Take photographs of the snake, if possible, for identification and documentation purposes.
- Thoroughly soak the dead snake in water and then freeze the specimen. The appropriate wildlife agency will retrieve the dead snake.

**USFWS Florida Field Offices to be
contacted if a live or dead eastern indigo
snake is encountered:**

North Florida ES Office – (904) 731-3336
Panama City ES Office – (850) 769-0552
South Florida ES Office – (772) 562-3909

DESCRIPTION: The eastern indigo snake is one of the largest non-venomous snakes in North America, with individuals often reaching up to 8 feet in length. They derive their name from the glossy, blue-black color of their scales above and uniformly slate blue below. Frequently, they have orange to coral reddish coloration in the throat area, yet some specimens have been reported to only have cream coloration on the throat. These snakes are not typically aggressive and will attempt to crawl away when disturbed. Though indigo snakes rarely bite, they should NOT be handled.

SIMILAR SNAKES: The black racer is the only other solid black snake resembling the eastern indigo snake. However, black racers have a white or cream chin, thinner bodies, and WILL BITE if handled.

LIFE HISTORY: The eastern indigo snake occurs in a wide variety of terrestrial habitat types throughout Florida. Although they have a preference for uplands, they also utilize some wetlands and agricultural areas. Eastern indigo snakes will often seek shelter inside gopher tortoise burrows and other below- and above-ground refugia, such as other animal burrows, stumps, roots, and debris piles. Females may lay from 4 - 12 white eggs as early as April through June, with young hatching in late July through October.



1994 Aerial
Photograph

↑ N



P/L

P/L

P/L

Lehigh Sunniland



SECTION: 26
TOWNSHIP: 44S
RANGE: 26E

0 80 160
SCALE FEET

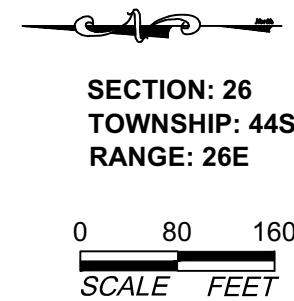
Heritage Trees (29)

ID	SPECIES	DBH	LATITUDE	LONGITUDE	NOTES
HT-3	SLASH PINE	24.5	26° 37' 3.31" N	81° 41' 32.16" W	
HT-4	LIVE OAK	24.5	26° 37' 3.76" N	81° 41' 31.52" W	
HT-5	SLASH PINE	21.5	26° 37' 3.57" N	81° 41' 30.64" W	
HT-6	SLASH PINE	26	26° 37' 2.27" N	81° 41' 30.82" W	
HT-7	SLASH PINE	22	26° 37' 2.38" N	81° 41' 30.39" W	
HT-8	SLASH PINE	20.5	26° 37' 2.86" N	81° 41' 30.07" W	
HT-9	SLASH PINE	20.5	26° 37' 3.67" N	81° 41' 29.79" W	
HT-10	SLASH PINE	21	26° 37' 4.25" N	81° 41' 29.94" W	
HT-11	LIVE OAK	24	26° 37' 4.01" N	81° 41' 28.53" W	Multi trunk
HT-12	LIVE OAK	21.5	26° 37' 4.20" N	81° 41' 28.24" W	Multi trunk
HT-13	SLASH PINE	22	26° 37' 5.55" N	81° 41' 31.91" W	
HT-14	SLASH PINE	23	26° 37' 6.75" N	81° 41' 31.89" W	
HT-15	SLASH PINE	24.5	26° 37' 6.80" N	81° 41' 31.58" W	
HT-16	SLASH PINE	28	26° 37' 7.18" N	81° 41' 31.67" W	Damaged Base
HT-17	SLASH PINE	20	26° 37' 8.75" N	81° 41' 30.71" W	
HT-18	SLASH PINE	23	26° 37' 8.36" N	81° 41' 30.38" W	
HT-19	SLASH PINE	20	26° 37' 7.92" N	81° 41' 29.70" W	
HT-20	SLASH PINE	23	26° 37' 7.53" N	81° 41' 29.27" W	
HT-21	SLASH PINE	22	26° 37' 6.66" N	81° 41' 29.78" W	
HT-22	SLASH PINE	20	26° 37' 6.26" N	81° 41' 29.31" W	
HT-23	SLASH PINE	20	26° 37' 5.52" N	81° 41' 29.60" W	
HT-24	SLASH PINE	20	26° 37' 6.18" N	81° 41' 30.20" W	
HT-25	SLASH PINE	21	26° 37' 6.07" N	81° 41' 29.72" W	
HT-26	SLASH PINE	20	26° 37' 8.47" N	81° 41' 27.42" W	
HT-27	SLASH PINE	21	26° 37' 6.21" N	81° 41' 27.30" W	
HT-28	LIVE OAK	27.5	26° 37' 4.07" N	81° 41' 39.14" W	Multi trunk
HT-29	LIVE OAK	20	26° 37' 3.73" N	81° 41' 41.20" W	Multi trunk
HT-30	LIVE OAK	21	26° 37' 3.42" N	81° 41' 38.89" W	Multi trunk
HT-31	SLASH PINE	21.5	26° 37' 4.70" N	81° 41' 32.55" W	
HT-32	SLASH PINE	23.5	26° 37' 4.42" N	81° 41' 32.83" W	

Notes:

1. Property boundary is approximate and was obtained from the Lee County Property Appraiser's Website.
2. Mapping based on photointerpretation of 2021 aerial photography and ground truthing in September 2021.
3. Delineation of jurisdictional wetlands is preliminary and subject to field review/approval by applicable regulatory agencies.

Lehigh Sunniland



SECTION: 26
TOWNSHIP: 44S
RANGE: 26E

FLUCCS	Description	Acreage
411E2	Pine Flatwoods Invaded by Exotics (26-50%)	7.49 Ac.±
450	Mixed Exotic Upland Forest	2.17 Ac.±
618E*	Willow Invaded by Exotics (5-9%)	3.28 Ac.±
740	Disturbed Land	4.64 Ac.±
743	Spoil Areas	0.83 Ac.±
748**	Cleared Areas	13.62 Ac.±
814	Roads and Highways	1.65 Ac.±
Total		33.68 Ac.±

* Potential SFWMD Jurisdictional Wetlands
** Areas Cleared resulting in VIO2021-06268 & VIO2021-06269 Notice of Violations.

Notes:

1. Property boundary is approximate and was obtained from the Lee County Property Appraiser's Website.
2. Mapping based on photointerpretation of 2021 aerial photography and ground truthing in September 2021.
3. Delineation of jurisdictional wetlands is preliminary and subject to field review/approval by applicable regulatory agencies.

Public Records Request :: W164336-113022

From: Florida Fish and Wildlife Conservation Commission (fwc@govqa.us)

To: buylikeadealer@aol.com

Date: Wednesday, November 30, 2022 at 04:58 PM EST

Your request has been received. In accordance with Chapter 119.07(1), Florida Statutes and Section 1.7, Internal Management Policies and Procedures of the Florida Fish and Wildlife Conservation Commission, our staff will research your request and notify you regarding location, volume, and format of these record series. Your request was given the reference number W164336-113022 for tracking purposes.

Records Requested: Gopher Tortoise site disturbance case #20022 and any related items: Address; 3650 5th street West, Lehigh acres FL.

Additionally, you can monitor the progress of your request at the link below and you'll receive an email when your request has been completed.

If I can provide additional information or assistance, please contact me at (850) 488-6553.

Sincerely,
Hollie Weathersbee
Business and Public Records Administrator
Florida Fish and Wildlife Conservation Commission

To track your request and respond, visit [Ask FWC](#), then click on "Login to my request center."

✉ On 11/30/2022 4:57:40 PM, Florida Fish and Wildlife Conservation Commission wrote:

Your request has been received. In accordance with Chapter 119.07(1), Florida Statutes and Section 1.7, Internal Management Policies and Procedures of the Florida Fish and Wildlife Conservation Commission, our staff will research your request and notify you regarding location, volume, and format of these record series. Your request was given the reference number W164336-113022 for tracking purposes.

Records Requested: Gopher Tortoise site disturbance case #20022 and any related items: Address; 3650 5th street West, Lehigh acres FL.

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If I can provide additional information or assistance, please contact me at (850) 488-6553.

Sincerely,

Hollie Weathersbee

Business and Public Records Administrator

Florida Fish and Wildlife Conservation Commission

To track your request and respond, visit [Ask FWC](#), then click on "Login to my request center."

✉ On 11/30/2022 4:57:40 PM, James WEISBECKER wrote:

Request Created on Public Portal

W164336-113022 - Public Records Request

Message History (3)

 On 12/1/2022 8:50:22 AM, Florida Fish and Wildlife Conservation Commission wrote:

CC: hollie.weathersbee@myfwc.com

Subject: Public Records Request :: W164336-113022

Body:

12/01/2022

James WEISBECKER
6017 PINE RIDGE RD STE 308
Naples FL 34119

Agency Tracker# W164336-113022

Dear James WEISBECKER:

I am unable to locate any records matching your request. If you please check number, provide date of incident, and names of those involved I will gladly look again.. If you require further assistance, please contact me.

Sincerely,

Charles King

Enclosures

cc: Hollie Weathersbee



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

April 25, 2023

Mr. Dan DeLisi, AICP
520 27th Street
West Palm Beach, FL 33407

RE: Sunniland Town Center
DCI2023-00010

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.

TIS Review:

The total weekday PM peak hour entry volume displayed in Figure 2 deviates from the Weekday PM Peak Hour entry volume stated in Table 2, which reports 524 trips.

Figure 2 was revised to reflect the correct volumes entering and exiting the site access drives and the 5th Street intersections to correlate with **Table 2**. The intersection Level of Service analysis for these intersections was also updated to reflect these new volumes. This change did not impact the intersection volumes at Lee Boulevard and Sunniland Boulevard as that intersection reflected the correct volumes.

Sunniland Blvd. and 12th St. W. are arterials maintained by the County, featuring two lanes, and have a posted speed limit of 35 mph (Class II: 35 mph or slower posted speed limit). We kindly request that Table 1A be revised to reflect the correct information by utilizing the corresponding value from the table titled "Lee County Generalized Peak Hour Directional Service Volumes – Urbanized Areas".

Based on the updated Roadway Classification Tables as prepared by Lee County DOT and adopted as part of **Administrative Code 11-1**, both Sunniland Boulevard and 12th West are designated as Major Collectors. No change to Table 1A was made. Copies of the list updated by Lee DOT in April of 2021 is attached to this response for reference.



Mr. Dan DeLisi, AICP
DCI2023-00010
April 25, 2023
Page 2

In Table 1A, the "Percent Project Traffic" value assigned to Lee Blvd. is inconsistent with Figure A-1. Please provide clarification on this matter.

Table 1A was revised to reflect the trip distribution that is reflected on **Figure A-1** and the revised **Table 1-A** and **Table 2A** are attached for reference. This did not change the Level of Service analysis on Lee Boulevard as originally reported in the TIS.

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

Sincerely,

A handwritten signature in dark ink, appearing to read 'Ted B. Treesh', written in a cursive style.

Ted B. Treesh, PTP
President

Attachments

K:\2023\01 January\04 Sunniland at Lee Blvd. Rezoning\Sufficiency\4-25-2023 TIS Sufficiency.doc

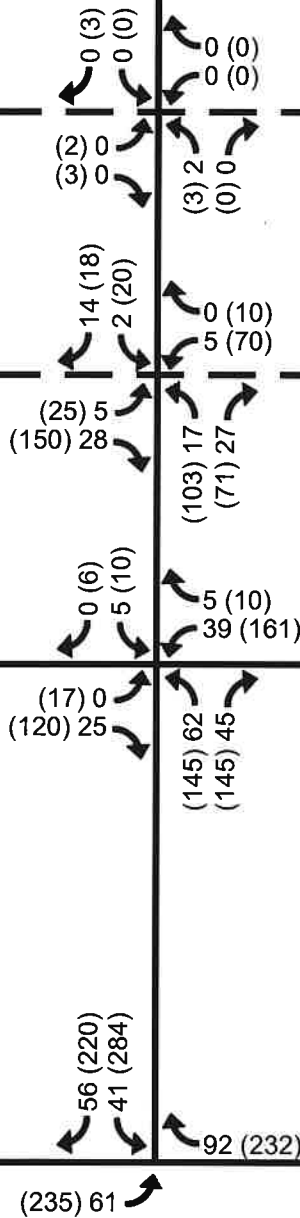
F2301.04/ SUFFICIENCY



5TH ST W.

LEE BLVD.

SUNNILAND BLVD.

LEGEND

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

TABLE 1A
PEAK DIRECTION PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES
SUNNILAND

Revised 4-24-2023

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 197 VPH IN= 132 OUT= 65
TOTAL PM PEAK HOUR PROJECT TRAFFIC = 764 VPH IN= 360 OUT= 404

<u>ROADWAY</u>	<u>SEGMENT</u>	<u>ROADWAY</u> <u>CLASS</u>	<u>LOS A</u> <u>VOLUME</u>	<u>LOS B</u> <u>VOLUME</u>	<u>LOS C</u> <u>VOLUME</u>	<u>LOS D</u> <u>VOLUME</u>	<u>LOS E</u> <u>VOLUME</u>	PERCENT		
								<u>PROJECT</u> <u>TRAFFIC</u>	<u>PROJECT</u> <u>TRAFFIC</u>	<u>PROJ/</u> <u>LOS C</u>
Lee Blvd.	W. of Gunnery Rd.	6LD	0	400	2840	2940	2940	24%	97	3.4%
	W. of Sunniland	6LD	0	400	2840	2940	2940	38%	154	5.4%
	W. of Sunshine Blvd	8LD	0	400	2840	2940	2940	46%	186	6.5%
	E. of Sunshine Blvd	6LD	0	400	2840	2940	2940	20%	81	2.8%
Sunshine Blvd.	N. of 12 St. W	2LN	0	140	800	860	860	12%	48	6.1%
	N. of Lee Blvd.	2LN	0	140	800	860	860	6%	24	3.0%
	S. of Lee Blvd.	2LN	0	140	800	860	860	20%	81	10.1%
Gunnery Rd.	N. of Lee Blvd.	2LN	0	140	800	860	860	6%	24	3.0%
	S. of Lee Blvd.	4LD	0	250	1,840	1,960	1,960	12%	48	2.6%
Sunniland Blvd.	N. of Lee Blvd.	2LN	0	140	800	860	860	16%	65	8.1%
	N. of 12th W.	2LN	0	140	800	860	860	8%	32	4.0%
12st W.	W. of Sunniland Blvd.	2LN	0	140	800	860	860	4%	16	2.0%
	E. of Sunniland Blvd.	2LN	0	140	800	860	860	6%	24	3.0%

* The Level of Service thresholds were for all roadways were obtained from the Lee County Generalized Service Volume Table.

**TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
SUNNILAND**

Revised 4-24-2023

TOTAL PROJECT TRAFFIC AM = 197 VPH IN = 132 OUT= 65
TOTAL PROJECT TRAFFIC PM = 764 VPH IN= 360 OUT= 404

ROADWAY	SEGMENT	SITE/ STATION	BASE YR	LATEST	YRS OF	ANNUAL	2021	2028		V/C	PERCENT			2028			2028		
							PK HR	PK HR	PK SEASON		PROJECT	AM PROJ	PM PROJ	BCKGRND		V/C	BCKGRND		V/C
							PK SEASON	PEAK DIRECTION						+ AM PROJ	LOS		+ PM PROJ	LOS	
			ADT	ADT	GROWTH. ¹	RATE	PEAK DIR. ²	VOLUME	LOS	Ratio	TRAFFIC	TRAFFIC	TRAFFIC	VOLUME	LOS	Ratio	VOLUME	LOS	Ratio
Lee Blvd.	W. of Gunnery Rd.	126022	33,740	39,500	7	2.28%	1,957	2,291	C	0.78	24%	32	97	2,323	C	0.79	2,388	C	0.81
	W. of Sunniland	126022	33,740	39,500	7	2.28%	2,093	2,450	C	0.83	38%	50	154	2,500	C	0.85	2,604	C	0.89
	W. of Sunshine Blvd	126022	33,740	39,500	7	2.28%	2,093	2,450	C	0.83	46%	61	186	2,511	C	0.85	2,636	C	0.90
	E. of Sunshine Blvd	120097	40,500	50,000	7	3.06%	2,093	2,584	C	0.88	20%	26	81	2,610	C	0.89	2,665	C	0.91
Sunshine Blvd.	N. of 12 St. W	120173	11,300	12,500	6	1.70%	602	677	C	0.79	12%	16	48	693	C	0.81	726	C	0.84
	N. of Lee Blvd.	120137	11,300	12,500	6	1.70%	651	732	C	0.85	6%	8	24	740	C	0.86	757	C	0.88
	S. of Lee Blvd.	124182	5,400	7,800	7	5.39%	395	571	C	0.66	20%	26	81	597	C	0.69	651	C	0.76
Gunnery Rd.	N. of Lee Blvd.	124104	12,800	16,900	7	4.05%	777	1,026	F	1.19	6%	8	24	1,034	F	1.20	1,050	F	1.22
	S. of Lee Blvd.	290	19,200	26,100	6	5.25%	1,427	2,042	F	1.04	12%	16	48	2,058	F	1.05	2,090	F	1.07
Sunniland Blvd.	N. of Lee Blvd.					1.70%	185	208	C	0.24	16%	21	65	229	C	0.27	273	C	0.32
	N. of 12th W.					1.70%	185	208	C	0.24	8%	11	32	219	C	0.25	240	C	0.28
12th St W	W. of Sunniland Blvd.	120057	63,000	90,000	8	4.56%	230	230	C	0.27	4%	5	16	235	C	0.27	246	C	0.29
	E. of Sunniland Blvd.	120057	63,000	90,000	8	4.56%	230	230	C	0.27	6%	8	24	238	C	0.28	254	C	0.30

¹ Annual Growth Rate was calculated utilizing AADT data from 2021 FDOT Traffic Online & Lee County Traffic Count Reports.

² 2021 peak hour peak season peak direction traffic volumes were obtained from the 2022 Lee County Public Facilities Level of Service and Concurrency Report.

The peak hour, peak direction volume for Sunniland Blvd. was taken from turning movement count conducted by TR Transportation Consultants at Lee Blvd. on 1/18/2023

Revisions by S Jansen April 2021

Exhibit A: Road Classification

COUNTY MAINTAINED EXPRESSWAYS

ROADWAY	FROM	TO
Veterans Pkwy/Midpoint Bridge	Burnt Store Rd	Caloosahatchee River

COUNTY MAINTAINED CONTROLLED ACCESS FACILITIES

ROADWAY	FROM	TO	LOCATION	MODIFICATION
Burnt Store Rd	Pine Island Rd	Charlotte Co Line	Cape Coral	2020
Ben Hill Griffin Pkwy	Alico Rd	Airport Terminal Rd		
Daniels Pkwy	US 41	SR 82		
Ben Pratt/Six Mile Cypress Pkwy	Metro Pkwy	Colonial Blvd		
Imperial Pkwy	Terry St	Coconut Rd	Bonita Springs	2008
Ortiz Ave	Colonial Blvd	SR 82	Fort Myers	2020
Summerlin Rd	McGregor Blvd	Boyscout Rd	Fort Myers	
Veterans Pkwy	Chiquita Blvd	Pine Island Rd	Cape Coral	
Alico Road Ext	Ben Hill Griffin Blvd	SR 82		2019
Treeline Ave	Terminal Access Rd	Daniels Pkwy		

COUNTY MAINTAINED PRINCIPAL ARTERIALS

ROADWAY	FROM	TO	LOCATION	MODIFICATION
Alico Road	US 41	Ben Hill Griffin Blvd	San Carlos Park	
Ben Hill Griffin Pkwy	Corkscrew Rd	Alico Rd	Airport	
Bonita Beach Rd	Hickory Blvd	I-75	Bonita Springs	2020
Boyscout Rd	Summerlin Rd	US 41	Fort Myers	
Buckingham Rd	SR 82	SR 80		
Burnt Store Rd	Pine Island Rd	County Ln		2020
Cape Coral Bridge Road	Del Prado Blvd	McGregor Blvd		
College Pkwy	McGregor Blvd	US 41	South Fort Myers	
Colonial Blvd	McGregor Blvd	US 41	Fort Myers	
Colonial Blvd	Six Mile Cypress Slough	SR 82	Fort Myers	
Corkscrew Rd	US 41	County Line	Estero	
Cypress Lake Dr	McGregor Blvd	US 41	South Fort Myers	
Del Prado Blvd	Cape Coral Pkwy	SR 78		
Estero Pkwy	US 41	Three Oaks Pkwy	Estero	
Fowler St	US 41	Hanson St		
Gladiolus Dr	McGregor Blvd	US 41	Fort Myers	
Gunnery Road	SR 82	Buckingham Rd		
Hancock Bridge Pkwy	Del Prado Blvd	US 41		
Hanson St	Fowler St	Metro Pkwy		2010
Joel Blvd	Leeland Heights Blvd	SR 80	Lehigh Acres	
Lee Blvd	SR 82	Leeland Heights Blvd	Lehigh Acres	
Leeland Heights Blvd	Lee Blvd	Joel Blvd	Lehigh Acres	
Livingston Rd Imperial Pkwy	Collier County line	Bonita Beach Road	Bonita Springs	2008
McGregor Blvd	Sanibel Toll Plaza	Summerlin Rd	Iona/McGregor	
Midpoint Bridge	Caloosahatchee River	McGregor Blvd		
Ortiz Ave	Colonial Blvd	SR 80	Fort Myers	
Ortiz Ave	SR 82	SR 80		2020
Pine Island Rd	Stringfellow Rd	Burnt Store Rd	Pine Island	
Pondella Rd	SR 78	Bus 41	North Fort Myers	
Sanibel Causeway	Sanibel Island Shore	Toll Plaza	Sanibel	
Summerlin Rd	Boyscout Rd	Colonial Blvd	Fort Myers	
Sunshine Blvd	SR 82	W. 12th St	Lehigh Acres	
Three Oaks Parkway	S. of Coconut Rd	Williams Rd		2010
Three Oaks Pkwy	Williams Rd	Alico Rd		
Three Oaks Pkwy	Alico Rd	Daniels Pkwy	South Fort Myers	2019
Treeline Ave	Daniels Pkwy	Colonial Blvd	Fort Myers	2006

COUNTY MAINTAINED MINOR ARTERIALS

ROADWAY	FROM	TO	LOCATION	MODIFICATION
23rd St	Gunnery Rd	Beth Stacey Blvd	Lehigh Acres	
Alabama Road	SR 82	Homestead Rd	Lehigh Acres	
Beth Stacey Blvd	23rd St.	Homestead Rd	Lehigh Acres	
Bell Blvd	SR 82	Leeland Heights Blvd	Lehigh Acres	
Bonita Beach Rd	I-75	Logan Blvd	Bonita Springs	2020
Del Prado Blvd	US 41	Mellow Rd	North Fort Myers	2010
Estero Blvd	Hickory Blvd	San Carlos Blvd		
Estero Pkwy	Three Oaks Pkwy	Ben Hill Griffin Blvd		2010
Hickory Blvd	Bonita Beach Rd	Estero Blvd	Bonita Springs	
Homestead Rd	SR 82	Lee Blvd	Lehigh Acres	
Leeland Heights Blvd	Homestead Rd	Lee Blvd	Lehigh Acres	
Leonard Blvd	Gunnery Rd	Westgate Blvd	Lehigh Acres	2000
Luckett Rd	Ortiz Ave	I-75	Fort Myers	
McGregor Blvd	Summerlin Rd	San Carlos Blvd		
Mellow Rd	Del Prado Blvd	Slater Rd	North Fort Myers	2010
North River Rd	SR 31	County Line	Alva	
Plantation Rd	Six Mile Cpress Pkwy	Colonial Blvd	South Fort Myers	2020
Slater Rd	SR 78	Mellow Dr.	North Fort Myers	
Stringfellow Rd	York Rd	Jug Creek	Pine Island	
Terminal Access Rd	I-75	Air Cargo Ln	Port Authority	
Westgate Blvd	Leonard Blvd	Lee Blvd	Lehigh Acres	2000
Winkler Rd	Summerlin Rd	McGregor Blvd	Fort Myers	

COUNTY MAINTAINED MAJOR COLLECTORS

ROADWAY	FROM	TO	LOCATION	MODIFICATION
12th St. W	Gunnery Rd	Sunshine		
8th St SW	Gunnery Rd	Sunshine Blvd		2021
Alvin Ave	Lee Blvd	Buckingham Rd		
A & W Bulb	Gladiolus	McGregor Blvd		
Alice Rd	Ben Hill Griffin Blvd	Corkscrew Rd	SE Lee County	2019
Alico Rd	Green Meadows Rd	Corkscrew Rd	SE Lee County	2019
Ballard Rd	Palmetto Ave	Ortiz Ave	Fort Myers	
Barrett Rd	Pondella Rd	SR 78	North Fort Myers	
Bass Rd	Summerlin Rd	Gladiolus Dr	Iona/McGregor	
Bonita Grande Dr	Bonita Beach Rd	E. Terry St	Bonita Springs	
Brantley Rd	Summerlin Rd	US 41	South Fort Myers	
Briarcliff Rd	US 41	Triple Crown Ct	South Fort Myers	
Broadway	Carrell Rd	Hanson St	Fort Myers	
Broadway Rd	SR 80	North River Rd	Alva	
Broadway	Pine Tree Ct	US 41	Estero	2021
Captiva Dr.	Blind Pass	South Seas	Captiva	
Cemetery/Sullivan	Buckingham Rd	Stratton Rd	Buckingham	
Chamberlin Pkwy	Daniels Pkwy	Paul J Doherty Pkwy	Port Authority	
Coconut Rd	Hyatt Driveway	Spring Creek Rd	Estero	
Commerce Lakes Dr	Westlinks Blvd	Gateway Blvd		2017
Constitution Blvd	US 41	Cypress Point Rd	San Carlos Park	
Corbett Rd	SR 78	Littleton Rd	North Fort Myers	
Country Lakes Dr	Luckett Rd	Tice St	Fort Myers	
Crystal Dr	US 41	Plantation Rd	South Fort Myers	
Danley Dr.	South Airport Rd	Metro Pkwy	South Fort Myers	
Davis Rd	McGregor Blvd	Iona Rd	Iona/McGregor	
Del Prado Ext/Mellow	US 41	Slater Rd	North Fort Myers	2021
E 6th Street	Richmond Ave	Joel Blvd	Lehigh Acres	
E. 12th St	Richmond Ave	Moore ave	Lehigh Acres	
Fiddlesticks Blvd	End of County Maintenance	Daniels Pkwy	Daniels Parkway	
Ford St	Hanson St	SR 82	Fort Myers	
Griffin Dr	Gateway Blvd	SR 82		2017
Gulf/Gasparilla Rd	Port Boca Grande	County Line	Boca Grande	
Hart Rd	SR 78	Tucker Ln	North Fort Myers	
Idlewild	Metro Pkwy	Ranchette Rd	Fort Myers	
Imperial St	County Line	Bonita Beach Rd	Bonita Springs	
Iona Rd	Davis Rd	McGregor Blvd	Iona/McGregor	
Island Park Rd	Park Rd	US 41	Fort Myers	
John Morris	Summerlin Rd	Iona Rd	Iona/McGregor	
Kelly Rd	McGregor Blvd	Pine Ridge Rd	Iona/McGregor	

Laurel Dr/Ln	BUS 41	Hart Rd	North Fort Myers	
Lee Rd	San Carlos Blvd	Alico Rd	San Carlos Park	
Leetana Dr	SR 78	Pritchett Pkwy	North Fort Myers	
Littleton Rd	NW 24th St	Bus 41	North Fort Myers	2019
Luckett Rd	I-75	Holsten Dr	Fort Myers	
Meadow Rd	Hedgewood St	Naples Ave	Lehigh Acres	2007
Meadow Rd	Alabama Rd	Floyd Ave	Lehigh Acres	2007
Meadow Rd	Gretchen Ave	Ray Ave	Lehigh Acres	2007
Meadow Rd	Owens Ave	Wallace Ave	Lehigh Acres	2007
Milwaukee Blvd	Alabama Rd	Bell Blvd	Lehigh Acres	2021
Moody Rd	Hancock Bridge	Pondella Rd		
Nalle Grade Rd	Slater Rd	Nalle Rd		
Nalle Rd	SR 78	Nalle Grade Rd		
Orange Grove Blvd	Birkdale Ave	Pondella Rd		
Orange River Blvd	SR 80	Buckingham Rd		
Oriole Rd	San Carlos Blvd	Three Oaks Pkwy	San Carlos Park	2020
Park Meadows Dr	Summerlin Rd	US 41	South Fort Myers	
Paul J Doherty Pkwy	Chamberlin Pkwy	Daniels Pkwy	Port Authority	
Penzance Blvd	Ranchette Rd	Six Mile Pkwy	South Fort Myer	2021
Pine Ridge Rd	San Carlos Blvd	McGregor Blvd	Iona/McGregor	
Playa Del Sol	De Navarra Pkwy	US 41	N Fort Myers	
Plantation Rd	Six Mile Cypress	Idlewild St	South Fort Myers	
Pritchett Pkwy	Leetana Dr	Rich Rd	North Fort Myers	
Ranchette Rd	Penzance Blvd	Idlewild St	South Fort Myers	2021
Rich Rd	Slater Rd	Pritchett Pkwy	North Fort Myers	
Richmond Ave	Sunrise Blvd	Greenbriar Blvd	Lehigh Acres	2021
River Ranch Rd	Williams Rd	Corkscrew Rd	Estero	
San Carlos Blvd	US 41	Three Oaks Pkwy	San Carlos Park	
Sanibel Blvd	US 41	Lee Rd	San Carlos Park	
Shell Point Blvd	McGregor Blvd	David Dr	Iona/McGregor	
Slater Rd	Mellow Dr	Nalle Grade Rd	North Fort Myers	
South Airport Rd	US 41	Danley Dr.	South Fort Myers	
South Point Blvd	Cypress Lake Dr	College Pkwy	South Fort Myers	
Staley Rd	Tice St	Orange River Blvd	Buckingham	
Stringfellow Rd	1st Ave	York Rd	Pine Island	
Stringfellow Rd	Jug Creek	Main St	Pine Island	
Sunniland Blvd	Lee Blvd	Park Road	Lehigh Acres	
Sunshine Blvd	W. 12th St	74th St	Lehigh Acres	
Tice St	SR 80	Staley Rd		
Freeline Ave	Daniels Pkwy	Amberwood Rd	Airport	2006
W 6th Street	Williams Ave	Richmond Ave	Lehigh Acres	
W 12th St	Sunshine Blvd	Richmond Ave	Lehigh Acres	
Whiskey Creek Dr	McGregor Blvd	College Pkwy	South Fort Myers	
Williams Ave	Lee Blvd	W. 17th St	Lehigh Acres	
Williams Rd	Halfway Creek	Three Oaks Pkwy	Estero	
Winkler Rd	South End	Summerlin Rd	Iona/McGregor	
Woodland Blvd	US 41	Chatham St	South Fort Myers	
Freeline Ave	Pelican Preserve Blvd	Colonial Blvd		2006

COUNTY MAINTAINED MINOR COLLECTOR:

ROADWAY	FROM	TO	LOCATION	MODIFICATION
1st St	Sunshine Blvd	Lee Blvd	Lehigh Acres	
19th St W	Joan Ave N	Ann Ave N		2020
4th St	Lee St	Yvonne Ave	Lehigh Acres	
4th St W	Sunshine Blvd	Elva Ave N		2007
5th St	Lee St	Sunniland	Lehigh Acres	
5th St W	Sunshine Blvd	Bella Ct		2007
59th St W	Sunshine Blvd	Queen Ave		2007
67th St W	Queen Ave	Unice Ave		2007
68th St W	Unice Ave	Stratton Rd		2007
Abrams Ave	Lee Blvd	Buckingham Rd		
American Colony Blvd	Eagle Ridge Dr	Daniels Pkwy		
Austin St	Christiana Wy	Crystal Dr.	South Fort Myers	
Babcock Rd	US 41	Rockefeller Cir	San Carlos Park	
Barbie Lane	Tucker Lane	Del Prado Ext.	North Fort Myers	
Beacon Blvd	Harvard Ave	Sunrise Blvd	South Fort Myers	2007
Beacon Blvd	Sunrise Blvd	Arden St	South fort myers	2007
Beacon Manor Dr	US 41	Beacon Blvd	South Fort Myers	

HCS Two-Way Stop-Control Report

General Information

Analyst	tbt
Agency/Co.	TR Transportation Consult
Date Performed	4/25/2023
Analysis Year	2028
Time Analyzed	Weekday AM Peak Hr
Intersection Orientation	North-South
Project Description	Sunniland CPD

Site Information

Intersection	Sunniland Blvd. @ 5th St. W
Jurisdiction	Lee County
East/West Street	5th St. W
North/South Street	Sunniland Blvd.
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	1	0		0	1	0	0	1	1	0	0	1	1	0
Configuration			LTR				LTR			L		TR		L		TR
Volume (veh/h)		24	0	32		39	0	5		62	186	45		5	176	14
Percent Heavy Vehicles (%)		0	0	0		0	1	0		0				0		
Proportion Time Blocked																
Percent Grade (%)	0				0											
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		7.1	6.5	6.2		7.1	6.5	6.2		4.1				4.1		
Critical Headway (sec)		7.10	6.50	6.20		7.10	6.51	6.20		4.10				4.10		
Base Follow-Up Headway (sec)		3.5	4.0	3.3		3.5	4.0	3.3		2.2				2.2		
Follow-Up Headway (sec)		3.50	4.00	3.30		3.50	4.01	3.30		2.20				2.20		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)			61				48			67				5		
Capacity, c (veh/h)			579				409			1377				1326		
v/c Ratio			0.11				0.12			0.05				0.00		
95% Queue Length, Q ₉₅ (veh)			0.4				0.4			0.2				0.0		
Control Delay (s/veh)			11.9				15.0			7.7				7.7		
Level of Service (LOS)			B				B			A				A		
Approach Delay (s/veh)	11.9				15.0				1.6				0.2			
Approach LOS	B				B				A				A			

HCS Two-Way Stop-Control Report

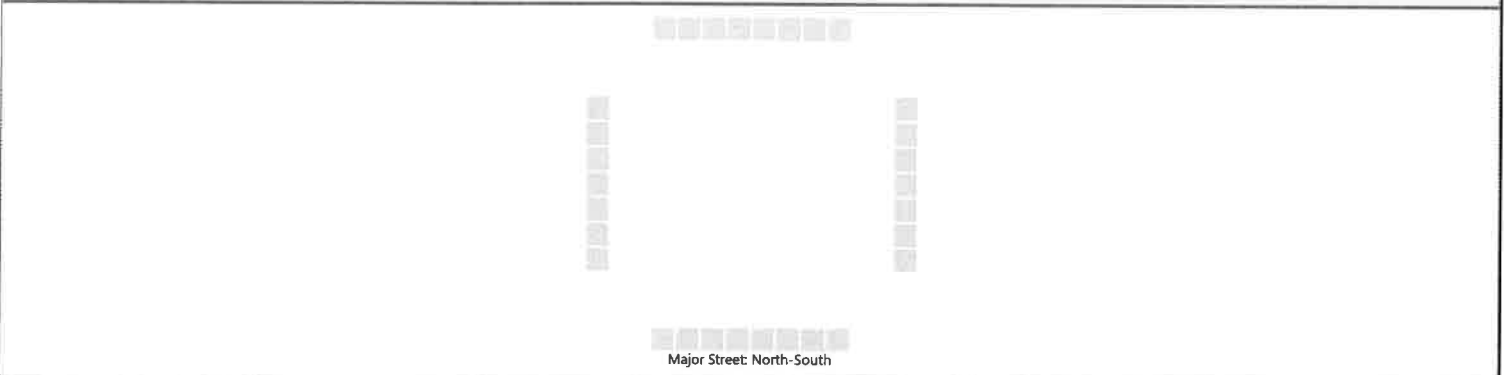
General Information

Analyst	tbt
Agency/Co.	TR Transportation Consult
Date Performed	4/25/2023
Analysis Year	2028
Time Analyzed	Weekday PM Peak Hr
Intersection Orientation	North-South
Project Description	Sunniland CPD

Site Information

Intersection	Sunniland Blvd. @ 5th St. W
Jurisdiction	Lee County
East/West Street	5th St. W
North/South Street	Sunniland Blvd.
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	1	0		0	1	0	0	1	1	0	0	1	1	0
Configuration			LTR				LTR			L		TR		L		TR
Volume (veh/h)		40	0	134		161	0	10		146	432	145		10	383	24
Percent Heavy Vehicles (%)		0	0	0		0	1	0		0				0		
Proportion Time Blocked																
Percent Grade (%)	0				0											
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		7.1	6.5	6.2		7.1	6.5	6.2		4.1				4.1		
Critical Headway (sec)		7.10	6.50	6.20		7.10	6.51	6.20		4.10				4.10		
Base Follow-Up Headway (sec)		3.5	4.0	3.3		3.5	4.0	3.3		2.2				2.2		
Follow-Up Headway (sec)		3.50	4.00	3.30		3.50	4.01	3.30		2.20				2.20		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)			189				186			159				11		
Capacity, c (veh/h)			306				83			1128				964		
v/c Ratio			0.62				2.23			0.14				0.01		
95% Queue Length, Q ₉₅ (veh)			3.9				16.9			0.5				0.0		
Control Delay (s/veh)			34.2				673.3			8.7				8.8		
Level of Service (LOS)			D				F			A				A		
Approach Delay (s/veh)	34.2				673.3				1.8				0.2			
Approach LOS	D				F				A				A			

HCS Two-Way Stop-Control Report

General Information

Analyst	tbt
Agency/Co.	TR Transportation Consult
Date Performed	4/25/2023
Analysis Year	2028
Time Analyzed	Weekday AM Peak Hr
Intersection Orientation	North-South
Project Description	Sunniland CPD

Site Information

Intersection	Sunniland Blvd. @ South Site Access
Jurisdiction	Lee County
East/West Street	South Site Access
North/South Street	Sunniland Blvd.
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		1	1	0		1	1	0	0	1	1	0	0	1	1	0
Configuration		L		TR		L		TR		L		TR		L		TR
Volume (veh/h)		5	0	28		5	0	0		17	159	27		2	129	14
Percent Heavy Vehicles (%)		0	0	0		0	1	0		0				0		
Proportion Time Blocked																
Percent Grade (%)	0				0											
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		7.1	6.5	6.2		7.1	6.5	6.2		4.1				4.1		
Critical Headway (sec)		7.10	6.50	6.20		7.10	6.51	6.20		4.10				4.10		
Base Follow-Up Headway (sec)		3.5	4.0	3.3		3.5	4.0	3.3		2.2				2.2		
Follow-Up Headway (sec)		3.50	4.00	3.30		3.50	4.01	3.30		2.20				2.20		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		5		30		5		0		18				2		
Capacity, c (veh/h)		576		904		544		0		1437				1382		
v/c Ratio		0.01		0.03		0.01				0.01				0.00		
95% Queue Length, Q ₉₅ (veh)		0.0		0.1		0.0				0.0				0.0		
Control Delay (s/veh)		11.3		9.1		11.7				7.5				7.6		
Level of Service (LOS)		B		A		B				A				A		
Approach Delay (s/veh)	9.5								0.6				0.1			
Approach LOS	A								A				A			

HCS Two-Way Stop-Control Report

General Information

Analyst	tbt
Agency/Co.	TR Transportation Consult
Date Performed	4/25/2023
Analysis Year	2028
Time Analyzed	Weekday PM Peak Hr
Intersection Orientation	North-South
Project Description	Sunniland CPD

Site Information

Intersection	Sunniland Blvd. @ South Site Access
Jurisdiction	Lee County
East/West Street	South Site Access
North/South Street	Sunniland Blvd.
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		1	1	0		1	1	0	0	1	1	0	0	1	1	0
Configuration		L		TR		L		TR		L		TR		L		TR
Volume (veh/h)		25	0	150		70	0	10		103	404	71		20	149	18
Percent Heavy Vehicles (%)		0	0	0		0	1	0		0				0		
Proportion Time Blocked																
Percent Grade (%)	0				0											
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		7.1	6.5	6.2		7.1	6.5	6.2		4.1				4.1		
Critical Headway (sec)		7.10	6.50	6.20		7.10	6.51	6.20		4.10				4.10		
Base Follow-Up Headway (sec)		3.5	4.0	3.3		3.5	4.0	3.3		2.2				2.2		
Follow-Up Headway (sec)		3.50	4.00	3.30		3.50	4.01	3.30		2.20				2.20		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		27		163		76		11		112				22		
Capacity, c (veh/h)		224		877		165		592		1406				1060		
v/c Ratio		0.12		0.19		0.46		0.02		0.08				0.02		
95% Queue Length, Q ₉₅ (veh)		0.4		0.7		2.2		0.1		0.3				0.1		
Control Delay (s/veh)		23.3		10.0		44.4		11.2		7.8				8.5		
Level of Service (LOS)		C		B		E		B		A				A		
Approach Delay (s/veh)	11.9				40.2				1.4				0.9			
Approach LOS	B				E				A				A			

HCS Two-Way Stop-Control Report

General Information

Analyst	tbt
Agency/Co.	TR Transportation Consult
Date Performed	4/25/2023
Analysis Year	2028
Time Analyzed	Weekday AM Peak Hr
Intersection Orientation	North-South
Project Description	Sunniland CPD

Site Information

Intersection	Sunniland Blvd. @ North Site Access
Jurisdiction	Lee County
East/West Street	North Site Access
North/South Street	Sunniland Blvd.
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		1	1	0		1	1	0	0	1	1	0	0	1	1	0
Configuration		L		TR		L		TR		L		TR		L		TR
Volume (veh/h)		0	0	0		0	0	0		2	163	2		0	143	3
Percent Heavy Vehicles (%)		0	0	0		0	1	0		0				0		
Proportion Time Blocked																
Percent Grade (%)	0				0											
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		7.1	6.5	6.2		7.1	6.5	6.2		4.1				4.1		
Critical Headway (sec)		7.10	6.50	6.20		7.10	6.51	6.20		4.10				4.10		
Base Follow-Up Headway (sec)		3.5	4.0	3.3		3.5	4.0	3.3		2.2				2.2		
Follow-Up Headway (sec)		3.50	4.00	3.30		3.50	4.01	3.30		2.20				2.20		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		0		0		0		0		2				0		
Capacity, c (veh/h)		617		0		617		0		1433				1408		
v/c Ratio		0.00				0.00				0.00				0.00		
95% Queue Length, Q ₉₅ (veh)		0.0				0.0				0.0				0.0		
Control Delay (s/veh)		10.8				10.8				7.5				7.6		
Level of Service (LOS)		B				B				A				A		
Approach Delay (s/veh)									0.1				0.0			
Approach LOS									A				A			

HCS Two-Way Stop-Control Report

General Information

Analyst	tbt
Agency/Co.	TR Transportation Consult
Date Performed	4/25/2023
Analysis Year	2028
Time Analyzed	Weekday PM Peak Hr
Intersection Orientation	North-South
Project Description	Sunniland CPD

Site Information

Intersection	Sunniland Blvd. @ North Site Access
Jurisdiction	Lee County
East/West Street	North Site Access
North/South Street	Sunniland Blvd.
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		1	1	0		1	1	0	0	1	1	0	0	1	1	0
Configuration		L		TR		L		TR		L		TR		L		TR
Volume (veh/h)		2	0	3		0	0	0		0	446	0		0	191	3
Percent Heavy Vehicles (%)		0	0	0		0	1	0		0				0		
Proportion Time Blocked																
Percent Grade (%)	0				0											
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		7.1	6.5	6.2		7.1	6.5	6.2		4.1				4.1		
Critical Headway (sec)		7.10	6.50	6.20		7.10	6.51	6.20		4.10				4.10		
Base Follow-Up Headway (sec)		3.5	4.0	3.3		3.5	4.0	3.3		2.2				2.2		
Follow-Up Headway (sec)		3.50	4.00	3.30		3.50	4.01	3.30		2.20				2.20		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		2		3		0		0		0				0		
Capacity, c (veh/h)		360		836		358		0		1372				1089		
v/c Ratio		0.01		0.00		0.00				0.00				0.00		
95% Queue Length, Q ₉₅ (veh)		0.0		0.0		0.0				0.0				0.0		
Control Delay (s/veh)		15.1		9.3		15.1				7.6				8.3		
Level of Service (LOS)		C		A		C				A				A		
Approach Delay (s/veh)	11.6								0.0				0.0			
Approach LOS	B								A				A			